

Duncanville City Council Meeting Minutes
Regular Meeting
Tuesday, December 21, 2021

CALL TO ORDER

A regular meeting of the Duncanville City Council was called to order on Tuesday, December 21, 2021, at 6:00 p.m. in the Council Briefing Room at City Hall with a quorum to wit:

COUNCIL PRESENT: Mayor Barry L. Gordon
Councilmember Joe Veracruz
Councilmember Don McBurnett
Councilmember Jeremy Koontz
Councilmember Mark D. Cooks
Councilmember Greg Contreras

COUNCIL ARRIVING AT: Mayor Pro Tem Patrick Harvey – 7:17 p.m.

I. WORK SESSION / BRIEFING

I.1. DISCUSS AGENDA ITEMS

Mayor Gordon read the item into the record, and City Manager Ferrell-Benavides reviewed each item. Item 4B - authorizing a Cooperative Purchasing Agreement with Vortex Companies Vortex, LLC using The Interlocal Purchasing System (TIPS), Contract 20110401 Wastewater Improvements - Pipebursting wastewater mains on Briarmeade Drive, East Fairmeadows Drive, Fairmeadows Circle, and various streets in the Forest Hill Addition for the Public Works Department, with an estimated expenditure amount of \$999,996.25 and an appropriation of \$99,999.63 for a contingency equaling ten (10) percent of the original contract price. Every year, the City executes a wastewater pipe bursting contract to repair structural and capacity deficiencies on the current sewer, prevent rainwater and/or groundwater inflow and infiltration, reduce Sanitary Sewer Overflows (SSOs), and reduce the current sewer sewage treatment costs, as well as future sewer system maintenance costs. Rehabilitation of the manholes along the pipe bursting route is included in this contract. The map included in the staff report illustrates the City's pipebursting history and identifies the locations receiving work this fiscal year. The cost of this contract for FY22 is \$996,996.25 and was budgeted in the FY22 Utility CIP Program. Annual wastewater pipe bursting is part of the City's SSO Mitigation program with the Texas Commission on Environmental Quality (TCEQ). The City is contracting with Vortex through a Cooperative Purchasing Agreement. They previously performed pipe bursting work in the City in FY20 and FY21. The contractor is located in Houston. Councilmember Contreras questioned if the pipe bursting would represent all five districts. Assistant Public Works Director Culton stated yes.

I.2. BRIEFINGS / PRESENTATIONS

I.2.A. *Discuss and receive direction on uses of the Coronavirus Local Fiscal Recovery funds provided through the American Rescue Plan Act (ARPA)*
City Manager Ferrell-Benavides presented the item.

American Rescue Plan Act

- The \$1.9 trillion act was signed into law on March 11, 2021.
- \$360 billion reserved for state and local aid to mitigate the fiscal effects stemming from the public health emergency.
- \$65.1 billion is dedicated to cities.
- City of Duncanville to receive \$9.6 million.
- Received through Texas Department of Emergency Management.
- Based on a Community Development Block Grant (CDBG) allotment formula.
- Payment received in 2021 (first half) and 2022 (second half).
- Funds must be committed by December 31, 2024.
- Funds must be completely spent by December 31, 2026.

- Guidance for eligible uses issued by the U.S. Department of the Treasury.

ARPA Eligible Uses

Respond to COVID-19 or its economic impacts

Provide premium pay for eligible essential workers

Replace revenue lost due to COVID-19

Invest in water, sewer, and broadband infrastructure

ARPA Use Ideas – Criteria One

Small Business Grants \$350,000	HVAC – Ventilation improvements in congregate areas \$830,000	Tutoring Programs and Digital Literacy Training \$50,000
No-touch bathroom fixtures and cleaning systems \$80,000	Outdoor fitness equipment – Redbird Park (QCT Zone) \$100,000	Regional Mental Health Response Team - *\$180,000
Fire/EMS (ESRI tool, purification system in vehicles, Facepiece/ EMS tools cleaner) \$33,000	Library Carrels - \$26,500	

Criteria Two – Employee Premium Pay

- \$500,000 retro premium pay – All employees
 - o Tiered approach – lower salary jobs receive more

Criteria Three– Revenue Loss \$944,104 calculated loss

Axon – PD body & dash cameras / storage \$500,000 (5-year cost + partial funding Fleet from Replacement)	Emergency Generators – City Hall/Police & Fire Station 2 \$425,000	Adverse Weather Equipment – Fire Stations \$13,673
Fire & PD Lexipol Subscriptions * \$63,000	Neighborhood Services and Heath Inspection – Body Camera and Vests \$12,500	Fire – 2 nd set of Bunker Gear \$105,600
Outdoor Fitness Equipment \$175,000		

