



**SEAGOVILLE, TEXAS
CITY COUNCIL MEETING AGENDA AMENDED
MONDAY, MAY 4, 2020**

Notice is hereby given in accordance with the Order of the Office of the Governor issued March 16, 2020, the City of Seagoville will conduct a Regular Meeting by video conference in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (CoVID-19).

To access the meeting video conference (which provides two-way communication for Public Comment during that portion of the Meeting), use the following link or phone number:

Video Conference:

<https://webinar.ringcentral.com/j/1483034540>

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.*

If you would like to make a Public Comment, please email Kandi Jackson, City Secretary, at kjackson@seagoville.us no later than 6:00 P.M. on Monday, May 4, 2020.

Please include the following information in your email:

- **Name**
- **Address**
- **Email Address and Phone Number**
- **Agenda Item or general subject of your comment**

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

- 1. Consider approving City Council Meeting minutes for April 20, 2020 (City Secretary)**

REGULAR AGENDA-

- 2. Discuss and consider approving an Ordinance of the City of Seagoville, Texas amending the Code of Ordinances by amending Chapter 17 “Traffic”, Article 17.04 “Parking, Stopping or Standing”, Division 2 “Parking Regulations for Specific Streets”, by adding a new subsection 17.04.067 to provide for One (1) Hour Parking on Seagoville Road, from its point of intersection with Bruce Way southeast a distance of approximately 746 feet to its point of intersection with the U.S Highway 175 service road; and providing for no parking on Seagoville Road, beginning at its point of intersection with Bruce Way extending southwest approximately 197 feet to its point of dead end; authorizing the City Manager or designee to cause the appropriate signage to be erected; providing a savings clause; providing for a severability clause; providing a penalty of fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense; providing for publication; and providing an effective date (Community Development Director)**
- 3. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, approving the terms and conditions of the Agreement of Cooperation for CDBG/HOME/ESG Programs with Dallas County, which is attached hereto and incorporated herein as Exhibit “A”, authorizing the Mayor to execute said agreement, and, further authorizing the execution of any and all necessary documents with Dallas County for the submission of grant application(s) for the Community Development Block Grant Program; and providing an effective date (Community Director)**
- 4. Receive Councilmember Reports/Items of Community Interest - as authorized by Section 551.0415 of the Texas Government Code.**
- 5. 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.**
- 6. Executive Session**

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

§551.071. Consultation with City Attorney: Receive legal advice related to COVID - 19 pandemic - reopening businesses and Governor’s recent Executive Orders regarding same

7. Reconvene Into Regular Session

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

§551.071. Consultation with City Attorney: Receive legal advice related to COVID - 19 pandemic - reopening businesses and Governor's recent Executive Orders regarding same

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

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

Adjourn

Posted Friday, May 1, 2020 by 5:00 P.M.

Kandi Jackson

Kandi Jackson, City Secretary

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

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

DATES TO REMEMBER

- **Monday, May 18, 2020 Regular City Council Meeting**
- **Monday, June 1, 2020 Regular City Council Meeting**
- **Monday, June 15, 2020 Regular City Council Meeting**
- **Monday, July 6, 2020 Regular City Council Meeting**

Consent Session Agenda Item: 1

Meeting Date: May 4, 2020

ITEM DESCRIPTION:

Consider approving City Council Meeting minutes for April 20, 2020.

BACKGROUND OF ISSUE:

Approve City Council Meeting minutes for April 20, 2020.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

Staff recommends approval.

EXHIBITS:

April 20, 2020 Regular Meeting Minutes



**MINUTES OF CITY COUNCIL
REGULAR SESSION
APRIL 20, 2020**

The Regular Session of the City Council of the City of Seagoville, Texas was called to order at 7:16 p.m. on Monday, April 20, 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, Community Development Director Ladis Barr, City Attorney Victoria Thomas, 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.

