



**SEAGOVILLE, TEXAS  
CITY COUNCIL MEETING AGENDA  
MONDAY, FEBRUARY 24, 2020**

**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)**
- C. Receive presentation concerning dangerous dog procedures (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.*

**1. Recess Into Executive Session**

**Council will recess into Executive Session in compliance with Texas Government Code:**

- A. § 551.071. Consultation with City Attorney: receive legal advice related to Councils ability to guide staff on residential development**

**2. Reconvene Into Regular Session**

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

- A. § 551.071. Consultation with City Attorney: receive legal advice related to Councils ability to guide staff on residential development**

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

- 3. Consider approving City Council Meeting minutes for January 27, 2020 and Joint Meeting with Seagoville Economic Development Corporation minutes for February 3, 2020 (City Secretary)**

**REGULAR AGENDA-**

- 4. Discuss and consider a Resolution of the City Council of the City of Seagoville, Texas, authorizing the Mayor to accept and file the Police Department’s 2019 Racial Profiling Report, providing for the repeal of any and all Resolutions in conflict; providing for a severability clause; and providing an effective date (Police Chief)**

- 5. Discuss and consider a Resolution of the City of Seagoville, Texas, awarding a bid to Ed Bell Construction Company for the Crestview Lane and East Malloy Bridge Road Reconstruction Project in the amount of Two Million; Two Hundred Forty Five Thousand Three Hundred Sixty Four Dollars (\$2,245,364.00); Authorizing the City Manager to execute any and all necessary documents: and providing an effective date (Community Development Director)**

- 6. Conduct a Public Hearing on a request to change the zoning from Single Family (R-2) to Planned Development - Residential Single Family-5 (PD-20-02) for three (3) tracts of land described as Tract 1 being approximately 135.08± acres commonly referred to as 2301 Simonds Road, 2219 Simonds Road, 2219 E. Simonds Road, and 1320 E. Stark Road and Tract 2 being approximately 22.95± acres of the land commonly referred to as 2301 Simonds Road and, Tract 3 being approximately 88.96± acres of the land located on the southeast corner of Stark Road and Lasater Road, all in the City of Seagoville, Dallas County, Texas. Dennis and Janis Wolford own Tract 1 and Tract 2. Richard Jones and Gary Jones own Tract 3 (Community Development)**

**7. Discuss and consider an Ordinance of the City of Seagoville, Dallas County, Texas, amending the Comprehensive Zoning Ordinance and Map of the City of Seagoville, Dallas County, Texas, as heretofore amended, by granting a change in zoning from Single Family (R-2) to Planned Development - Residential Single Family-5 (PD-20-02) for three (3) tracts of land described as Tract 1 being approximately 135.08± acres commonly referred to as 2301 Simonds Road, 2219 Simonds Road, 2219 E. Simonds Road, and 1320 E. Stark Road and Tract 2 being approximately 22.95± acres of the land commonly referred to as 2301 Simonds Road and, Tract 3 being approximately 88.96± acres of land located on the southeast corner of Stark Road and Lasater Road, all in the City of Seagoville, Dallas County, Texas, and each tract being legally described in Exhibit “A”, attached hereto and incorporated herein; providing for development regulations; providing for the approval of the concept plan, which is attached hereto and incorporated herein as Exhibit “B”; providing a repealing clause; providing a severability clause; providing a savings clause; providing a penalty of fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and providing an effective date (Community Development Director)**

**8. Discuss and consider a Resolution of the City Council of the City of Seagoville, Texas approving Amendment No. 1 to the Mowing Services Agreement between the City of Seagoville and Good Earth Corporation, which is attached hereto as Exhibit “A”, by amending Article I to provide for a term to run concurrent with the City’s Fiscal Year and, by amending Article IV to increase the compensation amount to mirror the amount set forth in the FY 2020 Budget for said services, being Two Hundred Fifteen Thousand Dollars (\$215,000.00); authorizing the City Manager to execute any and all necessary documents; and providing an effective date (Community Development Director)**

**9. Discuss and consider a Resolution of the City of Seagoville, Texas, approving engagement of C&M Concrete to replace the entrance off Bruce Way into C.O Bruce “Central” park and replace the roadway and parking area on the south side for compensation in an amount not to exceed Two Hundred Twenty Thousand One Hundred Fifty Nine Dollars and Fourteen Cents (\$220,159.14), as set forth in Exhibit “A”, which is attached hereto and incorporated herein; authorizing the City Manager to execute any and all necessary documents for the work to be performed; and providing an effective date (Community Development Director)**

**10. Discuss and consider a Resolution of the City of Seagoville, Texas, approving engagement C&M Concrete to replace the back roadway inside C.O. Bruce “Central” Park from the south side to the north side of said park and the head wall located thereon for compensation in an amount not to exceed One Hundred Seventeen Thousand Nine Hundred Thirty Six Dollars and No Cents (\$117,936.00), as set forth in Exhibit “A”, which is attached hereto and incorporated herein; authorizing the City Manager to execute any and all necessary documents for the work to be performed; and providing an effective date (Community Development Director)**

**11. Discuss and consider directing Staff on the selection of the movie(s) to view at the annual “Movie in the Park” event to be held on: Saturday, September 26, 2020 and October 24, 2020 (Community Development Director)**

**12. Update on the TXDOT lane reversal on South Highway 175 (Community Development Director)**

**13. Discuss and consider a Resolution of the City of Seagoville, Texas, approving and ratifying the Seagoville Economic Development Corporations approval of an Agreement for Professional Engineering Services on a Defined Scope of Services Basis with Halff Associates, Inc. to perform the Electrical Engineering Design Services as set forth in Attachment “1” and Exhibit “A” thereto, which are attached hereto and incorporated herein, for compensation in an amount not to exceed Twenty One Thousand Seven Hundred Ten Dollars and No Cents (\$21,710.00); authorizing the City Manager/ Executive Director to execute said agreement; providing for a repealing clause; providing for a severability clause; and providing an effective date (City Manager)**

**14. Discuss and consider directing the City Manager to request funding from the Seagoville Economic Development Corporation for the purchase of a new Christmas tree to be utilized during the month of December during the Christmas season (Mayor Pro Tem Epps)**

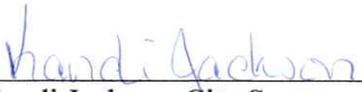
**15. Discuss and consider declaring a possible vacancy and new appointment to the Seagoville Economic Development Corporation (Mayor Childress)**

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

**17. 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 Friday, February 21, 2020 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, March 2, 2020 Regular City Council Meeting**
- **Monday, March 16, 2020 Regular City Council Meeting**
- **Monday, April 6, 2020 Regular City Council Meeting**
- **Monday, April 20, 2020 Regular City Council Meeting**

# Seagoville Animal Shelter Activity Report

	1st Qtr 2019				2nd Qtr 2019				3rd Qtr 2019				4th Qtr 2019				2019
	Jan	Feb	Mar	QTD	Apr	May	Jun	QTD	Jul	Aug	Sep	QTD	Oct	Nov	Dec	QTD	YTD
<b>Intakes</b>																	
Canine Stray	44	32	36	112	36	45	27	108	45	47	27	119	31	20	42	93	432
Canine Surrender	3	2	2	7	4	2	1	7	2	1	2	5	4	0	1	5	24
Canine Quarantined	0	0	0	0	0	5	2	7	0	0	0	0	0	0	0	0	7
Canine Seized	0	0	0	0	0	0	2	2	0	0	0	0	0	0	0	0	2
<b>Total Canine Intakes</b>	<b>47</b>	<b>34</b>	<b>38</b>	<b>119</b>	<b>40</b>	<b>52</b>	<b>32</b>	<b>124</b>	<b>47</b>	<b>48</b>	<b>29</b>	<b>124</b>	<b>35</b>	<b>20</b>	<b>43</b>	<b>98</b>	<b>465</b>
Feline Stray	10	11	4	25	10	23	26	59	13	32	18	63	8	15	20	43	190
Feline Surrender	0	0	0	0	0	0	0	0	1	3	1	5	0	0	1	1	6
Feline Quarantine	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Feline Seized	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Feline Feral	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total Feline Intakes</b>	<b>10</b>	<b>11</b>	<b>0</b>	<b>25</b>	<b>10</b>	<b>23</b>	<b>26</b>	<b>59</b>	<b>14</b>	<b>35</b>	<b>19</b>	<b>68</b>	<b>8</b>	<b>15</b>	<b>21</b>	<b>44</b>	<b>196</b>
Wildlife	3	1	0	4	1	0	0	1	0	0	0	0	0	0	0	0	5
<b>Total Intakes</b>	<b>57</b>	<b>45</b>	<b>38</b>	<b>144</b>	<b>50</b>	<b>75</b>	<b>58</b>	<b>183</b>	<b>61</b>	<b>83</b>	<b>48</b>	<b>192</b>	<b>43</b>	<b>35</b>	<b>64</b>	<b>142</b>	<b>661</b>
<b>Outcomes</b>																	
Canine Adoptions	30	26	23	79	20	28	25	73	19	19	21	59	25	12	19	56	267
Canine Rescues	10	2	1	13	5	8	6	19	8	12	4	24	3	4	8	15	71
Canine RTO	7	12	12	31	12	10	9	31	22	5	6	33	15	7	3	25	120
Canine Euthanized	0	0	0	0	0	1	0	1	0	0	0	0	0	0	0	0	1
Canine Died	0	0	0	0	0	0	0	0	0	1	0	1	0	0	0	0	1
Feline Adoptions	11	12	3	26	8	14	33	55	14	23	18	55	12	19	14	45	181
Feline Rescues	0	0	0	0	0	0	1	1	0	0	0	0	1	0	0	1	2
Feline RTO	0	0	0	0	0	0	2	2	1	0	0	1	0	0	0	0	3
Feline TNR	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Feline Euthanized	0	0	1	1	0	0	0	0	0	1	1	1	0	0	0	0	2
Feline Died	0	0	0	0	0	0	0	0	0	1	0	1	0	0	0	0	1
Wildlife Released	1	0	1	2	1	0	0	1	0	1	0	1	0	1	0	1	5
Wildlife Rehab	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1	1
Wildlife Euthanized	2	1	0	3	0	0	0	0	0	1	0	1	10	3	1	14	18
<b>Activity</b>																	
Calls for Service	205	202	200	607	182	196	179	557	141	154	139	434	192	139	152	483	2081
After Hours Calls	60	75	66	201	59	63	23	145	0	0	0	0	0	0	0	0	346
Phone Calls	198	201	196	595	187	229	172	588	165	182	171	518	224	181	196	601	2302
Volunteer Hours	289	293	301	883	298	316	302	916	313	350	336	999	326	298	278	902	3700
Bite Cases	3	1	3	7	0	4	2	6	1	1	0	2	0	0	0	0	15
<b>Compliance</b>																	
Verbal Warnings	4	2	6	12	1	1	0	2	0	1	2	3	3	3	1	7	24
Written Warnings	0	0	0	0	2	0	0	2	0	0	1	1	0	2	0	2	5
Citations	1	0	0	1	1	0	1	2	0	4	0	4	0	1	0	1	8
<b>Compliance Totals</b>	<b>5</b>	<b>2</b>	<b>6</b>	<b>13</b>	<b>4</b>	<b>1</b>	<b>1</b>	<b>6</b>	<b>0</b>	<b>5</b>	<b>3</b>	<b>8</b>	<b>3</b>	<b>6</b>	<b>1</b>	<b>10</b>	<b>37</b>



# 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

### Year End Seagoville Animal Services Stats for 2019

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

Description	October	November	December	Total	YTD Total
Stray	31	20	42	93	432
Surrenders	4	0	1	5	24
Adoptions	25	12	19	56	267
Rescues	3	4	8	15	71
Return to Owner	15	7	3	25	120

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

Stray	8	15	20	43	190
Surrenders	0	0	1	1	6
Adoptions	12	19	14	45	181
Rescues	1	0	0	1	2
Return to Owner	0	0	0	0	3

#### Animal Services Activity for the 4<sup>th</sup> quarter of 2019

Calls for Service	192	139	152	483	2081
After Hour Calls	0	0	0	0	346
Volunteer Hours	326	298	278	902	3700
Verbal Warnings	3	3	1	7	24
Written Warning	0	2	0	2	5
Citations	0	1	0	1	8

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

	December 2019	December 2018	% CHANGE	2019 YTD	2018 YTD	% CHANGE
PART I OFFENSES	27	41	-34%	371	396	-6%
CRIME INDEX RATE	1.68	2.55	-34%	23.04	24.60	-6%
TOWN POPULATION	16100	16100	0%	16100	16100	0%
CLEARANCE INDEX	3	5	-40%	59	75	-21%
CLEARANCE INDEX RATE	0.19	0.31	-40%	3.66	4.66	-21%
VALUE PROPERTY STOLEN	\$ 232,816	\$ 66,623	249%	\$ 1,430,050	\$ 1,233,486	16%
VALUE PROPERTY RECOVERED	\$ 100,309	\$ 71,201	41%	\$ 798,336	\$ 717,863	11%

**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%	2 0.12	0 0.00	100.00% 100.00%
CASES CLEARED CLEARANCE RATE	0 0.00	0 0.00	0% 0%	1 0.00	0 0.00	100.00% 0%
ROBBERY RATE	0 0.00	1 0.06	-100% -100%	6 0.373	4 0.25	50% 50%
CASES CLEARED CLEARANCE RATE	0 0.00	0 0.00	0% 0%	3 50.00	2 0.00	50% 100.00%
AGGRAVATED ASSAULT RATE	1 0.06	1 0.06	0% 0%	8 0.50	8 0.50	0% 0%
CASES CLEARED CLEARANCE RATE	0 0.00	0 0.00	0% 0%	4 50.00	5 62.50	-20% -20%
BURGLARY RATE	2 0.12	3 0.19	-33% -33%	73 4.53	72 4.47	1% 1%
CASES CLEARED CLEARANCE RATE	0 0.00	0 0.00	0% 0%	4 5.48	6 8.33	-33% -34%
LARCENY RATE	13 0.81	25 1.55	-48% -48%	186 11.55	210 13.04	-11% -11%
CASES CLEARED CLEARANCE RATE	1 7.69	3 12.00	-67% -36%	28 15.05	40 19.05	-30% -21%
AUTO THEFT RATE	11 0.68	11 0.68	0% 0%	96 5.96	102 6.34	-6% -6%
CASES CLEARED CLEARANCE RATE	2 18.18	2 18.18	0% 0%	19 19.79	22 21.57	-14% -8%
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%

**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	0	0	0	0	0	0	0	0	0.00%
1B. MANSLAUGHTER BY NEGLIGENCE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.00%
2. FORCIBLE RAPE	0	0	0	0	0	0	0	1	1	0	0	0	2	0	2	100.00%
3. ROBBERY	0	0	1	0	1	0	0	1	1	0	1	0	5	4	1	25.00%
4. AGGRAVATED ASSAULT	1	0	3	0	0	2	0	1	0	0	0	1	8	8	0	0.00%
5. BURGLARY-BREAKING OR ENTERING	5	7	5	8	6	6	6	2	20	2	4	2	73	73	0	0.00%
6. THEFT - LARCENY	17	25	22	16	11	15	17	12	7	15	16	13	186	217	-31	-14.29%
7. MOTOR VEHICLE THEFT	14	12	5	4	12	8	4	8	8	5	5	11	96	104	-8	-7.69%
8. ARSON	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.00%
TOTAL - PART I OFFENSES													370	406	-36	-8.87%



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## Presentation to Council on Animal Services

### Inspection of Dogs Deemed Dangerous by the Municipal Court

Mayor, Mayor Pro-Tem, and Council I was asked to put together a presentation regarding inspections and requirements surrounding dog(s) that have been deemed dangerous.

With the most recent updates to our animal ordinances, chapter (5) which were revised in 2018, our dangerous dog ordinance has been brought up to be in line with state law requirements. In these new ordinances, once a dog has been deemed dangerous, the owner has several compliance standards that have to be met.

One of the requirements is an inspection of where the dangerous dog will be housed to ensure that the enclosure is adequate to contain the dog to prevent escape and the general public to include children from coming in contact with the dog. Several other requirements are encumbered by the owner as well, all of which are inspected by the Animal Services Manager or the Animal Services Officer who is well versed in the requirements surrounding dogs deemed dangerous. Such as:

- Registration Requirements (annual registration and fee of \$50.00 renewed and paid annually)
- Proof of having and/or maintaining liability insurance of at least \$100,000.00
- Sterilization Requirements (must show proof of this initially once the dog has been deemed dangerous)
- Microchip Requirement (with additional requirements regarding updating Animal Services of any changes of information contained on the microchip)
- Secure enclosure Requirements
- Annually, the Animal Services manager or the Animal Services Officer will physically inspect the enclosure to ensure that it is in compliance with all city ordinance and state law requirements
- Enforcement action shall be taken if it is discovered that the owner of a dangerous dog is not in compliance with the established ordinance(s) and/or state law requirements.

On the anniversary date that the dog was deemed dangerous the owner of the dangerous dog is required by ordinance and state law to re-register the dog(s) at which time an annual inspection to ensure that the owner is adhering to and maintaining all requirements set-forth by City ordinance and state law regarding dangerous dogs.

SUBCHAPTER D. DANGEROUS DOGS

Sec. 822.041. DEFINITIONS. In this subchapter:

(1) "Animal control authority" means a municipal or county animal control office with authority over the area where the dog is kept or a county sheriff in an area with no animal control office.

(2) "Dangerous dog" means a dog that:

(A) makes an unprovoked attack on a person that causes bodily injury and occurs in a place other than an enclosure in which the dog was being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own; or

(B) commits unprovoked acts in a place other than an enclosure in which the dog was being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own and those acts cause a person to reasonably believe that the dog will attack and cause bodily injury to that person.

(3) "Dog" means a domesticated animal that is a member of the canine family.

(4) "Secure enclosure" means a fenced area or structure that is:

(A) locked;

(B) capable of preventing the entry of the general public, including children;

(C) capable of preventing the escape or release of a dog;

(D) clearly marked as containing a dangerous dog; and

(E) in conformance with the requirements for enclosures established by the local animal control authority.

(5) "Owner" means a person who owns or has custody or control of the dog.

Added by Acts 1991, 72nd Leg., ch. 916, Sec. 1, eff. Sept. 1, 1991.

Sec. 822.0411. ANIMAL CONTROL AUTHORITY IN CERTAIN MUNICIPALITIES. (a) This section applies only to an incorporated municipality that has a population of more than 1,000 and that is the county seat of a county with a population of less than 1,600.

(b) Notwithstanding the definition in Section 822.041(1), for purposes of this subchapter the police department of a municipality described by Subsection (a) is the animal control authority for the municipality in all areas in which a dog is kept and that are subject to the authority of the police department.

Added by Acts 2017, 85th Leg., R.S., Ch. 976 (S.B. 2283), Sec. 2, eff. September 1, 2017.

**Sec. 822.042. REQUIREMENTS FOR OWNER OF DANGEROUS DOG.**

(a) Not later than the 30th day after a person learns that the person is the owner of a dangerous dog, the person shall:

- (1) register the dangerous dog with the animal control authority for the area in which the dog is kept;
- (2) restrain the dangerous dog at all times on a leash in the immediate control of a person or in a secure enclosure;
- (3) obtain liability insurance coverage or show financial responsibility in an amount of at least \$100,000 to cover damages resulting from an attack by the dangerous dog causing bodily injury to a person and provide proof of the required liability insurance coverage or financial responsibility to the animal control authority for the area in which the dog is kept; and
- (4) comply with an applicable municipal or county regulation, requirement, or restriction on dangerous dogs.

(b) The owner of a dangerous dog who does not comply with Subsection (a) shall deliver the dog to the animal control

authority not later than the 30th day after the owner learns that the dog is a dangerous dog.

(c) If, on application of any person, a justice court, county court, or municipal court finds, after notice and hearing as provided by Section 822.0423, that the owner of a dangerous dog has failed to comply with Subsection (a) or (b), the court shall order the animal control authority to seize the dog and shall issue a warrant authorizing the seizure. The authority shall seize the dog or order its seizure and shall provide for the impoundment of the dog in secure and humane conditions.

(d) The owner shall pay any cost or fee assessed by the municipality or county related to the seizure, acceptance, impoundment, or destruction of the dog. The governing body of the municipality or county may prescribe the amount of the fees.

(e) The court shall order the animal control authority to humanely destroy the dog if the owner has not complied with Subsection (a) before the 11th day after the date on which the dog is seized or delivered to the authority, except that, notwithstanding any other law or local regulation, the court may not order the destruction of a dog during the pendency of an appeal under Section 822.0424. The court shall order the authority to return the dog to the owner if the owner complies with Subsection (a) before the 11th day after the date on which the dog is seized or delivered to the authority.

(f) The court may order the humane destruction of a dog if the owner of the dog has not been located before the 15th day after the seizure and impoundment of the dog.

(g) For purposes of this section, a person learns that the person is the owner of a dangerous dog when:

(1) the owner knows of an attack described in Section 822.041(2)(A) or (B);

(2) the owner receives notice that a justice court, county court, or municipal court has found that the dog is a dangerous dog under Section 822.0423; or

(3) the owner is informed by the animal control authority that the dog is a dangerous dog under Section [822.0421](#).

Added by Acts 1991, 72nd Leg., ch. 916, Sec. 1, eff. Sept. 1, 1991. Amended by Acts 1997, 75th Leg., ch. 99, Sec. 2, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 96, Sec. 1, eff. May 17, 1999.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 530 (H.B. [1436](#)), Sec. 1, eff. September 1, 2015.

Sec. 822.0421. DETERMINATION THAT DOG IS DANGEROUS. (a) If a person reports an incident described by Section [822.041](#)(2), the animal control authority may investigate the incident. If, after receiving the sworn statements of any witnesses, the animal control authority determines the dog is a dangerous dog, the animal control authority shall notify the owner in writing of the determination.

(b) Notwithstanding any other law, including a municipal ordinance, an owner, not later than the 15th day after the date the owner is notified that a dog owned by the owner is a dangerous dog, may appeal the determination of the animal control authority to a justice, county, or municipal court of competent jurisdiction.

(c) To file an appeal under Subsection (b), the owner must:

(1) file a notice of appeal of the animal control authority's dangerous dog determination with the court;

(2) attach a copy of the determination from the animal control authority; and

(3) serve a copy of the notice of appeal on the animal control authority by mailing the notice through the United States Postal Service.

(d) An owner may appeal the decision of the justice or municipal court under Subsection (b) in the manner described by Section [822.0424](#).

Added by Acts 1997, 75th Leg., ch. 99, Sec. 2, eff. Sept. 1, 1997.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 530 (H.B. [1436](#)), Sec. 2, eff. September 1, 2015.

Sec. 822.0422. REPORTING OF INCIDENT IN CERTAIN COUNTIES AND MUNICIPALITIES. (a) This section applies only to a county with a population of more than 2,800,000, to a county in which the commissioners court has entered an order electing to be governed by this section, and to a municipality in which the governing body has adopted an ordinance electing to be governed by this section.

(b) A person may report an incident described by Section [822.041](#)(2) to a municipal court, a justice court, or a county court. The owner of the dog shall deliver the dog to the animal control authority not later than the fifth day after the date on which the owner receives notice that the report has been filed. The authority may provide for the impoundment of the dog in secure and humane conditions until the court orders the disposition of the dog.

(c) If the owner fails to deliver the dog as required by Subsection (b), the court shall order the animal control authority to seize the dog and shall issue a warrant authorizing the seizure. The authority shall seize the dog or order its seizure and shall provide for the impoundment of the dog in secure and humane conditions until the court orders the disposition of the dog. The owner shall pay any cost incurred in seizing the dog.

(d) The court shall determine, after notice and hearing as provided in Section [822.0423](#), whether the dog is a dangerous dog.

(e) The court, after determining that the dog is a dangerous dog, may order the animal control authority to continue to impound the dangerous dog in secure and humane conditions until the court orders disposition of the dog under Section 822.042 and the dog is returned to the owner or destroyed.

(f) The owner shall pay a cost or fee assessed under Section 822.042(d).

Added by Acts 1997, 75th Leg., ch. 99, Sec. 2, eff. Sept. 1, 1997. Amended by Acts 1999, 76th Leg., ch. 96, Sec. 2, eff. May 17, 1999.

Sec. 822.0423. HEARING. (a) The court, on receiving a report of an incident under Section 822.0422 or on application under Section 822.042(c), shall set a time for a hearing to determine whether the dog is a dangerous dog or whether the owner of the dog has complied with Section 822.042. The hearing must be held not later than the 10th day after the date on which the dog is seized or delivered.

(b) The court shall give written notice of the time and place of the hearing to:

(1) the owner of the dog or the person from whom the dog was seized; and

(2) the person who made the complaint.

(c) Any interested party, including the county or city attorney, is entitled to present evidence at the hearing.

(c-1) The court shall determine the estimated costs to house and care for the impounded dog during the appeal process and shall set the amount of bond for an appeal adequate to cover those estimated costs.

(d) An owner or person filing the action may appeal the decision of the municipal or justice court in the manner described by Section 822.0424.

Added by Acts 1997, 75th Leg., ch. 99, Sec. 2, eff. Sept. 1, 1997.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 530 (H.B. 1436), Sec. 3, eff. September 1, 2015.

Sec. 822.0424. APPEAL. (a) A party to an appeal under Section 822.0421(d) or a hearing under Section 822.0423 may appeal the decision to a county court or county court at law in the county in which the justice or municipal court is located and is entitled to a jury trial on request.

(b) As a condition of perfecting an appeal, not later than the 10th calendar day after the date the decision is issued, the appellant must file a notice of appeal and, if applicable, an appeal bond in the amount determined by the court from which the appeal is taken.

(c) Notwithstanding Section 30.00014, Government Code, or any other law, a person filing an appeal from a municipal court under Subsection (a) is not required to file a motion for a new trial to perfect an appeal.

(d) A decision of a county court or county court at law under this section may be appealed in the same manner as an appeal for any other case in a county court or county court at law.

(e) Notwithstanding any other law, a county court or a county court at law has jurisdiction to hear an appeal filed under this section.

Added by Acts 2015, 84th Leg., R.S., Ch. 530 (H.B. 1436), Sec. 4, eff. September 1, 2015.

Sec. 822.043. REGISTRATION. (a) An animal control authority for the area in which the dog is kept shall annually register a dangerous dog if the owner:

(1) presents proof of:

(A) liability insurance or financial responsibility, as required by Section 822.042;

(B) current rabies vaccination of the dangerous dog; and

(C) the secure enclosure in which the dangerous dog will be kept; and

(2) pays an annual registration fee of \$50.

(b) The animal control authority shall provide to the owner registering a dangerous dog a registration tag. The owner must place the tag on the dog's collar.

(c) If an owner of a registered dangerous dog sells or moves the dog to a new address, the owner, not later than the 14th day after the date of the sale or move, shall notify the animal control authority for the area in which the new address is located. On presentation by the current owner of the dangerous dog's prior registration tag and payment of a fee of \$25, the animal control authority shall issue a new registration tag to be placed on the dangerous dog's collar.

(d) An owner of a registered dangerous dog shall notify the office in which the dangerous dog was registered of any attacks the dangerous dog makes on people.

Added by Acts 1991, 72nd Leg., ch. 916, Sec. 1, eff. Sept. 1, 1991.

Sec. 822.044. ATTACK BY DANGEROUS DOG. (a) A person commits an offense if the person is the owner of a dangerous dog and the dog makes an unprovoked attack on another person outside the dog's enclosure and causes bodily injury to the other person.

(b) An offense under this section is a Class C misdemeanor.

(c) If a person is found guilty of an offense under this section, the court may order the dangerous dog destroyed by a person listed in Section 822.004.

(d) Repealed by Acts 2007, 80th Leg., R.S., Ch. 669, Sec. 8, eff. September 1, 2007.

Added by Acts 1991, 72nd Leg., ch. 916, Sec. 1, eff. Sept. 1, 1991.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 669 (H.B. 1355), Sec. 7, eff. September 1, 2007.

Acts 2007, 80th Leg., R.S., Ch. 669 (H.B. 1355), Sec. 8, eff. September 1, 2007.

Sec. 822.045. VIOLATIONS. (a) A person who owns or keeps custody or control of a dangerous dog commits an offense if the person fails to comply with Section 822.042 or Section 822.0422(b) or an applicable municipal or county regulation relating to dangerous dogs.

(b) Except as provided by Subsection (c), an offense under this section is a Class C misdemeanor.

(c) An offense under this section is a Class B misdemeanor if it is shown on the trial of the offense that the defendant has previously been convicted under this section.

Added by Acts 1991, 72nd Leg., ch. 916, Sec. 1, eff. Sept. 1, 1991. Amended by Acts 1997, 75th Leg., ch. 99, Sec. 2, eff. Sept. 1, 1997.

Sec. 822.046. DEFENSE. (a) It is a defense to prosecution under Section 822.044 or Section 822.045 that the person is a veterinarian, a peace officer, a person employed by a recognized animal shelter, or a person employed by the state or a political subdivision of the state to deal with stray animals and has temporary ownership, custody, or control of the dog in connection with that position.

(b) It is a defense to prosecution under Section 822.044 or Section 822.045 that the person is an employee of the institutional division of the Texas Department of Criminal

Justice or a law enforcement agency and trains or uses dogs for law enforcement or corrections purposes.

(c) It is a defense to prosecution under Section 822.044 or Section 822.045 that the person is a dog trainer or an employee of a guard dog company under Chapter 1702, Occupations Code.

Added by Acts 1991, 72nd Leg., ch. 916, Sec. 1, eff. Sept. 1, 1991. Amended by Acts 2001, 77th Leg., ch. 1420, Sec. 14.809, eff. Sept. 1, 2001.

Sec. 822.047. LOCAL REGULATION OF DANGEROUS DOGS. A county or municipality may place additional requirements or restrictions on dangerous dogs if the requirements or restrictions:

(1) are not specific to one breed or several breeds of dogs; and

(2) are more stringent than restrictions provided by this subchapter.

Added by Acts 1991, 72nd Leg., ch. 916, Sec. 1, eff. Sept. 1, 1991.

  **ARTICLE 5.02 DANGEROUS DOGS\***

  **Sec. 5.02.001 Definitions**

In this article:

Animal control authority. Director of animal services or his/her designee.

(Ordinance 05-2018 adopted 3/5/18)

Dangerous dog. A dog that:

- (1) Makes an unprovoked attack on a person or another domestic animal that causes bodily injury and occurs in a place other than an enclosure in which the dog was being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own; or (1977 Code, sec. 4-15; Ordinance 21-06, sec. 1, adopted 10/5/06)
- (2) Commits unprovoked acts in a place other than an enclosure in which the dog was being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own and those acts cause a person to reasonably believe that the dog will attack and cause bodily injury to that person.

Dog. A domesticated animal that is a member of the canine family.

Owner. A person who owns or has custody or control of the dog.

Secure enclosure. A fenced area or structure that is:

- (1) Locked;
- (2) Capable of preventing the entry of the general public, including children;
- (3) Capable of preventing the escape or release of a dog;
- (4) Clearly marked as containing a dangerous dog; and
- (5) In conformance with the requirements for enclosures established by the animal control authority.

(1977 Code, sec. 4-15)

Serious bodily injury. An injury characterized by severe bite wounds or severe ripping and tearing of muscle that would cause a reasonably prudent person to seek treatment from a medical professional and would require hospitalization without regard to whether the person actually sought medical treatment.

Unprovoked. An action by a dog that is not:

- (1) In response to being tormented, abused, or assaulted by any person;
- (2) In response to pain or injury;
- (3) In protection of itself or its food, kennel, immediate territory, or nursing offspring; or
- (4) In response to an assault or attempted assault on a person.

(Ordinance 05-2018 adopted 3/5/18)

  **Sec. 5.02.002 Requirements for owner**

(a) Not later than the thirtieth day after a person learns that the person is the owner of a dangerous dog, the person shall:

- (1) Register the dangerous dog with the animal control authority;
- (2) Restrain the dangerous dog at all times on a leash in the immediate control of a person or in a secure enclosure;
- (3) Obtain liability insurance or show financial responsibility in an amount of at least one hundred thousand dollars (\$100,000.00) to cover damages resulting from an attack by the dangerous dog causing bodily injury to a person and provide proof of the required liability insurance coverage or financial responsibility to the animal control authority; and
- (4) Comply with the applicable ordinance, regulation, requirement, or restriction of the city on dangerous dogs.

(1977 Code, sec. 4-16)

- (5) Have an unsterilized dangerous dog spayed or neutered
- (6) Have the dangerous dog injected with a microchip implant and registered with a national registry for dogs and animal services.
- (7) Post a sign at each entrance to the enclosure in which the dangerous dog is confined stating “beware of dangerous dog.”

(Ordinance 05-2018 adopted 3/5/18)

(b) The owner of a dangerous dog who does not comply with subsection (a) shall deliver the dog to the animal control authority not later than the thirtieth day after the owner learns that the dog is a dangerous dog.

(c) If, on application of any person, the municipal court of the city finds, after notice and hearing, that the owner of a dangerous dog has failed to comply with this section, the court shall order the animal control authority to seize the dog and shall issue a warrant authorizing the seizure. The authority shall seize the dog or order its seizure and shall provide for the impoundment of the dog in secure and humane conditions.

(d) The owner shall pay any costs or fee assessed by the city related to the seizure, impoundment, and destruction of the dog.

(e) The court shall order the animal control authority to humanely destroy the dog if the owner has not complied with this section before the eleventh day after the date on which the dog is seized or delivered to the authority.

(f) The court may order the humane destruction of a dog if the owner of the dog has not been located before the fifteenth day after the seizure and impoundment of the dog.

(g) For purposes of this section, a person learns that the person is the owner of a dangerous dog when:

(1) The owner knows of an attack described in [section 5.02.001](#);

(2) The owner receives notice that the municipal court has found that the dog is a dangerous dog under this article; or

(3) The owner is informed by the animal control authority that the dog is a dangerous dog under this article.

(1977 Code, sec. 4-16)



### **Sec. 5.02.003 Determination that dog is dangerous**

(a) If a person reports an incident described in [section 5.02.001](#), the animal control authority may investigate the incident. If, after receiving the sworn statements of any witnesses, the animal control authority determines the dog is a dangerous dog, it shall notify the owner of that fact.

(b) An owner, not later than the fifteenth day after the date the owner is notified that a dog owned by the owner is a dangerous dog, may appeal the determination of the animal control authority to the municipal court. An owner may appeal the decision of the municipal court in the same manner as appeal for other cases from the municipal court.

(1977 Code, sec. 4-17)

  **Sec. 5.02.004 Reporting of incidents**

(a) A person may report an incident described in [section 5.02.001](#) to the municipal court. The owner of the dog shall deliver the dog to the animal control authority not later than the fifth day after the date on which the owner receives notice that the report has been filed.

(b) If the owner fails to deliver the dog as required by this section, the court shall order the animal control authority to seize the dog and shall issue a warrant authorizing the seizure. The authority shall seize the dog or order its seizure and shall provide for the impoundment of the dog in secure and humane conditions until the court orders the disposition of the dog. The owner shall pay any cost incurred in seizing the dog. The court shall determine, after notice and hearing as provided in this article, whether the dog is a dangerous dog.

(1977 Code, sec. 4-18)

  **Sec. 5.02.005 Hearing**

(a) The municipal court, on receiving a report of an incident under [section 5.02.004](#) or on application under [section 5.02.002](#), shall set a time for a hearing to determine whether the dog is a dangerous dog or whether the owner of the dog has complied with [section 5.02.002](#). The hearing must be held not later than the tenth day after the date on which the dog is seized or delivered.

(b) The court shall give written notice of the time and place of the hearing to:

- (1) The owner of the dog or the person from whom the dog was seized; and
- (2) The person who made the complaint.

(c) Any interested party, including the city attorney, is entitled to present evidence at the hearing.

(d) An owner or person filing the action may appeal the decision of the municipal court in the manner provided for the appeal of cases from the municipal court.

(1977 Code, sec. 4-19)

  **Sec. 5.02.006 Registration**

(a) The animal control authority shall annually register a dangerous dog if the owner:

(1) Presents proof of:

(A) Liability insurance or financial responsibility as required by [section 5.02.002](#);

(B) Current rabies vaccination of the dangerous dog; and

(C) The secure enclosure in which the dangerous dog will be kept; and

(2) Pays an annual registration fee as adopted by resolution of the city council.

(b) The animal control authority shall provide to the owner registering a dangerous dog a registration tag. The owner must place the tag on the dog's collar.

(c) If an owner of a registered dangerous dog sells or moves the dog to a new address, the owner, not later than the fourteenth day after the date of the sale or move, shall notify the animal control authority for the area in which the new address is located. On presentation of the current owner of a dangerous dog's prior registration tag and payment of a fee as adopted by resolution of the city council, the animal control authority shall issue a new registration tag to be placed on the dangerous dog's collar.

(d) An owner of a registered dangerous dog shall notify the office in which the dangerous dog was registered of any attacks the dangerous dog makes on people.

(1977 Code, sec. 4-20; Ordinance adopting Code)

  **Sec. 5.02.007 Attacks**

(a) A person commits an offense if the person is the owner of a dangerous dog and the dog makes an unprovoked attack on another person outside the dog's enclosure and causes bodily injury to the other person.

(b) If a person is found guilty of an offense under this section, the court may order the dangerous dog destroyed by a licensed veterinarian, personnel of a recognized animal shelter or a humane society who are trained in the humane destruction of animals, or the animal control authority.

(c) In addition to criminal prosecution, a person who commits an offense under this section is liable for a civil penalty not to exceed ten thousand dollars (\$10,000.00). On direction of the city council, the city attorney may file suit in a court of competent jurisdiction to collect the penalty. Penalties collected under this subsection shall be retained by the city.

(1977 Code, sec. 4-21)

  **Sec. 5.02.008 Defenses**

Any defense to prosecution under subchapter D, chapter 822 of the Texas Health and Safety Code, as amended, is a defense to prosecution for a violation under this article.

  **Sec. 5.02.009 Dangerous dog owned or harbored by minor**

If the owner of a dangerous dog is a minor, the parent or guardian of the minor is liable for all injuries sustained by any person or another animal in an unprovoked attack by the dog.

  **Sec. 5.02.010 Prohibition of owning a dog determined dangerous by another jurisdiction**

(a) A person commits an offense if he owns a dog in the city that has been determined to be a dangerous dog by any other jurisdiction.

(b) It is a defense to prosecution under subsection (a) that the person owned the dog in the city prior to the date of adoption of this section.

  **Sec. 5.02.011 Surrender of a dangerous dog**

A person who owns a dog that has been ordered to be seized or impounded under this article commits an offense if the person does not surrender the dog to the director within the time period ordered by the director or the municipal court, whichever applies.

(Ordinance 05-2018 adopted 3/5/18)

# *Executive Session Agenda Item: 1*

**Meeting Date:** February 24, 2020

**ITEM DESCRIPTION:**

Recess into Executive Session

Council will recess into Executive Session in compliance with Texas Government Code:

- A. § 551.071. Consultation with City Attorney: receive legal advice related to Councils ability to guide staff on residential development

**BACKGROUND OF ISSUE:**

N/A

**FINANCIAL IMPACT:**

N/A

**RECOMMENDATION:**

N/A

**EXHIBITS:**

N/A

## *Executive Session Agenda Item: 2*

**Meeting Date: February 24, 2020**

### **ITEM DESCRIPTION:**

#### **Reconvene into Regular Session**

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

- A. § 551.071. Consultation with City Attorney: receive legal advice related to Councils ability to guide staff on residential development

### **BACKGROUND OF ISSUE:**

N/A

### **FINANCIAL IMPACT:**

N/A

### **RECOMMENDATION:**

N/A

### **EXHIBITS:**

N/A

## *Consent Session Agenda Item: 3*

**Meeting Date: February 24, 2020**

**ITEM DESCRIPTION:**

Consider approving City Council Meeting minutes for January 27, 2020 and Joint Meeting with Seagoville Economic Development Corporation minutes for February 3, 2020.

**BACKGROUND OF ISSUE:**

Approve City Council Meeting minutes for January 27, 2020 and February 3, 2020

**FINANCIAL IMPACT:**

N/A

**RECOMMENDATION:**

Staff recommends approval.

**EXHIBITS:**

January 27, 2020 Work Session Minutes  
January 27, 2020 Regular Meeting Minutes  
February 3, 2020 Work Session Minutes  
February 3, 2020 Joint Meeting with SEDC Minutes



**MINUTES OF CITY COUNCIL  
WORK SESSION  
JANUARY 27, 2020**

**The Work Session of the City Council of the City of Seagoville, Texas was called to order at 7:07 p.m. on Monday, January 27, 2020, at City Hall, 702 N. Hwy 175, Seagoville, Texas with a quorum present, to wit:**

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

The following staff members were also present: City Manager Patrick Stallings, Police Chief Ray Calverley, Community Development Director Ladis Barr, City Attorney Victoria Thomas, Finance Director Patrick Harvey, Police Captain Steve Davis, Director of Administrative Services Cindy Brown, and City Secretary Kandi Jackson.

