

Duncanville City Council Meeting Minutes
Regular Meeting
Tuesday, February 2, 2021

CALL TO ORDER

A regular meeting of the Duncanville City Council was called to order on Tuesday, February 2, 2021, at 6:00 p.m. via videoconference with a quorum to wit:

COUNCIL VIA VIDEO
CONFERENCING:

Mayor Barry L. Gordon
Councilmember At-Large Patrick Harvey
Councilmember Joe Veracruz
Mayor Pro Tem Don McBurnett
Councilmember Monte Anderson
Councilmember Mark D. Cooks
Councilmember Johnette Jameson

STAFF VIA VIDEO
CONFERENCING:

IT Director Tracy Beekman
Chief Robert D. Brown Jr.
Finance Director Richard Summerlin
Public Works Director Bryan Greg Ramey
City Secretary Kristin Downs
Interim City Manager Paul Frederiksen
City Attorney Robert E. Hager

SUPPLEMENTAL NOTICE OF MEETING BY VIDEO CONFERENCE

In accordance with an Order of the Office of the Governor issued on March 16, 2020, as extended by Office of the Governor on June 12, 2020, the City Council for the City of Duncanville, Texas will conduct a City Council Regular Meeting by video conference at 6:00 pm on Tuesday, February 2, 2021, in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) in an effort to slow the spread of the Coronavirus (COVID-19) pandemic.

This is an open meeting conducted by video conference. There will be no public access to a physical location.

To speak during Citizen Comments, you must register with the City Secretary before 4pm on Tuesday, February 2, 2021, email citysecretary@duncanville.com and title the email “Public Comment – February 2nd”. You will need to register with the link below and attend the meeting. During the Citizen Comments period of the agenda, the City Secretary will call your name and allow access to your camera and microphone for you to provide your comments. Feel free to email your comment to the City Secretary for the Mayor to read into the record for any unexpected technological issues that may arise.

Register in advance for this webinar:
https://us02web.zoom.us/webinar/register/WN_qw2zMhLtUa6eEYEJlu_ug

After registering, you will receive a confirmation email containing information about joining the webinar.

A recording of the video meeting will be made available to the public in accordance with the Open Meetings Act upon written request.

I. WORK SESSION / BRIEFING

I.1. DISCUSS AGENDA ITEMS

Mayor Gordon read the item into record, and Interim City Manager Frederiksen reviewed each item.

I.2. BRIEFINGS / PRESENTATIONS

I.2.A. Receive a presentation discussing the status of the Advanced Metering Infrastructure (AMI) program plan.

IT Director Beekman and Finance Director Summerlin presented the item. Ira Nicodemus with Performance Services Inc. spoke on the Advanced Metering Infrastructure (AMI) program plan. AMI is an integrated system of smart meters, communications networks, and data management systems that enables two-

way communication between utilities and customers. During the March 17, 2020 meeting Council received a presentation on AMI with staff recommendations and approved adding Tyler Munis UB CIS module to our current ERP system. On August 18, 2020, during the regular Council meeting, Council received a preliminary utility audit and as a result the City moved forward with the Investment Grade Audit of the utility data. An Investment Grade Audit was completed by Performance Services Inc. in December 2020; defined existing conditions, established utility baselines, present project economics, and receive final project pricing.

Smart meter implementation puts power in the hands of our Citizens; near real-time data available, empower Citizens with the data needed to be better consumers of water resources, provide Citizens the metrics to create their own conservation plan and track their success, smart meter technology provides more accurate water usage measurement and billing, and current outdated technology means water leaks can go unnoticed for 30 or more days.

