



**SEAGOVILLE, TEXAS  
CITY COUNCIL MEETING AGENDA  
MONDAY, JANUARY 23, 2023**

**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. Receive a presentation concerning the transition of solid waste companies**

**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 January 9, 2023 (City Secretary)**

**REGULAR AGENDA-**

- 2. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, approving a Professional Services Agreement for Professional Engineering Services on a defined scope of services basis with Halff Associates, Inc. for the purpose of providing architectural and engineering services for the design and construction of a new Animal Shelter Building in an amount not to exceed \$298,000.00; authorizing the City Manager to sign; providing a repealing clause; providing a severability clause; providing a savings clause; and providing an effective date (Halff Assoc)**
- 3. Conduct a public hearing on a request amending the Comprehensive Zoning Ordinance and map of the City of Seagoville, Kaufman County, Texas on a zoning change from Agriculture (AG) zoning district to the Local Retail (LR) zoning district on approximately 5.004 ± acres described as being situated in the J. Merchant Survey No. 335, Abstract 310, Kaufman County, Texas, located at the southeast corner of South US-175 and FM 1389, Seagoville, Kaufman County Texas (Community Development)**
- 4. Discuss and consider approving an Ordinance of the City of Seagoville, Texas, amending the Comprehensive Zoning Ordinance and Map of the City of Seagoville, as amended, by granting a change in zoning from Agricultural (AG) to Local Retail (LR), on approximately 5.004± acres located in the J. Merchant Survey No. 335, Abstract 310, in the City of Seagoville, Kaufman County, Texas, and being depicted and described by metes and bounds in Exhibit “A” attached hereto and incorporated herein; providing for a repealing clause; providing for a savings clause; providing for a severability clause; providing for a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense; and providing for an effective date (Community Development)**
- 5. Discuss and consider approving an Ordinance of the City Council of the City of Seagoville, Texas, approving amendments to Ordinance 19-2022 which adopted the Operating Budget for the fiscal year beginning October 1, 2022, and ending September 30, 2023, to (1) Transfer Three Hundred and Fifty Six Thousand Four Hundred and Fifty Nine Dollars (\$356,459) to the Street Maintenance Fund from the General Fund unrestricted fund balance, (2) transfer Ninety-Three Thousand Dollars (\$93,000) from the General Fund unrestricted fund balance to the Fire Vehicle Purchase line item in the General Fund, and (3) Transfer Seventeen Thousand Dollars (\$17,000) from the Vehicle Replacement Fund to the Fire Vehicle Purchase line item in the General Fund; authorizing the City Manager to make said budget amendments; providing for the repeal of all Ordinances that are in conflict; providing a repealing clause; providing a severability clause; and providing an effective date (Finance Director)**

- 6. Discuss and consider approving an Ordinance of the City of Seagoville, Texas, amending the Code of Ordinances by amending Chapter 19 “Utilities”, by repealing Article 19.02 in its entirety and replacing with a new article 19.02 “Solid Waste”; providing a savings clause; providing for a severability clause; providing a penalty of fine not to exceed the sum of Five Hundred Dollars (\$500.00) for each offense; providing for publication; and providing an effective date (Director of Health)**
- 7. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas amending the Master Fee Schedule to provide for Solid Waste Collection and to add applicable fees related to residential, commercial, unusual accumulation, disaster management, commercial front load rates, roll-off containers, and all other rates related to solid waste collection, disposal, and services; providing for a repealing clause; providing for a severability clause; and providing an effective date (Director of Health)**
- 8. Receive a presentation and discuss and consider amending the hours of operation for Code Enforcement to include nights and weekends (Councilmember Fruin)**
- 9. Discuss and consider amending the hours of operation for Animal Control to include nights and weekends (Councilmember Fruin)**
- 10. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, approving and ratifying the Seagoville Economic Development Corporation project for re-routing of electrical services associated with demolition work for 101 N. Kaufman Street by Groves Electrical Services Inc. for compensation in an amount not to exceed Twenty Thousand Five Hundred Seventy Five Dollars and Zero Cents (\$20,575.00); and providing an effective date (Community Development Director)**
- 11. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, approving and ratifying the Seagoville Economic Development Corporation project for V&K Construction, LLC to construct a CMU Wall-Electrical Cabinet for electrical services for five suites at 101 N. Kaufman St. for compensation in an amount not to exceed Sixteen Thousand Dollars and Zero Cents (\$16,000.00); and providing an effective date (Community Development Director)**
- 12. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, approving and ratifying the Seagoville Economic Development Corporation project for the repair of the roof and brick at 101 N. Kaufman by V&K Construction, LLC as set forth in the attached in Exhibit “A” for compensation in an amount not to exceed Fifteen Thousand Six Hundred Ten Dollars and Zero Cents (\$15,610.00); and providing an effective date (Community Development Director)**

**13. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, approving and ratifying the Seagoville Economic Development Corporation project for repair of the drainpipe at 101 N. Kaufman St. by V&K Construction, LLC as set forth in the attached in Exhibit “A” and for compensation in an amount not to exceed One Thousand Two Hundred Dollars and Zero Cents (\$1,200.00); and providing an effective date (Community Development Director)**

**14. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, approving and ratifying the Seagoville Economic Development Corporation project for obtaining from impact Datasource, LLC a program to assist in development strategy, as set forth in Exhibit “A” attached hereto and for compensation in an amount not to exceed \$6,615.00; providing for a repealing clause; providing for a severability clause; and providing an effective date (Community Development Director)**

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

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

**17. Recess into Executive Session**

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

**A. § 551.071. Consultation with City Attorney: receive legal advice related to the Proposed Home Rule Charter Propositions**

**18. 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 the Proposed Home Rule Charter Propositions**

**Adjourn**

Posted Friday, January 20, 2023, by 5:00 P.M.

  
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Kandi Jackson, City Secretary



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

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

**DATES TO REMEMBER**

- **Monday, February 6, 2023, Regular City Council Meeting**
- **Monday, February 27, 2023, Regular City Council Meeting**
- **Monday, March 6, 2023, Regular City Council**
- **Monday, March 20, 2023, Regular City Council**

# *Consent Session Agenda Item: 1*

**Meeting Date:     January 23, 2023**

**ITEM DESCRIPTION:**

Consider approving City Council Meeting Minutes for January 9, 2023.

**BACKGROUND OF ISSUE:**

Approve City Council Meeting Minutes for January 9, 2023.

**FINANCIAL IMPACT:**

N/A

**RECOMMENDATION:**

N/A

**EXHIBITS:**

January 9, 2023, Work Session Meeting Minutes  
January 9, 2023, Regular Session Meeting Minutes



**MINUTES OF CITY COUNCIL  
WORK SESSION  
JANUARY 9, 2023**

**The Work Session of the City Council of the City of Seagoville, Texas was called to order at 6:30 p.m. on Monday, January 9, 2023, 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

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

**A. Discuss Regular Session Agenda Items**

**1. Consider approving City Council Meeting Minutes for December 19, 2022 (City Secretary)**

*No questions.*

**2. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, authorizing the purchase from Siddons Martin Emergency Group of a 1997 Pierce 100' Platform Ladder Truck, 1750 Pump, Detroit Series 60 Engine, said purchase transaction to include the trade-in of the city's 2000 E-One Pumper for a trade-in value of Thirty Thousand (\$30,000.00) Dollars, resulting in a net purchase price of One Hundred Ten Thousand Dollars (\$110,000.00) to be paid by the city; authorizing the City Manager to execute any documents necessary for said transaction and purchase; and providing an effective date (Fire Chief)**

*Fire Chief Gilcrease stated that this Resolution authorizes the purchase from Siddons Martin Emergency Group of a 1997 Pierce 100' Platform Ladder Truck, 1750 Pump,*

*Detroit Series 60 Engine, said purchase transaction to include the trade-in of the city's 2000 E-One Pumper for a trade-in value of Thirty Thousand (\$30,000.00) Dollars, resulting in a net purchase price of One Hundred Ten Thousand Dollars (\$110,000.00) to be paid by the city.*

*Mayor Childress recessed the meeting at 6:42 p.m. for Council to view the Platform Ladder Truck.*

*Mayor Childress reconvened the meeting at 6:52 p.m.*

**3. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, approving designation of the City Manager as the Authorized Official for Grant Number 4588301 Titled, Bullet Resistant Shield Project and authorizing the submission of the Grant Application to the Office of the Governor, Criminal Justice Division; providing for the repeal of any and all Resolutions in conflict; providing for a severability clause; and providing an effective date (Police Chief)**

*Police Chief Calverley stated that this Resolution approves the designation of the City Manager as the Authorized Official for Grant Number 4588301, Titled, Bullet Resistant Shield Project, and authorizing the submission of the Grant Application to the Office of the Governor, Criminal Justice Division. He also stated that this will allow the purchase for a shield to be placed in all police vehicles.*

**4. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, authorizing the purchase of 45,000 pounds of crack sealant material in an amount not to exceed Twenty Six Thousand, Six Hundred Twenty Five Dollars and Zero Cents (\$26,625.00) from Crafc 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)**

*Public Works Director Ryan stated that this Resolution authorizes the purchase of 45,000 pounds of crack sealant material in an amount not to exceed Twenty-Six Thousand Twenty-Five Dollars and Zero Cents (\$26,625.00).*

**B. Update concerning the transition of trash and recycling services**

*Director of Health Bhandari presented the transition process concerning trash and recycling services.*

**C. Discuss Animal Shelter Building Project**

*City Manager Stallings presented the Animal Shelter Building Project.*

*After some discussion, Council directed the City Manager to proceed with the Animal Shelter Building Project.*

**Adjourned at 7:16 p.m.**

**APPROVED:**

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Mayor Dennis K. Childress

**ATTEST:**

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Kandi Jackson, City Secretary



**MINUTES OF CITY COUNCIL  
REGULAR SESSION  
JANUARY 9, 2023**

**The Regular Session of the City Council of the City of Seagoville, Texas was called to order at 7:20 p.m. on Monday, January 9, 2023, at City Hall, 702 N. Hwy 175, Seagoville, Texas with a quorum present, to wit:**

Dennis Childress	Mayor	
Harold Magill	Mayor Pro Tem	Arrived at 7:21 p.m.
Jose Hernandez	Councilmember	
Rick Howard	Councilmember	
Mike Fruin	Councilmember	
Jon Epps	Councilmember	

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

**Invocation** – *The invocation was led by Mayor Childress.*

**Pledge of Allegiance** – *The 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 December 19, 2022 (City Secretary)**

*Motion to approve City Council Meeting Minutes for December 19, 2022 – Magill, seconded by Howard; motion passed with all ayes. 5/0*

**REGULAR AGENDA-**

**2. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, authorizing the purchase from Siddons Martin Emergency Group of a 1997 Pierce 100' Platform Ladder Truck, 1750 Pump, Detroit Series 60 Engine, said purchase transaction to include the trade-in of the city's 2000 E-One Pumper for a trade-in value of Thirty Thousand (\$30,000.00) Dollars, resulting in a net purchase price of One Hundred Ten Thousand Dollars (\$110,000.00) to be paid by the city; authorizing the City Manager to execute any documents necessary for said transaction and purchase; and providing an effective date (Fire Chief)**

*Motion to approve a Resolution of the City Council of the City of Seagoville, Texas, authorizing the purchase from Siddons Martin Emergency Group of a 1997 Pierce 100' Platform Ladder Truck, 1750 Pump, Detroit Series 60 Engine, said purchase transaction to include the trade-in of the city's 2000 E-One Pumper for a trade-in value of Thirty Thousand (\$30,000.00) Dollars, resulting in a net purchase price of One Hundred Ten Thousand Dollars (\$110,000.00) to be paid by the city; authorizing the City Manager to execute any documents necessary for said transaction and purchase; and providing an effective date – Howard, seconded by Epps; motion passed with all ayes. 5/0*

**3. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, approving designation of the City Manager as the Authorized Official for Grant Number 4588301 Titled, Bullet Resistant Shield Project and authorizing the submission of the Grant Application to the Office of the Governor, Criminal Justice Division; providing for the repeal of any and all Resolutions in conflict; providing for a severability clause; and providing an effective date (Police Chief)**

*Motion to approve a Resolution of the City Council of the City of Seagoville, Texas, approving designation of the City Manager as the Authorized Official for Grant Number 4588301 Titled, Bullet Resistant Shield Project and authorizing the submission of the Grant Application to the Office of the Governor, Criminal Justice Division; providing for the repeal of any and all Resolutions in conflict; providing for a severability clause; and providing an effective date – Magill, seconded by Epps; motion passed with all ayes. 5/0*

**4. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, authorizing the purchase of 45,000 pounds of crack sealant material in an amount not to exceed Twenty Six Thousand, Six Hundred Twenty Five Dollars and Zero Cents (\$26,625.00) from Crafcoc 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 Council of the City of Seagoville, Texas, authorizing the purchase of 45,000 pounds of crack sealant material in an amount not to exceed Twenty Six Thousand, Six Hundred Twenty Five Dollars and Zero Cents (\$26,625.00) from Crafcro Inc.; 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 Magill; motion passed with all ayes. 5/0*

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

*None.*

**6. 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.

*Mayor Pro Tem Magill stated he would like to have a discussion with the Police Department concerning the gunfire over the holiday.*

*Councilmember Fruin stated he would like an item on the Agenda to consider re-evaluating working hours for Animal Control and Code Enforcement to include evening and weekend hours.*

**Adjourned at 7:26 p.m.**

**APPROVED:**

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Mayor Dennis K. Childress

**ATTEST:**

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Kandi Jackson, City Secretary

## ***Regular Session Agenda Item: 2***

**Meeting Date: January 23, 2023**

### **ITEM DESCRIPTION:**

Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, approving a Professional Services Agreement for Professional Engineering Services on a defined scope of services basis with Halff Associates, Inc. for the purpose of providing architectural and engineering services for the design and construction of a new Animal Shelter Building in an amount not to exceed \$298,000.00; authorizing the City Manager to sign; providing a repealing clause; providing a severability clause; providing a savings clause; and providing an effective date.

### **BACKGROUND OF ISSUE:**

The City Council for the City of Seagoville, Texas, desires to enter into an agreement for the purpose of providing architectural and engineering services for the construction of a new Animal Shelter Building. Halff Associates, Inc. has provided a proposal for the purpose of providing the required architectural and engineering services for the construction of a new Animal Shelter Building on a defined scope of services basis in the amount of \$298,000.00.

### **FINANCIAL IMPACT:**

\$298,000.00

### **RECOMMENDATION:**

Staff recommends approval.

### **EXHIBITS:**

Resolution – Approving an Agreement for Professional Engineering Services  
Professional Engineering Services Agreement w/Halff Associates, Inc.