**A. Discuss Regular Session Agenda Items**

**3. Consider approving City Council Meeting minutes for January 6, 2020  
(City Secretary)**

*No questions.*

*City Manager Stallings stated Regular Agenda Items # 4, 5, and 6 will be reserved for Regular Session.*

- 7. Discuss and consider a Resolution of the City of Seagoville, Texas, approving the terms and conditions of the Design-Build Contract for the construction of a government building, to wit: Fire Station No. 2, by and between the City of Seagoville (“City”) and Grossman Design Build, LLC, a Texas Limited Liability Company (“GDB”), which is attached hereto as Exhibit “1”, in an amount not to exceed \$1,100,000.00; authorizing the City Manager to execute said contract; providing a repealing clause; providing a severability clause; and providing an effective date (Fire Chief)**

*City Manager Stallings asked City Attorney Thomas to explain the contract with Grossman Design/Build. City Attorney Thomas stated the contract includes the design/build of Fire Station #2 for one fee.*

*Fire Chief Gilcrease explained the Concept Plan.*

- 8. Discuss and consider a Resolution of the City Council of the City of Seagoville, Texas awarding a contract to RT&E Rural Water for the construction of Ard Road Pump Station Upgrades Contract 1, in an amount not to exceed \$160,946.62; authorizing the City Manager to execute any and all necessary documents; and providing an effective date (Water Utilities Director)**

*Water Utilities Director Ryan stated this Resolution awards a contract to RT&E Rural Water for the construction of Ard Road Pump Station Upgrades Contract 1, in an amount not to exceed \$160,946.62.*

*No questions.*

- 9. Discuss and consider a Resolution of the City Council of the City of Seagoville, Texas, approving a professional services contract with Pipeline Analysis, LLC, for the purpose of performing various field tests and inspections of the wastewater collection system within the Water Street Interceptor Service Area, preparing final reports containing recommended system repairs and the estimated costs associated with reducing wet weather inflow and infiltration in an amount not to exceed Ninety-Eight Thousand Six Hundred Eighty-Seven Dollars and Ten Cents (\$98,687.10), which is attached hereto and incorporated herein as Attachment 1; authorizing the City Manager to execute said Agreement; providing for a repealing clause; providing for a severability clause; and providing an effective date (Water Utilities Director)**

*Water Utilities Director Ryan stated this Resolution approves a professional services contract with Pipeline Analysis, LLC, for the purpose of performing various field tests and inspections of the wastewater collection system within the Water Street Interceptor Service Area, preparing final reports containing recommended system repairs and the estimated costs associated with reducing wet weather inflow and infiltration. He also stated twelve percent (12%) of the system has been inspected each year which is above the required ten percent (10%).*

*No questions.*

- 10. Discuss and consider a Resolution of the City Council of the City of Seagoville, Texas, ratifying and approving the Seagoville Economic Development Corporation's purchase and installation of inclusive playground equipment from Child's Play, Inc. in an amount not to exceed One Hundred Thousand Dollars and No Cents (\$100,000.00); authorizing the City Manager to execute any documents necessary for said purchase as set forth therein; providing for a repealing clause; providing for a severability clause; and providing an effective date (City Manager)**

*City Manager Stallings stated this Resolution will ratify the Seagoville Economic Development Corporation's purchase and installation of inclusive playground equipment from Child's Play Inc. He provided a visualization of the color and seating. He also stated Staff is working with Oncor for electricity for lighting.*

*No questions.*

- 11. Discuss and consider a Resolution of the City Council of the City of Seagoville, Texas, ratifying and approving the Economic Development Incentive Agreement by and between the SEDC and John Bunker Sands Wetland Center, Inc., in an amount not to exceed One Hundred Thousand Dollars (\$100,000.00), to be paid in two installments, said agreement being attached hereto as Exhibit A; authorizing the City Manager / Executive Director to execute the Agreements; providing for a repealing clause; providing for a severability clause; and providing an effective date (City Manager)**

*City Manager Stallings asked City Attorney Thomas to present this item. City Attorney Thomas stated this Resolution ratifies and approves the Economic Development Incentive Agreement by and between the SEDC and John Bunker Sands Wetland Center, Inc. in an amount not to exceed One Hundred Thousand Dollars (\$100,000.00). She also stated it will be paid in two separate installments, one when the project begins and the final at project completion.*

*No questions.*

- 12. Discuss and consider a Resolution of the City Council of the City of Seagoville, Texas, ratifying and approving the Seagoville Economic Development Corporation's engagement of enVision Stone to perform the enVision stone and stucco work at 108 Railroad Avenue as set forth in the quote attached hereto as Exhibit "A" in an amount not to exceed Ten Thousand Five Hundred Fifty Dollars and No Cents (\$10,550. 00); authorizing the Executive Director / City Manager to execute any documents necessary for the performance of said work; providing for a repealing clause; providing for a severability clause; and providing an effective date (City Manager)**

*Community Development Director Barr stated this Resolution ratifies and approves Seagoville Economic Development Corporations engagement of enVision Stone to install the faux rock around the structure at 108 Railroad Avenue.*

*No questions.*

**B. Fire Department Training Presentation**

*Fire Chief Gilcrease presented the Fire Department Training. He also explained the Incident Command Process.*

**Adjourned at 6:58 p.m.**

**APPROVED:**

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

**ATTEST:**

\_\_\_\_\_  
Kandi Jackson, City Secretary



**MINUTES OF CITY COUNCIL  
REGULAR SESSION  
JANUARY 27, 2020**

**The Regular Session of the City Council of the City of Seagoville, Texas was called to order at 7:00 p.m. on Monday, January 27, 2020 at City Hall, 702 N. Hwy 175, Seagoville, Texas with a quorum present, to wit:**

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

The following staff members were also present: City Manager Patrick Stallings, Police Chief Ray Calverley, Community Development Director Ladis Barr, City Attorney Victoria Thomas, Water Utilities Director Chris Ryan, Police Captain Steve Davis, Fire Chief Todd Gilcrease, Finance Director Patrick Harvey, Director of Administrative Services Cindy Brown, and City Secretary Kandi Jackson.

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

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

**Mayor's Report** – *None.*

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

*None.*

**1. Recess Into Executive Session at 7:11 p.m.**

**Council will recess into Executive Session in compliance with Texas Government Code:**

- A. § 551.071. Consultation with City Attorney: receive legal advice related to Open discussion with Dallas Independent School District (DISD) Representatives concerning incident at school**

**2. Reconvene Into Regular Session at 7:20 p.m.**

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

**A. § 551.071. Consultation with City Attorney: receive legal advice related to Open discussion with Dallas Independent School District (DISD) Representatives concerning incident at school**

*No action taken.*

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

**3. Consider approving City Council Meeting minutes for January 6, 2020 (City Secretary)**

*Motion to approve City Council Meeting minutes for January 6, 2020 – Fruin, seconded by Howard; motion passed with all ayes. 5/0*

**REGULAR AGENDA-**

**4. Open discussion with Dallas Independent School District (DISD) Representatives concerning incident at school (Councilmember Hernandez)**

*Seagoville City Council held an open discussion with Dallas Independent School District (DISD) trustee Garcia, DISD Police Chief Lawton, Seagoville High School Principal West, and Safety & Security Director Ford concerning incidents at Seagoville schools.*

*Mildred Chamberlain at 713 Judy Lane, Suzanne Jackson at 313 Shadywood Lane, Omar Jimenez at 1639 Cedar Bluff, Dallas, Texas, and Karl Boss at 2701 Old Farm Road voiced their concerns about the schools.*

**5. Presentation of City of Seagoville’s First Quarter Financial Report for Fiscal Year 2020 (Finance Director)**

*Finance Director Harvey presented the City of Seagoville’s First Quarter Financial Report for Fiscal Year 2020.*

**6. Discuss and consider an Ordinance of the City of Seagoville, Texas amending Ordinance 29-2019 which adopted the Operating Budget for the fiscal year beginning October 1, 2019 and ending September 30, 2020; providing amended appropriations for the General Fund of the City; authorizing the City Manager to make adjustments; providing for the repeal of all Ordinances in conflict; providing a severability clause; and providing an effective date (Finance Director)**

*Finance Director Harvey explained how this Ordinance amends Ordinance 29-2019 which adopted the Operating Budget for the fiscal year beginning October 1, 2019 and ending September 30, 2020; providing amended appropriations for the General Fund of the City.*

*Motion to approve an Ordinance of the City of Seagoville, Texas amending Ordinance 29-2019 which adopted the Operating Budget for the fiscal year beginning October 1, 2019 and ending September 30, 2020; providing amended appropriations for the General Fund of the City; authorizing the City Manager to make adjustments; providing for the repeal of all Ordinances in conflict; providing a severability clause; and providing an effective date – Hernandez, seconded by Magill; motion passed with all ayes. 5/0*

**7. Discuss and consider a Resolution of the City of Seagoville, Texas, approving the terms and conditions of the Design-Build Contract for the construction of a government building, to wit: Fire Station No. 2, by and between the City of Seagoville (“City”) and Grossman Design Build, LLC, a Texas Limited Liability Company (“GDB”), which is attached hereto as Exhibit “1”, in an amount not to exceed \$1,100,000.00; authorizing the City Manager to execute said contract; providing a repealing clause; providing a severability clause; and providing an effective date (Fire Chief)**

*Motion to approve a Resolution of the City of Seagoville, Texas, approving the terms and conditions of the Design-Build Contract for the construction of a government building, to wit: Fire Station No. 2, by and between the City of Seagoville (“City”) and Grossman Design Build, LLC, a Texas Limited Liability Company (“GDB”), which is attached hereto as Exhibit “1”, in an amount not to exceed \$1,100,000.00; authorizing the City Manager to execute said contract; providing a repealing clause; providing a severability clause; and providing an effective date – Hernandez, seconded by Howard; motion passed with all ayes. 5/0*

**8. Discuss and consider a Resolution of the City Council of the City of Seagoville, Texas awarding a contract to RT&E Rural Water for the construction of Ard Road Pump Station Upgrades Contract 1, in an amount not to exceed \$160,946.62; authorizing the City Manager to execute any and all necessary documents; and providing an effective date (Water Utilities Director)**

*Motion to approve a Resolution of the City Council of the City of Seagoville, Texas awarding a contract to RT&E Rural Water for the construction of Ard Road Pump Station Upgrades Contract 1, in an amount not to exceed \$160,946.62; authorizing the City Manager to execute any and all necessary documents; and providing an effective date – Fruin, seconded by Epps; motion passed with all ayes. 5/0*

**9. Discuss and consider a Resolution of the City Council of the City of Seagoville, Texas, approving a professional services contract with Pipeline Analysis, LLC, for the purpose of performing various field tests and inspections of the wastewater collection system within the Water Street Interceptor Service Area, preparing final reports containing recommended system repairs and the estimated costs associated with reducing wet weather inflow and infiltration in an amount not to exceed Ninety-Eight Thousand Six Hundred Eighty-Seven Dollars and Ten Cents (\$98,687.10), which is attached hereto and incorporated herein as Attachment 1; authorizing the City Manager to execute said Agreement; providing for a repealing clause; providing for a severability clause; and providing an effective date (Water Utilities Director)**

*Motion to approve a Resolution of the City Council of the City of Seagoville, Texas, approving a professional services contract with Pipeline Analysis, LLC, for the purpose of performing various field tests and inspections of the wastewater collection system within the Water Street Interceptor Service Area, preparing final reports containing recommended system repairs and the estimated costs associated with reducing wet weather inflow and infiltration in an amount not to exceed Ninety-Eight Thousand Six Hundred Eighty-Seven Dollars and Ten Cents (\$98,687.10), which is attached hereto and incorporated herein as Attachment 1; authorizing the City Manager to execute said Agreement; providing for a repealing clause; providing for a severability clause; and providing an effective date – Magill, seconded by Hernandez; motion passed with all ayes. 5/0*

**10. Discuss and consider a Resolution of the City Council of the City of Seagoville, Texas, ratifying and approving the Seagoville Economic Development Corporation's purchase and installation of inclusive playground equipment from Child's Play, Inc. in an amount not to exceed One Hundred Thousand Dollars and No Cents (\$100,000.00); authorizing the City Manager to execute any documents necessary for said purchase as set forth therein; providing for a repealing clause; providing for a severability clause; and providing an effective date (City Manager)**

*Mayor Childress allowed Don Cole of 207 Shadywood Lane to speak concerning the ratification of the Seagoville Economic Development Corporation's purchase of and installation of inclusive playground equipment. Don Cole stated he would like to encourage the inclusive playground as it provides a way for parents to connect with their handicapped children, allows the handicapped children to build social skills, and it shows the City cares. He also stated this will help attract businesses.*

*Motion to approve a Resolution of the City Council of the City of Seagoville, Texas, ratifying and approving the Seagoville Economic Development Corporation's purchase and installation of inclusive playground equipment from Child's Play, Inc. in an amount not to exceed One Hundred Thousand Dollars and No Cents (\$100,000.00); authorizing the City Manager to execute any documents necessary for said purchase as set forth therein; providing for a repealing clause; providing for a severability clause; and providing an effective date – Hernandez, seconded by Magill; motion passed with all ayes. 5/0*

**11. Discuss and consider a Resolution of the City Council of the City of Seagoville, Texas, ratifying and approving the Economic Development Incentive Agreement by and between the SEDC and John Bunker Sands Wetland Center, Inc., in an amount not to exceed One Hundred Thousand Dollars (\$100,000.00), to be paid in two installments, said agreement being attached hereto as Exhibit A; authorizing the City Manager / Executive Director to execute the Agreements; providing for a repealing clause; providing for a severability clause; and providing an effective date (City Manager)**

*Motion to approve Resolution of the City Council of the City of Seagoville, Texas, ratifying and approving the Economic Development Incentive Agreement by and between the SEDC and John Bunker Sands Wetland Center, Inc., in an amount not to exceed One Hundred Thousand Dollars (\$100,000.00), to be paid in two installments, said agreement being attached hereto as Exhibit A; authorizing the City Manager / Executive Director to execute the Agreements; providing for a repealing clause; providing for a severability clause; and providing an effective date – Epps, seconded by Hernandez; motion passed with all ayes. 5/0*

**12. Discuss and consider a Resolution of the City Council of the City of Seagoville, Texas, ratifying and approving the Seagoville Economic Development Corporation’s engagement of enVision Stone to perform the enVision stone and stucco work at 108 Railroad Avenue as set forth in the quote attached hereto as Exhibit “A” in an amount not to exceed Ten Thousand Five Hundred Fifty Dollars and No Cents (\$10,550. 00); authorizing the Executive Director / City Manager to execute any documents necessary for the performance of said work; providing for a repealing clause; providing for a severability clause; and providing an effective date (City Manager)**

*Motion to approve a Resolution of the City Council of the City of Seagoville, Texas, ratifying and approving the Seagoville Economic Development Corporation’s engagement of enVision Stone to perform the enVision stone and stucco work at 108 Railroad Avenue as set forth in the quote attached hereto as Exhibit “A” in an amount not to exceed Ten Thousand Five Hundred Fifty Dollars and No Cents (\$10,550. 00); authorizing the Executive Director / City Manager to execute any documents necessary for the performance of said work; providing for a repealing clause; providing for a severability clause; and providing an effective date – Magill, seconded by Fruin; motion passed with all ayes. 5/0*

**13. Discuss and consider a Resolution of the City Council of the City of Seagoville, Texas amending Resolution No. 79-R-2019 to increase the costs from One Hundred Sixteen Thousand Four Hundred Sixty Four Dollars and Twenty-Five Cents (\$116,464.25) to an amount not to exceed One Hundred Thirty One Thousand Four Hundred Dollars and Thirty Cents (\$131,400.30) to provide for concrete stabilization on Simonds Road, from Highway 175 to approximately Two Hundred feet (200') west of Cloverhill, as set forth in Exhibit A, attached hereto and incorporated herein; authorizing the City Manager to execute any and all necessary documents; and providing an effective date (Community Development Director)**

*Motion to approve a Resolution of the City Council of the City of Seagoville, Texas amending Resolution No. 79-R-2019 to increase the costs from One Hundred Sixteen Thousand Four Hundred Sixty Four Dollars and Twenty-Five Cents (\$116,464.25) to an amount not to exceed One Hundred Thirty One Thousand Four Hundred Dollars and Thirty Cents (\$131,400.30) to provide for concrete stabilization on Simonds Road, from Highway 175 to approximately Two Hundred feet (200') west of Cloverhill, as set forth in Exhibit A, attached hereto and incorporated herein; authorizing the City Manager to execute any and all necessary documents; and providing an effective date – Magill, seconded by Fruin; motion passed with all ayes. 5/0*

**14. Discuss and consider a Resolution of the City of Seagoville, Texas, approving an agreement for Professional Engineering Services on a defined scope of services basis (“Agreement”) with Halff Associates, Inc. for the Haven Hills Drainage Improvements project as set forth in Exhibit “1” and the Scope of Services, which is attached thereto as Exhibit “A”, in an amount not to exceed \$20,000.00; authorizing the City Manager to execute said agreement; providing a repealing clause; providing a severability clause; and providing an effective date (Community Development Director)**

*Motion to approve a Resolution of the City of Seagoville, Texas, approving an agreement for Professional Engineering Services on a defined scope of services basis (“Agreement”) with Halff Associates, Inc. for the Haven Hills Drainage Improvements project as set forth in Exhibit “1” and the Scope of Services, which is attached thereto as Exhibit “A”, in an amount not to exceed \$20,000.00; authorizing the City Manager to execute said agreement; providing a repealing clause; providing a severability clause; and providing an effective date – Epps, seconded by Magill; motion passed with all ayes. 5/0*

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

*None.*

**16. 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**

*None.*

**17. Recessed into Executive Session at 8:50 p.m.**

**Council will recess into Executive Session in compliance with Texas Government Code:**

**A § 551.071. Consultation with City Attorney: receive legal advice related to Open Meetings Act**

**B. § 551.074. Personnel, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee to wit: City Attorney**

**18. Reconvene Into Regular Session at 9:12 p.m.**

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

**A. § 551.071. Consultation with City Attorney: receive legal advice related to Open Meetings Act**

**B. § 551.074. Personnel, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee to wit: City Attorney**

*No action taken.*

**Adjourned at 9:12 p.m.**

**APPROVED:**

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

**ATTEST:**

\_\_\_\_\_  
Kandi Jackson, City Secretary



**MINUTES OF CITY COUNCIL  
WORK SESSION  
FEBRUARY 3, 2020**

**The Work Session of the City Council of the City of Seagoville, Texas was called to order at 6:31 p.m. on Monday, February 3, 2020, 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	Absent
Rick Howard	Councilmember	
Harold Magill	Councilmember	
Mike Fruin	Councilmember	Arrived at 6:34 p.m.

The following staff members were also present: City Manager Patrick Stallings, Police Captain Steve Davis, Community Development Director Ladis Barr, City Attorney Victoria Thomas, Finance Director Patrick Harvey, Director of Administrative Services Cindy Brown, and City Secretary Kandi Jackson.

**A. Discuss Regular Session Agenda Items**

**8. Discuss and consider a Resolution of the City Council of the City of Seagoville, Texas, approving an agreement by and between the City of Seagoville, Texas, and Good Earth Corporation in an amount not to exceed \$161,820.00 for mowing services; and providing for an effective date (Community Development Director)**

*Community Development Director Barr stated this Resolution approves an agreement with Good Earth Corporation for mowing services. He also stated the City went out for bids and Good Earth Corporation was the lowest bidder.*

*Councilmember Epps asked if Texas Department of Transportation mows along the highway. City Manager Stalling stated they do not mow but they are supposed to reimburse the City once (1) a quarter, however they have not reimbursed City.*

**9. Discuss and consider approving a Resolution of the City of Seagoville, Texas, approving an agreement for professional engineering services on a defined scope of services basis (“Agreement”) with Halff Associates, Inc. for the East Malloy Bridge Road sidewalk extension, north of Highway 175 and Crestview Lane from the existing sidewalk to the Villas of Seagoville, which is attached hereto as Exhibit “A”, in an amount not to exceed \$25,500.00; authorizing the City Manager to execute said agreement; providing a repealing clause; providing a severability clause; and providing an effective date (Community Development Director)**

*Community Development Director Barr stated this Resolution approves an agreement for professional engineering services with Halff Associates, Inc for the East Malloy Bridge Road sidewalk extension, north of Highway 175 to Crestview Lane from the existing sidewalk to the Villas of Seagoville.*

*No questions.*

**5. Discuss and consider a Resolution of the City of Seagoville, Texas, authorizing continued participation with the Atmos Cities Steering Committee; and authorizing the payment of five cents per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation; and requiring delivery of this resolution and approved assessment fee to legal counsel for the steering committee (Director of Administrative Services)**

*Director of Administrative Services Brown stated this Resolution continues participation with the Atmos Cities Steering Committee, and authorizes the payment of five cents per capita to the Atmos Cities Steering Committee to fund regulatory and related activities.*

*No questions.*

**1. Discuss and consider a Resolution of the Board of Directors of the Seagoville Economic Development Corporation approving an Economic Development Incentive Agreement by and between the Seagoville Economic Development Corporation and TNM Properties LLC, a Texas Limited Liability Company, d/b/a Golden Chick, attached hereto as Exhibit “A” and a Purchase and Sale Agreement between those same parties attached hereto as Exhibit “B”; providing for a repealing clause; providing for a severability clause; and providing an effective date (City Manager)**

**2. Discuss and consider a Resolution of the City Council of the City of Seagoville, Texas, in accordance with Resolution 80-R-2019 adopted December 16, 2019, authorizing the City Manager to execute the Purchase and Sale Agreement between the City and the Seagoville Economic Development Corporation (SEDC), attached hereto as Exhibit “A”, including approval of the Purchase Grant provided for therein in the**

**amount of \$63,000.00 by the City to the SEDC on behalf of TNM Properties, LLC, d/b/a Golden Chick (“Developer”) and the related Restriction Agreement attached hereto as Exhibit “B” and further approving the terms and conditions of an Economic Development Project and associated Purchase and Sale Agreement and Incentive Agreement by and between SEDC and Developer, attached hereto, respectively, as Exhibits “C” and ‘D’; and providing an effective date (City Manager)**

*City Attorney Thomas stated this Resolution allows Golden Chick to purchase 0.320 acres of City owned property. She also explained the Agreement and Attachments.*

**Adjourned at 7:05 p.m.**

**APPROVED:**

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Mayor Dennis K. Childress

**ATTEST:**

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Kandi Jackson, City Secretary



**MINUTES OF CITY COUNCIL  
JOINT WITH SEAGOVILLE ECONOMIC DEVELOPMENT CORPORATION  
FEBRUARY 3, 2020**

**The Regular Session of the Joint Meeting with Seagoville Economic Development Corporation of the City of Seagoville, Texas was called to order at 7:15 p.m. on Monday, February 3, 2020, 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	Absent
Rick Howard	Councilmember	
Harold Magill	Councilmember	
Mike Fruin	Councilmember	
Jose Hernandez	Board Chair	Absent
Barbara Sherman	Board Member	
Stepper Sebastian	Board Member	
Martin Ashley	Board Member	
Harold Magill	Vice Chair	
Theo Hamilton	Board Member	

The following staff members were also present: City Manager Patrick Stallings, Police Captain Steve Davis, City Attorney Victoria Thomas, Finance Director Patrick Harvey, Director of Administrative Services Cindy Brown, and City Secretary Kandi Jackson.

**Invocation** – *Invocation was led by Councilmember and Board Vice Chair Magill.*

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

**1. Discuss and consider a Resolution of the Board of Directors of the Seagoville Economic Development Corporation approving an Economic Development Incentive Agreement by and between the Seagoville Economic Development Corporation and TNM Properties LLC, a Texas Limited Liability Company, d/b/a Golden Chick, attached hereto as Exhibit “A” and a Purchase and Sale Agreement between those same parties attached hereto as Exhibit “B”; providing for a repealing clause; providing for a severability clause; and providing an effective date (City Manager)**

*Motion to approve a Resolution of the Board of Directors of the Seagoville Economic Development Corporation approving an Economic Development Incentive Agreement by and between the Seagoville Economic Development Corporation and TNM Properties LLC, a Texas Limited Liability Company, d/b/a Golden Chick, attached hereto as Exhibit “A” and a Purchase and Sale Agreement between those same parties attached hereto as Exhibit “B”; providing for a repealing clause; providing for a severability clause; and providing an effective date – Ashley, seconded by Sebastian; motion passed with all ayes. 5/0*

**2. Discuss and consider a Resolution of the City Council of the City of Seagoville, Texas, in accordance with Resolution 80-R-2019 adopted December 16, 2019, authorizing the City Manager to execute the Purchase and Sale Agreement between the City and the Seagoville Economic Development Corporation (SEDC), attached hereto as Exhibit “A”, including approval of the Purchase Grant provided for therein in the amount of \$63,000.00 by the City to the SEDC on behalf of TNM Properties, LLC, d/b/a Golden Chick (“Developer”) and the related Restriction Agreement attached hereto as Exhibit “B” and further approving the terms and conditions of an Economic Development Project and associated Purchase and Sale Agreement and Incentive Agreement by and between SEDC and Developer, attached hereto, respectively, as Exhibits “C” and ‘D’; and providing an effective date (City Manager)**

*Motion to approve a Resolution of the City Council of the City of Seagoville, Texas, in accordance with Resolution 80-R-2019 adopted December 16, 2019, authorizing the City Manager to execute the Purchase and Sale Agreement between the City and the Seagoville Economic Development Corporation (SEDC), attached hereto as Exhibit “A”, including approval of the Purchase Grant provided for therein in the amount of \$63,000.00 by the City to the SEDC on behalf of TNM Properties, LLC, d/b/a Golden Chick (“Developer”) and the related Restriction Agreement attached hereto as Exhibit “B” and further approving the terms and conditions of an Economic Development Project and associated Purchase and Sale Agreement and Incentive Agreement by and between SEDC and Developer, attached hereto, respectively, as Exhibits “C” and ‘D’; and providing an effective date – Fruin, seconded by Epps; motion passed with all ayes. 4/0*

**3. Council and Seagoville Economic Development Corporation Recessed into Executive Session at 7:20 p.m.**

**Council and SEDC will recess into Executive Session in compliance with Texas Government Code:**

**A § 551.071. Consultation with City Attorney: receive legal advice related to John Bunker Sands Wetland Center Inc. Incentive Agreement**

**4. Council and Seagoville Economic Development Corporation Reconvened into Regular Session at 7:34 p.m.**

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

**A. § 551.071. Consultation with City Attorney: receive legal advice related to John Bunker Sands Wetland Center Inc. Incentive Agreement**

*Motion to rescind the Resolution to adopt and ratify a Seagoville Economic Development Incentive Agreement with John Bunker Sands Wetland Center, Inc. – Ashley, seconded by Sherman; motion passed with all ayes. 5/0*

*Motion to rescind the Resolution to adopt and ratify a Seagoville Economic Development Incentive Agreement with John Bunker Sands Wetland Center, Inc. – Epps, seconded by Fruin; motion passed with all ayes. 4/0*

**SEDC Adjourned at 7:36 p.m.**

**Mayor’s Report – None.**

**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.*

*Earl Tucker at 2006 Cain Street, stated his concern of rodents coming from the water tower to his property.*

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

**5. Discuss and consider a Resolution of the City of Seagoville, Texas, authorizing continued participation with the Atmos Cities Steering Committee; and authorizing the payment of five cents per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation; and requiring delivery of this resolution and approved assessment fee to legal counsel for the steering committee (Director of Administrative Services)**

*Motion to approve a Resolution of the City of Seagoville, Texas, authorizing continued participation with the Atmos Cities Steering Committee; and authorizing the payment of five cents per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation; and requiring delivery of this resolution and approved assessment fee to legal counsel for the steering committee – Magill, seconded by Howard; motion passed with all ayes. 4/0*

**REGULAR AGENDA-**

**6. Discuss and consider an Ordinance of the City of Seagoville, Texas, amending Ordinance 29-2019 which adopted the operating budget for the fiscal year beginning October 1, 2019 and ending September 30, 2020; providing for the repeal of all Ordinances in conflict; providing a severability clause; and providing an effective date (Finance Director)**

*Motion to approve an Ordinance of the City of Seagoville, Texas, amending Ordinance 29-2019 which adopted the operating budget for the fiscal year beginning October 1, 2019 and ending September 30, 2020; providing for the repeal of all Ordinances in conflict; providing a severability clause; and providing an effective date – Fruin, seconded by Magill; motion passed with all ayes. 4/0*

**7. Discuss and consider approving a Resolution ordering the General Election to be held May 2, 2020. (City Secretary)**

**Discuta y considere aprobar una Resolución ordenando la Elección General que se celebrará el 2 de Mayo de 2020.**

*Motion to approve a Resolution ordering the General Election to be held May 2, 2020. – Epps, seconded by Howard; motion passed with all ayes. 4/0*

**8. Discuss and consider a Resolution of the City Council of the City of Seagoville, Texas, approving an agreement by and between the City of Seagoville, Texas, and Good Earth Corporation in an amount not to exceed \$161,820.00 for mowing services; and providing for an effective date (Community Development Director)**

*Motion to approve a Resolution of the City Council of the City of Seagoville, Texas, approving an agreement by and between the City of Seagoville, Texas, and Good Earth Corporation in an amount not to exceed \$161,820.00 for mowing services; and providing for an effective date – Magill, seconded by Howard; motion passed with all ayes. 4/0*

**9. Discuss and consider approving a Resolution of the City of Seagoville, Texas, approving an agreement for professional engineering services on a defined scope of services basis (“Agreement”) with Halff Associates, Inc. for the East Malloy Bridge Road sidewalk extension, north of Highway 175 and Crestview Lane from the existing sidewalk to the Villas of Seagoville, which is attached hereto as Exhibit “A”, in an amount not to exceed \$25,500.00; authorizing the City Manager to execute said agreement; providing a repealing clause; providing a severability clause; and providing an effective date (Community Development Director)**

*Motion to approve a Resolution of the City of Seagoville, Texas, approving an agreement for professional engineering services on a defined scope of services basis (“Agreement”) with Halff Associates, Inc. for the East Malloy Bridge Road sidewalk extension, north of Highway 175 and Crestview Lane from the existing sidewalk to the Villas of Seagoville, which is attached hereto as Exhibit “A”, in an amount not to exceed \$25,500.00; authorizing the City Manager to execute said agreement; providing a repealing clause; providing a severability clause; and providing an effective date – Howard, seconded by Magill; motion passed with all ayes. 4/0*

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

*None.*

**11. Future Agenda Items – Council to provide direction to staff regarding future agenda items. These items will not be discussed and no action will be taken at this meeting.**

*Councilmember Magill requested to take a look at the Building Code.*

**City Council Adjourned at 7:48 p.m.**

**APPROVED:**

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

**ATTEST:**

\_\_\_\_\_  
Kandi Jackson, City Secretary

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

**Meeting Date: February 24, 2020**

### **ITEM DESCRIPTION:**

Discuss and consider a Resolution of the City Council of the City of Seagoville, Texas, authorizing the Mayor to accept and file the Police Department's 2019 Racial Profiling Report, providing for the repeal of any and all Resolutions in conflict; providing for a severability clause; and providing an effective date.

### **BACKGROUND OF ISSUE:**

In 2002, the State Legislature passed a law that requires Texas law enforcement agencies to submit their previous calendar year "racial profiling information" to their "governing body" before March 1, of the following year. For example, the 2019 Racial Profiling Report must be submitted to the City Council before March 1, 2020.

The Seagoville Police Department, in compliance with Senate Bill 1074 and all aspects of the "Texas Racial Profiling Law" and reporting agencies. The Department's 2019 Racial Profiling Report has been audited, analyzed and prepared for presentation to the City's governing body by Dr. Alejandro (Alex) Del Carmen. This document is presented to City Council in a bound document and electronically submitted to TCOLE the Texas Commission on Law Enforcement.

The 2019 Racial Profiling Report contains additional information as required by SB 1849 also known as the Sandra Bland Act, which will include information pertaining to verbal warnings, arrest made where there is no citation issued, and use of force. Additionally, Dr. Del Carmen has performed analysis pertaining to vehicle searches as required by the Sandra Bland act to ensure that our agency is in full compliance and following best practices. The statistical information pertaining to this report is collected through the CRIMES Records Management and Racial Profiling data collection.

### **FINANCIAL IMPACT:**

There are some costs incurred with the services provided by Del Carmen Consulting L.L.C., however, the documented assurance of compliance with all aspects of the Racial Profiling laws as written is well worth the peace of mind.

### **RECOMMENDATION:**

Staff recommends Council approve the 2019 Annual Racial Profiling Report as presented.

### **EXHIBITS:**

- A. Racial Profiling Resolution
- B. Dr. Alex Del Carmen Bio
- C. 2019 Annual Racial Profiling Report Power Point

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

**RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS, AUTHORIZING THE MAYOR TO ACCEPT AND FILE THE POLICE DEPARTMENT'S 2019 RACIAL PROFILING REPORT, PROVIDING FOR THE REPEAL OF ANY AND ALL RESOLUTIONS IN CONFLICT; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Seagoville, Texas, understands and supports applicable laws concerning racial profiling accountability; and

**WHEREAS**, the City Council of the City of Seagoville, Texas, supports the transparent open reporting and accounting of all police contacts covered within the Racial Profiling legislation; and

**WHEREAS**, the Seagoville Police Department has presented it's 2019 Racial Profiling Report; and

**WHEREAS**, the City Council of the City of Seagoville, Texas desires to authorize the Mayor to accept and file the Police Department's 2019 Racial Profiling Report with the Texas Commission on Law Enforcement;

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

**Section 1.** The City Council of the City of Seagoville, Texas, authorizes the Mayor to accept the Police Department's 2019 Racial Profiling Report.

**Section 2.** The City Council further authorizes the Mayor or his designee to file the 2019 Racial Profiling Report with the Texas Commission on Law Enforcement within the mandated reporting time.

**Section 3.** If any article, paragraph, subdivision, clause or provision of this Resolution, as hereby amended, be adjudged invalid or held unconstitutional for any reason, such judgment 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 as the law and Charter in such cases provide.

**DULY ORDERED** by the City Council of the City of Seagoville, Texas on the 24<sup>th</sup> day of February, 2020.

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 THOMAS, CITY ATTORNEY  
(TM 105784 013019)



## City of Seagoville Police Department

600 North US Highway 175  
Seagoville, Texas 75159  
Phone 972.287.2999 Fax 972.287.2917  
[www.seagoville.us](http://www.seagoville.us)



**Alex del Carmen Ph.D., Del Carmen Consulting, LLC**

**Dr. Alejandro del Carmen** is currently serving as the Executive Director of the School of Criminology and Criminal Justice at Tarleton State University in Fort Worth. Prior to joining Tarleton, Dr. del Carmen served as Chair and Professor of Criminology & Criminal Justice at The University of Texas at Arlington. He is an instructor in the Law Enforcement Management Institute of Texas (since 2001) and has served as instructor in the Arlington Police Department Training Academy (4 years). He is certified as a grant evaluator/reviewer for the Department of Justice and as an instructor for the Texas Commission on Law Enforcement (TCOLE).

He earned a PhD in criminology and criminal justice from Florida State University in 1997. His research interests include law enforcement, racial profiling, crime prevention; and corrections. Dr. Del Carmen has published over twenty-five refereed academic manuscripts in internationally recognized journals. His most recent book is titled *Racial Profiling in America* (2008) Prentice Hall Publishing.

His research interests include:

Policing, Racial Profiling, Ethnicity and Crime, Homeland Security, Profiling, Corrections, Criminal Justice Educational Issues, CPTED, Penology, Crime Prevention, Juvenile Delinquency

# Annual Contact Data 2019

Del Carmen Consulting, LLC



# Requirements of the Texas Profiling Law Sandra Bland Act

- Substantial updates to existing law
- Replaces Tier 1 with enhanced Tier 2 data
- Requires direct contact
  - Requires citations, tickets, warnings and arrests
  - Requires specific analysis of data (including searches)
  - Requires audits
- Complaint or compliment process
- Removes “middle eastern” and “other” category
- Use of force results in injury reports
- Penalties for non-compliance increased
- Council/TCOLE by March 1<sup>st</sup>

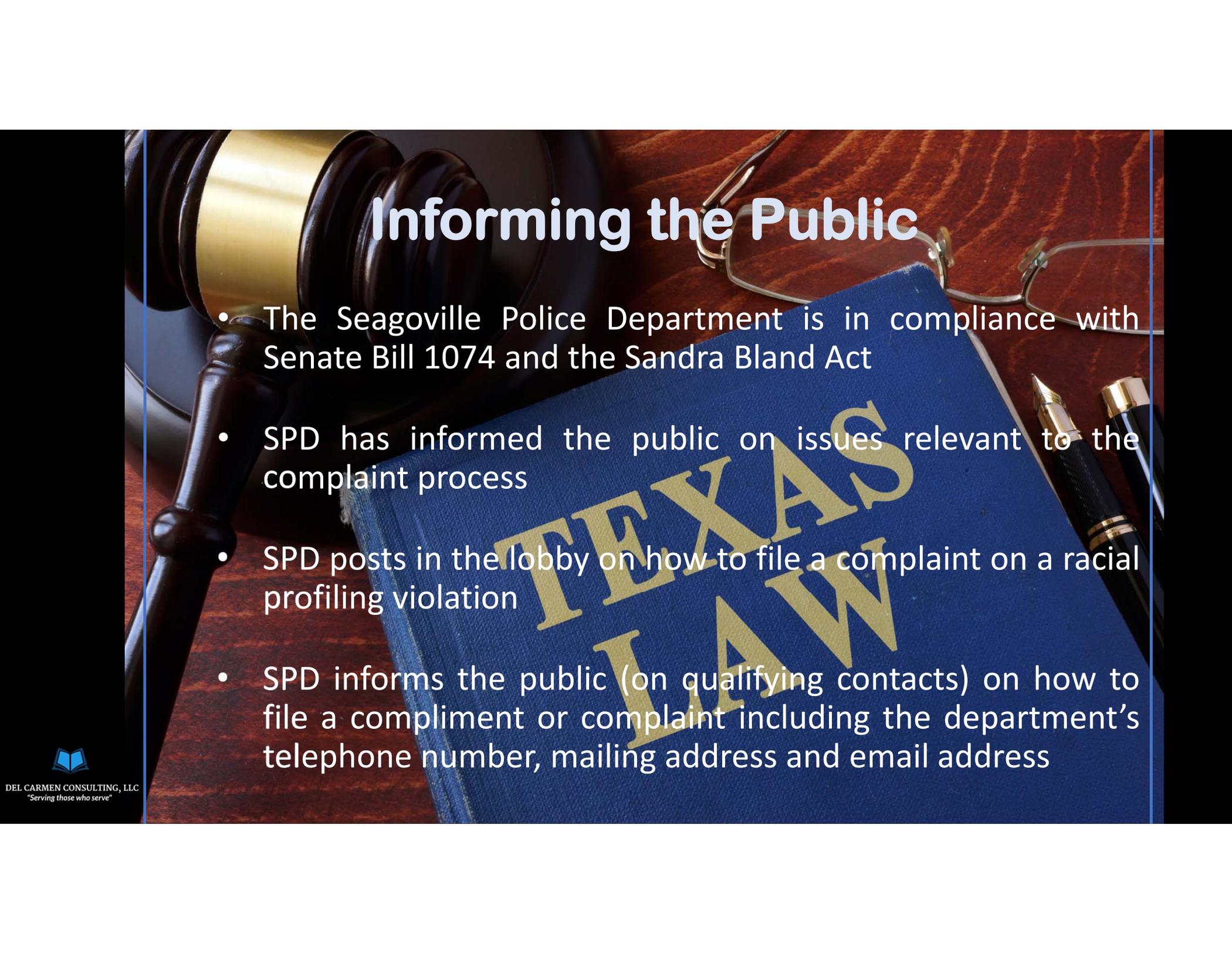


# Report on Complaints 1/1/2019 – 12/31/2019

The Seagoville Police Department did not receive any racial profiling complaints.

**RACIAL  
PROFILING**





# Informing the Public

- The Seagoville Police Department is in compliance with Senate Bill 1074 and the Sandra Bland Act
- SPD has informed the public on issues relevant to the complaint process
- SPD posts in the lobby on how to file a complaint on a racial profiling violation
- SPD informs the public (on qualifying contacts) on how to file a compliment or complaint including the department's telephone number, mailing address and email address



# Analysis of Data

- It is very difficult to detect specific “individual” behavior with “aggregate-level” data.
- Three different types of analyses were conducted
  1. The first of these involved a careful evaluation of the 2019 motor vehicle contact data.
    - This particular analysis measured, as required by the law, the number and percentage of Whites, Blacks, Hispanics, Asians and American Indian, that came in contact with the police involving a motor vehicle and were issued a citation, ticket, warning or arrested in 2019.



# Analysis of Data

2. The second type of analysis was based on a comparison of the 2019 contact data with a particular baseline.
  - Of all the baseline measures available, the Seagoville Police Department decided to adopt, as a baseline measure, the Fair Roads Standard.
  - The Fair Roads Standard is based on data obtained through the U.S. Census Bureau (2010) relevant to the number of households that have access to vehicles while controlling for race and ethnicity.
  - The Fair Roads Standard data obtained is relevant to the Dallas Fort-Worth (DFW) Metroplex.



# Analysis of Data

3. A third type of analysis was conducted while comparing the pattern on searches performed as a result of a motor vehicle contact, as defined in the law.



# Tier 2 (2019) Motor Vehicle Contact Analysis

## The trends on contacts were as follows:

- Most contacts were with Males
- Most were contacts with Whites
- Officers did not know the race/ethnicity prior to the stop
- The most frequent reason for a stop was “moving traffic violation”
- Most stops took place on “city streets”



# Tier 2 (2019)

## Motor Vehicle Contact Analysis

- Most stops did not result in a search
- Of those searched, the reason cited the most was “probable cause”
- Most searches did not result in contraband being discovered
- The contraband most frequently found was “drugs”
- Most stops resulted in a “verbal warning”
- Most arrests were based on “outstanding warrants”
- In 1 instance, force was used which resulted in bodily injury



# Fair Roads Standard Analysis

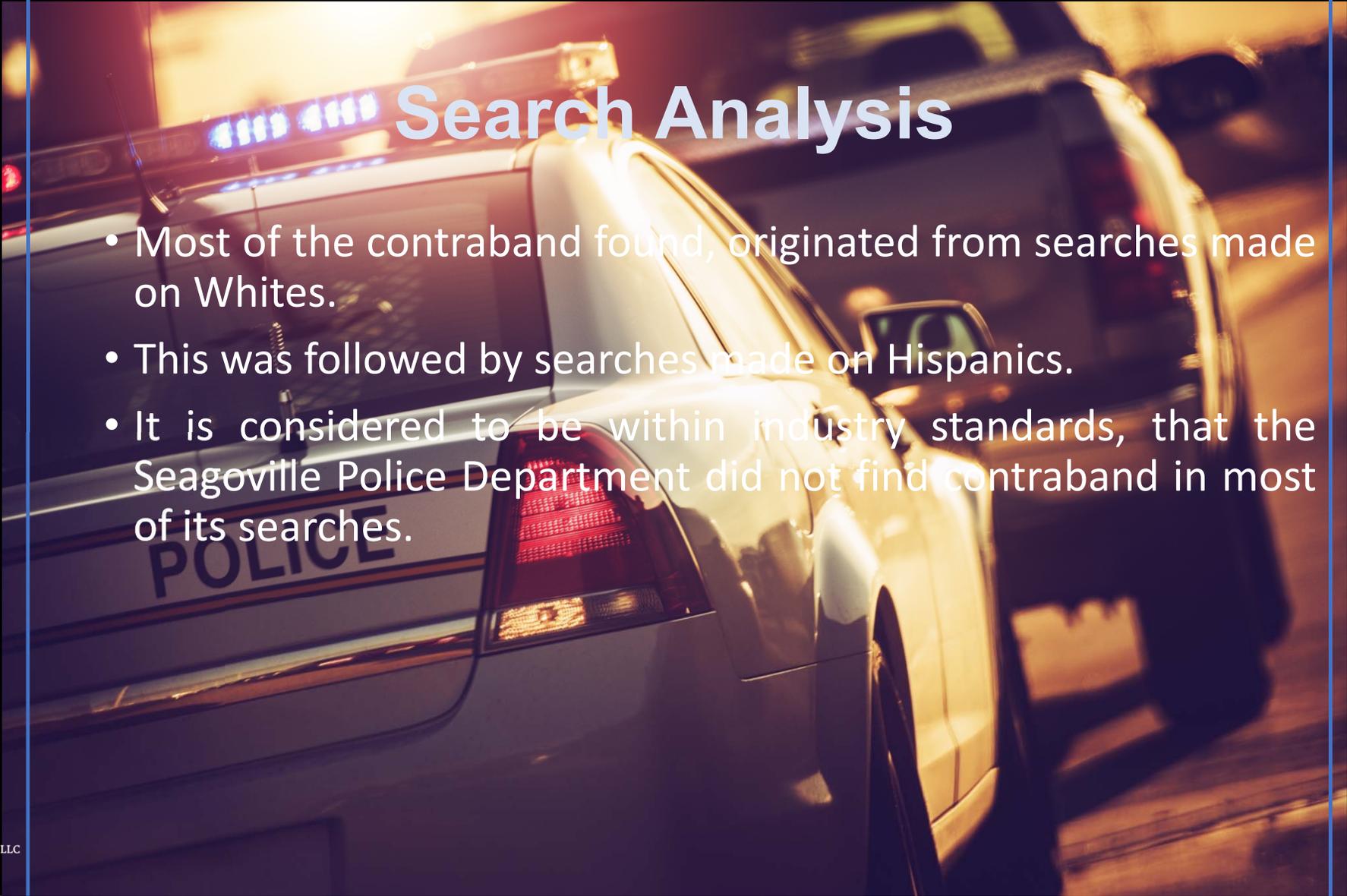
The percentage of Whites and Asians who came in contact with the police in motor vehicle related incidents in 2019, was lower than the percentage of White and Asian households in the DFW Metroplex that claimed, in the 2010 census, to have access to vehicles.



