



**SEAGOVILLE, TEXAS
CITY COUNCIL MEETING AGENDA
MONDAY, MARCH 7, 2022**

**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. Update concerning Freedom Park (City Manager)**
- C. Discuss crossing guard locations for all schools (Asst. Police Chief)**
- D. Update concerning Multi Family Licensing and Inspection fees (Community Development Director)**

Adjourn

REGULAR SESSION - 7:00 P.M.

ROUTINE ANNOUNCEMENTS, RECOGNITIONS, and PROCLAMATIONS

Call to Order

Invocation

Pledge of Allegiance

Mayor's Report

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

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

- 1. Consider approving City Council Meeting minutes for February 28, 2022 (City Secretary)**

REGULAR AGENDA-

- 2. Conduct interviews with Boards & Commissions Applicants for appointment (City Secretary)**
- 3. Discuss and consider incorporating Juneteenth as an official recognized holiday for the City of Seagoville City Employees (Councilmember Hernandez)**
- 4. Discussion concerning Airbnb rent homes (Councilmember Epps)**
- 5. Receive a presentation concerning Keep Seagoville Beautiful Annual Trash Off being held on Saturday, April 9, 2022 at Bruce Central Park (Library Director)**
- 6. Receive Councilmember Reports/Items of Community Interest - as authorized by Section 551.0415 of the Texas Government Code.**
- 7. 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, March 4, 2022

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, March 7, 2022 City Council Meeting**
- **Monday, March 21, 2022 City Council Meeting**
- **Monday, April 4, 2022 City Council Meeting**
- **Monday, April 18, 2022 City Council Meeting**

Consent Session Agenda Item: 1

Meeting Date: March 7, 2022

ITEM DESCRIPTION:

Consider approving City Council Meeting minutes for February 28, 2022.

BACKGROUND OF ISSUE:

Approve City Council Meeting minutes for February 28, 2022.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

February 28, 2022 Work Session Meeting Minutes
February 28, 2022 Regular Meeting Minutes



**MINUTES OF CITY COUNCIL
WORK SESSION
FEBRUARY 28, 2022**

The Work Session of the City Council of the City of Seagoville, Texas was called to order at 6:30 p.m. on Monday, February 28, 2022, at City Hall, 702 N. Hwy 175, Seagoville, Texas with a quorum present, to wit:

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

The following staff members were also present: City Manager Patrick Stallings, Assistant Police Chief Steve Davis, Community Development Director Ladis Barr, City Attorney Victoria Thomas, Finance Director Gail French, Public Works Director Chris Ryan, Fire Chief Todd Gilcrease, Director of Administrative Services Cindy Brown, and City Secretary Kandi Jackson.

A. Discuss Regular Session Agenda Items

1. Consider approving City Council Meeting minutes for February 7, 2022 (City Secretary)

No questions.

2. Discuss and consider approving a Resolution of the City of Seagoville, Texas, authorizing continued participation with the Steering Committee of Cities served by ONCOR; and authorizing the payment of ten cents (\$0.10) per capita to the Steering Committee to fund regulatory and legal proceedings and activities related to Oncor Electric Delivery Company, LLC (Director of Administrative Services)

Director of Administrative Services Brown stated this Resolution authorizes continued participation with the Steering Committee of Cities served by ONCOR; and authorizing the payment of ten cents (\$0.10) per capita to the Steering Committee to fund regulatory and legal proceeding and activities related to Oncor Electric Delivery Company, LLC.

No questions.

3. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, authorizing the City Manager to enter into the TEVA Texas Opioid Settlement and authorizing and ratifying the submission of the Texas Subdivision and Special District Election and Release Form regarding the TEVA Opioid Settlement; and providing an effective date (City Attorney)

City Attorney Thomas stated this Resolution authorizes the City Manager to enter into the TEVA Texas Opioid Settlement and authorizing and ratifying the submission of the Texas Subdivision and Special District Election and Release Form regarding the TEVA Opioid Settlement.

No questions.

4. Discuss and consider approving an Ordinance of the City of Seagoville, Texas, amending the Code of Ordinances by amending Chapter 23, “Subdivisions”, Article 23.03, “Subdivision Design Standards”, by amending Section 23.03.010 “Stormwater Collection and Conveyance Systems”; providing a repealing clause; providing a savings clause; providing a severability clause; providing for a penalty of fine not to exceed the sum of five hundred dollars (\$500.00) for each offense; and providing for an effective date (Community Development Director)

Community Development Director Barr stated this Ordinance amends the Code of Ordinances by amending Chapter 23 “Subdivisions”, Article 23.03, “Subdivision Design Standards”, by amending Section 23.03.010 “Stormwater Collection and Conveyance Systems”. He also stated this allows us to stay in compliance with MS4, Central Council of Governments (“COG”), Texas Commission on Environmental Quality (“TCEQ”).