**THE CITY OF SEAGOVILLE, TEXAS**

**RESOLUTION NO. \_\_-R-2023**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS, APPROVING AN PROFESSIONAL SERVICES AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES ON A DEFINED SCOPE OF SERVICES BASIS WITH HALFF ASSOCIATES, INC. FOR THE PURPOSE OF PROVIDING ARCHITECTURAL AND ENGINEERING SERVICES FOR THE DESIGN AND CONSTRUCTION OF A NEW ANIMAL SHELTER BUILDING IN AN AMOUNT NOT TO EXCEED \$298,000.00; AUTHORIZING THE CITY MANAGER TO SIGN; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council for the City of Seagoville, Texas, desires to enter into an agreement for the purpose of providing architectural and engineering services for the design and construction of a new Animal Shelter Building; and,

**WHEREAS**, Halff Associates, Inc. has provided a proposal for the purpose of providing the required architectural and engineering services for the design and construction of a new Animal Shelter Building on a defined scope of services basis in the amount of \$298,000.00; and,

**WHEREAS**, the City Council for the City of Seagoville, Texas has reviewed the proposed agreement with Halff Associates, Inc. for these services and has determined it to be in the best interest of the City of Seagoville to enter into said agreement.

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

**SECTION 1.** The professional services agreement for architectural and engineering services with Halff Associates, Inc., for provision of professional engineering services on a defined scope of services basis with Halff Associates, Inc. for the purpose of providing architectural and engineering services for the design and construction of a new Animal Shelter Building in accordance with the terms and conditions set forth in Exhibit "A", attached hereto and incorporated herein by this reference, for total compensation in an amount not to exceed two hundred ninety eight thousand dollars and zero cents (\$298,000.00) is approved, and the City Manager is authorized to execute the same and any other related, necessary documents on behalf of the City.

**SECTION 2.** Any prior Resolutions of the City Council of the City of Seagoville, Texas, in conflict with the provisions contained in this Resolution are hereby repealed and revoked.

**SECTION 3.** If any article, paragraph, subdivision, clause or provision of this Resolution, be adjudged invalid or held unconstitutional for any reason, such judgment or holding shall not affect the validity of this Resolution as a whole or any part or provision thereof, other than the part

so declared to be invalid or unconstitutional.

**SECTION 4.** This resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Seagoville, Texas, and it is accordingly resolved.

**DULY PASSED** by the City Council of the City of Seagoville, Texas, on the 23<sup>rd</sup> day of January 2023.

**APPROVED:**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

(012023vwtTM

# Exhibit “A”



Mr. Patrick Stallings  
City of Seagoville  
702 N. US Highway 175  
Seagoville, TX 75159

Revised January 19, 2023  
P53473

RE: **Proposal for Architectural/Engineering Services  
Animal Shelter, Seagoville, Texas**

Dear Pat:

I am pleased to submit this proposal for Halff Associates to provide Architectural and Engineering services for the proposed projects in Seagoville, Texas. For over 70 years Halff Associates has been committed to providing outstanding design service and professionalism to our clients. We are very excited to be a part of your team for this project.

We will provide Architecture, Structural Engineering, Civil Engineering, Surveying and Landscape Architecture services for this project. As the Architect for the project, we will coordinate the design with our engineers, the contractor and other consultants and provide design leadership, coordination and scheduling to the design process.

CMJ will be contracted to provide 2 borings on site, 1 full depth to shale, and provide geotechnical recommendations.

## **1.0 PROJECT UNDERSTANDING AND PRELIMINARY SCOPE OF WORK**

The City of Seagoville is planning the construction of a new animal shelter, approximately 6000 sq. ft. on a to be determined site.

Load bearing concrete masonry, potentially with a brick facade will serve as structure and skin, with steel interior columns and light gauge roof framing. The general contractor would be responsible for scheduling and cost estimates, construction of the site and building construction.

City of Seagoville is responsible for all services associated with any necessary and or required environmental studies, or site surveys.

## **2.0 HALFF APPROACH**

Outlined below is our approach to providing architectural and engineering services.

### **2.1 Kick-Off Meeting / Goals and Objective**

We recommend that the project begin with a kick-off meeting where we discuss the following:

- Identify the overall project goals and objectives
- Overall scope and execution method for the project
- Roles and responsibilities for each of the major firms involved in the project
- Communications chain and process
- Target / Cost budgets
- Design, construction and startup schedule

### **2.2 CONCEPTUAL DESIGN PHASE**

The First task in this phase is to complete a code review for all disciplines. Utilizing the information and the code requirements, we will finalize the conceptual design for the project including floor plans, building sections and elevations, and site layout. The conceptual design will also include



descriptions and or diagrams of the proposed building systems with selection of long lead equipment items (as included in Halff's scope), and preliminary structural design. Throughout this phase we will meet with City of Seagoville and other team members in a collaborative environment to discuss the floor plans, site plan, and to discuss options for the various building systems (as included in Halff's scope). The final conceptual design will be documented and will form the basis for development of the construction documents.

### **2.3 DETAILED DESIGN (CONSTRUCTION DOCUMENTS) PHASE**

Upon written approval of the conceptual design, our team will develop construction documents to the level of detail to allow for construction of the various disciplines and final pricing from the general construction contractor. Outlined below is the anticipated scope of work for the construction documents.

#### **2.3.1 Preparation of Site Construction Documents**

Halff will prepare construction documents for the improvements associated with the site development permit in accordance with the following scope:

##### **A. *Site Plan* –**

1. Based on the building plan prepared by the architect, a site plan will be prepared meeting all submittal requirements of the local AHJ Office. The site plan will be prepared to provide appropriate dimensioning of the site, proper sizing of drive ways, surface parking lots, parking count determination, proper representation of buildings in relation to other site improvements, and all other items necessary to meet the site development application

##### **B. *Dry Utilities* -**

1. Halff's Civil engineer shall provide all coordination with the electric company and other dry utility providers to obtain service to the site and to each building
2. Halff will show utility services through the site and transformer locations on the construction plans as they are provided from the dry utility service provide
3. Our fee does not include the design of any off-site utilities or any site located substations

#### **2.3.2 Preparation of Architectural Construction Documents**

Prepare final construction documents including drawings and specifications based on the approval conceptual design. Prior to beginning construction documents, we will review the design with the local regulatory agencies and will incorporate any required changes into the design. Outlined below is a preliminary list of architectural drawings and documents.

1. Cover sheet
2. General notes
3. Abbreviations
4. Life safety plans
5. Code analysis
6. Architectural site plan
7. Enlarged floor plans
8. Architectural window and door schedules
9. Architectural details & sections
10. Specifications

#### **2.3.3 Preparation of Structural Construction Documents**

Prepare final construction documents including drawings and specifications based on the approval conceptual design. Outlined below is a preliminary list of structural drawings and documents.

1. General notes and special inspection data



2. Building Foundation plans and details
3. Roof framing plans and details
4. Basic layout of load bearing walls
5. Specifications

## 2.5 PERMITTING SERVICES PHASE

This task includes services necessary for the permitting phase of the project. The specific tasks Halff proposes for this service are as follow:

- We will prepare applications and submit construction drawings and documents to local authorities for review and approval
- Meetings as necessary with reviewers to address any comments they have regarding the design documents
- Modification of plans to address review comments, this does not include any extensive flood or drainage studies, should the city require
- Resubmit construction drawings and documents as necessary
- Coordination of bidding documents with contractors

## 2.6 CONSTRUCTION PHASE

Construction administration services including:

- Shop drawings, submittals, and samples review
- Respond to RFIs and provide supplemental information as appropriate
- Monthly construction call / meeting.
- Site visits to observe construction (building, structural, civil) as required. When possible, these site visits will be done in conjunction with the weekly construction meetings.

## 3.0 MEETINGS AND SCHEDULE

### 3.1 Proposed Preliminary Design Schedule and Meetings

We propose the following meetings for each phase:

- **Kick-off and Programming Phase** - In person meeting attended by 1 person from Halff for 1/2 day
- **Detailed Design (CDs) Phase** – Based on an 8 week schedule. Bi-weekly in person or virtual meetings with Halff team members as necessary
- **Permitting Phase** – Based on one in-person meeting with local authorities plus 1 conference call meeting with the local authorities to review their comments
- **Construction Phase** – Based on 10 month building schedule. Architect to attend Bi-weekly construction call / meeting 1 1/2 hours, 10 in person, 10 via call. Assume each Engineering discipline will attend 2 in-person meetings coordinated with site visit trips when possible. Our fee is based on a total of 14 site visits to observe construction and 2 punch list site visits. When possible, these site visits will be done in conjunction with the bi-weekly construction meetings.
- **As-Built Phase** – Conference call to coordinate with GC

The preliminary tasks identified above are contingent upon completion of the previous task and Halff's receipt of all information necessary to perform the services described in the subsequent task. It is understood that without the necessary information, guidance, data, decisions and direction that the design team cannot perform its services and delays in receipt of such information, etc. will result in additional time in the schedule.

## 4.0 FEE PROPOSAL

### Base Fee

Halff proposes to provide the services outlined above with the clarifications and assumptions below



for a lump sum fee of \$298,000 as outlined below, plus reimbursable expenses at cost plus 10%.

**BASE BUILDING**

• Geotechnical Report (by CMI)	\$ 5,500
• Topo Survey	\$ 5,000
• Preliminary/Final Plat (if required)	\$ 13,500 (plus tax)
• Civil Engineering	\$ 40,000
• Stormwater Detention Design	\$ 8,000
• Landscape Architecture and Irrigation	\$ 8,000
• Structural Engineering	\$ 29,000
• MEP Engineering	\$ 42,000
• Architecture, Design and Contract Administration	\$ 118,000
• Furniture, Fixtures and Equipment	\$ 25,500
• Bidding and Negotiation	\$ 3,500
<b>Total Base Building Architectural/Engineering Fee</b>	<b>\$ 298,000</b>

**Reimbursable Expenses**

Reimbursable expenses include travel costs, meals and other similar expenses, CAD plotting, printing, reports, renderings, etc., and other similar expenses. Estimated expenses are \$10,000 and are billed at cost plus ten (10) percent. Permit fees are not included.

**Additional Services**

Services beyond those identified above will be provided on either a lump sum basis or at the hourly rates included below.

Principal	\$300/hour
Project Manager	\$235/hour
Project Architect/Engineer	\$165/hour
Junior Architect/Engineer	\$125/hour
Administrative Assistant	\$65/hour

**4.0 PROPOSAL ASSUMPTIONS AND CLARIFICATION**

In addition to the scope of work above the following assumptions and clarification were utilized to develop our proposed fee.

1. Significant design revisions following approval of the conceptual design documents will be provided as an additional service
2. Work with City of Seagoville to support development of an overall project schedule
3. Our proposal and fees include the number of site visits during construction as identified in Section 2.6, we can adjust our fee to reduce the number of visits or to provide additional visits as determined by City of Seagoville
4. Other than site visits all project review meetings will be held in City office

**5.0 ITEMS NOT INCLUDED IN OUR PROPOSAL**

Outlined below is a list of items not included in our proposal. Construction Management fees are not included

1. Construction Management fees.
2. Design of solar or other similar sustainable elements.
3. Offsite Utility or Drainage Plans other than outlined above.



4. Environmental Services; Floodplain or reclamation studies, Phase I studies or any related environment services.
5. Storm Water Conveyance Studies or Design for Offsite conveyance of storm water; Storm Water Pollution Prevention Plan (SWPPP).
6. Quality control and material testing services during construction.
7. Major modifications to the design after approved conceptual design will be provided as an additional service.
8. Traffic engineering report or studies, Traffic Impact Analyses.
9. Preparation or modification of a unified development agreement or other restrictive covenant document; Preparation or modification of a license agreement.
10. Design of any off-site utilities and or site electrical substations.
11. Design of any site power generation systems.
12. Preparation and coordination required for any Environmental Board Approvals, Board of Adjustment, or any Public Meetings not specifically within the Scope of Services.
13. Environmental testing services of any kind; Wetlands assessments.
14. Researching title records for environmental liens or activity and use limitations.
15. Coordination with Insurance Companies, Attorneys, Banking Institutions or Third-Party Reviewers.
16. Structural design of specialty equipment foundations or cranes.

**Half Associates, Inc.**

Derek Downs, AIA  
 Vice President, Director of Architecture  
 Date: January 16, 2023

Accepted by:

**City of Seagoville**

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

Date: \_\_\_\_\_

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

**Meeting Date: January 23, 2023**

### **ITEM DESCRIPTION:**

Conduct a public hearing on a request amending the Comprehensive Zoning Ordinance and map of the City of Seagoville, Kaufman County, Texas, on a zoning change from Agriculture (AG) zoning district to the Local Retail (LR) zoning district on approximately 5.004 ± acres described as being situated in the J. Merchant Survey No. 335, Abstract 310, Kaufman County, Texas, located at the southeast corner of South US-175 and FM 1389, Seagoville, Kaufman County Texas.

### **BACKGROUND OF ISSUE:**

Located on the southeast corner of US 175 and FM 1389, the subject property is within the Agricultural (AG) zoning district. The property received that default AG classification upon its annexation into the City in 2008 per section 25.02.041 of the City's Code of Ordinances. The applicant is requesting to rezone the property from the current AG zoning district to a Local Retail (LR) zoning district.

The adopted Seagoville Future Land Use Plan component of the City's Comprehensive Plan was last amended in 2002. The Comprehensive Plan identifies future land uses not only for areas within the City's municipal boundaries, but also within its extraterritorial jurisdiction ("ETJ"). The Future Land Use Plan identifies the subject property, in addition to much of the US 175 corridor, as being within a Local Retail Zoning District. The Future Land Use Plan identifies Local Retail Land uses by stating the following:

"Retail land use areas are intended to provide for a variety of retail trade, personal and business services and establishments. As mentioned previously, retail establishments generally require higher visibility than do other types of nonresidential land use (e.g., office, commercial). In response to this need, retail land uses have been designated in the higher traffic areas of Seagoville, with concentrated retail uses recommended along U.S. Highway 175." (Seagoville Comprehensive Plan, 2002, Chapter 5, Future Land Use Plan 5-8)

### **FINANCIAL IMPACT:**

NA

**RECOMMENDATION:**

On December 27, 2022, the Planning and Zoning Commission voted unanimously (five to zero) to recommend approval of the zoning request

Staff recommends approval of the zoning request.

