City Council Agenda

SAGINAW CITY COUNCIL
NOTICE OF MEETING

Meeting and/or Executive Session Agenda
6:00 PM - Tuesday, May 16, 2023
Saginaw City Hall Council Chambers
333 West McLeroy Blvd.

In accordance with Section 551.043 of the Texas Government Code, this agenda has been posted at Saginaw City Hall, and distributed to the appropriate news media within the required time frame. All meetings of the Saginaw City Council are open to the public. Public participation and written comments are invited on all open session business items.

The Mayor and City Council request that all cell phones and pagers be turned off or set to vibrate. Members of the audience are requested to step outside to respond to a page or to conduct a phone conversation.

The City Hall is wheelchair accessible and special parking is available on the east side of the building. If special accommodations are required please contact the City Secretary a minimum of 72 hours in advance at 817-232-4640.

(1) Call to Order--Todd Flippo, Mayor

Pledge of Allegiance to the United States

Pledge of Allegiance to the State of Texas

"Honor the Texas Flag; I pledge allegiance to thee, Texas, one State under God, one and indivisible"

(2) Invocation

(3) Audience Participation--On the Video Screen

(4) Consent Agenda--All items listed with lower case letters are part of the Consent Agenda. Public hearing and review are held collectively unless opposition is presented, in which case the contested item will be heard separately.

(a) Action regarding a Chapter 380 Economic Development Incentive Agreement with Blazing Hospitality (1005 N. Saginaw Blvd.)--Keith Rinehart, Director of Community & Economic Development

(b) Action regarding Resolution No. 2023-11, City of Saginaw's Application to Texas Department of Transportation's 2023 Transportation Alternatives Set-Aside (TA) Call for Projects--Trenton Tidwell, P.E.,

Kimley-Horn & Associates

(c) Action regarding Ordinance No. 2023-18, Authorizing the Mayor to Execute a Quitclaim Deed abandoning an Eight (8) Foot Utility Easement to Richard Linthicum, Owner of Lot 27, Block 1 of The Dominion Phase II--Salvador Gonzalez, Management Analyst

(5) Recognition of Members of Mayor's Youth Advisory Council--Salvador Gonzales, Management Analyst

(6) Consideration and Action regarding Resolution No. 2023-12, Canvassing Returns and Declaring Results of the General Election held on May 6, 2023--Janice England, City Secretary

(7) Consideration and Action regarding Resolution No. 2023-13, Canvassing Returns and Declaring Results of Special Election held on May 6, 2023 to determine whether the voters of the City of Saginaw desire to continue a Sales and Use Tax for Street Maintenance in the City--Janice England, City Secretary

(8) Presentation to Outgoing Councilmember Tucker--Todd Flippo, Mayor

(9) Recognition of Mayor Flippo's 15 Years of Service--Valerie Junkersfeld, Mayor Pro-Tem

(10) Oath of Office for Councilmember Place 6--Janice England, City Secretary

(11) Election of Mayor Pro-Tem--Todd Flippo, Mayor

(12) PUBLIC HEARING - Consideration and Action regarding Recommendation from Planning and Zoning Commission regarding request to Amend the Zoning Ordinance of the City of Saginaw, regarding a Change in Zoning from Community Commercial (CC) to Heavy Industrial (HI) on approximately 12.85 acres of land out of the Bursey, John Survey, Abstract 122, Tract 2A1 & 6A1 & Part C1 Street more commonly known as 2301 Terminal Road, Saginaw, TX 76106 (per TAD) (Ordinance No. 2023-16)--Britton New

(13) PUBLIC HEARING--Consideration and Action regarding Recommendation from Planning & Zoning Commission regarding Amending Appendix A, "Zoning", Article 8, "Supplemental District Regulations, Section 8-9, Off-Street Parking and Loading Requirements" of the Saginaw City Code by Updating On Premise Parking Requirements and Residential and Non Residential Parking Standards (Ordinance No. 2023-17)--Larry Little, Chief Building Offiicial

(14) Consideration and Action regarding Award of Bid for Knowles Drive Phases 2 & 3 Project (Tabled at 5-2-2023 Meeting)--Randy Newsom, Director of

Public Works & Trenton Tidwell, Kimley-Horn & Associates

(15) Library Presentation--Ellen Ritchie, Library Director

(16) Animal Services Presentation--Jose Wheeland, Animal Services Manager

(17) Executive Session--The City Council may take action on any Executive Session item posted.

551.071. Texas Government Code.

Consultation with Attorney. The City Council may convene in executive session to conduct a private consultation with its attorney on any legally posted agenda item, when the City Council seeks the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provisions of Chapter 551, including the following items:

(a) Any Posted Item

551.087 Texas Government Code.

Deliberation regarding Economic Development Negotiations. The City Council may convene in executive session to discuss or deliberate regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the City and with which the City is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect described above, including:

(a) Building Improvement Grant Application--712 S. Saginaw Blvd.

(18) Adjournment--Todd Flippo, Mayor

City of Saginaw

Meeting Date: 5/16/2023

Agenda Items: (4)(a)

Staff Contact: Keith C. Rinehart
Director of Community & Economic Development

E-mail: krinehart@saginawtx.org

Phone: 18172300331

SUBJECT:
Consideration and Action regarding a Chapter 380 Economic Development Incentive Agreement with Blazing Hospitality (1005 N. Saginaw Blvd.)

BACKGROUND/DISCUSSION:
The proposed agreement is a Chapter 380 Economic Development Incentive Agreement with Blazing Hospitality. It addresses the demolition of the existing building at 1005 N. Saginaw Blvd. The building has been vacant for many years. The purpose of the demolition is to support future development of the property. The agreement sets forth the City's participation which is an amount not to exceed $25,000.

This item was originally approved by the Saginaw City Council at the October 18, 2022 meeting. The proposed agreement was not available at the time the meeting packet was prepared last October 2022. Therefore, we are bringing this back to you at this meeting for official approval.

In addition, this property finally sold to the Blazing Hospitality Group on May 4, 2023.

FINANCIAL IMPACT:
The financial impact is not to exceed $25,000 and will be paid from account 01-6141-1300 (Economic Development Incentive).

RECOMMENDATION:
Staff recommends approval of the 380 Economic Development Incentive Agreement with Blazing Hospitality (as originally approved at the October 18, 2022 City Council Meeting).

ATTACHMENTS:

Description

Council Communique

City of Saginaw

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

333 W. McLeroy Blvd., Saginaw, Texas 76179

Council Agenda Background

To: Gabe Reaume, City Manager

From: Keith C. Rinehart, Director of Community & Economic Development

Date: City Council Meeting – May 16, 2023

ITEM:

Consideration and Action regarding a Chapter 380 Economic Development Incentive Agreement with Blazing Hospitality (1005 N. Saginaw Blvd.)

PRESENTER:

Keith C. Rinehart, Director of Community & Economic Development

DISCUSSION:

The proposed agreement is a Chapter 380 Economic Development Incentive Agreement with Blazing Hospitality. It addresses the demolition of the existing building at 1005 N. Saginaw Blvd. The building has been vacant for many years. The purpose of the demolition is to support future development of the property. The agreement sets forth the City's participation which is an amount not to exceed $25,000.

This item was originally approved by the Saginaw City Council at the October 18, 2022 meeting. The proposed agreement was not available at the time the meeting packet was prepared last October 2022. Therefore, we are bringing this back to you at this meeting for official approval.

FINANCIAL IMPACT:

The financial impact is not to exceed $25,000 and will be paid from account 01-6141-1300 (Economic Development Incentive).

RECOMMENDATION

Staff recommends approval of the 380 Economic Development Incentive Agreement with Blazing Hospitality (as originally approved at the October 18, 2022 City Council Meeting).

ATTACHMENTS:

- 380 Economic Development Incentive Agreement with Blazing Hospitality
- Copy of October 18, 2022 Agenda
- Copy of October 18, 2022 Minutes (page 7 of 14)

If you have any questions, please contact me at 817-230-0331.
Thank you,



Keith C. Rinehart, Director of Community & Economic Development

CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT
BY AND BETWEEN
THE CITY OF SAGINAW, TEXAS AND SP SA DEVELOPMENT, LLC

This CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT ("Agreement") is made and entered into by and between the CITY OF SAGINAW, TEXAS, a Texas municipal corporation within Tarrant County, Texas ("City"), and SP SA DEVELOPMENT, LLC a Texas limited liability company ("Developer"), each of which may be singularly referred to as "Party" and jointly referred to as "Parties," acting by and through their respective authorized officers and representatives, for the purposes and considerations stated below:

WHEREAS, the City desires to provide, pursuant to Chapter 380 of the Texas Local Government Code ("Chapter 380"), an incentive to Developer to develop land wholly located within the City limits for a restaurant or coffee shop; and

WHEREAS, Developer owns property located at 1005 N. Saginaw Blvd., Saginaw, Tarrant County, Texas, (the "Property") upon which is located a dilapidated structure; and

WHEREAS, to develop the Property, the existing structure must be demolished; and

WHEREAS, the Parties agree that the Development contemplated herein has been proposed by Developer and is being incentivized herein by the City because of the anticipated benefit to the general public by establishing a viable business on the Property; and

WHEREAS, the City has the discretionary authority under Article 52-a of the Texas Constitution and Chapter 380 to make loans or grants of public funds for the purposes of promoting local economic development and through which stimulates business and commercial activity within the City; and

WHEREAS, the City Council finds and determines that making economic development Grant Payment to Developer in accordance with this Agreement will further the objectives of the City, benefit the City and the City's inhabitants, and promote economic development and stimulate business and commercial activity in the City.

NOW THEREFORE, in consideration of the mutual benefits and promises contained herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

SECTION 1.
FINDINGS INCORPORATED

The foregoing recitals are hereby incorporated into the body of this Agreement and shall be considered part of the mutual covenants, consideration and promises that bind the Parties.

SECTION 2.
PROGRAM AND TERM

2.1 Program. Pursuant to Section 380.001 of the Texas Local Government Code, a program is hereby established for the development of the Property to demolish substandard and outdated structures in the City for the reasons set forth in the recitals, and to encourage new, quality development. The terms of this Agreement shall implement the program.

2.2 Term. The term of this Agreement shall begin on the Effective Date and will continue until all obligations of each Party are completed.

SECTION 3.
DEFINITIONS

For purposes of this Agreement, the following words shall have the meanings ascribed:

BANKRUPTCY OR INSOLVENCY means the dissolution or termination (other than a dissolution or termination by reason of Developer merging with an affiliate) of Developer's existence as a going business, insolvency, appointment of receiver for any part of Developer's property and such appointment is not terminated within 60 days after such appointment is initially made, any general assignment for the benefit of creditors, or the commencement of any proceeding under any bankruptcy or insolvency laws by or against Developer and such proceeding is not dismissed within 60 days after the filing thereof.

CERTIFICATE OF OCCUPANCY means a certificate issued by the City certifying a building's compliance with applicable building codes and other laws, and indicating it to be in a condition suitable for human occupancy.

DEMOLITION means the demolition of the current structure located on the Property.

DEVELOPMENT means the demolition of the structure located on the Property so that a more desirable business or restaurant can be located there.

EFFECTIVE DATE means the date set forth in Section 9 of this Agreement.

FORCE MAJEURE means any contingency or cause beyond the reasonable control of a Party including, without limitation, acts of God or the public enemy, war, terrorist act, or threat thereof, riot, civil commotion, insurrection, government action or inaction (unless cause by the intentionally wrongful acts of omissions of the Party), fires, earthquake, tornado, hurricane, explosions, floods, strikes, slowdowns or work stoppages.

GRANT PAYMENT means a payment of up to Twenty-Five Thousand Dollars ($25,000.00) to reimburse Developer for demolishing the current structure located on the Property.

IMPOSITIONS mean all taxes, assessments, use and occupancy taxes, charges, excises, license and permit fees, and other charges by public or governmental authority, general and

special, ordinary and extraordinary, foreseen and unforeseen, which are or may be assessed, charged, levied, or imposed by any public or governmental authority on Developer or any property or any business owned by Developer within the City.

PROPERTY means the property on which the Development is located, as depicted in "Exhibit A."

SECTION 4.
OBLIGATIONS OF DEVELOPER

The obligation of City to provide a Grant Payment shall be conditioned upon the compliance and satisfaction by Developer of the terms and conditions of the Agreement and each of the conditions set forth herein:

4.1 Conditions of Grant Payment. In consideration of City agreeing to pay Developer the Grant Payment in accordance with the terms, provisions and conditions of this Agreement, Developer agrees to the following, which are not obligations of Developer, but are conditions that must be fulfilled in order to receive the Grant Payment:

(A) Demolish the structure located on the Property no later than July 31, 2023.

(B) Provide documentation satisfactory to the City showing the cost of the Demolition.

(C) Remain current and paid on all Impositions, subject to appeal rights in accordance with law and subject to a right to cure any delinquency.

4.2 Good Standing. Developer shall not have an uncured breach or default of this Agreement or any other agreement between the Parties concerning the Development and shall be solely responsible for the payment of all fees and for securing all permits necessary for construction of the Development. For all portions of the Property owned by Developer, all ad valorem taxes owed to the City or other jurisdiction for the Property are to remain current.

SECTION 5.
OBLIGATIONS OF CITY

5.1 Grant Payment. Provided Developer is in compliance with each material term of this Agreement and has provided documentation satisfactory to the City showing the cost of the Demolition, the City will make a Grant Payment in an amount not to exceed Twenty-Five Thousand Dollars ($25,000.00) to reimburse Developer for the cost of the Demolition.

5.2 Default. Should Developer fail to demolish the structure by the date required in Section 4, this Agreement shall terminate and the City shall have no obligation to make the Grant Payment.

SECTION 6.
TERMINATION; OFFSET

6.1 Termination. This Agreement terminates at the end of the Term, and may, prior to the Expiration Date, be terminated upon any one or more of the following:

(A) by mutual written agreement of the Parties;

(B) upon written notice by either Party, if the other Party defaults or breaches any of the terms or conditions of this Agreement and such default or breach is not cured within thirty (30) days after written notice thereof;

(C) should any written warranty, representation or statement made or furnished to City by Developer under this Agreement or any document(s) related hereto furnished to the City is/are false or misleading in any material respect, either now or at the time made or furnished, and the furnishing Party fails to cure same within thirty (30) days after written notice from the receiving Party describing the violation, or if such violation cannot be cured within such thirty (30) say period in the exercise of all due diligence;

(D) upon written notice by City, if any Impositions owed to City or the State of Texas by Developer shall have become delinquent (provided, however, Developer retains the right to timely and properly protest and contest any such taxes or Impositions);

(E) upon written notice by City, if Developer suffers an event of Bankruptcy or Insolvency; or

(F) upon written notice by either Party if any subsequent federal or state legislation or any decision of a court of competent jurisdiction declares or renders this Agreement invalid, illegal or unenforceable.

6.2 Offsets. City may, at its option, offset any amounts due and payable to Developer under this Agreement against any debt (including taxes) lawfully due to City, from Developer, regardless of whether the amount due arises pursuant to the terms of this Agreement or otherwise, and regardless of whether or not the debt in question has been reduced to judgment by a court.

SECTION 7.
INDEMNIFICATION

7.1 **DEVELOPER EXPRESSLY AGREES TO FULLY AND COMPLETELY DEFEND, INDEMNIFY, AND HOLD HARMLESS THE CITY, ITS OFFICERS, AND EMPLOYEES AGAINST ANY AND ALL CLAIMS, LAWSUITS, LIABILITIES, JUDGMENTS, COSTS, AND EXPENSES FOR PERSONAL INJURY (INCLUDING DEATH), PROPERTY DAMAGE OR OTHER HARM, DAMAGES OR LIABILITY FOR WHICH RECOVERY OF DAMAGES IS**

SOUGHT, SUFFERED BY ANY PERSON OR PERSONS, THAT MAY ARISE OUT OF OR BE OCCASIONED BY ANY NEGLIGENT, GROSSLY NEGLIGENT, WRONGFUL, OR STRICTLY LIABLE ACT OR OMISSION OF DEVELOPER OR ITS AGENTS OR EMPLOYEES, ARISING OUT OF DEVELOPER'S PERFORMANCE OF THIS AGREEMENT; PROVIDED, HOWEVER, IN NO EVENT WILL DEVELOPER HAVE ANY SUCH INDEMNIFICATION OBLIGATION FOR ANY CLAIMS, LAWSUITS, LIABILITIES, JUDGMENTS, COSTS AND EXPENSES ARISING OUT OF OR CAUSED BY THE SOLE NEGLIGENCE, SOLE GROSS NEGLIGENCE, WILLFUL MISCONDUCT, OR ANY OTHER SOLE ACT OR OMISSION OF THE CITY OR ITS OFFICERS OR EMPLOYEES. NOTHING IN THIS PARAGRAPH MAY BE CONSTRUED AS WAIVING ANY GOVERNMENTAL IMMUNITY AVAILABLE TO THE CITY UNDER STATE LAW. IN THE EVENT OF JOINT OR CONCURRENT NEGLIGENCE OF BOTH THE CITY AND DEVELOPER, THE RESPONSIBILITY, IF ANY, OF DEVELOPER TO INDEMNIFY THE CITY SHALL BE APPORTIONED COMPARATIVELY IN ACCORDANCE WITH THE LAWS OF THE STATE OF TEXAS.

7.2 It is acknowledged and agreed by the Parties that the terms hereof are not intended to and shall not be deemed to create a partnership or joint venture among the Parties. The City, their past, present and future officers, elected officials, directors, employees and agents of the City does not assume any responsibility to any third party in connection with Developer's construction of the Development.

SECTION 8.
MISCELLANEOUS PROVISIONS

The following miscellaneous provisions are a part of this Agreement:

8.1 Amendments. Any amendments to this Agreement must be in writing and signed by the appropriate authorities of all Parties.

8.2 Applicable Law and Venue. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, and all obligations of the Parties created hereunder are performable in Tarrant County, Texas. Exclusive venue for any action arising under this Agreement shall lie in the state district courts of Tarrant County, Texas.

8.3 Assignment; Conveyance of the Property. This Agreement may not be assigned without the express written consent of all of the other Parties.

8.4 Binding Obligation. This Agreement shall become a binding obligation on the signatories upon execution by all signatories hereto and upon any successor or approved assignee of Developer. City warrants and represents that the individual executing this Agreement on behalf of City has full authority to execute this Agreement and bind City to the same. Developer warrants and represents that the individual executing this Agreement on Developer's behalf has full authority to execute this Agreement and bind it to the same.

8.5 Caption Headings. Caption headings in this Agreement are for convenience purposes only and are not to be used to interpret or define the provisions of the Agreement.

8.6 Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original and all of which shall constitute one and the same document.

8.7 Entire Agreement. This Agreement constitutes the entire understanding and agreement of the Parties as to the matters set forth in this Agreement. No other understanding, oral or otherwise, in direct conflict with this Agreement shall be deemed to exist or to bind any of the Parties hereto. All prior written or oral offers, counteroffers, memoranda of understanding, proposals and the like are superseded by this Agreement. No alteration of or amendment to this Agreement shall be effective unless given in writing and signed by the Party or Parties sought to be charged or bound by the alteration or amendment. Neither Party is relying on any statement, representation, nor warranty of the other Party not expressly set out in this Agreement. Each of the undersigned authorized representatives of the Parties warrants and represents and does hereby state and represent that no promise or agreement which is not herein expressed has been made to him or her in executing this Agreement, and that none of us is relying upon any statement or representation of any agent of the Parties. Each Party is relying on his or her own judgment and each Party has been represented by independent counsel of its choosing.

8.8 Force Majeure. It is expressly understood and agreed by the Parties to this Agreement that if the performance of any obligations hereunder is delayed by reason of Force Majeure, the Party so obligated or permitted shall be excused from doing or performing the same during such period of delay, so that the time period applicable to such obligation or requirement shall be extended for a period of time equal to the period such Party was delayed.

8.9 Further Acts and Releases. The Parties agree to take such additional acts and execute such other documents as may be reasonable and necessary in the performance of their obligations hereunder.

8.10 Governmental Powers; Waiver of Immunity. By execution of this Agreement, the City does not waive or surrender any of its governmental powers, immunities or rights.

8.11 No Third Party Beneficiaries. The performance of the respective obligations of the Parties under this Agreement are not intended to benefit any party other than the City or Developer except as expressly provided otherwise herein. No person or entity not a signatory to this Agreement shall have any rights or causes of action against any Party to this Agreement as a result of that Party's performance or non-performance under this Agreement, except as expressly provided otherwise herein.

