



Duncanville City Council Meeting Agenda

Via Videoconference
Duncanville City Hall
203 E. Wheatland Road
Duncanville, TX 75116
(972) 780-5017

Tuesday, May 5, 2020

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

7:00 P.M. - Regular Session

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

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

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

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

SUPPLEMENTAL NOTICE OF MEETING BY VIDEO CONFERENCE

In accordance with an Order of the Office of the Governor issued on March 16, 2020, the City Council for the City of Duncanville, Texas will conduct a City Council Regular Meeting by video conference at 6:00 pm on Tuesday, April 21, 2020, in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) in an effort to slow the spread of the Coronavirus (COVID-19) pandemic.

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

To submit public comments, email citysecretary@duncanville.com and title the email “Public Comment – May 5th”. All public comments submitted by 4pm on Tuesday, May 5, 2020 will be provided to the City Council members and entered into the record for the May 5, 2020 City Council Regular Meeting.

Please register for City Council Meeting - May 5, 2020 on May 5, 2020 5:45 PM CDT at:

<https://attendee.gotowebinar.com/register/3004238908125547024>

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

OR

TO USE YOUR TELEPHONE:

Use the numbers below.

United States: +1 (415) 655-0060

Attendee Access Code: 258-442-812

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

WORK SESSION / BRIEFING

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

1. DISCUSS AGENDA ITEMS**2. BRIEFINGS / PRESENTATIONS**

- A. Discuss Swearing in of Mayor Barry L. Gordon and Councilmember Mark D. Cooks and video presentation.

6 - 14

[3.18.2020 Gov Proclamation Election Postponement Advisories](#)

EXECUTIVE SESSION

1. City Council shall convene into closed executive session pursuant to Section 551.087 of the Texas Government Code, Deliberation Regarding Economic Development Negotiations;

(1) To discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or

(2) To deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).

Regarding to wit: Duke Realty Incentive.

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

PLEDGES - PLEDGE OF ALLEGIANCE; TEXAS PLEDGE OF ALLEGIANCE

1. REPORTS

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

2. PROCLAMATIONS AND PRESENTATIONS

- A. A Proclamation recognizing May 15, 2020, as Police Memorial Day and May 10-16, 2020, as National Police Week.

15 - 17

[Proclamation - National Police Week](#)

- | | | |
|----|---|---------|
| B. | A Proclamation recognizing the week of May 17-23, 2020, as Emergency Medical Services Week, with May 20th being Emergency Medical Services for Children (EMSC) Day.
Proclamation - Emergency Medical Services Week | 18 - 19 |
| C. | Proclamation recognizing May 17-23, 2020, as National Public Works Week.
Proclamation - Public Works Week | 20 - 23 |

3. CITIZENS' INPUT

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

Public Comments submitted by email to the City Secretary via citysecretary@duncanville.com. All public comments submitted by 4pm on Tuesday, May 5, 2020 will be provided to all City Council members and will be entered into the record for the May 5, 2020 City Council Meeting.

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

4. CONSENT AGENDA

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

- | | | |
|----|---|---------|
| A. | Consider the Minutes for the April 21, 2020 City Council Regular Meeting.
2020-04-21 - City Council Minutes - UNAPPROVED | 24 - 28 |
| B. | Consider a Resolution finding that Oncor Electric Delivery Company LLC's application for approval to amend its Distribution Cost Recovery Factor to increase distribution rates with the City should be denied; authorizing participation with ONCOR Cities Steering Committee; authorizing the hiring of legal counsel and consulting services; finding that the City's reasonable rate case expenses shall be reimbursed by the Company; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the Company and legal counsel.
Oncor - Distribution Cost Recovery Factor | 29 - 32 |
| C. | Consider a Resolution awarding a renewal contract for Pavement Markings Supply and Installation Services to Elite Striping, LLC, Cedar Hill, Texas in the unit amount bid for an estimated amount of \$112,409.45.
Renewal Contract for Pavement Markings | 33 - 49 |

- D. Consider a Resolution authorizing incorporation of Amendment Number 1 to Contract #20-017 to Eagle Remediation and Demolition Services, LLC in the amount of \$13,977.00 for the demolition and removal of a lube pit and underground fuel storage tanks at the property located at 727 S. Cockrell Hill Rd for the revised total contract amount of \$53,768.00. 50 - 94
[727 S. Cockrell Hill Rd](#)

5. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. Consider amending Resolution No. 2020-026R, extending a Mayoral Declaration of a State of Emergency and order as a result of the COVID-19 Virus; providing for Interim Public Safety Measures; repealing all Resolutions in Conflict; providing a severability clause and providing for an effective date. 95 - 202
[Amended - State of Emergency - COVID-19](#)
- B. Consider a Resolution approving a Temporary Covid-19 Business Retention and Assistance Program. 203 - 215
[Temporary Covid-19 Business Retention and Assistance Program PowerPoint - DCEDC COVID-19 Business Retention and Assistance Program](#)
- C. Consider a Resolution amending the Hotel Occupancy Tax Grant for the FY19-20 Budget in the amount of \$852.50 for a total not to exceed \$34,297.50 to the Duncanville Chamber of Commerce for property maintenance and computer upgrades while serving as the Duncanville Official Visitor Center; allowing for additional computer expenses, and amending the FY19-20 Hotel Occupancy Tax Budget. 216 - 224
[Hotel Occupancy Tax Grant - Duncanville Chamber of Commerce PowerPoint - Hotel Occupancy Tax Grant](#)
- D. Consider a Resolution approving submittal of FY2020 Community Development Block Grant (CDBG) Project/Activity Application with Dallas County. 225 - 259
[Community Development Block Grant \(CDBG\) Project/Activity Application with Dallas County PowerPoint - CDBG](#)
- E. Consider a Resolution supporting Dallas County's Daniieldale Road project application for Better Utilizing Investment to Leverage Development (BUILD) Grant. 260 - 272
[Better Utilizing Investment to Leverage Development \(BUILD\) Grant PowerPoint - BUILD Grant](#)
- F. Take any necessary action as a result of the Executive Session.

6. STAFF AND BOARD REPORTS

- A. Receive the FY20 Second Quarter Investment Report as of Mrch 31, 2020. 273 - 290
[Investment Report](#)
- B. Receive the Monthly Financial Report as of March 31, 2020. 291 - 321
[Monthly Financial Report as of March 31, 2020](#)

- | | | |
|----|---|-----------|
| C. | Receive the Parks and Recreation Quarterly Report.
PowerPoint - Quarterly Report | 322 - 330 |
| D. | Receive the Fieldhouse Quarterly Report.
PowerPoint - Quarterly Report | 331 - 340 |

ADJOURNMENT

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted in accordance with the regulations of the Texas Open Meetings Act on the bulletin board located at the entrance to the City of Duncanville City Hall, a place convenient and readily accessible to the general public, as well as to the City's website www.duncanville.com and said Notice was posted on the following date and time: **Thursday, April 30, 2020 at 6:00 P.M.** and remained posted for at least two hours after said meeting was convened.



Kristin Downs, City Secretary

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

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

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

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



GOVERNOR GREG ABBOTT

March 18, 2020

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10:00 AM 'CLOCK

The Honorable Ruth R. Hughs
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

MAR 18 2020

Secretary of State

Dear Secretary Hughs:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

A proclamation suspending Sections 41.0052(a) and (b) of the Texas Election Code and Section 49.103 of the Texas Water Code to the extent necessary to allow political subdivisions that would otherwise hold elections on May 2, 2020, to move their general and special elections for 2020 only to the next uniform election date, occurring on November 3, 2020, without otherwise adjusting the term of office, and suspending Sections 31.093 and 42.0621(c) of the Texas Election Code to the extent necessary to require all county election officers, if requested by an affected political subdivision, to enter into a contract to furnish election services with any political subdivision who postponed their election to November 3, 2020, under the authority of this proclamation.

The original of this proclamation is attached to this letter of transmittal.

Respectfully submitted,

Gregory S. Davidson
Executive Clerk to the Governor
GSD/gsd

Attachment

POST OFFICE BOX 12428 AUSTIN, TEXAS 78711 512-463-2000 (VOICE) DIAL 7-1-1 FOR RELAY SERVICES

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, Section 41.001(a)(2) of the Texas Election Code provides that a general or special election in this state shall be held on a uniform election date, and the next uniform election date is occurring on May 2, 2020; and

WHEREAS, Section 49.103 of the Texas Water Code provides that certain districts governed by this provision are required to hold director elections in May of each even-numbered year; and

WHEREAS, Section 41.0052 of the Texas Election Code prescribes a procedure for a political subdivision to change a general election date, but the time for making such a change has expired; and

WHEREAS, Section 31.093 of the Texas Election Code requires a county elections administrator to enter into a contract to furnish election services upon request of a political subdivision; and

WHEREAS, Section 42.0621(c) of the Texas Election Code does not require a political subdivision to enter into a contract with a county or hold a joint election with a county on the November uniform election date; and

WHEREAS, on March 13, 2020, the Governor of Texas certified that the novel coronavirus (COVID-19) poses an imminent threat of disaster and, under the authority vested in the Governor by Section 418.014 of the Texas Government Code, declared a state of disaster for all counties in Texas; and

WHEREAS, pursuant to Section 418.016 of the Texas Government Code, the Governor has the express authority to suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the orders or rules of a state agency if strict compliance with the provisions, orders, or rules would in any way prevent, hinder, or delay necessary action in coping with a disaster.

NOW, THEREFORE, I, GREG ABBOTT, Governor of Texas, under the authority vested in me by the Constitution and Laws of the State of Texas, do hereby suspend Sections 41.0052(a) and (b) of the Texas Election Code and Section 49.103 of the Texas Water Code to the extent necessary to allow political subdivisions that would otherwise hold elections on May 2, 2020, to move their general and special elections for 2020 only to the next uniform election date, occurring on November 3, 2020, without otherwise adjusting the term of office. I further suspend Sections 31.093 and 42.0621(c) of the Texas Election Code to the extent necessary to require all county election officers, if requested by an affected political subdivision, to enter into a contract to furnish election services with any political subdivision who postponed their election to November 3, 2020, under the authority of this proclamation.

The authority ordering the election under Section 3.004 of the Texas Election Code is the authority authorized to make the decision to postpone its election in accordance with this proclamation.

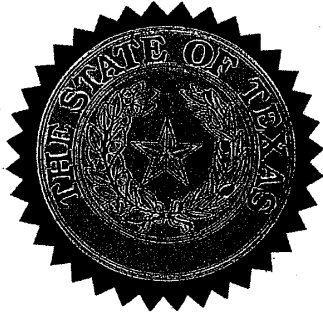
Current office holders will hold over to the extent authorized by Article XVI, Section 17 of the Texas Constitution.

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10:00AM O'CLOCK

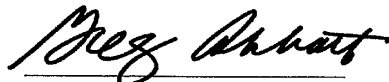
MAR 18 2020

Governor Greg Abbott
March 18, 2020

Proclamation
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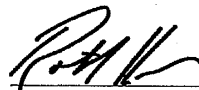


IN TESTIMONY WHEREOF, I
have hereto signed my name and
have officially caused the Seal of
State to be affixed at my office in the
City of Austin, Texas, this the 18th
day of March, 2020.



GREG ABBOTT
Governor of Texas

ATTESTED BY:



RUTH R. HUGHES
Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10:00 AM O'CLOCK
MAR 18 2020

The State of Texas

Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.texas.gov



Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Ruth R. Hughes
Secretary of State

ELECTION ADVISORY NO. 2020-12

TO: Election Officials
FROM: Keith Ingram, Director of Elections
DATE: March 18, 2020
RE: Actions for May 2, 2020 Uniform Election Date

The purpose of this advisory is to provide guidance to local political subdivisions regarding their options for any general or special elections that have been ordered for the May 2, 2020 uniform election date. Pursuant to Section 418.016 of the Texas Government Code, the Governor has issued a proclamation suspending certain provisions of the Texas Election Code and the Texas Water Code to allow all local political subdivisions that are utilizing the May 2, 2020 uniform election date to postpone their election to the November 3, 2020 uniform election date. Pursuant to Texas Election Code 31.003 and 31.004, our office has issued the following guidelines for entities that choose to exercise this authority and postpone their election to the November uniform election date.

Effect of Postponement of Election

- **Candidate Filings:** By postponing their election date, the political subdivision is preserving all candidate filings and ballot order actions that have already been taken. The postponement does **not** have the effect of reopening candidate filings.
 - **Deadlines related to Candidate Filings, Declarations of Ineligibility, Withdrawals or Death:** The deadlines that apply to the November 3, 2020 election would apply to all candidates who are currently on the ballot for the May 2, 2020 election.
- **Ballot By Mail Requests:** All applications for a ballot by mail (ABBMs) that were filed for the May 2, 2020 election that are marked annual would apply for the November 3, 2020 election. All single use ABBMs that were submitted for reasons of age or disability would still be valid for the November 3, 2020 election. If a single use ABBM was submitted and indicated the reason for voting by mail was due to absence from the county, this ABBM would not be valid as the applicable election date has changed. However, we would recommend that the political subdivision send a letter to these voters along with a new ABBM in case the circumstances

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surrounding their absence from the county are still valid or the voter is otherwise eligible to vote by mail.

- **Ballots by Mail:** If a political subdivision has already sent out mail ballots, those mail ballots that are returned would still be valid for the November 3, 2020 postponed election date.
- **Election Records:** All records, including candidate filings, applications to vote by mail, ballot proofs, and printed ballots shall be retained and preserved.
 - **Printed Ballots:** If your ballots have already been printed up, you may be able to reuse them for November. However, if you must change your ballot to reflect any corrections or changes that occur between now and November, you would treat the original ballots as you would in a traditional ballot correction and those ballots should be destroyed in accordance with Section 52.0064 of the Texas Election Code.
- **Requirement to use County Election Precincts in November 2020:** Per Section 42.002 of the Texas Election Code, county election precincts are required for all elections occurring in November 2020. You will need to work with your county election officer to determine whether you need to make any modifications to your ballot in light of this requirement.
- **Requirement for County Election Officer to contract with Local Political Subdivisions:** All county election officers are required to contract with local political subdivisions that postponed their May 2, 2020 election and that request a contract for election services or a joint election agreement with their county election officer pursuant to the Governor's suspension of certain Texas Election Code provisions.
- **Office Hours:** The relevant dates for maintaining office hours for election purposes will be based on the November uniform election date rather than the May election date. Under Section 31.122 of the Texas Election Code, those office hours will need to be maintained for at least three hours each day, during regular office hours, on regular business days between September 14, 2020 and December 13, 2020. However, these entities should post contact information for individuals to contact their office about election-related issues during the timeframe that those offices may be closed over the coming months.
- **Holdovers in Public Office:** Under Art. XVI, Sec. 17 of the Texas Constitution, the individuals who currently hold public offices that are scheduled to be on the ballot on the May uniform election date will continue to exercise the duties of those offices until the new officers take their oaths of office, following the November uniform election date.
- **Campaign Finance Filings:** Please contact the Texas Ethics Commission for further guidance on how these modified timelines will affect any campaign finance reporting requirements. Their office can be reached at (512) 463-5800.
- **Candidates on the ballot in both May and November:** For candidates that may be running for two offices (one normally occurring in May and one normally occurring in November), these candidates will not be removed from the ballot as they are separate elections that are normally not occurring on the same date.

Required Action by Governing Body to Move Election Date

In order to utilize this move, the governing body of the political subdivisions holding the elections must **order** the postponement of their election to the November 3, 2020 uniform election date. The order for this official action should contain the following items:

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1. A reference to the proclamation that authorizes the entity to postpone their election date, and the fact that the political subdivision is exercising this authority.
2. Confirmation that the candidate filings for the election will remain valid for the election held on the November date and that the filing period will not be re-opened for the November election date.
3. Confirmation that all ABBMs for voters that are voting by mail due to being over the age of 65 or due to disability will still be valid for the postponed election, and that ABBMs for voters who submitted ABBMs based on expected absence from the county would not be valid for the postponed election.
4. The major relevant dates for the November election, including the voter registration deadline (October 5, 2020), the deadline to submit an ABBM (October 23, 2020), and the dates for early voting (October 19, 2020 – October 30, 2020).

Necessary Revisions to Order of Election

In addition, the entity will need to meet by August 17, 2020 to make any necessary revisions to the entity's original order of election. Those revisions may include:

1. The change to the date of the election;
2. Any change in location of the main early voting location;
3. Any changes to early voting dates and hours, including weekend early voting;
4. Any changes to the identity of the early voting clerk and their contact information; or
5. Any changes to branch early voting locations.

If you are holding a bond election, you may need to make additional revisions to your order of election for that bond election. If this is the case, we recommend reaching out to your bond counsel for additional guidance.

Securing Election Records

All election records should be stored and secured during the postponement period. This may require your entity to use preservation methods that are similar to the methods you would use during the preservation period after the election has occurred. This includes:

- Storing returned ballots by mail in locked, sealed ballot boxes.
- Securely storing any unused ballots.
- Securely retaining any relevant election records, including candidate applications and ABBMs.

Voting System Equipment

If you are leasing voting system equipment from the county or directly from the vendor, then you may need to contact your vendor or your county regarding any necessary modifications to those lease agreements or to modify your procedures and timelines for receiving that equipment.

Open Meeting Requirements

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The Governor has suspended and modified certain open meeting requirements pursuant to his disaster declaration. These changes include allowing the entity to establish procedures for telephonic or videoconferenced meetings of governmental bodies that are accessible to the public.

These procedures must include a process for members of the public to participate and address the governmental body in those meetings, notice to the public on the means of participating remotely, and access to the public for recordings of those meetings.

For more information, please review the applicable documentation from the Governor's Office or contact the Office of the Attorney General.

Update Official Websites and Notify Media

Any entities that are exercising this authority to postpone their election date must post notice on the entity's website and should alert any local media organizations regarding this change to their election date.

The entity must also provide notice to their county election officer regarding this change, as the county is required to post the entity's notice of election on the county's website no later than the 60th day before the date of the election under Election Code 4.008. If that election date will be changing due to the entity's decision to postpone the election then the entity must provide a revised notice to the county for posting on the county's website.

If you have any questions regarding this advisory, please contact the Elections Division at 1-800-252-2216.

KI:CA:CP

Kristin Downs

From: Elections Internet <Elections@sos.texas.gov>
Sent: Wednesday, March 18, 2020 11:12 AM
To: Elections Internet
Subject: MASS EMAIL ADVISORY - (CSO-3492) - Advisory 2020-12- Actions for May 2, 2020 Uniform Election (COVID-19)

Sensitivity: Personal

Dear Election Officials:

Pursuant to a proclamation issued earlier today, Governor Greg Abbott has authorized all political subdivisions holding general or special elections on May 2, 2020 to postpone their election to the November 3, 2020 uniform election date. Please be advised that a postponement of your election does not happen automatically; the governing body of the political subdivision **MUST** take an official action for such a change to be effective.

Today, our office has issued **Advisory 2020-12 – Actions for May 2, 2020 Uniform Election Date**, providing guidance to political subdivisions seeking to move their May 2, 2020 election date in accordance with the Governor's proclamation.

We are in the middle of a public health crisis that is rapidly changing. Through this crisis, our primary concern is the health and safety of voters, election workers, and our local election officials. As the situation progresses, we stand ready to provide additional guidance regarding the upcoming elections. In the meantime, please continue to send us your questions so that we can revise and update our materials and guidance as necessary.

Please let us know if you have any additional questions or concerns. This advisory and other resources can be found on your Conducting Elections pages.

Thank you for all that you do for Texas elections.

Christina Worrell Adkins

Legal Director – Elections Division
 Office of the Texas Secretary of State
 1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701
 1.800.252.VOTE (8683)
elections@sos.texas.gov | www.sos.texas.gov

For Voter Related Information, please visit:

VOTETEXAS.GOV
 POWERED BY THE TEXAS SECRETARY OF STATE

The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Kristin Downs

From: Elections Internet <Elections@sos.texas.gov>
Sent: Thursday, March 19, 2020 3:58 PM
To: Elections Internet
Subject: MASS EMAIL ADVISORY - (CC/EA/VR -700) - Questions regarding Advisory 2020-12-Actions for May 2, 2020 Uniform Election (COVID-19)

Sensitivity: Personal

Dear Election Officials:

We've received a number of questions related to the Governor's proclamation and Advisory 2020-12 (see email below). We appreciate the questions and would like to provide a few clarifications.

1. **This is NOT a permanent move.** The Governor's proclamation has the effect of postponing an election, but it is not a permanent move. The result is that your current office holders will be holdovers until the next election occurs. Your newly elected office holders in November will have a shorter term. Their next election will return back to the May date.
2. **Elections that have been properly cancelled:** If your entity cancelled their May 2, 2020 election, your new officers will still be able to take office after the May 2, 2020 election date. If you cancelled part of your election, you will still let the candidates that were declared elected be sworn in and the remainder of your election will occur in November if you choose to postpone your May election. For those officers that took the oath of office after the May 2, 2020 date, you would not have to place their names in the "unopposed candidates declared elected" box on your ballot in November as these candidates will have already taken office.
3. **Multi-County Territories:** If your entity is in more than one county, you will be required to use each county's polling places for the November 2020 election. You will also be required to share at least one early voting location in accordance with Section 85.010 of the Texas Election Code.
4. **Countywide Polling Places (Vote Centers):** If your county utilizes countywide polling places for November 2020, then you will be required to use all polling locations within each county that contains territory for your entity.
5. **Contracting Issues:** If a contract hasn't been executed between the county elections officer and the local political subdivision, the county does NOT have an obligation to contract in May 2020. If a contract has been executed, then both parties would need to consult with their attorney regarding options for modifying the terms of the contract. Additionally, when you contract with your county in November, this allows you to use a joint ballot, shared election workers, and shared voting system equipment. Political subdivisions will most likely not be required to obtain their own separate voting system equipment or epollbooks.

Thank you all for the very thoughtful questions. We appreciate your patience in allowing us time to work through some of your questions. Please let us know if there's anything else you need from us.

Thank you,

Christina Worrell Adkins

Legal Director – Elections Division
 Office of the Texas Secretary of State
 1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701
 1.800.252.VOTE (8683)
elections@sos.texas.gov | www.sos.texas.gov



STAFF REPORT

MEETING: City Council - 05 May 2020

TITLE:

A Proclamation recognizing May 15, 2020, as Police Memorial Day and May 10-16, 2020, as National Police Week.

FY 2019 CITY COUNCIL ORGANIZATIONAL WORKPLAN:

- N/A

STAFF RESPONSIBLE:

Robert D. Brown, Jr., Chief of Police

Doug Sisk, Crime Prevention/Community Relations Officer

BACKGROUND/HISTORY:

In 1962, President John F. Kennedy signed a proclamation which 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. National Police Week is May 10-16, 2020 and Wednesday, May 15th is Police Memorial Day. The Mayor traditionally recognizes these events by proclamation.

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 lost their lives in a motor vehicle accident, when their patrol vehicle was struck head-on by a suspect fleeing from the Dallas Police Department, on the wrong side of the road.

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.

Due to the coronavirus, this year's Police Memorial event has been canceled by Chief Robert Brown.

FUNDING SOURCE:

There is no policy decision associated with this item.

RECOMMENDATION:

This item is a proclamation only, and no action is required.

ATTACHMENTS:

[Attachment 1 - Proclamation - National Police Week](#)

OFFICE OF THE MAYOR



Duncanville
City of Champions

Proclamation

WHEREAS, the Congress and President of the United States have designated May 15th, 2020 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 10 – 16, 2020 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, 2020, 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 5th day of May, 2020.

Mayor, The City of Duncanville



STAFF REPORT

MEETING: City Council - 05 May 2020

TITLE:

A Proclamation recognizing the week of May 17-23, 2020, as Emergency Medical Services Week, with May 20th being Emergency Medical Services for Children (EMSC) Day.

FY 2019 CITY COUNCIL ORGANIZATIONAL WORKPLAN:

- N/A
- Goal: N/A

STAFF RESPONSIBLE:

Sam Rohde, Fire Chief
Mike Ryan, EMS Division Chief

BACKGROUND/HISTORY:

May 17-23, 2020 is Emergency Medical Services Week, with May 20th being Emergency Medical Services for Children (EMSC) Day. This year's theme is EMS Strong: Beyond the Call. All citizens of Duncanville are encouraged to observe this week recognizing the value and the accomplishments of Emergency Medical Services providers.

POLICY EXPLANATION:

There is no policy decision with this item.

FUNDING SOURCE:

There is no funding associated with this item

RECOMMENDATION:

Staff recommends the Mayor issue a Proclamation recognizing the week of May 17 - 23, 2020 as Emergency Medical Services Week, with May 20th being Emergency Medical Services for Children (EMSC) Day.

ATTACHMENTS:

[Proclamation - EMS Week](#)

OFFICE OF THE MAYOR



Duncanville
City of Champions

Proclamation

- WHEREAS,** emergency medical services is a vital public service; and
- WHEREAS,** the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and
- WHEREAS,** access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and
- WHEREAS,** the emergency medical services system consists of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, first responders, educators, administrators and others; and
- WHEREAS,** the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and
- WHEREAS,** it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week.

NOW, THEREFORE, I, Barry L. Gordon, Mayor of the City of Duncanville, Texas, in recognition of this event do hereby proclaim the week of May 17-23, 2020, with May 20th being Emergency Medical Services for Children (EMSC) Day; as

Emergency Medical Services Week

With the theme, EMS Strong: Beyond the Call, I encourage the community to observe this week with appropriate programs, ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Duncanville, Texas to be affixed this 5th day of May, 2020.

Mayor, The City of Duncanville



STAFF REPORT

MEETING: City Council - 05 May 2020

TITLE:

Proclamation recognizing May 17-23, 2020, as National Public Works Week.

FY 2019 CITY COUNCIL ORGANIZATIONAL WORKPLAN:

- **2. Create high quality neighborhoods and parks**
 - **Goal 1: Foster a values-based environment where employees are supported and encouraged to develop, in order to achieve and sustain a healthy relationship between the organization's stakeholders.**

STAFF RESPONSIBLE:

Bryan G. Ramey, II, P.E., Director of Public Works

Jacqueline R. Culton, P.E., Assistant Director of Public Works

BACKGROUND/HISTORY:

Since 1960, the American Public Works Association (APWA) has sponsored National Public Works Week. Across North America, more than 30,000 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. In 1962, President John F. Kennedy signed a proclamation which designated the first full third week of May as National Public Works Week.

This will be the fifth proclamation for National Public Works Week recognized by the Mayor of the City of Duncanville. The City has 68 Public Works employees who build or maintain the City's infrastructure.

POLICY EXPLANATION:

"The Rhythm of Public Works" is the theme for the 2020 National Public Works Week. This year's exciting theme challenges our members and their citizens to think about their communities as a symphony of essential services, working in concert create a great place to live. Every community has a rhythm, a heartbeat that reflects its essence and tempo of life. Public Works keeps a community's rhythm moving by providing an orchestra of infrastructure services in transportation, water, wastewater, and storm water treatment, public buildings and spaces, parks and grounds, emergency management and first response, solid waste collection, and right-of-way management. Public Works provides the harmony needed for collaboration with all the stakeholders in capital projects, infrastructure solutions, and quality of life services.

FUNDING SOURCE:

N/A

RECOMMENDATION:

N/A

ATTACHMENTS:

[Attachment 1 - National Public Works Week Poster](#)

[Attachment 2 -Public Works Week Proclamation 2020](#)

NATIONAL PUBLIC WORKS WEEK

MAY 17-23, 2020



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 17 – 23, 2020, 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 5th day of May, 2020.

Mayor, The City of Duncanville

Duncanville City Council Meeting Minutes Regular Meeting Tuesday, April 21, 2020

CALL TO ORDER

A regular meeting of the Duncanville City Council was called to order on Tuesday, April 21, 2020, at 6:15 p.m. via videoconferencing with a quorum to wit:

COUNCIL VIA VIDEO CONFERENCING:

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

STAFF VIA VIDEO CONFERENCING:

IT Director Tracy Beekman
Economic Development Director Jessica James
City Attorney Shelby Pearcy
City Secretary Kristin Downs
Assistant City Manager Paul Frederiksen
City Manager Kevin Hugman

SUPPLEMENTAL NOTICE OF MEETING BY VIDEO CONFERENCE

In accordance with an Order of the Office of the Governor issued on March 16, 2020, the City Council for the City of Duncanville, Texas will conduct a City Council Regular Meeting by video conference at 6:00 pm on Tuesday, April 21, 2020, in order to advance the public health goal of limiting face-to-face meetings (also called "social distancing") in an effort to slow the spread of the Coronavirus (COVID-19) pandemic.

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

To submit public comments, email citysecretary@duncanville.com and title the email "Public Comment – April 21st". All public comments submitted by 4pm on Tuesday, April 21, 2020 will be provided to the City Council members and entered into the record for the April 21, 2020 City Council Regular Meeting.

Please register for City Council Meeting - April 21, 2020 on Apr 21, 2020 5:45 PM CDT at:

<https://attendee.gotowebinar.com/register/954258851386198030>

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

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

OR
TO USE YOUR TELEPHONE:
Use the numbers below.
United States: +1 (213) 929-4232
Attendee Access Code: 427-080-969

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

I. WORK SESSION / BRIEFING

I.1. DISCUSS AGENDA ITEMS

Mayor Gordon read the item into record, and City Manager Hugman reviewed each item. Item 4B - a Resolution approving the second renewal of contract IFB #18-052 Street Sweeping Services from Sweeping Services of Texas, Operating L.P. of Hurst, Texas with an estimated expenditure amount of \$86,000.00. For sweeping of the arterial roads and residential streets in order to pick up the debris that would end up in the drainage and creeks.

I.2. BRIEFINGS / PRESENTATIONS**I.2.A. *Discuss Annual City Council Calendar.***

City Manager Hugman stated the American Legion does not plan on participating in the Memorial Day event at Memorial Park and has recommended to cancel the event. Council agreed.

City Manager stated in order to have a 4th of July event for the city planning needs to begin soon. Staff recommends not holding the all-day event due to uncertainties with COVID-19. Staff is also having a hard time getting extra security for the event. Council directed staff to plan for the fireworks show, live streaming the event with the possibility of a band.

City Council agreed on the following dates:

- April 27, 2020 - 6:00 pm – Executive Search Firm Interviews
- April 28, 2020 – 6:00 pm – Executive Search Firm Interviews
- June 22, 2020 – 6:00 pm – Joint Meeting with Planning & Zoning Commission
- July 20, 2020 – 6:00 pm – Joint Meeting with Planning & Zoning Commission
- July 27, 2020 – 6:00 pm – Boards and Commissions Interviews
- July 28, 2020 – 6:00 pm – Boards and Commissions Interviews

Councilmember Cooks stated the bike ride for May 2, 2020 will be rescheduled.

Councilmember Anderson requested a joint meeting with the DCEDC Board to discuss the railroad flats.

I.2.B. *Discuss creation of a Small Business and Economic Recovery Advisory Committee.*

Council decided to move forward with a Small Business and Economic Recovery Advisory Committee and discussed their visions for the Committee.

Economic Development Director James stated on April 16, 2020 the Duncanville Community and Economic Development Corporation (DCEDC) has established a Temporary Covid-19 Business Retention Assistance Program to aid small businesses that are being negatively impacted by the Covid-19 Pandemic. The DCEDC has approved \$250,000 for grants. The assistance is provided as reimbursement grants from \$1,000 to \$5,000 each. To be considered for a grant, business owners must meet the general participation program requirements. The DCEDC will evaluate each grant on an individual basis while considering the economic impact of the grant. The number of grants awarded are limited to available funding. The DCEDC will accept applications for a three-week period initially but could extend the time period based on response and available funding. The City Council will make final approval on all grants.

General Participation Requirements:

1. Applicants must have been in business for at least 120 days prior to the March 13, 2020 Mayor's Shelter in Place Declaration.
2. Applicants must be currently operating their business as to the level possible with the declaration and plan to reopen to normal operations once the declaration is lifted.
3. Applicants must have 20 or fewer employees.
4. Grants must be used to cover operating costs of the applicant's business including, but not limited to, rent, leases or loan payments on buildings or equipment, business inventory, utilities, and payroll. Other needs will be considered on an individual basis.
5. Applicant's business must be legally operating in the City of Duncanville. Grants will be considered for all legally operating types of businesses that meet the requirements.
6. All grant applicants must fill out an initial application. If awarded a grant, the recipient will be required to enter into an agreement to participate in the program. The application information is confidential and will be

used to calculate the economic impact of each grant. The required agreement is to ensure funds are used according to program requirements.

7. Applicants will be required to provide copies of paid operating expense receipts dated after March 13, 2020, to receive grant funds awarded.
8. All funds must be used within six months of receiving the grant. If the funds are not used within this time period, the applicant may provide an extension request for the DCEDC Board to consider.

City Manager Hugman stated staff will put together a policy for the next City Council meeting to be held on May 5, 2020.

Council agreed to have the Committee composed of two co-chair Councilmembers (Councilmember Cooks and Councilmember Anderson), a member from the Duncanville Economic Development Corporation Board, a Chamber of Commerce member and the rest composed from local business owners in the City of Duncanville.

Mayor Gordon stated Executive Session will be moved until after the Staff and Board Reports.

Mayor Gordon recessed the Briefing Session at 7:40 p.m. for City Council to convene into Executive Session.

II. **EXECUTIVE SESSION**

Executive Session was moved until after the Staff and Board Reports.

- II.1 ***City Council shall convene into closed executive session pursuant to Section 551.072 of the Texas Government Code, Deliberations about Real Property, to deliberate the purchase, exchange, lease, or value of real property, to wit: real properties generally located north of Wheatland Rd., east of Cedar Ridge and west of Cockrell Hill Rd.***

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

The City Council convened into Regular Session in the Council Chambers at 7:41 p.m. with Mayor Gordon presiding.

The Invocation was delivered by Mayor Pro Tem McBurnett.

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

III.1. **REPORTS**

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

Mayor Gordon thanked all the first responders during COVID-19 and all the citizens and leaders who are acting in compliance with the rules set during this tough situation.

Mayor Gordon encouraged all citizens to fill out their 2020 Census.

III.1.B. **Councilmembers' Reports**

Councilmember Cooks thanked all citizens for complying with the Stay At Home Order, and thanked all essential workers.

Councilmember Cooks encouraged all citizens to continue to shop locally and encouraged all citizens to follow the city's social media accounts. Councilmember Veracruz thanked the Trinity Church Fairmeadows for supporting the Duncanville Community and thanked the Convoy of Hope and Councilmembers Harvey and McBurnett for volunteering their time and services.

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

None.

III.2. **PROCLAMATIONS AND PRESENTATIONS**

None.

III.3. CITIZENS' INPUT

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

To submit public comments, email citysecretary@duncanville.com and title the email “Public Comment – April 21st”. All public comments submitted by 4pm on Tuesday, April 21, 2020 will be provided to the City Council members and entered into the record for the April 21, 2020 City Council Regular Meeting.

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

Peg Shrum – spoke on businesses being closed due to COVID-19.

III.4. CONSENT AGENDA

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

III.4.A. Consider the Minutes for the March 31, 2020 City Council Special Meeting and the April 7, 2020 City Council Regular Meeting.

III.4.B. Consider a Resolution approving the second renewal of contract IFB #18-052 Street Sweeping Services from Sweeping Services of Texas, Operating L.P. of Hurst, Texas with an estimated expenditure amount of \$86,000.00.

III.4.C. Consider a Resolution authorizing Linebarger Goggan Blair & Sampson, LLP, to obtain an order of sale which will allow for the foreclosure of; and, to authorize the sale of the properties by Dallas County at public sale in accordance with Section 34.05 of the Texas Property Tax Code, for the following properties: 439 Azalea Lane, 359 Blossom Drive, and 203 Cedar Street.

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

III.5. ITEMS FOR INDIVIDUAL CONSIDERATION

III.5.A. Take any necessary action as a result of the Executive Session.

Item was moved until after Staff and Board Reports.

IV. STAFF AND BOARD REPORTS

IV.1 Public Works Quarterly Report.

There were no questions from Council.

IV.2 The Fire Department Quarterly Report.

There were no questions from Council.

IV.3 The Police Department Quarterly Report.

There were no questions from Council.

Mayor Gordon recessed the Regular Session at 7:54 p.m.

II. EXECUTIVE SESSION

The Executive Session was called into session at 7:59 p.m. and City Attorney Hager read the item into record.

II.1 City Council shall convene into closed executive session pursuant to Section 551.072 of the Texas Government Code, Deliberations about Real Property, to deliberate the purchase, exchange, lease, or value of real property, to wit: real

properties generally located north of Wheatland Rd., east of Cedar Ridge and west of Cockrell Hill Rd.

The Council closed the Executive Session at 8:47 p.m

Mayor Gordon reconvened the Regular Session at 8:55 p.m.

III.5. ITEMS FOR INDIVIDUAL CONSIDERATION

III.5.A. Take any necessary action as a result of the Executive Session.

Councilmember Johnette Jameson made a motion to direct staff to invoke Section 7B of the Strawman Contract April 22, 2020 and to terminate the contract, Councilmember Joe Veracruz seconded the motion. The vote was cast 7 for, 0 against. Item passed.

V. ADJOURNMENT

The meeting was adjourned at 8:57 p.m.

APPROVED:

MAYOR

ATTEST:

CITY SECRETARY



STAFF REPORT

MEETING: City Council - 05 May 2020

TITLE:

Consider a Resolution finding that Oncor Electric Delivery Company LLC's application for approval to amend its Distribution Cost Recovery Factor to increase distribution rates with the City should be denied; authorizing participation with ONCOR Cities Steering Committee; authorizing the hiring of legal counsel and consulting services; finding that the City's reasonable rate case expenses shall be reimbursed by the Company; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the Company and legal counsel.

- N/A
 - Goal: N/A

STAFF RESPONSIBLE:

Richard Summerlin, CPA, CGFO
Finance Director

BACKGROUND/HISTORY:

The City is an electric utility customer of Oncor Electric Delivery Company LLC ("Oncor" or "Company"). The Oncor Cities Steering Committee ("OCSC") is a coalition of similarly situated cities served by Oncor that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in Oncor's service area in matters before the Public Utility Commission ("PUC" or "Commission") and the courts.

On April 3, 2020, Oncor filed an Application to Amend its Distribution Cost Recovery Factor ("DCRF") with each of the cities retaining original jurisdiction and with the Commission in Docket No. 50734. In the filing, the Company sought to increase distribution rates by \$75.9 million annually (an approximately \$0.88 increase to the average residential customer's bill).

POLICY EXPLANATION:

The resolution authorizes the City to join with OCSC to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy, including settlement, to pursue.

Purpose of the Resolution:

The purpose of the Resolution is to deny the DCRF amendment proposed by Oncor.

Explanation of "Be It Ordained" Sections:

1. This section authorizes the city to participate with OCSC as a party in the Company's DCRF filing in PUC Docket No. 50734.

2. This section authorizes the hiring of Lloyd Gosselink and consultants to review the filing, negotiate with the Company, and make recommendations to the City regarding reasonable rates. It also authorizes OCSC to direct any necessary administrative proceedings or court litigation associated with an appeal of this application filed with the Commission.
3. This paragraph finds that the Company's application is unreasonable and should be denied.
4. This section states that the Company's current rates shall not be changed.
5. The Company will reimburse OCSC for its reasonable rate case expenses. Legal counsel and consultants approved by OCSC will submit monthly invoices that will be forwarded to Oncor for reimbursement.
6. This section merely recites that the resolution was passed at a meeting that was open to the public and that the consideration of the Resolution was properly noticed.
7. This section provides Oncor and counsel for OCSC will be notified of the City's action by sending a copy of the approved and signed resolution to counsel.

FUNDING SOURCE:

N/A

RECOMMENDATION:

Staff recommends approval of a Resolution finding that Oncor Electric Delivery Company LLC's application for approval to amend its Distribution Cost Recovery Factor to increase distribution rates with the City should be denied; authorizing participation with ONCOR Cities Steering Committee; authorizing the hiring of legal counsel and consulting services; finding that the City's reasonable rate case expenses shall be reimbursed by the Company; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the Company and legal counsel.

ATTACHMENTS:

[Attachment 1 - Resolution No. - 2020-037 - Oncor - Denial Resolution \(Oncor 2020 DCRF\)](#)

RESOLUTION NO. 2020-037

A RESOLUTION OF THE CITY OF DUNCANVILLE, TEXAS FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S APPLICATION FOR APPROVAL TO AMEND ITS DISTRIBUTION COST RECOVERY FACTOR TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; AUTHORIZING PARTICIPATION WITH ONCOR CITIES STEERING COMMITTEE; AUTHORIZING THE HIRING OF LEGAL COUNSEL AND CONSULTING SERVICES; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

WHEREAS, the City of Duncanville, Texas ("City") is an electric utility customer of Oncor Electric Delivery Company LLC ("Oncor" or "Company"), and a regulatory authority with an interest in the rates and charges of Oncor; and

WHEREAS, the Oncor Cities Steering Committee ("OCSC") is a coalition of similarly situated cities served by Oncor that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in Oncor's service area in matters before the Public Utility Commission ("Commission") and the courts; and

WHEREAS, on or about April 3, 2020, Oncor filed with the Commission an Application to Amend its Distribution Cost Recovery Factor ("DCRF"), Commission Docket No. 50734, seeking to increase distribution rates by \$75.9 million annually (an approximately \$0.88 increase to the average residential customer's bill); and

WHEREAS, the City of Duncanville will cooperate with OCSC in coordinating their review of Oncor's DCRF filing with designated attorneys and consultants, prepare a common response, negotiate with the Company, and direct any necessary litigation, to resolve issues in the Company's filing; and

WHEREAS, all electric utility customers residing in the City will be impacted by this ratemaking proceeding if it is granted; and

WHEREAS, working with the OCSC to review the rates charged by Oncor allows members to accomplish more collectively than each city could do acting alone; and

WHEREAS, OCSC's members and attorneys recommend that members deny Oncor's DCRF.

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

SECTION 1. That the City is authorized to participate with OCSC in Commission Docket No. 50734.

SECTION 2. That, subject to the right to terminate employment at any time, the City of Duncanville hereby authorizes the hiring of the law firm of Lloyd Gosselink Rochelle & Townsend, P.C. and consultants to negotiate with the Company, make recommendations to the City regarding reasonable rates, and to direct any necessary administrative proceedings or court litigation associated with an appeal Oncor's DCRF application.

SECTION 3. That the rates proposed by Oncor to be recovered through its DCRF charged to customers located within the City limits, are hereby found to be unreasonable and shall be denied.

SECTION 4. That the Company shall continue to charge its existing rates to customers within the City.

SECTION 5. That the City's reasonable rate case expenses shall be reimbursed in full by Oncor within 30 days of the adoption of this Resolution.

SECTION 6. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

SECTION 7. That a copy of this Resolution shall be sent to Tab Urbantke, Attorney for Oncor, at Hunton Andrews Kurth LLP, 1445 Ross Avenue, Suite 3700, Dallas, Texas 75202, and to Thomas Brocato, General Counsel to OCSC, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, TX 78767-1725, or tbrocato@lglawfirm.com.

PASSED AND APPROVED this 5th day of May, 2020.

Mayor Barry L. Gordon

ATTEST:

Kristin Downs, City Secretary

APPROVED AS TO FORM:

Robert E. Hager, City Attorney



STAFF REPORT

MEETING: City Council - 05 May 2020

TITLE:

Consider a Resolution awarding a renewal contract for Pavement Markings Supply and Installation Services to Elite Striping, LLC, Cedar Hill, Texas in the unit amount bid for an estimated amount of \$112,409.45.

NA

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

STAFF RESPONSIBLE:

Bryan G. Ramey, II, P.E., Director of Public Works

Jacqueline R. Culton, P.E., Assistant Director of Public Works

BACKGROUND/HISTORY:

The City procures services to provide for the removal and application of reflective “hot applied” thermoplastic markings and raised button pavement markers to be installed at various locations in the City on an as-needed basis. “Hot Applied” thermoplastic markings are one of the most common types of applications used for pavement markings. This type of application creates a wear and crack-resistant type of marking and is very durable. Additionally, the highly reflective quality of thermoplastic markings makes for an excellent choice for road marking especially for nighttime visibility. Ceramic raised pavement marker buttons provide ultimate daytime/nighttime visibility without using painting stripes and provide maximum durability. Lane markings are an important aspect of traffic control as they provide a guidance system for motorist and pedestrians on City streets and contribute to the safety thereof.

The original contract was approved by Council on 02/19/2019 and consisted of a base year with four one-year renewals. The 2020 contract represents the 1st renewal. There were no increases in unit pricing between the base year and the 1st renewal.

In FY19, Public Works spent \$101,944.75 (\$83,504.00 - Traffic Operations; \$18,440.75 - Streets). In FY20, Public Works is requesting \$112,409.45 (\$83,504.00 - Traffic Operations; \$28,905.45 - Streets). There is no change in funding for Traffic Operations as they have a fixed amount of road striping and buttons they use every year. The Street Division striping changes somewhat every year based on which streets receive mill & overlay, micro-surfacing, or slab replacement.

POLICY EXPLANATION:

This annual term contract is for labor, materials, and equipment for the removal and installation of raised pavement markings and thermoplastic for the City on an as-needed basis.

FUNDING SOURCE:

\$83,504.00 is allocated in the FY 19-20 General Fund/Traffic Operations budget for this expenditure. And \$28,905.45 is allocated in the FY 19-20 General Fund/Streets Divisions budget for the expenditure.

RECOMMENDATION:

Staff recommends approval of a Resolution awarding a renewal contract for Pavement Markings Supply and Installation Services to Elite Striping, LLC, Cedar Hill, Texas in the unit amount bid for an estimated amount of \$112,409.45.

ATTACHMENTS:

[Attachment 1 - Resolution No. 2020-007R - Elite Striping Contract Renewal #1 - with Exhibits](#)

RESOLUTION NO. 2020-007R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, AUTHORIZING A ONE-YEAR RENEWAL OF TERM CONTRACT #19-014 PAVEMENT MARKINGS SUPPLY AND INSTALLATION SERVICES FOR THE UNIT PRICES BID TO ELITE STRIPING, LLC (FORMERLY ACTION COMMERCIAL SERVICES, LLC), ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT "A", FOR AN ESTIMATED EXPENDITURE AMOUNT OF \$112,409.45; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, it is desired to provide pavement marking services at various locations within the City of Duncanville; and

WHEREAS, competitive sealed bids were obtained per IFB #19-014 on January 22, 2019, with Action Commercial Services, LLC of Rockwall, Texas, as the lowest and best bid; and

WHEREAS, the City Council awarded Term Contract #19-014 Action Commercial Services, LLC (now Elite Striping, LLC), for a one-year term that expires on February 18, 2020; and

WHEREAS, the term of the bid was one year with four one-year renewal options if both parties mutually agree; and

WHEREAS, the City Council of the City of Duncanville, Texas, hereby desires to exercise the first renewal of Term Contract #19-014 with with Elite Striping, LLC (formerly Action Commercial Services, LLC), effective May 5, 2020 through February 18, 2021, for the amount of \$112,409.45 in the unit amounts bid for said services.

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

SECTION 1. That the City Council of the City of Duncanville does hereby approve and authorize the first renewal of Term Contract #19-014 to Elite Striping, LLC (formerly Action Commercial Services, LLC) for pavement marking services as provided for in renewal offer from Elite Striping, LLC (formerly Action Commercial Services, LLC), attached hereto and incorporated herein as Exhibit "A", for the unit prices bid for an estimated expenditure amount of \$112,409.45.

SECTION 2. That purchases authorized herein beyond that current fiscal year are subject to availability of funds and any non-appropriation by Council. Failure to budget for such expenses for FY 2020-2021 shall terminate this authorization.

SECTION 3. That the City Council of the City of Duncanville hereby authorizes the City Manager or his designee to execute the necessary documents and/or purchase orders.

SECTION 4. That this Resolution shall take effect immediately from and after its passage.

DULY RESOLVED AND ADOPTED by the City Council of the City of Duncanville, Texas, on the 5th day of May, 2020.

APPROVED:

Barry L. Gordon, Mayor

ATTEST:

Kristin Downs, City Secretary

APPROVED AS TO FORM:

Robert E. Hager, City Attorney

EXHIBIT "A"

DUNCANVILLE

The Perfect Blend of Family, Community and Business.

FINANCE DEPARTMENT
P.O. Box 380280
Duncanville, TX 75138-0280
www.duncanville.com

CITY OF DUNCANVILLE CONTRACT RENEWAL NOTICE

January 17, 2020

Elite Striping, LLC dba Action Services
Attn: Tommy Samaniego
1007 S. Cedar Hill Rd.
Cedar Hill, TX 75104
tommy@actionservices.net; OfficeMGR@actionservices.net

**Re: NOTICE OF CONTRACT RENEWAL
Pavement Markings Supply and Installation Services
19-014 (THE "Contract")
Renewal Term No 1: February 19, 2020-February 18, 2021**

The above reference contract will expire on February 18, 2020. Pursuant to the Contract, contract renewals are the sole option of the City. This letter is to inform you that the City is exercising its rights to renew Contract 19-014 for an additional one-year period, which began immediately upon the expiration of the current term and will end February 18, 2021. All other terms and conditions of Contract 19-014 remain unchanged.

Please return this signed acknowledgement letter, along with a **copy of your current insurance certificate if applicable and W-9**, to sbaker@duncanville.com acknowledging receipt of the Notice of Contract Renewal.

Should you have any questions, please contact me at (972) 780-5058.

Sincerely,

Sheila Baker

Sheila Baker
Purchasing Manager

EXHIBIT "A"

Agreement to Renew Contract

Contract Renewal #1

Pavement Marking Supply and Installation Services

City of Duncanville Agreement IFB-19-014

By executing this document, contractor verifies:

- 1) That it desires to exercise the renewal option under the same terms, conditions, and pricing, beginning February 19, 2020 through February 18, 2021;
- 2) that it does not boycott Israel, and agrees that during the term of this Contract will not boycott Israel as that term is defined in Texas Government Code Section 808.001, as amended;
- 3) that, pursuant to Texas Government Code, Chapter 2252, Section 2252.152 and Section 2252.153, it does not appear on the Comptroller of the State of Texas listing of companies which do business with Iran, Sudan or any Foreign Terrorist Organization, as identified under Section 806.051, Section 807.051 or Section 2253.253, listing of companies.

Elite Striping, LLC dba Action Services


Signature Date 1-17-2020


Printed Name Title MANAGER

City of Duncanville, Texas

Kevin Hugman, City Manager Date



EXHIBIT "A"

CERTIFICATE OF LIABILITY INSURANCE

 DATE (MM/DD/YYYY)
01/17/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Keystone Southwest Insurance member of K & S Group, Inc. P O Box 1747 Rockwall TX 75087-1747		CONTACT NAME: Tonya Riggs PHONE (A/C, No, Ext): (972) 771-3861 FAX (A/C, No): (972) 772-1021 E-MAIL ADDRESS: triggs@kswins.com															
INSURED Elite Striping LLC dba Action Services 1007 S Cedar Hill Road Cedar Hill TX 75104		<table border="1"> <thead> <tr> <th>INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> </thead> <tbody> <tr> <td>INSURER A: Ohio Security Insurance Company</td> <td></td> </tr> <tr> <td>INSURER B: Ohio Casualty Insurance Company</td> <td></td> </tr> <tr> <td>INSURER C: Texas Mutual Insurance Co.</td> <td>22945</td> </tr> <tr> <td>INSURER D: Hanover Insurance Company</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </tbody> </table>		INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: Ohio Security Insurance Company		INSURER B: Ohio Casualty Insurance Company		INSURER C: Texas Mutual Insurance Co.	22945	INSURER D: Hanover Insurance Company		INSURER E:		INSURER F:	
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INSURER D: Hanover Insurance Company																	
INSURER E:																	
INSURER F:																	

COVERAGES

CERTIFICATE NUMBER: 19/20 ALL LINES

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC OTHER:			BKS (20) 58136562	07/06/2019	07/06/2020	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 15,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☒ HIRED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ NON-OWNED AUTOS ONLY			BAS59696484	03/27/2019	07/06/2020	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ PIP-Basic \$
B	☒ UMBRELLA LIAB ☒ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE DED ☒ RETENTION \$ 10,000			USO59696484	03/27/2019	07/06/2020	EACH OCCURRENCE \$ 2,000,000 AGGREGATE \$ 2,000,000
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N	N/A	0002023019	11/02/2019	11/02/2020	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
D	Inland Marine			IHD D855183 01	03/27/2019	07/06/2020	Scheduled Equipment \$243,800 Rented & Leased Equip \$100,000 Deductible \$1,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The General Liability policy includes a blanket additional insured endorsement that provides additional insured status to any person or organization when there is a written contract that requires such status. The General Liability and Workers Compensation policies include blanket waivers of subrogation that provide a waiver of subrogation to any person or organization when there is a written contract that requires such status.

CERTIFICATE HOLDER

CANCELLATION

Duncanville Service Center 330 Shady Trail Dr. Duncanville TX 75137	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
---	---

AGORD 25 (2016/03)

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EXHIBIT "A"

**INVITATION FOR BIDS
ISSUED BY THE
CITY OF DUNCANVILLE, TEXAS**

The City of Duncanville, Texas ("Owner") desires to enter into a term contract to purchase:

**Pavement Markings Supply and Installation Services
IFB #19-014**

Sealed bids addressed to the Purchasing Manager of the City of Duncanville, Texas, will be received at the City Hall, Sealed Bid Box, City Hall East, 203 East Wheatland, Duncanville, Texas 75116, until 2:00 p.m., January 15, 2019 and then publicly opened and read aloud thereafter, for the work described herein.

PLEASE COMPLETE THE FOLLOWING:

Action Commercial Services L.L.C
Legal Name of Bidding Firm

MIKE Primeaux Partner / Member
Bid Contact Person Title

972-771-3832 MP@actionservices.net
Telephone Number E-Mail Address

P.O. Box 1689, Rockwall, TX 75087
Complete Mailing Address City/State Zip

777 Riding Club Rd., Rockwall, TX 75087
Principal Business Office Address (if different) City/State Zip

P.O. Box 1689, Rockwall, TX 75087
Pay/Remittance Mailing Address (if different) City/State Zip

Krissie McQueen 972 771 3832 office@actionservices.net
Accounts Payable Contact Person Telephone Number Email

Will you accept Mastercard for payment of any invoice resulting from this solicitation: Yes ___ No X

SUBMIT THIS PAGE WITH YOUR BID

EXHIBIT "A"

1. NOTICE TO BIDDERS

Sealed bids addressed to the Purchasing Manager of the City of Duncanville, Texas, will be received at the City Hall, Sealed Bid Box, City Hall East, 203 East Wheatland, Duncanville, Texas 75116, until 2:00 p.m., January 22, 2019 and then publicly opened and read aloud thereafter, for the work described herein.

Bids responses must be sealed and the bid number and name clearly marked on the outside of the delivery package. Bids must be submitted on the prescribed forms furnished in the bid package, and the bidder must supply all the information required by such forms. The City is not responsible for sealed bid responses labeled incorrectly or misdirected. In the bid package, bidder shall submit:

- One (1) signed hard copy original
- One (1) electronic copy in .PDF format on a flash drive

Submit the sealed package to:

- By US Mail –
City of Duncanville, Sealed Bid Box, PO Box 380280, Duncanville, Texas 75138
- By FedEx/UPS/Courier –
City of Duncanville, Sealed Bid Box, 203 E. Wheatland Road, Duncanville, Texas 75116

Submittals received in the Sealed Bid Box after the bid deadline will not be accepted. The City of Duncanville is not responsible for submittals that are not properly marked or are delivered to the incorrect address. It is bidder's responsibility to ensure that the bid is delivered to the Sealed Bid Box.

Questions regarding the bid package with plans and specifications may only be submitted online at <https://www.publicpurchase.com/gems/duncanville.tx/buyer/public/home>

Addenda will be sent only to those who are recorded as having downloaded the bid package from Public Purchase.

NOTE: Failure to submit the information requested on the following pages in a sufficient manner may result in your bid being deemed non-responsive.

