

Duncanville City Council Meeting Minutes

Regular Meeting

Tuesday, August 17, 2021

CALL TO ORDER

A regular meeting of the Duncanville City Council was called to order on Tuesday, August 17, 2021, at 6:05 p.m. in the Council Briefing Room at City Hall with a quorum to wit:

COUNCIL PRESENT:

Mayor Barry L. Gordon
Mayor Pro Tem Patrick Harvey
Councilmember Joe Veracruz
Councilmember Don McBurnett
Councilmember Jeremy Koontz
Councilmember Mark D. Cooks
Councilmember Greg Contreras

SUPPLEMENTAL NOTICE OF MEETING BY VIDEO CONFERENCE

In accordance with an Order of the Office of the Governor issued on March 16, 2020, as extended, the City Council for the City of Duncanville, Texas will conduct a City Council Regular Meeting in person and by video conference at 6:00 pm on Tuesday, August 17, 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 a via video conference to maintain safe social distance as provided in this notice.

To speak by video conference during Citizen Comments, you must register with the City Secretary before 4 pm on Tuesday, August 17, 2021, email citysecretary@duncanville.com and title the email. “Public Comment – August 17th. You will need to register with the link below to attend the meeting by video conference. During the Citizen Comments period of the agenda, the City Secretary will call your name and allow access to your camera and microphone. Feel free to email your citizen comment to the City Secretary when registering for the Mayor to read into the record if any unexpected technical issues arise. *The City Secretary will still set a two-minute time limit on the comments as they are read.*

Register in advance for this webinar:

https://us02web.zoom.us/webinar/register/WN_LZGmT_AYQxuPcHXv4GtYrw

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

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

I. WORK SESSION / BRIEFING

I.1. DISCUSS AGENDA ITEMS

Mayor Gordon read the item into record, and City Manager Ferrell-Benavides reviewed each item. Item 4C - Designating the additional structural repairs to the North and South Ground Storage Tanks at Danieldale Pump Station as emergency repairs; authorizing an increase of up to \$100,000.00 to Professional Engineering Services Agreement #18-112; authorizing an increase of up to \$1,000,000.00 to IFB 21-0010; authorizing an increase of up to \$50,000.00 to Professional Engineer Services Agreement #21-032. The water tower is inspected annually by divers. However, the area was not visible to the divers.

I.2. BRIEFINGS / PRESENTATIONS

I.2.A. *Discussion of Kudzu Mitigation on Private Property.* *Item requested by Councilmember Koontz.*

Assistant Public Works Director Culton presented the item. Kudzu is a non-native, invasive vine. In the summer, it can grow 12” per day. On June 29, 2021, a resident on Falling Leaves Drive reported to Staff that he had Kudzu growing behind his house. Over the last several years, the resident has been

cutting it back, but it is becoming more aggressive and has moved into trees, shrubs, and surrounding properties. Staff spoke with the resident and stated vegetation management on private property is the property owner's responsibility. On July 09, 2021, Councilmember Koontz emailed City staff requesting a discussion on the matter of Kudzu given its invasive nature. Councilmember Koontz questioned if any preventative measures could be taken. Due to the scope of the work, abatement by the City would be a contracting action.

Councilmember Koontz voiced his concerns on the Kudzu growing onto other properties.

Mayor Gordon recommended providing educational information to the citizens.

City Attorney Hager recommended to update the Ordinance to state Kudzu and other plants.

**I.2.B. Discussion on Modifying Current Solid Waste Collection Contract.
Item requested by Councilmember Koontz.**

Assistant Public Works Director Culton presents the item.

Current Solid Waste Collection Level of Service is:

- Unlimited bags/boxes (< 35 lbs each) 2/week
- Recycling Bins (18 gal) 1/week
- Bulk & Brush (10 CY) 2/month

The cost to City in FY21 is \$18.48/month/house. Rate re-evaluated every September based on Consumer Price Index. (July 2021 CPI-All Urban for Garbage and Trash Collection is +4.5%.)

Issues with litter in City have been linked to the bags and open recycling bins.

Issues with the current trash collection method elevated during Winter Storm Uri.

In previous conversations with the City's solid waste collection contractor, Republic stated that the following level of service change would be at no additional cost.

(Market disruptions have affected this.)

- Trash Cart (96 gal) 1/week
- Recycling Bins (18 gal) 1/week
- Bulk & Brush (10 CY) 2/month

Given material shortages, carts would not be available until FY23 (8-10 months). The impact on pricing given a loss of one year of amortization across the remaining contract term is unknown at this time. (Current 7-year contract term expires in September 2026).

Republic is still preparing costs to have both trash and recycling carts.

Is Council interested in transitioning to garbage carts in FY23? Recycling carts?