**EXHIBITS:**

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

1. Application
2. Legal Description and Survey
3. Aerial Map
4. Zoning Map
5. Future Land Use Plan



# ZONING APPLICATION

City of Seagoville, Texas

ANTICIPATED MEETING DATES: P&Z: \_\_\_\_\_ City Council: \_\_\_\_\_

DATE OF PRE-APPLICATION CONFERENCE WITH CITY REPS & PLANNER (required): \_\_\_\_\_

**Application Type:**

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

Name of Subdivision or Project: \_\_\_\_\_

Physical Location of Property: Southeast corner of US Hwy 175 and FM 1389  
[General Location – approximate distance to nearest existing street corner]

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

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

Acreage: 5.004 Existing Zoning: Agriculture, AG Requested Zoning: Local Retail, LR

[Attach a detailed description of requested zoning & development standards, if a PD]

Applicant / Owner's Name: Mabrey & Partners LLC Applicant or Owner?  (circle one)

Contact Person: James Mabrey Title: Managing Partner

Company Name: Mabrey & Partners LLC

Street/Mailing Address: 5956 Sherry Ln #2003 City: Dallas State: TX Zip: 75225

Phone: (214) 546-5400 Fax: ( ) \_\_\_\_\_ Email Address: james@mabreypartnersllc.com

Engineer / Representative's Name: Tony Rader

Contact Person: Tony Rader Title: Representative

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

Street/Mailing Address: 9279 Blarney Stone Way City: Forney State: TX Zip: 75126

Phone: (214) 399-8802 Fax: ( ) \_\_\_\_\_ Email Address: tony.rader@gmail.com

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

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

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

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

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

Signed: \_\_\_\_\_ Title: Managing Partner Date: 11-1-22



[seal]

SUBSCRIBED AND SWORN TO before me, this the 1st day of November, 2022

Notary Public in and for the State of Texas: Caitlin Turner  
My Commission Expires On: 1/5/2026

**Office Use Only:** Date Rec'd: \_\_\_\_\_ Fees Paid: \$ \_\_\_\_\_ Check #: \_\_\_\_\_ Receipt #: \_\_\_\_\_  
Zoning Case # \_\_\_\_\_ Accepted By: \_\_\_\_\_ Official Submittal Date: \_\_\_\_\_

## Casey Fillmore

---

**From:** Tony Rader <tony.rader@gmail.com>  
**Sent:** Tuesday, December 21, 2021 9:44 AM  
**To:** Casey Fillmore  
**Subject:** Legal for zoning

### LEGAL DESCRIPTION

#### TRACT 1

BEING a 5.004-acre tract of land situated in the J. Merchant Survey No. 335, Abstract No. 310 Texas; being a portion of that certain tract of land as described in a Special Warranty Management, LP in Volume 2476, Page 377 and further referenced as being a portion of a Tract to contain 31.896 acres to Caroline Hunt Trust Estate as described in Volume 433, Page 1000, Records of Kaufman County, Texas ; said 5.004 acres being more particularly described by metes and bounds as follows with bearings referenced to the Texas Coordinate System of 1983, North Central Zone, 4301:

BEGINNING: at a 5/8-inch iron rod with cap stamped "Spooner & Assoc." found on the Southeast corner of U.S. Highway 175 (right-of-way varies) for the Northernmost Northwestern corner of a 2,314.1631-acre tract called Second Tract in a Special Warranty Deed & Grant & Reservation of Easements to the Municipal Water District in Volume 5314, Page 79 (Instrument No. 2017-0008060) of the Kaufman County, Texas, a corner of the remainder of the said Wetlands Management tract, for the Southeastern corner of this herein described tract;

THENCE: South 10°50'01" West a distance of 363.97 feet along a line of the said 2,314.1631-acre tract to the remainder of the said Wetlands Management tract to a 5/8-inch iron rod with cap stamped "Spooner & Assoc." found for a corner of the said 2,314.1631-acre tract, a corner of the remainder of the said Wetlands Management tract, for the Southeastern corner of this herein described tract;

THENCE: North 79°10'53" West a distance of 628.96 feet along a line of the said 2,314.1631-acre tract to the remainder of the said Wetlands Management tract to a Texas Department of Transportation monument found for a corner of Farm to Market Road No. 1389, a corner of the said 2,314.1631-acre tract, a corner of the remainder of the said Wetlands Management tract, for the Southwestern corner of this herein described tract;

THENCE: North 20°19'41" East a distance of 369.55 feet along the Southeastern line of said Farm to Market Road No. 1389, a line of the remainder of the said Wetlands Management tract to a Texas Department of Transportation Type 1 concrete monument found on the Southern line of said U.S. Highway 175, a corner of the remainder of the said Wetlands Management tract, for the Northwestern corner of this herein described tract;

THENCE: South 79°07'49" East a distance of 568.01 feet along the Southern line of said U.S. Highway 175, a corner of the remainder of the said Wetlands Management tract to the POINT OF BEGINNING and containing 5.004 acres of land.

Thanks  
Tony Rader  
214-399-8802

Sent from my iPhone



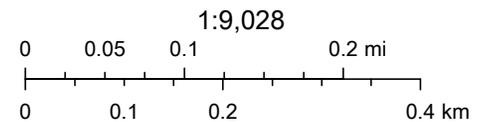


# Subject Property



12/19/2022, 9:19:43 AM

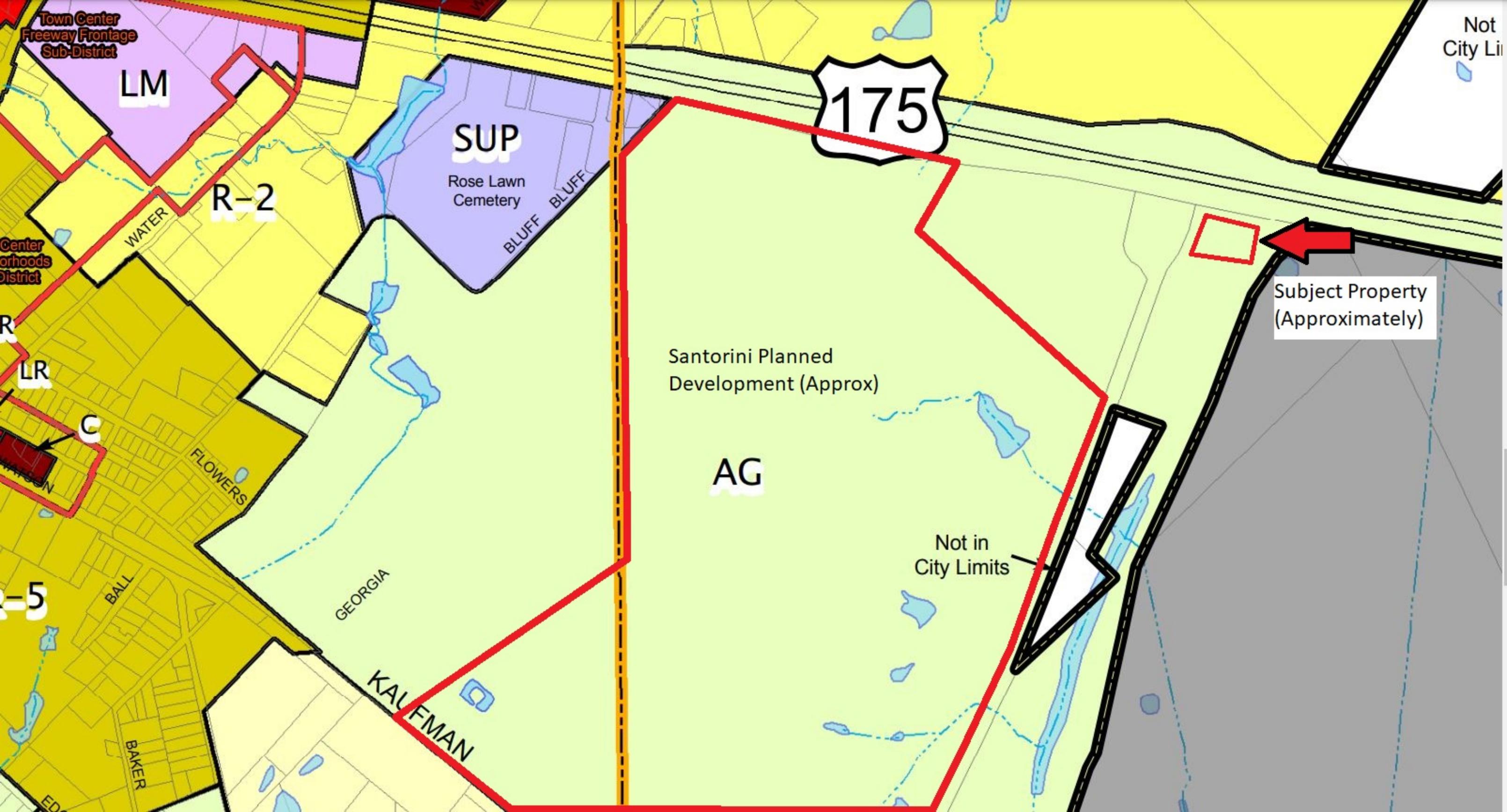
-  Abstracts
-  Parcels



Esri Community Maps Contributors, Baylor University, Texas Parks & Wildlife, © OpenStreetMap, Microsoft, CONANP, Esri, HERE, Garmin,

Kaufman County Appraisal District, BIS Consulting - [www.bisconsulting.com](http://www.bisconsulting.com)

Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of boundaries.



Town Center  
Freeway Frontage  
Sub-District

LM

175

SUP

Rose Lawn  
Cemetery

R-2

Center  
Neighborhoods  
District

R

LR

C

Santorini Planned  
Development (Approx)

Subject Property  
(Approximately)

AG

Not in  
City Limits

-5

BALL

GEORGIA

KALFMAN

BAKER

ED

Not  
City Li

# Plate 5-1 Future Land Use Plan

City of Seagoville, Texas  
Comprehensive Plan

**Future Land Use Legend**

- LDR - Low Density Residential
- MDR - Medium Density Residential
- HDR - High Density Residential
- MH - Manufactured Housing
- P/SP - Public/Semi-Public
- P/OS - Parks
- R - Retail
- C - Commercial
- O - Office
- I - Industrial
- CA - Central Area
- Floodplain

**Boundary Legend**

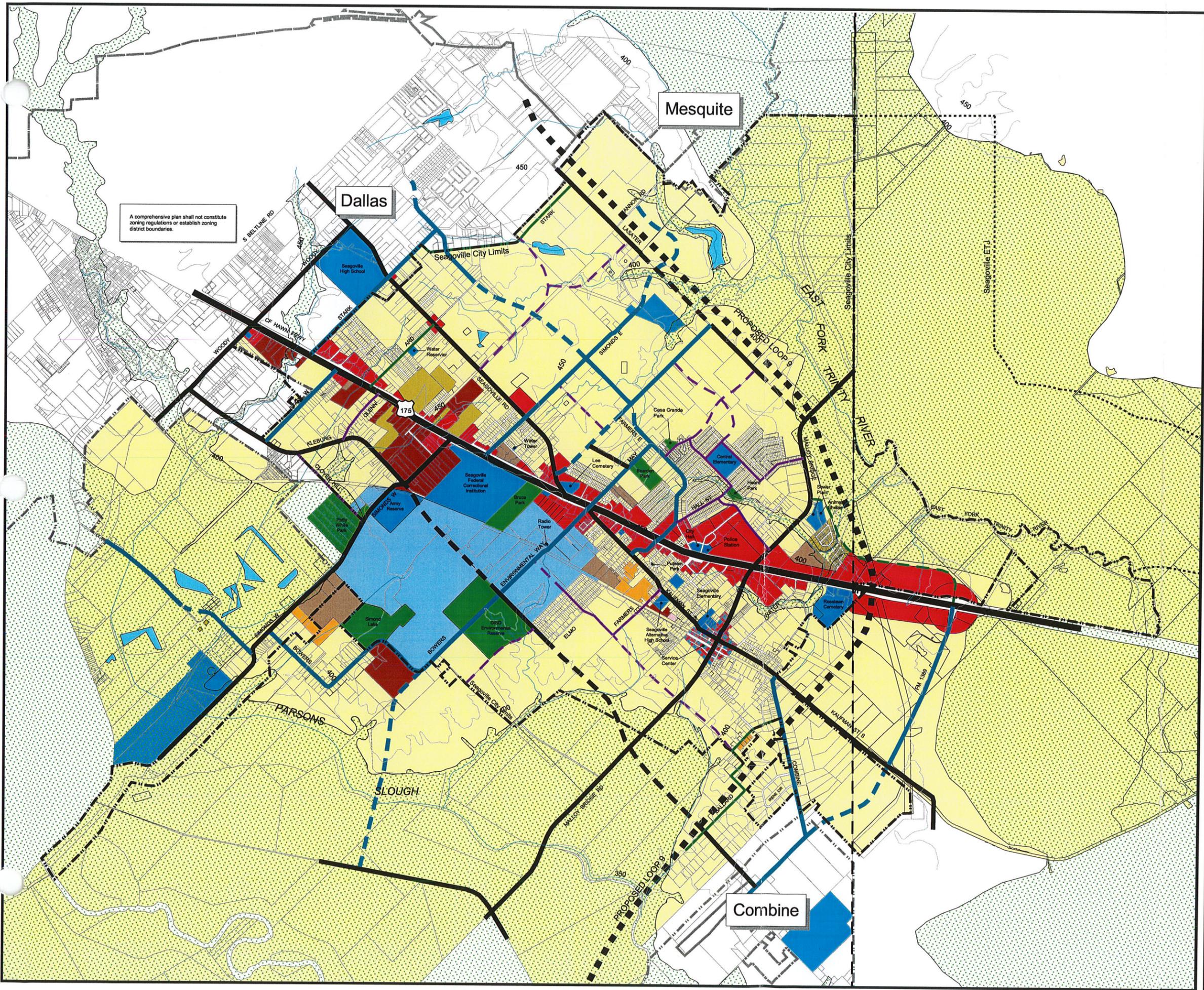
- Seagoville City Limits
- Seagoville ETJ
- Surrounding City Limits
- County Line

**Thoroughfare Legend**

- Major Thoroughfare Type A
- Type A Proposed
- Minor Thoroughfare Type B
- Type B Proposed
- Major Collector Type C
- Type C Proposed
- Minor Collector Type D
- Type D Proposed



Dunkin Sefko & Associates, Inc.  
Urban Planning Consultants Dallas Texas  
Date: October 2002



A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.

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

**Meeting Date: January 23, 2023**

### **ITEM DESCRIPTION:**

Discuss and consider approving an Ordinance of the City of Seagoville, Texas, amending the Comprehensive Zoning Ordinance and Map of the City of Seagoville, as amended, by granting a change in zoning from Agricultural (AG) to Local Retail (LR), on approximately 5.004± acres located in the J. Merchant Survey No. 335, Abstract 310, in the City of Seagoville, Kaufman County, Texas, and being depicted and described by metes and bounds in Exhibit “A” attached hereto and incorporated herein; providing for a repealing clause; providing for a savings clause; providing for a severability clause; providing for a penalty of fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense; and providing for an effective date.

### **BACKGROUND OF ISSUE:**

Located on the southeast corner of US 175 and FM 1389, the subject property is within the Agricultural (AG) zoning district. The property received that default AG classification upon its annexation into the City in 2008 per section 25.02.041 of the City’s Code of Ordinances. The applicant is requesting to rezone the property from the current AG zoning district to a Local Retail (LR) zoning district.

