Duncanville City Council Meeting Minutes
Regular City Council Meeting
Tuesday, December 20, 2022

CALL TO ORDER

A special work session preceding the regular meeting of the Duncanville City Council was called to order on Tuesday, December 20, 2022, at 5:30 p.m. in the City Council Briefing Room and City Council Chambers at City Hall with a quorum to wit:

COUNCIL PRESENT: Mayor Barry L. Gordon
Mayor Pro Tem Joe Veracruz
Councilmember Jeremy Koontz
Councilmember Greg Contreras
Councilmember Karen Cherry

Mayor Gordon announced that Councilmember At Large Patrick Harvey will be attending the City Council Meeting but will be late.

COUNCIL ARRIVAL AT: Councilmember Patrick Harvey arrived at 6:48 p.m.

COUNCIL ABSENT: Councilmember Don McBurnett

SPECIAL WORK SESSION:

The City Council conducted interviews with prospective Board, Committee, and Commission Applicants for the Planning & Zoning Commission, the Duncanville Community & Economic Development Corporation Board, the Arts Commission, and the Community Engagement Advisory Board.

1. Consider appointments to the various Boards and Commissions including the City Planning and Zoning Commission, the Duncanville Community & Economic Development Corporation Board, the Arts Commission, and the Community Engagement Advisory Board with the adoption of the attached Resolution.

The City Council was informed that there are other applicants to be interviewed for the vacant positions on the City's boards.

EXECUTIVE SESSION

The Executive Session, pursuant to the Texas Government Code Section 551.074, Personnel, to discuss appointments and / or duties to the Planning & Zoning Commission and the Duncanville Community & Economic Development Corporation Board was not conducted.

WORK SESSION / BRIEFING

The Work Session / Briefing was called to order at 6:44 p.m.

1. DISCUSS AGENDA ITEMS
   Mayor Gordon read each item into the record. City Manager Ferrell-Benavides reviewed each Consent Agenda item.

   The City Council went back into Work Session / Briefing at 7:42 p.m. with the City Council Meeting still in recess.

2. BRIEFINGS / PRESENTATIONS

   B. Timeline to Create a Special Designation Land Use for the Ladd Property.

   Jeremy Tennant, Director of Planning & Neighborhood Services, introduced this agenda matter. Mr. Tennant presented a detailed timeline relating to the required sequence of actions to be taken including public events to be scheduled and including public notices via publication and notices to property owners within 200 feet as may be required by statutory requirements.

Councilmember At Large Harvey asked the City Manager to keep the City Council apprised of the progress through the entire process as it occurs.

City Attorney Hager explained the need to work through each of the processes separately but on a parallel track, some of which may be done concurrently. He spoke to the notice requirements, the pacing, and the sequencing of meetings. He also noted that there deed restrictions on the Ladd Property to be considered.

City Manager Ferrell-Benavides indicated that staff would do whatever it takes to get the work done.

Step 1	Conduct public meetings and meet with Municipal Boards and Commissions	January and February 2023
Step 2	Process public input pertaining to Opportunity Area 8 and implement strategy reflected in Five-year Comprehensive Plan Update	End of March/Beginning of April 2023
Step 3	Initiate zoning change request and text amendment	End of March/Beginning of April 2023
Step 4	An application for a zoning change and a text amendment will be filed with city staff, per the direction of the City Manager	End of March/Beginning of April 2023
Step 5	City staff will prepare a case report, send notification to property owners within 200 ft. of the subject property, notice by newspaper, and place the zoning change request on the next Planning and Zoning Commission regular meeting and define land use category for the zoning text amendment	End of April/Beginning of May 2023
Step 6	The Planning and Zoning Commission will consider the zoning change request and text amendment, and make a recommendation to City Council	June 2023
Step 7	City Council will consider the zoning change request and text amendment	July 2023

The Mayor noted that the City Manager and staff would seek to combine meetings, work things, and make joint meetings as much as possible that can be done to move the work forward on a legal and an accelerated pace.

