



**SEAGOVILLE CITY COUNCIL
MEETING AGENDA
MONDAY, JANUARY 04, 2016**

WORK SESSION – 6:30 P.M.
Council Chambers, City Hall
702 N. Hwy 175

AGENDA

1. Discussion of Agenda Item(s)
2. Staff Updates
 - a. Open Carry Law
3. Adjourn

REGULAR MEETING – 7:00 P.M.
Council Chambers, City Hall
702 N. Hwy 175

AGENDA

Invocation
Pledge of Allegiance
Mayor's Report
Recognition of Visitors / Proclamations / Presentations
Citizens Public Comment Period

[Each speaker will be allowed six (6) minutes to address the council on any item on the agenda except for Public Hearing items]

AGENDA (cont'd)

CONSENT AGENDA

- 1C. Approval of minutes.
- 2C. Approval of a Resolution adopting the 2015 Dallas County Hazard Mitigation Action Plan (HazMAP); and providing an effective date.
- 3C. Approval of a Resolution awarding a bid for the purchase of a 2016 Ford F450 Work Truck for a total cost of fifty six thousand five hundred twenty six dollars (\$56,526.00); authorizing the City Manager to execute any and all necessary documents; and providing an effective date.

REPORTS/RECOMMENDATIONS/REQUESTS

4. Discuss and consider an Ordinance 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 (PD-13-01) to Planned Development -13-01 Amended 1 (PD-13-01-A1) for the property located at 1706 South U.S. Highway 175, Seagoville, Kaufman County, Texas, and being more particularly described as Lots 1, 2 and 3 Block A, of the Sudduth Addition of being legally described in Exhibit "A", attached hereto and incorporated herein; providing for amended development regulations; providing for a repealing clause; providing for a severability clause; providing for a savings clause; providing for a penalty clause; providing for a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and providing an effective date.

5. Discuss and consider a Resolution ordering a Special Election to be held on May 7, 2016 to consider proposed amendments to the City of Seagoville Home Rule Charter; providing for election judge; providing for early voting; providing for the canvass of votes; and providing an effective date.

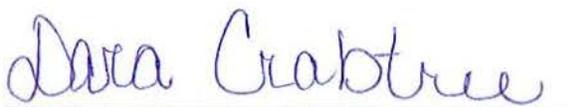
Discutir y considerar una resolución ordenando una elección especial a celebrarse el 7 de mayo de 2016 para examinar las enmiendas propuestas a la Carta de la ciudad de regla Casa Seagoville; proporcionar para la elección del juez; que prevea la votación temprana; proporcionar para el escrutinio de los votos; y proporcionar una fecha efectiva.

6. Discuss and consider an Ordinance repealing Ordinance No. 17-03 which provides for the adoption of the City of Seagoville Policy and Procedures Manual; authorizing the City Manager to establish administrative directives, policies and procedures necessary to ensure fair and equal employment practices concerning the terms and conditions and administration of the city; providing a savings clause; and providing an effective date.

AGENDA (cont'd)

7. Discuss and consider accepting the resignation of Dennis K. Childress from the Seagoville Economic Development Corporation Board; and appointing a Councilmember to fill the unexpired term of Place 5 expiring in June 2017.
8. Discuss and consider adding "in God we trust" on all City vehicles.
9. Receive Councilmember Reports – Items of community interest regarding which no action will be taken, as authorized by Section 551.0415 of the Government Code.
10. Receive Citizen Comments – Citizens may speak 6 minutes each on any matter, other than personnel matters, or matters under litigation.
11. Receive Future Agenda Items – Items to be placed on a future agenda which no action or discussion will be taken at this meeting.
12. Recess into Executive Session in compliance with Texas Government Code Section 551.074, Personnel to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, to wit: City Attorney.
13. Discuss any item and/or take any action necessary as a result of the Executive Session.
14. Adjourn.

Posted Thursday, December 31, 2015 by 6:00 P.M.



Dara Crabtree, 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

- Friday, January 1, 2016, city offices closed in observance of New Year's Day.
- Monday, January 4, 2016 @ 7:00 p.m., City Council meeting.
- Monday, January 18, 2016, city offices closed in observance of Martin Luther King, Jr. Day.

Agenda Item 1C

Approval of minutes.

BACKGROUND OF ISSUE:

Approval of minutes for meetings held on December 14, 2015.

FINANICIAL IMPACT:

N/A

**CITY COUNCIL
WORK SESSION
DECEMBER 14, 2015**

The City Council held a work session on Monday, December 14, 2015 at 6:30 p.m. with a quorum present, to wit:

Dennis Childress	Mayor
Tommy Lemond	Mayor Pro Tem
Rick Howard	Councilmember
Jose Hernandez	Councilmember
Mike Fruin	Councilmember
Jon Epps	Councilmember

The following staff members were also present: City Manager Pat Stallings, Police Chief Ray Calverley, Community Development Director Ladis Barr, HR Director/Risk Manager Cindy Brown, Finance Director Patrick Harvey, Asst. Finance Director Tan Beatty, Public Works Director Phil DeChant, Engineer Andy Martin, NJDHS Attorney Alexis Allen and City Secretary Dara Crabtree.

ITEM 1. DISCUSSION OF AGENDA ITEMS.

ITEM 2C. Following a City Council inquiry, Police Chief Ray Calverly confirmed seven (7) vehicles were listed on the surplus list.

ITEMS 3C-6C. Following a City Council inquiry, HR Director/Risk Manager Brown confirmed all the fees being repealed are currently provided for in the Master Fee Schedule.

ITEMS 12-13. Following a City Council inquiry, HR Director/Risk Manager Brown stated typically a reinvestment zone is established for a specific time period and would not be established for undeveloped property because the reinvestment zone designation may expire before the property is developed.

ITEM 8. Discussion included: Parkhaven/Woodhaven project is still scheduled to be done; anticipate bidding the water project after school lets out with the street project following the completion of the water project; developing more realistic timelines for future projects; and confirmed the contractor, RT&E Rural Water, Inc., is not the same contractor as the Catherine/Shady project.

ITEM 9. Discussion included: bulk pick-up going well, no complaints or issues; beginning February 1st complaints will come directly to the city vs. being routed from Republic Services to the city; the new process will enable the city to better monitor how fast complaints are responded to; and Chief Gilcrease continues to drive the city monitoring bulk trash.

ITEM 14. Following a Council Inquiry, City Manager Stallings stated currently there were a total of approximately twenty-two (22) police and fire vehicles and at this time did not have a cost estimate for adding the *In God We Trust* language to each vehicle.

ITEM 15. Discussion included: Planning & Zoning Commission recommendations only included carports; designated driveway would include all approved surfaces; HOA regulations; new neighborhoods vs. older neighborhoods; carports would be allowed to cover two separate designated driveways; and poles would be allowed to be set just outside driveway.

ITEM 7. Discussion included each item being requested by applicant including: R-panel fencing; handicapped parking; holiday park with structures and temporary buildings; car corral; additional buildings; storage containers; water tanks; carports; extending the concession stand; and soccer fields.

ITEM 2. STAFF UPDATES. No updates were provided.

The work session was adjourned at 7:23 p.m.

APPROVED:

MAYOR

ATTEST:

CITY SECRETARY

**CITY COUNCIL
REGULAR MEETING
DECEMBER 14, 2015**

The City Council held a regular meeting on Monday, December 14, 2015 at 7:32 p.m. with a quorum present, to wit:

Dennis Childress	Mayor
Tommy Lemond	Mayor Pro Tem
Rick Howard	Councilmember
Jose Hernandez	Councilmember
Mike Fruin	Councilmember
Jon Epps	Councilmember

Dr. Don Cole provided the Invocation and Mayor Childress led the Pledge of Allegiance.

MAYOR'S REPORT. Mayor Childress provided an update on the Christmas Tree Lighting event; advised city offices will be closed December 24th and December 25th in observance of Christmas; and wished everyone a Merry Christmas and a Happy New Year.

CITIZENS PUBLIC COMMENT PERIOD (items on the agenda). No one spoke.

CONSENT AGENDA.

Councilmember Hernandez made a motion, seconded by Councilmember Epps, to approve Consent Agenda Items 1C through 6C. A vote was cast 5 in favor, 0 against.

ITEM 1C. Approve minutes for meetings held on November 16, 2015 and November 30, 2015.

ITEM 2C. Approve Resolution No. 57-R-15 declaring certain city property surplus and authorizing the City Manager to sell, trade or dispose of the property in accordance with the processes established in the Code of Ordinances; providing for repeal of any and all resolutions in conflict; providing for a severability clause; and providing for an effective date.

ITEM 3C. Approve Ordinance No. 24-15 amending Chapter 19, "Utilities" by amending Sections 19.03.068, 19.03.070, 19.03.071(b) and (c), and 19.06.006(a)(1) and (b)(1) by deleting any and all fees contained therein and providing for a fee established by Resolution of the City Council; providing a savings clause; and providing an effective date.

ITEM 4C. Approve Ordinance No. 25-15 amending Chapter 21, "Building Regulations" by amending Sections 21.05.004 and 21.05.094(b) by deleting any and all fees contained therein and providing for a fee

established by Resolution of the City Council; providing a savings clause; and providing an effective date.

ITEM 5C. Approve Ordinance No. 26-15 amending Chapter 25, "Zoning" by repealing Sections 25.02.554(2) and 25.02.732 and providing for a fee established by Resolution of the City Council; providing for a savings clause; and providing an effective date.

ITEM 6C. Approve Ordinance No. 27-15 amending Chapter 15, "Public Works" by repealing Section 15.02.073. "fees, deposits and reservations", in its entirety and reserving the same for future use; providing a savings clause; and providing an effective date.

ITEM 7. Mayor Childress opened the public hearing at 7:37 p.m. to hear a request from James Sudduth to amend the current land use and development regulations on an existing Planned Development – 13-01 (PD-13-01) to Planned Development – 13-01 (PD-13-01) Amendment 1 on property located at 1706 South U.S. Highway 175 more specifically described as Lots 1, 2, and 3, Block A of the Sudduth Addition being part of the Andrew Nail Survey, Abstract No. 355 and the D. Wilkerson Survey Abstract No. 566, Kaufman County. James Sudduth, 2402 Cloverhill Drive, spoke in favor of the request. No one spoke in opposition. The public hearing was closed at 7:40 p.m. Following a discussion, Councilmember Hernandez made a motion, seconded by Councilmember Epps, directing staff to prepare an ordinance with the following amendments to the Planned Development: allow R-panel fencing to be moved or added as needed behind the buildings; allow handicap parking as required; allow a drive through holiday park with structures and temporary building; allow car corral with maximum of 100 vehicles on weekends only for the display of vehicles and preapproving vehicle sale on site only and must go to the dealership to complete the sale of vehicles; allow the addition of 8 new long buildings and 39 short buildings; allow storage containers not visible from the highway or frontage, if visible, must be screened and would be allowed to rent said storage containers; allow additional water tanks; allow carports behind the buildings only, must be of same type of material, same color as existing buildings, withstand 90 mph wind, and posts must be in concrete; allow extension of concession stand; allow soccer fields; and Holiday events allowed on Lot 1 and Lot 2 flea market regulations will apply to Lot 3. A vote was cast 5 for, 0 against.

ITEM 8. Councilmember Epps made a motion, seconded by Councilmember Howard, to approve Resolution No. 58-R-15 awarding a bid to RT & E Rural Water, Inc. for 8" Water Line Improvement Project for Elizabeth Lane and Tunnell Street in the amount of One Hundred Forty Seven Thousand Six Hundred Forty Six Dollars and Thirteen Cents (\$147,646.13); providing for the City Manager to execute any and all necessary documents; and providing an effective date. A vote was cast 5 for, 0 against.

ITEM 9. Following a discussion, Councilmember Hernandez made a motion, seconded by Mayor Pro Tem Lemond, to approve Resolution No. 59-R-15 authorizing the City Manager to execute a contract with Republic Services extending their current

contract two (2) additional years; providing for the repeal of any and all resolutions in conflict; providing for severability clause; and providing an effective date. A vote was cast 5 for, 0 against.

ITEM 10. Councilmember Hernandez made a motion, seconded by Councilmember Howard, to approve Ordinance No. 28-15 amending Chapter 5 “Animal Control”, Article 5.03 “Impoundment” by amending Section 5.03.009 “Live Traps” to provide for a fee to be collected by the City and to provide guidelines for using said live traps; providing a penalty clause of fine not to exceed the sum of Five Hundred Dollars (\$500.00) for each offense; providing a repealing clause; providing a severability clause; and providing an effective date as amended to provide for early return reimbursement. A vote was cast 5 for, 0 against.

ITEM 11. Councilmember Epps made a motion, seconded by Councilmember Hernandez, to approve Resolution No. 60-R-15 amending the Master Fee Schedule and providing an effective date. A vote was cast 5 for, 0 against.

ITEM 12. Mayor Childress opened the public hearing at 8:34 p.m., designating Reinvestment Zone No. 2; providing eligibility of the zone for commercial-industrial tax abatement; contain findings that the area qualifies to be designated as a reinvestment zone and the improvements sought are feasible and practicable and of benefit to the land and the city. No one spoke in favor or opposition of the request. Mayor Childress closed the public hearing at 8:34 p.m. Councilmember Hernandez made a motion, seconded by Mayor Pro Tem Lemond, approving Ordinance No. 29-15 designating Reinvestment Zone No. 2; providing eligibility of the zone for commercial-industrial tax abatement; contain findings that the area qualifies to be designated as a reinvestment zone and the improvements sought are feasible and practicable and of benefit to the land and the city; providing a severability clause; providing a repealing clause; and providing an effective date. A vote was cast 5 for, 0 against.

ITEM 13. Councilmember Howard made a motion, seconded by Councilmember Hernandez, approving Resolution No. 61-R-15 approving the terms and conditions of a Tax Abatement Agreement by and between the City of Seagoville, Texas and HBC Interests; authorizing the Mayor to execute said agreement; and providing an effective date. A vote was cast 5 for, 0 against.

ITEM 14. Councilmember Hernandez made a motion, seconded by Councilmember Fruin, directing staff to come up with type of material, design, size, placement and the cost through city approved vendors of decal “In God We Trust” for all police and fire vehicles if approved in the future and no taxpayers funds to be used, must be citizen campaign. A vote was cast 5 for, 0 against.

ITEM 15. Following a discussion, Councilmember Hernandez made a motion, seconded by Councilmember Howard, to table the discussion on carport recommendations until the February 1, 2016 regular meeting. A vote was cast 5 for, 0 against.

ITEM 16. COUNCILMEMBER REPORTS.

Tommy Lemond – thanked Staff, the Public Works Department and City Manager for the trimming the trees in the median on Seagoville Road.

Jose Hernandez – thanked Staff and the Public Works Department for getting the Anderson Paving project (Catherine/Shady) completed.

ITEM 17. CITIZEN COMMENTS. No comments.

ITEM 18. FUTURE AGENDA ITEMS.

Jon Epps – prohibiting engine break by semi-trucks at Highway 175 and Simonds.

ITEM 19. The City Council recessed into Executive Session at 8:57 p.m. in compliance with Texas Government Code Section 551.074, Personnel, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, to wit: City Attorney and City Secretary.

