



Amended Duncanville City Council Meeting Agenda

City Council Briefing Room and City Council Chamber
Duncanville City Hall
203 E. Wheatland Road
Duncanville, TX 75116
(972) 780-5017

Tuesday, March 7, 2023

6:00 P.M. - Work Session/Briefing

7:00 P.M. - Regular Session

or immediately following the 6:00 pm Work Session/Briefing

City of Duncanville City Council meetings are available to all persons regardless of disability. The City of Duncanville offers Hearing Assistance Receivers for use during City Council Regular Sessions. If you require special assistance, please contact the City Secretary at (972)780-5017 or write 203 E. Wheatland Road, 75116, or by calling through a T.D.D. (Telecommunication Device for the Deaf) to Relay Texas at 1-800-735-2989 at least 48 hours in advance of the meeting.

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session for the purposes of seeking confidential legal advice from the City Attorney on any item on the agenda at any time during the meeting.

Pursuant to Texas Government Code 551.127, one or more members of the governing body may appear via videoconference call. The presiding officer and a quorum of the City Council will be physically present at this meeting.

The City of Duncanville reserves the right to reconvene, recess or align the Regular Session or called Executive Session or order of business at any time prior to adjournment.

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, the City Council for the City of Duncanville, Texas will conduct a City Council Regular Meeting in person, broadcast by website and social media channels, and by video conference at 6:00 pm on Tuesday, March 7, 2023 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 in-person and will be broadcast by website and social media channels.

Due to limited seating in council chambers, persons or participants may participate by live broadcast via Swagit in order to maintain safe social distance as provided in this notice.

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 Tuesday, March 7, 2023.
- Email citysecretary@duncanvilletx.gov
- Email title: Public Comment – Tuesday, March 7, 2023
- First Name, Last Name, and Address

WORK SESSION / BRIEFING**1. DISCUSS AGENDA ITEMS****2. CITY COUNCIL CALENDAR**

- A. Updated 2023 City Council Calendar 6 - 9
[2023 City Council Calendar](#)

3. BRIEFINGS / PRESENTATIONS

- A. City of Dallas Plan Commission's public hearing on rezoning of a parcel adjacent to Thoroughbred Hills subdivision. 10 - 20
[Briefing Item - Z212-344 City of Dallas Rezone Request for Zoning Change](#)
- B. Briefing Requested by Councilmembers Jeremy Koontz and Greg Contreras related to Greenspace/Preservation District zoning proposal 21 - 24
[Briefing: Regarding Ladd Preserve Greenspace/Preservation District Zoning Proposal Letter](#)

EXECUTIVE SESSION

1. City Council shall convene into closed Executive Session pursuant to Section 551.071, of the Texas Government Code to seek legal advice from City Attorney concerning the use of local hotel occupancy tax revenue under Chapter 351 of the Texas Tax Code. 25 - 26
[Briefing: Executive Session Pursuant to Section 551.071 Consultation with City Attorney](#)
2. City Council shall convene into closed executive session pursuant to Section 551.089, of the Texas Government Code to discuss and deliberate the City's proprietary information technology and security devices for said system. 27 - 28
[Briefing: City Council shall convene into closed executive session pursuant to Section 551.089, of the Texas Gov't Code, Discuss and Deliberate the City's Proprietary Information Technology and Security Devices for Said System](#)

REGULAR SESSION - CONVENE INTO THE COUNCIL CHAMBERS (7:00 P.M. OR IMMEDIATELY FOLLOWING THE 6:00 PM WORK SESSION/BRIEFING)

CALL TO ORDER

INVOCATION - Pastor Jorge Guerrero, Crossroads of Life Church

PLEDGES - PLEDGE OF ALLEGIANCE; TEXAS PLEDGE OF ALLEGIANCE

1. REPORTS

The Mayor's Report, the Councilmembers' Reports, and the City Manager's Report are informational only. There is no Council deliberation or action taken on any of these items.

- A. Mayor's Report.

B. Councilmembers' Reports

C. City Manager's Report.

2. PROCLAMATIONS AND PRESENTATIONS

~~None~~

A. Presentation of Proclamation Honoring National Women's History Month and Detailing City Program for the month of March.

29 - 31

[Proclamation: National Women's History Month Proclamation & Program](#)

3. CITIZENS' INPUT

In-person citizen comments will be heard during the Regular Session. In keeping with the City Council's Rules of Procedure adopted on October 18, 2022, electronic mail comments will no longer be read aloud. Paper copies will be provided to the City Council at the dais. The comments will be made a part of the public record in the minutes.

"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.

4. CONSENT AGENDA

The following may be acted upon in one motion. A City Councilmember may request items be removed from the Consent Agenda for individual consideration.

A. Consider approval of draft City Council Meeting Minutes for the following City Council Meetings: January 3, 2023, Regular Meeting, January 17, 2023 Regular Meeting, February 7, 2023 Regular Meeting, February 16, 2023 Special Called Meeting, February 21, 2023 Regular Meeting

32 - 56

[Draft Meeting Minutes to be Considered for Approval](#)

B. A Resolution Of The City Council Of The City Of Duncanville, Texas, Authorizing The Terms And Conditions Of The Interlocal Agreement By And Among The City Of Duncanville, Participating Cities, And Dallas County Through The Elections Administrator, To Conduct A Joint And General Election To Be Held On May 6, 2023, Which Such Agreement Is Attached Hereto And Incorporated Herein As Exhibit A; Authorizing

57 - 87

The City Manager To Execute The Necessary Documents; And,
Providing For An Effective Date

[Resolution Authorizing Joint Election Contract for May 6, 2023 Election of City Council Members](#)

- | | | |
|----|---|----------|
| C. | Consider a Resolution authorizing a Fiscal Year 2023 procurement of Police Ammunition from GT Distributors, Inc, Austin, TX, through Buyboard contract #603-20, for the contractually discounted price, in an amount not to exceed \$90,000.00
<u>GT Distributors - Ammunition</u> | 88 - 93 |
| D. | Consider a Resolution authorizing the renewal of the Microsoft 365 subscription from CDW-Government (CDW-G), for the three-year contractual period at the discounted price of \$91,015.75 annually with a three-year expenditure total of \$273,047.25.
<u>Resolution authorizing the renewal of the Microsoft 365 subscription</u> | 94 - 98 |
| E. | Consider a Resolution approving the terms and conditions of the Interlocal Agreement between the City of Cedar Hill and the City of Duncanville for the shared purchase and use of a traffic control vehicle.
<u>Interlocal Agreement with City of Cedar Hill to Purchase Traffic Control Vehicle</u> | 99 - 116 |
| F. | Consideration and action regarding the request of Rick Jaynes, Applicant and Owner, to change zoning from a Planned Development District and Local Office/Retail District to a new Planned Development District and to change zoning from a Planned Development District and Local Office/Retail District to General Office/Retail District and adopt an ordinance to amend the Comprehensive Zoning Ordinance and map on 1A & PT Lot 2A, Block 1, Merrywood Addition; Lots 1A and 2A Merrywood Addition; Lot 1, Block 1, Jaynes Memorial Addition; and PT TR 23 ACS 3.1562, A Slayback ABST 1299 PG 880, more commonly known as 803, 807, 809 and 811 South Cockrell Hill Road, in the City of Duncanville, Dallas County, Texas. | 117 |

**See added ZORD repealing Ord 1462 to provide new PD-133665.
See added ZORD Blk 1, Lot 2A to Blk 1, Lot 1R-133666.**

[Zoning Change at 803, 807, 809 and 811 South Cockrell Hill Road
20230216-Duncanville.ZORD repealing Ord 1462 to provide new
PD-133665
20230216-Duncanville.ZORD Blk 1, Lot 2A to Blk 1, Lot 1R-133666](#)

5. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. Take any necessary action as a result of the Executive Session.

6. STAFF AND BOARD REPORTS

- | | | |
|----|---|-----------|
| A. | Receive the Parks and Recreation Department Quarterly Report
<u>Parks and Recreation Department Quarterly Report</u> | 135 - 149 |
| B. | Receive the Planning and Neighborhood Services Quarterly Report
<u>Planning and Neighborhood Services Quarterly Staff Report</u> | 150 - 157 |

ADJOURNMENT

I, the undersigned authority, do hereby certify that this **Amended** Notice of Meeting **Agenda** was posted in accordance with the regulations of the Texas Open Meetings Act on the bulletin board located outside the entrance to the City of Duncanville City Hall, next to the entryway doors, a place convenient and readily accessible to the general public, as well as to the City's website www.duncanvilletx.gov and said Notice was posted by the following date and time: **Saturday, March 4, 2023, by 2:30 P.M.** and remained posted for at least two hours after said meeting was convened.



Janie Willman, City Secretary

"Guns prohibited on these premises by state law unless licensed under Chapter 411, Tex. Gov. Code. Section 46.035 Texas Penal Code."

"Las armas de fuego están prohibidas en estas instalaciones por la ley estatal a menos que estén autorizadas bajo el Capítulo 411 del Código de Gobierno de Texas. Sección 46.035 del Código Penal de Texas."



STAFF REPORT

MEETING: City Council - 07 Mar 2023

TITLE:

Updated 2023 City Council Calendar

Vision Statement:

“Duncanville, a City of Champions, is a safe, vibrant, diverse community committed to excellence in education, business, and good governance.”

Pillar:

- **Emphasize: Government Accountability, Customer Service, Efficiency and Process Improvement**
 - **Develop a high performing organization that encourages innovation, transparency, and collaboration while delivering exceptional customer service.**

STAFF RESPONSIBLE:

Janie Willman, City Secretary

Ke'Ryan Smith, City Management Fellow

BACKGROUND/HISTORY:

The City Council normally receives an annual calendar to inform its schedule of events, conferences, and City Council Meetings.

Also, a quarterly version of the calendar has been provided to grant City Council the opportunity to closely examine the content and provide their input in a timely manner.

POLICY EXPLANATION:

City Council will consider the calendar for 2023 and may provide input to staff for planning purposes.

FUNDING SOURCE:

ORG and Object Number

N/A

Available Budget

\$0.00

Purchase Amount

\$0.00

After Encumber

\$0.00

ACTION ALTERNATIVES:

1. Review the 2023 calendar.
2. Recommend changes to the calendar.
3. Other actions as directed by Council.

ATTACHMENTS:

[Updated 2023 City Council Calendar](#)
[2023 City Council Calendar. Quarterly Update 1](#)

March 2023

March 2023							April 2023						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
5	6	7	8	9	10	11	2	3	4	5	6	7	8
12	13	14	15	16	17	18	9	10	11	12	13	14	15
19	20	21	22	23	24	25	16	17	18	19	20	21	22
26	27	28	29	30	31		23	24	25	26	27	28	29
							30						

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Feb 26	27	28	Mar 1	2 6:30pm Community Meeting: LADD Property (Zoom)	3	4
5	6	7 6:00pm City Council Meeting (City Hall Briefing Room / Chambers)	8	9 6:30pm Community Meeting: LADD Property (Hopkins Senior Center (206 James Collins Blvd, Duncanville, TX	10 8:00am Strategic Plan: Feedback Due from City Council	11
12	13	14 6:00pm City Council Special Called Meeting: Board & Commission Interviews	15 8:00am Strategic Plan: Submit Pre- Final Copy to City Council	16	17	18
19	20 6:00pm City Manager's Evaluation	21 6:00pm Strategic Plan: Present Final Copy to City Council 6:00pm City Council Meeting (City Hall Briefing Room /	22	23 12:00pm Coffee with the Mayor (D.L. Hopkins Senior Center) 6:30pm Community Meeting: LADD Property (Hopkins	24 National League of Cities Congressional City Conference (Wasl	25 9:00am Spring Clean-up: Operation Clean Duncanville (201 11:00am Princess Tea Party
26 National League of Cities Congressional City Conference (Washington D.C.)	27	28	29	30	31	Apr 1

April 2023

April 2023							May 2023						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
						1		1	2	3	4	5	6
2	3	4	5	6	7	8	7	8	9	10	11	12	13
9	10	11	12	13	14	15	14	15	16	17	18	19	20
16	17	18	19	20	21	22	21	22	23	24	25	26	27
23	24	25	26	27	28	29	28	29	30	31			
30													

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Mar 26	27	28	29	30	31	Apr 1 9:00am Spring Clean-up: Household Hazardous Waste (201 James Collins)
2	3	4 6:00pm City Council Meeting (City Hall Briefing Room / Chambers)	5	6	7 City Holiday	8 11:00am Easter Eggstravaganza
9	10	11	12	13	14	15 8:00pm Movies in the Park (Armstrong Park (200 James Collins Blvd, Duncanville, TX)
16	17	18 6:00pm City Council Meeting (City Hall Briefing Room / Chambers)	19	20	21	22
23	24 First day of Early Voting	25	26	27 12:00pm Coffee with the Mayor (D.L. Hopkins Senior Center)	28	29 7:00pm Concert in the Park (Armstrong Park (200 James Collins Blvd, Duncanville, TX)
30	May 1	2	3	4	5	6



STAFF REPORT

MEETING: City Council - 07 Mar 2023

TITLE:

City of Dallas Plan Commission's public hearing on rezoning of a parcel adjacent to Thoroughbred Hills subdivision.

Vision Statement:

“Duncanville, a City of Champions, is a safe, vibrant, diverse community committed to excellence in education, business, and good governance.”

Pillar:

- **Emphasize: Government Accountability, Customer Service, Efficiency and Process Improvement**
 - **Develop a high performing organization that encourages innovation, transparency, and collaboration while delivering exceptional customer service.**

STAFF RESPONSIBLE:

Jeremy Tennant, Director of Planning and Neighborhood Services

BACKGROUND/HISTORY:

The City of Dallas' Plan Commission will hold a public hearing to consider an application for an R-7.5(A) Single Family District on property zoned an R-10(A) Single Family District, on the south line of Ranchero Lane, between Mona Lane and Duncanville Road.

The purpose of the request is to change the minimum lot size for residential development from 10,000 sq. ft. per lot to 7,500 sq. ft. per lot. The City Plan Commission may approve a different zoning district than the one requested, except that the different district may not:

1. Have a maximum structure height, floor area ratio, or density that is higher than the one requested
2. Be “non-residential” when the one requested is for residential uses or vice versa.

The City of Dallas Plan Commission staff sent a notification to all property owners within the 400 ft. buffer area encompassing the petitioned property. Of the property owners contacted within this buffer area, fourteen (14) property owners were contacted within the Thoroughbred Hills neighborhood in Duncanville. The scheduled public hearing day is Thursday, March 23, 2023 at 12:30 p.m. The City Plan Commission meeting will be held by video conference in the Council Chambers, 6th Floor at City Hall. The videoconferencing will be held via WebEx at the following link: <https://bit.ly/CPC032323>.

Individuals who wish to make a public comment should contact the Planning and Urban Design Department at 214-670-4209 by 3:00 p.m. on Wednesday, March 22, 2023 or register online at the following link: <https://dallascityhall.com/government/meetings/Pages/city-plan-commission.aspx>. Per the City Plan Commission Rules of Procedure, speakers are allowed a maximum of three (3) minutes to speak.

POLICY EXPLANATION:

N/A

FUNDING SOURCE:

ORG and Object Number

N/A

Available Budget

\$0.00

Purchase Amount

\$0.00

After Encumber

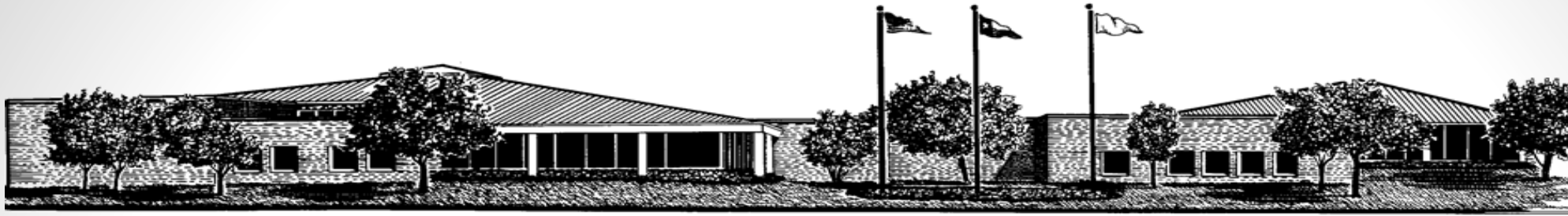
\$0.00

ACTION ALTERNATIVES:

1. Provide feedback on City of Dallas' proposed zoning change.
2. Seek guidance from City Attorney on rights of Duncanville property owners.
3. Other actions as directed by Council.

ATTACHMENTS:

[CC Briefing Presentation RE 212-344\(MP\) 03072023](#)



CITY OF DALLAS CITY PLAN COMMISSION ZONING CHANGE REQUEST 5320 RANCHERO LANE - Z212-344(MP)

MARCH 7, 2023

JEREMY TENNANT, DIRECTOR OF PLANNING AND NEIGHBORHOOD SERVICES

We are building a vibrant, inclusive community, driven by a commitment to democratic principles and service above self

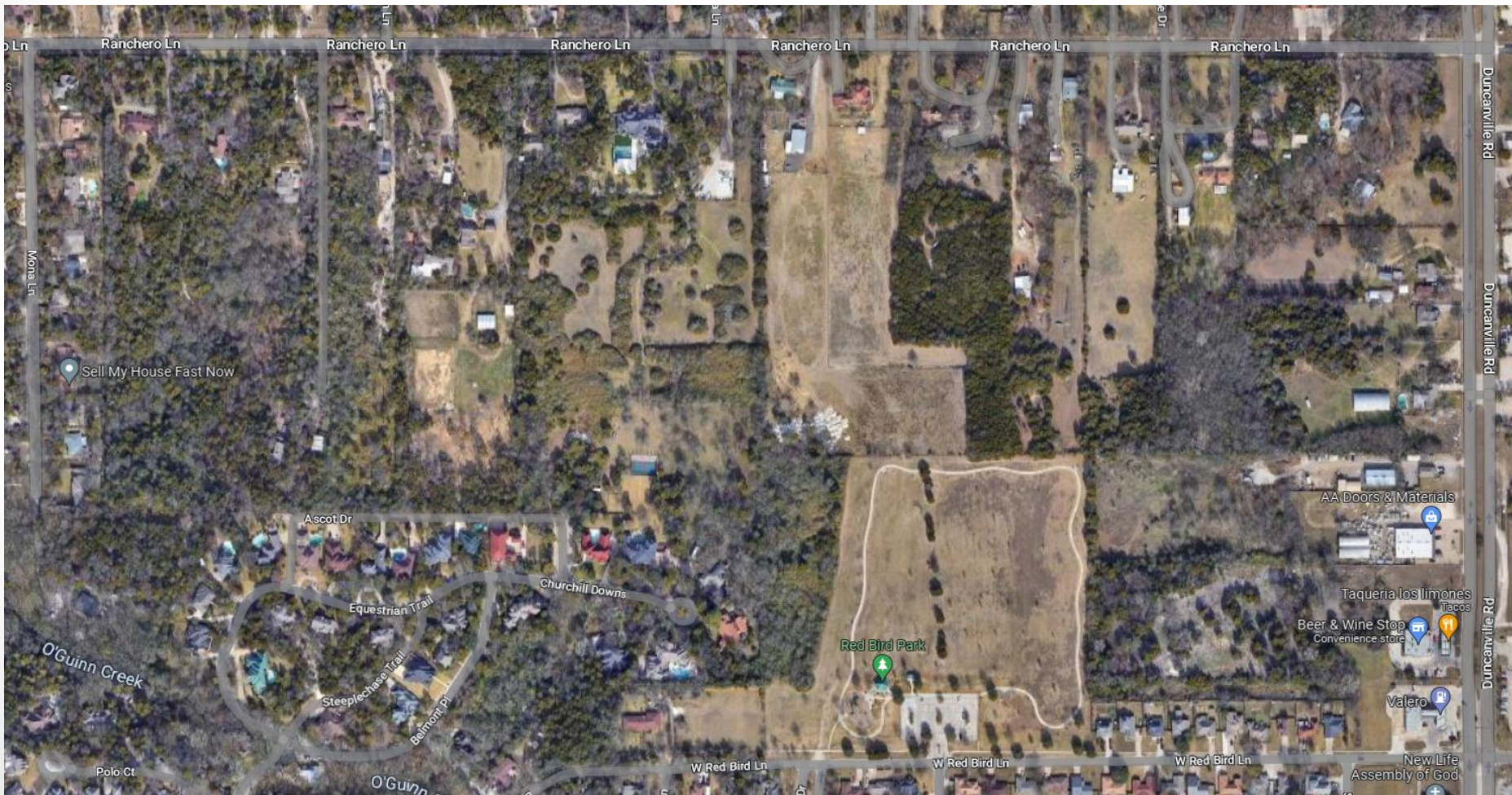
City of Duncanville



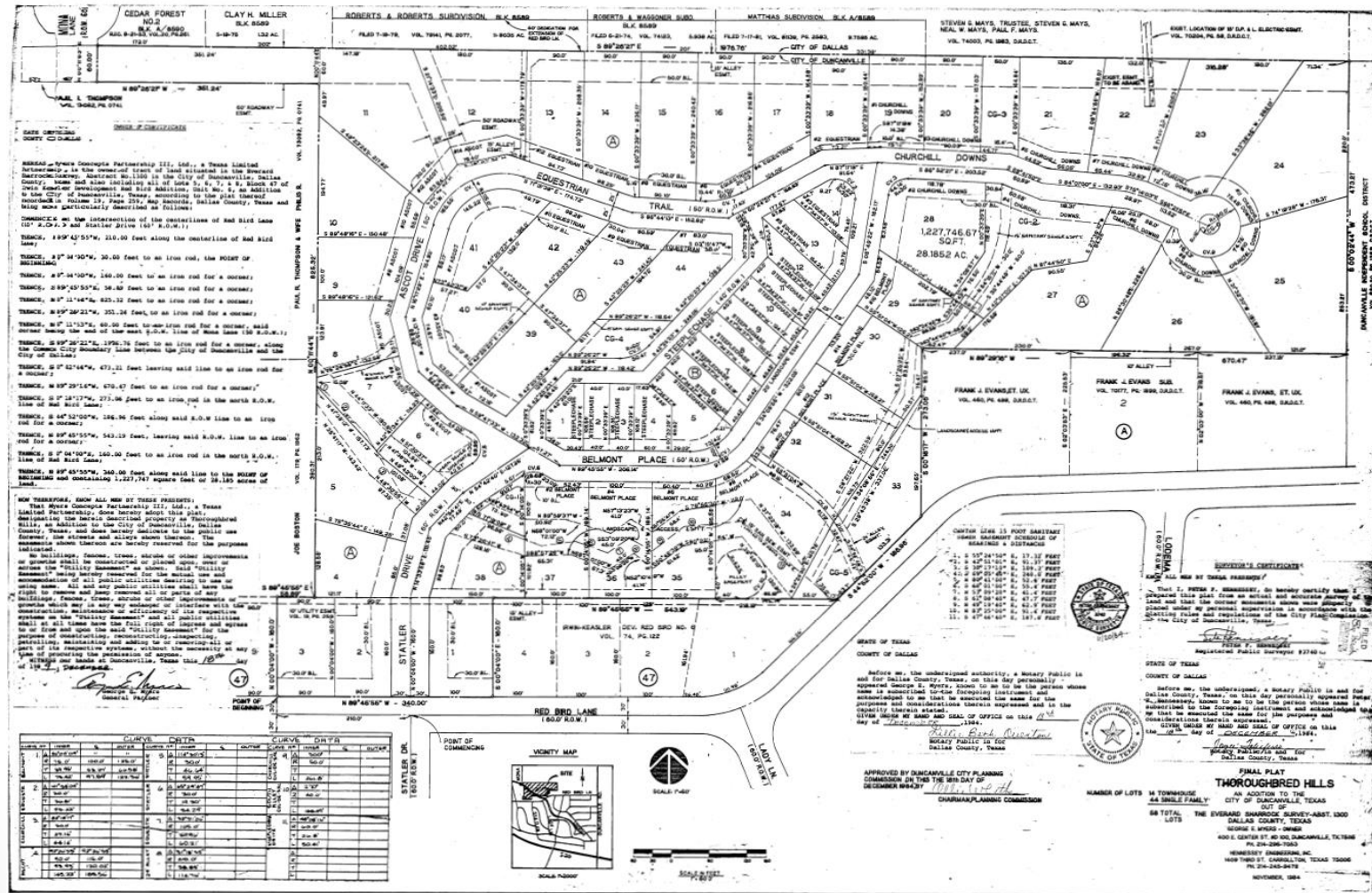
1



Area



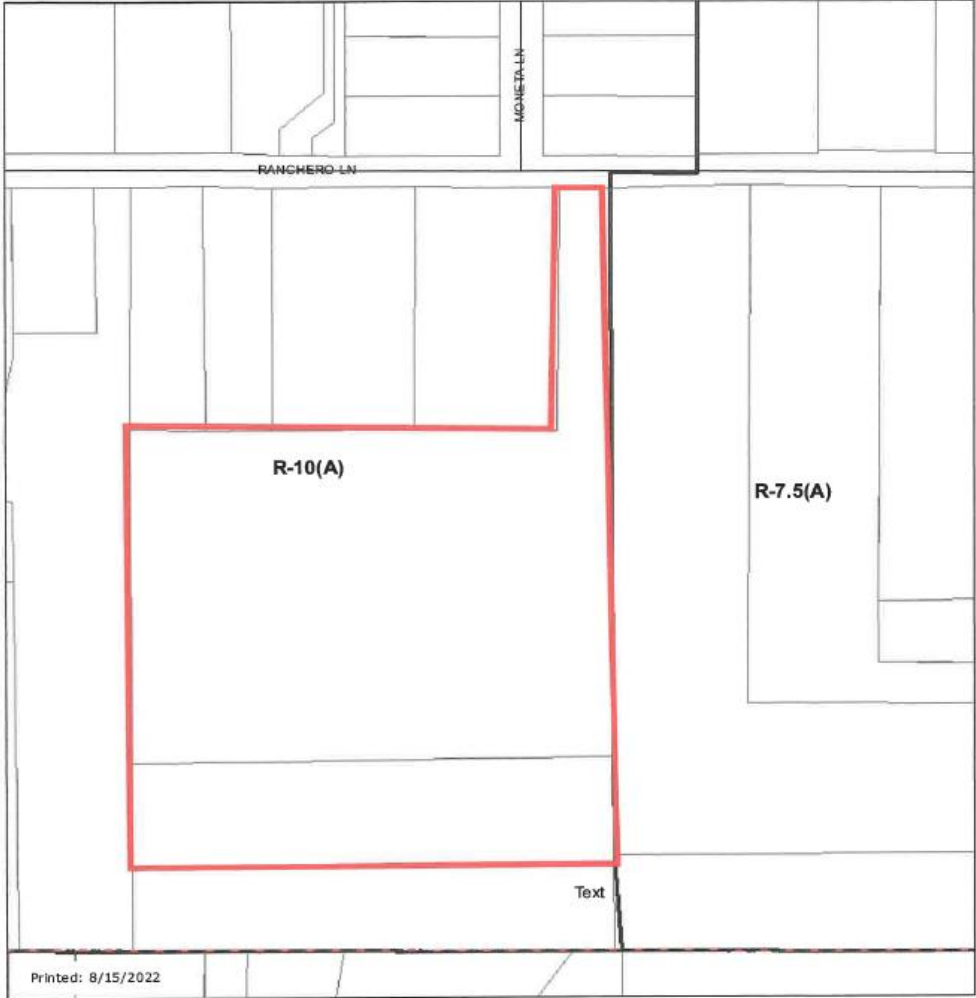
Thoroughbred Hills Plat



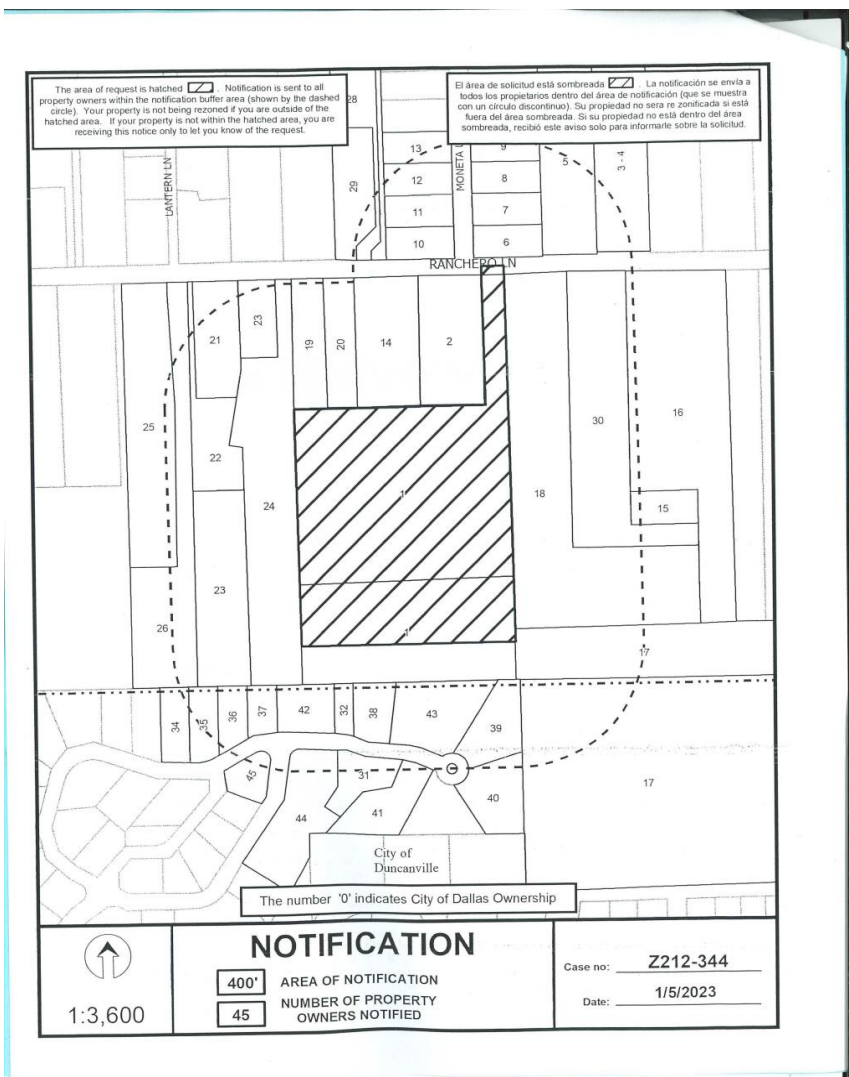
Land Use Statement

- **Applicant:** CCM Engineering
- **Address:** 5320 Ranchero Lane
- **Reason for request:** Δ R-10(A) to R-7.5(A) Block #8037 Tract 1 & 3
- **Size of area:** 12.26 Acres
- **Existing zoning and use:** R-10(A); undeveloped
- **Existing zoning and use of properties surrounding:** R-10(A), R-7.5(A); Single-family residential
- **Current and proposed use of any existing structures:** N/A
- **Proposed use:** Single-family residential
- **Proposed number of housing units:** 47 building pads/lots
- **Proposed maximum building height:** 30'
- **Proposed lot coverage:** 45% maximum coverage per lot

City of Dallas Zoning Map



Z212-344 Notification Area Map



City of Duncanville

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Case Status

- Initial meeting date: February 16, 2023
 - Citizens within the 400 ft. buffer requested a postponement via petition.
- New meeting date: March 23, 2023
 - 6th Floor of City Hall in the Council Chambers
 - Videoconferencing - <https://bit.ly/CPC032323>
 - Final Staff Report will be available to public on March 17, 2023
 - <https://dallascityhall.com/government/meetings/Pages/city-plan-commission.aspx>
- Submission of Public Comment(s)
 - Written comments
 - Prior to 3:00 p.m. on Wednesday, March 22, 2023
 - Register online
 - <https://dallascityhall.com/government/meetings/Pages/city-plan-commission.aspx>



Preliminary Zoning Review Team Comments

- Current Planning
 - Staff's **preliminary** recommendation is Approval of requested R-7.5(A) Single-Family District
- Engineering and Traffic
 - Engineering staff has no objection to General Zoning Change. Engineering staff will continue review of proposed residential development at permitting.
- Fire Department
 - No objection
 - IFC 2015, Appendix D, Section D107.1 indicates that developments of one- or two-family dwellings where the number of dwelling units **exceeds 30** shall be provided with **two separate and approved fire apparatus access roads**. The associated **exceptions will not apply within this project**.
 - IFC 2015, Appendix D, Section D107.2 indicates that where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.
 - Water main will occur during platting phase.
 - **Compliance** with the above **must be demonstrated** prior to **issuance of permit**.



