



**NOTICE OF REGULAR MEETING AGENDA
LANCASTER CITY COUNCIL
MUNICIPAL CENTER CITY COUNCIL CHAMBERS
211 N. HENRY STREET, LANCASTER, TEXAS**

Monday, June 14, 2021 - 7:00 PM



IMPORTANT NOTICE: Due to the COVID-19 (coronavirus) state of emergency and consistent with the Governor's Order regarding modifications to the Texas Open Meetings Act ("TOMA"), and executive orders, the public will not be admitted to the physical meeting location.

Please click the link below for forms:

<https://www.lancaster-tx.com/1413/Notice-Regarding-Public-Participation>

Please click the link below to join the webinar:

<https://us02web.zoom.us/join/register/tZUtcyqrTkoHd3dETWKtkuWnpoltC1AoQ0a>

The meeting will be broadcast live via video at the following address:

<http://www.lancaster-tx.com/324/Watch-Meetings>

7:00 P.M. REGULAR MEETING:

CALL TO ORDER

INVOCATION: Ministerial Alliance

PLEDGE OF ALLEGIANCE: Deputy Mayor Pro Tem Stanley Jaglowski

PROCLAMATION: Juneteenth Celebration Day, Cancer Survivors Day

PUBLIC TESTIMONY/CITIZEN'S COMMENTS:

At this time, citizens who have pre-registered before the call to order will be allowed to speak on any matter for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until such matter has been placed on an agenda and posted in accordance with law. Anyone desiring to speak on an item scheduled for a public hearing is requested to hold their comments until the public hearing on that item.

CONSENT AGENDA:

Items listed under the consent agenda are considered routine and are generally enacted in one motion. The exception to this rule is that a Council Member may request one or more items to be removed from the consent agenda for separate discussion and action.

1. Consider a resolution ratifying the purchase of two (2) 2020 Dodge Charger patrol vehicles from Freedom Dodge through an Interlocal Agreement with the City of Dallas, Texas in an amount not to exceed forty-nine thousand, nine hundred fifty dollars (\$49,950), and the purchase of one (1) 2021 Chevrolet Tahoe from Freedom Chevrolet in an amount not to exceed thirty-four thousand dollars (\$34,000).

ACTION:

2. Discuss and consider a resolution establishing a public hearing date to consider the land use assumptions, capital improvement plans and impact fee update for water, wastewater, and roadway facilities.
3. Discuss and consider a resolution awarding RFP 2021-35 to Yellowstone Landscape for mowing services for municipally owned and maintained properties and rights-of-way maintenance.
4. Discuss and consider a resolution authorizing a professional services agreement with Siemens Industry, Incorporated for the installation of fire sprinkler systems at the following City facilities: 1600 Veterans Memorial Parkway (Veterans Memorial Library), 100 Craig Shaw Memorial Parkway (Public Safety Building), 1700 Veterans Memorial Parkway (Recreation Center), 1960 West Beltline Road (Fire Station #3), 1999 North Jefferson (James R. Williams Pump Station), and 211 North Henry Street (Municipal Center (City Hall)), in an amount not to exceed three hundred seventy-nine thousand, five hundred sixty-two dollars and forty-four cents (\$379,562.44).
5. Discuss and consider a resolution authorizing the City Manager to execute a letter of agreement and authorizing repayment to the Texas Comptroller in an amount not to exceed one hundred eighty-seven thousand, one hundred dollars, and seventy-two cents (\$187,100.72) for a taxpayer claim of over accrual of use taxes.

ADJOURNMENT

EXECUTIVE SESSION: The City Council reserves the right to convene into executive session on any posted agenda item pursuant to Section 551.071(2) of the Texas Government Code to seek legal advice concerning such subject.

ACCESSIBILITY STATEMENT: Meetings of the City Council are held in municipal facilities that are wheelchair-accessible. For sign interpretive services, call the City Secretary's office, 972-218-1311, or TDD 1-800-735-2989, at least 72 hours prior to the meeting. Reasonable accommodation will be made to assist your needs.

PURSUANT TO SECTION 30.06 PENAL CODE (TRESPASS BY HOLDER WITH A CONCEALED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A CONCEALED HANDGUN.