The adopted Seagoville Future Land Use Plan component of the City’s Comprehensive Plan was last amended in 2002. The Comprehensive Plan identifies future land uses not only for areas within the City’s municipal boundaries, but also within its extraterritorial jurisdiction (“ETJ”). The Future Land Use Plan identifies the subject property, in addition to much of the US 175 corridor, as being within a Local Retail Zoning District. The Future Land Use Plan identifies Local Retail Land uses by stating the following:

“Retail land use areas are intended to provide for a variety of retail trade, personal and business services and establishments. As mentioned previously, retail establishments generally require higher visibility than do other types of nonresidential land use (e.g., office, commercial). In response to this need, retail land uses have been designated in the higher traffic areas of Seagoville, with concentrated retail uses recommended along U.S. Highway 175.” (Seagoville Comprehensive Plan, 2002, Chapter 5, Future Land Use Plan 5-8)

### **FINANCIAL IMPACT:**

NA

**RECOMMENDATION:**

On December 27, 2022, the Planning and Zoning Commission voted unanimously (five to zero) to recommend approval of the zoning request

Staff recommends approval of the zoning request.

**EXHIBITS:**

1. Proposed Zoning Ordinance

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

**ORDINANCE NO. \_\_\_\_-2023**

**AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF SEAGOVILLE, AS AMENDED, BY GRANTING A CHANGE IN ZONING FROM AGRICULTURAL (AG) TO LOCAL RETAIL (LR), ON APPROXIMATELY 5.004± ACRES LOCATED IN THE J. MERCHANT SURVEY NO. 335, ABSTRACT 310, IN THE CITY OF SEAGOVILLE, KAUFMAN COUNTY, TEXAS, AND BEING DEPICTED AND DESCRIBED BY METES AND BOUNDS IN EXHIBIT “A” ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

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

**SECTION 1:** That the Comprehensive Zoning Ordinance and Map of the City of Seagoville, Texas, as heretofore amended, be and the same is hereby amended by granting a change in the zoning from Agricultural (AG) to Local Retail (LR), on approximately 5.004± acres located in the J. Merchant Survey No. 335, Abstract 310, in the City of Seagoville, Kaufman County, Texas, and being depicted and described by metes and bounds in Exhibit “A” attached hereto and incorporated herein (the “Property”).

**SECTION 2:** That the Property shall be used only for the purposes set out in accordance with the City of Seagoville’s Zoning Ordinance and all other ordinances, codes, and policies of the City of Seagoville, as amended.

**SECTION 3:** That all provisions of the Ordinances of the City of Seagoville, Texas, in conflict with the provisions of this ordinance as amended be hereby repealed and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 4:** That should any sentence, paragraph, subdivision, clause, phrase, or section of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance or the Comprehensive Zoning Ordinance as a whole, or any part or provision thereof, other than the part declared to be invalid, illegal, or unconstitutional.

**SECTION 5:** That any person, firm, or corporation violating, disobeying, neglecting, refusing to comply with, or resisting the enforcement of any of the provisions or terms of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, shall be subject to the same penalty of two thousand dollars (\$2,000.00) for each offense as provided for in the Comprehensive Zoning Ordinance of the City of Seagoville, as heretofore amended. Each and every day such a violation continues or is allowed to exist shall constitute a separate offense.

**SECTION 6:** That this ordinance shall take effect immediately from and after its passage and the publication of its caption, as the law and charter in such cases provide.

**DULY PASSED** by the City Council of the City of Seagoville, Texas this 23<sup>rd</sup> day of January, 2023.

**APPROVED:**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Victoria W. Thomas, City Attorney  
(011923VWTtm133217)

## EXHIBIT "A"

BEING a 5.004-acre tract of land situated in the J. Merchant Survey No. 335, Abstract No. 310 Texas; being a portion of that certain tract of land as described in a Special Warranty Management, LP in Volume 2476, Page 377 and further referenced as being a portion of a Tract to contain 31.896 acres to Caroline Hunt Trust Estate as described in Volume 433, Page 100, Records of Kaufman County, Texas ; said 5.004 acres being more particularly described by metes and follows with bearings referenced to the Texas Coordinate System of 1983, North Central Zone, 4:

BEGINNING: at a 5/8-inch iron rod with cap stamped "Spoooner & Assoc." found on the Southeastern line of U.S. Highway 175 (right-of-way varies) for the Northernmost Northwestern corner of a 2,314.1631-acre tract called Second Tract in a Special Warranty Deed & Grant & Reservation of Easements to the Municipal Water District in Volume 5314, Page 79 (Instrument No. 2017-0008060) of the Records of Kaufman County, Texas, a corner of the remainder of the said Wetlands Management tract, for the POINT OF BEGINNING of this herein described tract;

THENCE: South 10°50'01"West a distance of 363.97 feet along a line of the said 2,314.1631-acre tract to the remainder of the said Wetlands Management tract to a 5/8-inch iron rod with cap stamped "Spoooner & Assoc." found for a corner of the said 2,314.1631-acre tract, a corner of the remainder of the said Wetlands Management tract, for the Southeastern corner of this herein described tract;

THENCE: North 79°10'53"West a distance of 628.96 feet along a line of the said 2,314.1631-acre tract to the remainder of the said Wetlands Management tract to a Texas Department of Transportation monument found for a corner of Farm to Market Road No. 1389, a corner of the said 2,314.1631-acre tract, a corner of the remainder of the said Wetlands Management tract, for the Southwestern corner of this herein described tract;

THENCE: North 20°19'41"East a distance of 369.55 feet along the Southeastern line of said Farm to Market Road No. 1389, a line of the remainder of the said Wetlands Management tract to a Texas Department of Transportation Type 1 concrete monument found on the Southern line of said U.S. Highway 175, a corner of the remainder of the said Wetlands Management tract, for the Northwestern corner of this herein described tract;

THENCE: South 79°07'49"East a distance of 568.01 feet along the Southern line of said U.S. Highway 175, a corner of remainder of the said Wetlands Management tract to the POINT OF BEGINNING and containing the said 5.004-acre tract of land.





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

**Meeting Date: January 23, 2023**

### **ITEM DESCRIPTION:**

Discuss and consider approving an Ordinance of the City Council of the City of Seagoville, Texas, approving amendments to Ordinance 19-2022 which adopted the Operating Budget for the fiscal year beginning October 1, 2022, and ending September 30, 2023, to (1) Transfer Three Hundred and Fifty Six Thousand Four Hundred and Fifty Nine Dollars (\$356,459) to the Street Maintenance Fund from the General Fund unrestricted fund balance, (2) transfer Ninety-Three Thousand Dollars (\$93,000) from the General Fund unrestricted fund balance to the Fire Vehicle Purchase line item in the General Fund, and (3) Transfer Seventeen Thousand Dollars (\$17,000) from the Vehicle Replacement Fund to the Fire Vehicle Purchase line item in the General Fund; authorizing the City Manager to make said budget amendments; providing for the repeal of all Ordinances that are in conflict; providing a repealing clause; providing a severability clause; and providing an effective date.

### **BACKGROUND OF ISSUE:**

The City Council approved the 2021-2022 Operating Budget by Ordinance 25-2021 on August 29, 2022 appropriating the necessary funds out of the General Fund revenues, grants and other revenues for the maintenance and operation of various funds, departments, activities and improvements of the City. As a part of that Operating Budget, the City Council, approved \$469,733 for Street Maintenance and \$38,813 for the Vehicle Maintenance Fund. The City Manager has submitted a proposed amendment to the Operating Budget to fund the necessary \$356,459 for Engineering for Simonds Road Project by transfer of said amount from the General Fund Unrestricted Fund Balance to the Street Maintenance Fund and \$93,000 from the General Fund Unrestricted Fund Balance and \$17,000 from the Vehicle Maintenance fund for a total of \$110,000 to the Fire Vehicle Purchase Line Item in the General Fund for a one-time Capital Purchase of a 1997 Ladder Truck for the Fire Department. Texas Local Government Code § 102.010, "Changes in Budget for Municipal Purposes", allows a municipality to amend its budget as deemed necessary for municipal purposes; and upon full consideration of the matter, Council finds it in the best interest of the City of Seagoville to make such amendment to the budget adopted by Ordinance 19-2022.

### **FINANCIAL IMPACT:**

Funding is available from the General Fund Unrestricted fund balance and would reduce the days of fund balance by 12 days.

### **RECOMMENDATION:**

Staff recommends approval.

### **EXHIBITS:**

Ordinance

**AN ORDINANCE OF THE CITY COUNCIL  
OF THE CITY OF SEAGOVILLE, TEXAS  
ORDINANCE NO.**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS, APPROVING AMENDMENTS TO ORDINANCE 19-2022, WHICH ADOPTED THE OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022, AND ENDING SEPTEMBER 30, 2023, TO (1) TRANSFER THREE HUNDRED AND FIFTY SIX THOUSAND FOUR HUNDRED AND FIFTY NINE DOLLARS (\$356,459) TO THE STREET MAINTENANCE FUND FROM THE GENERAL FUND UNRESTRICTED FUND BALANCE, (2) TRANSFER NINETY-THREE THOUSAND DOLLARS (\$93,000) FROM THE GENERAL FUND UNRESTRICTED FUND BALANCE TO THE FIRE VEHICLE PURCHASE LINE ITEM IN THE GENERAL FUND, AND (3) TRANSFER SEVENTEEN THOUSAND DOLLARS (\$17,000) FROM THE VEHICLE REPLACEMENT FUND TO THE FIRE VEHICLE PURCHASE LINE ITEM IN THE GENERAL FUND; AUTHORIZING THE CITY MANAGER TO MAKE SAID BUDGET AMENDMENTS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES THAT ARE IN CONFLICT; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council approved the 2022-2023 Operating Budget by Ordinance 19-2022 on August 29, 2022, appropriating the necessary funds out of the General Fund revenues, grants and other revenues for the maintenance and operation of various funds, departments, activities and improvements of the City; and

**WHEREAS**, as a part of that Operating Budget, the City Council, approved \$469,733 for Street Maintenance and \$38,813 for the Vehicle Maintenance Fund; and

**WHEREAS**, Texas Local Government Code § 102.010, “Changes in Budget for Municipal Purposes”, allows a municipality to amend its budget as deemed necessary for municipal purposes; and

**WHEREAS**, the City Manager has submitted proposed amendments to the Operating Budget to fund the necessary \$356,459 for street repairs by transfer of said amount from the General Fund Unrestricted Fund Balance to the Street Maintenance Fund; and \$93,000 from the General Fund Unrestricted Fund Balance and \$17,000 from the Vehicle Maintenance fund for a total of \$110,000 to the Fire Vehicle Purchase Line Item in the General Fund for a one-time Capital Purchase of a 1997 Ladder Truck for the Fire Department; and

**WHEREAS**, upon full consideration of the matter, Council finds it in the best interest of the City of Seagoville to make such amendments to the budget adopted by Ordinance 19-2022;

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

**SECTION 1.** That Ordinance 19-2022, adopted August 29, 2022 and approving the Operating Budget of the City for the Fiscal Year beginning October 1, 2022 and ending September 30, 2023 be and it is hereby amended to fund projects previously approved by the Council by (1) transferring \$356,459 from the General Fund Unrestricted Fund Balance to the Street Maintenance Fund to pay for the Simonds Road engineering Project, (2) transferring \$93,000 from the General Fund Unrestricted Fund Balance to the Fire Vehicle Purchase Line Item in the General Fund, and (3) transferring \$17,000 from the Vehicle Maintenance Fund to the Fire Vehicle Purchase Line Item in the General Fund, with these last two transfers totaling \$110,000 to be used for the purchase of a 1997 Ladder Fire Truck.

**SECTION 2.** That all provisions of the ordinance of the City of Seagoville in conflict with provisions of this ordinance, be and the same are hereby repealed, and all other provisions of the ordinances of the City of Seagoville not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 3.** 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 should 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.

**DULY PASSED** by the City Council of the City of Seagoville, Texas, on 23rd day of January 2023.

APPROVED:

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

ATTEST:

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

APPROVED AS TO FORM:

\_\_\_\_\_  
VICTORIA W. THOMAS, CITY ATTORNEY  
(011723vwtTM133185)

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

**Meeting Date: January 23, 2023**

### **ITEM DESCRIPTION:**

Discuss and consider approving an Ordinance of the City of Seagoville, Texas, amending the Code of Ordinances by amending Chapter 19 “Utilities”, by repealing Article 19.02 in its entirety and replacing with a new article 19.02 “Solid Waste”; providing a savings clause; providing for a severability clause; providing a penalty of fine not to exceed the sum of Five Hundred Dollars (\$500.00) for each offense; providing for publication; and providing an effective date.

### **BACKGROUND OF ISSUE:**

The Code of Ordinance of Chapter 19, Article 19.02 of the City of Seagoville Code of Ordinances provides for Solid Waste collection and regulations within the City. Due to a recent change in the contractor selected to act as an agent of the City to collect and dispose of garbage, rubbish and trash within the City, amendments to the existing regulations are necessary. Therefore, to ensure residential and commercial solid waste customers are provided with the most up to date information concerning the placement, collection, and disposal of solid waste.

### **FINANCIAL IMPACT:**

N/A

### **RECOMMENDATION:**

N/A

### **EXHIBITS:**

Approving City of Seagoville Code of Ordinances Chapter 19 “utilities” with a repealing article Solid Waste

**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 19 “UTILITIES”, BY REPEALING ARTICLE 19.02 IN ITS ENTIRETY AND REPLACING WITH A NEW ARTICLE 19.02 “SOLID WASTE”; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Article 19.02 of the City of Seagoville Code of Ordinances provides for Solid Waste collection and regulations within the City; and,

**WHEREAS**, due to a recent change in the contractor selected to act as an agent of the City to collect and dispose of garbage, rubbish and trash within the City, amendments to the existing regulations are necessary; and

**WHEREAS**, to ensure residential and commercial solid waste customers are provided with the most up to date information concerning the placement, collection and disposal of solid waste, Article 19.02 is being amended as provided herein;

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

**SECTION 1.** The Code of Ordinances of the City of Seagoville, Texas is hereby amended by amending Chapter 19 “UTILITIES”, by repealing Article 19.02 in its entirety and replacing with a new ARTICLE 19.02 “SOLID WASTE”, which shall read as follows:

**“CHAPTER 11  
UTILITIES**

...

**ARTICLE 19.02 SOLID WASTE**

**DIVISION 1**

**Generally**

**§ 19.02.001. Definitions.**

The following definitions shall apply in the interpretation and enforcement of this article:

*Brush.* Any cuttings or trimmings from trees, shrubs, lawns, and similar materials. To be considered brush, limbs should not exceed four (4) feet in length and not exceed four (4") in diameter. No bags, bundles, or containers shall exceed forty (40) pounds in total weight. The term "Brush" specifically excludes debris resulting from services of a Commercial Service Provider.