- Garbage Cart (96 gal) + Recycling Bin (18 gal) @ 1/week.
- Garbage Cart (96 gal) + Recycling Cart (96 gal) @ 1/week is cost increase.
- Would need to make decision in next few months due to long lead time for carts.

Does Council have any other guidance for Staff as it pertains to carts?

- o Acceptable location for storing them during the week: Garage, out-of-sight when viewed from City alley or street.
- o Carts set out on the afternoon before pick-up day and put away on the evening of pick-up day.

Council concluded to provide ways for citizens to voice their inputs to the Staff and Council on what they would like.

I.2.C. Discussion on How Staff Monitors Performance of City Solid Waste Collection Contractor.

Item requested by Councilmember Cooks.

Assistant Public Works Director Culton presented the item.

The City measures the performance of the Solid Waste Collection Contractor, Republic, based on a “Complaint Rate.”

- “Complaint Rate” = number of complaints in a month/number of households (the City has 10,878 households)

Complaints are tracked by both Republic and City Staff

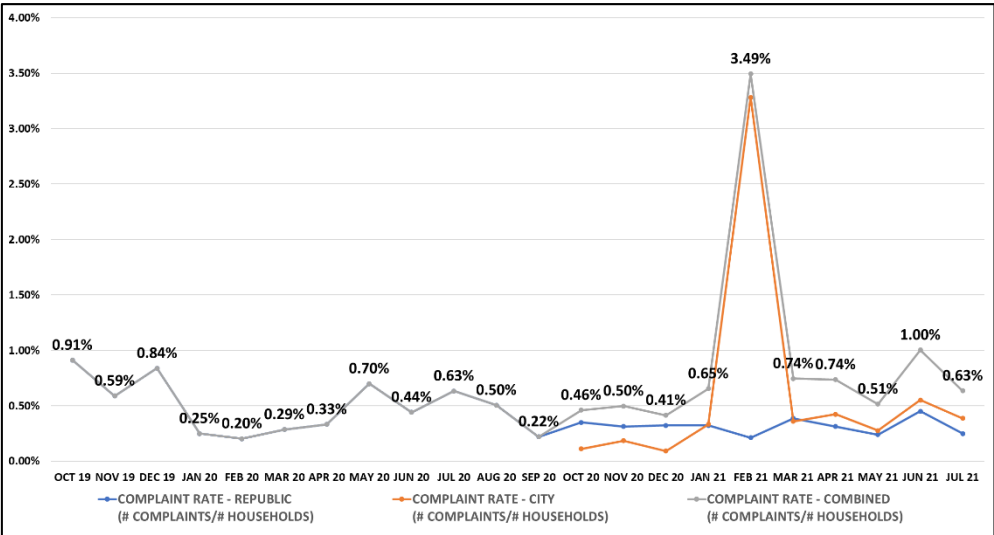
- Republic complaint tracking dates to 10/2019 (start of the contract)
- City complaint tracking dates to 10/2020

Based on data, the target is to keep the monthly Complaint Rate $\leq 1.0\%$

The City is working with Republic to devise additional performance metrics:

- Call Center wait times. How long did a resident have to wait before talking to a person?
- Call Center “hang-ups.” How many residents hung up due to long wait times?

Monthly Complaint Rate



Councilmember Cooks requested to see how Staff and Republic Services are tracking complaints.

I.2.D. Discuss the Independence Day Parade partnership with Duncanville Lions Club.

Item requested by Councilmember Cooks.

Parks and Recreation Director Stevenson presented the item.

Councilmember Cooks requested a contract between the Lions Club and the City of Duncanville with the responsibilities of each organization.

I.2.E. Discuss appointment of a director and an alternate director to the North Central Texas Housing Finance Corporation as representative for the City of Duncanville.

Item requested by Councilmember Cooks.

Mayor Gordon stated former Councilmember Johnette Jameson is currently the representative for the City and would like to continue to serve. The bylaws do not require that a representative be an elected official.

City Manager Ferrell-Benavides would like to do more investigation on the term limit.

Council concluded that Ms. Jameson would keep her seat depending on the term limit, and Councilmember McBurnett would alternate.

I.2.F. *Discussion of the City's financial relationship with Wells Fargo. Item requested by Mayor Gordon.*

Mayor voiced his concerns with Wells Fargo and would like to look at the cost to move to another financial institution.

Council concluded to table the discussion to another Council Meeting.

Mayor Gordon recessed the Briefing Session at 6:58 p.m.

Executive Session was moved to after Staff and Board Reports.

