



**SEAGOVILLE CITY COUNCIL  
MEETING AGENDA  
MONDAY, JUNE 20, 2016**

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

**AGENDA**

1. Staff updates
  - a. Discuss Regional Meeting protocol.
2. Discussion of agenda item(s)
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 an Ordinance amending the Home Rule Charter of the City of Seagoville, Texas, as authorized by a Special Election held on May 7, 2016; providing to amend Article II, "Powers of City", Section 2.06 'Street Improvements and Assessments Therefore', to provide that all street improvement projects be reviewed by a licensed civil engineer; providing to amend Article II, "Powers of City", Section 2.17 'Contracts', to provide that solid waste removal and public utilities contracts may not exceed five (5) years in duration; providing to amend Article III, "The City Council", Section 3.01 'Mayor and City Council Members' and Section 3.08 'Limitations of Authority', to provide 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; providing to amend Article III, "The City Council", Section 3.01 'Mayor and City Council Members', to provide term limits for the City Council, excluding the Mayor, to three (3) consecutive full terms; providing to amend Article III, "The City Council", Section 3.07 'Duties and Powers of the City Council', to provide that any member of the City Council may request an item be placed on a duly convened regular meeting agenda; providing to amend Article III, "The City Council", Section 3.07 'Duties and Powers of the City Council' to provide for an annual and/or mid-year review of the City Manager, City Secretary, City Attorney and Municipal Court Judge; providing to amend Article III, "The City Council", Section 3.19 'Boards and Commissions', to provide a list of qualifications; providing to amend Article III, "The City Council", Section 3.10 'Meeting of the City Council', to provide for a notice of Special Meeting on the City's website and City Hall entrances; providing to amend Article III, "The City Council", Section 3.12 'Conflict of Interest', to provide will verify with the City Attorney the existence of any Conflict of Interest and file the required forms with the City Secretary; providing to amend Article III, "The City Council", Section 3.13 'Rules of Procedure', 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; providing to amend Article III, "The City Council", Section 3.19 'Boards and Commissions', to provide 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 or Commission; providing to amend Article IV, "City Manager", Section 4.03 'Qualifications of City Manager', to provide to require a candidate for City Manager to have a background check; providing to amend Article IV, "City Manager", Section 4.04 'Powers and Duties of City Manager' to provide 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; providing to amend Article IV, "City Manager", Section 4.04 'Powers and Duties of City Manager', to provide 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; providing to amend Article VI, "Finance", Section 6.02 'Payment of Taxes', to provide to permit acceptance of alternate methods of payment by credit, debit or clearing house cards

## **AGENDA (cont'd)**

for taxes; providing to amend Article VII, "Recall", Section 7.02 'Petitions for Recall', to provide to reduce the percentage of persons to sign a petition for recall of the Mayor or Council Member from forty (40%) to thirty (30%) percent; providing to amend Article VII, "Recall", Section 7.14 'Initiative and Referendum', to provide to require an affidavit or petition to be provided to the City Secretary within three (3) business days instead of three (3) calendar days; providing to amend Article IX "General Provisions" section 9.03 'Nepotism', to provide to prohibit the City from hiring any person who is related to another City employee by the third (3<sup>rd</sup>) degree of Affinity (marriage) or Consanguinity (blood); providing to amend Article IX "General Provisions" Section 9.05 'Amendments and Charter Review', to provide to require the Mayor and each City Council Member to appoint two (2) members to a Charter Review Commission; providing a repealing clause; providing a severability clause; providing the City Secretary to certify and file with the Secretary of State; and providing an effective date.

- 3C.** Approval of a Resolution awarding a bid for the purchase of a Toro Mower through BuyBoard Purchasing Cooperative for a total cost of Seventy-Two Thousand One Hundred Twenty-Four Dollars and Forty-Five Cents (\$72,124.45); authorizing the City Manager to execute any and all necessary documents; and providing an effective date.

### **REPORTS/RECOMMENDATIONS/REQUESTS**

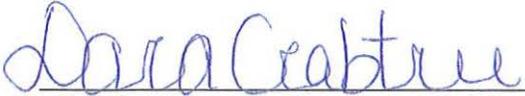
- 4.** Receive presentation from Community Development Director Ladis Barr regarding Community Development.
- 5.** Conduct interviews with Board and Commission applicants.
- 6.** Discuss and consider board and commission appointments to the Planning and Zoning Commission; Board of Adjustments; Park and Recreation Advisory Board; Animal Shelter Oversight Advisory Committee; Seagoville Economic Development Corporation; Library Advisory Board and Keep Seagoville Beautiful Commission.
- 7.** Discuss and consider an Ordinance amending Chapter 7, "Business Regulations", Article 7.04 "Peddlers, Solicitors, and Itinerant Vendors", Sections 7.04.001 through 7.04.004, to prohibit soliciting to occupants of vehicles stopped on a public roadway from the public right of way, and to prohibit soliciting at a private office building or commercial building or public building without permission of the person in charge of the building; providing a repealing clause; providing a severability clause; providing a savings clause; providing for a penalty of a fine not to exceed the sum of Five Hundred Dollars (\$500.00); and providing for an effective date.
- 8.** Receive Councilmember Reports – Items of community interest regarding which no action will be taken, as authorized by Section 551.0415 of the Government Code.
- 9.** Receive Citizen Comments – Citizens may speak 6 minutes each on any matter, other than personnel matters, or matters under litigation.

## AGENDA (cont'd)

10. Receive Future Agenda Items – Items to be placed on a future agenda which no action or discussion will be taken at this meeting.

11. Adjourn.

Posted Friday, June 17, 2016 by 5:00 P.M.

  
Dara Crabtree, City Secretary

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

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

### **DATES TO REMEMBER**

- Monday, July 4, 2016 city offices closed in observance of 4<sup>th</sup> of July.
- Monday, July 18, 2016 @ 7:00 p.m., City Council meeting.
- Monday, July 25, 2016 @ 6:30 p.m., City Council workshop.

## *Agenda Item 1C*

*Approval of minutes.*

### **BACKGROUND OF ISSUE:**

Approval of minutes for meetings held on June 6, 2016.

### **FINANCIAL IMPACT:**

N/A

**CITY COUNCIL  
WORK SESSION  
JUNE 6, 2016**

The City Council held a work session on Monday, June 6, 2016 at 6:30 p.m. with a quorum present, to wit:

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

The following staff members were also present: City Manager Pat Stallings, Water Utilities Director Phil DeChant, HR Director/Risk Manager Cindy Brown, Library Director Liz Gant, City Attorney Alexis Allen and City Secretary Dara Crabtree.

**ITEM 1. STAFF UPDATES.**

- a. Received presentation from STAR Transit regarding proposed Commuter Demand Response Route including: brief history of current service; proposed Seagoville Express fixed route; similar Express routes currently being offered in Mesquite and Balch Springs; proposed times and stops; the purchase of a bus was funded through North Central Texas Council of Governments grant, no capital cost to Seagoville; cost for program approximately \$64,000.00 with no change for FY 2017 from FY 2016 (50 hours of service each week); benefits to revised service; ride projections; promotional plan; signage and timeline. Question and Answers followed.

**ITEM 2. DISCUSSION OF AGENDA ITEMS.** No discussion.

The work session was adjourned at 7:07 p.m.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY SECRETARY

**CITY COUNCIL  
REGULAR MEETING  
JUNE 6, 2016**

The City Council held a regular meeting on Monday, June 6, 2016 at 7:24 p.m. with a quorum present, to wit:

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

Phil Greenawalt provided the invocation and Mayor Childress led the Pledge of Allegiance.

**MAYOR'S REPORT.** Mayor Childress reported the City is continuing to accept applications to serve on the various Boards and Commissions; City Hall will be a polling location for the runoff election being held on Saturday, June 18<sup>th</sup> for Dallas County Community College Place 2 and Place 4; and STAR Transit will be holding a public meeting at City Hall on Thursday, June 16<sup>th</sup> at 6:00 p.m. to receive citizen input on the new proposed Commuter Demand Response Route in Seagoville.

Mayor Childress presented eight (8) proclamations recognizing recent high school graduates for *Academic Scholarships*.

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

**CONSENT AGENDA.**

Councilmember Hernandez made a motion, seconded by Councilmember Magill, to approve Consent Agenda Items 1C and 2C. A vote was cast 5 in favor, 0 against.

**ITEM 1C.** Approve minutes for meetings held on May 16, 2016.

**ITEM 2C.** Approve Ordinance No. 19-16 approving a negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division regarding the Company's 2016 Rate Review Mechanism Filings; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the settlement tariffs to be just and reasonable and in the public interest; requiring the company to reimburse ACSC's reasonable ratemaking expenses; determining that this Ordinance was passed in

accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this Ordinance to the company and the ACSC's legal counsel.

**ITEM 3.** Following a discussion, Councilmember Hernandez made a motion, seconded by Councilmember Epps, to approve Resolution No. 37-R-16 authorizing a Memorandum of Agreement by and between the City of Seagoville and Gastonia-Scurry Special Utility District to engage in the planning process for the construction and installation of a water utility line and various improvements to both the City of Seagoville and the Gastonia-Scurry Water Systems for the purpose of purchasing, storing, and transporting potable water from Dallas Water Utilities through the City of Seagoville and to Gastonia-Scurry customers; authorizing the City Manager to execute **all necessary** documents; 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 4.** Received presentation from Community Development Director Ladis Barr regarding street projects.

