



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, May 2, 2023

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

7:00 P.M. - Regular Session

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

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

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

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

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

SUPPLEMENTAL NOTICE OF MEETING BY VIDEO CONFERENCE

In accordance with an Order of the Office of the Governor issued on March 16, 2020, as extended, the City Council for the City of Duncanville, Texas will conduct a City Council Regular Meeting in person, broadcast by website and social media channels, and by video conference at 6:00 pm on Tuesday, May 2, 2023 in order to advance the public health goal of limiting face-to-face meetings (also called "social distancing") in an effort to slow the spread of the Coronavirus (COVID-19) pandemic.

This is an open meeting conducted in-person and will be broadcast by website and social media channels.

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

To view the live meeting or previous meetings click on the link below.

<https://duncanvilletx.new.swagit.com/views/454/>

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

- Submit a comment by 4:00 p.m. on Tuesday, May 2, 2023.
- Email citysecretary@duncanvilletx.gov
- Email title: Public Comment – Tuesday, May 2, 2023
- First Name, Last Name, and Address

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

- A. 2023 City Council Calendar 7 - 13
[2023 City Council Calendar](#)

3. BRIEFINGS / PRESENTATIONS

- A. Staff to present a briefing to Council regarding Bond Project status and funding shortfalls. 14 - 15
[Briefing - Bond Project Funding Shortfalls](#)

EXECUTIVE SESSION

1. City Council shall convene into closed Executive Session pursuant to Section 551.071 of the Texas Local Government Code to seek legal advice from the City Attorney regarding Article 2, Section 2.10 of the Duncanville Home Rule Charter concerning council's right to make inquiry regarding the appointments or removal of the City Manager, administrative and/or executive personnel. 16

[Briefing: Executive Session Pursuant to Section 551.071 Consultation with City Attorney](#)

2. City Council shall convene into closed Executive Session pursuant to Section 551.074 of the Texas Local Government Code, Personnel Matters to discuss the appointment, employment, evaluation, performance, reassignment, duties, discipline or dismissal of the Interim City Manager. 17

[Executive Session: Personnel Matters, Section 551.074](#)

3. Reconvene into Open Session from Executive Session 1 and Executive Session 2.

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 - Arise Church - Pastor Chris Gutierrez

PLEDGES - PLEDGE OF ALLEGIANCE; TEXAS PLEDGE OF ALLEGIANCE

1. PROCLAMATIONS AND PRESENTATIONS

- A. Consider a Proclamation recognizing April 30 - May 6, 2023, as National Small Business Week. 18 - 20

[A Proclamation recognizing April 30 - May 6, 2023, as National Small Business Week.](#)

- B. Proclamation recognizing May 4, 2023 as National Day of Prayer in Duncanville 21 - 22

[National Day of Prayer](#)

C.	Proclamation recognizing May 7 - 13, 2023, as Drinking Water Week. Drinking Water Week Proclamation	23 - 26
D.	A Proclamation recognizing May 15, 2023, as Police Memorial Day and May 14 - 20, 2023, as National Police Week. Proclamation - National Police Week 2023	27 - 30
E.	Proclamation recognizing May 21 - 27, 2023, as National Public Works Week. National Public Works Week Proclamation	31 - 34
F.	Patrick Harvey, Chairman of the Audit Committee will present the findings and recommendations of the Audit Committee at the City Council Meeting Findings and Recommendations Presentation by Audit Committee Chair, Councilmember Patrick Harvey	35

2. REPORTS

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

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

3. CITIZENS' INPUT

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

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

At this time, two-minute comments will be taken from the audience on any topic. To address the Council, please submit a fully-completed request card to the City Secretary prior to the beginning of the Citizens' Input portion of the Council meeting. In accordance with the Texas Open Meetings Act, the City Council cannot discuss issues raised or make any decisions at this time. Issues may be referred to City Staff for research and possible future action.

4. CONSENT AGENDA

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

- | | | |
|----|--|---------|
| A. | Consider approval of draft City Council Meeting Minutes for the Regular and Special Called City Council Meetings; March 21, 2023 Regular Meeting; and March 30, 2023 Special Called Meeting.
Consider approval of draft City Council Meeting Minutes | 36 - 49 |
| B. | Consider a Resolution authorizing a sole-source procurement with Texas Packer + Loader Sales, Inc. dba Texas Pack + Load for two all-terrain litter vacuums in the expenditure amount of \$138,704.00.
All-terrain Litter Vacuums | 50 - 55 |
| C. | Consider approval of an Ordinance of the City of Duncanville, Texas, amending the Code of Ordinances Chapter 2 "Administration," by adding Article V "Procurement" having a procurement department for the purpose of purchase and requisition, goods, services, and other property in accordance with state law, and permitting consideration of location of bidder's principal place of business awarding competitive bids and/or procurement.
Ordinance: Procurement of Local Preference | 56 - 62 |
| D. | Consider a Resolution approving the selection of professional engineering firms to provide professional engineering services to the City of Duncanville from May 2, 2023, through May 1, 2028.
Professional Engineering Services | 63 - 70 |
| E. | Adoption of an ordinance regarding the request of Ali Assi, Applicant and Owner, for the approval of a Zoning Change from SF-10, Single Family Residential District to LOR, Local Office Retail District on Softwood Commercial, Lot 1, ACS 0.366, more commonly known as 1703 South Main Street, in the City of Duncanville, Dallas County, Texas.
Ordinance for Zoning Change at 1703 South Main Street | 71 - 74 |
| F. | Consider a Resolution terminating Contract No. 3220116 with Brightview Landscape Services, Inc. for landscape services pursuant to Section C, Clause 21.0 of the Contract, Termination, whereby the City reserves the right to terminate the contract for convenience.
Brightview Landscaping Contract Termination | 75 - 78 |
| G. | Consider a Resolution authorizing the receipt of a grant from the Edward Byrne Memorial Justice Assistance Grant Program (JAG), to provide funding for the Police Department to purchase a modular vehicle barrier system, with a total grant value of \$63,689.54.
JAG Grant | 79 - 82 |

5. ITEMS FOR INDIVIDUAL CONSIDERATION

- | | | |
|----|---|----------|
| A. | Take any necessary action as a result of the Executive Session. | |
| B. | Consider a resolution approving the Star Transit Interlocal Cooperative Agreement between Star Transit and the City of Duncanville, Texas.
Star Transit Interlocal Agreement | 83 - 98 |
| C. | Conduct a public hearing for consideration and action regarding the request of Hani Elkady, applicant, representing CWS Real Property | 99 - 121 |

Holdings LLC, owner, to include a Specific Use Permit “SUP” for Auto Repair and Services, Minor (No Outside Storage) and adopt an ordinance to amend the Comprehensive Zoning Ordinance and map on Candlelight Estates 3rd Inst, Block L, PT Lot 1, ACS .422, more commonly known as 419 East Daniieldale Road, in the City of Duncanville, Dallas County, Texas.

[SUP for Auto Repair and Services, Minor \(No Outside Storage\) at 419 East Daniieldale Road](#)

- | | | |
|----|--|-----------|
| D. | Conduct a public hearing for consideration and action regarding the request of Hani Elkady, applicant, representing, CWS Real Property Holdings LLC, owner, to include a Specific Use Permit “SUP” for Auto Repair and Services, Minor (No Outside Storage) and adopt an ordinance to amend the Comprehensive Zoning Ordinance and map on Irwin Keasler Shopping Village, TRS 6 and 8, 0.7143 ACS, more commonly known as 315 West Camp Wisdom Road, in the City of Duncanville, Dallas County, Texas.
<u>SUP for Auto Repair and Services, Minor (No Outside Storage) at 315 West Camp Wisdom Road</u> | 122 - 143 |
| | | |
| E. | Conduct a public hearing for consideration and action regarding a request of the City of Duncanville for a text amendment to the Comprehensive Zoning Ordinance and adopt an ordinance to allow Carports by right where currently a Specific Use Permit (SUP) is required.
<u>Carport Text Amendment</u> | 144 - 149 |

6. STAFF AND BOARD REPORTS

- | | | |
|----|---|-----------|
| A. | Receive the Parks and Recreation Department Quarterly Report
<u>Parks and Recreation Department Quarterly Report</u> | 150 - 167 |
| B. | Receive the Monthly Financial Report as of February 2023.
<u>Monthly Financial Report as of February 2023</u> | 168 - 200 |
| C. | Receive the Library Quarterly Report
<u>Library Quarterly Report</u> | 201 - 207 |

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 outside the entrance to the City of Duncanville City Hall, next to the entryway doors, a place convenient and readily accessible to the general public, as well as to the City’s website www.duncanvilletx.gov and said Notice was posted by the following date and time: Friday, April 28, 2023, by 5:45 P.M. and remained posted for at least two hours after said meeting was convened.



Janie Willman, City Secretary

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

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



STAFF REPORT

MEETING: City Council - 02 May 2023

TITLE:

2023 City Council Calendar

Vision Statement:

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

Pillar:

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

STAFF RESPONSIBLE:

Janie Willman, City Secretary

Ke'Ryne Smith, City Management Fellow

BACKGROUND/HISTORY:

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

POLICY EXPLANATION:

To allow the City Council to consider its calendars of upcoming events on a monthly basis that informs the City Council's annual calendar.

FUNDING SOURCE:

ORG and Object Number

N A

Available Budget

\$0.00

Purchase Amount

\$0.00

After Encumber

\$0.00

ACTION ALTERNATIVES:

1. Receive the 2023 Calendar.
2. Other actions as directed by Council.

ATTACHMENTS:

[2023 City Council Calendar, May through August](#)

2023

IMPORTANT DATES

JANUARY

SUN	MON	TUE	WED	THU	FRI	SAT
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	*18	*19	20	21
22	23	24	25	26	27	28
29	30	31				

FEBRUARY

SUN	MON	TUE	WED	THU	FRI	SAT
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	*17	*18
19	20	21	22	23	24	25
26	27	28				

JANUARY 18

First Filing Date for Election Ballot

JANUARY 19

Celebrate Duncanville Event

FEBRUARY 17

Last Legal Filing Date for Election Ballot

MARCH

SUN	MON	TUE	WED	THU	FRI	SAT
			1	2	3	4
5	6	7	8	C9	*10	11
12	13	S14	*15	16	17	18
19	20	*21	22	C23	24	*25
26	27	28	29	30	31	

APRIL

SUN	MON	TUE	WED	THU	FRI	SAT
						*1
2	3	4	5	6	7	*8
9	10	11	12	S13	14	*15
16	17	18	19	*20	21	22
23	*24	25	26	27	28	*29
30						

MARCH 24 - 28

National League of Cities Congressional City Conference (NLC)

APRIL 24

First Day of Early Voting

MAY 2

Last Day of Early Voting

MAY

SUN	MON	TUE	WED	THU	FRI	SAT
	1	*2	3	*4	5	6
7	8	9	10	11	12	*13
14	15	16	17	18	19	*20
21	22	23	24	25	26	27
28	*29	30	31			

JUNE

SUN	MON	TUE	WED	THU	FRI	SAT
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	*17
18	19	20	21	22	23	24
25	26	27	28	29	30	

MAY 6

Election Day

MAY 21 - 23

International Council of Shopping Centers Conference (ICSC)

JULY 4

Requires Further Action: Determine a New Council Meeting Date

JULY

SUN	MON	TUE	WED	THU	FRI	SAT
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

AUGUST

SUN	MON	TUE	WED	THU	FRI	SAT
		*1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

AUGUST 1

Submission of New Proposed Budget to Council

SEPTEMBER 30

End of Fiscal Year (FY23)

OCTOBER 1

Start of new Fiscal Year (FY24)

SEPTEMBER

SUN	MON	TUE	WED	THU	FRI	SAT
					1	*2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	*23
24	25	26	27	28	29	*30

OCTOBER

SUN	MON	TUE	WED	THU	FRI	SAT
*1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

OCTOBER 4 - 6

Texas Municipal League Annual Conference and Exhibition (TML)

**** ALL DATES ARE SUBJECT TO CHANGE ****

Color Key:	
Coffee with the Mayor	
City Holidays	
Election Day	
Conferences	
City Council Meetings	

Symbol Key:

- ★ Important Event/Occurrence
- S Special Called City Council Meeting
- C Town Hall / Community Meeting
- ▶ Further Action Needed from City Council



NOVEMBER

SUN	MON	TUE	WED	THU	FRI	SAT
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	*23	24	25
26	27	28	29	30		

DECEMBER

SUN	MON	TUE	WED	THU	FRI	SAT
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

May 2023

- Monday, May 15th : Earliest Day to Canvass - Special City Called Council Meeting
(Based on Final Dallas County Elections Results)

May 2023

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

June 2023

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

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Apr 30	May 1 Early Voting (7 a.m. - 7 p.m.)	2 Last Day of Early Voting 6:00pm City Council Meeting (City Hall Briefing Room /	3	4 10:00am National Prayer (Recreation Center Gym)	5	6 Election Day (7 a.m. - 7 p.m.)
7	8	9	10	11	12	13 8:30pm Movies in the Park (Armstrong Park)
14	15 Earliest Day to Canvass : Special Called City Based on Final Dallas County Elections Results. 6:00pm National Police	16 6:00pm City Council Meeting (City Hall Briefing Room / Chambers)	17	18	19	20 7:00pm Concerts in the Park (Armstrong Park)
21 International Council of Shopping Centers Conference (ICSC) (Las Vegas)	22	23	24	25 12:00pm Coffee with the Mayor (D.L. Hopkins Senior Center)	26	27
28	29 10:00am Veterans Memorial Ceremony (Memorial Park)	30	31	Jun 1	2	3

Recommended Budget Dates

June 2023

- Thursday, June 8th **OR** Thursday, June 15th:
Council FY23 and FY24 Pre- Budget Workshop

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

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
May 28	29	30	31	Jun 1	2	3
4	5	6 6:00pm City Council Meeting (City Hall Briefing Room / Chambers)	7	8 Council Pre- Budget Workshop (FY23 and FY24)	9	10
11	12	13	14	15 OR Council Pre- Budget Workshop (FY23 and FY24)	16	17 5:00pm Juneteenth Celebration (Armstrong Park)
18	19 City Holiday	20 6:00pm City Council Meeting (City Hall Briefing Room / Chambers)	21	22 12:00pm Coffee with the Mayor (D.L. Hopkins Senior Center)	23	24
25	26	27	28	29	30	Jul 1



July 2023

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

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Jun 25	26	27	28	29	30	Jul 1
2	3	4 City Holiday 6:00pm City Council Meeting (City Hall Briefing Room /	5	6	7	8
9	10	11	12	13	14	15
16	17	18 6:00pm City Council Meeting (City Hall Briefing Room / Chambers)	19	20	21	22
23	24	25	26	27 12:00pm Coffee with the Mayor (D.L. Hopkins Senior Center)	28	29
30	31	Aug 1	2	3	4	5

Recommended Budget Dates

August 2023

- **Thursday, August 10th: City Manager Budget Town Hall**
- **Thursday, August 24th: Public Hearing on Tax Rate and Budget**
- **Tuesday, August 29th: Adoption of FY24 Budget**

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

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Jul 30	31	Aug 1 6:00pm City Council Meeting (City Hall Briefing Room / Chambers)	2	3	4	5
6	7	8	9	10 City Manager Budget Town Hall	11	12
13	14	15 6:00pm City Council Meeting (City Hall Briefing Room / Chambers)	16	17	18	19
20	21	22	23	24 Public Hearing on Tax Rate and Budget (tentative) 12:00pm Coffee with the Mayor (D.L. Hopkins)	25	26
27	28	29 Adoption of FY24 Budget	30	31	Sep 1	2





STAFF REPORT

MEETING: City Council - 02 May 2023

TITLE:

Staff to present a briefing to Council regarding Bond Project status and funding shortfalls.

Vision Statement:

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

STAFF RESPONSIBLE:

Robert D. Brown, Jr., Interim City Manager

David Kees, Interim Assistant City Manager

BACKGROUND/HISTORY:

The City passed a series of bonds in 2018. This presentation lists the identified projects, current funding shortfalls for each, and an aggregate funding shortfall.

POLICY EXPLANATION:

A more in-depth presentation of the listed projects and potential sources for addressing the funding shortfalls will be placed on a future agenda if Council desires.

FUNDING SOURCE:

ORG and Object Number

N/A

Available Budget

N/A

Purchase Amount

N/A

After Encumber

N/A

ACTION ALTERNATIVES:

1. Discuss the aggregate funding shortfall.
2. Provide feedback on progress of overall bond projects.
3. Other actions as directed by Council.

ATTACHMENTS:

[Bond Project Funding Shortfalls](#)

Proposition	Identified Project	Initial Cost Estimate	Estimated Cost At Onset of Project	Funding Allocated from all Sources	Remaining Shortfall	Potential Additional Shortfall
A	Armstrong Park Kidsville and Splash Pad	\$ 2,250,000	\$ 3,021,000	\$3,000,000	\$21,000	Not likely. Current shortfall can likely be covered by available funds in Parks budget.
A	Harrington Park Improvements	\$ 2,000,000	\$5,318,000	\$2,900,000	\$2,418,000	Unknown, but possible
			\$800,000			
A	Pavilions at Lakeside and Harrington	\$ 800,000	\$400,000 earmarked for Harrington included in that project's numbers above	\$400,000	\$0	None. Lakeside Pavillion is complete.
A	Rotary Park	\$ 50,000	\$ 50,000	\$50,000	\$0	None. Project is complete with some funds left over.
			Undefined projects in Bond Election. \$500,000 earmarked for Harrington is included in the Harrington totals above.			
A	Trails	\$ 1,500,000		\$1,000,000	\$0	Depends on the costs once a project is identified, designed, and bid out for construction.
B	S. Cedar Ridge	\$ 2,700,000.00	\$ 3,027,860.00	\$2,700,000.00	\$327,860	Design and construction costs could both increase.
B	Danielsdale Road Reconstruction Project	\$ 3,100,000.00	\$ 6,600,000.00	\$7,735,386.55	\$0	No anticipated shortfalls at this time.
B	Main Street at Camp Wisdom	\$ 1,800,000.00	\$ 4,050,000.00	\$1,800,000	\$2,100,000	1,800,000.00 available for future projects if reallocated.
C	Fire Station	\$ 6,000,000.00	\$ 10,760,324.58	\$9,125,308	\$1,398,416.58	Depends on any costs incurred outside of GMP.
D	Service Center Expansion	\$ 2,400,000.00	\$ 3,202,800.00	\$2,400,000	\$802,800	Design and construction costs could both increase.
					\$7,068,077	



STAFF REPORT

MEETING: City Council - 02 May 2023

TITLE:

City Council shall convene into closed Executive Session pursuant to Section 551.071 of the Texas Local Government Code to seek legal advice from the City Attorney regarding Article 2, Section 2.10 of the Duncanville Home Rule Charter concerning council's right to make inquiry regarding the appointments or removal of the City Manager, administrative and/or executive personnel.

Vision Statement:

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

STAFF RESPONSIBLE:

Robert Hager, City Attorney

BACKGROUND/HISTORY:

City Council shall convene into closed Executive Session pursuant to Section 551.071 of the Texas Local Government Code to seek legal advice from the City Attorney regarding Article 2, Section 2.10 of the Duncanville Home Rule Charter concerning council's right to make inquiry regarding the appointments or removal of the City Manager, administrative and/or executive personnel.

FUNDING SOURCE:

ORG and Object Number

N A

Available Budget

\$0.00

Purchase Amount

\$0.00

After Encumber

\$0.00

ACTION ALTERNATIVES:

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



STAFF REPORT

MEETING: City Council - 02 May 2023

TITLE:

City Council shall convene into closed Executive Session pursuant to Section 551.074 of the Texas Local Government Code, Personnel Matters to discuss the appointment, employment, evaluation, performance, reassignment, duties, discipline or dismissal of the Interim City Manager.

Vision Statement:

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

STAFF RESPONSIBLE:

Robert Hager, City Attorney

BACKGROUND/HISTORY:

City Council shall convene into closed Executive Session pursuant to Section 551.074 of the Texas Local Government Code, Personnel Matters to discuss the appointment, employment, evaluation, performance, reassignment, duties, discipline or dismissal of the Interim City Manager.

FUNDING SOURCE:

ORG and Object Number

N A

Available Budget

\$0.00

Purchase Amount

\$0.00

After Encumber

\$0.00

ACTION ALTERNATIVES:

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



STAFF REPORT

MEETING: City Council - 02 May 2023

TITLE:

Consider a Proclamation recognizing April 30 - May 6, 2023, as National Small Business Week.

Vision Statement:

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

Pillar:

- **Advance: Marketing Strategy of the City and Community Engagement Plan**
 - **Strengthen communication and engagement within the community while championing the City of Duncanville regionally, nationally, and internationally.**

STAFF RESPONSIBLE:

Agustin 'Gus' Garcia, Managing Director of Development Services.

BACKGROUND/HISTORY:

Every year since 1963, the President of the United States has issued a proclamation announcing National Small Business Week, which recognizes the critical contributions of America's entrepreneurs and small business owners.

More than half of Americans either own or work for a small business, and they create about two out of every three new jobs in the U.S. each year.

New business applications grew by more than 30 percent over the course of the pandemic, with almost 5.4 million new applications in 2021 alone. More Americans than before are following their dreams and starting new enterprises.

POLICY EXPLANATION:

For over 50 years, the U.S. Small Business Administration (SBA) has celebrated National Small Business Week, recognizing the critical contributions of America's entrepreneurs and small businesses.

The City of Duncanville supports and joins in this national effort to help America's small businesses do what they do best – grow their business, create jobs, and ensure that our local communities remain as vibrant tomorrow as they are today with the recognition of National Small Business Week; the week of April 30th - March 6th, 2023.

FUNDING SOURCE:

ORG and Object Number

N/A

Available Budget

\$0.00

Purchase Amount

\$0.00

After Encumber

\$0.00

ACTION ALTERNATIVES:

N/A

ATTACHMENTS:

[Small Business Week](#)

OFFICE OF THE MAYOR



Duncanville

City of Champions

Proclamation

WHEREAS, America's strongest economic growth in almost 40 years has been driven by the resilience of our small businesses who, despite a worldwide pandemic, continue to pioneer innovative solutions to our country's greatest challenges and create opportunities for families and workers; and

WHEREAS, when we support small businesses, local communities preserve their unique culture while creating jobs for our citizens; and

WHEREAS, the President of the United States has proclaimed National Small Business Week every year since 1963 to highlight the programs and services available to entrepreneurs through the U.S. Small Business Administration and other government agencies; and

WHEREAS, the City of Duncanville supports and joins in this national effort to help America's small businesses do what they do best – grow their business, create jobs, and ensure that our local communities remain as vibrant tomorrow as they are today.

NOW, THEREFORE, I, Barry L. Gordon, Mayor of the City of Duncanville, Texas, do hereby call upon all citizens of Duncanville and upon all patriotic, civic, and educational organizations to observe the week of April 30th – May 6th, 2023 as

NATIONAL SMALL BUSINESS WEEK

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Duncanville, Texas to be affixed this 2nd day of May, 2023.

Mayor, The City of Duncanville



STAFF REPORT

MEETING: City Council - 02 May 2023

TITLE:

Proclamation recognizing May 4, 2023 as National Day of Prayer in Duncanville

Vision Statement:

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

STAFF RESPONSIBLE:

N/A

FUNDING SOURCE:

ORG and Object Number

N A

Available Budget

\$0.00

Purchase Amount

\$0.00

After Encumber

\$0.00

ACTION ALTERNATIVES:

1. Proclamation Presentation.

ATTACHMENTS:

[Proclamation - National Day of Prayer](#)

OFFICE OF THE MAYOR



Proclamation

- WHEREAS,** In 1988, the Congress, by Public Law 100-307, as amended, called on the President to issue each year a proclamation designating the first Thursday in May as a National Day of Prayer, “on which the people of the United States may turn to God in prayer and meditation at churches, in groups, and as individuals”, and
- WHEREAS,** On this National Day of Prayer, Americans reaffirm that prayer guides and strengthens our Nation, and we express, with humility and gratitude, our “firm reliance on the protection of divine Providence.” As one Nation under God, we share a legacy of faith that sustains and inspires us and a heritage of religious liberty, and
- WHEREAS,** From our earliest days, our dependence upon God has brought us to seek His divine counsel and unfailing wisdom. Our leaders have often encouraged their fellow citizens to seek wisdom from God and have recognized God’s power to lead our Nation ahead to brighter days, and
- WHEREAS,** When the prospects for our independence seemed bleak, General George Washington proclaimed a national day of “fasting, humiliation and prayer, humbly to supplicate the mercy of Almighty God.” Following the devastating destruction of the Civil War, President Lincoln delivered his second inaugural address and invoked the power of prayer to “bind up the nation’s wounds.” And more than 100 years later, President Reagan noted our long reliance on prayer throughout our history, writing that “through the storms of revolution, Civil War, and the great world wars as well as during times of disillusionment and disarray, the Nation has turned to God in prayer for deliverance.”

NOW, THEREFORE, I, Barry L. Gordon, Mayor of the City of Duncanville, Texas do hereby proclaim May 4, 2023 as a day for all citizens of Duncanville, Texas, to join together on this National Day of Prayer to seek God’s divine presence and guidance and blessing over our City, its businesses, its places of work, and its many houses of worship. We also join together to seek God’s divine help, blessing, and prosperity over our nation and our state.

National Day of Prayer in the City of Duncanville

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Duncanville, Texas to be affixed this 2nd day of May 2023.


 Mayor, The City of Duncanville



STAFF REPORT

MEETING: City Council - 02 May 2023

TITLE:

Proclamation recognizing May 7 - 13, 2023, as Drinking Water Week.

Vision Statement:

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

Pillar:

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

STAFF RESPONSIBLE:

Jacqueline R. Culton, PE, MBA, Director of Public Works (Interim)

Matt Bryant, Utilities Superintendent

David Dunn, Assistant Utilities Superintendent

BACKGROUND/HISTORY:

"For more than 40 years, the American Water Works Association (AWWA) and its members have celebrated Drinking Water Week – a unique opportunity for both water professionals and the communities they serve to join together in recognizing the vital role water plays in our daily lives."

In 1988, a coalition was formed by the League of Women Voters, the Association of State Drinking Water Administrators, and the United States Environmental Protection Agency to sponsor a resolution naming the first week of May, Drinking Water Week. The week-long observance was declared in a joint congressional resolution and signed by President Ronald Reagan.

The following year, 15 nonprofit educational, professional, and public interest organizations formed the National Drinking Water Alliance. The Alliance dedicated itself to public awareness and involvement in public and private drinking water issues. It continued its work to organize a major annual educational campaign built around Drinking Water Week.

The power of the multi-organization Alliance enabled Drinking Water Week to grow into widespread and committed participation throughout the United States and Canada. In 1991, the Alliance launched a national campaign to inform the public about America's drinking water.

The City has 18 Public Works Utilities employees who build or maintain the City's water infrastructure.

POLICY EXPLANATION:

N/A

FUNDING SOURCE:

ORG and Object Number

N/A

Available Budget

N/A

Purchase Amount

N/A

After Encumber

N/A

ACTION ALTERNATIVES:

Recognize May 7 - 13, 2023, as Drinking Water Week.

ATTACHMENTS:

[Attachment 1 - Drinking Water Week Logo](#)

[Drinking Water Week Proclamation](#)

Attachment 1



Drinking Water Week 2023

May 7-13, 2023

OFFICE OF THE MAYOR



Duncanville
City of Champions

Proclamation

- WHEREAS,** water is our most valuable natural resource; and
- WHEREAS,** drinking water serves a vital role in daily life, serving an essential purpose to health, hydration, and hygiene needs for the quality of life our citizens enjoy; and
- WHEREAS,** tap water delivers public health protection, fire protection, support for our economy and the quality of life we enjoy; and
- WHEREAS,** we are all stewards of the water infrastructure upon which current and future generations depend; and
- WHEREAS,** the citizens of our city are called upon to help protect our source waters from pollution and practice water conservation.

NOW, THEREFORE, I, Barry L. Gordon, Mayor of the City of Duncanville, Texas, do hereby call upon all citizens of Duncanville and upon all patriotic, civic, and educational organizations to observe the week of May 7 – 13, 2023, as

DRINKING WATER WEEK

with appropriate ceremonies and observances in which all our people may join in commemorating Public Works Department employees of the City of Duncanville, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to our community and, in so doing, have established for themselves an enviable and enduring reputation for preserving the health, safety, and well-being of all citizens.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Duncanville, Texas, to be affixed this 2nd day of May, 2023.

Mayor, The City of Duncanville



STAFF REPORT

MEETING: City Council - 02 May 2023

TITLE:

A Proclamation recognizing May 15, 2023, as Police Memorial Day and May 14 - 20, 2023, as National Police Week.

Vision Statement:

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

STAFF RESPONSIBLE:

Mark LiVigni, Chief of Police

BACKGROUND/HISTORY:

In 1962, President John F. Kennedy signed a proclamation that designated May 15th as Peace Officers Memorial Day and the week in which that date falls as National Police Week.

The City of Duncanville has historically recognized National Police Week and Police Memorial Day. This year, 2023, National Police Week is May 14-20, and Monday, May 15th, is Police Memorial Day. The Mayor traditionally recognizes these events by proclamation.

The Police Department will hold its Police Memorial Day on Monday, May 15th, at 6:00 p.m. in front of the Police Station.

POLICY EXPLANATION:

National Police Week was established as a time for law enforcement officers, survivors, and their families to come together to celebrate the lives and sacrifices of those officers who gave the ultimate sacrifice for our safety. On December 3, 1979, while the citizens of Duncanville slept, Officer Roger Hobden and Sergeant Michael Poe were killed in the line of duty in a motor vehicle accident when their patrol vehicle was struck, head-on, by a suspect fleeing from the Dallas Police Department.

Each year, the Duncanville Police Department asks the Mayor to recognize National Police Week and Police Memorial Day through Proclamation and in turn, the Police Department invites the families of Officer Hobden and Sergeant Poe to witness and be part of our memorial ceremony as our honored guests. In addition to the officers, all other city personnel and citizens are invited to attend the ceremony as we recognize not only our own sacrifice within the “thin blue line,” but also the sacrifices made by all officers across our great nation.

FUNDING SOURCE:

ORG and Object Number

N/A

Available Budget

\$0.00

Purchase Amount

\$0.00

After Encumber

\$0.00

ACTION ALTERNATIVES:

N/A

ATTACHMENTS:

[2023 Police Memorial Day](#)

[Proclamation - National Police Week](#)



NATIONAL POLICE MEMORIAL DAY

Join us in remembering
our fallen officers,
Sgt. Michael Poe
& Officer Roger Hobden

Monday, May 15, 2023
6:00 p.m.
Duncanville
Police Department



OFFICE OF THE MAYOR



Duncanville
City of Champions

Proclamation

WHEREAS, the Congress and President of the United States have designated May 15th, 2021 as Peace Officers Memorial Day, and the week in which May 15th falls as National Police Week; and

WHEREAS, the members of the law enforcement agency of the City of Duncanville play an essential role in safeguarding the rights and freedoms of the citizens of Duncanville; and

WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

WHEREAS, the men and women of the law enforcement agency of the City of Duncanville unceasingly provide a vital public service.

NOW, THEREFORE, I, Barry L. Gordon, Mayor of the City of Duncanville, Texas do hereby call upon all citizens of Duncanville and upon all patriotic, civic, and educational organizations to observe the week of May 15 – 20, 2023 as

NATIONAL POLICE WEEK

with appropriate ceremonies and observances in which all of our people may join in commemorating law enforcement officers of the City of Duncanville, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to our community and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

I further call upon all citizens of the City of Duncanville to observe May 15, 2023, as Peace Officers Memorial Day in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Duncanville, Texas to be affixed this 15th day of May, 2023.

Mayor, The City of Duncanville



STAFF REPORT

MEETING: City Council - 02 May 2023

TITLE:

Proclamation recognizing May 21 - 27, 2023, as National Public Works Week.

Vision Statement:

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

Pillar:

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

STAFF RESPONSIBLE:

Jacqueline R. Culton, PE, MBA, Director of Public Works (Interim)

BACKGROUND/HISTORY:

Since 1960, the American Public Works Association (APWA) has sponsored National Public Works Week. Across North America, more than 30,000 APWA members in the US and Canada use this week to energize and educate the public on the importance of the contribution of Public Works to their daily lives.

This will be the eighth proclamation for National Public Works Week recognized by the Mayor of the City of Duncanville. The City has 45 Public Works employees who build or maintain the City's infrastructure.

“Connecting the World Through Public Works” is the 2023 National Public Works Week theme. The theme “highlights the way public works professionals connect us physically, through infrastructure, and inspirationally, through service to their communities, whether as first responders, or daily workers carrying out their duties with pride.”

Public Works helps maintain a community's strength by providing an infrastructure of services in transportation, water, wastewater, stormwater treatment, public buildings and spaces, parks and grounds, emergency management and first response, solid waste, and right-of-way management. Public Works employees contribute much to making our communities great places to live and work.

POLICY EXPLANATION:

N/A

FUNDING SOURCE:

ORG and Object Number

N/A

Available Budget

N/A

Purchase Amount

N/A

After Encumber

N/A

ACTION ALTERNATIVES:

Recognize May 21 - 27, 2023, as National Public Works Week.

ATTACHMENTS:

[Attachment 1 - Connecting the World Through Public Works Poster](#)

[Attachment 2 - Public Works Week Proclamation](#)

Attachment 1



CONNECTING THE WORLD THROUGH PUBLIC WORKS

NATIONAL PUBLIC WORKS WEEK | MAY 21-27, 2023



OFFICE OF THE MAYOR



Duncanville
City of Champions

Proclamation

- WHEREAS,** public works infrastructure, facilities and services are an integral part of our citizens' everyday lives and of vital importance to sustainable communities and the health, safety, and well-being of the people of Duncanville; and
- WHEREAS,** such facilities and services could not be provided without the dedicated efforts of public works professionals, engineers, managers, and employees from your local Public Works Department, who are responsible for and who plan, design, build, operate and maintain the transportation, water supply, water treatment, public buildings, structures and facilities, and who deliver solid waste services, transit, and fleet services which are essential to serve our citizens; and
- WHEREAS,** the efficiency of the qualified and dedicated personnel who staff our Public Works Department is materially influenced by the peoples' attitude and understanding of the importance of the work they perform; and
- WHEREAS,** the men and women of the Public Works Department of the City of Duncanville unceasingly provide a vital public service.

NOW, THEREFORE, I, Barry L. Gordon, Mayor of the City of Duncanville, Texas, do hereby call upon all citizens of Duncanville and upon all patriotic, civic, and educational organizations to observe the week of May 21 – 27, 2023, as

NATIONAL PUBLIC WORKS WEEK

with appropriate ceremonies and observances in which all of our people may join in commemorating Public Works Department employees of the City of Duncanville, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to our community and, in so doing, have established for themselves an enviable and enduring reputation for preserving the health, safety, and well-being of all citizens.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Duncanville, Texas to be affixed this 2nd day of May, 2023.

Mayor, The City of Duncanville



STAFF REPORT

MEETING: City Council - 02 May 2023

TITLE:

Patrick Harvey, Chairman of the Audit Committee will present the findings and recommendations of the Audit Committee at the City Council Meeting

Vision Statement:

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

STAFF RESPONSIBLE:

N/A

BACKGROUND/HISTORY:

Patrick Harvey, Chairman of the Audit Committee will present the findings and recommendations of the Audit Committee at the City Council Meeting.

POLICY EXPLANATION:

The City's Audit Committee recently met to discuss concerns regarding the Finance Department. This happened on 20 April 2023 in a public meeting.

FUNDING SOURCE:

ORG and Object Number

N A

Available Budget

\$0.00

Purchase Amount

\$0.00

After Encumber

\$0.00

ACTION ALTERNATIVES:

1. Chairman Harvey will provide findings and recommendations from the Audit Committee.
2. Other actions as directed by Council.



STAFF REPORT

MEETING: City Council - 02 May 2023

TITLE:

Consider approval of draft City Council Meeting Minutes for the Regular and Special Called City Council Meetings; March 21, 2023 Regular Meeting; and March 30, 2023 Special Called Meeting.

Vision Statement:

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

Pillar:

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

STAFF RESPONSIBLE:

Janie Willman, City Secretary

BACKGROUND/HISTORY:

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

POLICY EXPLANATION:

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

FUNDING SOURCE:

ORG and Object Number

N A

Available Budget

\$0.00

Purchase Amount

\$0.00

After Encumber

\$0.00

ACTION ALTERNATIVES:

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

ATTACHMENTS:

[2023-03-21 City Council Meeting Minutes - Draft](#)
[2023-03-21 City Council Meeting Minutes - Draft](#)
[2023-03-30 City Council Meeting Minutes - Draft -](#)

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

CALL TO ORDER

The Regular Special Called Meeting of the Duncanville City Council was called to order on Tuesday, March 21, 2023, at 6:04 p.m. in the City Council Briefing Room at City Hall with a quorum to wit:

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

COUNCIL ABSENT: Councilmember Patrick Harvey

WORK SESSION / BRIEFING

1. **DISCUSS AGENDA ITEMS.** The Mayor called on City Manager Aretha Ferrell-Benavides to discuss the agenda items. City Manager Ferrell-Benavides discussed the agenda items.
- Councilmember Contreras asked to have the item on the Thoroughbred Hills moved to the Consent Agenda.

2. **CITY COUNCIL CALENDAR**

- A. The City Updated 2023 City Council Calendar.

3. **BRIEFINGS / PRESENTATIONS**

- B. Briefing Item - Ladd Property Update to City Council Briefing Item - Ladd Property Update to City Council.

Director of Planning and Neighborhood Services, Jeremy Tennant, is presenting this agenda matter.

Following the staff presentation, Gus Garcia introduced Mr. and Mrs. Ladd to discuss any questions they had regarding the Vision Statement and to answer any questions either the City Council or Mr. and Mrs. Ladd have regarding the project, ongoing progress, and its future.

Mr. and Mrs. Ladd were introduced. Councilmember Koontz asked for input from Mr. Ladd regarding the City's Vision document. Mr. Ladd presented his perspective on the Ladd Property.

Mr. Ladd indicated overall his impression was very positive. He noted that he understands the time and cost have affected the time it takes to make a plan happen.

Mayor Gordon summarized the City's processes to ensure a strong ordinance is brought forward. Questions were asked about finding a professional to design the larger parcel and how that process would proceed. He was also asked about the remaining 7.2 acres. Mr. Ladd indicated he would definitely donate the property if there is a project that is going forward. He would not contribute the 7 acres if there is not a project being developed for another 10 or 20 years. Mr. Ladd asked about a timeline once the project plan is presented, and funding are provided towards completion. The City Attorney asked Mr. Ladd and the City Council if they want to approve the zoning on the larger parcel as well as the additional 7.2 acres. It was noted that the conceptual planning can be done to include the additional 7.2 acres once donated. However, the Zoning has be done on the City's larger land parcel. Once the City receives the additional 7.2 acres, the zoning must be done on that parcel as well. It was noted that the zoning of the 7.2 acres would not take more than 45 to 60 days. Mr. Ladd was asked if there would be any restrictions

on the additional 7.2 acres. He said as long as it was in keeping with the original donation vision that the City would design something that will benefit all age groups for the residents of Duncanville. He asked why the property was donated. Mr. Ladd noted that his dad started a cabinet shop. He noted that Duncanville was very good to his family, noting that the land donated is one of the prettiest parcels of land in Duncanville. He was asked if he was interested in viewing the concept. Mr. Ladd responded that only if his review would not hold up the timeline. The City Manager said the process could start immediately. She noted that a phased approach would be used and identify overall costs. She indicated that staff could get an overall start by the end of the calendar year. The City Attorney noted that an environmental assessment needs to be done. It was noted that there has been some environmental erosion that has occurred. City Attorney Hager noted that the City controls what occurs in Duncanville but cannot control what happens outside of the City of Duncanville. The Mayor thanked the Ladds for coming to meet with the City Council.

