

Duncanville City Council Meeting Minutes

Regular Meeting

Tuesday, June 16, 2020

CALL TO ORDER

A regular meeting of the Duncanville City Council was called to order on Tuesday, June 16, 2020, at 6:00 p.m. via video conference 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
Assistant Finance Director Tia Pettis
Economic Development Director Jessica James
City Secretary Kristin Downs
Assistant City Manager Paul Frederiksen
City Manager Kevin Hugman
City Attorney Shelby Percy
City Attorney Robert Hager

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, June 16, 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 – June 16th". All public comments submitted by 4pm on Tuesday, June 16, 2020 will be provided to the City Council members and entered into the record for the June 16, 2020 City Council Regular Meeting.

Register in advance for this webinar:

https://us02web.zoom.us/webinar/register/WN_PCMXoRQHTXCmfTk-Hi38sQ

After registering, you will receive a confirmation email containing information about joining the webinar. The registration email will provide you with a telephone number to call in if needed.

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 4C - Consider a Resolution authorizing the purchase of audio visual and related equipment from Digital Resources Inc. through Buyboard Contract# 575-18 in the amount of \$59,473.34. Upgrading the broadcast capabilities in the Council Chambers and Briefing Room, funded by the Public Education and Governmental Access Channels (PEG) funds in relation to the public access channel.

I.2. BRIEFINGS / PRESENTATIONS

I.2.A. Discuss potential options for utilizing Duncanville CARES Act funding.

Economic Development Director James presented the item. On May 11, 2020, the State of Texas announced the distribution of State CARES Act Funding to local governments. As part of the chosen distribution formula, the cities within Dallas County are not eligible for State assistance and were directed to seek

funding from the distribution sent directly to the County. On May 19, 2020, the Dallas County Commissioners Court approved an Interlocal Agreement and allocation of funding for the cities in Dallas County. Duncanville's funding allocation was based on \$55 per capita and 2019 population estimates. On June 2, 2020, the Duncanville City Council unanimously approved an Interlocal Agreement between the City of Duncanville and Dallas County to accept \$2,173,050 worth of funding under the Coronavirus Aid Relief and Economic Security Act (CARES ACT) for disaster relief assistance.

Duncanville's Total Funding = \$2,173,050

Available with Dallas County approval = \$1,738,440

Available now = \$434,610

Payments from the fund may only be used to cover costs that are necessary expenditures incurred due to the public health emergency with respect to COVID-19; and were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and were incurred during the period of March 1, 2020 – December 30, 2020.

All funds must be used by December 30, 2020, or the City has to pay the unused portion back. The City is accountable for all funds disbursed and will be audited in the future. Any funds unaccounted for, will have to be paid back. The City may set up a program that complements a County program, but they cannot duplicate County efforts by providing assistance to the same persons or businesses. Dallas County will maintain a database of those receiving assistance directly from the County. The City may enlist assistance of a non-profit or other organization to help administer a program. Organizations providing assistance or support on the City's behalf, should coordinate with Dallas County.

Eligible Expenses:

- Payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency
- Expenses of actions to facilitate compliance with COVID-19 public health measures
- Any other COVID-related expenses reasonably necessary to the function of government that satisfies the fund's eligibility criteria
- Medical expenses
- Public health expenses
- Expenses associated with provision of economic support in connection with the COVID-19 public health emergency

Proposed Funding Allocation:

- \$869,220 Business Assistance
- \$869,220 Resident Assistance
- \$434,610 Mitigate City Expenses

Funding Administration Options

- Hire third party to administer all funds (residential and business)
- Hire third party to administer business assistance and partner with nonprofit to administer or co/administer resident assistance with third party.

Nonprofit Recommendation

- Duncanville Outreach Ministry

Other Nonprofit Options

- Dallas Catholic Charities
- Jewish Family Services

Proposed Use:

- 20% (\$434,610) - Mitigate COVID-19 City expenses

- 40% (\$869,220) - Residential Assistance
- 40% (\$869,220) - Business Assistance

Proposed Qualifications – Residential:

- Residential assistance capped at \$2,000 per household (address of dwelling)
- Must prove they were a Duncanville resident prior to March 14, 2020
- Must prove they were negatively impacted by COVID-19 - loss of wages or additional expenses incurred (unbudgeted childcare)
- Not currently receiving State assistance - not related to COVID-19
- Expenses must have been incurred between March – May or Dec of 2020
- Applicant cannot receive duplicate assistance for the same expense from another source – including Dallas County
- Assistance will be paid straight to the vendor
- Other? Do we want to allocate an amount towards food?