Thank you
Any questions?



STAFF REPORT

MEETING: City Council - 07 Mar 2023

TITLE:

Briefing Requested by Councilmembers Jeremy Koontz and Greg Contreras related to Greenspace/Preservation District zoning proposal

Vision Statement:

“Duncanville, a City of Champions, is a safe, vibrant, diverse community committed to excellence in education, business, and good governance.”

Pillar:

- **Emphasize: Government Accountability, Customer Service, Efficiency and Process Improvement**
 - **Develop a high performing organization that encourages innovation, transparency, and collaboration while delivering exceptional customer service.**

STAFF RESPONSIBLE:

Mr. Jim Jones, Member of the Duncanville Nature Conservancy

BACKGROUND/HISTORY:

This agenda matter has been requested by Councilmembers Koontz and Contreras to allow the City Council to discuss the Greenspace/Preservation District zoning proposal.

POLICY EXPLANATION:

City Councilmembers Koontz and Contreras requested placement of this agenda matter to discuss the Greenspace/Preservation District zoning proposal.

FUNDING SOURCE:

ORG and Object Number

N A

Available Budget

\$0.00

Purchase Amount

\$0.00

After Encumber

\$0.00

ACTION ALTERNATIVES:

1. Council to consider discussing the Greenspace/Preservation District zoning proposal.
2. Council to consider not discussing the proposal.
3. Other actions as directed by Council.

ATTACHMENTS:

[Ladd Preserve Greenspace preservation district zoning recommendation](#)



Date: February 13th, 2023
 To: Duncanville City Council
 From: Jim Jones, President - Duncanville Nature Conservancy
 RE: Zoning change for the property at 609 W. Daniieldale Road, the Ladd Property

Mayor and Council,

The Duncanville Nature Conservancy was formed with the initial purpose of preserving, protecting and promoting the natural beauty and ecological integrity of the Charles F. Ladd Nature Preserve through education, conservation and community engagement. Our vision is to create a community of informed and engaged stewards who share a deep appreciation for the natural world and are committed to protecting it for generations to come.

In December of 2022, the Duncanville City Council voted unanimously to approve a motion “to authorize City Manager and staff to institute legal proceedings to consider amending the Park Master Plan, the comprehensive land use plan, to undertake zoning text change amendments and zoning amendments necessary to designate 609 W. Daniieldale Road by ordinance as a nature preserve. In recent Council discussions, as well as Boards and Commission meetings, it has been stated by city staff there is currently no proposed text amendments or proposed land use that would be consistent with the goal of establishing a nature preserve. It has also been confirmed by the City Attorney that the proposed changes will, in fact, originate with the Duncanville City Council.

Based on the stated desires of hundreds of Duncanville residents for a nature preserve and, directed by the interviews and input of over 25 experts on creating, funding, and maintaining nature preserves and the intentions of the Duncanville City Council, we believe the zoning change that will best position Duncanville for a robust and sustaining nature preserve is a:

Greenspace/Preservation District (GP)

With the following purpose:

To provide publicly and privately owned parcels for permanent open space or preservation purposes, including passive recreation, wildlife habitat, ecological, geological, and historical preservation, water quality protection, air purification, science education, nature observation, and continuity of aesthetic open space and natural area buffering for the citizens of Duncanville, Texas. The preserve will not contain traditional or customary facilities or improvements associated with a public park but may contain improvements to support passive recreational activities.

The proposed allowed uses are as follows:

- 1) Publicly owned Open Areas
- 2) Privately owned Open Areas
- 3) Conservation area or easement

- 4) Paths and trails, including foot bridges and pedestrian links
- 5) Uses permitted in a Conservation District
- 6) Open space uses, which include the retention of land in its natural state or the provision of such uses which are compatible with the natural state and the natural environment.
- 7) Uses and low-impact structures that serve to restore and enhance ecological processes, to educate the public, and to foster a sense of connectedness between visitors and the natural environment
- 8) Other uses and structures consistent or incidental to the stated purpose of the Greenspace/Preservation District not in conflict with the above permitted uses
- 9) Buffering, berms or other visual or sound mitigation not in conflict with the purpose of the Greenspace/Preservation District.
- 10) Parking areas with permeable surfaces
- 11) Motorized Vehicular access in the Greenspace/Preservation District is restricted to emergency vehicles, City of Duncanville vehicles or for specifically approved City of Duncanville projects and activities consistent with the goals and objectives of the Greenspace/Preservation District.
- 12) Boundary fences and signage consistent with the goals and objectives of the Greenspace/Preservation District.

A **Greenspace/Preservation District** is the ideal designation to accomplish the zoning requirements of this objective. We urge you to move to adopt this proposed request sooner than later in order to provide clarity as to the goal of the process of designating the property a nature preserve. Please let me know if you have any questions or need any clarification.

Regards,

Jim Jones
The Members of the Duncanville Nature
Conservancy

About the Duncanville Nature Conservancy:

The Duncanville Nature Conservancy is a 501(c)(3) nonprofit organization formed in 2022 as a “friends of” group for the proposed Charles F. Ladd Nature Preserve, dedicated to preserving, protecting and promoting the natural beauty and its ecological integrity, through education, conservation and community engagement. We are passionate about providing opportunities for visitors to learn about and experience the natural world, to protect and preserve the diverse habitats and species of the Preserve, and to foster a community of stewards dedicated to conservation and environmental education.



STAFF REPORT

MEETING: City Council - 07 Mar 2023

TITLE:

City Council shall convene into closed Executive Session pursuant to Section 551.071, of the Texas Government Code to seek legal advice from City Attorney concerning the use of local hotel occupancy tax revenue under Chapter 351 of the Texas Tax Code.

Vision Statement:

“Duncanville, a City of Champions, is a safe, vibrant, diverse community committed to excellence in education, business, and good governance.”

Pillar:

- **Emphasize: Government Accountability, Customer Service, Efficiency and Process Improvement**
 - **Develop a high performing organization that encourages innovation, transparency, and collaboration while delivering exceptional customer service.**

STAFF RESPONSIBLE:

Robert E. Hager, City Attorney

BACKGROUND/HISTORY:

City Council shall convene into closed Executive Session pursuant to Section 551.071, of the Texas Government Code to seek legal advice from City Attorney concerning the use of local hotel occupancy tax revenue under Chapter 351 of the Texas Tax Code.

POLICY EXPLANATION:

The City Council is authorized to conduct closed Executive Sessions as authorized in the Texas Government Code for the purposes of seeking legal advice from the City Attorney concerning the use of local hotel occupancy tax revenue under Chapter 351 of the Texas Tax Code.

FUNDING SOURCE:

ORG and Object Number

N A

Available Budget

\$0.00

Purchase Amount

\$0.00

After Encumber

\$0.00

ACTION ALTERNATIVES:

1. Conduct Executive Session with City Attorney.
2. Other actions as directed by Council.



STAFF REPORT

MEETING: City Council - 07 Mar 2023

TITLE:

City Council shall convene into closed executive session pursuant to Section 551.089, of the Texas Government Code to discuss and deliberate the City's proprietary information technology and security devices for said system.

Vision Statement:

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Pillar:

- **Emphasize: Government Accountability, Customer Service, Efficiency and Process Improvement**
 - **Develop a high performing organization that encourages innovation, transparency, and collaboration while delivering exceptional customer service.**

STAFF RESPONSIBLE:

Gwendolyn Spencer, Chief Information Officer
Aretha R. Ferrell-Benavides, City Manager

BACKGROUND/HISTORY:

City Council shall convene into closed executive session pursuant to Section 551.089, of the Texas Gov't Code to discuss and deliberate the City's proprietary information technology and security devices for said system.

The City Council will reconvene into Open Session.

Then the City Council will consider taking any necessary or appropriate actions on closed Executive Session matters.

POLICY EXPLANATION:

The City Council is authorized to conduct closed Executive Sessions as authorized in the Texas Government Code Related to Security Updates for the City's Information Technology Systems.

FUNDING SOURCE:

ORG and Object Number

N A

Available Budget

\$0.00

Purchase Amount

\$0.00

After Encumber

\$0.00

ACTION ALTERNATIVES:

1. Conduct Executive Session with the City Staff.
2. Other actions as directed by Council.



STAFF REPORT

MEETING: City Council - 07 Mar 2023

TITLE:

Presentation of Proclamation Honoring National Women's History Month and Detailing City Program for the month of March.

Vision Statement:

“Duncanville, a City of Champions, is a safe, vibrant, diverse community committed to excellence in education, business, and good governance.”

Pillar:

- **Advance: Marketing Strategy of the City and Community Engagement Plan**
 - **Strengthen communication and engagement within the community while championing the City of Duncanville regionally, nationally, and internationally.**
- **Re-Imagine: High Quality of Life**
 - **Develop, maintain, and encourage safe, attractive, viable family-oriented neighborhoods that embrace diversity and pride, promoting economic vitality.**

STAFF RESPONSIBLE:

Aretha Ferrell-Benavides, City Manager
Noel Garcia, Parks and Recreation Superintendent

BACKGROUND/HISTORY:

Part of the Re-Imagining of a High Quality of Life in the City of Duncanville includes honoring diversity, including the work contributed by women in the City of Duncanville and in the greater Duncanville Community in their respective roles as women, as caregivers, as professionals, as leaders, and as community stakeholders.

POLICY EXPLANATION:

The City Manager will be working with the Parks and Recreation Department to provide an enhanced opportunity for women as residents, professionals, and community stakeholders to celebrate their respective contributions to the City of Duncanville. Details will be developed and presented at the City Council Meeting.

FUNDING SOURCE:

ORG and Object Number
 N A

Available Budget

\$0.00

Purchase Amount

\$0.00

After Encumber

\$0.00

ACTION ALTERNATIVES:

1. Receive Proclamation Honoring National Womens' History Month.
2. Receive Update from City Manager related to Program Honoring National Womens' History Month in March.
3. Other direction provided by the City Council.

ATTACHMENTS:

[Women's Month Proclamation](#)

OFFICE OF THE MAYOR



Duncanville
City of Champions

Proclamation

- WHEREAS,** March is Women's History Month, which commemorates and encourages the study, observance, and celebration of the vital role of women in American history.
- WHEREAS,** Women's History Month has been observed annually during the month of March in the United States since 1987.
- WHEREAS,** Throughout our history, women have influenced every facet of American life and culture.
- WHEREAS,** Women have been pioneers in the fields of science, medicine, engineering, education, finance, arts, journalism, business, government and more.
- WHEREAS,** The theme for Women's History in 2023 is 'Celebrating Women Who Tell Stories.' The theme honors and recognizes the important role that women have played in storytelling throughout history. It highlights the countless women who have used their voice and creativity to tell stories that educate, inspire, and entertain audiences around the world.
- WHEREAS,** During the month of March, we celebrate the contributions women have made to our country, states, regions, and cities, and recognize the outstanding achievements women have made over the course of American history.

NOW, THEREFORE, I, Barry L. Gordon, Mayor of the City of Duncanville, Texas do hereby proclaim March 2023 as

WOMEN'S HISTORY MONTH

I call upon all Duncanville citizens to observe this month and celebrate women with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Duncanville, Texas to be affixed the 1st day of March, 2023.



Mayor, The City of Duncanville



STAFF REPORT

MEETING: City Council - 07 Mar 2023

TITLE:

Consider approval of draft City Council Meeting Minutes for the following City Council Meetings: January 3, 2023, Regular Meeting, January 17, 2023 Regular Meeting, February 7, 2023 Regular Meeting, February 16, 2023 Special Called Meeting, February 21, 2023 Regular Meeting

Vision Statement:

“Duncanville, a City of Champions, is a safe, vibrant, diverse community committed to excellence in education, business, and good governance.”

Pillar:

- **Emphasize: Government Accountability, Customer Service, Efficiency and Process Improvement**
 - **Develop a high performing organization that encourages innovation, transparency, and collaboration while delivering exceptional customer service.**

STAFF RESPONSIBLE:

Janie Willman, City Secretary

BACKGROUND/HISTORY:

The City Council approves the meeting minutes submitted for consideration by the City Secretary.

POLICY EXPLANATION:

The City Council Meeting Minutes are submitted for review and approval by the City Council.

FUNDING SOURCE:

ORG and Object Number

N A

Available Budget

\$0.00

Purchase Amount

\$0.00

After Encumber

\$0.00

ACTION ALTERNATIVES:

1. Approve the attached draft City Council Meeting Minutes.
2. Provide corrections or recommendations for improvement.
3. Other actions as directed by Council.

ATTACHMENTS:

[2023-01-03 City Council Meeting Minutes - Draft](#)

[2023-01-17 City Council Meeting Minutes - Draft](#)

[2023-02-07 City Council Meeting Minutes - Draft](#)

[2023-02-16 City Council Meeting Minutes - Draft](#)

[2023-02-21 City Council Meeting Minutes - Draft](#)

Duncanville City Council Meeting Minutes
Regular City Council Meeting
Tuesday, January 3, 2023

CALL TO ORDER

The Regular City Council Meeting of the Duncanville City Council was called to order on Tuesday, January 3, 2023, at 6:03 p.m. in the City Council Briefing Room and City Council Chambers at City Hall with a quorum to wit:

COUNCIL PRESENT: Mayor Barry L. Gordon
Councilmember Jeremy Koontz
Councilmember Don McBurnett
Councilmember Greg Contreras

COUNCIL ATTENDING VIRTUALLY:
Councilmember Karen Cherry

COUNCIL ABSENT: Mayor Pro Tem Joe Veracruz
Councilmember At Large Patrick Harvey

WORK SESSION / BRIEFING

- 1. DISCUSS AGENDA ITEMS**
Mayor Gordon read each item into the record. City Manager Ferrell-Benavides reviewed each Consent Agenda item.
- 2. BRIEFINGS / PRESENTATION**

EXECUTIVE SESSION

None

REGULAR SESSION – CONVENE INTO THE COUNCIL CHAMBERS AT 7:00 P.M. OR IMMEDIATELY FOLLOWING THE 6:00 P.M. WORK SESSION / BRIEFING

CALL TO ORDER

The Mayor called the Regular Meeting to order at 7:00 p.m. with Mayor Gordon, City Councilmembers McBurnett, Koontz, Contreras in attendance. Councilmember Cherry was in attendance virtually. Councilmember / Mayor Pro Tem Veracruz and Councilmember At Large Harvey were absent.

INVOCATION. The invocation was delivered by Pastor Bill Englehart of the First Baptist Church.

PLEDGES. The Mayor led the assembly in reciting the Pledge of Allegiance and the Texas Pledge of Allegiance.

- 1. REPORTS**
The Mayor’s Report, The Councilmembers’ Reports, and The City Manager’s Report are informational only. There was no Council deliberation or action taken on any of these items.
 - A. Mayor’s Report.** Mayor Gordon announced the Duncanville Independent School District and the City were collaborating on a Victory Parade scheduled for Friday, January 13, at 7 p.m. honoring Duncanville High School Team on winning the State Championship. He announced that Chick Filet will be built at Highway 67 and Wintergreen near Costco. A groundbreaking ceremony will be announced and held. He informed the assembly that he will be attending Gov. Abbott’s Inaugural on January 17, an event open to anyone. Mayor Gordon announced he would be attending the Governor’s Inaugural representing the City of Duncanville.
 - B. Councilmembers’ Reports.** Councilmember McBurnett: The Duncanville Boys Basketball Panthers had a good showing in the tournament they played in Oregon. He commended the Pantherettes for winning another Sandra Meadows Classic which shows why our Hotel Occupancy Tax dollars really work well.

There were over 500 hotel rooms booked for that event. Congratulations to the Pantherettes. Also want to remind people that the City is doing our winter averaging on the water bills. Also Republic is now accepting glass for recycling. Also, asking that the Calendar be involved regularly on the Agenda so we can keep things scheduled like the inauguration. Also, we have a fifth Tuesday that I like as we have a planning or town hall or consider having Mike Conduff with us again.

The Mayor noted to the City Manager that having the calendar on every agenda would be worthwhile.

- C. **City Manager's Report.** City Manager Ferrell-Benavides noted a number of community events including the work on the Green Ribbon Construction Projects at Cockerell Hill Road on Highway 67 the monuments are permanently illuminated and landscaped thanks to Ms. Jackie Culton and the Public Works Department and Parks and Recreation Department. Assistant Chief Freis and Animal Control Officer Chad Chamberlain graduated from Duncanville's Emerging Leaders Program. We congratulate them and the other graduates. Congratulations were extended to retiring Fire Marshal Steve Wakeland for his 25 years of service to the City of Duncanville. She noted that the staff has planned a Coffee and Cocoa Event to provide the Community on the Wheatland Plaza Project. She noted that staff would be sending out a survey to determine if any other member of the City Council was interested in attending the Governor's Inaugural resulting in a change of the meeting which would normally occur on January 17 being moved to another meeting date.

2. PROCLAMATIONS AND PRESENTATIONS

None

3. CITIZENS' INPUT

Mayor Gordon announced that in keeping with the City Council's Adopted Rules of Procedure on October 18, 2022, electronic mail comments will no longer be read aloud. Paper copies of the comments received will be provided to the City Council at the dais. The comments will be made a part of the public record in the minutes.

There were no electronic mail comments received.

Citizens Public Comment Period.

The Mayor announced there is one citizen comment card turned in related to Item 5C on the agenda. He indicated he would the citizen comment card would be read at the time of that agenda item.

The Mayor asked that note be made that Item 5D at the request of the City Attorney is being pulled from our City Agenda tonight and will be addressed at a later City Council Meeting either later in January or sometime in February.

4. **CONSENT AGENDA.** The following may be acted upon in one motion. A City Councilmember may request items be removed from the Consent Agenda for individual consideration.

The City Secretary before reading the Consent Agenda Items requested permission to bring back the City Council Meeting Minutes to include changes and recommendations for improvement received late this afternoon to the next City Council Meeting. The Mayor acknowledged the request.

- A. Consider approval of draft City Council Meeting Minutes for the Special City Council Meeting of December 15, 2022 and the Regular City Council Meeting of December 20, 2022.
- B. Consider a Resolution authorizing a purchase agreement with Tyler Technologies Incorporated, for Annual Software Support and Maintenance for the City's Enterprise Resource Planning (ERP) System, for \$111,917.73.
- C. Consider a Resolution approving Amendment No. 1 to the Memorandum of Understanding among participating local governments for Criminal Justice Information Sharing via the Dallas County Prosecutor.

Motion by Councilmember McBurnett to approve Consent Agenda Items B and C and second by Councilmember Contreras. Mayor Gordon and Councilmembers McBurnett, Koontz, and Contreras voted. Councilmember Cherry announced her affirmative vote in the virtual environment. The vote was cast, 5 for, 0 against. Councilmembers Veracruz and Harvey were absent. The motion carried.

5. ITEMS FOR INDIVIDUAL CONSIDERATION.

- A. Conduct a public hearing regarding the request of Tracie Jones, applicant and owner, to include a Specific Use Permit “SUP” for Short-Term Rental on Santa Fe Village Sec 1 Rev, Block E, Lot 13, ACS 0.1707, more commonly known as 502 San Pedro Avenue, Duncanville, Dallas County, Texas, and consider adopting an ordinance to amend the Comprehensive Zoning Ordinance and Map.

Nathan Warren, City Planner, presented the item.

502 San Pedro Avenue

Request:

To allow a short-term rental at the petitioned address.

Future Land Use Map Designation

Low Density Residential

Zoning District

Planned Development District

Code Section & Requirements

Section 3.04(B)(8) – Short-Term Rental Standards

Code Section & Requirements – Comprehensive Zoning Ordinance

Defined as a residential unit offered for rental to guests for residential purposes for a period of one (1) to thirty (30) nights. Examples include, but are not limited to, Airbnb, HomeAway, and other brokers. Such rentals may include a shared room, a single room, or the entire dwelling unit between a homeowner and tenant.

Section 3.04(B)(8) – Short-Term Rental Standards

Short-Term Rental permit must be obtained, and proof of ownership must be provided

Short-Term Rentals:

Must obtain a SUP in all residential and office/retail districts

Not permitted in commercial and industrial districts

Allowed by right in downtown districts

33 Mailings Sent Out

0 Replied in Favor

0 Replied in Opposition

Proviso(s)/Condition(s) for Consideration

- No loud and raucous noise between the hours of 10:00 p.m. and 7:00 a.m.
- The SUP will be removed if the location receives three (3) substantiated complaints from neighboring property owners for excessive noise or traffic within a twenty-four (24) month period.
- The property must continue to be in good standing by not having any outstanding issues related to taxes or code compliance provisions.
- A report must be submitted to Planning staff each January that indicates the following:
- The number of nights the unit was rented as a Short-Term Rental in the previous year
- Proof of payment of Hotel Occupancy Tax
- Proof of current property insurance
- The property will be suspended or removed from the registration list for one (1) year if false or misleading information is provided, there has been a violation of the terms, conditions, or restrictions or if the Hotel Occupancy Tax has not been paid in a timely manner.

- Continued operation of a short-term rental following suspension or removal from the registration list will be considered a violation of the City of Duncanville's Comprehensive Zoning Ordinance.

Planning & Zoning Commission Recommendation

The Planning and Zoning Commission recommended approval by a vote of 4 to 0.

The Public Hearing was opened at 7:17 p.m.

The Mayor called for those persons in favor who would like to speak. There were no persons to speak.

The Mayor called for those persons in opposition who would like to speak. There were no persons to speak.

The Mayor called for a motion to close the Public Hearing at 7:18 p.m.

Motion by Councilmember Contreras to close the Public Hearing at 7:18 p.m. and second by Councilmember McBurnett. Mayor Gordon and Councilmembers McBurnett, Koontz, and Contreras voted electronically Councilmember Cherry voiced her approval vote in the virtual environment. The electronic vote was cast with Mayor Gordon and Councilmembers McBurnett, Koontz, and Contreras voting in favor. The votes having been cast, 5 for, 0 against. Councilmembers Veracruz and Harvey were absent. The motion carried.

The Mayor called for any City Council comments.

Councilmember Contreras asked the staff's process for ensuring that the 30-day limit, so the property doesn't turn into a boarding house. He stated it would be helpful if the owners provided a statement whether the individual owners confirming they are aware of that regulation and they are not intending to rent in violation of the ordinance. The City Attorney noted that the Short-Term Rental application which the applicants sign sets the parameters and conditions which must be met if the Specific Use Permit is approved. Neighbors can often be counted upon to report situations and the City can check out the situation. Also, the City receives hotel occupancy tax funds from the property.

The Mayor asked if the owner is in the residence when short term rentals are occurring. Mr. Warren responded that would be the case; that the resident would be in the home when someone is there under the short-term rental basis.

The City Council's consideration completed, the Mayor called for a motion.

Motion by Councilmember McBurnett to approve the Specific Use Permit "SUP" for Short-Term Rental on Santa Fe Village Sec 1 Rev, Block E, Lot 13, ACS 0.1707, more commonly known as 502 San Pedro Avenue, Duncanville, Dallas County, Texas, and adopt an ordinance to amend the Comprehensive Zoning Ordinance and Map. The second was made by Councilmember Cherry. The electronic vote was cast with Mayor Gordon and Councilmembers McBurnett, Koontz, and Contreras voting in favor. Councilmember Cherry voiced her approval vote in the virtual environment. The votes having been cast, 5 for, 0 against. Councilmembers Veracruz and Harvey were absent. The motion carried.

City Attorney Hager noted for the record that would include all the conditions that are included in the ordinance that staff has made as recommendations. Mayor Gordon noted the City Attorney's remarks for the record to the City Manager and City Secretary.

- B. Conduct a public hearing for consideration and action regarding the request of Judy Gee, Applicant and Owner, to renew a Specific Use Permit "SUP" for Event Center and adopt an ordinance to change the Comprehensive Zoning Ordinance and map on Fairmeadows 10, Block A, TR 15, ACS 0.7296, more commonly known as 626 Oriole Boulevard, in the City of Duncanville, Dallas County, Texas.

Nathan Warren, City Planner, presented the item.

626 Oriole Boulevard

Request:
To renew a Specific Use Permit (SUP) for Event Center.
Future Land Use Map Designation
Retail/Commercial
Zoning District
Local Office Retail District

18 Mailings Sent Out
0 Replied in Favor
0 Replied in Opposition

Proviso(s)/Condition(s) for Consideration

1. Property shall be developed, used, and maintained in accordance with the site plan and floor plan, which are attached hereto as Exhibit B and Exhibit C, respectively, and are incorporated herein as special conditions.
2. Property shall meet all city, state, and federal regulations for building and fire codes, and accessibility.
3. Number of required parking spaces dedicated on site to this use shall be 33, and the maximum occupancy of the building shall be 99 persons. Overflow parking shall not be permitted on the public street right-of-way.
4. Landscaping and screening walls for site shall be in accordance with the site plan.
5. Alcohol beverages may be dispensed, served, and consumed in connection with the rental or use of the premises in accordance with State Law. A Texas Alcoholic Beverage Commission (TABC) licensed server shall be required to be present and employed for any event where alcohol is present. The licensed server shall be responsible for ensuring compliance with State law regarding dispensing and consumption of alcohol beverages during any event.
6. Alcohol may only be dispensed, possessed, and consumed inside the building and is subject to TABC and City regulations and in compliance with any applicable regulatory agency.
7. Owner and/or Operator will be responsible for providing adequate staff during events to ensure compliance with all rules and regulations.
8. At least one (1) off-duty uniformed Texas licensed peace officer will be required to be on site for parties where alcohol is consumed with preference for an officer from the Duncanville Police Department.
9. Hours of operation for events shall be from 7:00 a.m. to 12:00 a.m. Sunday through Thursday and 7:00 a.m. to 4:00 a.m. Friday and Saturday. Hours of operation for the commercial kitchen use shall be variable hours ranging from 7:00 a.m. to 5:00 p.m., Monday through Saturday.
10. The Specific Use Permit shall be granted for a ten (10) year period.

Planning & Zoning Commission Recommendation

1, The Planning and Zoning Commission recommended approval by a vote of 4 to with the added condition that the Specific Use Permit shall be granted for a ten (10) year period.

The Public Hearing was opened at 7:25 p.m.

The Mayor called for those persons in favor who would like to speak.
There were no persons to speak.

The Mayor called for those persons in opposition who would like to speak.
There were no persons to speak.

The Mayor called for a motion to close the Public Hearing at 7:25 p.m.

Motion by Councilmember Contreras to close the Public Hearing at 7:25 p.m. and second by Councilmember McBurnett. Mayor Gordon and Councilmembers McBurnett, Koontz, and Contreras voted electronically. Councilmember Cherry voiced her approval vote in the virtual environment. The electronic vote was cast with Mayor Gordon and Councilmembers McBurnett, Koontz, and Contreras

voting in favor. The votes having been cast, 5 for, 0 against. Councilmembers Veracruz and Harvey were absent. The motion carried.

The Mayor called for any City Council comments.

Councilmember Contreras indicated he has familiarity with this location, noting he is not aware of any controversial problems. He asked staff if there were any controversial incidents or activities that have occurred. Mr. Warren indicated there were no controversial incidents to his knowledge. He noted that there have been a number of police incidents but none that are directly related to this property. He further noted that there were no persons who responded they were in opposition.

Mayor Gordon asked about the provision required by condition 4; Landscaping and screening walls for site shall be in accordance with the site plan. He noted there was nothing to indicate there are the wall and landscaping. Mr. Warren answered that the landscaping and screening wall is part of the requirements. City Attorney Hager indicated the reason the landscaping and screening requirements are included is that the original configuration on the site consisted of a chain link fence which was then removed and replaced by a masonry wall. Having the condition in the current proposed ordinance is to allow that proviso to be required and maintained.

The City Council’s consideration completed, the Mayor called for a motion.

Motion by Councilmember McBurnett to approve the request of Judy Gee, Applicant and Owner, to renew a Specific Use Permit “SUP” for Event Center and adopt an ordinance to change the Comprehensive Zoning Ordinance and map on Fairmeadows 10, Block A, TR 15, ACS 0.7296, more commonly known as 626 Oriole Boulevard, in the City of Duncanville, Dallas County, Texas. The second was made by Councilmember Contreras. The electronic vote was cast with Mayor Gordon and Councilmembers McBurnett, Koontz, and Contreras voting in favor. Councilmember Cherry voiced her approval vote in the virtual environment. The votes having been cast, 5 for, 0 against. Councilmembers Veracruz and Harvey were absent. The motion carried.

- C. Conduct a public hearing regarding the request of Brent and Roberta Houser, applicants and owners, for a Specific Use Permit “SUP” for a carport on Greenstone Estates, Block A, Lot 29, more commonly known as 1514 Natalie Lane, Duncanville, Dallas County, Texas, and consider adopting an ordinance granting the Specific Use Permit by amending the Comprehensive Zoning Ordinance and Map.

Nathan Warren, City Planner, presented the item.

Request for a Specific Use Permit for a Carport

1514 Natalie Ln

Request:
To allow a 360 sq. ft. Carport to be allowed at the petitioned address.

Future Land Use Map Designation
Low Density Residential

Zoning District
Planned Development District

Code Section & Requirements
Section 3.03 – Permitted Use Chart
Carport(s) must obtain a SUP in all residential districts; are not allowed in retail, office, commercial and industrial districts; are not allowed in downtown districts

Code Section & Requirements – Comprehensive Zoning Ordinance
Per 4.13(D)(4) Miscellaneous Standards:

- Type B accessory buildings, including carports, 400 square feet or less shall be built with materials that are durable and resistant to deterioration.

- Profiled panels, deep ridge panels, and concealed fastener systems are permitted.
- All vertical and horizontal structural members of carports shall be of 14-gauge steel or aluminum.
- Vertical supporting members shall be a minimum of three inches in diameter for circular posts or three inches by three inches for tubular posts.
- Low or single pitch carport roofs shall be of maintenance free materials (minimum 26-gauge steel or aluminum).
- Exterior finish for metal materials shall be baked enamel finish or painted to the manufacturer's specifications; unpainted metal finish is prohibited.
- The use of corrugated metal, plastic, or fiberglass panels is prohibited.