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

1. Consider approving City Council Meeting minutes for April 6, 2020 (City Secretary)

Motion to approve City Council Meeting minutes for April 6, 2020 – Hernandez, seconded by Magill; motion passed with all ayes. 5/0

REGULAR AGENDA-

2. Discuss and consider a Resolution of the City Council of the City of Seagoville, Texas approving and ratifying the City Manager's action for an expenditure of general fund monies in an amount not to exceed Fifty Eight Thousand Seven Hundred Two Dollars and fifty cents (\$58,702.50) for the Haven Hills Drainage Improvements Project; 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 approving and ratifying the City Manager's action for an expenditure of general fund monies in an amount not to exceed Fifty Eight Thousand Seven Hundred Two Dollars and Fifty Cents (\$58,702.50) for the Haven Hills Drainage Improvements Project; authorizing the City Manager to execute any and all necessary documents; and providing an effective date – Magill, seconded by Hernandez; motion passed with all ayes. 5/0

3. Discuss and consider approving an Ordinance of the City of Seagoville, Texas providing for “All Way Stop Sign” to be installed at the intersection of Greenhaven Drive and Woodhaven Drive; authorizing the City Manager or designee to cause the appropriate signage to be erected; providing a savings clause; providing a severability clause; and providing a penalty of fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense; providing for publication; and providing an effective date (Community Development Director)

Motion to approve an Ordinance of the City of Seagoville, Texas providing for “All Way Stop Sign” to be installed at the intersection of Greenhaven Drive and Woodhaven Drive; authorizing the City Manager or designee to cause the appropriate signage to be erected; providing a savings clause; providing a severability clause; and providing a penalty of fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense; providing for publication; and providing an effective date – Magill, seconded by Hernandez; motion passed with all ayes. 5/0

4. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas ratifying and approving the Seagoville Economic Development Corporation's engagement of Alvarez Masonry to perform the veneer stone work at 108 Railroad Avenue as set forth in the quote attached hereto as Exhibit “A” in an amount not to exceed Ten Thousand Eight Hundred Dollars and No Cents (\$10,800,00); authorizing the Executive Director/City Manager to execute any documents necessary for the performance of said work; providing 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 Alvarez Masonry to perform the veneer stone work at 108 Railroad Avenue as set forth in the quote attached hereto as Exhibit "A" in an amount not to exceed Ten Thousand Eight Hundred Dollars and No Cents (\$10,800.00); authorizing the Executive Director/City Manager to execute any documents necessary for the performance of said work; providing a repealing clause; providing for a severability clause; and providing an effective date-Magill, seconded by Howard; motion passed with all ayes. 5/0

5. 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 of a 40 FT Sterling Summit Tree from The Décor Group, Inc. as set forth in the estimate attached hereto as Exhibit "A" in an amount not to exceed Thirty Six Thousand Four Hundred Fifty Four Dollars and Sixty Nine Cents (\$36,454.69); authorizing the Executive Director/City Manager to execute any documents necessary for the purchase of said Christmas Tree; 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 purchase of a 40 FT Sterling Summit Tree from The Décor Group, Inc. as set forth in the estimate attached hereto as Exhibit "A" in an amount not to exceed Thirty Six Thousand Four Hundred Fifty Four Dollars and Sixty Nine Cents (\$36,454.69); authorizing the Executive Director/City Manager to execute any documents necessary for the purchase of said Christmas Tree; providing for a repealing clause; providing for a severability clause; and providing an effective date – Hernandez, seconded by Howard; motion passed with all ayes. 5/0

6. Discuss and consider a Resolution of the City Council of the City of Seagoville, Texas, finding that Oncor Electric Delivery Company LLC's application for approval to amend its Distribution Cost Recovery Factor to increase distribution rates within the city should be denied; authorizing participation with Oncor Cities Steering Committee; authorizing the hiring of Legal Counsel and Consulting Services; finding that the City's reasonable rate case expenses shall be reimbursed by the Company; finding that the meeting at which this Resolution is passed is open to the public as required by law; requiring notice of this Resolution to the Company and Legal Counsel (Director of Administrative Services)

Motion to approve a Resolution of the City Council of the City of Seagoville, Texas, finding that Oncor Electric Delivery Company LLC's application for approval to amend its Distribution Cost Recovery Factor to increase distribution rates within the city should be denied; authorizing participation with Oncor Cities Steering Committee; authorizing the hiring of Legal Counsel and Consulting Services; finding that the City's reasonable rate case expenses shall be reimbursed by the Company; finding that the meeting at which this Resolution is passed to open to public as required by law; requiring notice of this Resolution to the Company and Legal Counsel – Hernandez, seconded by Howard; motion passed with all ayes. 5/0

7. Discuss local business stimulus program (Councilmember Hernandez)

Mayor Childress requested advice of the City Attorney under Texas Local Government Code Section 551.071 concerning the local business stimulus program.

