

Duncanville City Council Meeting Minutes

Regular Meeting

Tuesday, August 16, 2022

CALL TO ORDER

A regular meeting of the Duncanville City Council was called to order on Tuesday, August 16, 2022, at 6:00 p.m. in the Council Briefing Room at City Hall with a quorum to wit:

COUNCIL PRESENT: Mayor Pro Tem Joe Veracruz
Councilmember Don McBurnett
Councilmember Greg Contreras

COUNCIL ARRIVING AT: Councilmember Jeremy Koontz – 6:02 p.m.
Councilmember At-Large Patrick Harvey – 7:48 p.m.

COUNCIL ABSENT: Mayor Barry L. Gordon

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 16, 2022 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 view the live meeting or previous meetings, click on the link below.
<https://duncanvilletx.new.swagit.com/views/454/>

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

- Submit a comment by 4:00 p.m. on Tuesday, August 16, 2022.
- Email citysecretary@duncanville.com
- Email title: Public Comment – August 16th.
- First and Last Name; and address

I. WORK SESSION / BRIEFING

I.1. DISCUSS AGENDA ITEMS

Mayor Pro Tem Veracruz read the item into the record, and City Manager Ferrell-Benavides reviewed each item. Councilmember McBurnett requested Item 5H – Civil Service Appointment be moved to the Consent Agenda.

I.2. BRIEFINGS / PRESENTATIONS

I.2.A. *Discuss and review the plans for the outdoor fitness project.*

Parks and Rec Director Stevenson presented the item.

Council approved up to \$350,000 for outdoor fitness equipment from the ARPA funds at the June 7, 2022, meeting.

- Armstrong Park – 13 stations
- Red Bird Park – 7 stations
- Lions Park – 7 stations

Staff contacted the local vendor for Greenfields Fitness Equipment – the same equipment utilized in Pyburn Park.

- Allows for continuity and ease of maintenance

Councilmember Koontz requested equipment not be placed by historical items. Council agreed.

I.2.B. Discuss City Council Calendar.

City Secretary Downs presented the item.

Mayor Pro Tem Veracruz recessed the Briefing Session at 6:32 p.m. for City Council to convene into Executive Session.

II. EXECUTIVE SESSION

The Executive Session was called into session at 6:33 p.m., and City Attorney Hager read the item into record.

II.1 City Council shall convene into closed executive session pursuant to Section 551.072 Texas Govt Code to deliberate the sale, exchange, lease, or value of real property owned by the City south of Wheatland, east of Main and west of SH 67.

The Council closed the Executive Session at 7:09 p.m.

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

The City Council convened into Regular Session in the Council Chambers at 7:19 p.m. with Mayor Pro Tem Veracruz presiding.

Deacon Gene Freeman of Holy Spirit Catholic Church delivered the Invocation.

Mayor Pro Tem Veracruz led the Pledge of Allegiance and Texas Pledge.

III.1. REPORTS

III.1.A. Mayor's Report.

None.

III.1.B. Councilmembers' Reports

Councilmember McBurnett encouraged citizens to volunteer with the Visiting Nurse Associations for Meals on Wheels.

Councilmember Koontz recognized Emily Bridges and Mary Jocken, who helped with the clean-up event.

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

City Manager Ferrell-Benavides spoke on upcoming City Events.

III.2. PROCLAMATIONS AND PRESENTATIONS

None.

III.3. CITIZENS' INPUT

"Pursuant to Section 551.007 of the Texas Gov't Code, any member of the public has the opportunity to address the City Council concerning any matter of public business or any posted agenda item; however, the Act prohibits the City Council from deliberating any issues not on the public agenda and such non-agenda issues may be referred to City staff for research and any future action; all persons addressing are subject to council adopted rules and limitations permitted by law" At this time, two-minute comments will be taken from the audience on any topic. To address the Council, please submit a fully-completed request card to the City Secretary prior to the beginning of the Citizens' Input portion of the Council meeting. In accordance with the Texas Open Meetings Act, the City Council cannot discuss issues raised or make any decisions at this time. Issues may be referred to City Staff for research and possible future action.

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

- Submit a comment by 4:00 p.m. on Tuesday, August 16, 2022.
- Email citysecretary@duncanville.com
- Email title: Public Comment – August 16th.
- First and Last Name; and address

Mayor Pro Tem Veracruz read the item into record. The following spoke during the Citizens Input Period:

Erika Browning, 442 East Cherry Street – spoke on the budget.

Emily Bridges, 418 Oleander – spoke on litter.

Patricia Ebert, 115 South Greenstone – spoke on staff and budget.

III.4. CONSENT AGENDA

Mayor Pro Tem Veracruz requested that City Secretary Kristin Downs read the Consent Agenda Items.

III.4.A. Consider the Minutes for the Date, Year City Council Regular Meeting.

- 2022-06-07 - City Council - Minutes - UNAPPROVED
- 2022-06-21 - City Council - Minutes - UNAPPROVED
- 2022-06-27 - Special - City Council - Minutes - UNAPPROVED
- 2022-07-18 - Special - City Council - Minutes - UNAPPROVED
- 2022-07-21- Special - City Council - Minutes - UNAPPROVED
- 2022-07-25 - Special - City Council - Minutes - UNAPPROVED
- 2022-07-26- Special - City Council - Minutes - UNAPPROVED

III.4.B. Consider a Resolution approving the terms and conditions of contract amendment #3 to Professional Engineering Services Agreement 19-035 for the design of the Daniel Dale Rd Street and Subsurface Utilities Reconstruction from Main Street to US-67.

III.4.C. Consider a Resolution approving an interlocal agreement between the City of Dallas, Texas, and the City of Duncanville, Texas, for the Duncanville 16-Inch Water Transmission Main Relocation Project.