Criteria Four – Water/Wastewater & Broadband Infrastructure

Automated Metering Infrastructure - \$5,000,000	Pump Station Cellular Units & SCADA upgrades - \$83,250	Broadband Infrastructure – Relocate to Old Library - \$3,000,000
Residential Service Line Lead/Copper Replacement Program 50/50 \$200,000	Residential Septic to Sewer Program 50/50 \$200,000	Water/Wastewater Project – Cockrell Hill Rd. \$1,200,000
IT Master Plan - \$50,000		

- ARPA references the EPA (Environmental Protection Agency) DWSRF (Drinking Water State Revolving Fund) and CWSRF (Clean Water State Revolving Fund) project eligibility criteria.

Recommendations

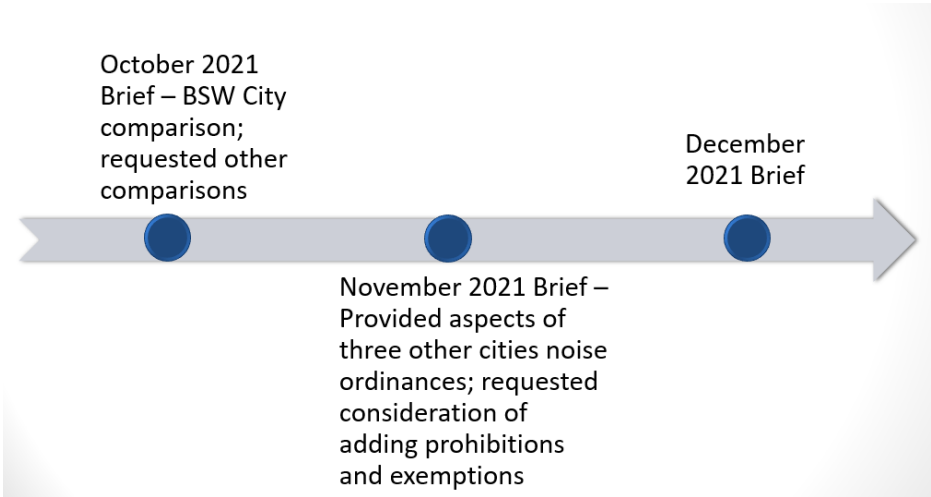
- Urgent Needs:
 - o Generators - \$850,000
 - City Hall/Police Station, Fire Station 1 & 2, Service Center, 103 E. Wheatland Rd.
 - o Adverse Weather Equipment - \$13,673
 - o Body Cameras/Vest – \$18,378
 - o Health Inspector, Fire Marshal & Staff, Neighborhood Services (9 personnel)
- Essential Workers – Premium Pay - \$500,000
- Smaller, One-time purchases:
 - o ESRI License – Police/Fire - \$2,500 (annual cost)
 - o Library Carrels – \$26,500
 - o Air Purification – Fire Apparatus/MICU - \$19,800
 - o Ultra-Sonic Facepiece cleaners - \$10,586
 - o Cellular Units Pump Stations - \$24,000

Staff will bring an item back to Council at the City Council Regular Meeting on January 21, 2022 for Council.

- I.2.B. Review of the City’s Fund Balance for the Utility Operating Fund.**
Financial Services Managing Director Atmore presented the item.

- I.2.C. Receive a follow-up presentation concerning the City of Duncanville’s current “loud and raucous noise” ordinance (Ordinance 1794 § 1), relating to citizen quality of life, and provide the City Council recommended revisions for adoption.**
Interim Police Chief LiVigni presented the item.

Discussion Timeline of Noise Ordinance



Adds Exceptions, Modifies Prohibitions

Prohibitions (Prima facie)

- Remains intact, but
 - Tightens (b)(3) from 10:00 p.m. – 7:00 a.m. to 9:00 p.m. – 7:00 a.m.
- Keeps needed officer's ability to mitigate resolution

Exceptions

- Motor vehicles on city trafficways
- Utility repairs
- Emergency sirens, whistles, etc.
- Repairs or excavations
- Outdoor school and playground activities
- Other events permitted by the city

Adds Section for Repeat Violators

If the same residence, business, or vehicle is the source of the repeated violations in a rolling twenty-four-month period and ownership has not changed upon the third and each subsequent conviction, the maximum fine allowable will be assessed upon subsequent conviction(s).

