

Duncanville City Council Meeting Minutes
Regular Meeting
Tuesday, October 15, 2024

CALL TO ORDER

A regular meeting of the Duncanville City Council was called to order on Tuesday, October 15, 2024, at 4:00 p.m. in the Council Briefing Room at City Hall with a quorum to wit:

COUNCIL PRESENT: Councilmember At-Large DeMonica Gooden
Councilmember Joe Veracruz
Councilmember Don McBurnett
Councilmember Karen Cherry-Brown
Mayor Greg Contreras
Councilmember Kyle Pennebaker

COUNCIL ARRIVING AT: Mayor Pro Tem Jeremy Koontz arrived at 4:02 p.m.

COUNCIL ABSENT:

EXECUTIVE SESSION

Mayor Contreras recessed the meeting and called the Executive Session at 4:00 p.m. and City Attorney Hager read the item into record.

Mayor Contreras recessed the Executive Session at 5:58 p.m. to open the Briefing Session. City Attorney Hager departed the meeting and was replaced by Attorney Contessa Malone.

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

Mayor Contreras closed the Executive Session at 10:51 p.m.

1. ***City Council shall convene into closed executive session pursuant to Section 551.074, of the Texas Government Code, Personnel, to deliberate the duties of the City Manager under the Home Rule Charter and, pursuant to Section 551.071 of the Texas Government Code, to seek legal advice from the City Attorney on the same topic.***
2. ***City Council shall convene in Executive Session pursuant to Section 551.072 of the Texas Government Code, to deliberate the sale, exchange, lease, purchase, or value of certain real property located south of W. Camp Wisdom Road, north of E. Wheatland Road, east of N. Main Street, and west of S. Cockrell Hill Road, pursuant to Section 551.071 of Texas Government Code, to seek legal advice from the City Attorney regarding the same.***
3. ***The City Council shall convene into closed executive session pursuant to Section 551.072 of the Texas Government Code, to deliberate the sale, purchase or exchange of real property north of of I-20, south of Ranchero Ln., east of Cedar Ridge Road, and west of N. Main.***
4. ***City Council shall convene in Executive Session pursuant to Section 551.072 of the Texas Government Code, to deliberate the sale, exchange, lease, purchase, or value of certain real property located east of Main, south of Wheatland, and north of US Highway 67, and, pursuant to Section 551.071 of the Texas Government Code, to seek legal advice from the City Attorney regarding the same.***
5. ***City Council shall convene in Executive Session pursuant to Section 551.072 of the Texas Government Code, to deliberate the sale, exchange, lease, purchase, or value of certain real property located south of E Wheatland Rd, north of Hwy 67, east of S Lincoln Dr, west of S Cockrell Hill Rd, and, pursuant to Section 551.071 of Texas Government Code, to seek legal advice from the City Attorney regarding the same.***
6. ***City Council shall convene in Executive Session pursuant to Section 551.072 of the Texas Government Code, to deliberate the sale, exchange, lease, purchase, or value of certain real property located south of W Davis St, north of Wes Jespersen Way, east of N Main St, west of N Hastings St, and, pursuant to Section 551.071 of Texas Government Code, to seek legal advice from the City Attorney regarding the same.***

WORK SESSION / BRIEFING

1. DISCUSS AGENDA ITEMS

Mayor Contreras opened the work session at 6:05 p.m., read the item into the record, and City Manager Finch reviewed each item.

2. CITY COUNCIL CALENDAR

3. BRIEFINGS / PRESENTATIONS

The briefing session was adjourned at 7:17 p.m.

- A. *City Council to receive a briefing on the status of the Cedar Ridge Road Reconstruction Project, provide for an opportunity for City Council to discuss, and provide direction if needed. This is part of the 2018 bond projects.***

Presented by Assistant Public Works Director Shahad Mohammed and a representative of Dunaway Construction.

- B. *City Council to receive a briefing on the status of the FY24 Mill and Overlay Project, provide for an opportunity for City Council to discuss, and provide direction if needed.***

Presented by Director of Public Works Matt Bryant.

