



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

Monday, July 24, 2023 - 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/j/85155235169?pwd=bWtreHpLVU1pdWx0QVJUZnpUcmhqQT09>

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: Lancaster Interdenominational Ministerial Alliance

PLEDGE OF ALLEGIANCE: Deputy Mayor Pro Tem Betty Gooden-Davis

PRESENTATION: BSW Scholarship

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 Special Meeting held on June 16-17, 2023, and the Regular Meeting held on June 26, 2023.
2. Consider a resolution adopting City Council Goals and Objectives discussed in the June 16 - 17, 2023, City Council Strategic Planning Report prepared by The Elim Group.

PUBLIC HEARING:

3. Conduct a public hearing and consider a resolution adopting the Lancaster City Council's Rules and Procedures, as amended.

ACTION:

4. Discuss and consider a variance request, to allow alcohol beverage sales within 300 feet of a church for a property located at 161 Historic Town Square.

EXECUTIVE SESSION:

5. In accordance with Chapter 551 of the Texas Government Code (the Texas Open Meetings Act), the City Council may meet in executive session to discuss the following:
 - (a) Section 551.071 of the Texas Government Code, the City Council shall convene in executive session to confer with the City's attorney to discuss pending, threatened, contemplated, or potential related litigation in regard to Real Property located at 1508 Dewberry Boulevard (Bel-Air Place Apartments).
 - (b) Section 551.071 of the Texas Government Code, the City Council shall convene in executive session to confer with the City's attorney to discuss pending, threatened, contemplated or potential related litigation in regard to Real Property located at 632 Reindeer Road.
 - (c) Section § 551.071(1)(a) of the Texas Government Code, the City Council shall convene in executive session to confer with the City's attorney to discuss pending, threatened, contemplated, or potential related litigation in regard to Dagger Contracting, LLC. (Houston School Road water main damage).
 - (d) Section § 551.071(1)(a) of the Texas Government Code, the City Council shall convene in executive session to confer with the City's attorney to discuss pending, threatened, contemplated, or potential related litigation in regard to DeltaVictor LLC v. City of Lancaster.
 - (e) Section 551.071 of the Texas Government Code, the City Council shall convene in executive session to confer with the City's attorney to discuss pending, threatened, contemplated or potential related litigation in regard to Real Property located at 3410 Sherwood Drive.
6. 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 Wednesday, July 19, 2023, @ 8:45 p.m. and copies thereof were provided to the Mayor, Mayor Pro-Tempore, Deputy Mayor Pro-Tempore and Council members.



Carey D. Neal, Jr.
Deputy City Manager

CITY OF LANCASTER CITY COUNCIL

City Council Regular Meeting

1.

Meeting Date: 07/24/2023

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: Angie Arenas, City Secretary

Agenda Caption:

Consider approval of minutes from the Special Meeting held on June 16-17, 2023, and the Regular Meeting held on June 26, 2023.

Background:

Attached for your review and consideration are the minutes of the Special Meeting held on June 16-17, 2023, and the Regular Meeting held on June 26, 2023.

Attachments

June 16-17, 2023 - Draft

June 26, 2023 - Draft

MINUTES

LANCASTER CITY COUNCIL SPECIAL MEETING OF JUNE 16, 2023

The City Council of the City of Lancaster, Texas, met on June 16, 2023, in a Special Session for the first day of Strategic Planning at Dallas College Cedar Valley Campus, Building M, 3030 N. Dallas Ave, in Lancaster, TX 75134 at 8:00 a.m. with a quorum present to-wit:

Councilmembers Present:

Clyde C. Hairston, Mayor
Carol Strain-Burk
Stanley M. Jaglowski
Derrick Robinson
Marco Mejia
Mitchell Cheatham, Mayor Pro Tem
Betty Gooden-Davis, Deputy Mayor Pro Tem

City Staff Present:

Opal Mauldin-Jones, City Manager
Sorangel O. Arenas, City Secretary
David T. Ritter, City Attorney
Carey Neal, Deputy City Manager
Dori Lee, Assistant City Manager
Henry Campbell, Municipal Court Judge
Jennifer Avila, Deputy City Secretary

Call to Order:

Mayor Hairston called the meeting to order at 8:06 a.m. on June 16, 2023

Facilitator Mike Conduff welcomed everyone and reviewed the agenda for the two-day strategic planning session. He provided an overview, ground rules, and expectations set for the meeting.

City Council recessed for a break at 9:30 a.m.

Facilitator Conduff led a discussion on practical teamwork, shared behaviors of a cohesive team, improving communication, teamwork, and collaborative decision-making.

City Council recessed for lunch at 11:00 a.m.

Facilitator Conduff continued the discussion on practical teamwork.

Judge Campbell presented his year review to City Council.

City Manager Mauldin-Jones presented an Annual Update to City Council.

City Council recessed for a break at 2:00 p.m.

City Attorney Ritter shared information regarding Council Policies, Rules, and Procedures.

Facilitator Conduff provided a recap on the first day of a two-day strategic planning session

Mayor Hairston recessed the meeting at 4:30 p.m.

MINUTES

LANCASTER CITY COUNCIL SPECIAL MEETING OF JUNE 17, 2023

The City Council of the City of Lancaster, Texas, met on June 17, 2023, in a Special Session for the second day of Strategic Planning at Dallas College Cedar Valley Campus, Building M, 3030 N. Dallas Ave, in Lancaster, TX 75134 at 8:00 a.m. with a quorum present to-wit:

Councilmembers Present:

Clyde C. Hairston, Mayor
Carol Strain-Burk (arrived during reflection of day one)
Stanley M. Jaglowski
Derrick Robinson
Marco Mejia
Mitchell Cheatham, Mayor Pro Tem
Betty Gooden-Davis, Deputy Mayor Pro Tem

City Staff Present:

Opal Mauldin-Jones, City Manager
Sorangel O. Arenas, City Secretary
David T. Ritter, City Attorney
Carey Neal, Deputy City Manager
Dori Lee, Assistant City Manager
Jennifer Avila, Deputy City Secretary

Mayor Hairston reconvened at 8:13 a.m.

Facilitator Conduff opened the second day of the planning session and reflected on day one results.

City Council recessed for a break at 9:30 a.m.

Facilitator Conduff led the discussion on the Mission Statement, Goals, and Objectives.

City Council recessed for lunch at 12:00 p.m.

Facilitator Conduff opened dialog and shared the availability to facilitate any discussion on additional topics of interest.

MOTION: Deputy Mayor Pro Tem Gooden-Davis made a motion, seconded by Councilmember Mejia to adjourn. The vote was cast 7 for, 0 against.

The meeting was adjourned at 3:27 p.m.

ATTEST:

APPROVED:

Sorangel O. Arenas

Clyde C. Hairston

MINUTES

LANCASTER CITY COUNCIL REGULAR MEETING OF JUNE 26, 2023

The City Council of the City of Lancaster, Texas, met in a called a Regular Meeting in the Council Chambers of City Hall on June 26, 2023, at 7:00 p.m. with a quorum present to-wit:

Councilmembers Present (City Hall & Zoom):

Clyde C. Hairston, Mayor
Carol Strain-Burk
Stanley M. Jaglowski
Derrick Robinson
Mitchell Cheatham, Mayor Pro Tem
Betty Gooden-Davis, Deputy Mayor Pro Tem

Councilmember Absent:

Marco Mejia

City Staff Present (City Hall & Zoom):

Opal Mauldin-Jones, City Manager
Sorangel O. Arenas, City Secretary
David T. Ritter, City Attorney
Andy Waits, Director of Public Works
Carey Neal, Deputy City Manager
Chris Youngman, Emergency Management and Communication Chief
Christine Harris-Reed, Director of Finance
Dori Lee, Assistant City Manager
Lisa Wube, Director of Parks and Recreation
Jermaine Sapp, Director of Equipment and Facility Services
Kenneth, Johnson, Fire Chief
Sam Urbanski, Police Chief
Shane Shepard, Director of Economic Development
Vicki Coleman, Director of Development Services
Cheryl Womble, Purchasing Agent
Gregory Carrell, Budget Analyst
Jennifer Avila, Deputy City Secretary
Keaira English, Public Relations Manager
Michelle Evens, Assistant Director of Human Resources
Reginald Lewis, Interim Assistant to the City Manager
Ron Gleaves, IT Manager
Shawn Gary, Fire Marshal

Call to Order:

Mayor Hairston called the meeting to order at 7:36 p.m. on June 26, 2023.

Invocation:

Pastor John Richardson, Zion Primitive Baptist Church gave the invocation.

Pledge of Allegiance:

Councilmember Robinson led the pledge of allegiance.

Proclamation:

Mayor Hairston shared the Jack and Jill Youth Leadership Proclamation has been rescheduled for the Regular Meeting on September 11, 2023

Public Testimony/Citizen's Comments:

Marie Elliot, 2314 Montclair St. Lancaster, TX 75146; shared information regarding the upcoming Cedar Valley Church of Christ Back to School event.

LaTonya Calvin, 1351 Vermont Ave. Lancaster, TX 75146; shared concerns regarding her Boardwalk Community.

Carmen Stepney-Carter, 851 E. Third St. Lancaster, TX 75146; shared concerns regarding Atmos equipment accessing her property.

Keaira English, 211 N. Henry St. Lancaster, TX 75146; shared a recognition for Henry and Deborah Jackson as Mr. and Mrs. Juneteenth. She also shared information regarding the upcoming July 4th celebration, which will be held on July 4, 2023, the Lancaster Quarterly Trash-off, and the upcoming Civic Leadership Academy.

Mayor Hairston shared that per the recommendation of City Attorney Ritter the City Council will convene in Executive Session under chapter 551 of the Texas Government Code regarding Executive Session item 11.

The City Council recessed for Executive Session at 7:56 p.m. and reconvened into open session at 8:33 p.m.

No action on item 11.

Consent Agenda

1. **Consider ratification of a resolution approving the terms and conditions of an Agreement with Sound Design Studio, LLC to provide a production services package for the 2023 Lancaster/DeSoto 4th of July Celebration in an amount not to exceed Sixty-Five Thousand Dollars (\$65,000).**
2. **Consider a resolution approving the terms and conditions of an Interlocal Agreement by and between the City of Lancaster and DeSoto, Texas to provide an annual 4th of July Celebration.**

MOTION: Councilmember Jaglowski made a motion, seconded by Councilmember Strain-Burk to approve consent items C1 – C2. The vote was cast 6 for, 0 against [Mejia absent].

