

Duncanville City Council Meeting Minutes
Regular Meeting
Tuesday, June 1, 2021

CALL TO ORDER

A regular meeting of the Duncanville City Council was called to order on Tuesday, June 1, 2021, at 6:00 p.m. in the Council Briefing Room at City Hall with a quorum to wit:

COUNCIL PRESENT: Mayor Barry L. Gordon
Councilmember At-Large Patrick Harvey
Councilmember Joe Veracruz
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, the City Council for the City of Duncanville, Texas will conduct a City Council Regular Meeting in person and by video conference at 6:00 pm on Tuesday, June 1, 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 in person and video conference.

Due to limited seating in council chambers, persons or participants may attend by video conference in order to maintain safe social distance as provided in this notice.

To speak during Citizen Comments, you must register with the City Secretary before 4pm on Tuesday, June 1, 2021, email citysecretary@duncanville.com and title the email “Public Comment – June 1st”. 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_sNAXltvERGeRf9hMJLxUMA

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.

I.2. BRIEFINGS / PRESENTATIONS

I.2.A. *Briefing on the request from the City of Dallas to Amend the Interlocal Agreement for Traffic Signal Operations and Maintenance.*
Public Works Director Bryan “Greg” Ramey presented the item. An Interlocal Agreement with City of Dallas for Traffic Signal Operations & Maintenance (Res No. 2003-03413) was approved on March 4, 2003.

City of Duncanville Responsibility	City of Dallas Responsibility
Cockrell Hill Rd. & Wheatland Rd.	Cockrell Hill Rd. & Camp Wisdom Rd.
Clark Rd. & Camp Wisdom Rd.	Cockrell Hill Rd. & I-20
Clark Rd. & Wheatland Rd.	Cockrell Hill Rd. & San Juan/Gannon
Clark Rd. & Big Stone Gap	Cockrell Hill Rd. & Skyline
Clark Rd. & Danieldale Rd.	US-67 & Wheatland Rd.
Cedar Ridge Rd. & Camp Wisdom Rd.	Westmoreland Rd & Wheatland Rd.

Dallas consultant, Kimley-Horn, first contacted Duncanville for Traffic Division traffic signal specifications on September 23, 2020.

On October 28, 2020, Duncanville received copy of signal warrant (performed 08/2017). Staff requested a signal warranted for 8-hr and 4-hr vehicle volumes at 53 mph (85th Percentile Speed).

Background

- 03/29/2021, First official meeting between City of Duncanville and City of Dallas.
 - o Dallas Councilmember and Transportation Dept. received complaints from residents of Summit Parc subdivision located in Dallas.
 - o City of Duncanville staff has not received any complaints from residents along West Ridge Dr.
 - o Staff requested a formal letter from City of Dallas.
- 04/06/2021, City of Duncanville received formal request from City of Dallas asking to partner on a new traffic signal at Clark Rd. & Summit Parc Dr./West Ridge Dr.
 - o City of Dallas will pay for signal design in compliance with Duncanville specifications (already completed by Dallas).
 - o City of Dallas will pay for 2/3 cost of signal construction and City of Duncanville would pay for 1/3 cost, capped at \$100K.
 - o City of Duncanville would assume Operations & Maintenance (O&M) responsibility in perpetuity.
- \$100K for a new traffic signal at Clark Rd. & Summit Parc Dr./West Ridge Dr. is not currently in Duncanville CIP Budget.
- Lifecycle cost estimate for O&M is \$293,142.00 over 20 years; \$14,657.10/year.
- FY21 Traffic Signal O&M Budget is \$391,456.00/year. This covers the 37 signalized intersections already in Duncanville. Adding one additional intersection would add 4% to this budget beginning in FY22 or FY23.
- City of Duncanville control of this intersection would maintain signal timing connectivity along Clark Rd. corridor.

City Council concluded the City of Duncanville cannot bear the financial responsibility.

I.2.B. *Discuss speed control and safety options for S. Peach Street into Lion's Park.*

Item requested by Councilmember McBurnett.

Parks and Rec. Director Bart Stevenson presented the item. The concerns seen for S. Peach Street into Lion's Park are as followed; speeding, existing trail crosswalk at the entrance of the park can be dangerous if vehicles are not controlled, and the expansive parking lot lends itself to illegal driving maneuvers.

Options for Crosswalk Safety

- Best solution to be considered within existing operating budget:
 - o Add speed bumps prior to crosswalk (common practice currently used at Lakeside, Alexander, and Harrington Parks)
- Best solution to be considered in future budget planning if needed:
 - o Add flashing crosswalk signage
 - o Add stop sign prior to crosswalk

Options for Parking Lot Safety

- Best solutions to be considered within existing operating budget:
 - o Micro-surface entire lot for a clean asphalt appearance
 - o Re-stripe parking spaces
 - o Add curb stops to all spaces
- Best solution to be considered in future budget planning, if needed:
 - o Add islands and corresponding landscaping with irrigation

City Council agreed with the recommendations from Staff.