2. CITY COUNCIL CALENDAR

- A. The City Updated 2023 City Council Calendar was introduced by City Secretary Willman highlighting the updated months of March and April 2023. A question was raised regarding setting another date for conducting the City Manager's Evaluation. The City Council reached a consensus to conduct the City Manager's Evaluation on April 4, 2023, beginning at 5:00 p.m. The City Manager informed the City Council about the International Council of Shopping Centers in Las Vegas on May 21-May 23. She briefed the City Council about the opportunity for leveraging re-development opportunities. Interested members of the City Council should contact the City Secretary for registration. City Manager said she wants to update on the Capital Project Bond on April 4. Councilmember Cherry asked about Wintergreen. It was noted that Commissioner Price has awareness that the City of Duncanville is interested in knowing what the City's desire is related to the Wintergreen Road expansion. The City Manager noted she and Interim Public Works Director Culton met with Commissioner Price. It was noted that an update may take 30 to 45 minutes for update on April 18. The City Manager committed to emailing the entire City Council with information in advance of a Special Called Meeting being set.

Councilmember Koontz recommended that the Executive Session be moved to the end of tonight's meeting.

3. BRIEFINGS / PRESENTATIONS

- A. Discussion of ordinances that pertain to trailer parking. Assistant Chief of Police Chris Freis presented this agenda matter. If the City Council favors what was presented this evening, an ordinance can be crafted for the City Council's consideration and adoption.

Mayor Gordon announced the City Council would consider its Executive Session as the last item for this Evening's Regular Meeting.

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

CALL TO ORDER. Mayor Gordon called the meeting to order at 7:11 p.m. with a quorum of the City Council. Councilmember At Large Patrick Harvey was absent.

INVOCATION - Pastor Robert Castillo, First Baptist Church of Duncanville

PLEDGES - PLEDGE OF ALLEGIANCE; TEXAS PLEDGE OF ALLEGIANCE

REPORTS

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

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

2. PROCLAMATIONS AND PRESENTATIONS

Girl Scouts Week Proclamation. Receiving the Proclamation were: LaMonica Jackson, Troop Leader for Troop 8316. Troop 8316 is a part of Service Unit 212 which is based in the City of Duncanville. This week was Girl Scout Week, (March 12-18). The Mayor announced that the girls had a project to complete for Civil Engagement. So, it was announced that the Girl Scouts decided to attend a City Council Meeting in their hometown of Duncanville as a Civil Engagement Project. Girl Scouts who are a part of different troops that make up Service Unit 212 in recognition of Girl Scout Week have been celebrating the week with community events and service.

CITIZENS' INPUT

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

There were no electronic mail comments received.

Ron Thompson, 603 Katherine Court, made comments on the Ladd Property.
Homer Fincannon, 546 Wind River Drive, made comments on turning the Fieldhouse into a casino and shots fired into the sky.
Grady Smithey, Jr., 1806 Cedar Hill Road, made comments about the City's roads and overdue Bond projects.

4. CONSENT AGENDA

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

- A. Consider approval of draft City Council Meeting Minutes for the Regular City Council Meeting of March 7, 2023.
- B. A Resolution of the City Council of the City of Duncanville, Texas, Authorizing the Reduction of the Duncanville Vote Centers located within the City of Duncanville, Dallas County, Texas for the May 6, 2023 Joint and General Elections.
- C. Consider appointments to various Boards and Commissions including the Duncanville Community & Economic Development Corporation, the City Planning and Zoning Commission, the Community Engagement Advisory Board, the Arts Commission, and the Multicultural Commission, by minute order [with a resolution to be brought to the next meeting].
- D. Council to consider adopting a resolution in opposition to the proposed zoning change being considered by the City of Dallas Plan Commission for the property directly north and adjacent to the Thoroughbred Hills Subdivision in Duncanville. [Formerly Item 5.C. Items for Individual Consideration.]

Motion by Councilmember Contreras and second by Councilmember McBurnett. The vote was cast: 6 in favor, 0 opposed. Councilmember Harvey was absent. The motion carried.

5. ITEMS FOR INDIVIDUAL CONSIDERATION

- B. Consider a resolution approving an incentive grant by the Duncanville Community & Economic Development Corporation (DCEDC) to Encore Fine Properties, LLC, in the amount of \$22,725.00 for qualified expenditures for a building located at 106 E. Freeman Street, Duncanville, TX 75116.

Clay Mansell, Economic Development Administrator, presented this agenda matter.

Following the presentation, the City Council deliberated, and considered the matter.

Motion by Councilmember McBurnett and second by Councilmember Veracruz. The vote was cast: 6 in favor, 0 opposed. Councilmember Harvey was absent. The motion carried.

- D. Consider a Resolution adopting the City of Duncanville Five-Year Strategic Plan for period 2023-2028.

Jennifer Otey, Chief Innovation Officer, presented this agenda matter.

Following the presentation, the City Council deliberated, and considered the matter.

Motion by Councilmember McBurnett and second by Councilmember Veracruz. The vote was cast: 5 in favor, 1 abstained, 0 opposed. Councilmember Koontz abstained and Councilmember Harvey was absent. The motion carried.

5. STAFF AND BOARD REPORTS

- A. Receive The DCEDC Quarterly Report
Clay Mansell, Economic Development Administrator, presented this agenda matter.
- B. Human Resources / Innovation Quarterly Report
Jennifer Otey, Chief Innovation Officer, presented this agenda matter.
- C. Receive the Fiscal Year 22-23 First Quarter Investment Report as of December 31, 2022.
Edena Atmore, Managing Director, Fiscal Services presented this agenda matter.

EXECUTIVE SESSION

City Council convened into closed Executive Session at 8:26 p.m. pursuant to Section 551.072 of the Texas Government Code, to Deliberate the Sale, Exchange, Lease or Value of Real Property owned by the City south of Wheatland, east of Main, and west of State Highway (SH) 67.

The City Council reconvened into Open Session at 9:07 p.m.

5. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. Mayor Gordon announced there was no action to be taken as a result of the Executive Session.

ADJOURNMENT

Mayor Gordon adjourned the meeting at 9:08 p.m.

APPROVED:

MAYOR

ATTEST:

CITY SECRETARY

Add City Secretary Signature and Mayor Gordon’s Signature, upon approval.

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

CALL TO ORDER

The Regular Special Called Meeting of the Duncanville City Council was called to order on Tuesday, March 21, 2023, at 6:04 p.m. in the City Council Briefing Room at City Hall with a quorum to wit:

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

COUNCIL ABSENT: Councilmember Patrick Harvey

WORK SESSION / BRIEFING

1. **DISCUSS AGENDA ITEMS.** The Mayor called on City Manager Aretha Ferrell-Benavides to discuss the agenda items. City Manager Ferrell-Benavides discussed the agenda items.
- Councilmember Contreras asked to have the item on the Thoroughbred Hills moved to the Consent Agenda.

2. **CITY COUNCIL CALENDAR**

- A. The City Updated 2023 City Council Calendar.

3. **BRIEFINGS / PRESENTATIONS**

- B. Briefing Item - Ladd Property Update to City Council Briefing Item - Ladd Property Update to City Council.

Director of Planning and Neighborhood Services, Jeremy Tennant, is presenting this agenda matter.

Following the staff presentation, Gus Garcia introduced Mr. and Mrs. Ladd to discuss any questions they had regarding the Vision Statement and to answer any questions either the City Council or Mr. and Mrs. Ladd have regarding the project, ongoing progress, and its future.

Mr. and Mrs. Ladd were introduced. Councilmember Koontz asked for input from Mr. Ladd regarding the City's Vision document. Mr. Ladd presented his perspective on the Ladd Property.

Mr. Ladd indicated overall his impression was very positive. He noted that he understands the time and cost have affected the time it takes to make a plan happen.

Mayor Gordon summarized the City's processes to ensure a strong ordinance is brought forward. Questions were asked about finding a professional to design the larger parcel and how that process would proceed. He was also asked about the remaining 7.2 acres. Mr. Ladd indicated he would definitely donate the property if there is a project that is going forward. He would not contribute the 7 acres if there is not a project being developed for another 10 or 20 years. Mr. Ladd asked about a timeline once the project plan is presented, and funding are provided towards completion. The City Attorney asked Mr. Ladd and the City Council if they want to approve the zoning on the larger parcel as well as the additional 7.2 acres. It was noted that the conceptual planning can be done to include the additional 7.2 acres once donated. However, the Zoning has be done on the City's larger land parcel. Once the City receives the additional 7.2 acres, the zoning must be done on that parcel as well. It was noted that the zoning of the 7.2 acres would not take more than 45 to 60 days. Mr. Ladd was asked if there would be

any restrictions on the additional 7.2 acres. He said as long as it was in keeping with the original donation vision that the City would design something that will benefit all age groups for the residents of Duncanville. He asked why the property was donated. Mr. Ladd noted that his dad started a cabinet shop. He noted that Duncanville was very good to his family, noting that the land donated is one of the prettiest parcels of land in Duncanville. He was asked if he was interested in viewing the concept. Mr. Ladd responded that only if his review would not hold up the timeline. The City Manager said the process could start immediately. She noted that a phased approach would be used and identify overall costs. She indicated that staff could get an overall start by the end of the calendar year. The City Attorney noted that an environmental assessment needs to be done. It was noted that there has been some environmental erosion that has occurred. City Attorney Hager noted that the City controls what occurs in Duncanville but cannot control what happens outside of the City of Duncanville. The Mayor thanked the Ladds for coming to meet with the City Council.

2. CITY COUNCIL CALENDAR

- A. The City Updated 2023 City Council Calendar was introduced by City Secretary Willman highlighting the updated months of March and April 2023. A question was raised regarding setting another date for conducting the City Manager's Evaluation. The City Council reached a consensus to conduct the City Manager's Evaluation on April 4, 2023, beginning at 5:00 p.m. The City Manager informed the City Council about the International Council of Shopping Centers in Las Vegas on May 21-May 23. She briefed the City Council about the opportunity for leveraging re-development opportunities. Interested members of the City Council should contact the City Secretary for registration. City Manager said she wants to update on the Capital Project Bond on April 4. Councilmember Cherry asked about Wintergreen. It was noted that Commissioner Price has awareness that the City of Duncanville is interested in knowing what the City's desire is related to the Wintergreen Road expansion. The City Manager noted she and Interim Public Works Director Culton met with Commissioner Price. It was noted that an update may take 30 to 45 minutes for update on April 18. The City Manager committed to emailing the entire City Council with information in advance of a Special Called Meeting being set.

Councilmember Koontz recommended that the Executive Session be moved to the end of tonight's meeting.

3. BRIEFINGS / PRESENTATIONS

- A. Discussion of ordinances that pertain to trailer parking. Assistant Chief of Police Chris Freis presented this agenda matter. If the City Council favors what was presented this evening, an ordinance can be crafted for the City Council's consideration and adoption.

Mayor Gordon announced the City Council would consider its Executive Session as the last item for this Evening's Regular Meeting.

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

CALL TO ORDER. Mayor Gordon called the meeting to order at 7:11 p.m. with a quorum of the City Council. Councilmember At Large Patrick Harvey was absent.

INVOCATION - Pastor Robert Castillo, First Baptist Church of Duncanville

PLEDGES - PLEDGE OF ALLEGIANCE; TEXAS PLEDGE OF ALLEGIANCE

REPORTS

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

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

2. PROCLAMATIONS AND PRESENTATIONS

Girl Scouts Week Proclamation. Receiving the Proclamation were: LaMonica Jackson, Troop Leader for Troop 8316. Troop 8316 is a part of Service Unit 212 which is based in the City of Duncanville. This week was Girl Scout Week, (March 12-18). The Mayor announced that the girls had a project to complete for Civil Engagement. So, it was announced that the Girl Scouts decided to attend a City Council Meeting in their hometown of Duncanville as a Civil Engagement Project. Girl Scouts who are a part of different troops that make up Service Unit 212 in recognition of Girl Scout Week have been celebrating the week with community events and service.

CITIZENS' INPUT

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

There were no electronic mail comments received.

Ron Thompson, 603 Katherine Court, made comments on the Ladd Property.
Homer Fincannon, 546 Wind River Drive, made comments on turning the Fieldhouse into a casino and shots fired into the sky.
Grady Smithey, Jr., 1806 Cedar Hill Road, made comments about the City's roads and overdue Bond projects.

4. CONSENT AGENDA

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

- A. Consider approval of draft City Council Meeting Minutes for the Regular City Council Meeting of March 7, 2023.
- B. A Resolution of the City Council of the City of Duncanville, Texas, Authorizing the Reduction of the Duncanville Vote Centers located within the City of Duncanville, Dallas County, Texas for the May 6, 2023 Joint and General Elections.
- C. Consider appointments to various Boards and Commissions including the Duncanville Community & Economic Development Corporation, the City Planning and Zoning Commission, the Community Engagement Advisory Board, the Arts Commission, and the Multicultural Commission, by minute order [with a resolution to be brought to the next meeting].
- D. Council to consider adopting a resolution in opposition to the proposed zoning change being considered by the City of Dallas Plan Commission for the property directly north and adjacent to the Thoroughbred Hills Subdivision in Duncanville. [Formerly Item 5.C. Items for Individual Consideration.]

Motion by Councilmember Contreras and second by Councilmember McBurnett. The vote was cast: 6 in favor, 0 opposed. Councilmember Harvey was absent. The motion carried.

5. ITEMS FOR INDIVIDUAL CONSIDERATION

- B. Consider a resolution approving an incentive grant by the Duncanville Community & Economic Development Corporation (DCEDC) to Encore Fine Properties, LLC, in the amount of \$22,725.00 for qualified expenditures for a building located at 106 E. Freeman Street, Duncanville, TX 75116.

Clay Mansell, Economic Development Administrator, presented this agenda matter.

Following the presentation, the City Council deliberated, and considered the matter.

Motion by Councilmember McBurnett and second by Councilmember Veracruz. The vote was cast: 6 in favor, 0 opposed. Councilmember Harvey was absent. The motion carried.

- D. Consider a Resolution adopting the City of Duncanville Five-Year Strategic Plan for period 2023-2028.

Jennifer Otey, Chief Innovation Officer, presented this agenda matter.

Following the presentation, the City Council deliberated, and considered the matter.

Motion by Councilmember McBurnett and second by Councilmember Veracruz. The vote was cast: 5 in favor, 1 abstained, 0 opposed. Councilmember Koontz abstained and Councilmember Harvey was absent. The motion carried.

5. STAFF AND BOARD REPORTS

- A. Receive The DCEDC Quarterly Report
Clay Mansell, Economic Development Administrator, presented this agenda matter.
- B. Human Resources / Innovation Quarterly Report
Jennifer Otey, Chief Innovation Officer, presented this agenda matter.
- C. Receive the Fiscal Year 22-23 First Quarter Investment Report as of December 31, 2022.
Edena Atmore, Managing Director, Fiscal Services presented this agenda matter.

EXECUTIVE SESSION

City Council convened into closed Executive Session at 8:26 p.m. pursuant to Section 551.072 of the Texas Government Code, to Deliberate the Sale, Exchange, Lease or Value of Real Property owned by the City south of Wheatland, east of Main, and west of State Highway (SH) 67.

The City Council reconvened into Open Session at 9:07 p.m.

5. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. Mayor Gordon announced there was no action to be taken as a result of the Executive Session.

ADJOURNMENT

Mayor Gordon adjourned the meeting at 9:08 p.m.

APPROVED:

MAYOR

ATTEST:

CITY SECRETARY

Add City Secretary Signature and Mayor Gordon’s Signature, upon approval.

**Duncanville City Council Meeting Minutes
Special Called City Council Meeting
Thursday, March 30, 2023**

CALL TO ORDER

The Special Called Meeting of the Duncanville City Council was called to order on Thursday, March 30, 2023, at 6:00 p.m. in the City Council Briefing Room at City Hall with a quorum to wit:

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

RECEIVE PUBLIC COMMENTS

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

The following electronic comments were received:

Kenneth Govan, 1402 Crosspointe St., in support of service provided by the current Duncanville City Manager

Rogelio Hernandez, President, Duncanville Police Association, 203 E. Wheatland Rd., made a statement in support of the City Manager

Janet Harris, 402 Rock Rose Dr., in favor of keeping the current City Manager

Traci Johnson, 410 Rock Rose Dr., in favor of keeping the current City Manager

William T. Maye, 1515 McArthur Dr., in favor of keeping the current City Manager

Marsha Wesley, 1307 Fawn Ridge Dr., support the City Manager.

Citizens Public Comment Period.

Dorothy Bridges, 5410 Atlantis Terrace, in favor of retaining the City Manager

Grady Smithey, Jr., 1806 Cedar Hill Rd., do what is in the best interest of the City

Patricia Ebert, 115 South Greenstone, Executive Session B

Alicia Brown Young, 1503 Halsey Drive, City Manager

Sammie Bery, 1219 Coronado Lane, City Manager

Renee Berry, 1719 Coronado, supports the City Manager but does not wish to speak

Mark Cooks, 1106 Bradley, supports the City Manager

Bobby Roddy, 870 Astaire Ave., supports the City Manager

Curtis Gaines, 1210 Coronado Lane, supports the City Manager but does not wish to speak

Betty Taylor, 422 Oleander, Executive Session B

Rogelio Hernandez, 203 E. Wheatland Rd., President of the Duncanville Police Association, read Statement in support of City Manager

Darius Williams, 203 E. Wheatland Rd., Session B, Supporting the City Manager

Gary McMillian, 1714 Green Tea Lane, supports the City Manager

Bryan Kaeser, 100 S. Main Street, supports doing an evaluation of the City Manager

RueNette Chambers, 1107 DeHavilland, supports the City Manager but does not wish to speak

Kenneth Brown, 1722 Cedar Hill, supports the City Manager

Stephanie Johnson, 610 Meadowbrook Dr., opposed to termination of the City Manager but does not wish to speak

Michelle Arias, 203 E. Wheatland Rd., supports the City Manager

Mari Vega, 611 Oriole Blvd., #1004, consensus model of discussion

Mayor Gordon announced that during the Election Period, the City does not broadcast sound. He noted that only video is broadcast. He explained that for persons attending in person, citizen comments are not recorded.

Mayor Gordon informed the assembly that normally all two of the four items on the agenda would be concerning personnel would be in closed session. He explained that City Manager Benavides has requested that Item B be held in open session. He explained further that the comments the Council would normally make in closed session would be made in open session, pursuant to Ms. Ferrell-Benavides' request.

EXECUTIVE SESSION

- A. City Council convened into closed Executive Session at 6:44 p.m. pursuant to Section 551.071 of the Texas Local Government Code, Consultation with City Attorney to seek legal advice concerning agenda B and related matters.**
- C. Reconvene into Open Session. The City Council reconvened into Open Session at 7:58 p.m.**
- D. City Council shall convene into closed Executive Session pursuant to Section 551.074 of the Texas Local Government Code, Personnel Matters to discuss the appointment, employment, evaluation, performance, reassignment, duties, discipline or dismissal of the City Manager.**

Craig Capua, an attorney from West and Associates representing City Manager Aretha Ferrell-Benavides read a statement by Ms. Ferrell-Benavides.

Following Mr. Capua's remarks, the Mayor called on each City Councilmember to speak.

of Councilmember Harvey stated he had lost confidence in the city manager noting a lack trust.

Councilmember Harvey made a motion to terminate effective immediately the employment of Aretha Ferrell-Benavides as City Manager and she will receive her severance in accordance with her contract. Councilmember Koontz seconded the motion.

Mayor Gordon announced no vote would be taken until each councilmember expresses their thoughts.

Councilmember Veracruz stated he has full faith and confidence in our City Manager, Aretha Ferrell-Benavides.

the Councilmember McBurnett stated he agreed with Councilmember Harvey, agreed with assessment.

Councilmember Koontz stated he intended to do what is good and what is right based on the information he received and believes best serves the entire community including the district he represents.

with Councilmember Cherry read from the Scripture, James 4:17. She detailed her history the City and with the positive difference Ms. Ferrell-Benavides made in her view of the

City of Duncanville. She encouraged other members of the Council to set aside their personal feelings and consider what has been accomplished.

Councilmember Contreras stated that based on his experience and observations during the current year of review, he lost confidence for the City Manager to lead us in the manner that best serves the community. He further stated he would not be in favor of retaining the City Manager.

Mayor Gordon stated he was not in favor of hiring such a strong City Manager noting that he has become her champion. He stated that he had seen no better performance, exception performance and dedication to duty. He went on to detail specifics of leadership points performed and demonstrated.

Councilmember McBurnett called a Point of Order. Mayor Gordon asked what the point of order was. Councilmember McBurnett indicated the Mayor was saying things that were out of line and wrong.

Mayor Gordon called for a vote on the Point of Order. The vote was cast, 4 in favor of Point of Order; 3 opposed. Voting in favor: McBurnett, Koontz, Harvey, and Contreras. Voting in opposition: Veracruz, Gordon, and Cherry.

Mayor Gordon announced that the Point of Order is enforced but that he would continue with his remarks. He concluded his remarks.

Mayor Gordon called for a vote on the motion: Councilmember Harvey made a motion to terminate effective immediately the employment of Aretha Ferrell-Benavides as City Manager and she will receive her severance in accordance with her contract. Councilmember Koontz seconded the motion.

The vote was cast: 4 in favor; 3 in opposition. Voting in favor: Harvey, McBurnett, Koontz, and Contreras. Voting in opposition: Veracruz, Gordon, and Cherry. The motion carried.

The City Council reconvened into closed Executive Session at 8:27 p.m. pursuant to Section 551.071 consultation with City Attorney to discuss the matter of ascension.

The City Council reconvened into open Session at 8:55 p.m.

E. Take any appropriate and necessary action as a result of the Executive Sessions.

Mayor Gordon announced there were two actions that needed to be taken. He indicated the first action was to appoint Robert Brown as the Interim City Manager effective immediately. The second action was to begin the solicitation process to identify and acquire a new city manager.

Motion to appoint Robert D. Brown as Interim City Manager effectively immediately was made by Councilmember Koontz and Councilmember McBurnett seconded the motion. The vote was cast: 7 in favor, 0 opposing. The motion carried.

Mayor Gordon announced for the record that Mr. Robert D. Brown accepted the appointment as Interim City Manager.

It was announced that direction was given to Interim City Manager Robert D. Brown to initiate the solicitation process to identify and acquire a new city manager.

ADJOURNMENT

Mayor Gordon adjourned the meeting at 8:57 p.m.

APPROVED:

MAYOR

ATTEST:

CITY SECRETARY



STAFF REPORT

MEETING: City Council - 02 May 2023

TITLE:

Consider a Resolution authorizing a sole-source procurement with Texas Packer + Loader Sales, Inc. dba Texas Pack + Load for two all-terrain litter vacuums in the expenditure amount of \$138,704.00.

Vision Statement:

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

Pillar:

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

STAFF RESPONSIBLE:

Bart Stevenson, Director of Parks and Recreation

Tyler W. Agee, Assistant Director of Parks and Recreation

BACKGROUND/HISTORY:

At the December 20, 2022, Duncanville City Council meeting, The Emerging Leadership Class of 2022 presented their class project on enhancing beautification efforts within the city with a goal of establishing programs that will inspire and engage stakeholders in the community to actively participate in improving the visual appeal, brand, and perception of the City of Duncanville. Within this presentation and plan, the Emerging Leaders class proposed an upgrade of equipment by suggesting the purchase of two All-terrain Litter Vacuums.

The all-terrain vehicles will remove debris in parks, sidewalks, walkways, alleyways, and other high pedestrian areas by gathering litter six times faster than manually walking and cleaning areas. In addition to regular usage of these vehicles for routine litter removal, they will be a great help with pre and post cleanup for the increased number of city-wide events we plan moving forward. Staff researched funding sources and agreed that the use of funds from the American Rescue Plan Act (ARPA) to purchase these vehicles would be the best option for the city.

POLICY EXPLANATION:

Local Government Code section 252.022(a)(7)(A) exempts items from the competitive bidding requirements and statutes when available from only one source because of patents, copyrights, secret processes or natural monopolies.

FUNDING SOURCE:

ORG and Object Number

75800001-700884-ARPA2

Available Budget

\$1,919,093.00

Purchase Amount

\$138,704.00

After Encumber

\$1,780,389.00

ACTION ALTERNATIVES:

1. Approve funding in the amount of \$138,704.00 to procure two all-terrain litter vacuums with Texas Packer + Loader Sales, Inc. dba Texas Pack + Load.
2. Do not approve funding for Staff to procure two all-terrain litter vacuums with Texas Packer + Loader Sales, Inc. dba Texas Pack + Load.
3. Other actions as directed by Council.

ATTACHMENTS:

[Resolution No. - 2023-026 - All-terrain Litter Vacuums - Pdf](#)

RESOLUTION NO. 2023-026

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, AUTHORIZING A SOLE-SOURCE PROCUREMENT WITH TEXAS PACKER + LOADER SALES, INC. DBA TEXAS PACK + LOAD FOR TWO ALL-TERRAIN LITTER VACUUMS IN THE EXPENDITURE AMOUNT OF \$138,704.00; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on December 20, 2022, the Emerging Leadership Class of 2022 presented their class project to the City Council on beautifying efforts within the city with a goal of establishing programs that will inspire and engage stakeholders in the community to actively participate in improving the visual appeal, brand, and perception; and

WHEREAS, the Emerging Leadership class proposed an upgrade of equipment by suggesting the purchase of two All-terrain Litter Vacuums; and

WHEREAS, these vehicles will remove debris in parks, sidewalks, walkways, alleyways, and other high pedestrian areas by gathering litter six times faster than manually walking and cleaning areas; and

WHEREAS, regular usage of these vehicles for routine litter removal, they will be a great help with pre and post cleanup for the increased number of city-wide events we plan moving forward; and

WHEREAS, staff researched funding sources and agreed that the use of funds from the American Rescue Plan Act (ARPA) to purchase these vehicles would be the best option; and

WHEREAS, as per Local Government Code Section 252.022(a) (7) (A) this item is exempt from competitive bidding requirements and statutes, and the procurement with Texas Packer + Loader Sales, Inc. dba Texas Pack + Load is a sole-source procurement.

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 hereby authorizes a sole-source procurement with Texas Packer + Loader Sales, Inc. dba Texas Pack + Load to procure two all-terrain litter vacuums in the expenditure amount of \$138,704.00.

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

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

DULY RESOLVED AND ADOPTED by the City Council of the City of Duncanville, Texas, on the 2nd day of May, 2023.

APPROVED:

Barry L. Gordon, Mayor

ATTEST:

Janie Willman, City Secretary

APPROVED AS TO FORM:

Robert E. Hager, City Attorney

EXHIBIT "A"



MADVAC LN50 ALL-TERRAIN LITTER VACUUM

texaspackandload.com | madvac.com



Date: 3/8/2023

Payment term: Net 30 Days After Delivery

PO#:

Freight: Included

Quote Number:

Bill Location/ Fed Tax ID#		Ship Location/ Contact Information	
CUSTOMER	City of Duncanville (Sourcewell Member # 61592)		
	203 E Wheatland Rd Duncanville, TX 75138		
	Tyler Agee Assistant Director of Parks & Recreation		
	Phone: 972-780-5072 Email: tyler.agee@duncanvilletx.gov		
Shipping Receiving Hours:			

Part #	Description	Unit Price	Quantity	Extended Price
Base Model				
LN50-D	LN50 All-Terrain Litter Vacuum with Hydraulic Arm Includes the following standard features: * Two convex mirrors mounted on vacuum arm * Fully street legal lighting package including SMV emblem * Strobe amber beacon * Back-up alarm * Foot step * Console accessory box with USB and 12V aux outlet * Exhaust bag dust control system * Operator head protection cushion (headrest) * Silent pack (for extra sound proofing) * Emergency stop button * Broom and rake holder * Storage compartment * License plate holder * Foot activated horn	\$ 63,115	2	\$ 126,230
Available Options				
K13089	48 in. (1219 mm) vacuum head, hydraulic raise/lower with dual vac port	\$ 3,645	2	\$ 7,290
K11937	Retractable wander hose 6 in. (152 mm) X 15 ft. (4.5 m)	\$ 1,475	0	\$ -
63271	Litter collector bags (100 bags)	\$ 315	0	\$ -
K12198	Bagless debris system (kevlar bin instead of litter collector bags)	\$ 625	2	\$ 1,250
K15293	Water mist system with 10.17 gal. (38.5 L) water tank (for additional dust control)	\$ 1,345	0	\$ -
K11793	2 micron interior cylindrical filter cartridge (for additional dust control)	\$ 710	0	\$ -
K12106	Overhead sunshield roof	\$ 1,485	2	\$ 2,970
K15280	Heated seat	\$ 375	0	\$ -
K19519	Floor-mounted heater	\$ 1,630	0	\$ -
K9600	Tire flatproofing - liquid sealant (all wheels)	\$ 255	2	\$ 510
K12228	Fire extinguisher 2.2 lb (1 kg. dry powder)	\$ 190	0	\$ -
K15875	Turf Tires In Lieu of standard tires	\$ 385	0	\$ -
K19691	Two piece 7" heavy duty black hose in lieu of Standard clear hose (361163-RH and 361162-RH)	\$ 227	2	\$ 454
Extended Warranty Options				
	Exprolink Inc. offers a 1-year (1000 hours) limited parts & labor WARRANTY	N/C	2	N/C
WSLN50-2	Extended warranty coverage: 1 additional year (2-year / 2000 hours)	\$ 2,750	0	\$ -
WSLN50-3	Extended warranty coverage: 2 additional years (3-year / 3000 hours)	\$ 5,365	0	\$ -
Sourcewell Spare Part pricing only with a machine order! Parts@exprolink.com for dealer Price quotes for non-Sourcewell part prices				
K12198	BAGLES DEBRIS SYSTEM	\$ 625	0	\$ -
360818-RH	VACUUM HOSE 7" Front Clear Standard Hose 100"	\$ 290	0	\$ -
360811-RH	VACUUM HOSE 7" REAR Clear Standard Hose 42"	\$ 120	0	\$ -
361163-RH	VACUUM HOSE 7" Front Heavy Duty Hose 100"	\$ 125	0	\$ -
361162-RH	VACUUM HOSE 7" Rear Heavy Duty 42"	\$ 103	0	\$ -
MV17122	Wheel assembly LN/LR50 D with standard tire (4) required	\$ 381	0	\$ -
MV17123	Wheel assembly LN/LR50 D with TURF tire (4) required	\$ 339	0	\$ -
MV5273	HYDRAULIC FILTER	\$ 36	0	\$ -
MV9287	FUEL FILTER	\$ 21	0	\$ -
MV44715	AIR FILTER	\$ 54	0	\$ -
MV9295	ENGINE OIL FILTER	\$ 31	0	\$ -
MV19165	POCLAIN PUMP OIL FILTER (filter transmission pump)	\$ 122	0	\$ -
MV63271	COLLECTOR BAG, OVERSIZE (100 BAGS) - not required if Kevlar bin is used	\$ 330	0	\$ -
360814-ET	FOOT 7" (Metal crunch tool at the end of the pick up hose)	\$ 111	0	\$ -
MV9422	EXHAUST BAG (dust control for fan exhaust)	\$ 296	0	\$ -
MV66057	BRAKE PAD (SET OF 2)	\$ 21	0	\$ -
MV17056	INNER TIE ROD (direction parts)	\$ 151	0	\$ -
MV11705	ROD END (direction parts)	\$ 108	0	\$ -

Page 3 of 4

EXHIBIT "A"



MADVAC LN50 ALL-TERRAIN LITTER VACUUM

texaspackandload.com | madvac.com



Date: 3/8/2023
PO#:

Payment term: Net 30 Days After Delivery
Freight: Included

Quote Number:

Bill Location/ Fed Tax ID#		Ship Location/ Contact Information
CUSTOMER	City of Duncanville (Sourcewell Member # 61592)	
	203 E Wheatland Rd Duncanville, TX 75138	
	Tyler Agee Assistant Director of Parks & Recreation	
	Phone: 972-780-5072 Email: tyler.agee@duncanvilletx.gov	

Shipping Receiving Hours:

Part #	Description	Unit Price	Quantity	Extended Price
MV22038	CYLINDER BOOT (protects direction cylinder rods and ball joints)	\$ 25	0	\$ -
MV12158	GAS SPRING 250 LBS (helps the movement when opening the rear hood)	\$ 130	0	\$ -
MV11516	CYLINDER UP/DOWN (hydraulic cylinder to raise or lower the boom)	\$ 173	0	\$ -
MV17054	BRAKE CABLE (cable that links the pedal and the parking brakes)	\$ 72	0	\$ -
MV11095	THROTTLE CABLE (cable that links the throttle handle and the engine)	\$ 50	0	\$ -
MV7993	BEARING (for the wheels)	\$ 7	0	\$ -
MV8000	BEARING (for the wheels)	\$ 17	0	\$ -
MV8353	SEAL BEARING (seal for the bearing of the wheels)	\$ 3	0	\$ -
MV8019	DUST CAP (protects the bearing from dust)	\$ 1	0	\$ -
MV17682	RUBBER LATCH (top cover of the container bin and rear hood)	\$ 34	0	\$ -
MV11857	IGNITION SWITCH	\$ 79	0	\$ -
MV13671	SWITCH ROLLERS (switch inside the pedal)	\$ 187	0	\$ -
MV14117	JOYSTICK(handle with buttons and switches to control the boom and vacuum)	\$ 649	0	\$ -
MV13250	LOWER TELESCOPIC ARM (assembly of the arm that moves the vacuum hose)	\$ 281	0	\$ -
Total USD				\$ 138,704

Terms and Conditions

- Quota valid 30 days
- Lead time: 5-6 months once purchase order has been received
- Applicable taxes not included
- Upon delivery, on-site operator and maintenance training provided by Exprolink / Madvac or authorized Madvac dealer

Sourcewell members:

- Freight is included with the exception of Hawaii and Alaska
- For Hawaii and Alaska, Exprolink will cover \$1500 freight amount per machine, the rest will be paid by Sourcewell member (freight cost quoted upon shipment)
- Freight will be charged to all Sourcewell members for any consumables/parts-only orders

Non-Sourcewell sales:

Freight is not included and will be quoted upon shipment

Approved and accepted by (Print Name)

Signature

Date approved

Special Instructions

- Purchase order to the attention of
Texas Pack + Load
1030 Brussels St
San Antonio, TX 78219
- Please indicate on your purchase order:
 - Sourcewell member number (if applicable)
 - Exprolink / Madvac Sourcewell contract number 093021-EXP (if applicable)
 - Exprolink / Madvac quote number
 - Complete bill-to and ship-to address with contact name and phone number
 - Specify if ship-to address has a loading dock (or not) for delivery (*important)

Joe Rosier
North Texas Territory Manager
(469) 505-9680
jrosier@texaspackandload.com

JD Mauk
Regional Sales Manager
832-948-9636
jdmauk@exprolink.com



STAFF REPORT

MEETING: City Council - 02 May 2023

TITLE:

Consider approval of an Ordinance of the City of Duncanville, Texas, amending the Code of Ordinances Chapter 2 "Administration," by adding Article V "Procurement" having a procurement department for the purpose of purchase and requisition, goods, services, and other property in accordance with state law, and permitting consideration of location of bidder's principal place of business awarding competitive bids and/or procurement.

Vision Statement:

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

Pillar:

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

STAFF RESPONSIBLE:

Edena Atmore, Managing Director of Fiscal Services
Tayo Sokale, Chief Procurement Officer

BACKGROUND/HISTORY:

The State law allows the City Council to adopt in writing the desire to use the City's spending powers to promote fiscal responsibility and maximize the amount of citizen tax dollars that remain in the local economy for the benefit of its citizens, and recent amendments to the Texas Local Government Code §271.905 and §271.9051 allow the City Council to consider a vendor's principal place of business in the award of certain contracts.

On June 17, 2011, the governor of Texas signed into law a measure (House Bill 1869) providing for local price preferences in public procurement. The bill amended Section 271.905 of the Local Government Code to allow all municipalities the option of implementing a 5% local bidding preference on competitively bid contracts for goods.

Similarly, on that same day, he signed into law another measure (House Bill 628) that amended Section 271.9051(b) of the Local Government Code to allow a municipality to consider a 5% local bidding preference on certain competitively bid contracts, including construction services (less than \$100,000) and other goods and general services (less than \$500,000).

The City does not currently have a written determination to allow the use of local preference in awarding City contracts where applicable.

POLICY EXPLANATION:

By approving the attached ordinance, a section will be creating the Procurement program by ordinances that the City Council permits in writing:

- a. the award of contracts to local area businesses benefits the economic vitality of the City and its area residents by providing citizen employment opportunities, increased property values, and additional tax revenue to the City; and
- b. that for any procurement award that applies to this Ordinance, locally responsive and responsible bidders in specified contracting areas offer the City the best combination of the contract price and additional economic development opportunities, including the employment of City residents and increased tax revenue to the City;
- c. that these determinations and conclusions meet the written determination required by Texas Local Government Code §271.905 and §271.9051 in the award of certain City contracts.

FUNDING SOURCE:

ORG and Object Number

N A

Available Budget

\$0.00

Purchase Amount

\$0.00

After Encumber

\$0.00

ACTION ALTERNATIVES:

1. Approve an Ordinance of the City of Duncanville, Texas, ratifying an amendment to the Code of Ordinances, Chapter 2 "Administration," by adding Article V "Procurement" to have a procurement department for the purpose of purchase and requisition, goods, services and other property in accordance with state law, and provide that local preference to award a bid to qualified entities that have a principal place of businesses located in the municipality.
2. Do not approve an Ordinance of the City of Duncanville, Texas, ratifying an amendment to the Code of Ordinances, Chapter 2 "Administration", by adding Article V "Procurement" to have a procurement department for the purpose of purchase and requisition, goods, services and other property in accordance with state law, and provide that local preference to award a bid to qualified entities that have a principal place of businesses located in the municipality.
3. Other actions as directed by Council.

ATTACHMENTS:

[LOCAL GOVERNMENT CODE - LOCAL PREFERENCE](#)
[20230424-Duncanville.ORD adding Chapter 2, Art V, Procurement](#)

LOCAL GOVERNMENT CODE

TITLE 8. ACQUISITION, SALE, OR LEASE OF PROPERTY

SUBTITLE C. ACQUISITION, SALE, OR LEASE PROVISIONS APPLYING TO MORE
THAN ONE TYPE OF LOCAL GOVERNMENT

CHAPTER 271. PURCHASING AND CONTRACTING AUTHORITY OF MUNICIPALITIES,
COUNTIES, AND CERTAIN OTHER LOCAL GOVERNMENTS

SUBCHAPTER A. PUBLIC PROPERTY FINANCE ACT

Sec. 271.9051. CONSIDERATION OF LOCATION OF BIDDER'S PRINCIPAL PLACE OF BUSINESS IN CERTAIN MUNICIPALITIES. (a) This section applies only to a municipality that is authorized under this title to purchase real property or personal property that is not affixed to real property.

(b) In purchasing under this title any real property, personal property that is not affixed to real property, or services, if a municipality receives one or more competitive sealed bids from a bidder whose principal place of business is in the municipality and whose bid is within five percent of the lowest bid price received by the municipality from a bidder who is not a resident of the municipality, the municipality may enter into a contract for construction services in an amount of less than \$100,000 or a contract for other purchases in an amount of less than \$500,000 with:

(1) the lowest bidder; or

(2) the bidder whose principal place of business is in the municipality if the governing body of the municipality determines, in writing, that the local bidder offers the municipality the best combination of contract price and additional economic development opportunities for the municipality created by the contract award, including the employment of residents of the municipality and increased tax revenues to the municipality.

(c) This section does not prohibit a municipality from rejecting all bids.

(d) This section does not apply to the purchase of telecommunications services or information services, as those terms are defined by 47 U.S.C. Section 153.

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF DUNCANVILLE, TEXAS,
AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER
2 “ADMINISTRATION”, BY ADDING ARTICLE V “PROCUREMENT”;
PROVIDING A PENALTY CLAUSE; SEVERABILITY CLAUSE AND
PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Duncanville, Texas (the “City”) desires to formally constitute procurement function in the Code of Ordinances; and

WHEREAS, state law provides that local preference to award a bid to a qualified entities that have a principal place of businesses located in the municipality; and

WHEREAS, the City Council of the City has determined that amending said sections of the Code of Ordinances promotes local economy, provides local jobs and increases tax revenues of the City and its residents.

