



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, April 7, 2020
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.

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, the City Council for the City of Duncanville, Texas will conduct a City Council Regular Meeting by video conference at 6:00 pm on Tuesday, April 7, 2020, in order to advance the public health goal of limiting face-to-face meetings (also called "social distancing") in an effort to slow the spread of the Coronavirus (COVID-19) pandemic.

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

To submit public comments, email citysecretary@duncanville.com and title the email "Public Comment – April 7th". All public comments submitted by 4pm on Tuesday, April 7, 2020 will be provided to the City Council members and entered into the record for the April 7, 2020 City Council Regular Meeting.

Please register for City Council Meeting - April 7, 2020 on Apr 7, 2020 6:00 PM CDT at:

<https://attendee.gotowebinar.com/register/9198582853676022286>

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

OR

TO USE YOUR TELEPHONE:

Use the numbers below.

United States: +1 (914) 614-3221

Attendee Access Code: 231-556-384

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

WORK SESSION / BRIEFING

Citizen comments will not be heard during the Work Session/Briefing but will be heard during the Regular Session.

1. DISCUSS AGENDA ITEMS

2. BRIEFINGS / PRESENTATIONS

- A. Respond and provide updates on COVID-19.

EXECUTIVE SESSION

- 1. The City Council shall convene into closed Executive Session pursuant to Section 551.071 of the Texas Government Code, Consultation with the Attorney, to seek the advice of the attorney concerning the City Manager's contract.

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

1. REPORTS

- A. Mayor's Report.
- B. Councilmembers' Reports
- C. City Manager's Report.

2. PROCLAMATIONS AND PRESENTATIONS

None

3. CITIZENS' INPUT

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

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 the Minutes for the March 3, 2020 City Council Regular Meeting and March 19, 2020 Special City Council Meeting. 5 - 14
[2020-03-03 - City Council - Minutes - UNAPPROVED](#)
[2020-03-19 - Special City Council Meeting - Minutes - UNAPPROVED](#)
- B. Consider a Resolution authorizing the second amendment to the contract with Tyler Technologies, Inc. through Sourcewell formerly known as National Joint Powers Alliance Contract #110515-TTI to include the purchase of additional software, being the Utility Billing Customer Information Suite module, to be integrated with the City ERP system in an amount not to exceed \$139,415.00. 15 - 29
[Tyler Technologies, Inc.](#)
- C. Consider a Resolution finding a Bona Fide Emergency and authorizing and approving the award of a contract for Emergency Repairs and Security Upgrades to the median lighting along Interstate Highway 20 from Cedar Ridge Drive to Cockrell Hill Road, including lighting under and on top of the Camp Wisdom Road Bridge, within the City of Duncanville to Siemens Mobility, Inc., for the unit prices shown, with an estimated expenditure amount of \$145,747.00 30 - 43
[IH-20 Emergency Median Lighting](#)
- D. Consider a Resolution rejecting all bids received for Demolition Services for the property located at 730 E. IH 20, Duncanville, Texas 75116 (former Toyota Dealership); providing for appropriate notice, and providing for authorization to rebid. 44 - 48
[Demolition Services](#)

5. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. Consider a Resolution extending a Mayoral Declaration of a State of Emergency and order as a result of the COVID-19 Virus; providing for Interim Public Safety Measures; repealing all Resolutions in Conflict; providing a severability clause and providing for an effective date. 49 - 88
[State of Emergency - COVID-19](#)
- B. Discuss and Consider delaying the City Manager's retirement from May 31, 2020 to a mutually agreed upon future date.
- C. Take any necessary action as a result of the Executive Session.

6. STAFF AND BOARD REPORTS

- A. Receive the Monthly Financial Report as of February 29, 2020. 89 - 115
[Monthly Financial Report as of February 29, 2020](#)

ADJOURNMENT

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted in accordance with the regulations of the Texas Open Meetings Act on the bulletin board located at the entrance to the City of Duncanville City Hall, a place convenient and readily accessible to the general public, as well as to the City's website www.duncanville.com and said Notice was posted on the following date and time: **Thursday, April 2, 2020 at 6:30 P.M.** and remained posted for at least two hours after said meeting was convened.


Kristin Downs, City Secretary

PURSUANT TO SECTION 30.07, PENAL CODE (TRESPASS BY LICENSE HOLDER WITH AN OPENLY CARRIED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS MEETING ROOM WITH A HANDGUN THAT IS CARRIED OPENLY.

DE CONFORMIDAD CON LA SECCIÓN 30.07 DEL CÓDIGO PENAL (PREVARICACIÓN POR LICENCIATARIO CON UNA ARMA DE MANO LLEVADA ABIERTAMENTE), UNA PERSONA CON LICENCIA BAJO EL SUBCAPÍTULO H, CAPÍTULO 411, CÓDIGO DE GOBIERNO (LEY DE LICENCIAS PARA PORTAR ARMAS), NO PUEDEN ENTRAR A LA SALA DE REUNIONES CON UNA ARMA DE MANO QUE SE PRACTICA ABIERTAMENTE.

"PURSUANT TO SECTION 30.06, PENAL CODE (TRESPASS BY HOLDER OF LICENSE TO CARRY A CONCEALED HANDGUN), A PERSON LICENSED UNDER SUB-CHAPTER H, CHAPTER 411, GOVERNMENT CODE (CONCEALED HANDGUN LAW), MAY NOT ENTER THIS PROPERTY WITH A CONCEALED HANDGUN"

"DE ACUERDO CON LA SECCIÓN 30.06 DEL CÓDIGO PENAL (INGRESO SIN AUTORIZACIÓN DE UN PORTADOR DE UNA LICENCIA PARA LLEVAR UN ARMA CORTA OCULTA), UNA PERSONA CON LICENCIA SEGÚN EL SUBCAPÍTULO H, CAPÍTULO 411 DEL CÓDIGO DEL GOBIERNO (LEY PARA PORTAR ARMAS CORTAS OCULTAS), NO PUEDE INGRESAR A ESTA PROPIEDAD CON UN ARMA CORTA OCULTA"

**Duncanville City Council Meeting Minutes
Regular Meeting
Tuesday, March 3, 2020**

CALL TO ORDER

A regular meeting of the Duncanville City Council was called to order on Tuesday, March 3, 2020, at 6:01 p.m. in the Council Briefing Room at City Hall with a quorum to wit:

COUNCIL PRESENT: Mayor Barry L. Gordon
Councilmember At-Large Patrick Harvey
Mayor Pro Tem Don McBurnett
Councilmember Monte Anderson
Councilmember Johnette Jameson

COUNCIL ARRIVING AT: Councilmember Joe Veracruz – 6:04 p.m.
Councilmember Mark D. Cooks – 6:09 p.m.

I. WORK SESSION / BRIEFING**I.1. DISCUSS AGENDA ITEMS**

Mayor Gordon read the item into record, and City Manager Hugman reviewed each item. Item 4F – FY2020 WorkPlan; Councilmember Jameson voiced her concerns over the WorkPlan and requested to table the item. Council agreed to table the item until a later City Council Regular meeting date.

I.2. BRIEFINGS / PRESENTATIONS**I.2.A. *Update and discussion regarding the Citizen Satisfaction Survey.***

PIO April Reiling discussed the citizen satisfaction survey. The following was discussed; goals and objectives, an overview of the survey, and considerations. Council requested staff proceed with the RFP selection process; Council would like to see a survey that does not require a lot of time or questions in fear of overburdening the citizens that are taking the survey.

Mayor Gordon recessed the Briefing Session at 6:37 p.m. for City Council to convene into Executive Session.

II. EXECUTIVE SESSION

The Executive Session was called into session at 6:39 p.m. and City Attorney Hager read the item into record.

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

- *TMLIRP Claim #LB80416 City of Duncanville v. Veronica Williams*

II.2 *City Council shall convene into closed executive session pursuant to Section 551.072 of the Texas Government Code, Deliberations about Real Property, to deliberate the purchase, exchange, lease, or value of real property, to wit: real properties generally located north of Wheatland Rd., east of Cedar Ridge and west of Cockrell Hill Rd.*

The Council closed the Executive Session at 7:13 p.m.

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

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

The Invocation was delivered by Brian Bowman, Church of Jesus Christ of Latter-Day Saints.

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

III.1. REPORTS

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

Mayor Gordon thanked Hastings Elementary for allowing him to read to their 2nd graders.

Mayor Gordon encouraged all citizens to attend:
Coffee with the Mayor
March 18, 2020
Senior Center

III.1.B. *Councilmembers' Reports*

Councilmember Anderson thanked staff for their work on the sign toppers around the city.

At-Large Councilmember Harvey thanked Merrifield Elementary for allowing him and his wife to be apart of their Black History Month Celebration.

Councilmember Veracruz thanked all citizens who joined the Heart of Duncanville 5K race.

Councilmember Cooks encouraged all citizens to shop locally and thanked At-Large Councilmember Harvey for hosting the April Lunch, Laugh, and Learn.

Councilmember Cooks encouraged all citizens to attend:

Bike Around Duncanville
May 2, 2020
9:00 a.m. – 12:00 p.m.
Starting at the Recreation Center

Mayor Pro Tem McBurnett stated the Pantherettes Basketball team will be competing for the State Championship.

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

None.

III.2. PROCLAMATIONS AND PRESENTATIONS

III.2.A. *Recognition of Keep Duncanville Beautiful Spring 2020 Curb Appeal Residential Properties.*

Keep Duncanville Beautiful Timothy Hamilton presented the following properties:

District 1:
Billy & Lucille Weaver
1360 Green Hills Ct.
Duncanville, TX 75137

District 2: Doyle Davis
335 Brookwood Dr.
Duncanville, TX 75116

District 3: Juan & Rosa Macias
618 Madison Ct.
Duncanville, TX 75137

District 4: James & Edna Bolinger
1602 Stratford Ln.
Duncanville, TX 75137

District 5: Jimmy Protivinsky
1110 Oriole Blvd.
Duncanville, TX 75116

III.2.B. A Proclamation recognizing Severe Weather Awareness Week, March 1-7, 2020 in the City of Duncanville.

Mayor Gordon presented the proclamation to Pat Weaver, Best Southwest Community Emergency Response Team (CERT).

III.3. CITIZENS' INPUT

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

To 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.

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

John Rakestraw, 502 Villa Creek Drive – spoke on the citizen satisfaction survey.

Lonnie McKnight, 1426 Heather Run Dr. – spoke on the traffic issues and conditions due to the new development on Danieldale.

City Manager Hugman stated the location Mr. McKnight referred to is the city limits of DeSoto and encouraged Mr. McKnight to attend their City Council meeting and voice his concerns.

III.4. CONSENT AGENDA

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

III.4.A. Consider the Minutes for the February 2, 2020 Joint Meeting with the Park Board, February 18, 2020 City Council Regular Meeting, February 18, 2020 Special City Council Meeting, and the February 26, 2020 Joint Meeting with the Planning and Zoning Commission.

III.4.B. Consider a Resolution authorizing the application for and receipt of a grant from the Texas Division of Emergency Management Hazard Mitigation Grant Program through the Federal Emergency Management Agency in cooperation with the U.S. Department of Homeland Security, funding the acquisition of one emergency generator for the Summit Water Tank Pump Station, with a total grant value of \$200,000.00, of which the Federal share awarded will be \$150,000.00 with the City of Duncanville contributing a 25% cash match in the amount of \$50,000.00.

III.4.C. Consider a Resolution authorizing award of Bid #20-014 to Reytech Services, LLC for Water Utility Improvements to install 1,250 linear feet of 12-inch PVC water main along Link Drive (from West Camp Wisdom Road to Jellison Boulevard), through the City's competitive bid process, in an estimated expenditure amount of \$332,783.87.

III.4.D. Consider a Resolution authorizing the renewal of a Microsoft Office 365 subscription from CDW-G, through the National IPA purchasing cooperative contract #2018011-01, for the three year contractually discounted price at \$70,539.00 annually with a total three year expenditure of \$211,617.00

III.4.E. Consider a Resolution authorizing the exercise of eminent domain by the City Council for properties located at 308 and 232 W. Camp Wisdom Rd., Duncanville, Dallas County Texas providing the necessity for acquisition of title to land and improvements for a Fire Station and other appropriate public purposes.

III.4.F. Consider a Resolution adopting the FY2020 WorkPlan.
Item was tabled.

Councilmember Mark D. Cooks made a motion to approve the items as stated, Councilmember At-Large Patrick Harvey seconded the motion. The vote was cast 7 for, 0 against. Items passed; Item 4F was tabled to a later date.

III.5. ITEMS FOR INDIVIDUAL CONSIDERATION

III.5.A. ***Conduct a Public Hearing (2020-01) and consider an Ordinance to amend the existing General Retail "GR" District zoning to include a Special Use "SUP" Permit for a Day Care Center on Lot 52, Woodland Hills Addition, more commonly known as 1411 S. Cockrell Hill Road, Duncanville.***

Public Works Director Greg Ramey presented the item. The subject property is reflected as part of Opportunity Area 2 on the Future Land Use Map of the Comprehensive Plan and is envisioned as having two primary land use components; high quality interstate/highway commercial development along US 67, and medium or high density residential development, likely standalone but possibly part of a mixed-use development for the remaining infill. The subject property falls within the area most appropriate for commercial or mixed-use developments. The subject property was most recently occupied as a residence which was considered a legal non-conforming use. The residential use was abandoned for over 6 months so it can no longer be used as a residence.

The applicant is seeking approval of a Special Use Permit (SUP) for a day care center to occupy the existing 1,043 s.f. building. Approximately 20-25 children, ages 1 months to 5 years, with curriculum based, age appropriate lesson plans. Hours of operation would be from 6:00am to 6:00pm, Monday through Friday with four (4) licensed employees.

The Zoning Ordinance requires one (1) off-street parking space for every fifteen (15) children, and paved pedestrian loading and unloading area with a circular drive and pass-through lane. The applicant proposes to construct a parking lot with six (6) parking spaces including site circulation at the rear of the property. The applicant is proposing minor renovations to the existing building, primarily interior modifications to meet building, daycare, and fire code requirements. The site must comply with Chapter 16A Sign Guidelines of the Code of Ordinances regarding building and freestanding signage. The site is subject to regulatory provisions of Article XIV-E Landscape Requirements of the Zoning Ordinance. A fifteen (15) foot landscape buffer along S. Cockrell Hill Road with tree plantings, trees planted within the parking area in an island, and shrubs screening the parking from the street. The site is subject to comply with the Tree Preservation Ordinance. The playground area is fenced at the rear of the property.

Properties immediately adjacent to the subject property: north, south and west are zoned within the same General Retail "GR" District. Properties to the south and west are undeveloped and the property to the north is developed with a single-family home. Properties to the east, across S. Cockrell Hill, are zoned Planned Development District and developed with single family homes (Willow Run Subdivision). Properties further north are zoned General Retail and remain mostly undeveloped, except for a vacant event center at 1331 S. Cockrell Hill and a restaurant at the intersection of S. Cockrell Hill and Highway 67.

The subject property is currently zoned General Retail "GR" and can be developed with any permitted use in the General Retail District. Converting the use of the building from residential to non-residential aligns more closely with the intended land uses envisioned for the area. Ideally, the property would redevelop with a retail or mixed-use development through the assemblage of multiple parcels. As an infill lot, there are some limitations to future redevelopment within the existing floodplain/floodway on the property.

Fourteen (14) notices were sent out for this public hearing. No responses have been received.

The Planning and Zoning commission, by vote of 3-2, recommended approval of an ordinance to amend existing district zoning to include a

Specific Use Permit "SUP" to allow a Day Care Center with the following conditions:

1. Property shall be developed in accordance with the site plan and be incorporated into the ordinance.
2. Property shall meet all city, state, and federal regulations for building, and fire codes, and accessibility.
3. Civil plans shall be designed and submitted by a licensed engineer and approved by the City Engineer per the City of Duncanville standards.
4. A fire sprinkler system is required to be installed in the building per the Fire Code.
5. No time limits.

The applicants Clayton and Lemesa Logan stated operational hours would be from 6:00 a.m. – 6:00 p.m. with 20-25 children year-round. They currently have another Day Care Center that has been in operation for 35 plus years.

Mayor Gordon opened the Public Hearing.

In Support:

Erma Griffin
Dana Waters
Meomi Butler
Frank Jackson
Eboni Womack

Leroy Griffin, 804 Newport Way, DeSoto – spoke on his Mr. and Mrs. Logan characters and stated the Day Care Center would be a great asset to the City.

Creshunda Moore – spoke on current Day Care Center and how valuable it was to her and her family.

In Opposition:

No one spoke.

Councilmember Mark D. Cooks made a motion to close the Public Hearing, Mayor Pro Tem Don McBurnett seconded the motion. The vote was cast 7 for, 0 against. Public Hearing was closed at 8:07 p.m.

Councilmember Jameson questioned why the Planning and Zoning Commission voted 3 in favor and 2 in opposition. Public Works Director stated President Zylka did not vote in favor because he felt it was not in accordance with the Comprehensive Plan.

Councilmember Mark D. Cooks made a motion to approve the item as stated, Councilmember Monte Anderson seconded the motion. The vote was cast 3 for, 4 against (Councilmember At-Large Patrick Harvey, Councilmember Joe Veracruz, Mayor Pro Tem Don McBurnett, and Councilmember Johnette Jameson). Item failed.

III.5.B. Conduct a Public Hearing (2020-02) and consider an Ordinance to revoke a Special Use Permit for an assisted living facility (Ordinance No. 2253) and retain the existing Single-Family Residential District "R-1.8" zoning, on Lot 1B, Block L, Irwin Keasler Development Red Bird Unit 1, more commonly known as 1119 Dula Circle.

Public Works Director Greg Ramey presented the item. The applicant, which is still the current property owner, never occupied the space as an assisted living facility. Per the City Attorney, the SUP should be revoked in order to remove the SUP zoning designation from the property. The property has a base zoning of "R-1.8" Single Family Residential District. This zoning would remain in place and only uses permitted within the "R-1.8" Single Family Residential District shall be allowed. The "SUP" overlay (Ordinance No. 2253) for the assisted living facility use would be removed from the zoning map if approved by the City Council.

Twenty-three (23) notices were sent out for this public hearing. Three responses in favor and one opposition has been received.

Planning & Zoning Commission recommends approval of revocation of a Special Use Permit for an assisted living facility (Ordinance No. 2253) and retaining the existing Single-Family Residential District “R-1.8” zoning, on Lot 1B, Block L, Irwin Keasler Development Red Bird Unit 1, more commonly known as 1119 Dula Circle, in the City of Duncanville, Dallas County, Texas.

Stan Smith, 344 Fouts Ave, represented the applicant and stated the home was a residential care home and encouraged Council to remove the SUP.

Mayor Gordon opened the Public Hearing at 8:17 p.m.

In Support:

No one spoke.

In Opposition:

No one spoke.

Councilmember Johnette Jameson made a motion to close the Public Hearing, Councilmember At-Large Patrick Harvey seconded the motion. The vote was cast 7 for, 0 against. The Public Hearing was closed at 8:18 p.m.

Councilmember Jameson said that she supports revocation of the SUP; the property has caused a lot of problems over the years.

Councilmember Johnette Jameson made a motion to approve the item as stated, Councilmember At-Large Patrick Harvey seconded the motion. The vote was cast 7 for, 0 against. Item passed.

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

III.6. STAFF AND BOARD REPORTS

- III.6.A. **Receive the FY20 First Quarter Investment Report as of December 31, 2019.**
Finance Director Richard Summerlin presented the item.

	Book Value	Market Value
Investments at 09/30/2019	\$ 61,278,391	\$ 61,278,391
Investment Purchases	18,442,785	18,442,785
Investment Maturities	13,000,000	13,000,000
Investments at 12/31/2019	\$ 66,721,176	\$ 66,721,176

- III.6.B. **Receive the Monthly Financial Report as of January 31, 2020.**
Finance Director Richard Summerlin presented the item. January 2020 is the fourth month in fiscal year 2020. Benchmark revenues and expenditures are 33% of budget. The General Fund ending unreserved fund balance is \$18.8 million, 212 days of operations based on the FY2020 adopted budget or 137 days (\$12.1 million) in excess of the benchmark 75-day reserve. Property taxes are at 83.5% of the budget. Overall, General Fund revenues are at 54.9% of budget while operating expenditures are at 27.0% of budget. The Utility Fund ending unreserved fund balance is \$2.9 million, 55 days of operations based on the adopted budget. Utility and Solid Waste revenues have one month delay due to the billing process; three months of revenue is reflected. The Sanitation Fund has an ending fund balance of \$700 thousand; approximately 63 days of operation.

- III.6.C. **Receive the Economic Development Annual Report.**
The Economic Development Department Quarterly Report was presented before the Economic Development Annual Report.

- III.6.D. **Receive Economic Development Department Quarterly Report.**
Economic Development Director Jessica James presented the item. The following discussion took place; FY20 WorkPlan items, business retention and expansion efforts, market update and highlights, and additional activities.
- III.6.C. **Receive the Economic Development Annual Report.**
Economic Development Director Jessica James presented the item. The following discussion took place; economic development recap, community development recap, status of existing Type B projects, DCEDC meeting highlights, and DCEDC activities.

IV. **ADJOURNMENT**

The meeting was adjourned at 8:51 p.m.

APPROVED:

MAYOR

ATTEST:

CITY SECRETARY

Duncanville City Council Meeting Minutes Special Meeting Thursday, March 19, 2020

CALL TO ORDER

A special meeting of the Duncanville City Council was called to order on Thursday, March 19, 2020, at 6:00 p.m. in the Council Briefing Room at City Hall with a quorum to wit:

COUNCIL PRESENT:

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

I.1. CITIZENS' INPUT

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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.

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

No one spoke.

I.2. ITEMS FOR INDIVIDUAL CONSIDERATION

I.2.A. *Consider a Resolution extending a Mayoral Declaration of a State of Emergency and order as a result of the COVID-19 Virus; providing for Interim Public Safety Measures; repealing all Resolutions in Conflict; providing a severability clause and providing for an effective date.*

City Manager Hugman discussed the precautions the city is taking during COVID-19.

Facilities:

Senior Center – closed Friday, March 13, 2020.

- Hot lunches being provided by VNA in individual trays for pickup at curbside (averaging 35-45 meals per day)
- Those seniors who depended on transportation to Senior Center are getting their meals delivered (approximately 15 seniors)

Recreation Center, Fieldhouse – closed Monday, March 16, 2020

- Reservations through March have been canceled; reservations placed for April have been told they may be canceled.
- FT and some PT staff cleaning facilities, working projects.

Library – closed Monday, March 16, 2020

- Staff providing book pickup at curbside with advance notice; working projects and cleaning.

All other facilities – open for business as usual (there has been a decreased walk-in traffic in City Hall).

- Stressing “social distancing” for customer interactions and meetings.
- Increased cleaning efforts in all city facilities.
- Posted the DCHHS 2019 Novel Coronavirus FAQ document in English and Spanish at the entrance to all city buildings.

- Parks and playgrounds are open, with attention to “recreation gathering” restrictions.
 - Public restrooms at parks are cleaned and sanitized appropriately
 - Looking at putting up signage – cautioning use

Police:

- Protocols established contacts with individuals; use of PPE and coordination with EMS when necessary
- Sworn personnel not assigned to patrol division directed to have a patrol uniform and proper equipment ready in case they need to be assigned to Patrol.
- Temporarily suspended all police volunteer programs and meetings since many volunteers are elderly and more susceptible to the COVID-19.
- Ellis-Davis Fieldhouse may be activated for drive-thru testing – PD may be asked to supply (2) officers for security.
 - Looking at using City marshal; also requested DISD PD assistance to supplement if possible.

Fire:

- Protocols established to minimize number of Fire/EMS personnel who may come into contact with a potential COVID-19 patient
- Working with SWRCC, Desoto and Cedar Hill FDs to provide (1) paramedic at SWRCC to go through medical questionnaire with 911 callers if potential COVID-19 patient.
- Regional Emergency Management Coordinator working with all four BSW cities and coordination with Dallas County HHS, city of Dallas Emergency Management, and others on regional coordination and response.

PIO:

- Ensuring updated communications on website, social media with closings, cancellations, COVID-19 information, etc.
- Ensuring communication to employees on latest developments, status of city responses.

Health Inspector / Code:

- Visiting restaurants, food establishments to ensure they are aware of Dallas County Order, answering questions.

Municipal Court:

- Municipal court cases suspended to May at order of Municipal Court Judge.

Personnel Status:**Health related:**

- (1) employee on 14-day self-quarantine at home after recently returning from trip to Spain.
- (2) employees on self-quarantine at home due to spouses exhibiting symptoms consistent with COVID-19 (fever, aches, etc.) No test results available at this time to confirm.
- (1) employee with significant risk to exposure is working at home.
- (1) employee with significant customer interaction sent home for precaution and for rest due to feeling fatigue, but NOT exhibiting fever.
- Employees with moderate risk are being moved to reduce interaction and contact with customers when possible and being cautioned to use gloves if necessary and increase cleaning, washing of hands.

Childcare related:

- A few employees noting issues with childcare; are allowed to work at home when feasible.

Personnel Policies:

- Drafting temporary policy to address work-at-home, use of leave if quarantined, etc.
- Reviewing Family First Act passed by US House and Senate for impact and implementation.

PIO Reiling briefed Council on how the city is keeping the community and employees up to date on communication pertaining with COVID-19.

Discussion on Council events, Boards and Commissions meetings, and city events took place. Council agreed to provide teleconferencing and videoconferencing for social distancing for City Council meetings. Council agreed to move forward with the search firm interviews for a new City Manager; the City Manager is considered essential to future operations in the City. Depending on the spread of the COVID-19 virus could change the dates of the interviews. All Boards and Commissions meetings have been canceled unless pertinent business needs to be handled. Town Hall Meetings and the Boards and Commissions banquet is canceled. Joint Meetings with City Council are postponed.

Council agreed to postpone the May 2, 2020 Election to November 3, 2020. Councilmember Cooks would like to have the unopposed candidates' names added to the November ballot. City Secretary Downs stated Dallas County Elections Department stated by adding the unopposed candidates to the ballot could result in tripling the cities elections cost and the Secretary of State stated the unopposed candidates have the opportunity to be sworn in after May 2, 2020 and not wait until November 3, 2020.

Council agreed to have a Special Meeting on March 31, 2020 to postpone the General Election of May 2, 2020 to November 3, 2020 and consider ordering a cancellation of the Joint Election of unopposed candidates for Mayor and Councilmember from District 4.

Mayor Gordon and Council reviewed and discussed Resolution No. 2020-025 and the Amended Order of the City of Duncanville; date amended order issued March 19, 2020.