Meter Manufacturer Comparison

Criteria	 Badger Meter	 MASTER METER	Winner
Network Infrastructure	No infrastructure to install/maintain	3 Base Stations + 5-10 repeaters	 Badger Meter
References	~4 comparable size NTX references; some concerns with wire; other issues resolved	~5 comparable size NTX references; all positive	 MASTER METER
Meter Body	Stainless and compact	Composite and more bulky	 Badger Meter
Meter Transmitter	Connected by wire and drilled through plastic lid	Integrated to meter body	 MASTER METER
Lid Requirements	Requires all new plastic lids	Works with existing lids. Can balance extra repeaters with lid replacements	 MASTER METER
Cost	Higher upfront, higher annual	Lower upfront, lower annual	 MASTER METER

Final Meter Cost



- **\$7,889,901** project cost
(includes full conversion to plastic lids)
 - **\$118,350** annual cost
(cellular data + software)
- **\$7,624,788** project cost
(includes allowance for lids/boxes and up to 10 repeaters)
 - **\$ 24,707** annual cost
(infrastructure service + software)

Savings Detail

Water Meter Size	Baseline Water to Meters @ 100% Accuracy (gal/yr)*	Measured Meter Accuracy	Baseline Billed Water per Mtr Size (gal/yr)	New Meter Accuracy	Future Water Measured w/ New Meters (gal)	Annual Billed Water Increase (gal)	Annual Billed Water Increase (\$)
5/8" x 3/4" Meters	703,765,547	97.6%	686,626,750	98.5%	693,209,064	6,582,314	\$77,472
1" Meters	225,050,442	96.6%	217,959,750	98.5%	221,674,686	3,714,936	\$43,724
1.5" Meters	70,363,140	85.5%	60,186,500	98.5%	69,307,693	9,119,193	\$107,331
2" Meters	222,045,787	86.5%	192,136,000	98.5%	218,715,100	26,579,100	\$312,629
3" Meters	69,174,796	88.6%	61,320,000	98.5%	68,137,176	6,817,176	\$80,236
4" Meters	42,796,587	98.1%	41,975,000	98.5%	42,154,639	179,639	\$2,114
6" Meters - NA							
Totals	1,333,196,302		1,260,206,000		1,313,198,356	52,992,356	\$623,707

- Notes:
- Baseline water production determined from billed water documentation and measured meter accuracy. Best data available.
 - Avg Wtr/Sewer Rate (\$/kgal): \$11.77
 - Water Meter Testing by Southern Flowmeter – October 2020
 - No savings assumed for meters installed since 2015 or for ultra-low flow increases (keeps calculation conservative)

Current Financial Situation

	FY19	FY20	FY21	FY22
	Actual	Actual	Budgeted	Budgeted
Beginning Fund Balance	\$ 9,429,759	\$ 9,460,346	\$ 8,451,065	\$ 7,166,871
Change in Fund Balance	\$ 30,587	\$(1,009,281)	\$(1,284,194)	\$(1,535,629)
Ending Fund Balance	\$ 9,460,346	\$ 8,451,065	\$ 7,166,871	\$ 5,631,242
Operating Reserve (60 day)	\$ 3,033,127	\$ 3,141,043	\$ 3,206,613	\$ 3,472,216
Fund Balance Over Reserve	\$ 6,427,219	\$ 5,310,022	\$ 3,960,258	\$ 2,159,026

Financing Options (Certificate of Obligation)

Funding	10 Yr Bond	15 Yr Bond	20 Yr Bond
Amount			
\$ 7,700,000	\$ 847,603	\$ 610,964	\$ 495,055
\$ 5,700,000	\$ 629,576	\$ 453,463	\$ 368,090
\$ 4,200,000	\$ 466,654	\$ 336,266	\$ 272,576

Partial Financing (Using \$3.5 Million from Fund Balance)

Partial Financing	FY20	FY21	FY22	FY23	FY24
\$4,200,000	Actual	Budgeted	Budgeted	Budgeted	Budgeted
Beginning Fund Balance	\$ 9,460,346	\$ 8,451,065	\$ 7,166,871	\$ 1,889,161	\$ 506,706
Change in Fund Balance	\$(1,009,281)	\$(1,284,194)	\$(5,035,000)	\$(1,762,128)	\$(1,935,188)
Debt Service	\$ -	\$ -	\$ (336,266)	\$ (336,266)	\$ (336,266)
Estimated Revenue Increase			\$ 93,556	\$ 715,939	\$ 717,783
Ending Fund Balance	\$ 8,451,065	\$ 7,166,871	\$ 1,889,161	\$ 506,706	\$(1,046,965)
Operating Reserve (60 day)	\$ 3,141,043	\$ 3,206,613	\$ 3,346,174	\$ 3,427,060	\$ 3,461,147
Fund Balance Over Reserve	\$ 5,310,022	\$ 3,960,258	\$(1,457,013)	\$(2,920,354)	\$(4,508,112)