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

SECTION 1. That the City Council of the City of Duncanville, Texas hereby approves and amends the Code of Ordinances, Chapter 2 “Administration”, by adding Article V “Procurement” to hereinafter read as follows:

“CHAPTER 2 - ADMINISTRATION

ARTICLE I. – IN GENERAL

.....

ARTICLE V. – PROCUREMENT

Sec. 2-90. The City shall have a procurement department for the purpose of purchase and requisition of goods, service and other property in accordance with state law.

Sec. 2-91. Consideration of location of bidder's principal place of business awarding competitive bids and/or procurement.

(a) This section applies only to a competitive bid under Section 271.001 et seq, Tex. Loc.Gov. Code to purchase real property or personal property that is not affixed to real property.

- (b) In purchasing under this section any real property, personal property that is not affixed to real property, or services, if a municipality receives one or more competitive sealed bids from a bidder whose principal place of business is in the municipality and whose bid is within five percent of the lowest bid price received by the municipality from a bidder who is not a resident of the municipality, the municipality may enter into a contract for construction services in an amount of less than \$100,000 or a contract for other purchases in an amount of less than \$500,000 with:
 - (1) the lowest bidder; or
 - (2) the bidder whose principal place of business is in the municipality if the governing body of the municipality determines, in writing, that the local bidder offers the municipality the best combination of contract price and additional economic development opportunities for the municipality created by the contract award, including the employment of residents of the municipality and increased tax revenues to the municipality.
- (c) This section does not prohibit a municipality from rejecting all bids.
- (d) This section does not apply to the purchase of telecommunications services or information services, as those terms are defined by 47 U.S.C. Section 153.”

SECTION 2. *Penalty.* Any person who violates any provision of this Ordinance shall be guilty of an offense and be punished by a fine not to exceed Two Thousand Dollars (\$2,000). Each and every day such violation is continued shall be deemed to constitute a separate offense.

SECTION 3. *Severability.* If any section, article, paragraph, sentence, clause, phrase, or word in this Ordinance, or application thereto any persons or circumstances is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance; and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

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

SECTION 5. *Savings Clause.* All rights and remedies of the City are expressly saved as to any and all violations of the provisions of any ordinances affecting dangerous and substandard buildings within the City which are pending or have accrued at the time of the effective date of

this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 6. This Ordinance shall become effective from and after its date of passage in accordance with the law.

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

APPROVED:

Barry L. Gordon, Mayor

ATTEST:

Juanita Willman, City Secretary

APPROVED AS TO FORM:

Robert E. Hager, City Attorney



STAFF REPORT

MEETING: City Council - 02 May 2023

TITLE:

Consider a Resolution approving the selection of professional engineering firms to provide professional engineering services to the City of Duncanville from May 2, 2023, through May 1, 2028.

Vision Statement:

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

Pillar:

- **Develop: Infrastructure Improvement Strategy**
 - **Ensure the viability and adaptability of the city’s infrastructure, facilities, and transportation network through thoughtful financial and long-term planning.**

STAFF RESPONSIBLE:

Jacqueline R. Culton, PE, MBA, Director of Public Works (Interim)

BACKGROUND/HISTORY:

The City retains consulting engineering firms for specialty design work on a five-year cycle. By State law, professional engineering service is not bid. Instead, it is selected based on qualifications and price negotiation. Five engineering consulting firms were chosen in 2018: Burgess & Niple, Dunaway Associates, RJN Group, Criado Associates, and IEA Inc. Based on a five-year cycle, a new slate of professional engineering firms is to be selected in 2023.

POLICY EXPLANATION:

Sealed submissions of completed Requests for Qualifications (RFQs) for Professional Engineering Services, Solicitation No: RFQ 23-0007, for the City of Duncanville, Texas, were received by the Chief Procurement Officer on December 20, 2022. Engineering firms could submit Statements of Qualification (SOQs) in the following categories: Geo-technical, Water Pipeline, Water Tank & Pump Station, Wastewater Pipeline, Stormwater Drainage Improvements, Flood Plain Studies, Alley Reconstruction, Street Reconstruction, Traffic System Improvements, Bridge Improvements, Facilities, and Master Plans.

Twenty-four engineering firms submitted Statements of Qualification (SOQs) in response to the RFQ. Each SOQ was reviewed based on staff credentials and qualifications, project experience, references, and overall responsiveness to the RFQ. Based on the rating criteria, the firms listed in Exhibit "A" to the Resolution have been prequalified for the next five-year period.

For each project, the City will choose an engineering firm from the pre-qualified list to perform the work whose experience closely aligns with the project's needs and scope. The individual firm will be contacted by Public Works to negotiate the design scope and cost for each project which will be presented to the City Council for award.

FUNDING SOURCE:

ORG and Object Number

N/A

Available Budget

N/A

Purchase Amount

N/A

After Encumber

N/A

ACTION ALTERNATIVES:

1. Approve the selection of professional engineering firms to provide professional engineering services to the City of Duncanville from May 2, 2023, through May 1, 2028.
2. Do not approve the selection of professional engineering firms to provide professional engineering services to the City of Duncanville from May 2, 2023, through May 1, 2028.
3. Other actions as directed by Council.

ATTACHMENTS:

[Attachment 1 - Statement of Qualifications Evaluation](#)

[Resolution No. - 2023-032 - Professional Engineering Services with Exhibit](#)

Attachment 1

PART 5: STATEMENT OF QUALIFICATIONS EVALUATION**5.1 Evaluation and Award Process**

The City will evaluate engineering firms based on the Statement of Qualifications (SOQ) submitted. The City's selection Committee will review and evaluate the Statements of Qualifications. Selection of a firm(s) to provide engineering services shall be in accordance with the City of Duncanville Purchasing Policies and Procedures and the State of Texas Statutes, Government Code, Chapter 2254. The City of Duncanville reserves the right to consider information obtained in addition to the data submitted in the response. The City of Duncanville shall open all submissions and evaluate each respondent per the criteria as identified below:

5.2 Proposals will be evaluated based on the following Evaluation Factors:

Description	Maximum Point
Identification and Understanding Statement of Qualifications	20
Past Performance ATTACHMENT B – The City of Duncanville (Or Entity of Similar Size) Recent Experience Form	20
- Experience and Qualifications - ATTACHMENT C – Project Experience Form	20
Key Personnel & Project Team ATTACHMENT A – Office Staffing Form	20
Ability to Meet Schedules	20
Total Points Available:	100

A. Identification & Understanding of City's Requirements for Project Category (Points: 20)

The respondent's understanding of the objectives and scope of the requested services in each of the primary areas, in a clear and concise, written expression. The respondent will provide all the requested criteria. This is a critical component of the evaluation.

B. Past Performance and Experience**(Points: 20)**

The respondent's successful experience in projects within each of the primary areas similar to the scope of work requested in this RFQ will be a major consideration. Based on the past performance of both the individual project personnel and the respondent, the City of Duncanville will determine if the respondent has the track record and performance for the city of Duncanville or Similar Entity

Design Experience, providing the required services and successfully administer similar projects. Provide a listing of all projects that your firm has performed for the City of Duncanville or similar size entity in the last three years on the form provided (Attachment C). Fill in all information.

1. Schedule / Budget History.

- a. Briefly describe your firm's history of meeting scheduled deadlines and keeping within the established budgets.
- b. What is the accuracy of your firm's estimate compared to the actual bid price for projects?
- c. Prior Litigation. Briefly discuss any current or prior litigation within the past 10 years involving municipal projects, specifically identifying any litigation with the City of Duncanville. This should include design-related issues, construction, and construction management-related issues. In addition, any expert opinions, expert witness testimony, reports, or other services prepared for any party involved in litigation or a claim against the City of Duncanville should be indicated and briefly explained.

C. Experience and Qualifications

(Points: 20)

1. The qualifications of the respondent in terms of experience, service capability and resources will be reviewed to determine the ability of the respondent to successfully complete projects to be assigned under this RFQ. The firm's ability to provide the necessary professional and technical expertise and supervision will be a major consideration.
2. Key Personnel. Provide brief resumes indicating the relevant experience of the following personnel:
 - a. Project Manager
 - b. Street Designer
 - c. Water Pipeline Designer
 - d. Wastewater Pipeline Designer
 - e. Storm Water System Designer
 - f. Water Tank & Pump station Rehabilitation Designer
 - g. Alley Designer
 - h. Quality Control Members
3. CADD System. What CADD system does your firm use? Does your firm use other specialized computer applications that would enhance the quality of or specific issues related to this project?

D. Key Personnel & Project Team available for Work Categories

(Points: 20)

The qualifications and experience of the individuals who will be directly assigned to the primary areas is a major evaluation factor to be considered. The personnel cited shall be designated as to whether they are an employee, consultant, or contract employee of the respondent. Their educational and professional credentials and direct experience on similar projects, will be considered in evaluating the respondent. Experience with other municipally funded projects and familiarity with municipal requirements and procedures will also be considered in the evaluation process.

Provide an organizational chart showing the structure of the proposed team and the roles of the proposed project personnel. Indicate which firm on the design team employs each person that is shown. Indicate team personnel that are not from local offices.

E. Ability to Meet Schedules for each Category of Service Submitted

(Points 20)

Respondents shall demonstrate methodology and examples of its ability to meet both fast-track and more conservatively scheduled projects resulting from this RFQ.

Workload / Backlog. What is your firm's current workload/backlog of work for proposed project members or staff in the water/wastewater or environmental areas of expertise?

The total possible score of the submissions shall be scored and weighted as indicated above, Items A-E. Each submission will be assigned a raw score based on the outcome of the computations performed. As a part of the final scoring process, the assigned weight will then be applied to these scores to calculate an overall score for each RFQ submission.

5.3 Evaluation Factors

The City of Duncanville may select no less than eight highly qualified firms with specialties in each designated category of engineering work and will proceed with negotiating contracts for individual projects. The City may elect to conduct oral discussions, request clarifications, and presentations concerning the project approach and ability to furnish the requirements, as part of the negotiation process.

5.4 Technical Capacity Determination

The City may conduct a survey relating to the Respondent's record of performance on past and present projects that are similar to the scope of work identified in this RFQ, which may include services/projects not identified by the Respondent. The City reserves the right to perform whatever research it deems appropriate in order to assess the merits of any Respondent's offer. Such research may include, but not necessarily be limited to, discussions with outside Respondents, interviews and site visits with the Respondent's existing clients and analysis of industry reports.

5.5 Liability Requirements for Consultants

As a condition of awarding a contract, the firm will be required to provide and maintain Workers' Compensation Insurance with statutory limits. Provider shall provide and maintain in full force and effect during the term of the Agreement, auto insurance (including, but not limited to, insurance covering the operation of owned and non-owned automobiles, trucks and other vehicles) protecting Provider and City as an additional insured with limits not less than 250/500/100,000 or as amended by statute. Provider shall provide general liability insurance. Such insurance covering personal and bodily injuries or death shall be in the sum of not less than two hundred fifty thousand dollars (\$250,000.00) per occurrence and five hundred thousand dollars (\$500,000.00) aggregate. Insurance covering damages to property shall be in the sum of not less than one hundred thousand dollars (\$100,000.00). The general liability insurance must name the City as an additional insured. Provider shall also provide and maintain Professional Liability Errors and Omissions Insurance coverage to protect Provider and City from any liability arising out of the performance of professional services, if any, under this Agreement. Such coverage shall be in the sum of not less than three hundred thousand dollars (\$300,000.00) per occurrence and five hundred thousand dollars (\$500,000.00) aggregate. A signed Certificate of Insurance, satisfactory to City, showing compliance with the requirements of this Article shall be furnished to City before any services are performed. Such Certificate shall provide thirty (30) days written notice to City prior to the cancellation or modification of any insurance referred to therein. The consultant must name the City and its officers, employees, and agents as additional insureds. The offer shall state whether such insurances are currently in force or will be at the time of contract execution. The project name and offer/ contract number shall be listed on the certificate.

RESOLUTION NO. 2023-032

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, APPROVING MASTER ENGINEERING SERVICE AGREEMENT WITH THE ENGINEERING FIRMS AND FOR THE APPROVED PURPOSES AS SET FORTH IN EXHIBIT 'A', WHICH IS ATTACHED HERETO AN INCORPORATED HEREIN TO PROVIDE PROFESSIONAL ENGINEERING SERVICES TO THE CITY FROM MAY 2, 2023 THROUGH MAY 1, 2028; AUTHORIZING THE INTERIM CITY MANAGER OR DESIGNEE TO EXECUTE THE NECESSARY DOCUMENTS TO CONFORM THIS RESOLUTION AS APPROPRIATE AFTER APPROVED AS TO FORM BY THE CITY ATTORNEY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, it is necessary to retain the services of highly qualified professional engineering firms to consult on City projects; and

WHEREAS, the City has taken qualifications for professional engineering services per RFQ 23-0011 and recommends awarding future engineering services contracts to highly qualified professional engineering firms; and

WHEREAS, the City Council of the City of Duncanville, Texas, desires to approve the selection of professional engineering firms, attached hereto and incorporated herein as Exhibit "A," to provide professional engineering services to the City of Duncanville from May 2, 2023, through May 1, 2028.

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, approves Master Engineering Service Agreement with the Engineering Firms and for the approved purposes as set forth in Exhibit "A", which is attached hereto and incorporated herein to provide professional engineering services to the City of Duncanville from May 2, 2023, through May 1, 2028; and, authorizes the Interim City Manager or designee to execute the necessary documents to conform to this Resolution as appropriate after approved as to form by the City Attorney.

SECTION 2. 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 2nd day of May, 2023.

APPROVED:

Barry L. Gordon, Mayor

ATTEST:

Janie Willman, City Secretary

APPROVED AS TO FORM:

Robert E. Hager, City Attorney
TM 134792

Exhibit A

Engineering Consultant Selections 04/2023

#	Consultant	Geo-technical	Water Pipeline	Water Tank & Pump Station	Wastewater Pipeline	Stormwater Drainage Improvements	Flood Plain Studies	Alley Reconstruction	Street	Traffic System Improvements	Bridge Improvements	Facilities	Master Plans
1	Alliance Geotechnical Group, Inc	X											
2	Arredondo, Zepeda & Brunz, LLC		X		X	X			X				
3	Braun Intertec Corporation	X											
4	Burgess & Niple, Inc.		X		X				X				
5	Cobb, Fendley & Associates, Inc.		X	X	X				X				
6	Dunaway Associates, LLC		X	X	X				X	X			
7	Giles Engineering Associates, Inc.	X											
8	Grantham & Associates, Inc.				X			X					
9	Gresham Smith		X		X	X							
10	James DeOtte Engineering, Inc.								X				
11	Lee Engineering, LLC									X			
12	O' Brien Engineering, Inc.					X	X						
13	RLG Consulting Engineers		X		X	X		X	X		X	X	
14	Shield Engineering Group, PLLC		X		X	X			X				
15	Simon Engineering & Consulting, Inc.		X		X		X	X					
16	Walter P. Moore and Associates		X		X	X	X	X	X	X	X	X	X



STAFF REPORT

MEETING: City Council - 02 May 2023

TITLE:

Adoption of an ordinance regarding the request of Ali Assi, Applicant and Owner, for the approval of a Zoning Change from SF-10, Single Family Residential District to LOR, Local Office Retail District on Softwood Commercial, Lot 1, ACS 0.366, more commonly known as 1703 South Main Street, in the City of Duncanville, Dallas County, Texas.

Vision Statement:

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

Pillar:

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

STAFF RESPONSIBLE:

Nathan Warren, Senior Planner

BACKGROUND/HISTORY:

Comprehensive Plan

The Future Land Use Plan Map shows the subject property being located within Opportunity Area 9, Main Street District. The Plan envisions the Area as a mixed-use activity hub with an emphasis on high quality commercial, particularly restaurants, to capitalize on the Fieldhouse. This Opportunity Area is smaller in scale than the Downtown District more oriented towards neighborhoods than the region.

The zoning change request from SF-10 Single-Family Residential District to Local Office Retail matches the Comprehensive Plan's vision for the area.

Project Scope

The property is currently zoned SF-10 Single-Family Residential District. The applicant acquired the subject property to add to the existing concrete parking lot. Drawings for fifteen (15) additional 9 ft. by 18 ft. parking spaces and a 24 ft. fire lane around the rear of the existing structure were submitted to city staff. At the time of this writing, no changes are proposed to the existing structure. The intent of

the request is for the entirety of Lot 2R, Block A, Crossroads of Life Assembly of God, to be zoned LOR, Local Office Retail.

Building Design and Improvements

There are no proposed improvements associated with this request.

Landscaping and Screening

Landscaping improvements are proposed along the south and east addition to the property as well as greenspace in between the existing structure and proposed fire lane.

Signage

The site must comply with Chapter 16A Sign Guidelines of the Code of Ordinances regarding attached and freestanding signage.

Surrounding Land Use

The property to the south and west is SF-10 Single-Family Residential District. The property to the east is zoned GOR General Office Retail District. The property to the north is zoned LOR Local Office Retail District.

Planning and Zoning Commission Action

On Monday, March 13, 2023 the Planning and Zoning Commission approved the item by a vote of 5 to 0.

Council Action

Council unanimously approved item 5.B. on Tuesday, April 4, 2023.

POLICY EXPLANATION:

Notification

Four (4) notices were sent out for this public hearing. Two (2) responses were received in favor of this request and no responses were received in opposition to the request. City council unanimously approved item 5.B. on Tuesday, April 4, 2023.

FUNDING SOURCE:

ORG and Object Number

N/A

Available Budget

\$0.00

Purchase Amount

\$0.00

After Encumber

\$0.00

ACTION ALTERNATIVES:

1. Adopt the ordinance for the approved zoning request.

ATTACHMENTS:

[Ordinance No. 2472](#)

ORDINANCE NO. 2472

AN ORDINANCE OF THE CITY OF DUNCANVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP, AS HERETOFORE AMENDED, BY AMENDING THE CHANGE ZONING FROM SF-10, SINGLE-FAMILY RESIDENTIAL DISTRICT ZONING TO LOCAL OFFICE RETAIL DISTRICT ON REAL PROPERTY DESCRIBED AS LOT 2R, BLOCK A, AN ADDITION TO THE CITY OF DUNCANVILLE, DALLAS COUNTY, MORE COMMONLY KNOWN AS 1703 SOUTH MAIN STREET, DUNCANVILLE, TEXAS; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

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

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

SECTION 1. The Comprehensive Zoning Ordinance and Map of the City of Duncanville, Texas, as heretofore amended, be, and the same are hereby amended to change zoning from SF-10, Single-Family Residential District zoning and to LOR, Local Office Retail District on real property described as Lot 2R, Block A, Crossroads of Life Assembly of God, an addition to the City of Duncanville, Dallas County, more commonly known as 1703 South Main Street, Duncanville, Texas.

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

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

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

of this Ordinance shall remain in full force and effect.

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

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

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

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Duncanville, Texas, on the 2nd day of May, 2023.

APPROVED:

Barry L. Gordon, Mayor

ATTEST:

Janie Willman, City Secretary

APPROVED AS TO FORM:

Robert E. Hager, City Attorney
TM 134797



STAFF REPORT

MEETING: City Council - 02 May 2023

TITLE:

Consider a Resolution terminating Contract No. 3220116 with Brightview Landscape Services, Inc. for landscape services pursuant to Section C, Clause 21.0 of the Contract, Termination, whereby the City reserves the right to terminate the contract for convenience.

Vision Statement:

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

STAFF RESPONSIBLE:

Bart Stevenson, Director of Parks and Recreation

BACKGROUND/HISTORY:

On March 15, 2022, the City of Duncanville Council awarded a 3-year contract to Brightview Landscape Services for citywide landscape maintenance as the primary contractor. At the same time, the Council also approved a secondary service provider, Good Earth, in the event the primary contractor could not fulfill the contract. By June 13, 2022, a formal cure notice was issued to Brightview Landscape Services due to continuing lag in meeting expectations, and a meeting was held on June 21 to discuss their issues and how the City could assist them. Based on Brightview's reports of running at a financial loss due to high inflation and labor costs, the City obliged an 8.4% contract price increase based on the Consumer Price Index. Performance improved marginally until the heat of the summer months slowed vegetative growth, at which point they were able to complete their required cycles in a timely manner.

Since the beginning of the 2023 mowing season, Brightview has not been meeting performance expectations. On March 10, 2023, Brightview submitted to the City a request to discuss an opportunity to pay the City a sum that would allow the company to be released from the contract without invoking their performance bond. Consequently, the City held a meeting with the secondary contractor, who agreed to take over the landscape services at their own bid rates. The secondary contractor's bid rates are higher than Brightview's rates. The City and Brightview mutually agreed on April 17, 2023, that Brightview may be released from the contract for convenience and not invoke the performance bond on the conditions that:

1. Brightview pays to the City the variance of the rates for the remainder of the year in the amount of Ninety-eight thousand, eight hundred and ninety-four dollars and eighty-nine cents (\$98,894.89).
2. Brightview continues to satisfactorily provide the services until May 7, 2023.

The secondary contractor, Good Earth, will assume landscape maintenance services on May 8, 2023, as approved by the City Council on March 15, 2022.

POLICY EXPLANATION:

The contract within Brightview's bid submittal includes the following termination clause:

21.0 Termination. The performance of work or purchase of goods under this order may be terminated in whole or in part by the Buyer, with or without cause, at any time upon delivery to Seller of a written "Notice of Termination" specifying the extent to which performance of work or the goods to be purchased under the order is terminated and the date upon which such termination becomes effective. Such right of termination is in addition to and not in lieu of any other termination rights of Buyer as set forth herein.

By mutual agreement with Brightview Landscape Service, Inc., staff recommends that the City Council terminates the landscape maintenance services contract awarded to Brightview Landscape Services, Inc. to include all City facilities, parks, medians, properties, and rights-of-way.

FUNDING SOURCE:**ORG and Object Number**

01044600-700661

Available Budget

N/A

Purchase Amount

N/A

After Encumber

N/A

ACTION ALTERNATIVES:

1. Approve terminating Contract No. 3220116 with Brightview Landscape Services, Inc. for landscape services.
2. Do not approve terminating Contract No. 3220116 with Brightview Landscape Services, Inc. for landscape services.
3. Other actions as directed by Council.

ATTACHMENTS:

[20230428-Duncanville. RESO 2023-33 authorizing Brightview Contract Termination-134796](#)

RESOLUTION NO. 2023-33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, TERMINATING CONTRACT NO. 3220116 WITH BRIGHTVIEW LANDSCAPE SERVICES, INC. FOR LANDSCAPE SERVICES PURSUANT TO SECTION C, CLAUSE 21.0 OF THE CONTRACT, TERMINATION, AUTHORIZING THE INTERIM CITY MANAGER TO TAKE NECESSARY ACTION; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Duncanville entered into a 3-year contract on March 15, 2022 for landscape maintenance services with Brightview Landscape Services, Inc.; and

WHEREAS, Brightview Landscape Services has shown the inability to provide adequate maintenance services as stated within the contract; and

WHEREAS, on March 10, 2023, Brightview Landscape Services, Inc. submitted a letter to the City seeking an exit from the contract for consideration of a lump sum payment; and

WHEREAS, on April 17, 2023, the City and Brightview Landscape Services, Inc. mutually agreed to terminate the contract for convenience and not invoke the performance bond based on conditions that Brightview pay to the City a sum of \$98,894.89 and continue services until May 7, 2023; and

WHEREAS, the secondary provider of landscape maintenance services, Good Earth, approved by the City Council on March 15, 2022 will hereby be the sole provider of services beginning May 8, 2023.

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

SECTION 1. That the Interim City Manager shall be authorized to terminate Contract No. 3220116 with Brightview Landscape Services, Inc. pursuant to Section C, Clause 21.0 of said Contract, Termination based on the terms and conditions as recited in this Resolution and as provided herein.

SECTION 2. This resolution shall become effective May 7, 2023.

DULY RESOLVED AND ADOPTED by the City Council of the City of Duncanville,
Texas, on the 2nd day of May, 2023.

APPROVED:

Barry L. Gordon, Mayor

ATTEST:

Janie Willman, City Secretary

APPROVED AS TO FORM:

Robert E. Hager, City Attorney
TM 134796



STAFF REPORT

MEETING: City Council - 02 May 2023

TITLE:

Consider a Resolution authorizing the receipt of a grant from the Edward Byrne Memorial Justice Assistance Grant Program (JAG), to provide funding for the Police Department to purchase a modular vehicle barrier system, with a total grant value of \$63,689.54.

Vision Statement:

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

Pillar:

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

STAFF RESPONSIBLE:

Mark LiVigni, Chief of Police
Rebekah Hendrick, Lieutenant

BACKGROUND/HISTORY:

In an effort to protect the public during festivals, the police department must block certain streets. The modular vehicle barrier systems help to protect cars from driving into a public crowd. The City of Duncanville hosts two large-scale parades: the annual 4th of July parade and the annual Christmas Parade. These parades travel down large thoroughfares with citizens located on each side of the major roadways. The city also hosts several large-scale events where major roadways are closed for pedestrian traffic. These events are considered “soft targets” for any potential attack. The purchase of a Modular Vehicle Barrier System will allow the Duncanville Police Department to minimize vehicle ramming attacks by providing a physical barrier across all lanes of traffic. The Barrier System is a modular device that can be modified to fit multiple lanes of traffic and deny vehicle access to specific areas.

This grant is a reimbursable grant totaling \$63,689.54; thereby this item will be a budget revision to be approved by City Council at a later date.

POLICY EXPLANATION:

The Duncanville Police Department provides security for all large-scale city events, including parades, monthly vendor shows requiring traffic lane closures, and the annual Christmas Tree Lighting event.

We currently utilize several city vehicles to provide blocking barricades and this requires personnel to be taken away from other duties to man the blocking vehicles. The Modular Vehicle Barrier System can be easily set up by one person without requiring specialized training. This will allow our organization to utilize our workforce more efficiently. The use of a Modular Vehicle Barrier System will help increase the security of our large-scale events and will aid in our prevention tactics and help provide security for our citizens and community.

FUNDING SOURCE:

ORG and Object Number

013-508201-JDJAG

Available Budget

\$0.00

Purchase Amount

\$63,689.54

After Encumber

\$0.00

ACTION ALTERNATIVES:

1. Approve the resolution to accept the grant.
2. Do not approve the resolution to accept the grant.
3. Other actions as directed by Council.

ATTACHMENTS:

[Attachment 1 - Resolution No. - 2023-024 - Edward Byrne Memorial Justice Assistance Grant Program \(JAG - Grant Number 4538401\)](#)

RESOLUTION NO. 2023-024

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM (JAG – GRANT NUMBER 4538401) IN THE AMOUNT OF \$63,689.54, TO PROVIDE FUNDING FOR THE POLICE DEPARTMENT, TO PURCHASE A MODULAR VEHICLE BARRIER SYSTEM; AND AUTHORIZING THE CITY MANAGER AS THE AUTHORIZED OFFICIAL TO EXECUTE ALL DOCUMENTS IN REGARD TO THE REQUESTED FUNDS, WHICH INCLUDES THE AUTHORIZATION TO APPLY FOR, ACCEPT, REJECT, ALTER OR TERMINATE THE GRANT.

WHEREAS, the City Council for the City of Duncanville finds it in the best interest of the citizens of the City of Duncanville that the Edward Byrne Memorial Justice Assistance Grant Program be operated for the Fiscal Year 2023; and

WHEREAS, the City Council for the City of Duncanville agrees that in the event of loss or misuse of the U.S. Department of Justice funds, the City Council assures that the funds will be returned to the U.S. Department of Justice in full; and

WHEREAS, the City Council for the City of Duncanville wishes to designate the City Manager as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

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

SECTION 1. That the City Council for the City of Duncanville authorizes the City Manager or designee to submit an application and accept the U.S. Department of Justice award to purchase a modular vehicle barrier system for the police department in the amount of \$63,689.54.

SECTION 2. That the City Council for the City of Duncanville assures the awarded funds will be returned to the U.S. Department of Justice, in full in the event of loss or misuse of the U.S. Department of Justice funds from such grant.

SECTION 3. That the City Council for the City of Duncanville authorizes the City Manager, as the authorized official, to execute all documents in regard to the request and grant funds, which includes the authorization to apply for, accept, reject, alter or terminate the grant.

SECTION 4. That the City Council for the City of Duncanville agrees and directs the City of Duncanville will comply with other rules set by the U.S. Department of Justice applicable to said grant.

DULY RESOLVED AND ADOPTED by the City Council of the City of Duncanville, Texas, on the 2nd day of May, 2023.

APPROVED:

Barry L. Gordon, Mayor

ATTEST:

Janie Willman, City Secretary

APPROVED AS TO FORM:

Robert E. Hager, City Attorney



STAFF REPORT

MEETING: City Council - 02 May 2023

TITLE:

Consider a resolution approving the Star Transit Interlocal Cooperative Agreement between Star Transit and the City of Duncanville, Texas.

Vision Statement:

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

Pillar:

- **Promote: Innovative Ideas for Development and Re-development**
 - **Pursue a diverse and robust economy through various business, housing, and employment opportunities that encourage forward-thinking community and economic development.**

STAFF RESPONSIBLE:

Agustin "Gus" Garcia, CEcD, EDFP; Managing Director of Development Services

BACKGROUND/HISTORY:

Based on the North Central Texas Council of Government's Southern Dallas County Transit Study, we would like to implement a transportation program in Duncanville to include affordable and accessible transit options for the general public focusing on seniors and those with disabilities while also providing connections to employment hubs in the region. The total cost of service per year is \$312,000, of that \$249,600 is grant funding from NCTCOG at 80% reimbursement. The City is responsible for \$62,400 which is a local match contribution of 20%, of which an estimated \$31,200 is to be paid by the City in FY23 if the services start in June 2023. Economic Development is requesting the approval of the Star Transit Interlocal Cooperative Agreement as well as a FY23 Budget Line-Item Request for an additional allocation in the amount of \$31,200 for the City's 20% contribution cost for the Star Transit Interlocal Cooperative Agreement.

POLICY EXPLANATION:

The Star Transit Interlocal Cooperative Agreement was approved by the DCEDC on August 29th, for a funding commitment totaling \$31,200 in FY23. The Agreement requires final approval by the City Council.

FUNDING SOURCE:

ORG and Object Number

12051000 and 708501

Available Budget

\$2,132,000.00

Purchase Amount

\$31,200.00

After Encumber

\$2,100,800.00

ACTION ALTERNATIVES:

1. Approve the Star Transit Interlocal Cooperative Agreement.
2. Do not approve the Star Transit Interlocal Cooperative Agreement.
3. Other actions as directed by Council.

ATTACHMENTS:

[Resolution No. - 2023-029 - Interlocal Cooperative Agreement with Star Transit - Pdf](#)

RESOLUTION NO. 2023-029

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF THE STAR TRANSIT INTERLOCAL COOPERATIVE AGREEMENT BETWEEN STAR TRANSIT AND THE CITY OF DUNCANVILLE, TEXAS, ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT "A"; TO PROVIDE PUBLIC TRANSPORTATION SERVICES TO THE CITIZENS OF DUNCANVILLE FROM JUNE 1, 2023 THROUGH SEPTEMBER 30, 2024 FOR A COST NOT TO EXCEED \$31,200 IN FY23, WHICH IS A PORTION OF THE CITY'S 20% CONTRIBUTION TO THE AGREEMENT TOTAL AMOUNT OF \$62,400; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Duncanville has requested Star Transit provide services and is authorized to execute this Agreement with Star Transit for the purpose of providing for the operation and management of public transportation services as specified; and

WHEREAS, Star Transit, its officers and supervisory employees are trained and experienced in the operation and management of public transportation and is authorized to execute this Agreement with the City of Duncanville, Texas for the purpose of providing services as specified herein; and

WHEREAS, the Agreement is made pursuant to and under the authority of the Interlocal Cooperation Act of 1971, as amended, and codified in Chapter 791 of the Texas Government Code; and

WHEREAS, the DCEDC Board of Directors voted to affirmatively approve the terms and conditions of the Star Transit Interlocal Cooperative Agreement with a commitment cost that shall not exceed \$31,200 in FY23; and

WHEREAS, the purpose of this Agreement is to provide a variety of public transit services to the benefit of residents and businesses in the City of Duncanville, Texas.

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

SECTION 1. The City of Duncanville, Texas, hereby approves the terms and conditions of the Star Transit Interlocal Development Agreement between Star Transit and the City of Duncanville, Texas. attached hereto and incorporated herein as Exhibit "A"; to provide public transportation services from June 1, 2023, through September 30th,

2024, for a cost not to exceed \$31,200 in FY23, which is a portion of the City's 20% contribution to the agreement total amount of \$62,400.

SECTION 2. The City Manager is hereby authorized to execute the necessary documents to conform this resolution as appropriate after approval as to form by the City Attorney.

SECTION 3. This Resolution shall be effective upon its passage.

DULY RESOLVED AND ADOPTED by the City Council of the City of Duncanville,
Texas, on the 2nd day of May, 2023.

APPROVED:

Barry L. Gordon, Mayor

ATTEST:

Janie Willman, City Secretary

APPROVED AS TO FORM:

Robert E. Hager, City Attorney

EXHIBIT "A"
INTERLOCAL COOPERATIVE AGREEMENT
BETWEEN
STAR TRANSIT AND DUNCANVILLE, TEXAS

This Interlocal Cooperative Agreement ("Agreement") is between STAR Transit ("STAR Transit") and Duncanville, Texas ("CITY"), each organized and existing under the laws of the State of Texas, and acting by, through and under the authority of their respective governing bodies. STAR Transit and the CITY may each be referred to as a "Party" to this Agreement and may be collectively referred to as "Parties" in this Agreement.

WITNESSETH

WHEREAS, STAR Transit is a Rural Transit District established pursuant to the authority of Chapter 458, Texas Transportation Code, as amended, with its headquarters in Terrell, Texas, and currently provides transit services within several area jurisdictions; and

WHEREAS, the CITY is a local government entity of the State of Texas; and

WHEREAS, the CITY has requested STAR Transit provide services and is authorized to execute this Agreement with STAR Transit for the purpose of providing for the operation and management of public transportation services for the benefit of the citizens of the CITY; and

WHEREAS, STAR Transit, its officers and supervisory employees are trained and experienced in the operation and management of public transportation and is authorized to execute this Agreement with the CITY for the purpose of providing services as specified herein; and

WHEREAS, the Agreement is made pursuant to and under the authority of the Interlocal Cooperation Act of 1971, as amended, and codified in Chapter 791 of the Texas Government Code (the "Act"); and

WHEREAS, STAR Transit and the CITY are local governments as defined in §791.003 of the Act, and each are empowered by §791.011 of the Act to contract with each other to provide governmental functions and services including public and elderly transportation; and

WHEREAS, STAR Transit publishes an annual cost of service letter with its operating cost schedule no later than June 1 each year and utilizes an hourly rate to adjust amounts payable by its local partners, including CITY, each year; and,

WHEREAS, the purpose of this Agreement is to provide a variety of public transit services to the benefit of residents and businesses in the CITY, the "Public Transit Services".

EXHIBIT "A"

WHEREAS, the CITY in its governmental capacity desires to provide this transit service through another governmental entity to its citizens;

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

ARTICLE I

Incorporation of Recitals

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

ARTICLE II

Term

This Agreement shall be effective upon execution by both Parties and the Initial Term shall begin on _____ and end on September 30, 2024. If not otherwise terminated in accordance with the termination provisions of Article V of this Agreement, this Agreement extends for subsequent twelve (12) month periods starting on the first (1st) day of October each year.

ARTICLE III

Rights, Duties and Responsibilities of STAR Transit

- 3.1 Board of Directors. STAR Transit is designated to supervise the performance of this Agreement and to operate the Public Transit Service within the CITY's jurisdictions and subdivisions. Such operations shall be overseen solely by the STAR Transit Board of Directors. STAR Transit shall be responsible for the safe, efficient, and effective operation of all services provided.
- 3.2 Management Scope. STAR Transit agrees to manage, supervise, and operate the Public Transit Services in an efficient and economical manner. STAR Transit shall operate all properties, equipment, facilities, routes, and services now or hereafter existing for the purposes of this Agreement. STAR Transit shall provide full and complete management services for the Public Transit Service and any specific duties and obligations set forth shall not be construed as limitations. STAR Transit shall perform the active direction of the Public Transit Services, including transportation, maintenance, schedule preparation, dispatching, communications, accounting, public relations, and

EXHIBIT "A"

safety. All such services may be provided at the principal office of STAR Transit in Terrell, Texas or at such other place, or places as STAR Transit shall determine.

- 3.3 Administrative Functions. STAR Transit shall administer all properties, equipment, buses, vehicles, facilities, maintenance, gasoline, repairs, replacements, services, expenditures, and resources necessary for safe, efficient, and effective operations. STAR Transit shall employ, train, furnish, and supervise the personnel necessary for the operation of the Public Transit Services. STAR Transit shall oversee all aspects of employment including employee recruiting, selection, training, wages and benefits. STAR Transit shall perform all aspects of general administrative oversight including technical guidance, payroll, accounts payable, purchasing, contracting, finance and other administration necessary for the proper operation of the system.
- 3.4 Transit Vehicle Operators. Every vehicle providing Public Transit Service under this Agreement shall be operated by an operator duly licensed by the State of Texas to operate vehicles of the type and size being operated by such operator and such operator shall be appropriately dressed in a uniform selected by STAR Transit.
- 3.5 Routes, Schedules, Fares. The Public Transit Services shall be operated with routes and schedule established by STAR Transit with input from CITY. In no case shall the Public Transit Services operate on a Saturday, Sunday, regular annual holidays as designated by the STAR Transit Board of Directors, or days on which STAR Transit deem conditions are unsafe or otherwise inappropriate for service in accordance with Section 7.4. STAR Transit shall have authority to make modifications to any routes without the necessity of obtaining CITY approval. In no case shall the Public Transit Services require a service beginning prior to 5:00 AM or ending after 9:00 PM. Fares for riders shall be established by the STAR Transit Board of Directors and such fares shall be consistent throughout the STAR Transit system.
- 3.6 Transit Vehicles. STAR Transit shall use only such vehicles as are appropriate to provide the Public Transit Service. All vehicles shall be fully compliant with the Americans with Disabilities Act of 1990, U.S. Code §12101, et. seq., as amended and relevant regulations applicable thereto, licensed for passenger operations by the State of Texas and equipped with a two-way communication system. STAR Transit shall provide or cause to be provided all mechanical and other repairs, maintenance, and upkeep necessary to maintain vehicles in good working order and in a clean, sanitary and safe condition.
- 3.7 Operating Cost Charge to CITY. STAR Transit shall charge for services and CITY agrees to compensate STAR Transit for services based on the following:
 - A. Service Days: Service up to five (5) days per week, Monday through Friday; set and calculated as two hundred fifty (250) service days each Fiscal Year. This number of Service Days shall be charged each Fiscal Year regardless of actual calendar service days or events as noted in Section 7.4. This number of charged Service

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EXHIBIT "A"

Days may be adjusted only by Amendment to the Contract duly approved by CITY and the STAR Transit Board of Directors.