**ITEM 5.** Mayor Childress nominated Councilmember **Fruin** as Mayor Pro Tem for 2016-2017 and Councilmember Epps **nominated** Councilmember Hernandez. Votes were cast. Councilmember Fruin received **0 votes**; Councilmember Hernandez received 5 votes. Councilmember Hernandez receiving the **majority of votes** was named Mayor Pro Tem for 2016-2017.

**ITEM 6.** Following a discussion, Mayor Pro Tem Hernandez made a motion, seconded by Councilmember Magill, directing Staff to prepare an Ordinance based on the draft ordinance presented regarding Chapter 21, Article 21.08, Fences to include the following amendments: posts must be **4X4 Pressure Treated** or Cedar; Scheduled 401 Posts for barbed wire and similar type fencing; and update the dates reflected. A vote was cast 4 for, 1 against (Howard).

**ITEM 7.** Following a discussion, Councilmember Epps made a motion, seconded by Councilmember Howard, directing staff to hold a Movie in the Park event in September this year. A vote was cast 5 for, 0 against.

**ITEM 8. COUNCILMEMBER REPORTS.** No reports.

**ITEM 9. CITIZEN COMMENTS.**

Jill Davis, 2256 Dunlow, Dallas, TX – commented on donation boxes; requested the City Council reconsider the ordinance passed banning and rewrite to provide restrictions that would allow; funds raised for charities using the boxes; and reduces items going to landfill.

Phil Greenawalt, Seagoville Chamber – commented on recent Mayfest event; thanked Staff for their help; thanked City Council for their cooperation and support; and provided upcoming events.

**ITEM 10. FUTURE AGENDA ITEMS.**

Councilmember Fruin – consider a panhandling ordinance.

**ITEM 11.** Recess into Executive Session at 8:31 p.m. in compliance with Texas Government Code Section 551.087, Deliberation regarding Economic Development Negotiations: to discuss and deliberate regarding commercial or financial information from a business prospect that seeks to locate, stay or expand in the City of Seagoville; and, to discuss or deliberate an offer, if any, with such business prospect.

Reconvened into open session at 8:39 p.m.

**ITEM 12.** Mayor Pro Tem Hernandez made a motion, seconded by Councilmember Howard, to approve First Amended Economic Development Agreement by and between City of Seagoville and Actuant Corporation. A vote was cast 5 for, 0 against.

**ITEM 13.** The meeting adjourned at 8:40 p.m.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY SECRETARY

## **Agenda Item 2C**

***Approval of an Ordinance amending the Home Rule Charter of the City of Seagoville, Texas, as authorized by a Special Election held on May 7, 2016; providing to amend Article II, "Powers of City", Section 2.06 'Street Improvements and Assessments Therefore', that all street improvement projects be reviewed by a licensed civil engineer; providing to amend in Section 2.17 'Contracts', to provide that solid waste removal and public utilities contracts may not exceed five (5) years in duration; providing to amend Article III, "The City Council", Section 3.01 'Mayor and City Council Members' and Section 3.08 'Limitations of Authority', 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; providing to amend Article III, "The City Council", Section 3.01 'Mayor and City Council Members', to provide term limits for the City Council, excluding the Mayor, to three (3) consecutive full terms; providing to amend Article III, "The City Council", Section 3.07 'Duties and Powers of the City Council', to provide that any member of the City Council may request an item be placed on a duly convened regular meeting agenda; providing to amend in Article III, "The City Council", Section 3.07 'Duties and Powers of the City Council' to provide for an annual and/or mid-year review of the City Manager, City Secretary, City Attorney and Municipal Court Judge; providing to amend Article III, "The City Council", Section 3.19 'Boards and Commissions', to provide a list of qualifications; providing to amend Article III, "The City Council", Section 3.10 'Meeting of the City Council', to provide for a notice of Special Meeting on the City's website and City Hall entrances; providing to amend Article III, "The City Council", Section 3.12 'Conflict of Interest', to verify with the City Attorney the existence of any Conflict of Interest and file the required forms with the City Secretary; providing to amend Article III, "The City Council", Section 3.13 'Rules of Procedure', 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; providing to amend Article III, "The City Council", Section 3.19 'Boards and Commissions', 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 or Commission; providing to amend Article IV, "City Manager", Section 4.03 'Qualifications of City Manager', to require a candidate for City Manager to have a background check; providing to amend Article IV, "City Manager", Section 4.04 'Powers and Duties of City Manager' 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; providing to amend Article IV, "City Manager", Section 4.04 'Powers and Duties of City Manager', 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; providing to amend Article VI, "Finance", Section 6.02 'Payment of Taxes', to permit acceptance of alternate methods of payment by credit, debit or clearing house cards for taxes; providing to amend Article VII, "Recall", Section 7.02 'Petitions for Recall', to reduce the percentage of persons to sign a petition for recall of the Mayor or Council Member from forty (40%) to thirty (30%) percent; providing to amend Article VII, "Recall", Section 7.14 'Initiative and Referendum', to require an affidavit or petition to be provided to the City Secretary within three (3) business days instead of three (3) calendar days; providing to amend Article IX "General Provisions" section 9.03 'Nepotism', to prohibit the City from hiring any person who is related to another City employee by the third (3<sup>rd</sup>) degree of Affinity (marriage) or Consanguinity (blood); providing to amend Article IX "General***

*Provisions” Section 9.05 ‘Amendments and Charter Review’, to require the Mayor and each City Council Member to appoint two (2) members to a Charter Review Commission; providing a repealing clause; providing a severability clause; providing the City Secretary to certify and file with the Secretary of State; and providing an effective date.*

**BACKGROUND OF ISSUE:**

As a friendly reminder, the City Council appointed the Charter Review Commission at the July 6<sup>th</sup> meeting with the task of reviewing the Home Rule Charter. At the November 16<sup>th</sup> meeting the Charter Review Commission’s proposed recommendations were presented and accepted by the City Council followed by the ordering of a Special Election on December 14<sup>th</sup> to be held on May 7<sup>th</sup>.

The attached Ordinance amends the Home Rule Charter of the City of Seagoville, Texas, as canvassed on May 16, 2016.

**FINANCIAL IMPACT:**

N/A

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

**ORDINANCE NO. 20-16**

**AN ORDINANCE OF THE CITY COUNCIL AMENDING THE HOME RULE CHARTER OF THE CITY OF SEAGOVILLE, TEXAS, AS AUTHORIZED BY A SPECIAL ELECTION HELD ON MAY 7, 2016; PROVIDING TO AMEND ARTICLE II, "POWERS OF CITY", SECTION 2.06 'STREET IMPROVEMENTS AND ASSESSMENTS THEREFORE', TO PROVIDE THAT ALL STREET IMPROVEMENT PROJECTS BE REVIEWED BY A LICENSED CIVIL ENGINEER; PROVIDING TO AMEND ARTICLE II, "POWERS OF CITY", SECTION 2.17 'CONTRACTS', TO PROVIDE THAT SOLID WASTE REMOVAL AND PUBLIC UTILITIES CONTRACTS MAY NOT EXCEED FIVE (5) YEARS IN DURATION; PROVIDING TO AMEND ARTICLE III, "THE CITY COUNCIL", SECTION 3.01 'MAYOR AND CITY COUNCIL MEMBERS' AND SECTION 3.08 'LIMITATIONS OF AUTHORITY', TO PROVIDE 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; PROVIDING TO AMEND ARTICLE III, "THE CITY COUNCIL", SECTION 3.01 'MAYOR AND CITY COUNCIL MEMBERS', TO PROVIDE TERM LIMITS FOR THE CITY COUNCIL, EXCLUDING THE MAYOR, TO THREE (3) CONSECUTIVE FULL TERMS; PROVIDING TO AMEND ARTICLE III, "THE CITY COUNCIL", SECTION 3.07 'DUTIES AND POWERS OF THE CITY COUNCIL', TO PROVIDE THAT ANY MEMBER OF THE CITY COUNCIL MAY REQUEST AN ITEM BE PLACED ON A DULY CONVENED REGULAR MEETING AGENDA; PROVIDING TO AMEND IN ARTICLE III, "THE CITY COUNCIL", SECTION 3.07 'DUTIES AND POWERS OF THE CITY COUNCIL' TO PROVIDE FOR AN ANNUAL AND/OR MID-YEAR REVIEW OF THE CITY MANAGER, CITY SECRETARY, CITY ATTORNEY AND MUNICIPAL COURT JUDGE; PROVIDING TO AMEND ARTICLE III, "THE CITY COUNCIL", SECTION 3.19 'BOARDS AND COMMISSIONS', TO PROVIDE A LIST OF QUALIFICATIONS; PROVIDING TO AMEND ARTICLE III, "THE CITY COUNCIL", SECTION 3.10 'MEETING OF THE CITY COUNCIL', TO PROVIDE FOR A NOTICE OF SPECIAL MEETING ON THE CITY'S WEBSITE AND CITY HALL ENTRANCES; PROVIDING TO AMEND ARTICLE III, "THE CITY COUNCIL", SECTION 3.12 'CONFLICT OF INTEREST', TO PROVIDE WILL VERIFY WITH THE CITY ATTORNEY THE EXISTENCE OF ANY CONFLICT OF INTEREST AND FILE THE REQUIRED FORMS WITH THE CITY SECRETARY; PROVIDING TO AMEND ARTICLE III, "THE CITY COUNCIL", SECTION 3.13 'RULES OF PROCEDURE', 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; PROVIDING TO AMEND ARTICLE III, "THE CITY COUNCIL", SECTION 3.19 'BOARDS AND COMMISSIONS', TO PROVIDE 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; PROVIDING TO AMEND ARTICLE IV, "CITY MANAGER", SECTION 4.03 'QUALIFICATIONS OF CITY MANAGER', TO PROVIDE TO REQUIRE A CANDIDATE FOR CITY MANAGER TO HAVE A BACKGROUND CHECK; PROVIDING TO AMEND ARTICLE IV, "CITY MANAGER", SECTION 4.04 'POWERS AND DUTIES OF CITY MANAGER' TO PROVIDE 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; PROVIDING TO AMEND ARTICLE IV, "CITY MANAGER", SECTION 4.04 'POWERS AND DUTIES OF CITY MANAGER', TO PROVIDE 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; PROVIDING TO AMEND ARTICLE VI, "FINANCE", SECTION 6.02 'PAYMENT OF TAXES', TO PROVIDE TO PERMIT ACCEPTANCE OF ALTERNATE METHODS OF PAYMENT BY CREDIT, DEBIT OR CLEARING HOUSE CARDS FOR TAXES; PROVIDING TO AMEND ARTICLE VII, "RECALL", SECTION 7.02 'PETITIONS FOR RECALL', TO PROVIDE TO REDUCE THE PERCENTAGE OF PERSONS TO SIGN A PETITION FOR RECALL OF THE MAYOR OR COUNCIL MEMBER FROM FORTY (40%) TO THIRTY (30%) PERCENT; PROVIDING TO AMEND ARTICLE VII, "RECALL", SECTION 7.14 'INITIATIVE AND REFERENDUM', TO PROVIDE TO REQUIRE AN AFFIDAVIT OR PETITION TO BE PROVIDED TO THE CITY SECRETARY WITHIN THREE (3) BUSINESS DAYS INSTEAD OF THREE (3) CALENDAR DAYS; PROVIDING TO AMEND CHAPTER IX "GENERAL PROVISIONS" SECTION 9.03 'NEPOTISM', TO PROVIDE TO PROHIBIT THE CITY FROM HIRING ANY PERSON WHO IS RELATED TO ANOTHER CITY EMPLOYEE BY THE THIRD (3<sup>RD</sup>) DEGREE OF AFFINITY (MARRIAGE) OR CONSANGUINITY (BLOOD); PROVIDING TO AMEND ARTICLE IX "GENERAL PROVISIONS" SECTION 9.05 'AMENDMENTS AND CHARTER REVIEW', TO PROVIDE TO REQUIRE THE MAYOR AND EACH CITY COUNCILMEMBER TO APPOINT TWO (2) MEMBERS TO A CHARTER REVIEW COMMISSION; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING THE CITY SECRETARY TO CERTIFY AND FILED WITH THE SECRETARY OF STATE; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, heretofore, the City Council of the City of Seagoville, Texas, called a special election to be held in the City on May 7, 2016, to amend the Home Rule Charter of the City of Seagoville as set forth in the Resolution No. 03-R-16.

