



SPECIAL CITY COUNCIL MEETING

City Hall Council Chambers, 298 West Washington Street
Tuesday, May 17, 2022 at 5:30 PM

AGENDA

CALL TO ORDER

REGULAR AGENDA

1. Consider Approval of an Expenditure for Downtown Lighting
2. Consider Approval of a Resolution Authorizing a Local On-System Agreement with the Texas Department of Transportation for Traffic Signal Work at US 67 and Wolfe Nursery Road
3. Canvass Results of the May 7, 2022 General Election
4. Consider Approval of a Resolution Canvassing the Returns and Declaring the Results of the May 7, 2022 General Election
5. Administer Oaths of Office to Newly Elected Council Members
6. Comments from Outgoing Council Members
7. Comments from Newly Elected Council Members
8. Consider Approval of Appointments to Citizens Boards and Commissions

EXECUTIVE SESSION

In compliance with the provisions of the Texas Open Meetings Law, Subchapter D, Government Code, Vernon's Texas Codes, Annotated, in accordance with

- 9. Section 551.072 Deliberation Regarding Real Property** - to deliberate the purchase, exchange, lease, or value of real property, to wit: real property located in
 1. John Dupuy Survey

ADJOURN

In accordance with the Americans with Disabilities Act, persons who need accommodation to attend or participate in this meeting should contact City Hall at 254-918-1287 within 48 hours prior to the meeting to request such assistance.

Public Works
STAFF REPORT



SUBJECT: The Stable Development Agreement / TxDOT LOSA
MEETING: Special City Council Meeting - 17 May 2022
DEPARTMENT: Public Works
STAFF CONTACT: Nick Williams

RECOMMENDATION:

Staff recommends approval of the proposed resolution for a TxDOT Local On-System Agreement (LOSA).

BACKGROUND:

The Stable Development provides for commercial business growth and the extension of Wolfe Nursery Drive south of Washington Street which requires traffic signal and pavement layout modifications to the intersection. Because the modifications will take place within the TxDOT right-of-way, the state must grant authorization for the developer to perform the work.

The TxDOT LOSA form is a streamlined version of the Advance Funding Agreement, which was used recently for projects such as the traffic signal improvements at Saint Felix and Christy Plaza. TxDOT does not partner with private developers and the LOSA is the mechanism available for TxDOT to provide support and authorize the work for the project.

At the May 3, 2022 regular City Council Meeting, council authorized staff to execute the TxDOT LOSA once the agreement forms are received and the final version is approved by the city attorney.

This memorandum provides council with the opportunity to approve the TxDOT-required resolution for the LOSA. The necessary resolution language, required for TxDOT to approve the LOSA, was received from TxDOT on Friday, May 13th.

FISCAL IMPACT SUMMARY:

The LOSA provides formal state acknowledgement and permission to perform the work and places the financial liability with the city for the modifications to be installed in accordance with TxDOT requirements and specifications.

The construction costs for the improvements are identified as \$359,500. The direct and indirect state costs for the LOSA are identified as \$18,246 and \$17,148 respectively, totaling \$35,394. TxDOT has absorbed and waived all state fees and there are no state costs to the developer or the City of Stephenville for the LOSA.

While the LOSA places financial liability on the city for the intersection improvements, the Developer Agreement with The Stable, LLC that was approved at the May 13, 2022 council meeting, provides assurance to the city that the developer will "assume all the financial liability to construct the on-site necessary improvements..."

ATTACHMENTS:

An appropriate resolution is attached to this memorandum.

[TxDOT LOSA Resolution](#)

RESOLUTION NO. 2022-R-XX**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STEPHENVILLE, TEXAS, SUPPORTING A LOCAL ON-SYSTEM IMPROVEMENT PROJECT AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE INSTALLATION OF TWO NEW TRAFFIC SIGNAL MAST ARMS AND ASSOCIATED FOUNDATIONS LOCATED AT US 67 AND WOLFE NURSERY ROAD**

WHEREAS the City Council of the City of Stephenville ("City") wishes to enter into an Local On-Site System Improvement Project Agreement with the Texas Department of Transportation ("TxDOT") for the construction of active signal devices located at the intersection of US 67 and Wolfe Nursery Road in Stephenville, Texas.

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

SECTION 1.

That the City Council of the City of Stephenville authorizes a Local On-System Improvement Project Agreement with TxDOT for the installation of two new traffic signal mast arms and associated foundations to be installed at the intersection of US 67 and Wolfe Nursery Road for a total estimated cost of \$394,894.00 with the City's estimated share of the costs to be \$359,500.00, to be funded through a developer agreement between the City and The Stable Development, LLC. The City acknowledges that it is responsible for any project cost overruns.

SECTION 2.

That the mutual covenants and agreements between the City and TxDOT are detailed in a Local On-System Improvement Project Agreement for the project identified as CSJ # 02-2LOSA001.

SECTION 3.

