

Duncanville City Council Meeting Minutes
Regular Meeting
Tuesday, May 18, 2021

CALL TO ORDER

A regular meeting of the Duncanville City Council was called to order on Tuesday, May 18, 2021, at 6:03 p.m. in the Council Briefing Room at City Hall with a quorum to wit:

COUNCIL PRESENT:

Mayor Barry L. Gordon
Councilmember At-Large Patrick Harvey
Councilmember Joe Veracruz
Councilmember Don McBurnett
Councilmember Jeremy Koontz
Mayor Pro Tem Mark D. Cooks
Councilmember Greg Contreras

SUPPLEMENTAL NOTICE OF MEETING BY VIDEO CONFERENCE

In accordance with an Order of the Office of the Governor issued on March 16, 2020, as extended by Office of the Governor on June 12, 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, May 18, 2021, 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.

To speak during Citizen Comments, you must register with the City Secretary before 4pm on Tuesday, May 18, 2021, email citysecretary@duncanville.com and title the email “Public Comment – May 18th”. You will need to register with the link below and attend the meeting. During the Citizen Comments period of the agenda, the City Secretary will call your name and allow access to your camera and microphone for you to provide your comments. Feel free to email your comment to the City Secretary for the Mayor to read into the record for any unexpected technological issues that may arise.

Register in advance for this webinar:

https://us02web.zoom.us/webinar/register/WN_cvRIPqI6S2Si_ylyDw4BuA

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

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 Ferrell-Benavides reviewed each item. Item 4A - Consider a Resolution approving the terms and conditions of a Professional Engineering Services Agreement PSA-21-021 for Engineering Consulting Design Services for an emergency generator at the Summit Pump Station, with Dunaway Associates, LLC., in the proposed amount of \$76,038.00. The pump house currently does not have an emergency generator. It was not operable during Winter Storm Uri which denied the City 5 million gallons of water storage, resulting in a Water Emergency. The emergency generator will allow the City to operate Summit Pump House during a power loss. Item 4B - Consider a Resolution approving the terms and conditions of a Professional Engineering Services Agreement PSA-21-022 for Engineering Consulting Design Services for the replacement of the water pipeline along Wren Avenue, from Oriole Blvd. to Winding Trail, and the replacement of the water pipeline located in the utility bridge over I-20, adjacent to Oriole Blvd., with Dunaway Associates, LLC., in the proposed amount of \$70,035.00. The existing 8” water line along Wren between Oriole Blvd. and Falling Leaves is in TXDOT right-of-way and is under TXDOT pavement following I-20 service road upgrades from earlier this year. This project would allow the City to construct a new water line under the Wren Ave. sidewalk; putting the line back in City property. The 10” water line crossing Oriole Blvd. aerial bridge had a burst due to freezing during Winter Storm Uri. This project would replace the destroyed water line with a new 12” insulated water line.

Mayor Pro Tem Cooks requested Item 5B be moved until after Executive Session.

I.2. **BRIEFINGS / PRESENTATIONS**

I.2.A. ***Council update on 2% mid-year compensation increase and year-to-date sales tax.***

Finance Director Summerlin presented the item.

Mid-Fiscal Year Compensation Increase:

- 2% mid-fiscal year across-the-board increase was approved as part of the 2020-2021 fiscal year budget
- Total cost is \$236,210 (\$188,229 for General Fund Employees)
- Based on the current sales tax collections (\$608,667 YTD over budget as of May), the 2% mid-fiscal year increase will be instituted on May 23, 2021.

I.2.B. ***Discussion on P25 Public Safety Radio Progression.***

Interim Chief of Police LiVigni presented the item.

Current Public Safety Radio System:

- Over 10 Years Old
- Limited Operability
- Partner City Owned

Issues

- Coverage Area
- Interoperability Needs
 - o Fire Department Mutual Aid
 - o Police Department Pursuits
 - o Active Shooter Incidents
 - o SWAT Incidents
 - o Natural Disasters
 - o Deployments

Why Project 25 (P25)?