Section 7.02(B) – Carport

- An accessory structure made of canvas, aluminum, or similar materials, or any combination thereof, open on two or more sides for the shade and shelter of private passenger vehicles.

23 Mailings Sent Out

2 Replied in Favor

1 Replied in Opposition

Proviso(s)/Condition(s) for Consideration

The carport will not be built with the identified prohibited materials.

Planning & Zoning Commission Recommendation

The Planning and Zoning Commission recommended approval by a vote of 4 to 0.

The Public Hearing was opened at 7:33 p.m.

Mayor Gordon noted Ms. Roberta Houser, 1514 Natalie Lane, the applicant and owner, indicated on the Citizen Comment Card she does not wish to speak but asked to have her support for the request recorded. He noted that the Citizen Comment Card would be included in those persons who would like to speak in favor of the request.

The Mayor called for those persons in favor who would like to speak.

There were no persons to speak. There was a Citizen Comment Card from Ms. Robert Houser, 1514 Natalie Lane, the applicant and owner, indicating her support for the request.

The Mayor called for those persons in opposition who would like to speak. There were no persons to speak.

The Mayor called for a motion to close the Public Hearing at 7:35 p.m.

Motion by Councilmember McBurnett to close the Public Hearing at 7:35 p.m. and second by Councilmember Contreras. Mayor Gordon and Councilmembers McBurnett, Koontz, and Contreras voted electronically. Councilmember Cherry voiced her approval vote in the virtual environment. The electronic vote was cast with Mayor Gordon and Councilmembers McBurnett, Koontz, and Contreras voting in favor. The votes having been cast, 5 for, 0 against. Councilmembers Veracruz and Harvey were absent. The motion carried.

The Mayor called for any City Council comments.

Councilmember Contreras noted that this particular Planned Development has some rather stringent regulations when these structures were being built. He asked staff to confirm that a carport of this type is allowed within the Planned Development and not just in the ordinance. Mr. Warren responded that he reviewed the Planned Development as well as in the ordinance for these types of materials [for construction], noting that is when he discovered the setback requirement of ten feet with no other condition that would prohibit.

Motion by Councilmember McBurnett to approve the request of Brent and Roberta Houser, applicants and owners, for a Specific Use Permit “SUP” for a carport on Greenstone Estates, Block A, Lot 29, more commonly known as 1514 Natalie Lane, Duncanville, Dallas County, Texas, and consider adopting an ordinance granting the Specific Use Permit by amending the Comprehensive Zoning Ordinance and Map. The second by Councilmember Cherry. Mayor Gordon and Councilmembers McBurnett, Koontz, and Contreras voted electronically. Councilmember Cherry voiced her approval vote in the virtual environment. The electronic vote was cast with Mayor Gordon and Councilmembers McBurnett, Koontz, and Contreras voting in favor. The votes having been cast, 5 for, 0 against. Councilmembers Veracruz and Harvey were absent. The motion carried.

- D. Conduct a public hearing (2022- 36) for consideration and action regarding the request of Rick Jaynes, Applicant and Owner, to rezone and adopt an ordinance to change the Comprehensive Zoning Ordinance and map on 1A & PT Lot 2A, Block 1, Merrywood Addition; Lots 1A and 2A Merrywood Addition; Lot 1, Block 1, Jaynes Memorial Addition; and PT TR 23 ACS 3.1562, A Slayback ABST 1299 PG 880, more commonly known as 803, 807, 809 and 811 South Cockrell Hill Road, in the City of Duncanville, Dallas County, Texas.

Mayor Gordon reiterated that at the recommendation of the City Attorney, this item was being pulled from consideration this evening.

6. STAFF AND BOARD REPORTS
There were no Staff and Board Reports.

ADJOURNMENT

Mayor Gordon adjourned the meeting at 7:37 p.m.

APPROVED:

MAYOR

ATTEST:

CITY SECRETARY

Add Signature Lines for City Secretary Signature and Mayor Gordon’s Signatures

Duncanville City Council Meeting Minutes
Regular City Council Meeting
Tuesday, January 17, 2023

CALL TO ORDER

The Regular City Council Meeting of the Duncanville City Council was called to order on Tuesday, January 17 , 2023, at 6:00 p.m. in the City Council Briefing Room and City Council Chambers at City Hall with a quorum to wit:

COUNCIL PRESENT: Mayor Pro Tem Joe Veracruz
Councilmember Jeremy Koontz
Councilmember Don McBurnett
Councilmember Greg Contreras
Councilmember Karen Cherry
Councilmember At Large Patrick Harvey

COUNCIL ABSENT: Mayor Barry L. Gordon

1. WORK SESSION / BRIEFING

A. DISCUSS AGENDA ITEMS

Mayor Pro Tem Veracruz read each item into the record. City Manager Ferrell-Benavides reviewed each Consent Agenda item.

2. BRIEFINGS / PRESENTATIONS

- A. City Council Calendar**
- B. Discuss the Cedar Ridge Road Corridor Study Results & Recommendations**
- C. Ladd Property Update to City Council**

3. EXECUTIVE SESSION

City Council convened into closed Executive Session to Consult with the City Attorney and Chief of Police pursuant to Section 551.071 and Section 551.089 of the Texas Government Code to deliberate security assessments, deployments and implementation of security devices concerning the Duncanville Fieldhouse; and, to discuss and deliberate legal liability issues regarding such facility.

REGULAR SESSION – CONVENE INTO THE COUNCIL CHAMBERS AT 7:00 P.M. OR IMMEDIATELY FOLLOWING THE 6:00 P.M. WORK SESSION / BRIEFING

CALL TO ORDER

The Mayor Pro Tem called the Regular Meeting to order at 7:08 p.m. with all City Councilmembers except for Mayor Barry Gordon present.

INVOCATION. The invocation was delivered by Dr. Brance Barker, First Baptist Church, Duncanville.

PLEDGES. The Mayor Pro Tem led the assembly in reciting the Pledge of Allegiance and the Texas Pledge of Allegiance.

REPORTS

The Mayor's Report, The Councilmembers' Reports, and The City Manager's Report are informational only. There was no Council deliberation or action taken on any of these items.

Mayor Pro Tem Veracruz, in keeping with the City Council's Rules of Procedure, adopted October 18, 2022, asked for permission to deliver a report that will exceed three minutes. Motion by Councilmember McBurnett and second by Councilmember Koontz to allow the Mayor Pro Tem's report to exceed three minutes. The vote was cast, 5 for, 0 against. Mayor Barry Gordon and Councilmember Harvey were absent. The Mayor Pro Tem announced that Councilmember Harvey asked to be excused from tonight's Regular Meeting. The motion carried.

A. Mayor's Report. Mayor Pro Tem Veracruz announced that Mayor Gordon was absent from the meeting because he was representing the City of Duncanville while attending Texas Governor Greg Abbott's Inaugural.

B. Councilmembers' Reports. There were no Councilmembers' Reports this evening.

C. City Manager's Report. City Manager Ferrell-Benavides reported that Fire Chief Sam Rohde was presenting Life Saving Awards to Fire personnel this evening during the City Manager's Report.

Chief Rohde's narrative of the actual event follows. On December 25, 2022, a 9-1-1 call came in advising there was a structure on fire with a victim still located inside the structure. Dispatcher Melissa Thompson dispatched E271, staffed by Captain James Leary, Engineer Philip Clark, Firefighter/EMT-P Jacob Cooper, and Firefighter/EMT-P Clint Thomas, M271, staffed by Firefighter/EMT-P Tristan Spray and Firefighter/EMT-P Tyler Hausler, BC270 staffed by Chief Robert Gideon, and other regional units to a structure fire with a victim still located in the structure. E271 arrived on scene to find a one-story structure with black smoke exiting the structure through the door. E271 Captain took command and ordered a line be pulled for a primary search and fire attack. E271 and M271 crews made entry into the structure through the alpha side and made their way to the fire room in the Charlie/Delta corner, discovering heavy smoke and flames. Crews located the victim on the bed and the victim was moved to the floor and extricated through the alpha side of the structure. M271 immediately initiated patient contact, performing a patient assessment, and then transported the patient to the hospital. As of today, the victim has been cleared of any fire related injuries.

Chief Rohde stated, "Due to your dedicated and selfless actions, the victim survived a horrific incident. These types of situations are successful as a team operation. The crew of SWRCC, E271, M271 and BC270 did an outstanding and heroic job that day. You represent what the fire service stands for and the Duncanville Fire Department gives tremendous thanks for a job well done!"

The recipients being honored with the Life Saving Award were: Battalion Chief Robert Gideon, Captain James Leary, Engineer Philip Clark, Firefighter/EMT-P Jacob Cooper, Firefighter/EMT-P Clint Thomas, Firefighter/EMT-P Tristan Spray, Firefighter/EMT-P Tyler Hausler, and Melissa Thomas, SWRCC Regional Dispatcher.

PROCLAMATIONS AND PRESENTATIONS

Dr. Martin Luther King, Jr. Holiday proclaimed as Day of Service in Duncanville. Councilmember Cherry read the proclamation.

Black History Month. Councilmember Koontz read the proclamation.

CITIZENS' INPUT

Mayor Pro Tem Veracruz announced that in keeping with the City Council's Adopted Rules of Procedure on October 18, 2022, electronic mail comments will no longer be read aloud. Paper copies of the comments received will be provided to the City Council at the dais. The comments will be made a part of the public record in the minutes.

There were no electronic mail comments received.

Citizens Public Comment Period.

Ms. Patricia Ebert, 115 South Greenstone, read from the City Charter related to the Council-Manager form of government.

Mr. Jim Jones, 1927 Nob Hill Circle, addressed the topic of the Ladd Property being included during the upcoming budgeting cycle, the Ladd Property Tour, the Comprehensive Plan being updated related to the City's work on the Ladd Property.

Ms. Evelyn Burks, 411 Oakleaf Drive, asked to address the City Council about some concerns she has had. She asked that based on how positive all comments have been, she would appreciate someone contacting her directly.

Mr. Homer Fincannon, 547 Wind River Drive, addressed the topic of firearms being shot into the air.

4. **CONSENT AGENDA.** The following may be acted upon in one motion. A City Councilmember may request items be removed from the Consent Agenda for individual consideration.
- A. Consider approval of draft City Council Meeting Minutes for the Special City Council Meeting of December 15, 2022, and the Regular City Council Meeting of December 20, 2022.

B. Consider a Resolution approving the terms and conditions of Professional Engineering Services Agreement 23-0008 for Phase 2 Engineering Design and Construction Administration Services for the Cherry Street and Center Street alley, from Forest Lane to Alexander Avenue, alley Reconstruction Project with IEA, Inc. in the proposed amount of \$94,581.50.

C. Consider an Ordinance providing for the appointment and contracts for a Presiding Municipal Court Judge and Associate Municipal Court Judges for the Municipal Court of Duncanville and authorizing the Mayor to sign said contracts.

Motion by Councilmember McBurnett to approve the Consent Agenda Items and second by Councilmember Contreras. The vote was cast, 5 for, 0 against. Mayor Gordon and Councilmember Harvey were absent. The motion carried.

5. **ITEMS FOR INDIVIDUAL CONSIDERATION**
- A. Take any necessary action as a result of the Executive Session. There was no action taken as a result of the Executive Session.
6. **STAFF AND BOARD REPORTS**
- A. Receive the Fiscal Year 21-22 Fourth Quarter Investment Report as of September 30, 2022. Managing Director of Fiscal Services, Edena Atmore, presented this agenda item.

ADJOURNMENT

Mayor Pro Tem Veracruz adjourned the meeting at 7:45 p.m.

APPROVED:

MAYOR

ATTEST:

CITY SECRETARY

Add Signature Lines for City Secretary Signature and Mayor Gordon’s Signatures

Duncanville City Council Meeting Minutes
Regular City Council Meeting
Tuesday, February 7, 2023

CALL TO ORDER

The Regular City Council Meeting of the Duncanville City Council was called to order on Tuesday, February 7, 2023, at 5:03 p.m. in the City Council Briefing Room and City Council Chambers at City Hall with a quorum to wit:

COUNCIL PRESENT: Mayor Barry L. Gordon
Mayor Pro Tem Joe Veracruz
Councilmember Jeremy Koontz
Councilmember Greg Contreras
Councilmember Karen Cherry
Councilmember At Large Patrick Harvey

COUNCIL ARRIVAL: Councilmember Don McBurnett arrived at 5:11 p.m.

OTHER ARRIVAL: City Attorney Robert E. Hager arrived at 5:22 p.m.

1. WORK SESSION / BRIEFING

Mayor Gordon announced it had been the intent to conduct the Executive Session first. However due to City Attorney being enroute, he asked the City Manager to proceed with reading the Consent Agenda items.

A. DISCUSS AGENDA ITEMS

Mayor Gordon introduced the discussion of the Agenda Items. City Manager Ferrell-Benavides reviewed each Consent Agenda item.

2. EXECUTIVE SESSION

- A. City Council convened in closed Executive Session at 5:24 p.m. pursuant to Section 551.071 of the Texas Government Code, Consultation with Attorney, to Consider a Settlement Agreement with City of Duncanville, Texas v. EON Reality, Inc., Cause No. DC-21-00095, pending in the 134th Judicial District Court in Dallas County, Texas.

Reconvene into Open Session. The City Council reconvened into Open Session at 7:31 p.m.

- B. City Council convened in Executive Session at 5:24 p.m. pursuant to Section 551.072 of the Texas Government Code, Consultation with Attorney, to Deliberate the Sale, Exchange, Lease or Value or Real Property owned by the City south of Wheatland, east of Main, and west of State Highway (SH) 67.

Reconvene into Open Session. The City Council reconvened into Open Session at 7:31 p.m.

The Mayor announced the City Council would take a five-minute break at 7:31 p.m. The City Council returned from the break at 7:40 p.m. after having earlier reconvened into Open Session at 7:31 p.m.

WORK SESSION / BRIEFING

Mayor Gordon announced that the City Council is still in the Work Session / Briefing.

1. BRIEFINGS / PRESENTATIONS
- A. Receive a Presentation on the Compensation Study. City Manager Aretha Ferrell-Benavides and Chief Innovation Officer Jennifer Otey made a formal presentation of the City's results arising from the Compensation Study.

Councilmember Harvey stated he wanted to go on record as being opposed to hearing this at this time. He noted that this should be considered as part of the City's budgetary work. He stated that the new City Council has a right to have an opportunity to hear this and make decisions on it.

Councilmember Contreras asked if there will be any budgetary shortfalls. He asked the City Manager if the City Council can be provided that information before the City Council's next meeting. City Manager Ferrell-Benavides indicated staff has completed the computations and will provide a list to the City Council of where the shortfalls are.

Councilmember Koontz asked if the City implements Phase 1 how much will it affect the City Council's ability to implement Phase 2 later on.

Councilmember Contreras left the City Council Chambers at 7:03 p.m. as he is a retiree of the City of Duncanville and he would benefit from decisions made. Councilmember Harvey left the City Council Chambers at 7:04 p.m. Councilmember Harvey returned to the City Council Chambers at 7:06 p.m. Councilmember Contreras returned to the City Council Chambers at 7:20 p.m.

Questions related to the methodology are raised by the Mayor and City Council.

City Manager Ferrell-Benavides informed the City Council that staff would bring back an ordinance at the next City Council Meeting to update the Civil Service Classification Plan which is established by ordinance.

REGULAR SESSION – CONVENE INTO THE COUNCIL CHAMBERS AT 7:00 P.M. OR IMMEDIATELY FOLLOWING THE 6:00 P.M. WORK SESSION / BRIEFING

CALL TO ORDER

The Mayor called the Regular Meeting to order at 7:40 p.m. with all City Councilmembers present.

INVOCATION. The invocation was delivered by Deacon Gene Freeman, Holy Spirit Catholic Church.

PLEDGES. The Mayor led the assembly in reciting the Pledge of Allegiance and the Texas Pledge of Allegiance.

REPORTS

The Mayor's Report, The Councilmembers' Reports, and The City Manager's Report are informational only. There was no Council deliberation or action taken on any of these items.

- A. Mayor's Report.** Mayor Gordon reported that he and Councilmember Cherry attended the inauguration of Methodist Charlton.
- B. Councilmembers' Reports.** Councilmember McBurnett: Keep Duncanville Beautiful (KDB) Lakeside Event. He commended the work of the KDB Board. Veracruz: February 25 is the date of the Run, and the Daddy and Daughter Dance.
- C. City Manager's Report.** City Manager Ferrell-Benavides reported she was inaugurated and installed on the Goodwill Board of Directors.

PROCLAMATIONS AND PRESENTATIONS

- A. Presentation of the Keep Duncanville Beautiful February 2023 Business Beautification Award Plaque and Proclamation to Tacos Cantu located at 108 E. Hwy. 67.**
- B. Recognition of Keep Duncanville Beautiful Spring 2023 Curb Appeal.**

Mayor Gordon introduced Tyler Agee, Assistant Parks and Recreation Manager, who will present the Awards this evening.

Tyler Agee introduced this agenda matter.

He read the Proclamation for the Keep Duncanville Beautiful for Commercial Properties honoring high quality standards for Tacos Cantu which is located at 108 E. Hwy. 67. He called Juana and Leonel Cantu with their infant to the podium. Mayor Gordon noted that Tacos Cantu provided breakfast for City staff during the recent ice storm.

Mr. Agee introduced the residents who have been recognized as part of the Keep Duncanville Beautiful Spring 2023 Curb Appeal. The residents who were present were introduced. 2023 Curb Appeal locations included: District 1, Lizabeth and Arnuleo Ramos, 815 Green Hills Road; District 2, Anthony Hopps, 202 Robin Hill Road; District 2, Nickelle Benson, 247 Timothy Trail; District 3, Linda Young, 919 Eisenhower Drive; District 4, Leon Herrera, 910 Cedar Run Drive; District 5, Jana McBroom, 1103 Rita Lane.

EXECUTIVE SESSIONS

- 2A. Take any necessary or appropriate actions on closed Executive Session matters.

City Attorney Hager read the motion for the City Council's consideration: The motion is to approve a settlement agreement by and between EON Reality, L.L.C., and the City of Duncanville in the amount of \$120,000 for back rent from EON for the building now known as City Hall Annex located at 201 E. Wheatland Road, Duncanville, Texas, and to authorize the City Manager to execute the appropriate document.

Motion by Councilmember McBurnett to approve the motion and second by Councilmember Koontz. Motion by Councilmember Harvey to adopt the Consent Agenda and second by Councilmember Contreras. The vote was cast, 7 for, 0 against. The motion carried.

- 2B. Take any necessary or appropriate actions on closed Executive Session matters. There was no action taken on Executive Session 2B.

CITIZENS' INPUT

Mayor Pro Tem Veracruz announced that in keeping with the City Council's Adopted Rules of Procedure on October 18, 2022, electronic mail comments will no longer be read aloud. Paper copies of the comments received will be provided to the City Council at the dais. The comments will be made a part of the public record in the minutes.

There were no electronic mail comments received.

Citizens Public Comment Period.

Mr. Homer Fincannon, 547 Wind River Drive, addressed the topic of firearms being shot into the air and still has not heard anything back from the City related to boomerang equipment which can help determine the direction from which the gunshots are coming from.

Ms. Teddi Williams, 866 Astaire Avenue, thanked the City Council for working with her and her neighbors related to noise pollution all over the City. She addressed the topic of speed enforcement signs which the City Manager and Police installed are working. Updates of how to mitigate vehicular noise are needed.

3. **CONSENT AGENDA.** The following may be acted upon in one motion. A City Councilmember may request items be removed from the Consent Agenda for individual consideration.
 - A. Consider a Resolution authorizing a cooperative purchasing agreement with Cummins, Inc. to procure an emergency generator for the new Fire Station 271 through Sourcewell Contract 092222-CMM in the expenditure amount of \$125,907.
 - B. Consider a Resolution authorizing the term procurement of tree maintenance services with The Paysage Group dba Smith Lawn and Tree, in the unit amounts bid through the City of Grapevine RFB #515-2022 with an estimated expenditure amount of \$75,000.
 - C. Consider a Resolution authorizing a Purchasing Agreement with Park Place Motorcars Arlington to purchase a Cargo Van in the expenditure amount of \$79,686.
 - D. Consider a Resolution authorizing an amendment to Contract # 19-058 with Dunaway Associates, L.P. for design services for improvements to Armstrong Park to include additional services of construction administration with an estimated expenditure of \$16,500.

- E. Consider a Resolution authorizing the purchase of Self-Contained Breathing Apparatus (SCBA) from Metro Fire Apparatus Specialists, Inc., through the Buy Board Contract #603-20 for a discounted unit price bid with an estimated expenditure amount of \$276,022.
- F. Consider a Resolution authorizing the purchase of a second set of Personal Protective Equipment (PPE) Turnout Gear from Casco Industries, Inc., through the Buy Board Contract #603-20 for a discounted unit price bid with an estimated expenditure amount of \$141,362.
- G. Consider a Resolution of the City Council of the City of Duncanville, Texas, ordering a Joint Election to be held in the City of Duncanville on Saturday, May 6, 2023, for the purpose of electing a Councilmember At Large for a two (2) year term, once Councilmember from District 1 for a two (2) year term, one Councilmember from District 3 for a two (2) year term, and one Councilmember from District 5 for a two (2) year term.

Considere una Resolución de la Ciudad de Duncanville, Texas, ordenando una Elección Conjunta que se llevará a cabo en la Ciudad de Duncanville el sábado 6 de mayo del año 2023, para elegir a un Concejal General para un periodo de dos (2) años, a un Concejal para el Distrito Electoral 1 por un periodo de dos (2) años, a un Concejal para el Distrito Electoral 3 para un periodo de dos (2) años, y a un Concejal para el Distrito Electoral 5 para un periodo de dos (2) años.

The City Council was informed that the Resolution has been translated into Vietnamese; the translation was completed over the weekend following the delivery of the City Council Agenda Packet.

Motion by Councilmember Contreras to approve the Consent Agenda Items and second by Councilmember McBurnett. The vote was cast, 7 for, 0 against. The motion carried.

4. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. Appeal to the City Council for Permitting of Livestock at 1342 South Main Street.

Assistant City Manager Robert Brown presented this agenda item.

Ms. Miriam Reyes, appellate, addressed the City Council requesting an appeal to the City's decision.

in Councilmembers asked about the length of time the current ordinance has been place. A question was raised regarding how the City's ordinance compares with other cities. City Attorney Hager responded the Ordinance has been in place since 1998 with various iterations since. He noted the City's ordinance is in line with other cities' ordinances.

Councilmember Harvey noted that City Councilmembers are interested in taking action and other City Councilmembers are interested in tabling this item and bringing back an updated ordinance. He asked the Mayor to conduct a consensus poll.

Mayor Gordon asked each Councilmember if they wished to table this item and have the ordinance revisited.

Voting on the motion was done by voice vote:

Mayor Pro Tem Veracruz – Yes
 Councilmember McBurnett – Yes
 Councilmember Koontz – Yes
 Councilmember Cherry – Yes
 Councilmember Contreras – Yes
 Councilmember Harvey – Yes
 Mayor Gordon – No

The Mayor announced that the motion carried; this item is tabled, and the ordinance will be re-visited.

- B. Conduct a public hearing (2022 - 36) for consideration and action regarding the

request of Rick Jaynes, Applicant and Owner, to rezone to change zoning from a Planned Development District and Local Office/Retail District to a new Planned Development District and to rezone to change zoning from a Planned Development District and Local Office/Retail District to General Office/Retail District and adopt an ordinance to change the Comprehensive Zoning Ordinance and map on 1A & PT Lot 2A, Block 1, Merrywood Addition; Lots 1A and 2A Merrywood Addition; Lot 1, Block 1, Jaynes Memorial Addition; and PT TR 23 ACS 3.1562, A Slayback ABST 1299 PG 880, more commonly known as 803, 807, 809 and 811 South Cockrell Hill Road, in the City of Duncanville, Dallas County, Texas.

Nathan Warren, City Planner, presented this agenda item.

Request for Zoning Change at 803, 807, 809 and 811 South Cockrell Hill Road

Request:

A zoning change to allow for the accessory use of a parking garage for the purpose of an existing funeral home business

Future Land Use Map Designation

Retail/Commercial

Current Zoning District

Local Office Retail District & Planned Development District

Proposed Zoning District

General Office Retail District & Planned Development District

30 Mailings Sent Out

3 Replied in Favor

0 Replied in Opposition

Planning & Zoning Commission Recommendation

The Planning and Zoning Commission recommended approval by a vote of 4 to 1.

Mayor Gordon introduced the Public Hearing process at 8:34 p.m.

He called for persons who wished to speak in favor. There was no one coming forward to speak in favor.

He called for persons who wished to speak in opposition. He read a comment card from Emily Bridges noting she did not wish to speak but asked to have her opposition recorded.

The Mayor called for a motion to close the Public Hearing.

Motion by Councilmember McBurnett to close the Public Hearing at 8:35 p.m. and second by Councilmember Koontz. The vote was cast, 7 for, 0 against. The motion carried.

City Attorney Hager informed the Mayor and City Council that this item represents two components, requiring two separate ordinances. He noted that if the City Council decides to vote on this item this evening, he will bring back two ordinances to the next City Council Meeting to be placed on the Consent Agenda if this passes.

Mayor Gordon reiterated that if it be desire of the City Council to take action on this item, the City Attorney will bring back ordinances to be crafted by the City Attorney and brought back at a future meeting.

Motion by Councilmember McBurnett to approve this agenda matter and second by Councilmember Contreras. The vote was cast, 7 for, 0 against. The motion carried.

5. STAFF AND BOARD REPORTS

A. There were no staff and board reports presented.

ADJOURNMENT

Mayor Gordon adjourned the meeting at 8:36 p.m.

APPROVED:

MAYOR

ATTEST:

CITY SECRETARY

Add Signature Lines for City Secretary Signature and Mayor Gordon’s Signatures

**Duncanville City Council Meeting Minutes
Regular City Council Meeting
Tuesday, February 16, 2023**

CALL TO ORDER

The Special Called City Council Meeting of the Duncanville City Council was called to order on Thursday, February 16, 2023, at 6:06 p.m. in the D.L. Hopkins Jr. Senior Center, 206 James Collins Boulevard, Duncanville, with a quorum to wit:

COUNCIL PRESENT: Mayor Barry L. Gordon
Mayor Pro Tem Joe Veracruz
Councilmember Don McBurnett
Councilmember Jeremy Koontz
Councilmember Greg Contreras
Councilmember Karen Cherry
Councilmember At Large Patrick Harvey

CALL TO ORDER

The Mayor called the Special Called Meeting to order at 6:06 p.m. with all City Councilmembers present.

1. CITIZENS' INPUT

Mayor Gordon announced that in keeping with the City Council's Adopted Rules of Procedure on October 18, 2022, electronic mail comments will no longer be read aloud. Paper copies of the comments received will be provided to the City Council at the dais. The comments will be made a part of the public record in the minutes.

There were no electronic mail comments received.

Citizens Public Comment Period.

There were no citizens comments received.

2. EXECUTIVE SESSION

- A. City Council convened into closed Executive Session at 6:07 p.m. pursuant to Section 551.074 of the Texas Government Code, Personnel Matters, to deliberate the annual evaluation of a public officer, to wit: City Manager. Mike Conduff, the Elim Group, Facilitator.**
- B. Reconvene into Open Session at 8:07 p.m.**
- C. Take any necessary or appropriate action on Closed Executive Session Matters.**

Mayor Gordon announced the following actions arising from the Executive Session.

The deadline for the City Manager to provide a self-evaluation to the City Council is the 22nd of February.

The deadline for the City Councilmembers to provide their inputs to the City Council self-evaluation is the 7th of March.

The deadline for the City Secretary to compile the evaluations for the City Manager is the 15th of March.

There will be a Special City Council Meeting on the 20th of March for the City Council to discuss the evaluation with the City Manager.

Mayor Gordon announced that Councilmember Koontz was not feeling well and he has departed. He asked that Councilmember Koontz's absence be recorded.

- 3. Workshop Item Only: No action will be taken.**
 - A. Presentation and Briefing on the City's Strategic Plan, Mike Conduff, The Elim Group, Facilitator.**

City Manager Ferrell-Benavides opened the session with brief remarks. Chief Innovation officer Otey briefed the City Council and staff on the status of the City’s Strategic Plan.

City Manager Ferrell-Benavides asked the City Council to provide the City Council’s feedback on March 10, that would give staff time to add it in and email it to the City Council by March 15 in advance of packet delivery for the March 21 City Council Meeting.

4. ADJOURNMENT

Mayor Gordon adjourned the meeting at 9:20 p.m.

APPROVED:

MAYOR

ATTEST:

CITY SECRETARY

Add Signature Lines for City Secretary Signature and Mayor Gordon’s Signatures

Duncanville City Council Meeting Minutes
Regular City Council Meeting
Tuesday, February 21, 2023

CALL TO ORDER

The Regular City Council Meeting of the Duncanville City Council was called to order on Tuesday, February 21, 2023, at 6:02 p.m. in the City Council Briefing Room and City Council Chambers at City Hall with a quorum to wit:

COUNCIL PRESENT: Mayor Barry L. Gordon
Mayor Pro Tem Joe Veracruz
Councilmember Don McBurnett
Councilmember Jeremy Koontz
Councilmember Greg Contreras
Councilmember Karen Cherry

COUNCIL ABSENT: Councilmember At Large Patrick Harvey

1. WORK SESSION / BRIEFING

DISCUSS AGENDA ITEMS

Mayor Gordon introduced the discussion of the Agenda Items. City Manager Ferrell-Benavides reviewed each Consent Agenda item.

Regarding the Consent Agenda Item for the Amended and Restated Audit engagement agreement with McConnell & Jones, LLP. Resolution, Councilmember Contreras asked if the City was working without an agreement. Councilmember McBurnett asked if the City Audit would be completed in time. Fiscal Services Managing Director Edena Atmore stated the City is working without an agreement based on the original three year agreement. She stated City staff are working to get the audit completed accurately and on time.

2. CITY COUNCIL CALENDAR

2023 City Council Calendar

The City Secretary reported that the current City Council Calendar consists of two parts; the all encompassing year long calendar and the next three months of events. It was also reported that the City Manager purchased and authorized the use of an application titled Doodle. Using technology, it allows the staff to poll the City Council for scheduling alternative dates for Special City Council Meetings and Events. Councilmember McBurnett asked that the Spring Clean-Up be added.