*Cart, Poly Cart, and Wheeled-Container.* A 95-gallon plastic receptacle issued by Contractor to Residents, equipped with wheels, handles, and a tight-fitting cover, designed for automated waste collection vehicles. Separate carts are used and issued for recycling and for trash collection and disposal. The weight of a Cart and its contents shall not exceed approximately 170 lbs.

*Contractor or collection [collector].* Any duly authorized individual or company contracted by the city to act as an agent of the city to remove garbage, rubbish, and trash from the city.

*Dumpster.* A watertight, all metal container equipped with a tight-fitting metal or plastic cover, plugged to prevent drainage of leachate, being not less than two (2) cubic yards or more than eight (8) cubic yards in capacity and which is suitable for mechanical lifting and dumping.

*Garbage.* Rubbish, trash, kitchen and household waste, ashes, paper and food containers.

*Rubbish.* Non-putrescible Solid Waste (excluding ashes), consisting of both combustible and noncombustible waste materials. Combustible rubbish includes paper, rags, cartons, wood, excelsior, furniture, rubber, plastics, yard trimmings, leaves, or similar materials; noncombustible rubbish includes glass, crockery, tin cans, aluminum cans, metal furniture, and similar materials that will not burn at ordinary incinerator temperatures (1,600 degrees Fahrenheit to 1,800 degrees Fahrenheit).

*Yard waste.* Brush, grass clippings, or other organic material produced as a result of landscape maintenance.

**§ 19.02.002 Collection restricted to authorized collectors.**

The collection of garbage, trash, and rubbish or any kind of junk within the city by any person other than employees or agents of the city is prohibited.

**§ 19.02.003 Standards for bags and containers.**

(a) Each owner, agent, occupant, tenant and lessee of any house, building or

apartment in the city where persons reside, board, lodge or carry on any business or other activity, or where animal or vegetable food is prepared or served, shall cause to be provided, for each such house, building or apartment, disposable refuse bags or garbage containers meeting the requirements of this section.

- (b) Refuse bags provided under this section shall be of a type and quality approved by the city. Only such refuse bags as are manufactured for use as garbage container bags shall be approved by the city. All bags shall be sealed or tied securely.
- (c) Garbage containers provided under this section shall be watertight, of a solid and durable grade of metal or plastic. The combined weight of the garbage and the container shall not exceed one hundred seventy (170) pounds. The container must not have any inside structures, such as inside bands and reinforcing angles, or anything within the container to prevent the free discharge of its contents.

§ 19.02.004 **Deteriorated or damaged containers.**

Garbage containers that have deteriorated or that have been damaged to the extent of having jagged or sharp edges capable of causing injury to persons whose duty it is to handle the containers, or to such an extent that the covers will not fit securely, will be condemned by the city and/or contractor, and, if such containers are not replaced after notice to the owner or user of their defective condition, they shall be confiscated.

§ 19.02.005 **Storage of waste; unlawful deposit of waste in dumpster.**

- (a) All residential customers, and commercial customers who generate less than two (2) cubic yards of garbage, trash and rubbish per week, must store their garbage, trash and rubbish in bags, which are fully contained in carts, or in poly cart. Commercial customers who generate more than two (2) cubic yards of garbage, trash and rubbish per week must use dumpsters provided by the authorized contract collector for the storage of solid waste.
- (b) Customers using dumpsters are required to maintain the area around the dumpsters and to insure adequate storage space for the amount of waste normally generated by the establishment using the dumpsters by providing an adequate number and/or size, and/or collection rate, of the dumpsters made available. It shall be unlawful for any commercial customer or establishment using dumpsters to place, or cause to be placed, refuse at the side of the dumpsters for the purpose of its disposal.
- (c) Those business establishments, their agents and representatives which use a dumpster shall be deemed the sole users of said dumpster. Any person, firm or corporation found guilty of depositing brush, trash, garbage and/or rubbish into a dumpster without the permission of the sole user of said dumpster shall be guilty of a misdemeanor and subject to the fines and penalties authorized by the

Code of Ordinances.

§ 19.02.006 **Frequency of collection.**

- (a) The frequency of collection of all garbage, rubbish or trash by the city or an authorized contract collector shall be determined and/or changed by resolution of the city council.
- (b) A minimum of once-a-week collection is required for all commercial customers. A minimum of twice-a-week collection is required of all restaurants, supermarkets, mobile home parks and apartment complexes using dumpsters for the storage of tenants' solid waste, and for any other business, commercial or industrial establishment which disposes excessive garbage or trash which could promote odors, flies, the breeding or accumulation of rats and rodents, or any other health hazard or nuisance. Any commercial customer can request up to six (6) collections or pickups per week.

§ 19.02.007 **Placement for collection and storage.**

- (a) Every owner, occupant, tenant or lessee of a dwelling or public building used for residential, business or commercial purposes shall be required to maintain or cause to be maintained constant supervision and surveillance over the garbage receptacles and small brush on his premises. In areas where garbage or brush are collected from the street, the garbage receptacles shall be placed at the curblin no earlier than 6:00 p.m. of the date preceding that on which it is to be collected and no later than 7:00 a.m. on the day of collection, and shall be removed from the curblin no later than 10:00 a.m. on the day immediately following the day on which it is collected and such garbage receptacles shall immediately stored behind the curblin and out of public right-of-way during non-collection times.
- (b) Large/bulky items may be placed at the curblin no earlier than 7:00 a.m. on Saturday immediately preceding bulk collection week.
- (c) Large brush shall not exceed four (4) feet in length and not exceed four (4") in diameter and must be stacked at the curb in such a manner that an employee can reasonably and safely lift the material into the collection vehicle. This weekly collection specifically excludes debris resulting from the services of a Commercial Tree Service Provider.

be stacked loose with the large end facing the street in piles no taller than five (5) feet high and free of any foreign objects. Large brush may be placed at the curblin no earlier than 7:00 a.m. on the tenth (10th) day preceding bulk collection week.

§ 19.02.008 **Charges for collection.**

All fees for residential curbside, commercial curbside, commercial dumpster service, and any additional charges related thereto shall be established by resolution of the City Council.

§ 19.02.009 **Removal from places of unusual accumulation.**

Places of unusual accumulation, such as killing and dressing plants for fowl, wholesale fruit and vegetable houses, storage and other places, where the daily accumulation of garbage, trash and rubbish is more than the ordinary quantities, are not included in the collection service furnished by the city, and the owners or operators of such places shall remove or request the contractor to remove their garbage, trash and rubbish, at their own expense as set forth in the Master Fee Schedule.

§ 19.02.010 **Disposal of dead animals.**

Heavy dead animals, such as cows, horses and mules, shall be disposed of by the owner or person having charge of the same, in the manner and by the method directed by the city manager.

§ 19.02.011 **Disposal of heavy accumulations and construction material.**

Heavy accumulations, such as brick, broken concrete, lumber, ashes, clinkers, dirt, plaster, sand, gravel, automobile frames, dead trees and other bulky, heavy material, shall be disposed of at the expense of the owner or person controlling the same, under the direction of the city manager.

§ 19.02.012 **Disposal of manure and hazardous waste oils.**

Manure from cow lots, horse stables, poultry yards and pigeon lofts and hazardous waste oils from private residences and garages or filling stations shall be disposed of at the expense of the party responsible for the same, under the direction of the city manager.

§ 19.02.013 **Littering generally.**

- (a) It shall be unlawful for any person to throw, place, sweep or otherwise deposit any garbage, trash, rubbish or refuse of any kind on or in any street, alley, sidewalk, gutter or other public place within the city.
- (b) It shall be unlawful for any person to throw or deposit any garbage, trash, rubbish or refuse of any kind on any occupied private property within the city, whether owned by such person or not, except that the owner or person in control of the property may deposit such matter in bags or containers meeting the

requirements of this article in such a manner that such matter will be prevented from being carried or deposited by the elements upon any street or sidewalk or any public place or upon any private property within the city.

- (c) It shall be unlawful for any person to throw or deposit any garbage, rubbish, trash or refuse of any kind upon any open or vacant private property within the city, whether owned by such person or not.

**§ 19.02.014 Littering in parks.**

It shall be unlawful for any person to throw or deposit any garbage, trash, rubbish or refuse of any kind in any park within the city, except in public receptacles and in such a manner that the same will be prevented from being carried or deposited by the elements upon any part of the park or upon any street or any public place. Where public receptacles are not provided, all such matter shall be carried away from the park by the person responsible for its presence and properly disposed of.

**§ 19.02.015 Unlawful accumulations.**

- (a) It shall be unlawful for the owner or person in control of any private property to cause, suffer, or permit any such property to accumulate garbage, trash, rubbish and refuse of any kind. This section shall not prohibit the temporary storage of such matter for collection in bags or containers.
- (b) It shall be unlawful for any owner, occupant or agent of any property that abuts or joins any paved street in the city to allow or permit any garbage, trash, rubbish or refuse of any kind or description whatsoever to accumulate or remain on any part of the sidewalk abutting or adjacent to the premises owned or occupied by such person. All persons owning or occupying such property shall keep such sidewalk free of all garbage, rubbish, trash and other refuse.

**§ 19.02.016 through § 19.02.060. (Reserved)**

Division 2

**Franchise for Collection and Disposal**

**§ 19.02.061 Collection by persons other than City, franchise agreement required**

It shall be unlawful for any person to engage in the collection and disposal of solid waste, landscape waste, bulky waste, recycle materials, or commercial garbage by roll-off, front-end load, side load, stationary compactor and/or any other type of trash container disposal service within the boundaries of the City without first entering into a franchise agreement with the City for that purpose.

**§ 19.02.062 Franchise administration**

Any franchise granted pursuant to this article shall be administered by the City Manager or designee, upon such application and rules as the City may establish, including standards for performance. Such standards for performance may include, but are not necessarily restricted to, the type of vehicle to be used in collection, number of pickups per week required, method and route for transporting said collection, appropriate disposal locations, and identification of vehicles.

**§ 19.02.063 Granting of franchise**

- (a) Each person, firm or corporation desiring a franchise shall make application to the City Manager or designee to be considered for a franchise under the provisions of this section. The application shall set forth the name and address of the applicant, the trade name under which the applicant does or proposes to do business, the number of vehicles the applicant desires to operate, the standard operating procedures of the applicant, the type of service the applicant proposes to render and the experience the applicant has in rendering such service. The application shall be accompanied by an application fee of fifty dollars (\$50.00) to be paid at the time of application submittal. The franchise, if approved, shall be issued and considered granted upon payment by the applicant of the franchise fee as set forth in § 19.02.05 of this Article and execution by the applicant of a franchise agreement containing the terms and conditions set forth in § 19.02.063(e) of this Article.
- (b) After receiving a complete application, the City Manager or designee may make such investigation as he considers necessary to determine whether the applicant meets the requirements of law and of this Article. The investigation shall determine whether or not the applicant has been convicted of a violation of any law, whether or not the applicant has a claim or judgment against him for damages resulting from the negligent operation of a vehicle, and the financial responsibility and ability of the applicant, including proof of automobile and public liability insurance in amounts not less than those established as maximum recovery limits under the Texas Civil Practice and Remedies Code and worker's compensation insurance covering all employees of such franchisee engaged in any operation covered by this section. If the City Manager or designee determines, after investigation, that the applicant has been convicted of a violation of law in connection with commercial garbage and trash hauling or has a claim or judgment against him for damages resulting from the negligent operation of a vehicle engaged in commercial garbage or trash hauling or cannot provide evidence of insurance as required above, the City Manager or designee shall recommend denial of the permit application. If a recommendation is made for denial, such recommendation shall be considered by the City Council after notice and hearing to the applicant. Should there be no such grounds for denial, the City Manager or designee shall approve the application.
- (c) The City Manager or designee may require the applicant to furnish additional

information to assist the City Manager or designee in his determination.

- (d) After the City Manager or designee determines whether the applicant meets the requirements of the law and this Chapter, the City Manager or designee shall either approve or recommend denial of the franchise application. If a recommendation is made for denial, such recommendation shall be considered by the City Council after notice and hearing to the applicant. Should there be no such grounds for denial, the City Manager or designee shall approve the application.
- (e) Each applicant whose franchise application is approved shall enter into a franchise agreement approved by the City Manager or designee. The franchise agreement shall grant each franchisee a franchise to use, in compliance with all City laws and regulations, the public streets, alleys, and thoroughfares within the corporate limits of the city for the purpose of engaging in the business of collecting and disposing of specified type(s) of municipal waste and shall incorporate the terms of this section and shall address at a minimum the following terms and conditions, which shall be as consistent as practicable between franchises:
  - (1) Definition of gross revenues;
  - (2) Statement that the franchise is not exclusive;
  - (3) Requirement for payment of franchise fees described in section 19.02.065 of this Article, including the amount and time of payment to the City, right of the City to inspect the franchisee's records to determine compliance, and provision for a late penalty;
  - (4) Requirements for record keeping;
  - (5) Requirements for release, indemnification and insurance;
  - (6) Provisions for default and termination, including the opportunity to cure;
  - (7) Payment of liquidated damages to the City;
  - (8) Prohibition against assignment of franchise without consent of the City; and
  - (9) Such other miscellaneous terms and conditions that the City Manager or designee determines to be necessary, appropriate and consistent with terms and conditions in other city franchises.
- (f) The City shall not grant or renew a franchise unless the City Manager or designee finds and determines that the public convenience will be served by

the issuance of a franchise. The burden of proof shall be upon the applicant to establish by clear and convincing evidence that the public convenience will be served by the granting or renewal of a refuse collection franchise.

- (g) All franchises issued pursuant to the provisions of this Article shall be nontransferable. Should a franchisee violate any of the provisions of this Article or be found to have misrepresented any of the facts and statements contained in the franchise application, the City Manager or designee shall have the authority to recommend the revocation of the franchise. Such recommendation shall be forwarded to the City Council for notice and hearing before such action is taken. All franchises granted by the City Manager or designee or the City Council shall be in the possession of the person rendering such service and shall be subject to inspection at all times.