**WHEREAS**, that on the 7<sup>th</sup> day of May, 2016, said election was held in accordance with state law; and,

**WHEREAS**, all of the Propositions were approved by majority vote and the results were canvassed and approved by Resolution No. 32-R-16.

**WHEREAS**, the Home Rule Charter should be amended to conform to the approve propositions.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS, THAT THE HOME RULE CHARTER OF THE CITY OF SEAGOVILLE IS HEREBY AMENDED AS FOLLOWS:**

**SECTION 1:** That Proposition 1 for Special Election having been approved by a majority of votes cast in accordance with the canvass, of the Home Rule Charter, Article II Powers of the City, Section 2.06 Street Improvements and Assessments Therefore, shall herein after read as follows:

**“Article II, Power of the City**

.....

**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 made a part of this Charter, to authorize the City Council to provide for the payment and costs of improvements to highways and streets, and provide for the proper assessment of any such improvement in accordance with law. Any street improvement project shall be reviewed by a civil engineer licensed under the laws of the State of Texas.

.....”

**SECTION 2:** That Proposition 2 of the Special Election having been approved by a majority of votes cast in accordance with the canvass, the Home Rule Charter, Article II, Powers of the City, Section 2.17 Contracts, is amended to read as follows:

**“Article II, Powers of the City**

.....

**Section 2.17        Contracts**

- (a) 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, except municipal solid waste and public utilities which may not exceed five (5) years.  
.....”

**SECTION 3:** That Proposition 3 of the Special Election having been approved by a majority of votes cast in accordance with the canvass, the Home Rule Charter, Article III, The City Council, Section 3.01 Mayor and City Councilmembers and Section 3.08 Limitations of Authority, are amended to read as follows:

**“Article III, The City Council**

**Section 3.01        Mayor and City Councilmembers**

.....

- (b) 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, as provided herein, shall be eligible to hold the office of the Mayor. No person may be eligible, elected or appointed to a position of Mayor and/or City Council who has served as a City employee within one year prior to the appointment or election date.

.....

**Section 3.08        Limitations of Authority**

- (a) Except where authorized by law or by this Charter, Mayor or Councilmember shall not 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, receive any appointment or City employment with the City until one (1) year after the

expiration of the term for which they were elected or appointed to the City Council. No person may be eligible, or appointed to a position of Mayor and/or City Council who has served as a City employee within one year prior to the appointment or election date.

.....”

**SECTION 4:** That Proposition 4 of the Special Election having been approved by a majority of votes cast in accordance with the canvass, the Home Rule Charter, Article III, The City Council, Section 3.01 Mayor and City Councilmembers is amended to add a new subsection (f) to read as follows:

**“Article III, The City Council**

**Section 3.01 Mayor and City Councilmembers**

.....

- (f) An individual shall serve no more than three (3) consecutive two year terms as a Councilmember, excluding the Mayor. If a person is elected to fill more than fifty percent (50%) of an unexpired term, the term shall be considered a full term for reason of calculating term limits.

**SECTION 5:** That Proposition 5 of the Special Election having been approved by a majority of votes cast in accordance with the canvass, the Home Rule Charter, Article III, The City Council, Section 3.07 (b) Duties and Powers of the City Council is amended to read as follows:

**“Article III, The City Council**

.....

**Section 3.07 Duties and Powers of the City Council**

.....

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

**SECTION 6:** That Proposition 6 of the Special Election having been approved by a majority of votes cast in accordance with the canvass, the Home Rule Charter, Article III, The City Council, Section 3.07 (c) Duties and Powers of the City Council is amended to read as follows:

**“Article III, The City Council**

.....

**Section 3.07 Duties and Powers of the City Council**

.....

(c) During each calendar year, the City Council shall undertake at least one (1) annual and mid-year reviews of the performance of the City Manager; City Secretary, City Attorney and Municipal Court Judge. The City Council may from time to time conduct such additional review 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 7:** That Proposition 7 of the Special Election having been approved by a majority of votes cast in accordance with the canvass, the Home Rule Charter, Article III, The City Council, Section 3.19 Boards and Commissions is amended to add a new subsection (f) to read as follows:

**“Article III, The City Council**

.....

**Section 3.19 Boards and Commissions**

.....

(f) No person shall be eligible to serve on any Board or Commission that does not meet 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.”

**SECTION 8:** That Proposition 8 of the Special Election having been approved by a majority of votes cast in accordance with the canvass, the Home Rule Charter, Article III, The City Council, Section 3.10 (b) Meetings of the City Council is amended to read as follows:

**“Article III, The City Council**

.....

**Section 3.10 Meetings of the City Council**

.....

(b) 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. Notice of any special call meeting of the City Council shall be posted at City Hall, City website and otherwise comply with State law.

.....”

**SECTION 9:** That Proposition 9 of the Special Election having been approved by a majority of votes cast in accordance with the canvass, the Home Rule Charter, Article III, The City Council, Section 3.12 Conflict of interest is amended to read as follows:

**“Article III, The City Council**

.....

**Section 3.12 Conflict of Interest**

(a) 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 discussion proceeds, and he or she is thereby prohibited from discussing the item or voting on the question, and it is not considered as present and voting for the purposes of the tally, and must file appropriate conflict of interest statement with the City Secretary. The City Secretary shall verify with the City Attorney to ensure the required disclosure and/or conflict forms are executed and filed.  
.....”

**SECTION 10:** That Proposition 10 of the Special Election having been approved by a majority of votes cast in accordance with canvass, the Home Rule Charter, Article III, The City Council, Section 3.13 Rules of Procedure is amended to read as follows:

**“Article III, The City Council**

.....

**Section 3.13 Rules of Procedure**

The City Council shall adopt, every two (2) years; the latest version of Robert’s Rules of Order, and any other rules of order and business; and, the Council 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 public record and shall be kept and maintained by the person performing the duties of the City Secretary.

.....”

**SECTION 11:** That Proposition 11 of the Special Election having been approved by a majority of votes cast in accordance with canvass, the Home Rule Charter, Article III, The City Council, Section 3.19 (b) Boards and Commissions is amended to read as follows:

**“Article III, The City Council**

.....

**Section 3.19 Boards and Commissions**

.....

(b) The City Council may appoint persons to serve on any 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. The City Council may, by an affirmative vote of four (4) council members, waive any requirement that a person may only serve on one (1) board or commission.

.....”