Partial Financing Scenario (\$2 Million used from Fund Balance)

Partial Financing	FY20	FY21	FY22	FY23	FY24
\$5,700,000	Actual	Budgeted	Budgeted	Budgeted	Budgeted
Beginning Fund Balance	\$ 9,460,346	\$ 8,451,065	\$ 7,166,871	\$ 3,271,964	\$ 1,772,312
Change in Fund Balance	\$(1,009,281)	\$(1,284,194)	\$(3,535,000)	\$(1,762,128)	\$(1,935,188)
Debt Service	\$ -	\$ -	\$ (453,463)	\$ (453,463)	\$ (453,463)
Estimated Revenue Increase			\$ 93,556	\$ 715,939	\$ 717,783
Ending Fund Balance	\$ 8,451,065	\$ 7,166,871	\$ 3,271,964	\$ 1,772,312	\$ 101,444
Operating Reserve (60 day)	\$ 3,141,043	\$ 3,206,613	\$ 3,365,440	\$ 3,446,325	\$ 3,480,347
Fund Balance Over Reserve	\$ 5,310,022	\$ 3,960,258	\$ (93,476)	\$(1,674,013)	\$(3,378,903)

Full Financing Scenario

Full Financing	FY20	FY21	FY22	FY23	FY24
\$7,700,000	Actual	Budgeted	Budgeted	Budgeted	Budgeted
Beginning Fund Balance	\$ 9,460,346	\$ 8,451,065	\$ 7,166,871	\$ 5,114,463	\$ 3,457,310
Change in Fund Balance	\$(1,009,281)	\$(1,284,194)	\$(1,535,000)	\$(1,762,128)	\$(1,935,188)
Debt Service	\$ -	\$ -	\$ (610,964)	\$ (610,964)	\$ (610,964)
Estimated Revenue Increase			\$ 93,556	\$ 715,939	\$ 717,783
Ending Fund Balance	\$ 8,451,065	\$ 7,166,871	\$ 5,114,463	\$ 3,457,310	\$ 1,628,941
Operating Reserve (60 day)	\$ 3,141,043	\$ 3,206,613	\$ 3,391,330	\$ 3,472,216	\$ 3,505,847
Fund Balance Over Reserve	\$ 5,310,022	\$ 3,960,258	\$ 1,723,133	\$ (14,906)	\$ (1,876,906)

Per Local Government Code 302, the Investment Grade Audit results must be reviewed and verified by a qualified Professional Engineer to finalize Performance Services Inc. findings before the City can authorize an Energy Savings Performance contract. This package is currently being reviewed by Energy and Engineering Solutions.

At-Large Councilmember Harvey questioned how the meters will be read with the AMI system. Mr. Nicodemus stated one of the biggest advantages with the real time data and the increase in accuracy now the meters will be read remotely several times a day communicating back to towers.

Councilmember Jameson questioned how the city would address the areas with weaker antennas. Mr. Nicodemus stated the Propagation Study is modeled with a software program that looks actual topography with elevation changes in the model to determine where to place the location.

At-Large Councilmember Harvey questioned the installation process.

Director Summerlin stated Council would need to let staff know how to proceed.

Councilmember Cooks requested clarification on how the installation and rollout would be conducted and requested to see more examples of other city rollouts.

Councilmember McBurnett questioned how citizens would be able to view the real time data.

IT Director Beekman stated citizens have the ability to install an application on their phone, once the meters report to the repeaters the results will be captured.

Mayor Gordon recessed the Briefing Session at 7:13 p.m. for City Council to convene into Executive Session.

II. EXECUTIVE SESSION

The Executive Session was called into session at 7:15 p.m. and City Attorney Hager read the item into record.

II.1 City Council shall convene into closed executive session pursuant to Section 551.071 of the Texas Government Code to seek legal advice from the City Attorney concerning pending or contemplated litigation regarding:

- City of Duncanville v. Valdez; property located at 315 Blossom.