III.4.D. Consider a Resolution approving the proposal for city paid employee and retiree medical and prescription plan with Blue Cross Blue Shield of Texas for a one-year agreement.

**III.5.H. Consider a Resolution confirming the City Manager's reappointment of Lia Polk as a member of the Duncanville Civil Service Commission for a three (3) year term, to expire October 31, 2025.
moved to consent**

Councilmember Greg Contreras made a motion to approve the item as stated, Councilmember Don McBurnett seconded the motion. The vote was cast 5 for, 0 against, with Mayor Barry L. Gordon and Councilmember At-Large Patrick Harvey absent. Items passed.

III.5. ITEMS FOR INDIVIDUAL CONSIDERATION

III.5.A. Conduct a Public Hearing for consideration and action regarding the request of Peter D'Amato, applicant and owner, to include a Specific Use Permit "SUP" for Short-Term Rental on Winona Gardens 2, Block 4 S 100 FT, Lot 12, more commonly known as 203 North Casa Grande Circle, Duncanville, Dallas County, Texas.

Director of Planning & Neighborhood Services Tennant presented the item.

Variance Request:

- To allow a short-term rental to be allowed at the petitioned address.

Future Land Use Map Designation

- Low Density Residential

Zoning District

- SF-10 Single-Family Residential District

Code Section & Requirements

- Section 3.04(B)(8) – Short-Term Rental Standards

- Short-Term Rental(s) must obtain a SUP in all residential and office/retail districts; are not allowed in commercial and industrial districts; are allowed in downtown districts

Code Section & Requirements – Comprehensive Zoning Ordinance

- Defined as a residential unit offered for rental to guests for residential purposes for a period of one (1) to thirty (30) nights. Examples include, but are not limited to, Airbnb, HomeAway, and other brokers. Such rentals may include a shared room, a single room, or the entire dwelling unit between a homeowner and tenant.

What is not a Short-term Rental

- *A Long-Term Rental* is defined as a single-family dwelling, two-family dwelling (duplex) and townhouse, or portion thereof that is rented or offered for rent for longer than 30 days as a residence to a non-family member.
- *A Boarding House* is defined as a temporary or permanent residence that provides housing for four (4) or more unrelated people. Such use is not licensed by the State.
- *A Bed and Breakfast* is defined as generally small, owner-operated businesses providing the primary financial support of the owner. Usually, the owner lives on premises. The building's primary usage is for business. Inns advertise, appropriate taxes, and post signs. Breakfast is the only meal served and only to overnight guests. The inn may host events such as weddings, small business meetings, etc. Room numbers range from four (4) to twenty (20). Reservations may be made directly with the property.

16 Mailings Sent Out

0 Replied in Favor

2 Replied in Not In Favor

During the July 19, 2022, the Planning and Zoning Commission recommended approval of the request.

Proviso(s)/Condition(s) for Consideration

- No Loud and raucous noise may be present on the property between the hours of 10:00 p.m. and 7:00 a.m.
- The SUP will be removed if the location receives three (3) substantiated complaints from neighboring property owners for excessive noise or traffic within a twenty-four (24) month period.
- The property must continue to be in good standing by not having any outstanding issues related to taxes or code compliance provisions.
- A report must be submitted to Planning staff each January that indicates the following:
 - The number of nights the unit was rented as a Short-Term Rental in the previous year
 - Proof of payment of Hotel Occupancy Tax
 - Proof of current property insurance
- The property will be suspended or removed from the registration list for one (1) year if false or misleading information is provided, there has been a violation of the terms, conditions, or restrictions or if the Hotel Occupancy Tax has not been paid in a timely manner.
- Continued operation of a short-term rental following suspension or removal from the registration list will be considered a violation of the City of Duncanville's Comprehensive Zoning Ordinance.

Public Hearing opened at 7:43 p.m.

In favor:

Peter D'Amato, 211 North Casa Grande Circle – spoke.

Ethan D'Amato, 211 North Casa Grande Circle – spoke.

Joshua D'Amato, 211 North Casa Grande Circle – spoke.
Molly D'Amato, 211 North Casa Grande Circle – spoke.
Ruth Carlson, 822 Sherrill
Stu Carlson, 822 Sherrill

{Councilmember At-Large Harvey joined the meeting at 7:48 p.m.}

Opposed:

Cathy Ordemann, 313 North Casa Grande Circle – spoke.
Henry Polley, 310 North Casa Grande Circle – spoke.
Kenneth Arnven, 702 Hopkins Ave
Dorothy Schearer, 108 North Casa Grande C

Councilmember Don McBurnett made a motion to close the Public Hearing, Councilmember Greg Contreras seconded the motion. The vote was cast 6 for, 0 against, with Mayor Barry L. Gordon absent.

Public Hearing closed 7:58 p.m.

City Attorney Hager stated there was an indicator there was an increased number in opposition. Is it in writing and does it constitute 20% of the property within 200ft? If so, that would require a supermajority vote.

Staff left to verify.

City Council tabled Items 5A and 5B, for Staff to provide the results.

III.5.B. Conduct a Public Hearing for consideration and action regarding the request of Peter D'Amato, applicant and owner, to include a Specific Use Permit "SUP" for Short-Term Rental on Winona Gardens 2, Block 4, Lot 11, more commonly known as 211 North Casa Grande Circle, Duncanville, Dallas County, Texas.

City Council tabled Items 5A and 5B, for Staff to provide the results.

III.5.C. Conduct a Public Hearing regarding the request of Alejandro Mora, Applicant and Owner, to include a Specific Use Permit "SUP" for Carport on Paxton Acres, Block A, Lot 8, more commonly known as 218 Cedar Street, Duncanville, Dallas County, Texas.