8.12 Notices. Any notice or other communication required or permitted by this Agreement (hereinafter referred to as the "Notice") is effective when in writing and (i) personally delivered either by facsimile (with electronic information and a mailed copy to follow) or

by hand or (ii) three (3) days after notice is deposited with the U.S. Postal Service, postage prepaid, certified with return receipt requested, and addressed as follows:

If intended for City, to:	If intended for Developer, to:
City of Saginaw 333 West McLeroy Blvd. Saginaw, Texas 76179 Attn: City Manager Facsimile: (817) 332-4644	SP SA Development 4940 N. Tarrant Parkway Fort Worth, Texas 76244 Attn: Smit Shaw Facsimile: _____
With a copy to: Taylor, Olson, Adkins, Sralla & Elam, LLP 6000 Western Place, Suite 200 Fort Worth, Texas 76107 Attn: Bryn Meredith Facsimile: (817) 332-4740	With a copy to: _____ _____ _____ Attn: _____ Facsimile: _____

8.13 Relationship of Parties. The Parties shall not be deemed in a relationship of partners or joint ventures by virtue of this Agreement, nor shall any Party be an agent, representative, trustee or fiduciary of the other. No Party shall have any authority to bind any other Party to any agreement.

8.14 Severability. The Parties declare that the provisions of this Agreement are severable. If it is determined by a court of competent jurisdiction that any term, condition or provision hereof is void, voidable, or unenforceable for any reason whatsoever, then such term, condition or provision shall be severed from this Agreement and the remainder of the Agreement enforced in accordance with its terms. The Parties explicitly agree that this Clause 8.14 does not apply if the unenforceability relieves one Party from substantially all of its duties and obligations under this Agreement.

8.15 Time is of the Essence. Subject to the terms contained herein, time is of the essence in the performance of this Agreement.

8.16 Compliance with Law. All aspects of the construction and development of the Development shall be in substantial conformance with applicable state, federal and local laws.

8.17 Inspection. The City shall have access at all times to inspect construction of the Development.

8.18 No Alteration of Development Regulations. This Agreement is not intended to and does not waive or alter any development requirement imposed by City ordinances, City development regulations or other law.

8.19 Undocumented Workers. As required by Subchapter B of Chapter 2264 of the Texas Government Code, Developer certifies that to Developer's knowledge it does not and will not knowingly employ an undocumented worker. If after receiving a Grant Payment set forth in this Agreement Developer is convicted under 8 USC Section 1324(a)(6), Developer shall repay the amount of the Grant Payment (or portion that he has received) plus 10% interest not later than the 120th day after the date the City notifies Developer of the violation. Developer is not liable for a violation of this Section by a subsidiary, affiliate, or franchisee of Developer or by a person with whom Developer contracts.

8.20 Rough Proportionality; Nexus. Developer acknowledges and agrees that all prerequisites to such a determination of rough proportionality have been met, and that any costs incurred relative to said donation and dedication are related both in nature and extent to the impact of the Development. Developer waives and releases all claims against the City related to any and all rough proportionality and individual determination requirements mandated by Subchapter Z of Chapter 212, Texas Local Government Code, as well as other requirements of a nexus between development conditions and the projected impact of the Development.

8.21 Gift to Public Servant. Each Party hereto represents to the other that it has not offered, conferred, or agreed to confer and that it will not offer, confer or agree to confer in the future any benefit upon an employee or official of the other Party. For purposes of this section, "benefit" means anything reasonably regarded as economic advantage, including benefit to any other person in whose welfare the beneficiary is interested, but does not include a contribution or expenditure made and reported in accordance with law. Notwithstanding any other legal remedies, City may obtain reimbursement for any expenditures made to Developer as a result of the improper offer, agreement to confer, or conferring of a benefit to a City employee or official.

8.22 Interpretation. This Agreement shall not be construed against the drafting Party.

8.23 Limitation of Liability. In no event will either Party be liable to the other Party for any indirect, special, punitive, or exemplary damages.

8.24 Expedited Permit Review. The City agrees to expedite the review of any permits submitted by Developer related to the project that is the subject of this Agreement.

8.25 Anti-Boycott Verifications. Developer hereby verifies that it and its parent company, wholly- or majority-owned subsidiaries, and other affiliates, if any, do not boycott Israel and, to the extent this Agreement is a contract for goods or services, will not boycott Israel during the term of this Agreement. The foregoing verification is made solely to comply with Section 2271.002, Texas Government Code, and to the extent such section does not contravene applicable Federal law. As used in the foregoing verification, 'boycott Israel' means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes.

For purposes of this paragraph, Developer understands 'affiliate' to mean an entity that controls, is controlled by, or is under common control with Developer and exists to make a profit.

8.26 Iran, Sudan and Foreign Terrorist Organizations. Developer represents that neither it nor any of its parent company, wholly- or majority-owned subsidiaries, and other affiliates is a company identified on a list prepared and maintained by the Texas Comptroller of Public Accounts under Section 2252.153 or Section 2270.0201, Texas Government Code, and posted on any of the following pages of such officer's internet website: https://comptroller.texas.gov/purchasing/docs/sudan-list.pdf, https://comptroller.texas.gov/purchasing/docs/iran-list.pdf, or https://comptroller.texas.gov/purchasing/docs/fto-list.pdf. The foregoing representation is made solely to comply with Section 2252.152, Texas Government Code, and to the extent such section does not contravene applicable Federal law and excludes Developer and each of its parent company, wholly- or majority-owned subsidiaries, and other affiliates, if any, that the United States government has affirmatively declared to be excluded from its federal sanctions regime relating to Sudan or Iran or any federal sanctions regime relating to a foreign terrorist organization. For purposes of this paragraph, Developer understands "affiliate" to mean any entity that controls, is controlled by, or is under common control with Developer and exists to make a profit.

8.27 Fossil Fuels Boycott Verification. As required by 2274.002, Texas Government Code (as added by Senate Bill 13, 87th Texas Legislature, Regular Session), as amended, Developer hereby verifies that Developer, including any wholly-owned subsidiary, majority-owned subsidiary, parent company, or affiliate of the same, does not boycott energy companies, and will not boycott energy companies during the term of this Agreement. As used in the foregoing verification, "boycott energy companies" shall have the meaning assigned to the term "boycott energy company" in Section 809.001, Texas Government Code, as amended.

8.28 Firearms Discrimination Verification. As required by Section 2274.002, Texas Government Code (as added by Senate Bill 19, 87th Texas Legislature, Regular Session, SB 19), as amended, Developer hereby verifies that Developer, including any wholly-owned subsidiary, majority-owned subsidiary, parent company, or affiliate of the same, (i) does not have a practice, policy, guidance or directive that discriminates against a firearm entity or firearm trade association; and (ii) will not discriminate against a firearm entity or firearm trade association during the term of this Agreement. As used in the foregoing verification, "discriminate against a firearm entity or trade association" shall have the meaning assigned to such term in Section 2274.001(3), Texas Government Code (as added by SB 19), as amended.

SECTION 9.
EFFECTIVE DATE.

This Agreement shall become effective upon the execution of the Agreement by all Parties.

Executed by the parties to be effective on the Effective Date.

CITY OF SAGINAW, TEXAS

_____
Todd Flippo, Mayor
Date: _____

STATE OF TEXAS §
§
COUNTY OF TARRANT §

This instrument was acknowledged before me on the ___ day of _____, 2023 by Todd Flippo, the Mayor of the City of Saginaw, Texas, on behalf of said City.

(SEAL)

_____
Notary Public, State of Texas

SP SA DEVELOPMENT, LLC

_____
Smit Shaw, Manager
Date: _____

STATE OF TEXAS §
§
COUNTY OF _____ §

This instrument was acknowledged before me on the ___ day of _____, 2023 by Smith Shaw, the manager of SP SA Development, LLC, a Texas limited liability company, on behalf of such entity.

(SEAL)

_____
Notary Public, State of Texas

EXHIBIT A

City Council Agenda

SAGINAW CITY COUNCIL
NOTICE OF MEETING

Meeting and/or Executive Session Agenda
6:00 PM - Tuesday, October 18, 2022
Saginaw City Hall Council Chambers
333 West McLeroy Blvd.

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(1) Call to Order--Todd Flippo, Mayor

Pledge of Allegiance to the United States

Pledge of Allegiance to the State of Texas

"Honor the Texas Flag; I pledge allegiance to thee, Texas, one State under God, one and indivisible"

(2) Invocation--Pastor Michael Orr, Saginaw Church of Christ

(3) Audience Participation--On the Video Screen

(4) Consent Agenda--All items listed with lower case letters are part of the Consent Agenda. Public hearing and review are held collectively unless opposition is presented, in which case the contested item will be heard separately.

(a) Action regarding Minutes, September 20, 2022--Janice England, City Secretary

(b) Action regarding Recommendation from Advisory Recreation and Parks Board for Early Weather Warning System--Randy Newsom, Director of Public Works

(c) Action regarding Recommendation from Advisory Recreation and Parks Board for Relocation of Kiwanis Veterans Memorial Park--Randy Newsom, Director of Public Works

(d) Action regarding Recommendation from Advisory Recreation and Parks Board for the Purchase of a Christmas Tree--Randy Newsom, Director of Public Works

(e) Action regarding Approval of Interlocal Agreement with Tarrant County for Construction of an Earthen Berm at Highland Station Park--Randy Newsom, Director of Public Works

(f) Action regarding Funding Interlocal Agreement with Tarrant County for FM 156 at Industrial Avenue Intersection Improvements (Construction Phase)--Randy Newsom, Director of Public Works

(g) Action regarding Authorization of an Interlocal Agreement with the City of Fort Worth for Intersection Improvements for FM 156 at Industrial Avenue/Cantrell Sansom Road--Randy Newsom, Director of Public Works

(h) Action regarding Authorization of Task 2 to Professional Services Agreement with Cobb, Fendley & Associates, Inc. to provide Right-of-Way Services for the FM 156 at Industrial Avenue Intersection Project (CSJ # 0718-02-076)--Randy Newsom, Director of Public Works

(i) Consideration and Action regarding a Chapter 380 Economic Development Incentive Agreement with Blazing Hospitality (1005 N. Saginaw Blvd)--Keith Rinehart, Director of Community & Economic Development

(j) Action regarding Aquatic Center Repairs and Renovations--Keith Rinehart, Director of Community & Economic Development

(k) Action regarding New Fire Engine Purchase--Doug Spears, Fire Chief

(l) Action regarding Contract Renewal with Tarrant County Emergency Services District #1 for 2022-2023--Doug Spears, Fire Chief

(5) Proclamation--Banjul, Texas Day & Introduction of Guests from Sister City Banjul, The Gambia--Todd Flippo, Mayor

(6) Award Recognition: Texas Municipal League Excellence in Management Innovation Award & Texas Municipal League Excellence in Communication Award--Todd Flippo, Mayor

(7) Consideration and Action regarding Recommendation from Planning and Zoning Commission regarding Site Plan for Senior Living at Saginaw Phase 3

on 2.987 acres out of the Alexander F. Albright Survey, Abstract No. 1849, more commonly known as 816 W. McLeroy Blvd.--Anand Patel, Journey Capital

(8) Consideration and Action regarding Recommendation from Planning and Zoning Commission regarding Preliminary Plat for Victory Shops Saginaw, Tracts 1 (Tracts 3C/3E per TAD) and 2 (Tract 1 per TAD), 76.61 acres out of the J. Walker Survey, Abstract No. 1602 and the J.A. Bradford Survey, Abstract No. 183--Will Winkelmann, P.E., Winkelmann & Associates

(9) PUBLIC HEARING -Consideration and Action regarding Ordinance No. 2022-18, amending the City's Drainage Utility System Schedule of Charges--Kim Quin, Finance Director

(10) Consideration and Action regarding Recommendation from Advisory Recreation and Parks Board for Saginaw Switchyard Expansion--Randy Newsom, Director of Public Works

(11) Consideration and Action regarding an Economic Development Agreement by and between the City of Saginaw, Texas and Triton Saginaw, LLC for the sale and development of real property located at 400 S. Saginaw Boulevard and 405 S. Belmont Street--Keith Rinehart, Director of Community & Economic Development

(12) Consideration and Action regarding Appointments: a. Animal Shelter Advisory Committee; b. Advisory Recreation and Parks Board; and c. Board of Adjustment--Nicky Lawson, Councilmember

(13) Consideration and Action regarding Ordinance No. 2022-08, Carport Regulation Amending Ordinance (Public Hearing was held on 8/16/2022)--Doug Spears, Fire Chief and Larry Little, Chief Building Official

(14) Consideration and Action regarding a contract with OnPointe Insights to conduct the Citywide Customer Satisfaction Survey--Pedro Zambrano, Communications Manager

(15) Discussion - Saginaw Home Improvement Program (SHIP)--Doug Spears, Fire Chief; Larry Little, Chief Building Official; and Salvador Gonzalez, Management Analyst

(16) Executive Session--The City Council may take action on any Executive Session item posted.

551.071. Texas Government Code.

Consultation with Attorney. The City Council may convene in executive session to conduct a private consultation with its attorney on any legally posted agenda item, when the City Council seeks the advice of its attorney about pending or

contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provisions of Chapter 551, including the following items:

(a) Any Posted Item

(17) Adjournment--Todd Flippo, Mayor

City Council Agenda

SAGINAW CITY COUNCIL
NOTICE OF MEETING

Meeting and/or Executive Session Agenda
6:00 PM - Tuesday, October 18, 2022
Saginaw City Hall Council Chambers
333 West McLeroy Blvd.

In accordance with Section 551.043 of the Texas Government Code, this agenda has been posted at Saginaw City Hall, and distributed to the appropriate news media within the required time frame. All meetings of the Saginaw City Council are open to the public. Public participation and written comments are invited on all open session business items.

The Mayor and City Council request that all cell phones and pagers be turned off or set to vibrate. Members of the audience are requested to step outside to respond to a page or to conduct a phone conversation.

The City Hall is wheelchair accessible and special parking is available on the east side of the building. If special accommodations are required please contact the City Secretary a minimum of 72 hours in advance at 817-232-4640.

(1) Call to Order--Todd Flippo, Mayor

Pledge of Allegiance to the United States

Pledge of Allegiance to the State of Texas

"Honor the Texas Flag; I pledge allegiance to thee, Texas, one State under God, one and indivisible"

(2) Invocation--Pastor Michael Orr, Saginaw Church of Christ

(3) Audience Participation--On the Video Screen

(4) Consent Agenda--All items listed with lower case letters are part of the Consent Agenda. Public hearing and review are held collectively unless opposition is presented, in which case the contested item will be heard separately.

(a) Action regarding Minutes, September 20, 2022--Janice England, City Secretary

(b) Action regarding Recommendation from Advisory Recreation and Parks Board for Early Weather Warning System--Randy Newsom, Director of Public Works

(c) Action regarding Recommendation from Advisory Recreation and Parks Board for Relocation of Kiwanis Veterans Memorial Park--Randy Newsom, Director of Public Works

(d) Action regarding Recommendation from Advisory Recreation and Parks Board for the Purchase of a Christmas Tree--Randy Newsom, Director of Public Works

(e) Action regarding Approval of Interlocal Agreement with Tarrant County for Construction of an Earthen Berm at Highland Station Park--Randy Newsom, Director of Public Works

(f) Action regarding Funding Interlocal Agreement with Tarrant County for FM 156 at Industrial Avenue Intersection Improvements (Construction Phase)--Randy Newsom, Director of Public Works

(g) Action regarding Authorization of an Interlocal Agreement with the City of Fort Worth for Intersection Improvements for FM 156 at Industrial Avenue/Cantrell Sansom Road--Randy Newsom, Director of Public Works

(h) Action regarding Authorization of Task 2 to Professional Services Agreement with Cobb, Fendley & Associates, Inc. to provide Right-of-Way Services for the FM 156 at Industrial Avenue Intersection Project (CSJ # 0718-02-076)--Randy Newsom, Director of Public Works

(i) Consideration and Action regarding a Chapter 380 Economic Development Incentive Agreement with Blazing Hospitality (1005 N. Saginaw Blvd)--Keith Rinehart, Director of Community & Economic Development

(j) Action regarding Aquatic Center Repairs and Renovations--Keith Rinehart, Director of Community & Economic Development

(k) Action regarding New Fire Engine Purchase--Doug Spears, Fire Chief

(l) Action regarding Contract Renewal with Tarrant County Emergency Services District #1 for 2022-2023--Doug Spears, Fire Chief

(5) Proclamation--Banjul, Texas Day & Introduction of Guests from Sister City Banjul, The Gambia--Todd Flippo, Mayor

(6) Award Recognition: Texas Municipal League Excellence in Management Innovation Award & Texas Municipal League Excellence in Communication Award--Todd Flippo, Mayor

(7) Consideration and Action regarding Recommendation from Planning and Zoning Commission regarding Site Plan for Senior Living at Saginaw Phase 3

on 2.987 acres out of the Alexander F. Albright Survey, Abstract No. 1849, more commonly known as 816 W. McLeroy Blvd.--Anand Patel, Journey Capital

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(9) PUBLIC HEARING -Consideration and Action regarding Ordinance No. 2022-18, amending the City's Drainage Utility System Schedule of Charges--Kim Quin, Finance Director

(10) Consideration and Action regarding Recommendation from Advisory Recreation and Parks Board for Saginaw Switchyard Expansion--Randy Newsom, Director of Public Works

(11) Consideration and Action regarding an Economic Development Agreement by and between the City of Saginaw, Texas and Triton Saginaw, LLC for the sale and development of real property located at 400 S. Saginaw Boulevard and 405 S. Belmont Street--Keith Rinehart, Director of Community & Economic Development

(12) Consideration and Action regarding Appointments: a. Animal Shelter Advisory Committee; b. Advisory Recreation and Parks Board; and c. Board of Adjustment--Nicky Lawson, Councilmember

(13) Consideration and Action regarding Ordinance No. 2022-08, Carport Regulation Amending Ordinance (Public Hearing was held on 8/16/2022)--Doug Spears, Fire Chief and Larry Little, Chief Building Official

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contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provisions of Chapter 551, including the following items:

(a) Any Posted Item

(17) Adjournment--Todd Flippo, Mayor

Posted:	**Removed:**
Date: 10-14-2022	Date: 10-19-2022
Time: 9:30am	Time: 8:15am
By:	By:

CITY OF SAGINAW
MINUTES OF CITY COUNCIL MEETING
AND PUBLIC HEARING
HELD AT THE SAGINAW CITY HALL
333 WEST MCLEROY BLVD.
OCTOBER 18, 2022

Present at the meeting:

Mayor	Todd Flippo
Mayor Pro-Tem	Valerie Junkersfeld
Councilmember	Paul Felegy
Councilmember	Nicky Lawson
Councilmember	Charles Tucker
Councilmember	Mary Copeland
City Attorney	Bryn Meredith
City Engineer	Trenton Tidwell, P.E
City Engineer	Laura Presley, P.E.
City Manager	Gabe Reaume
Asst. City Manager	Lee Howell
Finance Director	Kim Quin
City Secretary	Janice England
Police Chief	Russell Ragsdale
Fire Chief	Doug Spears
Director of Public Works	Randy Newsom
Dir. of Comm. & Eco. Dev.	Keith Rinehart
Director of Human Resources	Melanie McManus
Library Director	Ellen Ritchie
Communications Manager	Pedro Zambrano
Police Officer	Gonzalez
Chief Building Official	Larry Little
Planning Manager	Susy Victor-Trevino
Management Analyst	Salvador Gonzalez
Management Analyst	Abdulai Jarju
Management Analyst	Ayoub Kahondogoro
Management Intern	Aabid Rajwani

Absent from the meeting:

Councilmember	Cindy Bighorse

Visitors at the meeting:

Brack St. Clair	Conor Croney
Liz Ruiz	Antony McCallum
Michael Orr	Kelly Stewart
Andy Patel	Kay Curro
Mike Karns	Cannon Karns
Doug Hipskind	Will Winkelmann

Bill McMahon	Martin Adler
Kevin Pantoja	Jerry Young
Damon Ing	Dr. Zarina Blankenbaker

(1) Call to Order

Mayor Flippo called the meeting to order at 6:00 p.m. with a quorum present.

Pledge of Allegiance to the United States

Pledge of Allegiance to the State of Texas

(2) Invocation

Pastor Michael Orr of the Saginaw Church of Christ gave the invocation.

(3) Audience Participation

This item was covered on the video screen.