At-Large Councilmember Patrick Harvey made a motion to approve the item as stated, Councilmember Mark D. Cooks seconded the motion. The vote was cast 7 for, 0 against. Item passed.

II. **ADJOURNMENT**

The meeting was adjourned at 8:35p.m.

APPROVED:

MAYOR

ATTEST:

CITY SECRETARY



STAFF REPORT

MEETING: City Council - April 7, 2020

TITLE:

Consider a Resolution authorizing the second amendment to the contract with Tyler Technologies, Inc. through Sourcewell formerly known as National Joint Powers Alliance Contract #110515-TTI to include the purchase of additional software, being the Utility Billing Customer Information Suite module, to be integrated with the City ERP system in an amount not to exceed \$139,415.00.

FY 2019 CITY COUNCIL ORGANIZATIONAL WORKPLAN:

- **5. Grow Duncanville (Culture, Sports, Technology)**
 - **Goal 2: Maximize city and community resources to improve quality of life in a sustainable manner.**

STAFF RESPONSIBLE:

Paul Frederiksen, AICP, Assistant City Manager
Richard Summerlin, Director of Finance
Tracy R. Beekman, Information Technology Manager
Sheila Baker, Purchasing Manager

BACKGROUND/HISTORY:

On January 16, 2018 the City Council approved Tyler Technologies (Tyler), an Electronic Resources Planning (ERP) software, to replace the suite of software previously used by the Finance and Human Resources Departments and then again on June 18, 2019 to replace various different software(s) in Public Works departments. Phase One of the financial system implementation went live on October 15, 2018 and the Human Capital Management System implementation went live on June 1, 2019. Phase Two of the Public Works implementation is currently under way with Work Orders and Enterprise Asset Management modules being complete. The addition of the Utility Billing Customer Information Suite (UBCIS) of Tyler ERP, the third phase of our implementation to our ERP system, will allow for the flow of real-time information and assist the City in making data-driven decisions and managing performance in a timelier manner.

While the addition of the UBCIS module to our ERP system is a precursor to the larger project of adding Advanced Metering Infrastructure (AMI) devices throughout the City, it is exclusive of the overall project and a needed and necessary step to continue with improvements and updates of the software systems we use in the City. The UBCIS module addition will connect our Finance, Human Resources, and Public Works ERP modules together providing for a much smoother and more transparent flow of information and data throughout the entire system. This improves data communication between all departments by means of workflow and system notifications, ultimately providing for a timelier response to customers. This purchase was initially presented to Council during the FY 2020 Budget preparation cycle, and was approved as a Utility Fund Reserve for AMI.

The Utility Billing Department currently uses a legacy software (Hansen CIS) for billing, customer information, work orders, move ins/outs, tracking of meters, and service order requests; however, there are many shortfalls with Hansen CIS. Implemented in 1997, Hansen CIS lacks critical reporting and community development tools that are included with the purchase of Tyler software. Moving to Tyler software will also reduce overall cost of supporting the Hansen product. As with our old financial system, Hansen CIS is run using Oracle software that is expensive to purchase and maintain. Database administration is difficult and the City utilizes a third party to maintain this specialized system that will no longer be necessary with a move to Tyler software. We currently invest approximately \$99,000.00 per year to support and maintain our Hansen CIS system. Yearly support and maintenance with Tyler Technologies for UBCIS will be approximately \$9700.00 per year after initial implementation costs.

POLICY EXPLANATION:

Tyler UB CIS, a part of Munis, software is available through Sourcewell formerly known as National Joint Powers Alliance purchasing cooperative contract #110515-TTI with Tyler Technologies, Inc. of Yarmouth, Maine. Tyler Technologies has prepared a proposal for the software and implementation services in an amount not to exceed \$139,415.00. Funding is available in the Utility Fund Reserve for AMI. This authorization request is in compliance with Texas purchasing statutes. The attached SAM search results verifies that Tyler Technologies is also registered with the Federal Government.

FUNDING SOURCE:

Utility Fund Reserve for AMI

RECOMMENDATION:

Staff recommends approval of a Resolution authorizing the second amendment to the contract with Tyler Technologies, Inc. through Sourcewell, formerly known as National Joint Powers Alliance Contract #110515-TTI to include the purchase of additional software, being the Utility Billing Customer Information Suite module, to be integrated with the City ERP system in an amount not to exceed \$139,415.00.

ATTACHMENTS:

[Attachment 1 - Sams - Tyler Technology 2020](#)

[Attachment 2 - Resolution No. - 2020-024 - Amendment to Tyler Tech Agreement to add UBCIS \(Munis\) - Pdf](#)

SAM Search Results
List of records matching your search for :
Search Term : Tyler Technologies, Inc.*
Record Status: Active

ENTITY	Tyler Technologies, Inc.	Status: Active
DUNS: 041089293	+4:	CAGE Code: 5DK54 DoDAAC:
Expiration Date: 10/17/2020	Has Active Exclusion?: No	Debt Subject to Offset?: No
Address: 5101 Tennyson Pkwy		
City: Plano	State/Province: TEXAS	
ZIP Code: 75024-3525	Country: UNITED STATES	

RESOLUTION NO. 2020-024

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, AUTHORIZING THE SECOND AMENDMENT TO THE CONTRACT WITH TYLER TECHNOLOGIES, INC THROUGH SOURCEWELL FORMERLY KNOWN AS NATIONAL JOINT POWERS ALLIANCE CONTRACT #110515-TTI TO INCLUDE THE PURCHASE OF ADDITIONAL SOFTWARE, BEING THE UTILITY BILLING CUSTOMER INFORMATION SUITE MODULE, TO BE INTEGRATED WITH THE CITY ERP SYSTEM IN AN AMOUNT NOT TO EXCEED \$139,415.00; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO NEGOTIATE AND EXECUTE THE NECESSARY DOCUMENTS AND/OR PAYMENTS; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council approved the purchase of Tyler Technologies, Inc. Electronic Resources Planning (ERP) software for the Finance and Human Resources departments on January 16, 2018 and multiple Public Works departments on June 18, 2019; and

WHEREAS, the City Council desires to purchase additional Tyler Technologies, Inc. software to replace the City's current Utility Billing software, as a part of the larger plan to implement Advanced Metering Infrastructure (AMI), to integrate with said ERP system, and

WHEREAS, the City of Duncanville has \$139,425.00 available in the Utility Fund Reserve for AMI to fund the additional ERP software; and

WHEREAS, the City of Duncanville City Council desires to use these funds for the purchase of additional Tyler Technologies, Inc. ERP software.

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 authorizes and approves the second (2nd) amendment to the contract with Tyler Technologies, Inc., through Sourcewell formerly known as National Joins Power Alliance contract #110515-TTI, in an amount not to exceed \$139,425.00, as provided in the attached Exhibit "A", which is attached hereto and incorporated herein, for the licensing and implementation of additional ERP software.

SECTION 2. Payment of invoices authorized herein beyond that current fiscal year are subject to availability of funds and any non-appropriation by Council. Failure to budget for such expenses for FY 2019-2020 shall terminate this authorization and the attached Agreement.”

SECTION 3. The City Council of the City of Duncanville, Texas, hereby authorizes the City Manager or his designee to negotiate and execute the necessary documents and/or purchase order.

SECTION 4. 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 April, 2020.

APPROVED:

Barry L. Gordon, Mayor

ATTEST:

Kristin Downs, City Secretary

APPROVED AS TO FORM:

Robert E. Hager, City Attorney

EXHIBIT A



SECOND AMENDMENT

This Second Amendment ("Amendment") is made this _____ day of _____, 2020 by and between Tyler Technologies, Inc. with offices at One Tyler Drive, Yarmouth, Maine 04096 ("Tyler") and the City of Duncanville, Texas with offices at 203 E. Wheatland Road, Duncanville, Texas 75116 ("Client").

WHEREAS, Tyler and the Client are parties to an agreement dated January 17, 2018 ("Agreement"); and

WHEREAS, the Agreement has been previously amended and Tyler and Client now wish to make an additional amendment to the terms of the Agreement as provided herein;

NOW THEREFORE, in consideration of the mutual promises hereinafter contained, Tyler and the Client agree to amend the Agreement by providing this Second Amendment as follows:

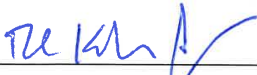
1. **Adding Licensed Software.** The items set forth in the sales quotation attached as Exhibit 1 to this Amendment are hereby added to Exhibit A of the Agreement as of the execution date of this Amendment. Payment of fees and costs for such items shall conform to the following terms:
 - a. License Fees. License fees will be invoiced when Tyler makes the software added to the Agreement pursuant to this Amendment available for download (for the purpose of this Amendment, the "Available Download Date").
 - b. Maintenance Fees. Year 1 annual maintenance and support fees, prorated for a time period commencing on the Available Download Date and ending at the same time as the end of the then-current annual maintenance term for the Tyler Software already licensed under the Agreement, are due on the Available Download Date. Subsequent annual maintenance fees will be invoiced in accord with the Agreement.
 - c. Services Fees & Expenses. Services added to the Agreement pursuant to this Amendment shall be invoiced as follows:
 - i. Implementation and Other Professional Services. Implementation and other professional services (including training) are billed and invoiced as delivered, at the rates set forth in Exhibit 1.
 - ii. Conversions. Fixed-fee conversions are invoiced 50% upon the initial delivery of the converted data, by conversion option, and 50% upon Client acceptance to load the converted data into Live/Production environment, by conversion option. Where conversions are quoted as estimated, we will bill you the actual services delivered on a time and materials basis.
 - iii. Other Fixed Price Services. Except as otherwise provided, other fixed price services are invoiced upon complete delivery of the service.
 - d. Hardware Fees. Fees for Hardware are due on delivery of the respective Hardware.
2. This Amendment shall be governed by and construed in accordance with the terms and conditions of the Agreement except as amended herein.
3. All other terms and conditions of the Agreement shall remain in full force and effect.

EXHIBIT A

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the dates set forth below.

Tyler Technologies, Inc.

City of Duncanville, Texas

By: 

By: _____

Name: Robert Kennedy-Jensen

Name: _____

Title: Director of Contracts

Title: _____

Date: 3/10/2020

Date: _____

EXHIBIT A



Exhibit 1
Investment Summary

The following Investment Summary details the software and services to be delivered by us to you under the Agreement. This Investment Summary is effective as of the Effective Date. Capitalized terms not otherwise defined will have the meaning assigned to such terms in the Agreement.

In the event a comment in the following sales quotation conflicts with a provision of this Amendment, the provision in this Amendment shall control.

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Quoted By: David Carll
 Date: 2/10/2020
 Quote Expiration: 6/30/2020
 Quote Name: City of Duncanville-ERP-UBCIS
 Quote Number: 2018-54127
 Quote Description: City of Duncanville UBCIS v3 2017 021020

Sales Quotation For
 City of Duncanville
 PO Box 380280
 Duncanville, TX 75138-0280
 Phone +1 (972) 780-5038

Tyler Software and Related Services

Description	License	Impl. Hours	Impl. Cost	Data Conversion	Module Total	Year One Maintenance
Revenue:						
Central Property File	\$2,200.00	8	\$1,400.00	\$0.00	\$3,600.00	\$550.00
Maplink GIS Integration	\$8,500.00	8	\$1,400.00	\$0.00	\$9,900.00	\$1,530.00
UB Interface	\$8,250.00	24	\$4,200.00	\$0.00	\$12,450.00	\$1,485.00
Utility Billing CIS	\$23,000.00	152	\$26,600.00	\$23,700.00	\$73,300.00	\$4,140.00
Productivity:						
Citizen Self Service	\$11,000.00	8	\$1,400.00	\$0.00	\$12,400.00	\$1,980.00
Sub-Total:	\$52,950.00		\$35,000.00	\$23,700.00	\$111,650.00	\$9,685.00
Less Discount:	\$9,255.00		\$0.00	\$4,400.00	\$13,655.00	\$0.00
TOTAL:	\$43,695.00	200	\$35,000.00	\$19,300.00	\$97,995.00	\$9,685.00

Other Services

Description	Quantity	Unit Price	Unit Discount	Extended Price
Maplink GIS Integration Installation	1	\$500.00	\$0.00	\$500.00
Project Management	20	\$175.00	\$0.00	\$3,500.00
Self-Service Installation Fee - Client Hosted (Existing Customers)	1	\$1,500.00	\$0.00	\$1,500.00
Tyler Forms Library - Utility Billing	1	\$4,500.00	\$0.00	\$4,500.00
Tyler Graphing Agent - Flat Fee	1	\$3,500.00	\$0.00	\$3,500.00

2018-54127 - City of Duncanville UBCIS v3 2017 021020

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EXHIBIT A

Other Services

Description	Quantity	Unit Price	Unit Discount	Extended Price
TOTAL:				\$13,500.00

3rd Party Hardware, Software and Services

Description	Quantity	Unit Price	Unit Discount	Total Price	Unit Maintenance	Unit Maintenance Discount	Total Year One Maintenance
Cash Drawer	3	\$260.00	\$0.00	\$780.00	\$0.00	\$0.00	\$0.00
Hand Held Scanner - Model 1950GSR	3	\$450.00	\$0.00	\$1,350.00	\$0.00	\$0.00	\$0.00
Hand Held Scanner Stand	3	\$30.00	\$0.00	\$90.00	\$0.00	\$0.00	\$0.00
ID Tech MiniMag USB Reader	3	\$62.00	\$0.00	\$186.00	\$0.00	\$0.00	\$0.00
Printer (TM-S9000)	3	\$1,623.00	\$0.00	\$4,869.00	\$0.00	\$0.00	\$0.00
<i>3rd Party Hardware Sub-Total:</i>			\$0.00	\$7,275.00			\$0.00
TOTAL:				\$7,275.00			\$0.00

Summary

	One Time Fees	Recurring Fees
Total Tyler Software	\$43,695.00	\$9,685.00
Total Tyler Services	\$67,800.00	\$0.00
Total 3rd Party Hardware, Software and Services	\$7,275.00	\$0.00
Summary Total	\$118,770.00	\$9,685.00
Contract Total	\$128,455.00	
(Excluding Estimated Travel Expenses)		
Estimated Travel Expenses	\$10,960.00	

EXHIBIT A

Detailed Breakdown of Conversions (Included in Contract Total)

Description	Unit Price	Unit Discount	Extended Price
Utility Billing - Assessments	\$1,800.00	\$0.00	\$1,800.00
Utility Billing - Backflow	\$2,000.00	\$0.00	\$2,000.00
Utility Billing - Balance Forward AR	\$5,100.00	\$1,100.00	\$4,000.00
Utility Billing - Consumption History up to 5 years	\$3,000.00	\$0.00	\$3,000.00
Utility Billing - Service Orders	\$3,100.00	\$1,100.00	\$2,000.00
Utility Billing - Services	\$4,100.00	\$1,100.00	\$3,000.00
Utility Billing - Standard	\$4,600.00	\$1,100.00	\$3,500.00
TOTAL:			\$19,300.00

EXHIBIT A

Optional Tyler Software & Related Services

Description	License	Impl. Hours	Impl. Cost	Data Conversion	Module Total	Year One Maintenance
Productivity:						
IVR Gateway	\$6,000.00	24	\$4,200.00	\$0.00	\$10,200.00	\$1,080.00
Sub-Total:	\$6,000.00		\$4,200.00	\$0.00	\$10,200.00	\$1,080.00
<u>Less Discount:</u>	<u>\$2,000.00</u>		<u>\$0.00</u>	<u>\$0.00</u>	<u>\$2,000.00</u>	<u>\$0.00</u>
TOTAL:	\$4,000.00	24	\$4,200.00	\$0.00	\$8,200.00	\$1,080.00

Unless otherwise indicated in the contract or amendment thereto, pricing for optional items will be held for six (6) months from the Quote date or the Effective Date of the contract, whichever is later.

Customer Approval: _____ Date: _____
 Print Name: _____ P.O. #: _____

All primary values quoted in US Dollars

Tyler Discount Detail

Description	License	License Discount	License Net	Maintenance Basis	Year One Maint Discount	Year One Maint Net
Revenue:						
Central Property File	\$2,200.00	\$220.00	\$1,980.00	\$550.00	\$0.00	\$550.00
Maplink GIS Integration	\$8,500.00	\$850.00	\$7,650.00	\$1,530.00	\$0.00	\$1,530.00
UB Interface	\$8,250.00	\$825.00	\$7,425.00	\$1,485.00	\$0.00	\$1,485.00
Utility Billing CIS	\$23,000.00	\$2,300.00	\$20,700.00	\$4,140.00	\$0.00	\$4,140.00
Productivity:						
Citizen Self Service	\$11,000.00	\$5,060.00	\$5,940.00	\$1,980.00	\$0.00	\$1,980.00
TOTAL:	\$52,950.00	\$9,255.00	\$43,695.00	\$9,685.00	\$0.00	\$9,685.00

Optional Tyler Discount Detail

Description	License	License Discount	License Net	Maintenance Basis	Year One Maint Discount	Year One Maint Net
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Productivity:

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EXHIBIT A

Optional Tyler Discount Detail

Description	License	License Discount	License Net	Maintenance Basis	Year One Maint Discount	Year One Maint Net
IVR Gateway	\$6,000.00	\$2,000.00	\$4,000.00	\$1,080.00	\$0.00	\$1,080.00
Total:	\$6,000.00	\$2,000.00	\$4,000.00	\$1,080.00	\$0.00	\$1,080.00

EXHIBIT A

Comments

Client agrees that items in this sales quotation are, upon Client's signature or approval of same, hereby added to the existing agreement ("Agreement") between the parties and subject to its terms. Additionally, payment for said items, as applicable but subject to any listed assumptions herein, shall conform to the following terms:

- License fees for Tyler and third party software are invoiced upon the earlier of (i) deliver of the license key or (ii) when Tyler makes such software available for download by the Client;
- Fees for hardware are invoiced upon delivery;
- Fees for year one of hardware maintenance are invoiced upon delivery of the hardware;
- Annual Maintenance and Support fees, SaaS fees, Hosting fees, and Subscription fees are first payable when Tyler makes the software available for download by the Client (for Maintenance) or on the first day of the month following the date this quotation was signed (for SaaS, Hosting, and Subscription), and any such fees are prorated to align with the applicable term under the Agreement, with renewals invoiced annually thereafter in accord with the Agreement.
- Fees for services included in this sales quotation shall be invoiced as indicated below.
 - Implementation and other professional services fees shall be invoiced as delivered.
 - Fixed-fee Business Process Consulting services shall be invoiced 50% upon delivery of the Best Practice Recommendations, by module, and 50% upon delivery of custom desktop procedures, by module.
 - Fixed-fee conversions are invoiced 50% upon initial delivery of the converted data, by conversion option, and 50% upon Client acceptance to load the converted data into Live/Production environment, by conversion option. Where conversions are quoted as estimated, Tyler will invoice Client the actual services delivered on a time and materials basis.
 - Except as otherwise provided, other fixed price services are invoiced upon complete delivery of the service. For the avoidance of doubt, where "Project Planning Services" are provided, payment shall be invoiced upon delivery of the Implementation Planning document. Dedicated Project Management services, if any, will be invoiced monthly in arrears, beginning on the first day of the month immediately following initiation of project planning.
 - If Client has purchased any change management services, those services will be invoiced in accordance with the Agreement.
 - Notwithstanding anything to the contrary stated above, the following payment terms shall apply to services fees specifically for migrations: Tyler will invoice Client 50% of any Migration Fees listed above upon Client approval of the product suite migration schedule. The remaining 50%, by line item, will be billed upon the go-live of the applicable product suite. Tyler will invoice Client for any Project Management Fees listed above upon the go-live of the first product suite.
- Expenses associated with onsite services are invoiced as incurred.

Tyler recommends the use of a 128-bit SSL Security Certificate for any Internet Web Applications, such as the Munis Web Client and the MUNIS Self Service applications if hosted by the Client. This certificate is required to encrypt the highly sensitive payroll and financial information as it travels across the public internet. There are various vendors who sell SSL Certificates, with all ranges of prices.

Conversion prices are based on a single occurrence of the database. If additional databases need to be converted, these will need to be quoted.

Tyler's quote contains estimates of the amount of services needed, based on our preliminary understanding of the size and scope of your project. The actual amount of services depends on such factors as your level of involvement in the project and the speed of knowledge transfer.

Unless otherwise noted, prices submitted in the quote do not include travel expenses incurred in accordance with Tyler's then-current Business Travel Policy.

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EXHIBIT A

Comments

Tyler's prices do not include applicable local, city or federal sales, use excise, personal property or other similar taxes or duties, which you are responsible for determining and remitting. Installations are completed remotely, but can be done onsite upon request at an additional cost.

In the event Client cancels services less than two (2) weeks in advance, Client is liable to Tyler for (i) all non-refundable expenses incurred by Tyler on Client's behalf; and (ii) daily fees associated with the cancelled services if Tyler is unable to re-assign its personnel.

Implementation hours are scheduled and delivered in four (4) or eight (8) hour increments.

Tyler provides onsite training for a maximum of 12 people per class. In the event that more than 12 users wish to participate in a training class or more than one occurrence of a class is needed, Tyler will either provide additional days at then-current rates for training or Tyler will utilize a Train-the-Trainer approach whereby the client designated attendees of the initial training can thereafter train the remaining users.

Utility billing library includes: 1 Utility bill, 1 assessment, 1 UB receipt, 1 Lien letter, 1 UB delinquent notice, 1 door hanger and 1 final utility bill.

Project Management includes project planning, kickoff meeting, status calls, task monitoring, verification and transition to support.

Tyler's pricing is based on the scope of proposed products and services being obtained from Tyler. Should portions of the scope of products or services be removed by the Client, Tyler reserves the right to adjust prices for the remaining scope accordingly.

Development modifications, interfaces and services, where applicable, shall be invoiced to the client in the following manner: 50% of total upon authorized signature to proceed on program specifications and the remaining 50% of total upon delivery of modifications, interface and services.

EXHIBIT A



STAFF REPORT

MEETING: City Council - April 7, 2020

TITLE:

Consider a Resolution finding a Bona Fide Emergency and authorizing and approving the award of a contract for Emergency Repairs and Security Upgrades to the median lighting along Interstate Highway 20 from Cedar Ridge Drive to Cockrell Hill Road, including lighting under and on top of the Camp Wisdom Road Bridge, within the City of Duncanville to Siemens Mobility, Inc., for the unit prices shown, with an estimated expenditure amount of \$145,747.00

FY 2019 CITY COUNCIL ORGANIZATIONAL WORKPLAN:

- **2. Create high quality neighborhoods and parks**
 - **Goal 2: Maximize city and community resources to improve quality of life in a sustainable manner.**

STAFF RESPONSIBLE:

Bryan G. Ramey II, P.E., Director of Public Works
Sheila Baker, MPA, CPM, Purchasing Manager

BACKGROUND/HISTORY:

In 2005, the City of Duncanville and the Texas Department of Transportation (TxDOT) entered into a blanket Agreement for Construction, Maintenance and Operation of Continuous Highway Lighting Systems with a Municipality (Freeways or Expressways). In this agreement, TxDOT constructed the lighting and the City agreed to operate and maintain the lighting.

In late January 2020, the City discovered both circuits of continuous lighting along Interstate Highway 20 (IH-20) were vandalized; the wiring was stolen, and equipment damaged. Staff requests emergency funding to repair the lighting to illuminate IH-20 within the City limits. The proposed cost includes the emergency repair of median lighting along IH-20 from Cedar Ridge Drive to Cockrell Hill Road and under and on top of the bridge at East Camp Wisdom Road (\$82,356.00), security upgrades to the pull boxes and ground boxes (\$41,591.00), as well as costs associated with closing lanes to facilitate the repairs (\$20,800.00).

Security upgrades include repairs to the concrete barrier pull boxes and removal and replacement of all existing ground boxes and lids with reinforced ground boxes and lids designed to prevent break-ins.

POLICY EXPLANATION:

Siemens provided a proposal to repair both circuits on an emergency basis and upgrade the security of the pull boxes and ground boxes that requires sole source acquisition justification. Siemens already performs signal maintenance construction and repair activities within in the City. City Council

approval is required to authorize funds for emergency use as well as for authorization for expenditures above \$50,000.00.

The procurement is necessary to replace the lighting in the area. The lights help to provide a safe environment for the City of Duncanville residents and the traveling public along this corridor. The procurement is necessary because of unforeseen damage to public property and equipment due to theft.

FUNDING SOURCE:

Funding exists in the General Fund Reserve for this emergency expenditure.

RECOMMENDATION:

Staff recommends approval of a Resolution that finds a Bona Fides Emergency and authorizing and approving the award of a contract for Emergency Repairs and Security Upgrades to the median lighting along Interstate Highway 20 from Cedar Ridge Drive to Cockrell Hill Road, including lighting under and on top of the Camp Wisdom Road Bridge, within the City of Duncanville to Siemens Mobility, Inc., for the unit prices shown, with an estimated expenditure amount of \$145,747.00

ATTACHMENTS:

[Attachment 1 - Project Location Map](#)

[Attachment 2 - Lighting Agreement with TxDOT](#)

[Attachment 3 - SAMS Siemens 2020](#)

[Attachment 4 - Resolution No. 2020-023 - IH-20 Emergency Median Lighting](#)

ATTACHMENT 1 - PROJECT LOCATION MAP



IH-20 Continuous Lighting



original given to City Secretary 01-10-06
 ATTACHMENT 2 - LIGHTING AGREEMENT WITH TxDOT

STATE OF TEXAS §
 COUNTY OF TRAVIS §

FILE COPY

**AGREEMENT FOR CONSTRUCTION, MAINTENANCE
 AND OPERATION OF CONTINUOUS HIGHWAY LIGHTING
 SYSTEMS WITHIN A MUNICIPALITY
 (FREEWAYS OR EXPRESSWAYS)
 (Blanket Agreement)**

THIS AGREEMENT, by and between the State of Texas, hereinafter referred to as the "State," party of the first part, acting by and through the Texas Department of Transportation, and the City of Duncanville, Dallas County, Texas, acting by and through its duly authorized officers under a ordinance or resolution passed the 1st day of November, 20 05, hereinafter called the "City," party of the second part, is made to become effective when fully executed by both parties.

WITNESSETH

WHEREAS, the City has requested the State to contribute financial aid in the construction, maintenance, and operation of continuous highway lighting systems on freeways or expressways inside the City limits which is in accordance with 43 Texas Administrative Code, Section 25.11. Within the City, said lighting system hereinafter referred to as the "lighting system" is to consist of continuous lighting to be built in sections as financed and designated by the Texas Transportation Commission; and

WHEREAS, the Executive Director, acting for and in behalf of the Texas Transportation Commission, has made it known to the City that the State will construct said highway lighting system, conditioned that the City, as provided in 43 Texas Administrative Code, Section 25.11 and Transportation Code, §221.002, will maintain and operate said lighting system.