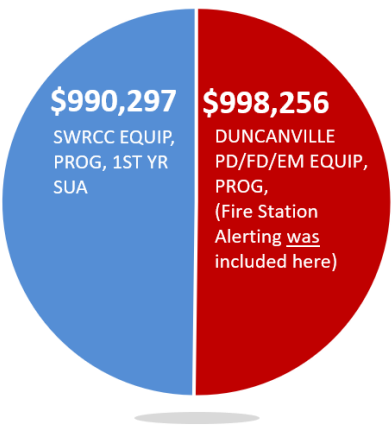
- National Standard for Public Safety Digital Radio
- The requirement to receive most State and Federal Grants
- P25 Objectives
 - o Interoperability
 - o More Frequencies
 - o Encryption
 - o Price Competition
 - o Digital Quality
 - o Compatibility

City and County of Dallas Infrastructure

- Regional Operability – Connectivity with Tarrant County System
- Band space and coverage for other cities on infrastructure
- System redundancy features
 - o Twenty-nine (29) radio towers across Dallas County
 - o Two (2) main cores or hubs
 - o Sustainability
 - o Security
 - o In line with State of Texas interoperability coordination of public safety communications

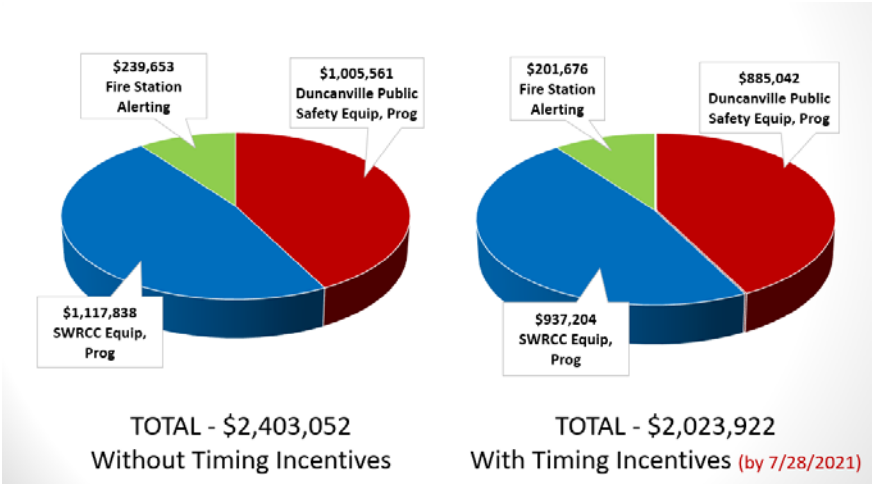
Estimated 1st Year P25 Capital Outlay as reported to Council June 2020

Estimated TOTAL
\$1,978,553.00*

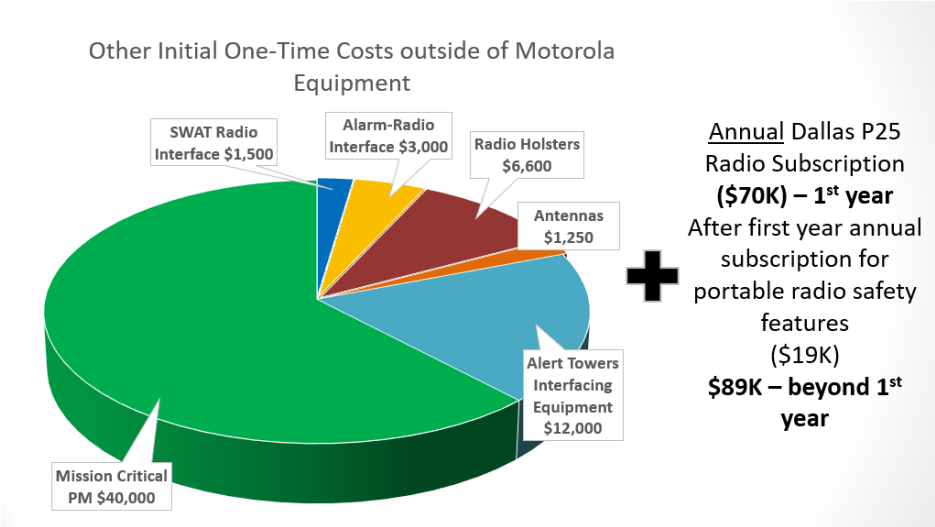


*Did include 1st Year subscription on Dallas System.
Did not include Years 2-7 of SUA or PM contract with Mission Critical.