(4) Consent Agenda

a. Action regarding Minutes, September 20, 2022

b. Action regarding Recommendation from Advisory Recreation and Advisory Parks Board for Early Weather Warning System

Summary: The proposed early weather warning system will assist staff in protecting residents during times of inclement weather. There are many outdoor locations throughout the City including our parks, softball field, aquatic center, and the Saginaw Switchyard where an early warning system could give staff the time to advise residents to vacate before bad weather moves in. The proposed contract includes the installation of one weather station and access for ten (10) users. The initial cost will be $5,000 with an annual renewal fee of $3,500 for a period of seven (7) years. The Advisory Recreation and Parks Board considered this item at their meeting on September 26, 2022 and voted to recommend approval to the City Council.

c. Action regarding Recommendation from Advisory Recreation and Parks Board for Relocation of Kiwanis Veterans Memorial Park

Summary: This item is a request for consideration of the relocation of Kiwanis Veterans Memorial Park. The park is currently located on Saginaw Boulevard just south of Fire Station #1. This is not a desirable location due to the noise from vehicle traffic and trains. A more desirable location is the area directly behind City Hall. Currently this location is known as Meditation Park. The estimated cost is $245,000 and will come from the future Parks Bond Funds. The Advisory Recreation and Parks Board considered this item at their meeting on October 10, 2022 and voted to recommend approval to the City Council.

d. Action regarding Recommendation from Advisory Recreation and Parks Board for the Purchase of a Christmas Tree

Summary: In 2021, the annual Christmas Parade route was changed in order to accommodate more entries. The new route started at Willow Creek Elementary and ended at the Swtichyard. In order to continue the tradition of lighting the Christmas Tree at the end of the parade, the Christmas Tree located at the Recreation Center was moved to the Switchyard. This worked great for the event but left a void at the Recreation Center. The Advisory Recreation and Parks Board considered this item at their meeting held on October 10th. They voted to recommend that a replacement tree be purchased for the Recreation Center. The cost for the proposed tree is $25,670.70. Funds are available in the Parks Donation Fund for this expenditure.

e. Action regarding Approval of Interlocal Agreement with Tarrant County for Construction of an Earthen Berm at Highland Station Park

Summary: The proposed Interlocal Agreement (ILA) with Tarrant County covers the construction of an earthen berm at Highland Station Park. The berm will be approximately 450' long x 12' wide x 8' tall. Tarrant County will furnish the labor and equipment for this project. The Tarrant County Commissioner's Court has approved the proposed ILA. The responsibilities of Tarrant County and the City of Saginaw are listed in the agreement. As you will recall, the purpose of the berm is to help reduce the lights and noise from the new apartment complex located on the east side of the park.

f. Action regarding Funding Interlocal Agreement with Tarrant County for FM 156 at Industrial Avenue Intersection Improvements (Construction Phase)

Summary: Fuel City Saginaw, LLC has led an effort to secure authorization for a Texas Department of Transportation (TXDOT) Project to improve the intersection of FM 156 (Blue Mound Road) and Industrial Avenue. The project was funded through the North Central Texas Council of Governments COVID-19 Infrastructure Project. The City of Saginaw is taking the lead as the local Sponsor. The proposed Interlocal Agreement (ILA) with Tarrant County will provide for County participation in the construction of the project in the amount of $109,000. The funds will be available on a reimbursable schedule ($25,000-4th quarter of 2022; $36,000-1st quarter of 2023; $36,000-2nd quarter of 2023; and $12,000-3rd quarter of 2023). Upon execution of an Advance Funding Agreement (AFA) with the TXDOT, the City will be required to make payment for the City's share of the project estimated at $301,000. An executed copy of the AFA and a copy of the City's payment will be required to obtain reimbursement.

g. Action regarding Authorization of an Interlocal Agreement with the City of Fort Worth for Intersection Improvements for FM 156 at Industrial Avenue/Cantrell Sansom Road

Summary: Fuel City Saginaw, LLC has led an effort to secure authorization for a Texas Department of Transportation Project to improve the intersection of FM 156 (Blue Mound Road) and Industrial Avenue. The project was funded through the North Central Texas Council of Governments COVID-9 Infrastructure Project. The City of Saginaw is taking the lead as the Local Sponsor although Fuel City, City of Fort Worth, and potentially the City of Blue Mound will be participants requiring one or more Interlocal Agreements for the phases of work. The proposed Interlocal Agreement with Fort Worth will provide for their utility relocations within the Fort Worth right-of-way and also facilities owned by the City of Fort Worth within the City of Saginaw's right-of-way.

h. Action regarding Authorization of Task 2 to Professional Services Agreement with Cobb, Fendley & Associates, Inc. to provide Right-of-Way Services for the FM 156 at Industrial Avenue Intersection Project (CSJ # 0718-02-076)

Summary: On September 20, 2022, the City Council authorized a Professional Services Agreement with Cobb, Fendley & Associates, Inc. (Cobb Fendley) to provide Utility Clearance Coordination Services for the FM 156 at Industrial Avenue Intersection Project (CSJ # 0718-02-076). The contract allowed for future amendments to the contract with scope and fee to be authorized by the City Council. Task 2 will authorize Cobb Fendley to manage and negotiate right-of-way required for the project. Three parcels of land will be acquired. The scope includes all necessary documentation and processes as required by the Texas Department of Transportation. Final purchase costs and outside fees and potential relocation costs are not included in the fee and will be authorized by the City Council as parcels are processed/acquired. The total fee is $50,900 and will Lump Sum on a Task Basis. Payments will be made based on the percentage complete of the overall tasks as described in Exhibit "B" of the Agreement. Funds for this expenditure are available from the 2020 Certificates of Obligation, Account 06-1516-20.

i. Action regarding a Chapter 380 Economic Development Incentive Agreement with Blazing Hospitality (1005 N. Saginaw Blvd.)

Summary: The proposed agreement is a Chapter 380 Agreement with Blazing Hospitality. It addresses the demolition of the existing building at 1005 N. Saginaw Blvd. The building has been vacant for many years. The purpose of the demolition is to support future development of the property. The agreement sets forth the City's participation which is an amount not to exceed $25,000.

j. Action regarding Aquatic Center Repairs and Renovations

Summary: In February 2021, the City as well as most of the State of Texas suffered from a debilitating winter storm. Residents and business owners incurred significant damages from temperatures that hovered below zero (0) for one week. The State Electrical grid was also offline and not working thus providing no running water or electricity. The City of Saginaw suffered these same symptoms. As a reminder the City of Saginaw was not the only municipality or residential pool that had damage. Most, if not all, municipalities had damage and repairs to make. Parts and service technicians were on short supply. In October 2021, the City Council approved a contract with DCC to begin repairs and renovations with the feature renovations and the beach entry prior to, and in conjunction with the previously approved replaster and pump room repairs. At that meeting, staff discussed that these were repairs that we knew needed to be made. At this meeting it was discussed with the City Council that

there was still the unknown once we made the repairs, turned on the electricity, and turned on the water. On April 5, 2022, City Manager Reaume sent an email to the City Council reminding that the Aquatic Center contractor has found additional items to repair/replace. Staff has submitted claims to the insurance adjuster for approximately $20,500 of this amount to be reimbursed. Insurance may or may not approve items as a part of the winter storm claim. Regardless, these items need to be repaired and replaced prior to opening for public use. The amount for repairs that the contractor found at this time is $24,495.89. During the week of October 3, 2022, the City received a revised bill for the remaining number of repairs that were found and made prior to and during the 2022 Summer Swim Season that includes the resurfacing of the pool. The reason for the delay of the bill was due to a warranty issue to the pool resurfacing that will be corrected at no charge to the City within the month of October 2022. The remaining amount owed is $80,608.71. Funds are available in account 01-7000-08-00 to cover this expenditure.

k. Action regarding New Fire Engine Purchase

Summary: The Fire Department's 2003 year model fire engine is at the very end of useful life cycle requiring replacement. Delivery time for new apparatus is 26-27 months necessitating immediate order. Staff was aware of anticipated pricing increases from apparatus manufacturers and extended delivery times for orders so maximum effort was extended to quickly establish the design specs to meet our needs, consider manufacturers, and purchase method options to potentially avoid price increases where possible. Pierce has been, and continues to be, our preferred fire apparatus manufacturer. Preemptive effort has resulted in us being able to forgo the impact of two pricing increases, one from the motor manufacturer and one from the fire engine manufacturer saving us $14,366 and $63,483 respectively. As we have on previous apparatus purchases we plan to utilize our membership in the BuyBoard Purchasing Cooperative and its competitive procurement process to receive the maximum pricing discount from vendors and continue taking advantage of available Pierce pre-pay discounts. The apparatus purchase price from Siddons Martin Emergency Group is $938,868. Applying a chassis prepay discount of $11,406, a full prepay discount of $25,585 ($35,581 total from both), and the BuyBoard fire apparatus purchase fee adjusts the purchase price to $903,377. Funding in the amount of $950,000 was approved by the City Council in the current year's budget utilizing $800,000 in savings from the new fire station construction project and $150,000 of American Rescue Plan Act Funds. The remaining budgeted funds will be utilized to purchase the necessary loose equipment for the apparatus from various vendors. The narrow time window to preempt the apparatus pricing increases has prevented us from finalizing our loose equipment list.

l. Action regarding Contract Renewal with Tarrant County Emergency Services District #1 for 2022-2023

Summary: Through contract the Saginaw Fire Department provides fire, rescue and emergency medical services to esignated unincorporated areas of Tarrant County. Saginaw will be compensated $112,000 for the services provided in fiscal year 2022-2023 and has been awarded a $25,000 fire equipment grant that will be utilized to replace some of the department's aged thermal imaging cameras and other loose fire equipment.

Mayor Flippo stated that he has received requests to pull Items 4b, 4c, 4d, 4e, and 4j from the Consent Agenda.

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Copeland to approve Items 4a, 4f, 4g, 4h, 4i, 4k, and 4l as presented. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld, Councilmembers Felegy, Lawson, Tucker, and Copeland

Against: None

Abstain: None

Absent: Councilmember Bighorse

The Council considered the items pulled from the Consent Agenda.

b. Action regarding Recommendation from Advisory Recreation and Advisory Parks Board for Early Weather Warning System

c. Action regarding Recommendation from Advisory Recreation and Parks Board for Relocation of Kiwanis Veterans Memorial Park

d. Action regarding Recommendation from Advisory Recreation and Parks Board for the Purchase of a Christmas Tree

e. Action regarding Approval of Interlocal Agreement with Tarrant County for Construction of an Earthen Berm at Highland Station Park

j. Action regarding Aquatic Center Repairs and Renovations

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Lawson to table Item 4d. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld, Councilmembers Felegy, Lawson, Tucker, and Copeland

Against: None

Abstain: None

Absent: Councilmember Bighorse

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Felegy to approve Items 4b, 4c, 4e, and 4j as presented. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld, Councilmembers Felegy, Lawson, Tucker, and Copeland

Against: None

Abstain: None

Absent: Councilmember Bighorse

(5) Proclamation – Banjul, Texas Day & Introduction of Guests from Sister City Banjul, The Gambia

City Manager Reaume introduced guests from Banjul, The Gambia that were present at the meeting. Banjul, The Gambia and the City of Saginaw became Sister Cities in 2021 through Sister Cities International. Mayor Flippo read a proclamation that proclaimed October 18, 2022 to be "Banjul Day in the City of Saginaw, Texas". He presented the proclamation to Banjul Councilmember Mamour Touray. Councilmember Touray briefly addressed the Council and encouraged everyone to visit Banjul.

The Council considered Item No. 14 at this point in the meeting.

(14) Consideration and Action regarding a contract with OnPointe Insights to conduct the Citywide Customer Satisfaction Survey

Mr. Ron Gailey of OnPointe Insights (via Zoom) gave a brief presentation regarding options for customer satisfaction surveys. The three options were as follows: 1 year option with a one time cost of $15,950 for a single survey; 2 year commitment with a cost of $12,450 per year (total $24,900); and 3 year commitment with a cost of $9,950 per year (total $29,850).

Motion was made by Councilmember Felegy with a second by Mayor Pro-Tem Junkersfeld to approve the three year commitment option. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld, Councilmembers Felegy, Lawson, Tucker, and Copeland

Against: None

Abstain: None

Absent: Councilmember Bighorse

(6) Award Recognition: Texas Municipal League Excellence in Management Innovation Award & Texas Municipal League Excellence in Communication Award

City Manager Reaume announced that the City was presented with two awards at the recent Texas Municipal League (TML) Conference. The awards were the TML Excellence in Management Innovation Award for the Student Apprentice Program, and the TML Excellence in Communication Award for the Garage Gabs. The City was also honored with a nomination along with the City of Athens, and the City of Andrews for the TML Excellence in City Spirit Award for the Building Improvement Grant Program.

(7) Consideration and Action regarding Recommendation from Planning and Zoning Commission regarding Site Plan for Senior Living at Saginaw Phase 3 on 2.987 acres out of the Alexander F. Albright Survey, Abstract No. 1849, more commonly known as 816 W. McLeroy Blvd.

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Tucker to approve the site plan for Senior Living at Saginaw Phase 3 as presented and recommended by the Planning and Zoning Commission. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld, Councilmembers Felegy, Lawson, Tucker, and Copeland

Against: None

Abstain: None

Absent: Councilmember Bighorse

(8) Consideration and Action regarding Recommendation from Planning and Zoning Commission regarding Preliminary Plat for Victory Shops Saginaw, Tracts 1 (Tract 3C/3E per TAD) and 2 (Tract 1 per TAD), 76.61 acres out of the J. Walker Survey, Abstract No. 1602 and the J.A. Bradford Survey, Abstract No. 183

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Copeland to approve the preliminary plat for Victory Shops Saginaw as presented and recommended by the Planning and Zoning Commission. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld, Councilmembers Felegy, Lawson, Tucker, and Copeland

Against: None

Abstain: None

Absent: Councilmember Bighorse

(9) PUBLIC HEARING – Consideration and Action regarding Ordinance No. 2022-18, amending the City's Drainage Utility System Schedule of Charges

Mayor Flippo declared the public hearing for this item opened at 7:41 p.m. Finance Director Quin briefly explained the process for amending the fees. Mayor Flippo called for public input. There was none. Mayor Flippo closed the public hearing at 7:42 p.m.

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Tucker to approve Ordinance No. 2022-18 as presented. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld, Councilmembers Felegy, Lawson, Tucker, and Copeland

Against: None

Abstain: None

Absent: Councilmember Bighorse

(10) Consideration and Action regarding Recommendation from Advisory Recreation and Parks Board for Saginaw Switchyard Expansion

Brack St. Clair, Chairman of the Advisory Recreation and Parks Board, explained that the board voted to recommend approval of the expansion of the Saginaw Switchyard. Ms. Kelly Stewart expressed her concern regarding the small neighborhood parks in the City that have needs. She added that the park bond funds are limited and urged the Council to consider the smaller parks.

Motion was made by Councilmember Copeland with a second by Councilmember Tucker to approve the recommendation from the Advisory Recreation and Parks Board to expand the Saginaw Switchyard as presented. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,

Councilmembers Felegy, Lawson, Tucker, and Copeland

Against: None

Abstain: None

Absent: Councilmember Bighorse

(Mayor Pro-Tem Junkersfeld left the Council Chambers at this time due to a Conflict of Interest with Item 11.)

(11) Consideration and Action regarding an Economic Development Agreement by and between the City of Saginaw, Texas and Triton Saginaw, LLC for the sale and development of real property located at 400 S. Saginaw Blvd. and 405 S. Belmont Street

Director of Community & Economic Development Rinehart gave a brief history of the property located at 400 S. Saginaw Blvd. and 405 S. Belmont Street; the decision to construct a new fire station; and requests from residents for more sit down restaurants, retail, and entertainment venues. He explained that bids were advertised for the property that will be vacant when the fire department moves to their new facility on W. McLeroy. The winning bid was submitted by Local Favorite Restaurants. Mr. Mike Karns, Chief Executive Officer of Local Favorite Restaurant, gave a presentation outlining their vision for the property which includes two (2) with the possibility of three (3) branded sit-down restaurants and one (1) entertainment venue.

Motion was made by Councilmember Lawson with a second by Councilmember Tucker to approve an Economic Development Agreement by and between the City of Saginaw, Texas and Triton Saginaw LLC for the sale and development of real property located at 400 S. Saginaw Blvd. and 405 S. Belmont St., and authorize the Mayor to execute the agreement subject to the City Attorney's approval of the final version of the agreement. Motion carried unanimously. 5-0-1-1

For: Mayor Flippo, Councilmembers Felegy, Lawson, Tucker, and Copeland

Against: None

Abstain: Mayor Pro-Tem Junkersfeld

Absent: Councilmember Bighorse

(Mayor Pro-Tem Junkersfeld returned to the Council Chambers at this point.)

(12) Consideration and Action regarding Appointments: a. Animal Shelter Advisory Committee; b. Advisory Recreation and Parks Board; and c. Board of Adjustment

a. Animal Shelter Advisory Committee

Motion was made by Councilmember Lawson with a second by Councilmember Copeland to make the following appointments to the Animal Shelter Advisory Committee: appoint Judy Deller to Place No. 7; appoint Crystal Amador to Place No. 8; and appoint Stacy Liebel to Place No. 9. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,
Councilmembers Felegy, Lawson, Tucker, and Copeland

Against: None

Abstain: None

Absent: Councilmember Bighorse

b. Advisory Recreation and Parks Board

Motion was made by Councilmember Lawson with a second by Mayor Pro-Tem Junkersfeld to make the following appointments to the Advisory Recreation and Parks Board: move Wayne Giles from 2nd Alternate to Place No. 4; and appoint Jane Lyon to 1st Alternate. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,
Councilmembers Felegy, Lawson, Tucker, and Copeland

Against: None

Abstain: None

Absent: Councilmember Bighorse

c. Board of Adjustment

Motion was made by Councilmember Lawson with a second by Councilmember Tucker to make the following appointments to the Board of Adjustment: move Mike Colegrove from 1st Alternate to Place No. 1; and move Steve Smiley from 2nd Alternate to 1st Alternate. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,
Councilmembers Felegy, Lawson, Tucker, and Copeland

Against: None

Abstain: None

Absent: Councilmember Bighorse

(13) Consideration and Action regarding Ordinance No. 2022-08, Carport Regulation Amending Ordinance (Public Hearing was held on 8/16/2022)

Motion was made by Councilmember Lawson with a second by Mayor Pro-Tem Junkersfeld to approve Ordinance No. 2022-08, carport regulation amending ordinance as presented. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,
Councilmembers Felegy, Lawson, Tucker, and Copeland

Against: None

Abstain: None

Absent: Councilmember Bighorse

(14) Consideration and Action regarding a contract with OnPointe Insights to conduct the Citywide Customer Satisfaction Survey

This item was considered immediately following Item No. 5.

(15) Discussion – Saginaw Home Improvement Program (SHIP)

Management Analyst Gonzalez gave a presentation regarding the proposed Saginaw Home Improvement Program (SHIP). He explained that a formal program will be presented for action by the City Council at a future meeting.

(16) Executive Session

1 § 551.071. Texas Government Code. Consultation with Attorney. The City Council may convene in executive session to conduct a private consultation with its attorney on any legally posted agenda item, when the City Council seeks the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provisions of Chapter 551, including the following items:

a. Any posted item

(17) Adjournment

Motion was made by Councilmember Tucker with a second by Mayor Pro-Tem Junkersfeld to adjourn the meeting. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld, Councilmembers Felegy, Lawson, Tucker, and Copeland

Against: None

Abstain: None

Absent: Councilmember Bighorse

Mayor Flippo declared the City Council Meeting of October 18, 2022 adjourned at 9:30 p.m.

ATTEST:

City Secretary Janice England

CITY OF SAGINAW TEXAS CORPORATE SEAL

APPROVED:

Mayor Todd Flippo

City of Saginaw

Meeting Date: 5/16/2023

Staff Contact: Randy Newsom
Director of Public Works

Agenda Items: (4)(b)

E-mail: rnewsom@saginawtx.org

Phone: 18172300448

SUBJECT:
Action regarding Resolution No. 2023-11, City of Saginaw's Application to Texas Department of Transportation's 2023 Transportation Alternatives Set-Aside (TA) Call for Projects

BACKGROUND/DISCUSSION:
In January of 2023, a Preliminary TA (Transportation Alternative) Set-Aside Grant Application was submitted to TXDOT for McLeroy Boulevard Phase 3 from Knowles Drive to Business 287. On March 14, 2023, the City was notified that the preliminary application was reviewed and deemed eligible - allowing the City to continue to the next step, submitting a Detailed Application. For the Detailed Application to be submitted, the City must adopt a resolution in support of the application.

If the detailed application is accepted, TxDOT would require a 20% local match and Saginaw would be responsible for all overruns and all non-reimbursable costs. The local match and other costs would be paid for with the 2021 Bond Funds.

