



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



Monday, November 8, 2021 - 7:00 p.m.

While one or more City Council Members may be present via video or audio link, a quorum of the City Council will be at the Municipal Center-City Council Chambers, as required by the Texas Open Meetings Act.

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/tZUqd--hrzooHNExxAzDQbdG_17scvDI-yMQ

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

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

7:00 P.M. CIVIC LEADERSHIP ACADEMY GRADUATION

7:05 P.M. SPECIAL WORK SESSION:

1. Discuss and receive a presentation from Bickerstaff Heath Delgado Acosta, LLP regarding the Initial Assessment concerning redistricting for Lancaster City Council districts, as a result of the 2020 census.
2. Discuss and receive a presentation regarding the American Rescue Plan Act (ARPA) Coronavirus Local Fiscal Recovery Funds (CLFRF), and proposed fund allocations.
3. Discuss amending Chapter 6 of the City Code of Ordinances "Building Regulations" by Amending Article 6.12 Single-Family, Duplex and Short-Term Rental Property Regulations.
4. Discuss amending the Code of Ordinances, Section 6.07.008 Fence construction, materials and setback.
5. Discuss Chapter 12, Article 12.1600 of the Code of Ordinances, "riding of horses and livestock" on streets within the City.

ADJOURNMENT

7:30 P.M. REGULAR MEETING:

CALL TO ORDER

INVOCATION: Ministerial Alliance

PLEDGE OF ALLEGIANCE: Council Member Betty Gooden-Davis

PROCLAMATION: Arbor Day, National Municipal Court Week, World Diabetes Day, Small Business Saturday

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 approval of minutes from the City Council Regular Meeting held on September 13, 2021, and City Council Special Meeting held on September 20, 2021.
2. Consider a resolution canceling the City Council Regular Meeting of November 22, 2021; Work Session of December 20, 2021; Regular Meeting of December 27, 2021; and Work Session of January 17, 2022.
3. Consider amending resolution 2021-08-71 that approved an agreement with Canary Construction, Inc. for replacement of +/- one hundred ninety-two feet (192) of wastewater main at the dead-end of Katy Street under Burlington Northern Santa Fe Railroad (BNSF), in an amount not to exceed one hundred twenty thousand, sixty-two dollars and thirty cents (\$120,062.30).
4. Consider a resolution authorizing the purchase and installation of traffic signals at the intersection of Pleasant Run Road and Westridge Avenue and the intersection of Pleasant Run Road and Rolling Hills Place from Consolidated Traffic Controls, Inc. through an interlocal agreement with Houston-Galveston Area Council (HGAC) in an amount not to exceed one hundred eighty-five thousand nine hundred thirteen dollars and zero cents (\$185,913.00).
5. Consider a resolution providing for the adoption of the Master Fee Schedule for all fees and charges assessed and collected by the City of Lancaster.
6. Consider a resolution authorizing the City Manager to execute an agreement with Randall Scott Architects, Inc. to conduct a Facilities Master Plan, in an amount not to exceed fifty-nine thousand, five hundred dollars (\$59,500).
7. Consider a resolution establishing the Premium Pay Program funded and provided for under the American Rescue Plan Act (ARPA) Coronavirus Local Fiscal Recovery Funds (CLFRF).
8. Consider a resolution establishing criteria for use in the 2021 redistricting process; and providing an effective date.

9. Consider a resolution of the City Council of the City of Lancaster, Texas, establishing guidelines for persons submitting comments and specific redistricting proposals; and providing an effective date.

ACTION:

10. M22-02 Discuss and consider a parking exception request on the property located on the northwest corner of Pleasant Run Road and Pinto Road. The property is approximately 25.549 acres in size and is situated in the Samuel Keller Survey, Abstract No. 721, City of Lancaster, Dallas County, Texas.

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 November 5, 2021 @ 5:15 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 Special Work Session and Regular Meeting

Item 1.

Meeting Date: 11/08/2021

Policy Statement: This request supports the City Council 2021-2022 Policy Agenda

Goal(s): Healthy, Safe & Engaged Community

Submitted by: Fabrice Kabona, Deputy City Manager

Agenda Caption:

Discuss and receive a presentation from Bickerstaff Heath Delgado Acosta, LLP regarding the Initial Assessment concerning redistricting for Lancaster City Council districts, as a result of the 2020 census.

