



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



Monday, March 14, 2022 - 7:00 PM

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/tZwrc-yvpjlvG9aShjldFim5lhExGEfZruEk>

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: Pastor Urban Brown, Life in Christ Family Church

PLEDGE OF ALLEGIANCE: Councilmember Strain-Burk

PUBLIC TESTIMONY/CITIZENS 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 December 13, 2021, and Special Meeting held on December 20, 2021.
2. Consider a resolution declaring an unopposed candidate in District 3 and District 5 in the May 7, 2022 general municipal election elected to office; canceling the election in single member District 3 and District 5; providing for all other provisions of Resolution No. 2022-02-11, as amended, ordering the election to remain in full force and effect
3. Consider a resolution authorizing the purchase of thirty (30) Self-Contained Breathing Apparatus (SCBA) with necessary accessories for safe and proper utilization from Municipal

Emergency Services (M.E.S.) in an amount not to exceed three hundred thousand, two hundred fifty-six dollars and fifty cents \$300,256.50.

4. Consider a resolution authorizing the award of request for proposal (RFP) 2022-01 to Good Earth Corporation for the installation of landscape and irrigation at the intersection of Interstate 20, Houston School Road and University Hills Boulevard in an amount not to exceed one hundred fifty-two thousand four hundred seven dollars and zero cents (\$152,407.00).

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 March 10, 2022, @ 6:15 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 Regular Meeting

Item 1.

Meeting Date: 03/14/2022

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 December 13, 2021, and Special Meeting held on December 20, 2021.

Background:

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

Attachments

December 13, 2021 Draft Minutes

December 20, 2021 Draft Minutes

CITY OF LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 2.

Meeting Date: 03/14/2022

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

Goal(s): Healthy, Safe & Engaged Community

Submitted by: Sorangel O. Arenas, City Secretary

Agenda Caption:

Consider a resolution declaring an unopposed candidate in District 3 and District 5 in the May 7, 2022 general municipal election elected to office; canceling the election in single member District 3 and District 5; providing for all other provisions of Resolution No. 2022-02-11, as amended, ordering the election to remain in full force and effect

Background:

Resolution No. 2022-02-11, approved by City Council on February 14, 2022, ordered the general municipal election for Saturday, May 7, 2022 in accordance with State law. Following the deadlines for an application for a place on the ballot and for the declaration of write-in candidates, single member District 3 and single member District 5 is an uncontested district.

Texas Election Code states that in single member districts, the City Council may cancel the district election if:

1. A candidate for an office that is to appear on the ballot in that district is unopposed; and
2. If no proposition is to appear on the ballot.

The deadline for write-in candidates was February 22, 2022 at 5:00 p.m. The Election Code states that the City Secretary must provide to the City Council a certification that a candidate for office is unopposed. The Certification of Unopposed Candidate is attached for the following candidate: Marco Mejia (District 3) and Mitchell Cheatham (District 5). Further, there are no write-in candidates, and no propositions are on the ballot.

Operational Considerations:

Upon receiving the Certification of Unopposed Candidate, the City Council may declare the unopposed candidate elected to office, thereby obviating the need for the election in single member District 3 and single member District 5. Although the statute requires the City Secretary make the certification to the City Council, the City Council is given discretion in declaring unopposed candidate elected and may hold the election regardless of the unopposed status of the candidate.

Legal Considerations:

The City Attorney has reviewed and approved the resolution declaring the unopposed candidate, and canceling the election.

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 accept the Certification of Unopposed Candidate and approve the resolution

as presented. This action will cancel District 3 and District 5 election.

2. City Council may deny the Certification of Unopposed Candidate and the resolution. This action will result in District 3 and District 5 election being on the ballot. Voters eligible to cast a ballot would be able to vote for the unopposed candidate.

Recommendation:

Staff recommends that City Council accept the Certificate of Unopposed Candidate for District 3 and District 5 and approve the resolution declaring the unopposed candidates, Marco Mejia and Mitchell Cheatham, elected to office, thus canceling the election.