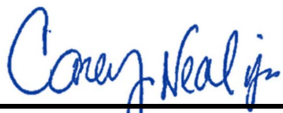
CONFORME A LA SECCION 30.06 DEL CODIGO PENAL (TRASPASAR PORTANDO ARMAS DE FUEGO CON LICENCIA) PERSONAS CON LICENCIA BAJO DEL SUB-CAPITULO 411, CODIGO DEL GOBIERNO (LEY DE PORTAR ARMAS), NO DEBEN ENTRAR A ESTA PROPIEDAD PORTANDO UN ARMA DE FUEGO OCULTADA.

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

CONFORME A LA SECCION 30.07 DEL CODIGO PENAL (TRASPASAR PORTANDO ARMAS DE FUEGO AL AIRE LIBRE CON LICENCIA) PERSONAS CON LICENCIA BAJO DEL SUB-CAPITULO H, CAPITULO 411, CODIGO DE GOBIERNO (LEY DE PORTAR ARMAS), NO DEBEN ENTRAR A ESTA PROPIEDAD PORTANDO UN ARMA DE FUEGO AL AIRE LIBRE.

Certificate

I hereby certify the above Notice of Meeting was posted at Lancaster City Hall on June 10, 2021 @ 4:00 p.m. and copies thereof were provided to the Mayor, Mayor Pro-Tempore, Deputy Mayor Pro-Tempore and Council members.



Carey D. Neal, Jr.

Assistant City Manager

CITY OF LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 1.

Meeting Date: 06/14/2021

Policy Statement: This request supports the City Council 2020-2021 Policy Agenda

Goal(s): Financially Sound City Government
Professional and Committed City Workforce

Submitted by: Jermaine Sapp, Director of Equipment & Facilities

Agenda Caption:

Consider a resolution ratifying the purchase of two (2) 2020 Dodge Charger patrol vehicles from Freedom Dodge through an Interlocal Agreement with the City of Dallas, Texas in an amount not to exceed forty-nine thousand, nine hundred fifty dollars (\$49,950), and the purchase of one (1) 2021 Chevrolet Tahoe from Freedom Chevrolet in an amount not to exceed thirty-four thousand dollars (\$34,000).

Background:

At the August 5, 2019, work session Council received a presentation regarding the FY 2019-2020 equipment replacement plan. The plan included the purchase of eight (8) 2019 Dodge Charger patrol vehicles to be utilized by the Police Department. The eight (8) 2019 Dodge Charger patrol vehicles were approved for purchase at the September 9, 2019, regular city council meeting. The department had adequate funds to purchase two additional vehicles.

Operational Considerations:

Approval of these vehicles improved efficiencies and operations of the Police Department and Emergency Management Departments our compliance with the Texas Clean Fleet Act.

Legal Considerations:

Texas law authorizes cooperative agreements to help save time in developing specifications and duplication during the bid process. The use of cooperative agreements is in accordance with Section 791.001 of the Texas Government Code and 271.101 of the Texas Local Government Code.

An interlocal agreement allows staff to utilize other agencies' formal bid contracts. Each entity's formal bid process must meet the requirements set forth in the statutes, including advertising, M/WBE participation, reference checks, verification of insurance and bonding, (if required by specifications), and any other requirements. All legal requirements are verified by the Purchasing Agent prior to recommendation or use of a contract. Utilization of interlocal agreements saved time associated with issuing bids or obtaining quotes. Savings are achieved through aggregate volumes either through joint bidding opportunities or by addressing the cooperative language within the specifications to the vendors. The City of Lancaster maintains an interlocal agreement with the City of Dallas.

The resolution has been reviewed and approved as to form by the City Attorney.

Public Information Considerations:

This item is being considered at a Regular Meeting of the City Council noticed in accordance with the Texas Open Meetings Act.

Fiscal Impact:

This purchase of the two (2) 2020 Dodge Charger patrol vehicles from Freedom Dodge through an Interlocal Agreement with the City of Dallas, Texas, are funded through the Police Seizure Fund in an

amount not to exceed forty-nine thousand, nine hundred fifty dollars (\$49,950), and the purchase of one (1) 2021 Chevrolet Tahoe from Freedom Chevrolet, is funded through the Equipment Replacement Fund, in an amount not to exceed thirty-four thousand dollars (\$34,000).