Councilmember Koontz asked for a consensus of the City Council to combine steps to get the ordinance returned for the City Council's consideration.

City Manager Ferrell-Benavides committed to have an update on the progress and process by Mr. Tennant at the second meeting of each month. She noted the staff will bring back specific dates for activity so that everyone is aware of what is happening. Notice will be sent out to all of the boards so they are informed when combined meetings can occur. She noted the staff will commit to eliminating any steps not legally required.

A. Briefing presentation on a proposed revision to the City's overtime policy.

Interim Director of Human Resources, Jennifer Otey, presented this agenda item briefing. It was noted that the change to the City's policy occurred in 2008 at the time of the last U.S. economic downturn. The then City Manager authorized the proposed revision to the City's overtime policy. City Manager Ferrell-Benavides requested this briefing to ensure the City Council was brought current on the most recent internal policy updates.

C. Emerging Leaders Presentation on City Beautification.

Jeremy Tennant, Director of Planning & Neighborhood Services, and Danny Johnson, Parks and Recreation Superintendent, presented this agenda item briefing on behalf of the other Emerging Leaders participants; Assistant Chief of Police Christopher Freis, Animal Control Officer Chad Chamberlain, Economic Development Manager Clay Mansell, Administrative Assistant, Solid Waste-Public Works Leshonda Vaughn, and Parks and Recreation Crew Leader Jonathan DeLeon. Mr. Tennant and Mr. Johnson provided background information on the goals to establish a program that will inspire and engage stakeholders in the community to actively participate in ongoing beautification efforts. This is to enhance the visual appeal, brand, and perception of the City of Duncanville.

D. 2023 City Council Calendar.

Janie Willman, City Secretary, introduced this agenda item briefing. Ms. Willman presented a preliminary calendar to City Council for their consideration. The City Manager and City Secretary noted that additional content would be provided. City Council Members were asked to submit their respective availability to the City Secretary for purposes of planning and updating the calendar.

The Work Session / Briefing recessed at 7:05 p.m.

REGULAR SESSION – CONVENE INTO THE COUNCIL CHAMBERS AT 7:00 P.M. OR IMMEDIATELY FOLLOWING THE 6:00 P.M. WORK SESSION / BRIEFING

CALL TO ORDER
The Mayor called the Regular Meeting to order at 7:05 p.m. with all City Councilmembers in attendance except Councilmember Don McBurnett.
INVOCATION. The invocation was delivered by Reverend Ginger Hertenstein of the First Presbyterian Church of Duncanville.
PLEDGES. The Mayor led the assembly in reciting the Pledge of Allegiance and the Texas Pledge of Allegiance.

1. **REPORTS**
   A. Mayor's Report. Mayor Gordon requested the Council to permit him to exceed three (3) minutes for the Mayor's Report. Per the Rules of Procedure, Motion by Councilmember Contreras and second by Councilmember Koontz to extend the three-minute time limit for the Mayor's Report. The motion carried by a vote of 6 to 0. Councilmember McBurnett was absent.

   Mayor Gordon introduced Duncanville High School Football Coach Reginald Samples and five members of the Duncanville High School Football Team who won their State Championship Game on Saturday, December 17, 2022.

   Following the presentation of a proclamation and a Key to the City, to Coach Reginald Samples, the five members who were introduced individually of the Football Team who played in the Championship Game were Jabreohn Peters, Vernon Grant, and Noah Ponce, all seniors. Also introduced were Caden Durham and Colin Simmons, both juniors. Coach Samples noted their academic, athletic, and leadership excellence. Mayor Gordon recognized Duncanville ISD Trustees Jackie Culton, Cassandra Phillips, and Janet Veracruz. Mayor Gordon introduced Ms. Kenya Landers, Interim Athletic Director for Duncanville Independent School District, as well as Ms. Connie Williams, Chief Special Initiatives and Collaborative Communities.