Attachments

Resolution

Certification of unopposed candidate - District 3 & District 5

Resolution - Spanish

Certification of unopposed candidate - District 3 and District 5 - Spanish

CITY OF LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 3.

Meeting Date: 03/14/2022

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

Goal(s): Professional and Committed City Workforce

Submitted by: Kenneth Johnson, Fire Chief

Agenda Caption:

Consider a resolution authorizing the purchase of thirty (30) Self-Contained Breathing Apparatus (SCBA) with necessary accessories for safe and proper utilization from Municipal Emergency Services (M.E.S.) in an amount not to exceed three hundred thousand, two hundred fifty-six dollars and fifty cents \$300,256.50.

Background:

Firefighters use Self-Contained Breathing Apparatus (SCBA's) to supply breathable air while operating in immediately dangerous to life and health environments, such as structure fires and hazardous incidents.

Operational Considerations:

Approval of this purchase will replace thirty SCBA, nearing their life expectancy. SCBA are used by firefighters when operating in hazardous environments. These life-safety devices are replaced as one lot to avoid the risk associated with having different units at multiple locations.

Texas Government Code - Sec. 419.041, stipulates a fire department shall furnish with self-contained breathing apparatus all of its fire protection personnel who engage in operations where the personnel might encounter atmospheres that are immediately dangerous to life or health, where the potential for such exposure exists, or where the atmosphere is unknown.

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 Section 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 saves 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 Buyboard.

The City Attorney has reviewed and approved the resolution and agreement, 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:

This purchase will be funded by excess funds in an amount not to exceed three hundred thousand, two hundred fifty-six dollars and fifty cents \$300,256.50. The pricing is based on BuyBoard, therefore no bids were obtained.

Options/Alternatives:

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

Recommendation:

Staff is recommending approval of the resolution, as presented.

Attachments

Resolution

Quote

BuyBoard

CITY OF LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 4.

Meeting Date: 03/14/2022

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

Goal(s): Quality Development

Submitted by: Andrew Waits, Director of Public Works

Agenda Caption:

Consider a resolution authorizing the award of request for proposal (RFP) 2022-01 to Good Earth Corporation for the installation of landscape and irrigation at the intersection of Interstate 20, Houston School Road and University Hills Boulevard in an amount not to exceed one hundred fifty-two thousand four hundred seven dollars and zero cents (\$152,407.00).

Background:

The Texas Department of Transportation (TxDOT) installed landscaping and irrigation at the intersection of Houston School Road/University Hills Boulevard and Interstate 20, which was accepted by the City of Lancaster on November 19, 2015. The City of Lancaster entered a landscape maintenance agreement with TxDOT on December 14, 2015. This agreement requires the City to maintain all landscape elements within the limits of the rights-of-way, including all median and island areas but excluding paved areas intended for vehicular travel. Landscape maintenance includes, but is not limited to, plant maintenance, plant replacement, mowing and trimming, hard scape element maintenance, and irrigation system operation and maintenance. Eligibility for future grants and TxDOT funding require the City to properly ensure maintenance and compliance.

Operational Considerations:

This project consists of demolition and removal of existing materials prior to the replacement of irrigation and landscaping identified on Exhibit A. City staff will serve as the project manager and will coordinate with Good Earth Corporation to ensure the landscape and irrigation installation are in accordance with the City of Lancaster design manual and specifications.

Legal Considerations:

The bid was processed in accordance with all local and state purchasing statutes. The bids were advertised in the Focus Daily News on December 28, 2021 and January 4, 2022. Bids were posted on the City's electronic procurement system and bids were opened January 28, 2022. Two bids were received with Good Earth Corporation being the lowest qualified bidder.

The City Attorney has reviewed and approved the resolution and agreement, 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:

Funding for this project is included in the FY 2021/2023 Stormwater fund. The total cost will not exceed one hundred fifty-two thousand four hundred seven dollars and zero cents (\$152,407.00).

Options/Alternatives:

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

Recommendation:

Staff recommends approval of the resolution, as presented.

Attachments

Resolution

Agreement

Exhibit A

Bid Response

Bid Specification