2. ADDENDA RECEIPT ACKNOWLEDGMENT

Bidder acknowledges receipt of the following Addenda:

Addendum #1 Dated _____ Received _____

Addendum #2 Dated _____ Received _____

Addendum #3 Dated _____ Received _____

Addendum #4 Dated _____ Received _____

SUBMIT THIS PAGE WITH YOUR BID

EXHIBIT "A"

3. LIABILITY AND WORKERS' COMPENSATION INSURANCE CERTIFICATION

If requested by the City, vendor shall provide a certificate of insurance demonstrating coverage in compliance with Attachment #1 Contractors and Subcontractors Insurance.

4. FORM 1295 FILING

A Form 1295 is required to be filed with the Texas Ethics Commission and a copy of it must be submitted to the City before a contract will be executed. DO NOT make your filing until you have been notified that you are being awarded a contract.

5. QUALIFICATIONS

A. List the names that the bidder currently, has, or anticipates operating under, including the names of related companies presently doing business.

Action Services

B. List the names of companies, firms or organizations that own any part of your organization.

C. Years' experience in similar projects: over 25

D. In the past ten years, has bidder ever defaulted on a project or failed to complete any work contracted for? NO If yes, provide details on a separate sheet.

E. In the past ten years, has bidder ever been terminated from a project it had contracted for? NO If yes, provide details on a separate sheet.

F. Is the bidder currently in any litigation or contemplating litigation? NO If yes, provide details on a separate sheet.

G. In the past five years, has bidder ever refused to enter into contract for a project for which it was awarded a contract? NO If yes, provide details on a separate sheet.

H. Provide a brief description of bidder's managerial structure including name and title of key personnel. This information may be submitted on a separate sheet.

Diane H Primeaux - Managing Member

Michael S Primeaux - Managing Member

Krissie McQueen - Office Manager / AP / AR

SUBMIT THIS PAGE WITH YOUR BID

EXHIBIT "A"

I. What trades or services does the bidder ordinarily subcontract out?

Thermoplastic Striping - Raised Pavement Markers -
Parking lot & Road Striping

6. REFERENCES

If you have not worked for the City of Duncanville within the last three (3) years, provide a list of at least three (3) recent projects that are of similar size and scope to that specified herein.

Project Name #1: IFB #17-15

Owner: City of Duncanville

Cost: 76,708⁰⁰ Date Completed: _____

Bidder's Project Manager: MIKE Primeaux

Owner's Reference Name & Phone #: John Borchardt / 214-498-2183

Project Name #2: _____

Owner: _____

Cost: _____ Date Completed: _____

Bidder's Project Manager: _____

Owner's Reference Name & Phone #: _____

Project Name #3: _____

Owner: _____

Cost: _____ Date Completed: _____

Bidder's Project Manager: _____

Owner's Reference Name & Phone #: _____

Name of Bidder's proposed project manager for this project:

MIKE Primeaux

SUBMIT THIS PAGE WITH YOUR BID

EXHIBIT "A"

7. SUBCONTRACTORS

List any subcontractors you propose to use on the City's project that will comprise at least 10% of the total project cost. Use additional page if necessary. This information is considered preliminary and may be revised prior if bid is awarded and re-submitted during the pre-construction phase. However, it is expressly understood that the use of any subcontractor other than those listed with bid shall require written approval from the City of Duncanville.

Failure to submit the information as required may result in a disqualification of your bid.

Subcontractor Name: _____

City/State: _____

Trade or Service to Be Provided: _____

Estimated Percentage of Overall Cost: _____

Subcontractor Name: _____

City/State: _____

Trade or Service to Be Provided: _____

Estimated Percentage of Overall Cost: _____

Subcontractor Name: _____

City/State: _____

Trade or Service to Be Provided: _____

Estimated Percentage of Overall Cost: _____

SUBMIT THIS PAGE WITH YOUR BID

EXHIBIT "A"

8. DECLARATIONS

The undersigned, under penalty of perjury:

- Declares that the only person or parties interested in this proposal as principals are those named herein, that this proposal is made without collusion with any other person, firm or corporation; that he has carefully examined the documents has carefully examined the locations and conditions of the proposed work, and agrees that he will provide all necessary labor, machinery, tools, apparatus and other items incidental to construction, and will do all the work called for in the contract and specifications in the manner prescribed therein and according to the requirements of the City of Duncanville, and therein set forth.
- Agrees, upon written acceptance of this proposal, mailed or otherwise, furnished within ninety (90) days after date of opening of proposals, will, within ten (10) calendar days after receipt of the prescribed forms, execute and agree to the terms and conditions of the final award.
- Declares that in the event of the award of a contract to the undersigned will comply with the Immigration Reform & Control Act of 1986.
- Declares that the company verifies that it (1) does not boycott Israel; and (2) that it will not boycott Israel during the term of the contract, in compliance with Chapter 2270 of the Texas Government Code.
- Declares that the company does not have contracts or provide supplies or services to any foreign terrorist organization as made known on a list provided by the Comptroller of the State of Texas.
- Has attached a bid bond in the amount of five (5) percent of the estimated bid total.
- Proposes and agrees to perform all work of whatever nature required, in strict accordance with the plans and specifications for the pricing bid on the attached bid sheet.
- Will furnish, in the event of the award of a contract to the undersigned, a performance bond and a payment bond for the full amount of the contract, to secure proper compliance with the terms and provisions of the contract, to insure and guarantee payment of all lawful claims for labor performed and materials furnished in the fulfillment of the contract.
- Will perform the work and finish it in accordance with the plans and specifications and to the satisfaction of the City.
- Shall begin the work as specified in the work order and agrees to complete the work within the days to completion time bid on the attached bid sheet.
- Declares that in the event of the award of a contract to the undersigned will comply with the Immigration Reform & Control Act of 1986.
- That bidder agrees to the sum or prices on the following bid sheets.
- That the bidder desires to enter into a term contract with the City of Duncanville, if awarded said contract, to provide the goods and services specified herein.
- Declares that all information provided in this proposal is true and correct.

SUBMIT THIS PAGE WITH YOUR BID

EXHIBIT "A"

The undersigned, by his/her signature, represents that he/she is authorized to bind the bidder for the amount shown on the accompanying bid sheets and hereby certifies full compliance with the terms and conditions, specifications and special provisions of the invitation for bid. By signing below, you signify that you have read the entire document and agree to the terms and conditions therein.

BIDDER'S AUTHORIZED SIGNATURE



Signature

1/4/19

Date

SUBMIT THIS PAGE WITH YOUR BID

EXHIBIT "A"

BID SHEET
IFB #19-14

<u>ITEM #</u>	<u>EST. QTY</u>	<u>UNIT</u>	<u>DESCRIPTION OF ITEMS</u>	<u>UNIT PRICE</u>	<u>EXTENSION</u>
I - THERMOPLASTIC PAVEMENT MARKINGS					
1	1	Each	MOBILIZATION - THERMOPLASTIC	\$1,000	\$1,000
2	6250	LF	8" WIDE WHITE MARKING	\$1.50	\$9,375
3	1250	LF	4" WIDE YELLOW MARKING	\$1.00	\$1,250
4	313	LF	4" WIDE WHITE MARKING	\$1.25	\$391
5	63	LF	8" WIDE YELLOW MARKING	\$2.00	\$126
6	313	LF	REMOVAL of 8" WIDE PAVEMENT MARKING	\$0.50	\$157
7	6875	LF	24" WIDE WHITE MARKING	\$5.25	\$36,094
8	7500	LF	REMOVAL of 24" WIDE PAVEMENT MARKINGS	\$0.95	\$7,125
9	25	Each	RIGHT TURN ARROWS	\$120.00	\$3,000
10	14	Each	REMOVAL of LEFT & RIGHT ARROWS	\$30.00	\$420
11	9	Each	LEFT TURN ARROWS	\$120.00	\$1,080
12	8	Each	RIGHT TURN ARROWS	\$120.00	\$960
13	3	Each	REMOVAL of STRAIGHT ARROWS	\$30.00	\$90
14	3	Each	COMBINATION ARROWS (straight and curved)	\$175.00	\$525
15	3	Each	REMOVAL of COMBINATION ARROWS	\$45.00	\$135.00
16	13	Each	"ONLY" MARKING	\$145.00	\$1,885.00
17	7	Each	REMOVAL of "ONLY" MARKING	\$40.00	\$280.00

EXHIBIT "A"

18	188	Each	4" x 2' WHITE SKIPS (PUPPY TRACKS)	\$1.30	\$244.40
19	38	Each	REMOVAL of 4" WHITE SKIPS (PUPPY TRACKS)	\$0.60	\$22.80
20	25	Each	"RXR" MARKINGS	\$425.00	\$10,625.00
21	20	Each	REMOVAL OF "RXR" MARKING	\$120.00	\$2,400.00
SUB-TOTAL – THERMOPLASTIC PAVEMENT MARKINGS					\$77,185

II - RAISED PAVEMENT MARKINGS

22	1	Each	MOBILIZATION – RAISED TRAFFIC MARKINGS	\$1,000.00	\$1,000.00
23	238	Each	FURNISH AND INSTALL TRAFFIC BUTTON, TYPE P7 WHITE	\$3.40	\$809.20
24	3715	Each	FURNISH AND INSTALL TRAFFIC BUTTON, TYPE P7 YELLOW	\$3.40	\$12,631.00
25	438	Each	FURNISH AND INSTALL PAVEMENT MARKER (REFLECTORIZED) TYPE II-A-A	\$3.60	\$1,576.80
26	938	Each	FURNISH AND INSTALL PAVEMENT MARKER (REFLECTORIZED) TYPE I-C	\$3.60	\$3,376.80
27	125	Each	FURNISH AND INSTALL PAVEMENT MARKER (REFLECTORIZED) TYPE II-C-R	\$3.60	\$450.00
28	750	Each	REMOVAL OF PAVEMENT MARKER	\$0.50	\$375.00
SUB-TOTAL – RAISED PAVEMENT MARKINGS					\$20,218.80
GRAND TOTAL					\$97,403.50
865	Each	FURNISH AND INSTALL PAVEMENT MARKER (REFLECTORIZED) TYPE II-B-B FIRE HYDRANT 4"	\$5.25	4,541.25	\$101,944.75

EXHIBIT "A"

1/28/2019

Action Services Mail - IFB #19-014 Pavement Marking Bid



Mike Primeaux <mp@actionservices.net>

IFB #19-014 Pavement Marking Bid

1 message

Brienne Wilkins <bwilkins@duncanville.com>
To: Brienne Wilkins <bwilkins@duncanville.com>

Fri, Jan 25, 2019 at 4:19 PM

Good Afternoon,

After reviewing the bids, it was discovered that a line item was left off. Please provide your pricing below and return to me via email by Monday, January 28, 2019 @ 12:00PM Central Time. Let me know if you have any additional questions. Please be advised, once all cost have been received, a final bid tab will be posted to Public Purchase for review.

		Unit Price	Extension
865	Each FURNISH AND INSTALL PAVEMENT MARKER (REFLECTORIZED) TYPE II-B-B FIRE HYDRANT 4" MARKER	\$ <u>5²⁵</u>	\$ <u>4541²⁵</u>

 1/23/2019

Brie Wilkins
Purchasing Manager
City of Duncanville
P: (972) 780-5058
F: (972) 785-6478
bwilkins@duncanville.com



<https://mail.google.com/mail/u/0/?ik=fb6f5bfa6&view=pt&search=all&permthid=thread-f%3A1623672489769932729&simpl=msg-f%3A1623672489769932729>

1/1



STAFF REPORT

MEETING: City Council - 05 May 2020

TITLE:

Consider a Resolution authorizing incorporation of Amendment Number 1 to Contract #20-017 to Eagle Remediation and Demolition Services, LLC in the amount of \$13,977.00 for the demolition and removal of a lube pit and underground fuel storage tanks at the property located at 727 S. Cockrell Hill Rd for the revised total contract amount of \$53,768.00.

FY 2019 CITY COUNCIL ORGANIZATIONAL WORKPLAN:

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

STAFF RESPONSIBLE:

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

BACKGROUND/HISTORY:

On 11 April 2018, the facility located at 727 S. Cockrell Hill Rd (known as Chammeyville) was declared substandard by the Municipal Judge and was cleared for demolition by the City of Duncanville on 11 May 2018 due to inaction by the Property Owner. The property was substandard due to multiple interior fires with significant structural damage, multiple break-ins, occupancy by homeless persons, and looting.

Following a closed bid competitive procurement, a contract for \$33,322.00 was awarded to Garrett Demolition to demolish the substandard structures and return the site to grass in Fall 2018. The lube pit and underground storage tanks were not removed at the time since the City did not own the property and demolition of the substandard structure was all that was authorized at the time. A lien for the demolition costs was attached to the property at that time.

On 21 November 2018, Dallas County Court rendered a Decree of Foreclosure and directed the Dallas County Sheriff to seize and sell the property for delinquent property taxes. The Sheriff seized the property on 22 January 2019 and attempted to sell it. Due to no bids, the property was struck-off to the City of Duncanville on 01 March 2019. The deed was recorded by Dallas County Appraisal District on 05 April 2019 (Attachment 2).

When the City of Duncanville received ownership of the property, the lube pit and three underground storage tanks remained. They are full of contaminated water resulting from when the property was an active car wash and automotive service center. They represent an environmental hazard and must be demolished and removed in order to meet TCEQ regulatory guidance.

This property is in TCEQ's database of properties with Underground Storage Tanks. TCEQ performed their 3-year inspection of the property in Summer 2019 (just after the tax foreclosure) and contacted the City when they noticed the buildings were gone and they had no contact with the property owner. The City explained that the structure was demolished as a substandard structure and the City had just received ownership of the property from Dallas County. Now that Duncanville is the owner of the property, TCEQ is expecting us to perform the abatement and site restoration. TCEQ is aware that the City "inherited" the tanks and lube pit. The City will not get penalized for the condition of the lube pit, the underground storage tanks, or any resultant contamination discovered on site.

In November 2019, the City of Duncanville issued RFP #20-017 to remove the lube pit and tanks. The exact quantity of contamination in the lube pit and underground tanks was unknown at the time the volume of contaminated water present was assumed to be 13,600 gallons. Eagle Remediation & Demolition Services, LLC was identified in January 2020 as the lowest price, most qualified bidder and a contract was awarded to them for the amount of \$39,791.00 in February 2020.

After the contract was awarded, but before work started, the Contractor provided the City with a change order in the amount of \$13,977.00 in April 2020 reflecting his on-site calculations of the amount of fluid in the pit and tanks which is 25,565 gallons more than the amount estimated at time of the bid. He discovered that the lube pit was full of liquid, one tank was full, one tank was half full, and one tank is still unknown (the change order assumes the 3rd tank is full). Based on this initial finding, the City is amending the original contract to reflect the new volume of contaminated liquid to be removed. The revised contract amount now exceeds \$50,000.00 and therefore must go to Council for consideration. Work has not started on this project. The subsequent Contract Amendment No. 1 incorporating the change order as Exhibit A reflects unit pricing so the City will only pay for the amount of contaminated liquid actually removed.

Eagle Remediation and Demolition Services, LLC is based in Azle, TX. They have a long history of performing demolition and remediation projects in Texas. The City received positive reviews from their references.

POLICY EXPLANATION:

Contracts over \$50,000.00 must be approved by City Council.

FUNDING SOURCE:

Funding exists in the FY20 General Budget (Building Inspections) for this service.

RECOMMENDATION:

Staff recommends authorizing the incorporation of Amendment No. 1 to Contract #20-017 with Eagle Remediation and Demolition Services, LLC for the demolition and removal of a lube pit and underground fuel storage tanks at the property located at 727 S. Cockrell Hill Rd for the revised amount of \$53,768.00.

ATTACHMENTS:

[Attachment 1 - Resolution No. - 2020-030 - Lube Pit and Underground Fuel Storage Tank Demolition at 727 S. Cockrell Hill Rd - with Exhibit](#)

RESOLUTION NO. 2020-030

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, AUTHORIZING INCORPORATION OF AMENDMENT NUMBER 1 VALUED AT \$13,977.00 TO CONTRACT #20-017 WITH EAGLE REMEDIATION AND DEMOLITION SERVICES, LLC FOR THE PROPERTY LOCATED AT 727 S. COCKRELL HILL RD FOR THE REVISED TOTAL CONTRACT AMOUNT OF \$53,768.00; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, On March 21, 2019, the City of Duncanville was conveyed the property deed by the Dallas County Sheriff; and

WHEREAS, On April 5, 2019, the deed was filed and recorded by Dallas County Appraisal District; and

WHEREAS, the Lube Pit and Underground Fuel Storage Tanks located on this property present an environmental hazard that must be abated; and

WHEREAS, competitive proposals were obtained per RFP #20-017 on January 3, 2020, with Eagle Remediation and Demolition Services, LLC identified as the lowest price best qualified proposal of \$39,791.00; and

WHEREAS, Amendment No. 1 to the contract valued at \$13,977.00 is incorporated to reflect existing site conditions, bringing the revised total contract amount to \$53,768.00; and

WHEREAS, the City of Duncanville has \$53,768.00 available in the Public Works FY2020 budget.

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

SECTION 1. That the City Council of the City of Duncanville, Texas, hereby authorizes incorporation of Amendment No. 1 to Contract #20-017 for removal of a lube pit and three underground storage tanks located at 727 S. Cockrell Hill Rd, attached hereto and incorporated herein as Exhibit "A", to Eagle Remediation and Demolition Services, LLC for a revised contract amount of \$53,768.00.

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

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

DULY RESOLVED AND ADOPTED by the City Council of the City of Duncanville, Texas, on the 5th day of May, 2020.

APPROVED:

Barry L. Gordon, Mayor

ATTEST:

Kristin Downs, City Secretary

APPROVED AS TO FORM:

Robert E. Hager, City Attorney

EXHIBIT A

AMENDMENT TO THE AGREEMENT BETWEEN

THE CITY OF DUNCANVILLE

AND

Eagle Remediation & Demolition Services, LLC.

FOR

Lube Pit Demolition and Removal of Underground Storage Tanks

This Amendment ("Amendment") is made as of the date of the last signature contained herein to the Agreement for Lube Pit Demolition and Removal of Underground Storage Tanks (the "Agreement") executed on or about January 10th, 2020 between Eagle Remediation & Demolition Services, LLC. and City of Duncanville, Texas, a municipal corporation with offices at 203 East Wheatland Road, Duncanville, TX, 75138-0280 (the "Customer" or "City"), individually the "Party" and collectively referred to as the "Parties".

RECITALS

WHEREAS, Eagle Remediation & Demolition Services, LLC. has exclusive knowledge, possession and ownership of certain equipment, licenses, applications, and citation processes related to demolition services; and

WHEREAS, the Customer desires to continue to engage the services with Eagle Remediation & Demolition Services, LLC of to provide certain equipment, processes and services so that Authorized Employees of the Customer can demolition the lube pit and remove the three storage tanks; and

WHEREAS, it is a mutual objective of both Eagle Remediation & Demolition Services, LLC and the Customer to remove the tanks and restore the area pursuant to the terms and conditions of this Agreement.

NOW THEREFORE, in consideration of the mutual covenants contained herein, and for other valuable consideration received, the receipt and sufficiency of which are hereby acknowledged, the Parties amend the Agreement as follows:

AMENDED CONTRACT AMOUNT

1. Amended Contract of Initial Amount The initial contract amount of \$39,791.00 shall be amended for an additional amount of \$13,977.00 for total Contract amount of 53,768.00 ("Amended Contract Amount") " per Contract Amendment No 1. Exhibit A
2. Enforceability of Non-Amended Terms and Conditions Except as expressly amended in writing in this Amendment, the terms and conditions of the Agreement and any and all amendments, attachments and exhibits attached thereto and incorporated herewith by reference shall be unchanged and shall remain enforceable and in full force and effect.

EXHIBIT A

3. Relationship Between Eagle Remediation & Demolition Services, LLC and the City. Nothing in this Amendment or the Agreement shall create, or be deemed to create, a partnership, joint venture and/or the relationship of principal and agent and/or employer and employee between the Parties. The relationship between the Parties shall be that of independent contractors, and nothing contained herein shall permit, authorize, sanction and/or allow, at any time, either Party to incur any debts and/or liabilities on behalf of the other Party.
4. Headings The captions, titles, paragraph headings used in this Amendment are for convenience only, and are not a part of this Amendment, and shall not be deemed relevant in construing and/or interpreting this Amendment.
5. Execution and Counterparts This Amendment may be signed in counterparts, and each counterpart shall be deemed an original, but all of which shall constitute one and the same instrument. The Parties agree that such counterpart shall be effective and enforceable on or about the date of the last required signature.
6. Covenant of Further Assurances All Parties to this Amendment shall take, undertake, approve, sanction, and perform, in full, any and all acts and activities and execute and deliver any and all certificates, documents, permits, licenses, agreements, contracts, written instruments and other papers deemed necessary and appropriate for successful and complete compliance with each and every term and condition of this Amendment.
7. Authority to Execute The undersigned individuals hereby warrant and represent that they have full authority to execute this Amendment on behalf of the entities for which they have signed.
8. Legal Competence. The Parties hereto expressly represent and warrant that they are legally competent to execute this Amendment and that they do so of their own free will and accord without reliance on any representations of any kind or character not expressly set forth herein.
9. No Duress. The Parties expressly represent and warrant that this Amendment has been freely and voluntarily entered into and that the Parties did not execute this Amendment under duress of any kind, from any Party or person, regardless of whether they are a signatory hereto.
10. Joint Efforts. This Amendment has been prepared by the joint efforts of the respective attorneys for the Parties and each Party acknowledges and agrees that the general rule of contract construction providing that the provisions of a contract are to be strictly construed against the drafter of the agreement is hereby waived.
11. No Waiver. No waiver of any of the terms of this Amendment shall be binding unless in writing and signed by all Parties hereto. No waiver of any term of this Amendment shall be deemed a waiver of any subsequent breach or default of the same or similar nature.
12. Severability. The invalidity or unenforceability of any paragraph or provision of this Amendment shall not affect the validity or enforceability of the remainder of this Amendment, or the remainder of any paragraph or provision. This Amendment shall be

EXHIBIT A

construed in all respects to the fullest extent permitted by law, and as if any invalid or unenforceable paragraph or provision was omitted.

13. Understanding. The Parties to this Amendment represent that they have received independent advice of counsel concerning the meaning and legal effect of the terms of this Amendment. After such counseling, the Parties represent that they fully understand this Amendment and its terms, and, with this full understanding, voluntarily enter into this Amendment as evidenced by signing it below. The Parties have read and understand all terms and conditions of this Amendment.

14. Binding Effect. This Amendment shall inure to the benefit of and be binding upon the assigns and successors of the respective Parties.

(The remainder of this page is left blank intentionally)

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment as set forth
below. Approved as to form, content and legality:

OWNER:
City of Duncanville, Texas

By: _____

Title: Kevin Hugman, City Manager

CONTRACTOR:
**Eagle Remediation & Demolition Services,
LLC**

By: _____

Title: Member

EXHIBIT A
Attachment 1

CHANGE
ORDER NO.: 1

DATE: April 17, 2020

PROJECT: #20-017, Lube Pit Demolition and Removal of Underground Storage Tanks

CONTRACTOR: Eagle Remediation and Demolition Services, LLC.

CONTRACT
DATE: TBD

TO: Eagle Remediation and Demolition Services, LLC.
Contractor

YOU ARE DIRECTED TO MAKE THE CHANGES NOTED BELOW IN THE SUBJECT CONTRACT

CITY OF DUNCANVILLE

BY: Kevin Hugman, ICMA-CM
City Manager

DATE: _____

NATURE OF THE CHANGES:

This change order accounts for the cost to remove, transport and recycling of the additional amount of contaminated oily water in the lube pit and tanks onsite. 13,600 gallons was originally estimated in the proposal based on the site conditions and information provided at the time of bid. As of a site visit on 3/27/2020 it is estimated that an additional 25,565 gallons have accumulated in the lube pit and tanks through openings.

SECTION 1					
BID ITEM	DESCRIPTION	ADDITIONAL OR SUBTRACTED QUANTITY	UNIT	UNIT COST	AMENDED UNIT BID
1	Lube Pit and UST Removal, Backfill, Sampling & Closure Reporting	1	LS	\$ 3,751.00	\$3,751.00
2	Oily water recycling (from pit and tanks)	25565	Gal	\$ 0.40	\$10,226.00
					\$0.00
					\$0.00
					\$0.00
AMENDED SECTION 1 SUBTOTAL					\$13,977.00

These changes result in the following adjustment of Contract Price and Contract Time:

Contract Price Prior to This Change Order: \$39,791.00

Net Change in Contract Price Resulting from This Change Order: \$13,977.00

Current Contract Price Including This Change Order: \$53,768.00

Contract Period of Performance Prior to This Change Order: 120 calendar days

Net Change in Time Resulting from This Change Order: 5 calendar days

Current Period of Performance Including This Change Order: 125
120 calendar days

The Above Changes are Approved By:

Bryan G. Ramey II, P.E. Date
Director of Public Works

The Above Changes are Approved By:

Will Blum 4/17/2020
Contractor Date

EXHIBIT A

STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION – NORTH CENTRAL TEXAS

November 2017

Form A.2.

STANDARD CONSTRUCTION CONTRACT

STATE OF TEXAS

§

COUNTY OF DALLAS

§

§

KNOW ALL MEN BY THESE PRESENTS:

THIS CONTRACT is made and entered into on this the 10th day of January, 2020
by and between the City of Duncanville (hereinafter referred to as "OWNER") and Eagle Remediation & Demolition Services LLC.
(hereinafter referred to as "CONTRACTOR"). In consideration of the mutual covenants
hereinafter set forth, the OWNER and CONTRACTOR agree as follows:

Article I. Work

The CONTRACTOR shall perform all of the work as specified in the Contract Documents. The work is generally described as follows:
RFP # 20-017 Lube Pit Demolition and Removal of Underground Storage Tanks-727 S Crockrell Hill, Duncanville TX 75116
The term of the contract shall be until project completion.

Plans and Specifications prepared by: City of Duncanville

All extra work shall be performed as specified or indicated in the Contract Documents; and, at the CONTRACTOR's own cost and expense, the CONTRACTOR shall furnish all the materials, supplies, machinery, equipment, tools, superintendence, labor, insurance, and other accessories and services as may be necessary in order to complete the construction, as described above and in accordance with the Contract Documents unless otherwise agreed to by the OWNER.

Article II. Contract Documents

The Contract Documents may only be altered, amended or modified as provided in the General Conditions. The Contract Documents consist of: this written agreement setting forth the work to be performed; advertisement, if any; instructions to bidders, if any; proposal; addendum; specifications, including the general, special, and technical conditions, provisions, plans, or working drawings; any supplemental changes or agreements pertaining to the work or materials therefor; bonds; the Standard Specifications for Public Works Construction published by the North Central Texas Council of Governments, as amended; and, any additional documents incorporated by reference. These form the Contract Documents and all are as fully a part of the Contract as if attached to this agreement or repeated herein.

Article III. Contract Time

The CONTRACTOR shall perform and complete all the items of work listed and referred to in the Contract Documents within 360 calendar days. All limitations of time set forth herein are material and are of the essence of this Contract.

Article IV. Contract Price

The OWNER shall pay the CONTRACTOR for completion of the work in accordance with the Contract Documents using current funds. Such payments shall be subject to the General and Special Conditions to the Contract, as contained in the Contract Documents.

Article V. Debts

The OWNER may, at its option, offset any amounts due and payable under this Contract against and debt (including taxes) lawfully due to OWNER from CONTRACTOR, regardless of whether the amount due arises pursuant to the terms of this Contract or otherwise and regardless of whether or not the debt due to OWNER has been reduced to judgment by a court.

Article VI. Miscellaneous Provisions

The terms used in this Contract shall have the same meaning as designated in the General Provisions of the Standard Specifications for Public Works Construction, North Central Texas Council of Governments, as amended. The Contract Documents, which constitute the entire agreement between the OWNER and CONTRACTOR, are listed in Article II. No assignment by either party hereto of any rights under or interests in the Contract Documents will be binding on the other party hereto without the written consent of the party sought to be bound. The OWNER and CONTRACTOR each binds itself, its partners, successors, assigns, and legal representatives hereto to the covenants, agreements, and obligations contained in the Contract Documents.

IN WITNESS WHEREOF, the OWNER and CONTRACTOR have executed this Contract in duplicate and on the date aforementioned. All portions of the Contract Documents have been signed or identified by the OWNER and CONTRACTOR.

CONTRACTOR:

Eagle Remediation & DemolitionBy: [Signature]Title: Mayor

ATTEST:

[Signature]

Printed Name:

Will Blevins

OWNER:

City of Duncanville, TexasBy: [Signature]Title: City Manager

ATTEST:

[Signature]

Printed Name:

K. Hugman

EXHIBIT A



CERTIFICATE OF LIABILITY INSURANCE

 DATE (MM/DD/YYYY)
02/10/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	Kinnaird, Rossander & Perry Agency Inc 104 N. Lamar PO Box 351 Eastland, TX 76448	CONTACT NAME:	Hollie O'steen	
		PHONE (A/C, No, Ext):	(254) 629-3933	FAX (A/C, No):
		E-MAIL ADDRESS:	hollieosteen@sbcglobal.net	
		INSURER(S) AFFORDING COVERAGE		NAIC #
		INSURER A: Homeland Insurance Company of NY		34452
INSURED	Eagle Remediation and Demolition Services, LLC PO Box 70 Azle, TX 76098	INSURER B: Atlantic Specialty Insurance Co		A0191
		INSURER C: Texas Mutual Ins Co		A0054
		INSURER D: Liberty Mutual Insurance Co		
		INSURER E:		
		INSURER F:		

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR ☒ \$2 MIL CONT POLL ☒ \$1 MIL PROF (CLAIMS MADE) GENL AGGREGATE LIMIT APPLIES PER ☒ POLICY ☒ PROJECT ☐ LOC ☐ OTHER	Y	Y	793009141000	4/12/19	4/12/20	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
B	AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY	Y	Y	7930091400000	4/12/19	4/12/20	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	☐ UMBRELLA LIAB ☒ OCCUR ☒ EXCESS LIAB ☐ CLAIMS-MADE DED ☒ RETENTION \$ 0	Y	Y	7930091420000	4/12/19	4/12/20	EACH OCCURRENCE \$ 10,000,000 AGGREGATE \$ 10,000,000
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	Y	0001237361 ANN & MARK ANDERSON EXC	5/6/19	5/6/20	☒ PER STATUTE ☐ OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
D	INLAND MARINE			BMW 57079948 DED \$1000	5/6/19	5/6/20	RENTED/LEASED \$500,000 AGG
D	CARGO			BMO58612769	2/16/2019	2/16/2020	PER VEHICLE/MAX \$250,000/\$250,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

CANCELLATION

City of Duncanville 203 E. Wheatland Road Duncanville, TX 75116	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
---	---

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ACORD 25 (2016/03)

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EXHIBIT A

Eagle Remediation & Demolition Services, LLC

3131 E. Hwy 199

Springtown, TX 76082

214.884.2096 ofc

682.302.0148 fax

877.515.3101 toll free

www.eagleremediation.com

January 3, 2020

Purchasing Manager
City of Duncanville
203 E Wheatland Road
Duncanville, TX 75116

RE: RFP #20-017 – Lube Pit Demolition and Removal of Underground Storage Tanks – 727 S. Crockrell Hill Rd. in Duncanville, Texas

To whom to may concern,

Eagle Remediation and Demolition Services, LLC (Eagle) appreciates the opportunity to present the following proposal for the above referenced project. This proposal package contains this cover letter, a proposed Stormwater Pollution Prevention Plan, Proposed Development Team, Financial Feasibility Information, and Proposal Offer.

For this project, it is Eagle's understanding that we are responsible for the following scope:

- Demolition of lube pit and removal of contents
- Removal of three 8,000-gallon steel underground fuel storage tanks
- Prepare the final report for the TCEQ which outlines the UST Closure/Removal activities. Complete the TCEQ Release Determination Report Form (TCEQ-0621) including all attachments and figures.
- Restoration of site to "Greenfield" condition

We would be pleased to meet with you to discuss our approach to this work.

Respectfully,

EAGLE REMEDIATION and DEMOLITION SERVICES, LLC

Will Blevins
Estimator/ Project Manager
214-884-2096
wblevins@eremservices.com

ENVIRONMENTAL REMEDIATION | ASBESTOS & LEAD ABATEMENT | DEMOLITION
FACILITY DECONTAMINATION | SPILL RESPONSE



EXHIBIT A

REQUEST FOR PROPOSAL
FOR
Lube Pit Demolition and Removal of Underground Storage Tank
RFP #20-017



Public Works Department

CITY OF DUNCANVILLE

Issued: November 27, 2019

PROPOSAL SUBMISSION DEADLINE:
******* January 3, 2020 by 2:00 PM Local Time *******
NO LATE PROPOSALS WILL BE ACCEPTED

EXHIBIT A

REQUEST FOR PROPOSALS (RFP)
LUBE PIT DEMOLITION AND REMOVAL OF UNDERGROUND STORAGE TANK
DUNCANVILLE PROPERTY MANAGEMENT

Dear Proposers:

The City of Duncanville (hereinafter referred to as the "City") is requesting proposals from a qualified public firm(s), to establish a contract for the demolition of lube pit and removal of three underground storage tank located at 727 S. Cockrell Hill Rd, Duncanville, Texas 75137. The term of the contract is expected to be for the duration of the demolition and removal of the three tanks.

ISSUED BY THE CITY OF DUNCANVILLE, TEXAS PURCHASING OFFICE

Sealed proposals, subject to the terms and conditions of this Request for Proposals for the purchase of the above referenced goods/service by the City of Duncanville will be received until the proposal opening deadline at which time the proposals will be opened and publicly read in the Council Briefing Room in City Hall East. Proposals received through improper submission or after the specified time will be returned unopened.

A Pre-Proposal Site Visit will be held at **2:00PM, Friday, December 6, 2019** at 727 S. Crockrell Hill Rd, in Duncanville, Texas.

Submit Bids to:
Purchasing Manager
City of Duncanville
203 E Wheatland Road
Duncanville, TX 75116

Submission Deadline:
January 3, 2020
2:00PM Central Time

***** Late Proposal documents will not be accepted under any circumstances.**

Questions regarding the bid package with plans and specifications may only be submitted online at <https://www.publicpurchase.com/gems/duncanville.tx/buyer/public/home>

Eagle Remediation and Demolition Services, LLC.

Legal Name of Bidding Firm

Will Blevins	Project Manager	
Bid Contact Person	Title	
214-884-2096	wblevins@eremservices.com	
Telephone Number	E-Mail Address	
PO Box 70	Azle, TX	76098
Complete Mailing Address	City/State	Zip
3131 E Hwy 199	Springtown, TX	76082
Principal Business Office Address (if different)	City/State	Zip
PO Box 70	Azle, TX	76098
Pay/Remittance Mailing Address (if different)	City/State	Zip
Pat Oates	214-884-2096	AP@eremservices.com
Accounts Payable Contact Person	Telephone Number	Email

EXHIBIT A

ADDENDUM RECEIPT ACKNOWLEDGMENT

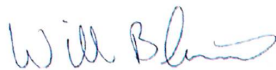
Offeror acknowledges receipt of the following Addenda:

Addendum #1 Dated	<u>None</u>	Received	<u></u>
Addendum #2 Dated	<u></u>	Received	<u></u>
Addendum #3 Dated	<u></u>	Received	<u></u>
Addendum #4 Dated	<u></u>	Received	<u></u>

SIGNATURE

The undersigned:

- Declares that the only person or parties interested in this proposal as principals are those named herein, that this proposal is made without collusion with any other person, firm or corporation.
- Agrees, upon written acceptance of this proposal, mailed or otherwise, furnished within one hundred and ninety (90) days after date of opening of proposals, will, within ten (10) calendar days after receipt of the prescribed forms, execute and agree to the terms and conditions of the final award.
- Proposes and agrees to perform all work of whatever nature required, in strict accordance with the specifications for the pricing/fee submitted in the attached proposal.
- Declares that in the event of the award of a contract to the undersigned will comply with the Immigration Reform & Control Act of 1986.
- Declares that the company verifies that it (1) does not boycott Israel; and (2) that it will not boycott Israel during the term of the contract, in compliance with Chapter 2270 of the Texas Government Code.
- Declares that the company does not have contracts or provide supplies or services to any foreign terrorist organization as made known on a list provided by the Comptroller of the State of Texas.
- Shall be able to perform the services or provide the goods as specified in this solicitation. The Offeror is to prepare a proposal that describes all goods and services that offeror desires to make available and the appropriate pricing structure for each.
- If the offeror desires to exclude an item(s) that would ordinarily be considered a part of a proposal category, then that item(s) must be clearly identified as "Not Offered" in your proposal.



Authorized Signature

1/3/2020

Date

EXHIBIT A



Eagle Remediation & Demolition Services, LLC
3131 East Highway 199
Springtown, TX 76082
214.884.2096 ofc
682.302.0148 fax
877.515.3101 toll free
www.eagleremediation.com

Stormwater Pollution Prevention Plan

for:

City of Duncanville, TX
Lube Pit Demolition and Removal of Underground Storage Tank
RFP #20-017
727 S. Crockrell Hill Rd,
Duncanville, TX

Prepared by:

Eagle Remediation and Demolition Services, LLC.
PO Box 70
Azle, TX 76098
214-884-2096

SWPPP Preparation Date:

01/03/2020
Version: 1.0

Estimated Project Dates:

Project Start Date: 03/02/2020
Project Completion Date: 03/07/2020

EXHIBIT A

SWPPP
 City of Duncanville
 727 S. Cockrell Hill Rd.
 Duncanville, TX
 Lube Pit and UST Removal

Project/Site Information

Project/Site Name: Lube Pit Demolition and Removal of Underground Storage Tank

Project Street/Location: 727 S. Cockrell Hill Road

City: Duncanville State: TX ZIP Code: 75137

County or Similar Subdivision: Dallas County

Site Contact Information

Project Manager(s) or Site Supervisor(s):

Eagle Remediation and Demolition Services

Will Blevins (Project Manager)

214-884-2096

wblevins@eremservices.com

Site Supervisor is TBD. Contact information will be provided prior to project start.

Emergency 24-Hour Contact:

Eagle Remediation and Demolition Services

Will Blevins

817-564-623

Summary of Site Activity

Scope of Work:

- Demolish lube pit
 - Removal of any liquid from pit prior to demolition
 - Liquids to be transported and disposed/recycled offsite at an approved facility
 - Removal of concrete pit "vault". Concrete will be transported offsite to an approved recycling facility
- Removal of three underground fuel storage tanks
 - Removal practices will be in accordance with TCEQ Regulatory Guidance RG-475m
- Restore site to "Greenfield" condition
 - Importing clean fill as necessary to fill voids
 - Sodding or hydro mulching of disturbed area

EXHIBIT A

SWPPP
 City of Duncanville
 727 S. Cockrell Hill Rd.
 Duncanville, TX
 Lube Pit and UST Removal

Establish Perimeter Controls and Sediment Barriers

Best Management Practice Description:

Initially Eagle will inspect and repair existing perimeter silt fencing throughout the site. Repairs, if needed, will be made to existing silt fencing with like materials.

<i>Installation Schedule:</i>	Day 1 of project
<i>Maintenance and Inspection:</i>	Daily during project duration.
<i>Responsible Staff:</i>	Eagle's Site Supervisor

Control of Stormwater Flowing onto and through the Project Site

Best Management Practice Description:

Soil stockpiles will be placed on and covered with poly-sheeting. If rain is expected during the project duration, clean soil berms could be used to divert runoff away from excavation areas.

<i>Installation Schedule:</i>	Day 1 of project
<i>Maintenance and Inspection:</i>	Daily during project duration
<i>Responsible Staff:</i>	Eagle's Site Supervisor

Stabilizing Soils

Best Management Practice Description:

Once excavated areas are backfilled, Eagle will install sod or hydro mulch to the impacted soils of the work area. Perimeter silt fencing will remain installed.

☒ <i>Permanent</i>	☐ <i>Temporary</i>
<i>Installation Schedule:</i>	After excavated areas are backfilled
<i>Maintenance and Inspection:</i>	As required for 90 days after install
<i>Responsible Staff:</i>	Eagle's Site Supervisor

EXHIBIT A

SWPPP
City of Duncanville
727 S. Cockrell Hill Rd.
Duncanville, TX
Lube Pit and UST Removal

Maps

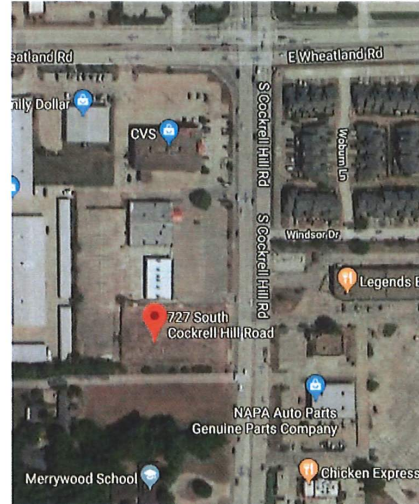
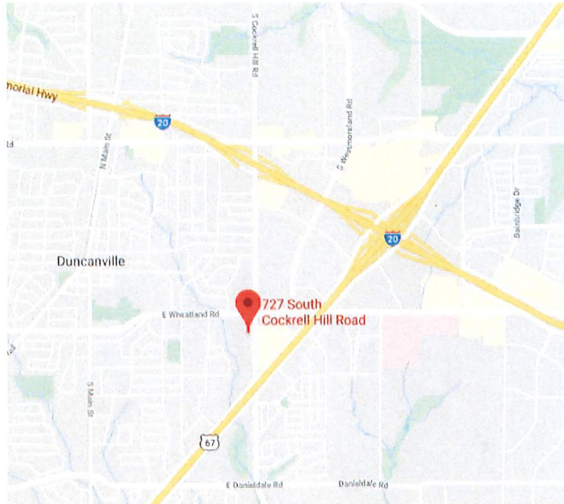


EXHIBIT A

CONSTRUCTION STORM WATER POLLUTION PREVENTION PLAN (SWPPP) FIELD INSPECTION AND MAINTENANCE REPORT							
Project Information:				Inspection Cycle Option:			
TPDES Permit Number:				☐	1. At least every 14 calendar days or within 24 hours after 0.5 inches or more of rainfall.		
Project Name:							
Project Location:							
Operator:							
Operator Contact:				☐	2. At least every 7 calendar days.		
Contact Phone:							
Contact Email:							
Inspection Information:							
Owner/Developer:				Inspection Date:			
Owner/Developer Contact:				Date of Last Rainfall:			
Contact Phone:				Amount of Last Rainfall:			
Contact Email:				Date of Last Inspection:			
Actions taken as a result of inspections must be described within, and retained as a part of, the SWPPP. Reports must identify any incidents of non-compliance. Where a report does not identify any incidents of non-compliance, the report must contain a certification that the facility or site is in compliance with the SWPPP and this permit. The report must be signed by the person and in the manner required by 30 TAC § 305.128 (relating to Signatories to Reports).							
Areas to be Inspected:							
Area:	Inspected? (Y/N/NA)		Area:	Inspected? (Y/N/NA)		Area:	Inspected? (Y/N/NA)
Disturbed Soil Areas			Structural Controls			Entrance(s) & Exits(s)	
Material Storage Areas			Sediment & Erosion Controls			Other _____	
Concrete washout area location shown on map			Other _____			Other _____	
Best Management Practices (BMPs) Inspected:							
Except those listed below, all BMPs have been inspected and found to be functioning as intended and do not require maintenance, upgrading or additional controls? (Identify location for the BMP requiring maintenance or improvement.)							
BMP Type	BMP Location	BMP Required Maintenance or Improvement (Describe required corrective actions needed and taken or directions given to the contractor.)					
Additional BMPs Needed (Identify location where additional BMPs are needed.)							
BMP Type	BMP Location	BMP Installation Description (Describe required corrective actions needed and taken or directions given to the contractor for installation)					
Page 1 of _____ Date: _____ Inspector Initials: _____							

EXHIBIT A

Temporarily or Permanently Ceased Construction Activities: Where construction activities (grading, excavating, embankment, or other land disturbing activities) have temporarily or permanently ceased, describe why stabilization measures were not initiated within 14 days of when the construction activities ceased or if additional construction activities will not occur within 21 days of when construction activities were temporarily ceased. (Include the general location of the area involved if it is only part of the site.)	
Compliance Certification (check only one) :	
☐	With the maintenance and improvement actions noted, the site is in compliance with the SWPPP and the CGP regulations.
☐	The site is in potential non-compliance with the SWPPP or the CGP regulations. Complete the following "Potential Non-Compliance Issues" section of this report.
☐	This report does not identify any incidents of non-compliance during inspection. The facility or site is in compliance with the SWPPP and the TPDES Construction General Permit.
Potential Non-Compliance Issues:	
Describe potential non-compliance issues (repeated failure of a BMP, failure to install a required BMP, off-site discharges [silt, gravel, sand, oily water, other pollutant], potential off-site discharges, etc.)	Location on-site where discharge occurred
SWPPP/Permit Issues:	
Permits, delegation letters, SWPPP Certifications, SWPPP, and inspection reports available on-site?	
If not, indicate location of documents and correct within 7 days.	
Construction Permit Notice Posted?	
If not, indicate location of documents and correct within 7 days.	
Have there been any reportable quantity releases of hazardous materials?	
Was the National Response Center Notified?	
Has the SWPPP modified to include:	
Date of release and reoccurrence prevention?	
Circumstances leading to release?	
Has EPA or the City notified you of any changes needed to be in compliance?	
If so, indicate when and items to be changed.	
What are the overall conditions of the site?	
Inspection Certification:	
I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.	
Inspector Name: _____	
Title: _____	
Company/Organization: _____	
Certification/Qualifications: _____	
Date of Inspection: _____	
FORWARD THIS INSPECTION REPORT TO YOUR SUPERVISOR, CONSTRUCTION MANAGER, PROGRAM MANAGER, and/or OWNER/DEVELOPER IF ANY POTENTIAL NON-COMPLIANCE ISSUES ARE LISTED.	
Page 2 of _____ Date: _____ Inspector Initials: _____	

EXHIBIT A

	Photo 1 Description:
	Photo 2 Description:
	Photo 3 Description:
	Photo 4 Description:
Page 3 of _____ Date: _____ Inspector Initials: _____	

EXHIBIT A

Purchasing Manager
City of Duncanville
Lube Pit & UST Removal
Eagle Project No.: 01-92-0425
Jan. 3, 2020

Additional Provisions

This proposal is valid for sixty (60) days from the date of this Proposal and Eagle reserves the right to withdraw this proposal without notice. Any work performed outside of Eagle's proposed scope of work and/or schedule or any work necessitated by material changes in project conditions will be conducted and invoiced in accordance with Eagle's standard time and materials rate schedule in effect at the time of performance unless otherwise agreed to in writing by both parties.

Eagle's price does not include any federal, state, county (parish), municipal and local sales, use and/or excise taxes, franchise fees and the like. If any such taxes and/or fees, of any nature, are applicable and the Client does not provide a Direct Pay or Tax Exemption Certificate for this work, any such taxes and/or fees will be added to the invoiced amount.

We appreciate the opportunity to submit this proposal. Should you have any additional questions, please feel free to contact me at 214.884.2096. If you accept this proposal, please sign, and complete the "Accepted by" section of the proposal below and return it to Eagle for our countersignature.

Respectfully,

EAGLE REMEDIATION and DEMOLITION SERVICES, LLC



Will Blevins
Estimator/ Project Manager

EXHIBIT A

CONSTRUCTION STORM WATER POLLUTION PREVENTION PLAN (SWPPP) RAIN/STORM EVENT FIELD INSPECTION AND MAINTENANCE REPORT

After Storm Event **AND** Weekly inspections are required by the cities of Austin, Burleson, Carrollton, Cedar Hill, Garland, Irving, and Plano

Project Information:		Precipitation Information:	
TPDES Permit Number:		☐	Within 24 hours after 0.5 inches or more of precipitation.
Project Name:			
Project Location:			
Operator:		Precipitation Amount:	
Operator Contact:		Type of Precipitation:	
Contact Phone:		Date of Precipitation:	
Contact Email:		Inspection Information:	
Owner/Developer:		Inspection Date:	
Owner/Developer Contact:		Date of Last Precipitation:	
Contact Phone:		Amount of Last Precipitation:	
Contact Email:		Date of Last Inspection:	

Actions taken as a result of inspections must be described within, and retained as a part of, the SWPPP. Reports must identify any incidents of non-compliance. Where a report does not identify any incidents of non-compliance, the report must contain a certification that the facility or site is in compliance with the SWPPP and this permit. The report must be signed by the person and in the manner required by 30 TAC § 305.128 (relating to Signatories to Reports).

Areas to be Inspected:			
Area:	Inspected? (Y/N/NA)	Area:	Inspected? (Y/N/NA)
Disturbed Soil Areas		Structural Controls	
Material Storage Areas		Sediment & Erosion Controls	
Concrete washout area location shown on map		Other _____	
		Entrance(s) & Exits(s)	
		Other _____	

Walk through the site/facility and look for signs of erosion control measures that may have failed or been damaged from the recent precipitation event.

Site Inspection

Are there any erosion control structures damaged from the storm event? If so, please describe.	
Are there signs of new ruts or gullies from the storm event? If so, please describe.	
Are there signs of significant amounts of mud in the street or outfalls from the storm event? If so, please describe.	
Are there any conditions that need immediate attention? If so, please describe.	
Was this inspection conducted within 24 hours of last storm event over 0.5 inches?	
Are changes to the SWPPP necessary? If so, please describe.	

BMP Modification/Corrective Action (Identify location where additional BMPs are needed.)

BMP Type	BMP Location	BMP Installation Description (Describe required corrective actions needed and taken or directions given to the constructor for installation)

Page 1 of ____

Date: ____

Inspector Initials: ____

EXHIBIT A

Compliance Certification (check only one) :	
☐	With the maintenance and improvement actions noted, the site is in compliance with the SWPPP and the CGP regulations.
☐	The site is in potential non-compliance with the SWPPP or the CGP regulations. Complete the following "Potential Non-Compliance Issues" section of this report.
Potential Non-Compliance Issues:	
Describe potential non-compliance issues (repeated failure of a BMP, failure to install a required BMP, off-site discharges [silt, gravel, sand, oily water, other pollutant], potential off-site discharges, etc.)	Location on-site where discharge occurred
Inspection Certification:	
I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.	
Inspector Name: _____	
Title: _____	
Company/Organization: _____	
Certification/Qualifications: _____	
Date of Inspection: _____	
FORWARD THIS INSPECTION REPORT TO YOUR SUPERVISOR, CONSTRUCTION MANAGER, PROGRAM MANAGER, and/or OWNER/DEVELOPER IF ANY POTENTIAL NON-COMPLIANCE ISSUES ARE LISTED.	
Page 2 of _____ Date: _____ Inspector Initials: _____	

EXHIBIT A



RECENT PROJECTS

UST Removal**Client / Location:** Confidential – Ft. Worth, TX**Contract Type:** Fixed Price, Unit Rates**Project Owner:** Confidential

Eagle performed the removal of two (2) 12,000- gallon underground storage tanks at the client's facility in Fort Worth, TX. Eagle began the project by submitting the TCEQ Construction Notification, obtaining permits from the City of Fort Worth, and scheduling the removal with the local TCEQ office and fire marshal. Eagle utilized a concrete saw to cut the slab above the tank pit and pipe chasing. Using an excavator, Eagle removed the concrete, loaded onto trucks, and transported to a recycling facility. Soil from above and around the tanks and piping was stockpiled on top of poly sheeting onsite. Using a pressure washer and vacuum truck, Eagle cleaned the tanks and piping to remove any residual product and flammable vapors prior to removal. Once removed, the tanks were marked as required by TCEQ, loaded into roll off boxes and transported to a approved disposal facility. Eagle then sampled necessary areas within accordance with RG-411. Once analysis was received, Eagle backfilled the tank pit with excavated material and imported select fill. Eagle resurfaced the excavated area with 6" of 3000 PSI concrete to match the existing slab. Upon completion of removal activities, Eagle compiled and submitted the TCEQ Release Determination Report. All work was performed on schedule, within budget and without any incidents.

EXHIBIT A

**PCB Soil Remediation****Client / Location: Tetra Tech – San Angelo, TX****Contract Type: Fixed Price, Unit Rates****Project Owner: Confidential**

Eagle performed the remediation of a former transformer processing facility which was contaminated with PCBs. Initially, Eagle demolished concrete over the contaminated areas. Concrete was stockpiled for sampling and subsequent transportation and disposal. Eagle excavated several areas where the contamination was identified and segregated the waste into stockpiles where it was analyzed. Several of the excavation



areas passed through utility corridors creating hazards for the excavation. Eagle utilized an air mover truck and air knives to remove the contaminated soil surrounding the utilities. Once the analytical results confirmed the disposal method Eagle transported the waste to the appropriate landfill. Due to the location of the site in proximity to the landfill soils with higher levels of PCBs were transported to a TSCA landfill for disposal. At the completion of the project Eagle successfully removed, transported and disposed of approximately 4,300 cubic yards of soil. Eagle backfilled the excavations to match the surrounding grades and covered the site in caliche. All work was performed on schedule and without any incidents.

EXHIBIT A

**Hazardous Material Removal & Building Demolition****Client / Location: Confidential – Irving, TX****Contract Type: Fixed Price, Unit Rates****Project Owner: Confidential**

Eagle performed the asbestos abatement, asset recovery and demolition of an industrial facility located in Irving, Texas. The facility consisted of two buildings with a total of 265,000 square feet.

The project began with the abatement of approximately 40,000 square feet of sheet rock, 1,500 linear feet of TSI, 27,000 square feet

of floor tile and mastic as well as asbestos flashing on the roof. Prior to performing the roof abatement, Eagle utilized the services of a structural engineer to perform a roof inspection to ensure employee safety while performing the roof work.

Simultaneously with abatement activities, Eagle performed the removal of valued equipment including compressors, shelving systems, electrical components as well as non-ferrous metals. The components were segregated, packaged and transported to the appropriate buyer or recycling facility.

Following the abatement and asset recovery, Eagle removed the bulk of the construction debris from the building interiors and transported the waste to an approved disposal facility. Eagle utilized a licensed HVAC company to perform the evacuation and recycling of the refrigerants from HVAC systems onsite.

One wall of the building is located below grade. To maintain the concrete wall and allow it to support the soil against it a structural engineer was used to design a shoring system to support the remaining wall with the building removed. The engineer designed a beam and strut system which was anchored to the wall and concrete floor. Once the shoring system was installed, Eagle partially saw cut the wall above the existing soil level.

EXHIBIT A



Eagle performed the demolition of the buildings utilizing an excavator equipped with a shear attachment to cut the metal building components, an excavator with a thumb for segregating and loading demolition materials and a trackloader to assist in demolition, sorting, loading and site cleanup. Other equipment included a water trailer for dust control and a sweeper to keep work areas clean. The buildings were demolished in sections, allowing the recyclables and debris to be segregated and transported offsite in an orderly manner. Demolition progressed from the west to east where the shored wall is located. Once the demolition reached the wall the upper portion of the concrete wall was removed at the cut line.

Upon completion of the demolition activities, Eagle cleaned the site, filled in all openings in the slab and cut any anchors or trip hazards flush with the ground surface. Three large pits were located onsite. The pits were backfilled with clean fill and capped with concrete. Perimeter fencing was installed in areas where there is no perimeter fence.

**PCB Contaminated Pond and Drainage System Cleaning & Solidification****Client / Location: Tetra Tech – Lake Charles, LA****Contract Type: Lump Sum****Project Owner: Confidential**

Eagle performed the dredging of a pond and cleaning of a drainage system of an industrial facility. Initially, Eagle constructed a dewatering and sludge stabilization area for the removed material. Eagle performed the cleaning of the drainage system which consisted of removal of sediment from drainage ditches as well as culvert pipes. Removal of the PCB contaminated sludge from the ditches was performed utilizing an excavator. The removed material was transferred to the dewatering and stabilization area with a loader. Eagle also cleaned the culvert systems at the facility utilizing a line jetter. All of the sludge removed from the system were captured and placed into the dewatering and stabilization area.