   Mayor Gordon announced the Duncanville ISD and the City have collaborated on a Victory Parade scheduled for Friday, January 13, at 7 p.m. Following a presentation to the City Council of championship medals, the City Council recessed at 7:23 p.m. for a short reception honoring Coach Samples, the Championship team, and their collective achievement.

The City Council went back into the Work Session / Briefing at 7:42 p.m.

   B. Councilmembers' Reports. There were no City Councilmembers' Reports.

   C. City Manager's Report. City Manager Ferrell-Benavides stated the City Hall would be closed on Thursday, December 22, at 12 Noon to allow the Staff to participate in a luncheon including an Employee Recognition Program, and to leave at 2 p.m. due to the anticipated severe weather which might impact some employees' ability to return safely to their homes.

2. **PROCLAMATIONS AND PRESENTATIONS**
   It was noted the one proclamation was presented during the Mayor's Report.

3. **CITIZENS' INPUT**
Mayor Gordon announced that in keeping with the City Council's Rules of Procedure, adopted on October 18, 2022, electronic mail comments will no longer be read aloud. Paper copies of the comments received will be provided to the City Council at the dais. The comments will be made a part of the public record in the minutes.

There were no electronic mail comments received.

Citizens Public Comment Period.

The following individuals addressed the City Council.

Lindsay Rodgers, 907 Green Rock Drive, Duncanville, regarding Agenda Item 5.D. Resolution Approving an Incentive Grant by the DCEDC.

Betty Taylor, 422 Oleander, Duncanville, regarding the Ladd Property.

4. **CONSENT AGENDA**. The following may be acted upon in one motion. A City Councilmember may request items be removed from the Consent Agenda for individual consideration. The Mayor announced the additional reading of the Consent Agenda Items, the City Manager having read the Consent Agenda Items during the Work Session / Briefing.

A. Consider approval of draft City Council Meeting Minutes for the Regular Meeting of November 1, Special Called Meeting of November 7, Regular Meetings of November 15, and of December 6.

B. Consider a Resolution authorizing the first one-year term renewal to Contract #20-097 with Exclusive Protection Services, LLC, to provide security services for the Duncanville Fieldhouse in an amount not to exceed $75,000.00 annually.

C. Consider a Resolution approving a Cooperative Purchasing Agreement with Kraftsman through BuyBoard Contract #679-22 for the purchase and installation of a splash pad and general site improvements to Armstrong Park in the expenditure amount of $2,112,132.90.

D. Consider a Resolution approving a Cooperative Purchasing Agreement with T.F. Harper and Associates, L.P. through BuyBoard Contract #581-19 for the purchase and installation of a playground in Armstrong Park in the expenditure amount of $698,579.76.

E. Consider a Resolution authorizing a contract renewal for food and beverage services with Ben E. Keith at the Duncanville Fieldhouse in an amount not to exceed $125,000.00 annually.

F. Consider a Resolution of the City Council of the City of Duncanville, Texas, awarding a contract through RFP 22-0032 for Janitorial and Portal Services at the Duncanville Fieldhouse to Global Building Maintenance Inc. located in Dallas, Texas, in the unit amounts bid with an estimated expenditure amount of $228,621.60

G. Consider a Resolution approving the fourth and final renewal of Contract 19-001 with Yunex, LLC, for traffic signal maintenance with an estimated expenditure amount of $164.441.00.

H. Consider Adopting an Ordinance of the City of Duncanville, Texas, Amending the Code of Ordinances by Amending Chapter 16A "Sign Guidelines", Article VIII "Rules for Specific Sign Types", Section 16A-35 "Political and Election Signs"

I. Consider a Resolution authorizing the application and acceptance of a Dallas County Municipal First Responder Mental Health Program (FRMHP) grant for Duncanville First Responders, including fire and police personnel.

Motion by Councilmember Harvey to adopt the Consent Agenda and second by Councilmember Contreras. The vote was cast, 6 for, 0 against. The motion carried. Councilmember McBurnett was absent.