**§ 19.02.064 Exclusive and Non-exclusive Franchises.**

The city's contractor shall, through properly executed franchise agreement, have the sole and exclusive franchise, license and privilege to provide residential, commercial and industrial refuse and all municipal solid waste collection and removal throughout the city, with exception of federal facilities and the DISD. The following services are excepted from this exclusive franchise and may be performed under a properly granted non-exclusive franchise as set forth in this Article, provided a franchise agreement has been executed and appropriate franchise fee paid: any remodel, new build, demolition project or any eviction shall be permitted to obtain a roll-off container or dumpster from a private waste company provided a franchise has been granted and the appropriate fees paid as set forth herein. Further, this section further excepts and does not restrict the right of an entity to contract with a licensed waste hauler for the collection and removal of domestic septage or of grease trap waste, grit trap waste, lint trap waste, or sand trap waste. Contractors performing any of the excepted services within the city's corporate limits shall be required to have had a franchise application approved, executed a non-exclusive franchise agreement and paid the appropriate franchise fee

**§ 19.02.065 Franchise fee**

- (a) The city's contractor holding the exclusive franchise as set forth in section 19.02.064 shall pay a franchise fee in an amount set forth in the franchise agreement executed by said exclusive contractor, which franchise fee amount shall not be less than the franchise fee required for non-exclusive franchisees.. For all other franchisees under this Article (non-exclusive franchisees), any franchise agreement entered into pursuant to this Article shall provide that the commercial solid waste operator shall be liable for an annual franchise fee in the amount of \$1,500.00.. The franchise agreement shall provide that the franchise fee shall be payable annually, on or before the effective date of the operator's franchise agreement and annually on or before the anniversary date of said effective date thereafter. Any necessary prorations shall be allowed. The

operator shall reflect the franchise fee as a separate line item on the invoice from the operator to the customer.

- (b) Franchise fees received more than thirty days after the date upon which the payment is due are deemed delinquent. Delinquent franchise fees shall be subject to interest at the rate of fifteen percent (15%) per annum until the delinquent franchise fees are paid in full.

**Sec. 19.02.065 Penalty**

- (a) Without limitation of other remedies available to the City, persons operating in violation of the terms of this Article shall be liable to the City for all fees authorized under this Article dating to the inception of such violation.
- (b) Any person who violates any provision of § 19.02.061 shall be guilty of an offense and upon conviction thereof, shall be punished by a fine of not less than \$150.00 nor more than \$500.00 for each violation.”

**SECTION 2.** All ordinances of the City of Seagoville in conflict with the provisions of this ordinance 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 3.** All ordinances of the City of Seagoville in conflict with the provisions of this ordinance 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.** 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 5.** 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 five hundred dollars (\$500.00) for each offense.

**SECTION 6.** This ordinance shall take effect from and after its passage publication.

**DULY PASSED** by the City Council of the City of Seagoville, Texas, this the 23<sup>rd</sup> day of January 2023.

**APPROVED:**

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DENNIS K. CHILDRESS, MAYOR

**ATTEST:**

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KANDI JACKSON, CITY SECRETARY

**APPROVED AS TO FORM:**

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VICTORIA W. THOMAS, CITY ATTORNEY  
(012023vwt/TM133253)

## *Regular Session Agenda Item: 7*

**Meeting Date: January 23, 2023**

### **ITEM DESCRIPTION:**

Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas amending the Master Fee Schedule to provide for Solid Waste Collection and to add applicable fees related to residential, commercial, unusual accumulation, disaster management, commercial front load rates, roll-off containers, and all other rates related to solid waste collection, disposal, and services; providing for a repealing clause; providing for a severability clause; and providing an effective date.

### **BACKGROUND OF ISSUE:**

The Resolution to adopt a Master Fee Schedule set out the fees charged for goods and services provided by departments within the city. The rates for collection and disposal of solid waste and recycling have not been included because the City contracts with a professional company to perform the services. Therefore, to provide all residential and commercial customers with easy access to such charges for solid waste and recycling collection and disposal, the fees are being incorporated into the Master Fee Schedule available on the City's website.

### **FINANCIAL IMPACT:**

N/A

### **RECOMMENDATION:**

N/A

### **EXHIBITS:**

Resolution - Approving City of Seagoville Master fee Schedule to provide for Solid Waste

**A RESOLUTION OF THE CITY OF SEAGOVILLE, TEXAS  
RESOLUTION NO. \_\_\_\_ -R-2023**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS AMENDING THE MASTER FEE SCHEDULE TO PROVIDE FOR SOLID WASTE COLLECTION AND TO ADD APPLICABLE FEES RELATED TO RESIDENTIAL, COMMERCIAL, UNUSUAL ACCUMULATION, DISASTER MANAGEMENT, COMMERCIAL FRONT LOAD RATES, ROLL-OFF CONTAINERS, AND ALL OTHER RATES RELATED TO SOLID WASTE COLLECTION, DISPOSAL, AND SERVICES; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City has previously adopted a Master Fee Schedule setting out the fees charged for goods and services provided by departments within the City; and,

WHEREAS, the rates for collection and disposal of solid waste and recycling have not been included because the City contracts with a professional company to perform the services; and

WHEREAS, to provide all residential and commercial customers with easy access to such charges for solid waste and recycling collection and disposal, the fees are being incorporated into the Master Fee Schedule available on the City's website;

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

**SECTION 1.** The Master Fee Schedule is hereby amended to add the following fees:

“PUBLIC WORKS  
SOLID WASTE

RESIDENTIAL RATES

**Weekly Service**

- 1) MSW Collection in one New Contractor supplied 95-gallon cart-all materials in the cart*
- 2) Recyclable Materials Collection in one New Contractor supplied 95-gallon cart-all materials in the cart*
- 3) Brush/Bulky Materials Collection ( max. 3 cubic yards per collection)*

<b>Total Price per home per month</b>	<b>\$ 18.57</b>
<b>Senior Rate</b>	<b>\$ 16.57</b>
Rate for each Additional MSW cart (same price regular or senior)	\$ 7.57
Rate for each Additional Recycling Cart (same price regular or senior)	\$ 3.50

**Rates for Collection of Unusual Accumulations**

Rate per hour for Vehicle (any type) and Crew\* \$125.00

Disposal fee per yard collected \$ 10.00

**\*fee to be determined by estimated time servicing the home, not portal-to-portal for each home**

**Disaster Management Rates**

Rate per Hour for Roll Off Truck and Container \$100.00 / hour

Rate per Hour for Grapple Truck \$ 100.00 / hour

Rate per Hours for Rear Load Truck and Crew \$ 125.00 / hour

Disposal Fee per ton collected \$ 30.00/ton

Rate per yard Resident to be charged at the Landfill for residents \$ 34.88/ton

Maximum percentage of contamination allowed per load of recyclables: 25%

**Small Commercial with Contractor-supplied 95-gallon Poly Carts (all items must be placed in the cart)**

One Cart once per week \$ 21.00/month (not including Franchise Fee)

Each Additional Cart (s) Once Per Week \$ 14.00/month (not including Franchise Fee)

**COMMERCIAL FRONT LOAD RATES**

All Fees exclude the 10% franchise fee - Rates include disposal costs

Size	1x	2x	3x	4x	5x	6x	extra
2 yard	67.84	120.16	193.86	253.70	N/A	N/A	28.00
3 yard	81.40	158.96	215.19	310.17	N/A	N/A	39.00
4 yard	93.03	195.79	302.40	393.51	488.50	N/A	48.00
6 yard	139.56	281.07	376.75	484.60	611.94	717.05	60.00
8 yard	168.90	306.15	484.60	639.69	823.85	975.67	70.00
6 yd Comp	324.75	649.50	974.25	1299.90	1623.75	1948.50	100.00

Casters (fee per month per container) \$5.00 per month

Locks (fee per collection per container) \$5.00 per month

Enclosures ( fee per collection per container ) \$2.50 per month

**ROLL-OFF CONTAINERS**  
All Fees exclude the 10% franchise fee

**Roll-Off – Permanent- EXCLUSIVE TO CONTRACTOR**

	Delivery	Daily Rental	Haul Rate	Disposal per Ton
20 yard	100.00	6.50	275.00	40.00
30 yard	100.00	6.50	275.00	40.00
40 yard	100.00	6.50	275.00	40.00

**Roll-Off – Compactor – EXCLUSIVE TO CONTRACTOR**

	Monthly Rental	Haul Rate	Disposal per Ton
30 yd SC**	Negotiable- based on various options	290.00	40.00
35 yd SC**	Negotiable- based on various options	290.00	40.00
40 yd Receiving Container	250.00	290.00	40.00

Relocate/Block Fee           \$ 75.00  
Wash Out                         \$ 350.00”

**SECTION 2.** In the event there is a conflict between the fees set forth herein and any previous fees adopted by ordinance or resolution, the fees set forth in this Resolution shall supersede any previous fees adopted by ordinance or resolution.

**SECTION 3.** That all provisions of the Resolutions of the City of Seagoville, Texas, in conflict with the provisions of this Resolution be, and the same are hereby, repealed, and all other provisions of the Resolutions of the City not in conflict with the provisions of this Resolution shall remain in full force and effect.

**SECTION 4.** This resolution and the fees established herein shall take effect immediately from and after its passage in accordance with State law and it is accordingly resolved.

**DULY PASSED** by the City Council of the City of Seagoville, Texas on the 23<sup>rd</sup> day of  
January, 2023.

APPROVED:

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

ATTEST:

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

APPROVED AS TO FORM:

\_\_\_\_\_  
Victoria Thomas, City Attorney  
(/cdb 01.18.2023)

## *Regular Session Agenda Item: 8*

**Meeting Date:**                    **January 23, 2023**

**ITEM DESCRIPTION:**

Receive a presentation and discuss and consider amending the hours of operation for Code Enforcement to include nights and weekends.

**BACKGROUND OF ISSUE:**

Councilmember Fruin requested this item.

**FINANCIAL IMPACT:**

N/A

**RECOMMENDATION:**

N/A

**EXHIBITS:**

Code Enforcement Presentation

# CODE ENFORCEMENT

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Employees:

Community Development Supervisor Kailey Lampkin (ICC Certified Combination Residential Inspector) (State Certified Plumbing Inspector) (Code I and II State Certified) (Certified Stormwater Inspector)(TDA Noncommercial Political Pesticide Applicator License)

Code Enforcement Officer Summer Graybill (State Certified) (Certified Storm Water Inspector)

Code Enforcement Officer In Training Michelle Martinez (State Certified)

Code Enforcement Officer In Training Collin Park (Pending Passing of State Test)

# Code Enforcement Process

The ultimate goal for Code Enforcement is COMPLIANCE.

- 
- Step 1: Receive complaint or observe violation while patrolling. (Note: Most cases start with officers observing a violation)
  - Step 2: If possible, an officer will try to make verbal contact with the resident. Notice of violation will be sent to property owner or tenant depending on violation and if it is a rental property. (Note: Notice of violation is good for one calendar year from the date of issuance)
  - Step 3: Notice of violation allows 10 days for the resident to bring property into compliance. (Note: Notice of violation is sent both regular and certified mail)
  - Step 4: If the property is brought into compliance, the officer will close the case in the online system. If compliance is not met the officer can issue a citation. (Note: a citation may be issued daily as the violation is a reoccurring violation each day)
- 
- Once a citation is issued, the court will handle any further action pertaining to the citation.
  - If a citizen who has received a notice of violation contacts the issuing officer and makes a request for more time to correct the violation, at the discretion of that officer, time may be permitted on a case-by-case basis.
  - If compliance is not met after notice of violation or citation, process to complete abatement of violation by city shall begin.

# Seagoville

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Monday – Friday

8:00 a.m. – 5:00 p.m.

Population 19,580

CITY	HOURS	# OF EMPLOYEES	WEEKENDS	NOTES
Kaufman 7,379	M-F 8am-5pm	1 Code Enforcement Officer	NO	None
Terrell 18,567	M-F 8am-5pm	1 Code Enforcement Officer	NO	None
Forney 27,256	M-F 8am-5pm	2 Code Enforcement Officers	NO	Will be changing to 4 day weeks
Crandall 4,278	M-F 8am-5pm	1 Code Enforcement Officer	NO	None
Rockwall 49,669	M-F 8am-5pm	5 Employees	NO	None
Rowlett 63,671	M- Th 8am-6pm	5 Code Enforcement Officers	NO	4 day work week
Wilmer 5,332	M- F 7:30am-4:30pm	1 Code Enforcement Officers	Yes works Sunday	Works Sunday for 2-3 Hours for overtime

CITY	HOURS	# OF EMPLOYEES	WEEKEDNS	NOTES
Royse City 15,978	M-F 8am-5pm	2 Code Enforcement Officers	NO	None
Balch Springs 27,160	M-F 7am-4pm	1 Supervisor 3 Code Enforcement Officers	Yes 1 officer does work Saturday 6am-2pm	Officer who works Saturday takes one day off during week
Lancaster 40,728	M-F 7am-4pm	4 Code Enforcement Officers	Yes 1 officer works 1 Sat per month(Half day)	Officer who works Saturday take 1/2 day on Friday

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

**Meeting Date:**                    **January 23, 2023**

**ITEM DESCRIPTION:**

Discuss and consider amending the hours of operation for Animal Control to include nights and weekends.

**BACKGROUND OF ISSUE:**

N/A

**FINANCIAL IMPACT:**

N/A

**RECOMMENDATION:**

N/A

**EXHIBITS:**

Animal Control Presentation

# ANIMAL CONTROL

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Employees:

Sgt Karl Bailey (Animal Services Manager)

Animal Control Supervisor Justin Harley (State Certified)

Animal Control Officer: Open

Shelter Attendant Laura Cottle

Shelter Attendant Kierra Barns

# Seagoville

Monday – Friday

8:00 a.m. – 5 p.m. (On call daily for emergencies)

Shelter is open on Saturday and Sunday for 4 Hours

Population 19,580

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Proposed hours for Animal Control:

1 Officer will work Monday-Friday 8:00 a.m. – 5:00 p. m.

1 Officer will work Tuesday-Saturday 8:00 a.m. – 5:00 p.m.

CITY	HOURS	# OF EMPLOYEES	WEEKENDS	NOTES
Kaufman 7,379	M-F 8am-5pm	1 Officer	NO	None
Terrell 18,567	M-SAT 8AM-5PM	2 Officers	YES	-1 officer M- F 8-5 -1 officer Tu-Sat 8-5
Forney 27,256	M-SAT 7AM-6PM	2 Officers + 1 open position	YES	-1 officer M-Th 7-6 (off F-Sun) -1 officer W-Sat 7-6 (off Sun-Tue) -Each officer works 4 days for 10 Hours
Crandall 4,278	N/A	N/A	N/A	Public works handles AC Calls

CITY	HOURS	# OF EMPLOYEES	WEEKENDS	NOTES
Rockwall 49,669	7 Days a week 10 Hour days	3 Officers	YES	Officers work 10 Hour days for 4 days alternating schedules
Rowlett 63,671	Tu-Sat 8am-5pm	6 Officers	YES	-Closed Sunday and Monday -Officers work 4 ½ days a week
Wilmer 5,332	M-F 8am-5pm	1 Officer	NO	None
Royse City 15,978	M-F 8am-5pm	3 Officers	NO	None
Balch Springs 27,160	M-F 8am-5pm SAT 6-2	2 Officers + 1 open position	YES	-1 officer M-F -1 officer Tue-Sat
Lancaster 40,728	M-F 8am-5pm	3 Officers + 1 pt position open	NO	None

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

**Meeting Date: January 23, 2023**

### **ITEM DESCRIPTION:**

Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, approving and ratifying the Seagoville Economic Development Corporation project for re-routing of electrical services associated with demolition work for 101 N. Kaufman Street by Groves Electrical Services Inc. for compensation in an amount not to exceed Twenty Thousand Five Hundred Seventy Five Dollars and Zero Cents (\$20,575.00); and providing an effective date.