II. EXECUTIVE SESSION

II.1 *City Council shall convene into closed executive session pursuant to Sections 551.071 and 551.072 Texas Government Code to:*

- 1. Seek legal advice from the City Attorney regarding pending litigation to wit: City of Duncanville v. Tommy Winn, et al, Cause No. CC-21-00211 in the County Court of Law #5 of Dallas County Texas.***

Executive Session was moved to after Staff and Board Reports.

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 7:05 p.m. with Mayor Gordon presiding.

The Invocation was delivered by Pastor Rocky Vasquez, Calvary Lakeside Baptist Church.

Mayor Gordon led the Pledge of Allegiance and Texas Pledge.

III.1. REPORTS

III.1.A. *Mayor's Report.*

Mayor recognized Gale Sliger as a Champion of the City.

Mayor Gordon invited all citizens to attend:
Coffee with the Mayor
Senior Center
August 25, 2021
8:30 a.m. – 9:30 a.m.

III.1.B. *Councilmembers' Reports*

Councilmember Cooks invited all citizens to attend:
Meet, Connect & Learn
via ZOOM
August 28, 2021
10:00 a.m. – 11:15 a.m.
Guest: Cliff Boyd

Councilmember Cooks recognized and congratulated Ariel Atkins as an Olympic Star.

Councilmember McBurnett spoke on the passing of Arnold DeWard.

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

City Manager Ferrell-Benavides provided Council with a workflow chart on processing information and requests from Council and citizens.

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”

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

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

Heloyce Ford – submitted a comment on Code Enforcement.

James Hunter – submitted a comment on concerns with Republic Services.

Nick Courchesne - submitted a comment against a gas station on Main and Daniieldale.

Mary Ann Taylor - submitted a comment on concerns with Republic Services.

Patricia Ebert – submitted a comment on Neighborhood Services.

Joanna Fritz, Republic Services stated she will be looking into the accounts mentioned in the Citizen Comments and contacting.

III.4. CONSENT AGENDA

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

III.4.A. *Consider the Minutes for April 29, 2021, Town Hall, May 4, 2021, City Council Regular Meeting, and the May 12, 2021, City Council Special Meeting.*

III.4.B. *Consider a Resolution rejecting all bids received for IFB-21-003-Renovations and Expansion Services for the property located at 330 Shady Trail, Duncanville, Texas 75137, Municipal Service Center; providing for appropriate notice, and providing for authorization to rebid.*

III.4.C. *Consider a Resolution designating the additional structural repairs to the North and South Ground Storage Tanks at Daniieldale Pump Station as emergency repairs; authorizing an increase of up to \$100,000.00 to Professional Engineering Services Agreement #18-112; authorizing an increase of up to \$1,000,000.00 to IFB 21-0010; authorizing an increase of up to \$50,000.00 to Professional Engineer Services Agreement #21-032; authorizing the City Manager to negotiate the associated change orders; and, providing for an effective date.*

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

III.5. ITEMS FOR INDIVIDUAL CONSIDERATION

III.5.A. *Conduct a Public Hearing (2021-21) for consideration and action regarding a City-initiated request to rezone the following properties from Local Office/Retail District “LOR” to SF-7 Single-Family Residential District:*

- 1. PELTS, BLOCK A, LOT 6A (1211 Highland Drive)***
- 2. PELTS, BLOCK A, LOT 5A (1215 Highland Drive)***
- 3. PELTS, BLOCK A, LOT 4A (1219 Highland Drive)***
- 4. PELTS/COLONNADE/SLAYBACK REP, BLOCK A, LOT 3A (1227 Highland Drive)***

5. **PELTS/COLONNADE/SLAYBACK REP, BLOCK A, LOT 1A (1231 Highland Drive)**
6. **DANIELDALE ACRES, BLOCK A, PT TRAIL 2 (1235 Highland Drive)**
7. **DANIELDALE ACRES, BLOCK A, PT TRAIL 2 (127 Jewell Lane)**
8. **DANIELDALE ACRES, ABSTRACT 1299 (126 Jewell Lane)**
9. **DANIELDALE ACRES, BLOCK B, LOT 2 (1303 Highland Drive)**
10. **DANIELDALE ACRES, BLOCK B, LOT 3 (1311 Highland Drive)**
11. **DANIELDALE ACRES, BLOCK B, LOT 4 (1315 Highland Drive)**
12. **DANIELDALE ACRES, BLOCK B, LOT 5 (1323 Highland Drive)**
13. **DANIELDALE ACRES, BLOCK B, LOT 6 (1331 Highland Drive)**
14. **DANIELDALE ACRES, BLOCK B, LOT 7 (125 Little Street)**

City Planner Thibodeaux presented the item.