I.2.C. Winter Storm Uri Ancillary Cost Recovery.

Finance Director Richard Summerlin presented the item.

Acronyms

- TCAP – Texas Coalition for Affordable Power
- ERCOT – Electric Reliability Council Of Texas
- PUC – Public Utility Commission
- REP – Retail Electric Provider

How Does the City Procure Electricity?

- Electricity costs generally consist of three components:
 1. Energy Services (Fixed Rate Contract with TCAP)
 2. Distribution and Transmission Services (Oncor)
 3. Ancillary Services (ERCOT)
- TCAP contracts with Gexa, which is a REP to bill members based on the fixed rate Energy Services procured by TCAP and the Transmission and Distribution Services are billed by Oncor, and the Ancillary Services billed by ERCOT.
- TCAP has a reserve fund for Ancillary Services and typically absorbs these costs as they are usually small.

What Are Ancillary Services?

- Reliability products procured by ERCOT to maintain the stability and reliability of the electric grid.
- The cost of Ancillary Services is typically cheap (standby generation).
- During Winter Storm Uri, ERCOT lost about half of its total generation capacity.
- With little additional generation capacity in reserve, the price of Ancillary Services rose to levels that had never been experienced in the ERCOT market.
- There was no price cap on Ancillary Services (many people thought the Energy Services cap was applicable to Ancillary Services, but they are not).

Why No Repricing?

- The Public Utility Commission (PUC) appoints an Independent Market Monitor.
- ERCOT and PUC chose to ignore the recommendation of the Independent Market Monitor to reprice these services at a more moderate level.
- Texas Senate passed a bill to force these services to be repriced, but the Texas House refused to follow the Senate's lead and no legislative relief has yet been enacted .
- There is legislation being considered to securitize these costs
- Gexa (TCAP's contracted REP) has promised in writing to refund or credit any cost paid if legislation changes the amounts owed to ERCOT.

Gexa Billing Options

- One-time payment of \$195,729.77
- Time payment option 1 (19 months) \$200,102.68
- Time payment option 2 (91 months) \$265,738.20

Based on current fiscal year projected ending fund balances, staff recommends lump sum payment with an equitable split between General Fund, Utility Fund, and Fieldhouse Fund based on February usage.

City Council discussed financial impacts and concluded to split the monies between three funds; General Fund, Utility Fund, and the Fieldhouse Fund.

I.2.D. Discuss Annual City Council Calendar.

City Council concluded.

- Mini Council Retreat - June 29th at 6:00 p.m.
- July 6, 2021 City Council Meeting - canceled

I.2.E. Discussion of City Council Rules of Procedure.

Item 2E would be postponed until the June 29th Mini Council Retreat.

Mayor Gordon adjourned the Briefing Session at 6:59 p.m.

II. EXECUTIVE SESSION

No Executive Sessions were held.

III. 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 7:04 p.m. with Mayor Gordon presiding.

The Invocation was delivered by At-Large Councilmember Harvey.

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

III.1. REPORTS

III.1.A. Mayor's Report.

Mayor Gordon thanked staff for the Memorial Day Event held on May 31, 2021.

III.1.B. Councilmembers' Reports

Councilmember McBurnett thanked staff for the Memorial Day Event held on May 31, 2021 and the Fire Truck Pull held on May 22, 2021.

Councilmember Contreras thanked staff for the Memorial Day Event and remembered those who lost their lives.

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

City Manager Ferrell-Benavides spoke on upcoming City events.

The DL Hopkins Jr. Senior Center has opened with limited in-person hours 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 is capped at 50% occupancy for each room. Staff will be performed additional cleaning and sanitizing services throughout the day, and members are required to wear masks and socially distance from others while in the building.

III.2. PROCLAMATIONS AND PRESENTATIONS

III.2.A. Recognition of the Police Department.

Interim Police Chief Mark LiVigni presented the item.

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"

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 in person or by video conference during Citizen Comments, you must register with the City Secretary before 4pm on Tuesday, June 1, 2021, email citysecretary@duncanville.com and title the email "Public Comment – June 1st. You will need to register with the link below and attend the meeting by video conference. During the Citizen Comments period of the agenda, the City Secretary will call your name and allow attendance in person 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 or unable to attend in person.

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:

Gary Bennett, 215 Calder Ave.- submitted a comment on trash on Waterview Park.

Christina Leu, 434 Blueridge Drive – spoke on the City Manager.

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 April 6, 2021 City Council Regular Meeting and the April 13, 2021 City Council Special Meeting.