Background:

On April 19, 2021 City Council received a presentation from Bickerstaff Heath Delgado Acosta, LLP regarding the 2021 redistricting process for the City of Lancaster. Redistricting is the process of changing electoral district and constituency boundaries, in response to census results. The U.S. Census provides population data to the states for the states to redistrict appropriately. The State legislature is the body that is responsible for redrawing congressional and state representation lines. Cities with single member districts are responsible for the redrawing of council district lines.

On May 24, 2021, City Council approved an agreement with Bickerstaff Heath Delgado Acosta, LLP for redistricting services.

City Council will receive a presentation regarding the Initial Assessment.

Attachments

Initial Assessment Letter

CITY OF LANCASTER CITY COUNCIL

City Council Special Work Session and Regular Meeting

Item 2.

Meeting Date: 11/08/2021

Policy Statement: This request supports the City Council 2021-2022 Policy Agenda

Goal(s): Financially Sound Government
Healthy, Safe & Engaged Community
Sound Infrastructure
Quality Development
Professional and Committed City Workforce

Submitted by: Opal Mauldin-Jones, City Manager

Agenda Caption:

Discuss and receive a presentation regarding the American Rescue Plan Act (ARPA) Coronavirus Local Fiscal Recovery Funds (CLFRF), and proposed fund allocations.

Background:

At the August 16, 2021, Council Work Session, City Council received a presentation regarding the American Rescue Plan Act of 2021, which provides funding to local governments to broadly respond to the COVID-19 public health emergency. As established by the U.S. Department of Treasury guidance, the state, through the Texas Department of Emergency Management (TDEM), will distribute two separate payments to eligible non-entitlement units (NEUs) of local government, which are local governments that typically serve populations under 50,000. The total funding amounts were determined by formula as directed by federal law and Treasury guidance. The state did not have discretion in determining these funding amounts, the eligibility of the NEUs, or how these funds must be spent.

NEUs may use these funds for eligible purposes, as follows:

1. To respond to the public health emergency with respect to COVID-19 or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;
2. To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers of the State, territory, or tribal government that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work;
3. For the provision of government services to the extent of the reduction of revenue of such State, territory, or Tribal government due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year of the State, territory, or tribal government prior to the emergency; or
4. To make necessary investments in water, sewer, or broadband infrastructure.

The City of Lancaster's allocation is \$9,720,147.20 divided into two equal transactions of \$4,860,073.60.

At the October 18, 2021, Council Work Session meeting, City Council received an additional presentation regarding ARPA fund allocation. City Council requested additional information and recommendations to address the public health emergency by encouraging, promoting, sponsoring and incentivizing vaccinations.

City Council will receive a presentation.

CITY OF LANCASTER CITY COUNCIL

City Council Special Work Session and Regular Meeting

Item 3.

Meeting Date: 11/08/2021

Policy Statement: This request supports the City Council 2021-2022 Policy Agenda

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

Submitted by: David Ritter, City Attorney
Opal Mauldin-Jones, City Manager

Agenda Caption:

Discuss amending Chapter 6 of the City Code of Ordinances "Building Regulations" by Amending Article 6.12 Single-Family, Duplex and Short-Term Rental Property Regulations.

Background:

City Council identified the transition from compassionate code compliance to code enforcement as a goal during the Strategic Planning Session for fiscal year 2021/2022. The City Attorney is working with staff to review relevant sections of the Lancaster Code of Ordinances to ensure staff has the tools to improve property standards and maintenance within the community. This is one of a series of items for City Council consideration. The rental registration ordinance was approved by City Council in June of 2016. The City Attorney is proposing changes to the ordinance to provide additional clarity and alignment of terms with the Lancaster Development Code.

The residential inspection program revisions re-define Section 6.12.001 Definitions, update Section 6.12.005 Change in tenancy, update Section 6.12.006 Tenant record list, update Section 6.12.007 Inspection required, and update Section 6.12.008 Certificate issued.

The revisions are made to: (1) better track the LDC definitions, and (2) provide increased code enforcement tools for problem properties that generate repeated complaints or citations.

Attachments

Residential Inspection Program Ordinance Redline
Residential Inspection Program Ordinance

CITY OF LANCASTER CITY COUNCIL

City Council Special Work Session and Regular Meeting

Item 4.

Meeting Date: 11/08/2021

Policy Statement: This request supports the City Council 2021-2022 Policy Agenda

Goal(s): Quality Development

Submitted by: Vicki D. Coleman, Director of Development Services

Agenda Caption:

Discuss amending the Code of Ordinances, Section 6.07.008 Fence construction, materials and setback.