- B. Daily Hours: A total of twenty (20) hours of in-service time including pre- and post-trip time on average each operating day. Average Daily Hours may be adjusted, in writing, by mutual agreement of the parties, no more often than once per every one hundred and twenty (120) calendar days.
- C. Hourly Cost: The average cost per hour shall be charged at the current STAR Transit Public Transit Hourly Rate, currently Fifty-Two Dollars and Zero Cents (\$52.00). The STAR Transit Board of Directors shall publish an annual cost of service letter with its upcoming annual operating cost schedule no later than the first (1st) day of June each year and utilize that hourly rate to adjust amounts payable by CITY.
- D. Annual Operating Cost. After the Initial Term, each Fiscal Year, the annual operating cost shall be recalculated by multiplying Service Days (Line A) by Daily Hours (Line B) and by Hourly Cost (Line C).
- E. Operating Off-Sets. STAR Transit expects a net eighty percent (80%) operating cost subsidy for years 1 and 2 on the Public Transit Service from a Federal 5310 grant source. Subsequent years are expected to have a net sixty percent (60%) operating cost subsidy from Federal formula funding grants. So long as such subsidy is in place, it shall be used as an off-set to reduce the Annual Operating Cost charged to CITY. The Operating Off-Set may be adjusted as part of the annual Cost of Service notification.
- F. Monthly Charge to CITY. The Monthly Charge to CITY shall be the Annual Operating Cost (Line E) multiplied by any Operating Off-Set (Line F) divided by twelve (12). Payment for all services shall be due fifteen (15) days in advance of service. For the Initial Term, the monthly charge is calculated at four thousand three hundred thirty-three dollars and thirty-three cents (\$4,333.33). STAR Transit shall invoice CITY for each service month no earlier than forty-five (45) days prior to each service month.
- G. Subsequent Fiscal Years. Following the Initial Term, the monthly charge to CITY shall be recalculated by STAR Transit with the identical methodology utilizing any updated parameters. This calculation and the resulting monthly rate will be provided by STAR Transit in writing to CITY prior to the first (1st) day of June each year. In addition, any cost savings due to a reduction in the hourly cost of service occurring between Fiscal Year 2023 and Fiscal Year 2024 shall be passed on to CITY.
- H. Additional Services. Any month in which the CITY requests average daily hours for non-holiday weekdays exceeding the average daily hours established in Section 3.7 (B) shall be a month in which STAR Transit shall increase the monthly charge in the next available billing cycle by the total number of increased hours (or partial hours) of service multiplied by the current charter rate as established by the STAR Transit Board of Directors. Any other special services requested by CITY and scheduled by STAR Transit, which is not covered under the specific monthly service terms of this Agreement, or under subsequent duly approved Amendments or modifications, shall be billed to CITY on the next available invoice by STAR Transit at the current charter rate as established by the STAR Transit Board of Directors.
- I. Start Up Provisions. As a condition of implementing new services in CITY, STAR Transit shall invoice CITY an additional seventeen thousand three hundred thirty-three dollars and thirty-three cents (\$17,333.33) to be invoiced separately prior to initiating services. Both parties agree that billing shall begin at the regular monthly

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EXHIBIT "A"

amount with the first monthly invoice sent to CITY in May of 2023 for services to be phased in beginning on the first (1st) day of TBD, 2023.

J. Operational Control. All operational control of the services provided herein shall remain and be under the sole control of STAR Transit.

- 3.8 Capital Cost Charge to CITY. STAR Transit represents that for the first three (3) Fiscal Years of operation, no additional vehicle acquisition or replacement cost or other capital expense item will be required from CITY. After the first three (3) full Fiscal Years, if a new vehicle, vehicles, or other capital assets are needed and Regional, State, or Federal sources do not fully fund a suitable replacement vehicle, vehicles or other capital items in a timely manner, STAR Transit shall provide written notification of capital costs to CITY no later than the first (1st) day of June for capital costs to be due the following Fiscal Year.
- 3.9 Marketing. STAR Transit will provide the CITY with service information for posting on the CITY Website and advertise the services on the STAR Transit website. STAR Transit will include the CITY EDC logo and/or name in marketing materials, where appropriate. Could include signage inside and/or outside of vehicles, print ads and press releases promoting the Public Transit Service. As part of its regular outreach programs, STAR Transit will market the Public Transit Service in a variety of media and locations likely to attract potential riders. STAR Transit shall maintain rights to final approval of all marketing materials.
- 3.10 Reporting. STAR Transit will provide the CITY a monthly summary of ridership data within thirty (30) days after the last day of the preceding month, an annual summary of ridership after the end of the STAR Transit Fiscal Year, a copy of the adopted Annual Budget, and a copy of the approved annual audit.
- 3.11 Contract Management. STAR Transit will pursue and apply for grant funding opportunities which may be applicable to and beneficial to the Agreement. STAR Transit will be responsible for complying with the obligations and responsibilities under all grants and all accompanying certifications, assurances, and agreements made or given by the Federal Transit Administration, Texas Department of Transportation, or any other applicable entity. STAR Transit will be responsible for complying with all applicable laws, rules, regulations and guidelines associated with STAR Transit services. STAR Transit will provide any documents needed to support Federal, State, or Regional grant administration or other data or audit requirements to the appropriate entity in a timely manner. Grant funding shall be used to offset monthly charges to the CITY if applicable to service provided within the CITY.
- 3.12 Permits. STAR Transit shall secure or cause to be secured, at its cost and expense, all permits and other governmental authorizations, which may be required to fulfill this Agreement.

EXHIBIT "A"

ARTICLE IV

Rights, Duties and Responsibilities of the CITY

- 4.1 Payment for Service. CITY shall pay all invoices provided by STAR Transit under this Agreement within thirty (30) days of receipt. Such payments shall constitute a current expense of the CITY and shall not in any way be considered or construed to be a debt of the CITY's in contravention of any constitutional, statutory, or charter provision. Any CITY paying for STAR Transit's services must make those payments with current revenues available and the CITY hereby affirms that funds to pay said payments to STAR Transit are available for the current Fiscal Year.
- 4.2 Parking. Permit STAR Transit to access, park, and store vehicles, as necessary, at a facility designated by the CITY.
- 4.3 Promotions. The CITY shall promote service provided by this Agreement through CITY municipal resident water bill, CITY Social Media Outlets, News Releases, CITY Website and additional promotional opportunities that become available during the duration of the Agreement. The CITY shall facilitate, as needed and within CITY budget constraints, the efforts of STAR Transit to market the services. CITY shall make all CITY generated marketing materials available for review and approval by STAR Transit.

ARTICLE V

Termination

- 5.1 Program Conclusion. During the initial term, but no later than July 31, 2024, either party may provide written notice of termination to be effective on September 30, 2024. During subsequent twelve (12) month terms, either party may provide written notice of termination no later than July 30 for the following operating year commencing on the first (1st) day of October.
- 5.2 Mutual Agreement. This Agreement may be terminated immediately at any time by a written agreement signed by both Parties setting forth the agreed termination date.
- 5.3 Termination due to Default. Termination due to Default must be preceded by (1) written notice stating specific provision violated in this Agreement, (2) a thirty (30) day period for cure and (3) a second notice of failure to cure and final termination. A Party shall be in default of this Agreement if such Party fails to timely keep or perform any term, provision, covenant, or condition to be kept or performed by such Party under the terms of this Agreement and/or any other agreement now or hereafter existing between the Parties and such failure continues for thirty (30) days after written notice by the non-defaulting Party to the defaulting Party (a "Default"). Upon the occurrence of

EXHIBIT "A"

a Default, the non-defaulting Party shall have the right to terminate this Agreement by written notice to the defaulting Party and shall further have the right to exercise any and/or all other rights and/or remedies available to such Party at common law, by statute, in equity or otherwise pursuant to the laws of the State of Texas. In addition, CITY may terminate due to default if performance standards are not met or if CITY deems the operation of the service by STAR Transit is unreliable, unsafe or of poor quality.

- 5.4 Termination by Operation or Breach of Law. In the performance of this agreement, STAR Transit shall comply with all state, federal and local laws, regulations and standards. If the purpose or intent of this agreement is prevented or is contrary to any other law, including but not limited to section 458.012, Texas Transportation Code, this agreement shall be deemed null and void and of no force and effect. If the operation of the service by STAR Transit is in violation of any law or regulation that does not frustrate the purpose or intent of this agreement, or if repeated violations occur, the CITY may terminate the service immediately upon notice. Any pre-paid amounts for monthly service shall be immediately refunded to CITY.

ARTICLE VI

Responsible Party Provisions

- 6.1 Legal Liability. As a designated political subdivision, STAR Transit is a "governmental unit" as that term is defined in Chapter 101 of the Texas Civil Practice and Remedies Code. Therefore, the extent of STAR Transit's liability for actions arising out of the operation of a public transportation system shall be governed by Chapter 101 of the Texas Civil Practice and Remedies Code.
- 6.2 Limitation of Liability. To the extent authorized by the Constitution and laws of the State of Texas, the Parties agree that each Party shall be responsible for its own acts and omissions and the acts and omissions of its agents, representatives and employees in the performance of this Agreement. It is expressly understood and agreed by the Parties that neither Party shall be held liable for the acts or omissions of the other Party or for the acts or omissions of the other Party's agents, representatives, or employees in the performance of this Agreement. To the extent allowed by law, both parties shall hold harmless, indemnify and defend the other from and against any claims, damages, losses or liability of any character, type, or description, including all expenses of litigation, court costs, and attorney's fees, for injury or death to any person, injury or loss to any property, or economic loss, received or sustained by any person or persons, or property, directly or indirectly arising out of, or occasioned by the acts, omissions or conduct of the indemnifying party, without waiving the party's governmental, sovereign or other immunities or defenses available under Texas law and without waiving any defenses of the parties under Texas law.
- 6.3 Insurance. STAR Transit shall maintain its own insurance in sufficient amounts to cover any occurrence or claim related to its responsibilities in delivering the Public Transit Services.

EXHIBIT "A"

- 6.4 Immunity. In the execution and performance of this Agreement, the Parties do not waive, and neither Party shall be deemed to have waived, any immunity or defense that would otherwise be available to each Party as a local governmental entity and/or political subdivision of the State of Texas. Nothing in this Agreement shall be deemed or construed to create any right or interest in any person not a party to this Agreement, and there are no third-party beneficiaries hereof.
- 6.5 Survival. All provisions of this Article shall expressly survive the termination of this Agreement.

Article VII
Miscellaneous

- 7.1 Captions. The descriptive captions of this Agreement are for convenience of reference only and shall in no way define, describe, limit, expand or affect the scope, terms, conditions, or intent of this Agreement.
- 7.2 Compliance with Laws. STAR Transit and its officers, agents and employees shall comply with all applicable federal, state and local health, safety, disability, environmental and other laws, ordinances, rules and regulations in the performance of the Public Transit Service.
- 7.3 Powers. STAR Transit has all the powers of CITY necessary to operate its services. By way of illustration, but not for limitation, STAR Transit has the power to contract, to acquire and own real and personal property, and to accept and expend funds from government, legal entities and individuals. STAR Transit does not have the power to tax, to obligate CITY, to assess CITY, or to adopt ordinances or laws.
- 7.4 Force Majeure. STAR Transit shall not be liable to CITY for any failure, delay, interruption of service caused by acts of God, fire, snow, ice, flooding, tornado, utility outages, riots, civil commotion, labor disruptions, sabotage, sovereign conduct, acts of terror, or any other cause beyond the reasonable control of STAR Transit and not attributable to any neglect or negligence on the part of STAR Transit. In the event of such occurrence, the time for performance of such services shall be suspended until such time that such inability to perform shall be removed. STAR Transit shall make all reasonable efforts to mitigate the effects of any such suspension or interruption of service and CITY shall not be entitled to any compensation for any such event.
- 7.5 Severability. The sections, paragraphs, sentences, clauses, and phrases of this Agreement are severable and, if any phrase, clause, sentence, paragraph, or section of this Agreement should be declared invalid, illegal, or unenforceable by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect the validity or enforceability of any of the remaining phrases, clauses, sentences, paragraphs, and sections of this

EXHIBIT "A"

Agreement and such remaining provisions shall remain in full force and effect and shall be construed and enforced as if the invalid provision had never been included in the Agreement.

- 7.6 Notices. Any notice required or permitted to be given under the terms of this Agreement shall be in writing and shall be considered properly given if mailed by United States mail, certified mail, return receipt requested, in a postage paid envelope addressed to the Party at the address set forth below, or by delivering same in person to the intended addressee by hand delivery or by a nationally recognized courier service such as Federal Express or United Parcel Service. Notices mailed by certified mail as set forth above shall be effective upon deposit in the United States mail. Notice given in any other manner shall be effective only if and when received by the addressee. For purposes of notice, the addresses of the Parties shall be as set forth below; provided, however, that any Party shall have the right to change such Party's address for notice purposes by giving the other Party at least thirty (30) days prior written notice of such change of address in the manner set forth herein:

STAR Transit: Executive Director
STAR Transit
P.O. Box 703
Terrell, TX 75160

CITY: City Manager
City of Duncanville
203 E Wheatland Rd
Duncanville, TX, 75116

- 7.7 Entire Agreement. This Agreement, together with all attachments hereto, sets forth the entire Agreement between the Parties with respect to the subject matter hereof, and all prior discussions, representations, proposals, offers, and oral or written communications of any nature are entirely superseded hereby and extinguished by the execution of this Agreement.
- 7.8 Modification. This Agreement may only be revised, modified, or amended by a written document signed by STAR Transit and the CITY. Oral revisions, modification, or amendments are not permitted.
- 7.9 Waiver. All waivers, to be effective, must be in writing and signed by the waiving party. No failure by either Party to insist upon the strict or timely performance of any covenant, duty, agreement, term, or condition of this Agreement shall constitute a waiver of any such covenant, duty, agreement, term, or condition. No delay or omission in the exercise of any right or remedy accruing to either Party upon a breach of this Agreement shall impair such right or remedy or be construed as a waiver of any such breach or a waiver of any breach theretofore or thereafter occurring.
- 7.10 Authority. Each Party represents and warrants to the other that this Agreement has been authorized by the governing body of such Party and that each such Party has the full power and authority to enter into and fulfill its obligations under this Agreement. Each person signing this Agreement represents that such person has the authority to sign this Agreement on behalf of the Party indicated.

EXHIBIT "A"

- 7.11 Assignment. This Agreement shall not be assigned or transferred by either Party without prior written consent of the other Party, which consent shall not be unreasonably withheld.
- 7.12 Independence. The Parties are acting herein as independent contractors and independent employers. Nothing herein shall create or be construed as creating a partnership, joint venture or agency relationship between any of the Parties and no Party shall have the authority to bind the other in any respect. Nothing in this Agreement prevents STAR Transit from pursue contracting opportunities to provide any services with other public and private entities within the CITY or outside the CITY.
- 7.13 Governing Law. The laws of the State of Texas shall govern this Agreement, and venue for any action concerning this Agreement shall be in the State District Court of Dallas County, Texas. The Parties submit to the personal and subject matter jurisdiction of said court.
- 7.14 Effective Date. This Agreement shall not be effective unless and until it is executed by both STAR Transit and the CITY. "Effective Date" as used herein shall mean the later of the two dates this Agreement is executed by STAR Transit and the CITY.

EXECUTED this ____ day of _____, 2023.

City of Duncanville, Texas

By: _____
 , City Manager

Approved as to form:

By: _____
 , City Attorney

EXECUTED this ____ day of _____, 2023.

STAR Transit

Page 13 of 14

By: _____

EXHIBIT "A"

Name: _____

Title: _____



STAFF REPORT

MEETING: City Council - 02 May 2023

TITLE:

Conduct a public hearing for consideration and action regarding the request of Hani Elkady, applicant, representing CWS Real Property Holdings LLC, owner, to include a Specific Use Permit "SUP" for Auto Repair and Services, Minor (No Outside Storage) and adopt an ordinance to amend the Comprehensive Zoning Ordinance and map on Candlelight Estates 3rd Inst, Block L, PT Lot 1, ACS .422, more commonly known as 419 East Daniieldale Road, in the City of Duncanville, Dallas County, Texas.

Vision Statement:

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

Pillar:

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

STAFF RESPONSIBLE:

Nathan Warren, Senior Planner

BACKGROUND/HISTORY:

Comprehensive Plan

The Future Land Use Plan Map shows the subject property being located within Opportunity Area 9, Main Street District. The Plan envisions the Area as a mixed-use activity hub, but more auto-oriented and serving two primary purposes: High quality commercial, particularly restaurants, to capitalize on the Fieldhouse, and to develop a hub of community activity like the Downtown District, but smaller in scale and more oriented towards neighborhoods than region, specifically neighborhood and boutique retail/commercial, through the rest of the Main Street District.

The Plan goes further on to list strategies that will help achieve the vision for the Main Street District such as transition to and from adjacent opportunity Areas with drip in scale from Downtown District, improve transition process of nonconforming properties, identify nonconforming properties and work with property owners to relocate or bring the property into compliance, and improve circulation and connectivity.

This request appears to be in line with the Comprehensive Plan's vision.

Project Scope

The property is currently zoned LOR, Local Office/Retail District. The subject property is currently occupied by an outdoor carwash with open drive through bays. The intended operation for this location is car care and maintenance. This covers a range of services including inspection, oil change, and minor car repairs in a clean environment. Customers will be able to wait for their cars in a clean, seated area. Professional standards of safety and security will be maintained by keeping the building and surrounding areas well-lit and ensuring surveillance cameras on the property at all hours. All employees will be professionally certified to maintain a high standard of service. Customers will be in and out of the location within 10 to 15 minutes.

Building Design and Improvements

There are significant design improvements proposed with this request.

Landscaping and Screening

Landscaping improvements are proposed in excess of the 20% landscaping requirement.

Signage

The site must comply with Chapter 16A Sign Guidelines of the Code of Ordinances regarding attached and freestanding signage.

Surrounding Land Use

The property to the north, west, and south is zoned LOR, Local Office/Retail District. The property to the east is zoned GOR, General Office/Retail District.

Zoning and Land Use

Section 6.05. (Specific Use Permits) of the Zoning Ordinance, states the in considering an application for a SUP, the Planning and Zoning Commission and the City Council shall consider that the proposed use is:

- consistent and compatible with the adjacent land use and zoning.
- consistent with the architecture and characteristics of the adjacent properties.
- may promote innovative use of modern development concepts, without having an adverse impact on adjacent properties.
- consistent with the goals and objectives of the City of Duncanville.
- an enhancement or improvement beyond the minimum standards set forth by the Zoning Ordinance.
- will not be detrimental to the general health, safety, and welfare of the community.
- would stabilize and improve property values within the City of Duncanville.
- would protect and enhance the city's attractiveness to residents, businesses, tourists, and visitors.
- would strengthen and help diversify the economy of the City of Duncanville.

Planning and Zoning Commission Action

On Monday, April 10, 2023 the Planning and Zoning Commission approved the item by a vote of 3 to 2 with a time limit of ten (10) years.

POLICY EXPLANATION:

Notification

Ten (10) notices were sent out for this public hearing. As of this writing, no responses have been received in favor or opposition to the request. Letters will be received until Tuesday, May 2, 2023, to fulfill legal requirements for a written formal protest to City Council.

FUNDING SOURCE:**ORG and Object Number**

N/A

Available Budget

\$0.00

Purchase Amount

\$0.00

After Encumber

\$0.00

ACTION ALTERNATIVES:

1. Adopt an ordinance approving the Specific Use Permit.
2. Do not approve the Specific Use Permit.
3. Other actions as directed by Council.

ATTACHMENTS:

[Attachment 1 - Legal Advertisement for Public Hearing](#)

[Attachment 2 - Area of Request Map](#)

[Attachment 3 - Zoning Change Application](#)

[Attachment 4 - Applicant Exhibits](#)

[Attachment 5 - Letter of Intent](#)

[Attachment 6 - Letters to Property Owners, 200' Buffer](#)

[Attachment 7 - List of Property Owners within 200'](#)

[Ordinance No. 2477](#)

ATTACHMENT 1

Advertise 1 time - By March 29

NOTICE OF A PUBLIC HEARING BEFORE THE
PLANNING AND ZONING COMMISSION AND CITY COUNCIL
ZONING FILE #2023-09

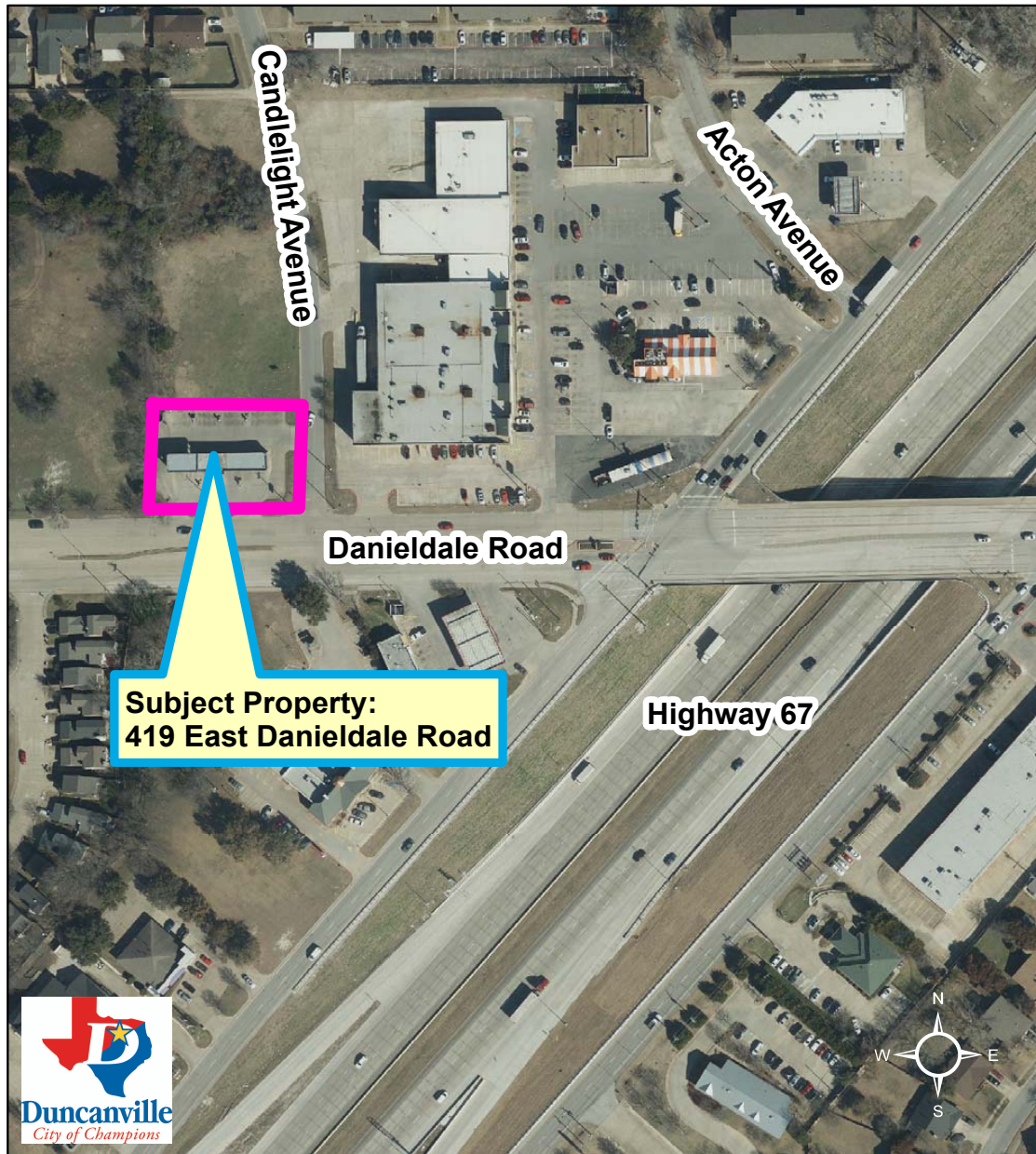
A public hearing will be held before the Planning and Zoning Commission on Monday, April 10, 2023, at 7:00 p.m., and before City Council on Tuesday, May 2, 2023, at 7:00 p.m., in the Council Chambers, City Hall, 203 E. Wheatland Rd, Duncanville, Texas, to hear a request of Hani Elkady, Applicant, for a Specific Use Permit to allow for the use of Auto Repair and Services, Minor (No Outside Storage), on Candlelight Estates 3rd Inst, Block L, PT Lot 1, ACS .422, more commonly known as 419 East Daniieldale Road, City of Duncanville, Dallas County, Texas.

As an interested citizen, you may appear at the public hearing or you may send a notice to either the City Secretary, Juanita Willman, or to Nathan Warren, Senior Planner, P.O. Box 380280, Duncanville, Texas, 75138-0280 stating your position.

CITY OF DUNCANVILLE
Juanita Willman
City Secretary

Nathan Warren,
Senior Planner

ATTACHMENT 2



**SUP Request for
Auto Repair and Services, Minor (No Outside Storage)
Zoning Case: 2023-09**

ATTACHMENT 3



Public Works Department
Planning Division
203 E Wheatland Road
P.O. Box 380280
Duncanville, TX 75138
(972) 780-5015

ZONING CHANGE APPLICATION

CONTACT INFORMATION

Applicant/ Agent Tarina Group Contact: Hani Alkady Elkady
☐ Engineer ☐ Architect ☐ Surveyor ☐ Owner ☒ Other
 Applicant/Agent Address: 3000 Blackburn St City: Dallas State: TX Zip: 75204
 Agent Email: Elkady422@aol.com Telephone: 2142137192 (Fax) _____
 Property Owner: CWS Real Property Holding LLC Contact: _____
 Owner Address 6317 Wakeland ct City: Ft Worth State: TX Zip: 76133
 Owner Email: _____ Telephone: _____ (Fax) _____

REQUIRED

PROPERTY INFORMATION

Property Address: 419 E. Danieldale rd , Duncanville, tx, 75137
 Legal Description of Property: Candlelight estates, 3rd inst blk 2 pt
 Lot No. 1 Block No. _____ Acreage: 0.422 Existing Zoning District: LOR

REQUIRED

REQUEST TYPE

☒ Specific Use Permit - Commercial
 For Auto Repair and services, minor
☐ Specific Use Permit - Residential
☐ Change in Zoning
 From _____ To _____

Planned Development (PD)
 Amend PD Approval
 Development Plan Approval
 Conceptual Plan Approval
 Alternative Compliance Request

REQUIRED

SUBMITTAL DOCUMENTS

ALL ZONING REQUESTS MUST CONTAIN THE FOLLOWING DOCUMENTATION

- ☐ Completed application
- ☐ Application fee
- ☐ Property survey, or site plan or electronic copy of the metes and bounds legal description Microsoft word format or plat
- ☐ Written description of request (associated variance requests require justification), business statement or business plan with detailed description of proposed operation
- ☐ Electronic copies of all submittals via email

REQUIRED



03.01.2023

April 2021

Acknowledgments

I understand that all required information and plans must be submitted with this application or the application be deemed incomplete.

I hereby authorize the placing of a sign on subject property indicating a zoning change is under consideration.

I understand the requirements of the zoning classifications as stated in the City of Duncanville Zoning Ordinance related to this request and will comply with all necessary requirements of the City codes. I am aware that the City Council has the power to zone land as most appropriate in their wisdom, to promote the health, safety, and morals and for the protection and preservation of places of historical or cultural importance, and the general welfare of the community.

I have read and understand this application and certify that all information and attachments are true and correct. I certify that I am the owner of the property involved in this request or have authorization to act as the owner's agent for the request described. Applicants (or a representative) are expected to be present at all public hearings concerning this application to justify and explain their request and to answer questions posed by the City Planning and Zoning Commission and City Council.

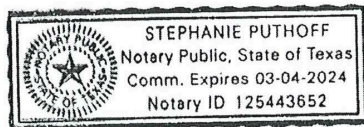
[Signature] 2/23/23
Signature of Current Property Owner Date

Notarization

BEFORE ME, STEPHANIE PUTHOFF, on this day personally appeared ERIC GONZALEZ, known to or proved to me on the oath of PERSONAL or through DL (description of identity card or other document) to be the person(s) whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 23rd day of FEB, 2023.

(Seal)



Notary Public in and for the State of Texas
My Commission Expires: 3/4/24

Following is to be completed only if a person other than the owner is submitting this application.

Owner Validation

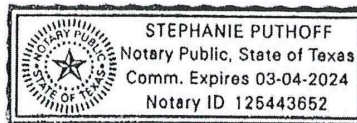
Applicant has permission to pursue a zoning change on the property located at
419 E DANIELS RD with the City of Duncanville.

[Signature] 2/23/24
 Signature of Owner/Agent Date

BEFORE ME, STEPHANIE PUTHOFF, on this day personally
 appeared ERIC GONZALEZ, known to or proved to me on the oath of
PERSONAL or through DL (description of identity card or
 other document) to be the person(s) whose name is subscribed to the foregoing instrument
 and acknowledged to me that he executed the same for the purposes and consideration
 therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 23rd day of FEB, 2023
 (SEAL)

[Signature]
 Notary Public in and for the State of Texas
 My Commission Expires: 3-4-24



SUBMITTAL CHECKLIST

Specific Use Permit - Commercial

Please check if applicable

YES N/A

- ☒ ☐ Written Letter with detailed description of proposed operation
- ☒ ☐ Site Plan
- ☒ ☐ Building Elevation and Signage Plan
- ☒ ☐ Landscape Plan
- ☐ ☐ Floor Plans
- ☐ ☐ Other _____

Specific Use Permit - Residential

Please check if applicable

YES N/A

- ☐ ☐ Written Letter of Intent with detailed description of request
- ☐ ☐ HOA approval letter (if applicable)
- ☐ ☐ Drawings, spec sheets, diagrams or other documents in electronic format (PDF)
- ☐ ☐ Letter from owner (if applicant is not owner) and/or approval letter from HOA (if applicable)
- ☐ ☐ Other _____

Planned Development

YES N/A

- ☐ ☐ Written Letter with detailed description of proposed development with proposed conditions
- ☐ ☐ Conceptual Plan

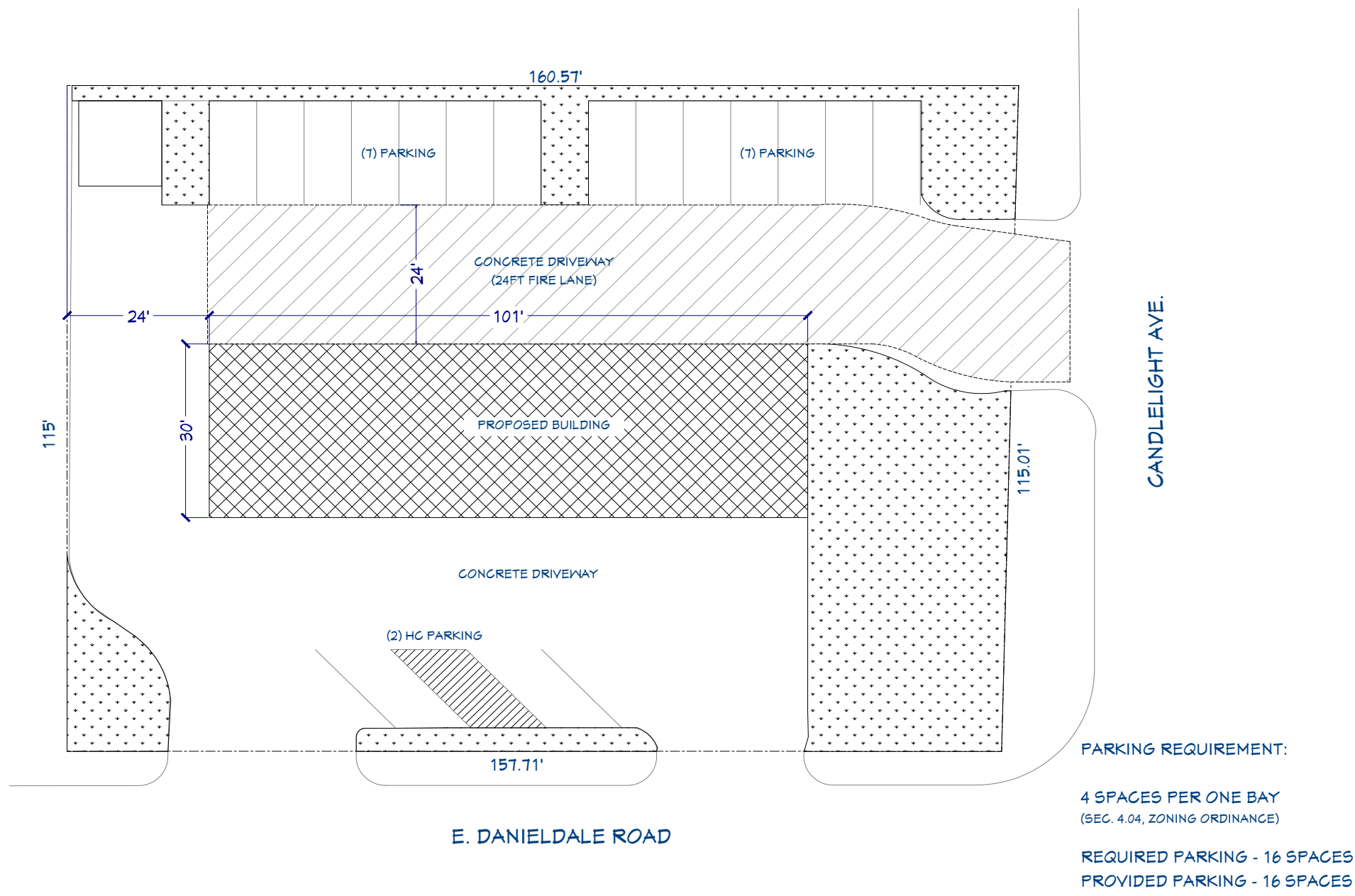
(The purpose of a Conceptual Plan is to provide a general layout of the proposed development prior to a more specific Development Plan being submitted. A Conceptual Plan shall be construed to be an illustration of the development concepts only and not an exact representation of the specific development proposed.)

- ☐ ☐ Development Plan with proposed PD Conditions

(The purpose of a Development Plan is to specifically illustrate the proposed location and arrangement of uses and structures, the relationship of such uses to base zoning districts, development phasing, planned public improvements, open space, proposed amenities and the overall design of the development. Development Plan shall be incorporated into the regulations of the PD ordinance, shall be construed in conjunction with the authorized uses and development standards set forth in such regulations, and shall be in general conformity with the approved Conceptual Plan for the PD (if applicable).

REQUIRED

ATTACHMENT 4



SITE PLAN LAYOUT
SCALE 1" = 20'-0"

BABA TECH
ARCHITECTURAL CONSULTING
AUTOCAD99@GMAIL.COM

LUBE CENTER
419 E Danieldale Rd
Duncanville TX 75137

DRAWINGS PROVIDED BY:

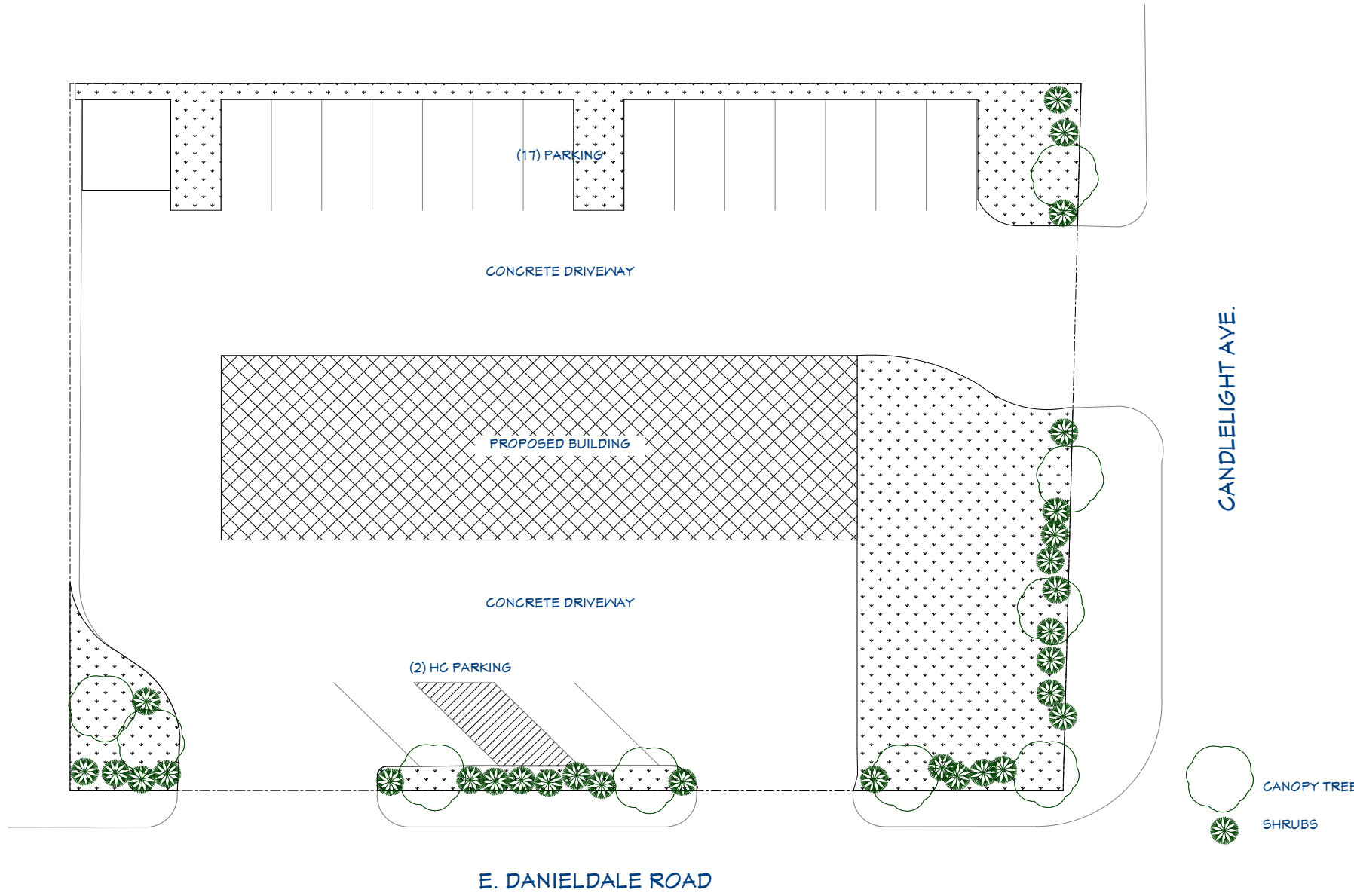
DATE:
3/27/2023

SCALE:

SHEET:

A1

AREA TAB:
LOT AREA - 18,309 SQ.FT.
LANDSCAPE AREA:
(REQUIRED AREA 20% OF LOT AREA)
REQUIRED AREA - 3,661 SQ.FT.
PROVIDED AREA - 3,841 SQ.FT. (21%)



LANDSCAPE PLAN
SCALE 1" = 20'-0"

BABA TECH
ARCHITECTURAL CONSULTING
AUTOCAD99@GMAIL.COM

LUBE CENTER
419 E Danieldale Rd
Duncanville TX 75137

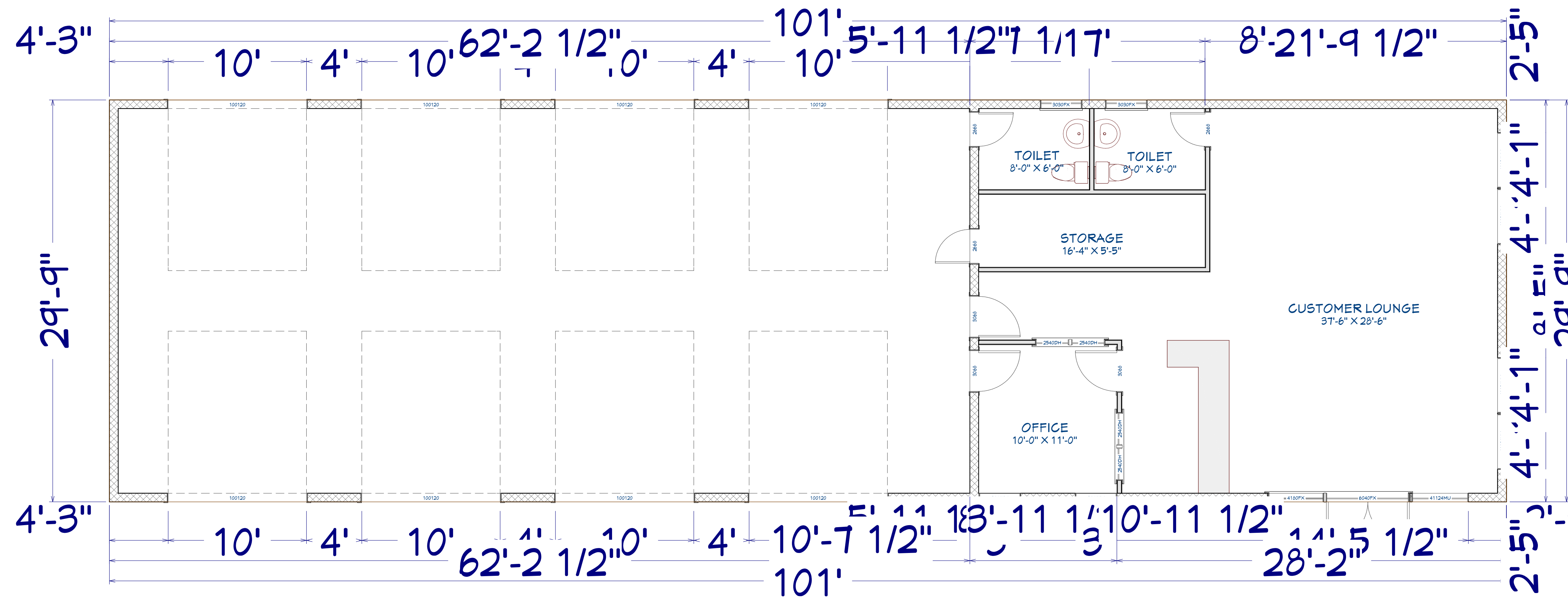
DRAWINGS PROVIDED BY:

DATE:
3/27/2023

SCALE:

SHEET:

A2



FLOOR PLAN LAYOUT
SCALE 1/4" = 1'-0"

BABA TECH
ARCHITECTURAL CONSULTING
AUTOCAD99@GMAIL.COM

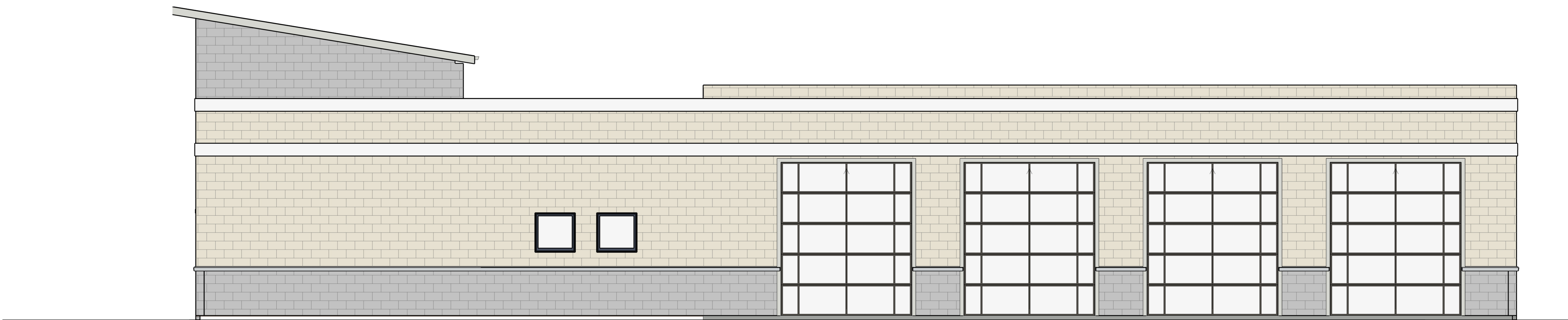
LUBE CENTER
419 E Danielale Rd
Ducanville TX 75137

DRAWINGS PROVIDED BY:

DATE:
3/27/2023

SCALE:

SHEET:
A3



NORTH (REAR) ELEVATION

SCALE 1/4" = 1'-0"

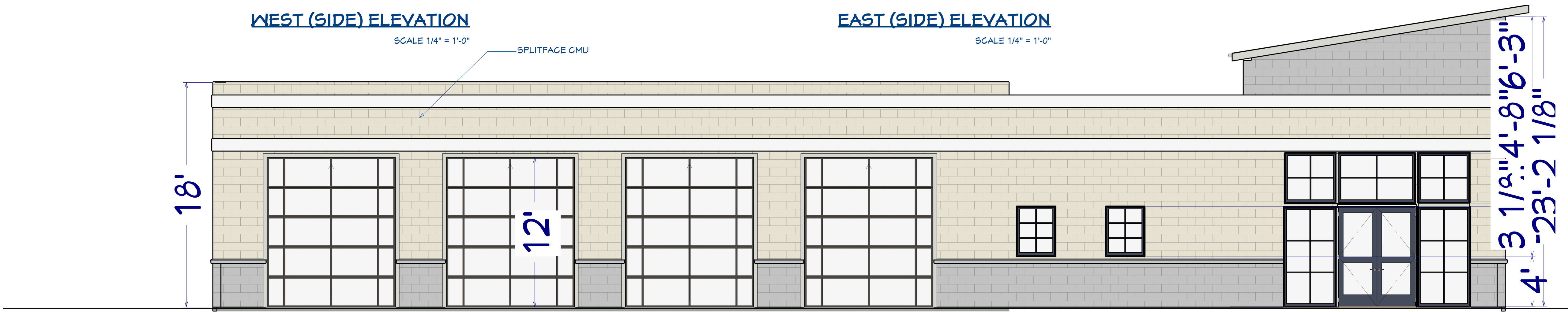


WEST (SIDE) ELEVATION

SCALE 1/4" = 1'-0"

EAST (SIDE) ELEVATION

SCALE 1/4" = 1'-0"



SOUTH (FRONT) ELEVATION

SCALE 1/4" = 1'-0"

BABA TECH
ARCHITECTURAL CONSULTING
AUTOCAD99@GMAIL.COM

LUBE CENTER
419 E Danielale Rd
Ducanville TX 75137

DRAWINGS PROVIDED BY:

DATE:

3/27/2023

SCALE:

SHEET:

A4

ATTACHMENT 5

LETTER OF INTENT

To Duncanville Zoning and whom it may concern,

This letter is pertaining to the SUP Application for You Lube Autocare at 419 E Danieldale Rd Duncanville, TX 75137.

The intended operation for this location is car care and maintenance. This covers a range of services including inspection, oil change, and minor car repairs in a clean environment. Customers will be able to wait for their cars in a clean seated area. We will maintain professional standards of safety and security by keeping the building and surrounding areas well-lit and ensuring surveillance cameras on the property at all hours. All employees will be professionally certified to maintain a high-standard of service.

Customers will be in and out of the location within 10 to 15 minutes.

Thank you for your time and consideration of the approval of the SUP of this location for this purpose.

Ahmad Almufti

ATTACHMENT 6

City of Duncanville
 Planning Division
 203 E. Wheatland Rd.
 P. O. Box 380280
 Duncanville, TX 75138-0280
 (p) 972-707-3878
 (e) lynette.romero@duncanvilletx.gov



March 31, 2023

Zoning File: **2023-09**

Dear Property Owner:

Hani Elkady of Tarina Group, Applicant, representing Eric Gonzalez of CWS Real Property Holdings LLC, owner, is requesting approval of a Specific Use Permit to allow for the use of Auto Repair and Services, Minor (No Outside Storage) on Candlelight Estates 3rd Inst, Block 1, PT lot 1, ACS .422, more commonly known as 419 East Daniieldale Road, in the City of Duncanville, Dallas County, Texas.

Your property is NOT being rezoned. You have been sent this notice because you are within the required 200-foot notification area of property that is being considered for rezoning for this particular public hearing. Please refer to the enclosed map that indicates which property is being rezoned.

The Planning and Zoning Commission will hold a public hearing on Monday, April 10, 2023, at 7:00 p.m., and the City Council public hearing will be held on Tuesday, May 2, 2023, at 7:00 p.m., both in the City of Duncanville Council Chambers, 203 E. Wheatland Road. Public hearings are held to allow interested persons the opportunity to state their opinion directly to the Planning & Zoning Commission either for or against the proposed zoning change. If you oppose the zoning change, however, the attached survey must be completed and returned by **May 2, 2023**, to fulfill legal requirements for a written formal protest.

As an interested citizen, you may submit public comments to either the City Secretary, Juanita Willman, or to the Senior City Planner, Nathan Warren, P.O. Box 380280, Duncanville, Texas, 75138-0280 or email lynette.romero@duncanvilletx.gov stating your position. You are encouraged to participate in the public hearing and offer comments.

Please reach out to me directly at (972) 780-5057 with any questions pertaining to this request.

Sincerely,

Nathan Warren

Nathan Warren
 Senior City Planner

Enclosures

City of Duncanville
Planning Division
203 E. Wheatland Rd.
P. O. Box 380280
Duncanville, TX 75138-0280
(p) 972-707-3878
(e) lynette.romero@duncanvilletx.gov



Marzo 31, 2023

Archivo de zonificación: **2023-09**

Estimado propietario:

Hani Elkady de Tarina Group, solicitante, representando a Eric Gonzalez de CWS Real Property Holdings LLC, propietario, está solicitando la aprobación de un Permiso de Uso Específico para permitir el uso de Reparación y Servicios de Automóviles, Menores (Sin Almacenamiento Externo) en Candlelight Estates 3rd Inst, Block 1, PT lot 1, ACS .422, más comúnmente conocido como 419 East Daniieldale Road, en la ciudad de Duncanville, condado de Dallas, Texas.

Su propiedad NO está siendo rezonificada. Se le ha enviado este aviso porque se encuentra dentro del área de notificación requerida de 200 pies de la propiedad que se está considerando para la rezonificación para esta audiencia pública en particular. Consulte el mapa adjunto que indica qué propiedad se está rezonificando.

La Comisión de Planificación y Zonificación llevará a cabo una audiencia pública el Lunes 10 de Abril de 2023, a las 7:00 p.m., y la audiencia pública del Concejo Municipal se llevará a cabo el Martes 2 de Mayo de 2023, a las 7:00 p.m., ambas en las Cámaras del Consejo de la Ciudad de Duncanville, 203 E. Wheatland Road. Las audiencias públicas se llevan a cabo para permitir a las personas interesadas la oportunidad de expresar su opinión directamente a la Comisión de Planificación y Zonificación, ya sea a favor o en contra del cambio de zonificación propuesto. Sin embargo, si se opone al cambio de zonificación, la encuesta adjunta debe completarse y devolverse antes del **2 de Mayo de 2023**, para cumplir con los requisitos legales para una protesta formal por escrito.

Como ciudadano interesado, puede enviar comentarios públicos al Secretaria de la Ciudad, Juanita Willman, o a el Planificador de la Cuidad, Nathan Warren, P.O. Box 380280, Duncanville, Texas, 75138-0280 o enviar un correo electrónico lynette.romero@duncanvilletx.gov indicando su posición. Se le anima a participar en la audiencia pública y ofrecer comentarios.

Por favor de comunicarse conmigo directamente al (972) 780-5057 con cualquier pregunta relacionada con esta solicitud.

Sinceramente

Nathan Warren

Nathan Warren
Planificador de la Cuidad

Recintos

The following form may be filled out and mailed to:

*Planning and Zoning Commission
City of Duncanville
P.O. Box 380280
Duncanville, TX 75138-0280*

Case No. 2023-09 Hani Elkady of Tarina Group, Applicant, representing Eric Gonzalez of CWS Real Property Holdings LLC, Owner, is requesting approval of a Specific Use Permit (SUP) to allow for the use of Auto Repair and Services, Minor (No Outside Storage) on Candlelight Estates 3rd Inst, Block 1, PT lot 1, ACS .422, more commonly known as 419 East Daniieldale Road, in the City of Duncanville, Dallas County, Texas. This is the first of two public hearings that have been scheduled to receive further input on the requested zoning change.

NOTE: The purpose of the request is to allow for the use of **Auto Repair and Services, Minor (No Outside Storage)**.

You have been sent this notice since your property is within the 200-foot notification area of the property being requested for a zoning change. **Your property is not being rezoned.**

The Planning and Zoning Commission will hold a public hearing on Monday, April 10, 2023, at 7:00 p.m., and the City Council public hearing will be held on Tuesday, May 2, 2023, at 7:00 p.m., both at the City of Duncanville Council Chambers, 203 E. Wheatland Road. Public hearings are held to allow interested persons the opportunity to state their opinion directly to the Planning & Zoning Commission either for or against the proposed zoning change.

If you oppose the zoning change, however, the attached survey must be completed and returned by **May 2, 2023**, to fulfill legal requirements for a written formal protest.

Please check one:

_____ ***In favor of granting the zoning request.***

_____ ***Not in favor of granting the zoning request.***

My reasons are as follows:

1).

2).

3).

Printed Name: _____

Address: _____

Signature: _____

Date: ____

El siguiente formulario puede ser llenado y enviado por correo a:

*Planning and Zoning Commission
City of Duncanville
P.O. Box 380280
Duncanville, TX 75138-0280*

Caso No. 2023-08 Hani Elkady de Tarina Group, Solicitante, representando a Eric Gonzalez of CWS Real Property Holdings LLC, Propietario, está solicitando la aprobación de un Permiso de Uso Específico (SUP) para permitir el uso de Reparación y Servicios de Automóviles, Menores (Sin Almacenamiento Externo) en Candlelight Estates 3rd Inst, Block 1, PT lot 1, ACS .422, más comúnmente conocido como 419 East Daniieldale Road, en la Ciudad de Duncanville, condado de Dallas, Texas. Esta es la primera de dos audiencias públicas que se han programado para recibir más información sobre el cambio de zonificación solicitado.

NOTA: El propósito de la solicitud es permitir el uso de **Reparación y Servicios de Automóviles, Menores (Sin Almacenamiento Externo)**.

Se le ha enviado este aviso ya que su propiedad está dentro del área de notificación de 200 pies de la propiedad que se solicita para un cambio de zonificación. **Su propiedad no está siendo rezonificada.**

La Comisión de Planificación y Zonificación llevará a cabo una audiencia pública el Lunes 10 de Abril 2023, a las 7:00 p.m., y la audiencia pública del Concejo Municipal se llevará a cabo el Martes 2 de Mayo de 2023, a las 7:00 p.m., ambas en las Cámaras del Consejo de la Ciudad de Duncanville, 203 E. Wheatland Road. Las audiencias públicas se llevan a cabo para permitir a las personas interesadas la oportunidad de expresar su opinión directamente a la Comisión de Planificación y Zonificación, ya sea a favor o en contra del cambio de zonificación propuesto.

Sin embargo, si se opone al cambio de zonificación, la encuesta adjunta debe completarse y devolverse antes del **2 de Mayo de 2023**, para cumplir con los requisitos legales para una protesta formal por escrito.

Por favor, marque uno:

_____ **A favor** de conceder la solicitud de *zonificación*.

_____ **No a favor** de otorgar la solicitud de *zonificación*.

Mis razones son las siguientes:

1).

2).

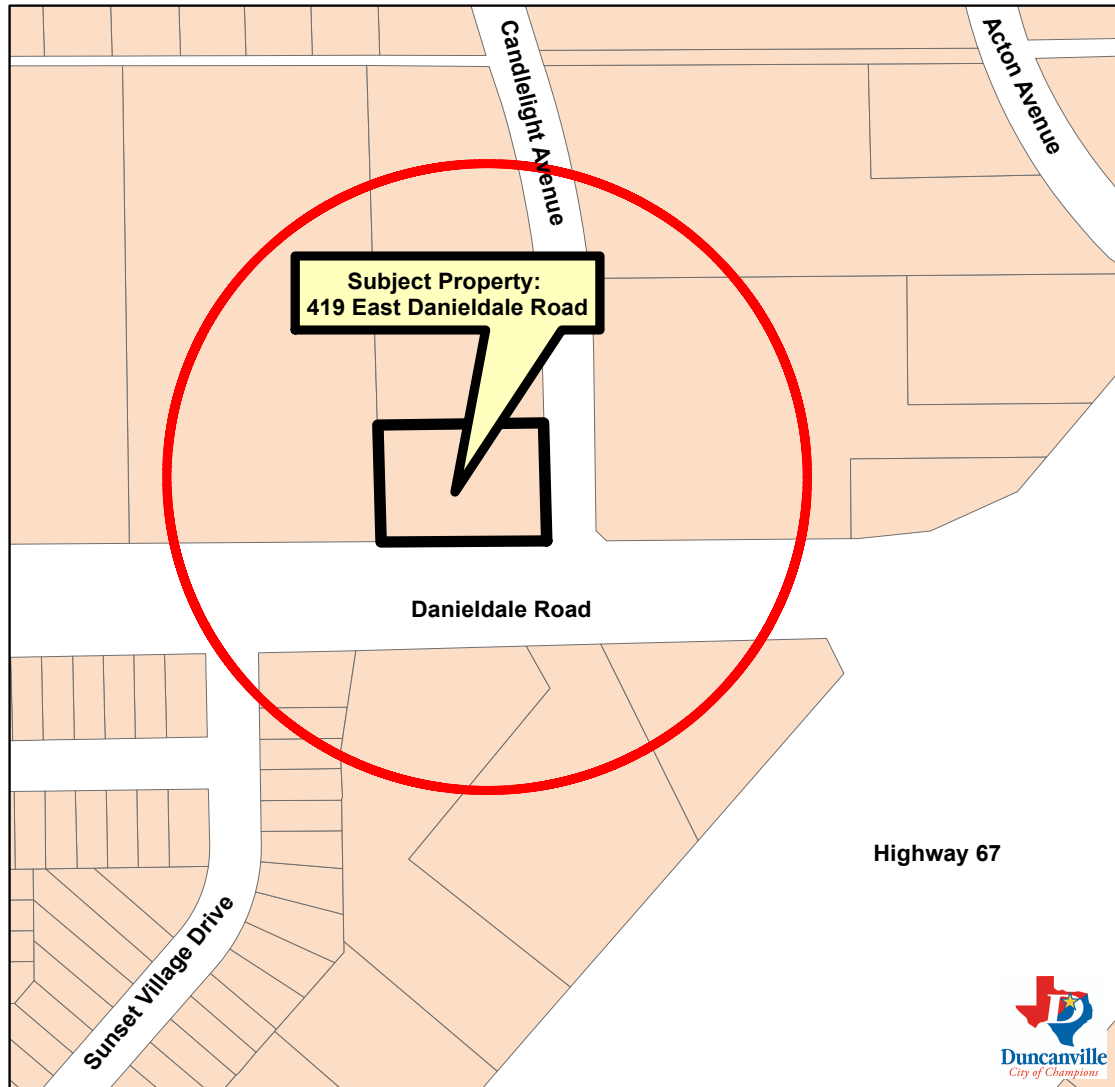
3).

Nombre
impreso: _____

Dirección: _____

Firma: _____

Fecha: ____

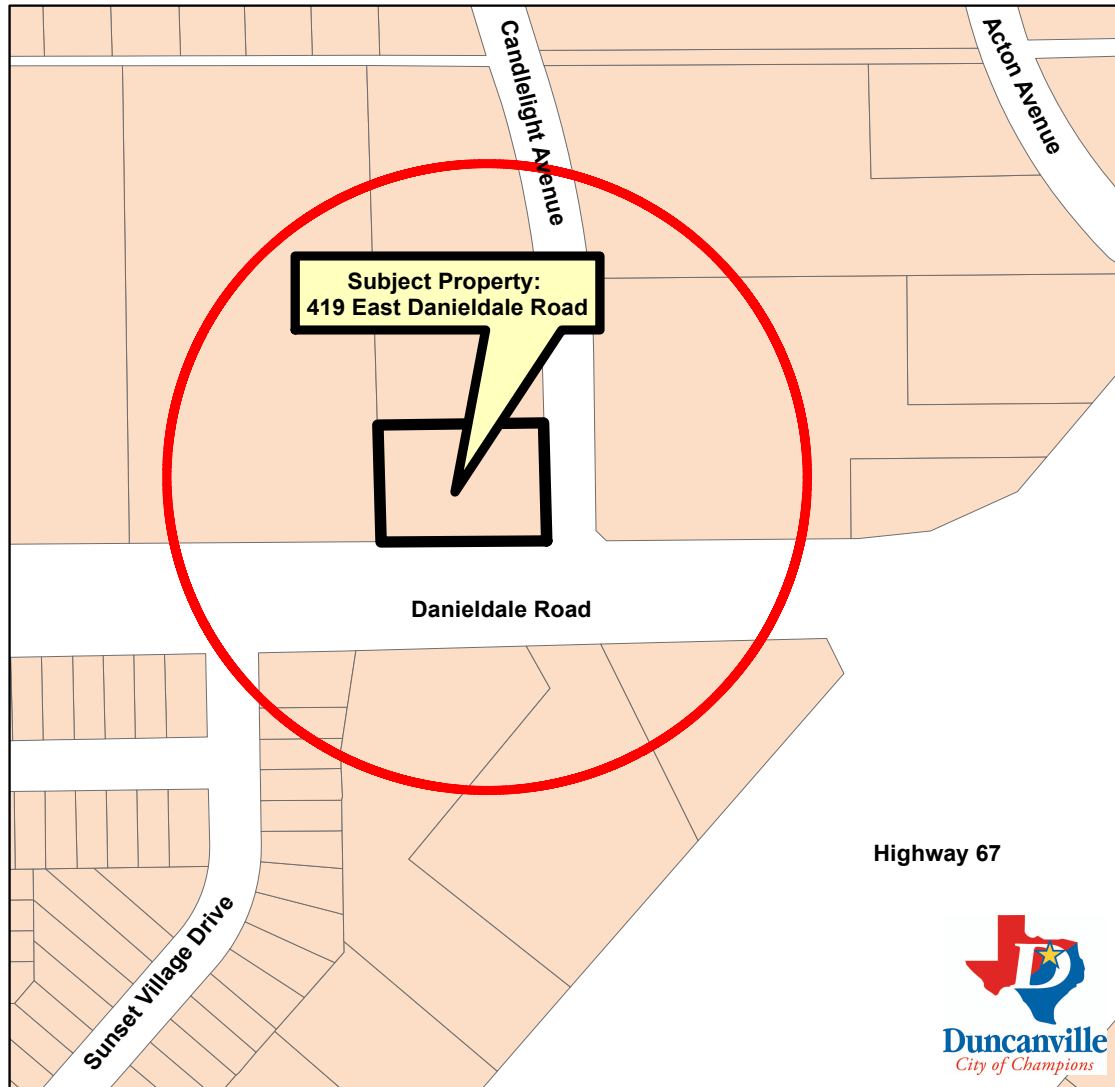


The applicant is requesting the approval of a Specific Use Permit (SUP) to be able to operate as "Auto Repair and Services, Minor (No Outside Storage)". The applicant intends to remodel the existing building and add landscaping.

Auto Repair and Services, Minor (No Outside Storage):

Minor repair or replacement of parts, tires, tubes and batteries; diagnostic services; minor maintenance services such as grease, oil, spark plug and filter changing; tune-ups; muffler repair, emergency road service; replacement of starters, alternators, hoses and brake parts; performing state inspections and making minor repairs necessary to pass said inspection; normal servicing of air-conditioning systems; window tinting; inspections services, diagnostics; and other similar minor services for motor vehicles except heavy load vehicles, but not including any operation named under Auto Repair and Services, Major, wrecker/towing services, or any other similar use. May include the retail sale of auto parts. No outside storage exists.

Questions? Please contact Planning and Zoning at 972-780-5057 or 972-707-3878.



El solicitante está solicitando la aprobación de un Permiso de Uso Específico (SUP) para poder operar como "Auto Reparación y Servicios, Menor (No Almacenamiento Exterior)". El solicitante tiene la intención de remodelar el edificio existente y agregar paisajismo.

Reparación y servicios de automóviles, menores (sin almacenamiento externo):

Reparación menor o reemplazo de piezas, llantas, cámaras y baterías; servicios de diagnóstico; servicios menores de mantenimiento como cambio de grasa, aceite, bujía y filtro; puestas a punto; reparación de silenciadores, servicio de emergencia en carretera; reemplazo de motores de arranque, alternadores, mangueras y piezas de freno; realizar inspecciones estatales y hacer las reparaciones menores necesarias para pasar dicha inspección; mantenimiento normal de sistemas de aire acondicionado; tintado de ventanas; servicios de inspección, diagnóstico; y otros servicios menores similares para vehículos de motor, excepto vehículos de carga pesada, pero sin incluir ninguna operación mencionada en Servicios y reparación de automóviles, Mayor, servicios de grúa/remolque, o cualquier otro uso similar. Puede incluir la venta al por menor de autopartes. No existe almacenamiento exterior.

¿Preguntas? Comuníquese con Planificación y Zonificación al 972-780-5057 o al 972-707-3878

ATTACHMENT 7

MARTINEZ RUBEN
300 E JEFFERSON BLVD
DALLAS, TEXAS 752032632

KHUNJAR JOSHEEN ARLENE
1506 SUNSET VILLAGE DR
DUNCANVILLE, TEXAS 751374043

~~DUNCANVILLE NATIONAL BANK~~
~~443 E HIGHWAY 67~~
~~DUNCANVILLE, TEXAS 751374156~~

CWS REAL PROPERTY HOLDINGS LLC
6317 WAKELAND CT
FT WORTH, TEXAS 761333523

LINAN CO ET AL
PO BOX 10783
BEVERLY HILLS, CALIFORNIA 902133783

RS XII NM DALLAS OWNER 1 LP
717 N HARWOOD ST STE 2800
DALLAS, TEXAS 752016525

7 ELEVEN INC
1722 ROUTH ST STE 1000
DALLAS, TEXAS 752012504

MARTINEZ RUBEN
1207 S GREENSTONE LN
DUNCANVILLE, TEXAS 751372800

BROWN CONNIE
1510 SUNSET VILLAGE DR
DUNCANVILLE, TEXAS 751374043

DUNCANVILLE NATIONAL BANK
443 E HIGHWAY 67
DUNCANVILLE, TEXAS 751374156

BURROWES KEITH E
1334 MEADOW GRN CRT
DUNCANVILLE, TEXAS 751372909

10 notices mailed out

ORDINANCE NO. 2477

AN ORDINANCE OF THE CITY OF DUNCANVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP, AS HERETOFORE AMENDED, BY AMENDING THE EXISTING LOCAL OFFICE RETAIL DISTRICT (LOR) TO GRANT A SPECIFIC USE PERMIT "SUP" FOR AUTO REPAIR AND SERVICES, MINOR (NO OUTSIDE STORAGE) ON CANDLELIGHT ESTATES 3RD INST, BLOCK L, PT LOT 1, ACS .422, MORE COMMONLY KNOWN AS 419 EAST DANIELDALE ROAD, IN THE CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

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

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

SECTION 1. That the Comprehensive Zoning Ordinance and Map of the City of Duncanville, Texas, as heretofore amended, be, and the same are hereby amended by amending the existing Local Office Retail District (LOR) to grant a Specific Use Permit "SUP" for Auto Repair and Services, Minor (No Outside Storage) on Candlelight Estates 3rd Inst, Block L, PT Lot 1, ACS .422, more commonly known as 419 East Danieldale Road, in the City of Duncanville, Dallas County, Texas.

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

- A. Property shall meet all city, state, and federal regulations for building and fire codes, and accessibility.
- B. The SUP shall expire ten (10) years from the effective date of this Ordinance, unless revoked earlier as provided by law.

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

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

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

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

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

DULY PASSED by the City Council of the City of Duncanville, Texas, on the 2nd day of May, 2023.

APPROVED:

Barry L. Gordon, Mayor

ATTEST:

Janie Willman, City Secretary

APPROVED AS TO FORM:

Robert E. Hager, City Attorney
TM 134789



STAFF REPORT

MEETING: City Council - 02 May 2023

TITLE:

Conduct a public hearing for consideration and action regarding the request of Hani Elkady, applicant, representing, CWS Real Property Holdings LLC, owner, to include a Specific Use Permit "SUP" for Auto Repair and Services, Minor (No Outside Storage) and adopt an ordinance to amend the Comprehensive Zoning Ordinance and map on Irwin Keasler Shopping Village, TRS 6 and 8, 0.7143 ACS, more commonly known as 315 West Camp Wisdom Road, in the City of Duncanville, Dallas County, Texas.

Vision Statement:

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

Pillar:

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

STAFF RESPONSIBLE:

Nathan Warren, Senior Planner

BACKGROUND/HISTORY:

Comprehensive Plan

The Future Land Use Plan Map shows the subject property being located within Opportunity Area 5. The Plan envisions the Area serving two primary purposes: an upscale retail/commercial and entertainment area serving as a key transition into the Downtown along Camp Wisdom and providing high quality interstate/highway commercial development along I-20. Action steps to achieve this vision includes identifying companies to recruit for vacant tenant spaces of existing development, improve corridor aesthetics, and explore opportunities to shift from neighborhood commercial to regional retail to leverage location to capture wider consumer shed.

The zoning change request to allow a Specific Use Permit aligns with the vision called out in the Comprehensive Plan.

Project Scope

The property is currently zoned LOR, Local Office/Retail District. The subject property is currently occupied by an outdoor carwash with open drive through bays. The intended operation for this location is car care and maintenance. This covers a range of services including inspection, oil change, and minor car repairs in a clean environment. Customers will be able to wait for their cars in a clean, seated area. Professional standards of safety and security will be maintained by keeping the building and surrounding areas well-lit and ensuring surveillance cameras on the property at all hours. All employees will be professionally certified to maintain a high standard of service. Customers will be in and out of the location within 10 to 15 minutes.

Building Design and Improvements

There are significant design improvements proposed with this request.

Landscaping and Screening

Landscaping improvements are proposed in excess of the 20% landscaping requirement.

Signage

The site must comply with Chapter 16A Sign Guidelines of the Code of Ordinances regarding attached and freestanding signage.

Surrounding Land Use

The property to the south, west, and east is zoned LOR, Local Office/Retail District. The property to the north is zoned MF-21, Multi-Family Residential District.

Zoning and Land Use

Section 6.05. (Specific Use Permits) of the Zoning Ordinance, states the in considering an application for a SUP, the Planning and Zoning Commission and the City Council shall consider that the proposed use is:

- consistent and compatible with the adjacent land use and zoning.
- consistent with the architecture and characteristics of the adjacent properties.
- may promote innovative use of modern development concepts, without having an adverse impact on adjacent properties.
- consistent with the goals and objectives of the City of Duncanville.
- an enhancement or improvement beyond the minimum standards set forth by the Zoning Ordinance.
- will not be detrimental to the general health, safety, and welfare of the community.
- would stabilize and improve property values within the City of Duncanville.
- would protect and enhance the city's attractiveness to residents, businesses, tourists, and visitors.
- would strengthen and help diversify the economy of the City of Duncanville.

Planning and Zoning Commission Action

On Monday, April 10, 2023 the Planning and Zoning Commission approved the item by a vote of 5 to 0.

POLICY EXPLANATION:

Notification

Nine (9) notices were sent out for this public hearing. As of this writing, no responses have been received in favor or opposition to the request. Letters will be received until Tuesday, May 2, 2023, to fulfill legal requirements for a written formal protest to City Council.

FUNDING SOURCE:

ORG and Object Number

N/A

Available Budget

\$0.00

Purchase Amount

\$0.00

After Encumber

\$0.00

ACTION ALTERNATIVES:

1. Adopt an ordinance approving the Specific Use Permit.
2. Do not approve the Specific Use Permit.
3. Other actions as directed by Council.

ATTACHMENTS:

[Attachment 1 - Legal Advertisement for Public Hearing](#)

[Attachment 2 - Area of Request Map](#)

[Attachment 3 - Zoning Change Application](#)

[Attachment 4 - Applicant Exhibits](#)

[Attachment 5 - Letter of Intent](#)

[Attachment 6 - Letters to Property Owners, 200' Buffer](#)

[Attachment 7 - List of Property Owners within 200'](#)

[Ordinance No. 2476](#)

ATTACHMENT 1

Advertise 1 time - By March 29

NOTICE OF A PUBLIC HEARING BEFORE THE
PLANNING AND ZONING COMMISSION AND CITY COUNCIL
ZONING FILE #2023-08

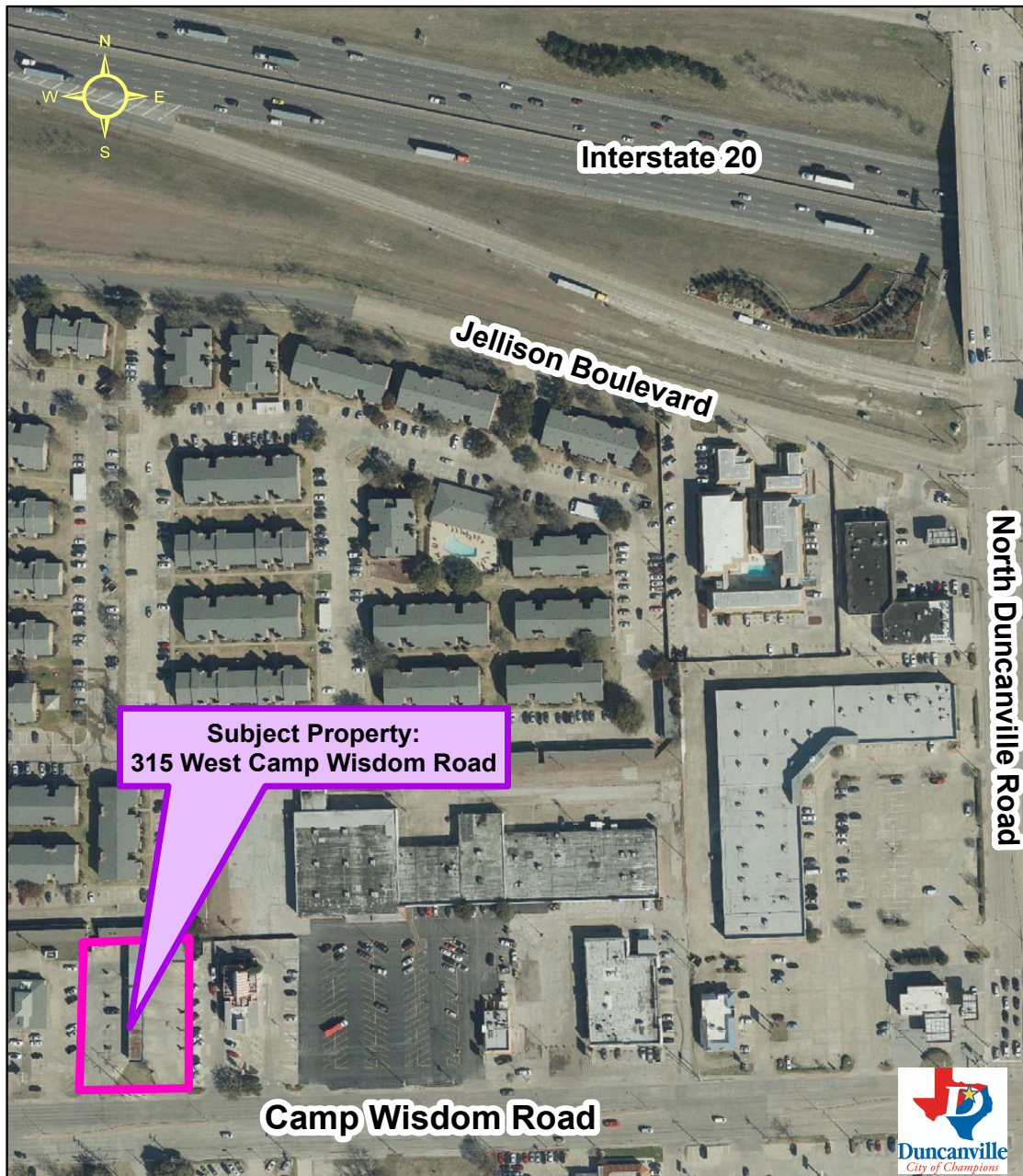
A public hearing will be held before the Planning and Zoning Commission on Monday, April 10, 2023, at 7:00 p.m., and before City Council on Tuesday, May 2, 2023, at 7:00 p.m., in the Council Chambers, City Hall, 203 E. Wheatland Rd, Duncanville, Texas, to hear a request of Hani Elkady, Applicant, for a Specific Use Permit to allow for the use of Auto Repair and Services, Minor (No Outside Storage), on Irwin Keasler Shopping Village, TRA 6 and 8, 0.7143 AC, more commonly known as 315 West Camp Wisdom Road, City of Duncanville, Dallas County, Texas.

As an interested citizen, you may appear at the public hearing or you may send a notice to either the City Secretary, Juanita Willman, or to Nathan Warren, Senior Planner, P.O. Box 380280, Duncanville, Texas, 75138-0280 stating your position.

CITY OF DUNCANVILLE
Juanita Willman
City Secretary

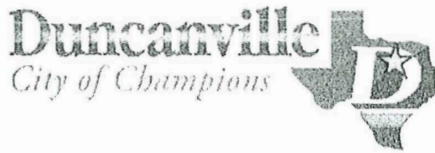
Nathan Warren,
Senior Planner

ATTACHMENT 2



**SUP Request for
Auto Repair and Services, Minor (No Outside Storage)
Zoning Case: 2023-08**

ATTACHMENT 3



Public Works Department
Planning Division
203 E Wheatland Road
P.O. Box 380290
Duncanville, TX 75138
(972) 780-5015

ZONING CHANGE APPLICATION

CONTACT INFORMATION

Applicant/ Agent Tarina Group Contact: Hani Alkady ^{Elkady}
☐ Engineer ☐ Architect ☐ Surveyor ☐ Owner ☒ Other
 Applicant/Agent Address: 3000 Blackburn St City: Dallas State: Tx Zip: 75204
 Agent Email: ELKady422@aol.com Telephone: 2142137192 (Fax) _____
 Property Owner: CWS Real Property Holdings LLC Contact: _____
 Owner Address 6317 Wakeland Ct City: Fort Worth State: Tx Zip: 76133
 Owner Email: _____ Telephone: _____ (Fax) _____

REQUIRED

PROPERTY INFORMATION

Property Address: 315 W. Camp Wisdom Road, Duncanville, Tx 75137
 Legal Description of Property: IRwin Keasler Shopping Village TRS 6 and 8
 Lot No. _____ Block No. _____ Acreage: 0.7143 Existing Zoning District: LOR

REQUIRED

REQUEST TYPE

☒ Specific Use Permit - Commercial
 For Auto Repair and services, minor
☐ Specific Use Permit - Residential
 For _____
☐ Change in Zoning
 From _____ To _____
☐ Planned Development (PD)
☐ Amend PD Approval
☐ Development Plan Approval
☐ Conceptual Plan Approval
☐ Alternative Compliance Request

REQUIRED

SUBMITTAL DOCUMENTS

ALL ZONING REQUESTS MUST CONTAIN THE FOLLOWING DOCUMENTATION

- ☐ Completed application
- ☐ Application fee
- ☐ Property survey, or site plan or electronic copy of the metes and bounds legal description
Microsoft word format or plat
- ☐ Written description of request (associated variance requests require justification),
business statement or business plan with detailed description of proposed operation
- ☐ Electronic copies of all submittals via email

REQUIRED



03.01.2023

April 2021

Acknowledgments

I understand that all required information and plans must be submitted with this application or the application be deemed incomplete.

I hereby authorize the placing of a sign on subject property indicating a zoning change is under consideration.

I understand the requirements of the zoning classifications as stated in the City of Duncanville Zoning Ordinance related to this request and will comply with all necessary requirements of the City codes. I am aware that the City Council has the power to zone land as most appropriate in their wisdom, to promote the health, safety, and morals and for the protection and preservation of places of historical or cultural importance, and the general welfare of the community.

I have read and understand this application and certify that all information and attachments are true and correct. I certify that I am the owner of the property involved in this request or have authorization to act as the owner's agent for the request described. Applicants (or a representative) are expected to be present at all public hearings concerning this application to justify and explain their request and to answer questions posed by the City Planning and Zoning Commission and City Council.