**SECTION 12:** That Proposition 12 of the Special Election having been approved by a majority of votes cast in accordance with the canvass, the Home Rule Charter, Article IV, City Manager, Section 4.03 Qualifications of City Manager is amended to read as follows:

**“Article IV, City Manager**

....

**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 to membership on the Council shall, subsequent to such election, be eligible for appointment as City Manager until (1) year has elapsed following the expiration of the term for which he was elected. Prior to consideration for appointment, the City Council shall first obtain a thorough background review.”

**SECTION 13:** That Proposition 13 of the Special Election having been approved by a majority of votes cast in accordance with canvass, the Home Rule Charter, Article IV, City Manager, Section 4.04 Powers and Duties of City Manager is amended to add a new subsection (f) to read as follows:

**“Article IV, City Manager**

.....

**Section 4.04 Powers and Duties of City Manager**

.....

(f) The City Manager may with the advice and consent of the City Council, obtain an independent forensic audit firm to conduct an appropriate inquiry or investigation into allegations of misappropriation of municipal funds by a City employee.”

**SECTION 14:** That Proposition 14 of the Special Election having been approved by a majority of votes cast in accordance with canvass, the Home Rule Charter, Article IV, City Manager, Section 4.04 (b) Powers and Duties of City Manager is amended to read as follows:

**“Article IV, City Manager**

.....

**Section 4.04 Powers and Duties of City Manager**

(b) It shall be the duty of the City Manager to act as chief conservator of the peace within the City; to supervise the administration of the affairs of the City; to see that the ordinances of the City and the laws of the state are enforced; to make such recommendations to the Council concerning the affairs of the City as may seem to him/her desirable; to execute all contracts as authorized by Council; to keep the Council advised of the financial condition and future needs of the City; to prepare and submit to the Council the annual budget estimate; to prepare and submit to the Council such reports as may be required by that body; 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 and perform such other duties as may be prescribed by this section or required of him by ordinance or resolution of the Council not inconsistent with this section.

.....”

**SECTION 15:** That Proposition 15 of the Special Election having been approved by a majority of votes cast in accordance with canvass, the Home Rule Charter, Article VI Finance, Section 6.02 Payment of Taxes is amended to read as follows:

**“Article VI, Finance**

.....

**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, credit, debit or clearing house funds, at the office of the Assessor and Collection of Taxes or such other office as the City may, by ordinance, prescribe.”

**SECTION 16:** That Proposition 16 of the Special Election having been approved by a majority of votes cast in accordance with canvass, the Home Rule Charter, Article VII Recall, Section 7.02 Petitions for Recall is amended to read as follows:

**“Article VII, Recall**

.....

**Section 7.02 Petitions for Recall**

The Mayor or any other member of the City Council may be removed from office in the following manner by the electors qualified to vote for a successor of such incumbent:

- (1) When an affidavit, signed by one or more qualified voters, naming the member being recalled, and stating specific grounds for the recall, is presented to the City Secretary, he/she shall mark the affidavit with the date received and retain it for office files.
  
- (2) Within three (3) days after receiving the affidavit for recall, 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 name the member intended to be recalled, set forth the

grounds for the recall as they appear on the affidavit, and provide space for the printed names, addresses, dates of birth and signature. 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. Persons 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.

- (3) The petition must be signed by persons entitled to vote for a successor to each member sought to be removed as follows:
- (a) Thirty (30) percent of the persons that actually voted in the municipal election for Mayor, if the recall petition be for the Mayor; and
  - (b) Thirty (30) percent of the persons that actually voted in the municipal election of the Councilmember sought to be recalled.
- .....”

**SECTION 17:** That Proposition 17 of the Special Election having been approved by a majority of votes cast in accordance with canvass, the Home Rule Charter, Article VII Recall, Section 7.14 Initiative and Referendum is amended to read as follows:

**“Article VII, Recall**

.....

**Section 7.14 Initiative and Referendum**

Following a review by the City Attorney for enforceability and legality, qualified voters of the City may initiate or, if within 30 days after final passage, repeal legislation through referendum by submitting an affidavit which requests the submission of a proposed ordinance or resolution, or an ordinance or resolution repealing any such ordinance or resolution, as set forth below:

.....

- (2) 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. Persons 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 18:** That Proposition 18 of the Special Election having been approved by a majority of votes cast in accordance with canvass, the Home Rule Charter, Article IX General Provisions, Section 9.03 Nepotism is amended to read as follows:

**“Article IX, General Provisions**

.....

**Section 9.03 Nepotism**

No person related within the second degree by affinity or within the third degree by consanguinity to the Mayor or any Councilmember or the City Manager or other City 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.”

**SECTION 19:** That Proposition 19 of the Special Election having been approved by a majority of votes cast in accordance with canvass, the Home Rule Charter, Article IX General Provisions, Section 9.05 (a) Amendments and Charter Review is amended to read as follows:

**“Article IX, General Provisions**

.....

**Section 9.05 Amendments and Charter Review**

.....

(b) 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 members for appointment. Such commission shall review the Charter and make recommendation to the City Council as to any necessary amendments.

.....”

**SECTION 20.** 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 21.** 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 22.** 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 23.** That the City Secretary shall certify and file with the Secretary of State a copy of this ordinance as provided by State Law.

**SECTION 24.** That this ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

**DULY PASSED** by the City Council of the City of Seagoville, Texas, this the 20<sup>th</sup> day of June, 2016.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY SECRETARY

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

## *Agenda Item 3C*

*Approval of a Resolution awarding a bid for the purchase of a Toro Mower through BuyBoard Purchasing Cooperative for a total cost of Seventy-Two Thousand One Hundred Twenty-Four Dollars and Forty-Five Cents (\$72,124.45); authorizing the City Manager to execute any and all necessary documents; and providing an effective date.*

### **BACKGROUND OF ISSUE:**

The mower currently being used to mow the parks and other various areas of the City is approximately 14 years old and in need of repeated repair.

The purchase of a new Toro Groundsmaster mower will provide reliability of equipment as well as an opportunity to run more than one mower to keep up with the demands.

The quote for this item was obtained through the BuyBoard purchasing cooperative. Purchasing through a purchasing cooperative stratifies all purchasing requirements; therefore, three bids are not required.

Staff is requesting the City Council approve the expenditure, if so desired.

### **FINANCIAL IMPACT:**

Funding for this expenditure will come from Fund Balance.

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

**RESOLUTION NO. 38-R-16**

**APPROVAL OF A RESOLUTION AWARDING A BID FOR THE PURCHASE OF A TORO MOWER THROUGH BUYBOARD PURCHASING COOPERATIVE FOR A TOTAL COST OF SEVENTY-TWO THOUSAND ONE HUNDRED TWENTY-FOUR DOLLARS AND FORTY-FIVE CENTS (\$72,124.45); AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS; AND PROVIDING AN EFFECTIVE DATE.**

**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 it to be in the best interest of the City of Seagoville purchase the Toro Groundsmaster Mower.

**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 Toro Groundsmaster Mower totaling Seventy-Two Thousand One Hundred Twenty-Four Dollars and Forty-Five Cents (\$72,124.45) 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 20<sup>th</sup> day of June, 2016.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY SECRETARY



Professional Turf Products, L.P.  
 1010 North Industrial Blvd.  
 Euless, Texas 76039  
 Will Dutton  
 (888) 776-8873 ext. 5410  
 duttonw@proturf.com



Ship To	City Of Seagoville - Parks Dept.		Date	6/15/2016
Bill To	BUYBOARD (CONTRACT # 447-14)		Tax Rate	
Contact	Justin Wilkerson		Destination	2.00%
Address	1360 E. 9th St., Suite 100		Trade-In	
City	Seagoville, TX		Finance	
State	TX	Comments:	Account Type	Contract
Postal Code	75159			
Phone	(972) 287-2050			
Fax	(972) 287-3891			

sat hnl

Proposal

Qty	Model #	Description	Unit	Extended
1	30636	Groundsmaster 4010-D (Tier 4 Final Compliant) (30636) Cab and AC		
1	30706	Cab-Light Kit (GM5910/GM4010/4110) Road Lights are no longer standard on F15 and newer models		
1	30408	800 Hour Maintenance Kit <b>Toro GM4010 TIV</b>	\$	77,056.67
1	30636	Toro Groundsmaster 4010-D (Tier 4 Final Compliant) (30636) Cab and AC This model only 30636 / 315000116 <b>Toro GM4010 TIV</b>	\$	72,124.45

Discounted price for in-stock  
inventory

SubTotal	
Destination	Included
Tax (Estimated)	Exempt
<b>TOTAL</b>	\$ -

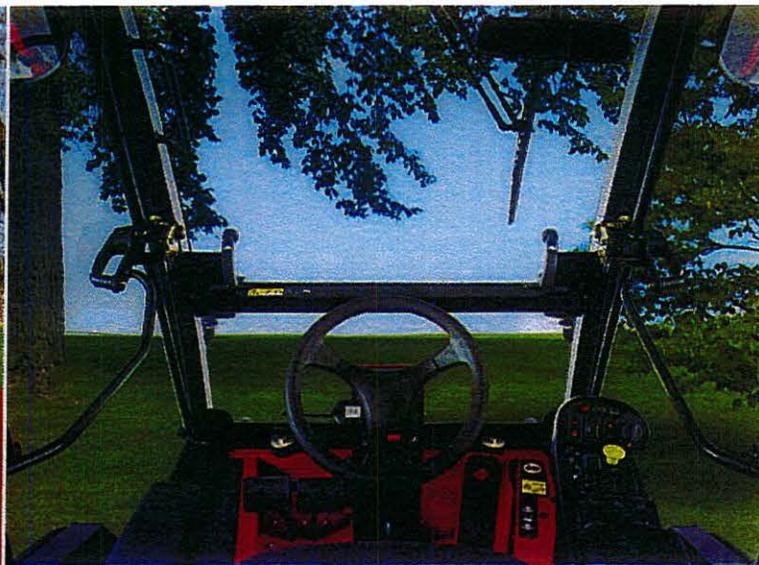
**Comments:**

For all New Equipment, Demo units may be available for up to 20% savings.  
 For all New Equipment, Refurbished units may be available for up to 40% savings.