No questions.

5. Conduct a public hearing amending the Comprehensive Zoning Ordinance and Map of the City of Seagoville, Kaufman County, Texas, as heretofore amended, by granting a change in zoning from Planned Development-13-01–Amended 2 (PD-13-01-A2) to Planned Development-13-01-Amended 3 (PD-13-01-A3) for the property located at 1706 South U.S. Highway 175, Seagoville, Kaufman County, Texas, and being more particularly described as lots 1, 2A, 2B and 3, Block A, of the Sudduth Addition; providing for amended development regulations (Community Development Director)

Community Development Director Barr stated this item accompanies Item #6. He stated this just allows any Police Officer to work at the Flea Market, not just a Seagoville Police Officer.

6. Discuss and consider approving an Ordinance of the City of Seagoville, Texas, amending the Comprehensive Zoning Ordinance and Map, as heretofore amended, by granting a change in zoning from Planned Development-13-01–Amended 2 (PD-13-01-A2) to Planned Development-13-01-Amended 3 (PD-13-01-A3) for the property located at 1706 South U.S. Highway 175, Seagoville, Kaufman County, Texas, and being more particularly described as lots 1, 2A, 2B and 3, Block A, of the Sudduth Addition; providing for amended development regulations; providing a repealing clause; providing a severability clause; providing a savings clause; providing a penalty of fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and providing an effective date (Community Development Director)

Community Development Director Barr stated this Item allows Council to vote on the Ordinance.

7. Conduct a public hearing amending the Comprehensive Zoning Ordinance and Map, as previously amended, by changing the zoning from "LR" Local Retail to "LR-SUP" Local Retail with a Special Use Permit for prepackaged beverages, subject to special conditions on approximately 0.792± acres located at 200 North U.S. Highway 175 Frontage Road, being described as the John D Merchant Abstract 850, Lot 18, of the Walmart Supercenter Addition, in the City of Seagoville, Texas; providing for special conditions (Community Development Director)

Community Development Director Barr stated this is a zone change for Murphy Oil at 200 North U.S. Highway 175 Frontage Road from "LR" Local Retail to "LR-SUP" Local Retail with Special Use Permit to allow for the sale of prepackaged beverages.

Mayor Pro Tem Fruin asked about the size of the convenience store portion. Community Development Director Barr stated it would 1,400 square foot.

8. Discuss and consider approving an Ordinance of the City of Seagoville, Texas, amending the Comprehensive Zoning Ordinance and Map, as previously amended, by changing the zoning from "LR" Local Retail to "LR-SUP" Local Retail with a Special Use Permit for prepackaged beverages, subject to special conditions on approximately 0.792± acres located at 200 North U.S. Highway 175 Frontage Road, being described as the John D Merchant Abstract 850, Lot 18, of the Walmart Supercenter Addition, in the City of Seagoville, Texas; providing for special conditions; providing for the repeal of all ordinances in conflict; providing a severability clause; providing for 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)

Community Development Director Barr stated this will allow Council to vote on the Ordinance.

9. Discuss and consider approving an Ordinance of the City of Seagoville, Texas, amending the Code of Ordinances by amending Chapter 11, “Health and Sanitation”, by adding a new Article 11.05 “Multi-Family Licensing and Inspection”; providing a repealing clause; providing a savings clause; providing a severability clause; providing for a penalty of fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and providing for an effective date (Mayor Pro Tem Fruin)

Mayor Pro Tem Fruin stated there was confusion at the last Council Meeting concerning the language and pricing. He asked if there was a cap on the pricing. City Attorney Thomas stated there would not be a charge on the inspection unless we performed a reinspection, however we will charge for registration. She stated we can discuss and place a cap on the fee.

10. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas amending the master fee schedule to add applicable fees related to multi-family licensing and inspection; providing a savings clause, providing a severability clause; and providing an effective date (Mayor Pro Tem Fruin/City Attorney)

City Manager Stallings stated this is the Master Fee Schedule in order add the fees for the Multi-Family Licensing and Inspection.

Adjourned at 6:43 p.m.