3. BRIEFINGS / PRESENTATIONS

- A. **Our Duncanville Update.** Assistant to the City Manager David Kees provided the use of a new reporting tool to make City staff more transparent, more efficient, and more responsive. He detailed the history of acquisition of the new system, the use of ease to report problem situations by anyone using a smart phone or other mobile device. He noted that anyone can report items which include easy tracking and reports can be submitted anonymously.
- B. **Update to the City Council on FEMA Emergency Generator Grant for Summit Pump Station.** Lauren Sanchez, Emergency Management Coordinator for Cedar Hill, Duncanville, and Lancaster, briefed the City Council on the FEMA Emergency Generator Grant for the Summit Pump Station. She detailed the history of the Grant and the need for upgrading the City's equipment at the Summit Pump Station. It was reported that the Pump Station needs an emergency generator in accordance with the TCEQ rules and regulations. If power is lost, drinking water and firefighting capabilities for residential, commercial, industrial, schools, public facilities, and businesses are affected.
- C. **Ladd Property Update to City Council.** Neighborhood and Planning Service Director Jeremy Tennant briefed the City Council on the upcoming dates of public community events related to the Ladd Property. It was reported that staff will gather public input through the following Community Meetings: Thursday, March 2 at 6:30 p.m. at the Hopkins Senior Center, 206 James Collins Boulevard, Thursday, March 9 at 6:30 p.m. at the Hopkins Senior Center, 206 James Collins Boulevard, and on Thursday, March 23 at 6:30 p.m. via Zoom. Mayor Gordon asked if the City Attorney had received information from

community groups and the Conservancy Group. He asked the City Attorney if the different recommendations would be included. City Attorney Hager responded in the affirmative. Councilmember Koontz indicated he received a recommendation for a nature preserve and asked about including the text amendment. Councilmember Contreras asked if it was too late to get the Parks Board involved. Staff responded that would absolutely be possible.

- D. **Discussion of the City's Livestock Ordinance.** Assistant Chief of Police Stogner asked for the City Council's input regarding whether the Council would like to see changes made to the current appeal process. He also asked if there were any other changes to the ordinance the City Council would like to see. City Attorney Robert Hager advised the City Council about the processes required to bring amendments to the City's Livestock Ordinance. He noted that any changes to the City's Livestock Ordinance will not affect the tabled appeal.

EXECUTIVE SESSION

REGULAR SESSION – CONVENE INTO THE COUNCIL CHAMBERS AT 7:00 P.M. OR IMMEDIATELY FOLLOWING THE 6:00 P.M. WORK SESSION / BRIEFING

CALL TO ORDER

The Mayor called the Regular Meeting to order at 7:16 p.m. with all City Councilmembers present except Councilmember At Large Patrick Harvey who was absent from the meeting.

INVOCATION. The invocation was delivered by Councilmember Koontz.

PLEDGES. The Mayor led the assembly in reciting the Pledge of Allegiance and the Texas Pledge of Allegiance.

REPORTS

The Mayor's Report, The Councilmembers' Reports, and The City Manager's Report are informational only. There was no Council deliberation or action taken on any of these items.

- A. **Mayor's Report.** Mayor Gordon thanked the citizens for allowing him to attend a summit on diversity. He found it enlightening for diversity, equity, inclusion, and belonging. He wished Reverend Dr. Ginger Hertenstein Conley well as she retired and wish her well as she moves on in her life. He noted she offered the invocations often for City Council Meetings.

- B. **Councilmembers' Reports:** Councilmember Veracruz: Heart of Duncanville 5K Run sponsored by the Duncanville Education Foundation is this Saturday. Please come out to fellowship, walk, run, or help us out. Councilmember McBurnett: District 2 Town Hall. Good meeting, thank the staff who presented. Wish Dr. Ginger Hertenstein well on her retirement. Councilmember Koontz: Acknowledged the great job the Parks and Recreation staff do all the time. He acknowledged the Daughter and Daddy Dance on Saturday.

Mayor Gordon asked the City Secretary to record that Councilmember At Large Patrick Harvey was absent.

- C. **City Manager's Report.** City Manager Ferrell-Benavides invited all to the Fireside Chat for Black History Month. She reported that Communications and Marketing Administrator Alex Hamby produced two videos of staff, Ms. Krystle Smith, and Ms. Ke'Ryne Smith, speaking on inspirational persons and moments in their lives. The City Manager acknowledged Seleste Simpson from Village Tech who has been working in the City Manager's and Human Resources office. She noted there are student interns throughout the City of Duncanville in different departments for a two-week period. Mayor Gordon made a motion to exceed the three-minute time limit. Second by Councilmember McBurnett. The vote was cast, 6 for, 0 against. The motion carried. Councilmember At Large Harvey was absent.

PROCLAMATIONS AND PRESENTATIONS

Presentations Honoring Two Champions of the City

Ms. Lyndia Lydia was presented with a Certificate honoring her service to the City of Duncanville as a Champion of the City of Duncanville. Mayor Gordon read the Certificate. The Mayor spoke of Ms. Lydia's servant's heart as evidenced by her long history of caring for others. As a volunteer with the Peace Corps, she taught rice production and English in Sierra Leone, West Africa. With Feed My Starving Children she has traveled to South Africa, Haiti, and Cuba. Her volunteer service included service with the Komen AA Cancer Coalition, the American Red Cross, Meals on Wheels, and Crossroads Food Bank. Mrs. Lydia also serves on various boards and commissions appointed by the City Council. In her own words for service to Duncanville, "Elevating our image as a great place to live & attracting quality services/businesses." For making a substantive and sustainable positive impact in our city, Mrs. Linda Lydia is hereby recognized as a Champion of the City. As Mayor of the City of Duncanville, I ask our residents to join me in congratulating Mrs. Lydia on this memorable occasion. Mayor Gordon presented Ms. Lyndia Lydia with a Medallion for the City.

Mr. Kenneth Govan Mayor Gordon read the Certificate. Despite being the Oncor Electric Delivery Company's Area Manager, which is a 24/7 responsibility, Mr. Kenneth Govan is an active participant in the City's business and development. He served on the Comprehensive Plan Steering Committee, establishing the groundwork for the City's planning and zoning structure for the future. He is on the Executive Committee for the Best Southwest Partnership, is president of the Duncanville Community and Economic Development Corporation board of directors. Mr. Govan, highly skilled in all facets of business and media communication, promotes our community at every opportunity. His civic mindedness is evident in his many and varied volunteer positions he holds in the area. The words he lives by are those of President Theodore Roosevelt, "People don't care what you know until they know that you care." For his servant's heart, loyalty and commitment to our city, Mr. Kenneth Govan is hereby recognized as a Champion of the City. As Mayor of the City of Duncanville, I ask our residents to join me in congratulating Mr. Govan on this memorable occasion. Mayor Gordon presented Mr. Kenneth Govan with a Medallion for the City.

CITIZENS' INPUT

Mayor Gordon announced that in keeping with the City Council's Adopted Rules of Procedure on October 18, 2022, electronic mail comments will no longer be read aloud. Paper copies of the comments received will be provided to the City Council at the dais. The comments will be made a part of the public record in the minutes.

There were no electronic mail comments received.

Citizens Public Comment Period.

Ms. Gale Sliger, 1405 S. Main Street, addressed the City Council on the topic of Police and Firefighters' pay and the shortage of sworn public safety officers.

Mr. Grady Smithey, 1806 Cedar Hill Road, addressed the City Council on the topic of road projects: the slow pace of Bond projects.

4. **CONSENT AGENDA.** The following may be acted upon in one motion. A City Councilmember may request items be removed from the Consent Agenda for individual consideration.
- A. Consider a Resolution authorizing an amended and restated audit engagement agreement with McConnell & Jones, L.L.P.
 - B. Consider a Resolution finding a bonafide emergency and authorizing a contract for emergency sewer bypass services for the aerial sewer pipeline crossing at Ten Mile Creek adjacent to Harrington Park in an amount not to exceed \$210,000.

Motion by Councilmember Koontz to approve the Consent Agenda Items and second by Councilmember McBurnett. The vote was cast, 6 for, 0 against. The motion carried. Councilmember At Large Harvey was absent.

5. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. Take any necessary action as a result of the Executive Session.
There were no Executive Sessions.

- B. Consider an Ordinance creating Classified Positions under Civil Service in the Police and Fire Departments, providing for a Pay Scale under Civil Service; repealing all Ordinances in conflict herewith.

City Manager Ferrell-Benavides and Chief Innovation Officer Otey introduced this agenda matter with a formal presentation. The presentation recapped and compared Public Safety Salaries for each comparable position with other Texas cities closer to the size of Duncanville. The Civil Service Proposed Pay Plan effective March 1,2023, if adopted, was presented. The Cost Summaries showing the Fiscal Year 2023 impact were presented. The Cost Summaries showing the Fiscal Year 2024 impact were also presented.

Following City Council discussion, the City Council considered action. The Mayor and City Councilmembers expressed their appreciation for the City's Police, Fire, and General Employees' work to keep the City of Duncanville a quality and safe City in which to live, work, and play.

Motion by Councilmember McBurnett to adopt the Ordinance creating the Classified Positions under Civil Service in the Police and Fire Departments, providing for a Pay Scale under Civil Service, repealing all ordinances in conflict herewith. Second by Councilmember Koontz. The vote was cast, 6 for, 0 against. The motion carried. Councilmember At Large Harvey was absent.

6. STAFF AND BOARD REPORTS

- A. Receive Police Department 2022 Racial Profiling Report. Assistant Chief of Police Matthew Stogner, presented the 2022 Racial Profiling Report.
- B. Receive the Police Department's Quarterly Report. The Police Department Quarterly Report for October through December 2022 was presented by Chief of Police Mark LiVigni.

ADJOURNMENT

Mayor Gordon adjourned the meeting at 8:51 p.m.

APPROVED:

MAYOR

ATTEST:

CITY SECRETARY

Add Signature Lines for City Secretary Signature and Mayor Gordon's Signatures



STAFF REPORT

MEETING: City Council - 07 Mar 2023

TITLE:

A Resolution Of The City Council Of The City Of Duncanville, Texas, Authorizing The Terms And Conditions Of The Interlocal Agreement By And Among The City Of Duncanville, Participating Cities, And Dallas County Through The Elections Administrator, To Conduct A Joint And General Election To Be Held On May 6, 2023, Which Such Agreement Is Attached Hereto And Incorporated Herein As Exhibit A; Authorizing The City Manager To Execute The Necessary Documents; And, Providing For An Effective Date

Vision Statement:

“Duncanville, a City of Champions, is a safe, vibrant, diverse community committed to excellence in education, business, and good governance.”

Pillar:

- **Emphasize: Government Accountability, Customer Service, Efficiency and Process Improvement**
 - **Develop a high performing organization that encourages innovation, transparency, and collaboration while delivering exceptional customer service.**

STAFF RESPONSIBLE:

Janie Willman, City Secretary

BACKGROUND/HISTORY:

The City Council at its February 7, 2023 City Council Meeting authorized a Resolution in English, Spanish, and Vietnamese ordering a Joint Election to be held in the City of Duncanville on Saturday, May 6, 2023, for the purpose of electing a Councilmember At Large, one Councilmember for Districts 1, 3, and 5, respectively, all four Councilmembers to serve two year terms each.

This agenda matter ratifies the City Manager's required action executing an Interlocal Government Agreement (ILA) for Joint Election Services with Dallas County Elections based on sole source purchase and the need to authorize the ILA to ensure the City of Duncanville has the professional services and equipment required to conduct the May 6, 2023 City Council General Election of Officers.

The total **budgeted General Election** amount of \$77,050 includes \$60,000 for the Joint May Election; \$17,000 for a Run-Off Election (if required), and \$50 for courier services. The information provided in the cost estimated reflected in this agenda item is based on previous years' budgeted amounts for General Elections and is the actual cost required for the General Election on May 6, 2023.

The final agreement and attendant costs were received on Wednesday, May 22, 2023, from Dallas County Elections. Due to the short timeframe required to execute the Interlocal Government Agreement and return it with payment, the City Secretary asked the City Manager's permission following consultation with the City Attorney. The documentation establishes the timeframe in which the actions were taken.

An attendant matter related to number of voting centers in the City of Duncanville has been identified with the need to reduce the number of voting centers within the City's boundaries based on the City Council's directions as part of the May 7, 2022 City Elections.

At the February 1, 2022 City Council meeting, by Resolution 2022-014, the City Council called for an election to be held on Saturday, May 7, 2022. The Resolution was adopted, and the Election was held in the City of Duncanville. Attendant to the matter of the Election of Officers, at the January 19, 2021 City Council meeting, City Council asked the City Secretary Downs to speak with Dallas County Elections to reduce the City of Duncanville's Vote Centers to the following; Byrd, Reed, Fairmeadows, and the Library. Accordingly, at the February 1, 2022 City Council meeting, City Secretary Downs relayed a message from Michael Scarpello, Dallas County Elections Administrator on the reduction of Vote Centers in the City of Duncanville related to the delay in making changes to reduce Vote Centers based on incomplete Decennial Census information still being factored into numbers of voters estimated to be supported in each of the Vote Center locations.

The work to reduce the number of Vote Centers throughout the Dallas County Elections Department cities and entities entering into a contract for Joint Elections on the next uniform Election Date of May 6, 2023 continues. What is known at this time is that participant cities are being asked to consider reducing the number of Vote Centers to allow for re-apportionment to smaller cities that do not have Vote Centers within their jurisdictional boundaries. The work continues with the City Secretary representing the City of Duncanville's request to reduce the Vote Centers based on usage and other factors being used to develop analytics by staff at Southern Methodist University working with Dallas County Elections to bring forth recommendations to fairly apportion Vote Centers as well as costs to all participating jurisdictions. Staff will report the work of the Vote Center Advisory Committee (VCAC) as the work progresses.

POLICY EXPLANATION:

The City Council authorizes the conduct of City Elections through a contract with Dallas County Elections.

FUNDING SOURCE:

ORG and Object Number

01011200-700231

Available Budget

\$77,050

Purchase Amount

\$35,532.06

After Encumber

\$41,517.94

ACTION ALTERNATIVES:

1. Ratify the City Manager's action with the adoption of the Resolution required for the ILA with Dallas County Elections.
2. Do Not Authorize the Resolution for the ILA with Dallas County Elections.
3. Other actions as directed by Council.

ATTACHMENTS:

[Request](#)

[20230303-Duncanville.RESO 2023-011 approving Interlocal Agreement for Joint and General Election-133894](#)

[Election ILA](#)

[Election Cost](#)

[Contract Receipt for Payment of May 6 2023 General Election](#)



February 22, 2023

Memorandum

To: Aretha R. Ferrell-Benavides, City Manager

Fm: Janie Willman, City Secretary

Re: Dallas County Elections Department & Contract Authorizing May 6, 2023 ILA

Dallas County Elections Department delivered the Interlocal Agreement authorizing the May 6, 2023 this afternoon shortly after the noon hour. I forwarded the documents to Mr. Hager and Mr. Tayo Sokale for their review.

The ILA calls for the payment of \$35,532.06 by Friday, March 3, which is in advance of the next regularly scheduled City Council Meeting on Tuesday, March 7.

I am asking your input as to whether you prefer a special called meeting seeking authorization for the ILA or permission to place the ILA to be ratified on the March 7, 2023 City Council Agenda, the next regularly scheduled City Council Meeting.

In speaking with City Attorney Bob Hager after last evening's City Council Meeting, we agreed that this is an ILA and that due to the nature of the services provided, this in effect is a sole source purchase based on the specialized equipment required for voters with disabilities.

Mr. Hager said that he would support the City Manager's signing the ILA and bringing the agenda matter on the March 7, 2023 City Council Meeting, if the purchase meets with Fiscal Services Manager Director Edena Atmore's approval following the City of Duncanville's purchasing processes. I spoke with Ms. Atmore last night after the City Council Meeting. She referred me to Mr. Tayo Sokale. Attached is a copy of the document entitled Justification for Sole Source /Exempted Acquisition.

Thank you for advising me of your preference.

Respectfully,


Janie Willman
City Secretary

RESOLUTION NO. 2023-011

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, AUTHORIZING THE TERMS AND CONDITIONS OF THE INTERLOCAL AGREEMENT BY AND AMONG THE CITY OF DUNCANVILLE, PARTICIPATING CITIES, AND DALLAS COUNTY THROUGH THE ELECTIONS ADMINISTRATOR, TO CONDUCT A JOINT AND GENERAL ELECTION TO BE HELD ON MAY 6, 2023, WHICH SUCH AGREEMENT IS ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT A; AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS; AND, PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Duncanville, Texas desires to enter into an Interlocal Agreement with Dallas County through the Dallas County Elections Administrator for the Conduct of a Joint and Special Election on May 6, 2023; and,

WHEREAS, the City of Duncanville City Council is of the opinion and finds that the terms and conditions thereof should be approved.

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

SECTION 1. The City Council hereby approves the terms and conditions of an Interlocal Agreement by and among the City of Duncanville, Texas, participating cities, and Dallas County through the Elections Administrator, to conduct a Joint and General Election to be held on May 6, 2023, which such agreement is attached hereto and incorporated herein as Exhibit A; and authorizes the City Manager to execute the same for purposes recited herein.

SECTION 2. This Resolution shall be effective upon its passage.

DULY RESOLVED AND ADOPTED by the City Council of the City of Duncanville,
Texas, on the 21st day of February, 2023.

APPROVED:

Barry L. Gordon, Mayor

ATTEST:

Janie Willman, City Secretary

APPROVED AS TO FORM:

Robert E. Hager, City Attorney

ELECTION SERVICES CONTRACT ("Election Services Contract" or "Contract")
BETWEEN DALLAS COUNTY ON BEHALF OF THE DALLAS COUNTY ELECTIONS ADMINISTRATOR
AND

City of Balch Springs (COBS)
City of Carrollton (COC)
City of Cedar Hill (COCH)
City of Coppell (COCp)
City of Dallas (COD)
City of Desoto (CODE)
City of Duncanville (CODu)
City of Farmers Branch (COFB)
City of Garland (COG)
City of Grand Prairie (COGP)
City of Hutchins (COH)
City of Irving (COI)
City of Lancaster (COL)
City of Lewisville (COLe)
City of Richardson (COR)
City of Rowlett (CORO)
City of Sachse (COSa)
City of Seagoville (COS)
City of Wilmer (COW)
City of Wylie (COWY)
Town of Addison (TOA)
Town of Sunnyvale (TOS)
Carrollton-Farmers Branch ISD (CFBISD)
Cedar Hill ISD (CHISD)
Coppell ISD (CISD)
Dallas ISD (DISD)
DeSoto ISD (DeISD)
Duncanville ISD (DISD)
Ferris ISD (FISD)
Garland ISD (GISD)
Grand Prairie ISD (GPISD)
Highland Park ISD (HPISD)
Irving ISD (IISD)
Lancaster ISD (LISD)
Mesquite ISD (MISD)
Richardson ISD (RISD)
Sunnyvale ISD (SISD)

FOR THE CONDUCT OF A JOINT AND SPECIAL ELECTION
TO BE HELD SATURDAY, MAY 6, 2023
TO BE ADMINISTERED BY THE DALLAS COUNTY ELECTIONS DEPARTMENT

1) STATUTORY AUTHORITY FOR AND PARTIES TO THIS ELECTION SERVICES CONTRACT

- a) Michael Scarpello is the duly appointed County Elections Administrator ("Elections Administrator") of Dallas County, Texas ("County") and the Department Head of the Dallas County Elections Department ("DCED"). As such, Michael Scarpello is the County's Voter Registrar and the Election Officer of Dallas County, Texas and is authorized by Subchapter D of Chapter 31 of Title 3 and Chapter 271 of Title 16 of the Texas Election Code to enter into this Election Services Contract ("Election Services Contract" or "Contract") with the contracting authorities of the Participating Political Subdivisions listed in "Attachment F" of this Election Services Contract. DCED acts at the direction of the Elections Administrator. The County Elections Administrator, DCED, and the Participating Political Subdivisions together may be referred to collectively as "Parties" or individually as "Party."
- b) The contracting authorities of the Participating Political Subdivisions that are participating in this Election Services Contract are listed on the face page of this agreement and in "Attachment F" of this Election Services Contract and are hereby participating with each other in this **Joint and Special Election to be held in Dallas County, Texas on Saturday, May 6th, 2023** under Chapter 271 of Title 16 of the Texas Election Code ("Joint Election"); and are hereby contracting with the Elections Administrator of Dallas County, Texas to perform the election services set forth in this Election Services Contract under Subchapter D of Chapter 31 of Title 3 of the Texas Election Code. The Participating Political Subdivisions acknowledge that they are participating in this Joint Election with each other to the extent that they have candidates and/or propositions on the ballot in this Joint Election. The terms and conditions of this Elections Services Contract also apply to any run-off election or re-count related to this Joint Election, unless otherwise agreed in writing.
- c) The Elections Administrator will coordinate, supervise, and handle all aspects of administering this Joint Election in accordance with the provisions of the Texas Election Code and as outlined in this Election Services Contract. Each contracting authority of each Participating Political Subdivision will pay its share of the Election Costs to the Elections Administrator for the equipment, supplies, services, and administrative costs outlined in this Election Services Contract. The Elections Administrator will administer the election; however, each Participating Political Subdivision will be responsible for the duties directly administered by the Participating Political Subdivision. Pursuant to Texas Election Code §§ 31.093, and 31.098, the Elections Administrator may enter into a contract to furnish the election services requested within this Election Services Contract.
- d) If applicable and in the event a runoff election is necessary, the date of the runoff for this Joint election would be **Saturday, June 10, 2023**. This Elections Services Contract

and its terms will be automatically extended to cover the Joint Runoff Election, unless a Participating Political Subdivision states in writing **on or before Friday, May 19, 2023** that it does not wish to participate in a Joint Runoff Election contemplated herein. DCED will provide each Participating Political Subdivision to which this Section 1(d) applies an estimated cost based on the formula in Section 10 (b), and such estimated costs will be paid in accordance with Section 10(e) ("Joint Runoff Fees").

- e) Joint Runoff Fees will be deposited into a special and separate Joint Runoff Election account. The Joint Runoff Fees must be deposited within seven (7) days after DCED provides uncertified results.
 - f) In the event of a recount and upon a Participating Political Subdivision's written request, the DCED will provide assistance for a recount to the extent permitted and in accordance with Title 13 of the Texas Election Code ("Recount(s)"). The Participating Political Subdivisions requesting a Recount shall deposit with DCED the deposit received by the candidate requesting the Recount. DCED will bill each requesting Participating Political Subdivision for providing assistance for any Recounts, and such costs will be in accordance with the allowable costs under the Texas Election Code ("Recount Fees"). Recount Fees will be paid by the requesting Participating Political Subdivisions in accordance with Section 10 (e).
- 2) **ATTACHMENTS** The following attachments are hereby incorporated into this Election Services Contract as if set forth herein in their entirety. The Participating Political Subdivisions acknowledge that the following attachments are subject to reasonable changes by the Dallas County Elections Administrator before, during, and after Election Day and any runoff election(s), if any runoff election(s) are required by law to be held.
- a) **"Attachment A"** is an itemized list of the estimated election expenses for this Joint Election and the amounts that each Participating Political Subdivision must deposit with the Dallas County Elections Department. It also includes the Deposit Detail for each entity. The Elections Administrator will amend "Attachment A" to reflect the changing estimates of election expenses that are caused by changing circumstances and by the withdrawal of Participating Political Subdivision(s), if any, from this Election Services Contract.
 - b) **"Attachment B"** is a list of the early voting polling places for this Joint Election. ("early voting vote center(s), or "early voting polling place(s)"
 - c) **"Attachment C"** is a list of the Election Day Countywide polling places ("vote center(s)") for this Joint Election.
 - d) **"Attachment D"** is a list of the people that the Dallas County Elections Administrator will appoint as deputy early voting clerks for this Joint Election.
 - e) **"Attachment E"** is a list of the presiding election judges and alternate election judges for Election Day for this Joint Election.

- f) **"Attachment F"** is a list of the Participating Political Subdivisions that will be holding elections in Dallas County election precincts and sub-precincts and the number of registered voters in each of those election precincts or sub-precincts. "Attachment F" will be amended if any of the Participating Political Subdivisions withdraw from this Election Services Contract. "Attachment F" will be amended to reflect the number of registered voters in each election precinct and sub-precinct as of the statutory deadline of **April 6, 2023**, for voters to submit applications to register to vote or changes of address in this Joint Election.
- g) **"Attachment G"** is a list of the Participating Political Subdivisions & Ballot Details
- h) **"Attachment H"** will contain, for each Participating Political Subdivision, the full name of the person serving as a point of contact, the physical address, the mailing address, a facsimile number, and an email address. "Attachment H" will be amended if any of the Participating Political Subdivisions withdraw from this Election Services Contract.
- i) Within five (5) business days after any of the foregoing attachments are amended by the Elections Administrator, the Elections Administrator will send each Participating Political Subdivision an amended version of the amended attachment by email to the email address provided by each Participating Political Subdivision in "Attachment H."

3) LEGAL DOCUMENTS

- a) Each Participating Political Subdivision will prepare, adopt, and publish all legally required election orders, resolutions, notices, and other documents that are required by, or of, their governing bodies. Any orders, resolutions, notices, or other documents that are required to be posted to the County's website shall be provided by each Participating Political Subdivision to the Elections Administrator at least three (3) business days before the statutory deadline to post and such orders, resolutions, notices, or other documents shall be posted to the County's website as directed by the Participating Political Subdivisions. Any orders, resolutions, notices, or other documents that are required to be posted at an early voting or election day vote center shall be provided by each Participating Political Subdivision to the Elections Administrator at least seven (7) business days before the statutory deadline to post and such orders, resolutions, notices, or other documents will be provided to each election judge or clerk for posting. **The County, the Elections Administrator, and DCED is not responsible for the proper posting or verification of posting of any required notice, order, resolution, or other documents at any early voting or election day vote center.** The election judge, clerk, or their designee, at each early voting or election day vote center will be responsible for the posting of any such notice and verification of such posting to the Participating Political Subdivision. Such documents can be sent to the attention of: Michael Scarpello, Elections Administrator at 1520 Round Table Drive, Dallas, Texas 75247; or, emailed to DCEcommunications@dallascounty.org, with a copy sent to Michael.Scarpello@dallascounty.org on all communications related to legal documents and questions regarding this election.

- b) Each Participating Political Subdivision is responsible for having its own election orders, resolutions, notices, or official ballot wording translated into the Spanish and Vietnamese languages.

4) VOTING SYSTEMS

- a) Each Participating Political Subdivision agrees that, during this Joint Election, voters will cast their ballots on the following voting systems, that are approved by the Texas Secretary of State in accordance with the Texas Election Code and the Texas Administrative Code: the ES&S ExpressVote Universal Voting System Ballot Marking Devices ("BMD(s)"), and the ES&S DS200 Digital Vote Center Scanner ("Tabulators"). Each of these systems are accessible to voters with physical disabilities. **On March 22, 2023 beginning at 10:00 A.M.**, until completed, at the County Elections Department at 1520 Round Table Drive, Dallas, Texas 75247, the Elections Administrator will test the BMDs and Tabulators used for counting ballots at the central counting station. At least 48 hours before the date and hour of each test, the Elections Administrator will publish a newspaper notice with the date, hour, and place of the testing.
- b) The Elections Administrator will provide Electronic Poll Books, BMDs, Tabulators, and any other necessary equipment for this Joint Election. For Early Voting and on Election Day, the Elections Administrator will allocate voting equipment to the vote centers in amounts reasonably sufficient for the anticipated turnout of voters.
- c) The itemized list of the estimated election expenses for this Joint Election are in "Attachment A," which includes, but may not be limited to the number of Electronic Poll Books, BMDs, Tabulators, and any other necessary equipment.

5) POLLING PLACES/VOTE CENTERS

- a) The Elections Administrator will select and arrange for the use of and payment for all of the early voting vote centers listed in "Attachment B" and the Election Day vote centers listed in "Attachment C". Early voting polling places and vote centers identified in Attachments "B" and "C" cannot be changed by a Participating Political Subdivision, but the Elections Administrator may consider changes requested by a Participating Political Subdivision. Any changes to vote centers are subject to the procedures outlined in Section 43.007 of the Texas Election Code. The Elections Administrator will finalize the vote centers as soon as possible before this Joint Election.
- b) Whenever possible, previously used vote centers that voters are accustomed to using will be used in this Joint Election; however, the Participating Political Subdivisions acknowledge that sometimes previously used vote centers are not available or appropriate for every election. Accessibility under the Americans with Disabilities Act is an important consideration for all vote centers in this Joint Election.
- c) In accordance with Section 43.007(o) of the Texas Election Code, the Elections Administrator will post a notice at each vote center of the four nearest vote centers by

driving distance. The Participating Political Subdivisions shall be responsible for any notices required under Section 43.062 of the Texas Election Code.

6) PRESIDING ELECTION JUDGES, ALTERNATE PRESIDING ELECTION JUDGES, ELECTION CLERKS, AND OTHER ELECTION DAY PERSONNEL

- a) In accordance with Sections 32.002 and 32.005 of the Texas Election Code, the Participating Political Subdivisions are responsible for the appointment of the presiding election judges and alternate election judges listed in "Attachment E" for each vote center listed in "Attachment C" subject to the eligibility requirement found in the Texas Election Code Subchapter C, Chapter 32 and Subchapter A, Chapter 83. The Parties acknowledge that approval of this Election Services Contract by the Participating Political Subdivisions shall constitute approval and appointment of the Judges and Alternate Judges listed in "Attachment E" by the Participating Political Subdivisions. The alternate presiding judge shall serve as presiding judge for an election if the regularly appointed presiding judge cannot serve. The Elections Administrator will be responsible for the administration of the election judges listed in "Attachment E".
- b) In accordance with Section 32.007 of the Texas Election Code, if a person appointed as a presiding election judge or alternate election judge becomes ineligible to serve as such in this Joint Election, and the presiding officer of the appointing authority is unavailable to appoint a replacement, then the Election Administrator will name a replacement presiding election judge or alternate election judge, amend "Attachment E" accordingly, and send each Participating Political Subdivision the amended "Attachment E" by email within five (5) business days after naming a replacement presiding judge or alternate presiding judge, and in any event no later than the time for closing the polls for the Joint Election..
- c) In accordance with Section 32.007 of the Texas Election Code If a person is unable or unwilling to serve as a presiding election judge or an alternate election judge, and the presiding officer of the appointing authority is unavailable to appoint a replacement, then the Elections Administrator will name a replacement presiding election judge or alternate presiding judge, and send each Participating Political Subdivision the amended "Attachment E" by email within five (5) business days after naming a replacement presiding judge or alternate presiding judge, and in any event no later than the time for closing the polls for the Joint Election.
- d) The Elections Administrator will provide county training programs and applicable notice of such training programs, in keeping with Section 32.114 of the Texas Election Code, for all of the presiding election judges, alternate election judges, and election clerks for this Joint Election. Pursuant to Section 32.114(b), the training programs will be open to the public free of charge.
- e) To serve in this Joint Election, each presiding election judge and alternate election judge must have attended either an online or in-person training class which includes information regarding recent law changes, court rulings, Voter ID laws, poll watcher rules,

election equipment, election procedures, and COVID-19 safety procedures. New judges and election clerks must attend an in-person training class.

