



**SEAGOVILLE, TEXAS
CITY COUNCIL MEETING AGENDA
MONDAY, FEBRUARY 28, 2022**

**City Council Chambers, City Hall
702 N. Hwy 175
Seagoville, Texas 75159**

WORK SESSION – 6:30 P.M.

Call to Order

- A. Discuss regular session agenda items**

Adjourn

REGULAR SESSION - 7:00 P.M.

ROUTINE ANNOUNCEMENTS, RECOGNITIONS, and PROCLAMATIONS

Call to Order

Invocation

Pledge of Allegiance

Government Finance Officers Association

Mayor's Report

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

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

- 1. Consider approving City Council Meeting minutes for February 7, 2022 (City Secretary)**
- 2. Discuss and consider approving a Resolution of the City of Seagoville, Texas, authorizing continued participation with the Steering Committee of Cities served by ONCOR; and authorizing the payment of ten cents (\$0.10) per capita to the Steering Committee to fund regulatory and legal proceedings and activities related to Oncor Electric Delivery Company, LLC (Director of Administrative Services)**

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

REGULAR AGENDA-

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

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

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

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

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

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

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

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

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

13. Recess into Executive Session

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

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

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

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

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

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

Adjourn

Posted Friday, February 25, 2022 by 5:00 P.M.



Kandi Jackson, City Secretary



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

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

DATES TO REMEMBER

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

Consent Session Agenda Item: 1

Meeting Date: February 28, 2022

ITEM DESCRIPTION:

Consider approving City Council Meeting minutes for February 7, 2022.

BACKGROUND OF ISSUE:

Approve City Council Meeting minutes for February 7, 2022

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

February 7, 2022 Work Session Meeting Minutes
February 7, 2022 Regular Meeting Minutes



**MINUTES OF CITY COUNCIL
WORK SESSION
FEBRUARY 7, 2022**

The Work Session of the City Council of the City of Seagoville, Texas was called to order at 6:31 p.m. on Monday, February 7, 2022, at City Hall, 702 N. Hwy 175, Seagoville, Texas with a quorum present, to wit:

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

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

A. Discuss Regular Session Agenda Items

1. Consider approving City Council Meeting minutes for January 24, 2022 (City Secretary)

No questions.

2. Discuss and consider approving a Resolution ordering the General Election to be held May 7, 2022 (City Secretary)

Discutir y considerar la aprobacion de una resolucion que ordene que las elecciones generales se celebren el 7 de Mayo de 2022 (Secretario de la Ciudad)

Thảo luận và xem xét thông qua Nghị quyết ra lệnh Tổng tuyển cử tổ chức ngày 7 tháng 5 năm 2022 (Bí thư Thành phố)

City Secretary Jackson stated this year's General Election is on Saturday, May 7, 2022 and includes the City Council Offices of Councilmember Place 1, Place 3, and Place 5. The filing period for those interested in having their name on the ballot is from Wednesday, January 19, 2022 through Friday, February 18, 2022 at 5:00 p.m.

The Election Order contains pertinent dates and times for early voting, as well as locations. It also designates the Dallas County Elections Administrator as the Early Voting Clerk.

She also stated in the past we have provided notices in English and Spanish. Beginning this year, we are required to provide notices in English, Spanish, and Vietnamese.

In response to a question by Mayor Pro Tem Fruin, City Secretary Jackson stated Dallas County has implemented Vote Centers and anyone that lives in Dallas County can vote at any polling location in Dallas County.

3. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, authorizing the Mayor to accept and file the Police Department's 2021 Racial Profiling Report, providing for the repeal of any and all Resolutions in conflict; providing for a severability clause; and providing an effective date (Police Chief & Dr. del Carmen)

Councilmember Hernandez asked if this Resolution has to be passed tonight. City Manager Stallings stated the requirements are for Council to receive the presentation and the Resolution authorizes the Mayor to accept and file the Police Department's 2021 Racial Profiling Report.

4. First Reading - Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, approving the Economic Development Project between the Seagoville Economic Development Corporation and Jacque's Creole Sausage Company as reflected in the terms and conditions of an Economic Development Incentive Agreement between the parties; and providing an effective date (City Manager)

City Manager Stallings explained this Resolution approves the Economic Development Project between the Seagoville Economic Development Corporation and Jacque's Creole Sausage Company as reflected in the terms and conditions of an Economic Development Incentive Agreement between the parties.

5. Conduct interviews with Boards & Commissions Applicants for appointment (City Secretary)

City Secretary Jackson stated Place 7 on the Seagoville Economic Development Corporation is currently vacant and Ms. Shelley Sipriano has applied to fill that vacancy. She explained the Ms. Sipriano currently serves on the Planning & Zoning Commission and desires to serve on the Seagoville Economic Development Corporation as well. She also stated in compliance with Ordinance No. 24-2019 Ms. Sipriano has passed the required background check.

6. Discuss and consider approving an Ordinance of the City of Seagoville, Texas amending the Code of Ordinance by amending Chapter 19, “Utilities”, Article 19.02, “Solid Waste”, Division 1, “Generally”, at Section 19.02.007(a) to provide requirements for storage of solid waste receptacles; providing a repealing clause; providing a savings clause, providing a severability clause; providing for a penalty of fine not to exceed the sum of Five Hundred Dollars (\$500.00) for each offense; and providing for an effective date (Councilmember Howard)

Councilmember Howard explained that this Ordinance would allow for the storage of solid waste receptacles. After some discussion, Council decided to allow for the receptacles to be stored behind the City right-of-way by 10:00 a.m. the day following collection.

7. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas authorizing the City Manager to engage C&M Concrete for concrete repairs to Shadybrook Lane and North Kaufman Street in an amount not to exceed One Hundred Six Thousand Two Hundred Fifty Dollars and Fifty Cents (\$106,250.50) through a City of Lancaster Master Interlocal Agreement; authorizing the City Manager to execute an agreement or any documents necessary for the work to be performed; and providing an effective date (Public Works Director)

Community Development Director Barr stated this Resolution authorizes the City Manager to engage C&M Concrete for concrete repairs to Shadybrook Lane and North Kaufman Street in an amount not to exceed One Hundred Six Thousand Two Hundred Fifty Dollars and Fifty Cents (\$106,250.50) through a City of Lancaster Master Interlocal Agreement.

8. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas approving an agreement for professional engineering services on a defined scope of services basis (“Agreement”) with Halff Associates, Inc. for the purpose of providing an emergency preparedness plan (EPP) in an amount not to exceed Fourteen Thousand Five Hundred Dollars and Zero Cents (\$14,500.00); authorizing the City Manager to sign; and providing an effective date (Public Works Director)

Community Development Director Barr stated this Resolution approves an agreement for professional engineering services on a defined scope of services basis (“Agreement”) with Halff Associates, Inc. for the purpose of providing an emergency preparedness plan (EPP) in an amount not to exceed Fourteen Thousand Five Hundred Dollars and Zero Cents (\$14,500.00).

9. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas authorizing the City Manager to engage Road Master Striping, LLC for pavement marking services to Malloy Bridge Road in an amount not to exceed Eighty Six Thousand Two Hundred Fifty Two Dollars and Fifty Cents (\$86,252.50) through a City of Allen Master Interlocal Agreement; authorizing the City Manager to execute an agreement or any documents necessary for the work to be performed; and providing an effective date (Public Works Director)

Community Development Director Barr stated this Resolution authorized the City Manager to engage Road Master Striping, LLC for pavement marking services to Malloy Bridge Road in an amount not to exceed Eighty Six Thousand Two Hundred Fifty Two Dollars and Fifty Cents (\$86,252.50).

10. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas approving an agreement for consulting services on a water and wastewater cost of service and rate design study with NewGen Strategies and Solutions, LLC.; in an amount not to exceed Thirty-Two Thousand Five Hundred Dollars and Zero Cents (\$32,500.00); authorizing the City Manager to sign; and providing an effective date (Public Works Director)

Community Development Director Barr stated this Resolution approves an agreement for consulting services on a water and wastewater cost of service and rate design study with NewGen Strategies and Solutions, LLC; in an amount not to exceed Thirty-Two Thousand Five Hundred Dollars and Zero Cents (\$32,500.00).

City Manager Stallings stated Items #11 and #12 will be heard during Regular Session.

13. Discuss and consider approving a Resolution of the City of Seagoville, Texas, approving and ratifying the City Manager's action for an expenditure of general fund monies in an amount not to exceed Forty-Four Thousand One Hundred Forty-Three Dollars and No Cents (\$44,143.00) for emergency replacement of the Seagoville Public Library ceiling; authorizing the City Manager to execute any and all necessary documents; and providing an effective date (Community Development Director)

Community Development Director Barr stated this Resolution approves and ratifies the City Manager's action for an expenditure of general fund monies in an amount not to exceed Forty-Four Thousand One Hundred Forty-Three Dollars and No Cents (\$44,143.00) for emergency replacement of the Seagoville Public Library ceiling.

14. Discussion concerning designated/prohibited parking on S. Highway 175 Frontage Road and on Water Street (Mayor Pro Tem Fruin)

Mayor Pro Tem Fruin stated he would explain this item during Regular Session.

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

City Attorney Morris stated this Ordinance shifts the burden of inspection multi-family dwellings to the owners of the properties. She explained the requirements of the Ordinance.

Councilmember Hernandez asked if anyone would be grandfathered in under this Ordinance. City Attorney Morris stated no one would be grandfathered but new construction would not be required to perform the inspections the first year.

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

City Manager Stallings stated this Resolution provides for the fees associated with Item #15 concerning the Multi-Family Licensing and Inspection. City Attorney Morris explained the fee schedule.

Adjourned at 7:21 p.m.

APPROVED:

Mayor Dennis K. Childress

ATTEST:

Kandi Jackson, City Secretary



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

The Regular Session of the City Council of the City of Seagoville, Texas was called to order at 7:37 p.m. on Monday, February 7, 2022, at City Hall, 702 N. Hwy 175, Seagoville, Texas with a quorum present, to wit:

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

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

Invocation – *Invocation was led by Councilmember Magill.*

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

Mayor’s Report – *None.*

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

None.

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 24, 2022 (City Secretary)

2. Discuss and consider approving a Resolution ordering the General Election to be held May 7, 2022 (City Secretary)

Discutir y considerar la aprobacion de una resolucion que ordene que las elecciones generals se celebren el 7 de Mayo de 2022 (Secretario de la Ciudad)

Thảo luận và xem xét thông qua Nghị quyết ra lệnh Tổng tuyển cử tổ chức ngày 7 tháng 5 năm 2022 (Bí thư Thành phố)

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

REGULAR AGENDA-

3. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, authorizing the Mayor to accept and file the Police Department’s 2021 Racial Profiling Report, providing for the repeal of any and all Resolutions in conflict; providing for a severability clause; and providing an effective date (Police Chief & Dr. del Carmen)

Dr. del Carmen presented the Police Department’s 2021 Racial Profiling Report.

Motion to approve a Resolution of the City Council of the City of Seagoville, Texas, authorizing the Mayor to accept and file the Police Department’s 2021 Racial Profiling Report, providing for the repeal of any and all Resolutions in conflict; providing for a severability clause; and providing an effective date – Magill, seconded by Howard; motion passed with all ayes. 4/0

4. First Reading - Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, approving the Economic Development Project between the Seagoville Economic Development Corporation and Jacque’s Creole Sausage Company as reflected in the terms and conditions of an Economic Development Incentive Agreement between the parties; and providing an effective date (City Manager)

Mayor Childress read Item #4 and stated no motion is needed at this time.

5. Conduct interviews with Boards & Commissions Applicants for appointment (City Secretary)

Motion to allow Ms. Sipriano to serve on two boards – Hernandez, seconded by Howard; motion passed with all ayes. 4/0

Motion to appoint Ms. Sipriano to Place 7 on the Seagoville Economic Development Corporation (SEDC) – Hernandez, seconded by Magill; motion passed with all ayes. 4/0

6. Discuss and consider approving an Ordinance of the City of Seagoville, Texas amending the Code of Ordinance by amending Chapter 19, “Utilities”, Article 19.02, “Solid Waste”, Division 1, “Generally”, at Section 19.02.007(a) to provide requirements

for storage of solid waste receptacles; providing a repealing clause; providing a savings clause, providing a severability clause; providing for a penalty of fine not to exceed the sum of Five Hundred Dollars (\$500.00) for each offense; and providing for an effective date (Councilmember Howard)

Motion to approve an Ordinance of the City of Seagoville, Texas amending the Code of Ordinance by amending Chapter 19, "Utilities", Article 19.02, "Solid Waste", Division 1, "Generally", at Section 19.02.007(a) to provide requirements for storage of solid waste receptacles; providing a repealing clause; providing a savings clause, providing a severability clause; providing for a penalty of fine not to exceed the sum of Five Hundred Dollars (\$500.00) for each offense; and providing for an effective date; and providing that solid waste receptacles 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 – Hernandez, seconded by Howard; motion passed with all ayes. 4/0

7. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas authorizing the City Manager to engage C&M Concrete for concrete repairs to Shadybrook Lane and North Kaufman Street in an amount not to exceed One Hundred Six Thousand Two Hundred Fifty Dollars and Fifty Cents (\$106,250.50) through a City of Lancaster Master Interlocal Agreement; authorizing the City Manager to execute an agreement or any documents necessary for the work to be performed; 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 City Manager to engage C&M Concrete for concrete repairs to Shadybrook Lane and North Kaufman Street in an amount not to exceed One Hundred Six Thousand Two Hundred Fifty Dollars and Fifty Cents (\$106,250.50) through a City of Lancaster Master Interlocal Agreement; authorizing the City Manager to execute an agreement or any documents necessary for the work to be performed; and providing an effective date – Hernandez, seconded by Magill; motion passed with all ayes. 4/0

8. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas approving an agreement for professional engineering services on a defined scope of services basis ("Agreement") with Halff Associates, Inc. for the purpose of providing an emergency preparedness plan (EPP) in an amount not to exceed Fourteen Thousand Five Hundred Dollars and Zero Cents (\$14,500.00); authorizing the City Manager to sign; and providing an effective date (Public Works Director)

Motion to approve a Resolution of the City Council of the City of Seagoville, Texas approving an agreement for professional engineering services on a defined scope of services basis ("Agreement") with Halff Associates, Inc. for the purpose of providing an emergency preparedness plan (EPP) in an amount not to exceed Fourteen Thousand Five Hundred Dollars and Zero Cents (\$14,500.00); authorizing the City Manager to sign; and providing an effective date – Howard; seconded by Magill; motion passed with all ayes. 4/0

9. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas authorizing the City Manager to engage Road Master Striping, LLC for pavement marking services to Malloy Bridge Road in an amount not to exceed Eighty Six Thousand Two Hundred Fifty Two Dollars and Fifty Cents (\$86,252.50) through a City of Allen Master Interlocal Agreement; authorizing the City Manager to execute an agreement or any documents necessary for the work to be performed; 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 City Manager to engage Road Master Striping, LLC for pavement marking services to Malloy Bridge Road in an amount not to exceed Eighty Six Thousand Two Hundred Fifty Two Dollars and Fifty Cents (\$86,252.50) through a City of Allen Master Interlocal Agreement; authorizing the City Manager to execute an agreement or any documents necessary for the work to be performed; and providing an effective date – Hernandez, seconded by Fruin; motion passed with all ayes. 4/0

10. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas approving an agreement for consulting services on a water and wastewater cost of service and rate design study with NewGen Strategies and Solutions, LLC.; in an amount not to exceed Thirty-Two Thousand Five Hundred Dollars and Zero Cents (\$32,500.00); authorizing the City Manager to sign; and providing an effective date (Public Works Director)

Motion to approve a Resolution of the City Council of the City of Seagoville, Texas approving an agreement for consulting services on a water and wastewater cost of service and rate design study with NewGen Strategies and Solutions, LLC.; in an amount not to exceed Thirty-Two Thousand Five Hundred Dollars and Zero Cents (\$32,500.00); authorizing the City Manager to sign; and providing an effective date – Magill, seconded by Hernandez; motion passed with all ayes. 4/0

11. Discuss and consider approving an Ordinance of the City of Seagoville, Texas, authorizing and approving an amendment to Ordinance 25-2021, which adopted the operating budget for the fiscal year beginning October 1, 2021 and ending September 30, 2022, by approving the transfer of Thirty Two Thousand Five Hundred Dollars (\$32,500.00) from the water and sewer unrestricted fund balance to the water and sewer operating fund for consulting fees; authorizing the City Manager to make said adjustments; providing for the repeal of all ordinances in conflict; providing a severability clause; and providing an effective date (Finance Director)

Motion to approve an Ordinance of the City of Seagoville, Texas, authorizing and approving an amendment to Ordinance 25-2021, which adopted the operating budget for the fiscal year beginning October 1, 2021 and ending September 30, 2022, by approving the transfer of Thirty Two Thousand Five Hundred Dollars (\$32,500.00) from the water and sewer unrestricted fund balance to the water and sewer operating fund for consulting fees; authorizing the City Manager to make said adjustments; providing for the repeal of all ordinances in conflict;

providing a severability clause; and providing an effective date – Howard, seconded by Hernandez; motion passed with all ayes. 4/0

12. Receive a presentation of City of Seagoville’s 1st Quarter Financial Report for Fiscal Year 2022 (Finance Director)

Finance Director French presented the City of Seagoville’s 1st Quarter Financial Report for Fiscal Year 2022.

13. Discuss and consider approving a Resolution of the City of Seagoville, Texas, approving and ratifying the City Manager's action for an expenditure of general fund monies in an amount not to exceed Forty-Four Thousand One Hundred Forty-Three Dollars and No Cents (\$44,143.00) for emergency replacement of the Seagoville Public Library ceiling; authorizing the City Manager to execute any and all necessary documents; and providing an effective date (Community Development Director)

Motion to approve a Resolution of the City of Seagoville, Texas, approving and ratifying the City Manager's action for an expenditure of general fund monies in an amount not to exceed Forty-Four Thousand One Hundred Forty-Three Dollars and No Cents (\$44,143.00) for emergency replacement of the Seagoville Public Library ceiling; authorizing the City Manager to execute any and all necessary documents; and providing an effective date – Hernandez, seconded by Howard; motion passed with all ayes. 4/0

14. Discussion concerning designated/prohibited parking on S. Highway 175 Frontage Road and on Water Street (Mayor Pro Tem Fruin)

Councilmember Fruin stated his concerns with designated/prohibited parking on S. Highway 175 Frontage Road and on Water Street. After some discussion, Council directed Staff to contact the owner of the property concerning prohibited parking.

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

Motion to table Item #15 until the next meeting – Hernandez, seconded by Fruin; motion passed with all ayes. 4/0

16. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas amending the master fee schedule to add applicable fees related to

multi-family licensing and inspection; providing a savings clause, providing a severability clause; and providing an effective date (Mayor Pro Tem Fruin)

Motion to table Item #16 until the next meeting – Hernandez, seconded by Magill; motion passed with all ayes. 4/0

17. Second Reading - Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, approving the Economic Development Project between the Seagoville Economic Development Corporation and Jacque’s Creole Sausage Company as reflected in the terms and conditions of an Economic Development Incentive Agreement between the parties; and providing an effective date (City Manager)

Motion to approve a Resolution of the City Council of the City of Seagoville, Texas, approving the Economic Development Project between the Seagoville Economic Development Corporation and Jacque’s Creole Sausage Company as reflected in the terms and conditions of an Economic Development Incentive Agreement between the parties; and providing an effective date – Hernandez, seconded by Magill; motion passed with all ayes. 4/0

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

Councilmember Hernandez reminded everyone about the Community Meeting with Dallas Independent School District Superintendent Dr. Hinojosa tomorrow, Tuesday, February 8, 2022 beginning 6:30 p.m. at Seagoville High School.

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

Councilmember Magill requested a presentation concerning the enforcement of small commercial trailers parking in neighborhoods.

20. Recessed Into Executive Session at 8:22 p.m.

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

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

21. Reconvened Into Regular Session at 8:34 p.m.

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

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

No action taken.

22. Discuss and consider approving a Resolution of the City Council of the City of Seagoville, Texas, appointing the Presiding Judge to the City of Seagoville Municipal Court of Record; approving and authorizing the city manager to execute the related agreement for Municipal Court Judge services; and providing an effective date (City Attorney)

Motion to approve a Resolution of the City Council of the City of Seagoville, Texas, appointing the Presiding Judge to the City of Seagoville Municipal Court of Record; approving and authorizing the city manager to execute the related agreement for Municipal Court Judge services; and providing an effective date – Hernandez, seconded by Howard; motion passed with all ayes. 4/0

Adjourned at 8:35 p.m.

APPROVED:

Mayor Dennis K. Childress

ATTEST:

Kandi Jackson, City Secretary

Consent Session Agenda Item: 2

Meeting Date: February 28, 2022

ITEM DESCRIPTION:

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

BACKGROUND OF ISSUE:

The City of Seagoville is a regulatory authority under the Public Utility Regulatory Act (PURA) and has exclusive original jurisdiction over the rates and services of Oncor Electric Delivery Company, LLC (Oncor) within the municipal boundaries. The Steering Committee of Cities Served by Oncor (Steering Committee) has historically intervened in Oncor rate proceedings and electric utility related rulemakings to protect the interests of municipalities and electric customers residing within the City. For the Steering Committee to continue its participation in these activities, which affects the provision of electric utility service and the rates to be charged, it must assess its members for such costs.

Municipalities have original jurisdiction over the electric distribution rates and services within the city. The Steering Committee has been in existence since the late 1980s. It took on a formal structure in the early 1990s. Empowered by city resolutions and funded by per capita assessments, the Steering Committee has been the primary public interest advocate before the Public Utility Commission, ERCOT, the courts, and the Legislature on electric utility regulation matters for over two decades.

The Steering Committee is actively involved in rate cases, appeals, rulemakings, and legislative efforts impacting the rates charged by Oncor Electric Delivery Company, LLC within the City. Steering Committee representation is also strong at ERCOT. It is possible that additional efforts will be necessary on new issues that arise during the year, and it is important that the Steering Committee be able to fund its participation on behalf of its member cities. A per capita assessment has historically been used and is a fair method for the members to bear the burdens associated with the benefits received from that membership.

The \$0.10 per capita rate is \$0.04 more than the 2021 rate of \$0.06 per capita.

FINANCIAL IMPACT:

\$1,717.80

RECOMMENDATION:

Staff recommends approval.

EXHIBITS

Resolution

CITY OF SEAGOVILLE, TEXAS

RESOLUTION NO. ____-R-22

A RESOLUTION OF THE CITY OF SEAGOVILLE, TEXAS, AUTHORIZING CONTINUED PARTICIPATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR; AND AUTHORIZING THE PAYMENT OF TEN CENTS (\$0.10) PER CAPITA TO THE STEERING COMMITTEE TO FUND REGULATORY AND LEGAL PROCEEDINGS AND ACTIVITIES RELATED TO ONCOR ELECTRIC DELIVERY COMPANY, LLC.

WHEREAS, the City of Seagoville is a regulatory authority under the Public Utility Regulatory Act (PURA) and has exclusive original jurisdiction over the rates and services of Oncor Electric Delivery Company, LLC (Oncor) within the municipal boundaries of the City; and

WHEREAS, the Steering Committee of Cities Served by Oncor (Steering Committee) has historically intervened in Oncor rate proceedings and electric utility related rulemakings to protect the interests of municipalities and electric customers residing within municipal boundaries; and

WHEREAS, the Steering Committee is participating in Public Utility Commission dockets and projects, as well as court proceedings, and legislative activity, affecting transmission and distribution utility rates; and

WHEREAS, the City is a member of the Steering Committee; and

WHEREAS, the Steering Committee functions under the direction of an Executive Committee which sets an annual budget and directs interventions before state and federal agencies, courts and legislatures, subject to the right of any member to request and cause its party status to be withdrawn from such activities; and

WHEREAS, the Steering Committee in its December 2021 meeting set a budget for 2022 that compels an assessment of ten cents (\$0.10) per capita; and

WHEREAS, in order for the Steering Committee to continue its participation in these activities which affects the provision of electric utility service and the rates to be charged, it must assess its members for such costs.

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

SECTION 1. That the City is authorized to continue its membership with the Steering Committee of Cities Served by Oncor to protect the interests of the City of Seagoville and protect the interests of the customers of Oncor Electric Delivery Company, LLC residing and conducting business within the City limits.

SECTION 2. The City is further authorized to pay its assessment to the Steering Committee of ten cents (\$0.10) per capita based on the population figures for the City shown in the latest TML Directory of City Officials.

SECTION 3. A copy of this Resolution and the assessment payment check made payable to “*Steering Committee of Cities Served by Oncor*” shall be sent to Brandi Stigler, Steering Committee of Cities Served by Oncor, c/o City Attorney’s Office, Mail Stop 63-0300, 101 S. Mesquite St., Suite 300, Arlington, Texas 76010.

PRESENTED AND PASSED on this the 28th day of February, 2022, by a vote of _____ ayes and _____ nays at a regular meeting of the City Council of the City of Seagoville, Texas.

APPROVED:

Dennis K. Childress, Mayor

ATTEST:

Kandi Jackson, City Secretary

APPROVED AS TO FORM:

Victoria Thomas, City Attorney
(cdb 02/10/2022)

Consent Session Agenda Item: 3

Meeting Date: February 28, 2022

ITEM DESCRIPTION:

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

BACKGROUND OF ISSUE:

The City of Seagoville has previously adopted and approved the Texas Term Sheet and Allocation Schedule regarding the Global Opioid Settlement through the Office of the Attorney General. The City of Seagoville received notice that the Office of the Attorney General has now reached a settlement with the pharmaceutical manufacturer Teva Pharmaceutical Industries, Ltd., Teva Pharmaceuticals USA, Inc., Cupric Holding Co., Inc., Teva Pharmaceutical Holdings Cooperative U.A., Teva Pharmaceuticals Europe, B.V., Cephalon, Inc., Watson Laboratories, Inc., Actavis LLC, Actavis Pharma, Inc f/k/a Watson Pharma, Inc., Warner Chilcott Co., LLC, Actavis South Atlantic LLC, Actavis Elizabeth LLC, Actavis Mid Atlantic LLC, Actavis Totowa LLC, Actavis Kadian LLC, Actavis Laboratories UT, Inc., f/k/a Watson Laboratories Inc. – Salt Lake City, Actavis Laboratories FL, Inc. f/k/a Watson Laboratories, Inc. – Florida and Anda, Inc. (collectively, “Teva”). The City of Seagoville can participate in this settlement by adopting and submitting to the Office of the Texas Attorney General the Texas Subdivision and Special District Election and Release Form attached hereto as Exhibit “A” and incorporated herein by reference (the “Release Form”).