Director of Planning & Neighborhood Services Tennant presented the item.

Variance Request

- To allow a 294 sq. ft. Carport to be allowed at the petitioned address.

Future Land Use Map Designation

- Low Density Residential

Zoning District

- SF-7 Single-Family Residential District

Code Section & Requirements

- Section 3.03 – Permitted Use Chart
- Carport(s) must obtain a SUP in all residential districts; are not allowed in retail, office, commercial and industrial districts; are not allowed in downtown districts

Code Section & Requirements – Comprehensive Zoning Ordinance

- Per 4.13(D)(4) Miscellaneous Standards:
 - Type B accessory buildings, including carports, 400 square feet or less shall be built with materials that are durable and resistant to deterioration.
 - Profiled panels, deep ridge panels, and concealed fastener systems are permitted.

- All vertical and horizontal structural members of carports shall be of 14-gauge steel or aluminum.
- Vertical supporting members shall be a minimum of three inches in diameter for circular posts or three inches by three inches for tubular posts.
- Low or single pitch carport roofs shall be of maintenance free materials (minimum 26-gauge steel or aluminum).
- Exterior finish for metal materials shall be baked enamel finish or painted to the manufacturer's specifications; unpainted metal finish is prohibited.
- The use of corrugated metal, plastic, or fiberglass panels is prohibited.
- Section 3.03 – Carport
 - An accessory structure made of canvas, aluminum, or similar materials, or any combination thereof, open on two or more sides for the shade and shelter of private passenger vehicles.

13 Mailings Sent Out
 0 Replied in Favor
 0 Replied in Not In Favor

During the July 25, 2022, the Planning and Zoning Commission recommended approval of the request.

Proviso(s)/Condition(s) for Consideration

- The carport will not be built with the identified prohibited materials.
- The carport will not encroach into the required front yard setback.

Public Hearing opened at 8:11 p.m.

In favor:
 No one spoke.

Opposed:
 No one spoke.

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

Public Hearing closed 8:12 p.m.

City Attorney Hager stated he provided a copy to Council of the translated letter that was provided in Spanish from Alejandro Mora.

Councilmember Don McBurnett made a motion to approve the item as stated, Councilmember Greg Contreras seconded the motion. The vote was cast 5 for, 0 against, with Mayor Barry L. Gordon absent. Item passed.

III.5.D. Conduct a Public Hearing regarding the request of Telese Clark, Applicant, representing Jordan Myller of B H Industrial LLC, Owner, to include a Specific Use Permit "SUP" for Adult Life Skills Center on Fairmeadows Village Replat, Block P, Lot 2R ACS 9.8519 AC, more commonly known as 328 East Camp Wisdom Road, Duncanville, Dallas County, Texas.

Director of Planning & Neighborhood Services Tennant presented the item.

Variance Request

- To rescind the SUP request to allow an adult day service at the petitioned address. The use is currently permitted within the current Comprehensive Zoning Ordinance.

Future Land Use Map Designation

- Retail (Opportunity Area 6)

Zoning District

- General Office Retail District

Opportunity Area 6

- Located south of I-20 east of Main Street comprising 45 developable acres
- Serves as a significant northern gateway into downtown.
- Abuts single family residential to the south and is adjacent to the Downtown District.
- Most parcels in the area front along Camp Wisdom and have an incomplete sidewalk network.
- Falls into the City's TIF District, meaning there is a potential for future reinvestment
- Envisioned as serving two primary purposes
 - An upscale retail/commercial and entertainment area serving as a key transition into Downtown along Camp Wisdom
 - High quality Interstate/Highway Commercial Development along I-20

Code Section & Requirements – Comprehensive Zoning Ordinance

- Defined as a facility that offers services and activities to senior citizens, including but not limited to counseling, assistance with daily tasks, exercise, transportation, and social activities. Such facilities do not include overnight stays.
- This is an application for renewal; however, the requested use is currently allowed within GOR.
 - Initially approved by City Council on December 6, 2016, under Ordinance No. 2294. The applicant has complied with the renewal conditions.

Section 3.03 Permitted Use Chart

- Adult Day Services are permitted within the following Districts:
 - Local Office Retail
 - General Office Retail
- Adult Day Services require a Specific Use Permit in the following Districts
 - Multifamily
 - Neighborhood Office Retail
- Adult Day Services are prohibited in the following Districts:
 - Single Family
 - Commercial
 - Industrial
 - Downtown

108 Mailings Sent Out

0 Replied in Favor

0 Replied in Not In Favor

During the July 25, 2022, the Planning and Zoning Commission recommended approval of the request.

Public Hearing opened at 8:18 p.m.

In favor:

No one spoke.

Opposed:

No one spoke.

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

Public Hearing closed at 8:19 p.m.

Councilmember Greg Contreras made a motion to approve the item as stated, Councilmember At-Large Patrick Harvey seconded the motion. The vote was cast 6 for, 0 against, with Mayor Barry L. Gordon absent.

III.5.E. Consider an Ordinance revising the operating budget for Fiscal Year 2021-2022 by appropriating supplemental revenues and revising expenditures.

Chief Innovation Officer Otey presented the item.