# Fair Roads Standard Analysis

With respect to Blacks and Hispanics, the data suggested that the percentage of Blacks and Hispanics that came in contact with the police in 2019 was higher than the percentage of Blacks and Hispanic households in the DFW Metroplex with access to vehicles.





# Search Analysis

- Most of the contraband found, originated from searches made on Whites.
- This was followed by searches made on Hispanics.
- It is considered to be within industry standards, that the Seagoville Police Department did not find contraband in most of its searches.



# Complying with the Sandra Bland Act

- The Department has also:
  - Revised its racial profiling policy to meet the new requirements of the law.
  - Engaged our firm in performed objective and external quarterly data audits.
  - Collected the enhanced version of Tier 2 data.
  - Engaged our firm in analyzing the data.
  - Informed the public, when making a contact, on how to file a compliment or complaint, as required by law.



# Recommendations

1. Collect and analyze data on searches.
2. Foster partnerships with organizations representing minority interests.
3. Commission quarterly data audits in order to determine the validity and reliability of data collected/reported in 2020.
4. Train all police officers on the new data requirements (Sandra Bland Act).
5. It should also be noted that the Seagoville Police Department complied with all of the recommendations made in last year's report.



# Questions

Del Carmen Consulting, LLC

817.681.7840

[www.TexasRacialProfiling.com](http://www.TexasRacialProfiling.com)

[www.DelCarmenConsulting.com](http://www.DelCarmenConsulting.com)

Twitter - @RaceProfiling



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

**Meeting Date: February 24, 2020**

### **ITEM DESCRIPTION:**

Discuss and consider a Resolution of the City of Seagoville, Texas, awarding a bid to Ed Bell Construction Company for the Crestview Lane and East Malloy Bridge Road Reconstruction Project in the amount of Two Million, Two Hundred Forty Five Thousand Three Hundred Sixty Four Dollars (\$2,245,364.00); authorizing the City Manager to execute any and all necessary documents; and providing an effective date.

### **BACKGROUND OF ISSUE:**

The City of Seagoville accepted sealed bids for the Crestview Lane and East Malloy Bridge Road Reconstruction Project. A total of 8 bids were received, with 7 being complete bids and 1 being an incomplete bid.

Halff Associates, Inc. has reviewed the bids, ensured all bid specifications were met, confirmed the company information, experience record and have determined that Ed Bell Construction Company is the lowest responsible bidder.

### **FINANCIAL IMPACT:**

\$2,245,364.00

### **RECOMMENDATION:**

Staff recommends approval.

### **EXHIBITS**

Resolution (2 pages)  
Recommendation Letter  
Bid Tabulation

**THE CITY OF SEAGOVILLE, TEXAS**

**RESOLUTION NO. \_\_-R-2020**

**A RESOLUTION OF THE CITY OF SEAGOVILLE, TEXAS, AWARDING A BID TO ED BELL CONSTRUCTION COMPANY FOR THE CRESTVIEW LANE AND EAST MALLOY BRIDGE ROAD RECONSTRUCTION PROJECT IN THE AMOUNT OF TWO MILLION, TWO HUNDRED FORTY FIVE THOUSAND THREE HUNDRED SIXTY FOUR DOLLARS (\$2,245,364.00); AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Seagoville ("City") accepted sealed bids for the Crestview Lane and East Malloy Bridge Road Reconstruction Project ("Project"); and

**WHEREAS**, a total of eight (8) bids were received, with seven (7) of the bids being complete bids and one (1) being an incomplete bid; and

**WHEREAS**, Halff Associates, Inc. (the "Engineer") has reviewed the bids, ensured all bid specifications were met, confirmed the surety company information, the experience record, the resumes of the key personnel to be assigned to the Project, and have determined that Ed Bell Construction Company is the lowest responsible bidder; and

**WHEREAS**, the City Council has determined this work is in the best interest of the citizens of Seagoville and hereby awards the bid for the Project to Ed Bell Construction Company in the amount of Two Million, Two Hundred Forty Five Thousand Three Hundred Sixty Four Dollars (\$2,245,364.00).

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

**Section 1.** The City Council hereby awards the bid for the Crestview Lane and East Malloy Bridge Road Reconstruction Project to Ed Bell Construction Company in the amount of Two Million, Two Hundred Forty Five Thousand Three Hundred Sixty Four Dollars (\$2,245,364.00) as set forth in Exhibit A, which is attached hereto and incorporated herein, and the City Manager is hereby authorized to execute any and all documents necessary to complete the project.

**Section 2.** All resolutions of the City of Seagoville heretofore adopted which are in conflict with the provisions of the resolution be, and the same are hereby repealed, and all resolutions of the City of Seagoville not in conflict with the provisions hereof shall remain in full force and effect.

**Section 3.** If any article, paragraph, subdivision, clause or provision of this resolution, as hereby amended, be adjudged invalid or held unconstitutional for any reason, such judgment 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.** This resolution shall take effect immediately from and after its passage and it is accordingly so resolved.

**PASSED AND APPROVED** by the City Council of the City of Seagoville, Texas this 24<sup>th</sup> day of February, 2020.

**APPROVED:**

---

Dennis K. Childress, Mayor

ATTEST:

---

Kandi Jackson, City Secretary

APPROVED AS TO FORM:

---

Victoria Thomas, City Attorney  
(:cdb 02.19.2020)

February 14, 2020

033750

City of Seagoville, Texas  
702 US175 Frontage Road  
Seagoville, TX 75159

**Attention: Mr. Ladis Barr**

**Re: Bids for Crestview Lane and E. Malloy Bridge Road Reconstruction**

Dear Mr. Barr:

A total of seven (7) complete bids were received for the project. An additional bid was received but was declared “non-responsive” by the City because the contractor did not include bid summary showing their total bid. The detailed bid tabulation sheet for the bids received is enclosed for your use. All Bidders submitted with their respective Bids a complete set of documents as required by the Contract Documents. For this project, an alternate bid was included in addition to the base bid. The base bid included a bid item for a 6” thick base course composed of TXDOT Type A Flexible Base. The purpose for the alternate bid was to obtain a proposed bid price for a full double-lime treatment as a result of high-sulfate content in the in-situ soils. The lowest base bid was submitted by Ed Bell Construction Company, with a total of \$2,245,364.00. The base bids ranged as high as \$2,705,478.50. The lowest alternate bid was submitted by Tiseo Paving Company, with a total of \$2,249,189.00. The alternate bids ranged as high as \$2,765,566.00. In accordance with your request we are submitting this evaluation of the low bidder for only the base bid for the subject project.

The surety company to be used by Ed Bell Construction Company, is ARCH INSURANCE COMPANY, Harborside 3, 210 Hudson Street, Suite 300, Jersey City, New Jersey 07311-1107. We checked the following: 1) ARCH INSURANCE COMPANY is on the Federal Register list of companies holding certificates of authority as acceptable sureties on federal bonds and as acceptable reinsuring companies. 2) The project total amount does not exceed ARCH INSURANCE COMPANY’s bonding capacity as set by the Department of Treasury.

We checked the experience record provided by Ed Bell Construction Company, that included several roadway construction projects of similar nature and magnitude; and, resumes of the key personnel who will be assigned to the project. The projects and key personnel are summarized below:

**Similar Project Experience**

- City of Irving - O’Conner Boulevard
  - David Springob, (972) 721-2784
  - 2015
  - \$5,475,973
- City of Plano - Russell Creek Drive Phase 2
  - Clay Lipscomb (972) 941-7767
  - 2018
  - \$1,039,989
- City of Venus – Bulldog/Student/8<sup>th</sup>
  - Andy Wolf (972) 366-3348
  - 2019
  - \$1,319,066
- TxDOT - FM-460 (Kaufman)



- Jeff Bush (214) 320-6199
- 2019
- \$1,475,548

**Key Personnel**

1. Mark Jackson – Project Manager
2. Brian Mauricio – General Superintendent
3. Steven Priddy – President
4. William Teter – Vice President, Chief Estimator
5. Lloyd Falkner – Business Services Specialist
6. Kerry Hurd – Safety/Corporate Risk Management
7. Shane Lowrie – QC Manager

We checked the references listed in the experience record provided by Ed Bell Construction Company. All references contacted were positive and each said that Ed Bell Construction Company would be re-hired by their respective organizations if given the chance

Based on the information above we do not find grounds to disqualify Ed Bell Construction Company, from the project based on their financial capacity, experience, or prior performance as defined in the project specifications. This evaluation is limited to review of the Federal Register, project experience information furnished to Halff by Ed Bell Construction Company, and verifying references listed above. Halff recommends the project be awarded to Ed Bell Construction Company, for the Base Bid with 6" flexible base material, at the February 24, 2020 council meeting.

We look forward to working with the City of Seagoville and the Contractor on the next phase of this important project. Please feel free to contact me if you need additional information.

Sincerely,

**HALFF ASSOCIATES, INC.**

A handwritten signature in blue ink that reads "Jeff Roberts".

Jeffrey Roberts, P.E., CFM  
Civil Engineer

<b>City of Seagoville, Dallas and Kaufman County, Texas</b> <i>Crestview and E. Malloy Bridge Road</i>  <b>Bid Number: 2020-02-01</b>  <b>Bid Opening:</b> <b>February 10, 2020 @ 2:00 p.m.</b>	<b>Bidders Name &amp; Address</b>  <i>Reliable Paving, Inc.</i> <i>1903 Peyco Drive North</i> <i>Arlington, TX 76001</i>	<b>Bidders Name &amp; Address</b>  <i>FNH Construction LLC</i> <i>4099 McEwen Rd, #600</i> <i>Farmers Branch, TX 75244</i>	<b>Bidders Name &amp; Address</b>  <i>TISEO Paving Company</i> <i>P.O. Box 270040</i> <i>Dallas, TX 75227</i>
	<b>Total Bid</b>	<b>Total Bid</b>	<b>Total Bid</b>
<b>Description</b>			
Addendum No 1	✓	✓	✓
Bond	✓	✓	✓
<b>Complete Bid</b>	X	✓	✓
<b>TOTAL</b>	<b>No Total</b>	<b>\$2,705,478.50</b>	<b>\$2,249,532.50</b>
<b>Alternate</b>	<b>No Total</b>	<b>\$2,765,566.00</b>	<b>\$2,249,189.00</b>

<b>City of Seagoville, Dallas and Kaufman County, Texas</b> <i>Crestview and E. Malloy Bridge Road</i>  <b>Bid Number: 2020-02-01</b>  <b>Bid Opening:</b> <b>February 10, 2020 @ 2:00 p.m.</b>	<b>Bidders Name &amp; Address</b>  <i>Texas Sterling Const. Co.</i> <i>1441 Airport Fwy, # 350</i> <i>Euless, TX 76040</i>	<b>Bidders Name &amp; Address</b>  <i>Ed Bell Const. Co.</i> <i>P.O. Box 540787</i> <i>Dallas, TX 75354-0787</i>	<b>Bidders Name &amp; Address</b>  <i>SEMA Construction, Inc</i> <i>2331 Mustang Dr., #300</i> <i>Grapevine, TX 76051</i>
	<b>Total Bid</b>	<b>Total Bid</b>	<b>Total Bid</b>
<b>Description</b>			
Addendum No 1	✓	✓	✓
Bond	✓	✓	✓
<b>Complete Bid</b>	✓	✓	✓
<b>TOTAL</b>	<b>\$2,551,883.20</b>	<b>\$2,245,364.00</b>	<b>\$2,542,607.50</b>
<b>Alternate</b>	<b>\$2,584,483.70</b>	<b>\$2,268,784.00</b>	<b>\$2,573,358.50</b>

City of Seagoville, Dallas and Kaufman County, Texas  
 Crestview and E. Malloy Bridge Road  
 Bid Number: 2020-02-01  
 Bid Opening:  
 February 10, 2020 @ 2:00 p.m.

Bidders Name & Address  
 McMahon Contracting Inc  
 3019 Roy Orr Blvd  
 Grand Prairie, TX 75050

Bidders Name & Address  
 PaveCon Public Works  
 P.O. Box 535457  
 Grand Prairie, TX 75053

Bidders Name & Address

Description	Total Bid	Total Bid	Total Bid
Addendum No 1	✓	✓	
Bond	✓	✓	
Complete Bid	✓	✓	
TOTAL	\$2,313,777.18	\$2,401,307.71	
Alternate	\$2,306,989.67	\$2,409,784.81	

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

**Meeting Date: February 24, 2020**

### **ITEM DESCRIPTION:**

Conduct a Public Hearing on a request to change the zoning from Single Family (R-2) to Planned Development - Residential Single Family-5 (PD-20-02) for three (3) tracts of land described as Tract 1 being approximately 135.08± acres commonly referred to as 2301 Simonds Road, 2219 Simonds Road, 2219 E. Simonds Road, and 1320 E. Stark Road and Tract 2 being approximately 22.95± acres of the land commonly referred to as 2301 Simonds Road and, Tract 3 being approximately 88.96± acres of the land located on the southeast corner of Stark Road and Lasater Road, all in the City of Seagoville, Dallas County, Texas. Dennis and Janis Wolford own Tract 1 and Tract 2. Richard Jones and Gary Jones own Tract 3.

### **BACKGROUND OF ISSUE:**

The land is mostly used as ranch land, except for the home of the Wolfords. All lands are located southwest of Lasater Road between East Simonds Road and East Stark Road. The 135±acre Wolford tract and the Jones tract are contiguous to one another. The two Wolford tracts are separated by only an overhead power mainline on land that is owned by Texas Utilities Electric Company (Oncor).

Doyle and Marie Cameron are representing their company of D.R. Cameron and Associates, Inc. and property owners, Dennis & Janis Wolford as well as Richard Jones and Gary Jones, in their request for a zoning change from (vacant) land zoned R-2 to a residential subdivision in a plan development with an R-5 base zoning. The proposed development regulations include:

- Development in accordance with the attached concept plan
- Minimum front yard depth of 25-feet
- Minimum rear yard depth of 20-feet
- Minimum side yard width of 5-feet
- Minimum street side yard width of 10-feet
- Minimum lot width of 50-feet
- Minimum lot depth of 110-feet except lots in cul-de-sacs and street elbows shall have 90-foot minimums
- Minimum lot area of 5,500 square feet
- Minimum living area of the houses to be 1,600-square feet with at least 70% of the homes having at least 1,700-square feet
- 80% masonry exterior walls
- Garages to be a minimum of 2-cars with either a front or side entry
- Garage doors to have an enhanced design aesthetic
- Maximum height of 2-1/2 stories
- Minimum roof pitch of 6:12

- Maximum dwelling unit density of 4.22 units per gross acre of development
- Additional land uses of detached single family residential and accessory uses, an amenity center, and a temporary batch plant during construction
- Same house elevation to not be repeated within three (3) lots on the same side of the street nor within three (3) lots on opposite sides of a street
- Amenity Center to be located on the concept plan or plat
- Open spaces to have 4-foot wide sidewalks along street frontages, established grass groundcover, and two (2) of the following features: park benches, shade structure, interior sidewalks, trees, water feature, or similar park type features
- Homeowners Association (HOA) to maintain all open spaces and the Amenity Center
- Trail system to be designed and constructed to provide views of existing lake and other natural features

By code, the garages will be required to be at least 400 square feet in size.

To meet the requirements of the Thoroughfare Plan, East Stark Road, East Simonds Road, and Lasater Road (existing perimeter roads) as well as Shannon Road (a new internal street) will each be required to have pavement improvements calling for at least 2 lanes of concrete to be constructed with this development. Shannon Road will have curb and gutter on both sides as well as storm drain inlets spaced as required to drain the street. All four (4) of these streets will also be required to have a 5-foot sidewalk installed within their new right-of-way. All other internal streets will also have curb and gutters, storm drain inlets, and sidewalks at least 4-feet wide installed on both sides of each street.

The existing zoning, land uses, and relevant portions of the City's comprehensive plan are each referenced in the attached staff report. The report also provides a recommendation from Staff on whether the P&Z should deny or approve the applicant's request.

Including the subject parcels, there are sixty-eight (68) properties, parts of eight (8) public streets, and one (1) private road within 200-feet of the boundary of the subject area. The owners of each parcel were notified in compliance with the 200-foot rule by mail on Tuesday, January 14, 2020. A legal ad was also published per the Texas Local Government Code in the Friday, January 10, 2020, edition of the Daily Commercial Record newspaper. No (zero) letters were returned as undeliverable by the U.S. Postal Service. Two (2) written response were returned in favor of the project by one of the owners. Two (2) written response were returned against the project by neighbors. Copies of the responses were provided to the Commissioners at the P&Z meeting. Two (2) people spoke against the request at the Planning and Zoning Commission meeting.

For the City Council meeting, the owners of each parcel were again notified in compliance with the 200-foot rule by mail on Tuesday, February 4, 2020, about the City Council meeting. A legal ad was also published per the Texas Local Government Code in the Friday, January 31, 2020, edition of the Daily Commercial Record newspaper. As of the date of this report, Thursday, February 20, 2020, no (zero) additional letters were returned as undeliverable by the U.S. Postal Service and one (1) additional written response against the project has been received. Any responses received after the emailing of the packet to the Council will be provided at the meeting.

## **FINANCIAL IMPACT:**

Not applicable

## **RECOMMENDATION:**

On January 28<sup>th</sup>, the Planning and Zoning Commission voted seven (7) to zero (0) in favor of recommending approval with conditions of the request to change the zoning from R-2 (Residential Single Family) to PD-20-02 (plan development with R-5, Residential Single Family, base zoning) on three tracts of land all located in Seagoville, Dallas County, Texas: a 135.08±acre tract and a 22.95±acre tract owned by Dennis and Janis Wolford and an 88.96±acre tract owned by Richard Jones and Gary Jones based on the submitted development regulations and concept plan. There were three (3) conditions of approval.

- The construction of 5-foot wide sidewalks along East Stark Road, East Simonds Road, Lasater Road, and Shannon Road at the same time as their pavement improvements.
- All other streets are to be constructed with 4-foot wide sidewalks on both sides unless as otherwise shown on the engineering plans.
- The internal trail system to have 4-foot sidewalks maintained by the Home Owners' Association when the trail is not located within a street right-of-way.

Staff also supports the requested change with the above listed conditions of approval.

## **EXHIBITS:**

Each of the following are set for printing on letter-sized paper unless otherwise listed.

1. Staff Report (8 pages)
2. 2019 aerial photograph from DCAD website
3. Dimensional reference map from DCAD website
4. Zoning map reference (dimensional map with zoning added)
5. Jurisdictional map from DCAD website (limits for cities, zip codes, and school districts)
6. Application packet
  - a. Application from Dennis and Janis Wolford with legal descriptions (7 pages)
  - b. Application from Richard Jones and Gary Jones with legal description (3 pages)
  - c. Proposed development regulations (2 pages)
  - d. Concept plan for Stonehaven (11 x 17)
  - e. Sample building elevations (11x17)
  - f. Amenity Center concept
7. Legal notice to newspaper
  - a. Planning and Zoning Commission (2 pages)
  - b. City Council
8. Letter sent to property owners
  - a. Planning and Zoning Commission (2 pages)
  - b. City Council (2 pages)

9. Responses received (6 pages)
10. List of property owners within 200-feet of property (3 pages)



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

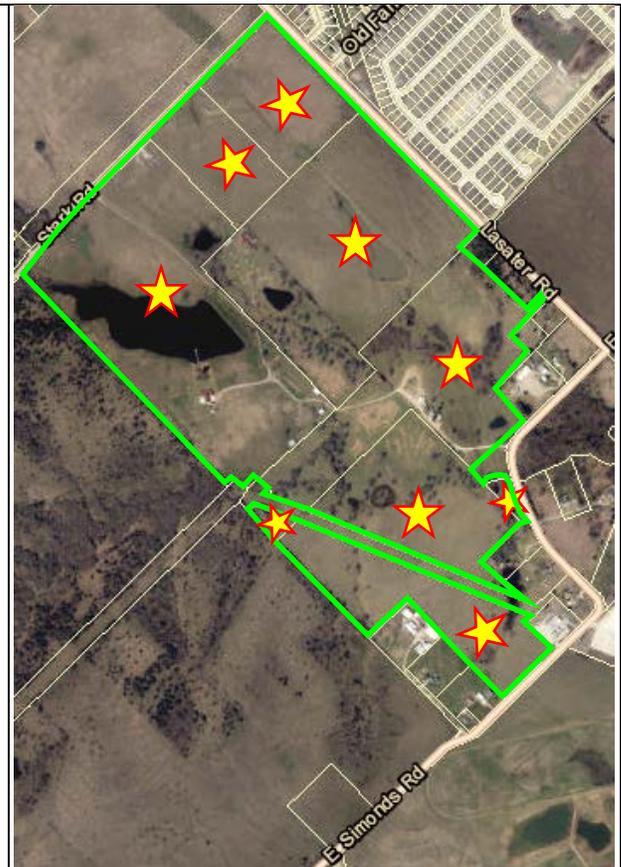
**DATE:** FEBRUARY 24, 2020  
**AUTHOR:** JENNIFER BONNER, JUNIOR PLANNER  
**APPLICANTS:** D.R. CAMERON AND ASSOCIATES, INC.; RICHARD JONES & GARY JONES; AND DENNIS & JANIS WOLFORD  
**PARCELS:** 65054142010100000; 65054142010110000; 65054142010120000; 50050050010010000; 65054142510150000; 65054142510150100; 65054142510080000; 65054142510080100; AND 50028310000030000  
**LOCATION:** TRACTS 8, 8.1, 10, 11, 12, 15, AND 15.1 OF HERMAN HEIDER ABSTRACT 541; LOT 1 BLOCK 1 WOLFORD ADDITION; AND LOT 3 BLOCK 1 NABORS ADDITION RE-PLAT

**REQUEST SUMMARY:**

The applicants are requesting that the current zoning be changed from R-2 to PD-R5, a plan development for a residential subdivision of detached single family houses.

The subdivision and plan development will be located on the 245±acres that are outlined in green and the parcels that are under the nine yellow stars outlined in red in the photograph to the right.

The fully developed subdivision will have not more than 1,030 detached single family houses. There are planned at least 8 areas of open space. Some of the open spaces have existing lakes or ponds that will remain. Other open spaces will be provided under the overhead electric lines. Part of the land that will also remain as an open space is delineated by the Federal Emergency Management Agency and U.S. Corps of Engineers as a regulated floodplain.



REQUEST LOCATION: Inside City; Dallas County

**PLANNING AND ZONING COMMISSION RECOMMENDATION:**

On January 28<sup>th</sup>, the Planning and Zoning Commission voted seven (7) to zero (0) in favor of recommending approval with conditions of the request to change the zoning from R-2 (Residential Single Family) to PD-20-02 (plan development with R-5, Residential Single Family, base zoning) on three tracts of land all located in Seagoville, Dallas County, Texas: a 135.08±acre tract and a 22.95±acre tract owned by Dennis and Janis Wolford and an 88.96±acre tract owned by Richard Jones and Gary Jones based on the submitted development regulations and concept plan. There were three (3) conditions of approval. The construction of

**Planning and Zoning Commission reviews and makes a recommendation to the City Council, which makes the final decision on the request.**

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

**STAFF REPORT  
Z2020-02**

5-foot wide sidewalks along East Stark Road, East Simonds Road, Lasater Road, and Shannon Road at the same time as their pavement improvements. All other streets are to be constructed with 4-foot wide sidewalks on both sides unless as otherwise shown on the engineering plans. The internal trail system to have 4-foot sidewalks maintained by the Home Owners Association when the trail is not located within a street right-of-way.

Staff also supports the requested change with the above listed conditions of approval.

SIZE OF PROPERTY	EXISTING ZONING	SURROUNDING ZONING	EXISTING LAND USE	SURROUNDING LAND USE
245+ acres	R-2, Single Family Residential	<p><b>Northeast:</b> PD-R5, Plan Development with R-5 base zoning <i>and</i> City of Mesquite</p> <p><b>Northwest:</b> PD-R2, Plan Development with R-2 base zoning <i>and</i> City of Dallas</p> <p><b>Southeast:</b> AG, Agriculture</p> <p><b>Southwest:</b> R-1, Single Family Residential <i>and</i> PD, Plan Development with mixture of base zonings</p>	vacant	Low Density Residential

**COMPARISON TO ADOPTED CITY MASTER PLANS**

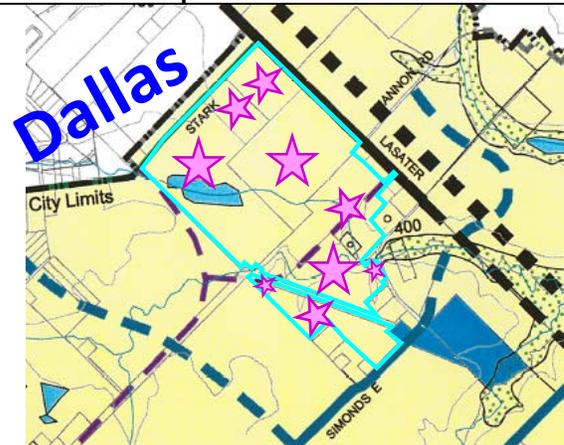
**STAFF ANALYSIS**

**PLAN GOALS OR GUIDELINES**

**2002 Future Land Use Plan and Map**

The subject parcels are outlined in light blue and under the light pink stars outlined in the darker pink/purple. This entire area of Seagoville is in an area expected to remain as Low Density Residential (light yellow color).

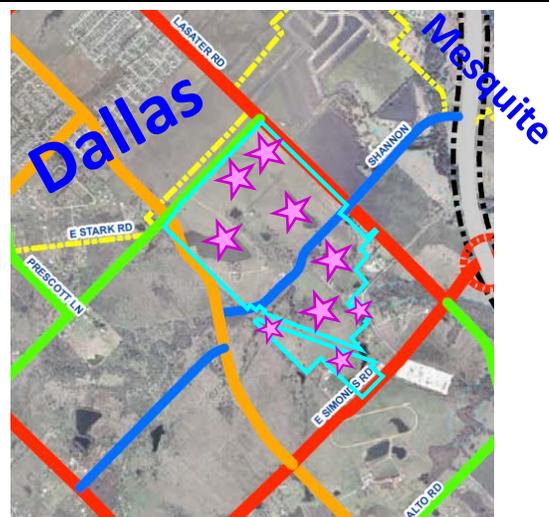
Meets Standard



**2006 Thoroughfare Plan and Map**

The subject parcels are outlined in light blue and under the light pink stars outlined in the darker pink/purple. The properties currently have access via East Stark Road (future Major Collector requiring a total of 80-feet of right-of-way), Lasater Road (future Major Arterial requiring a total of 120-feet of right-of-way), or East Simonds Road (future Major Arterial requiring a total of 120-feet of right-of-way). Each of these perimeter streets will be improved with this development. The concept plan also calls for a 5 new internal streets that will provide cross-access through the areas under the overhead electric lines plus the construction of Shannon Road as a future Minor Collector (requiring a total of 60-feet of right-of-way) and over 30 other internal streets.

Meets Standard

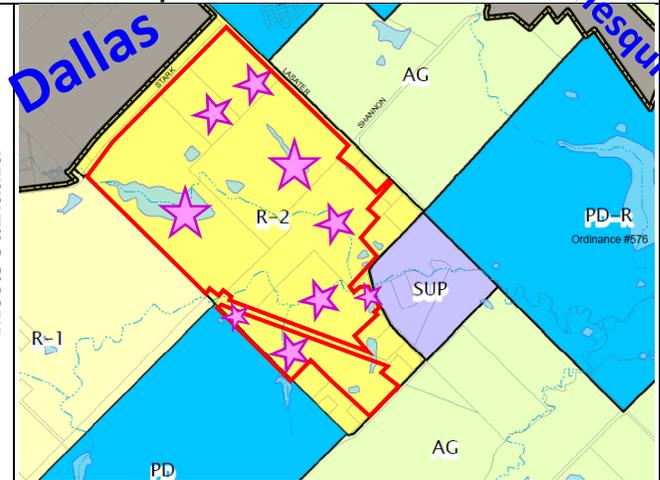


2009 Zoning Plan and Map

The plan development encompasses about 245+ acres of mostly unimproved land outlined in red and under the light pink stars outlined in the darker pink/purple.

The applicants are requesting that the property be rezoned for the development of a residential subdivision with a PD-R5 zoning. The requested base zoning would be R-5 to match Highland Meadows to the northwest across Lasater Road. The plan development would reduce the lot sizes in exchange for homes with larger than the code-minimum size that R-5 requires.

Meets Standard



REVIEW CRITERIA	STAFF ANALYSIS	
1. Will the development provide for a superior design of the lots or buildings?	Yes	The plan development is asking for narrower lots than the existing R-5 district in exchange for a mixture of home sizes.
2. Will the development or land use provide for increased recreation and open space opportunities for public use and enjoyment?	Yes	At least 8 open areas are planned with the development. The existing overhead power lines and a regulated floodplain will provide some of the open space.
3. Will the development or land use provide amenities or features that would be of special benefit to the property users or to the overall community?	Yes	The developer plans to leave at least 8 areas for common lots to provide open spaces. Some of the open spaces have existing lakes or ponds that will remain. Other open spaces will be provided under the overhead electric lines. Part of the land that will also remain as an open space is regulated by the Federal Emergency Management Agency and U.S. Corps of Engineers because it is a regulated floodplain.
4. Will the development or land use protect or provide natural amenities and environmental assets?	Yes	One open space area is a regulated floodplain. Some of the existing lakes and ponds may be able to serve as the required detention ponds for addressing the needed control of increased stormwater runoff from this development into the creek and regulated floodplain to protect downstream neighbors from flooding.
5. Will the development or land use protect or preserve existing historical buildings, structures, features, or places?	No	There are no identified locations at this time that have been identified for historical protection or preservation.
6. Will the development or land use provide an appropriate balance between the intensity of the development and the ability to provide adequate supporting public facilities and services?	Yes	The development will expand the existing water and sanitary sewer services into this area of Seagoville. A Public Improvement District or similar financial option is planned to help pay for the construction, installation, and maintenance of the needed off-site city water and sanitary sewer mains.
7. Will the development or land use meet or exceed the planned development regulations?	Yes	The lot dimensions shown on this concept plan are to be typically 50-feet wide by 110-feet deep. Only those lots in the elbow of a street or in a cul-de-sac will have allowed to shorter side dimensions that the development regulations stated will not be less than 90-feet in length.

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REVIEW CRITERIA	STAFF ANALYSIS	
8. Will the use be designated, located, and operated so that the public health, safety, and welfare will be protected?	Yes	Water, sanitary sewer, and storm utility services will be required to be designed, engineered and operated to protect public health, safety, and welfare. Currently neither Seagoville-supplied water nor sanitary sewer are available. The developer plans to work with the City to extend services to this area prior to the Certificate of Occupancy for any home that will be built in the development.
9. Will the land use be compatible with other area properties located nearby?	Yes	Within 0.33-mile of this development, the land uses are almost exclusively detached single family homes.
10. Will the use be in compliant with all provisions of the zoning amendments portion of the Municipal Code?	Yes	The requirements for the change in zoning have been met (application, legal notifications, etc.).
11. Will the use be compliant with all applicable provisions in the Code for the district in which the use is to be located?	Yes	The primary land use in the proposed base zoning district will be residential.
12. Will the use facilitate public convenience at that location?	Yes	The planned development will have points of access on East Stark Road, East Simonds Road, and Lasater Road.
13. Will the use conform to off-street parking and loading requirements?	Yes	This requirement will have to be met at the time the construction plat, and later the final plat, are submitted.
14. Are the ingress, egress, and pedestrian ways adequate?	Yes	All ingress and egress ways will be constructed by the developer's contractor as part of the site's development. Improvements will include construction of sidewalks and ramps.
15. Have safeguards limiting noxious or offensive emissions, including light, noise, glare, dust, and odor been addressed?	Yes	No safeguards will be required since the surrounding land uses are existing single family residences, as is that for the planned development.
16. Will the proposed landscaping and screening be compliant with all City regulations?	Yes	Since no detailed landscaping or screening information for the subdivision was provided, it will be required to meet code-defined minimums with its construction plat submittal and approval.
17. Will the signage be compliant with those portions of the Municipal Code?	Yes	Signage for this site will be limited to those allowed by code. Signage is a separate review conducted by Staff.
18. Will all open space(s) be maintained by the owner/developer?	Yes	The property owner will be required to maintain the property until the development is complete, when maintenance will be turned over to either private lot owners or a homeowners' association.
19. 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 submitted request is asking for approval to plan for lots that will be smaller-than-required in exchange for providing larger-than-required homes.
20. Will granting the permit be authorizing less than the minimum requirements in regards to height, area, setbacks, parking, or landscaping?	No	Some of these regulations are allowed by code to be changed if part of a plan development. Each change is required to be defined in the subdivision's regulating ordinance. A list of the requested changes from city codes can be found in attached Exhibit 6c.
21. Have the provisions of the existing master thoroughfare plan been met to protect the public interest?	Yes	The quantities of dedicated right-of-way for East Stark Road, East Simonds Road, Shannon Road, and Lasater Road and their constructed cross-sections will each be required to meet the 2006 Thoroughfare Plan.

REVIEW CRITERIA	STAFF ANALYSIS	
22. Have the provisions of any existing future land use plan been met to protect the public interest?	Yes	Chapter 5 (Future Land Use) of the 2002 Comprehensive Plan calls for this area to be Low Density Residential.
23. Have the provisions of any existing capital improvements plan been met to protect the public interest?	N/A	There currently is no active capital improvement plan.
24. Have the provisions of any community facilities plan been met to protect the public interest?	Yes	Chapter 6 (Parks, Recreation, and Open Space) and Chapter 7 (Infrastructure Systems) of the 2002 Comprehensive Plan discuss community facilities. Changing the zoning is not affected by these chapters of the Plan.
25. Have the provisions of any other adopted document for providing required necessary public facilities been met to protect the public interest?	N/A	Chapter 8 (Public Facilities) of the 2002 Comprehensive Plan addresses municipal facilities primarily. Changing the zoning is not affected by these chapters of the Plan.

**Public Comments Received:** Including the subject parcels, there are sixty-eight (68) properties, parts of eight (8) public streets, and one (1) private road within 200-feet of the boundary of the subject area. The owners of each parcel were notified in compliance with the 200-foot rule by mail on Tuesday, January 14, 2020. A legal ad was also published per the Texas Local Government Code in the Friday, January 10, 2020, edition of the Daily Commercial Record newspaper. No (zero) letters have been returned as undeliverable by the U.S. Postal Service. Three (3) written response were returned in favor of the project by the property owners. Two (2) written response were returned against the project by neighbors. Copies of the responses were provided to the Commissioners at the P&Z meeting. Two (2) people spoke against the request at the Planning and Zoning Commission meeting.

On January 28<sup>th</sup>, the Planning and Zoning Commission voted seven (7) to zero (0) in favor of recommending approval with conditions of the request to change the zoning from R-2 (Residential Single Family) to PD-20-02 (plan development with R-5, Residential Single Family, base zoning) on three tracts of land all located in Seagoville, Dallas County, Texas: a 135.08±acre tract and a 22.95±acre tract owned by Dennis and Janis Wolford and an 88.96±acre tract owned by Richard Jones and Gary Jones based on the submitted development regulations and concept plan. There were three (3) conditions of approval.

- The construction of 5-foot wide sidewalks along East Stark Road, East Simonds Road, Lasater Road, and Shannon Road at the same time as their pavement improvements.
- All other streets are to be constructed with 4-foot wide sidewalks on both sides unless as otherwise shown on the engineering plans.
- The internal trail system to have 4-foot sidewalks maintained by the Home Owners’ Association when the trail is not located within a street right-of-way.

For the City Council meeting, the owners of each parcel were again notified in compliance with the 200-foot rule by mail on Tuesday, February 4, 2020, about the City Council meeting. A legal ad was also published per the Texas Local Government Code in the Friday, January 31, 2020, edition of the Daily Commercial Record newspaper. As of the date of this report, Thursday, February 13, 2020, no (zero) additional letters have been returned as undeliverable by the U.S. Postal Service. No (zero) additional written responses have been returned. Any responses received after the emailing of the packet to the Council will be provided at the meeting.

**Other comments:** Beginning on the next page is a table that compares land uses listed in the municipal code for each relevant zoning district. Reference the table to the right to determine which symbols depict land uses that would be permitted or require a special use permit. Any land use that is not listed in the table or that has a blank cell to its right are

Key to Uses:	Zoning Districts:
P = Permitted Use	<b>R-2</b> , Residential Single Family
SUP = Special Use Permit required	<b>R-5</b> , Residential Single Family
<b>Blank = Not Permitted</b>	<b>PD-20-02</b> , this application

**STAFF REPORT  
Z2020-02**

prohibited in that district. The land use table is arranged alphabetically.