The City Council authorizes the mayor or mayor pro tem of the City of Stephenville to execute all documents necessary to complete this transaction.

SECTION 4.

That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED this the 17th day of May, 2022.

Doug Svien, Mayor

ATTEST:

Staci L. King, City Secretary

Jason M. King,
Interim City Manager

Randy Thomas, City Attorney
Approved as to form and legality

DRAFT

A RESOLUTION CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE CITY GENERAL ELECTION

There came to be considered the returns of an election held on the 5th day of May 2022, for the purpose of electing the hereinafter named officials, and it appears from said returns, duly and legally made, that there were cast at said election 1,878 valid and legal votes; that each of the candidates in said election received the following votes:

City Council Place 2		City Council Place 4	
Justin Haschke	1621	Robert "Bob" Newby	1558
City Council Place 6		City Council Place 8	
David Baskett	870	Mark McClinton	1587
Dean Parr	861		
Mayor			
Brady Pendleton	814		
Doug Svien	1002		

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

That said election was duly called; that notice of said election was given in accordance with law, and that said election was held in accordance with law, and that:

- Doug Svien was duly elected to Mayor;
- Justin Haschke was duly elected to City Council, Place 2;
- Robert "Bob" Newby was duly elected to City Council, Place 4;
- David Baskett was duly elected to City Council, Place 6;
- Mark McClinton was duly elected to City Council, Place 8.

Said above-named parties are hereby declared duly elected to said respective offices, subject to the taking of their oaths of office as provided by the laws of the State of Texas and the Charter of the City of Stephenville, Texas.

PASSED AND APPROVED by the City Council of the City of Stephenville, Texas, this the 17th day of May, 2022.

Doug Svien, Mayor

ATTEST:

Staci L. King, City Secretary

Jason King, Interim City Manager
Reviewed

Randy Thomas, City Attorney
Approved as to form and legality

Summary Results Report
2022 Joint Election
May 7, 2022

STATISTICS

	TOTAL	Absentee	Early Voting	Election Day
Election Day Precincts Reporting	22 of 22	0	0	22
Precincts Partially Reported	22 of 22	0	0	22
Absentee/ Early Precincts Reporting	22 of 22	20	22	0
Registered Voters - Total	24,468			
Ballots Cast - Total	3,864	186	2,469	1,209
Ballots Cast - Blank	1	0	0	1
Voter Turnout - Total	15.79%			

Summary Results Report
 2022 Joint Election
 May 7, 2022

Mayor City of Stephenville
 Vote For 1

	TOTAL	VOTE %	Absentee	Early Voting	Election Day
Brady Pendleton	814	44.82%	32	538	244
Doug Svien	1,002	55.18%	48	665	289
Total Votes Cast	1,816	100.00%	80	1,203	533
Overvotes	0		0	0	0
Undervotes	62		4	28	30

City Council, Place 2 City of Stephenville
 Vote For 1

	TOTAL	VOTE %	Absentee	Early Voting	Election Day
Justin Haschke	1,621	100.00%	66	1,074	481
Total Votes Cast	1,621	100.00%	66	1,074	481
Overvotes	0		0	0	0
Undervotes	257		18	157	82

City Council, Place 4 City of Stephenville
 Vote For 1

	TOTAL	VOTE %	Absentee	Early Voting	Election Day
Robert "Bob" Newby	1,558	100.00%	59	1,027	472
Total Votes Cast	1,558	100.00%	59	1,027	472
Overvotes	0		0	0	0
Undervotes	320		25	204	91

Summary Results Report
2022 Joint Election
May 7, 2022

City Council, Place 6 City of Stephenville
Vote For 1

	TOTAL	VOTE %	Absentee	Early Voting	Election Day
David Baskett	870	50.26%	39	568	263
Dean Parr	861	49.74%	29	588	244
Total Votes Cast	1,731	100.00%	68	1,156	507
Overvotes	0		0	0	0
Undervotes	147		16	75	56

City Council, Place 8 City of Stephenville
Vote For 1

	TOTAL	VOTE %	Absentee	Early Voting	Election Day
Mark McClinton	1,587	100.00%	65	1,055	467
Total Votes Cast	1,587	100.00%	65	1,055	467
Overvotes	0		0	0	0
Undervotes	291		19	176	96



COMMITTEE REPORT

REPORT TYPE: Nominations Committee Report

MEETING: April 19, 2022

Present: Gerald Cook, chair; LeAnn Durfey, Justin Haschke, Alan Nix

Absent:

DEPARTMENT: Administration

STAFF CONTACT: Staci L. King

DISCUSS VACANCIES ON BOARDS AND COMMISSIONS

The Committee discussed various vacancies on Boards and Commissions. Council member Alan Nix, who has applied for a vacant seat after his council term, abstained and left the room during discussion.

After discussion, the committee voted to take the following recommendations to council at the special meeting on May 17:

Appoint Kellijon Nance to SEDA

Appoint Alan Nix to Board of Adjustment