The City Council reconvened into open session at 9:36 p.m.

ITEM 20. No action was taken.

ITEM 21. The meeting adjourned at 9:36 p.m.

APPROVED:

MAYOR

ATTEST:

CITY SECRETARY

Agenda Item 2C

Approval of a Resolution adopting the 2015 Dallas County Hazard Mitigation Action Plan (HazMAP); and providing an effective date.

BACKGROUND OF ISSUE:

Mitigation is the effort to reduce loss of life and property by lessening the impact of disasters.

The initial Plan was written by the North Central Texas Council of Governments (NCTCOG) and approved on November 25, 2008 by Dallas County FEMA with 11 participating jurisdictions. As of 2015, 22 jurisdictions now participate including: Dallas County, Addison, Balch Springs, Carrollton, Cedar Hill, Cockrell Hill, Coppell, Dallas, DeSoto, Duncanville, Farmers Branch, Glenn Heights, Highland Park, Irving, Lancaster, Richardson, Rowlett, Sachse, Seagoville, Sunnyvale, University Park and Wilmer.

The attached 2015 Dallas County Hazard Mitigation Action Plan overview provides the jurisdiction's blueprint for reducing the potential losses identified in the risk assessment, based on existing authorities, policies, programs and resources, and its ability to expand and improve these existing tools.

The 2015 Dallas County Hazard Mitigation Action Plan has been accepted by FEMA and is being adopted by all participating jurisdictions.

Attached for your review is an overview of the Plan. The entire Plan is approximately 1694 pages. A link to the entire Plan will be provided upon request.

Staff recommends City Council approval of the 2015 Dallas County Hazard Mitigation Action Plan (HazMAP), is so desired.

FINANCIAL IMPACT:

N/A

A RESOLUTION OF THE CITY OF SEAGOVILLE, TEXAS

RESOLUTION NO. 01-R-16

A RESOLUTION OF THE CITY OF SEAGOVILLE ADOPTING THE 2015 DALLAS COUNTY HAZARD MITIGATION ACTION PLAN (HAZMAP).

WHEREAS, the City Council recognizes the threat that natural hazards pose to people and property within the City of Seagoville; and

WHEREAS, the City of Seagoville has prepared a multi-hazard mitigation plan, hereby known as the 2015 Dallas County Hazard Mitigation Action Plan (HazMAP) in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the 2015 Dallas County Hazard Mitigation Action Plan (HazMAP) identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in Seagoville from the impacts of future hazards and disasters; and

WHEREAS, adoption by the City Council demonstrates their commitment to the hazards mitigation and achieving the goals outlined in the 2015 Dallas County Hazard Mitigation Action Plan (HazMAP).

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

SECTION 1. This Resolution and the 2015 Dallas County Hazard Mitigation Action Plan (HazMAP) are hereby approved by the affirmative vote of the majority of the members of the City Council of the City of Seagoville, Texas, at a regularly scheduled meeting of the City Council.

SECTION 2. This resolution shall take effect immediately from and after its passage, as the law and charter in such cases provide.

DULY PASSED by the City Council of the City of Seagoville, Texas, by a vote of ____ in favor and ____ against, and ____ abstaining on the 4th day of January, 2016.

APPROVED:

MAYOR

ATTEST:

CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY

**COURT ORDER
2015-1728**



Adoption of the 2015 Dallas County Hazard Mitigation Action Plan

On a motion made by Commissioner John Wiley Price, District 3, and seconded by Commissioner Dr. Theresa M. Daniel, District 1, the following order was passed and adopted by the Commissioners Court of Dallas County, State of Texas:

BRIEFING DATE: 12/15/2015
FUNDING SOURCE: N/A

Be it resolved and ordered that the Dallas County Commissioners Court does hereby approve adoption of the 2015 Dallas County Hazard Mitigation Action Plan.

Done in open court December 15, 2015, by the following vote:

IN FAVOR: Honorable Clay Lewis Jenkins, County Judge
Commissioner Dr. Theresa M. Daniel, District 1
Commissioner Mike Cantrell, District 2
Commissioner John Wiley Price, District 3
Commissioner Dr. Elba Garcia, District 4

OPPOSED: None
ABSTAINED: None
ABSENT: None

Recommended by: Clay Lewis Jenkins
Originating Department: County Judge

COMMISSIONERS COURT BRIEFING



DATE: 12/15/2015

SUBMITTING DEPARTMENT: Homeland Security

THROUGH: County Judge

SUBJECT: Adoption of the 2015 Dallas County Hazard Mitigation Action Plan

BACKGROUND:

Both the Disaster Mitigation Act of 2000 and Federal Emergency Management Agency (FEMA) require local communities to adopt a Hazard Mitigation Plan in order to be eligible for pre-disaster and post-disaster federal funding for mitigation purposes. These Hazard Mitigation Plans are to be approved at least every five years for jurisdictions to maintain eligibility for funding. The 2015 Dallas County Hazard Mitigation Action Plan (HazMAP) is an extension of the Dallas County Emergency Management Plan and is a record of the county's potential hazards, risks and strategies to reducing the long-term consequences of natural hazards. The HazMAP outlines mitigation goals, identifies risk reduction strategies for hazards that threaten the County, and discusses the ongoing risk reduction strategies to be undertaken.

On January 6, 2009, Dallas County Commissioners Court adopted the 2008 Dallas County Hazard Mitigation Action Plan through Court Order 2009-0045. This plan was developed in partnership with the North Central Texas Council of Governments and 11 other jurisdictions that were participants in the plan. The 2015 Dallas County HazMAP is a multi-jurisdictional plan and is a culmination of almost three years of planning and development. The planning process was led by the Office of Homeland Security and Emergency Management (HSEM) and involved 22 jurisdictions and agencies, 11 more jurisdictions than were in the 2008 Dallas County HazMAP. The planning process was partly funded through Pre-Disaster Mitigation (PDM) grant - PDMC-PL-06-TX-2012-032, and was administered through an agreement between Dallas County and the North Central Texas Council of Governments.

The 2015 Dallas County HazMAP was reviewed by FEMA and was found to be Approvable Pending Adoption (APA). Attached is the APA letter issued by the Texas Division of Emergency Management (TDEM).

As the Dallas County HazMAP is quite large (1694 pages) and contains many data-intensive maps, an Executive Summary has been submitted with this brief. A CD copy of the entire plan can be provided upon request. It can also be accessed online via the Dallas County Office of Homeland Security and Emergency Management web page at:

http://www.dallascounty.org/department/osem/documents/2015_12_01_Dallas_County_HazMAP_APA_Copy.pdf

RECOMMENDED BY:	County Judge	PREPARED BY:	Lauren Mish
		APPROVED BY DEPT HEAD:	Clay Lewis Jenkins

Once the Court approves the adoption of the 2015 Dallas County HazMAP, the formal adoption renders the County eligible for pre-disaster and post-disaster federal funding for mitigation purposes.

OPERATIONAL IMPACT:

Hazard mitigation activities are not only a response to an event and a known hazard, but are also an active search for ways to prevent and reduce the impact from newly discovered hazards. The mitigation process is long-term in nature and, therefore, is an on-going element of the emergency management program that directly influences preparedness, response, and recovery requirements. Mitigation activities can be initiated at any time, but are classified as either pre-event or post-event actions. These actions are not mutually exclusive and will be merged into a coordinated, continuous mitigation process.

1.) Pre-Event Mitigation: Activities that take place prior to the occurrence of an emergency situation. This timeframe provides a more relaxed atmosphere for the development and implementation of long-term, multi-hazard oriented mitigation measures. This time frame is preferred and is the most appropriate for reducing risks and potential damages.

2.) Post-Event Mitigation: Activities that take place after an emergency situation has occurred and already adversely affect Dallas County. These activities are a response and are too late to prevent or reduce impacts already suffered. Heightened hazard awareness and a desire for a speedy recovery provide an emphasis for conducting mitigation activities during this time frame. Mitigation opportunities can be identified and implemented which can be very effective in reducing potential damages from future events.

FINANCIAL IMPACT:

An approved Dallas County HazMAP may render the County eligible for pre-disaster and post-disaster federal funding for mitigation purposes such as the Hazard Mitigation Grant Program, Pre-Disaster Mitigation Grant Program, and the Emergency Management Performance Grant.

LEGAL IMPACT:

N/A

PROJECT SCHEDULE:

FEMA has concluded the review of the HazMAP and the plan is found to be approvable pending adoption by the Commissioners Court and the participating city councils. The Court Orders/resolutions are then filed with the Texas Division of Emergency Management and the plan is marked as approved and complete.

M/WBE PARTICIPATION:

N/A

STRATEGIC PLAN COMPLIANCE:

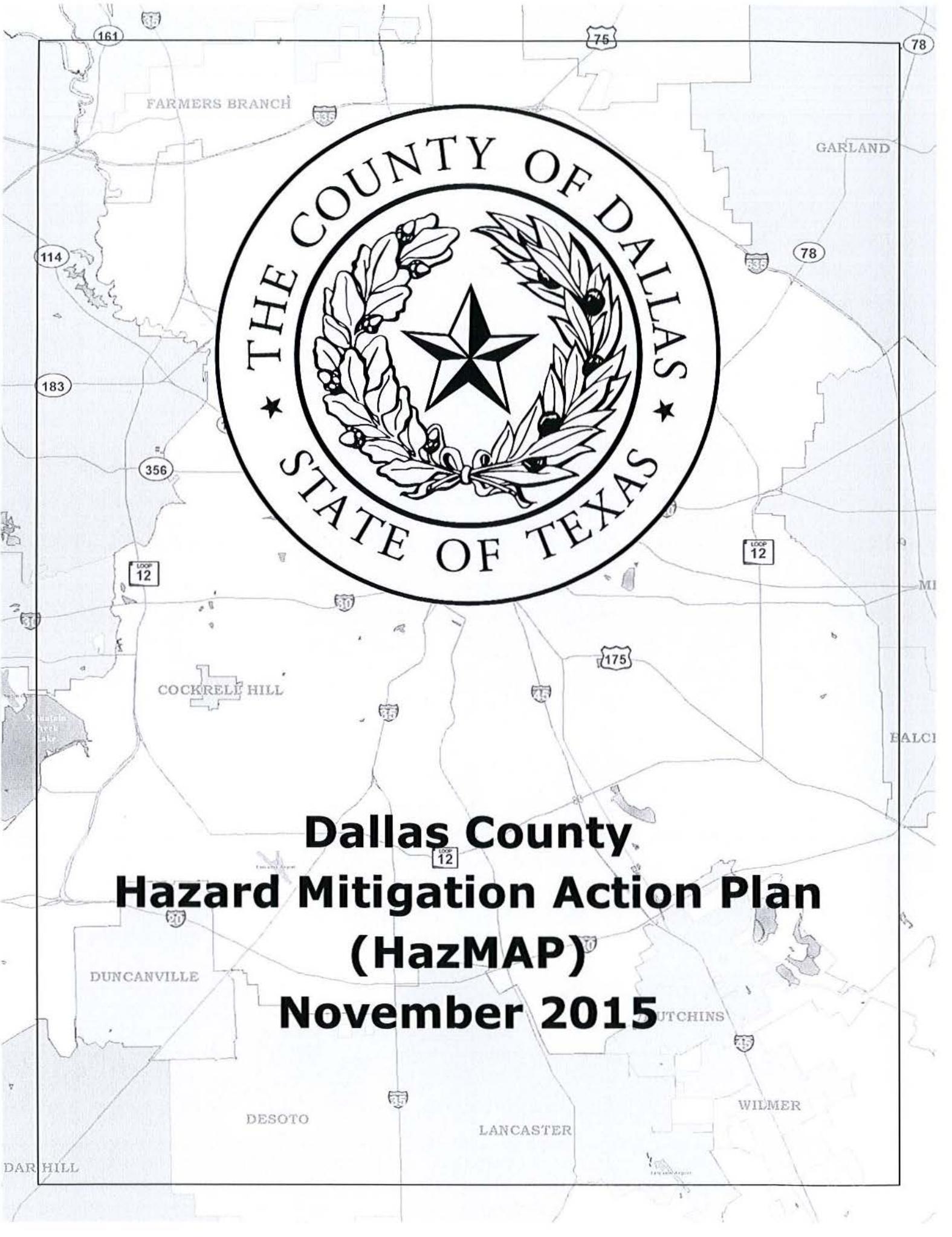
Recommendations included in this briefing are consistent with the Dallas County Strategic Plan, "Vision 3: Dallas County is safe, secure, & prepared." Dallas County is diligently working to coordinate, implement, and expand the capabilities to reduce long-term consequences of the hazards we face.

RECOMMENDATION:

Approve adoption of the 2015 Dallas County Hazard Mitigation Action Plan.



**Dallas County
Hazard Mitigation Action Plan
(HazMAP)
November 2015**



Executive Summary

Mitigation is commonly defined as sustained actions taken to reduce or eliminate long-term risk to people and property from hazards and their effects. Hazard mitigation planning is a process in which hazards are identified and profiled, people and facilities at risk are assessed for threat and vulnerability, and mitigation actions are developed. A mitigation plan states the aspirations and specific courses of action that a community intends to follow to reduce vulnerability and exposure to future hazard events. These plans are formulated through a systematic process centered on the participation of citizens, businesses, public officials, and other community stakeholders.

This plan is an update of the Dallas County Hazard Mitigation Plan (HazMAP) that was adopted in January 2009. The plan has been developed to comply with the requirements of the Federal Disaster Mitigation Act of 2000 and subsequent updates.

The Dallas County Hazard Mitigation Working Group, comprising of representatives of each participating jurisdiction, led the development of the update and contributed significant staff time towards the developments. Update development support was also provided through the Federal Emergency Management Agency (FEMA) Pre-Disaster Mitigation (PDM) grant, administered by the Texas Division of Emergency Management (TDEM) and sub-guaranteed by the North Central Council of Governments (NCTCOG). Coordination and final compilation of the update was provided by the Dallas County Office of Homeland Security and Emergency Management (HSEM). This mitigation plan is a planning document, not a regulatory document.

The objectives of the plan update remain the same as those of the previous plan that was adopted in 2009, which is to reduce the negative impacts of future disasters on the communities of Dallas County. These include:

- ✓ To save lives and reduce injuries.
- ✓ Minimize damage to buildings and infrastructure (especially critical facilities).
- ✓ Minimize economic losses

Participating jurisdictions in this plan update expanded from 11 to 22 jurisdictions and are as follows:

Participating Jurisdictions	
Dallas County (Unincorporated)	City of Glenn Heights
Town of Addison	Town of Highland Park
City of Balch Springs	City of Irving
City of Carrollton	City of Lancaster
City of Cedar Hill	City of Richardson
City of Cockrell Hill	City of Rowlett
City of Coppell	City of Sachse
City of Dallas	City of Seagoville

Participating Jurisdictions	
City of DeSoto	Town of Sunnyvale
City of Duncanville	City of University Park
City of Farmers Branch	City of Wilmer

Non-Participating Jurisdictions That Adopted a Stand-alone Plan	
City of Garland	City of Hutchins
City of Grand Prairie	City of Mesquite

This plan update shows that communities in Dallas County continue to be subject to a number of natural hazards. The hazards addressed in this plan include severe storms, high winds, hail, lightning, flooding, tornadoes, winter storms, extreme heat, drought, dam or levee failure, wildfire and earthquakes. Other hazards discussed that do not affect Dallas County include expansive soils, coastal erosion, hurricane/tropical storms, and land subsidence. While most of the hazards identified have occurred in Dallas County, flooding, severe storms, drought and tornadoes stand out as the predominant hazard risks. The historical occurrences, location, extent, probability and vulnerability of these hazards have been documented in this update. Also discussed in this update are the local policies and capabilities that participating jurisdictions have and/or would like to implement to mitigate some of the effects of the hazards identified if sufficient resources were available. No significant changes have been made to the hazards identified in the plan.