APPROVED:

Mayor Dennis K. Childress

ATTEST:

Kandi Jackson, City Secretary



**MINUTES OF CITY COUNCIL
REGULAR SESSION
FEBRUARY 28, 2022**

The Regular Session of the City Council of the City of Seagoville, Texas was called to order at 7:00 p.m. on Monday, February 28, 2022, at City Hall, 702 N. Hwy 175, Seagoville, Texas with a quorum present, to wit:

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

The following staff members were also present: City Manager Patrick Stallings, Assistant Police Chief Steve Davis, Community Development Director Ladis Barr, City Attorney Victoria Thomas, Finance Director Gail French, Senior Accountant Donna Johnson, Finance Technician Marty Anderson, Public Works Director Chris Ryan, Fire Chief Todd Gilcrease, 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.*

Government Finance Officers Association – *Mayor Childress presented the Finance Department with the Government Finance Officers Association Award.*

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 February 7, 2022 (City Secretary)**

2. Discuss and consider approving a Resolution of the City of Seagoville, Texas, authorizing continued participation with the Steering Committee of Cities served by ONCOR; and authorizing the payment of ten cents (\$0.10) per capita to the Steering Committee to fund regulatory and legal proceedings and activities related to Oncor Electric Delivery Company, LLC (Director of Administrative Services)

3. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, authorizing the City Manager to enter into the TEVA Texas Opioid Settlement and authorizing and ratifying the submission of the Texas Subdivision and Special District Election and Release Form regarding the TEVA Opioid Settlement; and providing an effective date (City Attorney)

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

REGULAR AGENDA-

4. Discuss and consider approving an Ordinance of the City of Seagoville, Texas, amending the Code of Ordinances by amending Chapter 23, “Subdivisions”, Article 23.03, “Subdivision Design Standards”, by amending Section 23.03.010 “Stormwater Collection and Conveyance Systems”; providing a repealing clause; providing a savings clause; providing a severability clause; providing for a penalty of fine not to exceed the sum of five hundred dollars (\$500.00) for each offense; and providing for an effective date (Community Development Director)

Motion to approve an Ordinance of the City of Seagoville, Texas, amending the Code of Ordinances by amending Chapter 23, “Subdivisions”, Article 23.03, “Subdivision Design Standards”, by amending Section 23.03.010 “Stormwater Collection and Conveyance Systems”; providing a repealing clause; providing a savings clause; providing a severability clause; providing for a penalty of fine not to exceed the sum of five hundred dollars (\$500.00) for each offense; and providing for an effective date – Howard, seconded by Epps; motion passed with all ayes. 5/0

5. Conduct a public hearing amending the Comprehensive Zoning Ordinance and Map of the City of Seagoville, Kaufman County, Texas, as heretofore amended, by granting a change in zoning from Planned Development-13-01–Amended 2 (PD-13-01-A2) to Planned Development-13-01-Amended 3 (PD-13-01-A3) for the property located at 1706 South U.S. Highway 175, Seagoville, Kaufman County, Texas, and being more particularly described as lots 1, 2A, 2B and 3, Block A, of the Sudduth Addition; providing for amended development regulations (Community Development Director)

Mayor Childress opened the public hearing at 7:06 p.m.

No one spoke for or against.

Mayor Childress closed the public hearing at 7:06 p.m.

6. Discuss and consider approving an Ordinance of the City of Seagoville, Texas, amending the Comprehensive Zoning Ordinance and Map, as heretofore amended, by granting a change in zoning from Planned Development-13-01–Amended 2 (PD-13-01-A2) to Planned Development-13-01-Amended 3 (PD-13-01-A3) for the property located at 1706 South U.S. Highway 175, Seagoville, Kaufman County, Texas, and being more particularly described as lots 1, 2A, 2B and 3, Block A, of the Sudduth Addition; providing for amended development regulations; providing a repealing clause; providing a severability clause; providing a savings clause; providing a penalty of fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and providing an effective date (Community Development Director)

Motion to approve an Ordinance of the City of Seagoville, Texas, amending the Comprehensive Zoning Ordinance and Map, as heretofore amended, by granting a change in zoning from Planned Development-13-01–Amended 2 (PD-13-01-A2) to Planned Development-13-01-Amended 3 (PD-13-01-A3) for the property located at 1706 South U.S. Highway 175, Seagoville, Kaufman County, Texas, and being more particularly described as lots 1, 2A, 2B and 3, Block A, of the Sudduth Addition; providing for amended development regulations; providing a repealing clause; providing a severability clause; providing a savings clause; providing a penalty of fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and providing an effective date – Fruin, seconded by Magill; motion passed with all ayes. 5/0

7. Conduct a public hearing amending the Comprehensive Zoning Ordinance and Map, as previously amended, by changing the zoning from "LR" Local Retail to “LR-SUP” Local Retail with a Special Use Permit for prepackaged beverages, subject to special conditions on approximately 0.792± acres located at 200 North U.S. Highway 175 Frontage Road, being described as the John D Merchant Abstract 850, Lot 18, of the Walmart Supercenter Addition, in the City of Seagoville, Texas; providing for special conditions (Community Development Director)

Mayor Childress opened the public hearing at 7:09 p.m.