Type of Use	Zoning District		PD-20-02
	R-2	R-5	
Accessory buildings	P	P	P
Addition of pre-packaged food or beverages sales to a retail or business already operating	SUP	SUP	SUP
Airport or airport facilities	SUP	SUP	SUP
Amenity Center			P
Art gallery	P	P	P
Breezeway attaching accessory to the main building	P	P	P
Carnival	SUP	SUP	SUP
Cemetery	SUP	SUP	SUP
Children's home on 5 acres or more	SUP	SUP	SUP
Church or religious worship facility	P	P	P
Circus	SUP	SUP	SUP
Commercial amusement, temporary	SUP	SUP	SUP
Community building on 3 acres or more	SUP	SUP	SUP
Concrete batching plant	SUP	SUP	SUP
Convalescent home on 5 acres or more	SUP	SUP	SUP
Daycare or nursery with fewer than four unrelated children	P	P	P
Daycare or nursery with more than four unrelated children	SUP	SUP	SUP
Detached dwelling for servants employed on-site	P	P	P
Dog kennels on farm of 5 acres or more	SUP	SUP	SUP
Drive-in theatre on 10 acres or more	SUP	SUP	SUP
Driving range	SUP	SUP	SUP
Earth excavation	SUP	SUP	SUP
Educational institutions	SUP	SUP	SUP
Electrical public utility regulating station	SUP	SUP	SUP
Farm without on-site retail or wholesale business	P	P	P
Fire station	P	P	P
Garden without on-site retail or wholesale business	P	P	P
Golf course without driving range	P	P	P
Government use - local, county, state, federal	SUP	SUP	SUP
Gravel excavation	SUP	SUP	SUP
Greenhouse	SUP	SUP	SUP
Greenhouse without on-site retail or wholesale business	P	P	P
Homes for narcotics on 20 acres or more	SUP	SUP	SUP
Homes for the alcoholic on 20 acres or more	SUP	SUP	SUP
Homes for the feeble-minded on 20 acres or more	SUP	SUP	SUP
Homes for the insane on 20 acres or more	SUP	SUP	SUP
Hospital on 5 acres or more	SUP	SUP	SUP
Kindergarten - public or private	SUP	SUP	SUP
Landing airfield or facilities	SUP	SUP	SUP
Library	P	P	P
Maternity home on 5 acres or more	SUP	SUP	SUP
Miniature golf course	SUP	SUP	SUP
Miniature train ride	SUP	SUP	SUP
Mixed-Use projects of private housing and shopping center on 3 acres or more	SUP	SUP	SUP
Museum	P	P	P
Natural gas public utility regulating station	SUP	SUP	SUP
Neighborhood recreation center (swimming pool, social or hobby rooms)	P	P	P
Normal household pets	P	P	P
Nursery	SUP	SUP	SUP
Nursery school - public or private	SUP	SUP	SUP

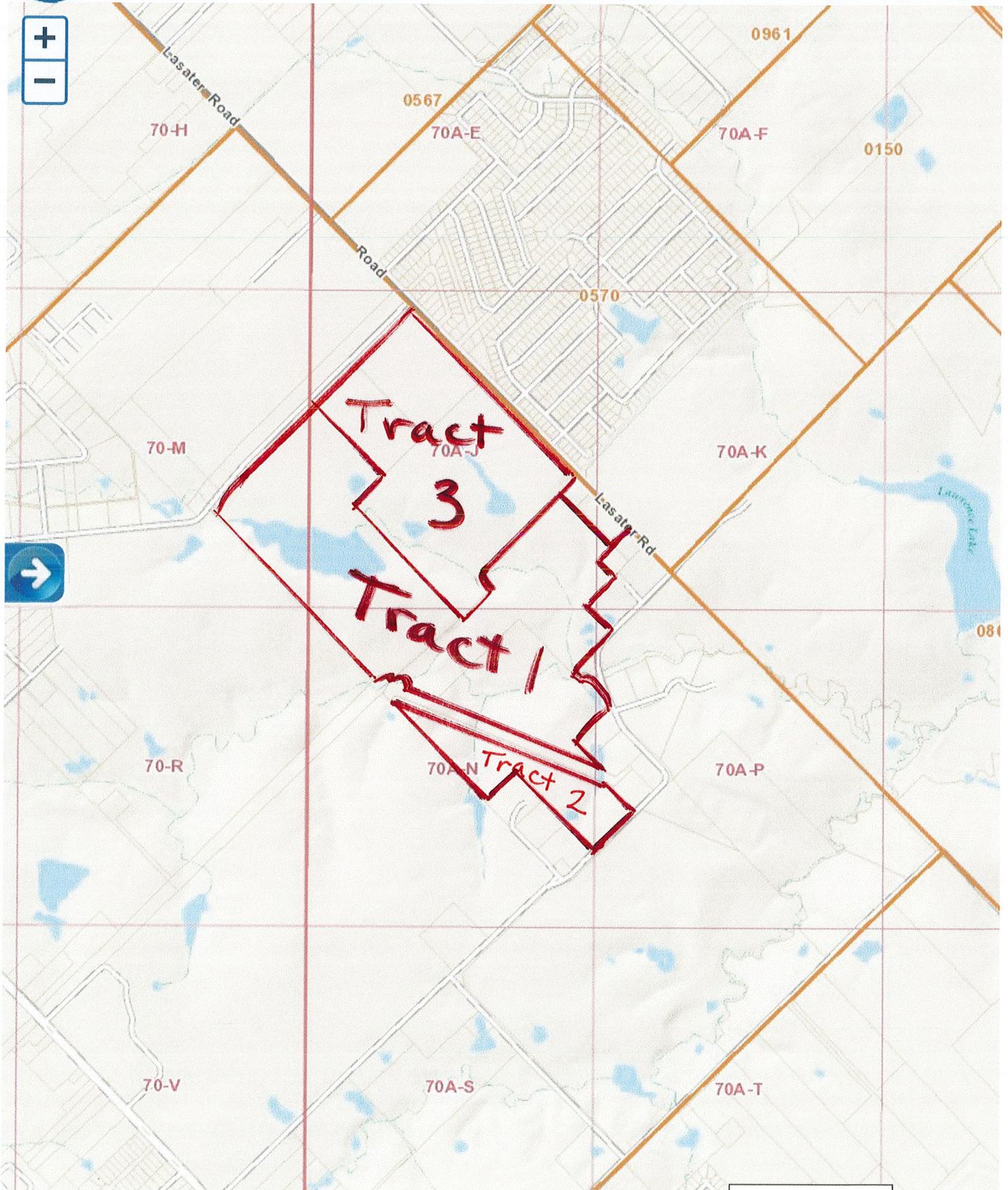
Type of Use	Zoning District	Residential		PD-20-02
		R-2	R-5	
Nursery without on-site retail or wholesale business		P	P	P
Old people's home on 5 acres or more		SUP	SUP	SUP
Orchard without on-site retail or wholesale business		P	P	P
Park		P	P	P
Passenger train station		P	P	P
Philanthropic institutions		SUP	SUP	SUP
Playgrounds		P	P	P
Pony rides		SUP	SUP	SUP
Private carport and/or garage		P	P	P
Private school, equivalent to a public school		P	P	P
Public school (elementary through high school)		P	P	P
Public stable on 5 acres or more		SUP	SUP	SUP
Public utility - privately or publicly owned		SUP	SUP	SUP
Radio or television broadcasting stations		SUP	SUP	SUP
Radio or television broadcasting towers		SUP	SUP	SUP
Radio or television transmitter tower		SUP	SUP	SUP
Railway ROW & tracks, but no railroad yards, team tracks or storage yards		P	P	P
Religious institutions		SUP	SUP	SUP
Riding academy on 5 acres or more		SUP	SUP	SUP
Rock quarry		SUP	SUP	SUP
Rodeo		SUP	SUP	SUP
Sale of pre-packaged food/beverages, in combination, that exceeds 10% of an establishment's gross annual sales revenues		SUP	SUP	SUP
Sand excavation		SUP	SUP	SUP
Sewage treatment plant		SUP	SUP	SUP
Single-family residence (detached)		P	P	P
Telephone exchange without office, repair or storage facilities		P	P	P
Temporary and seasonal sales establishment, such as flea market or produce stand		SUP	SUP	SUP
Temporary buildings to be used for construction purposes only		P	P	P
Travel trailer park		SUP	SUP	SUP
Veterinary hospital on 5 acres or more		SUP	SUP	SUP
Water pumping plant		P	P	P
Water supply reservoir		P	P	P
Water tower or artesian well		P	P	P
Wind energy conversion system (WEC)		SUP	SUP	SUP

**STAFF REPORT  
Z2020-02**

	<b>Standard R-2 district</b>	<b>Proposed PD-20-02</b>
<b>Uses</b>	<b>Code Section 25.02.081</b> (summarized in land use table)	Any use permitted in the R-2 zoning classification of the Zoning Ordinance plus an amenity center
<b>Minimum Lot Area</b>	9,000 square feet	5,500 square feet
<b>Minimum Lot Width</b>	75-feet	50-feet
<b>Minimum Lot Depth</b>	120-feet	110-feet except in cul-de-sacs and street elbows where the requested minimum would be 90-feet
<b>Maximum Lot Coverage</b>	40%	40%
<b>Required Front Yard</b>	30-feet	25-feet
<b>Required Side Yard - Interior</b>	6-feet	5-feet
<b>Required Side Yard - Corner</b>	double frontage requires 30-foot setback on each street	10-feet on non-frontage street side
<b>Required Rear Yard</b>	minimum 20% of total lot depth; maximum 24-feet	20-feet
<b>Maximum Height - Primary Structure</b>	2-1/2 stories	2-1/2 stories
<b>Maximum Height - Accessory Structure</b>	2-1/2 stories	2-1/2 stories
<b>Minimum Dwelling Size</b>	2,000 square feet	1,600 square feet with at least 70% of the homes having at least 1,700 square feet
<b>Exterior Wall Materials</b>	<b>Code Section 25.02.712:</b> 80% front and rear walls plus 100% side walls as masonry	80% on all exterior walls; same house elevations not to be duplicated within 3 lots on same side of street nor within 3 lots on opposite sides of a street; <u>Staff comments:</u> Local exterior building material requirements are unenforceable under a state law that went into effect on September 1, 2019. New law does state that materials must meet the requirements of the International Building Code (IBC). The City of Seagoville adopted the 2018 version of the IBC in January 2019.
<b>Minimum Off-Street Parking Required</b>	2 off-street parking spaces per dwelling unit;	2-car garages with either front or side entries; Garage doors to have an enhanced aesthetic design
	minimum 400 square foot garage structure per dwelling unit;	
	No structure in front yard setback;	
	Public assembly uses require one parking space for every 5 seats (or fraction thereof)	

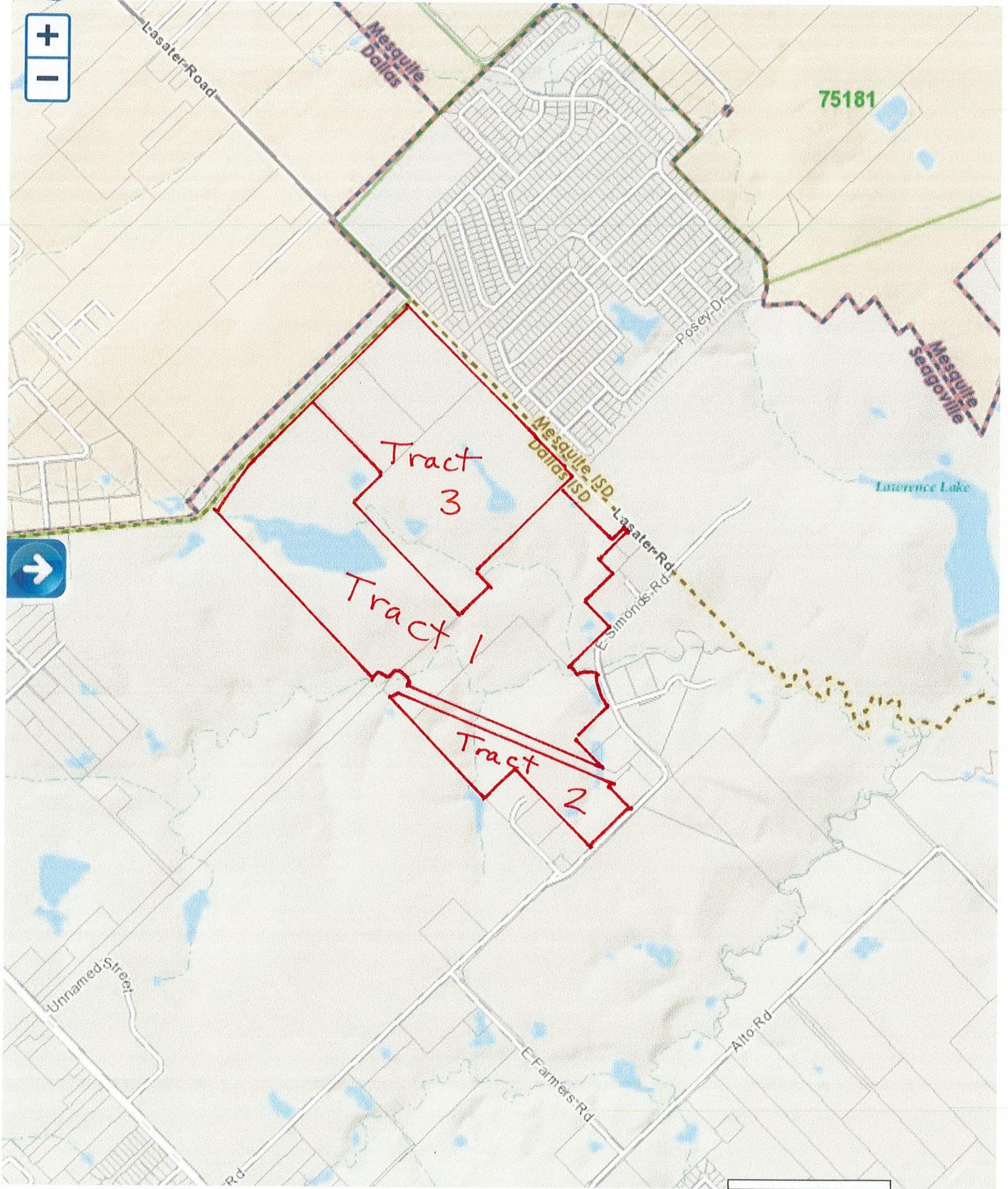


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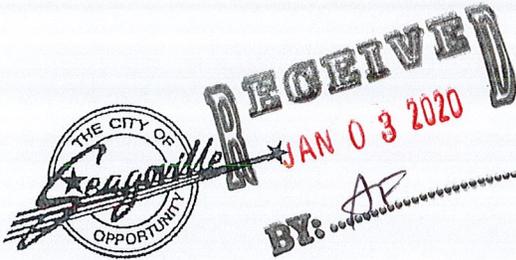
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Tract 3

Tract 1

Tract 2

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ZONING APPLICATION City of Seagoville, Texas

ANTICIPATED MEETING DATES: P&Z: 1/28/2020 City Council: 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: STONE HAVEN
Physical Location of Property: STARK Rd - WEST OF LASATER Rd
Brief Legal Description of Property (must also attach accurate Surveyor's metes and bounds description): 158 ACRES OUT OF THE HERMAN HELDER SURVEY, ABST 541
Acreage: 158 Existing Zoning: Requested Zoning: PD - RESIDENTIAL
Owner's Name: DENNIS & JAVIS WILFORD

Contact Person: Title: Owner? (circle one)

Company Name:

Street/Mailing Address: P.O. Box 360217 City: DALLAS State: TX Zip: 75336

Phone: 214 480-9951 Fax: Email Address: denniswilford@wildblue.net

Engineer / Representative's Name: D.A. CAMERON & ASSOCIATES, INC.

Contact Person: DOYLE OR MARIE CAMERON Title: PRES / V-PRES

Company Name: Highland

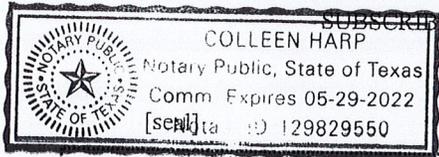
Street/Mailing Address: 420 LARK PELLOW DR City: VILLAGE State: TX Zip: 75077

Phone: 972 317-6089 Fax: Email Address: mariecamer@hotmail.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: OWNER Date: 11 DEC 19



SUBSCRIBED AND SWORN TO before me, this the 11 day of DECEMBER, 2019
Notary Public in and for the State of Texas: [Signature]
My Commission Expires On: 05-29-2022

Office Use Only: Date Rec'd: 1/3/2020 Fees Paid: \$1500 Check #: 13321 Receipt #: 601430
Zoning Case # 20203 Accepted By: LB Official Submittal Date: 1/3/2020

**EXHIBIT "A"**  
Legal Description

## TRACT 1:

BEING ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE HERMAN HEIDER SURVEY, ABSTRACT NO. 541, DALLAS COUNTY, TEXAS, BEING A PORTION OF LOT ONE, BLOCK ONE, WILFORD ADDITION, AN ADDITION TO THE CITY OF SEAGOVILLE, RECORDED IN INSTRUMENT NO. 201200121817, MAP RECORDS, DALLAS COUNTY, TEXAS AND BEING A PORTION OF THAT TRACT OF LAND DESCRIBED IN DEED TO DENNIS AND JANIS WOLFORD, RECORDED IN INSTRUMENT NO. 201100151442, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS, ALSO THAT TRACT OF LAND KNOWN AS TRACT A, AS DESCRIBED IN DEED TO DENNIS AND JANIS WOLFORD, RECORDED IN INSTRUMENT NO. 201100149454, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS, AND A TRACT OF LAND KNOWN AS TRACT "A", AS DESCRIBED IN DEED TO DENNIS AND JANIS WOLFORD, RECORDED IN INSTRUMENT NO. 201100150319, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS, AND LOT 3 OF THE REPLAT OF NABORS SUBDIVISION TO THE CITY OF SEAGOVILLE, RECORDED IN VOLUME 93051, PAGE 1956, MAP RECORDS, DALLAS COUNTY, TEXAS, AND BEING DESCRIBED

BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON ROD FOUND FOR CORNER IN THE RECOGNIZED SOUTHEAST LINE OF E. STARK ROAD, SAID POINT BEING THE RECOGNIZED WEST CORNER OF SAID LOT ONE, BLOCK ONE OF WOLFORD ADDITION, AND THE APPARENT NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO JUDITH SMITH MOORE AND KIRBY C. SMITH, RECORDED IN VOLUME 85109, PAGE 3205, DEED RECORDS, DALLAS COUNTY, TEXAS;

THENCE NORTH 39 DEGREES 16 MINUTES 47 SECONDS EAST, ALONG THE RECOGNIZED SOUTHEAST LINE OF SAID E. STARK ROAD AND THE RECOGNIZED NORTHWEST LINE OF SAID LOT ONE, BLOCK ONE, A DISTANCE OF 589.10 FEET TO A 1/2 INCH IRON ROD FOUND FOR ANGLE POINT;

THENCE NORTH 45 DEGREES 19 MINUTES 28 SECONDS EAST, ALONG THE RECOGNIZED SOUTHEAST LINE OF SAID E. STARK ROAD AND THE RECOGNIZED NORTHWEST LINE OF SAID LOT ONE, BLOCK ONE, A DISTANCE OF 714.94 FEET TO A 1/2 INCH IRON ROD SET WITH YELLOW CAP STAMPED BG&A RPLS 5569 FOR CORNER IN THE APPARENT SOUTHWEST LINE OF A TOWER EASEMENT, RECORDED IN INSTRUMENT NO. 201900115635, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS, SAID POINT BEING THE NORTH CORNER OF HEREIN DESCRIBED TRACT;

THENCE SOUTH 44 DEGREES 37 MINUTES 14 SECONDS EAST, OVER AND UPON SAID LOT ONE, BLOCK ONE AND THE APPARENT SOUTHWEST LINE OF SAID TOWER EASEMENT, A DISTANCE OF 182.45 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING AN INNER ELL CORNER OF HEREIN DESCRIBED TRACT AND THE APPARENT SOUTH CORNER OF SAID TOWER EASEMENT;

THENCE NORTH 45 DEGREES 22 MINUTES 46 SECONDS EAST, OVER AND UPON SAID LOT ONE, BLOCK ONE AND THE APPARENT SOUTHEAST LINE OF SAID TOWER EASEMENT, A DISTANCE OF 149.79 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER IN THE APPARENT SOUTHWEST LINE OF TRACT 3 AS DESCRIBED IN DEED TO RICHARD T. JONES AND GARY R. JONES, RECORDED IN INSTRUMENT NO. 20180001184, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS AND THE RECOGNIZED MOST NORTHERLY NORTHEAST LINE OF SAID LOT ONE, BLOCK ONE, SAID POINT BEING THE APPARENT EAST CORNER OF SAID TOWER EASEMENT;

THENCE SOUTH 44 DEGREES 23 MINUTES 00 SECONDS EAST, ALONG THE RECOGNIZED MOST NORTHERLY NORTHEAST LINE OF SAID LOT ONE, BLOCK ONE AND THE APPARENT SOUTHWEST LINE OF SAID JONES TRACT 3, A DISTANCE OF 794.09 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER IN THE APPARENT NORTHWEST LINE OF SAID JONES TRACT 2, SAID POINT BEING THE RECOGNIZED MOST NORTHERLY EAST CORNER OF SAID LOT ONE, BLOCK ONE AND THE APPARENT SOUTH CORNER OF SAID JONES TRACT 3;

THENCE SOUTH 44 DEGREES 58 MINUTES 30 SECONDS WEST, ALONG THE RECOGNIZED MOST NORTHERLY SOUTHEAST LINE OF SAID LOT ONE, BLOCK ONE AND THE APPARENT NORTHWEST LINE OF SAID JONES TRACT 2, A DISTANCE OF 407.01 FEET TO A 5/8 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING THE RECOGNIZED INNER ELL CORNER OF SAID LOT ONE, BLOCK ONE AND THE APPARENT WEST CORNER OF SAID JONES TRACT 2;

**EXHIBIT "A"**  
Legal Description

THENCE SOUTH 44 DEGREES 10 MINUTES 49 SECONDS EAST, ALONG THE RECOGNIZED MOST SOUTHERLY NORTHEAST LINE OF SAID LOT ONE, BLOCK ONE AND THE APPARENT SOUTHWEST LINE OF SAID JONES TRACT 2, A DISTANCE OF 1527.22 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER IN THE RECOGNIZED MOST SOUTHERLY NORTHWEST LINE OF SAID WOLFORD TRACT A, (INSTR. NO. 201100149454), SAID POINT BEING THE APPARENT SOUTH CORNER OF SAID JONES TRACT 2;

THENCE NORTH 47 DEGREES 35 MINUTES 01 SECONDS EAST, ALONG THE RECOGNIZED MOST SOUTHERLY NORTHWEST LINE OF SAID WOLFORD TRACT A (INSTR. NO. 201100149454) AND THE APPARENT SOUTHEAST LINE OF SAID JONES TRACT 2, A DISTANCE OF 410.11 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING A RECOGNIZED INNER ELL CORNER OF SAID WOLFORD TRACT A (INSTR. NO. 201100149454) AND THE APPARENT EAST CORNER OF SAID JONES TRACT 2;

THENCE NORTH 42 DEGREES 24 MINUTES 52 SECONDS WEST, ALONG THE APPARENT NORTHEAST LINE OF SAID JONES TRACT 2, A DISTANCE OF 205.32 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING THE RECOGNIZED MOST NORTHERLY WEST CORNER OF SAID WOLFORD TRACT A (INSTR. NO. 201100149454) AND THE APPARENT SOUTH CORNER OF SAID JONES TRACT 1;

THENCE NORTH 44 DEGREES 36 MINUTES 30 SECONDS EAST, ALONG THE RECOGNIZED NORTHWEST LINE OF SAID WOLFORD TRACT A (INSTR. NO. 201100149454) AND THE APPARENT SOUTHEAST LINE OF SAID JONES TRACT 1, A DISTANCE OF 1155.82 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING THE RECOGNIZED NORTH CORNER OF SAID WOLFORD TRACT A (INSTR. NO. 201100149454) AND THE APPARENT WEST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO L. V. AND STELLA ELLIOTT, RECORDED IN VOLUME 3270, PAGE 562, DEED RECORDS, DALLAS COUNTY, TEXAS;

THENCE SOUTH 45 DEGREES 02 MINUTES 15 SECONDS EAST, ALONG THE MOST NORTHERLY NORTHEAST LINE OF SAID WOLFORD TRACT A (INSTR. NO. 201100149454), A DISTANCE OF 721.44 FEET TO A 1 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING A RECOGNIZED INNER ELL CORNER OF SAID WOLFORD TRACT A (INSTR. NO. 201100149454) AND THE APPARENT SOUTH CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO L. V. AND STELLA ELLIOTT, RECORDED IN VOLUME 3294, PAGE 563, DEED RECORDS, DALLAS COUNTY, TEXAS;

THENCE NORTH 45 DEGREES 39 MINUTES 30 SECONDS EAST, ALONG THE APPARENT SOUTHEAST LINE OF SAID ELLIOTT TRACT (VOL. 3294, PG. 563), A DISTANCE OF 192.19 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER IN THE RECOGNIZED SOUTHWEST LINE OF LASATER ROAD, SAID POINT BEING THE RECOGNIZED MOST EASTERLY NORTH CORNER OF SAID WOLFORD TRACT A (INSTR. NO. 201100149454) AND THE APPARENT EAST CORNER OF SAID ELLIOTT TRACT (VOL. 3294, PG. 563);

THENCE SOUTH 44 DEGREES 47 MINUTES 17 SECONDS EAST, ALONG THE RECOGNIZED SOUTHWEST LINE OF SAID LASATER ROAD AND THE RECOGNIZED NORTHEAST LINE OF SAID WOLFORD TRACT A (INSTR. NO. 201100149454), A DISTANCE OF 48.86 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING THE RECOGNIZED MOST NORTHERLY EAST CORNER OF SAID WOLFORD TRACT A (INSTR. NO. 201100149454) AND THE APPARENT NORTH CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO LARRY D. WALKER, RECORDED IN INSTRUMENT NO. 201900029745, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS;

THENCE SOUTH 45 DEGREES 29 MINUTES 43 SECONDS WEST, ALONG THE APPARENT NORTHWEST LINE OF SAID WALKER TRACT, A DISTANCE OF 420.00 FEET TO A 5/8 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING A RECOGNIZED INNER ELL CORNER OF SAID WOLFORD TRACT A (INSTR. NO. 201100149454) AND THE APPARENT SOUTH CORNER OF SAID WALKER TRACT (INSTR. NO. 201000089281);

THENCE SOUTH 44 DEGREES 47 MINUTES 17 SECONDS EAST, ALONG THE APPARENT SOUTHWEST LINE OF SAID WALKER TRACT (INSTR. NO. 201000089281), A DISTANCE OF 210.00 FEET TO A 1/2 INCH IRON ROD SET WITH YELLOW CAP STAMPED BG&A RPLS 5569 FOR CORNER IN THE APPARENT NORTHWEST LINE OF A TRACT OF LAND DESCRIBED IN DEED TO JERRY A. AND CLAUDETTE MCFADDEN, RECORDED IN VOLUME 86229, PAGE 4069, DEED RECORDS, DALLAS COUNTY, TEXAS, SAID POINT BEING THE APPARENT SOUTH CORNER OF SAID WALKER TRACT (INSTR. NO. 201000089281);

**EXHIBIT "A"**

## Legal Description

THENCE SOUTH 45 DEGREES 29 MINUTES 43 SECONDS WEST, ALONG THE APPARENT NORTHWEST LINE OF SAID MCFADDEN TRACT, A DISTANCE OF 381.44 FEET TO A 1/2 INCH IRON ROD SET WITH YELLOW CAP STAMPED BG&A RPLS 5569 FOR CORNER, SAID POINT BEING A RECOGNIZED INNER ELL CORNER OF SAID WOLFORD TRACT A (INSTR. NO. 201100149454) AND THE APPARENT WEST CORNER OF SAID MCFADDEN TRACT;

THENCE SOUTH 44 DEGREES 47 MINUTES 17 SECONDS EAST, ALONG THE APPARENT SOUTHWEST LINE OF SAID MCFADDEN TRACT, A DISTANCE OF 363.00 FEET TO A 1/2 INCH IRON ROD SET WITH YELLOW CAP STAMPED BG&A RPLS 5569 FOR CORNER WITHIN E. SIMONDS ROAD; SAID POINT BEING THE RECOGNIZED MOST SOUTHERLY EAST CORNER OF SAID WOLFORD TRACT A (INSTR. NO. 201100149454) AND THE APPARENT SOUTH CORNER OF SAID MCFADDEN TRACT;

THENCE SOUTH 45 DEGREES 29 MINUTES 43 SECONDS WEST, ALONG THE RECOGNIZED MOST SOUTHERLY SOUTHEAST LINE OF SAID WOLFORD TRACT A (INSTR. NO. 201100149454), A DISTANCE OF 563.00 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER IN THE RECOGNIZED NORTHEAST LINE OF SAID WOLFORD TRACT "A" (INSTR. NO. 201100150319), SAID POINT BEING THE RECOGNIZED MOST EASTERLY SOUTH CORNER OF SAID WOLFORD TRACT A (INSTR. NO. 201100149454) AND AN INNER ELL CORNER OF HEREIN DESCRIBED TRACT;

THENCE SOUTH 43 DEGREES 43 MINUTES 05 SECONDS EAST, ALONG THE RECOGNIZED NORTHEAST LINE OF SAID WOLFORD TRACT "A" (INSTR. NO. 201100150319), A DISTANCE OF 75.22 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING THE RECOGNIZED WEST CORNER OF SAID LOT 3 OF THE REPLAT OF NABORS SUBDIVISION, RECORDED IN VOLUME 93051, PAGE 1956, MAP RECORDS, DALLAS COUNTY TEXAS;

THENCE ALONG THE RECOGNIZED NORTH LINE OF SAID LOT 3, THE FOLLOWING COURSES AND DISTANCES; NORTH 55 DEGREES 26 MINUTES 15 SECONDS EAST, 43.03 FEET TO AN ANGLE POINT; NORTH 80 DEGREES 10 MINUTES 15 SECONDS EAST, 85.02 FEET TO AN ANGLE POINT; SOUTH 88 DEGREES 11 MINUTES 45 SECONDS EAST, 61.26 FEET TO AN ANGLE POINT; SOUTH 72 DEGREES 04 MINUTES 45 SECONDS EAST, 53.55 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER IN THE RECOGNIZED SOUTHWEST LINE OF SAID E. SIMONDS ROAD, SAID POINT BEING THE RECOGNIZED NORTHEAST CORNER OF SAID LOT 3 OF THE REPLAT OF NABORS SUBDIVISION AND A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 11 DEGREES 32 MINUTES 30 SECONDS, A RADIUS OF 1366.30 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 18 DEGREES 26 MINUTES 50 SECONDS EAST-274.76 FEET;

THENCE ALONG THE RECOGNIZED SOUTHWEST LINE OF SAID E. SIMONDS ROAD AND SAID CURVE TO THE LEFT, AN ARC LENGTH OF 275.23 FEET TO A 1/2 INCH IRON ROD FOUND AT THE END OF SAID CURVE;

THENCE SOUTH 24 DEGREES 13 MINUTES 05 SECONDS EAST, ALONG THE RECOGNIZED SOUTHWEST LINE OF SAID E. SIMONDS ROAD, A DISTANCE OF 77.87 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING THE RECOGNIZED SOUTHEAST CORNER OF SAID LOT 3 AND THE APPARENT NORTH CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO LOWELL T. AND BARBARA S. SHERMAN, RECORDED IN VOLUME 99051, PAGE 4686, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS;

THENCE SOUTH 77 DEGREES 29 MINUTES 56 SECONDS WEST, ALONG THE RECOGNIZED SOUTH LINE OF SAID LOT 3 AND THE APPARENT NORTH LINE OF SAID SHERMAN TRACT, A DISTANCE OF 44.58 FEET TO A 1/2 INCH IRON ROD FOUND FOR ANGLE POINT, SAID POINT BEING THE RECOGNIZED MOST NORTHERLY EAST LINE OF SAID WOLFORD TRACT "A" (INSTR. NO. 201100150319) AND THE RECOGNIZED SOUTH CORNER OF SAID LOT 3 OF THE REPLAT OF NABORS SUBDIVISION;

THENCE SOUTH 45 DEGREES 50 MINUTES 19 SECONDS WEST, ALONG THE RECOGNIZED SOUTHEAST LINE OF SAID WOLFORDS TRACT "A" (INSTR. NO. 201100150319) AND THE APPARENT NORTHWEST LINE OF SAID SHERMAN TRACT, A DISTANCE OF 424.00 FEET TO A PK NAIL FOUND FOR CORNER, SAID POINT BEING THE RECOGNIZED INNER ELL CORNER OF SAID WOLFORD TRACT "A" (INSTR. NO. 201100150319) AND THE APPARENT WEST CORNER OF SAID SHERMAN TRACT;

**EXHIBIT "A"**  
Legal Description

THENCE SOUTH 41 DEGREES 11 MINUTES 32 SECONDS EAST, ALONG THE APPARENT SOUTHWEST LINE OF SAID SHERMAN TRACT, A DISTANCE OF 211.24 FEET TO A 1/2 INCH IRON ROD FOUND FOR ANGLE POINT, SAID POINT BEING THE APPARENT SOUTH CORNER OF SAID SHERMAN TRACT AND THE APPARENT WEST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO CLYDE CARMAN, RECORDED IN INSTRUMENT NO. 200900225070, DEED RECORDS, DALLAS COUNTY, TEXAS;

THENCE SOUTH 47 DEGREES 31 MINUTES 51 SECONDS EAST, ALONG THE APPARENT SOUTHWEST LINE OF SAID CARMAN TRACT, A DISTANCE OF 187.91 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER IN THE RECOGNIZED NORTHEAST LINE OF A 100 FOOT RIGHT-OF-WAY TO T. P. & L. COMPANY, RECORDED IN VOLUME 5642, PAGE 230, DEED RECORDS, DALLAS COUNTY, TEXAS, SAID POINT BEING EAST CORNER OF SAID WOLFORD TRACT "A" (INSTR. NO. 201100150319), FROM WHICH A 1/2 INCH IRON ROD FOUND FOR REFERENCE, IN THE RECOGNIZED SOUTHWEST LINE OF SAID T. P. & L. COMPANY RIGHT-OF-WAY BEARS SOUTH 33 DEGREES 06 MINUTES 49 SECONDS EAST 176.34 FEET;

THENCE NORTH 67 DEGREES 39 MINUTES 43 SECONDS WEST, ALONG THE RECOGNIZED NORTHEAST LINE OF SAID T. P. & L. COMPANY RIGHT-OF-WAY AND THE RECOGNIZED SOUTHWEST LINE OF SAID WOLFORD TRACT "A" (INSTR. NO. 201100150319), A DISTANCE OF 2162.92 FEET TO A 1/2 INCH IRON ROD FOUND WITH ORANGE CAP FOR CORNER IN THE APPARENT SOUTHEAST LINE OF A TRACT OF LAND DESCRIBED IN DEED TO T. P. & L. COMPANY, RECORDED IN VOLUME 5632, PAGE 601, DEED RECORDS, DALLAS COUNTY, TEXAS, SAID POINT BEING THE RECOGNIZED NORTH CORNER OF A 100 FOOT T. P. & L. COMPANY RIGHT-OF-WAY, RECORDED IN VOLUME 5611, PAGE 139 AND THE MOST SOUTHERLY WEST CORNER OF SAID WOLFORD TRACT A (INSTR. NO. 201100149454);

THENCE NORTH 47 DEGREES 57 MINUTES 15 SECONDS EAST, ALONG THE APPARENT SOUTHEAST LINE OF SAID T. P. & L. COMPANY TRACT (VOL. 5632, PAGE 601), A DISTANCE OF 35.49 FEET TO A 1/2 INCH IRON ROD FOUND WITH ORANGE CAP FOR CORNER, SAID POINT BEING A RECOGNIZED INNER ELL CORNER OF SAID WOLFORD TRACT A (INSTR. NO. 201100149454) AND THE APPARENT EAST CORNER OF SAID T. P. & L. COMPANY TRACT (VOL. 5632, PAGE 601);

THENCE NORTH 42 DEGREES 02 MINUTES 45 SECONDS WEST, ALONG THE APPARENT NORTHEAST LINE OF SAID T. P. & L. COMPANY TRACT (VOL. 5632, PAGE 601), A DISTANCE OF 100.00 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER IN THE RECOGNIZED SOUTHEAST LINE OF SAID LOT ONE, BLOCK ONE OF WOLFORD ADDITION, SAID POINT BEING THE RECOGNIZED WEST CORNER OF SAID WOLFORD TRACT A (INSTR. NO. 201100149454) AND THE APPARENT NORTH CORNER OF SAID T. P. & L. COMPANY TRACT (VOL. 5632, PAGE 601);

THENCE SOUTH 47 DEGREES 57 MINUTES 40 SECONDS WEST, ALONG THE RECOGNIZED SOUTHEAST LINE OF SAID LOT ONE, BLOCK ONE, A DISTANCE OF 82.35 FEET TO A 1/2 INCH IRON ROD FOUND WITH ORANGE CAP STAMPED "2516" FOR CORNER, SAID POINT BEING THE RECOGNIZED MOST EASTERLY SOUTH CORNER OF SAID LOT ONE, BLOCK ONE AND THE APPARENT EAST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO T. P. & L. COMPANY, RECORDED IN VOLUME 5611, PAGE 137, DEED RECORDS, DALLAS COUNTY, TEXAS;

THENCE NORTH 58 DEGREES 56 MINUTES 11 SECONDS WEST, ALONG THE APPARENT NORTHEAST LINE OF SAID T. P. & L. COMPANY TRACT, A DISTANCE OF 125.07 FEET TO A 1/2 INCH IRON ROD FOUND WITH ORANGE CAP STAMPED "2516" FOR CORNER, SAID POINT BEING A RECOGNIZED INNER ELL CORNER OF SAID LOT ONE, BLOCK ONE AND THE APPARENT NORTH CORNER OF SAID T. P. & L. COMPANY TRACT (VOL. 5611, PG. 137);

THENCE SOUTH 44 DEGREES 18 MINUTES 28 SECONDS WEST, ALONG THE RECOGNIZED MOST NORTHERLY SOUTHEAST LINE OF SAID LOT ONE, BLOCK ONE AND THE APPARENT NORTHWEST LINE OF SAID T. P. & L. COMPANY TRACT (VOL. 5611, PG. 139, A DISTANCE OF 82.81 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING THE RECOGNIZED MOST WESTERLY SOUTH CORNER OF SAID LOT ONE, BLOCK ONE, THE APPARENT EAST CORNER OF SAID MOORE/SMITH TRACT AND THE APPARENT WEST CORNER OF SAID T. P. & L. COMPANY TRACT (VOL. 5611, PG. 137);

THENCE NORTH 44 DEGREES 26 MINUTES 22 SECONDS WEST, ALONG THE APPARENT NORTHEAST LINE OF

**EXHIBIT "A"**

## Legal Description

SAID MOORE/SMITH TRACT AND THE RECOGNIZED SOUTHWEST LINE OF SAID LOT ONE, BLOCK ONE, A DISTANCE OF 1422.16 FEET TO A 1/2 INCH IRON ROD FOUND FOR ANGLE POINT;

THENCE NORTH 44 DEGREES 50 MINUTES 41 SECONDS WEST, ALONG THE APPARENT NORTHEAST LINE OF SAID MOORE/SMITH TRACT AND THE RECOGNIZED SOUTHWEST LINE OF SAID LOT ONE, BLOCK ONE, WOLFORD ADDITION, A DISTANCE OF 859.78 FEET TO THE PLACE OF BEGINNING AND CONTAINING 5,884,074.68 SQ. FT. OR 135.08 ACRES OF LAND.

TRACT 2:

BEING ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE HERMAN HEIDER SURVEY, ABSTRACT NO. 541, DALLAS COUNTY, TEXAS, BEING KNOWN AS TRACT B AS DESCRIBED IN DEED TO DENNIS AND JANIS WOLFORD, RECORDED IN INSTRUMENT NO. 201100149454, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS, AND TRACT "B", AS DESCRIBED IN DEED TO DENNIS AND JANIS WOLFORD, RECORDED IN INSTRUMENT NO. 201100150319, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS, AND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1 INCH IRON PIPE FOUND FOR CORNER IN THE RECOGNIZED NORTHWEST LINE OF E. SIMONDS ROAD AND THE APPARENT NORTHEAST LINE OF THE RESIDUE OF A TRACT OF LAND DESCRIBED IN DEED TO O. D. AND BILLIE OGLETREE, RECORDED IN VOLUME 240, PAGE 856, DEED RECORDS, DALLAS COUNTY, TEXAS, SAID POINT BEING THE RECOGNIZED SOUTH CORNER OF SAID WOLFORD TRACT "B" (INSTR. NO. 201100150319);

THENCE NORTH 44 DEGREES 34 MINUTES 09 SECONDS WEST, ALONG THE RECOGNIZED MOST SOUTHERLY SOUTHWEST LINE OF SAID WOLFORD TRACT "B" (INSTR. NO. 201100150319), A DISTANCE OF 1067.85 FEET TO A 1 INCH IRON PIPE FOUND FOR CORNER, SAID POINT BEING A RECOGNIZED INNER ELL CORNER OF SAID WOLFORD TRACT "B" (INSTR. NO. 201100150319) AND THE APPARENT NORTH CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO J. R. AND BARBARA O. YARBOROUGH, RECORDED IN VOLUME 92202, PAGE 1127, DEED RECORDS, DALLAS COUNTY, TEXAS;

THENCE SOUTH 46 DEGREES 07 MINUTES 45 SECONDS WEST, ALONG THE MOST NORTHERLY SOUTHWEST LINE OF SAID WOLFORD TRACT "B" (INSTR. NO. 201100150319), A DISTANCE OF 399.82 FEET TO A 1 INCH IRON ROD FOUND FOR CORNER IN THE APPARENT NORTHEAST LINE OF A TRACT OF LAND DESCRIBED IN DEED TO CHARLOTTE LEE TAYLOR, RECORDED IN INSTRUMENT NO. 200700095728, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS, SAID POINT BEING A RECOGNIZED MOST WESTERLY SOUTH CORNER OF SAID WOLFORD TRACT "B" (INSTR. NO. 201100150319) AND THE APPARENT WEST CORNER OF SAID YARBOROUGH TRACT;

THENCE NORTH 44 DEGREES 28 MINUTES 10 SECONDS WEST, ALONG THE RECOGNIZED SOUTHWEST LINE OF SAID WOLFORD TRACT "B" (INSTR. NO. 201100150319) AND THE APPARENT NORTHEAST LINE OF SAID TAYLOR TRACT, A DISTANCE OF 1039.75 FEET TO A 1/2 INCH IRON ROD FOUND FOR ANGLE POINT, SAID POINT BEING THE RECOGNIZED WEST CORNER OF SAID WOLFORD TRACT "B" (INSTR. NO. 201100150319) AND THE RECOGNIZED SOUTH CORNER OF SAID WOLFORD TRACT B (INSTR. NO. 201100149454);

THENCE NORTH 42 DEGREES 16 MINUTES 17 SECONDS WEST, ALONG THE RECOGNIZED SOUTHWEST LINE OF SAID WOLFORD TRACT B (INSTR. NO. 201100149454) AND THE APPARENT NORTHEAST LINE OF SAID TAYLOR TRACT, A DISTANCE OF 354.26 FEET TO A 1/2 INCH IRON ROD FOUND WITH ORANGE CAP FOR CORNER, SAID POINT BEING THE RECOGNIZED WEST CORNER OF SAID WOLFORD TRACT B (INSTR. NO. 201100149454) AND THE APPARENT SOUTH CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO T. P. & L. COMPANY, RECORDED IN VOLUME 5632, PAGE 601, DEED RECORDS, DALLAS COUNTY, TEXAS;

THENCE NORTH 47 DEGREES 57 MINUTES 15 SECONDS EAST, ALONG THE RECOGNIZED NORTHWEST LINE OF SAID WOLFORD TRACT B (INSTR. NO. 201100149454) AND THE APPARENT SOUTHEAST LINE OF SAID T. P. & L. COMPANY TRACT (VOL. 5632, PG. 601), A DISTANCE OF 53.29 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING THE RECOGNIZED NORTH CORNER OF SAID WOLFORD TRACT B (INSTR. NO.