NOW THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto to be by them respectively kept and performed, as hereinafter set forth, it is agreed as follows:

AGREEMENT

Article 1. CONSTRUCTION RESPONSIBILITIES

A. The State will prepare or provide for the plans and specifications, advertise for bids, let the construction contract, or otherwise provide for the construction, and will supervise construction, reconstruction or betterment work as required by said plans and specifications. As this lighting system project is developed to construction stage, either as a unit or in increments, the State will submit plans and specifications of the proposed work to the City and will secure the City's consent to construct the lighting system prior to awarding the contract; said City consent being signified by the signatures of duly authorized City officers in the spaces provided on the title sheet of the plans containing the following notation.

"Attachment No. _____ to special AGREEMENT FOR CONSTRUCTION,

ATTACHMENT 2 - LIGHTING AGREEMENT WITH TxDOT

MAINTENANCE, AND OPERATION OF CONTINUOUS HIGHWAY LIGHTING SYSTEMS
WITHIN A MUNICIPALITY (FREEWAYS OR EXPRESSWAYS) (Blanket Agreement)
dated _____.

The City-State construction, maintenance, and operation responsibilities shall be heretofore agreed to, accepted and specified in the Agreement to which these plans are made a part."

- B. All costs of constructing the lighting system will be borne by the State, and the lighting system will remain the property of the State.

Article 2. MAINTENANCE AND OPERATION RESPONSIBILITIES

- A. The City hereby agrees to furnish at its expense the electrical energy required for proper operation of the lighting system, such electrical energy to be provided at points on the illumination system as designated by the State. The City further agrees to maintain and operate the lighting system in an efficient and sightly condition, including the furnishing of all equipment and labor and making any replacements which may become necessary, without cost to the State.
- B. The City shall assume maintenance and operation on a date to correspond with the date construction of the lighting system is completed and accepted by the State. The State will provide written notification to the City of such acceptance. The City hereby agrees to furnish at its expense the electrical energy consumed by the system during the period of trial operation prior to the acceptance by the State. If the lighting system is constructed by sections, this provision shall apply to each such separately constructed section.
- C. The City will obtain approval of the Executive Director before making any major changes in the design and/or operation of the lighting system as designed and constructed by the State or before the removal of any part of the installation except for the purpose of replacement where identical or accepted equivalent equipment to that originally installed is used.

Article 3. GENERAL

- A. This Agreement shall remain in force for a period of two years from the date that maintenance and operation responsibilities are first assumed by the City and shall be automatically renewed for two-year periods unless modified by mutual agreement by both parties
- B. The State will not incur any financial obligation to the City as a result of the Agreement.
- C. This Agreement may be terminated sixty (60) days after the filing of a written notice by either party of a desire for cancellation. The State reserves the right to remove the lighting system upon cancellation of the Agreement.
- D. If, at any time, the City does not maintain and operate the lighting system in a satisfactory manner, the State reserves the right to either arrange for maintenance at the expense of the City or to remove the lighting system. Should the lighting system be removed due to lack of maintenance, the City hereby agrees to remove the lighting system or reimburse the State for the actual cost of removal. The removed lighting system shall remain the property of the State.
- E. Should disputes arise as to the parties' obligations under this Agreement, the State's decision shall be final and binding.
- F. All parties shall comply with all federal, state, and local laws, statutes, ordinances, rules and regulations, and the orders and decrees of any court, or administrative bodies or tribunals in any matter affecting the performance of this Agreement.

ATTACHMENT 2 - LIGHTING AGREEMENT WITH TxDOT

- G. Changes in time frame, character, cost, or obligations authorized herein shall be enacted by written amendment. Any amendment to this Agreement must be executed by both parties within the contract period.
- H. This Agreement shall bind, and shall be for the sole and exclusive benefit of the respective parties and their legal successors. The City shall not assign or transfer its interest in this Agreement without written consent of the State.
- I. In case any one or more of the provisions contained in this Agreement shall, for any reason, be held invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision thereof and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.
- J. This Agreement constitutes the sole and only agreement for lighting at the location described herein of the parties hereto and supersedes any prior understandings or written or oral agreement between the parties respecting within subject matter.
- K. The State Auditor may conduct an audit or investigation of any entity receiving funds directly under this contract or indirectly through a subcontract under this contract. Acceptance of funds directly under this contract or indirectly through a subcontract under this contract acts as acceptance of the authority of the State Auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the State Auditor with access to any information the State Auditor considers relevant to the investigation or audit.

Article 4. INDEMNIFICATION

The parties acknowledge that neither is an agent, servant, or employee of the other, and, thus, each shall be responsible for its own acts and deeds and for those of its agents or employees during the performance of the work defined in this Agreement. This Agreement and this provision is not intended to and shall not create any cause of action for the benefit of third parties or any person who is not a party to this Agreement.

Article 5. MISCELLANEOUS

This Agreement shall be governed by and construed in accordance with the laws of the State of Texas and exclusive venue for any actions arising hereunder shall be with the appropriate courts of Travis County in which this Agreement is performable. The obligations set forth in Article 4 of this Agreement shall survive the expiration or termination of this Agreement. The signatories to this agreement warrant that each has the authority to enter into this agreement on behalf of the party represented.

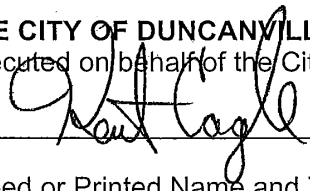
[The remainder of this page is left blank intentionally.]

ATTACHMENT 2 - LIGHTING AGREEMENT WITH TxDOT

IN WITNESS WHEREOF, the State and the City have signed duplicate counterparts of the agreement.

THE CITY OF DUNCANVILLE

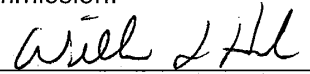
Executed on behalf of the City by:

By  Date 11/8/05

Typed or Printed Name and Title Kent Cagle
City Manager

THE STATE OF TEXAS

Executed for the Executive Director and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.

By  Date 11/22/05
Dallas District Engineer

ATTACHMENT 3 - SAMS SIEMENS 2020

SAM Search Results

List of records matching your search for :

Search Term : Siemens Mobility, Inc.*

Record Status: Active

ENTITY	Siemens Mobility, Inc.	Status: Active
DUNS: 081185334	+4:	CAGE Code: 87S34 DoDAAC:
Expiration Date: 01/22/2021	Has Active Exclusion?: No	Debt Subject to Offset?: No
Address: One Penn Plaza Ste 1100		
City: New York	State/Province: NEW YORK	
ZIP Code: 10119-1101	Country: UNITED STATES	

RESOLUTION NO. 2020-023

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, FINDS A BONA FIDES EMERGENCY AND AUTHORIZING AND APPROVING THE AWARD OF A CONTRACT FOR EMERGENCY REPAIRS AND SECURITY UPGRADES TO THE MEDIAN LIGHTING ALONG INTERSTATE HIGHWAY 20 FROM CEDAR RIDGE DRIVE TO COCKRELL HILL ROAD, INCLUDING LIGHTING UNDER AND ON TOP OF THE CAMP WISDOM ROAD BRIDGE, WITHIN THE CITY OF DUNCANVILLE TO SIEMENS MOBILITY, INC., ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT "A", FOR THE UNIT PRICES SHOWN, WITH AN ESTIMATED EXPENDITURE AMOUNT OF \$145,747.00; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL PAPERWORK AND NECESSARY DOCUMENTS; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Duncanville experienced vandalism of both circuits of its continuous median lighting along Interstate Highway 20 (IH-20) that includes lighting under and on top of the Camp Wisdom Road bridge in January 2020; and

WHEREAS, the City of Duncanville obtained proposals from Siemens Mobility, Inc., for an emergency security upgrades and repair of said circuits; and

WHEREAS, the City of Duncanville desires to contract with Siemens Mobility, Inc., for said security upgrades and repair of said circuits; and

WHEREAS, the above security upgrades and repairs are exempt from competitive bidding in accordance with the Texas Local Government Code Section 252.022 (a) (2) a procurement necessary to preserve or protect the public health or safety of the municipality's residents and (3) a procurement necessary because of unforeseen damage to public machinery, equipment, or other property.

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

SECTION 1. The City Council hereby finds that a bona fide emergency is present, and authorizes and approves an emergency expenditure for repairs and security upgrades to the IH-20 median lighting from Cedar Ridge Drive to Cockrell Hill Road, including lighting under and on top of the Camp Wisdom Road bridge, within the City of Duncanville due to theft of materials and damage to equipment in the estimated amount of \$145,747.00 to Siemens Mobility, Inc., for the unit prices shown, attached hereto and incorporated herein as Exhibit "A".

SECTION 2. That the City Council of the City of Duncanville hereby authorizes the City Manager to execute the necessary documents to conform to this Resolution as appropriate.

SECTION 3. That this Resolution shall take effect immediately from and after its passage.

DULY RESOLVED AND ADOPTED by the City Council of the City of Duncanville, Texas, on the 7th day of April, 2020.

APPROVED:

Barry L. Gordon, Mayor

ATTEST:

Kristin Downs, City Secretary

APPROVED AS TO FORM:

Robert E. Hager, City Attorney

EXHIBIT "A"



March 3rd, 2020

John Borchardt
City of Duncanville
330 Shady Trail Drive
Duncanville, TX 75137

Job Name: 2020_06
Location: IH20 Lighting Function and Security Repairs and Upgrade

Dear Mr. Borchardt,

Please see below for our proposal for the requested work as described in the scope below. Please advise if you have any further questions or concerns. Please note that this quote is intended as a Unit Price based contract and quantities are estimates. All charges will be based on actual installed quantities. Lead time for Critical path materials is 2 weeks, not including services which can take 4-6 weeks.

SCOPE:

Replacement of missing wire, services, pipe, conduit and secure ground boxes and handholes along the IH20 Corridor. Replacement of lamps, ballasts and fuses as needed for working system.

Item Description	Unit	Quantity	Unit Price	Line Item Total
INSTALL BREAKAWAY FUSE HOLDER	EA	43	\$ 140.00	\$ 6,020.00
INSTALL FUSE	EA	86	\$ 50.00	\$ 4,300.00
INSTALL SPLICE KIT	EA	10	\$ 68.00	\$ 680.00
REMOVE AND REPLACE TYPE C GROUND BOX LID WITH LOCK	EA	10	\$ 953.00	\$ 9,530.00
REMOVE AND REPLACE GROUND BOX TYPE C WITH LOCKING LID	EA	4	\$ 3,042.00	\$ 12,168.00
POLE HAND HOLE COVER'S WITH LOCK	EA	42	\$ 102.00	\$ 4,284.00
#4 INSULATED	LF	2400	\$ 3.00	\$ 7,200.00
#4 BARE	LF	1075	\$ 3.00	\$ 3,225.00
#6 INSULATED	LF	5320	\$ 3.50	\$ 18,620.00
#6 BARE	LF	2660	\$ 3.50	\$ 9,310.00
CONCRETE BARRIER PULL BOX REPAIR	EA	43	\$ 363.00	\$ 15,609.00
SERVICE HANDLE REPAIR	EA	1	\$ 247.00	\$ 247.00
PULL BOX REPAIR (GROUND)	EA	3	\$ 918.00	\$ 2,754.00
2 INCH PVC (TRENCH)	EA	100	\$ 25.00	\$ 2,500.00
FLEX PIPE	LF	64	\$ 13.50	\$ 864.00
PIPE DIG/REPAIR/CONNECT	EA	1	\$ 62.00	\$ 62.00
CONDUIT PREP	LF	2300	\$ 3.50	\$ 8,050.00
SERVICE INSTALLATION WITH 24" FOUNDATION AND NEW WOOD POLE	EA	1	\$ 3,765.00	\$ 3,765.00
SERVICE INSTALLATION , NO FOUNDATION, ON CONCRETE POLE (EXISTING)	EA	1	\$ 1,729.00	\$ 1,729.00
#8 INSULATED	LF	850	\$ 3.00	\$ 2,550.00
#8 BARE	LF	850	\$ 3.00	\$ 2,550.00
FURNISH TY A 240/480 100(NS)SS(E)EX(O) ELECTRICAL SERVICE	EA	2	\$ 2,265.00	\$ 4,530.00
INSTALL BALLAST	EA	25	\$ 176.00	\$ 4,400.00
INSTALL LAMP	EA	25	\$ -	\$ -
			Total	\$ 124,947.00

Siemens Mobility Inc

16518 Aldine Westfield Road Tel.: +1-281-443-9900
Houston, TX 77032
USA



EXHIBIT "A" Infrastructure & Cities

NOTES:

SERVICE DETAILS: TY A 240/480 100(NS)SS(E)EX(O) ELECTRICAL SERVICE PANEL WITH 100A/2P MAIN BREAKER, 100A/2P LIGHTING CONTACTOR, ENCLOSED PHOTOCELL, H-O-A SWITCH, POWER DISTRIBUTION BLOCKS, 15A/1P CONTROL BREAKER, 3- 2P BRANCH BREAKERS AND PADLOCKS

FORCE ACCOUNT ITEMS:

- HIGHWAY LANE CLOSURE; EST Cost Per Each: \$1850.00, EST QTY: 8
- ELECTRICAL TRANSOCKETS (ONCOR) IF REQUIRED: QTY 2, Cost ranges from \$1600-\$3000

FORCE ACCOUNT ITEMS WILL BE BILLED AT COST +5%

This offer shall expire 90 days from the date hereof and may be withdrawn by us at any time prior thereto with or without notice. This offer supersedes any prior offers, commitment or orders, contains all terms, conditions and warranties and when accepted, constitutes the entire contract between the parties. The resulting contract shall not be modified except by formal written amendment. This offer shall be accepted by delivery to us of a copy of this offer duly signed by you in the space provided.

The foregoing offer is hereby accepted this _____ day of _____, 2020.

City of Duncanville

Siemens ITS

By: _____
Title: _____

Michelle Flynn
Service Account Manager

Siemens Industry, Inc.
Infrastructure & Cities
Mobility and Logistics
Road and City Mobility
Intelligent Transportation Solutions

16560 Air Center Blvd.
Houston, TX 77032
USA

Tel.: +1-281-443-9900
Fax: +1-281-443-9901
www.usa.siemens.com

EXHIBIT "B"

**JUSTIFICATION FOR SOLE SOURCE ACQUISITION**

This completed form must be included with each requisition submitted that constitutes a sole source acquisition of goods or services valued at a total purchase amount of \$3,000.00 regardless of purpose or fund source.

Requisition/Contract No. _____

Name of Vendor: Siemens

Product Requested: Repair of Illumination lights on Interstate 20

Exemption Number Claimed: 3,2

On the following page you will find a list of exemptions from the statutory municipal purchasing requirements provided under Texas law. From this list, please indicate the applicable exemption number you are claiming for this purchase.

Justification:

Answer one or more of the following questions regarding Unique Features, Special Needs, or Other Sources as applicable to justify your reason for choosing the exemption number above.

Unique Features – Specify the unique features or characteristics of the goods or services that are requested:

This procurement is necessary to replace the lighting in the area. The lights help to provide a safe environment for the City of Duncanville residents .

Special Needs – Briefly explain why the unique specifications restrict the requisition to one manufacturer or providers:

Siemens Mobility is currently the City's Contracted Repair and Maintenance Contractor for Street Lights, and Traffic Lights

Other Sources – State the reason or reasons why competing products are not satisfactory, e.g., a justification for the proprietary (sole source) acquisition:

This procurement is necessary because of unforeseen damage to public property and equipment due to theft.

Please note that "sole source" letters from the vendor are not accepted in lieu of completing this form.

I certify that the above statements are true and correct, to the best of my knowledge. I also certify that neither I, nor my family members, will gain or receive any additional benefit because I have recommended that this acquisition be obtained solely from a designated vendor or contractor.

Submitted by: [Signature] John Brachmann 3-6-20
Signature of Individual Requesting Print Name Date

Department: _____

Manager/Director Approval: [Signature] BRYAN G. RAMEY II 03/06/2020
Signature Print Name Date

Purchasing Manager Approval: [Signature] Sheila Baker 3-6-2020
Signature Print Name Date

EXHIBIT "B"

Statutory Reference: Texas Local Government Code

Sec. 252.022. GENERAL EXEMPTIONS. (a) This chapter does not apply to an expenditure for:

- (1) a procurement made because of a public calamity that requires the immediate appropriation of money to relieve the necessity of the municipality's residents or to preserve the property of the municipality;
- (2) a procurement necessary to preserve or protect the public health or safety of the municipality's residents;
- (3) a procurement necessary because of unforeseen damage to public machinery, equipment, or other property;
- (4) a procurement for personal, professional, or planning services;
- (5) a procurement for work that is performed and paid for by the day as the work progresses;
- (6) a purchase of land or a right-of-way;
- (7) a procurement of items that are available from only one source, including:
 - (A) items that are available from only one source because of patents, copyrights, secret processes, or natural monopolies;
 - (B) films, manuscripts, or books;
 - (C) gas, water, and other utility services;
 - (D) captive replacement parts or components for equipment;
 - (E) books, papers, and other library materials for a public library that are available only from the persons holding exclusive distribution rights to the materials; and
 - (F) management services provided by a nonprofit organization to a municipal museum, park, zoo, or other facility to which the organization has provided significant financial or other benefits;
- (8) a purchase of rare books, papers, and other library materials for a public library;
- (9) paving drainage, street widening, and other public improvements, or related matters, if at least one-third of the cost is to be paid by or through special assessments levied on property that will benefit from the improvements;
- (10) a public improvement project, already in progress, authorized by the voters of the municipality, for which there is a deficiency of funds for completing the project in accordance with the plans and purposes authorized by the voters;
- (11) a payment under a contract by which a developer participates in the construction of a public improvement as provided by Subchapter C, Chapter 212;
- (12) personal property sold:
 - (A) at an auction by a state licensed auctioneer;
 - (B) at a going out of business sale held in compliance with Subchapter F, Chapter 17, Business & Commerce Code;
 - (C) by a political subdivision of this state, a state agency of this state, or an entity of the federal government; or
 - (D) under an interlocal contract for cooperative purchasing administered by a regional planning commission established under Chapter 391;
- (13) services performed by blind or severely disabled persons;
- (14) goods purchased by a municipality for subsequent retail sale by the municipality;
- (15) electricity; or
- (16) advertising, other than legal notices.

rev October 16, 2018



STAFF REPORT

MEETING: City Council - April 7, 2020

TITLE:

Consider a Resolution rejecting all bids received for Demolition Services for the property located at 730 E. IH 20, Duncanville, Texas 75116 (former Toyota Dealership); providing for appropriate notice, and providing for authorization to rebid.

FY 2019 CITY COUNCIL ORGANIZATIONAL WORKPLAN:

- **2. Create high quality neighborhoods and parks**
 - **Goal 2: Maximize city and community resources to improve quality of life in a sustainable manner.**
 - **WorkPlan Item N/A**

STAFF RESPONSIBLE:

Jessica James, Economic Development Director
Sheila Baker, Purchasing Manager

BACKGROUND/HISTORY:

During the April 17, 2018, regular scheduled City Council Meeting, the City Council did not approve awarding a contract for demolition services for the property located at 730 E. IH 20. The City Council wanted the Duncanville Community and Economic Development Corporation to further review the use of the buildings located on the property.

The Duncanville Community and Economic Development Corporation hired Insight Research Company to conduct a land study to further analyze different scenarios utilizing the current buildings as well as partial or complete demolition of the structures to help determine the highest and best use for the property. The analysis was completed and reviewed with the Duncanville Community and Economic Development Corporation and the Duncanville City Council during a joint meeting on January 7, 2020. The Duncanville Community and Economic Development Corporation and the Duncanville City Council both voted to demolish the buildings on the property.

On January 27, 2020, Purchasing issued a request for bids with a due date of February 14, 2020. The bid request was advertised in the Focus Daily Newspaper on January 24, 2020, February 31, 2020, and February 7, 2020. The bid request was also advertised through the bidding notification system for the Black Chamber of Commerce, Hispanic Chamber of Commerce, Regional Hispanic Contractors Association, North Central Texas Regional Certification Agency, 148 Historically Utilized Business (HUB) vendors from the State of Texas Centralized Master Bidder List, and 100 vendors were solicited through the Public Purchase purchasing vendor system. Additionally, the request for bids was sent out to the companies that previously provided bids in 2019. The Purchasing Division received six (6) responses.

POLICY EXPLANATION:

Two (2) of the bids received were deemed non-responsive, as they altered the bid document. The Purchasing Division and the Economic Development Department reviewed and checked references for the lowest responsive bid. It was determined the bidder did not meet the listed specifications per the bid solicitation, as the bidder did not have experience with asphalt or concrete lead abatement. The second lowest bidder was 68% higher and did not fall within the approved budgeted amount.

As per the City's specification requirements and Chapter 252.043 of the Texas Local Government Code, the City is entitled to reject any and all bids.

FUNDING SOURCE:

Demolition services costs will be funded out of the Duncanville Community and Economic Development Corporation Budget.

RECOMMENDATION:

Staff recommends approving a Resolution rejecting all bids received for Demolition Services for the property located at 730 E IH 20, Duncanville, Texas 75116 (former Toyota Dealership); providing for appropriate notice, and providing for authorization to rebid.

ATTACHMENTS:

[Attachment 1 - Bid Tab - IFB No. 20-017 Demolition Services](#)

[Attachment 2 - Resolution No. - 2020-027 - Reject IFB No. 20-017 Demolition Services Bids - Pdf](#)

ATTACHMENT 1

Owner: Project:	City of Duncanville, Dallas County, Texas Demolition Services Located at 730 E I 20 Old Toyota Dealership IFB NO. 20-017			Bidders Name & Address CCGME LLC Series B 469-324-7770		Bidders Name & Address LABANDA LLC 523 NEOMI AVE Dallas TX 75217 214-409-1645		Bidders Name & Address TACTICAL DEMOLITION 901 E State Highway Ste E LEWISVILLE, TX 75057 214-504-1931		Bidders Name & Address Lloyd D. Nabors 1330 Dowdy Ferry Rd Hutchins TX 75141 972-230-7038 NON-RESPONSIVE		Bidders Name & Address LCB LAND EXCAVATION, LLC PO BOX 1209 Joshua TX 76058 817-648-9195		Bidders Name & Address SCM CONSTRUCTION SERVICES , LLC 1301 E PARKERVILLERD STE F2 DESOTOTX 75115 972-274-5151 972-274-5157fax NON-RESPONSIVE	
	February 14, 2020 @ 2:00 PM														
Bid Opens															
Item #	Est. Qty.	Unit	Description	Unit Bid Price Materials	Total Bid Extension	Unit Bid Price Materials	Total Bid Extension	Unit Bid Price Materials	Total Bid Extension	Unit Bid Price Materials	Total Bid Extension	Unit Bid Price Materials	Total Bid Extension	Unit Bid Price Materials	Total Bid Extension
CLIN001	1	EA	Demolition of Building, Shades and Structures	\$ 60,000.00	\$ 60,000.00	\$ 92,000.00	\$ 92,000.00	\$ 76,000.00	\$ 76,000.00			\$ 129,000.00	\$ 129,000.00		
CLIN002	1	EA	Demolition Pavement and Light Pedestals	\$ 70,000.00	\$ 70,000.00	\$ 132,000.00	\$ 132,000.00	\$ 93,000.00	\$ 93,000.00			\$ 298,589.00	\$ 298,589.00		
CLIN003	1	EA	Lead Based Paint Abatement	\$ 8,000.00	\$ 8,000.00	\$ 25,000.00	\$ 25,000.00	\$ 24,000.00	\$ 24,000.00			\$ 42,789.00	\$ 42,789.00		
CLIN004	1	EA	Removal of underground storage tanks and estimated (11) UHL's concrete filled external casing	\$ 10,000.00	\$ 10,000.00	\$ 11,000.00	\$ 11,000.00	\$ 88,000.00	\$ 88,000.00			\$ 125,229.00	\$ 125,229.00		
CLIN005	1	EA	Restore site to Greenfield	\$ 30,000.00	\$ 30,000.00	\$ 42,000.00	\$ 42,000.00	\$ 14,000.00	\$ 14,000.00			\$ 39,000.00	\$ 39,000.00		
CLIN006	1	EA	Cost to supply power for the abatement and demolition process	\$ 7,000.00	\$ 7,000.00	\$ 20,000.00	\$ 20,000.00	\$ 16,000.00	\$ 16,000.00			\$ 3,500.00	\$ 3,500.00		

RESOLUTION NO. 2020-027

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, REJECTING ALL BIDS RECEIVED FOR DEMOLITION SERVICES FOR THE PROPERTY LOCATED AT 730 E. IH 20, DUNCANVILLE, TEXAS 75116 (FORMER TOYOTA DEALERSHIP); PROVIDING FOR APPROPRIATE NOTICE; PROVIDING FOR AUTHORIZATION TO REBID; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, it is desired to reject all IFB No. 20-017 Demolition Services bids for the for the property located at 730 E. IH 20, Duncanville, Texas 75116; and

WHEREAS, the City reserves the right to reject any and all bids as per Request for IFB No. 20-017 Demolition Services; and

WHEREAS, the City Council of the City of Duncanville, Texas, desires to reject all bids received for IFB No. 20-017 Demolition Services.

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 does hereby reject all bids received for IFB No. 20-017 Demolition Services for the property located at 730 E. IH 20, Duncanville, Texas.

SECTION 2. That the City Council of the City of Duncanville hereby authorizes the City Manager, or his designee, to send the appropriate notice of rejection and to rebid the Demolition Services contract in accordance with State Law and local purchasing requirements.

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 April, 2020.

APPROVED:

Barry L. Gordon, Mayor

ATTEST:

Kristin Downs, City Secretary

APPROVED AS TO FORM:

Robert E. Hager, City Attorney



STAFF REPORT

MEETING: City Council - April 7, 2020

TITLE:

Consider a Resolution extending a Mayoral Declaration of a State of Emergency and order as a result of the COVID-19 Virus; providing for Interim Public Safety Measures; repealing all Resolutions in Conflict; providing a severability clause and providing for an effective date.

FY 2019 CITY COUNCIL ORGANIZATIONAL WORKPLAN:

STAFF RESPONSIBLE:

Kristin Downs, City Secretary

Kevin Hugman, City Manager

BACKGROUND/HISTORY:

Beginning in December 2019, a novel coronavirus, now designated SARS-CoV2 which causes the disease COVID-19, has spread through the world and has now been declared a global pandemic by the World Health Organization. Reasonable measures must be taken to contain COVID-19 and prevent its spread throughout the City of Duncanville and Dallas County.

