

Duncanville City Council Meeting Minutes
Regular Meeting
Tuesday, September 1, 2020

CALL TO ORDER

A regular meeting of the Duncanville City Council was called to order on Tuesday, September 1, 2020, at 6:00 p.m. via videoconference with a quorum to wit:

COUNCIL VIA VIDEO
CONFERENCING:

Mayor Barry L. Gordon
Councilmember At-Large Patrick Harvey
Councilmember Joe Veracruz
Mayor Pro Tem Don McBurnett
Councilmember Monte Anderson
Councilmember Mark D. Cooks
Councilmember Johnette Jameson

STAFF VIA VIDEO
CONFERENCING:

IT Director Tracy Beekman
Economic Development Director Jessica James
Finance Director Richard Summerlin
City Secretary Kristin Downs
Interim City Manager Paul Frederiksen
City Attorney Robert E. Hager

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 by Office of the Governor on June 12, 2020, the City Council for the City of Duncanville, Texas will conduct a City Council Regular Meeting by video conference at 6:00 pm on Tuesday, August 18, 2020, in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) in an effort to slow the spread of the Coronavirus (COVID-19) pandemic.

This is an open meeting conducted by video conference. There will be no public access to a physical location.

To speak during Citizen Comments, you must register with the City Secretary before 4pm on Tuesday, September 1, 2020, email citysecretary@duncanville.com and title the email “Public Comment – September 1st. 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.

To speak during the Public Hearing on Agenda Item 5A, you need to REGISTER in advance with the link below. When the Public Hearing is opened by the Mayor, you will need to use the “raise your hand” option that is provided by ZOOM. If you are calling in and would like to speak, press *9 on your phone’s dial pad to “raise your hand”. You may also submit your comments in advance in accordance with the guidelines for “Public Comments”.

Register in advance for this webinar:
https://us02web.zoom.us/webinar/register/WN_7IESzumzQludY_epphxTvw

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 Interim City Manager Frederiksen reviewed each item. Item 4D - approving the terms and conditions of professional engineering service agreement PSA #20-017 for Sanitary Sewer Evaluation Surveys of Basin WC and Basin EB, with Burgess & Niple. Councilmember Jameson questioned the increase in price from \$60,000 to \$99,000. Public Works Director Ramey stated the increase in sewer basin studies is to incorporate the video televising aspect of the study.

I.2. BRIEFINGS / PRESENTATIONS

I.2.A. Briefing on Budget and Tax Rate update.

Finance Director Summerlin presented the item.

- No-New-Revenue (NNR) Tax Rate is the rate applied to current year taxable valuations that would yield the same property tax revenue as in the previous budget year
- Voter-Approval (VA) Tax Rate is the maximum tax rate without triggering a general election to approve the tax rate
- Tax Rates based on DCAD's legally certified estimates (JULY)
 - NNR Tax Rate was \$0.748609
 - VA Tax Rate was \$0.773007
 - Budget was filed at the end of July based on the current tax rate of \$0.743447
- At the August 13, 2020 Budget Workshop
 - Staff presented the estimated tax rate calculations based on the estimate of the Certified Tax Roll which were much lower than the previous calculations based on DCAD certified estimates
 - Council consensus was for staff to receive the Certified Tax Roll from DCAD and re-calculate the tax rates targeting the re-calculated VA Tax Rate

Changes in the budget since August 13, 2020 Budget Workshop

- No changes in any funds other than the General Fund
 - GF property tax revenue reduced \$794,997
 - Funding for the P25 Compliant Radio System for Fire and Police reduced \$794,997
 - Ending FY21 budgeted fund balance of \$6.7 million (75-day fund balance)

Re-calculated Tax Rates based on Certified Tax Roll received August 20, 2020

- NNR Tax Rate using Certified Tax Roll \$0.698961
- VA Tax Rate using Certified Tax Roll \$0.721852
- Budget revised to reflect a proposed tax rate of \$0.716852 which is a half cent less than the re-calculated VA Tax Rate (GF property tax revenue difference between the VA Tax Rate and the proposed tax rate is \$133,225)

Councilmember Cooks would like staff to investigate the addition of two officers.