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

Resolution – Authorizing Submission of the Texas Subdivision and Special District Election and Release Form

Exhibit A – Texas Subdivision and Special District Election and Release Form

CITY OF SEAGOVILLE, TEXAS

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO THE TEVA TEXAS OPIOID SETTLEMENT AND AUTHORIZING AND RATIFYING THE SUBMISSION OF THE TEXAS SUBDIVISION AND SPECIAL DISTRICT ELECTION AND RELEASE FORM REGARDING THE TEVA TEXAS OPIOID SETTLEMENT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Seagoville has previously adopted and approved the Texas Term Sheet and Allocation Schedule regarding the Global Opioid Settlement through the Office of the Attorney General; and

WHEREAS, the City of Seagoville received notice that the Office of the Attorney General has now reached a settlement with the pharmaceutical manufacturer Teva Pharmaceutical Industries, Ltd., Teva Pharmaceuticals USA, Inc., Cupric Holding Co., Inc., Teva Pharmaceutical Holdings Cooperative U.A., Teva Pharmaceuticals Europe, B.V., Cephalon, Inc., Watson Laboratories, Inc., Actavis LLC, Actavis Pharma, Inc f/k/a Watson Pharma, Inc., Warner Chilcott Co., LLC, Actavis South Atlantic LLC, Actavis Elizabeth LLC, Actavis Mid Atlantic LLC, Actavis Totowa LLC, Actavis Kadian LLC, Actavis Laboratories UT, Inc., f/k/a Watson Laboratories Inc. – Salt Lake City, Actavis Laboratories FL, Inc. f/k/a Watson Laboratories, Inc. – Florida and Andia, Inc. (collectively, “Teva”); and

WHEREAS, the City of Seagoville can participate in this settlement by adopting and submitting to the Office of the Texas Attorney General the Texas Subdivision and Special District Election and Release Form attached hereto as Exhibit “A” and incorporated herein by reference (the “Release Form”); and

WHEREAS, the City Council of the City of Seagoville, Texas, (i) finds there is a substantial need for repayment of opioid-related expenditures and payment to abate opioid-related harms in and about the City of Seagoville, (ii) supports the addition of Teva Settlement to those previously adopted; (iii) supports the adoption and approval the Release Form finds it to be in the public interest to approve such settlement.

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

SECTION 1. The City Manager is hereby authorized on behalf of the City to enter into the opioid settlement with Teva, as that term is defined above and his signing and submission of the Texas Subdivision and Special District Election and Release Form regarding the Teva Texas Opioid Settlement, attached hereto as Exhibit A, is hereby authorized and, as may be appropriate, ratified.

SECTION 2. This Resolution shall become effective immediately upon passage.

PASSED AND APPROVED THIS 28TH DAY OF FEBRUARY 2022.

APPROVED:

Dennis K. Childress, Mayor

ATTEST:

Kandi Jackson, City Secretary

APPROVED AS TO FORM:

Victoria W. Thomas, City Attorney
(021022vwtTM127723)

Exhibit A

[Texas Subdivision and Special District Election and Release Form – Teva]

**TEXAS SUBDIVISION AND SPECIAL DISTRICT
ELECTION AND RELEASE FORM**

This Election and Release Form for Texas Participating Subdivisions¹ resolves opioid-related Claims against Teva under the terms and conditions set forth in the Teva Texas State-Wide Opioid Settlement Agreement between Teva, the State of Texas, and the Counties of Dallas, Bexar, Harris and Tarrant (the "Agreement"), the provisions of which are here incorporated by reference in their entirety. Upon executing this Election and Release Form, a Participating Subdivision agrees that, in exchange for the consideration described in the Agreement, the Participating Subdivision is bound by all the terms and conditions of the Agreement, including but not limited to the Release found in Section VII of the Agreement and the provisions concerning participation by Subdivisions or Special Districts in Section VIII, and the Participating Subdivision and its signatories expressly represent and warrant on behalf of themselves that they have, or will have obtained on or before the Effective Date or on or before the execution of this Election and Release Form if executed after the Effective Date, the authority to settle and release, to the maximum extent of the Subdivision's and Special District's power, all Released Claims related to Covered Conduct. If this Election and Release Form is executed on or before the Initial Participation Date, the Participating Subdivision shall dismiss the Released Claims with prejudice and sever Teva and all other Released Entities from all pending cases in which the Participating Subdivision has asserted Covered Claims against Teva or a Released Entity no later than the Initial Participation Date. If this Election and Release Form is executed after the Initial Participation Date, the Participating Subdivision shall dismiss the

¹ The Agreement defines a "Participating Subdivision" as a Subdivision or Special District that signs this Election and Release Form and meets the requirements for becoming a Participating Subdivision under subsection VIII.A. of the Agreement.

Released Claims with prejudice and sever Teva and all other Released Entities from all pending cases in which the Participating Subdivision has asserted Covered Claims against Teva or a Released Entity concurrently with the execution of this form. By executing this Election and Release Form, the Participating Subdivision submits to the jurisdiction of the Honorable Robert Schaffer, *In Re: Texas Opioid Litigation*, MDL No. 18-0358, Master File No. 2018-63587, in the 152nd Judicial District Court, Harris County, Texas.

Dated: _____

Texas Subdivision Name: _____

By: _____
[NAME]
[TITLE]
[ADDRESS]
[TELEPHONE]
[EMAIL ADDRESS]

Regular Session Agenda Item: 4

Meeting Date: February 28, 2022

ITEM DESCRIPTION:

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

BACKGROUND OF ISSUE:

The City’s engineers have determined and recommended that the City’s design standards for stormwater collection and conveyance systems should be updated, with City staff concurring in this recommendation.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

Ordinance – Amending Chapter 23, “Subdivisions”, Article 23.03, “Subdivision Design Standards”

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 23, “SUBDIVISIONS”, ARTICLE 23.03, “SUBDIVISION DESIGN STANDARDS”, BY AMENDING SECTION 23.03.010 “STORMWATER COLLECTION AND CONVEYANCE SYSTEMS”; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS the City’s engineers have determined and recommended that the City’s design standards for stormwater collection and conveyance systems should be updated, with City staff concurring in this recommendation; and

WHEREAS the City Council has determined that it would be in the best interest of the life, safety, health and general welfare of the citizens of the City to incorporate the recommended revisions into the City’s Code of Ordinances providing design subdivision design standards for stormwater collection and conveyance systems;

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

SECTION 1. Chapter 23, “Subdivisions”, Article 23.03, “Subdivision Design Standards” is hereby amended by amending Section 23.03.010 “Stormwater collection and conveyance systems” to read as follows (additions are underlined, deletions are struck through):

“CHAPTER 23. SUBDIVISIONS

...

ARTICLE 23.03 SUBDIVISION DESIGN STANDARDS

...

Sec. 23.03.010 Stormwater collection and conveyance systems

(a) System design requirements. Drainage improvements shall accommodate runoff from the proposed development and from the upstream drainage area in its anticipated maximum “build-out” condition, and shall be designed to prevent overloading the capacity of the downstream drainage system. The city may require the phasing of development, the use of control methods such as retention or detention, and/or the construction of off-site drainage improvements in order to mitigate the impact of the proposed development. No stormwater collection system shall be constructed unless it is designed in accordance with the city's TCSS Manual by a licensed professional engineer, and unless it is reviewed and approved by the city engineer. All plans submitted to the city engineer for approval shall include a layout

of the drainage system together with supporting calculations for the design of the system.

(b) All erosion and sedimentation controls shall conform to the TCSS Manual, TCEQ requirements, and NCTCOG, or whichever is the most stringent requirement. No person shall discharge stormwater associated with a construction activity without first having submitted to TCEQ the Notice of Intent (NOI) and or a construction site notice (CSN), and a copy to the city (refer to section 19.10.011). All persons must submit a Notice of Termination (NOT) to the state regulator agency (TCEQ), and a copy to the city at the same time. ~~For erosion and sedimentation control, the city uses the latest edition of “Storm Water Quality Best Management Practices for Construction Activities in North Central Texas” (by the NCTCOG), a copy of which is on file at the city.~~

(c) No person, individual, partnership, firm or corporation shall deepen, widen, fill, reclaim, reroute or change the course or location of any existing ditch, channel, stream or drainageway without first obtaining written permission of the city engineer and any other applicable agency (such as FEMA, TCEQ or the U.S. Army Corps of Engineers) having jurisdiction. The city engineer may, at his or her discretion, require preparation and submission of a CLOMAR or other detailed flood study for a proposed development if there are concerns regarding storm drainage on the subject property or upstream or downstream from the subject property. The costs of such study, if required, shall be borne by the developer.). It shall be the duty of each person owning or having control of real property within the City to prevent soil, mud, rock or other debris from such real property being deposited or otherwise transported onto the streets, alleys, utility facilities, rights-of-way, or easements or into creeks, lakes, channels, or other water bodies. An erosion control plan is required for an earthwork development permit. A site-specific Stormwater Pollution Prevention Plan (SWP3), prepared by the Developer/Owner and Contractor with appropriate notices issued as required by the state Texas Pollutant Discharge Elimination System (TPDES) general permit, shall be kept on the construction site at all times during the construction and updated as needed to address changing conditions. A copy of the construction site notice and Notice of Intent (NOI) (if required) shall be provided to the City. The City Engineer may require additional information as necessary to evaluate the impacts of the proposed project.

(d) In order to help reduce stormwater runoff, and resulting erosion, sedimentation and conveyance of nonpoint source pollutants, the layout of the street network, lots and building sites shall, to the greatest extent possible, be sited and aligned along natural contour lines, and shall minimize the amount of cut and fill on slopes in order to minimize the amount of land area that is disturbed during construction. The person or operator must ensure all temporary control measures for erosion control or other BMPs are removed once final stabilization has been achieved.

(e) No cross-street flow (i.e., perpendicular to traffic flow) of stormwater runoff shall be permitted unless approved by the city engineer. When and if such drainage

flow is allowed, it must be across a concrete street (i.e., valley gutter) and as approved by the city engineer.

(f) All stormwater retention or detention facilities which are not located underground shall be designed using materials and techniques as established in the city's TCSS Manual or as may be required by the city engineer.

(g). Detention and retention basins with associated intake, outflow systems, pump stations, emergency service channels structures and necessary supporting systems shall be considered stormwater management facilities defined in Section 23.03.010 of this article and shall be subject to the requirements in that section and shall include individual small lots.

(h). If the developer of a property proposes detention/retention facilities for the development to remain in place after the completion of the construction, then as condition to approval of the development the property owner will be required to sign an inspection and maintenance agreement with the city as specified in Section 19.10.014 of this article.

(i). Detention Basins shall be required when downstream facilities are not adequately sized to convey a design storm based on current City criteria for hydraulic capacity and demonstrate in a drainage analysis that no adverse impacts due to detention will result. Proposed calculated peak stormwater discharge from a site shall not exceed the calculated peak discharges from existing conditions unless sufficient downstream capacity above existing discharge conditions is available. Detention facilities when required shall be designed such that peak discharges or velocities are not increased when compared to pre-project conditions for the 2-, 10- and 100-year (50%, 10%, and 1% annual chance, respectively) floods. Construction of proposed detention facilities and associated supporting systems shall be substantially complete before any building permits for improvements served by the detention facilities can be approved.

(j). The perimeter boundary of a detention/retention basin, or a portion thereof, shall not be situated within street right-of-way designated on the City's Thoroughfare Plan. Detention/retention basin shall be fenced equal in design to a minimum of 6' tall Wrought Iron fence or screening per Article 21.08.

(k). The City of Seagoville requires that all new construction within the City limits, label their storm drains per the city standards outlined in the Storm Water Management Plan (SWMP). The SWMP states that all new construction will order new/replacement City drain labels approved by the city and install them on all new storm sewer drain. The labels shall be a 4" circular sticker and blue and teal in color, Berntsen Model SDS "NO DUMPING DRAINS TO STREAM," or City approved equal. If any get damaged or lost during the construction process, the Contractor shall be responsible until the subdivision has been accepted by the city, per provisions of Section 23.06.007.

(l). The City of Seagoville requires that all detention and retention basins on public/private lands shall be sodded, sprinkled, irrigated and surrounded by a visual screening fence (refer to Section 21.08.007.2.A) with a double 6' wide gate (12' wide total) for city vehicles to access when needed. If these lots are on private property or in neighborhoods, the HOA (Homeowners' Association) is responsible or upkeep, mowing, repairs, sprinkler system, fence at inlet area and fence outfall area as well as letting the City know if there are any problems with flow. Maintenance includes but isn't limited to cleaning of silt fence, as well as making sure that inlets are free and clear from debris. The person or operator must ensure all long-term operation and maintenance of post-construction stormwater runoff control mechanisms, such as detention and retention basins, dry wells, and other measures as described in city regulations. Maintenance of detention and retention ponds to be operated in accordance with the design. HOA shall maintain property as to prevent the ponding of water through filling, draining, outfall flowing or re-grading, and cleaning of outfall structure.

(m). The City is to have adjacent easements for entrances and outfalls. Although no City easement is to run through detention pond, there is to have an easement that leads to and surrounds inlet structure, and surrounds the exit structure of the basin, and that is maintained and kept clear by HOA.

(o). Installation of structural BMPs (Best Management Practices) must be completed prior to completion of the construction process to control pollutants in stormwater discharges that will occur after construction operations have been finalized (refer to section 19.10.013). Structural measures should be place on upland soils to the degree attainable. Such installed structural measures may include but are not limited to the following: Stormwater detention structures (including wet ponds) stormwater retention structures, flow attenuation by use of open vegetative swales and natural depressions, other velocity dissipation devises, infiltration of runoff on-site, and sequential systems which combine several practices."

SECTION 2. All ordinances of the City in conflict with the provisions of this ordinance shall be, and the same are hereby, repealed; provided, however, that all other provisions of said ordinances not in conflict herewith shall remain in full force and effect.

SECTION 3. Should any word, sentence, paragraph, subdivision, clause, phrase, or section of this ordinance or of the Code of Ordinances, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

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

SECTION 5. Any person, firm or corporation violating any of the provisions or terms of this ordinance or of the Code of Ordinances as amended hereby, shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Seagoville, as previously 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 immediately from and after its passage and publication of the caption as the law and charter may require.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS, ON THIS THE 28th DAY OF FEBRUARY 2022.

APPROVED:

DENNIS K. CHILDRESS, MAYOR

APPROVED AS TO FORM:

ATTEST:

Victoria W. Thomas, City Attorney
(021722vwtTM127850)

Kandi Jackson, City Secretary

Regular Session Agenda Item: 5

Meeting Date: February 28, 2022

ITEM DESCRIPTION:

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

BACKGROUND OF ISSUE:

The land is currently an existing PD-A2 (Planned Development-Amended 2) to a PD-A3 (Planned Development-Amended 3).

The land was annexed into the city limits of Seagoville on May 14, 2012. The initial (PD) Planned Development was approved by City Council on April 1, 2013, by Ordinance 04-13. The first amendment to the PD was adopted by City Council in January 2016 by Ordinance 01-16. The second amendment to the PD was adopted by City Council in August 2018 by Ordinance 14-18.

The amendment will be under (i) on the Public Safety Requirements (2), the Ordinance states that a Seagoville Police Officer shall be retained and be present on the property patrolling the perimeter of the venue during business hours for the safety of the public and enforcing local, state and federal laws.

The existing land use and relevant portions of the City Comprehensive Plan are in compliance with the uses listed above. This report also provides a recommendation from staff on whether the Planning and Zoning and City Council should approve the applicants request.

The existing zoning and land use of immediately surrounding properties are as follows:

<u>Direction</u>	<u>Zoning</u>	<u>Land Use</u>
North	R2	Single Family Residential
East	R2	Single Family Residential
South	NA	Out of City (Kaufman County)
West	R2	Single Family Residential

FINANCIAL IMPACT:

NA

RECOMMENDATION:

On February 15, 2021, the Planning and Zoning Commission voted unanimously (five to zero) to recommend approval on the zoning change request from PD-13-01-A2 (Planned Development-Amended 2) to PD-13-01-A3 (Planned Development-Amended 3) by deleting the Public Safety requirement for a Seagoville Police Officer.

Staff supports the request.

EXHIBITS:

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

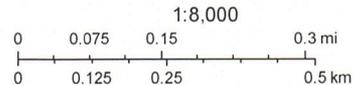
1. 2017 aerial photograph from Kaufman-CAD website
2. Dimensional property map from Kaufman-CAD website
3. Application
4. Copy of Ordinance 14-18
5. Legal notice to the newspaper
6. Letter for Zoning Case



March 19, 2018

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.

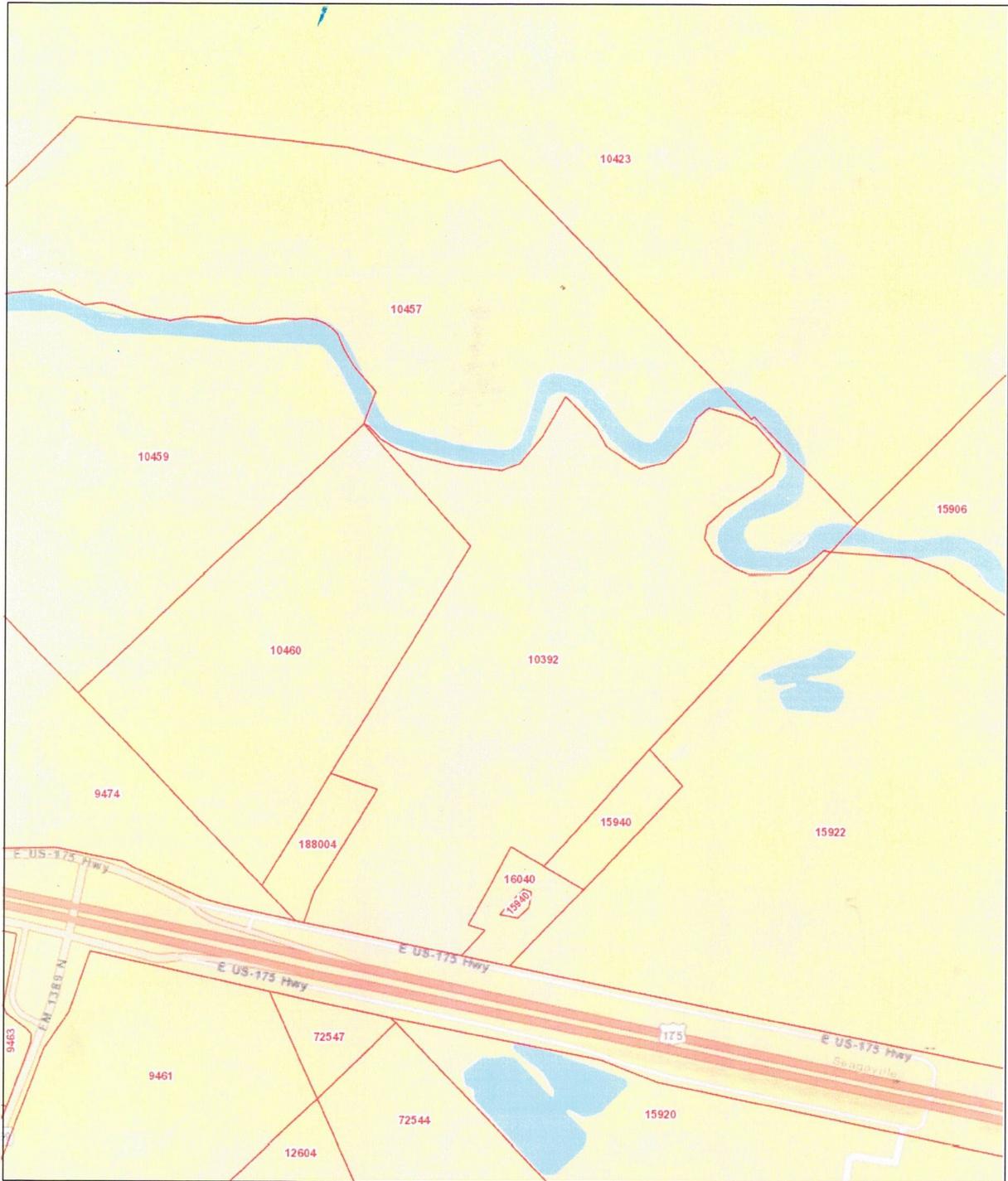
Parcels



Esri, HERE, Garmin, © OpenStreetMap contributors, and the GIS user community
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Kaufman County Ap

This product and relative contents are the property of the respective governmental entity and BIS Consultants. Use is restricted for official purposes.

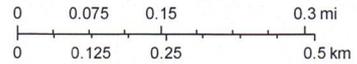


March 19, 2018

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.

Parcels

1:8,000



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, © OpenStreetMap contributors, and the GIS User Community



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: LaPulga Seagoville

Physical Location of Property: 1706 South U.S. Highway 175, Seagoville, TX 75159

[General Location – approximate distance to nearest existing street corner]

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

Acreage: 114⁺ Existing Zoning: PD-13-01-A2 Requested Zoning: PD-13-01-A3

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

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

Applicant / Owner's Name: City of Seagoville Applicant or Owner? (circle one)

Contact Person: Ladis Barr Title: Community Development Director

Company Name: City of Seagoville

Street/Mailing Address: 702 N. Highway 175 City: Seagoville State: TX Zip: 75159

Phone: (972) 567-9572 Fax: () Email Address: lbarr@seagoville.us

Engineer / Representative's Name: Brandon Baker

Contact Person: Brandon Baker Title: Manager

Company Name: Seagoville Trade Days

Street/Mailing Address: 1706 US South Hwy 175 City: Seagoville State: TX Zip: 75159

Phone: (214) 763-2369 Fax: () Email Address: Brandon@millenniumwealth.net

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

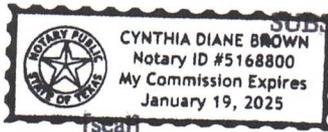
All applications must be COMPLETE before they will be scheduled for P&Z agenda. It is the applicant's responsibility to be familiar with, and to comply with, all City submittal requirements (in the Zoning & Subdivision Ordinances, and any separate submittal policies, requirements and/or checklists that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

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

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

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

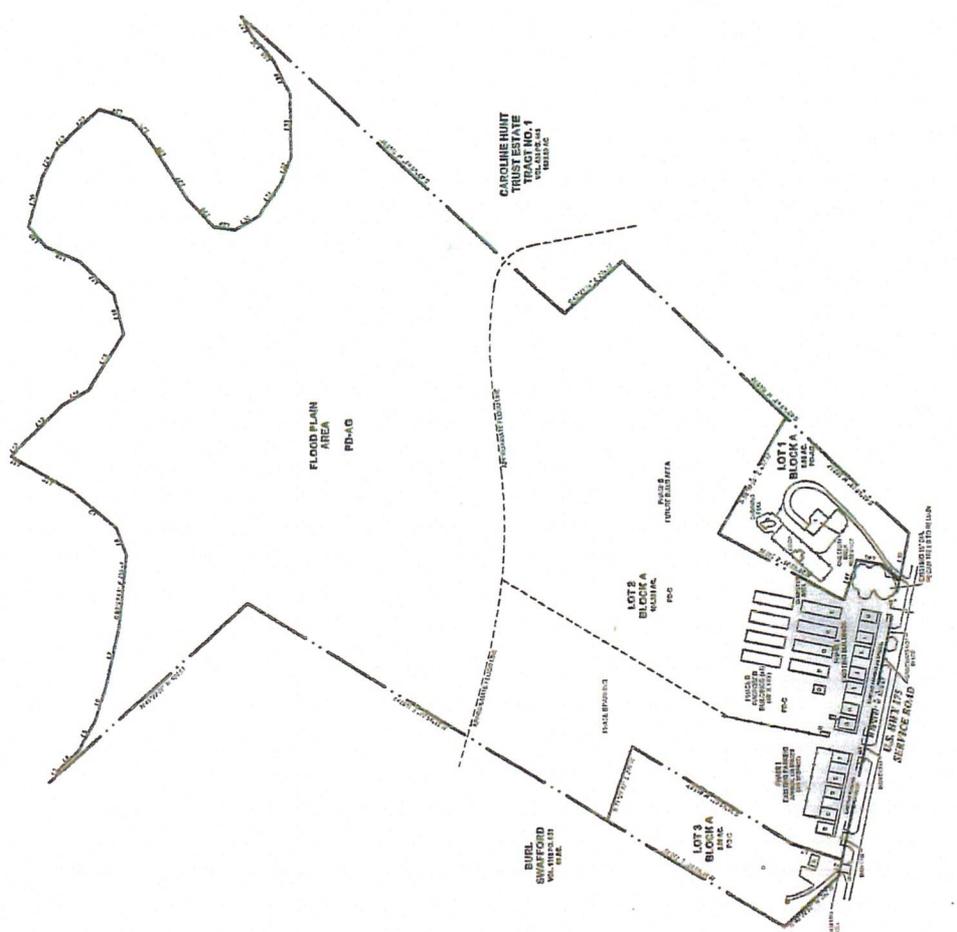
Signed: [Signature] Title: Community Dev Director Date: 01/11/2022



SUBSCRIBED AND SWORN TO before me, this the 11th day of January, 2022
Notary Public in and for the State of Texas: Cynthia Diane Brown
My Commission Expires On: 01-19-2025

Office Use Only: Date Rec'd: 1/11/22 Fees Paid: \$ NC Check #: _____ Receipt #: _____
Zoning Case # 22022-02 Accepted By: CA Official Submittal Date: 1/11/22