Council recessed into Executive Session at 7:08 p.m.

Section 551.071 – Receive legal advice from the City Attorney concerning the local business stimulus program

Council reconvened into Regular Session at 7:57 p.m.

Discuss local business stimulus program (Councilmember Hernandez)

Motion to authorize the establishment and implementation of the COVID- 19 Stimulus Program to be funded in the total amount of One Hundred Thousand Dollars and No Cents (\$100,000.00) for the purpose for providing commercial rent/mortgage/payroll assistance to small businesses in the City of Seagoville impacted by the COVID-19 pandemic. Each business can apply one time for a maximum amount of Five Thousand Dollars and No Cents (\$5,000.00). The Mayor is authorized to execute a Resolution to this effect. A review Committee is hereby established consisting of Council members Harold Magill, Rick Howard, Jose Hernandez, and City Manager, Pat Stallings – Hernandez, seconded by Magill; motion passed. 4/0 (For: Howard, Hernandez, Magill, and Epps, Against; Fruin)

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

None.

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

None.

Adjourned at 7:59 p.m.

APPROVED:

Mayor Dennis K. Childress

ATTEST:

Kandi Jackson, City Secretary

Regular Session Agenda Item: 2

Meeting Date: May 4, 2020

ITEM DESCRIPTION:

Discuss and consider approving an Ordinance of the City of Seagoville, Texas amending the Code of Ordinances by amending Chapter 17 “Traffic”, Article 17.04 “Parking, Stopping or Standing”, Division 2 “Parking Regulations for Specific Streets”, by adding a new subsection 17.04.067 to provide for One (1) Hour Parking on Seagoville Road, from its point of intersection with Bruce Way southeast a distance of approximately 746 feet to its point of intersection with the U.S Highway 175 service road; and providing for no parking on Seagoville Road, beginning at its point of intersection with Bruce Way extending southwest approximately 197 feet to its point of dead end; authorizing the City Manager or designee to cause the appropriate signage to be erected; providing a savings clause; providing for a severability clause; providing a penalty of fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense; providing for publication; and providing an effective date.

BACKGROUND OF ISSUE:

The City provides for no stopping, standing or parking on specific streets within in the City with signs erected or curbs painted on the street providing notice, this helps the flow of traffic within the City.

The City has determined that it is necessary to limit parking on one specific area of Seagoville Road and to prohibit stopping, standing and parking on Seagoville Road for the protection of traffic and our citizens.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

Staff recommends approval.

EXHIBITS:

Resolution (4 pages)

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 17 “TRAFFIC”, ARTICLE 17.04 “PARKING, STOPPING OR STANDING”, DIVISION 2 “PARKING REGULATIONS FOR SPECIFIC STREETS”, BY ADDING A NEW SUBSECTION 17.04.067 TO PROVIDE FOR ONE (1) HOUR PARKING ON SEAGOVILLE ROAD, FROM ITS POINT OF INTERSECTION WITH BRUCE WAY SOUTHEAST A DISTANCE OF APPROXIMATELY 746 FEET TO ITS POINT OF INTERSECTION WITH THE U.S. HIGHWAY 175 SERVICE ROAD; AND PROVIDING FOR NO PARKING ON SEAGOVILLE ROAD, BEGINNING AT ITS POINT OF INTERSECTION WITH BRUCE WAY EXTENDING SOUTHWEST APPROXIMATELY 197 FEET TO ITS POINT OF DEAD END; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO CAUSE THE APPROPRIATE SIGNAGE TO BE ERECTED; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City has determined that it is necessary and in the best interest of the citizens of the City of Seagoville and serves the public welfare to limit parking on one specific area of Seagoville Road and to prohibit the stopping, standing and parking on another specific area of Seagoville Road, as described herein;

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

SECTION 1. That the Code of Ordinances of the City of Seagoville, Texas, be, and the same is hereby amended, by amending Chapter 17, “Traffic”, Article 17.04 “Parking, Stopping or Standing”, Division 2. “Parking Regulations for Specific Streets”, by adding a new Subsection 17.04.067 to read in its entirety as follows:

“Chapter 17 Traffic

...