The Mitigation Strategy is the heart of the plan and outlines various action items that, given sufficient funding, could be implemented to address the risks of the hazards identified. Several of the action items identified are on-going or have been deferred from previous actions items that were discussed in the 2009 plan. These action items are designed to mitigate the effects of natural disasters and include programs such as upgrading of infrastructure to expanding public outreach and education programs. In this respect, the strategy of the plan has remained intact as to that of the previously adopted plan. The programs or action items identified in the plan update have been prioritized by the local jurisdictions and represent a local approach to addressing local hazards that is most relevant to the local jurisdictions.

The main changes in this plan update from the initial mitigation plan that was adopted in 2009 are in the formatting and structuring of the content. The contents of this plan update are designed and organized to be more reader-friendly and as functional as possible. For instance, the number of sections has changed from four to nine. The **Summary of Plan** section below provides a breakdown of what is covered in each section.

The hazards have remained the same as those discussed in the 2009 plan and so have the mitigation strategies. We have discussed four new hazards, which do not affect Dallas County, so as to match the plan with the State of Texas Mitigation Plan. These hazards include hurricanes, land subsidence, coastal erosion and expansive soils. Most the changes are in the format and structure of the plan.

One notable structural change is that the plan is comprised of two main parts, a base section and a jurisdiction-specific annex section. The base section of the plan discusses the plan for Dallas County. Section 5 in particular discusses the hazard, the extent and impact of the hazards, the historical occurrences of the hazards identified, the probability of future occurrences, and the results of the vulnerability and risk assessment process. The section captures events that have taken place in all participating jurisdictions as applicable. The jurisdiction-specific annexes or sub-plans section provides a focused and strategic approach to discussing specific hazard risks that are unique to each participating jurisdiction. The jurisdictional annexes build off of the base plan that addressed the natural hazards common throughout Dallas County. It provides a closer look at the capabilities, critical facilities, land use/development trends and vulnerabilities of a particular jurisdiction.

Summary of Plan

Sections 1 and 2 of the plan provide the background of the plan and provide a profile for the planning area and introduce the jurisdictions participating in the plan update. They also outline the scope, purpose, and authority of the plan.

Section 3 provides a profile of the Dallas County planning area. It discusses geographic elements that include location, size, physical features, population and demographic information, governmental structures, and the basic economic aspects of Dallas County.

Section 4 documents the planning process. It addresses Element A of the Local Mitigation Plan Review Tool. It identifies the various stakeholders in the planning process as well as discusses public participation in the plan. It provides an overview of the hazards, time line for the plan, and mitigation strategies, as well as the process of identification and risk assessment methodologies utilized.

Section 5 presents information on individual hazards. For each hazard, the plan presents a description of the hazard, the hazard extent, a history of historical hazard events, the probability of future occurrences, and the results of the vulnerability and risk assessment process.

Section 6 presents the mitigation goals and objectives. Section 7 provides the previous mitigation action items submitted in the 2009 HazMAP and a current analysis for each action. The section also addresses all of the newly developed mitigation actions for HazMAP update.

Section 8 identifies plan maintenance procedures including plan incorporation and implementation.

Section 9 provides the jurisdictional annexes that provide specific information of how each jurisdiction conducted its planning process and includes specific risk and vulnerability assessments of the specific or unique hazard not addressed in Section 5 of this plan update.

The following is a brief discussion of what has been included in each of the sections of the update plan.

Section 1 and 2: Introduction and Scope Purpose and Authority of Plan

In 2009, Dallas County and 10 other participating jurisdictions within Dallas County adopted the Dallas County Hazard Mitigation Action Plan (HazMAP) after it was approved by FEMA. The mitigation planning regulation of the Disaster Mitigation Act requires that mitigation plans be reviewed and revised within five (5) years of approval to maintain eligibility for mitigation grant funding. Dallas County began the planning process to renew the HazMAP in March 2013, and updated each section of the original plan, this time involving 22 of the 26 cities within Dallas County.

Plan Scope: The focus of the Dallas County Hazard Mitigation Action Plan (HazMAP) update is to mitigate relevant hazards as determined using the Dallas County HazMAP adopted in 2009 (formerly referred to as DaLMS) and the Dallas County Hazard Identification and Risk Assessment (HIRA) Matrix. Each participating jurisdiction reviewed the 2009 HazMAP and completed the HIRA to determine the risk levels of the most common hazards that affect Dallas County; hazards that are ranked in percentages using a formula provided in the HIRA tool.

Purpose: The plan update is an opportunity for Dallas County and participating jurisdictions to evaluate successful mitigation actions and explore opportunities to avoid future disaster loss. The purpose of the plan is to:

- ✓ Assess previous mitigation projects and develop unique mitigation strategies to meet future development and risks;
- ✓ Encourage improvements in floodplain management, participation in the National Flood Insurance Program (NFIP), and qualifying for FEMA's Community Rating System, thereby reducing flood insurance premiums for citizens;
- ✓ Devise solutions to strengthen emergency management by addressing prevalent risk of natural and man-caused hazards; and
- ✓ Develop and implement a comprehensive hazard mitigation plan update for Dallas County as a whole.

Authority: The plan update will comply with all requirements promulgated by the Texas Division of Emergency Management (TDEM) and all applicable provisions of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Section 104 of the Disaster Mitigation Act of 2000 (DMA 2000) (P.L. 106-390), and the Bunning-Bereuter-Blumenauer Flood Insurance Reform Act of 2004 (P.L. 108-264). It will also comply with FEMA's February 26, 2002 Interim Final Rule ("the Rule") at 44 CFR, Part 201, which specifies the criteria for approval of mitigation plans required in Section 322 of the DMA 2000 and standards found in FEMA's "Local Multi-Hazard Mitigation Planning Guidance" (released July 1, 2008). The updated plan will be developed in accordance with FEMA's Community Rating System (CRS) Floodplain Management Plan standards and policies.

Section 4: Planning Process

Dallas County Office of Homeland Security and Emergency Management (HSEM) took the lead in updating the Dallas County Hazard Mitigation Action Plan (HazMAP). The Dallas County HazMAP Working Group was formed and comprised of at least one representative from each participating jurisdiction in Dallas County. The table below lists the participating jurisdictions in the Dallas County HazMAP Update.

Participating Jurisdiction	Name	Title
Dallas County (Unincorporated)	Michael Gaciri	Hazard Mitigation Specialist
Town of Addison	John O'Neal	Fire Chief/EMC
City of Balch Springs	David Haas	Emergency Management Coordinator
City of Carrollton	Elliot Reep	Emergency Management Coordinator
City of Cedar Hill	John Ballard	Fire Chief/EMC
City of Cockrell Hill	Bret Haney	Assistant City Administrator
City of Coppell	Brad Simpkins	Emergency Management Coordinator
City of Dallas	Nicholas LaGrassa	Emergency Management Specialist
City of DeSoto	Jerry Duffield	Fire Chief
City of Duncanville	Sam Rhode	Emergency Management Coordinator
City of Farmers Branch	Ashleigh Feryan	Emergency Management Specialist
City of Glenn Heights	Jeremy Tennant	Public Safety Director
Town of Highland Park	Rick Pyle	Assistant Police Chief
City of Irving	Jason Carriere	Emergency Management Coordinator
City of Lancaster	Thomas Griffith	Fire Chief/EMC
City of Richardson	Alisha Gimbel	Preparedness and Mitigation Coordinator
City of Rowlett	Ed Balderas	Fire Chief/EMC
City of Sachse	Rick Coleman	Fire Chief/EMC
City of Seagoville	Todd Gilcrease	Fire Chief/EMC
City of Sunnyvale	Richard Adkins	Fire Fighter / EMT
City of University Park	Randy Howell	Fire Chief/EMC
City of Wilmer	Mark Hamilton	Fire Chief/EMC

The updated plan had several new participating jurisdictions from the original mitigation plan adopted in 2009. As stated earlier, participating jurisdictions increased from 11 to 22. In order to help participating jurisdictions meet the planning update requirements, Dallas County HSEM proposed that each participating jurisdiction form a Hazard Mitigation Planning Team (HMPT) that would coordinate the hazard mitigation update planning process at the jurisdictional level. The HMPT actively participated in developing the plan in the following way:

- ✓ Reviewed and analyzed each section of the 2009 plan

- ✓ Determined changes that were to be documented and the process the team took to make these decisions
- ✓ Assessed and identified specific hazards within the respective jurisdictions
- ✓ Identified goals and mitigation action items to the specific hazards identified within each respective jurisdiction
- ✓ Conducted a capabilities assessment for their jurisdiction
- ✓ Provided opportunity for public participation within their jurisdiction
- ✓ Reviewed and provided input to the drafts developed in the HazMAP

Each jurisdiction then appointed a representative to the Dallas County Hazard Mitigation Planning Working Group. The purpose of the Working Group was to facilitate a collaborative planning process for all participating jurisdictions. The Working Group performed the following tasks in updating the plan:

- ✓ Established plan development, goals, and objectives
- ✓ Established a time line for completion of the plan
- ✓ Ensured that the plan meets the requirements of the Disaster Mitigation Act of 2000
- ✓ Solicited and encouraged the participation of the public in the plan development process
- ✓ Assisted in the gathering information for inclusion in the plan
- ✓ Organized and coordinated the public involvement process
- ✓ Gathered all pertinent information to be included in the plan
- ✓ Assisted in completing a draft plan for review

Kickoff meetings were held on March 11, 2013, April 30, 2013, and May 1, 2013. Other working meetings were held on May 29, 2013, June 7, 2013, and July 24, 2013. The purpose of these meetings was to provide overall guidance to the planning process, review the existing hazard mitigation planning materials, update risk assessment, and discuss mitigation strategies. This plan was developed as a county-wide hazard mitigation plan focusing on collaboration to implement mitigation strategies throughout the county, while maintaining accountability within each participating city to identify and track specific mitigation actions.

Public Participation

An important requirement of mitigation planning is public participation and stakeholder involvement. Input from individual citizens and the community as a whole provides the planning team with a greater understanding of local concerns and increases the likelihood of successfully implemented mitigation actions.

Public involvement in the development of the update was sought at separate periods in the planning process: (1) the beginning of the planning process, (2) the drafting stage and (3) between completion of the final draft and plan approval and adoption. Public input was sought using three methods: (1) open public meetings, (2) survey instruments and (3) making copies of draft Plan deliverables available for public review on the participating jurisdiction websites, public offices and public libraries.

In addition to the option to have open public meetings, Dallas County provided an opportunity for citizens and stakeholders to provide input and comment through the use of an online public hazard survey. This online survey was designed to obtain data and information from residents from all of Dallas County and the participating jurisdictions. The public were directed to the online survey through various public outreach methods that

included flyers, Facebook, Twitter, newspaper clippings, and public notices on websites and in public areas such as city hall and public libraries.

The survey was available in both English and Spanish and was open from April 2013 through October 2013. A total of 527 responses were submitted, which provided valuable input for the participating jurisdictions to further consider in developing the plan update. A summary of the survey findings is provided in Appendix A.

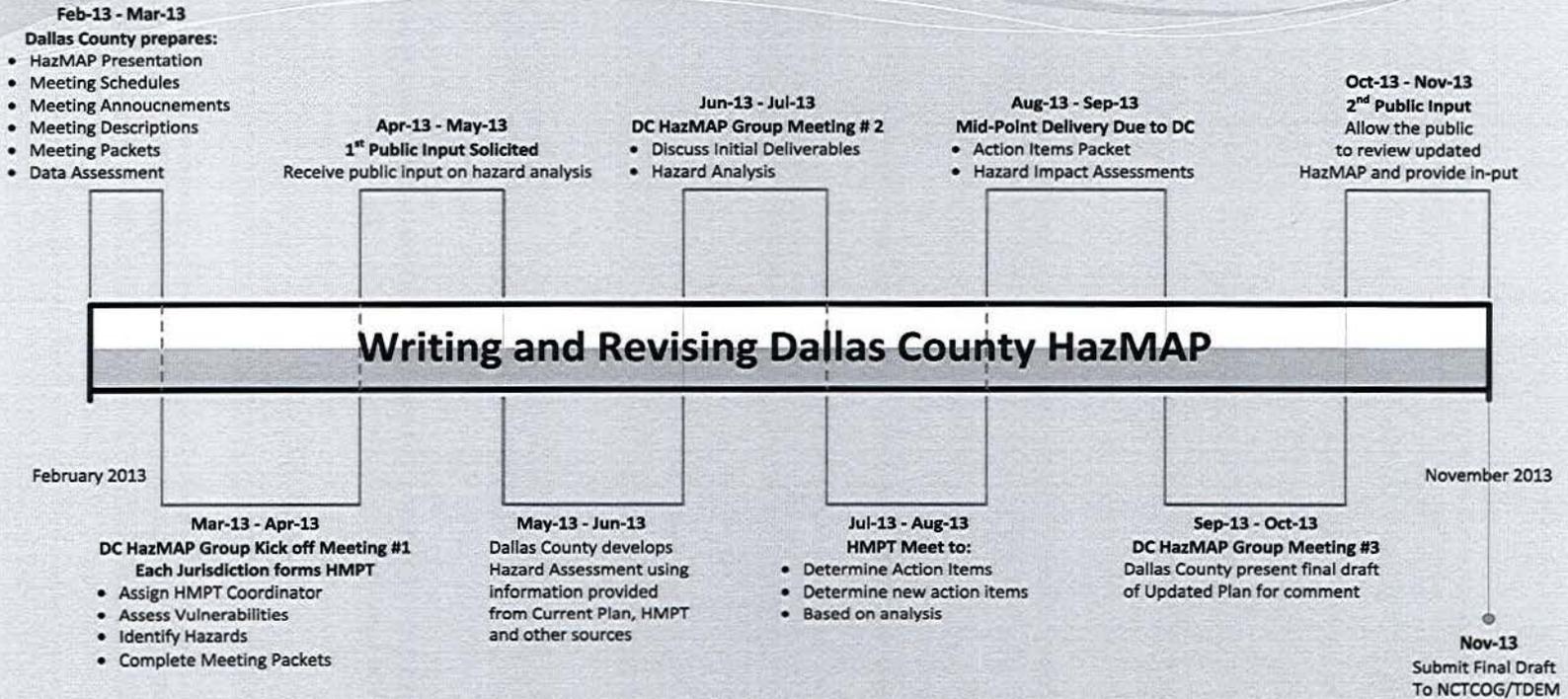
Meeting Summaries

Below is a list of meetings that the Dallas County HazMAP Working Group held and a summary of the purpose for each meeting.