Signature of Current Property Owner

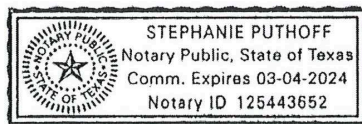
2/23/23
Date

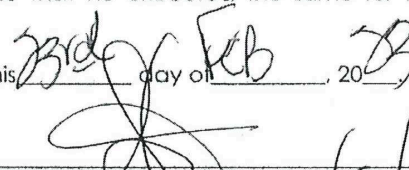
Notarization

BEFORE ME, STEPHANIE PUTHOFF, on this day personally appeared ERIC GONZALEZ known to or proved to me on the oath of _____ or through _____ (description of identity card or other document) to be the person(s) whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 23rd day of Feb, 2023

(Seal)




Notary Public in and for the State of Texas
My Commission Expires: 3-4-24

Following is to be completed only if a person other than the owner is submitting this application.

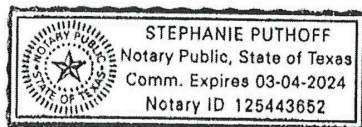
Owner Validation

Applicant has permission to pursue a zoning change on the property located at 315 W Camp Wisdom RD with the City of Duncanville.

[Signature] 2/23/23
Signature of Owner/Agent Date

BEFORE ME, STEPHANIE PUTHOFF, on this day personally appeared ERIC GARZA, known to or proved to me on the oath of DL (description of identity card or other document) to be the person(s) whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 23rd day of FEB, 2023
(SEAL)



[Signature]
Notary Public in and for the State of Texas
My Commission Expires: 3-4-24

SUBMITTAL CHECKLIST

Specific Use Permit - Commercial

Please check if applicable

YES N/A

- ☒ ☐ Written Letter with detailed description of proposed operation
- ☒ ☐ Site Plan
- ☒ ☐ Building Elevation and Signage Plan
- ☒ ☐ Landscape Plan
- ☐ ☐ Floor Plans
- ☐ ☐ Other _____

Specific Use Permit - Residential

Please check if applicable

YES N/A

- ☐ ☐ Written Letter of Intent with detailed description of request
- ☐ ☐ HOA approval letter (if applicable)
- ☐ ☐ Drawings, spec sheets, diagrams or other documents in electronic format (PDF)
- ☐ ☐ Letter from owner (if applicant is not owner) and/or approval letter from HOA (if applicable)
- ☐ ☐ Other _____

Planned Development

YES N/A

- ☐ ☐ Written Letter with detailed description of proposed development with proposed conditions
- ☐ ☐ Conceptual Plan

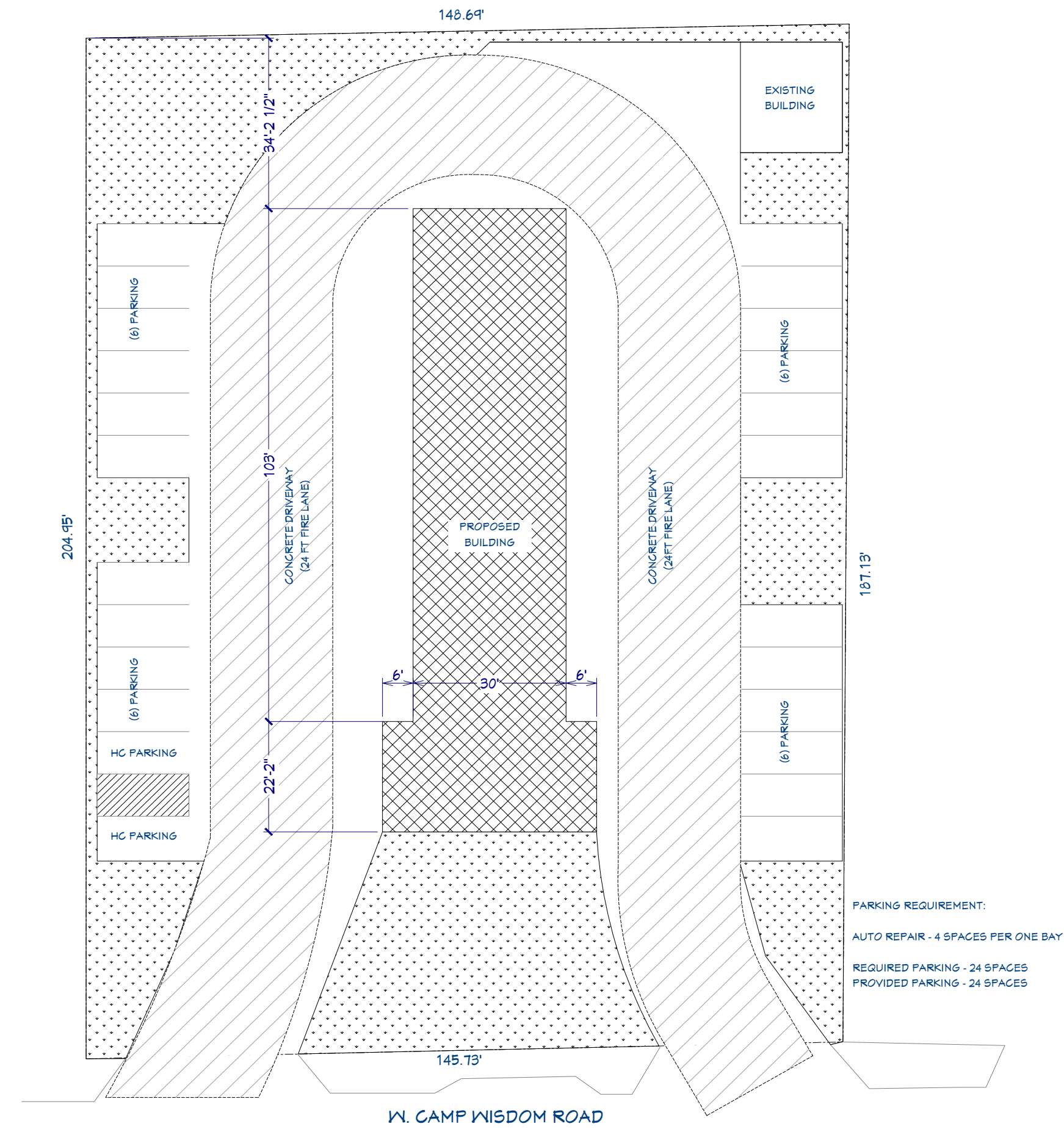
(The purpose of a Conceptual Plan is to provide a general layout of the proposed development prior to a more specific Development Plan being submitted. A Conceptual Plan shall be construed to be an illustration of the development concepts only and not an exact representation of the specific development proposed.)

- ☐ ☐ Development Plan with proposed PD Conditions

(The purpose of a Development Plan is to specifically illustrate the proposed location and arrangement of uses and structures, the relationship of such uses to base zoning districts, development phasing, planned public improvements, open space, proposed amenities and the overall design of the development. Development Plan shall be incorporated into the regulations of the PD ordinance, shall be construed in conjunction with the authorized uses and development standards set forth in such regulations, and shall be in general conformity with the approved Conceptual Plan for the PD (if applicable).

REQUIRED

ATTACHMENT 4



SITE PLAN LAYOUT 
SCALE 1" = 20'-0"

BABA TECH
ARCHITECTURAL CONSULTING
AUTOCAD99@GMAIL.COM

LUBE CENTER & CAR WASH
315 W Camp Wisdom Rd, Duncanville, TX 75116

DRAWINGS PROVIDED BY:

DATE:

3/27/2023

SCALE:

SHEET:

A1



LANDSCAPE PLAN
SCALE 1" = 20'-0"

BABA TECH
ARCHITECTURAL CONSULTING
AUTOCAD99@GMAIL.COM

LUBE CENTER & CAR WASH
315 W Camp Wisdom Rd, Duncanville, TX 75116

DRAWINGS PROVIDED BY:

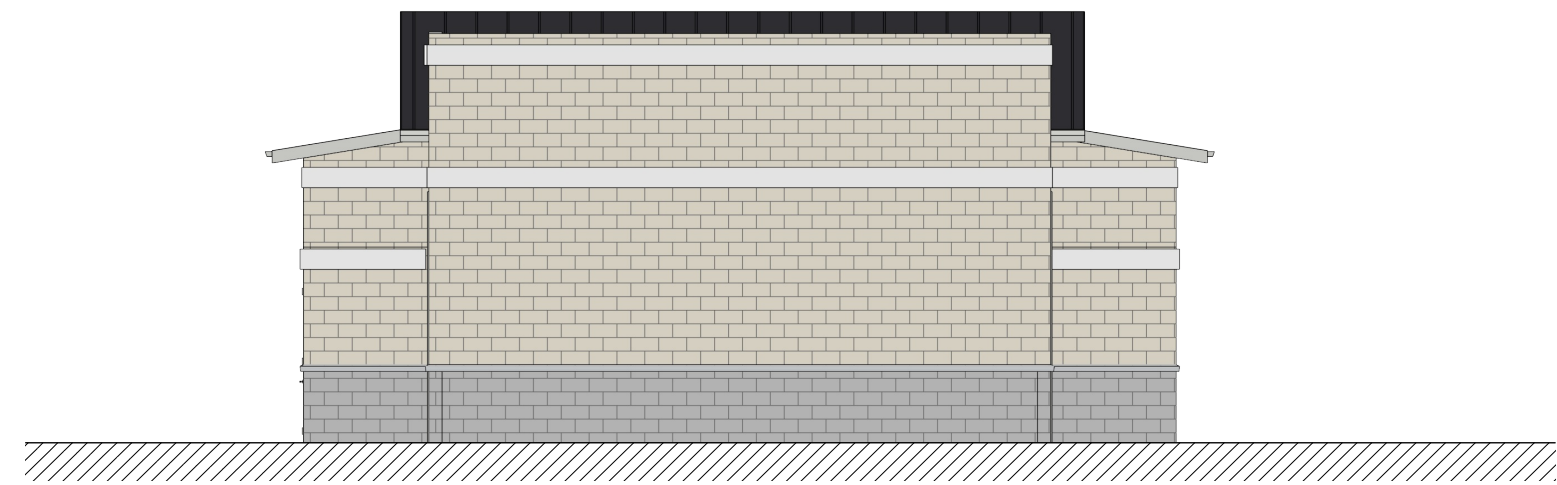
DATE:

3/27/2023

SCALE:

SHEET:

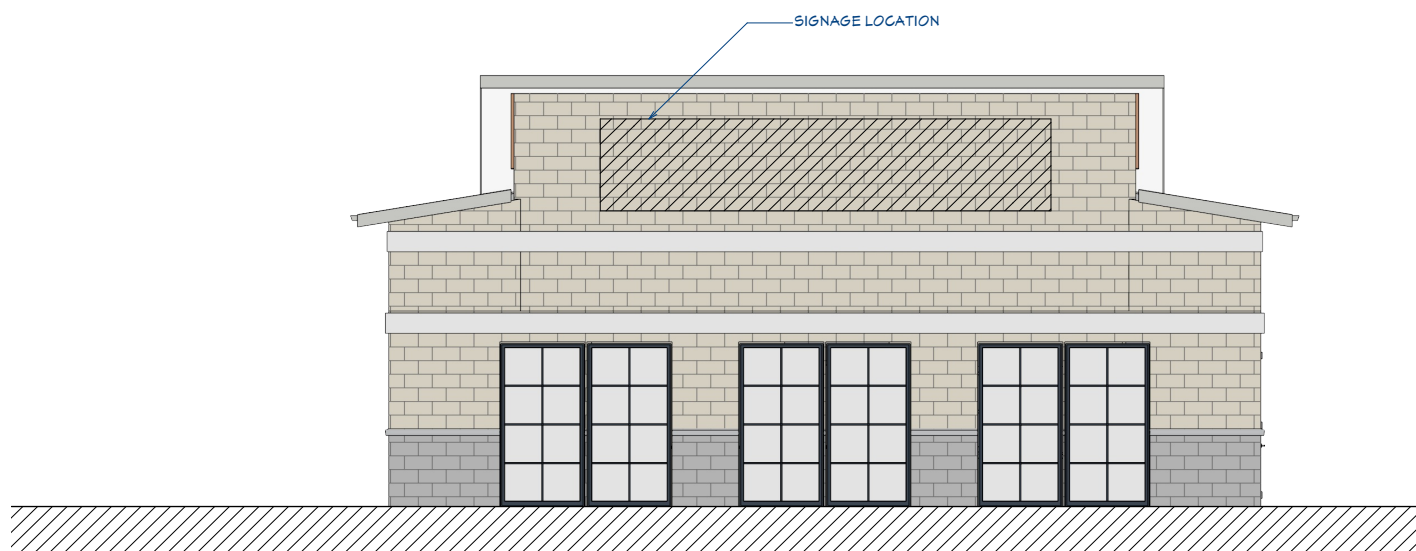
A2



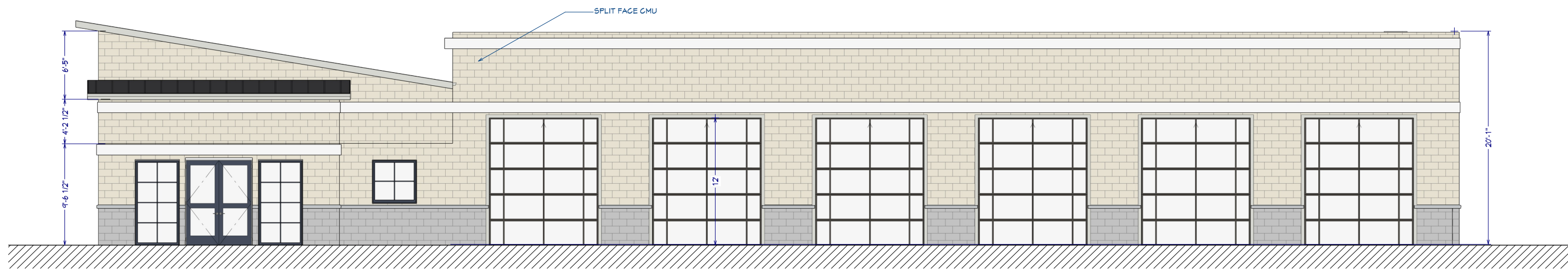
NORTH (REAR) ELEVATION
SCALE 1/8" = 1'-0"



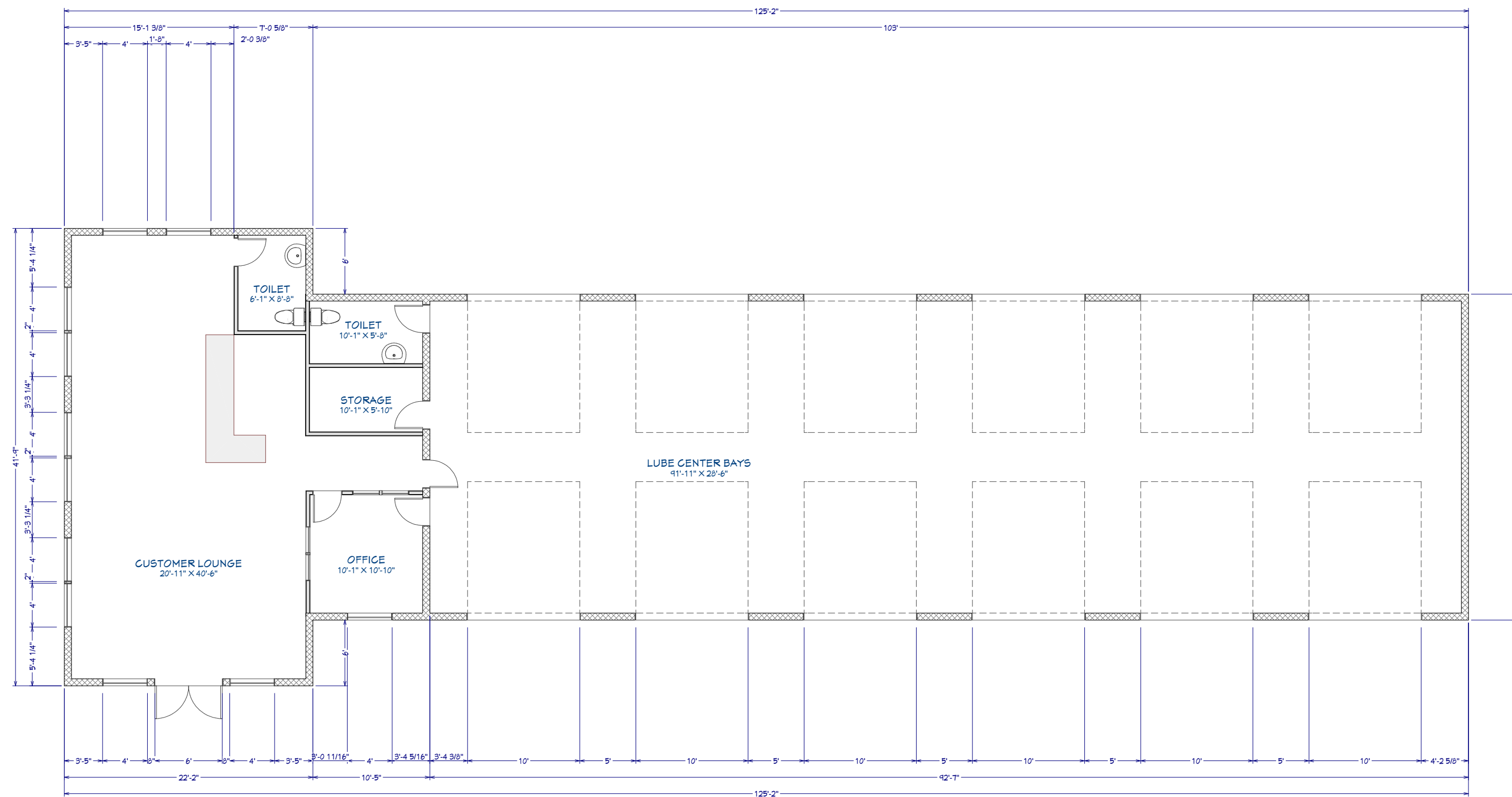
WEST (SIDE) ELEVATION
SCALE 1/8" = 1'-0"



SOUTH (FRONT) ELEVATION
SCALE 1/8" = 1'-0"



EAST (SIDE) ELEVATION
SCALE 1/8" = 1'-0"



FLOOR PLAN LAYOUT
SCALE 1/8" = 1'-0"



BABA TECH
ARCHITECTURAL CONSULTING
AUTOCAD99@GMAIL.COM

LUBE CENTER & CAR WASH
315 W Camp Wisdom Rd, Duncanville, TX 75116

DRAWINGS PROVIDED BY:

DATE:

3/27/2023

SCALE:

SHEET:

A3

ATTACHMENT 5

LETTER OF INTENT

To Duncanville Zoning and whom it may concern,

This letter is pertaining to the SUP Application for YouLube AutoCare at 315 West Camp Wisdom Rd, Duncanville TX 75116.

The intended operation for this location is car care and maintenance. This covers a range of services including inspection, oil change, and minor car repairs in a clean environment. Customers will be able to wait for their cars in a clean seated area. We will maintain professional standards of safety and security by keeping the building and surrounding areas well-lit and ensuring surveillance cameras on the property at all hours. All employees will be professionally certified to maintain a high-standard of service.

Customers will be in and out of the location within 10 to 15 minutes.

Thank you for your time and consideration of the approval of the SUP of this location for this purpose.

Ahmad Almufti

ATTACHMENT 6

City of Duncanville
 Planning Division
 203 E. Wheatland Rd.
 P. O. Box 380280
 Duncanville, TX 75138-0280
 (p) 972-707-3878
 (e) lynette.romero@duncanvilletx.gov



March 31, 2023

Zoning File: **2023-08**

Dear Property Owner:

Hani Elkady of Tarina Group, Applicant, representing Eric Gonzalez of CWS Real Property Holdings LLC, owner, is requesting approval of a Specific Use Permit to allow for the use of Auto Repair and Services, Minor (No Outside Storage) on Irwin Keasler Shopping Village, TRS 6 and 8, 0.7143 AC, more commonly known as 315 West Camp Wisdom Road, in the City of Duncanville, Dallas County, Texas.

Your property is NOT being rezoned. You have been sent this notice because you are within the required 200-foot notification area of property that is being considered for rezoning for this particular public hearing. Please refer to the enclosed map that indicates which property is being rezoned.

The Planning and Zoning Commission will hold a public hearing on Monday, April 10, 2023, at 7:00 p.m., and the City Council public hearing will be held on Tuesday, May 2, 2023, at 7:00 p.m., both in the City of Duncanville Council Chambers, 203 E. Wheatland Road. Public hearings are held to allow interested persons the opportunity to state their opinion directly to the Planning & Zoning Commission either for or against the proposed zoning change. If you oppose the zoning change, however, the attached survey must be completed and returned by **May 2, 2023**, to fulfill legal requirements for a written formal protest.

As an interested citizen, you may submit public comments to either the City Secretary, Juanita Willman, or to the Senior City Planner, Nathan Warren, P.O. Box 380280, Duncanville, Texas, 75138-0280 or email lynette.romero@duncanvilletx.gov stating your position. You are encouraged to participate in the public hearing and offer comments.

Please reach out to me directly at (972) 780-5057 with any questions pertaining to this request.

Sincerely,

Nathan Warren

Nathan Warren
 Senior City Planner

Enclosures

City of Duncanville
Planning Division
203 E. Wheatland Rd.
P. O. Box 380280
Duncanville, TX 75138-0280
(p) 972-707-3878
(e) lynette.romero@duncanvilletx.gov



Marzo 31, 2023

Archivo de zonificación: **2023-08**

Estimado propietario:

Hani Elkady de Tarina Group, solicitante, representando a Eric Gonzalez de CWS Real Property Holdings LLC, propietario, está solicitando la aprobación de un Permiso de Uso Específico para permitir el uso de Reparación y Servicios de Automóviles, Menores (Sin Almacenamiento Externo) en Irwin Keasler Shopping Village, TRS 6 and 8, 0.7143 AC, más comúnmente conocido como 315 West Camp Wisdom Road, en la ciudad de Duncanville, condado de Dallas, Texas.

Su propiedad NO está siendo rezonificada. Se le ha enviado este aviso porque se encuentra dentro del área de notificación requerida de 200 pies de la propiedad que se está considerando para la rezonificación para esta audiencia pública en particular. Consulte el mapa adjunto que indica qué propiedad se está rezonificando.

La Comisión de Planificación y Zonificación llevará a cabo una audiencia pública el Lunes 10 de Abril de 2023, a las 7:00 p.m., y la audiencia pública del Concejo Municipal se llevará a cabo el Martes 2 de Mayo de 2023, a las 7:00 p.m., ambas en las Cámaras del Consejo de la Ciudad de Duncanville, 203 E. Wheatland Road. Las audiencias públicas se llevan a cabo para permitir a las personas interesadas la oportunidad de expresar su opinión directamente a la Comisión de Planificación y Zonificación, ya sea a favor o en contra del cambio de zonificación propuesto. Sin embargo, si se opone al cambio de zonificación, la encuesta adjunta debe completarse y devolverse antes del **2 de Mayo de 2023**, para cumplir con los requisitos legales para una protesta formal por escrito.

Como ciudadano interesado, puede enviar comentarios públicos al Secretaria de la Ciudad, Juanita Willman, o a el Planificador de la Cuidad, Nathan Warren, P.O. Box 380280, Duncanville, Texas, 75138-0280 o enviar un correo electrónico lynette.romero@duncanvilletx.gov indicando su posición. Se le anima a participar en la audiencia pública y ofrecer comentarios.

Por favor de comunicarse conmigo directamente al (972) 780-5057 con cualquier pregunta relacionada con esta solicitud.

Sinceramente

Nathan Warren

Nathan Warren
Planificador de la Cuidad

Recintos

The following form may be filled out and mailed to:

*Planning and Zoning Commission
City of Duncanville
P.O. Box 380280
Duncanville, TX 75138-0280*

Case No. 2023-08 Hani Elkady of Tarina Group, Applicant, representing Eric Gonzalez of CWS Real Property Holdings LLC, Owner, is requesting approval of a Specific Use Permit (SUP) to allow for the use of Auto Repair and Services, Minor (No Outside Storage) on Irwin Keasler Shopping Village, TRS 6 and 8, 0.7143 AC, more commonly known as 315 West Camp Wisdom Road, in the City of Duncanville, Dallas County, Texas. This is the first of two public hearings that have been scheduled to receive further input on the requested zoning change.

NOTE: The purpose of the request is to allow for the use of **Auto Repair and Services, Minor (No Outside Storage)**.

You have been sent this notice since your property is within the 200-foot notification area of the property being requested for a zoning change. **Your property is not being rezoned.**

The Planning and Zoning Commission will hold a public hearing on Monday, April 10, 2023, at 7:00 p.m., and the City Council public hearing will be held on Tuesday, May 2, 2023, at 7:00 p.m., both at the City of Duncanville Council Chambers, 203 E. Wheatland Road. Public hearings are held to allow interested persons the opportunity to state their opinion directly to the Planning & Zoning Commission either for or against the proposed zoning change.

If you oppose the zoning change, however, the attached survey must be completed and returned by **May 2, 2023**, to fulfill legal requirements for a written formal protest.

Please check one:

_____ ***In favor of granting the zoning request.***

_____ ***Not in favor of granting the zoning request.***

My reasons are as follows:

1).

2).

3).

Printed Name: _____

Address: _____

Signature: _____

Date: ____

El siguiente formulario puede ser llenado y enviado por correo a:

*Planning and Zoning Commission
City of Duncanville
P.O. Box 380280
Duncanville, TX 75138-0280*

Caso No. 2023-08 Hani Elkady de Tarina Group, Solicitante, representando a Eric Gonzalez of CWS Real Property Holdings LLC, Propietario, está solicitando la aprobación de un Permiso de Uso Específico (SUP) para permitir el uso de Reparación y Servicios de Automóviles, Menores (Sin Almacenamiento Externo) en Irwin Keasler Shopping Village, TRS 6 and 8, 0.7143 AC, más comúnmente conocido como 315 West Camp Wisdom Road, en la Ciudad de Duncanville, condado de Dallas, Texas. Esta es la primera de dos audiencias públicas que se han programado para recibir más información sobre el cambio de zonificación solicitado.

NOTA: El propósito de la solicitud es permitir el uso de **Reparación y Servicios de Automóviles, Menores (Sin Almacenamiento Externo)**.

Se le ha enviado este aviso ya que su propiedad está dentro del área de notificación de 200 pies de la propiedad que se solicita para un cambio de zonificación. **Su propiedad no está siendo rezonificada.**

La Comisión de Planificación y Zonificación llevará a cabo una audiencia pública el Lunes 10 de Abril 2023, a las 7:00 p.m., y la audiencia pública del Concejo Municipal se llevará a cabo el Martes 2 de Mayo de 2023, a las 7:00 p.m., ambas en las Cámaras del Consejo de la Ciudad de Duncanville, 203 E. Wheatland Road. Las audiencias públicas se llevan a cabo para permitir a las personas interesadas la oportunidad de expresar su opinión directamente a la Comisión de Planificación y Zonificación, ya sea a favor o en contra del cambio de zonificación propuesto.

Sin embargo, si se opone al cambio de zonificación, la encuesta adjunta debe completarse y devolverse antes del **2 de Mayo de 2023**, para cumplir con los requisitos legales para una protesta formal por escrito.

Por favor, marque uno:

_____ **A favor** de conceder la solicitud de *zonificación*.

_____ **No a favor** de otorgar la solicitud de *zonificación*.

Mis razones son las siguientes:

1).

2).

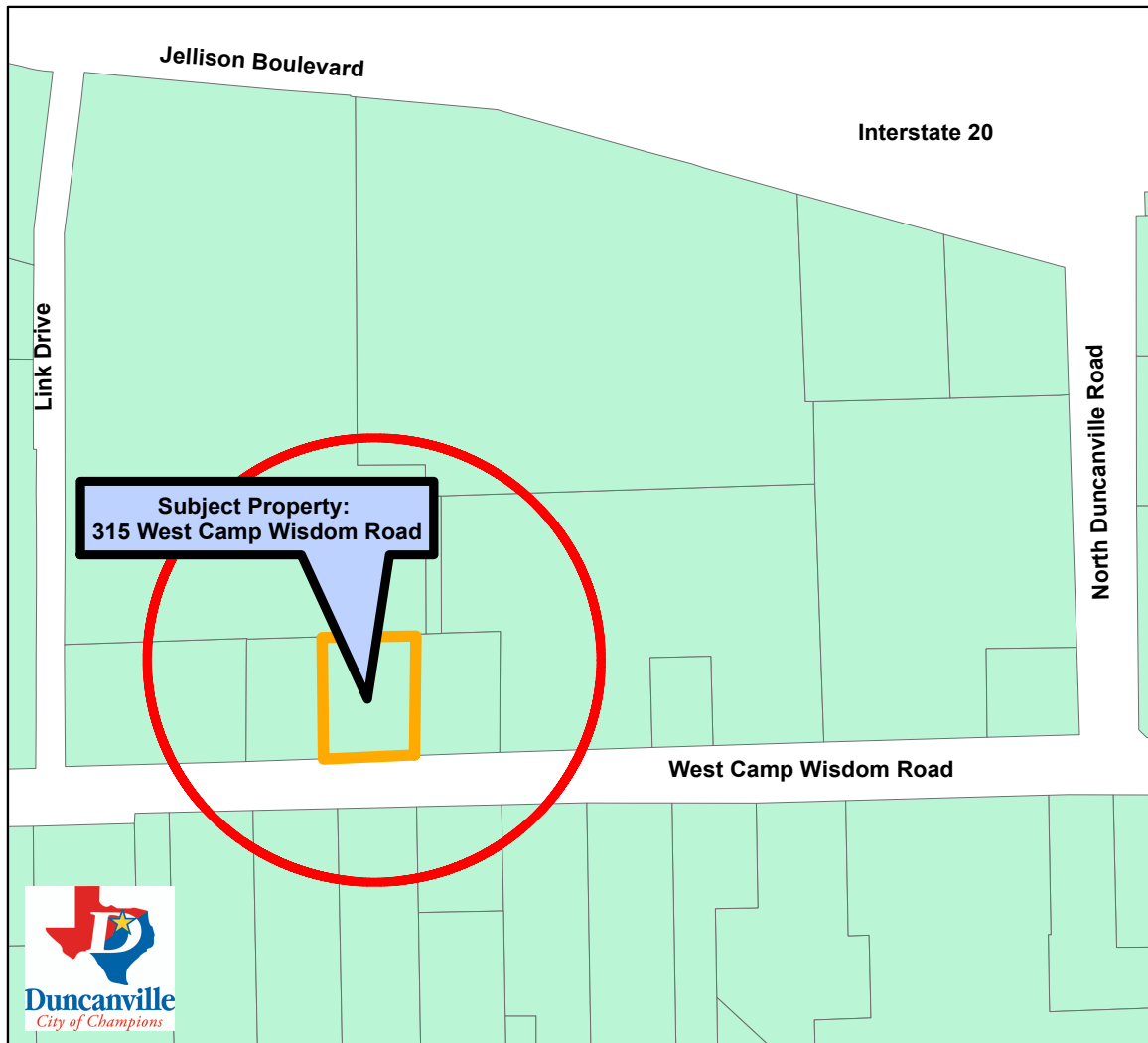
3).

Nombre
impreso: _____

Dirección: _____

Firma: _____

Fecha: ____

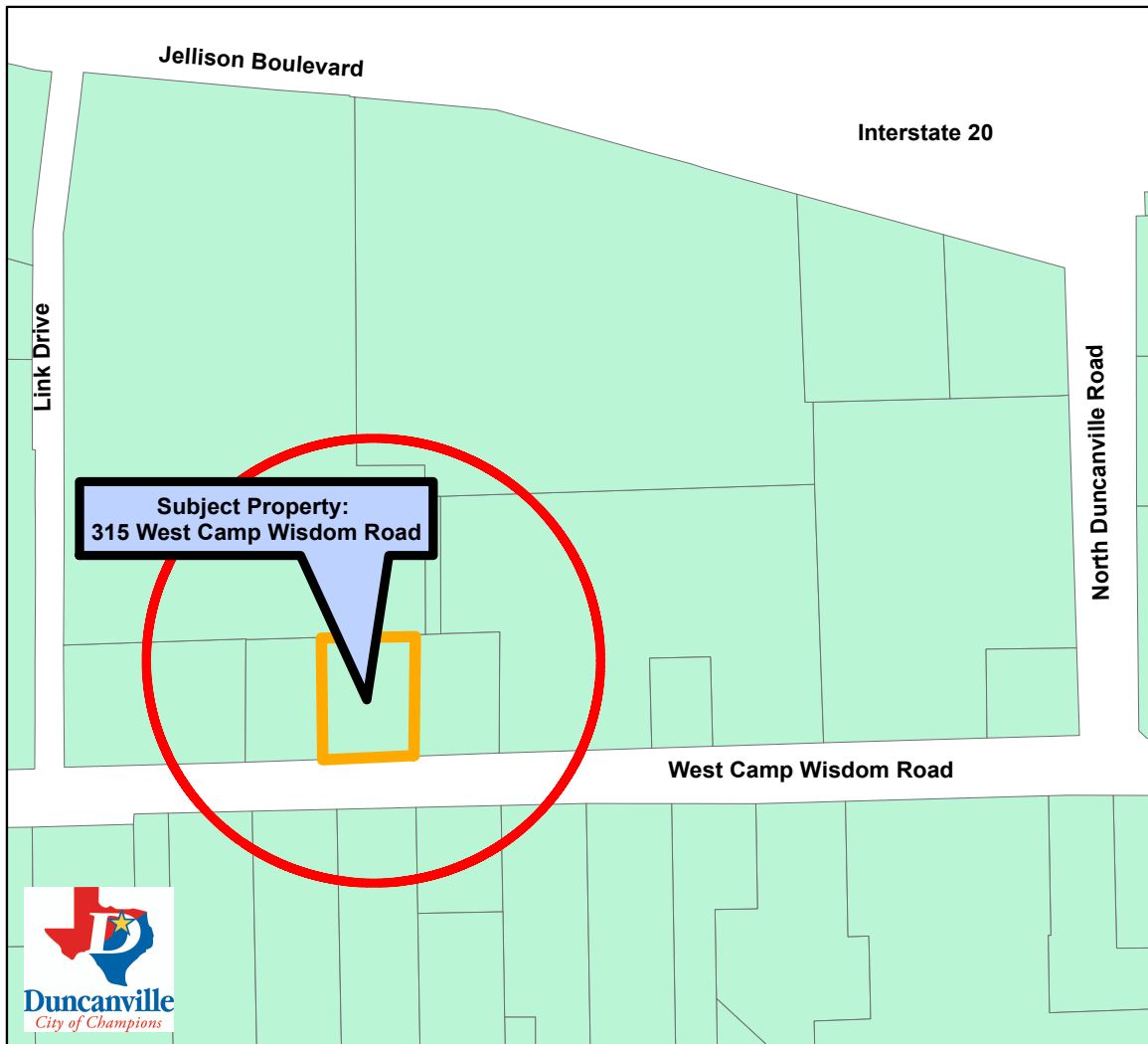


The applicant is requesting the approval of a Specific Use Permit (SUP) to be able to operate as "Auto Repair and Services, Minor (No Outside Storage)". The applicant intends to remodel the existing building and add landscaping.

Auto Repair and Services, Minor (No Outside Storage):

Minor repair or replacement of parts, tires, tubes and batteries; diagnostic services; minor maintenance services such as grease, oil, spark plug and filter changing; tune-ups; muffler repair, emergency road service; replacement of starters, alternators, hoses and brake parts; performing state inspections and making minor repairs necessary to pass said inspection; normal servicing of air-conditioning systems; window tinting; inspections services, diagnostics; and other similar minor services for motor vehicles except heavy load vehicles, but not including any operation named under Auto Repair and Services, Major, wrecker/towing services, or any other similar use. May include the retail sale of auto parts. No outside storage exists.

Questions? Please contact Planning and Zoning at 972-780-5057 or 972-707-3878.



El solicitante está solicitando la aprobación de un Permiso de Uso Específico (SUP) para poder operar como "Auto Reparación y Servicios, Menor (No Almacenamiento Exterior)". El solicitante tiene la intención de remodelar el edificio existente y agregar paisajismo.

Reparación y servicios de automóviles, menores (sin almacenamiento externo):

Reparación menor o reemplazo de piezas, llantas, cámaras y baterías; servicios de diagnóstico; servicios menores de mantenimiento como cambio de grasa, aceite, bujía y filtro; puestas a punto; reparación de silenciadores, servicio de emergencia en carretera; reemplazo de motores de arranque, alternadores, mangueras y piezas de freno; realizar inspecciones estatales y hacer las reparaciones menores necesarias para pasar dicha inspección; mantenimiento normal de sistemas de aire acondicionado; tintado de ventanas; servicios de inspección, diagnóstico; y otros servicios menores similares para vehículos de motor, excepto vehículos de carga pesada, pero sin incluir ninguna operación mencionada en Servicios y reparación de automóviles, Mayor, servicios de grúa/remolque, o cualquier otro uso similar. Puede incluir la venta al por menor de autopartes. No existe almacenamiento exterior.

¿Preguntas? Comuníquese con Planificación y Zonificación al 972-780-5057 o al 972-707-3878

ATTACHMENT 7

CAMP RETAIL DUNCANVILLE	DUNCANVILLE CITY OF	BARRAND INC
PO BOX 833009	PO BOX 380280	P O BOX 791690
RICHARDSON, TEXAS 750833000	DUNCANVILLE, TEXAS 751380280	SAN ANTONIO, TEXAS 782791690
CARRIER DENTISTRY PA	CWS REAL PROPERTY HOLDINGS LLC	PLN LTD
515 S CARRIER PKWY STE 102	6317 WAKELAND CT	105 N TRENTON ST
GRAND PRAIRIE, TEXAS 750510922	FT WORTH, TEXAS 761333523	RUSTON, LOUISIANA 712704321
S2 800 LINK LP	LEE KUEI LAN	TEXAS UTILITIES ELEC CO
5950 BERKSHIRE LN # 1300	322 W CAMP WISDOM RD	PO BOX 139100
DALLAS, TEXAS 752255841	DUNCANVILLE, TEXAS 751163331	DALLAS, TEXAS 753139100
DUNCANVILLE CITY OF	DUNCANVILLE CITY OF	CHI LAI SHAU
203 E WHEATLAND RD	203 E WHEATLAND RD	16051 ADDISON RD STE 210
DUNCANVILLE, TEXAS 751164824	DUNCANVILLE, TEXAS 751164824	ADDISON, TEXAS 750013294

9 notices mailed

ORDINANCE NO. 2476

AN ORDINANCE OF THE CITY OF DUNCANVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP, AS HERETOFORE AMENDED, BY AMENDING THE EXISTING LOCAL OFFICE RETAIL DISTRICT (LOR) TO GRANT A SPECIFIC USE PERMIT "SUP" FOR AUTO REPAIR AND SERVICES, MINOR (NO OUTSIDE STORAGE) ON IRWIN KEASLER SHOPPING VILLAGE, TRS 6 AND 8, 0.7143 ACS, MORE COMMONLY KNOWN AS 315 WEST CAMP WISDOM ROAD, IN THE CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

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

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

SECTION 1. That the Comprehensive Zoning Ordinance and Map of the City of Duncanville, Texas, as heretofore amended, be, and the same are hereby amended by amending the existing Local Office Retail District (LOR) to grant a Specific Use Permit "SUP" for Auto Repair and Services, Minor (No Outside Storage) on Irwin Keasler Shopping Village, TRS 6 and 8, 0.7143 ACS, more commonly known as 315 West Camp Wisdom Road, in the City of Duncanville, Dallas County, Texas.

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

- A. Property shall meet all city, state, and federal regulations for building and fire codes, and accessibility.
- B. Property shall be developed, used and maintained in compliance with the Site Plan and Building Elevations attached hereto and incorporated herein as Exhibits A and B, respectively.

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

not affect the validity of the Comprehensive Zoning Ordinance as a whole.

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

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

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

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

DULY PASSED by the City Council of the City of Duncanville, Texas, on the 2nd day of May, 2023.