FINANCIAL IMPACT:
N/A

RECOMMENDATION:
Staff recommends adoption of Resolution No. 2023-11.

ATTACHMENTS:

Description

Proposed Resolution 2023-11

CITY OF SAGINAW
RESOLUTION 2023-11

A RESOLUTION SUPPORTING "CITY OF SAGINAW'S" APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION'S 2023 TRANSPORTATION ALTERNATIVES SET-ASIDE (TA) CALL FOR PROJECTS

WHEREAS, the Texas Department of Transportation issued a call for projects in December 2022 for communities to apply for funding assistance through the Transportation Alternatives Set-Aside (TA) Program; and

WHEREAS, the TA funds may be used for development of preliminary engineering (plans, specifications, and estimates and environmental documentation) and construction of pedestrian and/or bicycle infrastructure. The TA funds require a local match, comprised of cash or Transportation Development Credits (TDCs), if eligible. The City of Saginaw would be responsible for all non-reimbursable costs and 100% of overruns, if any, for TA funds; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF SAGINAW THAT:

The City of Saginaw supports funding this project as described in the 2023 TA Detailed Application (including the preliminary engineering budget, if any, construction budget, the department's direct state cost for oversight, and the required local match, if any) and is willing to commit to the project's development, implementation, construction, maintenance, management, and financing. The City of Saginaw is willing and able to enter into an agreement with the department by resolution or ordinance, should the project be selected for funding.

DULY PASSED by majority vote of all members of the Mayor and Council of the City of Saginaw on the _____ day of ____, 2023.

_____
Todd Flippo, Mayor

_____
Valerie Junkersfeld, Mayor Pro-Tem

_____
Paul Felegy, Councilmember

_____
Nicky Lawsom, Councilmember

_____
Charles Tucker, Councilmember

_____
Cindy Bighorse, Councilmember

_____
Mary Copeland, Councilmember

City of Saginaw

Meeting Date: 5/16/2023

Agenda Items: (4)(c)

Staff Contact: Salvador Gonzalez
Management Analyst

E-mail: sgonzalez@saginawtx.org

Phone: 8172300550

SUBJECT:
Action regarding Ordinance No. 2023-18, Authorizing the Mayor to Execute a Quitclaim Deed abandoning an Eight (8) Foot Utility Easement to Richard Linthicum, Owner of Lot 27, Block 1 of The Dominion Phase II

BACKGROUND/DISCUSSION:
City Staff was reached out to by Mr. Richard Linthicum at 1120 Little John Dr., with the intent to remove an unused eight (8) foot utility easement in the rear of the property. Staff reviewed the attached letters from the utility companies, as well as any potential City Utilities in the easement, and found there to be no conflict. The neighboring property has gone through a similar process in 2018.

FINANCIAL IMPACT:
N/A

RECOMMENDATION:
Staff recommends approval.

ATTACHMENTS:

Description

Ordinance 2023-18
Ord Exhibit
Quit Claim Deed
1120 Little John Ct
Easement Abandonment - Oncor
ATT Letter
Atmos Letter

CITY OF SAGINAW, TEXAS
ORDINANCE NO. 2023-18

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAGINAW, TEXAS, VACATING AND ABANDONING THE 8-FOOT UTILITY EASEMENT LOCATED ACROSS LOT 27, BLOCK 1, OF THE DOMINION ADDITION, PHASE 2, AN ADDITION TO THE CITY OF SAGINAW, TARRANT COUNTY, TEXAS, WHICH LOT IS MORE COMMONLY KNOWN AS 1120 LITTLE JOHN DRIVE; AUTHORIZING THE MAYOR TO EXECUTE A QUITCLAIM DEED RELEASING THE PUBLIC OWNERSHIP INTEREST AND CONTROL IN THE PROPERTY; AUTHORIZING THE CITY SECRETARY TO FILE THE QUITCLAIM DEED IN THE DEED RECORDS OF TARRANT COUNTY; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Saginaw is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, Mr. Linthicum is the sole and current owner of Lot 27, Block 1, of the Dominion Addition, Phase 2, an Addition to the City of Saginaw, Tarrant County, Texas, also known as 1120 Little John Drive; and

WHEREAS, Mr. Linthicum, has requested the City of Saginaw to abandon all rights, title, and interest to the existing 8-foot utility easement located across the property ("Utility Easement") which burdens the Property; and

WHEREAS, the Utility Easement is not being utilized and all current utility providers within the City have consented to the abandonment of the Utility Easement or provided a waiver of use of the Utility Easement; and

WHEREAS, the City Council has determined that the Utility Easement is not useful or

convenient to the public in general, that it therefore constitutes a public charge without a corresponding public benefit, and that the public would be better served and benefitted by its vacation and abandonment; and

WHEREAS, in order to remove any question as to the continued interest or ownership of the public in the Utility Easement, the City desires to execute a quitclaim deed releasing all title, ownership and control in the Utility Easement to the owners of the title to the underlying property.

NOW, THEREFORE, BE IT ORDAINDED BY THE CITY COUNCIL OF THE CITY OF SAGINAW, TEXAS:

SECTION 1

The City does hereby vacate and abandon all of the rights, title, and interest of the City and the public in the said 8-foot Utility Easement that is located across the Property, as depicted in Exhibit "A," which exhibit is attached hereto and incorporated herein by reference for all purposes.

SECTION 2

The Mayor of the City of Saginaw is hereby authorized and empowered to execute, on behalf of the City, a quitclaim deed releasing title to the owners of title to the Property, all claims to title, ownership or control of the Utility Easement described in Section 1 of this Ordinance ("Quitclaim Deed").

SECTION 3

The City Secretary is directed to file an original of the Quitclaim Deed in the Deed

Records of Tarrant County, Texas.

SECTION 4

If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance; and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 5

This Ordinance shall be in full force and effect from and after the date of its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED ON THIS___DAY OF_____, 2023.

_____
TODD FLIPPO,
MAYOR

ATTEST:

_____
JANICE ENGLAND, CITY SECRETARY

EFFECTIVE: _____

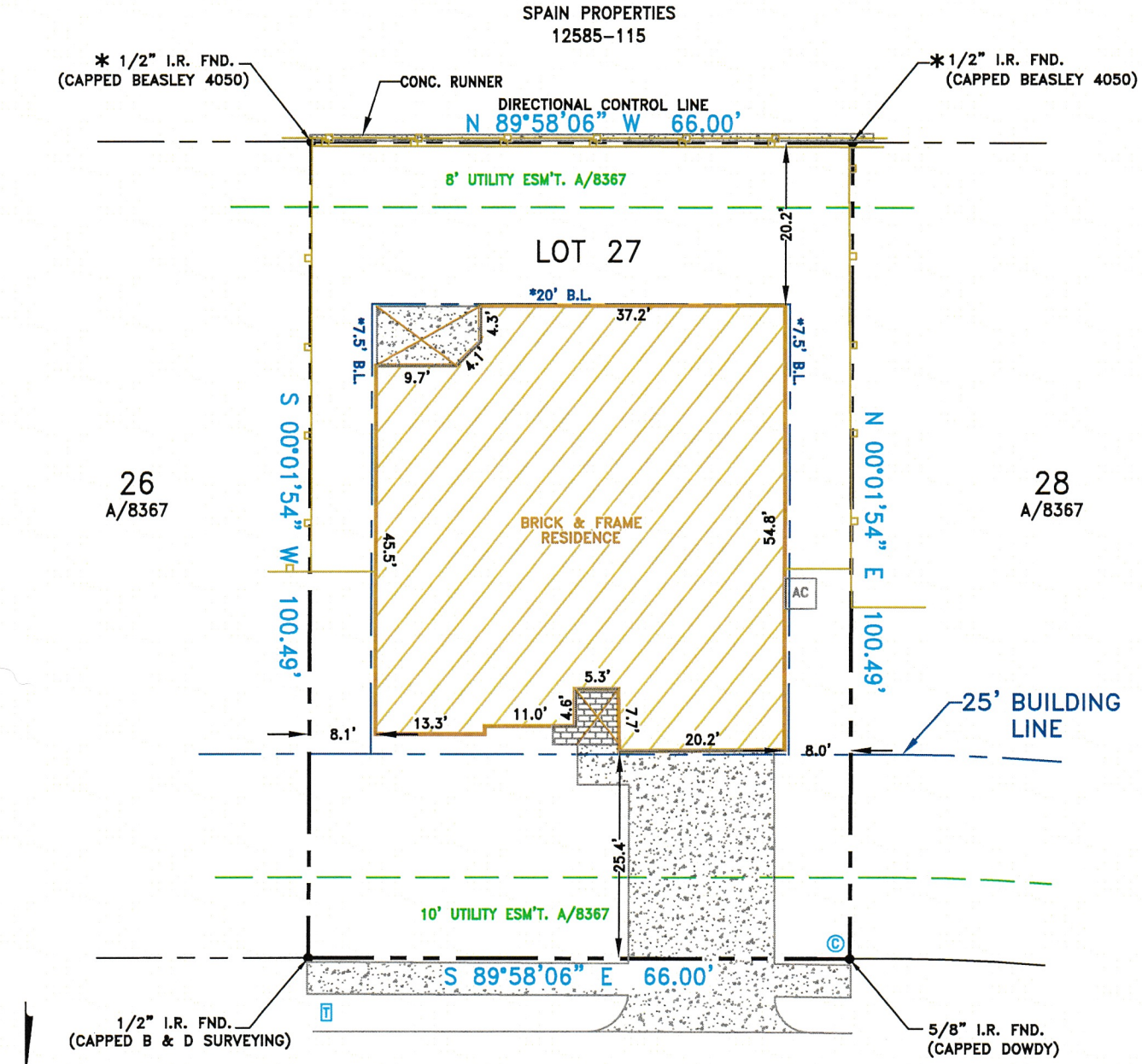
APPROVED AS TO FORM AND LEGALITY:

_____
BRYN MEREDITH, CITY ATTORNEY

“EXHIBIT A”

REFERENCE NO: 160509017
TITLE CO: STEWART
BUILDER: CHELDAN
DATE: 11-23-16

GF# 01128-446334
PURCHASER: LINTHICUM



SCALE: 1"=20'

UTILITY LEGEND

GAS METER: G	CABLE BOX: C
TEL. PED: T	ELEC. BOX: E
FIRE HYDRANT:	TRANSFORMER:
LIGHT POLE: LP	SIGN: S
WATER METER: W	MANHOLE:
WATER VALVE:	AREA DRAIN:

NOTE: BUILDING LINE SHOWN WITH * IS AT THE REQUEST OF THE CITY OF SAGINAW.

NOTE: UTILITY EASEMENT SHOWN ALONG STREET RIGHT-OF-WAY IS BASED ON SCALED DISTANCE SINCE NO DIMENSION GIVEN ON PLAT.

SUBJECT TO: RESTRICTIVE COVENANTS AS LISTED IN SCHEDULE B, OF THE TITLE COMMITMENT REFERENCED BY G.F. NUMBER HEREON.

NOTE: BASIS OF BEARINGS FOR THIS SURVEY FROM DATA PROVIDED BY THE RECORDED PLAT.

LEGEND

BARB/CHAINLINK FENCE
IRON FENCE
WOOD FENCE
TELEPHONE T
ELECTRIC E
*=CONTROL MONUMENT

WOOD | STONE | TILE
CONCRETE | BRICK | ASPHALT

PROPERTY DESCRIPTION: Lot 27, in Block 1, of The Dominion, Phase II, an addition to the City of Saginaw, Tarrant County, Texas, according to the map or plat thereof recorded in/under Cabinet A, Slide 8367, Map/Plat Records, Tarrant County, Texas.

SURVEYOR'S STATEMENT: The Undersigned Registered Professional Land Surveyor has prepared this survey for the exclusive use of the hereon named Home Builder and Title Company only. The Undersigned acknowledges that this Survey was conducted by the Surveyor or under his supervision

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

QUITCLAIM DEED

STATE OF TEXAS §
§ KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF TARRANT §

WHEREAS, the City Council of the City of Saginaw, Texas, after careful study and consideration, found and determined that the existing 8 - foot utility easement which is located on property located at 1120 Little John Drive, City of Saginaw, Tarrant County, Texas ("Property"), was not being used by, nor useful or convenient to, the public in general, and constituted a public charge without a corresponding public benefit, and that the public would be better served and benefitted by the vacation and abandonment of such portion of the utility easement; and

WHEREAS, on the _16th ___ day of ____May_____, 2023, based on such findings and determinations, the City Council of the City of Saginaw, Texas, adopted Ordinance No. _____, which vacated and abandoned such portion of the utility easement in the City of Saginaw, Tarrant County, Texas; and

WHEREAS, Richard Linthicum owns the underlying title to the hereinafter described property where the vacated and abandoned portion of a utility easement was located and desires a quitclaim deed to remove any question concerning the continued interest of the City of Saginaw in such vacated and abandoned portion of the utility easement.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the CITY OF SAGINAW, TEXAS, Grantor, does hereby bargain,

sell, release, vacate, abandon and forever quitclaim unto Richard Linthicum, Grantee, and his heirs, successors and assigns, all of Grantor's right, title, and interest, if any, in and to that portion of a utility easement described on Exhibit "A" attached hereto and incorporated herein for all purposes.

TO HAVE AND TO HOLD all of Grantor's right, title and interest, if any, in and to the above-described vacated and abandoned portion of a utility easement unto the Grantee, and their heirs, successors and assigns forever, so that neither Grantor nor its successors or assigns shall have, claim or demand any right, title or interest in or to the vacated and abandoned portion the utility easement and appurtenances or any part thereof.

EXECUTED this __16th___ day of _____May_____, 2023.

CITY OF SAGINAW

_____
TODD FLIPPO, MAYOR

STATE OF TEXAS §
§
COUNTY OF TARRANT §

BEFORE ME, _____, Notary Public, on this day personally appeared Todd Flippo, Mayor of the City of Saginaw, Texas, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed that instrument for the purposes and consideration therein expressed.

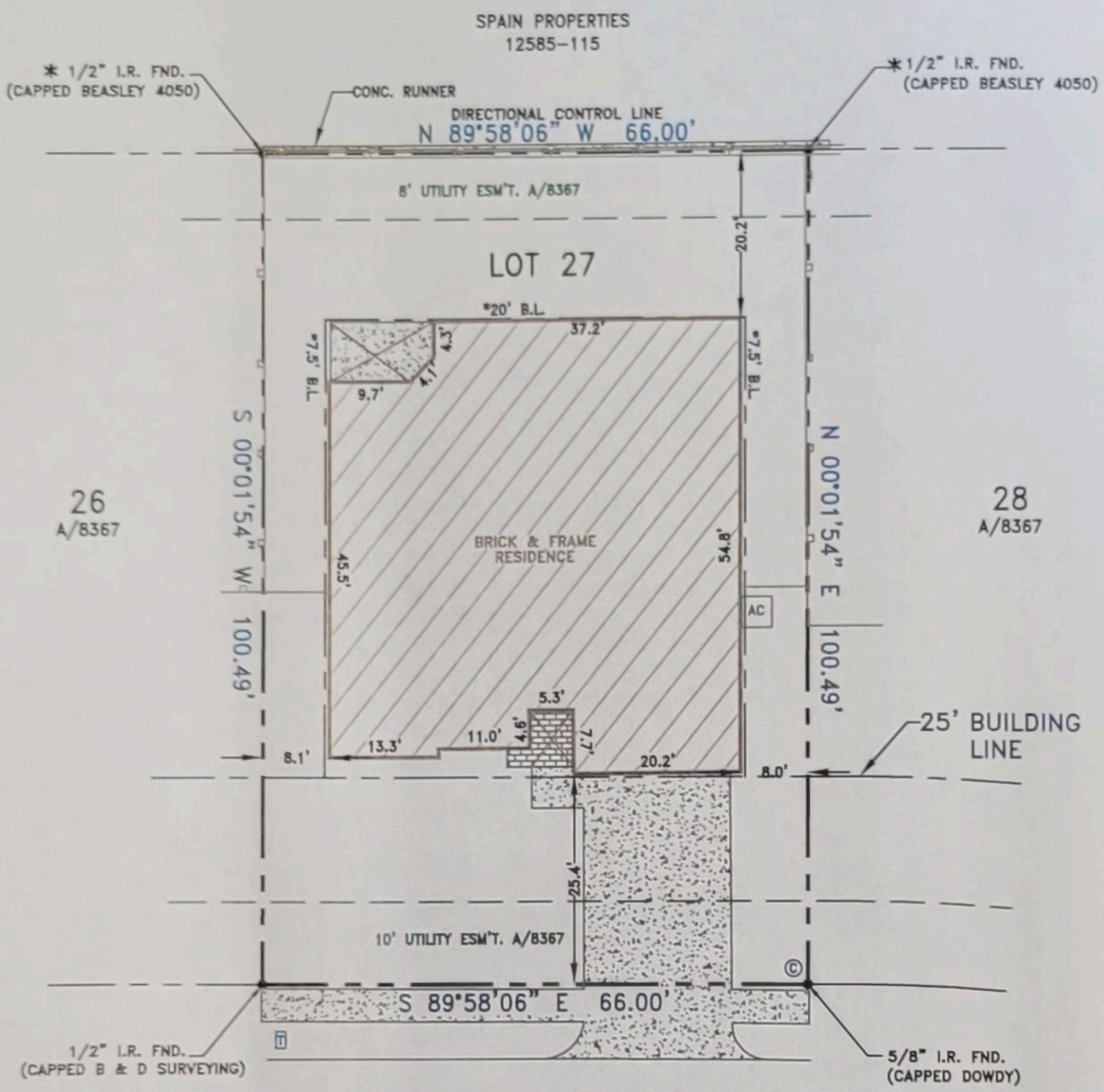
Given under my hand and seal of office this __16th___ day of ____May_____, 2023.

_____
NOTARY PUBLIC in and for the State of Texas

(Seal)

REFERENCE NO: 160509017
TITLE CO: STEWART
BUILDER: CHELDAN
DATE: 11-23-16

GF# 01128-446334
PURCHASER: UNTHICUM



1120 LITTLE JOHN COURT
(50' R.O.W.)

SCALE: 1"=20'

UTILITY LEGEND

GAS METER: G	CABLE BOX: C
TEL. PED: T	ELEC. BOX: E
FIRE HYDRANT:	TRANSFORMER:
LIGHT POLE: LP	SIGN:
WATER METER: W	MANHOLE:
WATER VALVE:	AREA DRAIN:

NOTE: BUILDING LINE SHOWN WITH * IS AT THE REQUEST OF THE CITY OF SAGINAW.

NOTE: UTILITY EASEMENT SHOWN ALONG STREET RIGHT-OF-WAY IS BASED ON SCALED DISTANCE SINCE NO DIMENSION GIVEN ON PLAT.

SUBJECT TO: RESTRICTIVE COVENANTS AS LISTED IN SCHEDULE B, OF THE TITLE COMMITMENT REFERENCED BY G.F. NUMBER HEREON.

NOTE: BASIS OF BEARINGS FOR THIS SURVEY FROM DATA PROVIDED BY THE RECORDED PLAT.

LEGEND

BARB/CHAINLINK FENCE
IRON FENCE
WOOD FENCE
TELEPHONE T
ELECTRIC E
*= CONTROL MONUMENT

WOOD | STONE | TILE
CONCRETE | BRICK | ASPHALT

PROPERTY DESCRIPTION: Lot 27, In Block 1, of The Dominion, Phase II, an addition to the City of Saginaw, Tarrant County, Texas, according to the map or plat thereof recorded in/under Cabinet A, Slide 8367, Map/Plat Records, Tarrant County, Texas.

SURVEYOR'S STATEMENT: The Undersigned Registered Professional Land Surveyor has prepared this survey for the exclusive use of the hereon named Home Builder and Title Company only. The Undersigned acknowledges that; this Survey was conducted by the Surveyor or under his supervision on the date shown hereon; this plat of Survey and the property description set forth hereon are an accurate representation of facts found at the time of an actual on-the-ground survey; there are no visible, above ground encroachments, or protrusions, except as shown. The use of this survey by any parties other than those named above for any other purposes shall be at the User's own risk and any loss resulting there from shall not be the responsibility of the Undersigned. Unauthorized use is not permitted without the express written permission of Dowdy Land Surveyors, Inc.

Dowdy Land Surveyors, Inc.