EXHIBIT A



Eagle utilized a long stick excavator to remove sludge from the pond to restore the capacity of the pond. Special care was taken to limit the depth of sludge removal so that the pond liner was not damaged. Sludge was transferred to the dewatering and stabilization area with a loader.

Due to the makeup of the sludge, dewatering alone would not make the sludge pass the paint filter test. A natural additive was incorporated into the sludge to solidify the material to allow it to be transported to the landfill. The additive provided by Eagle was approved by the landfill and the client which did not require any additional testing following solidification since it was a natural recycled material and did not alter the chemical properties of the waste.

Eagle loaded the waste onto trucks provided by others where it was transported to an approved disposal facility. Eagle decontaminated the remediation equipment and demobilized from the site. The project was completed on budget and ahead of the client's deadline.

Petroleum Contaminated Soil Remediation

Client / Location: Confidential (National Automotive Dealership) – Dallas, TX

Contract Type: Fixed Price

Project Owner: Confidential



Eagle performed the remediation of a former car dealership. Site activities included the removal of 19 hydraulic lift systems, three Oil / Water separators and several hundred feet of trench drains. Initially, Eagle removed the lifts, oil/water separators and drain systems. The consultant sampled and analyzed the excavations to determine if there was contamination present. Following receipt of the analysis, Eagle excavated the contaminated areas, staging the material so waste samples could be obtained and analysis performed to determine the disposal classification. Eagle profiled all waste associated with the project into the appropriate landfill. Eagle transported and disposed of the contaminated soil. Backfill soil was imported and placed in the excavations. One challenging component of the project was the majority of the work took place inside buildings. Eagle performed all work safely and without incident.

EXHIBIT A

**Metals Contaminated Soil Remediation****Client / Location:** Cirrus Associates – Fort Worth, TX**Contract Type:** Fixed Price, Unit Rates**Project Owner:** Confidential

Eagle performed the remediation of a former metal recycling facility that had elevated levels of lead contamination in the soil. Several of the excavation areas were covered with concrete ranging from 6" to 12" thick. Eagle removed and hauled off site approximately 18,000 square feet of concrete from the site. Eagle excavated the soils

and segregated them based on their anticipated contamination levels. Samples were collected and analyzed to determine the disposal classification. Upon receipt of the analysis, Eagle prepared the waste profiles and profiled the waste into the appropriate landfills. Over the course of the project, Eagle successfully removed, transported and disposed of approximately 3,300 cubic yards of class I & class II soil. Following the remediation activities, Eagle imported and placed backfill to match surrounding grades. This project was completed on schedule and without any incidents.

Building Demolition**Client / Location:** ITSI Gilbane – Los Alamos, NM**Contract Type:** Fixed Price**Project Owner:** Los Alamos National Laboratory / Department of Energy

Eagle performed the demolition of several metal enclosures used to cover the excavation and cleanup of a historical waste disposal site located at the Los Alamos National Laboratory. This area was used from 1944 to 1948 as a waste disposal site for the Manhattan Project and Cold War-era research and production. The metal structures were built in 2010 and used to protect the



EXHIBIT A



public from exposure to hazardous and radiological contamination while removing the contaminated debris.

Eagle demolished the metal portions of the structures (75,000 square feet) utilizing an excavator equipped with a shear. The buildings were all safely brought to the ground. Once on the ground the metal was sized and placed in waste containers where they were shipped to an approved disposal facility. Following the removal of the structures, Eagle excavated the concrete foundations. The concrete was sized and stockpiled onsite for later crushing or recycling.

Eagle restored the site by backfilling the voids left by the foundation removal. Backfilling operations included meeting the required compaction for the site's future use. Gravel was hauled to the site and graded over the disturbed areas. All work was completed on schedule.



Firing Range Remediation

Client / Location: Parsons / Tracer & Vulcan Firing Range Remediation

**Contract Type: Time & Materials
Project Owner: USACE**

Eagle performed the remediation of two firing ranges at the Red River Army Depot. Phase one included the demolition of a metal

enclosure which covered the range backstop. The metal enclosure was processed and transported to a metal recycling facility. Once the enclosure had been removed, Eagle excavated the contaminated soil, segregating the soil based upon the locations and various levels of contaminants as identified by the engineer. Samples were collected of the soil by the engineer and based upon those results a treatment method was established to stabilize the soil. Eagle incorporated a stabilization agent into the soil. Following stabilization, additional samples were collected to confirm the stabilization achieved the desired results. The soil stabilization was effective and allowed the soil to be classified as class II non-hazardous waste.

Phase two consisted of remediation of the second and larger firing range. This site included the excavation, segregation, screening and stabilization of several

EXHIBIT A



thousand cubic yards of soil. Additionally, Eagle constructed a cell where low level impacted soils were deposited. Following the placement of the impacted soils, the area was graded to the engineer's design and geotextile fabric was installed over the cell. Eagle placed gravel over the footprint of the waste cell to stabilize the surface. Once the soil had been stabilized it was transported to an approved disposal facility. Following the removal of the contaminated soil, Eagle backfilled the excavations, spread seed, installed permanent erosion control features, fencing and warning signs. The project was completed safely, ahead of schedule and under budget.

future use. Gravel was hauled to the site and graded over the disturbed areas. All work was completed on schedule.

Tucker Oil Refining / Clinton-Manges Oil & Refining State Superfund Site

Client / Location: AECOM – Tucker, TX

Contract Type: Fixed Price

Project Owner: Texas Commission on Environmental Quality

Eagle performed the remediation of the former Tucker Oil Refining site in Tucker,



TX. Initially, Eagle mobilized to the site necessary personnel, equipment and facilities, such as, hand wash stations, restrooms and a mobile office with generator power. The scope of work included installation and maintenance of erosion controls, clearing and grubbing the work areas, excavation, staging, loading, transportation and disposal of contaminated soil, demolition of various facility components, contaminated and non-

contaminated water management and site restoration.

An initial estimate of 900 tons of soil was anticipated. Once complete Eagle removed more than 1,500 tons of class I contaminated soil. Over the course of the project record rainfall was encountered. To combat the rain, Eagle imported rock and installed construction roads to allow all weather access allowing the project to remain on schedule. Backfill material as well as topsoil was imported to fill excavations and grade the area to match surrounding grades. Upon completion of backfill activities, Eagle hydromulched all disturbed areas. Although the removal quantities nearly doubled and record rain fell during the project it was completed on schedule. Eagle performed all work safely and without incident.

EXHIBIT A



Mark Anderson
President / Sr. Project Manager
Eagle Remediation and Demolition Services, LLC
May 2012 – Present

Mr. Anderson is responsible for the overall leadership and growth of Eagle's operations. His 17 years' experience in the environmental and construction industry has allowed him to build Eagle's name and reputation of a leading environmental contractor. His belief that our people are the backbone of our company is evidenced by our quality personnel who take ownership in the service they provide. Mr. Anderson is committed to Eagle's growth while establishing a company mindset which is dedicated to the safety of our employees and protection of our environment.

Summary of Related Experience

RCTG-Gulf Regional Manager
SWS Environmental Services
(Formerly Eagle-SWS, Eagle Construction & Environmental Services)
Fort Worth, Texas, 2009 to June 2012

As the regional manager, Mr. Anderson was responsible for the development and oversight of the Remediation, Construction & Technology Group for the gulf region. He coordinated all aspects of the division, which include, development of client relationships, proposal review, project estimating, department and project accounting, operations, safety and regulatory compliance.

2005-2009, District Manager, Eagle Construction & Environmental Services, LLC, San Antonio, Texas

As a Regional Manager, he had the responsibility of properly executing the projects in a timely and cost effective manner, while ensuring the compliance with environmental regulations and health and safety issues. In addition, he kept control over client relationships, project scheduling, costs, personnel, equipment resources and quality control. He is thoroughly versed in the preparation of work plans and schedules, quality control documentation, change order and closeout documentation, justification, and submittals.

Project History

Tetra Tech – SESCO Site Remediation – San Angelo, Texas; Remediation of PCB Contaminated Superfund Site

The project involved the demolition of the concrete surfaces, removal of underground piping systems which still contained PCB contaminated oil. Eagle successfully collected remaining oil from the piping systems. Following the waste profile approvals, Eagle loaded the stockpiled soil into end dumps and transported the waste to the appropriate landfills. Once the excavations were complete, Eagle placed and compacted backfill soil to match surrounding grades and installed 6" of caliche over the work areas.

EXHIBIT A



City of San Antonio – Aviation Department – San Antonio International Airport, Texas; Removal of Former MSW Landfill

Managed the operations of this project in coordination with the project manager. Responsible for ensuring all personnel and equipment was on-site as required by the project. Assisted with the review of project documentation, coordination of subcontractors and direction of field personnel for the duration of this project which involved the removal, transportation and disposal of approximately 160,000 cubic yards of MSW from the site and subsequent site restoration.

Parsons – USACE; Red River Army Depot; Firing Range Remediation, New Boston, Texas

Project manager for the remediation of metals contaminated soil. The project consisted of soil excavation, screening, stabilization, transportation, disposal and construction of an on-site low level waste cell. Following remediation activities Eagle backfilled the excavations and placed a vegetative cover over the disturbed areas.

Tetra Tech – Former Kelly AFB; San Antonio, Texas; Soil Remediation

The project involved the excavation, transportation and disposal of approximately 150,000 cubic yards of VOC contaminated soils and non-contaminated soils. Execution of the project involved establishing a grid over the site and excavating based upon various contamination levels. This project involved segregating various waste streams and transporting them to the appropriate disposal facility. Upon completion of the excavation, in-situ treatment of the groundwater was performed by installing treatment cells prior to backfilling the site.

AGL Constructors; Dallas & Denton Counties, Texas, Environmental Remediation Services

Project manager for the remediation of various sites related to the IH 35E expansion from Dallas to Denton, TX. Projects range from the removal of USTs, Oil/Water separators, hydraulic lifts, sump cleanouts, demolition of UST dispensers and canopies, waste transportation and disposal, and spill response.

Innovative Technical Solutions, Inc.; Los Alamos National Laboratory; Los Alamos, NM, Demolition of Buildings

Managed the demolition of several buildings located at the Los Alamos National Laboratory which were previously used for research of radiological material. The projects consisted of asbestos abatement, demolition, segregation and packaging of the debris generated during the demolition.

Rosengarten, Smith & Associates; Former GE Railcar Facility; Ranger, TX; Earthwork

Project manager for the slope upgrades, regrading and restoration of a closed hazardous waste landfill.

Education

Bachelor of Science – Industrial Technology
– Abilene Christian University, Abilene,
Texas 1998-2001

Certifications

40 hour Hazardous Waste Safety Training,
OSHA CFR 1910.120
Asbestos & Lead Awareness Training
Class B UST Supervisor

EXHIBIT A



Polo Jimenez
Site Superintendent
Eagle Remediation and Demolition Services, LLC
October 2012 – Present

Mr. Jimenez has 25 years' experience in the demolition, environmental and construction industry. He specializes in the demolition of complex structures. Mr. Jimenez serves as a site superintendent for Eagle. His responsibilities include on-site management of the project he is assigned and performing the project in a safe and efficient manner. During the projects, Mr. Jimenez works closely with the project managers to execute each project safely while staying on budget and with the proposed schedule.

Summary of Related Experience

Site Superintendent
SWS Environmental Services
(Formerly Eagle-SWS, Eagle Construction & Environmental Services)
Fort Worth, Texas, 1989 to October 2012

Mr. Jimenez served as a site superintendent, overseeing the day to day operations of the projects he was assigned. He was responsible for personnel safety, directing the progression of the project and management of field personnel.

Project History

Geofill Construction; Summerview Apartment Complex; San Antonio, TX, NESHAP Demolition

Mr. Jimenez served as the site superintendent for the NESHAP demolition of two apartment buildings which were destroyed in a fire. The buildings to be removed were located on the interior of the complex making their removal more difficult due to limited space. The work was performed ahead of schedule and without incident.

Geofill Construction; Fairways V Apartment Complex; San Antonio, TX, NESHAP Demolition

Mr. Jimenez served as the site superintendent for the NESHAP demolition of an apartment building which was condemned due to a recent fire. This demolition included the removal of the building, however, the slab and utilities were scheduled to remain and a new building would be constructed on the existing slab.

Innovative Technical Solutions, Inc.; Los Alamos National Laboratory; Los Alamos, NM, Demolition of Buildings

Served as site superintendent for the demolition of several buildings and foundations at the Los Alamos National Laboratory in Los Alamos, NM. The project was completed on time and without any injuries.

EXHIBIT A

**James Construction / TXDOT – Relocation of MSW Landfill – Copperas Cove, Texas**

Site superintendent for the relocation of a municipal solid waste (MSW) landfill located in the right of way for the HWY 190 expansion project through Copperas Cove, Texas. Mr. Jimenez oversaw the removal of the MSW from the right of way and the construction of an adjacent cell to accept the excavated waste. Over the course of the project approximately 180,000 cubic yards of MSW was removed and placed into a new cell.

Parsons – USACE; Red River Army Depot; Firing Range Remediation, New Boston, Texas

Site superintendent for the remediation of metals contaminated soil. The project consisted of soil excavation, screening, stabilization, transportation and disposal. Following remediation activities Eagle backfilled the excavations and placed a vegetative cover over the disturbed areas.

Certifications

40 hour Hazardous Waste Safety Training,
OSHA CFR 1910.120
Permit Required CSE Training
Asbestos Awareness Training

Lead Awareness Training
Class B Licensed UST Supervisor
RAD Worker II Training
Excavations & Trenching

EXHIBIT A

Eagle Remediation & Demolition Services, LLC

3131 E. Hwy 199
Springtown, TX 76082
214.884.2096 ofc
682.302.0148 fax
877.515.3101 toll free
www.eagleremediation.com



January 3, 2020

Purchasing Manager
City of Duncanville
203 E Wheatland Road
Duncanville, TX 75116

Financial Feasibility- CONFIDENTIAL

To whom it may concern,

Eagle Remediation and Demolition Services, LLC (Eagle) understands that we are financially responsible for the work described in this proposal.

- The project budget is contained within the Proposal Offer.
- Eagle Remediation agrees to the 30 day payment terms on this project.
- Additional information is available upon request or interview.

Respectfully,

EAGLE REMEDIATION and DEMOLITION SERVICES, LLC

A handwritten signature in blue ink that reads "Will Blevins".

Will Blevins
Estimator/ Project Manager
214-884-2096
wblevins@eremservices.com

ENVIRONMENTAL REMEDIATION | ASBESTOS & LEAD ABATEMENT | DEMOLITION
FACILITY DECONTAMINATION | SPILL RESPONSE



EXHIBIT A

**Eagle Remediation & Demolition Services, LLC**

3131 E. Hwy 199
 Springtown, TX 76082
 214.884.2096 ofc
 682.302.0148 fax
 877.515.3101 toll free
www.eagleremediation.com

January 3, 2020

Purchasing Manager
 City of Duncanville
 203 E Wheatland Road
 Duncanville, TX 75116

RE: RFP # 20-017- Eagle Project No.: 01-92-0425 – Lube Pit and UST Removal – 727 S. Crockrell Hill Rd. - Duncanville, TX

Dear Purchasing Manager,

Eagle Remediation and Demolition Services, LLC (Eagle) appreciates the opportunity to present the following proposal for the above referenced project. This proposal contains a Scope of Work, Cost Schedule, and Additional Provisions. We would be pleased to meet with you to discuss our approach to the work.

Eagle has included a detailed scope of work and has set forth our assumptions as well as conditions of pricing below. These have been communicated to ensure that our proposal is based upon the correct information and may be appropriately evaluated.

SCOPE OF WORK

Eagle will provide the personnel and equipment to perform the removal of one (1) lube pit and three (3) 8,000-gallon steel USTs at the site listed above.

Mobilization & Site Setup:

- Prior to our mobilization, Eagle will submit the 30-day TCEQ construction notification.
- Eagle will schedule the UST removal with the TCEQ regional office and local Fire Marshal.
- Eagle Remediation will contact Texas 811 to locate and mark the utilities in the working area.
- Silt fencing repairs will be made where needed at the site.
- Construction fencing will be placed around the work area daily during the demolition activities.

Lube Pit Removal:

- Initially, Eagle will utilize vacuum trucks to remove the contents of the lube pit. Eagle will pressure wash the concrete pit with Microblaze prior to demolition.
- Liquid lube pit contents will be transported to an approved disposal/recycling facility.
- Eagle will remove the concrete pit vault utilizing an excavator and skid steer.
- Concrete will be loaded into trucks for transportation to a recycling facility.

UST Removal:

- Eagle will excavate the soil from above and around the tanks. Soil will be staged adjacent to the excavation on poly sheeting. Eagle estimates the excavating approximately 200 CY.

EXHIBIT A

Purchasing Manager
 City of Duncanville
 Lube Pit & UST Removal
 Eagle Project No.: 01-92-0425
 Jan. 3, 2020

- Eagle will utilize a vacuum truck and pressure washer to clean and remove flammable vapors from the tanks.
- Eagle will utilize our 4-gas meter to check and verify that any vapors present are at acceptable levels prior to removal.
- Once the tanks are removed, they will be marked as required by the TCEQ and hauled off site to an approved disposal facility.
- Eagle will assist with the collection of soil samples from the excavation. Sampling/analysis for dispensers and pipe chasing is not included in this proposal.

Sampling, Analysis & Reporting

- Eagle will collect the soil samples from under the UST tanks and stockpiles.
 - Three (3) soil samples from beneath each UST, based on assumed UST length.
 - One (1) from each 50 cubic yards of the backfill stockpile (five (5) samples estimated)
- Fourteen (14) TPH, BTEX, MTBE & two PAH analysis will be performed.
- Eagle will analyze the soil samples using the following TCEQ-recommended methods and TCEQ-directed sampling scheme based on the use of the UST for gasoline/diesel storage:
 - EPA Method 8021 - benzene, toluene, ethylbenzene, xylenes (BTEX) and methyl tertiary butyl ether (MTBE)
 - TX Method 1005 - total petroleum hydrocarbons (TPH)
 - EPA Method 8270 - polynuclear aromatic hydrocarbons (PAH) - on highest TPH samples from each source area
 - Soil samples will also be analyzed for moisture content to evaluate them on a dry weight basis as required by RG-411.
- Eagle will prepare the final report for the TCEQ which outlines the UST Closure/Removal activities and complete the TCEQ Release Determination Report Form (TCEQ-0621) including all attachments and figures.

Backfill & Compaction:

- Immediately following sample collection, Eagle will backfill the excavation site with previously excavated soil and up to 360 CY of common fill soil to compensate for the tanks and lube pit. Backfill material will be bucket/track compacted in 12" loose lifts.
- Up to 40 CY of screened topsoil will be placed on top of the backfill to assist in vegetation growth.
- It is Eagle's understanding that no compaction or geotechnical testing will be required at this time.
- Upon completion, Eagle will demobilize our personnel and equipment from the site.

Restoration of Site:

- Eagle will hydro mulch the work area (up to 8,000 SF) following completion of the demolition activities.
- Irrigation will be provided once a week for a period of 90 days after hydro mulching.
- It is our understanding that water for irrigation will be provided by the City of Duncanville at no cost to Eagle.
- Eagle has also provided an alternate cost for install sod onsite instead of hydro mulching.

EXHIBIT A

Purchasing Manager
City of Duncanville
Lube Pit & UST Removal
Eagle Project No.: 01-92-0425
Jan. 3, 2020

COST SCHEDULE

<u>Description</u>	<u>Unit</u>	<u>Rate</u>	<u>Quantity</u>	<u>Total</u>
Lube Pit and UST Removal, Backfill, Sampling & Closure Reporting	LS	\$26,457.00	1	\$26,457.00
Oily Water Recycling (from pit and tanks)	Gal	\$0.40	13,600	\$5,440.00
Hydro Mulching of Disturbed Work Area	SF	\$0.23	8,000	\$1,840.00
Water Maintenance (up to 90 days after hydro mulch)	LS	\$6,054.00	1	\$6,054.00
Estimated Project Total				\$39,791.00

Quantities used in table above are for budgetary purposes only. Eagle will invoice based on the actual quantities used to complete the work.

<u>Alternate Pricing</u>	<u>Unit</u>	<u>Rate</u>	<u>Quantity</u>	<u>Total</u>
Sodding of Work Area (8,000 SF- instead of hydro mulching)	LS	\$5,952.00	1	\$5,952.00

Our proposal is conditioned upon the following:

- All work will be performed Monday-Friday, between 7:00 a.m. and 6:00 p.m. excluding holidays.
- All work will be performed in one mobilization/demobilization.
- No hazardous materials will be encountered during the project.
- The USTs are empty.
- Eagle will not incur delays beyond our control.
- Eagle's proposal is based on no site restoration activities being conducted.
- Eagle's proposal does not include any shoring or bracing of any materials, utilities, or structures.
- In the event the UST's contain any residual product greater than 1% solids; an additional disposal charge of \$1.95 per gallon will apply.
- Eagle's estimates disposal of up to 250 gallons of residual product and rinsate from the tanks. Truck washout due to sludges or solids will be invoiced at \$465.00 each of required.
- No rock, water, or utilities will be present in the excavation.
- Eagle's proposal does not include the removal or disposal any other tank or piping that may be encountered at the site. If other tanks or piping is encountered, they may be addressed with a change order.
- Eagle's proposal does not include removal or sampling of any piping or pipe chase material at the site. It is assumed that the piping was removed prior.
- Eagle will provide the client with a certificate of destruction for the tanks.
- Eagle is not responsible for the accumulation of water in any open excavations.
- Eagle's proposal is based upon a clean closure. No further remediation activities, including waste removal, transportation, disposal, etc. is included in this proposal.
- Eagle is not responsible for damage to the surrounding concrete or asphalt.
- The tanks are steel.
- Water is available near the site at no cost to Eagle.
- Eagle's proposal does not include removal or preservation of any monitoring wells in the work area.

In the event, any incorrect assumptions and/or conditions have been made Eagle would appreciate the opportunity to modify our proposal accordingly. Eagle has found this approach to be beneficial to the client and Eagle as it minimizes the potential for scope changes after the initiation of a project.

ENVIRONMENTAL REMEDIATION | ASBESTOS & LEAD ABATEMENT | DEMOLITION
FACILITY DECONTAMINATION | SPILL RESPONSE



EXHIBIT A

**City of Duncanville, Texas
Texas House Bill 89 Verification Statement**

I, Mark Anderson (Person name), the undersigned

representative of (Company or Business name)
Eagle Remediation and Demolition Services LLC

(hereafter referred to as company) do
hereby verify that the company named above, under the provisions of Subtitle F, Title
10, Government Code Chapter 2270:

1. Does not boycott Israel currently; and
2. Will not boycott Israel during the term of the contract.

Pursuant to Section 2270.001, Texas Government Code:

1. *"Boycott Israel" means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes; and*
2. *"Company" means a for-profit sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, or any limited liability company, including a wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of those entities or business associations that exist to make a profit.*

2/10/20
DATE

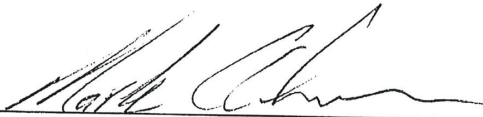

SIGNATURE OF COMPANY REPRESENTATIVE

EXHIBIT A



CERTIFICATE OF LIABILITY INSURANCE

 DATE (MM/DD/YYYY)
02/10/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	Kinnaird, Rossander & Perry Agency Inc 104 N. Lamar PO Box 351 Eastland, TX 76448	CONTACT NAME: Hollie O'steen PHONE (A/C No, Ext): (254) 629-3933 FAX (A/C, No): (254) 629-1165 E-MAIL: hollieosteen@sbcglobal.net ADDRESS:
	INSURED	Eagle Remediation and Demolition Services, LLC PO Box 70 Azle, TX 76098
		INSURER(S) AFFORDING COVERAGE
		INSURER A: Homeland Insurance Company of NY NAIC # 34452
		INSURER B: Atlantic Specialty Insurance Co A0191
		INSURER C: Texas Mutual Ins Co A0054
		INSURER D: Liberty Mutual Insurance Co
		INSURER E:
		INSURER F:

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR ☒ \$2 MIL CONT POLL ☒ \$1 MIL PROF (CLAIMS MADE) GENL AGGREGATE LIMIT APPLIES PER ☒ POLICY ☒ PROJ ☐ LOC OTHER	Y	Y	793009141000	4/12/19	4/12/20	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COM/OP AGG \$ 2,000,000
B	AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY	Y	Y	7930091400000	4/12/19	4/12/20	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	☒ UMBRELLA LIAB ☒ OCCUR ☒ EXCESS LIAB ☐ CLAIMS-MADE DED ☒ RETENTION \$ 0	Y	Y	7930091420000	4/12/19	4/12/20	EACH OCCURRENCE \$ 10,000,000 AGGREGATE \$ 10,000,000
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	0001237361 ANN & MARK ANDERSON EXC	5/6/19	5/6/20	☒ PER STATUTE ☐ OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
D	INLAND MARINE			BMW 57079948 DED \$1000 BMO58612769	5/6/19	5/6/20	RENTED/LEASED \$500,000 AGG
D	CARGO				2/16/2019	2/16/2020	PER VEHICLE/MAX \$250,000/\$250,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

 City of Duncanville
203 E. Wheatland Road
Duncanville, TX 75116

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

ACORD 25 (2016/03)

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EXHIBIT B

Sheriff's Deed
030519-14

The State of Texas, } **KNOW ALL MEN BY THESE PRESENTS:**
County of Dallas.



201900085702
SHERIFF DEED 1/2

NOTICE OF CONFIDENTIALITY RIGHTS: "IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER."

THAT, WHEREAS, By virtue of a certain Order of Sale, issued out of the Honorable 44th Judicial District Court, Dallas County, State of Texas, on 17th day of December, A. D. 2018 in and for Dallas County, Styled DALLAS COUNTY, ET AL, Plaintiff -versus- DUNCANVILLE REAL ESTATE, LLC, ET AL, Case No. TX-17-01635. On a certain judgment and Decree of Foreclosure rendered on 21st day of November, 2018, by said Court and directed and delivered to me as Sheriff of Dallas County, Texas, commanding me to seize and sell the real property described in said Order of Sale, I, **Marian Brown, Sheriff**, aforesaid, did upon the 22nd day of January, A.D.,2019, execute said property described in said Order of Sale, by having notice of the time and place of such sale published in the English language, once a week for three consecutive weeks, preceding such sale, in the **DAILY COMMERCIAL RECORD** a newspaper published in said County, the first of said publications appearing not less than twenty days immediately preceding the day of said sale, and by MAILING a written notice of such sale Duncanville Real Estate, LLC, Viking Funding Group NY INC., FKA Viking Funding Group Inc., (In Rem Only), Allegiant Partners, Incorporated (In Rem Only), J. A. M Distributing Co. (In Rem Only), The Calderock III, L.L.C. (In Rem Only), Bank of Hope, Successor in Interest to Innovative Bank (In Rem Only), Property Tax Fix, LLC (In Rem Only), Propel Financial Services, LLC as Agent and Attorney-In-Fact for Propel Funding National 1, LLC (In Rem Only), Defendant(s) and on the 1st Tuesday in March, A.D. 2019 it being the 5th day of the month, within the hours prescribed by law,(10:00 A.M.) sold said real property at public auction in the County of Dallas at the Courthouse door thereof, at which sale the real property herein after described was struck off to City of Duncanville is on its behalf and Trustee for Duncanville ISD, Dallas County, for the sum of \$431,184.42 Dollars as there were no bids taken on that property therefore.

NOW, THEREFORE, in consideration of the premises aforesaid and of the payment to me of the said sum of \$431,184.42 Dollars, the receipt of which is hereby acknowledged, I, **Marian Brown, Sheriff** as aforesaid, have SOLD and CONVEYED, and by these presents do SELL and CONVEY unto the said City of Duncanville on its behalf and Trustee for Duncanville ISD, Dallas County, all of the estate, right, title and interest which the said Defendant had on the 21st day of November, A.D.2018 or at any time afterwards, in and to the following described real property, same being also described in the said Order of Sale, all that certain lot, tract or parcel of land, lying in being situated in Dallas County, TX and being more particularly described as follows:

PROPERTY ADDRESS: 727 SOUTH COCKRELL HILL RD., DUNCANVILLE, DALLAS COUNTY, TEXAS. ACCT. NO. 22013250000010000; LOT 1 OF CHAMMEYVILLE JUNCTION IN THE CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS. AS SHOWN BY THE WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 20070416969 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS AND MORE COMMONLY ADDRESSED AS 727 SOUTH COCKRELL HILL ROAD, THE CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS.

EXHIBIT B

TO HAVE AND TO HOLD The above described premises, together with all and singular, the rights and Appurtenances thereto in anywise belonging, unto the said City of Duncanville heirs and assigns, forever as fully and as absolutely as I, a Sheriff aforesaid, can convey by virtue of said Order of Sale.

IN TESTIMONY WHEREOF, I have hereunto set my hand, this 21st day of March, A.D. 2019.

MARIAN BROWN, SHERIFF,
DALLAS,COUNTY,TEXAS

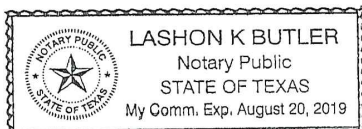
by [Signature] #276

Deputy Tim Davis #276, Deputy B. House #517

The State of Texas}
County of Dallas

BEFORE ME, LASHON K. BUTLER, A Notary Public on this day personally appeared Deputy Tim Davis, #276, Deputy B. House #517 Deputy Sheriff of Dallas County, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledge to me that he executed the same for the purpose and consideration therein expressed, and in his capacity as Deputy Sheriff therein set forth.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This 21st day of March, A.D. 2019.



Notary

Public,

State

of

Texas

Commission Expires 08-20-2019

The State of Texas, }
County of Dallas

I _____ County Clerk of said County, do hereby certify that the above instrument of writing, together with its Certificate of Authentication was filed for record in my office on the _____ day of _____ A.D. 2019, at _____ o'clock ____ M, and duly recorded the _____ day of _____ A.D., 2019, in Volume _____, Page _____ of the Records of Deeds, etc., of said County.

WITNESS MY HAND AND OFFICIAL SEAL This _____ of _____ A.D.2019.

Filed and Recorded
Official Public Records
John F. Warren, County Clerk
Dallas County, TEXAS
04/05/2019 02:26:02 PM
\$30.00



[Signature]

201900085702

County Clerk Dallas County, Texas.

By _____
Deputy



STAFF REPORT

MEETING: City Council - 05 May 2020

TITLE:

Consider amending Resolution No. 2020-026R, extending a Mayoral Declaration of a State of Emergency and order as a result of the COVID-19 Virus; providing for Interim Public Safety Measures; repealing all Resolutions in Conflict; providing a severability clause and providing for an effective date.

FY 2019 CITY COUNCIL ORGANIZATIONAL WORKPLAN:

STAFF RESPONSIBLE:

Kristin Downs, City Secretary
Kevin Hugman, City Manager

BACKGROUND/HISTORY:

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

On March 13, 2020 the Mayor of the City of Duncanville issued a Declaration of Local Disaster for Public Health Emergency as Pursuant to section 418.108(a)(b)(d)(g). The order has been amended several times to reflect the changes made by Dallas County. The City Council approved the Declaration of Local Disaster for Public Health Emergency (Resolution No. 2020-026) at a special City Council meeting on March 19, 2020. The Declaration was further extended by the City Council on April 7, 2020, with the Declaration set to expire at 11:00 a.m. on Wednesday, May 6, 2020.

On Monday, April 27, 2020 Governor Greg Abbott issued Executive Order GA-18, related to the expanded reopening of services as part of the safe, strategic plan to Open Texas in response to the COVID-19 disaster. This executive order remains in effect until 11:59 p.m. on May 15, 2020. Governor Abbott has indicated that he intends to issue a new executive order to further lift restrictions on business beginning May 18, 2020, but would not be a complete re-opening of businesses. Therefore, it is appropriate for the City Council to further extend the Declaration of Local Disaster for Public Health Emergency for the city of Duncanville.

The most recent Dallas County Order / Mayoral Order as of April 23, 2020 (attachment 3):

- Requires all individuals anywhere in the city of Duncanville to **shelter in place** – that is, stay at home – except for certain essential activities and work to provide essential business and government services or perform essential public infrastructure construction, including housing.

- This order also provided for limited reopening of businesses in accordance with Governor Abbott's Executive Order for "retail-to-go." **The Order took effect at 11:59 p.m. on April 23, 2020 and will continue through 11:59 p.m. on May 6, 2020**, subject to the limited exceptions and under the terms and conditions more particularly set forth below.

As of Thursday, April 30, 2020, the Mayoral Order reflects the most recent Dallas County Order of April 23, 2020, however we expect there to be changes to the Dallas County Order prior to your meeting on Tuesday, May 5. Staff will provide the new amendment to Council when received and updated. ***However, the portions of the Dallas County Order / Mayoral Order that are not in conflict with the Governor's Executive Order, still remain in effect. This includes the stay at home orders and facial coverings requirements. The restriction on non-essential businesses in the County/Mayoral Order is superseded by the requirements of the Governor's Executive Order and Open Texas document.***

POLICY EXPLANATION:

State law provides that the Mayoral Declaration expires on the seventh (7th) day after its issuance. The COVID-19 Virus continues to necessitate an extensive and prompt public safety response; and, the regulations set forth in the Mayoral Declaration may need to be extended and/or modified in order to continue to protect the general public. The Dallas County Order was extended by the Commissioners Court to May 15, 2020. The Governor's Executive Order GA-18 expires on May 15, 2020, but it is expected another Executive Order will be issued prior to that date that will further extend limited restrictions in response to the COVID-19 disaster.

When originally passed by City Council, Resolution No. 2020-026, Section 3(d) states: "The City shall suspend accepting any applications for zoning, plats and other land use regulations." This was incorporated due to the uncertainty of the coronavirus affecting staffing levels, the ability for Planning and Zoning Commission to meet remotely, and concerns with automatic approvals under state law if the Commission could not meet to review and take official action. Plats and zoning applications in process at the time have continued through. After some experience now, staff recommends this section be removed, allowing acceptance of applications for zoning, plats and other land use regulations. We do not have any concerns with our ability to adequately process those applications now.

The Mayoral Declaration and Order dated Thursday, April 30, 2020, is set to expire at 11:59 p.m. on May 6, 2020. This amended Declaration would expire at 11:59 p.m. on Wednesday, May 20, 2020.

FUNDING SOURCE:

N/A

RECOMMENDATION:

Staff recommends approval of amending Resolution No. 2020-026R, extending a Mayoral Declaration of a State of Emergency and order as a result of the COVID-19 Virus; providing for Interim Public Safety Measures; repealing all Resolutions in Conflict; providing a severability clause and providing for an effective date.

ATTACHMENTS:

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

[Attachment 2 - Reso No 2020-026 - Amended Mayoral Declaration of State of Emergency and Order - COVID-19 Virus](#)

[Attachment 3 - Resolution No. - 2020-026R1 - AMENDED - State of Emergency - COVID-19 Virus - with Exhibits](#)

ATTACHMENT 1

RESOLUTION NO. 2020-026

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

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

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

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

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

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

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

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

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

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

ATTACHMENT 1

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

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

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

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

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

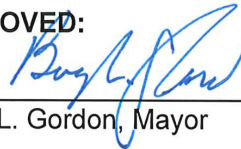
SECTION 4. Any prior resolution of the City Council in conflict with the provisions contained in this Resolution are hereby repealed and revoked.

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

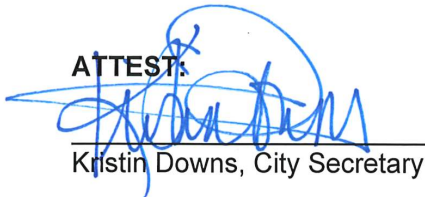
SECTION 6. This Resolution shall become effective immediately from and after its passage, as the law and charter in such cases provide.

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

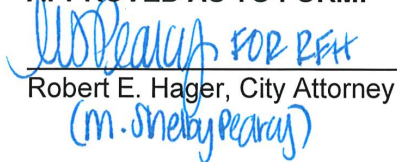
APPROVED:


Barry L. Gordon, Mayor

ATTEST:


Kristin Downs, City Secretary

APPROVED AS TO FORM:


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





DECLARATION OF LOCAL DISASTER FOR PUBLIC HEALTH EMERGENCY

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

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

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

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

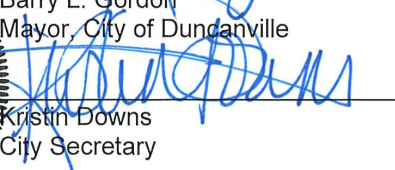
1. That a local state of disaster for public health emergency is hereby declared for the city of Duncanville, Texas, pursuant to section 418.108(a) of the Texas Government Code.
2. Pursuant to section 418.108(b) of the Government Code, the state of disaster for public health emergency shall continue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

DECLARED this 13th day of March 2020.


 Robert E. Hager
 City Attorney




 Barry L. Gordon
 Mayor, City of Duncanville


 Kristin Downs
 City Secretary



ORDER OF MAYOR BARRY GORDON

DATE ORDER ISSUED: March 13, 2020

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

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

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

ATTACHMENT 1

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

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

ATTACHMENT 1

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

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

2) Workplace and Businesses: Minimize Exposure

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

3) Large Gatherings: Cancel Non-essential Events

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

4) Schools: Safety First

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

5) Transit: Cleaning and Protection

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

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

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

ATTACHMENT 1

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

7) Everyone: Do your part

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

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

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

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



AMENDED ORDER OF THE CITY OF DUNCANVILLE
DATE AMENDED ORDER ISSUED: March 19, 2020

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

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

WHEREAS, the on-going evaluation of circumstances related to the virus and the updated recommendations of the Centers for Disease Control and the Texas Department of State Health Services previous orders and amendments;

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

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

Summary: The virus that causes 2019 Coronavirus Disease (COVID-19) is easily transmitted through person to person contact, especially in group settings, and it is essential that the spread of the virus be slowed to protect the ability of public and private health care providers to handle the influx of new patients and safeguard public health and safety. Because of the risk of the rapid spread of the virus, and the need to protect the most vulnerable members of the community, this Order prohibits community gatherings, as defined by Section 3 herein, of 50 persons or more anywhere in the City of Duncanville beginning at 11:59 p.m. on March 19, 2020, and continuing through 11:00 a.m. on April 8, 2020. Additionally, this Order prohibits social gatherings, as defined by Section 3 herein, of 10 persons or more anywhere in the City of Duncanville beginning at 11:59 p.m. on March 19, 2020 and continuing through 11:00 a.m. on April 8, 2020. For gatherings of less than 10 persons, the City of Duncanville and the Dallas County Health Authority strongly recommends following the social distancing protocols attached to this Order. Additionally, the City of Duncanville, the Office of the Dallas County Judge and the Dallas County Health Authority urge in the strongest terms possible all high-risk individuals, as defined by the Centers for Disease Control and Prevention (CDC), cancel, reschedule, or not attend any event.



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

1. Effective as of 11:59 p.m. on Thursday, March 19, 2020 and continuing until 11:00 a.m. on April 8, 2020
 - (a) Public or private Recreational Gatherings and Community Gatherings (as defined in Section 3 below) are prohibited anywhere in city of Duncanville,
 - (b) Restaurants with or without drive-in or drive-through services and microbreweries, micro-distilleries, or wineries may only provide take out, delivery, or drive-through services as allowed by law,
 - (c) Bars, lounges, taverns, private clubs, arcades, and gyms shall close,
 - (d) Bowling alleys, skating rinks, bingo and gaming rooms shall close,
 - (e) Cigar or smoking (vaping) lounges shall not allow the onsite consumption of tobacco products.

2. In addition, the city of Duncanville, the Office of the Dallas County Judge and the Dallas County Department of Health and Human Services ("Health Authority") strongly urge high-risk individuals to cancel, reschedule, and not attend any gatherings until further notice. These recommendations are based on the social distancing practices attached to this Order as well as the "Implementation of Mitigation Strategies for Communities with Local COVID-19 Transmission" issued by the United States Centers for Disease Control and Prevention ("CDC"). The city of Duncanville, the Office of the Dallas County Judge and the Health Authority urge people to not attend non-essential gatherings during the duration of this Order in order to help slow down the spread of the COVID-19 virus.

3. Definitions:
 - a. For purposes of this Order, a "Community Gathering" is any indoor or outdoor event or convening, subject to the exceptions and clarifications below, that brings together or is likely to bring together fifty (50) or more persons at the same time in a single room or other single confined or enclosed space, such as an auditorium, theatre, stadium (indoor or outdoor), arena or event center, meeting hall, conference center, large cafeteria, or any other confined indoor or confined outdoor space. An outdoor "Community Gathering" under this Order is limited to events in confined outdoor spaces, which means an outdoor space that (i) is enclosed by a fence, physical barrier, or other structure and (ii) where people are present and they are within six feet of one another for extended periods. For clarity, community gatherings include, but are not limited to, weddings, religious services, funerals, and other gatherings.
 - b. For the purposes of the Order, a "Recreational Gathering" is any indoor or outdoor event or convening that is primarily social or recreational in nature, subject to the exceptions and clarifications below, that brings together or is likely to bring together ten (10) or more persons at the same time in a single room or other single confined or enclosed space. For



clarity, recreational gatherings include, but are not limited to, parties, backyard barbecues, social events, sporting events, and other gatherings. Private facilities, such as country clubs, may still operate their outdoor facilities, such as golf or tennis courts, but must limit indoor activities, such as their card rooms and similar amenities to 10 people or less.

c. This Order does not prohibit gatherings of people in multiple, separate enclosed spaces in a single building such as school classrooms, residential buildings, or hotels, so long as 50 people are not present in any single space at the same time. This Order also does not prohibit the use of enclosed spaces where 50 or more people may be present at different times during the day, so long as 50 or more people are not present in the space at the same time. For example, residential buildings may continue to operate their common facilities, such as laundry facilities, so long as 50 or more people are not present at the same time. For any gathering covered by this subsection, the city of Duncanville, the Office of the Dallas County Judge and the Dallas County Health Authority strongly encourage compliance with the attached Recommendations, including social distancing, providing hand sanitizer and tissues, and increasing cleaning of commonly and frequently touched surfaces.

d. This Order does not apply to the following critical facilities, so long as visitors are generally not within six feet of one another for extended periods:

- i. critical infrastructure, including airport facilities and operations, bus stations, transit, and transit facilities;
- ii. government buildings providing essential services;
- iii. schools or institutes of higher learning;
- iv. office buildings, so long as employers take all steps reasonably possible to implement social distancing protocols;
- v. grocery stores and pharmacies; and
- vi. hospitals and medical offices and facilities, including cafes and restaurants located within these facilities.

For purposes of this Order, “grocery stores” includes warehouse stores, big-box stores, convenience stores, gas stations, and farmers’ markets that sell food products and household staples.

In the settings described in Section (3)(d), the city of Duncanville Mayor and the Dallas County Health Authority strongly encourage compliance with the attached Recommendations, including social distancing, providing hand sanitizer and tissues, and increasing cleaning of commonly and frequently touched surfaces.

4. Our community’s critical infrastructure, which includes communications, emergency services, energy, transportation systems, and water and wastewater systems, are instructed by this order to continue operating and encouraged to implement screening precautions to protect employees.



5. Grocery stores, supermarkets, warehouse stores, hospitals, and medical facilities are experiencing high levels of demand for a large number of products, requiring more deliveries from manufacturers and distribution centers to serve their customers. A number of Texas cities and local associations have implemented restrictions on delivery hours to stores to mitigate truck noise and traffic. Due to the need to deliver products as quickly and efficiently as possible during this critical time frame, this Order hereby suspends all delivery hour restrictions for transport to or from any entity involved in the selling or distribution of food products, medicine, or medical supplies in the city of Duncanville for the next 60 days.

6. If someone in a household has tested positive for coronavirus, all members of the household are ordered to isolate at home in accordance with CDC recommendations. Members of the household shall not go to work, school, or any other community function.

7. Nursing homes, retirement homes, and long-term care facilities are instructed by this order to prohibit non-essential visitors from accessing their facilities unless to provide critical assistance or for end-of-life visitation.

8. Public and private schools and institutions of higher education are instructed by this order to provide a safety plan to Dallas County Office of Homeland Security and Emergency Management 72 hours before students return to a classroom setting.

9. Additionally, the city of Duncanville, the Office of the Dallas County Judge and the Dallas County Health Authority instruct all employees to remain at home if sick.

10. This Order shall be effective until 11:00 a.m. on April 8, 2020, or until it is either rescinded, superseded, or amended pursuant to applicable law.

11. The city of Duncanville must promptly provide copies of this Order by posting on the city website. In addition, the owner, manager, or operator of any facility that is likely to be impacted by this Order is strongly encouraged to post a copy of this Order onsite and to provide a copy to any member of the public asking for a copy. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.

IT IS SO ORDERED

BARRY L. GORDON
MAYOR – DUNCANVILLE, TEXAS



DALLAS COUNTY HEALTH AND HUMAN SERVICES

Social Distancing Recommendations

1) Vulnerable Populations: Limit Outings

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

2) Workplace and Businesses: Minimize Exposure

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

3) Large Gatherings: Cancel Non-essential Events

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

4) Schools: Safety First

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

5) Transit: Cleaning and Protection

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



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

- Long term care facilities should have a COVID-19 plan in accordance with CDC or state guidelines.
- Long term care facilities should screen all staff and visitors for illness and turn away those with symptoms.
- The general public should avoid going to medical settings such as hospitals, nursing homes and long-term care facilities, even if you are not ill.
- If you are ill, call your health care provider ahead of time, and you may be able to be served by phone.
- Do not visit emergency rooms unless it is essential.
- Visitors should not go to long-term care facilities unless absolutely essential.
- Follow guidance and directions of all facilities.

7) Everyone: Do your part

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

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

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

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

ATTACHMENT 1



DECLARED this 19th day of March 2020.

A handwritten signature in blue ink, appearing to read 'Barry L. Gordon'.

Barry L. Gordon
Mayor, City of Duncanville

A handwritten signature in blue ink, appearing to read 'Robert E. Hager'.

Robert E. Hager
City Attorney

A handwritten signature in blue ink, appearing to read 'Kristin Downs'.

Kristin Downs
City Secretary



ATTACHMENT 2

RESOLUTION NO. 2020-026R

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

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

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

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

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

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

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

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

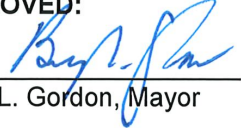
SECTION 2. The City Manager shall take all steps necessary, expressed and implied under said Declaration and Order in accordance with State law and the City of Duncanville Emergency Management Plan to protect the health, safety and welfare of the citizens of the City of Duncanville.

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

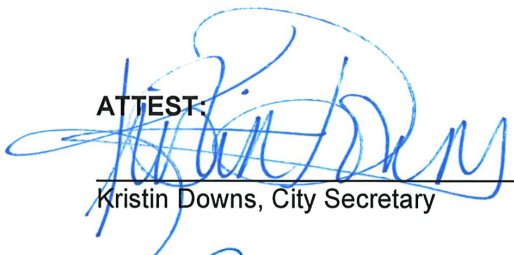
ATTACHMENT 2

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

APPROVED:

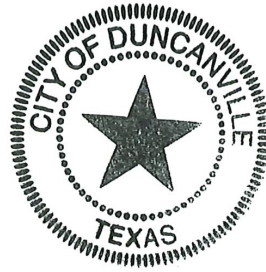

Barry L. Gordon, Mayor

ATTEST:


Kristin Downs, City Secretary

APPROVED AS TO FORM:


Robert E. Hager, City Attorney



ATTACHMENT 2



AMENDED DECLARATION OF LOCAL DISASTER FOR PUBLIC HEALTH EMERGENCY

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

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

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

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

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

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

114477

ATTACHMENT 2



DECLARED this 7th day of April 2020.


Robert E. Hager
City Attorney


Barry L. Gordon
Mayor, City of Duncanville


Kristin Downs
City Secretary

114477



AMENDED ORDER OF MAYOR BARRY L. GORDON

Safer At Home Order

DATE AMENDED ORDER ISSUED: April 7, 2020

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

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

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

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

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

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

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

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

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

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



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

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

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



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

2. Definitions:

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



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

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

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



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

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



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

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

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



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



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

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



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

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

- 3. The Dallas County Sheriff's Office, Duncanville Police Department and other licensed peace officers, are hereby authorized to enforce this order. A violation of this order may be punishable through criminal or civil enforcement. A violation of this order is a Class C misdemeanor punishable by a fine not to exceed \$1,000.
- 4. Any manufacturer who retools their business for the purpose of manufacturing and producing ventilators, masks, personal protective equipment, or any supply necessary for Essential Healthcare Operations may apply for an "essential business" exemption under this Order. Submit requests for an exemption to BusinessCOVID19@dallascounty.org.
- 5. All public, private, and commercial laboratories operating within Dallas County and performing COVID-19 testing shall report by 5:00 p.m. each day for the prior 24-hour period:
 - a. The number of COVID-19 tests performed; and
 - b. The number of positive COVID-19 tests.

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

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



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



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

IT IS SO ORDERED

BARRY L. GORDON
MAYOR, DUNCANVILLE, TEXAS



EXHIBIT A

Rules for Essential Retailers

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

Definition of Essential Retailers.

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

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

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



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

General Rules for Essential Retailers.

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

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



EXHIBIT B

Rules for the Construction Industry

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

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

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

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



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

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



EXHIBIT C

Rules for Manufacturers and Distributors

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

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

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

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



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

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



EXHIBIT D

Rules for Financial Institutions

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

1. Check Cashing Businesses

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

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

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

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



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

2. Pawnshops

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

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

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

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

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



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

3) Enforcement

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



EXHIBIT E

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

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

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

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

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



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

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



EXHIBIT F

Rules for Real Estate Agents

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

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

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

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

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



DALLAS COUNTY HEALTH AND HUMAN SERVICES

Social Distancing Rules

1) Vulnerable Populations: Limit Outings

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

2) Workplace and Businesses: Minimize Exposure

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

3) Cancel Non-essential Events

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

4) Schools: Safety First

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



5) Transit: Cleaning and Protection

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

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

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

7) Everyone: Do your part

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

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

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

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



Duncanville
City of Champions

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

RESOLUTION NO. 2020-026R1

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

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

WHEREAS, on April 8, 2020 the amended Mayoral Declaration and Order was renewed, continued and set to expire at 11:59 p.m. on May 6, 2020.

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

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

WHEREAS, on April 27, 2020 Governor Greg Abbott publicly unveiled the Governor's Report to Open Texas to implement the phased re-opening of businesses across the state with limited capacities while practicing safe measures as recommended in the CDC Guidelines; and,

WHEREAS, in coordination with Governor Abbott's re-opened services plan, the Dallas County Commissioners Court issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Dallas County Emergency Management Plan and extended the Declaration of Local Disaster until 11:59 p.m. on May 15, 2020, unless rescinded by order of the Commissioners Court.

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

SECTION 1. The Mayoral Declaration, as amended and extended by the City Council, in conjunction with Governor Abbott's Executive Orders 18 and 19, Dallas County's Orders, as amended are hereby adopted, renewed; and, shall expire at 11:59 p.m. on May 20, 2020, which are said Orders are incorporated herein, as if set forth in full, and which are attached hereto and incorporated herein as Exhibits A, B, C and D respectively.

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

SECTION 3. The amended Mayoral Declaration and Order of the City Council hereby takes the additional action as amended herein as follows:

- a. That the City Manager or his designee may utilize the Federal Emergency Management Act procurement during exigent or emergency provision of the Code of Federal Regulations.
- b. The City Manager may revoke any certificate of occupancy or other permits for any business that fails to comply with any provision of this Resolution, Declaration or Order.
- c. The City Manager may waive enforcement of any regulatory and ordinance provision for any businesses subject to this order in order to promote and execute the provisions of this Resolution.
- d. The Council and/or any of its Boards, Commissions or Committees may meet by video conference or telecommunication as amended by the Governor.
- e. The Council hereby excuses and waives all attendance requirements for Board, Commission or Committee members during the application of this Resolution.

SECTION 4. The Mayor is hereby authorized to amend this order to conform to any additional future amendments by the Texas Governor or Dallas County Judge.

SECTION 5. Any prior resolution of the City Council in conflict with the provisions contained in this Resolution are hereby repealed and revoked.

SECTION 6. Should any part of this Resolution be held to be invalid for any reason, the remainder shall not be affected thereby, and such remaining portions are hereby declared to be severable.

SECTION 7. This Resolution shall become effective immediately from and after its passage, as the law and charter in such cases provide.

DULY PASSED and approved by the City Council of the City of Duncanville, Texas, on this the 5th day of May, 2020.

CITY OF DUNCANVILLE, TEXAS

APPROVED:

Barry L. Gordon, Mayor

ATTEST:

Kristin Downs, City Secretary

APPROVED AS TO FORM:

Robert E. Hager, City Attorney



**AMENDED ORDER OF MAYOR BARRY L. GORDON AND
DUNCANVILLE CITY COUNCIL**

Safer At Home Order

DATE AMENDED AND EXTENDED ORDER ISSUED: May 5, 2020

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

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

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

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

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

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

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

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

THEREFORE, the previous approved and issued Order of the City of Duncanville and Mayor Barry L. Gordon is hereby AMENDED as follows:

Summary: The virus that causes 2019 Coronavirus Disease (COVID-19) is easily transmitted through person to person contact, especially in group settings, and it is essential that the spread of



the virus be slowed to protect the ability of public and private health care providers to handle the influx of new patients and safeguard public health and safety. Because of the risk of the rapid spread of the virus, and the need to protect the most vulnerable members of the community, this Order requires all individuals anywhere in the city of Duncanville to shelter in place – that is, stay at home – except for certain essential activities and work to provide essential business and government services or perform essential public infrastructure construction, including housing. This Order takes effect at 11:59 p.m. on the date hereof and will continue through 11:59 p.m. on May 20, 2020, subject to the limited exceptions and under the terms and conditions more particularly set forth below.

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

1. Effective as of 11:59 on May 5, 2020, and continuing until 11:59 p.m. on May 20, 2020:
 - (a) All individuals currently living within the city of Duncanville are ordered to shelter at their place of residence. For the purposes of this Order, residences include hotels, motels, shared rentals, and similar facilities. To the extent individuals are using shared or outdoor spaces, they must at all times as reasonably as possible maintain social distancing of at least six feet from any other person when they are outside their residence. All persons may leave their residences only for Essential Activities, Reopen Services or to provide or perform Essential Governmental Functions, or to operate Retail Businesses, as provided by GA 18, 19 or 20.
 - (b) All businesses operating within the city of Duncanville, except Essential Businesses and Reopen Services as defined below in Section 2, are required to cease all activities at facilities located within the city of Duncanville except Minimum Basic Operations as defined in Section 2. For clarity, businesses may continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e. working from home). To the greatest extent possible, all Essential Businesses shall comply with the Social Distancing Rules attached, including maintaining six-foot social distancing for both employees and the general public.
 - (c) Employees of Essential Businesses and Reopen Services, whose physical presence at the workplace is not essential to operations, are directed to use telecommuting to the fullest extent possible.
 - (d) All public or private gatherings of any number of people occurring outside a single household or living unit are prohibited, except as otherwise provided



herein. Nothing in this Order prohibits the gathering of members of a household or living unit.

2. Definitions:

- a. For purposes of this Order, individuals may leave their residence only to perform any of the following “Retail Activities” are defined in GA18:
 - i. To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (for example, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies needed to work from home).
 - ii. To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others (for example, food, pet supply, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences.
 - iii. To engage in outdoor activity, provided the individuals comply with social distancing requirements of six feet (for example, walking, biking, hiking, running, golfing, and tennis).
 - iv. To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order.
 - v. To care for a family member or pet in another household.
 - vi. To move to another residence either in or outside Dallas County.
 - vii. To engage in “**Essential Travel**,” which includes travel for any of the following purposes: (1) travel related to the provision of or access to Essential Activities, Essential Governmental Functions, Essential Businesses, Reopen Services, Essential, Critical Infrastructure, and Minimum Basic Operation; (2) travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons; (3) travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services; (4) travel to return to a place of residence from outside the jurisdiction; (5) travel required by law enforcement or court order; (6) travel by church staff or clergy for the purpose of production of remote delivery of religious



services and other ministries requiring travel; (7) travel related to attending a funeral service; or (8) travel required for non-residents to return to their place of residence outside the County as provided in GA 18, 19 or 20.