APPROVED:

Barry L. Gordon, Mayor

ATTEST:

Janie Willman, City Secretary

APPROVED AS TO FORM:

Robert E. Hager, City Attorney
TM 134788



STAFF REPORT

MEETING: City Council - 02 May 2023

TITLE:

Conduct a public hearing for consideration and action regarding a request of the City of Duncanville for a text amendment to the Comprehensive Zoning Ordinance and adopt an ordinance to allow Carports by right where currently a Specific Use Permit (SUP) is required.

Vision Statement:

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

Pillar:

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

STAFF RESPONSIBLE:

Nathan Warren, Senior Planner

BACKGROUND/HISTORY:

Background

On September 20, 2022, City Council gave direction to staff to explore an avenue to allow Carports by right where currently a Specific Use Permit (SUP) is required. The current process has proven both costly and unnecessarily burdensome for citizens via the timeline associated with meandering through the SUP process. Staff diligently reviewed the current process and came to the conclusion that an SUP is not needed to provide excellent service to our constituency while ensuring the health and safety of our community. Currently, an internal system is performed with multiple departments checking off their portion of review to approve carports. This will continue and the Planning Staff will continue to verify that the land use allows carports where applied for by property owners.

Project Scope

Currently carports are only permitted with a Specific Use Permit in SF-43 Estate Single-Family Residential District, SF-13 Single-Family Residential District, SF-10 Single-Family Residential District, SF-7 Single-Family Residential District, TF-7 Duplex Residential District, MF-14 Multi-Family Residential District, and MF-21 Multi-Family Residential District. This text amendment would allow

carports by right in SF-43 Estate Single-Family Residential District, SF-13 Single-Family Residential District, SF-10 Single-Family Residential District, SF-7 Single-Family Residential District, TF-7 Duplex Residential District, MF-14 Multi-Family Residential District, and MF-21 Multi-Family Residential District.

Section 4.04.B.3.b(1) calls out that a carport may be provided in lieu of a garage or Porte Cochere upon approval of a Specific Use Permit. This text amendment will nullify the requirement for a Specific Use Permit.

POLICY EXPLANATION:

Notification

Subject to Section 6.02(D) newspaper notice for Public Hearings for any zoning amendment was published in the Friday, January 27, 2023, edition of the Focus Daily Newspaper for general circulation in the municipality. As of this writing, no responses have been received. Letters will be received until Tuesday, May 2, 2023, to fulfill legal requirements for a written formal protest to City Council.

FUNDING SOURCE:

ORG and Object Number

N/A

Available Budget

\$0.00

Purchase Amount

\$0.00

After Encumber

\$0.00

ACTION ALTERNATIVES:

1. Approve the text amendment request and ordinance.
2. Do not approve the text amendment request.
3. Other actions as directed by Council.

ATTACHMENTS:

[Attachment 1 - Legal Advertisement for Public Hearing Ordinance No. 2478](#)

ATTACHMENT 1

Advertise 1 time - By March 24

NOTICE OF A PUBLIC HEARING BEFORE THE
PLANNING AND ZONING COMMISSION AND CITY COUNCIL

A public hearing will be held before the Planning and Zoning Commission on Monday, April 10, 2023, at 7:00 p.m., and before City Council on Tuesday, May 2, 2023, at 7:00 p.m., in the Council Chambers, City Hall, 203 E. Wheatland Rd, Duncanville, Texas, to consider a request of the City of Duncanville, for a text amendment to the Comprehensive Zoning Ordinance to allow Carports by right where currently a Specific Use Permit is required.

As an interested citizen, you may appear at the public hearing or you may send a notice to either the City Secretary, Juanita Willman, or to Nathan Warren, Senior Planner, P.O. Box 380280, Duncanville, Texas, 75138-0280 stating your position.

CITY OF DUNCANVILLE
Juanita Willman
City Secretary

Nathan Warren,
Senior Planner

ORDINANCE NO. 2478

AN ORDINANCE OF THE CITY OF DUNCANVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE, AS HERETOFORE AMENDED, BY AMENDING THE CODE OF ORDINANCES BY AMENDING APPENDIX A, ARTICLE III, SECTION 3.03, RESIDENTIAL USES, ACCESSORY AND INCIDENTAL USES BY REMOVING THE REQUIREMENT FOR SPECIAL USE PERMIT; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and City Council of the City of Duncanville, in compliance with state laws with reference to amending the Code of Ordinances by amending Appendix A, Comprehensive Zoning Ordinance, by adopting an amendment to Article III, Section 3.03 Residential Uses, to allow for carports to be a use permitted in residential district and remove the requirement of obtain a Special Use Permit (SUP).

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

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Duncanville, Texas, as heretofore amended, by amending the Code of Ordinances, Appendix A, Article III, Section 3.03, Residential Uses, Accessory and Incidental Uses (Residential) is hereby amended by removing the requirement for a Special Use Permit to a use of a right in all residential district to hereinafter read as follows:

“Appendix A, Zoning Ordinance

Article III – Land Uses

Sec. 3.03. Permitted Use Chart

Land Use	SF-43	SF-13	SF-10	SF-7	TF-7	MF14	MF-21....
Residential Uses							
Accessory and Incidental Uses (residential)							
Accessory Dwelling Unit							
Carport	•	•	•	•	•	•	•
Drive-Thru”							

SECTION 2. That said accessory use shall be used, developed, and maintained only in the manner and for the purposes provided for this Ordinance, Comprehensive Zoning Ordinance of the City of Duncanville, as heretofore amended, and in conformance with this Ordinance.

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

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

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

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

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

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Duncanville, Texas, on the 2nd day of May, 2023.

APPROVED:

Barry L. Gordon, Mayor

ATTEST:

Janie Willman, City Secretary

APPROVED AS TO FORM:

Robert E. Hager, City Attorney
TM 134798



STAFF REPORT

MEETING: City Council - 02 May 2023

TITLE:

Receive the Parks and Recreation Department Quarterly Report

Vision Statement:

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

Pillar:

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

STAFF RESPONSIBLE:

Bart Stevenson, Director of Parks and Recreation

BACKGROUND/HISTORY:

Receive the Parks and Recreation Department Quarterly Report

POLICY EXPLANATION:

Receive the Parks and Recreation Department Quarterly Report

FUNDING SOURCE:

ORG and Object Number

N/A

Available Budget

\$0.00

Purchase Amount

\$0.00

After Encumber

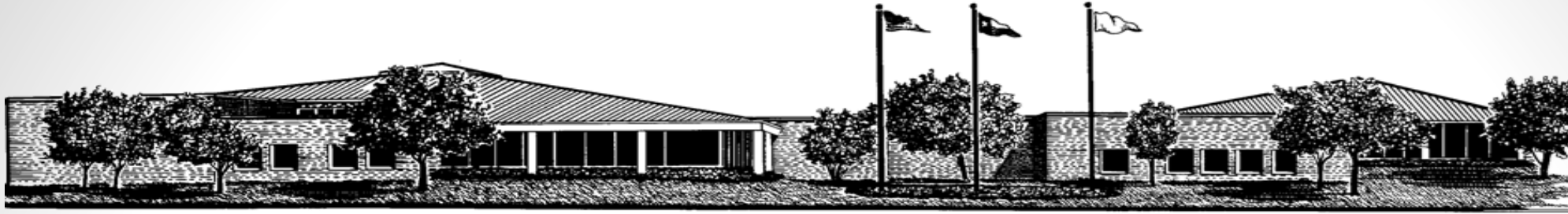
\$0.00

ACTION ALTERNATIVES:

N/A

ATTACHMENTS:

[2023-05-02 - Parks and Recreation Quarterly Report](#)



PARKS AND RECREATION QUARTERLY REPORT

CITY COUNCIL MEETING

MAY 2, 2023

BART STEVENSON, DIRECTOR OF PARKS AND RECREATION

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

City of Duncannonville



1

New Employees

- Parks Department



Glenn Starkey, Crew Leader – Parks

Park Maintenance Measurables

- Park Maintenance has been diligent with tree maintenance by trimming and pruning branches to ensure healthy canopy growth while also removing dead and fallen trees. Special projects completed include the installation of replacement playground parts, and maintenance repair of park amenities such as grills, benches, and tables prior to the busy rental season.
- Athletics has been staying busy with the tournament season by edging, dragging, lining, and maintaining our ball fields and surrounding parks to provide safe quality facilities for public use. During this quarter we have hosted an estimated 8580 patrons, 1404 practices, 51 games, and 8 tournaments.
- Horticulture crew has also been busy gearing up for planting season. During this quarter they planted 4500 tulips around the city, then removed them to distribute free bulbs to the community. They also have removed 18540 pansies that were planted in October in preparation for spring and summer color landscape designs.
- Irrigation Crew has been focusing on enhancing their operating practices such as reprogramming irrigation schedules for more efficient water usage and replacing dated and obsolete irrigation equipment to decrease the number of leaks and repairs.
- Tyler Agee, Assistant Director of Parks and Recreation, achieved Certified Playground Safety Inspector.
- Jonathan Deleon, Crew Leader - Park Maintenance, achieved Certified Professional Turf Manager.



Park Maintenance Measurables

- Keep Duncanville Beautiful Board
 - March 25 – KDB hosted their Annual Garden Workshop featuring Dallas County Master Gardeners CA Hiscock and John Hunt.
 - April 1 – KDB hosted a litter clean-up at Armstrong Park. Twelve volunteers were present for the event.
 - To celebrate Earth Day, the KDB Board recorded a series of videos with informational tips for the community through the City's social media pages beginning April 17, leading up to Earth Day, April 22, 2023.
- Upcoming Event:



Keep Duncanville Beautiful

COMMUNITY CLEAN-UP DAY

Saturday, May 6th | 8:00 am

Lakeside Park – 515 Hill City Dr.



Clean-up supplies will be provided. For more information, contact the Parks Department at 972-780-5072.



Recreation Center Measurables

- Visits: February 2023 – April 2023
 - 103 memberships were sold throughout this quarter. The number in sales includes the additional days added to the membership drive due to the winter storm.
 - 5,830 visits (2.5% increase from last quarter. Visits continue to go up due to Open Play Basketball, Pickleball, and Volleyball)
 - 159 Day Pass Visits
- Programs
 - Sidesteppers
 - Pickleball
 - Karate
 - Cheerleading
 - Jazzercise
 - Tumbling



Recreation Center Measurables

- Events
 - Princess Tea Party
 - Easter Eggstravaganza
 - Movies in the Park: Uncharted
 - Concert in the Park: Pure Blend
- Upcoming Special Events
 - National Day of Prayer – Thursday, May 4
 - Movies in the Park: Jumanji – Saturday, May 13
 - Concerts in Park: Payton Howie – Saturday, May 20
 - Memorial Day Ceremony – Monday, May 29
 - BSW Juneteenth Celebration – Saturday, June 17
 - Independence Day Celebration – Tuesday, July 4



National Day of Prayer *May 4th*



THE CITY OF DUNCANVILLE PROUDLY CELEBRATES

National Day of Prayer

THURSDAY, MAY 4TH AT NOON

DUNCANVILLE RECREATION CENTER

FOR MORE INFO CALL (972) 780-5070



City of Duncanville



7

Movies in the Park – Jumanji

May 13th



City of Duncannonville



8

Concert in the Park – Payton Howie
May 20th



CONCERT IN THE PARK
FEATURING
PAYTON HOWIE
SATURDAY, MAY 20TH | 7:00 PM
POE-HOBBDEN AMPHITHEATER
AT ARMSTRONG PARK
(972) 780-5070

FREE EVENT



Memorial Day Ceremony

May 29th



MONDAY
29
MAY
10:00 AM

MEMORIAL DAY CEREMONY

Memorial Park - 101 N. Main St.
Call (972) 780-5070 for more info.



BSW Juneteenth Celebration

June 17th



City of Duncanville



11

Independence Day Celebration

July 4th

CITY OF DUNCANVILLE
PRESENTS
**INDEPENDENCE DAY
CELEBRATION**

TUESDAY, JULY 4, 2023
ARMSTRONG PARK
GATES OPEN AT 6 PM
FIREWORKS START AT 9:30 PM

FEATURING
EXTENDED PLAY

City of Duncanville



12

Senior Center Measurables

- Visits: February 2023 – April 2023
 - 31 new and renewed memberships were sold throughout this quarter.
 - 2,211 visits
 - The Senior Center continues to operate at 100%
- Meals Served through DAAA/VNA Services
 - Dine-in lunch
 - Shelf Stable Meals for Emergency Situations only
 - 2,286
- Events
 - Indoor Bingo
 - Coffee with the Mayor
 - Walk in the Park
 - Game Night
 - Easter Egg Hunt
 - Monthly Birthday Celebration
 - Women's History Month Fireside Chat
 - Trips to museums, restaurants, and entertainment venues
 - Various performances including choir and live entertainment





Senior Center Activities

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

Bond Election Projects

- Armstrong Park
 - Awarded Texas Parks & Wildlife Local Non-Urban Grant - \$749,805!
 - Plans are 100% complete
 - Construction Spring/Summer – Summer 2023
 - Equipment is on order with a 16-week lead time
 - Demolition scheduled to begin at the end of May
- Harrington Park
 - Plans are 100% complete
 - Received an updated Guaranteed Maximum Price (GMP)
 - Options to be determined with all the bond projects
- Trails
 - Initiated approval process with Oncor for the powerline easement
 - Executing a design contract with cost estimate with Halff



Kidsville One More Play

May 13th

ONE MORE PLAY

FREE SNOWCONES

COME HELP US SAY GOODBYE TO KIDSVILLE

Armstrong Park
Saturday, May 13
5pm – 7pm

For more information email
Angela.Owens@DuncanvilleTX.gov

Duncanville
City of Champions



Questions?



STAFF REPORT

MEETING: City Council - 02 May 2023

TITLE:

Receive the Monthly Financial Report as of February 2023.

Vision Statement:

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

Pillar:

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

STAFF RESPONSIBLE:

Edena J. Atmore, Managing Director, Fiscal Services

BACKGROUND/HISTORY:

The Financial Report is presented to provide actual revenues and expenditures compared to the budget. The report provides financial summary data on key funds, including the General, Utility, Economic Development, and Fieldhouse funds.

POLICY EXPLANATION:

City Council expects to receive monthly reports on the City’s financial condition. February is the second month of the second quarter of fiscal year 2022-2023. Revenues and expenditures are expected to approximate a budgeted target of 41.67% for the period ending February 28, 2023. See the attached Monthly Financial Report as of February, for further details on the City’s budget and actual revenues and expenditures for all funds.

Fiscal Services has also included the Certified Monthly Property Tax Certification Report and the monthly Sales Tax allocation worksheet for your review on pages 9 through 14 of the Duncanville financial report.

FUNDING SOURCE:

ORG and Object Number

N A

Available Budget

N A

Purchase Amount

N A

After Encumber

N A

ACTION ALTERNATIVES:

There is no City Council action required.

ATTACHMENTS:

[3-Monthly Financial Report-February 2023](#)



**CITY OF DUNCANVILLE
MONTHLY FINANCIAL REPORT**

Fiscal Year 2022-2023
YEAR-TO-DATE OPERATIONS

AS OF FEBRUARY 28, 2023

OCTOBER 1, 2022 TO FEBRUARY 28, 2023

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

Updated and Prepared by
FISCAL SERVICES DEPARTMENT
4/14/2023



MEMORANDUM

TO: Robert Brown, Jr.
City Manager

FROM: Edena J. Atmore, CPA, CPM, CPFO, CGFO, CPFIM, CGMA
Managing Director, Fiscal Services

DATE: April 19, 2023

RE: February 2023- Monthly Financial Report for the City of Duncanville, Texas

The Duncanville Monthly Financial Report presents unaudited revenues and expenditures through February 28, 2023, compared to the budgetary numbers for the fiscal year 2022-23. The report provides financial summary data on key funds, including the General, Utility, Economic Development, and Fieldhouse funds. General Fund is the primary operating fund for the City, so details of revenues by category and expenditures by the department are included for your review. In addition, all other funds that are part of daily operations are included in brief to highlight each fund's revenues, expenditures, and fund balances.

February is the second month of the second quarter of fiscal year (FY) 2022-2023. We expect to collect and spend 41.7 % of the budgeted revenues and expenditures. Below are highlights of October 2022 through February 2023 governmental financial information.

General Fund:

General Fund's unaudited ending fund balance for actuals is approximately \$23.4 million to date, which provides an expenditure coverage for 710 days of operations as of February 2023. The General Fund fiscal year 2023 budget is estimated to have an unaudited ending fund balance of approximately \$17.5 million. The FY 2022 external audit report is in progress at this time.

- Overall, collected General Fund revenues and service reimbursements are currently at 48.1% of the targeted budget. This variance is above the targeted percentage of 41.7% for this time period.
 - Current property tax payments are at 65.5% of the budget. Dallas County is continuing to collect any current and delinquent taxes. We do expect to collect at least 94.4% of the property tax levy for FY 2023. A certified copy of the Property Tax Collection Report as of February 28, 2023, is attached for your review on page 8 of this report.
 - The sales tax revenues for this period has exceeded the prior year actuals to date by \$125,069.94. The data reflects three fiscal months of collected revenue. A breakdown of the sales tax allocations within city funds is attached for your review on page 11 of this report.
 - Franchise fee revenues are received quarterly in arrears. Payments due to the City for the first quarter (October through December) of the FY are remitted to the City in the second quarter of FY 2023. Franchise revenues consist of gas, electric, telephone, and cable

television right-of-way fees collected from providers with city agreements to operate in the City of Duncanville.

- Building permit and license revenue are at 43.1% of the annual budgeted amount, which is 5.4% less than collections from the prior fiscal year. The actuals are still aligned with the fiscal year-to-date budgeted target of 41.7%.
 - Our Charges for Services revenue collection percentage to budget is 20.7% less than last year's budget period. This source is mainly comprised of recreational, emergency medical services, and event fees. We expect this revenue source to increase as the seasons change.
 - In addition, attached is a detailed review of General Fund revenues by category.
- General Fund's total operating and project expenditures are 31.8% of the budget.
- To date, most operating expenditure categories are below the target of 41.7% for the current fiscal year. The expenditures are aligned with the prior year's actual-to-budget percentage.
 - Transfers to Other Funds have been aligned to match purchase requirements by other funds, such as fleet replacements or capital projects. Transfers to other funds include over \$1.1 million in transfers to the Street CIP, Tax Increment Financing, and Furniture Replacement funds. No one-time projects were anticipated for the FY 2023 adopted budget.
 - In addition, attached is a detailed overview of the General Fund expenditures by department and division.

Utility Funds:

The **Utility Operating Fund's** unaudited beginning fund balance is \$14.4 million, with an actual year-to-date unaudited fund balance of \$14.6 million, providing an expenditure coverage of 829 days as of February 28, 2023. Our revenues exceeded our expenditures for February by \$168,200.

- Total utility revenues are at 33.9% of the budget. In addition, the current water and sewer utility revenues reflect an increase in the amount collected compared to this same period last year.
- Total expenditures are at 33% of the budget. This amount includes payments to Dallas Water Utilities (water services) and Trinity River Authority (wastewater services).
 - Expenditures also include a transfer out to the General Fund for the cost of administrative activities performed by General Fund staff, such as accounting, city management, information technology, human resources, etc.
 - Transfers also include monthly installments that total \$5.9 million annually to the Utility CIP fund and the Meter Replacement fund for utility capital improvement projects and meter replacements.
 - The **Utility CIP Fund's** budget as revised to spend \$6.1 million for FY 2023. To cover the capital expenditures for this fund, it is budgeted to receive bond proceeds to assist with financing the Utility CIP projects.
 - The **Utility Meter Replacement Fund** is budgeted to receive \$1 million from the Utility Operating Fund to purchase meter replacements.

Other Funds:

- The Economic Development Fund's unaudited beginning fund balance is \$5.3 million, with an actual to-date fund balance of approximately \$5.8 million.
- **Fieldhouse** operating revenues are 13.2% of the budgeted amount compared to 49% last year. Operating expenditures represent 19.2% of the period's budgeted target of 41.7% for this fiscal year period.
- A financial update on all Special Revenue, Debt Service, Capital/Replacement, and minor Enterprise funds of the City is included for your review starting on page 23 of this report.
- The FY 2022 American Rescue and Recovery Act funds of \$4.8 million are included in Fund 758 in the Special Revenue Funds report for a total funding to date of over \$9.6 million. The second phase of the grant funds was received on September 26, 2022. Fiscal year-to-date, the City has expended \$649,162 of the American Rescue funds. Expenditures of over \$3.9 million are estimated to be spent.

Respectfully Submitted,

Fiscal Services Staff

CITY OF DUNCANVILLE

GENERAL FUND-001 AS OF FEBRUARY 28, 2023

REVENUES and EXPENDITURES	REVISED BUDGET	2023 YTD ACTUALS	AVAILABLE BUDGET AMOUNT	% OF BUDGET USED YTD	2022 FY TD ACTUALS	% OF BUDGET PYTD
Revenue						
50 - PROPERTY TAXES	\$20,805,379	\$13,629,643	\$7,175,736	65.5%	\$17,779,488	95.5%
51 - SALES & OTHER TAXES	\$9,538,417	\$2,504,651	\$7,033,766	26.3%	\$2,285,218	27.2%
52 - PERMITS & LICENSES	\$572,050	\$246,375	\$325,675	43.1%	\$264,387	48.5%
53 - FINES & FEES	\$386,600	\$119,339	\$267,261	30.9%	\$120,405	25.3%
54 - INTERGOV REVENUES	\$237,500	\$20,753	\$216,747	8.7%	\$13,728	8.3%
55 - INTEREST	\$67,700	(\$0)	\$67,700	0.0%	\$26,272	17.5%
56 - FRANCHISE FEE REV	\$1,739,000	\$20,449	\$1,718,552	1.2%	\$396,567	23.2%
57 - CHARGES FOR SERVICES	\$1,120,300	\$136,754	\$983,546	12.2%	\$372,251	32.9%
58 - TRANSFER FROM FUNDS	\$2,905,293	\$1,298,431	\$1,606,862	44.7%	\$1,131,330	41.7%
59 - OTHER SOURCES	\$391,000	\$176,738	\$214,262	45.2%	\$242,827	62.8%
Revenue Total	\$37,763,239	\$18,153,132	\$19,610,107	48.1%	\$22,632,474	66.0%
Expense						
60 - SALARY AND BENEFITS	(\$24,150,028)	(\$8,418,414)	(\$15,733,556)	34.9%	(\$8,188,049)	37.3%
72 - SUPPLIES & MATERIALS	(\$2,029,465)	(\$391,866)	(\$1,342,338)	19.3%	(\$299,080)	16.3%
73 - CONTRACT & PROF SVCS	(\$7,028,950)	(\$1,878,313)	(\$3,548,159)	26.7%	(\$1,627,904)	22.1%
74 - MAINT & REPAIR SVCS	(\$1,385,657)	(\$348,372)	(\$450,404)	25.1%	(\$241,322)	32.7%
75 - UTILITIES	(\$952,225)	(\$383,180)	(\$572,819)	40.2%	(\$306,753)	32.8%
76 - CAPITAL OUTLAY	(\$160,891)	(\$37,477)	(\$15,651)	23.3%	(\$43,825)	26.5%
77 - DEBT SERVICES	(\$0)	(\$0)	(\$0)		(\$60,129)	100.1%
78 - TRANSFER TO FUNDS	(\$1,169,982)	(\$306,423)	(\$860,482)	26.2%	(\$1,491,780)	43.1%
79 - OTHER FINANCING USES	(\$509,461)	(\$126,611)	(\$386,650)	24.9%	(\$107,471)	29.1%
Expense Total	(\$37,386,658)	(\$11,890,657)	(\$22,910,058)	31.8%	(\$12,366,313)	33.5%
Revenues Over/(Under) Exp.	\$376,581	\$6,262,475	(\$3,299,951)	1663.0%	\$10,266,161	
UNAUDITED BEGINNING FUND BALANCE				TRANSFERS TO OTHER FUNDS INCLUDES \$2,703,103 FOR ONE-TIME PROJECTS FROM FUND BALANCE SEE USE OF FUND BAL SUMMARY-FUND 41		
	\$17,181,912	\$17,181,912				
ENDING FUND BALANCE	\$17,558,493	\$23,444,387				
FUND BALANCE RESERVE REQUIREMENT POLICY						
% of Fund Balance to Exp. Ratio	47.0%	197.2%				
# of Days Coverage	169	710				
Reserve Requirement \$\$ (60 days)	\$6,231,110	\$1,981,776				
Reserve Requirement %	17%	17%				
Excess Reserves	\$11,327,383	\$21,462,610				

Page 5

CITY OF DUNCANVILLE

GENERAL FUND REVENUE DETAILS AS OF FEBRUARY 28, 2023

REVENUES	REVISED BUDGET	2023 FYTD ACTUALS	AVAILABLE BUDGET AMOUNT	% OF ANNUAL BUDGET YTD
50 - PROPERTY TAXES				
501101 - CURRENT TAXES	\$20,545,379	\$13,531,169	\$7,014,210	65.9%
501102 - DELINQUENT TAXES	\$125,000	\$86,283	\$38,717	69.0%
501103 - PENALTIES AND INTEREST	\$135,000	\$12,192	\$122,808	9.0%
50 - PROPERTY TAXES Total	\$20,805,379	\$13,629,643	\$7,175,736	65.5%
51 - SALES & OTHER TAXES				
501201 - STATE SALES TAX CITY PORTION	\$6,302,278	\$1,663,369	\$4,638,909	26.4%
501202 - SALES TAX PROPERTY TAX RELIEF	\$3,151,139	\$831,685	\$2,319,454	26.4%
501204 - ALCOHOLIC BEVERAGE TAX	\$85,000	\$9,597	\$75,403	11.3%
51 - SALES & OTHER TAXES Total	\$9,538,417	\$2,504,651	\$7,033,766	26.3%
52 - PERMITS & LICENSES				
502101 - BUILDING PERMITS	\$300,000	\$124,163	\$175,837	41.4%
502102 - ELECTRICAL PERMITS	\$20,000	\$13,575	\$6,425	67.9%
502103 - SOLICITOR LICENSES	\$500	\$150	\$350	30.0%
502106 - SIGN PERMITS	\$15,000	\$10,525	\$4,475	70.2%
502108 - HEALTH FOOD INSPECTION FEES	\$70,000	\$28,812	\$41,188	41.2%
502109 - PLUMBING AND AC PERMITS	\$55,000	\$23,125	\$31,875	42.0%
502111 - ZONING & SPEC USE PERMIT	\$8,500	\$6,450	\$2,050	75.9%
502114 - RENTAL PROPERTY REGISTRATION	\$50,000	\$36,705	\$13,295	73.4%
502120 - ALARM PERMITS	\$50,000	\$2,870	\$47,130	5.7%
502122 - POOL OR SPA INSPECTION FEE	\$3,000	(\$0)	\$3,000	0.0%
509607 - ANIMAL PERMITS	\$50	(\$0)	\$50	0.0%
52 - PERMITS & LICENSES Total	\$572,050	\$246,375	\$325,675	43.1%
53 - FINES & FEES				
502107 - WRECKER AND STORAGE FEES	(\$0)	(\$0)	(\$0)	
502112 - EMS SVCS COST SETTLEMENT	(\$0)	(\$0)	(\$0)	
502113 - SMALL CELL/ NETWORK NODE FEES	(\$0)	(\$0)	(\$0)	
503101 - MUNICIPAL COURT FINES	\$300,000	\$95,769	\$204,231	31.9%
503102 - COURT RELATED FEES	\$65,000	\$19,293	\$45,707	29.7%
503103 - SCHOOL CROSSING FEES	\$3,500	\$870	\$2,630	24.9%
503201 - LIBRARY FINES	\$3,000	\$2,926	\$74	97.5%
503301 - FALSE ALARM FINES	\$15,000	\$480	\$14,520	3.2%
509609 - RETURN CHECK FEES	\$100	(\$0)	\$100	0.0%
53 - FINES & FEES Total	\$386,600	\$119,339	\$267,261	30.9%
54 - INTERGOV REVENUES				
504102 - DISD SCHOOL CROSSING GUARDS	\$42,500	(\$0)	\$42,500	0.0%
504103 - DALLAS CNTY CROSSING GUARD REV	\$40,000	\$11,370	\$28,630	28.4%
504109 - REIMB FOR REG EMERG MANAGER	\$100,000	\$8,741	\$91,259	8.7%
507105 - SENIOR MEAL DONATIONS	(\$0)	\$642	(\$642)	
508101 - STATE GRANTS	(\$0)	(\$0)	(\$0)	
508201 - FEDERAL GRANTS	(\$0)	(\$0)	(\$0)	
508203 - INTERGOV REIMBURSEMENT-CDBG	\$55,000	(\$0)	\$55,000	0.0%
54 - INTERGOV REVENUES Total	\$237,500	\$20,753	\$216,747	8.7%

CITY OF DUNCANVILLE

GENERAL FUND REVENUE DETAILS AS OF FEBRUARY 28, 2023

REVENUES	REVISED BUDGET	2023 FYTD ACTUALS	AVAILABLE BUDGET AMOUNT	% OF ANNUAL BUDGET YTD
55 - INTEREST				
505101 - INTEREST ON GOVT POOL INVEST	\$1,700	(\$0)	\$1,700	0.0%
505103 - CERT OF DEPOSIT INTEREST	\$36,000	(\$0)	\$36,000	0.0%
505106 - MONEY MARKET INTEREST	\$30,000	(\$0)	\$30,000	0.0%
55 - INTEREST Total	\$67,700	(\$0)	\$67,700	0.0%
56 - FRANCHISE FEE REV				
501301 - FRANCHISE FEE ELECTRIC	\$1,150,000	(\$0)	\$1,150,000	0.0%
501302 - FRANCHISE FEE GAS	\$332,000	(\$0)	\$332,000	0.0%
501303 - FRANCHISE FEE TELEPHONE	\$82,000	\$20,449	\$61,552	24.9%
501304 - FRANCHISE FEE CABLE TV	\$175,000	(\$0)	\$175,000	0.0%
501306 - FRANCHISE VIDEO SERV	(\$0)	(\$0)	(\$0)	
56 - FRANCHISE FEE REV Total	\$1,739,000	\$20,449	\$1,718,552	1.2%
57 - CHARGES FOR SERVICES				
502105 - EMERGENCY MEDICAL SERVICE	\$850,000	(\$0)	\$850,000	0.0%
507102 - RECREATION FEES	\$230,000	\$77,560	\$152,440	33.7%
507104 - SENIOR CENTER ANNUAL USER FEE	\$4,000	\$1,433	\$2,568	35.8%
507106 - RECREATION CENTER CAMPS	(\$0)	(\$0)	(\$0)	
507107 - RECREATION CENTER CLASSES	\$14,500	\$9,703	\$4,797	66.9%
507108 - SPECIAL EVENTS	\$12,000	\$35,035	(\$23,035)	292.0%
507109 - SENIOR CLASS/TRIPS	\$1,800	\$1,440	\$360	80.0%
509603 - LIBRARY SERVICE FEES	\$8,000	\$9,815	(\$1,815)	122.7%
509622 - MOWING LIEN REIMBURSEMENTS	(\$0)	\$1,768	(\$1,768)	
57 - CHARGES FOR SERVICES Total	\$1,120,300	\$136,754	\$983,546	12.2%
58 - TRANSFER FROM FUNDS				
598002 - PILOT FEE TZ-CITY WWW UTILITY	\$1,724,640	\$355,131	\$1,369,509	20.6%
599002 - TRANS FROM UTILITY FUND-002	\$1,065,393	\$908,213	\$157,180	85.2%
599010 - TRANS FROM HOTEL FUND-010	\$31,268	\$10,423	\$20,845	33.3%
599012 - TRANS FROM EDC FUND-012	\$73,992	\$24,664	\$49,328	33.3%
599230 - TRANS FROM JUVENILE FUND-230	\$10,000	(\$0)	\$10,000	0.0%
599757 - TRANS FROM EMERG MANG FND-757	(\$0)	(\$0)	(\$0)	
58 - TRANSFER FROM FUNDS Total	\$2,905,293	\$1,298,431	\$1,606,862	44.7%

CITY OF DUNCANVILLE

GENERAL FUND REVENUE DETAILS AS OF FEBRUARY 28, 2023

REVENUES	REVISED BUDGET	2023 FYTD ACTUALS	AVAILABLE BUDGET AMOUNT	% OF ANNUAL BUDGET YTD
59 - OTHER SOURCES				
503202 - LIBRARY DONATIONS	(\$0)	\$44	(\$44)	
509101 - SALE OF FIXED ASSETS	(\$0)	\$34,248	(\$34,248)	
509105 - SALE OF MATERIALS	\$2,500	\$354	\$2,146	14.2%
509201 - INSURANCE RECOVERY	(\$0)	(\$0)	(\$0)	
509601 - MISCELLANEOUS REVENUE	\$100,000	\$10,437	\$89,563	10.4%
509602 - CASH OVER AND SHORT	(\$0)	\$491	(\$491)	
509604 - POLICE ACCIDENT REPORTS	\$3,500	\$1,270	\$2,231	36.3%
509606 - AUCTION PROCEEDS	\$5,000	(\$0)	\$5,000	0.0%
509611 - SCRAP METAL SALES	(\$0)	(\$0)	(\$0)	
509612 - CITY SERVICES REIMBURSEMENT	\$58,000	\$3,461	\$54,539	6.0%
509613 - WORKERS COMP REIMBURSEMENT	\$20,000	(\$0)	\$20,000	0.0%
509614 - RENTAL OF TOWER	\$194,000	(\$0)	\$194,000	0.0%
509617 - LEASE INCOME-EON	(\$0)	\$120,000	(\$120,000)	
509618 - GAS WELL OIL REVENUE	\$8,000	\$3,710	\$4,290	46.4%
509623 - CLAIM REIMBURSEMENTS	(\$0)	\$1,305	(\$1,305)	
516200 - DONATIONS	(\$0)	(\$0)	(\$0)	
518100 - STREET MAINTENANCE FEE	(\$0)	(\$0)	(\$0)	
588888 - REVENUE SUSPENSE	(\$0)	\$1,419	(\$1,419)	
59 - OTHER SOURCES Total	\$391,000	\$176,738	\$214,262	45.2%
Total Revenues	\$37,763,239	\$18,153,132	\$19,610,107	48.1%



PROPERTY TAX COLLECTIONS

MONTHLY FINANCIAL REPORT

Prepared by
FINANCIAL SERVICES DEPARTMENT

CITY OF DUNCANVILLE Property Tax Collections Report February 01 - 28, 2023					
	Report Name	Base Tax Levy	Penalty & Interest	Collection Fees	Total
Collections:					
Payments Received	AC003P	\$3,487,132.80	\$28,816.06	\$6,067.46	\$3,522,016.32
Adjustments to Collections:					
Refunds/Levy Corrections	AC003A	\$0.00	\$0.00	\$0.00	\$0.00
Return Check Items	AC003A	(\$19,533.93)	(\$8.58)	(\$8.86)	(\$19,551.37)
Transfers/Reversals	AC003A	(\$18,415.76)	(\$8,211.47)	(\$114.72)	(\$26,741.95)
Total Adjustments to Collections	AC003A	(\$37,949.69)	(\$8,220.05)	(\$123.58)	(\$46,293.32)
Maintenance & Operations	AC002A	\$3,313,937.43	\$19,494.46	\$5,943.88	\$3,339,375.77
Interest & Sinking	AC002A	\$135,245.68	\$1,101.55	\$0.00	\$136,347.23
Net Collections	AC002A	\$3,449,183.11	\$20,596.01	\$5,943.88	\$3,475,723.00
Transferred Refund from Escrow	AC002A	\$0.00			\$0.00
Rendition Penalty	AC006A	(\$149.62)			(\$149.62)
Collections Fee		\$0.00			\$0.00
Total Miscellaneous Items		(\$149.62)			(\$149.62)
M&O Net Payment to Entity		\$3,313,787.81	\$19,494.46		\$3,333,282.27
I&S Net Payment to Entity		\$135,245.68	\$1,101.55		\$136,347.23
Total Net Payment to Entity		\$3,449,033.49	\$20,596.01		\$3,469,629.50
Net Adjustment to Levy	AR006A	(\$1,815.23)			
Current Year Collection Percentage Based on Monthly Collections:				94.40%	

Total Net Payment to Entity = (Payments Received - Total Adj to Coll - Total Misc. Items)

M&O Net Payment to Entity = (Maintenance & Operations - Total Miscellaneous Items)

Detail reports will not be attached if no activity occurred for the month.

In accordance with the requirements of the Texas Property Tax Code, Chapter 31, Section 31.10 Paragraph (a), the attached tax collections report is respectfully submitted.

I, John R. Ames, CTA, Dallas County Tax Assessor/Collector, do hereby certify the attached collection totals, to the best of my knowledge.



Laura Mati
Notary Public, State of Texas

John R. Ames
John R. Ames, CTA
Dallas County Tax Assessor/Collector *al*

Sworn and subscribed before me, this 9 day of March, 20 23.