5. **ITEMS FOR INDIVIDUAL CONSIDERATION.**

A. Resolution Appointing Members to City Boards, Committees, and Commissions.

Mayor Gordon announced that the City Council would not act on this agenda item this evening.

B. Consider a Resolution authorizing the approval of a Chapter 380 incentive grant in the amount of $34,248 by the City of Duncanville to Scooters TX Real Estate Fund 1, LLC and its duly authorized representative, for cost associated with the expansion of a Scooter's Coffee franchise located at 700 W. Camp Wisdom Road, Duncanville, Texas, 75116.

Economic Development Manager Clay Mansell introduced this agenda item and presented the background on the project.

Councilmember Koontz asked if there are any specific obligations for Scooter's Coffee franchise.

Mr. Mansell affirmed, the Scooters Coffee franchise have obligations to open and operate the franchise successfully. City Attorney Hager concurred with staff's response, noting that promises such as landscaping, signage, and other agreements must be abided by to receive the grant from City, or the franchisee will have to pay back the funds.

The City Council considered action.

Motion by Councilmember Harvey to approve the resolution authorizing the Chapter 380 incentive grant and second by Councilmember Cherry. The vote was cast, 5 for, 1 against. Councilmember Koontz voted in opposition. Councilmember McBurnett was absent. The motion carried.

C. Consider a Resolution approving an incentive grant by the Duncanville Community & Economic Development Corporation (DCEDC) to Fiesta Furniture Outlet, LLC, in the amount of $80,000.00 for qualified expenditures for a building located at 642 E. Hwy. 67, Duncanville, TX 75137.

Economic Development Manager Clay Mansell introduced this agenda item.

Councilmember Contreras requested a list of all buildings in the City that will be impacted by the sprinkler policy to facilitate further conversation at a later date. City Manager Ferrell-Benavides informed the City Council that staff will be working across departments to construct further approaches.

The City Council considered action.

Motion by Councilmember Harvey to approve the resolution authorizing the incentive grant and second by Councilmember Contreras. The vote was cast, 6 for, 0 against. Councilmember McBurnett was absent. The motion carried.

D. Consider a Resolution approving an incentive grant by the Duncanville Community & Economic Development Corporation (DCEDC) to D Squared Catering, LLC, in the amount of $22,374.17 for qualified expenditures for a building located at 519 E. Hwy. 67, Duncanville, TX 75116.

Economic Development Manager Clay Mansell introduced this agenda item.

Lindsay Rodgers, 907 Green Rock Drive, Duncanville, thanked the City Council for their consideration of approving the incentive grant.

There were no City Council comments. The City Council considered action.

Motion by Councilmember Contreras to approve the resolution authorizing the incentive grant and second by Councilmember Harvey. The vote was cast, 6 for, 0 against. Councilmember McBurnett was absent. The motion carried.

E. Consider a motion to authorize expenditure of American Rescue Plan Act (ARPA) Emergency Business Assistance Program grants for Qualified Duncanville Small Businesses in an amount not to exceed $160,000.

Economic Development Executive Assistant Jeremiah Brewer introduced this agenda item.

Mayor Gordon asked about the total number of applications received in Round One and Round Two submissions. Mr. Brewer responded there were 58 applications submitted with 41 receiving approval in Round One. There were 15 applications submitted with 13 receiving approval in Round Two.

Motion by Councilmember Harvey to approve the resolution authorizing the incentive grant and second by Councilmember Contreras. The vote was cast, 6 for, 0 against. Councilmember McBurnett was absent. The motion carried.

6. **STAFF AND BOARD REPORTS**

A. RECEIVE THE DCEDC QUARTERLY REPORT.
Economic Development Manager Clay Mansell presented this agenda item.

B. RECEIVE THE MONTHLY FINANCIAL REPORT AS OF SEPTEMBER 30, 2022.
Managing Director of Fiscal Services Edena Atmore presented this agenda item.

ADJOURNMENT

Mayor Gordon adjourned the meeting at 10:08 p.m.

APPROVED:

MAYOR

ATTEST:

CITY SECRETARY