Options/Alternatives:

1. City Council may approve the resolution, as presented.
2. City Council may deny the resolution.

Recommendation:

Staff recommends approval of the resolution, as presented.

Attachments

Resolution

Exhibit A

CITY OF LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 2.

Meeting Date: 06/14/2021

Policy Statement: This request supports the City Council 2020-2021 Policy Agenda

Goal(s): Effective Municipal Operations
Financially Sound City Government
Healthy, Safe & Engaged Community
Quality Development

Submitted by: Vicki D. Coleman, Development Services Director

Agenda Caption:

Discuss and consider a resolution establishing a public hearing date to consider the land use assumptions, capital improvement plans and impact fee update for water, wastewater, and roadway facilities.

Background:

In November 2017, the City approved a contract for professional services with Freese and Nichols, Inc. (FNI) to update the Master Thoroughfare Plan, as well as, the Water and Wastewater Plan. These master plans serve to evaluate and address long-term infrastructure needs and are the basis of creating capital improvement plans and proposing impact fee updates for water, wastewater, and roadway facilities. In accordance with the Texas Local Government Code, Chapter 395, a resolution establishing a public hearing is required when a local government considers amending its land use assumptions, capital improvement plans and updating its water, wastewater, and roadway facility impact fees.

Operational Considerations:

The water and wastewater master plan and impact fee ordinances were originally adopted by the City Council in 1994 and was most recently updated in 2012. The water and wastewater plan provides guidance on the system improvements that enhance capacity and support development and service delivery through 2045. The water, wastewater and roadway capital improvement plans (CIP) are a prioritized list of system improvements to be undertaken within the next ten years. These prioritized capital improvement plans assist the City with estimating capital budgets and establishing development impact fees. Development impact fees are a funding source for infrastructure improvements based on new development in the City. These fees serve as one-time payments by developers to offset the City's cost directly related to new or expanding infrastructure. The City is required to hold a public hearing as part of its consideration of amending its capital improvement plans, and impact fee update.

Public Information Considerations:

On June 6, 2021, a notice for the public hearing appeared in the Focus Daily Newspaper. The land use assumptions, capital improvement plans, and the maximum allowable impact fees to be considered during the public hearing are available for viewing at City Hall.

City Council will receive a presentation at the June 21, 2021, Work Session regarding the impact fee update and capital improvement plans associated with the water, wastewater and Master Thoroughfare plans.

Options/Alternatives:

1. City Council may approve the resolution, as presented.
2. City Council may deny the resolution.

Recommendation:

Staff recommends approval of a resolution establishing a public hearing date of July 12, 2021 to consider amending the land use assumptions, capital improvement plans, and the impact fees for water, wastewater and roadway facilities.

Attachments

Resolution

CITY OF LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 3.

Meeting Date: 06/14/2021

Policy Statement: This request supports the City Council 2020-2021 Policy Agenda

Goal(s): Healthy, Safe & Engaged Community

Submitted by: Opal Mauldin-Jones, City Manager

Agenda Caption:

Discuss and consider a resolution awarding RFP 2021-35 to Yellowstone Landscape for mowing services for municipally owned and maintained properties and rights-of-way maintenance.

Background:

This is a request to approve an agreement with Yellowstone Landscape for mowing services for rights-of-way, designated city owned and maintained lots and drainage areas. The City had an agreement with JBA that expired in January 2021. At the April 12, 2021, regular meeting City Council voted to table an agreement for rights-of-way (ROW), drainage, and city property maintenance. City Council requested staff to evaluate the bids received and discuss options with the vendor. The service was originally bid in March 2021. All bids were rejected and the service was re-bid to ensure compliance with state purchasing statutes. This contract addresses mowing services for City property, certain rights-of-way, medians, and Hazard Mitigation Grant Program (HMGP) acquired City owned lots.