Action

3. **M23-21 Discuss and consider a resolution authorizing the City Manager to execute a development agreement with Group Pacific Holdings, LLC., and Dunkirk Limited, Partnership., relating to site design elements and building materials for the construction of property located at the southeast intersection of Parkerville Road and S. I-35E, known as 1400 & 1402 S. I-35E, City of Lancaster, Dallas County, Texas.**

Deputy City Manager Neal gave a staff report regarding action item 3.

MOTION: Councilmember Jaglowski made a motion, seconded by Deputy Mayor Pro Tem Gooden-Davis to approve item 3. The vote was cast 6 for, 0 against [Mejia absent].

- 4. Discuss and consider a resolution authorizing the City Manager to execute an agreement with Dallas County regarding the establishment of a multi-jurisdictional Inland Port Local Government Corporation.**

City Manager Mauldin-Jones gave a staff report regarding action item 4.

MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro Tem Cheatham to approve item 4 section 1, and to table section 2, and section 3 to the July 10, 2023 Regular Meeting. The vote was cast 6 for, 0 against [Mejia absent].

Public Hearing:

- 5. M23-13 Conduct a public hearing and consider an ordinance amending the Future Land Use Plan of the Comprehensive Plan from Suburban Neighborhood to Commercial Corridor on a property located at the southeast intersection of Parkerville Road and S. I-35E, addressed as 1400 S. I-35E, known as Lot 1, Block A, out of the Victron Addition, and 1402 S. I-35E being 3.35 acres out of the Charles H. Bernard Abstract 128, Page 020, City of Lancaster, Dallas County, Texas.**

Deputy City Manager Neal gave a staff report regarding public hearing item 5.

Mario Gonzalez 6711 Starbuck Dr. Dallas, TX 75252 the applicant gave additional information regarding this item.

Mayor Hairston opened the public hearing.

No speakers.

MOTION: Councilmember Jaglowski made a motion, seconded by Mayor Pro Tem Cheatham to close the public hearing. The vote was cast 6 for, 0 against [Mejia absent].

MOTION: Councilmember Jaglowski made a motion, seconded by Deputy Mayor Pro Tem Gooden-Davis to approve public hearing item 5. The vote was cast 6 for, 0 against [Mejia absent].

- 6. Z23-02 Conduct a public hearing and consider an ordinance granting a zoning change from Agricultural Open (AO) and Commercial Highway (CH) to a Planned Development (PD) with Commercial Highway uses and a Car Wash. The properties are located at the Southeast intersection of Parkerville Road and S. I-35E, known as 1400 S. I-35E, described as Lot 1, Block A, out of the Victron Addition, and 1402 S. I-35E being 3.35 acres out of the Charles H. Bernard Abstract 128, Page 020, City of Lancaster, Dallas County, Texas.**

Deputy City Manager Neal gave a staff report regarding public hearing item 6.

Mayor Hairston opened the public hearing.

No Speakers.

MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro Tem Cheatham to close the public hearing. The vote was cast 6 for, 0 against [Mejia absent].

Mayor Hairston recessed at 9:06 p.m. for staff and applicant to seek clarity and reconvened into open session at 9:13.

MOTION: Councilmember Jaglowski made a motion, seconded by Deputy Mayor Pro Tem Gooden-Davis to approve public hearing item 6. The vote was cast 3 for, 3 against [Strain-Burk, Robinson, Cheatham] [Mejia absent] Motion Failed.

City Attorney Ritter clarified that Public Hearing Item 6 requires a majority vote for approval. A 3-3 vote means the item fails. The vote as is prohibits the item from returning to council for one year. However, if City Council motions to reopen the item and receives a majority vote, the item may be motioned without prejudice.

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Jaglowski to reopen the debate and vote on the prior considered item 6. **The roll call vote** was cast 6 for, 0 against [Mejia absent].

MOTION: Councilmember Strain-Burk made a motion, to approve public hearing item 6 without prejudice. Withdrawal of Motion by Councilmember Strain-Burk

MOTION: Councilmember Jaglowski made a motion, seconded by Councilmember Strain-Burk to table public hearing item 6 to the July 10, 2023 Regular Meeting. **The roll call vote** was cast 3 for, 3 against [Hairston, Cheatham, Robinson] [Mejia absent] Motion Failed.

MOTION: Councilmember Jaglowski made a motion, seconded by Councilmember Strain-Burk to reconsider the previous motion. **The roll call vote** was cast 4 for, 2 against [Cheatham, Robinson] [Mejia absent].

MOTION: Councilmember Jaglowski made a motion, seconded by Councilmember Strain-Burk to table public hearing item 6 to the July 10, 2023 Regular Meeting. **The roll call vote** was cast 5 for, 1 against [Cheatham] [Mejia absent].

- 7. M23-22 Conduct a public hearing and consider an ordinance granting a special exception to Section 14.1204 (j) Pole Sign Placement on properties located at the southeast intersection of Parkerville Road and S. I-35E, addressed as 1400 S. I-35E, described as Lot 1, Block A, out of the Victron Addition, and 1402 S. I-35E being 3.35 acres out of the Charles H. Bernard Abstract 128, Page 020, City of Lancaster, Dallas County, Texas.**

Deputy City Manager Neal gave a staff report regarding public hearing item 7.

Mayor Hairston opened the public hearing.

No Speakers.

MOTION: Mayor Pro Tem Cheatham made a motion, seconded by Councilmember Strain-Burk to close the public hearing. The vote was cast 6 for, 0 against [Mejia absent].

MOTION: Councilmember Jaglowski made a motion, seconded by Deputy Mayor Pro Tem Gooden-Davis to approve public hearing item 7. The vote was cast 5 for, 1 against [Strain-Burk] [Mejia absent].

- 8. Z23-03 Conduct a public hearing and consider an ordinance granting a Specific Use Permit for an Oncor Switching Station, located approximately 0.5 miles east of the intersection of West Reindeer Rd. and State Highway 342, addressed as 1374 West Reindeer Rd., Lancaster, Dallas County, Texas.**

Deputy City Manager Neal gave a staff report regarding public hearing item 8.

Mayor Hairston opened the public hearing.

Seth Sampson, 777 Main St. Fort Worth, TX 76049, an Oncor representative shared that they will provide the irrigation as the ordinance states and without additional exemptions.

City Attorney Ritter shared that the ordinance does not explicitly mention the wall or the City landscape irrigation, but advised council that a motion can be made with the requirement of the wall and maintaining the landscaping as previously adopted by council.

MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro Tem Cheatham to close the public hearing. The vote was cast 6 for, 0 against [Mejia absent].

MOTION: Councilmember Jaglowski made a motion, seconded by Councilmember Robinson to approve public hearing item 8 switching station with the requirement of the wall and maintenance of the landscaping as previously adopted by council. The vote was cast 6 for, 0 against [Mejia absent].

- 9. Z23-08 Conduct a public hearing and consider a rezoning request from an Agricultural Open District (AO) to Single-Family Residential District (SF-4) on 31.29 acres. The property is addressed as 1747 North Houston School Road, located north of the intersection of North Houston School Road and West Pleasant Run Road. The property is known as Tract 6 of the Marady Parks Addition, Abstract 1120 Pg 345, in the City of Lancaster, Dallas County, Texas.**

Deputy City Manager Neal gave a staff report regarding public hearing item 9.

Mayor Hairston opened the public hearing.

No Speakers.

MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro Tem Cheatham to close the public hearing. The vote was cast 6 for, 0 against [Mejia absent].

MOTION: Councilmember Jaglowski made a motion, seconded by Deputy Mayor Pro Tem Gooden-Davis to deny public hearing item 9 without prejudice. The vote was cast 6 for, 0 against [Mejia absent].

- 10. M23-20 Conduct a public hearing and consider approval of an ordinance granting three special exceptions to the Lanport Overlay Intensity subdistrict, specifically 1) Section 2 (a)-Building Setback, 2) Section 2 (b)- Development Street Frontage, 3) Section 4 (b)-Transparency, and two exceptions from the Lancaster Development Code (LDC) specifically 1) Section 14.804 (b) (1) D- Detention Basins, 2) Section 14.804 (a) (1)-Streetscape Buffer on a property located at 1800 North Lancaster Hutchins Road, known as Lot 1 & 2, Block A, out of the APEC Addition, City of Lancaster, Dallas County, Texas.**

Deputy City Manager Neal gave a staff report regarding public hearing item 10.

Mayor Hairston opened the public hearing.

Matt Spear, 5145 Streams Edge Trl. Fairview, TX 75069 the applicant shared his support for public hearing item 10 option A.

MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro Tem Cheatham to close the public hearing. The vote was cast 6 for, 0 against [Mejia absent].

MOTION: Councilmember Jaglowski made a motion, seconded by Councilmember Strain-Burk to approve public hearing item 10 Ordinance A. The vote was cast 6 for, 0 against [Mejia absent].

EXECUTIVE SESSION:

- 11. In accordance with Chapter 551 of the Texas Government Code (the Texas Open Meetings Act), the City Council may meet in executive session to discuss the following:**

- 1. Section § 551.071(1)(a) of the Texas Government Code to seek legal advice from the City Attorney concerning International Property Maintenance Code (IPMC) issues.**
- 2. Section § 551.071(1)(a) of the Texas Government Code to seek legal advice from the City Attorney concerning the proposed establishment of a local government corporation (LGC).**

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

No action on Executive Session item 11

MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro Tem Cheatham to adjourn. The vote was cast 7 for, 0 against.

The meeting was adjourned at 10:17 p.m.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

CITY OF LANCASTER CITY COUNCIL

City Council Regular Meeting

2.

Meeting Date: 07/24/2023

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:

Consider a resolution adopting City Council Goals and Objectives discussed in the June 16 - 17, 2023, City Council Strategic Planning Report prepared by The Elim Group.

Background:

City Council conducted its annual strategic planning session on June 16 and June 17, 2023. Following Council's planning session, The Elim Group compiled information from Council's discussions into a report that defines the five-year Goals, Strategies, Mission Statement, and Vision 2025 for the City.

Operational Considerations:

Council goals and strategies provide the foundation to match City resources with priorities and help provide efficient services to citizens. Formal adoption of the goals and strategies is a "best practice" that establishes a clear, unified message for staff and the community. Council reviewed the key performance areas and outlined 2023/2024 objectives as follows:

Financially Sound Government - The City has a long-range financial plan and prudent fiscal policies and processes. Appropriate reserve levels and a competitive tax rate ensure that the City has funds available to address the needs of the community and responsibly manage its debt.

