



Duncanville City Council Meeting Agenda
City Council Briefing Room and City Council Chamber
Duncanville City Hall
203 E. Wheatland Road
Duncanville, TX 75116
(972) 780-5017

AMENDED

Tuesday, August 1, 2023

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

7:00 P.M. - Regular Session

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

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

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

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

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

SUPPLEMENTAL NOTICE OF MEETING BY VIDEO CONFERENCE

In accordance with an Order of the Office of the Governor issued on March 16, 2020, as extended, the City Council for the City of Duncanville, Texas will conduct a City Council Regular Meeting in person, broadcast by website and social media channels, and by video conference at 6:00 pm on Tuesday, August 1, 2023 in order to advance the public health goal of limiting face-to-face meetings (also called "social distancing") in an effort to slow the spread of the Coronavirus (COVID-19) pandemic.

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

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

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

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

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

- Submit a comment by 4:00 p.m. on Tuesday, August 1, 2023.
- Email citysecretary@duncanvilletx.gov
- Email title: Public Comment – Tuesday, August 1, 2023
- First Name, Last Name, and Address

WORK SESSION / BRIEFING

1. DISCUSS AGENDA ITEMS

2. CITY COUNCIL CALENDAR

- | | | |
|----|--|--------|
| A. | Updated 2023 City Council Calendar
2023 City Council Calendar | 6 - 11 |
|----|--|--------|

3. BRIEFINGS / PRESENTATIONS

- | | | |
|----|--|---------|
| A. | Update on City Manager Search and Selection. | |
| B. | Presentation and Discussion of the City Manager's Fiscal Year 2023-2024 Proposed Budget.
Presentation and Discussion of the City Manager's Fiscal Year 2023-2024 Proposed Budget. | 12 - 13 |
| C. | Briefing to City Council regarding alcohol sale and consumption at parks during City events.
Briefing - Alcohol sale and consumption at parks during City events | 14 |
| D. | Council to provide guidance on procuring services to develop a master plan for the nature preserve on the Ladd property.
Nature Preserve Master Planning | 15 |

EXECUTIVE SESSION

None.

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

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

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

2. PROCLAMATIONS AND PRESENTATIONS

None

3. CITIZENS' INPUT

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

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

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

4. CONSENT AGENDA

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

- A. Consider the Minutes for the Date, Year City Council Regular Meeting. 16 - 72
- April 4, 2023, City Council Regular Meeting
 - April 13, 2023, City Council Special Meeting
 - April 18, 2023, City Council Regular Meeting
 - May 2, 2023, City Council Regular Meeting
 - May 16, 2023, City Council Regular Meeting
 - June 20, 2023, City Council Regular Meeting
 - July 6, 2023, City Council Special Meeting
 - July 18, 2023, City Council Regular Meeting
- [2023-04-13 - Special Called Meetings - Minutes - UNAPPROVED](#)
- [2023-04-04 - City Council - Minutes - UNAPPROVED](#)
- [2023-04-18 - City Council - Minutes - UNAPPROVED](#)
- [2023-05-02 - City Council - Minutes - UNAPPROVED](#)
- [2023-05-16 - City Council - Minutes - UNAPPROVED](#)
- [2023-06-20 - City Council - Minutes - UNAPPROVED](#)
- [2023-07-06 - Special Called Meetings - Minutes - UNAPPROVED](#)
- [2023-07-18 - City Council - Minutes - UNAPPROVED](#)
- B. Consider a Resolution for the property located at 609 West Daniieldale Road, Duncanville, Dallas County, Texas, described as Walnut Bend, Block A, Lot 1, ACS 42.419 as the Charles F. Ladd Nature Preserve; and, providing for erection and maintenance of signage; and, providing for an effective date. 73 - 76
- [Naming Charles F. Ladd Nature Preserve](#)

5. ITEMS FOR INDIVIDUAL CONSIDERATION

- | | | |
|----|---|-----------|
| A. | Conduct a Public Hearing and consider an Ordinance amending the comprehensive zoning ordinance, as heretofore amended, by amending the Code of Ordinances by amending Appendix A, Article III, Section 3.03, Residential Uses, accessory and residential uses to add the land use temporary workforce housing.
Temporary Workforce Housing Land Use Text Amendment | 77 - 97 |
| B. | Conduct a Public Hearing for consideration and action regarding the request of Juan Trejo, applicant, to include a Specific Use Permit (SUP) for School, Business, Trade or Vocational and adopt an ordinance to amend the Comprehensive Zoning Ordinance and map on Main Commons, Block 3, Lot 1A, ACS 0.617, more commonly known as 134 North Main Street, City of Duncanville, Dallas County, Texas.
SUP for School, Business, Trade or Vocational at 134 North Main Street | 98 - 120 |
| C. | Conduct a Public Hearing for consideration and action regarding the request of Navdeep Dhaliwal, applicant and owner, for a Zoning Change from C, Commercial District to I, Industrial District and adopt an ordinance to amend the Comprehensive Zoning Ordinance and map on Block 3, Lot 4, Woodhaven, more commonly known as 1414 North Main Street, in the City of Duncanville, Dallas County, Texas.
Zoning Change at 1414 North Main Street | 121 - 140 |
| D. | Take any necessary action as a result of the Executive Session. | |

6. STAFF AND BOARD REPORTS

- | | | |
|----|--|-----------|
| A. | Receive the revised Fiscal Year 2022-2023 First Quarter Investment Report as of December 31, 2022.
Revised Quarterly Investment Report as of December 31, 2022 | 141 - 142 |
| B. | Receive the Fiscal Year 2022-2023 Second Quarter Investment Report as of March 31, 2023.
Quarterly Investment Report as of March 31, 2023 | 143 - 144 |
| C. | City Council to receive an update on the Annual Comprehensive Financial Report (ACFR) / Audit for Fiscal Year 2022.
Annual Comprehensive Financial Report Update for Fiscal Year 2022 | 145 - 146 |

ADJOURNMENT

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted in accordance with the regulations of the Texas Open Meetings Act on the bulletin board located outside the entrance to the City of Duncanville City Hall, next to the entryway doors, a place convenient and readily accessible to the general public, as well as to the City's website www.duncanvilletx.gov and said Notice was posted by the following date and time: Friday, July 28, 2023, by 3:30 P.M. and remained posted for at least two hours after said meeting was convened.

Kristin Downs, Interim City Secretary

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

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



STAFF REPORT

MEETING: City Council - 01 Aug 2023

TITLE:

Updated 2023 City Council Calendar

Vision Statement:

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

Pillar:

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

STAFF RESPONSIBLE:

Chiquita Taylor, Interim City Secretary

BACKGROUND/HISTORY:

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

Also, a quarterly version of the calendar has been provided to grant City Council the opportunity to closely examine the content and provide their input in a timely manner.

POLICY EXPLANATION:

City Council will consider the calendar for 2023 and may provide input to staff for planning purposes.

FUNDING SOURCE:

ORG and Object Number

N/A

Available Budget

\$0.00

Purchase Amount

\$0.00

After Encumber

\$0.00

ACTION ALTERNATIVES:

1. Review the 2023 City Council Calendar.
2. Recommend changes to the calendar.

3. Other actions as directed by City Council.

ATTACHMENTS:

[2023 City Council Calendar. July - Sept.](#)

2023

IMPORTANT DATES

JANUARY

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

FEBRUARY

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

JANUARY 18

First Filing Date for Election Ballot

JANUARY 19

Celebrate Duncanville Event

FEBRUARY 17

Last Legal Filing Date for Election Ballot

MARCH 24 - 28

National League of Cities Congressional City Conference (NLC)

APRIL 24

First Day of Early Voting

MAY 2

Last Day of Early Voting

MAY 6

Election Day

MAY 21 - 23

International Council of Shopping Centers Conference (ICSC)

JULY 4

City Council Meeting: **CANCELED**

AUGUST 1

Submission of New Proposed Budget to Council

SEPTEMBER 30

End of Fiscal Year (FY23)

OCTOBER 1

Start of new Fiscal Year (FY24)

OCTOBER 4 - 6

Texas Municipal League Annual Conference and Exhibition (TML)

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

MARCH

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

APRIL

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

MAY

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

JUNE

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

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

AUGUST

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

SEPTEMBER

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

OCTOBER

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

NOVEMBER

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

DECEMBER

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

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

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



July 2023

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

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Jun 25	26	27	28	29	30	Jul 1
2	3	4 City Council Meeting: City Holiday 9:00am Independence 6:00pm Independence	5	6 5:00pm City Council Pictures 6:00pm Special Called City Council Meeting	7	8
9	10	11	12	13	14	15
16	17 9:00am STAR Transit Ribbon Cutting (D.L. Hopkins Senior Center)	18 6:00pm City Council Meeting (City Hall Briefing Room / Chambers)	19	20	21	22 8:30pm Movies in the Park- Jumanji: The Next Level (Armstrong Park)
23	24	25	26	27 12:00pm Coffee with the Mayor (D.L. Hopkins Senior Center)	28 RSVP for Annual Firefighters Award Banquet	29
30	31 2:00pm Last Day of Summer Reading Activities (Duncanville Public Library (201	Aug 1	2	3	4	5

August 2023

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

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

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

September 2023

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

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

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Aug 27	28	29	30	31	Sep 1	2
3	4 City Holiday	5 6:00pm City Council Meeting (City Hall Briefing Room / Chambers)	6	7	8 4:00pm Police Awards Ceremony (Hopkins Senior Center (206 James Collins Blvd, Duncanville, TX	9 9:00am Catfish Catch and Fishin' w/ Duncanville PD 8:00pm Movies in the Park - Fantastic
10	11	12	13	14	15	16 8:00am KDB Community Clean-up Day (Railroad ROW; 1164 N. Main St.)
17	18	19 6:00pm City Council Meeting (City Hall Briefing Room / Chambers)	20	21	22	23 11:00am Hispanic Heritage Festival (Armstrong Park)
24	25	26	27	28 12:00pm Coffee with the Mayor (D.L. Hopkins Senior Center)	29	30 End of Fiscal Year [FY23]



STAFF REPORT

MEETING: City Council - 01 Aug 2023

TITLE:

Presentation and Discussion of the City Manager's Fiscal Year 2023-2024 Proposed Budget.

Vision Statement:

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

STAFF RESPONSIBLE:

Robert D. Brown, Interim City Manager

Jennifer Otey, Budget Administrator

BACKGROUND/HISTORY:

The FY 2023-2024 City Manager's proposed budget has been filed in accordance with the City Charter by July 31, 2023. The presentation will include a high-level overview and highlights of the budget and proposed tax rate as a precursor to the Budget Workshop on Thursday, August 10, 2023.

POLICY EXPLANATION:

The City Manager's budget must be filed by July 31. Dates of importance toward adoption of the budget include:

- Budget Workshop - August 10, 2023.
- Vote on the tax rate - August 10, 2023. The purpose of this vote is to record the highest rate the Council would consider adopting. This triggers the need for a tax rate hearing if considering a rate that is higher than the No-New-Revenue Rate.
- Budget and Tax Rate hearing - August 24, 2023. A budget hearing is required by state law. A tax rate hearing is required when the proposed tax rate is higher than the No-New-Revenue rate.
- Adoption of Budget and Tax Rate - August 29, 2023. The adoption of the tax rate must be within 7 days of the hearing, if not adopted on the same night as the hearing.

FUNDING SOURCE:

ORG and Object Number

NA

Available Budget

\$0.00

Purchase Amount

\$0.00

After Encumber

\$0.00

ACTION ALTERNATIVES:

No action to take at this time.



STAFF REPORT

MEETING: City Council - 01 Aug 2023

TITLE:

Briefing to City Council regarding alcohol sale and consumption at parks during City events.

Vision Statement:

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

Pillar:

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

STAFF RESPONSIBLE:

Bart Stevenson, Director of Parks and Recreation

Noel Garcia, Recreation/Senior Center Superintendent

BACKGROUND/HISTORY:

Briefing to City Council regarding alcohol sale and consumption at parks during City events.

POLICY EXPLANATION:

Staff will brief City Council regarding alcohol sale and consumption at parks during City events, to include wine and malt beverages. The City events could include the Hispanic Heritage Festival, Concert in the Park, and Independence Day Celebration, and other similar events with City Council approval. Attendees would be required to stay within the park area, and security would be present at all events.

FUNDING SOURCE:

ORG and Object Number

N/A

Available Budget

\$0.00

Purchase Amount

\$0.00

After Encumber

\$0.00

ACTION ALTERNATIVES:

N/A



STAFF REPORT

MEETING: City Council - 01 Aug 2023

TITLE:

Council to provide guidance on procuring services to develop a master plan for the nature preserve on the Ladd property.

Vision Statement:

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

Pillar:

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

STAFF RESPONSIBLE:

Robert D. Brown, Jr., Interim City Manager

BACKGROUND/HISTORY:

The property donated by Bob Ladd was approved by Council to be rezoned as a nature preserve. The deed restrictions in the instrument used to donate the land to the City state: "That the subject property, above described, shall be professionally master-planned prior to any development."

POLICY EXPLANATION:

Staff is seeking guidance on procuring services to develop a master plan for the nature preserve.

FUNDING SOURCE:

ORG and Object Number

N/A

Available Budget

N/A

Purchase Amount

N/A

After Encumber

N/A

ACTION ALTERNATIVES:

1. Council to provide guidance on procuring master plan services for the nature preserve on the Ladd property.
2. Other actions as directed by Council.

Duncanville Special Called Meeting
Thursday, April 13, 2023

CALL TO ORDER

A special meeting of the Duncanville City Council was called to order on Thursday, April 13, 2023, at 7:00 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
Mayor Pro Tem Joe Veracruz
Councilmember Don McBurnett
Councilmember Jeremy Koontz
Councilmember Karen Cherry
Councilmember Greg Contreras

CALL TO ORDER

CITIZENS' INPUT

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

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

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

**Citizen comments were muted due to Election Season, and comment cards could not be located to write the minutes for the City Secretary. **

Mayor Gordon recessed Regular Session at 7:16 p.m. for City Council to convene into Executive Session.

EXECUTIVE SESSION

- A. City Council shall convene into closed Executive Session pursuant to Section 551.071 of the Texas Local Government Code, Consultation with City Attorney to seek legal advice concerning issues identified and allegations made during the Special Called City Council Meeting on March 30, 2023.**
- B. Reconvene into Open Session take any appropriate and necessary action as a result of the Executive Sessions.**

Mayor Gordon reconvened Regular Session at 10:06 p.m.
No action was taken.

ADJOURNMENT

The meeting was adjourned at 10:07 p.m.

APPROVED:

MAYOR

ATTEST:

INTERIM CITY SECRETARY KRISTIN
DOWNS, WROTE THE MINUTES FOR CITY
SECRETARY JANIE WILLMAN

Duncanville City Council Meeting Minutes
Regular Meeting
Tuesday, April 4, 2023

CALL TO ORDER

A regular meeting of the Duncanville City Council was called to order on Tuesday, April 4, 2023, at 6:06 p.m. in the Council Briefing Room at City Hall with a quorum to wit:

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

WORK SESSION / BRIEFING

1. DISCUSS AGENDA ITEMS
- Mayor Gordon read the item into the record, and Interim City Manager Brown reviewed each item.
2. CITY COUNCIL CALENDAR
- A. *Updated 2023 City Council Calendar*
City Secretary Willman presented the item. Based on the final Dallas County Elections results, the earliest day to canvass the election was May 15, 2023.
3. BRIEFINGS / PRESENTATIONS
- A. *Briefing: Solicitation of Services for Executive Recruitment Services*
Chief Innovation Officer Otey presented the item.

Timeline:

EVENTS	DATE AND/OR TIME
Release Proposals	April 10, 2023
Due Date & Time	April 28, 2023 @ 2:00 P.M.
Proposal Opening	April 29, 2023 @ 2:30 P.M.
Evaluations	May 2023
Contract Award Date	TBD

- Scope of Work:
- Assist Council, or designee, to develop a candidate profile.
 - Advertise
 - Solicit candidates.
 - Review initial candidates with Council.
 - Provide report on background, strengths, accomplishments, interviews, references on the recommended finalist.
 - Facilitate final interview process.
 - Coordinate assessments
 - Assist with contract negotiation.
 - Coordinate all correspondence, travel arrangements, and record keeping.
 - Conduct detailed professional reference checks on recommended finalist (if requested).

City Expectations:

- Marketing: City profile, recruitment materials, aggressive marketing strategies
- Sourcing: Screening process, preliminary interviews, report of all findings
- Assessment: Final candidate recommendation, coordination of interviews, and assistance in selection process
- Reference and Background Checks
- Consulting: Assistance with determining compensation package, develop timeline for activities, written status reports

B. Conduct interviews with prospective applicants for City Boards, Committees, and Commissions.

Item moved to Executive Session.

Mayor Gordon recessed the Briefing Session at 6:24 p.m. for City Council to convene into Executive Session.

EXECUTIVE SESSION

The Executive Session was called into session at 6:25 p.m. and City Attorney Hager read the item into record.

1. ***City Council shall convene in Executive Session pursuant to Section 551.072 of the Texas Government Code, to Deliberate the Sale, Exchange, Lease or Value of Real Property owned by the City south of Wheatland, east of Main, and west of State Highway 67.***
2. ***The City Council shall convene into Executive Session pursuant to Texas Local Government Code Section 551.074, Personnel Matters, to discuss appointments, dismissals, and/or duties of the City of Duncanville Planning & Zoning Commission (P&Z)***
3. ***Conduct Executive Session Pursuant to Section 551.071, Consultation with City Attorney about Proposed Contract with Interim City Manager***

The Council closed the Executive Session at 7:00 p.m.

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 7:00 p.m. with Mayor Gordon presiding.

Invocation.

Mayor Gordon led the Pledge of Allegiance and Texas Pledge.

1. REPORTS

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

2. PROCLAMATIONS AND PRESENTATIONS

None.

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

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

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

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

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

Dr. Savkis Kechejian, 5515 Ellen Dr. - spoke on Item 5A.
David Jones, 6510 Clubhouse Circle - spoke on Item 5A.
William Madison, 930 Greenbriar - spoke on public corruption.
Sammie, Berry, 1219 Coronado Ln. - spoke on Executive Session Item #3.
Linda Lydia, 1332 Bow Breek - spoke on public concerns.
Gary McMillian, 1714 Green Tree Ln. - spoke on public concerns.
Patricia Ebert, 115 South Greenstone - spoke on documents located on City website.
Grady Smithey, 1806 Cedar Hill Rd. - spoke on management concerns for the City.
Bethy Taylor, 422 Oleander St. - spoke on the former City Manager.
LaSharyn Combs, 249 Merribrook Trail - spoke on the termination of the former City Manager.
Mark D. Cooks, 1106 Bradley Dr. - spoke on the former City Manager.
Brenda Williams, 201 S. Collins Blvd. - thanked the City of Duncanville in relation to personal matters.

4. **CONSENT AGENDA**

Mayor Gordon requested that City Secretary Janie Willman read the Consent Agenda Items.

- A. ***Consider appointments to various Boards and Commissions including the Duncanville Community and Economic Development Corporation, the City Planning and Zoning Commission, the Community Engagement Advisory Board, the Arts Commission, and the TIF Board, with the adoption of the attached Resolution.***

Item moved after individual consideration.

- B. ***Consider a Resolution authorizing a cooperative purchasing agreement for the purchase of gasoline and diesel fuel from Saratoga Rack Marketing LLC through Tarrant County Commissioners Court Contract 2023-070, during the period April 7, 2023, through April 6, 2027, for City fleet and equipment, in an estimated expenditure amount of \$2,019,499.00.***

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. Items passed.

5. **ITEMS FOR INDIVIDUAL CONSIDERATION**

- A. ***Conduct a public hearing for consideration and action regarding the request of David Jones, applicant, representing Chris Kechejian, owner, for a Zoning Change from DD, Downtown District to LOR, Local Office Retail District on Richard F Hale ABST 566 PG 080 TR 18, more commonly known as 609 and 611 South Main Street, in the City of Duncanville, Dallas County, Texas.***

Senior Planner Warren presented the item.

609 and 611 South Main Street

- Request
 - A zoning change to attract prospective tenants.
- Future Land Use Map Designation
 - Opportunity Area 10, Downtown District

- Current Zoning District
 - Downtown Duncanville District—Urban Living
- Proposed Zoning District
 - LOR, Local Office Retail

13 Mailings Sent Out
 1 Replied in Favor
 0 Replied in Opposition

Planning & Zoning Commission Recommendation

The Planning and Zoning Commission recommended approval by a vote of 5 to 0, with the following conditions:

- Laundromat use is not permitted by right.
- Professional Office, Regional Scale use is not permitted by right.

Public Hearing Opened at 7:52 p.m.

In Favor:
 No one spoke.

Opposed:
 No one spoke.

Councilmember Greg Contreras made a motion to close the Public Hearing, Councilmember Jeremy Koontz seconded the motion. The vote was cast 7 for, 0 against.

Public Hearing Closed at 7:53 p.m.

Councilmember Contreras would like Council to revisit the Downtown District uses and restrictions.

Councilmember Greg Contreras 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.

City Attorney Hager stated he would bring back an Ordinance for the next Consent Agenda.

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

Senior Planner Warren presented the item.

1703 South Main Street

- Request
 - A zoning change to expand an existing parking lot for the purpose of a future restaurant in an existing structure.
- Future Land Use Map Designation
 - Opportunity Area 9, Main Street District
- Current Zoning District
 - SF-10, Single-Family Residential District
- Proposed Zoning District
 - LOR, Local Office Retail

4 Mailings Sent Out
 1 Replied in Favor
 0 Replied in Opposition

Planning & Zoning Commission Recommendation
The Planning and Zoning Commission recommended approval by a vote of 5 to 0.

Public Hearing Opened at 7:59 p.m.

In Favor:
No one spoke.

Opposed:
No one spoke.

Councilmember Don McBurnett made a motion to close the Public Hearing, Councilmember Jeremy Koontz seconded the motion. The vote was cast 7 for, 0 against.

Public Hearing Closed at 8:00 p.m.
City Attorney Hager stated he would bring back an Ordinance for the next Consent Agenda.

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

- C. ***Conduct a public hearing for consideration and action regarding the request of Joy Gabriels, applicant, representing Tommy J. Winn, owner, to include a Specific Use Permit “SUP” for Art Studio and adopt an ordinance to change the Comprehensive Zoning Ordinance and map on AMG Merrill ABST 884 PG 075 TR 47, 48 and PT of TR 43 ACS 0.834, more commonly known as 214 South Main Street, in the City of Duncanville, Dallas County, Texas.***
Senior Planner Warren presented the item.

214 South Main Street

- Request:
 - To obtain a Specific Use Permit (SUP) for an Art Studio
 - Art Studio: An establishment engaged in the sale or exhibit of art works such as paintings, sculptures, macramé, knitted goods, stitchery, photography, or pottery. Art studios are also engaged in the creations of said art works but do not provide instructional classes.
- Future Land Use Map Designation
 - Opportunity Area 10, Downtown District
- Zoning District
 - Downtown District—Urban Living

Considerations
Section 6.05. Specific Use Permits
D. Considerations

- a. The proposed use is consistent and compatible with the adjacent land use and zoning.
- b. The proposed use is consistent with the architecture and characteristics of the adjacent properties.
- c. The proposed use may promote innovative use of modern development concepts, without having an adverse impact on adjacent properties.
- d. The proposed use is consistent with the goals and objectives of the City.
- e. The proposed use is an enhancement or improvement beyond the minimum standards set forth by the Zoning Ordinance.
- f. The proposed use will not be detrimental to the general health, safety, and welfare of the community.

- g. The proposed use would stabilize and improve property values within the City.
- h. The proposed use would protect and enhance the City's attractiveness to residents, businesses, tourists, and visitors.
- i. The proposed use would strengthen and help diversify the economy of the City.

12 Mailings Sent Out
2 Replied in Favor
0 Replied in Opposition

Planning & Zoning Commission Recommendation

The Planning and Zoning Commission recommended approval by a vote of 5 to 0.

Public Hearing Opened at 8:02 p.m.

In Favor:
No one spoke.

Opposed:
No one spoke.

Councilmember Don McBurnett made a motion to close the Public Hearing, Councilmember Jeremy Koontz seconded the motion. The vote was cast 7 for, 0 against.

Public Hearing Closed at 8:03 p.m.

Councilmember Jeremy Koontz 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.

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

Executive Session Item 3

City Attorney read the motion:

Motion to confirm the appointment of Robert D. Brown as Interim City Manager at a salary of \$195,000.00, under the terms and conditions discussed as Executive Session and direct the City Attorney to author a contract to reflect the salary and terms and conditions that have been suggested by City Council and authorize the Mayor to sign.

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.

Executive Session Item 1
No action taken.

Executive Session Item 2

City Secretary Willman read the following names:

- Carolyn Thompson, City Planning and Zoning Commission – Term 2023-2024
- Donella Payne - CEO – COO, DCEDC – Term until August 2023
- Linda Lydia, Community Engagement Advisory Board – 2-year term
- Bryan Kaeser, Community Engagement Advisory Board – 2-year term
- Homer Fincannon, Multicultural Commission – 2-year term
- Nancy Gutierrez, Multicultural Commission – 2-year term
- Sara Macias, Arts Commission – 3-year term
- Grady Smithey, City Planning and Zoning Commission – Term until August 2023

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

6. STAFF AND BOARD REPORTS
None.

ADJOURNMENT
The meeting was adjourned at 8:09 p.m.

APPROVED:

MAYOR

ATTEST:

INTERIM CITY SECRETARY KRISTIN
DOWNS, WROTE MINUTES FOR JANIE
WILLMAN

City Council Meeting Minutes
Regular Meeting
Tuesday, April 18, 2023

CALL TO ORDER

A regular meeting of the Duncanville City Council was called to order on Tuesday, April 18, 2023, at 6:00 p.m. in the Council Briefing Room at City Hall with a quorum to wit:

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

COUNCIL ARRIVING AT: Councilmember At-Large Patrick Harvey – 6:32 p.m.

WORK SESSION / BRIEFING

- 1. **DISCUSS AGENDA ITEMS**
Mayor Gordon read the item into the record, and Interim City Manager Brown reviewed each item.
- 2. **CITY COUNCIL CALENDAR**
 - A. **2023 City Council Calendar**
City Secretary Willman presented the item.
- 3. **BRIEFINGS / PRESENTATIONS**
 - A. **LADD Property Update**
Director of Planning and Neighborhood Services Tennant presented the item.

Mayor Gordon recessed the Briefing Session at 6:18 p.m. for City Council to convene into Executive Session.

EXECUTIVE SESSION

- The Executive Session was called into session at 6:19 p.m. and City Attorney Hager read the item into record.
- 1. ***City Council shall convene into closed Executive Session to seek legal advice from the City Attorney pursuant to Section 551.071 of the Texas Government Code concerning the termination of former city manager and potential or threaten litigation, if any.***
- The Council closed the Executive Session at 7:00 p.m.

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 7:00 p.m. with Mayor Gordon presiding.

Pastor Jorge Guerrero of Crossroads of Life delivered the Invocation.

Mayor Gordon led the Pledge of Allegiance and Texas Pledge.

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

2. PROCLAMATIONS AND PRESENTATIONS

- A. ***Proclamation in recognition of Earth Day in Duncanville 2023.***
Assistant Director of Parks and Recreation Agee presented the proclamation to Reece Edwards, Vice Chair of Keep Duncanville Beautiful Board.
- B. ***Proclamation: Jewish American Heritage Month***
Mayor Gordon presented the proclamation.
- C. ***Mayor Gordon will make a presentation honoring a Champion of the City at the City Council Meeting.***
Mayor Gordon honored Lakisha and Kevin Berry with Champion of the City.

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

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

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

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

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

Homer Fincannon, 546 Wind River Dr.

4. CONSENT AGENDA

Mayor Gordon requested that City Secretary Janie Willman read the Consent Agenda Items.

- A. ***Consider approval of draft City Council Meeting Minutes for the Special Called City Council Meeting of March 14, 2023.***
- B. ***Consider an Ordinance amending Chapter 19 “Traffic”, Article I “In General”, Section 19-1. “Definitions” by adding a definition for oversized vehicles; by amending Chapter 19 “Traffic”, Article VI. “stopping, standing and parking” by amending Section 19-115 “standing or parking of trucks, tractors, trailers, and commercial vehicles”; by amending Section 19-116 “no parking and/or placement of oversized vehicle(s), storage unit, cargo container, or recreational vehicle on city streets” by adding subsections (b) and (c) and renumber current subsection (b) to subsection (d).***
- C. ***Consider a Resolution authorizing the annual procurement of senior meal program services with Visiting Nurse Association of Texas, in the unit amount bid through the City of Grand Prairie cooperative purchasing agreement #22140 with an annual estimated expenditure amount of \$75,000.00.***
- D. ***Adoption of an ordinance regarding the request of David Jones, applicant, representing Chris Kechejian, owner, for a Zoning Change from DD, Downtown District to LOR, Local Office Retail District on***

Richard F Hale ABST 566 PG 080 TR 18, more commonly known as 609 and 611 South Main Street, in the City of Duncanville, Dallas County, Texas.

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

5. ITEMS FOR INDIVIDUAL CONSIDERATION

A. **Consider a resolution approving an incentive grant by the Duncanville Community & Economic Development Corporation (DCEDC) to D Squared Catering, LLC, in the amount of \$6,946.62 for qualified expenditures for a building located at 519 E. HWY. 67, Duncanville, TX 75116.**

Economic Development Manager Mansell presented the item. D Squared Catering LLC is a catering business located at 519 E. Hwy 67. The property is within Opportunity Area #1. DCEDC approved their application at their March 27 regular meeting in the amount of \$6,946.62.

Bid Amounts

- Signs Creative: \$2,854.46
- Signs Manufacturing: \$6,353.00
- High Value Signs: \$6,946.62

Property Tax

- Current DCAD value + previous grant: \$374,374.17
- Duncanville property tax revenue: \$2,435.15
- Investment (highest bid): \$6,946.62
- Potential future value: \$381,320.79
 - Duncanville property tax revenue: \$2,480.34

Sales Tax

- The business generated \$7,964 in sales tax to the City in 2022.

Total Tax Return

- Current taxes: \$10,399.15 (0.67 years to recoup)

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

B. **Consider approving a Grant of Hotel Occupancy Tax Funds from the 2022-23 Budget; and, authorizing the execution of a Grant Funding Agreement in an amount not to exceed \$36,000 to Esposure, Inc.**

Managing Director of Development Services Garcia presented the item. In 2022, Esposure hosted the 1st Texas High School and Middle School Esports Championships. In January 2023, Esposure hosted the Unified Pro-Am Association Regionals in partnership with NBA. May 5-7, 2023, will be the 2nd Texas High School and Middle School Esports Championships hosted by Esposure. The attendance has doubled with 400 registrants. Bringing esports competitions to Duncanville has been a mission of Esposure and the nation is taking notice. Esposure is developing the next generation of professionals!

Benefits to Duncanville

- In 2022, 40 hotel rooms were reserved and used.
- In January 2023, 160 hotel rooms were reserved and used.
 - 60 rooms were reserved (150 people) for UPA Regionals
 - 250 people attended the event.
 - 90% of attendees did not reside in Texas.
 - 100 rooms have been reserved (350 people) for Texas Esports Championships
 - 400 people attended the event.
 - 90% of participants are expected from outside of Duncanville.