Date	Discussion/Purpose of Meeting
March 11, 2013	<u>Web Conference Meeting</u> Introduction of the mitigation planning requirements to participating jurisdictions A detailed overview of the mitigation planning process was provided as well as the expectations of the participating jurisdictions
April 30, 2013	<u>Kickoff Meeting - Southern Jurisdictions - Dallas County HazMAP Working Group</u> A detailed overview the planning process and planning requirements was discussed. Planning resources were provided to assist in mitigation planning, these included data sources and reference materials and websites, data collections templates, and the proposed timeline for submitting the data collection templates (deliverable). The proposed timeline schedule also included the activities that were to be covered at each of the meetings
May 1, 2013	<u>Kickoff Meeting - Northern Jurisdictions - Dallas County HazMAP Working Group</u> A detailed overview the planning process and planning requirements was discussed. Planning resources were provided to assist in mitigation planning, these included data sources and reference materials and websites, data collections templates, and the proposed timeline for submitting the data collection templates (deliverable). The proposed timeline schedule also included the activities that were to be covered at each of the meetings
July 24, 2013	<u>2nd Meeting of the Dallas County HazMAP Working Group</u> Analyzed completed Hazard Identification Risk Assessment (HIRA) Matrix sheets; Reviewed the information provided in the public survey; Conducted a County wide hazard analysis and vulnerability assessment. Developed mitigation goals for Dallas County Provided additional resources to assist the HMPTs to conduct capabilities assessments, develop mitigation action items using the resources from FEMA
October 2 2013	<u>Web Conference Meeting</u> Reviewed jurisdictional deliverables including the completed HIRA Matrices, specific hazard analysis and vulnerabilities for each jurisdiction Provided guidance for public input and comment
February 3, 2014	<u>Web Conference Meeting</u> Reviewed action items Reviewed public input information on the hazards identified

Date	Discussion/Purpose of Meeting
	Conducted analysis of the public data received Determined and updated action items identified based on the review and analysis conducted

Proposed Project Schedule - Dallas County Hazard Mitigation Action Plan (HazMAP) Update



Pre-Disaster Mitigation (PDM) Grant - PDMC-PL-06-TX-2012-032
 2008 Dallas County Hazard Mitigation Action Plan (HazMAP)
 Update Timeline

Appendix DC A-1: Hazard Identification and Risk Assessment (HIRA) Matrix

Scale	
Low/UNLIKELY EVENT PROBABLE NEXT 10 YEARS	1
AVERAGE/OCCASIONAL EVENT POSSIBLE NEXT 5 YEARS	2
MEDIUM/MODERATE/LIKELY EVENT POSSIBLE NEXT 3 YEARS	3
HIGH/HIGHLY LIKELY EVENT POSSIBLE NEXT YEAR	4



Scale	
Low	1
MEDIUM/MODERATE	2
HIGH	3
CATASTROPHIC	4

Hazard Identification and Risk Assessment (HIRA)

Date: _____

Hazard	Probability	Frequency	Severity	Risk Factor	People	Property	Environment	Potential Damage	Total Vulnerability
	(P/F)*S=RF				People + Property + Environment = Potential Damage (PD)			RF/PD=V	
Severe Storms:									
High Winds									
Hail									
Lightning									
Winter Storms									
Tornado									
Flooding									
Pandemic/Public Health Emergency									
Extreme Temperatures/Heat									
Hazardous Materials Incidents Nuclear /Radiological									
Wildfire									
Utility Failure									
Energy/Fuel Shortage									
Terrorist Attack									
Urban Fire									
Earthquake									
Levee/Dam Failure									
Drought									
Aircraft Accident									
Stream Bank Erosion									
Chemical/Biological/ Nuclear/Radiological/ Explosive Attack (CBRNE)									
Civil Disorder									

Instructions of How to Use the HIRA – Taken From Dallas County EMP - 2009

A. Situation

Dallas County is exposed to many hazards, all of which have the potential for disrupting the community, causing casualties, and damaging or destroying public or private property. A summary of the major hazards that Dallas County may face is provided in Figure 1. These major hazards are identified as natural, man-made, and technological hazards. Figure 1: Hazard Summary identifies the probability, frequency, severity, risk factor, potential damage, and total vulnerability to people (Citizens of Dallas County), property, and the environment. In Figure 2, identifies the probability, frequency, severity, risk factor, potential damage, and total vulnerability to Dallas County employees, facilities, and business processes that will also be used during Continuity of Operations/Continuity of Government planning. Additional hazard information is provided in our Dallas County Hazard Identification and Risk Assessment (HIRA), which is published separately.

Hazard Identification and Risk Assessment

Profiling Hazards

This section of the plan will provide an overview of the specific natural, technological, and man-made hazards that can affect Dallas County, including information on historical occurrences and the probability of future occurrences. The following table contains the Hazard and Risk Assessment for Dallas County. To determine the hazards that pose the greatest threat, a Hazard Identification and Risk Assessment was completed to determine impact to people, property, environment, Dallas County employees, Dallas County facilities, and Dallas County Business Processes. In the assessment, numerical values were assigned for the following factors:

1.) Frequency of Occurrence:

Event probable next 10 years	1
Event possible next 5 years	2
Event possible next 3 years	3
Event possible next (1) year	4

2.) Probability:

Low/Unlikely	1	Less than 1% annual probability
Average/Occasional	2	Between 1 and 10% annual probability
Medium/Moderate/ Likely	3	Between 10 and 100% annual probability
High/Highly Likely	4	100% annual probability

3.) Severity:

Low	1	Very few injuries, if at all none
Medium/Moderate	2	Minor Injuries
High	3	Multiple deaths/injuries
Catastrophic	4	High number of deaths/injuries

The risk factor was calculated by dividing the Frequency by the Probability times the severity to determine the risk factor $(P/F)*S=RF$.

4.) Impact to People, Property, Environment, Dallas County Employees, Dallas County Facilities, and Dallas County Business Processes:

Low	1	<ul style="list-style-type: none"> • Minor illness or injury to employees resulting in one day's absence • Does not violate laws • Little or minimal environmental damage
Medium/Moderate	2	<ul style="list-style-type: none"> • Injury or illness of resulting in one or more work days lost • Mitigable environmental damage where restoration activities can be done
High	3	<ul style="list-style-type: none"> • Results in partial permanent disability, injuries or illness of 3 employees or more • Reversible environmental damage • Violation of law/regulation
Catastrophic	4	<ul style="list-style-type: none"> • Results in partial permanent disability, injuries or illness of 3 employees or more • Reversible environmental damage • Violation of law/regulation

5.) Potential Damage: The potential damage was calculated by adding the numerical value given to people, property, and the environment (Dallas County Employees, Dallas County Facilities, and Dallas County Businesses Processes) will equal the potential damage. $(\text{People} + \text{Property} + \text{Environment} = \text{Potential Damage (PD)})$ or $(\text{Dallas County Employees} + \text{Dallas County Facilities} + \text{Dallas County Business Processes} = \text{Potential Damage (PD)})$

6.) Total Vulnerability: The total vulnerability is calculated by dividing the potential damage by the risk factor to get the percentage of vulnerability for people, property, and the environment. $\text{Risk Factor (RF)} / \text{Potential Damage (PD)} = \text{Vulnerability (V)}$. The total vulnerability was ranked from the highest percentage to the lowest percentage.

7.) The descriptors in the **Priority Risk Index (PRI)** is used in this plan with the purpose of categorizing potential hazards for Dallas County and categorize and define each of the levels and values. It is to be used in collaboration with the HIRA Matrix

PRI Category	Degree of Risk		
	Level	Criteria	Index Value
	Unlikely/Low	Event Probable next 10 yrs.	1
Probability	Possible/Average/Occasional	Event possible in next 5 yrs.	2
	Likely/Moderate	Event possible in next 3 yrs.	3
	Highly Likely/High	Event possible next year	4
	Low	Very few injuries, if at all none	1
Life Impact	Medium/Moderate	Minor Injuries	2
	Critical	Multiple deaths/injuries	3
	Catastrophic	High number of deaths/injuries	4
	Low	Only minor property damage and minimal disruption of life. Temporary shutdown of critical facilities.	1
Property Impact	Medium/Moderate	More than 10% of property in affected area damaged/destroyed. Complete shutdown of critical facilities for more than one day.	2
	Critical	More than 25% of property in affected area damaged/destroyed. Complete shutdown of critical facilities for more than one week.	3
	Catastrophic	More than 50% of property in affected area damaged/destroyed. Complete shutdown of critical facilities for 30 days or more.	4
	Negligible	Less than 1% of area affected	1
Spatial Extent	Small	Between 1 and 10% of area affected	2
	Moderate	Between 10 and 50% of area affected	3
	Large	Between 50 and 100% of area affected	4

Section 5: Hazard Identification and Risk Assessment

The identification of the hazards is based on the hazards listed in the Dallas County Local Mitigation Strategy (DaLMS) Plan that was adopted in January 2009. Each jurisdiction through its Hazard Mitigation Planning Team (HMPT) reviewed the risk assessment process conducted in the previous plan as well as the Dallas County Hazard Identification and Risk Assessment (HIRA) matrix. These were the primary guides in assisting the Working Team in developing the Dallas County Risk Assessment. Other references used in creating the risk assessment included the *FEMA Local Mitigation Planning Handbook (March 2013)* and the *FEMA State and Local Mitigation Planning How-to-Guide*.

While several hazards impact Dallas County and its jurisdictions, they were not all evaluated the same way. This is due to the differences in data collected, risk assessment methodologies, and spatial extent of the hazards. Each jurisdiction was also given a HIRA form as depicted above, which allowed them to reflect unique and varied risks as pertains to it. Participating jurisdictions ranked hazards in terms of the probability or frequency of occurrence and the extent or magnitude of impact. The assessments were also used to set priorities for mitigation based on potential dollar losses and loss of lives.

The hazard identification criteria include event occurrence, future development patterns and/or proximity to hazard. Only historic events from 04/01/2007 through August 2013 have been included in this updated plan for hazards that are considered to affect the planning area equally. The original plan lists historic hazard events from 01/01/1950 through 03/31/2007. The following is a summary of natural hazards identified.

1. **Flooding:** The accumulation of water within a water body, which results in the overflow of excess water onto adjacent lands, usually floodplains. The floodplain is the land adjoining the channel of a river, stream, ocean, lake, or other watercourse or water body that is susceptible to flooding. Most floods fall into the following three categories: riverine flooding, coastal flooding, or shallow flooding.
2. **Hail:** Due to the rapidly changing climate in Texas, large scale hailstorms are especially prevalent. Hailstorm incidents have been reported throughout the North Texas region, including Dallas County, therefore establishing that all parts of the region are equally vulnerable to hailstorms.
3. **High Winds:** High winds are often responsible for most of the wind damage associated with a thunderstorm. These winds are often confused with Tornadoes because of similar damage and wind speeds. However, the strong and gusty winds associated with straight-line winds blow roughly in a straight line unlike the rotating winds of a tornado. Downbursts or microbursts are examples of damaging straight-line winds. A downburst is a small area of rapidly descending rain and rain-cooled air beneath a thunderstorm that produces a violent, localized downdraft covering 2.5 miles or less.
4. **Lightning:** Thunderstorm and lightning events are generated by atmospheric imbalance and turbulence due to the combination of the following conditions: unstable warm air rising rapidly into the atmosphere; sufficient moisture to form clouds and rain; and upward lift of air currents caused by colliding cold and warm weather fronts, sea breezes or mountains. Lightning is generated by the buildup of charged ions in a thundercloud, and the discharge of a lightning bolt interacts with the best conducting object or surface on the ground.

5. **Tornado:** Dallas County lies within the region that is referred to as Tornado Alley. Tornado Alley is the term used to describe the region of the U.S. where the strongest Tornadoes occur most frequent. A tornado is a violently rotating column of air, in contact with the ground, either pendant from a cumuliform cloud or underneath a cumuliform cloud, and often (but not always) visible as a condensation funnel cloud.
6. **Winter Storm:** Winter storms in Texas, although not as numerous as in our neighbor states to the north, do occur often enough and with enough severity to be a threat to people and property. The types which Texans are most familiar with are snowstorms, blizzards, cold waves, and ice storms. Generally, the winter storm season in Texas runs from late November to mid-March, although severe winter weather has occurred as early as October and as late as May in some locations. Texas is disrupted more severely by severe winter storms than are regions that experience severe weather more frequently. The Texas Panhandle and North Central Texas around Dallas and Texarkana are most vulnerable to severe winter storms.
7. **Drought:** Drought is defined as the consequence of a natural reduction in the amount of precipitation expected over an extended period of time, usually a season or more in length. It is often referred to as a condition of climatic dryness that is severe enough to reduce soil moisture and water supplies below the requirements necessary to sustain normal plant, animal, and human life. Given the expanse of the land mass within Texas and the geographic location of two-thirds of the counties of the State are located either in an arid or semi-arid climate, roughly those west of a North-South line formed by Interstate Highway 35, are almost always in varying stages of drought.
8. **Extreme Heat:** Extreme Heat is defined as a combination of very high temperatures and exceptionally humid conditions. When persisting over a period of time, it is called a heat wave. All of Texas is vulnerable to extreme heat, but most particular in West Texas. In addition, large metropolitan areas, such as Dallas/Fort Worth and Houston may experience extreme heat since they have an abundance of concrete. This effect is known as urban heat islands and can be dangerous to those without air conditioners.
9. **Dam and Levee Failure:** A dam failure is defined as a systematic failure of the dam structure resulting in the uncontrolled release of water, often resulting in floods that could exceed the 100-year flood plain boundaries. A dam failure could create mass fatalities, mass structural damage and/or a cascading potential if a populated area is located below the dam structure.
10. **Wildfire:** An uncontrolled fire burning in an area of vegetative fuels such as grasslands, brush, or woodlands. Heavier fuels with high continuity, steep slopes, high temperatures, low humidity, low rainfall, and high winds all work to increase the risk for people and property located within wildfire hazard areas or along the urban/wildland interface. Wildfires are part of the natural management of forest ecosystems, but most are caused by human factors.
11. **Earthquake:** Almost all of the earthquakes in Texas have been caused by one of two sources. The major source is relief of tectonic stress along fault lines. These are most common in the Rio Grande rift belt, the Panhandle, the Ouachita Belt, and the Coastal Plain. It has been suggested that the small earthquakes that occur in the region, such as the ones that have occurred in Dallas County, may be attributed to well injections associated with oil and gas field operations and occur in areas near large oil and gas fields.

These 11 natural hazards have been addressed in the Risk Assessment according to the following categories:

1. **Definition and types:** Description of natural hazard and different types, if applicable.
2. **Location and extent:** Areas with in Dallas County and participating jurisdictions where natural hazards have occurred and may occur in the future, including their severity.
3. **Occurrence:** Historical record of past natural hazard events were noted in the original plan. These historical events were provided by the National Climatic and Data Center for Dallas County, Texas between 01/01/1950 and 03/31/2007. This plan only includes hazard occurrences between 04/01/2007 and 08/30/2013.
4. **Vulnerability:** Areas subject to potential disaster from natural hazards.
5. **Probability of recurrence:** Potential for natural hazard to occur in the future, based on High, Medium, and Low, where High = Probable and likely in the near future (within 5 years); Medium = Possible in the near future (5 to 15 years); Low = Not likely to occur (longer than 15 years).