- Continue planning for a future bond election

Quality Development - The City encourages high quality, diverse housing, commercial and retail development and public facilities. Policies encourage sustainable building practices, conservation and the use of alternative energy sources.

- Implementation of development priorities including high-quality diverse housing, commercial and retail growth and small businesses
- Update Comprehensive Plan & Review all Overlay Districts and Retail Specific Use Permit (SUP) Requirements
- Consider Planning for a future City Hall
- Finalize Quality Residential Pattern Book including Residential Development Incentives
- Discuss Breezeway (Downtown/Public Space) Usage Policy
- Economic Development Business Recruitment & Job Creation
- Boards/Commissions Procedure to Formalize Practice (Rules & Procedure)
- Review, Amend & Implement I35/I20/Loop 9 Corridor Regulation and Land Use Table
- Develop Downtown Improvement Policy Changes

Healthy, Safe, & Engaged Community -Lancaster is a place where we embrace public safety and code enforcement in our neighborhoods to sustain vibrant residential and business communities. The community celebrates unity and participates in citywide events, recreational and cultural activities.

Residents have opportunities for involvement in civic life through boards and commissions, youth and parent volunteer opportunities in recreation, sports teams, City elections, and Civic Academies, Schools and Citywide celebrations.

- Strengthen Relationship with LISD & Pursue Joint ISD Board & City Council Meeting
- Explore creation of a Public Engagement Committee
- Redesign the website for easier citizen access to information
- Upgrade code enforcement efforts & proactive code compliance sweeps
- Marketing videos to promote City Council Priorities

Professional & Committed City Workforce -Lancaster City Government is an employer of choice with competitive pay that attracts an engaged, responsive, customer-oriented, innovative, and effective workforce. Some employees live in the City and all have a sense of ownership for the community. City employees feel needed and appreciated by elected officials, residents, and businesses. Employees are respectful and appreciative of their customers and the City's governing body. The City's Executive Staff is engaged with residents and attends community events, upholds strong customer service, and uses technology to aid them in working smarter.

- Provide competitive salaries

Sound Infrastructure - The City supports an adequate and well-maintained municipal infrastructure to meet both current demands and future expansion needs.

- ARPA Reallocation to Water/Wastewater Projects

Legal Considerations:

The City Attorney has reviewed and approved the resolution 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.

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

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, ADOPTING THE LANCASTER CITY COUNCIL GOALS AND OBJECTIVES CONTAINED IN THE JUNE 16 AND JUNE 17, 2023, COUNCIL STRATEGIC PLANNING REPORT, AS ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES AS EXHIBIT "A"; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council met in a strategic planning session June 16 and June 17, 2023 to review, discuss and refine City Council's vision and mission for the City of Lancaster; and

WHEREAS, after discussion and consideration, the City Council updated the five year goals and strategies for the City of Lancaster which identified a foundation of principles upon which the community will continue to prosper; and

WHEREAS, the City Council desires to adopt the City Council Strategic Planning Report prepared by The Elim Group following the strategic planning session and the goals, strategies, Mission Statement and Vision 2025 contained in said report.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS:
That the City Council Goals and Objectives contained in the June 16 and June 17, 2023 Council Strategic Planning Report, attached hereto and incorporated herein by reference as Exhibit "A", having been reviewed by the City Council of the City of Lancaster, Texas, and found to be acceptable and in the best interest of the City and its citizens, be, and the same is hereby, in all things approved and adopted.

SECTION 1. That any prior resolutions of the City of Lancaster, Texas, in conflict with the provisions of this resolution, except as noted herein, be, and the same are hereby, repealed and revoked.

SECTION 2. That this resolution shall take effect immediately from and after its adoption and it is accordingly so resolved.

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the 24th day of July, 2023.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

Exhibit A

The City of Lancaster

2023 Annual Leadership Summit

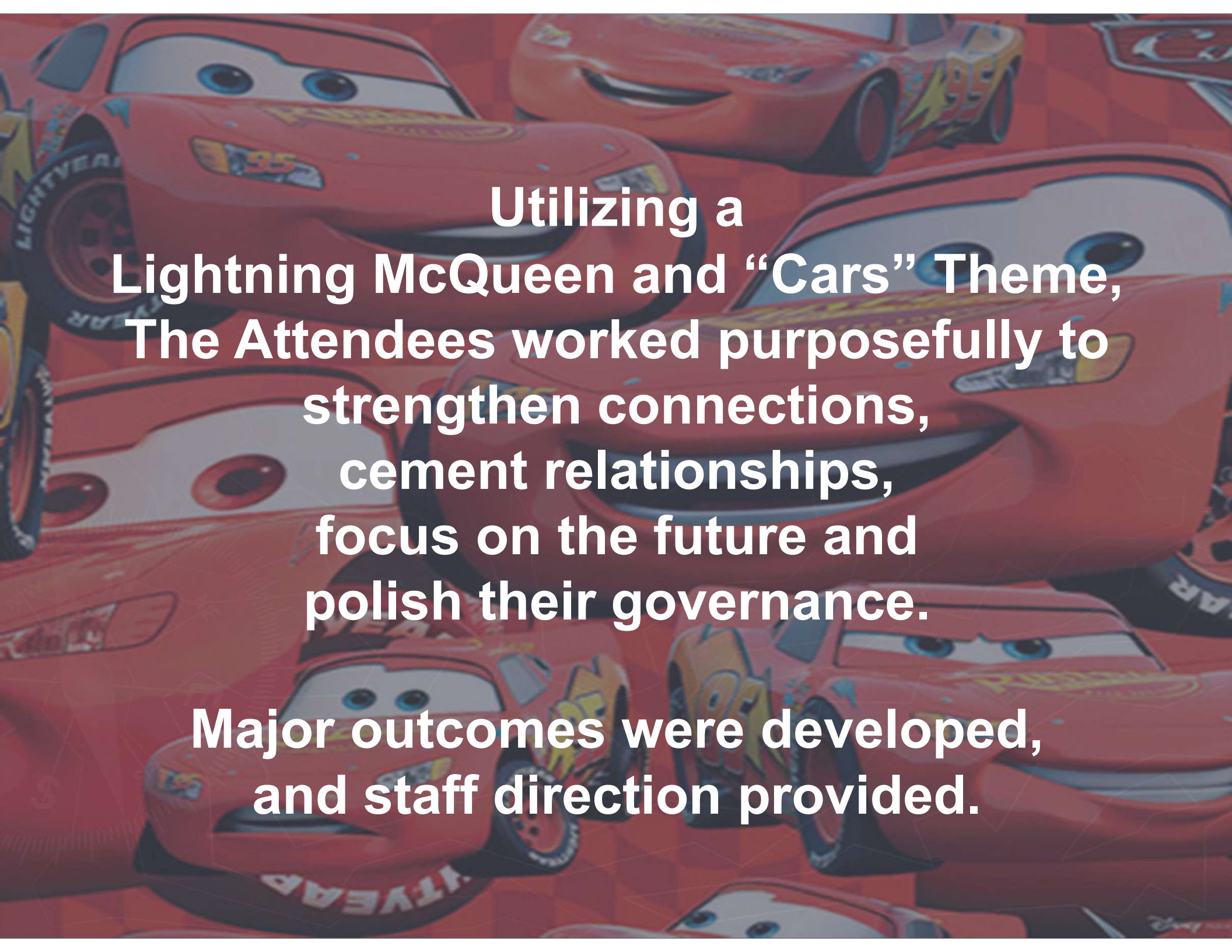




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On Friday June 16 and Saturday June 17, 2023, The Mayor, Members of the Lancaster City Council, City Manager, City Secretary and Key Staff met to Participate in their annual Leadership Summit and Strategic Planning Session Facilitated by Mike Conduff, President & CEO of The Elim Group.³

The background of the slide is a collage of various depictions of Lightning McQueen, the red race car character from the Disney Pixar movie 'Cars'. The images are layered and semi-transparent, creating a dense, textured effect. Lightning McQueen is shown in various poses and expressions, including smiling and looking forward. The text is overlaid on this background in a white, bold, sans-serif font.

**Utilizing a
Lightning McQueen and “Cars” Theme,
The Attendees worked purposefully to
strengthen connections,
cement relationships,
focus on the future and
polish their governance.**

**Major outcomes were developed,
and staff direction provided.**

Agenda

Friday (16th)

- 7:30 Coffee is on!
- 8:00 Welcome
- Work of Leaders
- Departmental Updates
- Good Governance
- 12:00 Lunch
- 1:00 Vision Mission G & O
- Major Outcomes
- 4:30 Adjourn & Dinner
- 5:30 Pump Station Surprise

Saturday (17th)

- 7:30 Coffee is on!
- 8:00 Start
- Aha's
- Policies, &...
- Staff Reports
- 12:00 Lunch
- 1:00 Key Items
- Identification
- Discussion
- 3:30 Wrap Up & Adjourn

Executive Summary

DiSC and Work of Leaders

The Lancaster Mayor and Council enjoy a first-rate and professional leadership relationship, with an excellent mix of styles. The staff provide an additional and valuable component. Each individual scores very high in important Work of Leaders Continuums and consequently adds important value in these arenas.

By understanding the components of Leadership – Vision, Alignment and Execution and where the members fit on each continuum the team can leverage each other's strengths and function as a high-performance governing body and staff.

Major Accomplishments

- Ratified Values, and Confirmed Vision and Mission
- Agreed that Values inform the Vision which drives the Mission
- Clarified What Council and Staff Need from Each Other to Be Successful
- Reviewed and Discussed the Council Policies and Procedures
- Discussed Significant Outcomes and Provided Direction on Major Issues

Key Learnings

- Good Governance is Key to the Success of Lancaster
- It is up to the Council to Determine the Framework of the Success Puzzle
- Working Together Allows the Puzzle to be Completed



Partner Intros

Find a Partner to Interview

A Favorite
Childhood Memory

Do They Have a
Best Friend?

How Did That Friendship
Come About?