- b. For purposes of this Order, “Reopen Services” means those Retail Business as defined in GA 18, effective May 1, 2020:
 - i. Retail services that are not “Essential Businesses” and this Order.
 - ii. Effective 12:01 a.m. on Tuesday, May 5, 2020, Reopened Services shall be provided only through pickup, delivery by mail, or delivery to the customer’s doorstep. Customers may not enter the premises.
 - iii. All Reopened Services shall comply with the following requirements:
 - 1. All employees must be trained on environment cleaning and disinfection, hand hygiene, and respiratory etiquette.
 - 2. All employees must be screened before coming into the business for new or worsening cough, shortness of breath; sore throat; loss of taste or smell; feeling feverish or a measured temperature greater than or equal to 100.00 degrees Fahrenheit; or known close contact with a person who is lab-confirmed to have COVID-19. Any employee who meets any of these criteria must be sent home.
 - 3. Employers must provide soap and water, or hand sanitizer if no soap or water is available, in the workplace, including all restrooms and food preparation areas.
 - 4. Employees must wash their hands for at least twenty (20) seconds before beginning work, after each interaction with a customer, before any food preparation, before and after the use of shared items, after any meal or restroom breaks, and immediately prior to the end of the work shift.
 - 5. All employees must wear face coverings.
 - 6. Employees must maintain at least 6 feet separation from one another.
 - iv. All Reopen Services providing services shall comply with the Open Texas Manual.
- c. For purposes of this Order, “Essential Businesses” means:
 - i. **Essential Healthcare Operations.** Healthcare Operations includes but is not limited to hospitals, clinics, dentists, chiropractors, physical therapy, optometry offices, pharmacies, pharmaceutical and biotechnology



companies, other healthcare facilities, healthcare suppliers, mental health providers, substance abuse service providers, blood banks, medical research, laboratory services, certified doulas, or any related and/or ancillary healthcare services. Home-based and residential-based care for seniors, adults, or children are also considered healthcare operations. Healthcare operations also includes veterinary care and all health and welfare services provided to animals. This exemption shall be viewed broadly to avoid any impacts to the delivery of healthcare. Healthcare operations do not include fitness and exercise gyms, personal training, gymnastics studios, and similar facilities. Healthcare operations do not include elective medical, surgical, and dental procedures as established in accordance with Subsection 1(e) of this Order.

- ii. **Essential Governmental Functions.** All services provided by local governments needed to ensure the continuing operation of the government agencies to provide for the health, safety and welfare of the public. Each governmental body will determine its Essential Governmental Functions and identify the employees and/or contractors necessary to the performance of those functions. Further, nothing in this order shall prohibit any individual from performing or accessing “Essential Governmental Functions.” All Essential Government Functions shall be performed in compliance with social distancing requirements of six feet, to the extent possible. This Order does not apply to Federal or State Government.
- iii. **Essential Critical Infrastructure.** All public and private facilities and assets, including both physical and cyber systems, and other functions and sectors vital to the security, governance, and public health, safety of the city of Duncanville and Dallas County. Critical infrastructure includes, but is not limited to, utilities such as electricity, gas, water and wastewater, roads and highways, public transportation, solid waste and recycle collection and removal, oil refining, roads and highways, public transportation, defense and national security-related operations, and manufacturing operations supplying essential items to Essential Businesses, Essential Governmental Functions, and Critical Infrastructure. All manufacturers and distributors shall comply with the Rules of Manufacturers and Distributors set out in Exhibit C. Critical Infrastructure employers should implement screening precautions to protect employees and all activity shall be performed in compliance with social distancing guidelines attached. For reference, the U.S. Department of Homeland Security in its Guidance on the Essential Critical Infrastructure Workforce, Version 2.0, can be found here:



<https://www.cisa.gov/publication/guidance-essential-critical-infrastructure-workforce>.

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



- x. **Critical Trades.** Plumbers, electricians, exterminators, janitors, lawn care services, pool cleaners, maintenance and security, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operations of residences, Essential Businesses, Essential Government Functions, and Critical Infrastructure. Critical Trade does not include discretionary maintenance or improvements. Union representatives and their staff for the purpose of performing critical labor union functions, including the maintenance of health and welfare funds and checking on the well-being and safety of members.
- xi. **Construction.** Construction for public works, residential, commercial, and schools. Elective additions and maintenance are prohibited. Protecting construction workers from the spread of COVID19 is extremely important for their safety and for public health, all construction sites must follow the COVID-19 Safety Recommendations issued by the Construction Industry Safety Coalition, including, but not limited to, the Rules for Construction Industry set out in Exhibit B.

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

- xii. **Professional Services.** Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities or services necessary to avoid imminent harm to a client. Real estate and inspection services, so long as they comply with the rules set out in Exhibit F.
- xiii. **Financial Institutions.** Banks and related depository financial institutions, credit unions, insurance companies, title companies, payroll and accounting services. Check cashing businesses and pawnshops so long as they comply with the rules set out in Exhibit D. A copy of Exhibit D must be prominently displayed in each establishment in English and Spanish and a copy must also be provided to each customer in the customer's preferred language.
- xiv. **Information Technology Services/Telecommunications Services.** IT and IT services and their essential service vendors, including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services, and critical manufacturing, as well as telecommunications services, internet access and broadband/communications services.



- xv. **Essential Retail.** Laundromats, dry cleaners, and laundry service providers. Hardware stores, and related facilities. Firearm and ammunition suppliers and retailers for purposes of safety and security. Hardware stores and businesses that sell electrical, plumbing, and other materials necessary to support Essential Businesses, and Essential Government Functions, and Critical Infrastructure. Essential retail establishments shall comply with the Rules for Essential Retail Establishments set out in Exhibit A.
- xvi. **Fabric Stores.** Stores that sell fabric, for the sole purpose of selling fabric and supplies necessary for the creation of fabric cloth coverings and masks and supplies necessary for home schooling students. Stores that sell fabric shall comply with the Rules for Essential Retail Establishments set out in Exhibit A.
- xvii. **Hotels and Motels.** Hotels and motels, to the extent used for lodging or delivery or carry-out food services.
- xviii. **Short-Term Rentals.** Short-term rental of all or part of a residential property to a person who is not a permanent resident is prohibited. Within the meaning of this Order, a “permanent resident” is a person who has the right to use or possess a room at the residential property for at least 30 consecutive days, so long as there is no interruption of payment for the period. This Order does not prohibit short-term rental to hospital employees or other licensed healthcare professionals, military personnel, law enforcement personnel, government employees, or city of Duncanville residents who need a place to self-quarantine away from their family and/or roommates. Renters currently occupying short-term rental properties shall be permitted to complete the current rental contract but are required to follow the requirements of this order.
- xix. **Providers of Basic Necessities to Economically Disadvantaged Populations.** Businesses or organizations that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals.
- xx. **Essential Services Necessary to Maintain Essential Operations of Residences or Other Essential Businesses.** Businesses or services that supply other Essential Businesses, Essential Government Services, and Critical Infrastructure with the support or supplies needed to operate; including but not limited to mail, shipping and delivery services, warehouse/distribution and fulfillment, storage, moving services, janitorial



services, laundry services, computer, audio or video electronics, sanitary equipment, and medical equipment. To the extent possible, services shall be provided in compliance with Social Distancing Rules attached, including distancing of six feet and routine use of hand sanitizer. All employers that are common carriers, motor carriers, private carriers, shippers, delivery services, moving companies and contract carriers that load or unload cargo, supplies, equipment or goods at any point located in the city of Duncanville shall comply with the rules set out in Exhibit E.

- xxi. **Supplies to Work from Home and Home School Students.** Businesses that supply products needed for people to work from home and stores that sell supplies necessary for home schooling students. Stores that sell supplies for people to work from home shall comply with the Rules for Essential Retail Establishments set out in Exhibit A.
- xxii. **Public and Private Education.** All schools are closed to in-person classroom attendance and shall not recommence before the end of the 2019-2020 school year. Public and private educational institutions may operate in-person, only for the purposes of facilitating distance learning or performing essential functions, provided compliance with the Social Distancing Rules is maintained.
- xxiii. **News Media.** Newspapers, television, radio, and other media services.
- xxiv. **Childcare Services.** Childcare facilities providing services or community service providers offering childcare services that enable employees exempted in this Order may operate under the following mandatory conditions:
 - 1. Childcare must be carried out in stable groups of 12 or fewer (“stable” means that the same 12 or fewer children are in the same group each day).
 - 2. Children shall not change from one group to another.
 - 3. If more than one group of children is cared for at one facility, each group shall be in a separate room. Groups shall not mix with each other.
 - 4. Childcare providers shall remain solely with one group of children.
- xxv. **Animal Care Services.** Animal shelters, veterinary care, and pet food and supply stores. Grooming, if necessary, for the health and wellbeing of the animal. Pet daycare, but only for employees of Essential Businesses. To the greatest extent possible, all services must be performed in compliance with social distancing requirements of six feet. Pet food and supply stores shall



comply with the Rules for Essential Retail Establishments set out in Exhibit A.

- xxvi. **Religious and Worship Services.** The Office of the Dallas County Judge and the Health Authority strongly encourage religions and worship services be provided by audio, video, and teleconference whenever possible and that all individuals follow all CDC and County Social Distancing Guidelines including the six feet social distancing rule.
- xxvii. **Funeral Services.** Funeral, mortuary, cremation, burial, cemetery, and related services, provided that social distancing of six feet per person is maintained to the greatest extent possible.
- d. For purposes of this Order, **Minimum Basic Operations** means the following, provided that employees comply with the Social Distancing Rules:
 - i. The minimum necessary activities to maintain the value of the business's inventory, ensure security, process payroll and employee benefits, or for related functions.
 - ii. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.
- e. **Covering of Nose and Mouth:** Because an infected person can transmit the COVID-19 virus to others before showing any symptoms, the covering of a person's nose and mouth is necessary to help slow the spread of the virus. Effective at 11:59 p.m. on May 5, 2020, to the greatest extent possible all persons over the age of two (2) shall wear some form of covering over their nose and mouth, such as a homemade mask, scarf, bandana or handkerchief, when patronizing an Essential Business or using public transportation pursuant to the rules outlined in Exhibit G. Parents and Guardians of children under 10 shall be responsible for appropriately masking children pursuant to this Order. To the greatest extent possible, all non-medical employees who work at an Essential Businesses or perform services that are exempt under this Order must wear face coverings over their noses and mouths while performing their work. An owner or operator of an Essential Business may refuse admission or service to any individual who fails to wear face covering. Wearing a face covering is not a substitute for maintaining 6-foot social distancing and hand washing, as these remain important steps to slowing the spread of the virus. Violation of this provision is not subject to the civil or criminal penalties of Section 3 of this Order.



3. The Dallas County Sheriff's Office, Duncanville Police Department and other licensed peace officers, are hereby authorized to enforce this order. A violation of this order may be punishable through criminal or civil enforcement. A violation of this order is a Class C misdemeanor punishable by a fine not to exceed \$1,000.
4. Any manufacturer who retools their business for the purpose of manufacturing and producing ventilators, masks, personal protective equipment, or any supply necessary for Essential Healthcare Operations may apply for an "essential business" exemption under this Order. Apply for a business exemption at <https://www.dallascounty.org/covid-19/ways-to-help.php> under the "Apply for an Essential Business Exemption" tab.
5. All Coronavirus Aid, Relief, and Economic Security Act (CARES Act) Recovery Payments to individuals shall be exempt from "garnishment: as that term is described in Chapter 63 of the Texas Civil Practice and Remedies Code, except for garnishment for child support payments. All CARE Act Payments shall remain exempt from garnishment when deposited into an account in a financial institution. This provision is enacted to ensure Dallas County residents can use their CARES Act Recovery Payments for their housing, food, medical, and other essential needs during the COVID-19 emergency period.
6. All public, private, and commercial laboratories operating within Dallas County and performing COVID-19 testing shall report by 5:00 p.m. each day for the prior 24-hour period:
 - a. The number of COVID-19 tests performed; and
 - b. The number of positive COVID-19 tests.

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

7. Door-to-door solicitation creates an unnecessary face-to-face situation for residents who are home in greater numbers due to the closure of schools and businesses, potentially endangering the health of residents. Under this Order, door-to-door solicitation is prohibited, including the leaving of written materials on the door or mailbox of a residence. This provision does not apply to any business in the grocery supply chain or any non-profit providing community resources for those effected by the coronavirus. Nothing in this Order prohibits utility companies or government agencies from contacting individuals at their residences to perform their normal business functions.



8. Employers shall not implement any rules making a negative COVID-19 test or a note from a healthcare provider a requirement before a COVID-19 recovered employee can return to work.
9. Under this Order, no person shall sell any of the following goods or services for more than the regular retail price the person charged for the goods or services on March 16, 2020, except where an increased retail price is the result of increased supplier or other costs (including the loss of supplier supporting funds):
 - a. groceries, beverages, toilet articles, and ice;
 - b. restaurant, cafeteria, and boarding-house meals; and
 - c. medicine, pharmaceutical and medical equipment, and supplies.
10. Grocery stores, supermarkets, warehouse stores, hospitals, and medical facilities are experiencing high levels of demand for a large number of products, requiring more deliveries from manufacturers and distribution centers to serve their customers. A number of Texas cities and local associations have implemented restrictions on delivery hours to stores to mitigate truck noise and traffic. Due to the need to deliver products as quickly and efficiently as possible during this critical timeframe, this Order hereby suspends all delivery hour restrictions for transport to or from any entity involved in the selling or distribution of food products, medicine, or medical supplies in Dallas County for the next 60 days.
11. Due to increased demand for bath or toilet tissue resulting from stock up buying and individuals who purchase for resale, a mandatory limit on toilet paper sales is instituted until the supply chain meets the demand or two weeks, whichever comes first. All sales of bath or toilet tissue occurring in the city of Duncanville are limited to the greater of: (a) twelve (12) rolls per purchase or (b) one (1) package per purchase. This provision does not apply to the sale of bath or tissue paper to a government organization or essential business.
12. Due to the public health emergency, the Office of the Dallas County Judge has advised the Dallas County Justices of the Peace to suspend eviction hearings and writs of possession for at least the next 60 days to prevent renters from being displaced. Nothing in the moratorium relieves tenants of liability for unpaid rent. Landlords should cap late fees for delayed payment of rent at fifteen dollars (\$15) per month.
13. If someone in a household has tested positive for coronavirus, the household is ordered to isolate at home. Members of the household cannot go to work, school, or any other community function, except for workers included in Essential Healthcare Operations who may continue to work in accordance with CDC guidance.



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

IT IS SO ORDERED

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

BARRY L. GORDON
MAYOR, DUNCANVILLE, TEXAS



DALLAS COUNTY HEALTH AND HUMAN SERVICES Social Distancing Rules

1) Vulnerable Populations: Limit Outings

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

2) Workplace and Businesses: Minimize Exposure

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

3) Cancel Non-essential Events

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

4) Schools: Safety First

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



5) Transit: Cleaning and Protection

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

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

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

7) Everyone: Do your part

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

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

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

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



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



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DALLAS COUNTY**AMENDED ORDER OF COUNTY JUDGE CLAY JENKINS**

Safer At Home Order

DATE AMENDED ORDER ISSUED: April 23, 2020

WHEREAS, pursuant to Texas Government Code Section 418.108, Dallas County Judge Clay Jenkins issued a Declaration of Local Disaster for Public Health Emergency on March 12, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19;

WHEREAS, on March 12, 2020, Judge Jenkins issued an Order in furtherance of his authority to protect the safety and welfare of the public by slowing the spread of the virus;

WHEREAS, the on-going evaluation of circumstances related to the virus and the updated recommendations of the Centers for Disease Control and the Texas Department of State Health Services warrant the March 12, 2020 Order of County Judge Clay Jenkins be amended;

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

WHEREAS, on March 19, 2020, the Dallas County Commissioners Court issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Dallas County Emergency Management Plan and extends the Declaration of Local Disaster until 11:59 p.m. on May 15, 2020, unless rescinded by order of the Commissioners Court.

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

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

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

THEREFORE, the March 12, 2020, Order of County Judge Clay Jenkins is hereby AMENDED as follows:

Summary: The virus that causes 2019 Coronavirus Disease (COVID-19) is easily transmitted through person to person contact, especially in group settings, and it is essential that the spread of the virus be slowed to protect the ability of public and private health care providers to handle the influx of new patients and safeguard public health and safety. Because of the risk of the rapid spread of the virus, and the need to protect the most vulnerable members of the community, this Order requires all individuals anywhere in Dallas County to shelter in place – that is, stay at home – except for certain essential activities and work to provide essential business and government services or perform essential public infrastructure construction, including housing. This Order



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takes effect Noon on April 23, 2020 and will continue through 11:59 p.m. on May 15, 2020, subject to the limited exceptions and under the terms and conditions more particularly set forth below.

**UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE
SECTION 418.108, DALLAS COUNTY JUDGE CLAY JENKINS ORDERS:**

1. Effective as of Noon on April 23, 2020, and continuing until 11:59 p.m. on May 15, 2020:
 - (a) All individuals currently living within Dallas County are ordered to shelter at their place of residence. For the purposes of this Order, residences include hotels, motels, shared rentals, and similar facilities. To the extent individuals are using shared or outdoor spaces, they must at all times as reasonably as possible maintain social distancing of at least six feet from any other person when they are outside their residence. All persons may leave their residences only for Essential Activities, Reopened Services, or to provide or perform Essential Governmental Functions, or to operate Essential Businesses, all as defined in Section 2.
 - (b) All businesses operating within Dallas County, except Essential Businesses and Reopened Services as defined in below in Section 2, are required to cease all activities at facilities located within the County except Minimum Basic Operations as defined in Section 2. For clarity, businesses may continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e. working from home). To the greatest extent possible, all Essential Businesses shall comply with the Social Distancing Rules attached, including maintaining six feet social distancing for both employees and the general public.
 - (c) Employees of Essential Businesses and Reopened Services, whose physical presence at the workplace is not essential to operations, are directed to use telecommuting to the fullest extent possible.
 - (d) All public or private gatherings of any number of people occurring outside a single household or living unit are prohibited, except as otherwise provided herein. Nothing in this Order prohibits the gathering of members of a household or living unit.
2. Definitions:
 - a. For purposes of this Order, individuals may leave their residence only to perform any of the following **"Essential Activities"**:
 - i. To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (for example, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies need to work from home).
 - ii. To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others (for example, food, pet supply, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences.



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- iii. To engage in outdoor activity, provided the individuals comply with social distancing requirements of six feet (for example, walking, biking, hiking, running, golfing, and tennis).
 - iv. To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order.
 - v. To care for a family member or pet in another household.
 - vi. To move to another residence either in or outside Dallas County.
 - vii. To engage in "**Essential Travel**," which includes travel for any of the following purposes: (1) travel related to the provision of or access to Essential Activities, Essential Governmental Functions, Essential Businesses, Reopened Services, Essential Critical Infrastructure, and Minimum Basic Operation; (2) travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons; (3) travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services; (4) travel to return to a place of residence from outside the jurisdiction; (5) travel required by law enforcement or court order; (6) travel by church staff or clergy for the purpose of production of remote delivery of religious services and other ministries requiring travel; (7) travel related to attending a funeral service; or (8) travel required for non-residents to return to their place of residence outside the County.
- b. For purposes of this Order, "**Reopened Services**" means:
- i. Retail services that are not "Essential Businesses" under this Order.
 - ii. Effective 12:01 a.m. on Friday, April 24, 2020, Reopened Services shall be provided only through pickup, delivery by mail, or delivery to the customer's doorstep. Customers may not enter the premises.
 - iii. All Reopened Services shall comply with the following requirements:
 - 1. All employees must be trained on environmental cleaning and disinfection, hand hygiene, and respiratory etiquette.
 - 2. All employees must be screened before coming into the business for new or worsening cough; shortness of breath; sore throat; loss of taste or smell; feeling feverish or a measured temperature greater than or equal to 100.0 degrees Fahrenheit; or known close contact with a person who is lab-confirmed to have COVID-19. Any employee who meets any of these criteria must be sent home.
 - 3. Employers must provide soap and water, or hand sanitizer if no soap or water is available, in the workplace, including all restrooms and food preparation areas.
 - 4. Employees must wash their hands for at least twenty (20) seconds before beginning work, after each interaction with a customer, before any food preparation, before and after the use of shared items, after any meal or restroom breaks, and immediately prior to the end of the work shift.
 - 5. All employees must wear face coverings.



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6. Employees must maintain at least 6 feet separation from one another.
- iv. All Reopened Services providing services through Retail-to-Go shall comply with the following conditions:
 1. All payments shall be done over the phone or internet if possible, and contact shall be minimized if remote payment is not available.
 2. Purchased items shall be delivered by the employee to the backseat or trunk of the customer's vehicle whenever possible to minimize physical contact with the customer.
 3. Employees must wash or sanitize their hands after each interaction with a customer, and whenever possible, must disinfect any item that came into contact with the customer.
- v. All Reopened Services providing services through delivery to a customer's residence or business shall comply with the following conditions:
 1. All payments shall be done over the phone or internet if possible, and contact shall be minimized if remote payment is not available.
 2. Purchased items shall be delivered by an employee or third-party carrier and delivered to the customer's residence or business. The employee or third-party carrier may not enter the customer's house or business.
- vi. All Reopened Services providing services through delivery by mail shall comply with the following conditions:
 1. All payments must be done over the phone or internet.
 2. Purchased items shall be delivered by mail without customer contact.
- c. For purposes of this Order, "**Essential Businesses**" means:
 - i. **Essential Healthcare Operations.** Healthcare Operations includes but is not limited to hospitals, clinics, dentists, chiropractors, physical therapy, optometry offices, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, mental health providers, substance abuse service providers, blood banks, medical research, laboratory services, certified doulas, or any related and/or ancillary healthcare services. Home-based and residential-based care for seniors, adults, or children are also considered healthcare operations. Healthcare operations also includes veterinary care and all health and welfare services provided to animals. This exemption shall be viewed broadly to avoid any impacts to the delivery of healthcare. Healthcare operations do not include fitness and exercise gyms, personal training, gymnastics studios, and similar facilities. Healthcare operations do not include elective medical, surgical, and dental procedures as established in accordance with Subsection 1(e) of this Order.
 - ii. **Essential Governmental Functions.** All services provided by local governments needed to ensure the continuing operation of the government agencies to provide for the health, safety and welfare of the public. Each governmental body will determine its Essential Governmental Functions



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and identify the employees and/or contractors necessary to the performance of those functions. Further, nothing in this order shall prohibit any individual from performing or accessing "Essential Governmental Functions." All Essential Governmental Functions shall be performed in compliance with social distancing requirements of six feet, to the extent possible. This Order does not apply to Federal or State Government.

- iii. **Essential Critical Infrastructure.** All public and private facilities and assets, including both physical and cyber systems, and other functions and sectors vital to the security, governance, and public health, safety of Dallas County. Critical infrastructure includes, but is not limited to, utilities such as electricity, gas, water and wastewater, roads and highways, public transportation, solid waste and recycle collection and removal, oil refining, roads and highways, public transportation, defense and national security-related operations, and manufacturing operations supplying essential items to Essential Businesses, Essential Governmental Functions, and Critical Infrastructure. All manufacturers and distributors shall comply with the Rules for Manufacturers and Distributors set out in Exhibit C. Critical Infrastructure employers should implement screening precautions to protect employees and all activity shall be performed in compliance with social distancing guidelines attached. For reference, the U.S. Department of Homeland Security in its Guidance on the Essential Critical Infrastructure Workforce, Version 2.0, can be found here: <https://www.cisa.gov/publication/guidance-essential-critical-infrastructure-workforce>
- iv. **Stores that Sell Groceries and Other Essential Supplies.** Grocery stores, supermarkets, warehouse stores, big-box stores, bodegas, liquor stores, convenience stores, and farmers' markets that sell food products and household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other non-grocery products. The sale of self-service food items is prohibited. Stores that sell groceries and other essential supplies shall comply with the Rules for Essential Retail Establishments set out in Exhibit A.
- v. **Restaurants.** Restaurants with or without drive-in or drive-through services and microbreweries, micro-distilleries, or wineries may only provide take out, delivery, or drive-through services as allowed by law. In-person service is prohibited. Customers may order and pay inside, but are prohibited from waiting inside the restaurant for their food. All food must be brought outside to customers. To allow for increased access to restaurants, this Order hereby suspends all laws and regulations prohibiting people from walking in a drive-through.
- vi. **Food Cultivation.** Food cultivation, including farming, fishing, and livestock.
- vii. **Delivery of Groceries and Essential Supplies.** Businesses that ship or deliver groceries, food, hygiene products, and essential supplies directly to



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residences or essential businesses. All businesses that deliver groceries and essential supplies shall comply with the rules set out in Exhibit E.

- viii. **Transportation.** Operation, maintenance, and repair of airlines, taxis, and other private transportation providers (such as Uber and Lyft) that provide transportation services necessary for the performance of essential activities and essential travel.
- ix. **Gas Stations and Businesses Needed for Transportation.** Gas stations, auto dealers, auto-supply stores, auto-repair, and bicycle repair. Gas stations and convenience stores are prohibited from selling self-service food items. Gas stations and businesses needed for transportation shall comply with the Rules for Essential Retail Establishments set out in Exhibit A.
- x. **Critical Trades.** Plumbers, electricians, exterminators, janitors, lawn care services, pool cleaners, maintenance and security, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operations of residences, Essential Businesses, Essential Government Functions, and Critical Infrastructure. Critical Trade does not include discretionary maintenance or improvements. Union representatives and their staff for the purpose of performing critical labor union functions, including the maintenance of health and welfare funds and checking on the well-being and safety of members.
- xi. **Construction.** Construction for public works, residential, commercial, and schools. Elective additions and maintenance are prohibited. Protecting construction worker from the spread of COVID19 is extremely important for their safety and for public health, all construction sites must follow the COVID-19 Safety Recommendations issued by the Construction Industry Safety Coalition, including, but not limited to, the Rules for Construction Industry set out in Exhibit B. Failure to strictly comply with this Order can result in penalties described below. Additionally, the general contractor and non-compliant subcontractor can be removed from the essential business list.
- xii. **Professional Services.** Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities or services necessary to avoid imminent harm to a client. Real estate and inspection services, so long as they comply with the rules set out in Exhibit F.
- xiii. **Financial Institutions.** Banks and related depository financial institutions, credit unions, insurance companies, title companies, payroll and accounting services. Check cashing businesses and pawnshops so long as they comply with the rules set out in Exhibit D. A copy of Exhibit D must be prominently displayed in each establishment in English and Spanish and a copy must also be provided to each customer in the customer's preferred language.
- xiv. **Information Technology Services/Telecommunications Services.** IT and IT services and their essential service vendors, including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services, and



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critical manufacturing, as well as telecommunications services, internet access and broadband/communications services.

- xv. **Essential Retail.** Laundromats, dry cleaners, and laundry service providers, hardware stores, and related facilities. Firearm and ammunition suppliers and retailers for purposes of safety and security. Hardware stores and business that sell electrical, plumbing, and other materials necessary to support Essential Businesses, and Essential Government Functions, and Critical Infrastructure. Essential retail establishments shall comply with the Rules for Essential Retail Establishments set out in Exhibit A.
- xvi. **Fabric Stores.** Stores that sell fabric, for the sole purpose of selling fabric and supplies necessary for the creation of fabric cloth coverings and masks and supplies necessary for home schooling students. Stores that sell fabric shall comply with the Rules for Essential Retail Establishments set out in Exhibit A.
- xvii. **Hotels and Motels.** Hotels and motels, to the extent used for lodging or delivery or carry-out food services.
- xviii. **Short-Term Rentals.** Short-term rental of all or part of a residential property to a person who is not a permanent resident is prohibited. Within the meaning of this Order, a "permanent resident" is a person who has the right to use or possess a room at the residential property for at least 30 consecutive days, so long as there is no interruption of payment for the period. This Order does not prohibit short-term rental to hospital employees or other licensed healthcare professionals, military personnel, law enforcement personnel, government employees, or Dallas County residents who need a place to self-quarantine away from their family and/or roommates. Renters currently occupying short-term rental properties shall be permitted to complete the current rental contract but are required to follow the requirements of this order
- xix. **Providers of Basic Necessities to Economically Disadvantaged Populations.** Businesses or organizations that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals.
- xx. **Essential Services Necessary to Maintain Essential Operations of Residences or Other Essential Businesses.** . Businesses or services that supply other Essential Businesses, Essential Government Services, and Critical Infrastructure with the support or supplies needed to operate; including but not limited to mail, shipping and delivery services, warehouse/distribution and fulfillment, storage, moving services, janitorial services, laundry services, computer, audio or video electronics, sanitary equipment, and medical equipment.. To the extent possible, services shall be provided in compliance with Social Distancing Rules attached, including distancing of six feet and routine use of hand sanitizer. All employers that are common carriers, motor carriers, private carriers, shippers, delivery services, moving companies and contract carriers that



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load or unload cargo, supplies, equipment or goods at any point located in Dallas County shall comply with the rules set out in Exhibit E.

- xxi. **Supplies to Work From Home and Home School Students.** Businesses that supply products needed for people to work from home and stores that sell supplies necessary for home schooling students. Stores that sell supplies for people to work from home shall comply with the Rules for Essential Retail Establishments set out in Exhibit A.
- xxii. **Public and Private Education.** All schools are closed to in-person classroom attendance and shall not recommence before the end of the 2019-2020 school year. Public and private educational institutions may operate in-person only for the purposes of facilitating distance learning or performing essential functions, provided compliance with the Social Distancing Rules is maintained.
- xxiii. **News Media.** Newspapers, television, radio, and other media services.
- xxiv. **Childcare Services.** Childcare facilities providing services or community service providers offering childcare services under the following mandatory conditions:
 1. Childcare services shall only be provided to employees of Essential Businesses;
 2. Childcare must be carried out in stable groups of 12 or fewer ("stable" means that the same 12 or fewer children are in the same group each day);
 3. Children shall not change from one group to another;
 4. If more than one group of children is cared for at one facility, each group shall be in a separate room. Groups shall not mix with each other;
 5. Childcare providers shall remain solely with one group of children.
- xxv. **Animal Care Services.** Animal shelters, veterinary care, and pet food and supply stores. Grooming, if necessary for the health and wellbeing of the animal. Pet daycare, but only for employees of Essential Businesses. To the greatest extent possible, all services must be performed in compliance with social distancing requirements of six feet. Pet food and supply stores shall comply with the Rules for Essential Retail Establishments set out in Exhibit A.
- xxvi. **Religious and Worship Services.** The Office of the Dallas County Judge and the Health Authority strongly encourage religious and worship services be provided by audio, video, and teleconference whenever possible and that all individuals follow all CDC and County Social Distancing Guidelines including the six feet social distancing rule.
- xxvii. **Funeral Services.** Funeral, mortuary, cremation, burial, cemetery, and related services, provided that social distancing of six feet per person is maintained to the greatest extent possible.
- d. For purposes of this Order, **Minimum Basic Operations** means the following, provided that employees comply with the Social Distancing Rules:



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- i. The minimum necessary activities to maintain the value of the business's inventory, ensure security, process payroll and employee benefits, or for related functions.
 - ii. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.
- e. **Covering of Nose and Mouth:** Because an infected person can transmit the COVID-19 virus to others before showing any symptoms, the covering of a person's nose and mouth is necessary to help slow the spread of the virus. Effective at 11:59 p.m. on April 17, 2020, to the greatest extent possible all persons over the age of two (2) shall wear some form of covering over their nose and mouth, such as a homemade mask, scarf, bandana or handkerchief, when patronizing an Essential Business or using public transportation pursuant to the rules outlined in Exhibit G. Parents and Guardians of children under 10 shall be responsible for appropriately masking children pursuant to this Order. To the greatest extent possible, all non-medical employees who work at an Essential Businesses or perform services that are exempt under this Order must wear face coverings over their noses and mouths while performing their work. An owner or operator of an Essential Business may refuse admission or service to any individual who fails to wear face covering. Wearing a face covering is not a substitute for maintaining 6-foot social distancing and hand washing, as these remain important steps to slowing the spread of the virus. The enforcement provisions set forth in Section 3 of this Order shall not apply to any violation of this provision or Exhibit G and no law enforcement officer shall stop, detain, or arrest any person based on any such violation.
- 3. The Dallas County Sheriff's Office, the Dallas County Fire Marshal's Office, and other peace officers, are hereby authorized to enforce this Order. A violation of this order may be punishable through criminal or civil enforcement. A violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000 and/or confinement in jail for a term not to exceed 180 days.
- 4. Any manufacturer who retools their business for the purpose of manufacturing and producing ventilators, masks, personal protective equipment, or any supply necessary for Essential Healthcare Operations may apply for an "essential business" exemption under this Order. Apply for a business exemption at <https://www.dallascounty.org/covid-19/ways-to-help.php> under the "Apply for an Essential Business Exemption" tab.
- 5. All Coronavirus Aid, Relief, and Economic Security Act (CARES Act) Recovery Payments to individuals shall be exempt from "garnishment" as that term is described in Chapter 63 of the Texas Civil Practice and Remedies Code, except for garnishment for child support payments. All CARE Act Payments shall remain exempt from garnishment when deposited into an account in a financial institution. This provision is enacted to ensure Dallas County residents can use their CARES Act Recovery Payments for their housing, food, medical and other essential needs during the COVID-19 emergency period.
- 6. All public, private, and commercial laboratories operating within Dallas County and performing COVID-19 testing shall report by 5:00 p.m. each day for the prior 24-hour period:



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

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

7. Door-to-door solicitation creates an unnecessary face-to-face situation for residents who are home in greater numbers due to the closure of schools and businesses, potentially endangering the health of residents. Under this Order, door-to-door solicitation is prohibited, including the leaving of written materials on the door or mailbox of a residence. This provision does not apply to any business in the grocery supply chain or any non-profit providing community resources for those effected by the coronavirus. Nothing in this Order prohibits utility companies or government agencies from contacting individuals at their residences to perform their normal business functions.
8. Employers shall not implement any rules making a negative COVID-19 test or a note from a healthcare provider a requirement before a COVID-19 recovered employee can return to work.
9. Under this Order, no person shall sell any of the following goods or services for more than the regular retail price the person charged for the goods or services on March 16, 2020, except where an increased retail price is the result of increased supplier or other costs (including the loss of supplier supporting funds):
 - a. groceries, beverages, toilet articles, and ice;
 - b. restaurant, cafeteria, and boarding-house meals; and
 - c. medicine, pharmaceutical and medical equipment, and supplies.
10. Grocery stores, supermarkets, warehouse stores, hospitals, and medical facilities are experiencing high levels of demand for a large number of products, requiring more deliveries from manufacturers and distribution centers to serve their customers. A number of Texas cities and local associations have implemented restrictions on delivery hours to stores to mitigate truck noise and traffic. Due to the need to deliver products as quickly and efficiently as possible during this critical timeframe, this Order hereby suspends all delivery hour restrictions for transport to or from any entity involved in the selling or distribution of food products, medicine, or medical supplies in Dallas County for the next 60 days.
11. Due to increased demand for bath or toilet tissue resulting from stock up buying and individuals who purchase for resale, a mandatory limit on toilet paper sales is instituted until the supply chain meets the demand or two weeks, whichever comes first. All sales of bath or toilet tissue occurring in Dallas County are limited to the greater of: (a) twelve (12) rolls per purchase or (b) one (1) package per purchase. This provision does not apply to the sale of bath or tissue paper to a government organization or essential business.
12. Due to the public health emergency, the Office of the Dallas County Judge hereby advises the Dallas County Justices of the Peace to suspend eviction hearings and writs of



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possession for at least the next 60 days to prevent renters from being displaced. Nothing in the moratorium relieves tenants of liability for unpaid rent. Landlords should cap late fees for delayed payment of rent at fifteen dollars (\$15) per month.

13. If someone in a household has tested positive for coronavirus, the household is ordered to isolate at home. Members of the household cannot go to work, school, or any other community function, except for workers included in Essential Healthcare Operations who may continue to work in accordance with CDC guidance.
14. Nursing homes, retirement, and long-term care facilities are instructed by this Order to prohibit non-essential visitors from accessing their facilities unless to provide critical assistance or for end-of-life visitation.
15. Public and private schools and institutions of higher education are instructed by this Order to provide a safety plan to Dallas County Office of Homeland Security and Emergency Management 72 hours before students return to a classroom setting.
16. Additionally, the Office of the Dallas County Judge and the Health Authority instructs all employees to remain at home if sick. Employees of private businesses and nonprofits with six (6) or more employees in the City of Dallas can use their paid sick leave when they are sick or to care for sick family members.
17. This Order shall be in effect until 11:59 p.m. on April 30, 2020, or until it is either rescinded, superseded, or amended pursuant to applicable law.
18. The County of Dallas must promptly provide copies of this Order by posting on the Dallas County Health and Human Services website. In addition, the owner, manager, or operator of any facility that is likely to be impacted by this Order is strongly encouraged to post a copy of this Order onsite and to provide a copy to any member of the public asking for a copy. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.

IT IS SO ORDERED

CLAY JENKINS
DALLAS COUNTY JUDGE



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EXHIBIT A

Rules for Essential Retailers

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

Definition of Essential Retailers.

1. Stores that Sell Groceries and Other Essential Supplies. Grocery stores, supermarkets, warehouse stores, big-box stores, bodegas, liquor stores, convenience stores, and farmers' markets that sell food products and household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other non-grocery products.
2. Gas Stations and Businesses Needed for Transportation. Gas stations, auto dealerships, auto-supply stores, auto-repair, and bicycle repair.
3. Other Essential Retailers. Stores that sell supplies necessary for the creation of fabric cloth coverings and masks and supplies necessary for home schooling students. Pet food and supply stores. Laundromats, dry cleaners, and laundry service providers, hardware stores, and related facilities. Firearm and ammunition suppliers and retailers for purposes of safety and security. Hardware stores and business that sell electrical, plumbing, and other materials necessary to support Essential Businesses, and Essential Government Functions, and Critical Infrastructure.

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

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



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

General Rules for Essential Retailers.

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

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



EXHIBIT B

DALLAS COUNTY**EXHIBIT B****Rules for the Construction Industry**

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

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

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

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



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

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



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DALLAS COUNTY**EXHIBIT C****Rules for Manufacturers and Distributors**

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

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

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

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



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

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



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DALLAS COUNTY**EXHIBIT D****Rules for Financial Institutions**

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

1. Check Cashing Businesses

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

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

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

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



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

2. Pawnshops

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

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

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

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

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



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

3) **Enforcement**

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



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EXHIBIT E

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

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

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

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

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



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

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



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EXHIBIT F

Rules for Real Estate Agents

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

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

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

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

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



EXHIBIT B

DALLAS COUNTY**EXHIBIT G****Guidance on Covering Nose and Mouth**

A significant percentage of individuals with the COVID-19 virus lack symptoms. Because an infected person can transmit the virus to others before showing any symptoms, the covering of a person's nose and mouth when visiting an Essential Business is necessary to help prevent the spread of COVID-19. This is consistent with the findings of the CDC and Dallas County Health Authority.

Staying home is the best way to help reduce the spread of the virus, but if an individual must leave their place of residence to visit an Essential Business, wearing a fabric face mask shall be used as outlined in this Order. Wearing a face covering is not a substitute for maintaining 6-feet social distancing and hand washing, as these remain important steps to slowing the spread of the virus. The face coverings recommended are not surgical masks or N-95 respirators, which are critical supplies that must continue to be reserved for healthcare workers and first responders.

The public in general and Essential Business employees shall comply with the following:

- A.** To the greatest extent possible, all persons over the age of two (2) shall wear some form of covering over their nose and mouth, such as a homemade mask, scarf, bandana or handkerchief, when:
 - 1) patronizing an Essential Business; and
 - 2) using public transportation, taxis, or ride shares.
- B.** This section shall not apply to persons that are:
 - 1) riding in a personal vehicle;
 - 2) **that are alone in a separate single space;**
 - 3) **that are in the presence only of other members of their household or residence;**
 - 4) engaging in outdoor activity;
 - 5) eating; or
 - 6) when wearing a covering poses a greater mental or physical health, safety or security risk such as anyone who has trouble breathing, or is unconscious, incapacitated or otherwise unable to remove the cover without assistance.

Children under the age of two (including infants) should not wear cloth face coverings. Those between the ages of two and nine should use them but under adult supervision to ensure that the child can breathe safely and avoid choking or suffocation. Children with breathing problems should not wear a face covering. Parents and Guardians of children under 10 shall be responsible for appropriately masking children pursuant to this Order.

All COVID-19 Suspected Positives, those currently being tested, and untested individuals with cough and/or fever, and household members of same category of individuals shall not leave their residence without a mask or cloth face covering to prevent the spread to others.



EXHIBIT B

DALLAS COUNTY

To the greatest extent possible, all individuals working for an Essential Business must wear a mask or cloth face covering whenever in public and whenever performing job duties in the presence of others. To the greatest extent possible, employers shall provide employees with a mask or face covering. An owner or operator of an Essential Business may refuse admission or service to any individual who fails to wear face covering.

Medical grade (N95) and surgical masks should be reserved and used only by medical professionals and first responders. Cloth face coverings are not intended for use by healthcare workers, first responders, and others whose work requires close contact with people who are ill.

Cloth coverings should be made in accordance with CDC Guidance, which can be found here: <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html>



EXHIBIT B

DALLAS COUNTY

DCHHS Social Distancing Rules

1) Vulnerable Populations: Limit Outings

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

2) Workplace and Businesses: Minimize Exposure

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

3) Cancel Non-essential Events

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

4) Schools: Safety First

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

5) Transit: Cleaning and Protection

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



EXHIBIT B

DALLAS COUNTY

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

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

7) Everyone: Do your part

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

- Wash hands with soap and water for at least 20 seconds.
- Cough or sneeze into your elbow or a tissue. Throw the tissue in the trash.
- Stay home if you are sick.
- Avoid touching your face.
- Try alternatives to shaking hands, like an elbow bump or wave.
- If you have recently returned from a country, state or region with ongoing COVID-19 infections, monitor your health and follow the instructions of public health officials and CDC guidance.

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

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

EXHIBIT C



GOVERNOR GREG ABBOTT

April 27, 2020

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
1 PM O'CLOCK

APR 27 2020

Secretary of State

The Honorable Ruth R. Hughs
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

Dear Secretary Hughs:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

Executive Order No. GA-18 relating to the expanded reopening of services as part
of the safe, strategic plan to Open Texas in response to the COVID-19 disaster.

The original executive order is attached to this letter of transmittal.

Respectfully submitted,

Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

POST OFFICE BOX 12428 AUSTIN, TEXAS 78711 512-463-2000 (VOICE) DIAL 7-1-1 FOR RELAY SERVICES

EXHIBIT C

Executive Order

BY THE
GOVERNOR OF THE STATE OF TEXAS

Executive Department
Austin, Texas
April 27, 2020

EXECUTIVE ORDER
GA 18

*Relating to the expanded reopening of services as part of the safe, strategic plan to
Open Texas in response to the COVID-19 disaster.*

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on March 13, 2020, certifying under Section 418.014 of the Texas Government Code that the novel coronavirus (COVID-19) poses an imminent threat of disaster for all counties in the State of Texas; and

WHEREAS, on April 12, 2020, I issued a proclamation renewing the disaster declaration for all counties in Texas; and

WHEREAS, the Commissioner of the Texas Department of State Health Services (DSHS), Dr. John Hellerstedt, has determined that COVID-19 represents a public health disaster within the meaning of Chapter 81 of the Texas Health and Safety Code, and renewed that determination on April 17, 2020; and

WHEREAS, I have issued executive orders and suspensions of Texas laws in response to COVID-19, aimed at protecting the health and safety of Texans and ensuring an effective response to this disaster; and

WHEREAS, I issued Executive Order GA-08 on March 19, 2020, mandating certain obligations for Texans in accordance with the President's Coronavirus Guidelines for America, as promulgated by President Donald J. Trump and the Centers for Disease Control and Prevention (CDC) on March 16, 2020, which called upon Americans to take actions to slow the spread of COVID-19 for 15 days; and

WHEREAS, shortly before Executive Order GA-08 expired, I issued Executive Order GA-14 on March 31, 2020, based on the President's announcement that the restrictive social-distancing Guidelines should extend through April 30, 2020, in light of advice from Dr. Anthony Fauci and Dr. Deborah Birx, and also based on guidance by DSHS Commissioner Dr. Hellerstedt and Dr. Birx that the spread of COVID-19 can be reduced by minimizing social gatherings; and

WHEREAS, Executive Order GA-14 superseded Executive Order GA-08 and expanded the social-distancing restrictions and other obligations for Texans that are aimed at slowing the spread of COVID-19, including by limiting social gatherings and in-person contact with people (other than those in the same household) to providing or obtaining "essential services," and by expressly adopting federal guidance that provides a list of critical-infrastructure sectors, workers, and functions that should continue as "essential services" during the COVID-19 response; and

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EXHIBIT C

Governor Greg Abbott
April 27, 2020

Executive Order GA-18
Page 2

WHEREAS, after more than two weeks of having in effect the heightened restrictions like those required by Executive Order GA-14, which have saved lives, it was clear that the disease still presented a serious threat across Texas that could persist in certain areas, but also that COVID-19 had wrought havoc on many Texas businesses and workers affected by the restrictions that were necessary to protect human life; and

WHEREAS, on April 17, 2020, I therefore issued Executive Order GA-17, creating the Governor's Strike Force to Open Texas to study and make recommendations on safely and strategically restarting and revitalizing all aspects of the Lone Star State—work, school, entertainment, and culture; and

WHEREAS, also on April 17, 2020, I issued Executive Order GA-16 to replace Executive Order GA-14, and while Executive Order GA-16 generally continued through April 30, 2020, the same social-distancing restrictions and other obligations for Texans according to federal guidelines, it offered a safe, strategic first step to Open Texas, including permitting retail pick-up and delivery services; and

WHEREAS, Executive Order GA-16 is set to expire at 11:59 p.m. on April 30, 2020; and

WHEREAS, Texas must continue to protect lives while restoring livelihoods, both of which can be achieved with the expert advice of medical professionals and business leaders; and

WHEREAS, the “governor is responsible for meeting ... the dangers to the state and people presented by disasters” under Section 418.011 of the Texas Government Code, and the legislature has given the governor broad authority to fulfill that responsibility; and

WHEREAS, under Section 418.012, the “governor may issue executive orders ... hav[ing] the force and effect of law;” and

WHEREAS, under Section 418.016(a), the “governor may suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business ... if strict compliance with the provisions ... would in any way prevent, hinder, or delay necessary action in coping with a disaster;” and

WHEREAS, under Section 418.017(a), the “governor may use all available resources of state government and of political subdivisions that are reasonably necessary to cope with a disaster;” and

WHEREAS, under Section 418.018(c), the “governor may control ingress and egress to and from a disaster area and the movement of persons and the occupancy of premises in the area;” and

WHEREAS, under Section 418.173, failure to comply with any executive order issued during the COVID-19 disaster is an offense punishable by a fine not to exceed \$1,000, confinement in jail for a term not to exceed 180 days, or both fine and confinement.

NOW, THEREFORE, I, Greg Abbott, Governor of Texas, by virtue of the power and authority vested in me by the Constitution and laws of the State of Texas, do hereby order the following on a statewide basis effective immediately, and continuing through May 15, 2020, subject to extension based on the status of COVID-19 in Texas and the

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EXHIBIT C

Governor Greg Abbott
April 27, 2020

Executive Order GA-18
Page 3

recommendations of the Governor's Strike Force to Open Texas, the White House Coronavirus Task Force, and the CDC:

In accordance with guidance from DSHS Commissioner Dr. Hellerstedt, and to achieve the goals established by the President to reduce the spread of COVID-19, every person in Texas shall, except where necessary to provide or obtain essential services or reopened services, minimize social gatherings and minimize in-person contact with people who are not in the same household. People over the age of 65, however, are strongly encouraged to stay at home as much as possible; to maintain appropriate distance from any member of the household who has been out of the residence in the previous 14 days; and, if leaving the home, to implement social distancing and to practice good hygiene, environmental cleanliness, and sanitation.

"Essential services" shall consist of everything listed by the U.S. Department of Homeland Security (DHS) in its Guidance on the Essential Critical Infrastructure Workforce, Version 3.0 or any subsequent version, plus religious services conducted in churches, congregations, and houses of worship. Other essential services may be added to this list with the approval of the Texas Division of Emergency Management (TDEM). TDEM shall maintain an online list of essential services, as specified in this executive order and any approved additions. Requests for additions should be directed to TDEM at EssentialServices@tdem.texas.gov or by visiting the TDEM website at www.tdem.texas.gov/essentialservices.

"Reopened services" shall consist of the following to the extent they are not already "essential services:"

1. Retail services that may be provided through pickup, delivery by mail, or delivery to the customer's doorstep.
2. Starting at 12:01 a.m. on Friday, May 1, 2020:
 - a) In-store retail services, for retail establishments that operate at up to 25 percent of the total listed occupancy of the retail establishment.
 - b) Dine-in restaurant services, for restaurants that operate at up to 25 percent of the total listed occupancy of the restaurant; provided, however, that (a) this applies only to restaurants that have less than 51 percent of their gross receipts from the sale of alcoholic beverages and are therefore not required to post the 51 percent sign required by Texas law as determined by the Texas Alcoholic Beverage Commission, and (b) valet services are prohibited except for vehicles with placards or plates for disabled parking.
 - c) Movie theaters that operate at up to 25 percent of the total listed occupancy of any individual theater for any screening.
 - d) Shopping malls that operate at up to 25 percent of the total listed occupancy of the shopping mall; provided, however, that within shopping malls, the food-court dining areas, play areas, and interactive displays and settings must remain closed.
 - e) Museums and libraries that operate at up to 25 percent of the total listed occupancy; provided, however, that (a) local public museums and local public libraries may so operate only if permitted by the local government, and (b) any components of museums or libraries that have interactive functions or exhibits, including child play areas, must remain closed.
 - f) For Texas counties that have filed with DSHS, and are in compliance with, the requisite attestation form promulgated by DSHS regarding five or fewer cases of COVID-19, those in-store retail services, dine-in restaurant services, movie theaters, shopping malls, and museums and libraries, as otherwise defined and limited above, may operate at up to 50 percent (as opposed to 25 percent) of

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EXHIBIT C

Governor Greg Abbott
April 27, 2020

Executive Order GA-18
Page 4

- the total listed occupancy.
- g) Services provided by an individual working alone in an office.
 - h) Golf course operations.
 - i) Local government operations, including county and municipal governmental operations relating to permitting, recordation, and document-filing services, as determined by the local government.
 - j) Such additional services as may be enumerated by future executive orders or proclamations by the governor.

The conditions and limitations set forth above for reopened services shall not apply to essential services. Notwithstanding anything herein to the contrary, the governor may by proclamation identify any county or counties in which reopened services are thereafter prohibited, in the governor's sole discretion, based on the governor's determination in consultation with medical professionals that only essential services should be permitted in the county, including based on factors such as an increase in the transmission of COVID-19 or in the amount of COVID-19-related hospitalizations or fatalities.

In providing or obtaining essential services or reopened services, people and businesses should follow the minimum standard health protocols recommended by DSHS, found at www.dshs.texas.gov/coronavirus, and should implement social distancing, work from home if possible, and practice good hygiene, environmental cleanliness, and sanitation. This includes also following, to the extent not inconsistent with the DSHS minimum standards, the Guidelines from the President and the CDC, as well as other CDC recommendations. Individuals are encouraged to wear appropriate face coverings, but no jurisdiction can impose a civil or criminal penalty for failure to wear a face covering.

Religious services should be conducted in accordance with the joint guidance issued and updated by the attorney general and governor.

People shall avoid visiting bars, gyms, public swimming pools, interactive amusement venues such as bowling alleys and video arcades, massage establishments, tattoo studios, piercing studios, or cosmetology salons. The use of drive-thru, pickup, or delivery options for food and drinks remains allowed and highly encouraged throughout the limited duration of this executive order.

This executive order does not prohibit people from accessing essential or reopened services or engaging in essential daily activities, such as going to the grocery store or gas station, providing or obtaining other essential or reopened services, visiting parks, hunting or fishing, or engaging in physical activity like jogging, bicycling, or other outdoor sports, so long as the necessary precautions are maintained to reduce the transmission of COVID-19 and to minimize in-person contact with people who are not in the same household.

In accordance with the Guidelines from the President and the CDC, people shall not visit nursing homes, state supported living centers, assisted living facilities, or long-term care facilities unless to provide critical assistance as determined through guidance from the Texas Health and Human Services Commission (HHSC). Nursing homes, state supported living centers, assisted living facilities, and long-term care facilities should follow infection control policies and practices set forth by the HHSC, including minimizing the movement of staff between facilities whenever possible.

In accordance with the Guidelines from the President and the CDC, schools shall remain temporarily closed to in-person classroom attendance by students and shall not

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EXHIBIT C

Governor Greg Abbott
April 27, 2020

Executive Order GA-18
Page 5

recommence before the end of the 2019-2020 school year. Public education teachers and staff are encouraged to continue to work remotely from home if possible, but may return to schools to conduct remote video instruction, as well as perform administrative duties, under the strict terms required by the Texas Education Agency. Private schools and institutions of higher education should establish similar terms to allow teachers and staff to return to schools to conduct remote video instruction and perform administrative duties when it is not possible to do so remotely from home.

This executive order shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster, but only to the extent that such a local order restricts essential services or reopened services allowed by this executive order, allows gatherings prohibited by this executive order, or expands the list of essential services or the list or scope of reopened services as set forth in this executive order. I hereby suspend Sections 418.1015(b) and 418.108 of the Texas Government Code, Chapter 81, Subchapter E of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to ensure that local officials do not impose restrictions inconsistent with this executive order, provided that local officials may enforce this executive order as well as local restrictions that are consistent with this executive order.

This executive order supersedes Executive Order GA-16, but does not supersede Executive Orders GA-10, GA-11, GA-12, GA-13, GA-15, or GA-17. This executive order shall remain in effect and in full force until 11:59 p.m. on May 15, 2020, unless it is modified, amended, rescinded, or superseded by the governor.



Given under my hand this the 27th
day of April, 2020.

A handwritten signature in black ink, reading "Greg Abbott".

GREG ABBOTT
Governor

ATTESTED BY:

A handwritten signature in black ink, reading "Ruth R. Hughes".

RUTH R. HUGHES
Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
1PM O'CLOCK

APR 27 2020

EXHIBIT D



GOVERNOR GREG ABBOTT

April 27, 2020

FILED IN THE OFFICE OF THE
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1:05 PM 'CLOCK

APR 27 2020

Secretary of State

The Honorable Ruth R. Hughs
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

Dear Secretary Hughs:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

Executive Order No. GA-19 relating to hospital capacity during the COVID-19 disaster.

The original executive order is attached to this letter of transmittal.

Respectfully submitted,

Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

POST OFFICE BOX 12428 AUSTIN, TEXAS 78711 512-463-2000 (VOICE) DIAL 7-1-1 FOR RELAY SERVICES

EXHIBIT D

Executive Order

BY THE
GOVERNOR OF THE STATE OF TEXAS

Executive Department
Austin, Texas
April 27, 2020

EXECUTIVE ORDER
GA 19

Relating to hospital capacity during the COVID-19 disaster.

