Duncanville City Council Meeting Agenda

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

Tuesday, August 3, 2021
6:00 P.M. - Work Session/Briefing
7:00 P.M. - Regular Session
or immediately following the 6:00 pm Work Session/Briefing

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

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

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

SUPPLEMENTAL NOTICE OF MEETING BY VIDEO CONFERENCE

In accordance with an Order of the Office of the Governor issued on March 16, 2020, as extended, the City Council for the City of Duncanville, Texas will conduct a City Council Regular Meeting in person and by video conference at 6:00 pm on Tuesday, August 3, 2021, in order to advance the public health goal of limiting face-to-face meetings (also called "social distancing") in an effort to slow the spread of the Coronavirus (COVID-19) pandemic.

This is an open meeting conducted by in person and video conference.

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

To speak during Citizen Comments, you must register with the City Secretary before 4pm on Tuesday, August 3, 2021, email citysecretary@duncanville.com and title the email "Public Comment – August 3rd". You will need to register with the link below and attend the meeting. During the Citizen Comments period of the agenda, the City Secretary will call your name and allow access to your camera and microphone for you to provide your comments. Feel free to email your comment to the City Secretary for the Mayor to read into the record for any unexpected technological issues that may arise.

Register in advance for this webinar:

https://us02web.zoom.us/webinar/register/WN_KzZk3yVET3igogrrmSL5-g

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

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

WORK SESSION / BRIEFING

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

1. DISCUSS AGENDA ITEMS

2. BRIEFINGS / PRESENTATIONS

A. Discuss overflow parking on unimproved surfaces for the Duncanville Fieldhouse on two portions within the City's property located at 1730 South Main Street, and 275 East US Highway 67. 6 - 7

Fieldhouse - Overflow Parking

B. Presentation and Discussion of the City Manager's Fiscal Year 2021-2022 Proposed Budget.

EXECUTIVE SESSION

1. "City Council shall convene into closed executive session pursuant to Section 551.071 of the Texas Govt Code to seek legal advice from the City Attorney regarding pending litigation to wit:

    1. City of Duncanville v. EON Reality, Cause No. DC-21-00095 filed in the District Court 134th Judicial District Dallas, Texas.
    2. City of Duncanville v. Tommy Winn, et al, Cause No. CC-21-00211 in the County Court of Law #5 of Dallas County Texas."

REGULAR SESSION - CONVENE INTO THE COUNCIL CHAMBERS (7:00 P.M. OR IMMEDIATELY FOLLOWING THE 6:00 PM WORK SESSION/BRIEFING)

CALL TO ORDER
INVOCATION
PLEDGES - PLEDGE OF ALLEGIANCE; TEXAS PLEDGE OF ALLEGIANCE

1. REPORTS

A. Mayor's Report.

B. Councilmembers' Reports

C. City Manager's Report.

2. PROCLAMATIONS AND PRESENTATIONS

A. Presentation of the Keep Duncanville Beautiful August 2021 Business Beautification Award Plaque and Proclamation to Jaynes Memorial Chapel located at 811 S. Cockrell Hill Road. 8 - 11

August 2021 Business Beautification Award - Jaynes Memorial Chapel

B. Proclamation recognizing September 17-23, 2021 as Constitution Week. 12 - 13

Proclamation - Constitution Week

3. CITIZENS' INPUT

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

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

To speak in person or by video conference during Citizen Comments, you must register with the City Secretary before 4pm on Tuesday, August 3, 2021, email citysecretary@duncanville.com and title the email "Public Comment – August 3rd. You will need to register with the link below and attend the meeting by video conference. During the Citizen Comments period of the agenda, the City Secretary will call your name and allow attendance in person access to your camera and microphone for you to provide your comments. Feel free to email your comment to the City Secretary for the Mayor to read into the record for any unexpected technological issues that may arise or unable to attend in person.

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

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 a Resolution approving the terms and conditions of a right-of-way (ROW) license agreement with Roderick Lee, property owner at 902 Cambridge Drive, for use of City right-of-way to construct and maintain a private residential fence. Roderick Lee - 902 Cambridge Drive	14 - 30
B.	Consider a Resolution approving a $26,409.00 Hotel Occupancy Tax Grant for the FY 20-21 Budget to ALW Entertainment to directly enhance and promote tourism and the hotel industry. ALW Entertainment	31 - 45
C.	Consider a Resolution authorizing an increase to purchase agreement for providing foodservice products for the Duncanville Fieldhouse in the amount of $50,000.00 for a new annual amount not to exceed $100,000.00 with Ben E. Keith. Ben E. Keith	46 - 48
D.	Consider a Resolution modifying the board make-up of the Tri-City Animal Shelter Advisory Committee. Modifying the Make-up of the Tri-City Animal Shelter Board	49 - 55

5. ITEMS FOR INDIVIDUAL CONSIDERATION

A. Conduct a Public Hearing (2021-17) for consideration and action regarding the request of James Wilkins, Applicant and Owner, to include a Specific Use Permit “SUP” for Bed and Breakfast on J.H. Spruce Survey, Abstract No. 1297, Page 50, City of Duncanville, Dallas County, Texas, approximately 0.51 acre, more commonly known as 415 Hustead Street. 56 - 80

1187 Specific Use Permit for Bed and Breakfast

B. Conduct a Public Hearing (2021-09) and consider approval regarding the request of Roland Ako, representing Italy Family Pharmacy, Inc, Owner and Applicant, to include a Specific Use Permit “SUP” to allow the use of Drive-Thru on Hopco Wedge, Tract 1, City of Duncanville, Dallas County, Texas, approximately 1.710 Acres, more commonly known as 102 E Danieldale Road. 81 - 112

1185 Italy Family Pharmacy

C. Conduct a Public Hearing (2021-18) for consideration and action regarding the request of William Self, Applicant and Owner, to include a Specific Use Permit “SUP” for Carport on Town and Country Estates Rep, Block A, Lot 26, approximately 0.21 acre, City of Duncanville, Dallas County, Texas, more commonly known as 710 Timber Trail. 113 - 136

1188 SUP for Carport

D. Conduct a Public Hearing (2021-10) for consideration and action regarding the request of Julius Okunola, representing the Redeemers Christian Church of God Victory House, Owner and Applicant, for a Planned Development "PD" to allow for an Event Center with modified standards on Shekinah Glory Addition, Block A, Lot 1, approximately 3.910 acres, more commonly known as 515 W Center Street, City of Duncanville, Dallas County, Texas. 137 - 167

Redeemers - Christian Church of God

E. Consider a Resolution to establish Juneteenth as a holiday in the City of Duncanville 168 - 180

Holiday Leave to include the Juneteenth holiday

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

6. STAFF AND BOARD REPORTS

A. Receive the Parks & Recreation Quarterly Report.

B. Receive the Fieldhouse Quarterly Report.

C. Receive the Monthly Financial Report as of June 30, 2021. 181 - 200

Monthly Financial Report - June 30, 2021

D. Receive the Fiscal Year 2021 Third Quarter Investment Report as of June 30, 2021. 201 - 214

Third Quarter Investment Report - June 30, 2021

ADJOURNMENT

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted in accordance with the regulations of the Texas Open Meetings Act on the bulletin board located at the entrance to the City of Duncanville City Hall, a place convenient and readily accessible to the general public, as well as to the City's website www.duncanville.com and said Notice was posted on the following date and time: **Friday, July 30, 2021 at 6:00 P.M.** and remained posted for at least two hours after said meeting was convened.

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

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

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

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

STAFF REPORT

MEETING: City Council - 03 Aug 2021

TITLE:
Discuss overflow parking on unimproved surfaces for the Duncanville Fieldhouse on two portions within the City's property located at 1730 South Main Street, and 275 East US Highway 67.

FY 2019 CITY COUNCIL ORGANIZATIONAL WORKPLAN:

- **5. Grow Duncanville (Culture, Sports, Technology)**

STAFF RESPONSIBLE:
Bart Stevenson, Director of Parks and Recreation
Bryan G. Ramey II, P.E., Public Works Director

BACKGROUND/HISTORY:
The City owns the unimproved portions of the Duncanville Fieldhouse property at the northeast corner of Main Street and US Highway 67. These unimproved portions have been historically utilized by visitors of the Fieldhouse for parking during large events since the opening of the Bob Knight Fieldhouse in 2010. Unless there are concerns from the City Council, staff plans to upgrade the unimproved surface from grass/dirt to gravel or millings harvested from previous mill and overlay projects within the Public Works Department. These improvements will be accomplished with in-house personnel and equipment at no added cost to the City. The millings will provide a more uniform driving surface and mitigate mud and rutting issues during rain events. Additionally, it will eliminate any concerns of possible fires caused by parking on grassy areas.

The vacant, unimproved parking areas will accommodate approximately 75-100 vehicles for both locations. The on-site parking attendants will assist our visitors in parking efficiently to get the most utilization of both areas. This request is similar to the Parking License and Paving Agreement already in place with Crossroads of Life Assembly of God Church for the use of their property for overflow parking that was approved by the City Council in 2016. That lot is comprised of compacted gravel similar to the surfacing that will be utilized on the Fieldhouse property.

POLICY EXPLANATION:
The Fieldhouse property is owned by the City therefore a formal Parking license is not required; however, staff wants to ensure the City Council is aware and concurs of the proposed improvements.

FUNDING SOURCE:
N/A

Contract Log #:
N/A

RECOMMENDATION:
Staff recommends moving forward with the improvements to the overflow parking areas at the Duncanville Fieldhouse.

STAFF REPORT

MEETING: City Council - 03 Aug 2021

TITLE:
Presentation of the Keep Duncanville Beautiful August 2021 Business Beautification Award Plaque and Proclamation to Jaynes Memorial Chapel located at 811 S. Cockrell Hill Road.

FY 2019 CITY COUNCIL ORGANIZATIONAL WORKPLAN:

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

STAFF RESPONSIBLE:
Timothy Hamilton, Parks Superintendent/KDB Staff Liaison

BACKGROUND/HISTORY:
The Keep Duncanville Beautiful (KDB) Board members are charged with the responsibility of creating and implementing programs that will encourage beautification within Duncanville. The Business Beautification Award was designed to fill this goal for commercial property recognition. The KDB Board has nominated the Jaynes Memorial Chapel located at 811 S. Cockrell Hill Road as the August 2021 Business Beautification Award recipient.

POLICY EXPLANATION:
Up to one commercial building in Duncanville is recognized each quarter for significant improvements to the exterior portion of a building, landscape improvements, and/or long-term maintenance of the commercial property that exemplifies high quality standards. Award recipients receive recognition at a regular City Council meeting; an article in the City newsletter, the Champion; and a sign to display at their place of business for the month.

The Keep Duncanville Beautiful (KDB) Board nominates the Business Beautification Award. The property must be in good standing with the City's Code Enforcement and Building Inspections Departments.

The KDB Board follows the criteria identified below:

- Property must be retail/professional office/commercial/industrial or other business use.
- Property must be located within the city limits of Duncanville, Texas.
- Significant exterior improvements and/or superior maintenance of the property must be made to the property, or the property is new construction.

Improvements can include new landscaping, repainting a building, paving a parking lot, adding awnings, new signage, etc.

FUNDING SOURCE:
Funds are allocated in the Economic Development/Keep Duncanville Beautiful budget for related expenditures; however, if the recipient is a non-profit the funds are allocated in the Parks budget.

Contract Log #:
N/A

RECOMMENDATION:
N/A

ATTACHMENTS:
Attachment 1 - Jaynes Memorial Chapel
Attachment 2 - Proclamation - Jaynes Memorial Chapel

Jaynes
Memorial
Chapel

OFFICE OF THE MAYOR

Duncanville
City of Champions

Proclamation

WHEREAS, the City of Duncanville is committed to improving the physical quality of community life; and

WHEREAS, the *Keep Duncanville Beautiful Board* was established to promote this commitment; and

WHEREAS, the mission of the *Keep Duncanville Beautiful Board* is to empower Duncanville citizens and businesses to take responsibility for enhancing their community environment; and

WHEREAS, each quarter the *Keep Duncanville Beautiful Board* recognizes one commercial property within the City for significant improvements to the exterior portion of the property, landscape improvements, and/or long-term maintenance of the property that exemplifies high quality standards; and

WHEREAS, the Jaynes Memorial Chapel located at 811 S. Cockrell Hill Road has been selected as the Business Beautification Award recipient for August 2021.

NOW, THEREFORE, I, Barry L. Gordon, Mayor of the City of Duncanville, Texas, do hereby urge all residents to join me in congratulating the Jaynes Memorial Chapel located at 811 S. Cockrell Hill Road and commending this business for contributing to the beautification of our City.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Duncanville, Texas to be affixed this 3rd day of August, 2021.

Mayor, The City of Duncanville

Duncanville
City of Champions

STAFF REPORT

MEETING: City Council - 03 Aug 2021

TITLE:
Proclamation recognizing September 17-23, 2021 as Constitution Week.

FY 2019 CITY COUNCIL ORGANIZATIONAL WORKPLAN:

- **N/A**
  - **Goal: N/A**

STAFF RESPONSIBLE:
Kristin Downs, City Secretary

BACKGROUND/HISTORY:
September 17, 2021, marks the two hundred and thirty-fourth anniversary of the drafting of the Constitution of the United States of American by the Constitutional Convention.

POLICY EXPLANATION:
Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week.

FUNDING SOURCE:
N/A

Contract Log #:
N/A

RECOMMENDATION:
N/A

ATTACHMENTS:
Proclamation - Constitution Week 2021

OFFICE OF THE MAYOR

Duncanville
City of Champions

Proclamation

WHEREAS, September 17, 2021, marks the two hundred and thirty-fourth anniversary of the drafting of the Constitution of the United States of American by the Constitutional Convention; and

WHEREAS, It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week.

NOW, THEREFORE, I, Barry L. Gordon, Mayor of the City of Duncanville, Texas do hereby proclaim the week of September 17 through 23 as

CONSTITUTION WEEK

in the City of Duncanville and ask our citizens to reaffirm the ideals of the Framers of the constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Duncanville, Texas to be affixed this 3rd day of August, 2021.

Mayor, The City of Duncanville

STAFF REPORT

MEETING: City Council - 03 Aug 2021

TITLE:
Consider a Resolution approving the terms and conditions of a right-of-way (ROW) license agreement with Roderick Lee, property owner at 902 Cambridge Drive, for use of City right-of-way to construct and maintain a private residential fence.

FY 2019 CITY COUNCIL ORGANIZATIONAL WORKPLAN:

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

STAFF RESPONSIBLE:
Bryan G. Ramey, II, P.E., Director of Public Works
Skye Thibodeaux, AICP, City Planner

BACKGROUND/HISTORY:
Back in April 2021, the existing brick-CMU wall located along the western portion of Mr. Roderick Lee's property, owner of 902 Cambridge Drive, was struck by a vehicle causing significant damage. Upon submitting for both a Demolition Permit to remove the damaged wall along with a Building Permit to construct a replacement 6' wrought iron fence with the City, it was discovered that a portion of the damaged wall is actually located in the City's Cockrell Hill Road right-of-way (ROW). In order for Mr. Lee to be allowed to reconstruct the 6' wrought iron fence along with assuring its maintenance within the Cockrell Hill Road ROW, a valid ROW license agreement must be executed and maintained between the property owner and the City.

The agreement serves to provide authorization and license to place and maintain, subject to certain limitations, improvements within the easements and/or right-of-way and/or property. Plans and specifications for all such improvements must be approved by the city prior to commencement of construction.

Should any installation, reinstallation, relocation or repair of any existing or future utility or improvements owned by, constructed by or on behalf of the public or at public expense be made more costly due to the construction, maintenance, or existence of the encroachment and use, the applicant shall pay the city such additional cost as reasonably determined by the City.

The ROW license agreement shall be perpetual; however, it shall terminate upon the noncompliance of any of the terms of the agreement by the applicant with a 30-day written notice by the City. The plat of record showing the proposed ROW area is attached as Exhibit "A" to the ROW license agreement.

POLICY EXPLANATION:

City Council approval is required to implement the license agreement to allow the property owner to use the City's right-of-way for private purposes. By entering into this agreement, the city is following the goal of maximizing city and community resources to improve quality of life in a sustainable manner.

FUNDING SOURCE:
N/A

Contract Log #:
NA

RECOMMENDATION:
Staff recommends approval of a resolution approving the terms and conditions of a perpetual ROW license agreement with Roderick Lee, for use of City right-of-way to install and maintain a private residential fence at 902 Cambridge Drive.

ATTACHMENTS:
Attachment 1 - Aerial Map
Attachment 2 - Resolution 2021-043 and ROW License Agreement

ATTACHMENT 1

AERIAL VIEW
ROW LICENSE AGREEMENT
902 CAMBRIDGE DR

RESOLUTION NO. 2021-043

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF A PERPETUAL LICENSE AGREEMENT TO PLACE AND MAINTAIN, SUBJECT TO THE LIMITATIONS CONTAINED IN THE AGREEMENT, IMPROVEMENTS WITHIN THE EASEMENTS AND/OR RIGHT-OF-WAY AND/OR PROPERTY AS DEPICTED ON THE SITE PLAN, WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT "A", WITH RODERICK LEE, PROPERTY OWNER OF 902 CAMBRIDGE DRIVE, CITY OF DUNCANVILLE, TEXAS; AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Duncanville is the owner of the public right-of-way adjacent to the Roderick Lee property, more commonly known as 902 Cambridge Drive; and

WHEREAS, Roderick Lee desires to construct and maintain a private residential fence within said right-of-way adjacent to 902 Cambridge Drive; and

WHEREAS, such fence will encroach upon such right-of-way; and

WHEREAS, Roderick Lee has requested the City of Duncanville to allow such encroachments; and

WHEREAS, the City of Duncanville City Council desires to allow such encroachments to benefit the citizens of Duncanville.

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

SECTION 1. The City Council hereby authorizes, approves, and accepts the terms and conditions of a perpetual license agreement to place and maintain, subject to the limitations contained in the agreement, improvements within the right-of-way, with Roderick Lee; authorizing the City Manager to execute the necessary documents; and, providing for an effective date.

SECTION 2. That the City Council of the City of Duncanville hereby authorizes the City Manager to execute the necessary documents to conform to this Resolution as appropriate.

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

DULY RESOLVED AND ADOPTED by the City Council of the City of Duncanville, Texas, on the 20th day of July 2021.

CITY OF DUNCANVILLE, TEXAS

APPROVED:

_____
Barry L. Gordon, Mayor

ATTEST:

_____
Kristin Downs, City Secretary

APPROVED AS TO FORM:

_____
Robert E. Hager, City Attorney

STATE OF TEXAS §
§
§
COUNTY OF DALLAS §

LICENSE AGREEMENT FOR USE OF CITY OF DUNCANVILLE RIGHT OF WAY

This **LICENSE AGREEMENT** ("License") is by and between the City of Duncanville, Texas, ("Licensor") and Roderick Lee ("Licensee") (each a "Party" or collectively the "Parties") acting by and through their respective authorized representatives.

RECITALS

WHEREAS, the City is the owner of the Right of Way adjacent to the Licensee's property, more commonly known as 902 Cambridge Drive, situated in Duncanville, Dallas County, Texas, as depicted on the site plan, which is attached hereto and incorporated herein as Exhibit "A", an addition to Duncanville (hereinafter called the **"Property"**); and

WHEREAS, Licensee desires to reconstruct and maintain a private residential fence (**"Improvements"**) within the City Right of Way (hereinafter defined); and

WHEREAS, Licensor desires to consent to Licensee to construct the Improvements within the City Right of Way subject to certain provisions and conditions contained herein:

NOW, THEREFORE, subject to the provisions and conditions set forth herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

AGREEMENT

Section 1: Definitions

"City Code" shall mean the City of Duncanville, Texas Code of Ordinances, as amended.

"City Right of Way" shall mean the public street or alley owned by Licensor shown on the Site Plan in which Licensee desires to construct the Improvements, pursuant to this License.

"Effective Date" shall mean the date this License is signed by authorized representatives of both Parties.

"Improvements" shall mean a private residential fence, constructed of metal and as depicted in the Site Plan, attached hereto as Exhibit A.

"Site Plan" shall mean that certain drawing attached hereto as **Exhibit "A"** identifying the City Right of Way and the Property.

Section 2: Non-Exclusive License Granted; Term

2.1 Grant. Licensor hereby grants to Licensee a temporary non-exclusive, revocable license to construct and maintain the Improvements on the City Right-of-Way at the location shown on the Site Plan.

2.2 Term. The Term of this Agreement is perpetual; provided, however, this Agreement may be terminated as provided herein.

2.3 Termination. This License may be terminated by either Party by providing the other Party ninety (90) days prior written notice thereof; provided; however, Licensor, may terminate this License immediately upon delivery of written notice of termination to Licensee if Licensee is determined by Licensor to not be in compliance with applicable state, federal or local law. In the event of termination of this License, Licensee may be directed by the City to remove the Improvements and restore the City Right of Way to substantially its condition prior to Licensee's use of the City Right of Way.

This Agreement shall automatically terminate upon the removal of the Improvements form the Right-of-Way for more than three (3) consecutive months.

If Licensor determines in its sole discretion and upon reasonable engineering standards that the Private Improvements pose a hazard to the public or may interfere or impede traffic safety in any way, the Improvements, at the sole cost of Licensee, must be modified, relocated, or removed upon written notice from City, and this Agreement shall terminate.

Section 3. Licensor's Continued Right to Use City Right of Way

Licensee understands, acknowledges, and agrees that by grant of this License, Licensor does not impair or relinquish Licensor's right to use the City Right of Way for any other purpose, nor shall use of the City Right of Way by Licensee under this License ever be construed as abandonment by Licensor of the City Right of Way. Licensee further understands, acknowledges, and agrees that Licensor does not grant or convey or purport to grant or convey any real property interest in the City Right of Way but merely consents to such use by Licensee to the extent Licensor's authority and title permits.

Section 4. Use Subject to City's Approval and Use

The design and material of the Improvements shall be subject to the City's written approval. No changes shall be made to the ROW area which is the subject of this License until the written approval has been issued by the City.

Licensee understands, acknowledges, and agrees that Licensee's use of the City Right of Way for construction and maintenance of the Improvements pursuant to this License shall at all times be subject to and in compliance with the provisions of the City Code, as amended or succeeded, which provisions are incorporated herein by reference as if set out here in full. This shall include, but

not be limited to, the requirement for Licensee to obtain necessary approvals and permits for any and all improvements made to the Right of Way.

If City determines, in its sole discretion, that in order for City to repair, replace, maintain, or alter the Right-of-Way or City's property or facilities located on, over, or beneath the Right-of-Way, including the widening of any street or relocation of related curbs and/or sidewalks, and that it is reasonably necessary for Licensee to alter, relocate, or remove the Private Improvements within or from the Right-of-Way as the result of City's actions, Licensee shall solely bear the cost of repairing, replacing, or otherwise reconstructing any portion of the Private Improvements that may need to be relocated, altered, or removed by Licensee, with such relocations being at a place required by City.

Section 5. Non-Waiver of Immunity; Rights of Third Parties

5.1 Licensee Not Agent of City: Licensee acknowledges that it is not an agent, servant or employee of City, and that it is responsible for its own acts and deeds and for those of its agents or employees during the performance of work on the City Right of Way.

5.2 No Waiver of Immunity: Licensor does not, by execution of this License, waive, relinquish, limit or condition its right to avoid any liability hereunder by claiming its governmental immunity.

Section 6. Indemnification; Insurance

6.1 Indemnification: LICENSEE AGREES TO PROMPTLY DEFEND, INDEMNIFY AND HOLD LICENSOR, ITS OFFICERS, AGENTS AND EMPLOYEES (COLLECTIVELY THE "LICENSOR") HARMLESS FROM AND AGAINST ALL DAMAGES, COSTS, LOSSES, AND EXPENSES, INCLUDING REASONABLE ATTORNEYS' FEES FOR THE REPAIR, REPLACEMENT, OR RESTORATION OF THE CITY RIGHT-OF-WAY, THE LICENSOR'S PROPERTY, EQUIPMENT, MATERIALS, STRUCTURES AND FACILITIES WHICH ARE DAMAGED, DESTROYED OR FOUND TO BE DEFECTIVE AS A RESULT OF THE ACTS OR OMISSIONS OF LICENSEE, ITS OFFICERS, DIRECTORS, EMPLOYEES, AGENTS CONTRACTORS, SUBCONTRACTORS, TENANTS, PARTNERS, OR MEMBERS. THIS INDEMNITY PROVISION SHALL NOT APPLY TO ANY LIABILITY RESULTING FROM THE SOLE NEGLIGENCE OF THE LICENSOR, ITS OFFICERS, EMPLOYEES, AGENTS, CONTRACTORS, OR SUBCONTRACTORS.

THE LICENSOR SHALL NOT BE LIABLE FOR ANY LOSS, DAMAGE, OR INJURY OF ANY KIND OR CHARACTER TO ANY PERSON OR PROPERTY ARISING FROM THE ACTS OR OMISSIONS OF THE LICENSEE PURSUANT TO THIS AGREEMENT. THE LICENSEE HEREBY WAIVES ALL CLAIMS AGAINST LICENSOR, ITS OFFICERS, AGENTS AND EMPLOYEES (COLLECTIVELY REFERRED TO IN THIS SECTION AS "LICENSOR") FOR DAMAGE TO ANY PROPERTY OR INJURY TO, OR DEATH OF, ANY PERSON ARISING AT ANY TIME AND FROM ANY CAUSE OTHER THAN THE SOLE NEGLIGENCE OR WILLFUL MISCONDUCT OF LICENSOR. THE LICENSEE

DOES HEREBY INDEMNIFY AND SAVE HARMLESS THE LICENSOR FROM AND AGAINST ANY AND ALL LIABILITIES, DAMAGES, CLAIMS, SUITS, COSTS (INCLUDING COURT COSTS, ATTORNEYS' FEES AND COSTS OF INVESTIGATION) AND ACTIONS OF ANY KIND BY REASON OF INJURY TO OR DEATH OF ANY PERSON OR DAMAGE TO OR LOSS OF PROPERTY ARISING FROM THE LICENSEE'S BREACH OF ANY OF THE TERMS AND CONDITIONS OF THIS AGREEMENT, OR BY REASON OF ANY ACT OR OMISSION ON THE PART OF THE LICENSEE, ITS OFFICERS, DIRECTORS, SERVANTS, AGENTS, EMPLOYEES, REPRESENTATIVES, CONTRACTORS, SUBCONTRACTORS, LICENSEES, SUCCESSORS OR PERMITTED ASSIGNS IN THE PERFORMANCE OF THIS LICENSE, (EXCEPT WHEN SUCH LIABILITY, CLAIMS, SUITS, COSTS, INJURIES, DEATHS OR DAMAGES ARISE FROM OR ARE ATTRIBUTED TO THE SOLE NEGLIGENCE OR WILLFUL ACT OF THE LICENSOR). IN THE EVENT OF JOINT OR CONCURRENT NEGLIGENCE OF BOTH THE LICENSOR AND LICENSEE, THE RESPONSIBILITY, IF ANY, SHALL BE APPORTIONED COMPARATIVELY IN ACCORDANCE WITH THE LAWS OF THE STATE OF TEXAS, WITHOUT, HOWEVER, WAIVING ANY GOVERNMENTAL IMMUNITY AVAILABLE TO THE LICENSOR AND WITHOUT WAIVING ANY DEFENSES OF THE PARTIES UNDER TEXAS LAW. IF ANY ACTION OR PROCEEDING SHALL BE BROUGHT BY OR AGAINST LICENSOR IN CONNECTION WITH ANY SUCH LIABILITY OR CLAIM, THE LICENSEE SHALL BE REQUIRED, ON NOTICE FROM LICENSOR, TO DEFEND SUCH ACTION OR PROCEEDINGS AT THE LICENSEE'S EXPENSE, BY OR THROUGH ATTORNEYS REASONABLY SATISFACTORY TO THE LICENSOR. THE PROVISIONS OF THIS SECTION ARE SOLELY FOR THE BENEFIT OF THE PARTIES HERETO AND NOT INTENDED TO CREATE OR GRANT ANY RIGHTS, CONTRACTUAL OR OTHERWISE, TO ANY OTHER PERSON OR ENTITY.

6.2 Insurance: The Licensee shall obtain and maintain in full force and effect at its expense, or shall cause each Contractor to obtain and maintain at their expense, the following policies of insurance and coverage:

(a) Commercial General Liability Policy covering bodily injury, death and property damage, including the property of the Licensor, its officers, contractors agents and employees (collectively referred to as the "Licensor") insuring against all claims, demands or actions relating to the work and services provided pursuant to this Agreement with minimum limits on a per project basis of not less than One Million Dollars ($1,000,000) combined single limit and Two Million Dollars ($2,000,000) aggregate, including products and completed operations coverage. This policy shall be primary to any policy or policies carried by or available to the Licensor.

(b) Workers' Compensation/Employer's Liability Insurance Policy in full accordance with the statutory requirements of the State of Texas and shall include bodily injury, occupational illness or disease coverage with minimum Employer's Liability limits of not less than $500,000/$500,000/$500,000.

(c) Automobile Liability Insurance Policy covering all operations of the Licensee pursuant to this Agreement involving the use of motor vehicles, including all owned, non-owned

and hired vehicles with minimum limits of not less than One Million Dollars ($1,000,000) combined single limit for bodily injury, death and property damage liability.

(d) Excess Liability Insurance Policy with a limit of not less than $10,000,000. Such insurance shall be in excess of the commercial general liability insurance, business auto liability insurance and employers' liability insurance. This insurance will apply as primary insurance with respect to any other insurance or self-insurance programs maintained by the Licensor and shall be provided on a "following form basis". Continuing commercial umbrella coverage, if any, shall include liability coverage for damage to the Contractor's completed work, including its sub-contractors, consultants and employees.

(e) Property/Builders Risk Insurance Policy with "all-risk" coverage on the entire Project construction value with replacement cost basis to include the interest of the Licensor, Licensee, its contractors and sub-contractors in the Project work and materials in transit and stored off the Project site destined for incorporation.

(f) Professional Liability Insurance (if applicable) with limit of not less than $2,000,000 for all negligent acts, errors, and omissions by the Contractor, its sub-contractors, consultants and employees, that arise out of the performance of this Agreement.

(g) Waiver of Subrogation Rights. The Commercial General Liability, Worker's Compensation, Business Auto and Excess Liability insurance required pursuant to this Agreement shall provide for waivers of all rights of subrogation against the Licensor.

(h) Additional Insured Status. With the exception of Worker's Compensation Insurance and any Contractor Professional Liability Insurance, all insurance required pursuant to this Agreement shall include and name the Licensor as additional insureds using Additional Insured Endorsements that provide the most comprehensive coverage to the Licensor under Texas law including products/completed operations. The Additional Insured status for the Licensor shall remain in force and effect for a minimum of four (4) years following abandonment or completion of the work and services provided pursuant to this Agreement and the termination of this Agreement.

(i) Certificates of Insurance. Certificates of Insurance and policy endorsements in a form satisfactory to Licensor shall be delivered to Licensor prior to the commencement of any work or services under this Agreement and annually for a minimum of four (4) years following termination of this Agreement, abandonment or completion of Project work. All required policies shall be endorsed to provide the Licensor with thirty (30) days advance notice of cancellation or material change in coverage.

(j) On every date of renewal of the required insurance policies, the Licensee shall cause (and cause its Contractors) a Certificate of Insurance and policy endorsements to be issued evidencing the required insurance herein and delivered to the Licensor. In addition, the Licensee shall, within ten (10) business days after written request, provide the Licensor with Certificates of Insurance and policy endorsements for the insurance required herein (which request may include copies of such policies). The delivery of the Certificates of Insurance and the policy endorsements

(including copies of such insurance policies) to the Licensor is a condition precedent to the payment of any amounts due to Licensee by the Licensor. The failure to provide valid Certificates of Insurance and policy endorsements shall be deemed a breach of this Agreement. All policies and endorsements shall remain in effect for not less than four (4) years after abandonment of the work or services or the substantial completion of the Project work and services provided pursuant to this Agreement.

(k) Carriers. All policies of insurance required to be obtained by the Licensee and its Contractors pursuant to this Agreement shall be maintained with insurance carriers that are satisfactory to Licensor and lawfully authorized to issue insurance in the state of Texas for the types and amounts of insurance required herein. All insurance companies providing the required insurance shall be authorized to transact business in Texas and rated at least "A" by AM Best or other equivalent rating service. All policies must be written on a primary basis, non-contributory with any other insurance coverage and/or self-insurance maintained by the Licensor. All insurance coverage required herein shall be evidenced by a certificate of insurance and policy endorsements submitted by the Licensee's and its Contractors' insurer or broker. Certificates of insurance and policy endorsements received from any other source will be rejected.

Section 7. Damages to Facilities in City Right of Way

Licensee, its employees, agents, contractors and subcontractors shall promptly repair any improvements and facilities within the City Right of Way damaged as the result of the activities authorized by this License. In addition, in the event that Licensor is required to make any repairs directly as the result of damages caused by Licensee, its employees, agents, contractors and subcontractors, Licensee shall reimburse Licensor for Licensor's costs to make such repairs not later than ten (10) days after receipt of Licensor's written demand for reimbursement. Such amounts shall constitute a debt owing the Licensor and shall be collectible in a suit for debt as authorized by State law, with the unpaid amounts bearing interest at the maximum rate allowed by law if remaining unpaid more than 30 days after demand for payment. Licensee shall further be liable for costs and reasonable attorney's fees if it becomes necessary for Licensor to pursue an action to collect the debt.

Section 8. Miscellaneous

8.1 Condition Precedent. It shall be a condition precedent to this Agreement that Licensee has obtained approval from any and all utilities having facilities within the City Right of Way, consenting to the Licensee's use of the Right of Way for construction and maintenance of the "Improvements".

8.2 Binding Agreement; Assignment. The terms and conditions of this License are binding upon the successors and assigns of all parties hereto. This License is personal to Licensee and shall not be assigned by Licensee to any third party without the written consent of Licensors' City Manager.

8.3 Notices. Any notice required or permitted to be delivered hereunder shall be deemed received three days thereafter sent by United States Mail, postage prepaid, certified mail,

return receipt requested, addressed to the party at the address set forth below or on the day actually received if sent by courier or otherwise hand delivered to the following addresses:

If intended for Licensor, to:

Attn: City Manager
City of Duncanville
203 E. Wheatland Road
Duncanville, Texas 75116

If intended for Licensee:

Roderick Lee
902 Cambridge Drive
Duncanville, Texas 75137

With Copies to:

Robert E. Hager
Nichols, Jackson, Dillard, Hager & Smith, L.L.P.
1800 Lincoln Plaza
500 N. Akard
Dallas, Texas 75201

If intended for Licensee, to:

8.4 Governing Law. This License will be governed by the laws of the State of Texas; and venue for any action concerning this License will be in the State District Court of Dallas County, Texas. The parties agree to submit to the personal and subject matter jurisdiction of said court.

8.5 Legal Construction. In the event any one or more of the provisions contained in this License are for any reason held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability will not affect other provisions, and it is the intention of the parties to this License that in lieu of each provision that is found to be illegal, invalid, or unenforceable, a provision be added to this License which is legal, valid and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid or unenforceable.

Nothing in this Agreement, or in any exhibit or attachment hereto, shall be construed to affect, alter, or modify the immunity of City under the Texas Civil Practice and Remedies Code §§101.001 et seq. It is expressly understood and agreed that in the execution of this Agreement, City does not waive, nor shall be deemed to waive, any immunity or defense that would otherwise be available to City against claims arising in the exercise of governmental powers and functions.

8.6 Recitals. The recitals to this License are incorporated herein.

8.7 Counterparts. This License may be executed in counterparts. Each of the counterparts shall be deemed an original instrument, but all of the counterparts shall constitute one and the same instrument.

8.8 Exhibits. Any exhibits to this License are incorporated herein by reference for all purposes wherever reference is made to the same.

8.9 Amendment. This License may be amended by the mutual written agreement of the parties to it.

8.10 Authorization. Each party represents that it has full capacity and authority to grant all rights and assume all obligations that are granted and assumed under this License.

8.11 Survival of Covenants. Any of the representations, warranties, covenants, and obligations of the parties, as well as any rights and benefits of the parties, pertaining to a period of time following the termination of this License shall survive termination.

8.12 No Rights to Third Parties. This License shall not be construed as creating any liability in favor of any third party against Licensee or Licensor. Additionally, this License shall never be construed as relieving any third party from any liability to Licensor or Licensee.

8.13 Entire Agreement. This License is the entire agreement between the parties with respect to the subject matter covered in this License. There is no other collateral oral or written agreement between the parties that in any manner relates to the subject matter of this License, except as provided in any Exhibits attached hereto.

8.14 Recording. This License or a memorandum hereof may be recorded in the Official Public Records of Dallas County for the purpose of providing notice to the public of the existence of this License and the rights granted to Licensee herein; provided, however, such recording shall not be construed as a conveyance of a real property interest in the City Right of Way.

(Signatures on Following Page)

Executed this ____ day of _____, 2021.

CITY OF DUNCANVILLE, TEXAS

By:_____
City Manager

Attest:

By: _____
City Secretary

Approved as to Form:

By: _____
City Attorney

Executed this ____ day of _____, 2021.

LICENSEE:

_____

Name: Roderick Lee

City's Acknowledgment

STATE OF TEXAS §
§
COUNTY OF DALLAS §

Acknowledged before me, the undersigned authority, this _____ day of _____, 2021, by _____, City Manager for the City of Duncanville, Texas, a Texas home rule municipality, on behalf of such municipality.

_____
Notary Public, State of Texas

My Commission expires:_____

Licensee's Acknowledgment

STATE OF_____ §
§
COUNTY OF _____ §

Acknowledged before me, the undersigned authority, on the _____ day of _____, 2021, by Roderick Lee, in his individual capacity.

_____
Notary Public, State of Texas

My Commission expires:_____

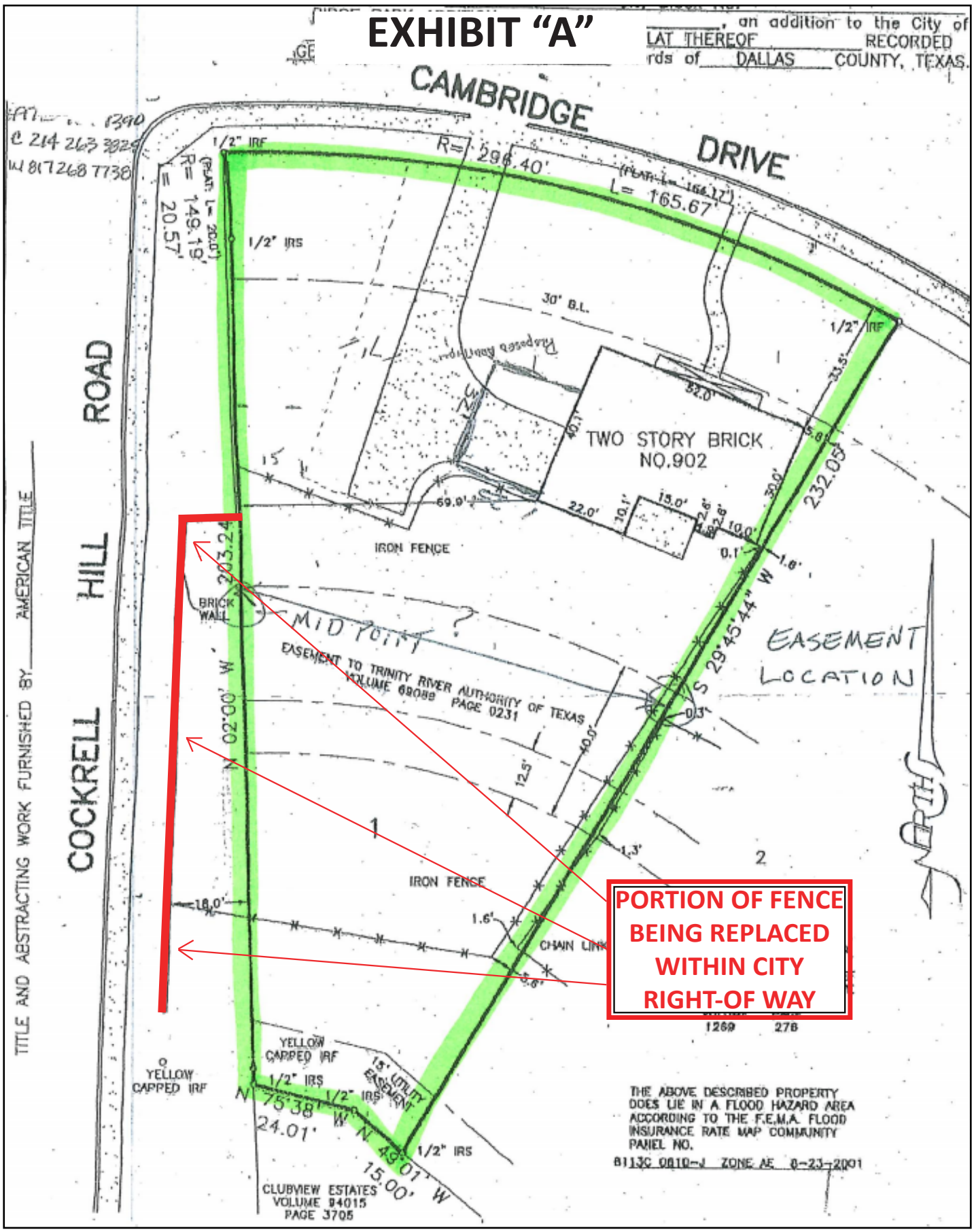
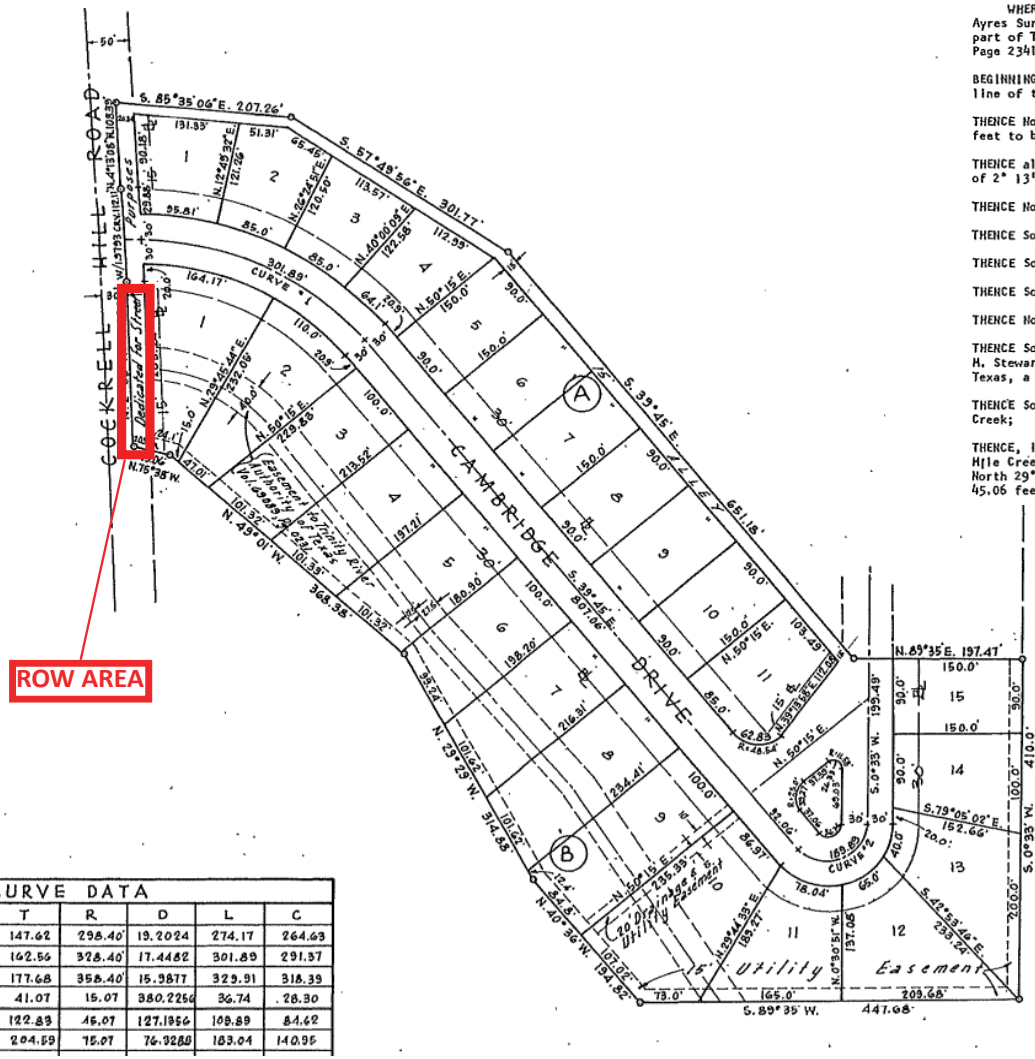


EXHIBIT "A"
, an addition to the City of
LAT THEREOF RECORDED
rds of DALLAS COUNTY, TEXAS.
CAMBRIDGE DRIVE
COCKRELL HILL ROAD
TITLE AND ABSTRACTING WORK FURNISHED BY AMERICAN TITLE
R= 296.40'
L= 165.67'
1/2" IRF
1/2" IRS
R= 149.19'
L= 20.57'
30' B.L.
TWO STORY BRICK
NO.902
IRON FENCE
BRICK WALL
EASEMENT TO TRINITY RIVER AUTHORITY OF TEXAS
VOLUME 69088 PAGE 0231
EASEMENT LOCATION
S 29°45'44" W
232.05'
203.24'
N 02°00' W
IRON FENCE
CHAIN LINK
PORTION OF FENCE BEING REPLACED WITHIN CITY RIGHT-OF WAY
YELLOW CAPPED IRF
15' UTILITY EASEMENT
N 75°38' W
24.01'
N 43°01' W
15.00'
CLUBVIEW ESTATES
VOLUME 84015
PAGE 3705
THE ABOVE DESCRIBED PROPERTY DOES LIE IN A FLOOD HAZARD AREA ACCORDING TO THE F.E.M.A. FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO.
ZONE AE 0-23-2001



CURVE DATA					
	T	R	D	L	C
5°	147.62	298.40'	19.2024	274.17	264.63
1°	162.56	328.40'	17.4482	301.89	291.37
9°	177.68	358.40'	15.9877	329.91	318.39
'	41.07	15.07	380.2256	36.74	28.30
	122.83	45.07	127.1956	109.89	84.62
	204.59	75.07	76.3288	183.04	140.95

STATE OF TEXAS
COUNTY OF DALLAS

WHEREAS, Mel Hammit Developer, is the owner of a tract of land situated in the Nell Ayres Survey, Abstract 11, City of Duncanville, Dallas County, Texas, said tract being part of Tract One of the Gleason and Hammitt Subdivision as recorded in Volume 69104, Page 2341, Deed Records of Dallas County, and being more particularly described as follows:

BEGINNING at a point in the East line of Cockrell Hill Road, said point being in the center-line of the North Prong of Ten Mile Creek;

THENCE North 02° 00' West, along the East line of Cockrell Hill Road, a distance of 194.34 feet to beginning point of curve;

THENCE along a curve to the left having a radius of 2894.92 feet through a central angle of 2° 13' 08" a distance of 112.11 feet;

THENCE North 4° 13' 08" West, 108.39 feet to a corner;

THENCE South 85° 35' 06" East, 207.26 feet;

THENCE South 57°49'56" East, 301.77 feet;

THENCE South 39°45' East, 651.18 feet;

THENCE North 89°35' East, 197.47 feet to a corner;

THENCE South 0°33' West, along the West line of a tract of land conveyed to Harriette H. Stewart, as recorded in Volume 4707, Page 592, of the Dead Records of Dallas County, Texas, a distance of 410.0 feet to a corner;

THENCE South 89°35' West, a distance of 447.68 feet to a corner in the middle of Ten Mile Creek;

THENCE, in a Northwesterly direction along the meanderings of the North Prong of Ten Mile Creek the following courses and distances: North 40°36' West, 194.82 feet; North 29°29' West, 314.88 feet; North 49°01' West, 368.38 feet; and North 75°38' West, 45.06 feet to the Place of Beginning and containing in all 13.310 acres of land.

FINAL PLAT

SECTION ONE

CAMBRIDGE PARK

A SUBDIVISION IN THE N. AYRES SURVEY AB. 11

DALLAS COUNTY, TEXAS

JANUARY 1973 ~ SCALE: 1" = 100'

MEL HAMMIT - DEVELOPER

STAFF REPORT

MEETING: City Council - 03 Aug 2021

TITLE:
Consider a Resolution approving a $26,409.00 Hotel Occupancy Tax Grant for the FY 20-21 Budget to ALW Entertainment to directly enhance and promote tourism and the hotel industry.

FY 2019 CITY COUNCIL ORGANIZATIONAL WORKPLAN:

STAFF RESPONSIBLE:
Agustin "Gus" Garcia, Economic Development Director

BACKGROUND/HISTORY:
In 2018 and 2019, the City Council approved a Hotel Occupancy Tax Grant to ALW Entertainment in the amount of $25,000.00 each year to advertise the Duncanville Football Classic in Washington, D.C. Advertising dollars were approved to be spent on ads, radio production, billboards, and printing. This would be the third year ALW Entertainment will receive this grant. Consistent with COVID-related shutdowns, there was not a Duncanville Classic in 2020.

According to information provided by the company, ALW Entertainment (ALWE) is a full-service entertainment company, best known for their national production and promotions of jazz and gospel tours. Their Southwest Airlines State Fair Classic Football Game is the third largest attended HBCU (historically black universities and colleges) rivalry in the country and has boasted crowds of more than 60,000 in attendance.

Al Wash, the company founder, is a promoter and consultant and has worked with Prince, Tyler Perry, Kirk Franklin, Fred Hammond, Fantasia, Lyfe Jennings, Gladys Knight, Dave Koz, Boys II Men, KEM, Brian Culbertson, Warren Hill, Chante Moore, and countless others. ALW Entertainment headquartered out of Dallas, Texas.

This is the third year a Duncanville exhibition football game has been hosted by ALW Entertainment. ALWE coordinates this game with Duncanville ISD. The Duncanville Football Team will play Bishop Sycamore High School from Columbus Ohio. The Duncanville Classic will be held on September 10, 2021, at 7:30 p.m. in the Panther Stadium. ALWE is requesting funding through Hotel Occupancy Tax grant funds for promotion of this event.

The State of Texas authorizes a local Hotel Occupancy Tax. The expenditure of these funds are restricted and must be used according to State Law. All expenditures of Hotel Occupancy Taxes must meet the two-part test as listed below

Criteria #1: First, every expenditure must DIRECTLY enhance and promote tourism AND the convention and hotel industry. Under the Tax Code, every event, program, or facility funded with hotel

occupancy tax revenues must likely do two things: 1) directly promote tourism; and 2) directly promote the convention and hotel industry.

"Tourism" is defined under Texas law as guiding or managing individuals who are traveling to a different, city, county, state, or country. A "direct" promotion of the convention and hotel industry has been consistently interpreted by the Texas Attorney General as a program, event, or facility likely to cause increased hotel or convention activity. This activity may result from hotel or convention guests that are already in town and choose to attend the hotel tax funded facility or arts or historical event, or it may result from individuals who come from another city or county to stay in an area lodging property at least in part to attend the hotel tax funded event or facility. If the funded event or facility is not reasonably likely to directly enhance tourism and the hotel and convention industry, local hotel occupancy tax revenues cannot legally fund it.

Entities applying for hotel occupancy tax revenue funding should indicate how they will market the event to attract tourists and hotel guests. If an entity does not adequately market its events to tourists and hotel guests, it is difficult to produce an event or facility that will effectively promote tourism and hotel activity.

Criteria #2: Every expenditure of the hotel occupancy tax must clearly fit into one of nine statutorily provided categories for expenditure of local hotel occupancy tax revenues.

The nine categories for expenditure of the hotel occupancy tax are as follows:

1. Funding the establishment, improvement, or maintenance of a convention center or visitor information center.
2. Paying the administrative costs for facilitating convention registration.
3. Paying for advertising, solicitations, and promotions that attract tourists and convention delegates to the city or its vicinity.
4. Expenditures that promote the arts.

   Under § 351.103(c), a city with a population of under 125,000 may expend up to 15% of the hotel occupancy tax revenue collected for art-related programs that also promote tourism and local hotel and convention activity. Specifically, it allows funding the encouragement, promotion, improvement, and application of the arts including instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture, photography, graphic and craft arts, motion pictures, radio, television, tape and sound recording, and other arts related to the presentation, performance, execution and exhibition of these major art forms. However, it is not enough that a facility or event promotes the arts; Texas law requires that the arts related expenditure also directly promote tourism and the hotel and convention industry.

   Section 351.101(a) of the Tax Code specifically states that "the municipal hotel occupancy tax may be used only to promote tourism and the convention and hotel industry." The Texas Attorney General reaffirmed this standard when it held in Opinion GA-0124: "Under section 351.101 of the Tax Code, a municipality may expend its municipal hotel occupancy tax revenue only to promote tourism and the convention and hotel industry, and only for the specific uses listed in the statute."

In order to comply with the hotel occupancy tax statute, THLA and TFA agree that to be eligible for municipal arts funding with HOT revenues, recipients must satisfy the following requirements:

a. The recipient presents, performs, promotes, encourages or otherwise makes possible, artistic events, cultural performances, programs, exhibitions or lectures involving the major art forms listed in the statute, or “other arts related to the presentation, performance, execution and exhibition of these major art forms.”
b. The hotel occupancy tax funded programs and events are advertised and open to the general public.
c. The recipient directly enhances and promotes tourism and the convention and hotel industry.

Criteria Examples:

- Recipient books hotel rooms for visiting artists and offers hotel related information to attendees of the organization’s hotel occupancy tax funded events.
- The recipient promotes or markets its events outside of the local area through standard media promotion or advertising, websites, mailing lists, local, regional and national listings in publications and calendars and use of social media and where appropriate includes a link to information about area hotels.
- The recipient, either through audience or attendee questionnaires, polling, or hotel block booking codes, demonstrates that hotel guests, tourists, convention attendees or other out-of town visitors have attended its hotel tax funded events.
- Funding historical restoration or preservation programs.

1. Funding historical restoration or preservation programs.
2. Funding certain expenses, including promotional expenses, directly related to a sporting event within counties with a population of fewer than 1 million.
3. Funding the enhancement or upgrading of existing sports facilities or sports fields for certain municipalities.
4. Funding transportation systems for tourists.
5. Signage directing tourists to sights and attractions that are visited frequently by hotel guests in the municipality.

POLICY EXPLANATION:
ALW Entertainment is requesting that this grant of $26,409.00 be amended to allow $10,000.00 of the grant to be used towards advertising the event in the Columbus, Ohio media market and the remaining $15,000.00 be used towards advertising the event in the Best Southwest and Dallas area. Advertising dollars will be spent on ads, radio production, billboards, and printing. They have provided an updated budget showing the requested $25,000.00 will account for approximately 41% of their total budget to host the event and 74% of their total advertising budget. The additional $1,409.00 will be spent on an advertisement banner welcoming visitors to the City of Duncanville.

The City's Hotel Motel Tax revenues are generated from a seven percent tax paid by guests who rent a hotel room within Duncanville. The City Council has approval over the expenditure of Hotel Occupancy Tax (HOT) Funds. Based on City Council's prior direction, all Hotel Motel Tax Grants are paid on a reimbursement basis for approved expenditures.

Per the information provided by the applicant, this request does meet the two-part test for consideration of hotel occupancy tax funds. The expenditures could be covered by Criteria #2.3 "Paying for advertising, solicitations, and promotions that attract tourists and convention delegates to the city or its vicinity."

FUNDING SOURCE:
The Hotel Motel Tax Fund will be used to fund this grant.

Contract Log #:
N/A

RECOMMENDATION:
Staff recommends to the City Council to consider the request as set forth in the attached Resolution approving a $26,409.00 Hotel Occupancy Tax Grant for the FY 20-21 Budget to ALW Entertainment to directly enhance and promote tourism and the hotel industry.

ATTACHMENTS:
Attachment 1 - Resolution No. - 2021-057 - HOT - ALW Entertainment - Columbus Ohio

RESOLUTION NO. 2021-057

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, APPROVING A $26,409.00 HOTEL OCCUPANCY TAX GRANT FOR THE FY 20-21 BUDGET TO ALW ENTERTAINMENT TO DIRECTLY ENHANCE AND PROMOTE TOURISM AND THE HOTEL INDUSTRY; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City is authorized by Chapter 351 of the Texas Property Tax Code to levy a hotel occupancy tax to be used to directly enhance and promote tourism and the convention and hotel industry; and

WHEREAS, the City has, by ordinance, imposed a local hotel occupancy tax; and

WHEREAS, the Duncanville City Council, after consideration of the application of the Applicant finds that expenditures of local hotel occupancy tax revenues for the grant as set forth herein, will directly enhance and promote tourism and the hotel industry in the City and its vicinity, and further finds that the expenditures are for one of the statutorily authorized categories.

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

SECTION 1. The City of Duncanville, Texas hereby approves a $26,409.00 Hotel Occupancy Tax Grant to ALW Entertainment to allow promotional expenses for advertising to be used for promotion in the Best Southwest, Dallas metroplex, and Columbus, Ohio for the Duncanville Classic, subject to execution of an appropriate grant funding agreement, approved as to form by the City Attorney.

SECTION 2. The City Manager is authorized to execute said agreement to conform to this resolution.

SECTION 3. This Resolution shall be effective upon its passage.

DULY RESOLVED AND ADOPTED by the City Council of the City of Duncanville, Texas, on the 3rd day of August, 2021.