Other hazards identified in the State of Texas Mitigation Plan that are mentioned in this plan update but not discussed in detail in the risk assessment include:

1. **Hurricane/Tropical Storm:** Hurricanes and tropical storms are classified as cyclones and are developed by counter-clockwise circulation of winds around a low-pressure center in the Northern Hemisphere. Latent heat from condensation of warm water is the key energy source for these storms.
2. **Expansive Soils:** Soils and soft rock that tend to swell or shrink due to changes in moisture content are known as expansive soils. Expansive soils are often referred to as swelling clays because clay materials are most susceptible to swelling and shrinking.
3. **Coastal Erosion:** Coastal erosion is the wearing away of land and the resulting loss of beach, shoreline or dune material along a coastline.
4. **Land Subsidence:** According to the State of Texas Mitigation Plan, land subsidence is defined as the loss of surface elevation due to the removal of subsurface support. It can range from broad, regional lowering of the land surface, to localized collapses. Land subsidence extent is measured by the number of feet of land loss, or sinks.

These natural hazards are not addressed in detail due to their no to minimal level of risk within the NCTCOG region including Dallas County.

Section 6: Mitigation Strategies

The mitigation strategy development for the plan update involved reviewing mitigation goals included in the 2009 HazMAP, providing analyses for past actions, and developing new mitigation actions.

Based on the discussions and recommendations of Dallas County Hazard Mitigation Action Plan Working Group members, the goals and objectives developed were derived from the 2009 HazMAP that was already in place. This was because most of the goals and objectives were broad enough to accommodate the strategies for mitigating the hazards identified in both the Hazard Identification and Risk Assessment (HIRA) and the Capabilities Assessment conducted by each participating jurisdiction.

An inclusive process was used to develop and prioritize new mitigation actions for this plan update. These included:

- ✓ Review of the mitigation goals and objectives from the 2009 HazMAP.
- ✓ A "menu" of optional mitigation actions was developed based on action items from the 2009 HazMAP, local and state mitigation plans, as well as federal publications such as the FEMA's Mitigation Ideas: A Resource for Reducing Risk to Natural

Hazards, January 2013 and the *Local Mitigation Planning Handbook*, March 2013. The participants reviewed the optional mitigation actions and narrowed the list down to those that were most applicable to their area of responsibility, most cost effective in reducing risk, could be implemented easily, and would be likely to receive institutional and community support.

- ✓ Potential Federal and State funding sources to assist implementing proposed actions were inventoried.
- ✓ Planning team members considered benefits that would result from the mitigation actions versus the cost of those projects. Detailed cost-benefit analyses were beyond the scope of this plan. However, economic evaluation was one factor that helped team members select one mitigation action from competing actions.

The following goals and objectives were identified:

Goal 1: Reduce or eliminate loss of life and property damage resulting from severe weather events.

- ✓ **Objective 1-A:** Update, enhance, and enforce building codes and ordinances to ensure structures are more disaster resistant
- ✓ **Objective 1-B:** Maintain existing codes and ordinances that require front end mitigation of hazards
- ✓ **Objective 1-C:** Limit development in flood plain areas

Goal 2: Identify and implement hazard mitigation projects to reduce the impact of hazard events and disaster.

- ✓ **Objective 2-A:** Identify areas where repetitive damages occur during chronic hazard events
- ✓ **Objective 2-B:** Buy-out repetitive loss properties
- ✓ **Objective 2-C:** Incorporate disaster resistant features in government facilities and infrastructure
- ✓ **Objective 2-D:** Expand and coordinate Early Warning Systems currently in use

Goal 3: Increase public support and understanding of hazard mitigation and disasters.

- ✓ **Objective 3-A:** Provide public education materials to residents and private sector
- ✓ **Objective 3-B:** Encourage private sector participation in future mitigation efforts
- ✓ **Objective 3-C:** Encourage public participation in future mitigation efforts
- ✓ **Objective 3-D:** Heighten public awareness for natural and man-made hazards

Goal 4: Reduce losses and repetitive damages for chronic hazard events while promoting insurance coverage for catastrophic hazards.

- ✓ **Objective 4-A:** Increase participation in the National Flood Insurance Program (NFIP) and Community Rating System (CRS)

Goal 5: Continue to build capacity for hazard mitigation in Dallas County.

- ✓ **Objective 5-A:** Continue partnerships within the region to enhance mitigation planning efforts
- ✓ **Objective 5-B:** Identify federal and state programs that provide financial assistance to help attract funds for mitigation projects and programs
- ✓ **Objective 5-C:** Promote land use for public recreation

Section 7: Action Items

Jurisdictions that participated in the 2009 HazMAP reviewed the previous actions and determined whether the actions had been completed, should be deferred as an ongoing activity, or should be deleted from the plan. Any actions that are marked as "deferred" or ongoing have been carried over and included in the updated plan.

For the jurisdictions that were joining in the updated plan, each was given the opportunity to review the action items identified and were asked to determine which action item they could include as part of their jurisdictional plan.

It was recommended that jurisdictions use the STAPLE+E criteria recommended by FEMA for determining the priority of action items identified. The STAPLE+E criteria recommends that jurisdictions look at the Social, Technical, Administrative, Political, Legal, Economic, Environmental factors necessary for implementing an action item. However, each participating jurisdiction was free to use any methodology that was best suited to their needs in determining the priority of action items to include in this plan. New action items were placed in the respective jurisdictions annex section of the update plan.

Action items selected were developed along local capabilities and resources. These included:

- ✓ Local Planning and Regulations
- ✓ Structure and Infrastructure Projects
- ✓ Public Education and Awareness Programs
- ✓ Technical and Administrative
- ✓ Financial

Section 8: Plan Maintenance

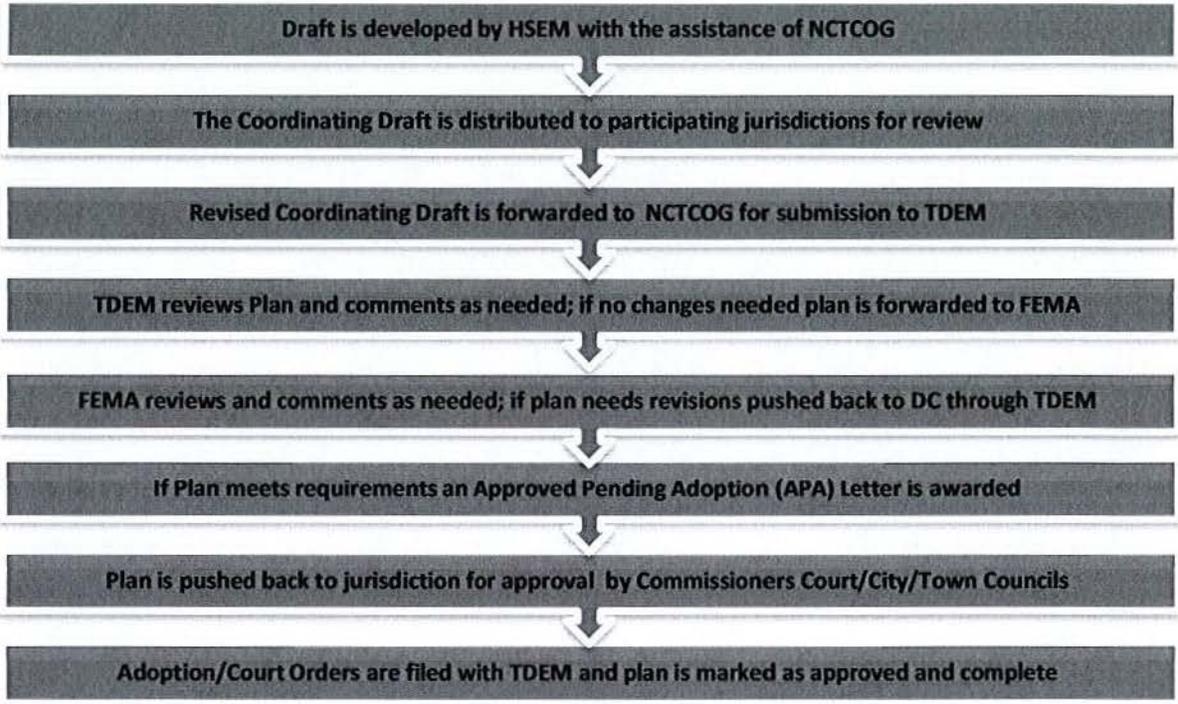
Dallas County HSEM and each participating jurisdiction through the Dallas County Hazard Mitigation Action Plan (HazMAP) Working Group will be responsible for ensuring that this plan is monitored on an ongoing basis. Dallas County HSEM will be available to assist participating jurisdictions in facilitating reviews of the mitigation actions set forth in this plan and discuss progress. Each jurisdiction will be responsible for developing a list of items to be updated in future revisions of this plan. The following are the activities that will be involved in the plan maintenance procedures:

- ✓ Monitoring and evaluating the plan
- ✓ Updating the plan
- ✓ Incorporating the plan into other planning mechanisms
- ✓ Continued public involvement

Section 9: Jurisdictional Annexes

In the jurisdictional annexes we have a discussion on each of the 22 participating jurisdictions' planning and regulatory, administrative and technical, financial capacity, and educational and outreach capabilities, to carry out hazard mitigation activities. These capabilities were evaluated and attention was given to state, regional or local plans, regulations and development requirements. These included, but were not limited to, local plans, zoning laws, sub-division and site-specific regulations, building codes, flood insurance programs, natural resources and conservation statutes. This section was previously included in Chapter 2 of the original plan and developed into a standalone section of this updated plan to provide a better content flow.

Next in the Approval and Adoption Process



Agenda Item 3C

Approval of a Resolution awarding a bid for the purchase of a 2016 Ford F450 Work Truck for a total cost of fifty six thousand five hundred twenty six dollars (\$56,526.00); authorizing the City Manager to execute any and all necessary documents; and providing an effective date.

BACKGROUND OF ISSUE:

City Council authorized \$60,000.00 for the purchase of a new work truck in the 2015-16 Water Sewer Fund Budget. Staff obtained a competitive bid of \$56,526.00 via BuyBoard, which is a Texas Local Government Purchasing Cooperative. BuyBoard satisfies all applicable bidding statutes and policies. Staff seeks Council approval to formalize the purchase of this vehicle. The approved vendor for this purchase is Rush Truck Center in Irving, Texas.

FINANCIAL IMPACT:

City Council authorized \$60,000.00 in the 2015-16 Water Sewer Fund Budget for the purchase of a new work truck. Staff obtained a BuyBoard bid for \$56,526.00, which is a savings of \$3,474.00 under the budgeted amount.

A RESOLUTION OF THE CITY OF SEAGOVILLE, TEXAS

RESOLUTION NO. 02-R-16

A RESOLUTION AWARDED A BID FOR THE PURCHASE OF A 2016 FORD F450 TRUCK FOR A TOTAL COST OF FIFTY SIX THOUSAND FIVE HUNDRED TWENTY SIX DOLLARS (\$56,526.00); AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council, in the FY 2015/2016 Water/Sewer budget authorized the purchase of a vehicle; and

WHEREAS, through the BuyBoard, this item has been bid in accordance with all applicable bidding statutes and policies; and

WHEREAS, the City Council has determined that Rush Truck Center is the lowest and most responsive bidder.

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

SECTION 1. That the City Council hereby authorizes the City Manager to purchase a 2016 Ford F450 truck totaling \$56,526.00 with the BuyBoard quote attached and incorporated herein as Exhibit "A".

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

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

SECTION 4. This resolution shall take effect immediately from and after its passage, and it is accordingly so resolved.

DULY ORDERED by the City Council of the City of Seagoville, Texas, this 4th day of January, 2016.

APPROVED:

MAYOR

ATTEST:

CITY SECRETARY

**TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE
BUYBOARD**

Vendor	<i>RUSH TRUCK CENTER</i>	Date Prepared	<i>9/24/2015</i>
Contact for Vendor:	<i>DREW NEUBAUER</i>	Phone	<i>830-626-5254</i>
End User:	<i>City of Seagoville</i>		
End User Contact:	<i>Steve Miller</i>	Phone/Fax	<i>(972) 287-6808</i>
Product Description:	<i>Ford F-450</i>		

A: Base Price in Bid/Proposal Number: 430-13		Series: 450		\$26,515.00	
B: Published Options(Itemize Below)					
	DESCRIPTION	AMOUNT	OPT #	DESCRIPTION	AMOUNT
Ford	F4G	\$ 750.00	Ford	Sync/Daytime Running Lights/XL Value Package	\$ 935.00
Ford	6.7L Power Stroke Diesel	\$ 8,130.00	RTC-0051	Rush Care Package	\$ 1,236.00
Ford	6-Spd Auto	\$ 190.00	RTC-1059	Lot Insurance	\$ 362.00
Ford	4.30 Limited Slip Axle	\$ 360.00	RTC-1060	Dealership Floor Plan Interest	\$ 350.00
Ford	Engine Block Heater/Spare Tire and Wheel	\$ 425.00	RTC-0020	Service Body	\$ 25,358.00
Ford	Trailer Brake Controller/ High Capacity Trailer Tow Package	\$ 620.00	RTC-0053	Body Prep Package	\$ 2,438.00
Ford	Steering Wheel Controls/PTO	\$ 350.00	RTC-0046	Lite Bar	\$ 1,725.00
Subtotal Column 1: \$ 10,825.00		Subtotal Column 2: \$ 32,404.00			
Published Options added to Base Price(Subtotal of "Col 1" & "Col 2")				\$ 43,229.00	

C: Subtotal of A + B		\$69,744.00
D: Non Published Options		
RKI Service Body with Option	-\$13,218.00	
Subtotal Column 1:	-\$13,218.00	Subtotal Column 2: \$ -

Unpublished Options added to Base price (Subtotal "Col 1 + Col 2") **-\$13,218.00**

E: Contract Price Adjustment (If any, explain here)

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F: Total of C + D +/- E **\$ 56,526.00**

G: Quantity ordered Units: 1.00 x F **\$ 56,526.00**

H: BUYBOARD Administrative Fee %

I: Non-Equipment Charges & Credits (i.e.: Ext. Warranty, Trade-In, Delivery, etc.)

				\$ -

J: TOTAL PURCHASE PRICE INCLUDING (G+H+I) **\$56,526.00**

Agenda Item 4

Discuss and consider an Ordinance 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 (PD-13-01) to Planned Development - 13-01 Amended 1 (PD-13-01-A1) for the property located at 1706 South U.S. Highway 175, Seagoville, Kaufman County, Texas, and being more particularly described as Lots 1, 2 and 3 Block A, of the Sudduth Addition of being legally described in Exhibit "A", attached hereto and incorporated herein; providing for amended development regulations; providing for a repealing clause; providing for a severability clause; providing for a savings clause; providing for a penalty clause; providing for a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and providing an effective date.

BACKGROUND OF ISSUE:

Following the public hearing conducted at the December 14th regular meeting, staff was directed to prepare an Ordinance amending the existing Planned Development 13-01.