The Council closed the Executive Session at 7:18 p.m.

III. REGULAR SESSION - CONVENE INTO THE COUNCIL CHAMBERS (7:00 P.M.)

The City Council convened into Regular Session in the Council Chambers at 7:20 p.m. with Mayor Gordon presiding.

The Invocation was delivered by Councilmember McBurnett.

The Pledge of Allegiance and Texas Pledge were led by Mayor Gordon.

III.1. REPORTS

III.1.A. *Mayor's Report.*

Mayor Gordon spoke on the following:

- The passing of Tommy Wolverton and provided his condolences.
- Inland Port Symposium.
- On his involvement with DISD to help reengage students who had disengaged from their academic practices during the COVID-19 pandemic.
- Attended the opening of the Duncanville ISD Police Headquarters.
- Being added to the Dallas Regional Mobility Coalition sub-committee.
- Interim City Manager Frederiksen wearing multiple hats.

III.1.B. *Councilmembers' Reports*

Councilmember McBurnett provided his condolences of the passing of Tommy Wolverton.

Mayor Pro Tem Cooks recognized Naomi Corell on celebrating her 100th birthday.

Mayor Pro Tem Cooks recognized Sheriff Marian Brown for Black History month and Pyburn Park was dedicated to the memory of Mr. and Mrs. Pyburn.

III.1.C. *City Manager's Report.*

None.

III.2. PROCLAMATIONS AND PRESENTATIONS

III.2.A. *A Proclamation recognizing February 2021 as Black History Month.*

Councilmember At-Large Harvey read the proclamation.

III.3. CITIZENS' INPUT

“Pursuant to Section 551.007 of the Texas Gov’t Code, any member of the public has the opportunity to address the City Council concerning any matter of public business or any posted agenda item; however, the Act prohibits the City Council from deliberating any issues not on the public agenda and such non-agenda issues may be referred to City staff for research and any future action; all persons addressing are subject to council adopted rules and limitations permitted by law”

To speak during Citizen Comments, you must register with the City Secretary before 4pm on Tuesday, February 2, 2021, email citysecretary@duncanville.com and title the email “Public Comment – February 2nd. You will need to register with the link below and attend the meeting. During the Citizen Comments period of the agenda, the City Secretary will call your name and allow access to your camera and microphone for you to provide your comments. Feel free to email your comment to the City Secretary for the Mayor to read into the record for any unexpected technological issues that may arise.

The City Secretary will still set a two-minute time limit on the comments as they are read.

Mayor Gordon read the item into record.

No comments were submitted.

III.4. CONSENT AGENDA

Mayor Gordon requested that City Secretary Kristin Downs read the Consent Agenda Items.

III.4.A. *Consider the Minutes for the January 11, 2021 Joint Meeting w/Planning and Zoning Commission and the January 19, 2021 City Council Regular Meeting.*

- III.4.B. ***Consider a Resolution appointing Election Judges for the City of Duncanville in Dallas County for the May 1, 2021 General Election; and authorizing the City Secretary to approve on behalf of the City of Duncanville any changes in the list of recommended election judges which may become necessary because of the inability to serve of any of the persons named in Exhibit "A".***
- III.4.C. ***Consider a Resolution authorizing the application to the North Central Texas Council of Governments and FY21 Homeland Security Grant–State Homeland Security Program (SHSP) for the purchase of a thermal imaging device that will be used for and in support of the Police Department’s Special Operations Unit with a total grant value of \$5,000.00.***

Mayor Pro Tem Don McBurnett made a motion to approve the item as stated, Councilmember Mark D. Cooks seconded the motion. The vote was cast 7 for, 0 against. Items passed.

III.5. ITEMS FOR INDIVIDUAL CONSIDERATION

- III.5.A. ***Consider an Ordinance amending Chapter 13 ‘Peddlers, Solicitors and Itinerant Vendors’, Section 13-1 ‘Permit Required’ by adding new Subsection (D), by amending Section 13-1A “Regulation of Peddlers, Solicitors, and Itinerant Vendors” by amending Subsections (A) and (B); by amending Section 13-7 ‘Permit to be Carried / No Solicitation’; and amending Section 13-8 ‘Hours’; providing a repealing clause; providing a severability clause, providing a savings clause; providing for a penalty of fine not to exceed the sum of two thousand dollars (\$2,000.00); and providing for an effective date.***

Chief Brown presented the item.