Finance Director Summerlin recommended looking at how the sales tax performs mid-year to see if there would be a potential for any additional positions.

Councilmember Jameson proposed the \$0.698961 tax rate and would like staff to look at ways to cutback in all departments.

Mayor Gordon reiterated that the tax rate is dropping \$0.03.

There was a consensus by Council for the \$0.716852 tax rate.

Mayor Gordon recessed the Briefing Session at 6:51 p.m. for City Council to convene into Executive Session.

II. EXECUTIVE SESSION

The Executive Session was called into session at 6:58 p.m. and City Attorney Hager read the item into record.

- II.1 Council shall convene into closed executive session pursuant to Sections 551.072 and 551.087 Tex. Gov Code to deliberate and discuss an offer for economic incentive agreement and the sale and/or exchange of real property located at 730 E. I-20 Duncanville, Texas.**

The Council closed the Executive Session at 7:44 p.m.

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

The City Council convened into Regular Session in the Council Chambers at 7:49 p.m. with Mayor Gordon presiding.

The Invocation was delivered by Mayor Pro Tem McBurnett

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

III.1. **REPORTS**

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

None.

III.1.B. ***Councilmembers' Reports***

Mayor Pro Tem McBurnett encouraged everyone to complete their 2020 Census.

Councilmember Cooks recognized Noel Garcia, Recreation Superintendent for speaking at the Meet, Connect and Learn and everything he does for the Senior Center.

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

None.

III.2. **PROCLAMATIONS AND PRESENTATIONS**

III.2.A. ***A Proclamation recognizing September 2020 as "Valiant Women of the Vote" Month.***

Councilmember Jameson presented the proclamation.

III.3. **CITIZENS' INPUT**

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

To speak during Citizen Comments, you must register with the City Secretary before 4pm on Tuesday, September 1, 2020, email citysecretary@duncanville.com and title the email "Public Comment – September 1st. 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.

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

Mayor Gordon read the item into record.

Julian Leshnja owner of Roma's Italian Bistro – wrote via email in favor of W&B Company keeping their headquarters here in Duncanville.

III.4. **CONSENT AGENDA**

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

III.4.A. ***Consider a Resolution authorizing award of IFB #20-015, Alley Reconstruction and Drainage Improvements between Madrid Drive and Granada Drive (from San Juan Drive to South Cockrell Hill Road), to CCGMG, LLC. Series B, through the City's competitive bid process, with an estimated expenditure amount of \$331,415.00***

III.4.B. ***Consider a Resolution authorizing a Cooperative Purchasing Agreement with Siddons-Martin Emergency Group through the Houston-Galveston***

Area Council (H-GAC) Cooperative Purchasing Agreement Contract #FS12-19 for a new fire engine in the expenditure amount of \$781,719.75.

- III.4.C. Consider a Resolution approving the application for and acceptance of the Edward Byrne Memorial Justice Assistance Grant Program (JAG) Funding, to be administered by the City of Dallas, in the amount of \$8,678.48; and approve the purchase of ballistic helmets commensurate with the award amount.**
- III.4.D. Consider a Resolution approving the terms and conditions of professional engineering service agreement PSA #20-017 for Sanitary Sewer Evaluation Surveys of Basin WC and Basin EB, with Burgess & Niple, Inc., for a total cost not to exceed \$99,000.00.**

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

III.5. ITEMS FOR INDIVIDUAL CONSIDERATION

- III.5.A. Receive an overview of the proposed FY21 budget and conduct a Public Hearing.**

To speak during the Public Hearing on Agenda Item 5A, you need to REGISTER in advance with the link on page one. When the Public Hearing is opened by the Mayor, you will need to use the "raise your hand" option that is provided by ZOOM. If you are calling in and would like to speak, press *9 on your phone's dial pad to "raise your hand". You may also submit your comments in advance in accordance with the guidelines for "Public Comments".

Finance Director Summerlin presented the item.