The attached Ordinance amends the Planned Development as discussed.

FINANCIAL IMPACT:

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. 01-16

AN ORDINANCE OF THE CITY OF SEAGOVILLE, KAUFMAN COUNTY, 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 (PD-13-01) TO PLANNED DEVELOPMENT-13-01-AMENDED 1 (PD-13-01-A1) FOR THE PROPERTY LOCATED AT 1706 SOUTH U.S. HIGHWAY 175, SEAGOVILLE, KAUFMAN COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS LOTS 1, 2 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, 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-A1 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) to Planned Development-13-01-Amended 1 (PD-13-01-A1), for the property located at 1706 South U. S. Highway 175, Seagoville, Kaufman County, Texas and

being more particularly described as Lots 1, 2 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, except as amended herein, and the following regulations:

1. The following use and regulations shall be applicable to 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) 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 applicable to Lots 2 and 3, Block A of the Sudduth Addition:
 - (a) For the purposes of this ordinance, the following definitions shall apply:
 - (1) *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.
 - (2) *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.
 - (3) *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).

- (4) *Special events* shall mean any carnivals, carnival games, rodeos, concerts and/or similar activities not associated with a flea market as defined herein; a live musical performance during market days shall not be included in the definition of concert or special event.
- (b) 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 in C.2.(f) below.*
- (c) The enclosed pavilions and/or rental spaces currently constructed on said lots 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.
 - (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 shall be set in concrete and shall be able to withstand winds up to ninety (90 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) 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.
- (f) 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.
- (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) 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) Prohibited Uses - In no event shall the following uses be permitted on Lot 2, 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.

- (j) 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 be as provided herein.
 - (3) R-panel fencing shall be permitted behind the buildings.
- (k) 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.
- (l) 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.
- (m) 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.
- (n) Soccer or Athletic Field. Construction of a soccer 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.
- (o) Beer Garden. A beer garden, defined as a non-profit private club as permitted by the Texas Alcoholic Beverage Commission ("TABC"), may be maintained on market days between the hours of 10:00 a.m. to 6:00 p.m. on Saturday and 12:00 p.m. and 6:00 p.m. on Sunday and on special events between the hours of 12:00 p.m. and 11:00 p.m., subject to the following:
 - (1) As used herein, beer garden shall mean a temporary dispensing of beer, as defined by State law, which is enclosed and/or segregated from surrounding uses in conjunction with the market or special event days as defined herein, but may not operated for more than three (3) consecutive calendar days.
 - (2) Must comply with any and all Texas Alcoholic Beverage Commission rules, permits and regulations to operate, as well as

any and all City of Seagoville permits, codes, and ordinances regulating food and food establishments.

- (3) A copy of the licensed issued by the TABC shall be filed with the City Manager or designee.
 - (4) A six foot (6') fence chain-link fence shall wholly enclose the perimeter of the area designated as the beer garden.
 - (5) There must be a licensed police officer on the premises to provide security.
 - (6) There shall be a single point of entry and single point of exit for the beer garden.
 - (7) Shall only be permitted on Lot 2 and shall not be extended to Lot 3.
- (p) 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.
 - (q) The harboring of live animals on non-market days is strictly prohibited.
 - (r) In no event shall any structure or construction of any nature, excluding the permitted soccer field, be permitted within the area designated as flood plain.

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 4th day of January, 2016.

APPROVED:

DENNIS K. CHILDRESS, MAYOR

ATTEST:

DARA CRABTREE, CITY SECRETARY

APPROVED AS TO FORM:

ROBERT E. HAGER, CITY ATTORNEY
(cdb)

EXHIBIT "A"
(Legal Property Description)

**STATEWIDE SURVEYING SERVICES
REGISTERED PROFESSIONAL LAND SURVEYORS**

**GREG JERVEN, R. P. L. S.
208 N. WASHINGTON**

KAUFMAN, TEXAS 75142

METRO PHONE/FAX: (972) 962-6481

**FIELD NOTES FOR JAMES SUDDUTH
ANDREW NAIL SURVEY, ABSTRACT NO. 355
D. WILKERSON SURVEY, ABSTRACT NO. 566
KAUFMAN COUNTY, TEXAS**

All that certain lot, tract or parcel of land, part of the Andrew Nail Survey, Abstract No. 355 and the D. Wilkerson Survey, Abstract No. 566, Kaufman County, Texas, part of that certain Tract No. 1, called 104.301 acres and all of that certain Tract No. 2, called 10.000 acres conveyed to James Sudduth and Norma Sudduth by Carl E. Markstrom and Norma A. Markstrom on March 12, 2003, recorded in Vol. 2164 page 361 of the Deed Records of Kaufman County, Texas and being more completely described as follows, to-wit:

COMMENCING at a 3/8" Iron rod found at the Southerly West corner of the above mentioned 104.301 acre tract, at the South corner of the Burl Swafford 65 acre tract, recorded in Vol. 1318 page 853 of the Deed Records of Kaufman County, Texas and being in the Southwest line of the above mentioned Andrew Nail Survey.

THENCE N 31 deg. 45 min. 00 sec. E, with the Southeast line of said 65 acre tract, a distance of 730.75 ft. to a 3/8" Iron rod set at the POINT OF BEGINNING.

THENCE N 31 deg. 45 min. 00 sec. E, continuing with the Southeast line of said 65 acre tract, a distance of 1487.67 ft. to a 3/8" Iron rod found at the East corner of same.

THENCE N 41 deg. 22 min. 01 sec. W, with the Northeast line of said 65 acre tract, a distance of 909.57 ft. to a point at the intersection of same with the west bank of the East Fork of the Trinity River, from which a 3/8" Iron rod set for reference bears S 41 deg. 22 min. 01 sec. E-2990 ft.

THENCE, along the west bank of the East Fork of the Trinity River as follows; S 64 deg. 29 min. 54 sec. E-29.48 ft., S 44 deg. 19 min. 24 sec. E-100.02 ft., S 60 deg. 21 min. 49 sec. E-114.14 ft., S 71 deg. 12 min. 30 sec. E-128.16 ft., S 77 deg. 03 min. 27 sec. E-209.85 ft., S 83 deg. 49 min. 43 sec. E-256.46 ft., N 69 deg. 49 min. 39 sec. E-104.19 ft., N 40 deg. 37 min. 22 sec. E-195.38 ft., N 30 deg. 29 min. 26 sec. E-202.02 ft., N 30 deg. 30 min. 02 sec. E-54.86 ft., S 45 deg. 50 min. 35 sec. E-52.21 ft., S 44 deg. 10 min. 54 sec. E-198.86 ft., S 28 deg. 57 min. 49 sec. E-106.36 ft., S 56 deg. 33 min. 44 sec. E-229.19 ft., N 75 deg. 37 min. 43 sec. E-146.50 ft., N 44 deg. 56 min. 19 sec. E-167.93 ft., N 22 deg. 59 min. 53 sec. E-130.35 ft., N 49 deg. 57 min. 19 sec. E-94.66 ft., S 74 deg. 32 min. 51 sec. E-179.31 ft., S 62 deg. 07 min. 52 sec. E-106.51 ft., S 43 deg. 31 min. 52 sec. E-72.55 ft., S 40 deg. 17 min. 15 sec. E-131.33 ft., S 18 deg. 43 min. 09 sec. W-123.06 ft., S 48 deg. 51 min. 45 sec. W-92.12 ft., S 57 deg. 05 min. 34 sec. W-106.69 ft., S 57 deg. 40 min. 08 sec. W-136.09 ft., S 46 deg. 22 min. 10 sec. W-134.71 ft., S 9 deg. 24 min. 08 sec. W-77.89 ft., S 30 deg. 40 min. 45 sec. E-98.54 ft., S 55 deg. 49 min. 36 sec. E-142.32 ft., S 68 deg. 54 min. 39 sec. E-89.67 ft., N 89 deg. 23 min. 06 sec. E-215.63 ft., N 63 deg. 29 min. 45 sec. E-130.79 ft., N

52 deg. 08 min. 08 sec. E-54.48 ft., N 46 deg. 20 min. 55 sec. E-53.99 ft. and N 62 deg. 13 min. 17 sec. E-80.57 ft. to a point at the Northerly East corner of the above mentioned 104.301 acre tract and being in the Southeast line of the above mentioned Andrew Nail Survey.

THENCE S 42 deg. 49 min. 43 sec. W, with the Northerly Southeast line of said 14.301 acre tract and with the Southeast line of said Andrew Nail Survey, a distance of 1549.90 ft. to a 3/8" Iron rod found at an ell corner of said 104.301 acre tract.

THENCE S 42 deg. 23 min. 34 sec. E, a distance of 274.28 ft. to a 5/8" Iron rod found at an ell corner of said 104.301 acre tract.

THENCE S 43 deg. 49 min. 09 sec. W, passing the East corner of the above mentioned 10.000 acre tract, continuing a total distance of 1399.92 ft. to a 3/8" Iron rod found at the South corner of same and being in the North Right of Way line of U. S. Highway No. 175.

THENCE N 78 deg. 01 min. 09 sec. W, with the North Right of Way line of U. S. Highway No. 175, a distance of 1169.95 ft. to a 3/8" Iron rod set for corner.

THENCE N 18 deg. 30 min. 27 sec. E, a distance of 179.33 ft. to a 3/8" Iron rod set for corner.

THENCE N 31 deg. 45 min. 00 sec. E, a distance of 666.87 ft. to a 3/8" Iron rod set for corner.

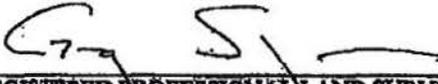
THENCE N 71 deg. 29 min. 33 sec. W, a distance of 275.50 ft. to the POINT OF BEGINNING, containing 109.301 acres of land.

I, Greg Sjerven, Registered Professional Land Surveyor No. 5244, do hereby certify that the above field notes and companion plat were prepared from an actual survey made by me on the ground during the month of April, 2012.

This survey was performed for the benefit of James Sudduth. Use of these field notes by any other person or for any other purpose is prohibited and the undersigned is not responsible for any loss resulting therefrom.

GIVEN UNDER MY HAND AND SEAL this the 30th day of April, 2012.

NOTE: FIELD NOTES VOID IF NOT SIGNED IN BLUE


 REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5244

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 Statewide Surveying Service
 sudd1.wp2

EXHIBIT "B"
(Concept Plan)

Agenda Item 5

Discuss and consider a Resolution ordering a Special Election to be held on May 7, 2016 to consider proposed amendments to the Seagoville Home Rule Charter; providing for election judge; providing for early voting; providing for the canvass of votes; and providing an effective date.

BACKGROUND OF ISSUE:

As a friendly reminder, the City Council appointed the Charter Review Commission at the July 6th meeting with the task of reviewing the Home Rule Charter. At the November 16th meeting the Charter Review Commission's proposed recommendations were presented and accepted by the City Council.

The attached Resolution orders a Special Election for the City of Seagoville registered voters to consider the proposed amendments to the Charter.

At this time, the City Council may add additional amendments, remove or amend any of the proposed amendments in the Resolution, if they should so desire.

Please note the statutory period for ordering a General Election is January 25th through February 9th. An item will be on the February 4th agenda for the Council to order the General Election for the election of Place 1, Place 3 and Place 5.

FINANCIAL IMPACT:

The cost of the special election as well as the general election will depend upon the number of entities that participate in the May 7, 2016 Joint Election with Dallas County.

A RESOLUTION OF THE CITY OF SEAGOVILLE, TEXAS

RESOLUTION NO. 03-R-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS, ORDERING A SPECIAL ELECTION TO BE HELD ON MAY 7, 2016 TO CONSIDER PROPOSED AMENDMENTS TO THE SEAGOVILLE HOME RULE CITY CHARTER; PROVIDING FOR ELECTION JUDGE; PROVIDING FOR EARLY VOTING; PROVIDING FOR THE CANVASS OF VOTES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City desires to call a Special Election to amend the Home Rule Charter to be held in conjunction with the General Election on May 7, 2016, in accordance with the joint election agreement with Dallas County; and

WHEREAS, on the 4th day of January, 2016, at a meeting of the City Council of the City of Seagoville, Texas, quorum being present, the City Council ordered that a Special Election, for the purpose of submitting to the voters the propositions to amend the Home Rule Charter on May 7, 2016;

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

Section 1. That the City Council hereby orders that a special election be held on May 7, 2016, from 7:00 a.m. to 7:00 p.m. for the purpose of submitting to the voters proposals to amend its Home Rule Charter by the following propositions:

“PROPOSITION NO. 1

**FOR ()
AGAINST ()**

Whether or not to adopt an amendment Section 2.06, “Street Improvements and Assessments” of the Home Rule Charter of the City of Seagoville to provide that all street improvement projects be reviewed by a licensed civil engineer?

PROPOSITION NO. 2

**FOR ()
AGAINST ()**

Whether or not to adopt an amendment to Section 2.17, "Contracts" of the Home Rule Charter of the City of Seagoville to provide that solid waste removal and public utilities contracts may not exceed five (5) years in duration?

PROPOSITION NO. 3

FOR ()
AGAINST ()

Whether or not to adopt an amendment of Sections 3.01 “Mayor and City Council Members” and 3.08 “Limitations of Authority” of the Home Rule Charter of the City of Seagoville that a current, former or retired City employee be ineligible to be elected to office of Mayor or the City Council within one (1) year of their separation?

PROPOSITION NO. 4

FOR ()
AGAINST ()

Whether or not to adopt an amendment to Section 3.01 “Vacancies, Forfeiture & Filling of Vacancies” to the Home Rule Charter of the City of Seagoville to provide term limits for the City Council, excluding the Mayor, to three (3) consecutive full terms?

PROPOSITION NO. 5

FOR ()
AGAINST ()

Whether or not to adopt an amendment to Section 3.06 “Vacancies, Forfeiture & Filling of Vacancies” of the Home Rule Charter of the City of Seagoville to provide that all vacancies of either the City Council or Mayor be filled only by a Special Election except within ninety (90) days of end of term of the vacant office?

PROPOSITION NO. 6

FOR ()
AGAINST ()

Whether or not to adopt an amendment to Section 3.07 “Duties and Powers of the City Council” of the Home Rule Charter of the City of Seagoville to provide any member of the City Council may request an item be placed on a duly convened regular meeting agenda?

PROPOSITION NO. 7

FOR ()
AGAINST ()

Whether or not to adopt an amendment to Section 3.07 “Duties and Powers of the City Council” of the Home Rule Charter of the City of Seagoville to provide for an annual and/or mid-year review of the City Manager, City Secretary, City Attorney and Municipal Court Judge?

PROPOSITION NO. 8

FOR ()
AGAINST ()

Whether or not to adopt an amendment to Section 3.09 "Boards and Commissions" of the Home Rule Charter to provide for the following qualifications:

1. Be a qualified voter within the City at the time of appointment.
2. Not be in arrears on City taxes, utility service charges, or other obligations owed to the City.
3. Have not been convicted of a felony or class A misdemeanor.
4. Not be adverse party to pending litigation against the City.

