Duncanville City Council Meeting Minutes
Regular Meeting
Tuesday, February 20, 2024

CALL TO ORDER
A regular meeting of the Duncanville City Council was called to order on Tuesday, February 20, 2024, at 6:00 p.m. in the Council Briefing Room at City Hall with a quorum to wit:

COUNCIL PRESENT:
Mayor Barry L. Gordon
Councilmember At-Large DeMonica Gooden
Councilmember Don McBurnett
Councilmember Karen Cherry-Brown
Mayor Pro Tem Greg Contreras

COUNCIL ARRIVING AT: 6:02 p.m. - Councilmember Jeremy Koontz

COUNCIL ABSENT: Councilmember Joe Veracruz

WORK SESSION / BRIEFING

1. DISCUSS AGENDA ITEMS

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

2. CITY COUNCIL CALENDAR

City Secretary Chiquita Taylor reviewed the council calendar.

3. BRIEFINGS / PRESENTATIONS

The briefing Session was recessed at 6:13 p.m. to allow the council members to view the armored vehicle on site.

Mayor Gordon reconvened the briefing session at 6:20 p.m.

A. *Council to receive a briefing on possible contract proposal to assist with Energov implementation.*

City Manager Finch stated he has heard complaints in the community relative to permitting. The Energov software was purchased in 2019 and has never gone live. The current program will be sunsetting this year. Kevin Price with Berry Dunn attended virtually and gave information on Energov implementation as a project manager and advisor. Mr. Finch stated it would be a challenge with existing staff to implement the software without a project manager. Hiring a project manager would be ideal as the knowledge would remain in the city. The total cost would be about $225,000, including the hiring of a project manager and retaining a consultant project manager. Other area cities have project managers on staff; however, Duncanville does not. Councilmember Gooden stated she agrees we need a project manager on staff but is concerned that we have software that is not being used. Mr. Finch stated there are hidden costs. The plan is to bring this back to the council in March due to the sunsetting of the current system. Mayor Pro Tem Contreras asked about the duties and the background of the project manager. Councilmember Gooden asked if it would be successfully implemented before the sunsetting of the current system. Mr. Finch stated he does not think we have a choice. Councilmember Gooden and Mayor Gordon thanked Mr. Finch for bringing this to the council's attention.

Mayor Gordon recessed the Briefing Session at 6:44 p.m. for the City Council to convene into Executive Session.

EXECUTIVE SESSION

The Executive Session was called into session at 6:45 p.m. and Mayor Gordon read the item into record.

In the interest of time, Mayor Gordon recessed the Executive Session at 7:02 p.m. and moved the remaining item to the end of the regular session.

Mayor Gordon reconvened the Executive Session at 8:59 p.m.

The Council closed the Executive Session at 9:47 p.m.

1. ***City Council shall convene into closed executive session pursuant to Section 551.072 of the Texas Gov't Code to deliberate the purchase, sales, exchange or acquisition/negotiation of real property generally located south of I-20, east of Santa Fe, west of Cockrell Hill Road and, north of Wheatland within the corporate limits of the City of Duncanville, Texas.***
2. ***City Council shall convene in Executive Session pursuant to Section 551.072 of the Texas Government Code, to Deliberate the Sale, Exchange, Lease or Value of the Duncanville Fieldhouse, and pursuant to Section 551.071 of the Texas Government Code to seek legal advice from the City Attorney regarding the same.***
3. ***City Council shall convene into closed executive session pursuant to Section 551.074, of the Texas Government Code, Personnel, to deliberate the duties of the City Manager under the Home Rule Charter regarding economic development, and, pursuant to Section 551.071 of the Texas Government Code to seek legal advice from the City Attorney on the same topic.***

REGULAR SESSION - CONVENE INTO THE COUNCIL CHAMBERS (7:00 P.M. or immediately following the 6:00 pm Work Session/Briefing)

The City Council convened into Regular Session in the Council Chambers at 7:06 p.m. with Mayor Gordon presiding.

Police Chaplain Moises Ruiz delivered the Invocation.

Mayor Gordon led the Pledge of Allegiance and Texas Pledge.

1. **REPORTS**

    A. ***Mayor's Report.***
    Mayor Gordon commended the Recreation Center and Park staff for the success of the Daddy Daughter dance.

    B. ***Councilmembers' Reports***
    Councilmember Koontz reminded everyone that on February 26th at 6:00 p.m., we will be having a District 1 meeting at the Library with the Police Department. Councilmember McBurnett stated the February 7th District 2 meeting was well attended and productive. Councilmember Cherry-Brown thanked Mr. Finch for the District 4 meeting.

    C. ***City Manager's Report.***
    City Manager Finch stated there will be a District 1 meeting on March 16th and April 6th is the Kidsville and Splash pad grand opening. The Emerald City Band will perform on April 7th for the solar eclipse event.

2. **PROCLAMATIONS AND PRESENTATIONS**

    None

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"

    At this time, two-minute comments will be taken from the audience on any topic. To address the Council, please submit a fully-completed request card to the City

Secretary prior to the beginning of the Citizens' Input portion of the Council meeting. In accordance with the Texas Open Meetings Act, the City Council cannot discuss issues raised or make any decisions at this time. Issues may be referred to City Staff for research and possible future action.