If Their BFF Was
Coming to L for the Day,
What in the City Would
They Take Them to See/Do?
Introduce Your Partner and
Add a Brag About Them⁷



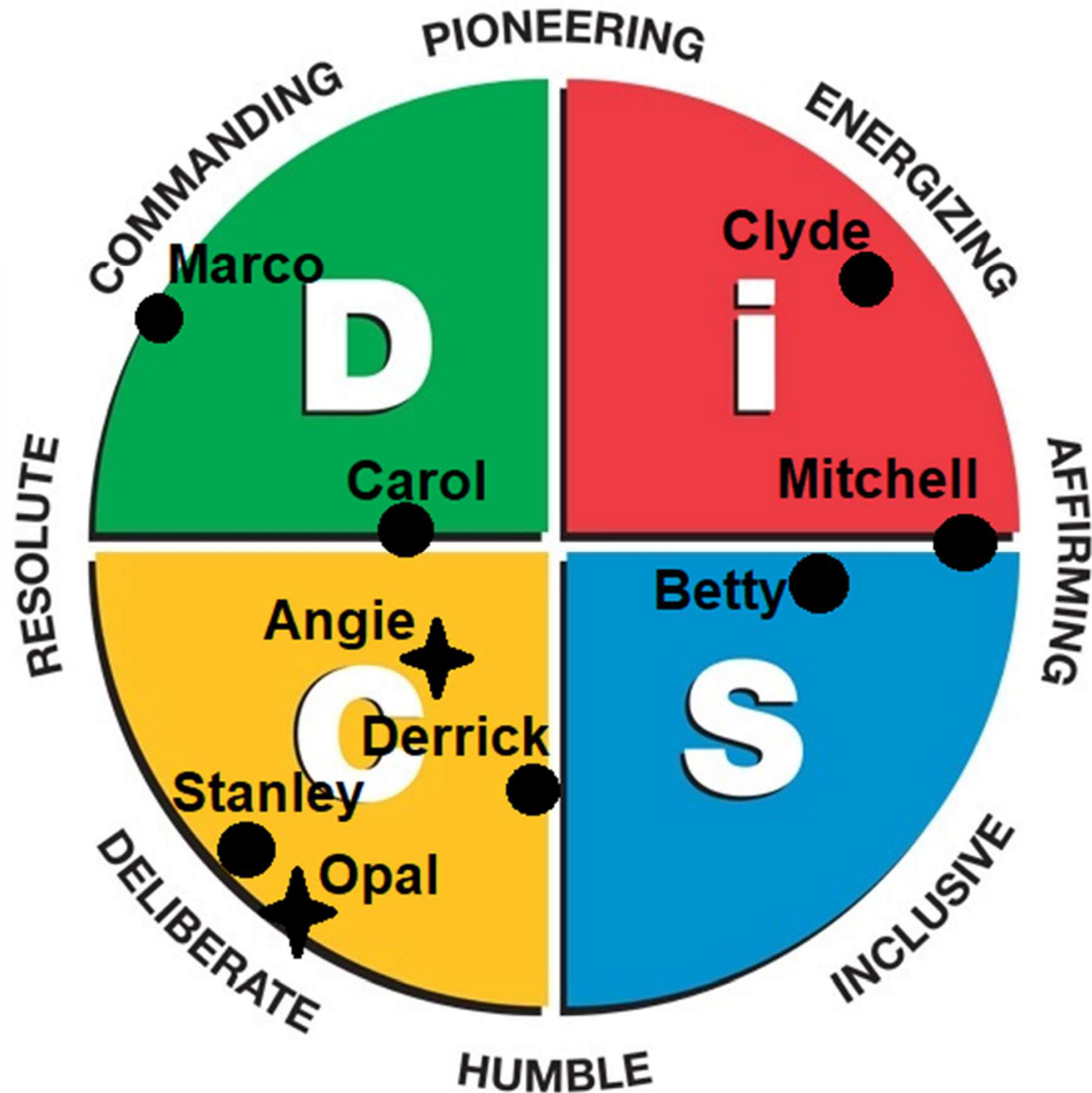
Our Discussion Wall!

Throughout the Event Participants were encouraged to utilize a Discussion Wall approach to capture topics to be addressed⁸

Self Descriptors

Why Understanding
Ourselves and Others is
the Predictor of Success!





2023 Work Of Leaders Wheel Council With Staff

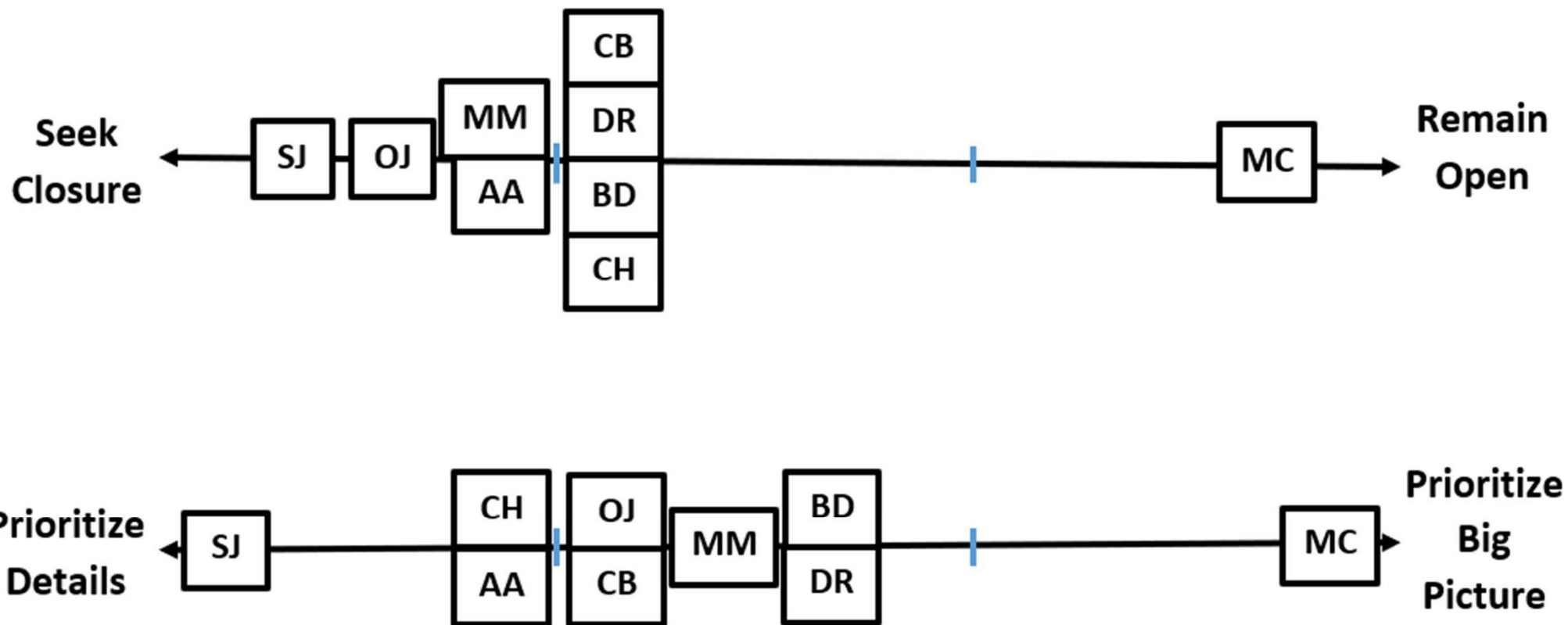
Initials Code – Alphabetical by First Name

BD	Betty
CB	Carol
CH	Clyde
DR	Derrick
MM	Marco
MC	Mitchell
SJ	Stanley
AA	Angie
OJ	Opal



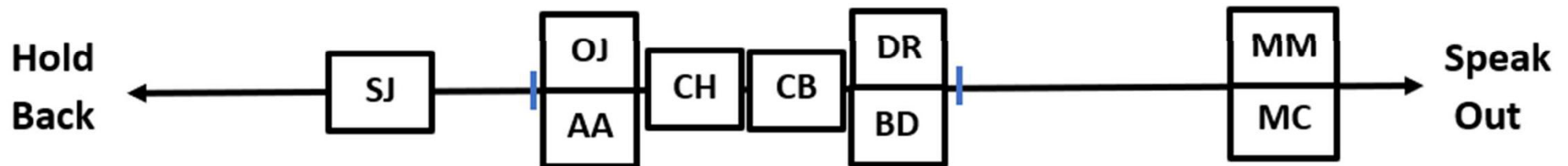
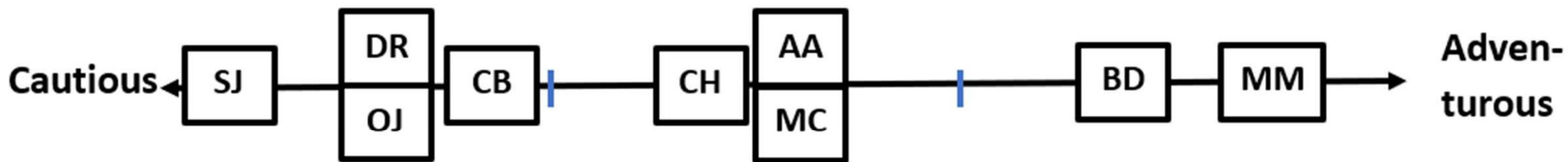
Vision: Exploration