### **BACKGROUND OF ISSUE:**

101 N. Kaufman St., Seagoville, Texas is property owned by Seagoville Economic Development Corporation (“SEDC”). The structure located on 101 N. Kaufman St. is deteriorating and poses a danger to the public safety and welfare. On or about October 13, 2022, the SEDC Board of Directors authorized the demolition of 101 N. Kaufman St. The electrical services for suites 103, 105, 107, 109, and 111 N. Kaufman St. are attached to 101 N. Kaufman St. and need to be re-routed. Staff obtained a quote from Groves Electrical Services, to re-route electrical services for 103, 105, 107, 109 and 111 N. Kaufman St.

### **FINANCIAL IMPACT:**

\$20,575.00

### **RECOMMENDATION:**

Staff recommends approval.

### **EXHIBITS:**

Resolution approving SEDC action for Groves Electrical Services Inc.  
Quote from Groves Electrical Services Inc.

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

**RESOLUTION NO. -R-2023**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS, APPROVING AND RATIFYING THE SEAGOVILLE ECONOMIC DEVELOPMENT CORPORATION PROJECT FOR RE-ROUTING OF ELECTRICAL SERVICES ASSOCIATED WITH DEMOLITION WORK FOR 101 N. KAUFMAN STREET BY GROVES ELECTRICAL SERVICES INC FOR COMPENSATION IN AN AMOUNT NOT TO EXCEED TWENTY THOUSAND FIVE HUNDRED SEVENTY FIVE DOLLARS AND ZERO CENTS (\$20,575.00); AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, 101 N. Kaufman St., Seagoville, Texas is property owned by Seagoville Economic Development Corporation (“SEDC”); and

**WHEREAS**, the structure located on 101 N. Kaufman St. is deteriorating and poses a danger to the public safety and welfare; and

**WHEREAS**, On or about October 13, 2022, the SEDC Board of Directors authorized the demolition of 101 N. Kaufman St.; and

**WHEREAS**, during the demolition, it was determined that the electrical services for suites 103, 105, 107, 109, and 111 N. Kaufman St. are attached to 101 N. Kaufman St. and would thus need to be re-routed in order for the demolition to proceed; and

**WHEREAS**, staff obtained a quote from Groves Electrical Services, to re-route electrical services for 103, 105, 107, 109 and 111 N. Kaufman St., said quote being attached hereto as Exhibit “A”; and

**WHEREAS**, the SEDC Board of Directors approved the engagement of Groves Electrical Services to perform the electrical re-routing; and

**WHEREAS**, the City Council has determined that the electrical re-routing is a qualifying Project as defined by state law and that approving and ratifying the action of the SEDC with regard to the same promotes economic development and is in the best interest of the City and should therefore be approved.

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

**SECTION 1.** The City Council hereby determines that the electrical re-routing for suites 103, 105, 107, 109 and 111 N. Kaufman in association with the demolition of 101 N. Kaufman

Street, a property owned by the SEDC, is a qualifying project as defined by state law and further hereby approves and ratifies the SEDC action of engaging Groves Electrical Services Inc. to re-route the electrical services for these five suites in conjunction with the demolition of 101 N. Kaufman St. for total compensation in an amount not to exceed Twenty Thousand Five Hundred Seventy Five Dollars and Zero Cents (\$20,575.00), all as set forth in the Groves Electrical Service, Inc quote, attached hereto and incorporated herein by this reference as Exhibit "A", and further hereby ratifies and authorizes the execution by the Board's Executive Director of any payments and documents necessary for said electrical work.

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

**SECTION 3.** If any article, paragraph, subdivision, clause or provision of this Resolution, as hereby amended, be adjudged invalid or held unconstitutional for any reason, such judgement or holding shall not affect the validity of this Resolution as a whole or any part or provision thereof, as amended hereby, other than the part so declared to be invalid or unconstitutional.

**SECTION 4.** This resolution shall take effect immediately from and after its passage in accordance with State law and it is accordingly resolved.

**DULY PASSED** by the City Council of the City of Seagoville, Texas, on the 23<sup>rd</sup> day of January, 2023.

APPROVED:

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Dennis K. Childress, Mayor

ATTEST:

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Kandi Jackson, City Secretary

APPROVED AS TO FORM:

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Victoria Thomas, City Attorney  
(011923vwtTM133222)

**EXHIBIT A**

**GROVES ELECTRICAL SERVICE, INC.**

2410 SQUIRE PLACE, FARMERS BRANCH, TEXAS 75234, 972-484-2717 FAX 972-484-2263

ELECTRICAL and MECHANICAL, CONTRACTING and SERVICE

[www.groveselectric.com](http://www.groveselectric.com) TECL17392

"SINCE 1968"

11/9/2022

CITY OF SEAGOVILLE  
LADIS BARR  
702 N. HWY 175  
SEAGOVILLE, TX. 75159

972-287-6833  
LBARR@SEAGOVILLE.US

BID #22NOV09BJC  
BUY BOARD: 638-21

103, 105, 107, 109, 111 KAUFMAN RD.  
SEAGOVILLE, TX.

SCOPE OF WORK: RE-ROUTE SERVICES TO 5 SUITES

RUN CONDUIT AND (WIRE IF POSSIBLE) TO REPLACE THE CIRCUIT GOING TO EACH OF THE 5 SUITES.  
LEAVE THE EXISTING CIRCUIT LIVE.  
CORE DRILLING MAY BE NEEDED TO GET INTO THE SUITES FROM THE BRICK WALL.  
SUITE 109 AND 111 AREA SHARING A CONDUIT FROM THE OUTSIDE GUTTER TO THE SUITES. IT IS  
UNCERTAIN HOW THE CONDUIT IS RAN ONCE IT ENTERS THE AREA THAT WILL NOT BE TORN DOWN.

SET J-BOXES IN THE NEW ROOM THAT WILL BE BUILT BY THE CUSTOMER AS NEEDED.  
THE CONDUITS WILL BE RAN FROM THE JUNCTION BOXES. ADD JUNCTION BOXES IN THE SUITES IF  
NEEDED TO CONNECT TO THE CONDUIT WIRE GOING TO THE ELECTRICAL PANELS.

ONCE THE NEW CONDUIT AND WIRE IS RAN BETWEEN THE 2 POINTS, A SCHEDULE WILL BE NEEDED  
TO DISCONNECT THE SERVICE AND FEED WITH THE NEW RUNS.  
IN THIS BID, ARE 2 SEPARATE TRIPS TO PERFORM THE CHANGE OVERTS TO THE 5 SUITES.

INSTALL EXTRA SUPPORTS ON THE SERVICE RISER CONDUITS SO THE AWNING CAN BE REMOVED.  
ONCE REMOVED, A STRUCT SUPPORT WILL BE CONSTRUCTED CONNECTING TO THE EXISTING WALLS  
UP TO THE CONDUITS ABOVE THE ROOF AND SECURED.  
GUIDE WIRES MAY NOT BE NEEDED, IF THEY ARE NEEDED OR REQUESTED, EXTRA WORK MAY NEED  
TO BE PERFORMED TO SUPPORT THE GUIDES TO THE NEW ROOF. THIS IS NOT INCLUDED IN THE  
LISTED PRICE.

PRICE: \$20,575.00

THE ABOVE PRICE IS BASED ON WORKING MONDAY-FRIDAY, 8AM-4:30PM.

  
AUTHORIZED SIGNATURE

PO #

ESTIMATOR, JIMMY CLARK

**FOR ACCEPTANCE, PLEASE SIGN AND RETURN ONE COPY.**

PAYMENTS TO BE COD OR NET 10<sup>TH</sup> PROXY MONTH WITH APPROVED CREDIT 70% ROUGH AND 30% ON COMPLETION WHEN  
APPLICABLE. **UNLESS SPECIFICALLY NOTED TO THE CONTRARY HEREIN, COVERAGE OF THESE ITEM ARE SPECIFICALLY  
EXCLUDED:** Tax, permit fee, rock digging or excavation, erosion control, casing of piers, repair of unmarked underground utilities, conformance with  
*The International Electrical Energy Conservation Code (IEECC)*, excavations of any nature in excess of four feet deep, COMPACTION to a specified  
density, utility communication co. charges, wage rates, requirements of any "Building Standards", Specifications by Owner, Architect or Engineer,  
work show on any drawings, addenda or specification that could be concurred to be within our trade or responsibility other than those listed within our  
Scope of Work, temporary power or lighting, temporary power usage or deposit, installation of overhead power lines for temporary, bond fees,  
scheduled overtime, insurance in excess that listed or Builder's Risk, fire or smoke stoppage for devices, light fixtures, raceways or conductors  
Regulated by the Texas Department of Licensing and Regulations, PO Box 12157, Austin, TX 78711, 800-803-9202, 512-463-6599 website  
[www.license.state.tx.us/complaints](http://www.license.state.tx.us/complaints) Owner or General Contractor to provide, toilet, water, electrical power, on site trash and debris disposal location  
Price is void after 30 days. Contract review fee add \$2,500.00

# *Regular Session Agenda Item: 11*

**Meeting Date: January 23, 2023**

**ITEM DESCRIPTION:**

Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, approving and ratifying the Seagoville Economic Development Corporation project for V&K Construction, LLC to construct a CMU Wall-Electrical Cabinet for electrical services for five suites at 101 N. Kaufman St. for compensation in an amount not to exceed Sixteen Thousand Dollars and Zero Cents (\$16,000.00); and providing an effective date.

**BACKGROUND OF ISSUE:**

101 N. Kaufman St., Seagoville, Texas is property owned by Seagoville Economic Development Corporation (“SEDC”). The structure located on 101 N. Kaufman St. is deteriorating and poses a danger to the public safety and welfare. On or about October 13, 2022, the SEDC Board of Directors authorized the demolition of 101 N. Kaufman St. The electrical services for suites 103, 105, 107, 109, and 111 N. Kaufman St. are attached to 101 N. Kaufman St. and needed to be re-routed which required a CMU Wall-Electrical Cabinet. Staff obtained a quote from V&K Construction, LLC, to construct a CMU Wall-Electrical Cabinet for the electrical services at 103, 105, 107, 109 and 111 N. Kaufman St.

**FINANCIAL IMPACT:**

\$16,000.00

**RECOMMENDATION:**

Staff recommends approval.

**EXHIBITS:**

Resolution approving SEDC action for V&K Construction LLC  
Quote from V&K Construction, LLC

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

**RESOLUTION NO. -R-2023**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS, APPROVING AND RATIFYING THE SEAGOVILLE ECONOMIC DEVELOPMENT CORPORATION PROJECT FOR V&K CONSTRUCTION, LLC TO CONSTRUCT A CMU WALL-ELECTRICAL CABINET FOR ELECTRICAL SERVICES FOR FIVE SUITES AT 101 N. KAUFMAN ST. FOR COMPENSATION IN AN AMOUNT NOT TO EXCEED SIXTEEN THOUSAND DOLLARS AND ZERO CENTS (\$16,000.00); AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, 101 N. Kaufman St., Seagoville, Texas is property owned by Seagoville Economic Development Corporation (“SEDC”); and

**WHEREAS**, the structure located on 101 N. Kaufman St. is deteriorating and poses a danger to the public safety and welfare; and

**WHEREAS**, on or about October 13, 2022, the SEDC Board of Directors authorized the demolition of 101 N. Kaufman St.; and

**WHEREAS**, the electrical services for suites 103, 105, 107, 109, and 111 N. Kaufman St. are attached to 101 N. Kaufman St. and needed to be re-routed in order for the demolition to proceed, which re-routing requires a CMU Wall-Electrical Cabinet; and

**WHEREAS**, staff obtained a quote from V&K Construction, LLC, to construct a CMU Wall-Electrical Cabinet for the electrical services at 103, 105, 107, 109 and 111 N. Kaufman St., said quote being attached hereto as Exhibit “A”; and

**WHEREAS**, the SEDC Board of Directors approved the engagement of V&K Construction, LLC to construct the CMU Wall-Electrical Cabinet; and

**WHEREAS**, the City Council has determined that the construction of the required CMU Wall-Electrical Cabinet is a qualifying project as defined by state law and that approving and ratifying the action of the SEDC with regard to the same promotes economic development and is in the best interest of the City and should therefore be approved.

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

**SECTION 1.** The City Council hereby determines that the construction of the CMU Wall-Electrical Cabinet required for the electrical re-routing for suites 103, 105, 107, 109 and 111 N. Kaufman, all in connection with and required for the demolition of 101 N. Kaufman Street, is a

qualifying project as defined by state law, and further hereby approves and ratifies the SEDC action of engaging V&K Construction, LLC, to construct a CMU Wall-Electrical for total compensation in an amount not to exceed Sixteen Thousand Dollars and Zero Cents (\$16,000.00), all as set forth in the V&K Construction, LLC, quote, attached hereto and incorporated herein by this reference as Exhibit A, and further hereby authorizes and ratifies the execution by the Board's Executive Director of any payments and documents necessary for said project.

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

**SECTION 3.** If any article, paragraph, subdivision, clause or provision of this Resolution, as hereby amended, be adjudged invalid or held unconstitutional for any reason, such judgement or holding shall not affect the validity of this Resolution as a whole or any part or provision thereof, as amended hereby, other than the part so declared to be invalid or unconstitutional.

**SECTION 4.** This resolution shall take effect immediately from and after its passage in accordance with State law and it is accordingly resolved.

**DULY PASSED** by the City Council of the City of Seagoville, Texas, on the 23<sup>rd</sup> day of January, 2023.

APPROVED:

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Dennis K. Childress, Mayor

ATTEST:

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Kandi Jackson, City Secretary

APPROVED AS TO FORM:

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Victoria Thomas, City Attorney  
(011923vwtTM133224)

# EXHIBIT A



V & K Construction, LLC  
PO Box 661  
Crandall, Texas 75114  
469.655.7113 / 214.425.6913

## Estimate

Date	Estimate #
9/13/2022	887

Name / Address
City of Seagoville 702 North Highway 175 Seagoville, TX 75159

Project
CMU Wall 101 N Kaufman St Seagoville, Texas

Qty	Description	Total
1	8 x 8 x 16 of CMU Wall - Electrical Cabinet	13,500.00
1	Brick Repairs (After Demo)	2,500.00
<b>Total</b>		\$16,000.00

## ***Regular Session Agenda Item: 12***

**Meeting Date: January 23, 2023**

### **ITEM DESCRIPTION:**

Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, approving and ratifying the Seagoville Economic Development Corporation project for the repair of the roof and brick at 101 N. Kaufman by V&K Construction, LLC as set forth in the attached in Exhibit “A” for compensation in an amount not to exceed Fifteen Thousand Six Hundred Ten Dollars and Zero Cents (\$15,610.00); and providing an effective date.