- f) The Elections Administrator will notify the Participating Political Subdivisions by email and post on the DCED's website the dates, times, and locations of training classes for both Early Voting and Election Day workers.
- g) To comply with the Federal Voting Rights Act of 1965, as amended, vote centers are required to have interpreter assistance. If a presiding election judge of such a vote center is not bilingual and is unable to hire a bilingual election clerk, the Elections Administrator may recommend an individual to provide interpreter assistance. If the Elections Administrator is unable to recommend an individual to provide interpreter assistance for such a vote center, the Elections Administrator will notify the Participating Political Subdivision and request assistance in identifying an interpreter. In the event that a bilingual election clerk is hired by the Elections Administrator for a vote center required to have interpreter assistance, the bilingual clerk will be paid according to a rate set by the Elections Administrator. The Elections Administrator will charge that expense to the funds deposited with the Dallas County Elections Department for the conduct of the elections listed in this Election Services Contract. A Participating Political Subdivision may pay more money to a bilingual clerk than the rate set by the Elections Administrator, however that expense will be borne by that Participating Political Subdivision individually and that extra expense will not be charged to the funds deposited with the Dallas County Elections Department for the conduct of the elections listed in this Election Services Contract.
- h) The Elections Administrator will notify all presiding election judges and alternate election judges about the eligibility requirements of Subchapter C of Chapter 32 of Title 3 of the Texas Election Code and Section 271.005 of the Texas Election Code. The Elections Administrator will take the necessary steps to ensure that all of the presiding election judges, and alternate election judges appointed to serve during this Joint Election are eligible to serve and qualified to serve in this Joint Election. Under Section 32.031 of the Texas Election Code, the presiding election judge for each vote center shall appoint the election clerks to assist the presiding election judge in the conduct of the election at the vote center served by the presiding election judge on Election Day.
- i) The presiding election judges are responsible for picking up election supplies at the time and place determined by the Elections Administrator, which will be set forth in the letter to the presiding election judges requesting service for this election. Payments for the presiding election judge will be specified in "Attachment A."
- j) Any Participating Political Subdivision electing to pay their election workers for attending a training class must bear that expense separately from the funds deposited into this Joint Election account.
- k) The Elections Administrator will employ and or contract for other personnel necessary for the proper administration of the election, including such part-time help as is necessary to

prepare for the election, to ensure the timely delivery of services, supplies, assistance, and equipment, during the period of early voting and on Election Day, and for the efficient tabulation of ballots at the central counting station.

7) SUPPLIES AND PRINTING

- a) The Elections Administrator will obtain and distribute all of the election supplies and election printing necessary for this Joint Election, including, but not limited to, all forms, signs, and other materials used by the presiding election judges and clerks at the vote centers.
- b) The Elections Administrator will provide maps, if necessary, instructions, and other information that the presiding election judges need to conduct this Joint Election.
- c) Each Participating Political Subdivision must deliver a list to the Elections Administrator of candidates and propositions for their elections. The list must be in English, Spanish, and Vietnamese. The list must include the ballot positions for the candidates and the propositions. The list must include the correct spelling of each candidate's name and the precise wording of all the propositions. The Elections Administrator will email each Participating Political Subdivision a form for their use to create the required list. As soon as possible after each Participating Political Subdivision has determined its ballot positions for the candidates and propositions in its election, the Participating Political Subdivision must email the completed form to the Elections Administrator. The Elections Administrator will use the forms received from the Participating Political Subdivisions to create the ballot styles for this Joint Election. The Elections Administrator will deliver the proposed ballots to the Participating Political Subdivisions for approval. Each Participating Political Subdivision will be responsible for proofreading the proposed ballots and notifying the Elections Administrator of any corrections that are required for their particular ballots. The Elections Administrator is responsible for implementing the corrections made by the Participating Political Subdivisions to their ballots and then producing the ballots for this Joint Election.

8) OPTICAL SCAN CARD BALLOTS

- a) The Elections Administrator will supply a sufficient number of ballots to assure that there will be more than enough ballots for the expected turnout for the Joint Election. The ballots will be allocated based on an analysis of voter turnout for comparable elections at each vote center.
- b) Ballot usage shall be monitored by the Elections Administrator on an hourly and daily basis during early voting and on Election Day and additional ballots will be allocated if necessary.

9) RETURNS OF ELECTIONS

- a) The Participating Political Subdivisions will establish a central counting station to receive and tabulate ballots cast in this Joint Election under Chapter 127 of Title 8 of the Texas Election Code.

- b) The Participating Political Subdivisions hereby, in accordance with Sections 127.002, and 127.003 of the Texas Election Code, appoint the following central counting station officials:

Central Count Station Manager: **Michael Scarpello**, Dallas County Elections Administrator

Tabulation Supervisor: **Danielle Grant**, Central Count Station Manager

Assistant Tabulation Supervisor: **Angelica Munoz** Central Count Station Lead Clerk

The Participating Political Subdivisions hereby, in accordance with Sections 127.005 of the Texas Election Code, appoint the following central counting station officials:

Presiding Judge: **Ruby Lee**, Appointed by the Participating Entities

Alternate Presiding Judge: **Parris Long**, Appointed by the Participating Entities

The Participating Political Subdivisions acknowledge that approval of this Election Services Contract by the Participating Political Subdivisions shall constitute approval and appointment of the Presiding and Alternate Presiding Judge for the central counting station.

- c) The Central Count Station Manager or their representative will deliver timely, cumulative reports of the election results as vote centers are tabulated. The Central Count Station Manager will be responsible for releasing cumulative totals and vote center election returns from the election to the Participating Political Subdivisions, candidates, press, and the general public by the distribution of hard copies or electronic transmittals (where accessible). The Elections Administrator will operate an election result center to release election results in the **Dallas County Elections Operations Facility, 1520 Round Table Dr., Dallas, Texas 75247**.
- d) The Elections Administrator will link any Participating Political Subdivision's website to DCED's website. Participating Political Subdivisions that want such website linkage should deliver their website address to the Tabulation Supervisor at DCED.
- e) The Elections Administrator will prepare the unofficial canvass report after the results from all vote centers have been counted and will email a copy of the unofficial canvass to each Participating Political Subdivision as soon as possible after all returns, provisional ballots, and late overseas ballots have been tabulated, but no later than **May 16, 2023**.

All Participating Political Subdivisions will be responsible for the official canvass of their respective elections.

- f) The Elections Administrator will be responsible for conducting the post-election manual recount, unless the Texas Secretary of State grants a waiver under Section 127.201 of the Texas Election Code. If no such waiver is given, the Elections Administrator will provide notice and copies of the recount to each Participating Political Subdivision and the Secretary of State's Office. Each Participating Political Subdivision must notify the Elections Administrator if such a waiver has been granted or denied as soon as possible, but no later than five (5) calendar days before Election Day.

10) ELECTION EXPENSES

- a) The Participating Political Subdivisions agree to share the costs of administering this Joint Election as specified in "Attachment A." The Election Administrator will charge a general supervisory fee not to exceed ten (10%) percent of the total cost of this Joint Election as authorized by Section 31.100 of the Texas Election Code. In no event will the ten (10%) percent general supervisory fee be refunded to any Participating Political Subdivision. If the ballot, candidates, or propositions supplied by the Participating Political Subdivision are changed after their initial programming and/or printing by the Elections Administrator due to a court order from a court of competent jurisdiction, the affected Participating Political Subdivision(s) agrees to pay all expenses associated with re-printing and re-programming the ballots pursuant to a court order including expenses for expedited services and "Attachment A" will be amended by the Election Administrator.
- b) Allocation of costs among the Participating Political Subdivisions will be according to a formula based on the total cost of the Joint Election multiplied by the Participating Political Subdivision's percentage of the total current, and active registered voters for the Joint Election ("Election Cost(s)"). Any special request(s) for additional vote center(s), early voting polling place(s), supplies, personnel, or equipment that exceeds the Election Costs will be billed separately as additional costs ("Special Request Fee(s)") Special Request Fees will be paid by the Participating Political Subdivision making the request. If the special request(s) is agreed to by all Participating Political Subdivisions and stated in this Election Services Contract, then the fees for the special request(s) will be allocated amongst all the Participating Political Subdivisions based on the formula for determining Election Costs. A Special Request Fee will not be assessed against a Participating Political Subdivision who requests an early voting polling place within their jurisdiction, and an early voting polling place is not already located in their jurisdiction ("Early Voting Request"). The costs for any Early Voting Request will be allocated amongst all the Participating Political Subdivisions based on the formula for determining Election Costs.
- c) The expenses for early voting by mail and personal appearance will be paid by each

Participating Political Subdivision as set forth in "Attachment A."

- d) The Elections Administrator will determine the final election expenses to the extent practicable within one hundred and eighty (180) business days after the final canvass of this Joint Election or the Joint Runoff Election, if any. The Elections Administrator will provide each Participating Political Subdivision with a final, written accounting of all money that was deposited into, and payments that were made from, the Joint Election account(s) maintained by the Dallas County Elections Department for this Joint Election and the runoff election, if any.
- e) If the Elections Administrator requires additional funds to perform their obligations under this Election Services Contract that is more than the estimate listed in "Attachment A" or any estimate provided for Joint Runoff Fees, then the Elections Administrator will bill each Participating Political Subdivision using the same formula listed in Section 10(b) ("Joint Election Fees"). If the Elections Administrator requires additional funds to assist in any Recounts that is more than the estimate provided for Recount Fees, then the Elections Administrator will bill each Participating Political Subdivision that is participating in a Recount for such fees ("Final Recount Fees"). An invoice will be sent to each Participating Political Subdivision which will include the Joint Election Fees, Special Request Fees, and Final Recount Fees ("Final Bill"). The Participating Political Subdivision shall pay the Final Bill within thirty (30) days of receipt except for any amount the Participating Political Subdivision files a timely good faith dispute under Section 17 of this Election Services Contract. After all of the expenses of this Joint Election are paid and disputes, if any, resolved, any funds that remain in the account maintained by the Dallas County Elections Department for this Election Services Contract will be refunded to the Participating Political Subdivisions (the "Refund") as soon as practicable.

11) DEPOSIT OF FUNDS

- a) Attachment A: Cost Audit details the cost and expenses anticipated for this election; Participating Political Subdivisions will initially receive an estimate cost audit. The Final Bill will be distributed as soon as all cost and expenses for the election can be determined. Each Participating Political Subdivision hereby agrees to deposit with the Dallas County Elections Department one hundred (100%) percent of the full balance of money listed for their entity in "**Attachment A: Deposit of Funds Detail**" of this Election Services Contract by the due date of (on or before) **March 3, 2023**. The Dallas County Elections Department will place the money deposited by the Participating Political Subdivisions in a Joint Election account.
- b) The deposit of funds by each Participating Political Subdivision is an express condition precedent to the participation of each Participating Political Subdivision in this Election Services Contract. A Participating Political Subdivision may seek an extension from the Elections Administrator as to the due date for the deposit of funds. Such an extension must be sought in writing and prior to due date for such deposit by the Participating Political Subdivision. Any decision(s) made by the Elections Administrator will be

provided in writing to the Participating Political Subdivision. The Elections Administrator, however, shall not be required to grant an extension for the deposit of funds by a Participating Political Subdivision. For any Participating Political Subdivision that fails to deposit the total amounts specified in "Attachment A" by the dates specified in this Election Services Contract or any extension granted by the Elections Administrator, the Elections Administrator will be relieved from the responsibility to perform under this Election Services Contract for such Participating Political Subdivision.

- c) The Elections Administrator will only draw money from this Joint Election account to pay for election expenses that are included in "Attachment A" to this Election Services Contract and for other expenses that the Participating Political Subdivisions agree to in writing.
- d) If a Participating Political Subdivision withdraws completely from this Joint Election by **March 3, 2023** or by **March 13, 2023** for any special election, then the Elections Administrator will refund (as soon as practicable) that Participating Political Subdivision's deposit, less any funds already expended before the withdrawal and less the general supervisory fee authorized by Section 31.100 of the Texas Election Code. In the event of a partial withdrawal from this Joint Election, deposits will not be refunded to the Participating Political Subdivisions.
- e) The Elections Administrator will not make partial refunds to a Participating Political Subdivision if any candidate(s) or propositions do not appear on the ballot for that Participating Political Subdivision.
- f) Deposits should be made out to Dallas County Elections Department and delivered within the mandatory time frame to:

Michael Scarpello
Dallas County Elections Administrator
1520 Round Table Drive
Dallas, Texas 75247

In the "memo" section of check place Election Escrow Account: 91481

12) RECORDS OF THE ELECTION

- a) The Elections Administrator is hereby appointed the general custodian of the voted ballots and all election records of this Joint Election to the extent authorized by Sections 31.094, 31.095, 31.096, and 31.097 of the Texas Election Code.
- b) Access to the election records will be available to each Participating Political Subdivision as well as to the public in accordance with the Texas Public Information Act, Chapter 552, Government Code, at the **Dallas County Elections Department, 1520 Round Table Drive, Dallas, Texas 75247** at any time during normal business hours. The Elections Administrator will ensure that the records are maintained in an orderly manner, so that records are clearly identifiable and retrievable per records storage container. However, access to election records that contain confidential information that must be redacted pursuant to federal or state law may be provided at the offices of the Civil Division of the

Criminal District Attorney's Office of Dallas County, Texas at 500 Elm Street, Suite 6300 , Dallas, Texas 75202.

- c) Pursuant to Section 66.058 of the Texas Election Code, the Elections Administrator will retain the precinct election records that are distributed to the Elections Administrator at the Elections Administrator's main offices and Elections Warehouse for **sixty (60) days** after the date of this Joint Election. **Sixty (60) days** after the date of this Joint Election, the Elections Administrator may arrange for transport of this precinct election records to the Dallas County Record Storage facility. If so, the precinct election records will then become the responsibility of Dallas County Record Storage for the remainder of the **twenty-two (22) month** preservation period. If the Elections Administrator does not transport the precinct election records to the Dallas County Records Storage facility, then the precinct election records will remain the responsibility of the Elections Administrator for the remainder of the **twenty-two (22) month** preservation period. Dallas County Record Storage will be responsible for the destruction of this Joint Election records after the preservation period. The Participating Political Subdivisions agree the Elections Administrator may destroy the records from this Joint Election after the **twenty-two (22)** month preservation period without further notice to the Participating Political Subdivisions, unless the events in Section 12 (d) occur.
- d) The Participating Political Subdivisions must notify the Elections Administrator in writing within three (3) business days after any official or employee of any Participating Political Subdivision becomes aware of any election contest in connection with this Joint Election. In accordance with Section 1.013 of the Texas Election Code, the election records must be preserved until any election contest is completed and a judgment, if any, becomes final. Also, the election records will be maintained by the Elections Administrator if there is an active criminal investigation, proceeding, or a pending request for public information, related to the election records until such investigation, proceeding, or request for public information is finally concluded.
- e) The Participating Political Subdivisions acknowledge and agree that the Elections Administrator reserves the right to intervene in any election contest or litigation in connection with this Joint Election in order to preserve any available remedies at law, and to preserve the Elections Administrator's obligations under this Contract and the Texas Election Code.
- f) If the Participating Political Subdivisions have changed their single member districts since their last election, the Subdivisions must submit new boundaries by **February 17, 2023**.
- g) The Elections Administrator will provide each Participating Political Subdivision records that indicate the jurisdictional boundaries of each Participating Political Subdivision by **February 24, 2023**. Each Participating Political Subdivision will have until **March 3, 2023** to verify in writing that the jurisdictional boundaries provided by the Elections Administrator are correct.

13) EARLY VOTING

- a) Under Sections 31.094 and 271.006 of the Texas Election Code, the Participating Political

Subdivisions hereby appoint the Elections Administrator to be the early voting clerk for all of the political subdivisions participating in this Joint Election. The deputy early voting clerks that will be appointed by the Elections Administrator are listed in "Attachment D."

- b) Any qualified voter for this Joint Election may vote early by personal appearance at the main early voting polling place or at one of the early voting branch polling places listed in Attachment B. Early voting will be conducted as agreed by the Parties as follows:

Monday-Friday, April 24-28, 2023 from 8:00 a.m. to 5:00 p.m.

Saturday, April 29, 2023 from 8:00 a.m. to 5:00 p.m.

Sunday, April 30, 2023 from 12:00 p.m. to 6:00 p.m.

Monday-Tuesday, May 1-2, 2023 from 7:00 a.m. to 7:00 p.m.

- c) All requests for early voting ballots by mail that are received by a Participating Political Subdivision must be transported by runner on the day of receipt to the Dallas County Elections Department, Elections Operations Facility at 1520 Round Table Drive, Dallas, Texas 75247 for processing. Persons voting by mail must send their voted ballots to the Dallas County Elections Department.
- d) All early voting ballots will be prepared for counting by an Early Voting Ballot Board appointed under Subchapter A of Chapter 87 of the Texas Election Code. The Participating Political Subdivisions agree to appoint **Chaka Terrell** as the Presiding Judge, **Patti Clapp** as the Alternate Presiding Judge, and at least one additional member of the Early Voting Ballot Board. In accordance with Section 87.002(c) of the Texas Election Code, the presiding judge will appoint at least one or more members to the Early Voting Ballot Board. The Parties may submit one individual for consideration by the presiding judge to be appointed as a member of the Early Voting Ballot Board and will notify DCED of the individual's name, telephone number, mailing address, and email address, if any, no later than **April 7, 2023**. A list of Early Voting Ballot Board members will be furnished to each Participating Political Subdivision by **April 14, 2023**.
- e) A signature verification committee will not be appointed and signature verification duties will be performed by the Early Voting Ballot Board in accordance with Chapter 87 of the Texas Election Code.
- f) The Presiding Judge of the Early Voting Ballot Board shall deliver notices of rejected ballots in compliance with Section 87.0431, Texas Election Code.

14) CRIMINAL BACKGROUND CHECKS

The Elections Administrator, their agent or assignee will conduct a criminal background check (in accordance with statutory requirements) of any person who is expected to or scheduled to serve or work in this Joint Election at either the Elections Department or an Early Voting location. Any person that does not satisfactorily pass the criminal background

check will be ineligible to serve or work in this Joint Election. Failure to obtain a criminal background check does not release the participating entity's obligation to pay for service rendered in good faith. Additionally, DCED will conduct a review of all poll workers against the Texas Public Sex Offender Registry and provide the results to the Parties.

15) ELECTION REPORTS

During the early voting period for this Joint Election, the Elections Administrator will deliver daily reports to each Participating Political Subdivision of the Early Voting Location Turnout Totals and Early Voting Roster. The day after the early voting period ends, the Elections Administrator will deliver to each Participating Political Subdivision, a Daily Early Voting Roster by vote center report that includes the entire Early Voting period. Pursuant to the Texas Election Code Section 87.121, the Elections Administrator will deliver these election reports by providing a link to a website posting.

16) WITHDRAWAL FROM CONTRACT

- a) No deposits will be refunded if a Participating Political Subdivision withdraws after the deadline to withdraw from this Election Services Contract has passed.
- b) In order to withdraw from this Election Services Contract, a Participating Political Subdivision must deliver to the Elections Administrator any certifications and declarations that are required under Subchapter C or Subchapter D of Chapter 2 of Title 1 of the Texas Election Code.
- c) The Elections Administrator will bill any Participating Political Subdivision that withdraws from this Election Services Contract for any expenses incurred prior to the Elections Administrator receiving copies of the certifications and declarations that are required under Subchapter C or Subchapter D of Chapter 2 of Title 1 of the Texas Election Code.
- d) Within ten (10) business days after receiving a withdrawal from the Joint Election in accordance with this Election Services Contract, the Elections Administrator will amend the attachments to this Election Services Contract as appropriate and provide updated copies of the amended attachments to all of the remaining Participating Political Subdivisions.
- e) The general supervisory fee authorized by Section 31.100 of the Texas Election Code will not be refunded.

17) AUDITING AND PROHIBITION ON WITHHOLDING OF DEPOSITS

- a) The Dallas County Auditor will conduct a review of the deposits and expenditures related to this Election Services Contract before the Final Bill or Refund is submitted to the Participating Political Subdivisions. Refunds will be submitted as soon as practicable.
- b) The Participating Political Subdivisions may request a financial audit of the Final Bill or Refund or dispute the Final Bill or Refund under this Section, if: 1) the Final Bill exceeds ten percent (10%) of the amount of the Participating Political Subdivision's initial deposit as required in "Attachment A" to this Election Services Contract; or 2) the accounting accompanying the Refund is ten percent (10%) less than the amount the Participating

Political Subdivision determines, should be refunded, after its good faith review. The request for a financial audit or dispute must be done in accordance with Section 17 (d) below.

- c) Should the events in Section 17 (b) occur, in lieu of an audit or dispute, the Participating Political Subdivision may make a request that the Elections Administrator ask the Dallas County Auditor to review the cost allocation methodology for the Participating Political Subdivision's Final Bill or Refund ("Review Request"). Participating Political Subdivisions must submit a Review Request to the Elections Administrator within five (5) business days of receipt of the Final Bill or the Refund, whichever is later. The Review Request must set forth, in detail, the basis for any challenge to the Final Bill or Refund. Corrections to the Participating Political Subdivision's Final Bill or the Refund, based on a Review Request, will be determined at the sole discretion of the Elections Administrator. A Review Request does not extend the timeframe in Section 17(d).
- d) Should the circumstances giving rise to an audit or dispute in Section 17 (b) occur, the Participating Political Subdivision may send a formal written notice of dispute of the Final Bill or Refund ("Dispute Notice") to the Elections Administrator. This Dispute Notice must be received by the Elections Administrator no later than thirty (30) calendar days from the date the Participating Political Subdivision receives the Final Bill or Refund. This Dispute Notice must provide: 1) an itemization of the disputed charge(s) by the Participating Political Subdivision; 2) the basis for the dispute; 3) the methodology showing how the Participating Political Subdivision arrived at the amount disputed; and 4) documentation in support thereof. The Participating Political Subdivision will have no right to withhold any undisputed amounts set forth in this Election Services Contract or reflected in the Final Bill. Payment of undisputed amounts in the Final Bill must be made by the Participating Political Subdivision as set forth in Section 10 (e) of this Election Services Contract.
- e) Failure of the Participating Political Subdivision to submit a timely Dispute Notice, as set forth in Section 17(d), shall waive any and all disputes, claims, or challenges to the Final Bill or Refund by the Participating Political Subdivision. The entire amount of the Participating Political Subdivision's Final Bill shall be due immediately; or, any estimated refund amounts will become final.
- f) If the Participating Political Subdivision files a timely Dispute Notice in compliance with Section 17(d), the Participating Political Subdivision will have the right to conduct a good faith financial audit ("Financial Audit") for the deposits and expenditures related to this Elections Services Contract. In conducting the Financial Audit, the Participating Political Subdivision will have no greater right to demand access to or copies of the County's governmental or election records than those rights specified in the Texas Election Code and the Texas Public Information Act. The cost of any Financial Audit conducted by the Participating Political Subdivision shall be borne by the requesting Participating Political Subdivision and may not be paid for with funds deposited with the Dallas County Elections Department under this Election Services Contract. Further, the Participating Political Subdivision conducting the Financial Audit shall pay the Elections Administrator the

reasonable costs for time expended and copies provided in order to perform the Financial Audit. If the Financial Audit identifies overcharges by the Elections Administrator of more than ten percent (10%) of the initial deposit amount required by "Attachment A", the Elections Administrator will review and assess the findings of the Financial Audit and will negotiate, in good faith, to resolve any disputes for overcharges with the Participating Political Subdivision. The Elections Administrator shall not be bound by the findings or recommendations of the Participating Political Subdivision's Financial Audit. The financial records will be retained at the County Election Administrator's office until the conclusion of the Financial Audit and resolution of all outstanding audit disputes.

- g) In the event the representatives of the Participating Political Subdivision and the Elections Administrator cannot agree on the amount of the disputed Final Bill as set forth in this Section, then the Parties may agree to submit to non-binding mediation. If mediation is acceptable to both parties to resolve a dispute concerning the disputed Final Bill, the Parties will agree to use a mutually agreed-upon mediator. Unless the Parties come to a written agreement at mediation, the mediation will not constitute a final and binding resolution of the dispute.
- h) The Participating Political Subdivision acknowledges that the practical effect of the Participating Political Subdivision withholding undisputed funds that are required under this Election Services Contract would result in breach of this Elections Services Contract and the other Participating Political Subdivisions' taxpayers subsidizing the withholding Participating Political Subdivision's election expenses.

18) NOTICE

Any addendum to, change/modification of, clarification of, and/or withdrawal from this contract requires written notice to and written approval by Dallas County. Whenever this Election Services Contract requires any consent, approval, notice, request, or demand, it must be in writing to be effective and must be delivered to the party intended to receive it as shown below:

Address for notice to the Elections Administrator:

Michael Scarpello
 Dallas County Elections Administrator
 1520 Round Table Drive
 Dallas, Texas 75247
 (214) 819-6334 telephone
 (214) 819-6301 facsimile

and, to the physical addresses and facsimile numbers for notice to the Participating Political Subdivisions are in "Attachment H" to this Election Services Contract. Any written notice required under this Contract shall be deemed to have been given when personally delivered, or if mailed, seventy-two (72) hours after deposit of the same in the United States Mail, postage prepaid, certified, or registered, return receipt

requested, properly addressed to the contact person shown at the respective addresses set forth above, or at such other addresses as shall be specified by written notice delivered in accordance this notice section.

19) LIABILITY FOR NEGLIGENCE

ALL PARTIES TO THIS ELECTION SERVICES CONTRACT AGREE TO BE RESPONSIBLE, IN ACCORDANCE WITH APPLICABLE STATE OR FEDERAL LAW, EACH FOR THEIR OWN NEGLIGENT ACTS OR OMISSIONS, OR OTHER TORTIOUS CONDUCT IN THE COURSE OF PERFORMANCE OF THIS ELECTION SERVICES CONTRACT WITHOUT WAIVING ANY SOVEREIGN IMMUNITY, GOVERNMENTAL IMMUNITY, STATUTORY IMMUNITY, OR OTHER DEFENSES AVAILABLE TO THE PARTIES UNDER FEDERAL OR STATE LAW. NOTHING IN THIS PARAGRAPH SHALL BE CONSTRUED TO CREATE OR GRANT ANY RIGHTS, CONTRACTUAL OR OTHERWISE, IN OR TO ANY THIRD PERSONS OR ENTITIES. ALL PARTIES AGREE THAT ANY SUCH LIABILITY OR DAMAGES OCCURRING DURING THE PERFORMANCE OF THIS ELECTION SERVICES CONTRACT CAUSED BY THE JOINT OR COMPARATIVE NEGLIGENCE OF THE PARTIES, OR THEIR EMPLOYEES, AGENTS OR OFFICERS WILL BE DETERMINED IN ACCORDANCE WITH COMPARATIVE RESPONSIBILITY LAWS OF TEXAS, BUT ONLY TO THE EXTENT SUCH LAWS ARE APPLICABLE TO THE PARTY.

TO THE EXTENT PERMITTED BY LAW, IF LEGAL ACTION IS FILED AGAINST A PARTY TO THIS ELECTION SERVICES CONTRACT, THAT PARTY SHALL BE SOLELY RESPONSIBLE FOR THEIR OWN RESPECTIVE COSTS AND DEFENSE OF THAT SUIT.

20) CHOICE OF LAW

This Election Services Contract will be governed and interpreted by the laws of the State of Texas.

21) VENUE AND JURISDICTION

The courts of the State of Texas and the United States of America that are physically located in Dallas, Dallas County, Texas are the exclusive jurisdiction and venue for any lawsuit, cause of action, temporary restraining order, temporary injunction, injunction, petition for extraordinary relief, mandamus, or any other legal proceeding or claim arising out of the performance of this Election Services Contract.

22) SEVERABILITY

If any term of this Election Services Contract is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the terms of this Election Services Contract will remain in full force and effect and will in no way be affected, impaired, or invalidated.

23) ENTIRE CONTRACT

This Election Services Contract, including any exhibits or attachments, contains the entire agreement between the Elections Administrator and the Participating Political Subdivisions concerning the duties required by this Election Services Contract. The

Elections Administrator of Dallas County, Texas and each Participating Political Subdivision hereby expressly warrant and represent that they are not relying on any promises or agreements that are not contained in this Election Services Contract concerning any of the terms in this Election Services Contract. Except otherwise specified in this Election Services Contract, no modification, amendment, novation, renewal, or other alteration of this Election Services Contract shall be effective unless mutually agreed upon in writing and executed by the Parties hereto.

24) PLURALITY, GENDER, AND HEADINGS

In this Election Services Contract, words in the singular number include the plural, and those in the plural include the singular. Words of any gender also refer to any other gender. Headings in this Election Services Contract are terms of inclusion, not exclusion.

25) RELATIONSHIP OF PARTIES

The Participating Political Subdivisions, including their agents, or employees, are not an agent, servant, joint enterpriser, joint venturer, or employee of the County Elections Administrator, the County or DCED, and are responsible for their own acts, forbearance, negligence and deeds, and for those of their agents, or employees in conjunction with the performance of services covered under this Election Services Contract. The Participating Political Subdivisions represent that they have, or will secure at their own expense, all personnel and consultants required in performing the duties directly administered by the Participating Political Subdivision. Such personnel and consultants shall not be employees of or have any contractual relationship with the County, the County Elections Administrator, or DCED.

26) FORCE MAJEURE

No Party shall be in default or responsible for delays or failures in performance resulting from causes beyond its control. Such causes include but are not limited to acts of God, fire, storm, flood, earthquake, natural disaster, pandemic, epidemic, nuclear accident, strike, air traffic disruption, lockout, riot, freight embargo, public regulated utility, or governmental statutes, orders, or regulations superimposed after the fact. Any Party delayed by force majeure shall as soon as reasonably possible give the other Party written notice of the delay. The Party delayed shall use reasonable diligence to correct the cause of the delay, if correctable, and if the condition that caused the delay is corrected, the Party delayed shall immediately give the other Parties written notice thereof and shall resume performance under this Election Services Contract as soon as practicable. The date of delivery or of performance shall be extended for at least a minimum time period equal to the time lost by reason of the delay.

27) DEFAULT/CUMULATIVE RIGHTS/MITIGATION.

It is not a waiver of default if the non-defaulting Party fails to immediately declare a default or delays in taking any action. The rights and remedies provided by this Election Services Contract are cumulative, and no Party's use of any right or remedy will preclude or waive its right to any other remedy. These rights and remedies are in addition to any

other rights the Parties may have by law, statute, ordinance or otherwise. All Parties have a duty to mitigate damages.

28) CONTRA PROFERENTEM

The legal doctrine of contra proferentem will not apply to this Election Services Contract. Consequently, any ambiguity that may exist in this Election Services Contract will not be construed against the Party who drafted this Election Services Contract.

29) ORDER OF PRECEDENCE

Any inconsistencies in this Election Services Contract will be resolved by reviewing and considering this Election Services Contract and Attachments A through H to this Election Services Contract together in context with each other.

30) SIGNATORY WARRANTY

Dallas County and the Elections Administrator of Dallas County, Texas and all of the contracting authorities of all of the Participating Political Subdivisions listed in "Attachment F" of this Election Services Contract represent that each has the full right, power and authority to enter into and perform this Election Services Contract in accordance with all of its terms and conditions, and that the execution and delivery of this Election Services Contract has been made by authorized representatives of the Participating Political Subdivisions to validly and legally bind the Participating Political Subdivisions to all terms, performances, and provisions set forth in this Election Services Contract.

31) COUNTERPARTS.

This Election Services Contract may be executed in any number of counterparts, each of which so executed shall be deemed to be an original, and such counterparts shall together constitute but one and the same Contract. The Parties shall be entitled to sign and transmit an electronic signature of this Contract (whether by facsimile, PDF, or other email transmission), which signature shall be binding on the Party whose name is contained therein. A signed copy of this Contract transmitted by facsimile, email or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original executed copy of this Contract for all purposes.