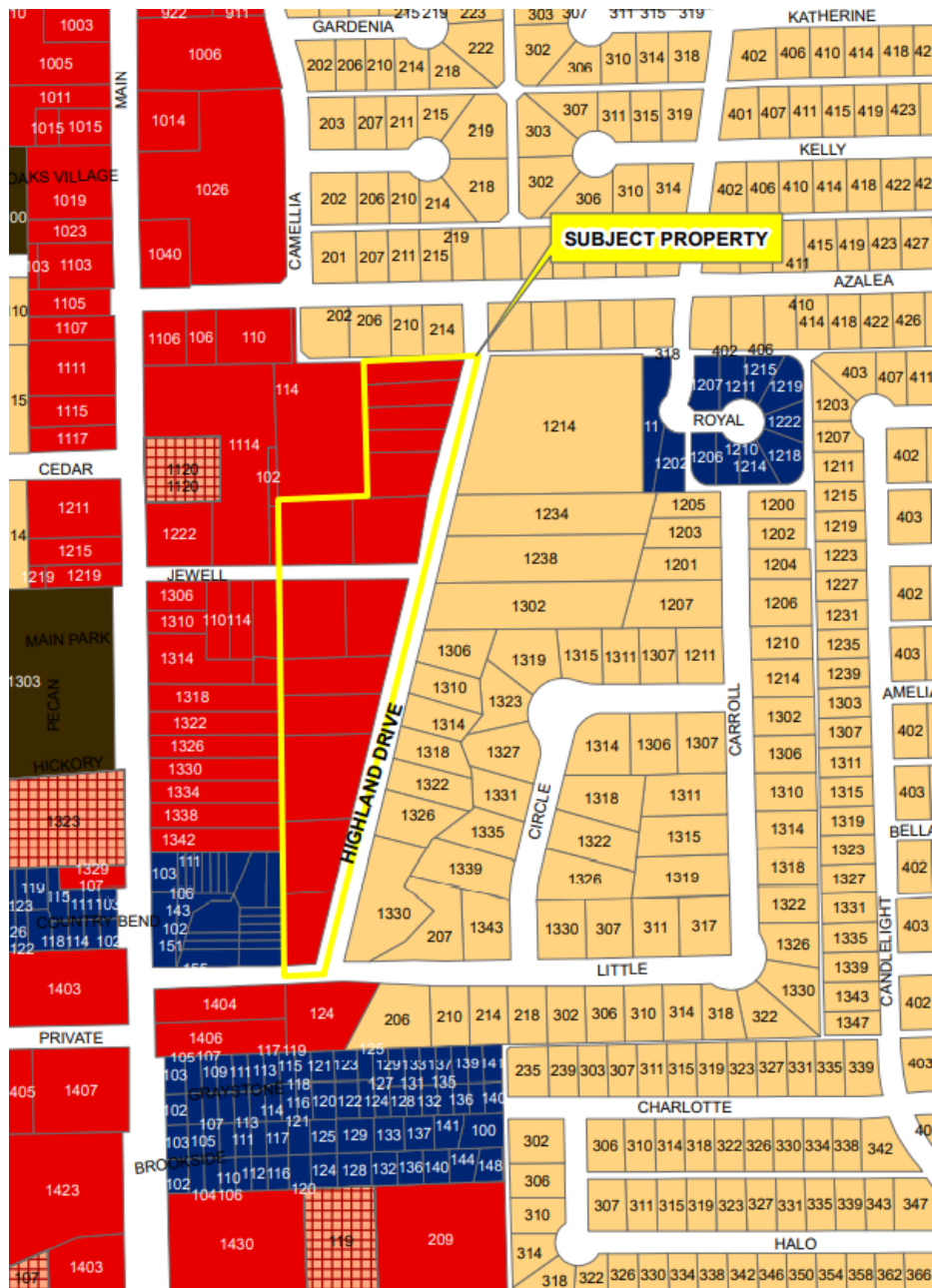
The City initiated the request to rezone the following properties located in the City of Duncanville, Dallas County, Texas, from Local Office Retail “LOR” to Single Family Residential “SF-7”.

Legal Description	Commonly known as
Pelts, Block A, Lot 6A	1211 Highland Drive
Pelts, Block A, Lot 5A	1215 Highland Drive
Pelts Block A, Lot 4A	1219 Highland Drive
Pelts/Colonnade/Slayback Rep, Block A, Lot 3A	1227 Highland Drive
Pelts/Colonnade/Slayback Rep, Block A, Lot 1A	1231 Highland Drive
Danieldale Acres, Block A, Pt Trail 2	1235 Highland Drive
Danieldale Acres, Block A, PT Trail 2	127 Jewell Lane
Danieldale Acres, Abstract 1299	126 Jewell Lane
Danieldale Acres, Block B, Lot 2	1303 Highland Drive
Danieldale Acres, Block B, Lot 3	1311 Highland Drive
Danieldale Acres, Block B, Lot 4	1315 Highland Drive
Danieldale Acres, Block B, Lot 5	1323 Highland Drive
Danieldale Acres, Block B, Lot 6	1331 Highland Drive
Danieldale Acres, Block B, Lot 7	125 Little Street