Traveling teams are asked to purchase hotels in Duncanville for a discounted rate.

Grant Explanation

April 18, 2023 - Council Meeting

- Of the Texas Esports Championships \$36,000 grant
 - \$18,000 will be spent in the Austin, San Antonio, and Houston markets.
 - \$18,000 will be spent on promotional materials to be advertised in global online broadcasts.

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

- C. ***Consider an Ordinance of the City of Duncanville, Texas, approving and adopting an increase in the exemption of appraised value of residence homesteads in the city from \$30,000 to \$35,000 of appraised value for an adult who is sixty-five years of age or older; an increase to the exemption of appraised value of residence homesteads in the city from \$30,000 to \$35,000 of appraised value for an adult who receives disability insurance benefits under Federal Old Age, Survivors, and Disability insurance; amending the Code of Ordinances by amending Chapter 18 "Taxation," Article I "In General," by amending subsection 18.4 tile from 'Reserved' to 'Levy of Property Tax' and adding language; by amending subsection 18.5 title from 'Reserved' to 'Residence Homestead Exemption for Senior Citizen' and adding language; and by amending subsection 18.6 title from 'Reserved' to 'Residence Homestead Exemption for Disabled' and adding language.***

Chief Innovation Officer Otey presented the item.

2023 Residential Market Trends

Per Dallas Central Appraisal District

- Entities will see an increase in market value as market remains positive (supply of homes on market remains low but supply of homes are up from 2022)
- Entities market and taxable values will increase due to 2023 reappraisal effort and capped homestead recalculations
- Residential reappraisal plan for Duncanville – 71.96%
- Commercial reappraisal plan – 55.09%

2023 – 88th Legislative Session Property Tax

Bills on the move:

H.B.2 & H.J.R. 1 – Impose 5% appraisal cap

- Currently at 10%
- If passed by Senate – November 2023 ballot

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.

6. **STAFF AND BOARD REPORTS**

- A. ***Receive the Police Department's Quarterly Report.***

Police Chief LiVigni presented the report.

- B. ***Fire Department Quarterly Update for the second quarter of the current fiscal year.***

Fire Chief Rhode presented the item.

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

No action was taken.

ADJOURNMENT

The meeting was adjourned at 8:32 p.m.

APPROVED:

MAYOR

ATTEST:

INTERIM CITY SECRETARY KRISTIN
DOWNS, WROTE THE MINUTES FOR CITY
SECRETARY JANIE WILLMAN

Duncanville City Council Meeting Minutes
Regular Meeting
Tuesday, May 2, 2023

CALL TO ORDER

A regular meeting of the Duncanville City Council was called to order on Tuesday, May 2, 2023, at 6:06 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 Don McBurnett
Councilmember Jeremy Koontz
Councilmember Karen Cherry
Councilmember Greg Contreras

COUNCIL ABSENT: Mayor Pro Tem Joe Veracruz

WORK SESSION / BRIEFING

1. DISCUSS AGENDA ITEMS
- Mayor Gordon read the item into the record, and Interim City Manager Brown reviewed each item. Mayor Gordon stated that Item 4B and Item 4C are moved to Individual Consideration.
2. CITY COUNCIL CALENDAR
- A. 2023 City Council Calendar
- City Secretary Willman presented the item.
3. BRIEFINGS / PRESENTATIONS
- A. Staff to present a briefing to Council regarding Bond Project status and funding shortfalls.
- Interim Assistant City Manager Kees presented the item.

Project	Initial Cost Estimate	Cost At Onset of Project/To Date	Funding from all Sources	Shortfall	Potential Additional Shortfall
Armstrong Park	\$2,250,000	\$3,021,000	\$3,000,000	\$21,000	Not likely.
Harrington Park	\$2,000,000	\$5,318,000	\$2,800,000	\$2,418,000	Unknown, but possible
Pavilions at Lakeside and Harrington	\$800,000	\$800,000	\$400,000*	\$0	Project is complete.
Rotary Park	\$50,000	\$50,000	\$50,000	\$0	Project is complete.
Trails	\$1,500,000	Undefined projects, not yet started*	\$1,000,000	\$0	Depends on the costs once a project is identified, designed, and bid out.
S. Cedar Ridge	\$2,700,000	\$3,027,860	\$2,700,000	\$327,860	Design and construction costs could increase.
Danieldele Road	\$3,100,000	\$6,600,000	\$7,735,387	\$0	No anticipated shortfalls at this time.
Maint Street at Camp Wisdom	\$1,800,000	\$4,050,000	\$1,800,000	\$2,100,000	None**
Fire Station 271	\$6,000,000	\$10,760,325	\$9,125,308	\$1,388,417	Depends on any costs incurred outside of GMP.
Service Center	\$2,400,000	\$3,202,800	\$2,400,000	\$802,800	Design and construction costs could increase.
				\$7,068,077	
* \$400,000 from Pavilions Project and \$500,000 from the Trails Project are included in the Harrington Park Funding Numbers					
**\$1,800,000 available for other/new projects if reallocated.				\$4,968,077	

Mayor Gordon recessed Briefing Session at 6:36 p.m.

EXECUTIVE SESSION

Executive Session was moved until after Staff and Board Reports.

1. City Council shall convene into closed Executive Session pursuant to Section 551.071 of the Texas Local Government Code to seek legal advice from the City Attorney regarding Article 2, Section 2.10 of the Duncanville Home Rule Charter concerning council's right to make inquiry regarding the appointments or removal of the City Manager, administrative and/or executive personnel.
2. City Council shall convene into closed Executive Session pursuant to Section 551.074 of the Texas Local Government Code, Personnel Matters to discuss the appointment, employment, evaluation, performance, reassignment, duties, discipline or dismissal of the Interim City Manager.

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

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

The City Council convened into Regular Session in the Council Chambers at 7:00 p.m. with Mayor Gordon presiding.

Pastor Chris Gutierrez, Arise Church delivered the Invocation.

Mayor Gordon led the Pledge of Allegiance and Texas Pledge.

1. **PROCLAMATIONS AND PRESENTATIONS**

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

At-Large Councilmember Harvey presented the proclamation.

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

Mayor Gordon presented the proclamation.

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

Councilmember Cherry presented the proclamation.

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

Councilmember McBurnett presented the proclamation.

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

Mayor Gordon presented the proclamation.

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

At-Large Councilmember Harvey presented the item and stated that the external Auditor Marlon Williams confirmed that the city has not and does not maintain two sets of books. The existence of spreadsheets and spreadsheets for use by the Finance Department before 2021 was not abnormal or suspicious. The Fiscal Year 2022 Audit was due March 31, 2023, and such Audit has yet to be started as of April 20, 2023. The Finance staff is unable to confirm the completion date of the Fiscal Year 2022 Audit. The City's bank account has not been reconciled since September 2022 and is currently not reconciled. The financial statement or reports appear incomplete or inaccurate since there was no reconciliation of the bank statements and accounts. The Audit Committee members raised concerns about the accuracy of the internal financial reports based on unreconciled bank statements.

The Audit Committee recommended that the Interim City Manager take the steps necessary to correct the above-stated findings and that the Audit Committee monitor the Fiscal Year 2022 Audit process and report to City Council.

2. **REPORTS**

A. ***Mayor's Report.***

B. ***Councilmembers' Reports***

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

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

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

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

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

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

Erika Browning, 442 E Cherry St - spoke on procurement of local preference.

Emily Bridges, 418 Oleander - in opposition to Item 5F.

Richard Jordon, 429 E Center St - spoke on the permit process.

Grady Smithey, 1806 Cedar Hill Rd - spoke on sign stealing.

4. **CONSENT AGENDA**

Mayor Gordon requested that City Secretary Juanita Willman read the Consent Agenda Items.

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

Councilmember Don McBurnett made a motion to approve the item as stated, Councilmember Jeremy Koontz seconded the motion. The vote was cast 6 for, 0 against, with Councilmember Joe Veracruz absent. Items passed.

5. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. **Take any necessary action as a result of the Executive Session.**
Item moved after Executive Session.

- B. **Consider a resolution approving the Star Transit Interlocal Cooperative Agreement between Star Transit and the City of Duncanville, Texas.**
Managing Director of Development Services Garcia presented the item. STAR Transit is a public bus service in Kaufman County, Rockwall County, Mesquite, Balch Springs, Seagoville, Hutchins, and DeSoto. Anyone residing in our Service Area may ride STAR Transit. Destinations could include job locations, educational facilities, non-emergency medical appointments, senior centers, and career-training facilities.

STAR Transit Interlocal Cooperative Agreement Timeline:

- May 17th, 2022: City Council Regular Meeting Work Session, Kim Britton of Star Transit presented to City Council about the public transportation service. City Council authorized staff to move forward with the proposal.
- August 29th, 2022: DCEDC Board of Directors agreed to a \$31,200.00 commitment in funding for STAR Transit in FY23.
- Tonight, the Interlocal Cooperative Agreement is brought before City Council for approval.

STAR Transit Interlocal Cooperative Agreement Service Details:

- 20 hours of transit service per day (Monday – Friday, 6:00 AM – 6:00 PM)
 - Demand Response (pre-booked, origin to destination trips)
 - STARNow (same-day service within the city limits)
- Three-year grant - per the Transportation Improvement Program, the city must match federal grant funds in an 80/20 split for the first two years of the grant period. After the initial two years, the city's match will increase to 40%.
- Average Daily Hours of Service: 20
- Cost Per Hour: \$ 52.00
- Base Annual Cost of Service: \$260,000
- Federal Urban Transit Funding: \$208,000
- When you break down the funding, it would cost about \$250 a day to provide mobility for residents in need.

At-Large Councilmember Harvey questioned where the funding would come from. Director Garcia stated that the DCEDC would fund the first year for \$31,200.00. At-Large Councilmember Harvey questioned the future funding. Director Garcia stated it would depend on how Council and City Management would like to proceed by asking the DCEDC to continue to fund or having the funds placed in the budget.

Councilmember Don McBurnett made a motion to approve the item as stated, Councilmember Karen Cherry seconded the motion. The vote was cast 6 for, 0 against, with Councilmember Joe Veracruz absent. Item passed.

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

Request:

- To obtain a Specific Use Permit (SUP) for Auto Repair and Services, Minor (No Outside Storage)
- Future Land Use Map Designation
 - Opportunity Area 9, Main Street District
- Zoning District
 - LOR, Local Office/Retail District

Definition:

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

Considerations:

Section 6.05. Specific Use Permits

D. Considerations

- a. The proposed use is consistent and compatible with the adjacent land use and zoning.
- b. The proposed use is consistent with the architecture and characteristics of the adjacent properties.
- c. The proposed use may promote innovative use of modern development concepts without hurting adjacent properties.
- d. The proposed use is consistent with the goals and objectives of the City.
- e. The proposed use is an enhancement or improvement beyond the minimum standards set forth by the Zoning Ordinance.
- f. The proposed use will not be detrimental to the community's general health, safety, and welfare.
- g. The proposed use would stabilize and improve property values within the City.
- h. The proposed use would protect and enhance the City's attractiveness to residents, businesses, tourists, and visitors.
- i. The proposed use would strengthen and help diversify the economy of the City.

10 Mailings Sent Out

0 Replied in Favor

0 Replied in Opposition

Planning & Zoning Commission Recommendation:

- The Planning and Zoning Commission recommended approval by a vote of 3 to 2, with the condition of a ten (10) year limit.

Public Hearing opened at 8:17 p.m.

In Support:

Ahmad Salmated, the applicant – spoke in support.

In Opposition:

Emily Bridges, 418 Oleander St - spoke in opposition.

Erika Browning, 442 E. Cherry St - spoke in opposition.

Mark Graham, 410 Santa Fe Trail - spoke in opposition.

Ayesha Roark, 1207 Candlelight Ave - in opposition.

David DeRocha, 418 Oleander St - in opposition.

Cody Parman, 418 Oleander St - in opposition.

Judy Johnson, 419 Oleander St - in opposition.

John Hill, 419 Oleander St - in opposition.

Councilmember Contreras made a motion to close the Public Hearing, Councilmember McBurnett seconded the motion. The vote was cast 6 for, 0 against, with Councilmember Joe Veracruz absent.

Public Hearing closed at 8:27 p.m.

Various Councilmembers voiced their concerns and stated why they were in opposition.

Councilmember Don McBurnett made a motion to approve the item as stated, Councilmember Jeremy Koontz seconded the motion. The vote was cast 0 for, 6 against (Mayor Barry L. Gordon, Councilmember At-Large Patrick Harvey, Councilmember Don McBurnett, Councilmember Jeremy Koontz, Councilmember Karen Cherry, and Mayor Pro Tem Greg Contreras), with Councilmember Joe Veracruz absent. Item denied.

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

Senior Planner Warren presented the item.

Request:

- To obtain a Specific Use Permit (SUP) for Auto Repair and Services, Minor (No Outside Storage)
- Future Land Use Map Designation
 - Opportunity Area 5
- Zoning District
 - LOR, Local Office/Retail District

Definition:

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

Considerations:

Section 6.05. Specific Use Permits

D. Considerations

- a. The proposed use is consistent and compatible with the adjacent land use and zoning.
- b. The proposed use is consistent with the architecture and characteristics of the adjacent properties.
- c. The proposed use may promote innovative use of modern development concepts without hurting adjacent properties.
- d. The proposed use is consistent with the goals and objectives of the City.
- e. The proposed use is an enhancement or improvement beyond the minimum standards set forth by the Zoning Ordinance.
- f. The proposed use will not be detrimental to the community's general health, safety, and welfare.

- g. The proposed use would stabilize and improve property values within the City.
- h. The proposed use would protect and enhance the City's attractiveness to residents, businesses, tourists, and visitors.
- i. The proposed use would strengthen and help diversify the economy of the City.

9 Mailings Sent Out
0 Replied in Favor
0 Replied in Opposition

Planning & Zoning Commission Recommendation:

- The Planning and Zoning Commission recommended approval by a vote of 5 to 0.

Public Hearing opened at 8:43 p.m.

In Support:
None.

In Opposition:
Emily Bridges, 418 Oleander St – spoke in opposition.
Judy Johnson, 419 Oleander St - in opposition.
David DeRocha, 418 Oleander St - in opposition.
Cody Parman, 418 Oleander St - in opposition.
Judy Johnson, 419 Oleander St - in opposition.
John Hill, 419 Oleander St - in opposition.
Ayesha Roark, 1207 Candlelight Ave - in opposition.

Councilmember McBurnett made a motion to close the Public Hearing, Councilmember Koontz seconded the motion. The vote was cast 6 for, 0 against, with Councilmember Joe Veracruz absent.

Public Hearing closed at 8:45 p.m.

Various Councilmembers voiced their concerns and stated why they were in opposition.

Councilmember Don McBurnett made a motion to approve the item as stated, Councilmember Jeremy Koontz seconded the motion. The vote was cast 0 for, 6 against (Mayor Barry L. Gordon, Councilmember At-Large Patrick Harvey, Councilmember Don McBurnett, Councilmember Jeremy Koontz, Councilmember Karen Cherry, and Mayor Pro Tem Greg Contreras), with Councilmember Joe Veracruz absent. Item denied.

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

Request:

- A text amendment is required to allow Carports by right where a Specific Use Permit (SUP) is currently required.

Land Use	SF-4B	SF-13	SF-10	SF-7	TF-7	MF-1A	MF-2I	NOR	LOR	GOR	C	I	CMS	DD	UL	Add'l Regs. #	Parking
Carport	o	o	o	o	o	o	o										N/A
Drive-Thru									o	•	•					Section 3.04.B.2	N/A
Fuel Pumps									o	o	•	•				Section 3.04.B.3	N/A
Funeral Home, Crematory												o					N/A
Home Occupation	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	Section 3.04.B.4	N/A
Outdoor Display, Permanent										o	o	o				Section 3.04.B.5	N/A
Outdoor Display, Temporary								o	o	o	o	o	o	o	o	Section 3.04.B.6	N/A
Outside Storage											•	•				Section 3.04.B.7	N/A
Short-Term Rental	o	o	o	o	o	o	o	o	o	o			•	•	•	Section 3.04.B.8	N/A
Wind Energy Turbine	o	o	o	o	o	o	o									Section 3.04.B.9	N/A

Land Use	SF-43	SF-13	SF-10	SF-7	TF-7	MF-14	MF-21	NOR	LOR	GDR	C	I	CMS	DD	CMS	UL	Add'l Regs. #	Parking
Carport	•	•	•	•	•	•	•											N/A
Drive-Thru									○	•	•						Section 3.04.B.2	N/A
Fuel Pumps									○	○	•	•					Section 3.04.B.3	N/A
Funeral Home, Crematory											○							N/A
Home Occupation	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	Section 3.04.B.4	N/A
Outdoor Display, Permanent										○	○	○					Section 3.04.B.5	N/A
Outdoor Display, Temporary								○	○	○	○	○	○	○	○	○	Section 3.04.B.6	N/A
Outside Storage											•	•					Section 3.04.B.7	N/A
Short-Term Rental	○	○	○	○	○	○	○	○	○	○			•	•	•		Section 3.04.B.8	N/A
Wind Energy Turbine	○	○	○	○	○	○	○										Section 3.04.B.9	N/A

Carport Text Amendment

- Section 4.04.B.3.b (1): A carport may be provided instead of a garage or Porte Cochere upon approval of a specific use permit.
 - This text amendment will nullify the requirement for a Specific Use Permit.

Planning & Zoning Commission Recommendation

- The Planning and Zoning Commission recommended approval by a vote of 5 to 0.

Public Hearing opened at 8:55 p.m.

In Support:

Erika Browning, 442 E. Cherry St - spoke in support.
Emily Bridges, 418 Oleander St – spoke in support.

In Opposition:

None.

Councilmember McBurnett made a motion to close the Public Hearing, Councilmember Koontz seconded the motion. The vote was cast 6 for, 0 against, with Councilmember Joe Veracruz absent.

Public Hearing closed at 8:58 p.m.

Councilmember Greg Contreras made a motion to approve the item as stated, Councilmember Don McBurnett seconded the motion. The vote was cast 6 for, 0 against, with Councilmember Joe Veracruz absent. Item passed.

4B. **Consider a Resolution authorizing a sole-source procurement with Texas Packer + Loader Sales, Inc. dba Texas Pack + Load for two all-terrain litter vacuums in the expenditure amount of \$138,704.00.**

Assistant Director of Parks and Recreation Agee presented the item.

- Proposed by the Emerging Leadership Class of 2022
- Citywide beautification of parks, sidewalks, walkways, alleyways, and other pedestrian areas
- Departmental usage
 - Parks and Recreation
 - Neighborhood Services
 - Economic Development
- Cost: \$138,704.00 for two (2) LN50 Madvac All-Terrain vacuum vehicles
- Reduced manual labor
- Increased productivity
- Reduced environmental impact
- Potential revenue opportunities

Various Councilmembers asked questions regarding the product and productivity.

Mayor requested staff to research if the manufacturer is the only manufacturer for procurement for this product.

Councilmember Don McBurnett made a motion to table the item as stated, Councilmember Karen Cherry seconded the motion. The vote was cast 5 for, 1 against (Councilmember Jeremy Koontz), with Councilmember Joe Veracruz absent. Item tabled.

- 4C. **Consider approval of an Ordinance of the City of Duncanville, Texas, amending the Code of Ordinances Chapter 2 “Administration,” by adding Article V “Procurement” having a procurement department for the purpose of purchase and requisition, goods, services, and other property in accordance with state law, and permitting consideration of location of bidder’s principal place of business awarding competitive bids and/or procurement.**

At-Large Councilmember Harvey questioned by giving a local vendor could get preferential treatment.

Director Atmore stated that local vendor preference returns the tax dollars to the community.

Purchaser Sokale stated that state law allows a local vendor whose prices are within five percent of the non-local vendor to be awarded the contract. Then we are allowed under the law to award it to the local vendor. The city does not have this rule in writing, so staff brought it to Council.

Mayor Gordon said he would like additional vendors added to the text.

Councilmember Don McBurnett made a motion to table the item as stated, Councilmember Greg Contreras seconded the motion. The vote was cast 6 for, 0 against, with Councilmember Joe Veracruz absent. Item passed.

6. STAFF AND BOARD REPORTS

- A. ***Receive the Parks and Recreation Department Quarterly Report***
Director of Parks and Recreation Stevenson presented the item.
- B. ***Receive the Monthly Financial Report as of February 2023.***
Managing Director of Fiscal Services Atmore presented the item.
- C. ***Receive the Library Quarterly Report***
Library Director Velasquez presented the item.

Mayor Gordon recessed the Regular Session at 10:08 p.m. for City Council to convene into Executive Session.

EXECUTIVE SESSION

1. ***City Council shall convene into closed Executive Session pursuant to Section 551.071 of the Texas Local Government Code to seek legal advice from the City Attorney regarding Article 2, Section 2.10 of the Duncanville Home Rule Charter concerning council’s right to make inquiry regarding the appointments or removal of the City Manager, administrative and/or executive personnel.***
2. ***City Council shall convene into closed Executive Session pursuant to Section 551.074 of the Texas Local Government Code, Personnel Matters to discuss the appointment, employment, evaluation, performance, reassignment, duties, discipline or dismissal of the Interim City Manager.***
3. ***Reconvene into Open Session from Executive Session 1 and Executive Session 2.***

The Executive Session was called into session at 10:17 p.m., and City Attorney Hager read the item into record.

The Council closed the Executive Session at 11:08 p.m.

Regular Session was reconvened at 11:12 p.m.

ADJOURNMENT

The meeting was adjourned at 11:12 p.m.

APPROVED:

MAYOR

ATTEST:

KRISTIN DOWNS,
INTERIM CITY SECRETARY FOR JAUNITA
“JANIE” WILLMAN

UNAPPROVED

Duncanville City Council Meeting Minutes
Regular Meeting
Tuesday, May 16, 2023

CALL TO ORDER

A regular meeting of the Duncanville City Council was called to order on Tuesday, May 16, 2023, 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 DeMonica Gooden
Councilmember Joe Veracruz
Councilmember Don McBurnett
Councilmember Jeremy Koontz
Councilmember Karen Cherry
Mayor Pro Tem Greg Contreras

WORK SESSION / BRIEFING

1. DISCUSS AGENDA ITEMS
Mayor Gordon read the item into the record, and Interim City Manager Brown reviewed each item. Item 4A - awarding RFB 23-0003 Swan Ridge Dr. Reconstruction and Beaver Creek and Shady Tree Place Waterline Replacement to SYBB Construction Co., Inc. through the City's competitive bid process, with an estimated expenditure amount of \$2,596,620.00. The item is to approve the only bid received to complete the project. Council voiced their concerns with budget amendments and would like documentation and updates beforehand to see how the project is progressing fiscally and prioritizing the needs of projects throughout the city.

2. CITY COUNCIL CALENDAR
A. 2023 City Council Calendar
Interim City Secretary Downs presented the item.

Council concluded:
• Adding the Recreation Center's activities to the Council calendar
• Budget Workshop on June 8, 2023, at 6:00 p.m.
• Scheduling a Council Retreat for the upcoming elected Councilmember At-Large.

3. BRIEFINGS / PRESENTATIONS
A. Briefing Item - Ladd Property Update to City Council
Director of Planning and Neighborhood Services Tennant presented the item.

Step 1	Conduct public meetings and meet with Municipal Boards and Commissions	January and February 2023
Step 2	Process public input pertaining to Opportunity Area 8 and implement strategy reflected in Five-year Comprehensive Plan Update	End of March/ Beginning of April 2023
Step 3	Initiate zoning change request and text amendment	End of March/ Beginning of April 2023
Step 4	An application for a zoning change and a text amendment will be filed with city staff, per the direction of the City Council	End of March/ Beginning of April 2023
Step 5	City staff will prepare a case report, send notification to property owners within 200 ft. of the subject property, notice by newspaper, and place the comprehensive plan update and zoning change request on the next Planning and Zoning Commission regular meeting and define land use category for the zoning text amendment	End of April/ Beginning of May 2023
Step 6	The Planning and Zoning Commission will consider the comprehensive plan update and zoning change request and text amendment, and make a recommendation to City Council	June 2023
Step 7	City Council will consider the comprehensive plan update and zoning change request and text amendment	July 2023

The staff has met with the following Boards and Commissions:

- Keep Duncanville Beautiful Board
- Parks and Recreation Advisory Board
- Neighborhood Vitality Commission
- Duncanville Community and Economic Development Corporation
- Planning and Zoning Commission

The following community meetings were held:

- The first community meeting was held on March 10, 2023.
- The second community meeting was held on March 23, 2023

Next Steps:

- Review the University of Texas at Dallas' Evaluation and Strategic Plan
- City staff will prepare a case report
- Send notification to property owners within 200 ft. of the subject property
- Notice by newspaper
- Place the comprehensive plan update and zoning change request on the June Planning and Zoning Commission regular meeting and define the land use category for the zoning text amendment

B. Council to receive a briefing on possibly adopting the International Solar Energy Provisions, 2015 ed., from the International Building Code.

Building Official Hardin presented the item.

2015 International Solar Energy Provisions

- The 2015 International Solar Code includes all I-codes solar energy provisions, ICC SRCC, Stands 100, 300, and 600, and the NFPA 70: NEC solar energy provisions.
- This way, the contractors only have to carry around one code book instead of carrying the 4-5 books they have to carry around now.
- Purpose of the document sets forth the procedure for determining thermal performance and assessing the durability of solar concentrating collectors.
- Also, this code includes some standards adopted only by reference and not included in the body of the code.

System types:

1. harvests the energy to sell it back to the utility company;
2. equipped with batteries that store energy on sunny days to be used during rainy or winter days.

We currently permit the systems but need a reference for our field inspectors to carry one code.

Mayor Gordon questioned if updating the 2015 International Solar Energy Provisions would change how the City operated. Building Official Harden stated no.

Councilmember McBurnett asked to move the items for Individual Consideration to Consent. Council agreed.

Councilmember Contreras asked to move Executive Session before Regular Session. Council agreed.

Mayor Gordon recessed the Briefing Session at 6:42 p.m. for City Council to convene into Executive Session.

EXECUTIVE SESSION

The Executive Session was called into session at 6:46 p.m. and City Attorney Hager read the item into record.

1. ***"City Council shall convene into closed Executive Session pursuant to Section 551.074 of the Texas Local Government Code, Personnel Matters to discuss the***

appointment, process, employment, evaluation, performance, reassignment, duties, discipline or dismissal of the City Manager and current Interim City Manager.”

The Council closed the Executive Session at 7:02 p.m.

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 7:10 p.m. with Mayor Gordon presiding.

Councilmember McBurnett delivered the Invocation.

Mayor Gordon led the Pledge of Allegiance and Texas Pledge.

CANVASS OF ELECTION AND OATHS

1. ***Consider a Resolution Canvassing and Declaring the results of the May 6th, 2023, General Election for Councilmember At-Large and Councilmembers for Districts one (1), three (3) and five (5).***

City Attorney Hager read the Resolution.

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.

2. ***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.***

City Secretary Downs swore in:

- Joe Veracruz, District 1
- Jeremy Koontz, District 3
- Greg Contreras, District 5
- DeMonica Gooden, At-Large

RECESS FOR RECEPTION

1. ***Recognize and show appreciation to outgoing At-Large Councilmember Patrick Harvey, for his service.***

Mayor Gordon recessed Regular Session at 7:37 p.m. for a reception to thank former At-Large Councilmember Harvey for serving on Council.

REGULAR SESSION - RECONVENE INTO THE COUNCIL CHAMBERS

The City Council reconvened into Regular Session in the Council Chambers at 7:50 p.m. with Mayor Gordon presiding.

Councilmember McBurnett delivered the Invocation.

Mayor Gordon led the Pledge of Allegiance and Texas Pledge.

1. REPORTS

A. Mayor's Report.

Mayor Gordon spoke on the Police Memorial Event and had the opportunity to speak to Merrifield Elementary students.

B. Councilmembers' Reports

None.

C. City Manager's Report.

Interim City Manager Brown allowed Chief LiVigni to recognize officers.

Chief LiVigni presented the following Officers with the Life-Save Awards:

- Tiffany Manning
- Kamecha Johnston
- Andrew Paczocha

- Michael Hankins
- Ryan Peterson

2. PROCLAMATIONS AND PRESENTATIONS

- A. *Proclamation for Emergency Medical Services Week.***
Councilmember Veracruz read the proclamation.
- B. *Proclamation for Asian American and Pacific Islander Heritage Month.***
Mayor Gordon read the proclamation.

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

<https://duncanvilletx.newswagit.com/views/454/>

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

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

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

Denise Hovland, 1207 Casa Grande Pl. – thanked Council and Staff on the National Day of Prayer event.

Grady Smithey, 1806 Cedar Hill Rd. – spoke on the bond projects.

Erika Browning, 442 E Cherry St. – spoke on the materials from Kidsville.

Home Fincannon, 546 Wind River Dr. – spoke on the cemetery.

4. CONSENT AGENDA

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

- 4A. *Consider a Resolution awarding RFB 23-0003 Swan Ridge Dr. Reconstruction and Beaver Creek and Shady Tree Place Waterline Replacement to SYBB Construction Co., Inc. through the City's competitive bid process, with an estimated expenditure amount of \$2,596,620.00.***
- 4B. *Consider a Resolution approving the Interlocal Agreements between the City of Desoto, Texas and the City of Duncanville, Texas to partner in the Crisis Assessment and Resource Engagement (CARE) Team to provide prevention and follow-up activities in response to individuals and their families/support systems experiencing behavioral health needs in order to lessen the frequency of crisis interventions that require Police Patrol or Fire Rescue Response, Emergency Hospitalization, or Arrest/Incarceration. The term of the agreement shall begin on May 1, 2023, and end on April 30, 2024, unless terminated earlier under any provisions in the Interlocal Agreement. The parties may mutually agree***

on an extension to this agreement by written amendment and mutual approval of the parties.

- 4C. *Consider a Resolution authorizing the purchase of Emergency Medical Supplies from Bound Tree Medical Products, Inc., through the City of Midlothian Contract 2020-28 for the unit price bid with an estimated total expenditure amount of \$245,000.00.*
- 4D. *Consider a Resolution rejecting the previous bids approved by Resolution 2022-059, awarding a bid for the purchase and installation of eight HVAC units and approving the award of RFP 23-0011 to Air Kool Heating & Air, LLC for heating and air conditioning installation in the unit price bid attached hereto and incorporated herein as Exhibit "A," for an estimated expenditure not to exceed the amount of \$107,136.00 for HVAC at the municipal annex at 103 E. Wheatland Road, Duncanville, Texas.*
- 5A. *Consider a resolution authorizing a Grant of Hotel Occupancy Tax Funds from the Fiscal Year 2022-23 Budget in an amount not to exceed \$6,400 to College Football Officiating Development, LLC (CFOD).*
Item moved to Consent.
- 5B. *Consider a resolution authorizing approval of an incentive grant by the Duncanville Community and Economic Development Corporation (DCEDC) to Italy Family Pharmacy Inc. not to exceed \$6,750 for a building located at 102 E. Danieldale Road #101, Duncanville, Texas 75137.*
Item moved to Consent.
- 5C. *Consider a resolution authorizing approval of an incentive grant by the Duncanville Community and Economic Development Corporation (DCEDC) to Jones Inck, LLC, in an amount not to exceed \$6,240.33 for a building located at 206 N. Main Street, Duncanville, Duncanville, Texas 75116.*
Item moved to Consent.
- 5D. *Consider a resolution authorizing approval of an incentive grant by the Duncanville Community and Economic Development Corporation (DCEDC) TO WOW Beauty & Barber Lounge, LLC, in an amount not to exceed \$23,157 for a building located at 242 W. Wheatland Road, Duncanville, Texas 75116.*
Item moved to Consent.
- 5E. *Consider a resolution authorizing the approval of an incentive grant agreement by the Duncanville Community and Economic Development Corporation (DCEDC) to Hav-R Charburger in an amount not to exceed \$28,000 for a building located at 606 S. Clark Road, Duncanville, Texas 75137.*
Item moved to Consent.