Carla S. Smithcum 11/30/16

EUGENE D. ABBEY, R.P.L.S. No. 4886
DOWDY LAND SURVEYORS, INC.
6850 MANHATTAN BLVD. SUITE 310
FORT WORTH, TEXAS 76120
(817) 429-9898
T.B.P.L.S. FIRM NO. 100463-00

STATE OF TEXAS
REGISTERED
EUGENE D. ABBEY
4886
PROFESSIONAL
LAND SURVEYOR

CHECKED BY: EA DRAWN BY: JCS

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Oncor Electric Delivery Company LLC
a Delaware limited liability company

April 10th, 2023

Aaron Burt
Utility Design Coordinator
2501 Urban Dr
Fort Worth, TX 76106

Rick Linthicum
1120 Little John Dr
Saginaw, TX 76179

Re: Utility Easement Abandonment - 1120 Little John Dr

Oncor Electric Delivery, LLC has no objection to the abandonment of an 8 foot Utility Easement across the southern property line of the aforementioned address. If any questions or concerns should arise, please reach out to me at aaron.burt@oncor.com.

Aaron Burt
Aaron Burt
Utility Design Coordinator

AT&T Right-of-Way
13845 FAA Blvd.
Fort Worth, TX 76155

April 12, 2023

Richard & Carla Linthicum
1120 Little John Drive
Saginaw, TX 76179

Re: Utility Easement Release Request
1120 Little John Drive, Saginaw, Texas 76179
Lot 27, Block 1, The Dominion Addition – D203175585 – Tarrant County

Dear Mr. & Mrs. Linthicum,

Southwestern Bell Telephone Company, d/b/a AT&T Texas, has no facilities in the platted 8-foot-wide Utility Easement shown at the rear (South side) of your property referenced above. We have no interest in and no objections to the abandonment of this Utility Easement.

Please let me know if you have any questions.

Sincerely,

Ray A. Garcia

Ray A. Garcia
AT&T – Lead OSP Planning & Engineering Design Manager | Right-of-Way
817-550-7576
ray.garcia@att.com

ATMOS energy

April 10, 2023

Rick Linthicum
1120 Little John
Saginaw, Texas 76179

Re: Abandon Public Utility Easement 1120 Little John, Saginaw,Texas

Atmos Energy has no objection to the abandonment of a 8 foot Public Utility Easement at 1120 Little John in Saginaw, Texas. Atmos Energy has no facilities within the easement

If you have any questions, please contact me at 214-549-7144.

Sincerely,

Bobby Oney
Project Manager

Atmos Energy Corporation
100 W Morningside, Fort Worth, TX 76110
P 817-207-2838 F 817-207-2845 atmosenergy.com

City of Saginaw

Meeting Date: 5/16/2023

Agenda Items: (5)

Staff Contact: Salvador Gonzalez
Management Analyst

E-mail: sgonzalez@saginawtx.org

Phone: 8172300550

SUBJECT:
Recognition of Members of Mayor's Youth Advisory Council

BACKGROUND/DISCUSSION:
City staff have worked with the Mayor's Youth Advisory Council since January through April, meeting one Saturday out of the month, to gain the youth's perspective on how the City of Saginaw can improve. The committeee will present their recommendations to the Council during a mock City Council meeting before the regularly scheduled May 16, 2023 City Council meeting. In order to recognize their hard work and dedication, we ask that the City Council officially recognize the efforts of the Committee through a recognition ceremony where they will receive certificates from the Mayor .

FINANCIAL IMPACT:
N/A

RECOMMENDATION:
N/A

City of Saginaw

Meeting Date: 5/16/2023

Agenda Items: (6)

Staff Contact: Janice England
City Secretary

E-mail: jengland@saginawtx.org

Phone: 817-230-0327

SUBJECT:
Consideration and Action regarding Resolution No. 2023-12, Canvassing Returns and Declaring Results of the General Election held on May 6, 2023

BACKGROUND/DISCUSSION:
Resolution No. 2023-12 canvasses the returns of the General Election held on May 6, 2023.

NOTE: AT THE TIME THE PACKET WAS POSTED, TARRANT COUNTY ELECTIONS HAD NOT RELEASED THE OFFICIAL RETURNS. I EXPECT TO RECEIVE THE OFFICIAL RETURNS ON MONDAY. THE NUMBERS IN THE RESOLUTION ARE FROM THE UNOFFICIAL RESULTS (HIGHLIGHTED IN YELLOW). IF THERE ARE ANY CHANGES WHEN I RECEIVE THE OFFICIAL RETURNS THE RESOLUTION WILL BE REVISED ACCORDINGLY PRIOR TO THE MEETING.

FINANCIAL IMPACT:
N/A

RECOMMENDATION:
Staff recommends approval.

ATTACHMENTS:

Description

Resolution 2023-12

CITY OF SAGINAW RESOLUTION NO. 2023-12

A RESOLUTION OF THE CITY OF SAGINAW, TEXAS, CANVASSING RETURNS AND DECLARING RESULTS OF AN ELECTION HELD IN THE CITY OF SAGINAW ON MAY 6, 2023 FOR THE PURPOSE OF ELECTING COUNCILMEMBER PLACE 4, AND COUNCILMEMBER PLACE 6.

WHEREAS, on May 6, 2023, a general election was held for the offices of Councilmember Place 4, and Councilmember Place 6; and

WHEREAS, said election was duly held at the time and place specified, after due notice as required by law had been given by posting and publication; and

WHEREAS, there were _____electors voting at said election, who cast votes as follows:

FOR COUNCILMEMBER PLACE NO. 4

Brack St. Clair	379 Votes
Randy L. Edwards	462 Votes

FOR COUNCILMEMBER PLACE NO. 6

Mary Copeland	442 Votes
Rick Russell	428 Votes

as is reflected by the election returns heretofore filed by the election judges with the City Secretary; and

WHEREAS, only qualified voters of the City of Saginaw, Texas, were allowed to vote in said election.

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

1. That said election was duly called; that notice of said election was given in accordance with the Texas Election Code (the "Code") and the resolution calling the election; that the election was held in accordance with the Code; that due return of said election has been made by the proper officers; and that the qualified voters of the City of Saginaw, Texas, voting in said election have duly elected Randy L. Edwards as Councilmember Place No. 4, and Mary Copeland as Councilmember Place No. 6.

2. That the said Randy L. Edwards is hereby declared duly elected to the office of Councilmember Place No. 4 of the City of Saginaw, Texas.

3. That the said Mary Copeland is hereby declared duly elected to the office of Councilmember Place No. 6 of the City of Saginaw, Texas.

3. That the proper officials are hereby authorized to administer the oath of office and do all things necessary to install said officer in his respective office.

ADOPTED AND APPROVED this 16th day of May, 2023.

APPROVED:

_____

Todd Flippo, Mayor Pro-Tem

ATTEST:

_____

Janice England, City Secretary

APPROVED AS TO FORM AND LEGALITY:

_____

Bryn Meredith, City Attorney

City of Saginaw

Meeting Date: 5/16/2023

Staff Contact: Janice England
City Secretary

Agenda Items: (7)

E-mail: jengland@saginawtx.org

Phone: 817-230-0327

SUBJECT:
Consideration and Action regarding Resolution No. 2023-13, Canvassing Returns and Declaring Results of Special Election held on May 6, 2023 to determine whether the voters of the City of Saginaw desire to continue a Sales and Use Tax for Street Maintenance in the City

---

BACKGROUND/DISCUSSION:
Resolution No. 2023-13 canvasses the returns of the Special Election held on May 6, 2023 to determine whether voters desired to continue a Sales and Use Tax for Street Maintenance.

NOTE: AT THE TIME THE PACKET WAS POSTED, TARRANT COUNTY ELECTIONS HAD NOT RELEASED THE OFFICIAL RETURNS. I EXPECT TO RECEIVE THE OFFICIAL RETURNS ON MONDAY. THE NUMBERS IN THE RESOLUTION ARE FROM THE UNOFFICIAL RESULTS (HIGHLIGHTED IN YELLOW). IF THERE ARE ANY CHANGES WHEN I RECEIVE THE OFFICIAL RETURNS THE RESOLUTION WILL BE REVISED ACCORDINGLY PRIOR TO THE MEETING.

FINANCIAL IMPACT:
N/A

RECOMMENDATION:
Staff recommends approval.

ATTACHMENTS:

Description

Resolution 2023-13

CITY OF SAGINAW RESOLUTION NO. 2023-13

A RESOLUTION OF THE CITY OF SAGINAW, TEXAS, CANVASSING RETURNS AND DECLARING RESULTS OF A SPECIAL ELECTION HELD IN THE CITY OF SAGINAW ON MAY 6, 2023 TO DETERMINE WHETHER THE VOTERS DESIRE TO CONTINUE A SALES AND USE TAX AT THE RATE OF ONE-EIGHTH OF ONE PERCENT (1/8%) TO PROVIDE REVENUE FOR THE MAINTENANCE AND REPAIR OF EXISTING MUNICIPAL STREETS.

WHEREAS, on February 7, 2023 the City Council of the City of Saginaw, Texas, adopted Ordinance Number 2023-06, calling a special election to be held in said City on the 6th day of May, 2023, to determine whether the voters desire to continue a sales and use tax at the rate of one-eighth of one percent (1/8%) to provide revenue for the maintenance and repair of existing municipal streets; and

WHEREAS, said election was duly held at the time and place specified, after due notice as required by law had been given by posting and publication; and

WHEREAS, state law requires that the governing body of the City canvass all elections; and

WHEREAS, on May 16, 2023, the Mayor and City Council duly canvassed the vote of said election, which showed there were 904 electors voting at said election, who cast votes as follows:

PROPOSITION

THE REAUTHORIZATION OF THE LOCAL SALES AND USE TAX IN THE CITY OF SAGINAW AT THE RATE OF ONE-EIGHTH OF ONE PERCENT TO CONTINUE PROVIDING REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS. THE TAX EXPIRES ON THE FOURTH ANNIVERSARY OF THE DATE OF THIS ELECTION UNLESS THE IMPOSITION OF THE TAX IS REAUTHORIZED.

FOR	**735**
AGAINST	**169**

as is reflected by the election returns heretofore filed by the election judges with the City Secretary.

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

1. That said election was duly called; that notice of said election was given in accordance with law and the resolution calling the election; that the election was held in accordance with law; that due return of said election has been made by the proper officers; and that the qualified voters of the City of Saginaw, Texas voting in said election cast 904 total votes. Of the votes cast cast at said

election by the qualified electors of the City of Saginaw, there were 735 votes cast for the Proposition and 169 votes cast against the Proposition.

2. That the City Council further finds and declares the result of the election to be that the Proposition so submitted has received a favorable majority vote in all respects and was approved by a margin of 566 votes.

3. That the reauthorization of the local sales and use tax of one eighth of one percent has been approved and said tax may be levied and collected as voted and provided by law to assist in funding the maintenance of existing streets.

4. The City Secretary is hereby directed to send a certified copy of this resolution, along with a map of the municipality clearly showing its boundaries, to the Texas Comptroller of Public Accounts by certified or registered mail in accordance with the applicable provisions of the Texas Tax Code.

5. This resolution shall be in full force and effect from and after its passage, and it is so resolved.

ADOPTED AND APPROVED this 16th day of May, 2023.

APPROVED:

_____
Todd Flippo, Mayor

ATTEST:

_____
Janice England, City Secretary

APPROVED AS TO FORM AND LEGALITY:

_____
Bryn Meredith, City Attorney

City of Saginaw

Meeting Date: 5/16/2023

Agenda Items: (8)

Staff Contact: Janice England
City Secretary

E-mail: jengland@saginawtx.org

Phone: 817-230-0327

SUBJECT:
Presentation to Outgoing Councilmember Tucker

BACKGROUND/DISCUSSION:
Mayor Flippo and the Council will recognize outgoing Councilmember Tucker for his service. He served on the Advisory Recreation & Parks Board from September 2009 to June 2018. He was elected to the City Council in June of 2018. Councilmember Tucker chose not to seek re-election this year.

FINANCIAL IMPACT:
N/A

RECOMMENDATION:
N/A

City of Saginaw

Meeting Date: 5/16/2023

Staff Contact: Janice England
City Secretary

Agenda Items: (9)

E-mail: jengland@saginawtx.org

Phone: 817-230-0327

SUBJECT:
Recognition of Mayor Flippo's 15 Years of Service

BACKGROUND/DISCUSSION:
Mayor Fliippo has completed fifteen (15) years of service to the City. He was elected to the Council in 2008 and then elected to the position of Mayor in 2017. A third diamond has been added to his City Pin in recognition of his 15th year of service. Mayor Pro-Tem Junkersfeld will make the presentation to Mayor Flippo.

(Service Pins are awarded to councilmembers and employees after the completion of five (5) years of service. A diamond is added after the completion of each additional five (5) years.)

FINANCIAL IMPACT:
N/A

RECOMMENDATION:
N/A

City of Saginaw

Meeting Date: 5/16/2023

Agenda Items: (10)

Staff Contact: Janice England
City Secretary

E-mail: jengland@saginawtx.org

Phone: 817-230-0327

SUBJECT:
Oath of Office for Councilmember Place 6

BACKGROUND/DISCUSSION:
Councilmember Copeland will be sworn into office.

Note: Councilmember Edwards had a commitment prior to being elected and will not be present at the May 16th City Council Meeting. He will be sworn into office at the June 6th City Council Meeting.

FINANCIAL IMPACT:
N/A

RECOMMENDATION:
N/A

City of Saginaw

Meeting Date: 5/16/2023

Agenda Items: (11)

Staff Contact: Janice England
City Secretary

E-mail: jengland@saginawtx.org

Phone: 817-230-0327

SUBJECT:
Election of Mayor Pro-Tem

BACKGROUND/DISCUSSION:
Each year following the election, the City Council must choose one of its members to serve as Mayor Pro-Tem.

FINANCIAL IMPACT:
N/A

RECOMMENDATION:
N/A

City of Saginaw

Meeting Date: 5/16/2023

Agenda Items: (12)

Staff Contact: Salvador Gonzalez
Management Analyst

E-mail: sgonzalez@saginawtx.org

Phone: 8172300550

SUBJECT:
PUBLIC HEARING - Consideration and Action regarding Recommendation from Planning and Zoning Commission regarding request to Amend the Zoning Ordinance of the City of Saginaw, regarding a Change in Zoning from Community Commercial (CC) to Heavy Industrial (HI) on approximately 12.85 acres of land out of the Bursey, John Survey, Abstract 122, Tract 2A1 & 6A1 & Part C1 Street more commonly known as 2301 Terminal Road, Saginaw, TX 76106 (per TAD) (Ordinance No. 2023-16)

BACKGROUND/DISCUSSION:
The City of Saginaw, Texas Planning Office recently received a rezoning application for the property located at 2301 Terminal Road, Saginaw, Texas 76179. The applicant, Briton New, intends to have the property rezoned from Community-Commercial (CC) to Heavy Industrial (HI), with the purchase of the property in question pending the result of the rezoning. The intended use of the property will be a truck storage facility, with the potential to establish a rail to truck materials business in the future.

Staff have noted that the Community-Commercial zoning on the subject property is out of line with the existing surrounding land uses and zoning. The subject property is surrounded by industrial uses, including a grain elevator on the subject property. The proposed rezoning would align with the surrounding area and the comprehensive plan, with the only distinction being a City of Fort Worth neighborhood to the South of the property. In consideration of said neighborhood, the applicant has agreed to implement screening and shrubbery along the South Side of the property line to mitigate any potential nuisances.

Thus, the proposed item is requesting consideration and action regarding approval to consider an ordinance amending the zoning ordinance of the city of Saginaw, Texas, regarding a change in zoning from community-commercial (CC) to heavy industrial (HI) on the approximate 12.85 acres out of the Bursey, John survey Abstract 122 tract 2A1 & 6A1 & Part C1 Street more commonly known as 2301 Terminal Road Saginaw, Texas 76179 (per tad).

The Planning & Zoning Commission voted to recommend approval to the City Council at their meeting on May 9, 2023. Ordinance 2023-16 addresses the requested zoning change.

FINANCIAL IMPACT:
N/A

RECOMMENDATION:
The Planning & Zoning Commission voted to recommend approval of the zoning change request to the City Council.

ATTACHMENTS:

Description

Zoning Change Request--2301 Terminal Rd

ORDINANCE NO. 2023-16

AN ORDINANCE AMENDING ORDINANCE NO. 2002-04, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF SAGINAW, TEXAS, BY CHANGING THE ZONING CLASSIFICATION APPROXIMATE 12.8458 ACRES OUT OF THE BURSEY, JOHN SURVEY ABSTRACT 122 TRACT 2A1 & 6A1 & PART CL STREET ALSO KNOWN AS 2301 TERMINAL ROAD FROM COMMUNITY COMMERCIAL (CC) TO HEAVY INDUSTRIAL (HI); AND REVISING THE OFFICIAL ZONING MAP IN ACCORDANCE BY AMENDING THE COMPREHENSIVE LAND USE PLAN RELATING TO SAID PROPERTY PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Saginaw is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council of the City of Saginaw heretofore adopted Ordinance No. 2002-04, as amended, the Zoning Ordinance of the City of Saginaw, which Ordinance regulates and restricts the location and use of buildings, structures and land for trade, industry, residence and other purposes, and provides for the establishment of zoning districts of such number, shape and area as may be best suited to carry out these regulations; and

WHEREAS, the City Council has previously passed an ordinance adopting a Comprehensive Land Use Plan, as the primary document on which to base all zoning, platting, and other land use decisions; and

WHEREAS, the Comprehensive Land Use Plan provides guidance for future development in conformance with the adopted Future Land Use Map; and

WHEREAS, in accordance with Section 1-3 of the Zoning Regulations of the City, the Planning and Zoning Commission at the request of the City Council, has initiated consideration of a change in zoning classification for the following property described as: the Bursey, John Survey Abstract 122 Tract 2a1 & 6a1 & Part CI street also known as 2301 Terminal Road (Exhibit "A") Tarrant County, Texas, located in the City of Saginaw, Texas, Community Commercial (CC) To Heavy Industrial (HI).

WHEREAS, the Planning and Zoning Commission of the City of Saginaw, Texas held a public hearing on May 9, 2023 and the City Council of the City of Saginaw, Texas held a public hearing on May 16, 2023 with respect to the zoning changes and amended land use designation described herein; and

WHEREAS, the City Council has further determined that the requested rezoning of the below described property is in the best interest of the citizens of Saginaw and is necessary to correct a manifest error in the regulations or map, to recognize changed conditions or circumstances in a particular locality, or to recognize changes in technology, the style of living, or manner of doing business; and

WHEREAS, the City has complied with all requirements of Chapters 211 and 213 of the Local Government Code, and all other laws dealing with notice, publication and procedural requirements for the rezoning of the property and the amendment of the Comprehensive Land Use Plan.

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

SECTION 1)

The Saginaw, Texas, Zoning Ordinance No. 2002-04, as amended, is hereby

amended by changing the Zoning Map to redesignate the hereinafter described property and area as follows:

Bursey, John Survey Abstract 122 Tract 2a1 & 6a1 & Part CI Street, also known as 2301 Terminal Road as depicted on Exhibit "A" attached hereto and incorporated herein from Community Commercial (CC) To Heavy Industrial (HI).

SECTION 2)

The zoning districts as herein established have been made in accordance with a Comprehensive Land Use Plan for the purpose of promoting the health, safety, morals and general welfare of the community.

SECTION 3)

The zoning districts as herein established have been made in accordance with a Comprehensive Land Use Plan for the purpose of promoting the health, safety, morals, and general welfare of the community.

SECTION 4)

The official zoning map of the City of Saginaw is hereby amended and the City Secretary is hereafter directed to revise the zoning map to reflect zoning classifications as set forth above.

SECTION 5)

The City Secretary is directed to revise the Future Land Use Map to reflect the revised land use designations as set forth above

SECTION 6)

The use of the property described above shall be subject to all the applicable regulations contained in the Zoning Ordinance and all other applicable and pertinent

ordinances of the City of Saginaw.

SECTION 7)

This ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Saginaw, Texas, as amended, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

SECTION 8)

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional section, paragraph, sentence, clause or phrase.

SECTION 9)

All rights and remedies of the City of Saginaw are expressly saved as to any and all violations of the provisions of Ordinance No. 2002-04, as amended, or any ordinances governing zoning that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 8.

The City Secretary of the City of Saginaw is hereby directed to publish in the official newspaper of the City of Saginaw, the caption and the penalty clause of this ordinance in accordance with Section 52.013(b) of the Texas Local Government Code.

SECTION 9.