Major FY21 Revenue Changes:

- Senate Bill 2 (SB2) reduced the property tax cap from 8% to 3.5% which significantly reduces cities' primary revenue which is property tax
- Senate Bill 1152 (SB1152) reduced certain franchise tax payments paid to cities by telephone and cable companies that use city owned right-of-way to house their equipment and lines
- Then along came COVID-19
 - Major impact to sales tax revenues due to sales tax generating businesses being closed or reducing tax generating activity (Duncanville lost a major sales tax generating company prior to COVID-19)

FY21 Proposed General Fund

Budget Revenue Changes Compared to The FY20 Adopted Budget

- \$466,879 increase in property tax revenue
 - Based on a reduction of the current tax rate from \$0.743447 to a proposed tax rate of \$0.716852 (3.6% decrease)
 - Overall taxable valuations increased 6.3%
- \$566,831 decrease in sales tax revenue based on loss of a major sales tax generator and uncertain economic recovery from COVID-19
- \$127,000 decrease in franchise receipts primarily due to SB1152 combined with erosion of telephone and cable franchise revenues
- \$84,500 increase in permits and fees due to potential credit union and car wash construction along with increased emergency medical service fees
- \$49,000 increase in fines associated with a return to normal public activity (traffic fines, code violations, etc.)
- \$127,000 decrease in franchise receipts primarily due to SB1152 combined with erosion of telephone and cable franchise revenues
- \$25,000 decrease in interest revenue due to low interest rate environment
- \$45,000 decrease in recreation fees due to continued effects of COVID-19
- \$140,510 decrease in other revenue primarily due to loss of EON lease revenue

FY21 Proposed Operating Budget Expenditure Reductions From FY20 Adopted Budget

- \$205,000 cuts in travel and training, insurance, staffing changes (position reorganizations)
- \$17,000 reduction in fleet replacement contributions (reduced from 50% to 40%)
- \$49,737 savings from detention cost center reduction for regional jail implementation (total savings are expected to be more)

FY21 Proposed Operating Budget Expenditure Increases Compared to FY20 Adopted Budget

- \$279,398 retiree medical expense previously in Medical Insurance Fund
- \$69,300 increase in IT replacement fund contributions (increased funding from 30% to 80%)
- \$146,936 increase in Animal Shelter and SWRCC cost
 - Multi-city ventures such as the Animal Shelter, SWRCC, Fire Training Officer, and Emergency Management Coordinator promote regional unity among cities to provide best services with economy of scale and efficiency
 - \$49,440 Animal Shelter for surgical operations and to cover budget shortfall from a reduction in contributions due to pandemic
 - \$97,496 in SWRCC costs for new dispatch software and no longer using fund balance for ongoing operations
- \$188,229 in compensation for a 2% mid-year increase

FY21 Proposed General Fund Non-operating Budget Expenditure Changes Compared to The FY20 Adopted Budget

- \$340,400 transfer to Medical Insurance Fund not needed due to dissolution of fund
- \$425,662 decrease in transfer to One Time Project Fund (funds not available)
- \$80,000 increase in transfer to grant fund due to two-year funding of CDBG grant
- \$265,000 increase in transfer to Street CIP due to funding
 - \$50,000 road design Beaver Creek & Swan Ridge
 - \$75,000 road design E. Carr
 - \$61,000 Wintergreen Phase I payment to Dallas County
 - \$79,000 US-67 Green Ribbon contract administration
- \$488,003 increase in reserve for P-25 radio project (previous year was \$350,000 reserve plus FY21 funding of \$838,003 for a total of \$1,188,003) Total project cost estimated at \$2,000,000
- \$100,000 decrease in economic incentive payments due to the commitment ending in FY20 (DeFord's)

FY21 Budget Challenges

- **Economic recovery after pandemic is uncertain:**
 - No new programs, no new projects, no new positions
 - Maintaining services at current levels with current staffing
 - Maintaining competitive pay and benefits continues to be a challenge as we compete with other public sector entities and the private sector to attract and retain employees
 - Compliance with unfunded regulatory and reporting mandates is difficult to achieve with lean staffing (mandates continue to increase)
 - Restoration of deferred street maintenance and other building and equipment maintenance costs continue to present challenges

Sales Tax Election to Reduce Property Tax

- Only the following cities in Dallas County have made this election
 - Balch Springs
 - DeSoto
 - Duncanville
 - Hutchins
 - Lancaster

