



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



Monday, October 24, 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/tZcqcuypqz4sHNx79GaVqyvYCLwmjQxKlask>

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: Councilmember Marco Mejia

PROCLAMATION: Arbor Day, Breast Cancer Awareness Month, Domestic Violence Awareness Month

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 September 26, 2022
2. Consider a resolution approving the terms and conditions of the 2022 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Funds Sharing and Fiscal Agency

Agreement between the City of Lancaster and the County of Dallas, Texas to provide funds to prevent and control crime and to improve the criminal justice system.

3. Consider a resolution approving the terms and conditions of an Interlocal Agreement by and between Region 16 ESC (Education Service Center) Statewide Cooperative Purchasing Program and the City of Lancaster for the cooperative purchase of goods and services.
4. Consider a resolution approving the terms and conditions of an Interlocal Agreement by and between 791 Purchasing Cooperative and the City of Lancaster for the cooperative purchase of goods and services.
5. Consider a resolution approving the terms and conditions of an Interlocal Agreement by and between Equalis Group and the City of Lancaster for the cooperative purchase of goods and services.

PUBLIC HEARING:

6. M22-31 Conduct a public hearing and consider an exception request to the Lancaster Development Code Article 14.503 (A) (3)- Residential Garages and Carports waiving the requirement to recess the garage at a property located at 2911 Ames Road. The property is a 0.22 acre tract. The property is known as Lot 16B, Block G, of the Will-Kee Replat Addition, City of Lancaster, Dallas County, Texas.

ACTION:

7. Discuss and consider a resolution of the City Council of the City of Lancaster, Texas denying the rate change application proposed by Oncor.

EXECUTIVE SESSION:

8. The City Council shall convene into closed executive session pursuant to:
 - a. Section § 551.071(1)(a) of the Texas Government Code to seek legal advice from the City Attorney concerning pending, threatened, contemplated or potential related litigation in regard to Real Property located at 1508 Dewberry Boulevard (Bel-Air Place Apartments).
 - b. Sections § 551.071(2) (legal advice) and 551.071(A)(1) (pending or contemplated litigation- Certificate of Occupancy and fire safety permit status for facility located 3001 Midpoint Drive, Lancaster Texas
 - c. Section § 551.074 (a)(1) of the Texas Government Code to deliberate the appointment, employment, evaluation duties or dismissal of a public officer, to wit: the Municipal Judge.
 - d. Section § 551.074 (a)(1) of the Texas Government Code to deliberate the appointment, employment, evaluation duties or dismissal of a public officer, to wit: the City Manager.
9. Reconvene into open session. Consider and take appropriate action(s), if any, on closed/executive session matters.

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.

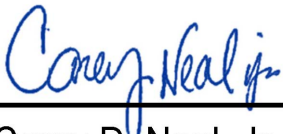
CONFORME A LA SECCION 30.06 DEL CODIGO PENAL (TRASPASAR PORTANDO ARMAS DE FUEGO CON LICENCIA) PERSONAS CON LICENCIA BAJO DEL SUB-CAPITULO 411, CODIGO DEL GOBIERNO (LEY DE PORTAR ARMAS), NO DEBEN ENTRAR A ESTA PROPIEDAD PORTANDO UN ARMA DE FUEGO OCULTADA.

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 October 21, 2022, @ 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: 10/24/2022

Policy Statement: This request supports the City Council 2022-2023 Policy Agenda

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

Submitted by: Jennifer Avila, Deputy City Secretary

Agenda Caption:

Consider approval of minutes from the City Council Regular Meeting held on September 26, 2022

Background:

Attached for your review and consideration are minutes from the City Council Regular Meeting held on September 26, 2022

Attachments

September 26, 2022 - Draft

CITY OF LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 2.

Meeting Date: 10/24/2022

Policy Statement: This request supports the City Council 2022-2023 Policy Agenda

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

Submitted by: Sam Urbanski, Police Chief

Agenda Caption:

Consider a resolution approving the terms and conditions of the 2022 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Funds Sharing and Fiscal Agency Agreement between the City of Lancaster and the County of Dallas, Texas to provide funds to prevent and control crime and to improve the criminal justice system.

