



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



Monday, July 12, 2021 - 7:00 PM

While the Mayor and other City Council Members may be physically present at the Municipal Center City Council Chambers, there may be Council members and staff that will attend and participate via video or audio link due to the COVID-19 emergency situation.

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/tZ0vcuqorTliHtBZeP_gokQ5FwEldUuhO8uW

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: Council Member Keithsha Wheaton

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 an amendment to Ordinance No. 2020-09-31 amending the Lancaster Economic Development Corporation Fund (LEDC), the Lancaster Recreational Development Corporation Fund (LRDC), and the General Fund for Fiscal Year 2020-2021.

CONSENT AGENDA

2. M21-26 Consider a resolution authorizing the City Manager to execute a development agreement between the City of Lancaster and Longhorn Industrial Properties, LLC, a South Carolina limited liability company, related to the relocation of East Longhorn Drive which is situated in the M. Parks Survey, Abstract No. 1120, City of Lancaster, Dallas County, Texas.
3. Consider a resolution ratifying amendments to the Chapter 380 Economic Development Agreements between the City of Lancaster, Texas and Walmart Inc. to eliminate language from the signature blocks of both agreements.

PUBLIC HEARING:

PUBLIC HEARING

4. Conduct a public hearing and consider a resolution approving the land use assumptions, the capital improvement plans, and updated water, wastewater, and roadway impact fees.

ACTION:

5. Discuss and consider a resolution of the City Council approving and accepting the terms and conditions of the Motorola Solutions, Inc. ("MOTOROLA") agreement.

EXECUTIVE SESSION:

6. Pursuant to Section 551.071(1)(A) and (2) of the Texas Government Code, the City Council shall convene in executive session to confer with the City's Attorney to discuss code compliance processes and Municipal Court proceedings.

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.

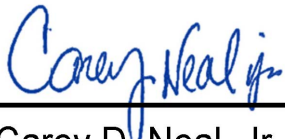
CONFORME A LA SECCION 30.06 DEL CODIGO PENAL (TRASPASAR PORTANDO ARMAS DE FUEGO CON LICENCIA) PERSONAS CON LICENCIA BAJO DEL SUB-CAPITULO 411, CODIGO DEL GOBIERNO (LEY DE PORTAR ARMAS), NO DEBEN ENTRAR A ESTA PROPIEDAD PORTANDO UN ARMA DE FUEGO OCULTADA.

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 July 8, 2021 @ 11:00 p.m. and copies thereof were provided to the Mayor, Mayor Pro-Tempore, Deputy Mayor Pro-Tempore and Council members.

A handwritten signature in blue ink, reading "Carey D. Neal, Jr.", is positioned above a solid black horizontal line.

Carey D. Neal, Jr.

Assistant City Manager

CITY OF LANCASTER CITY COUNCIL**City Council Regular Meeting****Item 1.****Meeting Date:** 07/12/2021**Policy Statement:** This request supports the City Council 2020-2021 Policy Agenda**Goal(s):** Financially Sound City Government**Submitted by:** Fabrice Kabona, Deputy City Manager**Agenda Caption:**

Consider an amendment to Ordinance No. 2020-09-31 amending the Lancaster Economic Development Corporation Fund (LEDC), the Lancaster Recreational Development Corporation Fund (LRDC), and the General Fund for Fiscal Year 2020-2021.

Background:

The purpose of this item is to consider an amendment to the Lancaster Economic Development Corporation Fund (LEDC), the Lancaster Recreational Development Corporation Fund (LRDC), and the General Fund budget for Fiscal Year 2020-2021.

The proposed LRDC Fund budget amendment will cover the cost of the repayment to the State Comptroller for a taxpayer overpayment of accrual of use taxes as approved by City Council on June 14, 2021 (Resolution No. 2021-06-49).

Fund	Adopted Budget	Budget Changes	Amended Budget
LRDC	\$3,397,073.00	\$46,775.00	\$3,443,848.00

The proposed General Fund budget amendment will cover the cost of the repayment to the State Comptroller for a taxpayer overpayment of accrual of use taxes as approved by City Council on June 14, 2021 (Resolution No. 2021-06-49).