Remaining Open and Prioritizing the Big Picture



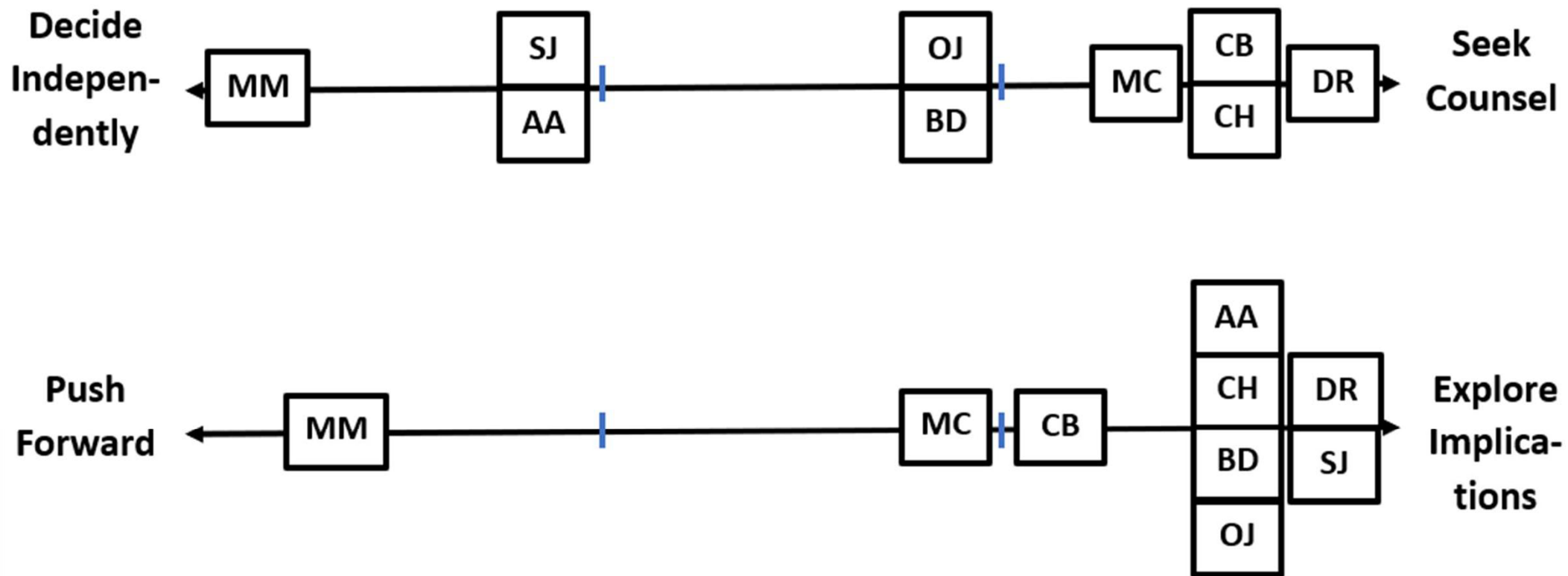
Vision: Boldness

Being Adventurous and Speaking Out



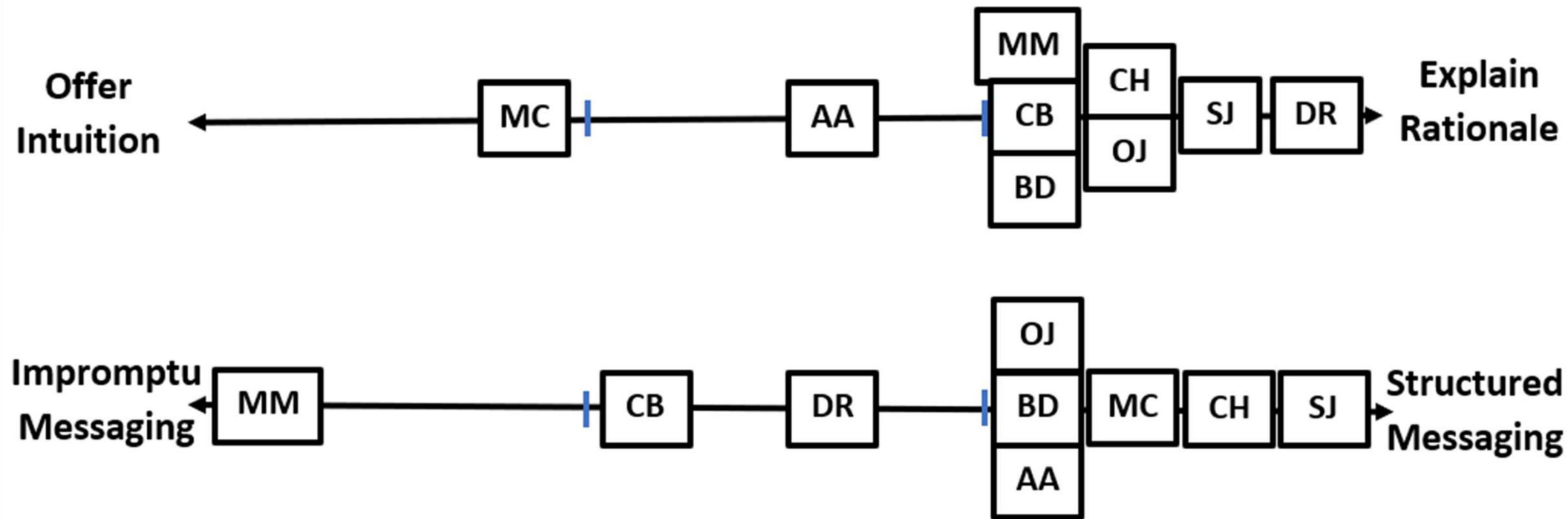
Vision: Testing Assumptions

Seeking Counsel and Exploring Implications



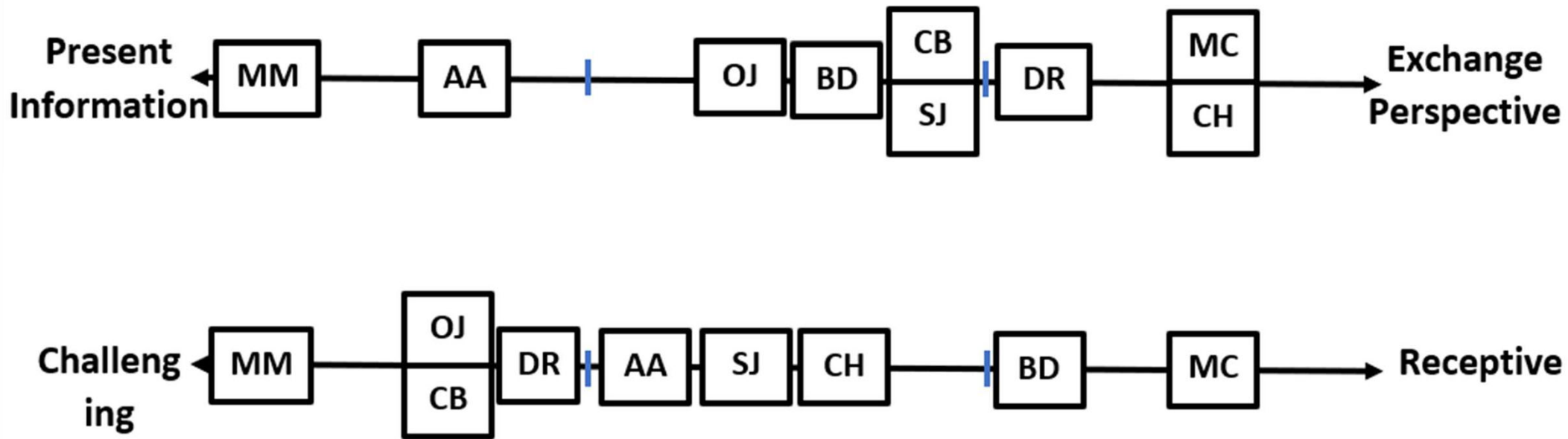
Alignment: Clarity

Explaining Rationale and Structuring Messaging



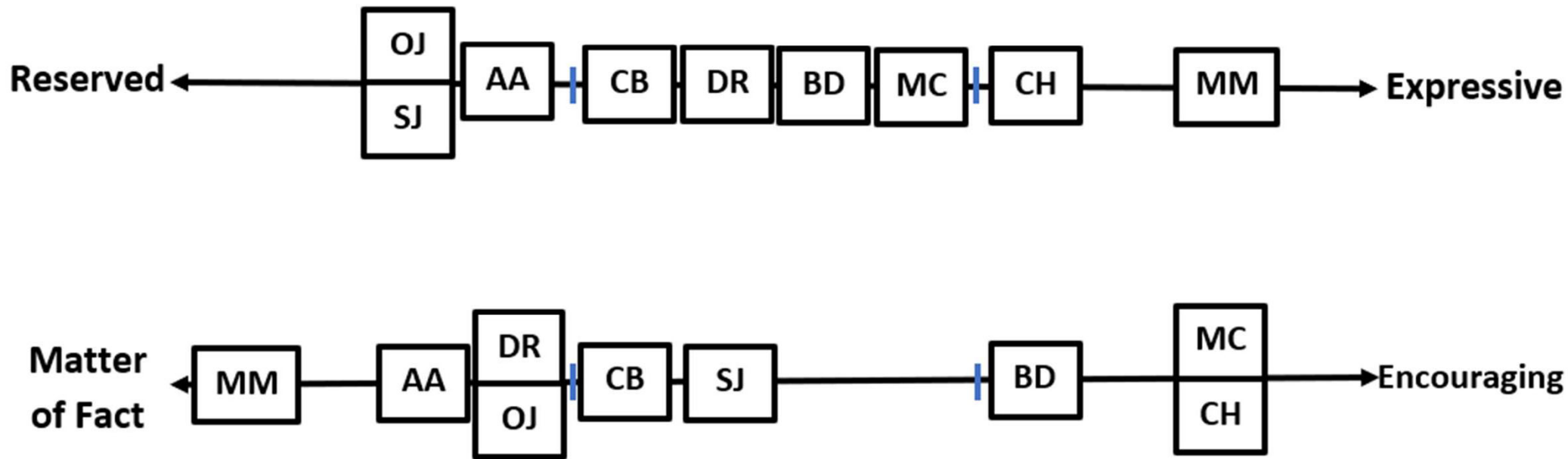
Alignment: Dialogue

Exchanging Perspectives and Being Receptive



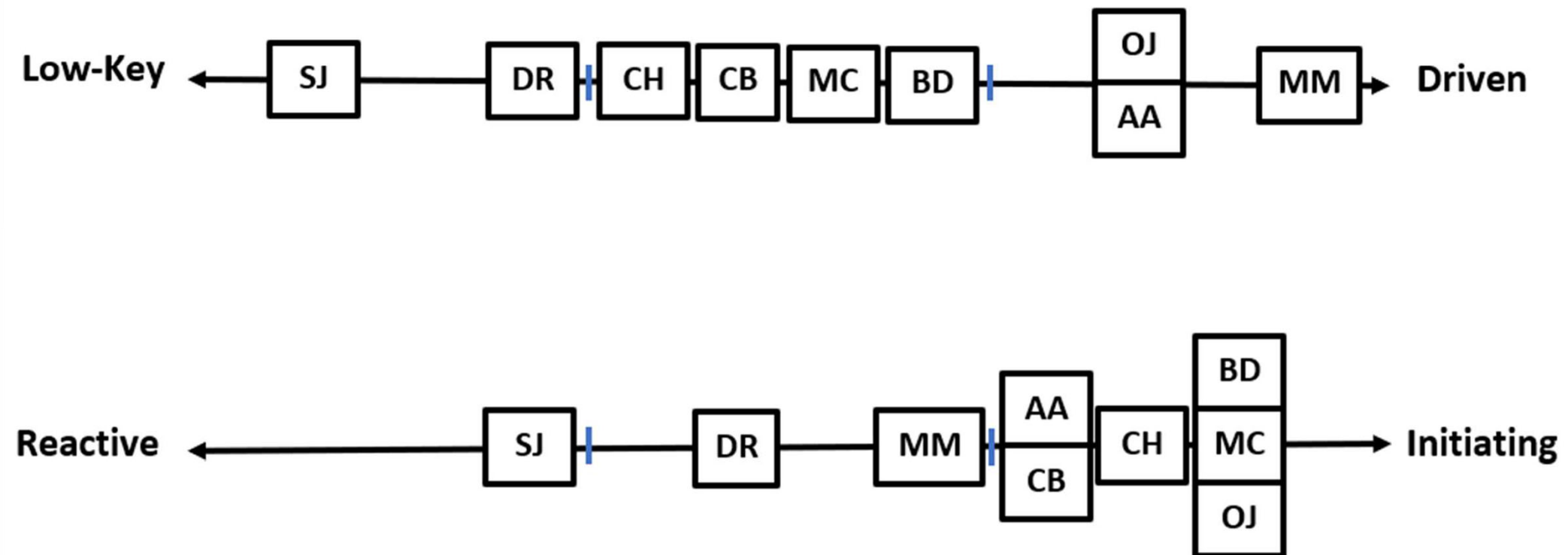
Alignment: Inspiration