No one spoke for or against.

Mayor Childress closed the public hearing at 7:09 p.m.

8. Discuss and consider approving an Ordinance of the City of Seagoville, Texas, amending the Comprehensive Zoning Ordinance and Map, as previously amended, by changing the zoning from "LR" Local Retail to “LR-SUP” Local Retail with a Special Use Permit for prepackaged beverages, subject to special conditions on approximately 0.792± acres located at 200 North U.S. Highway 175 Frontage Road, being described as the John D Merchant Abstract 850, Lot 18, of the Walmart Supercenter Addition, in the City of Seagoville, Texas; providing for special conditions; providing for the repeal of all ordinances in conflict; providing a severability clause; providing for 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)

Motion to approve an Ordinance of the City of Seagoville, Texas, amending the Comprehensive Zoning Ordinance and Map, as previously amended, by changing the zoning from "LR" Local Retail to "LR-SUP" Local Retail with a Special Use Permit for prepackaged beverages, subject to special conditions on approximately 0.792± acres located at 200 North U.S. Highway 175 Frontage Road, being described as the John D Merchant Abstract 850, Lot 18, of the Walmart Supercenter Addition, in the City of Seagoville, Texas; providing for special conditions; providing for the repeal of all ordinances in conflict; providing a severability clause; providing for a penalty of fine not to exceed the sum of Two Thousand dollars (\$2,000.00) for each offense; and providing an effective date – Howard.

Community Development Director Barr stated the Ordinance needs to be amended to add for a convenience store over 1000 square feet and providing for the sale of prepackaged beverages.

Motion to approve the Ordinance with the stated amendments – Howard, seconded by Epps; motion passed with all ayes. 5/0

9. Discuss and consider approving an Ordinance of the City of Seagoville, Texas, amending the Code of Ordinances by amending Chapter 11, "Health and Sanitation", by adding a new Article 11.05 "Multi-Family Licensing and Inspection"; providing a repealing clause; providing a savings clause; providing a severability clause; providing for a penalty of fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and providing for an effective date (Mayor Pro Tem Fruin)

Councilmember Fruin stated he would like to defer to the City Attorney for an explanation of this item.

City Attorney Thomas stated this Ordinance does not set the fees but provides the framework for the inspections and registration. She stated it does apply to all multi-family complexes but it does allow for a one (1) year grace period for the brand-new complexes since they will have just received their certificate of occupancy.

Motion to approve an Ordinance of the City of Seagoville, Texas, amending the Code of Ordinances by amending Chapter 11, "Health and Sanitation", by adding a new Article 11.05 "Multi-Family Licensing and Inspection"; providing a repealing clause; providing a savings clause; providing a severability clause; providing for a penalty of fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and providing for an effective date – Fruin, seconded by Magill; motion passed with all ayes. 5/0

10. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas amending the master fee schedule to add applicable fees related to multi-family licensing and inspection; providing a savings clause, providing a severability clause; and providing an effective date (Mayor Pro Tem Fruin/City Attorney)

Motion to table Item # 10 to next meeting and to put it on a workshop – Fruin, seconded by Hernandez; motion passed with all ayes. 5/0

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

Mayor Pro Tem Fruin congratulated all of the incumbents that decided to run for Council again and commended them for doing a good job. He stated evidently the citizens are happy because they ran unopposed.

Mayor Childress stated he has the same expression as Mr. Fruin to the ones that are currently serving this Council and were re-elected. He also stated the Council must be doing something good.

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

Councilmember Epps stated he would like to discuss Airbnb rent homes.

13. Council Recessed into Executive Session at 7:32 p.m.

Council will recess into executive session pursuant to Texas Government Code:

- A. § 551.071. Consultation with City Attorney: to obtain legal advice regarding house numbering – LaFonda Ambulance Service**
- B. § 551.071 (2). Consultation with City Attorney: regarding legal advice relating to negotiation of ambulance services contracts**
- C. § 551.071. Consultation with City Attorney: to receive legal advice regarding obtaining easements necessary for the Northern Basin Interceptor Wastewater Project, including possible authorization of eminent domain**
- D. § 551.071. Consultation with City Attorney: to receive legal advice regarding the Design/Build Police Station Project**

14. Council Reconvened Into Regular Session at 9:13 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: to obtain legal advice regarding house numbering – LaFonda Ambulance Service

No action taken.