Councilmember Jeremy Koontz made a motion to approve the item as stated, Councilmember Karen Cherry seconded the motion. The vote was cast 7 for, 0 against. Items passed.

5. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. *Consider a resolution authorizing a Grant of Hotel Occupancy Tax Funds from the Fiscal Year 2022-23 Budget in an amount not to exceed \$6,400 to College Football Officiating Development, LLC (CFOD).*
Item moved to Consent.
- B. *Consider a resolution authorizing approval of an incentive grant by the Duncanville Community and Economic Development Corporation (DCEDC) to Italy Family Pharmacy Inc. not to exceed \$6,750 for a building located at 102 E. Danieldale Road #101, Duncanville, Texas 75137.*
Item moved to Consent.
- C. *Consider a resolution authorizing approval of an incentive grant by the Duncanville Community and Economic Development Corporation (DCEDC) to Jones Inck, LLC, in an amount not to exceed \$6,240.33 for a building located at 206 N. Main Street, Duncanville, Duncanville, Texas 75116.*
Item moved to Consent.

- D. **Consider a resolution authorizing approval of an incentive grant by the Duncanville Community and Economic Development Corporation (DCEDC) TO WOW Beauty & Barber Lounge, LLC, in an amount not to exceed \$23,157 for a building located at 242 W. Wheatland Road, Duncanville, Texas 75116.**
Item moved to Consent.
- E. **Consider a resolution authorizing the approval of an incentive grant agreement by the Duncanville Community and Economic Development Corporation (DCEDC) to Hav-R Charburger in an amount not to exceed \$28,000 for a building located at 606 S. Clark Road, Duncanville, Texas 75137.**
Item moved to Consent.

6. **STAFF AND BOARD REPORTS**
None.

Mayor Gordon recessed Regular Session at 8:27 p.m.

EXECUTIVE SESSION

The Executive Session was called into session at 8:28 p.m. and City Attorney Hager read the item into record.

- 1. **“City Council shall convene into closed Executive Session pursuant to Section 551.074 of the Texas Local Government Code, Personnel Matters to discuss the appointment, process, employment, evaluation, performance, reassignment, duties, discipline or dismissal of the City Manager and current Interim City Manager.”**
At-Large Councilmember Gooden attended Executive Session. Former At-Large Councilmember Harvey did not attend Executive Session.

The Council closed the Executive Session at 9:29 p.m.

Mayor Gordon reconvened Regular Session at 9:33 p.m.

Reconvene into Open Session.

- 1. **Take any necessary action as a result of the Executive Session.**
City Attorney Hager read the motion:

A Motion for the City Council to interview the firm’s Government Professional Solutions, BakerTilly US, GovHr USA, and T2 Professional as the firms to conduct a selection for City Manager and appoint Councilmember Karen Cherry-Brown, Councilmember Joe Veracruz and Councilmember Jeremy Koontz to formulate the interview questions and an ad-hoc committee.

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. Motion passed.

ADJOURNMENT

The meeting was adjourned at 9:35 p.m.

APPROVED:

MAYOR

ATTEST:

INTERIM CITY SECRETARY

UNAPPROVED

Duncanville City Council Meeting Minutes
Regular Meeting
Tuesday, June 20, 2023

CALL TO ORDER

A regular meeting of the Duncanville City Council was called to order on Tuesday, June 20, 2023, 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 DeMonica Gooden
Councilmember Joe Veracruz
Councilmember Jeremy Koontz
Councilmember Karen Cherry
Mayor Pro Tem Greg Contreras

COUNCIL ARRIVING AT: Councilmember Don McBurnett – 6:01 p.m.

WORK SESSION / BRIEFING

1. ***Updated 2023 City Council Calendar***
Item presented below.

1. **DISCUSS AGENDA ITEMS**
Mayor Gordon read the item into the record, and Interim City Manager Brown reviewed each item. Councilmember Contreras asked for Item 4C be moved to Individual Consideration. Councilmember Gooden asked for Council to go into Executive Session on Item 4C.

2. **CITY COUNCIL CALENDAR**
Council concluded:

- July 6, 2023 - Special Meeting and City Council pictures
- August 7 - 8, 2023 - Boards and Commissions Interviews
- August 21, 2023 - Possible Retreat
- August 29, 2023 - Special Meeting

3. **BRIEFINGS / PRESENTATIONS**
A. ***Receive the Arts Commission Annual Report.***
Commissioner Thompson presented the item.

Councilmember Koontz requested before the Board and Commission interviews to discuss the Boards and Commissions and would like to see each board provide an annual report to Council.

B. ***Briefing Item - Ladd Property Update to City Council***
Director of Planning and Neighborhood Services presented the item.

Mayor Gordon suggested an informal meeting for the Neighborhood Vitality Commission with no action and no minutes to take.

City Attorney Barry agreed that no action would be taken, and the City Secretary posted a possible quorum.

Mayor Gordon recessed the Briefing Session at 6:46 p.m. for City Council to convene into Executive Session.

EXECUTIVE SESSION

The Executive Session was called into session at 6:47 p.m., and City Attorney Barry read the item into record.

1. ***City Council shall convene into closed executive session pursuant to Section 551.074, of the Texas Government Code, Personnel, to deliberate the duties***

and/or appointment of the City Manager and Interim City Manager under the Home Rule Charter and, pursuant to Section 551.071 of the Texas Government Code, to seek legal advice from the City Attorney on the same topic.

2. *City Council shall convene into closed executive session pursuant to Section 551.071, of the Texas Government Code, to seek legal advice on the requirements of the Fire Code.*

The Council closed the Executive Session at 7:07 p.m.

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 7:11 p.m. with Mayor Gordon presiding.

Councilmember Don McBurnett delivered the Invocation.

Mayor Gordon led the Pledge of Allegiance and Texas Pledge.

1. REPORTS

A. Mayor's Report.

Mayor spoke on the Juneteenth Celebration and Arts Commission artwork.

B. Councilmembers' Reports

Contreras spoke on the Juneteenth Celebration and congratulated Mr. and Mrs. Juneteenth Harvey.

C. City Manager's Report.

Interim City Manager Brown thanked staff that participated and worked the Juneteenth Celebration and congratulated staff. The Arbor Day Foundation recognized The City of Duncanville as "2022 Tree City USA".

2. PROCLAMATIONS AND PRESENTATIONS

A. Recognition of Mayor's Champion of the City.

Mayor Gordon presented Grady Smithey, Jr. with the Champion of the City.

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

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

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

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

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

Darren Coles, 511 E Camp Wisdom – spoke in favor of the fire code.

Monte Anderson, 100 S. Main – spoke in favor of the fire code.
 Erika Browning, 442 E. Cherry St – spoke on Item 5C.
 Patrick Harvey, 1010 Huntington – thanked Council for naming him and his wife, Mr. and Mrs. Juneteenth.

4. CONSENT AGENDA

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

- A. ***Consider a Resolution approving the Interlocal Agreements between the City of Desoto, Texas and the City of Duncanville, Texas to partner in the Crisis Assessment and Resource Engagement (CARE) Team to provide prevention and follow-up activities in response to individuals and their families/support systems experiencing behavioral health needs in order to lessen the frequency of crisis interventions that require Police Patrol or Fire Rescue Response, Emergency Hospitalization, or Arrest/Incarceration. The term of the agreement shall begin on May 1, 2023, and end on April 30, 2024, unless terminated earlier under any provisions in the Interlocal Agreement. The parties may mutually agree on an extension to this agreement by written amendment and mutual approval of the parties.***
- B. ***Consider a Resolution declaring the personal property as salvage and authorizing the Interim City Manager to donate to the SWAT Team and Cedar Hill Regional Fire Training Academy Center to transfer ownership.***

Councilmember Don McBurnett made a motion to approve the item as stated, Councilmember Jeremy Koontz seconded the motion. The vote was cast 6 for, 0 against, with Councilmember Karen Cherry absent. Item passed.

- C. ***Consider a Resolution approving a contract between the City of Duncanville and Strategic Government Resources (SGR) for the consultant services of Ms. Cynthia Pearson to serve as the Interim Fiscal Services Director. The anticipated term of the contract is for six months, including the three remaining months in Fiscal Year 2023.***
 Item moved to Individual Consideration.

Mayor Gordon recessed Regular Session at 7:37 p.m.

EXECUTIVE SESSION

The Executive Session was called into session at 7:38 p.m. and City Attorney Barry read the item into record.

- 1. ***City Council shall convene into closed executive session pursuant to Section 551.074, of the Texas Government Code, Personnel, to deliberate the duties and/or appointment of the City Manager and Interim City Manager under the Home Rule Charter and, pursuant to Section 551.071 of the Texas Government Code, to seek legal advice from the City Attorney on the same topic.***
- 2. ***City Council shall convene into closed executive session pursuant to Section 551.071, of the Texas Government Code, to seek legal advice on the requirements of the Fire Code.***

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

Mayor Gordon reconvened Regular Session at 10:18 p.m.

5. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. ***Take any necessary action as a result of the Executive Session.***

City Attorney Barry read the motion:
 "Action for the appointment of Interim City Manager as the Point of Contact (POC) for the ongoing search for City Manager"

Councilmember Jeremy Koontz made a motion to approve the item as stated, Councilmember Don McBurnett seconded the motion. The vote was cast 6 for, 0 against, with Councilmember Karen Cherry absent. Item passed.

City Attorney Barry read the motion:
"Action to consider a Resolution approving a contract between the City of Duncanville and Strategic Government Resources, or SGR, for the consultant services of Ms. Cynthia Pearson to serve as the Interim Fiscal Services Director. The anticipated term of the contract is for six months, including the three remaining months in Fiscal Year 2023."

Councilmember Don McBurnett made a motion to approve the item as stated, Councilmember Jeremy Koontz seconded the motion. The vote was cast 5 for, 1 against (Councilmember DeMonica Gooden), with Councilmember Karen Cherry absent. Item passed.

B. Consider a resolution supporting and adopting the City of Duncanville's FY2023 Investment Policy.

Tim Cannon, Valley View Consulting LLC, presented the item.

Investment Policy - Overview

- Entities look to Chapter 2256 of the Public Funds Investment Act (PFIA) for Policy requirements.
- Adopt an Investment Policy that must emphasize safety and liquidity.
- Address diversification, yield, and maturity
- Address capability of investment management (e.g. training)
- Must include:
 - List of authorized investments
 - Maximum maturity date of any investment
 - The maximum dollar-weighted average maturity for any pooled fund group

PFIA Authorized Investments

\$2256.009 through §2256.016

U.S. Treasury Securities	✓	Securities Lending	
U.S Agency Securities	✓	Bankers Acceptances	
State of Texas Securities	✓	Commercial Paper	
Other Political Subdivision Securities	✓	Mutual Funds including Money Market Funds	✓
Certificates of Deposit	✓	Guaranteed Investment Contracts	
Repurchase Agreements	✓	Investment Pools	✓

- Methods to monitor market price of securities.
 - A requirement to settle applicable transactions on a Delivery versus Payment basis.
 - Procedures to monitor rating changes and liquidation if required.

Include a strategy statement for each fund using the following priorities in order of importance:

- Suitability of the investment to the entity's financial requirements
- Preservation and safety of principal
- Liquidity
- Marketability of each investment
- Diversification of portfolio
- Yield
- Entity shall review its Investment Policy & Strategy not less than annually.

- The Entity or the designated Investment Committee shall at least annually review, revise and adopt a list of qualified broker/dealers and training providers.
- Entity shall designate one or more Investment Officer(s).
- Requires disclosure of personal business and family relationships with business organizations.
- Investment Policy shall be presented to any business organization offering to engage in investment transactions.
- Entity must receive a written instrument from business organization certifying that it has:
 - received and reviewed the policy; and
 - implemented reasonable procedures/controls to preclude unauthorized transactions.
- Cannot execute transactions until Certification is returned.
- §2256.006 – Standard of Care statement and the “Prudent Person Rule”.
- §2256.007 – Investment Training Requirement
 - Ten hours within 12 months of taking office.
 - Thereafter, eight hours every two years.
 - Includes: investment controls, security risks, strategy risks, market risks, diversification of investment portfolio, and compliance with PFIA.
 - Entity/Committee approved independent training sources.

Other items of note

- Scope of Policy excludes trusts and retirement funds
- Safety, liquidity, yield objectives, and public trust
- If change in law, previously authorized investment can remain in the portfolio
- Entity must specifically authorize each Local Government Investment Pool (LGIP)
- Though not required – Best practice to send Policy to broker/dealers and financial institutions

Highlights of Changes to the Policy

- Update date of Policy approval
- List liquidity prior to marketability in Investment Strategy Statements
- Remove Attachment B – business organizations have organization specific forms
- Update for name changes in authorized broker/dealer list (no change to providers/ reps)

Councilmember Jeremy Koontz made a motion to approve the item as stated, Councilmember Don McBurnett seconded the motion. The vote was cast 6 for, 0 against, with Councilmember Karen Cherry absent. Item passed.

C. **Council to consider amending Ordinance No. 2297 and 2298 By Amending Chapter 5, Section 5-27 Building And General Building Regulations And Chapter 9, Section 9-51 Fire Prevention And Protection In The Portions Regarding Automatic Sprinkler System, and replacing it with the language provided by the City Attorney.**

Councilmember Don McBurnett made a motion to approve the item as stated, Councilmember Greg Contreras seconded the motion. The vote was cast 6 for, 0 against, with Councilmember Karen Cherry absent. Item passed.

D. **Consider an Ordinance revising the operating budget for Fiscal Year 2022-2023 by appropriating supplemental revenues and revising expenditures.**

Chief Innovation Officer Otey presented the item.

GENERAL FUND	FY 2021-22 ACTUAL	FY 2022-23 ACTUAL YTD	FY 2022-23 ADOPTED BUDGET	FY 2022-23 REVISED BUDGET	CHANGE REQUESTED	FY 2022-23 REVISED BUDGET w/ CHANGES
Revenue	(36,743,338)	(21,473,839)	(37,763,239)	(37,763,239)	(405,000)	(38,168,239)
Expense	34,591,459	22,934,007	37,386,658	37,886,658	275,000	38,161,658
NET (REVENUES) / EXPENSES	(\$2,151,880)	\$1,460,168	(\$376,581)	\$123,419	(\$130,000)	(\$6,581)

- REVENUE: Update Sales Tax Projections – 6% YTD over FY 2022
- EXPENSES:
 - \$237,000 – Fiscal Services contractual services during vacancies and expected FY 23 cost for Interim Finance Director
 - \$38,000 – Police materials rollover from FY 2022 contract not expended

Councilmember Jeremy Koontz made a motion to approve the item as stated, Councilmember Joe Veracruz seconded the motion. The vote was cast 5 for, 0 against (Councilmember Don McBurnett abstained), with Councilmember Karen Cherry absent. Item passed.

- C. ***Consider a Resolution approving a contract between the City of Duncanville and Strategic Government Resources (SGR) for the consultant services of Ms. Cynthia Pearson to serve as the Interim Fiscal Services Director. The anticipated term of the contract is for six months, including the three remaining months in Fiscal Year 2023.***
Mayor Gordon stated that the vote was taken in the Executive Session action item.

EXECUTIVE SESSION

The Executive Session was called into session at 7:38 p.m. and City Attorney Barry read the item into record.

- 6. **STAFF AND BOARD REPORTS**
None.

ADJOURNMENT

The meeting was adjourned at 10:40 p.m.

APPROVED:

MAYOR

ATTEST:

INTERIM CITY SECRETARY

Duncanville Meeting Minutes
Special Meeting
Thursday, July 6, 2023

CALL TO ORDER

A regular meeting of the Duncanville City Council was called to order on Thursday, July 6, 2023, 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 DeMonica Gooden
Councilmember Joe Veracruz
Councilmember Don McBurnett
Councilmember Jeremy Koontz
Councilmember Karen Cherry
Mayor Pro Tem Greg Contreras

CALL TO ORDER

WORK SESSION / BRIEFING

1. DISCUSS AGENDA ITEMS

Mayor Gordon read the item into the record, and Interim City Manager Brown reviewed each item. Item 4A - a Resolution adopting the amendment of the Dallas County Hazard Mitigation Action Plan, 2020 Edition, to include a Safe Room Rebate Program Action Item for the City. The plan identifies a mitigation vision, goal, and objectives; this plan is updated by the County and participants every five years. The City of Duncanville has adopted the 2020 version of the Dallas County Mitigation Action Plan. Therefore, emergency management staff can submit grant applications for specific items identified in the plan. Item 4C - a Resolution approving an Interlocal Agreement between the City of Duncanville and the Tarrant County District Attorney's (DA) Office; to obtain asset seizure fund created in compliance with Art. 59.08 of the Texas Code of Criminal Procedure for services as contained in the agreement for property awarded. The agreement will allow The Duncanville Police Department to seek award for seized property under the Texas Asset Forfeiture laws; an Interlocal Agreement must be filed with the county of jurisdiction's prosecuting attorney to represent the department.

2. CITY COUNCIL CALENDAR

Interim City Secretary Downs presented the item.

3. BRIEFINGS / PRESENTATIONS

A. *Council to receive an update from T2 Professional Consulting regarding the executive search process.*

Michael Wilson, a consultant with T2 Professional Consulting, provide an update to City Council. Mr. Wilson stated he would need a benchmark committee to consist of three Councilmembers, one resident, one business owner, and two staff members.

The following Councilmembers are on the committee:

- Councilmember Veracruz
- Councilmember McBurnett
- Mayor Pro Tem Contreras

B. *Presentation and discussion on FY 2023-24 Pre-Budget Workshop follow-up items.*

Jennifer Otey, Chief Innovation Officer presented the item.

88th Legislature – Session #1

- SB 26
 - Reduces School District revenue from Property Taxes
 - Mandatory Homestead Exemption from \$40,000 to \$100,000

- Franchise Tax - increases total revenue from \$1.0 Million to \$2.47 Million before taxable entity would pay franchise tax to the state
- Session # 2
 - Property Tax – SB 1 – Same bill as above – the House received 06/30/23

Local Government Impact

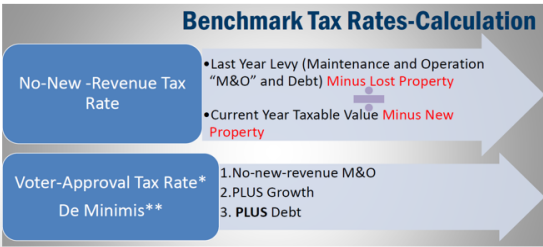
The provisions of the bill related to the property tax would **only apply to school districts**. School Districts would receive less ad valorem tax revenue and have a reduced local share of the FSP as a result. The reduced local share would result in greater state aid or reduced recapture to compensate for the loss of local property tax revenue.

Source Agencies:
LBB Staff: JMc, KK, SD, BRI, CPA

Source: Fiscal Note – SB1, Session #2

PROJECTED 2023 (FY 2024) TAX RATE

SCENARIO	Operations & Maintenance with 3.5% Growth	Interest & Sinking (Debt)	Total Voter Approval Rate	Difference from 2022 Rate (\$0.650460)	Impact on \$100,000 Value Home
Rate WITHOUT Tax Note Debt	\$0.576830	\$0.038820	\$0.615640	-(\$0.03482)	-\$34.82
Rate WITH Tax Note Debt	\$0.576830	\$0.061100	\$0.637930	-(\$0.012530)	-\$12.53



2022 Levy	\$20,873,845
2023 Estimate of Value (EVR)	3,711,611,046
New Construction	22,798,374

DEBT SCENARIOS

TAX NOTE:

- No intent or publication needed
- 7-year maximum repayment
- Projected Interest and Sinking Rate (debt portion) = \$0.0611 per \$100 valuation
 - Assuming \$4,750,000 debt issuance
 - + \$0.0358 per \$100 valuation increase
- Sale must occur prior to adoption of tax rate to include in 2023 tax rate
- Can issue this year for 2023 tax rate calculation

CERTIFICATE OF OBLIGATION:

- Notice of Intent required
- 45-day publication period to public
- 10 – 40 years repayment
- Projected Interest and Sinking Rate (debt portion) = \$0.0608per \$100 valuation in FY25
- Assuming \$10,000,000 debt issuance
- + \$0.0209 per \$100 valuation increase in FY25
- Allow for greater capacity of issuance – cover more needs for same debt rate
- Timeline to issue not feasible for 2023 tax rate calculation – 45-day period prior to tax rate adoption

DEBT SCENARIO – TAX NOTE– FY2024

City of Duncanville Issuance of Tax Notes in Summer 2023										
Fiscal Year End	Taxable Assessed Valuation ⁽¹⁾	Outstanding Debt			Less: Self- Supporting	Series 2023 Tax Notes ⁽²⁾			Net Total P+I	Calculated I&S Tax Rate ⁽³⁾
		Principal	Interest	Total P+I		Principal	Interest	Total P+I		
2023	\$ 3,206,621,312	\$ 1,290,000	\$ 726,781	\$ 2,016,781	\$ 533,775				\$ 1,483,006	\$ 0.0253
2024	3,711,611,046	1,340,000	679,381	2,019,381	538,625	\$ 605,000	\$ 182,325	\$ 787,325	2,268,081	0.0611
2025	3,711,611,046	1,385,000	638,506	2,023,506	537,950				2,273,244	0.0612
2026	3,711,611,046	890,000	595,481	1,485,481		645,000	144,338	789,338	2,274,819	0.0613
2027	3,711,611,046	935,000	549,856	1,484,856		675,000	114,638	789,638	2,274,494	0.0613
2028	3,711,611,046	980,000	501,981	1,481,981		705,000	83,588	788,588	2,270,569	0.0612
2029	3,711,611,046	1,030,000	451,731	1,481,731		735,000	51,188	786,188	2,267,919	0.0611
2030	3,711,611,046	1,080,000	404,381	1,484,381		770,000	17,325	787,325	2,271,706	0.0612
2031	3,711,611,046	1,120,000	360,381	1,480,381					1,480,381	0.0399
2032	3,711,611,046	1,160,000	320,581	1,480,581					1,480,581	0.0399
2033	3,711,611,046	1,200,000	285,181	1,485,181					1,485,181	0.0400
2034	3,711,611,046	1,235,000	247,884	1,482,884					1,482,884	0.0400
2035	3,711,611,046	1,275,000	207,869	1,482,869					1,482,869	0.0400
2036	3,711,611,046	1,315,000	165,781	1,480,781					1,480,781	0.0399
2037	3,711,611,046	1,360,000	121,463	1,481,463					1,481,463	0.0399
2038	3,711,611,046	1,410,000	74,719	1,484,719					1,484,719	0.0400
2039	3,711,611,046	1,455,000	25,463	1,480,463					1,480,463	0.0399
		\$ 20,460,000	\$ 6,357,422	\$ 26,817,422	\$ 1,610,350	\$ 4,750,000	\$ 766,088	\$ 5,516,088	\$ 30,723,159	

(1) FY 2023 is actual per Dallas Central Appraisal District. FY 2024 is preliminary per Dallas Central Appraisal District. Assumed to remain constant.
(2) Assumes an August 2023 issuance of Tax Notes. Based on estimated interest rates. Preliminary, subject to change.
(3) FY 2023 I&S tax rate is actual. All other rates calculated at 100% collection rate.

DEBT SCENARIO – CERTIFICATES OF OBLIGATION – FY2025

City of Duncanville Issuance of Certificates of Obligation in Summer 2024										
Fiscal Year End	Taxable Assessed Valuation ⁽¹⁾	Outstanding Debt			Less: Self- Supporting	Series 2024 Certificates of Obligation ⁽²⁾			Net Total P+I	Calculated I&S Tax Rate ⁽³⁾
		Principal	Interest	Total P+I		Principal	Interest	Total P+I		
2023	\$ 3,206,621,312	\$ 1,290,000	\$ 726,781	\$ 2,016,781	\$ 533,775				\$ 1,483,006	\$ 0.0253
2024	3,711,611,046	1,340,000	679,381	2,019,381	538,625				1,480,756	0.0399
2025	3,711,611,046	1,385,000	638,506	2,023,506	537,950	\$ 345,000	\$ 427,223	\$ 772,223	2,257,779	0.0608
2026	3,711,611,046	890,000	595,481	1,485,481		320,000	451,013	771,013	2,256,494	0.0608
2027	3,711,611,046	935,000	549,856	1,484,856		335,000	435,456	770,456	2,255,313	0.0608
2028	3,711,611,046	980,000	501,981	1,481,981		350,000	419,188	769,188	2,251,169	0.0607
2029	3,711,611,046	1,030,000	451,731	1,481,731		370,000	402,088	772,088	2,253,819	0.0607
2030	3,711,611,046	1,080,000	404,381	1,484,381		390,000	384,038	774,038	2,258,419	0.0608
2031	3,711,611,046	1,120,000	360,381	1,480,381		405,000	365,156	770,156	2,250,538	0.0606
2032	3,711,611,046	1,160,000	320,581	1,480,581		425,000	345,444	770,444	2,251,025	0.0606
2033	3,711,611,046	1,200,000	285,181	1,485,181		445,000	324,781	769,781	2,254,963	0.0608
2034	3,711,611,046	1,235,000	247,884	1,482,884		470,000	303,050	773,050	2,255,934	0.0608
2035	3,711,611,046	1,275,000	207,869	1,482,869		490,000	280,250	770,250	2,253,119	0.0607
2036	3,711,611,046	1,315,000	165,781	1,480,781		515,000	256,381	771,381	2,252,163	0.0607
2037	3,711,611,046	1,360,000	121,463	1,481,463		540,000	231,325	771,325	2,252,788	0.0607
2038	3,711,611,046	1,410,000	74,719	1,484,719		565,000	205,081	770,081	2,254,800	0.0607
2039	3,711,611,046	1,455,000	25,463	1,480,463		595,000	177,531	772,531	2,252,994	0.0607
2040	3,711,611,046					625,000	148,556	773,556	773,556	0.0208
2041	3,711,611,046					655,000	118,156	773,156	773,156	0.0208
2042	3,711,611,046					685,000	86,331	771,331	771,331	0.0208
2043	3,711,611,046					720,000	52,963	772,963	772,963	0.0208
2044	3,711,611,046					755,000	17,931	772,931	772,931	0.0208
		\$ 20,460,000	\$ 6,357,422	\$ 26,817,422	\$ 1,610,350	\$ 10,000,000	\$ 5,431,942	\$ 15,431,942	\$ 40,639,014	

(1) FY 2023 is actual per Dallas Central Appraisal District. FY 2024 is preliminary per Dallas Central Appraisal District. Assumed to remain constant.
(2) Assumes an August 2024 issuance of Certificates of Obligation. Based on estimated interest rates. Preliminary, subject to change.
(3) FY 2023 I&S tax rate is actual. All other rates calculated at 100% collection rate.

