



Duncanville City Council Special Meeting Agenda

Videoconference via ZOOM
Duncanville City Hall
203 E. Wheatland Road
Duncanville, TX 75116
(972) 780-5017

Wednesday, May 12, 2021
2:00 P.M. - Regular Session

City of Duncanville City Council meetings are available to all persons regardless of disability. The City of Duncanville offers Hearing Assistance Receivers for use during City Council Regular Sessions. If you require special assistance, please contact the City Secretary at (972)780-5017 or write 203 E. Wheatland Road, 75116, or by calling through a T.D.D. (Telecommunication Device for the Deaf) to Relay Texas at 1-800-735-2989 at least 48 hours in advance of the meeting.

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session for the purposes of seeking confidential legal advice from the City Attorney on any item on the agenda at any time during the meeting.

The City of Duncanville reserves the right to reconvene, recess or align the Regular Session or called Executive Session or order of business at any time prior to adjournment.

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 Special Meeting by video conference at 2:00 pm on Wednesday, May 12, 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 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 12pm on Wednesday, May 12, 2021, email citysecretary@duncanville.com and title the email “Public Comment – May 12th”. 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.

Register in advance for this webinar:

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

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.

1. **CALL TO ORDER.**
2. **CITIZENS' INPUT**
3. **ITEMS FOR INDIVIDUAL CONSIDERATION**

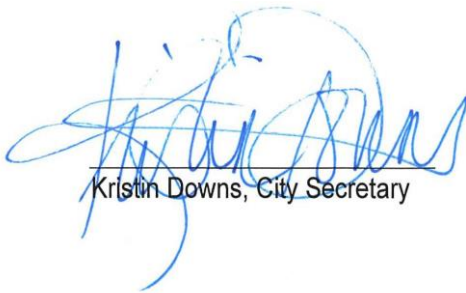
- A. Consider a Resolution Canvassing and Declaring the results of the May 1st, 2021, General Election for Councilmember At-Large and Councilmembers for Districts one (1), three (3) and five (5).

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[Canvassing and Declaring the results of the May 1, 2021, General Election](#)

ADJOURNMENT

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted in accordance with the regulations of the Texas Open Meetings Act on the bulletin board located at the entrance to the City of Duncanville City Hall, a place convenient and readily accessible to the general public, as well as to the City's website www.duncanville.com and said Notice was posted on the following date and time: **Friday, May 7, 2021 at 5:00 P.M.** and remained posted for at least two hours after said meeting was convened.



Kristin Downs, City Secretary

PURSUANT TO SECTION 30.07, PENAL CODE (TRESPASS BY LICENSE HOLDER WITH AN OPENLY CARRIED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS MEETING ROOM WITH A HANDGUN THAT IS CARRIED OPENLY.

DE CONFORMIDAD CON LA SECCIÓN 30.07 DEL CÓDIGO PENAL (PREVARICACIÓN POR LICENCIATARIO CON UNA ARMA DE MANO LLEVADA ABIERTAMENTE), UNA PERSONA CON LICENCIA BAJO EL SUBCAPÍTULO H, CAPÍTULO 411, CÓDIGO DE GOBIERNO (LEY DE LICENCIAS PARA PORTAR ARMAS), NO PUEDEN ENTRAR A LA SALA DE REUNIONES CON UNA ARMA DE MANO QUE SE PRACTICA ABIERTAMENTE.

"PURSUANT TO SECTION 30.06, PENAL CODE (TRESPASS BY HOLDER OF LICENSE TO CARRY A CONCEALED HANDGUN), A PERSON LICENSED UNDER SUB-CHAPTER H, CHAPTER 411, GOVERNMENT CODE (CONCEALED HANDGUN LAW), MAY NOT ENTER THIS PROPERTY WITH A CONCEALED HANDGUN"

"DE ACUERDO CON LA SECCIÓN 30.06 DEL CÓDIGO PENAL (INGRESO SIN AUTORIZACIÓN DE UN PORTADOR DE UNA LICENCIA PARA LLEVAR UN ARMA CORTA OCULTA), UNA PERSONA CON LICENCIA SEGÚN EL SUBCAPÍTULO H, CAPÍTULO 411 DEL CÓDIGO DEL GOBIERNO (LEY PARA PORTAR ARMAS CORTAS OCULTAS), NO PUEDE INGRESAR A ESTA PROPIEDAD CON UN ARMA CORTA OCULTA"



STAFF REPORT

MEETING: City Council - 12 May 2021 - CANVASSING

TITLE:

Consider a Resolution Canvassing and Declaring the results of the May 1st, 2021, General Election for Councilmember At-Large and Councilmembers for Districts one (1), three (3) and five (5).