Purpose:

- Provide an overview of changes from FY 2022 ADOPTED to FY 2022 REVISED budgets
- Obtain approval by Council to modify the budget in our Financial System
- Increase transparency of funding allocation

Process:

- Departments completed a mid-year review of budgets and proposed changes
- Departments submitted requests to revise their budget with Board and/or Council approved items – ex. Economic Development grant

FY 2021-22 BUDGET REVISIONS	REVENUES			EXPENSES		
	FY 2022 ADOPTED	FY 2022 REVISED	DIFFERENCE	FY 2022 ADOPTED	FY 2022 REVISED	DIFFERENCE
Revenue						
001 - GENERAL FUND	34,309,933	35,080,959	771,026	(36,809,715)	(36,265,634)	(544,081)
002 - WATER/SEWER UTILITY FUND	18,026,096	17,293,269	(732,827)	(20,235,028)	(20,299,305)	64,277
005 - DEBT SERVICE FUND	1,410,657	1,410,157	(500)	(1,482,357)	(1,482,357)	(0)
008 - COMPREHENSIVE SELF INSURANCE	468,629	467,629	(1,000)	(551,200)	(640,000)	88,800
010 - HOTEL TAX FUND	734,550	881,000	146,450	(739,821)	(741,536)	1,715
012 - ECONOMIC DEVELOPMENT	2,781,174	3,081,326	300,152	(1,830,881)	(3,353,464)	1,522,583
013 - GRANT FUND	(0)	72,000	72,000	(352,160)	(424,160)	72,000
015 - DRAINAGE FUND	841,000	801,000	(40,000)	(1,933,214)	(696,970)	(1,236,244)
016 - FLEET/EQUIP REPR/REPLACE FUND	893,709	904,709	11,000	(2,161,838)	(2,003,213)	(158,625)
017 - UTILITY CAPITAL PROJECTS	5,000,500	5,000,500	(0)	(8,334,398)	(5,534,242)	(2,800,156)
019 - SANITATION FUND	4,168,500	4,120,500	(48,000)	(4,453,612)	(4,580,863)	127,251
020 - STREET/ALLEY CIP FUND	1,471,000	951,722	(519,279)	(1,001,737)	(453,766)	(547,972)
024 - PARK CAPITAL IMPROV FUND	(0)	5,220,000	5,220,000	(0)	(20,000)	20,000
025 - ALLEY IMPROVEMENT FUND	150,000	150,000	(0)	(230,591)	(22,444)	(208,147)
026 - CAPITAL IMPROVEMENT PROJ FUND	100,000	100,000	(0)	(10,439,101)	(9,007,432)	(1,431,669)
031 - TRAFFIC IMPROVEMENT & SAFETY	(0)	(0)	(0)	(0)	(243,522)	243,522
032 - INFO TECH REPAIR/REPLACE FUND	152,033	385,996	233,963	(129,800)	(229,800)	100,000
033 - TAX INCREMENT FINANCING FUND	75,575	75,575	(0)	(2,750)	(2,750)	(0)
041 - ONE-TIME PROJECTS	1,136,000	1,136,000	(0)	(2,703,103)	(2,830,022)	126,919
050 - POLICE FORFEITURE/SEIZURE FUND	1,300	1,300	(0)	(0)	(60,774)	60,774
051 - STATE ASSET FORFEITURE FUND	5,500	5,500	(0)	(79,248)	(79,248)	(0)
052 - FEDERAL ASSET FORFEITURE FUND	30,000	30,000	(0)	(37,736)	(96,576)	58,840
225 - COURT SECURITY FUND	12,000	8,600	(3,400)	(30,366)	(11,160)	(19,206)
230 - JUVENILE CASE MANAGER FUND	19,500	10,000	(9,500)	(26,109)	(26,209)	100
235 - COURT TECHNOLOGY	12,000	7,500	(4,500)	(970)	(0)	(970)
456 - FIELDHOUSE	1,884,975	1,940,225	55,250	(1,883,204)	(1,933,861)	50,657
757 - EMERGENCY/ DISASTER RELIEF	(0)	(0)	(0)	(0)	(0)	(0)
758 - AMERICAN RESCUE PLAN	(0)	4,800,000	4,800,000	(0)	(4,800,000)	4,800,000
Grand Total	\$73,684,631	\$83,935,467	\$10,250,836	(95,448,940)	(95,839,308)	\$390,368

Councilmember Jeremy Koontz made a motion to approve the item as stated, Councilmember At-Large Patrick Harvey seconded the motion. The vote was cast 6 for, 0 against, with Mayor Barry L. Gordon absent. Item passed.

III.5.A. Conduct a Public Hearing for consideration and action regarding the request of Peter D’Amato, applicant and owner, to include a Specific Use Permit “SUP” for Short-Term Rental on Winona Gardens 2, Block 4 S 100 FT, Lot 12, more commonly known as 203 North Casa Grande Circle, Duncanville, Dallas County, Texas.

City Manager Ferrell-Benavides stated although there were a number of letters in opposition, only two letters were found valid, therefore a supermajority vote would not be required.

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

III.5.B. Conduct a Public Hearing for consideration and action regarding the request of Peter D’Amato, applicant and owner, to include a Specific Use Permit “SUP” for Short-Term Rental on Winona Gardens 2, Block 4, Lot 11, more commonly known as 211 North Casa Grande Circle, Duncanville, Dallas County, Texas.

Director of Planning & Neighborhood Services Tennant presented the item.

Variance Request

- To allow a short-term rental to be allowed at the petitioned address.

Future Land Use Map Designation

- Low Density Residential

Zoning District

- SF-10 Single-Family Residential District

Code Section & Requirements

- Section 3.04(B)(8) – Short-Term Rental Standards
- Short-Term Rental(s) must obtain a SUP in all residential and office/retail districts; are not allowed in commercial and industrial districts; is allowed in downtown districts

Code Section & Requirements – Comprehensive Zoning Ordinance

- Defined as a residential unit offered for rental to guests for residential purposes for a period of one (1) to thirty (30) nights. Examples include, but are not limited to, Airbnb, HomeAway, and other brokers. Such rentals may include a shared room, a single room, or the entire dwelling unit between a homeowner and tenant.