On March 13, 2020 the Mayor of the City of Duncanville issued a Declaration of Local Disaster for Public Health Emergency as Pursuant to section 418.108(a)(b)(d)(g). The order has been amended several times to reflect the changes made by Dallas County.

The most recent order as of April 2, 2020 (attachment 2) states:

Requires all individuals anywhere in the city of Duncanville to **shelter in place** – that is, stay at home – except for certain essential activities and work to provide essential business and government services or perform essential public infrastructure construction, including housing. **This Order took effect at 9:00 p.m. on March 30, 2020 and will continue through 11:59 p.m. on April 8, 2020**, subject to the limited exceptions and under the terms and conditions more particularly set forth below.

As of Thursday, April 2, 2020, the Mayoral Order reflects the most recent Dallas County Order, however we expect there to be additional changes to the Dallas County Order prior to your meeting on Tuesday, April 7. Staff will provide the new amendment to Council when received and updated.

POLICY EXPLANATION:

State law provides that the Mayoral Declaration expires on the seventh (7th) day after its issuance. The COVID-19 Virus continues to necessitate an extensive and prompt public safety response; and, the regulations set forth in the Mayoral Declaration may need to be extended and/or modified in order to continue to protect the general public. The Dallas County Order is expected to be extended at a

Commissioners Court meeting on Friday, April 3. The City of Dallas has extended their declaration to April 30 and President Trump has also indicated the need to use social distancing guidelines until at least April 30.

The Mayoral Declaration and Order dated Tuesday, April 7, 2020, is set to expire at 11:00 a.m. on May 6, 2020.

FUNDING SOURCE:

N/A

RECOMMENDATION:

Staff recommends approval of a Resolution extending a Mayoral Declaration of a State of Emergency and order as a result of the COVID-19 Virus; providing for Interim Public Safety Measures; repealing all Resolutions in Conflict; providing a severability clause and providing for an effective date.

ATTACHMENTS:

[Attachment 1 - Reso No 2020-026 - Extending a Mayoral Declaration of State of Emergency and Order as a Result of the COVID-19 Virus](#)

[Attachment 2 - 2020-04-07 - Updated Amended Order Mayor Barry Gordon Resolution No. - 2020-026R - State of Emergency - COVID-19 Virus - Pdf](#)

ATTACHMENT 1

RESOLUTION NO. 2020-026

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, EXTENDING A MAYORAL DECLARATION OF A STATE OF EMERGENCY AND ORDER AS A RESULT OF THE COVID-19 VIRUS; PROVIDING FOR INTERIM PUBLIC SAFETY MEASURES; REPEALING ALL RESOLUTIONS IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Mayor of Duncanville on Friday, March 13, 2020 signed a Declaration Declaring a State of Emergency in response to the COVID-19 Virus and issued an Order with Restrictions for community gatherings and assemblies; and

WHEREAS, the circumstances surrounding the COVID-19 Virus have increased the need for social distancing and precautionary public safety response; and.

WHEREAS, State law provides that the Mayoral Declaration must expire on the seventh (7th) day after its issuance; and

WHEREAS, the COVID-19 Virus continues to necessitate an extensive and prompt public safety response; and, the regulations set forth in the Mayoral Declaration may need to be extended and/or modified in order to continue to protect the general public;

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

SECTION 1. The amended Mayoral Declaration and amended Order dated Friday, March 13, 2020, and set to expire at 10:00 a.m. on March 20, 2020, which is attached hereto as Exhibit 1, is hereby continued and renewed and shall expire at 11:59 p.m. on April 8, 2020.

SECTION 2. The City Manager shall take all steps necessary, expressed and implied under said Declaration and Order in accordance with State law and the City of Duncanville Emergency Management Plan to protect the health, safety and welfare of the citizens of the City of Duncanville.

SECTION 3. The amended Mayoral Declaration and Order is ADOPTED, CONTINUED AND RENEWED; and, the City Council hereby takes the additional actions as provided herein which are as follows:

a. That the City Manager or his designee may utilize the Federal Emergency Management Act procurement during exigent or emergency provisions of the Code of Federal Regulations.

ATTACHMENT 1

b. The City Manager may revoke any certificate of occupancy or other permits for any business that fails to comply with any provision of this Resolution, Declaration or Order.

c. The City Manager may waive enforcement of any regulatory and ordinance provision for any businesses subject to this order in order to promote and execute the provisions of this Resolution.

d. The City shall suspend accepting any applications for zoning, plats and other land use regulations.

e. The Council and/or any of its Boards, Commissions or Committees may meet by video conference or telecommunication as amended by the Governor.

f. The Council hereby excuses and waives all attendance requirements for Board, Commission or Committee members during the application of this Resolution.

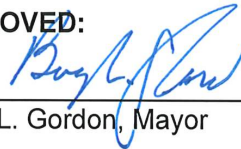
SECTION 4. Any prior resolution of the City Council in conflict with the provisions contained in this Resolution are hereby repealed and revoked.

SECTION 5. Should any part of this Resolution be held to be invalid for any reason, the remainder shall not be affected thereby, and such remaining portions are hereby declared to be severable.

SECTION 6. This Resolution shall become effective immediately from and after its passage, as the law and charter in such cases provide.

DULY PASSED and approved by the City Council of the City of Duncanville, Texas, on this the 19th day of March, 2020.

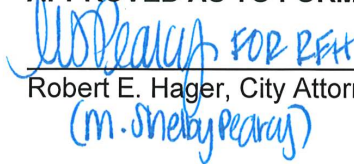
APPROVED:


Barry L. Gordon, Mayor

ATTEST:


Kristin Downs, City Secretary

APPROVED AS TO FORM:


Robert E. Hager, City Attorney
(m. shelby reary)





DECLARATION OF LOCAL DISASTER FOR PUBLIC HEALTH EMERGENCY

WHEREAS, beginning in December 2019, a novel coronavirus, now designated SARS-CoV2 which causes the disease COVID-19, has spread through the world and has now been declared a global pandemic by the World Health Organization; and

WHEREAS, symptoms of COVID-19 include fever, coughing, and shortness of breath. In some cases, the virus has caused death; and

WHEREAS, reasonable measures must be taken to contain COVID-19 and prevent its spread throughout the city of Duncanville and Dallas County, including the quarantine of individuals, groups of individuals, and property and, additionally, including compelling individuals, groups of individuals, or property to undergo additional health measures that prevent or control the spread of disease; and

NOW, THEREFORE, I, BARRY L. GORDON, MAYOR OF THE CITY OF DUNCANVILLE, TEXAS, DO HEREBY PROCLAIM at 11:00 a.m., on the 13th day of March 2020, a local state of disaster; and:

1. That a local state of disaster for public health emergency is hereby declared for the city of Duncanville, Texas, pursuant to section 418.108(a) of the Texas Government Code.
2. Pursuant to section 418.108(b) of the Government Code, the state of disaster for public health emergency shall continue through March 20, 2020 unless continued or renewed by the City Council of Duncanville, Texas.
3. Pursuant to section 418.108(c) of the Government Code, this declaration of a local state of disaster for public health emergency shall be given prompt and general publicity and shall be filed promptly with the City Secretary.
4. Pursuant to section 418.108(d) of the Government Code, this declaration of a local state of disaster activates the City of Duncanville emergency management plan.
5. Pursuant to section 418.108(g) of the Government Code, the order issued on this date shall govern gatherings in the city as provided in the attached exhibit A.
6. I further direct the City Manager, or his designee, to undertake whatever reasonable action and to conduct whatever disaster mitigation measures necessary to protect the general health, safety and welfare of the citizens of Duncanville.
7. That this proclamation shall take effect immediately from and after its issuance.

DECLARED this 13th day of March 2020.


 Robert E. Hager
 City Attorney


 Barry L. Gordon
 Mayor, City of Duncanville


 Kristin Downs
 City Secretary





ORDER OF MAYOR BARRY GORDON

DATE ORDER ISSUED: March 13, 2020

Summary: The virus that causes 2019 Coronavirus Disease (COVID-19) is easily transmitted through person to person contact, especially in group settings, and it is essential that the spread of the virus be slowed to protect the ability of public and private health care providers to handle the influx of new patients and safeguard public health and safety. Because of the risk of the rapid spread of the virus, and the need to protect the most vulnerable members of the community, this Order prohibits community gatherings, of 500 persons or more anywhere in the city of Duncanville beginning at 11 a.m. on March 13, 2020, and continuing seven days through 11:00 a.m. on March 20, 2020, as defined by Section 3 herein. For all other gatherings, the City of Duncanville, the Office of the Dallas County Judge, and the Health Authority strongly recommend following the social distancing protocols attached to this Order, including canceling, rescheduling, or not attending events with more than 250 persons. Additionally, the City of Duncanville, the Office of the Dallas County Judge, and the Health Authority strongly urge high-risk individuals, as defined by the Centers for Disease Control and Prevention (CDC), to cancel, reschedule, or not attend events that will have or will likely have 10 or more people.

UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE SECTION 108, DUNCANVILLE MAYOR BARRY GORDON ORDERS:

1. Effective as of 11:00 a.m. on Friday, March 13, 2020, and continuing until 11:00 a.m. on March 20, 2020, public or private Community Gatherings (as defined in Section 3 below) are prohibited anywhere in the city of Duncanville.
2. In addition, the City of Duncanville, the Office of the Dallas County Judge and the Dallas County Department of Health and Human Services ("Health Authority") strongly recommend canceling, rescheduling, or not attending events with more than 250 persons. The City of Duncanville, the Office of the Dallas County Judge, and the Health Authority strongly urge
3. organizations that serve high-risk populations to cancel gatherings of more than 10 people. These recommendations are based on the social distancing practices attached to this Order as well as the "Implementation of Mitigation Strategies for Communities with Local COVID-19 Transmission" issued by the United States Centers for Disease Control and Prevention ("CDC"). The City of Duncanville, the Office of the Dallas County Judge, and the Health Authority urge people to not attend non-essential gatherings during the duration of this Order in order to help slow down the spread of the COVID-19 virus.
4. Definitions:
 - a. For purposes of this Order, a "Community Gathering" is any indoor or outdoor event or convening, subject to the exceptions and clarifications below, that brings together or is likely to bring together five-hundred (500) or more persons at the same time in a single room or other single confined or enclosed space, such as an auditorium, theatre, stadium (indoor or outdoor), arena or event

ATTACHMENT 1

- center, meeting hall, conference center, large cafeteria, or any other confined indoor or confined outdoor space.
- b. An outdoor "Community Gathering" under this Order is limited to events in confined outdoor spaces, which means an outdoor space that (i) is enclosed by a fence, physical barrier, or other structure and (ii) where people are present and they are within arm's length of one another for extended periods.
 - c. **This Order also does not prohibit gatherings of people in multiple, separate enclosed spaces in a single building such as a multiplex movie theater, school or office tower, so long as 500 people are not present in any single space at the same time. This Order also does not prohibit the use of enclosed spaces where 500 or more people may be present at different times during the day, so long as 500 or more people are not present in the space at the same time. For any gathering covered by this subsection c., the City of Duncanville, the Office of the Dallas County Judge, and the Health Authority strongly encourage compliance with the attached Social Distancing Recommendations, including providing hand sanitizer and tissues and increasing cleaning of commonly touched surfaces.**
 - d. For purposes of clarity, a "Community Gathering" does not include the following so long as visitors are generally not within arm's length of one another for extended periods:
 - i. (i) spaces where 500 or more persons may be in transit or waiting for transit such as airports, bus stations or terminals; (ii) office space or residential buildings; (iii) grocery stores, shopping malls, or other retail establishments where large numbers of people are present but it is unusual for them to be within arm's length of one another for extended periods; and (iv) hospitals and medical facilities. In all such settings, the City of Duncanville, the Office of the Dallas County Judge and the Health Authority recommend following the attached Social Distancing Recommendations, and personal hygiene measures such as hand sanitizer and tissues should be provided when possible.
5. This Order shall be effective until 11:00 a.m. on March 20, 2020, or until it is either rescinded, superseded, or amended pursuant to applicable law.
 6. The City of Duncanville must promptly provide copies of this Order by posting on the City of Duncanville website. In addition, the owner, manager, or operator of any facility that is likely to be impacted by this Order is strongly encouraged to post a copy of this Order onsite and to provide a copy to any member of the public asking for a copy. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.

**IT IS SO ORDERED
BARRY L. GORDON
MAYOR, CITY OF DUNCANVILLE, TEXAS**

ATTACHMENT 1

DALLAS COUNTY HEALTH AND HUMAN SERVICES Social Distancing Recommendations**1) Vulnerable Populations: Limit Outings**

- Vulnerable populations include people who are:
 - 60 years old and older.
 - People with certain health conditions such as heart disease, lung disease, diabetes, kidney disease and weakened immune systems.
- For vulnerable populations, don't go to gatherings (of 10 people or more) unless it is essential. If you can telecommute, you should. Avoid people who are sick.

2) Workplace and Businesses: Minimize Exposure

- Suspend nonessential employee travel.
- Minimize the number of employees working within arm's length of one another, including minimizing or canceling large in-person meetings and conferences.
- Urge employees to stay home when they are sick and maximize flexibility in sick leave benefits.
- Do not require a doctor's note for employees who are sick.
- Consider use of telecommuting options.
- Some people need to be at work to provide essential services of great benefit to the community. They can take steps in their workplace to minimize risk.

3) Large Gatherings: Cancel Non-essential Events

- Recommend cancelling or postponing large gatherings, such as concerts, sporting events, conventions or large community events.
- Do not attend any events or gatherings if sick.
- For events that aren't cancelled, we recommend:
 - Having hand washing capabilities, hand sanitizers and tissues available.
 - Frequently cleaning high touch surface areas like counter tops and hand rails.
 - Finding ways to create physical space to minimize close contact as much as possible.

4) Schools: Safety First

- Do not have your child attend school if sick.
- If you have a child with chronic health conditions, consult the child's doctor about school attendance.
- Schools should equip all classrooms with hand sanitizers and tissues.
- Recommend rescheduling or cancelling medium to large events that are not essential.
- Explore remote teaching and online options to continue learning.
- Schools should develop a plan for citywide school closures, and families should prepare for potential closures.

5) Transit: Cleaning and Protection

- Increase cleaning of vehicles and high touch surface areas.
- Provide hand washing/hand sanitizers and tissues in stations and on vehicles.

6) Health Care Settings: Avoid as possible, protect the vulnerable

- Long term care facilities should have a COVID-19 plan in accordance with CDC or state guidelines.

ATTACHMENT 1

- Long term care facilities should screen all staff and visitors for illness and turn away those with symptoms.
- The general public should avoid going to medical settings such as hospitals, nursing homes and long-term care facilities, even if you are not ill.
- If you are ill, call your health care provider ahead of time, and you may be able to be served by phone.
- Do not visit emergency rooms unless it is essential.
- Visitors should not go to long-term care facilities unless absolutely essential.
- Follow guidance and directions of all facilities.

7) Everyone: Do your part

The best way for all Dallas County residents to reduce their risk of getting sick, as with seasonal colds or the flu, still applies to prevent COVID-19:

- Wash hands with soap and water for at least 20 seconds.
- Cough or sneeze into your elbow or a tissue. Throw the tissue in the trash.
- Stay home if you are sick.
- Avoid touching your face.
- Try alternatives to shaking hands, like an elbow bump or wave.
- If you have recently returned from a country, state or region with ongoing COVID-19 infections, monitor your health and follow the instructions of public health officials and CDC guidance.
- There is no recommendation to wear masks at this time to prevent yourself from getting sick.

You can also prepare for the possible disruption caused by an outbreak. Preparedness actions include:

- Prepare to work from home if that is possible for your job, and your employer.
- Make sure you have a supply of all essential medications for your family.
- Prepare a childcare plan if you or a caregiver are sick.
- Make arrangements about how your family will manage a school closure.
- Plan for how you can care for a sick family member without getting sick yourself.
- Take care of each other and check in by phone with friends, family and neighbors that are vulnerable to serious illness or death if they get COVID-19.
- Keep common spaces clean to help maintain a healthy environment for you and others. Frequently touched surfaces should be cleaned regularly with disinfecting sprays, wipes or common household cleaning products.



AMENDED ORDER OF MAYOR BARRY L. GORDON

Safer At Home Order

DATE AMENDED ORDER ISSUED: April 7, 2020

WHEREAS, pursuant to Texas Government Code Section 418.108, Barry L. Gordon, Mayor of the City of Duncanville, issued a Declaration of Local Disaster for Public Health Emergency on March 13, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19;

WHEREAS, on March 13, 2020, Mayor Gordon issued an Order in furtherance of his authority to protect the safety and welfare of the public by slowing the spread of the virus;

WHEREAS, the on-going evaluation of circumstances related to the virus and the updated recommendations of the Centers for Disease Control and the Texas Department of State Health Services warrant the March 13, 2020 Order of Mayor Barry L. Gordon be amended;

WHEREAS, on March 16, 2020, President Trump acknowledged the gravity of the COVID-19 pandemic, releasing strict new guidelines to limit people's interactions, including that Americans should avoid groups of more than 10 people;

WHEREAS, on March 19, 2020, the City Council of the City of Duncanville, approved Resolution No. 2020-026, extending the Mayoral Declaration of a State of Emergency and Order as a result of the COVID-19 Virus, providing for interim public safety measures in accordance with the City of Duncanville Emergency Management Plan, until 11:59 p.m. April 8, 2020, unless rescinded by order of the City Council;

WHEREAS, on March 24, 2020, the World Health Organization indicated that the United States has the potential to become the center of the COVID-19 pandemic;

WHEREAS, this Emergency Order is necessary because of the propensity of the virus to spread person to person and also because the virus is physically causing property damage due to its proclivity to attach to surfaces for prolonged periods of time;

WHEREAS, this Emergency Order is necessary to protect the lives, health, welfare, and safety of the City's residents from the devastating impacts of this pandemic.

THEREFORE, the March 13, 2020, Order of the City of Duncanville, Mayor Barry L. Gordon is hereby AMENDED as follows:

Summary: The virus that causes 2019 Coronavirus Disease (COVID-19) is easily transmitted through person to person contact, especially in group settings, and it is essential that the spread of the virus be slowed to protect the ability of public and private health care providers to handle the influx of new patients and safeguard public health and safety. Because of the risk of the rapid



spread of the virus, and the need to protect the most vulnerable members of the community, this Order requires all individuals anywhere in the city of Duncanville to shelter in place – that is, stay at home – except for certain essential activities and work to provide essential business and government services or perform essential public infrastructure construction, including housing. This Order takes effect at 9:00 p.m. on the **date hereof** and will continue through 11:59 p.m. on **May 6, 2020**, subject to the limited exceptions and under the terms and conditions more particularly set forth below.

**UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE
SECTION 418.108, CITY OF DUNCANVILLE MAYOR BARRY L. GORDON ORDERS:**

1. Effective as of 9:00 p.m. on **April 7, 2020**, and continuing until 11:59 p.m. on **May 6, 2020**:
 - (a) All individuals currently living within the city of Duncanville are ordered to shelter at their place of residence. For the purposes of this Order, residences include hotels, motels, shared rentals, and similar facilities. To the extent individuals are using shared or outdoor spaces, they must at all times as reasonably as possible maintain social distancing of at least six feet from any other person when they are outside their residence. All persons may leave their residences only for Essential Activities, or to provide or perform Essential Governmental Functions, or to operate Essential Businesses, all as defined in Section 2.
 - (b) All businesses operating within the city of Duncanville, except Essential Businesses as defined below in Section 2, are required to cease all activities at facilities located within the city of Duncanville except Minimum Basic Operations as defined in Section 2. For clarity, businesses may continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e. working from home). To the greatest extent possible, all Essential Businesses shall comply with the Social Distancing Rules attached, including maintaining six-foot social distancing for both employees and the general public.
 - (c) **Employees of Essential Businesses, whose physical presence at the workplace is not essential to operations, are directed to use telecommuting to the fullest extent possible.**
 - (d) All public or private gatherings of any number of people occurring outside a single household or living unit are prohibited, except as otherwise provided herein. Nothing in this Order prohibits the gathering of members of a household or living unit.



- (e) All elective medical, surgical, and dental procedures are prohibited anywhere in the city of Duncanville. Hospitals, ambulatory surgery centers, dental offices, and other medical facilities are directed to identify procedures that are deemed "elective" by assessing which procedures can be postponed or cancelled based on patient risk considering the emergency need for redirection of resources to COVID-19 response.

2. Definitions:

- a. For purposes of this Order, individuals may leave their residence only to perform any of the following "Essential Activities":
 - i. To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (for example, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies needed to work from home).
 - ii. To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others (for example, food, pet supply, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences).
 - iii. To engage in outdoor activity, provided the individuals comply with social distancing requirements of six feet (for example, walking, biking, hiking, running, golfing, and tennis).
 - iv. To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order.
 - v. To care for a family member or pet in another household.
 - vi. To move to another residence either in or outside Dallas County.
 - vii. To engage in "**Essential Travel**," which includes travel for any of the following purposes: (1) travel related to the provision of or access to Essential Activities, Essential Governmental Functions, Essential Businesses Essential, Critical Infrastructure, and Minimum Basic Operation; (2) travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons; (3) travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services; (4) travel to return to a place



of residence from outside the jurisdiction; (5) travel required by law enforcement or court order; (6) travel by church staff or clergy for the purpose of production of remote delivery of religious services and other ministries requiring travel; (7) travel related to attending a funeral service; or (8) travel required for non-residents to return to their place of residence outside the County.

b. For purposes of this Order, “Essential Businesses” means:

- i. **Essential Healthcare Operations.** Healthcare Operations includes but is not limited to hospitals, clinics, dentists, chiropractors, physical therapy, optometry offices, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, mental health providers, substance abuse service providers, blood banks, medical research, laboratory services, certified doulas, or any related and/or ancillary healthcare services. Home-based and residential-based care for seniors, adults, or children are also considered healthcare operations. Healthcare operations also includes veterinary care and all health and welfare services provided to animals. This exemption shall be viewed broadly to avoid any impacts to the delivery of healthcare. Healthcare operations do not include fitness and exercise gyms, personal training, gymnastics studios, and similar facilities. Healthcare operations do not include elective medical, surgical, and dental procedures as established in accordance with Subsection 1(e) of this Order.
- ii. **Essential Governmental Functions.** All services provided by local governments needed to ensure the continuing operation of the government agencies to provide for the health, safety and welfare of the public. Each governmental body will determine its Essential Governmental Functions and identify the employees and/or contractors necessary to the performance of those functions. Further, nothing in this order shall prohibit any individual from performing or accessing “Essential Governmental Functions.” All Essential Government Functions shall be performed in compliance with social distancing requirements of six feet, to the extent possible. This Order does not apply to Federal or State Government.
- iii. **Essential Critical Infrastructure.** All public and private facilities and assets, including both physical and cyber systems, and other functions and sectors vital to the security, governance, and public health, safety of the city of Duncanville and Dallas County. Critical infrastructure includes, but is not limited to, utilities such as electricity, gas, water and wastewater, roads and highways, public transportation, solid waste and recycle collection and



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removal, oil refining, roads and highways, public transportation, defense and national security-related operations, and manufacturing operations supplying essential items to Essential Businesses, Essential Governmental Functions, and Critical Infrastructure. All manufacturers and distributors shall comply with the Rules of Manufacturers and Distributors set out in Exhibit C. Critical Infrastructure employers should implement screening precautions to protect employees and all activity shall be performed in compliance with social distancing guidelines attached. For reference, the U.S. Department of Homeland Security in its Guidance on the Essential Critical Infrastructure Workforce, Version 2.0, can be found here: <https://www.cisa.gov/publication/guidance-essential-critical-infrastructure-workforce>.

- iv. **Stores that Sell Groceries and Other Essential Supplies.** Grocery stores, supermarkets, warehouse stores, big-box stores, bodegas, liquor stores, convenience stores, and farmers' markets that sell food products and household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other non-grocery products. The sale of self-service food items is prohibited. Stores that sell groceries and other essential supplies shall comply with the Rules for Essential Retail Establishments set out in Exhibit A.
- v. **Restaurants.** Restaurants with or without drive-in or drive-through services and microbreweries, micro-distilleries, or wineries may only provide take out, delivery, or drive-through services as allowed by law. In-person service is prohibited. Customers may order and pay inside but are prohibited from waiting inside the restaurant for their food. All food must be brought outside to customers. To allow for increased access to restaurants, this Order hereby suspends all laws and regulations prohibiting people from walking in a drive-through.
- vi. **Food Cultivation.** Food cultivation, including farming, fishing, and livestock.
- vii. **Delivery of Groceries and Essential Supplies.** Businesses that ship or deliver groceries, food, hygiene products, and essential supplies directly to residences or essential businesses. All businesses that deliver groceries and essential supplies shall comply with the rules set out in Exhibit E.



- viii. **Transportation.** Operation, maintenance, and repair of airlines, taxis, and other private transportation providers (such as Uber and Lyft) that provide transportation services necessary for the performance of essential activities and essential travel.
- ix. **Gas Stations and Businesses Needed for Transportation.** Gas stations, auto-supply stores, auto-repair, and bicycle repair. Auto-dealerships, for in-person mechanical services or to complete an online transaction on an appointment basis only. Gas stations and convenience stores are prohibited from selling self-service food items. Gas stations and businesses needed for transportation shall comply with the Rules for Essential Retail Establishments set out in Exhibit A.
- x. **Critical Trades.** Plumbers, electricians, exterminators, janitors, lawn care services, pool cleaners, maintenance and security, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operations of residences, Essential Businesses, Essential Government Functions, and Critical Infrastructure. Critical Trade does not include discretionary maintenance or improvements. Union representatives and their staff for the purpose of performing critical labor union functions, including the maintenance of health and welfare funds and checking on the well-being and safety of members.
- xi. **Construction.** Construction for public works, residential, commercial, and schools. Elective additions and maintenance are prohibited. Protecting construction workers from the spread of COVID19 is extremely important for their safety and for public health, all construction sites must follow the COVID-19 Safety Recommendations issued by the Construction Industry Safety Coalition, including, but not limited to, the Rules for Construction Industry set out in Exhibit B.

Failure to strictly comply with this Order can result in penalties described below. Additionally, the general contractor and non-compliant subcontractor can be removed from the essential business list.