**EXHIBIT "A"**

## Legal Description

201100149454) AND THE RECOGNIZED WEST CORNER OF A 100 FOOT T. P. & L. COMPANY RIGHT-OF-WAY, RECORDED IN VOLUME 5611, PAGE 139, DEED RECORDS, DALLAS COUNTY, TEXAS;

THENCE SOUTH 67 DEGREES 39 MINUTES 43 SECONDS EAST, ALONG THE RECOGNIZED SOUTHWEST LINE OF SAID T. P. & L. COMPANY RIGHT-OF-WAY AND THE RECOGNIZED NORTHEAST LINE OF SAID WOLFORD TRACT B (INSTR. NO. 201100149454), A DISTANCE OF 2356.11 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER IN THE APPARENT NORTHWEST LINE OF A TRACT OF LAND DESCRIBED IN DEED TO T. P. & L. COMPANY, RECORDED IN VOLUME 3844, PAGE 413, DEED RECORDS, DALLAS COUNTY, TEXAS, SAID POINT BEING THE RECOGNIZED SOUTH CORNER OF A 100 FOOT T. P. & L. COMPANY RIGHT-OF-WAY, RECORDED IN VOLUME 5642, PAGE 230 AND THE MOST NORTHERLY EAST CORNER OF SAID WOLFORD TRACT "B" (INSTR. NO. 201100150319), FROM WHICH A 1/2 INCH IRON ROD FOUND FOR REFERENCE IN THE RECOGNIZED NORTHEAST LINE OF SAID T. P. & L. COMPANY RIGHT-OF-WAY (VOL. 5642, PG. 230) BEARS NORTH 33 DEGREES 06 MINUTES 49 SECONDS WEST-176.34 FEET;

THENCE SOUTH 45 DEGREES 50 MINUTES 19 SECONDS WEST, ALONG THE APPARENT NORTHWEST LINE OF SAID T. P. & L. COMPANY TRACT (VOL. 3844, PAGE 413), A DISTANCE OF 50.70 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING A RECOGNIZED INNER ELL CORNER OF SAID WOLFORD TRACT "B" (INSTR. NO. 201100150319) AND THE APPARENT WEST CORNER OF SAID T. P. & L. COMPANY TRACT (VOL. 3844, PAGE 413);

THENCE SOUTH 44 DEGREES 09 MINUTES 41 SECONDS EAST, ALONG THE APPARENT SOUTHWEST LINE OF SAID T. P. & L. COMPANY TRACT (VOL. 3844, PG. 413), A DISTANCE OF 300.03 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER IN THE RECOGNIZED NORTHWEST LINE OF SAID E. SIMONDS ROAD, SAID POINT BEING THE RECOGNIZED EAST CORNER OF SAID WOLFORD TRACT "B" (INSTR. NO. 201100150319) AND THE APPARENT SOUTH CORNER OF SAID T. P. & L. COMPANY TRACT (VOL. 3844, PG. 413);

THENCE SOUTH 45 DEGREES 44 MINUTES 07 SECONDS WEST, ALONG THE RECOGNIZED NORTHWEST LINE OF SAID E. SIMONDS ROAD AND THE RECOGNIZED SOUTHEAST LINE OF SAID WOLFORD TRACT "B" (INSTR. NO. 201100150319), A DISTANCE OF 540.76 FEET TO THE PLACE OF BEGINNING AND CONTAINING 999,859.54 SQ. FT. OR 22.95 ACRES OF LAND.

NOTE: COMPANY DOES NOT REPRESENT THAT THE ABOVE ACREAGE AND/OR SQUARE FOOTAGE CALCULATIONS ARE CORRECT.



RECEIVED  
JAN 03 2020  
BY: [Signature]

# ZONING APPLICATION

City of Seagoville, Texas

ANTICIPATED MEETING DATES: P&Z: 1/28/2020 City Council: \_\_\_\_\_

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: STONE HAVEN

Physical Location of Property: Southeast corner of STARK & LASATER Rd.  
[General Location – approximate distance to nearest existing street corner]

Brief Legal Description of Property (must also attach accurate Surveyor's metes and bounds description):  
SEE ACCESS OUT OF THE HERMAN HELDER LEASE & LABOR SURVEY  
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Acreage: 88 Existing Zoning: \_\_\_\_\_ Requested Zoning: PD - Residential  
[Attach a detailed description of requested zoning & development standards, if a PD]

Owner's Name: RICHARD JONES & GARY JONES Owner? (circle one)

Contact Person: \_\_\_\_\_ Title: \_\_\_\_\_

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

Street/Mailing Address: 2327 W. ALAMOSA DR. City: TERRELL State: TX Zip: 75160

Phone: (972) 520-3084 Fax: ( ) Email Address: PREMIER@COMCAST.NET

Engineer / Representative's Name: D.R. CAMERON & ASSOCIATES, INC.

Contact Person: DOYLE OR MARIE CAMERON Title: PRES / V-PRES

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

Street/Mailing Address: 420 LONGFELLOW DR City: Highland Village State: TX Zip: 75077

Phone: (972) 317-6085 Fax: ( ) Email Address: MARIECAMERON@HOTMAIL.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.)

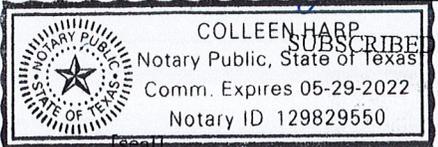
All applications must be **COMPLETE** before they will be scheduled for P&Z agenda. It is the applicant's responsibility to be familiar with, and to comply with, all City submittal requirements (in the Zoning & Subdivision Ordinances, and any separate submittal policies, requirements and/or checklists 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: OWNER Date: 11 Dec 2019



AND SWORN TO before me, this the 11 day of DECEMBER, 2019  
[Month] [Year]  
Notary Public in and for the State of Texas: [Signature]  
My Commission Expires On: 5-29-2022

Office Use Only: Date Rec'd: 1/3/2020 Fees Paid: \$ 1500 Check #: 13322 Receipt #: 601431  
Zoning Case # 20-02 Accepted By: LG Official Submittal Date: 1/3/2020

**EXHIBIT "A"**  
Legal Description

BEING ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE HERMAN HEIDER SURVEY, ABSTRACT NO. 541, DALLAS COUNTY, TEXAS, BEING KNOWN AS TRACTS 1, 2, 3 AND 4 AS DESCRIBED IN DEED TO RICHARD T. JONES AND GARY R. JONES, RECORDED IN INSTRUMENT NO. 20180001184, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS, AND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT FOR CORNER NEAR THE CENTER OF THE INTERSECTION E. STARK ROAD AND LASATER ROAD, SAID POINT BEING THE RECOGNIZED NORTH CORNER OF SAID JONES TRACT 4, FROM WHICH A 1/2 INCH IRON ROD FOUND FOR WITNESS BEARS NORTH 77 DEGREES 41 MINUTES 47 SECONDS WEST-51.98 FEET;

THENCE SOUTH 44 DEGREES 51 MINUTES 29 SECONDS EAST, WITHIN LASATER ROAD AND ALONG THE RECOGNIZED NORTHEAST LINE OF TRACTS 4, 2 AND 1, A DISTANCE OF 2347.09 FEET TO A POINT FOR CORNER, SAID POINT BEING A RECOGNIZED EAST CORNER OF SAID JONES TRACT 1;

THENCE SOUTH 44 DEGREES 36 MINUTES 30 SECONDS WEST, ALONG THE RECOGNIZED SOUTHEAST LINE OF SAID JONES TRACTS 1 PASSING A 1/2 INCH IRON ROD SET WITH YELLOW CAP STAMPED BG&A RPLS 5569, THE APPARENT NORTH CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO L. V. AND STELLA ELLIOTT, RECORDED IN VOLUME 3270, PAGE 562, DEED RECORDS, DALLAS COUNTY, TEXAS AT 18.17 FEET AND CONTINUING FOR A TOTAL DISTANCE OF 1383.99 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER IN THE RECOGNIZED NORTHEAST LINE OF SAID JONES TRACT 2, SAID POINT BEING THE RECOGNIZED SOUTH CORNER OF SAID JONES TRACT 1 AND THE RECOGNIZED MOST NORTHERLY WEST CORNER OF TRACT A AS DESCRIBED IN DEED TO DENNIS AND JANIS WOLFORD, RECORDED IN INSTRUMENT NO. 201100149454, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS;

THENCE SOUTH 42 DEGREES 24 MINUTES 52 SECONDS EAST, ALONG THE RECOGNIZED NORTHEAST LINE OF SAID JONES TRACT 2, A DISTANCE OF 205.32 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING THE RECOGNIZED EAST CORNER OF SAID JONES TRACT 2 AND A RECOGNIZED INNER ELL CORNER OF SAID WOLFORD TRACT A (INSTR. NO. 201100149454);

THENCE SOUTH 47 DEGREES 35 MINUTES 01 SECONDS WEST, ALONG THE RECOGNIZED SOUTHWEST LINE OF SAID JONES TRACT 2, A DISTANCE OF 410.11 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING THE RECOGNIZED SOUTH CORNER OF SAID JONES TRACT 2 AND THE RECOGNIZED MOST SOUTHERLY EAST CORNER OF LOT ONE, BLOCK ONE, WOLFORD ADDITION, RECORDED IN INSTRUMENT NO. 201200121817, MAP RECORDS, DALLAS COUNTY, TEXAS;

THENCE NORTH 44 DEGREES 10 MINUTES 49 SECONDS WEST, ALONG THE RECOGNIZED SOUTHWEST LINE OF SAID JONES TRACT 2 AND THE APPARENT MOST SOUTHERLY NORTHEAST LINE OF SAID LOT ONE, BLOCK ONE, A DISTANCE OF 1527.22 FEET TO A 5/8 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING THE RECOGNIZED WEST CORNER OF SAID JONES TRACT 2 AND THE RECOGNIZED INNER ELL CORNER OF SAID LOT ONE, BLOCK ONE;

THENCE NORTH 44 DEGREES 58 MINUTES 30 SECONDS EAST, ALONG THE RECOGNIZED NORTHWEST LINE OF SAID JONES TRACT 2, A DISTANCE OF 407.01 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING A RECOGNIZED SOUTH CORNER OF SAID JONES TRACT 3 AND THE RECOGNIZED MOST NORTHERLY EAST CORNER OF SAID LOT ONE, BLOCK ONE OF SAID WOLFORD ADDITION;

THENCE NORTH 44 DEGREES 23 MINUTES 00 SECONDS WEST, ALONG THE RECOGNIZED MOST NORTHERLY NORTHEAST LINE OF SAID LOT ONE, BLOCK ONE AND THE RECOGNIZED SOUTHWEST LINE OF SAID JONES TRACT 3, A DISTANCE OF 1020.46 FEET TO A POINT FOR CORNER WITHIN SAID E. STARK ROAD, SAID POINT BEING THE RECOGNIZED WEST CORNER OF SAID JONES TRACT 3, FROM WHICH A 1/2 INCH IRON ROD SET WITH YELLOW CAP STAMPED BG&A RPLS 5569 FOR WITNESS, THE RECOGNIZED NORTH CORNER OF SAID LOT ONE, BLOCK ONE OF SAID WOLFORD ADDITION BEARS SOUTH 44 DEGREES 23 MINUTES 00 SECONDS EAST-43.77 FEET;

THENCE NORTH 45 DEGREES 11 MINUTES 14 SECONDS EAST, WITHIN SAID E. STARK ROAD AND THE RECOGNIZED NORTHWEST LINES OF SAID JONES TRACTS 3 AND 4, A DISTANCE OF 1368.90 FEET TO THE

**EXHIBIT "A"**  
Legal Description

PLACE OF BEGINNING AND CONTAINING 3,875,213.22 SQ. FT. OR 88.96 ACRES OF LAND.

NOTE: COMPANY DOES NOT REPRESENT THAT THE ABOVE ACREAGE AND/OR SQUARE FOOTAGE CALCULATIONS ARE CORRECT.

**A PLANNED DEVELOPMENT DISTRICT FOR STONEHAVEN**

246.99 Acres out of the Herman Heider Survey, Abstract No. 541 in the City of Seagoville, Dallas County, Texas.

**OWNER(S):**

Dennis & Janis Wolford  
PO Box 360217  
Dallas, Texas 75336

and:

Gary Jones & Richard Jones  
2327 W. Alamosa Drive  
Terrell, Texas 75160

**OWNER(S) REPRESENTATIVE:**

D.R. Cameron and Associates, Inc.  
420 Longfellow Drive  
Highland Village, Texas 75077  
Phone: (972) 317-6089  
Email: [mariecamrn@hotmail.com](mailto:mariecamrn@hotmail.com)

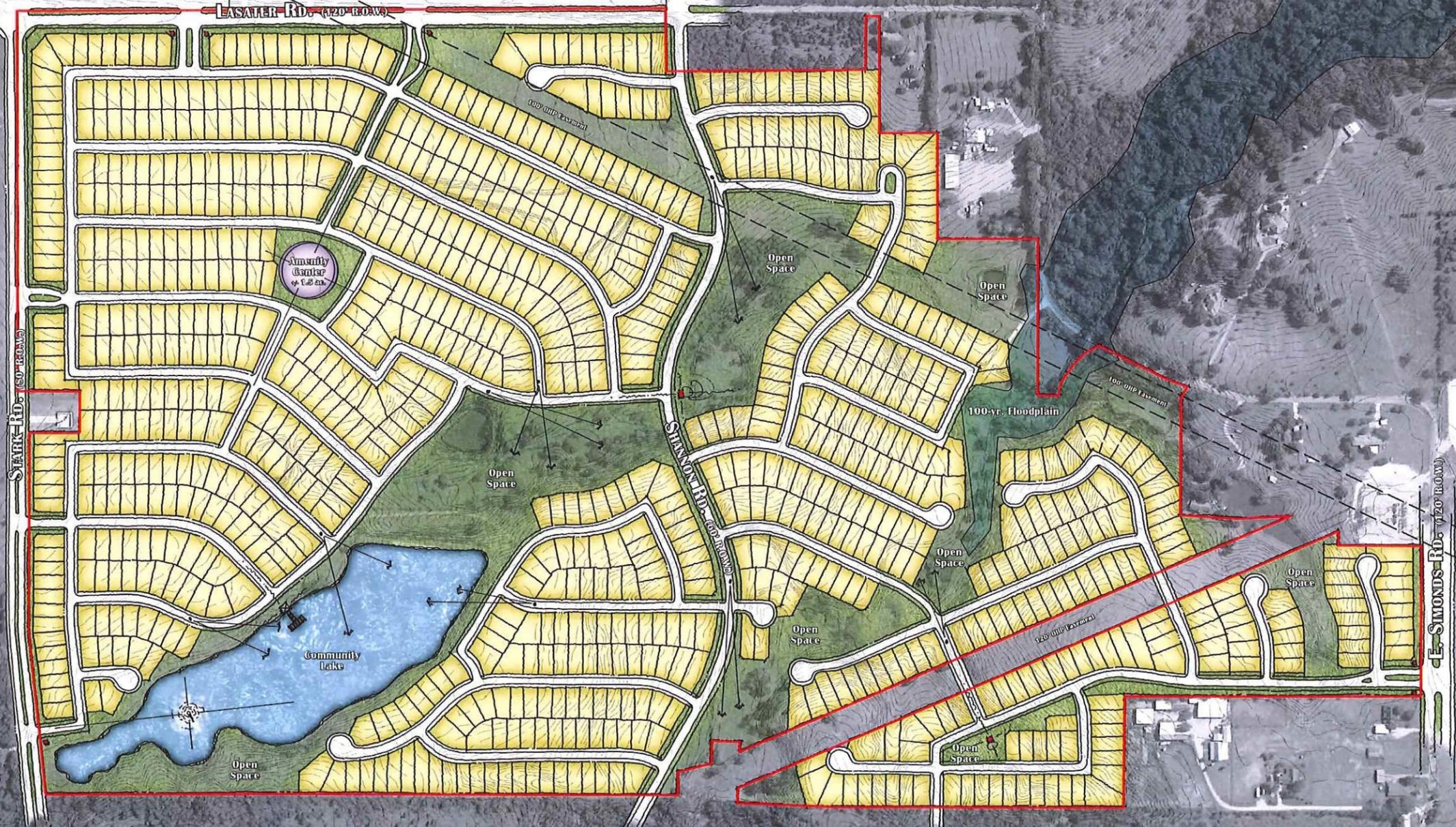
**DEVELOPMENT REQUIREMENTS**

1. Dimensional Standards:

Min. House Square Footage	1,600 sq. ft, however 70% of the homes must be greater than or equal to 1,700 sq ft.
Min. Lot Area	5,500 sq. ft
Min Lot Width at B.L.	50'
Min Lot Depth	110'
(90' min for cul-de-sacs)	
(90' min for street elbows)	
Front Building Line	25'
Side Yard Setback	
Main	5'
w/ Street	10'
Rear Yard Setback	20'
Exterior Walls	80% Masonry
Garages	2-car / Front or Side-Entry
Max. Building Height	2 1/2 stories
Dwelling Density (units per gross acre)	4.22 / gross acre

- All lots fronting an interior street will be required to have a 4' sidewalk which shall be constructed by the builder at the time of home construction on each lot.
- Plat(s) shall generally conform to the Concept Plan enclosed.

4. Land Use: Detached Single Family Residential and accessory uses, Amenity Center, Temporary Batch Plant for development construction in addition to all current allowed uses under Seagoville's residential zoning districts.
5. Representative sampling of front elevations of the proposed homes are attached.
6. Trail system to be designed and constructed within the community to provide views of existing lake and other natural features.
7. Amenity Center will be provided as generally located in the Concept Plan or the plat(s).
8. HOA to maintain all open spaces and the Amenity Center.
9. Public Improvement District (PID) allowed with a maximum effective rate of 3.10% when combined with other taxing entities.
10. Offsite Sewer Improvements to be designed and constructed by Developer of Stonehaven. Future parties that tie into the sewer system shall pay applicable pro-rata to the Developer of Stonehaven.
11. Garage doors must have an enhanced design aesthetic.
12. Roof Pitch: Minimum 6:12 roof pitch
13. Elevation Repetition: The same house elevation may not be duplicated within 3 lots on the same side of a street or within 3 lots on the opposite side of a street.
14. Open spaces: Shall be generally located as shown on the concept plans. Open spaces will have minimum 4' sidewalks along street frontage, with grass ground cover established and a minimum of two (2) of the following features: park benches, shade structure, interior sidewalks, trees, water feature, or other similar park type features.
15. The applicable City ordinances, fees, codes, laws, rules and regulations in effect on the approval date of this PD, shall remain applicable to the Property through the tenth (10<sup>th</sup>) anniversary hereof, (collectively the "City Ordinances"), unless those City Ordinances conflict with the Concept Plan attached to this Agreement which in that circumstance the Concept Plan controls.



**NOTE:**  
The plan is a concept only and is subject to change per the approved zoning and platting of the property.

Scale 1"=200'  
January 02, 2020



**KNAPP  
LAND SOLUTIONS**

This drawing is a pictorial representation for presentation purposes only and is subject to change without notice. Additionally, no warranty is made in the accuracy, completeness, or of the information contained herein.

**STONEHAVEN - SEAGOVILLE, TX  
CONCEPTUAL PLAN**



1,909 SQ FT | 1 STORY | 4 BED | 2 BATH | 2 CAR



1,807 SQ FT | 1 STORY | 3 BED | 2 BATH | 2 CAR



2,119 SQ FT | 2 STORY | 4 BED | 2.5 BATH | 2 CAR



2,342 SQ FT | 2 STORY | 5 BED | 3.5 BATH | 2 CAR







Richard Jones and Gary Jones, each being an owner of Tract 3 described above. At said time, the Planning and Zoning Commission may consider the request for adoption of an ordinance granting the above-referenced changes. All interested citizens and property owners of the City, as well as other persons of interest, are invited to attend and participate in the public hearing. Also, any such interested person may express his or her opinion concerning the proposed zoning change by letter addressed to the Seagoville City Secretary, 702 US-175 Frontage Road, Seagoville, Texas 75159.

---

Kandi Jackson, City Secretary  
City of Seagoville, Texas





January 14, 2020

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

**NOTICE OF ZONING PUBLIC HEARING  
SEAGOVILLE PLANNING AND ZONING COMMISSION  
ZONING CASE Z2020-02**

The Seagoville Planning and Zoning Commission will hold a public hearing on January 28, 2020, at 6:30 p.m. in the Council Chambers in City Hall, 702 North U. S. Highway 175; Seagoville, Texas, to consider a request to change the zoning from R-2 (Residential Single Family) to PD-20-02 (plan development with R-5, Residential Single Family, base zoning) on the following three tracts of land all located in Seagoville, Dallas County, Texas:

- Tract 1: 135.08-acre tract of real property generally located at 2301 Simonds Road, 2219 Simonds Road, 2219 E. Simonds Road, and 1320 E. Stark Road and more particularly described as being out of the Herman Heider Abstract 541, being a portion of Lot One, Block One, Wolford Addition, an addition to the City of Seagoville, recorded Map Records and being a portion of that tract of land described in Instrument 201100151442, Official Public Records, also that tract of land known as Tract A described in Instrument 201100149454, Official Public Records, and a tract of land known as Tract "A" described in Instrument 201100150319, Official Public Records, and Lot 3 of the Re-plat of Nabors Subdivision to the City of Seagoville, recorded in Map Records;
- Tract 2: 22.95-acre tract of real property generally located at 2301 Simonds Road and more particularly described as being out of the Herman Heider Abstract 541, as Tract "B" as described in Instrument 201100149454, Official Public Records, and Tract "B" as described in Instrument 201100150319, Official Public Records; and
- Tract 3: 88.96-acre tract of real property generally located at the southeast corner of Stark Road and Lasater Road and more particularly described as being out of the Herman Heider Abstract 541, being known as Tracts 1, 2, 3, and 4 in Instrument 20180001184, Official Public Records.

The applicants are Dennis and Janis Wolford, each being an owner of Tracts 1 and 2 described above and Richard Jones and Gary Jones, each being an owner of Tract 3 described above.

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 Planner Jennifer Bonner at 702 North U.S. Highway 175; Seagoville, TX 75159. This letter is the first opportunity to voice your opinion about this project for the record. The second opportunity will be at the public hearing listed above. There will also be a public hearing held in front of City Council, but that meeting date has not yet been set.

*Indicate your opinion in this matter by checking the appropriate box below. Provide any additional comments that you might have. Please sign and provide your name and address below.*

I am in favor of  against  Zoning Request Z2020-02 as it is described above.

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

\_\_\_\_\_

\_\_\_\_\_

Signature(s): \_\_\_\_\_

Printed Name(s): \_\_\_\_\_

Address: \_\_\_\_\_

City, State & Zip code: \_\_\_\_\_





February 4, 2020

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

**NOTICE OF ZONING PUBLIC HEARING  
SEAGOVILLE CITY COUNCIL  
ZONING CASE Z2020-02**

The Seagoville City Council will hold a public hearing on Monday, February 24, 2020, at 6:30 p.m. in the Council Chambers in City Hall, 702 North U. S. Highway 175; Seagoville, Texas, to consider a request to change the zoning from R-2 (Residential Single Family) to PD-20-02 (plan development with R-5, Residential Single Family, base zoning) on the following three tracts of land all located in Seagoville, Dallas County, Texas:

- Tract 1: 135.08-acre tract of real property generally located at 2301 Simonds Road, 2219 Simonds Road, 2219 E. Simonds Road, and 1320 E. Stark Road and more particularly described as being out of the Herman Heider Abstract 541, being a portion of Lot One, Block One, Wolford Addition, an addition to the City of Seagoville, recorded Map Records and being a portion of that tract of land described in Instrument 201100151442, Official Public Records, also that tract of land known as Tract A described in Instrument 201100149454, Official Public Records, and a tract of land known as Tract "A" described in Instrument 201100150319, Official Public Records, and Lot 3 of the Replat of Nabors Subdivision to the City of Seagoville, recorded in Map Records;
- Tract 2: 22.95-acre tract of real property generally located at 2301 Simonds Road and more particularly described as being out of the Herman Heider Abstract 541, as Tract "B" as described in Instrument 201100149454, Official Public Records, and Tract "B" as described in Instrument 201100150319, Official Public Records; and
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The applicants are Dennis and Janis Wolford, each being an owner of Tracts 1 and 2 described above and Richard Jones and Gary Jones, each being an owner of Tract 3 described above.

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 Planner Jennifer Bonner at 702 North U.S. Highway 175; Seagoville, TX 75159. The last opportunity to voice your opinion about this project will be at the public hearing listed above.

*Indicate your opinion in this matter by checking the appropriate box below. Provide any additional comments that you might have. Please sign and provide your name and address below.*

I am in favor of  against  Zoning Request Z2020-02 as it is described above.

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

\_\_\_\_\_

Signature(s): \_\_\_\_\_

Printed Name(s): \_\_\_\_\_

Address: \_\_\_\_\_

City, State & Zip code: \_\_\_\_\_





January 14, 2020

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

NOTICE OF ZONING PUBLIC HEARING  
SEAGOVILLE PLANNING AND ZONING COMMISSION  
ZONING CASE Z2020-02

The Seagoville Planning and Zoning Commission will hold a public hearing on January 28, 2020, at 6:30 p.m. in the Council Chambers in City Hall, 702 North U. S. Highway 175; Seagoville, Texas, to consider a request to change the zoning from R-2 (Residential Single Family) to PD-20-02 (plan development with R-5, Residential Single Family, base zoning) on the following three tracts of land all located in Seagoville, Dallas County, Texas:

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Indicate your opinion in this matter by checking the appropriate box below. Provide any additional comments that you might have. Please sign and provide your name and address below.

I am in favor of  against  Zoning Request Z2020-02 as it is described above.

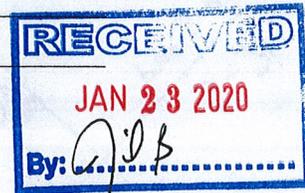
Additional Comments (attach additional sheets as necessary): \_\_\_\_\_

Signature(s): *Richard T. Jones*

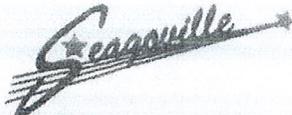
Printed Name(s): Richard T. Jones (Owner Tract 3)

Address: 2327 W ALAMOSA Dr

City, State & Zip code: Terrell, Tx 75160



JANUARY 14, 2020



January 14, 2020

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

NOTICE OF ZONING PUBLIC HEARING  
SEAGOVILLE PLANNING AND ZONING COMMISSION  
ZONING CASE Z2020-02

The Seagoville Planning and Zoning Commission will hold a public hearing on January 28, 2020, at 6:30 p.m. in the Council Chambers in City Hall, 702 North U. S. Highway 175; Seagoville, Texas, to consider a request to change the zoning from R-2 (Residential Single Family) to PD-20-02 (plan development with R-5, Residential Single Family, base zoning) on the following three tracts of land all located in Seagoville, Dallas County, Texas:

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Indicate your opinion in this matter by checking the appropriate box below. Provide any additional comments that you might have. Please sign and provide your name and address below.

I am in favor of  against  Zoning Request Z2020-02 as it is described above.

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

Signature(s): [Handwritten Signature]

Printed Name(s): GARY D JONES

Address: 7841 LAKE MEREDITH WAY

City, State & Zip code: Ft. Worth TX 76137

RECEIVED via EDC office  
JAN 24 2010

BY: [Handwritten Signature]

JANUARY 14, 2020



January 14, 2020

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

NOTICE OF ZONING PUBLIC HEARING  
SEAGOVILLE PLANNING AND ZONING COMMISSION  
ZONING CASE Z2020-02

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Indicate your opinion in this matter by checking the appropriate box below. Provide any additional comments that you might have. Please sign and provide your name and address below.

I am in favor of  against  Zoning Request Z2020-02 as it is described above.

Additional Comments (attach additional sheets as necessary): I feel this will  
lower my property value.

Signature(s): Rusty Ogletree

Printed Name(s): RUSTY OGLETREE

Address: 1509 E. Simonds Rd

City, State & Zip code: Seagoville TX 75159

RECEIVED  
JAN 28 2020  
BY: QJB

JANUARY 14, 2020



January 14, 2020

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

NOTICE OF ZONING PUBLIC HEARING  
SEAGOVILLE PLANNING AND ZONING COMMISSION  
ZONING CASE Z2020-02

The Seagoville Planning and Zoning Commission will hold a public hearing on January 28, 2020, at 6:30 p.m. in the Council Chambers in City Hall, 702 North U. S. Highway 175; Seagoville, Texas, to consider a request to change the zoning from R-2 (Residential Single Family) to PD-20-02 (plan development with R-5, Residential Single Family, base zoning) on the following three tracts of land all located in Seagoville, Dallas County, Texas:

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- Tract 2: 22.95-acre tract of real property generally located at 2301 Simonds Road and more particularly described as being out of the Herman Heider Abstract 541, as Tract "B" as described in Instrument 201100149454, Official Public Records, and Tract "B" as described in Instrument 201100150319, Official Public Records; and
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Indicate your opinion in this matter by checking the appropriate box below. Provide any additional comments that you might have. Please sign and provide your name and address below.

I am in favor of  against  Zoning Request Z2020-02 as it is described above.

Additional Comments (attach additional sheets as necessary): I am concerned that the rezoning of Tract 2 from R2 to R5 will have a negative impact on my house and land by decreasing the property value.

Signature(s): Kim Ogletree

Printed Name(s): Kim Ogletree

Address: 1515 E. Simonds Rd

City, State & Zip code: Seagoville TX 75159

RECEIVED  
JAN 28 2020

BY: Gils

JANUARY 14, 2020



January 14, 2020

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

NOTICE OF ZONING PUBLIC HEARING  
SEAGOVILLE PLANNING AND ZONING COMMISSION  
ZONING CASE Z2020-02

The Seagoville Planning and Zoning Commission will hold a public hearing on January 28, 2020, at 6:30 p.m. in the Council Chambers in City Hall, 702 North U. S. Highway 175; Seagoville, Texas, to consider a request to change the zoning from R-2 (Residential Single Family) to PD-20-02 (plan development with R-5, Residential Single Family, base zoning) on the following three tracts of land all located in Seagoville, Dallas County, Texas:

- Tract 1: 135.08-acre tract of real property generally located at 2301 Simonds Road, 2219 Simonds Road, 2219 E. Simonds Road, and 1320 E. Stark Road and more particularly described as being out of the Herman Heider Abstract 541, being a portion of Lot One, Block One, Wolford Addition, an addition to the City of Seagoville, recorded Map Records and being a portion of that tract of land described in Instrument 201100151442, Official Public Records, also that tract of land known as Tract A described in Instrument 201100149454, Official Public Records, and a tract of land known as Tract "A" described in Instrument 201100150319, Official Public Records, and Lot 3 of the Re-plat of Nabors Subdivision to the City of Seagoville, recorded in Map Records;
- Tract 2: 22.95-acre tract of real property generally located at 2301 Simonds Road and more particularly described as being out of the Herman Heider Abstract 541, as Tract "B" as described in Instrument 201100149454, Official Public Records, and Tract "B" as described in Instrument 201100150319, Official Public Records; and
- Tract 3: 88.96-acre tract of real property generally located at the southeast corner of Stark Road and Lasater Road and more particularly described as being out of the Herman Heider Abstract 541, being known as Tracts 1, 2, 3, and 4 in Instrument 20180001184, Official Public Records.

The applicants are Dennis and Janis Wolford, each being an owner of Tracts 1 and 2 described above and Richard Jones and Gary Jones, each being an owner of Tract 3 described above.

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 Planner Jennifer Bonner at 702 North U.S. Highway 175; Seagoville, TX 75159. This letter is the first opportunity to voice your opinion about this project for the record. The second opportunity will be at the public hearing listed above. There will also be a public hearing held in front of City Council, but that meeting date has not yet been set.

Indicate your opinion in this matter by checking the appropriate box below. Provide any additional comments that you might have. Please sign and provide your name and address below.

I am in favor of  against  Zoning Request Z2020-02 as it is described above.

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

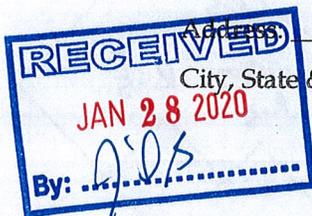
Signature(s): [Handwritten Signature]

Printed Name(s): DENNIS WOLFORD

Address: P.O. Box 360217

City, State & Zip code: Dallas, TX 75336

1320 E. Stark Rd.  
Seagoville, TX 75159



JANUARY 14, 2020



February 4, 2020

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

NOTICE OF ZONING PUBLIC HEARING  
SEAGOVILLE CITY COUNCIL  
ZONING CASE Z2020-02

The Seagoville City Council will hold a public hearing on Monday, February 24, 2020, at 6:30 p.m. in the Council Chambers in City Hall, 702 North U. S. Highway 175; Seagoville, Texas, to consider a request to change the zoning from R-2 (Residential Single Family) to PD-20-02 (plan development with R-5, Residential Single Family, base zoning) on the following three tracts of land all located in Seagoville, Dallas County, Texas:

- Tract 1: 135.08-acre tract of real property generally located at 2301 Simonds Road, 2219 Simonds Road, 2219 E. Simonds Road, and 1320 E. Stark Road and more particularly described as being out of the Herman Heider Abstract 541, being a portion of Lot One, Block One, Wolford Addition, an addition to the City of Seagoville, recorded Map Records and being a portion of that tract of land described in Instrument 201100151442, Official Public Records, also that tract of land known as Tract A described in Instrument 201100149454, Official Public Records, and a tract of land known as Tract "A" described in Instrument 201100150319, Official Public Records, and Lot 3 of the Replat of Nabors Subdivision to the City of Seagoville, recorded in Map Records;
- Tract 2: 22.95-acre tract of real property generally located at 2301 Simonds Road and more particularly described as being out of the Herman Heider Abstract 541, as Tract "B" as described in Instrument 201100149454, Official Public Records, and Tract "B" as described in Instrument 201100150319, Official Public Records; and
- Tract 3: 88.96-acre tract of real property generally located at the southeast corner of Stark Road and Lasater Road and more particularly described as being out of the Herman Heider Abstract 541, being known as Tracts 1, 2, 3, and 4 in Instrument 20180001184, Official Public Records.

The applicants are Dennis and Janis Wolford, each being an owner of Tracts 1 and 2 described above and Richard Jones and Gary Jones, each being an owner of Tract 3 described above.

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 Planner Jennifer Bonner at 702 North U.S. Highway 175; Seagoville, TX 75159. The last opportunity to voice your opinion about this project will be at the public hearing listed above.

Indicate your opinion in this matter by checking the appropriate box below. Provide any additional comments that you might have. Please sign and provide your name and address below.

I am in favor of  against  Zoning Request Z2020-02 as it is described above.

Additional Comments (attach additional sheets as necessary): Increased density of homes with R-5 designation and the attendant problems with increased traffic on existing two lane blacktop roadways which are presently in need of repair are serious concerns.

Signature(s): Rod & Mary E. Haggard

Printed Name(s): Rod & Mary E. Haggard

Address: 1208 E. Stark Rd.

City, State & Zip code: Seagoville, Tx 75159

RECEIVED  
FEB 20 2020

BY: [Signature]

FEBRUARY 4, 2020

**Property Owner List for Stonehaven PD  
ZONING REQUEST Z2020-02**

**Exhibit 10**

Mailed out a total of 68 certified letters on Tuesday, January 14, 2020, before 5:00 PM

Subject or adjoiner?	Site Address	DCAD acc't	Owner	Mailing Address 1	Address 2	City	State	Zip
Subject	1500 Lasater Road	65054142010120000	Richard Thomas & Gary R. Jones	2327 West Alamosa Drive		Terrell	TX	75160
Subject	800 Stark Road	65054142010100000	Richard Thomas & Gary R. Jones	2327 West Alamosa Drive		Terrell	TX	75160
Subject	900 Stark Road	65054142010110000	Richard Thomas & Gary R. Jones	2327 West Alamosa Drive		Terrell	TX	75160
Subject	1320 East Stark Road	50050050010010000	Dennis & Janis Wolfrod	P. O. Box 360217		Dallas	TX	75336
Subject	2219 East Simonds Road	65054142510150000	Dennis & Janis Wolfrod	P. O. Box 360217		Dallas	TX	75336
Subject	2219 East Simonds Road	65054142510150100	Dennis & Janis Wolfrod	P. O. Box 360217		Dallas	TX	75336
Subject	2301 Simonds Road	65054142510080000	Dennis & Janis Wolfrod	P. O. Box 360217		Dallas	TX	75336
Subject	2301 Simonds Road	65054142510080100	Dennis & Janis Wolfrod	P. O. Box 360217		Dallas	TX	75336
Subject	2217 East Simonds Road	50028310000030000	Dennis & Janis Wolfrod	P. O. Box 360217		Dallas	TX	75336
Adjoiner	1110 Stark Road	65054142010070000	D. R. Horton - Texas LTD	4306 Miller Road		Rowlett	TX	75088
Adjoiner	1110 Stark Road	00881600000070000	D. R. Horton - Texas LTD	4306 Miller Road		Rowlett	TX	75088
Adjoiner	688 Stark Road	008816000000310000	RRW Family Ltd. P.S.	704 Fern Creek Drive		Dallas	TX	75253
Adjoiner	688 Stark Road	65054142010310000	RRW Family Ltd. P.S.	704 Fern Creek Drive		Dallas	TX	75253
Adjoiner	628 Stark Road	00000899817520000	Merced Cisneros	7218 Claymond Drive		Dallas	TX	75227
Adjoiner	100 Stark Road	65054142010030000	Judith Morre Smith & Kirby Campbell Smith	6800 Del Norte Lane	Apartment 245	Dallas	TX	75225
Adjoiner	2500 Seagoville Road	65054142018000000	Texas Utilities Electric Company	c/o State & Local Tax Dept.	P. O. Box 139100	Dallas	TX	75313
Adjoiner	2401 Simonds Road	65054142510260000	Charlotte Taylor	2414 Seagoville Road		Seagoville	TX	75159
Adjoiner	1501 East Simonds Road	65054142510320000	J. R. & Barbara O. Yarbough	1501 East Simonds Road		Seagoville	TX	75159
Adjoiner	1505 East Simonds Road	65054142510280200	Rocky B. & Terry L. Ogletree	1505 East Simonds Road		Seagoville	TX	75159
Adjoiner	1515 East Simonds Road	65054142510280100	B. R. Ogletree	1515 East Simonds Road		Seagoville	TX	75159
Adjoiner	1509 East Simonds Road	65054142510280000	Estate of Billie A. Ogletree	1509 East Simonds Road		Seagoville	TX	75159
Adjoiner	1900 East Farmers Road	65054142510050000	Jose & Shett Ann Huerta	1900 East Farmers Road		Seagoville	TX	75159
Adjoiner	2211 Simonds Road	65054142518000000	Texas Utilities Electric Company	c/o State & Local Tax Dept.	P. O. Box 139100	Dallas	TX	75313
Adjoiner	2211 Simonds Road	65054142510090000	Texas Utilities Electric Company	c/o State & Local Tax Dept.	P. O. Box 139100	Dallas	TX	75313
Adjoiner	1000 Simonds Road	65054142510100000	Texas Utilities Electric Company	c/o State & Local Tax Dept.	P. O. Box 139100	Dallas	TX	75313
Adjoiner	2211 East Simonds Road	65054142510250000	Clyde Carman	529 Mary Jane Lane		Seagoville	TX	75159
Adjoiner	2215 East Simonds Road	65054142510340000	Lowell T. & Barbara Sue Sherman	2215 East Simonds Road		Seagoville	TX	75159
Adjoiner	2409 East Simonds Road	65054142510180000	Jerry A. & Claudette McFadden	428 Stark Road		Dallas	TX	75253
Adjoiner	2411 East Simonds Road	65054142510190000	Jerry A. & Claudette McFadden	428 Stark Road		Dallas	TX	75253

**Exhibit 10**

**Property Owner List for Stonehaven PD  
ZONING REQUEST Z2020-02**

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Subject or adjoiner?	Site Address	DCAD acc't	Owner	Mailing Address 1	Address 2	City	State	Zip
Adjoiner	2311 East Simonds Road	65054142510160000	Larry Douglas Walker	2315 Lasater Road		Seagoville	TX	75159
Adjoiner	2313 East Simonds Road	65054142510170000	Larry Douglas Walker	2315 Lasater Road		Seagoville	TX	75159
Adjoiner	7500 Shannon Loop	65080570510030000	Hongxin Zhang	2901 Masters Circle		Plano	TX	75093
Adjoiner	1450 Lasater Road	65054142510130000	Louis A. Elliott et al	315 Crestview Street		Red Oak	TX	75154
Adjoiner	1400 Lasater Road	65054142510140000	Louis A. Elliott et al	315 Crestview Street		Red Oak	TX	75154
Adjoiner	5 Marotto Way	500195500H0050000	D. R. Horton - Texas LTD	4306 Miller Road		Rowlett	TX	75088
Adjoiner	2703 Marotto Way	500195500H0040000	D. R. Horton - Texas LTD	4306 Miller Road		Rowlett	TX	75088
Adjoiner	2705 Marotto Way	500195500H0030000	D. R. Horton - Texas LTD	4306 Miller Road		Rowlett	TX	75088
Adjoiner	2707 Marotto Way	500195500H0020000	D. R. Horton - Texas LTD	4306 Miller Road		Rowlett	TX	75088
Adjoiner	2709 Marotto Way	500195500H0010000	D. R. Horton - Texas LTD	4306 Miller Road		Rowlett	TX	75088
Adjoiner	1 Marotto Way	500195500E0010000	D. R. Horton - Texas LTD	4306 Miller Road		Rowlett	TX	75088
Adjoiner	2715 Marotto Way	500195500E0020000	D. R. Horton - Texas LTD	4306 Miller Road		Rowlett	TX	75088
Adjoiner	2717 Marotto Way	500195500E0030000	D. R. Horton - Texas LTD	4306 Miller Road		Rowlett	TX	75088
Adjoiner	2719 Marotto Way	500195500E0040000	D. R. Horton - Texas LTD	4306 Miller Road		Rowlett	TX	75088
Adjoiner	5 Marotto Way	500195500E0050000	D. R. Horton - Texas LTD	4306 Miller Road		Rowlett	TX	75088
Adjoiner	2803 Marotto Way	500195500E0060000	D. R. Horton - Texas LTD	4306 Miller Road		Rowlett	TX	75088
Adjoiner	2805 Marotto Way	500195500E0070000	D. R. Horton - Texas LTD	4306 Miller Road		Rowlett	TX	75088
Adjoiner	2807 Marotto Way	500195500E0080000	D. R. Horton - Texas LTD	4306 Miller Road		Rowlett	TX	75088
Adjoiner	2811 Marotto Way	500195500A0010000	D. R. Horton - Texas LTD	4306 Miller Road		Rowlett	TX	75088
Adjoiner	2 Marotto Way	500195500A0020000	D. R. Horton - Texas LTD	4306 Miller Road		Rowlett	TX	75088
Adjoiner	2815 Marotto Way	500195500A0030000	D. R. Horton - Texas LTD	4306 Miller Road		Rowlett	TX	75088
Adjoiner	4 Marotto Way	500195500A0040000	D. R. Horton - Texas LTD	4306 Miller Road		Rowlett	TX	75088
Adjoiner	2819 Marotto Way	500195500A0050000	D. R. Horton - Texas LTD	4306 Miller Road		Rowlett	TX	75088
Adjoiner	2901 Marotto Way	500195500A0060000	D. R. Horton - Texas LTD	4306 Miller Road		Rowlett	TX	75088
Adjoiner	2903 Marotto Way	500195500A0070000	D. R. Horton - Texas LTD	4306 Miller Road		Rowlett	TX	75088
Adjoiner	2905 Marotto Way	500195500A0080000	D. R. Horton - Texas LTD	4306 Miller Road		Rowlett	TX	75088
Adjoiner	31 Lasater Road	500195500A0310000	D. R. Horton - Texas LTD	4306 Miller Road		Rowlett	TX	75088
Adjoiner	2502 Old Farm Drive	500195300J0010000	Marta E. & Damian M. Rodriguez	2502 Old Farm Drive		Seagoville	TX	75159
Adjoiner	2 Old Farm Drive	500195300J0020000	H.O.A. of Highland Meadows Inc.	c/o Margie Maxwell	2500 Legacy Drive; Suite 220	Frisco	TX	75034
Adjoiner	2503 Old Farm Drive	500195300H0280000	Cesar Valdelamar	2503 Old Farm Drive		Seagoville	TX	75159

**Exhibit 10**

**Property Owner List for Stonehaven PD  
ZONING REQUEST Z2020-02**

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<b>Subject or adjoiner?</b>	<b>Site Address</b>	<b>DCAD acc't</b>	<b>Owner</b>	<b>Mailing Address 1</b>	<b>Address 2</b>	<b>City</b>	<b>State</b>	<b>Zip</b>
<b>Adjoiner</b>	2501 Old Farm Drive	500195300H0290000	Mary E. & Eddie M. Brown, Jr.	2501 Old Farm Drive		Seagoville	TX	75159
<b>Adjoiner</b>	2537 Stonegate Drive	500195300H0300000	Devon Ellis	2537 Stonegate Drive		Seagoville	TX	75159
<b>Adjoiner</b>	2535 Stonegate Drive	500195300H0310000	Rashad Jackson	2535 Stonegate Drive		Seagoville	TX	75159
<b>Adjoiner</b>	2526 Stonegate Drive	500195300I0080000	Marcus L. Carlisle	2526 Stonegate Drive		Seagoville	TX	75159
<b>Adjoiner</b>	2524 Stonegate Drive	500195300I0070000	Tamike L. & Kendrick L. Green	2524 Stonegate Drive		Seagoville	TX	75159
<b>Adjoiner</b>	2522 Stonegate Drive	500195300I0060000	Enrique & Violeta Rivera	2522 Stonegate Drive		Seagoville	TX	75159
<b>Adjoiner</b>	2520 Stonegate Drive	500195300I0050000	Dignora Perez & Damien K. Mesa	2520 Stonegate Drive		Seagoville	TX	75159
<b>Adjoiner</b>	2504 Stonegate Drive	500195300I0010000	Tracy L. & Margaret A. Smith	2504 Stonegate Drive		Seagoville	TX	75159
<b>Adjoiner</b>	2502 Stonegate Drive	500195300I0010000	Andrea & Javier Arroyo	2502 Stonegate Drive		Seagoville	TX	75159
<b>Adjoiner</b>								

**Exhibit 10**

**The following 23 pages were  
inserted at Councilmember  
Magill's request.**















































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

**Meeting Date:** February 24, 2020

### **ITEM DESCRIPTION:**

Discuss and consider an Ordinance of the City of Seagoville, Dallas County, Texas, amending the Comprehensive Zoning Ordinance and Map of the City of Seagoville, Dallas County, Texas, as heretofore amended, by granting a change in zoning from Single Family (R-2) to Planned Development - Residential Single Family-5 (PD-20-02) for three (3) tracts of land described as Tract 1 being approximately 135.08± acres commonly referred to as 2301 Simonds Road, 2219 Simonds Road, 2219 E. Simonds Road, and 1320 E. Stark Road and Tract 2 being approximately 22.95± acres of the land commonly referred to as 2301 Simonds Road and, Tract 3 being approximately 88.96± acres of land located on the southeast corner of Stark Road and Lasater Road, all in the City of Seagoville, Dallas County, Texas, and each tract being legally described in Exhibit “A”, attached hereto and incorporated herein; providing for development regulations; providing for the approval of the concept plan, which is attached hereto and incorporated herein as Exhibit “B”; providing a repealing clause; providing a severability clause; providing a savings clause; providing a penalty of fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and providing an effective date.