Aerial



Current Zoning



Project Scope

Request is City-initiated

- Derived from joint meeting discussions between City Council and Planning and Zoning associated with the new Zoning Ordinance update.
 - Subject property was one of three areas around City discussed to be rezoned
 - It was decided that the subject property be rezoned from LOR to SF-7

Comprehensive Plan

- Future Land Use Plan map designates subject property as Low Density Residential
- Envisioned as representing single-family detached neighborhoods with living units for a range of incomes and needs
- Low density areas generally range between three to five units per acre
- Request is compatible with Comprehensive Plan

Notification

Eighty-eight (88) notices were sent out for this public hearing. As of this writing, no responses have been received for or against the item.

Mayor Gordon opened the Public Hearing at 7:45 p.m. to speak in favor of.

No one spoke.

Mayor Gordon opened the Public Hearing for opposition.

Kadeem Collins, 211 Martin Luther Circle – questioned how long was the survey sent out and what are the intentions for rezoning?

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

Mayor Gordon closed the Public Hearing at 7:49 p.m.

City Planner Thibodeaux stated Staff sent the notices out 14-16 days before the Public Hearing. The rezoning matches the Comprehensive Plan on where the City envisions.

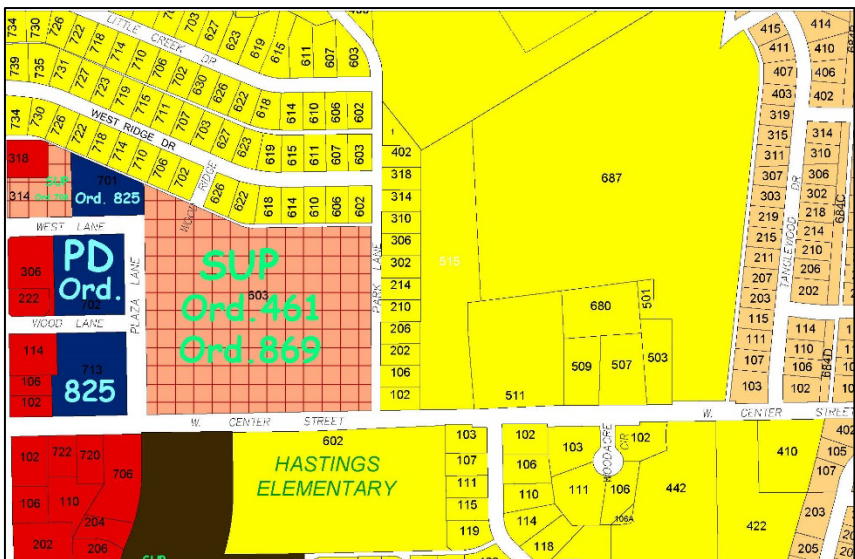
Councilmember Mark D. Cooks made a motion to approve the item as stated, Mayor Pro Tem Patrick Harvey seconded the motion. The vote was cast 7 for, 0 against. Item passed.

III.5.B. Consider and take action on 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. Public Hearing (2021-10) was held on August 3, 2021.
City Planner Thibodeaux presented the item.

Aerial



Current Zoning



Project Scope

- Request to allow the use of Event Center with modified standards.
- The subject property is composed of an existing place of worship and parking area in the front along Center St.
- Event Center development and associated site improvements are proposed to be oriented in the rear portion of the subject property.
- Aside from the additional use, the only performance standard needing variance-approval is regarding landscape buffers and associated vegetative screening.

What is the Purpose of a Planned Development?

As defined by the Zoning Ordinance:

- “A Planned Development (or PD) District is a type of zoning used to permit new or innovative concepts in land use not permitted by other zoning districts in these regulations or to permit development projects that existing districts cannot easily accommodate. The purpose of the PD is to provide land for uses and developments that promote development that is more sensitive to the natural environment, create a significantly enhanced natural setting or sense of place, or otherwise enhance the standard pattern of development in the City.”

Determining the use of Event Center

Section 3.02 of the Zoning Ordinance provides direction to Staff when presented a use not listed in the Permitted Use Chart

Article 3. Land Uses

Article Table of Contents:

- Section 3.01. Uses Permitted by District
- Section 3.02. Classification of New and Unlisted Uses
- Section 3.03. Permitted Use Chart
- Section 3.04. Additional Use Regulations

Section 3.01. Uses Permitted by District

A. Land and buildings in each of the zoning districts may be used for any of the specified uses in Section 3.03. Permitted Use Chart.