Proposed Qualifications – Business:

- Grant Amount \$ TBD (to be determined)
- Must prove they were in business in Duncanville by Nov 14, 2019 (120 days prior to county order)
- Must prove they were negatively impacted by COVID-19 - loss of revenue
- Business must have no more than TBD employees (size of business)
- Expenses must have been incurred between March 14, 2020 and TBD
- Business can/cannot duplicate assistance request (DCEDC Grant, PPP etc.)
- Applicant must currently be operating their business in Duncanville
- Business must be operating legally in Duncanville according to City Ordinances and State Law
- This is/is not a reimbursement grant and receipts must be provided by TBD
- Business cannot request duplicate funding from Dallas County

Next Steps

- Bring back programs and contracts with appropriate organizations for Council action in July
- Submit program to Dallas County for approval
- If Dallas County approves fund usage, then contract with appropriate organizations

Council concluded:

- To move forward with the current qualifications on Residential Grants.
- Qualifications on Business Grants:
 - The Grant is a Reimbursement Grant
 - Grant amount: undecided
 - Business must have no more than 50 employees
 - Business can duplicate assistance request (DCEDC Grant, PPP etc.)
 - This is/is not a reimbursement grant and receipts must be provided by November 1, 2020
- Expenses must have been incurred between March 14, 2020 and November 1, 2020
- Hire a third party to administer all funds for both Residential and Business Grants

City Manager Hugman stated staff will draft a program for more than one tier on the grant amounts and speak with the third-party administrator on the complexity of the program of administering and what the cost would be.

I.2.B. *Receive a presentation from consultant Dunkin, Sims, and Stoffels, Inc. regarding the bond improvements at Harrington Park.*

Parks and Recreation Director Stevenson stated the Park Board reviewed the final renderings at their May 26, 2020 meeting. The plan is set for construction to begin in Fall for the Spring 2021 youth sports associations.

Consultants from Dunkin, Sims, and Stoffels provided concept renderings regarding the bond improvements at Harrington Park.

Council asked the consultants to bring back a new rendering.

I.2.C. Discuss the City Council Calendar.

City Manager Hugman presented the item.

Council concluded:

- July 7th City Council Meeting – Canceled
- July 21st City Council Meeting to be held via ZOOM
- Board and Commission Interviews to be held via ZOOM
- August meetings to be held in person if allowed.
- August 3rd Joint Meeting with Planning & Zoning Commission
- August 13th Budget Meeting – 5:00 p.m.
- September 24th – Town Hall Meeting, Topic: Fire Station #1 Design

Mayor Gordon recessed the Briefing Session at 8:20 p.m.

Executive Session was moved until after Staff and Board Reports.

II. EXECUTIVE SESSION

Executive Session was moved until after Staff and Board Reports.

- II.1 City Council shall convene into closed executive session pursuant to Section 551.074 Personnel Matters; to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; to wit, name an interim City Manager.**
- II.2 City Council shall convene into closed executive session pursuant to Section 551.072 of the Texas Government Code, Deliberations about Real Property, to deliberate the purchase, exchange, lease, or value of real property, to wit: real properties generally located south of Wheatland Rd., east of Cedar Ridge and west of Cockrell Hill Rd.**
- II.3 City Council shall convene into closed executive session pursuant to Section 551.071 of the Texas Government Code to seek legal advice from the City Attorney concerning, contemplated litigation regarding a code enforcement for improper use of residential zoned real property located within the City.**

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

The City Council convened into Regular Session in the Council Chambers at 8:20 p.m. with Mayor Gordon presiding.

The Invocation was delivered by Councilmember Veracruz.

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

III.1. REPORTS

III.1.A. Mayor's Report.

Mayor Gordon spoke on COVID-19 and recognized the Police Department, Finance Department, and the Library.

III.1.B. Councilmembers' Reports

Councilmember Jameson recognized City Manager Hugman and thanked him for his service to the City of Duncanville.

Mayor Pro Tem McBurnett encouraged all citizens to complete their 2020 Census and thanked City Manager Hugman on his retirement.

Councilmember Cooks recognized City Manager Hugman and congratulated all graduating seniors.

Councilmember Cooks encouraged everyone to attend:
 Meet, Connect, and Learn
 June 27, 2020
 via ZOOM
 10:00 – 11:00 a.m.
 Guest: Finance Director Richard Summerlin
 Topic: Controlling Water Costs

Better Together
 June 30, 2020
 via ZOOM
 7:00 p.m.
 Topic: Diversity and Inclusion

Councilmember Anderson spoke on the local business strategy group.
 Councilmember Veracruz congratulated City Manager Hugman and wished him and his wife Susan Hugman many blessings.

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

City Manager Hugman expressed his gratitude towards the city, Council and staff for allowing him to serve for five years as City Manager of the City of Duncanville.

III.2. PROCLAMATIONS AND PRESENTATIONS

III.2.A. *Proclamation in recognition of Juneteenth Day in Duncanville 2020.*

Councilmember Cooks read the proclamation.