Reasons for proposed changes:

- Reduce Criminal or Fraudulent Conduct or Activity
 - Help identify unpermitted solicitors who have not received a computerized criminal background check.
- Improve Safety
 - High visibility vest help identify solicitors and improve traffic safety.
- Improve Unwanted Intrusion into Citizen Privacy
 - Prohibit solicitation on designated holidays and before 9 a.m.
- Streamline Solicitation Permit
 - To assist in record keeping, all solicitation permits expire on the same date.

Proposed changes:

- Revise Time Restrictions
 - Currently solicitors may solicit between 8 a.m. and 6 p.m. with no restrictions to days of week.
- Suggested Changes
 - Hours limited to 9 a.m. to 7 p.m.
 - Prohibit soliciting on Sunday or any of the following holidays: New Year’s Day; Martin Luther King’s Birthday; President’s Day; Good Friday; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; the day after Thanksgiving Day; Christmas Eve; and Christmas Day.

Require all solicitors to wear a high visibility vest (pictures attached) that will have a pocket on the front to display the approved solicitation permit and, on the back, display signage stating he/she is a solicitor, the city, the year the solicitation permit is valid, and expiration date.

- Increase Fee for Solicitor Permit
 - Currently the fee is \$50.00
 - Suggest increase fee to \$75.00
 - This will offset cost for the purchase of the high visibility vests that will be issued to each permit holder.

- Require all solicitor permits to expire the last day of each year issued (no matter what the issue date is).

At-Large Councilmember Harvey questioned if the Ordinance would apply to any political candidates. Chief Brown stated no political candidates are exempt.

Mayor Pro Tem Don McBurnett made a motion to approve the item as stated, Councilmember Johnette Jameson seconded the motion. The vote was cast 7 for, 0 against. Item passed.

III.5.B. Consider amending Ordinance No. 2390 adopting the Master Fee Schedule for Fiscal Year 2020-2021, by amending said Master Fee Schedule, to revise fees for Subparts for Planning/Building Inspections, Section, Subparts 7, 27, 60 and 70-72 as set forth on the attached Exhibit ‘A’.

Public Works Director Ramey presented the item. On May 21, 2019, HB 852 amended Texas Law prohibiting value-based building permit fees. Duncanville amended the FY 2018-2019 Master Fee Schedule on June 18, 2019; permit fees based on building size instead of project value (a few items were flat fees, i.e. roof deck or foundation repair), and permit fee/SF based on recent construction projects which did not include exceptionally large buildings. In January of 2021, staff realized the permit fee for new buildings did not include enough rate tiers (highest tier was > 6500 SF); new construction on N Duncanville Rd is 354,244 SF; building permit fee at current rate = \$832,473.40; plan review fee = \$416,233.70, required by law to have rates commensurable to actual costs of City work, and re-evaluated Master Fee Schedule for any other updates.