Article 17.04 Parking, Stopping or Standing

...

Division 2 Parking Regulations for Specific Streets

...

Sec. 17.04.067 Seagoville Road at Bruce Way

(a) It shall be unlawful for any person to leave, stand, or park any motor vehicle or other vehicle or impediment for more than one (1) hour on either side of Seagoville Road, beginning at its point of intersection with Bruce Way and southeast for a distance of approximately 746 feet to its point of intersection with the U.S. Highway 175 Service Road.

(b) It shall be unlawful for any person to leave, stand, or park any motor vehicle or other vehicle or impediment at any time on either side of Seagoville Road, beginning at its point of intersection with Bruce Way and southwest for a distance of approximately 197 feet to its point of dead end.

Secs. 17.04.068-17.04.090 Reserved”

SECTION 2. That the City Manager or his designee is hereby directed to cause appropriate signs or marked curbs to be erected giving notice of the provisions of Section 17.04.067 as established herein and such provision shall not be effective unless such signs or markings are in place at the time of an alleged offense.

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

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

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

so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

SECTION 6. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Seagoville, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of two hundred dollars (\$200.00) for each offense.

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

DULY PASSED by the City Council of the City of Seagoville, Texas, this the 4th day of May, 2020.

APPROVED:

DENNIS K. CHILDRESS, MAYOR

ATTEST:

KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:

VICTORIA W. THOMAS, CITY ATTORNEY
(043020TM115385/cdb 04/22/2020)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS AMENDING CHAPTER 17 OF THE CODE OF ORDINANCES, DIVISION 2. PARKING REGULATIONS ON SPECIFIC STREETS”, BY ADDING SUBSECTION 17.04.067 TO PROVIDE FOR ONE (1) HOUR PARKING ON SEAGOVILLE ROAD, FROM ITS POINT OF INTERSECTION WITH BRUCE WAY SOUTHEAST A DISTANCE OF APPROXIMATELY 746 FEET TO ITS POINT OF INTERSECTION WITH THE U.S. HIGHWAY 175 SERVICE ROAD; AND PROVIDING FOR NO PARKING ON SEAGOVILLE ROAD, BEGINNING AT ITS POINT OF INTERSECTION WITH BRUCE WAY EXTENDING SOUTHWEST APPROXIMATELY 197 FEET TO ITS POINT OF DEAD END; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO CAUSE THE APPROPRIATE SIGNAGE TO BE ERECTED; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

DULY PASSED by the City Council of the City of Seagoville, Texas, this the 4th day of May, 2020.

APPROVED:

DENNIS K. CHILDRESS, MAYOR

ATTEST:

KANDI JACKSON, CITY SECRETARY

Regular Session Agenda Item: 3

Meeting Date: May 4, 2020

ITEM DESCRIPTION:

Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, approving the terms and conditions of the Agreement of Cooperation for CDBG/HOME/ESG Programs with Dallas County, which is attached hereto and incorporated herein as Exhibit “A”, authorizing the Mayor to execute said agreement, and, further authorizing the execution of any and all necessary documents with Dallas County for the submission of grant application(s) for the Community Development Block Grant Program; and providing an effective date.

BACKGROUND OF ISSUE:

Dallas County is applying to the U.S Department of Housing and Urban Development (HUD) for Urban County Community Block Grant (CDBG) entitlement status.

Texas cities and counties are authorized under Chapter 373, Local Government Code, Section 381.003, Local Government Code, to conduct essential Housing and Community Development activities. The City of Seagoville is eligible to participate in the Dallas County CDBG program and has participated for a number of years.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

Staff recommends approval.