FY 2019 CITY COUNCIL ORGANIZATIONAL WORKPLAN:

- N/A

STAFF RESPONSIBLE:

Kristin Downs, City Secretary

BACKGROUND/HISTORY:

The Joint Election Agreement and Election Services Contract between the City of Duncanville, Dallas County, and other jurisdictions in Dallas, Collin, and Denton Counties, was to conduct a Joint Election held on Saturday, May 1, 2021; and provides that the Dallas County Elections Administrator is responsible for the preparation of the unofficial canvass report; and will provide by email a copy of the unofficial canvass to each Participating Political Subdivision after all returns, provisional ballots, and late overseas ballots, have been tabulated.

Per the Dallas County Elections Department, canvass may not be conducted until all Election Day (ED) Provisional and Federal Postcard Application (FPCA) (Overseas) ballots have been counted. The last day to receive FPCA Ballots is Friday, May 7, 2021. The Ballot Board, by the election code, has until Monday, May 10th to count both Provisional and FPCA ballots and then provide them to Central Count for counting. The last day to canvass for the May 1, 2021 General Election is Wednesday, May 12, 2021.

As of Friday, May 7, 2021 the City Secretary has not received the final voting results. Once received the City Secretary will upload the new Resolution to reflect the final voting totals for Canvassing the May 1, 2021 General Election results.

The Unofficial Results are as follows:

POLICY EXPLANATION:

The Joint Elections Agreement and Election Services Contract between the City of Duncanville, other jurisdictions, and Dallas County for the Joint Election is administered by the Dallas County Elections Administrator in accordance with Subchapter D of Chapter 31 and Chapter 271 of the Texas Election Code; and Article VII, Section 7.02 of the Duncanville Home Rule Charter.

FUNDING SOURCE:

There is no cost related to this item.

Contract Log #:

N/A

RECOMMENDATION:

Staff recommends approval of a Resolution Canvassing and Declaring the results of the May 1st, 2021, General Election for Councilmember At-Large and Councilmembers for Districts one (1), three (3) and five (5).

ATTACHMENTS:

[Attachment 1 - Resolution No. - 2021-031 - Canvassing May 1, 2021 General Election - English and Spanish](#)

RESOLUTION NO. 2021-031

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS, CANVASSING AND DECLARING THE RESULTS OF THE MAY 1st, 2021, GENERAL ELECTION FOR COUNCILMEMBER AT-LARGE AND COUNCILMEMBERS FOR DISTRICTS ONE (1), THREE (3) AND FIVE (5); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is hereby found and determined that notices of a general election were duly given in the form, manner and time required by law, and said elections were in all respects legally held and conducted in accordance with applicable laws of the State of Texas and the proceedings calling and governing the holding of such elections; and

WHEREAS, it is imperative to consider the returns of the general and special elections held on May 1st, 2021, for the purpose of electing the hereinafter named officials before the qualified voters of the City; and

WHEREAS, the returns of the general election have been duly and legally made and submitted to the City Council for canvassing, and a tabulation of the returns for the polling places and for early voting, as canvassed and tabulated by this governing body as follows:

NOW, THEREFORE, be it resolved by the City Council of the City of Duncanville, Texas after examining said returns and opening and canvassing the votes of said election, that the results of said general election are as follows:

SECTION 1. That the following number of votes were cast for the following named candidate for the office of Councilmember at-large to wit:

NAME	EARLY VOTES	ELECTION DAY VOTES	TOTAL VOTES
Patrick Harvey			
Angela Jones			
Richard E. Shaw			
Shawn Von Lauffer			

It appearing that _____ received majority of all votes cast for the office of Councilmember At-large, _____ is hereby declared to be elected to serve a two (2) year term after qualifying.

SECTION 2. That the following number of votes were cast for the following named candidate for the office of Councilmember District 1, to wit:

NAME	EARLY VOTES	ELECTION DAY VOTES	TOTAL VOTES
Joe Veracruz			
Matthew J. Jones			
De Gooden			

It appearing that _____ received a majority of all votes cast for the office of Councilmember District 1, _____ is hereby declared to be elected to serve a two (2) year term after qualifying.

SECTION 3. That the following number of votes were cast for the following named candidate for the office of Councilmember District 3, to wit:

NAME	EARLY VOTES	ELECTION DAY VOTES	TOTAL VOTES
Jeremy Koontz			
Kasundra Brown			

It appearing that _____ received a majority of all votes cast for the office of Councilmember District 3, _____ is hereby declared to be elected to serve a two (2) year term after qualifying.

SECTION 4. That the following number of votes were cast for the following named candidate for the office of Councilmember District 5, to wit:

NAME	EARLY VOTES	ELECTION DAY VOTES	TOTAL VOTES
Greg Contreras			
Johnette Jameson			
Melba R. Wright			

It appearing that _____ received a majority of all votes cast for the office of Councilmember District 5, _____ is hereby declared to be elected to serve a two (2) year term after qualifying.

SECTION 5. This Resolution, declaring the results of the municipal elections shall become effective immediately after its passage

IT IS FURTHER ORDERED that this canvass and declaration of results of said election shall be entered in the Minutes of the City Council and that said officers, after being qualified and having taken the oath, shall serve during the term commencing May 12, 2021 and thereafter until a successor is duly elected and qualified.