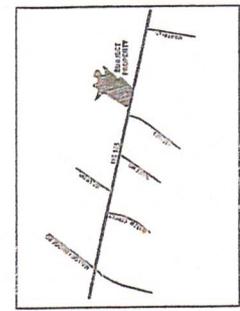
- 101 61421317'W
- 102 61421317'W
- 103 61421317'W
- 104 61421317'W
- 105 61421317'W
- 106 61421317'W
- 107 61421317'W
- 108 61421317'W
- 109 61421317'W
- 110 61421317'W
- 111 61421317'W
- 112 61421317'W
- 113 61421317'W
- 114 61421317'W
- 115 61421317'W
- 116 61421317'W
- 117 61421317'W
- 118 61421317'W
- 119 61421317'W
- 120 61421317'W
- 121 61421317'W
- 122 61421317'W
- 123 61421317'W
- 124 61421317'W
- 125 61421317'W
- 126 61421317'W
- 127 61421317'W
- 128 61421317'W
- 129 61421317'W
- 130 61421317'W
- 131 61421317'W
- 132 61421317'W
- 133 61421317'W
- 134 61421317'W
- 135 61421317'W
- 136 61421317'W
- 137 61421317'W
- 138 61421317'W
- 139 61421317'W
- 140 61421317'W
- 141 61421317'W
- 142 61421317'W
- 143 61421317'W
- 144 61421317'W
- 145 61421317'W
- 146 61421317'W
- 147 61421317'W
- 148 61421317'W
- 149 61421317'W
- 150 61421317'W
- 151 61421317'W
- 152 61421317'W
- 153 61421317'W
- 154 61421317'W
- 155 61421317'W
- 156 61421317'W
- 157 61421317'W
- 158 61421317'W
- 159 61421317'W
- 160 61421317'W
- 161 61421317'W
- 162 61421317'W
- 163 61421317'W
- 164 61421317'W
- 165 61421317'W
- 166 61421317'W
- 167 61421317'W
- 168 61421317'W
- 169 61421317'W
- 170 61421317'W
- 171 61421317'W
- 172 61421317'W
- 173 61421317'W
- 174 61421317'W
- 175 61421317'W
- 176 61421317'W
- 177 61421317'W
- 178 61421317'W
- 179 61421317'W
- 180 61421317'W
- 181 61421317'W
- 182 61421317'W
- 183 61421317'W
- 184 61421317'W
- 185 61421317'W
- 186 61421317'W
- 187 61421317'W
- 188 61421317'W
- 189 61421317'W
- 190 61421317'W
- 191 61421317'W
- 192 61421317'W
- 193 61421317'W
- 194 61421317'W
- 195 61421317'W
- 196 61421317'W
- 197 61421317'W
- 198 61421317'W
- 199 61421317'W
- 200 61421317'W



SITE INFORMATION

LOT 1 BLOCK A 317' x 600' (190,841)
 LOT 2 BLOCK A 317' x 600' (190,841)
 LOT 3 BLOCK A 317' x 600' (190,841)

ADDRESS	AREA (SQ FT)	RESIDENTIAL HEIGHTS
1000 S. HWY 175	1,200	1 story
1005 S. HWY 175	2,400	1 story
1010 S. HWY 175	2,400	1 story
1015 S. HWY 175	2,400	1 story
1020 S. HWY 175	2,400	1 story
1025 S. HWY 175	2,400	1 story
1030 S. HWY 175	2,400	1 story
1035 S. HWY 175	2,400	1 story
1040 S. HWY 175	2,400	1 story
1045 S. HWY 175	2,400	1 story
1050 S. HWY 175	2,400	1 story
1055 S. HWY 175	2,400	1 story
1060 S. HWY 175	2,400	1 story
1065 S. HWY 175	2,400	1 story
1070 S. HWY 175	2,400	1 story
1075 S. HWY 175	2,400	1 story
1080 S. HWY 175	2,400	1 story
1085 S. HWY 175	2,400	1 story
1090 S. HWY 175	2,400	1 story
1095 S. HWY 175	2,400	1 story
1100 S. HWY 175	2,400	1 story
1105 S. HWY 175	2,400	1 story
1110 S. HWY 175	2,400	1 story
1115 S. HWY 175	2,400	1 story
1120 S. HWY 175	2,400	1 story
1125 S. HWY 175	2,400	1 story
1130 S. HWY 175	2,400	1 story
1135 S. HWY 175	2,400	1 story
1140 S. HWY 175	2,400	1 story
1145 S. HWY 175	2,400	1 story
1150 S. HWY 175	2,400	1 story
1155 S. HWY 175	2,400	1 story
1160 S. HWY 175	2,400	1 story
1165 S. HWY 175	2,400	1 story
1170 S. HWY 175	2,400	1 story
1175 S. HWY 175	2,400	1 story
1180 S. HWY 175	2,400	1 story
1185 S. HWY 175	2,400	1 story
1190 S. HWY 175	2,400	1 story
1195 S. HWY 175	2,400	1 story
1200 S. HWY 175	2,400	1 story
1205 S. HWY 175	2,400	1 story
1210 S. HWY 175	2,400	1 story
1215 S. HWY 175	2,400	1 story
1220 S. HWY 175	2,400	1 story
1225 S. HWY 175	2,400	1 story
1230 S. HWY 175	2,400	1 story
1235 S. HWY 175	2,400	1 story
1240 S. HWY 175	2,400	1 story
1245 S. HWY 175	2,400	1 story
1250 S. HWY 175	2,400	1 story
1255 S. HWY 175	2,400	1 story
1260 S. HWY 175	2,400	1 story
1265 S. HWY 175	2,400	1 story
1270 S. HWY 175	2,400	1 story
1275 S. HWY 175	2,400	1 story
1280 S. HWY 175	2,400	1 story
1285 S. HWY 175	2,400	1 story
1290 S. HWY 175	2,400	1 story
1295 S. HWY 175	2,400	1 story
1300 S. HWY 175	2,400	1 story
1305 S. HWY 175	2,400	1 story
1310 S. HWY 175	2,400	1 story
1315 S. HWY 175	2,400	1 story
1320 S. HWY 175	2,400	1 story
1325 S. HWY 175	2,400	1 story
1330 S. HWY 175	2,400	1 story
1335 S. HWY 175	2,400	1 story
1340 S. HWY 175	2,400	1 story
1345 S. HWY 175	2,400	1 story
1350 S. HWY 175	2,400	1 story
1355 S. HWY 175	2,400	1 story
1360 S. HWY 175	2,400	1 story
1365 S. HWY 175	2,400	1 story
1370 S. HWY 175	2,400	1 story
1375 S. HWY 175	2,400	1 story
1380 S. HWY 175	2,400	1 story
1385 S. HWY 175	2,400	1 story
1390 S. HWY 175	2,400	1 story
1395 S. HWY 175	2,400	1 story
1400 S. HWY 175	2,400	1 story
1405 S. HWY 175	2,400	1 story
1410 S. HWY 175	2,400	1 story
1415 S. HWY 175	2,400	1 story
1420 S. HWY 175	2,400	1 story
1425 S. HWY 175	2,400	1 story
1430 S. HWY 175	2,400	1 story
1435 S. HWY 175	2,400	1 story
1440 S. HWY 175	2,400	1 story
1445 S. HWY 175	2,400	1 story
1450 S. HWY 175	2,400	1 story
1455 S. HWY 175	2,400	1 story
1460 S. HWY 175	2,400	1 story
1465 S. HWY 175	2,400	1 story
1470 S. HWY 175	2,400	1 story
1475 S. HWY 175	2,400	1 story
1480 S. HWY 175	2,400	1 story
1485 S. HWY 175	2,400	1 story
1490 S. HWY 175	2,400	1 story
1495 S. HWY 175	2,400	1 story
1500 S. HWY 175	2,400	1 story



Baldwin Associates
 5901 Elm Street, Suite B
 Dallas, Texas 75205-2148 FAX 7519

PROPERTY NAME: Sudduth Addition
 PROPERTY OWNER: James Sudduth
 2402 Cloverhill
 Seagoville, TX 75159

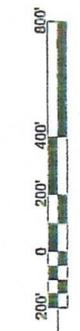
SUDDUTH ADDITION - 114.301 AC
 BEING PART OF THE ANDREW MALL SURVEY,
 ABSTRACT NO. 955 AND THE D. WILKERSON SURVEY,
 ABSTRACT NO. 566 KAUFMAN COUNTY, TEXAS

DESIGN BY DRAWN BY DATE SCALE NOTES
 owner A.S. 11/14/12 1:200

EXISTING PRIOR TO ANNEXATION

CURRENT ZONING: AGRICULTURE

12/04/12	add'd prob. zoning	
11/01/12	add'd prob. rezoning	
11/01/12	add'd rezoning	
DATE	REVISION	



CONCEPTUAL PLAN
 SCALE: 1" = 200'-0"



AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. 14-2018

AN ORDINANCE OF THE CITY OF SEAGOVILLE, DALLAS AND KAUFMAN COUNTIES, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF SEAGOVILLE, KAUFMAN COUNTY, TEXAS, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING FROM PLANNED DEVELOPMENT-13-01-AMENDED 1 (PD-13-01-A1) TO PLANNED DEVELOPMENT-13-01-AMENDED 2 (PD-13-01-A2) FOR THE PROPERTY LOCATED AT 1706 SOUTH U.S. HIGHWAY 175, SEAGOVILLE, KAUFMAN COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS LOTS 1, 2A, 2B AND 3, BLOCK A, OF THE SUDDUTH ADDITION AND BEING LEGALLY DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR AMENDED DEVELOPMENT REGULATIONS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Planned Development-13-01 ("PD-13-01) was approved by the adoption of Ordinance No. 04-13 on April 15, 2013; and

WHEREAS, on or about January 4, 2016, the first amendment to PD-13-01 (PD-13-01-A1) was approved by the adoption of Ordinance 01-16 to provide for additional uses and amended development regulations; and

WHEREAS, the City has received an application for a second amendment to PD-13-01 (PD-13-01-A2) to provide for new allowable uses; and

WHEREAS, the City Planning and Zoning Commission and the governing body of the City of Seagoville, Texas, in compliance with the laws of the State of Texas, and pursuant to the Comprehensive Zoning Ordinance of the City of Seagoville, have given requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to all persons interested and situated in the affected area and in the vicinity thereof, the said governing body is of the opinion that Zoning Application No. PD-13-01-A2 should be approved, and in the exercise of legislative discretion have concluded that the Comprehensive Zoning Ordinance and Map should be amended.

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

SECTION 1. That the Comprehensive Zoning Ordinance and Map of the City of Seagoville, Texas, duly passed by the governing body of the City of Seagoville, Texas, as heretofore amended, be and the same is hereby amended by granting a change in zoning from Planned Development-13-01 (PD-13-01-A1) to Planned Development-13-01-Amended 1 (PD-13-01-A2), for the property located at 1706 South U. S. Highway 175, Seagoville, Kaufman County, Texas and being more particularly described as Lots 1, 2A, 2B and 3, Block A of the Sudduth Addition and being legally described in Exhibit A, which is attached hereto and incorporated herein.

SECTION 2. That for the purposes of this Ordinance, the following definitions shall apply:

1. *Allowable Uses* shall mean the uses allowed for each lot after providing proof of compliance with all local, county, state and federal regulations governing each use and obtaining all the appropriate permits.
2. *Car Corral* shall mean a location wherein automobile dealers may display vehicles for sale, accept applications and preapprove applicants for purchase of a vehicle on market days only. Finalizing the purchase shall not be permitted at the site and shall be carried through at the dealership. The number of vehicles located on the site for this purpose on any market day shall not exceed one hundred (100).
3. *Flea market* shall mean an occasional or periodic market held in an open area or structure where goods are offered for sale to the general public by individual sellers from open or semi-open facilities or temporary structures.
4. *Market days* shall mean Friday, Saturday and Sunday from 6:00 am to 6:00 pm. and shall include any federal holidays which fall specifically on Monday.
5. *Special events* shall mean any carnivals, carnival games, rodeos, concerts, circus and/or similar activities not associated with, or taking place during, the flea market as defined herein; a live musical performance during market days shall not be included in the definition of concert or special event.

SECTION 3. The property shall be developed and used in accordance with Ordinance No.

04-13 and Ordinance No. 01-16, except as amended herein, and the following regulations:

1. The following use and regulations shall be allowable uses, as defined herein, on Lot 1, Block A of the Sudduth Addition:
 - (a) Single family residence and accessory buildings, as set forth and depicted on the Conceptual Site Plan, which is attached hereto and incorporated herein as Exhibit B, and as provided in Chapter 25, Article 25.02, Division 4, R-1 Single Family District Regulations, and other applicable provisions of Chapter 25, City of Seagoville Code of Ordinances.
 - (b) May be used for Holiday displays, including a drive-through holiday park and pumpkin patch, for a public purpose for the months of October, November and December.
 - (c) Amusement rides (temporary and permanent)
 - (d) Apple Cannon
 - (e) Bowling Alley
 - (f) Communication, broadcasting, receiving and transmitting towers, including all types of amateur and professional radio, television, phone, cable, and other over-the-air methods.
 - (g) Concerts
 - (h) Easter Park
 - (i) Events Center (meetings, weddings, birthdays)
 - (j) Farmers Market
 - (k) Fossil/Arrowhead dig
 - (l) Game Room (video games, carnival style games)
 - (m) Gift Shop
 - (n) Go Cart Track
 - (o) Haunted House / Hayride / Zombie Paintball
 - (p) Hotel / Motel
 - (q) Ice Skating
 - (r) Kid's Mini City
 - (s) Microbrew
 - (t) Miniature Golf
 - (u) Nursery Plant Sales
 - (v) Paintball
 - (w) Petting Zoo/Educational Center Walk-Through
 - (x) Restaurant – Full Service
 - (y) Santa's Country Village
 - (z) Snack Bar
 - (aa) Train (track or trackless)
 - (bb) Walk around beer

- (cc) Water Park
- (dd) Zoo
- (ee) No additional uses, accessory uses or structures are allowed without an amendment to this regulation and ordinance.

2. The following use and regulations shall be allowable uses on Lot 2A, Block A of the Sudduth Addition:

- (a) Shall be developed and used as a flea market, as defined and set forth herein and/or any other allowable use set forth in this Ordinance and the City of Seagoville Zoning Ordinance, Chapter 25, Division 16, *except as specifically prohibited below.*
- (b) Amusement rides (temporary and permanent)
- (c) A car corral, as defined herein, shall be permitted on market days only and shall not be stored upon the property on any other days.
- (d) Communication, broadcasting, receiving and transmitting towers, including all types of amateur and professional radio, television, phone, cable, and other over-the-air methods.
- (e) Concerts
- (f) Drive-Through Holiday Park. A drive-through holiday park may be permitted upon the property. Decorations, small temporary structures and facades shall be constructed without the requirement of a building permit. Any and all electrical wiring, temporary and permanent, shall be required to comply with the electrical code and shall require an electrical permit.
- (g) Bowling Alley
- (h) Events Center (meetings, weddings, birthdays)
- (i) Farmers Market
- (j) Game room (video games, carnival style games)
- (k) Gift Shop
- (l) Hotel / Motel
- (m) Ice Skating
- (n) Kid's Mini City
- (o) Microbrew
- (p) Nursery Plant Sales
- (q) Restaurant – Full Service
- (r) Snack Bar
- (s) Soccer or Athletic Field. Construction of a soccer or athletic field shall be permitted upon the property, including any area(s) designated as flood plain, provided construction is consistent with state, local and federal law.
- (t) Train, either track or trackless.
- (u) Special Events. After obtaining the appropriate permits, a maximum of ten (10) special events per calendar year may be held on the property.

Special events may be permitted during non-market days (as defined herein) from 8:00 a.m. to 11:00 p.m.

- (v) Storage containers shall be permitted provided that the same are not visible from the highway or frontage. Storage containers may be rented to vendors.
 - (w) Water Park
 - (x) Walk around beer
 - (y) No additional uses, accessory uses or structures are allowed without an amendment to this regulation and ordinance.
 - (z) Prohibited Uses - In no event shall the following uses be permitted on Lot 2A, which are as follows:
 - (1) Automotive sales;
 - (2) Automotive laundry/car wash;
 - (3) Mechanic or automotive repair service;
 - (4) Gasoline or petroleum sales;
 - (5) Drive-through window service;
 - (6) Drive-in service;
 - (7) Convenience stores;
 - (8) Storage facilities for the purposes of storing motor vehicles, recreational vehicles, boats, campers and trailers; and/or
 - (9) firearm sales.
 - (z) In no event shall any structure or construction of any nature, excluding the permitted uses below for Lot 2B, be permitted within the area designated as flood plain.
3. The following use and regulations shall be allowable uses, as defined herein, on Lot 2B, Block A of the Sudduth Addition:
- (a) Apple Cannon
 - (b) BMX track
 - (c) Camping
 - (d) Communication, broadcasting, receiving and transmitting towers, including all types of amateur and professional radio, television, phone, cable, and other over-the-air methods.
 - (e) Concerts
 - (f) Easter Park
 - (g) Fossil / Arrowhead dig
 - (h) Go-Cart Tracks
 - (i) Haunted House / Hayride / Zombie Paintball
 - (j) Ice Skating
 - (k) Miniature Golf
 - (l) Nursery Plant Sales
 - (m) Paintball
 - (n) Petting Zoo / Educational Center walk through
 - (o) Recreational Vehicle Parking

- (p) Rodeos
- (q) Santa's Country Village
- (r) Train, either track or trackless
- (s) Walk around beer
- (t) Water Park
- (u) Zoo
- (v) No additional uses, accessory uses or structures are allowed without an amendment to this regulation and ordinance.

4. The following use and regulations shall be allowable uses, as defined herein, on Lot 3, Block A of the Sudduth Addition:

- (a) May be developed and used as a flea market, as defined and set forth herein and/or any other allowable use set forth in this Ordinance and the City of Seagoville Zoning Ordinance, Chapter 25, Division 16, *except as specifically prohibited below.*
- (b) Amusement rides (temporary and permanent)
- (c) Bowling Alley
- (d) A car corral, as defined herein, shall be permitted on market days only and shall not be stored upon the property on any other days.
- (e) Communication, broadcasting, receiving and transmitting towers, including all types of amateur and professional radio, television, phone, cable, and other over-the-air methods.
- (f) Concerts
- (g) Storage containers shall be permitted provided that the same are not visible from the highway or frontage. Storage containers may be rented to vendors.
- (h) Drive-Through Holiday Park. A drive-through holiday park may be permitted upon the property. Decorations, small temporary structures and facades shall be constructed without the requirement of a building permit. Any and all electrical wiring, temporary and permanent, shall be required to comply with the electrical code and shall require an electrical permit.
- (i) Events Center (meetings, weddings, birthdays)
- (j) Farmers Market
- (k) Game Room (video games, carnival style games)
- (l) Gift Shop
- (m) Hotel / Motel
- (n) Ice Skating
- (o) Kid's Mini City
- (p) Microbrew
- (q) Miniature Golf
- (r) Nursery Plant Sales
- (s) Restaurant – Full Service

- (t) Snack Bar
- (u) Soccer or Athletic Field. Construction of a soccer or athletic field shall be permitted upon the property, including any area(s) designated as flood plain, provided construction is consistent with state, local and federal law.
- (v) Storage containers shall be permitted provided that the same are not visible from the highway or frontage. Storage containers may be rented to vendors.
- (w) Train, either track or trackless
- (x) Walk around beer
- (y) Water Park
- (z) No additional uses, accessory uses or structures are allowed without an amendment to this regulation and ordinance
- (aa) Prohibited Uses - In no event shall the following uses be permitted on Lot 3, which are as follows:
 - (1) Automotive sales;
 - (2) Automotive laundry/car wash;
 - (3) Mechanic or automotive repair service;
 - (4) Gasoline or petroleum sales;
 - (5) Drive-through window service;
 - (6) Drive-in service;
 - (7) Convenience stores;
 - (8) Storage facilities for the purposes of storing motor vehicles, recreational vehicles, boats, campers and trailers; and/or
 - (9) firearm sales.

5. The following development regulations and standards shall be applicable to the Planned Development:

- (a) Prior to the commencement of **any** construction on any lot, the appropriate permits **must** be obtained from the City of Seagoville.
- (b) In the event permits are required from any federal and/or state agencies related to the use of the structure, such permit shall be obtained and a copy provided to the City of Seagoville upon making application to the City for the construction permit.
- (c) The enclosed pavilions and/or rental spaces currently constructed on Lots 2A and 3 shall be maintained in a good condition. Construction of an additional eight (8) large structures and up to thirty-nine (39) small structures, constructed to conform to the same or similar size and materials as the existing structures, shall be permitted after obtaining the appropriate permit. The following shall apply:

- (1) Building materials and construction which constitute an amendment to these regulations and ordinance for pavilions shall require:
 - (a) Metal steel exterior
 - (b) Concrete foundation
- (2) Compliance with local codes for all building codes, fire codes or any other applicable codes shall apply to all existing and new pavilions and rental spaces.
- (3) Between Suite 1652 and Suite 1710, there shall be an unobstructed driveway and fire lane of twenty four (24) feet as provided in Exhibit B.
- (4) No flea market customer parking is permitted in front of the buildings adjacent to SH 175, except for loading and unloading goods during specified business.
- (5) Vendor spaces shall be a minimum of 10' by 10'.
- (6) Carports and/or similar structures shall be permitted on vendor spaces located on unimproved surfaces for the purposes of providing shade and cover. A permit is required and all such structures shall meet the following requirements:
 - a. Shall be constructed of similar and/or like materials and colors as existing structures located on the site;
 - b. Supporting poles for carports and/or similar structures placed on the property shall be set in concrete and those placed on the property after the adoption of this Ordinance shall be able to withstand winds up to one hundred fifteen (115 mph) miles per hour; and,
 - c. Shall only be permitted behind the existing structures.
- (d) Eight (8) concrete pads, measuring 18 X 24 feet, may be constructed and maintained without permanent walls and roof. Said pad may be covered with non-permanent enclosure during market hours, as provided herein. In no event, however, shall any temporary wood structures or canopy frames be allowed on non-market days.
- (e) All other structure for uses other than Flea Market use shall be constructed in compliance with any and all federal, state and local construction requirements after having obtained the appropriate permit(s).
- (d) General Parking Regulations for Flea Market Use.
 - (1) Parking is permitted on the improved surface area designated on the Concept Plan, which is attached hereto and incorporated herein as Exhibit B.
 - (2) Overflow parking may be permitted on unimproved surfaces.
 - (3) All handicapped parking spaces shall be in compliance and meet the minimum requirements set forth by state and federal laws.

- (e) Miscellaneous Standards of Development.
 - (1) Driveways or fire lanes shall be constructed and maintained in accordance with the adopted fire code of the City of Seagoville and as depicted on Exhibit B.
 - (2) Building materials shall comply with the City of Seagoville ordinances except as may be provided herein.
 - (3) R-panel fencing shall be permitted behind the buildings.
- (f) Sign Regulations. After obtaining the appropriate permits, all signage permitted on the property shall comply with the provisions of the City of Seagoville Sign Ordinance, as amended.
- (g) Current dumpster do not have to be screened; however, any additional dumpsters shall be screened from view from public right of ways in accordance with the code of ordinances.
- (h) Water tanks shall be permitted for the purposes of supplying potable drinking water and water for the operation of the toilets. All such water tanks shall be inspected and approved by the appropriate enforcement authority.
- (i) Public Safety Requirements.
 - (1) On market days and during all special events, as defined herein, a Medical Aid Station shall be required. A Medical Aid Station may be an enclosed building, enclosed booth or tent, clearly marked as a Medical Aid Station. The Medical Aid Station shall be stocked with adequate supplies. In addition, an Automated External Defibrillator ("AED") shall be required on the grounds and at least one (1) personnel certified in basic first aid by the American Red Cross and one (1) personnel certified in CPR by the American Heart Association shall be required to be present during market days and at special events. At least one (1) cart shall be available for use in getting to and for the transport of patients.
 - (2) On market days and during all special events, at least one (1) off-duty Seagoville Police Officer shall be retained and be present on the property patrolling the perimeter of the venue during business hours for the safety of the public and enforcing local, state and federal laws.

SECTION 4. The property shall be developed and used only in accordance with the conceptual plan attached as Exhibit "B" and incorporated herein for all purposes, and which is hereby approved.

SECTION 5. That the above property shall be used only in the manner and for the purpose provided for by the Comprehensive Zoning Ordinance of the City of Seagoville, as heretofore amended and as amended herein.

SECTION 6. That all provisions of the Ordinances of the City of Seagoville, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 7. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be unconstitutional, illegal or invalid, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 8. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 9. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Seagoville, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 10. That this ordinance shall take effect immediately from and after its passage and the publication of its caption, as the law and charter in such cases provide.

DULY PASSED by the City Council of the City of Seagoville, Texas, this the 6th day of August, 2018.

APPROVED:



DENNIS K. CHILDRESS, MAYOR

ATTEST:



KANDI JACKSON, CITY SECRETARY



APPROVED AS TO FORM:



ROBERT E. HAGER, CITY ATTORNEY

(/cdb - amended 08/07/2018)

EXHIBIT "A"
(Legal Property Description)

All of the Sudduth Addition being all of the parcel of land in the Andrew Nail Survey, Abstract No. 355 and the D. Wilkerson Survey, Abstract No. 566, Kaufman County, Texas, recorded as Instrument 201-0010392 in office of Deed Records of Kaufman County, Texas, on June 13, 2012.

Lot 1 of the Sudduth Addition is described as COMMENCING at the point described as Point of Beginning as the subdivision's metes and bounds description in the southwest line of the Andrew Nail Survey; thence South 43 degrees 22 minutes 52 seconds East with the southwest line of said Andrew Nail Survey a distance of 262.78-feet to a 3/8-inch iron rod set in the north right-of-way line of U.S. Highway 175; thence North 78 degrees 01 minutes 09 seconds West along the north right-of-way line of U.S. Highway 175 a distance of 1,228.67-feet to a 3/8-inch iron rod found at the southeast corner of the above mentioned 10.000-acre tract in the above mentioned D. Wilkerson Survey to the **POINT OF BEGINNING**; thence North 43 degrees 49 minutes 09 seconds East a distance of 598.57-feet to a set 3/8-inch iron rod in the southeast line of the above mentioned 10.000-acre tract; thence North 59 degrees 19 minutes 54 seconds West a distance of 472.33-feet to a set 3/8-inch iron rod to a point in the Andrew Nail Survey as the north corner of Lot 1; thence South 28 degrees 40 minutes 26 seconds West a distance of 502.36-feet to a set 3/8-inch iron rod in the Andrew Nail Survey as the west corner of Lot 1; thence South 71 degrees 53 minutes 17 seconds East a distance of 148.53-feet to a set 3/8-inch iron rod to a point in the D. Wilkerson Survey as an ell corner of Lot 1; thence South 09 degrees 56 minutes 01 second West a distance of 88.36-feet to a set 3/8-inch iron rod to a point in the D. Wilkerson Survey as an ell corner of Lot 1; thence South 44 degrees 52 minutes 42 seconds West a distance of 88.72-feet to a set 3/8-inch iron rod in the north right-of-way line of U.S. Highway 175 in the D. Wilkerson Survey; thence North 78 degrees 01 minutes 09 seconds West along the north right-of-way line of U.S. Highway 175 a distance of 173.32-feet to the **POINT OF BEGINNING** of Lot 1, containing 5.000 acres of land.