## The hardest working mowers just became the most comfortable.

The more comfortable your operators, the more productive they'll be. With an adjustable Air Ride seat, power steering and one-touch controls, we're shifting comfort and productivity into high gear. But that's not all. The Groundsmaster® 4000-D and 4100-D are amazingly quiet, with a low engine speed and low-noise technology gear motors. A comfortable operator is safer, happier and more productive.



The Groundsmaster 4010-D and 4110-D feature a climate-controlled safety cab, with rollover protection and a pressurized air filtration system that keeps dust and debris away from the operator.



### Safety starts in the cab.

Even a small increase in temperature can have a substantial effect on operator efficiency and safety. A study by the Society of Automotive Engineers\* showed a 50% increase in missed driver tasks and 22% slower reaction times at 81°F (27°C) compared to a temperature of 70° (21°C). Our air-conditioned safety cab will keep your operators at their best, no matter what the outside temperature.

\* Driver Diligence – The Effects of Compartment Temperature (SAE Paper 920168)

**TORO** Count on it.



## Groundsmaster® 4000-D & 4100-D

The Toro Groundsmaster 4000-D and 4100-D meets the specifications of any sized job. For more detailed information, visit [www.toro.com](http://www.toro.com).

Engine	Kubota® V2403-M-T	Model	<b>4000-D</b>	<b>4100-D</b>
Fuel	Diesel. Biodiesel compatible up to B20	Weight	4,166 lbs. (1,890 kg)	4,211 lbs. (1910 kg)
Type	4 cylinder, turbocharged	Weight with Cab	4,595 lbs. (2,084 kg)	4,715 lbs. (2,139 kg)
Horsepower @ rpm	58 @ 2600 (43.3 kW)	Wheelbase	55.5 in (140 cm)	55.5 in (140 cm)
Torque @ rpm (lb.-ft.)	125 @ 2000 (169 N*m)	Length	135 in (343 cm)	144 in (366 cm)
Displacement	148.5 cu. in. (2.4 L)	Mow Width	136 in (346 cm)	127 in (323 cm)
Service Interval	Oil Change (150 hours)	Transport Width	71 in (180 cm)	71 in (180 cm)
Starting Aid	Glow plugs	Height with ROPS	81 in (206 cm)	81 in (206 cm)
Emmissions	EPA Tier IV-interim	Height with Cab	91 in (231 cm)	91 in (231 cm)
Fuel Capacity	19 gallons (72 L)	Ground Clearance	6.5 in (16.5 cm)	6 in (15.2 cm)
Hydraulic Capacity	8 gallons (30.3 L)	Cutting Decks	3 rear discharge rotary	1 rear discharge rotary
4 Wheel Drive System	Full-time bi-directional. Parallel hydrostatic, closed loop	Blade Size	21.75" (55.2 cm)	19" (48.3 cm)
Cooling System	SmartCool™ System - variable speed, temperature actuated reversing fan	Cutting Width	Overall: 132" (335 cm) Front: 62" (157.5 cm) Wings: 42" (106.7 cm) Overlap: 7" (12.8 cm)	Overall: 124" (315 cm) Center Deck: 54" (137.1 cm) Two Wings: 37" (93 cm) ea. One Wing Up: 89" (226 cm)
Optional Road Package Kit	Dual taillights, dual headlights, slow moving vehicle sign, turn signals and flashing lights.	Maximum Mow Rate	10.6 acres/hr (4.3 ha/hr)†	10.9 acres/hr (4.4 ha/hr)††
		Typical Mow Rate	7.9 acres/hr (3.2 ha/hr)†††	7.4 acres/hr (3.0 ha/hr)†††
All-Season Safety Cab - Standard Features  GM4010 & 4110 models only	Factory installed, ROPS certified, pressurized cab with AC and heat. Clear tempered curved windshield, opening rear window (4010 only), emergency exit side window, tinted side and rear glass; front wiper/washer; interior mirror and exterior side mirrors; SMV sign rear mounted; Lights: headlights, red and amber flashers, turn signals and interior dome.	Mowing Speed	0-8 mph (12.4 km/h)	0-8.8 mph (14.2 km/h)
		Transport Speed	0-15 mph (24.2 km/h)	0-15 mph (24.2 km/h)
		Fuel Economy *	5.0 Acres Per Gallon	4.7 Acres Per Gallon
		Mowing Range	12.1 hours	12.1 hours
		Fuel Consumption **	1.57 Gal/Hr (5.95 L/Hr)	1.57 Gal/Hr (5.95 L/Hr)

\*Typical Mow Rate/Gallons Per Hour  
\*\*Dependent on operator and turf conditions

† 8 mph, no overlap or stops  
†† 8.8 mph, no overlap or stops  
††† 6 mph, no overlap or stops

## TORO® PROFESSIONAL SERVICES

**Toro Financing** A full-service offering for all your equipment and irrigation purchases. Flexible financing options can be tailored to meet your operational needs.

**Toro Protection Plus Extended Protection Plan** Protect your budget and your equipment investment. Plans are available for both new and used equipment, and you can choose from various terms to fit your financing terms.

**Toro Genuine Parts** Keep the productivity and performance of your equipment at its peak. Learn about Performance Parts pricing and MVP kits. Find replacement parts online at [Toro.com](http://Toro.com)/partsviwer.

**Toro Training** Toro Factory Service Schools are available. Explore the training and customer care areas of [Toro.com](http://Toro.com) and [ToroNSN.com](http://ToroNSN.com) for readily available education and training materials.

**Toro Controller Repair** Provides irrigation controller boards ready for immediate board exchange to assure that downtime is minimal and your turf stays protected. Toro is the choice for reliability.

**Toro NSN®** An industry-first support network that provides reliable, around-the-clock irrigation central control system troubleshooting and operation assistance. Call 1-800-ASK-TORO.

**myTurf™ Fleet Management** This on-line tool from Toro keeps track of maintenance for all of your turf equipment. Complete product information and parts ordering is also included. Ask your distributor for availability.

## *Agenda Item 4*

*Receive presentation from Community Development Director Ladis Barr regarding Community Development.*

### **BACKGROUND OF ISSUE:**

A presentation on Community Development will be provided by Community Development Director Barr.