APPROVED:

_____

Barry L. Gordon, Mayor

ATTEST:

_____

Kristin Downs, City Secretary

APPROVED AS TO FORM:

_____

Robert E. Hager, City Attorney

EXHIBIT A

Duncanville
City of Champions

HOTEL OCCUPANCY TAX USE GUIDELINES UNDER TEXAS STATE LAW FUNDING APPLICATION FORM

State Law: As authorized by state law, the City of Duncanville collects a Hotel Occupancy Tax (HOT Funds) from hotels, bed & breakfasts, and other lodging facilities. Under state law, the revenue from the HOT Funds may be used only to directly promote tourism and the hotel and convention industry. **Chapter 351 of the Tax Code states that the use of HOT Funds is limited to:**

a) **Convention Centers and Visitor Information Centers:** the acquisition of sites for and the construction, improvement, enlarging, equipping, repairing operation and maintenance of convention center facilities or visitor information centers, or both.

b) **Registration of Convention Delegates:** the furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants.

c) **Advertising, Solicitations and Promotions that Directly Promote Tourism and the Hotel and Convention Industry**: advertising and conducting solicitations and promotional programs to attract tourists and convention delegates or registrants to the municipality.

d) **Promotions of the Arts that Directly Promote Tourism and the Hotel and Convention Industry:** the encouragement, promotion, improvement, and application of the arts that can be shown to have direct impact on tourism and the hotel/convention industry. The impact may be that the art facility or event can show hotel nights that are booked due to their events or that guests at hotels attend the arts event. Eligible forms of art include instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture photography, graphic and craft arts, motion picture, radio, television, tape and sound recording, and other arts related to the presentation, performance, execution, and exhibition of these major art forms.

e) **Historical Restoration and Preservation Activities that Directly Promote Tourism and the Hotel and Convention Industry:** historical restoration and preservation projects or activities or advertising and conducting solicitation and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums.

f) **Sporting Event Expenses that Substantially Increase Economic Activity at Hotels:** expenses including promotional expenses, directly related to a sporting event in, which the majority of participants are tourists. The event must substantially increase economic activity at hotels within the city.

g) **Funding transportation systems for transporting tourists from hotels to and near the city to any of the following destinations:**
   1. the commercial center of the city;
   2. a convention center in the city;
   3. other hotels in or near the city; or

4. tourist attractions in or near the city.

The law specifically prohibits the use of the local hotel tax to cover the costs for general city transit costs to transport the general public.

h) **Signage directing tourists to sights and attractions that are visited frequently by hotel guests in the municipality.**

City of Duncanville: The City of Duncanville accepts applications from groups and businesses whose program fits into one or more of the above categories. **In order to ensure funding consideration for your event, requests for funds should be on the official application by May 12, 2017.** The application will be reviewed by the City of Duncanville staff to ensure the funding requests meets state guidelines. Once the application has been reviewed and is determined it meets minimum state qualifications for funding, the applicant will be invited to provide a presentation on their funding request to City Staff. The request will then be analyzed to determine the event's total economic impact to the community. Staff will notify the applicant when their request and staff's recommendation will be presented to the City Council for consideration. The applicant is required to attend the City Council meeting in order for the request to be considered. The applicant may be asked to provide the City Council a presentation regarding their request as well.

Eligibility and Priority for Hotel Tax Funds: ***Priority will be given to those events and entities based on their ability to generate overnight visitors to Duncanville.*** The amount that you are requesting should consider the gross amount of hotel night revenue that you are predicting that will be created or sustained by your event. If an event will not generate any meaningful hotel night activity, it is not eligible for receipt of hotel occupancy tax funds. HOT Funds awarded will be based on the number of hotel rooms rented and the economic impact to the city. Events can prove this potential to generate overnight visitors by:

a) **historic information on the number of room nights used during previous years of the same events**;

b) **current information on the size of a room block that has been reserved at area hotels to accommodate anticipated overnight guests attending the funded event;**

c) **historical information on the number of guests at hotel or other lodging facilities that attended the funded event (through surveys, guest directories, or other sources); and/or**

d) **examples of the planned marketing of the programs and activities that will likely generate overnight visitors to local lodging properties from this event.**

Use of Revenues from Event: A portion of the revenues from any event and/or project receiving any type of funding assistance from the HOT Funds should be channeled back into the future costs of operating that same event or the continued operation of the project. No other outside event(s), project, charity, etc., sponsored by the host organization may profit from the City of Duncanville funding of a particular event.

EXHIBIT A

Supplemental Information Required with Application: Along with the application, please submit the following:

- [X] Proposed Marketing Plan for Funded Event
- [X] Schedule of Activities or Events Relating to the Funded Project
- [X] Past Marketing Materials used to promote the event

Please Submit to: Jessica James, Director of Economic Development

Mail To:
P.O. Box 38028
Duncanville, TX 75138-0280

Drop Off:
Economic Development
203 E. Wheatland Rd.
Duncanville, TX 75116

For questions, please call 972.780.4997.

EXHIBIT A

Duncanville
City of Champions

Hotel Occupancy Funding Application

Date: 06/21/21

Organization Information

Name of Organization: ALW ENTERTAINMENT

Address: 731 S. R.L. THORNTON FREEWAY

City, State, Zip: DALLAS, TX 75203

Contact Name: AL WASH Contact Phone Number: 214-943-2893

Web Site Address for Event or Sponsoring Entity: WWW.ALWE.COM

Non-Profit or For-Profit Status: _____ Tax ID #: 752478903

Entity's Creation Date: 02-01-93

Purpose of your organization: Bring sporting, theater, and entertainment events to different Communities.

Event Information

Name of Event or Project: The Duncanville Classic

Date of Event or Project: 09/10/21

Primary Location of Event or Project: Duncanville High School Panther Stadium

Amount Requested: $26,409

How will the funds be used? Funds will be used for marketing, radio, print, billboard advertising, radio spot production and radio schedules outside of Duncanville Texas with $10,000 earmarked to be spent in the Columbus Ohio market. Additional $1409.00 will be used for printing and installation of over the street welcome banner.

EXHIBIT A

Primary Purpose of Funded Activity/Facility:

Promote Duncanville Athletics, School District and Duncanville Business

Percentage of Hotel Tax Support of Related Costs

40.95% Percentage of Total **Event Costs** Covered by Hotel Occupancy Tax

_____ Percentage of Total **Facility Costs** Covered by Hotel Occupancy Tax for the Funded Event

_____ Percentage of **Staff Costs** Covered by Hotel Occupancy Tax for the Funded Event

If staff costs are covered, estimate percentage of time staff spends annually on the funded event(s) compared to other activities _____%

Which Category or Categories Apply to Funding Request, and Amount Requested Under Each Category:

☐ **a) Convention Center or Visitor Information Center:** construction, improvement, equipping, repairing, operation, and maintenance of convention center facilities or visitor information centers, or both. Amount requested under this category: $_____

In detail, describe how the funds will be used and include appropriate documentation.

☐ **b) Registration of Convention Delegates**: furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants. Amount requested under this category: $_____

In detail, describe how the funds will be used and include appropriate documentation.

EXHIBIT A

☒ **c) Advertising, Solicitations, Promotional programs to attract tourists and convention delegates** or registrants to the municipality or its vicinity. Amount requested under this category: $__ $25,000

In detail, describe how the funds will be used and include appropriate documentation.

Please see attached itemized budget

☐ **d) Promotion of the Arts that Directly Enhance Tourism and the Hotel & Convention Industry:** the encouragement, promotion, improvement, and application of the arts that can be shown to have some direct impact on tourism and the hotel/convention industry. The impact may be that the art facility or event can show hotel nights that are booked due to their events or that guests at hotels attend the arts event. Eligible forms of art include instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture photography, graphic and craft arts, motion picture, radio, television, tape and sound recording, and other arts related to the presentation, performance, execution, and exhibition of these major art forms: $_____

In detail, describe how the funds will be used and include appropriate documentation.

☐ **e) Historical restoration and preservation projects or activities or advertising and conducting solicitation and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums**. Amount requested under this category: $_____

In detail, describe how the funds will be used and include appropriate documentation.

☐ **f) Expenses including promotional expenses, directly related to a sporting event in which the majority of participants are tourists. The event must substantially increase economic activity at hotels within the city or its vicinity.** Amount requested under this category: $_____

How many individuals are expected to participate in the sporting related event? _____

EXHIBIT A

How many of the participants at the sporting related event are expected to be from another city or county? 20%

Quantify how the sporting related event will substantially increase economic activity at hotels within the city or its vicinity?

Bishop Sycamore High School located in Columbus Ohio is a Prep school loaded with Division one talent. The school is going into its fourth season but has already attracted some of the nation's top prospects. They are absolutely stacked and will take on some of the nation's premier programs. Duncanville Hotels will be promoted as the exclusive hotels of the Duncanville Classic and teams and staff are contractually obligated to stay in Duncanville hotels.

In detail, describe how the funds will be used and include appropriate documentation.

Funds will support all out of city and out of state marketing and messaging that packages game tickets with hotel rooms and Duncanville attractions including restaurants and retail.

☐ **g) Funding transportation systems for transporting tourists from hotels to and near the city to any of the following destinations: 1) the commercial center of the city; 2) a convention center in the city; 3) other hotels in or near the city; and 4) tourist attractions in or near the city**. Amount requested under this category: $_____

What sites or attractions will tourists be taken to by this transportation? _____

Will members of the general public (non-tourists) be riding on this transportation? _____

What percentage of the ridership will be local citizens? _____

In detail, describe how the funds will be used and include appropriate documentation.

_____

_____

_____

☐ **h) Signage directing tourists to sights and attractions that are visited frequently by hotel guests in the municipality**. Amount requested under this category: $_____

What tourist attractions will be the subject of the signs?

_____

_____

_____

EXHIBIT A

In detail, describe how the funds will be used and include appropriate documentation.

_____

_____

_____

Questions for All Funding Request Categories:

1. How many years have you held this Event or Project: 2018, 2019, 2021
2. Expected Attendance: 6,000
3. How many people attending the Event or Project will use Duncanville hotels? 350

   Number of rooms rented for your event: 135
4. Did you reserve a room block for this event at an area hotel and if so, for how many rooms and at which hotels? _____

   Hilton Garden Inn

   800 N. Main St.

   25 Room Block
5. List other years (over the last three years) that you have hosted your Event or Project with amount of assistance given from HOT and the number of hotel rooms used:

Month/Year Held	Assistance Amount	Number of Hotel Rooms Used
September 2018	$25,000	52
September 2019	$25,000	79

* **Documentation must be included from each Duncanville hotel that supported the number of rooms used for all years.**

EXHIBIT A

6. How will you measure the impact of your event on area hotel activity (e.g.; room block usage information, survey of hoteliers, etc.)? _____

   Room blocks will be sold 25 room blocks at a time and we will also use our Ticketmaster patron list to see how many out of city tickets were sold to other cities and states

7. Please list other organization, government entities, and grants that have offered financial support to your project: _____

   _____

   _____

8. Will the event charge admission? Do you anticipate a net profit from the event? If there is a net profit, what is the anticipated amount and how will it be used?

   ___ Yes, tickets will be sold for $10-$12 and profits will be shared with the Duncanville School District _____

   ___ _____

   _____

9. Please list all promotion efforts your organization is coordinating and the amount financially committed to each media outlet:

Newspaper:	$ 2000
Radio:	$ 7500
TV:	$
Other Paid Advertising:	$ 25,500

   Number of Press Releases/Media Alerts sent to the Media: 10

   Number of Direct Mailings to out-of-town recipients: 2500

   Other Promotions: Facebook Ads, Printed Flyers, Email Blasts, Ticketmaster Ads, Text Blasts

10. Will you include a link to the City/CVB or other source on your promotional handouts and in your website for booking hotel nights during this event? _____ yes _____

11. Will you negotiate a special rate or hotel/event package to attract overnight stays?

    _____ yes _____

12. What new marketing initiatives will you utilize to promote hotel and convention activity for this event?

EXHIBIT A

We will utilize zip code based facebook ads as well as using targeted digital ads to the Bishop Sycamore Columbus, OH promoting the game, local attractions, and hotel rates.

13. What geographic areas does your advertising and promotion reach? _____
Desoto, Lancaster, Cedar Hill, Grand Prairie, Duncanville, Dallas and Columbus, OH

14. How many individuals will your proposed marketing reach that are in another city or county?
325,000

15. If the funding requested is related to a permanent facility (e.g. museum, visitor center):

Expected Attendance Monthly/Annually: _____

Percentage of those in attendance that are staying at area hotels/lodging facilities: _____%

Please Submit To: Jessica James, Director of Economic Development

Mail To:
P.O. Box 38028
Duncanville, TX 75138-0280

Drop Off:
Economic Development
203 E. Wheatland Rd.
Duncanville, TX 75116

For questions, please call 972.780.4997.

Duncanville
City of Champions

STAFF REPORT

MEETING: City Council - 03 Aug 2021

TITLE:
Consider a Resolution authorizing an increase to purchase agreement for providing foodservice products for the Duncanville Fieldhouse in the amount of $50,000.00 for a new annual amount not to exceed $100,000.00 with Ben E. Keith.

FY 2019 CITY COUNCIL ORGANIZATIONAL WORKPLAN:

- **N/A**
  - **Goal: N/A**

STAFF RESPONSIBLE:
Bart Stevenson, Director of Parks and Recreation
Sheila Baker, Purchasing Manager

BACKGROUND/HISTORY:
The Duncanville Fieldhouse staff purchases food and food service products from Ben E. Keith for the operations of The General Store and The Grill at the facility. Due to streamlined purchasing efforts and higher sales, the expenditure threshold of $50,000.00 will be exceeded to a maximum of $100,000.00 for FY 2021. In the past year, staff has moved from the use of multiple food providers to primarily utilizing Ben E. Keith for all food products, cooking products, and serving products. This streamlined process reduces staff oversight and time involved in the management of both The General Store and The Grill. Utilization of products and services from US Foods and Sysco have been significantly decreased or eliminated in this initiative. Moving our primary purchase to Ben E. Keith also provides greater opportunities for special pricing and volume discounts based on higher purchasing levels.

Sales in The General Store and The Grill are steadily increasing each year. FY 2021 food and beverage revenues are well ahead of a pace to reach our budgeted target of $290,000.00. Beverage sales are up 39% over FY 2020 and 32% over FY2019. Food sales are also up 52% over FY 2020 and 7% over FY2019. The current forecasted food and beverage revenue for FY 2021 is $315,000.00.

POLICY EXPLANATION:
This procurement is exempt from competitive bidding procedures pursuant to Texas Local Government Code 252.022(a)(14) as goods purchased by a municipality for subsequent retail sale by the municipality.

No guarantee was made that a specific amount of goods would be purchased; however, the Park & Recreation Department estimates annual expenditures of $100,000.00 and certifies that the vendor being awarded meet requirements.

FUNDING SOURCE:

N/A

Contract Log #:
N/A

RECOMMENDATION:
Staff recommends approval of a Resolution authorizing an increase to purchase agreement for providing foodservice products for the Duncanville Fieldhouse in the amount of $50,000.00 for a new annual amount not to exceed $100,000.00 with Ben E. Keith.

ATTACHMENTS:
Attachment 1 - Resolution No. - 2021-056 - Ben E. Keith - food services

RESOLUTION NO. 2021-056

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, AUTHORIZING AN INCREASE TO THE BEN E. KEITH CONTRACT FOR PROVIDING FOOD SERVICE PRODUCTS TO THE DUNCANVILLE FIELDHOUSE IN THE AMOUNT OF $50,000.00 FOR A NEW ANNUAL AMOUNT NOT TO EXCEED $100,000.00; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, due to streamlined efforts to effectively manage the food and beverage operations at the Duncanville Fieldhouse, additional food service products are purchased via Ben E. Keith; and

WHEREAS, increased food and beverage sales require the purchase of additional food service products from Ben E. Keith; and

WHEREAS, it is expected that food and beverage expenses with Ben E. Keith will exceed $50,000.00.

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

SECTION 1. Authorizes an increase to the contract for providing food service products for the Duncanville Fieldhouse in the amount of $50,000.00 for a new annual amount not to exceed $100,000.00 with Ben E. Keith.

SECTION 2. This Resolution shall be effectively immediately upon its passage.

DULY RESOLVED AND ADOPTED by the City Council of the City of Duncanville, Texas, on the 3rd day of August, 2021.

APPROVED:

_____

Barry L. Gordon, Mayor

ATTEST:

_____

Kristin Downs, City Secretary

APPROVED AS TO FORM:

_____

Robert E. Hager, City Attorney

STAFF REPORT

MEETING: City Council - 03 Aug 2021

TITLE:
Consider a Resolution modifying the board make-up of the Tri-City Animal Shelter Advisory Committee.

FY 2019 CITY COUNCIL ORGANIZATIONAL WORKPLAN:

- **N/A**
  - **Goal: N/A**

STAFF RESPONSIBLE:
Robert D. Brown, Jr., Assistant City Manager

BACKGROUND/HISTORY:
The Cities of Cedar Hill, DeSoto, and Duncanville established a regional animal shelter advisory committee in 1994 to advise the Tri-City Animal Shelter. The Tri-City Animal Shelter Advisory Committee advises the city council and staff of Cedar Hill, DeSoto, and Duncanville on matters related to the Tri-City Animal Shelter, including policies and procedures, fees and rates, and special initiatives, among others. Members appointed to the Committee serve in an advisory capacity only and shall receive no monetary compensation for their services. The Cities desire to modify the make-up and procedures of the board to better meet the requirements set by the State of Texas for animal shelter advisory boards.

POLICY EXPLANATION:
The Tri-City Animal Shelter Advisory Committee shall consist of seven (7) voting members. The City of Cedar Hill, as duly authorized agent of the Cities of Duncanville and DeSoto in the management of the Tri-City Animal Shelter, shall appoint the four (4) members required by state law with consensus from all member cities:

- One licensed veterinarian
- One county or municipal official
- One animal shelter manager
- One representative from an animal welfare organization.

The cities of Cedar Hill, DeSoto, and Duncanville shall appoint one at-large member each to serve on the Committee. Members shall be appointed two-year terms to maintain continuity of the Committee.

Currently, each City makes three (3) appointments for a total of nine (9) members. It is difficult to keep the board full and to meet the state requirements using this appointment allocation. The board has not been able to meet recently due to a lack of a quorum. Modifying the make-up and procedures of the

board helps to better meet the requirements set by the State of Texas for animal shelter advisory boards.

FUNDING SOURCE:
N/A

Contract Log #:
N/A

RECOMMENDATION:
Staff recommends approval of a Resolution adopting the proposed changes to the make-up of the Tri-City Animal Shelter Advisory Committee.

ATTACHMENTS:
Attachment 1 - Tri-Cities Interlocal Agrmt - Cedar Hill Resolution R04-129
Attachment 2 - Reso No 2021-055 Modifying the Tri-City Animal Shelter Board Advisory Committee

RESOLUTION NO. R04-129

A RESOLUTION OF THE CITY COUNCIL OF CEDAR HILL, TEXAS REPEALING RESOLUTION NO. 94-337 IN ITS ENTIRETY; AND ESTABLISHING QUALIFICATIONS, SETTING TERMS AND ESTABLISHING PROCEDURES AND DUTIES FOR THE TRI-CITY ANIMAL SHELTER ADVISORY COMMITTEE.

WHEREAS, the Cities of Duncanville, Cedar Hill, and DeSoto have established the Tri-City Animal Shelter Advisory Committee; and

WHEREAS, it is the desire of the three Cities to have written policies and procedures, and

NOW THEREFORE, be it resolved by the City Council of the City of Cedar Hill, Texas:

SECTION 1. The Tri-City Animal Shelter Advisory Committee shall consist of nine active members.

A. Three members shall be appointed from each City: Duncanville, Cedar Hill, and DeSoto. The shelter manager will also be appointed to the committee as an ex-officio member.
B. The Advisory Committee must be composed of at least one licensed veterinarian, one county or municipal official, one person whose daily duties include the daily operation of an animal shelter, and one representative from an animal welfare organization.
C. The Advisory Committee shall meet at least four times per year. The Advisory Committee shall establish the time and place for regular meetings.
D. Members shall be appointed for three (3) year terms with each City having one appointment each year to be staggered to provide continuity on the Advisory Committee.
E. If a replacement has not been appointed upon expiration of a member's term then that member shall continue until replaced.
F. Members shall serve without compensation.
G. The Advisory Committee shall elect a Chairman and Vice-Chairman within thirty (30) days after appointment or the first regular meeting after appointment.
    1. The Chairman shall preside over all meetings. The Chairman may establish sub-committees as necessary to conduct Advisory Committee business. Rules of order shall be established by the Advisory Committee and shall prevail for all matters of procedure.
    2. The Chairman shall represent, or duly appoint a representative of the Advisory Committee, for all matters of business having the majority vote of the Advisory Committee.
    3. The Vice-Chairman shall assist the Chairman in directing the affairs of the Advisory Committee. In the absence of the Chairman, the Vice-Chairman shall assume the duties of the Chairman.

H. A majority of the Advisory Committee members shall constitute a quorum. All matters of business for the Advisory Committee will be by majority vote.

SECTION 2. **The procedures for the Tri-City Animal Shelter Advisory Committee shall be as follows:**

A. Special meetings may only be called by the Chairman or the shelter manager.
B. The Advisory Committee shall conduct all business as prescribed in this resolution.
C. The Advisory Committee's authority shall not extend to directing, supervising, and/or hiring or terminating employees.
D. The minutes of all regular and special Advisory Committee meetings shall be forwarded to the City Council for review.
E. All duties and responsibilities herein shall be established and delegated to the Advisory Committee as a unit and all action shall be of the Advisory Committee by a majority vote. No action of an individual member is authorized except by official Advisory Committee action.

SECTION 3. **Duties and responsibilities of the Tri-City Animal Shelter Advisory Committee. The City Councils of Duncanville, Cedar Hill, and DeSoto have established an Advisory Committee consisting of a representative group of citizens to advise the Councils on matters involving the Tri-City Animal Shelter. The Advisory Committee shall have the following responsibilities and perform the following duties:**

A. To act in an advisory capacity to the City Councils in all matters pertaining to the Tri-City Animal Shelter.
B. To provide advisory support to staff through review of basic policies, procedures, and special problem areas as requested by staff.
C. To provide interface with all citizens, organizations, and groups involving animals, and to communicate any requests, needs, or petitions to the respective City Councils.
D. To recommend fees for the facility. Amendments, additions, deletions or establishment of fees and rates shall be recommended by the Advisory Committee to the City Councils.
E. Review appropriate record keeping.
F. Assist the staff in determining proper recommendations to be made to the City Councils concerning capital improvements and maintenance requirements for the facility.
G. To assist and advise the staff on all matters involving the Tri-City Animal Shelter and to make appropriate recommendations to the City Councils.
H. It shall be the duty of each member of the Advisory Committee to take an active part in all deliberations of the Advisory Committee, and to act In whatever capacity he may be called.

I. The Advisory Committee shall not have power to obligate the City for any funds or expenditures or incur any debt on behalf of the Cities.

PASSED, ADOPTED AND APPROVED this 24th day of February, 2004

Rob Franke, Mayor

ATTEST:

Frankie Lee, City Secretary

RESOLUTION NO. 2021-055

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, MODIFYING THE BOARD MAKEUP OF THE ANIMAL SHELTER ADVISORY COMMITTEE, AMENDING THE GENERAL GOVERNMENT POLICY AND PROCEDURES PREVIOUSLY APPROVED FOR APPOINTING ANIMAL SHELTER BOARD ADVISORY COMMITTEE MEMBERS, WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN AS "ATTACHMENT 2".

WHEREAS, the Cities of Cedar Hill, DeSoto, and Duncanville established a regional animal shelter advisory committee in 1994 to advise the Tri-City Animal Shelter and

WHEREAS, the committee plays an important role in advising the Cities on matters involving the Tri-City Animal Shelter & Adoption Center; and

WHEREAS, the cities have expressed interest in modifying the make-up and procedures of the board to better meet the requirements set by the State of Texas for animal shelter advisory boards;

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

SECTION 1. The Animal Shelter Advisory Committee shall consist of seven (7) voting members.

SECTION 2. That members shall be appointed for staggered two-year terms to maintain continuity of the Committee.

SECTION 3. That members appointed to the Committee shall serve in an advisory capacity only and shall receive no monetary compensation for their service.

SECTION 4. That the Animal Shelter Advisory Committee advises the city councils and staff of Cedar Hill, DeSoto, and Duncanville on matters related to the Tri-City Animal Shelter, including policies and procedures, fees and rates, and special initiatives, among others.

SECTION 5. That the Committee shall elect from among its membership a Chair and Vice Chair to officiate meetings and activities. Four voting members of the seven-member Committee shall constitute a quorum for the purpose of transacting business.

DULY RESOLVED AND ADOPTED by the City Council of the City of Duncanville, Texas, on the 3rd day of August, 2021.

APPROVED:

_____

Barry L. Gordon, Mayor

ATTEST:

_____

Kristin Downs, City Secretary

APPROVED AS TO FORM:

_____

Robert E. Hager, City Attorney

STAFF REPORT

MEETING: City Council - 03 Aug 2021

TITLE:
Conduct a Public Hearing (2021-17) for consideration and action regarding the request of James Wilkins, Applicant and Owner, to include a Specific Use Permit "SUP" for Bed and Breakfast on J.H. Spruce Survey, Abstract No. 1297, Page 50, City of Duncanville, Dallas County, Texas, approximately 0.51 acre, more commonly known as 415 Hustead Street.

FY 2019 CITY COUNCIL ORGANIZATIONAL WORKPLAN:

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

STAFF RESPONSIBLE:
Bryan G. Ramey II, P.E., Public Works Director
Skye Thibodeaux, AICP, City Planner

BACKGROUND/HISTORY:
Comprehensive Plan
The subject property has a Future Land Use Designation of Low Density Residential. The Plan states that low density residential represents a traditional single-family detached neighborhood and includes housing and living units for people with a range of incomes and needs. Low density residential areas generally range between three and five dwelling units per acre.

The Plan goes on to list the following policies to guide low density areas:

- They should be protected from, but accessible to, the major roadway network, commercial establishments, and industrial areas.
- Subdivisions should be accessible to collector and arterial streets, but should directly access only local streets, creating a balanced land-use pattern across the City.
- They should not be directly accessible to major arterials and freeways without adequate buffering and access management.

Prior to becoming a bed and breakfast, the property functioned as a traditional single-family residence. Aside from the commercial aspect of a bed and breakfast, the property still presents itself, in terms of aesthetic and outside appearance, as a single-family residence.

Project Scope
This request is a renewal of an existing Specific Use Permit (SUP) associated with SUP Ordinance No. 1990, attached with this request. The reason for the renewal has to do with condition 5 associated with Ordinance No. 1990.

To note, there have been no changes to the subject property since the previous ordinance-adoption.

Parking and Maneuverability
With no proposed expansions to the existing structure, the subject property is not required to conform to Section 4.04.(Off-Street Parking and Loading Requirements) and may continue to function as is.

Design and Improvements
The applicant is not proposing any additions or modifications to the existing structure or outside area. To note, the structure is currently registered as a historical landmark.

Surrounding Land Use
The subject property is surrounded to the north, south, and west by existing single-family residences zoned SF-7 Single-Family Residential District. To the east, across Hustead Street, is B.N.S.F Railroad right-of-way.

Zoning and Land Use
Section 6.05. (Specific Use Permits) of the Zoning Ordinance, states the 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.

POLICY EXPLANATION:
Notification
Twenty (20) notices were sent out for this public hearing. As of this writing, one (1) letter has been received in favor of the request.

FUNDING SOURCE:
N/A

Contract Log #:
N/A

RECOMMENDATION:
At the July 19, 2021 Special Planning & Zoning Commission Meeting, the Commission recommended approval of the renewal of the SUP while maintaining the existing conditions associated with SUP Ordinance 1900 with the exception that condition 5 be removed.

ATTACHMENTS:

Attachment 1 - Legal Advertisement for Public Hearing
Attachment 2 - Area of Request Maps
Attachment 3 - Ordinance 1990
Attachment 4 - Letter to Property Owners within 200' buffer and responses
Attachment 5 - List of Property Owners within 200' buffer
Attachment 6 - Unapproved Minutes from Planning & Zoning Meeting
Attachment 7 - Ordinance No. 1990R - Bed and Breakfast at 415 Hustead Street

ATTACHMENT 1

Advertise 1 time - By July 4

NOTICE OF A PUBLIC HEARING BEFORE THE
PLANNING AND ZONING COMMISSION
ZONING FILE #2021-17

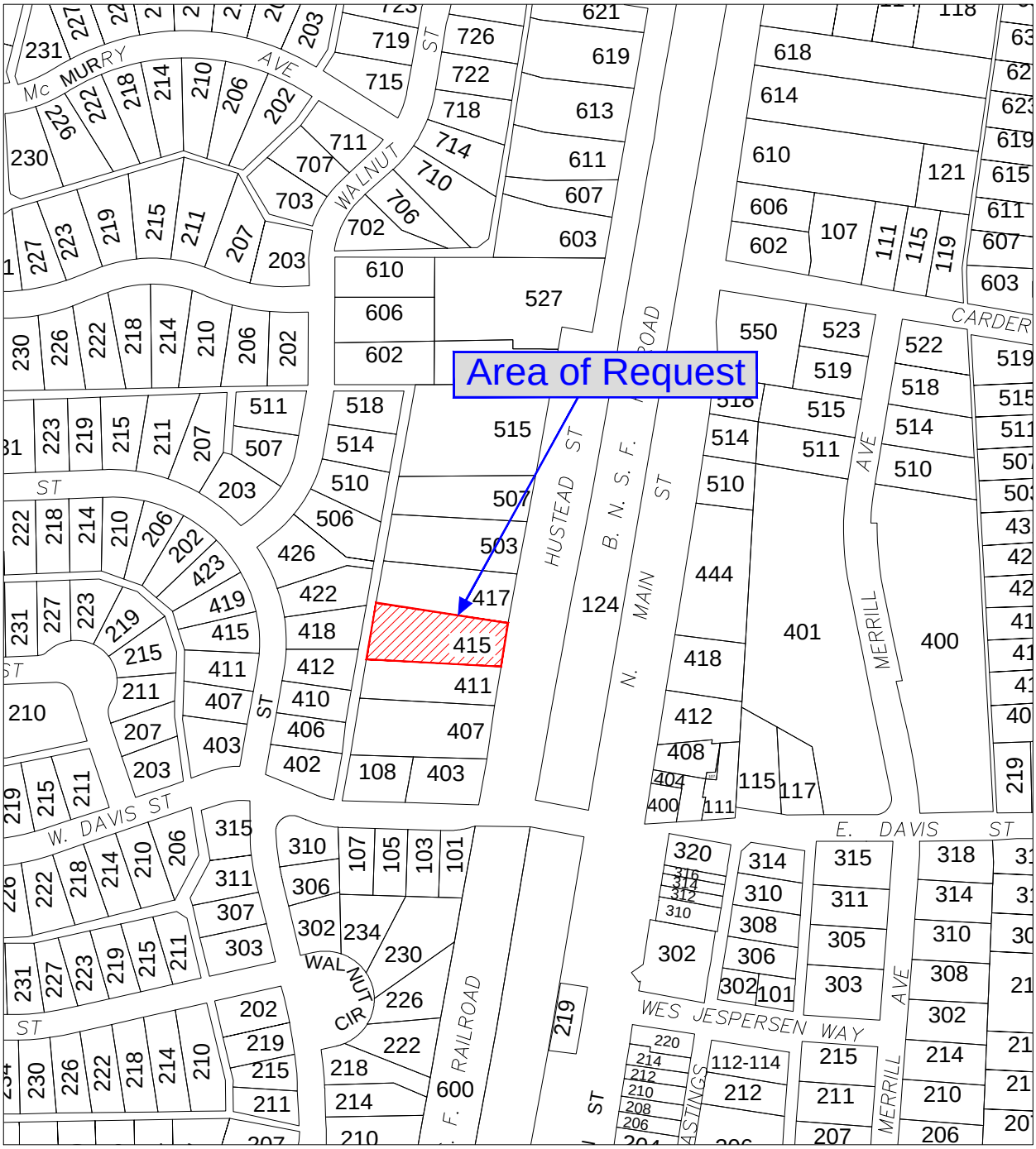
A public hearing will be held before the Planning & Zoning Commission for a Special Meeting on Monday, July 19, 2021, at 7:00 p.m., and before the City Council on Tuesday, August 3, 2021, at 7:00 p.m., in the Council Chambers, City Hall, 203 E. Wheatland Road, Duncanville, Texas, to hear a request of James Wilkins, Applicant and Owner, to include a Specific Use Permit "SUP" for a Bed and Breakfast on J.H. Spruce Survey, Abstract No. 1297, Page 50, City of Duncanville, Dallas County, Texas, approximately 0.51 acre, more commonly known as 415 Hustead Street.

As an interested citizen, you may appear at the public hearing or you may send a notice to either the City Secretary or to Skye Thibodeaux, Secretary of the Planning and Zoning Commission, P.O. Box 380280, Duncanville, Texas, 75138-0280 stating your position.

CITY OF DUNCANVILLE
Kristin Downs
City Secretary

Skye Thibodeaux, AICP
Secretary, Planning and Zoning Commission

ATTACHMENT 2



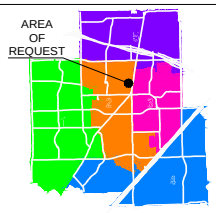
Duncanville
City of Champions

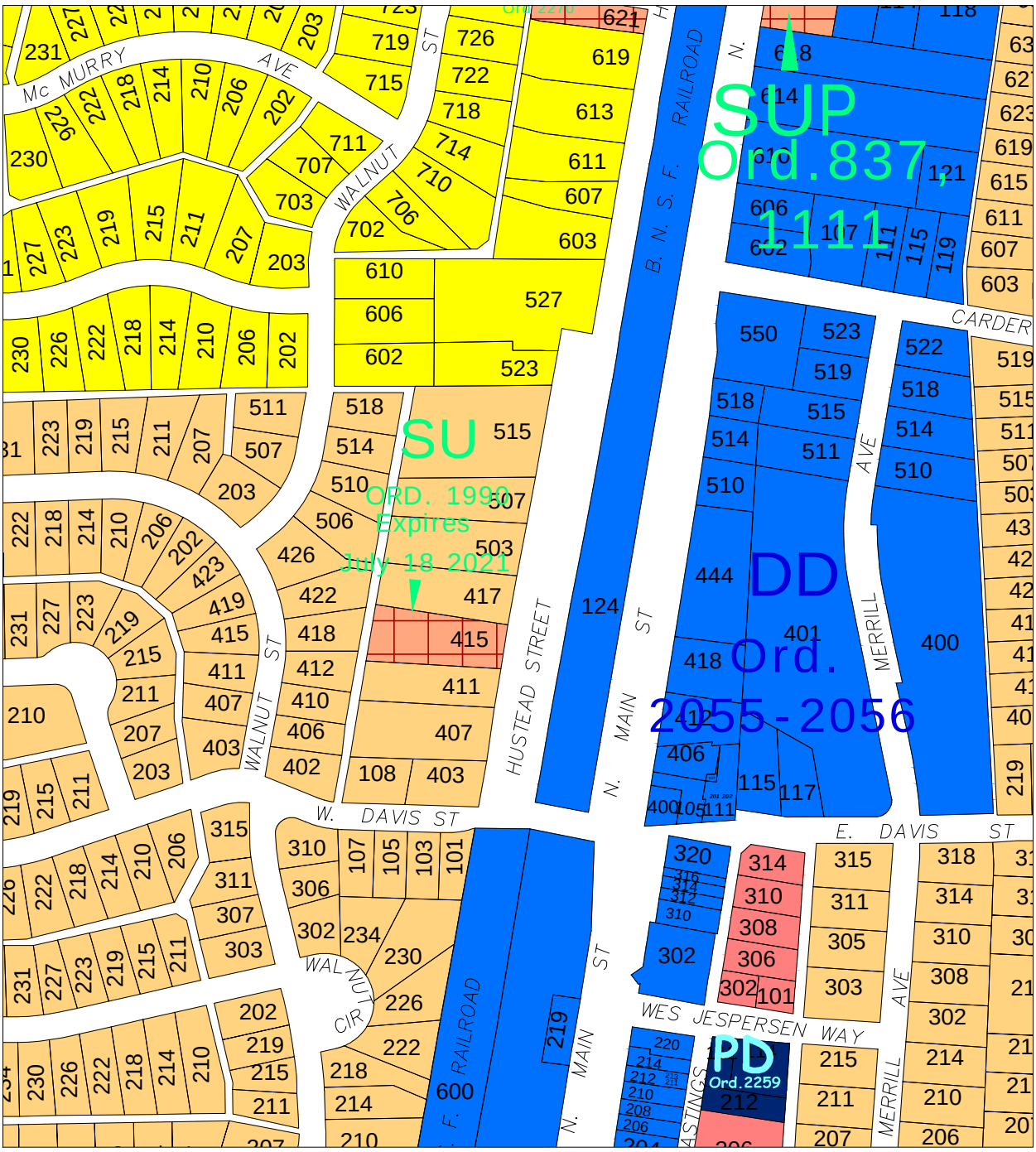
Proposed Zoning Renewal

Case # 2021-17

Area of Request

415 Hustead Street





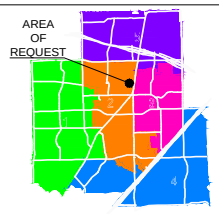
Duncanville
City of Champions

Proposed Zoning Renewal

Case # 2021-17

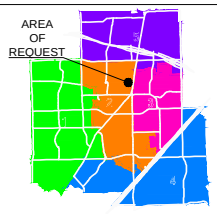
Current Zoning Area

415 Hustead Street



Duncanville
City of Champions

Proposed Zoning Renewal
Case # 2021-17
Aerial Location
415 Hustead Street



ATTACHMENT 3

ORDINANCE NO. 1990

AN ORDINANCE OF THE CITY OF DUNCANVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP, AS HERETOFORE AMENDED, TO AMEND THE EXISTING "R-1.4" SINGLE-FAMILY DWELLING ZONING, TO GRANT A SPECIFIC USE PERMIT FOR A BED AND BREAKFAST AT PROPERTY DESCRIBED AS LOT 1, SHEET 1, ORIGINAL TOWN ADDITION, SITUATED IN ABSTRACT NO. 1297 OF THE JOHN H. SPRUCE SURVEY, AND SITUATED AT 415 HUSTEAD STREET, IN THE CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED; PROVIDING 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:

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 to amend the existing "R-1.4" Single Family Dwelling District zoning on the property described herein so as to grant a Specific Use Permit to allow the use of the Property for a "Bed and Breakfast" facility, said Property being situated at 415 Hustead Street, and being described as Lot 1, Sheet 1 of the Original Town Addition, Abstract 1297 of the John H. Spruce Survey, of the City of Duncanville, Dallas County, Texas, and being

more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes (the "Property").

SECTION 2. That the above-described Property shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of the City of Duncanville, as heretofore amended, subject to the following special conditions:

1. The development and use of the Property shall be in accordance with the terms of this ordinance, the regulations set forth in the R-1.4 Single Family Dwelling zoning district, and the approved Site Plan attached hereto as Exhibit "B" and made a part hereof for all purposes. In the event of a conflict between the "R-1.4" zoning regulations and this ordinance, the terms of this ordinance will prevail.
2. All development, construction, improvement, renovation, repair, maintenance and use of all structures, utilities, appurtenances, facilities and improvements shall conform to and comply with all building, paving and fire codes, accessibility requirements, and all City and State laws and regulations.
3. The Property may be used as a Bed and Breakfast facility and may be open all days of the week; the maximum guest occupancy shall be not more than six (6) persons.
4. No garage or accessory building shall be converted for use as a habitation.
5. This Special Use Permit and the rights and privileges granted hereunder shall be for a period of ten (10) years with up to three five-year renewal periods. Each of the foregoing 5-year renewals shall be and is hereby subject to review and recommendation by the Planning and Zoning Commission and approval of the City Council at no cost to the applicant.

SECTION 3. That all provisions of the ordinances of the City of Duncanville in conflict with the provisions of this ordinance be and the same are hereby repealed and all ordinances not so in conflict shall remain in full force and effect.

SECTION 4. That an offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 5. 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 hereof other than the part so decided to be unconstitutional, illegal or invalid, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 6. That any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, 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.

SECTION 7. This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

DULY PASSED by the City Council of the City of Duncanville, Texas, on the 18th day of July, 2006.

APPROVED:

David L. Green
MAYOR

ATTEST:

Joanna Fraiche
CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY (67889)

EXHIBIT "A"

BEING a tract of land situated in the John H. Spruce Survey, Abstract No. 1297, in the City of Duncanville, Dallas County, Texas, and being all of Lot 5 as shown on Sheet 1, of the Original Town of Duncanville, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at the intersection of the north Right-of-Way (R.O.W.) line of Davis Street with the west R.O.W. line of Hustead Street;

THENCE North 10 degrees 18 minutes 00 seconds East, departing said north R.O.W. line of Davis Street and along said west R.O.W: line of Hustead Street, a distance of 262.42 feet to the POINT OF BEGINNING of the herein described Lot 5:

THENCE North 10 degrees 18 minutes 00 seconds East, continuing along said west R.O.W. line of Hustead Street, a distance of 81.20 feet to a point;

THENCE North 81 degrees 20 minutes 49 seconds West, departing said west R.O.W. line of Hustead Street, a distance of 245.40 feet to a point in the east line of an alley;

THENCE South 09 degrees 46 minutes 18 seconds West, along said east line of an alley, a distance of 102.85 feet to a point;

THENCE South 86 degrees 23 minutes 55 seconds East, departing said east line of an alley, a distance of 246.03 feet to the POINT OF BEGINNING.

Containing within the metes recited 22,537.91 square feet or 0.51 acre of land, more or less.

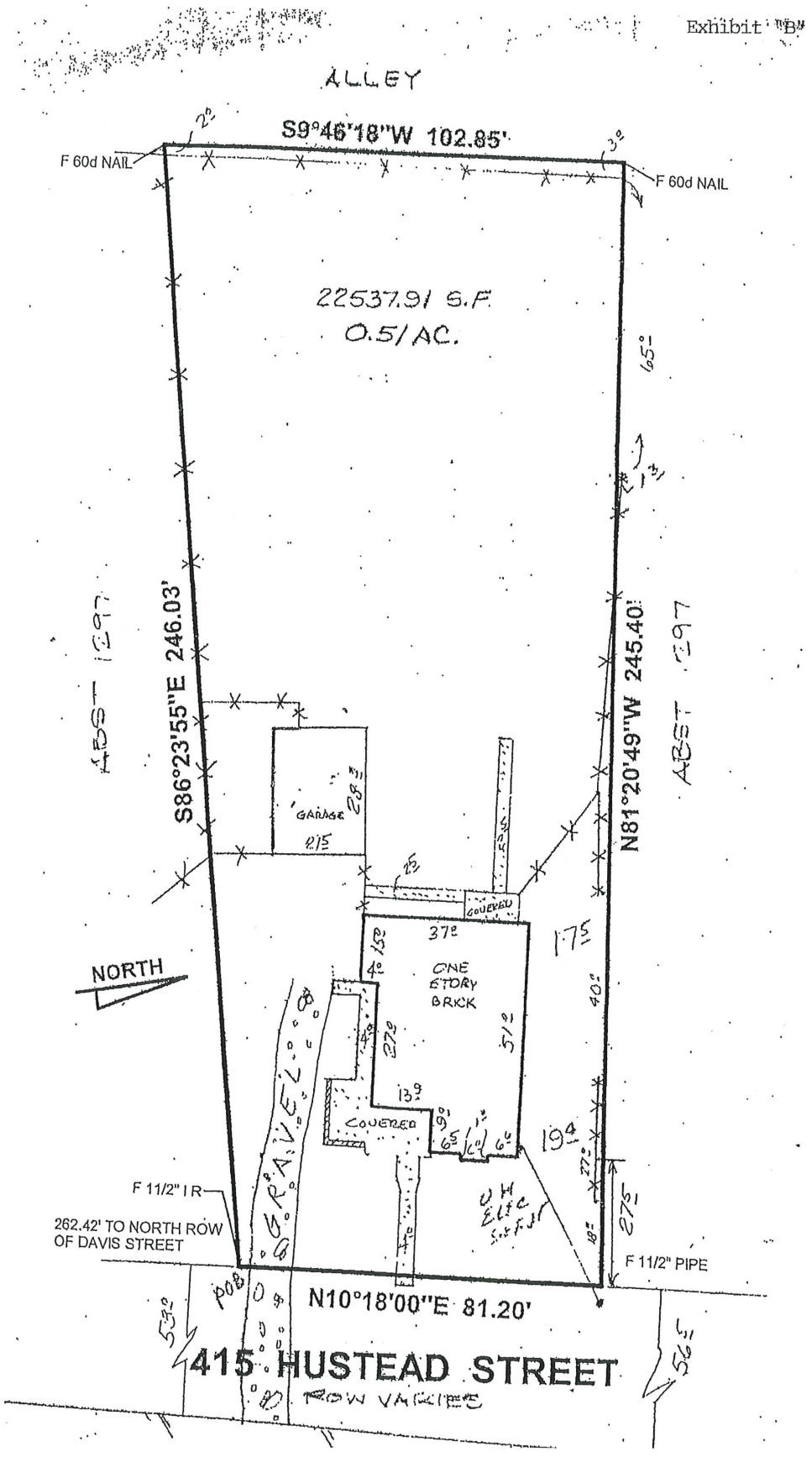


Exhibit "B"
ALLEY
S9°46'18"W 102.85'
F 60d NAIL
F 60d NAIL
22537.91 S.F.
0.5/AC.
S86°23'55"E 246.03'
N81°20'49"W 245.40'
EAST 1297'
EAST 1297
GARAGE
COVERED
ONE STORY BRICK
COVERED
NORTH
GRAVEL
F 11/2" I R
262.42' TO NORTH ROW OF DAVIS STREET
F 11/2" PIPE
N10°18'00"E 81.20'
POB
415 HUSTEAD STREET
ROW VARIES

ATTACHMENT 4

City of Duncanville Planning Division
Public Works Department
203 E. Wheatland Road
P. O. Box 380280
Duncanville, TX 75138-0280
(p) 972-707-3871; (f) 972-780-6426
(e) sthibodeaux@duncanville.com

July 2, 2021

Zoning File: 2021-17

Dear Property Owner:

James Wilkins, Applicant and Owner, to include a Specific Use Permit "SUP" for a Bed and Breakfast on J.H. Spruce Survey, Abstract No. 1297, Page 50, City of Duncanville, Dallas County, Texas, approximately 0.51 acre, more commonly known as 415 Hustead Street.

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 rezoning for this particular public hearing. Please refer to the enclosed map that indicates which property is being rezoned.

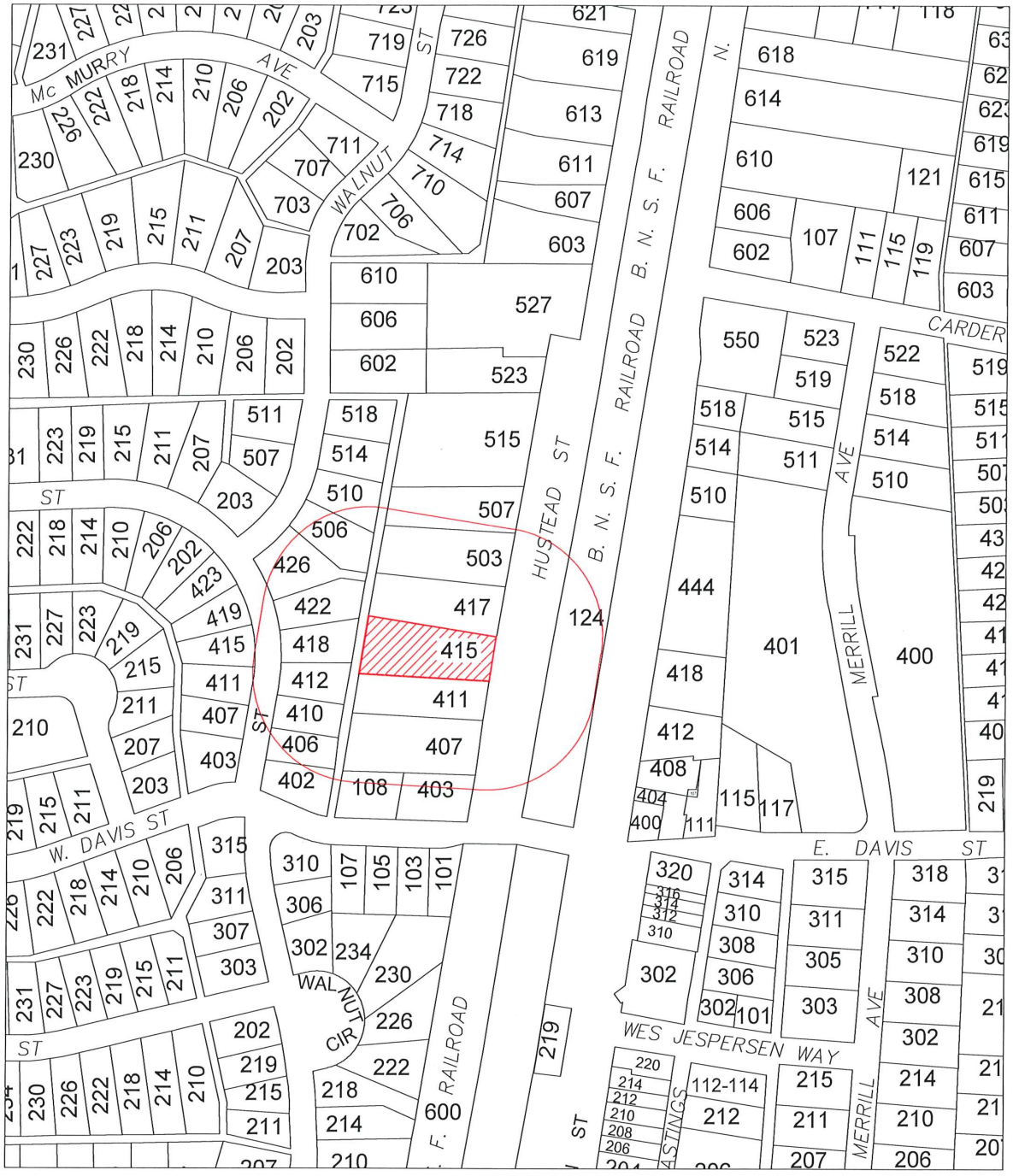
The Planning and Zoning Commission will hold a public hearing on Monday, July 19, 2021, at 7:00 p.m. and a City Council public hearing will be held on Tuesday, August 3, 2021, at 7:00 p.m. in the City Hall Council Chambers, 203 E. Wheatland Road. Public hearings are held to allow interested persons the 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 July 28, 2021, to fulfill legal requirements for a written formal protest.

As an interested citizen, you may submit public comments to either the City Secretary or to Skye Thibodeaux, Secretary of the Planning and Zoning Commission, P.O. Box 380280, Duncanville, Texas, 75138-0280 or email sthibodeaux@duncanville.com stating your position. You are encouraged to participate in the public hearing and offer comments.

Sincerely,

Skye Thibodeaux, AICP
Secretary, Planning and Zoning Commission

Enclosures


Mc MURRY AVE
WALNUT ST
HUSTEAD ST
B. N. S. F. RAILROAD
N. MERRILL AVE
CARDER
W. DAVIS ST
E. DAVIS ST
WALNUT CIR
WES JESPERSEN WAY
415
Duncanville
City of Champions
Proposed Zoning Renewal
Case # 2021-17
200 Foot Buffer
415 Hustead Street
AREA OF REQUEST

The following form may be filled out and mailed to:

Planning and Zoning Commission
City of Duncanville
Attn: Public Works Department
P.O. Box 380280
Duncanville, TX 75138-0280

Case No. 2021-17 James Wilkins, Applicant and Owner, to include a Specific Use Permit "SUP" for a Bed and Breakfast on J.H. Spruce Survey, Abstract No. 1297, Page 50, City of Duncanville, Dallas County, Texas, approximately 0.51 acre, more commonly known as 415 Hustead Street. This is the first of two public hearings that have been scheduled to receive further input on the requested 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 19, 2021, at 7:00 p.m. and a City Council public hearing will be held on Tuesday, August 3, 2021, at 7:00 p.m. in the City Hall 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 July 28, 2021, 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: _____

The following form may be filled out and mailed to:

Planning and Zoning Commission
City of Duncanville
Attn: Public Works Department
P.O. Box 380280
Duncanville, TX 75138-0280

RECEIVED
JUN 21 2021
CITY OF DUNCANVILLE
PUBLIC WORKS DEPT.

Case No. 2021-17 James Wilkins, Applicant and Owner, to include a Specific Use Permit "SUP" for a Bed and Breakfast on J.H. Spruce Survey, Abstract No. 1297, Page 50, City of Duncanville, Dallas County, Texas, approximately 0.51 acre, more commonly known as 415 Hustead Street. This is the first of two public hearings that have been scheduled to receive further input on the requested 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, June 28, 2021, at 7:00 p.m. and a City Council public hearing will be held on Tuesday, July 20, 2021, at 7:00 p.m. in the City Hall 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 July 14, 2021, 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: Betty Reynolds Address: 407 Hustead St

Signature: Betty Reynolds Date: 6/19/2021

ATTACHMENT 5

ROCKETT PEARSON LEE JR
503 HUSTEAD ST
DUNCANVILLE TEXAS 751163438

SALAS CHAVEZ MARCO ANTONIO &
507 HUSTEAD ST
DUNCANVILLE TEXAS 751163438

MARISCAL DANIEL
418 WALNUT ST
DUNCANVILLE TEXAS 751163432

SALMERON RAUL MEJIA
422 WALNUT ST
DUNCANVILLE TEXAS 751163432

LOPEZ FREDDIE L
426 WALNUT ST
DUNCANVILLE TEXAS 751163432

FLOWERS VICKEY R &
JACQUELYN M
506 WALNUT ST
DUNCANVILLE TEXAS 751163434

MCCALES JAMES LAWRENCE &
LYNN ANN
510 WALNUT ST
DUNCANVILLE TEXAS 751163434

VILLEGAS IVETH
411 WALNUT ST
DUNCANVILLE TEXAS 751163431

GORDON GAYLE M
415 WALNUT ST
DUNCANVILLE TEXAS 751163431

BNSF RAILWAY
% PROPERTY TAX DEPT
PO BOX 961089
FORT WORTH TEXAS 761610089

REYNOLDS BERKLEY J
407 HUSTEAD ST
DUNCANVILLE TEXAS 751163436

MONCADA DAVID MARTINEZ
5316 EL TORRO ST
DALLAS TEXAS 752361880

WILKINS JAMES R
PO BOX 381951
DUNCANVILLE TEXAS 751381951

HERNANDEZ JOSE & JUANITA
417 HUSTEAD ST
DUNCANVILLE TEXAS 751163436

GOETZ DERRYL G
108 W DAVIS ST
DUNCANVILLE TEXAS 751163406

HAMM STEPHEN ERIC
514 W ALABAMA AVE
MIDLOTHIAN TEXAS 760653410

URBINA ROBERTO
402 WALNUT ST
DUNCANVILLE TEXAS 751163432

ACEVEDO ROGELIO
406 WALNUT ST
DUNCANVILLE TEXAS 751163432

ONE CLEAR KEY PROPERTY
SOLUTIONS LLC
8641 5TH ST STE W7
FRISCO TEXAS 750344290

BRAYTON DAVID L
412 WALNUT ST
DUNCANVILLE TEXAS 751163432

2021-17 Property Owners with 200'

ATTACHMENT 6

PLANNING AND ZONING COMMISSION
REGULAR MEETING
CITY HALL
203 E WHEATLAND ROAD
MONDAY, JULY 19, 2021 @ 7:00 P.M.

A meeting for the Planning and Zoning Commission was held on Monday, July 19, 2021, at 7:00 p.m. with the following present:

Planning and Zoning Commission Members:

Greg Zylka	Chairman	
Betty Culbreath	Vice-Chairman	
Eric Pena	Commissioner	
Jana McBroom	Commissioner	
George Turner	Commissioner	Excused absence
Elias Rodriguez	Commissioner	
Richard Shaw	Commissioner	Arrived 7:40pm

Staff present:
Skye Thibodeaux, City Planner
Athena Seaton, Planning Technician

The meeting was called to order at 7:00 p.m. by Chairman Zylka.

Item No. 1 – Receive Public Comments

Due to recent changes in state legislation, public comments have been added to the agendas of all boards and commissions subject to the Open Meetings Act, with time allocated at the beginning of each meeting. Comments are limited to two minutes per speaker.

No comments were received.

Item No. 2 – Approval of meeting minutes for the regular meeting on May 24, 2021 and cancelled regular meeting on June 28, 2021.

Commissioner Culbreath made a motion as seconded by Commissioner Rodriguez to approve the minutes. The vote was unanimous 5-0 in favor with Commissioner Turner and Commissioner Shaw absent.

Item No. 3 – Conduct a public hearing (2021-09) and consider approval regarding the request of Roland Ako, representing Italy Family Pharmacy, Inc, Owner and Applicant, to include a Specific Use Permit "SUP" to allow the use of Drive Thru on Hopco Wedge Tr 1, City of Duncanville, Dallas County, approximately 1.710 Acres, more commonly known as 102 E Danieldale Road, Duncanville, Texas.

Skye Thibodeaux presented background information regarding the proposed SUP.

Unapproved

Commissioners received clarification regarding driveways and elevations.

Public hearing opened at 7:13 pm.

Matthew Williamson, MBW Engineering, LLC, explained driveway entrance construction.

Commissioner Culbreath made a motion to close the public hearing at 7:14 pm, with motion seconded by Commissioner McBroom. The vote was unanimous 5-0 in favor with Commissioner Turner and Commissioner Shaw absent.

No discussion followed.

Commissioner Culbreath made a motion, seconded by Commissioner McBroom to approve the Specific Use Permit as presented with no additional conditions. The vote was unanimous 5-0 in favor with Commissioner Turner and Commissioner Shaw absent.

Item No. 4 – Conduct a public hearing (2021-10) for consideration and action regarding the request of Julius Okunola, representing the Redeemers Christian Church of God (Victory House), Owner and Applicant, to include a Planned Development "PD" for an Event Center with modified standards on Shekinah Glory, Block A, Lot 1, City of Duncanville, Dallas County, approximately 3.910 acres, more commonly known as 515 W Center Street, Duncanville, Texas.