EXHIBIT:

Resolution (6 pages)

A RESOLUTION OF THE CITY OF SEAGOVILLE, TEXAS

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF THE AGREEMENT OF COOPERATION FOR CDBG/HOME/ESG PROGRAMS WITH DALLAS COUNTY, WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT “A”, AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT, AND, FURTHER AUTHORIZING THE EXECUTION OF ANY AND ALL NECESSARY DOCUMENTS WITH DALLAS COUNTY FOR THE SUBMISSION OF GRANT APPLICATION(S) FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Dallas County is applying to the U.S. Department of Housing and Urban Development ("HUD") for Urban County Community Development Block Grant ("CDBG") entitlement status; and

WHEREAS, Texas cities and counties are authorized under Chapter 373, Local Government Code, and Section 381.003, Local Government Code, to conduct essential Housing and Community Development activities; and

WHEREAS, the City of Seagoville (“City”) is eligible and has participated in Dallas County’s (“County”) CDBG program for a number of years; and

WHEREAS, Chapter 791 of the Texas Government Code allows for Texas cities and counties to enter into cooperative agreements with one another; and

WHEREAS, the City Council finds it to be in the best public interest to enter into the Agreement of Cooperation for CDBG/HOME/ESG Programs with Dallas County, which is attached hereto and incorporated herein as Exhibit A; and, further authorizes the Mayor to execute any and all necessary documents with Dallas County for the submission of grant application(s) for the Community Development Block Grant Program;

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

SECTION 1. The City Council supports the efforts of Dallas County to qualify for the Urban CDBG Program and asks that its population be included in such a program for three (3) consecutive years (Federal Fiscal Years 2021, 2022, and 2023), and approves the terms and

conditions of the Agreement with Dallas County for continued participation in the CDBG Program, which is attached hereto and incorporated herein as Exhibit A

SECTION 2. The City of Seagoville acknowledges that during the term of this Agreement, the City of Seagoville may not apply for grants under the Small Cities program of HUD, the State of Texas CDBG program, or may not participate in a HOME consortium while participating in the Dallas County Program.

SECTION 3. The City Council does hereby authorize the Mayor to execute the Agreement with Dallas County for a period of three (3) years, and said Agreement to be substantially in the form attached hereto as Exhibit A and incorporated herein by reference, and any and all necessary documents that the U.S. Department of Housing and Urban Development may require.

SECTION 4. This resolution shall become effective immediately upon its approval.

DULY PASSED by the City Council of the City of Seagoville, Texas, on the 4th day of May, 2020.

APPROVED:

DENNIS K. CHILDRESS, MAYOR

ATTEST:

KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:

VICTORIA THOAMS, CITY ATTORNEY
(/cdb 05. 01.2020)

EXHIBIT "A"

AGREEMENT of COOPERATION for CDBG/HOME/ESG PROGRAMS

WHEREAS, the 93rd Session of Congress passed, and the President of the United States signed into law, the Housing and Community Development Act of 1974 (PL93-383) which created the Community Development Block Grant (CDBG) program; and

WHEREAS, Dallas County, Texas, is applying to the U.S. Department of Housing and Urban Development (HUD) for Urban County CDBG entitlement status; and

WHEREAS, in order to qualify for this status, Dallas County must enter into cooperation agreements with local governments and have the collective population of the County's unincorporated area and the participating local governments total at least 100,000 people; and

WHEREAS, Texas cities and counties are authorized under Chapter 373, Local Government Code, and Section 381.003, Local Government Code, to conduct essential housing and community development activities; and

WHEREAS, Texas cities and counties are authorized under Chapter 791, Government Code, to enter into cooperation agreements with one another.

NOW, THEREFORE, BE IT RESOLVED THAT:

The [CITY NAME] (hereafter, "City") supports the efforts of Dallas County, Texas to qualify as an Urban County for the CDBG program and asks that its population be included in such a program beginning for Federal Fiscal Years 2021, 2022, and 2023.

This Cooperation Agreement covers the CDBG entitlement program and when applicable, the HOME Investment Partnership (HOME), and Emergency Solutions Grant (ESG) programs.