Legal Considerations:

This bid was processed in accordance with all local and state purchasing statutes. Five bids were received, three (3) being HUB/M/WBE vendors. The initial contract term will be for a twelve (12) month period with the option to renew for four (4) one (1) year periods. Pricing shall remain firm for the first year and the vendor will have an option to request an increase based on the Dallas/Fort Worth Consumer Price Index (CPI-U).

Year 1: July 1, 2021 to June 30, 2022

Optional - Year 2: July 1, 2022 to June 30, 2023

Optional - Year 3: July 1, 2023 to June 30, 2024

Optional - Year 4: July 1, 2024 to June 30, 2025

Optional - Year 5: July 1, 2025 to June 30, 2026

Public Information Considerations:

Bids were initially advertised in the Focus Daily News on January 28 and 31, 2021. Bids were posted on the City's electronic procurement system. A pre-bid meeting was held on March 3, 2021, and bids were opened on March 11, 2021. City Council tabled the item at the April 12, 2021, regular meeting. The bidding process opened again on May 10, 2021, and the pre-bid meeting was held on May 19, 2021. The bid closed on June 1, 2021.

Fiscal Impact:

Funding for this contract is approved in the current year's budget. Funds will be committed at the time of invoice. The contract total will not exceed six hundred eight thousand, nine hundred twenty-two dollars and ninety-six cents (\$608, 922.96) annually.

Options/Alternatives:

1. City Council may approve the resolution, as presented.
2. City Council may reject the resolution.

Recommendation:

Staff recommends awarding the bid to the lowest, qualified bidder Yellowstone Landscape.

Attachments

Resolution

Exhibit 1 - Agreement

Exhibit A

Bid Response

Bid Tabulation

CITY OF LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 4.

Meeting Date: 06/14/2021

Policy Statement: This request supports the City Council 2020-2021 Policy Agenda

Goal(s): Healthy, Safe & Engaged Community
Sound Infrastructure

Submitted by: Jermaine Sapp, Director of Equipment & Facility Services

Agenda Caption:

Discuss and consider a resolution authorizing a professional services agreement with Siemens Industry, Incorporated for the installation of fire sprinkler systems at the following City facilities: 1600 Veterans Memorial Parkway (Veterans Memorial Library), 100 Craig Shaw Memorial Parkway (Public Safety Building), 1700 Veterans Memorial Parkway (Recreation Center), 1960 West Beltline Road (Fire Station #3), 1999 North Jefferson (James R. Williams Pump Station), and 211 North Henry Street (Municipal Center (City Hall)), in an amount not to exceed three hundred seventy-nine thousand, five hundred sixty-two dollars and forty-four cents (\$379,562.44).

Background:

At the November 19, 2020 City Council Work Session, installation and upgrade of fire sprinkler systems was identified as a facility improvement for FY2021/2022. The City maintains an agreement with Siemens Industry, Inc. for fire alarm and fire sprinkler testing, maintenance, and inspections.

The city facilities listed below will have a system upgrade, replacement or new installation:

Facility	Address	Upgrades/Rechecks	New Installation	Cost
Veterans Memorial Library	1600 Veterans Memorial Parkway	Replace existing sprinkler system gauges	Install 2 new sprinkler system gauges	\$3,769.00
Public Safety Building	100 Craig Shaw Memorial Parkway	Replace existing sprinkler system gauges	Install 2 new sprinkler system gauges	\$3,668.00
Recreation Center	1700 Veterans Memorial Parkway	Replace fire sprinkler head in the front entrance, test system for any additional leaks		\$3,785.00
Fire Station #3	1960 West Beltline Road	Replace CPVC piping on the wet system, replace 32 fire sprinkler heads		\$24,620.00
James R. Williams Pump Station	1999 North Jefferson		Install 1 new wet pipe sprinkler system	\$179,132.16
Municipal Center (City Hall)	211 North Henry Street		Install 1 new wet pipe sprinkler system	\$164,588.28

Operational Considerations:

During the February 2021 winter storm, fire station #3, and the recreation center experienced damage

and leaks to the sprinkler systems. The damages were submitted to the City's insurance carrier and insurance adjustments will offset the cost.

Public Information Considerations:

This item is being considered at a regular meeting of the City Council posted in accordance with the Texas Open Meetings Act.