Being Expressive and Being Encouraging



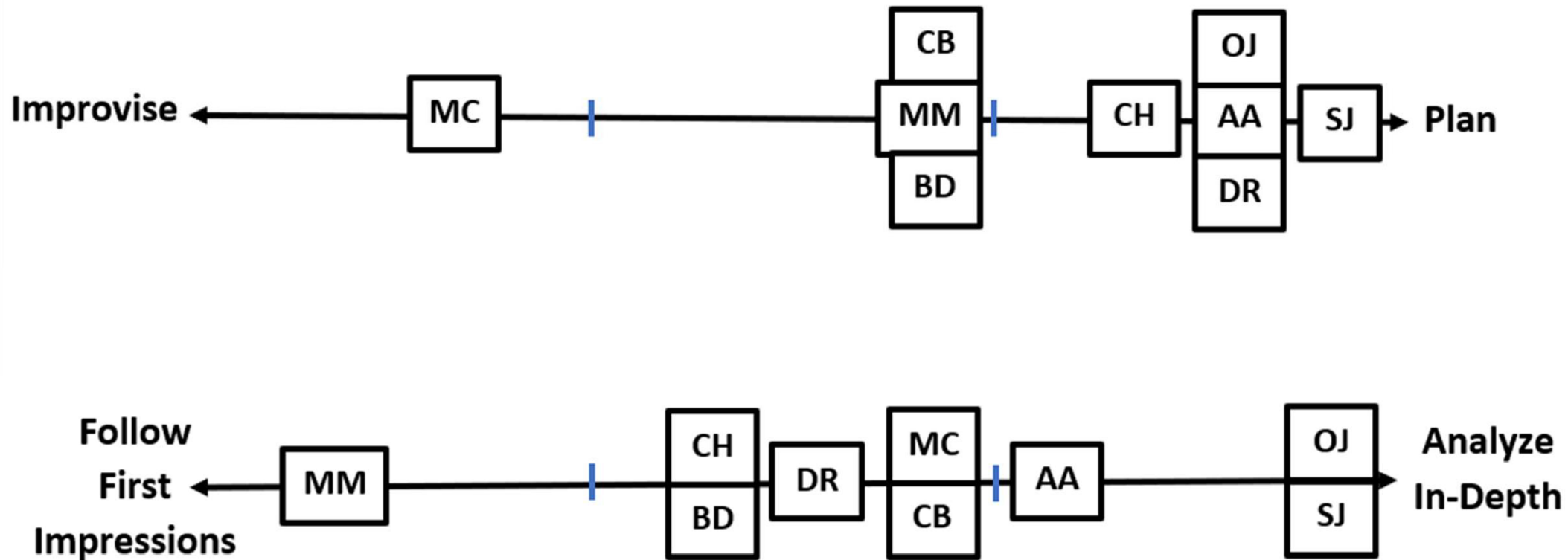
Execution: Momentum

Being Driven and Initiating Action



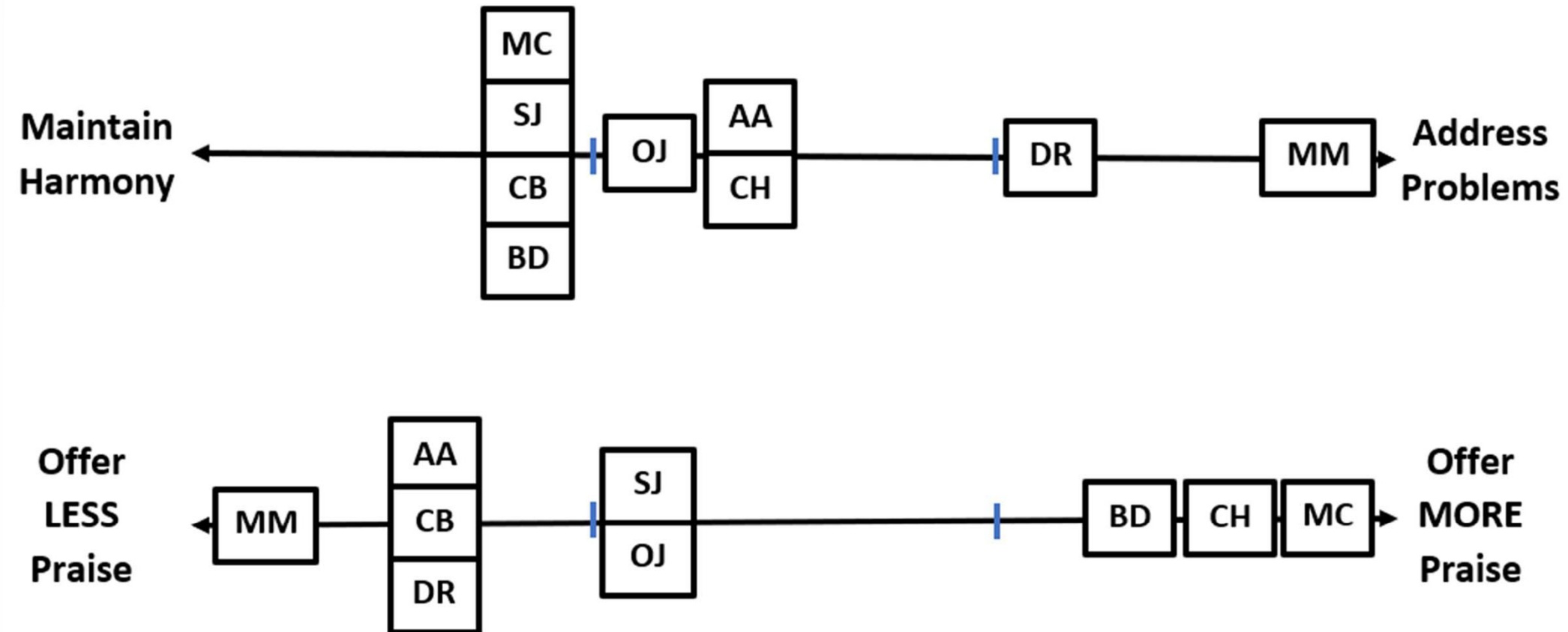
Execution: Structure

Providing a Plan and Analyzing In-Depth



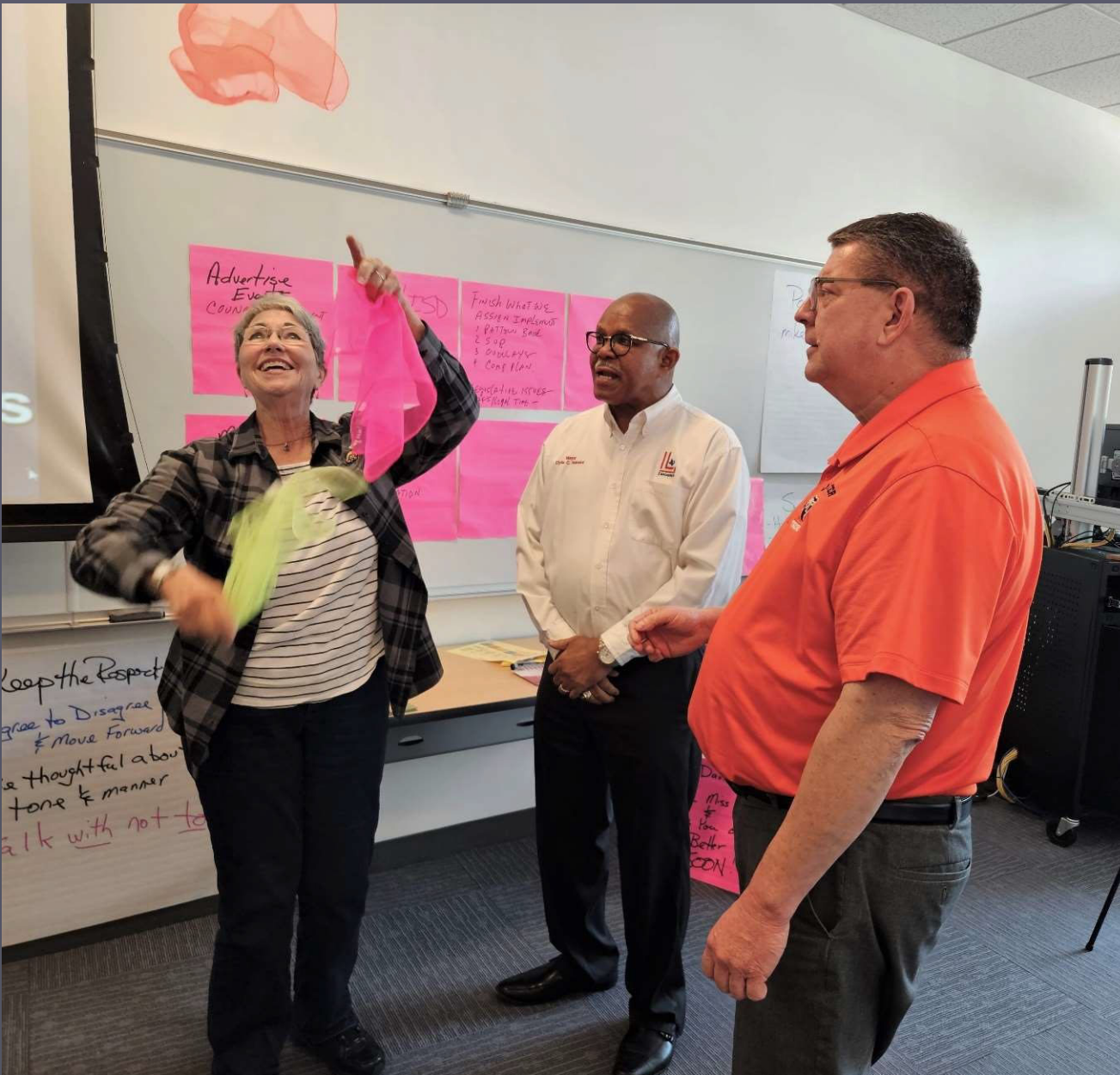
Execution: Feedback

Addressing Problems and Offering Praise



Learning a New Skill

Recognizing that good governance is a skill that can be learned, a juggling metaphor was utilized to demonstrate skill acquisition and group process.