III.3. CITIZENS' INPUT

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

To address the Council, please submit a fully-completed request card to the City Secretary prior to the beginning of the Citizens' Input portion of the Council meeting.

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

No comments were submitted.

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 June 2, 2020 City Council Regular Meeting.*

III.4.B. *Consider a Resolution supporting the submittal of a grant application to the North Central Texas Council of Governments for dedicated bike lanes on Danieldale Road through the Transportation Alternatives Program.*

III.4.C. *Consider a Resolution authorizing the purchase of audio visual and related equipment from Digital Resources Inc. through Buyboard Contract# 575-18 in the amount of \$59,473.34.*

III.4.D. *Consider a Resolution approving the terms and conditions of a Project Specific Agreement for Roadway Striping for Type "B" and Type "E" Roadway with Dallas County, pursuant to the Dallas County Master Road and Bridge Interlocal Maintenance Agreement in an amount not to exceed \$22,936.50.*

III.4.E. *Consider a Resolution adopting the Dallas County Hazard Mitigation Action Plan, as amended, 2020 Edition.*

- III.4.F. Consider a Resolution authorizing the assignment of an agreement for purchase of petroleum products from Eagle Oil, LLC to U.S. Venture, Inc. dba/ U. S. Oil.**

Councilmember Mark D. Cooks 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. Consider amending Resolution 2020-026R2, extending and amending a State of Emergency as a result of the COVID-19 Virus; providing for Interim Public Safety Measures; Repealing all Resolutions in Conflict**
City Manager Hugman presented the item the Declaration keeps the City in line to apply for grants related to the pandemic.

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

- III.5.B Take any necessary action as a result of the Executive Session.**
Item moved until after Staff and Board Reports.

III.6. STAFF AND BOARD REPORTS

- III.6.A. Receive the Economic Development Department Quarterly Report.**
No questions.

Mayor Gordon recessed the Regular Session at 8:53 p.m. for City Council to convene into Executive Session.

II. EXECUTIVE SESSION

The Executive Session was called into session at 8:58 p.m. and City Attorney Hager read the item into record.

- II.1 City Council shall convene into closed executive session pursuant to Section 551.074 Personnel Matters; to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; to wit, name an interim City Manager.**
- II.2 City Council shall convene into closed executive session pursuant to Section 551.072 of the Texas Government Code, Deliberations about Real Property, to deliberate the purchase, exchange, lease, or value of real property, to wit: real properties generally located south of Wheatland Rd., east of Cedar Ridge and west of Cockrell Hill Rd.**
- II.3 City Council shall convene into closed executive session pursuant to Section 551.071 of the Texas Government Code to seek legal advice from the City Attorney concerning, contemplated litigation regarding a code enforcement for improper use of residential zoned real property located within the City.**

The Council closed the Executive Session at 10:08 p.m.

Regular Session was called into order at 10:13 p.m.

- III.5.B. Take any necessary action as a result of the Executive Session.**

City Council shall convene into closed executive session pursuant to Section 551.074 Personnel Matters; to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; to wit, name an interim City Manager.

City Attorney Hager read the motion:

Motion to approve an agreement with Paul Frederiksen to act as Interim City Manager for a term to expire on or before December 31, 2020.

At-Large Councilmember Patrick Harvey 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.

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 south of Wheatland Rd., east of Cedar Ridge and west of Cockrell Hill Rd.

No action.

City Council shall convene into closed executive session pursuant to Section 551.071 of the Texas Government Code to seek legal advice from the City Attorney concerning, contemplated litigation regarding a code enforcement for improper use of residential zoned real property located within the City.

City Attorney Hager read the motion:

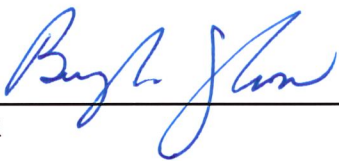
Motion to authorize the office of the City Attorney to file a civil action to enforce the zoning regulations concerning real property 315 Blossom, Duncanville, TX to include a request for injunctive relief and all civil penalties as permitted by law.

At-Large Councilmember Patrick Harvey 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.

IV. **ADJOURNMENT**

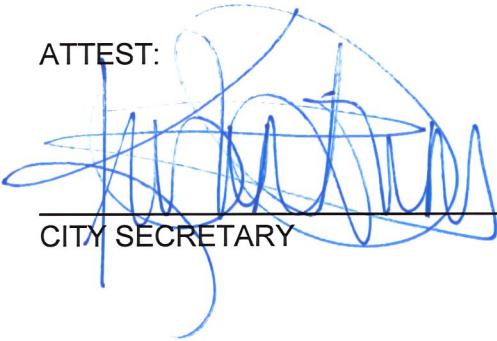
The meeting was adjourned at 10:17 p.m.

APPROVED:



MAYOR

ATTEST:



CITY SECRETARY