Fiscal Impact:

Funding will not exceed three hundred seventy-nine thousand, five hundred sixty-two dollars and forty-four cents (\$379,562.44).

Options/Alternatives:

1. City Council may approve the resolution, as presented.
2. City Council may deny the resolution.

Recommendation:

Staff recommends approval of the resolution and agreement, as presented.

Attachments

Resolution

Exhibit 1-1600 Veterans Memorial Parkway

Exhibit 2-100 Craig Shaw Memorial Parkway

Exhibit 3-1700 Veterans Memorial Parkway

Exhibit 4-1960 West Beltline Road

Exhibit 5-1999 North Jefferson

Exhibit 6-211 North Henry Street

Exhibit A-Contract

CITY OF LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 5.

Meeting Date: 06/14/2021

Policy Statement: This request supports the City Council 2020-2021 Policy Agenda

Goal(s): Financially Sound City Government

Submitted by: Opal Mauldin-Jones, City Manager

Agenda Caption:

Discuss and consider a resolution authorizing the City Manager to execute a letter of agreement and authorizing repayment to the Texas Comptroller in an amount not to exceed one hundred eighty-seven thousand, one hundred dollars, and seventy-two cents (\$187,100.72) for a taxpayer claim of over accrual of use taxes.

Background:

The purpose of this item is to address a notice received from Texas Comptroller Glenn Hegar's office for an overpayment of one hundred ninety thousand, nine hundred nineteen dollars and ten cents (\$190,919.10) by a taxpayer in local sales and use taxes. The overpayment was the result of a taxpayer that filed a refund claim for the over accrual of use taxes. This claim has been verified by the State Comptroller's office as a valid refund based on exemptions allowed under local sales tax statutes and documentation provided by the taxpayer to the State. Since this amount has been refunded to the taxpayer by the Comptroller, it must now be repaid to the State by the City.

The City has verified the claim presented in the Comptroller's request. Texas Tax Code Sec. 111.006 (f) prohibits the governing body from disclosing confidential taxpayer information. Therefore, we are prohibited from disclosing the taxpayer identity. We also have an agreement with HdL Companies, who conducts audits on behalf of the City to ensure we are receiving sales and use tax as required by the Statutes. HdL Companies advised City staff of the potential request prior to it being received.

Sales and use tax is 8.25%; 6.25% goes to the State, 1% allocated to the General Fund, 1/4% allocated to Property Tax Reduction (General Fund), 1/2 % to the Lancaster Recreational Development Corporation (LRDC), and 1/4% to Lancaster Economic Development Corporation (LEDC).

Operational Considerations:

The Comptroller has provided the following options to make the repayment:

1. Full reimbursement by one-time check with a 2 % service fee discount for a total of \$187,100.72,
2. Apply all monthly collections to the overpaid amount until the amount has been repaid, or
3. Enter into a 23-month payback agreement where a monthly deduction of eight thousand, three hundred one dollars (\$8,301.00) will be deducted for 22 months, with a final deduction of eight thousand, two hundred ninety-seven dollars and ten cents (\$8,297.20) for a total of \$190,919.20. This deduction would start the month after the State Comptroller receives a response from the City, or two months after the date of their letter (attached as "Agreement-Exhibit A"), if they do not receive a response. Additionally, future significant audit or one-time payments may be applied toward the repayment amount to reduce the length of the payback, and notifications of those applications will be sent.

No fees of any type will be assessed on the payback amount, with the execution of a 2% service fee

for monthly deductions.

Fiscal Impact:

Repayment will be from:

1. General Fund \$93,550
2. Property Tax Reduction (General Fund) \$23,388
3. Lancaster Economic Development Corporation (LEDC) \$23,388
4. Lancaster Recreational Development Corporation (LRDC) \$46,775

Options/Alternatives:

1. City Council may approve the resolution, as presented.
2. City Council may deny the resolution.

Recommendation:

Staff recommends full reimbursement by one-time check of one hundred eighty-seven thousand, one hundred dollars, and seventy-two cents (\$187,100.72).

Attachments

Resolution

Agreement - Exhibit A