B. § 551.071 (2). Consultation with City Attorney: regarding legal advice relating to negotiation of ambulance services contracts

Motion to authorize the City Manager to reject the request by Acadian Ambulance Service of Texas, LLC for an increase to the annual subsidy provided for in Section F of the City's Professional Services Agreement for Provision of Mobile Intensive Care Ambulance Service with Acadian Ambulance Service of Texas, LLC and to provide ninety days notice of the City's termination of that Agreement and that we further authorized the City Manager to negotiate an agreement for provision of ambulance services with CareFlite, a Texas nonprofit corporation – Fruin, seconded by Hernandez; motion passed with all ayes. 5/0

C. § 551.071. Consultation with City Attorney: to receive legal advice regarding obtaining easements necessary for the Northern Basin Interceptor Wastewater Project, including possible authorization of eminent domain

No action taken.

D. § 551.071. Consultation with City Attorney: to receive legal advice regarding the Design/Build Police Station Project

No action taken.

15. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Dallas County, Texas, authorizing the exercise of eminent domain by the City Council of the City of Seagoville, Texas; for property generally described as a fifteen foot wide Wastewater and Temporary Construction Easement on Parcel No. 1 of the M.L. Swing Survey, Abstract Number 1420, City of Seagoville, Dallas County, Texas and more specifically described and depicted in Exhibit 'A'; providing the necessity and public purpose for the acquisition of said easements upon, under, over, through and across approximately 0.0180 acres thereon for the city's East Malloy Bridge Road Wastewater Project; authorizing the City Attorney to file proceedings in eminent domain to acquire said property; and providing an effective date (City Attorney)

Motion to approve a Resolution of the City Council of the City of Seagoville, Dallas County, Texas, authorizing the exercise of eminent domain by the City Council of the City of Seagoville, Texas; for property generally described as a fifteen foot wide Wastewater and Temporary Construction Easement on Parcel No. 1 of the M.L. Swing Survey, Abstract Number 1420, City

of Seagoville, Dallas County, Texas and more specifically described and depicted in Exhibit 'A'; providing the necessity and public purpose for the acquisition of said easements upon, under, over, through and across approximately 0.0180 acres thereon for the city's East Malloy Bridge Road Wastewater Project; authorizing the City Attorney to file proceedings in eminent domain to acquire said property; and providing an effective date – Hernandez, seconded by Howard; motion passed with all ayes. 5/0

16. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Dallas County, Texas, authorizing the exercise of eminent domain by the City Council of the City of Seagoville, Texas for property generally described as (1) a twelve foot wide Wastewater and Temporary Construction Easement on Parcel No. 3, Part 1 and (2) a variable width Wastewater and Temporary Construction Easement on Parcel No. 3, Part 2, both out of the M.L. Swing Survey, Abstract Number 1420, City of Seagoville, Dallas County, Texas, more specifically described and depicted in Exhibit 'A'; providing the necessity and public purpose for the acquisition of said easements upon, under, over, through and across approximately 0.031 acres in Parcel No. 3, Part 1 and upon, under, over, through and across approximately 0.018 acres in Parcel 3, Part 2 thereon for the City's East Malloy Bridge Road Wastewater Project; authorizing the city attorney to file proceedings in eminent domain to acquire said property; and providing an effective date (City Attorney)

Motion to approve a Resolution of the City Council of the City of Seagoville, Dallas County, Texas, authorizing the exercise of eminent domain by the City Council of the City of Seagoville, Texas for property generally described as (1) a twelve foot wide Wastewater and Temporary Construction Easement on Parcel No. 3, Part 1 and (2) a variable width Wastewater and Temporary Construction Easement on Parcel No. 3, Part 2, both out of the M.L. Swing Survey, Abstract Number 1420, City of Seagoville, Dallas County, Texas, more specifically described and depicted in Exhibit 'A'; providing the necessity and public purpose for the acquisition of said easements upon, under, over, through and across approximately 0.031 acres in Parcel No. 3, Part 1 and upon, under, over, through and across approximately 0.018 acres in Parcel 3, Part 2 thereon for the City's East Malloy Bridge Road Wastewater Project; authorizing the city attorney to file proceedings in eminent domain to acquire said property; and providing an effective date – Hernandez, seconded by Howard; motion passed with all ayes. 5/0

17. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, authorizing negotiation and execution of a design-building contract with Grossman Design Build, LLC, a Texas Limited Liability Company, for the design, permitting, and construction of a new police station and expansion and remodeling of the dispatch center in the existing police station; and providing an effective date (Grossman Design Build/City Manager/City Attorney)

Motion to approve a Resolution of the City Council of the City of Seagoville, Texas, authorizing negotiation and execution of a design-building contract with Grossman Design Build, LLC, a Texas Limited Liability Company, for the design, permitting, and construction of a new police station and expansion and remodeling of the dispatch center in the existing police station; and providing an effective date – Fruin, seconded by Magill; motion passed with all ayes. 5/0

Adjourned at 9:18 p.m.

APPROVED:

Mayor Dennis K. Childress

ATTEST:

Kandi Jackson, City Secretary

Regular Session Agenda Item: 2

Meeting Date: March 7, 2022

ITEM DESCRIPTION:

Conduct interviews with Boards & Commissions Applicants for appointment.

BACKGROUND OF ISSUE:

At this time, Place One (1) on the Board of Adjustments is vacant. Staff received an application from Mr. Steven Wright to fill that vacancy. In compliance with City Ordinance No. 24-2019, the applicant has passed the criminal background check.

In the past City Council has interviewed all boards and commission applicants. At this time, a brief interview may be conducted with the applicant. For your convenience, a list of appointments has been provided.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

List of appointments

Regular Session Agenda Item: 3

Meeting Date: March 7, 2022

ITEM DESCRIPTION:

Discuss and consider incorporating Juneteenth as an official recognized holiday for the City of Seagoville City Employees.

BACKGROUND OF ISSUE:

The City of Seagoville currently recognizes and observes all federal holidays plus one (1) floating holiday for a total of twelve (12) paid holidays per year. The floating holiday is selected by the City Manager for all City Employees, excluding the Firefighting personnel. In lieu of the floating holiday, Firefighting personnel receive 9-11 due to the passage of H.B. 2113 by the State Legislature in 2009 and Codified as §142.0013(c) of the TEXAS LOCAL GOV'T CODE, which designated September 11th as an official holiday for Firefighters in the State of Texas.

“Juneteeth” is a holiday celebrated on June 19th of each year to commemorate the emancipation of enslaved people in the United States. The Texas Legislature passed a bill recognizing “Juneteeth” as a state holiday on or about June 7, 1979. On June 17, 2021, President Biden signed into law S.B. 475 making “Juneteeth” an official federal holiday.

We realize that City of Seagoville Ordinance No. 02-16, adopted on January 4, 2016, repealed the necessity for changes to the Personnel Manual to be made by Ordinance and authorizes the City Manager to make the necessary changes. However, with regard to this matter, staff is seeking your input and consideration on incorporating Juneteenth into the City Employee holiday schedule.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

Staff recommends approval.

EXHIBITS:

City of Seagoville Policy Number 305, “Holidays”

5 USC 6103 “Holidays”, subsection (a) providing legal public holidays

 City of Seagoville	Personnel Policy & Administrative Directives		
	Policy Number 305	Page Number 17 of 89	Origination Date: <u>05/01/2003</u> Revised: <u>10/01/2016</u>
	Subject: Holidays		Approved By: <u>Patrick Stallings</u> Date: <u>11/21/16</u> City Manager Signature

305.01 General

The City provides paid holidays to regular full-time and regular part-time employees, including to those full-time and part-time regular employees in the introductory period. Part-time temporary and seasonal employees are extended official holidays without pay. The City Manager shall submit a holiday schedule prior to the beginning of each calendar year.

305.02 Official Holidays

The following are recognized as official holidays:

- New Year's Day
- Martin Luther King, Jr. Day
- President's Day
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Veterans' Day
- Thanksgiving Day
- Friday following Thanksgiving
- Christmas Day
- One floating holiday as designated by the City Manager (*All Firefighting personnel per state law receive September 11th as an official holiday in lieu of the floating holiday.*)

305.03 Scheduling of Holidays

If a holiday falls on Saturday, the preceding Friday will be observed. If a holiday falls on Sunday, the following Monday will be observed. Holidays may be subject to change.

The City of Seagoville reserves the right to schedule essential employees to work on designated holidays to maintain necessary levels of service.