### **FINANCIAL IMPACT:**

N/A



Southern Dallas County Cities Development Meeting  
June 16, 2016

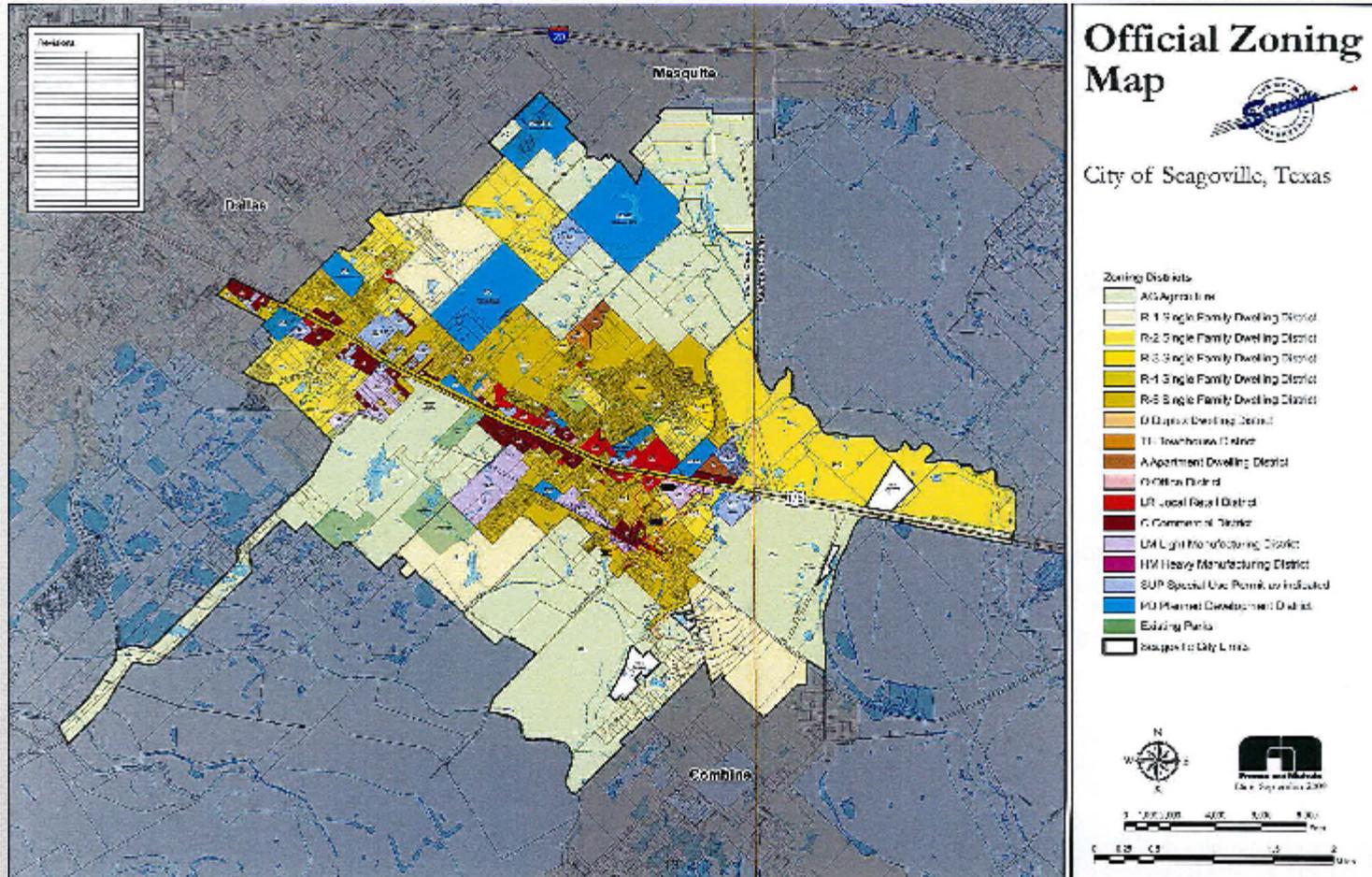
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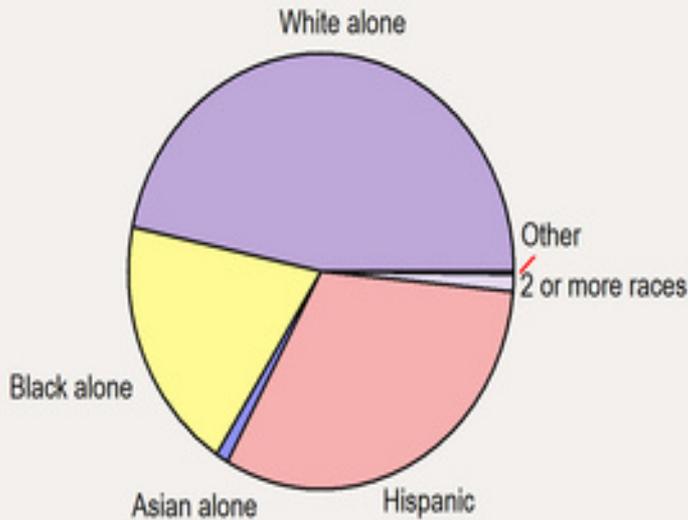
City of Seagoville, County of Dallas, State of Texas, located approximately 15 miles Southeast of Downtown Dallas on U.S. Highway 175

# Seagoville City Limits

Land area: 21 square miles  
Population: 15,580



## Races in Seagoville, TX



White alone	46.3%	7,189
Hispanic	31.4%	4,867
Black alone	19.0%	2,949
Two or more races	1.2%	194
Asian alone	1.0%	157
American Indian alone	0.2%	31

# Seagoville Demographics

**TAX RATE(PER \$100 ASSESSED VALUE) – Oct. 2014**

**Dallas County:** \$0.243100

**Seagoville, City:** 0.713800

**Dallas ISD:** 1.282085

**Special Districts: (Hospital,  
College, etc.)** 0.410700

**TOTAL:** \$2.649685

**Municipal Sales Tax:** 1-1/2%

**State Sales Tax:** 6-1/4%

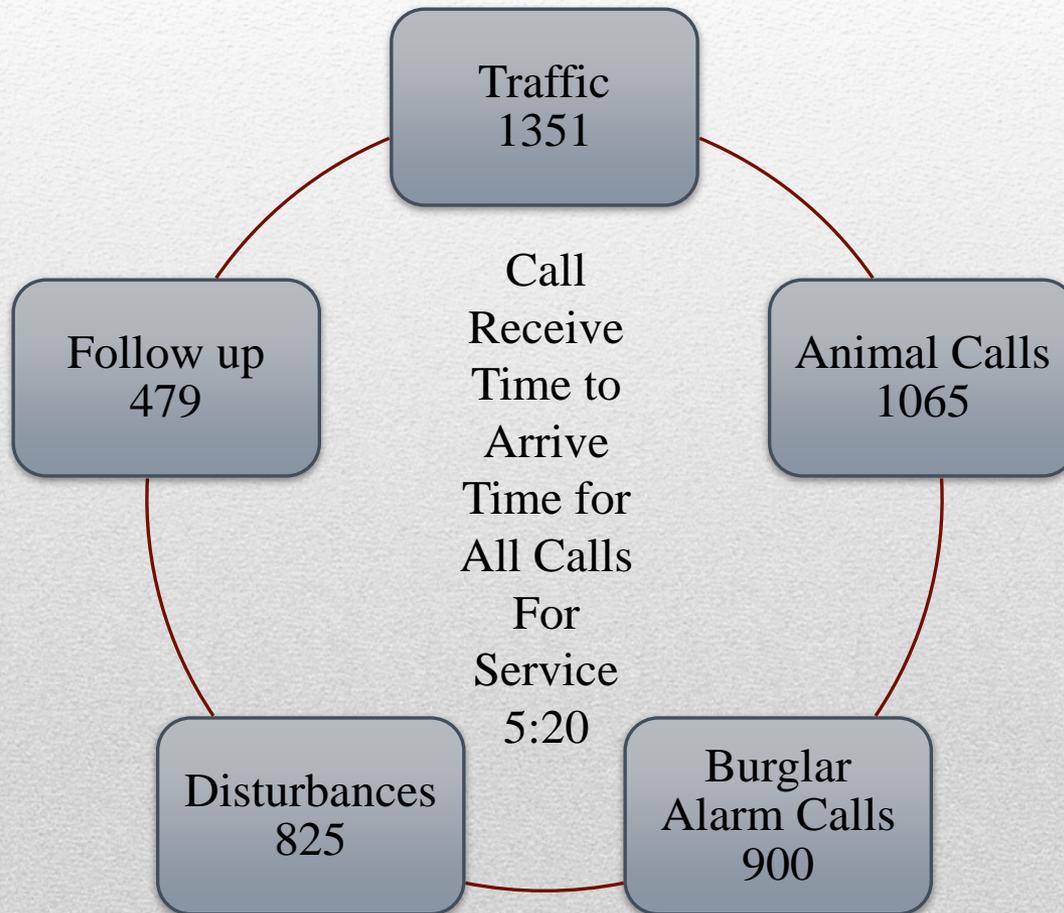
**Econ. Dev. Sales Tax:** 1/2%

**Other Sales Taxes:** %

# LOCAL PROPERTY TAX

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# Top 5 Police Calls-For-Service by Call Type June 1, 2015 – June 1, 2016



- Total Primary Calls for Service: 12,393
- Accidents: 388
- House Watches: 157
- Business Watches: 966
  
- Assist Other Agency Calls: 147  
(in Seagoville)



## **#23 Seagoville**

Seagoville's ranking #23 in a statewide field of over 3000 potential cities is a direct reflection of the commitment of the Seagoville Community as a team. Police and Fire Departments, Citizens and City Staff as well as Schools and the Business Community all contribute to the safety and well-being of our community.

---

## FIRE

JUNE 1, 2015 - JUNE 6, 2016

2675 CALLS AVG. RESPONSE

TIME: 04:26

BUILDING FIRES	21
VEHICLE FIRES	15
GRASS FIRES	21
OUTSIDE TRASH FIRES	21
LOCK -OUT	78
FALSE ALARMS	74
SWIFT WATER RESCUE	7
INSPECTIONS	594

## EMS

JANUARY 1 – MAY 31, 2016

990 CALLS AVG. RESPONSE

TIME: 04:29

SICK PERSON	830
INJURED PERSON	321
CARDIAC	260
RESPIRATORY	201
DIABETIC/SEIZURES	174

# FIRE AND EMS RESPONSE TIMES

---

*City of Seagoville*  
**Subdivisions**  
**2000 thru 2/5/2016**

Subdivision Name	Total # of Platted Lots	# Lots Built On	# Lots Vacant	% of Build Out
1. Brook Valley No. 7, Phase 2	46	46	0	100%
2. Cedar Ridge Estates	28	28	0	100%
3. Creekside Addition	27	27	0	100%
4. Farms	32	32	0	100%
5. Heritage Place Townhomes	14	7	7	50%
6. Highland Meadows, Phase I	309	306	3	99%
7. Highland Meadows, Phase IIA	104	100	4	96%
8. Highland Meadows, Phase IIB	111	0	111	0%
9. Highland Meadows, Phase IIC	10	10	0	100%
10. Highland Meadows, Phase III	260	0	260	0%
11. Lakeside Estates, Phase I	100	100	0	100%
12. The Meadows	44	18	26	41%
13. Oakridge, Phase I	88	88	0	100%
14. Oakridge, Phase II	89	89	0	100%
15. Oakridge South	76	76	0	100%
16. Park Manor	75	75	0	100%
17. The Parks	92	92	0	100%
18. Sandy Hill Addition	39	5	34	13%
19. Seconda Estates	44	44	0	100%
20. Spring Creek Addition	26	26	0	100%
21. Travers Addition	26	26	0	100%