NEAR FUTURE NEEDS

- Traffic Operations
 - \$432,613 – Replacing outdated school zone system
 - \$6,363,665 – 5-year projected cost – Traffic IT network/fiber – life expectancy of current system expired in 2019. This project would provide more reliable and faster communication with all traffic signals and water facilities
- Regional Dispatch
 - \$1,000,000 – Due FY 2025 for cosmetic upgrades to current facility
 - \$4,300,000 – Due FY 2028 for construction of new facility
 - \$3,128,320 – Hardware and Software (CAD, NG911, ESI Net Circuits) – spread over 10 years beginning in FY 25. Approximately, \$325,000 per year in addition to operational share
- Street Projects
 - \$1,310,000 – estimate for Wintergreen (Main to Cockrell Hill Rd.)
 - \$438,702 – estimate for E. Carr, N. Main to Oriole Blvd. (in conjunction with Utilities)
- Other needs in Parks, Facilities, Drainage

TMRS SCENARIOS

TMRS SCENARIOS	2024 Projected Payroll	2024 Rate - no changes	100% USC Only	100% USC, 30% COLA	100% USC, 70% COLA	50% USC, 30% COLA	100% USC, 70% COLA
2023 rate = 6.19%	by Fund	6.34%	Ad Hoc	Ad Hoc	Ad Hoc	Repeating *	Repeating *
			8.04%	10.04%	15.38%	12.28%	21.09%
GENERAL FUND	19,822,632	1,249,321	252,739	550,078	1,343,974	883,098	2,192,879
UTILITY FUND	1,849,911	116,591	23,586	51,335	125,424	82,414	204,646
HOTEL/MOTEL	75,288	4,745	960	2,089	5,105	3,354	8,329
ECONOMIC DEVELOPMENT	401,205	25,286	5,115	11,133	27,202	17,874	44,383
DRAINAGE	118,206	7,450	1,507	3,280	8,014	5,266	13,077
SOLID WASTE	223,669	14,097	2,852	6,207	15,165	9,964	24,743
FIELDHOUSE	228,300	14,389	2,911	6,335	15,479	10,171	25,256
TOTALS – BUDGET IMPACT	\$22,719,211	\$1,431,878	\$289,670	\$630,458	\$1,540,362	\$1,012,141	\$2,513,313

* No retroactive COLA
Highlighted totals are the additional cost to budget

ENTERPRISE – COMPARISON

- Current Program:
- 144 Vehicles & Equipment in rotation
 - Contributions charged to departments based on a Future Value formula by years of useful life – maintained in Fleet Rotation Fund
 - Cash purchases
- Challenges:
- Orders cancelled in recent years – balance out (manufacturer stops making the model)
 - Orders taking longer to fulfill = delay in receipt
 - Older vehicles = parts on backorder = delay in repairs
 - Buying power

ENTERPRISE – COMPARISON – CURRENT PLAN

FISCAL YEAR 2023-24 BUDGET			CURRENT - CASH PLAN						
FLEET FUND 415			50% - GF	75% - GF	100% GF	100% GF	100% GF	100% GF	
SOURCES & USES OF FUNDS	2021-22 ACTUAL	2022-23 BUDGET	2023-24 BUDGET	2024-25 BUDGET	2025-26 BUDGET	2026-27 BUDGET	2027-28 BUDGET	2028-29 BUDGET	
REVENUES									
General Fund Contributions	\$715,288	\$828,970	\$711,228	\$1,159,139	\$1,641,247	\$1,738,043	\$1,835,490	\$1,879,194	
Utility Fund Contributions	162,420	160,528	287,203	303,584	335,920	340,214	341,667	375,273	
Sanitation Fund Contributions	10,623	40,623	17,705	17,705	17,705	21,206	21,206	25,370	
Economic Development Contributions	2,568	3,806	6,344	6,344	6,344	6,344	6,344	6,344	
Insurance Recovery									
Investment Income	2,032	1,000	1,000	1,000	1,000	1,000	1,000	1,000	
TOTAL REVENUES	\$892,931	\$1,034,927	\$1,023,480	\$1,487,772	\$2,002,216	\$2,106,807	\$2,205,707	\$2,287,181	
EXPENDITURES									
Vehicle Purchases	\$652,573	\$913,927	\$2,272,622	\$2,056,026	\$1,876,792	\$1,839,049	\$1,316,540	\$1,400,686	
TOTAL EXPENDITURES	\$652,573	\$913,927	\$2,272,622	\$2,056,026	\$1,876,792	\$1,839,049	\$1,316,540	\$1,400,686	
NET REVENUES	\$240,358	\$121,000	(\$1,249,142)	(\$568,254)	\$125,424	\$267,758	\$889,167	\$886,495	
BEGINNING BALANCE - AUDITED FY21	\$2,110,807	\$2,351,165	\$2,472,165	\$1,223,023	\$654,769	\$780,193	\$1,047,951	\$1,937,118	
ENDING BALANCE	\$2,351,165	\$2,472,165	\$1,223,023	\$654,769	\$780,193	\$1,047,951	\$1,937,118	\$2,823,613	
Replacement Count			28	32	19	12	17	16	

ENTERPRISE – COMPARISON – HYBRID PLAN

FISCAL YEAR 2023-24 BUDGET		HYBRID PLAN - CASH + ENTERPRISE LEASE							
FLEET FUND 415									
SOURCES & USES OF FUNDS	2021-22 ACTUAL	2022-23 BUDGET	2023-24 BUDGET	2024-25 BUDGET	2025-26 BUDGET	2026-27 BUDGET	2027-28 BUDGET	2028-29 BUDGET	
REVENUES									
General Fund Contributions	\$715,288	\$828,970	\$711,228	\$1,159,139	\$1,641,247	\$1,738,043	\$1,835,490	\$1,879,194	
Utility Fund Contributions	162,420	160,528	287,203	303,584	335,920	340,214	341,667	375,273	
Sanitation Fund Contributions	10,623	40,623	17,705	17,705	17,705	21,206	21,206	25,370	
Economic Development Contributions	2,568	3,806	6,344	6,344	6,344	6,344	6,344	6,344	
Insurance Recovery									
Investment Income	2,032	1,000	1,000	1,000	1,000	1,000	1,000	1,000	
TOTAL REVENUES	\$892,931	\$1,034,927	\$1,023,480	\$1,487,772	\$2,002,216	\$2,106,807	\$2,205,707	\$2,287,181	
EXPENDITURES									
Vehicle / Equipment - Cash Purchases	\$652,573	\$913,927	\$1,340,453	\$582,918	\$965,629	\$1,438,666	\$237,660	\$416,975	
Lease Payment			970,349	1,170,846	1,267,590	1,305,759	1,370,146	1,216,565	
Additional Cost - Marking/Equipment			360,406	23,634	14,000	253,500	23,569	81,406	
Equity Returned - Estimated to roll in to lease payments			(647,324)	(215,285)	(291,112)	(53,420)	(820,701)	(405,373)	
TOTAL EXPENDITURES	\$652,573	\$913,927	\$2,023,884	\$1,562,113	\$1,956,107	\$2,944,505	\$810,674	\$1,309,573	
NET REVENUES	\$240,358	\$121,000	(\$1,000,404)	(\$74,341)	\$46,109	(\$837,698)	\$1,395,033	\$977,608	
BEGINNING BALANCE - AUDITED FY21	\$2,110,807	\$2,351,165	\$2,472,165	\$1,471,761	\$1,397,420	\$1,443,529	\$605,831	\$2,000,864	
ENDING BALANCE	\$2,351,165	\$2,472,165	\$1,471,761	\$1,397,420	\$1,443,529	\$605,831	\$2,000,864	\$2,978,472	
Cash Replacement Count			9	6	5	4	3	2	
Lease Replacement Count			74	17	8	22	5	56	

Mayor Pro Tem Contreras questioned what would happen if the city did not like the program and how that would affect the fleet. Ms. Otey stated that we will not replace all vehicles at first; they will be phased in. The city can buy the vehicles or let the lease phase out. Mayor Pro Tem Contreras asked to see a scenario of the numbers if the City bought the vehicles.

Mayor Gordon asked for an update on AMI (Advance Meter Infrastructure).

C. Discussion on the City Council Retreat.
Interim City Manager Brown presented the item.

- Council concluded:
- Two additional retreats
 - August 21, 2023, retreat to be from 8:00 a.m. to 5:00 p.m. at the Hilton Garden Inn

At-Large Councilmember Gooden requested that there be no icebreakers and Council stick to the topics and discuss the Rules and Procedures.

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 7:12 p.m. with Mayor Gordon presiding.

Councilmember Veracruz delivered the Invocation.

Mayor Gordon led the Pledge of Allegiance and Texas Pledge.

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

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

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

- Submit a comment by 4:00 p.m. on Tuesday, September 6, 2022.
- Email citysecretary@duncanville.com
- Email title: Public Comment – September 6th.
- First and Last Name; and address

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

Gale Sliger, 1405 S. Main – provided condolences for former Finance Director Richard Summerlin.

2. CONSENT AGENDA

- A. *Consider a Resolution adopting the amendment of the Dallas County Hazard Mitigation Action Plan, 2020 Edition, to include a Safe Room Rebate Program Action Item for the City.*
- B. *Consider a Resolution approving Amendment No. 2 to the Memorandum of Understanding among participating local governments for Criminal Justice Information Sharing via the Dallas County Prosecutor.*
- C. *Consider a Resolution approving an Interlocal Agreement between the City of Duncanville and the Tarrant County District Attorney's (DA) Office; to obtain asset seizure fund created in compliance with Art. 59.08 of the Texas Code of Criminal Procedure for services as contained in the agreement for property awarded.*
- D. *Consider a Resolution confirming the Interim City Manager's appointment of Doug Sisk as a member of the Duncanville Civil Service Commission for a three (3) year term, to expire October 31, 2026.*
- E. *Consider a Resolution approving the procurement of equipment, goods, and services to complete the technology requirements and implementation services for the new Fire Station No. 271 in an estimated expenditure amount of \$1,079,404.65.*

Councilmember 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.

Mayor Gordon recessed the Briefing Session at 7:17 p.m. for City Council to convene into Executive Session.

EXECUTIVE SESSION

The Executive Session was called into session at 7:24 p.m. and City Attorney Hager read the item into record.

1. *City Council shall convene into closed executive session pursuant to Section 551.087 of the Tex. Govt Code to discuss and deliberate commercial or financial information and /or offer of a financial or other incentive to business prospect to locate, stay or expand into Duncanville and, otherwise develop negotiation strategies with such business prospects.*

The Council closed the Executive Session at 10:27 p.m.

Mayor Gordon reconvened Regular Session at 10:28 p.m.

2. *Take any necessary action as a result of the Executive Session.*
No action.

ADJOURNMENT

The meeting was adjourned at 10:28 p.m.

APPROVED:

MAYOR

ATTEST:

INTERIM CITY SECRETARY

UNAPPROVED

Duncanville City Council Meeting Minutes
Regular Meeting
Tuesday, July 18, 2023

CALL TO ORDER

A regular meeting of the Duncanville City Council was called to order on Tuesday, July 18, 2023, at 6:07 p.m. in the Council Briefing Room at City Hall with a quorum to wit:

COUNCIL PRESENT: Mayor Barry L. Gordon
Councilmember At-Large DeMonica Gooden
Councilmember Joe Veracruz
Councilmember Don McBurnett
Councilmember Jeremy Koontz
Councilmember Karen Cherry-Brown
Mayor Pro Tem Greg Contreras – virtual

WORK SESSION / BRIEFING

Mayor Gordon read his email sent to Staff:

“ICM Brown,

Please advise the city council and appropriate staff that the executive session on the agenda will be done at the beginning of the meeting. I will open the briefing session, then read the contents of the executive session, then recess the briefing session. Once the executive session is complete, I will reconvene the briefing session. Whatever briefing items can be covered prior to 6:55 p.m. will be done. Any items that cannot be covered prior to 6:55 p.m. will be covered at the end of the open city council meeting. This change in agenda order is necessary to accommodate the executive session presenters who have other appointments this evening.

Thank you.”

Mayor Gordon recessed Briefing Session at 6:08 p.m.

EXECUTIVE SESSION

The Executive Session was called into session at 6:09 p.m. and City Attorney Hager read the item into record.

1. ***“City Council shall convene into closed executive session pursuant to Section 551.074, of the Texas Government Code, Personnel, to deliberate the duties of the Interim City Manager under the Home Rule Charter and, pursuant to Section 551.071 of the Texas Government Code, to seek legal advice from the City Attorney on the same topic.”***
The Council closed the Executive Session at 6:56 p.m.

Mayor Gordon reconvened Briefing Session at 7:00 p.m.

1. **DISCUSS AGENDA ITEMS**
Mayor Gordon read the item into the record, and Interim City Manager Brown Jr. reviewed each item. Councilmember At-Large Gooden requested that Item 4D be moved to Individual Consideration and voiced concerns about why the item is on the agenda so soon. Jennifer Bertram, Enterprise, stated that the manufacturer’s order banks open in different windows; with supply and demand shortages with vehicles, we are trying to get orders in when order banks open. Councilmember McBurnett requested that Items 4F, 4H, and 4I be moved to Individual Consideration. Councilmember McBurnett wants to see Managing Director Garcia on the committee for Item 4H.

Mayor Gordon recessed the Briefing Session at 7:30 p.m. due to technical difficulties.

Mayor Gordon reconvened and recessed the Briefing Session at 7:34 p.m.

Mayor Gordon opened Regular Session at 7:35 p.m.

2. CITY COUNCIL CALENDAR

- A. **Updated 2023 City Council Calendar**
Item moved after Individual Consideration.

3. BRIEFINGS / PRESENTATIONS

- A. **Presentation on Native/Naturalistic Landscaping.**
Item moved after Individual Consideration.
- B. **Briefing Presentation on Madvac All Terrain Litter Vehicle**
The item was removed from the agenda.

EXECUTIVE SESSION

Executive Session was moved to beginning of the Briefing Session.

1. ***“City Council shall convene into closed executive session pursuant to Section 551.074, of the Texas Government Code, Personnel, to deliberate the duties of the Interim City Manager under the Home Rule Charter and, pursuant to Section 551.071 of the Texas Government Code, to seek legal advice from the City Attorney on the same topic.”***

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 7:35 p.m. with Mayor Gordon presiding.

Mayor Gordon delivered the Invocation.

Mayor Gordon led the Pledge of Allegiance and Texas Pledge.

1. REPORTS

- A. **Mayor's Report.**
Mayor Gordon spoke on the Sister City and thanked the Lions Club and Staff on the Fourth of July event.
- B. **Councilmembers' Reports**
Councilmember Cherry-Brown spoke on the Sister City.
- C. **City Manager's Report.**
Interim City Manager Brown thanked staff for the Fourth of July event and spoke on other events throughout the city.

2. PROCLAMATIONS AND PRESENTATIONS

- A. **Moment of Silence for Richard Summerlin.**
- B. **Recognition of City Champion.**
Mayor Gordon presented the City Champion Award to Dan and Janice Jespersen.
- C. **Proclamation designating July as Parks and Recreation Month.**
At-Large Councilmember Gooden presented the proclamation.

4. CONSENT AGENDA

- A. **Consider the Minutes for:**
- **June 6, 2023, City Council Regular Meeting**
 - **June 8, 2023 City Council Special Meeting**
 - **June 10, 2023 City Council Special Meeting**
- B. **Consider a Resolution awarding RFB 23-0021 Cherry Street Alley from Alexander Avenue to N. Cockrell Hill Road Construction Project to CCGMG, LLC., through the city's competitive bid process, with an estimated expenditure amount of \$394,997.00.**
- C. **Consider a Resolution awarding a bid for the purchase of waterworks products from Core & Main, LP, through City of Grapevine Contract 48-23, in a total estimated expenditure amount of \$1,600,000.00, during the period May 17, 2023, through May 16, 2028.**

- D. ***Consider a Resolution awarding a bid and authorizing a Cooperative Purchasing Agreement with Enterprise Fleet Management through Sourcewell Contract 030122-EFM for a multi-year vehicle lease and maintenance agreement in the estimated total expenditure amount of \$7,510,504.00.***
Item moved to Individual Consideration.
- E. ***Consider a Resolution awarding a bid and authorizing a Cooperative Purchasing Agreement with Patterson Equipment Company, through H-GAC Contract SC01-21 for a Harben jet rodder in the expenditure amount of \$72,870.83.***
- F. ***Consider a resolution authorizing a Grant of Hotel Occupancy Tax Funds from the Fiscal Year 2022-23 Budget in an amount not to exceed \$25,000 to ALW Entertainment.***
Item moved to Individual Consideration.
- G. ***Consider a resolution authorizing approval of an incentive grant by the Duncanville Community and Economic Development Corporation (DCEDC) to Moore Supply Co. in the amount of \$434,405.00 for the replating and repaving, new construction, and renovation of real property; and providing for an effective date.***
- H. ***Consider a Resolution supporting the options to utilize the investment strategies at TexPool, An Investment Service for Public funds by amending the authorized representatives.***
- I. ***Consider a Resolution authorizing a personal service agreement of bank reconciliation services with Bey Accounting & Bookkeeping Services (Attachment 1) in the unit amount with an estimated annual expenditure amount of ninety thousand dollars \$90,000.00.***
Item moved to Individual Consideration.
- J. ***Consider a Resolution authorizing a contract with T2 Professional Consulting, attached hereto and incorporated herein as Exhibit "A", to provide a highly experienced Local Government Professional to serve as Interim Fiscal Services director for the City, with an estimated cost of \$135,960.00.***
Item moved to Individual Consideration.

Councilmember Don McBurnett made a motion to approve the item as stated, Councilmember Karen Cherry-Brown seconded the motion. The vote was cast 7 for, 0 against. Items passed.

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 view the live meeting or previous meetings click on the link below.
<https://duncanvilletx.new.swagit.com/views/454/>

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

- Submit a comment by 4:00 p.m. on _
- Email city.secretary@duncanvilletx.gov
- Email title: Public Comment – _
- First Name, Last Name, and Address

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

Erika Browning, 442 E Cherry St. – thanked City Council.
Patrick Harvey, 1010 Huntington – spoke on the city finances.
Mari Vega, 611 Oriole Blvd – thanked City Council.
Emily Bridges, 418 Oleander St. – spoke on Kidsville.
Justin Edwards, 226 Mizell St. – spoke on native landscaping.
Grady Smithy, 1806 Cedar Hill Rd. – spoke on the Ladd property.

4. **CONSENT AGENDA**

Items moved after Proclamations and Presentations.

5. **ITEMS FOR INDIVIDUAL CONSIDERATION**

- 4D. ***Consider a Resolution awarding a bid and authorizing a Cooperative Purchasing Agreement with Enterprise Fleet Management through Sourcewell Contract 030122-EFM for a multi-year vehicle lease and maintenance agreement in the estimated total expenditure amount of \$7,510,504.00.***
Jennifer Bertram, Enterprise, presented the item.

Councilmember At-Large Gooden voiced concerns about the current financial status and understood that payment was paid out over time. But not being fully confident in the finances right now is why she would vote against the item.

Councilmember Cherry-Brown questioned if Interim City Manager Brown was concerned about moving forward with our budget. Interim City Manager Brown stated no, the number of monies we will be spending to replace the vehicles the funds are appropriated funds.

Asa Low, Fleet Manager, stated that the monies for replacements have been set aside in the fleet rotation fund.

Mayor Pro Tem Contreras voiced his concerns about the current financial situation and needs more information to vote for the item.

Councilmember At-Large DeMonica Gooden made a motion to approve the item as stated, Councilmember Karen Cherry-Brown seconded the motion. The vote was cast 5 for, 2 against (Councilmember DeMonica Gooden and Mayor Pro Tem Greg Contreras). Item passed.

- 5A. ***Conduct a Public Hearing and consider approval of an Ordinance amending the Code of Ordinance by adding new Chapter 12D “Youth Program Standards of Care” providing for organization; providing for definitions; providing for inspections, monitoring, enforcement; providing for enrollment; providing for report of abuse; providing site director qualifications; providing site director responsibilities; providing counselor qualifications; providing counselor responsibilities; providing for training, orientation; providing staff-participant ratio; providing for discipline; providing for programming; providing for communications; providing for transportation; providing for facility standards; providing a repealing clause; providing a severability clause; providing a savings clause; and providing an effective date.***
Director of Parks and Recreation Stevenson presented the item. Municipalities are exempt from licensure, but exemption requires submission of forms along with proof of adoption of Standards of Care; the State’s minimum operational standards for the care of youth. City Council initially approved the Standards

of Care ordinance on August 2, 2022. The program requires annual approval of the Standards of Care ordinance.

Standards of Care:

- Highlights of the Standards of Care:
 - Hiring practices
 - Monitoring of the program
 - Staff training
 - Staff ratios
 - Discipline
 - Health and safety requirements
 - Staff responsibilities
- Program cannot be advertised as daycare
- Affirms the State does not license the program
- Standards of Care provided to parents of program participants

Public Hearing Opened at 8:32 p.m.

In Favor:

Marylse Gordon, 1751 Crescent Lane – spoke in favor.

Opposed:

No one spoke.

Public Hearing Closed at 8:34 p.m.

Councilmember Jeremy Koontz 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.

- B. *Conduct a Public Hearing and consider an Ordinance amending the Comprehensive Plan dated September 19, 2017, adopted by Ordinance No. 2317, is hereby amended by amending, chapter 2: future land use, page 68, by revising references to opportunity Area 8, to reflect the inclusion of a nature conservation area; by amending Comprehensive Plan Map, attached hereto and incorporated herein as Exhibit "A"; by amending, Chapter 4, Quality of Life, by amending page 116.***

Senior Planner Warren presented the item.

Opportunity Area 8

Request: To remove Opportunity Area 8 from the Future Land Use Plan

Future Land Use:

- The identified best use for a parcel of land in the future.
- This does not change the parcel's current zoning, though any rezoning must be in accordance with the future land use map.

History of Property

- Bob Ladd (previous owner) granted the property to the City on April 2, 1998, with restrictions.
 - Advancement of cultural, artistic, or educational objectives.
- City currently maintains the property as an open space.
- Comprehensive plan identified the Property as an opportunity area in 2017.
- City advertised RFP (request for proposal) for development in May of 2019.
- On November 15, 2022, Council instructed the City Manager and City Secretary to denominate the Ladd Property as a nature area.
- Staff met with the Duncanville Community & Economic Development Corporation (DCEDC), Keep Duncanville Beautiful, Neighborhood Vitality Commission, and Parks and Recreation Advisory Board and

received recommendations to designate the Ladd Property as a nature preserve

- Held two community meetings on March 9th and 23rd in which the public voiced their desire to see the Ladd Property designated as a nature preserve

In order to establish a Nature Preserve on the property the following four procedures must take place:

1. Opportunity Area 8 must be removed from the Future Land Use Plan
2. Nature Preserve must be defined and added to the Comprehensive Zoning Ordinance as a land use
3. Nature Preserve must be defined and added to the Comprehensive Zoning Ordinance as a zoning district
4. A zoning change from the existing zoning of Planned Development District (PD) to the newly established zoning district Nature Preserve District (NP) must take place

The Planning and Zoning Commission recommended approval by a vote of 4 to 0.

Public Hearing Opened at 8:47 p.m.

In Favor:

Erika Browning, 442 E Cherry St.
Emily Bridges, 418 Oleander
Thomas Lackey, 818 Seabrook
Louise Larsen, 427 Parkview Dr.
Colleen Starwalt, 1143 Greenway Dr.
Mari Vega, 611 Oriole
Joyce McCormick, 230 Creekwood Ct.
William McCormick, 230 Creekwood Ct.
Maryanne Romans, 639 Sherrill
Jack Parchann, 1723 Creekhaven Dr.
William Langston, 427 Parkview Dr.
Roxanne Gebauer, 1039 Quail Run
Diane Robbins, 310 Azalea Ln.

Opposed:

Stan Smith, 115 East Davis St.
Mark Croysdale, 1215 Wellington

Councilmember Koontz requested a rebuttal.

Rebuttal:

Emily Bridges, 418 Oleander
Mark Graham, 1214 Santa Fe Trail
Jessamin Jensen, 711 Olympia Dr.
Nicholas Wright, 507 Trail Ridge Dr.
Robbie Robins, 343 Shorewood Dr.
Eva Walters, 1115 Colbert Ln.

Councilmember Don McBurnett made a motion to close the Public Hearing, Councilmember Jeremy Koontz seconded the motion. The vote was cast 7 for, 0 against.

Public Hearing Closed at 9:03 p.m.

Councilmember Cherry-Brown questioned how many parks are currently in the city. Director of Parks and Rec Stevenson stated 17 parks at 244 acres. Councilmember Cherry-Brown stated she appreciates the parks and would like to see the community come to an agreement to utilize the land and not tie the land up for years to come.

Councilmember Koontz questioned the deed restrictions and stated that the land was donated in 1998, and nothing has been done with the property. Councilmember Koontz questioned what the responses to the RFP were. Senior Planner Warren stated there were no proposals submitted. Councilmember Koontz spoke on the Comprehensive Plan page 189.

City Attorney Hager and Council discussed changes to the Ordinance and adding the word Nature Preserve to the Ordinance.

City Attorney Hager read the motion:
A motion to approve Ordinance 2317R to include the inclusion of the definition offered by Mr. Koontz and Chapter Four Quality of Life to the Conservation Area to add the definition of Nature Preserve, which shall read, including areas designated to remain in a natural and undeveloped state for the protection of Native Wildlife Plant Habitat and natural resources and to provide passive and environmental education.

Councilmember Don McBurnett made a motion to approve the item as stated, Councilmember Jeremy Koontz seconded the motion. The vote was cast 6 for, 1 against (Councilmember Karen Cherry-Brown). Item passed.

- C. **Conduct a Public Hearing and consider an Ordinance by amending Appendix A ‘Zoning Ordinance’, Article II ‘Zoning Districts’, Sections 2.01 ‘Special Zoning Districts Subsection C ‘Conservation Open Space District (COD); by amending Article III. ‘Land Uses’ Sections 3.03 ‘Use Chart’, 3.04 ‘additional use regulations’, by amending Article VI ‘Definitions’.**

Senior Planner Warren presented the item.

Nature Preserve (Land Use)
Request: Add, and define, a new land use to the Comprehensive Zoning Ordinance

Definition: An area intended to remain in a predominately natural or undeveloped state to provide resource protection, passive recreation, and environmental education for present and future generations.

Appendix A, Zoning Ordinance

Article III – Land Uses

Sec. 3.03. Permitted Use Chart

Land Use	C	I	CMS	GMS	UL	NP
Recreational and Entertainment Uses						
Amusement, Indoor	•	•	•	•	○	
Nature Preserve						•
Park, Private	•	•	•	•	•	

The Planning and Zoning Commission recommended approval by a vote of 4 to 0

Sec. 3.03. Permitted use chart.

a) Passive nature areas
b) Educational facility
c) Ecological / environmental / research facility
d) Parking lot or public gathering space with preamble vehicle and pedestrian areas
e) Open space / nature areas

	COD
Residential Uses (none)	
.....	
Accessory Uses	
Outdoor Display	o
Wind energy	o
Educational,	
Community Center Public	o
Public Facility Use	o
Research and Development	•
School,	•
College School Public	•
Recreational	
Amusement, Outdoor (Temporary)	
Park, Public	o
Retail (none)	o
Commercial (none)	o
Automobile (none)	

Sec. 7.02 – Land Use Terms.

- C. Conservation Area, Environmental: shall mean land area of real property in its natural state conserving or protecting natural resources and/or environmental quality which protect quality or quantity of ground water, surface water, fisheries, vegetative community or wildlife habitats, minerals with natural historical or aesthetic significance.
- Permitted uses have changed
 - New land use is not on proposed permitted use chart
 - Land use name has changed

Public Hearing Opened at 9:37 p.m.

In Favor:
Jessamin Jensen, 711 Olympia Dr.
Robbie Robins, 343 Shorewood Dr.
Mark Graham, 1214 Santa Fe Trail
Erika Browning, 442 E Cherry St.
Emily Bridges, 418 Oleander
Thomas Lackey, 818 Seabrook
Mari Vega, 611 Oriole
Jack Parchann, 1723 Creekhaven Dr.
Roxanne Gebauer, 1039 Quail Run
Shannon Roberts, 906 Rock Canyon
Brian Thornhill, 402 Meadowlark Ln.
Frances Hughes, 602 Sherrill Blvd.

Opposed:
Stan Smith, 115 East Davis St.

Rebuttal:
Erika Browning, 442 E Cherry St.

Councilmember Don McBurnett made a motion to approve the item as stated, Councilmember At-Large DeMonica Gooden seconded the motion. The vote was cast 6 for, 0 against (Councilmember Karen Cherry-Brown abstained).

Public Hearing Closed at 9:51 p.m.

City Attorney Hager stated that the Conservation District does not only include the Ladd Property. Creating the Conservation District allows to put zoning for the entire city. The text overrides the chart.

Councilmember Koontz voiced his concerns of the Ordinance that was written and would like the recommendations made by the Planning & Zoning Commission placed in the Ordinance.

Mayor Gordon read the email Councilmember Koontz provided:

Modifying the proposed Nature Preserve definition to read as follows: "An area designated to remain in a natural or undeveloped state for the protection of native wildlife, plant habitat, and natural resources, and to provide for passive recreation and environmental education."

City Attorney Hager stated the motion:

Motion to approve Ordinance 2485 with the following amendments to change the definition of Conservation Area District in Nature Preserve that was read by the Mayor and myself. To leave the Items A through M and Subpart two of Section one of the Ordinance and to remove the land uses chart that is in the proposed Ordinance to that what was displayed and made by recommendation of the Planning and Zoning Commission.

Councilmember Joe Veracruz made a motion to approve the item as stated, Councilmember At-Large DeMonica Gooden seconded the motion.

Councilmember Koontz requested additional revisions.

Mayor Gordon read the email Councilmember Koontz provided:

- "
- a) A Preserve District will not contain traditional or customary facilities or improvements associated with a public park but may contain improvements to support passive recreational activities.
 - b) Development is limited to low-impact, regenerative, and open-air amenities to passive recreation and environmental education.
 - c) Driveways and parking areas must consist of permeable surfaces.
 - d) Additional regulations and land protection may be established through a conservation easement.
 - e) Signage, benches, buffering and boundaries must be noninvasive and consist of materials compatible with and similar in appearance to the natural features of the land. "

Councilmember Koontz explained what the meaning of each addition.

Councilmember Joe Veracruz withdrew his original motion, Councilmember At-Large DeMonica Gooden withdrew her original seconded motion.

City Attorney Hager read the motion:

Motion to approve Ordinance 2485 with the definitions as read into the record by the Mayor and myself, to change Conservation Open District (COD) to Nature Preserve District (NP) to change the chart accordingly and remove chart 303 that is in the proposed Ordinance. Putting in chart 303as proposed by staff and add Items A through E as explained by Councilmember Koontz to section 3.04H.

Councilmember Joe Veracruz made a motion to approve the item as stated, Councilmember At-Large DeMonica Gooden seconded the motion. The vote was cast 5 for, 2 against (Councilmember Don McBurnett and Councilmember Karen Cherry-Brown). Item passed.

- D. Conduct a Public Hearing and consider an Ordinance amending Appendix A 'Zoning Ordinance', Article II 'Zoning Districts', Sections 2.01 'Special Zoning Districts Subsection C 'Conservation Open Space District (COD); by amending Article III. 'Land Uses' Sections 3.03 'Use Chart', 3.04 'Additional Use Regulations', by amending Article VI 'Definitions'.**

Senior Planner Warren presented the item.

Nature Preserve (Zoning District)

Appendix A, Zoning Ordinance

Article II – Zoning Districts

Sec. 2.05. – Special Zoning Districts

C. NP, Nature Preserve District

1. Purpose. The purpose of the NP, Nature Preserve District is to preserve natural areas for community benefit. The intent of this district is to protect the flora, fauna, and physical features of an area while allowing resource protection, passive recreation, and environmental education for present and future generations. Limited development and erection of structures, such as pavilions, amphitheaters, restrooms, are permitted with the vision of minimally impacting the natural state of the property. This district is to act as a hub for greenspace, open space, and trail networks in which visitors can appreciate the natural landscape that these special areas offer.

Planning and Zoning Commission Recommendation

The Planning and Zoning Commission recommended approval by a vote of 4 to 0.

C. Conservation open space district (COD)

1. Purpose. To provide publicly or privately owned real property for permanent open space or preservation purposes and would require limitations or affirmative obligations designed to protect natural, scenic or open space including passive recreation, wildlife habitat, ecological, geological, and historical preservation, water quality protection, air purification, science education, nature observation, and continuity of aesthetic open space and natural areas; and, to minimize or constrain the impact of human activity to protect nature and flora and animal species. Such preserved area will not generally contain manmade facilities or improvements but may contain such improvements that directly support passive recreational activities and provide minimal impact on natural conditions of the real property.

- The purpose language has changed
- The district name has changed

Public Hearing Opened at 10:45 p.m.

In Favor:

Maryanne Romano, 639 Sherrill
Erika Browning, 442 E Cherry St.
Emily Bridges, 418 Oleander
Jessamin Jensen, 711 Olympia Dr.
Celeste Beavers, 331 Cedar Creek Drive
Shannon Roberts, 906 Rock Canyon
Eva Walters, 1115 Colbert Ln.
Jack Parchann, 1723 Creekhaven Dr.
Roxanne Gebauer, 1039 Quail Run

Opposed:

No one spoke.

Councilmember Don McBurnett made a motion to close the Public Hearing, Councilmember Joe Veracruz seconded the motion. The vote was cast 7 for, 0 against.

Public Hearing Closed at 10:49 p.m.

City Attorney Hager stated he would change open space to Nature Preserve.

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

- E. ***Conduct a Public Hearing and consider an Ordinance amending the Comprehensive Zoning Ordinance and map, as heretofore amended, by amending the existing PD, Planned Development District to NP, Nature Preserve District on property located at 609 West Danieldale Road, Duncanville, Dallas County, Texas, described as Walnut Bend, Block A, Lot 1, ACS 42.419.***

Senior Planner Warren presented the item.

609 West Danieldale Road

Request: A zoning change on the subject property

- Future Land Use Map Designation
 - Opportunity Area 8
 - Current Zoning District
 - PD, Planned Development District
 - Proposed Zoning District
 - NP, Nature Preserve District
- Planning and Zoning Commission Recommendation

80 Mailings Sent Out

2 Replied In Favor

1 Replied In Opposition

The Planning and Zoning Commission recommended approval by a vote of 4 to 0.

- The name of the proposed zoning district does not match the name of the newly created zoning district.

Public Hearing Opened at 10:53 p.m.

In Favor:

Erika Browning, 442 E Cherry St.

Mari Vega, 611 Oriole

Mark Graham, 1214 Santa Fe Trail

Emily Bridges, 418 Oleander

Mary Nance Meza, 206 North Hastings

Eva Walters, 1115 Colbert Ln.

Shannon Roberts, 906 Rock Canyon

Jessamin Jensen, 711 Olympia Dr.

Celeste Beavers, 331 Cedar Creek Drive

Joyce McCormick, 230 Creekwood Ct.

William McCormick, 230 Creekwood Ct.

Louise Larsen, 427 Parkview Dr.