### **BACKGROUND OF ISSUE:**

The land is mostly used as ranch land, except for the home of the Wolfords. All lands are located southwest of Lasater Road between East Simonds Road and East Stark Road. The 135±acre Wolford tract and the Jones tract are contiguous to one another. The two Wolford tracts are separated by only an overhead power mainline on land that is owned by Texas Utilities Electric Company (Oncor).

Doyle and Marie Cameron are representing their company of D.R. Cameron and Associates, Inc. and property owners, Dennis & Janis Wolford as well as Richard Jones and Gary Jones, in their request for a zoning change from (vacant) land zoned R-2 to a residential subdivision in a plan development with an R-5 base zoning. The proposed development regulations include:

- Development in accordance with the concept plan provided in the attached ordinance
- Minimum front yard depth of 25-feet
- Minimum rear yard depth of 20-feet
- Minimum side yard width of 5-feet
- Minimum street side yard width of 10-feet
- Minimum lot width of 50-feet
- Minimum lot depth of 110-feet except lots in cul-de-sacs and street elbows shall have 90-foot minimums
- Minimum lot area of 5,500 square feet

- Minimum living area of the houses to be 1,600-square feet with at least 70% of the homes having at least 1,700-square feet
- 80% masonry exterior walls
- Garages to be a minimum of 2-cars with either a front or side entry
- Garage doors to have an enhanced design aesthetic
- Maximum height of 2-1/2 stories
- Minimum roof pitch of 6:12
- Maximum dwelling unit density of 4.22 units per gross acre of development
- Additional land uses of detached single family residential and accessory uses, an amenity center, and a temporary batch plant during construction
- Same house elevation to not be repeated within three (3) lots on the same side of the street nor within three (3) lots on opposite sides of a street
- Amenity Center to be located on the concept plan or plat
- Open spaces to have 4-foot wide sidewalks along street frontages, established grass groundcover, and two (2) of the following features: park benches, shade structure, interior sidewalks, trees, water feature, or similar park type features
- Homeowners Association (HOA) to maintain all open spaces and the Amenity Center
- Trail system to be designed and constructed to provide views of existing lake and other natural features

By code, the garages will be required to be at least 400 square feet in size.

To meet the requirements of the Thoroughfare Plan, East Stark Road, East Simonds Road, and Lasater Road (existing perimeter roads) as well as Shannon Road (a new internal street) will each be required to have pavement improvements calling for at least 2 lanes of concrete to be constructed with this development. Shannon Road will have curb and gutter on both sides as well as storm drain inlets spaced as required to drain the street. All four (4) of these streets will also be required to have a 5-foot sidewalk installed within their new right-of-way. All other internal streets will also have curb and gutters, storm drain inlets, and sidewalks at least 4-feet wide installed on both sides of each street.

The existing zoning, land uses, and relevant portions of the City's comprehensive plan are each referenced in the attached staff report. The report also provides a recommendation from Staff on whether the P&Z should deny or approve the applicant's request.

Including the subject parcels, there are sixty-eight (68) properties, parts of eight (8) public streets, and one (1) private road within 200-feet of the boundary of the subject area. The owners of each parcel were notified in compliance with the 200-foot rule by mail on Tuesday, January 14, 2020. A legal ad was also published per the Texas Local Government Code in the Friday, January 10, 2020, edition of the Daily Commercial Record newspaper. No (zero) letters were returned as undeliverable by the U.S. Postal Service. Two (2) written response were returned in favor of the project by one of the owners. Two (2) written response were returned against the project by neighbors. Copies of the responses were provided to the Commissioners at the P&Z meeting. Two (2) people spoke against the request at the Planning and Zoning Commission meeting.

For the City Council meeting, the owners of each parcel were again notified in compliance with the 200-foot rule by mail on Tuesday, February 4, 2020, about the City Council meeting. A legal ad was also published per the Texas Local Government Code in the Friday, January 31, 2020, edition of the Daily Commercial Record newspaper. As of the date of this report, Thursday, February 13, 2020, no (zero) additional letters have been returned as undeliverable by the U.S. Postal Service. No (zero) additional written responses have been returned. Any responses received after the emailing of the packet to the Council will be provided at the meeting.

**FINANCIAL IMPACT:**

Not applicable

**RECOMMENDATION:**

On January 28<sup>th</sup>, the Planning and Zoning Commission voted seven (7) to zero (0) in favor of recommending approval with conditions of the request to change the zoning from R-2 (Residential Single Family) to PD-20-02 (plan development with R-5, Residential Single Family, base zoning) on three tracts of land all located in Seagoville, Dallas County, Texas: a 135.08<sup>±</sup>acre tract and a 22.95<sup>±</sup>acre tract owned by Dennis and Janis Wolford and an 88.96<sup>±</sup>acre tract owned by Richard Jones and Gary Jones based on the submitted development regulations and concept plan. There were three (3) conditions of approval.

- The construction of 5-foot wide sidewalks along East Stark Road, East Simonds Road, Lasater Road, and Shannon Road at the same time as their pavement improvements.
- All other streets are to be constructed with 4-foot wide sidewalks on both sides unless as otherwise shown on the engineering plans.
- The internal trail system to have 4-foot sidewalks maintained by the Home Owners' Association when the trail is not located within a street right-of-way.

Staff also supports the requested change with the above listed conditions of approval.

**EXHIBIT:**

1. Ordinance (12 pages)

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

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

**AN ORDINANCE OF THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING FROM RESIDENTIAL SINGLE FAMILY (R-2) TO PLANNED DEVELOPMENT-RESIDENTIAL SINGLE FAMILY-5 (PD-20-02) FOR THREE (3) TRACTS OF LAND DESCRIBED AS TRACT 1 BEING APPROXIMATELY 135.08± ACRES COMMONLY REFERRED TO AS 2301 SIMONDS ROAD, 2219 SIMONDS ROAD, 2219 E. SIMONDS ROAD, AND 1320 E. STARK ROAD AND TRACT 2 BEING APPROXIMATELY 22.95± ACRES OF LAND COMMONLY REFERRED TO AS 2301 SIMONDS ROAD AND, TRACT 3 BEING APPROXIMATELY 88.96± ACRES OF LAND LOCATED ON THE SOUTHEAST CORNER OF STARK ROAD AND LASATER ROAD, ALL IN THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AND EACH TRACT BEING LEGALLY DESCRIBED IN EXHIBIT “A”, ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR DEVELOPMENT REGULATIONS; PROVIDING FOR THE APPROVAL OF THE CONCEPT PLAN, WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT “B”; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City Planning and Zoning Commission and the governing body of the City of Seagoville, Texas, in compliance with the laws of the State of Texas, and pursuant to the Comprehensive Zoning Ordinance of the City of Seagoville, have given requisite notices by publication and otherwise, and after holding due hearings and affording 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, the said governing body is of the opinion that Zoning Application No. Z2020-02 (PD 20-02) should be approved, and in the exercise of legislative discretion have concluded that the Comprehensive Zoning Ordinance and Map should be 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, duly passed by the governing body of the City of Seagoville, Texas, as heretofore amended, be and the same is hereby amended by granting a change in zoning from

Residential Single Family (R-2) to Planned Development-Residential Single Family-5 (PD-20-02) for Three (3) tracts of land described as Tract 1 being approximately 135.08± acres commonly referred to as 2301 Simonds Road, 2219 Simonds Road, 2219 E. Simonds Road, and 1320 E. Stark Road and Tract 2 being approximately 22.95± acres of land commonly referred to as 2301 Simonds Road and, Tract 3 being approximately 88.96± acres of land located on the southeast corner of Stark Road and Lasater Road, all in the City of Seagoville, Dallas County, Texas, and being legally described and depicted in Exhibit “A”, attached hereto and incorporated herein.

**SECTION 2.** The property shall be developed and used in accordance with the City of Seagoville Zoning Ordinance and Construction Standards, except as amended herein, and the following development regulations:

- A. Development in accordance with the submitted (to-be-approved) concept plan
- B. Minimum front yard depth of 25-feet
- C. Minimum rear yard depth of 20-feet
- D. Minimum side yard width of 5-feet
- E. Minimum street side yard width of 10-feet
- F. Minimum lot width of 50-feet
- G. Minimum lot depth of 110-feet except lots in cul-de-sacs and street elbows shall have 90-foot minimums
- H. Minimum lot area of 5,500 square feet
- I. Minimum living area of the houses to be 1,600-square feet with at least 70% of the homes having at least 1,700-square feet
- J. 80% masonry exterior walls
- K. Exterior walls and/or facades shall have an appearance substantially like those on the elevations attached hereto and incorporated herein as Exhibit “C”
- L. Garages to be a minimum of 2-cars with either a front or side entry
- M. Garage doors to have an enhanced design aesthetic
- N. Maximum height of 2-1/2 stories
- O. Minimum roof pitch of 6:12
- P. Maximum dwelling unit density of 4.22 units per gross acre of development
- Q. Additional land uses of detached single family residential and accessory uses, an amenity center, and a temporary batch plant during construction
- R. Same house elevation to not be repeated within three (3) lots on the same side of the street nor within three (3) lots on opposite sides of a street
- S. Amenity Center to be located on the concept plan or plat
- T. Open spaces to have 4-foot wide sidewalks along street frontages, established grass groundcover, and two (2) of the following features: park benches, shade structure, interior sidewalks, trees, water feature, or similar park type features
- U. The internal trail system to have four foot (4') sidewalks maintained by the Home Owners' Association when the trail is not located within a street right-of-way
- V. Five foot (5') sidewalks shall be constructed along East Stark Road, East Simonds Road, Lasater Road and Shannon Road at the same time as their pavement improvements

- W. Four foot (4') sidewalks shall be constructed on both sides of all other streets unless otherwise shown on approved engineering plans
- X. Homeowners Association (HOA) to maintain all open spaces and the Amenity Center
- Y. Trail system to be designed and constructed to provide views of existing lake and other natural features

**SECTION 3.** The property shall be developed and used only in accordance with the conceptual plan attached as Exhibit “B” and the elevations attached hereto as Exhibit “C” and incorporated herein for all purposes, and which is hereby approved.

**SECTION 4.** That the above property shall be used only in the manner and for the purpose provided for by the Comprehensive Zoning Ordinance of the City of Seagoville, as heretofore amended and as amended herein.

**SECTION 5.** That all provisions of the Ordinances of the City of Seagoville, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 6.** That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be unconstitutional, illegal or invalid, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

**SECTION 7.** An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 8.** That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Seagoville, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

**SECTION 9.** 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 the 24<sup>th</sup> day of February 2020.

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 THOMAS, CITY ATTORNEY  
(/cdb 02/072019)

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

**TRACT 1:**

BEING ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE HERMAN HEIDER SURVEY, ABSTRACT NO. 541, DALLAS COUNTY, TEXAS, BEING A PORTION OF LOT ONE, BLOCK ONE, WILFORD ADDITION, AN ADDITION TO THE CITY OF SEAGOVILLE, RECORDED IN INSTRUMENT NO. 201200121817, MAP RECORDS, DALLAS COUNTY, TEXAS AND BEING A PORTION OF THAT TRACT OF LAND DESCRIBED IN DEED TO DENNIS AND JANIS WOLFORD, RECORDED IN INSTRUMENT NO. 201100151442, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS, ALSO THAT TRACT OF LAND KNOWN AS TRACT A, AS DESCRIBED IN DEED TO DENNIS AND JANIS WOLFORD, RECORDED IN INSTRUMENT NO. 201100149454, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS, AND A TRACT OF LAND KNOWN AS TRACT "A", AS DESCRIBED IN DEED TO DENNIS AND JANIS WOLFORD, RECORDED IN INSTRUMENT NO. 201100150319, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS, AND LOT 3 OF THE REPLAT OF NABORS SUBDIVISION TO THE CITY OF SEAGOVILLE, RECORDED IN VOLUME 93051, PAGE 1956, MAP RECORDS, DALLAS COUNTY, TEXAS, AND BEING DESCRIBED

BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON ROD FOUND FOR CORNER IN THE RECOGNIZED SOUTHEAST LINE OF E. STARK ROAD, SAID POINT BEING THE RECOGNIZED WEST CORNER OF SAID LOT ONE, BLOCK ONE OF WOLFORD ADDITION, AND THE APPARENT NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO JUDITH SMITH MOORE AND KIRBY C. SMITH, RECORDED IN VOLUME 85109, PAGE 3205, DEED RECORDS, DALLAS COUNTY, TEXAS;

THENCE NORTH 39 DEGREES 16 MINUTES 47 SECONDS EAST, ALONG THE RECOGNIZED SOUTHEAST LINE OF SAID E. STARK ROAD AND THE RECOGNIZED NORTHWEST LINE OF SAID LOT ONE, BLOCK ONE, A DISTANCE OF 589.10 FEET TO A 1/2 INCH IRON ROD FOUND FOR ANGLE POINT;

THENCE NORTH 45 DEGREES 19 MINUTES 28 SECONDS EAST, ALONG THE RECOGNIZED SOUTHEAST LINE OF SAID E. STARK ROAD AND THE RECOGNIZED NORTHWEST LINE OF SAID LOT ONE, BLOCK ONE, A DISTANCE OF 714.94 FEET TO A 1/2 INCH IRON ROD SET WITH YELLOW CAP STAMPED BG&A RPLS 5569 FOR CORNER IN THE APPARENT SOUTHWEST LINE OF A TOWER EASEMENT, RECORDED IN INSTRUMENT NO. 201900115635, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS, SAID POINT BEING THE NORTH CORNER OF HEREIN DESCRIBED TRACT;

THENCE SOUTH 44 DEGREES 37 MINUTES 14 SECONDS EAST, OVER AND UPON SAID LOT ONE, BLOCK ONE AND THE APPARENT SOUTHWEST LINE OF SAID TOWER EASEMENT, A DISTANCE OF 182.45 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING AN INNER ELL CORNER OF HEREIN DESCRIBED TRACT AND THE APPARENT SOUTH CORNER OF SAID TOWER EASEMENT;

THENCE NORTH 45 DEGREES 22 MINUTES 46 SECONDS EAST, OVER AND UPON SAID LOT ONE, BLOCK ONE AND THE APPARENT SOUTHEAST LINE OF SAID TOWER EASEMENT, A DISTANCE OF 149.79 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER IN THE APPARENT SOUTHWEST LINE OF TRACT 3 AS DESCRIBED IN DEED TO RICHARD T. JONES AND GARY R. JONES, RECORDED IN INSTRUMENT NO. 20180001184, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS AND THE RECOGNIZED MOST NORTHERLY NORTHEAST LINE OF SAID LOT ONE, BLOCK ONE, SAID POINT BEING THE APPARENT EAST CORNER OF SAID TOWER EASEMENT;

THENCE SOUTH 44 DEGREES 23 MINUTES 00 SECONDS EAST, ALONG THE RECOGNIZED MOST NORTHERLY NORTHEAST LINE OF SAID LOT ONE, BLOCK ONE AND THE APPARENT SOUTHWEST LINE OF SAID JONES TRACT 3, A DISTANCE OF 794.09 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER IN THE APPARENT NORTHWEST LINE OF SAID JONES TRACT 2, SAID POINT BEING THE RECOGNIZED MOST NORTHERLY EAST CORNER OF SAID LOT ONE, BLOCK ONE AND THE APPARENT SOUTH CORNER OF SAID JONES TRACT 3;

THENCE SOUTH 44 DEGREES 58 MINUTES 30 SECONDS WEST, ALONG THE RECOGNIZED MOST NORTHERLY SOUTHEAST LINE OF SAID LOT ONE, BLOCK ONE AND THE APPARENT NORTHWEST LINE OF SAID JONES TRACT 2, A DISTANCE OF 407.01 FEET TO A 5/8 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING THE RECOGNIZED INNER ELL CORNER OF SAID LOT ONE, BLOCK ONE AND THE APPARENT WEST CORNER OF SAID JONES TRACT 2;

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

THENCE SOUTH 44 DEGREES 10 MINUTES 49 SECONDS EAST, ALONG THE RECOGNIZED MOST SOUTHERLY NORTHEAST LINE OF SAID LOT ONE, BLOCK ONE AND THE APPARENT SOUTHWEST LINE OF SAID JONES TRACT 2, A DISTANCE OF 1527.22 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER IN THE RECOGNIZED MOST SOUTHERLY NORTHWEST LINE OF SAID WOLFORD TRACT A, (INSTR. NO. 201100149454), SAID POINT BEING THE APPARENT SOUTH CORNER OF SAID JONES TRACT 2;

THENCE NORTH 47 DEGREES 35 MINUTES 01 SECONDS EAST, ALONG THE RECOGNIZED MOST SOUTHERLY NORTHWEST LINE OF SAID WOLFORD TRACT A (INSTR. NO. 201100149454) AND THE APPARENT SOUTHEAST LINE OF SAID JONES TRACT 2, A DISTANCE OF 410.11 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING A RECOGNIZED INNER ELL CORNER OF SAID WOLFORD TRACT A (INSTR. NO. 201100149454) AND THE APPARENT EAST CORNER OF SAID JONES TRACT 2;

THENCE NORTH 42 DEGREES 24 MINUTES 52 SECONDS WEST, ALONG THE APPARENT NORTHEAST LINE OF SAID JONES TRACT 2, A DISTANCE OF 205.32 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING THE RECOGNIZED MOST NORTHERLY WEST CORNER OF SAID WOLFORD TRACT A (INSTR. NO. 201100149454) AND THE APPARENT SOUTH CORNER OF SAID JONES TRACT 1;

THENCE NORTH 44 DEGREES 36 MINUTES 30 SECONDS EAST, ALONG THE RECOGNIZED NORTHWEST LINE OF SAID WOLFORD TRACT A (INSTR. NO. 201100149454) AND THE APPARENT SOUTHEAST LINE OF SAID JONES TRACT 1, A DISTANCE OF 1155.82 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING THE RECOGNIZED NORTH CORNER OF SAID WOLFORD TRACT A (INSTR. NO. 201100149454) AND THE APPARENT WEST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO L. V. AND STELLA ELLIOTT, RECORDED IN VOLUME 3270, PAGE 562, DEED RECORDS, DALLAS COUNTY, TEXAS;

THENCE SOUTH 45 DEGREES 02 MINUTES 15 SECONDS EAST, ALONG THE MOST NORTHERLY NORTHEAST LINE OF SAID WOLFORD TRACT A (INSTR. NO. 201100149454), A DISTANCE OF 721.44 FEET TO A 1 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING A RECOGNIZED INNER ELL CORNER OF SAID WOLFORD TRACT A (INSTR. NO. 201100149454) AND THE APPARENT SOUTH CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO L. V. AND STELLA ELLIOTT, RECORDED IN VOLUME 3294, PAGE 563, DEED RECORDS, DALLAS COUNTY, TEXAS;

THENCE NORTH 45 DEGREES 39 MINUTES 30 SECONDS EAST, ALONG THE APPARENT SOUTHEAST LINE OF SAID ELLIOTT TRACT (VOL. 3294, PG. 563), A DISTANCE OF 192.19 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER IN THE RECOGNIZED SOUTHWEST LINE OF LASATER ROAD, SAID POINT BEING THE RECOGNIZED MOST EASTERLY NORTH CORNER OF SAID WOLFORD TRACT A (INSTR. NO. 201100149454) AND THE APPARENT EAST CORNER OF SAID ELLIOTT TRACT (VOL. 3294, PG. 563);

THENCE SOUTH 44 DEGREES 47 MINUTES 17 SECONDS EAST, ALONG THE RECOGNIZED SOUTHWEST LINE OF SAID LASATER ROAD AND THE RECOGNIZED NORTHEAST LINE OF SAID WOLFORD TRACT A (INSTR. NO. 201100149454), A DISTANCE OF 48.86 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING THE RECOGNIZED MOST NORTHERLY EAST CORNER OF SAID WOLFORD TRACT A (INSTR. NO. 201100149454) AND THE APPARENT NORTH CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO LARRY D. WALKER, RECORDED IN INSTRUMENT NO. 201900029745, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS;

THENCE SOUTH 45 DEGREES 29 MINUTES 43 SECONDS WEST, ALONG THE APPARENT NORTHWEST LINE OF SAID WALKER TRACT, A DISTANCE OF 420.00 FEET TO A 5/8 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING A RECOGNIZED INNER ELL CORNER OF SAID WOLFORD TRACT A (INSTR. NO. 201100149454) AND THE APPARENT SOUTH CORNER OF SAID WALKER TRACT (INSTR. NO. 201000089281);

THENCE SOUTH 44 DEGREES 47 MINUTES 17 SECONDS EAST, ALONG THE APPARENT SOUTHWEST LINE OF SAID WALKER TRACT (INSTR. NO. 201000089281), A DISTANCE OF 210.00 FEET TO A 1/2 INCH IRON ROD SET WITH YELLOW CAP STAMPED BG&A RPLS 5569 FOR CORNER IN THE APPARENT NORTHWEST LINE OF A TRACT OF LAND DESCRIBED IN DEED TO JERRY A. AND CLAUDETTE MCFADDEN, RECORDED IN VOLUME 86229, PAGE 4069, DEED RECORDS, DALLAS COUNTY, TEXAS, SAID POINT BEING THE APPARENT SOUTH CORNER OF SAID WALKER TRACT (INSTR. NO. 201000089281);

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

THENCE SOUTH 45 DEGREES 29 MINUTES 43 SECONDS WEST, ALONG THE APPARENT NORTHWEST LINE OF SAID MCFADDEN TRACT, A DISTANCE OF 381.44 FEET TO A ½ INCH IRON ROD SET WITH YELLOW CAP STAMPED BG&A RPLS 5569 FOR CORNER, SAID POINT BEING A RECOGNIZED INNER ELL CORNER OF SAID WOLFORD TRACT A (INSTR. NO. 201100149454) AND THE APPARENT WEST CORNER OF SAID MCFADDEN TRACT;

THENCE SOUTH 44 DEGREES 47 MINUTES 17 SECONDS EAST, ALONG THE APPARENT SOUTHWEST LINE OF SAID MCFADDEN TRACT, A DISTANCE OF 363.00 FEET TO A ½ INCH IRON ROD SET WITH YELLOW CAP STAMPED BG&A RPLS 5569 FOR CORNER WITHIN E. SIMONDS ROAD; SAID POINT BEING THE RECOGNIZED MOST SOUTHERLY EAST CORNER OF SAID WOLFORD TRACT A (INSTR. NO. 201100149454) AND THE APPARENT SOUTH CORNER OF SAID MCFADDEN TRACT;

THENCE SOUTH 45 DEGREES 29 MINUTES 43 SECONDS WEST, ALONG THE RECOGNIZED MOST SOUTHERLY SOUTHEAST LINE OF SAID WOLFORD TRACT A (INSTR. NO. 201100149454), A DISTANCE OF 563.00 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER IN THE RECOGNIZED NORTHEAST LINE OF SAID WOLFORD TRACT "A" (INSTR. NO. 201100150319), SAID POINT BEING THE RECOGNIZED MOST EASTERLY SOUTH CORNER OF SAID WOLFORD TRACT A (INSTR. NO. 201100149454) AND AN INNER ELL CORNER OF HEREIN DESCRIBED TRACT;

THENCE SOUTH 43 DEGREES 43 MINUTES 05 SECONDS EAST, ALONG THE RECOGNIZED NORTHEAST LINE OF SAID WOLFORD TRACT "A" (INSTR. NO. 201100150319), A DISTANCE OF 75.22 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING THE RECOGNIZED WEST CORNER OF SAID LOT 3 OF THE REPLAT OF NABORS SUBDIVISION, RECORDED IN VOLUME 93051, PAGE 1956, MAP RECORDS, DALLAS COUNTY TEXAS;

THENCE ALONG THE RECOGNIZED NORTH LINE OF SAID LOT 3, THE FOLLOWING COURSES AND DISTANCES; NORTH 55 DEGREES 26 MINUTES 15 SECONDS EAST, 43.03 FEET TO AN ANGLE POINT; NORTH 80 DEGREES 10 MINUTES 15 SECONDS EAST, 85.02 FEET TO AN ANGLE POINT; SOUTH 88 DEGREES 11 MINUTES 45 SECONDS EAST, 61.26 FEET TO AN ANGLE POINT; SOUTH 72 DEGREES 04 MINUTES 45 SECONDS EAST, 53.55 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER IN THE RECOGNIZED SOUTHWEST LINE OF SAID E. SIMONDS ROAD, SAID POINT BEING THE RECOGNIZED NORTHEAST CORNER OF SAID LOT 3 OF THE REPLAT OF NABORS SUBDIVISION AND A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 11 DEGREES 32 MINUTES 30 SECONDS, A RADIUS OF 1366.30 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 18 DEGREES 26 MINUTES 50 SECONDS EAST-274.76 FEET;

THENCE ALONG THE RECOGNIZED SOUTHWEST LINE OF SAID E. SIMONDS ROAD AND SAID CURVE TO THE LEFT, AN ARC LENGTH OF 275.23 FEET TO A 1/2 INCH IRON ROD FOUND AT THE END OF SAID CURVE;

THENCE SOUTH 24 DEGREES 13 MINUTES 05 SECONDS EAST, ALONG THE RECOGNIZED SOUTHWEST LINE OF SAID E. SIMONDS ROAD, A DISTANCE OF 77.87 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING THE RECOGNIZED SOUTHEAST CORNER OF SAID LOT 3 AND THE APPARENT NORTH CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO LOWELL T. AND BARBARA S. SHERMAN, RECORDED IN VOLUME 99051, PAGE 4686, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS;

THENCE SOUTH 77 DEGREES 29 MINUTES 56 SECONDS WEST, ALONG THE RECOGNIZED SOUTH LINE OF SAID LOT 3 AND THE APPARENT NORTH LINE OF SAID SHERMAN TRACT, A DISTANCE OF 44.58 FEET TO A 1/2 INCH IRON ROD FOUND FOR ANGLE POINT, SAID POINT BEING THE RECOGNIZED MOST NORTHERLY EAST LINE OF SAID WOLFORD TRACT "A" (INSTR. NO. 201100150319) AND THE RECOGNIZED SOUTH CORNER OF SAID LOT 3 OF THE REPLAT OF NABORS SUBDIVISION;

THENCE SOUTH 45 DEGREES 50 MINUTES 19 SECONDS WEST, ALONG THE RECOGNIZED SOUTHEAST LINE OF SAID WOLFORDS TRACT "A" (INSTR. NO. 201100150319) AND THE APPARENT NORTHWEST LINE OF SAID SHERMAN TRACT, A DISTANCE OF 424.00 FEET TO A PK NAIL FOUND FOR CORNER, SAID POINT BEING THE RECOGNIZED INNER ELL CORNER OF SAID WOLFORD TRACT "A" (INSTR. NO. 201100150319) AND THE APPARENT WEST CORNER OF SAID SHERMAN TRACT;

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

THENCE SOUTH 41 DEGREES 11 MINUTES 32 SECONDS EAST, ALONG THE APPARENT SOUTHWEST LINE OF SAID SHERMAN TRACT, A DISTANCE OF 211.24 FEET TO A 1/2 INCH IRON ROD FOUND FOR ANGLE POINT, SAID POINT BEING THE APPARENT SOUTH CORNER OF SAID SHERMAN TRACT AND THE APPARENT WEST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO CLYDE CARMAN, RECORDED IN INSTRUMENT NO. 200900225070, DEED RECORDS, DALLAS COUNTY, TEXAS;

THENCE SOUTH 47 DEGREES 31 MINUTES 51 SECONDS EAST, ALONG THE APPARENT SOUTHWEST LINE OF SAID CARMAN TRACT, A DISTANCE OF 187.91 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER IN THE RECOGNIZED NORTHEAST LINE OF A 100 FOOT RIGHT-OF-WAY TO T. P. & L. COMPANY, RECORDED IN VOLUME 5642, PAGE 230, DEED RECORDS, DALLAS COUNTY, TEXAS, SAID POINT BEING EAST CORNER OF SAID WOLFORD TRACT "A" (INSTR. NO. 201100150319), FROM WHICH A 1/2 INCH IRON ROD FOUND FOR REFERENCE, IN THE RECOGNIZED SOUTHWEST LINE OF SAID T. P. & L. COMPANY RIGHT-OF-WAY BEARS SOUTH 33 DEGREES 06 MINUTES 49 SECONDS EAST 176.34 FEET;

THENCE NORTH 67 DEGREES 39 MINUTES 43 SECONDS WEST, ALONG THE RECOGNIZED NORTHEAST LINE OF SAID T. P. & L. COMPANY RIGHT-OF-WAY AND THE RECOGNIZED SOUTHWEST LINE OF SAID WOLFORD TRACT "A" (INSTR. NO. 201100150319), A DISTANCE OF 2162.92 FEET TO A 1/2 INCH IRON ROD FOUND WITH ORANGE CAP FOR CORNER IN THE APPARENT SOUTHEAST LINE OF A TRACT OF LAND DESCRIBED IN DEED TO T. P. & L. COMPANY, RECORDED IN VOLUME 5632, PAGE 601, DEED RECORDS, DALLAS COUNTY, TEXAS, SAID POINT BEING THE RECOGNIZED NORTH CORNER OF A 100 FOOT T. P. & L. COMPANY RIGHT-OF-WAY, RECORDED IN VOLUME 5611, PAGE 139 AND THE MOST SOUTHERLY WEST CORNER OF SAID WOLFORD TRACT A (INSTR. NO. 201100149454);

THENCE NORTH 47 DEGREES 57 MINUTES 15 SECONDS EAST, ALONG THE APPARENT SOUTHEAST LINE OF SAID T. P. & L. COMPANY TRACT (VOL. 5632, PAGE 601), A DISTANCE OF 35.49 FEET TO A 1/2 INCH IRON ROD FOUND WITH ORANGE CAP FOR CORNER, SAID POINT BEING A RECOGNIZED INNER ELL CORNER OF SAID WOLFORD TRACT A (INSTR. NO. 201100149454) AND THE APPARENT EAST CORNER OF SAID T. P. & L. COMPANY TRACT (VOL. 5632, PAGE 601);

THENCE NORTH 42 DEGREES 02 MINUTES 45 SECONDS WEST, ALONG THE APPARENT NORTHEAST LINE OF SAID T. P. & L. COMPANY TRACT (VOL. 5632, PAGE 601), A DISTANCE OF 100.00 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER IN THE RECOGNIZED SOUTHEAST LINE OF SAID LOT ONE, BLOCK ONE OF WOLFORD ADDITION, SAID POINT BEING THE RECOGNIZED WEST CORNER OF SAID WOLFORD TRACT A (INSTR. NO. 201100149454) AND THE APPARENT NORTH CORNER OF SAID T. P. & L. COMPANY TRACT (VOL. 5632, PAGE 601);

THENCE SOUTH 47 DEGREES 57 MINUTES 40 SECONDS WEST, ALONG THE RECOGNIZED SOUTHEAST LINE OF SAID LOT ONE, BLOCK ONE, A DISTANCE OF 82.35 FEET TO A 1/2 INCH IRON ROD FOUND WITH ORANGE CAP STAMPED "2516" FOR CORNER, SAID POINT BEING THE RECOGNIZED MOST EASTERLY SOUTH CORNER OF SAID LOT ONE, BLOCK ONE AND THE APPARENT EAST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO T. P. & L. COMPANY, RECORDED IN VOLUME 5611, PAGE 137, DEED RECORDS, DALLAS COUNTY, TEXAS;

THENCE NORTH 58 DEGREES 56 MINUTES 11 SECONDS WEST, ALONG THE APPARENT NORTHEAST LINE OF SAID T. P. & L. COMPANY TRACT, A DISTANCE OF 125.07 FEET TO A 1/2 INCH IRON ROD FOUND WITH ORANGE CAP STAMPED "2516" FOR CORNER, SAID POINT BEING A RECOGNIZED INNER ELL CORNER OF SAID LOT ONE, BLOCK ONE AND THE APPARENT NORTH CORNER OF SAID T. P. & L. COMPANY TRACT (VOL. 5611, PG. 137);

THENCE SOUTH 44 DEGREES 18 MINUTES 28 SECONDS WEST, ALONG THE RECOGNIZED MOST NORTHERLY SOUTHEAST LINE OF SAID LOT ONE, BLOCK ONE AND THE APPARENT NORTHWEST LINE OF SAID T. P. & L. COMPANY TRACT (VOL. 5611, PG. 139, A DISTANCE OF 82.81 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING THE RECOGNIZED MOST WESTERLY SOUTH CORNER OF SAID LOT ONE, BLOCK ONE, THE APPARENT EAST CORNER OF SAID MOORE/SMITH TRACT AND THE APPARENT WEST CORNER OF SAID T. P. & L. COMPANY TRACT (VOL. 5611, PG. 137);

THENCE NORTH 44 DEGREES 26 MINUTES 22 SECONDS WEST, ALONG THE APPARENT NORTHEAST LINE OF

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

SAID MOORE/SMITH TRACT AND THE RECOGNIZED SOUTHWEST LINE OF SAID LOT ONE, BLOCK ONE, A DISTANCE OF 1422.16 FEET TO A 1/2 INCH IRON ROD FOUND FOR ANGLE POINT;

THENCE NORTH 44 DEGREES 50 MINUTES 41 SECONDS WEST, ALONG THE APPARENT NORTHEAST LINE OF SAID MOORE/SMITH TRACT AND THE RECOGNIZED SOUTHWEST LINE OF SAID LOT ONE, BLOCK ONE, WOLFORD ADDITION, A DISTANCE OF 859.78 FEET TO THE PLACE OF BEGINNING AND CONTAINING 5,884,074.68 SQ. FT. OR 135.08 ACRES OF LAND.

**TRACT 2:**

BEING ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE HERMAN HEIDER SURVEY, ABSTRACT NO. 541, DALLAS COUNTY, TEXAS, BEING KNOWN AS TRACT B AS DESCRIBED IN DEED TO DENNIS AND JANIS WOLFORD, RECORDED IN INSTRUMENT NO. 201100149454, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS, AND TRACT "B", AS DESCRIBED IN DEED TO DENNIS AND JANIS WOLFORD, RECORDED IN INSTRUMENT NO. 201100150319, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS, AND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1 INCH IRON PIPE FOUND FOR CORNER IN THE RECOGNIZED NORTHWEST LINE OF E. SIMONDS ROAD AND THE APPARENT NORTHEAST LINE OF THE RESIDUE OF A TRACT OF LAND DESCRIBED IN DEED TO O. D. AND BILLIE OGLETREE, RECORDED IN VOLUME 240, PAGE 856, DEED RECORDS, DALLAS COUNTY, TEXAS, SAID POINT BEING THE RECOGNIZED SOUTH CORNER OF SAID WOLFORD TRACT "B" (INSTR. NO. 201100150319);

THENCE NORTH 44 DEGREES 34 MINUTES 09 SECONDS WEST, ALONG THE RECOGNIZED MOST SOUTHERLY SOUTHWEST LINE OF SAID WOLFORD TRACT "B" (INSTR. NO. 201100150319), A DISTANCE OF 1067.85 FEET TO A 1 INCH IRON PIPE FOUND FOR CORNER, SAID POINT BEING A RECOGNIZED INNER ELL CORNER OF SAID WOLFORD TRACT "B" (INSTR. NO. 201100150319) AND THE APPARENT NORTH CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO J. R. AND BARBARA O. YARBOROUGH, RECORDED IN VOLUME 92202, PAGE 1127, DEED RECORDS, DALLAS COUNTY, TEXAS;

THENCE SOUTH 46 DEGREES 07 MINUTES 45 SECONDS WEST, ALONG THE MOST NORTHERLY SOUTHWEST LINE OF SAID WOLFORD TRACT "B" (INSTR. NO. 201100150319), A DISTANCE OF 399.82 FEET TO A 1 INCH IRON ROD FOUND FOR CORNER IN THE APPARENT NORTHEAST LINE OF A TRACT OF LAND DESCRIBED IN DEED TO CHARLOTTE LEE TAYLOR, RECORDED IN INSTRUMENT NO. 200700095728, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS, SAID POINT BEING A RECOGNIZED MOST WESTERLY SOUTH CORNER OF SAID WOLFORD TRACT "B" (INSTR. NO. 201100150319) AND THE APPARENT WEST CORNER OF SAID YARBOROUGH TRACT;

THENCE NORTH 44 DEGREES 28 MINUTES 10 SECONDS WEST, ALONG THE RECOGNIZED SOUTHWEST LINE OF SAID WOLFORD TRACT "B" (INSTR. NO. 201100150319) AND THE APPARENT NORTHEAST LINE OF SAID TAYLOR TRACT, A DISTANCE OF 1039.75 FEET TO A 1/2 INCH IRON ROD FOUND FOR ANGLE POINT, SAID POINT BEING THE RECOGNIZED WEST CORNER OF SAID WOLFORD TRACT "B" (INSTR. NO. 201100150319) AND THE RECOGNIZED SOUTH CORNER OF SAID WOLFORD TRACT B (INSTR. NO. 201100149454);

THENCE NORTH 42 DEGREES 16 MINUTES 17 SECONDS WEST, ALONG THE RECOGNIZED SOUTHWEST LINE OF SAID WOLFORD TRACT B (INSTR. NO. 201100149454) AND THE APPARENT NORTHEAST LINE OF SAID TAYLOR TRACT, A DISTANCE OF 354.26 FEET TO A 1/2 INCH IRON ROD FOUND WITH ORANGE CAP FOR CORNER, SAID POINT BEING THE RECOGNIZED WEST CORNER OF SAID WOLFORD TRACT B (INSTR. NO. 201100149454) AND

THE APPARENT SOUTH CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO T. P. & L. COMPANY, RECORDED IN VOLUME 5632, PAGE 601, DEED RECORDS, DALLAS COUNTY, TEXAS;

THENCE NORTH 47 DEGREES 57 MINUTES 15 SECONDS EAST, ALONG THE RECOGNIZED NORTHWEST LINE OF SAID WOLFORD TRACT B (INSTR. NO. 201100149454) AND THE APPARENT SOUTHEAST LINE OF SAID T. P. & L. COMPANY TRACT (VOL. 5632, PG. 601), A DISTANCE OF 53.29 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING THE RECOGNIZED NORTH CORNER OF SAID WOLFORD TRACT B (INSTR. NO.