Lot 2 of the Sudduth Addition is described as all lands in the Sudduth Addition that are not described as being in Lot 1 or Lot 3.

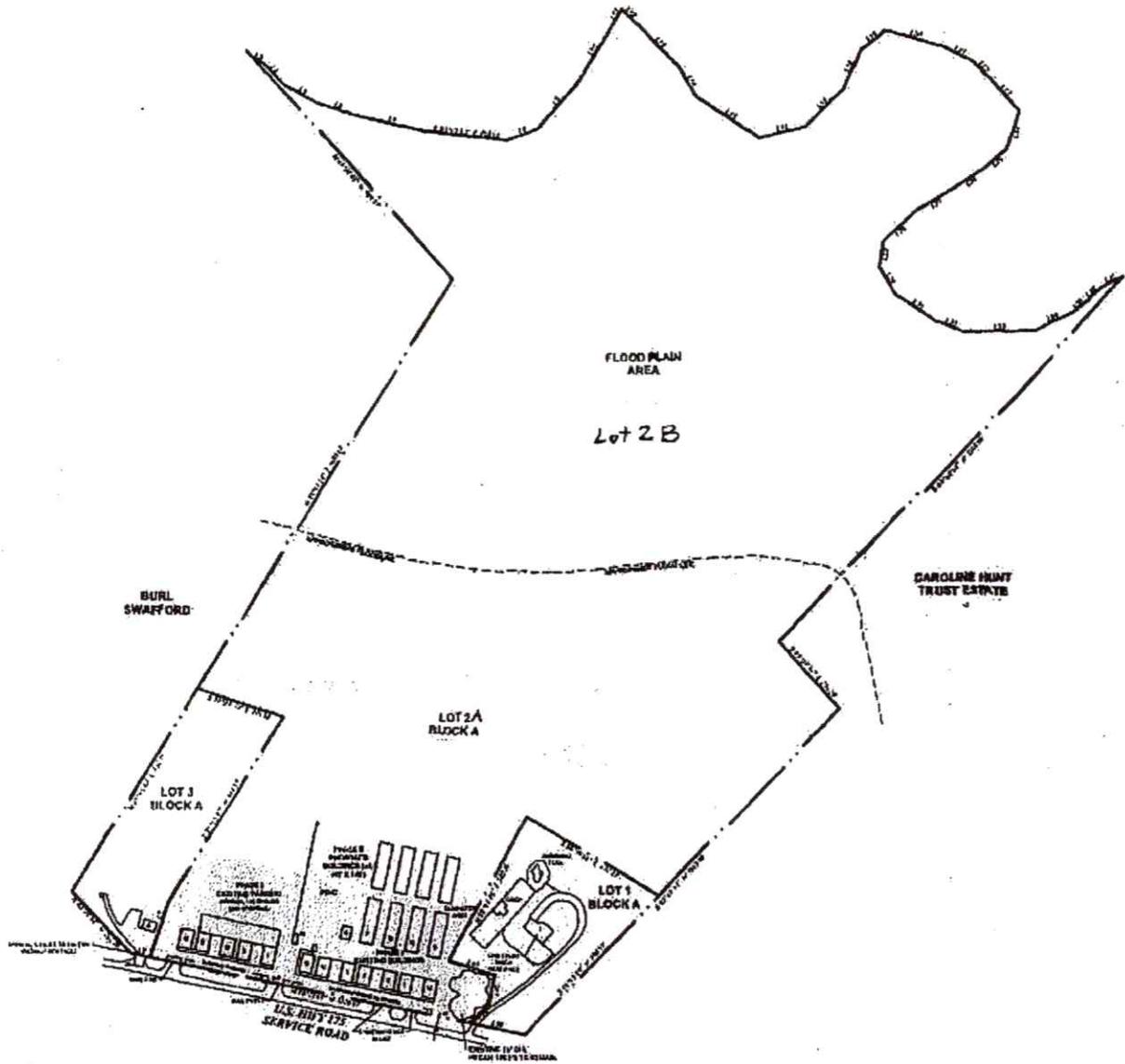
Lot 2A is more particularly described as those portions of Lot 2 that are *outside* of the floodplain on the most current version of a FEMA Flood Insurance Rate Map, as updated and amended.

Lot 2B is more particularly described as those portions of Lot 2 that are *inside* of the floodplain on the most current version of a FEMA Flood Insurance Rate Map, as updated and amended.

Lot 3 of the Sudduth Addition is described as BEGINNING at the point described as Point of Beginning as the subdivision's metes and bounds description in the southwest line of the Andrew Nail Survey; thence South 43 degrees 22 minutes 52 seconds East with the southwest line of said Andrew Nail Survey a distance of 262.78-feet to a 3/8-inch iron rod set in the north right-of-way line of U.S. Highway 175; thence North 78 degrees 01 minutes 09 seconds West along the north right-of-way line of U.S. Highway 175 a distance of 58.73-feet to a set 3/8-inch iron rod in the Andrew Nail Survey as the southeast corner of Lot 3; thence North 18 degrees 30 minutes 27 seconds East to a set 3/8-inch iron rod to a point in the Andrew Nail Survey an ell corner in the common line of Lots 1 and 2; thence North 31 degrees 45 minutes 00 seconds East a distance of 666.87-

feet to a set 3/8-inch iron rod to a point in the Andrew Nail Survey as the northeast corner of Lot 1; thence North 71 degrees 29 minutes 33 seconds West to the west line of the boundary of the Sudduth Addition and also being the southeast line of said Burl Swafford 65-acre tract; thence South 31 degrees 45 minutes 00 seconds a distance of 730.75-feet to the **POINT OF BEGINNING** of Lot 3, containing 5.000 acres of land.

EXHIBIT "B"
(Concept Plan)



CONCEPTUAL PLAN





January 25, 2022

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

**NOTICE OF ZONING PUBLIC HEARING
SEAGOVILLE PLANNING AND ZONING COMMISSION
ZONING CASE Z2022-02**

The Seagoville Planning and Zoning Commission will hold a public hearing on February 15, 2022, at 6:30 p.m. in the Council Chambers in City Hall, 702 North U. S. Highway 175; Seagoville, Texas, to consider a request to change the zoning from PD 13-01-A2 (Planned Development- Amended 2) to PD-13-01-A3 (Planned Development- Amended 3) by deleting the Public Safety requirement for a Seagoville Police Officer on approximately 114 ± acres described as LaPulga, Tract 4.1, commonly known as 1706 North Highway 175, Seagoville, Dallas, County, Texas.

Individuals may appear at the public hearing to state their opinions or may send a written notice prior to 4:30 PM on the day of the public hearing to Administrative Assistant Casey Fillmore at 702 North U.S. Highway 175; Seagoville, TX 75159. This letter is the first opportunity to voice your opinion about this project for the record. The second opportunity will be at the public hearing listed above. There will also be a public hearing held in front of City Council, on Monday, February 28, 2022 at 7:00 pm.

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

I am in favor of against Zoning Request Z2022-02 as it is described above.

Additional Comments (attach additional sheets as necessary): _____

Signature(s): _____

Printed Name(s): _____

Address: _____

City, State & Zip code: _____

Regular Session Agenda Item: 6

Meeting Date: February 28, 2022

ITEM DESCRIPTION

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

BACKGROUND OF ISSUE:

The land is currently an existing PD-A2 (Planned Development-Amended 2) to a PD-A3 (Planned Development-Amended 3).

The land was annexed into the city limits of Seagoville on May 14, 2012. The initial (PD) Planned Development was approved by City Council on April 1, 2013, by Ordinance 04-13. The first amendment to the PD was adopted by City Council in January 2016 by Ordinance 01-16. The second amendment to the PD was adopted by City Council in August 2018 by Ordinance 14-18.

The amendment will be under (i) on the Public Safety Requirements (2), the Ordinance states that a Seagoville Police Officer shall be retained and be present on the property patrolling the perimeter of the venue during business hours for the safety of the public and enforcing local, state and federal laws.

The existing land use and relevant portions of the City Comprehensive Plan are in compliance with the uses listed above. This report also provides a recommendation from staff on whether the Planning and Zoning and City Council should approve the applicants request.

The existing zoning and land use of immediately surrounding properties are as follows:

<u>Direction</u>	<u>Zoning</u>	<u>Land Use</u>
North	R2	Single Family Residential
East	R2	Single Family Residential
South	NA	Out of City (Kaufman County)
West	R2	Single Family Residential

FINANCIAL IMPACT:

NA

RECOMMENDATION:

On February 15, 2021, the Planning and Zoning Commission voted unanimously (five to zero) to recommend approval on the zoning change from PD-13-01-A2 (Planned Development-Amended 2) to PD-13-01-A3 (Planned Development-Amended 3) by deleting the Public Safety requirement for a Seagoville Police Officer

Staff supports the request with the listed conditions of approval.

EXHIBITS

Ordinance (4 Pages)

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING FROM PLANNED DEVELOPMENT-13-01-AMENDED 2 (PD-13-01-A2) TO PLANNED DEVELOPMENT-13-01-AMENDED 3 (PD-13-01-A3) FOR THE PROPERTY LOCATED AT 1706 SOUTH U.S. HIGHWAY 175, SEAGOVILLE, KAUFMAN COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS LOTS 1, 2A, 2B AND 3, BLOCK A, OF THE SUDDUTH ADDITION; PROVIDING FOR AMENDED DEVELOPMENT REGULATIONS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Planned Development-13-01 ("PD-13-01) was approved by the adoption of Ordinance No. 04-13 on April 15, 2013; and

WHEREAS, on or about January 4, 2016, PD-13-01 (PD-13-01-A1) was approved by the adoption of Ordinance 01-16 and on August 6, 2018, PD-13-02 (PD-13-01-A2) was approved by the adoption of Ordinance 14-2018, to provide for additional uses and amended development regulations; and

WHEREAS, the City, with permission of the property owner, has made application to amend PD-13-02 (PD-13-01-A2) by deleting the requirement, set forth in the Public Safety Requirements set forth in Section 3, Subsection 5(i)(2) of Ordinance 14-2018, that the off-duty police officer patrolling the property must be a "Seagoville" police officer; and

WHEREAS, the City Planning and Zoning Commission and the governing body of the City of Seagoville, Texas, in compliance with the laws of the State of Texas, and pursuant to the Comprehensive Zoning Ordinance of the City of Seagoville, have given requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to all persons interested and situated in the affected area and in the vicinity thereof, the said governing body is of the opinion that Zoning Application No. PD-13-01-A3 should be approved, and in the exercise of legislative discretion have concluded that the Comprehensive Zoning Ordinance and Map should be amended.

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

SECTION 1. That the Comprehensive Zoning Ordinance and Map of the City of Seagoville, Texas, duly passed by the governing body of the City of Seagoville, Texas, as heretofore amended, be and the same is hereby amended by granting a change in zoning from Planned Development-13-02 (PD-13-01-A2) to Planned Development-13-01-Amended 3 (PD-13-01-A3), for the property located at 1706 South U. S. Highway 175, Seagoville, Kaufman County, Texas and being more particularly described as Lots 1, 2A, 2B and 3, Block A of the Sudduth Addition and being legally described in Exhibit A, which is attached hereto and incorporated herein.

SECTION 2. The property shall be developed and used in accordance with Ordinance No. 04-13, Ordinance No. 01-16, and Ordinance No. 14-2018, except as amended herein, and the following regulations:

- A. That the Public Safety Requirements set forth in Section 5(i)(2) of Ordinance 14-2018 shall be amended to read as follows:
 - (1)
 - (2) On market days and during all special events, at least one (1) off-duty Police Officer shall be retained and be present on the property patrolling the perimeter of the venue during business hours for the safety of the public and enforcing local, state and federal laws.

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

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

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

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

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

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

SECTION 9. That this ordinance shall take effect immediately from and after its passage and the publication of its caption, as the law and charter in such cases provide.

DULY PASSED by the City Council of the City of Seagoville, Texas, this the 28th day of February, 2022.

APPROVED:

DENNIS K. CHILDRESS, MAYOR

ATTEST:

KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:

VICTORIA THOMAS, CITY ATTORNEY
(/cdb – amended 02.22.22)

Regular Session Agenda Item: 7

Meeting Date: February 28, 2022

ITEM DESCRIPTION:

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

BACKGROUND OF ISSUE:

The land is currently an existing convenience store under 1,000 square foot and presently does not sale alcohol. Murphy Oil would like to raze the property in its entirety and rebuild a one thousand four hundred (1,400') square foot convenience store with additional fuel islands and having the opportunity to sale beer and wine. The fuel islands will have a canopy as before, a pole sign and a dumpster with a six (6') foot masonry enclosure.

The owner Bassam Ziada of Murphy Oil USA, are requesting a zoning change from LR (Local Retail) to LR-SUP (Local Retail with a Special Use Permit) a convenience store over one thousand (1,000) square feet and the sale of beer and wine.

The existing land use and relevant portions of the City Comprehensive Plan are in compliance with the uses listed above. This report also provides a recommendation from staff on whether the Planning and Zoning and City Council should approve the applicants request.

The existing zoning and land use of immediately surrounding properties are as follows:

<u>Direction</u>	<u>Zoning</u>	<u>Land Use</u>
North	LR	Local Retail
East	LR	Local Retail
South	LR	Local Retail
West	LR	Local Retail

FINANCIAL IMPACT:

NA

RECOMMENDATION:

On February 15, 2021, the Planning and Zoning Commission voted unanimously (five to zero) to recommend approval on the zoning change from LR (Local Retail) to LR-SUP (Local Retail with a Special Use Permit) for a convenience store over one Thousand (1,000) square feet and providing for the sale of beer and wine and the approval on site plan depicting the new proposed convenience store.

Staff supports the request.

EXHIBITS:

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

1. 2019 aerial photograph
2. Dimensional property map from DCAD website
3. Application for Site Plan
4. Application for SUP
5. Legal notice to the newspaper
6. Letter for Zoning Case

Zoning Request 2022-01

Exhibit 1

DCAD ID: 9905050212000000

200 North Highway 175

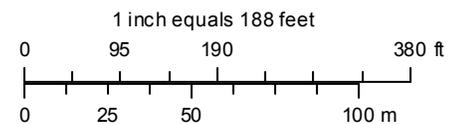
Date of copy: 1/10/2022



This product is for informational purposes only and may not have 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 property boundaries.



Dallas Central Appraisal District
2949 N Stemmons Freeway
Dallas, TX 75247-6195
(214) 631-1342
www.dallascad.org



DCAD, NCTCOG, USGS, Esri, Inc

Zoning Request 2022-01

Exhibit 2

200 North Highway 175

DCAD ID: 99050502120000000

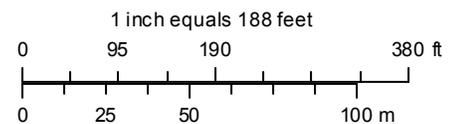
Date of copy: 1/10/2022



This product is for informational purposes only and may not have 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 property boundaries.



Dallas Central Appraisal District
2949 N Stemmons Freeway
Dallas, TX 75247-6195
(214) 631-1342
www.dallascad.org



DCAD, NCTCOG, USGS, Esri, Inc



DEVELOPMENT APPLICATION

City of Seagoville, Texas



ANTICIPATED MEETING DATES: P&Z: _____ City Council: _____
DATE OF PRE-APPLICATION CONFERENCE WITH CITY REPS & PLANNER (required): 07/25/2021

Subdivision/Plat:	Site Plan:	Other:
<input type="checkbox"/> Preliminary Plat	<input type="checkbox"/> Concept Plan	<input type="checkbox"/> Landscape Plan
<input type="checkbox"/> Final Plat	<input checked="" type="checkbox"/> Site Plan	<input type="checkbox"/> Irrigation Plan
<input type="checkbox"/> Plat Vacation	<input type="checkbox"/> Revised Site Plan	<input type="checkbox"/> Elevation/Façade Plan
<input type="checkbox"/> Revised Plat (check type above)		<input type="checkbox"/> Screening Wall/Fence Plan
		<input type="checkbox"/> Engineering Plans

Name of Subdivision or Project: Murphy USA - Wal Mart BLK A, LT 1B
 Physical Location of Property: 200 US - 175 Frontage Rd. 75159
[General Location -- approximate distance to nearest existing street corner]
 Brief Legal Description of Property (must also attach accurate Surveyor's metes and bounds description): _____
Wal Mart BLK A LT 1B
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]
 Acreage: 0.792 Existing # of Lots/Tracts: 1 Existing Zoning: LR
[If zoned PD, attach a copy of the PD ordinance to this application]

Applicant / Owner's Name: Bassam Ziada - Muprhy Oil USA Applicant or Owner? (circle one)
 Contact Person: Bassam Ziada Title: Sr. Manager Store Dev. Projects
 Company Name: Murphy Oil USA
 Street/Mailing Address: 200 E Peach St City: El Dorado State: AR Zip: 71730
 Phone: (870) 677 - 0481 Fax: () Email Address: bassam.ziada@murphyusa.com

Engineer / Representative's Name: _____
 Contact Person: Allen Perez Title: Director
 Company Name: JM Civil Engineering
 Street/Mailing Address: 1101 Central Expresway S #215 City: Allen State: TX Zip: 75013
 Phone: (214) 705 - 3175 Fax: () Email Address: aperez@jmcivileng.com

SUBMITTAL DEADLINE: 28 DAYS PRIOR TO P&Z MEETING DATE. (Residential replats must be submitted at least 30 days prior to meeting to allow time for public hearing notification - application must include letter waiving 30-day review time. Please contact City staff for all 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 directly to the City's Planner (in addition to the required submittal materials delivered to the City - check with City staff and with the City's Planner in advance for submittal requirements for each type of development application). The name, address, phone number, etc. of the City's Planner can be obtained from City staff. Failure to submit all materials (including full engineering plans, if applicable) to the City's Planner may result in delays scheduling the application for a P&Z agenda.
Notice of Public Records. The submission of plans/drawings/etc. 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/etc.) 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.

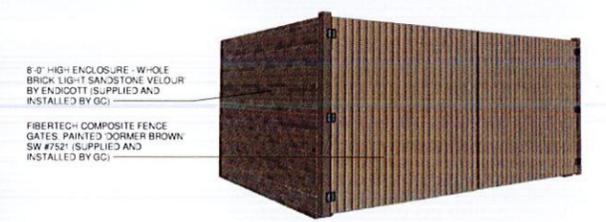
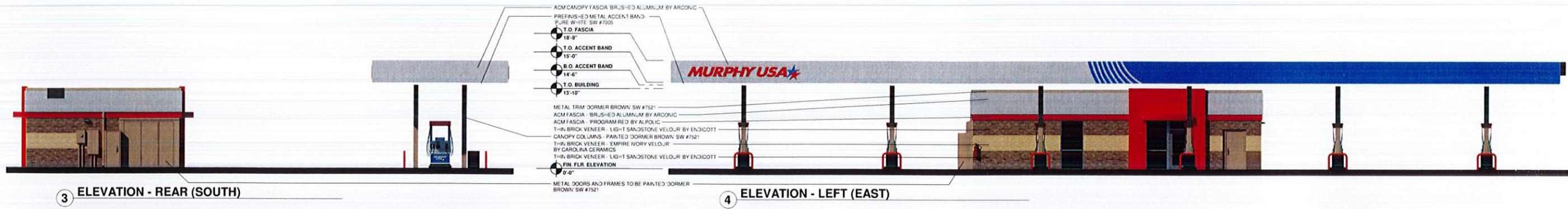
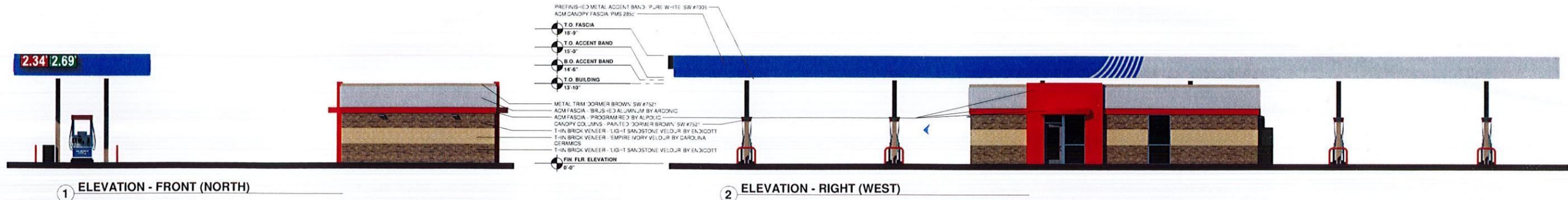
Signed: _____ Title: Sr. Director Asset Development Date: 10/22/21

SUBSCRIBED AND SWORN TO before me, this the 22nd day of October, 2021.
[Month] [Year]

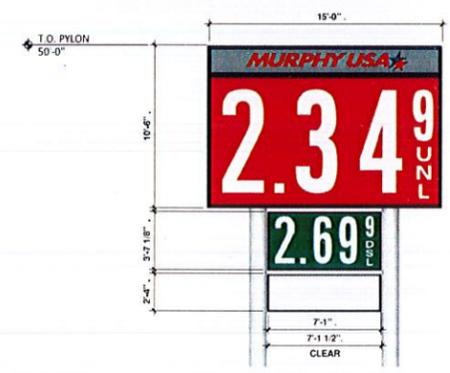
Notary Public in and for the State of Arkansas Linda Harvey
 My Commission Expires On: August 26, 2026

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





5 TRASH ENCLOSURE



6 PYLON SIGN

CANOPY SIGNS:	QTY.	HEIGHT	WIDTH	AREA S.F.	TOTAL S.F.
MURPHY USA CANOPY LOGO SIGN	1		GRAPHIC AREA	47.96	47.96
COMBINED EXTRA SMALL CANOPY PRICE SIGN (UNL / DSL)	1	28.25'	12'.50'	23.84	23.84
CANOPY SIGNS TOTAL SIGNAGE:					71.80 S.F.
PYLON SIGN:	QTY.	HEIGHT	WIDTH	AREA S.F.	TOTAL S.F.
UNLEADED W/ LOGO	1	126.00'	180.00'	157.50	157.50
DIESEL	1	43'-3"	85.00'	25.46	25.46
BLANK CABINET FOR FUTURE SIGN	1	28.00'	85.00'	16.53	16.53
PYLON SIGNS TOTAL SIGNAGE:					199.49 S.F.
TOTAL SIGNAGE AREA:					271.29 S.F.



SEAGOVILLE, TX (200 US-175 FRONTAGE ROAD)
 WM #5288
 OCTOBER 13, 2021



ZONING APPLICATION

City of Seagoville, Texas

ANTICIPATED MEETING DATES: P&Z: 11/26/21 City Council: 12/15/21
 DATE OF PRE-APPLICATION CONFERENCE WITH CITY REPS & PLANNER (required): 07/25/2021

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: Wal Mart - BLK A LT 1B

Physical Location of Property: 200 US-175 Frontage Rd, 75159
[General Location -- approximate distance to nearest existing street corner]

Brief Legal Description of Property (must also attach accurate Surveyor's inlets and bounds description):
Wal Mart - BLK A LT 1B
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Acreage: 0.792 Existing Zoning: LR Requested Zoning: LR to LR SUP Prepackaged Beverage
[Attach a detailed description of requested zoning & development standards, if a PD]

Applicant / Owner's Name: Bassam Ziada - Murphy Oil USA Applicant or Owner? (circle one)

Contact Person: Bassam Ziada Title: Director

Company Name: Murphy Oil USA

Street/Mailing Address: 200 E Peach St City: El Dorado State: AR Zip: 71730

Phone: (870) 677 0481 Fax: () Email Address: bassam.ziada@murphyusa.com

Engineer / Representative's Name: _____

Contact Person: Allen Perez Title: Director

Company Name: JM Civil Engineering

Street/Mailing Address: 1101 Central Expressway S #215 City: Allen State: TX Zip: 75013

Phone: (214) 705 3175 Fax: () Email Address: aperez@jmcivileng.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: Sr Director Assoc Developer Date: 11/2/21

JERRI GREEN SUBSCRIBED AND SWORN TO before me, this the 2nd day of November 2021
 UNION COUNTY
 NOTARY PUBLIC - ARKANSAS
 My Commission Expires August 22, 2026
 [seal] Commission No. 12698642

Notary Public in and for the State of AR Texas: _____
 My Commission Expires On: 08/22/2026

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



January 25, 2022

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

**NOTICE OF ZONING PUBLIC HEARING
SEAGOVILLE PLANNING AND ZONING COMMISSION
ZONING CASE Z2022-01**

The Seagoville Planning and Zoning Commission will hold a public hearing on February 15, 2022, at 6:30 p.m. in the Council Chambers in City Hall, 702 North U. S. Highway 175; Seagoville, Texas, to consider a request to change the zoning from LR (Local Retail) to LR-SUP (Local Retail with a Special Use Permit) for a convenience store over one thousand (1,000) square feet and allowing for the sale of beer and wine and the approval on the site plan depicting the new proposed convenience store on approximately 0.792 ± acres described as Wal Mart Block A, Lot 1B of the Dallas County, Texas of Walmart Supercenter Addition, commonly known as 200 North Highway 175.

Individuals may appear at the public hearing to state their opinions or may send a written notice prior to 4:30 PM on the day of the public hearing to Administrative Assistant Casey Fillmore at 702 North U.S. Highway 175; Seagoville, TX 75159. This letter is the first opportunity to voice your opinion about this project for the record. The second opportunity will be at the public hearing listed above. There will also be a public hearing held in front of City Council, on Monday, February 28, 2022 at 7:00 pm.

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

I am in favor of against Zoning Request Z2022-01 as it is described above.

Additional Comments (attach additional sheets as necessary): _____

Signature(s): _____

Printed Name(s): _____

Address: _____

City, State & Zip code: _____

Regular Session Agenda Item: 8

Meeting Date: February 28, 2022

ITEM DESCRIPTION:

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

BACKGROUND OF ISSUE:

The land is currently an existing convenience store under 1,000 square foot and presently does not sale alcohol. Murphy Oil would like to raze the property in its entirety and rebuild a one thousand four hundred (1,400') square foot convenience store with additional fuel islands and having the opportunity to sale beer and wine. The fuel islands will have a canopy as before, a pole sign and a dumpster with a six (6') foot masonry enclosure.