Departmental Updates



Municipal Court Judge Henry Campbell and City Attorney David Ritter provided the City Council a thorough briefing on the activities and accomplishments of their respective areas of practice.²²

The Rearview Mirror

What We are
Pleased With



Use Your Pink
Stickies
List 3 or 4
Accomplishments
One Per Sticky

What Could Have
Been Better?



Use Your
Orange Stickies
List 1 or 2
Disappointments
One Per Sticky

[illegible]

Common Elements (Affinities)

Full Group

[illegible]

Mike Conduff Carol Gabanna Catherine Raso



THE ONTARGET BOARD MEMBER

8 INDISPUTABLE BEHAVIORS

FIFTH EDITION



@nTarget

Good Governance



At various times throughout the event, the 8 Behaviors of OnTarget Board Members was used for illustration and discussion purposes

Think of an Airplane Flight

**Purpose
& Vision**

50,000 ft

**Strategic
Goals**

40,000 ft

**Priority
Action Items**

30,000 ft

**Council & Staff Work
Flight Analogy**



**Planning and
Oversight**

20,000 ft

Projects

10,000 ft

**Day-to-Day
Work**

Runway

Council Responsibility -
Staff Responsibility -



Long-Range Planning

Budget / Contract Approval



Council Role: Affirm
Vision/Purpose

Establish Goals

**Establish/Prioritize
Action Items**

**Review/Adopt Budget
Conduct Meetings**

**Authorize Contracts
(of \$15K or more)**

**Engage w/ Community
And Staff**

Staff Role: Support
Vision/Purpose

**Align Goals with
Resources**

**Implement Priority
Action Items**

**Prepare Plans and
Oversee Functions**

**Plan & Complete
Projects**

**Carry Out Day-to-Day
Responsibilities**

In order to familiarize the participants with the online polling software an introductory poll was conducted. This allowed everyone to practice connecting to the site and responding to the poll.

Lancaster's Favorite Cars Characters

Doc Hudson

27%

Mater

36%

Lightning McQueen

36%

Holly Shiftwell

Sally Carrera

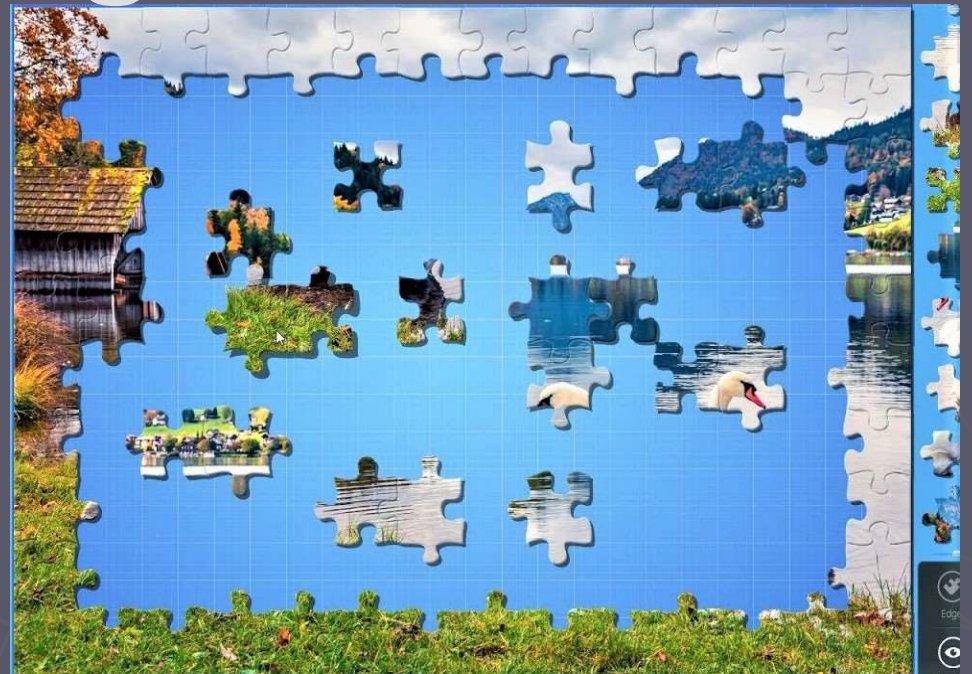
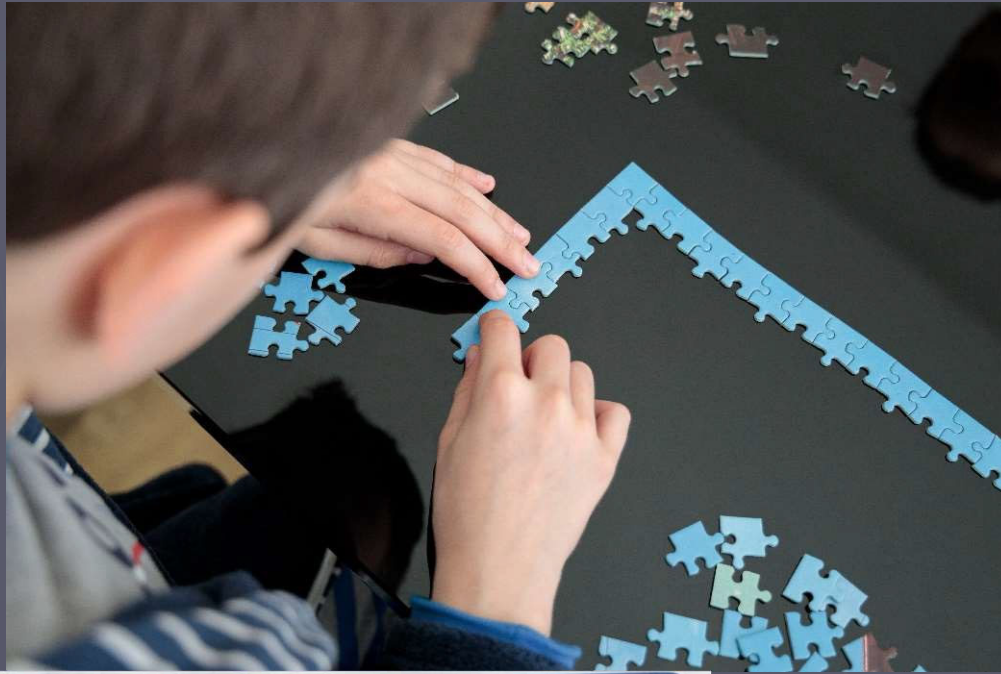


Using the Software Participants Developed a Lancaster Values List

Our Lancaster Values



How Do You Do Jigsaw Puzzles?