- xii. **Professional Services.** Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities or services necessary to avoid imminent harm to a client. Real estate and inspection services, **so long as they comply with the rules set out in Exhibit F.**



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- xiii. **Financial Institutions.** Banks and related depository financial institutions, credit unions, insurance companies, title companies, payroll and accounting services. Check cashing businesses and pawnshops so long as they comply with the rules set out in Exhibit D. A copy of Exhibit D must be prominently displayed in each establishment in English and Spanish and a copy must also be provided to each customer in the customer's preferred language.
- xiv. **Information Technology Services/Telecommunications Services.** IT and IT services and their essential service vendors, including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services, and critical manufacturing, as well as telecommunications services, internet access and broadband/communications services.
- xv. **Essential Retail.** Laundromats, dry cleaners, and laundry service providers. Hardware stores, and related facilities. Firearm and ammunition suppliers and retailers for purposes of safety and security. Hardware stores and businesses that sell electrical, plumbing, and other materials necessary to support Essential Businesses, and Essential Government Functions, and Critical Infrastructure. Essential retail establishments shall comply with the Rules for Essential Retail Establishments set out in Exhibit A.
- xvi. **Hotels and Motels.** Hotels and motels, to the extent used for lodging or delivery or carry-out food services.
- xvii. **Providers of Basic Necessities to Economically Disadvantaged Populations.** Businesses or organizations that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals.
- xviii. **Essential Services Necessary to Maintain Essential Operations of Residences or Other Essential Businesses.** Businesses or services that supply other Essential Businesses, Essential Government Services, and Critical Infrastructure with the support or supplies needed to operate; including but not limited to mail, shipping and delivery services, warehouse/distribution and fulfillment, storage, moving services, janitorial services, laundry services, computer, audio or video electronics, sanitary equipment, and medical equipment. To the extent possible, services shall be provided in compliance with Social Distancing Rules attached, including distancing of six feet and routine use of hand sanitizer. All employers that are common carriers, motor carriers, private carriers, shippers, delivery services, moving companies and contract carriers that load or unload cargo,



supplies, equipment or goods at any point located in the city of Duncanville shall comply with the rules set out in Exhibit E.

- xix. **Supplies to Work from Home.** Businesses that supply products needed for people to work from home.
- xx. **Public and Private Education.** Public and private educational institutions, only for the purposes of facilitating distance learning or performing essential functions, provided compliance with the Social Distancing Rules is maintained.
- xxi. **News Media.** Newspapers, television, radio, and other media services.
- xxii. **Childcare Services.** Childcare facilities providing services or community service providers offering childcare services that enable employees exempted in this Order may operate under the following mandatory conditions:
 - 1. Childcare must be carried out in stable groups of 12 or fewer (“stable” means that the same 12 or fewer children are in the same group each day).
 - 2. Children shall not change from one group to another.
 - 3. If more than one group of children is cared for at one facility, each group shall be in a separate room. Groups shall not mix with each other.
 - 4. Childcare providers shall remain solely with one group of children.
- xxiii. **Animal Care Services.** Animal shelters, veterinary care, and pet food and supply stores. Grooming, if necessary, for the health and wellbeing of the animal. Pet daycare, but only for employees of Essential Businesses. To the greatest extent possible, all services must be performed in compliance with social distancing requirements of six feet. Pet food and supply stores shall comply with the Rules for Essential Retail Establishments set out in Exhibit A.
- xxiv. **Religious and Worship Services.** Religious and worship services may only be provided by audio, video, and teleconference. Religious institutions must limit in-person staff to ten (10) people or less at one time, and twenty-five (25) people total per day, when preparing for or conducting video or teleconference services, and all individuals must follow the Social Distancing Rules including the six feet social distancing.



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xxv. **Funeral Services.** Funeral, mortuary, cremation, burial, cemetery, and related services, provided that social distancing of six feet per person is maintained to the greatest extent possible.

- c. For purposes of this Order, **Minimum Basic Operations** means the following, provided that employees comply with the Social Distancing Rules:
 - i. The minimum necessary activities to maintain the value of the business's inventory, ensure security, process payroll and employee benefits, or for related functions.
 - ii. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.

3. The Dallas County Sheriff's Office, Duncanville Police Department and other licensed peace officers, are hereby authorized to enforce this order. A violation of this order may be punishable through criminal or civil enforcement. A violation of this order is a Class C misdemeanor punishable by a fine not to exceed \$1,000.

4. Any manufacturer who retools their business for the purpose of manufacturing and producing ventilators, masks, personal protective equipment, or any supply necessary for Essential Healthcare Operations may apply for an "essential business" exemption under this Order. Submit requests for an exemption to BusinessCOVID19@dallascounty.org.

5. All public, private, and commercial laboratories operating within Dallas County and performing COVID-19 testing shall report by 5:00 p.m. each day for the prior 24-hour period:

- a. The number of COVID-19 tests performed; and
- b. The number of positive COVID-19 tests.

Reports shall be made to Dallas County Judge Clay Jenkins at Clay.Jenkins@dallascounty.org and Dallas County Health and Human Services Director Dr. Philip Huang at Philip.Huang@dallascounty.org. Reporting laboratories shall not provide names or any other identifiable health information that could be used to identify an individual patient.

6. Employers shall not implement any rules making a negative COVID-19 test or a note from a healthcare provider a requirement before a COVID-19 recovered employee can return to work.



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7. Under this Order, no person shall sell any of the following goods or services for more than the regular retail price the person charged for the goods or services on March 16, 2020, except where an increased retail price is the result of increased supplier or other costs (including the loss of supplier supporting funds):
 - a. groceries, beverages, toilet articles, and ice;
 - b. restaurant, cafeteria, and boarding-house meals; and
 - c. medicine, pharmaceutical and medical equipment, and supplies.
8. Grocery stores, supermarkets, warehouse stores, hospitals, and medical facilities are experiencing high levels of demand for a large number of products, requiring more deliveries from manufacturers and distribution centers to serve their customers. A number of Texas cities and local associations have implemented restrictions on delivery hours to stores to mitigate truck noise and traffic. Due to the need to deliver products as quickly and efficiently as possible during this critical timeframe, this Order hereby suspends all delivery hour restrictions for transport to or from any entity involved in the selling or distribution of food products, medicine, or medical supplies in Dallas County for the next 60 days.
9. Due to increased demand for bath or toilet tissue resulting from stock up buying and individuals who purchase for resale, a mandatory limit on toilet paper sales is instituted until the supply chain meets the demand or two weeks, whichever comes first. All sales of bath or toilet tissue occurring in the city of Duncanville are limited to the greater of: (a) twelve (12) rolls per purchase or (b) one (1) package per purchase. **This provision does not apply to the sale of bath or tissue paper to a government organization or essential business.**
10. **Due to the public health emergency, the Office of the Dallas County Judge has advised the Dallas County Justices of the Peace to suspend eviction hearings and writs of possession for at least the next 60 days to prevent renters from being displaced. Nothing in the moratorium relieves tenants of liability for unpaid rent. Landlords should cap late fees for delayed payment of rent at fifteen dollars (\$15) per month.**
11. If someone in a household has tested positive for coronavirus, the household is ordered to isolate at home. Members of the household cannot go to work, school, or any other community function, except for workers included in Essential Healthcare Operations who may continue to work in accordance with CDC guidance.
12. Nursing homes, retirement, and long-term care facilities are instructed by this Order to prohibit non-essential visitors from accessing their facilities unless to provide critical assistance or for end-of-life visitation.



13. Public and private schools and institutions of higher education are instructed by this Order to provide a safety plan to Dallas County Office of Homeland Security and Emergency Management 72 hours before students return to a classroom setting.
14. Additionally, the Mayor of the City of Duncanville, the Office of the Dallas County Judge and the Health Authority instruct all employees to remain at home if sick. Employees of private businesses and nonprofits with six (6) or more employees in the city of Duncanville can use their paid sick leave when they are sick or to care for sick family members.
15. This Order shall be in effect until 11:59 p.m. on April 8, 2020 and may be extend by Resolution of the City Council to a later date or until it is either rescinded, superseded, or amended pursuant to applicable law.
16. The City of Duncanville must promptly provide copies of this Order by posting on the City of Duncanville website. In addition, the owner, manager, or operator of any facility that is likely to be impacted by this Order is strongly encouraged to post a copy of this Order onsite and to provide a copy to any member of the public asking for a copy. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.

IT IS SO ORDERED

A handwritten signature in black ink, appearing to read "Barry L. Gordon", is written over a horizontal line.

BARRY L. GORDON
MAYOR, DUNCANVILLE, TEXAS



EXHIBIT A

Rules for Essential Retailers

Reason for Rules. The purpose of these rules is to outline the steps that every employer and employee must take to reduce the risk of exposure to COVID-19. The rules describe how to prevent worker exposure to coronavirus and protective measures to be taken in all establishments.

Definition of Essential Retailers.

1. Stores that Sell Groceries and Other Essential Supplies. Grocery stores, supermarkets, warehouse stores, big-box stores, bodegas, liquor stores, convenience stores, and farmers' markets that sell food products and household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other non-grocery products.
2. Gas Stations and Businesses Needed for Transportation. Gas stations, auto-supply stores, auto-repair, and bicycle repair. Auto-dealerships, for in-person mechanical services or to complete an online transaction on an appointment basis only.
3. Other Essential Retailers. Pet food and supply stores. Laundromats, dry cleaners, and laundry service providers, hardware stores, and related facilities. Firearm and ammunition suppliers and retailers for purposes of safety and security. Hardware stores and business that sell electrical, plumbing, and other materials necessary to support Essential Businesses, and Essential Government Functions, and Critical Infrastructure.

Safety Rules for All Essential Retailers. All employers involved in essential retail activity must follow the requirements set forth in the rules below:

1. All employees must take their temperature at their residence before going to an Essential Retailer. If an employee has a temperature above 99.6 degrees Fahrenheit, then they are prohibited from going to work and must remain at their residence;
2. To the greatest extent possible and as equipment becomes available, an Essential Retailer must implement a system whereby supervisors must check the temperature of all employees with a forehead thermometer before the employee begins work. If an employee has a temperature above 99.6 degrees Fahrenheit, then they are not permitted to work and must be sent home immediately;
3. Gatherings during meals or breaks are prohibited;
4. Employees must keep a 6 foot distance between people at all times, unless the work being performed requires multiple individuals for the safety of the employees;
5. Employers must allow non-essential personnel to work from home when possible;
6. Employers must provide soap and water, or hand sanitizer if no soap or water is available, in the workplace, including all restrooms and food preparation areas. Ensure that adequate supplies are maintained;



7. Employees must wash their hands for at least twenty (20) seconds before beginning work, before any food preparation, before and after the use of shared items, after any meal or restroom breaks, and immediately prior to the end of the work shift.
8. Rest breaks of at least fifteen (15) minutes for every four (4) hours worked must be provided so employees may follow hygiene guidelines;
9. There shall be no adverse action taken against an employee who has, due to possible exposure to coronavirus, (1) been quarantined or advised to self-quarantine; (2) have not reported to work because the employee has a temperature of 99.6 degrees or higher; and (3) requested to use paid sick leave under the employer's policy; and
10. Employers must designate both a member of management as the COVID-19 Safety Monitor and a senior hourly worker (that is not a member of management) as the COVID-19 Vice Safety Monitor at each store to have the authority to work together to enforce these rules. Employers in unionized workplaces should consult with the employee's representatives on this designation.

General Rules for Essential Retailers.

1. Employers shall implement an organized line system where employees, customers, and other persons are not less than six feet apart at all times;
2. To the greatest extent practicable, designate shopping times for at risk populations (seniors, pregnant people, and people with underlying health conditions);
3. To the greatest extent possible, implement a system to restrict the number of customers who are physically present at an Essential Retailer so that six foot spacing may be maintained;
4. Employers shall implement purchase limits on high-demand items (toilet paper, soap, hand sanitizer). These purchase limits do not apply to a government organization or essential business;
5. To the greatest extent possible, employers shall offer pick up services or delivery services of grocery items and other essential supplies; and
6. Self-service food stations are prohibited. Self-service stations are defined as items that customers use common serving utensils to serve themselves, including but not limited to, salad bars, hot dog stands, self-service bulk food items, and other related food items. This section does not apply to self-checkout stations, so long as the checkout stations are cleaned at least every 30 minutes.

Enforcement. A violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000. Additionally, any essential retailer who fails to strictly comply with these rules can be removed from the essential business list and prohibited from operating in Dallas County.



EXHIBIT B

Rules for the Construction Industry

Reason for Construction Rules. The purpose of these rules is to outline the steps that every employer and employee must take to reduce the risk of exposure to COVID-19. The rules describe how to prevent worker exposure to coronavirus, protective measures to be taken on the jobsite, and cleaning and disinfecting procedures.

Construction as Critical Infrastructure. The Order classified construction for public works, residential, commercial, and schools as critical infrastructure. Elective additions and maintenance are prohibited.

Requirements for Construction. All employers involved in construction activity must follow the requirements set forth in the COVID-19 Safety Recommendations issued by the Construction Industry Safety Coalition, including the rules below:

1. All workers and contractors (hereafter referred to as “workers”) must take their temperature at their residence. If a worker has a temperature above 99.6 degrees Fahrenheit, then they are prohibited from going to work and must remain at their residence;
2. To the greatest extent possible, implement a system whereby supervisors must check the temperature of all workers and contractors with a forehead thermometer before the worker begins work. If a worker or contractor has a temperature above 99.6 degrees Fahrenheit, then they are to be sent home immediately;
3. To the greatest extent possible, shift work must be implemented such that each shift shall have no more than fifty percent (50%) of the workers who were on shift on March 16, 2020. Once assigned to a shift, workers shall not change from one shift to another;
4. To the greatest extent possible, limit crossover of subcontractors;
5. Gatherings during meals or breaks are prohibited;
6. Workers must keep a 6 foot distance between people at all times, unless the work being performed requires multiple individuals for the safety of the workers;
7. Workers must not use a common water cooler. Employers shall provide individual water bottles or instruct workers to bring their own;
8. Employers must allow non-essential personnel to work from home when possible;
9. Employers must provide soap and water and hand sanitizer in the workplace, including all restrooms. Ensure that adequate supplies are maintained;
10. If running water is available at the site, workers must wash their hands for at least twenty (20) seconds before beginning work, when they remove gloves, and before and after the use of shared items such as tools or multi-user devices, before and after any meal or restroom breaks, and when their shift or work time ends.
11. Rest breaks of at least fifteen (15) minutes for every four (4) hours worked must be provided so workers may follow hygiene guidelines;
12. Employers must provide one (1) working flushing toilet for every fifteen (15) workers on site or one (1) outdoor portable toilet for every 10 workers on site;
13. There shall be no adverse action taken against a worker who has, due to possible exposure to coronavirus, (1) been quarantined or advised to self-quarantine; (2) have not



- reported to work because the worker has a temperature of 99.6 degrees or higher; and (3) requested to use paid sick leave under the employer's policy; and
14. Employers must designate a COVID-19 safety monitor on each site who has the authority to enforce these rules;

Enforcement. A violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000. Additionally, any general contractor or subcontractor who fails to strictly comply with these rules can be removed from the essential business list and prohibited from operating in Dallas County.



EXHIBIT C

Rules for Manufacturers and Distributors

Reason for Rules. The purpose of these rules is to outline the steps that every employer and employee must take to reduce the risk of exposure to COVID-19. The rules describe how to prevent worker exposure to coronavirus, protective measures to be taken on the jobsite, and cleaning and disinfecting procedures.

Definition of Critical Manufacturers and Distributors. This Order defines Critical Manufacturing and Distribution as the industries listed in the U.S. Department of Homeland Security in its Guidance on the Essential Critical Infrastructure Workforce, Version 2.0.

Rules for Manufacturers and Distributors. All employers involved in critical manufacturing and distribution activity must follow the requirements set forth in the rules below:

1. All employees must take their temperature at their residence before going to work at a manufacturing or distribution center. If a worker has a temperature above 99.6 degrees Fahrenheit, then they are prohibited from going to work and must remain at their residence;
2. To the greatest extent possible and as equipment becomes available, employers must implement a system whereby supervisors check the temperature of all employees before the employee begins work. If an employee has a temperature above 99.6 degrees Fahrenheit, then they are not permitted to work and must be sent home immediately;
3. Gatherings during meals or breaks are prohibited;
4. Employees must keep a six (6) foot distance between people at all times, unless the work being performed requires multiple individuals for the safety of the employees;
5. To the extent practicable, employers shall adjust shift timing to allow for greater physical distance between employees;
6. Employers must allow non-essential personnel to work from home when possible;
7. Employers must provide soap and water, or hand sanitizer if no soap or water is available, in the workplace, including all restrooms. Employers shall ensure that adequate supplies of soap and hand sanitizer are maintained;
8. Employees must wash their hands for at least twenty (20) seconds before beginning work, before any food preparation, before and after the use of shared items, after any meal or restroom breaks, and immediately prior to departing the work site.
9. Employers shall discourage employees from sharing work tools when possible.
10. Rest breaks of at least fifteen (15) minutes for every four (4) hours worked must be provided so employees may follow hygiene guidelines;
11. There shall be no adverse action taken against an employee who has, due to possible exposure to coronavirus, (1) been quarantined or advised to self-quarantine; (2) have not reported to work because the worker has a temperature of 99.6 degrees or higher; and (3) requested to use paid sick leave under the employer's policy; and
12. Employers must designate both a member of management as the COVID-19 Safety Monitor and a senior hourly employee (that is not a member of management), or a non-management



employee if an hourly employee is not available, as the COVID-19 Vice Safety Monitor at each site to have the authority to work together to enforce these rules. Employers in unionized workplaces should consult with the employee's representatives on this designation.

Enforcement. A violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000. Additionally, any manufacturer and distributor who fails to strictly comply with these rules can be removed from the essential business list and prohibited from operating in Dallas County.



EXHIBIT D

Rules for Financial Institutions

Reason for Rules. The purpose of these rules is to outline the steps that every employer and employee must take to reduce the risk of exposure to COVID-19. The rules describe how to prevent worker exposure to coronavirus, protective measures to be taken on the jobsite, and cleaning and disinfecting procedures.

1. Check Cashing Businesses

Application. For the purpose of this Order, “Check Cashing Business” means a person or entity that for compensation engages, in whole or in part, in the business of cashing checks, drafts, money orders, traveler’s checks or other instruments for the transmission or payment of money. This Order does not apply to a retail seller engaged primarily in the business of selling consumer goods, including consumables, to retail buyers that cash checks or issue money orders as a service to its customers that is incidental to its main purpose or business.

Interest and Fees. Fees shall not exceed 2% of the amount of the check, draft, or money order, or \$2, whichever is greater. Interest on a loan or advance of money shall not exceed 15% per annum of the total amount of the advance, provided that total fees associated with the loan do not exceed \$75, regardless of the name or type of charge. A check cashing business may charge only those charges expressly authorized in this Order in connection with a loan or advance issued.

Safety Rules. All check cashing businesses must follow the requirements set forth in the rules below:

- a) All employees must take their temperature at their residence before going to work. If an employee has a temperature above 99.6 degrees Fahrenheit, then they are prohibited from going to work and must remain at their residence;
- b) To the greatest extent possible and as equipment becomes available, employers must implement a system whereby supervisors must check the temperature of all workers and contractors with a forehead thermometer before the worker begins work. If a worker has a temperature above 99.6 degrees Fahrenheit, then they are to be sent home immediately;
- c) Employees must keep a 6 foot distance between people at all times, unless the work being performed requires multiple individuals for the safety of the workers;
- d) Employers shall restrict the number of customers physically present in the store to only those people necessary to complete the transaction as determined by the customer. All other individuals must remain outside the store while the transaction is completed;
- e) Employers must allow non-essential personnel to work from home when possible;
- f) Employers must provide soap and water, or hand sanitizer if no soap or water is available, in the workplace, including all restrooms and food preparation areas. Employers must ensure that adequate supplies are maintained;
- g) Employees must wash their hands for at least twenty (20) seconds before beginning work, before any food preparation, before and after the use of shared items, after any meal or restroom breaks, and immediately prior to the end of the work shift;



- h) Rest breaks of at least fifteen (15) minutes for every four (4) hours worked must be provided so workers may follow hygiene guidelines; and
- i) There shall be no adverse action taken against a worker who has, due to possible exposure to coronavirus, (1) been quarantined or advised to self-quarantine; (2) have not reported to work because the worker has a temperature of 99.6 degrees or higher; and (3) requested to use paid sick leave under the employer's policy.

2. Pawnshops

Application. These rules apply to all locations or premises at which a pawnbroker regularly conducts business.

Interest and Fees. Interest on a loan of money extended pursuant to a pawn transaction shall not exceed 15% per annum of the total amount of the advance, provided that total fees associated with the loan do not exceed \$75, regardless of the name or type of charge. A pawnshop may charge only those charges expressly authorized in this Order in connection with a pawnshop loan.

Minimum Term Length. A pawnshop shall hold the goods pledged as collateral for at least 120 days after the end of the Emergency Declaration issued by Judge Jenkins or the end of the Emergency Declaration issued by Governor Abbott, whichever is later.

Safety Rules. All pawnshops must follow the requirements set forth in the rules below:

- a) All employees must take their temperature at their residence before going to work. If an employee has a temperature above 99.6 degrees Fahrenheit, then they are prohibited from going to work and must remain at their residence;
- b) To the greatest extent possible and as equipment becomes available, employers must implement a system whereby supervisors must check the temperature of all workers and contractors with a forehead thermometer before the worker begins work. If a worker has a temperature above 99.6 degrees Fahrenheit, then they are to be sent home immediately;
- c) Employees must keep a 6 foot distance between people at all times, unless the work being performed requires multiple individuals for the safety of the workers;
- d) Employers shall restrict the number of customers so that only one customer is physically present in the store at a time;
- e) Employers must allow non-essential personnel to work from home when possible;
- f) Employers must provide soap and water, or hand sanitizer if no soap or water is available, in the workplace, including all restrooms and food preparation areas. Employers must ensure that adequate supplies are maintained;
- g) Employees must wash their hands for at least twenty (20) seconds before beginning work, before any food preparation, before and after the use of shared items, after any meal or restroom breaks, and immediately prior to the end of the work shift;
- h) Rest breaks of at least fifteen (15) minutes for every four (4) hours worked must be provided so workers may follow hygiene guidelines; and
- i) There shall be no adverse action taken against a worker who has, due to possible exposure to coronavirus, (1) been quarantined or advised to self-quarantine; (2) have not reported to



work because the worker has a temperature of 99.6 degrees or higher; and (3) requested to use paid sick leave under the employer's policy.

3) Enforcement

Enforcement. A violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000. Additionally, any financial institution who fails to strictly comply with these rules can be removed from the essential business list and prohibited from operating in Dallas County.



EXHIBIT E

Rules for Common Carriers, Shipper, Delivery Services, and Related Companies

Reason for Rules. The purpose of these rules is to outline the steps that every employer and employee must take to reduce the risk of exposure to COVID-19. The rules describe how to prevent worker exposure to coronavirus, protective measures to be taken on the jobsite, and cleaning and disinfecting procedures.

Definition of Common Carriers. All employers which are common carriers, motor carriers, private carriers, shippers, delivery services, moving companies and contract carriers which load or unload cargo, supplies, equipment or goods at any point located in Dallas County.

Rules for Common Carriers. All employers involved in trucking, shipping, delivery and moving services, and related industries must follow the requirements set forth in the rules below:

1. All employees must take their temperature at their residence before going to work. If a worker has a temperature above 99.6 degrees Fahrenheit, then they are prohibited from going to work and must remain at their residence;
2. To the greatest extent possible and as equipment becomes available, employers must implement a system whereby supervisors check the temperature of all employees before the employee begins work. If an employee has a temperature above 99.6 degrees Fahrenheit, then they are not permitted to work and must be sent home immediately;
3. Gatherings during meals or breaks are prohibited;
4. Employees must keep a six (6) foot distance between people at all times, unless the work being performed requires multiple individuals for the safety of the employees;
5. To the extent practicable, employers shall adjust shift timing to allow for greater physical distance between employees, including coordination between dispatch and scheduling so that there is no overlap between crews traveling to different locations;
6. Employers must allow non-essential personnel to work from home when possible;
7. Employers must provide soap and water, or hand sanitizer if no soap or water is available, in the workplace, including all restrooms. Employers shall ensure that adequate supplies of soap and hand sanitizer are maintained. Hand sanitizer must be available in each vehicle;
8. Workers must wash their hands for at least twenty (20) seconds before beginning work, before any food preparation, before and after the use of shared items, after any meal or restroom breaks, and immediately prior to the end of the work shift;
9. Employers must ensure that employees use gloves when handling shared tools or equipment (such as dollies, dock plates, and controls) and that employees wash their hands for at least 20 seconds after handling such tools or equipment;
10. To the greatest extent possible, drivers and other personnel should stay in their vehicles while the vehicles are being loaded and unloaded, unless required for employee safety;



11. To the greatest extent possible, receipts, bills of lading, acknowledgements and other such documentation should be electronic so as minimize the need for personnel to physically sign and exchange documents;
12. Rest breaks of at least fifteen (15) minutes for every four (4) hours worked must be provided so workers may follow hygiene guidelines;
13. There shall be no adverse action taken against a worker who has, due to possible exposure to coronavirus, (1) been quarantined or advised to self-quarantine; (2) has not reported to work because the worker has a temperature of 99.6 degrees or higher; and (3) requested to use paid sick leave under the employer's policy; and
14. Employers must designate both a member of management and an employee who is not a member of management COVID-19 safety monitors at each of the business's warehouses, yards or other locations who have the authority to work together to enforce these rules. Employers in unionized workplaces should consult with the employee's representatives on this designation.

Enforcement. A violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000. Additionally, any common carrier or related business who fails to strictly comply with these rules can be removed from the essential business list and prohibited from operating in Dallas County.



EXHIBIT F

Rules for Real Estate Agents

Reason for Rules. The purpose of these rules is to outline the steps that every Agent/Employee must take to reduce the risk of exposure to COVID-19. The rules describe how to prevent exposure to coronavirus and protective measures to be taken in all real estate showing.

Definition of Real Estate Activity. For the purposes of this Order, real estate activity includes any activity governed by the Texas Real Estate License Act, the Inspector Act, the Residential Service Company Act, and the Timeshare Act.