Summary of Changes

#	Item	Current Fee		Amended Fee		Remarks
7	Filing a Plat at Dallas County (City files after 60 days)	N/A		Cost + 10% Courier Fee		Addresses issue of un-filed plats
27	Annual Group Home Inspection	\$0.00		\$150.00		Covers cost to perform inspections (Code, Fire, Bldg)
59	Commercial Plan Review	50% of Bldg Permit		50% of Bldg Permit; Max fee \$25,000.00		Similar to Cedar Hill and Grand Prairie
69-72	Bldg Permits – New Commercial Bldg	0-1500 SF	\$4.00	0-1500 SF	\$4.00	Similar to Cedar Hill and Grand Prairie
		1501-2500 SF	\$3.60	1501-2500 SF	\$3.60	
		2501-3500 SF	\$2.95	2501-3500 SF	\$2.95	
		3501-4500 SF	\$2.75	3501-4500 SF	\$2.75	
		4501-5500 SF	\$2.55	4501-5500 SF	\$2.55	
		5501-6500 SF	\$2.45	5501-6500 SF	\$2.45	
		Over 6500 SF	\$2.35	6501-15000 SF	\$2.00	
				15001-35000 SF	\$1.15	
				Over 35000 SF	\$0.50	
				Max Fee \$50,000.00		
#	Item	Current Fee		Amended Fee		Remarks
82-85	Bldg Permits – Commercial Bldg Remodel	0-1500 SF	\$0.35	0-1500 SF	\$0.35	
		1501-2500 SF	\$0.30	1501-2500 SF	\$0.30	
		2501-3500 SF	\$0.28	2501-3500 SF	\$0.28	
		3501-4500 SF	\$0.26	3501-4500 SF	\$0.26	
		4501-5500 SF	\$0.24	4501-5500 SF	\$0.24	
		5501-6500 SF	\$0.23	5501-6500 SF	\$0.23	
		Over 6500 SF	\$0.22	6501-15000 SF	\$0.22	
				15001-35000 SF	\$0.20	
				Over 35000 SF	\$0.15	
				Max Fee \$50,000.00		
154	Vacant Bldg Registration Late Fee	Included in other Line at \$50.00		\$50.00		Separates fee from Line 153, Vacant Bldg Inspect
158	Residential Rental Property CO	\$10.00		\$0.00		Fee included in the annual Residential Rental Property Registration Fee

Councilmember Mark D. Cooks made a motion to approve the item as stated, Councilmember Johnette Jameson seconded the motion. The vote was cast 7 for, 0 against. Item passed.

III.5.C. Consider a Resolution confirming the Interim City Manager's appointment of Tracey Martin as a member of the Duncanville Civil Service Commission filling the vacancy of former Commissioner John Marks as of October 31, 2020.

Human Resources Director Siegel presented the item. The Civil Service Commission consists of three members appointed by the municipality's chief executive officer (City Manager) and confirmed by the governing body (City Council) of the municipality. The Commission's responsibilities are established by Texas Government Code - Chapter 143. The Commission oversees the entry level and promotional testing, hiring, and employment procedures for Police and Fire classified service employees. The primary responsibility of the Commission is to serve as an appeal board for fire and police employees who request the Commission to act as an impartial third party to review or investigate an action over which they have authority. Oftentimes, this concerns disciplinary actions.

Per Section 143.006, the Commission members serve staggered three-year terms with the term of one member expiring each year. Current Commissioners are Lia Polk, Chairman and Nigel Robinson, Vice Chairman. John Marks' final term was up this October. This Resolution is to fill the vacancy of John Marks. The Interim City Manager, HR Director, Police and Fire Chiefs interviewed two applicants. By unanimous decision, staff recommend the applicant Tracey Martin to fulfill the term of the current vacancy. Ms. Martin has been a resident of the City of Duncanville for 3 years. Ms. Martin is a Sr. Administrative Assistant who has experience in HR experience and Civil Service during her tenure with the City of Fort Worth.

Mayor Pro Tem Don McBurnett made a motion to approve the item as stated, Councilmember Johnette Jameson seconded the motion. The vote was cast 7 for, 0 against. Item passed.

- III.5.D. *Take any necessary action as a result of the Executive Session.***
No action taken.

III.6. STAFF AND BOARD REPORTS

- III.6.A. *Receive the Monthly Financial Report as of December 31, 2020***
Director Summerlin presented the report.
- III.6.B. *Receive the Fieldhouse Quarterly Report.***
Field House Manager Brasfield presented the item.
- III.6.C. *Receive the Parks & Recreation Quarterly Report.***
Director Stevenson presented the item.

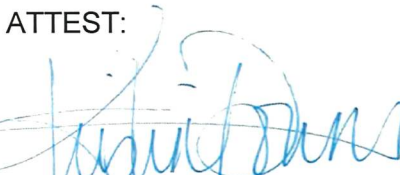
IV. ADJOURNMENT

The meeting was adjourned at 8.28 p.m.

APPROVED:


MAYOR

ATTEST:


CITY SECRETARY