Background:

During the September 27, 2021, regular meeting, the City Council discussed holding a workshop to discuss an allowable fence material.

Operational Considerations:

In accordance with the Code of Ordinances Section 6.07.008 (2018-11-44), chain link fence is a prohibited material.

- a. All fences, unless prohibited elsewhere in this article, shall be constructed or maintained with wood, brick, stone, concrete, vinyl, ornamental iron or other materials as approved by the city manager or his/her designee. Fence posts shall be constructed or made of metal, brick, stone, concrete, fiberglass or other material as approved by the city manager or his/her designee. All fence posts must be placed at a depth of at least twenty-four (24) inches into the ground filled and anchored with concrete footers or encasement.
- b. The city council is hereby designated the appeal body to hear any appeals to decisions rendered from the strict application of this section. Any material proposed not outlined in the above subsection is considered prohibited for use as a fence construction material.

Fences serve not only to secure property within a residential, commercial, or industrial development, they also provide screening from any outdoor uses or storage from public view. As a result, the materials associated with the fence aid in both securing and screening a property.

Chain link is considered an economical fence material. The fence material is offered as galvanized or vinyl coated. Galvanized (silver) is the least expensive of the two offerings. Due to its exposure to rain, it ultimately corrodes over time and becomes rusty. Alternatively, vinyl coating is a significantly more expensive option for chain link. The vinyl coating seeks to slow the rusting and provides more options for color. In addition to the material type, the chain's gauge or thickness directly influences the durability of the material. Residential gauge is thinner, less expensive and less durable than commercial grade chain link. Both the gauge and the coating work together to determine the appearance and overall durability of the chain link fence.

Fences are one of the most requested accessory structures for both residential and non-residential development within any community. As a result, fences are an essential component when considering development standards. The most common fence materials are wood, vinyl aluminum, steel, wrought iron, and chain link. Fence material standards within communities are largely determined by their level of attractiveness, long-term durability, as well as, the appropriateness of the application (e.g.. screening). These considerations are factors for determining quality development standards within communities.

When evaluating development standards for our peer communities, chain link fence is prohibited in most residential zoning districts.

	Residential	Non-Residential	Agricultural
Cedar Hill	Not Permitted	Side or Rear	
Coppell	Prohibited	Prohibited in commercial; Allowable for industrial only when not visible from ROW	Black coated chain allowable
Desoto	Allowable when not visible from the public streets	Generally, not permitted	
Duncanville	Allowed when abutting mixed use and must be screened with landscaping		
Farmers Branch	Allowed in side or rear only		
Grand Prairie	Not permitted for required fencing;	Allowable with mature landscaping for screening in commercial; permitted in industrial	
Haltom City	Allowed in the rear only	Allowable in commercial districts - slat inserts prohibited	
Keller	Prohibited	Prohibited	Prohibited
Rowlett	Prohibited	Prohibited	Prohibited
The Colony	Prohibited	Prohibited	Prohibited

Attachments

Fence Material Pictures

Chain Link Fencing Pictures

CITY OF LANCASTER CITY COUNCIL

City Council Special Work Session and Regular Meeting

Item 5.

Meeting Date: 11/08/2021

Policy Statement: This request supports the City Council 2021-2022 Policy Agenda

Goal(s): Healthy, Safe & Engaged Community

Submitted by: Opal Mauldin-Jones, City Manager

Agenda Caption:

Discuss Chapter 12, Article 12.1600 of the Code of Ordinances, "riding of horses and livestock" on streets within the City.

Background:

As prescribed in the City Council Rules and Procedures as amended August 2021, Section D. City Council Agenda Process, Subsection 1.b, Council Member Marco Mejia requested that an item be included on a City Council work session for the purpose of discussing prohibition of horse riding on all roadways within the City of Lancaster.

On October 12, 2009, City Council approved Ordinance 2009-10-31 amending the Code of Ordinances, by adding Article 12.1600, "Riding of Horses and Livestock," to provide for the prohibition of horse riding and livestock on specific streets within the City. The code stipulates "It shall be unlawful for any person to ride a horse, mule, donkey, cow, bull, steer, hog, sheep, goat or other type of livestock on the traveled portion or median of any highway, street, roadway, or alley on the following streets, to wit:"

Street Name	Location
Beltline Road	In its entirety
Bluegrove Road	In its entirety
Cedardale Road	In its entirety
North Dallas Avenue	In its entirety
Houston School Road	In its entirety
Jefferson Road	From its intersection Second Street northward to its intersection with the City limits
West Pleasant Run Road	In its entirety

This item is for City Council discussion.