PROPOSITION NO. 9

FOR ()
AGAINST ()

Whether or not to adopt an amendment to Section 3.10 "Meetings of the City Council" of the Home Rule Charter to provide for a Notice of Special Meeting on the City's website and City Hall entrances?

PROPOSITION NO. 10

FOR ()
AGAINST ()

Whether or not to adopt an amendment to Section 3.12 "Conflict of Interest" of the Home Rule Charter to provide for the City Secretary to verify with the City Attorney the existence of any conflict of interest and file the required forms with the City Secretary?

PROPOSITION NO. 11

FOR ()
AGAINST ()

Whether or not to adopt an amendment to Section 3.13 "Rules of Procedure" of the Home Rule Charter to provide for the City Council to adopt the latest version of "Robert's Rules of Order" as a procedural guide for City Council meetings?

PROPOSITION NO. 12

FOR ()
AGAINST ()

Whether or not to adopt an amendment to Section 3.19 "Boards and Commissions" of the Home Rule Charter to provide for qualifications for Board and Commission members and for the City Council by an affirmative vote of four (4) council members to waive the requirement that a person may serve on more than one (1) board of commission?

PROPOSITION NO. 13

FOR ()
AGAINST ()

Whether or not to adopt an amendment to Section 4.03 "Qualifications of City Manager" of the Home Rule Charter to require a candidate for City Manager to have a background check?

PROPOSITION NO. 14

FOR ()
AGAINST ()

Whether or not to adopt an amendment to Section 4.04 "Powers and Duties of City Manager" of the Home Rule Charter to require the City Council to hire an independent forensic audit firm to conduct an investigation into allegation(s) of misappropriations of municipal funds by a municipal employee?

PROPOSITION NO. 15

FOR ()
AGAINST ()

Whether or not to adopt an amendment to Section 4.04 "Powers and Duties of City Manager" of the Home Rule Charter to require the City Manager to attend relevant State and Regional meetings on behalf of the City; and, to network with State organizations and Cities for and on behalf of the City?

PROPOSITION NO. 16

FOR ()
AGAINST ()

Whether or not to adopt an amendment to Section 6.02 "Payment of Taxes" of the Home Rule Charter to permit acceptance of alternate methods of payment by credit, debit or clearing house cards for taxes?

PROPOSITION NO. 17

FOR ()
AGAINST ()

Whether or not to adopt an amendment to Section 7.03 "Petitions for Recall" of the Home Rule Charter to reduce the percentage of persons to sign a petition for recall of the Mayor or Council member from forty percent (40%) to thirty percent (30%)?

PROPOSITION NO. 18

FOR ()
AGAINST ()

Whether or not to adopt an amendment to Section 7.14 "Initiative and Referendum" of the Home Rule Charter to require any affidavit or petition to be provided to the City Secretary within three (3) business days instead of three (3) calendar days?"

PROPOSITION NO. 19

FOR () Whether or not to adopt an amendment to Section 9.03
AGAINST () "Nepotism" of the Home Rule Charter that would prohibit the City from hiring any person who is related to another City employee by the third (3rd) degree of affinity (marriage) or consanguinity (blood)?"

PROPOSITION NO. 20

FOR () Whether or not to adopt an amendment to Section 9.05
AGAINST () "Amendments and Charter Review" of the Home Rule Charter which would require the Mayor and each City Council member to appoint two (2) members to a Charter Review Commission?"

Section 2. That the special election shall be held as a Joint Election administered by the Dallas County Elections Administrator in accordance with the provisions of the TEXAS ELECTION CODE and a Joint Election Agreement.

Section 3. That a Presiding Election Judge and an Alternate Presiding Election Judge shall be appointed in accordance with the Joint Election Agreement.

Section 4. That early voting by personal appearance shall be conducted at Seagoville City Hall, 702 North Highway 175, Seagoville, Texas 75159. Early voting will be conducted on weekdays beginning Monday, April 25, 2016 through Friday, April 29, 2016, 8:00 a.m. - 5:00 p.m.; Saturday, April 30, 2016, 8:00 a.m. - 5:00 p.m.; Sunday, May 1, 2016, 1:00 p.m. - 6:00 p.m.; and Monday, May 2, 2016 and Tuesday, May 3, 2016, 7:00 a.m. - 7:00 p.m. Qualified residents of Seagoville may vote early for the Joint Election by personal appearance at either the Seagoville City Hall or at any other branch locations, as published by Dallas County. Applications can be submitted by Mail, Carrier Delivery, Fax or Email. Application for a ballot by mail shall be mailed:

Toni Pippins-Poole, Early Voting Clerk
Dallas County Elections Department
Health & Human Services Building
2377 N. Stemmons Freeway, Suite 820
Dallas, Texas 75207

Email: evapplications@dallascounty.org

Fax: 214-819-6303

Application for ballot by mail must be received no later than the close of business on April 26, 2016.

Section 5. That the City Secretary shall present such returns to the City Council for the canvassing of said election. Such canvass shall be conducted by the City Council not earlier than the 3rd day nor later than the 13th day after the election.

Section 6. That this Resolution shall take effect immediately from and after its adoption and it is so resolved.

DULY ORDERED, PASSED and APPROVED on the 4th day of January, 2016.

DENNIS K. CHILDRESS, MAYOR

ATTEST:

DARA CRABTREE, CITY SECRETARY

APPROVED AS TO FORM:

ROBERT E. HAGER, CITY ATTORNEY
(REH/ag/TM 74562/12-8-15)

PROPOSED CHARTER AMENDMENT

CHARTER CURRENTLY READS:

SECTION 2.06 STREET IMPROVEMENTS AND ASSESSMENTS THEREFORE

The City shall have the right under the Texas Transport Code, together with all amendments thereof, adopted and this Charter, to authorize the City Council to provide for the payment and costs of improvements to highway and streets, and provide for the proper assessment of any such improvement in accordance with law.

SECTION 2.17(a) CONTRACTS

The City may enter into a contract which may bind the City to pay for personal or professional services to be rendered for the performance of a specific act or for a specific period of time for a period of time not to exceed two (2) years.

SECTION 3.01(b) MAYOR AND CITY COUNCILMEMBERS

Eligibility: Only qualified voters of the City and residing within the respective district as provided herein shall be eligible to hold the office of council for each district. Only qualified voters residing in the City herein, shall be eligible to hold the office of Mayor.

PROPOSED AMENDMENT:

The City shall have the right under the Texas Transport Code, together with all amendments thereof, adopted and this Charter, to authorize the City Council to provide for the payment and costs of improvements to highway and streets, and provide for the proper assessment of any such improvement in accordance with law and approved by a licensed civil engineer.

The City may enter into a contract which may bind the City to pay for personal or professional services to be rendered for the performance of a specific act or for a specific period of time for a period of time not to exceed two (2) years; however, the City may enter into a contract to provide solid waste or other public utilities for a period of time not to exceed five (5) years.

Eligibility: Only qualified voters of the City and residing within the respective district as provided herein shall be eligible to hold the office of council for each district. Only qualified voters residing in the City herein, shall be eligible to hold the office of Mayor. City employees, former City employees and retired City employees are not eligible to hold office until one (1) year from the date of separation from employment with the City of Seagoville.

SECTION 3.01(e) MAYOR AND CITY COUNCILMEMBERS

Term of Office: At the first election under this Charter, the Councilmembers from odd place being 1, 3 and 5 shall be elected for a two (2) year term. At the second election under this Charter, Councilmembers from even-numbered districts, being 2 and 4, and the Mayor shall be elected for a two (2) year term.

SECTION 3.06 VACANCIES, FOREITURE AND FILLING OF VACANCIES

In the event of a vacancy existing in the office of Mayor or City Council from any cause whatsoever, the remaining members of the City Council shall by a majority vote therefor at a regular meeting elect a member or members to fill the vacancy or vacancies thus existing, and such member or members so elected by the City Council shall serve in such position for the remainder of the unexpired term.

SECTION 3.07(b) DUTIES AND POWERS OF THE CITY COUNCIL

Any member of the City Council shall have the unabridged right to place an item on the agenda of a duly convened meeting of the Council; nothing contained in this Charter shall be construed to limit or circumscribe such right.

Term of Office: At the first election under this Charter, the Councilmembers from odd place being 1, 3 and 5 shall be elected for a two (2) year term. At the second election under this Charter, Councilmembers from even-numbered districts, being 2 and 4, and the Mayor shall be elected for a two (2) year term. Terms shall be limited to three (3) cumulative consecutive full terms in any position on the City Council excluding the Mayor. (Correction)

In the event of a vacancy existing in the office of Mayor or City Council from any cause whatsoever, a special election will be called to fill the vacancy unless it is within ninety (90) days of the end of the term.

Any member of the City Council shall have the unabridged right to place an item on the agenda and request it be placed on a duly convened regular meeting date; nothing contained in this Charter shall be construed to limit or circumscribe such right.

SECTION 3.07(c) DUTIES AND POWERS OF THE CITY COUNCIL

During each calendar year, the City Council shall undertake at least one (1) annual review of the performance of the City Manager. The City Council may from time to time conduct such additional reviews as it deems appropriate. The City Manager shall be responsible for implementing annual performance reviews for all other employees of the City, except the City Secretary and other Council appointed positions.

SECTION 3.08(a) LIMITATIONS OF AUTHORITY

Except where authorized by law or by this Charter, no Mayor or Councilmember shall hold any other City office or City employment during his or her term as Mayor or Councilmember. No former Mayor or Councilmember shall hold any compensated appointive office or City employment until one (1) year after the expiration of the term for which they were elected or appointed to the City Council.

SECTION 3.10(b) MEETINGS OF THE CITY COUNCIL

Special Meetings: Special meetings of the City Council shall be held at the call of the Mayor or a majority of the Councilmembers upon provision of public notice in accordance with State law.

During each calendar year, the City Council shall undertake at least one (1) annual review and one (1) mid-year review of the performance of the City Manager, City Secretary, Municipal Court Judge(s) and the City Attorney. The City Council may from time to time conduct such additional reviews as it deems appropriate. The City Manager shall be responsible for implementing annual performance reviews for all other employees of the City, except the City Secretary and other Council appointed positions.

Except where authorized by law or by this Charter, no Mayor or Councilmember shall hold any other City office or City employment during his or her term as Mayor or Councilmember. No former Mayor or Councilmember shall hold any compensated appointive office or City employment until one (1) year after the expiration of the term for which they were elected or appointed to the City Council. City employees, former City employees and retired City employees are not eligible to hold office until one (1) year from date of separation from employment with the City of Seagoville.

Special Meetings: Special meetings of the City Council shall be held at the call of the Mayor or a majority of the Councilmembers upon provision of public notice on the City's website, city hall entrance and in accordance with State law.

SECTION 3.12(a) CONFLICT OF INTEREST

Should any person on the City Council have a conflict of interest, pursuant to any State laws and/or City ordinances regulating conflicts of interest of municipal officers, with an agenda item then before the City Council, he or she shall openly declare same before discussions proceeds, and he or she is thereby prohibited from discussing the item or voting on the question, and it is not considered present and voting for the purposes of the tally, and must file appropriate conflict of interest statement with the City Secretary.

SECTION 3.13 RULES OF PROCEDURE

The City Council shall determine, every two (2) years its own rules of order and business and may adopt rules to compel attendance of its members. The City Council shall provide for minutes to be taken and recorded for all public meetings as required by law. Such minutes shall be a public record and shall be kept and maintained by the person performing the duties of the City Secretary.

Should any person on the City Council have a conflict of interest, pursuant to any State laws and/or City ordinances regulating conflicts of interest of municipal officers, with an agenda item then before the City Council, he or she shall openly declare same before discussions proceeds, and he or she is thereby prohibited from discussing the item or voting on the question, and it is not considered present and voting for the purposes of the tally. The City Secretary will verify with City Attorney if a conflict of interest exists with each Councilmember and provide proper form. The conflict of interest statement will be filed with the City Secretary.

The City Council shall determine, every two (2) years its own rules of order and business and may adopt rules to compel attendance of its members and shall adopt the latest edition of Robert's Rule of Order as a guide. The City Council shall provide for minutes to be taken and recorded for all public meetings as required by law. Such minutes shall be a public record and shall be kept and maintained by the person performing the duties of the City Secretary.

SECTION 3.19(b) BOARDS AND COMMISSIONS

The City Council may appoint persons to serve on one (1) or more boards, commissions or committees. Such appointees shall serve at the pleasure of the City Council and may be removed at the discretion of the City Council. Except as otherwise provided in this Charter, members of any such board, commission or committee shall serve without compensation but may be reimbursed for actual expenses as approved by the City Council.

SECTION 3.19(f) BOARDS AND COMMISSIONS

Currently not an (f).

SECTION 4.03 QUALIFICATIONS OF CITY MANAGER

The City Manager shall be chosen by the Council solely on the basis of his executive and administrative qualifications with special reference to his actual experience in, or his knowledge of, accepted practices with respect to the duties of his office as hereinafter outlined. No person elected membership on Council shall, subsequent to such election, be eligible for appointment as City Manager until one (1) year has elapsed following the expiration of the term for which he was elected.

The City Council may appoint persons to serve on one (1) board ~~or more~~, commission or committee; however, the City Council may waive the requirements by a four (4) of five (5) super majority vote. Such appointees shall serve at the pleasure of the City Council and may be removed at the discretion of the City Council. Except as otherwise provided in this Charter, members of any such board, commission or committee shall serve without compensation but may be reimbursed for actual expenses as approved by the City Council.

Qualifications for Board members.

1. Have been a resident of the State of Texas for one (1) year and a resident of Seagoville for six (6) months.
2. Be a qualified voter at the time of appointment.
3. Not be in arrears on City taxes, utility service charges, or other obligations owed to the City.
4. Have not been convicted of a felony.
5. Have not been convicted of a Class A misdemeanor.
6. Not be adversary party to pending litigation against the City.

The City Manager shall be chosen by the Council solely on the basis of his executive and administrative qualifications with special reference to his actual experience in, or his knowledge of, accepted practices with respect to the duties of his office as hereinafter outlined. After establishing a process and background check to insure he/she has education qualifications and experience necessary to administer the policies established by the City Council. No person elected membership on Council shall, subsequent to such election, be eligible for appointment as City Manager until one (1) year has elapsed following the expiration of the term for which he was elected.

**SECTION 4.04(a) POWERS AND DUTIES OF CITY
MANAGER**

The City Manager shall hold his office for an indefinite period and shall be suspended or removed at the will and pleasure of the City Council upon an affirmative vote of four (4) members of the full City Council. The action of the Council in suspending or removing the City Manager shall be final, since it is the intention of this section to vest all authority and fix all responsibility for such suspension or removal wholly in the City Council. In no event shall a City Manager be terminated within ninety (90) days after a general election, except for misconduct, malfeasance or misfeasance.

**SECTION 4.04(e) POWERS AND DUTIES OF CITY
MANAGER**

The City Manager shall attend all meetings of the Council, except where excused by the Council, and shall have the right take part in the discussions, but shall have no vote.

The City Manager shall hold his office for an indefinite period and shall be suspended or removed at the will and pleasure of the City Council upon an affirmative vote of four (4) Councilmembers of the full City Council. The action of the Council in suspending or removing the City Manager shall be final, since it is the intention of this section to vest all authority and fix all responsibility for such suspension or removal wholly in the City Council. In no event shall a City Manager be terminated within ninety (90) days after a general election, except for misconduct, malfeasance or misfeasance. In the event there is an allocation of material and significant misappropriation of municipal finances the Council may use an unbiased outside audit firm.