William Langston, 427 Parkview Dr.

Rick Harmon, 306 E Center St.

Robbie Robbins, 343 Shorewood Dr.

Pine Smith, 343 Shorewood Dr.

Jack Parchann, 1723 Creekhaven Dr.

Roxanne Gebauer, 1039 Quail Run

Opposed:

Marylse Gordon, 1751 Crescent Ln.

Councilmember Don McBurnett made a motion to approve the close the Public Hearing, Councilmember Joe Veracruz seconded the motion. The vote was cast 6 for, 0 against.

Public Hearing Closed at 11:01 p.m.

City Attorney Hager stated he would add the definition in Ordinance 2489 Conservation District to Nature Preserve District in both 2.05 and 7.02.

Councilmember 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. Item passed.

Councilmember Koontz made other requests and stated he would speak to Interim City Manager Brown after the meeting.

Councilmember Koontz read a statement from Kim Spurlock.

F. *Conduct a Public Hearing and consideration of an Ordinance rescinding the Comprehensive Zoning Ordinance and map, as heretofore amended, be and the same hereby revoke a Special Use Permit "SUP" for an Adult Day Care for real property located at 707 Center Ridge Road, Duncanville, Texas.*

Senior Planner Warren presented the item.

Applicant & Owner: LaTonia Jennings

History:

- March 3, 1986: City Council adopted Ordinance No. 1060, which created a SUP for a day nursery
- February 21, 2017: City Council adopted Ordinance No. 2307, which created a SUP for an adult day care center

11 Mailings Sent Out
2 Replied In Favor
0 Replied In Opposition

The Planning and Zoning Commission recommended approval by a vote of 4 to 0.

Public Hearing Opened at 11:14 p.m.

In Favor:

No one spoke.
Jack Parchann, 1723 Creekhaven Dr.
Celeste Beavers, 331 Cedar Creek Drive

Opposed:

No one spoke.

Councilmember Don McBurnett made a motion to close the Public Hearing, Councilmember Jeremy Koontz seconded the motion. The vote was cast 7 for, 0 against.

Public Hearing Closed at 11:14 p.m.

Councilmember 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. Item passed.

G. *Conduct a public hearing for consideration and action regarding the request of Monte Anderson, owner and applicant, to rescind an existing Specific Use Permit (SUP) to allow for the use of School, Business, Trade, or Vocational, and adopt an ordinance to amend the Comprehensive Zoning Ordinance and map on Main Commons, Block 3, Lot 1A, ACS 0.617, more commonly known as 134 North Main Street, City of Duncanville, Dallas County, Texas.*

Senior Planner Warren presented the item.

Applicant: Monte Anderson
Owner: Main Commons Duncanville, LTD

History:

- September 3, 2019: City Council adopted Ordinance No. 2371, which created a SUP for a party/event facility (indoor only)

8 Mailings Sent Out
1 Replied in Favor
1 Replied in Opposition

The Planning and Zoning Commission recommended approval by a vote of 4 to 0.

Public Hearing Opened at 11:16 p.m.

In Favor:
Mari Vega, 611 Oriole
Jack Parchann, 1723 Creekhaven Dr.

Opposed:
Emily Bridges, 418 Oleander

Councilmember Don McBurnett made a motion to close the Public Hearing, Councilmember Joe Veracruz seconded the motion. The vote was cast 6 for, 0 against.

Public Hearing Closed at 11:19 p.m.

Councilmember 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. Item passed.

- H. ***Conduct a public hearing for consideration and action regarding the request of Katherine Jackson, applicant, representing Tommy Winn, owner, for a Zoning Change from DD, Downtown District to LOR, Local Office Retail District and adopt an ordinance to amend the Comprehensive Zoning Ordinance and map on AMG Merrill ABST 884, PG 075, TR 47, 48 & PT TR 43 ACS 0.834 and AMG Merrill ABST 884, PG 075, TR 42 ACS 0.4400, more commonly known as 210 and 214 South Main Street, in the City of Duncanville, Dallas County, Texas.***
Senior Planner Warren presented the item.

Future Land Use Map Designation
• Opportunity Area 10, Downtown District

Current Zoning District
• DD, Downtown Duncanville District—Urban Living

Proposed Zoning District
• LOR, Local Office Retail

15 Mailings Sent Out
1 Replied in Favor
0 Replied in Opposition

The Planning and Zoning Commission recommended approval by a vote of 4 to 0.

Public Hearing Opened at 11:24 p.m.

In Favor:
Elizabeth Godfrey and Katherine Jackson, applicant.
Jack Parchann, 1723 Creekhaven Dr.

Opposed:
No one spoke.

Councilmember Don McBurnett made a motion to close the Public Hearing, Councilmember Jeremy Koontz seconded the motion. The vote was cast 6 for, 0 against.

Public Hearing Closed at 11:26 p.m.

Councilmember Koontz stated he would like Council to revisit the Comprehensive Plan.

Councilmember Don McBurnett made a motion to approve the item as stated, Councilmember Joe Veracruz seconded the motion. The vote was cast 6 for, 1 against (Councilmember Jeremy Koontz). Item passed.

I. Take any necessary action as a result of the Executive Session.

Item moved after Item 4J.

4F. Consider a resolution authorizing a Grant of Hotel Occupancy Tax Funds from the Fiscal Year 2022-23 Budget in an amount not to exceed \$25,000 to ALW Entertainment.

Economic Development Manager Mansell presented the item.

Councilmember McBurnett questioned how attendance for the games worked.

Councilmember Koontz stated that some unresolved issues surrounding grants for these kinds of events are why he is voting against the item.

Councilmember Don McBurnett made a motion to approve the item as stated, Councilmember Joe Veracruz seconded the motion. The vote was cast 6 for, 1 against (Councilmember Jeremy Koontz). Item passed.

4I. Consider a Resolution authorizing a personal service agreement of bank reconciliation services with Bey Accounting & Bookkeeping Services (Attachment 1) in the unit amount with an estimated annual expenditure amount of ninety thousand dollars \$90,000.00.

Councilmember McBurnett voiced his concerns and would like to see a plan of action and a timeline of events.

Councilmember Karen Cherry-Brown made a motion to approve the item as stated, Councilmember Joe Veracruz seconded the motion. The vote was cast 7 for, 0 against. Item passed.

Mayor Gordon asked for a motion to continue the meeting past midnight in accordance with the Rules of Procedures.

Councilmember Jeremy Koontz made a motion, Councilmember Karen Cherry-Brown seconded the motion. The vote was cast 7 for, 0 against. Item passed.

4J. Consider a Resolution authorizing a contract with T2 Professional Consulting, attached hereto and incorporated herein as Exhibit "A", to provide a highly experienced Local Government Professional to serve as Interim Fiscal Services director for the City, with an estimated cost of \$135,960.00.

Interim City Manager Brown presented the item.

Councilmember McBurnett voiced his concerns and questioned if the appointment of the Interim Fiscal Services Director would be able to bring in their own people. Interim City Manager Brown stated no.

Councilmember Gooden questioned, with him not being a Certified Public Accountant, how that impacts his ability to perform what we need in the City of Duncanville. Interim City Manager Brown stated that in a perfect world, we would prefer a Certified Public Accountant, and we did attempt to get one. We were not able to do so. Interim City Manager Brown stated he feels that with our current team, we can get the mission accomplished, and his leadership skills will help address the processes within the finance department.

Councilmember 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. Item passed.

- I. **Take any necessary action as a result of the Executive Session.**
No action.

- 2A. **Updated 2023 City Council Calendar**
Interim City Secretary Downs presented the item.

Council concluded:

- November 2-4, 2023, City Council Retreat
 - Possible location Grand Prairie
 - No hotels

- 3A. **Presentation on Native/Naturalistic Landscaping.**
Assistant Director of Public Works Agee presented the item.

Origin of this topic

- Native Plant Enthusiast
- Keep Duncanville Beautiful Board

Background

- Limitations on native plant life and vegetation
- Current Regulations

Overview:

KDB mission defining "landscaping:

- finding balance
- considerations

What other cities are doing:

- Austin – Grow Green, Conservation Programs
- Dallas – Waterwise, Sustainable Turf and Prairie Management Program
- San Antonio – Conservation Ordinance
- Houston – Natural Area Landscaping Rules and Regulations
- Fort Worth – Water conservation ordinance, Smartscape Program

Council is open to the possibility to see this happen. However, they voiced their concerns about how the city would monitor and enforce a new program. Staff will look further into the Council's concerns and come back at a later date.

6. **STAFF AND BOARD REPORTS**

- A. **Receive the Police Department's Quarterly Report.**
Assistant Chief Freis presented the item.
- B. **Fire Department Quarterly Update for the third quarter of the current fiscal year.**
Chief Rohde presented the item.

ADJOURNMENT

The meeting was adjourned at 12:38 p.m.

APPROVED:

MAYOR

ATTEST:

INTERIM CITY SECRETARY
KRISTIN DOWNS



STAFF REPORT

MEETING: City Council - 01 Aug 2023

TITLE:

Consider a Resolution for the property located at 609 West Danieldale Road, Duncanville, Dallas County, Texas, described as Walnut Bend, Block A, Lot 1, ACS 42.419 as the Charles F. Ladd Nature Preserve; and, providing for erection and maintenance of signage; and, providing for an effective date.

Vision Statement:

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

Pillar:

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

STAFF RESPONSIBLE:

Nathan Warren, Senior Planner

BACKGROUND/HISTORY:

Background

The subject property was granted to the City of Duncanville by Bob Ladd on April 2, 1998, with restrictions. The City of Duncanville currently maintains the property as open space. In 2017, the property was identified as an Opportunity Area with the adoption of the Comprehensive Plan. In May of 2019 the City of Duncanville advertised the property for development through a RFP. On November 15, 2022, City Council instructed the City Manager and City Secretary to denominate the Ladd property as a nature area. Staff conducted community meetings and presented before Municipal Boards and Commissions, gathering input from a wide range of stakeholders. On July 18, 2023, the City Council voted unanimously to change the subject property from the land use Planned Development District to Nature Preserve.

POLICY EXPLANATION:

Ordinance No. 2282, Division 3, Sec. 1-10 gives the City Council the authority to adopt a procedure and criteria to naming or renaming any municipal building, park or land owned by the City of Duncanville, Texas.

FUNDING SOURCE:

ORG and Object Number

N/A

Available Budget

\$0.00

Purchase Amount

\$0.00

After Encumber

\$0.00

ACTION ALTERNATIVES:

1. Approved the resolution.
2. Do not approve the resolution
3. Other actions as directed by Council.

ATTACHMENTS:

[Attachment 1 - Resolution No. - 2023-064 - Naming the Charles F. Ladd Nature Preserve](#)

RESOLUTION NO. 2023-064

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, THE PROPERTY LOCATED DENOMINATING REAL PROPERTY AT 609 WEST DANIELDALE ROAD, DUNCANVILLE, DALLAS COUNTY, TEXAS, DESCRIBED AS WALNUT BEND, BLOCK A, LOT 1, ACS 42.419 AS THE CHARLES F. LADD NATURE PRESERVE; AND, PROVIDING FOR ERECTION AND MAINTENANCE OF SIGNAGE; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, City Council may adopt a procedure and criteria to naming or renaming any municipal building, park or land owned by the City of Duncanville, Texas.

WHEREAS, in 1999 the family of Charles F. Ladd donated approximately 42.419± acres of real property to the City of Duncanville for public purposes; and

WHEREAS, the Donation Deed requested as a condition of such donation that a designation of the Property be denominated in the name of Charles F. Ladd; and

WHEREAS, the City Council has zoned and otherwise designated said real property as a nature preserve.

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

SECTION 1. Property described as Walnut Bend, Block A, Lot 1, ACS 42.419, more commonly known as 609 West Danieldale Road, Duncanville, Dallas County, Texas shall and hereby is denominated as the Charles F. Ladd Nature Preserve; and, that the City Manager or designee is hereby authorized to erect and maintain appropriate signage to be placed on said real property.

SECTION 2. This Resolution shall become effective immediately upon its passage.

DULY RESOLVED AND ADOPTED by the City Council of the City of Duncanville,
Texas, on the 1st day of August, 2023.

APPROVED:

Barry L. Gordon, Mayor

ATTEST:

Kristin Downs, Interim City Secretary

APPROVED AS TO FORM:

Robert E. Hager, City Attorney



STAFF REPORT

MEETING: City Council - 01 Aug 2023

TITLE:

Conduct a Public Hearing and consider an Ordinance amending the comprehensive zoning ordinance, as heretofore amended, by amending the Code of Ordinances by amending Appendix A, Article III, Section 3.03, Residential Uses, accessory and residential uses to add the land use temporary workforce housing.

Vision Statement:

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

Pillar:

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

STAFF RESPONSIBLE:

Nathan Warren, Senior Planner

BACKGROUND/HISTORY:

Project Scope

On December 21, 2021, Ordinance No. 2419 was adopted by the City Council. This ordinance is the regulating document for short-term rentals. The Comprehensive Zoning Ordinance defines the use *Short-Term Rental* as “a residential unit offered for rental to guests for residential purposes for a period of one (1) to thirty (30) nights.” City staff has been made aware of a need for temporary residential rental use that exceeds the time period in the definition for the use *Short-Term Rental*.

The definition for *Temporary Workforce Housing* is as follows:

A residential unit offered for rental to guests for residential purposes for a period of more than thirty (30) nights but less than six (6) months. Such rentals may include a shared room, a single room, or the entire dwelling unit. These uses are conducted by the homeowner or tenant, not by a hotel or other business.

The proposed zoning districts that permit the use *Temporary Workforce Housing* are SF-43, Single Family Residential District with a Specific Use Permit (SUP); SF-13, Single Family Residential District with a Specific Use Permit (SUP); SF-10, Single Family Residential District with a Specific Use Permit (SUP); and SF-7, Single-Family Residential District with a Specific Use Permit (SUP).

Background

To date, there are approximately thirteen (13) short-term rentals in Duncanville with five (5) properties being granted a Specific Use Permit by the City Council since July of 2022. Three (3) properties are currently going through the Specific Use Permit (SUP) process and would be candidates for *Temporary Workforce Housing*.

Major cities such as Atlanta, Austin, Boston, Chicago, Dallas, Denver, Houston, Los Angeles, Miami, New York, Orlando, Philadelphia, Phoenix, San Diego, San Francisco, San Jose, Seattle, and Washington D.C. have rentals for 30 nights or more available as well as surrounding suburban areas. Locally, the cities of Arlington, Burleson, Coppell, Denton, Euless, Ft. Worth, Forney, Frisco, Garland, Grand Prairie, Grapevine, Halton City, Irving, Lewisville, McKinney, North Richland Hills, Plano, Richardson, and Rowlett have rentals for 30 nights or more available.

This use would allow for the housing of individuals on a temporary basis. There is mutual benefit from a property owner utilizing their property for profit and those in need of housing for a time period greater than 30 days. Currently, there is no such use that permits temporary housing beyond 30 days. The proposal of this use intends to bridge the gap between short-term rentals and traditional long-term rental.

However, public opinion of the use short-term rental, and as an extension temporary workforce housing, has been met with mixed reviews. To quell negative consequences associated with enacting short-term rentals, safeguards such as limiting where the use was permitted by right and adding additional regulations, were put into place. Staff recommends similar safeguards for the use *Temporary Workforce Housing*. The use is to be permitted exclusively in Single-Family Districts and must obtain a Specific Use Permit.

The following standards will be added to Section 3.04.B. Additional Use Regulations, Accessory and Incidental Uses as Temporary Workforce Housing Standards:

- a. The applicant must obtain a Temporary Workforce Housing permit from the City and provide proof of ownership of the residence.
- b. The applicant must demonstrate to the satisfaction of the City Planner that the unit and property do not have any outstanding issues related to taxes or building, electrical, plumbing, fire, health, housing, police, planning, noise, or code enforcement provisions.
- c. The applicant must submit a report to the City Planner annually that indicates the following:
 - (1) The number of nights the unit was rented as Temporary Workforce Housing in the previous year;
 - (2) Proof of payment of Hotel Occupancy Tax is submitted to the City in accordance with Chapter 18 Article II of the City's Code of Ordinances; and
 - (3) Proof of current property insurance.
 - (4) If the applicant has failed to meet one of these requirements, the City shall provide ten (10) calendar days of notice to comply.
- d. The City retains the right to suspend or remove a property from the registry. Once a property has been removed from the registry, the property shall not be added to the registry for at least one (1) year.
- e. Suspension or removal shall be at the discretion of the City Planner for reasons including, but not limited to, the following:
 - (1) The applicant has given false or misleading information during the application process;
 - (2) There has been a violation of any of the terms, conditions, or restrictions of this subsection;

- (3) The applicant has failed to pay the Hotel Occupancy Tax in the timely manner; or
- (4) The location has received three (3) complaints from the neighboring property owners for excessive noise or traffic within a twenty-four (24) month period.
- f. Continued operation of Temporary Workforce Housing following suspension or removal from the registry shall be considered a violation of this Zoning Ordinance.

Planning and Zoning Commission Action

On Monday, June 12, 2023, the Planning and Zoning Commission voted unanimously, 4 to 0, to table the item to the next Regular Meeting.

On Monday, July 10, 2023, the Planning and Zoning Commission approved the item by a vote of 4-1.

POLICY EXPLANATION:

Notification

Subject to Section 6.02(D) newspaper notice for Public Hearings for any zoning amendment was published in the Wednesday, June 28, 2023, edition of the Focus Daily Newspaper for general circulation in the municipality. As of this writing, no responses have been received. Letters will be received until Tuesday, August 1, 2023, to fulfill legal requirements for a written formal protest to City Council.

FUNDING SOURCE:

ORG and Object Number

N/A

Available Budget

\$0.00

Purchase Amount

\$0.00

After Encumber

\$0.00

ACTION ALTERNATIVES:

- 1. Adopt the ordinance.
- 2. Do not adopt the ordinance.
- 3. Other actions as directed by Council.

ATTACHMENTS:

[Attachment 1 - Legal Advertisement](#)

[Attachment 2 - Zoning Application](#)

[Attachment 3 - Ordinance No. 2419](#)

[Attachment 4 - Ordinance No. - 2487 - Amending Permitted Use Chart - Workforce Housing](#)

Attachment 1

Advertise 1 time - By June 26

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

A public hearing will be held before the Planning and Zoning Commission on Monday, July 10, 2023, at 7:00 p.m., and before City Council on Tuesday, August 1, 2023, at 7:00 p.m., in the Council Chambers, City Hall, 203 E. Wheatland Rd, Duncanville, Texas, to consider a request of the City of Duncanville, for a text amendment to add and define the land use: Temporary Workforce Housing which will allow the rental of a residential unit offered for rental to guests for residential purposes for a period of more than thirty (30) nights but less than six (6) months. Such rentals may include a shared room, a single room, or the entire dwelling unit. These uses are conducted by the homeowner or tenant, not by a hotel or other business. Such use will require a Specific Use Permit "SUP" within the SF-43, Single Family Residential District; SF-13, single Family Residential District; SF-10, Single Family Residential District and SF-7, Single-Family Residential District.

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

CITY OF DUNCANVILLE
Kristin Downs
Interim City Secretary

Nathan Warren,
Senior Planner

Attachment 2



Development Services
Planning Division
203 E. Wheatland Rd.
P.O. Box 380280
Duncanville, TX 75138
972-707-3878

ZONING CHANGE APPLICATION

CONTACT INFORMATION	Applicant/ Agent <u>City of Duncanville</u> Contact: <u>Lynette Romero</u>		REQUIRED
	☐ Engineer ☐ Architect ☐ Surveyor ☐ Owner ☐ Other		
	Applicant/Agent Address: <u>203 E. Wheatland Rd.</u> City: <u>Duncanville</u> State: <u>TX</u> Zip: <u>75116</u>		
	Agent Email: <u>nathan.warren@duncanvilletx.gov</u> Telephone: <u>972-780-5000</u> (Fax) <u>n/a</u>		
PROPERTY INFORMATION	Property Owner: <u>n/a</u> Contact: <u>n/a</u>		REQUIRED
	Owner Address <u>n/a</u> City: <u>n/a</u> State: <u>n/a</u> Zip: <u>n/a</u>		
	Owner Email: <u>n/a</u> Telephone: <u>n/a</u> (Fax) <u>n/a</u>		
	Property Address: <u>n/a</u>		
REQUEST TYPE	Legal Description of Property: <u>n/a</u>		REQUIRED
	Lot No. <u>n/a</u> Block No. <u>n/a</u> Acreage: <u>n/a</u> Existing Zoning District: <u>n/a</u>		
	☐ Specific Use Permit - Commercial For _____		
	☐ Specific Use Permit - Residential For _____		
SUBMITTAL DOCUMENTS	☐ Change in Zoning From _____ To _____		REQUIRED
	☐ Planned Development (PD)		
	☐ Amend PD Approval		
	☐ Development Plan Approval		
		☐ Conceptual Plan Approval	
		☐ Alternative Compliance Request	
		☒ Text Amendment	
ALL ZONING REQUESTS MUST CONTAIN THE FOLLOWING DOCUMENTATION			
☐ Completed application		REQUIRED	
☐ Application fee			
☐ Property survey, or site plan or electronic copy of the metes and bounds legal description Microsoft word format or plat			
☐ Written description of request (associated variance requests require justification), business statement or business plan with detailed description of proposed operation			
☐ Electronic copies of all submittals via email			

Acknowledgments

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

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

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

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

L. Romero

Signature of Applicant

05/05/2023

Date

Notarization

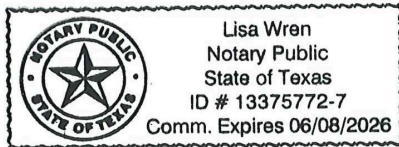
BEFORE ME, Lisa Wren, on this day personally appeared Lynette Romero, known to or proved to me on the oath of _____ or through _____ (description of identity card or other document) to be the person(s) whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same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

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 5th day of May, 2023.

(Seal)

Lisa Wren

Notary Public in and for the State of Texas
My Commission Expires: 06/08/2026



Attachment 3

ORDINANCE NO. 2419

AN ORDINANCE OF THE CITY OF DUNCANVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF DUNCANVILLE, BY AMENDING CHAPTER 12C 'BOARDING AND GROUP HOMES' BY ADDING NEW ARTICLE II "SHORT-TERM RENTAL REGISTRATION REGULATIONS", SECTIONS 12C-50 THROUGH 12C-64; PROVIDING FOR DEFINITIONS; PROVIDING THE POWERS AND DUTIES OF THE CITY PLANNER AS THE DESIGNATED ADMINISTRATOR; PROVIDING FOR THE ESTABLISHMENT OF A SHORT-TERM RENTAL REGISTRATION PROGRAM FEE; PROVIDING FOR RESERVE SECTIONS 12C-65 – 12C-99; PROVIDING A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00); PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Duncanville, deems it necessary for the purpose of promoting the health, safety and general welfare of the City and its residents, to adopt and enforce regulations regarding short-term rental properties which are offered for lease, barter or rent in the City,

WHEREAS, the City Council has determined that regulations are needed to be updated to address regulations for Short-Term Rentals, and

WHEREAS, permanent residents desire the option to occasionally utilize their properties for home share rentals, and

WHEREAS, the operation of Short-Term Rentals should not negatively affect property values, and

WHEREAS, the short-term rental registration program shall be implemented Citywide and shall apply to each single-family, two-family (duplex), multi-family, and townhouse, as defined, short-term rental units within the City.

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

SECTION 1. That Chapter 12C "Boarding and Group Homes" of the Duncanville Code of Ordinances is hereby amended by adding a new Article II, "Short-Term Rental Registration Program Regulations", which shall read as follows:

"CHAPTER 12C – BOARDING AND GROUP HOMES

ARTICLE I. IN GENERAL

.....

ARTICLE II. SHORT-TERM RENTAL REGISTRATION PROGRAM REGULATIONS

Sec. 12C-50 Purpose and Applicability

The purpose of this division is to establish regulations for the registration and use of Short-Term Rentals for single-family, two-family (duplex), and townhouse living units. The requirements of this division apply only to Short-Term Rentals, as defined herein, located in residential and certain non-residential zoning districts established under the City's Zoning Ordinance, Chapter 23 of Code of Ordinances. Nothing in this division, however, shall be construed to be a waiver of the requirement to assess and collect hotel occupancy taxes for any residential rental for less than 30 consecutive days, or any other applicable provision of the Duncanville Code of Ordinances.

Sec. 12C-51 Definitions

For the purpose of this Article, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Advertise means the written, audio, oral or other methods of drawing the public's attention whether by brochure, written literature or on-line posting to a Short-Term Rental in order to promote the availability of the Short-Term Rental.

City Manager means the person designated by the City Council and Home Rule Charter.

City Planner means the person designated by the City Manager as the City Planner or their designee.

Host means the person, firm, corporation, partnership or association, assigned the duty and responsibility by the owner to manage or rent residence for a Short-Term Rental.

Hotel Occupancy Tax means the hotel occupancy tax as defined in Chapter 18, Article II of the Duncanville Code of Ordinances and Chapter 3 of the Texas Tax Code, as may be amended.

Local Emergency Contact means an individual other than the applicant, who resides within 20 miles of the subject property, and who is designated by the owner/applicant to act as the owner's authorized agent if the owner has traveled outside of the immediate area or is otherwise unavailable. The local emergency contact should be reachable on a 24-hour basis, have access to the Short-Term Rental Property, and be authorized by the owner to

act in the owner's absence to address any complaints, disturbances, and emergencies.

Owner means the person who, in accordance with the most recently recorded deed, deed of trust, security instrument, trust instrument, affidavit of heirship, muniment of title or other similar document indicating title to real property recorded in the Official Public Records of Dallas County, Texas, is vested in, the ownership, dominion or title of real property, including, but not limited to:

1. the owner of a fee simple title;
2. the owner of a life estate or an estate for years;
3. the purchaser named in an executory contract for conveyance entered in compliance with title 2, chapter 5, subchapter D of the Texas Property Code, as amended, and recorded in the Official Public Records of Dallas County, Texas if required by V.T.C.A., Property Code § 5.076, as amended; or
4. a mortgagee, receiver, executor or trustee in control of real property.
5. a person with a long-term lease of thirty (30) days or greater.

Person means an individual, corporation, business trust, estate, trust, partnership or association, two or more persons having a joint or common interest, or any other legal or community entity.

Primary Residence means the usual dwelling place of the applicant's residential dwelling and is documented as such by at least two of the following: motor vehicle registration, driver's license, Texas State Identification card, voter registration, property tax documents, or utility bill. For purpose of this chapter, a person may have only one primary residence.

Short-Term Rental, as defined by the City's Zoning Ordinance, shall mean "a residential unit offered for rental to guests for residential purposes for a period of one (1) to thirty (30) nights. Examples include, but are not limited to, Airbnb, Vacation Rentals by Owner, HomeAway, other brokers or persons. Such rentals may include a shared room, a single room, or the entire dwelling unit. These uses are conducted by the homeowner or tenant, not by a hotel or other business." The term does not include;

1. a dwelling, or a part thereof, unit that is used for a nonresidential purpose, including an educational, health care, retail, restaurant, banquet or event space, or another similar use as determined by the City Planner;
2. a bed and breakfast; or
3. a hotel/residence hotel.

Group home or assisted living defined by the Comprehensive Zoning Ordinance.

Single-family residence means a single-family residence as referred to in this article which includes the following:

1. One-family dwelling (detached): A dwelling designed and constructed for occupancy by one family and located on a lot or separate building tract and having no physical connection to a building located on any other lot or tract;
2. One-family dwelling (attached): A dwelling which is joined to another dwelling at one or more sides by a party wall or abutting separate wall and which is designed for occupancy by one family and is located on a platted separate lot, delineated by front, side and rear lot lines;
3. Two-family dwelling: A single structure designed and constructed with two dwelling units under a single roof for occupancy by two families, one in each unit; and
4. Condominium: The separate ownership of single dwelling units in a multiple unit structures with common elements and;
5. Multi-family dwelling or apartment: Any building or portion of a building, which is designed, built, rented, leased or let to be occupied as three or more dwelling units or apartments or which is occupied as a home or place of residence by three or more families living in independent dwelling units.

Residential districts: Includes the following districts: SF-43 Estate Single-Family Residential District, SF-13 Single-Family Residential District, SF-10 Single-Family Residential District, SF-7 Single-Family Residential District, TF-7 Duplex Residential District, MF-21 Multi-Family Residential District, MF-14 Multi-Family Residential District as defined in Chapter 23 of the Code of Ordinances.

Short-term rental permit means the permit issued by the City Planner or their designee pursuant to this article.

Sec. 12C-52 City Manager / City Planner, Power and Duties.

The City Manager, City Planner or designee is hereby designated as the administrator of the provisions of this Article. In addition to the powers and duties otherwise prescribed for the city planner, as administrator of this Article, the city planner shall have the authority to:

- 1) Administer and enforce all provisions of this ordinance along with related standards for Short-Term Rentals contained in Chapter 23 (Zoning Ordinance) within the Duncanville's Code of Ordinances.
- 2) Keep records of all registrations issued in the program.
- 3) Adopt reasonable rules and regulations, not inconsistent with the provisions of

this Article, with respect to the form and content of application for registration, the investigation of applicants, and other matters incidental or appropriate to his powers and duties as may be necessary for the proper administration and enforcement of the provisions of this Article.

- 4) Conduct periodic inspections of residential rental properties throughout the City to ensure compliance with this Article and all other applicable City ordinances and State laws, and applicable adopted codes including but not limited to the adopted Building Codes in Chapter ____ of the Code of Ordinances as amended, 2015 related to the purpose and/or enforcement of this Article.

Sec. 12C-53 Short-Term Rental Registration Requirements

A. No person shall hereafter advertise, offer to rent or rent, lease, sublease, license or sublicense a residential property within the City as a **Short-Term Rental** for which a registration has not been properly made and filed with the development services department of the city. Registration shall be made upon forms furnished by the city for such purpose and shall specifically require the following minimum information:

- 1) Name, address, phone number and e-mail address of the property owner(s) of the Short-Term Rental property.
- 2) Verification of ownership and authorization by the owner's Residence regarding primary residence.
- 3) Name, address, phone number and e-mail address of the designated Local Emergency Contact.
- 4) The maximum number of occupants permitted for the dwelling unit or sleeping room in accordance with the Code of Ordinances.
- 5) A submission of a detailed floor plan of the dwelling with dimensioned room layout.
- 6) Site Plan/Survey of the property indicating maximum number of vehicles that can be legally parked on the property, without encroaching onto street, sidewalks or alleys; other public rights-of-way or public property.
- 7) Property owner must submit complete list of all rentals whether or not located withing the City advertised on all hosting sites.
- 8) Name, address, e-mail address, and telephone number of the resident owner, nonresident owner, property manager, resident manager, local emergency contact, and mortgagee, if there is a mortgage against property.
- 9) Trade name of resident owner or nonresident owner.

- 10) Names and addresses of all registered agents should the parties named in this subsection be corporations.
- 11) Zoning classification(s).
- 12) Acknowledgement of receipt of a copy of this article and agreement to comply with all provisions of this article as a condition to receiving and maintaining a short-term rental license.

Sec. 12C-54 Inspection Required

A. Upon registration and renewal, and prior to the first rental occupant of a Short-Term rental property, after such registration and renewal, the owner is required to schedule an Inspection of the residential structure with the City development services department to determine compliance with the minimum property standards contained in the Code of Ordinances in this Article and other applicable codes.