DULY PASSED by the City Council of the City of Duncanville, Texas, this the 12th day of May, 2021.

APPROVED:

Barry L. Gordon, Mayor

ATTEST:

Kristin Downs, City Secretary

APPROVED AS TO FORM:

Robert E. Hager, City Attorney

RESOLUCIÓN N° 2021-031

UNA RESOLUCIÓN DE CONCEJAL DE LA CIUDAD DE DUNCANVILLE, TEXAS, DECLARANDO LOS RESULTADOS DE LA CAMPAÑA ELECTORAL DEL 1 DE MAYO DEL 2021, ELECCIONES GENERALES PARA CONCEJAL EN GENERAL Y CONCEJALES PARA LOS DISTRITOS UNO (1), TRES (3) Y CINCO (5); Y PROPORCIONANDO UNA FECHA EFECTIVA

CONSIDERANDO, que se encuentra y determina que los avisos de una elección general fueron debidamente entregados en la forma y tiempo requerida por la ley, y dichas elecciones se celebraron legalmente y se llevaron a cabo de acuerdo con las leyes aplicables del Estado de Texas y los procedimientos llamando y gobernando la celebración de tales elecciones; y

CONSIDERANDO, que es imperativo considerar los resultados de la elección general celebrada el 1 de mayo de 2021, con el fin de elegir a los funcionarios antes nombrados ante los votantes calificados de la Ciudad; y

CONSIDERANDO que los resultados de las elecciones generales se han presentado legal y debidamente ante el Concejo de la Ciudad para declarar los resultados, y una tabulación de las declaraciones para los centros de votación y para la votación anticipada.

POR LO TANTO, se ha resuelto por el Concejo de la Ciudad de Duncanville, Texas después de examinar dichas respuestas y de abrir y contar votos de dicha elección, que los resultados de dichas elecciones generales son los siguientes

SECCION 1. Que el número siguiente de votos fueron emitidos a favor de los siguientes candidatos nombrado para el a un Concejal En General:

NOMBRE	EARLY VOTOS	ELECTION DAY VOTOS	NUMERO DE VOTOS
Patrick Harvey			
Angela Jones			
Richard E. Shaw			
Shawn Von Lauffer			

Apareciendo que _____ recibió la mayoría de los votos emitidos por todos los candidatos para el a un Concejal En General, y él se declara que se elegirá a la oficina para servir un plazo de 2 años después de la calificación.

SECCION 2. Que el número siguiente de votos fueron emitidos a favor de los siguientes candidatos nombrado para el cargo de Concejal de Distrito 1:

NOMBRE	EARLY VOTOS	ELECTION DAY VOTOS	NUMERO DE VOTOS
Joe Veracruz			
Matthew J. Jones			
De Gooden			

Apareciendo que _____ recibió la mayoría de los votos emitidos por todos los candidatos para el cargo de Concejal del Distrito 1, y él se declara que se elegirá a la oficina para servir un plazo de 2 años después de la calificación.

SECCION 3. Que el número siguiente de votos fueron emitidos a favor de los siguientes candidatos nombrado para el cargo de Concejal de Distrito 3:

NOMBRE	EARLY VOTOS	ELECTION DAY VOTOS	NUMERO DE VOTOS
Jeremy Koontz			
Kasundra Brown			

Apareciendo que _____ recibió la mayoría de los votos emitidos por todos los candidatos para el cargo de Concejal del Distrito 3, y él se declara que se elegirá a la oficina para servir un plazo de 2 años después de la calificación.

SECCION 4. Que el número siguiente de votos fueron emitidos a favor de los siguientes candidatos nombrado para el cargo de Concejal de Distrito 5:

NOMBRE	EARLY VOTOS	ELECTION DAY VOTOS	NUMERO DE VOTOS
Greg Contreras			
Johnette Jameson			
Melba R. Wright			

Apareciendo que _____ recibió la mayoría de los votos emitidos por todos los candidatos para el cargo de Concejal del Distrito 5, y él se declara que se elegirá a la oficina para servir un plazo de 2 años después de la calificación.

ADEMÁS SE ORDENA que este escrutinio y proclamación de los resultados de dicha elección se consignará en el acta del Concejo Municipal y que dichos funcionarios, después de haber calificado y tomado sus juramentos, actuará durante el período que comienza 12 de Mayo 2021, y posteriormente hasta que sus sucesores sean debidamente elegidos y calificados.

Esta Resolución, una vez declarados los resultados de la elección se hará efectiva inmediatamente después de su pasaje.

ORDENADA Y ADOPTADA por el Concejo Municipal de la Ciudad de Duncanville, Texas, este día el 12 de Mayo 2021.

APROBADO:

Barry L. Gordon, ALCALDE

ATESTIGÜO

Kristin Downs, Secretaría de la Ciudad

APROVADO EN SU REDACCION

Robert E. Hager, Abogado de la Ciudad