- Seagoville
- This election reduces the tax rate by just less than 10 cents which is an 11.8% reduction (approximate revenue amount of \$2.6 million)

FY21 Utility Fund Expenditure Highlights

- Utility Accounting overall decrease (\$77,622)
 - (\$22,000) decrease in salary costs
 - (\$82,000) cut meter purchases (expend current on-hand inventory in preparation for AMI)
 - (\$13,000) decrease in fleet contribution and other equipment costs
 - \$50,000 increase in credit card/IVR and banking fees
- Utility Admin overall decrease (\$6,982)
 - (\$7,000) decrease in salary savings on new hire
 - (\$5,000) decrease in overbudgeted contract services (investment advisor fees) and reduced travel costs
 - \$5,000 increase in medical group insurance costs
- Water services overall increase \$129,608
 - (\$25,000) reduced fleet contribution
 - \$155,000 added for Dallas Water Costs (5.1% increase in variable cost per 1000 gal and 4.6% increase in fixed costs)
- Wastewater overall decrease (\$80,083)
 - (\$23,000) decreases in supplies, clothing, travel and maintenance
 - (\$23,000) decrease in direct materials for utility cut repairs
 - (\$51,000) reduced fleet contribution
 - \$14,000 added in contract services (includes Micro-Solve grease solvent addition to SSO program)
 - \$208,944 increase in TRA costs
 - Non-operating overall decrease of (\$152,000)
 - (\$111,000) decrease of debt service completed in FY20
 - (\$41,000) decrease- transfer to Medical Fund is no longer necessary

FY21 Solid Waste Fund Highlights

- Revenue total increases by \$328,000
 - \$318,000 due to full year of garbage rate increases (enacted in Jan 2020)
 - \$10,000 in franchise receipts increases
- Expenditures overall increase of \$318,516
 - \$389,000 increase for in garbage contract services (full year of new contract, plus 3% increase)
 - (\$50,000) decrease in Transfer to CIP for alley repairs
 - (\$6,600) net decrease in supplies, equipment and maintenance
 - (\$8,400) decrease- transfer no longer required to Medical Insurance Fund

Mayor Gordon opened the Public Hearing at 8:36pm

Mayor Gordon stated there would be ten minutes in total for any individuals in favor and ten minutes in total for opposed.

Dave Galbraith - spoke on W&B Services.

Councilmember Cooks made a motion to close the Public Hearing, Mayor Pro Tem Don McBurnett seconded the motion. The vote was cast 7 for, 0 against.

Mayor Gordon closed the Public Hearing at 8:43pm

Councilmember Cooks reiterated he would like to see a mid-year budget for two additional police officer positions.

Finance Director Summerlin recommended to look at how the sales tax is performing mid-year to see if there would be a potential for any additional positions.

III.5.B. *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, Multicultural Social Engagement Partnership, Park & Recreation Advisory Board, Sign Control Board, TIF (Tax Increment Financing Reinvestment Zone Number One), Tri-Cities Animal Control Board.*

Mayor Gordon read the following Boards and Commissions Appointments.

City Planning & Zoning Commission Appointment for 2 Year Terms 1. Jana McBroom 2. Greg Zylka 3. Betty Culbreath 4. Eric Pena	Sign Control Appointment for 2 Year Terms 1. Patricia Fields 2. Leslie Bruce 3. TBD
Zoning Board of Adjustment Appointment for 2 Year Terms 1. Carolyn Thompson 2. Charles Smith 3. Bobby Lydia Alt 1. Yolanda Columbus Alt 2.- TBD	DCEDC Appointment for 2 Year Terms 1. Derwin Broughton 2. Kenneth Govan 3. Tammy Abney 4. Steve Dial
Park & Recreation Advisory Board Appointment for 2 Year Terms 1. Alexander McLachlan 2. Mary (Beth) Farrell 3. Constance Willis Appointment for 1 Year Term 1. Jeremy Koontz	TIF Appointment for 2 Year Terms 1. Alex Wheeler 2. Lawrence Golden 3. Yashachika Gipson (replace daniel flores)
Library Adivosry Board Appointment for 2 Year Terms 1. Cindy Clinton 2. Susan Butsch 3. Jan Knoll 4. Barbara Boddie 5. Shannon Gable	Duncanville Neighborhood Vitality Commission Appointment for 2 Year Terms 1. Brenda O'Brien 2. Tonya Savage 3. Tim Perry Appointment for 1 Year Term 1
Keep Duncanville Beautiful Board Appointment for 2 Year Terms 1. Sylvia Wilson Clark 2. Barbara McComb 3. Alice Arnold 4. Yerahi Lopez 5. Demetra Miller Appointment for 1 Year Term 1. Jose Perales	Multicultural Social Engagement Partnership Appointment for 2 Year Terms 1. Dr. Lavern Holyfield 2. Ann Perry 3. Annette Menefee 4. Loletha Moore
	Regional Animal Shelter Board Appointment for 2 Year Terms 1. Ed Priest