Duncanville 1st Year Capital Outlay with Motorola (latest proposal)



Other Duncanville P25 Radio Costs



Discussion included on how the City of Duncanville Fire and Police Departments currently communicate with other cities and the difficulties they are experiencing.

Mayor Gordon recessed the Briefing Session at 6:56 p.m. for Council to move into the City Council Chambers for the Swearing In of new Councilmembers.

I.2.C. **Briefing on the request from the City of Dallas to Amend the Interlocal Agreement for Traffic Signal Operations and Maintenance.**

Postponed until the June 1, 2021, City Council Regular Meeting.

II. **EXECUTIVE SESSION**

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

- II.1 ***City Council shall convene into closed executive session pursuant to Section 551.071 of the Texas Government to seek legal advice from the City Attorney regarding cause number CC-21-00211-E styled City of Duncanville v. Tommy Winn, et al filed in the County Court of Law #5 of Dallas County Texas.***

III. **OATH OF OFFICE**

- III.1 ***Candidates receiving the majority of the votes for their respective districts will be sworn in by the City Secretary, after which each will take their seat on the dais.***

Mayor Gordon reconvened the Briefing Session at 7:02 p.m.

City Secretary Downs provided the Oath of Office to the following: Patrick Harvey, Joe Veracruz, Jeremy Koontz, and Greg Contreras.

IV. **RECESS FOR RECEPTION**

- IV.1 ***Recognize and show appreciation to outgoing Councilmember Monte Anderson and Councilwoman Johnette Jameson for their service.***

Mayor Gordon thanked Monte Anderson and Johnette Jameson for their service as Councilmembers.

Mayor Gordon recessed the Briefing Session at 7:30 p.m. for a reception for the outgoing and incoming Councilmembers.

Mayor Gordon stated Briefing Session Item 2C would be postponed until the June 1, 2021, City Council Regular Meeting.

Mayor Gordon adjourned the Briefing Session at 7:39 p.m.

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

The City Council convened into Regular Session in the Council Chambers at 7:40 p.m. with Mayor Gordon presiding.

Mayor Gordon delivered the Invocation.

Mayor Gordon led the Pledge of Allegiance and Texas Pledge.

V.1. **REPORTS**

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

Mayor Gordon spoke on the Dallas Regional Mobility Coalition and Regional Transportation Committee and his duties and upcoming projects.

V.1.B. ***Councilmembers' Reports***

Councilmember Veracruz thanked everyone who attended Teacher Appreciation Week on May 15, 2021.

Mayor Pro Tem Cooks recognized Teacher Appreciation Week and encouraged all to attend

Meet, Connect, and Learn

Guest: Economic Development Director Garcia

Date: May 22, 2021

Time: 10:00 – 11:15am

via Zoom

Meet, Connect, and Learn

Guest: Assistant City Manager Brown and DISD Police Chief

Date: May 19, 2021

Time: 6:00 – 7:00pm

Topic: Student and Policing

via Zoom

V.1.C. City Manager's Report.

City Manager Ferrell-Benavides spoke on the following.

The Fire Truck Pull helps raise money for Special Olympics this Saturday, May 22, 2021, at 10:00 am in the west Senior Center Parking Lot. Over \$23,000.00 has been raised for the Texas Special Olympics.

The City of Duncanville and VFW Post 7843 will be hosting the annual Memorial Day Ceremony at Memorial Park, 101 N. Main, on Monday, May 31, 2021, at 10:00 AM. Please join us to remember our Duncanville military service members who made the ultimate sacrifice for the freedoms that we enjoy today.