Attachments

Ordinance

CITY OF LANCASTER CITY COUNCIL

City Council Special Work Session and Regular Meeting

Item 1.

Meeting Date: 11/08/2021

Policy Statement: This request supports the City Council 2021-2022 Policy Agenda

Goal(s): Financially Sound Government
Healthy, Safe & Engaged Community
Sound Infrastructure
Quality Development
Professional and Committed City Workforce

Submitted by: Sorangel O. Arenas, City Secretary

Agenda Caption:

Consider approval of minutes from the City Council Regular Meeting held on September 13, 2021, and City Council Special Meeting held on September 20, 2021.

Background:

Attached for your review and consideration are minutes from the City Council Regular Meeting held on September 13, 2021, and City Council Special Meeting held September 20, 2021.

Attachments

September 13, 2021 Draft Minutes

September 20, 2021 Draft Minutes

CITY OF LANCASTER CITY COUNCIL

City Council Special Work Session and Regular Meeting

Item 2.

Meeting Date: 11/08/2021

Policy Statement: This request supports the City Council 2017-2018 Policy Agenda.

Goal(s): Financially Sound Government
Healthy, Safe & Engaged Community
Sound Infrastructure
Quality Development
Professional and Committed City Workforce

Submitted by: Sorangel O. Arenas, City Secretary

Agenda Caption:

Consider a resolution canceling the City Council Regular Meeting of November 22, 2021; Work Session of December 20, 2021; Regular Meeting of December 27, 2021; and Work Session of January 17, 2022.

Background:

The City Council generally meets on the second and fourth Monday of each month. The City Charter requires the City Council to meet at least once a month. Setting the meeting schedule for the remainder of the year allows sufficient time for public notice of the revised meeting schedule and is helpful to staff for planning purposes. Typically, City Council cancels meeting conflicts to accommodate the holiday season.

In November the Regular Meeting falls on November 22, 2021, the Monday before Thanksgiving Day. The Special Work Session and Regular Meeting of November 8, 2021, and the Work Session on November 15, 2021, provides sufficient opportunity for city business in November.

In December the Work Session falls on December 20, 2021, the Monday before Christmas Day. The December Regular Meeting is December 27, 2021, the Monday before the New Year holiday. The Regular Meeting of December 13, 2021, provides sufficient opportunity for city business in December.

In January the Work Session falls on January 17, 2022, the Monday recognized as Dr. Martin Luther King, Jr. Day. The Regular Meeting of January 10, 2022, and, if needed, the Regular Meeting on January 24, 2022, provides sufficient opportunity for city business in January.

Operational Considerations:

Essential City business will be completed at the Regular Meeting on November 8th and essential City business may be completed at the Regular meetings on December 13th and January 10th. At any time, City Council may call a properly noticed Special Meeting if an unforeseen matter requires prompt action by the City Council.

Public Information Considerations:

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

Options/Alternatives:

1. City Council may approve the resolution canceling the November 22, 2021, Regular Meeting, December 20, 2021, Work Session, and December 27, 2021, Regular Meeting; and January 17, 2022, Work Session, as presented.
2. City Council may amend the resolution to cancel and/or reschedule certain meeting(s).
3. City Council may deny the resolution and conduct meetings as scheduled.

Recommendation:

Staff recommends approval of the resolution, as presented.

Attachments

Resolution

CITY OF LANCASTER CITY COUNCIL

City Council Special Work Session and Regular Meeting

Item 3.

Meeting Date: 11/08/2021

Policy Statement: This request supports the City Council 2021-2022 Policy Agenda

Goal(s): Sound Infrastructure

Submitted by: Andrew Waits, Director of Public Works

Agenda Caption:

Consider amending resolution 2021-08-71 that approved an agreement with Canary Construction, Inc. for replacement of +/- one hundred ninety-two feet (192) of wastewater main at the dead-end of Katy Street under Burlington Northern Santa Fe Railroad (BNSF), in an amount not to exceed one hundred twenty thousand, sixty-two dollars and thirty cents (\$120,062.30).