Safety Rules for All Real Estate Agents/Employees. All realtors and their employees involved in essential real estate activity must follow the requirements set forth in the rules below:

1. Open Houses are prohibited;
2. All realtors and their employees (hereafter referred to as “realtors”) must take their temperature at their residence prior to any real estate showing. If an agent has a temperature above 99.6 degrees Fahrenheit, they are prohibited from participating in any real estate showings and must remain at their residence;
3. Realtors and clients must travel to showings in separate vehicles;
4. Realtors, clients, and homeowners must follow the six-foot social distancing rule at all times;
5. Realtors and staff should limit in person contact and conduct business remotely as much as possible;
6. Realtors must wear a protective mask and provide new, unused protective masks to clients when touring a site;
7. Employers must designate a COVID-19 safety monitor at each real estate office who has the authority to enforce these rules;

Enforcement. A violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000 and/or confinement in jail for a term not to exceed 180 days. Additionally, any realtor who fails to strictly comply with these rules can be removed from the essential business list and prohibited from operating in Dallas County.



DALLAS COUNTY HEALTH AND HUMAN SERVICES Social Distancing Rules

1) Vulnerable Populations: Limit Outings

- Vulnerable populations include people who are:
 - 60 years old and older.
 - People with certain health conditions such as heart disease, lung disease, diabetes, kidney disease and weakened immune systems.
- For vulnerable populations, don't go to gatherings unless it is essential. Stay home. Avoid people who are sick.

2) Workplace and Businesses: Minimize Exposure

- Suspend nonessential employee travel.
- Ensure employees practice social distancing and do not work within six feet of one another.
- Urge essential employees to stay home when they are sick and maximize flexibility in sick leave benefits.
- Do not require a doctor's note for employees who are sick.
- Maximize telecommuting options.
- Persons who need to be at work to provide essential services of great benefit to the community must take steps in their workplace to minimize risk.

3) Cancel Non-essential Events

- Cancel non-essential events.
- Do not attend any events or gatherings if sick.
- For events that aren't cancelled, we recommend:
 - Having hand washing capabilities, hand sanitizers and tissues available.
 - Frequently cleaning high touch surface areas like counter tops and handrails.
 - Finding ways to implement social distancing.

4) Schools: Safety First

- Do not have your child attend school if sick.
- If you have a child with chronic health conditions, consult the child's doctor about school attendance.
- Schools should equip all classrooms with hand sanitizers and tissues.
- Recommend rescheduling or cancelling events that are not essential.
- Explore remote teaching and online options to continue learning.
- Schools should develop a plan for citywide school closures, and families should prepare for further closures.



5) Transit: Cleaning and Protection

- Increase cleaning of vehicles and high touch surface areas.
- Provide hand washing/hand sanitizers and tissues in stations and on vehicles.
- Ensure social distancing practices are implemented to the full extent possible.

6) Health Care Settings: Avoid as possible, protect the vulnerable

- Long-term care facilities should have a COVID-19 plan in accordance with CDC or state guidelines.
- Long-term care facilities should restrict all visitation except for certain compassionate care situations, such as end of life situations.
- The general public should avoid going to medical settings such as hospitals, nursing homes and long-term care facilities, even if you are not ill.
- If you are ill, call your health care provider ahead of time, and you may be able to be served by phone.
- Do not visit emergency rooms unless it is essential.
- Follow guidance and directions of all facilities.

7) Everyone: Do your part

The best way for all Dallas County residents to reduce their risk of getting sick, as with seasonal colds or the flu, still applies to prevent COVID-19:

- Wash hands with soap and water for at least 20 seconds.
- Cough or sneeze into your elbow or a tissue. Throw the tissue in the trash.
- Stay home if you are sick.
- Avoid touching your face.
- Try alternatives to shaking hands, like an elbow bump or wave.
- If you have recently returned from a country, state or region with ongoing COVID-19 infections, monitor your health and follow the instructions of public health officials and CDC guidance.
- There is no recommendation to wear masks at this time to prevent yourself from getting sick.

You can also prepare for the disruption caused by an outbreak. Preparedness actions include:

- Prepare to work from home if that is possible for your job, and your employer.
- Make sure you have a supply of all essential medications for your family.
- Prepare a childcare plan if you or a caregiver are sick.
- Make arrangements about how your family will manage school closures.
- Plan for how you can care for a sick family member without getting sick yourself.
- Take care of each other and check in by phone with friends, family and neighbors that are vulnerable to serious illness or death if they get COVID-19.



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- Keep common spaces clean to help maintain a healthy environment for you and others. Frequently touched surfaces should be cleaned regularly with disinfecting sprays, wipes or common household cleaning products.

RESOLUTION NO. 2020-026R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, EXTENDING A MAYORAL DECLARATION OF A STATE OF EMERGENCY AND ORDER, AS AMENDED BY THE MAYOR AND EXTEND BY CITY COUNCIL AS A RESULT OF THE COVID-19 VIRUS; PROVIDING FOR INTERIM PUBLIC SAFETY MEASURES; REPEALING ALL RESOLUTIONS IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Mayor of Duncanville on Friday, March 13, 2020 signed a Declaration Declaring a State of Emergency in response to the COVID-19 Virus and issued an Order with Restrictions for community gatherings and assemblies; and

WHEREAS, the said Declaration and Orders have been amended and extended by the Mayor and Council respectively; and

WHEREAS, the circumstances surrounding the COVID-19 Virus have increased the need for social distancing and precautionary public safety response; and.

WHEREAS, State law provides that the Mayoral Declaration must expire on the seventh (7th) day after its issuance; and

WHEREAS, the COVID-19 Virus continues to necessitate an extensive and prompt public safety response; and, the regulations set forth in the Mayoral Declaration may need to be extended and/or modified in order to continue to protect the general public;

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

SECTION 1. The Mayoral Declaration and Order dated Friday, March 13, 2020, which has been subsequently extended by Council and amended by the Mayor, which is attached hereto as Exhibit 1, it was continued and renewed and shall expire at 11:59 p.m. on April 8, 2020 shall hereby be continued and extended to 11:59 pm on May 6th 2020.

SECTION 2. The City Manager shall take all steps necessary, expressed and implied under said Declaration and Order in accordance with State law and the City of Duncanville Emergency Management Plan to protect the health, safety and welfare of the citizens of the City of Duncanville.

SECTION 3. The amended Mayoral Declaration and Order as set forth in Exhibit A is ADOPTED, CONTINUED AND RENEWED; and, the City Council hereby takes the additional actions as provided herein which are as follows:

a. That the City Manager or his designee may utilize the Federal Emergency Management Act procurement during exigent or emergency provisions of the Code of Federal Regulations.

b. The City Manager may revoke any certificate of occupancy or other permits for any business that fails to comply with any provision of this Resolution, Declaration or Order.

c. The City Manager may waive enforcement of any regulatory and ordinance provision for any businesses subject to this order in order to promote and execute the provisions of this Resolution.

d. The City shall suspend accepting any applications for zoning, plats and other land use regulations.

e. The Council and/or any of its Boards, Commissions or Committees may meet by video conference or telecommunication as amended by the Governor.

f. The Council hereby excuses and waives all attendance requirements for Board, Commission or Committee members during the application of this Resolution.

SECTION 4. Any prior resolution of the City Council in conflict with the provisions contained in this Resolution are hereby repealed and revoked.

SECTION 5. Should any part of this Resolution be held to be invalid for any reason, the remainder shall not be affected thereby, and such remaining portions are hereby declared to be severable, and, that any Governmental Order as interpreted in conflict herewith shall take precedence and shall be interpreted to protect the health, safety and welfare of the City.

SECTION 6. This Resolution shall become effective immediately from and after its passage, as the law and charter in such cases provide.

DULY PASSED and approved by the City Council of the City of Duncanville,
Texas, on this the 7th day of April, 2020.

APPROVED:

Barry L. Gordon, Mayor

ATTEST:

Kristin Downs, City Secretary

APPROVED AS TO FORM:

Robert E. Hager, City Attorney



AMENDED DECLARATION OF LOCAL DISASTER FOR PUBLIC HEALTH EMERGENCY

WHEREAS, beginning in December 2019, a novel coronavirus, now designated SARS-CoV2 which causes the disease COVID-19, has spread through the world and has now been declared a global pandemic by the World Health Organization; and

WHEREAS, symptoms of COVID-19 include fever, coughing, and shortness of breath. In some cases, the virus has caused death; and

WHEREAS, reasonable measures must be taken to contain COVID-19 and prevent its spread throughout the city of Duncanville and Dallas County, including the quarantine of individuals, groups of individuals, and property and, additionally, including compelling individuals, groups of individuals, or property to undergo additional health measures that prevent or control the spread of disease; and

WHEREAS, it has been determined that further restrictions are required concerning the operation of bars, lounges, taverns, arcades, and private clubs and restaurants in order to prevent transmission of COVID-19; and

NOW, THEREFORE, I, BARRY L. GORDON, MAYOR OF THE CITY OF DUNCANVILLE, TEXAS, DO HEREBY AMEND MY DECLARATION of the 7th day of April 2020, and hereby AMEND my previous declaration as set forth in an amended ORDER as follows:

1. That a local state of disaster for public health emergency is hereby declared for the city of Duncanville, Texas, pursuant to section 418.108(a) of the Texas Government Code.
2. Pursuant to section 418.108(b) of the Government Code, the state of disaster for public health emergency shall continue through May 6, 2020 unless continued or renewed by the City Council of Duncanville, Texas.
3. Pursuant to section 418.108(c) of the Government Code, this declaration of a local state of disaster for public health emergency shall be given prompt and general publicity and shall be filed promptly with the City Secretary.
4. Pursuant to section 418.108(d) of the Government Code, this declaration of a local state of disaster activates the City of Duncanville emergency management plan.
5. Pursuant to section 418.108(g) of the Government Code, the order issued the 13th day of March, 2020 is hereby amended and shall govern gatherings in the city as provided in the attached amended order, exhibit A.
6. I further direct the City Manager, or his designee, to undertake whatever reasonable action and to conduct whatever disaster mitigation measures necessary to protect the general health, safety and welfare of the citizens of Duncanville.
7. That this proclamation shall take effect immediately from and after its issuance.

114477



DECLARED this 7th day of April 2020.

Barry L. Gordon
Mayor, City of Duncanville

Robert E. Hager
City Attorney

Kristin Downs
City Secretary

114477



STAFF REPORT

MEETING: City Council - April 7, 2020

TITLE:

Receive the Monthly Financial Report as of February 29, 2020.

FY 2019 CITY COUNCIL ORGANIZATIONAL WORKPLAN:

- 1. Most engaged citizens in America
 - Goal 2: Maximize city and community resources to improve quality of life in a sustainable manner.

STAFF RESPONSIBLE:

Richard Summerlin, Finance Director

BACKGROUND/HISTORY:

The Financial Report is presented to provide actual revenues and expenditures in comparison to the budget. The report provides financial data on key funds including the General, Utility, Sanitation, Economic Development, Fieldhouse, Medical Insurance, and Comprehensive Self-Insurance.

POLICY EXPLANATION:

February 2020 is the fifth month in fiscal year 2020 and we would expect revenues and expenditures to be at about 42% of their budgets. Below are financial highlights as of the February 2020 Financial Report.

General Fund:

- General Fund ending fund balance is \$19.4 million, which is approximately 219 days of operations based on the adopted budget.
- Overall General Fund revenues and transfers in are at 65.5% of the budget.
 - Current property tax payments are at 94.6% of the budget. This is typical for this time of year since property tax payments were due by January 31st. This is 8.2% higher than the same time last year.
 - Sales tax revenue is 9.0% higher than the same time last year. The data here reflects three months of revenue (December sales tax is received in February.)
- Overall General Fund operating expenditures and transfers out are at 35.4% of the budget.
 - A detailed financial update on one-time projects is included as the last page of the financial report.

Other Funds:

- The Utility Fund ending fund balance is \$2.5 million, which is approximately 47 days of operations based on the adopted budget.

- Water and sewer revenues run one month in the arrears, so this report reflects four months of revenues. Water revenues are 10.9% higher than the same time last year, while sewer revenues are down by 5.4%.
 - Total expenditures are at 42.1% of the budget. Water services expenditures include four months of payments to Dallas Water Utilities. Wastewater services include six months of payments to Trinity River Authority.
- The Sanitation Fund has an ending fund balance of \$527 thousand, which is approximately 47 days of operations.
 - Garbage revenues run one month in the arrears. Residential and commercial garbage revenues are 23.4% and 10.5%, respectively, greater than same time last year. Garbage rate increases were enacted for fiscal year 2020.
 - Landfill revenues are only at 9.5% of the budget due to a change in process. Only one month of revenue has been booked at the time of this report.
 - Total expenditures are at 31.7% of the budget and include four months of payments for contracted garbage collection services. The City entered into a new contract with Republic Services this fiscal year.
- Overall investment revenue is trending higher in most City funds due to favorable interest rates through February 2020.

FUNDING SOURCE:

N/A

RECOMMENDATION:

There is no City Council action required.

ATTACHMENTS:

[Attachment 1 - Monthly Financial Report February 2020](#)

[Attachment 2 - PowerPoint - February 2020 Financial Update to Council](#)

Attachment 1



**CITY OF DUNCANVILLE
MONTHLY FINANCIAL REPORT**

Fiscal Year 2019-2020
YEAR-TO-DATE OPERATIONS

AS OF FEBRUARY 29, 2020

OCTOBER 1, 2019 TO FEBRUARY 29, 2020

Prepared by
FINANCE DEPARTMENT
3/26/2020

Attachment 1

CITY OF DUNCANVILLE

FUND BALANCES AT FEBRUARY 29, 2020

FUND	BEGINNING BALANCE (OCT 1)	REVENUES	EXPENDITURES	RESERVED FOR ONE TIME PROJECTS ¹	ENDING BALANCE YTD
GENERAL FUND	\$12,754,602	\$21,553,159	(\$11,909,870)	(\$2,992,040)	\$19,405,852
UTILITY FUND	\$9,460,358	\$6,181,623	(\$8,165,820)	(\$5,000,000)	\$2,476,161
SANITATION FUND	\$627,420	\$1,189,909	(\$1,289,699)	\$0	\$527,630
ECONOMIC DEVELOPMENT	\$2,985,980	\$714,795	(\$713,371)	\$0	\$2,987,403
FIELDHOUSE	(\$1,118,698)	\$401,343	(\$472,706)	\$0	(\$1,190,061)
MEDICAL INSURANCE	(\$250,741)	\$1,839,832	(\$1,932,561)	\$0	(\$343,471)
COMPREHENSIVE SELF INS	\$711,439	\$204,869	(\$370,722)	\$0	\$545,587

DAYS OF OPERATIONS AT FEBRUARY 29, 2020

FUND	YTD FUND BALANCE	BUDGETED OPERATING RESERVE # DAYS	BUDGETED OPERATING RESERVE (\$)	YTD ACTUAL # DAYS OF OPERATIONS
GENERAL FUND	\$19,405,852	75	\$6,646,704	219
UTILITY FUND	\$2,476,161	60	\$3,188,143	47
SANITATION FUND	\$527,630	60	\$668,885	47

Note 1- One Time Project funds are not included in ending fund balance available for operations.
General Fund One Time Projects were reserved from prior year excess fund balance.
Utility Fund reserved balance has been earmarked for future AMI project.

Attachment 1
CITY OF DUNCANVILLE

GENERAL FUND REVENUES AT FEBRUARY 29, 2020

REVENUES	YTD ACTUAL	ORIGINAL BUDGET	REVISED BUDGET	YTD LEFT IN BUDGET	% OF ANNUAL BUDGET YTD
51 - TAXES	\$19,026,908	\$27,328,043	\$27,328,043	\$8,301,135	69.6%
501101 - CURRENT TAXES	\$16,341,429	\$17,270,520	\$17,270,520	\$929,091	94.6%
501102 - DELINQUENT TAXES	\$59,502	\$140,000	\$140,000	\$80,498	42.5%
501103 - PENALTIES AND INTEREST	\$30,001	\$120,000	\$120,000	\$89,999	25.0%
501201 - STATE SALES TAX CITY PORTION	\$1,409,750	\$5,254,349	\$5,254,349	\$3,844,599	26.8%
501202 - SALES TAX PROPERTY TAX RELIEF	\$704,875	\$2,627,174	\$2,627,174	\$1,922,299	26.8%
501204 - ALCOHOLIC BEVERAGE TAX	\$17,356	\$76,000	\$76,000	\$58,644	22.8%
501301 - FRANCHISE FEE ELECTRIC	\$271,553	\$1,200,000	\$1,200,000	\$928,447	22.6%
501302 - FRANCHISE FEE GAS	\$76,067	\$330,000	\$330,000	\$253,933	23.1%
501303 - FRANCHISE FEE TELEPHONE	\$44,235	\$180,000	\$180,000	\$135,765	24.6%
501304 - FRANCHISE FEE CABLE TV	\$40,572	\$130,000	\$130,000	\$89,428	31.2%
501306 - FRANCHISE VIDEO SERV	\$31,570	(\$0)	(\$0)	(\$31,570)	
52 - PERMITS & FEES	\$674,278	\$1,153,000	\$1,153,000	\$478,722	58.5%
502101 - BUILDING PERMITS	\$166,326	\$200,000	\$200,000	\$33,674	83.2%
502102 - ELECTRICAL PERMITS	\$6,866	\$12,000	\$12,000	\$5,134	57.2%
502103 - SOLICITOR LICENSES	\$200	\$2,000	\$2,000	\$1,800	10.0%
502105 - EMERGENCY MEDICAL SERVICE	\$378,968	\$700,000	\$700,000	\$321,032	54.1%
502106 - SIGN PERMITS	\$9,900	\$11,000	\$11,000	\$1,100	90.0%
502107 - WRECKER AND STORAGE FEES	(\$0)	\$3,000	\$3,000	\$3,000	0.0%
502108 - HEALTH FOOD INSPECTION FEES	\$42,308	\$64,500	\$64,500	\$22,192	65.6%
502109 - PLUMBING AND AC PERMITS	\$21,510	\$34,000	\$34,000	\$12,490	63.3%
502111 - ZONING & SPEC USE PERMIT	\$2,200	\$8,500	\$8,500	\$6,300	25.9%
502113 - SMALL CELL/ NETWORK NODE FEES	\$500	(\$0)	(\$0)	(\$500)	
502114 - RENTAL PROPERTY REGISTRATION	\$25,995	\$55,000	\$55,000	\$29,005	47.3%
502120 - ALARM PERMITS	\$19,505	\$60,000	\$60,000	\$40,495	32.5%
502122 - POOL OR SPA INSPECTION FEE	(\$0)	\$3,000	\$3,000	\$3,000	0.0%
53 - FINES	\$197,638	\$508,000	\$508,000	\$310,362	38.9%
503101 - MUNICIPAL COURT FINES	\$148,139	\$360,000	\$360,000	\$211,861	41.1%
503102 - COURT RELATED FEES	\$39,096	\$110,000	\$110,000	\$70,904	35.5%
503103 - SCHOOL CROSSING FEES	\$1,226	\$3,000	\$3,000	\$1,774	40.9%
503201 - LIBRARY FINES	\$4,127	\$20,000	\$20,000	\$15,873	20.6%
503301 - FALSE ALARM FINES	\$5,050	\$15,000	\$15,000	\$9,950	33.7%
54 - INTERGOVERNMENTAL	\$48,776	\$171,000	\$171,000	\$122,224	28.5%
504102 - DISD SCHOOL CROSSING GUARDS	\$12,129	\$41,000	\$41,000	\$28,871	29.6%
504103 - DALLAS COUNTY CROSSING GUARD	\$14,574	\$30,000	\$30,000	\$15,426	48.6%
504109 - REIMB FOR REG EMERG MANAGER	\$22,073	\$100,000	\$100,000	\$77,927	22.1%
55 - INTEREST	\$166,081	\$315,000	\$315,000	\$148,919	52.7%
505101 - INTEREST ON GOVT POOL INVEST	\$26,767	\$75,000	\$75,000	\$48,233	35.7%
505103 - CERT OF DEPOSIT INTEREST	\$66,460	\$80,000	\$80,000	\$13,540	83.1%
505106 - MONEY MARKET INTEREST	\$72,854	\$160,000	\$160,000	\$87,146	45.5%
57 - RECREATIONAL FEES	\$124,406	\$311,000	\$311,000	\$186,594	40.0%
507102 - RECREATION FEES	\$106,342	\$306,000	\$306,000	\$199,658	34.8%
507104 - SENIOR CENTER ANNUAL USER FEE	\$1,955	\$5,000	\$5,000	\$3,045	39.1%
507107 - RECREATION CENTER CLASSES	\$4,797	(\$0)	(\$0)	(\$4,797)	
507108 - RECREATION CENTER SPECIAL EVEN	\$7,725	(\$0)	(\$0)	(\$7,725)	
507109 - SENIOR CLASS/TRIPS	\$3,587	\$0	(\$0)	(\$3,587)	

Attachment 1
CITY OF DUNCANVILLE

GENERAL FUND REVENUES AT FEBRUARY 29, 2020

REVENUES	YTD ACTUAL	ORIGINAL BUDGET	REVISED BUDGET	YTD LEFT IN BUDGET	% OF ANNUAL BUDGET YTD
59 - OTHER REVENUES	\$225,725	\$505,880	\$505,880	\$280,155	44.6%
509101 - SALE OF FIXED ASSETS	(\$0)	(\$0)	(\$0)	(\$)	
509102 - GAIN/ LOSS ON SALE FIXED ASSET	(\$0)	\$0	(\$0)	(\$)	
509105 - SALE OF MATERIALS	\$280	\$1,000	\$1,000	\$720	28.0%
509201 - INSURANCE RECOVERY	(\$0)	(\$0)	(\$0)	(\$)	
509501 - COLLECTION OF BAD DEBTS	\$389	\$2,000	\$2,000	\$1,611	19.5%
509502 - MISCELLANEOUS W/O	(\$0)	\$100	\$100	\$100	0.0%
509601 - MISCELLANEOUS	\$57,849	\$58,000	\$58,000	\$151	99.7%
509602 - CASH OVER AND SHORT	(\$26)	\$0	(\$0)	\$26	
509603 - COPIES	\$8,830	\$18,000	\$18,000	\$9,170	49.1%
509604 - POLICE ACCIDENT REPORTS	\$1,423	\$4,500	\$4,500	\$3,077	31.6%
509606 - AUCTION PROCEEDS	(\$0)	\$5,000	\$5,000	\$5,000	0.0%
509607 - ANIMAL PERMITS	\$10	\$50	\$50	\$40	20.0%
509609 - RETURN CHECK FEES	\$105	\$230	\$230	\$125	45.7%
509611 - SCRAP METAL SALES	(\$0)	(\$0)	(\$0)	(\$)	
509612 - CITY SERVICES REIMBURSEMENT	\$56,350	\$58,000	\$58,000	\$1,650	97.2%
509613 - WORKERS COMP REIMBURSEMENT	\$10,302	\$15,000	\$15,000	\$4,698	68.7%
509614 - RENTAL OF TOWER	\$88,520	\$194,000	\$194,000	\$105,480	45.6%
509617 - LEASE INCOME	(\$0)	\$150,000	\$150,000	\$150,000	0.0%
509618 - GAS WELL OIL REVENUE	\$1,693	\$0	(\$0)	(\$1,693)	
81 - OTHER FINANCE SOURCE	\$1,089,348	\$2,614,435	\$2,614,435	\$1,525,087	41.7%
801102 - TRANSF IN UTILITY FUND WATER	\$734,046	\$1,761,710	\$1,761,710	\$1,027,664	41.7%
801104 - TRANSF IN UTIL FUND SANITATION	\$80,124	\$192,297	\$192,297	\$112,173	41.7%
801108 - TRANSF IN EDC SALES TAX	\$31,505	\$75,613	\$75,613	\$44,108	41.7%
801110 - TRANSF IN HOTEL TAX FUND	\$23,459	\$56,302	\$56,302	\$32,843	41.7%
801150 - TRANSF IN PILOT FRANCHISE TAX	\$220,214	\$528,513	\$528,513	\$308,299	41.7%
Grand Total	\$21,553,159	\$32,906,358	\$32,906,358	\$11,353,199	65.5%

Attachment 1
CITY OF DUNCANVILLE

GENERAL FUND EXPENDITURES AT FEBRUARY 29, 2020

EXPENDITURES	YTD ACTUAL	ORIGINAL BUDGET	REVISED BUDGET	YTD LEFT IN BUDGET	% OF ANNUAL BUDGET YTD
0000 - OTHER	\$263,377	\$648,628	\$648,628	\$385,252	40.6%
001 - GENERAL FUND NON-ORG	\$263,377	\$648,628	\$648,628	\$385,252	40.6%
0101 - GENERAL GOVERNMENT	\$1,237,715	\$3,095,929	\$3,144,066	\$1,906,350	39.4%
01011000 - MAYOR AND COUNCIL	\$84,098	\$136,759	\$136,759	\$52,661	61.5%
01011100 - CITY ADMINISTRATION	\$258,815	\$703,334	\$730,521	\$471,706	35.4%
01011300 - HUMAN RESOURCES	\$124,254	\$336,315	\$336,315	\$212,061	36.9%
01011400 - INFO TECHNOLOGY	\$347,411	\$790,621	\$811,571	\$464,160	42.8%
01011500 - PUBLIC INFORMATION OFFICE	\$55,472	\$187,338	\$187,338	\$131,866	29.6%
01011600 - PUBLIC LIBRARY	\$367,665	\$941,561	\$941,561	\$573,896	39.0%
0102 - FINANCE	\$573,261	\$1,505,201	\$1,507,683	\$934,421	38.0%
01022000 - FINANCE ADMINISTRATION	\$336,572	\$778,218	\$778,218	\$441,646	43.2%
01022300 - MUNICIPAL COURT	\$163,829	\$502,610	\$505,092	\$341,263	32.4%
01022500 - PURCHASING	\$41,379	\$101,913	\$101,913	\$60,534	40.6%
01022700 - CITY MARSHAL	\$31,481	\$122,460	\$122,460	\$90,979	25.7%
0104 - PARK AND RECREATION	\$1,203,386	\$3,991,412	\$3,991,412	\$2,788,025	30.1%
01044000 - PARK & REC ADMINISTRATION	\$101,381	\$273,435	\$273,435	\$172,054	37.1%
01044100 - REC PROGRAM ADMIN	\$142,231	\$390,194	\$390,194	\$247,963	36.5%
01044101 - REC PROGRAM CLASSES	\$1,312	\$5,682	\$5,682	\$4,370	23.1%
01044200 - SPECIAL EVENTS ADMIN	\$53,267	\$198,780	\$198,780	\$145,513	26.8%
01044300 - ATHLETIC PROGRAMMING	\$140,610	\$443,575	\$443,575	\$302,965	31.7%
01044500 - HORTICULTURE	\$62,747	\$177,565	\$177,565	\$114,818	35.3%
01044600 - PARK GROUNDS MAINTENANCE	\$339,232	\$1,370,696	\$1,370,696	\$1,031,464	24.7%
01044800 - BUILDING MAINTENANCE	\$298,100	\$890,663	\$890,663	\$592,562	33.5%
01044900 - SENIOR CENTER	\$63,858	\$235,623	\$235,623	\$171,765	27.1%
01044901 - SENIOR CENTER CLASSES	\$372	\$4,600	\$4,600	\$4,228	8.1%
01044911 - SENIOR CENTER TRIPS	\$277	\$600	\$600	\$323	46.1%
0105 - POLICE	\$3,541,840	\$9,505,974	\$9,526,295	\$5,984,456	37.2%
01055000 - POLICE ADMINISTRATION	\$217,860	\$554,675	\$554,675	\$336,815	39.3%
01055100 - PATROL	\$1,734,115	\$4,889,288	\$4,888,538	\$3,154,423	35.5%
01055200 - CRIMINAL INVESTIGATION	\$537,540	\$1,479,462	\$1,480,212	\$942,672	36.3%
01055300 - ANIMAL CONTROL	\$188,282	\$435,033	\$435,033	\$246,751	43.3%
01055400 - SCHOOL GUARDS	\$36,373	\$84,550	\$84,550	\$48,177	43.0%
01055500 - CRIME PREVENTION	\$52,878	\$151,235	\$151,235	\$98,358	35.0%
01055700 - RECORDS	\$513,442	\$1,211,653	\$1,231,974	\$718,532	41.7%
01055800 - DETENTION SERVICES	\$125,943	\$319,737	\$319,737	\$193,793	39.4%
01055900 - POLICE SPECIAL SERVICES	\$135,407	\$380,341	\$380,341	\$244,934	35.6%
0106 - PUBLIC WORKS	\$2,243,091	\$6,930,278	\$7,179,026	\$4,935,935	31.2%
01066000 - ENGINEERING	\$149,020	\$403,059	\$403,059	\$254,039	37.0%
01066100 - BUILDING INSPECTION	\$180,763	\$480,172	\$530,171	\$349,407	34.1%
01066200 - STREET MAINTENANCE	\$1,098,078	\$3,550,038	\$3,734,932	\$2,636,854	29.4%
01066300 - TRAFFIC OPERATIONS	\$370,824	\$870,772	\$879,626	\$508,802	42.2%
01066400 - PLANNING	\$85,100	\$219,433	\$224,433	\$139,333	37.9%
01066500 - CODE SERVICES	\$88,398	\$270,566	\$270,566	\$182,168	32.7%
01066700 - EQUIPMENT SERVICES	\$270,908	\$1,136,239	\$1,136,239	\$865,331	23.8%