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on March 13, 2020, certifying under Section 418.014 of the Texas Government Code that the novel coronavirus (COVID-19) poses an imminent threat of disaster for all counties in the State of Texas; and

WHEREAS, on April 12, 2020, I issued a proclamation renewing the disaster declaration for all counties in Texas; and

WHEREAS, the Commissioner of the Texas Department of State Health Services, Dr. John Hellerstedt, has determined that COVID-19 represents a public health disaster within the meaning of Chapter 81 of the Texas Health and Safety Code, and renewed that determination on April 17, 2020; and

WHEREAS, I have issued executive orders and suspensions of Texas laws in response to COVID-19, aimed at protecting the health and safety of Texans and ensuring an effective response to this disaster; and

WHEREAS, a shortage of hospital capacity or personal protective equipment would hinder efforts to cope with the COVID-19 disaster; and

WHEREAS, hospital capacity and personal protective equipment were being depleted by ongoing surgeries and procedures; and

WHEREAS, various hospital licensing requirements would stand in the way of implementing increased occupancy in the event of surge needs for hospital capacity due to COVID-19; and

WHEREAS, I therefore issued Executive Order GA-09 on March 22, 2020, and then superseded it with Executive Order GA-15 on April 17, 2020, in an effort to avoid a shortage of hospital capacity or personal protective equipment; and

WHEREAS, the “governor is responsible for meeting ... the dangers to the state and people presented by disasters” under Section 418.011 of the Texas Government Code, and the legislature has given the governor broad authority to fulfill that responsibility; and

WHEREAS, under Section 418.012, the “governor may issue executive orders ... hav[ing] the force and effect of law;” and

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APR 27 2020

EXHIBIT D

Governor Greg Abbott
April 27, 2020

Executive Order GA-19
Page 2

WHEREAS, under Section 418.016(a), the “governor may suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the orders or rules of a state agency if strict compliance with the provisions, orders, or rules would in any way prevent, hinder, or delay necessary action in coping with a disaster;” and

WHEREAS, under Section 418.173, failure to comply with any executive order issued during the COVID-19 disaster is an offense punishable by a fine not to exceed \$1,000, confinement in jail for a term not to exceed 180 days, or both fine and confinement.

NOW, THEREFORE, I, Greg Abbott, Governor of Texas, by virtue of the power and authority vested in me by the Constitution and laws of the State of Texas, do hereby order the following on a statewide basis beginning at 12:01 a.m. on May 1, 2020:

All licensed health care professionals shall be limited in their practice by, and must comply with, any emergency rules promulgated by their respective licensing agencies dictating minimum standards for safe practice during the COVID-19 disaster.

Every hospital licensed under Chapter 241 of the Texas Health and Safety Code shall reserve at least 15 percent of its hospital capacity for treatment of COVID-19 patients, accounting for the range of clinical severity of COVID-19 patients, as determined by the Texas Health and Human Services Commission.

I hereby continue the suspension of the following provisions to the extent necessary to implement increased occupancy in the event of surge needs for hospital capacity due to COVID-19:

25 TAC Sec. 133.162(d)(4)(A)(iii)(I);
25 TAC Sec. 133.163(f)(1)(A)(i)(II)–(III);
25 TAC Sec. 133.163(f)(1)(B)(i)(III)–(IV);
25 TAC Sec. 133.163(m)(1)(B)(ii);
25 TAC Sec. 133.163(t)(1)(B)(iii)–(iv);
25 TAC Sec. 133.163(t)(1)(C);
25 TAC Sec. 133.163(t)(5)(B)–(C); and

Any other pertinent regulations or statutes, upon written approval of the Office of the Governor.

This executive order will supersede Executive Order GA-15 as of 12:01 a.m. on May 1, 2020, but will not supersede Executive Orders GA-10, GA-11, GA-12, GA-13, GA-17, or GA-18. This executive order shall remain in effect and in full force until modified, amended, rescinded, or superseded by the governor.



Given under my hand this the 27th
day of April, 2020.

GREG ABBOTT
Governor

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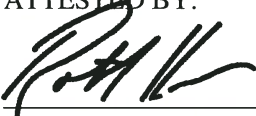
APR 27 2020

EXHIBIT D

Governor Greg Abbott
April 27, 2020

Executive Order GA-19
Page 3

ATTESTED BY:



RUTH R. HUGHS
Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
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APR 27 2020

EXHIBIT E



GOVERNOR GREG ABBOTT

April 27, 2020

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
1:10 PM 'CLOCK

APR 27 2020

Secretary of State

The Honorable Ruth R. Hughs
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

Dear Secretary Hughs:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

Executive Order No. GA-20 relating to expanding travel without restrictions as part of the safe, strategic plan to Open Texas in response to the COVID-19 disaster.

The original executive order is attached to this letter of transmittal.

Respectfully submitted,

Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

POST OFFICE BOX 12428 AUSTIN, TEXAS 78711 512-463-2000 (VOICE) DIAL 7-1-1 FOR RELAY SERVICES

EXHIBIT E

Executive Order

BY THE
GOVERNOR OF THE STATE OF TEXAS

Executive Department
Austin, Texas
April 27, 2020

EXECUTIVE ORDER
GA 20

*Relating to expanding travel without restrictions as part of the safe, strategic plan to
Open Texas in response to the COVID-19 disaster.*

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on March 13, 2020, certifying under Section 418.014 of the Texas Government Code that the novel coronavirus (COVID-19) poses an imminent threat of disaster for all counties in the State of Texas; and

WHEREAS, on April 12, 2020, I issued a proclamation renewing the disaster declaration for all counties in Texas; and

WHEREAS, the Commissioner of the Texas Department of State Health Services (DSHS), Dr. John Hellerstedt, has determined that COVID-19 represents a public health disaster within the meaning of Chapter 81 of the Texas Health and Safety Code, and renewed that determination on April 17, 2020; and

WHEREAS, I have issued executive orders and suspensions of Texas laws in response to COVID-19, aimed at protecting the health and safety of Texans and ensuring an effective response to this disaster; and

WHEREAS, many early cases of COVID-19 in the State of Texas were caused by people who transmitted the virus to Texans after traveling here from other states and countries; and

WHEREAS, given the risk of COVID-19 spreading, Dr. Deborah Birx, the White House Coronavirus Response Coordinator, and Dr. Anthony Fauci, a member of the White House Coronavirus Task Force, called for people traveling from the New York metropolitan area to self-quarantine for 14 days; and

WHEREAS, I therefore issued Executive Order GA-11 on March 26, 2020, to impose a mandatory self-quarantine of 14 days for air travelers flying to Texas from certain areas experiencing substantial community spread of COVID-19, including New York and the City of New Orleans, and by proclamation on March 29, 2020, I added the State of Louisiana as well as several other states and cities; and

WHEREAS, I also issued Executive Order GA-12 on March 29, 2020, to impose a mandatory self-quarantine of 14 days for roadway travelers coming to Texas from Louisiana; and

WHEREAS, I have issued several executive orders to impose social-distancing

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EXHIBIT E

Governor Greg Abbott
April 27, 2020

Executive Order GA-20
Page 2

restrictions and other obligations on Texans that are aimed at slowing the spread of COVID-19, including Executive Order GA-08, Executive Order GA-14, and Executive Order GA-16; and

WHEREAS, after more than two weeks of heightened restrictions, it was clear that the disease still presented a serious threat across Texas that could persist in certain areas, but also that COVID-19 had wrought havoc on many Texas businesses and workers affected by the restrictions that were necessary to protect human life; and

WHEREAS, on April 17, 2020, I therefore issued executive orders to begin the process of safely and strategically restarting and revitalizing all aspects of the Lone Star State—work, school, entertainment, and culture—including the creation of an advisory strike force to provide recommendations; and

WHEREAS, today, I am expanding the reopening of businesses and services in Texas by issuing Executive Order GA-18 to replace Executive Order GA-16; and

WHEREAS, other states, including Louisiana, have likewise imposed social-distancing restrictions and other obligations on their people that have similarly slowed the spread of COVID-19, making it appropriate to reconsider the scope of the travel restrictions imposed by Executive Order GA-11 and Executive Order GA-12; and

WHEREAS, the “governor is responsible for meeting . . . the dangers to the state and people presented by disasters” under Section 418.011 of the Texas Government Code, and the legislature has given the governor broad authority to fulfill that responsibility; and

WHEREAS, under Section 418.012, the “governor may issue executive orders . . . hav[ing] the force and effect of law;” and

WHEREAS, under Section 418.017(a), the “governor may use all available resources of state government and of political subdivisions that are reasonably necessary to cope with a disaster;” and

WHEREAS, under Section 418.018(c), the “governor may control ingress and egress to and from a disaster area and the movement of persons and the occupancy of premises in the area;” and

WHEREAS, under Section 418.173, failure to comply with any executive order issued during the COVID-19 disaster is an offense punishable by a fine not to exceed \$1,000, confinement in jail for a term not to exceed 180 days, or both fine and confinement.

NOW, THEREFORE, I, Greg Abbott, Governor of Texas, by virtue of the power and authority vested in me by the Constitution and laws of the State of Texas, do hereby order the following on a statewide basis effective at 12:01 a.m. on Friday, May 1, 2020:

Executive Order GA-12 is hereby rescinded and terminated in its entirety. Executive Order GA-11 and the March 29, 2020 proclamation are hereby rescinded and terminated to the extent applicable to travelers from the City of New Orleans or the State of Louisiana. Any mandatory self-quarantine already in effect as a result of these executive orders, to the extent applicable to travelers from the City of New Orleans or the State of Louisiana, is terminated immediately as of the effective date of this executive order.

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
1:10 PM O'CLOCK

APR 27 2020

EXHIBIT E

Governor Greg Abbott
April 27, 2020

Executive Order GA-20
Page 3

Executive Order GA-11 and the March 29, 2020, proclamation are otherwise superseded by this executive order, except that any mandatory self-quarantine already in effect thereunder, as of the effective date of this executive order, shall continue until its expiration as set forth in Executive Order GA-11.

The following restrictions shall remain in place:

Every person who enters the State of Texas as the final destination through an airport, from a point of origin or point of last departure in the following—State of California; State of Connecticut; State of New York; State of New Jersey; State of Washington; City of Atlanta, Georgia; City of Chicago, Illinois; City of Detroit, Michigan; or City of Miami, Florida—shall be subject to mandatory self-quarantine for a period of 14 days from the time of entry into Texas or the duration of the person’s presence in Texas, whichever is shorter. The governor may by proclamation add to or subtract from the list of states and cities covered by this executive order. This order to self-quarantine shall not apply to people traveling in connection with military service, emergency response, health response, or critical-infrastructure functions, as may be determined by the Texas Division of Emergency Management. Each person covered under this order to self-quarantine shall be responsible for all associated costs, including transportation, lodging, food, and medical care.

A covered person shall use a form prescribed by the Texas Department of Public Safety (DPS) to designate a quarantine location in Texas, such as a residence or a hotel, and provide a full name, date of birth, home address, telephone number, and driver license or passport information. DPS Troopers, or other approved peace officers, shall collect a completed form from each covered person immediately upon disembarking and verify it against the person’s driver license or passport. Providing false information on this form is a criminal offense under Section 37.10 of the Texas Penal Code. Questions about this form should be directed to DPS at (800) 525-5555.

A covered person shall proceed directly from the airport to the designated quarantine location entered on the DPS form. Any covered person exhibiting symptoms of COVID-19 shall be escorted to the designated quarantine location by a DPS Trooper.

A covered person shall remain in the designated quarantine location for a period of 14 days or the duration of the person’s presence in Texas, whichever is shorter, leaving only to seek medical care or to depart from Texas. During that period, a covered person shall not allow visitors into or out of the designated quarantine location, other than a health department employee, physician, or health care provider, and shall not visit any public spaces.

DPS Special Agents will conduct unannounced visits to designated quarantine locations to verify compliance by confirming the physical presence of covered persons. Any failure to comply with this order to self-quarantine shall be a criminal offense punishable by a fine not to exceed \$1,000, confinement in jail for a term not to exceed 180 days, or both.

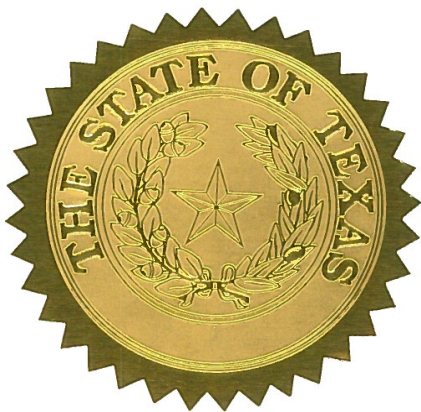
This executive order supersedes Executive Order GA-11 and Executive Order GA-12 as set forth above, but does not supersede Executive Orders GA-10, GA-13, GA-17, GA-18, or GA-19. This executive order shall remain in effect and in full force until modified, amended, rescinded, or superseded by the governor.

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
1:10 PM O'CLOCK
APR 27 2020

EXHIBIT E

Governor Greg Abbott
April 27, 2020

Executive Order GA-20
Page 4



Given under my hand this the 27 day
of April, 2020.

A handwritten signature in black ink, appearing to read "Greg Abbott", written over a horizontal line.

GREG ABBOTT
Governor

ATTESTED BY:

A handwritten signature in black ink, appearing to read "Ruth R. Hughs", written over a horizontal line.

RUTH R. HUGHS
Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
1:10 PM O'CLOCK
APR 27 2020



STAFF REPORT

MEETING: City Council - 05 May 2020

TITLE:

Consider a Resolution approving a Temporary Covid-19 Business Retention and Assistance Program.

FY 2019 CITY COUNCIL ORGANIZATIONAL WORKPLAN:

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

STAFF RESPONSIBLE:

Jessica James - Economic Development Director

BACKGROUND/HISTORY:

The City of Duncanville Community and Economic Development Corporation (DCEDC) was formed in 1995. The Board of Directors oversees the DCEDC and allocates funds as part of Duncanville's comprehensive economic development plan. The DCEDC utilizes economic development incentives in order to stimulate economic development and retain businesses in the City of Duncanville.

During a regular Board meeting on April 16, 2020, the Duncanville Community and Economic Development Corporation (DCEDC) voted unanimously to establish a Temporary Covid-19 Business Retention Assistance Program to aid small businesses that are being negatively impacted by the Covid-19 Pandemic. The Board reviewed it's Budget and discussed what other EDCs were providing for business assistance prior to approving the program and its guidelines.

POLICY EXPLANATION:

The Duncanville Community and Economic Development Corporation (DCEDC) has established a Temporary Covid-19 Business Retention Assistance Program to aid small businesses that are being negatively impacted by the Covid-19 Pandemic. The DCEDC has approved \$250,000 for grants. The assistance is provided as reimbursement grants from \$1,000 to \$5,000 each. The Board approved this range for grant amounts since this program is aimed at small businesses with less than 20 employees. The Board determined that a \$1,000 grant would be beneficial to self employed small businesses with rent for a booth or office space. In addition, the Board recognized that businesses might also receive federal grants or loans.

To be considered for a grant under the Temporary Covid-19 Business Retention Assistance Program, business owners must meet the general participation program requirements. The DCEDC will evaluate each grant on an individual basis while considering the economic impact of the grant. The number of grants awarded are limited to available funding. The DCEDC will accept applications for a

three-week period initially, but could extend the time period based on response and available funding. Once the three-week application period has ended, the Board will review all applications to ensure they are evaluated equally. The City Council will make final approval on all grants.

General Participation Requirements:

1. Applicants must have been in business for at least 120 days prior to the March 13, 2020 Mayor's Shelter in Place Declaration.
2. Applicants must be currently operating their business as to the level possible with the declaration and plan to reopen to normal operations once the declaration is lifted.
3. Applicants must have 20 or fewer employees.
4. Grants must be used to cover operating costs of the applicant's business including, but not limited to, rent, leases or loan payments on buildings or equipment, business inventory, utilities, and payroll. Other needs will be considered on an individual basis.
5. Applicant's business must be legally operating in the City of Duncanville. Grants will be considered for all legally operating types of businesses that meet the requirements.
6. All grant applicants must fill out an initial application. If awarded a grant, the recipient will be required to enter into an agreement to participate in the program. The application information is confidential and will be used to calculate the economic impact of each grant. The required agreement is to ensure funds are used according to program requirements.
7. Applicants will be required to provide copies of paid operating expense receipts dated after March 13, 2020, to receive grant funds awarded.
8. All funds must be used within six months of receiving the grant. If the funds are not used within this time period, the applicant may provide an extension request for the DCEDC Board to consider.

FUNDING SOURCE:

The Economic Development FY19-20 Budget will be amended to fund this program.

RECOMMENDATION:

Staff recommends approval of a Resolution approving a Temporary Covid-19 Business Retention and Assistance Program.

ATTACHMENTS:

[Attachment 1 - Resolution No. - 2020-038 - Temporary Covid-19 Business Retention Assistance Program with Exhibit A](#)

RESOLUTION NO. 2020-038

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, APPROVING A TEMPORARY COVID-19 BUSINESS RETENTION AND ASSISTANCE PROGRAM; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Duncanville Community and Economic Development Corporation's (DCEDC) mission is to serve as a catalyst for community development and economic opportunity; and

WHEREAS, the Duncanville City Council and the Duncanville Community and Economic Development Corporation desires to provide temporary assistance to small businesses that have been negatively impacted because of Covid-19;

WHEREAS, the grant funds awarded are to be utilized for operating costs of the applicant's business including, but not limited to rent, leases or loan payments on buildings or equipment, business inventory, utilities, and payroll; and

WHEREAS, a Temporary Covid-19 Business Retention Assistance Program as described in Exhibit "A" will be useful in helping to retain small businesses in Duncanville and improve the sustainability of the community.

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

SECTION 1. That the City Council of the City of Duncanville, Texas, hereby approves and adopts a Temporary Covid-19 Business Retention Assistance Program, which is attached hereto and incorporated herein as Exhibit "A".

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

SECTION 3. 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 5th day of May, 2020.

APPROVED:

Barry L. Gordon, Mayor

ATTEST:

Kristin Downs, City Secretary

APPROVED AS TO FORM:

Robert E. Hager, City Attorney

Exhibit "A"

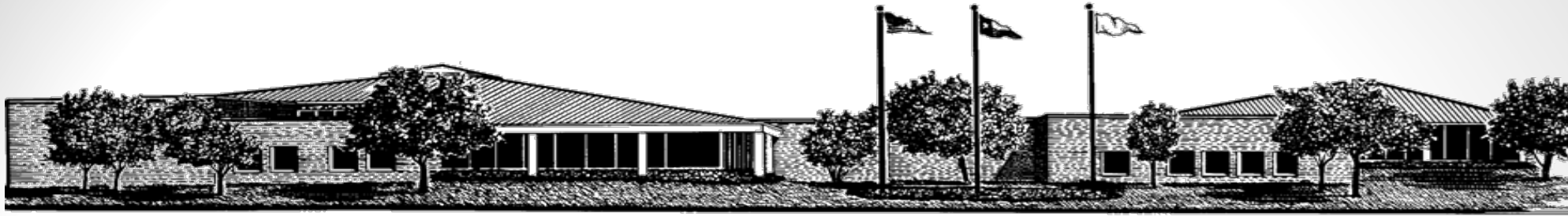
Temporary Covid-19 Business Retention Assistance Program

The Duncanville Community and Economic Development Corporation (DCEDC) has established a Temporary Covid-19 Business Retention Assistance Program to aid small businesses that are being negatively impacted by the Covid-19 Pandemic. The DCEDC has approved \$250,000 for grants. The assistance is provided as reimbursement grants from \$1,000 to \$5,000 each. To be considered for a grant, business owners must meet the general participation program requirements. The DCEDC will evaluate each grant on an individual basis while considering the economic impact of the grant. The number of grants awarded are limited to available funding. The DCEDC will accept applications for a three-week period initially, but could extend the time period based on response and available funding. The City Council will make final approval on all grants.

General Participation Requirements

1. Applicants must have been in business for at least 120 days prior to the March 13, 2020 Mayor's Shelter in Place Declaration.
2. Applicants must be currently operating their business as to the level possible with the declaration and plan to reopen to normal operations once the declaration is lifted.
3. Applicants must have 20 or fewer employees.
4. Grants must be used to cover operating costs of the applicant's business including, but not limited to rent, leases or loan payments on buildings or equipment, business inventory, utilities, and payroll. Other needs will be considered on an individual basis.
5. Applicant's business must be legally operating in the City of Duncanville. Grants will be considered for all legally operating types of businesses that meet the requirements.
6. All grant applicants must fill out an initial application. If awarded a grant, the recipient will be required to enter into an agreement to participate in the program. The application information is confidential and will be used to calculate the economic impact of each grant. The required agreement is to ensure funds are used according to program requirements.

7. Applicants will be required to provide copies of paid operating expense receipts dated after March 13, 2020, to receive grant funds awarded.
8. All funds must be used within six months of receiving the grant. If the funds are not used within this time period, the applicant may provide an extension request for the DCEDC Board to consider.



CONSIDER APPROVING A RESOLUTION FOR A TEMPORARY COVID-19 BUSINESS RETENTION AND ASSISTANCE PROGRAM

MAY 5, 2020

JESSICA JAMES
DIRECTOR OF ECONOMIC DEVELOPMENT

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



Program Overview

- On April 16, 2020, the DCEDC Board approved \$250,000 to fund a Temporary Covid-19 Business Retention and Assistance Program.
- The program is aimed at small businesses with 20 employees or less that have been negatively impacted by the pandemic.
- The Board approved grants between \$1,000 and \$5,000.
- An applicant must meet the general participation program requirements in order to apply for funding.
- The DCEDC Board will review and evaluate each grant request on an individual basis while considering the economic impact of the grant to ensure they are evaluated equally.
- The number of grants are limited to available funding.
- Initially, the DCEDC will receive applications for a three-week time period. This could be extended depending on business response and available funding.



General Participation Requirements

- Applicants must have been in business for at least 120 days prior to the March 13, 2020, Mayor's Shelter in Place Declaration.
- Applicants must be currently operating their business up to the level possible with the declaration and plan to reopen to normal operations once the declaration is lifted.
- Applicants must have 20 or fewer employees.
- Grants must be used to cover operating costs of the applicant's business including, but not limited to, rent, leases or loan payments on buildings or equipment, business inventory, utilities, and payroll. Other needs will be considered on an individual basis.



General Participation Requirements Cont.

- Applicant's business must be legally operating in the City of Duncanville. Grants will be considered for all legally operating types of businesses that meet the requirements.
- All grant applicants must fill out an initial application. If awarded a grant, the recipient will be required to enter into an agreement to participate in the program. The application information is confidential and will be used to calculate the economic impact of each grant. The required agreement is to ensure funds are used according to program requirements.
- Applicants will be required to provide copies of paid operating expense receipts dated after March 13, 2020, to receive grant funds awarded.
- All funds must be used within six months of receiving the grant. If the funds are not used within this time period, the applicant may provide an extension request for the DCEDC Board to consider.

Other EDC/City Programs

<u>Organization</u>	<u>Program Budget</u>	<u>Grants</u>	<u>Loans</u>	<u>Business Size</u>	<u>Business Type</u>	<u>Amount of Assistance</u>
Cedar Hill	\$0	No	No			
Lancaster	\$0	No	No			
Desoto	\$0	No	No			
Grand Prairie	\$0	No	No			
Midlothian	\$0	No	No			
Waxahachie	\$1,000,000	No	Yes	50 or less FTE	all	up to \$50,000
Ferris	\$0	No	No			
Balch Springs	\$0	No	No			
Glenn Heights	\$0	No	No			



Other EDC/City Programs Cont.

<u>Organization</u>	<u>Program Budget</u>	<u>Grants</u>	<u>Loans</u>	<u>Business Size</u>	<u>Business Type</u>	<u>Amount of Assistance</u>
McKinney	\$1,000,000	Yes	No	50 or less FTE	all including nonprofits	\$1,500
Georgetown EDC	\$100,000	Yes	No	N/A	not nonprofits or home-based	up to \$5,000
Bastrop EDC	\$50,000-\$100,000	Yes	No	N/A	Only businesses forced to close	up to \$10,000





Thank You

Questions?
Jessica James
Director of Economic
Development
972.780.4997



STAFF REPORT

MEETING: City Council - 05 May 2020

TITLE:

Consider a Resolution amending the Hotel Occupancy Tax Grant for the FY19-20 Budget in the amount of \$852.50 for a total not to exceed \$34,297.50 to the Duncanville Chamber of Commerce for property maintenance and computer upgrades while serving as the Duncanville Official Visitor Center; allowing for additional computer expenses, and amending the FY19-20 Hotel Occupancy Tax Budget.

FY 2019 CITY COUNCIL ORGANIZATIONAL WORKPLAN:

- N/A
- ◻ Goal: N/A

STAFF RESPONSIBLE:

Jessica James, Economic Development Director

BACKGROUND/HISTORY:

At the request of the Duncanville Chamber of Commerce, the City Council approved an FY19-20 Hotel Occupancy Tax Grant to the Chamber in the amount of \$33,445 for property maintenance and computer upgrades while serving as the Duncanville Official Visitor Center. When the original quote was provided to the Chamber from their vendor, it did not include server upgrades for all of the Chamber computers. Chamber of Commerce President Steve Martin has requested that this additional expenditure be considered as an amendment to the original request.

FY19-20 Awarded Amounts:

Computer Upgrades \$2,160
 Add Gates and Extend Fence \$3,875
 Stain & Repair Fence \$1,860
 Upgrade LED Sign \$25,550

All expenditures of these funds are restricted and must be used according to State Law.

There is a two-part test for every expenditure of local hotel occupancy tax.

Criteria #1: First, every expenditure must DIRECTLY enhance and promote tourism AND the convention and hotel industry. Under the Tax Code, every event, program, or facility funded with hotel occupancy tax revenues must likely do two things: 1) directly promote tourism; and 2) directly promote the convention and hotel industry.

“Tourism” is defined under Texas law as guiding or managing individuals who are traveling to a different, city, county, state, or country. A “direct” promotion of the convention and hotel industry has been consistently interpreted by the Texas Attorney General as a program, event, or facility likely to

cause increased hotel or convention activity. This activity may result from hotel or convention guests that are already in town and choose to attend the hotel tax funded facility or arts or historical event, or it may result from individuals who come from another city or county to stay in an area lodging property at least in part to attend the hotel tax funded event or facility. If the funded event or facility is not reasonably likely to directly enhance tourism and the hotel and convention industry, local hotel occupancy tax revenues cannot legally fund it.

Entities applying for hotel occupancy tax revenue funding should indicate how they will market the event to attract tourists and hotel guests. If an entity does not adequately market its events to tourists and hotel guests, it is difficult to produce an event or facility that will effectively promote tourism and hotel activity.

Criteria #2: Every expenditure of the hotel occupancy tax must clearly fit into one of nine statutorily provided categories for expenditure of local hotel occupancy tax revenues.

The nine categories for expenditure of the hotel occupancy tax are as follows:

- 1-) Funding the establishment, improvement, or maintenance of a convention center or visitor information center.
- 2-) Paying the administrative costs for facilitating convention registration.
- 3-) Paying for advertising, solicitations, and promotions that attract tourists and convention delegates to the city or its vicinity.
- 4-) Expenditures that promote the arts.

Under § 351.103(c), a city with a population of under 125,000 may expend up to 15% of the hotel occupancy tax revenue collected for art-related programs that also promote tourism and local hotel and convention activity. Specifically, it allows funding the encouragement, promotion, improvement, and application of the arts including instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture, photography, graphic and craft arts, motion pictures, radio, television, tape and sound recording, and other arts related to the presentation, performance, execution and exhibition of these major art forms. However, it is not enough that a facility or event promotes the arts; Texas law requires that the arts related expenditure also directly promote tourism and the hotel and convention industry.

Section 351.101(a) of the Tax Code specifically states that “the municipal hotel occupancy tax may be used only to promote tourism and the convention and hotel industry.” The Texas Attorney General reaffirmed this standard when it held in Opinion GA-0124: “Under section 351.101 of the Tax Code, a municipality may expend its municipal hotel occupancy tax revenue only to promote tourism and the convention and hotel industry, and only for the specific uses listed in the statute.”

In order to comply with the hotel occupancy tax statute, THLA and TFA agree that to be eligible for municipal arts funding with HOT revenues, recipients must satisfy the following requirements:

- a. The recipient presents, performs, promotes, encourages or otherwise makes possible, artistic events, cultural performances, programs, exhibitions or lectures involving the major art forms listed in the statute, or “other arts related to the presentation, performance, execution and exhibition of these major art forms.”
- b. The hotel occupancy tax funded programs and events are advertised and open to the general public.
- c. The recipient directly enhances and promotes tourism and the convention and hotel industry.

Criteria Examples:

- Recipient books hotel rooms for visiting artists and offers hotel related information to attendees of the organization's hotel occupancy tax funded events.
- The recipient promotes or markets its events outside of the local area through standard media promotion or advertising, websites, mailing lists, local, regional and national listings in publications and calendars and use of social media and where appropriate includes a link to information about area hotels.
- The recipient, either through audience or attendee questionnaires, polling, or hotel block booking codes, demonstrates that hotel guests, tourists, convention attendees or other out-of-town visitors have attended its hotel tax funded events.
- Funding historical restoration or preservation programs.

5-) Funding historical restoration or preservation programs.

6-) Funding certain expenses, including promotional expenses, directly related to a sporting event within counties with a population of fewer than 1 million.

7-) Funding the enhancement or upgrading of existing sports facilities or sports fields for certain municipalities.

8-) Funding transportation systems for tourists.

9-) Signage directing tourists to sights and attractions that are visited frequently by hotel guests in the municipality.

POLICY EXPLANATION:

In order for expenses to be eligible for reimbursement, the current FY19-20 Chamber of Commerce Hot Funds grant will have to be amended to incorporate any additional grant money awarded to the Chamber by the City Council.

If awarded the requested amount, this would increase the existing FY19-20 Budget from \$33,445 to \$34,297.50 for the Duncanville Chamber of Commerce.

FUNDING SOURCE:

The Hotel Motel Tax Fund will be used to fund these grants.

RECOMMENDATION:

Staff recommends the City Council consider the request as set forth amending the Hotel Occupancy Tax Grant for the FY19-20 Budget in the amount of \$852.50 for a total not to exceed \$34,297.50 to the Duncanville Chamber of Commerce for property maintenance and computer upgrades while serving as the Duncanville Official Visitor Center; allowing for additional computer expenses, and amending the FY19-20 Hotel Occupancy Tax Budget; and, authorizing the City Manager to execute a grant agreement approved as to form by the City Attorney.

ATTACHMENTS:

[Attachment 1 - Computer Services Invoice](#)

[Attachment 2 - Resolution No. - 2020-034 - Revised HOT Funds Grant Agreement for FY19-20 Budget for Duncanville Chamber of Commerce](#)

Attachment 1

TEXSTAR *Computer Systems, Inc.*
 125 W. Fairmeadows Dr.
 Duncanville, TX 75116
 FAX: 9722989596
(972) 298-9596



Statement

Monday, April 06, 2020

Company: **Chamber Of Commerce**
 300 East Wheatland Rd
 Duncanville, TX 75137

Contact: **Steve Martin**
 Fax : (972) 298-9370
 Phone: (972) 780-4990

Invoice No	Date	Work Performed	Parts Required	Hours	Balance Due
130545	1/15/2020	Upgrade of Server to Windows 10 Pro.	Server: (1) Dell Optiplex Business Workstation:	6.5	\$852.50
		{12/17/19} On-Site: Tech: RCE Pickup of Server workstation:	\$ 300.00 - Intel Core i5 3.2GHz. Processor - 8Gbs DDR3 Memory - 500Gb. SATA HDD - DVD +/- RW drive - Windows 10 Pro		
		{12/17/19} Depot: Techs: RCE and LN Labor: 3.0hrs. Upgrade and configuration of Server: Discovered issues with current configuration requiring replacement of Unit. - Imaged server hard drive over to a 500Gbs. SATA (Current HDD is 250Gb.) - Installed new HDD onto replacement Business Workstation. - Added network drivers and re-activated Windows 7 Pro. - Cleanup and preparation of unit for Windows 10 upgrade. - Upgraded Windows 7 Pro to Windows 10 Pro Build 1511 - Upgraded Windows 10 Pro Build 1511 to Build 1909			
		{12/18/19} On-site: Tech: RCE Labor: 2.0hrs. Installation and setup of Server			
		Server workstation: - Connected Server. - Server monitor is not working: Moved Hilda's monitor over to the Server station. Provided 24" monitor to Hilda (No charge). - Changed Steve's network password on the server to match his local workstation login. - Added all Quickbooks firewall ports to Server firewall.			

Page 2 of 4

RESOLUTION NO. 2020-034

A RESOLUTION AMENDING THE HOTEL OCCUPANCY TAX GRANT FOR THE FY19-20 BUDGET IN THE AMOUNT OF \$852.50 FOR A TOTAL NOT TO EXCEED \$34,297.50 TO THE DUNCANVILLE CHAMBER OF COMMERCE FOR PROPERTY MAINTENANCE AND COMPUTER UPGRADES WHILE SERVING AS THE DUNCANVILLE OFFICIAL VISITOR CENTER; ALLOWING FOR ADDITIONAL COMPUTER EXPENSES, AND AMENDING THE FY19-20 HOTEL OCCUPANCY TAX BUDGET; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City is authorized by Chapter 351 of the Texas Property Tax Code to levy a hotel occupancy tax to be used to directly enhance and promote tourism and the convention and hotel industry; and

WHEREAS, the City has, by ordinance, imposed a local hotel occupancy tax; and

WHEREAS, the Duncanville City Council, after consideration of the application of the Applicant finds that expenditures of local hotel occupancy tax revenues for the grant as set forth herein, will directly enhance and promote tourism and the hotel industry in the City and its vicinity.

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 an amendment to the Duncanville Chamber of Commerce's existing FY19-20 Hotel Occupancy Tax Grant to serve as the official Duncanville Visitor Center by \$852.50 for FY19-20 for upgrades to the Chamber's server for all of its computers. This increase will revise the FY19-20 Hotel Occupancy Tax Grant to a total not to exceed \$34,297.50.

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

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

DULY RESOLVED AND ADOPTED by the City Council of the City of
Duncanville, Texas, on the 5th day of May, 2020.

APPROVED:

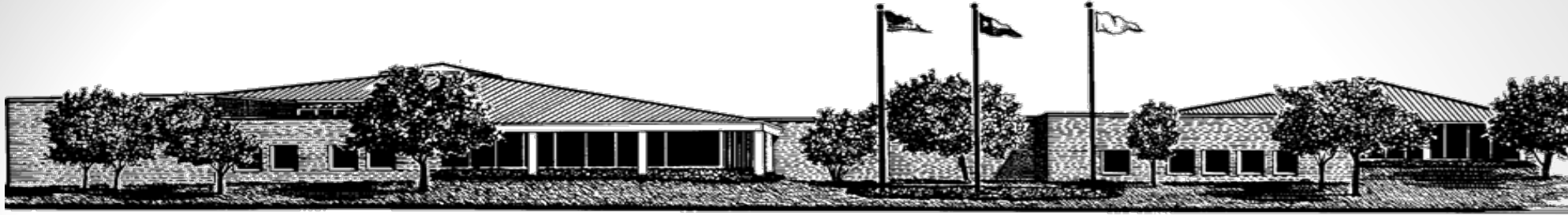
Barry L. Gordon, Mayor

ATTEST:

Kristin Downs, City Secretary

APPROVED AS TO FORM:

Robert E. Hager, City Attorney



DUNCANVILLE CHAMBER OF COMMERCE PROPERTY MAINTENANCE AND COMPUTER UPGRADES HOTEL OCCUPANCY TAX (HOT) GRANT FY19-20 AMENDMENT REQUEST

MAY 5, 2020

JESSICA JAMES

DIRECTOR OF ECONOMIC DEVELOPMENT

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

City of Duncanville



1



Request Overview

Additional Amount Requested: \$852.50

Previously Awarded for FY19-20: \$33,445

- \$2,160 – Upgrade computers
- \$3,875 – Install gates on fence for security
- \$1,860 – Stain & repairs to fence
- \$25,550 – Upgrade LED Sign

Summary:

- President Steve Martin has requested increasing his current FY19-20 Hotel Motel Grant by \$852.50 to include the cost of upgrading the computer server for the Duncanville Chamber of Commerce. This would increase the Chamber's total grant amount from \$33,445 to \$34,297.50. The FY19-20 HOT Funds Budget would need to be amended to account for this increase in funding. Mr. Martin would also need to sign an updated grant agreement.



Thank You

Questions?
Jessica James
Director of Economic Development
972.780.4997



STAFF REPORT

MEETING: City Council - 05 May 2020

TITLE:

Consider a Resolution approving submittal of FY2020 Community Development Block Grant (CDBG) Project/Activity Application with Dallas County.

FY2020 & FY2021 CITY COUNCIL ORGANIZATIONAL WORKPLAN:

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

STAFF RESPONSIBLE:

Bryan G. Ramey, II, P.E., Director of Public Works
Bart Stevenson, Director of Parks & Recreation

BACKGROUND/HISTORY:

Every other year, the City applies for grants through the Dallas County CDBG program to be applied to low-moderate income areas of the City. Since 2001, this grant has been utilized for the funding of a code enforcement officer, with any remaining funds used to assist in funding park improvements, street and sidewalk improvements, water and/or sewer improvements. The City was notified by Dallas County that funds in the amount of \$203,605.00 are available for the FY2021 and FY2022 CDBG Program. For the FY18 and FY19 funding years, the grant contributed to funding a Code Officer and constructing sidewalks and ADA ramps in Fairmeadows North Subdivision.

For this current grant application cycle, Dallas County will hold two public hearings for this program on the behalf of the participating cities. Hearings are scheduled for July 7, 2020 and August 4, 2020 at the Dallas County Commissioners Court for suggestions on how these funds could be used in the unincorporated areas of the County and the six participating cities. Comments and/or suggestions received for the City of Duncanville during the citizen comment period will be forwarded to HUD after these hearings.

Staff suggests a portion of these funds be allocated for the continued funding of a Code Enforcement Officer for two years. Since 2001, this grant has funded a Registered Code Enforcement Officer whose assigned duty is to visually inspect low-moderate income area properties. The code officer is typically looking for high grass, junk motor vehicles, dilapidation of structures, illegal storage, and graffiti. If violations are found, the code officer takes the necessary steps to have the property owner mitigate the violations.

In addition to continued funding for the Code Enforcement Officer, staff is recommending Lakeside Park Improvements (Option 1 / Attachment 1), or alternative project, ADA Ramp Improvements in the Forest Hills Subdivision (Option 2 / Attachment 2).

Option 1: Lakeside Park (Option 1 / Attachment 1) is a regional park and needs additional improvements to continue efforts to upgrade the park and add amenities for use by our citizens. Proposed CDBG-funded improvements to Lakeside Park include continuing a concrete trail on the southern end of the park and adding trails, upgrading outdoor basketball court and goals, and replacing deteriorated chain-link fencing. The extension of the trail will continue the concrete trail from Center Street to Hill City as well as connect the trail to the new group pavilion and parking area in the park. The basketball court will be painted and striped similar to the new basketball court at Armstrong Park and the goals will be upgraded to the acrylic backboards that have proven both durable and attractive to park users. The chain-link fencing that surrounds the basketball and volleyball area is deteriorating and unsightly due to age and rust. It will be replaced with a new vinyl clad chain-link fence to further enhance the park while protecting those utilizing the courts. Chris Paris Park, the other CDBG park with amenities, received grant funding in 2012 for the addition of a group shelter and individual picnic shelter. That project was completed and opened to the public in 2013.

Option 2: An alternate project is ADA Ramp Improvements in the Forest Hills Subdivision along E. Center Street from E. Freeman to S. Forest Lane and along S. Alexander Avenue (Option 2 / Attachment 3). The proposed project involves installing approximately 620 square feet of new sidewalk and 18 barrier-free ramps. The new sidewalks and ramps will provide accessibility in compliance with the Americans with Disabilities Act where accessibility does not currently exist.

POLICY EXPLANATION:

CDBG funds are available for various projects or programs as long as non-code enforcement projects or programs meet one of three national objectives:

1. eliminates blight,
2. eliminates a community-threatening condition, or
3. principally benefits low/moderate income people

These projects must be in defined areas where at least 51% of the population that directly benefit are of low/moderate income. In Duncanville, the population classified as low/moderate income in the 2010 Census is 44.0%. To qualify as low/moderate, the maximum household income must be between \$41,100.00 and \$77,500.00, depending on the size of the household.

By submitting a grant application and entering into an implementation agreement upon acceptance, the City is continuing its commitment to code enforcement activities, which is a key element in maintaining properties in good condition and appearance. Well-maintained properties and city amenities will also help preserve property values in our residential housing stock. The code enforcement application provides CDBG FY21 and FY22 funding of \$112,197.96 for approximately 75% of a code officer's salary and other reimbursable expenses for the next two years. Expenses include retirement contributions, FICA (SS/Medicare) contributions as well as uniform rental, cell phone, data connection charges, office supplies, and training.

After providing continued funding for a code enforcement officer, a balance of \$91,407.00 remains to be applied to an improvement project. Staff requests City Council select one of the two projects below (Attachment 4). (Cost estimates are below the available balance allowing for price escalation or contingency. Any remaining funds can be used to increase project scope.)

Option 1: Lakeside Park Improvements – \$80,000.00

Option 2: Forest Hill Subdivision ADA Ramp Improvements – \$79,933.04

A resolution was prepared with both options and will be updated based on which project the Council selects. Completed applications must be submitted to Dallas County no later than May 15, 2020 by 4:00 PM.

FUNDING SOURCE:

The City sets up a budget for this activity and submits reimbursement requests for the CDBG Program through Dallas County. The County then reimburses the City on a quarterly basis.

RECOMMENDATION:

Staff recommends approval of a Resolution approving submittal of FY2020 Community Development Grant (CDBG) Project/Activity Applications CDBG Funds with Dallas County.

ATTACHMENTS:

[Attachment 1 -Lakeside Park](#)

[Attachment 2 - ADA Ramp Modifications](#)

[Attachment 3 - Code Enforcement Officer Breakdown](#)

[Attachment 4 - City Map of CDBG Locations](#)

[Attachment 5 - Resolution 2020-036 - With Supporting Documents - Pdf](#)

ATTACHMENT 1



ATTACHMENT 1

Extend the concrete trail from Hill City to connect to trail from Center Street



Replace the chain-link fencing around the basketball and volleyball area

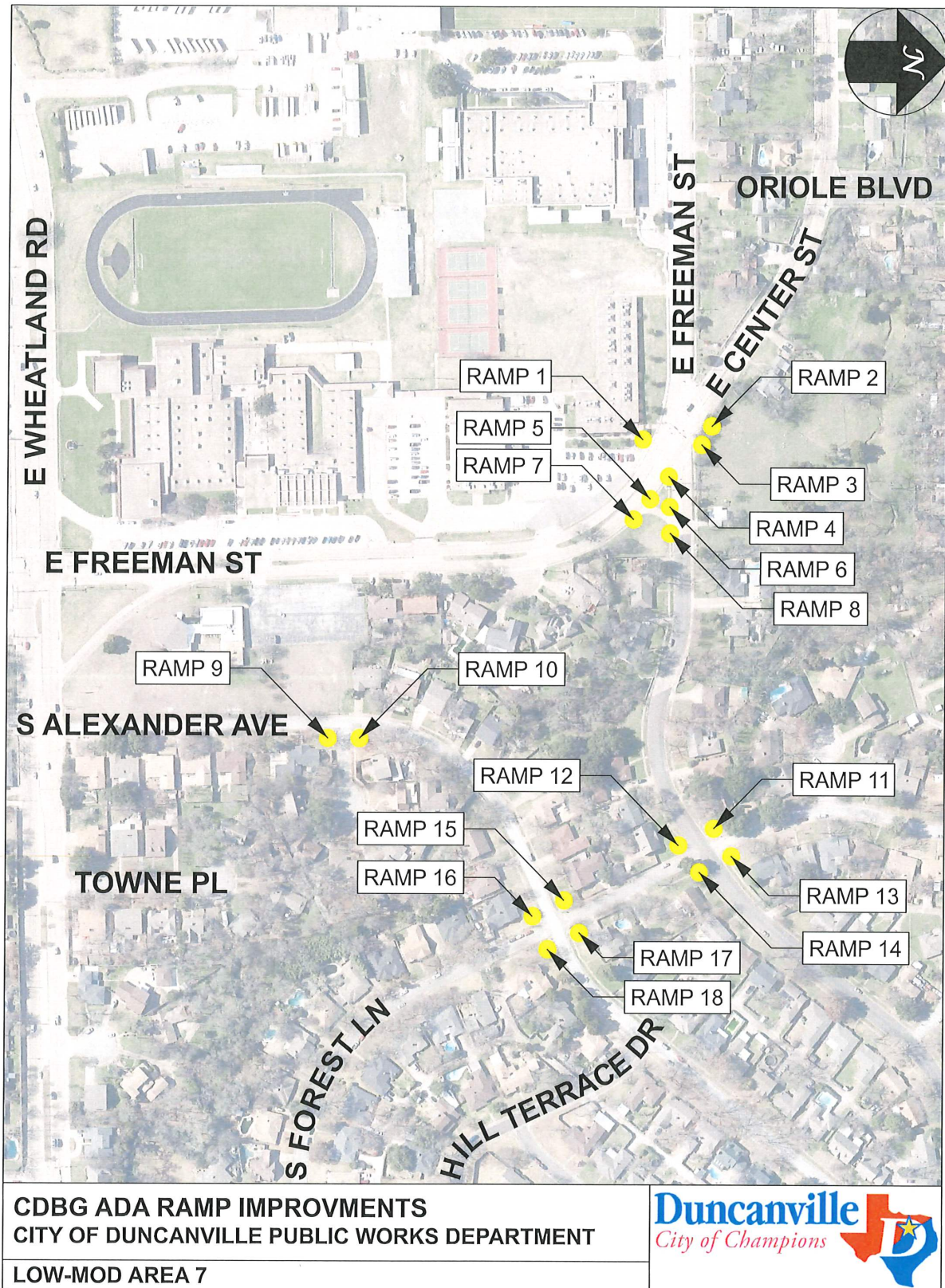


ATTACHMENT 1

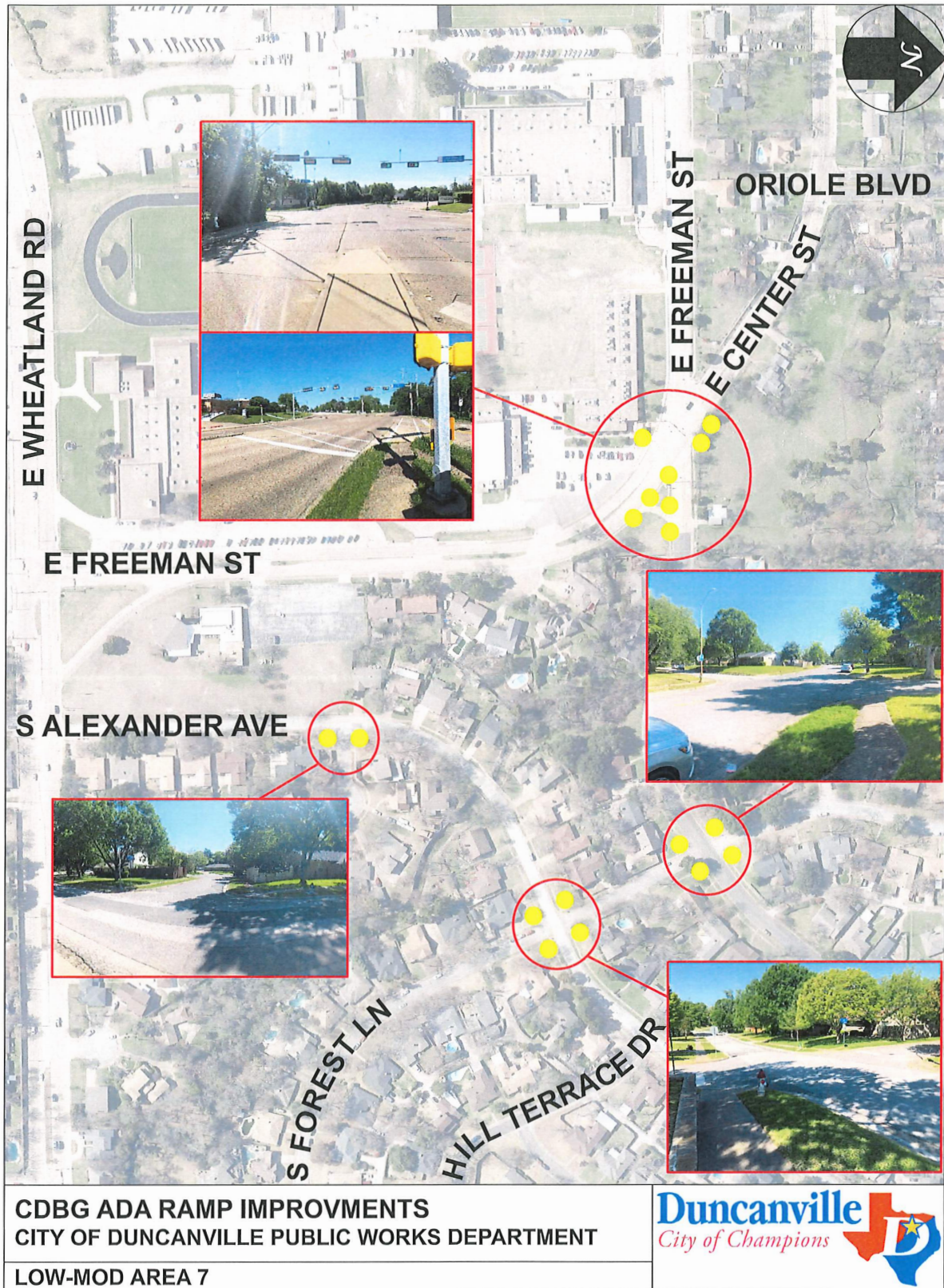
Paint the basketball court and replace the goals similar to Armstrong Park



ATTACHMENT 2



ATTACHMENT 2



ATTACHMENT 3

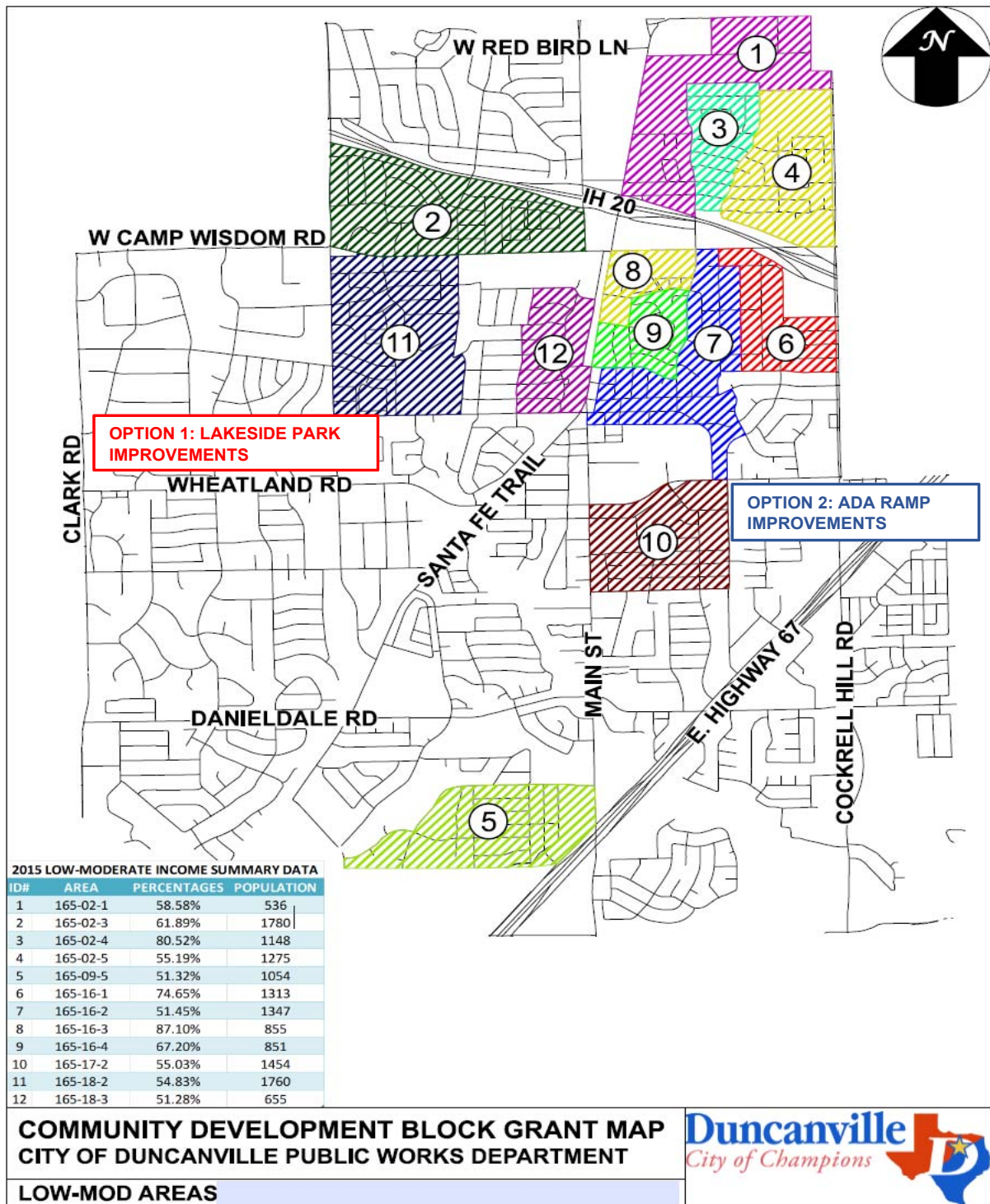
CDBG FY 2022

(October 2020 - September 2022)

Code Enforcement Officer Budget

	<u>FY2021</u>	<u>FY 2022</u>
Annual Salary	\$44,846.00	\$46,191
Health Insurance	0.00	0.00
Retirement	3,439.69	3,439.69
FICA (SS/Medicare)	3,430.72	3,430.72
Dues/Training	3,310.00	3,310.14
Office Supplies/Uniforms	400.00	400.00
Total	\$55,426.41	\$56,771.55
TOTAL PROJECT FUNDING	\$112,197.96	

ATTACHMENT 4



RESOLUTION NO. 2020-036

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, APPROVING SUBMITTAL OF FY2020 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT/ACTIVITY APPLICATIONS FOR CDBG FUNDS WITH DALLAS COUNTY; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL PAPERWORK AND PROJECT IMPLEMENTATION AGREEMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Duncanville is eligible to receive funding from the Dallas County Community Development Block Grant Program created under the Department of Housing and Urban Development; and

WHEREAS, the City of Duncanville has been notified that funds in the amount of \$203,605.00 are available to the City of Duncanville in the CDBG Grant Program for the City's FY21 and FY22 budgets; and

WHEREAS, the City of Duncanville City Council desires to use these funds to benefit low and moderate income people living within the designated areas.

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

SECTION 1. The City Manager of the City of Duncanville is hereby authorized to submit grant applications with Dallas County which will enable the City of Duncanville to use CDBG funds within the City of Duncanville to provide:

CODE ENFORCEMENT OFFICER

Salary and Other Reimbursable Expenses for 2 years \$112,198.00

AND

OPTION 1 - Lakeside Park Improvements \$80,000.00

OR

OPTION 2 - ADA Ramp Improvements Forest Hill Subdivision \$79,933.00

TOTAL \$192,198.00

SECTION 2. The City Manager of the City of Duncanville is hereby authorized to execute all paperwork and Project Implementation Agreements, as necessary, to fulfill the requirements of receiving CDBG funding should grant funding be awarded to the city.

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

DULY RESOLVED AND ADOPTED by the City Council of the City of Duncanville, Texas, on the 5th day of May, 2020.

APPROVED:

Barry L. Gordon, Mayor

ATTEST:

Kristin Downs, City Secretary

APPROVED AS TO FORM:

Robert E. Hager, City Attorney

ATTACHMENT 1



FY2020 DALLAS COUNTY CDBG PROJECT/ACTIVITY APPLICATION



Due: May 15, 2020 4:00 P.M.

Each project/activity must be on a separate application.