The owner Bassam Ziada of Murphy Oil USA, are requesting a zoning change from LR (Local Retail) to LR-SUP (Local Retail with a Special Use Permit) for a convenience store over one thousand (1,000) square feet and the sale of beer and wine.

The existing land use and relevant portions of the City Comprehensive Plan are in compliance with the uses listed above. This report also provides a recommendation from staff on whether the Planning and Zoning and City Council should approve the applicants request.

The existing zoning and land use of immediately surrounding properties are as follows:

<u>Direction</u>	<u>Zoning</u>	<u>Land Use</u>
North	LR	Local Retail
East	LR	Local Retail
South	LR	Local Retail
West	LR	Local Retail

FINANCIAL IMPACT:

NA

RECOMMENDATION:

On February 15, 2021, the Planning and Zoning Commission voted unanimously (five to zero) to recommend approval on the zoning change from LR (Local Retail) to LR-SUP (Local Retail with a Special Use Permit) for a convenience store over one Thousand (1,000) square feet and providing for the sale of beer and wine and the approval on site plan depicting the new proposed convenience store.

Staff supports the request with the listed conditions of approval.

EXHIBITS

Ordinance (4 Pages)

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP, AS PREVIOUSLY AMENDED, BY CHANGING THE ZONING FROM "LR" LOCAL RETAIL TO "LR-SUP" LOCAL RETAIL WITH A SPECIAL USE PERMIT FOR PREPACKAGED BEVERAGES, SUBJECT TO SPECIAL CONDITIONS ON APPROXIMATELY 0.792± ACRES LOCATED AT 200 NORTH U.S. HIGHWAY 175 FRONTAGE ROAD, BEING DESCRIBED AS THE JOHN D MERCHANT ABSTRACT 850, LOT 18, OF THE WALMART SUPERCENTER ADDITION, IN THE CITY OF SEAGOVILLE, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

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 the requisite notices by publication and otherwise, and have held due 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 previously amended, be, and the same are hereby amended by changing the zoning from "LR" Local Retail to "LR-SUP" Local Retail with a Special Use Permit for prepackaged beverages, subject to special conditions on approximately 0.792± acres located at 200 North U.S. Highway 175 Frontage Road, being described as the John D Merchant Abstract 850, Lot 18, of the Walmart Supercenter Addition, in the City of Seagoville, Dallas County, Texas.

SECTION 2. The property shall be developed and used in accordance with the development standards under the Seagoville Zoning Ordinance, ordinances of the City of Seagoville, and the following special conditions:

- A. That said convenience store shall be in compliance with any permit issued by the Texas Alcoholic Beverage Commission; and,
- B. That the convenience store shall be in compliance with local retail district regulations and any other applicable local ordinances.

SECTION 3. The above property shall be used only in the manner and for the purpose provided for by the Comprehensive Zoning Ordinance of the City of Seagoville, as heretofore amended, and as amended herein, and the development of the property herein shall be in accordance with building regulations, zoning ordinances, and any applicable ordinances except as may be specifically altered or amended herein.

SECTION 4. All provisions of the Ordinances of the City of Seagoville, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

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

SECTION 6. Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

DULY PASSED by the City Council of the City of Seagoville, Texas, on the 28th day of February, 2022.

APPROVED:

DENNIS K. CHILDRESS, MAYOR

ATTEST:

KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:

VICTORIA THOMAS, CITY ATTORNEY
(/cdb 02.18.2022)

Regular Session Agenda Item: 9

Meeting Date: February 28, 2022

ITEM DESCRIPTION:

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

BACKGROUND OF ISSUE:

Mayor Pro Tem Fruin requested this item to be placed on the Agenda.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

Ordinance – Amending Chapter 11, “Health and Sanitation”

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 11, "HEALTH AND SANITATION", BY ADDING A NEW ARTICLE 11.05 "MULTI-FAMILY LICENSING AND INSPECTION"; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council desires to develop a process to enforce City building, electrical, fire, residential, mechanical, plumbing, energy, fuel gas, maintenance, and other related codes with regard to multi-family dwelling complexes located within the City in order to safeguard the life, health, safety, welfare and property of the occupants thereof;

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

SECTION 1. Chapter 11, "Health and Sanitation", of the Code of Ordinances of the City of Seagoville, Texas is hereby amended by adding a new Article 11.05, "Multi-Family Licensing and Inspection" to read as follows:

"CHAPTER 11. HEALTH AND SANITATION

...

ARTICLE 11.05. – Multi-Family Licensing and Inspection

Sec. 11.05.001 - Title.

These regulations shall be known as the "Multi-Family Licensing and Inspection Ordinance," and may be cited as such.

Sec. 11.05.002 - Purpose.

The purpose of this article is to safeguard the life, health, safety, welfare, and property of the occupants of multi-family dwelling complexes and the general public, by developing a process to enforce City building, electrical, fire, residential, mechanical, plumbing, energy, fuel gas, and maintenance code standards; and to provide equitable and practical remedies for the violation of these City code standards.

Sec. 11.05.003 - Definitions.

For the purpose of this article, the terms, words, or phrases shall have the meanings given herein.

Bedroom. Any room or space used or intended to be used for sleeping purposes.

Building official. The official or other designated authority charged with the administration and enforcement of the City building, electrical, fire, residential, mechanical, plumbing, energy, fuel gas, and maintenance codes.

City. City of Seagoville.

City Manager. City manager or designee.

Common area. Communal areas of the multi-family dwelling complex, including but not limited to hallways, stairways, lobby areas, laundry rooms, pool facilities, green spaces, recreation rooms and parking lots.

Director. The official, or designee, charged with the administration and enforcement of this article by the City manager.

Dwelling unit. A building or portion of a building which is arranged, occupied, or intended to be occupied as living quarters for not more than one family, and including facilities for food preparation, sleeping, and sanitation.

Family. A number of individuals living together as a single housekeeping unit, in which not more than four (4) individuals are unrelated by blood, marriage, or adoption.

Multi-family complex license. License issued by the City pursuant to this article.

Multi-family dwelling complex. Any building or portion thereof which is designed, built, rented, leased which contains three (3) or more dwelling units or apartments, including age restricted senior living facilities which are not licensed and inspected by the State. The term shall not include hotels, motels, or owner-occupied dwelling units.

Owner. Any person, partnership, corporation or other legal entity having a legal or equitable title to the property.

Person. An individual, corporation, partnership or any other legal entity.

Premises. A lot, plot, or parcel of land, including any structure thereon, including a dwelling unit, appurtenances thereto, grounds and facilities held out for the use of tenants generally and any other area of facility whose use is promised to the tenant.

Tenant. Any person who occupies a dwelling unit for living or dwelling purposes with the consent of the landlord.

Sec. 11.05.004 – Applicability and administration.

- (a) This article shall apply to all multi-family complexes located in the city with three (3) or more dwelling units and which are more than one (1) year old measured from the date of the issuance of the certificate of occupancy for the original construction of such multi-family complex.
- (b) The director is authorized to administer and enforce the provisions of this article.

Sec. 11.05.005 - License required.

- (a) It shall be unlawful for any person to own, operate, or manage a multi-family complex in the City without a current and valid license having been issued for said multi-family complex. Any person who owns, operates, or manages managing a multi-family complex at more than one (1) location shall obtain a license for each multi-family complex. A multi-family complex for which the initial certificate of occupancy has been issued for the original construction thereof shall be exempt from this license requirement for a period of one year from the date of issuance of the certificate of occupancy.
- (b) A license issued pursuant to this Article is not assignable or transferable.

Sec. 11.05.006 - License application, renewal, and expiration.

- (a) Any person who owns, operates, or manages a multi-family dwelling complex shall file a city-supplied application for a licensee with the director for each multi-family dwelling complex location. The application shall include the following information:
 - (1) Name, address, telephone number of the owner, operator, and the property manager.
 - (2) Trade name of the multi-family complex.
 - (3) Number of dwelling units broken down by bedroom configurations including efficiencies, one-bedroom, two-bedroom, three-bedroom, etc.
 - (4) Emergency contact information including the names of designated employees or other authorized persons who shall be assigned to respond to emergency conditions, and a telephone number at which said persons can be contacted during any twenty-four-hour period. Emergency conditions include but are not limited to fire, natural disaster, flood, collapse hazard, burst pipes, crime or similar events or conditions.
 - (5) The application shall be signed by the owner, operator, or manager of the multi-family complex.
- (b) The licenses shall expire on December 31 of each calendar year and shall be renewed annually. Any newly constructed multi-family complex applying for an initial license shall submit a license application within the one year after date of issuance of the certificate of occupancy for original construction of the multi-family complex.
- (c) The director may from time to time revise the license application form and require additional information.
- (d) The director may at any time, require the applicant to submit additional information to clarify the application.
- (e) If there is a change in ownership of a multi-family complex, the owner, operator, or manager is required to submit a new license application and obtain a new license within thirty (30) days after the date of change in ownership with no license fee charged for such change. The owner or manager shall notify the City within thirty (30) days after the date of the change of ownership.

- (f) The license application (for initial license or renewal) shall be accompanied by the applicable license fee.

Sec. 11.05.007 - License fee.

Each applicant for a license for a multi-family dwelling complex, or for the renewal of a license, shall at the time of submittal of the application pay an annual license fee in an amount established by resolution of the city council from time to time and shall further pay any late fees established by resolution of the city council from time to time for late submission of the license application or renewal application.

Sec. 11.05.008 - License suspension, denial, and revocation.

- (a) The director may suspend, revoke, or deny a license for failure to comply with any of the terms or provisions of this article.
- (b) A license may be denied, suspended, or revoked if the applicant provides or has provided an incomplete application, false or misleading information in the license application;
- (c) A license may be suspended or revoked for failure of the owner, manager, or designee to attend the annual training required by this article
- (d) Whenever a license is suspended or revoked, the holder of the license shall be notified in writing that the license is, upon delivery of the notice, immediately suspended or revoked. The suspension or revocation shall continue until the director determines that the multi-family complex is in compliance with this article, or a license has been reinstated. Suspension of, or revocation of a license shall not preclude the director from taking other enforcement action authorized by law.
- (e) The director may, without advance notice, suspend the license of a multi-family complex if the complex is found to have one or more violations that constitutes an imminent hazard to public health or safety.
- (f) While the license is under suspension, or if application has been denied, or if the license has been revoked the owner, operator or manager may not allow any new tenants to occupy any dwelling unit in the multi-family complex until the multi-family complex is in compliance with this article as determined by the director, or a license has been issued or reinstated.
- (g) The applicant for, or holder of a license may appeal the denial, suspension, or revocation of the license to the City manager, by submitting a written appeal stating the reasons for such appeal to the office of the City manager, within five (5) business days after receipt of notice of such denial, suspension, or revocation.
- (h) Within five (5) business days after receipt of an appeal, the City manager shall set a date, time, and place for the hearing of the appeal and deliver written notice thereof to such person in accordance with this article.
- (i) A notice required to be provided or delivered by the City pursuant to this article is deemed to have been delivered by the City on the date that it is hand delivered, or three (3) days after the date the

notice is sent by first class mail United States mail postage prepaid addressed to the person provided in the appeal or license application for the license.

Sec. 11.05.009 – Owner, Operator and Manager Responsibilities.

- (a) The owner, operator, and manager of a multi-family complex shall maintain the structures and premises in compliance with the requirements established by this article and applicable City codes and ordinances. The owner, operator, and manager of a multi-family complex shall not permit a person to occupy, nor may a person occupy or permit another person to occupy any dwelling unit in a multi-family complex which is not in a sanitary and safe condition, and which does not comply with the requirements of this article or City code and ordinances.
- (b) At the time each tenant signs a lease for a dwelling unit in a multi-family complex the owner, operator or manager thereof shall provide to the tenant the following information:
 - (1) A copy of this Multi-Family Licensing and Inspection Ordinance.
 - (2) List of City contacts for services related to enforcement of this Ordinance.
 - (3) Any additional information as may be provided by the City.
- (d) The owner, operator, or manager of a multi-family complex shall inspect each dwelling unit in a multi-family complex prior to leasing such dwelling unit and shall comply with the following:
 - (1) The inspection of a dwelling unit shall be conducted by the owner, operator, or manager and with the tenant when the occupancy of the dwelling unit changes, and at a minimum each dwelling unit shall be inspected at least once each calendar year.
 - (2) The owner, operator, or manager shall prepare a written inspection report for each inspection using the form provided by the City and shall provide the tenant with a copy of such inspection report. The owner, operator, or manager shall maintain copies of such inspection reports on the premises of the multi-family complex and shall make such inspection reports available to the director for inspection upon request. The inspection reports shall be maintained by the owner, operator, or manager for a minimum of three (3) years following the date of each such inspection.
- (e) The owner, operator, or manager of a multi-family complex shall inspect the community rooms, common areas and grounds of the multi-family complex at least once each calendar year and prepare a written inspect report on the form provided by the City for each such inspection. Such inspection reports shall note and identify any safety and maintenance issues. Such inspection reports shall be maintained by the owner, operator, or manager for a minimum of three (3) years following the date of each such inspection, and shall make them available to the director for inspection upon request.

Sec. 11.05.010 – Required postings.

Each licensed multi-family dwelling complex shall have prominently displayed in the front lobby/reception area or, for those premises without a front lobby/reception area, a conspicuous, publicly accessible area on the premises of the multi-family complex visible to the public the following:

- (a) Current and valid license certificate.
- (b) Signs displaying a telephone number at which emergency conditions can be reported during any twenty-four (24) hour period.
- (c) Sign stating, "TO REPORT UNRESOLVED VIOLATIONS OF THE CITY'S CODE OF ORDINANCES FOR THESE PREMISES, PLEASE CONTACT THE CITY OF SEAGOVILLE CODE COMPLIANCE DIVISION AT [REDACTED]."

Sec. 11.05.011 – Inspections and Re-Inspections and Re-Inspection Fee.

- (a) To determine compliance with City building, electrical, fire, residential, mechanical, plumbing, energy, fuel gas, and maintenance codes and any other applicable City codes and ordinances, and to determine compliance with this article, the director may conduct:
 - (1) Periodic inspections;
 - (2) Follow-up re-inspections; and
 - (3) Inspections based on indications of City code or ordinance violations, including complaints filed with the City or the director.
- (b) The following areas of a multi-family dwelling complex shall be subject to periodic inspection by the director:
 - (1) All building exteriors;
 - (2) All exterior and interior common areas;
 - (3) All mechanical, maintenance, storage and equipment rooms and closets;
 - (4) Vacant dwelling units;
 - (5) Occupied dwelling units upon receipt of consent by the tenant of the dwelling unit or as may be provided by law.
- (c) The director and or the building official may inspect portions of a multi-family dwelling complex as frequently as the director or building official deems necessary.
- (d) The owner, operator, or manager of a multi-family dwelling complex shall make all exterior, interior, and exterior public areas, and vacant dwelling units of the multi-family complex available to the director for inspections at all reasonable times. If entry is refused or not obtained the director is authorized to seek a warrant as allowed by law.

- (e) The owner, operator, or manager shall be provided a copy of City inspection reports, including a list of any City code or ordinance violations or deficiencies requiring correction and a timeframe for correction of such violations or deficiencies. The owner, operator, or manager shall correct such violations or deficiencies identified in the inspection report within the timeframe established by the director or the City. Failure to correct such violations or deficiencies may result in additional enforcement actions including, but not limited to the suspension or revocation of the license.
- (f) The owner of a multi-family complex shall be charged a re-inspection fee, as may be established by the City Council from time to time by resolution, for any dwelling unit or common area that requires a re-inspection. The re-inspection fee must be paid to City by the owner prior to issuance of the license.

Sec. 11.05.012 – Inspection standards

- (a) This article is intended to complement the requirements of other applicable City code and ordinances and shall not be deemed to lower any more restrictive standards required by City codes and ordinances.
- (b) Multi-family complexes shall comply with all applicable City codes and ordinances.

Sec. 11.05.013 – Offenses.

- (a) It shall be unlawful for any person to violate any provision of this article.
- (b) A person commits an offense if the person owns, operates or manages, or causes to operated, a multi-family complex without a current valid license issued by the director, or while the license is suspended.
- (c) A person commits an offense if the person owns, operates, or manages, or causes to operated, a multi-family complex which is in violation of City codes or ordinances.
- (d) A person commits an offense if such person submits a license application that contains false or misleading information.
- (e) A person commits an offense if the person owns, operates, or manages, or causes to operated, a multi-family complex and the owner or manager, or designee for such multifamily complex has failed to attend the annual training as required by this article.
- (f) A person commits an offense if the person owns, operates, or manages, or causes to operated, a multi-family complex and rents, leases, advertises or holds out for rent, any multi-family complex without a current valid license having been issued for such premises.

Sec. 11.05.014 - Penalties.

- (a) Any person violating any of the provisions of this article shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine not to exceed two thousand dollars (\$2,000.00) for each offense; and each day such violation continues to exist, shall constitute a separate offense.

(b) In addition to the penalties of this article, the City is authorized to file suit for injunctive relief as may be necessary to enforce the provisions of this article.

SECTION 2. All ordinances of the City in conflict with the provisions of this ordinance shall be, and the same are hereby, repealed; provided, however, that all other provisions of said ordinances not in conflict herewith shall remain in full force and effect.

SECTION 3. Should any word, sentence, paragraph, subdivision, clause, phrase, or section of this ordinance or of the Code of Ordinances, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

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

SECTION 5. Any person, firm or corporation violating any of the provisions or terms of this ordinance or of the Code of Ordinances as amended hereby, shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Seagoville, as previously amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.

SECTION 6. This ordinance shall take effect immediately from and after its passage and publication of the caption as the law and charter may require.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS, ON THIS THE 28th DAY OF FEBRUARY, 2022.

APPROVED:

DENNIS K. CHILDRESS, MAYOR

APPROVED AS TO FORM:

ATTEST:

Victoria W. Thomas, City Attorney
(102521vwtTM125637)

Kandi Jackson, City Secretary

Regular Session Agenda Item: 10

Meeting Date: February 28, 2022

ITEM DESCRIPTION:

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

BACKGROUND OF ISSUE:

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

The City Council has adopted the Multi-Family Licensing and Inspection Ordinance, establishing a process for enforcing the City's Code of Ordinances with regard to multi-family dwelling complexes in order to safeguard the life, health, safety, welfare and property of the occupants thereof. The Multi-Family Licensing and Inspection Ordinance calls for the setting of various fees associated with the application and renewal of licenses and the re-inspection of multi-family properties.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

Resolution – Amending Master Fee Schedule

**A RESOLUTION OF THE CITY OF SEAGOVILLE, TEXAS
RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SEAGOVILLE, TEXAS AMENDING THE MASTER FEE SCHEDULE TO
ADD APPLICABLE FEES RELATED TO MULTI-FAMILY LICENSING
AND INSPECTION; PROVIDING A SAVINGS CLAUSE, PROVIDING A
SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

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 City Council has adopted Ordinance No. _____, the Multi-Family Licensing and Inspection Ordinance, establishing a process for enforcing the City’s Code of Ordinances with regard to multi-family dwelling complexes in order to safeguard the life, health, safety, welfare and property of the occupants thereof; and

WHEREAS, the Multi-Family Licensing and Inspection Ordinance calls for the setting of various fees associated with the application and renewal of licenses and the re-inspection of multi-family properties; and

WHEREAS, the City Council finds it in the best interest of the City and its citizens that the Master Fee Schedule be amended to add such fees as set forth herein.

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

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

- A. Under “Inspections:
 - Multi-family License Re-inspection \$175.00 per unit or common area

- B. Under a new heading of “Licenses” which shall follow “Permits”:
 - 1. Multi-family License Application and Renewal Fee -Annual - \$125.00 for the first ten multi-family dwelling units plus \$10.00 per multi-family dwelling unit in excess of 10.

 - 2. Multi-family License Application and Renewal Late Fee – for annual application or renewals postmarked or received after December 31st
 - 10% of the application fee if within one (1) month of due date
 - 30% of the application fee if within two (2) months of due date
 - 50% of registration fee thereafter

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 upon passage of this Resolution.

DULY PASSED by the City Council of the City of Seagoville, Texas, on the 28th day of February, 2022.

APPROVED:

DENNIS K.CHILDRESS, MAYOR

ATTEST:

KANDI JACKSON, CITY SECRETARY

APPROVED AS TO FORM:

VICTORIA W. THOMAS, CITY ATTORNEY
(011322vwtTM127117)

EXHIBIT "A"
[Master Fee Schedule]

CITY OF SEAGOVILLE MASTER FEE SCHEDULE - FY 2021-2022
GENERAL GOVERNMENT

DEPARTMENT	BASICS/COMMENTS	FEE EFFECTIVE 10/1/20	PROPOSED FEE INCREASE / DECREASE	FEE EFFECTIVE 10/1/19
GENERAL GOVERNMENT ADMINISTRATION / ALL DEPARTMENTS				
PUBLIC INFORMATION CHARGES				
Copies, standard size	Per page	\$ 0.10	\$ -	\$ 0.10
Copies, non-standard size	Per page	\$ 0.50	\$ -	\$ 0.50
Disc (CD-RW or CD-R)	Each	\$ 1.00	\$ -	\$ 1.00
Digital video disc (DVD)	Each	\$ 3.00	\$ -	\$ 3.00
VHS video cassette	Each	\$ 2.50	\$ -	\$ 2.50
Audio cassette	Each	\$ 1.00	\$ -	\$ 1.00
Other electronic media	Each	Actual cost	\$ -	Actual cost
Personnel charge	Per hour	\$ 15.00	\$ -	\$ 15.00
Overhead charge	Based on personnel charge	20%	\$ -	20%
Miscellaneous supplies		Actual cost	\$ -	Actual cost
Postage and shipping		Actual cost	\$ -	Actual cost
Certification of true copies		\$ 2.50	\$ -	\$ 2.50
Attestation under Seal of Seagoville		\$ 2.50	\$ -	\$ 2.50
DOCUMENTS				
Charter		\$ -	\$ -	\$ -
Code of Ordinances	Available from Franklin Legal Publishing	\$ -	\$ -	\$ -
FINANCE CHARGES				
Returned Check		\$ 30.00	\$ -	\$ 30.00
Lien Administrative Fee		\$ 100.00	\$ -	\$ 100.00
Lien Per Annum		10%	\$ -	10%

CITY OF SEAGOVILLE MASTER FEE SCHEDULE - FY 2021-2022
PUBLIC LIBRARY

DEPARTMENT	BASICS/COMMENTS	FEE EFFECTIVE 10/1/20	PROPOSED FEE INCREASE / DECREASE	FEE EFFECTIVE 10/1/21
PUBLIC LIBRARY				
LIBRARY CARDS				
Replacement card	Per card	\$ 1.00	\$ 2.00	\$ 3.00
LATE CHARGES				
Books	Per item per day	\$ 0.10	\$ -	\$ 0.10
DVDs and Videos	Per day	\$ 1.00	\$ -	\$ 1.00
WiFi HotSpot	Per day	\$ 1.00	\$ -	\$ 1.00
MISCELLANEOUS CHARGES				
Interlibrary loans	Per fulfilled request	\$ 1.00	\$ -	\$ 1.00
Laminating	Per linear foot	\$ 0.50	\$ -	\$ 0.50
Standard copies	Per page	\$ 0.20	\$ -	\$ 0.20
Computer generated printing - B/W	Per page	\$ 0.20	\$ -	\$ 0.20
Lost or damaged item processing fee	Per item	\$ 5.00	\$ -	\$ 5.00
Material replacement	Per item	Actual Replacement Cost	\$ -	Actual Replacement Cost
Replace lost - damaged WiFi device	Per item	\$80.00	\$ -	\$80.00
Lost - damaged WiFi device processing fee	Per item	\$20.00	\$ -	\$20.00
Repair of damaged library materials	Per item	Actual Cost	\$ -	Actual Cost
Replace lost or damaged DVD case	Per item	\$ 3.00	\$ -	\$ 3.00
Replace lost or damaged Video case	Per item	\$ 3.00	\$ -	\$ 3.00
Replace lost or damaged audio book case	Per item	\$ 5.00	\$ -	\$ 5.00

CITY OF SEAGOVILLE MASTER FEE SCHEDULE - FY 2021-2022
PARKS AND RECREATION

DEPARTMENT	BASICS/COMMENTS	FEE EFFECTIVE 10/1/20	PROPOSED FEE INCREASE / DECREASE	FEE EFFECTIVE 10/1/21
PARKS AND RECREATION				
RENTAL FEES				
Tennis court reservation	Minimum 1 Hour \$15.00 per Hour	\$ 15.00	\$ -	\$ 15.00
Field reservations with lights	Minimum 1 Hour \$15.00 per Hour	\$ 15.00	\$ -	\$ 15.00
Field reservations, no lights, per field	Minimum 1 Hour \$10.00 per Hour	\$ 10.00	\$ -	\$ 10.00
Special Event Fee Based	Special License and Use Agreement	20% Total Revenues	\$ -	20% Total Revenues
Special Event Non Fee Based	Special License and Use Agreement	\$ 200.00	\$ -	\$ 200.00
Police Security	Special License and Use Agreement	Invoiced @ Cost	\$ -	Invoiced @ Cost
Public Works and Barricades	Special License and Use Agreement	Invoiced @ Cost	\$ -	Invoiced @ Cost
Pavilion - CO Bruce Central Park	Minimum 1 Hour \$10.00 per Hour	\$ 10.00	\$ -	\$ 10.00
ALL SPORTS LEAGUES ADULT AND YOUTH	SPECIAL LICENSE AND USE AGREEMENT			
League participant user fee	Per resident	\$ 5.00	\$ -	\$ 5.00
League participant user fee	Per non-resident	\$ 10.00	\$ -	\$ 10.00