Fund	Adopted Budget	Budget Changes	Amended Budget
General Fund	\$30,851,444.00	\$116,938.00	\$30,968,382.00

The proposed LEDC Fund budget amendment will cover the cost of the following expenditures:

- Repayment to the State Comptroller for a taxpayer overpayment of accrual of use taxes as approved by City Council on June 14, 2021 (Resolution No. 2021-06-49): \$23,388.00
- Performance agreement with Dallas College to provide HVAC training, approved by City Council on October 26, 2020 (Resolution No. 2020-10-79): \$150,000.00
- Incentive grant agreement with Dallas College for the purchase of a Mobile Training Unit to be used to increase educational and training opportunities in the community. Approved by City Council on January 11, 2021 (Resolution No. 2021-01-08): \$50,001.00
- Incentive grant agreement with Kodiak Robotics, Inc. approved by City Council on January 11, 2021 (Resolution No. 2021-01-09): \$77,900.00
- Incentive grant agreement with DW Distribution, Inc. for permitting, infrastructure, and ventilation. Approved by City Council on March 08, 2021 (Resolution No. 2021-03-27): \$180,000.00
- Contract with HMWK, LLC for the creation of a municipal special-purpose district, approved by City Council on March 08, 2021 (Resolution No. 2021-03-28): \$75,000.00

Fund	Adopted Budget	Budget Changes	Amended Budget

LEDC	\$895,924.00	\$556,288.00	\$1,452,212.00
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Operational Considerations:

In the LRDC Fund, the expenditure budget will be adjusted to cover the cost of the repayment to the State Comptroller totaling \$46,775.00. The LRDC Fund has a fund balance of \$57,124.00 or 1.7%.

In the General Fund, the expenditure budget will be adjusted to cover the cost of the repayment to the State Comptroller totaling \$116,938.00. The General Fund has a healthy fund balance in excess of the City Council target of 18%.

In the LEDC Fund, the expenditure budget will be adjusted to cover the above listed costs totaling \$556,288.00. The LEDC Fund has a healthy fund balance in excess of the City Council target of 18%.

Legal Considerations:

The ordinance 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:

The budget amendment will increase the City-wide budget by \$720,001.00.

Options/Alternatives:

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

Recommendation:

Staff recommends approval of the ordinance, as presented.

Attachments

Ordinance

Exhibit A

CITY OF LANCASTER CITY COUNCIL**City Council Regular Meeting****Item 2.**

Meeting Date: 07/12/2021

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

Goal(s): Financially Sound City Government
Sound Infrastructure
Quality Development

Submitted by: Vicki D. Coleman, Development Services Director

Agenda Caption:

M21-26 Consider a resolution authorizing the City Manager to execute a development agreement between the City of Lancaster and Longhorn Industrial Properties, LLC, a South Carolina limited liability company, related to the relocation of East Longhorn Drive which is situated in the M. Parks Survey, Abstract No. 1120, City of Lancaster, Dallas County, Texas.

Background:

On May 24, 2021, the City Council approved a resolution and development agreement (M21-21) for the relocation of Longhorn Drive. This request is to amend the development agreement to modify the original contractual party previously approved by City Council.

Longhorn Industrial Properties, LLC, is seeking to assemble land in association with the build-out of Longhorn Business Park. The Longhorn Business Park is an industrial park that has been in operation for over 40 years. This industrial park contains a total of 97 acres of land. Of the 97 acres, 49.77 acres of this industrial park are already developed and the remaining 47.23 acres are still vacant. The remaining and vacant 47.23 acres are composed of three (3) tracts of land and East Longhorn Drive is currently located between two (2) tracts on the west side and one long 15.164 acres tract on the east side. The current location of the east portion of Longhorn Drive divides the two tracts on the west side and one on the east side of the drive making the development of the long and narrow eastern tracts difficult to develop for an industrial use based on its current configuration.

Operational Considerations:

Longhorn Drive is a public road with existing public utilities within the rights-of-way. To assemble these fragmented pieces of land, it requires that the developer relocate and reconstruct the eastern portion of Longhorn Drive, along with all those associated utilities. The developer is proposing to relocate and reconstruct the rights-of-way and associated utilities at their sole expense. All required public improvements would be designed and installed in accordance with the City's adopted standards.