[Signatures on following page]

WITNESS HEREOF, the parties hereto have executed in triplicate originals this Election Services Contract on this _____ day of _____ 2023. ("Effective Date")

DALLAS COUNTY:

APPROVED AS TO FORM*

MICHAEL SCARPELLO
COUNTY ELECTIONS ADMINISTRATOR
DALLAS COUNTY, TEXAS

James R. Palomo
ASSISTANT DISTRICT ATTORNEY,
DISTRICT ATTORNEY
DALLAS COUNTY CRIMINAL ATTORNEY'S
OFFICE, CIVIL DIVISION

*By law, the Criminal District Attorney's Office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval and should seek review and approval by their own respective attorney(s).

ACCEPTED TO AND AGREED TO BY THE CITY OF DUNCANVILLE:

APPROVED



[INSERT NAME AND POSITION]



Dallas County Elections Department

1520 Round Table Drive
Dallas, Texas 75247

MAY 06, 2023 JOINT ELECTION

ESTIMATED COST INVOICE

Subject to Change

ATTACHMENT - A

38 Entities
55 EV Locations
450 ED Vote Centers

Registered Voter Split	TOTAL	CODu
Total Number of Registered Voters	2,657,189	23,457
Cost Per Registered Voter (w/o ESF)	\$1.38	\$1.38
Total Cost	\$3,659,128.38	\$32,301.87
% of Units	100%	0.88%

	TOTAL	CODu
Election Total	\$3,659,128.38	\$32,301.8
Exceptional Cost	\$0.00	
Election Services Fee (ESF)	\$365,912.84	\$3,230.1
Total Cost	\$4,025,041.22	\$35,532.0
Cost Per Registered Voter (w. ESF)	\$1.51	\$1.5
Amount of Deposit	\$0.00	\$0.0
(Overpaid)/Underpaid	\$4,025,041.22	\$35,532.0

06

Jamie Williams
RECEIVED

2/22/2023

Invoice 91481-0506

Date 05062023

Memo:
Election Escrow Account 91481

EXP. CODE	EARLY VOTING	UNITS	UNIT COST	ESTIMATED	CODu
POSTAGE					
2180	Mail Ballot Kits (AC)	7,500	\$2.53	\$18,975.00	\$167.5
2170	Postage Ballots Mailed	7,500	\$1.60	\$12,000.00	\$105.9
2170	Postage for Defect Carrier Envelope	150	\$1.56	\$234.00	\$2.0
EQUIPMENT RENTAL					
7040	ED Model DS200 (Tabulator/Scanner)	55	\$464.10	\$25,525.50	\$225.3
7040	EV ExpressVote Ballot Marking Device (BMD)	220	\$295.00	\$64,900.00	\$572.9
7040	EV ExpressVote (ADA) w. Stand	55	\$435.00	\$23,925.00	\$211.2
7040	EV EPB Printer	220	\$62.00	\$13,640.00	\$120.4
7040	EV Election Supply Cart (Large)	110	\$295.00	\$32,450.00	\$286.4
7050	EV Van / Car Rental	Mini-Vans (Techs)		\$7,500.00	\$66.2
RENTAL BUILDINGS					
7010	Building Rental	Various Locations		\$85,000.00	\$750.3
PERSONNEL					
1050	EV Election Department FT (OT)	Various		\$15,000.00	\$132.4
1050	EV Election Department PT (OT)	Various		\$15,000.00	\$132.4
1050	EV Clerks (OT) 30Hrs	220	\$23.30	\$153,747.00	\$1,357.2
1050	EV Judges (OT) 30Hrs	55	\$26.54	\$43,782.75	\$386.5
1050	EV Techs (OT) 20Hrs	7	\$26.54	\$3,714.90	\$32.7
1050	EV Ballot Board Committee (OT) 5Hrs	7	\$30.00	\$1,050.00	\$9.2
1050	EV Signature Verification Committee (OT) 5Hrs	7	\$30.00	\$1,050.00	\$9.2
1050	EV Ballot Board Judge (OT)	9 days	\$30.00	\$150.00	\$1.3
1050	EV Signature Verification Supervisor (OT)	9 days	\$30.00	\$150.00	\$1.3
1050	EV Training Trainers (OT) 30Hrs	8	\$27.54	\$6,609.60	\$58.3
1060	EV Clerks (ST) (Includes Training 3 Hrs)	220	\$15.53	\$249,411.80	\$2,201.7
1060	EV Judges (ST) (Includes Training 5 Hrs)	55	\$17.69	\$72,971.25	\$644.1
1060	EV Judges Delivery (Can Money)	55	\$25.00	\$1,375.00	\$12.1
1060	EV Techs (ST)	7	\$17.69	\$9,287.25	\$81.9
1060	EV Ballot Board Committee (ST)	7	\$20.00	\$8,960.00	\$79.1
1060	EV Signature Verification Committee (ST)	7	\$20.00	\$8,960.00	\$79.1
1060	EV Ballot Board Judge (ST)	9 days	\$20.00	\$1,280.00	\$11.3
1060	EV Signature Verification Supervisor (ST)	9 days	\$20.00	\$1,280.00	\$11.3
1060	EV Training Trainers (ST)	8	\$18.36	\$11,750.40	\$103.7
1111	EV FICA	6.2%		\$1,860.00	\$16.4
1112	EV Medicare	1.45%		\$8,780.18	\$77.5
1113	EV PARS	1.3%		\$7,481.89	\$66.0
1150	EV Retirement Chargeback	13.93%		\$4,179.00	\$36.8
5590	EV Temp. Employees	Various Temp. Agencies		\$70,000.00	\$617.9
APPLY EXPENSE					
2180	Official Ballot Report	110	\$7.53	\$828.30	\$7.3
2180	Sample Ballots Handout (8.5x11)	6,000	\$0.245	\$1,470.00	\$12.9
2180	Sample Ballots Posting (11x17)	110	\$0.155	\$17.05	\$0.1
2180	EV Daily Report	17,400	\$0.075	\$1,305.00	\$11.5
2180	List of Declared Write-In	0	\$0.03	\$0.00	\$0.0
2180	Official ExpressVote Ballots	85,000	\$0.13	\$10,625.00	\$93.7
2880	Supplies for Early Voting	Misc.		\$2,500.00	\$22.0
2180	Judges Kits	55	\$80.00	\$4,400.00	\$38.8
SERVICE EXPENSE					
2013	Legal Notice			\$20,000.00	\$176.5
5590	ES&S EV Support			\$45,000.00	\$397.2
5590	GTS IT Services (Avg. 40 hrs ST & 15 hrs OT)			\$55,000.00	\$485.5
5590	EV Polling Location Change Cards			\$7,000.00	\$61.7
REPAIRATION AND TRANSPORTATION OF VOTING EQUIPMENT					
2910	Atlantic Delivery and Pick-up			\$7,500.00	\$66.2
2910	Equipment Delivery and Pickup Warehouse	110	\$45.00	\$4,950.00	\$43.7
TRAVELAGE / FUEL					
3095	Fuel			\$3,500.00	\$30.9
	EARLY VOTING TOTAL			\$1,146,075.87	\$10,117.2

EXP. CODE	Election Day	UNITS	UNIT COST	ESTIMATED	CODu
EQUIPMENT RENTAL					
7040	ED Model DS200 (Tabulator/Scanner)	450	\$464.10	\$208,845.00	\$1,843.6
7040	ED ExpressVote Ballot Marking Device (BMD)	2,250	\$295.00	\$663,750.00	\$5,859.4
7040	EV ExpressVote (ADA) w. Stand	450	\$435.00	\$195,750.00	\$1,728.0
7040	ED EPB Printer	2,250	\$62.00	\$139,500.00	\$1,231.4
7040	ED Election Supply Carts	450	\$295.00	\$132,750.00	\$1,171.8
7030	ED Furniture Rental			\$15,000.00	\$132.4
7050	ED Truck Rental/Van Rental	Runners /Regional Sites		\$15,000.00	\$132.4
RENTAL BUILDINGS					
7010	Location Rental	Various Locations		\$70,000.00	\$617.9
PERSONNEL					
1020	ED Traffic Control Officers (ST)	Various		\$3,000.00	\$26.4
1020	ED Regional Site Support (ST) 5hrs	50	\$20.00	\$5,000.00	\$44.1
1020	ED Phone Bank (ST) 15hrs + Training 6hrs	20	\$25.00	\$10,500.00	\$92.6
1020	ED Clerks 15hrs + Training 3hrs	1,350	\$16.00	\$388,800.00	\$3,432.2
1020	ED Judges 15hrs + Training 5hrs	450	\$20.00	\$180,000.00	\$1,588.9
1020	ED Judges Delivery (Can Money)	450	\$25.00	\$11,250.00	\$99.3
1020	ED Techs (ST) 15hrs	10	\$25.00	\$3,750.00	\$33.1
1020	ED S.U.A.T (ST) 3hrs + Training 3hrs	25	\$20.00	\$3,000.00	\$26.4
1020	ED Inspectors (ST) 15hrs + Training 6hrs	45	\$25.00	\$23,625.00	\$208.5
1020	ED Building Security (ST)	Various		\$4,000.00	\$35.3
1020	ED County Employees (ST)	Various		\$5,000.00	\$44.1
1020	ED Sheriff Deputies (ST)	Various		\$7,000.00	\$61.7
1050	ED Election Department FT (OT)	Various		\$15,000.00	\$132.4
1050	ED Election Department PT (OT)	Various		\$12,000.00	\$105.9
1050	ED Building Security (OT)	Various		\$1,500.00	\$13.2
1050	ED County Employees (OT)	Various		\$15,000.00	\$132.4
1050	ED Sheriff Deputies (OT)	Various		\$45,700.00	\$403.4
1111	ED FICA	6.2%		\$6,522.40	\$57.5
1112	ED Medicare	1.45%		\$1,525.40	\$13.4
1113	ED PARS	1.3%		\$1,367.60	\$12.0
1150	ED Retirement Chargeback	13.93%		\$14,654.36	\$129.3
5590	ED Temp. Employees	Various Temp. Agencies		\$80,000.00	\$706.2
APPLY EXPENSE					
2180	Official ExpressVote Ballots	55,000	\$0.145	\$7,975.00	\$70.4
2180	Sample Ballots Handout (8.5x11)	11,250	\$0.245	\$2,756.25	\$24.3
2180	Sample Ballots Posting (11x17)	900	\$0.155	\$139.50	\$1.2
2180	Official Ballot Report	450	\$2.31	\$1,039.50	\$9.1
2880	Supplies for Election Day	Misc.		\$2,500.00	\$22.0
2180	ED Judge Kit	450	\$80.00	\$36,000.00	\$317.8
SERVICE EXPENSE					
5590	ES&S ED Support			\$45,000.00	\$397.2
5590	GTS IT Services			\$60,000.00	\$529.6
REPAIRATION & TRANSPORTATION OF VOTING EQUIPMENT					
2910	Atlantic Delivery and Pick-up			\$70,000.00	\$617.9
2910	Delivery and Pick-up (Warehouse)	50	\$45.00	\$2,250.00	\$19.8
MILEAGE / FUEL					
1080	Mileage for Deputies	5,500	\$0.655	\$3,602.50	\$31.8
3095	Fuel	Tech Cars and Trucks		\$3,000.00	\$26.4
	ELECTION DAY TOTAL			\$2,513,052.51	\$22,184.6

60

City of Duncanville - Duncanville, Texas 75138

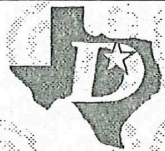
PAGE: 1 OF 1

VENDOR NUMBER	VENDOR NAME	CHECK NUMBER	CHECK DATE	CHECK AMOUNT
5591	DALLAS COUNTY ELECTION DEPARTMENT	22103440	03/01/2023	\$35,532.06

INVOICE DATE	INVOICE NUMBER	DESCRIPTION	INVOICE AMOUNT
02/23/2023	91481-0506	ELECTION ESCROW ACCOUNT: 91481 PO #: 2300256 - GENERAL GOVERNMENT	\$35,532.06

*@Garcia - DC Elections
3-1-2023*

DO NOT ACCEPT UNLESS THIS CHECK IS PRINTED WITH A COLOR BACKGROUND, CONTAINS A VOID PANTOGRAPH, MICROPRINTING FACE AND BACK, UV FIBERS AND A WATERMARK ON THE REVERSE SIDE



City of Duncanville
Controlled Disbursement Account
Duncanville, Texas 75138
(972)780-5019

Wells Fargo Bank N.A.
66-392412

Vendor Number: 5591
Check Number: 22103440
Check Date: 03/01/2023

VOID 90 DAYS FROM DATE OF ISSUE

*** Thirty-Five Thousand Five Hundred And Thirty-Two Dollars And Six Cents *** \$35,532.06

Pay To
The
Order Of

DALLAS COUNTY ELECTION DEPARTMENT
1520 ROUND TABLE DRIVE
DALLAS, TX 75247

Robert D. Brown Jr.
Authorized Signature

MP

A. P. Farrell-Benavides
Authorized Signature

MP

⑈ 22103440 ⑈ 104120382419600170671 ⑈



STAFF REPORT

MEETING: City Council - 07 Mar 2023

TITLE:

Consider a Resolution authorizing a Fiscal Year 2023 procurement of Police Ammunition from GT Distributors, Inc, Austin, TX, through Buyboard contract #603-20, for the contractually discounted price, in an amount not to exceed \$90,000.00

Vision Statement:

“Duncanville, a City of Champions, is a safe, vibrant, diverse community committed to excellence in education, business, and good governance.”

Pillar:

- **Emphasize: Government Accountability, Customer Service, Efficiency and Process Improvement**
 - **Develop a high performing organization that encourages innovation, transparency, and collaboration while delivering exceptional customer service.**

STAFF RESPONSIBLE:

Mark LiVigni, Chief of Police

Matthew Stogner, Assistant Chief of Police

BACKGROUND/HISTORY:

The City of Duncanville Police Department procures ammunition annually for training and on-duty service. Each year the Police Department qualifies police officers and police recruits as mandated by the Texas Commission on Law Enforcement (TCOLE). The police ammunition can be purchased from GT Distributors, Inc., a major ammunition supplier to law enforcement agencies. The Texas Local Government Code Chapters 271 and 791 allows government agencies to participate in these cooperative arrangements voluntarily.

POLICY EXPLANATION:

The city previously has purchased police ammunition from GT Distributors, Inc. the vendor is the only factory authorized Law Enforcement Distributor (LED) in Texas for CCI- Speer (including Speer “Force on Force” products), Federal, and Hornady products. They are also the only LED authorized for drop shipment directly from the factory in Texas. In addition, GT Distributors, Inc. has a storefront in Dallas, Texas.

The city proposes to purchase Federal, CCI-Speer, and Hornady ammunition only. Police Department staff highly recommends this brand due to its high rating received by the Federal Bureau of Investigation (FBI) in published ammunition data tests, the ability of the manufacturer to stand by its product on

quality control issues, and it is one of the most cost-efficient options available when considering territorial pricing set by the manufacturers. The city purchases Federal brand 9-millimeter (9mm) for the 9mm caliber semi-automatic service weapon; .40 Smith and Wesson rounds for the 40 caliber semi-automatic service weapon; and .223 rounds for tactical and patrol rifle ammunition.

This authorization would cover the purchase of Police Ammunition through the Buyboard contract term that expires March 31, 2023. Purchases will be made on an annual basis. Local Government Code Section 271.102 provides for the voluntary participation in cooperative purchasing programs with another local government or a local cooperative and satisfies any state law requiring competitive bids.

FUNDING SOURCE:

ORG and Object Number

Police Special Services Direct Materials - ORG 01055900 OBJ 700227

Available Budget

\$89,984.00

Purchase Amount

\$89,983.77

After Encumber

\$0.23

ACTION ALTERNATIVES:

1. Approve funding in the amount not to exceed \$90,000.00 to purchase the police department ammunition.
2. Do not approve funding for the purchase of police department ammunition.
3. Other actions as directed by Council.

ATTACHMENTS:

[Resolution No. - 2023-015 - GT Distributors - Ammunition](#)

RESOLUTION NO. 2023-015

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, AWARDED THE BID FOR THE PURCHASE OF FIREARM AMMUNITION FROM GT DISTRIBUTORS, INC. OF AUSTIN, TX, FOR THE CONTRACTUALLY DISCOUNTED PRICE THROUGH THE BUYBOARD CONTRACT #603-20 IN THE AMOUNT NOT TO EXCEED \$90,000.00; AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Duncanville has entered into an Interlocal Cooperative Purchasing Agreement with Buyboard for products and services; and,

WHEREAS, Buyboard has taken sealed bids for Public Safety and Firehouse Supplies and Equipment, which includes ammunition; and,

WHEREAS, a contract was awarded to GT Distributors, Inc.

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

SECTION 1. That the City Council of the City of Duncanville, Texas, hereby awards a bid for the purchase of firearm Ammunition from GT Distributors, Inc. in the amount not to exceed \$90,000.00 as provided in the attached Exhibit "A" which is attached hereto and incorporated herein through the Buyboard bid #603.20.

SECTION 2. That the City Council of the City of Duncanville hereby authorizes the City Manager, or her designee, to execute the appropriate and necessary documents and/or purchase orders.

SECTION 3. This resolution shall become effective immediately upon its passage.

DULY RESOLVED AND ADOPTED by the City Council of the City of Duncanville,
Texas, on the 7th day of March, 2023.

APPROVED:

Barry L. Gordon, Mayor

ATTEST:

Janie Willman, City Secretary

APPROVED AS TO FORM:

Robert E. Hager, City Attorney



GT Distributors - Austin
1124 New Meister Ln., Ste 100
Pflugerville TX 78660
(512) 451-8298 Ext. 0000

Quote	QTE0168811
Date	2/20/2023
Page:	1

Bill To:

Duncanville, City of (TX)
Attn:Accounts Payable
P.O. Box 380280
Duncanville TX 75138

Ship To:

Duncanville, City of (TX)
203 E. Wheatland Rd
Attn: Darius Williams
PO #:
Duncanville TX 75138-0280

Purchase Order No.	Customer ID	Salesperson ID	Shipping Method	Payment Terms	Req Ship Date	Master No.
WILLIAMS 20FEB23 A	001939	MPH	FACTORY DIRECT	NET 15	0/0/0000	2,716,556
Quantity	Item Number	Description	UOM	Unit Price	Ext. Price	
150.00	FC-AE9AP*	Federal Cartridge 9Mm 124 Gr FMJ	M	\$285.53	\$42,829.50	
20.00	FC-AE223*	Federal Cartridge .223 Rem 55 Gr Fmj	M	\$570.75	\$11,415.00	
9.00	FC-LE308TT2*	Federal Cartridge .308 Win 168 gr Tactical	M	\$2,388.00	\$21,492.00	
4.00	FC-LE13300*	Federal Cartridge-12 Ga-8 Pellet 00-Billings Wa	M	\$888.90	\$3,555.60	
4.00	CCI-53617*	CCI Gold Dot 9Mm +P 124 Grain	M	\$621.99	\$2,487.96	
3.00	FC-LE223T3*	Federal Cartridge-.223 62 Gr. Tactical	M	\$1,913.53	\$5,740.59	
363	DT-3027	Def Tec #23DS Drag Stablized Bean Bag ONE	EA	\$6.51	\$2,363.13	
1	NOTES:	Sold Individually Notes:	EA	\$0.00	\$0.00	
1	NOTES:	Quotation reflects BuyBoard Contract 603-20. Contract period 04/01/22-03/31/23. Email BuyBoard PO's to info@buyboard.com Notes:	EA	\$0.00	\$0.00	
1	NOTES:	Quote is valid for 30 days. Please, reference quote number on PO. Freight may vary with quantity changes or lift-gate requirements. Notes:	EA	\$0.00	\$0.00	
1	NOTES:	Ammo manufacturers are currently quoting lead-times of 18-24 months, or greater. Notes:	EA	\$0.00	\$0.00	
		Def Tech is currently quoting lead-times of 45-60 days (not including launchers). Def Tech is currently quoting lead-times of				

Quote	QTE0168811
Date	2/20/2023
Page:	2

Duncanville, City of (TX)
203 E. Wheatland Rd
Attn: Darius Williams
PO #:
Duncanville TX 75138-0280



STAFF REPORT

MEETING: City Council - 07 Mar 2023

TITLE:

Consider a Resolution authorizing the renewal of the Microsoft 365 subscription from CDW-Government (CDW-G), for the three-year contractual period at the discounted price of \$91,015.75 annually with a three-year expenditure total of \$273,047.25.

Vision Statement:

“Duncanville, a City of Champions, is a safe, vibrant, diverse community committed to excellence in education, business, and good governance.”

Pillar:

- **Emphasize: Government Accountability, Customer Service, Efficiency and Process Improvement**
 - **Develop a high performing organization that encourages innovation, transparency, and collaboration while delivering exceptional customer service.**

STAFF RESPONSIBLE:

Gwendolyn Spencer, Chief Information Officer

BACKGROUND/HISTORY:

At the March 7, 2017, City Council meeting, Council approved the strategic initiative to migrate from an on-premises Exchange server to Microsoft 365 for the City's mail service. This migration was made to provide greater staff mobility, increase document storage, and ease of collaboration from anywhere with internet access. The migration has proven beneficial to the City as it continues to utilize the secure and reliable Microsoft 365 platform. Since the implementation of the solution, the citizens and staff have been beneficiaries of increased service offerings and productivity through the utilization of SharePoint and Office 365, improved collaboration with Teams and email, and best-in-class security and device management.

POLICY EXPLANATION:

The National IPA Purchasing Cooperative solicited and awarded contract #2018011 to CDW-G for the period March 2018 through February 2023. The City is renewing its agreement through DIR-CPO-4471 with CDW-G. The subscription to Microsoft 365 is for a three-year term, may be renewed annually, and contains a fiscal funding clause. The fee is \$91,015.75 for each year totaling \$273,047.25 for the three-year term. This three-year term is from March 2023 to March 2026. The purchase request is in compliance with Texas Local Government Code Section 271.102.

FUNDING SOURCE:

ORG and Object Number

01011400-700451

Available Budget

\$99,824.91

Purchase Amount

\$91,015.75

After Encumber

\$8,809.16

ACTION ALTERNATIVES:

1. Approve the Resolution.
2. Do not approve the Resolution.
3. Other actions as directed by Council.

ATTACHMENTS:

[Resolution No. - 2023-017 - Renewal of the Microsoft 365 Software License Subscription](#)

RESOLUTION NO. 2023-017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, AUTHORIZING THE RENEWAL OF MICROSOFT 365 (O365), SOFTWARE LICENSE SUBSCRIPTIONS, FROM CDW GOVERNMENT IN THE AMOUNT OF \$273,047.25. AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO ISSUE THE APPROPRIATE PURCHASE ORDER AND EXECUTE THE NECESSARY DOCUMENTS AND/OR PAYMENT; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, it is desired to continue the use of Microsoft 365 software; and

WHEREAS, the Microsoft 365 solution will continue to provide the software tools required to provide services to the Citizens of Duncanville, Texas; and

WHEREAS, the Microsoft 365 solution provides greater security, device management, and mobility allowing for the City staff to work and collaborate from anywhere with personal computing devices and internet connections; and

WHEREAS, the City Council of the City of Duncanville, Texas desires to approve payment to CDW-Government for purchase of subscriptions to Microsoft 365.

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

SECTION 1. The City Council of the City of Duncanville, Texas hereby approves the purchase from CDW-Government for the Microsoft O365, software license subscriptions, in the amount of \$273,047.25, as set forth in Exhibit A, which is attached hereto; and, the City Manager or her designee is authorized to issue the appropriate purchase order and execution of any necessary documents and/or payment.

SECTION 2. This Resolution shall become effective immediately upon passage.

DULY RESOLVED AND ADOPTED by the City Council of the City of Duncanville,
Texas, on the 7th day of March, 2023.

APPROVED:

Barry L. Gordon, Mayor

ATTEST:

Janie Willman, City Secretary

APPROVED AS TO FORM:

Robert E. Hager, City Attorney



CDW Government, LLC
Microsoft Enterprise 6.6 Agreement Pricing

Exhibit A

Date 2/24/23
Account Manager Rachel Petersen

VSL Specialist Lawrence Roberts
Channel Price Sheet Month Feb-23

Unless otherwise noted, All Quotes expire upon current month's end

Annual Payment

Customer to make three annual payments to CDW•G

[illegible]

Notes

**No Tax Referenced
Renewal of EA 73083166**

Terms and Conditions of sales and services projects are governed by the terms at:
<http://www.cdwg.com/content/terms-conditions/product-sales.aspx>



STAFF REPORT

MEETING: City Council - 07 Mar 2023

TITLE:

Consider a Resolution approving the terms and conditions of the Interlocal Agreement between the City of Cedar Hill and the City of Duncanville for the shared purchase and use of a traffic control vehicle.

Vision Statement:

“Duncanville, a City of Champions, is a safe, vibrant, diverse community committed to excellence in education, business, and good governance.”

STAFF RESPONSIBLE:

Sam Rohde, Fire Chief

BACKGROUND/HISTORY:

Over the last several years, there have been a rash of Fire Department vehicles being struck while working accidents on roadways across the nation. Within the last 18 months, the Duncanville Fire Department has been involved in three separate incidents where our fire engine and/or quint have been struck while working an accident on the highway. DeSoto Fire Rescue has been hit three times in the last two years while working traffic accidents, and last February, Cedar Hill Fire Department's Tower Truck 211 was struck while working an accident on Highway 67. Each of these accidents caused extensive damage to the fire apparatus involved resulting in apparatus being out of service for an extended period of time while being repaired. And although the fire department's apparatus may have sustained heavy damage, it probably prevented further injury and/or saved the lives of the civilians involved in the initial accident, and the first responders working the scene of the accident.

The Duncanville Fire Department and Cedar Hill Fire Department have identified a critical need for a traffic control blocker vehicle to protect civilians and first responders working at emergency incidents in traffic. The "blocker" vehicle with a Scorpion attenuator unit is designed to absorb direct impacts from errant vehicles. The Scorpion attenuator is built of aluminum and has an aluminum honeycomb material inside that is built to absorb a vehicle impact at up to 68 miles per hour. Should the attenuator become damaged, it can also be replaced. The Scorpion will be mounted to the chassis of a flatbed vehicle that has the capability to display information on a dynamic messenger board, asking traffic to slow down or warn of an accident ahead. The vehicle will also have an array of emergency lighting, making it highly visible. Primarily the blocker vehicle will be deployed to motor vehicle accidents to protect civilians, first responders, and response vehicles. As a secondary function, the blocker vehicle can be used for special events and at other times when the roadway may need to be blocked for maintenance.

POLICY EXPLANATION:

The Duncanville Fire Department is seeking approval and signature of the City Manager for the Interlocal Agreement with the City of Cedar Hill for the shared purchase and use of a traffic control vehicle. The traffic control vehicle and equipment total cost is \$198,598.94 and will be split 50% and

50% by the cities of Cedar Hill and Duncanville. The purchase of the vehicle will be made by the City of Cedar Hill through an HGAC cooperative contract, contract number HT06-20.

FUNDING SOURCE:

ORG and Object Number

75800001-700884-ARPA4

Available Budget

\$198,598.94

Purchase Amount

\$198,598.94

After Encumber

\$0.00

ACTION ALTERNATIVES:

1. Approve ILA with the City of Cedar Hill for the shared purchase and use of a traffic control vehicle.
2. Do not approve ILA with the City of Cedar Hill for the shared purchase and use of a traffic control vehicle.
3. Other actions as directed by Council.

ATTACHMENTS:

[Exhibit "A" - ILA with City of Cedar Hill](#)

[Resolution No. - 2023-016 - ILA with City of Cedar Hill to purchase Traffic Control Vehicle - Pdf](#)



OFFICE OF THE
CITY SECRETARY
285 Uptown Blvd., Bldg. 100
Cedar Hill, TX 75104
O.972-291-5100 X 1011
F.972-291-5199

To: Jaunita Willman, City Secretary
From: Belinda Berg, City Secretary
Subject: InterLocal Agreement - Cedar Hill/Duncanville
Date: February 6, 2023

Attached are two originally signed copies of an Interlocal Agreement between the City of Cedar Hill and the City of Duncanville for the joint operation of a blocker truck. The Cedar Hill City Council approved the attached Interlocal Agreement at their January 24, 2023 regular meeting.

Once the City of Duncanville approves and signs this agreement, kindly return one copy to the City Secretary's Office - Cedar Hill Government Center, 285 Uptown Blvd. Bldg. 100 Cedar Hill, TX 75104.

If you have questions, please do not hesitate to contact me by phone at 972-291-5100 ext. 1018 or by email at belinda.berg@cedarhilltx.com.

INTERLOCAL COOPERATION AGREEMENT FOR TRAFFIC CONTROL VEHICLE SERVICES

This Interlocal Cooperation Agreement for Traffic Control Vehicle Services (this "Agreement") is made and entered into by and among the City of Cedar Hill, Texas, ("Cedar Hill") and the City of Duncanville, Texas ("Duncanville"), said Cities being a municipal home-rule corporations organized and operating under the laws of the State of Texas (collectively referred to as the "Participating Cities" or singularly as a "Participating City").

RECITALS

WHEREAS, each year first responders to accident scenes are put at risk of injury or death due to passing motorists not slowing down or paying attention; and

WHEREAS, in addition to the risk of injury and death to first responders, there is also a risk of damage to or destruction of public safety vehicles and equipment which can require time consuming and costly repairs or replacement; and

WHEREAS, the use of special purposed vehicles called Traffic Control Vehicle (hereinafter "TCV") to be deployed to control and/or block oncoming traffic during an emergency or life threatening incident on public highway, streets and roads to provide a critical lifesaving and equipment-sparing barrier between first responders on the roadway and passing motorists; and

WHEREAS, Cedar Hill and Duncanville agree that the shared use of a TCV could provide significant margins of safety for their emergency services and workers; and

WHEREAS, Cedar Hill is willing to purchase a TCV for the shared use with Duncanville, subject to the terms and provisions of this Agreement; and

WHEREAS, this Agreement and the activities described herein are authorized by Interlocal Cooperation Act as set forth in Chapter 791 of the Texas Local Government Code.

NOW THEREFORE, in consideration of the foregoing and on the terms and conditions hereinafter set forth and other valuable consideration the sufficiency and receipt of which are hereby acknowledged, the parties agree as follows:

INTERLOCAL COOPERATION AGREEMENT FOR
TRAFFIC CONTROL VEHICLE SERVICES - Page 1

**I.
INCOPORATION OF RECITALS AND PURPOSE**

The above and foregoing recitals are incorporated herein and made a part of this Agreement. The purpose of this Agreement is to provide for a shared TCV program between Cedar Hill and Duncanville.

**II.
PURCHASE, OWNERSHIP, AND INSURANCE**

2.1. Cedar Hill shall purchase and retain title ownership of a TCV to be used and shared between Cedar Hill and Duncanville pursuant to the terms of this Agreement. In consideration of Cedar Hill sharing the use of the TCV, Duncanville agrees to contribute one-half the cost of the purchase of the TCV and accessories as provided in Exhibits A and B which are attached and incorporated herein as if set forth in full.