Skye Thibodeaux presented background information regarding the proposed PD.

Discussion followed regarding intended activities, hours of operation, locations of substandard landscape buffers adjacent to residential property and meeting development standards with new zoning ordinance.

Public hearing opened at 7:35 pm.

Kharrol Amissah-Aidoo, architect with Cre Alli Design Group, explained details of the site plan and provided information regarding the landscaping buffer, walking path, ADA compliance, building features and prayer rooms, and hours of operation.

Commissioner Culbreath made a motion to close the public hearing at 7:44 pm, with motion seconded by Commissioner Rodriguez. The vote was unanimous 6-0 in favor with Commissioner Turner absent.

Discussion continued regarding development standards.

Commissioner Culbreath made a motion, seconded by Commissioner McBroom to approve the PD as presented with the condition that a conforming 15-foot landscape buffer be provided along the western property boundary. The vote was unanimous 6-0 in favor with Commissioner Turner absent.

Item No. 5– Conduct a public hearing (2021-10) for consideration and action regarding the request of James Wilkins, Applicant and Owner, to include a Specific Use Permit "SUP" for a Bed and

Unapproved

Breakfast on J.H. Spruce Survey, Abstract No. 1297, Page 50, City of Duncanville, Dallas County, Texas, approximately 0.51 acre, more commonly known as 415 Hustead Street, Duncanville, Texas.

Skye Thibodeaux presented background information regarding the proposed PD.

No discussion followed

Public hearing opened at 8::06 pm.

Alla Wilkins, co-owner and manager, presented on behalf of the bed and breakfast the business, awards guests and features.

Commissioner Culbreath made a motion to close the public hearing at 8:11 pm, with motion seconded by Commissioner McBroom. The vote was unanimous 6-0 in favor with Commissioner Turner absent.

No discussion followed

Commissioner McBroom made a motion, seconded by Commissioner Pena to approve the renewal of the SUP with removal of the special condition Section 2, number 5, specifying time period renewals in Ordinance 1990. The vote was unanimous 6-0 in favor with Commissioner Turner absent.

Item No. 6– Conduct a public hearing (2021-10) for consideration and action regarding the request of William Self, Applicant and Owner, to include a Specific Use Permit "SUP" for a Carport on Town and Country Estates Rep, Block A, Lot 26, approximately 0.21 acre, City of Duncanville, Dallas County, Texas, more commonly known as 710 Timber Trail, Duncanville, Texas.

Skye Thibodeaux presented background information regarding the proposed SUP for a carport.

No discussion followed

Public hearing opened at 8::17 pm.

Commissioner McBroom made a motion to close the public hearing at 8:18 pm, with motion seconded by Commissioner Culbreath. The vote was unanimous 6-0 in favor with Commissioner Turner absent.

No discussion followed

Commissioner McBroom made a motion, seconded by Commissioner Culbreath to approve the SUP as presented. The vote was unanimous 6-0 in favor with Commissioner Turner absent.

Item No. 6 – Adjourn
Being no further business, the meeting adjourned at 8:18 p.m.

Unapproved

_____	_____
Athena Seaton, Interim Secretary	Greg Zylka, Chairman

Unapproved

ORDINANCE NO. 1990R

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP, AS HERETOFORE AMENDED, TO AMEND THE EXISTING SINGLE-FAMILY RESIDENTIAL ZONING "SF-7", TO GRANT A SPECIFIC USE PERMIT FOR BED AND BREAKFAST AT PROPERTY DESCRIBED AS LOT 1, SHEET 1, ORIGINAL TOWN ADDITION, SITUATED IN ABSTRACT NO. 1297 OF THE JOHN H. SPRUCE SURVEY, AND SITUATED AT 415 HUSTEAD STREET, IN THE CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED; PROVIDING 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 FOR 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 RESOLVED 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 to amend the existing Single-Family Residential "SF-7" District zoning on the property described herein; and, to grant a Specific Use Permit to allow the use of said property for a "Bed and Breakfast" facility, the Property being situated at 415 Hustead Street, and being described as Lot 1, Sheet 1 of the Original Town Addition, Abstract 1297 of the John H. Spruce Survey, City of Duncanville, Dallas County, Texas, and being more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes (the "Property").

SECTION 2. That the above-described Property shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of the City of Duncanville, as amended herein and heretofore amended, subject to the following special conditions:

1. The development and use of the Property shall be in accordance with the terms of this ordinance, the regulations set forth in the SF-7 Single-Family Dwelling zoning district, and the approved Site Plan (Exhibit B) attached

with original Ordinance No. 1990. In the event of a conflict between the "SF-7" zoning regulations and this ordinance, the terms of this ordinance will prevail.

2. All development, construction, improvement, renovation, repair, maintenance and use of all structures, utilities, appurtenances, facilities and improvements shall conform to and comply with all building, paving and fire codes, accessibility requirements, and all City and State laws and regulations.
3. The Property may be used as a Bed and Breakfast facility and may be open all days of the week; the maximum overnight guest occupancy shall not exceed six (6) persons.
4. No garage or accessory building shall be converted for use as a habitation.

SECTION 3. That all provisions of the ordinances of the City of Duncanville in conflict with the provisions of this ordinance be and the same are hereby repealed and all ordinances not so in conflict shall remain in full force and effect.

SECTION 4. That an offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 5. 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 hereof other than the part so decided to be unconstitutional, illegal or invalid, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 6. That any person, fim1 or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, 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.

SECTION 7. This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

DULY RESOLVED AND ADOPTED by the City Council of the City of Duncanville, Texas, on the 3rd day of August, 2021.

APPROVED:

_____

Barry L. Gordon, Mayor

ATTEST:

_____

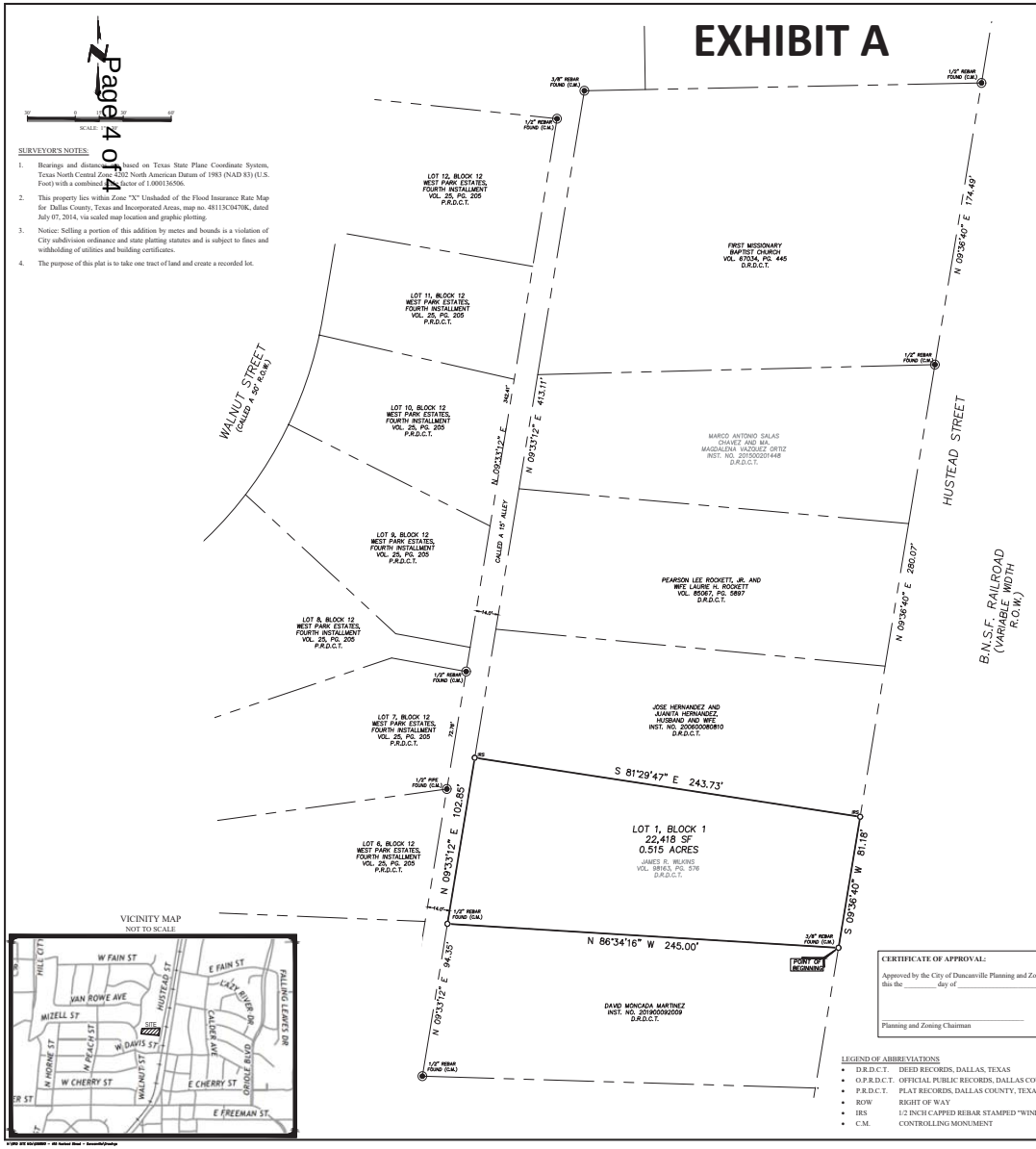
Kristin Downs, City Secretary

APPROVED AS TO FORM:

_____

Robert E. Hager, City Attorney

EXHIBIT A



VICINITY MAP
NOT TO SCALE

SURVEYOR'S NOTES:

1. Bearings and distances are based on Texas State Plane Coordinate System, Texas North Central Zone 4202 North American Datum of 1983 (NAD 83) (U.S. Foot) with a combined scale factor of 1.000136506.
2. This property lies within Zone "X" Unshaded of the Flood Insurance Rate Map for Dallas County, Texas and Incorporated Areas, map no. 48113C0470K, dated July 07, 2014, via scaled map location and graphic plotting.
3. Notice: Selling a portion of this addition by metes and bounds is a violation of City subdivision ordinance and state platting statutes and is subject to fines and withholding of utilities and building certificates.
4. The purpose of this plat is to take one tract of land and create a recorded lot.

CERTIFICATE OF APPROVAL:

Approved by the City of Duncanville Planning and Zoning Commission on this the _____ day of _____, 20___.

_____
Planning and Zoning Chairman

LEGEND OF ABBREVIATIONS

- D.R.D.C.T. DEED RECORDS, DALLAS, TEXAS
- O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
- P.R.D.C.T. PLAT RECORDS, DALLAS COUNTY, TEXAS
- ROW RIGHT OF WAY
- IRS 1/2 INCH CAPPED REBAR STAMPED "WINDROSE" SET
- C.M. CONTROLLING MONUMENT

OWNER/DEVELOPER
James R. Wilkins
415 Hustead Street
Duncanville, Texas 75116

STATE OF TEXAS §
COUNTY OF DALLAS §

WHEREAS James R. Wilkins is the owner of a 0.515 acre tract of land situated in the J.H. Spruce Survey, Abstract Number 1297, being all of a tract of land described in General Warranty Deed recorded in Volume 98163, Page 576, Deed Records, Dallas County, Texas and being more particularly described by metes and bounds as follows: (Bearings and Distances are based on the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983 (NAD83) (US Foot) with a combined scale factor of 1.000136506);

BEGINNING at a 3/8 inch rebar found for the southeast corner of said Wilkins tract, same being the northeast corner of a tract of land described to David Moncada Martinez by deed recorded in Instrument Number 20190092009, Deed Records, Dallas County, Texas and lying on the west right-of-way line of Hustead Street which abuts B.N.S.F. Railroad (Variable Width right-of-way);

THENCE North 86 degrees 34 minutes 16 seconds West, departing the west right-of-way line of said Hustead Street, with the north line of said Martinez tract, a distance of 245.00 feet to a 1/2 inch rebar found for the northwest corner of said Martinez tract and lying on the east right-of-way line of a called 15 foot alley;

THENCE North 09 degrees 33 minutes 12 seconds East, with the east line of said Alley, a distance of 102.85 feet to a 1/2 inch rebar capped "WINDROSE" set for the southwest corner of a tract of land described to Jose Hernandez and Juanita Hernandez, Husband and Wife, by deed recorded in Instrument Number 20060080810, Deed Records, Dallas County, Texas;

THENCE South 81 degrees 29 minutes 47 seconds East, departing the east right-of-way line of said alley, with the south line of said Hernandez tract, a distance of 243.73 feet to a 1/2 inch rebar capped "WINDROSE" set for the southeast corner of said Hernander tract and lying on the west right-of-way line of said Hustead Street;

THENCE South 09 degrees 36 minutes 40 seconds West, with the west right-of-way line of said Hustead Street, a distance of 81.18 feet to THE POINT OF BEGINNING and containing 22,418 square feet or 0.515 acres of land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

THAT we, **James R. Wilkins**, do hereby adopt this plat designating the herein property described as **Lot 1, Bloch 1 Allas Historical Bed and Breakfast Addition, an** addition to the City of Duncanville, Dallas County, Texas, and does hereby dedicate, in fee simple, to the public use forever any streets, alleys, and floodway management areas shown thereon. The easements shown thereon are hereby reserved fort he purposes indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easement sis the responsibility of the property owner. No buildings, fences, trees, shrubs or other improvements, or growths shall be constructed, reconstructed, or placed upon, over, or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in nay way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems, without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress or egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by the utility.)

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Duncanville, Texas.

By: _____
James R. Wilkins

STATE OF TEXAS §
COUNTY OF _____ §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared_____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____day of _____ 20___.

_____
Notary Public in and for the State of Texas

STATE OF TEXAS §
COUNTY OF DENTON §

This is to certify that I, Mark N. Peeples, a Registered Professional Land Surveyor of the State of Texas, have platted the subdivision from an actual survey on the ground, and that this plat correctly represents that survey made by me or under my direction and supervision.

PRELIMINARY
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT
DATED:6/7/2021

_____
Mark N. Peeples, R.P.L.S.
No. 6443

STATE OF TEXAS §
COUNTY OF DENTON §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Mark N. Peeples, known to me to be the person 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 _____day of _____ 20___.

_____
Notary Public in and for the State of Texas

WINDROSE
LAND SURVEYING I PLATTING
220 ELM STREET, SUITE 200 I LEWISVILLE, TX 75057 I 214.217.2544
FIRM REGISTRATION NO. 10194331 I WINDROSESERVICES.COM

DRAWN BY: G.L.C. DATE: 04/16/2021 CHECKED BY: M.P. JOB NO.: 056880

Point of Contact:
Grayson CeBallos
972-370-5871
grayson.ceballos@windroseservices.com
Last Revision Date: 05/07/2021

SURVEY
ALLAS HISTORICAL
BED AND BREAKFAST ADDITION
LOT 1, BLOCK 1
Being a 0.515 Acre tract of land
situated in the J.H. Spruce Survey,
Abstract Number 1297
in the
City of Duncanville, Dallas County, Texas
-- 2021 --

STAFF REPORT

MEETING: City Council - 03 Aug 2021

TITLE:
Conduct a Public Hearing (2021-09) and consider approval regarding the request of Roland Ako, representing Italy Family Pharmacy, Inc, Owner and Applicant, to include a Specific Use Permit "SUP" to allow the use of Drive-Thru on Hopco Wedge, Tract 1, City of Duncanville, Dallas County, Texas, approximately 1.710 Acres, more commonly known as 102 E Danieldale Road.

FY 2019 CITY COUNCIL ORGANIZATIONAL WORKPLAN:

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

STAFF RESPONSIBLE:
Bryan G. Ramey II, P.E., Public Works Director
Skye Thibodeaux, AICP, City Planner

BACKGROUND/HISTORY:
Comprehensive Plan
The subject property has a Future Land Use Designation of Main Street District. The Plan envisions the Main Street District as being a mixed-use activity hub, but more auto oriented and serving two primary purposes:

1. High quality commercial, particularly restaurants, to capitalize on the Fieldhouse.
2. Develop a hub of community activity like the Downtown District, but smaller in scale and more oriented towards neighborhoods than the region, specifically neighborhood and boutique retail/commercial, through the rest of the Main Street District.

This request involves a development with a mix of pharmacy, medical office, and restaurant uses. Additionally, the proposed use of Drive-Thru speaks to the Main Street District being envisioned as more auto-oriented in nature.

Project Scope
The applicant is seeking approval to allow for the accessory use of Drive-Thru at the subject property to be utilized with both the pharmacy/medical office structure and the restaurant, as shown on the associated site plan exhibit.

The drive-thrus associated with each structure have different standards as they are related to different uses. Section 4.04.F (Off-Street Stacking Requirements) of the Zoning Ordinance has the following standards associated with each use:

1. Drive-Thru in conjunction with a Restaurant – 4 spaces for the first stopping point, plus 1 space per additional stopping point, and 1 space after the final stopping point
2. Drive-Thru in conjunction with any other use (pharmacy) – 2 spaces per stopping point, and 1 space after the final stopping point

The drive-thrus shown on the site plan exhibit are designed to be in conformance with the above standards.

In regard to phasing, per staff's understanding, the pharmacy/medical office structure is planned to be developed first and the area associated with the restaurant may exist for some time as a pad site ready for future development.

Parking
For the pharmacy/medical office use, the Zoning Ordinance requires one (1) off-street parking space for each 400 square feet of floor area. For the restaurant, the ratio for a seated service restaurant has been applied which is one (1) space for each 200 square feet of floor area. As shown on the attached site plan exhibit, the development is being designed to have 42 parking spaces. Five (5) more than what is required.

Landscaping and Screening
Landscaping is proposed to be in conformance with Section 4.08.(Landscape Requirements) and proposed dumpsters are proposed to be screened in conformance to Section 4.07. (Screening and Buffering Requirements).

Signage
The site must comply with Chapter 16A Sign Guidelines of the Code of Ordinances regarding attached and freestanding signage.

Surrounding Land Use
To the south of the subject property, across Shady Trail Drive, is the City's Municipal Service Center zoned SF-13 Single-Family Residential District. To the north, across Danieldale Road, is undeveloped property zoned Local Office/Retail (LOR). To the west, across Main Street, is vacant property zoned Local Office/Retail zoned LOR. To the east, across Danieldale Road as the right-of-way turns south, is an existing place of worship with an associated SUP and more undeveloped property zoned LOR.

Zoning and Land Use
Section 6.05. (Specific Use Permits) of the Zoning Ordinance, states the 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

POLICY EXPLANATION:
Notification
Twelve (12) notices were sent out for this public hearing. As of this writing, one (1) letter has been received in favor of the request.

FUNDING SOURCE:
N/A

Contract Log #:
N/A

RECOMMENDATION:
At the July 19, 2021 Special Planning & Zoning Commission Meeting, the Commission recommended approval of the request by a vote of 5-0.

ATTACHMENTS:
Attachment 1 - Legal Advertisement for Public Hearing
Attachment 2 - Area of Request Maps
Attachment 3 - Site Plan
Attachment 4 - Landscape Plan
Attachment 5 - Elevation Plan
Attachment 6 - Letter from Applicant
Attachment 7 - Letter to Property Owners within 200' buffer and responses
Attachment 8 - List of Property Owners
Attachment 9 - Unapproved Minutes from Planning & Zoning Meeting
Attachment 10 - Ordinance No. - 2404 - SUP request for Drive-Thru at 102 East Danieldale Road

ATTACHMENT 1

Advertise 1 time - By July 4

NOTICE OF A PUBLIC HEARING BEFORE THE
PLANNING AND ZONING COMMISSION
ZONING FILE #2021-09

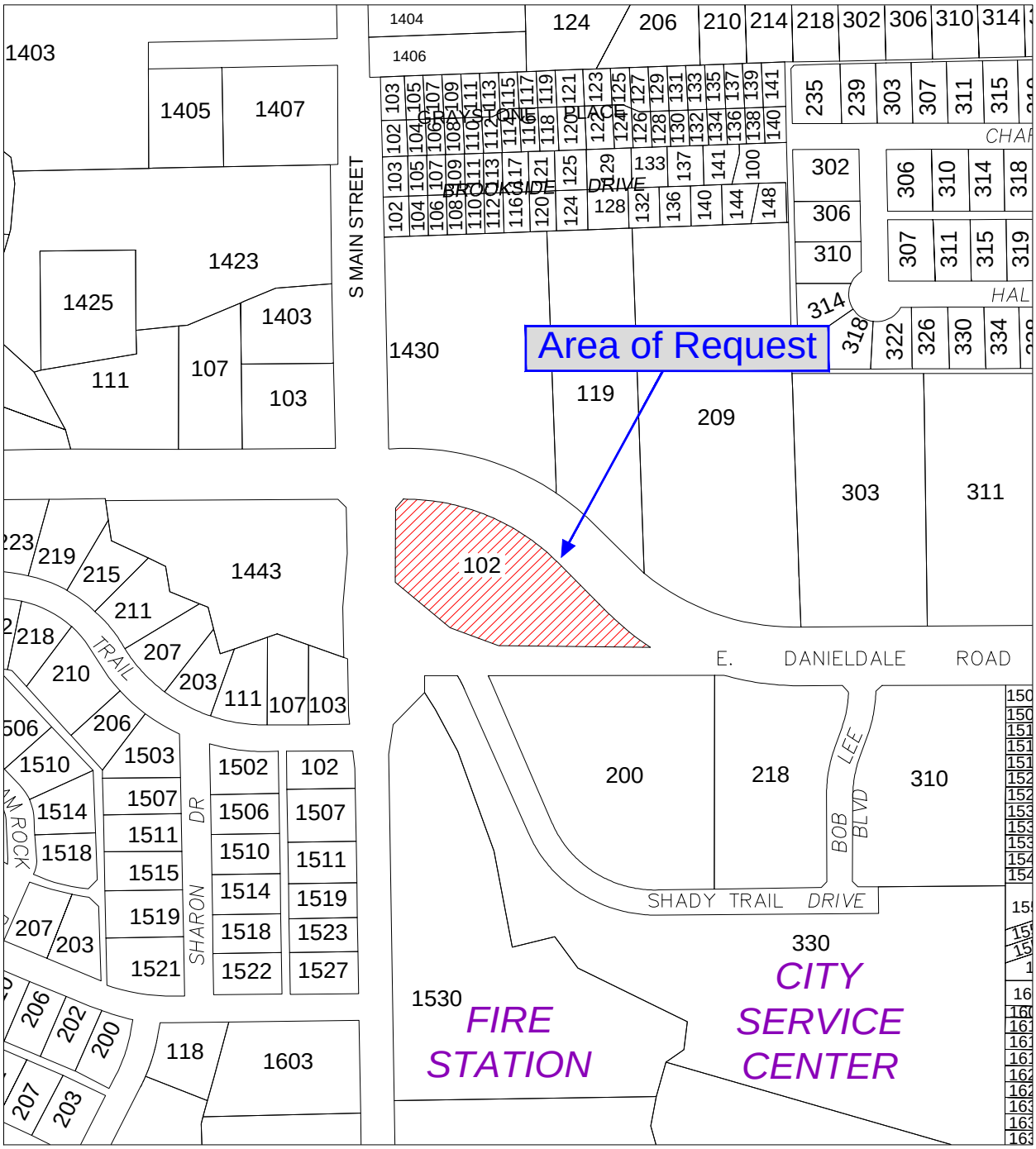
A public hearing will be held before the Planning & Zoning Commission for a Special Meeting on Monday, July 19, 2021, at 7:00 p.m., and before the City Council on Tuesday, August 3, 2021, at 7:00 p.m., in the Council Chambers, City Hall, 203 E. Wheatland Road, Duncanville, Texas, to hear a request from Roland Ako, representing Italy Family Pharmacy, Inc., Owner and Applicant, to include a Specific Use Permit "SUP" for Drive-Thru on Hopco Wedge Tract 1, City of Duncanville, Dallas County, Texas, approximately 1.710 Acres, more commonly known as 102 E Danieldale Road.

As an interested citizen, you may appear at the public hearing or you may send a notice to either the City Secretary or to Skye Thibodeaux, Secretary of the Planning and Zoning Commission, P.O. Box 380280, Duncanville, Texas, 75138-0280 stating your position.

CITY OF DUNCANVILLE
Kristin Downs
City Secretary

Skye Thibodeaux, AICP
Secretary, Planning and Zoning Commission

ATTACHMENT 2

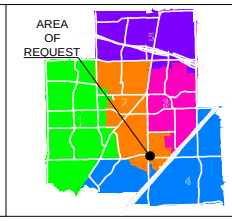


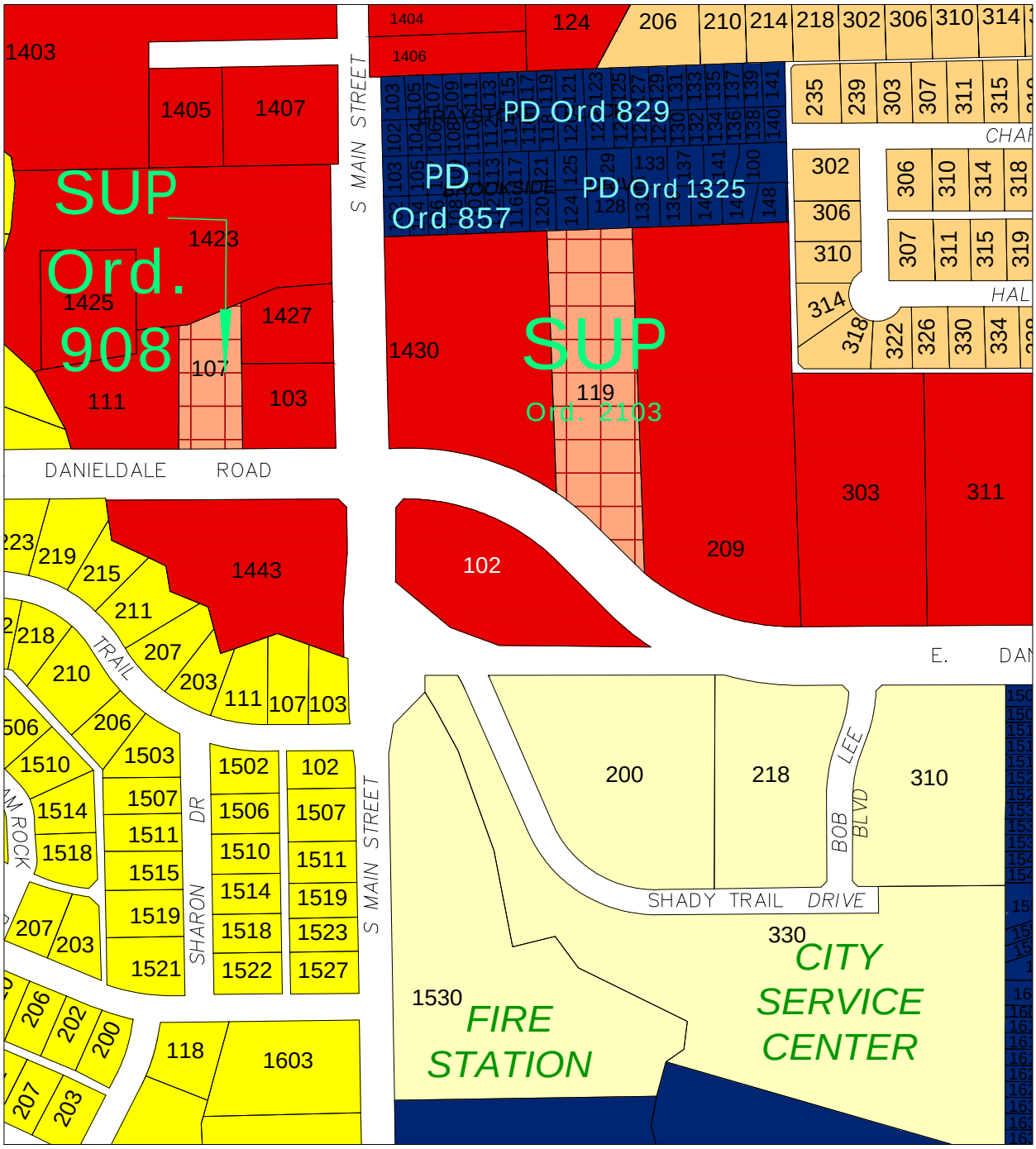
Proposed Zoning Change

Case # 2021-09

Area of Request

102 E. Danieldale Road





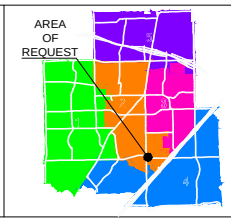
Duncanville
City of Champions

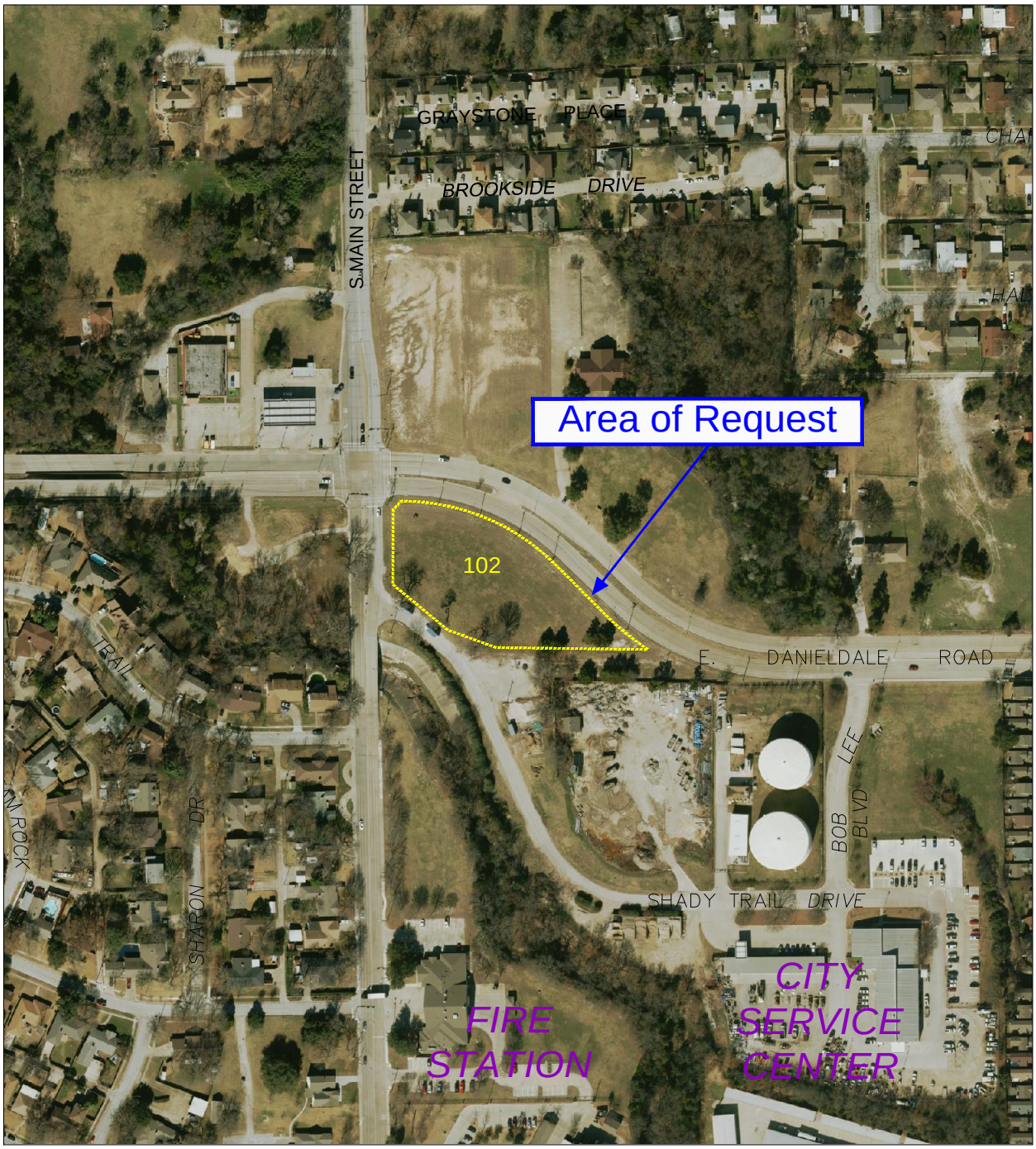
Proposed Zoning Change

Case # 2021-09

Current Zoning Area

102 E. Danieldale Road





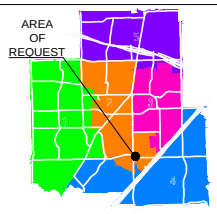
Duncanville
City of Champions

Proposed Zoning Change

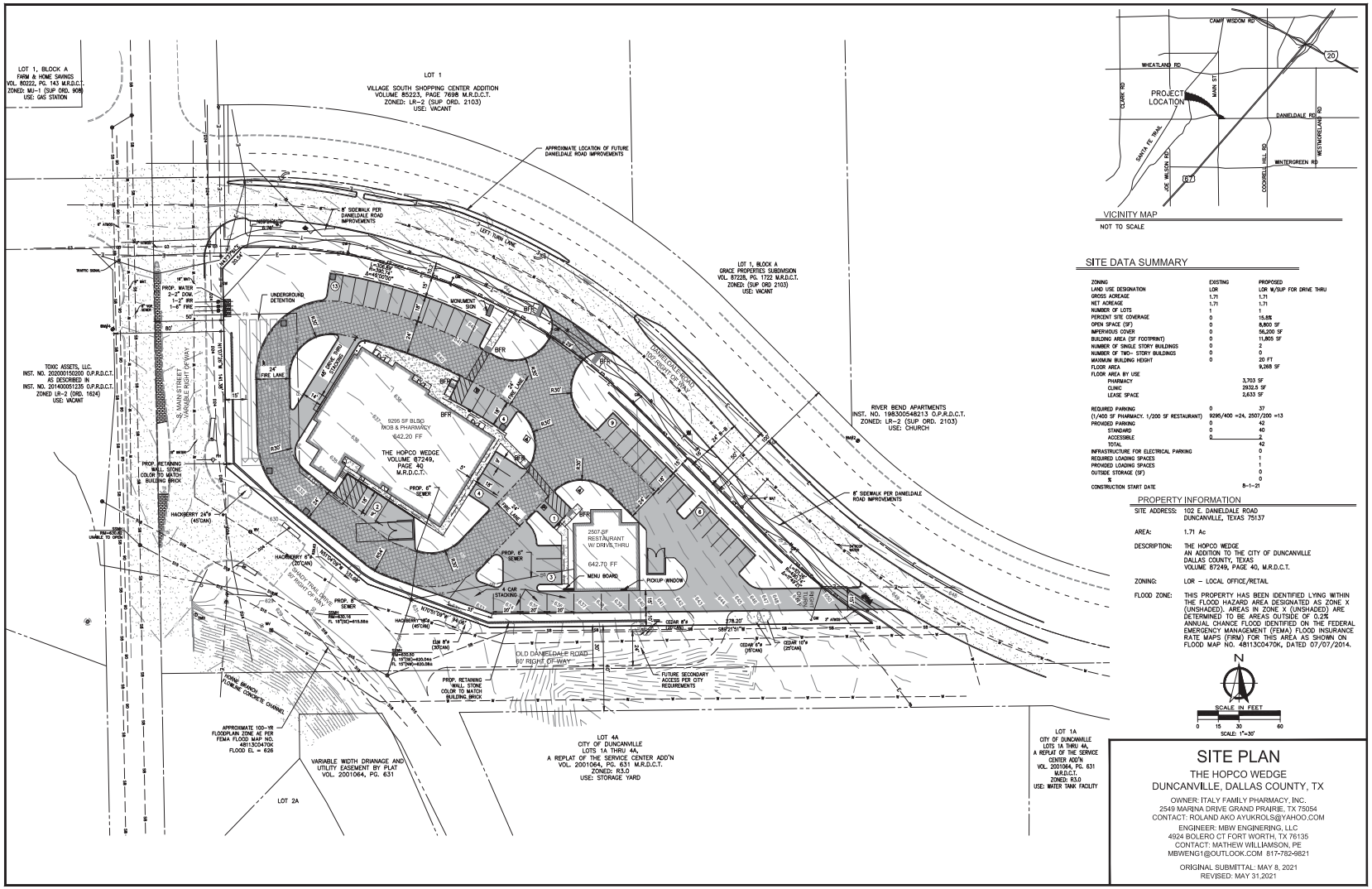
Case # 2021-09

Aerial Location

102 E. Danieldale Road



ATTACHMENT 3



SITE DATA SUMMARY

	EXISTING	PROPOSED
ZONING	LOR	LOR W/SUP FOR DRIVE THRU
LAND USE DESIGNATION	1.71	1.71
GROSS ACREAGE	1.71	1.71
NET ACREAGE	1	1
NUMBER OF LOTS	0	15.8%
PERCENT SITE COVERAGE	0	8,900 SF
OPEN SPACE (SF)	0	56,200 SF
IMPERVIOUS COVER	0	11,805 SF
BUILDING AREA (SF FOOTPRINT)	0	2
NUMBER OF SINGLE STORY BUILDINGS	0	0
NUMBER OF TWO- STORY BUILDINGS	0	20 FT
MAXIMUM BUILDING HEIGHT	0	9,268 SF
FLOOR AREA		
FLOOR AREA BY USE		
PHARMACY		3,703 SF
CLINIC		2932.5 SF
LEASE SPACE		2,633 SF
REQUIRED PARKING	0	37
(1/400 SF PHARMACY, 1/200 SF RESTAURANT)		9295/400 =24, 2507/200 =13
PROVIDED PARKING	0	42
STANDARD	0	40
ACCESSIBLE	0	2
TOTAL		42
INFRASTRUCTURE FOR ELECTRICAL PARKING		0
REQUIRED LOADING SPACES		1
PROVIDED LOADING SPACES		1
OUTSIDE STORAGE (SF)		0
%		0
CONSTRUCTION START DATE		8-1-21

PROPERTY INFORMATION

SITE ADDRESS: 102 E. DANIELDALE ROAD
DUNCANVILLE, TEXAS 75137

AREA: 1.71 Ac

DESCRIPTION: THE HOPCO WEDGE
AN ADDITION TO THE CITY OF DUNCANVILLE
DALLAS COUNTY, TEXAS
VOLUME 87249, PAGE 40, M.R.D.C.T.

ZONING: LOR – LOCAL OFFICE/RETAIL

FLOOD ZONE: THIS PROPERTY HAS BEEN IDENTIFIED LYING WITHIN THE FLOOD HAZARD AREA DESIGNATED AS ZONE X (UNSHADED). AREAS IN ZONE X (UNSHADED) ARE DETERMINED TO BE AREAS OUTSIDE OF 0.2% ANNUAL CHANCE FLOOD IDENTIFIED ON THE FEDERAL EMERGENCY MANAGEMENT (FEMA) FLOOD INSURANCE RATE MAPS (FIRM) FOR THIS AREA AS SHOWN ON FLOOD MAP NO. 48113C0470K, DATED 07/07/2014.

N

SCALE IN FEET
0 15 30 60
SCALE: 1"=30'

SITE PLAN

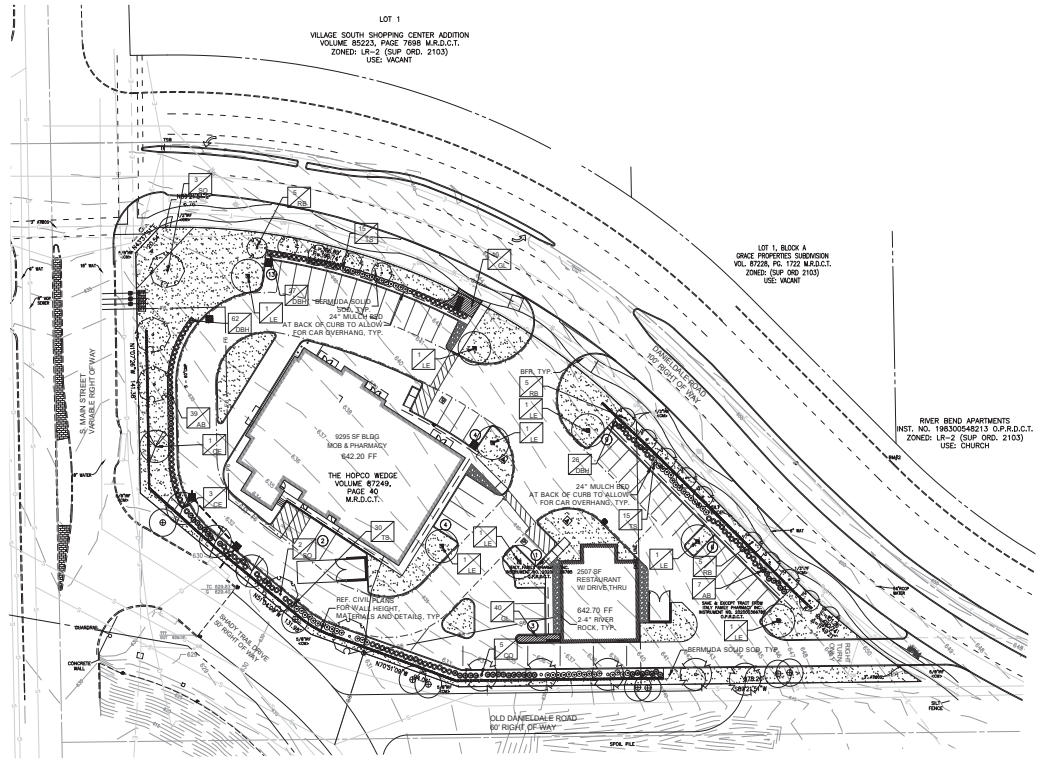
THE HOPCO WEDGE
DUNCANVILLE, DALLAS COUNTY, TX

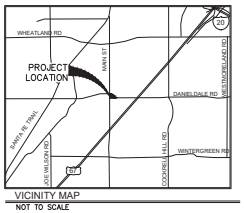
OWNER: ITALY FAMILY PHARMACY, INC.
2549 MARINA DRIVE GRAND PRAIRIE, TX 75054
CONTACT: ROLAND AKO AYUKROLS@YAHOO.COM

ENGINEER: MBW ENGINEERING, LLC
4924 BOLERO CT FORT WORTH, TX 76135
CONTACT: MATHEW WILLIAMSON, PE
MBWENG1@OUTLOOK.COM 817-782-9821

ORIGINAL SUBMITTAL: MAY 8, 2021
REVISED: MAY 31,2021

ATTACHMENT 4





PLANT SCHEDULE

QTY	LABEL	COMMON NAME	SCIENTIFIC NAME	SIZE	NOTES
		SHADE TREES			
4	CE	Cedar Elm	*Ulmus crassifolia*	3" cal.	12' ht., 4' spread, matching
5	CO	Chinkapin Oak	*Quercus muhlenbergii*	3" cal.	12' ht., 4' spread, matching
8	LE	Lacebark Elm	*Ulmus parvifolia 'Sempervirens'*	3" cal.	12' ht., 4' spread
5	SO	Shumard Oak	*Quercus shumardii*	3" cal.	12' ht., 5' spread
		ORNAMENTAL TREES			
15	RB	Oklahoma Redbud	*Cercis reniformis 'Oklahoma'*	30 gal.	8' ht., 4' spread, 3 trunk min.
		SHRUBS			
46	AB	Abelia 'Twist of Lime'	*Abelia x grandiflora 'Hopley's'*	3' ht.	full, 24" spread, 36" o.c.
115	DBH	Dwarf Burford Holly	*Ilex cornuta ' Burford Nana'*	3' ht.	full, 20" spread, 36" o.c.
60	TS	Texas Sage 'Green Cloud'	*Leucophyllum frutescens 'Green Cloud'*	3' ht.	full, 24" sprd, 36" o.c.
		GROUNDCOVER/VINES/GRASS			
80	GL	Giant Liriope Bermuda Solid Sod 2-4" River Rock	*Liriope gigantea* *Cynodon dactylon*	1 gal.	full, 18" o.c.

Plant list is an aid to bidders only. Contractor shall verify all quantities on plan. All heights and spreads are minimums. Trees shall have a strong central leader and be of matching specimens. All plant material shall meet or exceed remarks as indicated.

GENERAL LAWN NOTES

1. CONTRACTOR SHALL COORDINATE OPERATIONS AND AVAILABILITY OF EXISTING TOPSOIL WITH ON-SITE CONSTRUCTION MANAGER
2. LAWN AREAS SHALL BE LEFT 1" BELOW FINAL FINISHED GRADE PRIOR TO TOPSOIL INSTALLATION.
3. CONTRACTOR TO FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS AS SHOWN ON CIVIL DRAWINGS. POSITIVE DRAINAGE SHALL BE PROVIDED AWAY FROM ALL BUILDINGS. ROUNDING AT TOP AND BOTTOM OF SLOPES SHALL BE PROVIDED AND IN OTHER BREAKS IN GRADE. CORRECT AREAS WHERE STANDING WATER MAY OCCUR.
4. ALL LAWN AREAS SHALL BE FINE GRADED. IRRIGATION TRENCHES COMPLETELY SETTLED AND FINISH GRADE APPROVED BY THE OWNER'S CONSTRUCTION MANAGER OR LANDSCAPE ARCHITECT PRIOR TO LAWN INSTALLATION.
5. CONTRACTOR SHALL REMOVE ALL ROCKS 3/4" IN DIAMETER AND LARGER, REMOVE ALL DIRT CLODS, STICKS, CONCRETE SPOILS, TRASH ETC PRIOR TO PLACING TOPSOIL AND GRASS SEED.
6. CONTRACTOR SHALL GUARANTEE ALL LAWN AREAS UNTIL FINAL ACCEPTANCE.
7. CONTRACTOR SHALL GUARANTEE ESTABLISHMENT OF ACCEPTABLE TURF AREA AND SHALL PROVIDE REPLACEMENT IF NECESSARY.

SOLID SOD:

1. SOLID SOD SHALL BE PLACED ALONG ALL IMPERVIOUS EDGES, AT A MINIMUM. THIS SHALL INCLUDE CURBS, WALKS, INLETS, MANHOLES AND PLANTING BED AREAS. SOD SHALL COVER OTHER AREAS COMPLETELY AS INDICATED BY PLAN.
2. SOD SHALL BE STRONGLY ROOTED DROUGHT RESISTANT SOD, NOT LESS THAN 2 YEARS OLD, FREE OF WEEDS AND UNDESIRABLE NATIVE GRASS AND MACHINE CUT TO PAD THICKNESS OF 3/4" (+1/4"), EXCLUDING TOP GROWTH AND THATCH.
3. LAY SOD BY HAND TO COVER INDICATED AREAS COMPLETELY, ENSURING EDGES ARE TOUCHING WITH TIGHTLY FITTING JOINTS. NO OVERLAPS WITH STAGGERED STRIPS TO OFFSET JOINTS.
4. WORK JOINTS IN SOD BY HAND WITH TOPSOIL TO FILL VOIDS IF NECESSARY.
5. SOD SHALL BE ROLLED TO CREATE A SMOOTH EVEN SURFACE. SOD SHOULD BE WATERED THOROUGHLY DURING INSTALLATION PROCESS.
6. SHOULD INSTALLATION OCCUR BETWEEN OCTOBER 1ST AND MARCH 1ST, OVERSEED BERMUDAGRASS SOD WITH WINTER RYEGRASS AT A RATE OF 4 POUNDS PER 1000 S.F.

HYDROMULCH:

1. SCARIFY AND LOOSEN ALL AREAS TO BE HYDROMULCHED TO A MINIMUM DEPTH OF 4" PRIOR TO TOPSOIL AND HYDROMULCH INSTALLATION.
2. BERMUDA GRASS SEED SHALL BE EXTRA HULLED, TREATED LAWN TYPE. SEED SHALL BE DELIVERED TO THE SITE IN ITS ORIGINAL UNOPENED CONTAINER AND SHALL MEET ALL STATE/LOCAL LAW REQUIREMENTS.
3. FIBER SHALL BE 100% WOOD CELLULOSE FIVER, DELIVERED TO THE SITE IN ORIGINAL UNOPENED CONTAINER AS MANUFACTURED BY HYDROMULCH OR EQUAL.
4. FIBER TACK SHALL BE DELIVERED TO THE SITE IN ITS UNOPENED CONTAINER AND SHALL BE 'TERRO-TACK ONE', AS MANUFACTURED BY GROWERS, INC OR APPROVED EQUAL.
5. HYDROMULCH WITH BERMUDA GRASS SEET AT A RATE OF 2 POUNDS PER 1000 S.F.
6. USE A BATTER BOARD AGAINST ALL BED AREAS TO PREVENT OVER SPRAY.
7. IF INADEQUATE MOISTURE IS PRESENT IN SOIL, APPLY WATER AS NECESSARY FOR OPTIMUM MOISTURE FOR SEED APPLICATION.
8. IF INSTALLATION OCCURS BETWEEN SEPTEMBER 1ST AND MAY 1ST, ALL HYDROMULCH AREAS SHALL BE OVER-SEEDED WITH WINTER RYE GRASS AT A RATE OF FOUR POUNDS PER ONE THOUSAND SQUARE FEET. CONTRACTOR SHALL BE REQUIRED TO RE-HYDROMULCH WITH BERMUDA GRASS THE FOLLOWING GROWING SEASON AS PART OF THIS CONTRACT.
9. AFTER APPLICATION, NO EQUIPMENT SHALL OPERATE OVER APPLIED AREAS. WATER SEEDED AREAS IMMEDIATELY AFTER INSTALLATION TO SATURATION.
10. ALL LAWN AREAS TO BE HYDROMULCHED SHALL ACHIEVE 100% COVERAGE PRIOR TO FINAL ACCEPTANCE.

LANDSCAPE NOTES

1. CONTRACTOR TO VERIFY AND LOCATE ALL PROPOSED AND EXISTING ELEMENTS. NOTIFY LANDSCAPE ARCHITECT OR DESIGNATED REPRESENTATIVE OF ANY LAYOUT CONFLICTS, DISCREPANCIES OR ANY CONDITION THAT WOULD PREVENT PROPER INSTALLATION AS SHOWN. SURVEY DATA OF EXISTING CONDITIONS WAS SUPPLIED BY OTHERS.
2. CONTRACTOR SHALL CALL 811 TO VERIFY AND LOCATE ANY AND ALL UTILITIES ON SITE PRIOR TO COMMENCING WORK. LANDSCAPE ARCHITECT SHOULD BE NOTIFIED OF ANY CONFLICTS. CONTRACTOR TO EXERCISE EXTREME CAUTION WHEN WORKING NEAR UNDERGROUND UTILITIES.
3. A MINIMUM OF 2% SLOPE SHALL BE PROVIDED AWAY FROM ALL STRUCTURES.
4. CONTRACTOR SHALL FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS AS INDICATED. LEAVE AREAS TO RECEIVE TOPSOIL 3" BELOW FINAL FINISHED GRADE IN PLANTING AREAS AND 1" BELOW FINAL FINISHED GRADE IN LAWN AREAS.
5. LANDSCAPE ISLANDS SHALL BE CROWNED, AND UNIFORM THROUGHOUT THE SITE.
6. PLANTING AREAS AND SOD TO BE SEPARATED BY STEEL EDGING. NO STEEL EDGING SHALL BE INSTALLED ADJACENT TO BUILDINGS, WALKS OR CURBS. ALIGNMENT TO BE MORE THAN 1/2" ABOVE FINISHED GRADE.
7. EDGING SHALL BE CUT AT 45 DEGREE ANGLE WHERE IT INTERSECTS WALKS AND/OR CURBS.
8. MULCH SHALL BE INSTALLED AT 1/2" BELOW THE TOPS OF SIDEWALKS AND CURBING.
9. QUANTITIES ON THESE PLANS ARE FOR REFERENCE ONLY. THE SPACING OF PLANTS SHOULD BE AS INDICATED ON PLANS OR OTHERWISE NOTED. ALL TREES AND SHRUBS SHALL BE PLANTED PER DETAILS.
10. CONTAINER GROWN PLANT MATERIAL IS PREFERRED HOWEVER BALL AND BURLAP PLANT MATERIAL CAN BE SUBSTITUTED IF NEED BE AND IS APPROPRIATE TO THE SIZE AND QUALITY INDICATED ON THE PLANT MATERIAL LIST.
11. TREES SHALL BE PLANTED AT A MINIMUM OF 5' FROM ANY UTILITY LINE, SIDEWALK OR CURB. TREES SHALL ALSO BE 10' CLEAR FROM FIRE HYDRANTS.
12. 4" OF SHREDDED HARDWOOD MULCH (3" SETTLED THICKNESS) SHALL BE PLACED OVER WEED BARRIER FABRIC. MULCH SHALL BE SHREDDED HARDWOOD MULCH OR APPROVED EQUAL. PINE STRAW MULCH IS PROHIBITED.
13. WEED BARRIER FABRIC SHALL BE USED IN PLANT BEDS AND AROUND ALL TREES AND SHALL BE MIRAFI 140S WEED BARRIER OR APPROVED EQUAL.
14. CONTRACTOR TO PROVIDE UNIT PRICING OF LANDSCAPE MATERIALS AND BE RESPONSIBLE FOR OBTAINING ALL LANDSCAPE AND IRRIGATION PERMITS.

IRRIGATION:

1. ALL REQUIRED LANDSCAPE AREAS SHALL HAVE AN AUTOMATIC IRRIGATION SYSTEM WITH A FREEZE/RAIN SENSOR. SYSTEM SHALL ALSO HAVE AN ET WEATHER BASED CONTROLLER AND BE DESIGNED AND INSTALLED BY A LICENSED IRRIGATOR.

MAINTENANCE REQUIREMENTS:

1. VEGETATION SHOULD BE INSPECTED REGULARLY TO ENSURE THAT PLANT MATERIAL IS ESTABLISHING PROPERLY AND REMAINS IN A HEALTHY GROWING CONDITION APPROPRIATE FOR THE SEASON. IF DAMAGED OR REMOVED, PLANTS MUST BE REPLACED BY A SIMILAR VARIETY AND SIZE.
2. MOWING, TRIMMING, EDGING AND SUPERVISION OF WATER APPLICATIONS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR UNTIL THE OWNER OR OWNER'S REPRESENTATIVE ACCEPTS AND ASSUMES REGULAR MAINTENANCE.
3. ALL LANDSCAPE AREAS SHOULD BE CLEANED AND KEPT FREE OF TRASH, DEBRIS, WEEDS AND OTHER MATERIAL.

MISCELLANEOUS MATERIALS:

1. STEEL EDGING SPECIES: 3/16" X 4 X 16' DARK GREEN DURAEDGE STEEL LANDSCAPE EDGING UNLESS NOTED OTHERWISE ON PLANS/DETAILS.
2. RIVER ROCK SHALL BE ARIZONA RIVER ROCK, 2" - 4" DIAMETER, RIVER ROCK SHALL BE COMPACTED TO A MINIMUM OF 3" DEPTH OVER FILTER FABRIC.

PRUNING AND TRIMMING NOTES

1. CONTRACTOR SHALL PRUNE ALL EXISTING TREES ON-SITE USING ACCEPTED PRUNING METHODS IN THE INDUSTRY.
2. ALL TREES SHALL BE TRIMMED SO THAT NATURAL SHAPES OF THE PLANTS ARE RETAINED.
3. DO NOT 'TOP' OR 'HEAD' TREES.
4. IF BALLING OR SHEARING OF TREES HAS OCCURRED IN THE PAST, DISCONTINUE THIS PRACTICE AND ALLOW PLANTS TO GROW INTO NATURAL SHAPE.
5. REMOVE SUCKERS, DEAD, DYING, DISEASED, BROKEN AND / OR WEAK BRANCHES FROM ALL TREES ALONG THE MAIN TRUNK STRUCTURE AND WITHIN THE BRANCHING AREA.
6. CONTRACTOR SHALL PRUNE EXISTING DECIDUOUS HARDWOOD BY REMOVING LOWER LIMBS TO RAISE THE CANOPY. THE BOTTOM OF THE CANOPY SHALL BE RAISED TO 12'-0" ABOVE GRADE FOR DECIDUOUS HARDWOOD TREES, WHEN POSSIBLE. THE INTEGRITY OF THE CANOPY AND STRUCTURE OF THE TREE SHALL BE MAINTAINED. DO NOT CUT OR REMOVE THE CENTRAL LEADER.
7. CONTRACTOR SHALL THIN THE CANOPY BY ONE-FOURTH. PRUNE TREE TO EVENLY SPACE BRANCHES WITHIN THE CANOPY WHENEVER POSSIBLE. REMOVE THOSE LIMBS THAT CROSS OTHERS, DOUBLE LEADERS AND THOSE THAT EXCESSIVELY EXTEND BEYOND THE NATURAL CROWN OF THE TREE.
8. CONTRACTOR SHALL PROVIDE DEEP ROOT FEEDING AND INVIGORATION OF EXISTING TREES. THIS SHALL BE ORGANIC BASED NUTRIENTS BASED FOR ROOT GROWTH AND LEAF GROWTH STIMULATION.
9. CONTRACTOR SHALL BE REQUIRED TO CHIP ALL REMOVED BRANCHES, LEAFS, ETC.

LANDSCAPE TABULATIONS for DUNCANVILLE, TX

General

1. A minimum of 20% of the streetyard shall be landscaped.
2. A minimum 15' landscape buffer shall be placed adjacent to major thoroughfares or roadways. All other roadways shall be 10'.
3. One large tree shall be provided for every 40 l.f.

Site Area = 74,499 s.f.

