



**MINUTES OF CITY COUNCIL  
REGULAR SESSION  
NOVEMBER 7, 2022**

**The Regular Session of the City Council of the City of Seagoville, Texas was called to order at 7:25 p.m. on Monday, November 7, 2022, at City Hall, 702 N. Hwy 175, Seagoville, Texas with a quorum present, to wit:**

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

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

**Invocation** – *Invocation was led by Mayor Pro Tem Magill.*

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

**Presentation of the Government Finance Officers Association Award** – *Mayor Childress presented the Government Finance Officers Association Award to Finance Director French.*

**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.*

*Barbara Nitis, the Public Information Officer for U.S. Small Business Administration explained the assistance offered for the flooding that occurred August 2022.*

**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 October 17, 2022 (City Secretary)**

*Motion to approve City Council Meeting Minutes for October 17, 2022 – Magill, seconded by Howard; motion passed with all ayes. 4/0*

**REGULAR AGENDA-**

**2. First Reading - Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, approving the Amended and Restated Economic Development Project between the Seagoville Economic Development Corporation, on the one hand, and KRR Malloy Bridge Residential, LLC, a Texas Limited Liability Company, and KRR Malloy Bridge Retail, LLC, a Texas Limited Liability Company, on the other hand as reflected in the terms and conditions of an Amended and Restated Economic Development Incentive Agreement between the parties in substantially the form of that attached hereto as Exhibit “A”; and providing an effective date (City Manager)**

*Mayor Childress read the Resolution for the First Reading for approving the Amended and Restated Economic Development Project between the Seagoville Economic Development Corporation, on the one hand, and KRR Malloy Bridge Residential, LLC, a Texas Limited Liability Company, and KRR Malloy Bridge Retail, LLC, a Texas Limited Liability Company, on the other hand as reflected in the terms and conditions of an Amended and Restated Economic Development Incentive Agreement between the parties in substantially the form of that attached hereto as Exhibit “A”; and providing an effective date.*

**3. Receive a presentation of City of Seagoville’s 4<sup>th</sup> Quarter Financial Report for Fiscal Year End 2022 (Finance Director)**

*Finance Director French presented the City of Seagoville’s 4<sup>th</sup> Quarter Financial Report for Fiscal Year End 2022.*

**4. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas approving Work Order No. 6, in an amount not to exceed Three Hundred Fifty-Six Thousand Four Hundred Fifty-Nine Dollars and Zero Cents (\$356,459.00) for Professional Engineering Services for West Simonds Road, issued under the Master Agreement for Professional Services with Garver, LLC; authorizing the City Manager to execute said Work Order; providing a repealing clause; providing a severability clause; and providing an effective date (Public Works Director)**

*Motion to approve a Resolution of the City Council of the City of Seagoville, Texas approving Work Order No. 6, in an amount not to exceed Three Hundred Fifty-Six Thousand Four Hundred Fifty-Nine Dollars and Zero Cents (\$356,459.00) for Professional Engineering Services for West Simonds Road, issued under the Master Agreement for Professional Services with Garver, LLC; authorizing the City Manager to execute said Work Order; providing a repealing clause; providing a severability clause; and providing an effective date – Magill, seconded by Hernandez; motion passed with all ayes. 4/0*

**5. 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 with Halff Associates, Inc. for assistance with the implementation of City's Storm Water Management Plan for Fiscal Year 2023 in an amount not to exceed Sixty Six Thousand Dollars and Zero Cents (\$66,000.00); authorizing the City Manager to execute said agreement; providing a repealing clause; providing a severability clause; and providing an effective date (Public Works 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 with Halff Associates, Inc. for assistance with the implementation of City's Storm Water Management Plan for Fiscal Year 2023 in an amount not to exceed Sixty Six Thousand Dollars and Zero Cents (\$66,000.00); authorizing the City Manager to execute said agreement; providing a repealing clause; providing a severability clause; and providing an effective date – Hernandez, seconded by Magill; motion passed with all ayes. 4/0*

**6. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, approving an Agreement for Professional Engineering Services on a Task Order Basis with Halff Associates, Inc. and Task Order No. 1 issued thereunder for General Engineering Consulting Services for Fiscal Year 2023 in a total amount not to exceed Sixty Thousand Dollars (\$60,000); authorizing the City Manager to execute said agreement and Task Order No. 1; providing a repealing clause; providing a severability clause; and providing an effective date (Public Works Director)**

*Motion to approve a Resolution of the City Council of the City of Seagoville, Texas, approving an Agreement for Professional Engineering Services on a Task Order Basis with Halff Associates, Inc. and Task Order No. 1 issued thereunder for General Engineering Consulting Services for Fiscal Year 2023 in a total amount not to exceed Sixty Thousand Dollars (\$60,000); authorizing the City Manager to execute said agreement and Task Order No. 1; providing a repealing clause; providing a severability clause; and providing an effective date – Magill, seconded by Howard; motion passed with all ayes. 4/0*