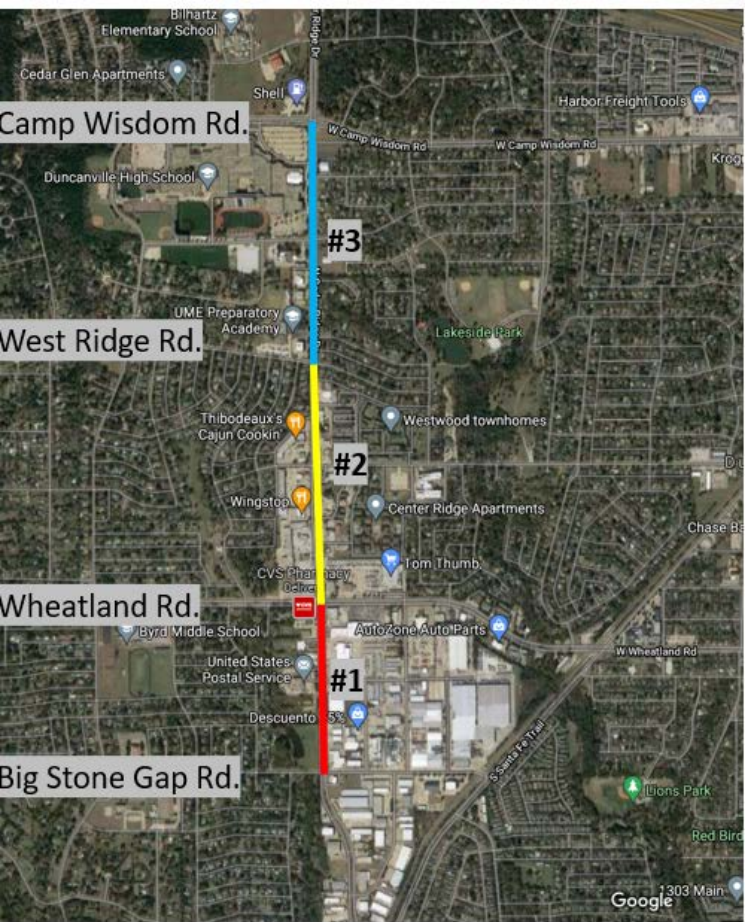
Mayor Pro Tem Mark D. Cooks made a motion to approve the item as stated, Councilmember Don McBurnett seconded the motion. The vote was cast 7 for, 0 against. Item passed.

III.5. ITEMS FOR INDIVIDUAL CONSIDERATION

III.5.A. Consider a Resolution requesting the City Manager provide design alternatives along the Cedar Ridge Road corridor prior to starting the Cedar Ridge Road reconstruction design.

Public Works Director Ramey presented the item. In November 2018 residents voted for \$6.6 million in Street Bonds. \$2 million in bond funds were allocated toward Cedar Ridge Rd., Wheatland Rd. to Big Stone Gap Rd. Combined with approximately \$2 million in Utility CIP funds for Water/Wastewater improvements. On May 18, discussion began to consider an alternate segment along Cedar Ridge Rd. before fully committing to segment between Wheatland Rd. and Big Stone Gap Rd.

Project Map



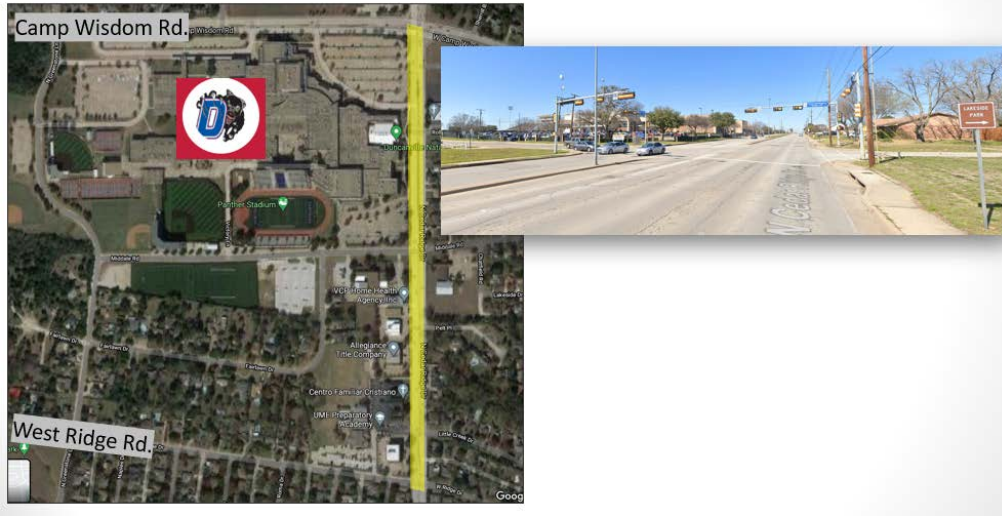
Segment 1



Segment 2



Segment 3



Evaluation Criteria

- Traffic Volumes along each segment
- Pavement Condition along each segment
- Recommended Street Cross Sections
- Conformance with the Comprehensive Plan

Mayor Gordon stated funds have already been allocated and staff is taking the initiative to reevaluate Cedar Ridge.