REQUIRED	PROVIDED
overall landscape	17,279 s.f. (entire site is streetyard)
streetyard landscape 14,899 s.f. (20%)	17,279 s.f. (entire site is streetyard)
15' buffer	15' buffer
10' buffer	10' buffer
Old Danieldale Road - 278 l.f. 7 trees	2 existing trees, 5 proposed trees
S. Main Street - 141 l.f. 4 trees	4 trees
Shady Trail Drive - 223 l.f. 6 trees	1 existing tree, 5 proposed trees
Danieldale Road - 660 l.f. 14 trees	15 ornamental trees

Parking Lot

1. One tree shall be provided for every 10 parking spaces.
2. At least 75 percent of the frontage of parking lots, adjacent to a public right-of-way and within the street yard, shall be screened from public streets with evergreen shrubs attaining a minimum height of three feet

Parking Area: 38,912 s.f.
Parking Spaces: 42

REQUIRED	PROVIDED
	2,810 s.f. (7%)
4 trees	8 trees
parking lot screen	parking lot screen (entire area of parking abutting ROW)

GRAPHIC SCALE
0 30 60 FEET
Scale 1"=30' - 0"

04/23/21

AWR Designs, LLC
P.O. Box 17746
Aledo, Texas 76008
amanda@awr-designs.com
o.: 512.517.5589

LANDSCAPE PLAN

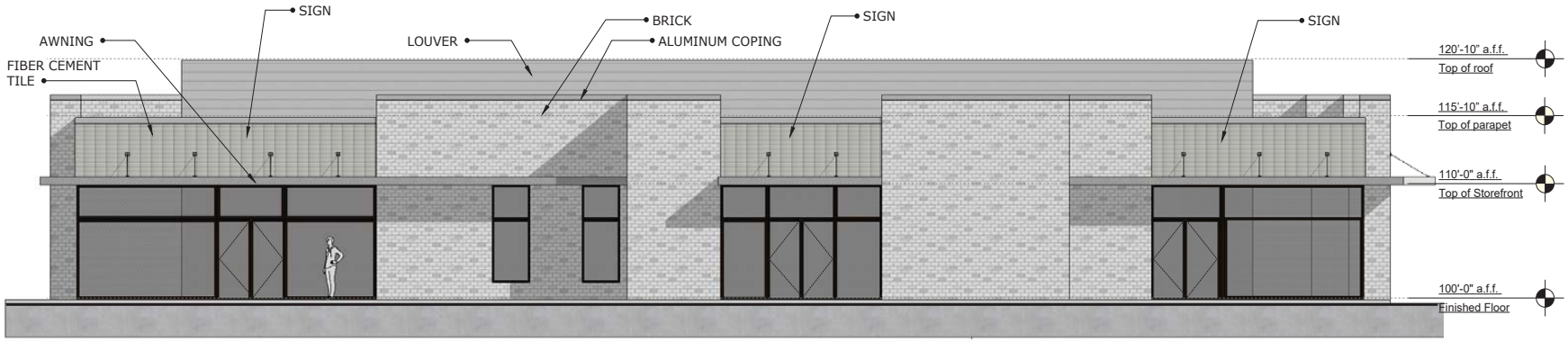
THE HOPCO WEDGE
DUNCANVILLE, DALLAS COUNTY, TX

OWNER: ITALY FAMILY PHARMACY, INC.
2549 MARINA DRIVE GRAND PRAIRIE, TX 75054
CONTACT: ROLAND AKO AYUKROLS@YAHOO.COM

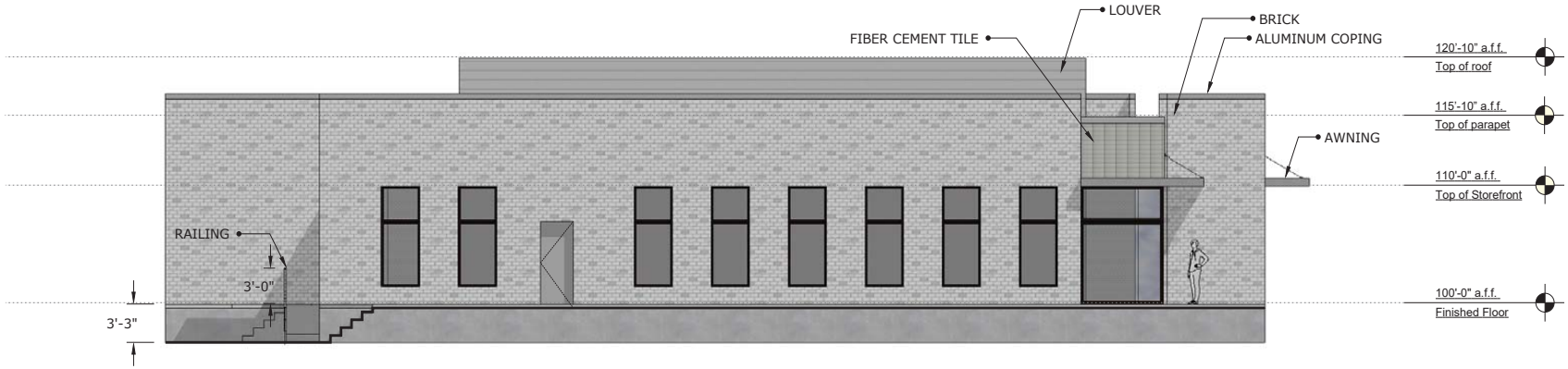
ENGINEER: MBW ENGINERING, LLC
4924 BOLERO CT FORT WORTH, TX 76135
CONTACT: MATHEW WILLIAMSON, PE
MBWENG1@OUTLOOK.COM 817-782-9821

ORIGINAL SUBMITTAL: MAY 8, 2021
REVISED: JUNE 11, 2021

ATTACHMENT 5

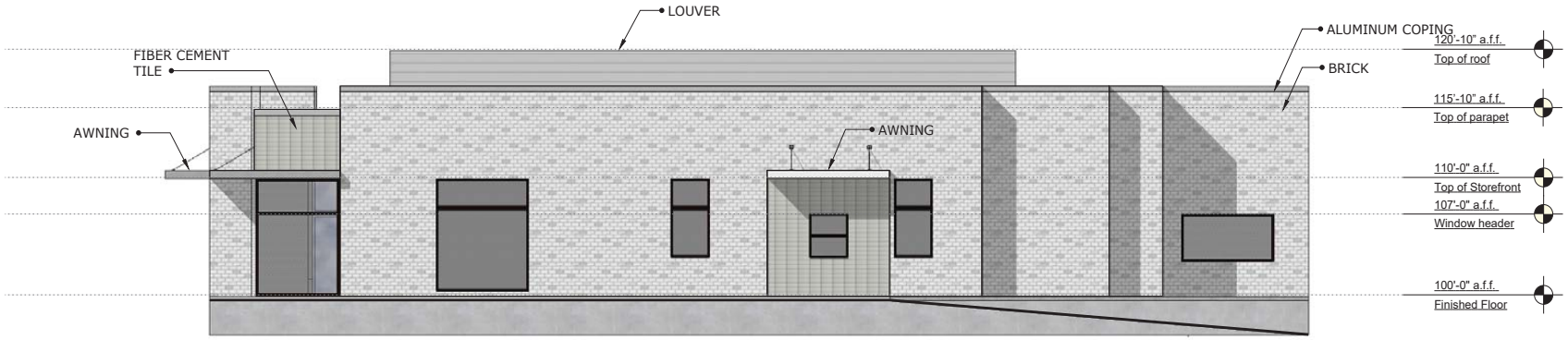


NORTH ELEVATION
1/8"=1'-0"



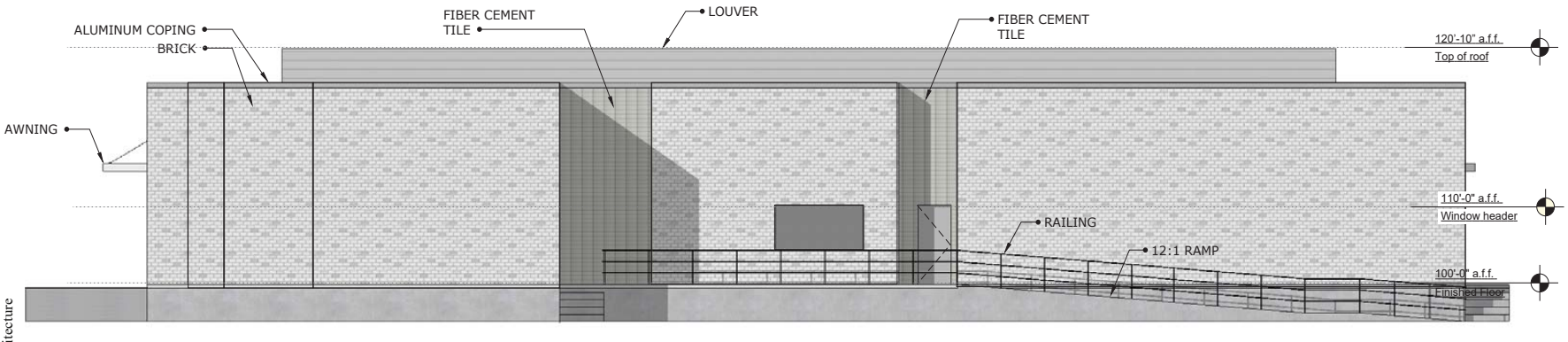
EAST ELEVATION
1/8"=1'-0"

©Rivera-Cintron, LB Architecture



WEST ELEVATION

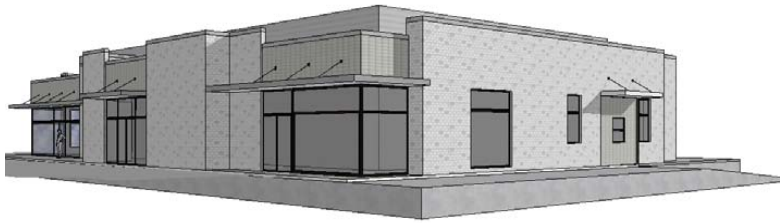
1/8"=1'-0"



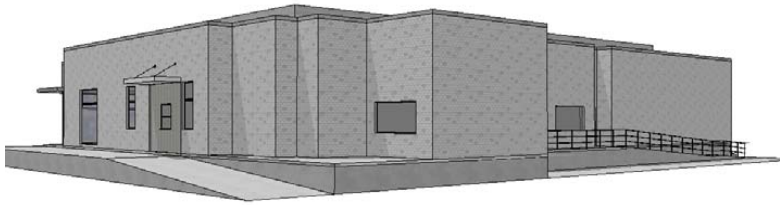
SOUTH ELEVATION

1/8"=1'-0"

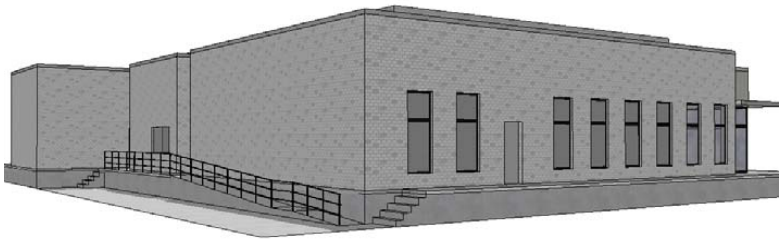
©Rivera-Cintron, LB Architecture



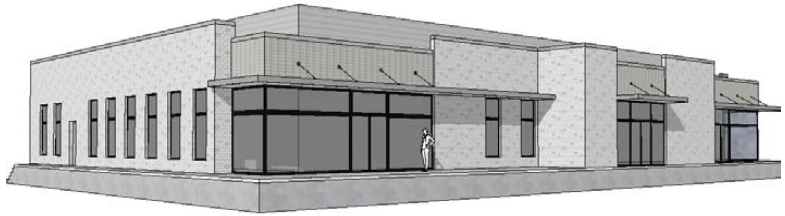
NORTH WEST VIEW



SOUTH WEST VIEW



SOUTH EAST VIEW



NORTH EAST VIEW

©Rivera-Cintron, LB Architecture

ATTACHMENT 6

OWNERS BIOGRAPHY

Roland Ako has been practicing Pharmacy since 2010. He studied at the University of Houston where he obtained a PharmD, and a PhD in Pharmaceutics. In 2012 he started Italy Family Pharmacy with two employees and has since grown to 7 employees. As a Compounding and Infusion pharmacist, it has always been his wish to build from ground up, a facility to house the various portfolios of his pharmacy business. Italy Family Pharmacy bought a piece of land in Duncanville Texas in 2020 to construct a world-class facility to house Infusion Pharmacy, Sterile and non-Sterile Compounding, Durable Medical Equipment, Retail Pharmacy and a Front End. Roland is looking forward to providing exceptional Pharmacy services and creating job opportunities to the residents of Duncanville, Texas.

Executive Summary

The founder is: Roland Ako, PHARMD, PhD, Rph, a highly trained and experienced PharmD and PhDwho launched the successful Italy FamilyPharmacy in Irving, TX in 2012. Now he is pleased to move his existing independent community pharmacy to a new location in Duncanville, TX. Italy Family Pharmacy will be notable as a Class A-S pharmacy, different from an ordinary Class A independent/community pharmacy like a CVS.
This will be a.cutting-edge infusion pharmacy with a detailed level of care, and great attention to customer satisfaction with free delivery throughout the DFW Metroplex.

About the Company

Italy Family Pharmacy is an Independent Outpatient Infusion and Compounding Pharmacy that provides prescription medications and pharmaceutical care to patients in the Dallas-Ft.Worth Metropolitan area. A primary focus of Italy Family Pharmacy will be to offer free delivery of prescriptions to the homes of the most vulnerable, such as the elderly, the physically and mentally challenged, and residents of assisted living communities. IFP's pharmacists will collaborate and coordinate care with physicians and nurses to ensure optimal dosing, administration, prevention of adverse effects, and monitoring of outcomes of oral and injection specialty medications. IFP will educate and follow up with patients, provide patient care clinics, and support patients through every step of their healing process.

In addition to infusion medications and sterile and non-sterile compounding services, IFP will be offering DRIVE-THRU SERVICES, this will include COVID-19 testing, COVID-19 vaccinations (both the rapid test and the PCR test), and medications pick up. IFP will also be a retail pharmacy selling over-the-counter medications, home health products, and durable medical equipment such as shower chairs, canes, and walkers. IFP will also provide hygiene and beauty products, as well as convenient sundries such as ice, cold beverages, and snacks. Above all, Italy Family Pharmacy will be distinguished by superior, personalized customer service. Every client phone call will be taken by a staff member, and the owner will personally make house and phone calls to his patients. In this way, Italy Family Pharmacy will attain the highest ratings for customer satisfaction for pharmacological services in the Dallas-Ft. Worth Metroplex.

ATTACHMENT 7

City of Duncanville Planning Division
Public Works Department
203 E. Wheatland Road
P. O. Box 380280
Duncanville, TX 75138-0280
(p) 972-707-3871; (f) 972-780-6426
(e) sthibodeaux@duncanville.com

June 11, 2021

Zoning File: 2021-09

Dear Property Owner:

Roland Ako, representing Italy Family Pharmacy, Inc., Owner and Applicant, to include a Specific Use Permit "SUP" for Drive-Thru on Hopco Wedge Tract 1, City of Duncanville, Dallas County, Texas, approximately 1.710 Acres, more commonly known as 102 E Danieldale Road.

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 rezoning for this particular public hearing. Please refer to the enclosed map that indicates which property is being rezoned.

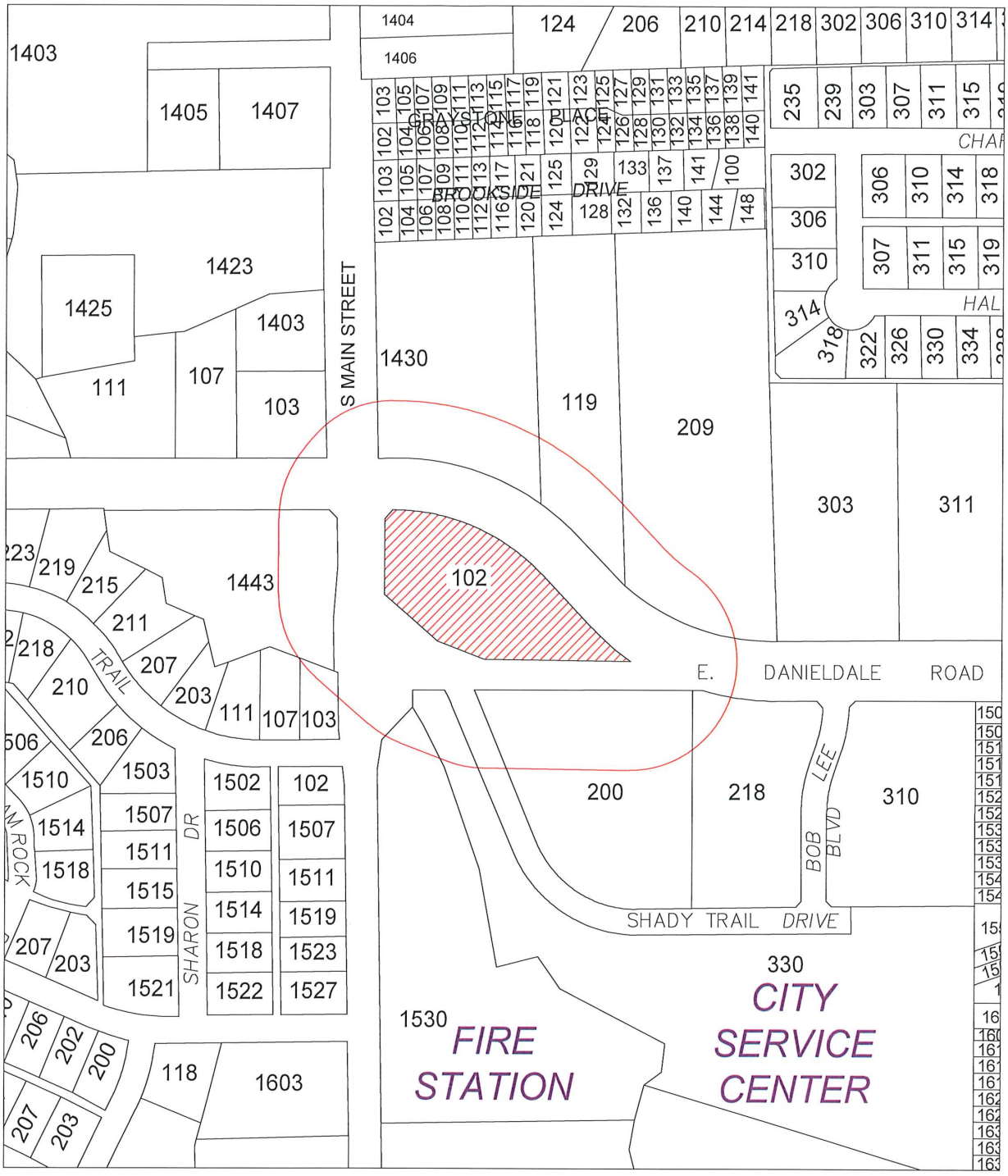
The Planning and Zoning Commission will hold a public hearing on Monday, June 28, 2021, at 7:00 p.m. and a City Council public hearing will be held on Tuesday, July 20, 2021, at 7:00 p.m. in the City Hall Council Chambers, 203 E. Wheatland Road. Public hearings are held to allow interested persons the 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 July 14, 2021, to fulfill legal requirements for a written formal protest.

As an interested citizen, you may submit public comments to either the City Secretary or to Skye Thibodeaux, Secretary of the Planning and Zoning Commission, P.O. Box 380280, Duncanville, Texas, 75138-0280 or email sthibodeaux@duncanville.com stating your position. You are encouraged to participate in the public hearing and offer comments.

Sincerely,

Skye Thibodeaux, AICP
Secretary, Planning and Zoning Commission

Enclosures



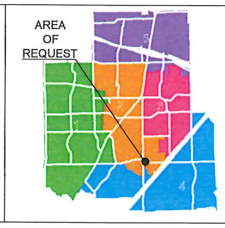
Duncanville
City of Champions

Proposed Zoning Change

Case # 2021-09

200 Foot Buffer

102 E. Danieldale Road



The following form may be filled out and mailed to:

Planning and Zoning Commission
City of Duncanville
Attn: Public Works Department
P.O. Box 380280
Duncanville, TX 75138-0280

Case No. 2021-09 Roland Ako, representing Italy Family Pharmacy, Inc., Owner and Applicant, to include a Specific Use Permit "SUP" for Drive-Thru on Hopco Wedge Tract 1, City of Duncanville, Dallas County, Texas, approximately 1.710 Acres, more commonly known as 102 E Danieldale Road. This is the first of two public hearings that have been scheduled to receive further input on the requested 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, June 28, 2021, at 7:00 p.m. and a City Council public hearing will be held on Tuesday, July 20, 2021, at 7:00 p.m. in the City Hall 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 July 14, 2021, 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: _____

The following form may be filled out and mailed to:

Planning and Zoning Commission
City of Duncanville
Attn: Public Works Department
P.O. Box 380280
Duncanville, TX 75138-0280

RECEIVED
JUN 23 2021
CITY OF DUNCANVILLE
PUBLIC WORKS DEPT.

Case No. 2021-09 Roland Ako, representing Italy Family Pharmacy, Inc., Owner and Applicant, to include a Specific Use Permit "SUP" for Drive-Thru on Hopco Wedge Tract 1, City of Duncanville, Dallas County, Texas, approximately 1.710 Acres, more commonly known as 102 E Danieldale Road. This is the first of two public hearings that have been scheduled to receive further input on the requested 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.**

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If you oppose the zoning change, however, the attached survey must be completed and returned by July 14, 2021, 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). NEEDED.

2). CONVINIENCE

3).

Printed Name: JOLVADOR VARGA Address: 119 EAST DANIELDALE.

Signature: [signature] Date: June 19, 2021

ATTACHMENT 8

GARCIA SANTIAGO & DOLORES
107 TIMOTHY TRL
DUNCANVILLE TEXAS 751374015

SHERMAN DENNIS & BRIDGET
103 TIMOTHY TRL
DUNCANVILLE TEXAS 751374015

SAI SAANVI INC
3732 EDGEWOOD CT
GRAND PRAIRIE TEXAS 750526698

DUNCANVILLE CITY OF
PO BOX 380280
DUNCANVILLE TEXAS 751380280

C G & J FINANCIAL SOLUTIONS LLC
2611 N VERMONT AVE
LOS ANGELES CALIFORNIA 900271244

ITALY FAMILY PHARMACY INC
2549 MARINA DR
GRAND PRAIRIE TEXAS 750546852

CAVAZOS MARTHA M
PO BOX 22444
DALLAS TEXAS 752220000

DUNCANVILLE CITY OF
PO BOX 380280
DUNCANVILLE TEXAS 751380280

DUNCANVILLE CITY OF
PO BOX 380280
DUNCANVILLE TEXAS 751380280

DUNCANVILLE
PO BOX 380280
DUNCANVILLE TEXAS 751380280

RF & SONS PROPERTIES LLC
533 COYOTE RD
SOUTHLAKE TEXAS 760921979

TOXIC ASSETS LLC
1504 FALCON
DESOTO TEXAS 751152414

2021-09 Property Owners within 200'

ATTACHMENT 9

PLANNING AND ZONING COMMISSION
REGULAR MEETING
CITY HALL
203 E WHEATLAND ROAD
MONDAY, JULY 19, 2021 @ 7:00 P.M.

A meeting for the Planning and Zoning Commission was held on Monday, July 19, 2021, at 7:00 p.m. with the following present:

Planning and Zoning Commission Members:

Greg Zylka	Chairman	
Betty Culbreath	Vice-Chairman	
Eric Pena	Commissioner	
Jana McBroom	Commissioner	
George Turner	Commissioner	Excused absence
Elias Rodriguez	Commissioner	
Richard Shaw	Commissioner	Arrived 7:40pm

Staff present:
Skye Thibodeaux, City Planner
Athena Seaton, Planning Technician

The meeting was called to order at 7:00 p.m. by Chairman Zylka.

Item No. 1 – Receive Public Comments

Due to recent changes in state legislation, public comments have been added to the agendas of all boards and commissions subject to the Open Meetings Act, with time allocated at the beginning of each meeting. Comments are limited to two minutes per speaker.

No comments were received.

Item No. 2 – Approval of meeting minutes for the regular meeting on May 24, 2021 and cancelled regular meeting on June 28, 2021.

Commissioner Culbreath made a motion as seconded by Commissioner Rodriguez to approve the minutes. The vote was unanimous 5-0 in favor with Commissioner Turner and Commissioner Shaw absent.

Item No. 3 – Conduct a public hearing (2021-09) and consider approval regarding the request of Roland Ako, representing Italy Family Pharmacy, Inc, Owner and Applicant, to include a Specific Use Permit "SUP" to allow the use of Drive Thru on Hopco Wedge Tr 1, City of Duncanville, Dallas County, approximately 1.710 Acres, more commonly known as 102 E Danieldale Road, Duncanville, Texas.

Skye Thibodeaux presented background information regarding the proposed SUP.

Unapproved

Commissioners received clarification regarding driveways and elevations.

Public hearing opened at 7:13 pm.

Matthew Williamson, MBW Engineering, LLC, explained driveway entrance construction.

Commissioner Culbreath made a motion to close the public hearing at 7:14 pm, with motion seconded by Commissioner McBroom. The vote was unanimous 5-0 in favor with Commissioner Turner and Commissioner Shaw absent.

No discussion followed.

Commissioner Culbreath made a motion, seconded by Commissioner McBroom to approve the Specific Use Permit as presented with no additional conditions. The vote was unanimous 5-0 in favor with Commissioner Turner and Commissioner Shaw absent.

Item No. 4 – Conduct a public hearing (2021-10) for consideration and action regarding the request of Julius Okunola, representing the Redeemers Christian Church of God (Victory House), Owner and Applicant, to include a Planned Development "PD" for an Event Center with modified standards on Shekinah Glory, Block A, Lot 1, City of Duncanville, Dallas County, approximately 3.910 acres, more commonly known as 515 W Center Street, Duncanville, Texas.

Skye Thibodeaux presented background information regarding the proposed PD.

Discussion followed regarding intended activities, hours of operation, locations of substandard landscape buffers adjacent to residential property and meeting development standards with new zoning ordinance.

Public hearing opened at 7:35 pm.

Kharrol Amissah-Aidoo, architect with Cre Alli Design Group, explained details of the site plan and provided information regarding the landscaping buffer, walking path, ADA compliance, building features and prayer rooms, and hours of operation.

Commissioner Culbreath made a motion to close the public hearing at 7:44 pm, with motion seconded by Commissioner Rodriguez. The vote was unanimous 6-0 in favor with Commissioner Turner absent.

Discussion continued regarding development standards.

Commissioner Culbreath made a motion, seconded by Commissioner McBroom to approve the PD as presented with the condition that a conforming 15-foot landscape buffer be provided along the western property boundary. The vote was unanimous 6-0 in favor with Commissioner Turner absent.

Item No. 5– Conduct a public hearing (2021-10) for consideration and action regarding the request of James Wilkins, Applicant and Owner, to include a Specific Use Permit "SUP" for a Bed and

Unapproved

Breakfast on J.H. Spruce Survey, Abstract No. 1297, Page 50, City of Duncanville, Dallas County, Texas, approximately 0.51 acre, more commonly known as 415 Hustead Street, Duncanville, Texas.

Skye Thibodeaux presented background information regarding the proposed PD.

No discussion followed

Public hearing opened at 8::06 pm.

Alla Wilkins, co-owner and manager, presented on behalf of the bed and breakfast the business, awards guests and features.

Commissioner Culbreath made a motion to close the public hearing at 8:11 pm, with motion seconded by Commissioner McBroom. The vote was unanimous 6-0 in favor with Commissioner Turner absent.

No discussion followed

Commissioner McBroom made a motion, seconded by Commissioner Pena to approve the renewal of the SUP with removal of the special condition Section 2, number 5, specifying time period renewals in Ordinance 1990. The vote was unanimous 6-0 in favor with Commissioner Turner absent.

Item No. 6– Conduct a public hearing (2021-10) for consideration and action regarding the request of William Self, Applicant and Owner, to include a Specific Use Permit "SUP" for a Carport on Town and Country Estates Rep, Block A, Lot 26, approximately 0.21 acre, City of Duncanville, Dallas County, Texas, more commonly known as 710 Timber Trail, Duncanville, Texas.

Skye Thibodeaux presented background information regarding the proposed SUP for a carport.

No discussion followed

Public hearing opened at 8::17 pm.

Commissioner McBroom made a motion to close the public hearing at 8:18 pm, with motion seconded by Commissioner Culbreath. The vote was unanimous 6-0 in favor with Commissioner Turner absent.

No discussion followed

Commissioner McBroom made a motion, seconded by Commissioner Culbreath to approve the SUP as presented. The vote was unanimous 6-0 in favor with Commissioner Turner absent.

Item No. 6 – Adjourn
Being no further business, the meeting adjourned at 8:18 p.m.

Unapproved

_____	_____
Athena Seaton, Interim Secretary	Greg Zylka, Chairman

Unapproved

ORDINANCE NO. 2404

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP, AS HERETOFORE AMENDED, BY AMENDING THE EXISTING LOCAL OFFICE RETAIL "LOR" DISTRICT ZONING TO INCLUDE A SPECIAL USE "SUP" PERMIT FOR DRIVE-THRU ON HOPCO WEDGE, TRACT 1, MORE COMMONLY KNOWN AS 102 E DANIELDALE ROAD, CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR THE APPROVAL OF PLAN EXHIBITS WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT "B"; 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 FOR 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 the Local Office Retail "LOR" District zoning to include a Special Use "SUP" Permit for Drive-Thru on Hopco Wedge, Tract 1, more commonly known as 102 E Danieldale Road, City of Duncanville, Dallas County, Texas, and being more particularly described in Exhibit "A" and Exhibit "B", attached hereto and made a part hereof for all purposes (the "Property").

SECTION 2. That the above-described property shall be developed, used and maintenance only in the manner and for the purposes provided for by the Code of Ordinances and Comprehensive Zoning Ordinance of the City of Duncanville, as heretofore and amended herein; and in conformance with the site plan, Exhibit B, as special conditions and as amended herein, subject to the following additional special conditions:

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 ORDAINED AND ADOPTED by the City Council of the City of Duncanville, Texas, on the 3rd day of August, 2021.

APPROVED:

_____

Barry L. Gordon, Mayor

ATTEST:

_____

Kristin Downs, City Secretary

APPROVED AS TO FORM:

_____

Robert E. Hager, City Attorney

EXHIBIT A

CHICAGO TITLE INSURANCE COMPANY **Commitment No.: 8061242000112**

SCHEDULE A
(continued)

4. Legal description of land:

BEING in the Anderson Slayback Survey, Abstract No. 1299, and being all of The Hopco Wedge, an Addition to the City of Duncanville, Dallas County, Texas, according to the Map thereof recorded in Volume 87249, Page 40 of the Map Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found at the most Westerly cut-back corner of the Easterly Right-of-Way line of S. Main Street (60 feet wide) and the South Right-of-Way line of Danieldale Road (100 feet wide);

THENCE North 45 degrees 00 minutes 00 seconds East, along said cut-back line, a distance of 23.75 feet (called 24.08 feet) to the Northerly cut-back corner of said intersection;

THENCE South 89 degrees 16 minutes 00 seconds East along the South line of said Danieldale Road, a distance of 24.50 feet to a 5/8 inch iron rod set for the beginning of a curve to the right;

THENCE Southeasterly, continuing along the Southerly line of said Danieldale Road and along the arc of said curve to the right having a radius of 390.74 feet, a central angle of 45 degrees 00 minutes 00 seconds, a chord bearing South 66 degrees 46 minutes 00 seconds East, 299.06 feet, and an arc distance of 306.89 feet to a 1/2 inch iron rod found for a point of tangency;

THENCE South 44 degrees 16 minutes 00 seconds East continuing along the Southeasterly Right-of-Way line of said road, passing at 3.77 feet a 1/2 inch iron rod found 0.16 feet Northeasterly of line marking the Northwesterly corner of the 0.36 acre tract conveyed to Donald W. Hopkins, Trustee, recorded in Volume 80047, Page 2262, Deed Records, Dallas County, Texas, and continuing for a total distance of 132.66 feet to a 1/2 inch iron rod found for the beginning of a curve to the left;

THENCE Southeasterly continuing along said Southeasterly Right-of-Way line and along the arc of said curve to the left having a radius of 490.74 feet, a central angle of 11 degrees 49 minutes 21 seconds, a chord bearing of South 50 degrees 10 minutes 40 seconds East 101.08 feet, and an arc distance of 101.26 feet to a 5/8 inch iron rod set for corner in the North Right-of-Way line of the barricaded Old Danieldale Road (called 60 foot right-of-way, 61.37 foot right-of-way as monumented on the ground), said point marking the Southeasterly corner of said 0.36 acre tract;

THENCE North 89 degrees 16 minutes 00 seconds West along the North Right-of-Way line of Old Danieldale Road passing at 168.28 feet the common Southwesterly corner of said 0.36 acres and the Southeasterly corner of the tract conveyed to John Alfred Hopkins, recorded in Volume 81227, Page 585, Deed Records, Dallas County, Texas, and continuing for a total distance of 278.20 feet to a 5/8 inch iron rod set for an angle point;

THENCE North 69 degrees 29 minutes 00 seconds West continuing along the Northeasterly line of said Old Danieldale Road (varying width), a distance of 94.06 feet to a 5/8 inch iron rod set for an angle point;

THENCE North 49 degrees 42 minutes 00 seconds West continuing along said road, a distance of 152.14 feet (called 153.53 feet) to a 5/8 inch iron rod set for an angle point;

THENCE North 05 degrees 34 minutes 00 seconds West, continuing along the Northeasterly Right-of-Way line of Old Danieldale Road, a distance of 45.12 feet (called 44.51 feet) to a 5/8 inch iron rod set for an angle point in the Easterly Right-of-Way line of the aforementioned S. Main Street;

THENCE North 00 degrees 14 minutes 43 seconds East (called North 00 degrees 10 minutes East), along the Easterly line of said S. Main Street, a distance of 81.39 feet to the POINT OF BEGINNING of the herein described 1.775 acre (77,325 square feet) tract of land. This tract contains a 20 foot dedication of

SCHEDULE A
(continued)

Right-of-Way to S. Main Street containing 0.065 acres (2,826 square feet) making a net tract acreage of 1.710 acres (74,499 square feet), more or less.

SAVE AND EXCEPT that property described in Deed executed by the City of Duncanville, Texas, to Donald W. Hopkins, Trustee, dated February, 1980, filed March 5, 1980, recorded in Volume 80047, Page 2262, Deed Records, Dallas County, Texas, and described by metes and bounds as follows:

BEING that certain tract or parcel of land lying and being situated in Dallas County, Texas, and being a tract of land situated in the Anderson Slayback Survey, Abstract No. 1299, City of Duncanville, Dallas County, Texas, and being a part of a 160 acre tract conveyed to J. R. Daniel by N. B. Anderson, et ux, see Volume 93, Page 334, Deed Records, Dallas County, Texas, and more particularly described below:

COMMENCING at a point that is South 89 degrees 16 minutes East 347 feet and North 4 degrees 03 minutes East 29.8 feet from the intersection of the centerline of South Main Street (a 60 foot right of way) and Danieldale Drive (a 60 foot right of way) to an iron stake for a corner, which is the Point of Beginning of the tract and survey;

THENCE North 0 degrees 09 minutes East 155.74 feet to the South line of the proposed right of way, 50 feet right of centerline Station 4+21.43 (new location of Danieldale Drive);

THENCE South 44 degrees 16 minutes East 129.58 feet along the South right of way line to the point of curvature of a curve to the left beginning at centerline Station 5+51.01;

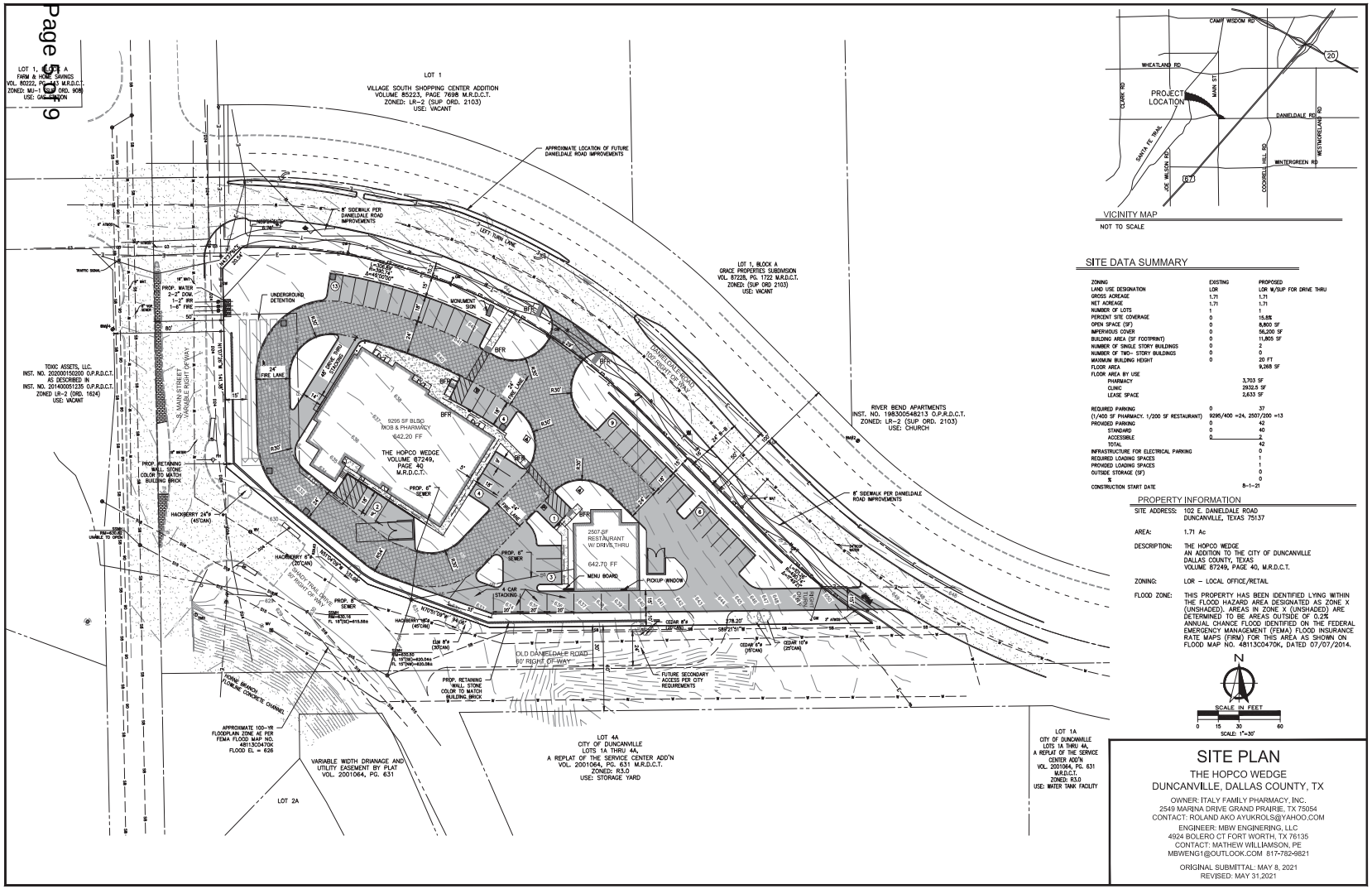
THENCE Southeasterly along the curve to the left a distance of 101.26 feet (radius 490.74 feet and central angle of 11 degrees 49 minutes 10 seconds) to a point in the North right of way line of the old location of Danieldale Drive (a 60 foot right of way);

THENCE North 89 degrees 24 minutes West 168.48 feet to the iron stake which was the POINT OF BEGINNING of the tract survey.

NOTE: COMPANY DOES NOT REPRESENT THAT THE ABOVE ACREAGE AND/OR SQUARE FOOTAGE CALCULATIONS ARE CORRECT.

END OF SCHEDULE A

EXHIBIT B



SITE DATA SUMMARY

	EXISTING	PROPOSED
ZONING	LOR	LOR W/SUP FOR DRIVE THRU
LAND USE DESIGNATION	1.71	1.71
GROSS ACREAGE	1.71	1.71
NET ACREAGE	1	1
NUMBER OF LOTS	0	15.8%
PERCENT SITE COVERAGE	0	8,900 SF
OPEN SPACE (SF)	0	56,200 SF
IMPERVIOUS COVER	0	11,805 SF
BUILDING AREA (SF FOOTPRINT)	0	2
NUMBER OF SINGLE STORY BUILDINGS	0	0
NUMBER OF TWO- STORY BUILDINGS	0	20 FT
MAXIMUM BUILDING HEIGHT	0	9,288 SF
FLOOR AREA		
FLOOR AREA BY USE		
PHARMACY		3,703 SF
CLINIC		2932.5 SF
LEASE SPACE		2,633 SF
REQUIRED PARKING	0	37
(1/400 SF PHARMACY, 1/200 SF RESTAURANT)	9295/400 =24, 2507/200 =13	
PROVIDED PARKING	0	42
STANDARD	0	40
ACCESSIBLE	0	2
TOTAL		42
INFRASTRUCTURE FOR ELECTRICAL PARKING		0
REQUIRED LOADING SPACES		1
PROVIDED LOADING SPACES		1
OUTSIDE STORAGE (SF)		0
%		0
CONSTRUCTION START DATE		8-1-21

PROPERTY INFORMATION

SITE ADDRESS: 102 E. DANIELDALE ROAD
DUNCANVILLE, TEXAS 75137

AREA: 1.71 Ac

DESCRIPTION: THE HOPCO WEDGE
AN ADDITION TO THE CITY OF DUNCANVILLE
DALLAS COUNTY, TEXAS
VOLUME 87249, PAGE 40, M.R.D.C.T.

ZONING: LOR – LOCAL OFFICE/RETAIL

FLOOD ZONE: THIS PROPERTY HAS BEEN IDENTIFIED LYING WITHIN THE FLOOD HAZARD AREA DESIGNATED AS ZONE X (UNSHADED). AREAS IN ZONE X (UNSHADED) ARE DETERMINED TO BE AREAS OUTSIDE OF 0.2% ANNUAL CHANCE FLOOD IDENTIFIED ON THE FEDERAL EMERGENCY MANAGEMENT (FEMA) FLOOD INSURANCE RATE MAPS (FIRM) FOR THIS AREA AS SHOWN ON FLOOD MAP NO. 48113C0470K, DATED 07/07/2014.

N

SCALE IN FEET
0 15 30 60
SCALE: 1"=30'

SITE PLAN

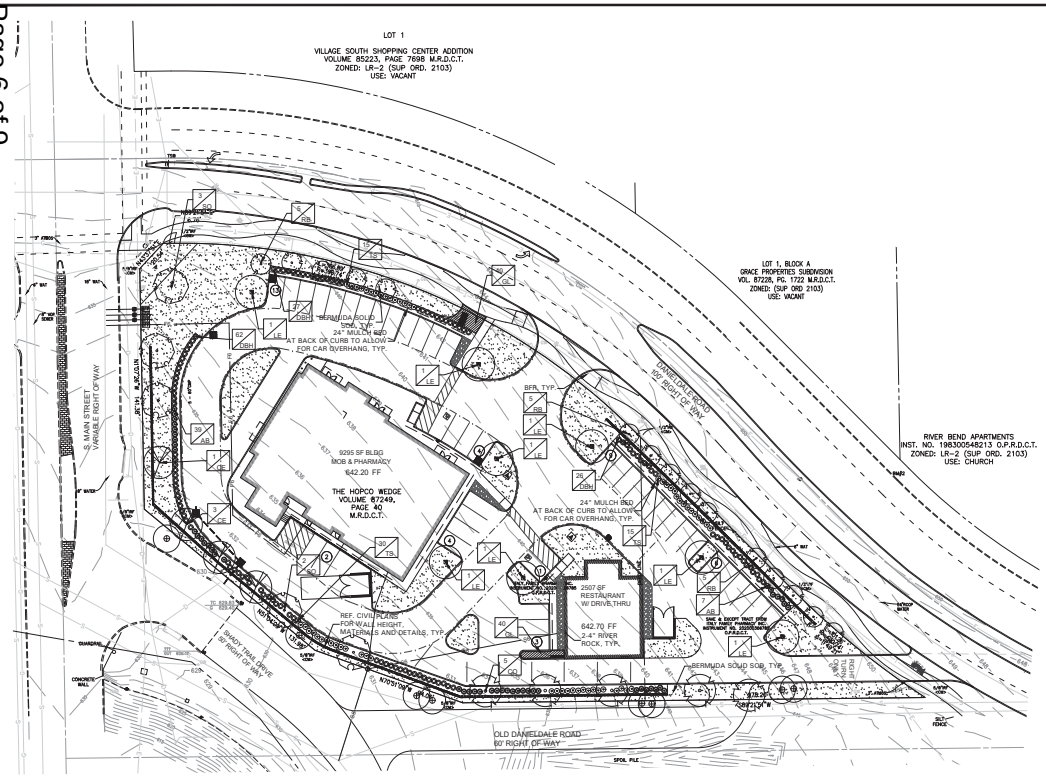
THE HOPCO WEDGE
DUNCANVILLE, DALLAS COUNTY, TX

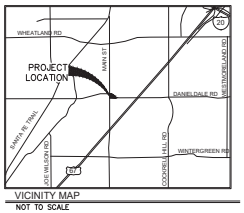
OWNER: ITALY FAMILY PHARMACY, INC.
2549 MARINA DRIVE GRAND PRAIRIE, TX 75054
CONTACT: ROLAND AKO AYUKROLS@YAHOO.COM

ENGINEER: MBW ENGINEERING, LLC
4924 BOLERO CT FORT WORTH, TX 76135
CONTACT: MATHEW WILLIAMSON, PE
MBWENG1@OUTLOOK.COM 817-782-9821

ORIGINAL SUBMITTAL: MAY 8, 2021
REVISED: MAY 31,2021

ATTACHMENT 4





PLANT SCHEDULE

QTY	LABEL	COMMON NAME	SCIENTIFIC NAME	SIZE	NOTES
		SHADE TREES			
4	CE	Cedar Elm	*Ulmus crassifolia*	3" cal.	12' ht., 4' spread, matching
5	CO	Chinkapin Oak	*Quercus muhlenbergii*	3" cal.	12' ht., 4' spread, matching
8	LE	Lacebark Elm	*Ulmus parvifolia 'Sempervirens'*	3" cal.	12' ht., 4' spread
5	SO	Shumard Oak	*Quercus shumardii*	3" cal.	12' ht., 5' spread
		ORNAMENTAL TREES			
15	RB	Oklahoma Redbud	*Cercis reniformis 'Oklahoma'*	30 gal.	8' ht., 4' spread, 3 trunk min.
		SHRUBS			
46	AB	Abelia 'Twist of Lime'	*Abelia x grandiflora 'Hopley's'*	3' ht.	full, 24" spread, 36" o.c.
115	DBH	Dwarf Burford Holly	*Ilex cornuta ' Burford Nana'*	3' ht.	full, 20" spread, 36" o.c.
60	TS	Texas Sage 'Green Cloud'	*Leucophyllum frutescens 'Green Cloud'*	3' ht.	full, 24" sprd, 36" o.c.
		GROUNDCOVER/VINES/GRASS			
80	GL	Giant Liriope Bermuda Solid Sod 2-4" River Rock	*Liriope gigantea* *Cynodon dactylon*	1 gal.	full, 18" o.c.

Plant list is an aid to bidders only. Contractor shall verify all quantities on plan. All heights and spreads are minimums. Trees shall have a strong central leader and be of matching specimens. All plant material shall meet or exceed remarks as indicated.

GENERAL LAWN NOTES

1. CONTRACTOR SHALL COORDINATE OPERATIONS AND AVAILABILITY OF EXISTING TOPSOIL WITH ON-SITE CONSTRUCTION MANAGER
2. LAWN AREAS SHALL BE LEFT 1" BELOW FINAL FINISHED GRADE PRIOR TO TOPSOIL INSTALLATION.
3. CONTRACTOR TO FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS AS SHOWN ON CIVIL DRAWINGS. POSITIVE DRAINAGE SHALL BE PROVIDED AWAY FROM ALL BUILDINGS. ROUNDING AT TOP AND BOTTOM OF SLOPES SHALL BE PROVIDED AND IN OTHER BREAKS IN GRADE. CORRECT AREAS WHERE STANDING WATER MAY OCCUR.
4. ALL LAWN AREAS SHALL BE FINE GRADED. IRRIGATION TRENCHES COMPLETELY SETTLED AND FINISH GRADE APPROVED BY THE OWNER'S CONSTRUCTION MANAGER OR LANDSCAPE ARCHITECT PRIOR TO LAWN INSTALLATION.
5. CONTRACTOR SHALL REMOVE ALL ROCKS 3/4" IN DIAMETER AND LARGER, REMOVE ALL DIRT CLODS, STICKS, CONCRETE SPOILS, TRASH ETC PRIOR TO PLACING TOPSOIL AND GRASS SEED.
6. CONTRACTOR SHALL GUARANTEE ALL LAWN AREAS UNTIL FINAL ACCEPTANCE.
7. CONTRACTOR SHALL GUARANTEE ESTABLISHMENT OF ACCEPTABLE TURF AREA AND SHALL PROVIDE REPLACEMENT IF NECESSARY.

SOLID SOD:

1. SOLID SOD SHALL BE PLACED ALONG ALL IMPERVIOUS EDGES, AT A MINIMUM. THIS SHALL INCLUDE CURBS, WALKS, INLETS, MANHOLES AND PLANTING BED AREAS. SOD SHALL COVER OTHER AREAS COMPLETELY AS INDICATED BY PLAN.
2. SOD SHALL BE STRONGLY ROOTED DROUGHT RESISTANT SOD, NOT LESS THAN 2 YEARS OLD, FREE OF WEEDS AND UNDESIRABLE NATIVE GRASS AND MACHINE CUT TO PAD THICKNESS OF 3/4" (+1/4"), EXCLUDING TOP GROWTH AND THATCH.
3. LAY SOD BY HAND TO COVER INDICATED AREAS COMPLETELY, ENSURING EDGES ARE TOUCHING WITH TIGHTLY FITTING JOINTS. NO OVERLAPS WITH STAGGERED STRIPS TO OFFSET JOINTS.
4. ROLL JOINTS IN SOD BY HAND WITH TOPSOIL TO FILL VOIDS IF NECESSARY.
5. SOD SHALL BE ROLLED TO CREATE A SMOOTH EVEN SURFACE. SOD SHOULD BE WATERED THOROUGHLY DURING INSTALLATION PROCESS.
6. SHOULD INSTALLATION OCCUR BETWEEN OCTOBER 1ST AND MARCH 1ST, OVERSEED BERMUDAGRASS SOD WITH WINTER RYEGRASS AT A RATE OF 4 POUNDS PER 1000 S.F.

HYDROMULCH:

1. SCARIFY AND LOOSEN ALL AREAS TO BE HYDROMULCHED TO A MINIMUM DEPTH OF 4" PRIOR TO TOPSOIL AND HYDROMULCH INSTALLATION.
2. BERMUDA GRASS SEED SHALL BE EXTRA HULLED, TREATED LAWN TYPE. SEED SHALL BE DELIVERED TO THE SITE IN ITS ORIGINAL UNOPENED CONTAINER AND SHALL MEET ALL STATE/LOCAL LAW REQUIREMENTS.
3. FIBER SHALL BE 100% WOOD CELLULOSE FIVER, DELIVERED TO THE SITE IN ITS ORIGINAL UNOPENED CONTAINER AS MANUFACTURED BY HYDRO-MULCH OR EQUAL.
4. FIBER TACK SHALL BE DELIVERED TO THE SITE IN ITS UNOPENED CONTAINER AND SHALL BE 'TERRO-TACK ONE' AS MANUFACTURED BY GROWERS, INC OR APPROVED EQUAL.
5. HYDROMULCH WITH BERMUDA GRASS SEET AT A RATE OF 2 POUNDS PER 1000 S.F.
6. USE A BATTER BOARD AGAINST ALL BED AREAS TO PREVENT OVER SPRAY.
7. IF INADEQUATE MOISTURE IS PRESENT IN SOIL, APPLY WATER AS NECESSARY FOR OPTIMUM MOISTURE FOR SEED APPLICATION.
8. IF INSTALLATION OCCURS BETWEEN SEPTEMBER 1ST AND MAY 1ST, ALL HYDROMULCH AREAS SHALL BE OVER-SEEDED WITH WINTER RYE GRASS AT A RATE OF FOUR POUNDS PER ONE THOUSAND SQUARE FEET. CONTRACTOR SHALL BE REQUIRED TO RE-HYDROMULCH WITH BERMUDA GRASS THE FOLLOWING GROWING SEASON AS PART OF THIS CONTRACT.
9. AFTER APPLICATION, NO EQUIPMENT SHALL OPERATE OVER APPLIED AREAS. WATER SEEDED AREAS IMMEDIATELY AFTER INSTALLATION TO SATURATION.
10. ALL LAWN AREAS TO BE HYDROMULCHED SHALL ACHIEVE 100% COVERAGE PRIOR TO FINAL ACCEPTANCE.

LANDSCAPE NOTES

1. CONTRACTOR TO VERIFY AND LOCATE ALL PROPOSED AND EXISTING ELEMENTS. NOTIFY LANDSCAPE ARCHITECT OR DESIGNATED REPRESENTATIVE OF ANY LAYOUT CONFLICTS, DISCREPANCIES OR ANY CONDITION THAT WOULD PREVENT INSTALLATION AS SHOWN. SURVEY DATA OF EXISTING CONDITIONS WAS SUPPLIED BY OTHERS.
2. CONTRACTOR SHALL CALL 811 TO VERIFY AND LOCATE ANY AND ALL UTILITIES ON SITE PRIOR TO COMMENCING WORK. LANDSCAPE ARCHITECT SHOULD BE NOTIFIED OF ANY CONFLICTS. CONTRACTOR TO EXERCISE EXTREME CAUTION WHEN WORKING NEAR UNDERGROUND UTILITIES.
3. A MINIMUM OF 2% SLOPE SHALL BE PROVIDED AWAY FROM ALL STRUCTURES.
4. CONTRACTOR SHALL FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS AS INDICATED. LEAVE AREAS TO RECEIVE TOPSOIL 3" BELOW FINAL FINISHED GRADE IN PLANTING AREAS AND 1" BELOW FINAL FINISHED GRADE IN LAWN AREAS.
5. LANDSCAPE ISLANDS SHALL BE CROWNED, AND UNIFORM THROUGHOUT THE SITE.
6. PLANTING AREAS AND SOD TO BE SEPARATED BY STEEL EDGING. NO STEEL EDGING SHALL BE INSTALLED ADJACENT TO BUILDINGS, WALKS OR CURBS. ALIGNMENT NOT TO BE MORE THAN 1/2" ABOVE FINISHED GRADE.
7. EDGING SHALL BE CUT AT 45 DEGREE ANGLE WHERE IT INTERSECTS WALKS AND/OR CURBS.
8. MULCH SHALL BE INSTALLED AT 1/2" BELOW THE TOPS OF SIDEWALKS AND CURBING.
9. QUANTITIES ON THESE PLANS ARE FOR REFERENCE ONLY. THE SPACING OF PLANTS SHOULD BE AS INDICATED ON PLANS OR OTHERWISE NOTED. ALL TREES AND SHRUBS SHALL BE PLANTED PER DETAILS.
10. CONTAINER GROWN PLANT MATERIAL IS PREFERRED HOWEVER BALL AND BURLAP PLANT MATERIAL CAN BE SUBSTITUTED IF NEED BE AND IS APPROPRIATE TO THE SIZE AND QUALITY INDICATED ON THE PLANT MATERIAL LIST.
11. TREES SHALL BE PLANTED AT A MINIMUM OF 5' FROM ANY UTILITY LINE, SIDEWALK OR CURB. TREES SHALL ALSO BE 10' CLEAR FROM FIRE HYDRANTS.
12. 4" OF SHREDDED HARDWOOD MULCH (3" SETTLED THICKNESS) SHALL BE PLACED OVER WEED BARRIER FABRIC. MULCH SHALL BE SHREDDED HARDWOOD MULCH OR APPROVED EQUAL. PINE STRAW MULCH IS PROHIBITED.
13. WEED BARRIER FABRIC SHALL BE USED IN PLANT BEDS AND AROUND ALL TREES AND SHALL BE MIRAFI 140S WEED BARRIER OR APPROVED EQUAL.
14. CONTRACTOR TO PROVIDE UNIT PRICING OF LANDSCAPE MATERIALS AND BE RESPONSIBLE FOR OBTAINING ALL LANDSCAPE AND IRRIGATION PERMITS.

IRRIGATION:

1. ALL REQUIRED LANDSCAPE AREAS SHALL HAVE AN AUTOMATIC IRRIGATION SYSTEM WITH A FREEZE/RAIN SENSOR. SYSTEM SHALL ALSO HAVE AN ET WEATHER BASED CONTROLLER AND BE DESIGNED AND INSTALLED BY A LICENSED IRRIGATOR.

MAINTENANCE REQUIREMENTS:

1. IRRIGATION SHOULD BE INSPECTED REGULARLY TO ENSURE THAT PLANT MATERIAL IS ESTABLISHING PROPERLY AND REMAINS IN A HEALTHY GROWING CONDITION APPROPRIATE FOR THE SEASON. IF DAMAGED OR REMOVED, PLANTS MUST BE REPLACED BY A SIMILAR VARIETY AND SIZE.
2. MOWING, TRIMMING, EDGING AND SUPERVISION OF WATER APPLICATIONS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR UNTIL THE OWNER OR OWNER'S REPRESENTATIVE ACCEPTS AND ASSUMES REGULAR MAINTENANCE.
3. ALL LANDSCAPE AREAS SHOULD BE CLEANED AND KEPT FREE OF TRASH, DEBRIS, WEEDS AND OTHER MATERIAL.

MISCELLANEOUS MATERIALS:

1. STEEL EDGING SPECS: 3/16" X 4 X 16' DARK GREEN DURAEDGE STEEL LANDSCAPE EDGING UNLESS NOTED OTHERWISE ON PLANS/DETAILS.
2. RIVER ROCK SHALL BE ARIZONA RIVER ROCK, 2" - 4" DIAMETER, RIVER ROCK SHALL BE COMPACTED TO A MINIMUM OF 3" DEPTH OVER FILTER FABRIC.