This amendment modifies the original contractual party.

Legal 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:

The relocation and construction of the Longhorn Drive and the utilities will be at the sole expense of Longhorn Industrial Properties, LLC.

Options/Alternatives:

1. City Council may approve the resolution, as presented.
2. City Council may approve the resolution with changes; state the changes.
3. City Council may deny the resolution.

Recommendation:

Staff recommends approval of the resolution as presented.

Attachments

Resolution

Development Agreement

Development Agreement - Site Plan Exhibit

CITY OF LANCASTER CITY COUNCIL**City Council Regular Meeting****Item 3.**

Meeting Date: 07/12/2021

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

Goal(s): Quality Development

Submitted by: Shane Shepard, Economic Development Director

Agenda Caption:

Consider a resolution ratifying amendments to the Chapter 380 Economic Development Agreements between the City of Lancaster, Texas and Walmart Inc. to eliminate language from the signature blocks of both agreements.

Background:

On January 19, 2021, the City Council approved two (2) related Chapter 380 Economic Development Agreements regarding the development of Project Peak and Project Valley by Walmart Inc. Walmart is requesting that certain language be eliminated from the signature block of both agreements. The language requested to be removed states, "THE INCENTIVES IN THIS AGREEMENT SHALL BE NULL AND VOID IF NOT SIGNED BY DEVELOPER AND RETURNED TO THE CITY WITHIN THIRTY (30) WORKING DAYS OF THE DATE LISTED HEREIN: JANUARY 19, 2021." The agreement has not been signed by the company, rendering the agreement to be null and void.

Project Peak is under construction on a one hundred sixty-two (162) acre parcel located at the southwest corner of East Pleasant Run Road and Cornell Road. The company plans to invest approximately three hundred eighty million dollars (\$380,000,000) to four hundred twenty million dollars (\$420,000,000) in a new cold storage facility at the site. The new facility will allow the addition of a minimum of three hundred (300) new jobs within three (3) years after completion.

Project Valley is under construction on a two hundred ninety-two (292) acre parcel located at the southwest corner of East Belt Line Road and Sunrise Road. The new facility will allow the addition of a minimum of one thousand (1,000) new jobs within three (3) years. The company is committing to eight hundred million dollars (\$800,000,000) in Real and Business Personal Property valuation combined between the two locations.

All original terms and conditions of both documents will remain in effect.

Operational Considerations:

The proposed change does not change the impact to operations.

Legal Considerations:

The City Attorney as reviewed and approved the resolution and agreement as to form.

Public Information Considerations:

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

Fiscal Impact:

This item does not obligate the City of Lancaster to any additional fiscal impact.

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

Project Peak Amendment

Project Valley Amendment

CITY OF LANCASTER CITY COUNCIL**City Council Regular Meeting****Item 4.****Meeting Date:** 07/12/2021**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
- Sound Infrastructure
- Quality Development

Submitted by: Vicki D. Coleman, Development Services Director**Agenda Caption:**

Conduct a public hearing and consider a resolution approving the land use assumptions, the capital improvement plans, and updated water, wastewater, and roadway impact fees.

Background:

In November 2017, the City Council approved a professional services contract with Freese and Nichols, Inc for the purpose of updating the Master Thoroughfare Plan, the Water and Wastewater Master Plan, as well as the impact fees. The most recent update of the impact fees was in 2012.

As part of the impact fee program update, the Capital Improvement Advisory Committee (CIAC) also provided comments regarding land use assumptions, capital improvement plans, and impact fees. The CIAC's comments are summarized in the attached letter.

Operational Considerations:

On September 28, 2020, the City Council approved an ordinance adopting the Master Thoroughfare Plan. The City Council received its presentation of the Water and Wastewater Plan at its May 17, 2021, work session meeting. On June 28, 2021, the City Council approved an ordinance adopting the Water and Wastewater Master Plan. The Impact Fee Program serves as the financing mechanism to implement capital projects identified within the adopted Master Thoroughfare Plan and the Water and Wastewater Master Plan. Capital improvement plans identify a ten (10) year list of prioritized projects to be implemented from the Master Thoroughfare and the Water and Wastewater Master Plan that will add new capacity to the city's infrastructure system. Impact fees are one-time fees paid by new development and assist with off-setting the city's cost when implementing new roads, water and wastewater infrastructure project costs.