2.2. Cedar Hill will obtain and maintain insurance on the TCV during the term of this Agreement. Duncanville will be responsible for obtaining and maintaining any insurance necessary to protect Duncanville and its personnel during its possession and use of the TCV.

**III.
SHARED USE, HOUSING AND DEPLOYMENT**

3.1. Periods of Possession. Cedar Hill's Fire Department and Duncanville's Fire Department shall each house and deploy the TCV for agreed periods during each year of this Agreement (the "Period of Possession"). Such Periods and Possession shall be coordinated and agreed to between the Participating Cities respective departments, department heads or authorized designees.

3.2. Housing Locations. During Cedar Hill's Period of Possession, the TCV will be housed at a Cedar Hill Fire Station and deployed by its station crew. During Duncanville's Period of Possession, the TCV will be housed at a Duncanville's Fire Station and deployed by that station's crew. Should any crew be out of their station or otherwise unavailable to deploy the TCV, the respective city's on-duty battalion chief or designee will arrange for the TCV's deployment by another fire department company.

INTERLOCAL COOPERATION AGREEMENT FOR
TRAFFIC CONTROL VEHICLE SERVICES - Page 2

3.3. Deployment. The TCV may be deployed by the Participating Cities for any highway accident or for any other purpose, and at any time, requested by the police or fire department Cedar Hill or Duncanville. Any time the TCV is deployed by one city at the request of the other, the fire department crew that delivers the TCV will return to service in its respective jurisdiction. The city that requested the TCV from the other city shall be responsible for returning the vehicle to that city's (the delivering city's) housing location for the TCV. Cedar Hill and Duncanville may develop further deployment strategies for their respective Periods of Possession that are not in conflict with the terms and provisions of this Agreement which shall be reduced to a written memorandum of understanding executed by Fire chiefs of each of the respective cities.

IV. CLEANING, CARE, AND MAINTENANCE

4.1. Responsibility. Each Participating City shall be responsible for the regular cleaning and reasonable care of the TCV during its Period of Possession and deployment.

4.2. Maintenance. The costs of reasonable and routine maintenance will be shared equally between the Participating Cities; provided, however, that repairs necessitated by the negligence or fault of one Participating City shall be the responsibility of that Participating City. All required reasonable repairs and maintenance shall be performed by a qualified person or firm selected by Cedar Hill and in its sole discretion.

4.3. Damage or Destruction. In the event the TCV is damaged or destroyed during the use by a Participating City, regardless of Periods of Possession, that Participating City shall be responsible for the payment of any insurance deductible, if any.

V. EMPLOYMENT & LIABILITY

5.1. Employment. At all times while equipment, including the TCV, and personnel of the Participating Cities are traveling to, from, or within the territorial limits of the other Participating Cities in accordance with the terms of this Agreement, such personnel and equipment shall be deemed to be employed or used, as the case may be, in the full line and course of duty of the Participating City which regularly employs such personnel and equipment or that operating or using the TCV. Further, such equipment

and personnel shall be deemed to be engaged in a governmental function of such Participating City.

5.2. Liability. In the event that any individual employee or representative of a Participating City performing duties subject to the Agreement shall be cited as a defendant party to any state or federal civil lawsuit, or if a claim or demand for damages or liability is asserted against such individual arising out of this or her official acts while performing duties pursuant to the terms of this Agreement, such individual shall be entitled to the same benefits that he or she would be entitled to receive had such civil action arose out of an official act within the scope of his or her duties as a member of the Participating City's Fire Department where regularly employed. The benefits described in this paragraph shall be supplied by the Participating Cities where the individual is regularly employed. However, in situations where the other Participating City may be liable, in whole or in part, for the payment of damages, then such other Participating City may intervene in such causes of action to protect its interest.

VI FINANCIAL OBLIGATIONS

The Participating Cities represent and covenant that their respective financial obligations and liability hereunder shall constitute operating expenses of the Participating Cities' general fund payable from current funds annually budgeted and appropriated therefore.

IV. TERM

The term of this Agreement shall be for five (5) years commencing on the last date all of the Participating Cities have executed the Agreement (the "Effective Date"), and shall automatically renew for successive one (1) year terms on the anniversary date of the Effective Date thereafter, unless terminated by written notice as provided herein

V. TERMINATION

Any one Participating City may terminate its rights and obligations under this Agreement by giving ninety (90) days prior written notice to the other Participating Cities. Any financial obligation or liability of a Participating City shall survive termination of this Agreement.

INTERLOCAL COOPERATION AGREEMENT FOR
TRAFFIC CONTROL VEHICLE SERVICES - Page 4

VI. NO INDEMNIFICATION

CEDAR HILL AND DUNCANVILLE, INCLUDING THEIR RESPECTIVE ELECTED OFFICIALS AND EMPLOYEES, AGREE THAT EACH WILL BE RESPONSIBLE FOR ITS OWN NEGLIGENT ACTS, ERRORS, AND OMISSIONS OR OTHER TORTIOUS CONDUCT IN THE COURSE OF PERFORMANCE OF THIS AGREEMENT, WITHOUT WAIVING ANY GOVERNMENTAL IMMUNITIES AVAILABLE TO CEDAR HILL OR DUNCANVILLE UNDER TEXAS LAW OR OTHER APPLICABLE LAWS AND WITHOUT WAIVING ANY AVAILABLE DEFENSES UNDER TEXAS LAW OR OTHER APPLICABLE LAWS. NOTHING IN THIS PARAGRAPH MAY BE CONSTRUED TO CREATE OR GRANT ANY RIGHTS, CONTRACTUAL OR OTHERWISE, IN OR TO ANY THIRD PERSONS OR ENTITIES.

VII. DEFAULT

In the event either Participating City shall fail to perform any financial obligation hereunder, then the non-defaulting Participating Cities shall give written notice of such failure, and if the defaulting Participating City has not cured such failure within ten (10) days after receipt of such written notice, the non-defaulting Participating City shall have the right to cure such failure and recover from the defaulting Participating City the amount of money paid if any, by the non-defaulting Participating City to cure such failure, with interest at the highest rate allowed by law.

ARTICLE VIII MISCELLANEOUS

8.1. Governing Law and Venue. This Agreement shall be governed by the laws of the State of Texas; and venue of any action shall be Dallas County, Texas.

8.2. Notices. Any notice, demand or request required or permitted to be delivered hereunder shall be deemed received when delivered in person or sent by United States mail, postage prepaid, certified mail, addressed to the party at the address set forth below:

INTERLOCAL COOPERATION AGREEMENT FOR
TRAFFIC CONTROL VEHICLE SERVICES - Page 5

Cedar Hill: City Manager
City of Cedar Hill
285 Uptown Blvd., Bldg. 100
Cedar Hill, Texas 75104

With copy to: Ron G. MacFarlane, Jr.
The MacFarlane Firm, PC
400 E. Royal Lane., Ste. 290
Irving, Texas 75039

Duncanville: City Manager
City of Duncanville, Texas
203 E. Wheatland Road
Duncanville, Texas 75116

With copy to: Robert E. Hager
Nichols, Jackson, Dillard, Hager & Smith, L.L.P.
1800 Lincoln Plaza
500 N. Akard
Dallas, Texas 75201

Any party may, at any time, by written notice to the other Participating Cities, designate different or additional persons or different addresses for the giving of notices hereunder.

8.3. Entire Agreement. This Agreement is the entire agreement. There is no other collateral or oral agreement among the parties that in any way relates to the subject matter of this Agreement.

8.4. Amendment. This Agreement may be amended by the written agreement of all parties hereto.

8.5. Severability. In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect the other provisions, and the Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained in this Agreement.

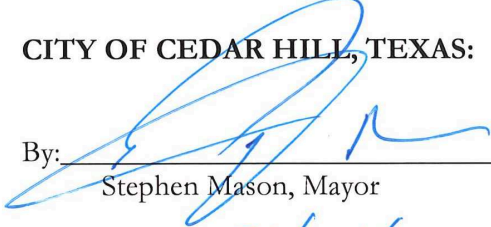
INTERLOCAL COOPERATION AGREEMENT FOR
TRAFFIC CONTROL VEHICLE SERVICES - Page 6

8.6. Assignment. This Agreement may not be assigned by any Participating City without the express written consent of the other Participating City.

Remainder of page intentionally blank. Signature page follows.

EFFECTIVE as of the last date of execution indicated below.

CITY OF CEDAR HILL, TEXAS:

By: 
Stephen Mason, Mayor

Date: 01/24/2023

ATTEST:

By: 
Belinda Berg, City Secretary

APPROVED AS TO FORM:

By: 
Ron G. MacFarlane, Jr.

CITY OF DUNCANVILLE, TEXAS:

By: _____
Barry L. Gordon, Mayor

Date: _____

ATTEST:

By: _____
Juanita Willman, City Secretary

APPROVED AS TO FORM:

By: _____
Robert E. Hager, City Attorney

INTERLOCAL COOPERATION AGREEMENT FOR
TRAFFIC CONTROL VEHICLE SERVICES - Page 8

Exhibit A

 CONTRACT PRICING WORKSHEET For Standard Equipment Purchases		Contract No.:	HT06-20	Date Prepared:	12/4/2022
<i>This Form must be prepared by Contractor and given to End User. The H-GAC administrative fee shall be shown in Section F. End User issues PO to Contractor, and MUST also fax a copy of PO, together with completed Pricing Worksheet, to H-GAC @ 713-993-4548. Please type or print legibly.</i>					
Buying Agency:	Cedar Hill Fire Department	Contractor:	Bruckner Truck Sales		
Contact Person:	Rodney Smith	Prepared By:	Bob Davie		
Phone:	214-709-3818	Phone:	512-632-6622		
Fax:		Fax:	210-666-7216		
Email:		Email:	bob.davie@brucknertruck.com		
Product Code:	19	Description:	GR42BR		
A. Product Item Base Unit Price Per Contractor's H-GAC Contract:					42900
B. Published Options - Itemize below - Attach additional sheet(s) if necessary - Include Option Code in description if applicable. (Note: Published Options are options which were submitted and priced in Contractor's bid.)					
Description		Cost	Description		Cost
Trans Synd		1850	Fuel Lube Body		85000
2500RDS		3500			
Traction Diff		3900	Wheelbase 236		4350
Allison Transmission Cooler		3200	Double Reduction Rear Axle		4200
Lube Rear axle		3100	11.811 x 3.54 x .437		4200
PTO Control and Switch		1250			
50 gallon alum fuel Tank		1900	Allison Voc Package		3500
			Subtotal From Additional Sheet(s):		
			Subtotal B:		119950
C. Unpublished Options - Itemize below / attach additional sheet(s) if necessary. (Note: Unpublished options are items which were not submitted and priced in Contractor's bid.)					
Description		Cost	Description		Cost
Gulf Highway body upgrade and tank		13131.62			
Change to MD6		-3752.14			
6.7 Engine 250HP		4441.6			
			Subtotal C:		13821.08
Check: Total cost of Unpublished Options (C) cannot exceed 25% of the total of the Base Unit Price plus Published Options (A+B).			For this transaction the percentage is:		8%
D. Other Cost Items Not Itemized Above (e.g. Installation, Freight, Delivery, Etc.)					
Description		Cost	Description		Cost
			Subtotal D:		0
E. Total Cost Before Any Applicable Trade-In / Other Allowances / Discounts (A+B+C+D)					176671.08
Quantity Ordered:	1	X Subtotal of A + B + C + D:	176671.08	=	Subtotal E: 176671.08
F. H-GAC Fee Calculation (From Current Fee Tables)					Subtotal F: 1000
G. Trade-Ins / Other Allowances / Special Discounts					
Description		Cost	Description		Cost
			Subtotal G:		0
Delivery Date:					H. Total Purchase Price (E+F+G): 177671.08

Exhibit B

**MOTOROLA SOLUTIONS**QUOTE-2006417
APX Next (2)_APX 8500

Billing Address:
CEDAR HILL, CITY OF
601 E BELTLINE RD
CEDAR HILL, TX 75104
US

Quote Date:01/10/2023
Expiration Date:04/10/2023
Quote Created By:
Collin Wetzel
collin.wetzel1@
motorolasolutions.com

End Customer:
CEDAR HILL, CITY OF
Chief Rafael Reyes
rafael.reyes@cedarhilltx.com

Contract: FORT WORTH (HGAC
RA05-21)

Summary:

Any sales transaction resulting from Motorola's quote is based on and subject to the applicable Motorola Standard Terms and Conditions, notwithstanding terms and conditions on purchase orders or other Customer ordering documents. Motorola Standard Terms and Conditions are found at www.motorolasolutions.com/product-terms.

Line #	Item Number	Description	Qty	Term	Sale Price	Ext. Sale Price
	APX™ 8500					
1	M37TSS9PW1AN	APX8500 ALL BAND MP MOBILE	1		\$5,887.40	\$5,887.40
1a	GA09008AA	ADD: GROUP SERVICES	1			
1b	GA00250AA	ADD: WIFI/GNSS STUBBY ANTENNA LMR240	1			
1c	G996AS	ENH: OVER THE AIR PROVISIONING	1			
1d	GA00580AA	ADD: TDMA OPERATION	1			
1e	GA01513AB	ADD: ALL BAND MOBILE ANTENNA (7/8/V/U)	1			
1f	G51AT	ENH:SMARTZONE	1			
1g	G78AT	ENH: 3 YEAR ESSENTIAL SVC	1			
1h	GA05509AA	DEL: DELETE UHF BAND	1			
1i	B18CR	ADD: AUXILIARY SPKR 7.5 WATT APX	1			



Any sales transaction following Motorola's quote is based on and subject to the terms and conditions of the valid and executed written contract between Customer and Motorola (the "Underlying Agreement") that authorizes Customer to purchase equipment and/or services or license software (collectively "Products"). If no Underlying Agreement exists between Motorola and Customer, then Motorola's Standard Terms of Use and Motorola's Standard Terms and Conditions of Sales and Supply shall govern the purchase of the Products.

Motorola Solutions, Inc.: 500 West Monroe, United States - 60661 ~ #: 36-1115800



QUOTE-2006417
APX Next (2)_APX 8500

Line #	Item Number	Description	Qty	Term	Sale Price	Ext. Sale Price
1j	G444AH	ADD: APX CONTROL HEAD SOFTWARE	1			
1k	G67EH	ADD: REMOTE MOUNT E5 MP	1			
1l	GA01517AA	DEL: NO J600 ADAPTER CABLE NEEDED	1			
1m	G806BL	ENH: ASTRO DIGITAL CAI OP APX	1			
1n	GA01670AA	ADD: APX E5 CONTROL HEAD	1			
1o	W22BA	ADD: STD PALM MICROPHONE APX	1			
1p	G193AK	ADD: ADP ONLY (NON-P25 CAP COMPLIANT) (US ONLY)	1			
1q	G361AH	ENH: P25 TRUNKING SOFTWARE APX	1			
	APX™ NEXT	APX NEXT XE SINGLE BAND				
2	H45TGT9PW8AN	APX NEXT SINGLE BAND MODEL 4.5 PORTABLE*	2		\$5,779.32	\$11,558.64
2a	QA00569AP	ADD: 7/800MHZ BAND	2			
2b	QA01427AK	ALT: APX NEXT XE HOUSING GREEN	2			
2c	QA02006AE	ADD: APX NEXT XE M4.5 RUGGED RADIO	2			
2d	BD00001AA	ADD: CORE BUNDLE	2			
2e	H499KC	ENH: SUBMERSIBLE (DELTA T)	2			
2f	H38DA	ADD: SMARTZONE OPERATION	2			
2g	Q806CH	ADD: ASTRO DIGITAL CAI OPERATION	2			
2h	Q361CD	ADD: P25 9600 BAUD TRUNKING	2			
2i	QA09028AA	ADD: VIQI VC RADIO OPERATION	2			



Any sales transaction following Motorola's quote is based on and subject to the terms and conditions of the valid and executed written contract between Customer and Motorola (the "Underlying Agreement") that authorizes Customer to purchase equipment and/or services or license software (collectively "Products"). If no Underlying Agreement exists between Motorola and Customer, then Motorola's Standard Terms of Use and Motorola's Standard Terms and Conditions of Sales and Supply shall govern the purchase of the Products.
Motorola Solutions, Inc.: 500 West Monroe, United States - 60661 ~ #: 36-1115800



QUOTE-2006417
APX Next (2)_APX 8500

Line #	Item Number	Description	Qty	Term	Sale Price	Ext. Sale Price
2j	QA03399AK	ADD: ENHANCED DATA	2			
2k	Q387CB	ADD: MULTICAST VOTING SCAN	2			
2l	QA00580BA	ADD: TDMA OPERATION	2			
2m	QA09001AM	ADD: WIFI CAPABILITY	2			
2n	Q629BD	ENH: AES ENCRYPTION AND ADP	2			
2o	QA09030AA	ADD: MOTOROLA HOSTED RADIOCENTRAL W CPS*	2			
2p	H637AA	ADD: APX NEXT DMS BUNDLE PROMO	2			
2q	H636AB	ADD: APX NEXT APPLICATION BUNDLE PROMO	2			
2r	H638EA	ADD: SMART LOCATE MAPPING TRIAL PROMO	2			
2s	QA09017AA	ADD: LTE WITH ACTIVE SERVICE AT&T US*	2			
3	NNTN9217A	BATTERY PACK,BATTERY PACK,IMPRES GEN2, LIION,IP68, 4400T, UL2054 DIV 2	2		\$213.26	\$426.52
4	LSV01P01415A	APX NEXT DMS ADVANCED W ACC DMG-PROMO	2	12 MONTHS	\$179.40	\$358.80
5	SSV01P01407B	SMARTPROGRAMMING PROMO	2	1 YEAR	\$75.00	\$150.00
6	SSV01P01406A	SMARTCONNECT PROMO	2	1 YEAR	\$75.00	\$150.00
7	SSV01P01476A	SMARTLOCATE PROMO	2	1 YEAR	\$75.00	\$150.00
8	SSV01P01902A	SMARTMAPPING PROMO	2	1 YEAR	\$75.00	\$150.00
9	SSV01P01685B	ELIGIBLE FOR PROMO - CC AWARE STARTER	2	1 YEAR	\$56.00	\$112.00
10	PMMN4137ABLK	XVE500 REMOTE SPEAKER MICROPHONE, BLACK, NO CHANNEL KNOB	2		\$481.95	\$963.90



Any sales transaction following Motorola's quote is based on and subject to the terms and conditions of the valid and executed written contract between Customer and Motorola (the "Underlying Agreement") that authorizes Customer to purchase equipment and/or services or license software (collectively "Products"). If no Underlying Agreement exists between Motorola and Customer, then Motorola's Standard Terms of Use and Motorola's Standard Terms and Conditions of Sales and Supply shall govern the purchase of the Products.
Motorola Solutions, Inc.: 500 West Monroe, United States - 60661 ~ #: 36-1115800



QUOTE-2006417
APX Next (2)_APX 8500

Line #	Item Number	Description	Qty	Term	Sale Price	Ext. Sale Price
11	PMMN4132A	ACCESSORY KIT,XVE500 REMOTE SPEAKER MIC, HIGH IMPACT GREEN WITH KNOB	2		\$510.30	\$1,020.60

Grand Total \$20,927.86(USD)

Pricing Summary

	Sale Price	
Upfront Costs for Hardware, Accessories and Implementation (if applicable), plus Subscription Fee	\$20,927.86	\$0.00
Grand Total System Price	\$20,927.86	\$0.00

Notes:

- Additional information is required for one or more items on the quote for an order.

Motorola's quote (Quote Number: _____ Dated: _____) is based on and subject to the terms and conditions of the valid and executed written contract between Customer and Motorola (the "Underlying Agreement") that authorizes Customer to purchase equipment and/or services or license software (collectively "Products"). If no Underlying Agreement exists between Motorola and Customer, then the following Motorola's Standard Terms of use and Purchase Terms and Conditions govern the purchase of the Products which is found at <http://www.motorolasolutions.com/msi/omterms>.

The Parties hereby enter into this Agreement as of the Effective Date.

Motorola Solutions, Inc.

Customer

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

- Unless otherwise noted, this quote excludes sales tax or other applicable taxes (such as Goods and Services Tax, sales tax, Value Added Tax and other taxes of a similar nature). Any tax the customer is subject to will be added to invoices.



Any sales transaction following Motorola's quote is based on and subject to the terms and conditions of the valid and executed written contract between Customer and Motorola (the "Underlying Agreement") that authorizes Customer to purchase equipment and/or services or license software (collectively "Products"). If no Underlying Agreement exists between Motorola and Customer, then Motorola's Standard Terms of Use and Motorola's Standard Terms and Conditions of Sales and Supply shall govern the purchase of the Products.
Motorola Solutions, Inc.: 500 West Monroe, United States - 60661 ~ #: 36-1115800

RESOLUTION NO. 2023-016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF THE INTERLOCAL AGREEMENT BY AND BETWEEN CITY OF CEDAR HILL, TEXAS, ("CEDAR HILL"), AND THE CITY OF DUNCANVILLE, TEXAS, ("DUNCANVILLE"), FOR THE SHARED PURCHASE AND USE OF A TRAFFIC CONTROL VEHICLE; AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Participating Cities desire to enter into an Interlocal Cooperation Agreement to provide a traffic control vehicle for the cities of Cedar Hill and Duncanville; and

WHEREAS, the use of a traffic control vehicle to be deployed to control and/or block oncoming traffic during an emergency or life threatening incident on public highways, streets and roads to provide a critical lifesaving and equipment-sparing barrier between first responders on the roadway and passing motorists; and

WHEREAS, the cities of Cedar Hill and Duncanville agree that the shared use of a traffic control vehicle could provide significant margins of safety for their emergency services and workers; and

WHEREAS, Chapter 791 of the Texas Government Code provides authorization for local governments to contract with one another to provide governmental functions and services; and

WHEREAS, it is mutually advantageous for the Participating Cities to enter into the Interlocal Cooperation agreement, and authorizing the Mayor to execute said Agreement.

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

SECTION 1. That the City Council of the City of Duncanville, Texas hereby approves, and accepts the terms of the Interlocal Agreement by and between Participating Cities for the Interlocal Agreement relating to the purchase and use of a traffic control vehicle, which is attached hereto and incorporated herein by reference as Exhibit "A"; and, the Mayor is hereby authorized to execute said Agreement.

SECTION 2. That should any part of this Resolution be held to be invalid for any reason, the remainder shall not be affected hereby, and such remaining positions are hereby declared to be severable.

SECTION 3. That this Resolution shall become effective immediately from and after its passage, as the law and charter in such cases provide.

DULY RESOLVED AND ADOPTED by the City Council of the City of Duncanville, Texas, on the 7th day of March, 2023.

APPROVED:

Barry L. Gordon, Mayor

ATTEST:

Janie Willman, City Secretary

APPROVED AS TO FORM:

Robert E. Hager, City Attorney



STAFF REPORT

MEETING: City Council - 07 Mar 2023

TITLE:

Consideration and action regarding the request of Rick Jaynes, Applicant and Owner, to change zoning from a Planned Development District and Local Office/Retail District to a new Planned Development District and to change zoning from a Planned Development District and Local Office/Retail District to General Office/Retail District and adopt an ordinance to amend the Comprehensive Zoning Ordinance and map on 1A & PT Lot 2A, Block 1, Merrywood Addition; Lots 1A and 2A Merrywood Addition; Lot 1, Block 1, Jaynes Memorial Addition; and PT TR 23 ACS 3.1562, A Slayback ABST 1299 PG 880, more commonly known as 803, 807, 809 and 811 South Cockrell Hill Road, in the City of Duncanville, Dallas County, Texas.

Vision Statement:

“Duncanville, a City of Champions, is a safe, vibrant, diverse community committed to excellence in education, business, and good governance.”

Pillar:

- **Promote: Innovative Ideas for Development and Re-development**
 - Pursue a diverse and robust economy through various business, housing, and employment opportunities that encourage forward-thinking community and economic development.
- **Re-Imagine: High Quality of Life**
 - Develop, maintain, and encourage safe, attractive, viable family-oriented neighborhoods that embrace diversity and pride, promoting economic vitality.

STAFF RESPONSIBLE:

Nathan Warren, Senior Planner

BACKGROUND/HISTORY:

Comprehensive Plan

The subject property has a Future Land Use Designation of Retail/Commercial. The Plan states that Retail/commercial establishments have goods for purchase by the general public and generating sales tax revenue. Retail uses require high visibility locations such as along arterial roadways. Examples of retail uses include clothing stores, dry cleaners, and branch banks. The following are policies to guide retail areas:

- Retail should be located at high points of visibility.
- They should serve as a buffer and transition between higher and lower intensity uses.

Commercial uses are more intense than retail establishments, yet also provide goods and services for the public. Examples of commercial establishments would include hotels, restaurants, and big box retailers.

The Plan goes on to list the following policies to guide retail/commercial areas:

- They are located along major arterial, super arterial and freeway corridors.
- Outside storage associated with commercial activity should be screened from the primary roadway on which the establishment is located.
- Commercial activity should be buffered from low density residential areas through the use of enhanced landscaping, increased rear setbacks, the use of medium density residential, and by floodplains or other man-made features.
- Retail/commercial uses above two stories should be required to observe additional setbacks.

This request is in conformance with the Comprehensive Plan as the proposed zoning change will allow for the accessory use of a parking garage for the purpose of an existing funeral home business.

Project Scope

On Monday, November 28, 2022, the Planning and Zoning Commission approved a replat on the subject property. The property at 803 and 809 South Cockrell Hill Road became one lot and the property at 807 and 811 became one lot. However, this left each lot with a portion zoned Local Office Retail (LOR) and a portion Planned Development (PD). The request is to make the entire lot the same zoning district. The property at 803 and 809 South Cockrell Hill Road is proposed to be a Planned Development District that will include the portion zoned LOR and remove the use school from the portion zoned PD. The property at 807 and 811 South Cockrell Hill Road is proposed to be a General Office Retail (GOR) District that will include the portion zoned LOR and the portion zoned PD.

Parking

The Zoning Ordinance does not require parking for an accessory structure. However, the applicant is proposing thirty (30) additional parking spaces as shown in the attached site plan.

Surrounding Land Use

This request is for a zoning change. To the north of the subject properties are existing commercial businesses zoned LOR, Local Office Retail District and a public storage facility zoned PD, Planned Development district. To the west, directly behind the subject properties are existing single-family residences zoned SF-10, Single-Family Residential District. To the east are existing shopping strips and various restaurants zoned GOR, General Office Retail District. To the south of the subject properties are commercial businesses zoned LOR, Local Office Retail District and GOR, General Office Retail District.

Recommendation

The Planning and Zoning Commission recommended approval by a vote of 4 to 1.

Council Action

Council unanimously approved item 5.B. on Tuesday, February 7, 2023.

POLICY EXPLANATION:

Notification

Thirty (30) notices were sent out for this public hearing. Three (3) responses were received in favor and zero (0) responses in opposition were received. City Council unanimously approved item 5.B. on Tuesday, February 7, 2023.

FUNDING SOURCE:

ORG and Object Number

N/A

Available Budget

\$0.00

Purchase Amount

\$0.00

After Encumber

\$0.00

ACTION ALTERNATIVES:

1. Adopt the ordinances for the approved Planned Development and zoning request.
2. Do not adopt the ordinances for the approved Planned Development and zoning request.
3. Other actions as directed by Council.

ATTACHMENTS:

[20230216-Duncanville.ZORD repealing Ord 1462](#)

[20230216-Duncanville.ZORD Blk 1, Lot 2A to Blk 1, Lot 1R](#)

ORDINANCE NO. 2468

AN ORDINANCE OF THE CITY OF DUNCANVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP, AS HERETOFORE AMENDED, BY REPEALING ORDINANCE NO. 1462, WHICH ESTABLISHED GRANTED A CHANGE OF ZONING FROM COMMERCIAL DISTRICT TO PLANNED DEVELOPMENT DISTRICT AND IS HEREBY ESTABLISHED TO PROVIDE WITH A NEW PLANNED DEVELOPMENT TO BE USED FOR SINGLE FAMILY RESIDENTIAL PURPOSES, FOR REAL PROPERTY DESCRIBED AS LOT 1R1, BLOCK 1 OF THE JAYNES MEMORIAL ADDITION, AN ADDITION TO THE CITY OF DUNCANVILLE TEXAS, MORE COMMONLY KNOWN AS 803 S. COCKRELL HILL ROAD, DUNCANVILLE, DALLAS COUNTY, TEXAS, (THE "PROPERTY"). EXHIBITS 'A' and 'B'; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and City Council of the City of Duncanville, in compliance with state laws with reference to amending the Comprehensive Zoning Ordinance, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, the City Council is of the opinion and finds that the Comprehensive Zoning Ordinance and Map should be amended as provided herein.

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

SECTION 1. That the Comprehensive Zoning Ordinance and Map of the City of Duncanville, Texas, as heretofore amended, be, and the same are hereby amended by repealing Ordinance No. 1462, which established granted a change of zoning from Commercial District to Planned Development District and is hereby established to provide with a new Planned Development to be used for single family residential purposes, for real property described as Lot 1R1, Block 1 of the Jaynes Memorial Addition, an addition to the City of Duncanville Texas, more commonly known as 803 S. Cockrell Hill Road, Duncanville, Dallas County, Texas, (the "Property"). Exhibits 'A' and 'B' which are attached hereto and incorporated herein.

SECTION 2. That said Property shall be used, developed, and maintained only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of the City of Duncanville, as heretofore amended, and in conformance with this Ordinance with the following development regulations:

That prior to any further development a detailed site plan, landscape plan and elevation plan will be fled and approved by Planning and Zoning and City Council; and existing buildings and structures shall be deemed conforming under this ordinance.

SECTION 3. That should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 4. That all provisions of the Ordinance of the City of Duncanville in conflict with provisions of this Ordinance be, and same are hereby repealed, and all other provisions of the ordinances of the City of Duncanville not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 5. That the above described property shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City of Duncanville, as amended herein by the granting of this special use permit.

SECTION 6. That any person, firm or corporation violating any of the provisions or terms of this Ordinance or of the Comprehensive Zoning Ordinance as amended hereby shall be deemed guilty of a misdemeanor, and subject to the same penalty as provided for in the Comprehensive Zoning Ordinance, and upon conviction shall be punished by fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day such violation shall continue shall constitute a separate offense.

SECTION 7. That this Ordinance shall take effect immediately from and after its passage and the publication of the caption of said Ordinance, as the law in such cases provides.

DULY PASSED by the City Council of the City of Duncanville, Texas, on the ____ day of _____, 2023.