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

Mayor Pro Tem Don McBurnett made a motion to appoint Robynn Felder to the Neighborhood Vitality Commission for a one-year term. At-Large Councilmember Patrick Harvey seconded the motion. The vote was cast 7 for, 0 against. Item passed.

III.5.C. *Consider a Resolution repealing the Duncanville Urban Land Bank Authority and Program Resolution No. 2015-012017 and amending the Neighborhood Vitality Commission Resolution No. 2017-052.*

Economic Development Director James presented the item. During the City Council's Briefing on August 4, 2020, the City Council directed staff to bring back an agenda item to disestablish the land bank as it has been inactive since its creation.

- In order to disestablish the land bank, the following actions are required:
- a) repeal Resolution No. 2015-012017, which created the Duncanville Urban Land Bank Authority and Program; and
 - b) amend the Neighborhood Vitality Commission Resolution No. 2017-052, which removes the mention of the land bank under the commission's responsibilities.

Councilmember Johnette Jameson made a motion to repeal the Urban Land Bank Authority and Program Resolution No. 2015-012017 and amend Neighborhood Vitality Resolution 2017-052, Mayor Pro Tem Don McBurnett seconded the motion. The vote was cast 7 for, 0 against. Item passed.

City Attorney Hager stated with Council's consent to reopen citizen comments in regard to the citizens who spoke during the Public Hearing.

Mayor Gordon opened citizen comments 9:00pm

Mr. Galbraith spoke during Item 5A

John Guyon - spoke on Item 5D and 5E and questioned if it is the best use for the City of Duncanville.

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

No action taken.

III.5.D. *Deliberate and determine to reconsider Resolution 2020-068R to award of bid and contract with Midwest Wrecking Company of Texas, Inc. in the amount of \$116,845 to demolish improvements on property located at 730 E. I-20, Duncanville, Texas.*

Mayor Gordon stated due to no action being taken in Executive Session, Items 5D and 5E are dismissed.

City Attorney Hager stated there was no action out of Executive Session and to proceed with the motions for Items 5D and 5E.

Mayor Gordon called for a motion.

No motion was made. Item dismissed.

III.5.E. *Consider a Resolution authorizing the award of bid IFB No. 20-025 Demolition Services to Midwest Wrecking Company of Texas, Inc. for the real property located at 730 E. I-20 City of Duncanville, in accordance with the proposed pricing bid tabulation attached hereto and incorporated herein as Exhibit 'A', in an amount not to exceed \$163,845.*

Mayor Gordon called for a motion.

No motion was made. Item dismissed.

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

No action taken.

III.6. STAFF AND BOARD REPORTS

III.6.A. *Receive the Monthly Financial Report as of July 31, 2020.*

No questions.

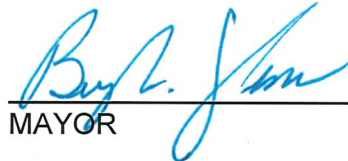
III.6.B. *Receive the Public Works Department Quarterly Report.*

No questions.

IV. ADJOURNMENT

The meeting was adjourned at 9:06 p.m.

APPROVED:


MAYOR

ATTEST:


CITY SECRETARY