PRUNING AND TRIMMING NOTES

1. CONTRACTOR SHALL PRUNE ALL EXISTING TREES ON-SITE USING ACCEPTED PRUNING METHODS IN THE INDUSTRY.
2. ALL TREES SHALL BE TRIMMED SO THAT NATURAL SHAPES OF THE PLANTS ARE RETAINED.
3. DO NOT 'TOP' OR 'HEAD' TREES.
4. IF BALLING OR SHEARING OF TREES HAS OCCURRED IN THE PAST, DISCONTINUE THIS PRACTICE AND ALLOW PLANTS TO GROW INTO NATURAL SHAPE.
5. REMOVE SUCKERS, DEAD, DYING, DISEASED, BROKEN AND / OR WEAK BRANCHES FROM ALL TREES ALONG THE MAIN TRUNK STRUCTURE AND WITHIN THE BRANCHING AREA.
6. CONTRACTOR SHALL PRUNE EXISTING DECIDUOUS HARDWOOD BY REMOVING LOWER LIMBS TO RAISE THE CANOPY. THE BOTTOM OF THE CANOPY SHALL BE RAISED TO 12'-0" ABOVE GRADE FOR DECIDUOUS HARDWOOD TREES, WHEN POSSIBLE. THE INTEGRITY OF THE CANOPY AND STRUCTURE OF THE TREE SHALL BE MAINTAINED. DO NOT CUT OR REMOVE THE CENTRAL LEADER.
7. CONTRACTOR SHALL THIN THE CANOPY BY ONE-FOURTH. PRUNE TREE TO EVENLY SPACE BRANCHES WITHIN THE CANOPY WHENEVER POSSIBLE. REMOVE THOSE LIMBS THAT CROSS OTHERS, DOUBLE LEADERS AND THOSE THAT EXCESSIVELY EXTEND BEYOND THE NATURAL CROWN OF THE TREE.
8. CONTRACTOR SHALL PROVIDE DEEP ROOT FEEDING AND INVIGORATION OF EXISTING TREES. THIS SHALL BE ORGANIC BASED NUTRIENTS BASED FOR ROOT GROWTH AND LEAF GROWTH STIMULATION.
9. CONTRACTOR SHALL BE REQUIRED TO CHIP ALL REMOVED BRANCHES, LEAFS, ETC.

LANDSCAPE TABULATIONS for DUNCANVILLE, TX

General

1. A minimum of 20% of the streetyard shall be landscaped.
2. A minimum 15' landscape buffer shall be placed adjacent to major thoroughfares or roadways. All other roadways shall be 10'.
3. One large tree shall be provided for every 40 l.f.

Site Area = 74,499 s.f.

REQUIRED	PROVIDED
overall landscape	17,279 s.f. (entire site is streetyard)
streetyard landscape 14,899 s.f. (20%)	17,279 s.f. (entire site is streetyard)
15' buffer	15' buffer
10' buffer	10' buffer
Old Danieldale Road - 278 l.f. 7 trees	2 existing trees, 5 proposed trees
S. Main Street - 141 l.f. 4 trees	4 trees
Shady Trail Drive - 223 l.f. 6 trees	1 existing tree, 5 proposed trees
Danieldale Road - 660 l.f. 14 trees	15 ornamental trees

Parking Lot

1. One tree shall be provided for every 10 parking spaces.
2. At least 75 percent of the frontage of parking lots, adjacent to a public right-of-way and within the street yard, shall be screened from public streets with evergreen shrubs attaining a minimum height of three feet

Parking Area: 38,912 s.f.
Parking Spaces: 42

REQUIRED	PROVIDED
	2,810 s.f. (7%)
4 trees	8 trees
parking lot screen	parking lot screen (entire area of parking abutting ROW)

GRAPHIC SCALE
0 30 60 FEET
Scale 1"=30' - 0"

04/23/21

AWR Designs, LLC
P.O. Box 17445
Aledo, Texas 76008
amanda@awr-designs.com
c. 512.517.5589

LANDSCAPE PLAN

THE HOPCO WEDGE
DUNCANVILLE, DALLAS COUNTY, TX

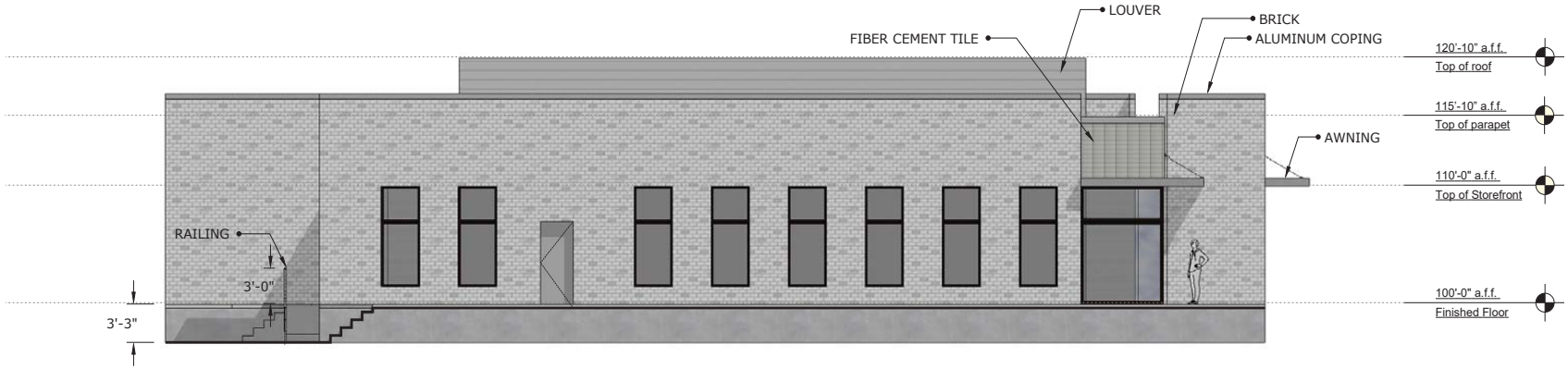
OWNER: ITALY FAMILY PHARMACY, INC.
2549 MARINA DRIVE GRAND PRAIRIE, TX 75054
CONTACT: ROLAND AKO AYUKROLS@YAHOO.COM

ENGINEER: MBW ENGINERING, LLC
4924 BOLERO CT FORT WORTH, TX 76135
CONTACT: MATHEW WILLIAMSON, PE
MBWENG1@OUTLOOK.COM 817-782-9821

ORIGINAL SUBMITTAL: MAY 8, 2021
REVISED: JUNE 11, 2021

ATTACHMENT 5

NORTH ELEVATION
1/8"=1'-0"



EAST ELEVATION
1/8"=1'-0"

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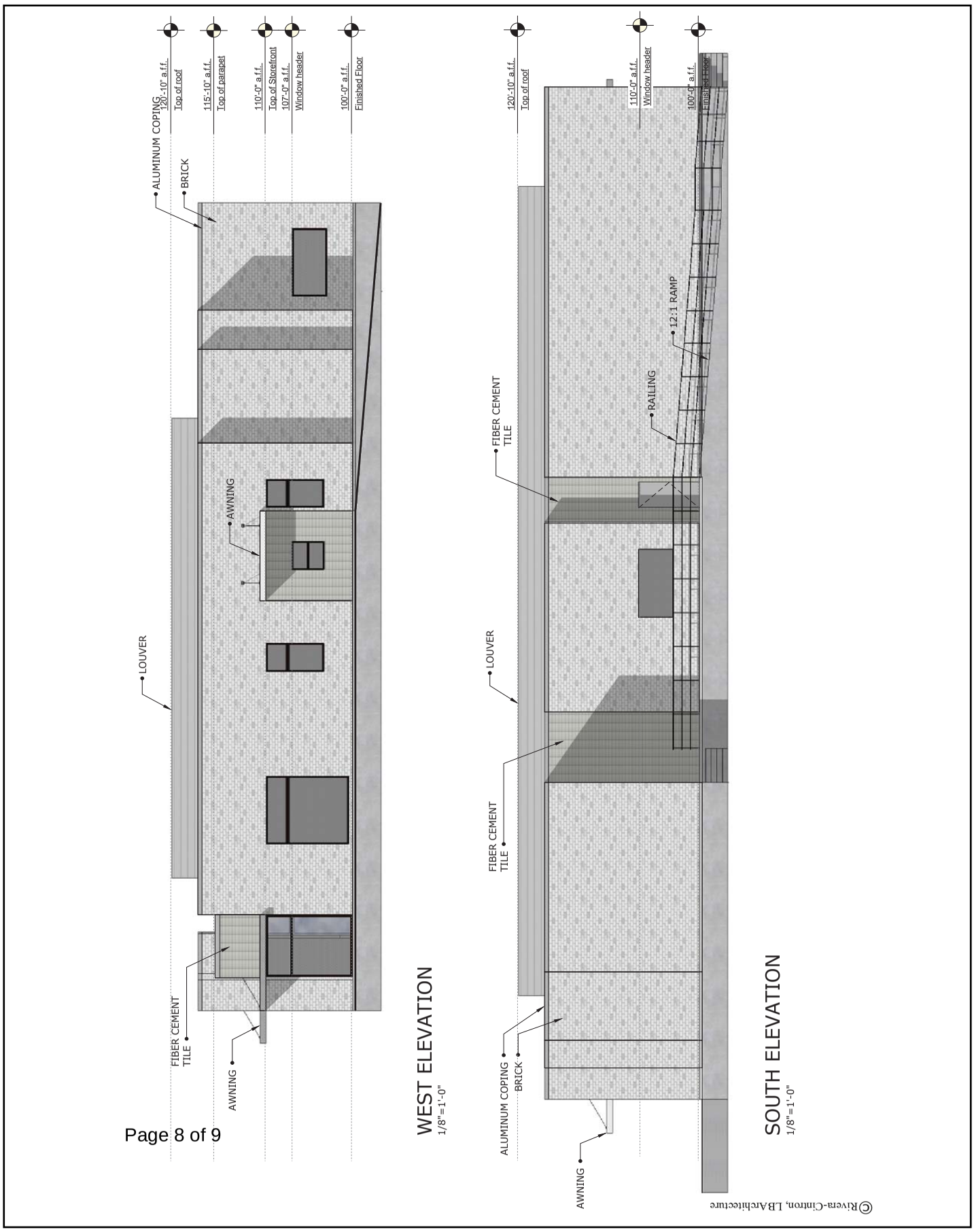

ALUMINUM COPING
120'-10" a.f.f.
Top of roof
115'-10" a.f.f.
Top of parapet
110'-0" a.f.f.
Top of Storefront
107'-9" a.f.f.
Window header
100'-0" a.f.f.
Finished Floor
BRICK
AWNING
LOUVER
FIBER CEMENT TILE
AWNING
WEST ELEVATION
1/8"=1'-0"
120'-10" a.f.f.
Top of roof
110'-0" a.f.f.
Window header
100'-0" a.f.f.
Finished Floor
12:1 RAMP
RAILING
FIBER CEMENT TILE
LOUVER
FIBER CEMENT TILE
ALUMINUM COPING
BRICK
AWNING
SOUTH ELEVATION
1/8"=1'-0"
©Rivera-Clinton, LB Architecture

NORTH WEST VIEW

SOUTH WEST VIEW

SOUTH EAST VIEW

NORTH EAST VIEW

©Rivera-Cintron, LB Architecture

STAFF REPORT

MEETING: City Council - 03 Aug 2021

TITLE:
Conduct a Public Hearing (2021-18) for consideration and action regarding the request of William Self, Applicant and Owner, to include a Specific Use Permit "SUP" for Carport on Town and Country Estates Rep, Block A, Lot 26, approximately 0.21 acre, City of Duncanville, Dallas County, Texas, more commonly known as 710 Timber Trail.

FY 2019 CITY COUNCIL ORGANIZATIONAL WORKPLAN:

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

STAFF RESPONSIBLE:
Bryan G. Ramey II, P.E., Public Works Director
Skye Thibodeaux, AICP, City Planner

BACKGROUND/HISTORY:
Comprehensive Plan
The subject property has a Future Land Use Designation of Low Density Residential. The Plan states that low density residential represents a traditional single-family detached neighborhood and includes housing and living units for people with a range of incomes and needs. Low density residential areas generally range between three and five dwelling units per acre.

The Plan goes on to list the following policies to guide low density areas:

- They should be protected from, but accessible to, the major roadway network, commercial establishments, and industrial areas.
- Subdivisions should be accessible to collector and arterial streets, but should directly access only local streets, creating a balanced land-use pattern across the City.
- They should not be directly accessible to major arterials and freeways without adequate buffering and access management.

This request is in conformance with the Comprehensive Plan as the proposed accessory use is for the purpose of an existing single-family residence.

Project Scope
As shown on the site plan and material exhibits, the proposed carport is designed to be in conformance with associated standards such as lot orientation, setbacks, and materials.

Parking
The Zoning Ordinance requires two (2) unenclosed, paved parking spaces plus a one or two-car garage or Porte Cochere. Section 4.04.B.3.(Single-Family and Townhome Parking Accommodations) of the Ordinance provides an exception that states "Exception: A carport may be provided in lieu of a garage or Porte Cochere upon approval of a Specific Use Permit."

This request, if approved, would be in conformance with this language.

Surrounding Land Use
The subject property is surrounded on all sides by existing single-family residences zoned SF-7 Single-Family Residential District.

Zoning and Land Use
Section 6.05. (Specific Use Permits) of the Zoning Ordinance, states the 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.

POLICY EXPLANATION:
Notification
Twenty-seven (27) notices were sent out for this public hearing. As of this writing, no responses have been received regarding this request.

FUNDING SOURCE:
N/A

Contract Log #:
N/A

RECOMMENDATION:
At the July 19, 2021 Special Planning & Zoning Commission Meeting, the Commission recommended approval of the request.

ATTACHMENTS:
Attachment 1 - Legal Advertisement for Public Hearing
Attachment 2 - Property Maps
Attachment 3 - Exhibits

Attachment 4 - Letter from applicant
Attachment 5 - Letter to Property Owners within 200' Buffer
Attachment 6 - List of Property Owners within 200' Buffer
Attachment 7 - Unapproved Minutes from Planning & Zoning Meeting
Attachment 8 - Ordinance No. 2406 -SUP Carport at 710 Timber Trail

ATTACHMENT 1

Advertise 1 time - By July 4

NOTICE OF A PUBLIC HEARING BEFORE THE
PLANNING AND ZONING COMMISSION
ZONING FILE #2021-18

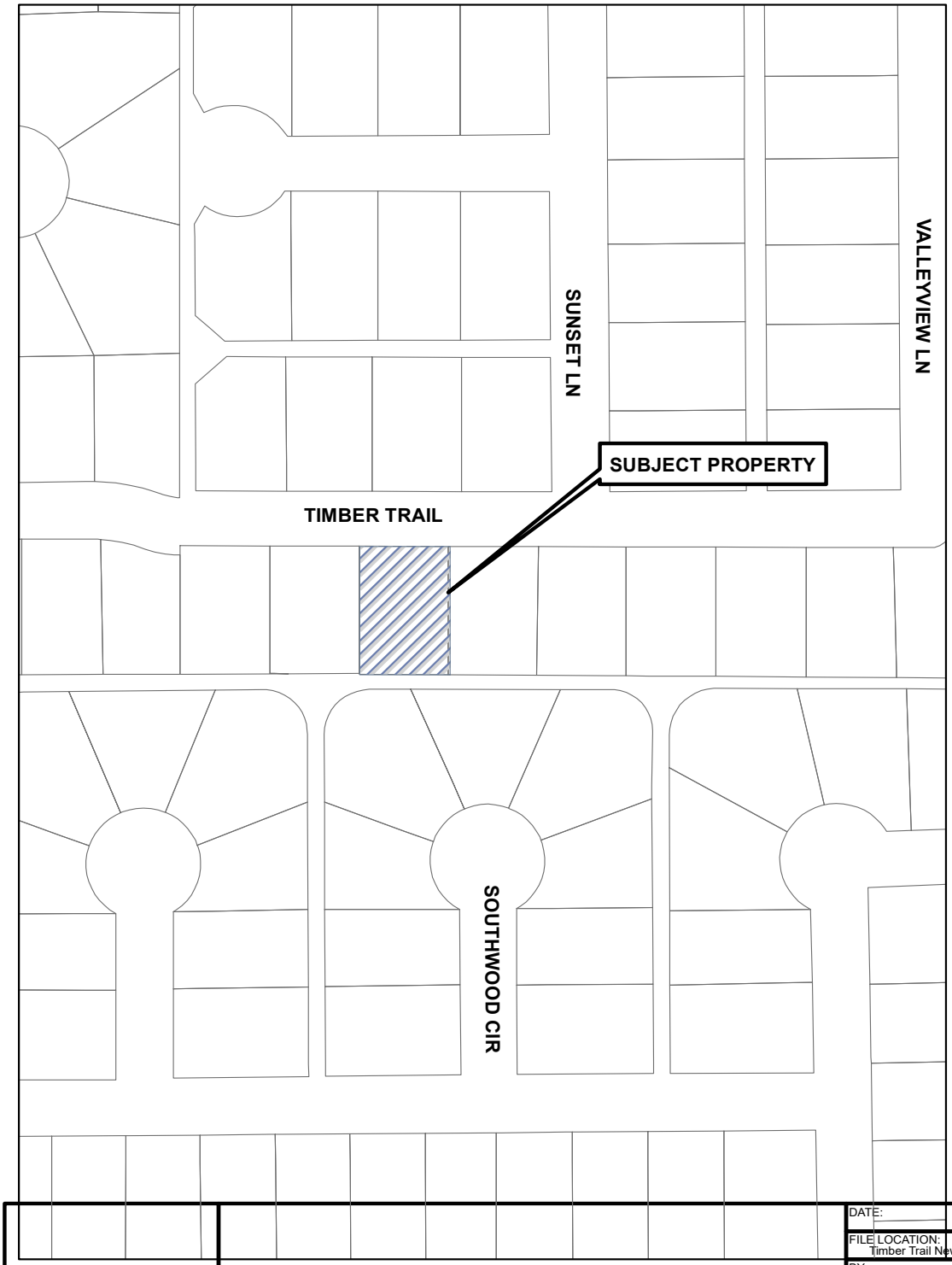
A public hearing will be held before the Planning & Zoning Commission for a Special Meeting on Monday, July 19, 2021, at 7:00 p.m., and before the City Council on Tuesday, August 3, 2021, at 7:00 p.m., in the Council Chambers, City Hall, 203 E. Wheatland Road, Duncanville, Texas, to hear a request of William Self, Applicant and Owner, to include a Specific Use Permit "SUP" for a Carport on Town and Country Estates Rep, Block A, Lot 26, approximately 0.21 acre, City of Duncanville, Dallas County, Texas, more commonly known as 710 Timber Trail.

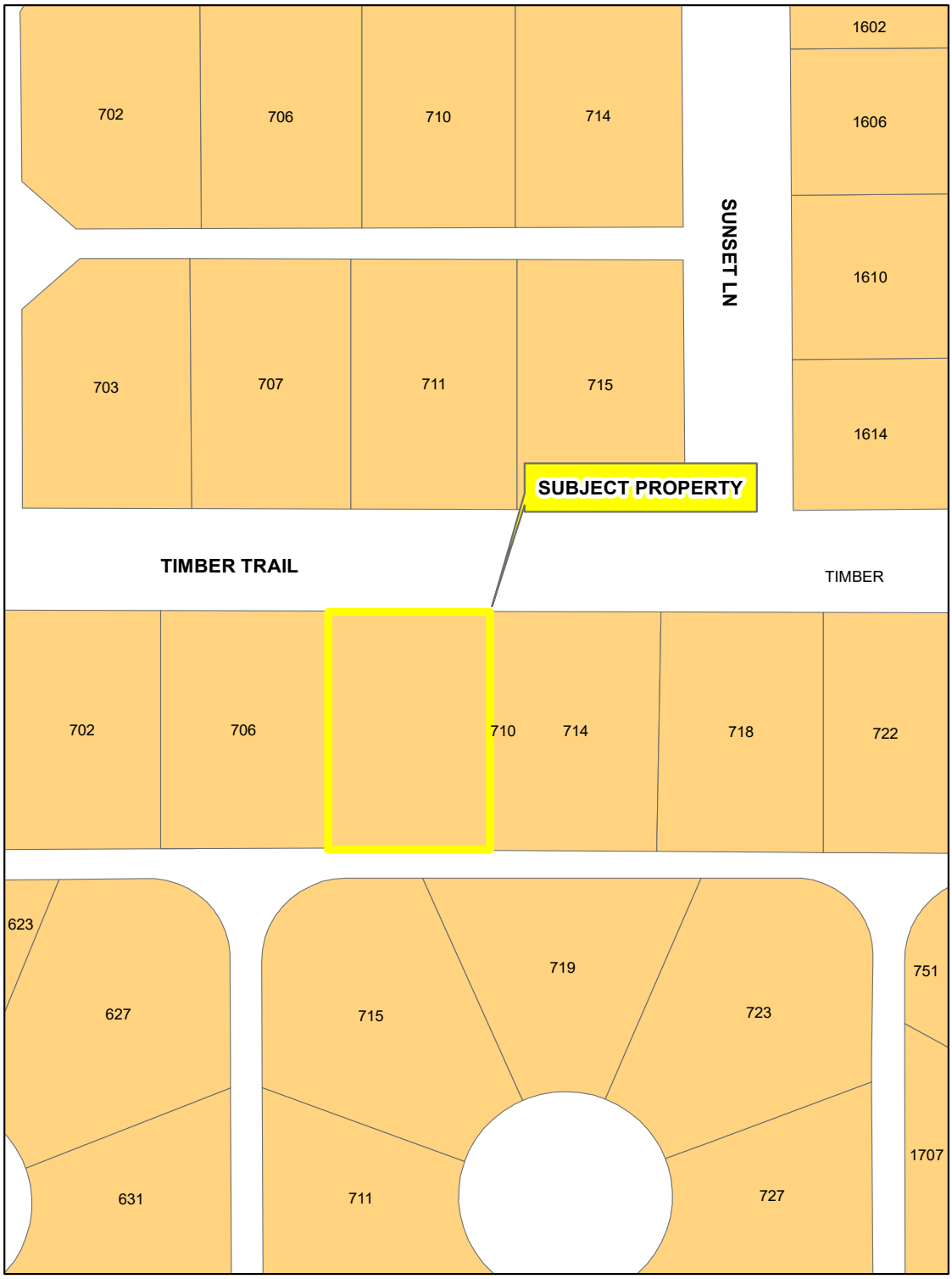
As an interested citizen, you may appear at the public hearing or you may send a notice to either the City Secretary or to Skye Thibodeaux, Secretary of the Planning and Zoning Commission, P.O. Box 380280, Duncanville, Texas, 75138-0280 stating your position.

CITY OF DUNCANVILLE
Kristin Downs
City Secretary

Skye Thibodeaux, AICP
Secretary, Planning and Zoning Commission

ATTACHMENT 2





SUP CASE 2021-18
ZONING MAP

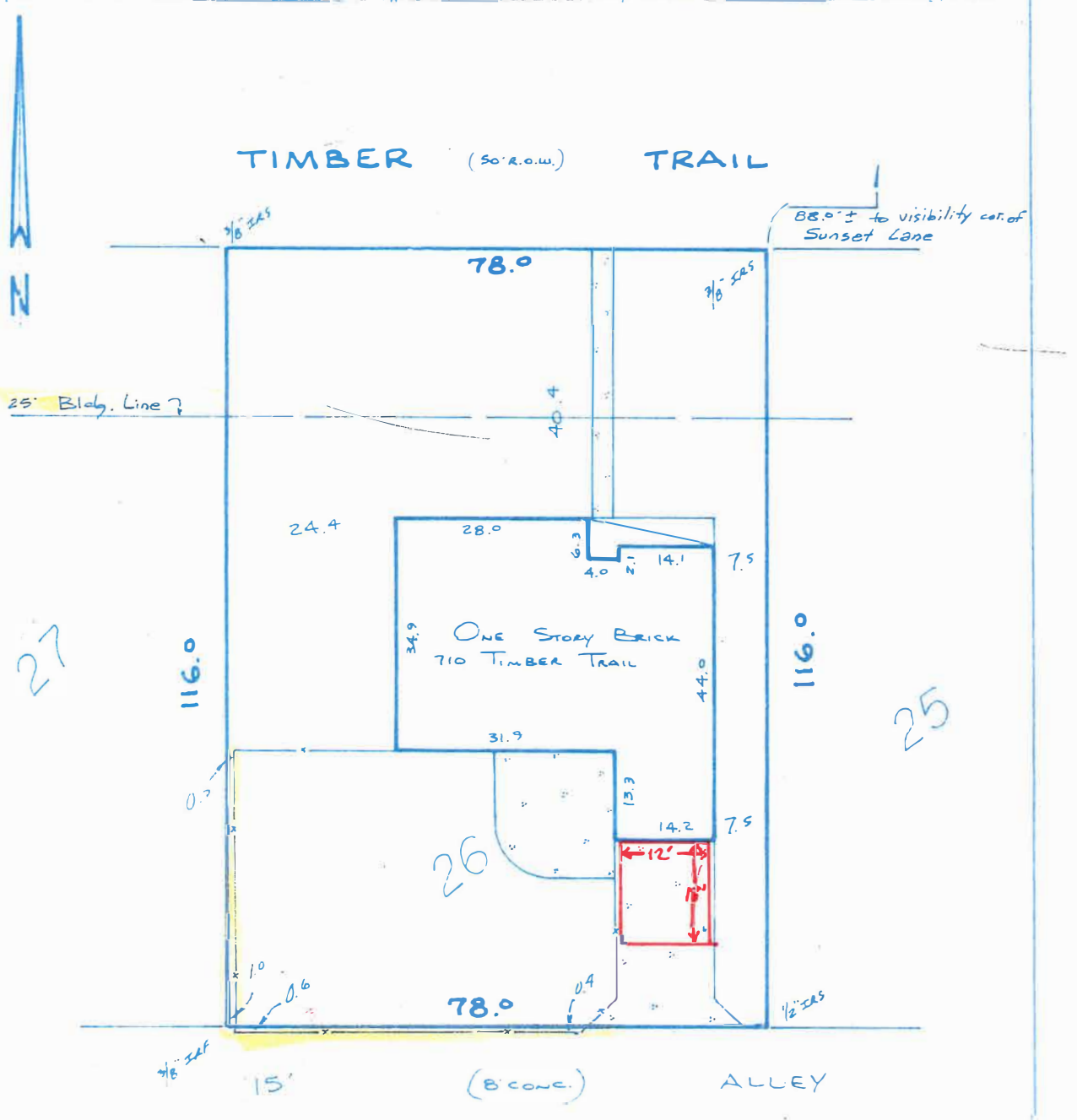
SUP CASE 2021-18
AERIAL MAP

ATTACHMENT 3

SURVEY PLAT

TO ALL PARTIES INTERESTED IN PREMISES SURVEYED:

This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at No. 710 TIMBER TRAIL in the city of DUNCANVILLE Texas Lot No. 26, Block No A City Block No. of TOWN & COUNTRY ESTATES an addition to the City of DUNCANVILLE Texas, according to the REVISED plat recorded in Volume 77206 Page 1805 Map Records DALLAS County, Texas



William G. Self 27 June 97 Nancy L Self 27 June 97

The plat hereon is a true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat; the size, location and type of buildings and improvements are as shown, all improvements being within the boundaries of the property, set back from property lines the distances indicated, and that the distance from the nearest intersecting street, or road, is as shown on said plat.
THERE ARE NO ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS, except as shown.

Scale 1" = 20'

Date 3-29-84

Job No. 1545 Title No.: G.F. 84-B-59376-L

This survey was performed in connection with the purchase from HEXTER-FAIR

STATE OF TEXAS MICHAEL L. COX 4003 REGISTERED PUBLIC SURVEYOR

Michael L Cox

201 W. Belt Line Suite D
Cedar Hill, Tx. 75104
291-7848

Image 0 (1).jpeg

Scope of work - type of material
ROOF must be 26 gauge 3" post 14 gauge

Draw on plan and identify how
far off the property line to verify
Set backs are complete

City of Duncanville
Public Works Department
203 E Wheatland Road
PO Box 380280
Duncanville, Tx 75138

ATTACHMENT 4

William B Self
710 Timber Trail
Duncanville, Tx 75137

Dear Sir,

I propose to erect a carport in front of the overhead door to my rear entry garage. Said carport will be used to provide shelter for my family vehicle.

The builder of the carport will be Custom Fence and Pergola llc of Midlothian, Texas. Owner is Blake Lepper. Company name and contact is:

Blake Lepper
Custom Fence & Pergola llc
469-337-9335
blake.fence@yahoo.com
www.customfenceandpergola.com

The front of the carport will be attached to the house. The structure will be twelve feet wide and eighteen feet long supported by 4" x 4" x 10' posts at the rear buried 3' deep or mounted to plates. Attached please see hand drawn item 2021-06-03 1619.pdf. Color of materials will be one of the colors shown in the color chart available for the project as seen in image1 (10).jpeg below. The proposed carport will be the same as pictured in image0.jpeg except it will only have two posts at the rear.

ATTACHMENT 5

City of Duncanville Planning Division
Public Works Department
203 E. Wheatland Road
P. O. Box 380280
Duncanville, TX 75138-0280
(p) 972-707-3871; (f) 972-780-6426
(e) sthibodeaux@duncanville.com

July 2, 2021

Zoning File: 2021-18

Dear Property Owner:

William Self, Applicant and Owner, is requesting to include a Specific Use Permit "SUP" for a Carport on Town and Country Estates Rep, Block A, Lot 26, City of Duncanville, Dallas County, Texas, approximately 0.21 acre, more commonly known as 710 Timber Trail.

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 rezoning for this particular public hearing. Please refer to the enclosed map that indicates which property is being rezoned.

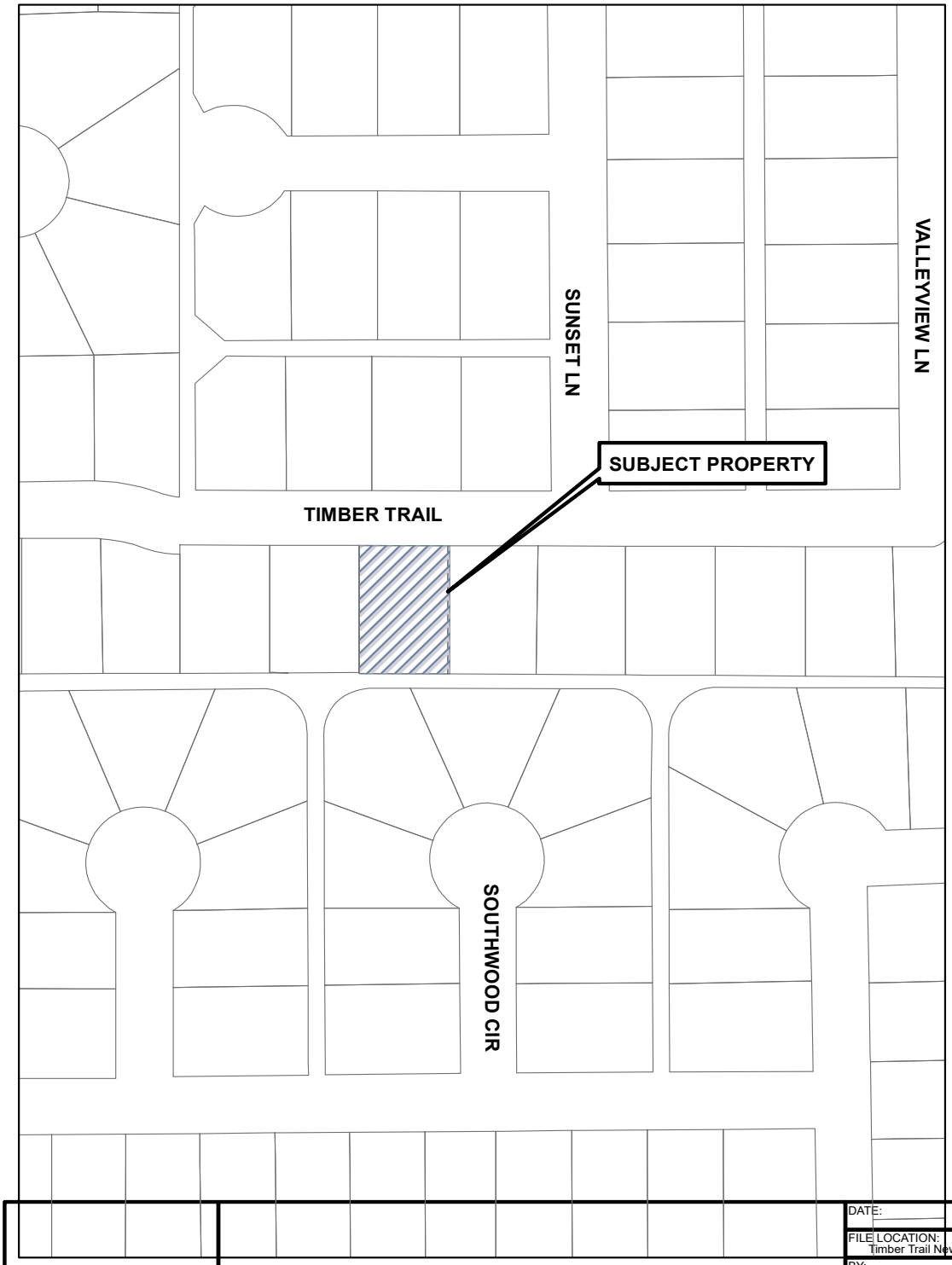
The Planning and Zoning Commission will hold a public hearing on Monday, July 19, 2021, at 7:00 p.m. and a City Council public hearing will be held on Tuesday, August 3, 2021, at 7:00 p.m. in the City Hall Council Chambers, 203 E. Wheatland Road. Public hearings are held to allow interested persons the 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 July 28, 2021, to fulfill legal requirements for a written formal protest.

As an interested citizen, you may submit public comments to either the City Secretary or to Skye Thibodeaux, Secretary of the Planning and Zoning Commission, P.O. Box 380280, Duncanville, Texas, 75138-0280 or email sthibodeaux@duncanville.com stating your position. You are encouraged to participate in the public hearing and offer comments.

Sincerely,

Skye Thibodeaux, AICP
Secretary, Planning and Zoning Commission

Enclosures


SUNSET LN
VALLEYVIEW LN
SUBJECT PROPERTY
TIMBER TRAIL
SOUTHWOOD CIR
DATE:
6/30/2021
FILE LOCATION:
Timber Trail Newspaper Image.mxd
BY:
JBUNNER
PROPOSED SUP
CASE # 2021-018
710 TIMBER TRAIL

The following form may be filled out and mailed to:

Planning and Zoning Commission
City of Duncanville
Attn: Public Works Department
P.O. Box 380280
Duncanville, TX 75138-0280

Case No. 2021-18 William Self, Applicant and Owner, is requesting to include a Specific Use Permit "SUP" for a Carport on Town and Country Estates Rep, Block A, Lot 26, City of Duncanville, Dallas County, Texas, approximately 0.21 acre, more commonly known as 710 Timber Trail. This is the first of two public hearings that have been scheduled to receive further input on the requested 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 19, 2021, at 7:00 p.m. and a City Council public hearing will be held on Tuesday, August 3, 2021, at 7:00 p.m. in the City Hall 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 July 28, 2021, 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: _____

ATTACHMENT 6

LIST OF PROPERTY OWNERS WITHIN 200'

TRUE DFW2015 1 HOMES LLC
1024 BAYSIDE DR
NEWPORT BEACH, CA 926600000

HAMILTON DARREN KEITH
627 SOUTHWOOD CT
DUNCANVILLE, TEXAS 751374130

CORREIRA JAY
631 SOUTHWOOD CT
DUNCANVILLE, TEXAS 751374130

FALCON JUAN C
711 SOUTHWOOD CIR
DUNCANVILLE, TEXAS 751374139

RAMIREZ JUAN
715 SOUTHWOOD CIR
DUNCANVILLE, TEXAS 751374139

SMITH RICKY &
719 SOUTHWOOD CIR
DUNCANVILLE, TEXAS 751374139

MENDEZ RAFAEL C &
723 SOUTHWOOD CIR
DUNCANVILLE, TEXAS 751374139

HARGROVE LAKESHIA
PO BOX 765043
DALLAS, TEXAS 753765043

GARCIA LUIS E & MARIA A
751 SOUTHWOOD DR
DUNCANVILLE, TEXAS 751374133

SMITH DENICE M
615 TIMBER TRL
DUNCANVILLE, TEXAS 751374171

MENDEZ LEONEL H & ALMA F
622 TIMBER TRL
DUNCANVILLE, TEXAS 751374170

WUERCH DOUG & JULE
703 TIMBER TRL
DUNCANVILLE, TEXAS 751374137

ANGELES MIGUEL
707 TIMBER TRL
DUNCANVILLE, TEXAS 751374137

ESPINAL FRANCISCO & JUANA
711 TIMBER TRL
DUNCANVILLE, TEXAS 751374137

RH PARTNERS OWNERCO LLC
5001 PLAZA ON THE LAKE STE 200
AUSTIN, TEXAS 787461053

URESTI LUCIA
714 COUNTRYSIDE CT
DUNCANVILLE, TEXAS 751374101

GUZMAN ONIX XAVIER F &
710 COUNTRYSIDE CT
DUNCANVILLE, TEXAS 751374101

ARC RENTAL MSR I LLC
4 WORLD TRADE CENTER 51FL STE
NEW YORK, NEW YORK 100072445

STEPHEN DAVID V
163 WILDWOOD DR
DESOTO, TEXAS 751157558

ROURK WENDY
515 N CEDAR RIDGE DR STE 5
DUNCANVILLE, TEXAS 751163182

CARTER PAULA L
1610 SUNSET LN
DUNCANVILLE, TEXAS 751374154

BRADFORD BARBARA C
702 TIMBER TRL
DUNCANVILLE, TEXAS 751374138

LIEU STEPHEN S &
516 JENNIFER TRL
GRAND PRAIRIE, TEXAS 750523295

SELF BILL & NANCY SELF LIVING TRUST
710 TIMBER TRL
DUNCANVILLE, TEXAS 751374138

CONNER WILLIE J &
714 TIMBER TRL
DUNCANVILLE, TEXAS 751374138

KING CHARLES EDWARD &
718 TIMBER TRL
DUNCANVILLE, TEXAS 751374138

CRINER DWIGHT & SHELINA
722 TIMBER TRL
DUNCANVILLE, TEXAS 751374138

ATTACHMENT 7

PLANNING AND ZONING COMMISSION
REGULAR MEETING
CITY HALL
203 E WHEATLAND ROAD
MONDAY, JULY 19, 2021 @ 7:00 P.M.

A meeting for the Planning and Zoning Commission was held on Monday, July 19, 2021, at 7:00 p.m. with the following present:

Planning and Zoning Commission Members:

Greg Zylka	Chairman	
Betty Culbreath	Vice-Chairman	
Eric Pena	Commissioner	
Jana McBroom	Commissioner	
George Turner	Commissioner	Excused absence
Elias Rodriguez	Commissioner	
Richard Shaw	Commissioner	Arrived 7:40pm

Staff present:
Skye Thibodeaux, City Planner
Athena Seaton, Planning Technician

The meeting was called to order at 7:00 p.m. by Chairman Zylka.

Item No. 1 – Receive Public Comments

Due to recent changes in state legislation, public comments have been added to the agendas of all boards and commissions subject to the Open Meetings Act, with time allocated at the beginning of each meeting. Comments are limited to two minutes per speaker.

No comments were received.

Item No. 2 – Approval of meeting minutes for the regular meeting on May 24, 2021 and cancelled regular meeting on June 28, 2021.

Commissioner Culbreath made a motion as seconded by Commissioner Rodriguez to approve the minutes. The vote was unanimous 5-0 in favor with Commissioner Turner and Commissioner Shaw absent.

Item No. 3 – Conduct a public hearing (2021-09) and consider approval regarding the request of Roland Ako, representing Italy Family Pharmacy, Inc, Owner and Applicant, to include a Specific Use Permit "SUP" to allow the use of Drive Thru on Hopco Wedge Tr 1, City of Duncanville, Dallas County, approximately 1.710 Acres, more commonly known as 102 E Danieldale Road, Duncanville, Texas.

Skye Thibodeaux presented background information regarding the proposed SUP.

Unapproved

Commissioners received clarification regarding driveways and elevations.

Public hearing opened at 7:13 pm.

Matthew Williamson, MBW Engineering, LLC, explained driveway entrance construction.

Commissioner Culbreath made a motion to close the public hearing at 7:14 pm, with motion seconded by Commissioner McBroom. The vote was unanimous 5-0 in favor with Commissioner Turner and Commissioner Shaw absent.

No discussion followed.

Commissioner Culbreath made a motion, seconded by Commissioner McBroom to approve the Specific Use Permit as presented with no additional conditions. The vote was unanimous 5-0 in favor with Commissioner Turner and Commissioner Shaw absent.

Item No. 4 – Conduct a public hearing (2021-10) for consideration and action regarding the request of Julius Okunola, representing the Redeemers Christian Church of God (Victory House), Owner and Applicant, to include a Planned Development "PD" for an Event Center with modified standards on Shekinah Glory, Block A, Lot 1, City of Duncanville, Dallas County, approximately 3.910 acres, more commonly known as 515 W Center Street, Duncanville, Texas.

Skye Thibodeaux presented background information regarding the proposed PD.

Discussion followed regarding intended activities, hours of operation, locations of substandard landscape buffers adjacent to residential property and meeting development standards with new zoning ordinance.

Public hearing opened at 7:35 pm.

Kharrol Amissah-Aidoo, architect with Cre Alli Design Group, explained details of the site plan and provided information regarding the landscaping buffer, walking path, ADA compliance, building features and prayer rooms, and hours of operation.

Commissioner Culbreath made a motion to close the public hearing at 7:44 pm, with motion seconded by Commissioner Rodriguez. The vote was unanimous 6-0 in favor with Commissioner Turner absent.

Discussion continued regarding development standards.

Commissioner Culbreath made a motion, seconded by Commissioner McBroom to approve the PD as presented with the condition that a conforming 15-foot landscape buffer be provided along the western property boundary. The vote was unanimous 6-0 in favor with Commissioner Turner absent.

Item No. 5– Conduct a public hearing (2021-10) for consideration and action regarding the request of James Wilkins, Applicant and Owner, to include a Specific Use Permit "SUP" for a Bed and

Unapproved

Breakfast on J.H. Spruce Survey, Abstract No. 1297, Page 50, City of Duncanville, Dallas County, Texas, approximately 0.51 acre, more commonly known as 415 Hustead Street, Duncanville, Texas.

Skye Thibodeaux presented background information regarding the proposed PD.

No discussion followed

Public hearing opened at 8::06 pm.

Alla Wilkins, co-owner and manager, presented on behalf of the bed and breakfast the business, awards guests and features.

Commissioner Culbreath made a motion to close the public hearing at 8:11 pm, with motion seconded by Commissioner McBroom. The vote was unanimous 6-0 in favor with Commissioner Turner absent.

No discussion followed

Commissioner McBroom made a motion, seconded by Commissioner Pena to approve the renewal of the SUP with removal of the special condition Section 2, number 5, specifying time period renewals in Ordinance 1990. The vote was unanimous 6-0 in favor with Commissioner Turner absent.

Item No. 6– Conduct a public hearing (2021-10) for consideration and action regarding the request of William Self, Applicant and Owner, to include a Specific Use Permit "SUP" for a Carport on Town and Country Estates Rep, Block A, Lot 26, approximately 0.21 acre, City of Duncanville, Dallas County, Texas, more commonly known as 710 Timber Trail, Duncanville, Texas.

Skye Thibodeaux presented background information regarding the proposed SUP for a carport.

No discussion followed

Public hearing opened at 8::17 pm.

Commissioner McBroom made a motion to close the public hearing at 8:18 pm, with motion seconded by Commissioner Culbreath. The vote was unanimous 6-0 in favor with Commissioner Turner absent.

No discussion followed

Commissioner McBroom made a motion, seconded by Commissioner Culbreath to approve the SUP as presented. The vote was unanimous 6-0 in favor with Commissioner Turner absent.

Item No. 6 – Adjourn
Being no further business, the meeting adjourned at 8:18 p.m.

Unapproved

_____	_____
Athena Seaton, Interim Secretary	Greg Zylka, Chairman

Unapproved

ORDINANCE NO. 2406

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP, AS HERETOFORE AMENDED, BY AMENDING THE EXISTING SINGLE-FAMILY RESIDENTIAL "SF-7" DISTRICT ZONING TO INCLUDE A SPECIFIC USE PERMIT "SUP" FOR CARPORT ON TOWN AND COUNTRY ESTATES REP, BLOCK A, LOT 26, APPROXIMATELY 0.21 ACRE, MORE COMMONLY KNOWN AS 710 TIMBER TRAIL, DUNCANVILLE, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR THE APPROVAL OF THE EXHIBITS WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT "B"; 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 FOR 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 RESOLVED 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 the Single Family Residential "SF-12" District zoning to include a Specific Use Permit "SUP" for a Carport on Town and Country Estates Rep, Block A, Lot 26, approximately 0.21 acre, City of Duncanville, Dallas County, Texas, more commonly known as 710 Timber Trail, and being more particularly described in Exhibit "A" and Exhibit "B", attached hereto and made a part hereof for all purposes (the "Property").

SECTION 2. That the above-described property shall be used and developed 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 the site plan, Exhibit B, as special conditions and as amended herein, subject to the following additional special conditions:

a) The structure shall be constructed as depicted on Exhibit B; and,
b) Shall be constructed in the rear yard

c) The peak of the roof line for such structure shall not exceed the height of main structure
d) Shall be constructed on adequate gauge material and support in accordance with City building codes
e) The structure or any elevations thereof shall not extend over the adjacent alley

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 RESOLVED AND ADOPTED by the City Council of the City of Duncanville, Texas, on the 3rd day of August, 2021.

APPROVED:

_____

Barry L. Gordon, Mayor

ATTEST:

_____

Kristin Downs, City Secretary

APPROVED AS TO FORM:

_____

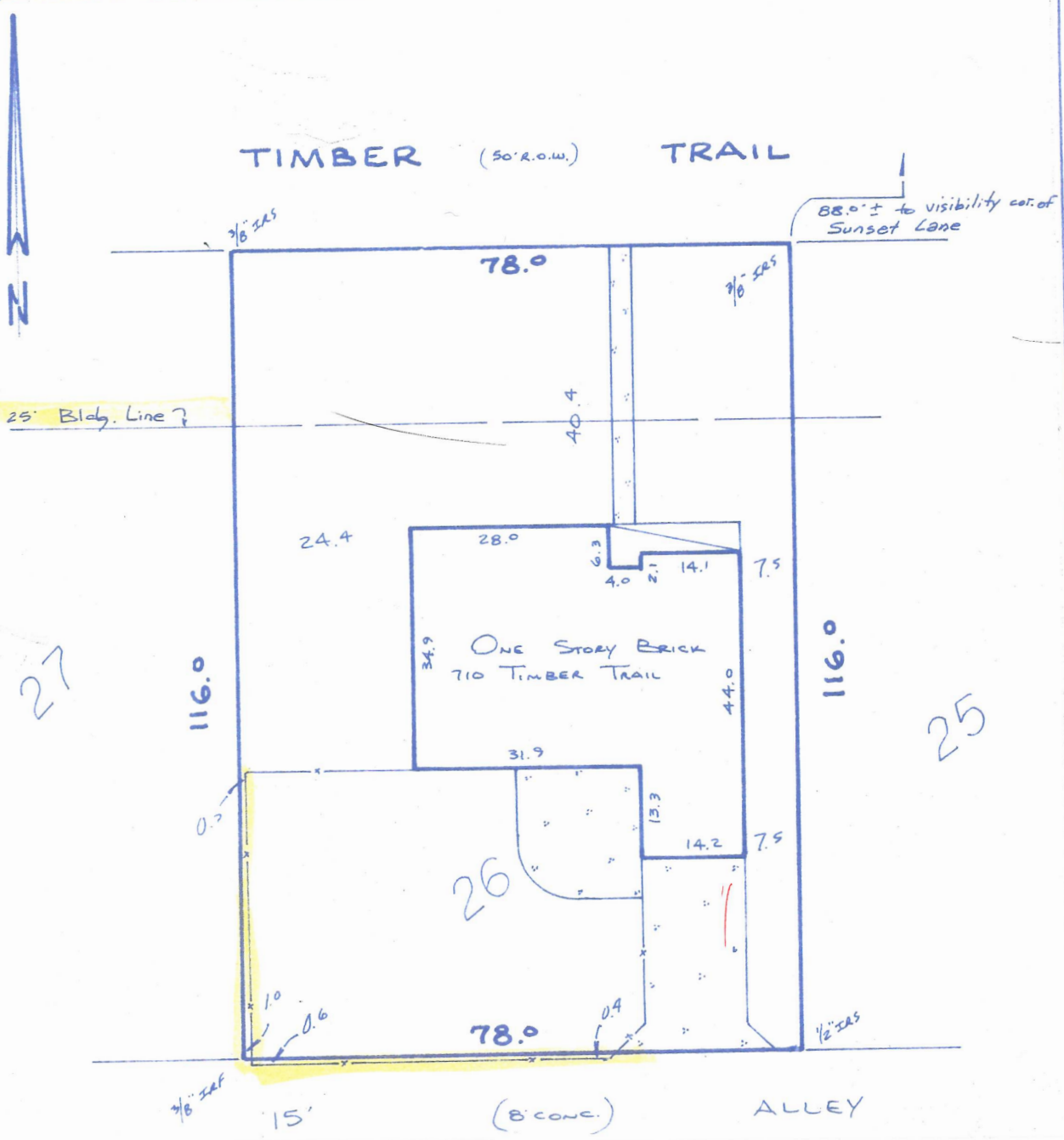
Robert E. Hager, City Attorney

EXHIBIT A

SURVEY PLAT

TO ALL PARTIES INTERESTED IN PREMISES SURVEYED:

This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at No. 710 Timber Trail in the city of, Duncanville Texas Lot No. 26, Block No. A City Block No. _____ of Town & Country Estates an addition to the City of Duncanville Texas, according to the Revised plat recorded in Volume 77206 Page 1805, Map Records Dallas County, Texas



William G. Self 27 June 97 Nancy L. Self 27 June 97

The plat hereon is a true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat; the size, location and type of buildings and improvements are as shown, all improvements being within the boundaries of the property, set back from property lines the distances indicated, and that the distance from the nearest intersecting street, or road, is as shown on said plat.
THERE ARE NO ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS, except as shown.

Scale 1" = 20'

Date 3-29-84

Job No. 1545 Title No.: G.F. 84-B-59376-L

This survey was performed in connection with the transaction described in GF No. _____ of Hexter Fair Title Company. USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR BY OTHER PARTIES SHALL BE AT THEIR RISK AND UNDERSIGNED IS NOT RESPONSIBLE TO OTHERS FOR ANY LOSS RESULTING THEREFROM.

STATE OF TEXAS MICHAEL L. COX 4003 REGISTERED PUBLIC SURVEYOR

Michael L. Cox

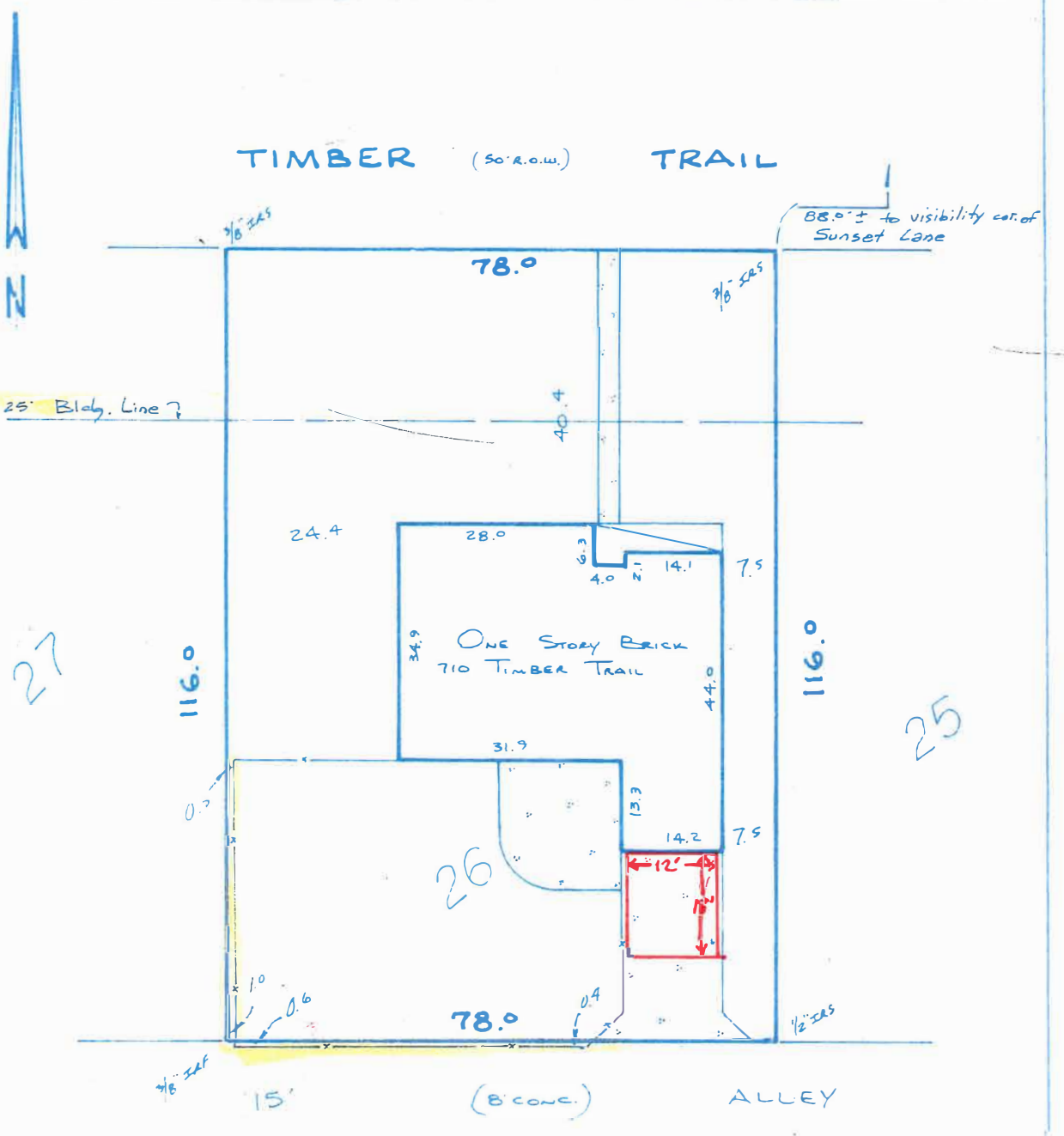
201 W. Belt Line Suite D
Cedar Hill, Tx. 75104
291-7848

EXHIBIT B

SURVEY PLAT

TO ALL PARTIES INTERESTED IN PREMISES SURVEYED:

This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at No. 710 TIMBER TRAIL in the city of DUNCANVILLE Texas
Lot No. 26, Block No A City Block No.
of TOWN & COUNTRY ESTATES an addition to the
City of DUNCANVILLE Texas, according to the REVISED
plat recorded in Volume 77206 Page 1805 Map Records DALLAS County, Texas



William G. Self 27 June 97 Nancy L Self 27 June 97

The plat hereon is a true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat; the size, location and type of buildings and improvements are as shown, all improvements being within the boundaries of the property, set back from property lines the distances indicated, and that the distance from the nearest intersecting street, or road, is as shown on said plat.
THERE ARE NO ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS, except as shown.

Scale 1" = 20'
Date 3-29-84
Job No. 1545 Title No.: G.F. 84-B-59376-L

This survey was performed in connection with the property described as G.F. No. ... of HEXTER-FAIR ... THIS SURVEY IS FOR BANK, TITLE PURPOSES ONLY. ANY OTHER PARTIES SHALL DO AT THEIR RISK AND ENGINEER SHALL BE NOT RESPONSIBLE TO OTHERS FOR ANY LOSS RESULTING THEREFROM.

STATE OF TEXAS MICHAEL L. COX 4003 REGISTERED PUBLIC SURVEYOR

Michael L Cox
201 W. Belt Line Suite D
Cedar Hill, Tx. 75104
291-7848

Image of Patio

Scope of work - type of material
ROOF must be 26 gauge 3" post 14 gauge

Draw on plan and identify how
far off the property line to verify
Set backs are complete

STAFF REPORT

MEETING: City Council - 03 Aug 2021

TITLE:
Conduct a Public Hearing (2021-10) for consideration and action regarding the request of Julius Okunola, representing the Redeemers Christian Church of God Victory House, Owner and Applicant, for a Planned Development "PD" to allow for an Event Center with modified standards on Shekinah Glory Addition, Block A, Lot 1, approximately 3.910 acres, more commonly known as 515 W Center Street, City of Duncanville, Dallas County, Texas.

FY 2019 CITY COUNCIL ORGANIZATIONAL WORKPLAN:

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

STAFF RESPONSIBLE:
Bryan G. Ramey II, P.E., Public Works Director
Skye Thibodeaux, AICP, City Planner

BACKGROUND/HISTORY:
Comprehensive Plan
The subject property has a Future Land Use Designation of Public/Semi-Public (ISD). The Plan states that public/semi-public/institutional are uses that generally serve a public purpose, including government facilities, educational facilities, and institutions of worship. Schools and worship facilities are often located adjacent to or within neighborhood areas. Public facilities that generate higher activity on a regular basis, such as government facilities, should be located along arterial roadways. The following are policies to guide public/semi-public areas:

Public and semi-public uses should generally observe similar development standards as retail and office uses.
They should be convenient and accessible to all residents while providing buffering where appropriate.