Background:

Annually, City Council considers the terms and conditions for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program. This agreement will allow the Lancaster Police Department to be eligible to receive a grant in the amount of \$13,949.00 through the Dallas County Justice Assistance Grant ("JAG").

Operational Considerations:

Approval of this agreement will provide grant funding from Dallas County JAG for the purchase of Tasers, in an amount of \$9,138.74 after administration and fiscal agent fees.

Legal Considerations:

The resolution and agreement 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:

Pursuant to the Sharing Funds Agreement, the City of Lancaster shall transfer the grant administration fee of \$4,169.10 to Dallas County. An additional amount of \$680.95 must also be transferred to the fiscal agent, the City of Dallas.

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

JAG Agreement

CITY OF LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 3.

Meeting Date: 10/24/2022

Policy Statement: This request supports the City Council 2022-2023 Policy Agenda

Goal(s): Financially Sound Government

Submitted by: Carey D. Neal Jr., Assistant City Manager

Agenda Caption:

Consider a resolution approving the terms and conditions of an Interlocal Agreement by and between Region 16 ESC (Education Service Center) Statewide Cooperative Purchasing Program and the City of Lancaster for the cooperative purchase of goods and services.

Background:

An Interlocal Agreement with Region 16 ESC Statewide Cooperative Purchasing Program will allow for purchasing items in a cost-effective and expeditious manner. Each product or service has been bid and awarded in compliance with Texas statutes.

Region 16 ESC (Education Service Center) Statewide Cooperative Purchasing Program provides cooperative agreements for goods and services such as construction services, office furniture, vehicles, technology, government consulting, job order contracting (JOC), facilities and service equipment, office and video supplies, library books, subscriptions, and athletic supplies.

Operational Considerations:

An Interlocal Agreement allows staff to utilize other agencies' formal bid contracts. Each entity's formal bid process meets the requirements outlined 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.

The use of cooperative contracts allows Purchasing to meet the needs of the City departments on a timely basis through the use of contracts that are in place. These contracts save time associated with issuing bids or obtaining quotes. Additionally, savings is achieved through aggregate volumes either through joint bidding opportunities or by addressing the vendors' cooperative language within the specifications.

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 saves 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 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:

The use of cooperative bids through Interlocal Agreements provides savings to the City, both in funding and time, by allowing staff to use contracts that have already been bid by another entity.

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 4.

Meeting Date: 10/24/2022

Policy Statement: This request supports the City Council 2022-2023 Policy Agenda

Goal(s): Financially Sound Government

Submitted by: Carey D. Neal Jr., Assistant City Manager

Agenda Caption:

Consider a resolution approving the terms and conditions of an Interlocal Agreement by and between 791 Purchasing Cooperative and the City of Lancaster for the cooperative purchase of goods and services.

Background:

An Interlocal Agreement with 791 Purchasing Cooperative will allow for purchasing items in a cost-effective and expeditious manner. Each product or service has been bid and awarded in compliance with Texas statutes.

791 Purchasing Cooperative provides cooperative agreements for goods and services such as construction services, office furniture, vehicles, technology, government consulting, job order contracting (JOC), facilities and service equipment, office and video supplies, library books, subscriptions, and athletic supplies.

Operational Considerations:

An Interlocal Agreement allows staff to utilize other agencies' formal bid contracts. Each entity's formal bid process meets 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 requirement.

All legal requirements are verified by the Purchasing Agent prior to recommendation or use of a contract.

The use of cooperative contracts allows Purchasing to meet the needs of the City departments on a timely basis through the use of contracts that are in place. These contracts save time associated with issuing bids or obtaining quotes. Additionally, savings is achieved through aggregate volumes either through joint bidding opportunities or by addressing the cooperative language within the specifications to the vendors.

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 outlined 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 obtaining quotes. Savings are achieved through aggregate volumes either through joint bidding opportunities or by addressing the vendors' cooperative language within the

specifications.