Adds Explicit Enforcement Section

- Designates the police department officers as having primary responsibility for the enforcement of the noise ordinance.
- Nothing in the ordinance shall prevent the Police Department and its officers from obtaining voluntary compliance by way of warning, notice, or education.

Education is Key

- Internally - Personnel must document and obtain statements, readings
- Externally - Citizens must know that we believe their noise concerns are important but that:
 - We do have limitations
 - We need them to be complaining witnesses for complaints to be presented to the court

A majority of Council would like to keep the time to 10:00 p.m.

Mayor Gordon adjourned the Briefing Session at 7:08 p.m.

II. EXECUTIVE SESSION

No Executive Session held.

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 7:17 p.m. with Mayor Gordon presiding.

The Invocation was delivered by Councilmember Veracruz.

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

III.1. REPORTS

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

Mayor Gordon wished all citizens a safe, healthy, and Happy Holiday Season.

III.1.B. *Councilmembers' Reports*

Councilmember Contreras recognized and thanked Staff on their work on the Christmas Parade.

Councilmember Cooks wished all citizens a Happy Holidays and asked District 4 residents to submit their pictures of their Christmas Lights.

Councilmember McBurnett commended the High School Football Team on their winning football season.

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

City Manager Ferrell-Benavides spoke on the Parks and Recreation Department's membership drive for January.

III.2. PROCLAMATIONS AND PRESENTATIONS

III.2.A. Recognition of the Mayor's City Champion.

Mayor Gordon recognized Madeline Kelley-Schwoch.

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:

Peg Shrum, 612 Carriage Way – submitted a comment on permit fees and short-term rentals.

Eloise Square, 627 Alameda Square – submitted a comment on noise.

Patricia Ebert, 115 South Greenstone Lane – submitted a comment on the City's Fund Balance for the Utility Operating Fund.

T. Williams, 866 Astaire Ave - spoke on the Noise Ordinance.

Maryanne Romano, 639 Sherrill Blvd. – spoke on the Noise Ordinance.

Mark Graham, 410 Santa Fe Trail - spoke on the Ladd Property.

Erika Browning, 442 E. Cherry Street - spoke on the Noise Ordinance.

Jim Jones, 1627 Nob Hill Circle - spoke on the Ladd Property.

Amelia Moore, 435 Roundtop – T. Williams read Ms. Moore's comment on the Noise Ordinance.

III.4. CONSENT AGENDA

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

III.4.A. Consider the Minutes for the:

- **August 14th, Town Hall Meeting**
- **August 17th, City Council Regular Meeting**
- **August 24th, City Council Special Meeting**
- **September 7th, City Council Regular Meeting**
- **September 21st, City Council Regular Meeting**
- **October 14th, City Council Special Meeting**
- **November 8th, City Council Special Meeting**
- **November 11th, 12th, and 13th, City Council Special Meeting**
- **November 16th, City Council Regular Meeting**
- **November 30th, City Council Special Meeting**

- III.4.B. ***Consider a Resolution authorizing a Cooperative Purchasing Agreement with Vortex Companies Vortex, LLC using The Interlocal Purchasing System (TIPS), Contract 20110401 Wastewater Improvements - Pipebursting wastewater mains on Briarmeade Drive, East Fairmeadows Drive, Fairmeadows Circle, and various streets in the Forest Hill Addition for the Public Works Department, with an estimated expenditure amount of \$999,996.25 and an appropriation of \$99,999.63 for a contingency equaling ten (10) percent of the original contract price.***
- III.4.C. ***Consider a Resolution authorizing the third option to renew for an additional one-year period beginning November 27, 2021, and ending November 26, 2022, for IFB-19-001, Traffic Signal Maintenance Services, with Siemens Mobility, Inc., with an estimated amount up to \$156,610.00.***
- III.4.D. ***Consider a Resolution authorizing the purchase of Traffic Operations Equipment, Maintenance, and Supplies from Consolidated Traffic Control, Inc., using the Houston-Galveston Area Council of Governments (HGAC) Cooperative Contract #PE-05-21, in the amount up to \$85,376.00.***
- III.4.E. ***Consider a Resolution authorizing the purchase of Traffic Operations Equipment and Supplies from Paradigm Traffic Systems using BuyBoard Cooperative Purchasing Agreement #603-20, in the amount up to \$91,800.00.***

Councilmember Don McBurnett made a motion to approve the item as stated, Councilmember Mark D. Cooks seconded the motion. The vote was cast 7 for, 0 against. Items passed.