This Ordinance shall be in full force and effect from and after the date of its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED ON THIS ___TH DAY OF MAY, 2023

_____
TODD FLIPPO,
MAYOR

ATTEST:

_____
JANICE ENGLAND, CITY SECRETARY

EFFECTIVE: _____

APPROVED AS TO FORM AND LEGALITY:

_____
BRYN MEREDITH, CITY ATTORNEY

UNAPPROVED

(5) PZ 0523-01

Consideration and Action Regarding Approval to Consider an Ordinance Amending the Zoning Ordinance of the City of Saginaw, Texas, Regarding Applicant a Change in Zoning from Community-Commercial (CC) to Heavy Industrial (HI) on the approximate 12.85 acres out of the Bursey, John Survey Abstract 122 Tract 2A1 & 6A1 & Part Cl Street More Commonly Known As 2301 Terminal Road Saginaw, Texas 76106 (Per TAD).

Salvador Gonzalez Jr., Interim Planning Manager, briefed the Commission on the background of the initiated zoning change and the parcel subject of the proposed zoning change. Mr. New was then introduced to the Commission to brief the Commission on the existing land uses of the current zoning district and address any questions or concerns. Chairman Barngrover read off a reply letter from Suzanne Boyce, President of Attebury Grain, LLC., who is in favor of the proposed zoning change.

A motion was made by Member Wooten with a second by Vice Chairman LaBruyere to recommend that the City Council approve an Ordinance Amending the Zoning Ordinance of the City of Saginaw, Texas, Regarding Applicant a Change in Zoning from Community-Commercial (CC) to Heavy Industrial (HI) on the approximate 12.85 acres out of the Bursey, John Survey Abstract 122 Tract 2A1 & 6A1 & Part Cl Street more commonly known as 2301 Terminal Road Saginaw, Texas 76106 (Per TAD).

For: Chairman Barngrover, Vice Chairman LaBruyere
Members Wooten, Allen, and Larson.

Against: None

Absent *Alternate Members Kraus, and Wood.*

(6) PZ 0523-02

Consideration and Action Regarding Recommendation of Approval Of an Ordinance of the City Of Saginaw, Texas, Amending Appendix A, "Zoning," Article 8, "Supplemental District Regulations," Section 8-9, "Off- Street Parking and Loading Requirements," of the Saginaw City Code by Updating On Premise Parking Requirements and Residential and Nonresidential Parking Standards.

Interim Planning Manager Gonzalez introduced Chief Building Official Larry Little to the Commission. CBO Little presented the background, intent, and details of the proposed ordinance to the Commission. The Commission then asked questions related to multifamily parking in the city, disabled vehicles, terms of enforcement, large lots with disabled vehicles, and large truck parking on the road.

A motion was made by Member Larson with a second by Member Wooten to a recommend approval of an ordinance of the City of Saginaw, Texas, amending Appendix A, "Zoning," Article 8, "Supplemental District Regulations," Section 8-9, "Off- Street Parking and Loading Requirements," of the Saginaw City code by updating on premise parking requirements and residential and nonresidential parking standards.

For: Chairman Barngrover, Vice Chairman LaBruyere
Members Wooten, Allen, and Larson.

Against: None

Absent *Alternate Members Kraus, and Wood.*

REPLY FORM

In order to be on record, this form may be filled out and mailed to the Planning Manager, at City of Saginaw, Texas, P. O. Drawer 79070, Saginaw, Texas 76179. If you have questions concerning this request, please call the acting Planning Manager, Salvador Gonzalez Jr. at 817-230-0440.

The Planning & Zoning Commission Meeting will meet on 05/09/23 at 6:00 p.m. and the City Council Meeting on 05/16/23 at 6:00 p.m. is in regards to a request for a rezoning from Community Commercial (CC) to Heavy Industrial (HI) for the property located at 2301 Terminal Road in Saginaw, Texas 76106.

Name: Suzanne Boyce, President of Attebury Grain, LLC

Address: PO Box 7768, Amarillo, Texas 79114

Phone Number: 806-353-6671

(X) In Favor

( ) Opposed

Reasons and/or Comments

City of Saginaw
Planning and Zoning

Applicant Initiated Rezoning for 2301 Terminal Rd. (CC to HI)

Date: May 04, 2023

To: Chairman and Members of the Planning and Zoning Commission

From: Salvador Gonzalez Jr., Interim-Planning Manager

Subject: Consideration and Action Regarding Approval to Consider an Ordinance Amending the Zoning Ordinance of the City of Saginaw, Texas, Regarding a Change in Zoning from Community-Commercial (CC) to Heavy Industrial (HI) on the approximate 12.85 acres out of the Bursey, John Survey Abstract 122 Tract 2A1 & 6A1 & Part Cl Street More Commonly Known As 2301 Terminal Road Saginaw, Texas 76179 (Per TAD).

Background/Discussion:
The City of Saginaw, Texas Planning Office recently received a rezoning application for the property located at 2301 Terminal Road, Saginaw, Texas 76179. The applicant, Briton New, intends to have the property rezoned from Community-Commercial (CC) to Heavy Industrial (HI), with the purchase of the property in question pending the result of the rezoning. The intended use of the property will be a truck storage facility, with the potential to establish a rail to truck materials business in the future.

Staff have noted that the Community-Commercial zoning on the subject property is out of line with the existing surrounding land uses and zoning. The subject property is surrounded by industrial uses, including a grain elevator on the subject property. The proposed rezoning would align with the surrounding area and the comprehensive plan, with the only distinction being a City of Fort Worth neighborhood to the South of the property. In consideration of said neighborhood, the applicant has agreed to implement screening and shrubbery along the South Side of the property line to mitigate any potential nuisances.

Thus, the proposed item is requesting consideration and action regarding approval to consider an ordinance amending the zoning ordinance of the city of Saginaw, Texas, regarding a change in zoning from community-commercial (CC) to heavy industrial (HI) on the approximate 12.85 acres out of the Bursey, John survey Abstract 122 tract 2A1 & 6A1 & Part Cl Street more commonly known as 2301 Terminal Road Saginaw, Texas 76179 (per tad).

Staff Recommendation:
Staff recommends that the request for an approval consider an ordinance amending the zoning ordinance of the city of Saginaw, Texas, regarding a change in zoning from community-commercial (CC) to heavy industrial (HI) on the approximate 12.85 acres out of the Bursey, John survey Abstract 122 tract 2A1 & 6A1 & Part Cl Street more commonly known as 2301 Terminal Road Saginaw, Texas 76179 (per tad) be forwarded for recommendation of approval.

Attachments:
Zoning Application, Zoning Exhibit, Newspaper and 200 ft. Notices

McClatchy

Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee
The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald
el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi
Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
23755	414378	Print Legal Ad-IPL01203090 - IPL0120309		$561.60	1	29 L

Attention: Rick Trice

CITY OF SAGINAW
PO BOX 79070

jengland@ci.saginaw.tx.us

CITY OF SAGINAW
PUBLIC NOTICE

The City of Saginaw Planning and Zoning Commission will conduct a Public Hearing at 6:00 p.m. on May 09, 2023 to consider a change in zoning on 16.430 Acres out of Tract 2A1 & 6A1 & Part CL Street, Abstract 122, John Bursey Survey from Community Commercial (CC) to Heavy Industrial (HI). The Saginaw City Council will conduct a Public Hearing at 6:00 p.m. on May 16, 2023 to consider the above-mentioned request for a zoning change, contingent upon the receipt of a report regarding the zoning change from the Planning and Zoning Commission. Both meetings will be at the City of Saginaw City Hall located at 333 W. McLeroy Boulevard, Saginaw, Texas, 76179.

FINAL ACTION IS TAKEN BY CITY COUNCIL ON PUBLIC HEARING CASES.

Please direct any question regarding this matter to Salvador Gonzalez Jr., Planning Manager, 817-230-0440.

IPL0120309
Apr 27 2023

THE STATE OF TEXAS
COUNTY OF TARRANT

Before me, a Notary Public in and for said County and State, this day personally appeared Stefani Beard, Bid and Legal Coordinator for the Star-Telegram, published by the Star-Telegram, Inc. at Fort Worth, in Tarrant County, Texas; and who, after being duly sworn, did depose and say that the attached clipping of an advertisement was published in the above named paper on the listed dates:

1 insertion(s) published on:
04/27/23

Stefani Beard

Sworn to and subscribed before me this 27th day of April in the year of 2023

Stephanie Hatcher

Notary Public in and for the state of Texas, residing in Dallas County

STEPHANIE HATCHER
My Notary ID # 133534406
Expires January 14, 2026

Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

City of Saginaw

Meeting Date: 5/16/2023

Agenda Items: (13)

Staff Contact: Salvador Gonzalez
Management Analyst

E-mail: sgonzalez@saginawtx.org

Phone: 8172300550

SUBJECT:
PUBLIC HEARING--Consideration and Action regarding Recommendation from Planning & Zoning Commission regarding Amending Appendix A, "Zoning", Article 8, "Supplemental District Regulations, Section 8-9, Off-Street Parking and Loading Requirements" of the Saginaw City Code by Updating On Premise Parking Requirements and Residential and Non Residential Parking Standards (Ordinance No. 2023-17)

BACKGROUND/DISCUSSION:
City staff will present on recommended changes to the off-street parking and loading regulations to maintain an up-to-date code of ordinances.

The Planning & Zoning Commission voted to recommend approval to the City Council at their meeting on May 9, 2023. Ordinance No. 2023-17 addresses the requested changes to the Zoning Ordinance.

FINANCIAL IMPACT:
N/A

RECOMMENDATION:
The Planning & Zoning Commission voted to recommend approval to the City Council.

ATTACHMENTS:

Description

Proposed Zoning Ord Changes--Parking

ORDINANCE NO. 2023-17

AN ORDINANCE OF THE CITY OF SAGINAW, TEXAS, AMENDING APPENDIX A, "ZONING," ARTICLE 8, "SUPPLEMENTAL DISTRICT REGULATIONS," SECTION 8-9, "OFF- STREET PARKING AND LOADING REQUIREMENTS," OF THE SAGINAW CITY CODE BY UPDATING ON PREMISE PARKING REQUIREMENTS AND RESIDENTIAL AND NONRESIDENTIAL PARKING STANDARDS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Saginaw, Texas is a home rule city acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City has a substantial interest in protecting the health, safety, welfare, convenience, and enjoyment of the general public and has adopted zoning regulations to further this interest; and

WHEREAS, the City Council finds it appropriate to enact regulations regarding premise parking requirements, residential parking standards, and nonresidential parking standards; and

WHEREAS, the Planning and Zoning Commission of the City of Saginaw, Texas held a public hearing on May 9, 2023, and the City Council of the City of Saginaw, Texas, held a public hearing on May 16, 2023, with respect to the proposed textual amendments as described herein; and

WHEREAS, the City has complied with all requirements of Chapter 211 of the Local Government Code, City ordinances, and all other laws dealing with notice, publication, and procedural requirements for approval of a textual zoning amendment; and

WHEREAS, the City Council finds that the textual zoning amendment as outlined herein is in the best interest of the City of Saginaw and will promote the health, safety, and general welfare of the citizens of the City of Saginaw and the general public.

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

SECTION 1.

Section 8-9, "Off-street parking and loading requirements," of Article 8, "Supplemental District Regulations," of Appendix A, "Zoning," of the Saginaw City Code is hereby amended by revising Subsections A(4) through A(6) to read as follows:

"Sec. 8-9. – Off street parking and loading requirements.

***

4. On-premise parking required. All required commercial and residential parking spaces shall be located on the premises.

5. Residential parking development standards. The following regulations shall apply to all residentially zoned districts and apply to any required front, rear, or side yard being used to park or store vehicles, including boats and trailers.

   a. All vehicles that are parked or stored on private property in residential areas are to be on an approved, paved surface (see subsections b(1) and b(2) below). All new improvements on any rear or side yard must also meet the requirements of Sec. 9-3, "Drainage."

   b. The off-street parking for residential uses shall be paved according to the following standards:

      1. Four inches of reinforced Portland cement concrete over compacted subgrade; or

      2. Not less than two inches of hot mixed asphalt over a minimum of six inches of approved subgrade material. Approved subgrade material being crushed gravel, crushed asphalt, and concrete mix or equivalent.

   c. All driveway and sidewalk improvements shall require a permit.

   d. Vehicles must completely rest on such approved surfaces from the point they leave the public streets to the point upon which they are parked or stored.

   e. All vehicles that are parked or stored in a required rear yard shall be so placed behind a screening partition of fencing materials to obscure the vehicle from view from a public street.

   f. All vehicles shall be so parked in relation to the street and dwelling at right angles and not to extend over any walkway or be closer than eight inches from the back of the curb so they will not obstruct the pedestrian ways. Notwithstanding the foregoing, vehicles parked on residential lots maintaining a primary vehicle entryway in the side yard of the lot, of a length no greater than ten feet, may impede the pedestrian walkway if the vehicle will not fit entirely within the vehicle entryway.

   g. Any inoperable vehicle found in violation of this provision must be made operable or moved to an enclosed building within ten days from the notification of such condition existing. Properties where vehicles are parked in violation of this provision shall be subject to fines or penalties, as allowed by law. All repeat

violations that occur at the same address shall be subject to immediate penalties and/or fines as allowed by law.

6. Nonresidential parking development standards. The off-street parking or loading facilities required for nonresidential uses mentioned in these regulations shall be paved according to any of the following standards:

   a. Four inches of reinforced Portland cement concrete over compacted subgrade in all districts;

   b. Not less than two inches of hot mixed asphalt over at least six inches of lime treated subgrade or other approved material* in all districts; or

   c. Not less than two inches of hot mixed asphalt over six inches of crushed stone, flexible base subgrade, or other approved material* in "LI" or "HI" zoned districts only.

   ** Other approved material – other materials may be considered if design is provided by a geotechnical engineer licensed in the State of Texas. The design shall consider specific on-site conditions. These materials must be approved by the City's Chief Building Official.*

   d. Lots shall be graded and drained in such a manner that run-off shall be properly channeled into a storm drain, watercourse, pond area, or other appropriate facility.

***"

SECTION 2.

This Ordinance shall be cumulative of all other ordinances of the City of Saginaw and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinances are in direct conflict with the provisions of this Ordinance.

SECTION 3.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared void, ineffective, or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such voidness, ineffectiveness, or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation herein of any such void, ineffective or unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 4.

All rights or remedies of the City of Saginaw, Texas, are expressly saved as to any and all violations of the City Code or the Zoning Ordinance any amendments thereto that have accrued at the time of the effective date of this Ordinance; and as to such accrued violations, and all pending

litigation, both civil or criminal, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 5.

Any person, firm, or corporation who violates any provision of this Ordinance as adopted by the City Council of the City of Saginaw shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine as provided in Section 1-13 of the Saginaw City Code. Each day any such violation or violations exist shall constitute a separate offense and shall be punishable as such.

SECTION 6.

The City Secretary of the City of Saginaw is hereby directed to publish at least twice in the official newspaper of the City of Saginaw, the caption and the penalty clause of this ordinance in accordance with Section 52.013(b) of the Local Government Code.

SECTION 7.

This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the laws of the State of Texas.

PASSED AND APPROVED ON this the ____ day of _____, 2023.

_____
Todd Flippo, Mayor

ATTEST:

_____
Janice England, City Secretary

APPROVED AS TO FORM AND LEGALITY:

_____
Bryn Meredith, City Attorney

UNAPPROVED

(5) PZ 0523-01

Consideration and Action Regarding Approval to Consider an Ordinance Amending the Zoning Ordinance of the City of Saginaw, Texas, Regarding Applicant a Change in Zoning from Community-Commercial (CC) to Heavy Industrial (HI) on the approximate 12.85 acres out of the Bursey, John Survey Abstract 122 Tract 2A1 & 6A1 & Part Cl Street More Commonly Known As 2301 Terminal Road Saginaw, Texas 76106 (Per TAD).

Salvador Gonzalez Jr., Interim Planning Manager, briefed the Commission on the background of the initiated zoning change and the parcel subject of the proposed zoning change. Mr. New was then introduced to the Commission to brief the Commission on the existing land uses of the current zoning district and address any questions or concerns. Chairman Barngrover read off a reply letter from Suzanne Boyce, President of Attebury Grain, LLC., who is in favor of the proposed zoning change.

A motion was made by Member Wooten with a second by Vice Chairman LaBruyere to recommend that the City Council approve an Ordinance Amending the Zoning Ordinance of the City of Saginaw, Texas, Regarding Applicant a Change in Zoning from Community-Commercial (CC) to Heavy Industrial (HI) on the approximate 12.85 acres out of the Bursey, John Survey Abstract 122 Tract 2A1 & 6A1 & Part Cl Street more commonly known as 2301 Terminal Road Saginaw, Texas 76106 (Per TAD).

For: Chairman Barngrover, Vice Chairman LaBruyere
Members Wooten, Allen, and Larson.

Against: None

Absent *Alternate Members Kraus, and Wood.*

(6) PZ 0523-02

Consideration and Action Regarding Recommendation of Approval Of an Ordinance of the City Of Saginaw, Texas, Amending Appendix A, "Zoning," Article 8, "Supplemental District Regulations," Section 8-9, "Off- Street Parking and Loading Requirements," of the Saginaw City Code by Updating On Premise Parking Requirements and Residential and Nonresidential Parking Standards.

Interim Planning Manager Gonzalez introduced Chief Building Official Larry Little to the Commission. CBO Little presented the background, intent, and details of the proposed ordinance to the Commission. The Commission then asked questions related to multifamily parking in the city, disabled vehicles, terms of enforcement, large lots with disabled vehicles, and large truck parking on the road.

A motion was made by Member Larson with a second by Member Wooten to a recommend approval of an ordinance of the City of Saginaw, Texas, amending Appendix A, "Zoning," Article 8, "Supplemental District Regulations," Section 8-9, "Off- Street Parking and Loading Requirements," of the Saginaw City code by updating on premise parking requirements and residential and nonresidential parking standards.

For: Chairman Barngrover, Vice Chairman LaBruyere
Members Wooten, Allen, and Larson.

Against: None

Absent *Alternate Members Kraus, and Wood.*

City of Saginaw
Planning and Zoning

Off-street Parking and Loading Ordinance

Date: May 04, 2023

To: Chairman and Members of the Planning and Zoning Commission

From: Salvador Gonzalez Jr., Interim-Planning Manager

Subject: Consideration and Action Regarding Recommendation of Approval Of an Ordinance of the City Of Saginaw, Texas, Amending Appendix A, "Zoning," Article 8, "Supplemental District Regulations," Section 8-9, "Off- Street Parking and Loading Requirements," of the Saginaw City Code by Updating On Premise Parking Requirements and Residential and Nonresidential Parking Standards.

Background/Discussion:
City staff will present on recommended changes to the off-street parking and loading regulations to maintain an up-to-date code of ordinances.

Staff Recommendation:
Staff recommends that the request for consideration and action regarding recommendation of approval of an ordinance of the city of Saginaw, Texas, amending appendix a, "zoning," article 8, "supplemental district regulations," section 8-9, "off- street parking and loading requirements," of the Saginaw city code by updating on premise parking requirements and residential and nonresidential parking standards

Attachments:
Newspaper Notice, Newspaper Affidavit, Off-street Parking and Loading Ordinance

McClatchy

Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee
The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald
el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi
Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
23755	414379	Print Legal Ad-IPL01203100 - IPL0120310		$630.48	1	33 L

Attention: Rick Trice
CITY OF SAGINAW
PO BOX 79070

jengland@ci.saginaw.tx.us

CITY OF SAGINAW
PUBLIC NOTICE

The City of Saginaw Planning and Zoning Commission will conduct a Public Hearing at 6:00 p.m. on May 09, 2023 to consider amending the Code of Ordinances, Appendix A "Zoning", Article 8 "Supplemental District Regulations", amending the regulations for Section 8-9 "Off-Street Parking and Loading Requirements" by updating on premise parking requirements and residential and non-residential parking standards. A Public Hearing will be conducted by the Saginaw City Council 6:00 p.m. on May 16, 2023, to consider the above mentioned zoning ordinance amendment, contingent upon the receipt of a report regarding the amendment from the Planning and Zoning Commission. Both meetings will be in the Council Chambers at the Saginaw City Hall located at 333 West McLeroy Boulevard.

FINAL ACTION IS TAKEN BY CITY COUNCIL ON PUBLIC HEARING CASES.