B. See Section 7.02. Land Use Terms for definitions of land use classifications.

Legend for Permitted Use Chart

•	Use is permitted in district indicated
○	Use is permitted in district upon approval of a Specific Permit (SUP)
	Use is prohibited in district indicated

Section 3.02. Classification of New and Unlisted Uses

It is recognized that new types of land use will develop, and forms of land use not anticipated may seek to locate in the City. In order to provide for such changes and contingencies, a determination as to the appropriate classification of any new or unlisted use shall be made as follows:

A. City Planner Classification as a Similar Use

The new or unlisted use will be referred to the City Planner to determine whether the new or unlisted use should be classified as a similar existing use.

B. Zoning Text Amendment for New or Unlisted Use

If the City Planner is unable to classify the new or unlisted use as similar to an existing use, the use shall be processed as a Zoning Text Amendment, which requires a recommendation from the Planning and Zoning Commission and approval from the City Council to amend the Permitted Use Chart.

C. Factors for Consideration

The determination shall be based on findings in relation to the nature of the use and whether it involves dwelling activity, sales, processing, type of product, storage and amount and nature thereof, enclosed or open storage, anticipated employment, transportation requirements, amount of noise, odor, fumes, light, dust, toxic material, and vibration likely to be generated and the general requirements for public utilities.

A. City Planner Classification as a Similar Use

The new or unlisted use will be referred to the City Planner to determine whether the new or unlisted use should be classified as a similar existing use:

- First, Staff analyzed the following uses:
 - o Community Center, Public
 - o Place of Worship
 - o These uses are contained within the “Educational, Institutional, Public, and Special Uses” category of the Permitted Use Chart.
- The goal with this initial analysis was to see if rezoning could be avoided as the uses are permitted by right in the SF-10 Zoning District.

However, when analyzing the associated definitions contained in Section 7.02 of the Zoning Ordinance it was determined that the uses would not be suitable to the intended activities and clientele as described by the applicant.

Community Center, Public

A building dedicated to social or recreational activities, serving the City or neighborhood and owned and operated by the City, or by a non-profit organization dedicated to promoting the health, safety and general welfare of the City.

Place of Worship

A building for regular assembly for religious public worship that is used primarily for and designed for such purpose such as a church, synagogue, mosque or similar, along with accessory activities that are customarily associated therewith, such as a place of residence for ministers, priests, nuns or rabbis on the premises, and that is tax exempt as defined by State law.

- Staff went on to analyze the following uses:
 - Commercial, General
 - Banquet or Event Center
- These uses are listed within the more commercially-categorized portions of the Permitted Use Chart.
- The definition of “Commercial, General” is purposefully vague and could have been utilized.
- However, after looking at the definition of “Banquet or Event Center” it was determined to be most suitable to the applicant’s requested project.

Commercial, General Commercial establishments that are engaged in commercial activity not elsewhere classified.	
Banquet or Event Center A building, facility, room, or portion thereof, that is rented, leased or otherwise made available to any person or group for a private event function that is not open to the general public, regardless of whether a fee is charged. Includes reception facilities and wedding venues.	

Comprehensive Plan

- Future Land Use Plan designation of Public/Semi-Public (ISD).
- Uses envisioned as public-serving.
- Development standards like retail and office uses while being convenient and accessible to all residents.
- Proposed Event Center uses are generally commercial in nature. However, this proposal intended by the applicant to be more inline with activities associated with retreat centers.

Site Performance

- Parking & Maneuvering
 - 25 parking spaces required with additions; 39 spaces being provided.
- Landscaping & Screening
 - Proposed modifications associated with landscape buffers and vegetative screening as shown on the associated Landscape Plan exhibit.
- Signage
 - Must comply with Chapter 16A of the Code of Ordinances.

Notification

Twenty-Seven (27) notices were sent out for this Public Hearing. As of July 28, 2021, six (6) responses have been received in opposition.

Planning and Zoning Commission Recommendation

At the July 19, 2021, Special Planning & Zoning Meeting, the Commission recommended approval subject to the following:

- A full, 15' landscape buffer with vegetative screen be provided along the full width of the western property boundary.
- Overnight lodging is permitted for retreat/event center guests.
- Site Plan and Landscape Plan exhibits be adopted as part the PD Ordinance.
- Any potential future changes to the adopted plans be reconsidered and approved by P&Z and Council.

Mayor Gordon spoke in favor of the item.

Councilmembers Contreras, Koontz, and McBurnett voiced their concerns and stated they are not in favor of the item.

Councilmember Mark D. Cooks made a motion to approve the item as stated, Mayor Barry L. Gordon seconded the motion. The vote was cast 3 for, 4 against (Councilmember Joe Veracruz, Mayor Pro Tem Patrick Harvey, Councilmember Jeremy Koontz, and Councilmember Greg Contreras). Item denied.