- 1) If only a portion of the premises is offered for rent, then that portion plus shared amenities and points of access shall be inspected.
- 2) If, upon completion of the inspection, the premises are found to be in violation of one or more provisions of applicable City codes and ordinances, the City shall provide written notice of such violation and shall set a re-inspection date for violation to be corrected prior to its rental or occupancy.

Sec. 12C-55 Restrictions on Short-Term Rentals

A. *External Signage.* There shall be no external on-site or off-site advertising signs or displays indicating the property is a Short Term Rental).

B. *Limit on occupants allowed.* No more than two adult guests per bedroom, plus no more than two additional adults shall be allowed when renting a property as a home share rental, except that:

- 1) There shall be a maximum occupancy of ten (10) persons, including adult and children.
- 2) Bedrooms under 120 square feet shall be limited to only adult one occupant.

C. *Limits on number of vehicles.* There shall be a maximum of one motor vehicle per bedroom, or maximum number of motor vehicle that can be accommodated within the garage and driveway, without extending over the public rights of way (alleys and sidewalks) whichever is less.

D. *Advertisement and contracts.* Any advertisement of the property as a short-term rental and all rental contracts must contain language that specifies the allowed maximum number of occupants and maximum number of vehicles.

E. *Other Restrictions.* It is unlawful:

- 1) To operate or allow to be operated a Short-Term Rental without first registering the property in which the rental is to occur with the City in accordance with this article;
- 2) To advertise or offer a Short-Term Rental without first registering the property in which the rental is to occur with the City in accordance with this article; documented advertisement of the subject property as a Short-Term Rental, online or offline, shall be considered prima face evidence of a violation of this ordinance;
- 3) To operate a Short-Term Rental that does not comply with all applicable city and state laws and codes;
- 4) To operate a Short-Term Rental without paying the required hotel occupancy taxes;
- 5) To offer or allow the use of a Short-Term Rental for the sole or primary purpose of having an establishment that allows for an environment that produces unwanted public nuisances such as noise.;
- 6) To fail to include a written prohibition against the use of a Short-Term Rental for having a party in every advertisement, listing, or other publication offering the premises for rent.
- 7) Permit the use of the Short-Term Rental for the purpose of housing sex offenders; operating a structured sober, recovery or other purpose living home or similar enterprise; selling illegal drugs; selling alcohol or another activity that requires a permit or license under the Alcoholic Beverage Code; or operating as a sexually oriented business.

Sec. 12C-56 Brochure and Safety Features

A. *Informational brochure.* Each registrant operating a Short-Term Rental shall provide to guests a brochure and file the same with the City that includes:

- 1) The registrant's twenty-four (24) hour contact information;

- 2) The host's twenty-four (24) hour contact information if the property owner is not within the city limits when guests are renting the premises;
- 3) Pertinent neighborhood information including, but not limited to, parking restrictions, restrictions on noise and amplified sound, and trash collection schedules;
- 4) Information to assist guests in the case of emergencies posing threats to personal safety or damage to property, including emergency and non-emergency telephone numbers for police, fire and emergency medical services providers and instructions for obtaining severe weather, natural or manmade disaster alerts and updates.

B. *Safety features.* Each Short-Term Rental registrant shall provide in the premises working smoke detectors in accordance with adopted codes and at least one working carbon monoxide detector and alarm, and one working fire extinguisher for each sleeping unit and kitchen. The premises shall otherwise comply with applicable standards and regulations contained in the City's Code of Ordinances, and as amended.

Sec. 12C-57 Notification of Approval of Short-Term Rental

Within ten (10) days of the approval of a Short-Term Rental registration or renewal, a notice will be sent to all property owners within two-hundred feet (200 ft.) of the property, which shall include the 24-hour complaint line..

Sec. 12C-58 Registration Term, Fees, and Renewal

A. All registrations approved under this Chapter shall be valid for a period of one year from the date of its issuance.

- 1) The fees for registration of a Short-Term Rentals shall be as established by resolution of the City Council and may include the following:
 - a. The initial registration fee,
 - b. a late fee of twice the established the fee, and
 - c. senior exemption or other exemption.

B. Upon receipt of an application for renewal of the registration, the City Planner or their designee may deny the renewal if there is reasonable cause to believe that:

- 1) The registrant has violated any ordinance of the city, or any state, or federal law on the premises or has permitted such a violation on the premises by any

other person; or

- 2) There are grounds for suspension, revocation, or other registration sanction as provided in this article.

Sec. 12C-59 Inspections; Re-inspections; Suspension and Revocation of License

A. *Inspections; access.* The resident owner, nonresident owner, resident manager and property manager, as a condition to the issuance of a short-term rental license required by this article, shall consent and agree to permit and allow the city's building official or their designee to make the following inspections of the short-term rental when and as needed to ensure compliance with this article.

- 1) Right and access to inspect all portions of the premises and structures located on the premises that are not dwelling units, including, but not limited to, all storage areas, detached garages, and swimming pools, upon reasonable advance notice being given to the resident owner, nonresident owner, property manager or resident manager;
- 2) Right and access to inspect all unoccupied dwelling units upon giving reasonable notice to resident owner, nonresident owner, resident manager or property manager;
- 3) Right and access to inspect all occupied dwelling units when, upon receipt of reliable information, the building official or their designee has reason to believe that violations of the ordinances of the city or state law exist that involve serious threats to life, safety, health and property; and
- 4) Before the short-term rental license and any renewal of the short-term rental license is approved, and before the rental of any single-family residence as a short-term rental under this article, the resident owner, nonresident owner, resident manager or property manager shall request an inspection and make the single-family residence available for inspection by the building official or their designee. The building official or their designee and the resident owner, nonresident owner, resident manager and property manager shall agree on a reasonable date and time for the requested inspection.

B. *Admission to premises.* The City Planner or their designee may enforce the provisions of this article upon presentation of proper identification to the occupant in charge of the short-term rental and may enter, with the occupant's permission, any short-term rental between the hours of 8:00 a.m. and 6:00 p.m.; provided, however, that in cases of emergency where extreme hazards are known to exist which may involve imminent injury to persons, loss of life, or severe property damage, the building official or their designee may enter the short-term rental referenced in subsection (a) of this section

at any time and upon presentation of identification and the occupant's permission shall not apply. Whenever the building official is denied admission to inspect any short-term rental under this provision, inspection shall be made only under authority of a warrant issued by a magistrate authorizing the inspection.

C. *Reinspection.* If any of the inspections authorized by this article require a second reinspection due to noted violations, then a reinspection fee of \$50.00 shall be paid prior to the second reinspection.

D. *Suspension or revocation of license.* Failure of an owner to comply with the provisions of this article after receipt of written notice of the violation from the building official or their designee setting out the violations and the time allowed to rectify the violations, the short-term rental license authorized by this article issued to the owner may be suspended or revoked by the community development department.

E. *Reinstatement.* Any person requesting a reinstatement or reissuance of a short-term rental license that has been suspended or revoked shall be required to apply for and receive a new short-term rental license issued under this article as a condition precedent to the reissuance or reinstatement of the certificate of occupancy.

Sec. 12C-60 Revocation/Appeal

A. Permit maybe denied and/or revoked by the City Manager or designee upon a finding by the noncompliance with any provisions of this article or violations of the Zoning Ordinance, or other applicable city codes.

B. A permit holder may be subject to revocation of their permit if there are four or more violations within a twelve-month period of this article or other safety, health and welfare ordinances of the City.

C. The Neighborhood Services Department shall issue a notice of violation of any provision of this article or violations as provided herein. Such notice shall include the date, time and synopsis of the facts surrounding such violation.

D. An applicant or permit holder who wishes to appeal the denial or revocation of a permit under this article, shall file an appeal with the Board of Adjustment for reinstatement of a denied or revoked permit.

E. The Board of Adjustment shall conduct an evidentiary hearing, take testimony and receive any documented evidence to determine whether the decision of City Manager or designee should be upheld or overturned.

F. At the hearing, the Board of Adjustment shall receive a testimony and evidence to contest the decision to deny or revoke a permit.

G. The Board of Adjustment upon completion of a hearing, shall upon a majority vote of four-fifths of the Board may overturn the decision of the City Manager or designee.

H. After a permit under this article has been revoked an owner may not reapply until after six (6) months of any revocation or appeal from a final decision of the Board of Adjustment or court of competent jurisdiction.

I. All decision of the Board of Adjustment under this article shall be deemed final.

Sec. 12C-61 Fees

All fees for registration, inspection or renewal, including any late fees or exemptions, as provided in this article, shall be as established by resolution of the City Council.

Sec. 12C-62 Presumption; Presentation of Documents or Affidavit

A. *Presumption.* Its hall be a rebuttable presumption that a single-family residence that is occupied by one or more person(s) who are not the owner is being occupied pursuant to an agreement between the owner and the occupant(s) of the single-family residence wherein the occupant(s) have agreed to rent said residence from the owner as Short-Term Rental.

B. *Presentation of documents or affidavits.* Any resident owner or nonresident owner claiming that the owner is not required to obtain a short-term rental license pursuant to this article shall, not later than five business days following receipt of a written request of the administrator of this Ordinance or their designee or, in the case of an appeal filed pursuant to Section 9-29-10 of this article deliver to the community development department a true and correct copy of any agreements, documents of title, letters of administration, letters testamentary, executory contracts for conveyance (also known as "contracts for deed"), affidavits, or other documents that establish to the satisfaction of the community development department that a landlord/tenant relationship does not exist between the owner and the occupant(s) of the single-family residence. Unless an extension of the time for delivery of such documents or affidavits is granted by the building official or their designee or city manager, as the case may be, the failure of the owner to present the requested documents within the time provided by this subsection (b) shall result in the presumption described in subsection (a) above, becoming irrefutable.

Sec. 12C-63 Violations and Penalties

Violation of this ordinance upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

Reserve 12C-64 – 12C-99"

SECTION 2. That all provisions of the Ordinances of the City of Duncanville, Texas, in conflict with the provisions of this Ordinance be, and the same are hereby amended, repealed, and all other provisions of the Ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

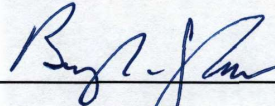
SECTION 3. If any article, paragraph or subdivision, clause or provision of this shall be judged invalid or held unconstitutional, the same shall not affect the validity of this Ordinance as a whole or any part or provision thereof, other than the part so decided to be valid or unconstitutional.

SECTION 4. Any person, firm, corporation or corporation violating any of the provisions or terms of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of Duncanville, Texas, shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2000.00) for each offense. Every day that a violation occurs shall constitute a separate offence.

SECTION 5. This ordinance shall take effect immediately from and after the publication of its caption, as the law in such cases provides.

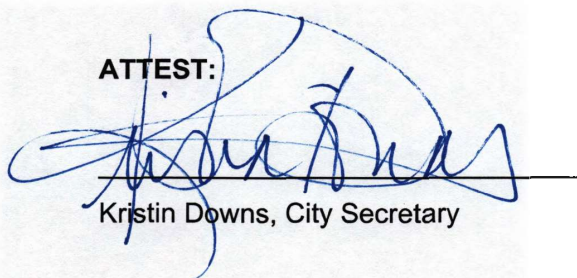
DULY RESOLVED AND ADOPTED by the City Council of the City of Duncanville, Texas, on the 21st day of December 2021.

APPROVED:



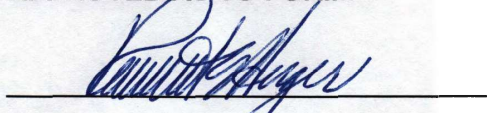
Barry L. Gordon, Mayor

ATTEST:



Kristin Downs, City Secretary

APPROVED AS TO FORM:



Robert E. Hager, City Attorney



ORDINANCE NO. 2487

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

WHEREAS, the Planning and Zoning Commission and City Council of the City of Duncanville, in compliance with state laws with reference to amending the Code of Ordinances by amending Appendix A, Comprehensive Zoning Ordinance, by adopting an amendment to Article III, Section 3.03, Recreational and Entertainment Uses, to add the land use Workforce Housing.

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

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Duncanville, Texas, as heretofore amended, by amending the Code of Ordinances, Appendix A, Article III, Section 3.03, Recreational and Entertainment Uses is hereby amended by adding the land use Workforce Housing to hereinafter read as follows:

“Appendix A, Zoning Ordinance

Article III – Land Uses

Sec. 3.03. Permitted Use Chart

Land Use	SF-43	SF-13	SF-10	SF-7	TF-7	MF14	MF21		Add'l Regs. #
.....									
Residential Uses									
.....									
Accessory and Incidental Uses									
Short-Term Rental	○	○	○	○	○	○	○		
.....									
Temporary Workforce Housing	○	○	○	○					3.04.B8A

Wind Energy Turbine”	○	○	○	○	○	○	○		
----------------------------------	---	---	---	---	---	---	---	--	--

SECTION 2. That the City Council of the City of Duncanville, Texas hereby approves and amends the Code of Ordinances, Appendix A – Zoning Ordinance, Article VII ‘Definitions’, Section 7.02. ‘Land use terms’ by adding subsection H, to hereinafter read as follows:

“Appendix A – ZONING ORDINANCE

Article I. General Provisions

.....

Article VII. – Definitions

Sec. 7.01. – General

Sec. 7.02. – Land Use Terms.

The following terms are the land use types that correspond to Section 3.03. Permitted Use Chart.

A. Residential uses

.....

B. Accessory and Incidental Uses.

Temporary Workforce Housing, a residential unit offered for rental to guests for residential purposes for a temporary work assignment/contract or to attend vocational or occupational training for a period of more than thirty (30) nights but less than six (6) months. Such rentals may include a shared room, a single room, or the entire dwelling unit. These uses are conducted by the homeowner or tenant, not by a hotel or other business.

SECTION 3. That said accessory use shall be used, developed, and maintained only in the manner and for the purposes provided for this Ordinance, Comprehensive Zoning Ordinance of the City of Duncanville, as heretofore amended, and in conformance with this Ordinance.

SECTION 4. That should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 5. That all provisions of the Ordinance of the City of Duncanville in conflict with provisions of this Ordinance be, and same are hereby repealed, and all other provisions of the ordinances of the City of Duncanville not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 6. That the above-described property shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City of Duncanville, as amended herein by the granting of this planned development.

SECTION 7. That any person, firm or corporation violating any of the provisions or terms of this Ordinance or of the Comprehensive Zoning Ordinance as amended hereby shall be deemed guilty of a misdemeanor, and subject to the same penalty as provided for in the Comprehensive Zoning Ordinance, and upon conviction shall be punished by fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day such violation shall continue shall constitute a separate offense.

SECTION 8. That this Ordinance shall take effect immediately from and after its passage and the publication of the caption of said Ordinance, as the law in such cases provides.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Duncanville, Texas, on the 1st day of August, 2023.

APPROVED:

Barry L. Gordon, Mayor

ATTEST:

Kristin Downs, Interim City Secretary

APPROVED AS TO FORM:

Robert E. Hager, City Attorney



STAFF REPORT

MEETING: City Council - 01 Aug 2023

TITLE:

Conduct a public hearing for consideration and action regarding the request of Juan Trejo, applicant, to include a Specific Use Permit (SUP) for School, Business, Trade or Vocational and adopt an ordinance to amend the Comprehensive Zoning Ordinance and map on Main Commons, Block 3, Lot 1A, ACS 0.617, more commonly known as 134 North Main Street, City of Duncanville, Dallas County, Texas.

Vision Statement:

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

Pillar:

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

STAFF RESPONSIBLE:

Nathan Warren, Senior Planner

BACKGROUND/HISTORY:

Comprehensive Plan

The Future Land Use Plan Map shows the subject property being located within Opportunity Area 10, Downtown District. The Plan envisions the Area as a regional destination and a hub of activity in the city. This would also be achieved with vertical mixed use and boutique retail development. This area is also envisioned as being pedestrian-orientated.

The Plan goes further on to list strategies that will help achieve the vision for the Downtown District:

- Facilitate the transition of nonconforming properties and land uses.
- Identify nonconforming properties and work with property owners to relocate or bring the property into compliance.
- Continue to pursue public improvements as identified in the Downtown Plan.
- Develop a unique theme and feel for the district.

- Transition smoothly to and from adjacent Opportunity Areas.
- Make walkability and connectivity (both to and through the district) a top priority.
- Identify key parcels for development and specific companies to recruit for those spaces.

Project Scope

The subject property is zoned DD, Downtown District—General Main Street. In this zoning district, the use *School, Business, Trade, or Vocational* requires a Specific Use Permit. The Comprehensive Zoning Ordinance defines the use *School, Business, Trade, or Vocational* as “a business organized to operate for a profit and offering instruction and training in a service or art such as a secretarial school, barber college, beauty school or commercial art school.” The proposed operation is a barber college.

Surrounding Land Use

The subject property is surrounded by DD, Downtown District—General Main Street to the south, east, and west with DD, Downtown District—Core Main Street to the north.

Zoning and Land Use

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

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

Planning and Zoning Commission Action

On Monday, July 10, 2023, the Planning and Zoning Commission approved the item by a vote of 4-0 with the special condition of a ten (10) year time limit.

POLICY EXPLANATION:

Notification

Eight (8) notices were sent out for this public hearing. As of this writing, one (1) response has been received in favor of and one (1) in opposition to the request. Letters will be received until Tuesday, August 1, 2023, to fulfill legal requirements for a written formal protest to the City Council. The request is tentatively scheduled to proceed to the Tuesday, August 1, 2023, City Council hearing.

FUNDING SOURCE:

ORG and Object Number

N/A

Available Budget

\$0.00

Purchase Amount

\$0.00

After Encumber

\$0.00

ACTION ALTERNATIVES:

1. Adopt the ordinance.
2. Do not adopt the ordinance.
3. Other actions as directed by Council.

ATTACHMENTS:

[Attachment 6 - List of Property Owners](#)

[Attachment 5 - Letter to Property Owners withn 200](#)

[Attachment 4 - Letter from Applicant](#)

[Attachment 3 - Zoning Application](#)

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

[Attachment 1 - Legal Advertisement](#)

[Ordinance No. 2488](#)

Attachment 6

LOTT DALTON L	RAMARK GROUP LTD	MAIN COMMONS DUNCANVILLE
PO BOX 381146	202 N MAIN ST	111 E DAVIS ST STE 101
DUNCANVILLE, TEXAS 751381146	DUNCANVILLE, TEXAS 751163649	DUNCANVILLE, TEXAS 751163615
DUNCANVILLE CITY OF	DUNCANVILLE OUTREACH	205 E CENTER STREET LP
PO BOX 308280	PO BOX 380998	4225 VERSAILLES AVE
DUNCANVILLE, TEXAS 751380280	DUNCANVILLE, TEXAS 751380998	DALLAS, TEXAS 752053008
MAIN STATION DUNCANVILLE	DEAN WILLIAM R ET AL	202H LLC
111 E DAVIS ST #101	101 S MAIN ST	1004 SISTERS LN
DUNCANVILLE, TEXAS 751163615	DUNCANVILLE, TEXAS 751164703	OVILLA, TEXAS 751545824
MAZA MARY C NANCE	BNSF RAILWAY	
PO BOX 380-553	PO BOX 961089	
DUNCANVILLE, TEXAS 751380553	FORT WORTH, TEXAS 761610089	

8 notices mailed out

Attachment 5

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



June 28, 2023

Zoning File: **2023-15**

Dear Property Owner:

Juan Trejo, Applicant, representing Main Commons LTD., owner, is requesting approval of a Specific Use Permit to allow for the use of School, Business, Trade, or Vocational on Main Commons, Block 3, Lot 1A, ACS 0.6017, more commonly known as 134 North Main Street, in the City of Duncanville, Dallas County, Texas.

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

The Planning and Zoning Commission will hold a public hearing on Monday, July 10, 2023, at 7:00 p.m., and the City Council public hearing will be held on Tuesday, August 1, 2023, at 7:00 p.m., both in the City of Duncanville Council Chambers, 203 E. Wheatland Road. Public hearings are held to allow interested persons the opportunity to state their opinion directly to the Planning & Zoning Commission either for or against the proposed zoning request. If you oppose the zoning request, however, the attached survey must be completed and returned by **August 1, 2023**, to fulfill legal requirements for a written formal protest.

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

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

Sincerely,

Nathan Warren

Nathan Warren
 Senior City Planner

Enclosures

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



Junio 28, 2023

Archivo de zonificación: **2023-15**

Estimado propietario:

Juan Trejo, solicitante, representando a Main Commons LTD., propietario, está solicitando la aprobación de un Permiso de Uso Específico para permitir el uso de Escuela, Negocio, Oficio o Vocacional en Main Commons, Block 3, Lot 1A, ACS 0.6017, más comúnmente conocido como 134 North Main Street, en la ciudad de Duncanville, condado de Dallas, Texas.

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

La Comisión de Planificación y Zonificación llevará a cabo una audiencia pública el Lunes 10 de Julio de 2023, a las 7:00 p.m., y la audiencia pública del Concejo Municipal se llevará a cabo el Martes 1 de Agosto de 2023, a las 7:00 p.m., ambas en las Cámaras del Consejo de la Ciudad de Duncanville, 203 E. Wheatland Road. Las audiencias públicas se llevan a cabo para permitir a las personas interesadas la oportunidad de expresar su opinión directamente a la Comisión de Planificación y Zonificación, ya sea a favor o en contra de la solicitud de zonificación propuesto. Sin embargo, si se opone al solicitud de zonificación, la encuesta adjunta debe completarse y devolverse antes del **1 de Agosto de 2023**, para cumplir con los requisitos legales para una protesta formal por escrito.

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

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

Sinceramente,

Nathan Warren

Nathan Warren
Planificador de la Cuidad

Recintos

203 E. Wheatland Road | Duncanville, Texas 75116 | 972.780.5000 P | 972.780.5077 F | duncanville.com

The following form may be filled out and mailed to:

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

Case No. 2023-15 Juan Trejo, Applicant, representing Main Commons LTD., Owner, is requesting approval of a Specific Use Permit (SUP) to allow for the use of School, Business, Trade, or Vocational on Main Commons, Block 3, Lot 1A, ACS 0.6017, more commonly known as 134 North Main Street, in the City of Duncanville, Dallas County, Texas. This is the first of two public hearings that have been scheduled to receive further input on the requested zoning request.

NOTE: The purpose of the request is to allow for the use of **School, Business, Trade, or Vocational**.

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

The Planning and Zoning Commission will hold a public hearing on Monday, July 10, 2023, at 7:00 p.m., and the City Council public hearing will be held on Tuesday, August 1, 2023, at 7:00 p.m., both at the City of Duncanville Council Chambers, 203 E. Wheatland Road. Public hearings are held to allow interested persons the opportunity to state their opinion directly to the Planning & Zoning Commission either for or against the proposed request.

If you oppose the request, however, the attached survey must be completed and returned by **August 1, 2023**, to fulfill legal requirements for a written formal protest.

Please check one:

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

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

My reasons are as follows:

1).

2).

3).

Printed Name: _____

Address: _____

Signature: _____

Date: ____

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

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

Caso No. 2023-15 Juan Trejo, Solicitante, representando a Main Commons LTD., Propietario, está solicitando la aprobación de un Permiso de Uso Específico (SUP) para permitir el uso de Escuela, Negocio, Oficio, o Vocacional en Main Commons, Block 3, Lot 1A, ACS 0.6017, más comúnmente conocido como 134 North Main Street, en la Ciudad de Duncanville, condado de Dallas, Texas. Esta es la primera de dos audiencias públicas que se han programado para recibir más información sobre la solicitud de zonificación.

NOTA: El propósito de la solicitud es permitir el uso de **Escuela, Negocio, Oficio, o Vocacional**.

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

La Comisión de Planificación y Zonificación llevará a cabo una audiencia pública el Lunes 10 de Julio 2023, a las 7:00 p.m., y la audiencia pública del Concejo Municipal se llevará a cabo el Martes 1 de Agosto de 2023, a las 7:00 p.m., ambas en las Cámaras del Consejo de la Ciudad de Duncanville, 203 E. Wheatland Road. Las audiencias públicas se llevan a cabo para permitir a las personas interesadas la oportunidad de expresar su opinión directamente a la Comisión de Planificación y Zonificación, ya sea a favor o en contra del cambio de zonificación propuesto.

Sin embargo, si se opone al cambio de zonificación, la encuesta adjunta debe completarse y devolverse antes del **1 de Agosto de 2023**, para cumplir con los requisitos legales para una protesta formal por escrito.

Por favor, marque uno:

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

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

Mis razones son las siguientes:

1).

2).

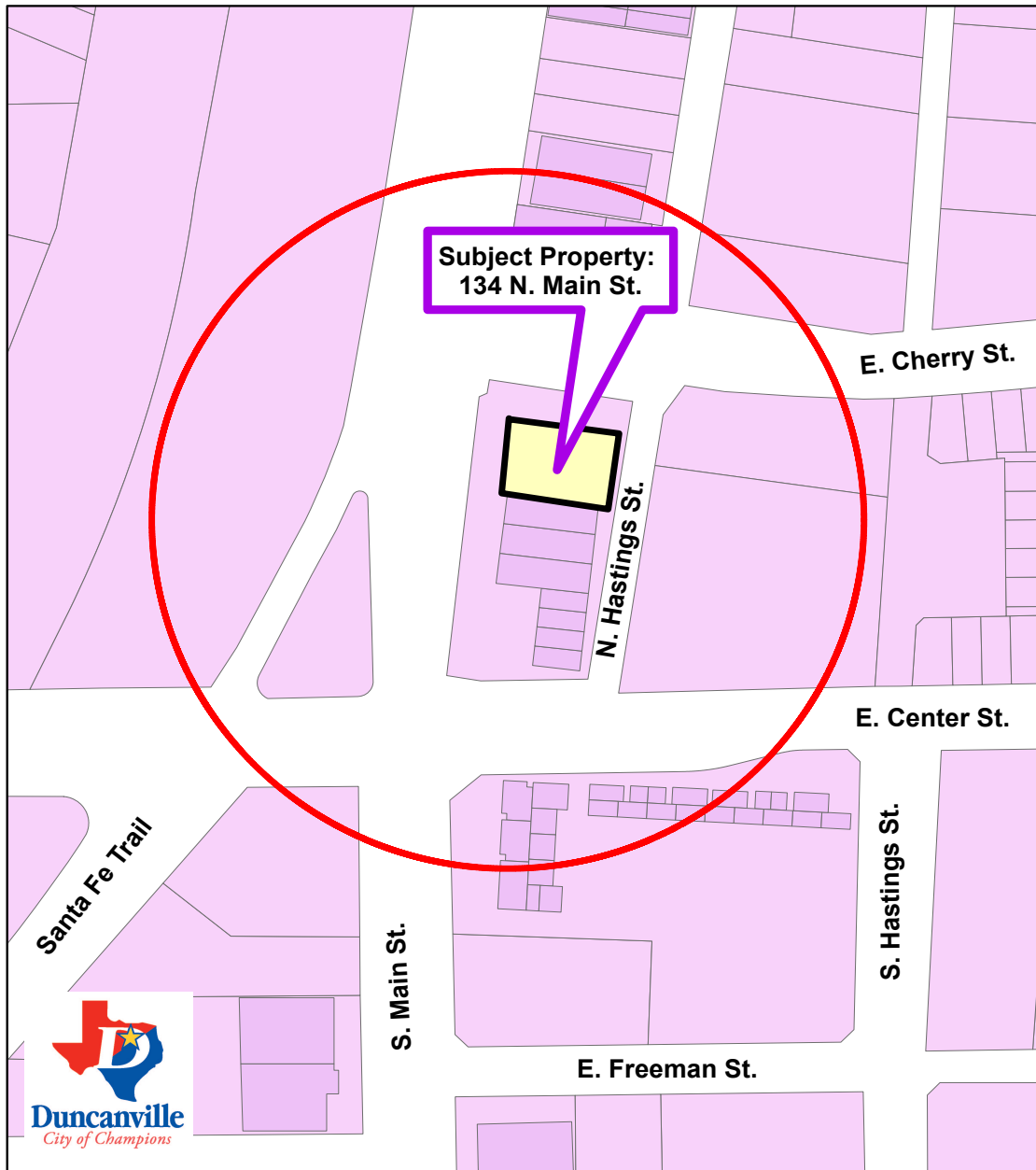
3).

Nombre
impreso: _____

Dirección: _____

Firma: _____

Fecha: ____

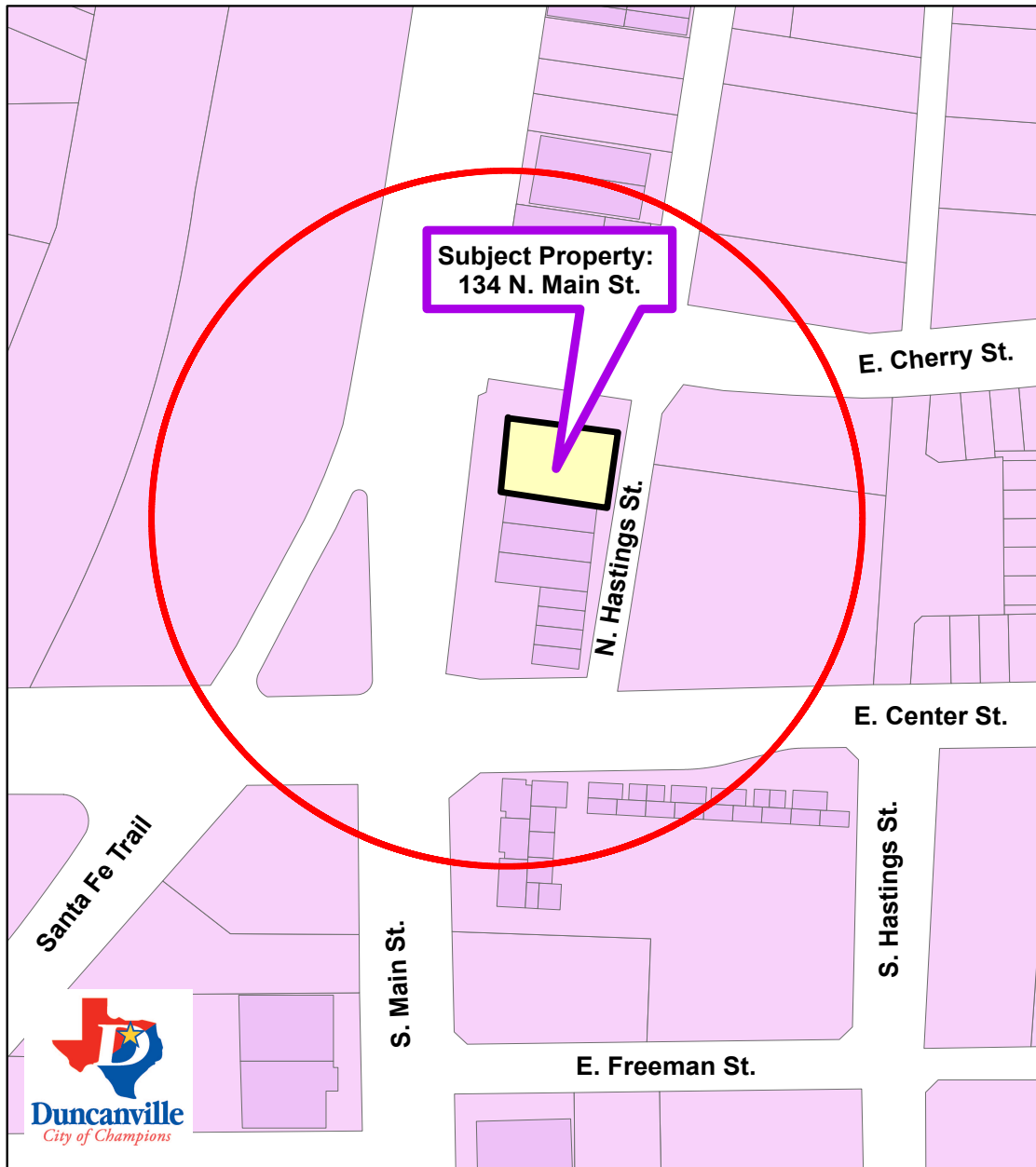


The applicant is applying for a Specific Use Permit for School, Business, Commercial or Vocational use.