- C. *City Council to receive a briefing on equity in infrastructure management initiatives, discussion, and direction if any to the City Manager.***

Presented by Ms. Mohammad.

- D. *Council to receive a briefing on the types of trailers allowed to be parked on an improved surface in the front yard of residential zoned districts.***

Presented by Interim Assistant City Manager - Community David Kees.

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 7:24 p.m. with Mayor Contreras presiding.

Luis Salazar delivered the Invocation.

Mayor Contreras led the Pledge of Allegiance and Texas Pledge.

1. REPORTS

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

Mayor Contreras commented we had a productive trip to Houston for the TML Conference. This past weekend, the Pink Diamonds Breast Cancer Awareness bike ride was a success. He also commented on an event he attended for a college in India that was celebrated in Duncanville.

- B. *Councilmembers' Reports***

Councilmember McBurnett mentioned the TML Conference and events in the city during the month of October. Councilmember Gooden also mentioned the TML Conference and events and meetings in the city. Councilmember Pennebaker reviewed the Dog Park Town Hall from last night and asked the community to get involved in the Dog Park discussion.

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

Mr. Finch thanked the council for their time and leadership.

2. PROCLAMATIONS AND PRESENTATIONS

- A. *Presentation on Life Saving Award to Officer Figueroa.***

Presented by Police Chief Matt Stogner to Officer Figueroa.

- B. *Proclamation Recognizing October 2024 as Domestic Violence Awareness Month.***

Presented by Assistant Chief Adrian Tijerina.

- C. ***Proclamation designating November 2, 2024 as "Arbor Day" in Duncanville.***
Presented by Assistant Parks and Recreation Director Tyler Agee.
- D. ***Proclamation designating October 20-26, 2024 as National Friends of the Library Week***
Presented by Mayor Pro Tem Koontz to Sara Koontz president of the Friends of the Duncanville Library.

3. CITIZENS' INPUT

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

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

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

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

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

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

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

Thomas Lackey
1818 Sea Brook
OpenGov software

Royce Myler - requested additional time that was denied by the city attorney
623 S. Alexander Ave.
Wheatland Plaza planned development

Phillip James
910 Green Terrace Lane
Pink Diamonds Bike Ride

Ishmal Morales
355 E. Cherry St.
Revision to Ord for utility trailers

4. CONSENT AGENDA

Mayor Contreras requested that City Secretary Chiquita Taylor read the Consent Agenda items.

- A. ***Consider the Minutes for the following Regular and Special Meetings.***
- B. ***Consider an Ordinance regarding the City of Duncanville's Texas Municipal Retirement System (TMRS) benefits adopting: (1) Non-Retroactive Repeating COLAs, for retirees and their beneficiaries; and (2) Annually Accruing Updated Service Credits (USC).***

ORD 2530

- C. ***Council to consider an amendment to the Arts Fund Policy.***

Moved to individual consideration item 5D.

- D. ***Consider an Ordinance amending the FY 2024-2025 budget, creating the Arts Fund, and allocating fifteen percent of Hotel Motel tax revenue, as allowed by state law, to the Arts Fund, and establishing a budget.***

ORD 2531

- E. ***Consider approving a Resolution authorizing the procurement of water meter reading technology with MRSP, LLC (dba: SPMR, LLC) with an annual estimated expenditure of \$18,000.***

RES 2024-334

- F. ***Consider a resolution requesting the procurement of OpenGov online transparency software and authorizing an expenditure in the amount of \$68,000 from the unappropriated balance of the General Fund.***

Moved in individual consideration item 5E.

- G. ***Consider a Resolution authorizing the use of HOT funds for a drone show for Christmas 2024 not to exceed \$60,000.***

RES 2024-340

Councilmember Don McBurnett made a motion to approve the consent agenda, Mayor Pro Tem Jeremy Koontz seconded the motion. The vote was cast 7 for, 0 against.

5. ITEMS FOR INDIVIDUAL CONSIDERATION

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

No action taken.