CITY	City of Duncanville
CITY ADDRESS	203 E. Wheatland Rd
CITY ZIP CODE	75116
TITLE OF PROJECT/ACTIVITY	Code Enforcement Officer

- (1.) Number of beneficiaries 14,028
- (2.) Percentage of beneficiaries that are low/moderate income 62.42%
- (3.) How was number of beneficiaries/percentage of beneficiaries being low/moderate income calculated?
☐ by a survey conducted on _____
☒ by 2010 census data _____
☐ other, explain _____
- (4.) Please provide below the required information for the project:

Census Tract <u>0165-02</u>	Block Group <u>1,3,4,5</u>
Census Tract <u>0165-09</u>	Block Group <u>5</u>
Census Tract <u>0165-16</u>	Block Group <u>1,2,3,4</u>
Census Tract <u>0165-17</u>	Block Group <u>2</u>
Census Tract <u>0165-18</u>	Block Group <u>3</u>
- (5.) Identify which national CDBG objective this project addresses:
☒ primarily assists low/moderate income
☐ eradicates blight
☐ eliminates community-threatening condition

ATTACHMENT 1

- (6.) Is the service area for this project city-wide?
☐ Yes
☒ No If no, a **map** with the project's service area boundaries clearly marked must be attached. In addition, for capital improvement projects, **the map must clearly show the location of the project and its beginning and ending points.**
- (7.) Describe proposed project: This description should specifically explain what will be undertaken, where it will occur, why it needs to be undertaken, and what problems it will solve. **Please be very specific in the description.** If, for instance, the proposed project involves improving a road or replacing a water line, be sure to state that the project will cover a certain amount of linear feet from Point A to Point B; any problems with the road/line, etc.
-
- The proposed project will fund approximately 75% of salary and other expenses for the position of Code Enforcement Officer to oversee the areas designated to the project area map (attached). The principal functions of the officer will include code enforcement to reverse structure decline, removal of debris/junk and ensure maintenance of open spaces. Funding is for a two-year cycle.
-
- (8.) Project represents:
☐ new project/activity
☒ continuation of an on-going activity such as code enforcement **(please note that all "continuation projects" must have a fully-completed application; please do not use verbiage such as "same as last year" or "refer to previous application")**
- ☐ completion of an existing project, such as a capital improvement project, that has received funding in the past, but still needs additional funding in order to be constructed **(please note that all "completion of existing projects" must have a fully-completed application; please do not use verbiage such as "same as last year" or "refer to previous application")**
- (9.) Attach a line-item budget for the proposed project/activity. Describe within this budget how proposed costs are derived. **If the project is for a code program, please be sure that the provided budget is for two years.** For capital improvement projects, also provide itemized costs and quantities for such components including, but not limited to, right-of-way/easement

ATTACHMENT 1

acquisition, surveying/engineering design, utility relocation, construction management, materials, and permits/fees. Where possible for capital improvement projects, have the estimates provided by a licensed professional engineer.

(10.) Describe how project/activity is to be funded:

• FY2020 CDBG funding being allocated	<u>112,197.96</u>
• CDBG funding from completed/canceled projects now being reallocated	<u> </u>
• Non-CDBG funding that has been allocated	<u>0.00</u>
• Additional funding still needed	<u> </u>

TOTAL BUDGET **112,197.96**

*

(11.) If carry-over CDBG funding from previous projects is going to be used, identify the previous projects from which this funding is being reallocated and the amounts being reallocated (please note that carryover funds are not available until the project is officially completed and all outstanding invoices have been paid).

N/A

(12.) If non-CDBG funding is to be used, please describe whether the source of this funding (e.g.--City bond funds, City revenues, state/federal grant, private funding, etc.) has already been secured or when such funding will become available.

N/A

(13.) If additional funding will still be needed, describe how additional funding will be provided (i.e., through future CDBG funds, city bond program, etc.).

N/A

ATTACHMENT 1

- (14.) Describe what portions of the project, to the extent applicable, that will be implemented/ managed by the County, the City, another organization, or some combination of these entities.

The City of Duncanville will manage the entire project.

- (15.) Proposed start date for implementing project October 1, 2020

- (16.) Proposed completion date September 30, 2022

Project Title	CDBG – Code Enforcement Officer
Project Address	203 E. Wheatland Rd.
Project Zip Code	75116

City Contact Person for Project	Bryan G. Ramey, II, P.E.
Contact Person Title	Director of Public Works
Contact Person Phone Number	972-70-5018
Contact Person E-mail Address	bramey@duncanville.com
Contact Person Signature	
Authorized Person Name (Mayor/City Manager, etc)	Kevin Hugman, City Manager
Authorized Person Signature	

ATTACHMENT 1



FY2020 DALLAS COUNTY CDBG PROJECT/ACTIVITY APPLICATION



Due: May 15, 2020 4:00 P.M.

Each project/activity must be on a separate application.

CITY	City of Duncanville
CITY ADDRESS	203 E. Wheatland Rd
CITY ZIP CODE	75116
TITLE OF PROJECT/ACTIVITY	Lakeside Park Improvements

- (1.) Number of beneficiaries 14,028
- (2.) Percentage of beneficiaries that are low/moderate income 62.42%
- (3.) How was number of beneficiaries/percentage of beneficiaries being low/moderate income calculated?
 - ☐ by a survey conducted on _____
 - ☒ by 2010 census data _____
 - ☐ other, explain _____
- (4.) Please provide below the required information for the project:

Census Tract <u>0165-02</u>	Block Group <u>1,3,4,5</u>
Census Tract <u>0165-09</u>	Block Group <u>5</u>
Census Tract <u>0165-16</u>	Block Group <u>1,2,3,4</u>
Census Tract <u>0165-17</u>	Block Group <u>2</u>
Census Tract <u>0165-18</u>	Block Group <u>3</u>
- (5.) Identify which national CDBG objective this project addresses:
 - ☒ primarily assists low/moderate income
 - ☐ eradicates blight
 - ☐ eliminates community-threatening condition

ATTACHMENT 1

- (6.) Is the service area for this project city-wide?
☒ Yes
☐ No If no, a **map** with the project's service area boundaries clearly marked must be attached. In addition, for capital improvement projects, **the map must clearly show the location of the project and its beginning and ending points.**
- (7.) Describe proposed project: This description should specifically explain what will be undertaken, where it will occur, why it needs to be undertaken, and what problems it will solve. **Please be very specific in the description.** If, for instance, the proposed project involves improving a road or replacing a water line, be sure to state that the project will cover a certain amount of linear feet from Point A to Point B; any problems with the road/line, etc.
-
- The proposed project will enhance the needed improvements to Lakeside Park to continue efforts to upgrade and add amenities for use. The extension of the trail will continue the concrete trail from Center Street to Hill City as well as connect the trail to the new group pavilion and parking area in the park. The basketball court will be painted and striped similar to the new basketball court at Armstrong Park and the goals will be upgraded to the acrylic backboards that have proven both durable and attractive to park users. The chain-link fencing that surrounds the basketball and volleyball area is deteriorating and unsightly due to age and rust. It will be replace with a new vinyl clad chain-link fence to further enhance the park while protecting those utilizing the courts.
-
- (8.) Project represents:
☒ new project/activity
☐ continuation of an on-going activity such as code enforcement **(please note that all "continuation projects" must have a fully-completed application; please do not use verbiage such as "same as last year" or "refer to previous application")**
- ☐ completion of an existing project, such as a capital improvement project, that has received funding in the past, but still needs additional funding in order to be constructed **(please note that all "completion of existing projects" must have a fully-completed**

ATTACHMENT 1

application; please do not use verbiage such as “same as last year” or “refer to previous application”)

- (9.) Attach a line-item budget for the proposed project/activity. Describe within this budget how proposed costs are derived. **If the project is for a code program, please be sure that the provided budget is for two years.** For capital improvement projects, also provide itemized costs and quantities for such components including, but not limited to, right-of-way/easement acquisition, surveying/engineering design, utility relocation, construction management, materials, and permits/fees. Where possible for capital improvement projects, have the estimates provided by a licensed professional engineer.

- (10.) Describe how project/activity is to be funded:

- | | |
|---|-----------|
| • FY2020 CDBG funding being allocated | 80,000.00 |
| • CDBG funding from completed/canceled projects now being reallocated | |
| • Non-CDBG funding that has been allocated | 0.00 |
| • Additional funding still needed | |

TOTAL BUDGET 80,000.00

- (11.) If carry-over CDBG funding from previous projects is going to be used, identify the previous projects from which this funding is being reallocated and the amounts being reallocated (please note that carryover funds are not available until the project is officially completed and all outstanding invoices have been paid).

N/A

- (12.) If non-CDBG funding is to be used, please describe whether the source of this funding (e.g.--City bond funds, City revenues, state/federal grant, private funding, etc.) has already been secured or when such funding will become available.

N/A

ATTACHMENT 1

- (13.) If additional funding will still be needed, describe how additional funding will be provided (i.e., through future CDBG funds, city bond program, etc.).

N/A

- (14.) Describe what portions of the project, to the extent applicable, that will be implemented/ managed by the County, the City, another organization, or some combination of these entities.

The City of Duncanville will manage the entire project.

- (15.) Proposed start date for implementing project October 1, 2020

- (16.) Proposed completion date September 30, 2022

Project Title	Lakeside Parks Improvements
Project Address	Lakeside Park
Project Zip Code	75 116

City Contact Person for Project	Bryan G. Ramey, II, P.E.
Contact Person Title	Director of Public Works
Contact Person Phone Number	972-70-5018
Contact Person E-mail Address	bramey@duncanville.com
Contact Person Signature	
Authorized Person Name (Mayor/City Manager, etc)	Kevin Hugman, City Manager
Authorized Person Signature	

ATTACHMENT 1



FY2020 DALLAS COUNTY CDBG PROJECT/ACTIVITY APPLICATION



Due: May 15, 2020 4:00 P.M.

Each project/activity must be on a separate application.

CITY	City of Duncanville
CITY ADDRESS	203 E. Wheatland Rd
CITY ZIP CODE	75116
TITLE OF PROJECT/ACTIVITY	Forest Hill Subdivision ADA Ramp Improvements

- (1.) Number of beneficiaries 5,820
- (2.) Percentage of beneficiaries that are low/moderate income 67.08%
- (3.) How was number of beneficiaries/percentage of beneficiaries being low/moderate income calculated?
☐ by a survey conducted on _____
☒ by 2010 census data _____
☐ other, explain _____
- (4.) Please provide below the required information for the project:

Census Tract <u>0165-16</u>	Block Group <u>1,2,3,4</u>
Census Tract <u>0165-17</u>	Block Group <u>10</u>
Census Tract _____	Block Group _____
Census Tract _____	Block Group _____
Census Tract _____	Block Group _____
- (5.) Identify which national CDBG objective this project addresses:
☒ primarily assists low/moderate income
☐ eradicates blight
☐ eliminates community-threatening condition

ATTACHMENT 1

- (6.) Is the service area for this project city-wide?
☐ Yes
☒ No If no, a **map** with the project's service area boundaries clearly marked must be attached. In addition, for capital improvement projects, **the map must clearly show the location of the project and its beginning and ending points.**
- (7.) Describe proposed project: This description should specifically explain what will be undertaken, where it will occur, why it needs to be undertaken, and what problems it will solve. **Please be very specific in the description.** If, for instance, the proposed project involves improving a road or replacing a water line, be sure to state that the project will cover a certain amount of linear feet from Point A to Point B; any problems with the road/line, etc.
-
- The proposed project involves installing approximately 620 square feet of new sidewalk and 18 barrier-free ramps. The project limits are along E. Center Street from E. Freeman Street to S. Forest Ln and along S. Alexander Avenue from Alexander Ct. to S. Forest Ln. The new sidewalks and ramps will provide accessibility in compliance with the Americans with Disabilities Act where accessibility does not currently exist.
-
- (8.) Project represents:
☒ new project/activity
☐ continuation of an on-going activity such as code enforcement **(please note that all "continuation projects" must have a fully-completed application; please do not use verbiage such as "same as last year" or "refer to previous application")**
- ☐ completion of an existing project, such as a capital improvement project, that has received funding in the past, but still needs additional funding in order to be constructed **(please note that all "completion of existing projects" must have a fully-completed application; please do not use verbiage such as "same as last year" or "refer to previous application")**
- (9.) Attach a line-item budget for the proposed project/activity. Describe within this budget how proposed costs are derived. **If the project is for a code program, please be sure that the provided budget is for two years.** For capital improvement projects, also provide itemized costs and quantities for such components including, but not limited to, right-of-way/easement acquisition, surveying/engineering design, utility relocation, construction management, materials, and permits/fees. Where possible for capital improvement projects, have the estimates provided by a licensed professional engineer.

ATTACHMENT 1

(10.) Describe how project/activity is to be funded:

- | | |
|---|-----------|
| • FY2020 CDBG funding being allocated | 79,933.04 |
| • CDBG funding from completed/canceled projects now being reallocated | |
| • Non-CDBG funding that has been allocated | 0.00 |
| • Additional funding still needed | |

TOTAL BUDGET 79,933.04

*

(11.) If carry-over CDBG funding from previous projects is going to be used, identify the previous projects from which this funding is being reallocated and the amounts being reallocated (please note that carryover funds are not available until the project is officially completed and all outstanding invoices have been paid).

N/A

(12.) If non-CDBG funding is to be used, please describe whether the source of this funding (e.g.--City bond funds, City revenues, state/federal grant, private funding, etc.) has already been secured or when such funding will become available.

N/A

(13.) If additional funding will still be needed, describe how additional funding will be provided (i.e., through future CDBG funds, city bond program, etc.).

N/A

ATTACHMENT 1

- (14.) Describe what portions of the project, to the extent applicable, that will be implemented/ managed by the County, the City, another organization, or some combination of these entities.

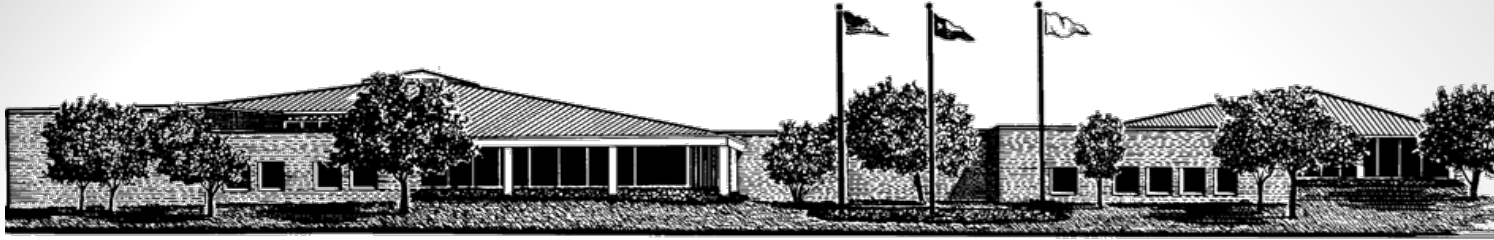
The City of Duncanville will manage the entire project.

- (15.) Proposed start date for implementing project October 1, 2020

- (16.) Proposed completion date September 30, 2022

Project Title	ADA Ramp Improvements
Project Address	Forest Hill Subdivision
Project Zip Code	75116

City Contact Person for Project	Bryan G. Ramey, II, P.E.
Contact Person Title	Director of Public Works
Contact Person Phone Number	972-70-5018
Contact Person E-mail Address	bramey@duncanville.com
Contact Person Signature	
Authorized Person Name (Mayor/City Manager, etc)	Kevin Hugman, City Manager
Authorized Person Signature	



COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)

BRYAN G. RAMEY, II, P.E., DIRECTOR OF PUBLIC WORKS

MAY 5, 2020

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



Background

- The City has participated in the Community Development Block Grant (CDBG) program since 2001. In 2015, the program changed to provide bi-annual funding to allow more substantial projects.
- Historically, a portion of CDBG funding was used to fund a Code Enforcement Officer dedicated to low-to-moderate income areas; remaining funds were used to fund water, sewer, street, and park improvements
- For the FY21/FY22 CDBG Program Cycle, the City is eligible to receive **\$203,605.00** in grant funds. *(Identified 04/16/2020)*



CDBG Guidelines

- Eligible projects must be located in CDBG designated area. (Defined as areas where at least 51% of the residents are classified as low-to-moderate income.)
- There are a variety of types of projects which may be funded under the program, provided they meet one of the three national objectives:
 - Eliminates blight
 - Eliminates a community-threatening condition
 - Principally benefits low/moderate income people

Previous Projects

Fiscal Year	Projects
2019/2020	• Code Enforcement Officer (2-yr) • Sidewalks & ADA Ramps at Fairmeadows North
2017/2018	• Code Enforcement Officer (2-yr) • Wastewater Improvements @ Steger Dr
2015/2016	• Code Enforcement Officer (2-yr) • ADA Sidewalks @ Winding Trail and Oriole Blvd
2014	• Code Enforcement Officer (1-yr) • Pavement Improvements @ S. Peach St, W. Shaw St, Sims St, and Cypress St



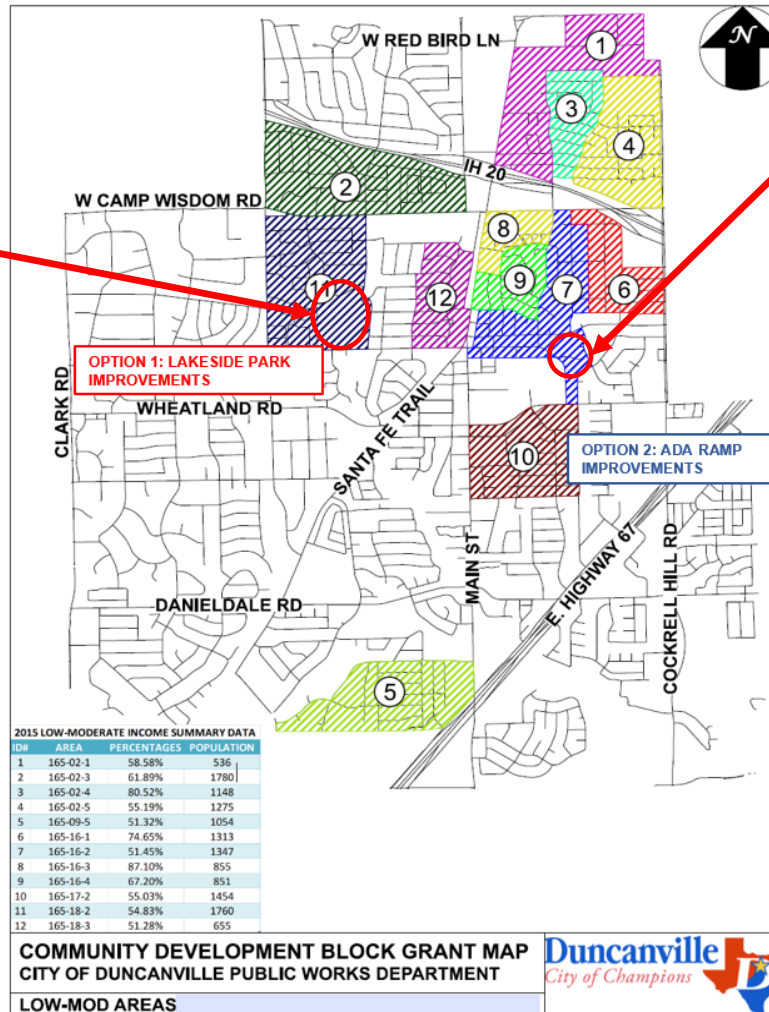
CDBG Areas

The City of Duncanville



Option 1 – Lakeside Park Improvements

Option 2 – ADA Ramp Improvements



Option 1 – Lakeside Park



Cost: \$80,000.00

Option 1 –Lakeside Park

Extend the concrete trail from Hill City to connect to trail from Center Street



Paint the basketball court and replace the goals similar to Armstrong Park



Replace the chain-link fencing around the basketball and volleyball area



Option 2 – ADA Ramps



Cost: \$79,933.04



Summary of Project Options



CDBG Funding Available for FY21 / FY22	\$203,605.00	
Code Officer for two years	- \$112,198.00	\$56,099.00/yr towards salary and other expenses
CDBG Funding Remaining	\$91,407.00	
Opt #1 –Lakeside Park Improvements	- \$80,000.00	Any remaining funds will be used to increase project scope or cover cost escalation.
OR Opt #2 – ADA Ramp Improvements	- \$79,933.04	



Timeline

- 05/05/2020, CDBG project selection by City Council
- 05/15/2020, CDBG project applications submitted to Dallas County
- 07/07/2020, Dallas County CDBG Public Hearing #1
- 08/04/2020, Dallas County CDBG Public Hearing #2
- 10/01/2020, Funds available to City



QUESTIONS?



STAFF REPORT

MEETING: City Council - 05 May 2020

TITLE:

Consider a Resolution supporting Dallas County's Danieldale Road project application for Better Utilizing Investment to Leverage Development (BUILD) Grant.

FY 2019 CITY COUNCIL ORGANIZATIONAL WORKPLAN:

- **4. Create multi-modal transportation alternatives**
 - **Goal 2: Maximize city and community resources to improve quality of life in a sustainable manner.**

STAFF RESPONSIBLE:

Bryan G. Ramey II, P.E., Director of Public Works

BACKGROUND/HISTORY:

In November 2018, the City of Duncanville residents approved general obligation bonds for street improvements to address subgrade failures on Danieldale Rd between South Main Street and US-67. On 07 May 2019, the City Council approved the design contract for Danieldale Road street and subsurface utilities reconstruction. At that meeting, Council expressed a desire for a corridor study along Danieldale Road be performed to identify the potential for bike and pedestrian facilities. On 05 November 2019, City Council approved the Danieldale Road Corridor Study recommendation to convert Danieldale Road to four vehicular lanes with supporting bike and pedestrian facilities (Resolution No. 2019-107).

Based on this resolution, the City proceeded with designing the section of Danieldale Road between South Main Street and US-67 to become a 4-lane divided road with shared-use paths for bicycles and pedestrians. A 4-lane Danieldale Road corridor with bike and pedestrian facilities in Duncanville integrates with the existing 4-lane divided road with bike and pedestrian facilities in Dallas west of Clark Road as well as the proposed 4-lane divided road with bike and pedestrian facilities in DeSoto east of the city limits. The remainder of the Danieldale corridor in Duncanville would be converted from a 6-lane divided road to a 4-lane divided road with buffered bike lanes as an interim solution with full conversion over time as funding allows.

In March 2020, Dallas County Public Works identified a BUILD grant opportunity to combine proposed Dallas County 7th Call Projects from Dallas and DeSoto with Duncanville's interim bike lane solution along Danieldale Rd. The grant application contemplates creating a 4-lane corridor that connects US-67 and I-35E by upgrading the existing 2-lane road in Dallas and DeSoto to a 4-lane divided road with bike and pedestrian facilities (both were 7th Call for Project submissions) as well as providing the requisite striping and buffering in Duncanville to support the interim bike lane solution. Full conversion of the Duncanville portion of Danieldale Road between DeSoto and US-67 is not possible at this time due to grant funding limits (\$25M).

If the BUILD Grant is awarded, Duncanville would receive approximately \$1.2M to provide buffered bike lanes with curb and delineators from DeSoto city limits west to US-67. The City cost share for this work would be 20% (\$240K). Acceptance of the grant and approval of the City's cost share for this project would go to Council for consideration only if the grant is awarded.

About BUILD Grants:

The Better Utilizing Investments to Leverage Development, or BUILD Transportation Discretionary Grant program, provides a unique opportunity for the DOT to invest in road, rail, transit and port projects that promise to achieve national objectives. Previously known as Transportation Investment Generating Economic Recovery, or TIGER Discretionary Grants, Congress has dedicated nearly \$7.9 billion for eleven rounds of National Infrastructure Investments to fund projects that have a significant local or regional impact.

In each competition, DOT receives hundreds of applications to build and repair critical pieces of our freight and passenger transportation networks. The BUILD program enables DOT to examine these projects on their merits to help ensure that taxpayers are getting the highest value for every dollar invested.

The eligibility requirements of BUILD allow project sponsors at the State and local levels to obtain funding for multi-modal, multi-jurisdictional projects that are more difficult to support through traditional DOT programs. BUILD can fund port and freight rail projects, for example, which play a critical role in our ability to move freight, but have limited sources of Federal funds. BUILD can provide capital funding directly to any public entity, including municipalities, counties, port authorities, tribal governments, MPOs, or others in contrast to traditional Federal programs which provide funding to very specific groups of applicants (mostly State DOTs and transit agencies). This flexibility allows BUILD and our traditional partners at the State and local levels to work directly with a host of entities that own, operate, and maintain much of our transportation infrastructure, but otherwise cannot turn to the Federal government for support.

Since 2009, the Program has provided a combined \$7.9 billion to 609 projects in all 50 states, the District of Columbia, Puerto Rico, Guam, the Virgin Islands: \$1.5 billion for TIGER I, \$600 million for TIGER II, \$527 million for TIGER III, \$500 million for TIGER IV, \$474 million for TIGER V, \$600 million for TIGER VI, \$500 million for TIGER VII, \$500 million for TIGER VIII, \$500 million for TIGER IX, \$1.5 billion for BUILD FY 2018, and \$900 million for BUILD FY 2019.

This opportunity has allowed DOT to fund 51 innovative capital projects in TIGER I and an additional 42 capital projects in TIGER II. TIGER II also featured a new Planning Grant category through which 33 planning projects were also funded. In TIGER III, DOT awarded 46 capital projects in 33 states and Puerto Rico. In TIGER IV, DOT awarded 47 capital projects in 34 states and the District of Columbia. TIGER V saw 52 capital projects in 37 states, while TIGER VI awarded 41 capital projects and 31 planning projects in 46 states and the District of Columbia. TIGER VII awarded 39 capital projects in 33 states and TIGER VIII awarded 40 capital projects to 32 states and two U.S. territories. TIGER IX awarded 41 capital projects across 43 states. In 2018, BUILD awarded 91 capital projects across 49 states and the District of Columbia. In the most recent round of the program, BUILD funded 55 capital projects across 35 states.

Since 2009, the Program has awarded nearly \$2.9 billion in Federal funding to 264 rural projects across the nation, leveraging an estimated \$5.6 billion in non-BUILD/TIGER funding.

The BUILD program enables DOT to use a rigorous merit-based process to select projects with exceptional benefits, explore ways to deliver projects faster and save on construction costs, and make needed investments in our Nation's infrastructure.

POLICY EXPLANATION:

Dallas County is requesting a Resolution of Support from City Council to complete the BUILD Grant application packet. The Cities of Dallas and DeSoto are also requesting resolutions of support from their Councils.

FUNDING SOURCE:

There is no funding requirement at this time. If the BUILD grant is awarded and accepted by City Council, then Duncanville would be responsible for a 20% cost share which is currently estimated at \$240,000.00.

RECOMMENDATION:

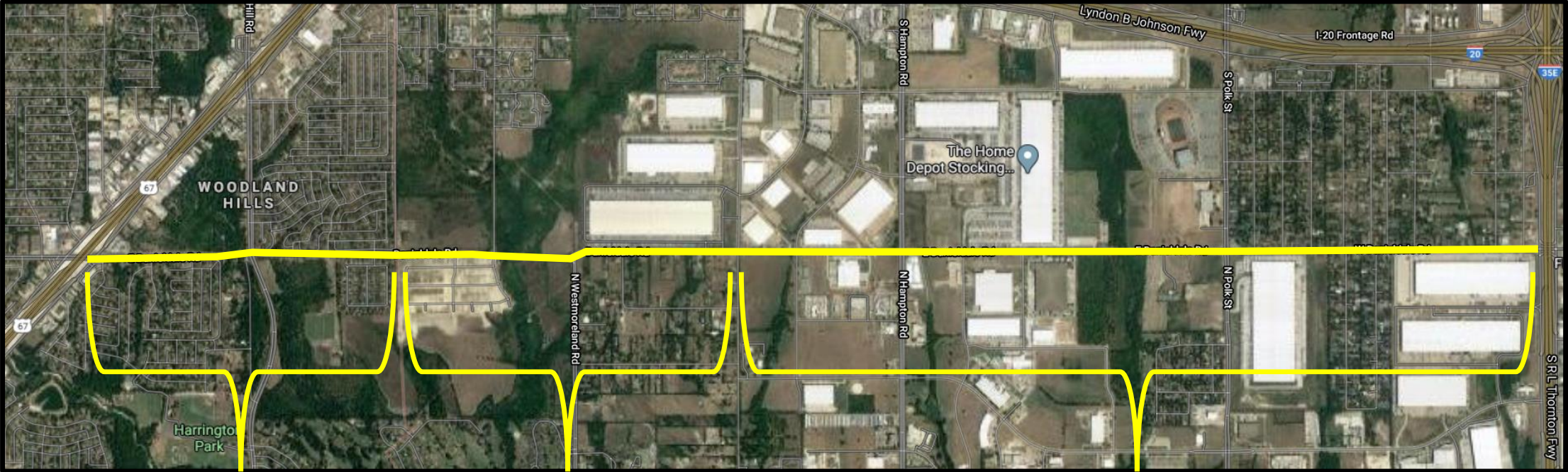
Staff recommends approval of a Resolution supporting Dallas County's Daniieldale Road project application for Better Utilizing Investment to Leverage Development (BUILD) Grant.

ATTACHMENTS:

[Attachment 1 - FY20 DPW Daniieldale Corridor BUILD Grant, 2020-04-24](#)

[Attachment 2 - Resolution No. - 2020-035 - Support for Dallas County's Daniieldale Road Project Application for BUILD Grant Funding](#)

Dallas County BUILD Grant – Project Limits and Summary of Work



Duncanville: Convert existing 6-lane road to 4 lane road with buffered bike lanes.

DeSoto: Upgrade existing 2-lane road to 4-lane road with bike & pedestrian facilities.

Dallas: Upgrade existing 2-lane road to 4-lane road with bike & pedestrian facilities

Dallas County BUILD Grant – Cross-section of Buffered Bike Lane, Danieldale Rd from US-67 to DeSoto City Limit



Interim Solution

RESOLUTION NO. 2020-035

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, SUPPORTING DALLAS COUNTY'S DANIELDALE ROAD PROJECT APPLICATION FOR BETTER UTILIZING INVESTMENT TO LEVERAGE DEVELOPMENT (BUILD) GRANT; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The County of Dallas is submitting a Better Utilizing Investment to Leverage Development (BUILD) Grant application for automobile, bicycle, and pedestrian improvements along the Daniel Dale Road corridor between US-67 and I-35E on behalf of the Cities of Duncanville, DeSoto, and Dallas; and

WHEREAS, The City of Duncanville recognizes the importance of improving access and increasing multi-jurisdictional inter-connectivity in the southwestern portion of Dallas County; and

WHEREAS, The project will enhance an important East-West thoroughfare in the southwestern portion of Dallas County.

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

SECTION 1. That the City Council of the City of Duncanville, Texas, hereby supports the Dallas County Better Utilizing Investment to Leverage Development (BUILD) Grant application for automobile, bicycle, and pedestrian improvements along the Daniel Dale Road corridor between US-67 and I-35E on behalf of the Cities of Duncanville, DeSoto, and Dallas.

SECTION 2. That 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 5th day of May, 2020

APPROVED:

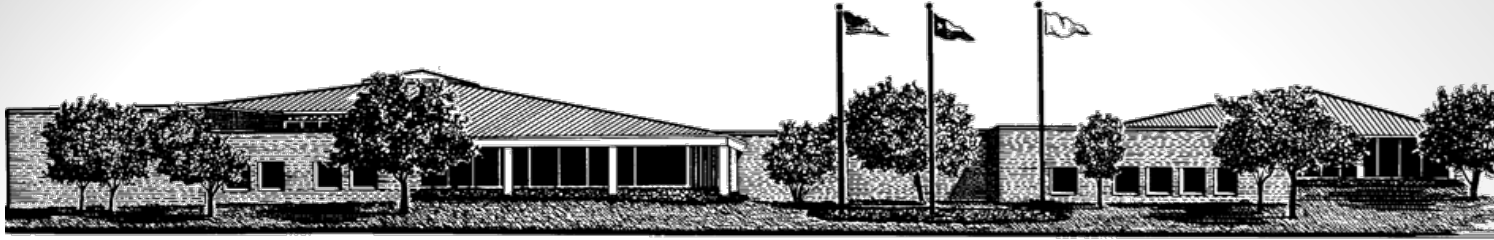
Barry L. Gordon, Mayor

ATTEST:

Kristin Downs, City Secretary

APPROVED AS TO FORM:

Robert E. Hager, City Attorney



BUILD GRANT SUPPORT

BRYAN G. RAMEY, II, P.E., DIRECTOR OF PUBLIC WORKS

MAY 5, 2020

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



Background

- 11/06/2018, Duncanville residents approved general obligation bonds for street improvements
- 05/07/19, City Council approved the design contract for Danieldale Road street and subsurface utilities reconstruction. Full corridor study requested at that time.
- 11/05/2019, City Council approved the Danieldale Road Corridor Study recommendation to convert Danieldale Road to four vehicular lanes with supporting bike and pedestrian facilities (Resolution No. 2019-107).
- 11/12/2019, Dallas County 7th Call for Projects Submissions
- 04/09/2020, BUILD Grant Initial Discussion w/ Dallas County and participating cities.



What is BUILD Grant?

- BUILD – Better Utilizing Intestments to Leverage Development
- \$1B Available Nationwide – Max \$25M/Project
- Allows U.S. Dept of Transportation to invest in road, rail, transit, and port projects that make America's transportation systems safer and more efficient
 - Improve access to reliable, safe, affordable transportation
 - Address public health and safety
 - Promote regional connectivity
 - Facilitate economic growth
- Federal/Local Cost Share, 80%/20%

Project Limits

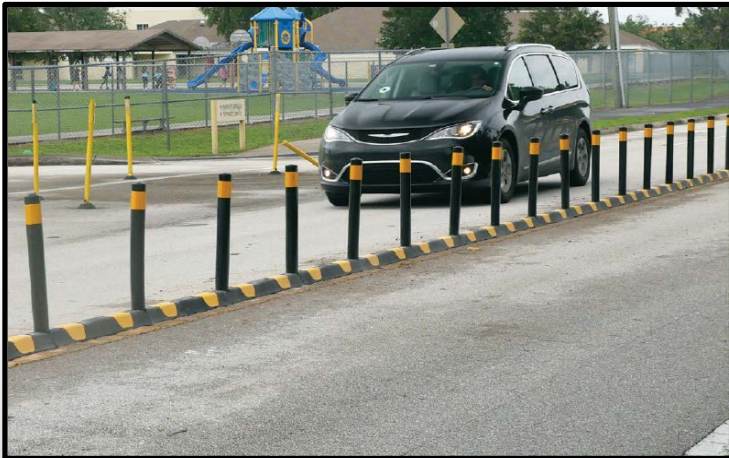
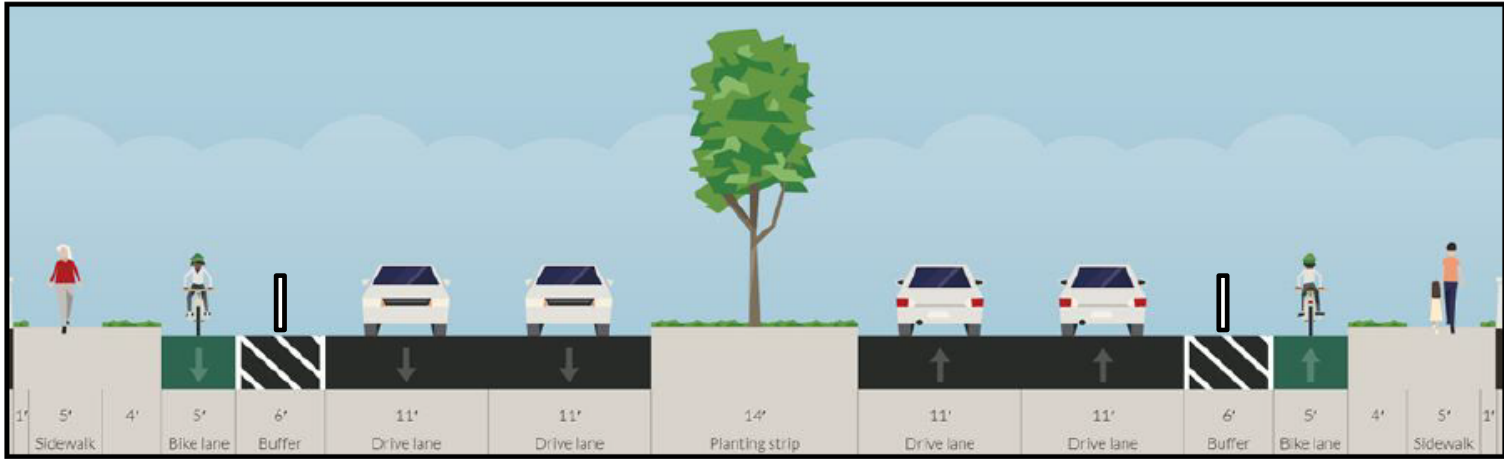


Duncanville: Convert existing 6-lane road to 4 lane road with buffered bike lanes.

DeSoto: Upgrade existing 2-lane road to 4-lane road with bike & pedestrian facilities.

Dallas: Upgrade existing 2-lane road to 4-lane road with bike & pedestrian facilities

Interim Solution



The City of Duncanville



Agenda Item #5.E.



Next Steps

- 05/18/2020, Dallas County submits BUILD Grant Application to U.S. Dept of Transportation
- 09/15/2020, Grants awarded
- 09/30/2022, Deadline to complete pre-construction activities
- FY23, Construction work commences (subject to funding)
- 09/30/2027, All expenditures complete



QUESTIONS?



STAFF REPORT

MEETING: City Council - 05 May 2020

TITLE:

Receive the FY20 Second Quarter Investment Report as of Mrch 31, 2020.

FY 2019 CITY COUNCIL ORGANIZATIONAL WORKPLAN:

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

STAFF RESPONSIBLE:

Richard Summerlin, CPA, CGFO
Finance Director

BACKGROUND/HISTORY:

The City of Duncanville Investment Policy requires quarterly investment reports to be presented to the City Council. This report will cover investment activity and interest earnings from December 31, 2019 to March 31, 2020. The Investment Report will cover beginning and ending investment balances and summarize investment activity during the quarter. Interest earnings should be viewed in light of compliance with the Public Funds Investment Act (PFIA) and strategies employed to keep unspent bond funds invested at the highest yield until funds are spent.

POLICY EXPLANATION:

The beginning investment balance at December 31, 2019 was \$66,721,176 with an ending balance at March 31, 2020 of \$69,371,964. The major increase in funds available for investment came from property tax collections. Of those total investments at March 31 2020, 39% are in CD's, 33% are in money market funds, and 28% are in the Logic Government Investment Pool.

The investment report charts the City of Duncanville's investment yield against benchmark rates of 90 day US Treasury Bills, Logic Government Investment Pool, and Texpool Investment Pool. Page 3 of the attached investment report depicts this graphic and the City of Duncanville yield exceeded all benchmarks not only for the 3 month period of this report but for the previous three months as well.

Total interest earned during the quarter was \$324,944 and the breakdown among the various funds can be found on Page 7 of the report.

All CD's and Money Market investments are fully secured at 102% of principal by pledged collateral, Letters of Credit held by the Federal Home Loan Bank, and FDIC insurance currently at \$250,000 per institution.

FUNDING SOURCE:

N/A

RECOMMENDATION:

There is no City Council action required.

ATTACHMENTS:

[Attachment 1 - Investment Report 2ND QTR 2020](#)

[Attachment 2 - Second Quarter Investment Report](#)

INVESTMENT PORTFOLIO SUMMARY

City Of Duncanville, Texas

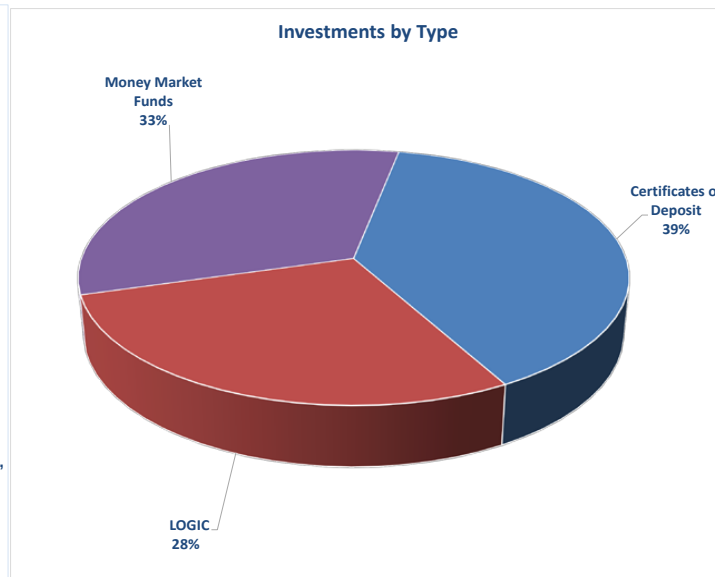
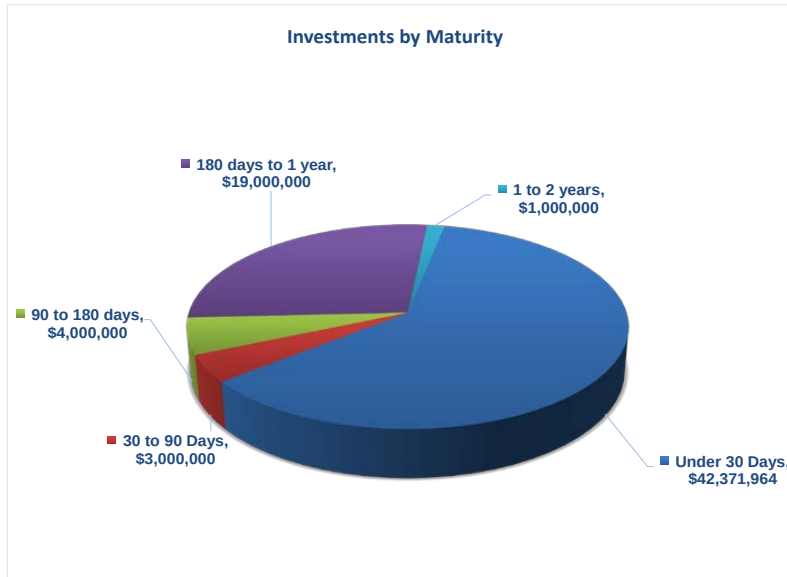


**For The Quarter Ended
March 31, 2020**

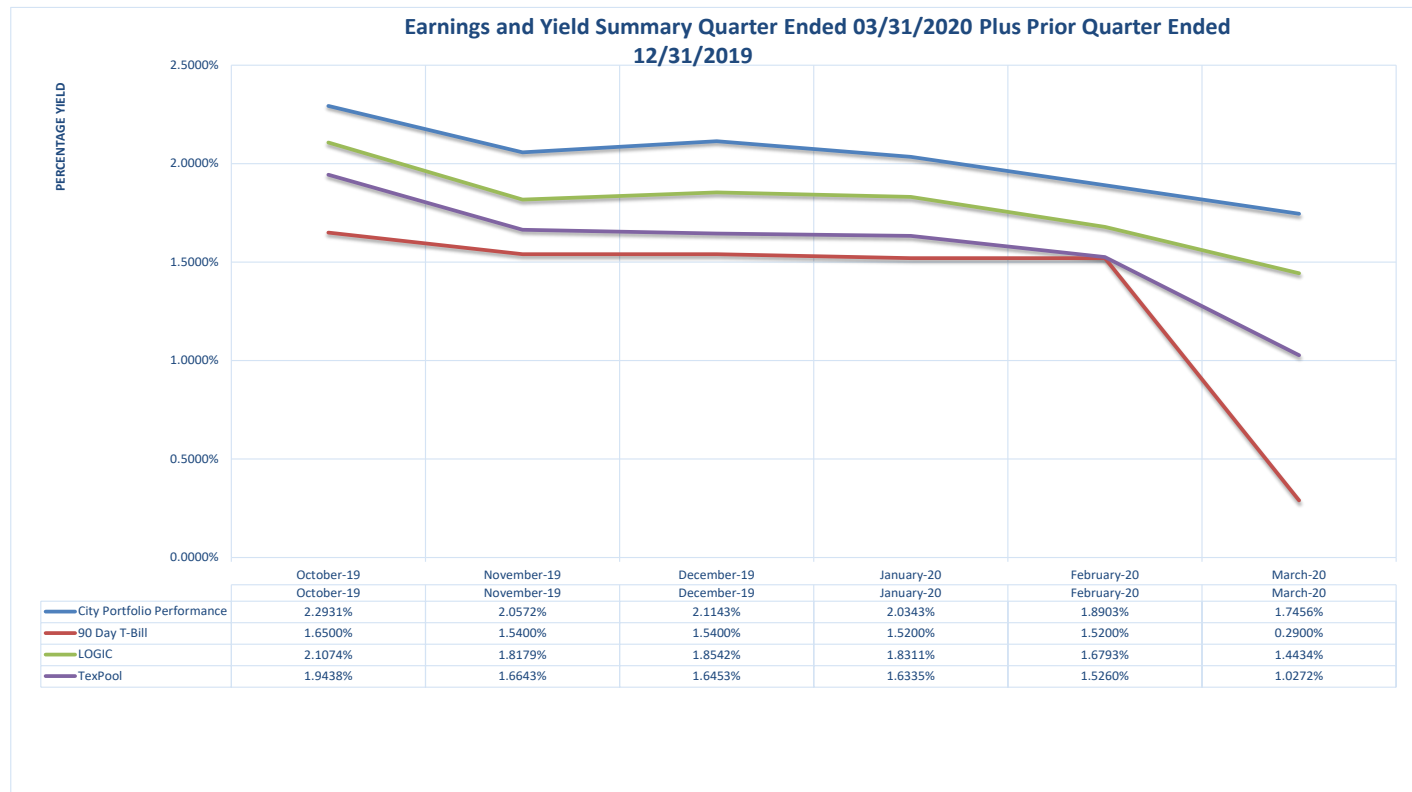


City Of Duncanville
Executive Summary
Investment Portfolio
For the Quarter Ended
March 31, 2020

Account Summary			
	Book Value		Market Value
Investments at 12/31/2019	\$ 66,721,176		\$ 66,721,176
Investment Purchases	15,650,788		15,650,788
Investment Maturities	13,000,000		13,000,000
Investments at 03/31/2020	\$ 69,371,964		\$ 69,371,964



**City of Duncanville Benchmark Comparison
Yield Summary For The Quarter Ended
March 31, 2020**



City of Duncanville
Investment Portfolio Summary
For Quarter Ending
March 31, 2020

Purchase Date	Maturity Date	CD Number	Security Type	Par Value	Coupon	Purchase			Book Value	Gain / (loss)	Current D - T - M
						Price	Yield	Principal			
31-Mar-20	31-Mar-20	Open	LOGIC	\$ 19,770,972.20	1.65%	100.00	1.65%	\$ 19,770,972.20	\$ 19,770,972.20		0
30-Sep-15	31-Mar-20	Open	Southside MM	4,271,285.94	1.55%	100.00	1.55%	4,271,285.94	4,271,285.94		0
30-Jun-17	31-Mar-20	Open	NEX Bank MM	18,324,678.38	1.52%	100.00	1.52%	18,324,678.38	18,324,678.38		0
31-Mar-20	31-Mar-20	Open	TEXPOOL	5,027.40	1.40%	100.00	1.40%	5,027.40	5,027.40		0
20-Mar-19	19-Jun-20	8593	Legacy Bank CD	3,000,000.00	2.68%	100.00	2.68%	3,000,000.00	3,000,000.00		80
06-Jul-19	06-Jul-20	12071	Tex Sec CD	1,000,000.00	2.15%	100.00	2.15%	1,000,000.00	1,000,000.00		97
21-Jun-19	21-Sep-20	12409	Tex Sec CD	3,000,000.00	2.32%	100.00	2.32%	3,000,000.00	3,000,000.00		174
15-Oct-19	15-Oct-20	10629	Southside CD	5,000,000.00	1.80%	100.00	1.80%	5,000,000.00	5,000,000.00		198
13-Nov-19	13-Nov-20	12311	Southside CD	6,000,000.00	1.72%	100.00	1.72%	6,000,000.00	6,000,000.00		227
20-Mar-19	21-Dec-20	8594	Legacy Bank CD	3,000,000.00	2.73%	100.00	2.73%	3,000,000.00	3,000,000.00		265
15-Jan-20	15-Jan-21	15833	Southside CD	3,000,000.00	1.69%	100.00	1.69%	3,000,000.00	3,000,000.00		290
20-Mar-19	19-Mar-21	8595	Legacy Bank CD	2,000,000.00	2.75%	100.00	2.75%	2,000,000.00	2,000,000.00		353
20-Mar-19	20-Sep-21	8596	Legacy Bank CD	1,000,000.00	2.80%	100.00	2.80%	1,000,000.00	1,000,000.00		538
TOTALS				\$ 69,371,963.92				\$ 69,371,963.92	\$ 69,371,963.92		

Distribution by Maturity		
	Par Value	Percent
Under 30 Days	\$ 42,371,964	61.08%
30 to 90 Days	\$ 3,000,000	4.32%
90 to 180 days	\$ 4,000,000	5.77%
180 days to 1 year	\$ 19,000,000	27.39%
1 to 2 years	\$ 1,000,000	1.44%
Totals	\$ 69,371,964	100.00%

Distribution by Investment Type		
	Percent	Book Value
U. S. Treasury Bills / Notes /	0.00%	
U. S. Agencies & Instrument	0.00%	
Certificates of Deposit	38.92%	\$ 27,000,000
LOGIC	28.50%	\$ 19,770,972
TEXPOOL	0.01%	\$ 5,027
Money Market Funds	32.57%	\$ 22,595,964
Repurchase Agreements	0.00%	
Totals	100.00%	\$ 69,371,964

MM Money Market Account
CD Certificates of Deposit
UST NOTES U. S. Treasury Notes
UST BILL U. S. Treasury Bills

City of Duncanville
Investment Transaction Detail Report
For Quarter Ending
March 31, 2020

Investment Purchase Transaction Information							
	Fund No.	Transactions					Total
Date Purchase							
Date Maturity							
CUSIP Number		Open	Southside	NEX Bank	Open	Southside	
Security Type		LOGIC	Money Market	Money Market	TexPool	CD #15833	
Par Value		\$ 12,564,859.48	\$ 16,517.96	\$ 69,392.75	\$ 17.50	\$ 3,000,000.00	\$ 15,650,787.69
Book Value		12,564,859.48	16,517.96	69,392.75	17.50	3,000,000.00	15,650,787.69
Market Value		12,564,859.48	16,517.96	69,392.75	17.50	3,000,000.00	15,650,787.69
General	001	5,928,209.14	12,388.48	23,802.90	17.50	2,000,000.00	7,964,418.02
Utility	002	1,713,106.33	4,129.48	13,862.06		\$ 1,000,000.00	2,731,097.87
Debt Services	005	1,228.32					1,228.32
Employee Benefit	007	104,187.03					104,187.03
Comp. Self Ins.	008	1,542.32					1,542.32
Hotel/Motel Tax	010	413.55					413.55
Economic Development	012	504,203.88					504,203.88
Grant Fund	013						-
Drainage Fees	015	396.09					396.09
Capital Replacement	016	2,181.53		1,973.14			4,154.67
Utility Capital Improvement	017	494.13					494.13
Court Technology	235	387.32					387.32
Solid Waste	019	1,337.29					1,337.29
Street	020						-
Parks	024						-
Capital Improvement	025						-
Capital Projects Construction	026	4,304,333.50		29,754.65			4,334,088.15
Traffic Enforcement Program	031	527.24					527.24
Court Security	225	1,600.14					1,600.14
Juvenile Case Manager	230	711.67					711.67

Investment Maturities Transaction Information					
	Fund No.	Transactions			Total
Date Purchase					
Date Maturity					
CUSIP Number		Open	Legacy	Legacy	
Security Type		LOGIC	CD #7532	CD #8592	
Par Value		\$ 5,000,000.00	\$ 3,000,000.00	\$ 5,000,000.00	\$ 13,000,000.00
Book Value		5,000,000.00	3,000,000.00	5,000,000.00	13,000,000.00
Market Value		5,000,000.00	3,000,000.00	5,000,000.00	13,000,000.00
General	001	3,300,000.00	2,000,000.00		5,300,000.00
Utility	002	1,100,000.00	500,000.00		1,600,000.00
Debt Services	005	300,000.00			300,000.00
Employee Benefit	007		300,000.00		300,000.00
Comp. Self Ins.	008				-
Hotel/Motel Tax	010				-
Economic Development	012		200,000.00		200,000.00
Grant Fund	013				-
Drainage Fees	015				-
Capital Replacement	016				-
Utility Capital Improvement	017				-
Court Technology	235				-
Solid Waste	019				-
Street	020				-
Parks	024				-
Capital Improvement	025				-
Capital Projects Construction	026			5,000,000.00	5,000,000.00
Traffic Enforcement Program	031	188,815.65			188,815.65
Court Security	225	111,184.35			111,184.35
Juvenile Case Manager	230				-

City of Duncanville
Schedule of Market Value of Investments
By Maturity Dates and Fund
For Quarter Ending
March 31, 2020

	Fund No.					21-Jun-19	06-Jul-19	09-Jan-19	20-Mar-19
Date Purchase						21-Sep-20	06-Jul-20	09-Jan-20	20-Mar-20
Date Maturity		Open	Open	Open	Open	CD # 12409	CD # 12071	CD #7532	CD #8592
CUSIP Number		LOGIC	TexPool	Southside MM	Nex Bank MM	TX SEC BANK	TX SEC BANK	Legacy Bank	Legacy Bank
Security Type									
Par Value		\$ 19,770,972.20	\$ 5,027.40	\$ 4,271,285.94	\$ 18,324,678.38	\$ 3,000,000.00	\$ 1,000,000.00		
Beginning Book Value		12,206,112.72	5,009.90	4,254,767.98	18,255,285.63	3,000,000.00	1,000,000.00	\$ 3,000,000.00	5,000,000.00
Beginning Market Value		12,206,112.72	5,009.90	4,254,767.98	18,255,285.63	3,000,000.00	1,000,000.00	3,000,000.00	5,000,000.00
Ending Book Value		19,770,972.20	5,027.40	4,271,285.94	18,324,678.38	3,000,000.00	1,000,000.00		
Ending Market Value		19,770,972.20	5,027.40	4,271,285.94	18,324,678.38	3,000,000.00	1,000,000.00		
General	001	7,494,845.04	5,027.40	3,203,464.46	6,341,833.10	1,500,000.00	900,000.00		
Utility	002	3,184,263.72		1,067,821.48	3,693,285.92	1,500,000.00			
Debt Services	005	224,483.49					100,000.00		
Employee Benefit	007	1,109,553.88							
Comp. Self Ins.	008	408,710.31							
Hotel/Motel Tax	010	109,590.12							
Economic Development	012	1,114,015.76							
Drainage Fees	015	104,963.17							
Capital Replacement	016	578,098.39			525,706.12				
Utility Capital Improvement	017	130,944.54							
Court Technology	235	102,637.08							
Solid Waste	019	354,379.33							
Capital Projects Construction	026	4,323,686.18			7,763,853.24				
Traffic Enforcement Program	031	287.32							
Court Security	225	341,928.46							
Juvenile Case Manager	230	188,585.41							

	Fund No.								Total
Date Purchase		20-Mar-19	20-Mar-19	20-Mar-19	20-Mar-19	15-Oct-19	13-Nov-19	15-Jan-19	
Date Maturity		19-Jun-20	21-Dec-20	19-Mar-21	20-Sep-21	15-Oct-20	13-Nov-20	15-Jan-21	
CUSIP Number		CD #8593	CD #8594	CD #8595	CD #8596	CD #10629	CD #12311	CD #15833	
Security Type		Legacy Bank	Legacy Bank	Legacy Bank	Legacy Bank	Southside	Southside	Southside	
Par Value		\$ 3,000,000.00	\$ 3,000,000.00	\$ 2,000,000.00	\$ 1,000,000.00	\$ 5,000,000.00	\$ 6,000,000.00	\$ 3,000,000.00	\$ 69,371,963.92
Beginning Book Value		3,000,000.00	3,000,000.00	2,000,000.00	1,000,000.00	5,000,000.00	6,000,000.00		66,721,176.23
Beginning Market Value		3,000,000.00	3,000,000.00	2,000,000.00	1,000,000.00	5,000,000.00	6,000,000.00		66,721,176.23
Ending Book Value		3,000,000.00	3,000,000.00	2,000,000.00	1,000,000.00	5,000,000.00	6,000,000.00	3,000,000.00	69,371,963.92
Ending Market Value		3,000,000.00	3,000,000.00	2,000,000.00	1,000,000.00	5,000,000.00	6,000,000.00	3,000,000.00	69,371,963.92
General	001					5,000,000.00	4,000,000.00	2,000,000.00	30,445,170.00
Utility	002						2,000,000.00	1,000,000.00	12,445,371.12
Debt Services	005								324,483.49
Employee Benefit	007								1,109,553.88
Comp. Self Ins.	008								408,710.31
Hotel/Motel Tax	010								109,590.12
Economic Development	012								1,114,015.76
Drainage Fees	015								104,963.17
Capital Replacement	016								1,103,804.51
Utility Capital Improvement	017								130,944.54
Court Technology	235								102,637.08
Solid Waste	019								354,379.33
Capital Projects Construction	026	3,000,000.00	3,000,000.00	2,000,000.00	1,000,000.00				21,087,539.42
Traffic Enforcement Program	031								287.32
Court Security	225								341,928.46
Juvenile Case Manager	230								188,585.41