### **BACKGROUND OF ISSUE:**

101 N. Kaufman St., Seagoville, Texas is property owned by Seagoville Economic Development Corporation (“SEDC”). The structure located on 101 N. Kaufman St. is deteriorating and poses a danger to the public safety and welfare. On or about October 13, 2022, the SEDC Board of Directors authorized the demolition of 101 N. Kaufman St. During the demolition process the roof and brick needed to be preserved and resulted in some repairs. Staff obtained a quote from V&K Construction, LLC, to perform the repairs for Commercial Roofing – Thermoplastic Polyolefin, Framing and Flashing, Tuck and Point/Brick Repair, and Waterproofing Building as set forth and attached in Exhibit A.

### **FINANCIAL IMPACT:**

\$15,610.00

### **RECOMMENDATION:**

Staff recommends approval.

### **EXHIBITS:**

Resolution approving SEDC action for V&K Construction LLC for roof and brick repair  
Quote from V&K Construction, LLC for roof and brick repair

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

**RESOLUTION NO. -R-2023**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS, APPROVING AND RATIFYING THE SEAGOVILLE ECONOMIC DEVELOPMENT CORPORATION PROJECT FOR THE REPAIR OF THE ROOF AND BRICK AT 101 N. KAUFMAN BY V&K CONSTRUCTION, LLC AS SET FORTH IN THE ATTACHED IN EXHIBIT “A” FOR COMPENSATION IN AN AMOUNT NOT TO EXCEED FIFTEEN THOUSAND SIX HUNDRED TEN DOLLARS AND ZERO CENTS (\$15,610.00); AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, 101 N. Kaufman St., Seagoville, Texas is property owned by Seagoville Economic Development Corporation (“SEDC”); and

**WHEREAS**, the structure located on 101 N. Kaufman St. is deteriorating and poses a danger to the public safety and welfare; and

**WHEREAS**, on or about October 13, 2022, the SEDC Board of Directors authorized the demolition of 101 N. Kaufman St.; and

**WHEREAS**, during the demolition process it was determined that the roof and brick of the structure needed to be preserved and further needed some repairs; and

**WHEREAS**, staff obtained a quote from V&K Construction, LLC, to perform the repairs as set forth and attached in Exhibit A; and

**WHEREAS**, the SEDC Board of Directors approved engagement of V&K Construction, LLC to perform the repairs; and

**WHEREAS**, the City Council has determined that the repairs are a qualifying Project as defined by state law and that approving and ratifying the action taken by the SEDC with regard thereto promotes economic development and is in the best interest of the City and should therefore be approved.

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

**SECTION 1.** The City Council hereby determines that the repairs to the roof and bricks at 101 N. Kaufman Street property owned by the SEDC is a qualifying project as defined by state law and further hereby approves and ratifies the SEDC action of engaging V&K Construction,

LLC to provide and perform the repair of the roof and brick at 101 N. Kaufman St. for total compensation in an amount not to exceed Fifteen Thousand Six Hundred Ten Dollars and Zero Cents (\$15,610.00), all as set forth in the V&K Construction, LLC, quote, attached hereto and incorporated herein by this reference as Exhibit A, and further hereby ratifies and authorizes the execution by the Board's Executive Director of any payments and documents necessary for said roof and brick repair.

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

**SECTION 3.** If any article, paragraph, subdivision, clause or provision of this Resolution, as hereby amended, be adjudged invalid or held unconstitutional for any reason, such judgement or holding shall not affect the validity of this Resolution as a whole or any part or provision thereof, as amended hereby, other than the part so declared to be invalid or unconstitutional.

**SECTION 4.** This resolution shall take effect immediately from and after its passage in accordance with State law and it is accordingly resolved.

**DULY PASSED** by the City Council of the City of Seagoville, Texas, on the 23<sup>rd</sup> day of January, 2023.

APPROVED:

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

ATTEST:

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

APPROVED AS TO FORM:

---

Victoria Thomas, City Attorney  
(011923vwtTM13321)

**EXHIBIT A**



V & K Construction, LLC  
PO Box 661  
Crandall, Texas 75114  
469.655.7113 / 214.425.6913

Date 11/30/2022  
Invoice # 1053

Bill To
City of Seagoville 702 North Highway 175 Seagoville, TX 75159

Terms	Project
	101 S Kaufman

Quantity	Description	Amount
1	Commercial Roofing - TPO, Framing and Flashing	9,600.00
1	Tuck and Point / Brick Repair	5,360.00
1	Service Call - Waterproof Building	650.00

Total \$15,610.00

Payments/Credits \$0.00

**Balance Due \$15,610.00**

## ***Regular Session Agenda Item: 13***

**Meeting Date: January 23, 2023**

### **ITEM DESCRIPTION:**

Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, approving and ratifying the Seagoville Economic Development Corporation project for repair of the drainpipe at 101 N. Kaufman St. by V&K Construction, LLC as set forth in the attached in Exhibit "A" and for compensation in an amount not to exceed One Thousand Two Hundred Dollars and Zero Cents (\$1,200.00); and providing an effective date.

### **BACKGROUND OF ISSUE:**

101 N. Kaufman St., Seagoville, Texas is property owned by Seagoville Economic Development Corporation ("SEDC"). The structure located on 101 N. Kaufman St. is deteriorating and poses a danger to the public safety and welfare. On or about October 13, 2022, the SEDC Board of Directors authorized the demolition of 101 N. Kaufman St. During the demolition process the drainpipe needed to be repaired. Staff obtained a quote from V&K Construction, LLC, to perform the repairs for the drainpipe as set forth and attached in Exhibit A.

### **FINANCIAL IMPACT:**

\$1,200.00

### **RECOMMENDATION:**

Staff recommends approval.

### **EXHIBITS:**

Resolution approving SEDC action for V&K Construction LLC for drainpipe repair  
Quote from V&K Construction, LLC for drainpipe repair

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

**RESOLUTION NO. -R-2023**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS, APPROVING AND RATIFYING THE SEAGOVILLE ECONOMIC DEVELOPMENT CORPORATION PROJECT FOR REPAIR OF THE DRAINPIPE AT 101 N. KAUFMAN ST. BY V&K CONSTRUCTION, LLC AS SET FORTH IN THE ATTACHED IN EXHIBIT “A” AND FOR COMPENSATION IN AN AMOUNT NOT TO EXCEED ONE THOUSAND TWO HUNDRED DOLLARS AND ZERO CENTS (\$1,200.00); AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, 101 N. Kaufman St., Seagoville, Texas is property owned by Seagoville Economic Development Corporation (“SEDC”); and

**WHEREAS**, the structure located on 101 N. Kaufman St. is deteriorating and poses a danger to the public safety and welfare; and

**WHEREAS**, on or about October 13, 2022, the SEDC Board of Directors authorized the demolition of 101 N. Kaufman St.; and

**WHEREAS**, during the demolition process it was determined that the drainpipe at the location needed to be repaired; and

**WHEREAS**, staff obtained a quote from V&K Construction, LLC, to perform the repairs for the drainpipe as set forth and attached in Exhibit A; and

**WHEREAS**, the SEDC Board of Directors approved the engagement of V&K Construction, LLC to perform the repairs for the drainpipe as set forth in Exhibit A; and

**WHEREAS**, the City Council has determined that the drainpipe repair at 101 N. Kaufman is a qualifying program as defined by state law and that approving and ratifying the action of the SEDC with regard to the same promotes economic development and is in the best interest of the City and should therefore be approved.

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

**SECTION 1.** The City Council hereby determines that the repair of the drainpipe at SEDC-owned 101 N. Kaufman, incident to the demolition of the structure situated thereon, is a qualifying project as defined by state law and further hereby approves and ratifies the SEDC action of engaging V&K Construction, LLC to repair the drainpipe at 101 N. Kaufman St. for total

compensation in an amount not to exceed One Thousand Two Hundred Dollars and Zero Cents (\$1,200.00), all as set forth in the V&K Construction, LLC, quote, attached hereto and incorporated herein by this reference as Exhibit A, and further hereby ratifies and authorizes the execution by the Board's Executive Director of any payments and documents necessary for the drainpipe repair.

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

**SECTION 3.** If any article, paragraph, subdivision, clause or provision of this Resolution, as hereby amended, be adjudged invalid or held unconstitutional for any reason, such judgment or holding shall not affect the validity of this Resolution as a whole or any part or provision thereof, as amended hereby, other than the part so declared to be invalid or unconstitutional.

**SECTION 4.** This resolution shall take effect immediately from and after its passage in accordance with State law and it is accordingly resolved.

**DULY PASSED** by the City Council of the City of Seagoville, Texas, on the 23<sup>rd</sup> day of January, 2023.

APPROVED:

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

ATTEST:

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

APPROVED AS TO FORM:

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Victoria Thomas, City Attorney  
(011923vwtTM133225)

# EXHIBIT A



V & K Construction, LLC  
PO Box 661  
Crandall, Texas 75114  
469.655.7113 / 214.425.6913

Invoice

Date: 1/5/2023  
Invoice # 1072

Bill To
City of Seagoville 702 North Highway 175 Seagoville, TX 75159

Terms	Project
	101 S Kaufman St

Quantity	Description	Amount
1	Drain Pipe Repair  Includes: - Remove Drain Pipe from between building - Run new drain to side of building where parking lot will be - Temporary route of pipe while demo of metal building getting finished	1,200.00

<b>APPROVED FOR PAYMENT</b>	
P.O.#	DATE
	1/5/23
G.I. CODE	
AUTHORIZED SIGNATURE	

Total \$1,200.00

Payments/Credits \$0.00

**Balance Due** \$1,200.00

## ***Regular Session Agenda Item: 14***

**Meeting Date: January 23, 2023**

### **ITEM DESCRIPTION:**

Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, approving and ratifying the Seagoville Economic Development Corporation project for obtaining from impact Datasource, LLC a program to assist in development strategy, as set forth in Exhibit “A” attached hereto and for compensation in an amount not to exceed \$6,615.00; providing for a repealing clause; providing for a severability clause; and providing an effective date.

### **BACKGROUND OF ISSUE:**

The Seagoville Economic Development Corporation (hereinafter, “SEDC”) has previously utilized and desires to continue utilizing the services of Impact DataSource, LLC, (hereinafter, the “Professional”) as an independent contractor, and not as an employee, to provide services to assist SEDC in Development Strategy.

### **FINANCIAL IMPACT:**

\$6,615.00

### **RECOMMENDATION:**

Staff recommends approval.

### **EXHIBITS:**

Resolution approving SEDC action for Impact DataSource, LLC Extension  
Quote from Impact DataSource, LLC Extension

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

**RESOLUTION NO. \_\_-R-2023**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS, APPROVING AND RATIFYING THE SEAGOVILLE ECONOMIC DEVELOPMENT CORPORATION PROJECT FOR OBTAINING FROM IMPACT DATASOURCE, LLC A PROGRAM TO ASSIST IN DEVELOPMENT STRATEGY, AS SET FORTH IN EXHIBIT “A” ATTACHED HERETO AND FOR COMPENSATION IN AN AMOUNT NOT TO EXCEED \$6,615.00; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Seagoville Economic Development Corporation (hereinafter, “SEDC”) has previously utilized and desires to continue utilizing the services of Impact DataSource, LLC, as an independent contractor, and not as an employee, to provide services to assist SEDC in Development Strategy; and

**WHEREAS**, the SEDC unanimously approved entering into an annual subscription with Impact DataSource, LLC as set forth in the attached Exhibit “A” for compensation in an amount not to exceed \$6,615.00; and

**WHEREAS**, the City Council has determined that the development strategy services is a qualifying Project as defined by state law and that approving and ratifying the action of the SEDC with regard to the same promotes economic development and is in the best interest of the City and should be approved.

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

**SECTION 1.** The City Council hereby determines that the development strategy services to be provided to SEDC by Impact DataSource, LLC is a qualifying project as defined by state law and further hereby approves and ratifies the SEDC action of engaging Impact DataSource, LLC to provide a program to assist in development strategy, as set forth in Exhibit “A”, attached hereto and incorporated herein by this reference, for compensation in an amount not to exceed six thousand six hundred fifteen dollars (\$6,600.00 and further hereby ratifies and authorizes the execution by the Board’s Executive Director of any payments and documents necessary for obtaining said program.

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

**SECTION 3.** If any article, paragraph, subdivision, clause or provision of this Resolution, as hereby amended, be adjudged invalid or held unconstitutional for any reason, such judgement or holding shall not affect the validity of this Resolution as a whole or any part or provision thereof, as amended hereby, other than the part so declared to be invalid or unconstitutional.

**SECTION 4.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Seagoville, Texas, and it is accordingly resolved.

**DULY PASSED** by the City Council of the City of Seagoville, Texas, on the 23<sup>rd</sup> day of January, 2023.

APPROVED:

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DENNIS K. CHILDRESS, MAYOR

ATTEST:

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KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:

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VICTORIA THOMAS, CITY ATTORNEY  
(011923vwtTM133223)

## **Exhibit A**

**Impact DataSource, LLC**  
4709 Cap Rock Drive  
Austin, TX 78735 US



## INVOICE

Patrick Stallings  
Seagoville EDC  
105 North Kaufman Street  
Seagoville, TX 75159 USA

20400  
10/13/2022  
Net 15  
10/28/2022

ITEM	DESCRIPTION	QTY	RATE	AMOUNT
Impact DashBoard	Annual Subscription through September 30, 2023	1	6,615.00	6,615.00

Due Date: 10/28/2022

**\$6,615.00**

[Pay invoice](#)

# *Regular Session Agenda Item: 15*

**Meeting Date: January 23, 2023**

**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: 16***

**Meeting Date:**     **January 23, 2023**

**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: 17*

**Meeting Date: January 23, 2023**

**ITEM DESCRIPTION:**

**Recess into Executive Session**

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

**A. § 551.071 Consultation with City Attorney: to seek legal advice related to the Proposed Home Rule Charter Propositions.**

**BACKGROUND OF ISSUE:**

N/A

**FINANCIAL IMPACT:**

N/A

**RECOMMENDATION:**

N/A

**EXHIBITS:**

N/A

## *Executive Session Agenda Item: 18*

Meeting Date: January 23, 2023

### **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: to seek legal advice related to the Proposed Home Rule Charter Propositions.

### **BACKGROUND OF ISSUE:**

N/A

### **FINANCIAL IMPACT:**

N/A

### **RECOMMENDATION:**

N/A

### **EXHIBITS:**

N/A