

**COUNTY OF DALLAS/COUNTY OF KAUFMAN
CITY OF SEAGOVILLE**

CITY OF SEAGOVILLE CITY COUNCIL MINUTES

The City Council of the City of Seagoville met in a Regular Meeting on Monday, September 19, 2011 beginning at 7:30 p.m. in the Council Chambers of City Hall, 702 N. Highway 175, Seagoville, Texas, with the following members present:

Mayor	Sidney M. Sexton, Jr
Council Member	Terri Ashmore.
Council Member	Harold Magill
Council Member	Lee Landess
Council Member	Dennis Childress
Council Member	Peggy Day

The following members were absent:
All Council Members were present

The following City staff members were present:

City Manager	Larry Graves
Assistant City Manager/PWD	Mike Hitt
Police Chief	Patrick Stallings
SEDC President/CEO	Bekki Roberts
City Secretary	Sheila Martin

Mayor Sexton called the meeting to order at 7:30 p.m. The Mayor and City Council led the Pledge of Allegiance. Dennis Childress delivered the invocation.

PRESENTATION / PROCLAMATION(S)

NONE

SPEAKERS

None

CONSENT AGENDA

1. September 12, 2011 City Council Meeting Minutes

**2. Consider Resolution No. 51-11 Ratifying an SEDC Project Agreement with Dean Gillani/Faisal Merchant for an economic development incentive for new construction of Ace Hardware to be located at 600 N. Hwy 175 in the amount not to exceed \$400,000.00, and the conveyance of said property, approximately .07977 acres located adjacent to the Ace Hardware site. –
SECOND READING**

8. Consider Resolution No. 53-11 Authorizing the City Manager to sign an Interlocal Agreement with the Dallas County Community College District (DCCCD) for Compensation Related to Police In-Service Classes held by the Seagoville Police Department

Peggy Day made a MOTION, Harold Magill SECONDED to approve the Consent Agenda as presented

Vote - 5 Ayes

0 – Nays

PUBLIC HEARINGS

NONE

3.. Discuss and Consider Approving Ordinance No. 11-11 Establishing a Classification System for the Police and Fire Departments

Harold Magill made a MOTION, Lee Landess SECONDED

Vote - 5 Ayes

0 – Nays

4. By Minute Entry Identify a Candidate to serve as the Suburban Cities' Representative to the Dallas County Central Appraisal District (DCAD), and Approve Resolution No. 53-11 Nominating the Same

Mayor Sexton opened the discussion by stating Michael Hurtt of Desoto, Texas is currently serves as the Suburban Cities' representative. Mr. Hurtt's term will expire in December 2011. The successful candidate will be selected by DCAD Member Cities, and begin service in January 2012.

Harold Magill made a MOTION to re-appoint Michael Hurtt, Terri Ashmore SECONDED

Vote - 5 Ayes

0 – Nays

5. By Minute Entry Consider Charlotte Hernandez Re-application to the Emergency Medical Services Board and Keep Seagoville Beautiful Commission

Harold Magill made a MOTION, Lee Landess SECONDED

Vote: 5 Ayes

0 Nays

Track 56 Yellow

6. By Minute Entry Appoint a City Council Member to Serve as Liaison to the Dallas Independent School District

Mayor Sexton stated that Council will appoint the liaison from among its members. The Mayor stated Council Member Ashmore had expressed interest in serving in this position. **Mayor Sexton asked if there were any additional nominations for School Liaison – There being none:**

Peggy Day made a MOTION, Harold Magill SECONDED

Vote: 5 Ayes

0 Nays

Comments:

Magill: Council Member Ashmore has spent several hundred hours in a committee to bring citizens up-to-date on issues affecting Seagoville Schools. Commended Ashmore on her efforts.

Ashmore – Is very proud of the committee Citizens Liaisons Advocating for Successful Students (CLASS) – which will work with schools, business partners, the City and community to improve Seagoville schools

7. Council Discussion on Texas Senate Bill 100 and the Federal Military Overseas Voter Empowerment (MOVE) Act

Mayor Sexton stated: Texas Senate Bill 100 (SB 100) was adopted during the 82nd Legislative Session to comply with the Federal Military and Overseas Voter Empowerment Act. MOVE requires ballots to fill a Federal or State vacant office to be mailed to military and overseas voters no later than the 45th day before the election – And – as result will compress the election calendar for Seagoville's May Uniform Election date in even-numbered years.

City Secretary Martin gave an overview of SB 100 Legislation, (See Attachment A) and which included the following Options for the May Uniform Election Date:

- Option #1. Take no action, and maintain the May 12, 2012 Uniform Election Date. Hold a joint election with Dallas County Elections Department at an estimated increased cost of approximately \$2, 750.00.
- Option #2. Conduct elections in-house by purchasing/leasing machines directly from an election vendor. This Option represents significant costs for voting machines, staffing, ballots, etc; but eliminates concerns over Dallas County's capacity to conduct elections
- Option # 3 By December 31, 2011 adopt a resolution to "unstagger" and "hold-over" Council terms expiring in even-numbered years to odd-numbered years. Which will "holdover" Council terms expiring in May 2012 for an additional

year, and result in moving the May 12, 2012 General Election Date to November 6, 2012 Uniform Election Date (Presidential Election). Which will extend Council terms expiring in May 2012 for an additional six (6) months.***

Option #4 By December 31, 2011 adopt a resolution to move the May General Election Date to the November Uniform Election Date. Which will "holdover" Council terms expiring in May 2012 for an additional six (6) months***

Option #5 By December 31, 2012 adopt a resolution to extend the terms of office from two years to four years. Doing so would avoid overlap of Federal and State Primary, and Municipal Elections in future even-numbered years.***

***Since the City Charter states Council Members serve two-year "staggered" terms, voters may or may not have to ratify the referenced resolution(s)

Martin closed the presentation by stating the Texas Secretary of State is in the process of issuing Administrative Guidelines to implement SB 100. The State Legislature is also expected to consider SB 100 as part of the upcoming 83rd Legislative in 2013. The City Attorney will advise next steps based on which Option Council chooses.