Please direct any question regarding this matter to Salvador Gonzalez Jr., Interim Planning Manager, 817-230-0440
IPL0120310
Apr 27 2023

THE STATE OF TEXAS
COUNTY OF TARRANT

Before me, a Notary Public in and for said County and State, this day personally appeared Stefani Beard, Bid and Legal Coordinator for the Star-Telegram, published by the Star-Telegram, Inc. at Fort Worth, in Tarrant County, Texas; and who, after being duly sworn, did depose and say that the attached clipping of an advertisement was published in the above named paper on the listed dates:

1 insertion(s) published on:
04/27/23

Stefani Beard

Sworn to and subscribed before me this 27th day of April in the year of 2023

Stephanie Hatcher

Notary Public in and for the state of Texas, residing in Dallas County

STEPHANIE HATCHER
My Notary ID # 133534406
Expires January 14, 2026

Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

City of Saginaw

Meeting Date: 5/16/2023

Agenda Items: (14)

Staff Contact: Randy Newsom
Director of Public Works
Trenton Tidwell, P.E.
City Engineer

E-mail: rnewsom@saginawtx.org

Phone: 18172300448

SUBJECT:
Consideration and Action regarding Award of Bid for Knowles Drive Phases 2 & 3 Project

BACKGROUND/DISCUSSION:
See attached information regarding the results of bid opening for the Knowles Drive Phases 2 & 3 Project on April 24, 2023.

This item was tabled at the May 2, 2023 City Council Meeting.

FINANCIAL IMPACT:
The financial impact will be $14,221,268. Funding for this project will come from the 2023 Bond Sale and the Tarrant County Reimbursement for Knowles Drive Phase 1.

RECOMMENDATION:
Staff recommends approval of the award of the bid to DDM Construction Corporation, Inc. for the Knowles Drive Phases 2 & 3 Project.

ATTACHMENTS:

Description

KHA Letter--Knowles Phase 2 & 3
Bid Tab--Knowles Phases 2 & 3

Kimley»Horn

April 26, 2023

Mr. Randy Newsom
City of Saginaw
205 Brenda Lane
Saginaw, TX 76179

Re: Bid Results
Knowles Drive Phases 2 & 3

Dear Mr. Newsom:

On April 24, 2023, Saginaw received bids for the Knowles Drive Phases 2 & 3 project. The following bid proposals were received:

Contractor	Total Base Bid
DDM Construction Corporation, Inc.	$14,221,268.00
McMahon Contracting, L.P.	$15,294,644.00
The Fain Group, Inc.	$16,808,794.00

Kimley-Horn and Associates, Inc. has reviewed the lowest bidder's qualifications and has verified that the Contractor's bonding company is licensed in the State of Texas. Based on these reviews, it appears that DDM Construction Corporation, Inc. is the lowest responsive bidder.

Enclosed is a copy of the bid tabulation for your reference. Kimley-Horn's final OPCC for this project was $15,200,000.

Should you have any questions or comments, please to not hesitate to contact me.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.
TBPE No. F-928

Trenton Tidwell, P.E.

Enclosure
Copy to: Mr. Gabe Reaume, City Manager, City of Saginaw

BID TABULATION

KIMLEY-HORN AND ASSOCIATES, INC.

CHECKED BY: Trenton D. Tidwell, P.E., 04/24/2023

Owner: **City of Saginaw**
Job No.: **061003132**
Project: **Knowles Drive Phases 2 & 3**
Date: **April 24, 2023**

Item No.	Item Description	Quantity	Unit	BIDDER 1 DDM Construction Corporation, Inc. 4006 Belt Line Rd., Ste.230 Addison, TX 75001		BIDDER 2 McMahon Contracting, L.P. 3019 Roy Orr Blvd. Grand Prairie, TX 75050		BIDDER 3 The Fain Group, Inc. P.O. Box 164308 Ft. Worth, TX 76161	
				Unit Price	Item Cost	Unit Price	Item Cost	Unit Price	Item Cost
Base Bid									
1	Mobilization	1	LS	$700,000.00	$700,000.00	$982,874.20	$982,874.20	$180,000.00	$180,000.00
2	General Site Preparation	1	LS	$250,000.00	$250,000.00	$69,050.00	$69,050.00	$23,000.00	$23,000.00
3	Project Allowance	1	LS	$100,000.00	$100,000.00	$100,000.00	$100,000.00	$100,000.00	$100,000.00
4	Landscape & Irrigation Restoration Allowance	1	LS	$60,000.00	$60,000.00	$60,000.00	$60,000.00	$60,000.00	$60,000.00
5	SWPPP	1	LS	$55,000.00	$55,000.00	$47,970.00	$47,970.00	$24,000.00	$24,000.00
6	Unclassified Excavation by Plan Quantity	14,000	CY	$21.00	$294,000.00	$32.45	$454,300.00	$23.00	$322,000.00
7	Embankment by Plan Quantity	9,500	CY	$12.00	$114,000.00	$7.94	$75,430.00	$22.00	$209,000.00
8	Remove Conc Pvmt	3,300	SY	$15.00	$49,500.00	$13.81	$45,573.00	$21.00	$69,300.00
9	Remove Asphalt Pvmt	28,200	SY	$6.00	$169,200.00	$7.96	$224,472.00	$5.00	$141,000.00
10	Remove Gravel Pvmt	90	SY	$14.00	$1,260.00	$13.76	$1,238.40	$13.00	$1,170.00
11	Remove Conc Curb and Gutter	360	LF	$12.00	$4,320.00	$5.05	$1,818.00	$10.00	$3,600.00
12	Remove Conc Driveway	630	SY	$8.00	$5,040.00	$16.15	$10,174.50	$25.00	$15,750.00
13	Remove Sidewalk	9,200	SF	$1.50	$13,800.00	$1.67	$15,364.00	$3.00	$27,600.00
14	Remove Conc Lined Ditch	8,500	SF	$1.00	$8,500.00	$1.93	$16,405.00	$3.00	$25,500.00
15	Remove Concrete Rip Rap	330	SY	$16.00	$5,280.00	$19.18	$6,329.40	$26.00	$8,580.00
16	Remove Rock Rip Rap	40	SY	$12.00	$480.00	$26.32	$1,052.80	$45.00	$1,800.00
17	Remove Storm Drain Line	1,500	LF	$25.00	$37,500.00	$27.20	$40,800.00	$55.00	$82,500.00
18	Remove Concrete Headwall	16	EA	$1,250.00	$20,000.00	$1,076.73	$17,227.68	$3,500.00	$56,000.00
19	Remove Concrete Safety End Treatment	2	EA	$650.00	$1,300.00	$831.69	$1,663.38	$1,400.00	$2,800.00
20	Remove Concrete Flume	1	EA	$500.00	$500.00	$365.61	$365.61	$2,900.00	$2,900.00
21	Remove Brick SET	2	EA	$650.00	$1,300.00	$831.69	$1,663.38	$400.00	$800.00
22	Remove Drop Inlet	3	EA	$1,100.00	$3,300.00	$1,044.56	$3,133.68	$1,700.00	$5,100.00
23	Remove Storm Drain Manhole	1	EA	$1,400.00	$1,400.00	$1,759.89	$1,759.89	$2,900.00	$2,900.00
24	Remove Metal Beam Guard Fence	410	LF	$17.00	$6,970.00	$8.82	$3,616.20	$18.00	$7,380.00
25	Remove Trees	1	EA	$2,500.00	$2,500.00	$1,345.21	$1,345.21	$600.00	$600.00
26	Remove Fence	10	LF	$20.00	$200.00	$36.17	$361.70	$17.00	$170.00
27	Remove Brick Pillar	1	EA	$1,300.00	$1,300.00	$1,771.93	$1,771.93	$1,500.00	$1,500.00
28	Remove Retaining Wall Blocks	20	LF	$25.00	$500.00	$180.85	$3,617.00	$35.00	$700.00
29	Remove Landscaping	60	SY	$13.00	$780.00	$60.28	$3,616.80	$9.00	$540.00
30	Remove Light Pole	2	EA	$700.00	$1,400.00	$1,310.40	$2,620.80	$1,300.00	$2,600.00
31	Remove Sign	77	EA	$160.00	$12,320.00	$179.98	$13,858.46	$52.00	$4,004.00
32	Remove Handrail	40	LF	$21.00	$840.00	$18.09	$723.60	$52.00	$2,080.00
33	Remove Flood Gate	2	EA	$850.00	$1,700.00	$723.41	$1,446.82	$290.00	$580.00
34	Salvage Traffic Signal	1	EA	$10,000.00	$10,000.00	$11,319.76	$11,319.76	$11,000.00	$11,000.00
35	Remove Traffic Signal Ground Box	2	EA	$450.00	$900.00	$292.50	$585.00	$290.00	$580.00
36	Adjust Electrical Pull Box	1	EA	$1,000.00	$1,000.00	$971.10	$971.10	$960.00	$960.00
37	Remove Plastic Delineator	2	EA	$95.00	$190.00	$199.61	$399.22	$70.00	$140.00
38	Standard Mailbox Removal and Replacement	4	EA	$500.00	$2,000.00	$263.25	$1,053.00	$300.00	$1,200.00
39	Brick Mailbox Removal and Replacement	2	EA	$3,100.00	$6,200.00	$1,749.15	$3,498.30	$2,500.00	$5,000.00
40	ELIM EXT PAV MRK & MRKS (4")	200	LF	$1.00	$200.00	$1.46	$292.00	$1.00	$200.00
41	ELIM EXT PAV MRK & MRKS (8")	350	LF	$1.50	$525.00	$2.93	$1,025.50	$2.00	$700.00
42	ELIM EXT PAV MRK & MRKS (ARROW)	2	EA	$50.00	$100.00	$175.50	$351.00	$45.00	$90.00

BID TABULATION

KIMLEY-HORN AND ASSOCIATES, INC.

CHECKED BY: Trenton D. Tidwell, P.E., 04/24/2023

Owner: **City of Saginaw**
Job No.: **061003132**
Project: **Knowles Drive Phases 2 & 3**
Date: **April 24, 2023**

Item No.	Item Description	Quantity	Unit	BIDDER 1 DDM Construction Corporation, Inc. 4006 Belt Line Rd., Ste.230 Addison, TX 75001		BIDDER 2 McMahon Contracting, L.P. 3019 Roy Orr Blvd. Grand Prairie, TX 75050		BIDDER 3 The Fain Group, Inc. P.O. Box 164308 Ft. Worth, TX 76161	
				Unit Price	Item Cost	Unit Price	Item Cost	Unit Price	Item Cost
43	ELIM EXT PAV MRK & MRKS (WORD)	2	EA	$52.00	$104.00	$175.50	$351.00	$45.00	$90.00
44	8" Lime Treatment (48 LBS/SY)	17,300	SY	$8.00	$138,400.00	$4.31	$74,563.00	$5.00	$86,500.00
45	Hydrated Lime	500	TN	$400.00	$200,000.00	$370.66	$185,330.00	$340.00	$170,000.00
46	8" Flexible Base Type A, Grade 1	21,900	SY	$21.00	$459,900.00	$21.94	$480,486.00	$17.00	$372,300.00
47	6" Conc Pvmt (Residential Driveway)	270	SY	$120.00	$32,400.00	$117.44	$31,708.80	$100.00	$27,000.00
48	7" Conc Pvmt (Park Driveway)	1,600	SY	$100.00	$160,000.00	$92.60	$148,160.00	$117.00	$187,200.00
49	8" Conc Pvmt with Integral Curb	28,600	SY	$89.00	$2,545,400.00	$79.07	$2,261,402.00	$119.00	$3,403,400.00
50	9" Conc Pvmt with Integral Curb (Roundabout)	5,300	SY	$100.00	$530,000.00	$123.75	$655,875.00	$119.00	$630,700.00
51	Asphalt Pavement (2" Type D on 4" Type B)	1,840	SY	$60.00	$110,400.00	$54.99	$101,181.60	$72.00	$132,480.00
52	Integral Colored 10" Concrete Truck Apron	250	SY	$250.00	$62,500.00	$208.85	$52,212.50	$180.00	$45,000.00
53	Integral Colored Concrete Median (Splitter Island)	810	SY	$170.00	$137,700.00	$121.68	$98,560.80	$125.00	$101,250.00
54	Integral Colored Concrete Median (Central Island)	280	SY	$170.00	$47,600.00	$140.40	$39,312.00	$134.00	$37,520.00
55	6" Standard Curb and Gutter	130	LF	$50.00	$6,500.00	$79.51	$10,336.30	$44.00	$5,720.00
56	3" Mountable Curb with 18" Gutter	260	LF	$26.00	$6,760.00	$79.51	$20,672.60	$45.00	$11,700.00
57	16" Concrete Retaining Wall (Truck Apron)	180	LF	$110.00	$19,800.00	$60.38	$10,868.40	$35.00	$6,300.00
58	4" Conc Sidewalk	49,900	SF	$8.50	$424,150.00	$7.49	$373,751.00	$10.00	$499,000.00
59	4" Conc Sidewalk Adjacent to Back of Curb	1,100	SF	$11.00	$12,100.00	$11.35	$12,485.00	$12.00	$13,200.00
60	Sidewalk Curb	420	LF	$21.00	$8,820.00	$25.74	$10,810.80	$31.00	$13,020.00
61	TXDOT Curb Ramp Type 2	54	EA	$1,790.00	$96,660.00	$2,808.00	$151,632.00	$2,700.00	$145,800.00
62	TXDOT Curb Ramp Type 7	1	EA	$3,300.00	$3,300.00	$3,159.00	$3,159.00	$3,100.00	$3,100.00
63	TXDOT Curb Ramp Type 21	5	EA	$2,300.00	$11,500.00	$3,627.00	$18,135.00	$3,300.00	$16,500.00
64	10" Pedestrial Rail Curb Adjacent to Sidewalk	110	LF	$18.00	$1,980.00	$25.74	$2,831.40	$34.00	$3,740.00
65	TXDOT Handrail Type PR11	220	LF	$245.00	$53,900.00	$158.09	$34,779.80	$90.00	$19,800.00
66	TXDOT Handrail Type D	25	LF	$245.00	$6,125.00	$178.19	$4,454.75	$120.00	$3,000.00
67	TXDOT Sign and Support TY 10BWG (1) SA (P)	51	EA	$750.00	$38,250.00	$848.25	$43,260.75	$730.00	$37,230.00
68	Saginaw Standard Sign and Support	28	EA	$450.00	$12,600.00	$696.15	$19,492.20	$440.00	$12,320.00
69	Street Sign (Mount on Existing Pole)	56	EA	$120.00	$6,720.00	$169.65	$9,500.40	$100.00	$5,600.00
70	Single Sided RRFB Assembly and Foundation	10	EA	$8,800.00	$88,000.00	$13,601.25	$136,012.50	$10,000.00	$100,000.00
71	Double Sided RRFB Assembly and Foundation	8	EA	$9,800.00	$78,400.00	$14,800.50	$118,404.00	$11,000.00	$88,000.00
72	4" Yellow Pavement Markings (SOLID)	12,900	LF	$0.80	$10,320.00	$1.46	$18,834.00	$1.00	$12,900.00
73	4" Yellow Pavement Markings (BROKEN)	2,080	LF	$0.80	$1,664.00	$1.52	$3,161.60	$1.00	$2,080.00
74	8" Yellow Pavement Markings (SOLID)	480	LF	$2.00	$960.00	$3.04	$1,459.20	$2.00	$960.00
75	8" White Contrast Pavement Markings (SOLID)	1,220	LF	$9.00	$10,980.00	$21.06	$25,693.20	$9.00	$10,980.00
76	18" White Contrast Pavement Markings (DOT)	70	LF	$15.00	$1,050.00	$39.78	$2,784.60	$15.00	$1,050.00
77	24" White Contrast Pavement Markings (SOLID)	2,100	LF	$15.00	$31,500.00	$14.04	$29,484.00	$16.00	$33,600.00
78	White Contrast Pavement Marking ARROW	9	EA	$330.00	$2,970.00	$497.25	$4,475.25	$320.00	$2,880.00
79	White Contrast Pavement Marking WORD (ONLY)	5	EA	$420.00	$2,100.00	$643.50	$3,217.50	$400.00	$2,000.00
80	White Contrast Pavement Marking WORD (YIELD)	4	EA	$420.00	$1,680.00	$643.50	$2,574.00	$400.00	$1,600.00
81	White Raised Crosswalk Approach Stripe	8	EA	$280.00	$2,240.00	$526.50	$4,212.00	$290.00	$2,320.00
82	Reflective Pavement Marker Ty II A-A	212	EA	$4.50	$954.00	$5.09	$1,079.08	$5.00	$1,060.00
83	Wood Fence	10	LF	$200.00	$2,000.00	$117.00	$1,170.00	$52.00	$520.00
84	Brick Pillar	1	EA	$2,500.00	$2,500.00	$2,281.50	$2,281.50	$1,400.00	$1,400.00
85	Traffic Control	24	MO	$4,500.00	$108,000.00	$8,996.14	$215,907.36	$2,800.00	$67,200.00
86	Temporary Asphalt Pavement	120	SY	$140.00	$16,800.00	$85.85	$10,302.00	$17.00	$2,040.00

BID TABULATION

KIMLEY-HORN AND ASSOCIATES, INC.

CHECKED BY: Trenton D. Tidwell, P.E., 04/24/2023

Owner: **City of Saginaw**
Job No.: **061003132**
Project: **Knowles Drive Phases 2 & 3**
Date: **April 24, 2023**

Item No.	Item Description	Quantity	Unit	BIDDER 1 DDM Construction Corporation, Inc. 4006 Belt Line Rd., Ste.230 Addison, TX 75001		BIDDER 2 McMahon Contracting, L.P. 3019 Roy Orr Blvd. Grand Prairie, TX 75050		BIDDER 3 The Fain Group, Inc. P.O. Box 164308 Ft. Worth, TX 76161	
				Unit Price	Item Cost	Unit Price	Item Cost	Unit Price	Item Cost
87	Temporary Illumination	1	LS	$22,000.00	$22,000.00	$15,912.00	$15,912.00	$15,000.00	$15,000.00
88	Portable Message Board	40	WK	$450.00	$18,000.00	$3,744.00	$149,760.00	$290.00	$11,600.00
89	Project Sign	2	EA	$1,500.00	$3,000.00	$499.68	$999.36	$600.00	$1,200.00
90	DRILL SHAFT (TRF SIG POLE) (48 IN)	66	LF	$800.00	$52,800.00	$760.50	$50,193.00	$700.00	$46,200.00
91	CONDT (PVC) (SCH 40) (3")	215	LF	$30.00	$6,450.00	$30.71	$6,602.65	$30.00	$6,450.00
92	CONDT (PVC) (SCH 40) (3") (BORE)	325	LF	$45.00	$14,625.00	$42.70	$13,877.50	$42.00	$13,650.00
93	CONDT (PVC) (SCH 80) (2")	125	LF	$22.00	$2,750.00	$21.64	$2,705.00	$21.00	$2,625.00
94	CONDT (PVC) (SCH 80) (2") (BORE)	110	LF	$35.00	$3,850.00	$34.81	$3,829.10	$34.00	$3,740.00
95	ELEC CONDR (NO.8) BARE	550	LF	$2.00	$1,100.00	$1.99	$1,094.50	$2.00	$1,100.00
96	ELEC CONDR (NO.8) INSULATED	380	LF	$2.50	$950.00	$2.28	$866.40	$2.00	$760.00
97	ELEC CONDR (NO.6) BARE	120	LF	$2.00	$240.00	$2.11	$253.20	$2.00	$240.00
98	ELEC CONDR (NO.6) INSULATED	240	LF	$2.50	$600.00	$2.46	$590.40	$3.00	$720.00
99	GROUND BOX TY D (162922)	1	EA	$1,500.00	$1,500.00	$1,567.80	$1,567.80	$1,500.00	$1,500.00
100	GROUND BOX TY D (162922)W/APRON	5	EA	$2,200.00	$11,000.00	$2,076.75	$10,383.75	$2,000.00	$10,000.00
101	ELC SRV TY D 120/240 060(NS)SS(E)PS(U)	1	EA	$11,000.00	$11,000.00	$10,693.80	$10,693.80	$10,000.00	$10,000.00
102	INSTALL HWY TRF SIG (ISOLATED)	1	EA	$45,000.00	$45,000.00	$45,396.00	$45,396.00	$45,000.00	$45,000.00
103	VEH SIG SEC (12")LED(GRN)	6	EA	$430.00	$2,580.00	$444.60	$2,667.60	$440.00	$2,640.00
104	VEH SIG SEC (12")LED(GRN ARW)	5	EA	$430.00	$2,150.00	$444.60	$2,223.00	$440.00	$2,200.00
105	VEH SIG SEC (12")LED(YEL)	6	EA	$430.00	$2,580.00	$444.60	$2,667.60	$440.00	$2,640.00
106	VEH SIG SEC (12")LED(YEL ARW)	6	EA	$430.00	$2,580.00	$444.60	$2,667.60	$440.00	$2,640.00
107	VEH SIG SEC (12")LED(RED)	9	EA	$430.00	$3,870.00	$444.60	$4,001.40	$440.00	$3,960.00
108	VEH SIG SEC (12")LED(RED ARW)	2	EA	$430.00	$860.00	$444.60	$889.20	$395.00	$790.00
109	PED SIG SEC (LED)(COUNTDOWN)	4	EA	$1,100.00	$4,400.00	$1,111.50	$4,446.00	$1,000.00	$4,000.00
110	BACK PLATE (12")(3 SEC)ALUM	10	EA	$160.00	$1,600.00	$146.25	$1,462.50	$140.00	$1,400.00
111	BACK PLATE (12")(4 SEC)ALUM	1	EA	$200.00	$200.00	$187.20	$187.20	$180.00	$180.00
112	TRF SIG CBL (TY A)(14 AWG)(5 CONDR)	600	LF	$3.00	$1,800.00	$3.04	$1,824.00	$3.00	$1,800.00
113	TRF SIG CBL (TY A)(14 AWG)(7 CONDR)	75	LF	$3.50	$262.50	$3.33	$249.75	$4.00	$300.00
114	TRF SIG CBL (TY A)(14 AWG)(10 CONDR)	340	LF	$7.00	$2,380.00	$6.84	$2,325.60	$7.00	$2,380.00
115	TRF SIG CBL (TY A)(14 AWG)(20 CONDR)	455	LF	$12.00	$5,460.00	$12.17	$5,537.35	$12.00	$5,460.00
116	TRF SIG CBL (TY C)(12 AWG)(2 CONDR)	405	LF	$3.50	$1,417.50	$3.16	$1,279.80	$3.00	$1,215.00
117	INS TRF SIG PL AM(S)1 ARM(55')	2	EA	$50,000.00	$100,000.00	$51,129.00	$102,258.00	$46,000.00	$92,000.00
118	INS TRF SIG PL AM(S)1 ARM(55')LUM	1	EA	$55,000.00	$55,000.00	$54,837.00	$54,837.00	$53,000.00	$53,000.00
119	PED POLE ASSEMBLY	2	EA	$4,500.00	$9,000.00	$3,966.30	$7,932.60	$3,500.00	$7,000.00
120	PED DETECT PUSH BUTTON (APS)	4	EA	$1,300.00	$5,200.00	$1,216.80	$4,867.20	$1,200.00	$4,800.00
121	PED DETECTOR CONTROLLER UNIT	1	EA	$5,500.00	$5,500.00	$5,463.90	$5,463.90	$5,400.00	$5,400.00
122	REMOVAL OF GROUND BOXES	4	EA	$300.00	$1,200.00	$292.50	$1,170.00	$290.00	$1,160.00
123	BBU SYSTEM (EXTERNAL BATT CABINET)	1	EA	$11,000.00	$11,000.00	$11,115.00	$11,115.00	$11,000.00	$11,000.00
124	VIVDS PROSR SYS	1	EA	$10,000.00	$10,000.00	$10,214.10	$10,214.10	$10,000.00	$10,000.00
125	VIVDS CAM ASSY FXD LNS	1	EA	$10,000.00	$10,000.00	$10,413.00	$10,413.00	$10,000.00	$10,000.00
126	VIVDS CABLING	620	LF	$5.00	$3,100.00	$4.86	$3,013.20	$5.00	$3,100.00
127	PREEMPTION DETECTORS	3	EA	$4,000.00	$12,000.00	$3,697.20	$11,091.60	$3,500.00	$10,500.00
128	5' Modified Standard Storm Drain Curb Inlet	6	EA	$8,500.00	$51,000.00	$8,131.50	$48,789.00	$7,000.00	$42,000.00
129	10' TXDOT Type 2 Inlet	9	EA	$14,000.00	$126,000.00	$14,157.00	$127,413.00	$18,000.00	$162,000.00
130	10' Recessed Inlet	4	EA	$9,500.00	$38,000.00	$8,424.00	$33,696.00	$9,000.00	$36,000.00