While the use of Event Center is typically associated with commercial developments, in this case, the use is proposed to be in conjunction with the existing Place of Worship use. Per staff's understanding of the intended clientele following discussions with the applicant, the Event Center use is designed to function as a retreat center. However, it's the commercial function of the retreat center as a for-profit activity associated with the existing Place of Worship that creates the requirement for zoning approval. In understanding the intended clientele, staff believes this request is still in conformance to the Comprehensive Plan.

Project Scope
As shown on the site plan exhibit, the proposed Event Center (retreat center) area is designed to be oriented in the rear of the property. Proposed structures in the subject area include a prayer chalet, gazebo, chapel, and several small private meditation structures designed in conjunction with a meditation trail.

Parking
The Zoning Ordinance requires one (1) off-street parking space for every 4 fixed seats in the main assembly area (in this case, the chapel). With 90 fixed seats, the requirement for additional parking is 23 spaces. The applicant is proposing to provide 39 additional parking spaces.

Landscaping and Screening
Proposed landscaping and screening, as shown on the landscape plan exhibit, generally conform with Section 4.08.(Landscape Requirements) and Section 4.07. (Screening and Buffering Requirements) of the Zoning Ordinance, with exception of providing a full 15-foot buffer along the west side of the new parking area and the east and west sides of the existing parking lot fronting center street.

Additionally, the applicant is not proposing additional solid vegetative screening along the east and west sides of the existing parking lot and area between the church structure and the adjacent single-family residences as required by Section 4.07.D.4.b.(Buffer Type B).

Signage
The site must comply with Chapter 16A Sign Guidelines of the Code of Ordinances regarding attached and freestanding signage.

Surrounding Land Use
Adjacent to the north is Lakeside Park, owned and maintained by the City, zoned SF-10 Single-Family Residential District. To the south, across Center Street, are existing single-family residences and Hastings Elementary School, zoned SF-10 Single-Family Residential District. To the east is Hornet Branch Creek and an existing single-family residence, zoned SF-10 Single-Family Residential District. Adjacent to the west are single-family homes, zoned SF-10 Single-Family Residential District.

POLICY EXPLANATION:
Following discussion, the Planning & Zoning Commission recommended approval of the proposed Planned Development per the conditions noted in Ordinance No. 2405 by a vote of 6-0.

Twenty-seven (27) notices were sent out for this public hearing. As of this writing, six (6) letters have been received in opposition of the request.

FUNDING SOURCE:
N/A

Contract Log #:
N/A

RECOMMENDATION:
The Planning & Zoning Commission recommends approval of the proposed Planned Development to allow for an Event Center with modified standards on Shekinah Glory, Block A, Lot 1, City of Duncanville, Dallas County, Texas, subject to the following conditions:

1. Event Center be a permitted use in association with the existing Place of Worship use.

2. A full 15' landscape buffer with a solid, irrigated living screen be provided along the western property boundary as required by Section 4.07.D.4.b.(Buffer Type B) of the Zoning Ordinance.
3. Overnight lodging for event center-guests be permitted. Note, City noise and other nuisance-related standards must be followed.

In addition to the Commission's recommendation above, Staff recommends Council consider an additional stipulation that states the subject property shall be developed according to the adopted site plan, landscape plan, and elevation exhibits. Any potential changes to the plans considered to be significant, as determined by the City Planner, shall require an amendment to the Planned Development to be considered and approved by the Planning & Zoning Commission and by City Council. Staff also recommends Council consider adding a condition placing a time limit or trigger event (such as a potential future change of ownership) to the subject PD.

ATTACHMENTS:

Attachment 1 - Legal Advertisement for Public Hearing
Attachment 2 - Area of Request Maps
Attachment 3 - Site Plan Exhibit
Attachment 4 - Landscape Plan Exhibit
Attachment 5 - Elevation Exhibit
Attachment 6 - Letter to Property Owners within 200' buffer and responses
Attachment 7 - Unapproved P&Z Minutes
Attachment 8 - Ordinance No. 2405 - 515 W Center Street

ATTACHMENT 1

Advertise 1 time - By July 4

NOTICE OF A PUBLIC HEARING BEFORE THE
PLANNING AND ZONING COMMISSION
ZONING FILE #2021-10

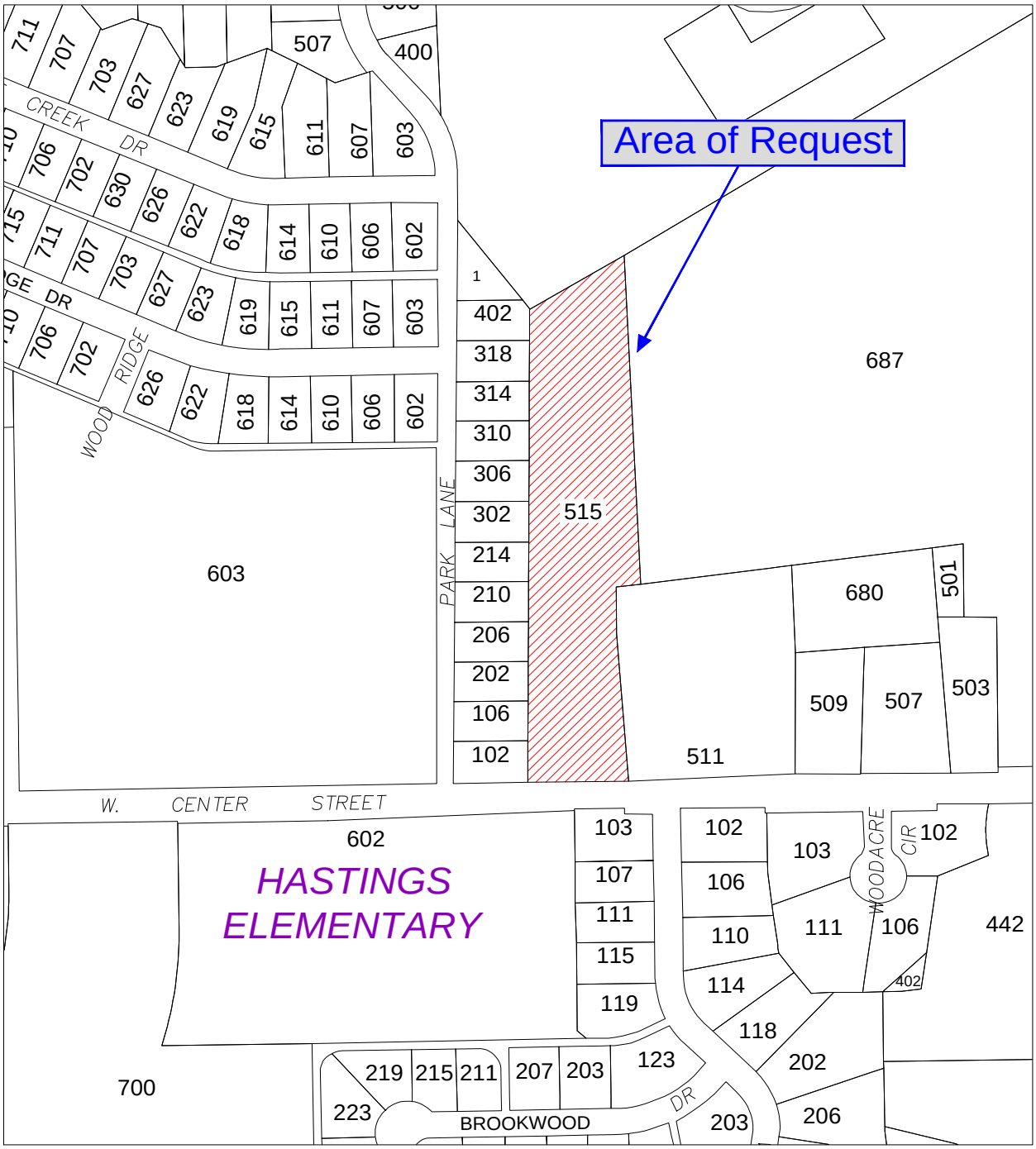
A public hearing will be held before the Planning & Zoning Commission for a Special Meeting on Monday, July 19, 2021, at 7:00 p.m., and before the City Council on Tuesday, August 3, 2021, at 7:00 p.m., in the Council Chambers, City Hall, 203 E. Wheatland Road, Duncanville, Texas,, to hear the request of Julius Okunola, representing the Redeemers Christian Church of God (Victory House), Owner and Applicant, for a Planned Development "PD" to allow for an Event Center on Shekinah Glory Addition, Block A, Lot 1, City of Duncanville, Dallas County, Texas, approximately 3.910 acres, more commonly known as 515 W Center Street.

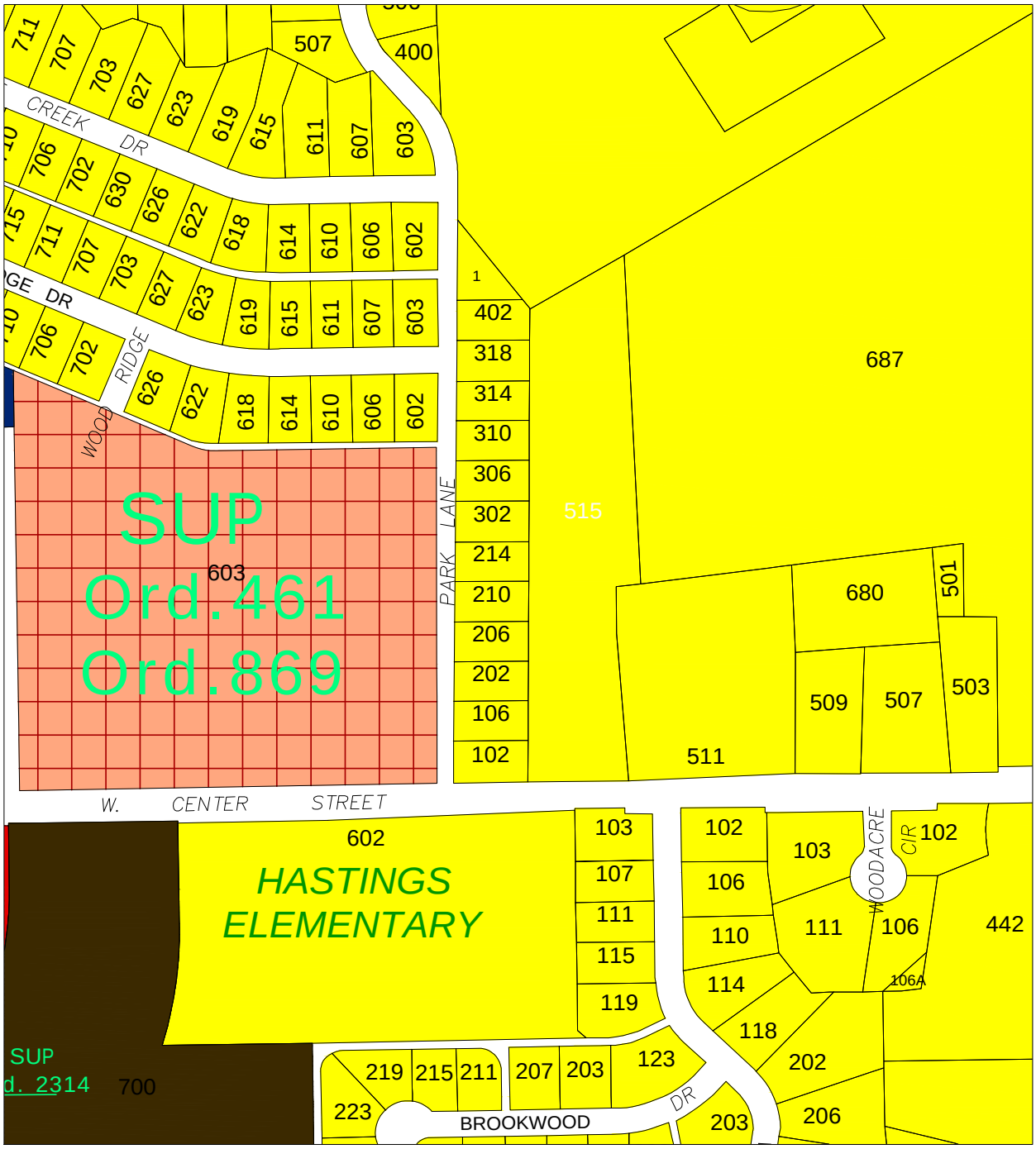
As an interested citizen, you may appear at the public hearing or you may send a notice to either the City Secretary or to Skye Thibodeaux, Secretary of the Planning and Zoning Commission, P.O. Box 380280, Duncanville, Texas, 75138-0280 stating your position.

CITY OF DUNCANVILLE
Kristin Downs
City Secretary

Skye Thibodeaux, AICP
Secretary, Planning and Zoning Commission

ATTACHMENT 2





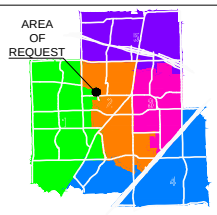
Duncanville
City of Champions

Proposed Zoning Change

Case # 2021-10

Current Zoning Area

515 W. Center Street



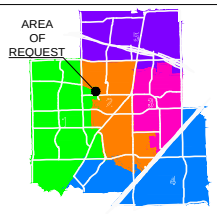
Duncanville
City of Champions

Proposed Zoning Change

Case # 2021-10

Aerial Location

515 W. Center Street

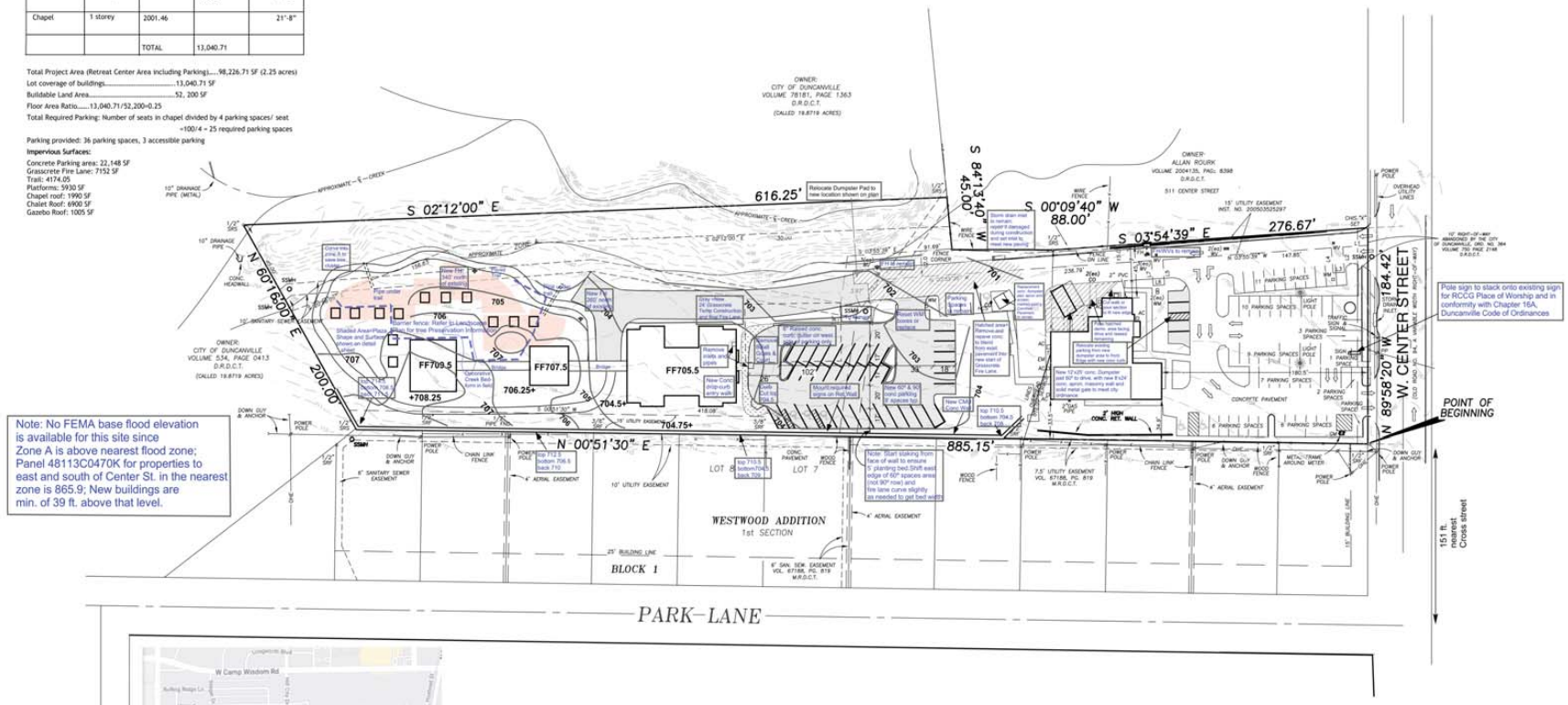


ATTACHMENT 3

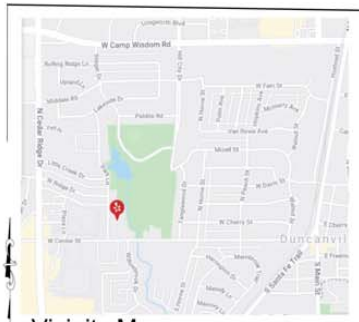
SITE PLAN

BUILDING	GROSS FLOOR AREA /SF		TOTAL GFA/SF	HEIGHT/FT
Prayer Chalet	1st floor	5929.45		
	2nd floor	5060.94	10,990.39	25'- 8"
Prayer Cube	1 storey	70.84 x12 cubes	850.08	12'-2"
Gazebo	1 storey	1200.24	1200.24	17'-3"
Chapel	1 storey	2001.46		21'-8"
		TOTAL	13,040.71	

Total Project Area (Retreat Center Area including Parking).....98,226.71 SF (2.25 acres)
Lot coverage of buildings.....13,040.71 SF
Buildable Land Area.....52, 200 SF
Floor Area Ratio.....13,040.71/52,200=0.25
Total Required Parking: Number of seats in chapel divided by 4 parking spaces/ seat
=100/4 = 25 required parking spaces
Parking provided: 36 parking spaces, 3 accessible parking
Impervious Surfaces:
Concrete Parking area: 22,148 SF
Grasscrete Fire Lane: 7152 SF
Trail: 4174.05
Platforms: 5930 SF
Chapel roof: 1990 SF
Chalet Roof: 6900 SF
Gazebo Roof: 1005 SF



Note: No FEMA base flood elevation is available for this site since Zone A is above nearest flood zone; Panel 48113C0470K for properties to east and south of Center St. in the nearest zone is 865.9; New buildings are min. of 39 ft. above that level.



Vicinity Map

Note: Sanitary, Storm Design,and site details are in phases to follow. Water main is to be extended to new FHs and new buildings. There will be replacements of existing fence around new project area, with 2 gates, one each on the east and north sides of the property for access to park land. The east will be a 6' coated wire perimeter fence, the north a 6 ft. slatted wood fence, and the west a 6 ft. masonry perimeter wall (partially retaining on lower portion). Meditation trail surface to be of Bonded Wood Carpet or Engineered wood fiber mulch (EWF), and terraces of fitted pavers.

Proposed Victory House Retreat & Prayer Center
Site Plan
May 21, 2021

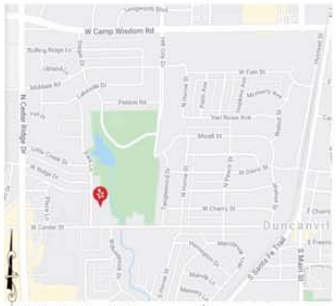
Scale 1" = 40'

Landscape Architect:
Leslie B. Wagle
ph. (336) 697-9716

Owner: Redeemed Christian Church of God-Victory House
515 W. Center Street, Duncanville, TX 75116 Lot 1 Block A Total Lot 3.91 Acres, 170,335 SF
Developed area: 2.5 Acres, 98,226.7 SF Project Area 1.6 Acres, 67,750 SF
(214) 454-4621

Current Zoning: SF-10 Single Family District Residential (church)
Predevelopment Case # 10082020-02

LANDSCAPING PLAN



Vicinity Map

Plant List

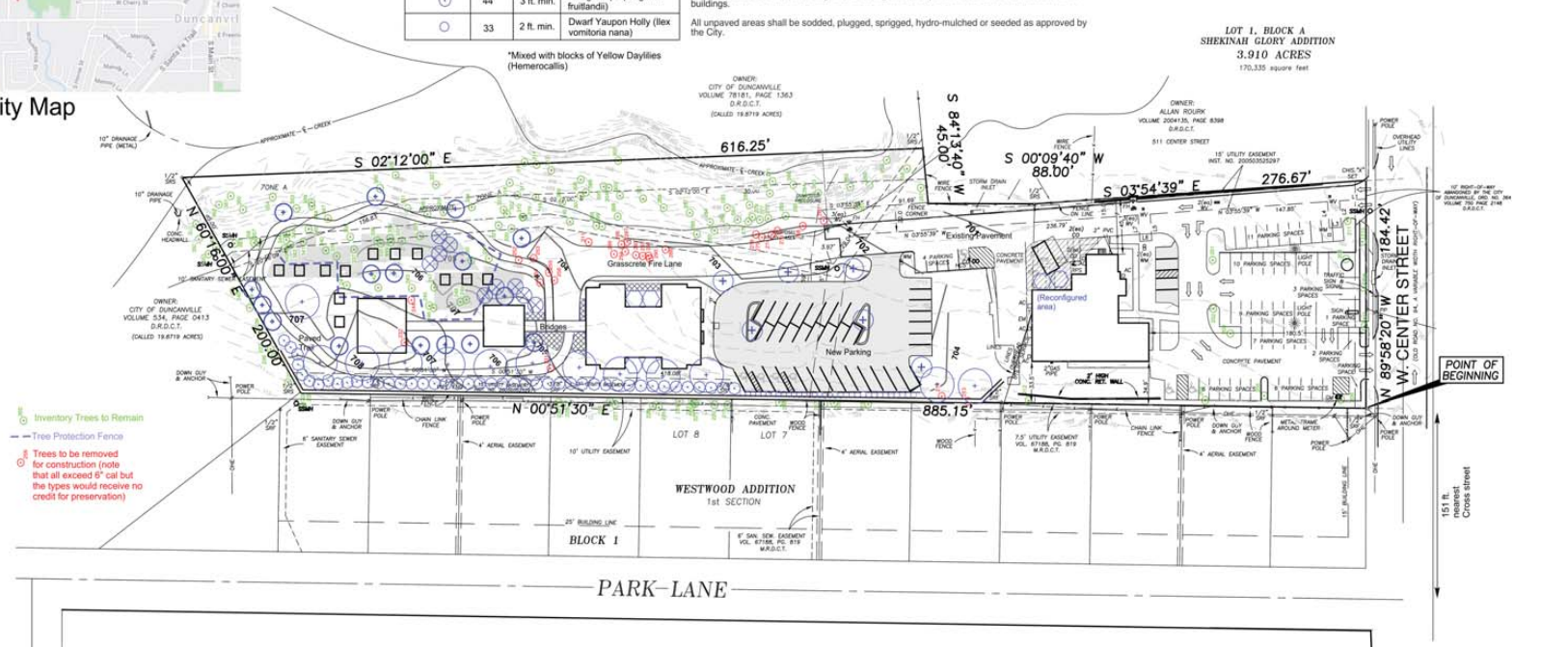
Symbol	Quantity	Size	Name	Required/Provided
	11	3" caliper 7 ft. height	Texas Ash (Fraxinus texensis)	One large tree per 30 ft. of perimeter on sides adjacent to a residential district. (Requirement met with 10 trees on west side lawn between trail and buildings outside utility easement line)
	6	1" caliper 5 ft. height	Oklahoma Redbud (Cercis reniformis)	One small tree within 60 feet of every parking space located in an island parallel to the parking spaces. There shall be a minimum of one small tree planted in the parking area for every ten parking spaces &at terminus of parking rows. (Requirement Met)
	16	3 ft. min.	Desert Willow (Chilopsis linearis)	
	9	2 ft. min.	Texas Sage /Ceniza (Leucophyllum frutescens)	
	162	1-2 gal. 2 ft. o.c.	Mexican Honeysuckle* (justicia spicigera)	
	6	3 ft. min.	Hardy Red Oleander (Nerium Oleander)	
	44	3 ft. min.	Eleagnus (E. pungens fruitlandii)	
	33	2 ft. min.	Dwarf Yaupon Holly (Ilex vomitoria nana)	

*Mixed with blocks of Yellow Daylilies (Hemerocallis)

All required landscaping shall be maintained in a neat and orderly manner at all times. This shall include, but not be limited to, mowing, edging, pruning, fertilizing, watering, weeding, and other such activities common to the maintenance of landscaping.
Landscaped areas shall be kept free of trash, litter, weeds, and other such material or plants not a part of the landscaping. All plant material shall be maintained in a healthy and growing condition as is appropriate for the season of the year. Plant materials which die within one year of being planted shall be replaced with plant material of similar variety and size, within 30 days of notification of the city.

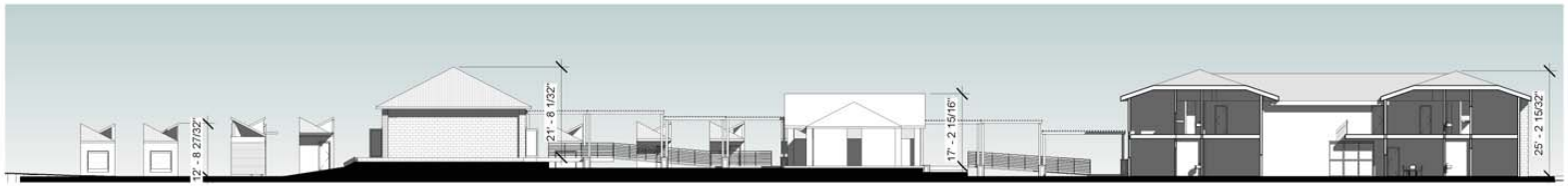
Sprinkler Irrigation is not part of this project; however, hose bibs for use of occasional moveable sprinklers and foundation soaking tube watering will be required at the base of each of the new buildings.

All unpaved areas shall be sodded, plugged, sprigged, hydro-mulched or seeded as approved by the City.



| TREE TABLE | | |

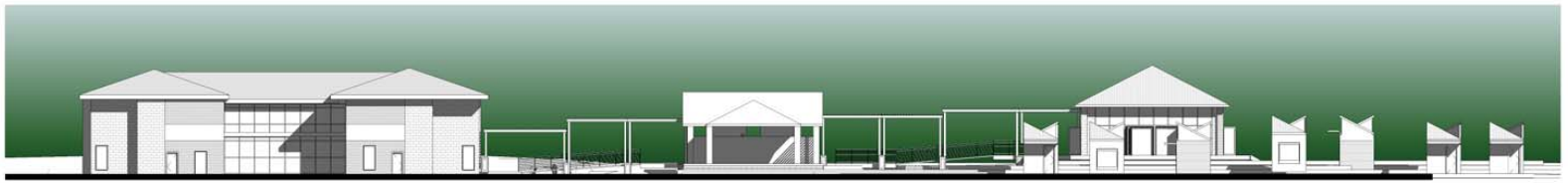
ATTACHMENT 5



5 Site Section
1" = 20'-0"

SITE SECTION & ELEVATIONS

4 West Site Elevation
1" = 20'-0"



3 East Site Elevation
1" = 20'-0"

2 North Site Elevation
1" = 20'-0"

1 South Site Elevation
1" = 20'-0"

NOT FOR REGULATORY APPROVAL, PERMITTING OR CONSTRUCTION

8

CRE. ALLI
DESIGN GROUP LLC
817-609-7817
crealli@yahoo.com

5/26/2021 4:09:35 PM

ATTACHMENT 6

City of Duncanville Planning Division
Public Works Department
203 E. Wheatland Road
P. O. Box 380280
Duncanville, TX 75138-0280
(p) 972-707-3871; (f) 972-780-6426
(e) sthibodeaux@duncanville.com

July 2, 2021

Zoning File: 2021-10

Dear Property Owner:

Julius Okunola, representing the Redeemers Christian Church of God (Victory House), Owner and Applicant, requesting a Planned Development "PD" to allow for an Event Center with modified development standards on Shekinah Glory Addition, Block A, Lot 1, City of Duncanville, Dallas County, Texas, approximately 3.910 acres, more commonly known as 515 W Center Street.

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 rezoning for this particular public hearing. Please refer to the enclosed map that indicates which property is being rezoned.

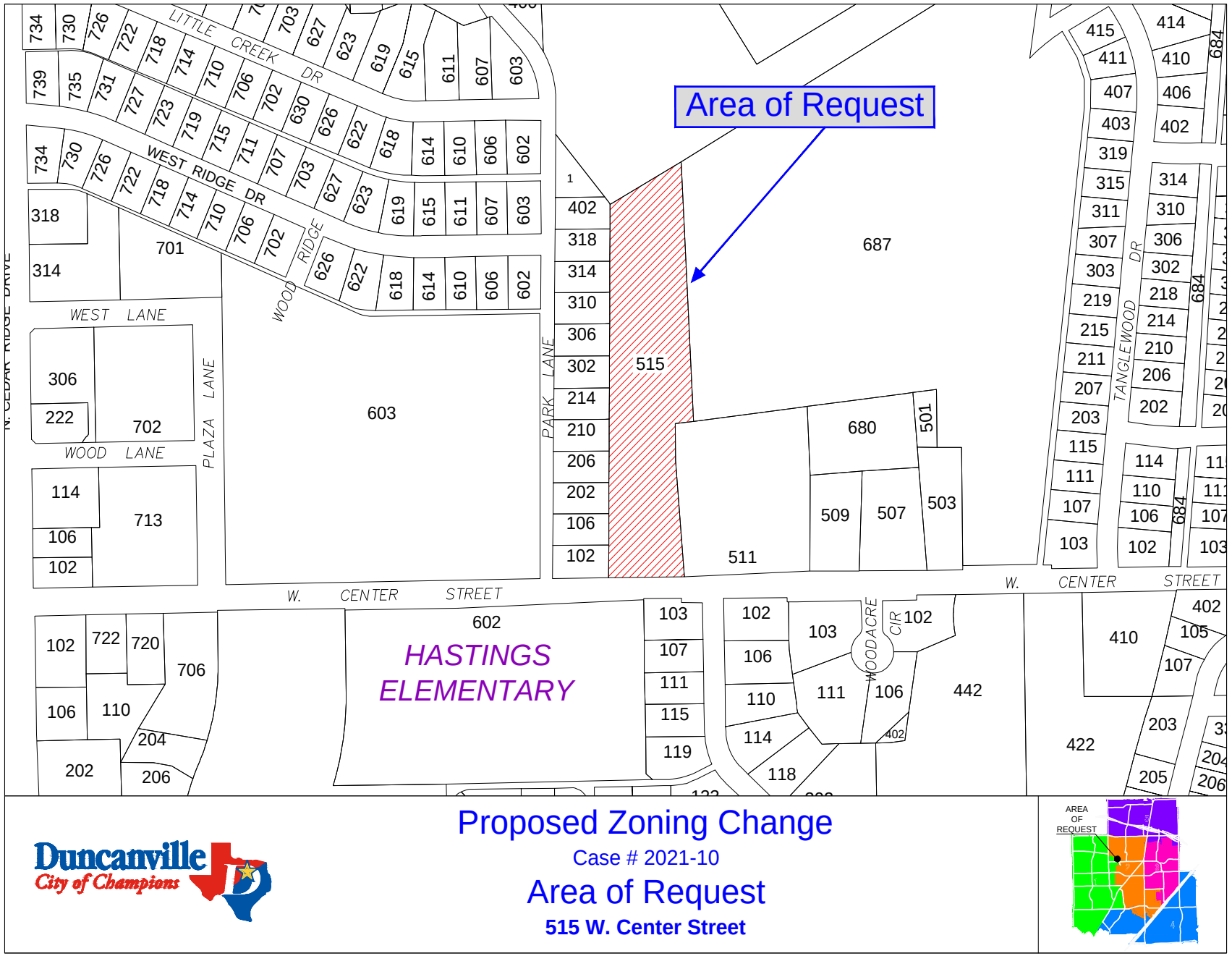
The Planning and Zoning Commission will hold a public hearing on Monday, July 19, 2021, at 7:00 p.m. and a City Council public hearing will be held on Tuesday, August 3, 2021, at 7:00 p.m. in the City Hall Council Chambers, 203 E. Wheatland Road. Public hearings are held to allow interested persons the 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 July 28, 2021, to fulfill legal requirements for a written formal protest.

As an interested citizen, you may submit public comments to either the City Secretary or to Skye Thibodeaux, Secretary of the Planning and Zoning Commission, P.O. Box 380280, Duncanville, Texas, 75138-0280 or email sthibodeaux@duncanville.com stating your position. You are encouraged to participate in the public hearing and offer comments.

Sincerely,

Skye Thibodeaux, AICP
Secretary, Planning and Zoning Commission

Enclosures


Area of Request
LITTLE CREEK DR
WEST RIDGE DR
WOOD RIDGE
WEST LANE
WOOD LANE
PLAZA LANE
PARK LANE
TANGLEWOOD DR
WOODACRE CIR
W. CENTER STREET
HASTINGS ELEMENTARY
687
515
603
701
702
713
680
511
509
507
503
501
602
442
422
410
Duncanville
City of Champions
Proposed Zoning Change
Case # 2021-10
Area of Request
515 W. Center Street
AREA OF REQUEST

The following form may be filled out and mailed to:

Planning and Zoning Commission
City of Duncanville
Attn: Public Works Department
P.O. Box 380280
Duncanville, TX 75138-0280

Case No. 2021-10 Julius Okunola, representing the Redeemers Christian Church of God (Victory House), Owner and Applicant, requesting a Planned Development "PD" to allow for an Event Center with modified development standards on Shekinah Glory Addition, Block A, Lot 1, City of Duncanville, Dallas County, Texas, approximately 3.910 acres, more commonly known as 515 W Center Street. This is the first of two public hearings that have been scheduled to receive further input on the requested 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 19, 2021, at 7:00 p.m. and a City Council public hearing will be held on Tuesday, August 3, 2021, at 7:00 p.m. in the City Hall 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 July 28, 2021, 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: _____

The following form may be filled out and mailed to:

RECEIVED
JUL 12 2021
CITY OF DUNCANVILLE
PUBLIC WORKS DEPT.

Planning and Zoning Commission
City of Duncanville
Attn: Public Works Department
P.O. Box 380280
Duncanville, TX 75138-0280

Case No. 2021-10 Julius Okunola, representing the Redeemers Christian Church of God (Victory House), Owner and Applicant, requesting a Planned Development "PD" to allow for an Event Center with modified development standards on Shekinah Glory Addition, Block A, Lot 1, City of Duncanville, Dallas County, Texas, approximately 3.910 acres, more commonly known as 515 W Center Street. This is the first of two public hearings that have been scheduled to receive further input on the requested zoning change.

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If you oppose the zoning change, however, the attached survey must be completed and returned by July 28, 2021, to fulfill legal requirements for a written formal protest.

Please check one:

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

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

My reasons are as follows:

1). The value of our property will decrease due to having an event center adjacent to it.

2). Having an event center next to our property will affect negatively our quality of life.

3). The increase in noise from the event center will affect negatively our well-being, as well as the well-being of the animal species that live in the adjacent area by the creek.

Printed Name: Luis Alcocer Address: 310 Park Ln Duncanville, TX 75116

Signature: [signature] Date: 7-7-2021

The following form may be filled out and mailed to:

Planning and Zoning Commission
City of Duncanville
Attn: Public Works Department
P.O. Box 380280
Duncanville, TX 75138-0280

RECEIVED
JUL 08 2021
CITY OF DUNCANVILLE
PUBLIC WORKS DEPT.

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If you oppose the zoning change, however, the attached survey must be completed and returned by July 28, 2021, to fulfill legal requirements for a written formal protest.

Please check one:

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

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

My reasons are as follows:

1). TOO Crowded

2). TOO noisy

3).

Printed Name: Martin Mendoza Address: 103 Willowbrook Dr.

Signature: Martin Mendoza Date: 7-7-21

The following form may be filled out and mailed to:

Planning and Zoning Commission
City of Duncanville
Attn: Public Works Department
P.O. Box 380280
Duncanville, TX 75138-0280

RECEIVED
JUN 22 2021
CITY OF DUNCANVILLE
PUBLIC WORKS DEPT.

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The Planning and Zoning Commission will hold a public hearing on Monday, June 28, 2021, at 7:00 p.m. and a City Council public hearing will be held on Tuesday, July 20, 2021, at 7:00 p.m. in the City Hall 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 July 14, 2021, 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). PASTOR OKUNOLA STATED HE PLANNED TO BUILD A WALL BEHIND THE HOUSES ON PARK LANE, HE DID NOT REPLY WHEN ASKED MORE THAN ONCE HOW HIGH THIS "WALL" WAS GOING TO BE.
2). THE PASTOR DID NOT STATE WHEN ASKED HOW MANY PEOPLE (OCCUPANCY RATE) THIS FACILITY WOULD GENERATE.

3). THE PASTOR STATED THAT IF HE GETS TURNED DOWN BY THE CITY, HE WOULD BUILD SOMETHING ELSE LIKE AN APARTMENT HOUSE. TO ME, IT SOUNDS LIKE HE IS TRYING TO GENERATE A REVENUE STREAM, ONE WAY OR ANOTHER.

Printed Name: GALE & NANCY WERNER Address: 214 PARK LANE, DUNCANVILLE

Signature: Nancy Werner Date: 6-22-21

THIS PROPERTY IS ALREADY ZONED SINGLE FAMILY RESIDENTIAL. WHY WAS THE ~~EAST~~ CURRENT EXISTING BUILDING (COMMERCIAL) ALLOWED TO BE BUILT.

RECEIVED
JUN 28 2021
CITY OF DUNCANVILLE
PUBLIC WORKS DEPT.

The following form may be filled out and mailed to:

Planning and Zoning Commission
City of Duncanville
Attn: Public Works Department
P.O. Box 380280
Duncanville, TX 75138-0280

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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, June 28, 2021, at 7:00 p.m. and a City Council public hearing will be held on Tuesday, July 20, 2021, at 7:00 p.m. in the City Hall 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 July 14, 2021, 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). The noise that such place will bring to the area will affect negatively the value of our homes.
2). The traffic of cars and people will increase in detriment of the quality of life for us.
3). The extra noise will alter negatively the life of the animals that live in the adjacent area by the creek.

Printed Name: Leris Garza Address: 310 Park Ln. Duncanville, TX 75116

Signature: L Garza Date: 6/23/2021

RECEIVED
JUL 12 2021
CITY OF DUNCANVILLE
PUBLIC WORKS DEPT.

The following form may be filled out and mailed to:

Planning and Zoning Commission
City of Duncanville
Attn: Public Works Department
P.O. Box 380280
Duncanville, TX 75138-0280

Case No. 2021-10 Julius Okunola, representing the Redeemers Christian Church of God (Victory House), Owner and Applicant, requesting a Planned Development "PD" to allow for an Event Center with modified development standards on Shekinah Glory Addition, Block A, Lot 1, City of Duncanville, Dallas County, Texas, approximately 3.910 acres, more commonly known as 515 W Center Street. This is the first of two public hearings that have been scheduled to receive further input on the requested 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 19, 2021, at 7:00 p.m. and a City Council public hearing will be held on Tuesday, August 3, 2021, at 7:00 p.m. in the City Hall 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 July 28, 2021, 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). Increased traffic and the lack of parking at 515 will lead to people parking on Willowbrook Dr. This has
2). happened in the past with events at 515 and having an events Center will increase that happening. When people park
3). on Willowbrook Dr. they block the flow of traffic and it is a safety issue. Also people leaving the "event center" will sometimes have been drinking and this is a safety issue for the neighborhood.

Printed Name: Scott Marks Address: 106 Willowbrook Dr.

Signature: [signature] Date: 7/10/21

The following form may be filled out and mailed to:

Planning and Zoning Commission
City of Duncanville
Attn: Public Works Department
P.O. Box 380280
Duncanville, TX 75138-0280

Case No. 2021-10 Julius Okunola, representing the Redeemers Christian Church of God (Victory House), Owner and Applicant, requesting a Planned Development "PD" to allow for an Event Center with modified development standards on Shekinah Glory Addition, Block A, Lot 1, City of Duncanville, Dallas County, Texas, approximately 3.910 acres, more commonly known as 515 W Center Street. This is the first of two public hearings that have been scheduled to receive further input on the requested 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 19, 2021, at 7:00 p.m. and a City Council public hearing will be held on Tuesday, August 3, 2021, at 7:00 p.m. in the City Hall 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 July 28, 2021, to fulfill legal requirements for a written formal protest.

Please check one:

This church started their own zoning 8 months ago without the city knowing!.

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

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

My reasons are as follows:

1). This church started construction 8 months ago from friday night to Sunday night. Saturdays starting @ 5am as well as Sunday mornings until midnight.

2). This church DOESN'T Respect that their neighbors SLEEP once a month this church hold church with LOUAD MUSIC until 2am VERY LOUAD! They have All their door open

3). This church runs a side hussel with a Towing company that taws vehicles All hours of the night! Going in and out!

Printed Name: Javier Osorio Address: 208 Park Ln. Duncanville, TX 75116

Signature: Javier Osorio Date: 06-18-2021

City of Duncanville Planning Division
Public Works Department
203 E. Wheatland Road
P. O. Box 380280
Duncanville, TX 75138-0280
(p) 972-707-3871; (f) 972-780-6426
(e) sthibodeaux@duncanville.com

Duncanville
City of Champions

July 2, 2021

Zoning File: 2021-10

Dear Property Owner:

Julius Okunola, representing the Redeemers Christian Church of God (Victory House), Owner and Applicant, requesting a Planned Development "PD" to allow for an Event Center with modified development standards on Shekinah Glory Addition, Block A, Lot 1, City of Duncanville, Dallas County, Texas, approximately 3.910 acres, more commonly known as 515 W Center Street.

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 rezoning for this particular public hearing. Please refer to the enclosed map that indicates which property is being rezoned.

The Planning and Zoning Commission will hold a public hearing on Monday, July 19, 2021, at 7:00 p.m. and a City Council public hearing will be held on Tuesday, August 3, 2021, at 7:00 p.m. in the City Hall 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 July 28, 2021, to fulfill legal requirements for a written formal protest.

As an interested citizen, you may submit public comments to either the City Secretary or to Skye Thibodeaux, Secretary of the Planning and Zoning Commission, P.O. Box 380280, Duncanville, Texas, 75138-0280 or email sthibodeaux@duncanville.com stating your position. You are encouraged to participate in the public hearing and offer comments.

Sincerely,

Skye Thibodeaux, AICP
Secretary, Planning and Zoning Commission

Enclosures

ATTACHMENT 7

PLANNING AND ZONING COMMISSION
REGULAR MEETING
CITY HALL
203 E WHEATLAND ROAD
MONDAY, JULY 19, 2021 @ 7:00 P.M.

A meeting for the Planning and Zoning Commission was held on Monday, July 19, 2021, at 7:00 p.m. with the following present:

Planning and Zoning Commission Members:

Greg Zylka	Chairman	
Betty Culbreath	Vice-Chairman	
Eric Pena	Commissioner	
Jana McBroom	Commissioner	
George Turner	Commissioner	Excused absence
Elias Rodriguez	Commissioner	
Richard Shaw	Commissioner	Arrived 7:40pm

Staff present:
Skye Thibodeaux, City Planner
Athena Seaton, Planning Technician

The meeting was called to order at 7:00 p.m. by Chairman Zylka.

Item No. 1 – Receive Public Comments

Due to recent changes in state legislation, public comments have been added to the agendas of all boards and commissions subject to the Open Meetings Act, with time allocated at the beginning of each meeting. Comments are limited to two minutes per speaker.

No comments were received.

Item No. 2 – Approval of meeting minutes for the regular meeting on May 24, 2021 and cancelled regular meeting on June 28, 2021.

Commissioner Culbreath made a motion as seconded by Commissioner Rodriguez to approve the minutes. The vote was unanimous 5-0 in favor with Commissioner Turner and Commissioner Shaw absent.

Item No. 3 – Conduct a public hearing (2021-09) and consider approval regarding the request of Roland Ako, representing Italy Family Pharmacy, Inc, Owner and Applicant, to include a Specific Use Permit "SUP" to allow the use of Drive Thru on Hopco Wedge Tr 1, City of Duncanville, Dallas County, approximately 1.710 Acres, more commonly known as 102 E Danieldale Road, Duncanville, Texas.

Skye Thibodeaux presented background information regarding the proposed SUP.

Unapproved

Commissioners received clarification regarding driveways and elevations.

Public hearing opened at 7:13 pm.

Matthew Williamson, MBW Engineering, LLC, explained driveway entrance construction.

Commissioner Culbreath made a motion to close the public hearing at 7:14 pm, with motion seconded by Commissioner McBroom. The vote was unanimous 5-0 in favor with Commissioner Turner and Commissioner Shaw absent.

No discussion followed.

Commissioner Culbreath made a motion, seconded by Commissioner McBroom to approve the Specific Use Permit as presented with no additional conditions. The vote was unanimous 5-0 in favor with Commissioner Turner and Commissioner Shaw absent.

Item No. 4 – Conduct a public hearing (2021-10) for consideration and action regarding the request of Julius Okunola, representing the Redeemers Christian Church of God (Victory House), Owner and Applicant, to include a Planned Development "PD" for an Event Center with modified standards on Shekinah Glory, Block A, Lot 1, City of Duncanville, Dallas County, approximately 3.910 acres, more commonly known as 515 W Center Street, Duncanville, Texas.

Skye Thibodeaux presented background information regarding the proposed PD.

Discussion followed regarding intended activities, hours of operation, locations of substandard landscape buffers adjacent to residential property and meeting development standards with new zoning ordinance.

Public hearing opened at 7:35 pm.

Kharrol Amissah-Aidoo, architect with Cre Alli Design Group, explained details of the site plan and provided information regarding the landscaping buffer, walking path, ADA compliance, building features and prayer rooms, and hours of operation.

Commissioner Culbreath made a motion to close the public hearing at 7:44 pm, with motion seconded by Commissioner Rodriguez. The vote was unanimous 6-0 in favor with Commissioner Turner absent.

Discussion continued regarding development standards.

Commissioner Culbreath made a motion, seconded by Commissioner McBroom to approve the PD as presented with the condition that a conforming 15-foot landscape buffer be provided along the western property boundary. The vote was unanimous 6-0 in favor with Commissioner Turner absent.

Item No. 5– Conduct a public hearing (2021-10) for consideration and action regarding the request of James Wilkins, Applicant and Owner, to include a Specific Use Permit "SUP" for a Bed and

Unapproved

Breakfast on J.H. Spruce Survey, Abstract No. 1297, Page 50, City of Duncanville, Dallas County, Texas, approximately 0.51 acre, more commonly known as 415 Hustead Street, Duncanville, Texas.

Skye Thibodeaux presented background information regarding the proposed PD.

No discussion followed

Public hearing opened at 8::06 pm.

Alla Wilkins, co-owner and manager, presented on behalf of the bed and breakfast the business, awards guests and features.

Commissioner Culbreath made a motion to close the public hearing at 8:11 pm, with motion seconded by Commissioner McBroom. The vote was unanimous 6-0 in favor with Commissioner Turner absent.

No discussion followed

Commissioner McBroom made a motion, seconded by Commissioner Pena to approve the renewal of the SUP with removal of the special condition Section 2, number 5, specifying time period renewals in Ordinance 1990. The vote was unanimous 6-0 in favor with Commissioner Turner absent.

Item No. 6– Conduct a public hearing (2021-10) for consideration and action regarding the request of William Self, Applicant and Owner, to include a Specific Use Permit "SUP" for a Carport on Town and Country Estates Rep, Block A, Lot 26, approximately 0.21 acre, City of Duncanville, Dallas County, Texas, more commonly known as 710 Timber Trail, Duncanville, Texas.

Skye Thibodeaux presented background information regarding the proposed SUP for a carport.

No discussion followed

Public hearing opened at 8::17 pm.

Commissioner McBroom made a motion to close the public hearing at 8:18 pm, with motion seconded by Commissioner Culbreath. The vote was unanimous 6-0 in favor with Commissioner Turner absent.

No discussion followed

Commissioner McBroom made a motion, seconded by Commissioner Culbreath to approve the SUP as presented. The vote was unanimous 6-0 in favor with Commissioner Turner absent.

Item No. 6 – Adjourn
Being no further business, the meeting adjourned at 8:18 p.m.

Unapproved

_____	_____
Athena Seaton, Interim Secretary	Greg Zylka, Chairman

Unapproved

ORDINANCE NO. 2405

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP, AS HERETOFORE AMENDED, BY AMENDING THE EXISTING SINGLE-FAMILY RESIDENTIAL "SF-10" DISTRICT ZONING TO INCLUDE A PLANNED DEVELOPMENT "PD" PERMIT FOR AN EVENT CENTER WITH MODIFIED STANDARDS ON SHEKINAH GLORY ADDITION, BLOCK A, LOT 1, MORE COMMONLY KNOWN AS 515 W CENTER STREET, CITY OF DUNCANVILLE, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR THE APPROVAL OF THE PLAN EXHIBITS WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBITS "B" THROUGH "D"; PROVIDING FOR DEVELOPMENT REGULATIONS; 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 FOR 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 RESOLVED 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 the Single-Family Residential "SF-10" District zoning to include a Planned Development "PD" for an Event Center with modified standards on Shekinah Glory Addition, Block A, Lot 1, more commonly known as 515 W Center Street, City of Duncanville, Dallas County, Texas, and being more particularly described in Exhibit "A" and Exhibit "B", attached hereto and made a part hereof for all purposes (the "Property").

SECTION 2. That the above-described property shall be used and developed 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 the site plans, Landscape Plan and Building Elevations, as set for in Exhibit B through D, as development regulations and as amended herein, subject to the following additional development regulations:

1. Event Center be a permitted use in association and accessory use with the existing primary use.

2. A full 15' landscape buffer with a solid, irrigated living screen be provided along the western property boundary as required by Section 4.07.D.4.b.(Buffer Type B) of the Zoning Ordinance as set forth in Exhibit C.
3. Overnight lodging for event center-guests be permitted. Note, City noise and other nuisance-related standards must be followed.

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.

DULY RESOLVED AND ADOPTED by the City Council of the City of Duncanville, Texas, on the 3rd day of August, 2021.

APPROVED:

_____

Barry L. Gordon, Mayor

ATTEST:

_____

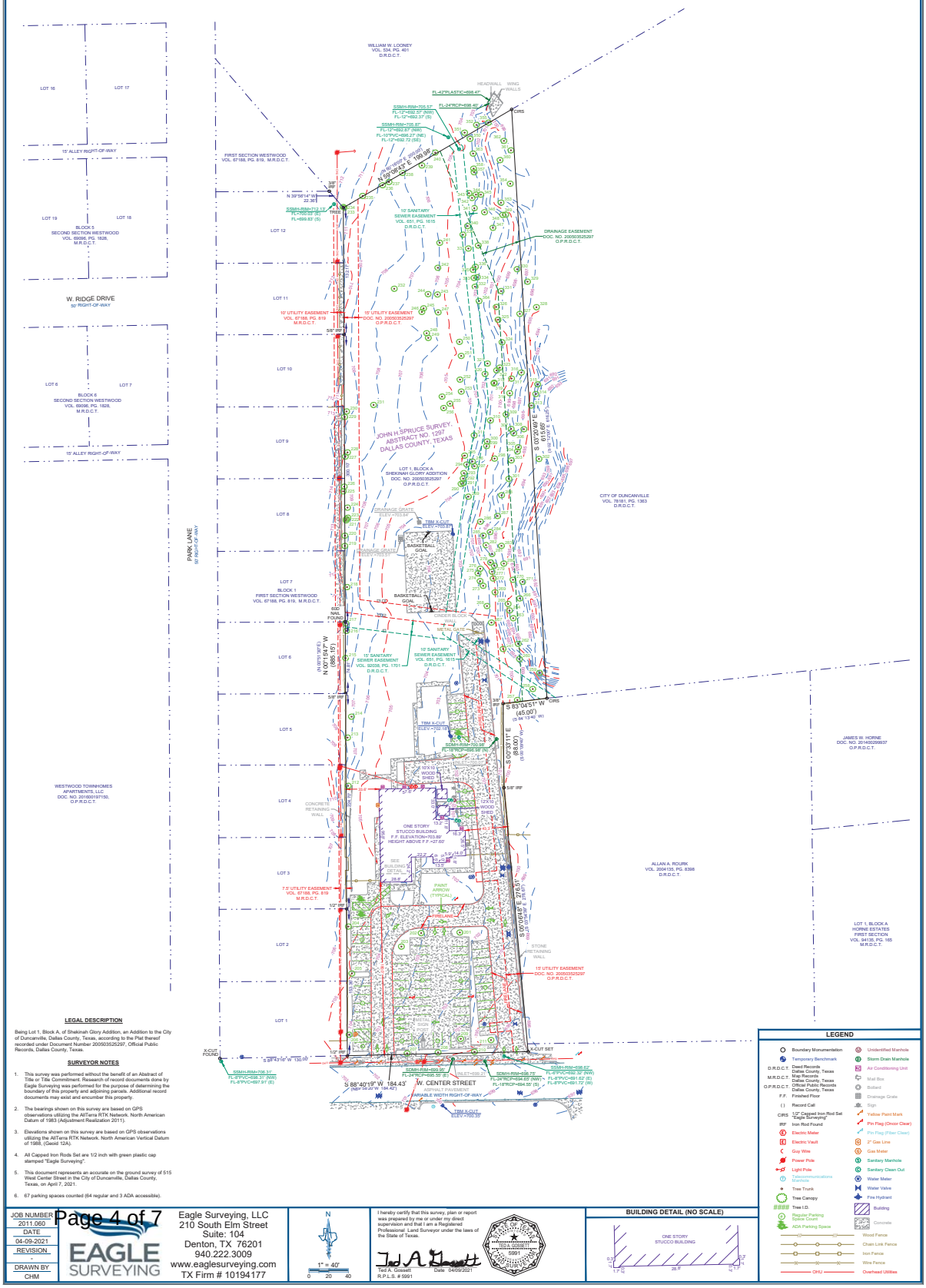
Kristin Downs, City Secretary

APPROVED AS TO FORM:

_____

Robert E. Hager, City Attorney

EXHIBIT A



LEGAL DESCRIPTION

Being Lot 1, Block A, of Shekinah Glory Addition, an Addition to the City of Duncanville, Dallas County, Texas, according to the Plat thereof recorded under Document Number 20050325297, Official Public Records, Dallas County, Texas.

SURVEYOR NOTES

1. This survey was performed without the benefit of an Abstract of Title or Title Commitment. Research of record documents done by Eagle Surveying was performed for the purpose of determining the boundary of this property and adjoining parcels. Additional record documents may exist and encumber this property.
2. The bearings shown on this survey are based on GPS observations utilizing the AllTerra RTK Network. North American Datum of 1983 (Adjustment Realization 2011).
3. Elevations shown on this survey are based on GPS observations utilizing the AllTerra RTK Network. North American Vertical Datum of 1988, (Geoid 12A).
4. All Capped Iron Rods Set are 1/2 inch with green plastic cap stamped "Eagle Surveying".
5. This document represents an accurate on the ground survey of 515 West Center Street in the City of Duncanville, Dallas County, Texas, on April 7, 2021.
6. 67 parking spaces counted (64 regular and 3 ADA accessible).

LEGEND

Boundary Monumentation	Unidentified Manhole
Temporary Benchmark	Storm Drain Manhole
D.R.D.C.T. Deed Records Dallas County, Texas	Air Conditioning Unit
M.R.D.C.T. Map Records Dallas County, Texas	Mail Box
O.P.R.D.C.T. Official Public Records Dallas County, Texas	Bollard
F.F. Finished Floor	Drainage Grate
( ) Record Call	Sign
CIRS 1/2" Capped Iron Rod Set "Eagle Surveying"	Yellow Paint Mark
IRF Iron Rod Found	Pin Flag (Oncor Clear)
Electric Meter	Pin Flag (Fiber Clear)
Electric Vault	2" Gas Line
Guy Wire	Gas Meter
Power Pole	Sanitary Manhole
Light Pole	Sanitary Clean Out
Telecommunications Manhole	Water Meter
Tree Trunk	Water Valve
Tree Canopy	Fire Hydrant
Tree I.D.	Building
Regular Parking Space Count	Concrete
ADA Parking Space	Wood Fence
	Chain Link Fence
	Iron Fence
	Wire Fence
	OHU Overhead Utilities

BUILDING DETAIL (NO SCALE)

JOB NUMBER	2011.060
DATE	04-09-2021
REVISION	-
DRAWN BY	CHM

EAGLE SURVEYING

Eagle Surveying, LLC
210 South Elm Street
Suite: 104
Denton, TX 76201
940.222.3009
www.eaglesurveying.com
TX Firm # 10194177

N

1" = 40'

0 20 40

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a Registered Professional Land Surveyor under the laws of the State of Texas.