**TOTALS=**      1640      1195      445      73%

**<Built Out 100%**

#8 Upcoming Construction meeting  
 #10 PD approved by P&Z on 7/7/2015



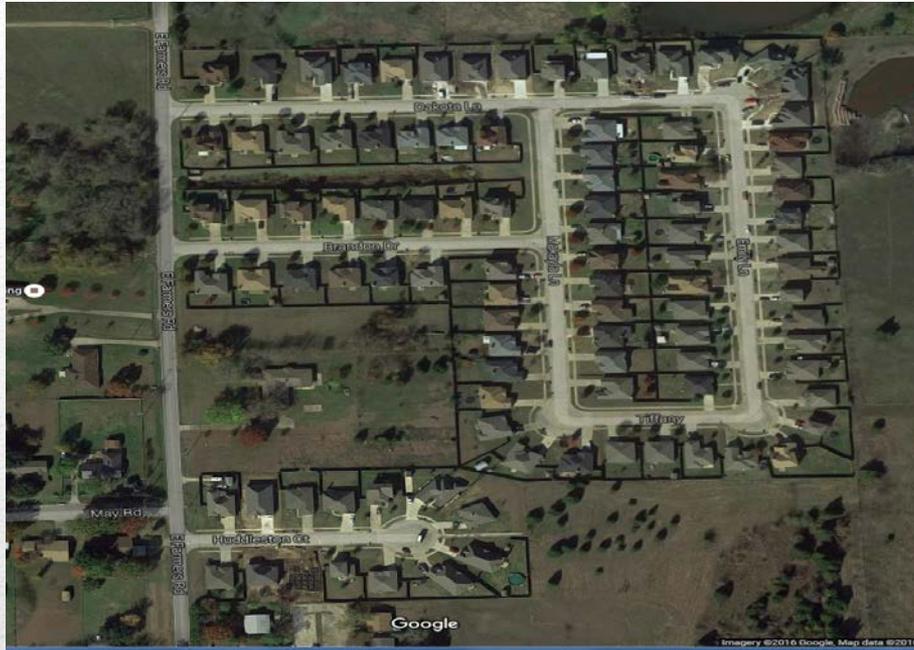
## Highland Meadows Addition

(423 Completed Lots / Phase IIB 111 Vacant Lots /  
Phase III 260 Proposed Lots)  
TOTAL LOTS 794



# HIGHLAND MEADOWS

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# Lakeside Estates Addition, Phase I (100 Lots)

---



# Park Manor Addition (75 Lots)





# The Meadows [44 Lots]

---

<b>Year</b>	<b># of Units (Houses)</b>	<b>Construction Value</b>
<b>2016 to Present</b>	41	5,554,475
<b>2015</b>	117	14,710,047
<b>2014</b>	55	6,858,018
<b>2013</b>	24	2,798,824
<b>2012</b>	40	4,406,836
<b>2011</b>	29	3,219,783
<b>TOTAL</b>	306	37,547,983

Single-Family Housing Units for the past 5 years

---

- WITHIN THE CITY LIMITS THERE IS APPROXIMATELY 85 MILES OF STREETS
- CERTIFICATE OF OBLIGATIONS WERE ISSUED IN NOVEMBER 2014 IN THE AMOUNT OF \$4,000,000
- SINCE 2014 THERE HAVE BEEN 51 STREET PROJECTS WITH 37 OF THOSE PROJECTS COMPLETED
- APPROXIMATELY \$3,366,593.55 HAS BEEN SPENT BY THE CITY ON THESE PROJECT; \$2,000,000 BEING CO FUNDS

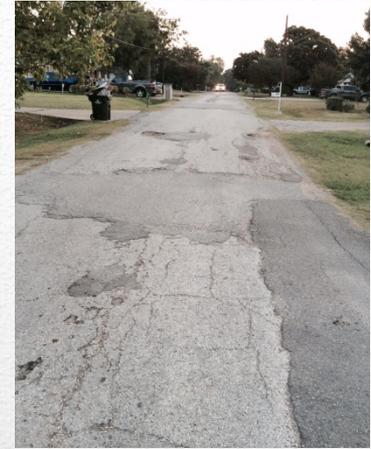
# STREET PROJECTS

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# ARD ROAD BEFORE AND AFTER

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# MIDWAY ROAD BEFORE AND AFTER

---



# SCOTT PLACE DURING AND AFTER

---



ACE  
HARDWARE

ACTUANT  
CORPORATION



TRACTOR  
SUPPLY



ECONOMIC DEVELOPMENT  
GRANTS  
WITH THE CITY

---



Downtown SEDC



Environmental Way



Corners III



Corners II

# ECONOMIC DEVELOPMENT GRANTS WITH THE SEDC

---

Big Al's Scoreboard



Best Mechanical



American National Bank



# COMMERCIAL BUSINESS DEVELOPMENT

---



Q'Reilly's Auto Parts



Inlet Structures



Bruce Way



Beacon Industries



3 story  
climate  
control  
self  
storage  
units



Anytime  
Fitness

# NEW COMMERCIAL DEVELOPMENT

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EACH OF THE TWO WATER  
TOWER HOLDS  
500,000 GALLONS



# WATER TOWERS

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- APPROXIMATELY 60 MILES OF PIPE  
679 MANHOLES  
464 FIRE HYDRANTS
- 2 MILLION GALLONS IN UNDERGROUND STORAGE OF WATER  
(2) ½ MILLION GALLON TANKS AND (1) 1 MILLION GALLON TANK
- 11 LIFT STATIONS
- CURRENTLY PREPARING A SANITARY SEWER SYSTEM  
CAPACITY, MANAGEMENT, OPERATION AND  
MAINTENANCE (CMOM) PLAN

# WATER / SEWER PROJECTS

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PIPE BURSTING  
FLY STREET



# WATER / SEWER PROJECTS

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Casa Grande and Farmers waterline repair





The Federal Correctional Institution, Seagoville is a low-security United States federal prison for male inmates in Seagoville, Texas in the Dallas-Fort Worth metropolitan area.

Population:

**2,066 Total Inmates**

1,895 Inmates at FCI & FDC

171 Inmates at the Camp



# FEDERAL CORRECTIONAL INSTITUTION

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# SENIOR RESIDENTIAL LIVING AND SENIOR CENTER

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# Seagoville Express Recap

- Commuter Demand Response Route from 5:30 am to 8:29 am, 10:45 am to 12:30 pm and from 5:00 pm to 7:40 pm.
- Weekdays only with flex to Buckner Station based on demand.
- Will operate once each hour.
- When the bus reaches Creekside of Seagoville the bus will go to and from DART if it has on demand customers. If there are no customers it will wait to resume the route in Seagoville.
- \$1 fare for all riders.
- One bus with a bike rack.
- No fare promotional introductory period from August 1 – September 30, 2016.

# Proposed Route



**Legend**

- Seagoville Route
- 1 Timepoint  
See schedule for time bus departs this stop
- Direction of bus travel
- Point of interest

# Bus



- The Seagoville Public Library provides free services to all residents living within the City of Seagoville.
- The library owns approximately 30,000 print and A/V materials including:
  - Books On Tape
  - Books On CD
  - Large Print Books
  - Magazines
  - DVD Movies
- The Seagoville Public Library is member of the [Northeast Texas Digital Consortium](#) offering thousands of digital e-books, e-audio books and streaming video for users of all ages
- Access over 800 online practice tests and interactive skill-building tutorials to help launch or advance your career. Prepare for professional Certification, licensing and aptitude tests in civil service, law enforcement, firefighting, EMT, real estate, and healthcare among others. Prepare for college and graduate School admissions tests including the SAT, ACT, GRE, LSAT, and MCAT. Successfully prepare for the GED exam when working toward a high school diploma. Dramatically improve or refresh basic skills in reading, writing and math.
- Our friendly and professional staff is eager to serve you.

# SEAGOVILLE PUBLIC LIBRARY

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SEAGOVILLE  
offers  
7 parks to  
provide quality  
leisure  
experiences,  
facilities, and  
programs for the  
citizens of  
Seagoville  
regardless of age  
or abilities







# SPRAY PARK

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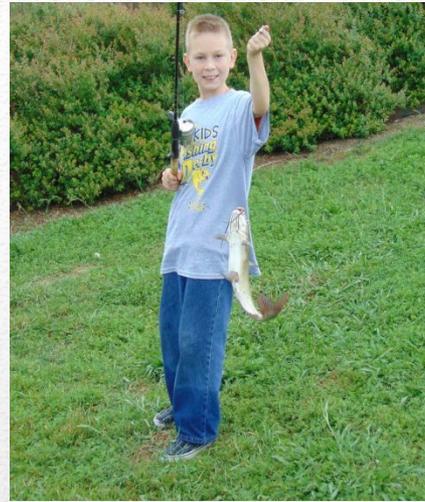
Located in the middle of the 2000 acre East Fork Wetland Project, the John Bunker Sands Wetland Center provides education and research opportunities pertaining to water conservation, wetland systems and wildlife management. The Center serves as the hub of environmental and social interest of man-made wetland habitats on the Rosewood Seagoville Ranch property. This includes the North Texas Municipal Water District's 2,000 acre East Fork Wetland Project, and an additional 1,200 acres of bottomland hardwood forest restoration as part of the Bunker Sands Mitigation Bank.