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:

The use of cooperative bids through Interlocal Agreements provides savings to the City, both in funding and time, by allowing staff to use contracts that have already been bid by another entity.

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 5.

Meeting Date: 10/24/2022

Policy Statement: This request supports the City Council 2022-2023 Policy Agenda

Goal(s): Financially Sound Government

Submitted by: Carey D. Neal Jr., Assistant City Manager

Agenda Caption:

Consider a resolution approving the terms and conditions of an Interlocal Agreement by and between Equalis Group and the City of Lancaster for the cooperative purchase of goods and services.

Background:

An Interlocal Agreement with Equalis Group for the purpose of purchasing items in a cost-effective and expeditious manner. Each product or service has been bid and awarded in compliance with Texas statutes.

Equalis Group provides cooperative agreements for goods and services such as construction services, office furniture, vehicles, technology, government consulting, job order contracting (JOC), facilities and service equipment, office and video supplies, library books, subscriptions, and athletic supplies.

Operational Considerations:

An Interlocal Agreement allows staff to utilize other agencies' formal bid contracts. Each entity's formal bid process meets the requirements outlined in the statutes, including advertising, M/WBE participation, reference checks, verification of insurance and bonding, if required by specifications, and any other requirement.

All legal requirements are verified by the Purchasing Agent prior to recommendation or use of a contract.

The use of cooperative contracts allows Purchasing to meet the needs of the City departments on a timely basis through the use of contracts that are in place. These contracts save time associated with issuing bids or obtaining quotes. Additionally, savings is achieved through aggregate volumes either through joint bidding opportunities or by addressing the cooperative language within the specifications to the vendors.

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 saves time associated with issuing bids or obtaining quotes. Savings are achieved through aggregate volumes either through joint bidding opportunities or by addressing the vendors' cooperative language within the specifications.

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:

The use of cooperative bids through Interlocal Agreements provides savings to the City, both in funding and time, by allowing staff to use contracts that have already been bid by another entity.

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 6.

Meeting Date: 10/24/2022

Policy Statement: This request supports the City Council 2022-2023 Policy Agenda

Goal(s): Quality Development

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

Agenda Caption:

M22-31 Conduct a public hearing and consider an exception request to the Lancaster Development Code Article 14.503 (A) (3)- Residential Garages and Carports waiving the requirement to recess the garage at a property located at 2911 Ames Road. The property is a 0.22 acre tract. The property is known as Lot 16B, Block G, of the Will-Kee Replat Addition, City of Lancaster, Dallas County, Texas.

Background:

1. **Location and Size:** The property is located southwest of the intersection of Ames Road and Daisy Drive and is an approximately 0.22 acre tract.
2. **Current Zoning:** The subject property is currently zoned Single-Family Residential (SF-6).
3. **Adjacent Properties:**
 - North: Single-Family Residential (SF-6) Developed as Single-Family Residences
 - South: Single-Family Residential (SF-6) Developed as Single-Family Residences
 - East: Single-Family Residential (SF-6) Developed as Single-Family Residences
 - West: Single-Family Residential (SF-6) Developed as Single-Family Residences

Operational Considerations:

This is a request for an exception to the Lancaster Development Code Article 14.503 (A) (3) - Residential Garages and Carports, which requires that "garages must be located off an alley; or if accessed from the front street, must be located at least 20-feet behind the closest corner of the front building facade for front entry garages, unless it is a "J-Swing" garage where the garage door is perpendicular to the street." The applicant is requesting to allow a front-loaded garage that is not setback 20-feet from the front facade of the dwelling. The applicant proposes a front entry garage flush with the front facade.

The protruding front-loaded garage does not enhance the building design and is not compatible with the intended character of the garage location requirement. Additionally, the garage location is not consistent with the City Council's vision for garage locations for residential developments.

Legal Considerations:

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

Public Information Considerations:

Notice of a Public Hearing was published in the Focus Daily News on September 29, 2022. Notices were sent to property owners within 200' of the request, and a sign was posted. Staff has not received notices in support or opposition to this request.