CIAC Recommendation:

Category	Maximum Allowable Per Service Unit	Collection Rate
Water	\$1,563	100%
Wastewater	\$2,514	100%
Roadways		
Service Area 1	\$1,238	Up to 50%
Service Area 2	\$1,257	Up to 50%
Service Area 3	\$1,274	Up to 50%

Staff recommendation is presented to City Council with an increase in fees beyond that of the CIAC recommendation. The proposed collection rate presented by staff is consistent with overall collection rate that is currently adopted. Further, staff's recommendation considered the growing number of new development, as well as, the increasing scale of the square footages of development. The staff recommendation seeks to increase the participation rate of the developer in order to implement the necessary road infrastructure improvements.

Legal Considerations:

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

Public Information Considerations:

On June 6, 2021, a notice for this public hearing appeared in the Focus Daily Newspaper, as well as, the notice of the maximum allowable impact was made available for public viewing at City Hall and on the City's website. A resolution was also approved by the City Council at the June 14, 2021, Regular City Council meeting providing notice of this public hearing.

Fiscal Impact:

The most recent update of the impact fee program was in 2012. The proposed capital improvement plans' costs have been updated to current year costs. As a result, the proposed impact fees align with current capital construction costs.

Options/Alternatives:

1. City Council may approve the resolution, as presented.
2. City Council may approve the resolution with changes and state the changes.
3. City Council may deny the resolution.

Recommendation:

Staff recommends approval of the resolution adopting the land use assumptions, the capital improvement plans, and updated water, wastewater and roadway impact fees.

Attachments

Resolution

Exhibit A - Roadway, Water and Wastewater Impact Fee System Update Report

Exhibit B - Impact Fee Staff Recommendation

CIAC Letter of Recommendation

CITY OF LANCASTER CITY COUNCIL**City Council Regular Meeting****Item 5.**

Meeting Date: 07/12/2021

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

Goal(s): Effective Municipal Operations
Healthy, Safe & Engaged Community

Submitted by: Chris Youngman, Emergency Management Chief

Agenda Caption:

Discuss and consider a resolution of the City Council approving and accepting the terms and conditions of the Motorola Solutions, Inc. ("MOTOROLA") agreement.

Background:

Project 25, or (P25) as undertaken and promoted by the Association of Public Safety Communication Officials (APCO), is the national standard for public safety digital radio. Having a P25 digital radio system will soon be a requirement as a prerequisite for the awarding of most federal and state grants. These systems promote interoperability, provide more frequencies to users, and are compatible with most vendors, regardless of the P25 system's infrastructure.

The City of Lancaster public safety agencies; Police Department, Fire Department, Emergency Communications (E911) and Emergency Management functions are all connected to a ten-year-old analog radio system which is not P25 compliant.

Operational Considerations:

On June 21, 2021, City Council received a presentation regarding an upgrade to our Public Safety radio communication system.

The City of Lancaster in cooperation with the Best Southwest Cities of Cedar Hill, DeSoto, and Duncanville have partnered together and bundled our purchase to ensure competitive pricing on the cooperative agreement through HGAC. Operations and implementation will be through an interlocal agreement with the City of Dallas and Dallas County.

Legal Considerations:

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

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:

The agreement allows purchase through Houston - Galveston Area Council (H-GAC) with an estimated cost of \$3,102,641. Funds will come from excess funds, and partial payments are due as listed below.

1. 25% of the Contract Price due upon contract execution (due upon effective date);
2. 60% of the contract Price due upon shipment of equipment from Staging;
3. 10% of the Contract Price due upon installation of equipment; and
4. 5% of the Contract Price due upon final Acceptance.

If Subscribers are purchased, 100% of the Subscriber Contract Price will be invoiced upon shipment (as shipped).

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