Background:

Canary Construction requested a change in the construction agreement Article 7.5 to remove the contractors' obligation to obtain and pay for permits, fees and license necessary for the project due to Burlington Northern Santa Fe Railroad (BNSF) only accept permits from the owner of the infrastructure which is the City of Lancaster.

Operational Considerations:

This project consists of replacing approximately one hundred ninety-two (192) linear feet of wastewater line by boring, which is a trench-less method of replacing buried pipelines without the need for a traditional construction trench. This method is cost-efficient and expedites the process. City staff will serve as the project manager and will coordinate with Canary Construction, Inc. to ensure the wastewater main replacement is in accordance with the City of Lancaster design manual specifications.

Legal Considerations:

City Council approved the agreement at the August 23, 2021, meeting. The City attorney has reviewed and approved as to from the changes to the agreement.

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:

Funding is available in the FY21 wastewater fund. The total cost reflects Canary Construction, Inc. cost estimate of one hundred four thousand four hundred two dollars and zero cents (\$104,402.00) and a 15% contingency of fifteen thousand six hundred sixty dollars and thirty cents (\$15,660.30). Funding will not exceed one hundred twenty thousand, sixty-two dollars and thirty cents (\$120,062.30).

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

Resolution 2021-08-71

Exhibit A

Amended Contract

CITY OF LANCASTER CITY COUNCIL

City Council Special Work Session and Regular Meeting

Item 4.

Meeting Date: 11/08/2021

Policy Statement: This request supports the City Council 2021-2022 Policy Agenda

Goal(s): Sound Infrastructure

Submitted by: Andrew Waits, Director of Public Works

Agenda Caption:

Consider a resolution authorizing the purchase and installation of traffic signals at the intersection of Pleasant Run Road and Westridge Avenue and the intersection of Pleasant Run Road and Rolling Hills Place from Consolidated Traffic Controls, Inc. through an interlocal agreement with Houston-Galveston Area Council (HGAC) in an amount not to exceed one hundred eighty-five thousand nine hundred thirteen dollars and zero cents (\$185,913.00).

Background:

The current equipment is in excess of twenty (20) years old and replacement parts are no longer available. The existing traffic controllers fail frequently due to age and the existing wires for the traffic loop that are direct buried, not placed in conduit, and they are now corroded and shorting out. This requires the traffic signals be upgraded to the most current technology.

Operational Considerations:

City staff inspects and maintains ten (10) intersections with traffic signals within the City of Lancaster, with the exception of, the traffic signals on State Highway 342.

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 save time associated with issuing bids or in 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 Houston-Galveston Area Council (HGAC). The resolution and agreement have 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:

Funding is available in the FY2021/2022 budget and will not exceed one hundred eighty-five thousand nine hundred thirteen dollars and zero cents (\$185,913.00).

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 Special Work Session and Regular Meeting

Item 5.

Meeting Date: 11/08/2021

Policy Statement: This request supports the City Council 2021-2022 Policy Agenda

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

Submitted by: Sorangel O. Arenas, City Secretary

Agenda Caption:

Consider a resolution providing for the adoption of the Master Fee Schedule for all fees and charges assessed and collected by the City of Lancaster.

Background:

The Master Fee Schedule is adopted by resolution and changes to the fee schedule may be made throughout the year, as needed, by resolution. The Development Service's Office proposes to amend the City of Lancaster fees regarding building related fees.

Legal Considerations:

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

Options/Alternatives:

1. City Council may approve the resolution adopting the Master Fee Schedule as presented with an effective date of November 8, 2021.
2. City Council may approve the resolution effective November 8, 2021, with changes and state those changes.
3. City Council may deny the resolution.

Recommendation:

Staff recommends approval of the Master Fee Schedule, as presented, with an effective date of November 8, 2021. The fees in the schedule are a part of revenue projections within the FY 2021/2022 budget.

Attachments

Resolution
Exhibit A-Redline
Exhibit A-Clean

CITY OF LANCASTER CITY COUNCIL

City Council Special Work Session and Regular Meeting

Item 6.

Meeting Date: 11/08/2021

Policy Statement: This request supports the City Council 2021-2022 Policy Agenda

Goal(s): Financially Sound Government
Sound Infrastructure

Submitted by: Opal Mauldin-Jones, City Manager

Agenda Caption:

Consider a resolution authorizing the City Manager to execute an agreement with Randall Scott Architects, Inc. to conduct a Facilities Master Plan, in an amount not to exceed fifty-nine thousand, five hundred dollars (\$59,500).