What is not a Short-term Rental

- *A Long-Term Rental* is defined as a single-family dwelling, two-family dwelling (duplex) and townhouse, or portion thereof that is rented or offered for rent for longer than 30 days as a residence to a non-family member.
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- *A Bed and Breakfast* is defined as generally small, owner-operated businesses providing the primary financial support of the owner. Usually, the owner lives on premises. The building’s primary usage is for business. Inns advertise, appropriate taxes, and post signs. Breakfast is the only meal served and only to overnight guests. The inn may host events such as weddings, small business meetings, etc. Room numbers range from four (4) to twenty (20). Reservations may be made directly with the property.

16 Mailings Sent Out

0 Replied in Favor

1 Replied in Not In Favor

During the July 19, 2022, the Planning and Zoning Commission recommended approval of the request.

Proviso(s)/Condition(s) for Consideration

- No Loud and raucous noise may be present on the property between the hours of 10:00 p.m. and 7:00 a.m.
- The SUP will be removed if the location receives three (3) substantiated complaints from neighboring property owners for excessive noise or traffic within a twenty-four (24) month period.
- The property must continue to be in good standing by not having any outstanding issues related to taxes or code compliance provisions.
- A report must be submitted to Planning staff each January that indicates the following:

- The number of nights the unit was rented as a Short-Term Rental in the previous year
- Proof of payment of Hotel Occupancy Tax
- Proof of current property insurance
- The property will be suspended or removed from the registration list for one (1) year if false or misleading information is provided, there has been a violation of the terms, conditions, or restrictions or if the Hotel Occupancy Tax has not been paid in a timely manner.
- Continued operation of a short-term rental following suspension or removal from the registration list will be considered a violation of the City of Duncanville's Comprehensive Zoning Ordinance.

Public Hearing opened at 8:42 p.m.

In favor:

Peter D'Amato, 211 North Casa Grande Circle – spoke.
 Ethan D'Amato, 211 North Casa Grande Circle – spoke.
 Joshua D'Amato, 211 North Casa Grande Circle – spoke.
 Molly D'Amato, 211 North Casa Grande Circle – spoke.
 Ruth Carlson, 822 Sherrill
 Stu Carlson, 822 Sherrill

Opposed:

Cathy Ordemann, 313 North Casa Grande Circle – spoke.
 Henry Polley, 310 North Casa Grande Circle – spoke.
 Kenneth Arnven, 702 Hopkins Ave
 Dorothy Schearer, 108 North Casa Grande Circle
 Catherin Gosko, 106 North Casa Grande

Councilmember At-Large Patrick Harvey made a motion to close the Public Hearing, Councilmember Don McBurnett seconded the motion. The vote was cast 6 for, 0 against, with Mayor Barry L. Gordon absent.

Public Hearing closed at 8:48 p.m.

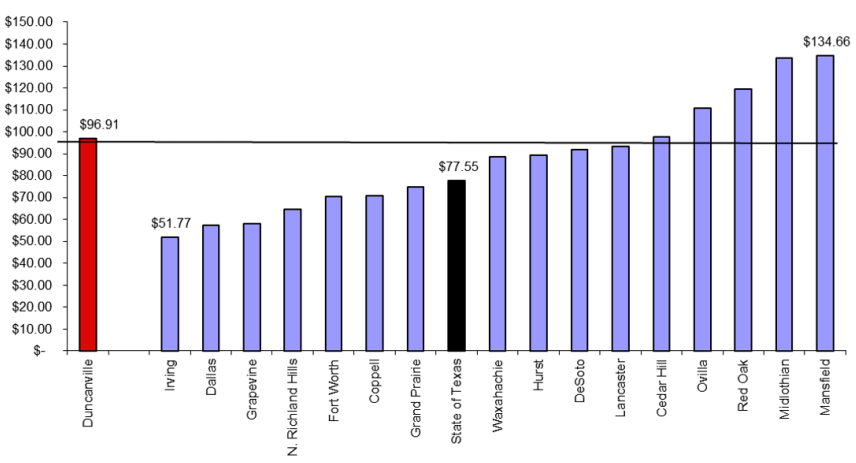
Councilmember Don McBurnett made a motion to approve the item as stated, Councilmember At-Large Patrick Harvey seconded the motion. The vote was cast 6 for, 0 against, with Mayor Barry L. Gordon absent. Item passed.

III.5.F. Consider approval of an Ordinance of the City of Duncanville, Texas, amending the Code of Ordinances by amending Chapter 20, "Water, Sewer and Sewage Disposal," by amending Article II, "Water Services Charges", Section 20-16, "Rates Established, Determination by Meter Readings," Subsections (a)(1)a. through e., (a)(2)a. 1 through 5, (a)(2)b. 1 through 5, to provide New Water Rates for FY 2022-2023 through FY 2026-2027 for Residential, Multi-Family, Commercial, School, and Municipal Customers; and, by amending Subsections (b)(1) through (b)(4) to provide New Water Rates for FY 2022-2023 through FY 2026-2027 for Commercial and Irrigation Customers; and, by amending Subsections (e)(1), (e)(3)a.,(e)(3)b., (e)(4)a, (e)(4)b., (e)(5)a., (e)(5)b., to provide New Wastewater Rates for Residential, Multi-Family, Commercial, School, and Municipal Customers.