CITY OF SEAGOVILLE MASTER FEE SCHEDULE - FY 2021-2022
POLICE DEPARTMENT

DEPARTMENT	BASICS/COMMENTS	FEE EFFECTIVE 10/1/20	PROPOSED FEE INCREASE / DECREASE	FEE EFFECTIVE 10/1/21
POLICE DEPARTMENT				
Offense reports/calls for service	Per page	\$ 0.10	\$ -	\$ 0.10
Burn to CD	Per report	\$ 1.00	\$ -	\$ 1.00
Burn to DVD	Per report	\$ 3.00	\$ -	\$ 3.00
Other electronic media	Each	Actual cost	\$ -	Actual cost
Certified reports	Per report	\$ 1.00	\$ -	\$ 1.00
Accident reports	Per report	\$ 6.00	\$ -	\$ 6.00
Finger printing	Per person	\$ 10.00	\$ -	\$ 10.00
Alarm permits - Residential	Per year	\$ 20.00	\$ -	\$ 20.00
Alarm permits - Business/Commercial	Per year	\$ 30.00	\$ -	\$ 30.00
After the 5th false alarm per year	Per incident	\$ 20.00	\$ -	\$ 20.00
Solicitation permits	Per person	\$ 35.00	\$ -	\$ 35.00
Massage establishment license	Per establishment/annually	\$ 75.00	\$ -	\$ 75.00
Sexually oriented business license	Per business/annually	\$ 750.00	\$ -	\$ 750.00
Sexually oriented business application	Per application	\$ 100.00	\$ -	\$ 100.00
Clearance letters, notarized in house check only	Per letter	\$ 5.00	\$ -	\$ 5.00
Research fee - Open Records Request	Per hour	\$ 15.00	\$ -	\$ 15.00

CITY OF SEAGOVILLE MASTER FEE SCHEDULE - FY 2021-2022
ANIMAL CONTROL / SHELTER

DEPARTMENT	BASICS/COMMENTS	FEE EFFECTIVE 10/1/20	PROPOSED FEE INCREASE / DECREASE	FEE EFFECTIVE 10/1/21
ANIMAL CONTROL / SHELTER				
REGISTRATION				
Micro Chip		\$ 25.00		\$ 25.00
INTACT ANIMAL PERMIT fee		\$ 250.00		\$ 250.00
Annual Registration	Per animal/annually	\$ 50.00	\$ -	\$ 50.00
Registration due to change of owner	Per animal	\$ 25.00	\$ -	\$ 25.00
OWNER PICK UP FROM SHELTER (Domestic animal running at large)				
1st offense	Per animal	\$ 25.00	\$ -	\$ 25.00
2nd offense	Per animal	\$ 50.00	\$ -	\$ 50.00
3rd offense	Per animal	\$ 75.00	\$ -	\$ 75.00
SHELTER HOUSING				
Day 1	per animal	\$ 8.00	\$ -	\$ 8.00
Day 2	per animal	\$ 8.00	\$ -	\$ 8.00
Day 3	per animal	\$ 8.00	\$ -	\$ 8.00
TRAP RENTAL				
Large animal trap	per business week basis	\$ 50.00	\$ -	\$ 50.00
Small animal trap	per business week basis	\$ 25.00	\$ -	\$ 25.00

CITY OF SEAGOVILLE MASTER FEE SCHEDULE - FY 2021-2022
FIRE DEPARTMENT

DEPARTMENT	BASICS/COMMENTS	FEE EFFECTIVE 10/1/20	PROPOSED FEE INCREASE / DECREASE	FEE EFFECTIVE 10/1/21
FIRE DEPARTMENT				
INSPECTIONS				
Certificate of Occupancy	Annual, semi-annual, etc.	No Charge	\$ -	No Charge
1st Re-inspection		No Charge	\$ -	No Charge
2nd Re-inspection		\$ 45.00	\$ -	\$ 45.00
3rd Re-inspection		\$ 60.00	\$ -	\$ 60.00
Subsequent Re-inspections		\$ 100.00	\$ -	\$ 100.00
Inspections following Mandatory Closure		\$ 150.00	\$ -	\$ 150.00
After hours inspections	Per hour (After 5:00 p.m. or weekends with 2 hr. minimum)	\$ 50.00	\$ -	\$ 50.00
PERMITS				
Portable gas/propane tank permit	1 weekend	\$ 15.00	\$ -	\$ 15.00
Portable gas/propane tank permit	1 month	\$ 60.00	\$ -	\$ 60.00
Portable gas/propane tank permit	6 months	\$ 250.00	\$ -	\$ 250.00
Portable gas/propane tank permit	1 year	\$ 500.00	\$ -	\$ 500.00
Fire /EMS Reports	Each	\$ 4.00	\$ -	\$ 4.00
Private Non-Emergency Ambulance Service	Annual	\$ 1,500.00	\$ -	\$ 1,500.00
Type 1 Hood/Fixed System Plan Review		\$ 50.00	\$ -	\$ 50.00
Type 1 Hood Permit/Test		Table1A	\$ -	Table1A
Fire Suppression / Fire Alarm Plan Review		\$ 50.00	\$ -	\$ 50.00
Fire Sprinkler Plan Review		\$ 50.00	\$ -	\$ 50.00
Fire Suppression / Fire Alarm Permit/Test		Table1A	\$ -	Table1A
Fire Sprinkler Permit/Test		Table1A	\$ -	Table1A
Fuel Storage Tanks Above/Below Ground Permits		Table1A	\$ -	Table1A
Underground Fuel Storage Tanks Removal Permit		Table1A	\$ -	Table1A
Fireworks Display	Must be by State Certified Pyrotechnic Company Present	\$ 300.00	\$ -	\$ 300.00
Fireworks Storage/Transportation	Annual	\$ 125.00	\$ -	\$ 125.00
Fireworks Sales Booth		\$ 250.00	\$ -	\$ 250.00
Boarding Home Inspection Permit	Yearly	\$ 25.00	\$ -	\$ 25.00
Foster Home Inspection Permit	Yearly	\$ 25.00	\$ -	\$ 25.00
Trench Burning	30 day permit/State permit required for each site	\$ 100.00	\$ -	\$ 100.00
Sprinkler Systems out of Service/Hazmat (Stand By) longer than 1 1/2 hours	Minimum 4 hours at \$50.00 Per hour	\$ 50.00	\$ -	\$ 50.00

CITY OF SEAGOVILLE MASTER FEE SCHEDULE - FY 2021-2022
PLANNING & ZONING

DEPARTMENT	BASICS/COMMENTS	FEE EFFECTIVE 10/1/20	PROPOSED FEE INCREASE / DECREASE	FEE EFFECTIVE 10/1/21
PLANNING & ZONING				
ZONING CHANGE				
1-2 Acres	Each request	\$ 250.00	-	\$ 250.00
2.1-5 Acres	Each request	\$ 500.00	-	\$ 500.00
5.1-15 Acres	Each request	\$ 750.00	-	\$ 750.00
15.1 or more	per acre or max. \$1500.00	\$60.00 Per Acre	-	\$60.00 Per Acre
SPECIAL USE PERMIT				
Fee	Each Request (Maximum \$1,500.00)	\$250.00 + \$50.00/Per Acre	-	\$250.00 + \$50.00/Per Acre
PLANNED DEVELOPMENT				
Fee (Initial PD)	(Maximum \$1,500.00)	\$250.00 + \$75.00/Per Acre	-	\$250.00 + \$75.00/Per Acre
PD Amendment				
Text Only	Each Request maximum \$1,500.00	\$100.00 + \$25.00 Per Acre	-	\$100.00 + \$25.00 Per Acre
Concept Plan Only	Each Request maximum \$1,500.00	\$100.00 + \$25.00 Per Acre	-	\$100.00 + \$25.00 Per Acre
Text & Concept Plan	Each Request (Maximum \$1,500.00)	\$100.00 + \$25.00 Per Acre	-	\$100.00 + \$25.00 Per Acre
PLATS (includes 2 DRC Reviews)				
Amending Plat	3 Lots or less	\$ 100.00	-	\$ 100.00
Combination Construction/Final Plat	3 Lots or less	\$ 300.00	-	\$ 300.00
Combination Construction/Final Plat for Subdivisions	4 Lots or more	\$650.00 + \$10.00/Per Acre or \$3.00/Per Lot/Unit (Whichever is greater)	-	\$650.00 + \$10.00/Per Acre or \$3.00/Per Lot/Unit (Whichever is greater)
Construction Plat		\$500.00 + \$10.00/Per Acre or \$3.00/Per Lot/Unit (Whichever is greater)	-	\$500.00 + \$10.00/Per Acre or \$3.00/Per Lot/Unit (Whichever is greater)
Development Plat	3 Lots or Less	\$ 100.00	-	\$ 100.00
Final Plat (for Subdivision)	4 Lots or more	\$300.00 + \$10.00/Per Acre or \$2.00/per Lot/Unit (Whichever is greater)	-	\$300.00 + \$10.00/Per Acre or \$2.00/per Lot/Unit (Whichever is greater)
Minor Plat	3 Lots or less	\$ 100.00	-	\$ 100.00
Vacating Plan		\$ 100.00	-	\$ 100.00
Replat		\$300.00 + \$10.00/per Acre or \$2.00/per Lot/Unit (Whichever is greater)	-	\$300.00 + \$10.00/per Acre or \$2.00/per Lot/Unit (Whichever is greater)

CITY OF SEAGOVILLE MASTER FEE SCHEDULE - FY 2020-2021
PLANNING & ZONING

DEPARTMENT	BASICS/COMMENTS	FEE EFFECTIVE 10/1/20	PROPOSED FEE INCREASE / DECREASE	FEE EFFECTIVE 10/1/21
Additional Plan Review Fees (After 2 Initial DRC Reviews)	Development Review Committee (DRC) or individual committee members (Does not include Building Plan Review)	Actual Cost to Review	\$ -	Actual Cost to Review
Concept Plan	P & Z Commission Approval	\$ 75.00	\$ -	\$ 75.00
Site Plan & Revised Site Plan	P & Z Commission Approval	\$ 75.00	\$ -	\$ 75.00
Elevation/Façade Plan	(Only if requesting a waiver, P & Z Commission approval required)	\$ 75.00	\$ -	\$ 75.00
Landscape Plan	P & Z Commission Approval	\$ 75.00	\$ -	\$ 75.00
Zoning Verification Letter	City's form letter will be provided	\$ 25.00	\$ -	\$ 25.00
Board of Adjustment Variance Request		\$ 100.00	\$ -	\$ 100.00
Sign Variance		\$ 100.00	\$ -	\$ 100.00
Application withdrawal refund (any type)	Within 24 hours of submittal	\$ 75.00	\$ -	\$ 75.00
Plus the Dallas/Kaufman County Clerks Filing Fees	for Filing Plats.			
When the Subdivision Ordinance was revised in 2006, the word "preliminary" was changed to "construction" in regards to plats.				

CITY OF SEAGOVILLE MASTER FEE SCHEDULE - FY 2021-2022
BUILDING INSPECTION/CODE ENFORCEMENT/HEALTH

DEPARTMENT	BASICS/COMMENTS	FEE EFFECTIVE 10/1/20	PROPOSED FEE INCREASE / DECREASE	FEE EFFECTIVE 10/1/21
BUILDING INSPECTION/CODE ENFORCEMENT/HEALTH				
BUILDING PERMITS				
Residential Building Permits	Based on square footage		\$0.75 per sq ft	\$0.75 per sq ft
Commercial Building Permits		Table 1A	\$ -	Table 1A
Construction began prior to permit or no permit obtained	Permit Fee based on Construction Type	Double	\$ -	Double
Certificate of Occupancy Residential		\$ 25.00	\$ -	\$ 25.00
Certificate of Occupancy Commercial	up to 5,000 square feet	\$ 50.00	\$ -	\$ 50.00
Certificate of Occupancy Commercial	5,001 square feet to 10,000 square feet	\$ 100.00	\$ -	\$ 100.00
Certificate of Occupancy Commercial	10,001 square feet and over	\$ 200.00	\$ -	\$ 200.00
Demolition		\$ 100.00	\$ -	\$ 100.00
Foundation Repair			\$ 75.00	\$ 75.00
Fence Residential		\$ 35.00	\$ -	\$ 35.00
Fence Commercial		\$ 50.00	\$ -	\$ 50.00
Retaining Wall			\$ 75.00	\$ 75.00
Sprinkler Irrigation System			\$ 75.00	\$ 75.00
Carports Residential	Based on square footage		\$0.75 per sq ft	\$0.75 per sq ft
Deck, Patio Covers, Pergola-Residential Only	Based on square footage		\$0.75 per sq ft	\$0.75 per sq ft
Storage Buildings under 120 square feet	Requires permit but no fee charged	\$ -	\$ -	\$ -
Storage Buildings over 120 square feet	Based on square footage		\$0.75 per sq ft	\$0.75 per sq ft
Aboveground Pool/Spa		\$ 100.00	\$ -	\$ 100.00
In-Ground Pool/Spa		\$ -	\$ 100.00	\$ 100.00
House/Building Moving	Passing through part of city or moving from outside city to inside or moving from inside city to outside city	\$ 100.00	\$ -	\$ 100.00
House/Building Moving	Leaving building on public property during move	\$ 50.00	\$ -	\$ 50.00
House/Building Moving	Inspection of building prior to moving into city	\$100.00 + mileage	\$ -	\$100.00 + mileage
Screening Wall			\$ 75.00	\$ 75.00
Roofing(Residential Only)			\$ 75.00	\$ 75.00
Roofing Commercial		Table 1A	\$ -	Table 1A
Industrialized Home Permits	Based on square footage		\$0.75 per sq ft	\$0.75 per sq ft
CONCRETE AND EXCAVATING				
Flatwork (sidewalk, approaches, driveways, patios without cover, etc.)	Residential	\$ -	\$ 75.00	\$ 75.00
Flatwork (sidewalk, approaches, driveways, patios without cover, etc.)	Commercial	\$ -	Table 1A	Table 1A
Grading/Filling & Excavating		\$ 100.00	\$ -	\$ 100.00
Right-of-Way Excavating		\$ 100.00	\$ -	\$ 100.00
Miscellaneous concrete permits (Residential)			\$ 75.00	\$ 75.00
Miscellaneous concrete permits (Commercial)		Table 1A	\$ -	Table 1A
Temporary Asphalt/Concrete Batch Plant		\$ 100.00	\$ -	\$ 100.00

CITY OF SEAGOVILLE MASTER FEE SCHEDULE - FY 2020-2021
BUILDING INSPECTION/CODE ENFORCEMENT/HEALTH

DEPARTMENT	BASICS/COMMENTS	FEE EFFECTIVE 10/1/20	PROPOSED FEE INCREASE / DECREASE	FEE EFFECTIVE 10/1/21
BUILDING INSPECTION/CODE ENFORCEMENT/HEALTH				
CONTRACTOR REGISTRATIONS				
General	Annually	\$ 60.00	\$ -	\$ 60.00
Electrical	State law prohibits a registration fee	\$ 60.00	\$ -	\$ 60.00
Mechanical	Annually	\$ 60.00	\$ -	\$ 60.00
Plumbing / Med Gas / Fire Sprinkler and Fire Alarm	State law prohibits a registration fee	\$ -	\$ -	\$ -
Irrigator	Annually	\$ 60.00	\$ -	\$ 60.00
Backflow Tester	Annually	\$ 45.00	\$ -	\$ 45.00
All Other Trades	Annually	\$ 60.00	\$ -	\$ 60.00
MISCELLANEOUS FEES				
Electrical T-Pole		\$ 35.00	\$ 40.00	\$ 75.00
Miscellaneous Electrical Permits-Commercial Only		Table 1A	\$ -	Table 1A
Miscellaneous Plumbing Permits-Commercial Only		Table 1A	\$ -	Table 1A
Miscellaneous Mechanical Permits-Commercial Only		Table 1A	\$ -	Table 1A
Residential Electrical Permit			\$ 75.00	\$ 75.00
Residential Plumbing Permit			\$ 75.00	\$ 75.00
Residential Mechanical Permit			\$ 75.00	\$ 75.00
Non-Office Hours Inspections	2 hour minimum (office hours M-F 7:30 am - 6:00 pm)	\$ 50.00	\$ -	\$50.00 per hour
Red Tag Re-inspection	after 1st inspection	\$ 50.00	\$ -	\$ 50.00
Additional Plan Review	after 2nd review	\$ 47.00	\$ 3.00	\$ 50.00
Plan Review NEW Single Family Dwelling		\$ 50.00	\$ -	\$ 50.00
Plan Review ANY Commercial		\$ 50.00	\$ -	\$ 50.00
Cell Tower		Table 1A	\$ -	Table 1A
Residential Solar Energy Systems			\$ 75.00	\$ 75.00
Wind Turbines			\$ 75.00	\$ 75.00
Tents & Canopies over 200 square feet		\$ 50.00	\$ -	\$ 50.00
Building and Standards Board Appeal		\$ 100.00	\$ -	\$ 100.00
Amusement Center License (per device)		\$ 100.00	\$ -	\$ 100.00
Garage (Occasional) Sale	Limit 2 times per year (365 days) per address	\$ 3.00	\$ -	\$ 3.00
Construction Office		\$ 35.00	\$ -	\$ 35.00
Real Estate Sales Office		\$ 75.00	\$ -	\$ 75.00
Portable Church/School Building		\$ 75.00	\$ -	\$ 75.00
Cargo Container for Construction Use		\$ 25.00	\$ -	\$ 25.00
Other Temporary Use as determined by City Manager or designee		\$ 75.00	\$ -	\$ 75.00
SIGNS				
Signs	Up to 100 square feet	\$ 25.00	\$ -	\$ 25.00
Signs	101 square feet - 300 square feet	\$ 50.00	\$ -	\$ 50.00
Signs	301 square feet or larger	\$ 100.00	\$ -	\$ 100.00
Portable Signs		\$ 25.00	\$ -	\$ 25.00
Removal & Storage of Temporary or Portable Signs		\$25.00 + \$5.00 per day storage	\$ -	\$25.00 + \$5.00 per day storage

CITY OF SEAGOVILLE MASTER FEE SCHEDULE - FY 2020-2021
BUILDING INSPECTION/CODE ENFORCEMENT/HEALTH

DEPARTMENT	BASICS/COMMENTS	FEE EFFECTIVE 10/1/20	PROPOSED FEE INCREASE / DECREASE	FEE EFFECTIVE 10/1/21
BUILDING INSPECTION/CODE ENFORCEMENT/HEALTH				
HEALTH				
Nursing Home Dietary Department	Annually	\$ 275.00	\$ -	\$ 275.00
Day Care Center	Annually	\$ 275.00	\$ -	\$ 275.00
Convenience Store, packaged groceries only	Annually	\$ 275.00	\$ -	\$ 275.00
Convenience Store, deli	Annually	\$ 200.00	\$ -	\$ 200.00
Grocery Store	Annually	\$ 350.00	\$ -	\$ 350.00
Grocery Store with meat market	Annually	\$ 275.00	\$ -	\$ 275.00
Grocery Store with deli	Annually	\$ 200.00	\$ -	\$ 200.00
Temporary Food Service, three day maximum	For Profit Organization	\$ 100.00	\$ -	\$ 100.00
Temporary Food Service, three day maximum	Non-Profit Organization	\$ 25.00	\$ -	\$ 25.00
Restaurant	Annually	\$ 275.00	\$ -	\$ 275.00
Flea Market Food Vendor	Annually	\$ 225.00	\$ -	\$ 225.00
Mobile Food Vendor	Annually	\$ 125.00	\$ -	\$ 125.00
Entertainment Center with Concession	Annually (Theater, roller rink, etc.)	\$ 200.00	\$ -	\$ 200.00
Bed and Breakfast	Annually	\$ 150.00	\$ -	\$ 150.00
Bed and Breakfast with food service	Annually	\$ 250.00	\$ -	\$ 250.00
Food Safety Manager Certification Registration from the City of Seagoville	5 Years	\$ 35.00	\$ -	\$ 35.00
Replacement of lost Food Manager Certificate		\$ 10.00	\$ -	\$ 10.00
Administrative fee for all establishments	Does Not Apply to Temporary Food Vendors	\$ 50.00	\$ -	\$ 50.00
Plan review for a fixed facility for all new permitted establishments		\$ 100.00	\$ -	\$ 100.00
Off-Premise Beer/Wine Sales	2 years	\$ 60.00	\$ -	\$ 60.00
Seasonal Permit	Non-profit Organization	-	\$ -	-
Seasonal Permit	Profit Organization	-	\$ 125.00	\$ 125.00

* Our current contract provides for food establishments to be inspected twice a year with third and any subsequent inspections invoiced at cost by the City.

TABLE NO. 1A BUILDING PERMITS FEES FOR COMMERCIAL

TOTAL VALUATION	FEE
\$75.00	Minimum
\$2,000.00 to \$25,000.00	\$75.00 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$391.25 for the first \$25,001.00 plus \$10.10 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$643.75 for the first \$50,001.00 plus \$7.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,001.00 plus \$5.60 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,001.00 plus \$4.75 for each additional \$1,000.00, or fraction thereof, to include \$1,000,000.00
\$1,000,001.00 and up	\$5,608.75 for the first \$1,000,001.00 plus \$3.15 for each additional \$1,000.00, or fraction thereof
Other Inspections and Fees:	
1. Inspection outside of normal business hours.....	\$50.00 per hour
2. Reinspection fees.....	\$50.00
3. Additional plan review.....	\$50.00
4. For use of outside consultants for plan review and inspection, or both.....	Actual costs

CITY OF SEAGOVILLE MASTER FEE SCHEDULE - FY 2021-2022
PUBLIC WORKS

DEPARTMENT	BASICS/COMMENTS	FEE EFFECTIVE 10/1/20	PROPOSED FEE INCREASE / DECREASE	FEE EFFECTIVE 10/1/21
PUBLIC WORKS				
WATER				
Standard 1" service tap	Short Side Each	\$ 1,200.00	\$ 300.00	\$ 1,500.00
Standard 1 1/2" service tap	Short Side Each	\$ 1,400.00	\$ 300.00	\$ 1,700.00
Standard 2" service tap	Short Side Each	\$ 1,650.00	\$ 350.00	\$ 2,000.00
Over 2"	installed by contractor	\$ -	\$ -	\$ -
Additional parts/services	road bore, road replacement, pipe, etc.	Actual Cost	\$ -	Actual Cost
5/8" X 3/4" radio read water meter	including meter tail, gaskets, installation <i>CC approved 5/18/15</i>	\$ 250.00	\$ 100.00	\$ 350.00
1" radio read water meter	including meter tail, gaskets, installation	\$ 350.00	\$ 150.00	\$ 500.00
1 1/2" radio read water meter	including meter tail, gaskets, installation	\$ 600.00	\$ 200.00	\$ 800.00
2" radio read water meter	including meter tail, gaskets, installation	\$ 750.00	\$ 250.00	\$ 1,000.00
Over 2"	Meter supplied by contractor (City specifications)	\$ -	\$ -	\$ -
Turning on water service	regular hours	\$ 25.00	\$ -	\$ 25.00
Turning on water service	after hours and weekends	\$ 50.00	\$ -	\$ 50.00
Reconnection for failure to pay	regular hours	\$ 50.00	\$ -	\$ 50.00
Reconnection for failure to pay	after hours and weekends	\$ 100.00	\$ -	\$ 100.00
Reread of meter	requested by customer	\$ 15.00	\$ -	\$ 15.00
Meter calibration check	requested by customer	\$ 100.00	\$ 25.00	\$ 125.00
Meter tampering		\$ 250.00	\$ -	\$ 250.00
Meter reset	due to tampering	\$ 50.00	\$ -	\$ 50.00
Lock replacement	due to tampering	\$ 25.00	\$ -	\$ 25.00
Damaged curb stop	due to tampering	\$ 200.00	\$ -	\$ 200.00
Meter box	Due to tampering	\$ -	\$ 75.00	\$ 75.00
Meter Radio	Due to tampering	\$ -	\$ 150.00	\$ 150.00
Meter and Radio	Due to tampering	\$ -	\$ 300.00	\$ 300.00
FIRE HYDRANT DEPOSIT				
City Issued meter		\$ 1,750.00	\$ 250.00	\$ 2,000.00
Customer Meter		\$ 500.00	\$ -	\$ 500.00
Monthly Rental Fee		\$ 100.00		\$ 100.00
SEWER				
Standard 4" service tap	Each	\$ 1,000.00	\$ 250.00	\$ 1,250.00
Standard 6" service tap	Each	\$ 1,200.00	\$ 300.00	\$ 1,500.00
Standard 8" service tap	Each	\$ 1,500.00	\$ 300.00	\$ 1,800.00
Over 8"	Service conducted by contractor (City specifications)	\$ -	\$ -	\$ -
Additional parts/services	including road bore, road replacement, pipe, depth, etc.	Actual Cost	\$ -	Actual Cost
STORMWATER UTILITY SYSTEM FEE				
Stormwater utility fee		\$ 3.60	\$ 0.25	\$ 3.85

CITY OF SEAGOVILLE MASTER FEE SCHEDULE - FY 2020-2021
PUBLIC WORKS

DEPARTMENT	BASICS/COMMENTS	FEE EFFECTIVE 10/1/20	PROPOSED FEE INCREASE / DECREASE	FEE EFFECTIVE 10/1/21
CULVERTS				
Installation including base material		Actual Cost	\$ -	Actual Cost
INSPECTION FEE	Development costs street grading, street paving, drainage structures, curb and gutter, storm sewers, sanitary sewers, water mains and fire lanes.	4%	\$ -	4%

Regular Session Agenda Item: 9

Meeting Date: February 28, 2022

ITEM DESCRIPTION:

Receive Councilmember Reports/ Items of Community Interest

BACKGROUND OF ISSUE:

Section 551.0415 of the Texas Government Code authorizes a quorum of the governing body of a municipality or county to receive reports about items of community interest during a meeting without having given notice of the subject of the report if no action is taken. Section 551.0415 defines an “item of community interest” to include:

- (1) expressions of thanks, congratulations, or condolence;
- (2) information regarding holiday schedules;
- (3) an honorary or salutory recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in status of a person’s public office or public employment is not an honorary or salutory recognition for purposes of this subdivision;
- (4) a reminder about an upcoming event organized or sponsored by the governing body;
- (5) information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the political subdivision; and
- (6) announcements involving an imminent threat to the public health and safety of people in the political subdivision that has arisen after the posting of the agenda.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

N/A

Regular Session Agenda Item: 10

Meeting Date: February 28, 2022

ITEM DESCRIPTION:

Future Agenda Items

BACKGROUND OF ISSUE:

Council provides direction to staff regarding future agenda items. These items will not be discussed and no action will be taken at this meeting.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

N/A

Executive Session Agenda Item: 11

Meeting Date: February 28, 2022

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

BACKGROUND OF ISSUE:

N/A

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

N/A

Executive Session Agenda Item: 12

Meeting Date: February 28, 2022

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

BACKGROUND OF ISSUE:

N/A

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

N/A

Regular Session Agenda Item: 13

Meeting Date: February 28, 2022

ITEM DESCRIPTION:

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

BACKGROUND OF ISSUE:

The City is authorized to acquire real property and interests therein by consent or exercise the power of eminent domain, including an interest for a fifteen (15) foot wide Wastewater Easement and Temporary Construction Easement upon, under, over, through and across approximately 0.0180 acres described and depicted in Exhibit A, which is attached hereto and incorporated herein, for the construction and/or upgrade of sanitary sewer lines associated with the City's East Malloy Bridge Road Wastewater Project.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

Resolution – Authorizing the exercise of Eminent Domain for Wastewater and Temporary Construction Easement on Parcel No. 1

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AUTHORIZING THE EXERCISE OF EMINENT DOMAIN BY THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS; FOR PROPERTY GENERALLY DESCRIBED AS A FIFTEEN FOOT WIDE WASTEWATER AND TEMPORARY CONSTRUCTION EASEMENT ON PARCEL NO. 1 OF THE M.L. SWING SURVEY, ABSTRACT NUMBER 1420, CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBIT 'A'; PROVIDING THE NECESSITY AND PUBLIC PURPOSE FOR THE ACQUISITION OF SAID EASEMENTS UPON, UNDER, OVER, THROUGH AND ACROSS APPROXIMATELY 0.0180 ACRES THEREON FOR THE CITY'S EAST MALLOY BRIDGE ROAD WASTEWATER PROJECT; AUTHORIZING THE CITY ATTORNEY TO FILE PROCEEDINGS IN EMINENT DOMAIN TO ACQUIRE SAID PROPERTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City is authorized to acquire real property and interests therein by consent or exercise the power of eminent domain, including an interest for a fifteen (15) foot wide wastewater easement and temporary construction easement upon, under, over, through and across approximately 0.0180 acres described and depicted in Exhibit A, which is attached hereto and incorporated herein, for the construction and/or upgrade of sanitary sewer lines associated with the City's East Malloy Bridge Road Wastewater Project; and

WHEREAS, the City Council has hereby determined that there is a public necessity for, and that a public use and purpose for the welfare and convenience of the citizens requires, the acquisition of title to the above-described interest in land in the City; and

WHEREAS, the City Council of the City of Seagoville, Dallas County, Texas finds it to be in the public interest and to the benefit of the health, safety, and welfare of its citizens to acquire the necessary interests in said real property.