APPROVED:

Barry L. Gordon, Mayor

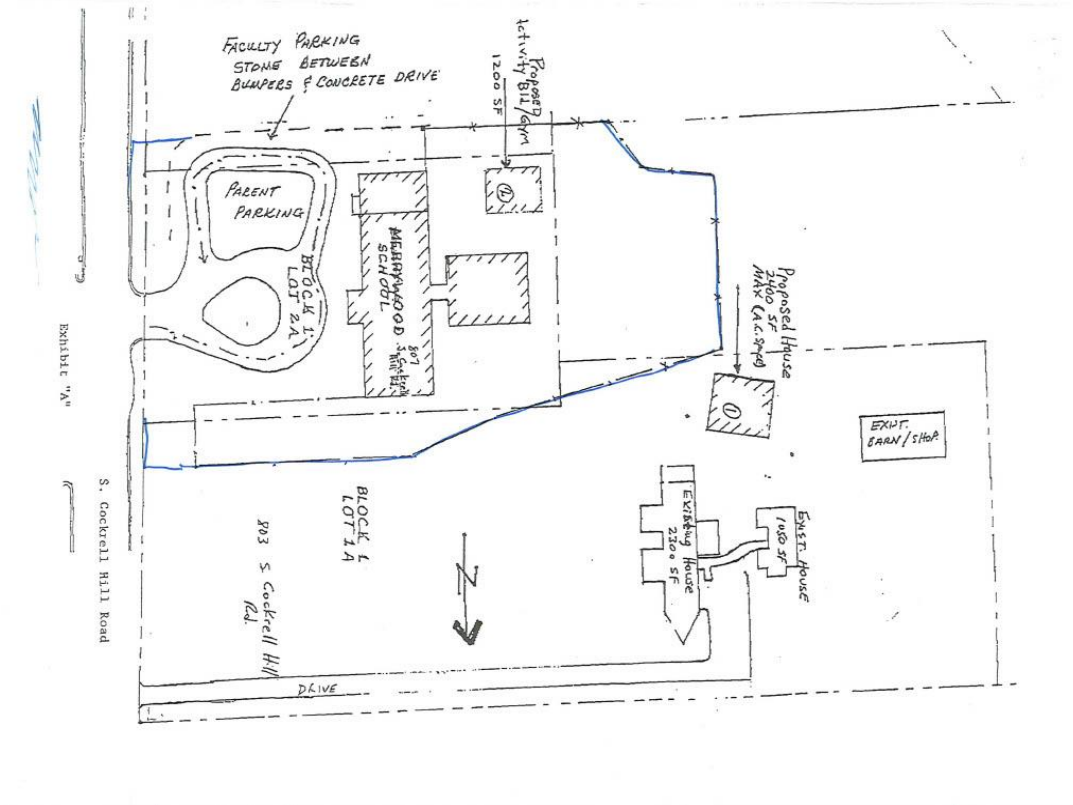
ATTEST:

Janie William, City Secretary

APPROVED AS TO FORM:

Robert E. Hager, City Attorney

EXHIBIT "A"



ORDINANCE NO. 2469

AN ORDINANCE OF THE CITY OF DUNCANVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP, AS HERETOFORE AMENDED, BY AMENDING PD 1462 TO COMMERCIAL 1 ON THE PROPERTY FORMERLY DESCRIBED AS BLOCK 1, LOT 2A OF THE MEADOWWOOD ADDITION WHICH IS NOW PART OF BLOCK 1, LOT 1R, OF THE JAYNES MEMORIAL ADDITION, AN ADDITION TO THE CITY OF DUNCANVILLE TEXAS, MORE COMMONLY KNOWN AS 809 S. COCKRELL HILL ROAD, DUNCANVILLE, DALLAS COUNTY, TEXAS, (THE "PROPERTY"). EXHIBITS 'A' AND 'B', WHICH ARE ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and City Council of the City of Duncanville, in compliance with state laws with reference to amending the Comprehensive Zoning Ordinance, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, the City Council is of the opinion and finds that the Comprehensive Zoning Ordinance and Map should be amended as provided herein.

NOW, THEREFORE, BE IT ORDIANED BY THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, THAT:

SECTION 1. That the Comprehensive Zoning Ordinance and Map of the City of Duncanville, Texas, as heretofore amended, by amending PD 1462 to Commercial 1 on the property formerly described as Block 1, Lot 2A of the Meadowwood Addition which is now part of Block 1, Lot 1R, of the Jaynes Memorial Addition, an addition to the City of Duncanville Texas, more commonly known as 809 S. Cockrell Hill Road, Duncanville, Dallas County, Texas, (the "Property"). Exhibits 'A' and 'B' which are attached hereto and incorporated herein.

SECTION 2. That the above-described property shall be used and developed only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of the City of Duncanville and regulations under the Code of Ordinance, as heretofore amended.

SECTION 3. That should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 4. That all provisions of the Ordinance of the City of Duncanville in conflict with provisions of this Ordinance be, and same are hereby repealed, including Ordinance No. 1462 adopted on the 6th of August, 1996, and all other provisions of the ordinances of the City of Duncanville not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 5. That the above-described property shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City of Duncanville, as amended herein by the granting of this special use permit.

SECTION 6. That any person, firm or corporation violating any of the provisions or terms of this Ordinance or of the Comprehensive Zoning Ordinance as amended hereby shall be deemed guilty of a misdemeanor, and subject to the same penalty as provided for in the Comprehensive Zoning Ordinance, and upon conviction shall be punished by fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day such violation shall continue shall constitute a separate offense.

SECTION 7. That this Ordinance shall take effect immediately from and after its passage and the publication of the caption of said Ordinance, as the law in such cases provides.

DULY PASSED by the City Council of the City of Duncanville, Texas, on the ____ day of _____, 2023.

APPROVED:

Barry L. Gordon, Mayor

ATTEST:

Janie Willman, City Secretary

APPROVED AS TO FORM:

Robert E. Hager, City Attorney

EXHIBIT "A"

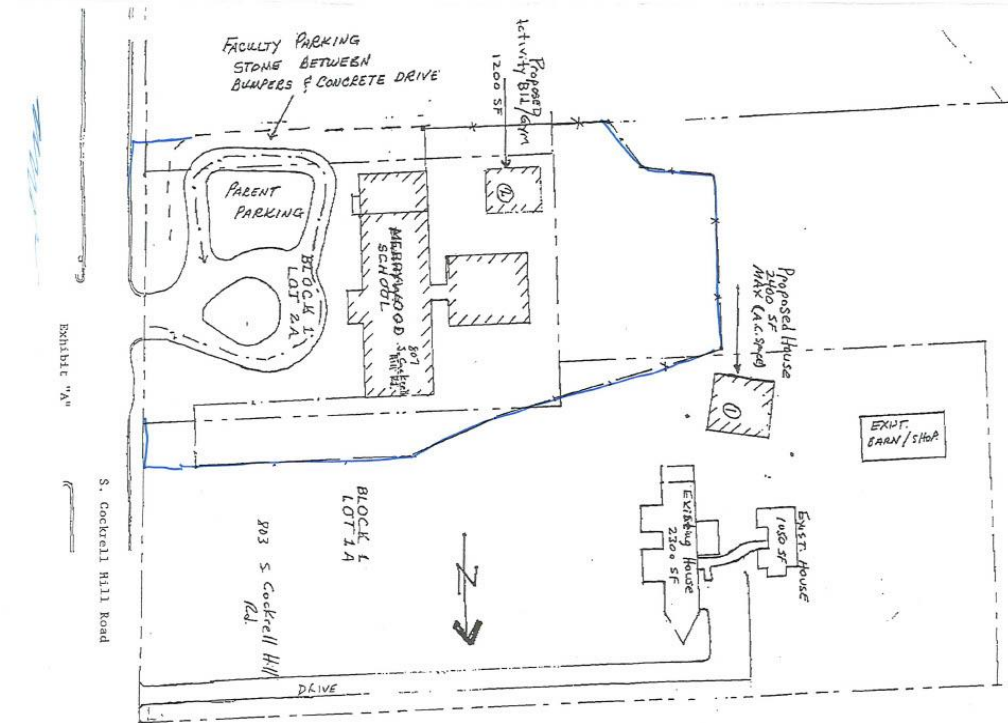
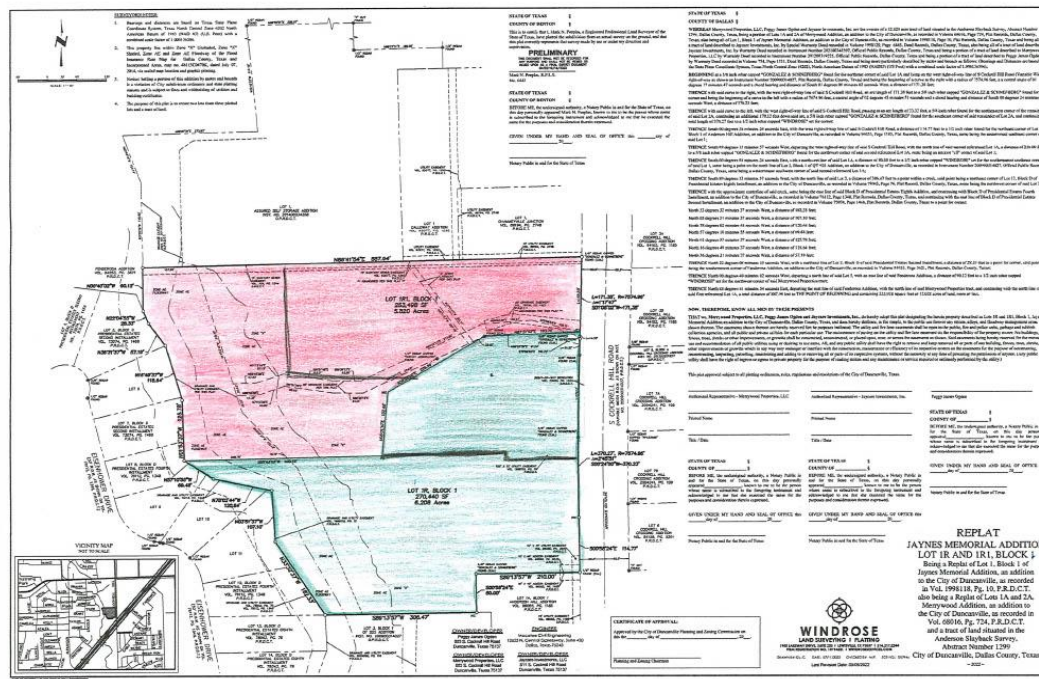


EXHIBIT “B”



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DUNCANVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP, AS HERETOFORE AMENDED, BY REPEALING ORDINANCE NO. 1462, WHICH ESTABLISHED GRANTED A CHANGE OF ZONING FROM COMMERCIAL DISTRICT TO PLANNED DEVELOPMENT DISTRICT AND IS HEREBY ESTABLISHED TO PROVIDE WITH A NEW PLANNED DEVELOPMENT TO BE USED FOR SINGLE FAMILY RESIDENTIAL PURPOSES, FOR REAL PROPERTY DESCRIBED AS LOT 1R1, BLOCK 1 OF THE JAYNES MEMORIAL ADDITION, AN ADDITION TO THE CITY OF DUNCANVILLE TEXAS, MORE COMMONLY KNOWN AS 803 S. COCKRELL HILL ROAD, DUNCANVILLE, DALLAS COUNTY, TEXAS, (THE "PROPERTY"). EXHIBITS 'A' and 'B'; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and City Council of the City of Duncanville, in compliance with state laws with reference to amending the Comprehensive Zoning Ordinance, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, the City Council is of the opinion and finds that the Comprehensive Zoning Ordinance and Map should be amended as provided herein.

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

SECTION 1. That the Comprehensive Zoning Ordinance and Map of the City of Duncanville, Texas, as heretofore amended, be, and the same are hereby amended by repealing Ordinance No. 1462, which established granted a change of zoning from Commercial District to Planned Development District and is hereby established to provide with a new Planned Development to be used for single family residential purposes, for real property described as Lot 1R1, Block 1 of the Jaynes Memorial Addition, an addition to the City of Duncanville Texas, more commonly known as 803 S. Cockrell Hill Road, Duncanville, Dallas County, Texas, (the "Property"). Exhibits 'A' and 'B' which are attached hereto and incorporated herein.

SECTION 2. That said Property shall be used, developed, and maintained only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of the City of Duncanville, as heretofore amended, and in conformance with this Ordinance with the following development regulations:

That prior to any further development a detailed site plan, landscape plan and elevation plan will be fled and approved by Planning and Zoning and City Council; and existing buildings and structures shall be deemed conforming

under this ordinance.

SECTION 3. That should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 4. That all provisions of the Ordinance of the City of Duncanville in conflict with provisions of this Ordinance be, and same are hereby repealed, and all other provisions of the ordinances of the City of Duncanville not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 5. That the above described property shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City of Duncanville, as amended herein by the granting of this special use permit.

SECTION 6. That any person, firm or corporation violating any of the provisions or terms of this Ordinance or of the Comprehensive Zoning Ordinance as amended hereby shall be deemed guilty of a misdemeanor, and subject to the same penalty as provided for in the Comprehensive Zoning Ordinance, and upon conviction shall be punished by fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day such violation shall continue shall constitute a separate offense.

SECTION 7. That this Ordinance shall take effect immediately from and after its passage and the publication of the caption of said Ordinance, as the law in such cases provides.

DULY PASSED by the City Council of the City of Duncanville, Texas, on the ____ day of _____, 2023.

APPROVED:

Barry L. Gordon, Mayor

ATTEST:

Janie William, City Secretary

APPROVED AS TO FORM:

Ordinance No. _____

TM 133665

Robert E. Hager, City Attorney

Ordinance No. _____

TM 133665

**EXHIBITS
“A” and “B”**

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DUNCANVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP, AS HERETOFORE AMENDED, BY AMENDING PD 1462 TO COMMERCIAL 1 ON THE PROPERTY FORMERLY DESCRIBED AS BLOCK 1, LOT 2A OF THE MEADOWWOOD ADDITION WHICH IS NOW PART OF BLOCK 1, LOT 1R, OF THE JAYNES MEMORIAL ADDITION, AN ADDITION TO THE CITY OF DUNCANVILLE TEXAS, MORE COMMONLY KNOWN AS 809 S. COCKRELL HILL ROAD, DUNCANVILLE, DALLAS COUNTY, TEXAS, (THE "PROPERTY"). EXHIBITS 'A' AND 'B', WHICH ARE ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and City Council of the City of Duncanville, in compliance with state laws with reference to amending the Comprehensive Zoning Ordinance, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, the City Council is of the opinion and finds that the Comprehensive Zoning Ordinance and Map should be amended as provided herein.

NOW, THEREFORE, BE IT ORDIANED BY THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, THAT:

SECTION 1. That the Comprehensive Zoning Ordinance and Map of the City of Duncanville, Texas, as heretofore amended, by amending PD 1462 to Commercial 1 on the property formerly described as Block 1, Lot 2A of the Meadowwood Addition which is now part of Block 1, Lot 1R, of the Jaynes Memorial Addition, an addition to the City of Duncanville Texas, more commonly known as 809 S. Cockrell Hill Road, Duncanville, Dallas County, Texas, (the "Property"). Exhibits 'A' and 'B' which are attached hereto and incorporated herein.

SECTION 2. That the above-described property shall be used and developed only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of the City of Duncanville and regulations under the Code of Ordinance, as heretofore amended.

SECTION 3. That should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

Ordinance No. _____

SECTION 4. That all provisions of the Ordinance of the City of Duncanville in conflict with provisions of this Ordinance be, and same are hereby repealed, including Ordinance No. 1462 adopted on the 6th of August, 1996, and all other provisions of the ordinances of the City of Duncanville not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 5. That the above-described property shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City of Duncanville, as amended herein by the granting of this special use permit.

SECTION 6. That any person, firm or corporation violating any of the provisions or terms of this Ordinance or of the Comprehensive Zoning Ordinance as amended hereby shall be deemed guilty of a misdemeanor, and subject to the same penalty as provided for in the Comprehensive Zoning Ordinance, and upon conviction shall be punished by fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day such violation shall continue shall constitute a separate offense.

SECTION 7. That this Ordinance shall take effect immediately from and after its passage and the publication of the caption of said Ordinance, as the law in such cases provides.

DULY ORDANED AND ADOPTED by the City Council of the City of Duncanville, Texas, on the ____ day of _____, 2023.

APPROVED:

Barry L. Gordon, Mayor

ATTEST:

Janie Willman, City Secretary

APPROVED AS TO FORM:

Robert E. Hager, City Attorney

Ordinance No. _____

TM133666

**Exhibits
“A” and “B”**

Ordinance No. _____



STAFF REPORT

MEETING: City Council - 07 Mar 2023

TITLE:

Receive the Parks and Recreation Department Quarterly Report

Vision Statement:

“Duncanville, a City of Champions, is a safe, vibrant, diverse community committed to excellence in education, business, and good governance.”

Pillar:

- **Re-Imagine: High Quality of Life**
 - ◻ **Develop, maintain, and encourage safe, attractive, viable family-oriented neighborhoods that embrace diversity and pride, promoting economic vitality.**

STAFF RESPONSIBLE:

Bart Stevenson, Director of Parks and Recreation

BACKGROUND/HISTORY:

Receive the Parks and Recreation Department Quarterly Report

POLICY EXPLANATION:

Receive the Parks and Recreation Department Quarterly Report

FUNDING SOURCE:

ORG and Object Number

N/A

Available Budget

\$0.00

Purchase Amount

\$0.00

After Encumber

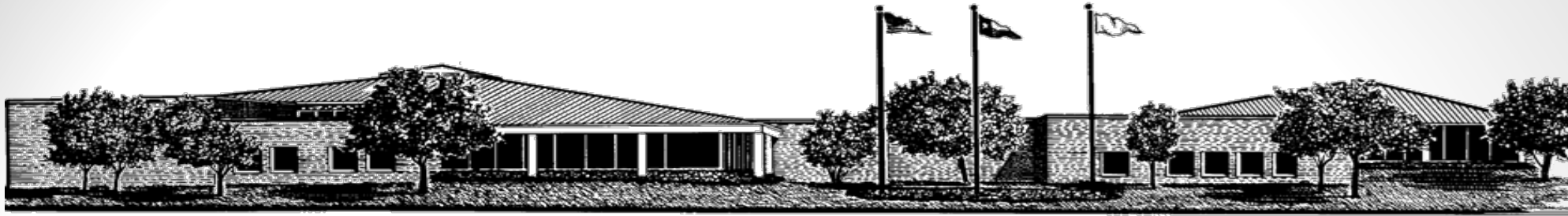
\$0.00

ACTION ALTERNATIVES:

N/A

ATTACHMENTS:

[2023-03-07 - Parks and Recreation Quarterly Report](#)



PARKS AND RECREATION QUARTERLY REPORT

CITY COUNCIL MEETING

MARCH 7, 2023

BART STEVENSON, DIRECTOR OF PARKS AND RECREATION

***We are building a vibrant, inclusive community, driven by a commitment to
democratic principles and service above self***

City of Duncanville



1

New Employees

- Administration
 - Tyler Agee, Assistant Director of Parks and Recreation
 - Angela Owens, Special Events Planner
- Parks
 - Gregory Thomas, Crew Leader – Irrigation



Tyler Agee



Angela Owens



Gregory Thomas

Park Maintenance Measurables

- Parks installed and removed Christmas decorations and lights at multiple locations such as Armstrong Park, Memorial Park, and select light poles on Main Street & Wheatland Road in preparation for the city's Annual Christmas Celebration and Duncanville High School Football Celebration.
- The Athletics Crew completed various facility improvements at Harrington Park, Alexander Park, and Lions Park.
- Park Maintenance and Horticulture Crews worked together to complete tree trimming of our city medians, various parks, and ROWs; various playground repairs, and beautifying our community through flower bed maintenance and upkeep.
- The fitness equipment at Armstrong Park, Lions Park, and Red Bird Park has been installed.



Park Maintenance Measurables

- Keep Duncanville Beautiful Community Events
 - November 5 – KDB hosted an Arbor Day Celebration at Armstrong Park. 35 tree saplings were provided for the community to plant at their residences.
 - January 28 – KDB members and volunteers prepped and seeded an area of Lakeside Park with plants native to Texas Blackland prairies.
- KDB Upcoming Events –
 - Annual Garden Workshop – Saturday, March 11



Recreation Center Measurables

- Visits: November 2022 – January 2023
 - 516 memberships were sold throughout this quarter. The number in sales includes membership drive sales.
 - 5,684 visits (164% increase from last quarter due to Open Play Basketball, Pickleball, and Volleyball)
 - 1268 Day Pass Visits
- Programs
 - Sidesteppers
 - Pickleball
 - Karate
 - Cheerleading
 - Jazzercize



Recreation Center Measurables

- Events
 - Family Field Day
 - Parents Night Out
 - Christmas Parade and Tree Lighting
 - Cookies with Santa
 - Membership Drive
 - Duncanville Panthers Championship Parade
 - Daddy Daughter Dance
- Upcoming Special Events
 - Princess Tea Party – Saturday, March 25
 - Easter Egg Hunt – Saturday, April 8
 - Movies in the Park: Uncharted – Saturday, April 15
 - Concert in the Park: Pure Blend – Saturday, April 29



Princess Tea Party

March 25th



Princess Tea Party

March 25th at 11AM

(972) 780-5070

Duncanville

Recreation Center



City of Duncanville



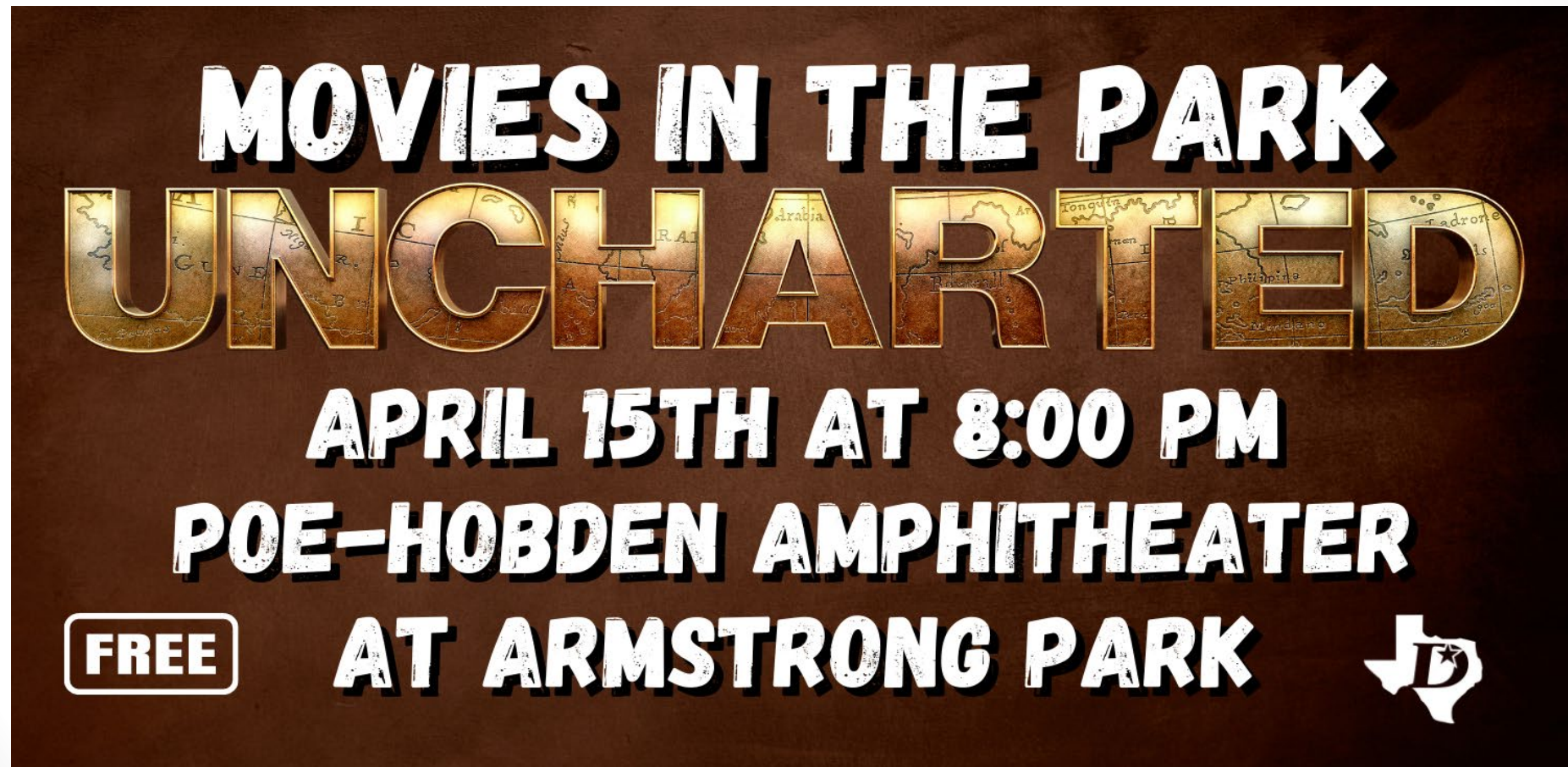
7

Easter Eggstravaganza

April 8th



Movies in the Park – Uncharted
April 15th



Concert in the Park – Pure Blend
April 29th

CONCERT IN THE PARK
FEATURING
PURE BLEND
A MOWTOWN EXPERIENCE
SATURDAY, APRIL 29TH | 7:00 PM
POE-HODBEN AMPHITHEATER
AT ARMSTRONG PARK

FREE
EVENT



Senior Center Measurables

- Visits: November 2022 – January 2023
 - 35 new and renewed memberships were sold throughout this quarter. There was a slight increase from last quarter due to the membership drive.
 - 1,928 visits
 - The Senior Center continues to operate at 100%
- Meals Served through DAAA/VNA Services
 - Dine-in lunch
 - Shelf Stable Meals for Emergency Situations only
 - 2,705 (35% decrease from last quarter due to low participation during the holidays.)
- Events
 - Indoor Bingo
 - Coffee with the Mayor
 - Walk in the Park
 - Lunch & Learn
 - Annual Health Fair
 - Monthly Birthday Celebration
 - Thanksgiving Luncheon
 - Christmas Dinner
 - Various performances including choir and live entertainment



Senior Center Activities

- Staff continues to coordinate dine-in meal services for the senior citizens with the assistance of the Visiting Nurses Association (VNA) and Dallas Area Agency on Aging (DAAA).
 - Average in-person attendance is 45 members per day
 - Average approximately 40 lunch meals per day (Dine-in)
 - Staff continues to provide mental games and activities for the seniors to keep their minds active and entertained, such as Bingo, Coffee with the Mayor, A Walk in the Park, Birthday Month Celebration, and other activities.
 - Working with the Share and Care Site Council, the staff makes weekly contact with all the members to make sure everyone is safe and inquire about any needs.

Bond Election Projects

- Armstrong Park
 - Awarded Texas Parks & Wildlife Local Non-Urban Grant - \$749,805!
 - Plans are 100% complete
 - Construction Spring/Summer 2022
 - Equipment is on order with a 16-week lead time
- Harrington Park
 - Plans are 100% complete
 - Received verbal approval from TRA to cross easement with bridge
 - Construction in Winter 2022 to allow for Spring youth sports leagues
 - Received an updated Guaranteed Maximum Price (GMP)
- Trails
 - Initiated approval process with Oncor for the powerline easement
 - Seeking professional design assistance





Questions?



STAFF REPORT

MEETING: City Council - 07 Mar 2023

TITLE:

Recieve the Planning and Neighborhood Services Quarterly Report

Vision Statement:

“Duncanville, a City of Champions, is a safe, vibrant, diverse community committed to excellence in education, business, and good governance.”

Pillar:

- **Emphasize: Government Accountability, Customer Service, Efficiency and Process Improvement**
 - **Develop a high performing organization that encourages innovation, transparency, and collaboration while delivering exceptional customer service.**

STAFF RESPONSIBLE:

Jeremy Tennant, Director of Planning and Neighborhood Services

BACKGROUND/HISTORY:

Receive the Quarterly Planning and Neighborhood Services Quarterly Report

POLICY EXPLANATION:

Receive the Quarterly Planning and Neighborhood Services Quarterly Report

FUNDING SOURCE:

ORG and Object Number

N/A

Available Budget

\$0.00

Purchase Amount

\$0.00

After Encumber

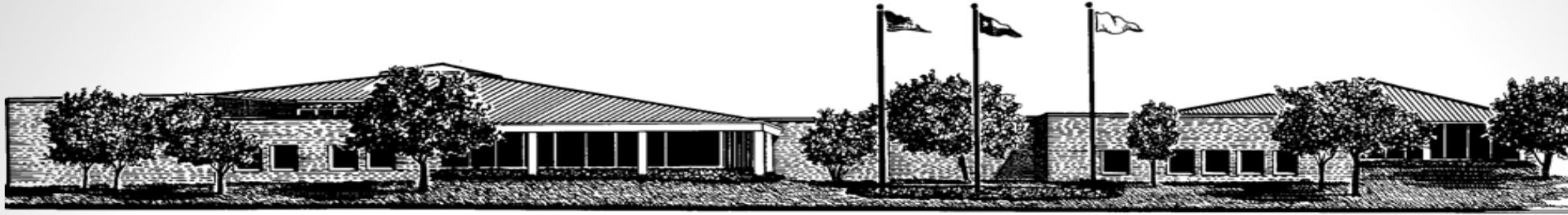
\$0.00

ACTION ALTERNATIVES:

N/A

ATTACHMENTS:

[Neighborhood Services Quarterly PP 2023-3-07](#)



NEIGHBORHOOD SERVICES QUARTERLY REPORT – FEBRUARY 2022

MARCH 07, 2023

JEREMY TENNANT, DIRECTOR OF PLANNING AND NEIGHBORHOOD SERVICES

We are building a vibrant, inclusive community, driven by a commitment to democratic principles and service above self

City of Duncannonville



1

Staffing/Personnel

- Current Staff Composition:
 - Administration – 1 FTE
 - Administrative Assistant (Juanita Gutierrez)
 - Planning – 2 FTEs
 - Senior Planner (Nathan Warren)
 - Planning Tech (Lynette Romero)
 - Building and Inspections – 5 FTEs
 - Building Official (Mark Hardin)
 - Building Inspector (Vacant)
 - Building Inspection Coordinator (Sanjay Soni)
 - Permit Tech (Alysha Young)
 - Permit Tech (Vacant)
 - Health Inspections – 1 FTE
 - Health Inspector (Tru Davis)
 - Neighborhood Services 5 FTEs
 - Neighborhood Service Officer (Esther Wright)
 - Neighborhood Service Officer (Terrance Bass)
 - Neighborhood Service Officer (Marquiis Thomas)
 - Neighborhood Service Officer in Training (Arthur “Art” Rogers)
 - Neighborhood Service Officer in Training (Jose “Ernest” Lanas)

Building and Health Inspections

Building Inspections - 636

- Accessory Buildings
- Accessory Dwelling Units
- Banner Permits
- Carports
- Rental Registration
- Certificate of Occupancies
- Clean & Show
- New Commercial
- Commercial Remodel & Repair
- Demolition
- Mechanical, Electrical & Plumbing
- Roofing
- Fence

Health Inspections - 51

- Food Establishments 42
- Pool/Spa 3
- CO Inspections 3





Neighborhood Service Officer Contacts

Non CDBG

Total Addresses - 438

Total Inspections - 1744

Total Cases - 743

CDBG

Total Addresses - 264

Total Inspections - 621

Total Cases - 269



Planning Cases

Specific Use Permits -	4
Replat -	1
Planned Developments -	1



Quarterly Accomplishments

- The Wheatland Plaza Planned Development has been approved and is going through a remodel; replat submittal is pending
- Neighborhood Service Officers Jose “Ernest” Lanas and Arthur “Art” Rogers are studying to become certified Code Officers.
- Body Cameras have been configured and brought online for usage
- Comprehensive Plan Update
- See Click Fix software



Questions?