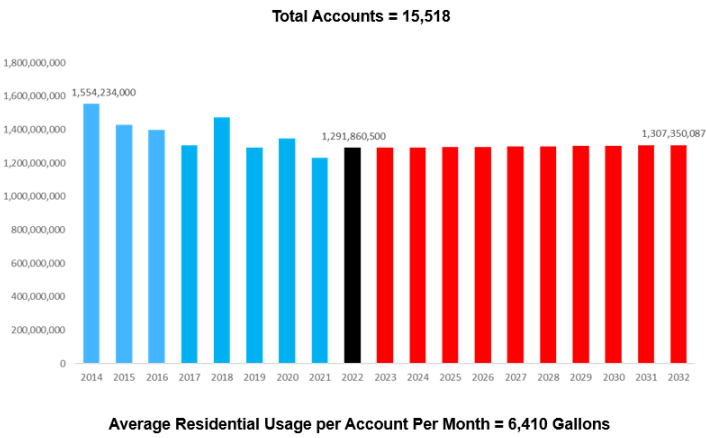
Dan Jackson, Vice-President of Willdan Financial Services presented the 2022 Water & Wastewater Rate Study.

- City has not adjusted rates since 2019
- As a result, utility fund is now struggling and must access reserves to cover capital costs
- Inflation is driving up operating and capital costs
- TRA has announced intention to implement substantial rate increases over next 5 years
- Utility fund is debt free, but requires funding of \$53 million in CIP over next decade, and \$6.0 million in AMI directly from rates
- Combination of above factors result in need to implement new long-term rate plan

Current Monthly Residential Charges | 7,000 Gal Water, 5,000 Gal WW



Historical and Forecast Water Consumption (gallons)

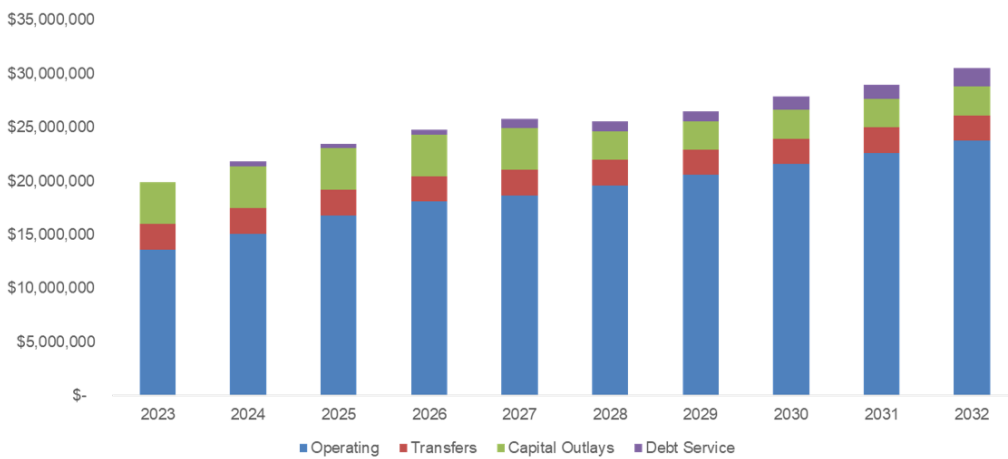


Total billed consumption has declined since 2014, indicating a more efficient use of water.

As the City is essentially at build-out, we are not assuming significant growth (or reduction) in total billed consumption.

Water usage varies considerably with weather patterns, the model is based on the overall trend. Annual results may vary significantly.

Forecast Water and Wastewater Cost of Service



Notes on Water/Wastewater Rate Plan

- 5-year rate plan with adjustments effective October 1 of each year
- Assumes no change in rate structure
- Uniform percentage adjustments for base and volume charges
- Funds half of 10-year \$53 MM CIP through long term debt
 - 20 years
 - 4.0% interest
- Implements Residential Senior Rate that is 10% less than other Residential



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Recommended Rate Plan -- Water



The rate plan requires a nominal drawdown of fund balance in 2022-2025 to lessen the impact on ratepayers

After 2025 the plan fully funds all aspects of the utility based on the existing market conditions and assumptions.

	Current	October 2022	October 2023	October 2024	October 2025	October 2026
Water Rates -- Residential						
Monthly/Min Charge -- 1st 1,000 Gal	\$ 14.00	\$ 15.82	\$ 17.88	\$ 19.84	\$ 21.83	\$ 24.01
Volume Rate Per 1,000 Gal						
1,001 7,000	3.76	4.25	4.80	5.33	5.86	6.45
7,001 15,000	4.85	5.48	6.19	6.87	7.56	8.32
15,001 30,000	5.98	6.76	7.64	8.48	9.32	10.26
30,001 Above	7.09	8.01	9.05	10.05	11.05	12.16
Water Rates -- Residential Senior						
Monthly/Min Charge -- 1st 1,000 Gal	14.00	14.24	16.09	17.86	19.64	21.61
Volume Rate Per 1,000 Gal						
1,001 7,000	3.76	3.82	4.32	4.80	5.28	5.80
7,001 15,000	4.85	4.93	5.57	6.19	6.81	7.49
15,001 30,000	5.98	6.08	6.87	7.63	8.39	9.23
30,001 Above	7.09	7.21	8.15	9.04	9.95	10.94
Water Rates -- Commercial						
Monthly/Min Charge -- 1st 1,000 Gal	14.00	15.82	17.88	19.84	21.83	24.01
Volume Rate Per 1,000 Gal						
1,001 7,000	3.38	3.82	4.32	4.79	5.27	5.80
7,001 15,000	4.41	4.98	5.63	6.25	6.88	7.56
15,001 30,000	5.45	6.16	6.96	7.72	8.50	9.35
30,001 Above	5.45	6.16	6.96	7.72	8.50	9.35

Recommended Rate Plan -- Wastewater

The rate plan requires a nominal drawdown of fund balance in 2022-2025 to lessen the impact on ratepayers.