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

201100149454) AND THE RECOGNIZED WEST CORNER OF A 100 FOOT T. P. & L. COMPANY RIGHT-OF-WAY, RECORDED IN VOLUME 5611, PAGE 139, DEED RECORDS, DALLAS COUNTY, TEXAS;

THENCE SOUTH 67 DEGREES 39 MINUTES 43 SECONDS EAST, ALONG THE RECOGNIZED SOUTHWEST LINE OF SAID T. P. & L. COMPANY RIGHT-OF-WAY AND THE RECOGNIZED NORTHEAST LINE OF SAID WOLFORD TRACT B (INSTR. NO. 201100149454), A DISTANCE OF 2356.11 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER IN THE APPARENT NORTHWEST LINE OF A TRACT OF LAND DESCRIBED IN DEED TO T. P. & L. COMPANY, RECORDED IN VOLUME 3844, PAGE 413, DEED RECORDS, DALLAS COUNTY, TEXAS, SAID POINT BEING THE RECOGNIZED SOUTH CORNER OF A 100 FOOT T. P. & L. COMPANY RIGHT-OF-WAY, RECORDED IN VOLUME 5642, PAGE 230 AND THE MOST NORTHERLY EAST CORNER OF SAID WOLFORD TRACT "B" (INSTR. NO. 201100150319), FROM WHICH A 1/2 INCH IRON ROD FOUND FOR REFERENCE IN THE RECOGNIZED NORTHEAST LINE OF SAID T. P. & L. COMPANY RIGHT-OF-WAY (VOL. 5642, PG. 230) BEARS NORTH 33 DEGREES 06 MINUTES 49 SECONDS WEST-176.34 FEET;

THENCE SOUTH 45 DEGREES 50 MINUTES 19 SECONDS WEST, ALONG THE APPARENT NORTHWEST LINE OF SAID T. P. & L. COMPANY TRACT (VOL. 3844, PAGE 413), A DISTANCE OF 50.70 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING A RECOGNIZED INNER ELL CORNER OF SAID WOLFORD TRACT "B" (INSTR. NO. 201100150319) AND THE APPARENT WEST CORNER OF SAID T. P. & L. COMPANY TRACT (VOL. 3844, PAGE 413);

THENCE SOUTH 44 DEGREES 09 MINUTES 41 SECONDS EAST, ALONG THE APPARENT SOUTHWEST LINE OF SAID T. P. & L. COMPANY TRACT (VOL. 3844, PG. 413), A DISTANCE OF 300.03 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER IN THE RECOGNIZED NORTHWEST LINE OF SAID E. SIMONDS ROAD, SAID POINT BEING THE RECOGNIZED EAST CORNER OF SAID WOLFORD TRACT "B" (INSTR. NO. 201100150319) AND THE APPARENT SOUTH CORNER OF SAID T. P. & L. COMPANY TRACT (VOL. 3844, PG. 413);

THENCE SOUTH 45 DEGREES 44 MINUTES 07 SECONDS WEST, ALONG THE RECOGNIZED NORTHWEST LINE OF SAID E. SIMONDS ROAD AND THE RECOGNIZED SOUTHEAST LINE OF SAID WOLFORD TRACT "B" (INSTR. NO. 201100150319), A DISTANCE OF 540.76 FEET TO THE PLACE OF BEGINNING AND CONTAINING 999,859.54 SQ. FT. OR 22.95 ACRES OF LAND.

NOTE: COMPANY DOES NOT REPRESENT THAT THE ABOVE ACREAGE AND/OR SQUARE FOOTAGE CALCULATIONS ARE CORRECT.

**TRACT 3:**

BEING ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE HERMAN HEIDER SURVEY, ABSTRACT NO. 541, DALLAS COUNTY, TEXAS, BEING KNOWN AS TRACTS 1, 2, 3 AND 4 AS DESCRIBED IN DEED TO RICHARD T. JONES AND GARY R. JONES, RECORDED IN INSTRUMENT NO. 20180001184, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS, AND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT FOR CORNER NEAR THE CENTER OF THE INTERSECTION E. STARK ROAD AND LASATER ROAD, SAID POINT BEING THE RECOGNIZED NORTH CORNER OF SAID JONES TRACT 4, FROM WHICH A 1/2 INCH IRON ROD FOUND FOR WITNESS BEARS NORTH 77 DEGREES 41 MINUTES 47 SECONDS WEST-51.98 FEET;

THENCE SOUTH 44 DEGREES 51 MINUTES 29 SECONDS EAST, WITHIN LASATER ROAD AND ALONG THE RECOGNIZED NORTHEAST LINE OF TRACTS 4, 2 AND 1, A DISTANCE OF 2347.09 FEET TO A POINT FOR CORNER, SAID POINT BEING A RECOGNIZED EAST CORNER OF SAID JONES TRACT 1;

THENCE SOUTH 44 DEGREES 36 MINUTES 30 SECONDS WEST, ALONG THE RECOGNIZED SOUTHEAST LINE OF SAID JONES TRACTS 1 PASSING A 1/2 INCH IRON ROD SET WITH YELLOW CAP STAMPED BG&A RPLS 5569, THE APPARENT NORTH CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO L. V. AND STELLA ELLIOTT, RECORDED IN VOLUME 3270, PAGE 562, DEED RECORDS, DALLAS COUNTY, TEXAS AT 18.17 FEET AND CONTINUING FOR A TOTAL DISTANCE OF 1383.99 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER IN THE RECOGNIZED NORTHEAST LINE OF SAID JONES TRACT 2, SAID POINT BEING THE RECOGNIZED SOUTH CORNER OF SAID JONES TRACT 1 AND THE RECOGNIZED MOST NORTHERLY WEST CORNER OF TRACT A AS DESCRIBED IN DEED TO DENNIS AND JANIS WOLFORD, RECORDED IN INSTRUMENT NO. 201100149454, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS;

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

THENCE SOUTH 42 DEGREES 24 MINUTES 52 SECONDS EAST, ALONG THE RECOGNIZED NORTHEAST LINE OF SAID JONES TRACT 2, A DISTANCE OF 205.32 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING THE RECOGNIZED EAST CORNER OF SAID JONES TRACT 2 AND A RECOGNIZED INNER ELL CORNER OF SAID WOLFORD TRACT A (INSTR. NO. 201100149454);

THENCE SOUTH 47 DEGREES 35 MINUTES 01 SECONDS WEST, ALONG THE RECOGNIZED SOUTHWEST LINE OF SAID JONES TRACT 2, A DISTANCE OF 410.11 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING THE RECOGNIZED SOUTH CORNER OF SAID JONES TRACT 2 AND THE RECOGNIZED MOST SOUTHERLY EAST CORNER OF LOT ONE, BLOCK ONE, WOLFORD ADDITION, RECORDED IN INSTRUMENT NO. 201200121817, MAP RECORDS, DALLAS COUNTY, TEXAS;

THENCE NORTH 44 DEGREES 10 MINUTES 49 SECONDS WEST, ALONG THE RECOGNIZED SOUTHWEST LINE OF SAID JONES TRACT 2 AND THE APPARENT MOST SOUTHERLY NORTHEAST LINE OF SAID LOT ONE, BLOCK ONE, A DISTANCE OF 1527.22 FEET TO A 5/8 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING THE RECOGNIZED WEST CORNER OF SAID JONES TRACT 2 AND THE RECOGNIZED INNER ELL CORNER OF SAID LOT ONE, BLOCK ONE;

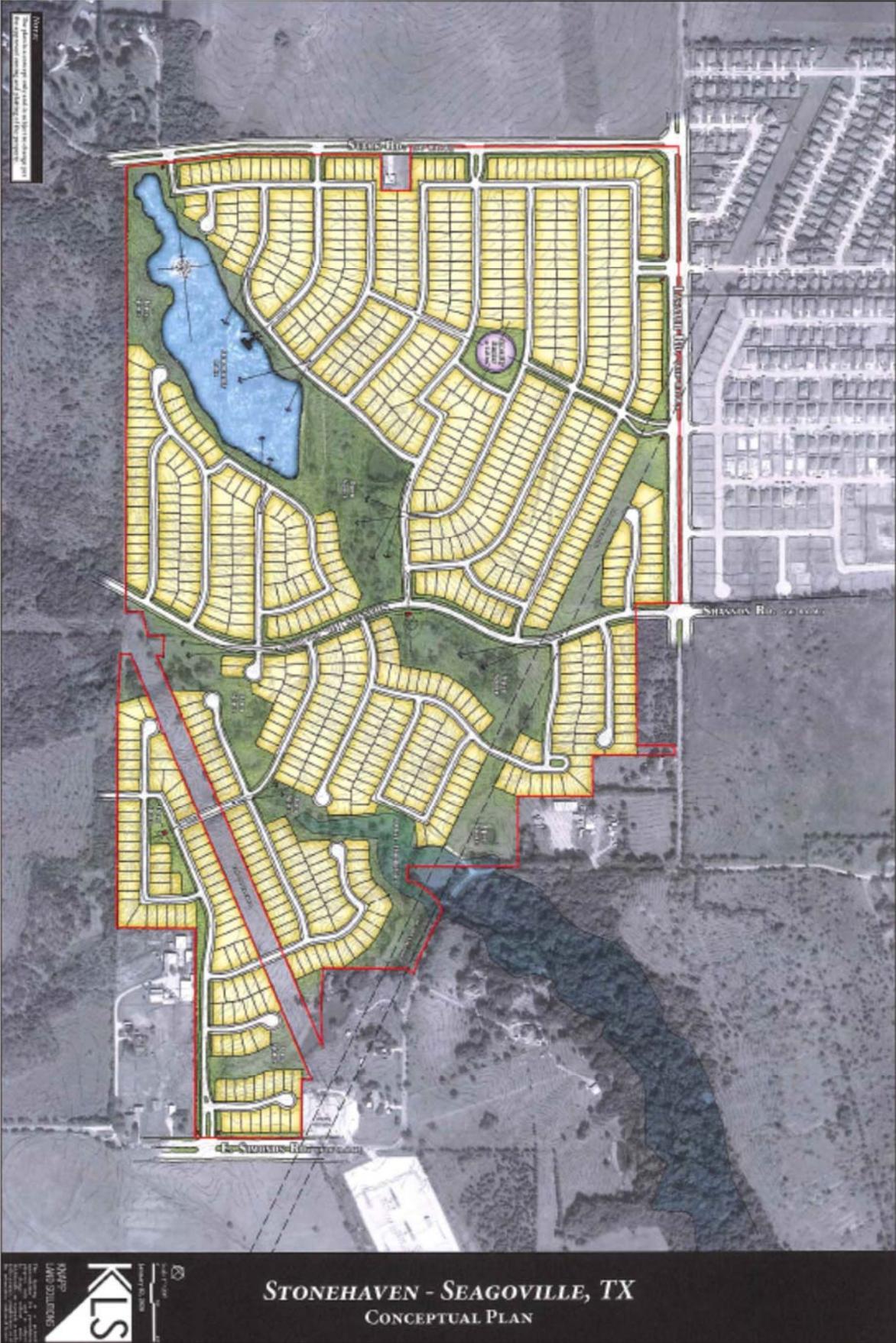
THENCE NORTH 44 DEGREES 58 MINUTES 30 SECONDS EAST, ALONG THE RECOGNIZED NORTHWEST LINE OF SAID JONES TRACT 2, A DISTANCE OF 407.01 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING A RECOGNIZED SOUTH CORNER OF SAID JONES TRACT 3 AND THE RECOGNIZED MOST NORTHERLY EAST CORNER OF SAID LOT ONE, BLOCK ONE OF SAID WOLFORD ADDITION;

THENCE NORTH 44 DEGREES 23 MINUTES 00 SECONDS WEST, ALONG THE RECOGNIZED MOST NORTHERLY NORTHEAST LINE OF SAID LOT ONE, BLOCK ONE AND THE RECOGNIZED SOUTHWEST LINE OF SAID JONES TRACT 3, A DISTANCE OF 1020.46 FEET TO A POINT FOR CORNER WITHIN SAID E. STARK ROAD, SAID POINT BEING THE RECOGNIZED WEST CORNER OF SAID JONES TRACT 3, FROM WHICH A 1/2 INCH IRON ROD SET WITH YELLOW CAP STAMPED BG&A RPLS 5569 FOR WITNESS, THE RECOGNIZED NORTH CORNER OF SAID LOT ONE, BLOCK ONE OF SAID WOLFORD ADDITION BEARS SOUTH 44 DEGREES 23 MINUTES 00 SECONDS EAST-43.77 FEET;

THENCE NORTH 45 DEGREES 11 MINUTES 14 SECONDS EAST, WITHIN SAID E. STARK ROAD AND THE RECOGNIZED NORTHWEST LINES OF SAID JONES TRACTS 3 AND 4, A DISTANCE OF 1368.90 FEET TO THE PLACE OF BEGINNING AND CONTAINING 3,875,213.22 SQ. FT. OR 88.96 ACRES OF LAND.

NOTE: COMPANY DOES NOT REPRESENT THAT THE ABOVE ACREAGE AND/OR SQUARE FOOTAGE CALCULATIONS ARE CORRECT.

**EXHIBIT "B"**  
**CONCEPTUAL PLAN**



**EXHIBIT "C"**  
**CONCEPTUAL ELEVATIONS**



**1,681 SQ FT | 1 STORY | 4 BED | 2 BATH | 2 CAR**



**1,807 SQ FT | 1 STORY | 3 BED | 2 BATH | 2 CAR**

**EXHIBIT "C"**  
**CONCEPTUAL ELEVATIONS**



**2,119 SQ FT | 2 STORY | 4 BED | 2.5 BATH | 2 CAR**

**EXHIBIT "C"**  
**CONCEPTUAL ELEVATIONS**



**2,342 SQ FT | 2 STORY | 5 BED | 3.5 BATH | 2 CAR**



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

**Meeting Date: February 24, 2020**

### **ITEM DESCRIPTION:**

Discuss and consider a Resolution of the City Council of the City of Seagoville, Texas approving Amendment No. 1 to the Mowing Services Agreement between the City of Seagoville and Good Earth Corporation, which is attached hereto as Exhibit “A”, by amending Article I to provide for a term to run concurrent with the City’s Fiscal Year and, by amending Article IV to increase the compensation amount to mirror the amount set forth in the FY 2020 Budget for said services, being Two Hundred Fifteen Thousand Dollars (\$215,000.00); authorizing the City Manager to execute any and all necessary documents; and providing an effective date.

### **BACKGROUND OF ISSUE:**

The City of Seagoville and Good Earth previously entered into a Mowing Services Agreement. The Agreement relates to the mowing services of certain parks, on medians and other right-of-way, along with trash removal.

Article I of the Agreement provides for the term of the Agreement to begin February 10, 2020, and continue for a period of one (1) year, with the option to extend the Agreement for two (2) additional one (1) year terms. Article IV of the Agreement provides for compensation in an amount not to exceed \$161,820, and on February 3, 2020, the City Council approved Ordinance No. 04-2020.

The Ordinance amended the budget, increasing the annual mowing amount to \$215,000 to encompass the bid amount and the monies already expended as of October 1, 2019.

### **FINANCIAL IMPACT:**

\$215,000.00

### **RECOMMENDATION:**

Staff recommends approval.

### **EXHIBITS**

Resolution (2 pages)

Exhibit “A” (2 pages)

**A RESOLUTION OF THE CITY OF SEAGOVILLE, TEXAS  
RESOLUTION NO. \_\_-R-2020**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS APPROVING AMENDMENT NO. 1 TO THE MOWING SERVICES AGREEMENT BETWEEN THE CITY OF SEAGOVILLE AND GOOD EARTH CORPORATION, WHICH IS ATTACHED HERETO AS EXHIBIT "A", BY AMENDING ARTICLE I TO PROVIDE FOR A TERM TO RUN CONCURRENT WITH THE CITY'S FISCAL YEAR AND, BY AMENDING ARTICLE IV TO INCREASE THE COMPENSATION AMOUNT TO MIRROR THE AMOUNT SET FORTH IN THE FY 2020 BUDGET FOR SAID SERVICES, BEING TWO HUNDRED FIFTEEN THOUSAND DOLLARS (\$215,000.00); AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Seagoville ("City") and Good Earth Corporation ("Contractor"), collectively referred to as the "Parties", previously entered into that certain *Mowing Services Agreement* effective February 10, 2020, approved by City Council Resolution No. 15-R-2020, ("the Agreement"), relating to the mowing services for certain city parks, on medians and other rights-of-way, along with trash removal; and

**WHEREAS**, Article I of the Agreement provides for the term of the Agreement to begin on February 10, 2020 and continue for a period of one (1) year, with the option to extend the Agreement for two (2) additional one (1) year terms; and

**WHEREAS**, Article IV of the Agreement provides for compensation in an amount not to exceed \$161,820.00; and

**WHEREAS**, on or about February 3, 2020, the City Council approved Ordinance No. 04-2020, which provided for a budget amendment increasing the annual mowing amount to \$215,000 to encompass the bid amount and the monies already expended as of October 1, 2019, for this purpose; and

**WHEREAS**, staff feels the term of the Agreement should be concurrent with the Fiscal Year and the compensation provided for therein should depict the amount set forth in the fiscal year budget; and

**WHEREAS**, after discussions with the Contractor, the Parties desire to amend the Agreement by amending the Term and the Compensation as set forth above; and

**WHEREAS**, the City Council hereby finds it to be in the best interest of the City to amend the Mowing Services Agreement to provide for the Term of the Agreement to begin October 1, 2019 to end September 30, 2020, and to provide for Compensation in the amount of two hundred fifteen thousand dollars (\$215,000.00) as set forth in the FY2020 budget expenditure for this purpose;

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

**SECTION 1.** The City Council hereby approves Amendment No. 1 to the Mowing Services Agreement between the City of Seagoville and Good Earth Corporation, which is attached hereto as Exhibit "A", by amending Article I to provide for a term to run concurrent with the City's fiscal year and, by amending Article IV to increase the compensation amount to the mirror the amount set forth in the FY 2020 budget for said services, being Two Hundred Fifteen Thousand Dollars (\$215,000.00); and, the City Manager is authorized to execute any documents necessary.

**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.** This resolution shall take effect immediately from and after its passage and it is accordingly resolved.

**DULY ORDERED** by the City Council of the City of Seagoville, Texas, this the 24<sup>th</sup> day of February, 2020.

**APPROVED:**

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

**ATTEST:**

\_\_\_\_\_  
Kandi Jackson, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Victoria Thomas, City Attorney  
(/cdb 02/18/2020)

**Amendment No. 1 to the Mowing Services Agreement  
Between City of Seagoville and Good Earth Corporation**

This **Amendment to the Mowing Services Agreement** (“Amendment”) is made as of the Effective Date by and between the City of Seagoville, Texas, (“City”) and Good Earth Corporation (“Contractor”). City and Contractor are collectively herein referred to as “Parties”.

**RECITALS**

**WHEREAS**, the Parties previously entered into that certain *Mowing Services Agreement* effective February 10, 2020, approved by City Council Resolution No. 15-R-2020, (“the Agreement”), relating to the mowing services for certain city parks, on medians and other rights-of-way, along with trash removal; and

**WHEREAS**, Article I of the Agreement provides for the term of the Agreement to begin on February 10, 2020 and continue for a period of one (1) year, with the option to extend the Agreement for two (2) additional one (1) year terms; and

**WHEREAS**, Article IV of the Agreement provides for compensation in an amount not to exceed \$161,820.00; and

**WHEREAS**, the City desires for the term of the Agreement to be concurrent with the Fiscal Year and for the compensation provided for herein to depict the amount set forth in the budget; and

**WHEREAS**, the Parties desire to amend the Mowing Services Agreement to provide for the Term of the Agreement to be from October 1, 2019 to September 30, 2020, and to provide for compensation as set forth in the budget;

**NOW, THEREFORE**, the Parties agree as follows:

1.0 That pursuant to Article X, Section 10.5 of the Mowing Services Agreement, said Agreement is hereby amended by amending Article I, Term, to provide for the term to run concurrent with the fiscal year and by amending Article IV, Compensation, to provide for the compensation set forth in the fiscal year budget, which shall read as follows:

**"Article I  
Term**

The term of this Agreement shall begin on October 1, 2019 and continue for a period of one (1) year. The City shall have the option to extend the Agreement for two (2) additional one (1) year terms.

.....

**Article IV  
Compensation**

The City shall compensation Contractor as set forth in the Bid Documents dated January 22, 2020, in a total amount not to exceed two hundred fifteen thousand dollars and no cents (\$215,000.00)."

2.0 That except as amended herein above, the Parties ratify and affirm the Agreement remains in full force and effect without amendment.

3.0 This Amendment shall be effective when signed by authorized representatives of each of the Parties ("the Effective Date").

**SIGNED AND AGREED** this \_\_\_\_ day of \_\_\_\_\_ 2020.

**CITY OF SEAGOVILLE, TEXAS**

By: \_\_\_\_\_  
Patrick Stallings, City Manager

**SIGNED AND AGREED** this \_\_\_\_ day of \_\_\_\_\_ 2020.

**GOOD EARTH CORPORATION**

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

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Victoria Thomas, City Attorney

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

**Meeting Date: February 24, 2020**

### **ITEM DESCRIPTION:**

Discuss and consider a Resolution of the City of Seagoville, Texas, approving engagement of C&M Concrete to replace the entrance off Bruce Way into C.O Bruce “Central” park and replace the roadway and parking area on the south side for compensation in an amount not to exceed Two Hundred Twenty Thousand One Hundred Fifty Nine Dollars and Fourteen Cents (\$220,159.14), as set forth in Exhibit “A”, which is attached hereto and incorporated herein; authorizing the City Manager to execute any and all necessary documents for the work to be performed; and providing an effective date.

### **BACKGROUND OF ISSUE:**

The park entrance off Bruce Way into C.O. Bruce “Central” Park, the parking area located on the south side of the park, and the roadway on the south side extending from the current concrete area off Highway 175 service road to the curve at the southeast corner of the park (“Project Area”) needs repair.

C & M Concrete has submitted an estimate to replace the Project Area. Replacing the asphalt with concrete will provide a more pleasing look to the overall park and will promote more of our citizens to enjoy the park.

### **FINANCIAL IMPACT:**

\$220,159.14

### **RECOMMENDATION:**

Staff recommends approval.

### **EXHIBITS**

Resolution (2 pages)

Quote from C & M Concrete (1 Page)

**THE CITY OF SEAGOVILLE, TEXAS**

**RESOLUTION NO. \_\_-R-2020**

**A RESOLUTION OF THE CITY OF SEAGOVILLE, TEXAS, APPROVING ENGAGEMENT OF C&M CONCRETE TO REPLACE THE ENTRANCE OFF BRUCE WAY INTO C.O. BRUCE "CENTRAL" PARK AND REPLACE THE ROADWAY AND PARKING AREA ON THE SOUTH SIDE FOR COMPENSATION IN AN AMOUNT NOT TO EXCEED TWO HUNDRED TWENTY THOUSAND ONE HUNDRED FIFTY NINE DOLLARS AND FOURTEEN CENTS (\$220,159.14), AS SET FORTH IN EXHIBIT "A", WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS FOR THE WORK TO BE PERFORMED; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the park entrance off Bruce Way into C.O. Bruce "Central" Park (the "Park"), the parking area located on the south side of the Park, and the roadway on the south side extending from the current concrete area off the Highway 175 Service Road to the curve at the southeast corner of the Park ("Project Area") are constructed of asphalt and in much need of repair; and

**WHEREAS**, C&M Concrete has submitted an estimate to replace the Project Area; and

**WHEREAS**, the City Council finds it to be in the public interest to approve the engagement of C&M Concrete to replace the roadway and parking area in the Project Area (the "Project") in an amount not to exceed two hundred twenty thousand one hundred fifty nine dollars and fourteen cents (\$220,159.14), as set forth in Exhibit "A" attached hereto;

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

**Section 1.** The City Council hereby approves the engagement of C&M Concrete to replace the roadway and parking area on the south side of the Park and the entrance off Bruce Way into the Park in an amount not to exceed two hundred twenty thousand one hundred fifty nine dollars and fourteen cents (\$220,159.14), as set forth in Exhibit "A", which is attached hereto and incorporated herein; and the City Manager is hereby authorized to execute any and all documents necessary to effect the engagement and complete the Project.

**Section 2.** This resolution shall take effect immediately from and after its passage and it is accordingly so resolved.

**PASSED AND ADOPTED** by the City Council for the City of Seagoville at a meeting on the 24<sup>TH</sup> day of February 2020, at which a quorum was present, and for which due notice was given.

**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  
(:cdb 02.05.2020)



**C&M Concrete**  
 362 Linkview Drive  
 Duncanville, TX 75137  
 (972) 965-4781  
 chris@concretepaving.net

Number: ENH-4650

Date: 12/16/2019

Bill To:

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

Ship To:

Bruce park

PO Number	Terms	Customer #	Project
			Phase 3 OF 4

Description	Quantity	Rate	Amount
South side and entrance to Bruceway			
730' x 24' x 6"	1946.66	\$86.00	\$167,412.76
100' x 48' x 6"	533.33	\$86.00	\$45,866.38
24' x 30' x 6"	80.00	\$86.00	\$6,880.00

SubTotal	\$220,159.14
0.00% on \$0.00	\$0.00
0.00% on \$0.00	\$0.00
<b>Total</b>	<b>\$220,159.14</b>

## ***Regular Session Agenda Item: 10***

**Meeting Date: February 24, 2020**

### **ITEM DESCRIPTION:**

Discuss and consider a Resolution of the City of Seagoville, Texas, approving engagement C&M Concrete to replace the back roadway inside C.O. Bruce “Central” Park from the south side to the north side of said park and the head wall located thereon for compensation in an amount not to exceed One Hundred Seventeen Thousand Nine Hundred Thirty Six Dollars and No Cents (\$117,936.00), as set forth in Exhibit “A”, which is attached hereto and incorporated herein; authorizing the City Manager to execute any and all necessary documents for the work to be performed; and providing an effective date.

### **BACKGROUND OF ISSUE:**

Numerous citizens, visitors, groups, organization and associations utilize C.O. Bruce “Central” Park on a daily basis creating heavy traffic on the asphalt roadways located at the Park. The City is in the process of replacing the asphalt roadway with concrete.

C & M Concrete has submitted an estimate for the project. This project will enhance the beauty of the park and encourage our citizens to continue to utilize the Park.

### **FINANCIAL IMPACT:**

\$117,936.00

### **RECOMMENDATION:**

Staff recommends approval.

### **EXHIBITS**

Resolution (2 pages)

Quote from C & M Concrete- Exhibit A (1 page)

**THE CITY OF SEAGOVILLE, TEXAS**

**RESOLUTION NO. \_\_-R-2020**

**A RESOLUTION OF THE CITY OF SEAGOVILLE, TEXAS, APPROVING ENGAGEMENT OF C&M CONCRETE TO REPLACE THE BACK ROADWAY INSIDE C.O. BRUCE "CENTRAL" PARK FROM THE SOUTH SIDE TO THE NORTH SIDE OF SAID PARK AND THE HEAD WALL LOCATED THEREON FOR COMPENSATION IN AN AMOUNT NOT TO EXCEED ONE HUNDRED SEVENTEEN THOUSAND NINE HUNDRED THIRTY SIX DOLLARS AND NO CENTS (\$117,936.00), AS SET FORTH IN EXHIBIT "A", WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS FOR THE WORK TO BE PERFORMED; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, numerous citizens, visitors, groups, organization, and associations utilize C.O. Bruce "Central" Park (the "Park") creating heavy traffic on the asphalt roadways located therein; and

**WHEREAS**, the City is in the process of replacing the asphalt roadways with concrete roadways in four (4) phases to prevent said work from interfering with the use of the Park; and

**WHEREAS**, Phase 1 of 4, which included the approaches off of U.S. Highway 175 Service Road, was completed in 2019; and

**WHEREAS**, Phase 2 of 4 includes the replacement of the back roadway from the south side to the north side of the Park and the headwall located thereon ("Project"); and

**WHEREAS**, C&M Concrete has submitted an estimate, Exhibit "A" hereto, for provision of equipment, materials and labor required for the Project; and

**WHEREAS**, the City Council finds it to be in the public interest to approve engagement of C&M Concrete to perform the work for the Project in an amount not to exceed one hundred seventeen thousand nine hundred thirty six dollars and no cents (\$117,936.00), as set forth in Exhibit "A" attached hereto;

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

**Section 1.** The City Council hereby approves engagement of C&M Concrete to replace the back roadway located inside C.O. Bruce "Central" Park from the south side to the north side of said park and the headwall located thereon for compensation in an amount not to exceed One Hundred Seventeen Thousand Nine Hundred Thirty Six Dollars and no cents (\$117,936.00), as set forth in Exhibit "A", which is attached hereto and incorporated herein; and the City Manager is

hereby authorized to execute any and all documents necessary to effect the engagement and to complete the Project.

**Section 2.** This resolution shall take effect immediately from and after its passage and it is accordingly so resolved.

**PASSED AND ADOPTED** by the City Council for the City of Seagoville at a meeting on the 24<sup>th</sup> day of February 2020, at which a quorum was present, and for which due notice was given.

**APPROVED:**

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Dennis K. Childress, Mayor

ATTEST:

---

Kandi Jackson, City Secretary

APPROVED AS TO FORM:

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Victoria W. Thomas, City Attorney  
(:cdb 02.05.2020)



**C&M Concrete**  
 362 Linkview Drive  
 Duncanville, TX 75137  
 (972) 965-4781  
 chris@concretepaving.net

Number: ENH-4649

Date: 12/16/2019

Bill To:

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

Ship To:

Bruce Park

PO Number	Terms	Customer #	Project
			Phase 2 OF 4

Description	Quantity	Rate	Amount
Low side of pond / pipe and Head wall			
460' x 24' x 6"	1226.00	\$86.00	\$105,436.00
Remove Head Walls Exstend 3 pipe by 10' each 24" around	1.00	\$12,500.00	\$12,500.00

SubTotal	\$117,936.00
0.00% on \$0.00	\$0.00
0.00% on \$0.00	\$0.00
<b>Total</b>	<b>\$117,936.00</b>

# *Regular Session Agenda Item: 11*

**Meeting Date: February 24, 2020**

## **ITEM DESCRIPTION**

Discuss and consider directing Staff on the selection of the movie(s) to view at the annual “Movie in the Park” event to be held on: Saturday, September 26, 2020 and October 24, 2020.

## **BACKGROUND OF ISSUE:**

These events are hosted by the City of Seagoville and is open to the public. Citizens can come to the Movie in the Park events to be held at C.O Bruce Park located at 1801 N Hwy 175 Seagoville, Texas, 75159. The Movie in the Park promotes unity within the community. It includes two (2) nights of free entertainment for the entire family.

Staff is seeking the direction of Council concerning the movie to be viewed at each of the dates listed above for this annual event. There will also be food available for the entire family at each event. The following movies are up for consideration, there are seven (7) PG rated movies and three (3) PG-13 movies available to select from.

- **A Dog’s Journey (May 17, 2019) PG-** Some friendships transcend lifetimes. In “A Dog’s Journey,” the sequel to the heartwarming global hit “A Dog’s Purpose,” beloved dog Bailey finds his new destiny and forms an unbreakable bond that will lead him, and the people he loves, to places the never imagined.
- **Aladdin (May 24, 2019) PG-** A thrilling and vibrant live-action adaptation of Disney’s animated classic, “Aladdin” is the exciting tale of the charming street rat Aladdin, the courageous and self-determined Princess Jasmine and the Genie who may be the key to their future.
- **The Angry Birds Movie 2 (August 14, 2019) PG-** When a new threat puts both Bird and Pig Island in danger. Red, Chuck, Bomb, and Mighty Eagle team up with the pigs Leonard, his assistant Courtney, and techpig Garry to forge an unsteady truce and form an unlikely super team to save their homes.
- **Godzilla: King of the Monsters (May 31, 2019) PG-13-** Members of the crypto-zoological agency Monarch face off against a battery of god-sized monsters, including the mighty Godzilla, who collides with Mothra, Rodan, and his ultimate nemesis, the three-headed King Ghidorah. When these ancient super-species-thought to be mere myths-rise again, they all vie for supremacy, leaving humanity’s very existence hanging in the balance.

- **The Lion King (July 19, 2019) PG-** A young lion returns to reclaim the throne that was stolen from him and his father by his treacherous uncle after spending his childhood in exile under the care of a friendly warthog and meerkat.
- **Men in Black: International (June 13, 2019) PG-** The Men in Black have expanded to cover the globe but so have the villains of the universe. To keep everyone safe, decorated Agent H and determined rookie M join forces -- an unlikely pairing that just might work. When aliens that can take the form of any human arrive on Earth, H and M embark on a globe-trotting adventure to save the agency -- and ultimately the world -- from their mischievous plans.
- **Pokémon Detective Pikachu (May 10, 2019) PG-** The world of Pokémon comes to life in the first-ever live-action Pokémon adventure! When top detective Harry Goodman mysteriously disappears, his son, Tim, and Pokémon partner Pikachu team up to untangle the mystery and figure out why a strange, purple gas is making Pokémon go insane. Film is based on a 2016 Nintendo video game of the same name.
- **The Secret Life of Pets 2 (June 7, 2019) PG-** Max the terrier encounters canine-intolerant cows, hostile foxes and a scary turkey when he visits the countryside. Luckily for Max, he soon catches a break when he meets Rooster, a gruff farm dog who tries to cure the lovable pooch of his neuroses.
- **Spider-Man: Far from Home (June 26, 2019) PG-13-** Peter Parker's relaxing European vacation takes an unexpected turn when Nick Fury shows up in his hotel room to recruit him for a mission. The world is in danger as four massive elemental creatures -- each representing Earth, air, water and fire -- emerge from a hole torn in the universe. Parker soon finds himself donning the Spider-Man suit to help Fury and fellow superhero Mysterio stop the evil entities from wreaking havoc across the continent.
- **UglyDolls (May 3, 2019) PG-** In the adorably different town of Uglyville, weirdness is celebrated, strangeness is special and beauty is embraced as more than meets the eye. After traveling to the other side of a mountain, Moxy and her UglyDoll friends discover Perfection -- a town where more conventional dolls receive training before entering the real world to find the love of a child. Soon, the UglyDolls learn what it means to be different -- ultimately realizing that they don't have to be perfect to be amazing.

### **FINANCIAL IMPACT:**

Total: \$2,500.00  
 Staff- \$100 (Justin Wilkerson-4 hours)  
 2 DVD Movies: \$50.00  
 Equipment Rental: \$1,450.00  
 License to play 2 movies: \$900.00

### **EXHIBITS:**

Pictures and captions of all movie suggestions

Some friendships transcend lifetimes.



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## A DOG'S JOURNEY

Available Now  
Josh Gad, Dennis Quaid,  
Kathryn Prescott  
Universal Studios  
Directed by Gail Mancuso  
Rated PG; 109 minutes; 2019

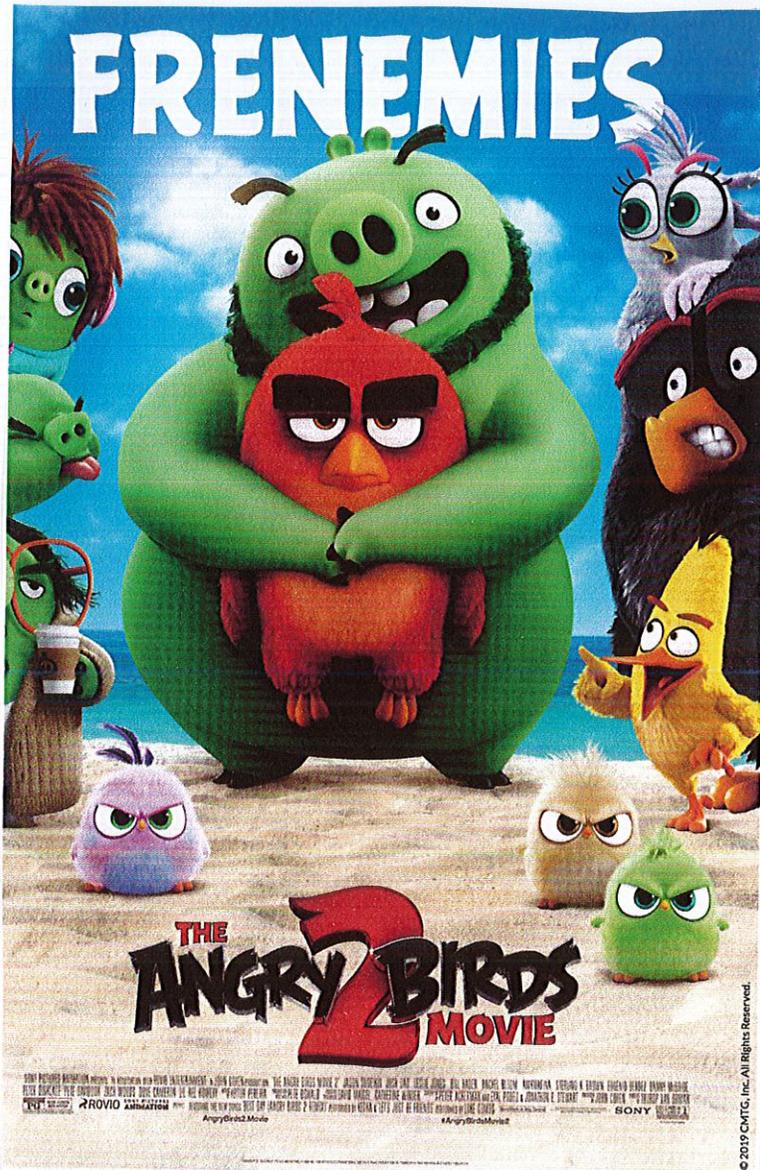
Some friendships transcend lifetimes. In "A Dog's Journey," the sequel to the heartwarming global hit "A Dog's Purpose," beloved dog Bailey finds his new destiny and forms an unbreakable bond that will lead him, and the people he loves, to places they never imagined.



## ALADDIN

Available Now  
Will Smith, Mena Massoud, Naomi Scott  
Walt Disney Pictures  
Directed by Guy Ritchie  
Rated PG; 128 minutes; 2019

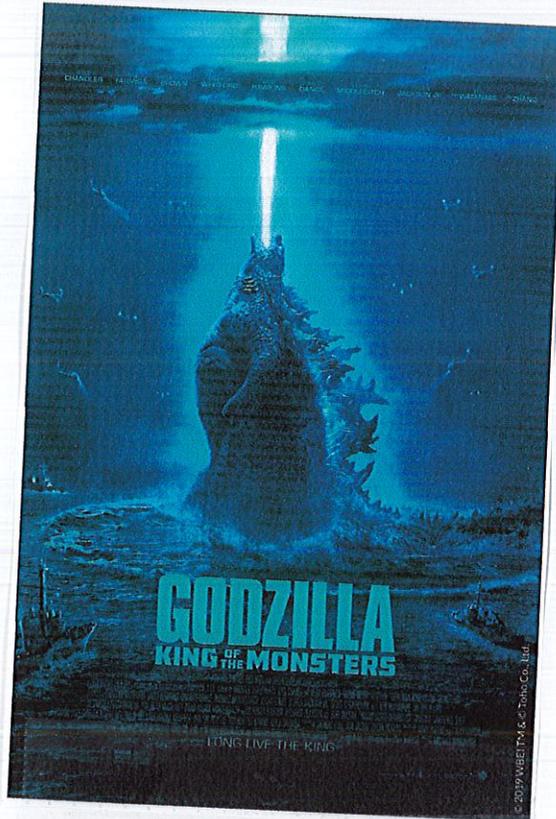
A thrilling and vibrant live-action adaptation of Disney's animated classic, "Aladdin" is the exciting tale of the charming street rat Aladdin, the courageous and self-determined Princess Jasmine and the Genie who may be the key to their future.



## THE ANGRY BIRDS MOVIE 2

Available Now  
 Animated Feature  
 Voices by: Peter Dinklage, Awkwafina, Bill Hader  
 Columbia Pictures  
 Directed by Thurop Van Orman, John Rice  
 Rated PG; 97 minutes; 2019

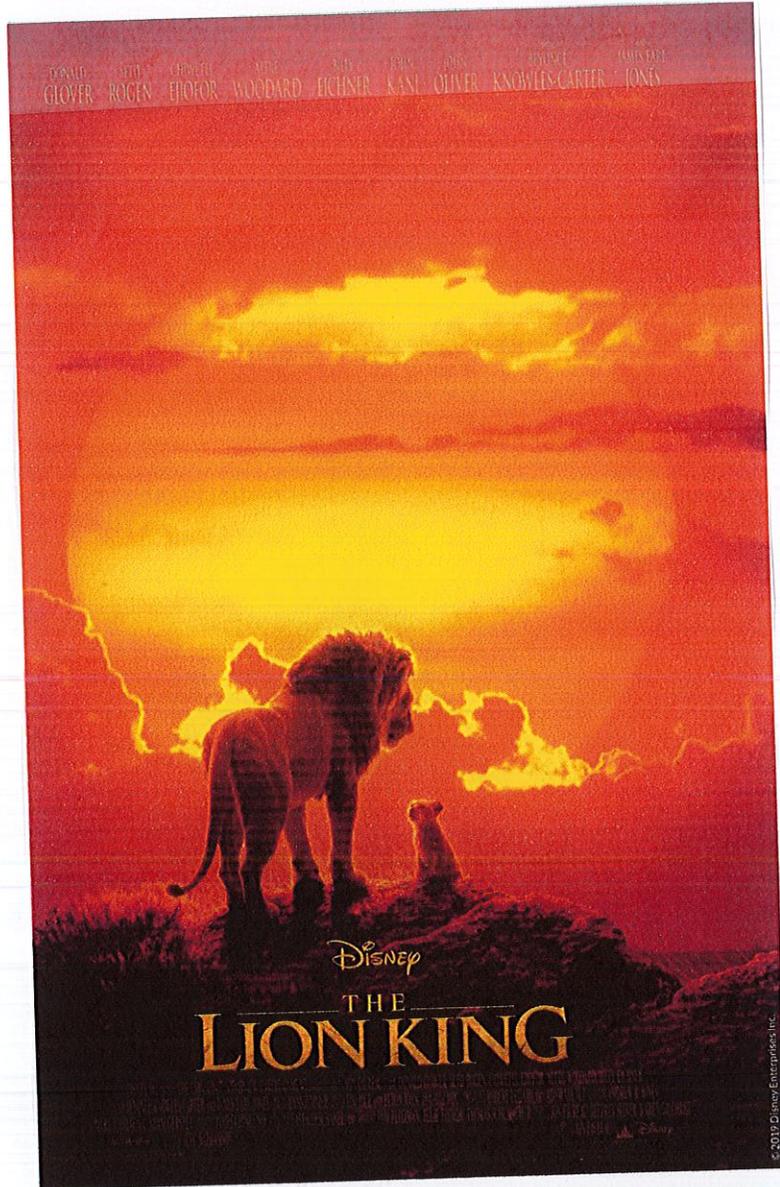
When a new threat puts both Bird and Pig Island in danger, Red, Chuck, Bomb, and Mighty Eagle team up with pigs Leonard, his assistant Courtney, and techpig Garry to forge an unsteady truce and form an unlikely super team to save their homes.