The purpose of this request is to enable the applicant to operate as a barber college.

Questions?

Contact Planning and Zoning at 972-707-3878 or 972-780-5057. You can also send an email to planningandzoning@duncanvilletx.gov.



El solicitante está solicitando un Permiso de Uso Específico para el uso de Escuela, Negocio, Comercio o Vocacional.

El propósito de esta solicitud es permitir que el solicitante opere un colegio de peluqueros.

¿Preguntas? Comuníquese con Planificación y Zonificación al 972-707-3878 o al 972-780-5057. También puede enviar un correo electrónico a planningandzoning@duncanvilletx.gov.



06.07.2023

The following form may be filled out and mailed to:

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

Case No. 2023-15 Juan Trejo, Applicant, representing Main Commons LTD., Owner, is requesting approval of a Specific Use Permit (SUP) to allow for the use of School, Business, Trade, or Vocational on Main Commons, Block 3, Lot 1A, ACS 0.6017, more commonly known as 134 North Main Street, in the City of Duncanville, Dallas County, Texas. This is the first of two public hearings that have been scheduled to receive further input on the requested zoning request.

NOTE: The purpose of the request is to allow for the use of **School, Business, Trade, or Vocational**.

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

The Planning and Zoning Commission will hold a public hearing on Monday, June 12, 2023, at 7:00 p.m., and the City Council public hearing will be held on Tuesday, July 18, 2023, at 7:00 p.m., both at the City of Duncanville Council Chambers, 203 E. Wheatland Road. Public hearings are held to allow interested persons the opportunity to state their opinion directly to the Planning & Zoning Commission either for or against the proposed request.

If you oppose the request, however, the attached survey must be completed and returned by **July 18, 2023**, to fulfill legal requirements for a written formal protest.

Please check one:

☐ In favor of granting the zoning request.

☒ Not in favor of granting the zoning request.

My reasons are as follows:

- 1). *Parking Problems*
- 2). *Main Street does not need another barber shop & not a school*
This is not the right location for this type of school. Not good
- 3). *for Main Street*

Printed Name: MARY NANCE MAZA

Address: 206 North Hastings

Signature: *Mary Nance Maza*

Date: 6/7/2023

The following form may be filled out and mailed to:

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

Case No. 2023-15 Juan Trejo, Applicant, representing Main Commons LTD., Owner, is requesting approval of a Specific Use Permit (SUP) to allow for the use of School, Business, Trade, or Vocational on Main Commons, Block 3, Lot 1A, ACS 0.6017, more commonly known as 134 North Main Street, in the City of Duncanville, Dallas County, Texas. This is the first of two public hearings that have been scheduled to receive further input on the requested zoning request.

NOTE: The purpose of the request is to allow for the use of **School, Business, Trade, or Vocational**.

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

The Planning and Zoning Commission will hold a public hearing on Monday, June 12, 2023, at 7:00 p.m., and the City Council public hearing will be held on Tuesday, July 18, 2023, at 7:00 p.m., both at the City of Duncanville Council Chambers, 203 E. Wheatland Road. Public hearings are held to allow interested persons the opportunity to state their opinion directly to the Planning & Zoning Commission either for or against the proposed request.

If you oppose the request, however, the attached survey must be completed and returned by **July 18, 2023**, to fulfill legal requirements for a written formal protest.

Please check one:

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

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

My reasons are as follows:

1).

2).

3).

Printed Name:

Dagmar Lott

Address:

260, 204, N. Main St

Signature:

[Signature]

Date:

6/15/2023



The following form may be filled out and mailed to:

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

Case No. 2023-15 Juan Trejo, Applicant, representing Main Commons LTD., Owner, is requesting approval of a Specific Use Permit (SUP) to allow for the use of School, Business, Trade, or Vocational on Main Commons, Block 3, Lot 1A, ACS 0.6017, more commonly known as 134 North Main Street, in the City of Duncanville, Dallas County, Texas. This is the first of two public hearings that have been scheduled to receive further input on the requested zoning request.

NOTE: The purpose of the request is to allow for the use of **School, Business, Trade, or Vocational**.

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

The Planning and Zoning Commission will hold a public hearing on Monday, July 10, 2023, at 7:00 p.m., and the City Council public hearing will be held on Tuesday, August 1, 2023, at 7:00 p.m., both at the City of Duncanville Council Chambers, 203 E. Wheatland Road. Public hearings are held to allow interested persons the opportunity to state their opinion directly to the Planning & Zoning Commission either for or against the proposed request.

If you oppose the request, however, the attached survey must be completed and returned by **August 1, 2023**, to fulfill legal requirements for a written formal protest.

Please check one:

☒ *In favor of granting the zoning request.*

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

My reasons are as follows:

- 1). *Creates good traffic for our main st restaurants & retail that are struggling.*
- 2). *It's an existing business that is expanding.*
- 3). *Makes Main St. more relevant for a new local owner to buy this property*

Printed Name: Monte Anderson

Address: _____

Signature: *MA*

Date: _____

3-7-23

100 S. Main, Dunc

111 E. Davis, Dunc

102 N. Main, Dunc

Attachment 4

April 11, 2023

Christopher Duncan
Options Real Estate
111 E Davis Street, Suite 101,
Duncanville, TX 75116

Nathan Warren
Senior Planner
City of Duncanville
203 E Wheatland Road,
Duncanville, TX, 75116

Mr. Warren,

We are writing to request that the Planning & Zoning Commission recommend, and the City Council approve, Juan Trejo's application for a Specific Use Permit (SUP) to operate Texas Fadez Barber College at 134 N Main Street in Main Commons. As you know, Mr. Trejo currently operates a successful barber school in the city and has had a positive impact on the community.

The move to Main Commons will provide Mr. Trejo with a better-suited and more prominent location to continue providing a well-rounded education in barbering. Mr. Trejo's mission statement for Texas Fadez Barber College is to be the standard in barber education by balancing professionalism, customer service, and technical skills. He provides his students with a strong foundation for their future success.

Granting Mr. Trejo's application for an SUP is in the best interest of the community and will contribute to the economic growth of the area. We respectfully request that you consider and approve his application.

Thank you,
Christopher Duncan

Attachment 3



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

ZONING APPLICATION

CONTACT INFORMATION

Property Owner: Main Commons Duncanville, LTD. Contact: 972-283-1111
Owner Address: 111 East Davis Street City: Duncanville State: TX Zip: 75116
Owner Email: monte@optionsre.com Telephone: [REDACTED] (Fax) [REDACTED]
[REDACTED] / Agent: Juan Trejo Contact: [REDACTED]
☐ Engineer ☐ Architect ☐ Surveyor ☒ Owner
Applicant/Agent Address: 111 East Davis Street City: Duncanville State: TX Zip: 75116
Agent Email: christopher@optionsre.com Telephone: 972-283-1111 (Fax) [REDACTED]

REQUIRED

PROPERTY INFORMATION

Property Address: 134 N Main Street, Duncanville, TX
(or general location if no address is available)
Legal Description of Property: BLK 3 LT 1A ACS 0.617
Lot No. 1A Block No. 3 Acreage: .617 Existing Zoning District: DD
If property is unplatted, provide Metes and Bounds description in Microsoft Word format via email.

REQUIRED

REQUEST TYPE

SELECT APPLICABLE

- ☒ Specific Use Permit
For School, Business, Trade, or Vocational
☐ Special Use
For _____
☐ Change in Zoning
From _____ To _____
- ☐ Planned Development (PD)
☐ Amend PD Approval
☐ Development Plan Approval
☐ Conceptual Plan Approval
☐ Alternative Compliance Request

REQUIRED

ALL ZONING REQUESTS MUST CONTAIN THE FOLLOWING DOCUMENTATION.

SUBMITTAL DOCUMENTS

- ☒ Completed application
☒ Application fee
☒ Electronic copy of the metes and bounds legal description in Microsoft word format (if unplatted)
☒ Written description of request
☒ Drawings: (3) 24" x 36" Black Line prints (Folded) and electronic document (PDF) via email

REQUIRED

ACKNOWLEDGEMENT

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

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

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

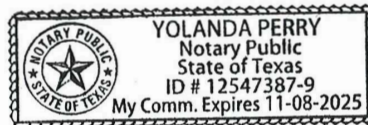
I have read and understand this application and certify that all information and attachments are true and correct. I certify that I am the owner of the property involved in this request or have authorization to act as the owner's agent for the request described. Applicants (or a representative) are expected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

[Signature] 3-8-23
 Signature of Current Property Owner Date
 BEFORE ME, Yolanda Perry, on this day personally appeared Mike Anderson, known to
 or proved to me on the oath of _____ or through Drivers License (description of identity card or other document)
 to be the person(s) whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the
 purposes and consideration therein expressed.

(Seal)

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 8th day of March, 2023

My Commission Expires: 11/08/25
Yolanda Perry
 Notary Public in and for the State of Texas



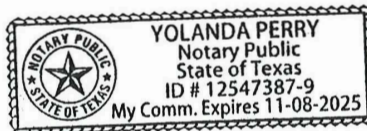
Following is to be completed only if a person other than the owner is submitting this application.

[Signature] 3/8/23
 Signature of Applicant/Agent Date
 BEFORE ME, Yolanda Perry, on this day personally appeared Juan Carlos Trejo, known to
 or proved to me on the oath of _____ or through Drivers License (description of identity card or other document)
 to be the person(s) whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the
 purposes and consideration therein expressed.

(Seal)

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 8th day of March, 2023

My Commission Expires: 11/08/25
Yolanda Perry
 Notary Public in and for the State of Texas



OFFICE USE ONLY

- ☐ Application fee: _____
- ☐ Legal Description of Property _____
- ☐ Completed Application _____

Pre-Development No.: _____
 File Number: _____
 Date Received: _____

SUBMITTAL CHECKLIST

Special Uses and Specific Use Permit

Please check if applicable

YES N/A

- ☒ ☐ Written Letter with Detailed Description of proposed operation
- ☒ ☐ Site Plan (see Site Plan Checklist)*
- ☐ ☒ Building Elevation and Signage Plan (See Building Elevation* and Signage Plan* Checklist)
- ☐ ☒ Landscape Plan (See Landscape Plan Checklist)*
- ☒ ☐ Floor Plan
- ☐ ☒ Other _____

Planned Development

YES N/A

- ☐ ☐ Written Letter with Detailed Description of proposed development with proposed conditions.
- ☐ ☐ Conceptual Plan

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

- ☐ ☐ Development Plan with proposed PD Conditions (see Development Plan Checklist)*

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

Development Plan Submittal includes the following:

YES N/A

- ☐ ☐ Site plan (see Site Plan Checklist)*
- ☐ ☐ Building Elevation and Signage Plan (See Building Elevation and Signage Plan Checklist)*
- ☐ ☐ Landscape Plan (See Landscape Plan Checklist)*
- ☐ ☐ Floor Plan
- ☐ ☐ Other _____

SUBMITTAL CHECKLIST

Amendment of Planned Development

YES N/A

- ☐ ☐ Written Letter with Detailed Description of proposed operation including list of proposed changes.
- ☐ ☐ Revised Development Plan (See Development Plan Checklist)*

Development Plan

YES N/A

- ☐ ☐ Proposed PD Conditions
- ☐ ☐ Site plan (see Site Plan Checklist)*
- ☐ ☐ Building Elevation and Signage Plan (See Building Elevation and Signage Plan Checklist)*
- ☐ ☐ Landscape Plan (See Landscape Plan Checklist)*
- ☐ ☐ Floor Plan
- ☐ ☐ Other _____

Change of Zoning

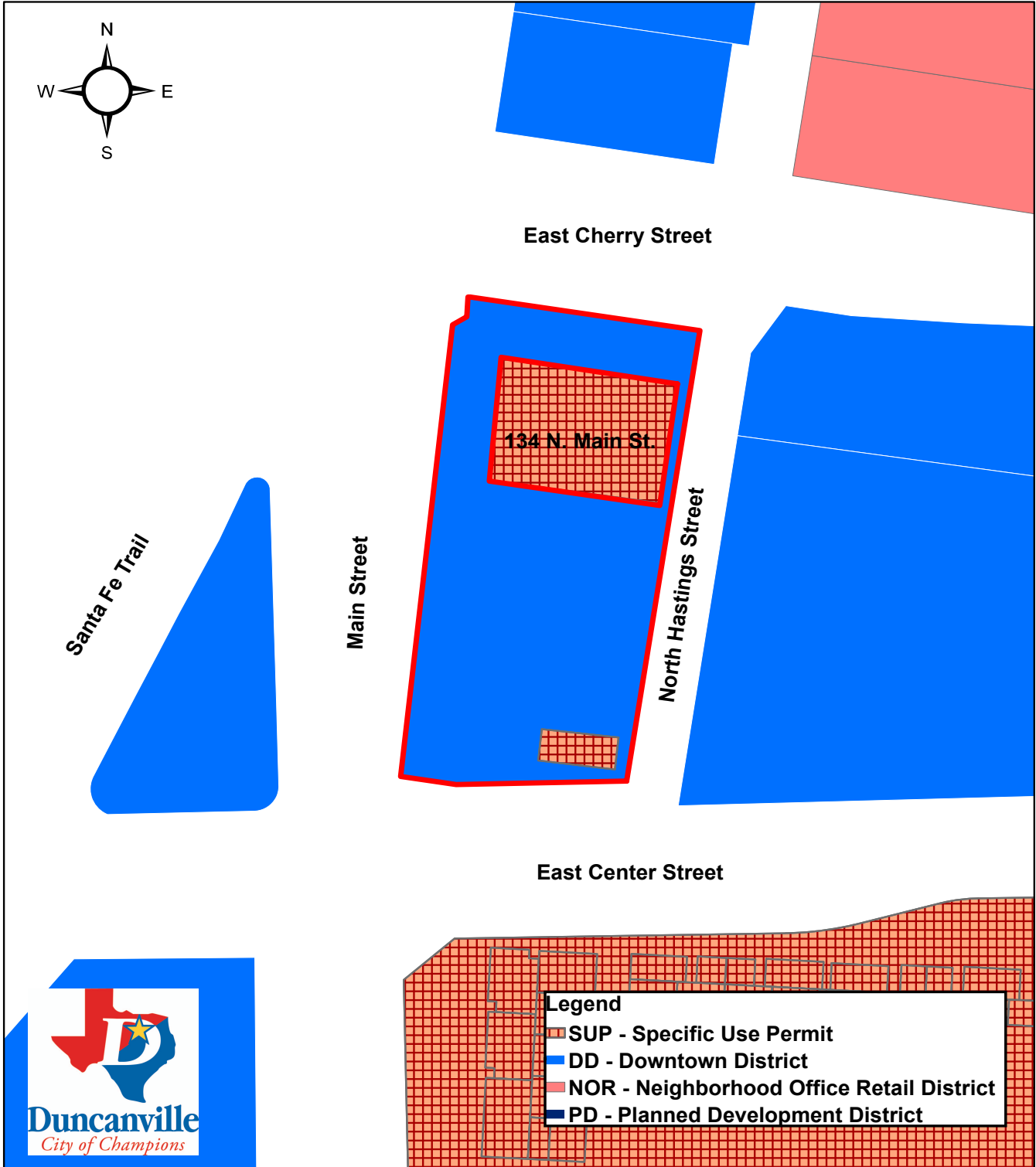
YES N/A

- ☐ ☐ Written Detailed Description of request including how the request considers the following factors:
 - Whether the proposed change of zoning change implements the policies of the adopted Comprehensive Plan
 - Whether the uses allowed by the proposed change will be appropriate in the immediate area concerned and their relationship to the general area and the City as a whole;
 - Whether the proposed change is in accordance with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area;
 - The amount of and development absorption (or redevelopment) rate of vacant or underutilized land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstance which may make a substantial part of such vacant land unavailable for development;
 - How other areas designated for similar development will be, or are unlikely to be, affected if the proposed amendment is approved, and whether such designation for other areas should be modified also; and
 - Any other factors which substantially affect the public health, safety, morals, or general welfare.

Attachment 2



Request for SUP, Specific Use Permit for
School, Business, Trade or Vocational
Case 2023-15
134 North Main Street



Request for SUP, Specific Use Permit, for
 School, Business, Trade, or Vocational
 Case 2023-15
 134 North Main Street

Attachment 1

Advertise 1 time - By June 26

NOTICE OF A PUBLIC HEARING BEFORE THE
PLANNING AND ZONING COMMISSION AND CITY COUNCIL
ZONING FILE #2023-15

A public hearing will be held before the Planning and Zoning Commission on Monday, July 10, 2023, at 7:00 p.m., and before City Council on Tuesday, August 1, 2023, at 7:00 p.m., in the Council Chambers, City Hall, 203 E. Wheatland Rd, Duncanville, Texas, to hear a request of Juan Trejo, Applicant, for a Specific Use Permit to allow for the use of School, Business, Trade, or Vocational on Main Commons, Block 3, Lot 1A, ACS 0.6017, more commonly known as 134 North Main Street, City of Duncanville, Dallas County, Texas.

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

CITY OF DUNCANVILLE
Kristin Downs
Interim City Secretary

Nathan Warren,
Senior Planner

ORDINANCE NO. 2488

AN ORDINANCE OF THE CITY OF DUNCANVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP, AS HERETOFORE AMENDED, BY AMENDING THE EXISTING DOWNTOWN DUNCANVILLE DISTRICT (DD) TO GRANT A SPECIFIC USE PERMIT "SUP" FOR SCHOOL, BUSINESS, TRADE, OR VOCATIONAL, ON MAIN COMMONS BLOCK 3, LOT 1A, ACS 0.617, MORE COMMONLY KNOWN AS 134 NORTH MAIN STREET, IN THE CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

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

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

SECTION 1. That the Comprehensive Zoning Ordinance and Map of the City of Duncanville, Texas, as heretofore amended, be, and the same are hereby amended by amending the existing Downtown Duncanville District (DD) to grant a Specific Use Permit "SUP" for School, Business, Trade, or Vocational, on Main Commons Block 3, Lot 1A, ACS 0.617, more commonly known as 134 North Main Street, in the City of Duncanville, Dallas County, Texas.

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

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

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

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

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

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

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

DULY PASSED by the City Council of the City of Duncanville, Texas, on the 1st day of August, 2023.

APPROVED:

Barry L. Gordon, Mayor

ATTEST:

Kristin Downs, Interim City Secretary

APPROVED AS TO FORM:

Robert E. Hager, City Attorney



STAFF REPORT

MEETING: City Council - 01 Aug 2023

TITLE:

Conduct a public hearing for consideration and action regarding the request of Navdeep Dhaliwal, applicant and owner, for a Zoning Change from C, Commercial District to I, Industrial District and adopt an ordinance to amend the Comprehensive Zoning Ordinance and map on Block 3, Lot 4, Woodhaven, more commonly known as 1414 North Main Street, in the City of Duncanville, Dallas County, Texas.

Vision Statement:

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

Pillar:

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

STAFF RESPONSIBLE:

Nathan Warren, Senior Planner

BACKGROUND/HISTORY:

Comprehensive Plan

The Future Land Use Plan Map shows the subject property being located within the Retail/Commercial land use. The plan describes Retail/Commercial land uses as more intense than retail establishments, yet also provide goods and services for the public. Examples of commercial establishments would include hotels, restaurants, and big box retailers. The Future Land Use Plan Map contains Industrial land use to the south and west, Retail/Commercial to the north and immediate south, and Low Density Residential to the east.

Project Scope

The subject property is zoned C, Commercial District. The applicant argues that the small bay industrial space currently on the site ought to be zoned I, Industrial District. The small spaces with overhead doors are not compatible with office or store front uses. Previously, the property was zoned C-2, Heavy Commercial. The C-2, Heavy Commercial District is intended to provide a centrally located and convenient location for service and commercial related establishments, and other heavy commercial uses. The uses envisioned for the District will typically utilize larger sites and/or have operational characteristics which are incompatible with residential zoning or uses and some nonresidential uses.

Surrounding Land Use

The subject property is surrounded by C, Commercial District to the north, south, and east, and I, Industrial District to the west.

Planning and Zoning Commission Action

On Monday, July 10, 2023, the Planning and Zoning Commission approved the item by a vote of 4-1.

POLICY EXPLANATION:

Notification

Thirteen (13) notices were sent out for this public hearing. As of this writing, no responses have been received in favor of or opposition to the request. Letters will be received until Tuesday, August 1, 2023, to fulfill legal requirements for a written formal protest to City Council. The request is tentatively scheduled to proceed to the Tuesday, August 1, 2023, City Council hearing.

FUNDING SOURCE:

ORG and Object Number

N/A

Available Budget

\$0.00

Purchase Amount

\$0.00

After Encumber

\$0.00

ACTION ALTERNATIVES:

1. Adopt the ordinance.
2. Do not adopt the ordinance.
3. Other actions as directed by Council.

ATTACHMENTS:

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

[Attachment 6 - Letter to Property Owners](#)

[Attachment 5 - Letter from Applicant](#)

[Attachment 4 - Applicant Exhibit](#)

[Attachment 3 - Zoning Application](#)

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

[Attachment 1 - Legal Advertisement](#)

[Ordinance No. 2489](#)

Attachment 7

HDZB711 LLC	SMT PROPERTY HOLDINGS LLC	RICE TUNNELING & BORING
11147 HARRY HINES BLVD	PO BOX 37127	1336 N MAIN ST
DALLAS, TEXAS 752294604	LAS VEGAS, NEVADA 891370000	DUNCANVILLE, TEXAS 751162312
RICE TUNNELING & BORING	J&S TOWING & RECOVERY INC	TEMPLO BAUTISTA NUEVA JERUSALEN
1336 N MAIN ST	1315 N MAIN ST	1408 N MAIN ST
DUNCANVILLE, TEXAS 751162312	DUNCANVILLE, TEXAS 751162311	DUNCANVILLE, TEXAS 751162306
BENAVIDES GUSTAVO	DUNCANVILLE CITY OF	CARDOZA OSCAR G JR
963 FAIRWAY DR	203 E WHEATLAND RD	303 WOODHAVEN BLVD
DUNCANVILLE, TEXAS 751374613	DUNCANVILLE, TEXAS 751164824	DUNCANVILLE, TEXAS 751162441
ADMA HOLDINGS LLC	JONES WALTER B &	PONY TRAIL LLC
1028 E SH 121	210 E RED BIRD LN	PO BOX 202358
LEWISVILLE, TEXAS 750574403	DUNCANVILLE, TEXAS 751162308	ARLINGTON, TEXAS 760068358
PONY TRAIL LLC	FERNANDEZMIRANDA MARCO A	LION PLAZA LTD
PO BOX 202358	330 LINKMEADOW DR	9041 MARY DR
ARLINGTON, TEXAS 760068358	DUNCANVILLE, TEXAS 751374314	WAXAHACHIE, TEXAS 751676008
STEPPING STONES OF KNOWLEDGE		
202 E RED BIRD LN		
DUNCANVILLE, TEXAS 751162308		

13 notices mailed

Attachment 6

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



June 28, 2023

Zoning File: **2023-20**

Dear Property Owner:

Navdeep Dhaliwal, Applicant and Owner, is requesting approval of a Zoning Change from C, Commercial District to I, Industrial District on Woodhaven, Block 3, Lot 4, more commonly known as **1414 North Main Street**, in the City of Duncanville, Dallas County, Texas.

Your property is NOT being rezoned. You have been sent this notice because you are within the required 200-foot notification area of the subject property that is being requested for a Zoning Change. Please refer to the enclosed map that indicates which property is being requested for a Zoning Change.

The Planning and Zoning Commission will hold a public hearing on Monday, July 10, 2023, at 7:00 p.m., and the City Council public hearing will be held on Tuesday, August 1, 2023, at 7:00 p.m., both in the City of Duncanville Council Chambers, 203 E. Wheatland Road. Public hearings are held to allow interested persons the opportunity to state their opinion directly to the Planning & Zoning Commission either for or against the proposed zoning change. If you oppose the zoning change, however, the attached survey must be completed and returned by **August 1, 2023**, to fulfill legal requirements for a written formal protest.

As an interested citizen, you may submit public comments to the Interim City Secretary, Kristin Downs, or the Senior Planner, Nathan Warren, P.O. Box 380280, Duncanville, Texas, 75138-0280 or email Lynette Romero, Planning Technician, at planningandzoning@duncanvilletx.gov stating your position. You are encouraged to participate in the public hearing and offer comments.

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

Sincerely,

Nathan Warren

Nathan Warren
 Senior Planner

Enclosures

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



Junio 28, 2023

Archivo de zonificación: **2023-20**

Estimado propietario:

Navdeep Dhaliwal, solicitante y propietario, está solicitando la aprobación de un cambio de zona en Woodhaven, Block 3, Lot 4, más comúnmente conocido como **1414 North Main Street**, en la ciudad de Duncanville, condado de Dallas, Texas.

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

La Comisión de Planificación y Zonificación llevará a cabo una audiencia pública el Lunes 10 de Julio de 2023, a las 7:00 p.m., y la audiencia pública del Concejo Municipal se llevara a cabo el Martes 1 de Agosto de 2023, a las 7:00 p.m., ambas en las Cámaras del Consejo de la Ciudad de Duncanville, 203 E. Wheatland Road. Las audiencias públicas se llevan a cabo para permitir a las personas interesadas la oportunidad de expresar su opinión directamente a la Comisión de Planificación y Zonificación, ya sea a favor o en contra del cambio de zonificación propuesto. Sin embargo, si se opone al cambio de zonificación, la encuesta adjunta debe completarse y devolverse antes del **1 de Agosto de 2023**, para cumplir con los requisitos legales para una protesta formal por escrito.

Como ciudadano interesado, puede enviar comentarios públicos a la secretaria interina de la Ciudad, Kristin Downs, o al Planificador de la Ciudad, Nathan Warren, P.O. Box 380280, Duncanville, Texas, 75138-0280 o enviar un correo electrónico a Lynette Romero, Técnica de Planificación, a planningandzoning@duncanvilletx.gov indicando su posición. Se le anima a participar en la audiencia pública y ofrecer comentarios.

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

Sinceramente,

Nathan Warren

Nathan Warren
Planificador de la Ciudad

Recintos

The following form may be filled out and mailed to:

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

Case No. 2023-20 Navdeep Dhaliwal, Applicant and Owner, is requesting approval of a Zoning Change from C, Commercial District to I, Industrial District on Woodhaven, Block 3, Lot 4, more commonly known as 1414 North Main Street, in the City of Duncanville, Dallas County, Texas.

NOTE: The purpose of the request is to allow a **Zoning Change**.

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

The Planning and Zoning Commission will hold a public hearing on Monday, July 10, 2023, at 7:00 p.m., and the City Council public hearing will be held on Tuesday, August 1, 2023, at 7:00 p.m., both at the City of Duncanville Council Chambers, 203 E. Wheatland Road. Public hearings are held to allow interested persons the opportunity to state their opinion directly to the Planning & Zoning Commission either for or against the proposed zoning change.

If you oppose the zoning change, however, the attached survey must be completed and returned by **August 1, 2023**, to fulfill legal requirements for a written formal protest.

Please check one:

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

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

My reasons are as follows:

1).

2).

3).

Printed Name: _____

Address: _____

Signature: _____

Date: ____

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

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

Caso No. 2023-20 Navdeep Dhaliwal, solicitante y propietario, está solicitando la aprobación de un cambio de zona en Woodhaven, Block 3, Lot 4, más comúnmente conocido como 1414 North Main Street, en la ciudad de Duncanville, condado de Dallas, Texas.

NOTA: El propósito de la solicitud es permitir un **Cambio de Zona**.

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

La Comisión de Planificación y Zonificación llevará a cabo una audiencia pública el Lunes 10 de Julio 2023, a las 7:00 p.m., y la audiencia pública del Concejo Municipal se llevará a cabo el Martes 1 de Agosto de 2023, a las 7:00 p.m., ambas en las Cámaras del Consejo de la Ciudad de Duncanville, 203 E. Wheatland Road. Las audiencias públicas se llevan a cabo para permitir a las personas interesadas la oportunidad de expresar su opinión directamente a la Comisión de Planificación y Zonificación, ya sea a favor o en contra del cambio de zonificación propuesto.

Sin embargo, si se opone al cambio de zonificación, la encuesta adjunta debe completarse y devolverse antes del **1 de Agosto de 2023**, para cumplir con los requisitos legales para una protesta formal por escrito.

Por favor, marque uno:

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

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

Mis razones son las siguientes:

1).

2).

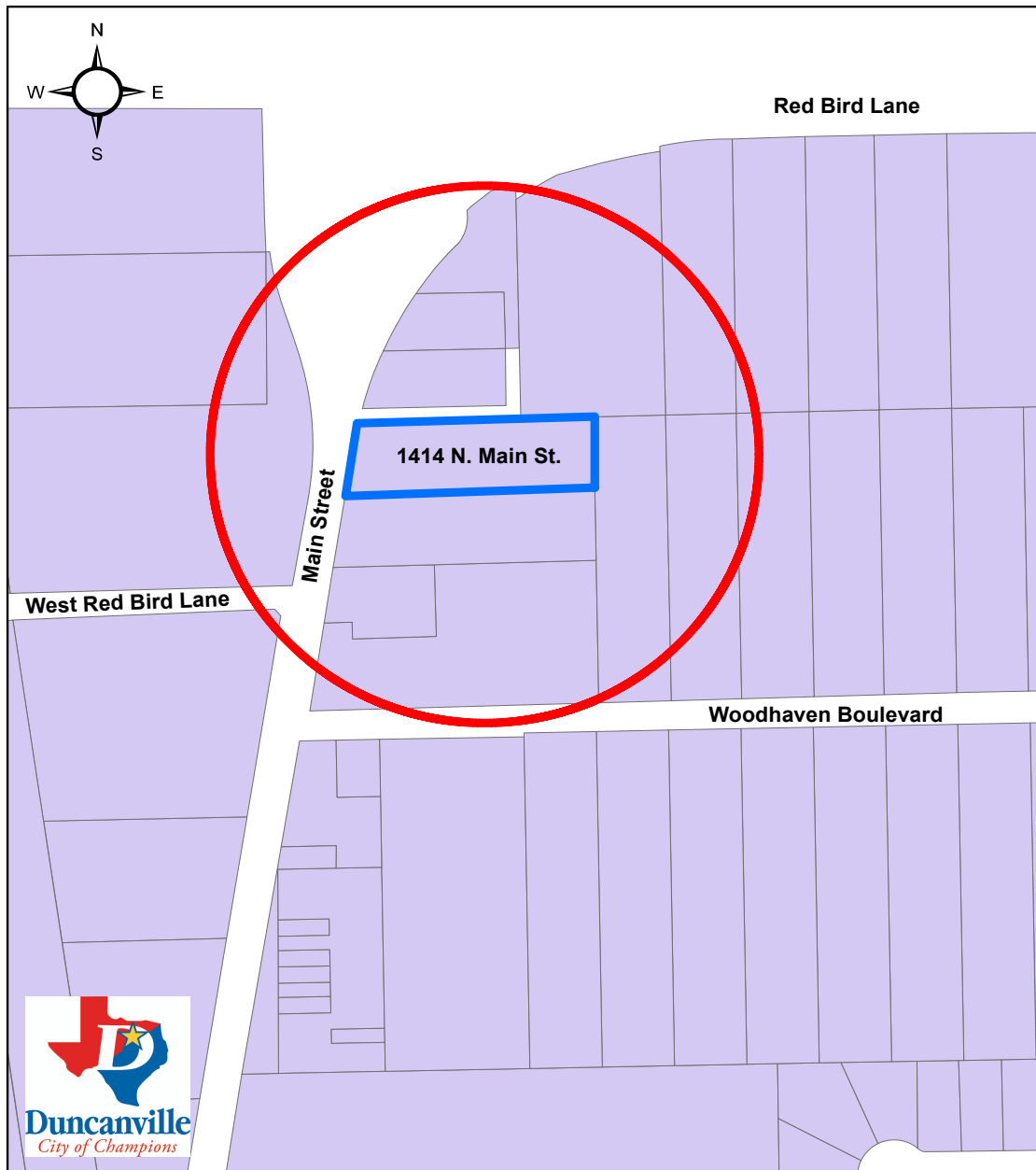
3).