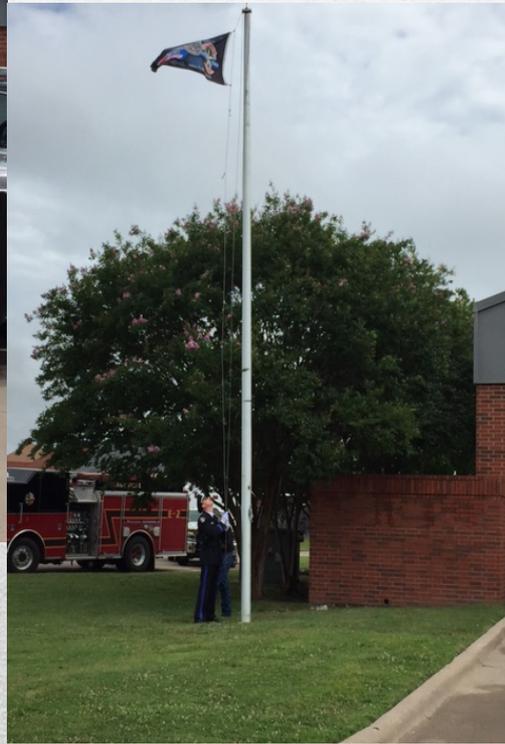
# JOHN BUNKER SANDS WETLANDS CENTER

# EVENTS

## KID FISHING DERBY



# POLICE MEMORIAL





# CHRISTMAS TREE LIGHTING

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CLEAN UP

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# SEAGOFEST PARADE



# MAYFEST



# CHAMBER EVENTS



# EDUCATION

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- **Focus:** Grades 9-14, a new early college public high school model focused on STEM fields and Career and Technical Education (CTE).
- **Mission:** Enable students to master the academic skills needed to earn a high school diploma and an Associates Degree in Applied Science simultaneously, learn the professional skills through internships to secure middle level careers in a growing STEM industry, and/or transfer to four year universities or institutions of higher learning after graduation.

# P-TECH EARLY COLLEGE HIGH SCHOOL

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## *Agenda Item 5*

*Conduct interviews with Board and Commission applicants.*

### **BACKGROUND OF ISSUE:**

In the past the City Council has interviewed all board and commission applicants.

At this time, brief interviews may be conducted with each applicant individually.

For your convenience, a list of applicant's has been provided in alphabetical order.

### **FINANCIAL IMPACT:**

N/A

## BOARD AND COMMISSION APPLICANTS

- ALEXANDRIA PEREZ
- ANNE SEXTON
- BETTYE BAKER
- BLANCHE GATTIS
- CATHERINE BRAGGS
- DR. DON COLE
- F.L. STEPPER SEBASTIAN
- JAMES SUDDUTH
- KARA DODSON
- LORIN MULLENS
- MELVIN SANTIAGO
- MIKE DUPUIS
- REBA GROBLEBE
- RENEE DOMINGUEZ
- SIDNEY SEXTON
- STACY EPPERSON WRIGHT
- STEPHEN BOSMA
- WILLIE ADAMS

## *Agenda Item 6*

*Discuss and consider board and commission appointments to the Planning and Zoning Commission; Board of Adjustments; Park and Recreation Advisory Board; Animal Shelter Oversight Advisory Committee; Seagoville Economic Development Corporation; Library Advisory Board and Keep Seagoville Beautiful Commission.*

### **BACKGROUND OF ISSUE:**

This item will provide an opportunity for the City Council to make formal appointments to the boards and commissions. The appointment will become effective immediately following passage. Board terms expire at the end of June.

For your convenience, a worksheet has been provided to assist the City Council in knowing how many positions are available for appointment on each board and commission. In addition, attendance reports have been supplied. *[Hardcopies of this information is provided in a separate folder.]*

### **FINANCIAL IMPACT:**

N/A

## ***Agenda Item 7***

***Discuss and consider an Ordinance amending Chapter 7, "Business Regulations", Article 7.04 "Peddlers, Solicitors, and Itinerant Vendors", Sections 7.04.001 through 7.04.004, to prohibit soliciting to occupants of vehicles stopped on a public roadway from the public right of way, and to prohibit soliciting at a private office building or commercial building or public building without permission of the person in charge of the building; providing a repealing clause; providing a severability clause; providing a savings clause; providing for a penalty of a fine not to exceed the sum of Five Hundred Dollars (\$500.00); and providing for an effective date.***

### **BACKGROUND OF ISSUE:**

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

### **FINANCIAL IMPACT:**

N/A

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

**ORDINANCE NO. 21-16**

**AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 7, "BUSINESS REGULATIONS", ARTICLE 7.04 "PEDDLERS, SOLICITORS, AND ITINERANT VENDORS", SECTIONS 7.04.001 THROUGH 7.04.004, TO PROHIBIT SOLICITING TO OCCUPANTS OF VEHICLES STOPPED ON A PUBLIC ROADWAY FROM THE PUBLIC RIGHT OF WAY, AND TO PROHIBIT SOLICITING AT A PRIVATE OFFICE BUILDING OR COMMERCIAL BUILDING OR PUBLIC BUILDING WITHOUT PERMISSION OF THE PERSON IN CHARGE OF THE BUILDING; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00); AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Seagoville determines and declares that solicitors can pose a threat to public safety when soliciting from occupants of vehicles traveling or stopped on a public right of way, or when soliciting by coercion; and

**WHEREAS**, the City Council finds that solicitors should obtain permission from the individual in charge of a hotel, private office or commercial building or public building before soliciting from such premises; and

**WHEREAS**, the City Council of the City of Seagoville finds it is in the best interest of the public health, safety and welfare to implement further regulations governing solicitation.

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

**SECTION 1.** The Code of Ordinances, City of Seagoville, Texas be amended by adding the following Section 7.04.001 to Section 7.04.004, to read as follows:

**"ARTICLE 7.04 PEDDLERS, SOLICITORS AND ITINERANT VENDORS**

**Division 1. Generally**

**Sec. 7.04.001 Definitions**

The following words and phrases, when used in this article, shall have the meanings ascribed to them by this section, except where the context indicates otherwise:

Canvassing. . . .

Coercion.

(1) To approach or speak to a person in such a manner as would cause a reasonable person to believe that the person is being threatened with:

(i) Imminent bodily injury; or

(ii) The commission of a criminal act upon the person or another person, or upon property in the person's immediate possession;

(2) To persist in a solicitation after the person solicited has given a negative response;

(3) To block, either individually or as part of a group of persons, the passage of a solicited person; or

(4) To engage in conduct that would reasonably be construed as intended to compel or force a solicited person to accede to demands.

Commercial Solicitation or Soliciting. . .

Public property shall mean:

(1) Any property open or devoted to public use or owned by the City of Seagoville; and

(2) Any area dedicated to the public use for sidewalk, street, highway, or other transportation purposes, including, but not limited to, any curb, median, parkway, shoulder, sidewalk, alley, drive, or public right-of-way.

Public right-of-way. . .

Vehicle shall have the meaning given that term in Chapter 541, Texas Transportation Code.

**Sec. 7.04.002 Solicitation to occupants of vehicles on public roadways prohibited**

(a) No person who is within a public right-of-way may solicit or sell or distribute any material to the occupant of any motor vehicle stopped on a public roadway in obedience to a traffic control signal light. It is specifically provided, however, that a person, other than a person twelve years of age or younger; may solicit or sell or distribute material to the occupant of a motor vehicle on a public roadway so long as he or she remains on the surrounding sidewalks and unpaved shoulders, and not in or on the roadway itself, including the medians and islands.

(b) Exceptions to this section are limited to:

- (1) Summoning aid or requesting assistance in an emergency situation;
- (2) A law enforcement officer in the performance of official duties; or
- (3) The solicitor has been granted the authority pursuant to section 552.0071 of the Texas Transportation Code.

**Sec. 7.04.003 Solicitation within one thousand (1,000) feet of specified public rights-of-way prohibited**

(a) It shall be unlawful for any person to solicit, at any time, in the public rights-of way, within one thousand (1,000) feet of the following intersections:

- (1) U.S. Highway 175 Service Road at its intersection with:
  - (A) Malloy Bridge Road; and
  - (B) Hall Street.

(b) The restrictions in this section do not apply to a solicitor who has received authorization pursuant to section 552.0071 of the Texas Transportation Code.

**Sec. 7.04.004 Solicitation and handbill distribution on private property**

(a) A person commits an offense if that person:

- (1) Solicits, seeks, or begs contributions for himself or on behalf of another or distributes advertising matter, upon the premises of a private office or commercial building or public building without first having obtained written consent from the owner, lessee, managing agent, or person in charge of the operation of the private office building or public building; or
- (2) Conducts a solicitation by coercion; or
- (3) Conducts commercial solicitation upon residential property within the city, without first obtaining a written permit as prescribed by this article.

(b) All solicitation on private property, including the distribution of handbills . . . .”

**SECTION 2.** 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 of the ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 3.** An offense committed before the effective date of this ordinance is governed by the prior law and provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 4.** Should any word, sentence, paragraph, subdivision, clause, phrase, or section of this ordinance, or of the Code of Ordinances, as amended hereby, be adjudged or held to be invalid, void or unconstitutional, the same shall not affect the validity of the remaining portions hereof or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

**SECTION 5.** Any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Seagoville, Texas, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of five hundred dollars (\$500.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

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

**DULY APPROVED AND PASSED** by the City Council of the City of Seagoville, Texas, on the 20<sup>th</sup> day of June, 2016.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY SECRETARY

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

## *Agenda Item 8*

*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 9*

*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 10*

*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 11*

*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