The DL Hopkins Jr. Senior Center will be opening with limited in-person hours beginning Tuesday, June 1, 2021. Hours are from 8:00 – 11:00 am. The congregate lunch meal program will continue with curbside service only (no in-person meals), and participants are still required to order two days in advance. Capacity will be capped at 50% occupancy for each room. Staff will be performing additional cleaning and sanitizing services throughout the day, and members are required to wear masks and socially distance from others while in the building.

The City of Duncanville has been awarded the GFOA's Distinguished Budget Presentation Award for the FY2021 budget book. This award is the highest form of recognition in governmental budgeting. In order to receive this award, a governmental unit must publish a budget document that meets program criteria as a policy document, as a financial plan, as an operations guide, and as a communications device. Special thanks to Richard Summerlin and the Finance team, especially Jennifer Otey (Budget Analyst) for their work and dedication.

V.2. PROCLAMATIONS AND PRESENTATIONS

Mayor Gordon recognized Coach Reginald Samples and Coach David Peavy as a Champion of the City.

V.3. CITIZENS' INPUT

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

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

To speak during Citizen Comments, you must register with the City Secretary before 4pm on Tuesday, May 18, 2021, email citysecretary@duncanville.com and title the email "Public Comment – May 18th. You will need to register with the link below and attend the meeting. During the Citizen Comments period of the agenda, the City Secretary will call your name and allow access to your camera and microphone for you to provide your comments. Feel free to email your comment to the City Secretary for the Mayor to read into the record for any unexpected technological issues that may arise.

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

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

Roger Sashington - submitted a comment on the traffic signal at Clark Road and Summit Parc Drive.

Grady Smithey, 1806 Cedar Hill Road – congratulated all incoming Councilmembers and spoke on the road system and would like to see it completed soon.

Bill Self, 710 Timber Trail - submitted a comment on a variance to build a carport.

V.4. CONSENT AGENDA

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

V.4.A. Consider a Resolution approving the terms and conditions of a Professional Engineering Services Agreement PSA-21-021 for Engineering Consulting Design Services for an emergency generator at the Summit Pump Station, with Dunaway Associates, LLC., in the proposed amount of \$76,038.00.

V.4.B. Consider a Resolution approving the terms and conditions of a Professional Engineering Services Agreement PSA-21-022 for Engineering Consulting Design Services for the replacement of the water pipeline along Wren Avenue, from Oriole Blvd. to Winding Trail, and the replacement of the water pipeline located in the utility bridge over I-20, adjacent to Oriole Blvd., with Dunaway Associates, LLC., in the proposed amount of \$70,035.00.

V.4.C. Consider a Resolution authorizing the first renewal option of IFB-20-018 for Pavement Markings Supply and Installation Services to Elite Striping, LLC, Cedar Hill, Texas in the unit amount bid for an estimated amount of \$123,626.00.

V.4.D. Consider a Resolution awarding a bid for the purchase of a Freedom Chevrolet through the Tarrant County Commissioners Interlocal Cooperative Purchasing Contract Bid #2020-174; in the amount not to exceed \$61,864.00.

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

V.5. ITEMS FOR INDIVIDUAL CONSIDERATION

V.5.A. Consider amending Ordinance No. 2390R amending the Master Fee Schedule for Fiscal Year 2020-2021, by amending said Master Fee Schedule, by adding a fee for Non-Residential Specific Use Permit (SUP) Subpart 11 within the Planning/Building Inspections Master Fee Schedule as set forth on the attached Exhibit 'A'.

Mayor Gordon stated Item 5B would be moved until after Executive Session.

City Planner Skye Thibodeaux presented the item. On March 2, 2021, City Council adopted a new Zoning Ordinance.

The New Zoning Ordinance now requires a Specific Use Permit (SUP) for the following residential accessory uses:

- Carport
- Basketball or Tennis Court
- Short-Term Rental
- Wind Turbine

Currently, Zoning Change SUP Application Fee is \$1,150.00 for all SUP requests (commercial focus).

Since adopting the new Zoning Ordinance, multiple residential property owners have been deterred from applying for carport permits due to the \$1,150.00 SUP application fee.