This Agreement remains in effect until the CDBG (and where applicable, HOME and ESG) funds and program income received with respect to the three-year qualification period are expended and the funded activities completed, and that the County and City may not terminate or withdraw from the Agreement while the Agreement remains in effect.

The City understands that by executing this CDBG Cooperation Agreement it:

1. May not apply for grants from appropriations under the State CDBG Program for fiscal years during the period in which it participates in the County's CDBG program; and
2. May receive a formula allocation under the HOME Program only through the County. Thus, even if the urban county does not receive a HOME formula allocation, the participating unit of local government cannot form a HOME consortium with other local governments; and
3. May receive a formula allocation under the ESG program only through the County.

County and City agree to cooperate to undertake, or assist in undertaking, community renewal and lower-income housing assistance activities.

County and City shall take all actions necessary to ensure compliance with the Urban County certification by Section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, regarding Title VI of the Civil Rights Act of 1968 and other applicable laws.

County and City shall take all actions necessary to ensure compliance with Section 109 of Title I of the Housing and Community Development Act of 1974, Section 504 of the Rehabilitation Act of 1973, and Age Discrimination Act of 1975.

County and City understand and agree that Urban County funding will not be provided for activities, within or in support of any cooperating unit of general local government that does not affirmatively further fair housing within its own jurisdiction or that impedes the County's actions to comply with County fair housing certifications.

City understands and agrees, that in accordance with 24 CFR 570.501(b) and 570.503 (which requires a written agreement), it shall be subject to the same administrative requirements as a grant fund any subrecipient should it receive funding under this program.

City agrees to report to the County of any income generated by the expenditure of CDBG, HOME, and/or ESG funds received; and that any such program income must be paid to the County to be used for eligible activities in accordance with the original grant requirements.

County is responsible for monitoring and reporting to HUD on the use of any program income, and that in the event of close-out or change in status of the City, any program income that is on hand or received subsequent to the close-out or change in status shall be paid to the County.

City agrees to notify the County of any modification or change in the use of the real property from that planned at the time of acquisition or improvement, including disposition, and further agrees to reimburse the County in an amount equal to the current fair market value (less any portion thereof attributable to expenditure of non-CDBG/HOME/ESG funds) for property acquired or improved with CDBG/HOME/ESG funds that is sold or transferred for a use which does not qualify under the CDBG/HOME/ESG regulations.

Any money generated from the disposition or transfer of property will be treated as program income and returned to the County prior to, or subsequent to, the close-out, change of status, or termination of this Agreement between the County and City.

City understands that it may not sell, trade, or otherwise transfer all or any portion of such funds to another such metropolitan city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives CDBG funds in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under Title I of the Housing and Community Development Act of 1974.

County shall notify City in writing, by the date specified in the HUD urban qualification notice for the next qualification period, of its right not to participate.

City has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
2. A policy of enforcing applicable state and local laws against physical barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction.

City understands that the County will have final responsibility for administering the CDBG/HOME/ESG programs, selecting CDBG/HOME/ESG projects and activities, and making annual grant requests.

City's Mayor, or their legal designee, is authorized to sign any additional forms, on behalf of the City, that HUD may require.

APPROVED AND ACCEPTED THIS THE [DATE] day of [MONTH], 2020.

Mayor, or legal designee

Clay Lewis Jenkins, County Judge
Dallas County, Texas

Date

Date

DRAFT

Approved as to Form:*

John Creuzot
District Attorney

By: _____

Randall Miller
Assistant District Attorney

*By law, the Dallas County District Attorney's Office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. Other parties should not rely on this approval and should seek review and approval by their own respective attorney(s).

DRAFT

Regular Session Agenda Item: 4

Meeting Date: May 4, 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: 5

Meeting Date: May 4, 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

Executive Session Agenda Item: 6

Meeting Date: May 4, 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 COVID -19 pandemic - reopening businesses and Governor's recent Executive Orders regarding same

BACKGROUND OF ISSUE:

N/A

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

N/A

Executive Session Agenda Item: 7

Meeting Date: May 4, 2020

ITEM DESCRIPTION:

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 COVID -19 pandemic - reopening businesses and Governor's recent Executive Orders regarding same

BACKGROUND OF ISSUE:

N/A

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

N/A