The City Manager shall attend all meetings of the Council, except where excused by the Council, and shall have the right take part in the discussions, but shall have no vote. He/she shall attend local, regional and state meetings relevant to City improvement and benefit. In addition, network with neighboring cities, communicate with state organizations and partner with cities of like size and interest for the benefit of the City.

SECTION 5.04(c)(4) CITY ATTORNEY

Currently not a number 4.

(4) During each calendar year, the City Council shall undertake one (1) annual performance evaluation of the City Attorney.

SECTION 6.02 PAYMENT OF TAXES

The taxes herein and hereby authorized to be levied shall become due and payable October first of the year assessed, and same shall be payable in cash at the office of the Assessor and Collector of Taxes or such other officer as the City may, by ordinance, prescribe.

The taxes herein and hereby authorized to be levied shall become due and payable October first of the year assessed, and same shall be payable ~~in cash~~ at the office of the Assessor and Collector of Taxes or such other officer as the City may, by ordinance, prescribe.

SECTION 7.03(3)(ii) PETITIONS FOR RECALL

Forty (40) percent of the person that actually voted in the municipal election of the Council district person sought to recall.

Thirty (30) percent of the person that actually voted in the municipal election of the Council district person sought to recall.

SECTION 7.14(2) INITIATIVE AND REFERENDUMS

Within three (3) days after receiving the affidavit for initiative or referendum, the City Secretary shall prepare and have available at City Hall for delivery to persons signing the Affidavit petition forms which shall be addressed to the City Council and bear the seal of the City Secretary. The petition form shall provide space for the printed names, addresses, dates of birth and signatures. The City Secretary may provide space for any other information or format helpful in certifying a person as a qualified voter, but the absence of said information shall not invalidate the petition. Person accepting delivery of the petition forms shall acknowledge delivery by signing a receipt bearing the date of delivery. Said receipt shall be retained by the City Secretary for office files. Petitioners must take delivery of the prepared petition forms within three (3) working days of notification that they are available.

Within three (3) ~~business~~ days after receiving the affidavit for initiative or referendum, the City Secretary shall prepare and have available at City Hall for delivery to persons signing the Affidavit petition forms which shall be addressed to the City Council and bear the seal of the City Secretary. The petition form shall provide space for the printed names, addresses, dates of birth and signatures. The City Secretary may provide space for any other information or format helpful in certifying a person as a qualified voter, but the absence of said information shall not invalidate the petition. Person accepting delivery of the petition forms shall acknowledge delivery by signing a receipt bearing the date of delivery. Said receipt shall be retained by the City Secretary for office files. Petitioners must take delivery of the prepared petition forms within three (3) ~~business~~ days of notification that they are available.

SECTION 9.03 NEPOTISM

No person related within the second degree by affinity or within the third degree consanguinity to the Mayor or any Councilmember or the City Manager shall be employed by or contracted with for the City. This shall not apply to the following:

- (1) Any person continuously employed or contracted six months prior to election or appointment of Mayor, Councilmember or City Manager, or
- (2) Any person who is a seasonal employee or intern of the City.

SECTION 9.05(b) AMENDMENTS TO CHARTER REVIEW

The City Council shall appoint a citizens Charter Review Commission not less than every six (6) years, with the Mayor and each Councilmember selecting members for appointment. Such commission shall review the Charter and make recommendation to the City Council as to any necessary amendments.

No person related within the second degree by affinity or within the third degree consanguinity to the Mayor or any Councilmember or the City Manager or Employee shall be employed by or contracted with for the City. This shall not apply to the following:

- (1) Any person continuously employed or contracted six months prior to election or appointment of Mayor, Councilmember or City Manager, or
- (2) Any person who is a seasonal employee or intern of the City.

The City Council shall appoint a citizens Charter Review Commission not less than every six (6) years, with the Mayor and each Councilmember selecting two (2) members for appointment. Such commission shall review the Charter and make recommendation to the City Council as to any necessary amendments.

Agenda Item 6

Discuss and consider an Ordinance repealing Ordinance No. 17-03 which provides for the adoption of the City of Seagoville Policy and Procedures Manual; authorizing the City Manager to establish administrative directives, policies and procedures necessary to ensure fair and equal employment practices concerning the terms and conditions and administration of the city; providing a severability clause; providing a repealing clause; and providing an effective date.

BACKGROUND OF ISSUE:

The City of Seagoville Policy and Procedures Manual was adopted by the City Council in 2003 and has not been updated since that time, with the exception of removing the Incentive Pay also in 2003. Since the date of its adoption federal and state laws have changed. Some of these things, such as FMLA, ADA and other similar federal and state laws are included in the current Manual as well as things that should have been addressed but are not, things that should not have been addressed but are and things that are very vague or just need clarification. Because it has been adopted by ordinance it requires to be brought back before the City Council to be amended by ordinance. As stated above, this has not been the case and it is way out of date.

After making contact with other cities, it appears that the task of establishing administrative directives, policies and procedures for employees to ensure fair and equal employment practices is normally the responsibility of the City Manager. A review of the Home Rule Charter places the administration of the City under the City Manager as well.

Based on the above stated, staff is requesting that the Ordinance adopting the Manual be repealed and that the City Manager be authorized to establish administrative directives, policies and procedures necessary to ensure fair and equal employment practices. Granting this authorization will allow the policy to be updated when the need arises and/or as laws change.

FINANCIAL IMPACT:

N/A

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. 02-16

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS, REPEALING ORDINANCE NO. 17-03 WHICH PROVIDES FOR THE ADOPTION OF THE CITY OF SEAGOVILLE POLICY AND PROCEDURES MANUAL; AUTHORIZING THE CITY MANAGER TO ESTABLISH ADMINISTRATIVE DIRECTIVES, POLICIES AND PROCEDURES NECESSARY TO ENSURE FAIR AND EQUAL EMPLOYMENT PRACTICES CONCERNING THE TERMS AND CONDITIONS AND ADMINISTRATION OF THE CITY; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Ordinance No. 17-03, passed on May 1, 2003, provides for the adoption by the City Council of the City of Seagoville Policy and Procedures Manual, also known as the Employee Handbook (referred to herein as "Manual"); and

WHEREAS, because said Manual has been adopted by Ordinance the same cannot be amended, updated or altered in anyway without first going before the City Council for approval of such amendment, update or altering of the entire Manual or any provisions contained therein; and,

WHEREAS, the current Manual is outdated and needs to be brought into compliance with state and federal laws, as amended, as well as updated in areas that may not have been addressed or appropriately addressed upon its adoption; and

WHEREAS, the City of Seagoville Home Rule Charter provides, in relevant part, that it shall be the duty of the City Manager to "supervise the administration of the affairs of the City" and "shall have the power to appoint and remove all officers and employees the City"; and

WHEREAS, the Home Rule Charter further provides, in relevant part, "the City Manager shall be responsible to the Council for the proper administration of all affairs of the City placed in his/her charge"; and

WHEREAS, based on the foregoing staff recommends the City Manager be authorized to establish, amend and alter administrative directives, policies and procedures which would be applicable to all employees to ensure fair and equal employment practices; and

WHEREAS, after discussion and consideration the City Council has determined that it is in the best interest of the City to repeal Ordinance No. 17-03; and, the City Council shall direct and authorize the City Manager to establish administrative directives, policies and procedures necessary to ensure fair and equal employment practices concerning the terms and conditions of employment and to further the orderly administration of the City.

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

SECTION 1. That Ordinance No 17-03, passed by the City Council on May 1, 2003, providing for the adoption of the City of Seagoville Policy and Procedures Manual, also known as the Employee Handbook, be and the same is hereby repealed in its entirety.

SECTION 2. That the City Manager is hereby directed and authorized to establish administrative directives, policies and procedures necessary to ensure fair and equal employment practices concerning the terms and conditions of employment and orderly administration of the City.

SECTION 3. That any and all personnel actions currently pending under the City of Seagoville Policy and Procedures Manual, also known as the Employee Handbook, dated 2003, shall remain in full force and effect for those pending matters.

SECTION 4. This Ordinance shall become effective from and after its date of passage in accordance with law.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS THIS 4th day of January, 2016.

Dennis K. Childress, Mayor

ATTEST:

Dara Crabtree, City Secretary

APPROVED AS TO FORM:

Robert E. Hager, City Attorney
(74844:cdb 12/29/2015)

Agenda Item 7

Discuss and consider accepting the resignation of Dennis K. Childress from the Seagoville Economic Development Corporation Board; and appointing a Councilmember to fill the unexpired term of Place 5 expiring in June 2017.

BACKGROUND OF ISSUE:

This item has been placed on the agenda at the request of Councilmember Fruin.

As a friendly reminder, Section 3.19(e) of the Charter provides for the City Council to appoint up to two (2) members of the City Council to serve on the Seagoville Economic Development Corporation board.

FINANCIAL IMPACT:

N/A

DENNIS K. CHILDRESS

1507 N. HIGHWAY 175 * SEAGOVILLE, TEXAS 75159
MOBIL # 214-632-3292 ** FAX * 972-287-0177

12-15-2015

SEDC Board Chair Dr. Don Cole
Seagoville Economic Development Corp.
105 N. Kaufman Street
Seagoville, Texas 75159

To: Honorable Chairman and Board Members,

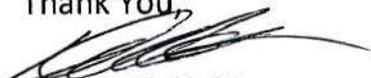
After much prayer and consideration, I must submit this letter of resignation. Effective immediately, I am resigning my position as a SEDC Board Member for personal reasons.

My experience serving the SEDC has been an honor and a privilege. I believe that I have worked with some of the best business professionals in our community.

I will return all items in my possession associated with the SEDC to the SEDC Office Manager. I understand completely that all confidential discussions are to remain confidential. You have my written statement that I will comply with all confidentiality statutes.

In compliance with SEDC By-Laws, Article 5, Section 3, I have sent this letter to the SEDC Office Manager for delivery to Board Chair, Dr. Cole. A copy has also been sent to, City Manager Pat Stallings and Dora Crabtree City Secretary.

Thank You,


Dennis K. Childress

RECEIVED BY
CITY OF SEAGOVILLE

DEC 15 2015

CITY SECRETARY'S OFFICE

Agenda Item 8

Discuss and consider adding "in God we trust" on all City vehicles.

BACKGROUND OF ISSUE:

On December 14, 2015, City Council discussed and considered the display of "in God we trust" on City vehicles. Council directed staff to come up with the type of material, the design, location to be displayed on City vehicles, size of the decals and cost. Council also directed to staff that no tax payer funds were to be used to purchase the decals and that funds used to make the purchase must come from a private citizen campaign. In Council's motion the verbiage "if approved in the future" was made during the motion, thus requiring staff to bring this item back to Council for discussion and action on this item.

On Tuesday, December 15, 2015, staff was informed that Mr. James Sudduth, Mr. Larry Campbell and Mr. Brandon Baker have agreed to pay for the purchase of the decals for all City vehicles.

Staff has obtained an estimate from Main Street Signs and Graphics located at 1111 W. Abram, Arlington, Texas in the amount of \$350.00. This vendor is on Buyboard. See attached quote for details.

If approved by Council, the Police Department will display the "in God we trust" design in gold reflective material on the rear bumper area of their vehicles. The Tahoe's will require installation on the back lift gate under the door handle. The Fire Department will display "in God we trust" in black reflective material on the sides of their apparatus. The Fire Department Tahoe will display the design in black reflective on the back lift gate, and the sedan will display the design in black reflective on the bumper. Public Works will display the design in blue on the rear tailgate of their vehicles.

The proposed script is Lucida Handwriting 2 inch by 13.5 inch.

Example: *"in God we trust"*

FINANCIAL IMPACT:

There is no financial impact to the City.



Main Street Signs & Graphics

1111 W. Abram
Arlington, TX 76013
Ph: (817) 548-4360
FAX: (817) 548-4390
Email: arivera@mainstreetsignsandgraphics.com
Web: www.mainstreetsignsandgraphics.com

Estimate #: 3295

Created Date: 12/28/2015 2:37:25PM	Prepared For: Seagoville PD
Salesperson: Angel Rivera	Contact: Ray Calverley
Email: arivera@mainstreetsignsandgraphics.com	Office Phone: (972) 287-2999
Office Phone: (817) 548-4360	Office Fax: (817) 287-2917
Office Fax: (817) 548-4390	Email:
Entered by: Angel Rivera	Address: 600 N. Hwy 175 Seagoville, TX 75159

Description: IN GOD WE TRUST DECALS

		Quantity	Unit Price	Subtotal
1	Product: RTA Cut Vinyl (Ready To Apply) Description: Ready to Apply Cut Vinyl - IN GOD WE TRUST DECALS * (11) GOLD * (8) BLACK - FD • 19- 2 in x 13.5 in • Vinyl Colors are Reflective , • Text: IN GOD WE TRUST	19	\$12.00	\$228.00
2	Product: RTA Cut Vinyl (Ready To Apply) Description: Ready to Apply Cut Vinyl - IN GOD WE TRUST DECALS * (10) BLUE * (1) WHITE • 11- 2 in x 13.5 in • Vinyl Colors are High Performance , • Text: IN GOD WE TRUST	11	\$10.25	\$112.75
3	Product: Shipping Description: Shipping - FLAT COMMERCIAL • 1 Package(s) to be shipped on 1/4/2016 via UPS - Ground	1	\$10.00	\$10.00

Subtotal: \$350.75
Total: \$350.75

Client Reply Request

- Estimate Accepted "As Is". Please proceed with Order.
 Changes required, please contact me.

Other: _____
SIGN: _____ Date: / /

Print Date: 12/29/2015 8:54:46AM

SYSTEM\Estimate_Estimate01

BuyBoard Vendor Contract #430-13 (Under Main Street Installers)

Agenda Item 9

Receive Councilmember Reports.

BACKGROUND OF ISSUE:

Items of community interest regarding which no action will be taken, as authorized by Section 551.0415 of the Government Code.

FINANCIAL IMPACT:

N/A

Agenda Item 10

Receive Citizen Comments.

BACKGROUND OF ISSUE:

Citizens may speak 6 minutes each on any matter, other than personnel matters, or matters under litigation.

FINANCIAL IMPACT:

N/A

Agenda Item 11

Receive Future Agenda Items.

BACKGROUND OF ISSUE:

If a Councilmember should wish for an item to be placed on a future agenda it may be requested at this time. Please keep in mind, there **CANNOT** be a discussion amongst the City Council regarding this item because it is not listed on the posted agenda.

FINANCIAL IMPACT:

N/A

Agenda Item 12 and 13

ITEM 12.

Recess into Executive Session in compliance with Texas Government Code Section 551.074, Personnel, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, to wit: City Attorney.

ITEM 13.

Discuss any item and/or take any action necessary as a result of the Executive Session.

Agenda Item 14

Adjourn.

BACKGROUND OF ISSUE:

At this time, the Mayor may adjourn the meeting if there is no further business to conduct.

FINANCIAL IMPACT:

N/A