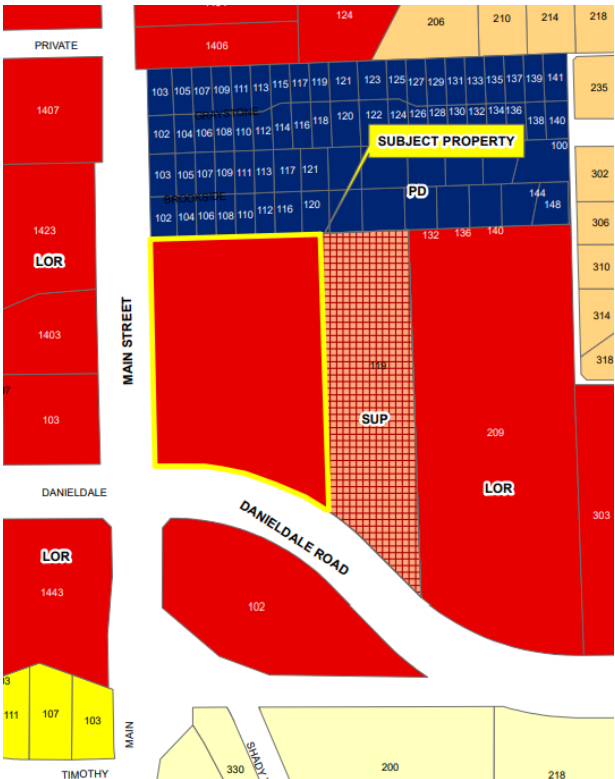
III.5.C. Conduct a Public Hearing (2021-19) for consideration and action regarding the request of Nancy Kennedy, Applicant, representing the RF & Sons Properties, LLC, Owner, to include a Specific Use Permit “SUP” to allow the use of Fuel Pumps on Village South Shopping Center Addition, Lot 1, approximately 2.88 acres, more commonly known as 1430 S Main Street, City of Duncanville, Dallas County, Texas.
City Planner Thibodeaux presented the item.

Nancy Kennedy, applicant, representing Shane Nandial, owner of RF & Sons Properties, LLC, has requested to include a Specific Use Permit “SUP” to allow for the use of Fuel Pumps on Village South Shopping Center Addition, Lot 1, approximately 2.88 acres, more commonly known as 1430 S Main St, Duncanville, Dallas County, Texas.

Aerial



Current Zoning



Project Scope

- Request to allow for use of fuel pumps.
- Applicant is proposing additional amenities in the form of a landscaped open space with water fountain.
- The plan requires 65 parking spaces be provided for the various uses, the applicant is proposing to provide 75 parking spaces.

Comprehensive Plan

- Future Land Use Plan map designates property as Main Street District.
- District envisions high quality commercial, particularly restaurants, to capitalize on the Fieldhouse.
- Desire for hub of community activity, like the Downtown District, but smaller scale, boutique retail/commercial.
- Intended to be both neighborhood and auto-oriented.

Notification

Thirty-nine (39) notices were sent out for this public hearing. As of this writing, two (2) responses has been received in favor and one (1) against.

Planning and Zoning Commission Recommendation

At the July 26, 2021, Planning & Zoning Commission Meeting, the Commission recommended approval (4-1) of the SUP request.

Mayor Gordon opened the Public Hearing at 8:30 p.m. to speak in favor of.

Nancy Kennedy, applicant spoke on the plans.

City Attorney Hager read the names in the agenda packet who were in favor of; Brandy Christy, George Christy, Sal Verola.

Mayor Gordon opened the Public Hearing for opposition.

Mayor Gordon read the citizen comments who were opposed; Heloyce Ford, Sonia Smith, Emily Bridges, Holly Boyter, Martha Salazar, Monte Anderson, Jackie Pena, Tamika Brown, Matt Matern, Frances Hughes, Mark Graham, Nancy Bell, Tessa Gonzalez, Alice Smith, Betty Taylor, Joyce MacCormick, Lesley Segovia, Nick Courchesne, Ellen Murphy, and Patricia Ebert.

Gale Sliger, 1405 S. Main – spoke in opposition.

Yuri Cruz, 1903 Silvercreek Place – spoke in opposition.

Kadeem Collins, 211 Martin Luther Circle – spoke in opposition.

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

Mayor Gordon closed the Public Hearing at 8:57 p.m.

Councilmember Contreras stated we have the opportunity for development and respect the opinions of those who voiced their opposition, but questions how long the lot would continue to stay empty.

Council voiced their concerns and use of the land.