Public Works Director Ramey stated yes.

Councilmember Don McBurnett made a motion to approve the item as stated, Councilmember Greg Contreras seconded the motion. The vote was cast 7 for, 0 against. Item passed.

III.5.B. 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.

Mayor Gordon explained he requested Item 5B be brought back as a reconsideration to Council due to a misunderstanding on the motion made at the May 18, 2021 Regular City Council meeting. The Resolution has not changed.

Councilmember At-Large Patrick Harvey made a motion to reconsider and approve the item as stated, Councilmember Don McBurnett seconded the motion. The vote was cast 5 for, 2 against (Councilmember Don McBurnett and Councilmember Jeremy Koontz). Item passed.

III.5.C. Appoint City Councilmembers and private citizens to serve on the Audit Committee and designate a chairman for the committee.

Finance Director Summerlin presented the item.

City Council appointed the following to the Audit Committee:

- James Talley
- Steven Rutherford

City Council appointed the following Councilmembers to the Audit Committee:

- At-Large Councilmember Patrick Harvey, Chair
- Councilmember Veracruz
- Mayor Pro Tem Cooks

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

III.5.D. Election of Mayor Pro Tem for 2021-2022.

City Attorney Hager read the Rules of Procedures.

A. MAYOR AND COUNCIL RESPONSIBILITIES

11. Criteria to be considered in the election of Mayor Pro Tem:

- Willingness to commit the time necessary to serve in case of the absence of the Mayor. Duties will include presiding over City Council meetings, scheduled and called meetings, representing the City at ribbon cuttings, memorial events, speaking engagements during the day and evening hours, and assisting staff when requested for special projects. From time to time, the Mayor may call on the Mayor Pro Tem to assist in representing the City when scheduling conflicts occur.
- The Mayor Pro Tem should have demonstrable leadership abilities and a good working relationship with his/her fellow Councilmembers and City staff.
- Councilmember must have served a minimum of one (1) year on subject City Council before being eligible to serve as Mayor Pro Tem.
- Councilmember should resist outside lobbying efforts by citizens on behalf of a particular Councilmember or for a particular council district.
- In the final analysis, more than one Councilmember may meet the criteria to serve as Mayor Pro Tem. A councilmember's vote should be cast for the one member he/she feels can best serve the City as Mayor Pro Tem for the coming year. Since only one person will be elected Mayor Pro Tem, the remaining Councilmembers should not consider the vote for another member as a lack of confidence in their ability or disrespect to the citizens of the district they represent.

12. No Councilmember shall offer, seek, or accept any favors, gifts, or special considerations in exchange for a vote to be Mayor Pro Tem.

13. The Mayor Pro Tem may be removed by simple majority vote of the City Council. Should Mayor Pro Tem office be vacated, an election to fill the unexpired term shall be held at the second regular meeting of the City Council following the vacancy.
14. The City Council shall develop an annual work plan and conduct a midyear review of the annual work plan.

Mayor Gordon stated The Rules of Procedures state there will not be consecutive terms.

City Attorney Hager stated yes unless you suspend the rules.

Councilmember Don McBurnett made a motion to elect At-Large Councilmember Harvey as Mayor Pro Tem, Mayor Pro Tem Mark D. Cooks seconded the motion. The vote was cast 7 for, 0 against. Item passed.

III.6. STAFF AND BOARD REPORTS

III.6.A. *Receive the Public Works Department Quarterly Report.*

Public Works Director Ramey presented the item.

III.6.B. *Receive the Library Quarterly Report.*

Interim Library Director Olsen presented the item.

{Councilmember Veracruz left the meeting at 8:20 p.m.}

III.6.C. *Receive the Monthly Financial Report as of April 30, 2021.*

Finance Director Summerlin presented the item.

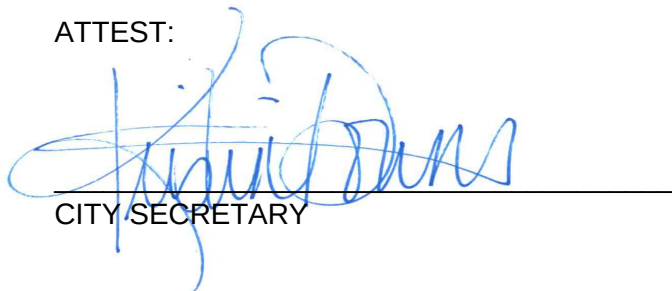
IV. ADJOURNMENT

The meeting was adjourned at 8:40 p.m.

APPROVED:


MAYOR

ATTEST:


CITY SECRETARY