Background:

At the 2021 City Council Strategic Planning Session held on June 25, 2021, and June 26, 2021, City Council established Sound Infrastructure as a priority. The City does not have a comprehensive facilities master plan. City Council identified the need for a comprehensive assessment of all sixteen (16) city-owned buildings to begin the process of prioritizing repairs and needed upgrades/improvements for each facility.

Randall Scott Architects, Inc. is an Architect who will evaluate the City's current and future development, size of city staff, facility conditions, and impact and effects that support the City's current strategic plan, Comprehensive Land Use Plan, Master Plans, and Utilities Plan. Below is the proposed scope for the work in connection with the Facilities Master Plan.

Project Component (Basic Services)	Project Team Consulting Fees
Kickoff, Review of Strategic Plans, Demographics and Data	\$3,750
Facilities Condition Index (Existing Building Assessment for 16 Buildings)	\$19,500
Program Requirements & Cost Estimates	\$20,750
Prioritization & Phasing Plan	\$4,500
Multi-Site Assessment (up to 4 sites)	\$4,500
Final Master Plan Booklet and Presentation	\$6,500
Total Project Cost	\$59,500

Legal Considerations:

The resolution and agreement have 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:

Funds for this project have been identified in the FY2022 budget for an amount not to exceed fifty-nine thousand, five hundred dollars (\$59,500.00).

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 Special Work Session and Regular Meeting

Item 7.

Meeting Date: 11/08/2021

Policy Statement: This request supports the City Council 2021-2022 Policy Agenda

Submitted by: Dori Lee, Director of Human Resources

Agenda Caption:

Consider a resolution establishing the Premium Pay Program funded and provided for under the American Rescue Plan Act (ARPA) Coronavirus Local Fiscal Recovery Funds (CLFRF).

Background:

The American Rescue Plan Act of 2021 provides funding to local governments to broadly respond to the COVID-19 public health emergency. As established by U.S. Department of Treasury guidance, the state, through Texas Department of Emergency Management (TDEM), will distribute two separate payments to eligible non-entitlement units of local governments (NEUs), which are local governments typically serving populations of under 50,000. The total funding amounts were determined by formula as directed by federal law and Treasury guidance.

NEUs may use these funds for eligible purposes including:

- To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers of the State, territory, or tribal government that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work.

Premium pay means an amount up to \$13 per hour in addition to wages or remuneration the worker otherwise receives. The Treasury Department encourages local governments to prioritize providing retrospective premium pay where possible, recognizing that many essential workers have not yet received additional compensation for work conducted over the course of many months.

Eligible Employees

The Interim Final Rule defines essential work as work involving regular in-person interactions or regular physical handling of items that were also handled by others. The definition of eligible worker is “those workers needed to maintain continuity of operations of essential critical infrastructure sectors and additional sectors as each Governor of a State or territory, or each Tribal government, may designate as critical to protect the health and well-being of the residents of their State, territory, or Tribal government.”

Paid Leave Entitlements

Emergency responders – Sworn Fire, Sworn Police and Dispatch personnel play a critical role in protecting people and property during fires, medical emergencies, natural and man-made disasters.

\$2,000 lump sum premium pay; maximum of 2 years from the onset of Covid 19 in 2020. Must have worked 154 hours in essential work to maintain continuity of operations of essential critical infrastructure sectors for the residents of Lancaster with in person interactions or regular handling of items that were also handled by others.

- \$2,000 / \$13.00 hr = 154 essential hours worked Year 1: March 1, 2020, through February 28, 2021.
- Year 2: March 1, 2021, through February 28, 2022.

- Must be actively employed at the time of authorized distribution of premium pay in accordance with the desires of the governing body and the American Rescue Plan Act (ARPA) of 2021.
- No retroactive premium pay will be distributed to inactive employees at the time of distribution.

General government essential personnel – Providing basic services that residents of a city expect the City Government to provide in exchange for the taxes which citizens pay.

\$1,500 lump sum premium pay; maximum of 2 years from the onset of Covid 19 in 2020. Must have worked 115 hours in essential work to maintain continuity of operations of essential critical infrastructure sectors for the residents of Lancaster with in person interactions or regular handling of items that were also handled by others.