**7. Discuss and consider approving a Resolution of the City of Seagoville, Texas, authorizing the purchase of an articulating swing arm brush cutter and a grapple bucket in an amount not to exceed Twenty Five Thousand Nine Hundred Fifty Dollars and Seventy-Nine Cents (\$25,950.79) from ASCO Equipment; authorizing the City Manager to execute any and all necessary documents and disburse the funds for said purchase, and providing an effective date (Public Works Director)**

*Motion to approve a Resolution of the City of Seagoville, Texas, authorizing the purchase of an articulating swing arm brush cutter and a grapple bucket in an amount not to exceed Twenty Five Thousand Nine Hundred Fifty Dollars and Seventy-Nine Cents (\$25,950.79) from ASCO Equipment; authorizing the City Manager to execute any and all necessary documents and disburse the funds for said purchase, and providing an effective date – Hernandez, seconded by Howard; motion passed with all ayes. 4/0*

**8. Discuss and consider approving a Resolution of the City of Seagoville, Texas, authorizing the purchase of a hydro jetting machine trailer in an amount not to exceed**

**Eighty Five Thousand Three Hundred Eighty Five Dollars and Twenty Five Cents \$85,385.25, from Kinloch Equipment and Supply, Inc; authorizing the City Manager to execute any and all necessary documents and disburse the funds for said purchase; and providing an effective date (Public Works Director)**

*Motion to approve a Resolution of the City of Seagoville, Texas, authorizing the purchase of a hydro jetting machine trailer in an amount not to exceed Eighty Five Thousand Three Hundred Eighty Five Dollars and Twenty Five Cents \$85,385.25, from Kinloch Equipment and Supply, Inc; authorizing the City Manager to execute any and all necessary documents and disburse the funds for said purchase; and providing an effective date – Magill, seconded by Hernandez; motion passed with all ayes. 4/0*

**9. 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 non-exclusive perpetual variable width City of Seagoville municipal water main and wastewater (sanitary sewer) easement and temporary construction easement on Parcel No. 4 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 0.019 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 non-exclusive perpetual variable width City of Seagoville municipal water main and wastewater (sanitary sewer) easement and temporary construction easement on Parcel No. 4 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 0.019 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. 4/0*

**10. Second Reading - Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, approving the Amended and Restated Economic Development Project between the Seagoville Economic Development Corporation, on the one hand, and KRR Malloy Bridge Residential, LLC, a Texas Limited Liability Company, and KRR Malloy Bridge Retail, LLC, a Texas Limited Liability Company, on the other hand as reflected in the terms and conditions of an Amended and Restated Economic Development Incentive Agreement between the parties in substantially the form of that attached hereto as Exhibit “A”; and providing an effective date (City Manager)**

*Motion to approve a Resolution of the City Council of the City of Seagoville, Texas, approving the Amended and Restated Economic Development Project between the Seagoville Economic Development Corporation, on the one hand, and KRR Malloy Bridge Residential, LLC, a Texas Limited Liability Company, and KRR Malloy Bridge Retail, LLC, a Texas Limited Liability Company, on the other hand as reflected in the terms and conditions of an Amended and Restated Economic Development Incentive Agreement between the parties in substantially the form of that attached hereto as Exhibit "A"; and providing an effective date – Howard, seconded by Magill; motion passed with all ayes. 4/0*

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

*None.*

**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.

*None.*

**13. Recessed into Executive Session at 7:51 p.m.**

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

- A. § 551.074. Personnel, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee to wit: City Manager**
- B. § 551.074. Personnel, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee to wit: City Secretary**
- C. § 551.074. Personnel, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee to wit: City Attorney**
- D. § 551.071. Consultation with City Attorney, to seek the advice of its attorney about pending litigation: Shayla Logan v. Chief of Police, Ray Calverley, Captain Steve Davis, and Officer Kevin Yoes ID 180, City of Seagoville, Civil Action No. 3:21-cv-3079 in the United States District Court for the Northern District of Texas**
- E. § 551.071. Consultation with City Attorney: receive legal advice related to the Charter Review Commission Report**

**14. Reconvened Into Regular Session at 8:54 p.m.**

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

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

*Motion to approve an amendment to the City Manager's contract for employment to extend the term for one additional year – Hernandez, seconded by Fruin; motion passed with all ayes. 4/0*

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

*No action taken.*

- C. § 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.*

- D. § 551.071. Consultation with City Attorney, to seek the advice of its attorney about pending litigation: Shayla Logan v. Chief of Police, Ray Calverley, Captain Steve Davis, and Officer Kevin Yoes ID 180, City of Seagoville, Civil Action No. 3:21-cv-3079 in the United States District Court for the Northern District of Texas**

*No action taken.*

- E. § 551.071. Consultation with City Attorney: receive legal advice related to the Charter Review Commission Report**

*No action taken.*

**Adjourned at 8:56 p.m.**

**APPROVED:**

  
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Mayor Dennis K. Childress

**ATTEST:**

  
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Kandi Jackson, City Secretary