After 2025 the plan fully funds all aspects of the utility based on the existing market conditions and assumptions.

	Current	October 2022	October 2023	October 2024	October 2025	October 2026
Wastewater Rates -- Residential						
Monthly Min Charge -- 1st 1,000 Gal	19.25	20.79	22.45	23.58	24.75	25.99
1,001 Above	8.22	8.88	9.59	10.07	10.57	11.10
Wastewater Rates -- Residential Senior						
Monthly Min Charge -- 1st 1,000 Gal	19.25	18.71	20.21	21.22	22.28	23.39
1,001 Above	8.22	7.99	8.63	9.06	9.51	9.99
Wastewater Rates -- Commercial						
Monthly Min Charge -- 1st 1,000 Gal	9.07	9.80	10.58	11.11	11.66	12.25
1,001 Above	9.07	9.80	10.58	11.11	11.66	12.25

Impact on Monthly Charges

	Current	October 2022	October 2023	October 2024	October 2025	October 2026
Residential Monthly Bill						
3,000 Gal W, 3,000 Gal WW						
Total	\$ 57.21	\$ 62.86	\$ 69.11	\$ 74.21	\$ 79.45	\$ 85.10
Annual Inc		5.65	6.24	5.10	5.24	5.65
		9.9%	9.9%	7.4%	7.1%	7.1%
6,000 Gal W, 5,000 Gal WW						
Total	84.93	93.36	102.69	110.33	118.18	126.64
Annual Inc		8.43	9.32	7.65	7.84	8.47
		9.9%	10.0%	7.4%	7.1%	7.2%
10,000 Gal W, 5,000 Gal WW						
Total	103.24	114.05	126.07	136.29	146.72	158.04
Annual Inc		10.81	12.01	10.22	10.44	11.32
		10.5%	10.5%	8.1%	7.7%	7.7%
Commercial Monthly Bill						
25,000 Gal W, 25,000 Gal WW						
Total	350.81	385.08	422.89	453.54	485.01	518.93
Annual Inc		34.27	37.82	30.65	31.47	33.92
		9.8%	9.8%	7.2%	6.9%	7.0%

Impact on Monthly Charges

	Current	October 2022	October 2023	October 2024	October 2025	October 2026
Residential Senior Monthly Bill						
3,000 Gal W, 3,000 Gal WW						
Total	\$ 57.21	\$ 56.58	\$ 62.20	\$ 66.79	\$ 71.50	\$ 76.59
Annual Inc		(0.63)	5.62	4.59	4.71	5.08
		-1.1%	9.9%	7.4%	7.1%	7.1%
6,000 Gal W, 5,000 Gal WW						
Total	84.93	84.03	92.42	99.30	106.36	113.98
Annual Inc		(0.90)	8.39	6.88	7.06	7.62
		-1.1%	10.0%	7.4%	7.1%	7.2%
10,000 Gal W, 5,000 Gal WW						
Total	103.24	102.65	113.46	122.66	132.05	142.24
Annual Inc		(0.59)	10.81	9.20	9.39	10.19
		-0.6%	10.5%	8.1%	7.7%	7.7%

How Does Rate Plan Benefit Ratepayers and City?



- Proposed rate plans enable the utility to fully fund all water and wastewater maintenance, operating and construction costs
- Will provide for the Utility Fund to operate self-sufficient with no need for General Fund subsidies
- Will enable City to invest \$53.5 million to maintain and improve the system
- Enables the City to continually provide safe drinking water and effectively treat wastewater



Councilmember Koontz stated he would vote against the item because he has not seen enough information.

Councilmember At-Large Harvey questioned the expenses broken down for every dollar in the water and sewer fund is provided to Dallas Water Utilities, Trinity River Authority, and maintaining the system.

Staff stated \$4.5 million just for expenditures in the water fund, another \$4 million from Dallas Water Utilities, and \$3.8 million to Trinity River Authority. Mr. Jackson provided a breakdown of all the costs.

Councilmember At-Large Patrick Harvey made a motion to approve the item as stated, Councilmember Karen Cherry seconded the motion. The vote was cast 5 for, 1 against (Councilmember Jeremy Koontz), with Mayor Barry L. Gordon absent. Item passed.

III.5.G. Consider appointments to various Boards and Commissions including Audit Committee, Board of Adjustment, City Planning & Zoning Commission, Duncanville Community and Economic Development Corporation Board (DCEDC), Duncanville Neighborhood Vitality Commission, Keep Duncanville Beautiful Board, Library Advisory Board, Park & Recreation Advisory Board, Sign Control Board, and TIF (Tax Increment Financing Reinvestment Zone Number One).
City Secretary Downs presented the item.

City Planning & Zoning Commission
Appointment for 1 Year 2022-2023
1. Betty Culbreath
Appointment for 2 Year Terms 2022-2024
2. Misty Bain
3. Charles Smith
4. Jana McBroom

Zoning Board of Adjustment
Apoinment for 2 Year Terms 2022-2024
1. Bobby Lydia
2. Lewis Fulbright
3. Stephanie Rutherford

Park & Recreation Advisory Board
Appointment for 2 Year Terms 2022-2024
1. Beth Ferrell
2. Kim Malone
3. Calvin Wells

Library Advisory Board
Appointment for 2 Year Terms 2022-2024
1. Barbara Boddie
2. Shanna Gabel
3. Jan Knoll
4. Cindy Clinton

Audit Committee
Appointment for 1 Year Terms 2022-2023
1. Sue Clark

Sign Control
Appointment for 2 Year Terms 2022-2024
1. Carolyn Cardoza
2. Zebulon Williams
3

DCEDC
Appointment for 2 Year Terms 2022-2024
1. Kenneth Govan
2. Leah Carter

TIF
Appointment for 2 Year Terms 2022-2024
1. Allen Conley
2. Kenneth Bain

Duncanville Neighborhood Vitality Commission
Appointment for 2 Year Terms 2022-2024
1. Robert Romero
2. Jennifer Lott Hagler
3. Melanie Clay

Keep Duncanville Beautiful Board
Appointment for 2 Year Terms 2022-2024
1. JW Wright
2. Shelly Warner
3
4

Councilmember Don McBurnett made a motion to approve the item as stated, Councilmember At-Large Patrick Harvey seconded the motion. The vote was cast 6 for, 0 against, with Mayor Barry L. Gordon absent. Item passed.