To view the live meeting or previous meetings click on the link below.
https://duncanvilletx.new.swagit.com/views/454/

To submit a comment via email the following information is required:

- Submit a comment by 4:00 p.m. on _
- Email citysecretary@duncanvilletx.gov
- Email title: Public Comment – _
- First Name, Last Name, and Address

Mayor Gordon read the item into record. The following spoke during the Citizens Input Period:

Mark Graham
410 Santa Fe Trail
dumping at the Ladd preserve

Justin Edwards
226 Mizell St.
Native landscape ordinance

Robbie Robbins
343 Sherwood Dr.
Native landscaping ordinance

Amy Jackson
934 Cambridge Drive Duncanville
Community theater

Jim Jones
1627 Nob Hill Circle
Native landscape ordinance

Allie Aussi 1703
S, Main Item 4D

Erica Browning
442 E. Cherry Street
Native landscape ordinance; ATV's in neighborhood

Tabitha Brookstone
343 Sherwood Dr.
Native landscape ordinance

Thomas Lackey 1818
Seabrook Dr.
email: Native landscape ordinance

Mari Vega
611 Oriole Blvd.
Native landscape ordinance

Emily Bridges
418 Oleander St.
Potholes; native landscape ordinance

4. **CONSENT AGENDA**

Mayor Gordon requested City Secretary Taylor read the Consent Agenda Items.

A. ***Consider the Minutes for the February 6, 2024 City Council Regular Meeting.***

B. ***Consider a resolution to accept the Second Amended Joint Chapter 11 Plan of Reorganization of Endo International PLC and its Affiliated Debtors and Proxy for Voting on Scheme of Arrangement of Endo International PLC; and, authorizing the City Manager to cast a ballot accepting the plan and appointing the Chairperson as special proxy to vote in favor of the scheme at the relevant scheme meeting and any adjournment thereof; and, providing for an effective date.***

C. ***Consider a resolution to accept and deposit awarded federal and state asset forfeiture funds.***
Interim Police Chief Stogner briefed the council on accepting the funds and proposed expenditures for the funds. He stated we have submitted the public notice to the newspaper for publication as required. Mayor Pro Tem Contreras asked if the armored vehicle would be used if a neighboring city needed to use it. IPC Stogner stated yes, we would use it as shared resources. Councilmember McBurnett asked about the turnaround time to get a vehicle. IPC Stogner stated the turnaround time is about fourteen months.

D. ***Consider a resolution authorizing approval of incentive grants by the Duncanville Community & Economic Development Corporation (DCEDC) to 1703 Main Realty, LLC, in an amount not to exceed $209,500.00 for a building located at 1703 S Main Street, Duncanville, Texas, 75137.***
Councilmember Koontz requested this item be moved to individual consideration. It is now item 5C.

Mayor Pro Tem Greg Contreras made a motion to approve the consent agenda as stated, Councilmember Don McBurnett seconded the motion. The vote was cast 6 for, 0 against, with Councilmember Joe Veracruz absent.

5. **ITEMS FOR INDIVIDUAL CONSIDERATION**

A. ***Take any necessary action as a result of the Executive Session.***
No action was taken on all items.

B. ***Consider an Ordinance of the City of Duncanville, Texas, adopting Chapter IV A Native Landscape Ordinance.***
Presented by Assistant Parks and Recreation Director Tyler Agee. Mayor Gordon stated the described changes were discussed at the joint meeting with the city council and Keep Duncanville Beautiful. Councilmember Gooden stated Sec 12:71 asked about the fee schedule. Mr. Hager stated the fee schedule would be changed at a later date.

Councilmember Don McBurnett made a motion to approve the recommended changes, and Mayor Pro Tem Greg Contreras seconded the motion. The vote was cast 6 for, 0 against, with Councilmember Joe Veracruz absent.

C. ***Consider a resolution authorizing approval of incentive grants by the Duncanville Community & Economic Development Corporation (DCEDC) to 1703 Main Realty, LLC, in an amount not to exceed $209,500.00 for a building located at 1703 S Main Street, Duncanville, Texas, 75137.***
Presented by Economic Development Coordinator Jeremiah Brewer. He stated since the last meeting, we have added language for the payment breakdown. The payment is contingent upon a lease agreement for a regional or national restaurant. After a discussion focused on ensuring the applicant will spend the money that will be expended to improve the property, the owner Ali Assi stated he had already spent approximately $475,000 on improvements. This is more than half of the stated monetary improvement amount. Mayor Pro Tem Contreras indicated this is a small space and did not want to impede the owner's ability to get a viable restaurant. Councilmember Koontz asked about requirements and how the numbers are calculated for the sales tax grant. Mr. Brewer reviewed the calculations. Councilmember Gooden verified the owner is aware of the regional restaurant requirement. Mr. Assi stated the space is too small for a regional restaurant as there is no space for a drive-thru lane due to limited parking. He has gotten inquiries from local restaurants to lease the

space. Mayor Gordon and Councilmember Gooden would like to see a regional restaurant in the space as it is a gateway to the community. Councilmember Cherry-Brown asked how long the business has been in this location. Mr. Aussi stated since 2021. Councilmember Koontz stated these grants are about the beautification of the area.

Councilmember Jeremy Koontz made a motion to approve the item as stated, Councilmember At-Large DeMonica Gooden seconded the motion. The vote was cast 6 for, 0 against, with Councilmember Joe Veracruz absent.

6. STAFF AND BOARD REPORTS

A. ***Receive the Monthly Financial Report as of December 31, 2023.***
Presented by Budget Administrator Jennifer Otey.

B. ***Present the Police Department's Quarterly Report.***
Presented by Interim Police Chief Stogner.

C. ***Receive the Fiscal Year 2023-2024 First Quarter Investment Report as of December 31, 2023.***
Presented by Tim Pinion of Valley View Consulting.

Mayor Gordon recessed the regular session at 8:54 p.m. to reconvene the executive session.

Mayor Gordon reconvened the regular session at 9:48 p.m.

ADJOURNMENT

The meeting was adjourned at 9:49 p.m.

APPROVED:

Chiquita Taylor

CITY SECRETARY