City of Duncanville
Investment Interest Revenue Report
For Quarter Ending
March 31, 2020

Security Type	General 001	Utility 002	Debt Service 005	Employee Benefit 007	Comp. Self - Ins. 008	Hotel / Motel Tax 010	Economic Development 012	Drainage Fees 015	Capital Replacement 016
Pooled Investments									
Logic	\$ 28,209.14	\$ 13,106.33	\$ 1,228.32	\$ 4,187.03	\$ 1,542.32	\$ 413.55	\$ 4,203.88	\$ 396.09	\$ 2,181.53
Texpool	17.50								
NEX Bank Money Market	23,802.90	13,862.06							1,973.14
Southside Money Market	12,388.48	4,129.48							
Tex Sec Bk #12409	8,700.00	8,700.00							
Tex Sec Bk #12071	4,824.25		536.03						
Legacy Bank CD #7532	1,469.45	367.36		220.41			146.96		
Legacy Bank CD #8592									
Legacy Bank CD #8593									
Legacy Bank CD #8594									
Legacy Bank CD #8595									
Legacy Bank CD #8596									
Southside CD #10629	\$ 22,438.36								
Southside CD #12311	17,152.88	8,576.43							
Southside CD #15833	7,130.42	3,565.20							
Total	\$ 126,133.38	\$ 52,306.86	\$ 1,764.35	\$ 4,407.44	\$ 1,542.32	\$ 413.55	\$ 4,350.84	\$ 396.09	\$ 4,154.67

Security Type	Utility Capital Improvement 017	Solid Waste 019	Capital Projects Construction 026	Traffic Enforcement 031	Court Security 225	Juvenile Case Worker 230	Court Technology 235	Total
Pooled Investments								
Logic	\$ 494.13	\$ 1,337.29	\$ 4,333.50	\$ 527.24	\$ 1,600.14	\$ 711.67	\$ 387.32	\$ 64,859.48
Texpool								17.50
NEX Bank Money Market			29,754.65					69,392.75
Southside Money Market								16,517.96
Tex Sec Bk #12409								17,400.00
Tex Sec Bk #12071								5,360.28
Legacy Bank CD #7532								2,204.18
Legacy Bank CD #8592			29,172.39					29,172.39
Legacy Bank CD #8593			20,044.93					20,044.93
Legacy Bank CD #8594			20,418.90					20,418.90
Legacy Bank CD #8595			13,712.32					13,712.32
Legacy Bank CD #8596			6,980.82					6,980.82
Southside CD #10629								22,438.36
Southside CD #12311								25,729.31
Southside CD #15833								10,695.62
Total	\$494.13	\$1,337.29	\$124,417.51	\$527.24	\$1,600.14	\$711.67	\$387.32	\$ 324,944.80

ATTACHMENT 2



FY20 SECOND QUARTER INVESTMENT REPORT ENDING MARCH 31, 2020

MAY 5, 2020

RICHARD SUMMERLIN, CPA, CGFO

FINANCE DIRECTOR

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

City of Duncannonville



1

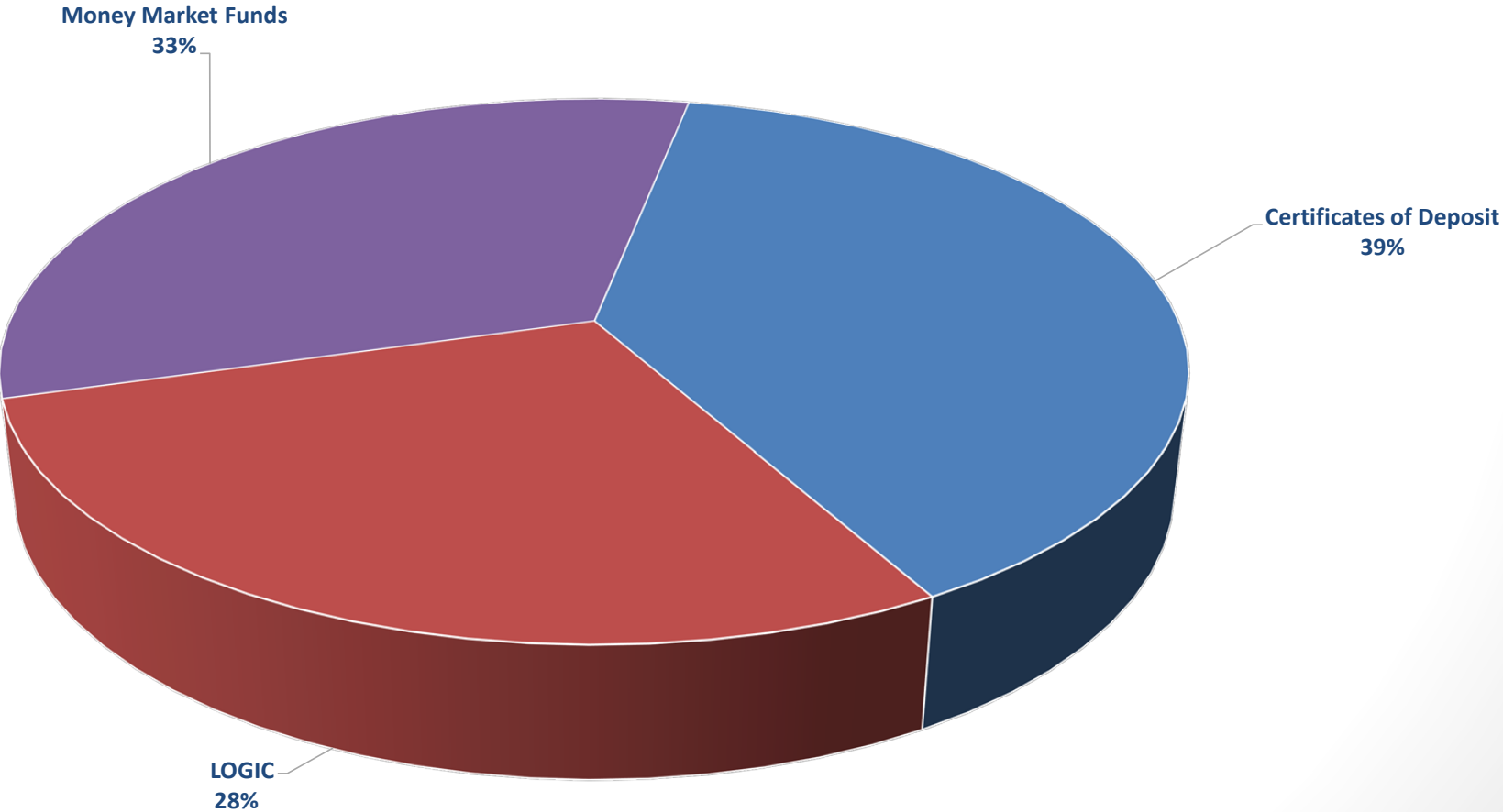
Quarterly Investment Activity Summary

- Primary increase due to property tax collections

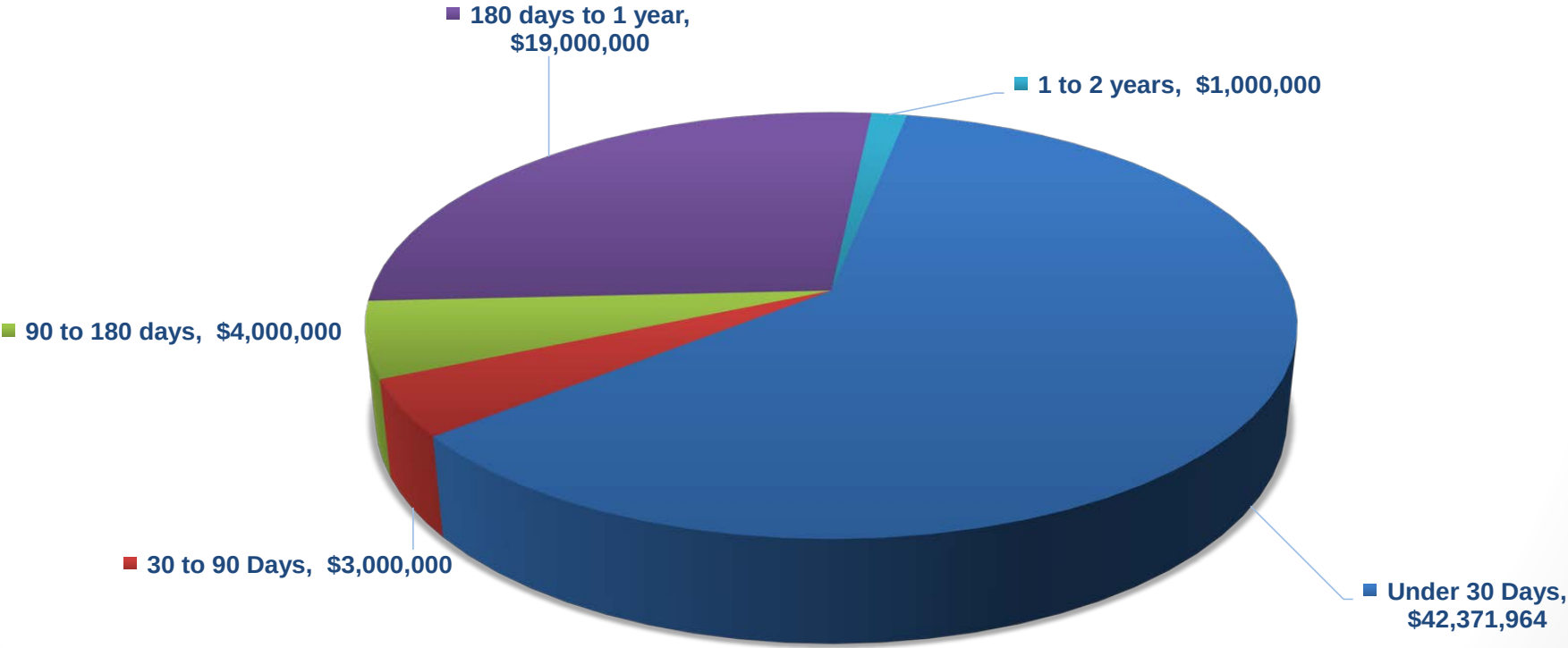
	<u>Book Value</u>		<u>Market Value</u>
Investments at 12/31/2019	\$66,721,176		\$66,721,176
Investment Purchases	15,650,788		15,650,788
Investment Maturities	13,000,000		13,000,000
Investments at 03/31/2020	\$69,371,964		\$69,371,964



Investments By Type



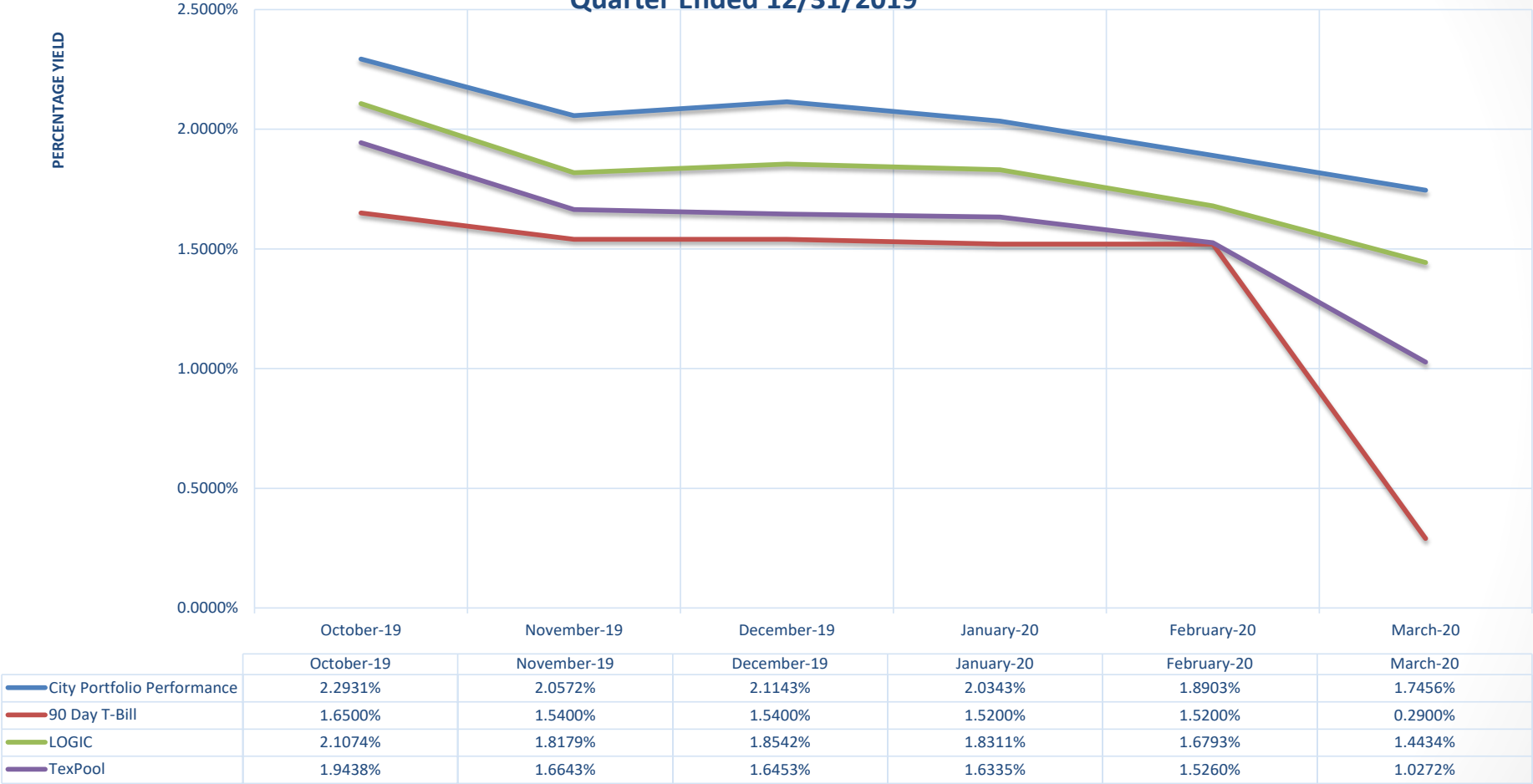
Investments By Maturity



Yield Summary

ATTACHMENT 2

Earnings and Yield Summary Quarter Ended 03/31/2020 Plus Prior
Quarter Ended 12/31/2019



Interest Revenue

- Total interest revenue earned for the quarter was \$324,945
 - General Fund interest revenue was \$126,133 or 38.8% of the total
 - Bond Fund interest revenue was \$124,417 or 38.2% of the total
 - Details on the following two slides for all fund allocations

Interest Revenue

Security Type	General 001	Utility 002	Debt Service 005	Employee Benefit 007	Comp. Self - Ins. 008	Hotel / Motel Tax 010	Economic Development 012	Drainage Fees 015	Capital Replacement 016
Pooled Investments									
Logic	\$ 28,209.14	\$ 13,106.33	\$ 1,228.32	\$ 4,187.03	\$ 1,542.32	\$ 413.55	\$ 4,203.88	\$ 396.09	\$ 2,181.53
Texpool	17.50								
NEX Bank Money Market	23,802.90	13,862.06							1,973.14
Southside Money Market	12,388.48	4,129.48							
Tex Sec Bk #12409	8,700.00	8,700.00							
Tex Sec Bk #12071	4,824.25		536.03						
Legacy Bank CD #7532	1,469.45	367.36		220.41			146.96		
Legacy Bank CD #8592									
Legacy Bank CD #8593									
Legacy Bank CD #8594									
Legacy Bank CD #8595									
Legacy Bank CD #8596									
Southside CD #10629	\$ 22,438.36								
Southside CD #12311	17,152.88	8,576.43							
Southside CD #15833	7,130.42	3,565.20							
Total	\$ 126,133.38	\$ 52,306.86	\$ 1,764.35	\$ 4,407.44	\$ 1,542.32	\$ 413.55	\$ 4,350.84	\$ 396.09	\$ 4,154.67

Interest Revenue (Continued)

	Utility Capital	Solid	Capital Projects	Traffic	Court	Juvenile	Court	
Security	Improvement	Waste	Construction	Enforcement	Security	Case Worker	Technology	
Type	017	019	026	031	225	230	235	Total
Pooled Investments								
Logic	\$ 494.13	\$ 1,337.29	\$ 4,333.50	\$ 527.24	\$ 1,600.14	\$ 711.67	\$ 387.32	\$ 64,859.48
Texpool								17.50
NEX Bank Money Market			29,754.65					69,392.75
Southside Money Market								16,517.96
Tex Sec Bk #12409								17,400.00
Tex Sec Bk #12071								5,360.28
Legacy Bank CD #7532								2,204.18
Legacy Bank CD #8592			29,172.39					29,172.39
Legacy Bank CD #8593			20,044.93					20,044.93
Legacy Bank CD #8594			20,418.90					20,418.90
Legacy Bank CD #8595			13,712.32					13,712.32
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Southside CD #10629								22,438.36
Southside CD #12311								25,729.31
Southside CD #15833								10,695.62
Total	\$494.13	\$1,337.29	\$124,417.51	\$527.24	\$1,600.14	\$711.67	\$387.32	\$ 324,944.80



ATTACHMENT 2





STAFF REPORT

MEETING: City Council - 05 May 2020

TITLE:

Receive the Monthly Financial Report as of March 31, 2020.

FY 2019 CITY COUNCIL ORGANIZATIONAL WORKPLAN:

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

STAFF RESPONSIBLE:

Richard Summerlin, Finance Director

BACKGROUND/HISTORY:

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

POLICY EXPLANATION:

March 2020 is the sixth month in fiscal year 2020 and we would expect revenues and expenditures to be at about 50% of their budgets. Below are financial highlights as of the March 2020 Financial Report.

General Fund:

- General Fund ending fund balance is \$18.1 million, which is approximately 205 days of operations based on the adopted budget.
- Overall General Fund revenues and transfers in are at 69.5% of the budget.
 - Current property tax payments are at 96.0% of the budget. This is typical for this time of year since property tax payments were due by January 31st. This is 8.2% higher than the same time last year.
 - Sales tax revenue is 5.6% higher than the same time last year. The data here reflects sales tax revenue of four months from the period of October 2019 through January 2020. The figures do not include the financial effect of the loss of a major sales tax generator nor COVID19 pandemic on sales tax.
- Overall General Fund operating expenditures and transfers out are at 42.9% of the budget.
 - A detailed financial update on one-time projects is included as the last page of the financial report.

Other Funds:

- The Utility Fund ending fund balance is \$2.4 million, which is approximately 45 days of operations based on the adopted budget.

- Water and sewer revenues run one month in the arrears, so this report reflects five months of revenues. Water revenues are 9.3% higher than the same time last year, while sewer revenues are down by 5.2%.
 - Total expenditures are at 49.8% of the budget. Water services expenditures include five months of payments to Dallas Water Utilities. Wastewater services include seven months of payments to Trinity River Authority. Also note that \$5 million is reserved for the AMI project in the Utility Fund.
- The Sanitation Fund has an ending fund balance of \$590 thousand, which is approximately 53 days of operations.
 - Garbage revenues run one month in the arrears. Residential and commercial garbage revenues are 18.0% and 12.2%, respectively, greater than same time last year. Garbage rate increases were enacted for fiscal year 2020.
 - Total expenditures are at 39.6% of the budget and include five months of payments for contracted garbage collection services. The City entered into a new contract with Republic Services this fiscal year.
- Overall investment revenue is trending higher in most City funds due to favorable interest rates through March 2020.
- The quarterly financial update on Capital Project Funds as of March 31, 2020 is also attached as the CIP Financial Report.

FUNDING SOURCE:

N/A

RECOMMENDATION:

There is no City Council action required.

ATTACHMENTS:

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

[Attachment 2 - CIP Financial Report as of March 2020](#)

[Attachment 3 - March 2020 Financial Update to Council](#)

Attachment 1



**CITY OF DUNCANVILLE
MONTHLY FINANCIAL REPORT**

Fiscal Year 2019-2020
YEAR-TO-DATE OPERATIONS

AS OF MARCH 31, 2020

OCTOBER 1, 2019 TO MARCH 31, 2020

Prepared by
FINANCE DEPARTMENT
4/20/2020

Attachment 1

CITY OF DUNCANVILLE

FUND BALANCES AT MARCH 31, 2020

FUND	BEGINNING BALANCE (OCT 1)	REVENUES	EXPENDITURES	RESERVED FOR ONE TIME PROJECTS ¹	ENDING BALANCE YTD
GENERAL FUND	\$12,754,602	\$22,882,561	(\$14,501,404)	(\$2,992,040)	\$18,143,719
UTILITY FUND	\$9,460,358	\$7,572,825	(\$9,666,524)	(\$5,000,000)	\$2,366,659
SANITATION FUND	\$627,420	\$1,573,030	(\$1,610,541)	\$0	\$589,910
ECONOMIC DEVELOPMENT	\$2,985,980	\$890,618	(\$743,281)	\$0	\$3,133,317
FIELDHOUSE	(\$1,118,698)	\$449,302	(\$555,051)	\$0	(\$1,224,448)
MEDICAL INSURANCE	(\$250,741)	\$2,192,278	(\$2,244,087)	\$0	(\$302,551)
COMPREHENSIVE SELF INS	\$711,439	\$245,477	(\$373,270)	\$0	\$583,647

DAYS OF OPERATIONS AT MARCH 31, 2020

FUND	YTD FUND BALANCE	BUDGETED OPERATING RESERVE # DAYS	BUDGETED OPERATING RESERVE (\$)	YTD ACTUAL # DAYS OF OPERATIONS
GENERAL FUND	\$18,143,719	75	\$6,646,704	205
UTILITY FUND	\$2,366,659	60	\$3,188,143	45
SANITATION FUND	\$589,910	60	\$668,885	53

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

Attachment 1

CITY OF DUNCANVILLE

GENERAL FUND REVENUES AT MARCH 31, 2020

REVENUES	YTD ACTUAL	ORIGINAL BUDGET	REVISED BUDGET	YTD LEFT IN BUDGET	% OF ANNUAL BUDGET YTD
51 - TAXES	\$19,823,816	\$27,328,043	\$27,328,043	\$7,504,227	72.5%
501101 - CURRENT TAXES	\$16,584,082	\$17,270,520	\$17,270,520	\$686,438	96.0%
501102 - DELINQUENT TAXES	\$66,878	\$140,000	\$140,000	\$73,122	47.8%
501103 - PENALTIES AND INTEREST	\$52,717	\$120,000	\$120,000	\$67,283	43.9%
501201 - STATE SALES TAX CITY PORTION	\$1,759,192	\$5,254,349	\$5,254,349	\$3,495,157	33.5%
501202 - SALES TAX PROPERTY TAX RELIEF	\$879,596	\$2,627,174	\$2,627,174	\$1,747,578	33.5%
501204 - ALCOHOLIC BEVERAGE TAX	\$17,356	\$76,000	\$76,000	\$58,644	22.8%
501301 - FRANCHISE FEE ELECTRIC	\$271,553	\$1,200,000	\$1,200,000	\$928,447	22.6%
501302 - FRANCHISE FEE GAS	\$76,067	\$330,000	\$330,000	\$253,933	23.1%
501303 - FRANCHISE FEE TELEPHONE	\$44,235	\$180,000	\$180,000	\$135,765	24.6%
501304 - FRANCHISE FEE CABLE TV	\$40,572	\$130,000	\$130,000	\$89,428	31.2%
501306 - FRANCHISE VIDEO SERV	\$31,570	(\$0)	(\$0)	(\$31,570)	
52 - PERMITS & FEES	\$786,852	\$1,153,000	\$1,153,000	\$366,148	68.2%
502101 - BUILDING PERMITS	\$180,486	\$200,000	\$200,000	\$19,515	90.2%
502102 - ELECTRICAL PERMITS	\$8,866	\$12,000	\$12,000	\$3,134	73.9%
502103 - SOLICITOR LICENSES	\$200	\$2,000	\$2,000	\$1,800	10.0%
502105 - EMERGENCY MEDICAL SERVICE	\$456,608	\$700,000	\$700,000	\$243,392	65.2%
502106 - SIGN PERMITS	\$11,240	\$11,000	\$11,000	(\$240)	102.2%
502107 - WRECKER AND STORAGE FEES	(\$0)	\$3,000	\$3,000	\$3,000	0.0%
502108 - HEALTH FOOD INSPECTION FEES	\$42,383	\$64,500	\$64,500	\$22,117	65.7%
502109 - PLUMBING AND AC PERMITS	\$25,645	\$34,000	\$34,000	\$8,355	75.4%
502111 - ZONING & SPEC USE PERMIT	\$3,250	\$8,500	\$8,500	\$5,250	38.2%
502113 - SMALL CELL/ NETWORK NODE FEES	\$500	(\$0)	(\$0)	(\$500)	
502114 - RENTAL PROPERTY REGISTRATION	\$31,420	\$55,000	\$55,000	\$23,580	57.1%
502120 - ALARM PERMITS	\$26,254	\$60,000	\$60,000	\$33,746	43.8%
502122 - POOL OR SPA INSPECTION FEE	(\$0)	\$3,000	\$3,000	\$3,000	0.0%
53 - FINES	\$241,118	\$508,000	\$508,000	\$266,882	47.5%
503101 - MUNICIPAL COURT FINES	\$181,122	\$360,000	\$360,000	\$178,878	50.3%
503102 - COURT RELATED FEES	\$48,209	\$110,000	\$110,000	\$61,791	43.8%
503103 - SCHOOL CROSSING FEES	\$1,417	\$3,000	\$3,000	\$1,583	47.2%
503201 - LIBRARY FINES	\$4,645	\$20,000	\$20,000	\$15,355	23.2%
503301 - FALSE ALARM FINES	\$5,725	\$15,000	\$15,000	\$9,275	38.2%
54 - INTERGOVERNMENTAL	\$52,445	\$171,000	\$171,000	\$118,555	30.7%
504102 - DISD SCHOOL CROSSING GUARDS	\$12,129	\$41,000	\$41,000	\$28,871	29.6%
504103 - DALLAS COUNTY CROSSING GUARD	\$18,243	\$30,000	\$30,000	\$11,757	60.8%
504109 - REIMB FOR REG EMERG MANAGER	\$22,073	\$100,000	\$100,000	\$77,927	22.1%
55 - INTEREST	\$242,240	\$315,000	\$315,000	\$72,760	76.9%
505101 - INTEREST ON GOVT POOL INVEST	\$34,190	\$75,000	\$75,000	\$40,810	45.6%
505103 - CERT OF DEPOSIT INTEREST	\$126,706	\$80,000	\$80,000	(\$46,706)	158.4%
505106 - MONEY MARKET INTEREST	\$81,345	\$160,000	\$160,000	\$78,655	50.8%
57 - RECREATIONAL FEES	\$135,233	\$311,000	\$311,000	\$175,767	43.5%
507102 - RECREATION FEES	\$115,154	\$306,000	\$306,000	\$190,846	37.6%
507104 - SENIOR CENTER ANNUAL USER FEE	\$2,010	\$5,000	\$5,000	\$2,990	40.2%
507107 - RECREATION CENTER CLASSES	\$5,968	(\$0)	(\$0)	(\$5,968)	
507108 - RECREATION CENTER SPECIAL EVEN	\$7,973	(\$0)	(\$0)	(\$7,973)	
507109 - SENIOR CLASS/TRIPS	\$4,128	\$0	(\$0)	(\$4,128)	

Attachment 1

CITY OF DUNCANVILLE

GENERAL FUND REVENUES AT MARCH 31, 2020

REVENUES	YTD ACTUAL	ORIGINAL BUDGET	REVISED BUDGET	YTD LEFT IN BUDGET	% OF ANNUAL BUDGET YTD
59 - OTHER REVENUES	\$293,640	\$505,880	\$505,880	\$212,240	58.0%
509101 - SALE OF FIXED ASSETS	(\$0)	(\$0)	(\$0)	(\$)	
509102 - GAIN/ LOSS ON SALE FIXED ASSET	(\$0)	\$0	(\$0)	(\$)	
509105 - SALE OF MATERIALS	\$352	\$1,000	\$1,000	\$648	35.2%
509201 - INSURANCE RECOVERY	(\$0)	(\$0)	(\$0)	(\$)	
509501 - COLLECTION OF BAD DEBTS	\$389	\$2,000	\$2,000	\$1,611	19.5%
509502 - MISCELLANEOUS W/O	(\$0)	\$100	\$100	\$100	0.0%
509601 - MISCELLANEOUS	\$73,785	\$58,000	\$58,000	(\$15,785)	127.2%
509602 - CASH OVER AND SHORT	\$127	\$0	(\$0)	(\$127)	
509603 - COPIES	\$10,017	\$18,000	\$18,000	\$7,983	55.6%
509604 - POLICE ACCIDENT REPORTS	\$1,677	\$4,500	\$4,500	\$2,823	37.3%
509606 - AUCTION PROCEEDS	(\$0)	\$5,000	\$5,000	\$5,000	0.0%
509607 - ANIMAL PERMITS	\$10	\$50	\$50	\$40	20.0%
509609 - RETURN CHECK FEES	\$105	\$230	\$230	\$125	45.7%
509611 - SCRAP METAL SALES	(\$0)	(\$0)	(\$0)	(\$)	
509612 - CITY SERVICES REIMBURSEMENT	\$68,611	\$58,000	\$58,000	(\$10,611)	118.3%
509613 - WORKERS COMP REIMBURSEMENT	\$10,302	\$15,000	\$15,000	\$4,698	68.7%
509614 - RENTAL OF TOWER	\$112,837	\$194,000	\$194,000	\$81,163	58.2%
509617 - LEASE INCOME	\$12,750	\$150,000	\$150,000	\$137,250	8.5%
509618 - GAS WELL OIL REVENUE	\$2,680	\$0	(\$0)	(\$2,680)	
81 - OTHER FINANCE SOURCE	\$1,307,217	\$2,614,435	\$2,614,435	\$1,307,218	50.0%
801102 - TRANSF IN UTILITY FUND WATER	\$880,855	\$1,761,710	\$1,761,710	\$880,855	50.0%
801104 - TRANSF IN UTIL FUND SANITATION	\$96,149	\$192,297	\$192,297	\$96,149	50.0%
801108 - TRANSF IN EDC SALES TAX	\$37,806	\$75,613	\$75,613	\$37,807	50.0%
801110 - TRANSF IN HOTEL TAX FUND	\$28,151	\$56,302	\$56,302	\$28,151	50.0%
801150 - TRANSF IN PILOT FRANCHISE TAX	\$264,257	\$528,513	\$528,513	\$264,257	50.0%
Grand Total	\$22,882,561	\$32,906,358	\$32,906,358	\$10,023,797	69.5%

Attachment 1

CITY OF DUNCANVILLE

GENERAL FUND EXPENDITURES AT MARCH 31, 2020

EXPENDITURES	YTD ACTUAL	ORIGINAL BUDGET	REVISED BUDGET	YTD LEFT IN BUDGET	% OF ANNUAL BUDGET YTD
0000 - OTHER	\$311,762	\$648,628	\$648,628	\$336,866	48.1%
001 - GENERAL FUND NON-ORG	\$311,762	\$648,628	\$648,628	\$336,866	48.1%
0101 - GENERAL GOVERNMENT	\$1,465,191	\$3,095,929	\$3,144,066	\$1,678,875	46.6%
01011000 - MAYOR AND COUNCIL	\$90,490	\$136,759	\$136,759	\$46,268	66.2%
01011100 - CITY ADMINISTRATION	\$306,120	\$703,334	\$730,521	\$424,401	41.9%
01011300 - HUMAN RESOURCES	\$145,907	\$336,315	\$336,315	\$190,409	43.4%
01011400 - INFO TECHNOLOGY	\$408,051	\$790,621	\$811,571	\$403,520	50.3%
01011500 - PUBLIC INFORMATION OFFICE	\$75,573	\$187,338	\$187,338	\$111,765	40.3%
01011600 - PUBLIC LIBRARY	\$439,050	\$941,561	\$941,561	\$502,511	46.6%
0102 - FINANCE	\$673,788	\$1,505,201	\$1,507,683	\$833,894	44.7%
01022000 - FINANCE ADMINISTRATION	\$389,092	\$778,218	\$778,218	\$389,126	50.0%
01022300 - MUNICIPAL COURT	\$197,028	\$502,610	\$505,092	\$308,064	39.0%
01022500 - PURCHASING	\$49,542	\$101,913	\$101,913	\$52,371	48.6%
01022700 - CITY MARSHAL	\$38,126	\$122,460	\$122,460	\$84,334	31.1%
0104 - PARK AND RECREATION	\$1,480,635	\$3,991,412	\$3,991,412	\$2,510,776	37.1%
01044000 - PARK & REC ADMINISTRATION	\$123,040	\$273,435	\$274,935	\$151,895	44.8%
01044100 - REC PROGRAM ADMIN	\$175,959	\$390,194	\$388,694	\$212,735	45.3%
01044101 - REC PROGRAM CLASSES	\$2,238	\$5,682	\$5,682	\$3,444	39.4%
01044200 - SPECIAL EVENTS ADMIN	\$53,448	\$198,780	\$198,780	\$145,332	26.9%
01044300 - ATHLETIC PROGRAMMING	\$162,063	\$443,575	\$443,575	\$281,512	36.5%
01044500 - HORTICULTURE	\$78,127	\$177,565	\$177,565	\$99,438	44.0%
01044600 - PARK GROUNDS MAINTENANCE	\$403,885	\$1,370,696	\$1,370,696	\$966,811	29.5%
01044800 - BUILDING MAINTENANCE	\$403,435	\$890,663	\$890,663	\$487,228	45.3%
01044900 - SENIOR CENTER	\$77,594	\$235,623	\$235,623	\$158,028	32.9%
01044901 - SENIOR CENTER CLASSES	\$570	\$4,600	\$4,600	\$4,030	12.4%
01044911 - SENIOR CENTER TRIPS	\$277	\$600	\$600	\$323	46.1%
0105 - POLICE	\$4,283,296	\$9,505,974	\$9,526,295	\$5,243,000	45.0%
01055000 - POLICE ADMINISTRATION	\$259,948	\$554,675	\$554,675	\$294,727	46.9%
01055100 - PATROL	\$2,116,775	\$4,889,288	\$4,888,538	\$2,771,763	43.3%
01055200 - CRIMINAL INVESTIGATION	\$644,339	\$1,479,462	\$1,480,212	\$835,873	43.5%
01055300 - ANIMAL CONTROL	\$225,344	\$435,033	\$435,033	\$209,689	51.8%
01055400 - SCHOOL GUARDS	\$45,470	\$84,550	\$84,550	\$39,080	53.8%
01055500 - CRIME PREVENTION	\$63,371	\$151,235	\$151,235	\$87,864	41.9%
01055700 - RECORDS	\$612,246	\$1,211,653	\$1,231,974	\$619,728	49.7%
01055800 - DETENTION SERVICES	\$149,686	\$319,737	\$319,737	\$170,050	46.8%
01055900 - POLICE SPECIAL SERVICES	\$166,116	\$380,341	\$380,341	\$214,226	43.7%
0106 - PUBLIC WORKS	\$2,792,349	\$6,930,278	\$7,183,906	\$4,391,556	38.9%
01066000 - ENGINEERING	\$185,964	\$403,059	\$403,059	\$217,095	46.1%
01066100 - BUILDING INSPECTION	\$218,446	\$480,172	\$530,171	\$311,725	41.2%
01066200 - STREET MAINTENANCE	\$1,356,809	\$3,550,038	\$3,727,298	\$2,370,490	36.4%
01066300 - TRAFFIC OPERATIONS	\$428,979	\$870,772	\$892,139	\$463,160	48.1%
01066400 - PLANNING	\$91,489	\$219,433	\$224,433	\$132,944	40.8%
01066500 - CODE SERVICES	\$105,597	\$270,566	\$270,566	\$164,969	39.0%
01066700 - EQUIPMENT SERVICES	\$405,065	\$1,136,239	\$1,136,239	\$731,174	35.6%

Attachment 1

CITY OF DUNCANVILLE

GENERAL FUND EXPENDITURES AT MARCH 31, 2020

EXPENDITURES	YTD ACTUAL	ORIGINAL BUDGET	REVISED BUDGET	YTD LEFT IN BUDGET	% OF ANNUAL BUDGET YTD
0107 - FIRE	\$3,148,427	\$7,009,246	\$7,009,246	\$3,860,820	44.9%
01077000 - FIRE ADMINISTRATION	\$279,836	\$633,825	\$633,825	\$353,989	44.2%
01077100 - FIRE PREVENTION	\$156,672	\$244,277	\$244,277	\$87,605	64.1%
01077200 - FIRE SUPPRESSION	\$1,937,643	\$4,294,259	\$4,294,259	\$2,356,616	45.1%
01077300 - ADVANCED LIFE SUPPORT	\$710,682	\$1,700,743	\$1,700,743	\$990,061	41.8%
01077500 - EMERGENCY MANAGEMENT ADMIN	\$63,594	\$136,142	\$136,142	\$72,549	46.7%
0108 - NON DEPARTMENTAL	\$132,731	\$309,252	\$309,252	\$176,521	42.9%
01088000 - GENERAL NON DEPARTMENTAL	\$132,731	\$309,252	\$309,252	\$176,521	42.9%
0109 - SPECIAL PURPOSES	\$50,000	\$100,000	\$100,000	\$50,000	50.0%
01099000 - SPECIAL PURPOSES	\$50,000	\$100,000	\$100,000	\$50,000	50.0%
Total Operating Expenses & Transfers Out	\$14,338,179	\$33,095,921	\$33,420,487	\$19,082,308	42.9%

EXPENDITURES	YTD ACTUAL	ORIGINAL BUDGET	REVISED BUDGET	YTD LEFT IN BUDGET	% OF ANNUAL BUDGET
4110 - ONE-TIME PROJECTS					
41010000 - GEN GOVT ONE TIME PROJECTS	\$20,000	\$134,185	\$160,521	\$140,521	12.5%
41040000 - PARKS & REC ONE TIME PROJECTS	\$33,000	\$139,969	\$1,714,956	\$1,681,956	1.9%
41060000 - PUBLIC WORKS ONE TIME PROJECTS	\$110,225	\$151,508	\$1,116,563	\$1,006,338	9.9%
Total One-Time Projects	\$163,225	\$425,662	\$2,992,040	\$2,828,815	5.5%

Grand Total- Including One-Time Projects	\$14,501,404	\$33,521,583	\$36,412,527	\$21,911,123	39.8%
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Attachment 1

CITY OF DUNCANVILLE

UTILITY FUND AT MARCH 31, 2020

	YTD	ORIGINAL	REVISED	YTD LEFT	% OF
REVENUES	ACTUAL	BUDGET	BUDGET	IN BUDGET	ANNUAL BUDGET YTD
41 - WATER	\$3,199,143	\$8,040,000	\$8,040,000	\$4,840,857	39.8%
510101 - WATER SALES	\$2,028,982	\$5,300,000	\$5,300,000	\$3,271,018	38.3%
510102 - WATER TAPS	\$7,418	\$10,000	\$10,000	\$2,582	74.2%
510104 - MULTI-FAMILY WATER SALES	\$319,953	\$750,000	\$750,000	\$430,047	42.7%
510105 - COMMERCIAL WATER SALES	\$570,794	\$1,350,000	\$1,350,000	\$779,206	42.3%
510106 - WATER SALES OTHER	\$495	(\$0)	(\$0)	(\$495)	
510107 - WATER SALES IRRIGATION	\$187,166	\$480,000	\$480,000	\$292,834	39.0%
510108 - SCHOOL WATER SALES	\$84,335	\$150,000	\$150,000	\$65,665	56.2%
42 - SEWER	\$4,102,830	\$9,183,600	\$9,183,600	\$5,080,770	44.7%
511101 - SEWER SERVICE	\$2,814,650	\$6,300,000	\$6,300,000	\$3,485,350	44.7%
511102 - SEWER TAPS	\$540	\$3,600	\$3,600	\$3,060	15.0%
511105 - MULTI-FAMILY SEWER SERVICE	\$605,582	\$1,400,000	\$1,400,000	\$794,418	43.3%
511106 - COMMERCIAL SEWER SERVICE	\$623,467	\$1,350,000	\$1,350,000	\$726,533	46.2%
511108 - SCHOOL WASTEWATER SALES	\$58,591	\$130,000	\$130,000	\$71,410	45.1%
45 - PENALTIES	\$94,086	\$130,000	\$130,000	\$35,914	72.4%
513101 - PENALTIES	\$94,086	\$130,000	\$130,000	\$35,914	72.4%
54 - INTERGOVERNMENTAL	(\$0)	(\$0)	(\$0)	(\$0)	
504111 - REIMB FOR SUMMIT TANK FROM CH	(\$0)	(\$0)	(\$0)	(\$0)	
55 - INTEREST	\$97,796	\$120,000	\$120,000	\$22,204	81.5%
505101 - INTEREST ON GOVT POOL INVEST	\$16,144	\$120,000	\$120,000	\$103,856	13.5%
505103 - CERT OF DEPOSIT INTEREST	\$41,070	(\$0)	(\$0)	(\$41,070)	
505106 - MONEY MARKET INTEREST	\$40,581	(\$0)	(\$0)	(\$40,581)	
59 - OTHER REVENUES	\$78,971	\$143,500	\$143,500	\$64,529	55.0%
509101 - SALE OF FIXED ASSETS	(\$0)	(\$0)	(\$0)	(\$0)	
509301 - REFUNDS FROM TRA	(\$0)	(\$0)	(\$0)	(\$0)	
509401 - SERVICE CHARGES	\$61,906	\$130,000	\$130,000	\$68,094	47.6%
509601 - MISCELLANEOUS	\$200	\$5,000	\$5,000	\$4,800	4.0%
509602 - CASH OVER AND SHORT	\$16	(\$0)	(\$0)	(\$16)	
509609 - RETURN CHECK FEES	\$2,800	\$5,000	\$5,000	\$2,200	56.0%
509611 - SCRAP METAL SALES	\$1,387	\$3,500	\$3,500	\$2,113	39.6%
509612 - CITY SERVICES REIMBURSEMENT	\$12,662	(\$0)	(\$0)	(\$12,662)	
Grand Total	\$7,572,825	\$17,617,100	\$17,617,100	\$10,044,275	43.0%

	YTD	ORIGINAL	REVISED	YTD LEFT	% OF
EXPENDITURES	ACTUAL	BUDGET	BUDGET	IN BUDGET	ANNUAL BUDGET YTD
002 - UTILITY FUND NON-ORG	\$3,666,431	\$7,442,775	\$7,442,775	\$3,776,344	49.3%
02311000 - UTILITIES ADMINISTRATION	\$188,206	\$391,729	\$400,399	\$212,193	47.0%
02312000 - WATER SERVICES	\$1,835,789	\$4,514,065	\$4,514,065	\$2,678,276	40.7%
02313000 - WASTEWATER SERVICES	\$3,518,799	\$5,876,545	\$5,876,545	\$2,357,746	59.9%
02411000 - UTILITIES ACCOUNTING	\$457,300	\$1,169,420	\$1,169,420	\$712,120	39.1%
Grand Total	\$9,666,524	\$19,394,534	\$19,403,204	\$9,736,680	49.8%

Attachment 1

CITY OF DUNCANVILLE

SANITATION FUND AT MARCH 31, 2020

	YTD	ORIGINAL	REVISED	YTD LEFT	% OF
REVENUES	ACTUAL	BUDGET	BUDGET	IN BUDGET	ANNUAL
					BUDGET
					YTD
43 - GARBAGE	\$1,568,333	\$3,839,934	\$3,839,934	\$2,271,601	40.8%
512101 - RESIDENTIAL GARBAGE	\$1,340,674	\$3,101,961	\$3,101,961	\$1,761,287	43.2%
512104 - LANDFILL COMMERCIAL	\$111,107	\$430,000	\$430,000	\$318,893	25.8%
512105 - COMMERCIAL COLLECT FRANCHISE	\$77,023	\$210,000	\$210,000	\$132,977	36.7%
512106 - COMMERCIAL GARBAGE	\$39,529	\$97,973	\$97,973	\$58,444	40.3%
55 - INTEREST	\$4,697	\$6,000	\$6,000	\$1,303	78.3%
505101 - INTEREST ON GOVT POOL INVEST	\$3,224	\$6,000	\$6,000	\$2,776	53.7%
505103 - CERT OF DEPOSIT INTEREST	\$1,473	(\$0)	(\$0)	(\$1,473)	
Grand Total	\$1,573,030	\$3,845,934	\$3,845,934	\$2,272,904	40.9%

	YTD	ORIGINAL	REVISED	YTD LEFT	% OF
EXPENDITURES	ACTUAL	BUDGET	BUDGET	IN BUDGET	ANNUAL
					BUDGET
					YTD
019 - SANITATION NON-ORG	\$200,349	\$400,697	\$400,697	\$200,348	50.0%
19011000 - SANITATION ADMIN	\$1,301,705	\$3,407,604	\$3,407,604	\$2,105,899	38.2%
19012000 - LITTER CONTROL CREW	\$108,487	\$260,753	\$260,753	\$152,265	41.6%
Grand Total	\$1,610,541	\$4,069,053	\$4,069,053	\$2,458,513	39.6%

Attachment 1

CITY OF DUNCANVILLE

ECONOMIC DEVELOPMENT AT MARCH 31, 2020

REVENUES	YTD ACTUAL	ORIGINAL BUDGET	REVISED BUDGET	YTD LEFT IN BUDGET	% OF ANNUAL BUDGET YTD
51 - TAXES	\$879,596	\$2,627,174	\$2,627,174	\$1,747,578	33.5%
501203 - ECONOMIC DEVELOPMENT SALES TAX	\$879,596	\$2,627,174	\$2,627,174	\$1,747,578	33.5%
55 - INTEREST	\$11,022	\$16,000	\$16,000	\$4,978	68.9%
505101 - INTEREST ON GOVT POOL INVEST	\$8,001	\$16,000	\$16,000	\$7,999	50.0%
505103 - CERT OF DEPOSIT INTEREST	\$3,021	(\$0)	(\$0)	(\$3,021)	
Grand Total	\$890,618	\$2,643,174	\$2,643,174	\$1,752,556	33.7%

EXPENDITURES	YTD ACTUAL	ORIGINAL BUDGET	REVISED BUDGET	YTD LEFT IN BUDGET	% OF ANNUAL BUDGET YTD
012 - ECONOMIC DEVELOP NON-ORG	\$38,214	\$609,463	\$610,279	\$572,065	6.3%
12011000 - ECONOMIC DEVELOPMENT ADMIN	\$173,606	\$337,211	\$396,003	\$222,397	43.8%
12011100 - KEEP DUNCANVILLE BEAUTIFUL	\$3,606	\$12,081	\$12,081	\$8,475	29.8%
12011600 - DEBT SERVICE EDC	\$485,066	\$488,413	\$488,413	\$3,346	99.3%
12011800 - BEAUTIFICATION	\$19,814	\$126,472	\$126,472	\$106,658	15.7%
12051000 - DESIGN INCENTIVES	\$22,975	\$160,000	\$160,000	\$137,025	14.4%
12051200 - GRANTS/REBATE INCENTIVES	\$0	\$0	\$0	\$0	
Grand Total	\$743,281	\$1,733,640	\$1,793,248	\$1,049,967	41.4%

Attachment 1

CITY OF DUNCANVILLE

FIELDHOUSE FUND AT MARCH 31, 2020

	YTD	ORIGINAL	REVISED	YTD LEFT IN	% OF
REVENUES	ACTUAL	BUDGET	BUDGET	BUDGET	ANNUAL
48 - SPORTS FACILITY	\$250,963	\$814,100	\$814,100	\$563,137	30.8%
520101 - SPONSORSHIP REVENUE	\$30,275	\$100,500	\$100,500	\$70,225	30.1%
520120 - FOOD SALES	\$70,649	\$202,000	\$202,000	\$131,351	35.0%
520130 - BEVERAGE SALES	\$50,278	\$107,000	\$107,000	\$56,722	47.0%
520140 - MERCHANDISE REVENUE	\$233	\$5,000	\$5,000	\$4,767	4.7%
520170 - OTHER SPORTS ACTIVITY REV	\$36,092	\$59,600	\$59,600	\$23,508	60.6%
520180 - CAMP/AFTERSCHOOL PROG REV	\$33,870	\$276,000	\$276,000	\$242,130	12.3%
520190 - CLASS REVENUE	\$29,567	\$64,000	\$64,000	\$34,434	46.2%
59 - OTHER REVENUES	\$198,338	\$573,371	\$573,371	\$375,033	34.6%
509601 - MISCELLANEOUS	\$56,891	\$81,871	\$81,871	\$24,980	69.5%
509602 - CASH OVER AND SHORT	\$182	(\$0)	(\$0)	(\$182)	
509606 - AUCTION PROCEEDS	(\$0)	(\$0)	(\$0)	(\$0)	
509615 - RENTAL	\$11,288	\$56,500	\$56,500	\$45,213	20.0%
509620 - RENTALS- BASKETBALL	\$106,693	\$395,000	\$395,000	\$288,308	27.0%
509621 - RENTALS- VOLLEYBALL	\$23,285	\$40,000	\$40,000	\$16,715	58.2%
81 - OTHER FINANCE SOURCE	(\$0)	\$533,850	\$533,850	\$533,850	0.0%
801129 - TRANSF IN DCEDC	(\$0)	\$533,850	\$533,850	\$533,850	0.0%
Grand Total	\$449,302	\$1,921,321	\$1,921,321	\$1,472,019	23.4%

	YTD	ORIGINAL	REVISED	YTD LEFT IN	% OF
EXPENDITURES	ACTUAL	BUDGET	BUDGET	BUDGET	ANNUAL
456 - FIELDHOUSE NON-ORG	\$47,745	\$2,640	\$2,640	(\$45,105)	1808.5%
45601000 - FH ADMIN/OPS	\$432,498	\$1,643,772	\$1,643,772	\$1,211,274	26.3%
45602000 - FH CAFÉ/ FOOD COURT	\$70,289	\$175,705	\$175,705	\$105,416	40.0%
45602500 - FH GENERAL STORE	\$108	\$3,750	\$3,750	\$3,642	2.9%
45651100 - FIELDHOUSE CAMPS	\$3,670	\$78,000	\$78,000	\$74,330	4.7%
45651200 - FIELDHOUSE CLASSES	\$62	\$5,110	\$5,110	\$5,048	1.2%
45651300 - FIELDHOUSE OTHER ACTIVITIES	\$679	\$9,550	\$9,550	\$8,871	7.1%
Grand Total	\$555,051	\$1,918,527	\$1,918,527	\$1,363,476	28.9%

Attachment 1

CITY OF DUNCANVILLE

MEDICAL INSURANCE FUND AT MARCH 31, 2020

	YTD	ORIGINAL	REVISED	YTD LEFT	% OF
REVENUES	ACTUAL	BUDGET	BUDGET	IN BUDGET	ANNUAL BUDGET YTD
46 - PREMIUMS AND OTHER	\$1,975,325	\$3,562,942	\$3,562,942	\$1,587,617	55.4%
514101 - PREMIUMS EMPLOYEE HEALTH	\$1,537,415	\$2,700,000	\$2,700,000	\$1,162,585	56.9%
514103 - PREMIUMS DEPENDENT HEALTH	\$308,545	\$564,035	\$564,035	\$255,490	54.7%
514105 - PREMIUMS COBRA	(\$0)	(\$0)	(\$0)	(\$0)	
514106 - PREMIUMS RETIREES	\$129,365	\$298,907	\$298,907	\$169,542	43.3%
55 - INTEREST	\$13,490	\$28,000	\$28,000	\$14,510	48.2%
505101 - INTEREST ON GOVT POOL INVEST	\$8,224	\$28,000	\$28,000	\$19,776	29.4%
505103 - CERT OF DEPOSIT INTEREST	\$5,267	(\$0)	(\$0)	(\$5,267)	
59 - OTHER REVENUES	\$3,462	(\$0)	(\$0)	(\$3,462)	
509608 - STOP/LOSS REIMBURSEMENT	\$3,462	(\$0)	(\$0)	(\$3,462)	
81 - OTHER FINANCE SOURCE	\$200,000	\$400,000	\$400,000	\$200,000	50.0%
801901 - TRANSF IN	\$200,000	\$400,000	\$400,000	\$200,000	50.0%
Grand Total	\$2,192,278	\$3,990,942	\$3,990,942	\$1,798,664	54.9%

	YTD	ORIGINAL	REVISED	YTD LEFT	% OF
EXPENDITURES	ACTUAL	BUDGET	BUDGET	IN BUDGET	ANNUAL BUDGET YTD
007 - MEDICAL INSURANCE NON-ORG					
700450 - CONTRACTUAL SERVICES	\$17,450	\$37,080	\$37,080	\$19,630	47.1%
700904 - MISCELLANEOUS EXPENSE	\$41	\$5,000	\$5,000	\$4,959	0.8%
701103 - EMPLOYEE MED PREMIUM EXPENSE	\$1,918,988	\$3,288,884	\$3,288,884	\$1,369,896	58.3%
701253 - RETIREE MED PREMIUM EXP	\$302,946	\$604,165	\$604,165	\$301,219	50.1%
702101 - ADMINISTRATIVE EXPENSES	\$4,661	\$8,000	\$8,000	\$3,339	58.3%
Grand Total	\$2,244,087	\$3,943,129	\$3,943,129	\$1,699,042	56.9%

Attachment 1

CITY OF DUNCANVILLE

COMPREHENSIVE SELF-INSURANCE FUND AT MARCH 31, 2020

	YTD ACTUAL	ORIGINAL BUDGET	REVISED BUDGET	YTD LEFT IN BUDGET	% OF ANNUAL BUDGET YTD
REVENUES					
46 - PREMIUMS AND OTHER	\$241,221	\$482,448	\$482,448	\$241,227	50.0%
514107 - GENERAL FUND CONTRIBUTIONS	\$196,006	\$392,018	\$392,018	\$196,012	50.0%
514108 - UTILITY FUND CONTRIBUTIONS	\$26,733	\$53,465	\$53,465	\$26,732	50.0%
514109 - HOTEL TAX FUND CONTRIBUTIONS	\$1,833	\$3,667	\$3,667	\$1,834	50.0%
514110 - EDC FUND CONTRIBUTIONS	\$5,994	\$11,988	\$11,988	\$5,994	50.0%
514111 - SANITATION FUND CONTRIBUTIONS	\$4,542	\$9,085	\$9,085	\$4,543	50.0%
514112 - DRAINAGE FUND CONTRIBUTIONS	\$2,445	\$4,890	\$4,890	\$2,445	50.0%
514113 - FIELDHOUSE FUND CONTRIBUTIONS	\$3,668	\$7,335	\$7,335	\$3,668	50.0%
55 - INTEREST	\$4,256	\$6,100	\$6,100	\$1,844	69.8%
505101 - INTEREST ON GOVT POOL INVEST	\$4,256	\$6,100	\$6,100	\$1,844	69.8%
Grand Total	\$245,477	\$488,548	\$488,548	\$243,071	50.2%