Ted A. Caswell
R.P.L.S. # 5991

Date 04/09/2021

STATE OF TEXAS
TED A. CASWELL
5991
REGISTERED
PROFESSIONAL
LAND SURVEYOR

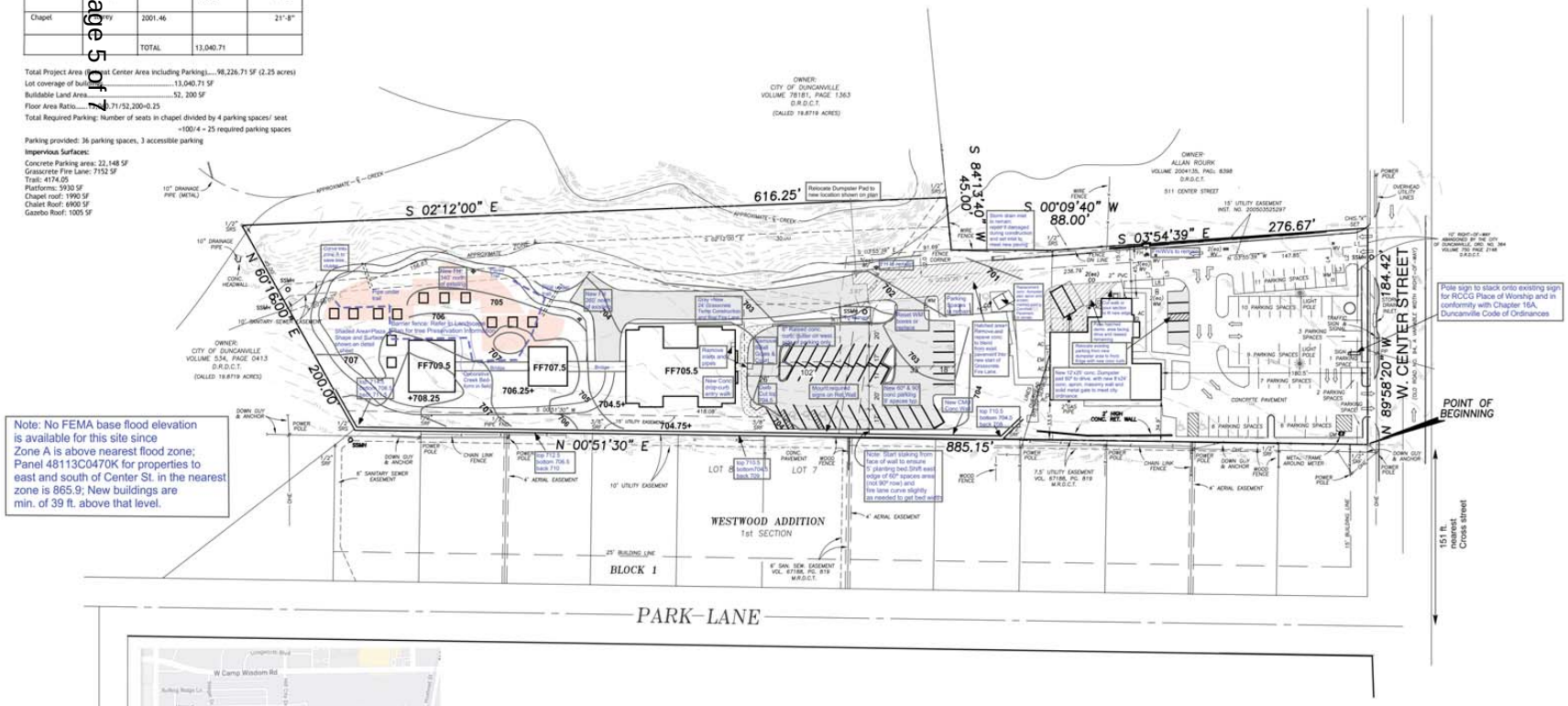
EXHIBIT B

SITE PLAN

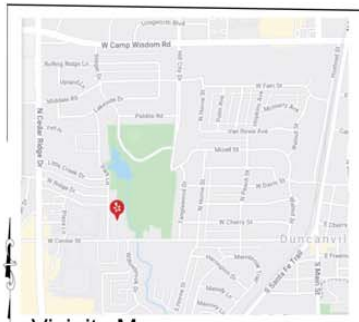
BUILDING	GROSS FLOOR AREA /SF		TOTAL GFA/SF	HEIGHT/FT
Prayer Chalet	1st floor	5929.45		
	2nd floor	5060.94	10,990.39	25'- 8"
Prayer Cube	1 storey	70.84 x12 cubes	850.08	12'-2"
Gazebo	1 storey	1200.24	1200.24	17'-3"
Chapel	1 storey	2001.46		21'-8"
		TOTAL	13,040.71	

Total Project Area (Retreat Center Area including Parking)....98,226.71 SF (2.25 acres)
Lot coverage of buildings.....13,040.71 SF
Buildable Land Area.....52, 200 SF
Floor Area Ratio.....13,040.71/52,200=0.25
Total Required Parking: Number of seats in chapel divided by 4 parking spaces/ seat
=100/4 = 25 required parking spaces
Parking provided: 36 parking spaces, 3 accessible parking

Impervious Surfaces:
Concrete Parking area: 22,148 SF
Grasscrete Fire Lane: 7152 SF
Trail: 4174.05
Platforms: 5930 SF
Chapel roof: 1990 SF
Chalet Roof: 6900 SF
Gazebo Roof: 1005 SF



Note: No FEMA base flood elevation is available for this site since Zone A is above nearest flood zone; Panel 48113C0470K for properties to east and south of Center St. in the nearest zone is 865.9; New buildings are min. of 39 ft. above that level.



Vicinity Map

Note: Sanitary, Storm Design,and site details are in phases to follow. Water main is to be extended to new FHs and new buildings. There will be replacements of existing fence around new project area, with 2 gates, one each on the east and north sides of the property for access to park land. The east will be a 6' coated wire perimeter fence, the north a 6 ft. slatted wood fence, and the west a 6 ft. masonry perimeter wall (partially retaining on lower portion). Meditation trail surface to be of Bonded Wood Carpet or Engineered wood fiber mulch (EWF), and terraces of fitted pavers.

Proposed Victory House Retreat & Prayer Center
Site Plan
May 21, 2021

Scale 1" = 40'

Landscape Architect:
Leslie B. Wagle
ph. (336) 697-9716

Owner: Redeemed Christian Church of God-Victory House
515 W. Center Street, Duncanville, TX 75116 Lot 1 Block A Total Lot 3.91 Acres, 170,335 SF
Developed area: 2.5 Acres, 98,226.7 SF Project Area 1.6 Acres, 67,750 SF
(214) 454-4621

Current Zoning: ~~SF-10~~ Single Family District Residential (church)
Predevelopment Case # 10082020-02

LANDSCAPING PLAN

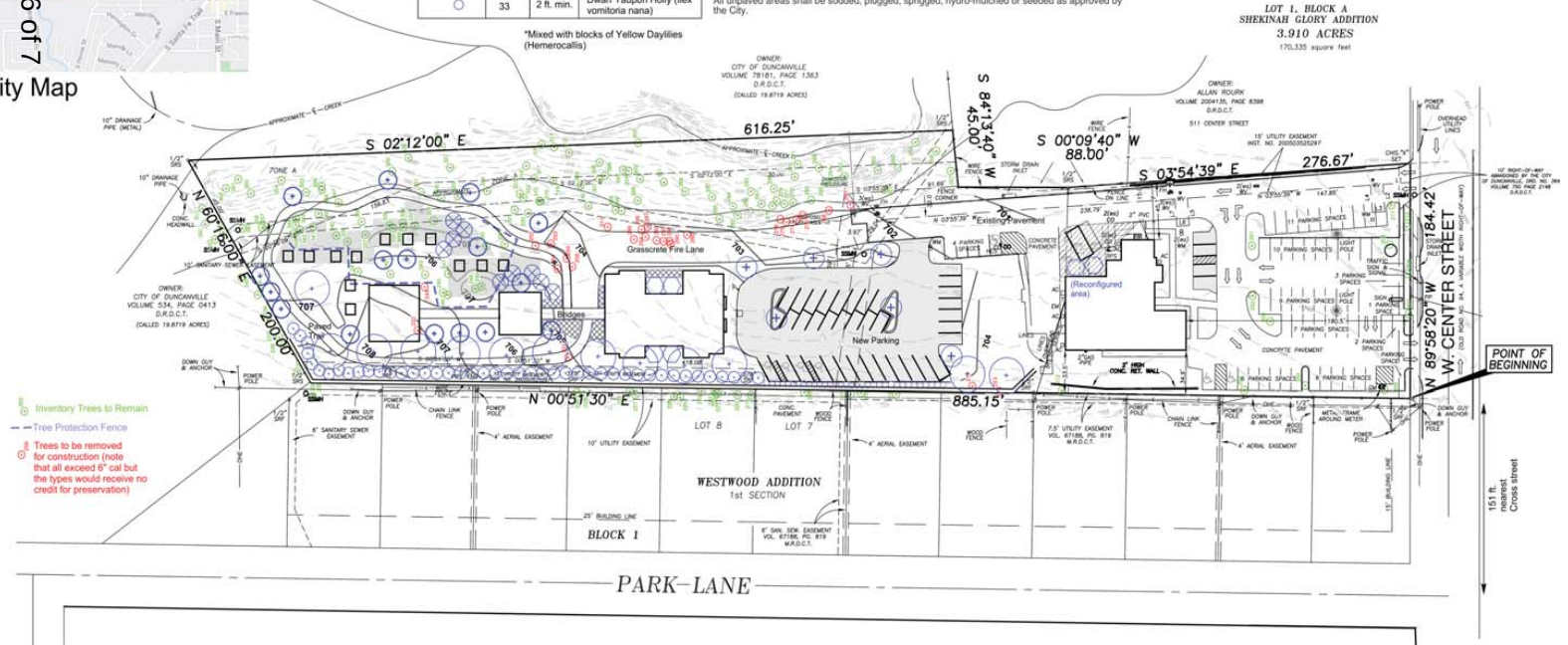
Vicinity Map

Page 6 of 7

Plant List

Symbol	Quantity	Size	Name	Required/Provided
	11	3" caliper 7 ft. height	Texas Ash (Fraxinus texensis)	One large tree per 30 ft. of perimeter on sides adjacent to a residential district. (Requirement met with 10 trees on west side lawn between trail and buildings outside utility easement line)
	6	1" caliper 5 ft. height	Oklahoma Redbud (Cercis reniformis)	One small tree within 60 feet of every parking space located in an island parallel to the parking spaces. There shall be a minimum of one small tree planted in the parking area for every ten parking spaces &at terminus of parking rows. (Requirement Met)
	16	3 ft. min.	Desert Willow (Chilopsis linearis)	All required landscaping shall be maintained in a neat and orderly manner at all times. This shall include, but not be limited to, mowing, edging, pruning, fertilizing, watering, weeding, and other such activities common to the maintenance of landscaping. Landscaped areas shall be kept free of trash, litter, weeds, and other such material or plants not a part of the landscaping. All plant material shall be maintained in a healthy and growing condition as is appropriate for the season of the year. Plant materials which die within one year of being planted shall be replaced with plant material of similar variety and size, within 30 days of notification of the city.
	9	2 ft. min.	Texas Sage /Ceniza (Leucophyllum frutescens)	
	162	1-2 gal. 2 ft. o.c.	Mexican Honeysuckle* (justicia spicigera)	
	6	3 ft. min.	Hardy Red Oleander (Nerium Oleander)	Sprinkler Irrigation is not part of this project; however, hose bibs for use of occasional moveable sprinklers and foundation soaking tube watering will be required at the base of each of the new buildings.
	44	3 ft. min.	Eleagnus (E. pungens fruitlandii)	All unpaved areas shall be sodded, plugged, sprigged, hydro-mulched or seeded as approved by the City.
	33	2 ft. min.	Dwarf Yaupon Holly (Ilex vomitoria nana)	

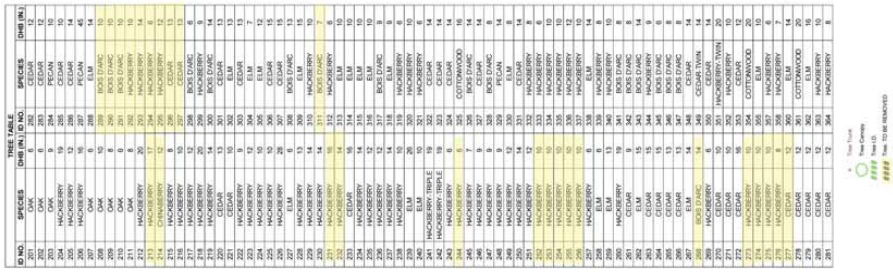
*Mixed with blocks of Yellow Daylilies (Hemerocallis)



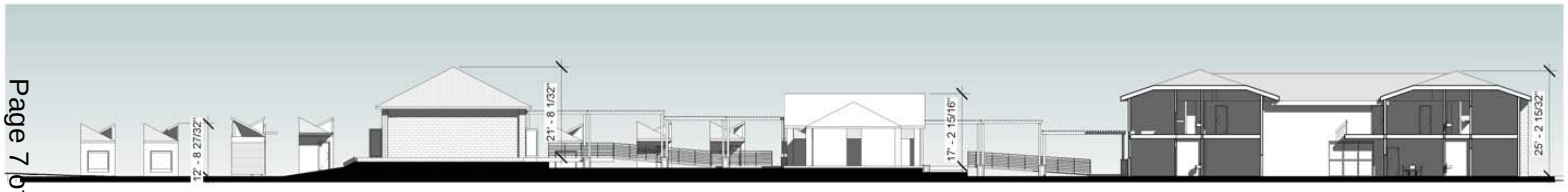
Inventory Trees to Remain

Tree Protection Fence

Trees to be removed for construction (note that all exceed 6" cal but the types would receive no credit for preservation)



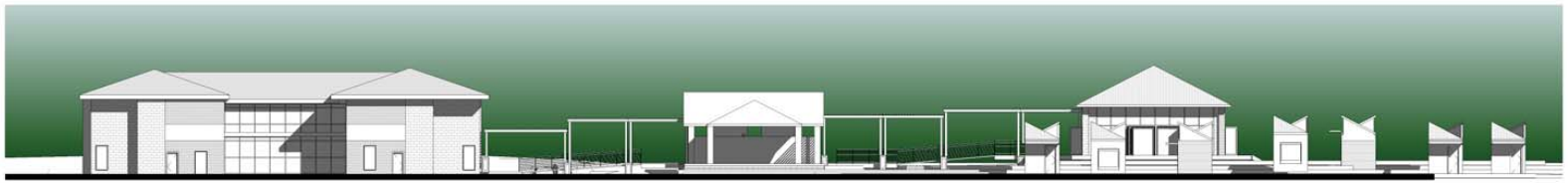
| TREE TABLE | | |



5 Site Section
1" = 20'-0"

SITE SECTION & ELEVATIONS

4 West Site Elevation
1" = 20'-0"



3 East Site Elevation
1" = 20'-0"

2 North Site Elevation
1" = 20'-0"

1 South Site Elevation
1" = 20'-0"

NOT FOR REGULATORY APPROVAL, PERMITTING OR CONSTRUCTION

8

CRE. ALLI
DESIGN GROUP LLC
817-609-7817
crealli@yahoo.com

5/26/2021 4:09:35 PM

STAFF REPORT

MEETING: City Council - 03 Aug 2021

TITLE:
Consider a Resolution to establish Juneteenth as a holiday in the City of Duncanville

FY 2019 CITY COUNCIL ORGANIZATIONAL WORKPLAN:

STAFF RESPONSIBLE:
Todd Siegel, Human Resources Director

BACKGROUND/HISTORY:
Item requested by Councilmember Cooks.

Per the City's Employee Policy Handbook, specifically HR 4.03 Holiday Leave, the City has identified ten (10) paid holidays per year along with a Birthday Holiday its full-time employees. Historically, City Council has approved any change to the holiday observances.

POLICY EXPLANATION:
With the establishment of Juneteenth as a national holiday, Councilman Cooks asked the Human Resources Department provide information from other cities (including the Best Southwest cities) to determine who had included the observance of Juneteenth into their already existing leaves policies.

Texas House Bill 1016 passed in the 66th Legislature, Regular Session, declared June 19, "Emancipation Day in Texas," a legal state holiday effective starting in 1980. On Thursday June 17, 2021 President Biden signed legislation to make Juneteenth a federal holiday. Cities around the Country have chosen to make Juneteenth a holiday to include Kansas City Missouri, Chattanooga, Tennessee, Springfield, Illinois. In Texas the City of Austin, Houston and Galveston have recently voted to make this day a holiday. From a survey conducted to 101 Texas cities 4.8% recognize/observe Juneteenth, 54% are considering to recognize/observe Juneteenth and 41.3% do not observe/recognize Juneteenth.

The Human Resources Department has calculated there would be indirect costs of approximately $62,000 for the addition of a newly recognized/observed holiday. Direct costs would be minimal and only pertain to Civil Service Classified personnel who may get paid out for this additional holiday upon termination.

FUNDING SOURCE:
N/A

Contract Log #:
N/A

RECOMMENDATION:
Item requested by Councilmember Cooks.

ATTACHMENTS:
Attachment 1 - Juneteenth Survey
Attachment 2 - HR 4.03 - Holiday Leave
Attachment 3 - Resolution No. - 2021-058 - Establishment of Juneteenth as a Holiday in the City of Duncanville

ATTACHMENT 1
City Holidays Recognized

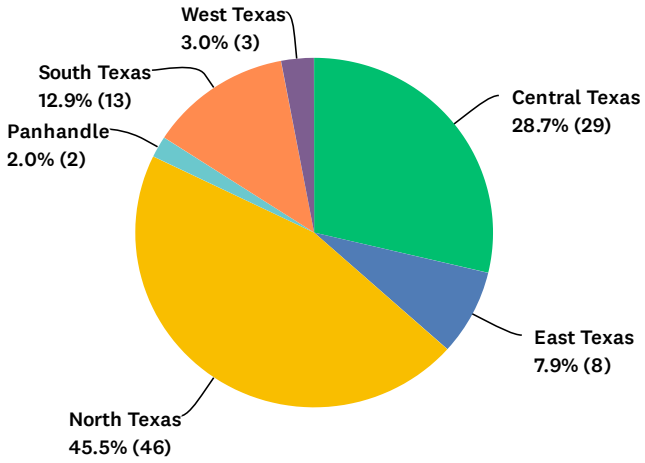
Q1 My City:

Answered: 101 Skipped: 0

ATTACHMENT 1
City Holidays Recognized

Q2 My city is generally in the following region:

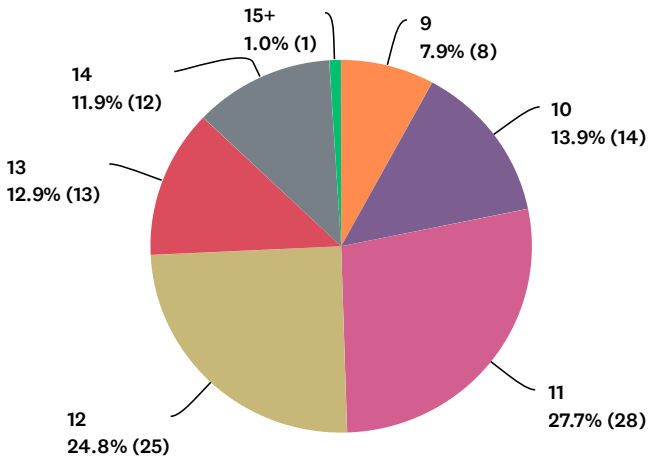
Answered: 101 Skipped: 0



ATTACHMENT 1
City Holidays Recognized

Q3 How many holidays, including a personal/floating (or similar) holiday, does your city offer?

Answered: 101 Skipped: 0



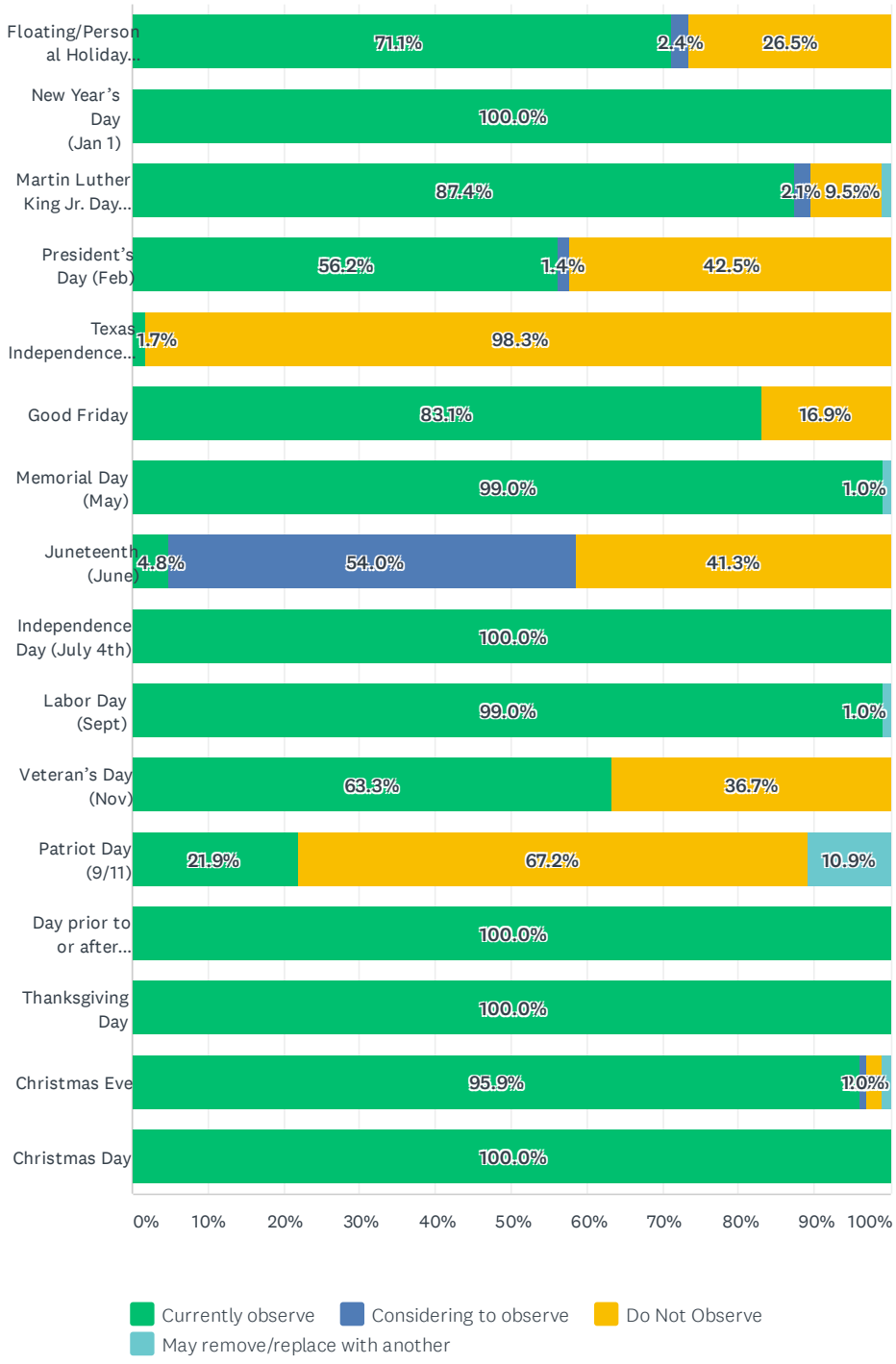
ATTACHMENT 1
City Holidays Recognized

Q4 Which of the following does your city recognize as a holiday? (check all that apply)

Answered: 101 Skipped: 0

ATTACHMENT 1

City Holidays Recognized



ATTACHMENT 2

DUNCANVILLE

The Perfect Blend of Family, Community and Business.

POLICY TITLE: HOLIDAY LEAVE	
DEPARTMENT: Human Resources	
Policy Chapter: Leaves of Absence	Section Number: HR 4.03
Approved Date: 12-28-2016	Approved By:
Effective Date: 01-01-2017	
Revision Date(s): 01-01-2019; 10-01-2020	

PURPOSE:

To identify the City's observed holidays and to establish the procedures used for holiday leave.

DEFINITIONS:

- **Civil Service Classified Employees –** Full-time Police and Fire Department employees who are identified as civil service classified per the Texas Local Government Code Section 143.
- **Municipal Employees** – Full-time non-civil service classified employees.

POLICY:

This policy identifies what holidays are observed by the City of Duncanville; to whom holiday leave applies; how holiday time is accrued and to be used; and outlines the procedures for the additional birthday holiday.

Holiday leave applies to all full-time employees and it will not be included as actual hours worked for the purposes of determining overtime.

A. Observed Holidays

The City of Duncanville observes 10 official holidays during the year plus 1 birthday holiday. The holidays and dates observed are:

New Year's Day	Labor Day *
Martin Luther King Day	Thanksgiving (Thursday & Friday)
Good Friday	Christmas Eve
Memorial Day	Christmas Day
Independence Day	Birthday Holiday

*In compliance with the Texas Local Government Code section 142.0013, classified firefighters shall receive a holiday designated as September 11 in lieu of Labor Day.

ATTACHMENT 2

DUNCANVILLE

The Perfect Blend of Family, Community and Business.

B. Holiday Pay

Holiday pay will be calculated based on the employee's pay rate as of the date of the holiday. Civil service classified Fire 24-hour shift employees will receive (12) hours of holiday leave for each observed holiday for a total of 120 hours. All other eligible employees will receive (8) hours per observed holiday. For municipal employees, holiday leave will be pre-populated on their Executime timesheets during the pay period in which each holiday occurs.

Municipal employees must work the last scheduled day immediately before and the first scheduled day immediately after the holiday to be eligible for pay; except when other leave has been previously approved by Department Director or designee; For example, vacation leave or extended medical (FMLA) documented leave.

C. Holidays on a Day Off

1. On the Weekend: If a recognized holiday falls on a Saturday, the Friday before will be observed as the official city holiday. If a recognized holiday falls on a Sunday, the Monday after will be observed as the official city holiday.
2. During Vacation Leave: Holidays that occur during a scheduled paid vacation time will be paid as holidays and will not be charged to vacation day.
3. During Sick Leave: An employee on FMLA approved leave will receive holiday pay in accordance with this policy.
4. Due to Suspension: If an employee is suspended without pay on the previous day, day of, or day after the observed holiday, the employee is not eligible for a paid holiday.
5. Due to job related absence: If an employee is off due to a workers' compensation injury or illness, and on full-pay by the city, the employee will receive holiday credit for that day.
6. Unplanned day off: This point only applies to municipal employees who are eligible for holiday leave. If an employee calls in sick the day before or after the holiday, sick time will be used for the holiday and they will not be given holiday leave. If an employee calls in with an emergency and therefore uses emergency leave time, the employee must use emergency leave time or other personal time such as vacation for the holiday. Holiday leave will not be given.

D. Working on a Holiday - This section applies to municipal employees only (Non-Civil Service):

If an employee works on a holiday, whether scheduled, emergency call back, or special event; the employee will receive the full 8-hour holiday pay in addition to actual hours worked on the holiday.

ATTACHMENT 2

DUNCANVILLE

The Perfect Blend of Family, Community and Business.

- Examples: an employee who works 8 hours for a special event will receive 8 hours of regular pay plus 8 hours of holiday pay. As another example, an employee who works 2 hours for an emergency call will receive 2 hours of regular pay plus 8 hours of holiday.

Municipal employees will not be allowed to bank holiday time.

Overtime pay at the 1.5 rate is only applicable to total worked hours over 40 in a 7-day period (Sunday – Saturday). Please see *Policy 3.02 Overtime* for further information.

E. HOLIDAY LEAVE FOR CIVIL SERVICE CLASSIFIED EMPLOYEES

- Holiday leave will immediately be available upon hire; however, the total number of holiday leave hours will be prorated for that year based on when the newly hired employee begins employment and how many observed holidays have passed in the year.
- For all others, holiday time will be given to each eligible employee on January 1st of each year. Police and Fire non-shift employees will receive 80 hours of holiday time. Fire 24-hour shift employees will receive 120 hours of holiday time.
- An employee will not be eligible to take holiday time unless the employee has an equal amount of vacation accrual, or the holiday has been observed/occurred.
- Police and Fire shift employees must first use eligible holiday time for scheduled time off instead of using other accruals. It is the supervisor's responsibility for managing the use of holiday leave for their direct reports and to carefully review and approve timesheets accordingly.
- For Police and Fire employees who are assigned to the Police Academy/Paramedic School and/or who are in Field Training:
    - If required to work on a city observed holiday, they will get paid for working the holiday (100-Regular Hours pay code) and they will also get paid for the holiday (326-Banked Holiday Hours pay code). Both pay codes should be entered on their timesheet.
    - If they are off on the city observed holiday (e.g., the Academy/School is closed), the holiday pay code (326-Banked Holiday Hours) should be entered on their timesheet.
- Moving forward, all annually given holiday time must be used by December 31st of each calendar year or the remaining holiday leave time will be forfeited by the employee in the payroll which includes December 31st of the year.

NOTE: Civil service classified employees who have any banked holiday leave time (that was accrued prior to January 1, 2019) remaining as of December 31, 2019, will be paid out in full for this batch of unused, banked holiday leave time. The payout will not include any holiday leave time accrued in 2019. The payout will occur in the payroll period which includes December 31, 2019.

NOTE: The front-loaded distribution of holiday leave time is a benefit that the City has elected to provide Civil Service employees only. Management has the right to rescind or alter this policy at any time.

ATTACHMENT 2

DUNCANVILLE

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E.1 Payouts and Usage

Upon separation of employment for civil service classified employees who are eligible for payout pay, any holiday time used by the employee for a holiday which has not yet occurred will be subtracted from their vacation accruals and/or any other available accruals remaining. If the employee has no other accruals available from which to subtract, the amount of holiday hours will be subtracted from their regular hours for the final pay.

F. Birthday Holiday

In addition to the ten (10) observed holidays, full-time employees will receive one (1) birthday holiday each year to be used by the employee's birthday of the following year. The accrual of the birthday holiday will be applied after the payroll period in which the employee's birthday occurs. For example, if the payroll period is February 3rd through February 16th and the employee's birthday is February 12th, the employee will not have the birthday holiday available for use until after the payroll has been processed for this pay period. The birthday holiday may be used during a new employee's six-month probationary period, if the employee's birthday occurs during that time and it has been accrued.

Employees must use their birthday holiday hours before their next birthday, or they will lose them. No employee can have more than one birthday holiday at a time. For example, if the employee's birthday is February 12, 2019 the employee must use their birthday holiday before February 12, 2020. If they do not, they lose those 8 or 12 hours and get another 8 or 12 hours for the new year.

Employees with earned, unused birthday holiday time at the time of separation from employment will be paid for 8 hours (or 12 hours for Fire shift) of regular pay on final check. All Employees (except for Fire civil service classified employees) must request leave via the Executime system and receive approval by a supervisor prior to taking birthday holiday.

RESOLUTION NO. 2021-058

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, TO ESTABLISH JUNETEENTH AS A HOLIDAY IN THE CITY OF DUNCANVILLE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in 1863, President Abraham Lincoln issued the Emancipation Proclamation declaring all slaves free. However, this freedom was not made known to many enslaved African Americans until two years after its passage. Juneteenth recognizes that on June 19, 1865, the last enslaved people in Galveston Texas were informed that slavery had been abolished; and,

WHEREAS, the African American community in Galveston, Texas heard of this news, they began to celebrate with prayer, feasting, song, and dance. The following year, on June 19, the first official Juneteenth celebrations took place in Texas. Within a few years, African Americans in other states were celebrating the day, making it an annual tradition of independence; and

WHEREAS, celebrations have continued across the United States including a rich history in the Duncanville community recognizing the end of slavery and the triumphs, culture and achievements of African Americans locally, across Texas and the United States and throughout the world; and,

WHEREAS, the City of Duncanville believes that Juneteenth should be recognized as an official holiday in the City and State of Texas as it was recognized as an official holiday in the state of Texas in 1980. Therefore, it is the desire of the City Council to establish Juneteenth as an officially recognized holiday in the City of Duncanville; and,

WHEREAS, the Juneteenth Celebration will be held on every June 19th of every year after the effective date; and,

WHEREAS, the United States Congress on June 15, 2021 adopted June 19th as a National Holiday “Juneteenth”.

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

SECTION 1. That the City Council of the City of Duncanville, Texas hereby approves and establishes June 19th, “Juneteenth” as a paid official holiday in the City of Duncanville; the City Manager or designee shall provide the appropriate staff and observation for all full-time employees.

SECTION 2. That this Resolution shall take effect immediately from and after its passage as the law and charter in such cases provide.

DULY RESOLVED AND ADOPTED by the City Council of the City of Duncanville, Texas, on the 3rd day of August, 2021.

APPROVED:

_____

Barry L. Gordon, Mayor

ATTEST:

_____

Kristin Downs, City Secretary

APPROVED AS TO FORM:

_____

Robert E. Hager, City Attorney

STAFF REPORT

MEETING: City Council - 03 Aug 2021

TITLE:
Receive the Monthly Financial Report as of June 30, 2021.

FY 2019 CITY COUNCIL ORGANIZATIONAL WORKPLAN:

- **1. Most engaged citizens in America**
  - **Goal 2: Maximize city and community resources to improve quality of life in a sustainable manner.**

STAFF RESPONSIBLE:
Edena Atmore, Interim Finance Director

BACKGROUND/HISTORY:
The Financial Report is presented to provide actual revenues and expenditures in comparison to the budget. The report provides financial data on key funds including the General, Utility, Sanitation, Economic Development, Fieldhouse, and Comprehensive Self-Insurance.

POLICY EXPLANATION:
June 2021 is the ninth month in fiscal year 2021 and we would expect revenues and expenditures to be at about 75.0% of their budgets. Below are financial highlights as of the June 2021 Financial Report.

General Fund:

- General Fund ending fund balance is $18.3 million, which is approximately 210 days of operations based on the adopted budget.
- Overall General Fund revenues and transfers in are at 86.9% of the budget.
  - Current property tax payments are at 100% of the budget. This is $900 thousand (5.4%) higher than the same time last year primarily due to an increase in property values. Property taxes were due by the end of January.
  - Overall sales tax revenues are 13.0% higher than same time last year. The data here reflects seven months of revenue (April sales tax is received in June) and is on target to surpass the annual budget.
  - Franchise fee electric revenue reflects two quarter payments and is at 47.6% of the annual budget. Gas, telephone, and cable tv franchise revenues reflect two quarter of payments.
  - Building permit revenues have exceeded the annual budget (159.6%) primarily due to new commercial permits.
  - Interest revenues have declined (-66.8%) from prior year due to economic impact of COVID-19 pandemic.
- General Fund operating and project expenditures (grand total) are at 63.1% of the budget.

- All operating expenditure categories are within budget for the current period with the total at 62.0% of the annual budget.
- The project expenditures section includes the transfer out to fund one-time projects.

Other Funds:

- The Utility Fund ending fund balance is $552 thousand (after the reserved fund balance deduction of $5.0 million for AMI), which is approximately 10 days of operations based on the budget.
  - Total utility revenues are at 62.2% of the budget. Water and sewer revenues run one month in the arrears, so this report reflects eight months (October-May) of revenue. Water revenues are 1.5% lower than the same time last year, and sewer revenues are down by .9%
  - Total expenditures are at 73.8% of the budget. This includes seven months of payments to Dallas Water Utilities (water services) and eight months of payments to Trinity River Authority (wastewater services).
  - Expenditures in the Utility fund non-org category includes a transfer out to General fund for the cost of administrative activities performed by general fund staff such as accounting, city management, IT, human resources, etc.
- The Sanitation Fund has an ending fund balance of $784 thousand, which is approximately 70 days of operations.
- The Economic Development ending fund balance is at $3.9 million.
- Fieldhouse operating revenues are up by 65.6% from the same time as last year, while operating expenditures are up by 6.6%.
- A financial update on one-time projects is included as the last page of the financial report.

FUNDING SOURCE:
N/A

Contract Log #:
N/A

RECOMMENDATION:
There is no City Council action required.

ATTACHMENTS:
Attachment 1 - Monthly Financial Report June 2021
Attachment 2 - Capital Project Financial Reporting 06-30-21

Attachment 1

CITY OF DUNCANVILLE
MONTHLY FINANCIAL REPORT

Fiscal Year 2020-2021

YEAR-TO-DATE OPERATIONS

AS OF JUNE 30, 2021

OCTOBER 1, 2020 TO JUNE 30, 2021

Prepared by
FINANCE DEPARTMENT
7/20/2021

Attachment 1

CITY OF DUNCANVILLE

FUND BALANCES AT JUNE 30, 2021

FUND	BEGINNING BALANCE (OCT 1)	REVENUES	EXPENDITURES	RESERVED FOR ONE TIME PROJECTS [1]	ENDING BALANCE YTD
GENERAL FUND[2]	$11,714,696	$28,331,329	($21,660,010)	$0	**$18,386,015**
UTILITY FUND	$8,451,077	$11,327,549	($14,225,852)	($5,000,000)	**$552,774**
SANITATION FUND	$847,903	$2,756,627	($2,820,584)	$0	**$783,945**
ECONOMIC DEVELOPMENT	$3,709,167	$1,660,398	($1,468,897)	$0	**$3,900,668**
FIELDHOUSE	($1,430,436)	$1,371,446	($1,191,299)	$0	**($1,250,289)**
COMPREHENSIVE SELF INS	$889,834	$351,021	($445,067)	$0	**$795,788**

DAYS OF OPERATIONS AT JUNE 30, 2021

FUND	YTD FUND BALANCE	BUDGETED OPERATING RESERVE # DAYS	BUDGETED OPERATING RESERVE ($)	YTD ACTUAL # DAYS OF OPERATIONS
GENERAL FUND	$18,386,015	75	$6,551,562	**210**
UTILITY FUND	$552,774	60	$3,274,700	**10**
SANITATION FUND	$783,945	60	$675,173	**70**

Note 1 - Utility Fund reserved balance has been earmarked for future AMI project.
Note 2- One Time Project funds are accounted for in a separate fund and not included in General fund balance available for operations calculation.

Attachment 1

CITY OF DUNCANVILLE

GENERAL FUND REVENUES AT JUNE 30, 2021

REVENUES	YTD ACTUAL	ORIGINAL BUDGET	REVISED BUDGET	YTD LEFT IN BUDGET	% OF ANNUAL BUDGET YTD
51 - TAXES	**$24,043,795**	**$27,094,091**	**$27,094,091**	**$3,050,296**	**88.7%**
501101 - CURRENT TAXES	$17,827,948	$17,717,398	$17,717,398	($110,550)	100.6%
501102 - DELINQUENT TAXES	$154,125	$140,000	$140,000	($14,125)	110.1%
501103 - PENALTIES AND INTEREST	$101,608	$140,000	$140,000	$38,392	72.6%
501201 - STATE SALES TAX CITY PORTION	$3,319,870	$4,876,462	$4,876,462	$1,556,592	68.1%
501202 - SALES TAX PROPERTY TAX RELIEF	$1,659,935	$2,438,231	$2,438,231	$778,296	68.1%
501204 - ALCOHOLIC BEVERAGE TAX	$62,099	$69,000	$69,000	$6,901	90.0%
501301 - FRANCHISE FEE ELECTRIC	$523,698	$1,100,000	$1,100,000	$576,302	47.6%
501302 - FRANCHISE FEE GAS	$254,088	$313,000	$313,000	$58,912	81.2%
501303 - FRANCHISE FEE TELEPHONE	$52,876	$175,000	$175,000	$122,124	30.2%
501304 - FRANCHISE FEE CABLE TV	$87,548	$125,000	$125,000	$37,452	70.0%
52 - PERMITS & FEES	**$1,231,281**	**$1,237,500**	**$1,237,500**	**$6,219**	**99.5%**
502101 - BUILDING PERMITS	$398,985	$250,000	$250,000	($148,985)	159.6%
502102 - ELECTRICAL PERMITS	$22,697	$13,000	$13,000	($9,697)	174.6%
502103 - SOLICITOR LICENSES	$575	$1,500	$1,500	$925	38.3%
502105 - EMERGENCY MEDICAL SERVICE	$601,987	$750,000	$750,000	$148,013	80.3%
502106 - SIGN PERMITS	$12,625	$12,000	$12,000	($625)	105.2%
502107 - WRECKER AND STORAGE FEES	($0)	$3,000	$3,000	$3,000	0.0%
502108 - HEALTH FOOD INSPECTION FEES	$23,114	$46,000	$46,000	$22,886	50.2%
502109 - PLUMBING AND AC PERMITS	$58,315	$40,000	$40,000	($18,315)	145.8%
502111 - ZONING & SPEC USE PERMIT	$12,535	$8,500	$8,500	($4,035)	147.5%
502112 - EMS SVCS COST SETTLEMENT	($0)	($0)	($0)	($0)	
502113 - SMALL CELL/ NETWORK NODE FEES	($0)	$500	$500	$500	0.0%
502114 - RENTAL PROPERTY REGISTRATION	$53,695	$50,000	$50,000	($3,695)	107.4%
502120 - ALARM PERMITS	$40,752	$60,000	$60,000	$19,248	67.9%
502122 - POOL OR SPA INSPECTION FEE	$6,000	$3,000	$3,000	($3,000)	200.0%
53 - FINES	**$297,380**	**$557,000**	**$557,000**	**$259,620**	**53.4%**
503101 - MUNICIPAL COURT FINES	$214,191	$400,000	$400,000	$185,809	53.5%
503102 - COURT RELATED FEES	$61,690	$130,000	$130,000	$68,310	47.5%
503103 - SCHOOL CROSSING FEES	$4,633	$3,000	$3,000	($1,633)	154.4%
503201 - LIBRARY FINES	$4,863	$9,000	$9,000	$4,137	54.0%
503301 - FALSE ALARM FINES	$12,004	$15,000	$15,000	$2,996	80.0%
54 - INTERGOVERNMENTAL	**$70,887**	**$175,490**	**$175,490**	**$104,603**	**40.4%**
504102 - DISD SCHOOL CROSSING GUARDS	$19,731	$35,000	$35,000	$15,269	56.4%
504103 - DALLAS COUNTY CROSSING GUARD	$33,280	$36,000	$36,000	$2,720	92.4%
504109 - REIMB FOR REG EMERG MANAGER	$17,876	$104,490	$104,490	$86,614	17.1%
55 - INTEREST	**$108,757**	**$290,000**	**$290,000**	**$181,243**	**37.5%**
505101 - INTEREST ON GOVT POOL INVEST	$3,309	$55,000	$55,000	$51,691	6.0%
505103 - CERT OF DEPOSIT INTEREST	$81,950	$100,000	$100,000	$18,050	81.9%
505106 - MONEY MARKET INTEREST	$23,498	$135,000	$135,000	$111,502	17.4%
57 - RECREATIONAL FEES	**$193,432**	**$266,000**	**$266,000**	**$72,568**	**72.7%**
507102 - RECREATION FEES	$169,144	$240,000	$240,000	$70,856	70.5%
507104 - SENIOR CENTER ANNUAL USER FEE	$458	$4,000	$4,000	$3,543	11.4%
507107 - RECREATION CENTER CLASSES	$7,751	$8,000	$8,000	$249	96.9%
507108 - RECREATION CENTER SPECIAL EVEN	$16,048	$8,000	$8,000	($8,048)	200.6%
507109 - SENIOR CLASS/TRIPS	$32	-$6,000	$6,000	$5,968	0.5%

Attachment 1

CITY OF DUNCANVILLE

GENERAL FUND REVENUES AT JUNE 30, 2021

REVENUES	YTD ACTUAL	ORIGINAL BUDGET	REVISED BUDGET	YTD LEFT IN BUDGET	% OF ANNUAL BUDGET YTD
59 - OTHER REVENUES	**$412,247**	**$367,880**	**$367,880**	**($44,367)**	**112.1%**
509101 - SALE OF FIXED ASSETS	($0)	($0)	($0)	($0)	
509102 - GAIN/ LOSS ON SALE FIXED ASSET	($0)	$0	($0)	($0)	
509105 - SALE OF MATERIALS	$4,296	$1,000	$1,000	($3,296)	429.6%
509201 - INSURANCE RECOVERY	($0)	($0)	($0)	($0)	
509501 - COLLECTION OF BAD DEBTS	($0)	$2,000	$2,000	$2,000	0.0%
509502 - MISCELLANEOUS W/O	$37	$100	$100	$63	37.4%
509601 - MISCELLANEOUS	$94,309	$65,000	$65,000	($29,309)	145.1%
509602 - CASH OVER AND SHORT	$205	$0	($0)	($205)	
509603 - COPIES	$5,922	$18,000	$18,000	$12,078	32.9%
509604 - POLICE ACCIDENT REPORTS	$2,506	$4,500	$4,500	$1,994	55.7%
509606 - AUCTION PROCEEDS	($0)	$5,000	$5,000	$5,000	0.0%
509607 - ANIMAL PERMITS	$10	$50	$50	$40	20.0%
509609 - RETURN CHECK FEES	$105	$230	$230	$125	45.7%
509611 - SCRAP METAL SALES	($0)	($0)	($0)	($0)	
509612 - CITY SERVICES REIMBURSEMENT	$71,266	$58,000	$58,000	($13,266)	122.9%
509613 - WORKERS COMP REIMBURSEMENT	$59,457	$20,000	$20,000	($39,457)	297.3%
509614 - RENTAL OF TOWER	$169,711	$194,000	$194,000	$24,289	87.5%
509617 - LEASE INCOME	($0)	($0)	($0)	($0)	
509618 - GAS WELL OIL REVENUE	$4,423	$0	($0)	($4,423)	
81 - OTHER FINANCE SOURCE	**$1,973,549**	**$2,631,399**	**$2,631,399**	**$657,850**	**75.0%**
801102 - TRANSF IN UTILITY FUND WATER	$1,321,283	$1,761,710	$1,761,710	$440,427	75.0%
801104 - TRANSF IN UTIL FUND SANITATION	$144,223	$192,297	$192,297	$48,074	75.0%
801108 - TRANSF IN EDC SALES TAX	$69,181	$92,242	$92,242	$23,061	75.0%
801110 - TRANSF IN HOTEL TAX FUND	$42,478	$56,637	$56,637	$14,159	75.0%
801150 - TRANSF IN PILOT FRANCHISE TAX	$396,385	$528,513	$528,513	$132,128	75.0%
Grand Total	**$28,331,329**	**$32,619,360**	**$32,619,360**	**$4,288,031**	**86.9%**

Attachment 1

CITY OF DUNCANVILLE

GENERAL FUND EXPENDITURES AT JUNE 30, 2021

OPERATING EXPENDITURES	YTD ACTUAL	ORIGINAL BUDGET	REVISED BUDGET	YTD LEFT IN BUDGET	% OF ANNUAL BUDGET YTD
0101 - GENERAL GOVERNMENT	**$2,180,553**	**$3,118,795**	**$3,205,748**	**$1,025,195**	**68.0%**
01011000 - MAYOR AND COUNCIL	$50,892	$140,897	$131,713	$80,821	38.6%
01011100 - CITY ADMINISTRATION	$502,635	$705,922	$706,840	$204,206	71.1%
01011300 - HUMAN RESOURCES	$202,595	$348,242	$338,602	$136,007	59.8%
01011400 - INFO TECHNOLOGY	$693,543	$820,205	$913,660	$220,116	75.9%
01011500 - PUBLIC INFORMATION OFFICE	$93,575	$168,533	$202,110	$108,536	46.3%
01011600 - PUBLIC LIBRARY	$637,313	$934,996	$912,823	$275,510	69.8%
0102 - FINANCE	**$999,708**	**$1,519,742**	**$1,483,789**	**$484,081**	**67.4%**
01022000 - FINANCE ADMINISTRATION	$553,002	$792,642	$788,517	$235,515	70.1%
01022300 - MUNICIPAL COURT	$306,374	$482,262	$477,267	$170,893	64.2%
01022500 - PURCHASING	$78,018	$113,731	$113,731	$35,712	68.6%
01022700 - CITY MARSHAL	$62,314	$131,107	$104,274	$41,960	59.8%
0104 - PARK AND RECREATION	**$2,164,780**	**$3,884,640**	**$3,787,982**	**$1,623,202**	**57.1%**
01044000 - PARK & REC ADMINISTRATION	$181,408	$254,663	$254,663	$73,255	71.2%
01044100 - REC PROGRAM ADMIN	$255,017	$396,028	$387,053	$132,036	65.9%
01044101 - REC PROGRAM CLASSES	$443	$5,682	$5,682	$5,239	7.8%
01044200 - SPECIAL EVENTS ADMIN	$70,832	$208,183	$154,083	$83,251	46.0%
01044300 - ATHLETIC PROGRAMMING	$244,563	$425,373	$435,874	$191,312	56.1%
01044500 - HORTICULTURE	$122,143	$176,298	$177,370	$55,227	68.9%
01044600 - PARK GROUNDS MAINTENANCE	$640,046	$1,327,185	$1,312,337	$672,291	48.8%
01044800 - BUILDING MAINTENANCE	$570,075	$881,280	$875,471	$305,396	65.1%
01044900 - SENIOR CENTER	$80,253	$204,749	$180,249	$99,996	44.5%
01044901 - SENIOR CENTER CLASSES	$0	$4,600	$4,600	$4,600	0.0%
01044911 - SENIOR CENTER TRIPS	$0	$600	$600	$600	0.0%
0105 - POLICE	**$6,720,067**	**$9,694,511**	**$9,691,695**	**$2,971,629**	**69.3%**
01055000 - POLICE ADMINISTRATION	$360,640	$552,907	$514,207	$153,567	70.1%
01055100 - PATROL	$3,313,111	$4,832,383	$4,868,258	$1,555,146	68.1%
01055200 - CRIMINAL INVESTIGATION	$1,050,604	$1,492,834	$1,493,884	$443,281	70.3%
01055300 - ANIMAL CONTROL	$345,362	$477,758	$477,765	$132,403	72.3%
01055400 - SCHOOL GUARDS	$65,608	$85,211	$85,211	$19,603	77.0%
01055500 - CRIME PREVENTION	$101,769	$151,748	$146,848	$45,079	69.3%
01055700 - RECORDS	$946,686	$1,319,716	$1,312,641	$365,955	72.1%
01055800 - DETENTION SERVICES	$221,446	$270,000	$288,946	$67,500	76.6%
01055900 - POLICE SPECIAL SERVICES	$314,842	$511,954	$503,936	$189,094	62.5%
0106 - PUBLIC WORKS	**$3,273,671**	**$6,874,523**	**$6,860,776**	**$3,587,105**	**47.7%**
01066000 - ENGINEERING	$268,532	$387,903	$374,203	$105,672	71.8%
01066100 - BUILDING INSPECTION	$385,635	$507,481	$562,015	$176,379	68.6%
01066200 - STREET MAINTENANCE	$1,287,593	$3,543,590	$3,468,172	$2,180,578	37.1%
01066300 - TRAFFIC OPERATIONS	$441,217	$926,743	$925,889	$484,671	47.7%
01066400 - PLANNING	$135,048	$159,358	$189,804	$54,756	71.2%
01066500 - CODE SERVICES	$204,570	$266,308	$297,659	$93,089	68.7%
01066700 - EQUIPMENT SERVICES	$551,074	$1,083,139	$1,043,034	$491,960	52.8%

Attachment 1

CITY OF DUNCANVILLE

GENERAL FUND EXPENDITURES AT JUNE 30, 2021

OPERATING EXPENDITURES	YTD ACTUAL	ORIGINAL BUDGET	REVISED BUDGET	YTD LEFT IN BUDGET	% OF ANNUAL BUDGET YTD
0107 - FIRE	**$4,738,260**	**$7,072,886**	**$7,090,996**	**$2,352,735**	**66.8%**
01077000 - FIRE ADMINISTRATION	$415,847	$649,945	$649,320	$233,473	64.0%
01077100 - FIRE PREVENTION	$170,530	$254,258	$252,058	$81,529	67.7%
01077200 - FIRE SUPPRESSION	$2,912,522	$4,330,457	$4,330,457	$1,417,935	67.3%
01077300 - ADVANCED LIFE SUPPORT	$1,181,306	$1,697,817	$1,720,651	$539,345	68.7%
01077500 - EMERGENCY MANAGEMENT ADMIN	$58,055	$140,409	$138,509	$80,454	41.9%
0108 - NON DEPARTMENTAL	**$270,434**	**$589,792**	**$711,491**	**$441,057**	**38.0%**
01088000 - GENERAL NON DEPARTMENTAL	$270,434	$589,792	$711,491	$441,057	38.0%
Total Operating Expenditures	**$20,347,473**	**$32,754,888**	**$32,832,477**	**$12,485,004**	**62.0%**

PROJECT EXPENDITURES	YTD ACTUAL	ORIGINAL BUDGET	REVISED BUDGET	YTD LEFT IN BUDGET	% OF ANNUAL BUDGET YTD
0000 - OTHER	**$1,312,536**	**$1,511,250**	**$1,511,250**	**$198,714**	**86.9%**
001 - GENERAL FUND NON-ORG	$1,312,536	$1,511,250	$1,511,250	$198,714	86.9%
Total Project Expenditures	**$1,312,536**	**$1,511,250**	**$1,511,250**	**$198,714**	**86.9%**

Grand Total - Operating & Project Expenditures	**$21,660,010**	**$34,266,139**	**$34,343,728**	**$12,683,718**	**63.1%**

Attachment 1

CITY OF DUNCANVILLE

UTILITY FUND AT JUNE 30, 2021

REVENUES	YTD ACTUAL	ORIGINAL BUDGET	REVISED BUDGET	YTD LEFT IN BUDGET	% OF ANNUAL BUDGET YTD
41 - WATER	**$4,788,271**	**$8,216,000**	**$8,216,000**	**$3,427,729**	**58.3%**
510101 - WATER SALES	$3,138,488	$5,400,000	$5,400,000	$2,261,512	58.1%
510102 - WATER TAPS	$22,599	$10,000	$10,000	($12,599)	226.0%
510104 - MULTI-FAMILY WATER SALES	$499,195	$770,000	$770,000	$270,805	64.8%
510105 - COMMERCIAL WATER SALES	$808,942	$1,360,000	$1,360,000	$551,058	59.5%
510106 - WATER SALES OTHER	$1,016	$1,000	$1,000	($16)	101.6%
510107 - WATER SALES IRRIGATION	$236,839	$510,000	$510,000	$273,161	46.4%
510108 - SCHOOL WATER SALES	$81,191	$165,000	$165,000	$83,809	49.2%
42 - SEWER	**$6,279,369**	**$9,551,600**	**$9,551,600**	**$3,272,231**	**65.7%**
511101 - SEWER SERVICE	$4,369,451	$6,500,000	$6,500,000	$2,130,549	67.2%
511102 - SEWER TAPS	$4,000	$3,600	$3,600	($400)	111.1%
511105 - MULTI-FAMILY SEWER SERVICE	$936,084	$1,455,000	$1,455,000	$518,916	64.3%
511106 - COMMERCIAL SEWER SERVICE	$903,224	$1,470,000	$1,470,000	$566,776	61.4%
511108 - SCHOOL WASTEWATER SALES	$66,610	$123,000	$123,000	$56,390	54.2%
45 - PENALTIES	**$115,600**	**$165,000**	**$165,000**	**$49,400**	**70.1%**
513101 - PENALTIES	$115,600	$165,000	$165,000	$49,400	70.1%
54 - INTERGOVERNMENTAL	**$188**	**$600**	**$600**	**$412**	**31.4%**
504111 - REIMB FOR SUMMIT TANK FROM CH	$188	$600	$600	$412	31.4%
55 - INTEREST	**$27,881**	**$120,000**	**$120,000**	**$92,119**	**23.2%**
505101 - INTEREST ON GOVT POOL INVEST	$1,083	$120,000	$120,000	$118,917	0.9%
505103 - CERT OF DEPOSIT INTEREST	$13,634	($0)	($0)	($13,634)	
505106 - MONEY MARKET INTEREST	$13,164	($0)	($0)	($13,164)	
59 - OTHER REVENUES	**$116,240**	**$169,500**	**$169,500**	**$53,260**	**68.6%**
509101 - SALE OF FIXED ASSETS	($0)	($0)	($0)	($0)	
509301 - REFUNDS FROM TRA	$2,004	($0)	($0)	($2,004)	
509401 - SERVICE CHARGES	$91,530	$130,000	$130,000	$38,470	70.4%
509601 - MISCELLANEOUS	$100	$5,000	$5,000	$4,900	2.0%
509602 - CASH OVER AND SHORT	$203	($0)	($0)	($203)	
509609 - RETURN CHECK FEES	$3,745	$5,000	$5,000	$1,255	74.9%
509611 - SCRAP METAL SALES	$470	$3,500	$3,500	$3,030	13.4%
509612 - CITY SERVICES REIMBURSEMENT	$18,188	$26,000	$26,000	$7,812	70.0%
Grand Total	**$11,327,549**	**$18,222,700**	**$18,222,700**	**$6,895,151**	**62.2%**

EXPENDITURES	YTD ACTUAL	ORIGINAL BUDGET	REVISED BUDGET	YTD LEFT IN BUDGET	% OF ANNUAL BUDGET YTD
002 - UTILITY FUND NON-ORG	$5,467,667	$7,290,223	$7,290,223	$1,822,556	75.0%
02311000 - UTILITIES ADMINISTRATION	$246,989	$384,747	$375,577	$128,588	65.8%
02312000 - WATER SERVICES	$2,783,551	$4,643,674	$4,616,389	$1,832,838	60.3%
02313000 - WASTEWATER SERVICES	$4,942,874	$5,796,452	$5,781,952	$839,077	85.5%
02411000 - UTILITIES ACCOUNTING	$784,769	$1,091,798	$1,210,489	$425,719	64.8%
Grand Total	**$14,225,852**	**$19,206,894**	**$19,274,630**	**$5,048,778**	**73.8%**

Attachment 1

CITY OF DUNCANVILLE

SANITATION FUND AT JUNE 30, 2021

REVENUES	YTD ACTUAL	ORIGINAL BUDGET	REVISED BUDGET	YTD LEFT IN BUDGET	% OF ANNUAL BUDGET YTD
43 - GARBAGE	**$2,756,284**	**$4,168,000**	**$4,168,000**	**$1,411,716**	**66.1%**
512101 - RESIDENTIAL GARBAGE	$2,351,493	$3,420,000	$3,420,000	$1,068,508	68.8%
512104 - LANDFILL COMMERCIAL	$199,388	$430,000	$430,000	$230,612	46.4%
512105 - COMMERCIAL COLLECT FRANCHISE	$136,830	$220,000	$220,000	$83,170	62.2%
512106 - COMMERCIAL GARBAGE	$68,574	$98,000	$98,000	$29,426	70.0%
55 - INTEREST	**$343**	**$6,000**	**$6,000**	**$5,657**	**5.7%**
505101 - INTEREST ON GOVT POOL INVEST	$343	$6,000	$6,000	$5,657	5.7%
505103 - CERT OF DEPOSIT INTEREST	($0)	($0)	($0)	($0)	
Grand Total	**$2,756,627**	**$4,174,000**	**$4,174,000**	**$1,417,373**	**66.0%**