Mayor Pro Tem Mark D. Cooks made a motion to approve the item as stated, Councilmember Joe Veracruz seconded the motion. The vote was cast 1 for, 6 against (Mayor Barry L. Gordon, Mayor Pro Tem Patrick Harvey, Councilmember Joe Veracruz, Councilmember Don McBurnett, Councilmember Jeremy Koontz, and Councilmember Mark D. Cooks). Item denied.

III.5.D. Consider appointments to various Boards and Commissions including 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, Multicultural Social Engagement Partnership, Park & Recreation Advisory Board, Sign Control Board, TIF (Tax Increment Financing Reinvestment Zone Number One), and Tri-Cities Animal Control Board.

Mayor Gordon read the names of the appointments.

City Planning & Zoning Commission	Sign Control
Appointment for 1 Year 2021-2022	Appointment for 2 Year Terms 2021-2023
1. Edward Stith	1. Terry Popham
	2. Howard Fields
Appointment for 2 Year Terms 2021-2023	3. vacant
2. Tom Shine	4. vacant
3. Elias Rodriguez	5. vacant
4. Javar Avery	
	DCEDC
Zoning Board of Adjustment	Appointment for 1 Year 2021-2022
Appointment for 2 Year Terms 2021-2023	1. Linda Lydia 2021-2022
1. Yolanda Columbus	
2. Lewis Fulbright, Alt. #1	Appointment for 2 Year Terms 2021-2023
3. Stephanie Rutherford, Alt. #2	2. Michael Grace
4. vacant	3. Charles Reed
5. vacant	4. Jarred Davis
	5. vacant
Park & Recreation Advisory Board	
Appointment for 1 Year 2021-2022	TIF
1. Kim Malone	Appointment for 2 Year Terms 2021-2023
	1. Kasundra Brown
Appointment for 2 Year Terms 2021-2023	2. Michael Grace
2. Cozea Stephens	3. vacant
3. Pam Rogers	
4. Joneice Preston	Duncanville Neighborhood Vitality Commission
5. Ralo Thompson	Appointment for 2 Year Terms 2021-2023
	1. Phelisha Cullors
Library Advisory Board	2. Robynn Felder
Appointment for 2 Year Terms 2021-2023	3. DeMonica Gooden
1. Michael Chrietzberg	4. Walter Rhim
2. Jill Gilbert	
3. Jennifer Cole	
4. vacant	Multicultural Social Engagement Partnership
5. vacant	Appointment for 2 Year Terms 2021-2023
	1. La'Trena Barrett
Keep Duncanville Beautiful Board	2. Don Johnson
Appointment for 2 Year Terms 2021-2023	3. Mildred Inez Clark
1. Diane Dillard	4. Joseph Cole
2. Justin Reece Edwards	5. Noella Whavers
3. Mary Ann Taylor	
4. Jose Perales	Regional Animal Shelter Board
	Appointment for 2 Year Terms 2021-2023
	1. Edward Priest

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

- III.5.E. Take any necessary action as a result of the Executive Session.**
Item was moved until after Executive Session.

Mayor Gordon recessed Regular Session at 9:31 p.m.

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

II. EXECUTIVE SESSION

The Executive Session was called into session at 9:35 p.m., and City Attorney Hager read the item into record.

- II.1 City Council shall convene into closed executive session pursuant to Sections 551.071 and 551.072 Texas Government Code to:**

1. Seek legal advice from the City Attorney regarding pending litigation to wit: City of Duncanville v. Tommy Winn, et al, Cause No. CC-21-00211 in the County Court of Law #5 of Dallas County Texas.

The Council closed the Executive Session at 9:42 p.m.

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

City Attorney Hager stated:
“Consider a motion to authorize the City Manager or designee and City Attorney to make the required deposit of funds as awarded by the special commissioners in cause number cc-21-00211 City of Duncanville vs. Tommy Winn and take possession of the property subject of said cause and entry of judgment in accordance with the law.”

Councilmember Don McBurnett made a motion to approve the item as stated, Mayor Pro Tem Patrick Harvey seconded the motion. The vote was cast 6 for, 1 against (Councilmember Mark D. Cooks). Item passed.

IV. ADJOURNMENT

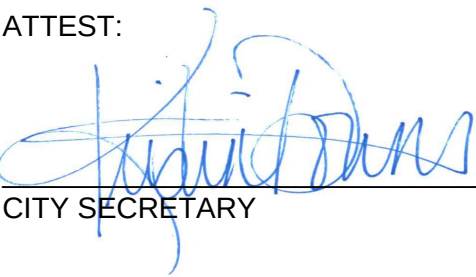
The meeting was adjourned at 9:45 p.m.

APPROVED:



MAYOR

ATTEST:



CITY SECRETARY