- B. ***Consider a resolution authorizing approval of Duncanville Community & Economic Development Corporation (DCEDC) Incentive/Design Grants for an amount not to exceed \$35,000 to Sistergirl's Kitchen LLC located at 106 North Cedar Ridge, Duncanville, TX 75116***

Presented by Economic Development Director Victor Barrera and Assistant Economic Development Director Lolecia Day. Applicant Renee Cook was available to answer questions. Councilmember McBurnett stated grant money was given to the developer of this property for the grease traps and this expense should be coming from him. Ms. Day stated the receipts submitted by the developer did not include grease traps. Councilmember Gooden clarified that the developer was not reimbursed for the grease traps. Mayor Pro Tem Koontz made a motion to approve with CM Cherry-Brown seconded. Councilmember McBurnett read resolution 2024-230 approved by the council. The amount of \$103,747.00 was awarded, and it clarified that the grease traps were included. Mayor Contreras asked if the developer was reimbursed. The applicant stated she was not provided anything for the grease traps. After further discussion by the council, Mayor Pro Tem Koontz withdrew his motion.

TABLED

Councilmember Don McBurnett made a motion to table this item, Councilmember Kyle Pennebaker seconded the motion. The vote was cast 6 for, 0 against.

- C. ***Consider a resolution authorizing approval of Duncanville Community & Economic Development Corporation (DCEDC) Incentive/Design Grants for an amount not to exceed \$50,000 to 214 Woodhaven LLC located at 214 Woodhaven Boulevard, Duncanville, TX 75116***

Presented by Mr. Barrera.

RES 2024-327

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

D. *Council to consider an amendment to the Arts Fund Policy.*

Presented by City Manager Finch. Councilmember Pennebaker asked that the language be cleaned up for the policy due to Hotel Occupancy Tax (HOT) funds being moved from Duncanville Community and Economic Development Corporation (DCEDC) to the Council. This would give the Arts Fund authority with the council still maintaining some control of the HOT funds. Mayor Pro Tem Koontz inquired about the removal of the \$20,000 threshold for DCEDC administration of HOT funds. Mr. Finch stated that the City council will need to make the decision for the authorization of the use of HOT funds regardless of the amount.

Mayor Pro Tem Jeremy Koontz made a motion to approve with amendment as stated by Councilmember Pennebaker, Councilmember At-Large DeMonica Gooden seconded the motion. The vote was cast 7 for, 0 against.

RES 2024-342

E. *Consider a resolution requesting the procurement of OpenGov online transparency software and authorizing an expenditure in the amount of \$68,000 from the unappropriated balance of the General Fund.*

Presented by Managing Director of Finance/CFO Richard Jackson. The funding source for this software would be from the available fund balance. This expense would also qualify for American Rescue Plan Act (ARPA) funds. Councilmember Gooden asked about the amount on the quote being more than the amount requested. Mr. Jackson stated the original quote is from 2022. It was signed on for implementation but was never fully implemented. Part of the cost was paid at that time. Councilmember McBurnett asked if it works with Tyler products and the timeline. Mr. Jackson stated it does work with Tyler products and the number of implementation hours would be about twenty hours. The timeline for the twenty hours is still being negotiated. Councilmember Gooden asked about training. Mr. Jackson stated the open Project Manager position would take on the task of training and maintenance.

Councilmember Don McBurnett made a motion to approve the item as stated, Councilmember At-Large DeMonica Gooden seconded the motion. The vote was cast 7 for, 0 against.

RES 2024-343

6. STAFF AND BOARD REPORTS

A. *City Council to receive a briefing on the Mexican Independence Day 2024 budget and activities, provide for the City Council to discuss and provide direction for future Mexican Independence Day celebrations, if needed.*

Presented by Lolecia Day.

B. *City council to receive a briefing on the proposed Christmas 2024.*

Presented by Ms. Day.

C. *Briefing on Budget Development Policy*

Presented by Richard Jackson.

D. *Receive the Monthly Financial Report as of August 31, 2024*

Presented by Budget Administrator Jennifer Otey.

Mayor Contreras recessed the regular session to reconvene into executive session at 9:21 p.m.

The council reconvened the regular session at 10:51 p.m.

ADJOURNMENT

The meeting was adjourned at 10:52 p.m.

ATTEST:

CITY SECRETARY