Council discussion:

Magill – Martin stated at Magill's request other that participating in Dallas County Joint Elections will increase the City's costs about \$2,750 to about \$8,000 (depending on the number of cities participating) City Secretaries are quoting estimates of about \$40,000 to lease or purchase voting machines.

Landess – Dallas County is not agreeing to conduct May elections in future years, so the City may experience additional costs – Doesn't want to be at the whim of Dallas County. The City does not have the extra money to spend on elections. Wants enough time to weigh the costs, and the legalities of the Options with the goal of limiting the City's financial exposure, and getting as many people out to vote as possible.

Day – Spoke with Representative Burkett about SB 100 earlier today. Burkett has heard concerns from City Councils in her District about SB 100. Burkett will get back with Day with additional information.

10. EXECUTIVE SESSION

EXECUTIVE SESSION – Personnel, Section 551.074, Texas Local Government Code, Review the City Manager’s Employment Agreement.

(The City Council shall convene into closed Executive Session pursuant to Section 551.074 of the Texas Local Government Code to discuss personnel; to wit the City Manager’s Employment Agreement)

Council convened into Executive Session at 8:09 p.m.

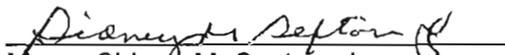
Council re-convened into Open Session at 8:24 p.m.

Mayor Sexton stated as related to the City Manager’s Employment Contract – City Manager Severance pay would increase from six (6) months to twelve (12) months all other Contract conditions remain the same.

ADJOURN –

Mayor Sexton adjourned the Council meeting at 8:24 p.m.

Approved this the 3rd day of October, 2011



Mayor Sidney M. Sexton, Jr.

ATTEST:



Sheila J. Martin, City Secretary

S.B. 100 OVERVIEW



City Council Meeting
September 19, 2011
Briefed by:
Sheila Martin, City Secretary

82nd Legislature Adopted SB 100 to:



Comply with Federal Military and Overseas Voter
Empowerment (MOVE) Act

Military and Overseas Voter Empowerment (MOVE Act)



- Passed by Congress in 2009.
- Goal of the MOVE Act: To make the voting process easier and faster for military and overseas voters.
- Absentee ballots must be mailed to military and overseas voters no later than 45 days before an election.
- Applies to any election that includes a federal office on the ballot.

Non-City Election Changes Under S.B. 100



- **General Primary Election Date** - No Change
 - Remains the first Tuesday in March of even-numbered years.
- **Primary Runoff Election Date**
 - Used to be the second Tuesday in April following the primary.
 - S.B. 100 changed this date to the fourth Tuesday in May.
- **November (Presidential Election) Uniform Election** - No Change
 - State law already required ballots to be transmitted 45 days in advance of November uniform date

2012 Primary/May Municipal Highlights



Deadline	Date
Deadline to file an application for place on the primary ballot	December 12, 2011
Deadline to conduct primary ballot drawing	December 20, 2011
Deadline to mail ballots to MOVE voters for primary	January 21, 2012
Primary Early Voting Period	February 21-March 2, 2012
Deadline to file an application for the May Municipal Election	March 5, 2012
Deadline to order an May 2012 Municipal Election	March 5, 2012
PRIMARY ELECTION DAY	March 6, 2012
Deadline to mail ballots to MOVE voters for runoff	April 7, 2012
May Municipal Election Early Voting Period	Apr. 30 – May 8, 2012
MAY MUNICIPAL UNIFORM ELECTION DAY	May 12, 2012
Primary Runoff Early Voting Period	May 14 – 18, 2012
PRIMARY Runoff Election Day	May 22, 2012

May Elections – Election Code Sec. 41.001(d)



- “(d) Notwithstanding Section 31.093, a county elections administrator is not required to enter into a contract to furnish election services for an election held on the date described by Subsection (a)(2) [Second Saturday in May of even-numbered year].”
- Previously, a county elections administrator had a duty to enter into a contract to furnish election services if requested to do so by a city.
- For counties without an elections administrator, the county does not have a duty to furnish election services.

S.B. 100 Affects Seagoville Voters



- **Because....**

- By City Charter, the City conducts City Council/Mayoral elections in May of even-numbered years
- And contracts with the county for electronic voting machines/election staff, ballot printing, etc as part of a Joint Elections Agreement
- And while Counties are not required to; Dallas County Elections Department (DCED) has agreed to hold 2012 Joint Elections

SB 100 Options



- As a part of SB 100, Council has the following options:
 - Look elsewhere for electronic voting machines to use in May elections;
 - Move city council/mayoral elections to November;
 - “Unstagger” and move to four-terms of office adjusted so that all Council/Mayoral elections are held in May of odd-numbered years.
 - Take no action, participate in 2012 May DCED Joint Elections

SB 100 Process



- A city that wishes to change its uniform election date “unstagger” Council terms, change Council terms of office, and or move to the November Uniform must adopt a resolution doing so by no later than December 31, 2012 [E.C. Sec. 41.0052(a)].
 - Because the City Charter states Council members serve two-year “staggered” terms; voters may or may not have to ratify the resolution *
 - Texas Constitution [Article 11) A City Charter can not be amended without a vote of the people*
 - Secretary of State and Texas Legislators are expected to adopt additional guidelines to fully implement SB 100*

Next Steps



- Staff will continue to update Council on SB 100
- City Attorney will issue opinions/advise base on the SB 100 Option(s) Council selects

QUESTIONS?