Nombre
impreso: _____

Dirección: _____

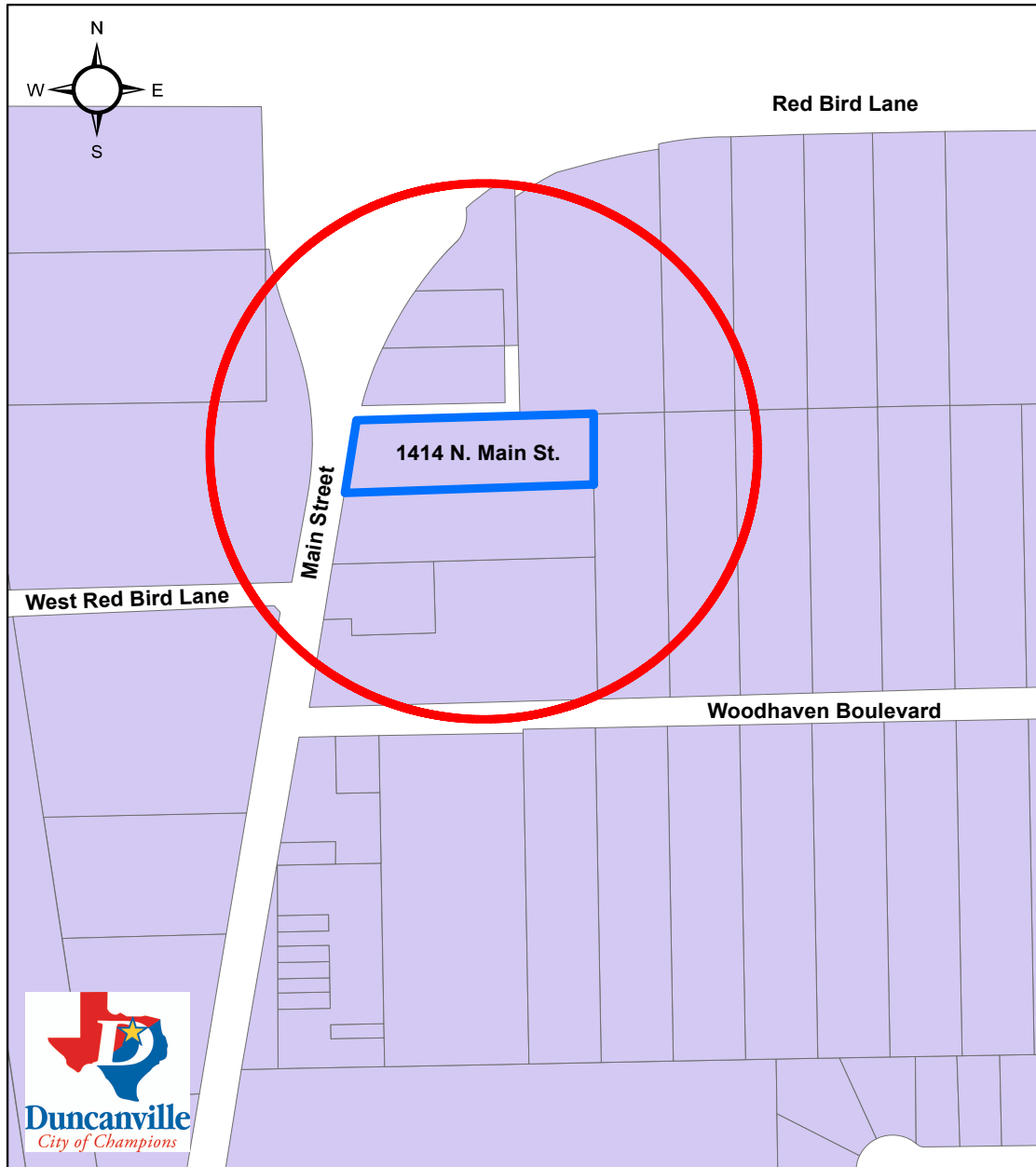
Firma: _____

Fecha: ____



The applicant is requesting a zoning change from C, Commercial District to I, Industrial District. The purpose of this request is to expand the list of permitted uses.

Questions? Please contact Planning and Zoning at 972-707-3878 or 972-780-5057. You may also email planningandzoning@duncanvilletx.gov.



El solicitante solicita un cambio de zonificación de C, Commercial District (Distrito Comercial) a I, Industrial District (Distrito Industrial). El objeto de esta solicitud es ampliar la lista de usos permitidos.

¿Preguntas? Comuníquese con Planificación y Zonificación al 972-707-3878 o al 972-780-5057. También puede enviar un correo electrónico a planningandzoning@duncanvilletx.gov.

Attachment 5

Justification for change of zoning

- 1) Small bay industrial space- when performed search on Crexi (Commercial real estate listing site) there is no availability in Duncanville, Tx and very limited availability in DFW area. There are about 16 listing for commercial (current zoning) in Duncanville, Tx. This property has 12 units each around 1250 sq feet and these are fully occupied (pending some CO) and there is need for additional units in the community.
- 2) Location of this property is on the other side of the hwy 20 and there are other industrial properties in the vicinity.
- 3) These spaces are mostly used by small business/trade rather than a National chain/larger warehouse space and the profit from these business usually stays in locally in the community/local economy and in turn help other businesses in the city.
- 4) It will help local housing as mostly these tenants want to live close to the work place rather than commute.
- 5) With change of zoning to industrial from commercial we will consider developing additional land parcels adjoining this property to add additional space considering local/DFW area need for small warehouse spaces. We have experience in managing these small bay units/properties at other properties/locations.
- 6) The way the building is constructed these small spaces with overhead doors can be only used for small business/light industrial trade and is not a typical construction under commercial zoning i.e office or store front. Also, parking space is also limited and will be ideal for small light industrial parking/less customer traffic.

LOT AREA	33,478 SQ. FT.	/ 0.77 ACRES
BUILDING SQUARE FOOTAGE	15,062 SQ. FT.	(EXTERIOR FOOTPRINT)
ZONING EXISTING USE	---	----- DISTRICT
BUILDING HEIGHT	18.1 FT.	
LOT COVERAGE	45%	
PARKING PROVIDED:		
STANDARD SPACES	4	SPACES
HANDICAP VAN ACCESSIBLE	0	SPACES
TOTAL	4	SPACES

(1) MINIMUM LOT AREA	SQ. FT.
(2) MINIMUM LOT WIDTH	FT.
(3) MINIMUM FRONT YARD	FT.
(4) MINIMUM SIDE YARD	FT.
(5) MINIMUM REAR YARD	FT.
(6) MAXIMUM LOT COVERAGE	___%
(7) MAXIMUM HEIGHT	FT.
(8) MAXIMUM DENSITY	FT.
(9) MINIMUM PARKING REQUIRED	___ SPACES

For additional information about the Yard, Lot and Space Regulations, please call Development Services, _____ and ask for Zoning.

Zoning report was not provided at the time of survey.

[illegible]

	EXISTING EXPOSE ASPHALT PAVING
	EXISTING OVERHEAD POWER LINE
	EXISTING CHAINLINK FENCE
	EXISTING WOOD FENCE
	EXISTING BARBED WIRE FENCE
	EXISTING WROUGHT IRON FENCE
	GUY WIRE
	POWER POLE
	1/2" IRON ROD FOUND
	1/2" IRON ROD SET
	MAG NAIL SET
	"X" FOUND IN CORNER
	"X" FOUND IN CONCRETE
	CONTROLLING MONUMENT
	UNDERGROUND ELECTRIC
	OVERHEAD ELECTRIC
	BRICK COLUMN
	COVERED PORCH, DECK OR CARPORT
	FIRE HYDRANT
	LIGHT POLE
	VAULT
	TRANSFORMER
	GRATE INLET

- 1) Bearings based on Woodhaven Addition, an Addition to the City of Duncanville, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 287, Plat Records, Dallas County, Texas.
- 2) It is my opinion that there is no observable evidence of earth moving work, building construction or building additions within recent months.
- 3) It is my opinion that there have been no changes in street right-of-way lines either completed or proposed, and available from the controlling jurisdiction. Observable evidence of recent street or sidewalk construction or repairs.
- 4) It is my opinion that there is no observable evidence of site use as solid waste dump, sump or sanitary landfill.

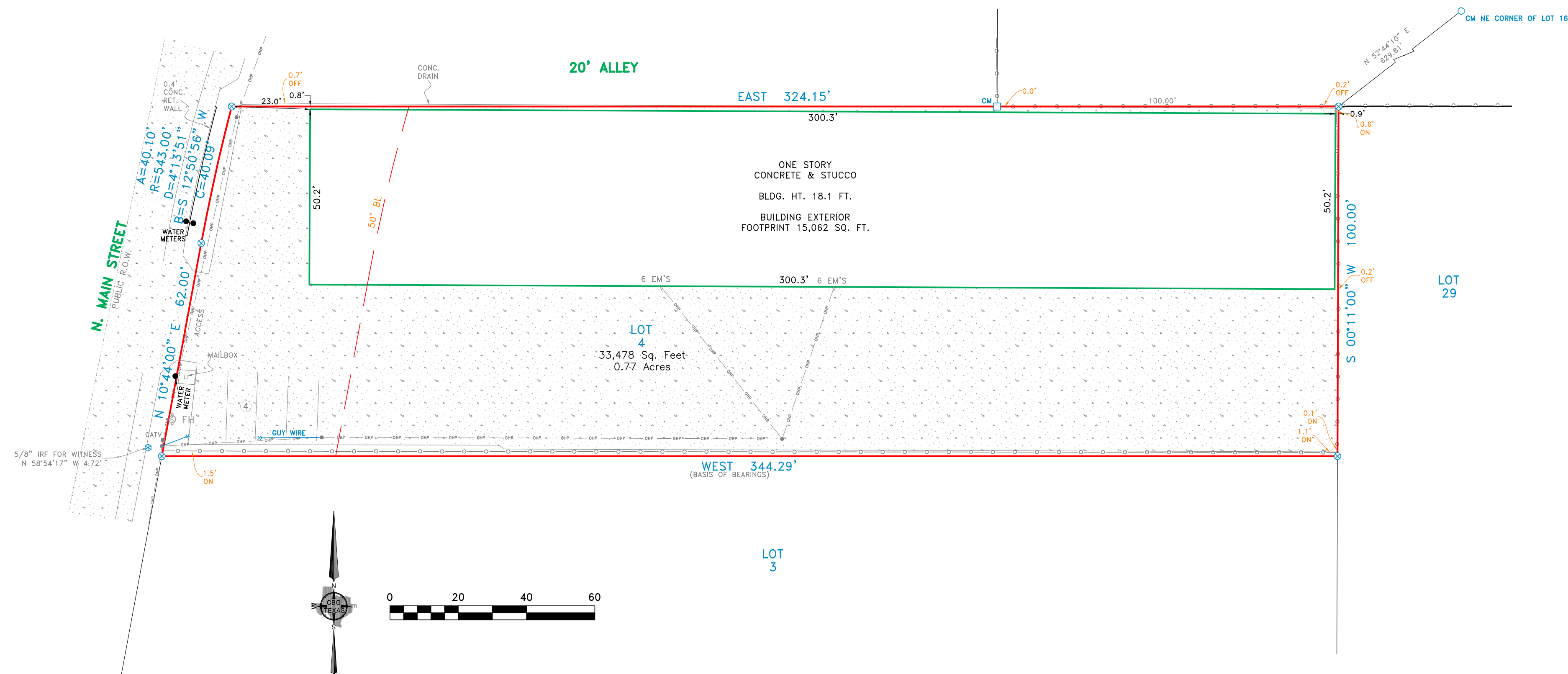
Being Lot 4, in Block 3, of Woodhaven, an addition to the City of Duncanville, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 12, Page 287, Map Records, Dallas County, Texas.

Attachment 4

NOT TO SCALE

LOT 11A, BLOCK 3
WOODHAVEN ADDITION
CLERK'S FILE NO. 20070133331

NOTE: This survey is made in conjunction with the information provided by the client. CBG Surveying Texas, LLC has not researched the land title records for the existence of easements, restrictive covenants or other encumbrances.



1. Except as shown on the survey, there are no visible easements or rights of way.
2. Except as shown on the survey, there are no observable, above ground encroachments (a) by the improvements on the subject property upon adjoining properties, streets or alleys, or (b) by the improvements on adjoining properties, streets or alleys upon the subject property.
3. The location of each easement, right of way, servitude, and other matters affecting the title to the property and the Title Insurance commitment with an effective date of _____ issued by _____ with respect to the subject property has been shown on the survey, together with appropriate recording references, to the extent such matters can be located. The property owner hereby warrants that the survey reflects all recorded information concerning the location of all improvements on the subject property is in accord with minimum setback provisions and restrictions of record referenced in such title records.
4. That the subject property has access to and from N. Main Street a duly dedicated and accepted public street or highway.
5. The subject property does not serve any adjoining property for drainage, utilities, or ingress or egress.
6. The record description of the subject property forms a mathematically closed figure.
7. The described property is located within an area having a Zone Designation X by the Secretary of Housing and Urban Development on Flood Insurance Map No. 48113C0407K, with a date of Identification of 7/7/2014, for Community No. 480173, in Dallas County, State of Texas which is the current Flood Insurance Rate Map for the community in which the subject property is located.

This survey is made relying on information provided by _____ in connection with the transaction described in GF# _____. The undersigned, being a registered land surveyor of the State of Texas certifies to _____, _____ and _____ as follows:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the "Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys," jointly established and adopted by ALTA and NSPS in 2016 and includes Items 1, 2, 3, 4, 7(a), 7(c), 8, 9, 13 and 14 of Table A thereof. Pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in accordance with the provisions of the ALTA/NSPS Surveying and Mapping Agreement, I, the undersigned, do hereby certify that in my professional opinion, as a land surveyor registered in the State of Texas, the Relative Positional Accuracy of this survey does not exceed that which is specified therein. The survey was made on the ground 12/6/2021.

The parties listed above are entitled to rely on the survey.
Executed this 14th day of December, 2021.

FOR REVIEW ONLY

Bryan Connally
Registered Professional Land Surveyor No. 5513

[illegible]



TEXAS 811
Know what's below.
Call 811 Before You Dig

**Bryan Conn
Registered**

C.B.G. Surveying Texas, LLC
12025 Shiloh Rd, Suite 230
Dallas, Texas 75228
P 214-349-9485 F 214-349-2216
Firm No. 10168800
www.cbgsincx.com

SCALE	DATE	JOB NO.	G.F. NO.	DRAWN
1"=20'	12/14/2021	2125242	SEE CERT.	TER

LOT 4, BLOCK 3, WOODHAVEN ADDITION

DUNCANVILLE, DALLAS COUNTY, TEXAS

1414 N. MAIN STREET

Attachment 3



Development Services
Planning Division
203 E. Wheatland Rd.
P.O. Box 380280
Duncanville, TX 75138
972-707-3878

ZONING CHANGE APPLICATION

CONTACT INFORMATION

Applicant/ Agent _____ Contact: _____

☐ Engineer ☐ Architect ☐ Surveyor ☒ Owner ☐ Other

Applicant/Agent Address: ~~11797~~ _____ City: _____ State: _____ Zip: _____

Agent Email: _____ Telephone: _____ (Fax) _____

Property Owner: Nardeep Dhaliwal / SMT Contact: _____

Owner Address: 11797 South Fwy, Suite 300 City: Buckleson State: Tx Zip: 76022

Owner Email: _____ Telephone: _____ (Fax) _____

REQUIRED

PROPERTY INFORMATION

Property Address: 1414 North Main St, Duncanville, TX 75116

Legal Description of Property: _____

Lot No. _____ Block No. _____ Acreage: _____ Existing Zoning District: _____

REQUIRED

REQUEST TYPE

☐ Specific Use Permit - Commercial

For _____

☐ Specific Use Permit - Residential

For _____

☒ Change in Zoning

From Commercial To Industrial

☐ Planned Development (PD)

☐ Amend PD Approval

☐ Development Plan Approval

☐ Conceptual Plan Approval

☐ Alternative Compliance Request

☐ Text Amendment

REQUIRED

SUBMITTAL DOCUMENTS

ALL ZONING REQUESTS MUST CONTAIN THE FOLLOWING DOCUMENTATION

☐ Completed application

☐ Application fee

☐ Property survey, or site plan or electronic copy of the metes and bounds legal description
Microsoft word format or plat

☐ Written description of request (associated variance requests require justification),
business statement or business plan with detailed description of proposed operation

☐ Electronic copies of all submittals via email

REQUIRED

Acknowledgments

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

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

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

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

[Signature]
Signature of Current Property Owner

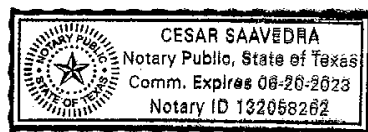
05/12/2023
Date

Notarization

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 12 day of May, 2023.

(Seal)



[Signature]
Notary Public in and for the State of Texas
My Commission Expires: 06-26-2023

SUBMITTAL CHECKLIST

Specific Use Permit - Commercial

Please check if applicable

YES N/A

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

Specific Use Permit - Residential

Please check if applicable

YES N/A

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

Planned Development

YES N/A

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

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

- | | | |
|--------------------------|--------------------------|--|
| ☐ | ☐ | Development Plan with proposed PD Conditions |
|--------------------------|--------------------------|--|

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

REQUIRED

Development Plan Submittal includes the following:

- ☐ ☐ Site plan
- ☐ ☐ Building Elevations
- ☐ ☐ Landscape plan
- ☐ ☐ Floor Plans
- ☐ ☐ Other _____

Amendment of Planned Development

YES N/A

- ☐ ☐ Written Letter with Detailed Description of proposed operation including list of proposed changes.
- ☐ ☐ Revised Development Plan

Development Plan

YES N/A

- ☐ ☐ Proposed PD Conditions
- ☐ ☐ Site plan
- ☐ ☐ Building Elevations
- ☐ ☐ Landscape Plan
- ☐ ☐ Floor Plans
- ☐ ☐ Other _____

Change of Zoning

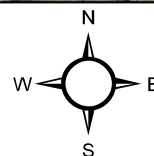
- ☐ ☐ Written Detailed Description of request including how the request considers the following factors:
 - Whether the proposed change of zoning change implements the policies of the adopted Comprehensive Plan
 - Whether the uses allowed by the proposed change will be appropriate in the immediate area concerned and their relationship to the general area and the City as a whole;
 - Whether the proposed change is in accordance with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area;
 - The amount of and development absorption (or redevelopment) rate of vacant or underutilized land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstance which may make a substantial part of such vacant land unavailable for development;
 - How other areas designated for similar development will be, or are unlikely to be, affected if the proposed amendment is approved, and whether such designation for other areas should be modified also; and any other factors which substantially affect the public health, safety, morals, or general welfare.

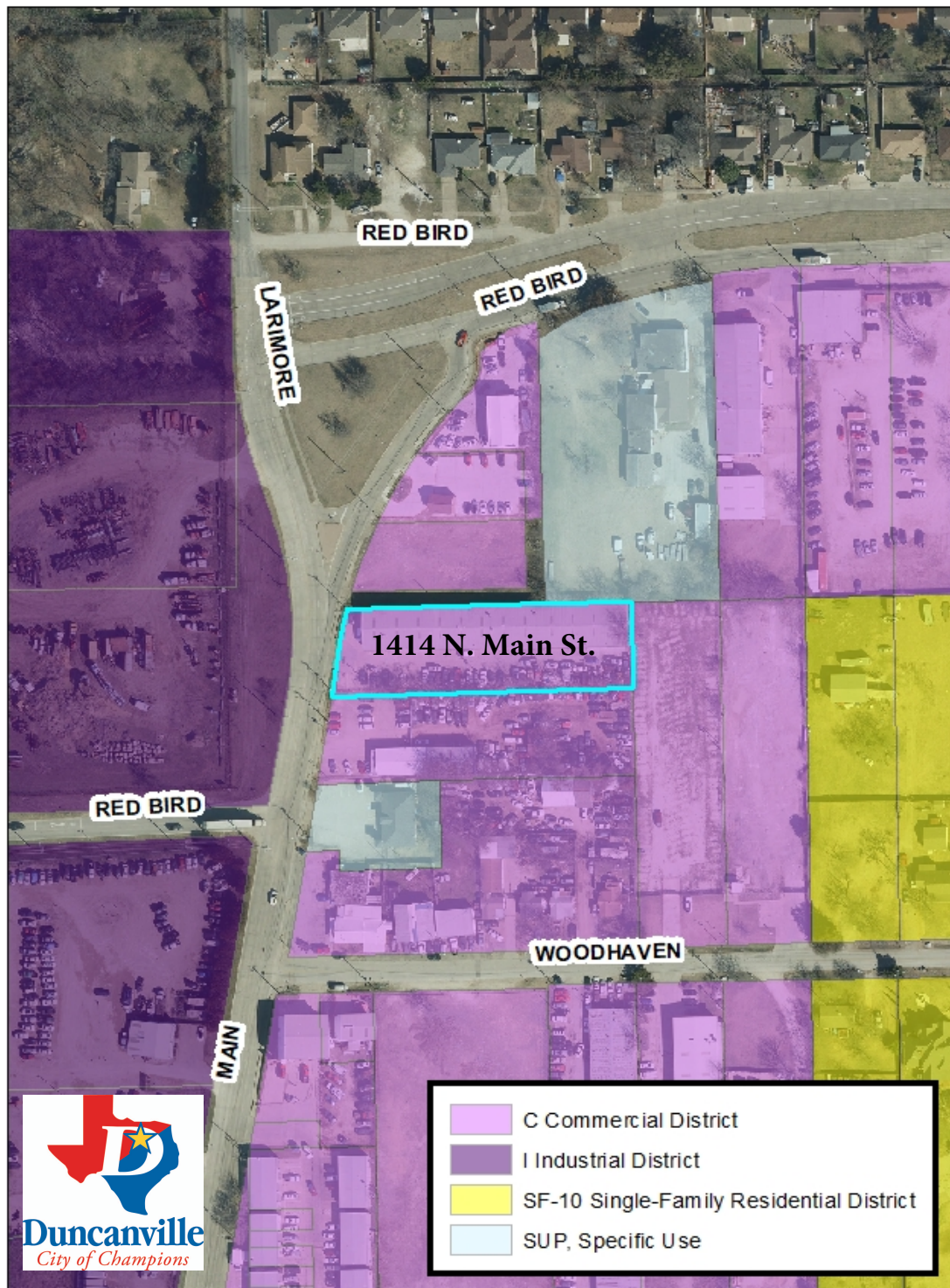
REQUIRED

Attachment 2

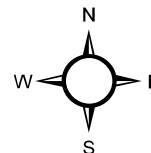


Request for Zoning
Change
Case 2023-20
1414 N. Main St.





Request for Zoning Change
Case 2023-20
1414 N. Main St.



Attachment 1

Advertise 1 time - By June 26

NOTICE OF A PUBLIC HEARING BEFORE THE
PLANNING AND ZONING COMMISSION AND CITY COUNCIL
ZONING FILE #2023-20

A public hearing will be held before the Planning and Zoning Commission on Monday, July 10, 2023, at 7:00 p.m., and before City Council on Tuesday, August 1, 2023, at 7:00 p.m., in the Council Chambers, City Hall, 203 E. Wheatland Rd, Duncanville, Texas, to hear a request of Navdeep Dhaliwal, Applicant, for a Zoning Change from C, Commercial District to I, Industrial District, on Woodhaven, Block 3, Lot 4, more commonly known as 1414 North Main Street, City of Duncanville, Dallas County, Texas.

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

CITY OF DUNCANVILLE
Kristin Downs
Interim City Secretary

Nathan Warren,
Senior Planner

ORDINANCE NO. 2489

AN ORDINANCE OF THE CITY OF DUNCANVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP, AS HERETOFORE AMENDED, BY AMENDING THE EXISTING C, COMMERCIAL DISTRICT TO I, INDUSTRIAL DISTRICT ON PROPERTY LOCATED ON BLOCK 3, LOT 4, WOODHAVEN, MORE COMMONLY KNOWN AS 1414 NORTH MAIN STREET, IN THE CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

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

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

SECTION 1. The Comprehensive Zoning Ordinance and Map of the City of Duncanville, Texas, as heretofore amended, be, and the same are hereby amended from C, Commercial District to I, Industrial District on Block 3, Lot 4, Woodhaven, more commonly known as 1414 North Main Street, in the City of Duncanville, Dallas County, Texas.

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

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

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

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

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

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

This ordinance shall be effective from and after the day of its passage as provided by law by the City Council of the City of Duncanville, Texas, on the 1st day of August, 2023.

APPROVED:

Barry L. Gordon, Mayor

ATTEST:

Kristin Downs, Interim City Secretary

APPROVED AS TO FORM:

Robert E. Hager, City Attorney



STAFF REPORT

MEETING: City Council - 01 Aug 2023

TITLE:

Receive the revised Fiscal Year 2022-2023 First Quarter Investment Report as of December 31, 2022.

Vision Statement:

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

Pillar:

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

STAFF RESPONSIBLE:

Dennis Baldwin, Interim Financial Manager
Denise Hickman, Controller

BACKGROUND/HISTORY:

The revision to the December 31, 2022, Investment Report is to merely reflect the delineation in the use of a money market fund (MMF) as of October 1, 2022, managed by Allspring Global Investments™. Allspring is a SEC registered investment advisor and a wholly owned subsidiary indirectly owned by certain private funds of GTCR LLC and Reverence Capital Partners, LP.

The funds managed by Allspring was initially listed in the original December 2022 Investment report as Wells Fargo Bank DDA. This revised report does not change the total balances on the original December 31, 2022, report.

POLICY EXPLANATION:

PFIA (Public Funds Investment Act) recommends quarterly investment reports are provided to the governing body. This report will cover investment and interest earnings activity for the first quarter of FY 2023. All investments must comply with the PFIA requirements and guidelines.

FUNDING SOURCE:

ORG and Object Number

n/a

Available Budget

n/a

Purchase Amount

n/a

After Encumber

n/a

ACTION ALTERNATIVES:

There is no City Council action required.



STAFF REPORT

MEETING: City Council - 01 Aug 2023

TITLE:

Receive the Fiscal Year 2022-2023 Second Quarter Investment Report as of March 31, 2023.

Vision Statement:

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

Pillar:

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

STAFF RESPONSIBLE:

Dennis Baldwin, Interim Fiscal

BACKGROUND/HISTORY:

The investment balance on December 31, 2022, was \$78,113,298 with an ending balance in March 31, 2023 of \$85,572,099. The portfolio increased by \$7,458,801 as CDs matured and expenditures increased for City goods and services.

The LOGIC government investment pool's yield grew by 49 basis points (from 4.33% to 4.82%) during the period. As a reminder, 100 basis points equates to 1%. The interest rates are rising and creating opportunities to invest at higher rates. The LOGIC pool rates, as demonstrated on page 3 of the attached investment report, are higher than our earnings credit rate applied to the City's Wells Fargo account and the CD interest rates earned with average of 4.18%.

The City's average rate of return increased to 4.47% during this period. All CDs and Money Market investments are fully secured at a minimum of 100% of principal by pledged collateral. Letters of Credit held the Federal Home Loan Bank and FDIC insurance currently at \$250,000 per institution.

Overall, Duncanville's investment interest earnings totaled \$838,578 for the quarter ended March 31, 2023. Strategies to diversify and ladder the portfolio continue to be utilized as interest rates rise in marketplace.

POLICY EXPLANATION:

PFIA (Public Funds Investment Act) recommends quarterly investment reports be provided to the governing body. This report will cover the Fiscal Year 2023's second-quarter investment activity and interest earnings. The City of Duncanville Investment Report will cover beginning and ending investment balances and summarize investment activity from January 2023 through March 2023. All investments must comply with PFIA requirements and guidelines.

FUNDING SOURCE:

ORG and Object Number

n/a

Available Budget

n/a

Purchase Amount

n/a

After Encumber

n/a

ACTION ALTERNATIVES:

There is no City Council action required.



STAFF REPORT

MEETING: City Council - 01 Aug 2023

TITLE:

City Council to receive an update on the Annual Comprehensive Financial Report (ACFR) for Fiscal Year 2022

Vision Statement:

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

Pillar:

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

STAFF RESPONSIBLE:

Dennis Baldwin, Finance Director (Interim)

BACKGROUND/HISTORY:

The City of Duncanville is undergoing an annually required independent audit of its financial statements by McConnel & Jones for fiscal year 2022. The purpose of this audit is to ensure compliance with accounting requirements established by the Governmental Accounting Standards Board (GASB). The financial statements, including the auditor's opinion, are integral to the Annual Comprehensive Financial Report (ACFR). Once completed, the ACFR and auditor's opinion must be filed with the City Secretary within 180 days after the last day of the fiscal year (Texas Local Government Code Sec. 103.003). Although the City is required to make the aforementioned filing within 180 days of fiscal year end, this action has not occurred.

POLICY EXPLANATION:

City staff is working with the independent auditors from McConnel & Jones to address the remaining issues, so they can complete the fiscal year 2022 audit. Once completed, the Annual Comprehensive Financial Report will be presented to the governing body and then filed with the City Secretary. These actions will bring the City of Duncanville into compliance with the Texas Local Government Code Sec. 103.003, albeit beyond the 180-day limit.

FUNDING SOURCE:

ORG and Object Number

N/A

Available Budget

N/A

Purchase Amount

N/A

After Encumber

N/A

ACTION ALTERNATIVES:

1. Discuss the ACFR update.
2. Provide feedback on the ACFR update.
3. Other actions as directed by Council.