	YTD ACTUAL	ORIGINAL BUDGET	REVISED BUDGET	YTD LEFT IN BUDGET	% OF ANNUAL BUDGET YTD
EXPENDITURES					
008 - COMPREHENSIVE INSURANCE NONORG					
700446 - INSURANCE PREMIUMS TML	\$295,717	\$299,296	\$299,296	\$3,579	98.8%
700455 - WORKERS COMPENSATION CLAIMS	\$59,073	\$175,000	\$175,000	\$115,927	33.8%
700456 - LIABILITY CLAIMS	\$18,480	\$60,000	\$60,000	\$41,520	30.8%
Grand Total	\$373,270	\$534,296	\$534,296	\$161,026	69.9%

Attachment 1

CITY OF DUNCANVILLE

ONE-TIME PROJECTS AT MARCH 31, 2020

	DESCRIPTION	DEPT	PROJECT TO DATE ACTUAL	TOTAL PROJECT BUDGET	TOTAL REMAINING BUDGET	PROJECT STATUS
1	FY18 ZONING ORDINANCE UPDATE	PW	101,056	150,000	48,944	
2	FY18 NEIGHBORHOOD SIGN TOPPERS	GEN GOV	20,000	20,000	-	COMPLETE
3	FY19 ROOF REPLACEMENT	PARKS	70,263	1,637,250	1,566,987	
4	FY19 SECURITY UPGRADES (CAMERAS)	GEN GOV	137,664	144,000	6,336	
5	FY19 PUBLIC WORKS ERP SYSTEM	PW	53,295	226,000	172,705	
6	FY19 US 67 GATEWAY SIGNAGE	PW	21,600	500,000	478,400	ON HOLD
7	FY19 DESIGN FOR MAIN ST. /CAMP WISDOM	PW	-	150,000	150,000	
8	FY 20 LASERFICHE - GENERAL GOVT RECORDS	GEN GOV	-	19,185	19,185	
9	FY 20 SECURITY UPGRADES (CAMERAS)	GEN GOV	-	115,000	115,000	REDUCE SCOPE
10	FY 20 LED PANEL CHRISTMAS TREE	PARKS	25,000	25,000	-	COMPLETE
11	FY 20 PYBURN PARK FITNESS EQUIPMENT	PARKS	-	50,000	50,000	ON HOLD
12	FY 20 CHILLER REPLACEMENT	PARKS	-	44,969	44,969	
13	FY 20 BI LASERFICHE	PW	-	10,000	10,000	ON HOLD
14	FY 20 FUEL TANKS	PW	-	141,508	141,508	
15	FY 20 LED LIGHTING AMPHITHEATRE	PARKS	-	20,000	20,000	ON HOLD
16	FY 20 CENSUS ACTIVITIES (FROM PY SAVINGS)	PW	219	5,000	4,781	
	TOTAL ONE TIME PROJECT BUDGET		\$429,097	\$3,257,912	\$2,828,815	

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

Attachment 2
CIP PROJECTS AS OF 03/31/2020

CIP PROJECT TYPE	2019 ACTUAL	2020 YTD ACTUAL	2020 BUDGET	PROJECT TO DATE ACTUALS	PROJECT TO DATE BUDGET	STATUS
ALCI - ALLEY CIP						
PWAL00001 - FY18 FOREST HILLS FLAMINGO/GRANADA	\$229,393.89			\$279,183.57	\$293,130.94	COMPLETE
PWAL00002 - FY19 MADRID ALLEY RECONSTRUCTION	\$25,444.88	\$11,590.65	\$347,555.12	\$37,035.53	\$373,000.00	
PWALDR001 - FY20 DIGITIZE ALLEY/DRAINAGE DWGS		\$0.00	\$10,000.00	\$0.00	\$10,000.00	
BWCI - BAG WALL CIP						
PWDR00006 - FY18 BAGWALL PROJECT 279 MERRIBROOK	\$22,859.00			\$35,361.00	\$22,859.00	COMPLETE
PWDR00008 - FY19 BAGWALL - 614 KENSINGTON	\$61,938.80	(\$20,646.40)	\$0.00	\$41,292.40	\$82,584.80	
DRCI - DRAINAGE CIP						
PWDR00001 - FY18 FOREST HILLS FLAMINGO DRAINAGE	\$44,917.62			\$44,917.62	\$47,916.99	COMPLETE
PWDR00002 - FY18 LONGWORTH BLVD DRAINAGE IMPROV	\$30,122.00	\$0.00	\$24,043.00	\$30,122.00	\$54,165.00	
PWDR00003 - FY18 WILLOW RUN PARK DRAINAGE IMPRV	\$29,723.50	\$10,584.00	\$19,426.50	\$40,307.50	\$49,150.00	
PWDR00004 - FY18 LAKESIDE PARK DRAINAGE IMPROV	\$28,340.10	\$4,230.40	\$16,849.90	\$32,570.50	\$45,190.00	
PWDR00005 - FY18 FERGUSON DRAIN/EROSION/PAVING	\$10,000.00	\$189,821.40	\$434,658.74	\$199,821.40	\$444,658.74	
PWDR00007 - FY19 MADRID ALLEY RECONSTRUCTION	\$1,275.37	\$6,376.85	\$41,478.33	\$7,652.22	\$42,753.70	
PWDR00009 - FY19 MEADOWCREEK 370 DRAINAGE IMPRV	\$4,500.00	\$34,884.10	\$211,535.00	\$39,384.10	\$216,035.00	
FABD - FACILITIES BOND PROJECT						
PWBD00004 - SERVICE CENTER RENOVATION BOND	\$64,800.00	\$64,800.00	\$141,600.00	\$129,600.00	\$206,400.00	
PWBD00005 - FIRE STATION BOND	\$23,500.00	\$208,636.58	\$1,140,500.00	\$232,136.58	\$1,164,000.00	
LSCI - LANDSCAPE CIP						
PWST00002 - US67 LANDSCAPE MASTER PLAN	\$16,771.46	\$33,167.00	\$48,908.54	\$136,188.46	\$152,000.00	
PBCI - PIPE BURSTING CIP						
PWWW00002 - FY18 PIPEBURSTING PROGRAM	\$1,799,910.41	\$0.00	\$113,919.59	\$1,799,910.41	\$1,913,830.00	COMPLETE
PWWW00009 - FY20 PIPEBURSTING PROGRAM		\$0.00	\$1,000,000.00	\$0.00	\$1,000,000.00	
PKBD - PARKS BOND CI PROJECTS						
PKBD00001 - CITYWIDE TRAILS IMPLEMENTATION		\$0.00	\$900,000.00	\$0.00	\$900,000.00	
PKBD00002 - ROTARY PARKING LOT	\$17,405.46			\$17,405.46	\$50,000.00	COMPLETE
PKBD00003 - LAKESIDE PARK PAVILION	\$0.00	\$295,197.64	\$400,000.00	\$295,197.64	\$400,000.00	
PKBD00004 - HARRINGTON PARK PAVILION	\$0.00	\$0.00	\$400,000.00	\$0.00	\$400,000.00	
PKBD00005 - ARMSTRONG KIDSVILLE AND SPLASHPAD	\$44,550.00	\$94,883.42	\$2,205,450.00	\$139,433.42	\$2,250,000.00	
PKBD00006 - HARRINGTON IMPROVEMENTS	\$0.00	\$0.00	\$2,120,000.00	\$0.00	\$2,120,000.00	
SDCI - STUDY CIP						
PWWR00005 - FY18 WATER MASTER PLAN	\$64,251.00	\$549.00	\$549.00	\$64,800.00	\$64,800.00	COMPLETE

Attachment 2
CIP PROJECTS AS OF 03/31/2020

CIP PROJECT TYPE	2019 ACTUAL	2020 YTD ACTUAL	2020 BUDGET	PROJECT TO DATE ACTUALS	PROJECT TO DATE BUDGET	STATUS
PWWW00003 - FY18 WASTEWATER MASTER PLAN	\$75,655.00	\$2,745.00	\$2,745.00	\$78,400.00	\$78,400.00	COMPLETE
SKCI - SIDEWALK CIP						
PWST00003 - FY18 SIDEWALK PROGRAM	\$74,268.75			\$74,268.75	\$400,801.00	COMPLETE
PWST00005 - FY19 SIDEWALK PROGRAM	\$0.00	\$58,245.90	\$228,925.00	\$58,245.90	\$228,925.00	
STBD - STREETS CIP BOND PROJ						
PWBD00001 - DANIELDALE RD (S MAIN - US 67) BOND	\$42,880.58	\$96,679.17	\$2,998,706.80	\$139,559.75	\$3,041,587.38	
STCI - STREET CIP						
PWST00006 - FY19 DANIELDALE BIKE FACILITY STUDY	\$27,488.98	\$24,095.93	\$24,111.02	\$51,584.91	\$51,600.00	
WRCI - WATER LINE CIP						
PWWR00001 - FY18 CENTER ST & CENTER RIDGE APTS	\$44,867.60	\$273,883.13	\$1,704,365.00	\$419,180.23	\$1,832,827.00	
PWWR00003 - FY18 IRWIN KEASLER WATER MAIN IMPRV	\$114,826.81	\$91,758.32	\$813,611.19	\$206,585.13	\$928,438.00	
PWWR00004 - FY18 GREENBRIAR ESTATES IMPROVEMENT	\$115,527.45	\$253,620.12	\$503,149.05	\$369,147.57	\$618,676.50	
PWWR00006 - FY18 FOREST HILLS-S ALEXANDER WTR	\$30,225.00	\$340,781.75	\$344,269.31	\$371,006.75	\$374,494.31	
PWWR00007 - FY19 LINK DR WATER IMPROVEMENTS	\$36,442.85	\$14,016.00	\$355,191.02	\$50,458.85	\$391,633.87	
PWWR00008 - FY19 LAKESIDE DR WATER IMPROVEMENTS	\$13,500.00	\$116,637.30	\$293,355.00	\$130,137.30	\$308,355.00	
PWWR00009 - FY19 COCKRELL HILL WATER IMPROVE	\$0.00	\$25,193.42	\$64,233.84	\$25,193.42	\$64,233.84	
PWWR00011 - FY19 DANIELDALE MAIN TO 67	\$21,830.13	\$49,218.49	\$296,063.14	\$71,048.62	\$317,893.27	
PWWR00013 - FY20 MAIN & CAMP WISDOM WTR IMPROVE		\$0.00	\$13,608.34	\$0.00	\$13,608.34	
PWWR00014 - FY20 HOPKINS - VAN ROWE WATER IMPRV		\$0.00	\$22,000.00	\$0.00	\$22,000.00	
WTCI - WATER TANK CIP						
PWWR00002 - DANIELDALE PUMP STA REHABILITATION	\$105,553.65	\$101,778.63	\$2,323,918.35	\$207,332.28	\$2,429,472.00	
PWWR00012 - EMERGENCY GENERATOR @ SUMMIT		\$0.00	\$200,000.00	\$0.00	\$200,000.00	
PWWT00001 - N MAIN PS PH 2 VFD & SCADA IMPROVE	\$7,970.00			\$826,721.19	\$939,408.00	
PWWT00002 - FY18 MAIN PUMP STA SECURITY CAMERAS	\$73,329.57			\$73,329.57	\$74,002.18	
WWCI - WASTEWATER CIP						
PWWW00001 - FY18 CENTER ST & CENTER RIDGE APTS	\$23,104.40	\$266,812.25	\$487,891.00	\$328,757.15	\$550,891.00	COMPLETE
PWWW00004 - FY18 FOREST HILLS S ALEXANDER WASTE	\$30,225.00	\$257,211.08	\$344,477.64	\$287,436.08	\$374,702.64	
PWWW00005 - FY18 GREENBRIAR WASTEWATER IMPROVE	\$74,803.00	\$139,120.98	\$363,561.84	\$213,923.98	\$438,364.84	
PWWW00006 - FY19 COCKRELL HILL WASTEWATER IMPRO	\$0.00	\$25,193.43	\$64,233.84	\$25,193.43	\$64,233.84	
PWWW00008 - FY19 DANIELDALE MAIN-67	\$13,253.98	\$29,882.66	\$192,642.03	\$43,136.64	\$205,896.01	
PWWW00010 - FY20 MAIN/CAMP WISDOM WW IMPRVMTS		\$0.00	\$13,608.34	\$0.00	\$13,608.34	
PWWW00011 - FY20 MERRILL N REPLACEMENT WW IMPRV		\$0.00	\$15,000.00	\$0.00	\$15,000.00	

Attachment 2
CIP PROJECTS AS OF 03/31/2020

CIP PROJECT TYPE	2019 ACTUAL	2020 YTD ACTUAL	2020 BUDGET	PROJECT TO DATE ACTUALS	PROJECT TO DATE BUDGET	STATUS
PWWW00012 - FY20 FREEMAN 100-200 BLOCKS WW IMPR		\$0.00	\$10,000.00	\$0.00	\$10,000.00	
Grand Total	\$3,445,456.24	\$3,100,948.20	\$21,256,140.47	\$7,652,967.31	\$26,291,526.53	

ATTACHMENT 3



CITY COUNCIL MEETING

MAY 5, 2020

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

City of Duncannonville



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ATTACHMENT 3



FY20 YEAR-TO-DATE OPERATIONS AS OF MARCH 31, 2020

RICHARD SUMMERLIN, CPA, CGFO
FINANCE DIRECTOR

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

City of Duncannonville



2

As of MARCH 31, 2020

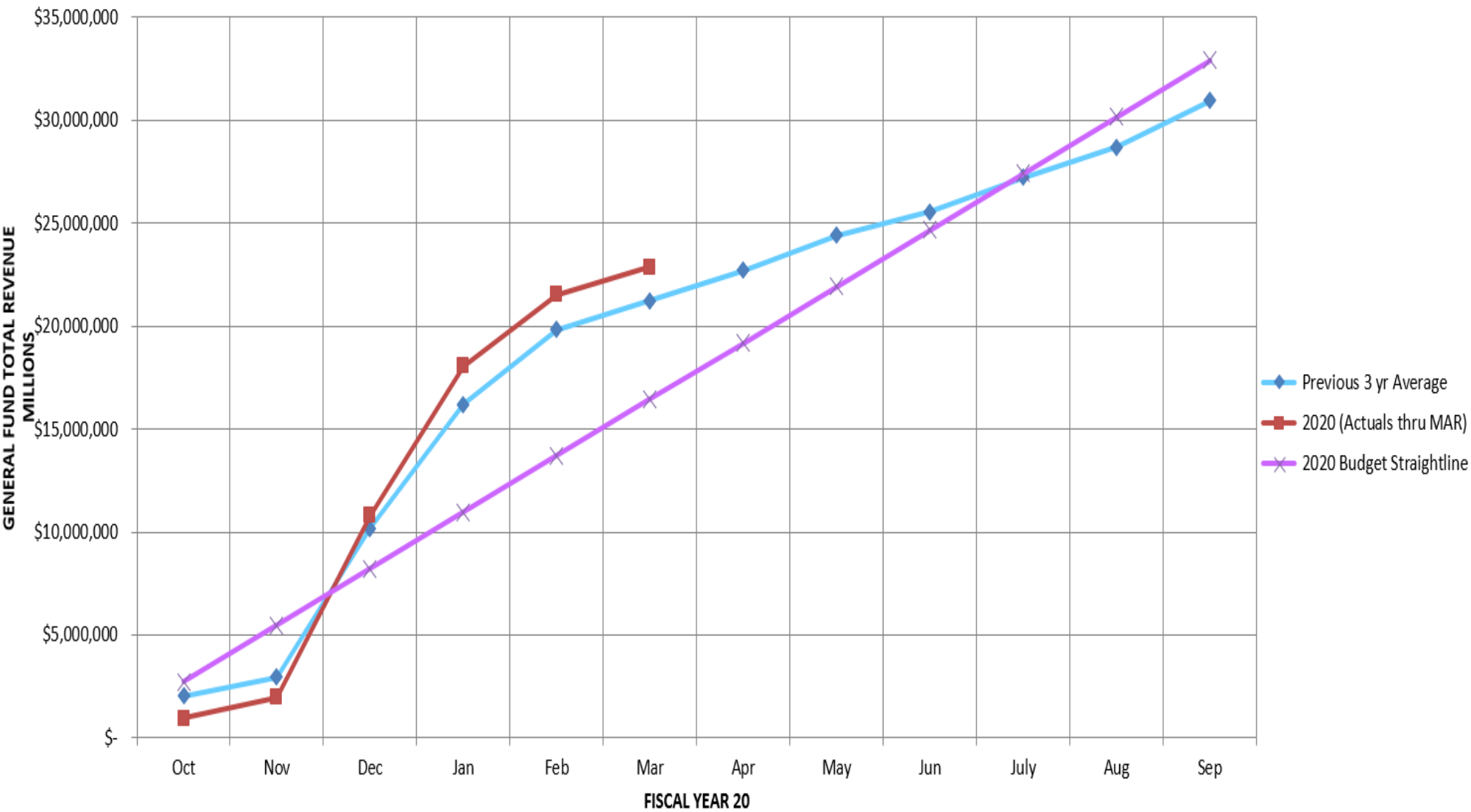
March 2020 is the sixth month in fiscal year 2020.

Benchmark revenues and expenditures are 50% of budget.

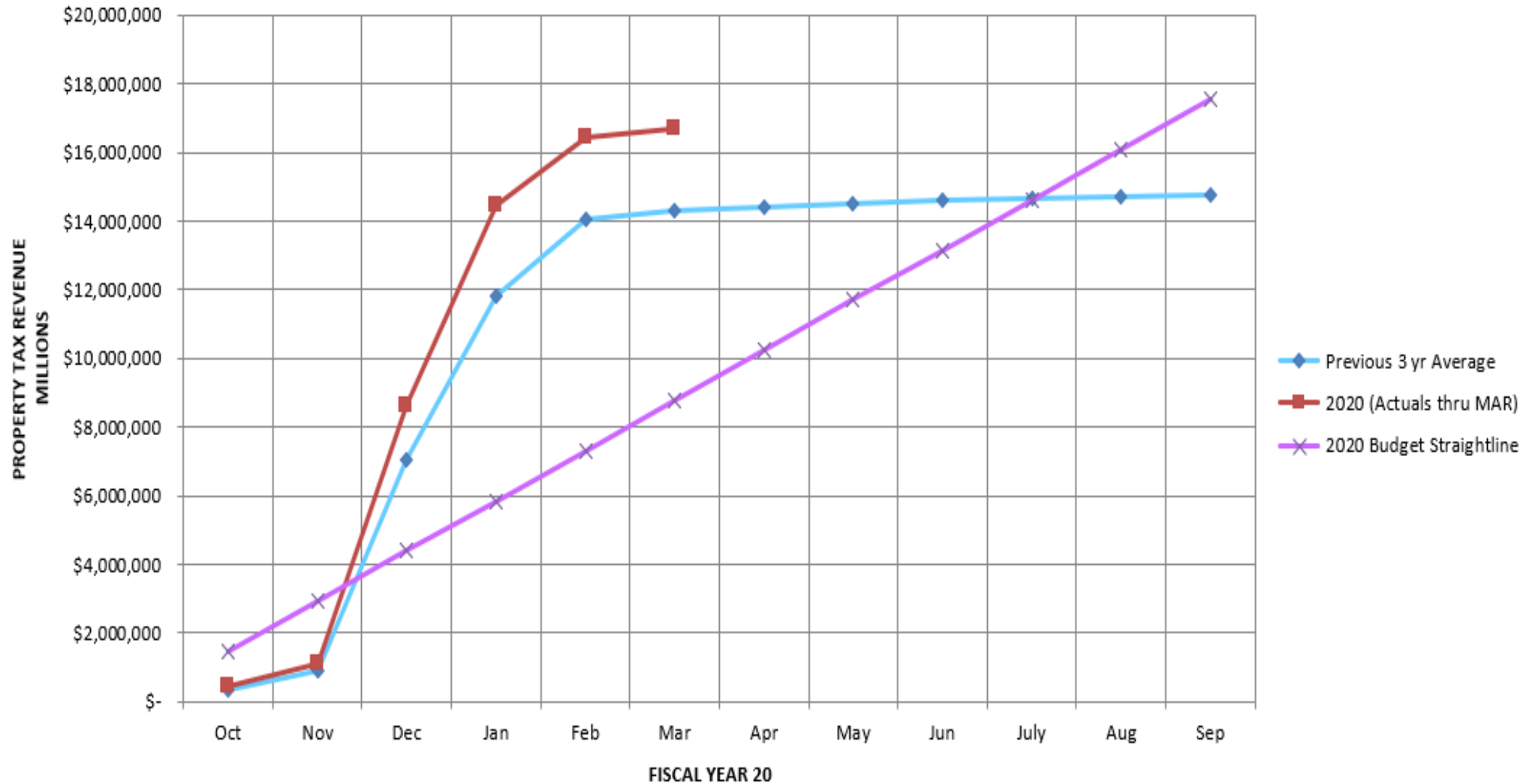
General Fund Summary

- General Fund ending unreserved fund balance is \$18.1 million, 205 days of operations based on the FY2020 adopted budget or 130 days (\$11.5 million) in excess of the benchmark 75 day reserve. The majority of our revenues (property taxes) are collected early in the fiscal year while expenditures occur more evenly over the year.
- Sales Tax Revenue is 5.6% higher than the same time last year. The figures do not include the loss of Deford's or the financial effect of COVID19 pandemic on sales tax.
- Property taxes are at 96.0% of the budget.
- Overall, General fund revenues are at 69.5% of budget while operating expenditures are at 42.9% of budget (well below the benchmark of 50%).

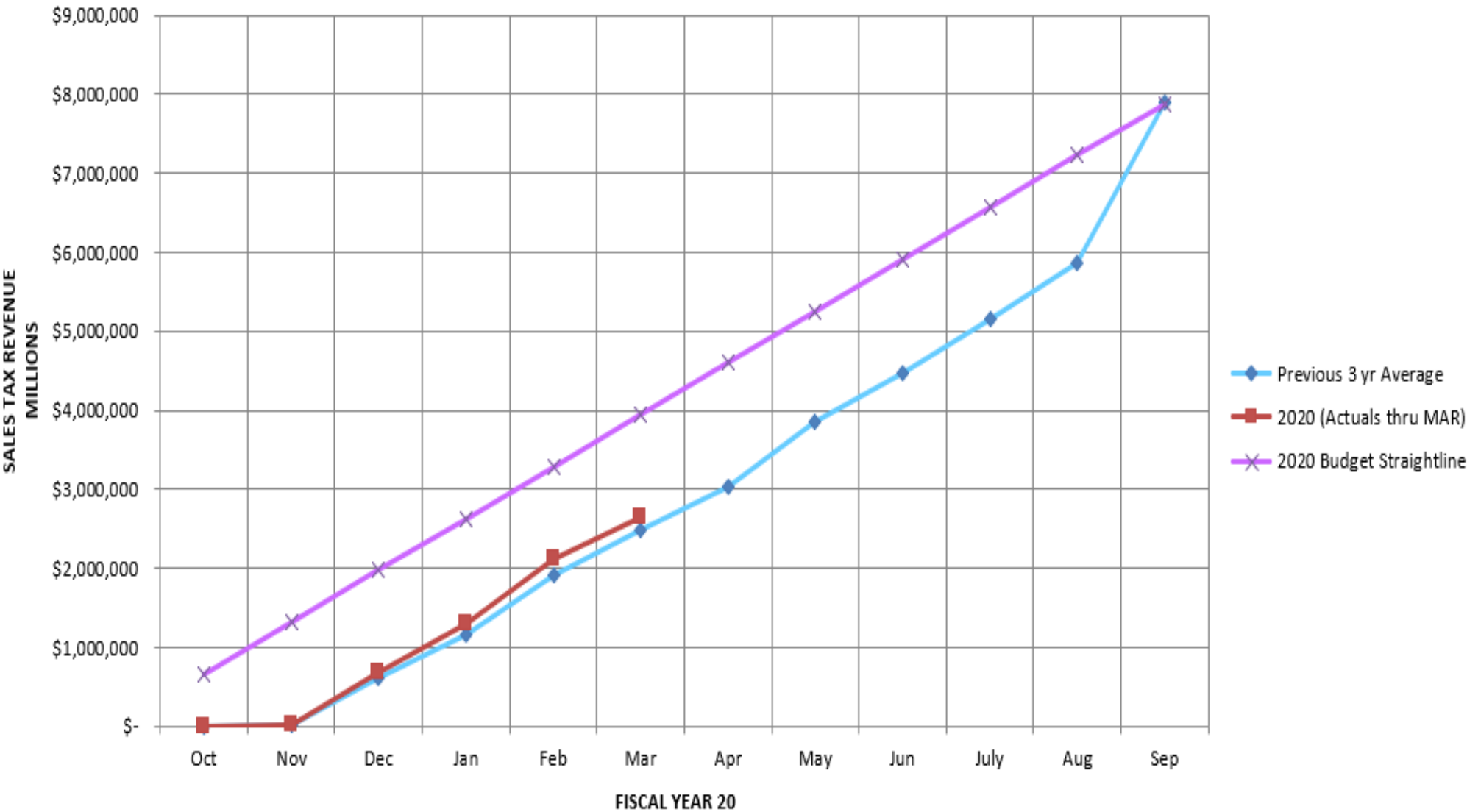
GENERAL FUND REVENUES



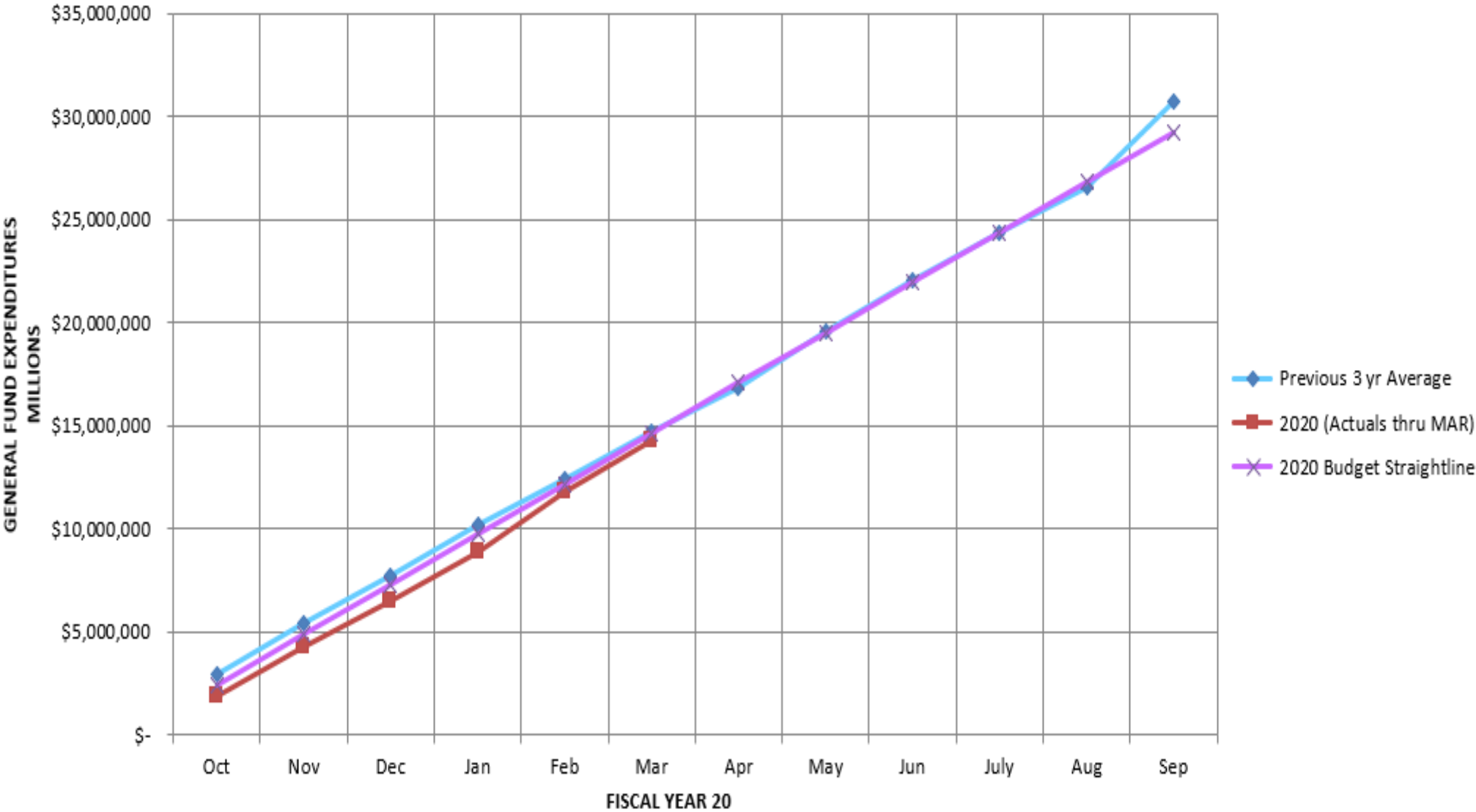
GENERAL FUND REVENUE – PROPERTY TAXES



GENERAL FUND REVENUE – SALES TAXES



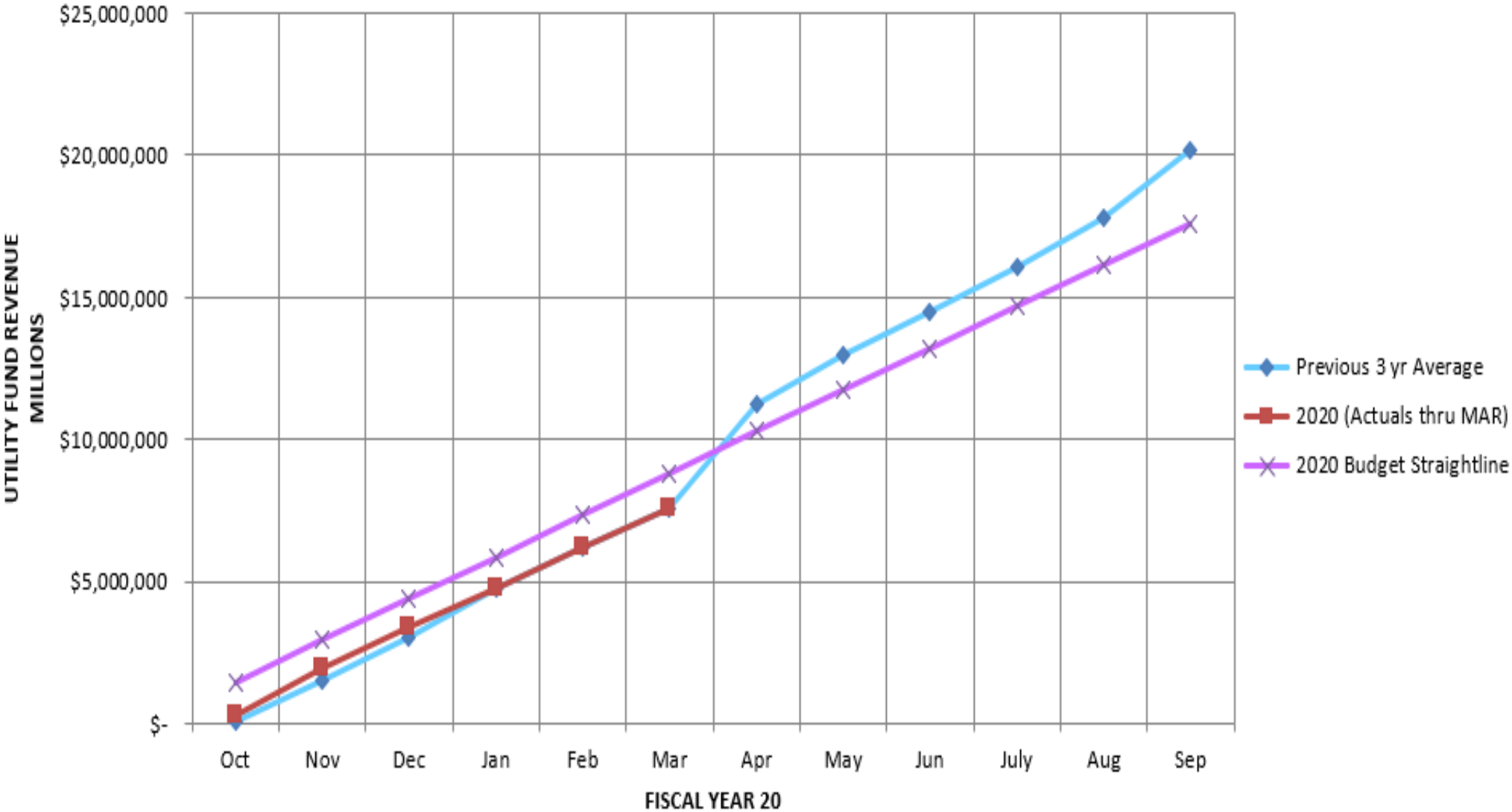
GENERAL FUND - EXPENDITURES



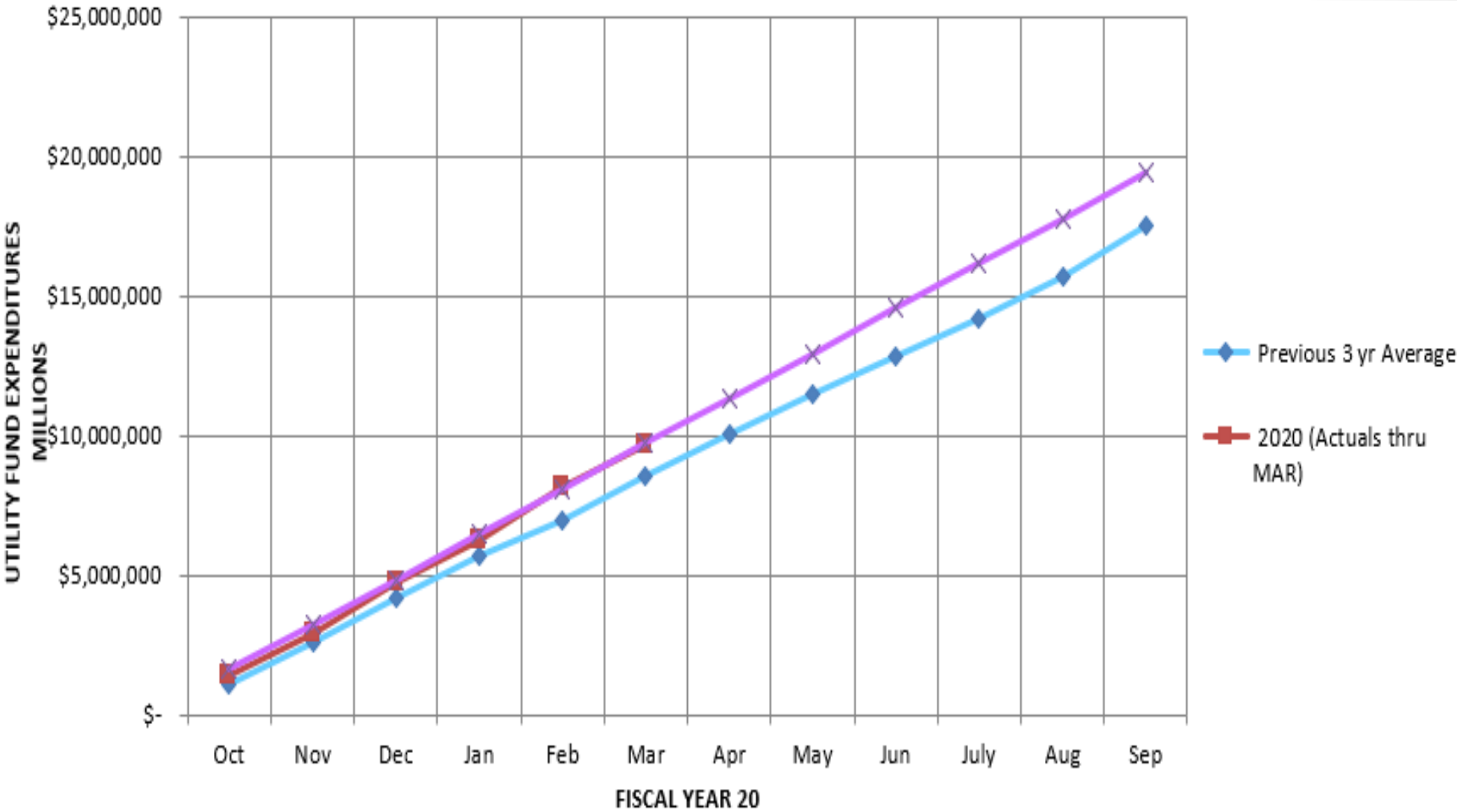
Utility Fund Summary Outlook

- The Utility Fund ending unreserved fund balance is \$2.4 million, 45 days of operations based on the adopted budget.
- Utility and Solid Waste revenues have 1 month delay due to the billing process so five months of revenue is reflected.
- The Sanitation Fund has an ending fund balance of \$590 thousand, which is approximately 53 days of operation.

UTILITY FUND- REVENUES



UTILITY FUND –EXPENDITURES



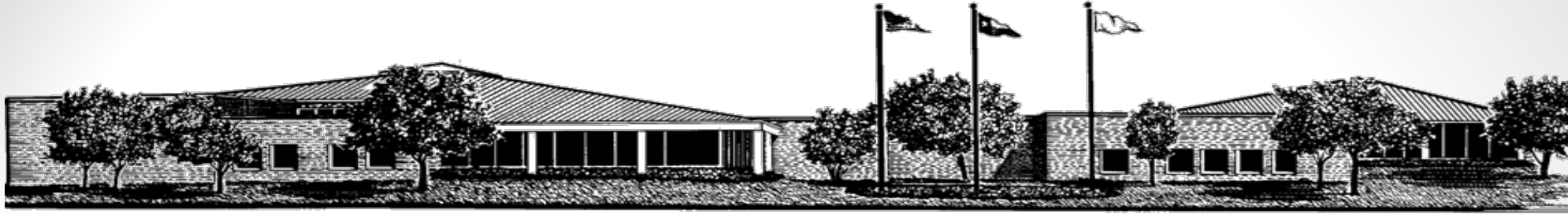
ONE-TIME PROJECTS AT MARCH 31, 2020

	DESCRIPTION	DEPT	PROJECT TO DATE ACTUAL	TOTAL PROJECT BUDGET	TOTAL REMAINING BUDGET	PROJECT STATUS
1	FY18 ZONING ORDINANCE UPDATE	PW	101,056	150,000	48,944	
2	FY18 NEIGHBORHOOD SIGN TOPPERS	GEN GOV	20,000	20,000	-	COMPLETE
3	FY19 ROOF REPLACEMENT	PARKS	70,263	1,637,250	1,566,987	
4	FY19 SECURITY UPGRADES (CAMERAS)	GEN GOV	137,664	144,000	6,336	
5	FY19 PUBLIC WORKS ERP SYSTEM	PW	53,295	226,000	172,705	
6	FY19 US 67 GATEWAY SIGNAGE	PW	21,600	500,000	478,400	ON HOLD
7	FY19 DESIGN FOR MAIN ST. /CAMP WISDOM	PW	-	150,000	150,000	
8	FY 20 LASERFICHE - GENERAL GOVT RECORDS	GEN GOV	-	19,185	19,185	
9	FY 20 SECURITY UPGRADES (CAMERAS)	GEN GOV	-	115,000	115,000	REDUCE SCOPE
10	FY 20 LED PANEL CHRISTMAS TREE	PARKS	25,000	25,000	-	COMPLETE
11	FY 20 PYBURN PARK FITNESS EQUIPMENT	PARKS	-	50,000	50,000	ON HOLD
12	FY 20 CHILLER REPLACEMENT	PARKS	-	44,969	44,969	
13	FY 20 BI LASERFICHE	PW	-	10,000	10,000	ON HOLD
14	FY 20 FUEL TANKS	PW	-	141,508	141,508	
15	FY 20 LED LIGHTING AMPHITHEATRE	PARKS	-	20,000	20,000	ON HOLD
16	FY 20 CENSUS ACTIVITIES (FROM PY SAVINGS)	PW	219	5,000	4,781	
	TOTAL ONE TIME PROJECT BUDGET		\$429,097	\$3,257,912	\$2,828,815	
	Unallocated Budget - Savings/(Overages) from Completed Proj		\$75,441			
	Note: Completed projects are highlighted in yellow.					



ATTACHMENT 3





PARKS AND RECREATION QUARTERLY REPORT

CITY COUNCIL MEETING
MAY 5, 2020

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

The City of Duncannonville





Park Maintenance Measurables

- Hosted the Keep Duncanville Beautiful Annual Garden Workshop
 - March 7
 - 40 participants
- Planted annual tulips at entryways and City facilities
- Prepared athletic fields for Spring leagues





Recreation Center Measurables

- Visits: February 2020 – April 2020
 - Closed due to COVID-19 on March 16
 - 2,885 visits prior to closing

- Programs
 - Jazzercise
 - Pickleball
 - Cheerleading
 - Dance
 - Karate
 - Self Defense
 - Basketball
 - Camp Gladiator





Recreation Center Measurables

- Special Events
 - Daddy Daughter Dance
 - February 8
 - 255 participants
 - Partnership with DISD Culinary Arts Program for Dinner
 - Excellent feedback from the participants





Recreation Center Improvements

- With the closing of the facility, staff have focused on deep cleaning the facility and working on new programs and sanitation protocols to debut when the facility re-opens at a date to be determined.
 - Painting of the recreation center interior, excluding the gyms
 - Painting of the meeting rooms near the Library
 - Deep cleaning of the gym floors
 - Closet cleaning and organization
 - Cleaning of fitness equipment
 - Cleaning of game room amenities
 - Replaced window coverings
 - New branding with the City logo



Senior Center Measurables

- Visits: February 2020 – April 2020
 - Closed due to COVID-19 on March 13
 - 2,802 visits prior to closing
 - 84 new and renewed members
- Meals Served
 - 5,376 (includes COVID-19 meals served)
- Programs
 - Yoga
 - Dance
 - Ceramics
 - Dominoes/Games
 - Enrichment Classes – Spanish/Cell Phone
 - Drive Safe Classes
 - Goldenaires Choir
- Special Events
 - Monthly birthday celebrations
 - Coffee with the Mayor
 - Monthly Bagel Networking – Einstein Bros.





COVID-19 Senior Center Activities

- Since the closing of the Senior Center on March 13, staff have coordinated drive-through meal service for the senior citizens with the assistance of the Visiting Nurses Association (VNA) and Dallas Area Agency on Aging (DAAA)
 - Average approximately 110 meals per day
 - Staff delivers about 18 meals a day to seniors who relied on the City's bus to transport them to the center prior to COVID-19
 - Staff provides mental games and activities for the seniors to take home to keep their minds active and entertained
 - Working with the Share and Care Site Council, staff makes weekly contact with all the members to make sure everyone is safe and inquire of any needs
 - On April 24, added weekend shelf-stable meals for breakfasts and lunches to be distributed on Fridays with the lunch service



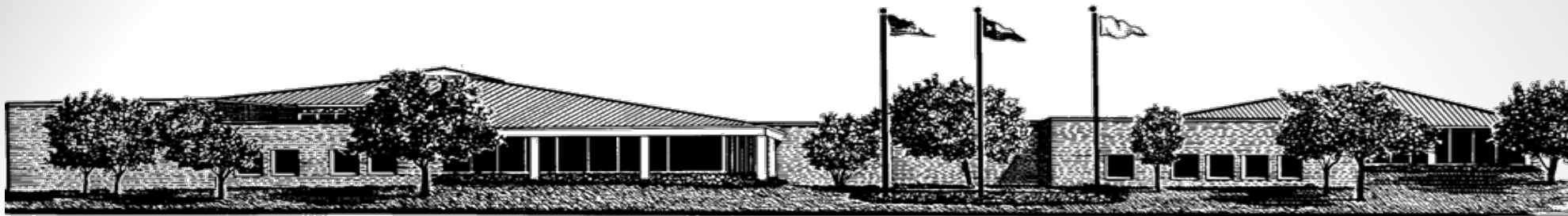
Bond Election Projects

- Lakeside Park Pavilion
 - Lighting complete
- Armstrong Park
 - Awaiting Grant Awards – May 22
 - Plans are 75% complete
- Harrington Park
 - Plans are 75% complete
 - Construction in Fall 2020
- Service Center Renovation
 - Plans are 95% complete
 - Bidding in Summer 2020
 - Construction in Fall 2020





Questions?



DUNCANVILLE FIELDHOUSE QUARTERLY REPORT

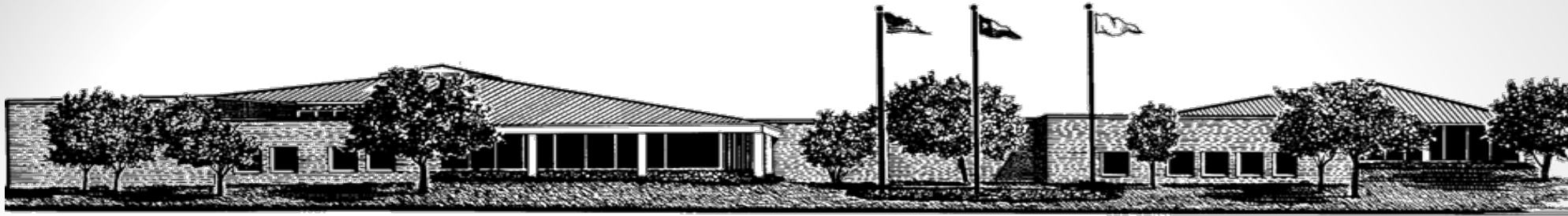
MAY 5, 2020

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1

City of Duncanville



FISCAL YEAR 2020, QUARTER 2

MAY 5, 2020

CRAIG BRASFIELD, DUNCANVILLE FIELDHOUSE GENERAL MANAGER

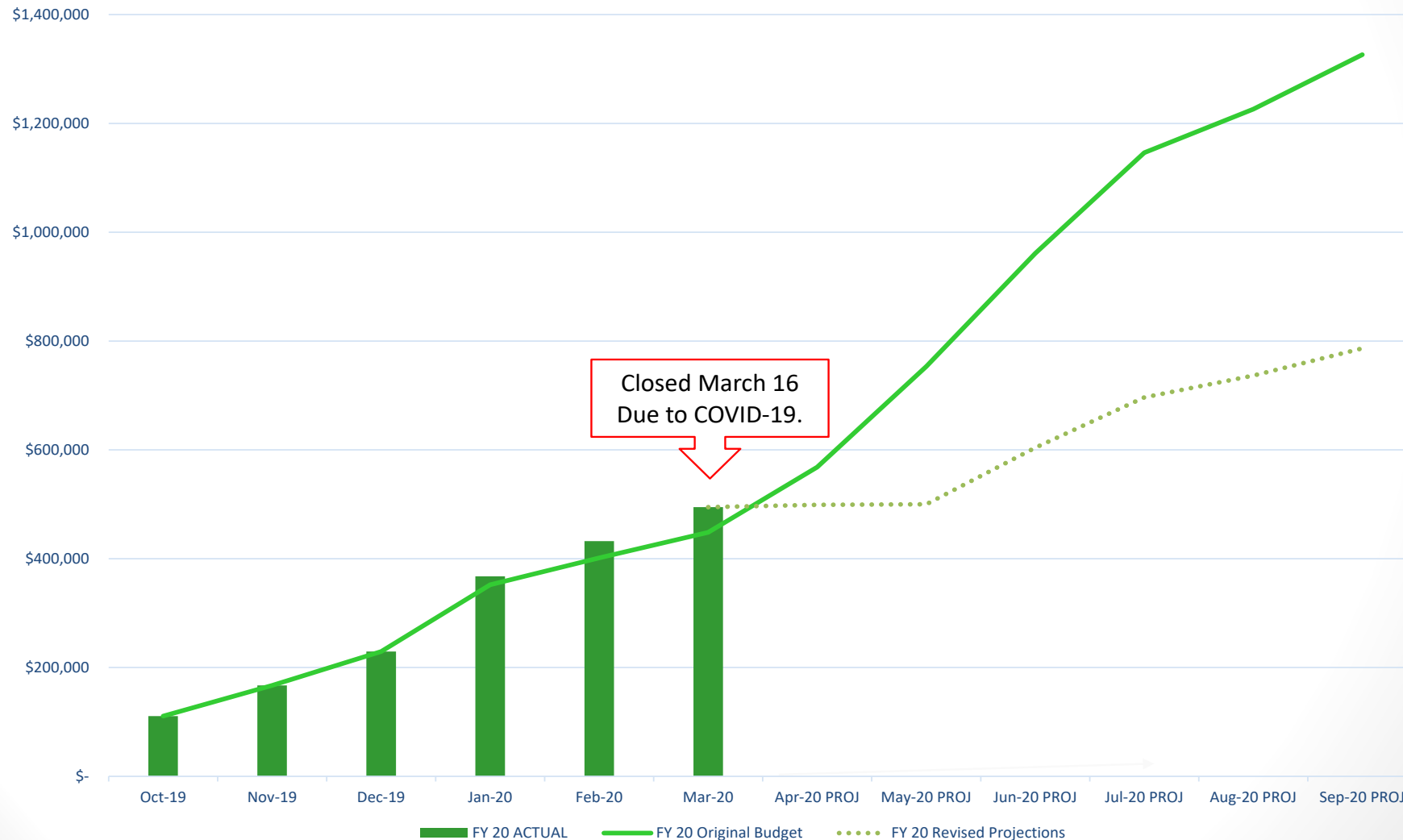
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FY 2020 Revenues

2nd Quarter

Budget: \$1,387,471
Projected: \$1,388,302
FY19: \$1,343,371
YTD: \$448,302

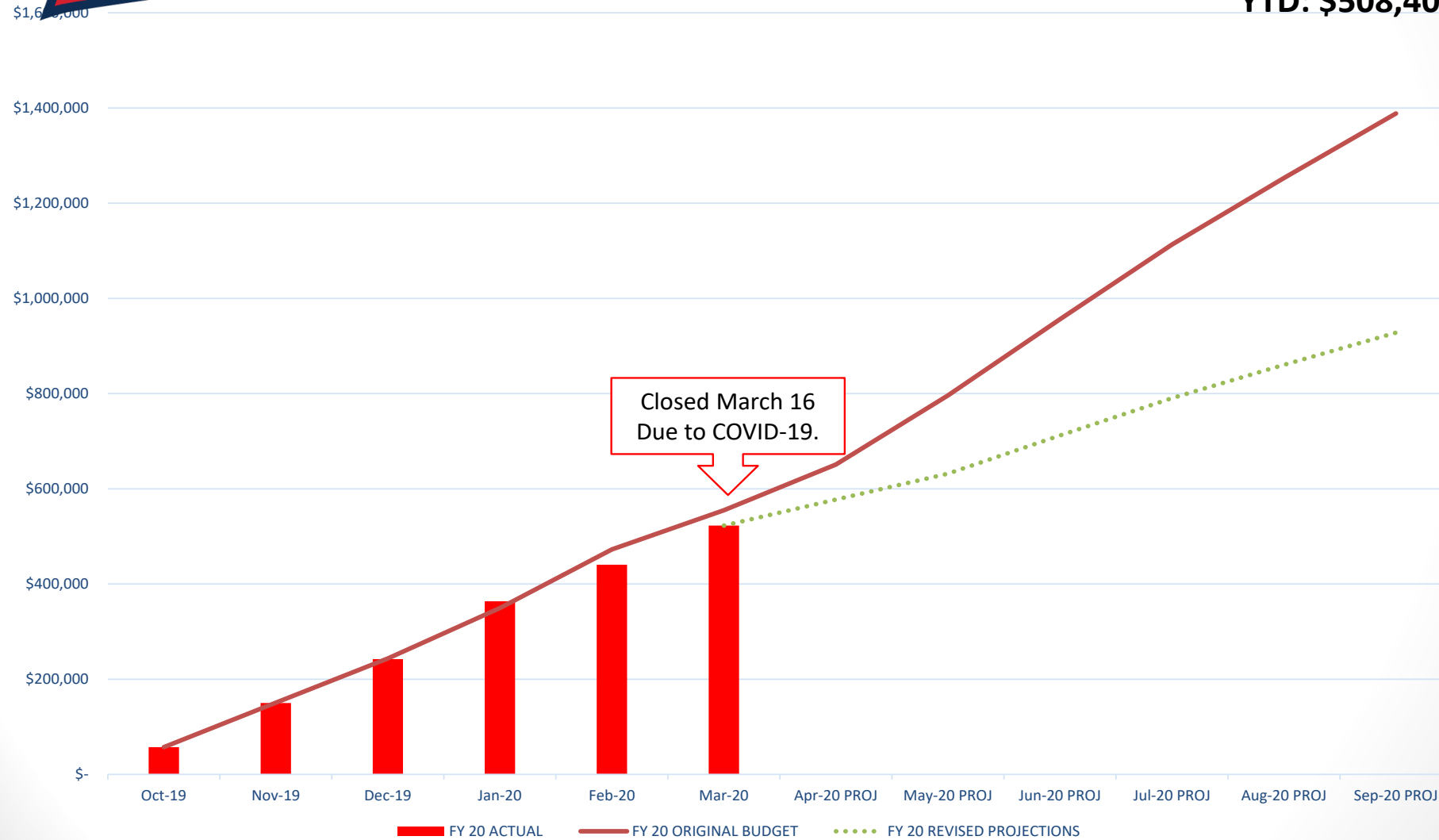




FY 2020 Expenses

2nd Quarter

Budget: \$1,384,677
Projected: \$1,386,907
FY19: \$1,325,657
YTD: \$508,407





FY 2020 Events

JANUARY HIGHLIGHTS

3, 4, 5,	HYPE Sports Winter Jam	Basketball Tournament
11, 25	Top Gun Youth League	Basketball League
18, 19	Elite Action	Basketball Tournament
19	Big Shots	Indoor Shot-Put Camp
25, 26	American Grappling	Martial Arts Tournament
26	HoopPlay Youth	Basketball Tournament
29, 30, 31	TCSAAL North Regional	Basketball Tournament

BB Tournaments

4

BB Leagues

1

Martial Arts

1

Other

1





FY 2020 Events

FEBRUARY HIGHLIGHTS

1,8	Top Gun Youth League	Basketball League
9	Texas Brazilian Jiu Jitsu	Martial Arts Tournament
9	HoopPlay Youth	Basketball Tournament
16	TB5 Reports Youth	Basketball Camp
20, 27	Dallas Mavericks Youth	Basketball Camp
21, 22, 23	HYPE Sports	Basketball Tournament
23	Pass Tha Ball Youth	Basketball Camp @ The Rec.
29	HoopPlay Youth	Basketball Tournament

BB Tournaments

3

BB Leagues

1

BB Camps

3

Martial Arts

1





FY 2020 Events

MARCH HIGHLIGHTS

5	Dallas Mavericks Youth	Basketball Camp
6, 7	Southwest Basketball Association for Deaf	Basketball Tournament
7	North American Grappling Association	Martial Arts Tournament
7	Jr. Sports & Rec. Youth	Basketball Tournament
8	GASO I	Basketball Tournament
14	B.O.S.S. Youth - Canceled	Basketball Tournament
14, 15	DFW Promotions Youth - Canceled	Basketball Tournament
17, 19, 24, 26, 31	B.O.S.S. Youth - Canceled	Basketball League
21	NJH Youth - Canceled	Basketball Camp @ the Rec.
22	Harmony Public Schools - Canceled	Basketball Tournament
20, 21, 22	TB5 Reports - Canceled	Basketball Tournament
28, 29	Marchfest Woman's - Canceled	Basketball Tournament
29	Breakthrough Basketball Camp - Canceled	Basketball Camp

BB Tournaments

8

BB Leagues

1

BB Camps

3

Martial Arts

1

City of Duncanville



7



FY 2020 Traffic

January 1, 2020 - March 31, 2020

95,532

January 1, 2019 - March 31, 2019

124,026

↓ 28,494 (25.95%)

Data Provided by





COVID-19 RESPONSE

- Suspended Service for Facility Nightly Cleaning/Event Day Porter and Event Security Services
- Added Six (6) Hand Sanitizing Stations Pre-Safer at Home Order
- Fieldhouse Improvements/Projects:
 - Deep cleaning of all high traffic areas
 - Deep cleaning of the Fieldhouse Grill
 - Painting of the Fieldhouse Grill
 - Removal of rubber flooring, repair toilets and showers and deep cleaning of restrooms and showers
 - Installing of an exterior mail box to the venue
 - Cleaning and organization of all storage rooms



QUESTIONS?