SALES TAX ALLOCATION WORKSHEETS

MONTHLY FINANCIAL REPORT

Prepared by
FINANCIAL SERVICES DEPARTMENT

SALES TAX ALLOCATION HISTORICAL SUMMARIES

City of Duncanville
 Authority Code: 2057084
 2 CENT AUTHORIZATION

TOTAL SALES TAXES COLLECTED AND RECEIVED

.02 CENT ALLOCATION		FY	FY	FY	FY	FY	FY
COLLECTION MONTH	RECEIVED MONTH	2022-23	2021-22	2020-21	2019-20	2018-19	2017-18
OCT	DEC	\$ 993,789.74	785,673.18	830,234.09	899,967.44	808,134.72	795,078.73
NOV	JAN	\$ 971,344.59	970,431.17	802,203.37	799,874.76	761,307.93	767,921.23
DEC	FEB	\$ 1,332,694.48	1,207,624.54	1,045,330.25	1,093,884.42	982,541.46	1,022,043.71
JAN	MAR		915,721.95	798,307.67	692,647.12	751,474.37	758,469.91
FEB	APR		867,075.56	816,989.85	677,611.75	763,496.18	749,939.85
MAR	MAY		1,371,074.68	1,215,345.22	888,123.96	1,069,253.79	1,098,423.67
APRIL	JUN		1,053,655.75	1,073,951.31	773,096.95	846,390.05	859,016.38
MAY	JUL		1,055,650.56	895,092.16	809,543.87	879,867.74	914,446.54
JUNE	AUG		1,274,933.45	1,130,684.16	1,021,135.56	1,018,284.27	1,017,289.66
JULY	SEP		1,039,021.98	1,013,137.28	774,925.04	861,472.41	906,973.60
AUG	OCT		972,252.62	917,440.10	806,953.30	885,497.37	871,174.23
SEPT	NOV		1,244,441.19	1,169,399.73	1,036,229.49	1,023,608.43	1,027,247.60
TOTAL		\$ 3,297,828.81	12,757,556.63	11,708,115.19	10,273,993.66	10,651,328.72	10,788,025.11

GENERAL FUND CITY and PROPERTY TAX RELIEF SALES TAX ALLOCATION

75% OF .02 CENT ALLOCATION

COLLECTION MONTH	RECEIVED MONTH	2022-23	2021-22	2020-21	2019-20	2018-19	2017-18
OCT	DEC	745,342.31	589,254.89	622,675.57	674,975.58	606,101.04	596,309.05
NOV	JAN	728,508.44	727,823.38	601,652.53	599,906.07	570,980.95	575,940.92
DEC	FEB	999,520.86	905,718.41	783,997.69	820,413.32	736,906.10	766,532.78
JAN	MAR	0.00	686,791.46	598,730.75	519,485.34	563,605.78	568,852.43
FEB	APR	0.00	650,306.67	612,742.39	508,208.81	572,622.14	562,454.89
MAR	MAY	0.00	1,028,306.01	911,508.92	666,092.97	801,940.34	823,817.75
APRIL	JUN	0.00	790,241.81	805,463.48	579,822.71	634,792.54	644,262.29
MAY	JUL	0.00	791,737.92	671,319.12	607,157.90	659,900.81	685,834.91
JUNE	AUG	0.00	956,200.09	848,013.12	765,851.67	763,713.20	762,967.25
JULY	SEP	0.00	779,266.49	759,852.96	581,193.78	646,104.31	680,230.20
AUG	OCT	0.00	729,189.47	688,080.08	605,214.98	664,123.03	653,380.67
SEPT	NOV	0.00	933,330.89	877,049.80	777,172.12	767,706.32	770,435.70
TOTAL		2,473,371.61	9,568,167.47	8,781,086.39	7,705,495.25	7,988,496.54	8,091,018.83

ECONOMIC DEVELOPMENT CORPORATION							
50% OF .01 CENT ALLOCATION-ECONOMIC DEVELOPMENT							
COLLECTION MONTH	RECEIVED MONTH	2022-23	2021-22	2020-21	2019-20	2018-19	2017-18
OCT	DEC	248,447.44	196,418.30	207,558.52	224,991.86	202,033.68	198,769.68
NOV	JAN	242,836.15	242,607.79	200,550.84	199,968.69	190,326.98	191,980.31
DEC	FEB	333,173.62	301,906.14	261,332.56	273,471.11	245,635.37	255,510.93
JAN	MAR	0.00	228,930.49	199,576.92	173,161.78	187,868.59	189,617.48
FEB	APR	0.00	216,768.89	204,247.46	169,402.94	190,874.05	187,484.96
MAR	MAY	0.00	342,768.67	303,836.31	222,030.99	267,313.45	274,605.92
APRIL	JUN	0.00	263,413.94	268,487.83	193,274.24	211,597.51	214,754.10
MAY	JUL	0.00	263,912.64	223,773.04	202,385.97	219,966.94	228,611.64
JUNE	AUG	0.00	318,733.36	282,671.04	255,283.89	254,571.07	254,322.42
JULY	SEP	0.00	259,755.50	253,284.32	193,731.26	215,368.10	226,743.40
AUG	OCT	0.00	243,063.16	229,360.03	201,738.33	221,374.34	217,793.56
SEPT	NOV	0.00	311,110.30	292,349.93	259,057.37	255,902.11	256,811.90
TOTAL		824,457.20	3,189,389.16	2,927,028.80	2,568,498.42	2,662,832.18	2,697,006.28
Check Fig. vs. TOTAL		3,297,828.81	12,757,556.63	11,708,115.19	10,273,993.66	10,651,328.72	10,788,025.11

CITY OF DUNCANVILLE

GENERAL FUND EXPENDITURES BY DEPT/DIV- FEBRUARY 28, 2023

OPERATING EXPENDITURES	REVISED BUDGET	2023 FYTD ACTUALS	AVAILABLE BUDGET AMOUNT	% OF ANNUAL BUDGET YTD
0101 - GENERAL GOV. SERVICES DEPT.				
01011000 - MAYOR AND COUNCIL	(\$146,014)	(\$63,951)	(\$89,361)	44.8%
01011020 - MAYOR-DUNCANVILLE	(\$8,500)	(\$7,667)	(\$833)	90.2%
01011021 - DISTRICT 1-VERACRUZ	(\$7,000)	(\$1,661)	(\$5,339)	23.7%
01011022 - DISTRICT 2-MCBURNETT	(\$7,000)	(\$1,328)	(\$5,672)	19.0%
01011023 - DISTRICT 3-KOONTZ	(\$7,000)	(\$2,527)	(\$4,473)	36.1%
01011024 - DISTRICT 4-CHERRY	(\$7,000)	(\$3,929)	(\$3,071)	56.1%
01011025 - DISTRICT 5-CONTRERAS	(\$7,000)	(\$1,349)	(\$5,651)	19.3%
01011026 - DISTRICT AT LARGE-HARVEY	(\$7,000)	(\$1,613)	(\$5,387)	23.0%
01011100 - CITY ADMINISTRATION	(\$879,352)	(\$274,015)	(\$603,721)	31.2%
01011200 - CITY SECRETARY	(\$383,254)	(\$149,231)	(\$208,054)	39.0%
01011300 - HUMAN RESOURCES	(\$483,345)	(\$199,183)	(\$296,553)	41.2%
01011400 - INFO TECHNOLOGY	(\$1,047,570)	(\$416,385)	(\$592,379)	37.1%
01011500 - PUBLIC INFORMATION OFFICE	(\$266,090)	(\$84,034)	(\$169,074)	31.7%
01011600 - PUBLIC LIBRARY	(\$1,056,970)	(\$371,446)	(\$607,950)	35.1%
01011700 - CITY MARSHAL	(\$100,948)	(\$32,658)	(\$68,570)	32.7%
0101 - GENERAL GOV. SERVICES DEPT. Total	(\$4,414,043)	(\$1,610,977)	(\$2,666,089)	35.9%
0102 - FISCAL SERVICES DEPT.				
01022000 - ACCOUNTING & REPORTING	(\$782,266)	(\$314,023)	(\$368,142)	40.1%
01022300 - MUNICIPAL COURT	(\$494,242)	(\$147,729)	(\$284,418)	29.9%
01022500 - PROCUREMENT OFFICE	(\$222,559)	(\$77,966)	(\$188,024)	35.1%
0102 - FISCAL SERVICES DEPT. Total	(\$1,499,067)	(\$539,718)	(\$840,583)	36.0%
0103 - NEIGHBORHOOD & PLANNING DEPT.				
01036100 - BUILDING INSPECTION	(\$507,782)	(\$131,544)	(\$376,193)	26.1%
01036400 - PLANNING SERVICES-PYS 21	(\$0)	(\$0)	(\$0)	
01036401 - PLANNING SERVICES-CURRENT	(\$179,401)	(\$60,240)	(\$119,161)	33.6%
01036500 - NEIGHBORHOOD SERVICES	(\$636,444)	(\$198,199)	(\$363,261)	35.7%
01036501 - CODE SERVICES	(\$0)	(\$0)	(\$0)	
01036580 - CDBG PROGRAM-NEIGHBORHOOD	(\$0)	(\$3,517)	(\$73,407)	4.6%
0103 - NEIGHBORHOOD & PLANNING DEPT. Total	(\$1,323,627)	(\$393,499)	(\$932,022)	29.9%
0104 - PARK AND RECREATION DEPT.				
01044000 - PARK & REC ADMINISTRATION	(\$270,360)	(\$96,933)	(\$173,145)	35.9%
01044100 - REC PROGRAM ADMIN	(\$456,268)	(\$150,857)	(\$293,871)	33.1%
01044101 - RECREATIONAL PROGRAMS	(\$0)	(\$0)	(\$0)	
01044102 - REC PROGRAM CAMPS-closed	(\$0)	(\$0)	(\$0)	
01044200 - SPECIAL EVENTS ADMIN	(\$260,843)	(\$56,340)	(\$199,306)	21.6%
01044300 - ATHLETIC PROGRAMMING	(\$419,447)	(\$207,001)	(\$181,952)	49.4%
01044500 - HORTICULTURE	(\$181,731)	(\$37,785)	(\$141,134)	20.8%
01044600 - PARK GROUNDS MAINTENANCE	(\$1,482,461)	(\$259,361)	(\$794,614)	17.5%
01044900 - SENIOR CENTER	(\$221,915)	(\$78,775)	(\$143,140)	35.5%
01044901 - SENIOR CENTER CLASSES	(\$0)	(\$0)	(\$0)	
01044911 - SENIOR CENTER TRIPS	(\$0)	(\$0)	(\$0)	
0104 - PARK AND RECREATION DEPT. Total	(\$3,293,024)	(\$887,052)	(\$1,927,161)	27.0%

CITY OF DUNCANVILLE

GENERAL FUND EXPENDITURES BY DEPT/DIV- FEBRUARY 28, 2023

OPERATING EXPENDITURES	REVISED BUDGET	2023 FYTD ACTUALS	AVAILABLE BUDGET AMOUNT	% OF ANNUAL BUDGET YTD
0105 - POLICE SERVICES DEPT.				
01055000 - POLICE ADMINISTRATION	(\$2,253,840)	(\$649,218)	(\$1,001,000)	28.8%
01055100 - PATROL	(\$5,148,860)	(\$1,801,384)	(\$3,269,309)	35.1%
01055200 - CRIMINAL INVESTIGATION	(\$1,586,404)	(\$584,632)	(\$995,773)	37.0%
01055300 - ANIMAL CONTROL	(\$541,470)	(\$184,020)	(\$155,599)	34.1%
01055400 - SCHOOL GUARDS	(\$88,233)	(\$43,663)	(\$44,570)	49.5%
01055500 - CRIME PREVENTION	(\$156,596)	(\$59,193)	(\$95,861)	38.3%
01055600 - SWAT ORG	(\$104,237)	(\$25,841)	(\$75,396)	24.8%
01055700 - RECORDS	(\$357,668)	(\$123,108)	(\$232,823)	34.5%
01055800 - DETENTION SERVICES	(\$0)	(\$0)	(\$0)	
01055900 - POLICE SPECIAL SERVICES	(\$410,589)	(\$113,624)	(\$296,548)	27.7%
0105 - POLICE SERVICES DEPT. Total	(\$10,647,896)	(\$3,584,682)	(\$6,166,881)	33.8%
0106 - PUBLIC WORKS DEPT.				
01066000 - PUBLIC WORKS ENGINEERING/ADMIN	(\$622,027)	(\$164,779)	(\$455,372)	26.5%
01066200 - STREET MAINTENANCE	(\$3,542,060)	(\$638,485)	(\$2,548,632)	18.1%
01066300 - TRAFFIC OPERATIONS	(\$1,080,057)	(\$309,354)	(\$437,584)	28.8%
01066700 - EQUIPMENT SERVICES	(\$1,249,561)	(\$511,548)	(\$656,623)	40.9%
01066800 - BUILDING MAINTENANCE	(\$904,911)	(\$237,124)	(\$615,928)	26.3%
0106 - PUBLIC WORKS DEPT. Total	(\$7,398,616)	(\$1,861,290)	(\$4,714,139)	25.2%
0107 - FIRE SERVICES DEPT.				
01077000 - FIRE ADMINISTRATION	(\$715,571)	(\$220,699)	(\$474,992)	30.8%
01077100 - FIRE PREVENTION	(\$304,560)	(\$125,376)	(\$176,998)	41.5%
01077200 - FIRE SUPPRESSION	(\$4,551,001)	(\$1,758,763)	(\$2,742,447)	38.7%
01077300 - ADVANCED LIFE SUPPORT	(\$1,834,036)	(\$625,602)	(\$1,186,315)	34.2%
01077500 - EMERGENCY MANAGEMENT ADMIN	(\$139,364)	(\$46,655)	(\$91,543)	33.5%
0107 - FIRE SERVICES DEPT. Total	(\$7,544,532)	(\$2,777,096)	(\$4,672,295)	36.9%
0108 - NON-DEPARTMENTAL				
01088000 - GENERAL NON DEPARTMENTAL	(\$1,265,853)	(\$236,344)	(\$990,888)	18.7%
0108 - NON-DEPARTMENTAL Total	(\$1,265,853)	(\$236,344)	(\$990,888)	18.7%
0109 - USE OF FUND BALANCE				
01099000 - USE OF FUND BALANCE	(\$0)	(\$0)	(\$0)	
01099200 - (INACT) SPECIAL PURP- COM SVCS	(\$0)	(\$0)	(\$0)	
0109 - USE OF FUND BALANCE Total	(\$0)	(\$0)	(\$0)	
Total Operating Expenditures	(\$37,386,658)	(\$11,890,657)	(\$22,910,058)	31.8%

CITY OF DUNCANVILLE
**USE OF GENERAL FUND BALANCE EXPENDITURES AS OF
 FEBRUARY 28, 2023**

EXPENDITURES	2023 FYTD ACTUALS	REVISED BUDGET	% OF ANNUAL BUDGET YTD
41010001 - GEN GOVT ONE TIME PROJ	(\$0)	(\$0)	
41040001 - PARKS ONE TIME PROJECTS	(\$30,822)	(\$0)	
41050001 - POLICE ONE TIME PROJ	(\$621,317)	(\$1,901,110)	32.7%
41060001 - PUBLIC WORKS ONE TIME PROJECTS	(\$0)	(\$10,000)	0.0%
Total Operating Expenditures	(\$652,139)	(\$1,911,110)	34.1%

PROJECTS:

POLICE P-25 COMPLIANT RADIOS

PUBLIC WORKS ERP SYSTEM
PUBLIC WORKS US 67 GATEWAY SIGNAGE
SECURITY UPGRADES (CAMERAS)



WATER/SEWER UTILITY FUNDS

MONTHLY FINANCIAL REPORT

Prepared by
FINANCIAL SERVICES DEPARTMENT

CITY OF DUNCANVILLE
UTILITY OPERATING FUND- 002 AS OF FEBRUARY 28, 2023

REVENUES and EXPENSES	REVISED BUDGET	2023 FY TD ACTUALS	BUDGET AMT REMAINING	% OF BUDGET USED YTD	2022 FY TD ACTUALS	% OF BUDGET PYTD
Revenue						
53 - FINES & FEES	\$4,000	\$2,800	\$1,200	70.0%	\$350	7.00%
54 - INTERGOV REVENUES	\$600	(\$0)	\$600	0.0%	\$0	0.00%
55 - INTEREST	\$17,100	(\$0)	\$17,100	0.0%	\$7,367	23.02%
57 - CHARGES FOR SERVICES	\$19,132,989	\$6,457,878	\$12,675,111	33.8%	\$5,867,313	32.68%
59 - OTHER SOURCES	\$70,777	\$47,648	\$23,129	67.3%	\$26,700	77.28%
Revenue Total	\$19,225,466	\$6,508,326	\$12,717,140	33.9%	\$5,901,731	32.74%
Expense						
60 - SALARY AND BENEFITS	(\$2,255,320)	(\$705,144)	(\$1,550,176)	31.3%	(\$727,833)	31.63%
72 - SUPPLIES & MATERIALS	(\$689,121)	(\$156,190)	(\$532,930)	22.7%	(\$91,074)	19.14%
73 - CONTRACT & PROF SVCS	(\$9,779,393)	(\$4,033,200)	(\$5,746,194)	41.2%	(\$4,065,216)	43.11%
74 - MAINT & REPAIR SVCS	(\$333,600)	(\$102,347)	(\$231,253)	30.7%	(\$115,734)	34.20%
75 - UTILITIES	(\$122,612)	(\$12,953)	(\$109,659)	10.6%	(\$26,395)	21.74%
76 - CAPITAL OUTLAY	(\$9,490)	(\$0)	(\$9,490)	0.0%	\$0	0.00%
77 - DEBT SERVICES	(\$0)	(\$0)	(\$0)		\$0	0.00%
78 - TRANSFER TO FUNDS	(\$5,998,881)	(\$1,327,276)	(\$4,671,605)	22.1%	(\$1,553,115)	20.63%
79 - OTHER FINANCING USES	(\$19,950)	(\$3,015)	(\$16,935)	15.1%	(\$2,866)	15.02%
Expense Total	(\$19,208,367)	(\$6,340,126)	(\$12,868,241)	33.0%	(\$6,582,232)	32.53%
Revenues Over/(Under) Exp.	\$17,099	\$168,200	(\$151,101)		(\$680,502)	
UNAUDITED BEGINNING FUND BALANCE	\$14,427,591	\$14,427,591				
ENDING FUND BALANCE	\$14,444,690	\$14,595,791				
FUND BALANCE RESERVE REQUIREMENT POLICY						
% of Fund Balance To Exp. Ratio	75.2%	230.2%				
# of Days Coverage	271	829				

CITY OF DUNCANVILLE
UTILITY CIP FUND-017 AS OF FEBRUARY 28, 2023

REVENUES and EXPENSES	REVISED BUDGET	2023 FYTD ACTUALS	BUDGET AMT REMAINING	% OF BUDGET USED YTD	2022 FY TD ACTUALS	% OF BUDGET PYTD
Revenue						
54 - INTERGOV REVENUES	\$149,340	(\$0)	\$149,340	0.0%	(\$0)	--
55 - INTEREST	\$1,000	(\$0)	\$1,000	0.0%	(\$0)	0.0%
58 - TRANSFER FROM FUNDS	\$2,000,000	(\$0)	\$2,000,000	0.0%	\$500,000	10.0%
59 - OTHER SOURCES	\$5,000,000	(\$0)	\$5,000,000	0.0%	\$500,000	--
Revenue Total	\$7,150,340	(\$0)	\$7,150,340	0.0%	\$500,000	10.0%
Expense						
73 - CONTRACT & PROF SVCS	(\$0)	(\$11,422)	\$11,422		(\$27,455)	13.3%
76 - CAPITAL OUTLAY	(\$6,170,164)	(\$2,416,685)	(\$3,753,479)	39.2%	(\$794,631)	9.8%
Expense Total	(\$6,170,164)	(\$2,428,107)	(\$3,742,057)	39.4%	(\$822,085)	9.9%
Revenues Over/(Under) Exp.	\$980,176	(\$2,428,107)	\$3,408,283			

UNAUDITED BEGINNING FUND BALANCE	\$2,592,570	\$2,592,570
ENDING FUND BALANCE	\$3,572,746	\$164,463

CITY OF DUNCANVILLE

UTILITY METER REPLACEMENT FUND-018 AS OF FEBRUARY 28, 2023

REVENUES and EXPENSES	REVISED BUDGET	2023 FYTD ACTUALS	BUDGET AMT REMAINING	% OF BUDGET USED YTD
Revenue				
55 - INTEREST	(\$0)	(\$0)	(\$0)	
58 - TRANSFER FROM FUNDS	\$1,000,000	(\$0)	\$1,000,000	0.0%
Revenue Total	\$1,000,000	(\$0)	\$1,000,000	0.0%
Expense				
72 - SUPPLIES & MATERIALS	(\$1,000,000)	(\$0)	(\$1,000,000)	0.0%
76 - CAPITAL OUTLAY	(\$0)	(\$0)	(\$0)	
Expense Total	(\$1,000,000)	(\$0)	(\$1,000,000)	0.0%
Revenues Over/(Under) Exp.	(\$0)	(\$0)	(\$0)	
UNAUDITED BEGINNING FUND BALANCE	\$0	\$0		
ENDING FUND BALANCE	\$0	\$0		



OTHER MAJOR FUNDS

MONTHLY FINANCIAL REPORT

Prepared by
FINANCIAL SERVICES DEPARTMENT

CITY OF DUNCANVILLE
ECONOMIC DEVELOPMENT FUND-012 AS OF FEBRUARY 28, 2023

REVENUES and EXPENDITURES	BUDGET	2023 FYTD ACTUALS	AVAILABLE BUDGET AMOUNT	% OF BUDGET USED YTD	2022 FY TD ACTUALS	% OF BUDGET PYTD
Revenue						
51 - SALES & OTHER TAXES	\$3,151,139	\$831,685	\$2,319,454	26.4%	749,126	26.96%
55 - INTEREST	(\$0)	(\$0)	(\$0)		0	0.00%
59 - OTHER SOURCES	(\$0)	(\$0)	(\$0)		0	0.00%
Revenue Total	\$3,151,139	\$831,685	\$2,319,454	26.4%	749,126	26.94%
Expense						
60 - SALARY AND BENEFITS	(\$454,555)	(\$144,558)	(\$309,997)	31.8%	(123,539)	31.28%
72 - SUPPLIES & MATERIALS	(\$73,728)	(\$39,421)	(\$31,688)	53.5%	(34,492)	54.11%
73 - CONTRACT & PROF SVCS	(\$300,913)	(\$13,122)	(\$331,202)	4.4%	(11,027)	4.89%
74 - MAINT & REPAIR SVCS	(\$67,600)	(\$2,162)	(\$48,751)	3.2%	(2,636)	3.90%
75 - UTILITIES	(\$21,100)	(\$1,873)	(\$19,227)	8.9%	(5,483)	25.98%
76 - CAPITAL OUTLAY	(\$0)	(\$0)			20,524	0.00%
77 - DEBT SERVICES	(\$0)	(\$0)	(\$0)		0	--
78 - TRANSFER TO FUNDS	(\$612,793)	(\$25,933)	(\$586,860)	4.2%	(563,225)	86.21%
79 - OTHER FINANCING USES	(\$2,254,639)	(\$97,593)	(\$2,157,046)	4.3%	(7,973)	2.43%
Expense Total	(\$3,785,328)	(\$324,661)	(\$3,509,772)	8.6%	(768,899)	42.00%
Revenues Over/(Under) Exp.	(\$634,189)	\$507,023	(\$1,190,318)	-79.9%	\$19,773	

UNAUDITED BEGINNING FUND BALANCE	\$5,378,017	\$5,378,017
ENDING FUND BALANCE	\$4,743,828	\$5,885,040

Note:

TRANSFERS TO OTHER FUNDS
INCLUDES A GRANT TO THE
FIELDHOUSE FUND-456 FOR THE
OUTSTANDING DEBT SERVICES FOR
THE SERIES 2016A BONDS IN THE
AMOUNT OF \$2,025,000. MATURES
FEBRUARY 15, 2025.

CITY OF DUNCANVILLE
FIELDHOUSE FUND-456 AT FEBRUARY 28, 2023

REVENUES and EXPENDITURES	BUDGET	2023 FYTD ACTUALS	BUDGET AMT REMAINING	% OF BUDGET USED YTD	2022 FYTD ACTUALS	% OF BUDGET PYTD
Revenue						
57 - CHARGES FOR SERVICES	\$1,365,450	\$263,259	\$1,102,191	19.3%	\$335,529	27.8%
58 - TRANSFER FROM FUNDS	\$533,775	(\$0)	\$533,775	0.0%	\$515,375	95.7%
59 - OTHER SOURCES	\$132,750	\$5,748	\$127,002	4.3%	\$72,912	52.1%
Revenue Total	\$2,031,975	\$269,007	\$1,762,968	13.2%	\$923,816	49.0%
Expense						
60 - SALARY AND BENEFITS	(\$561,799)	(\$185,867)	(\$375,932)	33.1%	(\$171,394)	28.5%
72 - SUPPLIES & MATERIALS	(\$269,651)	(\$85,680)	(\$183,971)	31.8%	(\$85,808)	43.9%
73 - CONTRACT & PROF SVCS	(\$413,689)	(\$79,342)	(\$334,346)	19.2%	(\$85,212)	23.7%
74 - MAINT & REPAIR SVCS	(\$51,702)	(\$6,645)	(\$45,057)	12.9%	(\$6,840)	9.8%
75 - UTILITIES	(\$117,364)	(\$18,672)	(\$98,692)	15.9%	(\$29,528)	27.6%
76 - CAPITAL OUTLAY	(\$0)	(\$0)	(\$0)		\$0	0.0%
77 - DEBT SERVICES	(\$538,975)	(\$0)	(\$538,975)	0.0%	(\$515,375)	95.6%
78 - TRANSFER TO FUNDS	(\$3,900)	(\$0)	(\$3,900)	0.0%	(\$1,625)	41.7%
79 - OTHER FINANCING USES	(\$2,500)	(\$122)	(\$2,378)	4.9%	(\$259)	10.4%
Expense Total	(\$1,959,580)	(\$376,329)	(\$1,583,251)	19.2%	(\$896,042)	47.6%
Revenues Over/(Under) Exp.	\$72,395	(\$107,322)	\$179,717	-148.2%	\$27,775	

UNAUDITED BEGINNING FUND

BALANCE	(\$1,450,923)	(\$1,450,923)
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ENDING FUND BALANCE	(\$1,378,528)	(\$1,558,245)
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ALL OTHER FUNDS

MONTHLY FINANCIAL REPORT

Prepared by
FISCAL SERVICES DEPARTMENT

SPECIAL REVENUE FUNDS AS OF FEBRUARY 28, 2023

UNAUDITED BEGINNING FUND BALANCE	FUND/ ACCT TYPE	FY 2023 ACTUALS	REVISED BUDGET	Available Budget	FY to Date Actual % of Budget	ENDING FUND BALANCE
\$605,744	008 - COMPREHENSIVE SELF INSURANCE					
	Revenue	\$156,016	\$468,129	\$312,113	49.99%	
	Expense	(\$523,151)	(\$711,200)	(\$188,049)	77.06%	
	008 - COMPREHENSIVE SELF INSURANCE Total	(\$367,135)	(\$243,071)			\$238,609
\$3,339,531	010 - HOTEL TAX FUND					
	Revenue	\$261,189	\$891,500	\$630,311	43.27%	
	Expense	(\$209,266)	(\$828,124)	(\$618,858)	29.14%	
	010 - HOTEL TAX FUND Total	\$51,923	\$63,376			\$3,391,454
\$138,152	013 - GRANT FUND					
	Revenue	\$1,119	\$200,000	\$198,881	6.13%	
	Expense	(\$7,751)	(\$220,273)	(\$323,043)	4.75%	
	013 - GRANT FUND Total	(\$6,633)	(\$20,273)			\$131,519
\$411,996	033 - TAX INCREMENT FINANCING FUND					
	Revenue	(\$0)	\$96,958	\$96,958	0.00%	
	Expense	(\$0)	(\$82,250)	(\$82,250)	0.00%	
	033 - TAX INCREMENT FINANCING FUND Total	(\$0)	\$14,708			\$411,996
\$189,446	050 - POLICE FORFEITURE/SEIZURE FUND					
	Revenue	\$162,009	\$36,800	(\$125,209)	467.42%	
	Expense	(\$48,592)	(\$152,269)	(\$44,469)	41.33%	
	050 - POLICE FORFEITURE/SEIZURE FUND Total	\$113,417	(\$115,469)			\$302,863
\$147,634	051 - STATE ASSET FORFEITURE FUND					
	Revenue	(\$0)	(\$0)	(\$0)		
	Expense	(\$147,634)	(\$0)	\$147,144		
	051 - STATE ASSET FORFEITURE FUND Total	(\$147,634)	(\$0)			(\$0)

SPECIAL REVENUE FUNDS AS OF FEBRUARY 28, 2023

UNAUDITED BEGINNING FUND BALANCE	FUND/ ACCT TYPE	FY 2023 ACTUALS	REVISED BUDGET	Available Budget	FY to Date Actual % of Budget	ENDING FUND BALANCE
\$52,038	052 - FEDERAL ASSET FORFEITURE FUND					
	Revenue	(\$0)	(\$0)	(\$0)		
	Expense	(\$58,271)	(\$0)	\$58,271		
	052 - FEDERAL ASSET FORFEITURE FUND Total	(\$58,271)	(\$0)	\$58,271		(\$6,233)
\$500	205 - FIRE DONATIONS FUND					
	Revenue	\$1,075	\$3,000	\$1,925	35.83%	
	Expense	(\$0)	(\$3,000)	(\$3,000)	0.00%	
	205 - FIRE DONATIONS FUND Total	\$1,075	(\$0)	(\$1,075)		\$1,575
\$141,010	215 - PEG FUND					
	Revenue	\$12,304	\$95,100	\$82,796	12.94%	
	Expense	(\$0)	(\$80,000)	(\$153,084)	174.92%	
	215 - PEG FUND Total	\$12,304	\$15,100	(\$70,288)	-845.23%	\$153,314
\$55,599	225 - COURT SECURITY FUND					
	Revenue	\$3,292	\$10,000	\$6,708	34.57%	
	Expense	(\$220)	(\$0)	\$220		
	225 - COURT SECURITY FUND Total	\$3,073	\$10,000			\$58,672
\$369	230 - JUVENILE CASE MANAGER FUND					
	Revenue	\$3,657	\$12,200	\$8,543	31.43%	
	Expense	(\$522)	(\$10,975)	(\$10,453)	4.76%	
	230 - JUVENILE CASE MANAGER FUND Total	\$3,135	\$1,225			\$3,504
\$42,107	235 - COURT TECHNOLOGY					
	Revenue	\$2,855	\$12,500	\$9,645	23.95%	
	Expense	(\$0)	(\$0)	(\$0)		
	235 - COURT TECHNOLOGY Total	\$2,855	\$12,500			\$44,962

SPECIAL REVENUE FUNDS AS OF FEBRUARY 28, 2023

UNAUDITED BEGINNING FUND BALANCE	FUND/ ACCT TYPE	FY 2023 ACTUALS	REVISED BUDGET	Available Budget	FY to Date Actual % of Budget	ENDING FUND BALANCE
(\$213,116)	757 - EMERGENCY/ DISASTER RELIEF					
	Revenue	(\$0)	(\$0)	(\$0)		
	Expense	(\$105,334)	(\$0)	\$105,334		
	757 - EMERGENCY/ DISASTER RELIEF Total	(\$105,334)	(\$0)			(\$318,450)
\$3,131,019	758 - AMERICAN RESCUE PLAN					
	Revenue	\$4,810,465	\$5,055,801	\$245,336	95.15%	
	Expense	(\$649,162)	(\$3,967,367)	(\$2,572,089)	25.39%	
	758 - AMERICAN RESCUE PLAN Total	\$4,161,303	\$1,088,434			\$7,292,322

DEBT SERVICE AND CAPITAL PROJECT/REPLACEMENT FUNDS AS OF FEBRUARY 28, 2023

UNAUDITED BEGINNING FUND BALANCE	FUND/ ACCT TYPE	FY 2023 ACTUALS	REVISED BUDGET	AVAILABLE BUDGET	FY to Date Actual % of Budget	ENDING FUND BALANCE
\$1,528,699	005 - DEBT SERVICE FUND					
	Revenue	\$393,926	\$857,329	\$463,403	65.11%	
	Expense	(\$0)	(\$1,484,600)	(\$1,484,600)	0.03%	
	005 - DEBT SERVICE FUND Total	\$393,926	(\$627,271)			\$1,922,625
\$2,351,157	016 - FLEET/EQUIP REPR/REPLACE FUND					
	Revenue	(\$0)	(\$0)	(\$0)		
	Expense	(\$0)	(\$0)	(\$0)		
	016 - FLEET/EQUIP REPR/REPLACE FUND Total	(\$0)	(\$0)			\$2,351,157
\$894,875	020 - STREET/ALLEY CIP FUND					
	Revenue	(\$0)	\$176,000	\$176,000	0.00%	
	Expense	(\$45,443)	(\$627,267)	(\$589,799)	17.26%	
	020 - STREET/ALLEY CIP FUND Total	(\$45,443)	(\$451,267)			\$849,432
\$5,241,043	024 - PARK CAPITAL IMPROV FUND					
	Revenue	(\$0)	(\$0)	(\$0)		
	Expense	(\$0)	(\$5,200,000)	(\$5,200,000)	2.47%	
	024 - PARK CAPITAL IMPROV FUND Total	(\$0)	(\$5,200,000)	(\$5,200,000)	2.47%	\$5,241,043
\$346,847	025 - ALLEY IMPROVEMENT FUND					
	Revenue	(\$0)	\$150,000	\$150,000	0.00%	
	Expense	(\$0)	(\$279,943)	(\$282,056)	0.00%	
	025 - ALLEY IMPROVEMENT FUND Total	(\$0)	(\$129,943)			\$346,847
\$19,771,548	026 - CAPITAL IMPROVEMENT PROJ FUND					
	Revenue	(\$0)	\$100,000	\$100,000	0.00%	
	Expense	(\$917,160)	(\$9,625,000)	(\$6,202,830)	31.40%	
	026 - CAPITAL IMPROVEMENT PROJ FUND Total	(\$917,160)	(\$9,525,000)			\$18,854,388

DEBT SERVICE AND CAPITAL PROJECT/REPLACEMENT FUNDS AS OF FEBRUARY 28, 2023

UNAUDITED BEGINNING FUND BALANCE	FUND/ ACCT TYPE	FY 2023 ACTUALS	REVISED BUDGET	AVAILABLE BUDGET	FY to Date Actual % of Budget	ENDING FUND BALANCE
\$1	031 - TRAFFIC IMPROVEMENT & SAFETY					
	Revenue	\$100	(\$0)	(\$100)		
	Expense	(\$0)	(\$0)	(\$0)		
	031 - TRAFFIC IMPROVEMENT & SAFETY Total	\$100	(\$0)			\$101
\$226,667	032 - INFO TECH REPAIR/REPLACE FUND					
	Revenue	(\$0)	(\$0)	(\$0)		
	Expense	(\$15,246)	(\$0)	(\$28,059)		
	032 - INFO TECH REPAIR/REPLACE FUND Total	(\$15,246)	(\$0)			\$211,421
\$0	401 - FURNITURE REPLACEMENT FUND					
	Revenue	(\$0)	\$60,000	\$60,000	0.00%	
	Expense	(\$0)	(\$60,000)	(\$60,000)	0.00%	
	401 - FURNITURE REPLACEMENT FUND Total	(\$0)	(\$0)	(\$0)		\$0
\$0	405 - FACILITY REPAIR/RENOVATE FUND					
	Revenue	(\$0)	(\$0)	(\$0)		
	Expense	(\$0)	(\$0)	(\$0)		
	405 - FACILITY REPAIR/RENOVATE FUND Total	(\$0)	(\$0)	(\$0)		\$0
\$0	410 - IT REPAIR/REPLACEMENT FUND					
	Revenue	(\$0)	\$152,493	\$152,493	0.00%	
	Expense	(\$0)	(\$143,200)	(\$143,200)	0.41%	
	410 - IT REPAIR/REPLACEMENT FUND Total	(\$0)	\$9,293	\$9,293	-6.25%	\$0
\$0	415 - FLEET/EQUIP REPR/REPLACE FUND					
	Revenue	\$250,982	\$1,004,927	\$753,945	43.29%	
	Expense	(\$0)	(\$913,927)	(\$913,927)	8.58%	
	415 - FLEET/EQUIP REPR/REPLACE FUND Total	\$250,982	\$91,000	(\$159,982)	391.81%	\$250,982

OTHER ENTERPRISE FUNDS AS OF FEBRUARY 28, 2023

UNAUDITED						
BEGINNING		FY 2023	REVISED	AVAILABLE	FY to Date Actual	ENDING FUND
FUND	FUND/ ACCT TYPE	ACTUALS	BUDGET	BUDGET	% of Budget	BALANCE
BALANCE						
\$1,611,303	015 - DRAINAGE FUND					
	Revenue	\$174,614	\$780,200	\$605,586	31.24%	
	Expense	(\$22,873)	(\$1,732,430)	(\$1,764,391)	3.12%	
	015 - DRAINAGE FUND Total	\$151,741	(\$952,230)			\$1,763,044
\$634,465	019 - SANITATION FUND					
	Revenue	\$1,491,346	\$4,726,656	\$3,235,310	46.06%	
	Expense	(\$1,412,517)	(\$4,699,211)	(\$501,072)	44.13%	
	019 - SANITATION FUND Total	\$78,829	\$27,445			\$713,294



STAFF REPORT

MEETING: City Council - 02 May 2023

TITLE:

Receive the Library Quarterly Report

Vision Statement:

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

Pillar:

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

STAFF RESPONSIBLE:

Julio Velasquez, Library Director

BACKGROUND/HISTORY:

Receive the Library Quarterly Report

POLICY EXPLANATION:

Receive the Library Quarterly Report

FUNDING SOURCE:

ORG and Object Number

N A

Available Budget

\$0.00

Purchase Amount

\$0.00

After Encumber

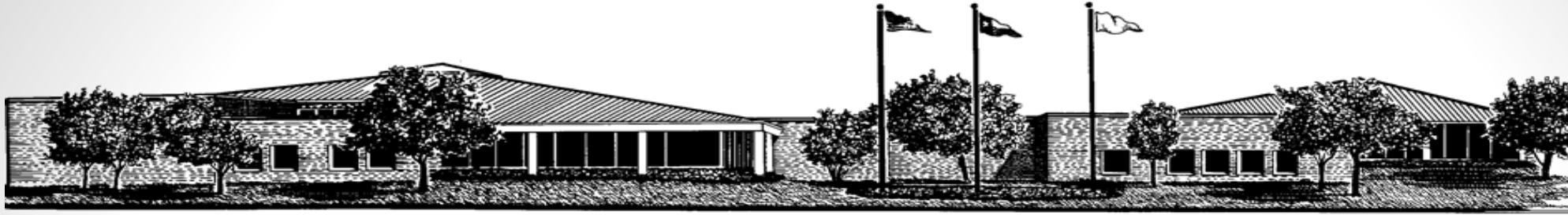
\$0.00

ACTION ALTERNATIVES:

1. Receive the Library Quarterly Report

ATTACHMENTS:

[2023-05-02 - Library Quarterly Report](#)



LIBRARY QUARTERLY REPORT

JULIO VELASQUEZ, LIBRARY DIRECTOR

MAY 02, 2023

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

City of Duncannonville



1



Departmental Accomplishments

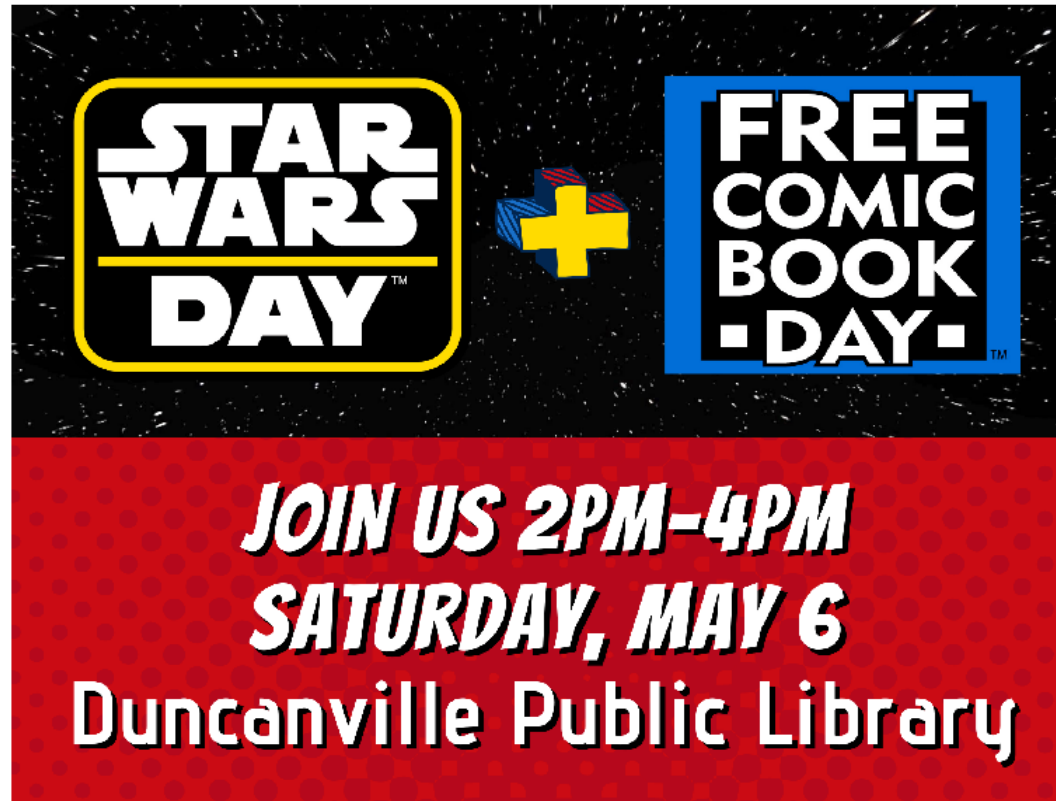
- Highlights from 2022
- 273 programs offered with over 6,000 attendees.
- Over 11,000 hours of public computer usage.
- Over 20,000 questions answered.
- Over 61,000 items checked out.
- Around 5,000 items added to the collection.
- Around 8,000 food items distributed in the Little Free Pantry.
- Over 18,000 items transported between the Best Southwest Libraries.



Staff Updates

- We are fully staffed.
- Three new part time-clerks hired:
- Jennifer House in October 2022.
- Mariela Williams in December 2022.
- Hope Barton in February 2023.
- Staff attended annual TLA (Texas Library Association) conference in Austin, April 2023.
- Hannah Olsen, Stephanie Lott, and Vickie Glass were able to attend.

Activities and Programs



Activities and Programs

- New Bike Rack.





QUESTIONS?