III.5. ITEMS FOR INDIVIDUAL CONSIDERATION

- III.5.A. ***Consider an Ordinance amending Chapter 5 (Buildings and General Building Regulations); by adding Article VIII (Short-Term Rental Registration Regulations).***

City Planner Thibodeaux presented the item.

The proposed ordinance consists of the following:

- Power and Duties.
- Registration Requirements.
- Inspection/Reinspection Requirements.
- Restrictions.
- Notification to Surrounding Property Owners.
- Terms, Fees, and Renewal Requirements.
- Revocation and Appeal.

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. Item passed.

- III.5.B. ***Receive and Consider approving the DCEDC FY22 Strategic Plan.***

Economic Development Director Garcia presented the item.

Strategic Plan

Redevelopment of a City as built-out as Duncanville requires many different simultaneous efforts that require extensive forethought and planning.

This Strategic Plan will establish a framework to guide, instruct, and focus DCEDC's efforts in a meaningful and productive manner.

A Strategic Plan will also enable better communication and collaboration between EDC staff, the DCEDC board, and the City Council.

With the start of FY22, the Strategic Plan is ready for approval and implementation.

Redistricting setback implementation, but some 1st Quarter goals are still on track.

The core components of the Strategic Plan would constitute an Economic Development, Community Enhancement, and Marketing plan.

- Economic Development is focused on external business activities; Business Retention and Expansion, Small-scale “Base-hits”, Catalyst projects, Legacy projects, Small Area / Special / Overlay District planning.
- Community Enhancement is focused on internal activities: Beautification of the City, Improving Internal Departmental Cooperation, Workforce Development, and Board and Commission relations.
- Marketing is focused on external perception improvement: Social Media, Website revamp, Asset Videos, Traditional Marketing.

STRATEGIC GOALS AND INITIATIVES



- **Green = complete / Orange = in progress / Red = Awaiting completion of a prerequisite**
- **OCTOBER GOALS**
 - Establish Facebook, LinkedIn, Twitter, and Instagram social media accounts for EDC.
 - Send the PIO all of our ideas and contributions for the DCEDC portion of the City website for inclusion in the website redesign.
 - Reach out to local business leaders who have expressed interest in organizing a food truck event.
 - Discuss and outline asset video details with a videographer.
 - Reach out to and begin building a strong relationship with one of the Top 20 DFW Developers.
 - Discuss the feasibility of a legacy project.
 - We are working on creating a portfolio of marketing material before outreaching to ensure we have a cohesive identity to market off of.
- **NOVEMBER GOALS**
 - Assemble marketing and merchandise packages for the promotion of Duncanville at external business events, trade shows, conferences, and meetings with VIPs.
 - Outline a podcast program and procure the necessary equipment to begin publishing a DCEDC podcast on a monthly basis.
 - Begin production for asset video.
 - Identify and categorize all residential, commercial, and industrial areas of Duncanville into small areas segments using a mapping tool.
 - Begin designing and preparing for a springtime food truck event.
 - In conjunction with the food truck event, incorporate a live music element.
- **DECEMBER GOALS**
 - Prepare constituent surveys for community input.
 - Create a survey for Duncanville businesses asking for feedback on the City's perceived strengths, weaknesses, opportunities, and threats (SWOT).
 - Create a feedback survey for the community and tourists about future attractions.
 - Identify key redevelopment opportunities within cluster areas to advertise to developers.

City Council approved of the Strategic Plan with the addition of a Gantt Chart.

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. Item passed.

III.5.C. Take any necessary action as a result of the Executive Session.
Executive Session was not held.

III.6. STAFF AND BOARD REPORTS

III.6.A. *Receive the Economic Development Department Quarterly Report.*

Economic Development Director Garcia and Manager Mansell presented the item.

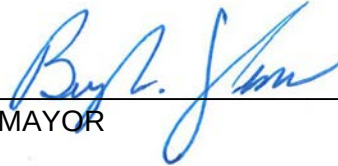
III.6.B. *Receive the Public Works Quarterly Report.*

Assistant Public Works Director Culton presented the item.

IV. ADJOURNMENT

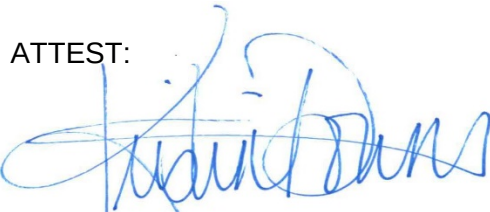
The meeting was adjourned at 9:32 p.m.

APPROVED:



MAYOR

ATTEST:



CITY SECRETARY