Attachment 1
CITY OF DUNCANVILLE

GENERAL FUND EXPENDITURES AT FEBRUARY 29, 2020

EXPENDITURES	YTD ACTUAL	ORIGINAL BUDGET	REVISED BUDGET	YTD LEFT IN BUDGET	% OF ANNUAL BUDGET YTD
0107 - FIRE	\$2,617,392	\$7,009,246	\$7,009,246	\$4,391,854	37.3%
01077000 - FIRE ADMINISTRATION	\$238,527	\$633,825	\$633,825	\$395,298	37.6%
01077100 - FIRE PREVENTION	\$127,606	\$244,277	\$244,277	\$116,671	52.2%
01077200 - FIRE SUPPRESSION	\$1,620,532	\$4,294,259	\$4,294,259	\$2,673,728	37.7%
01077300 - ADVANCED LIFE SUPPORT	\$576,728	\$1,700,743	\$1,700,743	\$1,124,015	33.9%
01077500 - EMERGENCY MANAGEMENT ADMIN	\$54,000	\$136,142	\$136,142	\$82,143	39.7%
0108 - NON DEPARTMENTAL	\$92,380	\$309,252	\$309,252	\$216,871	29.9%
01088000 - GENERAL NON DEPARTMENTAL	\$92,380	\$309,252	\$309,252	\$216,871	29.9%
0109 - SPECIAL PURPOSES	\$50,000	\$100,000	\$100,000	\$50,000	50.0%
01099000 - SPECIAL PURPOSES	\$50,000	\$100,000	\$100,000	\$50,000	50.0%
Total Operating Expenses & Transfers Out	\$11,822,443	\$33,095,921	\$33,415,607	\$21,593,165	35.4%

EXPENDITURES	YTD ACTUAL	ORIGINAL BUDGET	REVISED BUDGET	YTD LEFT IN BUDGET	% OF ANNUAL BUDGET
4110 - ONE-TIME PROJECTS					
41010000 - GEN GOVT ONE TIME PROJECTS	\$20,000	\$134,185	\$160,521	\$140,521	12.5%
41040000 - PARKS & REC ONE TIME PROJECTS	\$30,500	\$139,969	\$1,714,956	\$1,684,456	1.8%
41060000 - PUBLIC WORKS ONE TIME PROJECTS	\$36,927	\$151,508	\$1,116,563	\$1,079,636	3.3%
Total One-Time Projects	\$87,427	\$425,662	\$2,992,040	\$2,904,613	2.9%

Grand Total- Including One-Time Projects	\$11,909,870	\$33,521,583	\$36,407,647	\$24,497,778	32.7%
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Attachment 1
CITY OF DUNCANVILLE

UTILITY FUND AT FEBRUARY 29, 2020

REVENUES	YTD ACTUAL	ORIGINAL BUDGET	REVISED BUDGET	YTD LEFT IN BUDGET	% OF ANNUAL BUDGET YTD
41 - WATER	\$2,649,137	\$8,040,000	\$8,040,000	\$5,390,863	32.9%
510101 - WATER SALES	\$1,688,997	\$5,300,000	\$5,300,000	\$3,611,003	31.9%
510102 - WATER TAPS	\$5,138	\$10,000	\$10,000	\$4,862	51.4%
510104 - MULTI-FAMILY WATER SALES	\$256,451	\$750,000	\$750,000	\$493,549	34.2%
510105 - COMMERCIAL WATER SALES	\$462,900	\$1,350,000	\$1,350,000	\$887,100	34.3%
510106 - WATER SALES OTHER	\$279	(\$0)	(\$0)	(\$279)	
510107 - WATER SALES IRRIGATION	\$170,730	\$480,000	\$480,000	\$309,270	35.6%
510108 - SCHOOL WATER SALES	\$64,642	\$150,000	\$150,000	\$85,358	43.1%
42 - SEWER	\$3,304,991	\$9,183,600	\$9,183,600	\$5,878,609	36.0%
511101 - SEWER SERVICE	\$2,265,292	\$6,300,000	\$6,300,000	\$4,034,708	36.0%
511102 - SEWER TAPS	\$540	\$3,600	\$3,600	\$3,060	15.0%
511105 - MULTI-FAMILY SEWER SERVICE	\$486,314	\$1,400,000	\$1,400,000	\$913,686	34.7%
511106 - COMMERCIAL SEWER SERVICE	\$506,155	\$1,350,000	\$1,350,000	\$843,845	37.5%
511108 - SCHOOL WASTEWATER SALES	\$46,691	\$130,000	\$130,000	\$83,309	35.9%
45 - PENALTIES	\$83,398	\$130,000	\$130,000	\$46,602	64.2%
513101 - PENALTIES	\$83,398	\$130,000	\$130,000	\$46,602	64.2%
54 - INTERGOVERNMENTAL	(\$0)	(\$0)	(\$0)	(\$0)	
504111 - REIMB FOR SUMMIT TANK FROM CH	(\$0)	(\$0)	(\$0)	(\$0)	
55 - INTEREST	\$69,726	\$120,000	\$120,000	\$50,274	58.1%
505101 - INTEREST ON GOVT POOL INVEST	\$12,993	\$120,000	\$120,000	\$107,007	10.8%
505103 - CERT OF DEPOSIT INTEREST	\$20,229	(\$0)	(\$0)	(\$20,229)	
505106 - MONEY MARKET INTEREST	\$36,505	(\$0)	(\$0)	(\$36,505)	
59 - OTHER REVENUES	\$74,371	\$143,500	\$143,500	\$69,129	51.8%
509101 - SALE OF FIXED ASSETS	(\$0)	(\$0)	(\$0)	(\$0)	
509301 - REFUNDS FROM TRA	(\$0)	(\$0)	(\$0)	(\$0)	
509401 - SERVICE CHARGES	\$57,656	\$130,000	\$130,000	\$72,344	44.4%
509601 - MISCELLANEOUS	\$200	\$5,000	\$5,000	\$4,800	4.0%
509602 - CASH OVER AND SHORT	\$16	(\$0)	(\$0)	(\$16)	
509609 - RETURN CHECK FEES	\$2,450	\$5,000	\$5,000	\$2,550	49.0%
509611 - SCRAP METAL SALES	\$1,387	\$3,500	\$3,500	\$2,113	39.6%
509612 - CITY SERVICES REIMBURSEMENT	\$12,662	(\$0)	(\$0)	(\$12,662)	
Grand Total	\$6,181,623	\$17,617,100	\$17,617,100	\$11,435,477	35.1%

EXPENDITURES	YTD ACTUAL	ORIGINAL BUDGET	REVISED BUDGET	YTD LEFT IN BUDGET	% OF ANNUAL BUDGET YTD
002 - UTILITY FUND NON-ORG	\$3,055,479	\$7,442,775	\$7,442,775	\$4,387,296	41.1%
02311000 - UTILITIES ADMINISTRATION	\$152,427	\$391,729	\$400,399	\$247,971	38.1%
02312000 - WATER SERVICES	\$1,507,525	\$4,514,065	\$4,514,065	\$3,006,540	33.4%
02313000 - WASTEWATER SERVICES	\$3,071,244	\$5,876,545	\$5,876,545	\$2,805,301	52.3%
02411000 - UTILITIES ACCOUNTING	\$379,144	\$1,169,420	\$1,169,420	\$790,276	32.4%
Grand Total	\$8,165,820	\$19,394,534	\$19,403,204	\$11,237,384	42.1%

Attachment 1
CITY OF DUNCANVILLE

SANITATION FUND AT FEBRUARY 29, 2020

	YTD	ORIGINAL	REVISED	YTD LEFT	% OF
REVENUES	ACTUAL	BUDGET	BUDGET	IN BUDGET	ANNUAL
					BUDGET
					YTD
43 - GARBAGE	\$1,185,562	\$3,839,934	\$3,839,934	\$2,654,372	30.9%
512101 - RESIDENTIAL GARBAGE	\$1,055,567	\$3,101,961	\$3,101,961	\$2,046,394	34.0%
512104 - LANDFILL COMMERCIAL	\$41,056	\$430,000	\$430,000	\$388,944	9.5%
512105 - COMMERCIAL COLLECT FRANCHISE	\$57,723	\$210,000	\$210,000	\$152,277	27.5%
512106 - COMMERCIAL GARBAGE	\$31,216	\$97,973	\$97,973	\$66,757	31.9%
55 - INTEREST	\$4,347	\$6,000	\$6,000	\$1,653	72.4%
505101 - INTEREST ON GOVT POOL INVEST	\$2,873	\$6,000	\$6,000	\$3,127	47.9%
505103 - CERT OF DEPOSIT INTEREST	\$1,473	(\$0)	(\$0)	(\$1,473)	
Grand Total	\$1,189,909	\$3,845,934	\$3,845,934	\$2,656,025	30.9%

	YTD	ORIGINAL	REVISED	YTD LEFT	% OF
EXPENDITURES	ACTUAL	BUDGET	BUDGET	IN BUDGET	ANNUAL
					BUDGET
					YTD
019 - SANITATION NON-ORG	\$166,957	\$400,697	\$400,697	\$233,740	41.7%
19011000 - SANITATION ADMIN	\$1,033,093	\$3,407,604	\$3,407,604	\$2,374,511	30.3%
19012000 - LITTER CONTROL CREW	\$89,649	\$260,753	\$260,753	\$171,104	34.4%
Grand Total	\$1,289,699	\$4,069,053	\$4,069,053	\$2,779,355	31.7%

Attachment 1
CITY OF DUNCANVILLE

ECONOMIC DEVELOPMENT AT FEBRUARY 29, 2020

REVENUES	YTD ACTUAL	ORIGINAL BUDGET	REVISED BUDGET	YTD LEFT IN BUDGET	% OF ANNUAL BUDGET YTD
51 - TAXES	\$704,875	\$2,627,174	\$2,627,174	\$1,922,299	26.8%
501203 - ECONOMIC DEVELOPMENT SALES TAX	\$704,875	\$2,627,174	\$2,627,174	\$1,922,299	26.8%
55 - INTEREST	\$9,920	\$16,000	\$16,000	\$6,080	62.0%
505101 - INTEREST ON GOVT POOL INVEST	\$6,898	\$16,000	\$16,000	\$9,102	43.1%
505103 - CERT OF DEPOSIT INTEREST	\$3,021	(\$0)	(\$0)	(\$3,021)	
Grand Total	\$714,795	\$2,643,174	\$2,643,174	\$1,928,379	27.0%

EXPENDITURES	YTD ACTUAL	ORIGINAL BUDGET	REVISED BUDGET	YTD LEFT IN BUDGET	% OF ANNUAL BUDGET YTD
012 - ECONOMIC DEVELOP NON-ORG	\$31,845	\$609,463	\$610,279	\$578,434	5.2%
12011000 - ECONOMIC DEVELOPMENT ADMIN	\$150,780	\$337,211	\$396,003	\$245,223	38.1%
12011100 - KEEP DUNCANVILLE BEAUTIFUL	\$3,145	\$12,081	\$12,081	\$8,936	26.0%
12011600 - DEBT SERVICE EDC	\$485,066	\$488,413	\$488,413	\$3,346	99.3%
12011800 - BEAUTIFICATION	\$19,559	\$126,472	\$126,472	\$106,913	15.5%
12051000 - DESIGN INCENTIVES	\$22,975	\$160,000	\$160,000	\$137,025	14.4%
12051200 - GRANTS/REBATE INCENTIVES	\$0	\$0	\$0	\$0	
Grand Total	\$713,371	\$1,733,640	\$1,793,248	\$1,079,877	39.8%

Attachment 1
CITY OF DUNCANVILLE

FIELDHOUSE FUND AT FEBRUARY 29, 2020

	YTD	ORIGINAL	REVISED	YTD LEFT IN	% OF
REVENUES	ACTUAL	BUDGET	BUDGET	BUDGET	ANNUAL
48 - SPORTS FACILITY	\$220,862	\$814,100	\$814,100	\$593,238	27.1%
520101 - SPONSORSHIP REVENUE	\$23,650	\$100,500	\$100,500	\$76,850	23.5%
520120 - FOOD SALES	\$63,132	\$202,000	\$202,000	\$138,868	31.3%
520130 - BEVERAGE SALES	\$46,119	\$107,000	\$107,000	\$60,881	43.1%
520140 - MERCHANDISE REVENUE	\$187	\$5,000	\$5,000	\$4,813	3.7%
520170 - OTHER SPORTS ACTIVITY REV	\$32,268	\$59,600	\$59,600	\$27,332	54.1%
520180 - CAMP/AFTERSCHOOL PROG REV	\$31,032	\$276,000	\$276,000	\$244,968	11.2%
520190 - CLASS REVENUE	\$24,474	\$64,000	\$64,000	\$39,526	38.2%
59 - OTHER REVENUES	\$180,481	\$573,371	\$573,371	\$392,890	31.5%
509601 - MISCELLANEOUS	\$56,685	\$81,871	\$81,871	\$25,186	69.2%
509602 - CASH OVER AND SHORT	\$132	(\$0)	(\$0)	(\$132)	
509606 - AUCTION PROCEEDS	(\$0)	(\$0)	(\$0)	(\$0)	
509615 - RENTAL	\$9,908	\$56,500	\$56,500	\$46,593	17.5%
509620 - RENTALS- BASKETBALL	\$92,335	\$395,000	\$395,000	\$302,665	23.4%
509621 - RENTALS- VOLLEYBALL	\$21,423	\$40,000	\$40,000	\$18,578	53.6%
81 - OTHER FINANCE SOURCE	(\$0)	\$533,850	\$533,850	\$533,850	0.0%
801129 - TRANSF IN DCEDC	(\$0)	\$533,850	\$533,850	\$533,850	0.0%
Grand Total	\$401,343	\$1,921,321	\$1,921,321	\$1,519,978	20.9%

	YTD	ORIGINAL	REVISED	YTD LEFT IN	% OF
EXPENDITURES	ACTUAL	BUDGET	BUDGET	BUDGET	ANNUAL
456 - FIELDHOUSE NON-ORG	\$47,525	\$2,640	\$2,640	(\$44,885)	1800.2%
45601000 - FH ADMIN/OPS	\$357,793	\$1,643,772	\$1,643,772	\$1,285,979	21.8%
45602000 - FH CAFÉ/ FOOD COURT	\$64,869	\$175,705	\$175,705	\$110,836	36.9%
45602500 - FH GENERAL STORE	\$108	\$3,750	\$3,750	\$3,642	2.9%
45651100 - FIELDHOUSE CAMPS	\$1,670	\$78,000	\$78,000	\$76,330	2.1%
45651200 - FIELDHOUSE CLASSES	\$62	\$5,110	\$5,110	\$5,048	1.2%
45651300 - FIELDHOUSE OTHER ACTIVITIES	\$679	\$9,550	\$9,550	\$8,871	7.1%
Grand Total	\$472,706	\$1,918,527	\$1,918,527	\$1,445,821	24.6%

Attachment 1
CITY OF DUNCANVILLE

MEDICAL INSURANCE FUND AT FEBRUARY 29, 2020

	YTD ACTUAL	ORIGINAL BUDGET	REVISED BUDGET	YTD LEFT IN BUDGET	% OF ANNUAL BUDGET YTD
REVENUES					
46 - PREMIUMS AND OTHER	\$1,657,311	\$3,562,942	\$3,562,942	\$1,905,631	46.5%
514101 - PREMIUMS EMPLOYEE HEALTH	\$1,284,744	\$2,700,000	\$2,700,000	\$1,415,256	47.6%
514103 - PREMIUMS DEPENDENT HEALTH	\$258,383	\$564,035	\$564,035	\$305,652	45.8%
514105 - PREMIUMS COBRA	(\$0)	(\$0)	(\$0)	(\$0)	
514106 - PREMIUMS RETIREES	\$114,184	\$298,907	\$298,907	\$184,723	38.2%
55 - INTEREST	\$12,392	\$28,000	\$28,000	\$15,608	44.3%
505101 - INTEREST ON GOVT POOL INVEST	\$7,125	\$28,000	\$28,000	\$20,875	25.4%
505103 - CERT OF DEPOSIT INTEREST	\$5,267	(\$0)	(\$0)	(\$5,267)	
59 - OTHER REVENUES	\$3,462	(\$0)	(\$0)	(\$3,462)	
509608 - STOP/LOSS REIMBURSEMENT	\$3,462	(\$0)	(\$0)	(\$3,462)	
81 - OTHER FINANCE SOURCE	\$166,667	\$400,000	\$400,000	\$233,333	41.7%
801901 - TRANSF IN	\$166,667	\$400,000	\$400,000	\$233,333	41.7%
Grand Total	\$1,839,832	\$3,990,942	\$3,990,942	\$2,151,110	46.1%

	YTD ACTUAL	ORIGINAL BUDGET	REVISED BUDGET	YTD LEFT IN BUDGET	% OF ANNUAL BUDGET YTD
EXPENDITURES					
007 - MEDICAL INSURANCE NON-ORG					
700450 - CONTRACTUAL SERVICES	\$14,542	\$37,080	\$37,080	\$22,538	39.2%
700904 - MISCELLANEOUS EXPENSE	\$60	\$5,000	\$5,000	\$4,940	1.2%
701103 - EMPLOYEE MED PREMIUM EXPENSE	\$1,649,693	\$3,288,884	\$3,288,884	\$1,639,191	50.2%
701253 - RETIREE MED PREMIUM EXP	\$263,605	\$604,165	\$604,165	\$340,560	43.6%
702101 - ADMINISTRATIVE EXPENSES	\$4,661	\$8,000	\$8,000	\$3,339	58.3%
Grand Total	\$1,932,561	\$3,943,129	\$3,943,129	\$2,010,568	49.0%

Attachment 1
CITY OF DUNCANVILLE

COMPREHENSIVE SELF-INSURANCE FUND AT FEBRUARY 29, 2020

	YTD ACTUAL	ORIGINAL BUDGET	REVISED BUDGET	YTD LEFT IN BUDGET	% OF ANNUAL BUDGET YTD
REVENUES					
46 - PREMIUMS AND OTHER	\$201,018	\$482,448	\$482,448	\$281,431	41.7%
514107 - GENERAL FUND CONTRIBUTIONS	\$163,338	\$392,018	\$392,018	\$228,680	41.7%
514108 - UTILITY FUND CONTRIBUTIONS	\$22,277	\$53,465	\$53,465	\$31,188	41.7%
514109 - HOTEL TAX FUND CONTRIBUTIONS	\$1,528	\$3,667	\$3,667	\$2,139	41.7%
514110 - EDC FUND CONTRIBUTIONS	\$4,995	\$11,988	\$11,988	\$6,993	41.7%
514111 - SANITATION FUND CONTRIBUTIONS	\$3,785	\$9,085	\$9,085	\$5,300	41.7%
514112 - DRAINAGE FUND CONTRIBUTIONS	\$2,038	\$4,890	\$4,890	\$2,853	41.7%
514113 - FIELDHOUSE FUND CONTRIBUTIONS	\$3,056	\$7,335	\$7,335	\$4,279	41.7%
55 - INTEREST	\$3,852	\$6,100	\$6,100	\$2,248	63.1%
505101 - INTEREST ON GOVT POOL INVEST	\$3,852	\$6,100	\$6,100	\$2,248	63.1%
Grand Total	\$204,869	\$488,548	\$488,548	\$283,679	41.9%

	YTD ACTUAL	ORIGINAL BUDGET	REVISED BUDGET	YTD LEFT IN BUDGET	% OF ANNUAL BUDGET YTD
EXPENDITURES					
008 - COMPREHENSIVE INSURANCE NONORG					
700446 - INSURANCE PREMIUMS TML	\$294,772	\$299,296	\$299,296	\$4,524	98.5%
700455 - WORKERS COMPENSATION CLAIMS	\$57,470	\$175,000	\$175,000	\$117,530	32.8%
700456 - LIABILITY CLAIMS	\$18,480	\$60,000	\$60,000	\$41,520	30.8%
Grand Total	\$370,722	\$534,296	\$534,296	\$163,574	69.4%

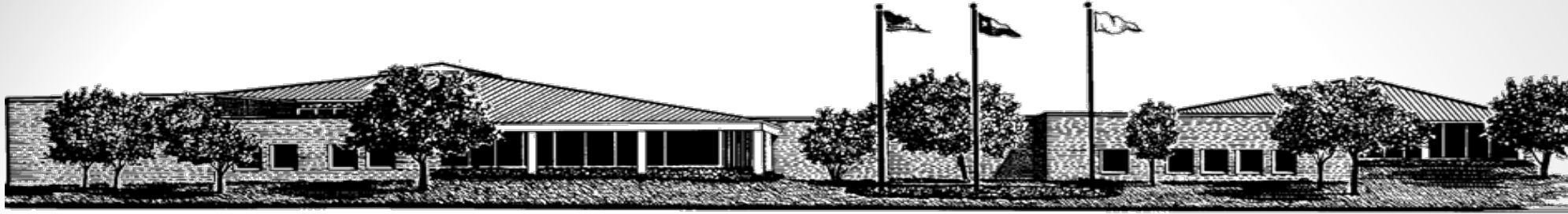
Attachment 1
CITY OF DUNCANVILLE

ONE-TIME PROJECTS AT FEBRUARY 29, 2020

	DESCRIPTION	DEPT	PROJECT TO DATE ACTUAL	TOTAL PROJECT BUDGET	TOTAL REMAINING BUDGET	PROJECT STATUS
1	FY18 ZONING ORDINANCE UPDATE	PW	69,622	150,000	80,378	
2	FY18 NEIGHBORHOOD SIGN TOPPERS	GEN GOV	20,000	20,000	-	COMPLETE
3	FY19 ROOF REPLACEMENT	PARKS	67,763	1,637,250	1,569,487	
4	FY19 SECURITY UPGRADES (CAMERAS)	GEN GOV	137,664	144,000	6,336	
5	FY19 PUBLIC WORKS ERP SYSTEM	PW	11,651	226,000	214,349	
6	FY19 US 67 GATEWAY SIGNAGE	PW	21,600	500,000	478,400	ON HOLD
7	FY19 DESIGN FOR MAIN ST. /CAMP WISDOM	PW	-	150,000	150,000	
8	FY 20 LASERFICHE - GENERAL GOVT RECORDS PROJECT	GEN GOV	-	19,185	19,185	
9	FY 20 SECURITY UPGRADES (CAMERAS)	GEN GOV	-	115,000	115,000	REDUCE SCOPE
10	FY 20 LED PANEL CHRISTMAS TREE	PARKS	25,000	25,000	-	COMPLETE
11	FY 20 PYBURN PARK FITNESS EQUIPMENT	PARKS	-	50,000	50,000	ON HOLD
12	FY 20 CHILLER REPLACEMENT	PARKS	-	44,969	44,969	
13	FY 20 BI LASERFICHE	PW	-	10,000	10,000	ON HOLD
14	FY 20 FUEL TANKS	PW	-	141,508	141,508	
15	FY 20 LED LIGHTING AMPHITHEATRE	PARKS	-	20,000	20,000	ON HOLD
16	FY 20 CENSUS ACTIVITIES (FROM PY SAVINGS)	PW	-	5,000	5,000	
TOTAL ONE TIME PROJECT BUDGET			\$353,300	\$3,257,912	\$2,904,612	

Unallocated Budget - Savings/(Overages) from Completed Projects

\$75,441



CITY COUNCIL MEETING

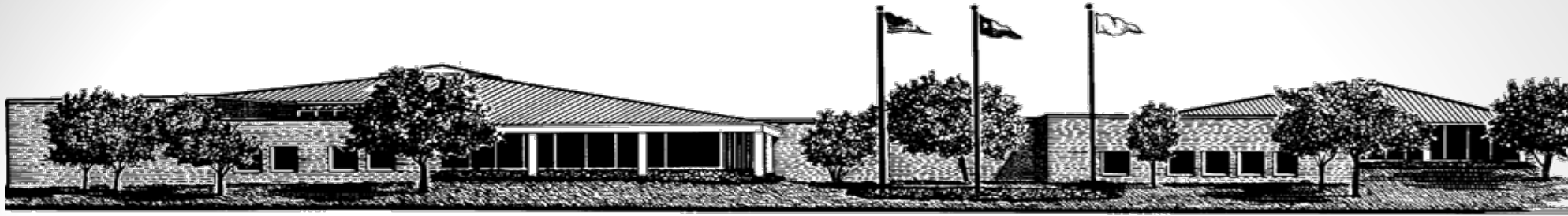
APRIL 7, 2020

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

City of Duncanville



1



FY20 YEAR-TO-DATE OPERATIONS AS OF FEBRUARY 29, 2020

RICHARD SUMMERLIN, CPA, CGFO
FINANCE DIRECTOR

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

As of February 29, 2020

February 2020 is the fifth month in fiscal year 2020.