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

SECTION 1. The City Council of the City of Seagoville, Texas, hereby finds and determines that a public necessity exists for the welfare of the City and its citizens and further that it serves a public purpose and is in the public interest to acquire the real property interests generally described as a fifteen (15) foot wide wastewater and temporary construction easement upon, under, over, through and across 0.0180 acres Parcel 1 of the M.L. Swing Survey, Abstract Number 1420, City of Seagoville, Dallas County, Texas and more specifically described and

depicted in Exhibit A, attached hereto and made a part hereof for all purposes, through negotiation or exercise of the City of Seagoville's constitutional and statutory authority of eminent domain under state law.

SECTION 2. That if it is later determined that there are any errors in the descriptions contained herein or if later surveys contain more accurate revised descriptions, the City Attorney or his designee is authorized to have such errors corrected or revisions made without the necessity of obtaining additional City Council approval authorizing the condemnation of the corrected or revised property interests.

SECTION 3. This Resolution shall become effective immediately upon its passage.

DULY PASSED AND APPROVED by the City Council of the City of Seagoville, Texas, on this the _____ day of March 2022.

APPROVED:

Dennis K. Childress, Mayor

ATTEST:

Kandi Jackson, City Secretary

APPROVED AS TO FORM:

Victoria W. Thomas, City Attorney
(022322vwtTM127967)

EXHIBIT "A"
15-FOOT WIDE WASTEWATER EASEMENT AND
TEMPORARY CONSTRUCTION EASEMENT

Parcel No. 1
Owner: Johnnie Mae Sanders
M.L. Swing Survey, Abstract Number 1420
City of Seagoville, Dallas County, Texas

BEING a tract of land situated in the M.L. Swing Survey, Abstract Number 1420, City of Seagoville, Dallas County, Texas and being part of that tract of land described as "Tract 1" by Warranty Deed to Johnnie Mae Sanders, recorded in Volume 70021, Page 763 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), and being more particularly described as follows:

COMMENCING at a 1/2-inch found iron rod with cap stamped "CBG SURV" at the south corner of said "Tract 1", the east corner of a tract of land described in General Warranty Deed to Stephanie Noemy Solis, recorded in Instrument Number 2019-00238613 (O.P.R.D.C.T.) and being in the west right-of-way line of Malloy Bridge Road (100-foot right-of-way);

THENCE North 25 degrees 03 minutes 44 seconds East, 40.34 feet, with the common southeast line of said "Tract 1" and said west right-of-way line, to the **POINT OF BEGINNING**, having grid coordinates of North=6,922,108.74, East=2,572,618.56;

THENCE North 79 degrees 20 minutes 29 seconds West, 8.45 feet, departing said common line, over and across said "Tract 1" to a point for corner;

THENCE South 67 degrees 18 minutes 28 seconds West, 34.73 feet, continuing over and across said "Tract 1" to a point for corner in the common southwest line of said "Tract 1" and the northeast line of said Solis tract;

THENCE North 43 degrees 16 minutes 05 seconds West, 16.02 feet, with said common line to a point for corner, from which a 1/2-inch found iron rod with cap stamped "CBG SURV" at the west corner of said "Tract 1", the north corner of said Solis tract, and in the southeast line of a tract of land described as "Tract 2" in said Warranty Deed to Johnnie Mae Sanders, recorded in Volume 70021, Page 763 (O.P.R.D.C.T.) bears North 43 degrees 16 minutes 05 seconds West, 29.26 feet;

THENCE North 67 degrees 18 minutes 28 seconds East, 44.85 feet, departing said common line, over and across said "Tract 1" to a point for corner;

THENCE South 79 degrees 20 minutes 29 seconds East, 16.63 feet, continuing over and across said "Tract 1" to a point for corner in said common southeast line of said "Tract 1" and said west right-of-way line;

Page 1 of 3
9/20/2021

W:\RCH\42000s\42505\001\Survey\PropertyDescriptions\EXH-PARC-01-42505-001.docx

THENCE South 24 degrees 27 minutes 31 seconds West, 15.45 feet, with said common line, to the POINT OF BEGINNING AND CONTAINING 785 square feet, or 0.0180 acres of land, more or less.

Notes:

1. Basis of Bearing is the North American Datum of 1983, Texas State Plane Coordinate System, North Central Zone (4202). All distances are surface distances. Surface Adjustment Scale Factor: 1.000136506
2. This metes and bounds description was prepared with an exhibit of even date.
3. The survey shown hereon was prepared without the benefit of a title commitment, therefore easements and other matters of record may not be shown.

I, Adam T. Johnson, Registered Professional Land Surveyor of the State of Texas, do hereby certify that the map shown hereon represents the described property as determined by a survey made on the ground under my direction and supervision in June, 2020, and that all corners are as shown.



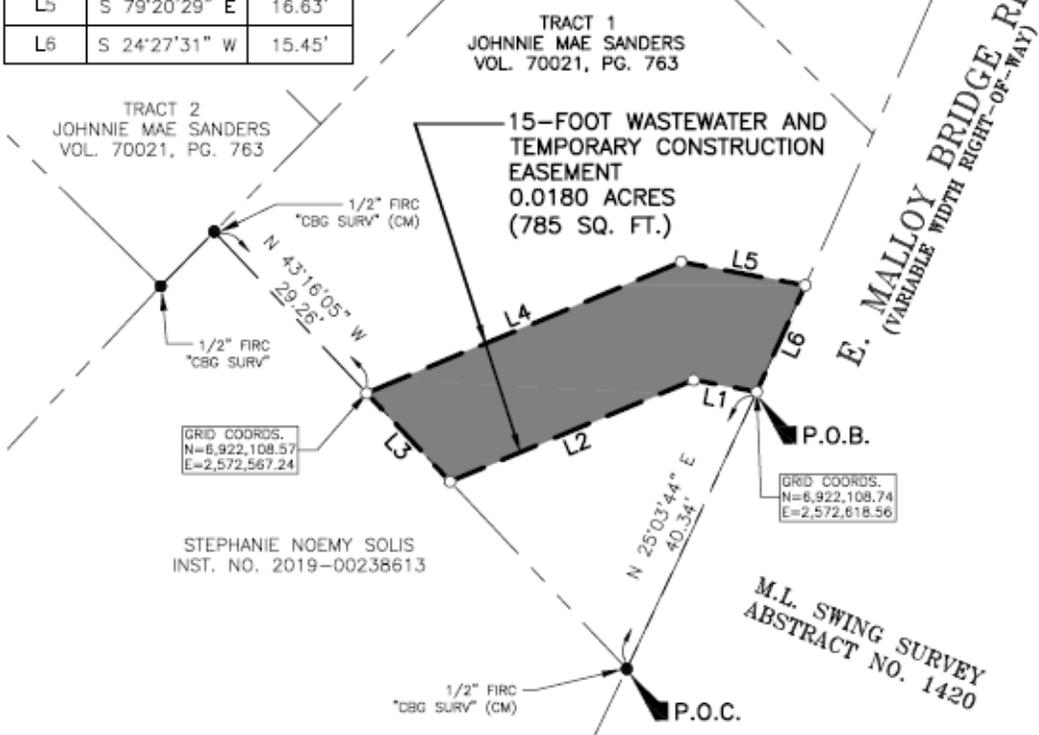
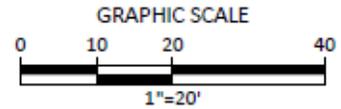
09/20/2021

Adam T. Johnson
Registered Professional Land Surveyor
Texas Registration Number 6664
TBPELS SURVEYING FIRM NO. 10029600



LINE DATA		
LINE #	BEARING	DISTANCE
L1	N 79°20'29" W	8.45'
L2	S 67°18'28" W	34.73'
L3	N 43°16'05" W	16.02'
L4	N 67°18'28" E	44.85'
L5	S 79°20'29" E	16.63'
L6	S 24°27'31" W	15.45'

EXHIBIT "A"



GRID COORDS.
N=6,922,108.57
E=2,572,567.24

GRID COORDS.
N=6,922,108.74
E=2,572,618.56

- LEGEND**
- P.O.B. POINT OF BEGINNING
 - P.O.C. POINT OF COMMENCING
 - FI FOUND IRON ROD
 - FIRC FOUND IRON ROD W/CAP-AS NOTED
 - VOLUME
 - PG. PAGE
 - DOC. NO. DOCUMENT NUMBER
 - INST. NO. INSTRUMENT NUMBER
 - C.M. CONTROLLING MONUMENT
 - FOUND MONUMENTS
 - POINT FOR CORNER
 - PROPERTY LINE
 - ▬ EASEMENT DEDICATION



Adam Johnson
9/20/21

- General Notes:**
- 1) Bearing basis for this drawing is the Texas Coordinate System of 1983, North Central Zone 4202, NAD83 (2011). Distances shown are surface and can be converted to grid by dividing by a scale factor of 1.000136506.
 - 2) A metes and bounds description of even date accompanies this exhibit.
 - 3) The survey shown hereon was prepared without the benefit of a title commitment, therefore easements and other matters of record may not be shown.

WWW.HALFF.COM/0001/0002/0003/0004/0005/0006/0007/0008/0009/0010/0011/0012/0013/0014/0015/0016/0017/0018/0019/0020/0021/0022/0023/0024/0025/0026/0027/0028/0029/0030/0031/0032/0033/0034/0035/0036/0037/0038/0039/0040/0041/0042/0043/0044/0045/0046/0047/0048/0049/0050/0051/0052/0053/0054/0055/0056/0057/0058/0059/0060/0061/0062/0063/0064/0065/0066/0067/0068/0069/0070/0071/0072/0073/0074/0075/0076/0077/0078/0079/0080/0081/0082/0083/0084/0085/0086/0087/0088/0089/0090/0091/0092/0093/0094/0095/0096/0097/0098/0099/0100/0101/0102/0103/0104/0105/0106/0107/0108/0109/0110/0111/0112/0113/0114/0115/0116/0117/0118/0119/0120/0121/0122/0123/0124/0125/0126/0127/0128/0129/0130/0131/0132/0133/0134/0135/0136/0137/0138/0139/0140/0141/0142/0143/0144/0145/0146/0147/0148/0149/0150/0151/0152/0153/0154/0155/0156/0157/0158/0159/0160/0161/0162/0163/0164/0165/0166/0167/0168/0169/0170/0171/0172/0173/0174/0175/0176/0177/0178/0179/0180/0181/0182/0183/0184/0185/0186/0187/0188/0189/0190/0191/0192/0193/0194/0195/0196/0197/0198/0199/0200/0201/0202/0203/0204/0205/0206/0207/0208/0209/0210/0211/0212/0213/0214/0215/0216/0217/0218/0219/0220/0221/0222/0223/0224/0225/0226/0227/0228/0229/0230/0231/0232/0233/0234/0235/0236/0237/0238/0239/0240/0241/0242/0243/0244/0245/0246/0247/0248/0249/0250/0251/0252/0253/0254/0255/0256/0257/0258/0259/0260/0261/0262/0263/0264/0265/0266/0267/0268/0269/0270/0271/0272/0273/0274/0275/0276/0277/0278/0279/0280/0281/0282/0283/0284/0285/0286/0287/0288/0289/0290/0291/0292/0293/0294/0295/0296/0297/0298/0299/0300/0301/0302/0303/0304/0305/0306/0307/0308/0309/0310/0311/0312/0313/0314/0315/0316/0317/0318/0319/0320/0321/0322/0323/0324/0325/0326/0327/0328/0329/0330/0331/0332/0333/0334/0335/0336/0337/0338/0339/0340/0341/0342/0343/0344/0345/0346/0347/0348/0349/0350/0351/0352/0353/0354/0355/0356/0357/0358/0359/0360/0361/0362/0363/0364/0365/0366/0367/0368/0369/0370/0371/0372/0373/0374/0375/0376/0377/0378/0379/0380/0381/0382/0383/0384/0385/0386/0387/0388/0389/0390/0391/0392/0393/0394/0395/0396/0397/0398/0399/0400/0401/0402/0403/0404/0405/0406/0407/0408/0409/0410/0411/0412/0413/0414/0415/0416/0417/0418/0419/0420/0421/0422/0423/0424/0425/0426/0427/0428/0429/0430/0431/0432/0433/0434/0435/0436/0437/0438/0439/0440/0441/0442/0443/0444/0445/0446/0447/0448/0449/0450/0451/0452/0453/0454/0455/0456/0457/0458/0459/0460/0461/0462/0463/0464/0465/0466/0467/0468/0469/0470/0471/0472/0473/0474/0475/0476/0477/0478/0479/0480/0481/0482/0483/0484/0485/0486/0487/0488/0489/0490/0491/0492/0493/0494/0495/0496/0497/0498/0499/0500/0501/0502/0503/0504/0505/0506/0507/0508/0509/0510/0511/0512/0513/0514/0515/0516/0517/0518/0519/0520/0521/0522/0523/0524/0525/0526/0527/0528/0529/0530/0531/0532/0533/0534/0535/0536/0537/0538/0539/0540/0541/0542/0543/0544/0545/0546/0547/0548/0549/0550/0551/0552/0553/0554/0555/0556/0557/0558/0559/0560/0561/0562/0563/0564/0565/0566/0567/0568/0569/0570/0571/0572/0573/0574/0575/0576/0577/0578/0579/0580/0581/0582/0583/0584/0585/0586/0587/0588/0589/0590/0591/0592/0593/0594/0595/0596/0597/0598/0599/0600/0601/0602/0603/0604/0605/0606/0607/0608/0609/0610/0611/0612/0613/0614/0615/0616/0617/0618/0619/0620/0621/0622/0623/0624/0625/0626/0627/0628/0629/0630/0631/0632/0633/0634/0635/0636/0637/0638/0639/0640/0641/0642/0643/0644/0645/0646/0647/0648/0649/0650/0651/0652/0653/0654/0655/0656/0657/0658/0659/0660/0661/0662/0663/0664/0665/0666/0667/0668/0669/0670/0671/0672/0673/0674/0675/0676/0677/0678/0679/0680/0681/0682/0683/0684/0685/0686/0687/0688/0689/0690/0691/0692/0693/0694/0695/0696/0697/0698/0699/0700/0701/0702/0703/0704/0705/0706/0707/0708/0709/0710/0711/0712/0713/0714/0715/0716/0717/0718/0719/0720/0721/0722/0723/0724/0725/0726/0727/0728/0729/0730/0731/0732/0733/0734/0735/0736/0737/0738/0739/0740/0741/0742/0743/0744/0745/0746/0747/0748/0749/0750/0751/0752/0753/0754/0755/0756/0757/0758/0759/0760/0761/0762/0763/0764/0765/0766/0767/0768/0769/0770/0771/0772/0773/0774/0775/0776/0777/0778/0779/0780/0781/0782/0783/0784/0785/0786/0787/0788/0789/0790/0791/0792/0793/0794/0795/0796/0797/0798/0799/0800/0801/0802/0803/0804/0805/0806/0807/0808/0809/0810/0811/0812/0813/0814/0815/0816/0817/0818/0819/0820/0821/0822/0823/0824/0825/0826/0827/0828/0829/0830/0831/0832/0833/0834/0835/0836/0837/0838/0839/0840/0841/0842/0843/0844/0845/0846/0847/0848/0849/0850/0851/0852/0853/0854/0855/0856/0857/0858/0859/0860/0861/0862/0863/0864/0865/0866/0867/0868/0869/0870/0871/0872/0873/0874/0875/0876/0877/0878/0879/0880/0881/0882/0883/0884/0885/0886/0887/0888/0889/0890/0891/0892/0893/0894/0895/0896/0897/0898/0899/0900/0901/0902/0903/0904/0905/0906/0907/0908/0909/0910/0911/0912/0913/0914/0915/0916/0917/0918/0919/0920/0921/0922/0923/0924/0925/0926/0927/0928/0929/0930/0931/0932/0933/0934/0935/0936/0937/0938/0939/0940/0941/0942/0943/0944/0945/0946/0947/0948/0949/0950/0951/0952/0953/0954/0955/0956/0957/0958/0959/0960/0961/0962/0963/0964/0965/0966/0967/0968/0969/0970/0971/0972/0973/0974/0975/0976/0977/0978/0979/0980/0981/0982/0983/0984/0985/0986/0987/0988/0989/0990/0991/0992/0993/0994/0995/0996/0997/0998/0999/1000/1001/1002/1003/1004/1005/1006/1007/1008/1009/1010/1011/1012/1013/1014/1015/1016/1017/1018/1019/1020/1021/1022/1023/1024/1025/1026/1027/1028/1029/1030/1031/1032/1033/1034/1035/1036/1037/1038/1039/1040/1041/1042/1043/1044/1045/1046/1047/1048/1049/1050/1051/1052/1053/1054/1055/1056/1057/1058/1059/1060/1061/1062/1063/1064/1065/1066/1067/1068/1069/1070/1071/1072/1073/1074/1075/1076/1077/1078/1079/1080/1081/1082/1083/1084/1085/1086/1087/1088/1089/1090/1091/1092/1093/1094/1095/1096/1097/1098/1099/1100/1101/1102/1103/1104/1105/1106/1107/1108/1109/1110/1111/1112/1113/1114/1115/1116/1117/1118/1119/1120/1121/1122/1123/1124/1125/1126/1127/1128/1129/1130/1131/1132/1133/1134/1135/1136/1137/1138/1139/1140/1141/1142/1143/1144/1145/1146/1147/1148/1149/1150/1151/1152/1153/1154/1155/1156/1157/1158/1159/1160/1161/1162/1163/1164/1165/1166/1167/1168/1169/1170/1171/1172/1173/1174/1175/1176/1177/1178/1179/1180/1181/1182/1183/1184/1185/1186/1187/1188/1189/1190/1191/1192/1193/1194/1195/1196/1197/1198/1199/1200/1201/1202/1203/1204/1205/1206/1207/1208/1209/1210/1211/1212/1213/1214/1215/1216/1217/1218/1219/1220/1221/1222/1223/1224/1225/1226/1227/1228/1229/1230/1231/1232/1233/1234/1235/1236/1237/1238/1239/1240/1241/1242/1243/1244/1245/1246/1247/1248/1249/1250/1251/1252/1253/1254/1255/1256/1257/1258/1259/1260/1261/1262/1263/1264/1265/1266/1267/1268/1269/1270/1271/1272/1273/1274/1275/1276/1277/1278/1279/1280/1281/1282/1283/1284/1285/1286/1287/1288/1289/1290/1291/1292/1293/1294/1295/1296/1297/1298/1299/1300/1301/1302/1303/1304/1305/1306/1307/1308/1309/1310/1311/1312/1313/1314/1315/1316/1317/1318/1319/1320/1321/1322/1323/1324/1325/1326/1327/1328/1329/1330/1331/1332/1333/1334/1335/1336/1337/1338/1339/1340/1341/1342/1343/1344/1345/1346/1347/1348/1349/1350/1351/1352/1353/1354/1355/1356/1357/1358/1359/1360/1361/1362/1363/1364/1365/1366/1367/1368/1369/1370/1371/1372/1373/1374/1375/1376/1377/1378/1379/1380/1381/1382/1383/1384/1385/1386/1387/1388/1389/1390/1391/1392/1393/1394/1395/1396/1397/1398/1399/1400/1401/1402/1403/1404/1405/1406/1407/1408/1409/1410/1411/1412/1413/1414/1415/1416/1417/1418/1419/1420/1421/1422/1423/1424/1425/1426/1427/1428/1429/1430/1431/1432/1433/1434/1435/1436/1437/1438/1439/1440/1441/1442/1443/1444/1445/1446/1447/1448/1449/1450/1451/1452/1453/1454/1455/1456/1457/1458/1459/1460/1461/1462/1463/1464/1465/1466/1467/1468/1469/1470/1471/1472/1473/1474/1475/1476/1477/1478/1479/1480/1481/1482/1483/1484/1485/1486/1487/1488/1489/1490/1491/1492/1493/1494/1495/1496/1497/1498/1499/1500/1501/1502/1503/1504/1505/1506/1507/1508/1509/1510/1511/1512/1513/1514/1515/1516/1517/1518/1519/1520/1521/1522/1523/1524/1525/1526/1527/1528/1529/1530/1531/1532/1533/1534/1535/1536/1537/1538/1539/1540/1541/1542/1543/1544/1545/1546/1547/1548/1549/1550/1551/1552/1553/1554/1555/1556/1557/1558/1559/1560/1561/1562/1563/1564/1565/1566/1567/1568/1569/1570/1571/1572/1573/1574/1575/1576/1577/1578/1579/1580/1581/1582/1583/1584/1585/1586/1587/1588/1589/1590/1591/1592/1593/1594/1595/1596/1597/1598/1599/1600/1601/1602/1603/1604/1605/1606/1607/1608/1609/1610/1611/1612/1613/1614/1615/1616/1617/1618/1619/1620/1621/1622/1623/1624/1625/1626/1627/1628/1629/1630/1631/1632/1633/1634/1635/1636/1637/1638/1639/1640/1641/1642/1643/1644/1645/1646/1647/1648/1649/1650/1651/1652/1653/1654/1655/1656/1657/1658/1659/1660/1661/1662/1663/1664/1665/1666/1667/1668/1669/1670/1671/1672/1673/1674/1675/1676/1677/1678/1679/1680/1681/1682/1683/1684/1685/1686/1687/1688/1689/1690/1691/1692/1693/1694/1695/1696/1697/1698/1699/1700/1701/1702/1703/1704/1705/1706/1707/1708/1709/1710/1711/1712/1713/1714/1715/1716/1717/1718/1719/1720/1721/1722/1723/1724/1725/1726/1727/1728/1729/1730/1731/1732/1733/1734/1735/1736/1737/1738/1739/1740/1741/1742/1743/1744/1745/1746/1747/1748/1749/1750/1751/1752/1753/1754/1755/1756/1757/1758/1759/1760/1761/1762/1763/1764/1765/1766/1767/1768/1769/1770/1771/1772/1773/1774/1775/1776/1777/1778/1779/1780/1781/1782/1783/1784/1785/1786/1787/1788/1789/1790/1791/1792/1793/1794/1795/1796/1797/1798/1799/1800/1801/1802/1803/1804/1805/1806/1807/1808/1809/1810/1811/1812/1813/1814/1815/1816/1817/1818/1819/1820/1821/1822/1823/1824/1825/1826/1827/1828/1829/1830/1831/1832/1833/1834/1835/1836/1837/1838/1839/1840/1841/1842/1843/1844/1845/1846/1847/1848/1849/1850/1851/1852/1853/1854/1855/1856/1857/1858/1859/1860/1861/1862/1863/1864/1865/1866/1867/1868/1869/1870/1871/1872/1873/1874/1875/1876/1877/1878/1879/1880/1881/1882/1883/1884/1885/1886/1887/1888/1889/1890/1891/1892/1893/1894/1895/1896/1897/1898/1899/1900/1901/1902/1903/1904/1905/1906/1907/1908/1909/1910/1911/1912/1913/1914/1915/1916/1917/1918/1919/1920/1921/1922/1923/1924/1925/1926/1927/1928/1929/1930/1931/1932/1933/1934/1935/1936/1937/1938/1939/1940/1941/1942/1943/1944/1945/1946/1947/1948/1949/1950/1951/1952/1953/1954/1955/1956/1957/1958/1959/1960/1961/1962/1963/1964/1965/1966/1967/1968/1969/1970/1971/1972/1973/1974/1975/1976/1977/1978/1979/1980/1981/1982/1983/1984/1985/1986/1987/1988/1989/1990/1991/1992/1993/1994/1995/1996/1997/1998/1999/2000/2001/2002/2003/2004/2005/2006/2007/2008/2009/2010/2011/2012/2013/2014/2015/2016/2017/2018/2019/2020/2021/2022/2023/2024/2025/2026/2027/2028/2029/2030/2031/2032/2033/2034/2035/2036/2037/2038/2039/2040/2041/2042/2043/2044/2045/2046/2047/2048/2049/2050/2051/2052/2053/2054/2055/2056/2057/2058/2059/2060/2061/2062/2063/2064/2065/2066/2067/2068/2069/2070/2071/2072/2073/2074/2075/2076/2077/2078/2079/2080/2081/2082/2083/2084/2085/2086/2087/2088/2089/2090/2091/2092/2093/2094/2095/2096/2097/2098/2099/2100/2101/2102/2103/2104/2105/2106/2107/2108/2109/2110/2111/2112/2113/2114/2115/2116/2117/2118/2119/2120/2121/2122/2123/2124/2125/2126/2127/2128/2129/2130/2131/2132/2133/2134/2135/2136/2137/2138/2139/2140/2141/2142/2143/2144/2145/2146/2147/2148/2149/2150/2151/2152/2153/2154/2155/2156/2157/2158/2159/2160/2161/2162/2163/2164/2165/2166/2167/2168/2169/2170/2171/2172/2173/2174/2175/2176/2177/2178/2179/2180/2181/2182/2183/2184/2185/2186/2187/2188/2189/2190/2191/2192/2193/2194/2195/2196/2197/2198/2199/2200/2201/2202/2203/2204/220