EXPENDITURES	YTD ACTUAL	ORIGINAL BUDGET	REVISED BUDGET	YTD LEFT IN BUDGET	% OF ANNUAL BUDGET YTD
019 - SANITATION NON-ORG	$256,723	$342,297	$342,297	$85,574	75.0%
19011000 - SANITATION ADMIN	$2,407,395	$3,796,084	$3,791,702	$1,384,307	63.5%
19012000 - LITTER CONTROL CREW	$156,467	$249,188	$249,188	$92,722	62.8%
Grand Total	**$2,820,584**	**$4,387,569**	**$4,383,187**	**$1,562,603**	**64.4%**

Attachment 1

CITY OF DUNCANVILLE

ECONOMIC DEVELOPMENT AT JUNE 30, 2021

REVENUES	YTD ACTUAL	ORIGINAL BUDGET	REVISED BUDGET	YTD LEFT IN BUDGET	% OF ANNUAL BUDGET YTD
51 - TAXES	**$1,659,935**	**$2,438,231**	**$2,438,231**	**$778,296**	**68.1%**
501203 - ECONOMIC DEVELOPMENT SALES TAX	$1,659,935	$2,438,231	$2,438,231	$778,296	68.1%
55 - INTEREST	**$463**	**$20,000**	**$20,000**	**$19,537**	**2.3%**
505101 - INTEREST ON GOVT POOL INVEST	$463	$20,000	$20,000	$19,537	2.3%
505103 - CERT OF DEPOSIT INTEREST	($0)	($0)	($0)	($0)	
Grand Total	**$1,660,398**	**$2,458,231**	**$2,458,231**	**$797,833**	**67.5%**

EXPENDITURES	YTD ACTUAL	ORIGINAL BUDGET	REVISED BUDGET	YTD LEFT IN BUDGET	% OF ANNUAL BUDGET YTD
012 - ECONOMIC DEVELOP NON-ORG	$576,606	$630,042	$630,042	$53,436	91.5%
12011000 - ECONOMIC DEVELOPMENT ADMIN	$147,548	$335,478	$313,880	$166,332	47.0%
12011100 - KEEP DUNCANVILLE BEAUTIFUL	$2,174	$12,000	$12,000	$9,826	18.1%
12011600 - DEBT SERVICE EDC	$487,546	$488,346	$488,346	$800	99.8%
12011700 - SUSTAINABLE BEAUTIFICATION	$7,657	$15,000	$15,000	$7,343	51.0%
12011800 - BEAUTIFICATION	$44,427	$126,777	$109,310	$64,883	40.6%
12051000 - DESIGN INCENTIVES	$0	$190,000	$190,000	$190,000	0.0%
12051100 - FAÇADE INCENTIVES	$0	$60,000	$60,000	$60,000	0.0%
12051200 - GRANTS/REBATE INCENTIVES	$0	$0	$0	$0	
12052000 - EDC SPECIAL PROJECTS	$202,938	$0	$204,075	$1,137	99.4%
Grand Total	**$1,468,897**	**$1,857,644**	**$2,022,653**	**$553,757**	**72.6%**

Attachment 1

CITY OF DUNCANVILLE

FIELDHOUSE FUND AT JUNE 30, 2021

REVENUES	YTD ACTUAL	ORIGINAL BUDGET	REVISED BUDGET	YTD LEFT IN BUDGET	% OF ANNUAL BUDGET YTD
48 - SPORTS FACILITY	**$475,042**	**$616,000**	**$563,000**	**$87,958**	**84.4%**
520101 - SPONSORSHIP REVENUE	$40,878	$50,000	$53,000	$12,122	77.1%
520120 - FOOD SALES	$135,760	$157,000	$165,000	$29,240	82.3%
520130 - BEVERAGE SALES	$106,230	$80,000	$99,000	($7,230)	107.3%
520140 - MERCHANDISE REVENUE	$321	$5,000	$5,000	$4,679	6.4%
520170 - OTHER SPORTS ACTIVITY REV	$65,135	$68,000	$85,000	$19,865	76.6%
520180 - CAMP/AFTERSCHOOL PROG REV	$100,868	$226,000	$110,000	$9,132	91.7%
520190 - CLASS REVENUE	$25,850	$30,000	$46,000	$20,150	56.2%
59 - OTHER REVENUES	**$388,979**	**$469,390**	**$529,390**	**$140,411**	**73.5%**
509601 - MISCELLANEOUS	$57,454	$80,390	$80,390	$22,936	71.5%
509602 - CASH OVER AND SHORT	$195	($0)	($0)	($195)	
509606 - AUCTION PROCEEDS	($0)	($0)	($0)	($0)	
509615 - RENTAL	$18,251	$34,000	$34,000	$15,749	53.7%
509620 - RENTALS- BASKETBALL	$265,890	$325,000	$370,000	$104,110	71.9%
509621 - RENTALS- VOLLEYBALL	$47,189	$30,000	$45,000	($2,189)	104.9%
81 - OTHER FINANCE SOURCE	**$507,425**	**$537,800**	**$537,800**	**$30,375**	**94.4%**
801129 - TRANSF IN DCEDC	$507,425	$537,800	$537,800	$30,375	94.4%
Grand Total	**$1,371,446**	**$1,623,190**	**$1,630,190**	**$258,744**	**84.1%**

EXPENDITURES	YTD ACTUAL	ORIGINAL BUDGET	REVISED BUDGET	YTD LEFT IN BUDGET	% OF ANNUAL BUDGET YTD
456 - FIELDHOUSE NON-ORG	$507,875	$538,300	$538,300	$30,425	94.3%
45601000 - FH ADMIN/OPS	$568,875	$924,580	$922,666	$353,790	61.7%
45602000 - FH CAFÉ/ FOOD COURT	$91,471	$131,740	$141,740	$50,269	64.5%
45602500 - FH GENERAL STORE	$435	$3,750	$3,750	$3,315	11.6%
45651100 - FIELDHOUSE CAMPS	$20,043	$83,500	$58,500	$38,457	34.3%
45651200 - FIELDHOUSE CLASSES	$0	$0	$0	$0	
45651300 - FIELDHOUSE OTHER ACTIVITIES	$2,600	$9,550	$9,550	$6,950	27.2%
Grand Total	**$1,191,299**	**$1,691,420**	**$1,674,506**	**$483,207**	**71.1%**

Attachment 1

CITY OF DUNCANVILLE

COMPREHENSIVE SELF-INSURANCE FUND AT JUNE 30, 2021

REVENUES	YTD ACTUAL	ORIGINAL BUDGET	REVISED BUDGET	YTD LEFT IN BUDGET	% OF ANNUAL BUDGET YTD
46 - PREMIUMS AND OTHER	**$350,722**	**$468,205**	**$468,205**	**$117,483**	**74.9%**
514107 - GENERAL FUND CONTRIBUTIONS	$284,934	$380,489	$380,489	$95,555	74.9%
514108 - UTILITY FUND CONTRIBUTIONS	$38,896	$51,861	$51,861	$12,965	75.0%
514109 - HOTEL TAX FUND CONTRIBUTIONS	$2,668	$3,557	$3,557	$889	75.0%
514110 - EDC FUND CONTRIBUTIONS	$8,721	$11,628	$11,628	$2,907	75.0%
514111 - SANITATION FUND CONTRIBUTIONS	$6,609	$8,812	$8,812	$2,203	75.0%
514112 - DRAINAGE FUND CONTRIBUTIONS	$3,557	$4,743	$4,743	$1,186	75.0%
514113 - FIELDHOUSE FUND CONTRIBUTIONS	$5,336	$7,115	$7,115	$1,779	75.0%
55 - INTEREST	**$299**	**$6,000**	**$6,000**	**$5,701**	**5.0%**
505101 - INTEREST ON GOVT POOL INVEST	$299	$6,000	$6,000	$5,701	5.0%
Grand Total	**$351,021**	**$474,205**	**$474,205**	**$123,184**	**74.0%**

EXPENDITURES	YTD ACTUAL	ORIGINAL BUDGET	REVISED BUDGET	YTD LEFT IN BUDGET	% OF ANNUAL BUDGET YTD
008 - COMPREHENSIVE INSURANCE NONORG					
700446 - INSURANCE PREMIUMS TML	$323,545	$365,141	$365,141	$41,596	88.6%
700455 - WORKERS COMPENSATION CLAIMS	$92,135	$280,000	$280,000	$187,865	32.9%
700456 - LIABILITY CLAIMS	$29,386	$61,200	$61,200	$31,814	48.0%
Grand Total	**$445,067**	**$706,341**	**$706,341**	**$261,274**	**63.0%**

Attachment 1

CITY OF DUNCANVILLE

ONE-TIME PROJECTS AT JUNE 30, 2021

	DESCRIPTION	One Time Project ORG-OBJ		DEPT	PROJECT TO DATE ACTUAL	TOTAL PROJECT BUDGET	TOTAL REMAINING BUDGET	PROJECT FINANCIAL STATUS
1	FY18 ZONING ORDINANCE UPDATE	41060000	700450	PW	150,000	150,000	-	COMPLETE
2	FY19 ROOF REPLACEMENT (See Note 2)	41040000	700882	PARKS	759,225	759,225	-	COMPLETE
3	FY19 PUBLIC WORKS ERP SYSTEM	41060000	700233	PW	199,656	226,000	26,344	
4	FY19 US 67 GATEWAY SIGNAGE	41060000	708102	PW	24,000	500,000	476,000	
5	MAIN ST CORRIDOR STUDY	41060000	708103	PW	150,000	150,000	(0)	COMPLETE
6	FY 20 SECURITY UPGRADES (CAMERAS)	41010000	700232	GEN GOV	-	115,000	115,000	ON HOLD
7	FY 20 PYBURN PARK FITNESS EQUIPMENT	41040000	700882	PARKS	44,462	50,000	5,538	COMPLETE
8	FY 20 BI LASERFICHE	41060000	700450	PW	-	10,000	10,000	
9	FY 20 FUEL TANKS	41060000	700884	PW	11,797	141,508	129,711	
10	FY 20 LED LIGHTING AMPHITHEATRE	41040000	700882	PARKS	-	20,000	20,000	ON HOLD
11	FY20 & FY21 RESERVED FOR P-25 COMPLIANT RADIOS			POL/FIRE	-	1,188,003	1,188,003	
12	ADDITIONAL FUNDING FOR FIRE STATION PROJECT (See Note 2)			FIRE	-	878,025	878,025	
	TOTAL ONE TIME PROJECT BUDGET				**$1,339,140**	**$4,187,761**	**$2,848,621**	

Unallocated Budget - Savings/(Overages) from Completed Projects (CY & PY) 88,651

Note 1: Completed projects are highlighted in yellow.

Note 2: Line 2 Roof Replacement (FY19) was originally budgeted for $1,637,250, but the actual cost came in under at $759,225. The excess budget of $878,025 has been moved to line 12 as additional funding for the Fire Station Project.

Attachment 2

CIP PROJECTS AS OF 06-30-2021

CIP PROJECTS	2020 ACTUAL	2021 ACTUAL	PROJECT TO DATE ACTUALS	PROJECT TO DATE BUDGET	STATUS
ALCI - ALLEY CIP					
PWAL00002 - FY19 MADRID ALLEY RECONSTRUCTION	$15,221.80	$246,217.06	$286,883.74	$332,415.00	IN CONSTRUCTION
PWAL00003 - FY 21 ALLEY@ E. CHERRY - E. CENTER		$0.00	$0.00	$53,181.25	
ALCI - ALLEY CIP Total	$15,221.80	$246,217.06	$286,883.74	$385,596.25	
BWCI - BAG WALL CIP					
PWDR00008 - FY19 BAGWALL - 614 KENSINGTON	($20,646.40)		$41,292.40	$82,584.80	COMPLETE
PWDR00010 - 370 MEADOWCREEK BAGWALL	$11,449.75	$70,183.62	$81,633.37	$179,696.26	
PWDR00012 - FY 21 BAGWALL - 606 LAZY RIVER		$0.00	$0.00	$65,000.00	
BWCI - BAG WALL CIP Total	($9,196.65)	$70,183.62	$122,925.77	$327,281.06	
DRCI - DRAINAGE CIP					
PWDR00002 - FY18 LONGWORTH BLVD DRAINAGE IMPROV	$7,277.60	$112.00	$37,511.60	$54,165.00	
PWDR00003 - FY18 WILLOW RUN PARK DRAINAGE IMPRV	$10,584.00	$8,842.50	$49,150.00	$59,150.00	IN CONSTRUCTION
PWDR00004 - FY18 LAKESIDE PARK DRAINAGE IMPROV	$4,230.40	$0.00	$32,570.50	$45,190.00	
PWDR00005 - FY18 FERGUSON DRAIN/EROSION/PAVING	$379,658.99	$24,151.21	$413,810.20	$444,658.74	COMPLETE
PWDR00007 - FY19 MADRID ALLEY RECONSTRUCTION	$11,653.83	$46,800.00	$59,729.20	$64,929.20	IN CONSTRUCTION
PWDR00009 - FY19 MEADOWCREEK 370 DRAINAGE IMPRV	$36,030.75	$23,853.33	$64,384.08	$332,141.00	
PWDR00011 - E. CHERRY TO E. CENTER DRAINAGE		$0.00	$0.00	$5,000.00	
DRCI - DRAINAGE CIP Total	$449,435.57	$103,759.04	$657,155.58	$1,005,233.94	
LSCI - LANDSCAPE CIP					
PWST00002 - US67 LANDSCAPE MASTER PLAN	$35,450.00	$13,995.00	$164,103.63	$167,886.37	COMPLETE
LSCI - LANDSCAPE CIP Total	$35,450.00	$13,995.00	$164,103.63	$167,886.37	
PBCI - PIPE BURSTING CIP					
PWWW00002 - FY18 PIPEBURSTING PROGRAM	$94,732.13		$1,894,642.54	$1,894,642.54	COMPLETE
PWWW00013 - FY20 PIPEBURSTING	$820,329.27	$353,482.97	$1,173,812.24	$1,174,182.55	
PWWW00017 - FY 21 PIPEBURSTING		$580,845.91	$580,845.91	$996,483.00	
PBCI - PIPE BURSTING CIP Total	$915,061.40	$934,328.88	$3,649,300.69	$4,065,308.09	
SDCI - STUDY CIP					
PWWR00005 - FY18 WATER MASTER PLAN	$549.00		$64,800.00	$64,800.00	COMPLETE
PWWW00003 - FY18 WASTEWATER MASTER PLAN	$2,745.00		$78,400.00	$78,400.00	COMPLETE
SDCI - STUDY CIP Total	$3,294.00		$143,200.00	$143,200.00	

Attachment 2

CIP PROJECTS AS OF 06-30-2021

CIP PROJECTS	2020 ACTUAL	2021 ACTUAL	PROJECT TO DATE ACTUALS	PROJECT TO DATE BUDGET	STATUS
SKCI - SIDEWALK CIP					
PWST00005 - FY19 SIDEWALK PROGRAM	$172,211.00	$300.00	$172,511.00	$348,925.00	COMPLETE
PWST00012 - FY21 SIDEWALK - E.DAVIS / MAIN ST		$0.00	$0.00	$198,500.00	
PWST00013 - FY21 SIDEWALK @ ORIOLE - CAMP WISDM		$0.00	$0.00	$11,500.00	
SKCI - SIDEWALK CIP Total	$172,211.00	$300.00	$172,511.00	$558,925.00	
STCI - STREET CIP					
PWST00006 - FY19 DANIELDALE BIKE FACILITY STUDY	$21,700.93		$49,189.91	$51,600.00	COMPLETE
PWST00007 - WINTERGREEN - DALLAS COUNTY PARTNER	$60,666.00	$0.00	$60,666.00	$61,000.00	
PWST00008 - STREET IMPROVEMENT @ E.CARR		$0.00	$0.00	$75,000.00	
PWST00009 - STREETS - SWAN RIDGE & BEAVER CREEK		$0.00	$0.00	$46,685.00	
STCI - STREET CIP Total	$82,366.93	$0.00	$109,855.91	$234,285.00	
WRCI - WATER LINE CIP					
PWWR00001 - FY18 CENTER ST & CENTER RIDGE APTS	$1,669,570.49	$0.00	$1,814,867.59	$1,834,077.00	COMPLETE
PWWR00003 - FY18 IRWIN KEASLER WATER MAIN IMPRV	$747,974.93	$0.00	$862,801.74	$930,588.00	COMPLETE
PWWR00004 - FY18 GREENBRIAR ESTATES IMPROVEMENT	$371,990.04	$87,714.59	$575,232.08	$1,323,663.35	PHASE 1 COMPLETE PHASE 2 IN CONSTRUCTION
PWWR00006 - FY18 FOREST HILLS-S ALEXANDER WTR	$374,614.18	$0.00	$404,839.18	$409,251.74	COMPLETE
PWWR00007 - FY19 LINK DR WATER IMPROVEMENTS	$327,223.59	$0.00	$363,666.44	$392,920.57	COMPLETE
PWWR00008 - FY19 LAKESIDE DR WATER IMPROVEMENTS	$275,489.36	$0.00	$288,989.36	$310,255.00	COMPLETE
PWWR00009 - FY19 COCKRELL HILL WATER IMPROVE	$42,659.69	$10,125.00	$52,784.69	$614,233.84	
PWWR00011 - FY19 DANIELDALE MAIN TO 67	$99,261.80	$114,265.89	$235,357.82	$3,054,594.18	IN CONSTRUCTION
PWWR00015 - WATER - E. CARR - N. MAIN TO ORIOLE		$0.00	$0.00	$25,000.00	
PWWR00016 - WATER IMRPOV @ SWAN RIDGE		$0.00	$0.00	$27,742.50	
PWWR00019 - WATER @ WREN AVE - EMERGENCY		$0.00	$0.00	$370,035.00	
PWWR00020 - LAKESIDE PARK WATER LINE		$0.00	$0.00	$27,160.00	
PWWR00021 - CEDAR RIDGE RD. WATER LINE REPLAC		$0.00	$0.00	$106,317.29	
PWWR00022 - WATER @ REDBIRD LANE - HILL CITY/PK		$0.00	$0.00	$16,513.00	
WRCI - WATER LINE CIP Total	$3,908,784.08	$212,105.48	$4,598,538.90	$9,442,351.47	

Attachment 2

CIP PROJECTS AS OF 06-30-2021

CIP PROJECTS	2020 ACTUAL	2021 ACTUAL	PROJECT TO DATE ACTUALS	PROJECT TO DATE BUDGET	STATUS
WTCI - WATER TANK CIP					
PWWR00002 - DANIELDALE PUMP STA REHABILITATION	$107,877.75	$20,750.29	$234,181.69	$1,451,270.06	
PWWR00012 - EMERGENCY GENERATOR @ SUMMIT	$0.00	$0.00	$0.00	$276,038.00	
PWWR00018 - FY21 REBUILD CHLORINE ROOM		$35,270.00	$35,270.00	$248,624.00	IN CONSTRUCTION
PWWT00003 - N. MAIN WATER TANK LED LIGHTING	$13,873.66		$13,873.66	$15,000.00	
PWWT00004 - CLARK TOWER SECURITY CAMERAS		$0.00	$0.00	$56,670.00	
WTCI - WATER TANK CIP Total	$121,751.41	$56,020.29	$283,325.35	$2,047,602.06	
WWCI - WASTEWATER CIP					
PWWW00001 - FY18 CENTER ST & CENTER RIDGE APTS	$292,980.00	$0.00	$354,924.90	$550,891.00	COMPLETE
PWWW00004 - FY18 FOREST HILLS S ALEXANDER WASTE	$272,161.28	$0.00	$302,386.28	$374,702.64	COMPLETE
PWWW00005 - FY18 GREENBRIAR WASTEWATER IMPROVE	$168,051.30	$0.00	$242,854.30	$645,877.34	PHASE 1 COMPLETE PHASE 2 IN CONSTRUCTION
PWWW00006 - FY19 COCKRELL HILL WASTEWATER IMPRO	$42,659.70	$10,125.00	$52,784.70	$614,233.84	
PWWW00008 - FY19 DANIELDALE MAIN-67	$60,266.04	$100,994.73	$174,514.75	$1,153,371.17	IN CONSTRUCTION
PWWW00014 - WASTEWATER - E. CARR - MAIN ORIOLE		$0.00	$0.00	$25,000.00	
PWWW00015 - WASTEWATER @ SWAN RIDGE		$0.00	$0.00	$27,742.50	
PWWW00018 - CEDAR RIDGE RD. WASTEWATER REPLACE		$0.00	$0.00	$50,749.97	
WWCI - WASTEWATER CIP Total	$836,118.32	$111,119.73	$1,127,464.93	$3,442,568.46	

Attachment 2

BOND PROJECTS AS OF 06-30-2021

BOND PROJECTS	2020 ACTUAL	2021 ACTUAL	PROJECT TO DATE ACTUALS	PROJECTED BUDGET	STATUS
PROPOSITION A - PARK BOND PROJECTS			**($6,600,000.00)**		
PKBD00001 - CITYWIDE TRAILS IMPLEMENTATION					
PKBD00001 -BOND FUNDS- -			($1,500,000.00)		
PKBD00001 -CONSTRUCT -PHASE1 -		$25,800.00	$25,800.00	$300,000.00	
PKBD00001 -CONSTRUCT -PHASE2 -			$0.00	$600,000.00	
PKBD00001 -CONSTRUCT -PHASE3 -			$0.00	$600,000.00	
PKBD00001 - CITYWIDE TRAILS IMPLEMENTATION Total	**$0.00**	**$25,800.00**	**($1,474,200.00)**	**$1,500,000.00**	
PKBD00002 - ROTARY PARKING LOT					
PKBD00002 -BOND FUNDS- -			($50,000.00)		
PKBD00002 -CONSTRUCT - -			$17,405.46	$50,000.00	
PKBD00002 - ROTARY PARKING LOT Total	**$0.00**	**$0.00**	**($32,594.54)**	**$50,000.00**	**COMPLETE**
PKBD00003 - LAKESIDE PARK PAVILION					
PKBD00003 -BOND FUNDS- -			($400,000.00)		
PKBD00003 -CONSTRUCT - -	$335,500.36	$57,430.21	$392,930.57	$400,000.00	
PKBD00003 - LAKESIDE PARK PAVILION Total	**$335,500.36**	**$57,430.21**	**($7,069.43)**	**$400,000.00**	**COMPLETE**
PKBD00004 - HARRINGTON PARK PAVILION					
PKBD00004 -BOND FUNDS- -			($400,000.00)		
PKBD00004 -CONSTRUCT - -			$0.00	$400,000.00	
PKBD00004 - HARRINGTON PARK PAVILION Total	**$0.00**	**$0.00**	**($400,000.00)**	**$400,000.00**	
PKBD00005 - ARMSTRONG KIDSVILLE AND SPLASHPAD					
PKBD00005 -BOND FUNDS- -			($2,250,000.00)		
PKBD00005 -GRANT FUNDS- -			($750,000.00)		
PKBD00005 -CONSTRUCT - -	$2,325.00	$0.00	$2,325.00	$2,025,000.00	
PKBD00005 -DESIGN - -	$162,772.74	$21,500.00	$228,822.74	$225,000.00	
PKBD00005 - ARMSTRONG KIDSVILLE AND SPLASHPAD Total	**$165,097.74**	**$21,500.00**	**($2,768,852.26)**	**$2,250,000.00**	
PKBD00006 - HARRINGTON IMPROVEMENTS					
PKBD00006 -BOND FUNDS- -			($2,000,000.00)		
PKBD00006 -CONSTRUCT - -			$0.00	$1,800,000.00	
PKBD00006 -DESIGN - -	$23,235.65	$40,000.00	$63,235.65	$320,000.00	
PKBD00006 - HARRINGTON IMPROVEMENTS Total	**$23,235.65**	**$40,000.00**	**($1,936,764.35)**	**$2,120,000.00**	

NOTE: The negative amounts are revenues/funding sources. Projects without funding sources listed here are funded through internal funding sources such as Utility CIP funds.

Attachment 2

BOND PROJECTS AS OF 06-30-2021

BOND PROJECTS	2020 ACTUAL	2021 ACTUAL	PROJECT TO DATE ACTUALS	PROJECTED BUDGET	STATUS
PROPOSITION B - STREET BOND PROJECTS		*	**($5,100,000.00)**		
DANIELDALE RD (S MAIN - US 67) BOND					
PWBD00001 -BOND FUNDS- -			($3,100,000.00)		
PWBD00001 -CONSTRUCT - -		$97,409.48	$97,409.48	$2,793,787.81	
PWBD00001 -DESIGN - -	$194,978.47	$20,228.33	$258,087.38	$258,087.38	
PWBD00001 -TESTING - -			$0.00	$27,361.66	
PWBD00001 - DANIELDALE RD (S MAIN - US 67) BOND Total	**$194,978.47**	**$117,637.81**	**($2,744,503.14)**	**$3,079,236.85**	
DANIELDALE RD (S MAIN - US 67) WATER - INTERNAL CIP FUNDING					CONSTRUCTION
PWWR00011 -CONSTRUCT - -		$102,751.24	$102,751.24	$2,890,328.21	
PWWR00011 -DESIGN - -	$99,261.80	$11,514.65	$132,606.58	$136,059.98	
PWWR00011 -TESTING - -			$0.00	$28,205.99	
DANIELDALE RD (S MAIN - US 67) WATER TOTAL	**$99,261.80**	**$11,514.65**	**$235,357.82**	**$3,054,594.18**	
DANIELDALE RD (S MAIN - US 67) WASTEWATER - INTERNAL CIP FUNDING					CONSTRUCTION
PWWW00008 -CONSTRUCT - -		$93,372.20	$93,372.20	$1,054,876.19	
PWWW00008 -DESIGN - -	$60,266.04	$7,622.53	$81,142.55	$88,062.63	
PWWW00008 -TESTING - -			$0.00	$10,432.35	
DANIELDALE RD (S MAIN - US 67) WASTEWATER TOTAL	**$60,266.04**	**$7,622.53**	**$174,514.75**	**$1,153,371.17**	
DANIELDALE RD (S MAIN - US 67) PROJECT TOTAL	**$354,506.31**	**$136,774.99**	**($2,334,630.57)**	**$7,287,202.20**	
CEDAR RIDGE B-STONE/WHEATLAND BOND					
PWBD00003 -BOND FUNDS- -			($2,000,000.00)		
PWBD00003 -CONSTRUCT			$0.00	$1,800,000.00	
PWBD00003 -DESIGN			$0.00	$200,000.00	
CEDAR RIDGE B-STONE/WHEATLAND BOND Total			**($2,000,000.00)**	**$2,000,000.00**	
WATER/WASTEWATER IMPROVEMENTS - CEDAR RIDGE (FY 2024-2025) - INTERNAL CIP FUNDING					
PWWR00021 -CONSTRUCT - -			$0.00	$850,000.00	
PWWR00021 -DESIGN - -			$0.00	$106,317.29	
PWWW00018 -CONSTRUCT - -			$0.00	$850,000.00	
PWWW00018 -DESIGN - -			$0.00	$50,749.97	
WATER/WASTEWATER IMPROVEMENTS - CEDAR RIDGE TOTAL			**$0.00**	**$1,857,067.26**	
CEDAR RIDGE PROJECT TOTAL			**($2,000,000.00)**	**$3,857,067.26**	

NOTE: The negative amounts are revenues/funding sources. Projects without funding sources listed here are funded through internal funding sources such as Utility CIP funds.

Attachment 2

BOND PROJECTS AS OF 06-30-2021

BOND PROJECTS	2020 ACTUAL	2021 ACTUAL	PROJECT TO DATE ACTUALS	PROJECTED BUDGET	STATUS
PROPOSITION C- FIRE STATION BOND			**($6,000,000.00)**		
PWBD00005 -BOND FUNDS- -			($6,000,000.00)		
PWBD00005 -DESIGN - -	$97,970.00	$31,227.50	$129,197.50	$545,630.00	
PWBD00005 -CONSTRUCT - -		0	$0.00	$5,525,122.00	
PWBD00005 -LAND - -	$212,836.58	$8,450.00	$244,786.58	$1,000,000.00	
Furniture, Fixtures, & Equipment (FFE)			$0.00	$340,000.00	
PWBD00005 - FIRE STATION BOND Total	**$310,806.58**	**$39,677.50**	**($5,626,015.92)**	**$7,410,752.00**	
PROPOSITION D - SERVICE CENTER RENOVATION BOND			**($2,400,000.00)**		
PWBD00004 -BOND FUNDS- -			($2,400,000.00)		
PWBD00004 -DESIGN - -	$115,200.00	$7,600.00	$187,600.00	$206,400.00	IN CONSTRUCTION
PWBD00004 -ROW - -		$9,200.00	$9,200.00	$9,200.00	
PWBD00004 -CONSTRUCT - -		$0.00	$0.00	$2,193,600.00	BIDS REJECTED
PWBD00004 - SERVICE CENTER RENOVATION BOND Total	**$115,200.00**	**$0.00**	**($2,203,200.00)**	**$2,409,200.00**	
PWOT20FUEL - FY20 FUEL TANK @ SERVICE CTR					
PWOT20FUEL-CITY FUNDING			($175,000.00)		
FUEL TANK OTP PROJ (Other funds expenses)	$2,602.82	$0.00	$2,602.82	$33,492.00	
FUEL TANK OTP PROJ (General Fund 1x Project Expenses)	$11,797.18	$0.00	$11,797.18	$141,508.00	
PWOT20FUEL - FY20 FUEL TANK @ SERVICE CTR Total	**$14,400.00**	**$0.00**	**($160,600.00)**	**$175,000.00**	
SERVICE CENTER RENOVATION PROJECT TOTAL	**$129,600.00**	**$0.00**	**($2,363,800.00)**	**$2,584,200.00**	

NOTE: The negative amounts are revenues/funding sources. Projects without funding sources listed here are funded through internal funding sources such as Utility CIP funds.

STAFF REPORT

MEETING: City Council - 03 Aug 2021

TITLE:
Receive the Fiscal Year 2021 Third Quarter Investment Report as of June 30, 2021.

FY 2019 CITY COUNCIL ORGANIZATIONAL WORKPLAN:

- **1. Most engaged citizens in America**
  - **Goal 2: Maximize city and community resources to improve quality of life in a sustainable manner.**

STAFF RESPONSIBLE:
Edena Atmore, CPA, CPM, CPFO, CGFO, CPFIM, CGMA
Interim Finance Director

BACKGROUND/HISTORY:
PFIA (Public Funds Investment Act) recommends quarterly investment reports to be provided to the governing body. This report will cover Fiscal Year 2021 third quarter investment activity and interest earnings. The City of Duncanville Investment Report will cover beginning and ending investment balances and summarize investment activity from March 31, 2021 through June 30, 2021. All investments must comply with PFIA requirements and guidelines.

POLICY EXPLANATION:
The beginning investment balance at March 31, 2021 was $75,621,280 with an ending balance at June 30, 2021 of $73,105,039. The portfolio decreased overall by $2,516,241. Interest rates continued to remain low during the quarter as the economy struggles under the weight of the pandemic. The LOGIC government investment pool yield declined by 5 basis points during the period. As a reminder, 100 basis points equates to 1%. Due to longer term investments in CDs prior to the interest rate decline, the average rate earned by the City is significantly higher than the pool and treasury bill rates as demonstrated on page 4 of the attached report. The City average rate of return declined from 44.5 basis points to 35 basis points during the period.

All CDs and Money Market investments are fully secured at 102% of principal by pledged collateral, Letters of Credit held by the Federal Home Loan Bank, and FDIC insurance currently at $250,000 per institution. Overall, Duncanville's investment interest earnings totaled $ 60,178 for the quarter ended June 30, 2021.

FUNDING SOURCE:
N/A

Contract Log #:
N/A

RECOMMENDATION:
There is no City Council action required.

ATTACHMENTS:
Investment Report Qtr 3 FY21 Final

Duncanville
City of Champions

City of Duncanville, Texas

QUARTERLY INVESTMENT REPORT

For the Quarter Ended

June 30, 2021

Prepared by
Valley View Consulting, L.L.C.

The investment portfolio of the City of Duncanville is in compliance with the Public Funds Investment Act and the Investment Policy and Strategies.

Agustin (Gus) Garcia, Director of Economic Development

Edena Atmore, Interim Finance Director

Lauren Peterson

Lauren Peterson, Accountant

Disclaimer: These reports were compiled using information provided by the City of Duncanville. No procedures were performed to test the accuracy or completeness of this information. The market values included in these reports were obtained by Valley View Consulting, L.L.C. from sources believed to be accurate and represent proprietary valuation. Due to market fluctuations these levels are not necessarily reflective of current liquidation values. Yield calculations are not determined using standard performance formulas, are not representative of total return yields, and do not account for investment advisor fees.

Strategy Summary

Quarter End Results by Investment Category:

Asset Type	March 31, 2021 Book Value	March 31, 2021 Market Value	June 30, 2021 Book Value	June 30, 2021 Market Value	Ave. Yield
DDA	$ 2,687,449	$ 2,687,449	$ 2,313,490	$ 2,313,490	0.59%
MMA/LGIPs	29,433,831	29,433,831	27,156,710	27,156,710	0.33%
CDs	43,500,000	43,500,000	43,634,839	43,634,839	0.35%
Totals	**$ 75,621,280**	**$ 75,621,280**	**$ 73,105,039**	**$ 73,105,039**	0.35%

Current Quarter Weighted Average Yield (1)

Total Portfolio	0.35%
Rolling Three Month Treasury	0.02%
Rolling Six Month Treasury	0.06%
TexPool	0.01%

Fiscal Year-to-Date Weighted Average Yield (2)

Total Portfolio	0.50%
Rolling Three Month Treasury	0.06%
Rolling Six Month Treasury	0.09%
Average Monthly TexPool	0.06%

Interest Earnings (Approximate)

Quarterly Interest Income	$ 60,178
Year-to-date Interest Income	$ 259,138

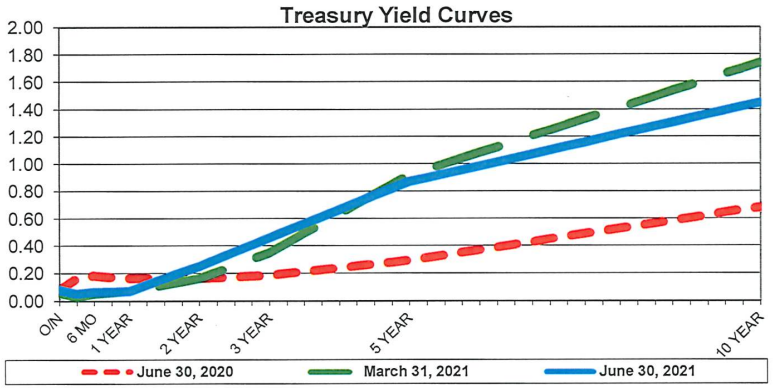
(1) **Current Quarter Weighted Average Yield** - calculated using quarter end report yields and adjusted book values and does not reflect a total return analysis or account for advisory fees. The yield for the reporting month is used for bank and money market balances.

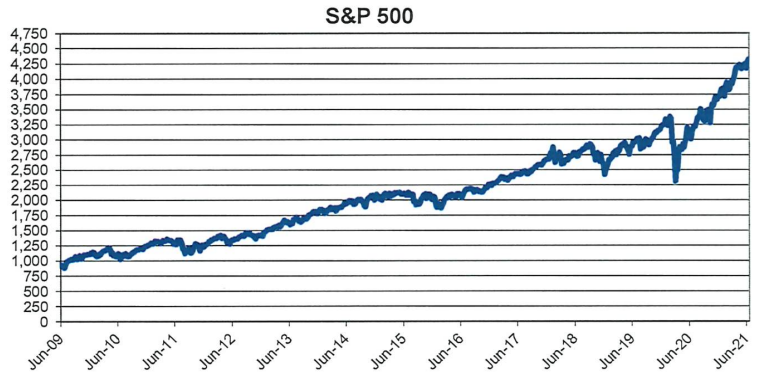
(2) **Fiscal Year-to-Date Weighted Average Yield** - calculated using quarter end report yields and adjusted book values and does not reflect a total return analysis or account for advisory fees.

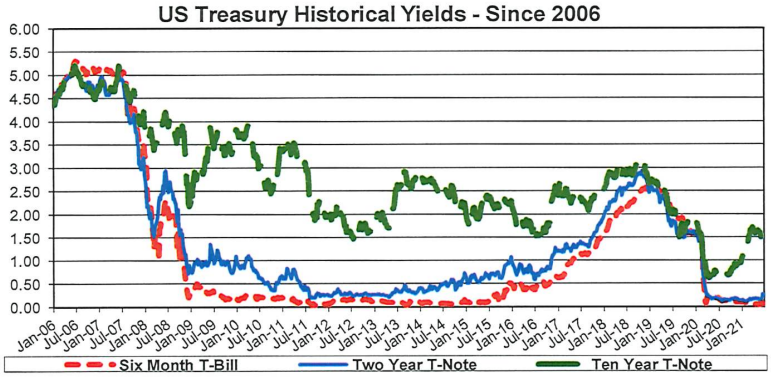
Economic Overview

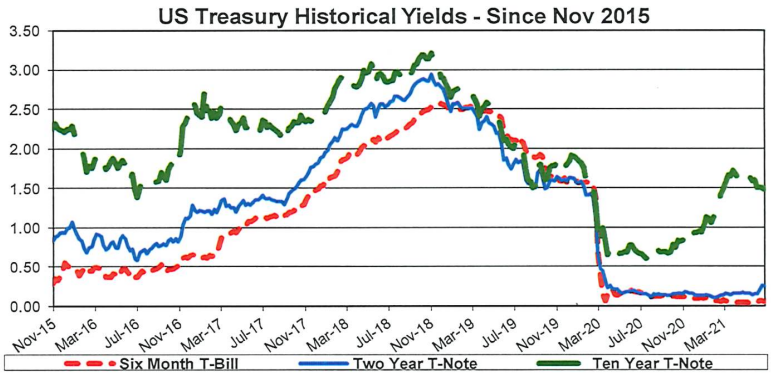
6/30/2021

The Federal Open Market Committee (FOMC) maintained the Fed Funds target range at 0.00% to 0.25% (Effective Fed Funds are trading <0.10%), and projects that reduced rates could remain into 2023. First Quarter GDP posted +6.4% (Final). In June, Payrolls added 850k and Unemployment (U2) rose slightly to 5.9%. Crude oil traded up to +/-$75 per barrel. The Stock Markets reached new highs. Housing, Industrial Production, Durable Goods, Consumer Spending, and other indicators moderated and showed signs of strain. The Biden administration and Congress continue to negotiate an infrastructure package. Inflation surged over the FOMC 2+% target, but is considered to be temporary. The Yield Curve "humped" slightly in the two-to-three year maturity sector while the long end fell.









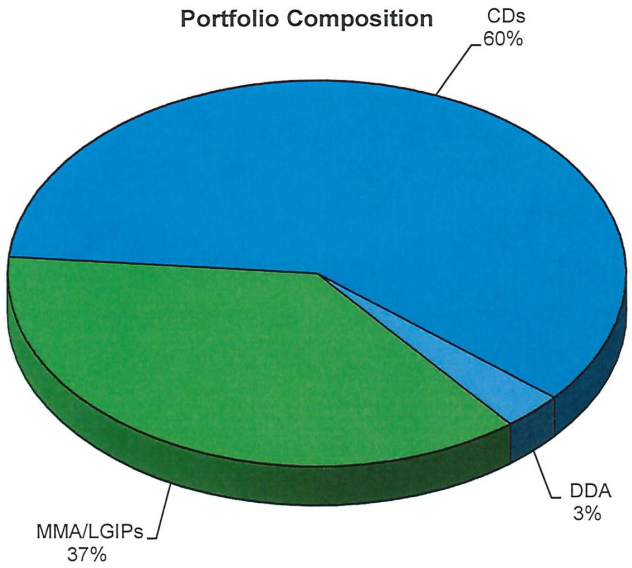
Investment Holdings

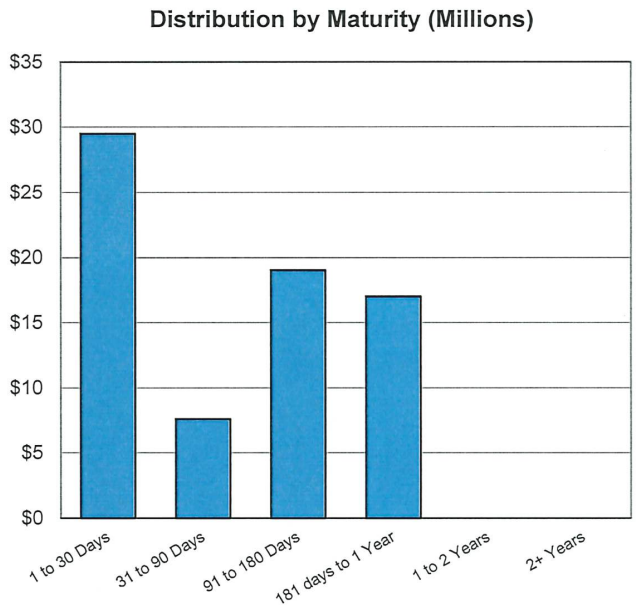
June 30, 2021

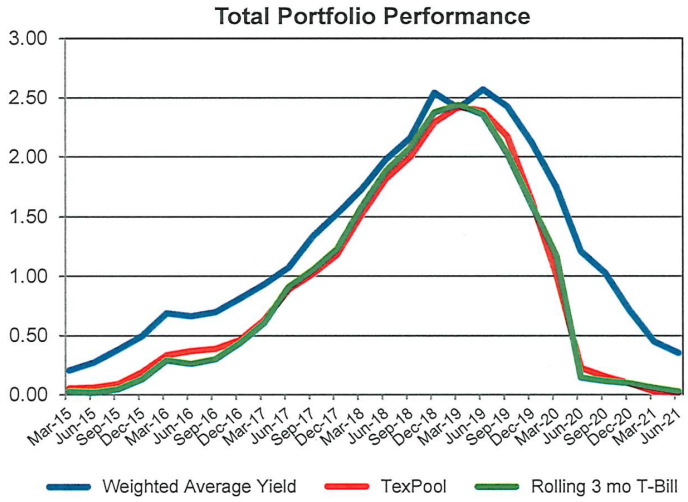
Description	Ratings	Coupon/ Discount	Maturity Date	Settlement Date	Par Value	Book Value	Market Price	Market Value	Life (days)	Yield
Wells Fargo Bank DDA		0.59%	07/01/21	06/30/21	$ 2,313,490	$ 2,313,490	1.00	$ 2,313,490	1	0.59%
NexBank MMA		0.45%	07/01/21	06/30/21	10,622,474	10,622,474	1.00	10,622,474	1	0.45%
NexBank MMA/ICS		0.45%	07/01/21	06/30/21	7,809,258	7,809,258	1.00	7,809,258	1	0.45%
Prosperity Bank MMA		0.15%	07/01/21	06/30/21	2,003,029	2,003,029	1.00	2,003,029	1	0.15%
TexPool	AAAm	0.01%	07/01/21	06/30/21	5,036	5,036	1.00	5,036	1	0.01%
LOGIC LGIP	AAAm	0.06%	07/01/21	06/30/21	6,716,913	6,716,913	1.00	6,716,913	1	0.06%
Prosperity Bank CD		0.40%	09/10/21	09/10/20	6,520,871	6,520,871	100.00	6,520,871	72	0.40%
Prosperity Bank CD		2.80%	09/20/21	03/20/19	1,063,901	1,063,901	100.00	1,063,901	82	2.80%
Prosperity Bank CD		0.25%	09/30/21	11/19/20	3,003,740	3,003,740	100.00	3,003,740	92	0.25%
Prosperity Bank CD		0.30%	10/22/21	10/22/20	7,014,499	7,014,499	100.00	7,014,499	114	0.30%
Prosperity Bank CD		0.30%	11/19/21	11/19/20	6,011,047	6,011,047	100.00	6,011,047	142	0.30%
Prosperity Bank CD		0.40%	11/23/21	09/23/20	3,009,206	3,009,206	100.00	3,009,206	146	0.40%
American Nat'l Bank of TX CD		0.25%	02/01/22	02/02/21	6,006,123	6,006,123	100.00	6,006,123	216	0.25%
Prosperity Bank CD		0.20%	03/28/22	03/26/21	7,003,721	7,003,721	100.00	7,003,721	271	0.20%
Prosperity Bank CD		0.20%	04/12/22	04/12/21	4,001,732	4,001,732	100.00	4,001,732	286	0.20%
					$ 73,105,039	**$ 73,105,039**		**$ 73,105,039**	**100**	**0.35%**
									(1)	**(2)**

(1) Weighted average life - For purposes of calculating weighted average life, bank accounts and money market funds are assumed to have an one day maturity.

(2) Weighted average yield to maturity - The weighted average yield to maturity is based on adjusted book value, realized and unrealized gains/losses and investment advisory fees are not considered. The yield for the reporting month is used for bank accounts and money market funds.


Portfolio Composition
CDs
60%
DDA
3%
MMA/LGIPs
37%


Distribution by Maturity (Millions)
$35
$30
$25
$20
$15
$10
$5
$0
1 to 30 Days
31 to 90 Days
91 to 180 Days
181 days to 1 Year
1 to 2 Years
2+ Years


Total Portfolio Performance
3.00
2.50
2.00
1.50
1.00
0.50
0.00
Mar-15
Jun-15
Sep-15
Dec-15
Mar-16
Jun-16
Sep-16
Dec-16
Mar-17
Jun-17
Sep-17
Dec-17
Mar-18
Jun-18
Sep-18
Dec-18
Mar-19
Jun-19
Sep-19
Dec-19
Mar-20
Jun-20
Sep-20
Dec-20
Mar-21
Jun-21
Weighted Average Yield
TexPool
Rolling 3 mo T-Bill

Book & Market Value Comparison

Issuer/Description	Yield	Maturity Date	Book Value 03/31/21	Increases	Decreases	Book Value 06/30/21	Market Value 03/31/21	Change in Market Value	Market Value 06/30/21
Wells Fargo Bank DDA	0.59%	07/01/21	$ 2,687,449	$ –	$ (373,959)	$ 2,313,490	$ 2,687,449	$ (373,959)	$ 2,313,490
NexBank MMA	0.45%	07/01/21	10,610,565	11,909	–	10,622,474	10,610,565	11,909	10,622,474
NexBank MMA/ICS	0.45%	07/01/21	7,800,502	8,756	–	7,809,258	7,800,502	8,756	7,809,258
Prosperity Bank MMA	0.15%	07/01/21	2,002,281	749	–	2,003,029	2,002,281	749	2,003,029
TexPool	0.01%	07/01/21	5,036	–	–	5,036	5,036	–	5,036
LOGIC LGIP	0.06%	07/01/21	9,015,448	–	(2,298,535)	6,716,913	9,015,448	(2,298,535)	6,716,913
Prosperity Bank CD	0.90%	04/02/21	4,000,000	–	(4,000,000)	–	4,000,000	(4,000,000)	–
Prosperity Bank CD	0.40%	09/10/21	6,500,000	20,871	–	6,520,871	6,500,000	20,871	6,520,871
Prosperity Bank CD	2.80%	09/20/21	1,000,000	63,901	–	1,063,901	1,000,000	63,901	1,063,901
Prosperity Bank CD	0.25%	09/30/21	3,000,000	3,740	–	3,003,740	3,000,000	3,740	3,003,740
Prosperity Bank CD	0.30%	10/22/21	7,000,000	14,499	–	7,014,499	7,000,000	14,499	7,014,499
Prosperity Bank CD	0.30%	11/19/21	6,000,000	11,047	–	6,011,047	6,000,000	11,047	6,011,047
Prosperity Bank CD	0.40%	11/23/21	3,000,000	9,206	–	3,009,206	3,000,000	9,206	3,009,206
American Nat'l Bank of TX CD	0.25%	02/01/22	6,000,000	6,123	–	6,006,123	6,000,000	6,123	6,006,123
Prosperity Bank CD	0.20%	03/28/22	7,000,000	3,721	–	7,003,721	7,000,000	3,721	7,003,721
Prosperity Bank CD	0.20%	04/12/22	–	4,001,732	–	4,001,732	–	4,001,732	4,001,732
TOTAL/AVERAGE	**0.35%**		**$ 75,621,280**	**$ 4,156,252**	**$ (6,672,494)**	**$ 73,105,039**	**$ 75,621,280**	**$ (2,516,241)**	**$ 73,105,039**

Allocation
June 30, 2021

Book & Market Value

	Total	General	Utility	Debt Service	Comp. Self Insurance	Hotel/Motel Tax	Economic Development
Wells Fargo Bank DDA	$ 2,313,490	$ 2,313,490	$ –	$ –	$ –	$ –	$ –
NexBank MMA	10,622,474	6,378,854	3,714,846	–	–	–	–
NexBank MMA/ICS	7,809,258	–	–	–	–	–	–
Prosperity Bank MMA	2,003,029	1,502,272	500,757	–	–	–	–
TexPool LGIP	5,036	5,036	–	–	–	–	–
LOGIC LGIP	6,716,913	2,339,602	891,899	425,502	410,292	110,040	530,328
09/10/21–Prosperity Bank CD	6,520,871	6,520,871	–	–	–	–	–
09/20/21–Prosperity Bank CD	1,063,901	–	–	–	–	–	–
09/30/21–Prosperity Bank CD	3,003,740	–	–	–	–	–	–
10/22/21–Prosperity Bank CD	7,014,499	7,014,499	–	–	–	–	–
11/19/21–Prosperity Bank CD	6,011,047	6,011,047	–	–	–	–	–
11/23/21–Prosperity Bank CD	3,009,206	1,504,603	1,504,603	–	–	–	–
02/01/22–American Nat'l Bank of TX CD	6,006,123	6,006,123	–	–	–	–	–
03/28/22–Prosperity Bank CD	7,003,721	7,003,721	–	–	–	–	–
04/12/22–Prosperity Bank CD	4,001,732	–	–	–	–	–	–
Total	**$ 73,105,039**	**$46,600,117**	**$ 6,612,104**	**$ 425,502**	**$ 410,292**	**$ 110,040**	**$ 530,328**

Allocation
June 30, 2021

(Continued)

Book & Market Value

	Drainage Fees	Capital Replacement	Utility Capital Improvement	Court Technology	Solid Waste	Capital Projects Construction	Court Security	Juvenile Case Manager
Wells Fargo Bank DDA	$ –	$ –	$ –	$ –	$ –	$ –	$ –	$ –
NexBank MMA	–	528,775	–	–	–	–	–	–
NexBank MMA/ICS	–	–	–	–	–	7,809,258	–	–
Prosperity Bank MMA	–	–	–	–	–	–	–	–
TexPool LGIP	–	–	–	–	–	–	–	–
LOGIC LGIP	105,394	380,182	131,482	303,155	355,834	416	543,429	189,360
09/10/21–Prosperity Bank CD	–	–	–	–	–	–	–	–
09/20/21–Prosperity Bank CD	–	–	–	–	–	1,063,901	–	–
09/30/21–Prosperity Bank CD	–	–	–	–	–	3,003,740	–	–
10/22/21–Prosperity Bank CD	–	–	–	–	–	–	–	–
11/19/21–Prosperity Bank CD	–	–	–	–	–	–	–	–
11/23/21–Prosperity Bank CD	–	–	–	–	–	–	–	–
02/01/22–American Nat'l Bank of TX CD	–	–	–	–	–	–	–	–
03/28/22–Prosperity Bank CD	–	–	–	–	–	–	–	–
04/12/22–Prosperity Bank CD	–	–	–	–	–	4,001,732	–	–
Total	**$ 105,394**	**$ 908,957**	**$ 131,482**	**$ 303,155**	**$ 355,834**	**$ 15,879,046**	**$ 543,429**	**$ 189,360**

Allocation
March 31, 2021

Book & Market Value

	Total	General	Utility	Debt Service	Comp. Self Insurance	Hotel/Motel Tax	Economic Development
Wells Fargo Bank DDA	$ 2,687,449	$ 2,687,449	$ –	$ –	$ –	$ –	$ –
NexBank MMA	10,610,565	6,371,702	3,710,681	–	–	–	–
NexBank MMA/ICS	7,800,502	–	–	–	–	–	–
Prosperity Bank MMA	2,002,281	1,501,710	500,570	–	–	–	–
TexPool LGIP	5,036	5,036	–	–	–	–	–
LOGIC LGIP	9,015,448	4,238,999	1,291,723	425,418	410,211	110,018	530,223
04/02/21–Prosperity Bank CD	4,000,000	–	–	–	–	–	–
09/10/21–Prosperity Bank CD	6,500,000	6,500,000	–	–	–	–	–
09/20/21–Prosperity Bank CD	1,000,000	–	–	–	–	–	–
09/30/21–Prosperity Bank CD	3,000,000	–	–	–	–	–	–
10/22/21–Prosperity Bank CD	7,000,000	7,000,000	–	–	–	–	–
11/19/21–Prosperity Bank CD	6,000,000	6,000,000	–	–	–	–	–
11/23/21–Prosperity Bank CD	3,000,000	1,500,000	1,500,000	–	–	–	–
02/01/22–American Nat'l Bank of TX CD	6,000,000	6,000,000	–	–	–	–	–
03/28/21–Prosperity Bank CD	7,000,000	7,000,000	–	–	–	–	–
Total	**$ 75,621,280**	**$48,804,896**	**$ 7,002,974**	**$ 425,418**	**$ 410,211**	**$ 110,018**	**$ 530,223**

Allocation
March 31, 2021

(Continued)

Book & Market Value

	Drainage Fees	Capital Replacement	Utility Capital Improvement	Court Technology	Solid Waste	Capital Projects Construction	Court Security	Juvenile Case Manager
Wells Fargo Bank DDA	$ –	$ –	$ –	$ –	$ –	$ –	$ –	$ –
NexBank MMA	–	528,182	–	–	–	–	–	–
NexBank MMA/ICS	–	–	–	–	–	7,800,502	–	–
Prosperity Bank MMA	–	–	–	–	–	–	–	–
TexPool LGIP	–	–	–	–	–	–	–	–
LOGIC LGIP	105,373	380,107	131,456	303,095	355,764	416	543,321	189,322
04/02/21–Prosperity Bank CD	–	–	–	–	–	4,000,000	–	–
09/10/21–Prosperity Bank CD	–	–	–	–	–	–	–	–
09/20/21–Prosperity Bank CD	–	–	–	–	–	1,000,000	–	–
09/30/21–Prosperity Bank CD	–	–	–	–	–	3,000,000	–	–
10/22/21–Prosperity Bank CD	–	–	–	–	–	–	–	–
11/19/21–Prosperity Bank CD	–	–	–	–	–	–	–	–
11/23/21–Prosperity Bank CD	–	–	–	–	–	–	–	–
02/01/22–American Nat'l Bank of TX CD	–	–	–	–	–	–	–	–
03/28/21–Prosperity Bank CD	–	–	–	–	–	–	–	–
Total	**$ 105,373**	**$ 908,289**	**$ 131,456**	**$ 303,095**	**$ 355,764**	**$ 15,800,917**	**$ 543,321**	**$ 189,322**

Interest Revenue Report
Quarter Ended June, 30, 2021

	Total	General	Utility	Debt Service	Comp. Self Insurance	Hotel/Motel Tax	Economic Development
NexBank MMA	$ 11,909	$ 7,151	$ 4,165	$ –	$ –	$ –	$ –
NexBank MMA/ICS	8,756	–	–	–	–	–	–
Prosperity Bank MMA	749	562	187	–	–	–	–
TexPool LGIP	–	–	–	–	–	–	–
LOGIC LGIP	1,465	603	176	84	81	22	104
04/02/21–Prosperity Bank CD	290	–	–	–	–	–	–
09/10/21–Prosperity Bank CD	6,482	6,482	–	–	–	–	–
09/20/21–Prosperity Bank CD	6,981	–	–	–	–	–	–
09/30/21–Prosperity Bank CD	1,870	–	–	–	–	–	–
10/22/21–Prosperity Bank CD	5,236	5,236	–	–	–	–	–
11/19/21–Prosperity Bank CD	4,488	4,488	–	–	–	–	–
11/23/21–Prosperity Bank CD	2,992	1,496	1,496	–	–	–	–
02/01/22–American Nat'l Bank of TX CD	3,740	3,740	–	–	–	–	–
03/28/22–Prosperity Bank CD	3,490	3,490	–	–	–	–	–
04/12/22–Prosperity Bank CD	1,732	–	–	–	–	–	–
Total	**$ 60,178**	**$ 33,247**	**$ 6,023**	**$ 84**	**$ 81**	**$ 22**	**$ 104**

Interest Revenue Report
Quarter Ended June, 30, 2021

(Continued)

	Drainage Fees	Capital Replacement	Utility Capital Improvement	Court Technology	Solid Waste	Capital Projects Construction	Court Security	Juvenile Case Manager
NexBank MMA	$ –	$ 593	$ –	$ –	$ –	$ –	$ –	$ –
NexBank MMA/ICS	–	–	–	–	–	8,756	–	–
Prosperity Bank MMA	–	–	–	–	–	–	–	–
TexPool LGIP	–	–	–	–	–	–	–	–
LOGIC LGIP	21	75	26	60	70	–	107	37
04/02/21–Prosperity Bank CD	–	–	–	–	–	290		
09/10/21–Prosperity Bank CD	–	–	–	–	–	–	–	–
09/20/21–Prosperity Bank CD	–	–	–	–	–	6,981	–	–
09/30/21–Prosperity Bank CD	–	–	–	–	–	1,870	–	–
10/22/21–Prosperity Bank CD	–	–	–	–	–	–	–	–
11/19/21–Prosperity Bank CD	–	–	–	–	–	–	–	–
11/23/21–Prosperity Bank CD	–	–	–	–	–	–	–	–
02/01/22–American Nat'l Bank of TX CD	–	–	–	–	–	–	–	–
03/28/22–Prosperity Bank CD	–	–	–	–	–	–	–	–
04/12/22–Prosperity Bank CD	–	–	–	–	–	1,732	–	–
Total	**$ 21**	**$ 668**	**$ 26**	**$ 60**	**$ 70**	**$ 19,628**	**$ 107**	**$ 37**