Options/Alternatives:

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

Recommendation:

Staff recommends denial of the request as presented.

Attachments

Location Map

Site Plan

CITY OF LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 7.

Meeting Date: 10/24/2022

Policy Statement: This request supports the City Council 2022-2023 Policy Agenda

Goal(s): Financially Sound Government

Submitted by: Carey D. Neal Jr., Assistant City Manager

Agenda Caption:

Discuss and consider a resolution of the City Council of the City of Lancaster, Texas denying the rate change application proposed by Oncor.

Background:

The Steering Committee has been the primary public interest advocate before the Public Utility Commission, the Courts, and the Legislature on electric utility regulation matters for the last 30 years. The City of Lancaster is a member of a 169-city coalition known as the Steering Committee of Cities Served by Oncor (OCSC). OCSC has been in existence since the late 1980s. It took on a formal structure in the early 1990s when cities served by the former TXU gave up their statutory right to rate case expense reimbursement in exchange for higher franchise fee payments.

Oncor Electric Delivery Company ("Oncor" or "the Company") filed an application on or about May 13, 2022 with cities retaining original jurisdiction seeking to increase system-wide transmission and distribution rates by approximately \$251 million or 4.5% over present revenues. Oncor has asked the City to approve an 11.2% increase in residential rates and a 1.6% increase in street lighting rates. If approved, a residential customer using an average of 1,300 kWh per month would see a bill increase of about \$6.02 per month.

On June 13, 2022, City Council approved a resolution to suspend the rate change for 90 days after the date that the rate change would otherwise be effective for any legitimate purpose, which continued to enable the steering committee to engage on behalf of the City for settlement discussions, in preparation of a rate ordinance, on appeal of the rate ordinance to the Public Utility Commission (PUC), and on appeal to the Courts. This time period has permitted the City, through its participation with the Steering Committee of Cities Served by Oncor ("Steering Committee"), to determine that the proposed rate increase is unreasonable. Consistent with the recommendations of the experts engaged by the Steering Committee, Oncor's request for a rate increase should be denied. Negotiating clout and efficiency are enhanced by the City cooperating with the Steering Committee in a common review and common purpose.

A denial of Oncor's proposed increase maintains the status quo until the Public Utility Commission of Texas (PUCT) issues its final order regarding Oncor's rates and provides the Retail Electric Providers (REPs) adequate time to adjust their billings to end-use customers.

Legal Considerations:

The resolution has been prepared and approved as to form by the legal counsel who represents the City of Lancaster through the Steering Committee.

Public Information Considerations:

This item is being considered at a Regular Meeting of the City Council, noticed and held 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 Regular Meeting

Item 8.

Meeting Date: 10/24/2022

Policy Statement: This request supports the City Council 2022-2023 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:

The City Council shall convene into closed executive session pursuant to:

- a. Section § 551.071(1)(a) of the Texas Government Code to seek legal advice from the City Attorney concerning pending, threatened, contemplated or potential related litigation in regard to Real Property located at 1508 Dewberry Boulevard (Bel-Air Place Apartments).
- b. Sections § 551.071(2) (legal advice) and 551.071(A)(1) (pending or contemplated litigation- Certificate of Occupancy and fire safety permit status for facility located 3001 Midpoint Drive, Lancaster Texas
- c. Section § 551.074 (a)(1) of the Texas Government Code to deliberate the appointment, employment, evaluation duties or dismissal of a public officer, to wit: the Municipal Judge.
- d. Section § 551.074 (a)(1) of the Texas Government Code to deliberate the appointment, employment, evaluation duties or dismissal of a public officer, to wit: the City Manager.

LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 9.

Meeting Date: 10/24/2022

Policy Statement: This request supports the City Council 2022-2023 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:

Reconvene into open session. Consider and take appropriate action(s), if any, on closed/executive session matters.

Background:

This agenda item allows City Council to take action necessary, if any, on item(s) discussed in Executive Session.