## GODZILLA: KING OF THE MONSTERS

Available Now  
Millie Bobby Brown, Charles Dance,  
Vera Farmiga  
Warner Bros.  
Directed by Michael Dougherty  
Rated PG-13; 132 Minutes; 2019

Mothra, Rodan, and King Ghidora wreak havoc on humanity as they battle each other. For Earth to survive, Godzilla has to put a stop to the three titans and the destruction they bring.



## THE LION KING

Available Now  
Seth Rogen, Donald Glover, Chiwetel Ejiofor  
Walt Disney Pictures  
Directed by Jon Favreau  
Rated PG; 118 minutes; 2019

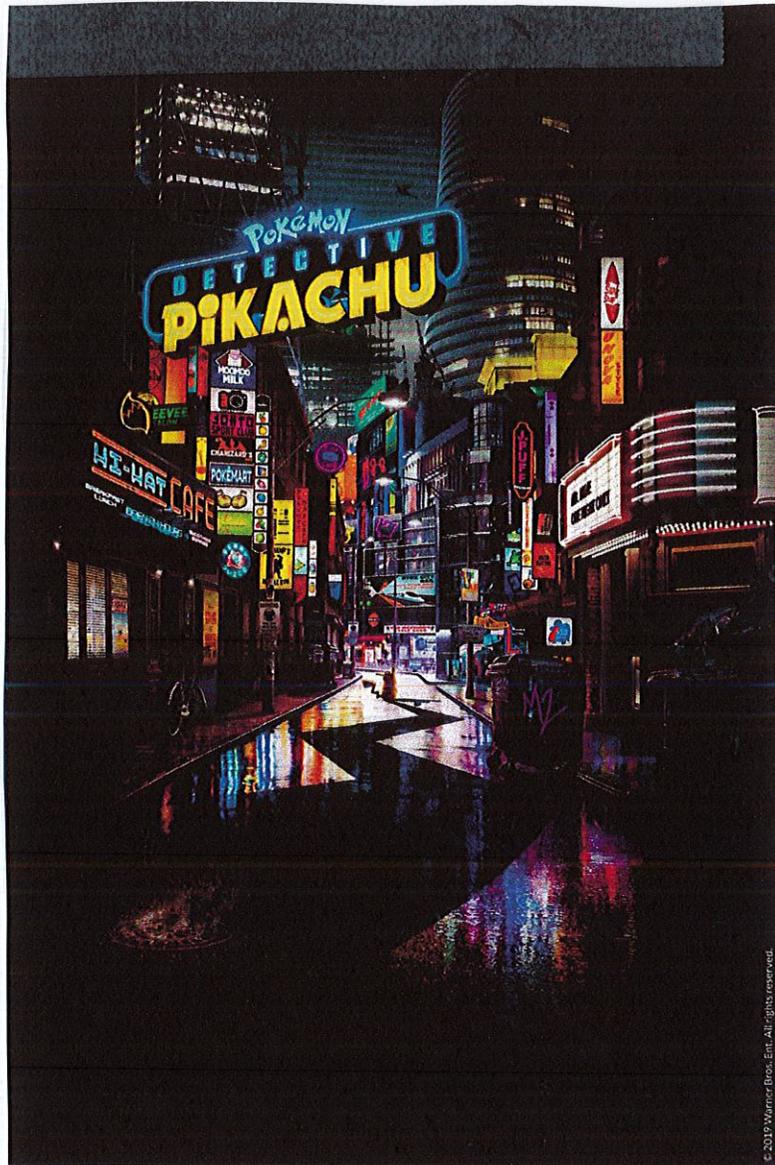
A young lion returns to reclaim the throne that was stolen from him and his father by his treacherous uncle after spending his childhood in exile under the care of a friendly warthog and meerkat.



## MEN IN BLACK: INTERNATIONAL

Available Now  
Tessa Thompson, Chris Hemsworth, Rebecca Ferguson  
Columbia Pictures  
Directed by F. Gary Gray  
Rated PG-13; 115 minutes; 2019

The Men in Black have always protected the Earth from the scum of the universe. In this new adventure, they tackle their biggest threat to date: a mole in the Men in Black organization.



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## POKÉMON DETECTIVE PIKACHU

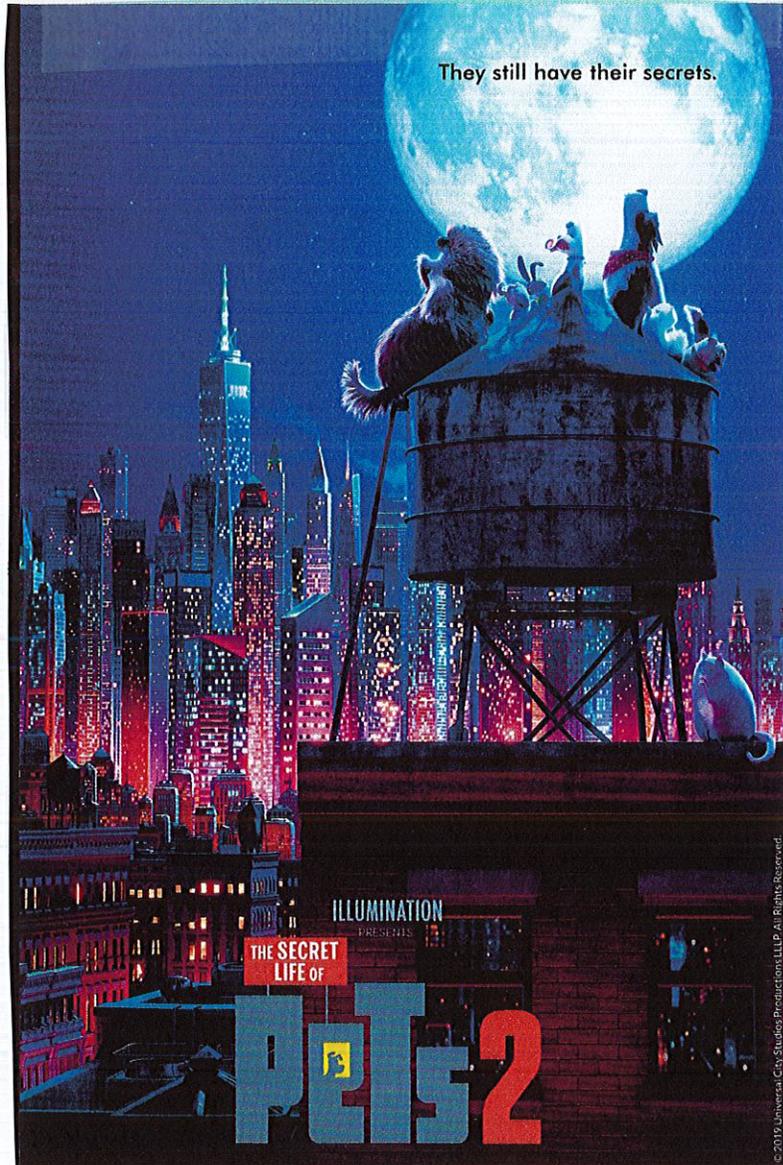
Available Now

Ryan Reynolds, Justice Smith, Kathryn Newton  
Warner Bros.

Directed by Rob Letterman

Rated PG; 104 minutes; 2019

The world of Pokémon comes to life in the first-ever live-action Pokémon adventure! When top detective Harry Goodman mysteriously disappears, his son, Tim, and Pokémon partner Pikachu team up to untangle the mystery and figure out why a strange, purple gas is making Pokémon go insane. Film is based on a 2016 Nintendo video game of the same name.



They still have their secrets.

ILLUMINATION  
PRESENTS  
THE SECRET  
LIFE OF  
**PETS 2**

© 2019 Universal City Studios Productions, L.L.P. All Rights Reserved.

## THE SECRET LIFE OF PETS 2

Available Now  
Animated Feature  
Voices by: Patton Oswalt, Eric Stonestreet, Kevin Hart  
Universal Studios  
Directed by Chris Renaud, Jonathan del Val  
Rated PG; 86 minutes; 2019

Max and his pet friends explore the idyllic farm they now call home once their owner is absent. Hilarious circumstances ensue as the formerly urban denizens acquaint themselves with their new pastoral neighbors.

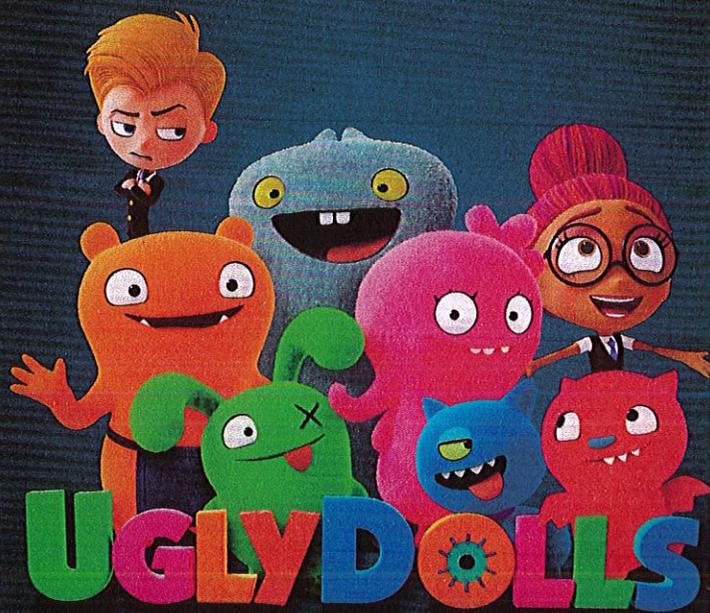


## SPIDER-MAN: FAR FROM HOME

Available Now  
Tom Holland, Samuel L. Jackson, Zendaya,  
Cobie Smulders, Jon Favreau  
Columbia Pictures  
Directed by Jon Watts  
Rated PG-13; 130 minutes; 2019

After the events of "Avengers: Endgame," Peter Parker and friends go on a school trip to Europe. But when trouble starts to brew, Peter Parker is soon called on to battle a strange group of villains with a strange new ally: Mysterio.

A CLASSIC ~~UNDERDOG~~ DOLL STORY



KELLY NICK JANELLE BLAKE WANG  
CLARKSON JONAS MONÁE SHELTON LEEHOM PITBULL  
WANDA GABRIEL EMMA BEBE CHARLI  
SYKES IGLESIAS ROBERTS REXHA XCX LIZZO

THE MOVIE MUSICAL EVENT OF THE YEAR

### UGLYDOLLS

Available Now

Animated Feature

Voices by: Kelly Clarkson, Nick Jonas, Janelle Monáe

STX Entertainment

Directed by Kelly Asbury

Rated PG; 87 minutes; 2019

Unconventionality rules in "UglyDolls," the new animated musical adventure set in the adorably different town of Uglyville, where weird is celebrated, strange is special and beauty is embraced as more than simply meets the eye.

## *Regular Session Agenda Item: 12*

**Meeting Date:** February 24, 2020

**ITEM DESCRIPTION:**

Update on the TXDOT lane reversal on South Highway 175.

**BACKGROUND OF ISSUE:**

Provide Council with an update on the TXDOT lane reversal on South Highway between East Malloy Bridge and FM 1389.

**FINANCIAL IMPACT:**

N/A

**RECOMMENDATION:**

N/A

**EXHIBITS:**

N/A

## ***Regular Session Agenda Item: 13***

**Meeting Date: February 24, 2020**

### **ITEM DESCRIPTION:**

Discuss and consider a Resolution of the City of Seagoville, Texas, approving and ratifying the Seagoville Economic Development Corporations approval of an Agreement for Professional Engineering Services on a Defined Scope of Services Basis with Halff Associates, Inc. to perform the Electrical Engineering Design Services as set forth in Attachment "1" and Exhibit "A" thereto, which are attached hereto and incorporated herein, for compensation in an amount not to exceed Twenty One Thousand Seven Hundred Ten Dollars and No Cents (\$21,710.00); authorizing the City Manager/ Executive Director to execute said agreement; providing for a repealing clause; providing for a severability clause; and providing an effective date.

### **BACKGROUND OF ISSUE:**

The Seagoville Economic Development Corporation ("SEDC") owns the buildings located at 101 N. Kaufman, 103 N. Kaufman, 105 N. Kaufman, 107 N. Kaufman, 109 N. Kaufman, 111 N. Kaufman, 108 N. Railroad, and the property located at the corner of Elm Street and N. Kaufman Street. After inspection by several structural engineers, the building located at 101 N. Kaufman was determined structurally unsound and a recommendation was made to demolish the building.

Before being able to demolish 101 N. Kaufman, relocation and replacement of the electrical meters are required for electrical service for the remaining buildings. The staff has met with Oncor concerning the relocation and replacement of the electrical meters.

Oncor will not authorize the performance of the work without an engineered site plan depicting the new location of each meter as well as the meter for the future park to be located at the corner of Elm and Kaufman Street. With this agreement Halff Associates will provide the required electrical engineering design Services necessary to comply with the requirements set forth by Oncor.

### **FINANCIAL IMPACT:**

\$21,710.00

### **RECOMMENDATION:**

Staff recommends approval.

### **EXHIBITS**

Resolution (10 pages)

**THE CITY OF SEAGOVILLE, TEXAS**

**RESOLUTION NO. \_\_\_ - R - 2020**

**A RESOLUTION OF THE CITY OF SEAGOVILLE, TEXAS, APPROVING AND RATIFYING THE SEAGOVILLE ECONOMIC DEVELOPMENT CORPORATIONS APPROVAL OF AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES ON A DEFINED SCOPE OF SERVICES BASIS WITH HALFF ASSOCIATES, INC. TO PERFORM THE ELECTRICAL ENGINEERING DESIGN SERVICES AS SET FORTH IN ATTACHMENT "1" AND EXHIBIT "A" THERETO, WHICH ARE ATTACHED HERETO AND INCORPORATED HEREIN, FOR COMPENSATION IN AN AMOUNT NOT TO EXCEED TWENTY ONE THOUSAND SEVEN HUNDRED TEN DOLLARS AND NO CENTS (\$21,710.00); AUTHORIZING THE CITY MANAGER / EXECUTIVE DIRECTOR TO EXECUTE SAID AGREEMENT; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Seagoville Economic Development Corporation ("SEDC") owns the buildings located at 101 N. Kaufman, 103 N. Kaufman, 105 N. Kaufman, 107 N. Kaufman, 109 N. Kaufman, 111 N. Kaufman, 108 N. Railroad, and the property located at the corner of Elm Street and N. Kaufman; and

**WHEREAS**, after inspection by several structural engineers, the building located at 101 N. Kaufman has been determined to be structurally unsound and a recommendation made for demolition of the same; and

**WHEREAS**, prior to being able to demolish 101 N. Kaufman, relocation and replacement of the electrical meters will be required, constituting a new electrical service for each of the remaining buildings; and

**WHEREAS**, staff has met with Oncor concerning the relocation and replacement of the electrical meters; and

**WHEREAS**, Oncor will not authorize the performance of the work without having first obtained an engineered site plan depicting the new location of each meter as well as the meter for the future park to be located at the corner of Elm and Kaufman Street; and

**WHEREAS**, Halff Associates ("Halff"), who performs work for the City of Seagoville on a Defined Scope of Services Basis, has the expertise required to provide the Electrical Engineering Design Services ("Project") necessary to comply with the requirements set forth by Oncor; and

**WHEREAS**, staff has received a Professional Engineering Services on a Defined Scope of Services Basis ("Agreement") from Halff to perform such services; and

**WHEREAS**, the SEDC Board of Directors approved this expenditure in their regular meeting on February 20, 2020; and

**WHEREAS**, upon consideration, the City Council desires to approve and ratify the Seagoville Economic Development Corporations approval of an Agreement for Professional Engineering Services on a Defined Scope of Services Basis with Halff Associates, Inc. to perform the electrical engineering design services as set forth in Attachment "1" and Exhibit "A" thereto, which are attached hereto and incorporated herein, for compensation in an amount not to exceed Twenty One Thousand Seven Hundred Ten Dollars and No Cents (\$21,710.00).

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SEAGOVILLE ECONOMIC DEVELOPMENT CORPORATION THAT:**

**SECTION 1.** The City Council hereby approves and ratifies the Seagoville Economic Development Corporations approval of an Agreement for Professional Engineering Services on a Defined Scope of Services Basis with Halff Associates, Inc. to perform the electrical engineering design services as set forth in Attachment "1" and Exhibit "A" thereto, which are attached hereto and incorporated herein, for compensation in an amount not to exceed Twenty One Thousand Seven Hundred Ten Dollars and No Cents (\$21,710.00); and authorizes the City Manager / Executive Director to execute any documents necessary for the performance of said work.

**SECTION 2.** All resolutions of the City of Seagoville heretofore adopted which are in conflict with the provisions of the resolution be, and the same are hereby repealed, and all resolutions of the City of Seagoville not in conflict with the provisions hereof shall remain in full force and effect.

**SECTION 3.** If any article, paragraph, subdivision, clause or provision of this resolution, as hereby amended, be adjudged invalid or held unconstitutional for any reason, such judgment 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 State law and it is accordingly resolved.

**PASSED AND APPROVED** by the City Council of the City of Seagoville, Texas this 24<sup>th</sup> day of February, 2020.

**APPROVED:**

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

**ATTEST:**

\_\_\_\_\_  
Kandi Jackson, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Victoria W. Thomas, City Attorney  
(/cdb 02/19/2020)

# ATTACHMENT "1"

## AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES ON A DEFINED SCOPE OF SERVICES BASIS

This Agreement for Professional Engineering Services, hereinafter called "Agreement," is entered into by the City of Seagoville a Home Rule City of the State of Texas, hereinafter referred to as "Client", duly authorized to act by the City Council of said Client, and HALFF ASSOCIATES, INC., a Texas corporation, acting through a duly authorized officer, herein called "Engineer," relative to Engineer providing professional engineering services to the Client. Client and Engineer when mentioned collectively shall be referred to as the "Parties".

### WITNESSETH:

For the mutual promises and benefits herein described, the Client and Engineer agree as follows:

**I. Term of Agreement.** This Agreement shall become effective on the date of its execution by both Parties, and shall continue in effect thereafter until terminated as provided herein.

**II. Services to be Performed by Engineer.** Engineer shall provide to the Client basic engineering services as described in the scope of services attachment and fully incorporated herein as "**Exhibit A**" which services may include, but will not be limited to, those services normally rendered by an engineer to a Home Rule City. Engineer shall perform its obligations under this agreement as an independent contractor and not as an agent or fiduciary of any other party.

**III. Compensation** - Client agrees to pay monthly invoices or their undisputed portions within 30 days of receipt. Payment later than 30 days shall include interest at 1 percent (1%) per month or lesser maximum enforceable interest rate, from the date the Client received the invoice until the date Engineer receives payment. Such interest is due and payable when the overdue payment is made.

It is understood and agreed by the Parties that Engineer's receipt of payment(s) from Client is not contingent upon Client's receipt of payment, funding, reimbursement or any other remuneration from others.

Time-related charges will be billed as specified in this Agreement. Unless stated otherwise in this Agreement, direct expenses, subcontracted services and direct costs will be billed at actual cost plus a service charge of 10 percent. Mileage will be billed at current IRS rates.

**IV. Client's Obligations.** The Client agrees that it will (i) designate a specific person to act as the Client's representative, (ii) provide Engineer with any previous studies, reports, data, budget constraints, special Client requirements, or other pertinent information known to the Client, when necessitated by a project, (iii) Client agrees to provide site access, and to provide those services described in the attached Scope of Services assist Engineer in obtaining access to property necessary for performance of Engineer's work for the Client, (iv) make prompt payments in response to Engineer's statements and (v) respond in a timely fashion to requests from Engineer. Engineer is entitled to rely upon and use, without independent verification and without liability, all information and services provided by the Client or the Client's representatives.

**V. Termination of Work** - Either the Client or the Engineer may terminate this Agreement at any time with or without cause upon giving the other Party ten (10) calendar days' prior written notice. Client agrees that termination of Engineer for Client's convenience shall only be utilized in good faith, and shall not be utilized if either the purpose or the result of such termination is the performance of all or part of Engineer's services under this Agreement by Client or by another service provider. Following Engineer's receipt of such termination notice the Client shall, within ten (10) calendar days of Client's receipt of Engineer's final invoice, pay the Engineer for all services rendered and all costs incurred up to the date of Engineer's receipt of such notice of termination.

**VI. Ownership of Documents** - Upon Engineer's completion of services and receipt of payment in full, Engineer shall grant to Client a non-exclusive license to possess the final drawings and instruments produced in connection with Engineer's performance of the work under this Agreement, if any. Said drawings and instruments may be copied, duplicated, reproduced and used by Client for the purpose of constructing, operating and maintaining the improvements. Client agrees that such documents are not intended or represented to be suitable for reuse by Client or others for purposes outside the Scope of Services of this Agreement. Notwithstanding the foregoing, Client understands and agrees that any and all computer programs, GIS applications, proprietary data or processes, and certain other items related to the services performable under this Agreement are and shall remain the sole and exclusive property of Engineer and may not be used or reused, in any form, by Client without the express written authorization of Engineer. Client agrees that any reuse by Client, or by those who obtain said information from or through Client, without written verification or adaptation by Engineer, will be at Client's sole risk and without liability or legal exposure to Engineer or to Engineer's employees, agents, representatives, officers, directors, affiliates, shareholders, owners, members, managers, attorneys, subsidiary entities, advisors, subconsultants or independent contractors or associates. Engineer may reuse all drawings, reports, data and other information developed in performing the services described by this Agreement in Engineer's other activities.

**VII. Notices.** Any notices to be given hereunder by either party to the other may be affected either by personal delivery, in writing, or by registered or certified mail.

**VII. Sole Parties and Entire Agreement.** This Agreement shall not create any rights or benefits to anyone except the Client and Engineer, and contains the entire agreement between the parties. Oral modifications to this Agreement shall have no force or effect.

**IX. Insurance.** Engineer shall, at its own expense, purchase, maintain and keep in force throughout the duration of this Agreement and for a period of four (4) years thereafter, professional liability insurance. The limits of liability shall be \$1,000,000 per claim and in the aggregate. Engineer shall submit to the Client a certificate of insurance prior to commencing any work for the Client.

**X. Prompt Performance by Engineer.** All services provided by Engineer hereunder shall be performed in accordance with the degree of care and skill ordinarily exercised under similar circumstances by competent members of the engineering profession in the State of Texas applicable to such engineering services contemplated by this Agreement.

**XI. Client Objection to Personnel.** If at any time after entering into this Agreement, the Client has any reasonable objection to any of Engineer's personnel, or any personnel, professionals and/or consultants retained by Engineer, Engineer shall promptly propose substitutes to whom the Client has no reasonable objection, and Engineer's compensation shall be equitably adjusted to reflect any difference in Engineer's costs occasioned by such substitution.

**XII. Assignment and Delegation.** Neither the Client nor Engineer may assign their rights or delegate their duties without the written consent of the other party. This Agreement is binding on the Client and Engineer to the fullest extent permitted by law. Nothing herein is to be construed as creating any personal liability on the part of any Client officer, employee or agent.

**XIII. Jurisdiction and Venue** - This Agreement shall be administered under the substantive laws of the State of Texas (and not its conflicts of law principles) which shall be used to govern all matters arising out of, or relating to, this Agreement and all of the transactions it contemplates, including without limitation, its validity, interpretation, construction, performance and enforcement. Exclusive venue shall lie in any court of competent jurisdiction in **Dallas County, Texas**.

**XIV. Integration, Merger and Severability** – This Agreement and the Scope of Services, including fee and schedule are fully incorporated herein and represent the entire understanding of Client and Engineer. No prior oral or written understanding shall be of any force or effect with respect to those matters covered herein. The Agreement may not be modified or altered except in writing signed by both Parties. This Agreement constitutes, represents and is intended by the Parties to be the complete and final statement and expression of all of the terms and arrangements between the Parties to this Agreement with respect to the matters provided for in this Agreement. This Agreement supersedes any and all prior or contemporaneous agreements, understandings, negotiations, and discussions between the Parties and all such matters are merged into this Agreement. Should any one or more of the provisions contained in this Agreement be determined by a court of competent jurisdiction or by legislative pronouncement to be void, invalid, illegal, or unenforceable in any respect, such voiding, invalidity, illegality, or unenforceability shall not affect any other provision hereof, and this Agreement shall be considered as if the entirety of such void, invalid, illegal, or unenforceable provision had never been contained in this Agreement.

**XV. Exclusivity of Remedies** – The Parties acknowledge and agree that the remedies set forth in this Agreement, including those set forth in Article XIX. Agreed Remedies are and shall remain the Parties' sole and exclusive remedy with respect to any claim arising from, or out of, or related to, the subject matter of this Agreement. The Parties agree that Engineer is to have no liability or responsibility whatsoever to Client for any claim(s) or loss(es) of any nature, except as set forth in this Agreement. No Party shall be able to avoid the limitations expressly set forth in this Agreement by electing to pursue some other remedy.

**XVI. Timeliness of Performance** - Engineer shall perform its professional services with due and reasonable diligence consistent with sound professional practices.

**XVII. Dispute Resolution.** In the event of any disagreement or conflict concerning the interpretation of this Agreement, and such disagreement cannot be resolved by the signatories hereto, the signatories agree to schedule a series of no less than two meetings of senior personnel of Client and Engineer in which the disagreement or conflict will be discussed. The first of such meetings will be scheduled as soon as possible following identification of such disagreement or conflict and the second meeting must occur within thirty (30) days following the initial meeting. Subsequent meetings, if any may be scheduled upon mutual agreement of the parties. The parties agree that these two meetings are conditions precedent to the institution of legal proceedings unless such meetings will adversely affect the rights of one or more of the parties as such rights relate to statutes of limitation or repose.

**XVIII. Signatories.** The Client and Engineer mutually warrant and represent that the representation of each who is executing this Agreement on behalf of the Client or Engineer, respectively, has full authority to execute this Agreement and bind the entity so represented.

XIX. PROJECT ENHANCEMENT - IF DUE TO ANY ALLEGED OR ACTUAL BREACH OF CONTRACT, NEGLIGENCE, ERROR, OR DEFICIENCY IN THE SERVICES OF ENGINEER OR ANY OF ITS CONSULTANTS, ANY ITEM, COMPONENT, OR CONDITION OF THE SERVICES IS INACCURATE OR OMITTED FROM ANY OF THE DESIGN DOCUMENTS PRODUCED THROUGH ENGINEER'S SERVICES, ENGINEER'S AND ITS CONSULTANT'S LIABILITY, IF ANY, SHALL BE LIMITED TO THE DIFFERENCE BETWEEN: I) THE COST OF ADDING, CORRECTING OR REPLACING THE ITEM AT THE TIME THE ERROR IS DISCOVERED, AND II) THE COST HAD THE ITEM OR COMPONENT BEEN INCLUDED OR CORRECT IN THE DESIGN DOCUMENTS PROVIDED PRIOR TO THE TIME CONSTRUCTION BEGAN. HOWEVER, IF THE CORRECTION TO THE DESIGN PROVIDES ADDED VALUE, UPGRADE, OR ENHANCEMENT TO THE PROJECT OF CLIENT/OWNER, THE AMOUNT OF DAMAGES, IF ANY, SHALL BE ADJUSTED DOWN BASED ON SUCH ADDED VALUE, UPGRADE, OR ENHANCEMENT OF THE PROJECT. CLIENT/OWNER SHALL BE RESPONSIBLE FOR ANY COST OR EXPENSE ASSOCIATED WITH THE CORRECTION THAT PROVIDES ADDED VALUE, UPGRADE, OR ENHANCEMENT OF THE PROJECT. IN NO EVENT AND REGARDLESS OF THE LEGAL THEORY OR FACTUAL BASIS OF ANY CLAIM, SHALL ENGINEER'S OR ITS CONSULTANT'S LIABILITY INCLUDE ANY COST OR EXPENSE THAT PROVIDES ADDED VALUE, UPGRADE, OR ENHANCEMENT OF THE PROJECT. IN ADDITION, IF ANY SUCH ITEM, COMPONENT, OR CONDITION HAS AN IDENTIFIABLE USEFUL LIKE THAT IS LESS THAN THE BUILDING ITSELF, THE DAMAGES OF THE CLIENT/OWNER SHALL BE REDUCED TO THE EXTENT THAT THE USEFUL LIKE OF THE COMPONENT WILL BE EXTENDED BY THE REPLACEMENT THEREOF.

XX. **AGREED REMEDIES**

A. IT IS THE INTENT OF THE PARTIES TO THIS AGREEMENT THAT ENGINEER'S SERVICES UNDER THIS AGREEMENT SHALL NOT SUBJECT ENGINEER'S INDIVIDUAL EMPLOYEES, OFFICERS OR DIRECTORS TO ANY PERSONAL LEGAL EXPOSURE FOR CLAIMS AND RISKS ASSOCIATED WITH THE SERVICES PERFORMED OR PERFORMABLE UNDER THIS AGREEMENT.

B. IN RECOGNITION OF THE RELATIVE RISKS AND BENEFITS OF THE PROJECT TO BOTH THE CLIENT AND THE ENGINEER, AND ACKNOWLEDGING THAT THE ALLOCATION OF RISKS AND LIMITATIONS OF REMEDIES ARE BUSINESS UNDERSTANDINGS BETWEEN THE PARTIES AND THESE RISKS AND REMEDIES SHALL APPLY TO ALL POSSIBLE LEGAL THEORIES OF RECOVERY. CLIENT FURTHER AGREES, TO THE FULLEST EXTENT PERMITTED BY LAW, AND NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS AGREEMENT OR ANY REFERENCE TO INSURANCE OR THE EXISTENCE OF APPLICABLE INSURANCE COVERAGE, THAT THE TOTAL LIABILITY, IN THE AGGREGATE, OF THE ENGINEER AND ENGINEER'S OFFICERS, DIRECTORS, EMPLOYEES, AGENTS, AND SUBCONSULTANTS TO THE CLIENT OR TO ANYONE CLAIMING BY, THROUGH OR UNDER THE CLIENT, FOR ANY AND ALL CLAIMS, LOSSES, COSTS OR DAMAGES WHATSOEVER ARISING OUT OF, RESULTING FROM, OR IN ANY WAY RELATED TO, THE SERVICES UNDER THIS AGREEMENT FROM ANY CAUSE OR CAUSES OF THE ENGINEER OR THE ENGINEER'S OFFICERS, DIRECTORS, EMPLOYEES, AGENTS, AND SUBCONSULTANTS, SHALL NOT EXCEED THE ENGINEER'S FEE FOR THE SERVICES PERFORMED UNDER THIS AGREEMENT OR \$50,000, WHICHEVER IS GREATER. INCREASED LIMITS MAY BE NEGOTIATED FOR ADDITIONAL FEE.

C. NOTWITHSTANDING ANY OTHER PROVISION OF THE AGREEMENT, ENGINEER SHALL HAVE NO LIABILITY TO THE CLIENT FOR CONTINGENT, CONSEQUENTIAL OR OTHER INDIRECT DAMAGES INCLUDING, WITHOUT LIMITATION, DAMAGES FOR LOSS OF USE, REVENUE OR PROFIT; OPERATING COSTS AND FACILITY DOWNTIME; OR OTHER SIMILAR BUSINESS INTERRUPTION LOSSES, HOWEVER, THE SAME MAY BE CAUSED.

D. CLIENT MAY NOT ASSERT ANY CLAIM AGAINST ENGINEER AFTER THE SHORTER OF (1) 3 YEARS FROM SUBSTANTIAL COMPLETION OF SERVICES GIVING RISE TO THE CLAIM, OR (2) THE STATUTE OF LIMITATION PROVIDED BY LAW.

E. IT IS UNDERSTOOD AND AGREED BY BOTH PARTIES TO THIS AGREEMENT THAT THE FIRST TEN DOLLARS (\$10.00) OF REMUNERATION PAID TO ENGINEER UNDER THIS AGREEMENT SHALL BE IN CONSIDERATION FOR INDEMNITY/INDEMNIFICATION PROVIDED FOR IN THIS AGREEMENT.

XXI. **WAIVER** - Any failure by Engineer to require strict compliance with any provision of this Agreement shall not be construed as a waiver of such provision, and Engineer may subsequently require strict compliance at any time, notwithstanding any prior failure to do so.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, the parties, having read and understood this Agreement, have executed such in duplicate copies, each of which shall have full dignity and force as an original, on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**HALFF ASSOCIATES, INC.**

By:

  
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Phillip Applebaum, PE  
Printed Name

\_\_\_\_\_  
Vice President  
Title

\_\_\_\_\_  
January 29, 2020  
Date

**CLIENT: CITY OF SEAGOVILLE, TEXAS**

By:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

## EXHIBIT "A"



January 28, 2020

Ladis Barr  
Community Development Director  
City of Seagoville  
702 N. Hwy 175  
Seagoville, TX 75159

RE: Electrical Engineering Scope of Services for Relocating Electric Meters at  
101 N. Railroad Ave., Seagoville, TX

Mr. Barr;

Halff Associates, Inc. (Halff) is pleased to submit this proposal for providing Electrical Engineering design services for the removal of six (6) existing electrical meters from the south exterior wall of the existing building and design the requirements for the meter replacements as required to maintain operation of:

- Suite 103 – Going Postal
- Suite 105 – Economic Development Corporation
- Suite 108 – N. Railroad
- Suite 107 - Barber Shop
- Suite 109 – Chamber of Commerce
- Suite 111 – Radio Station

The meter replacements are required due to the proposed partial building demolition. The replaced electrical meters will constitute a new electrical service for each of the tenants. Provisions for the new electrical services will require the following:

1. Coordination with Oncor to define the location of the new (remote) location of the electrical meters.
2. Confirmation of the electrical loads associated to each of the tenants.
  - a. Electrical existing loads will be obtained by collecting the peak load information from the existing meters for the past 12 months.
  - b. This peak load information will be obtained from Oncor (with permission from each of the tenants).
3. Halff will determine the location of each of the tenants' electrical panels and determine the proposed route to extend a new service feeder to each of the panels from the new meter location.
4. Halff will determine the size of the electrical feeders to each tenant panel.
  - a. Conductor sizes
  - b. Conduit sizes
5. Fault current calculations will be completed per Code to confirm the existing tenant panels are sized appropriately for short circuits.

- a. If it is determined existing tenant panel(s) are not sized appropriately for short circuits, a new panel will be scheduled to replace the existing with the same quantity of circuit breakers as the existing panel.
6. Arc Flash calculations will be completed by Halff to define the expected incident energy and labels will be created for each tenant panel as required by Code.
7. Plans, schedules, and details will be provided for coordination with Oncor and for the electrical contractor to obtain a construction permit.
  - a. Site and building plans will be created with use of electronic photographic imaging to locate buildings and approximate panel locations within buildings.

As an Additional Alternate proposal Halff can also provide electrical services with meter and panels for the proposed building associated with the vacant lot adjacent 101 N. Railroad Ave and the proposed park at the northwest corner of Elm and Kaufman (east of Soul's Harbor).

### **Basic Services:**

#### **Design Phase**

- Halff will provide coordination with Oncor and City representatives.
- Halff will obtain electronic photographic imaging of the site to be used for Site Plans and Building Plans.
- Halff will request the City of Seagoville have each of the tenants request peak load history for the past 12 months to confirm the electrical loads for each tenant.
- Halff will coordinate the location for the remote tenant meter rack and develop plans for the meter installations as well as the feeders to the tenant panels.
  - Plans will include Site Plan, Building Plan defining location of tenant panel, Details, and Schedules
- Halff will calculate Fault Current and Arc Flash at each of the tenant panels.
- Halff will provide limited specifications on the plans.
- Halff will provide the following deliverables:
  - Preliminary (For Review)
  - Final (Issued for Construction)
- All deliverables will be provided in Adobe "pdf" format.

#### **Construction Phase: Additional Service**

- Halff will review and answer RFI's and provide clarifications.
- Halff will review submittals of construction materials.
- Halff will attend the following meetings / site visits:
  - Pre-Proposal Meeting
  - Pre-Construction Meeting
  - Two Construction Meetings
  - One Final Punch Site Visit



**Base Fee:**

We propose a lump sum fees as follows;

○ Preliminary (For Review) Deliverable	\$ 10,500	
○ Final (Issued for Construction) Deliverable	\$ 3,500	
<b>TOTAL DESIGN FEE:</b>		<b>\$14,000</b>
○ Review and answer RFI's	\$ 1,550	
○ Review submittals of construction materials	\$ 1,400	
○ Pre-Proposal Meeting	\$ 800	
○ Pre-Construction Meeting	\$ 800	
○ Two Construction Meetings	\$ 1600	
○ One Final Punch Site Visit	\$ 1,500	
<b>TOTAL CONSTRUCTION PHASE FEE:</b>		<b>\$ 7,650</b>
<b>GRAND TOTAL ELECTRICAL ENGINEERING FEE:</b>		<b>\$21,710</b>

- **Additional Alternate Design Fee** for plans locating electrical service (meters and proposed main panels) for the proposed building associated with the vacant lot adjacent 101 N. Railroad Ave. is \$ 1,900
- **Additional Alternate Design Fee** for plans locating an electrical service (meter and proposed main panel) for the proposed park at the northwest corner of Elm and Kaufman (east of Soul's Harbor) is \$ 1,900

***Estimated Reimbursable Expenses: \$700***

Payment for services authorized and rendered are not contingent on third party agreements. All invoices are due Net 30 days. Any payment due Halff Associates, Inc. that is not received within thirty (30) days of the Invoice Date, will be charged interest at the rate of 1.5% per month for each month beyond the initial 30 day period. In addition, Halff Associates, Inc. may, after giving seven (7) days written notice, suspend services under this agreement until all amounts due have been paid in full. Furthermore, Halff Associates, Inc. may withhold drawings, documents, reports, or any other tangible items produced under the terms of this agreement until all outstanding invoices are paid.

**Additional and/or Reimbursable Services:**

- Demolition plans for the building or other A/MEP components other than the existing electrical services to the existing tenants.
- Power connections to equipment.
- Significant design revisions following substantial completion of the Construction Documents.
- Modifications to documents after documents are issued for construction.
- Modification to documents to meet budgeting constraints.
- Design, specifications, and/or modifications to existing systems not within the scope boundaries of the project.
- Design, specifications, and/or modifications for the expansion of, or provision of fire alarm systems or fire protection sprinkler systems.
- Electrical connections to equipment outside the scope of work.
- Design or specification for HVAC and Plumbing Systems.
- Design of a canopy or fence to protect the meter rack.



- Civil engineering work including but not limited to:
  - Site Plan
  - Topo
  - Plat
  - Easement
  - SUE
- Preparation of any special interim sets of construction documents for phased construction other than previously stated.
- Printing of Drawings.
- Filing fees and permits fees.
- Construction cost estimates.
- Coordination with insurance companies, attorneys, or banking institutions.
- Bid evaluation and management.
- Site visits or meetings not included under Base Services.
- Additional labor or overtime, due to lack of information and/or background drawings in a timely manner, to complete the project.

**Compensation for Additional Services:**

Halff Associates will be compensated for any additional services with supplemental lump sum fees, or alternatively, on a time and materials basis. In the latter case, labor will be billed at our standard hourly rates. Direct expenses, such as travel, courier services, and reproduction services will be billed at actual cost plus 10%. Invoices for any Additional services will be submitted monthly, with documentation.

If this proposal meets with your approval, please sign and date this document as well as the Exhibit A, Standard Form of Agreement for Professional Services in the spaces provided below and return one copy as your Notice to Proceed and Approval of the fees quoted. This quoted fee is good through November 10th. Halff will begin working on the project on November 12th, upon receipt of your signed approval and all CAD backgrounds.

Approval by:

Name (Print) \_\_\_\_\_ Name (Signature) \_\_\_\_\_

Date \_\_\_\_\_

If you have questions please let me know,

Sincerely,  
HALFF ASSOCIATES, INC.

Phillip R. Applebaum, PE  
Vice President

## ***Regular Session Agenda Item: 14***

**Meeting Date: February 24, 2020**

### **ITEM DESCRIPTION:**

Discuss and consider directing the City Manager to request funding from the Seagoville Economic Development Corporation for the purchase of a new Christmas tree to be utilized during the month of December during the Christmas season.

### **BACKGROUND OF ISSUE:**

Mayor Pro Tem Jon Epps requested this discussion item to be placed on the Agenda. Approximately ten (10) years ago the SEDC purchased the Christmas tree that we currently utilize. Four (4) years ago the tree was heavily damaged during a high wind event which ultimately led to the bottom portion of the tree being removed due to safety concerns. A portion of the top of the tree is bent and the overall condition of the tree is poor at best.

Staff recommends the purchase of a new tree and would like to discuss having the SEDC fund the purchase as they did ten (10) years ago. Staff located Irving based “The Décor Group” which deals in outdoor holiday arrangements and Christmas trees. Décor Group is also on the TIPS Cooperative Purchasing Program. The Décor Group offers both purchase and lease options. The Décor Group is in the process of delivering example contracts for Council review and discussion, however, they have not arrived in time to be included in the communication. Staff will make the Décor Group’s pricing available during the Council discussion.

### **FINANCIAL IMPACT:**

TBD

### **EXHIBITS:**

NA

## ***Regular Session Agenda Item: 15***

**Meeting Date: February 24, 2020**

### **ITEM DESCRIPTION:**

Discuss and consider declaring a possible vacancy and new appointment to the Seagoville Economic Development Corporation.

### **BACKGROUND OF ISSUE:**

#### **Home Rule Charter, Section 3.19 Boards and Commissions**

(b) The City Council may appoint persons to serve on any boards, commissions, or committees. Such appointees shall serve at the pleasure of the City Council and may be removed at the discretion of the City Council. Except as otherwise provided in this Charter, members of any such board, commission, or committee shall serve without compensation but may be reimbursed for actual expenses as approved by the City Council. The City Council may, by an affirmative vote of four (4) council members, waive any requirements that a person may only serve on one (1) board or commission.

### **FINANCIAL IMPACT:**

N/A

### **RECOMMENDATION:**

N/A

### **EXHIBITS:**

## ***Regular Session Agenda Item: 16***

**Meeting Date: February 24, 2020**

### **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: 17***

**Meeting Date:** February 24, 2020

**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