 City of Seagoville	Personnel Policy & Administrative Directives		
	Policy Number 305	Page Number 18 of 89	Origination Date: <u>05/01/2003</u> Revised: <u>10/01/2016</u>
	Subject: <p style="text-align: center;">Holidays</p>		Approved By: <p style="text-align: center;"><u>Patrick Stallings</u> Date: <u>11/21/16</u></p> <small>City Manager Signature</small>

305.04 Religious Observances

Employees desiring to observe religious holidays not coinciding with official holidays may request leave. This leave will be subject to maintenance of essential services, every accommodation will be made.

305.05 Absence before or after a holiday

A compensated holiday will be withheld if an employee is absent without approved leave the day before or the day after a holiday. An employee who is absent on the day before or the day after the holiday without prior approval may be required to provide a doctor's note to be paid for the holiday. Failure to provide such note may result in the employee not being paid for the holiday.

305.06 Department Head Responsibilities

Department Heads will ensure that eligible employees working unusual schedules, or on shifts, receive benefits for the full number of holidays.

305.07 Working on a holiday

Employees that are required to work on an official City recognized holiday will accrue the holiday. Accrued holidays must be taken within sixty (60) days of the actual holiday.

Paid time off for holidays will be counted as hours worked for the purposes of determining whether overtime pay is owed.

5 USC 6103: Holidays

Text contains those laws in effect on March 3, 2022

From Title 5-GOVERNMENT ORGANIZATION AND EMPLOYEES

PART III-EMPLOYEES

Subpart E-Attendance and Leave

CHAPTER 61-HOURS OF WORK

SUBCHAPTER I-GENERAL PROVISIONS

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§6103. Holidays

(a) The following are legal public holidays:

New Year's Day, January 1.

Birthday of Martin Luther King, Jr., the third Monday in January.

Washington's Birthday, the third Monday in February.

Memorial Day, the last Monday in May.

Juneteenth National Independence Day, June 19.

Independence Day, July 4.

Labor Day, the first Monday in September.

Columbus Day, the second Monday in October.

Veterans Day, November 11.

Thanksgiving Day, the fourth Thursday in November.

Christmas Day, December 25.

(b) For the purpose of statutes relating to pay and leave of employees, with respect to a legal public holiday and any other day declared to be a holiday by Federal statute or Executive order, the following rules apply:

(1) Instead of a holiday that occurs on a Saturday, the Friday immediately before is a legal public holiday for-

(A) employees whose basic workweek is Monday through Friday; and

(B) the purpose of section 6309 ¹ of this title.

(2) Instead of a holiday that occurs on a regular weekly non-workday of an employee whose basic workweek is other than Monday through Friday, except the regular weekly non-workday administratively scheduled for the employee instead of Sunday, the workday immediately before that regular weekly nonworkday is a legal public holiday for the employee.

(3) Instead of a holiday that is designated under subsection (a) to occur on a Monday, for an employee at a duty post outside the United States whose basic workweek is other than Monday through Friday, and for whom Monday is a regularly scheduled workday, the legal public holiday is the first workday of the workweek in which the Monday designated for the observance of such holiday under subsection (a) occurs.

This subsection, except subparagraph (B) of paragraph (1), does not apply to an employee whose basic workweek is Monday through Saturday.

(c) January 20 of each fourth year after 1965, Inauguration Day, is a legal public holiday for the purpose of statutes relating to pay and leave of employees as defined by section 2105 of this title and individuals employed by the government of the District of Columbia employed in the District of Columbia, Montgomery and Prince Georges Counties in Maryland, Arlington and Fairfax Counties in Virginia, and the cities of Alexandria and Falls Church in Virginia. When January 20 of any fourth year after 1965 falls on Sunday, the next succeeding day selected for the public observance of the inauguration of the President is a legal public holiday for the purpose of this subsection.

(d)(1) For purposes of this subsection-

Regular Session Agenda Item: 4

Meeting Date: March 7, 2022

ITEM DESCRIPTION:

Discussion concerning Airbnb rent homes.

BACKGROUND OF ISSUE:

Councilmember Epps requested this item to be placed on the agenda.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

N/A

Regular Session Agenda Item: 5

Meeting Date: March 7, 2022

ITEM DESCRIPTION:

Receive a presentation concerning Keep Seagoville Beautiful Annual Trash Off being held on Saturday, April 9, 2022 at Bruce Central Park.