- $\$1,500 / \$13.00 \text{ hr} = 115$ hours of essential hours worked Year 1: March 1, 2020, through February 28, 2021.
- Year 2: March 1, 2021, through February 28, 2022.
- Must be actively employed at the time of authorized distribution of premium pay in accordance with the desires of the governing body and the American Rescue Plan Act (ARPA) of 2021.

Recommendation:

Staff recommends approval of the resolution, as presented.

Attachments

Resolution

ARPA Premium Pay Program

CITY OF LANCASTER CITY COUNCIL

City Council Special Work Session and Regular Meeting

Item 8.

Meeting Date: 11/08/2021

Policy Statement: This request supports the City Council 2021-2022 Policy Agenda

Goal(s): Healthy, Safe & Engaged Community

Submitted by: Fabrice Kabona, Deputy City Manager

Agenda Caption:

Consider a resolution establishing criteria for use in the 2021 redistricting process; and providing an effective date.

Background:

City Council received a presentation from Bickerstaff, Heath, Delgado Acosta, LLP regarding the Initial Assessment findings. Bickerstaff has reviewed the importance of redistricting criteria and recommends a set of criteria to ensure fair and adequate public participation in the redistricting process. It is recommended to address both the redistricting criteria and guidelines (companion item) early in the redistricting process to enable Bickerstaff to proceed efficiently with the redistricting plans.

Operational Considerations:

City Council has certain responsibilities for redistricting under federal and state law as well as the City's Home Rule Charter. A set of established redistricting criteria will serve as framework to guide the City in the consideration of redistricting plans. The criteria will provide the City a means by which to evaluate and measure proposed plans and help the City in its efforts to comply with all applicable laws. Bickerstaff Heath Delgado Acosta, LLP has prepared draft language for the resolution stating that the City, in its adoption of a redistricting plan for city council member districts, will adhere to the following criteria to the greatest degree practicable:

1. Easily identifiable geographic boundaries should be followed.
2. Communities of interest should be maintained in a single district, and attempts should be made to avoid splitting neighborhoods.
3. Council Member districts should be composed of whole voting precincts. Where this is not possible or practicable, districts should be drawn considering county election precincts. Avoid splitting census blocks unless necessary.
4. Although it is recognized that existing districts will have to be altered to reflect new population distribution in the City, any districting plan should be based on existing districts.
5. Districts must be configured so that they are relatively equal in total population according to the 2020 federal census. In no event should the total population deviation between the largest and the smallest district exceed ten percent as compared to the ideal precinct size.
6. The districts should be compact and composed of contiguous territory. Compactness may contain a functional, as well as a geographical, dimension.
7. Consideration may be given to the preservation of incumbent-constituency relations by recognition of the residence of incumbents and their history in representing certain areas.
8. The plan should be narrowly tailored to avoid racial gerrymandering in violation of Shaw v. Reno.
9. The plan should not fragment a geographically compact minority community or pack minority voters in the presence of polarized voting or otherwise discriminate against protected groups so as to create liability under the Voting Rights Act.

Legal Considerations:

The resolution has been reviewed and approved as to form by Bickerstaff, Heath, Delgado Acosta, LLP.

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.

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

CITY OF LANCASTER CITY COUNCIL

City Council Special Work Session and Regular Meeting

Item 9.

Meeting Date: 11/08/2021

Policy Statement: This request supports the City Council 2021-2022 Policy Agenda

Goal(s): Healthy, Safe & Engaged Community

Submitted by: Fabrice Kabona, Deputy City Manager

Agenda Caption:

Consider a resolution of the City Council of the City of Lancaster, Texas, establishing guidelines for persons submitting comments and specific redistricting proposals; and providing an effective date.

Background:

This is a companion item to the redistricting criteria. Bickerstaff, Heath, Delgado Acosta, LLP recommends guidelines to provide for the orderly consideration and evaluation of redistricting plans which may come before the City Council. Similar to the redistricting criteria, it is recommended to establish redistricting guidelines early in the redistricting process to facilitate evaluation of any and all plans that may be received. These guidelines are important to consideration should the City receive plans from the public.