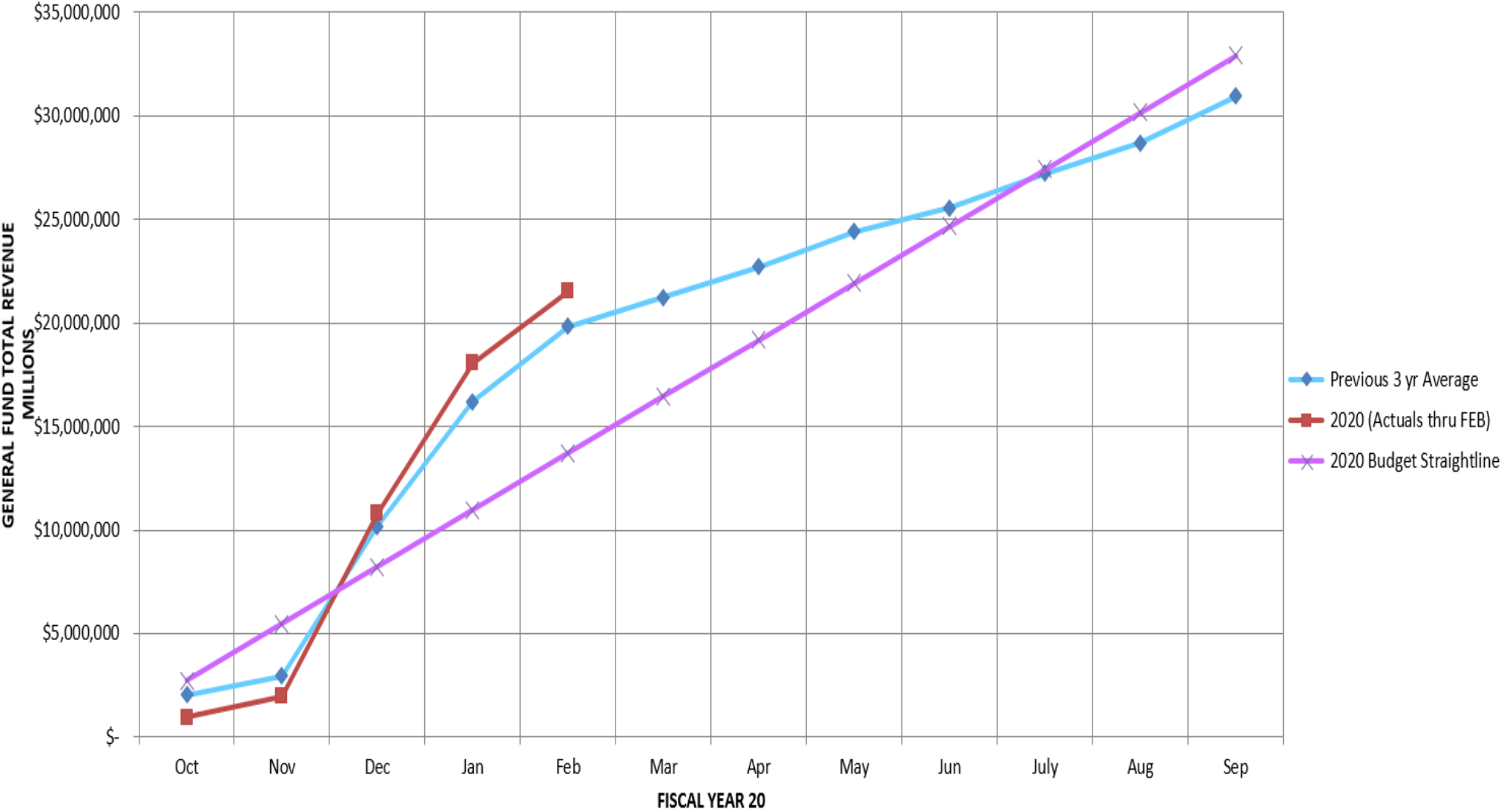
Benchmark revenues and expenditures are 42% of budget.



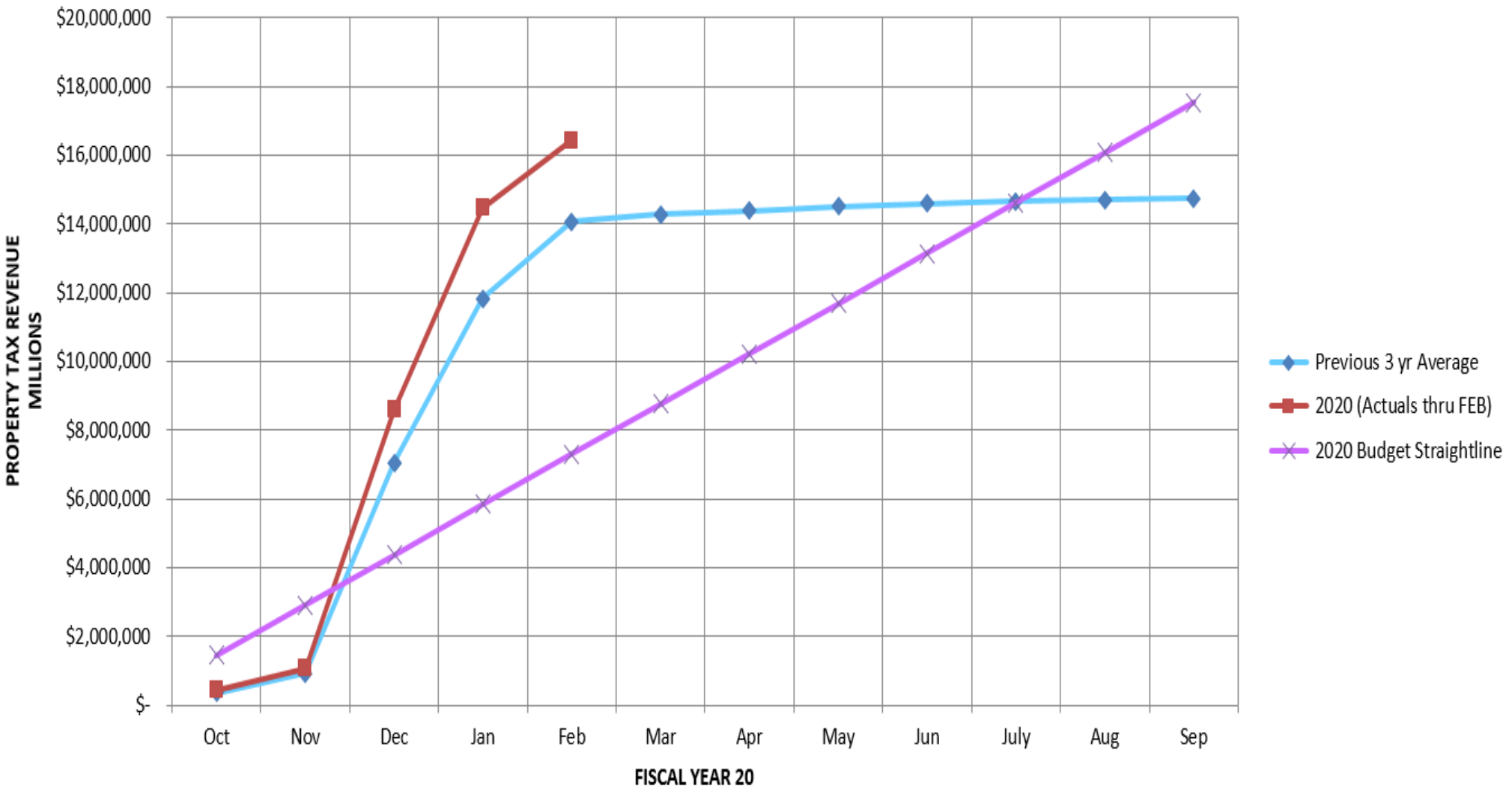
General Fund Summary

- General Fund ending unreserved fund balance is \$19.4 million, 219 days of operations based on the FY2020 adopted budget or 144 days (\$12.7 million) in excess of the benchmark 75 day reserve.
- Property taxes are at 94.6% of the budget.
- Overall, General fund revenues are at 65.5% of budget while operating expenditures are at 35.4% of budget.

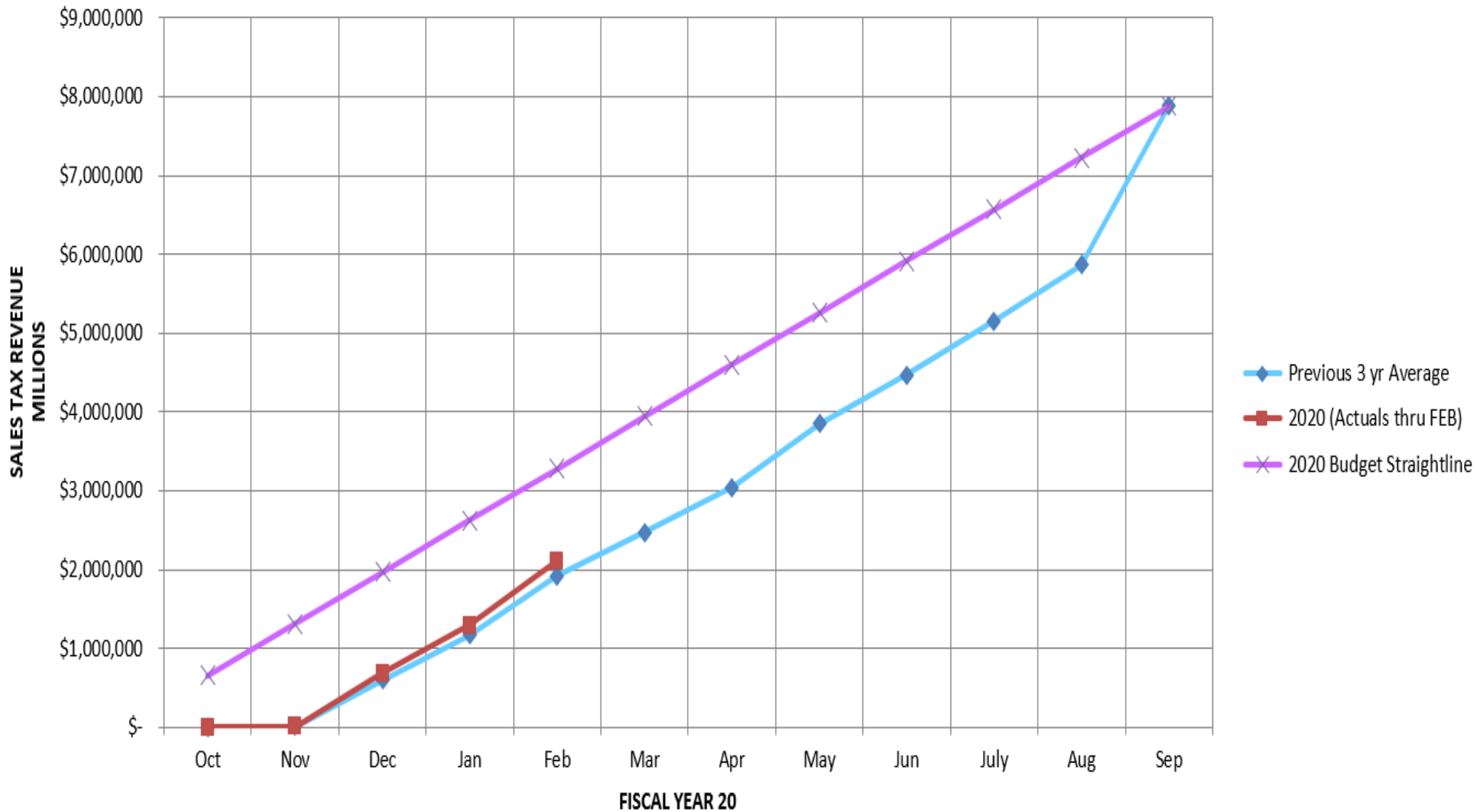
GENERAL FUND REVENUES



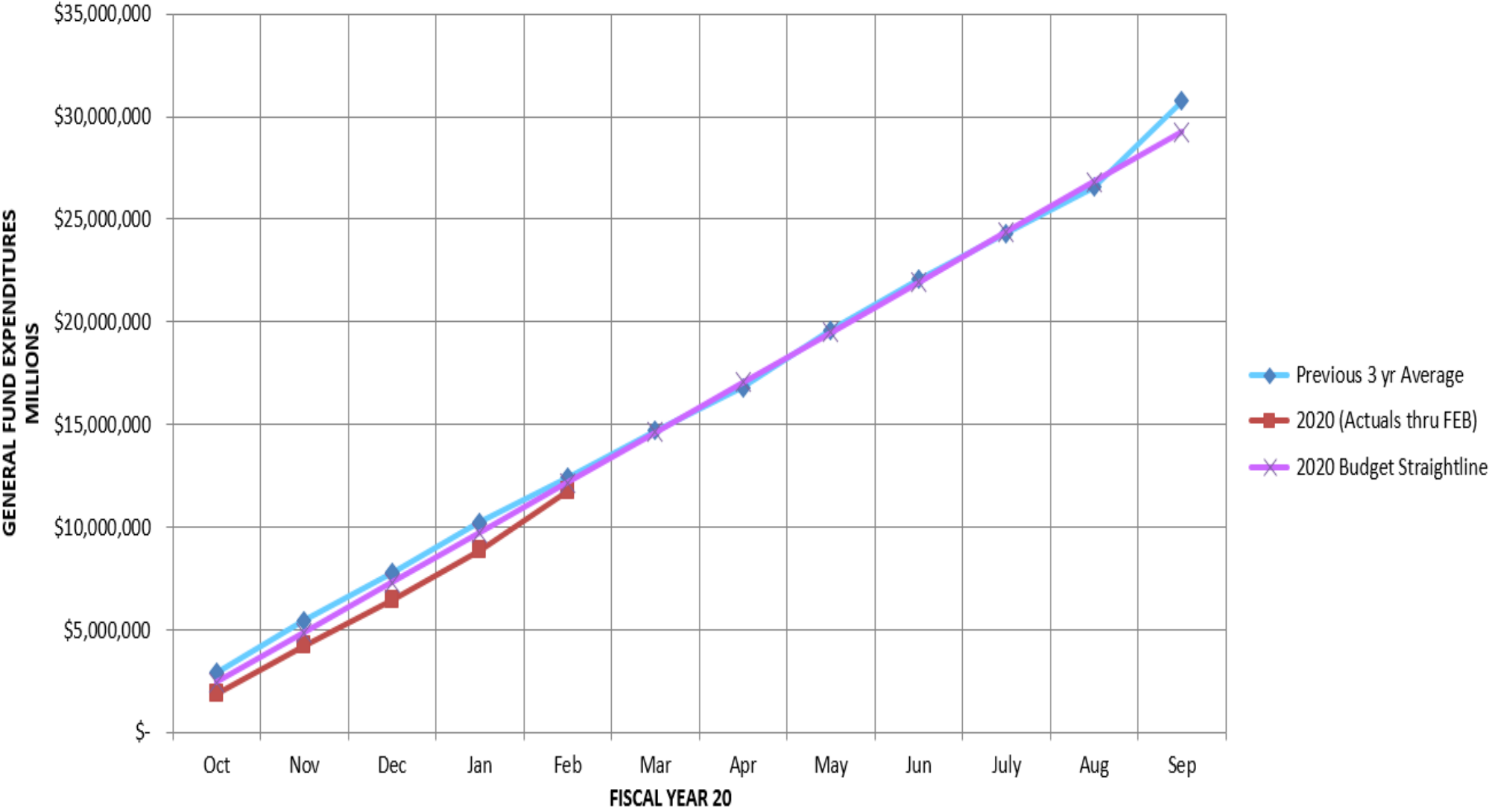
GENERAL FUND REVENUE – PROPERTY TAXES



GENERAL FUND REVENUE – SALES TAXES



GENERAL FUND - EXPENDITURES

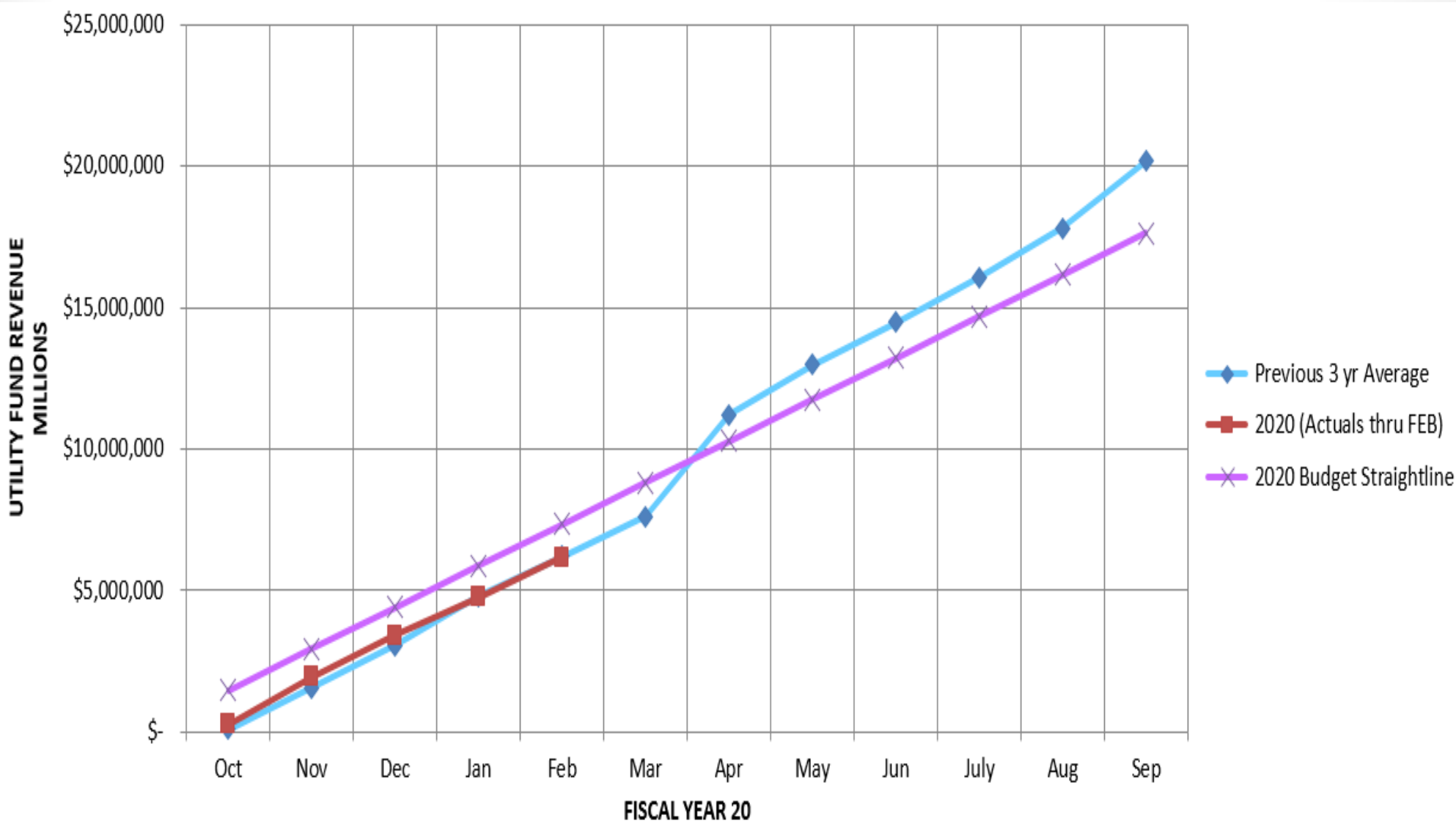




Utility Fund Summary Outlook

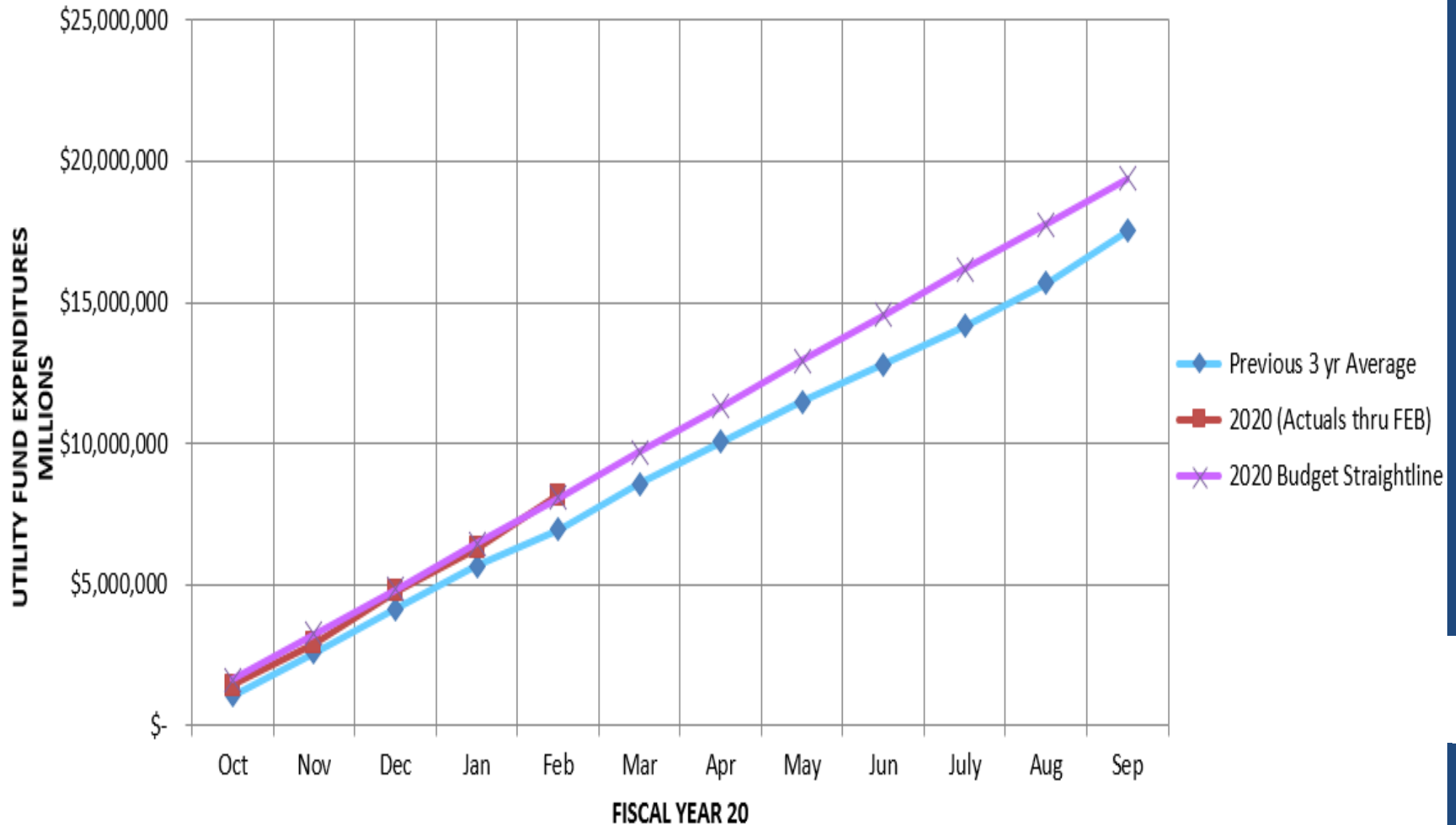
- The Utility Fund ending unreserved fund balance is \$2.5 million, 47 days of operations based on the adopted budget.
- Utility and Solid Waste revenues have 1 month delay due to the billing process so four months of revenue is reflected.
- The Sanitation Fund has an ending fund balance of \$527 thousand, which is approximately 47 days of operation.

UTILITY FUND- REVENUES





UTILITY FUND –EXPENDITURES





ONE-TIME PROJECTS AT FEBRUARY 29, 2020

	DESCRIPTION	DEPT	PROJECT TO DATE ACTUAL	TOTAL PROJECT BUDGET	TOTAL REMAINING BUDGET	PROJECT STATUS
1	FY18 ZONING ORDINANCE UPDATE	PW	69,622	150,000	80,378	
2	FY18 NEIGHBORHOOD SIGN TOPPERS	GEN GOV	20,000	20,000	-	COMPLETE
3	FY19 ROOF REPLACEMENT	PARKS	67,763	1,637,250	1,569,487	
4	FY19 SECURITY UPGRADES (CAMERAS)	GEN GOV	137,664	144,000	6,336	
5	FY19 PUBLIC WORKS ERP SYSTEM	PW	11,651	226,000	214,349	
6	FY19 US 67 GATEWAY SIGNAGE	PW	21,600	500,000	478,400	ON HOLD
7	FY19 DESIGN FOR MAIN ST. /CAMP WISDOM	PW	-	150,000	150,000	
8	FY 20 LASERFICHE - GENERAL GOVT RECORDS PRO	GEN GOV	-	19,185	19,185	
9	FY 20 SECURITY UPGRADES (CAMERAS)	GEN GOV	-	115,000	115,000	REDUCE SCOPE
10	FY 20 LED PANEL CHRISTMAS TREE	PARKS	25,000	25,000	-	COMPLETE
11	FY 20 PYBURN PARK FITNESS EQUIPMENT	PARKS	-	50,000	50,000	ON HOLD
12	FY 20 CHILLER REPLACEMENT	PARKS	-	44,969	44,969	
13	FY 20 BI LASERFICHE	PW	-	10,000	10,000	ON HOLD
14	FY 20 FUEL TANKS	PW	-	141,508	141,508	
15	FY 20 LED LIGHTING AMPHITHEATRE	PARKS	-	20,000	20,000	ON HOLD
16	FY 20 CENSUS ACTIVITIES (FROM PY SAVINGS)	PW	-	5,000	5,000	
	TOTAL ONE TIME PROJECT BUDGET		\$353,300	\$3,257,912	\$2,904,612	

Unallocated Budget - Savings/(Overages) from Completed Project \$75,441