BACKGROUND OF ISSUE:

The Annual Trash Off is put together by the Keep Seagoville Beautiful Commission every year in April in conjunction with the Don't Mess with Texas Trash-Off and the Great American Cleanup.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

Flyer
Volunteer Application



Seagoville Area Businesses, Civic Groups, Church Organizations and School Campus Groups,

YOU'RE GROUP IS INVITED TO HELP KEEP SEAGOVILLE AND AMERICA BEAUTIFUL! April 9, 2022

Dear Community Partner,

Litter, is far more than just unsightly, but is a symptom of uncaring behavior and a wake-up call for citizens who are concerned about their community's quality of life. Keep Seagoville Beautiful needs your help in answering that call! This spring, your group can make a visible difference in Seagoville by joining us for the **Don't Mess With Texas Trash-Off and Great American Cleanup™!**

Established by Keep America Beautiful, Inc., the nation's premier litter prevention and education organization, in partnership with state and local affiliates such as ours, the **Great American Cleanup™** is our country's largest annual cleanup, beautification and community improvement program. Each year, millions of volunteers in over 15,000 communities across the country take part in this program. This program provides a high-profile platform for activities that meet specific local needs, including litter cleanups, litter prevention education, recycling drives, beautification and community improvement projects, park renewals, etc.

This year, we expect more than two million volunteers to participate in the **Great American Cleanup™** nationwide. Here in Seagoville, Keep Seagoville Beautiful is seeking 200 volunteers for our Don't Mess With Texas Litter Clean-Up event on **Saturday, April 9, 2022**

The schedule for the day's events include:

- 8:30 am – 9:00 pm Group Check-In
- 9:00 am – 12:00 pm Litter Clean Up
- 12:00 pm – 1:00 pm Volunteer Hot Dog Lunch

To register your group in this year's **Great American Cleanup™**, call Keep Seagoville Beautiful staff liaison Vivian Rawlings at 972-287-7720 or return the attached registration form to us by mail, email or fax by April 2, 2022. Complimentary trash bags, gloves, safety vests and safety guidelines will be provided for volunteers. We look forward to speaking with you shortly about joining this vital effort. We hope you'll join us in making Seagoville clean and beautiful this spring!

Sincerely, Keep Seagoville Beautiful Commission

Vivian Rawlings – Keep Seagoville Beautiful Staff Liaison, 702 N. Highway 175, Seagoville, TX 75159
Email: vrawlings@seagovillelibrary.org – Phone: 469-319-5022



Keep Seagoville Beautiful
Annual Don't Mess With Texas Trash Off
April 9, 2022 - 9:00 am – 1:00 pm
Volunteer Registration

Volunteer groups meet at Central Park, 1801 Highway 175, Seagoville, TX 75159 Check in from 8:30 am – 9:00 am. Groups will be provided with gloves, trash bags, safety guidelines and an assigned area to pick up litter. Plan to join KSB for a hot dog lunch and some great door prizes after a morning serving our community. Please plan to follow CDC guidelines for the use of masks and social distancing.

Group Affiliation/Individual Name _____

Contact Name _____

Mailing Address _____

Contact email Address _____

Number of volunteer in your Group _____

Age Range of Volunteers: _____ to _____

Signature of Participant – Parent – Legal Guardian

Date

AGREEMENT: As a condition for the above named participant involvement in the keep Seagoville Beautiful Don't Mess With Texas Trash Off and for valuable consideration, the undersigned participant, parent and/or legal guardian, on behalf of the participant and themselves, do hereby (1) agree that they will solely be responsible for any injuries, damages to or loss of personal property or person of the above named participant; and (2) agree to INDEMNIFY, DEFEND and HOLD the City of Seagoville and its sponsors and volunteers HARMLESS from all claims, causes of action, and any loss of any kind and character (including injuries to or loss of the above named participant's person or property) arising directly or indirectly out of or having to do with the City of Seagoville Keep Seagoville Beautiful Don't Mess With Texas Trash Off (including any claims of NEGLIGENCE or FAULT by any Indemnified Party).

I, hereby also consent that the photographs, artwork, audio, video, or writing submitted may be used by the City of Seagoville, its assigns or successors, in whatever way they desire, including television, CD-ROMs, web page, publications, and any other form for the storage, retrieval and reproduction of information, images; furthermore, I hereby consent that such information, photographs, videos, and the plates and/or tapes from which they are made shall be their property, and they shall have the right to sell, duplicate, reproduce and make other uses of such information, photographs, videos, recordings, and plates as they may desire free and clear of any claim whatsoever on my part.

Regular Session Agenda Item: 6

Meeting Date: March 7, 2022

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: 7

Meeting Date: March 7, 2022

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