Operational Considerations:

City Council has certain responsibilities for redistricting under federal and state law as well as the City's Home Rule Charter. A set of established redistricting guidelines will allow the orderly consideration and evaluation of redistricting plans. The guidelines relate to persons who have specific redistricting plans they wish the City Council to consider. Bickerstaff, Heath, Delgado Acosta, LLP has prepared draft language for the guidelines to be followed by any person submitting a comment or redistricting plan for consideration as follows:

1. Proposed plans must be submitted in writing and be legible. If a plan is submitted orally, there is significant opportunity for misunderstanding, and it is possible that errors may be made in analyzing it. The City Council wants to be sure that all proposals are fully and accurately considered.
2. Any plan must show the total population and voting age population for African-Americans, Hispanics, Asians, and Anglo/Other for each proposed council district based on the 2020 Census Data. If a plan is submitted without a population breakdown, the Council may not have sufficient information to give it full consideration.
3. Plans should redistrict the entire City. The Council will be considering the effect of any plan on the entire City. Any plan is subject to the Voting Rights Act, which protects various racial and language minorities. Thus, as a matter of federal law, the Council will be required to consider the effect of any proposal on multiple racial and ethnic groups. If a plan does not redistrict the entire City, it may be impossible for the Council to assess its impact on one or more protected minority groups.
4. Plans should conform to the redistricting criteria the City Council will be using in drawing the council districts.
5. Comments must be submitted in writing and be legible, even if the person also makes the comments orally at a public hearing.
6. Persons providing comments and those submitting proposed plans must identify themselves by full name and home address and provide a phone number and, if available, an email address.

The Council may wish to follow up on such comments or obtain additional information about submitted plans.

7. All comments and proposed plans must be submitted to the City Council by the close of the public hearing.

Legal Considerations:

The resolution has been reviewed and approved as to form by Bickerstaff, Heath, Delgado Acosta LLP, the attorney representing the City on this matter.

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.

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

CITY OF LANCASTER CITY COUNCIL

City Council Special Work Session and Regular Meeting

Item 10.

Meeting Date: 11/08/2021

Policy Statement: This request supports the City Council 2021-2022 Policy Agenda

Goal(s): Healthy, Safe & Engaged Community
Quality Development

Submitted by: Bester Munyaradzi, Senior Planner

Agenda Caption:

M22-02 Discuss and consider a parking exception request on the property located on the northwest corner of Pleasant Run Road and Pinto Road. The property is approximately 25.549 acres in size and is situated in the Samuel Keller Survey, Abstract No. 721, City of Lancaster, Dallas County, Texas.

Background:

1. **Location and Size:** The property is located on the northwest corner of Pleasant Run Road and Pinto Road and is approximately 25.549 acres in size.
2. **Current Zoning:** The subject property is currently zoned Lanport Overlay District Intensity sub-district.
3. **Adjacent Properties:**
 - North: Lanport Overlay District - (Vacant)
 - South: Logistics Port Planned Development - (Vacant)
 - East: City of Wilmer
 - West: Lanport Overlay District - (Vacant)
4. **Comprehensive Plan Compatibility:** The Future Land Use Plan of the Comprehensive Plan identifies this site as suitable for logistics and distribution uses. The proposed box manufacturing use is consistent with the Comprehensive Plan.

Operational Considerations:

This is a request to reduce the required parking minimum for a Light Assembly and Manufacturing use and Office use. Section 14.605 Off-Street Parking Requirements Figure 3 of the Lancaster Development Code (LDC) requires Light Assembly and Fabrication uses shall provide 1 for each 500 square feet or 0.75 for each employee on largest shift, which ever is greater. The LDC also requires that office spaces shall provide 1 for each 300 square feet.

There will be approximately 452,546 square feet of Light Assembly and Fabrication use and 18,239 square feet of office space. The said uses will require minimum parking spaces of 967 spaces and the applicant is proposing 229 parking spaces; 738 parking spaces less than the minimum required parking spaces. The applicant indicated that a maximum of 50 employees will be on site during the day shift. The other 2 shifts will have 25 employees maximum.

The request to provide 738 parking spaces less than the minimum required will not negatively impact the site as the proposed parking will provide more than enough for the number of employees on each

shift and during shift changes. The overall reduction in auto-parking spaces will allow for more on-site landscaping as opposed to unused parking fields. Staff recommends approval of the reduced parking request as it meets the spirit and intent of the LDC by providing the necessary parking for employees on site.

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.

Options/Alternatives:

1. City Council may approve the exception request, as presented.
2. City Council may approve the request with conditions, and state those conditions.
3. City Council may deny the request.

Recommendation:

Staff recommends approval of the request.

Attachments

Ordinance

Location Map

Site Plan

Letter of Intent