III.5.H. Consider a Resolution confirming the City Manager's reappointment of Lia Polk as a member of the Duncanville Civil Service Commission for a three (3) year term, to expire October 31, 2025.

Item moved to Consent.

III.5.I. Consider a Resolution authorizing the City Manager to accept a grant in the amount of \$252,801.25 from the Texas Office of the Governor, Public Safety Office – Criminal Justice Division, body-worn camera grant program fy22, to provide funding for the police department, to authorize the cash match amount of \$84,267.09 to purchase 65 body-worn-cameras, related storage, charging and docking equipment, and maintenance and warranty agreements for use by police officers.

City Attorney Hager stated Items 5I and 5J are combined and will be voted on at once.

Chief of Police LiVigni presented the item.

History of current system

- Went live with Motorola, formerly Watchguard, body-worn cameras and in-car cameras in July 2018
- Immediately experienced issues with the burner
- Dallas County District Attorney's Office requires all videos created for a case – Richard Miles Act
- Motorola Video workaround solution – thumb drives
 - Incredibly time consuming
- We have one officer on "light duty" burning video footage to thumb drives 8 hours a day

Motorola video contract

- Contract began July 2018
 - 6-year contract ending in July 2024
 - Paid in full – funding was used from Traffic Safety Fund
 - Need for new contract based on:
 - Typical life span
 - Ongoing issues
 - Expiration of service and warranty agreements
 - Grant funding not guaranteed year to year
 - Would look to a system that alleviates issues and provides:
 - Direct connection to the Dallas County District Attorney's Office for footage upload
 - Huge in promoting efficiency in a lean workforce
 - Better redaction capabilities
 - Used by partnering BSW agencies

Criminal justice division body camera grant program

- October 2021 - City presented a Police Integrated Camera System to City Council as a possible project to be funded from ARPA funding
- November 2021 – Body-Worn Camera Grant Application submitted
 - Addresses the City Council adopted pillar of: "Government Accountability, Customer Service, Efficiency and Process Improvement"
- March 2022 – Grant Awarded (by State)
 - Grant Award (with match) - \$337,068.34
 - Criminal Justice Division Funds - \$252,801.25
 - City of Duncanville Cash Match - \$84,267.09
 - ONLY for Body-worn cameras and video storage
 - Grant Project Funding must be expended by February 28, 2023

AXON Enterprise, Inc.

- Part of buy board contract 648-21 Law Enforcement Body Cameras, Supplies, and Equipment
- Provides needed interface with Dallas County DA's office

- Both the Cedar Hill and DeSoto Police Departments use an AXON integrated system with no complaints regarding the system
- Total integrated (body-worn and in-car cameras) quoted cost of implementation - \$580,975.40
 - Minus grant funding - \$252,801.25
 - \$328,174.15 would be City's total cost
 - The use of the grant is contingent on the City Council's acceptance of the grant
 - Approval by the City Council to use ARPA funding for this project requires a Budget Revision to fund 758 that includes a budget expenditure increase of \$580,976. For the anticipated receipt of Grant Funds. Further, a budget revenue increase of \$252,802 would be also requested as a budget revision for FY 2022.

III.5.J. Consider a Resolution authorizing the purchase of nineteen (19) in-car cameras and sixty-five (65) body-worn cameras, cloud storage, an evidence library platform, and maintenance and warranty agreements for five years from Axon Integrated Camera System, in an amount not to exceed \$580,975.40

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

III.5.K. Take any necessary action as a result of the Executive Session.
No action.

III.6. STAFF AND BOARD REPORTS

III.6.A. Receive the Library Quarterly Report.

Library Director Velasquez presented the item.

III.6.B. Receive the Parks & Recreation Quarterly Report.

Parks & Rec Director Stevenson presented the item.

III.6.C. Receive the Fieldhouse Quarterly Report.

General Manager Brasfield presented the item.

III.6.D. Receive the Monthly Financial Report as of June 30, 2022.

Managing Director of Fiscal Services Atmore presented the item.

III.6.E. Receive the Fiscal Year 2022 Third Quarter Investment Report as of June 30, 2022.

Managing Director of Fiscal Services Atmore presented the item.

IV. ADJOURNMENT

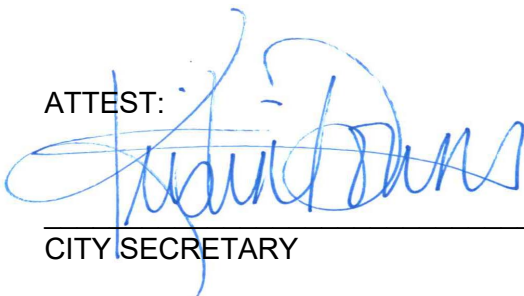
The meeting was adjourned at 9:51 p.m.

APPROVED:



MAYOR

ATTEST:



CITY SECRETARY