BID TABULATION

KIMLEY-HORN AND ASSOCIATES, INC.

CHECKED BY: Trenton D. Tidwell, P.E., 04/24/2023

Owner: **City of Saginaw**
Job No.: **061003132**
Project: **Knowles Drive Phases 2 & 3**
Date: **April 24, 2023**

				BIDDER 1		BIDDER 2		BIDDER 3	
				DDM Construction Corporation, Inc. 4006 Belt Line Rd., Ste.230 Addison, TX 75001		McMahon Contracting, L.P. 3019 Roy Orr Blvd. Grand Prairie, TX 75050		The Fain Group, Inc. P.O. Box 164308 Ft. Worth, TX 76161	
Item No.	Item Description	Quantity	Unit	Unit Price	Item Cost	Unit Price	Item Cost	Unit Price	Item Cost
131	10' Standard Storm Drain Curb Inlet	23	EA	$9,200.00	$211,600.00	$8,073.00	$185,679.00	$8,000.00	$184,000.00
132	10' TxDOT Open-Back Inlet	2	EA	$17,000.00	$34,000.00	$16,965.00	$33,930.00	$14,000.00	$28,000.00
133	15' Standard Storm Drain Curb Inlet	14	EA	$11,500.00	$161,000.00	$10,530.00	$147,420.00	$10,000.00	$140,000.00
134	15' TXDOT Open Back Inlet	1	EA	$22,000.00	$22,000.00	$22,230.00	$22,230.00	$17,000.00	$17,000.00
135	20' Standard Storm Drain Curb Inlet	10	EA	$13,000.00	$130,000.00	$11,817.00	$118,170.00	$13,000.00	$130,000.00
136	2' Square Standard Drop Inlet	2	EA	$5,200.00	$10,400.00	$5,265.00	$10,530.00	$7,000.00	$14,000.00
137	18" HP Storm	400	LF	$105.00	$42,000.00	$114.84	$45,936.00	$160.00	$64,000.00
138	24" HP Storm	2,770	LF	$115.00	$318,550.00	$130.75	$362,177.50	$180.00	$498,600.00
139	30" HP Storm	1,920	LF	$128.00	$245,760.00	$162.69	$312,364.80	$250.00	$480,000.00
140	36" HP Storm	630	LF	$175.00	$110,250.00	$194.75	$122,692.50	$330.00	$207,900.00
141	42" HP Storm	1,230	LF	$230.00	$282,900.00	$227.04	$279,259.20	$390.00	$479,700.00
142	48" HP Storm	270	LF	$260.00	$70,200.00	$273.43	$73,826.10	$380.00	$102,600.00
143	3'x2' RCB	140	LF	$330.00	$46,200.00	$346.32	$48,484.80	$430.00	$60,200.00
144	4'x2' RCB	290	LF	$345.00	$100,050.00	$411.49	$119,332.10	$500.00	$145,000.00
145	5'x3' RCB	250	LF	$440.00	$110,000.00	$629.46	$157,365.00	$600.00	$150,000.00
146	6'x2' RCB	440	LF	$485.00	$213,400.00	$659.88	$290,347.20	$600.00	$264,000.00
147	6'x3' RCB	330	LF	$530.00	$174,900.00	$762.84	$251,737.20	$700.00	$231,000.00
148	7'x3' RCB	60	LF	$720.00	$43,200.00	$891.54	$53,492.40	$900.00	$54,000.00
149	8'x3' RCB	230	LF	$730.00	$167,900.00	$1,021.41	$234,924.30	$900.00	$207,000.00
150	8'x4' RCB	280	LF	$840.00	$235,200.00	$1,053.00	$294,840.00	$1,000.00	$280,000.00
151	Trench Safety	9,240	LF	$3.00	$27,720.00	$4.10	$37,884.00	$3.00	$27,720.00
152	3" Landscape Drain	1	LS	$11,000.00	$11,000.00	$36,408.40	$36,408.40	$14,000.00	$14,000.00
153	Standard 4' Square Storm Drain Manhole	4	EA	$7,600.00	$30,400.00	$6,493.50	$25,974.00	$7,000.00	$28,000.00
154	Standard 5' Square Storm Drain Manhole	8	EA	$9,800.00	$78,400.00	$8,482.50	$67,860.00	$10,000.00	$80,000.00
155	Standard 6' Square Storm Drain Manhole	3	EA	$11,500.00	$34,500.00	$9,945.00	$29,835.00	$14,000.00	$42,000.00
156	TXDOT 4' Junction Box	1	EA	$7,500.00	$7,500.00	$6,493.50	$6,493.50	$7,500.00	$7,500.00
157	TXDOT 7' Junction Box	1	EA	$13,300.00	$13,300.00	$11,115.00	$11,115.00	$18,000.00	$18,000.00
158	TXDOT 8' Junction Box	2	EA	$16,200.00	$32,400.00	$13,455.00	$26,910.00	$26,000.00	$52,000.00
159	Headwall C (TXDOT CH-FW-0)	1	EA	$8,400.00	$8,400.00	$5,850.00	$5,850.00	$5,200.00	$5,200.00
160	Headwall D2 Upstream (TXDOT PW)	1	EA	$85,000.00	$85,000.00	$81,900.00	$81,900.00	$75,000.00	$75,000.00
161	Headwall D2 Downstream (TXDOT PW)	1	EA	$97,000.00	$97,000.00	$91,260.00	$91,260.00	$85,000.00	$85,000.00
162	Headwall D3 (TXDOT PW)	1	EA	$21,000.00	$21,000.00	$17,550.00	$17,550.00	$26,000.00	$26,000.00
163	Headwall F (TXDOT FW)	1	EA	$15,000.00	$15,000.00	$12,285.00	$12,285.00	$5,800.00	$5,800.00
164	Headwall G (TXDOT PW)	1	EA	$7,300.00	$7,300.00	$5,850.00	$5,850.00	$17,000.00	$17,000.00
165	Headwall H (TXDOT FW)	1	EA	$14,000.00	$14,000.00	$6,610.50	$6,610.50	$5,800.00	$5,800.00
166	6" Conc Riprap (3600 PSI, #4 Bars @ 18" O.C.)	100	CY	$500.00	$50,000.00	$799.34	$79,934.00	$600.00	$60,000.00
167	12" Stone Riprap (Type R) (Grouted)	80	SY	$180.00	$14,400.00	$183.69	$14,695.20	$100.00	$8,000.00
168	Adjust Water Valve Box	13	EA	$550.00	$7,150.00	$409.50	$5,323.50	$1,700.00	$22,100.00
169	Adjust Meter Box	21	EA	$400.00	$8,400.00	$468.00	$9,828.00	$2,000.00	$42,000.00
170	Adjust Fire Hydrant	5	EA	$2,000.00	$10,000.00	$1,755.00	$8,775.00	$3,000.00	$15,000.00
171	Adjust Sanitary Sewer Manhole (Minor)	7	EA	$1,600.00	$11,200.00	$1,930.50	$13,513.50	$4,000.00	$28,000.00
172	Adjust Sanitary Sewer Manhole (Major)	3	EA	$3,500.00	$10,500.00	$2,925.00	$8,775.00	$9,000.00	$27,000.00
173	Standard 4' Diameter Concrete Manhole	9	EA	$9,500.00	$85,500.00	$9,711.00	$87,399.00	$12,000.00	$108,000.00
174	Standard 4' Diameter Drop Concrete Manhole	1	EA	$11,000.00	$11,000.00	$11,700.00	$11,700.00	$14,000.00	$14,000.00

BID TABULATION

KIMLEY-HORN AND ASSOCIATES, INC.

CHECKED BY: Trenton D. Tidwell, P.E., 04/24/2023

Owner: **City of Saginaw**
Job No.: **061003132**
Project: **Knowles Drive Phases 2 & 3**
Date: **April 24, 2023**

				BIDDER 1		BIDDER 2		BIDDER 3	
				DDM Construction Corporation, Inc. 4006 Belt Line Rd., Ste.230 Addison, TX 75001		McMahon Contracting, L.P. 3019 Roy Orr Blvd. Grand Prairie, TX 75050		The Fain Group, Inc. P.O. Box 164308 Ft. Worth, TX 76161	
Item No.	Item Description	Quantity	Unit	Unit Price	Item Cost	Unit Price	Item Cost	Unit Price	Item Cost
175	Sanitary Sewer Cleanout	2	EA	$1,500.00	$3,000.00	$1,638.00	$3,276.00	$1,700.00	$3,400.00
176	Connect to Existing Water Line	42	EA	$2,500.00	$105,000.00	$3,276.00	$137,592.00	$11,000.00	$462,000.00
177	6" Dia. AWWA C900 DR-18 PVC Water Pipe	172	LF	$120.00	$20,640.00	$356.97	$61,398.84	$300.00	$51,600.00
178	8" AWWA C900 DR-18 PVC Water Pipe	80	LF	$150.00	$12,000.00	$182.99	$14,639.20	$350.00	$28,000.00
179	10" AWWA C900 DR-18 PVC Water Pipe	18	LF	$180.00	$3,240.00	$204.22	$3,675.96	$950.00	$17,100.00
180	12" AWWA C900 DR-18 PVC Water Pipe	306	LF	$220.00	$67,320.00	$220.95	$67,610.70	$600.00	$183,600.00
181	16" Dia. AWWA C900 DR-18 PVC Water Pipe	592	LF	$235.00	$139,120.00	$266.06	$157,507.52	$500.00	$296,000.00
182	2" Water Service Line	10	LF	$350.00	$3,500.00	$632.97	$6,329.70	$1,400.00	$14,000.00
183	Sanitary Sewer Service Line	225	LF	$89.00	$20,025.00	$101.38	$22,810.50	$100.00	$22,500.00
184	6" ASTM D3034 SDR-26 PVC Sewer Pipe By Open Cut	797	LF	$80.00	$63,760.00	$105.77	$84,298.69	$135.00	$107,595.00
185	12" ASTM D2241 SDR-26 PVC Sewer Pipe	83	LF	$170.00	$14,110.00	$185.56	$15,401.48	$270.00	$22,410.00
186	15" ASTM D2241 SDR-26 PVC Sewer Pipe	169	LF	$200.00	$33,800.00	$208.49	$35,234.81	$300.00	$50,700.00
187	6" Gate Valve and Box	5	EA	$2,500.00	$12,500.00	$2,146.95	$10,734.75	$2,500.00	$12,500.00
188	8" Gate Valve and Box	3	EA	$3,400.00	$10,200.00	$3,042.00	$9,126.00	$3,700.00	$11,100.00
189	10" Gate Valve and Box	1	EA	$4,600.00	$4,600.00	$4,457.70	$4,457.70	$4,700.00	$4,700.00
190	12" Gate Valve and Box	4	EA	$5,500.00	$22,000.00	$5,440.50	$21,762.00	$6,000.00	$24,000.00
191	16" Gate Valve and Box	10	EA	$13,000.00	$130,000.00	$16,380.00	$163,800.00	$16,000.00	$160,000.00
192	Abandon Existing Water Line	306	LF	$40.00	$12,240.00	$21.06	$6,444.36	$95.00	$29,070.00
193	Abandon Existing Sanitary Sewer Line	441	LF	$19.00	$8,379.00	$10.53	$4,643.73	$90.00	$39,690.00
194	Abandon Existing Sanitary Sewer Service Line	271	LF	$20.00	$5,420.00	$10.53	$2,853.63	$60.00	$16,260.00
195	Remove Existing Water Line	877	LF	$8.00	$7,016.00	$14.04	$12,313.08	$42.00	$36,834.00
196	Remove Existing Sewer Line	25	LF	$8.00	$200.00	$14.04	$351.00	$42.00	$1,050.00
197	Remove Existing Gate Valve	9	EA	$304.00	$2,736.00	$585.00	$5,265.00	$580.00	$5,220.00
198	Remove Existing Manhole	2	EA	$1,500.00	$3,000.00	$1,170.00	$2,340.00	$3,800.00	$7,600.00
199	Remove Existing Fire Hydrant Assembly	7	EA	$730.00	$5,110.00	$1,170.00	$8,190.00	$700.00	$4,900.00
200	Ductile Iron Fittings	24	TONS	$4,000.00	$96,000.00	$9,594.00	$230,256.00	$7,600.00	$182,400.00
201	Fire Hydrant Assembly	7	EA	$7,000.00	$49,000.00	$7,546.50	$52,825.50	$9,500.00	$66,500.00
202	2" Air Release Valve and Manhole	7	EA	$10,000.00	$70,000.00	$12,285.00	$85,995.00	$12,000.00	$84,000.00
203	Concrete Encasement	272	LF	$120.00	$32,640.00	$93.60	$25,459.20	$420.00	$114,240.00
204	Cement Stabilized Sand Encasement	36	LF	$100.00	$3,600.00	$70.20	$2,527.20	$460.00	$16,560.00
205	Temporary Water Service Allowance	1	LS	$40,000.00	$40,000.00	$40,000.00	$40,000.00	$40,000.00	$40,000.00
206	Trench Safety	2,452	LF	$3.00	$7,356.00	$3.51	$8,606.52	$2.00	$4,904.00
207	Temporary Asphalt Repair - Utility Trench	994	LF	$25.00	$24,850.00	$34.20	$33,994.80	$75.00	$74,550.00
208	Temporary Concrete Repair - Utility Trench	869	LF	$25.00	$21,725.00	$48.35	$42,016.15	$105.00	$91,245.00
209	Concrete Repair - Utility Trench	589	LF	$65.00	$38,285.00	$79.61	$46,890.29	$140.00	$82,460.00
210	Sanitary Sewer Bypass Pumping Allowance	1	LS	$40,000.00	$40,000.00	$40,000.00	$40,000.00	$40,000.00	$40,000.00
211	Condt (PVC) (SCH 80) (2")	8,245	LF	$15.00	$123,675.00	$21.64	$178,421.80	$22.00	$181,390.00
212	Condt (PVC) (SCH 80) (2") (Bore)	-	LF	$50.00	$0.00	$95.00	$0.00	$0.00	$0.00
213	Ground Box TY B (122322) W/Apron	17	EA	$1,750.00	$29,750.00	$1,813.50	$30,829.50	$1,800.00	$30,600.00
214	Precast Foundation	45	EA	$4,100.00	$184,500.00	$2,574.00	$115,830.00	$2,500.00	$112,500.00
215	Exploratory Excavation of Existing Utilities	145	EA	$130.00	$18,850.00	$362.70	$52,591.50	$360.00	$52,200.00
216	Large Canopy Trees (3" Caliper)	177	EA	$1,400.00	$247,800.00	$716.70	$126,855.90	$715.00	$126,555.00
217	Hardwood Mulch - 6' Tree Rings (3" Depth)	47	CY	$55.00	$2,585.00	$27.65	$1,299.55	$27.00	$1,269.00
218	Hardwood Mulch - Shurb Bed	4	CY	$58.00	$232.00	$27.65	$110.60	$27.00	$108.00

BID TABULATION

KIMLEY-HORN AND ASSOCIATES, INC.

CHECKED BY: Trenton D. Tidwell, P.E., 04/24/2023

Owner: **City of Saginaw**
Job No.: **061003132**
Project: **Knowles Drive Phases 2 & 3**
Date: **April 24, 2023**

Item No.	Item Description	Quantity	Unit	BIDDER 1 DDM Construction Corporation, Inc. 4006 Belt Line Rd., Ste.230 Addison, TX 75001		BIDDER 2 McMahon Contracting, L.P. 3019 Roy Orr Blvd. Grand Prairie, TX 75050		BIDDER 3 The Fain Group, Inc. P.O. Box 164308 Ft. Worth, TX 76161	
				Unit Price	Item Cost	Unit Price	Item Cost	Unit Price	Item Cost
219	Shrubs (5 Gallon Minimum)	13	EA	$42.00	$546.00	$40.96	$532.48	$40.00	$520.00
220	Groundcover (1 Gallon Minimum)	299	EA	$14.00	$4,186.00	$9.95	$2,975.05	$10.00	$2,990.00
221	Tree Pit Prep	177	EA	$370.00	$65,490.00	$233.47	$41,324.19	$230.00	$40,710.00
222	4" Topsoil	4,505	CY	$17.00	$76,585.00	$49.37	$222,411.85	$50.00	$225,250.00
223	Bermudagrass Sod	40,520	SY	$6.00	$243,120.00	$7.31	$296,201.20	$8.00	$324,160.00
224	Permanent Irrigation (Trees Only)	1	LS	$16,000.00	$16,000.00	$22,522.50	$22,522.50	$22,000.00	$22,000.00
225	Permanent Irrigation (Sod Only)	1	LS	$535,000.00	$535,000.00	$397,215.00	$397,215.00	$340,000.00	$340,000.00
226	Temporary Irrigation (Sod Only)	1	LS	$15,000.00	$15,000.00	$19,500.00	$19,500.00	$15,000.00	$15,000.00
Total Base Bid					**$14,221,268.00**		**$15,294,644.00**		**$16,808,794.00**