Staff proposes amending the FY21 Master Fee Schedule

- Differentiate between SUP for residential accessory uses and SUP for non-residential uses.
- Fee for non-residential SUP remains \$1,150.00

- Fee for residential SUP is \$125.00 (same as Zoning Board of Adjustment Board request)

Summary of Master Fee Schedule Changes

#	Item	Current Fee	Proposed Fee	Remarks
11	Zoning Change – Specific Use Permit (SUP) – non-residential	\$1,150.00	N/A	Update Item description to reflect new Zoning Ordinance and specify item as fee for non-residential SUP requests.
Add 12	Zoning Change – Specific Use Permit (SUP) – residential	N/A	\$125.00	New line item for specified residential accessory uses. Fee proposed to match variance request fee associated with Board of Adjustment.

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

V.5.B. Consider a Resolution selecting Exterior Design Option 2 for the new Fire Station #1.

Item moved until after Executive Session.

V.5.C. Consider a Resolution approving the terms and conditions of PSA-21-031 for Engineering Consultant Services for the Design of Cedar Ridge Rd. Street Reconstruction and Subsurface Utility Improvements from Big Stone Gap Rd. to W. Wheatland Rd. Professional Services Contract, with Dunaway Associates, LLC., in the proposed amount of \$417,035.00.

Public Works Director Ramey presented the item. This agreement will provide for the engineering design of water, wastewater, drainage, roadway improvements to Cedar Ridge Road from Big Stone Gap Road to Wheatland Road. The roadway has deteriorated beyond the point of maintenance and must be reconstructed.

Funding:

	Bond Funds	Utility CIP Funds	Total
Design Costs	\$259,967.74	\$157,067.26	\$417,035.00
Est. Construction Costs	\$2,740,000.00	\$1,900,000.00	\$4,640,000.00

Dunaway Associates is based in Fort Worth, TX and is one of the five, fully qualified Engineer firms selected by the City to perform engineering work.

PROJECT MAP

Mayor Pro Tem Cooks requested Director Ramey speak on the process for recommendation during the Bond process and commended the Bond Committee and their process and work.

Councilmember McBurnett stated it is part of bond package and was voted on.

Mayor Pro Tem Cooks made a motion to approve the study from Cedar Ridge Road to allow all the Bond Committee more time to study the contract.

City Attorney Hager stated the item is not on the agenda, Council will need to vote the item down then bring back more information.

Mayor Pro Tem Mark D. Cooks made a motion to deny the item as stated, Councilmember At-Large Patrick Harvey seconded the motion. The vote was cast 5 for, 2 against (Councilmember Don McBurnett and Councilmember Jeremy Koontz). Item denied.

V.6. STAFF AND BOARD REPORTS

V.6.A. *Discuss City owned properties.*

Economic Development Director Garcia presented the item.

Councilmember Veracruz recommended a bus tour on the ten properties with staff and Council to discuss options and what is possible for those properties.

Mayor Gordon recessed Regular Session at 9:25 p.m.

II. EXECUTIVE SESSION

The Executive Session was called into session at 9:34 p.m. and City Attorney Hager read the item into record.

II.1 *City Council shall convene into closed executive session pursuant to Section 551.071 of the Texas Government to seek legal advise from the City Attorney regarding cause number CC-21-00211-E styled City of Duncanville v. Tommy Winn, et al filed in the County Court of Law #5 of Dallas County Texas.*

The Council closed the Executive Session at 10:00 p.m.

Mayor Gordon reconvened Regular Session at 10:02 p.m.

V.5.D. *Take any necessary action as a result of the Executive Session.*

No action taken.

V.5.B. *Consider a Resolution selecting Exterior Design Option 2 for the new Fire Station #1.*

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

V.6. STAFF AND BOARD REPORTS

V.6.A. *Discuss City owned properties.*

Item moved after Item 5C.

VI. ADJOURNMENT

The meeting was adjourned at 10:03 p.m.

ATTEST:

CITY SECRETARY

APPROVED:

MAYOR