Regular Session Agenda Item: 14

Meeting Date: February 28, 2022

ITEM DESCRIPTION:

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

BACKGROUND OF ISSUE:

The City is authorized to acquire real property and interests therein by consent or exercise the power of eminent domain, including an interest for a twelve (12) foot wide wastewater easement and temporary construction easement across, upon, under, over, through approximately 0.031 acres generally described as part of Parcel No. 3, Part 1 of the M.L. Swing Survey, Abstract Number 1420, City of Seagoville, Dallas County, Texas and a variable width wastewater easement and temporary construction easement across, upon, under, over, and through approximately 0.018 acres generally described as part of Parcel No. 3, Part 2 of the M.L. Swing Survey, Abstract Number 1420, City of Seagoville, Dallas County, Texas, all being more fully described and depicted in Exhibit A, which is attached hereto and incorporated herein, for the construction and/or upgrade of sanitary sewer lines associated with the City's East Malloy Bridge Road Wastewater Project.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

N/A

EXHIBITS:

Resolution – Authorizing the exercise of Eminent Domain for Wastewater and Temporary Construction Easement on Parcel No. 3, Part 1

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AUTHORIZING THE EXERCISE OF EMINENT DOMAIN BY THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS FOR PROPERTY GENERALLY DESCRIBED AS (1) A TWELVE FOOT WIDE WASTEWATER AND TEMPORARY CONSTRUCTION EASEMENT ON PARCEL NO. 3, PART 1 AND (2) A VARIABLE WIDTH WASTEWATER AND TEMPORARY CONSTRUCTION EASEMENT ON PARCEL NO. 3, PART 2, BOTH OUT OF THE M.L. SWING SURVEY, ABSTRACT NUMBER 1420, CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBIT 'A'; PROVIDING THE NECESSITY AND PUBLIC PURPOSE FOR THE ACQUISITION OF SAID EASEMENTS UPON, UNDER, OVER, THROUGH AND ACROSS APPROXIMATELY 0.031 ACRES IN PARCEL NO. 3, PART 1 AND UPON, UNDER, OVER, THROUGH AND ACROSS APPROXIMATELY 0.018 ACRES IN PARCEL 3, PART 2 THEREON FOR THE CITY'S EAST MALLOY BRIDGE ROAD WASTEWATER PROJECT; AUTHORIZING THE CITY ATTORNEY TO FILE PROCEEDINGS IN EMINENT DOMAIN TO ACQUIRE SAID PROPERTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City is authorized to acquire real property and interests therein by consent or exercise the power of eminent domain, including an interest for a twelve (12) foot wide wastewater easement and temporary construction easement across, upon, under, over, through approximately 0.031 acres generally described as part of Parcel No. 3, Part 1 of the M.L. Swing Survey, Abstract Number 1420, City of Seagoville, Dallas County, Texas and a variable width wastewater easement and temporary construction easement across, upon, under, over, and through approximately 0.018 acres generally described as part of Parcel No. 3, Part 2 of the M.L. Swing Survey, Abstract Number 1420, City of Seagoville, Dallas County, Texas, all being more fully described and depicted in Exhibit A, which is attached hereto and incorporated herein, for the construction and/or upgrade of sanitary sewer lines associated with the City's East Malloy Bridge Road Wastewater Project; and

WHEREAS, the City Council has hereby determined that there is a public necessity for, and that a public use and purpose for the welfare and convenience of the citizens requires, the acquisition of title to the above-described interests in land in the City; and

WHEREAS, the City Council of the City of Seagoville, Dallas County, Texas finds it to be in the public interest and to the benefit of the health, safety, and welfare of its citizens to acquire the necessary interests in said real property.

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

SECTION 1. The City Council of the City of Seagoville, Texas, hereby finds and determines that a public necessity exists for the welfare of the City and its citizens and further that it serves a public purpose and is in the public interest to acquire the real property interests generally described as a twelve (12) foot wide wastewater and temporary construction easement across, upon, under, over, and through (1) 0.031 acres of Parcel 3, Part 1 and (2) 0.018 acres of Parcel 3, Part 2, both out of the M.L. Swing Survey, Abstract Number 1420, City of Seagoville, Dallas County, Texas and both being more specifically described and depicted in Exhibit A, attached hereto and made a part hereof for all purposes, through negotiation or exercise of the City of Seagoville’s constitutional and statutory authority of eminent domain under state law.

SECTION 2. That if it is later determined that there are any errors in the descriptions contained herein or if later surveys contain more accurate revised descriptions, the City Attorney or his designee is authorized to have such errors corrected or revisions made without the necessity of obtaining additional City Council approval authorizing the condemnation of the corrected or revised property interests.

SECTION 3. This Resolution shall become effective immediately upon its passage.

DULY PASSED AND APPROVED by the City Council of the City of Seagoville, Texas, on this the _____ day of March 2022.

APPROVED:

Dennis K. Childress, Mayor

ATTEST:

Kandi Jackson, City Secretary

APPROVED AS TO FORM:

Victoria W. Thomas, City Attorney
(022322vwtTM127969)

EXHIBIT "A"
**PART 1 – 12-FOOT WASTEWATER EASEMENT AND
TEMPORARY CONSTRUCTION EASEMENT**
**PART 2 – VARIABLE WIDTH WASTEWATER EASEMENT AND
TEMPORARY CONSTRUCTION EASEMENT**

Parcel No. 3
Owner: Oscar J. Toscano and Maria E. Bernal
M.L. Swing Survey, Abstract Number 1420
City of Seagoville, Dallas County, Texas

PART 1

BEING a tract of land situated in the M.L. Swing Survey, Abstract Number 1420, City of Seagoville, Dallas County, Texas and being part of Lot 1, Block A of Rosilla Sanchez Addition, an addition to the City of Seagoville, Dallas County, Texas, recorded in Volume 2004198, Page 62 of the Plat Records of Dallas County Texas (P.R.D.C.T.) and that tract of land described by Warranty Deed to Oscar J. Toscano and Maria E. Bernal, recorded in Instrument Number 2006-00088044 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), and being more particularly described as follows:

BEGINNING at a 5/8-inch found iron rod with cap stamped "PATRICK RPLS 4593" in the common line of said Lot 1, Block A and that tract of land described as "Tract One" by General Warranty Deed to Stephanie Noemy Solis, recorded in Instrument Number 2019-00238613 (O.P.R.D.C.T.) and at the east corner of that tract of land described in Deed to Danny Greenhaw, recorded in Volume 98047, Page 2978 (O.P.R.D.C.T.), having grid coordinates of North=6,922,149.20, East=2,572,428.66;

THENCE South 45 degrees 31 minutes 39 seconds East, with said common line, passing a 1/2-inch found iron rod with cap stamped "CBG SURV" at the south corner of said "TRACT ONE" and the west corner of that tract of land described as "TRACT TWO" by said General Warranty Deed to Staphanie Noemy Solis, recorded in Instrument Number 2019-00238613 (O.P.R.D.C.T.) at a distance of 100.37 feet, continuing with the common line of said Lot 1, Block A and said "TRACT TWO", a total distance of 115.54 feet to a point for corner, from which a 5/8-inch found iron rod at the south corner of said "TRACT TWO" and in the west line of East Malloy Bridge Road (variable width right-of-way) bears South 45 degrees 31 minutes 39 seconds East, 84.60 feet;

THENCE South 67 degrees 18 minutes 28 seconds West, 13.02 feet, departing said common line, over and across said Lot 1, Block A to a point for corner;

THENCE North 45 degrees 31 minutes 39 seconds West, 110.45 feet, continuing over and across said Lot 1, Block A, to a point for corner in the common line of said Lot 1, Block A and said Greenhaw tract;

Page 1 of 5
10/5/2021

W:\RCH\42000s\42505\001\Survey\PropertyDescriptions\VEHX-PARC-03-42505-001.docx

THENCE North 44 degrees 16 minutes 45 seconds East, 12.00 feet, with said common line, to the **POINT OF BEGINNING AND CONTAINING** 1,356 square feet, or 0.031 acres of land, more or less.

PART 2

BEING a tract of land situated in the M.L. Swing Survey, Abstract Number 1420, City of Seagoville, Dallas County, Texas and being part of Lot 1, Block A of Rosilla Sanchez Addition, an addition to the City of Seagoville, Dallas County, Texas, recorded in Volume 2004198, Page 62 of the Plat Records of Dallas County Texas (P.R.D.C.T.) and that tract of land described by Warranty Deed to Oscar J. Toscano and Maria E. Bernal, recorded in Instrument Number 2006-00088044 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), and being more particularly described as follows:

BEGINNING at a 5/8-inch found iron rod with cap stamped "PATRICK RPLS 4593" at the west corner of said Lot 1, Block A, at the northwest corner of that tract of land described in Quit Claim Deed to Linda Jean Nordeck, recorded in Instrument Number 2016-00100344 (O.P.R.D.C.T.), and in the southeast line of Lot 1, Block 1 of Seagoville Elementary School, an addition to the City of Seagoville, Dallas County, Texas, recorded in Instrument Number 201300050808 (P.R.D.C.T.), having grid coordinates of North=6,922,176.57, East=2,572,314.07;

THENCE North 44 degrees 11 minutes 05 seconds East, 5.58 feet, with the common line of said Lot 1, Block A and said Lot 1, Block 1 to a point for corner, from which a 5/8-inch found iron rod with cap stamped "PATRICK RPLS 4593" at the northwest corner of that tract of land described in Deed to Danny Greenhaw, recorded in Volume 98047, Page 2978 (O.P.R.D.C.T.), the west corner of that tract of land described as "Tract One" by General Warranty Deed to Stephanie Noemy Solis, recorded in Instrument Number 2019-00238613 (O.P.R.D.C.T.) and in said southeast line of Lot 1, Block 1;

THENCE South 79 degrees 20 minutes 31 seconds East, 44.01 feet, departing said common line, over and across said Lot 1, Block A to a point for corner in the common line of said Lot 1, Block A and said Greenhaw tract;

THENCE South 45 degrees 31 minutes 15 seconds East, 26.95 feet, with said common line to a point for corner;

THENCE North 79 degrees 20 minutes 31 seconds West, 54.05 feet, departing said common line, over and across said Lot 1, Block A to a point for corner in the common line of said Lot 1, Block A and said Nordeck tract;

THENCE North 45 degrees 31 minutes 15 seconds West, 18.59 feet, with said common line, to the POINT OF BEGINNING AND CONTAINING 787 square feet, or 0.018 acres of land, more or less.

Notes:

1. Basis of Bearing is the North American Datum of 1983, Texas State Plane Coordinate System, North Central Zone (4202). All distances are surface distances. Surface Adjustment Scale Factor: 1.000136506
2. This metes and bounds description was prepared with an exhibit of even date.
3. The survey shown hereon was prepared without the benefit of a title commitment, therefore easements and other matters of record may not be shown.

I, Adam T. Johnson, Registered Professional Land Surveyor of the State of Texas, do hereby certify that the map shown hereon represents the described property as determined by a survey made on the ground under my direction and supervision in June, 2020, and that all corners are as shown.

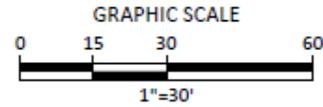


10/05/2021

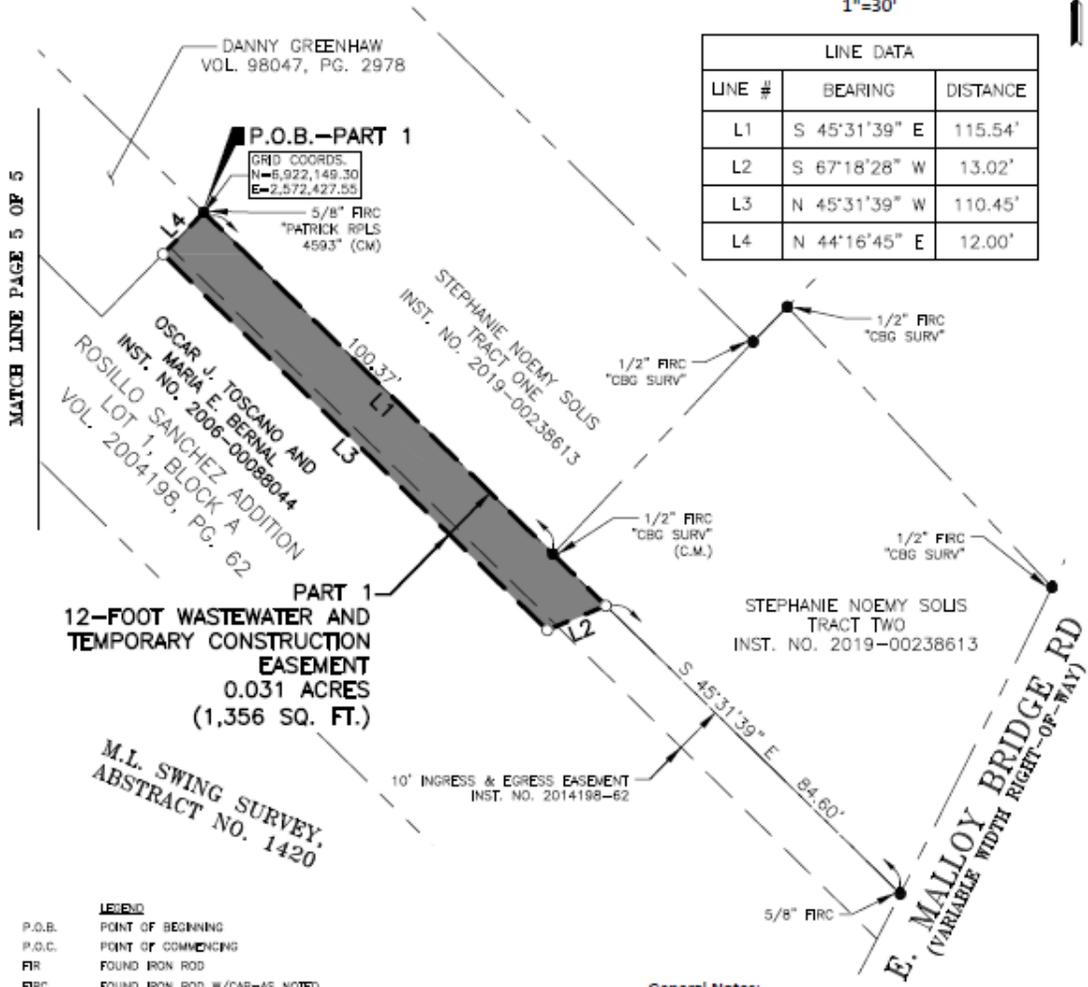
Adam T. Johnson
Registered Professional Land Surveyor
Texas Registration Number 6664
TBPELS SURVEYING FIRM NO. 10029600



EXHIBIT "A"



LINE DATA		
LINE #	BEARING	DISTANCE
L1	S 45°31'39" E	115.54'
L2	S 67°18'28" W	13.02'
L3	N 45°31'39" W	110.45'
L4	N 44°16'45" E	12.00'



MATCH LINE PAGE 5 OF 5

**PART 1
12-FOOT WASTEWATER AND
TEMPORARY CONSTRUCTION
EASEMENT
0.031 ACRES
(1,356 SQ. FT.)**

**M.L. SWING SURVEY,
ABSTRACT NO. 1420**

- LEGEND**
- P.O.B. POINT OF BEGINNING
 - P.O.C. POINT OF COMMENCING
 - FR FOUND IRON ROD
 - FRC FOUND IRON ROD W/CAP-AS NOTED
 - VOL. VOLUME
 - PG. PAGE
 - DOC. NO. DOCUMENT NUMBER
 - INST. NO. INSTRUMENT NUMBER
 - C.M. CONTROLLING MONUMENT
 - FOUND MONUMENTS
 - POINT FOR CORNER
 - - - PROPERTY LINE
 - EASEMENT DEDICATION

- General Notes:**
- 1) Bearing basis for this drawing is the Texas Coordinate System of 1983, North Central Zone 4202, NAD83 (2011). Distances shown are surface and can be converted to grid by dividing by a scale factor of 1.000136506.
 - 2) A metes and bounds description of even date accompanies this exhibit.
 - 3) The survey shown hereon was prepared without the benefit of a title commitment, therefore easements and other matters of record may not be shown.

W:\2021\42505\42505.DWG:DWG:10/5/2021 10:25:50 AM:JAL:000

HALFF®

1201 NORTH BOWSER ROAD
RICHARDSON, TX 75081-2275
TEL (214) 346-6200
TXPEL'S SURVEYING FIRM #10029600

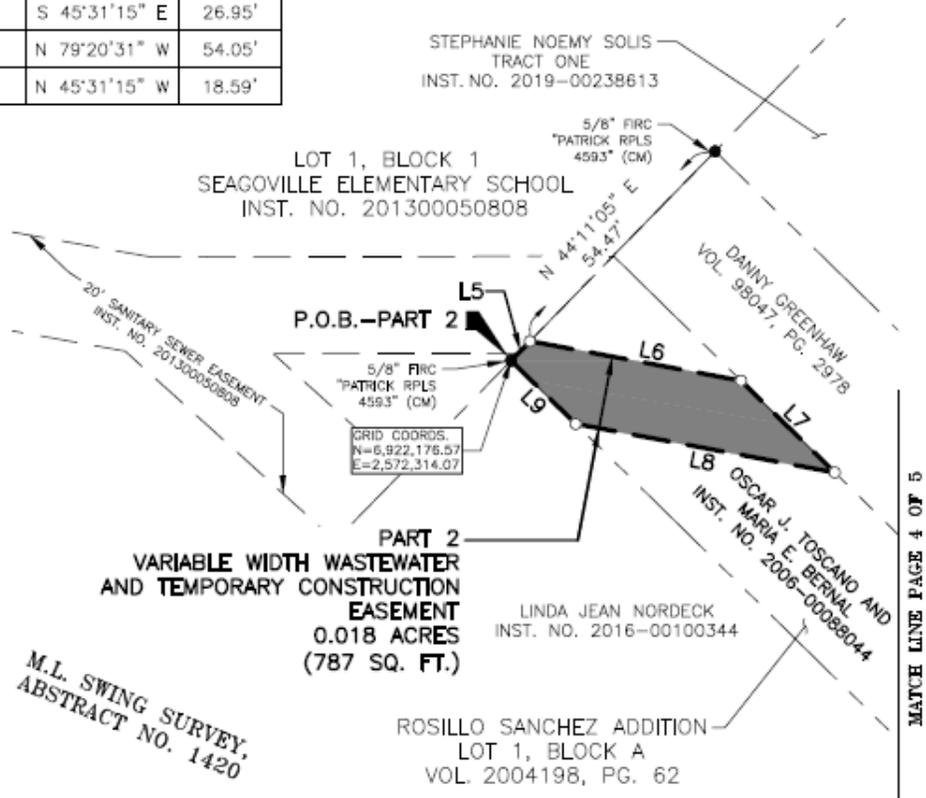
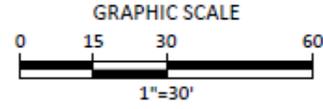
**12-FOOT WASTEWATER EASEMENT AND
TEMPORARY CONSTRUCTION EASEMENT
PARCEL 3
SITUATED IN THE
M.L. SWING SURVEY, ABSTRACT NO. 1420
CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS**

PROJECT NO: 42505.001
DATE ISSUED: 10/5/2021

PAGE: 4 OF 5

LINE DATA		
LINE #	BEARING	DISTANCE
L5	N 44°11'05" E	5.58'
L6	S 79°20'31" E	44.01'
L7	S 45°31'15" E	26.95'
L8	N 79°20'31" W	54.05'
L9	N 45°31'15" W	18.59'

EXHIBIT "A"



M.L. SWING SURVEY,
ABSTRACT NO. 1420

**PART 2
VARIABLE WIDTH WASTEWATER
AND TEMPORARY CONSTRUCTION
EASEMENT
0.018 ACRES
(787 SQ. FT.)**

- LEGEND**
- P.O.B. POINT OF BEGINNING
 - P.O.C. POINT OF COMMENCING
 - FOUND IRON ROD
 - FOUND IRON ROD W/CAP-AS NOTED
 - VOL. VOLUME
 - PG. PAGE
 - DOC. NO. DOCUMENT NUMBER
 - INST. NO. INSTRUMENT NUMBER
 - C.M. CONTROLLING MONUMENT
 - FOUND MONUMENTS
 - POINT FOR CORNER
 - PROPERTY LINE
 - EASEMENT DEDICATION



Adam Johnson 10-05-21

- General Notes:**
- 1) Bearing basis for this drawing is the Texas Coordinate System of 1983, North Central Zone 4202, NAD83 (2011). Distances shown are surface and can be converted to grid by dividing by a scale factor of 1.000136506.
 - 2) A metes and bounds description of even date accompanies this exhibit.
 - 3) The survey shown hereon was prepared without the benefit of a title commitment, therefore easements and other matters of record may not be shown.

W:\CS\42505\001\42505.DWG:10/5/2021 10:25:40 AM:14200
 October 05, 2021, 10:25:40 AM, 14200

1201 NORTH BOWSER ROAD
RICHARDSON, TX 75081-2275
TEL (214) 346-6200
TSPEL'S SURVEYING FIRM #10029600

VARIABLE WIDTH WASTEWATER EASEMENT
AND TEMPORARY CONSTRUCTION EASEMENT
PARCEL 3
SITUATED IN THE
M.L. SWING SURVEY, ABSTRACT NO. 1420
CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS

PROJECT NO: 42505.001
DATE ISSUED: 10/5/2021

PAGE: 5 OF 5

Regular Session Agenda Item: 15

Meeting Date: February 28, 2022

ITEM DESCRIPTION:

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

BACKGROUND OF ISSUE:

The City of Seagoville (“City”) desires to have designed, permitted and constructed a new police station with associated facilities on the property located at the intersection of Farmers and Simonds in the City of Seagoville and, in conjunction therewith, also desires to have designed, permitted, and constructed an expansion and remodeling of the Dispatch Center in the existing Police Station located at 600 N. Hwy. 175 in the City (collectively, the “Project”). City Administration has solicited and obtained statements of qualifications and proposals using the design-build procurement method authorized by Chapter 2269 of the Texas Government Code for designing and constructing the Project. Having received and reviewed said proposals, City Administration has determined that based on the published selection criteria and the ranking evaluations performed, Grossman Design Build, LLC submitted the proposal offering the best value for the City with respect to the design and construction of the Project and recommends negotiating and entering into a contract for the design, permitting, and construction of the Project with Grossman Design Build, LLC in the amount of \$5,283,280.00 (Guaranteed Maximum Price).

FINANCIAL IMPACT:

\$5,283,280.00

RECOMMENDATION:

N/A

EXHIBITS:

Resolution – Authorizing Negotiation and Execution of Design-Build Contract w/Grossman Design Build, LLC

A RESOLUTION OF THE CITY OF SEAGOVILLE, TEXAS

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS, AUTHORIZING NEGOTIATION AND EXECUTION OF A DESIGN-BUILDING CONTRACT WITH GROSSMAN DESIGN BUILD, LLC, A TEXAS LIMITED LIABILITY COMPANY, FOR THE DESIGN, PERMITTING, AND CONSTRUCTION OF A NEW POLICE STATION AND EXPANSION AND REMODELING OF THE DISPATCH CENTER IN THE EXISTING POLICE STATION; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Seagoville (“City”) desires to have designed, permitted and constructed a new police station with associated facilities on the City property located at the intersection of E. Simonds Road and E. Farmers Road in the City of Seagoville and, in conjunction therewith, also desires to have designed, permitted, and constructed an expansion and remodeling of the Dispatch Center in the existing Police Station located at 600 N. Hwy. 175 in the City (collectively, the “Project”); and

WHEREAS, City Administration has solicited and obtained statements of qualifications and proposals using the design-build procurement method authorized by Chapter 2269 of the Texas Government Code for designing and constructing the Project; and

WHEREAS, having received and reviewed said proposals, City Administration has determined that based on the published selection criteria and the ranking evaluations performed, Grossman Design Build, LLC submitted the proposal offering the best value for the City with respect to the design and construction of the Project and recommends negotiating and entering into a contract for the design, permitting, and construction of the Project with Grossman Design Build, LLC in the amount of \$5,283,280.00 (Guaranteed Maximum Price); and

WHEREAS, the City Council of the City of Seagoville finds it to be in the public interest to concur in the foregoing findings and recommendation:

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

SECTION 1. The City Manager is hereby authorized to negotiate and sign on behalf of the City a design-build contract with Grossman Design Build, LLC in the amount of \$5,283,280.00 (Guaranteed Maximum Price), which amount includes \$800,000 for furniture, fixtures and equipment, information technology, and audio-visual technology, for the design, permitting, and construction of a new City Police Station and related facilities on the City property located at the intersection of E. Simonds Road and E. Farmers Road in the City of Seagoville and, in conjunction therewith, also desires to have designed, permitted, and constructed an expansion and remodeling of the Dispatch Center in the existing Police Station located at 600 N. Hwy. 175 in the City (collectively, the “Project”). The City Manager is further authorized to negotiate and

sign such contract amendments and change orders as he deems reasonable and necessary to result in the completion of the Project subject to applicable state law, city ordinances and policies, and, in the case of an increase in contract price, the availability of current funds.

SECTION 2. This resolution shall become effective immediately upon its approval.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS, THIS 28th DAY OF FEBRUARY 2022.

ATTEST:

APPROVED:

Kandi Jackson, City Secretary

Dennis K. Childress, Mayor

APPROVED AS TO FORM:

Victoria W. Thomas, City Attorney
(021822vwtTM127877)