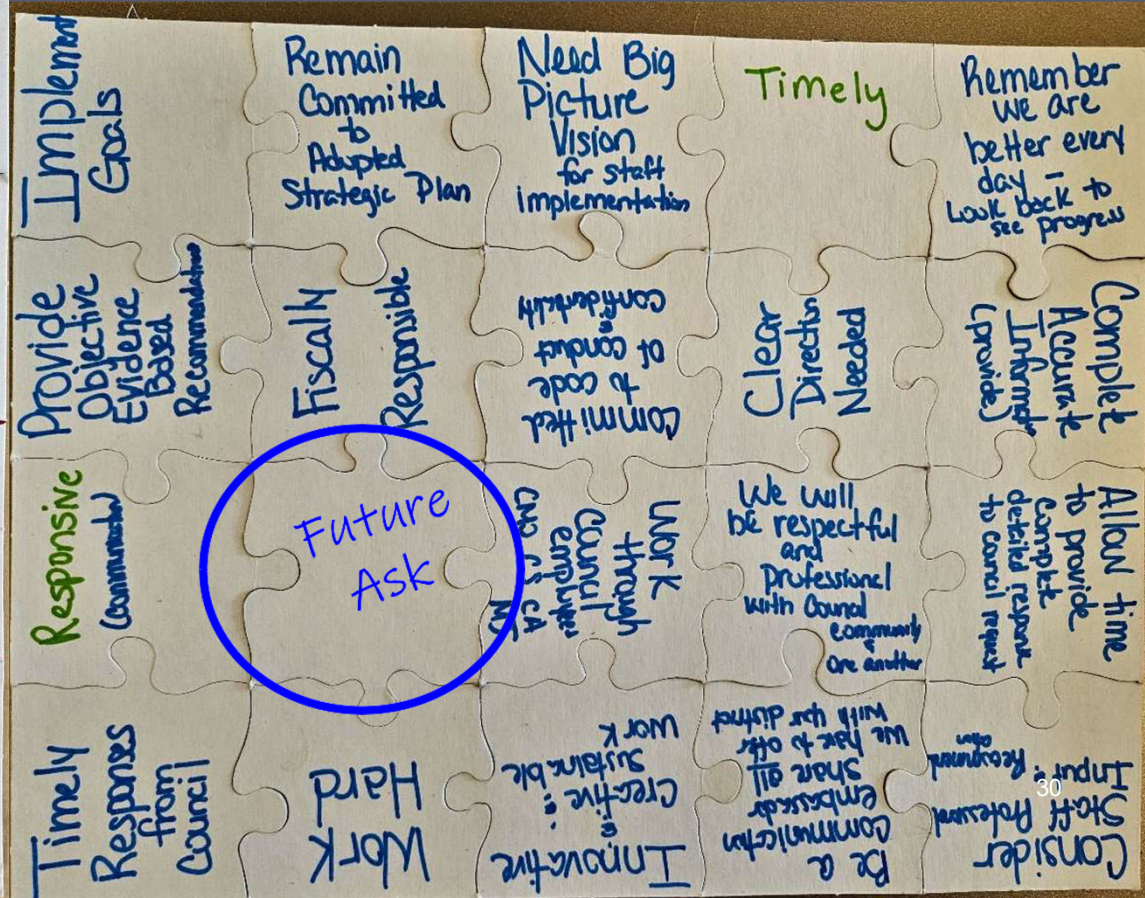
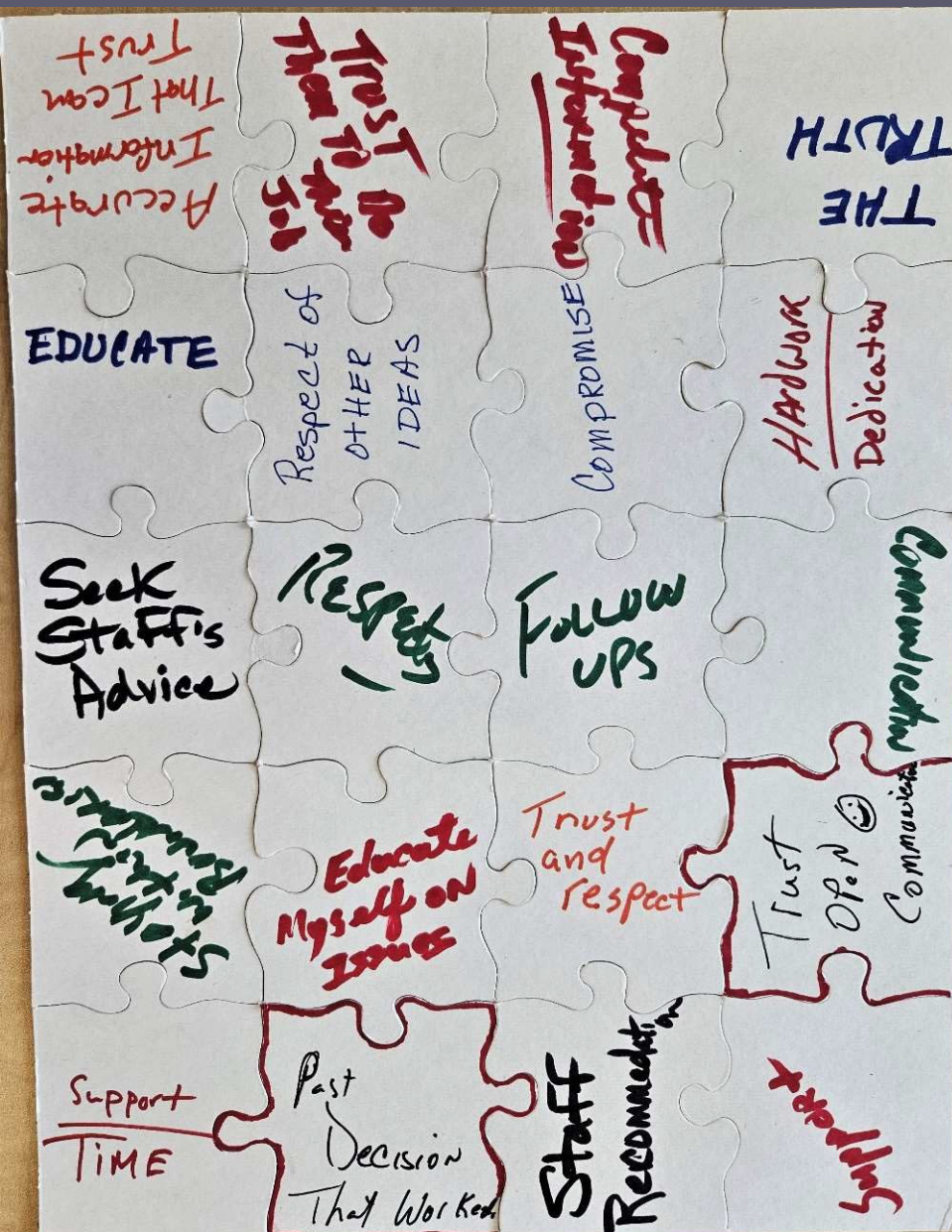


The Role of the Council is to Envision the Future “Picture” of Lancaster and to Develop the Boundaries.

If the Council can articulate their vision, place the critical “corners” and the important “straight edges”, staff can fill in the irregular pieces in the middle.

What We Need and What We Are Willing to Offer

Council and Staff utilized the Jig Saw Method to both ask and offer behaviors they need to be successful in their roles.



Behavior Three



“Once we know who our owners are and what they want we can set clear targets for what the organization must achieve to improve people’s lives”

How Big? How Nice? How Fast?

Create The (Puzzle) Future



Lancaster

The Shining Star of Texas

Visit the Puzzle
Piece Bucket

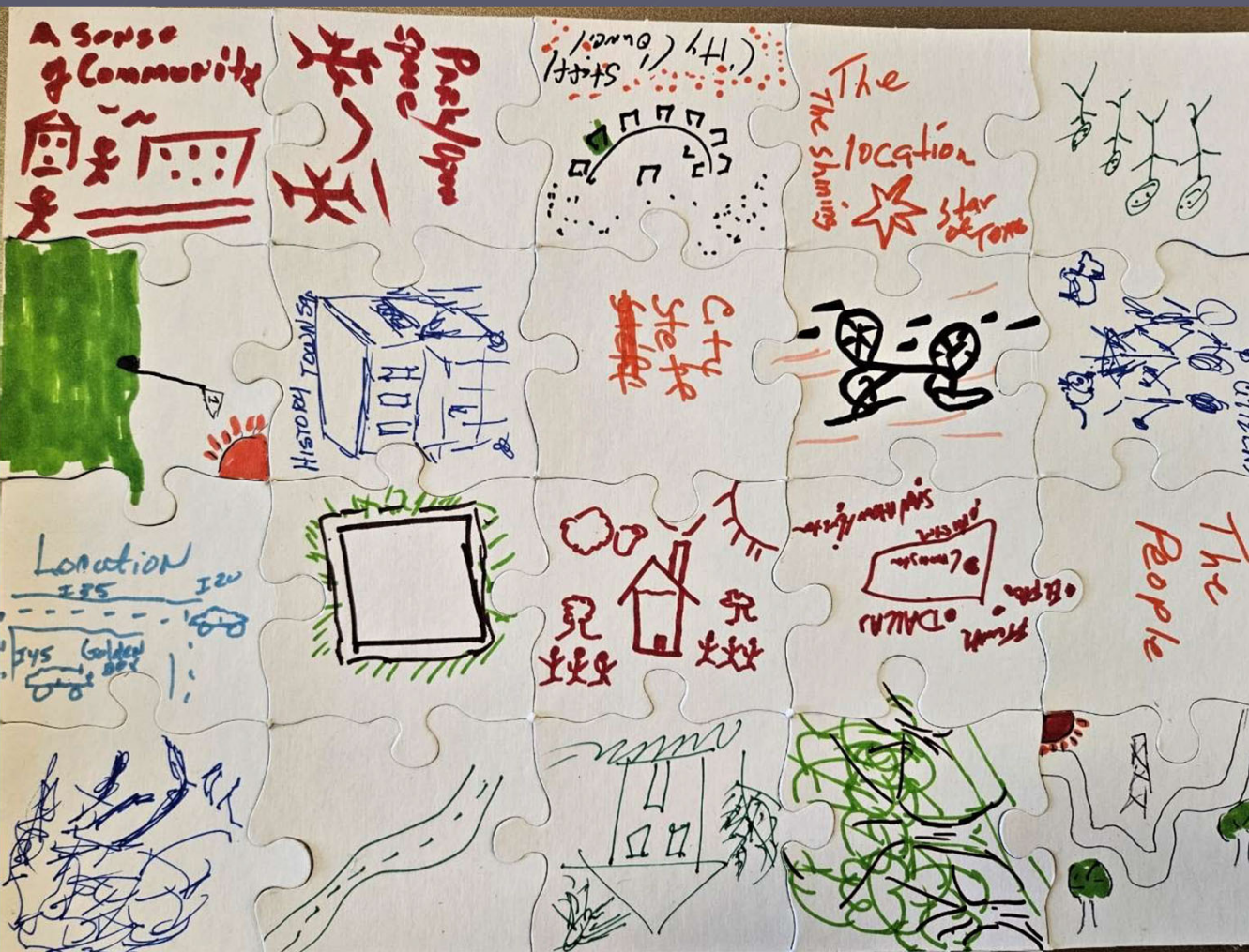
Take One or Two or
Three Pieces

Decorate with What I

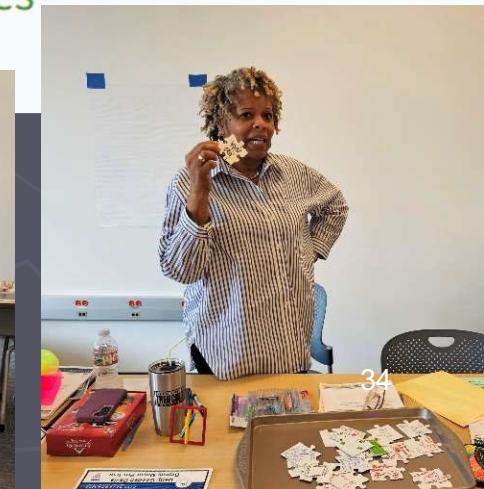


About Lancaster

What We LOVE About Lancaster!



Describing Lancaster in a Word or Phrase



Lancaster IS

The Council Reaffirmed its Vision

**THE
Shining Star of Texas**

**with opportunities to prosper,
live, learn, work and play.**

And Its Mission

The City of
Lancaster



**Positive
Progressive
Partnerships
Produces
Prosperity
For Us All!**

partners with its
community to
deliver sustainable
public services,
preserving,
protecting and
enhancing the
quality of life.

After Examining Its Major Goals

Financially Sound Government
Quality Development

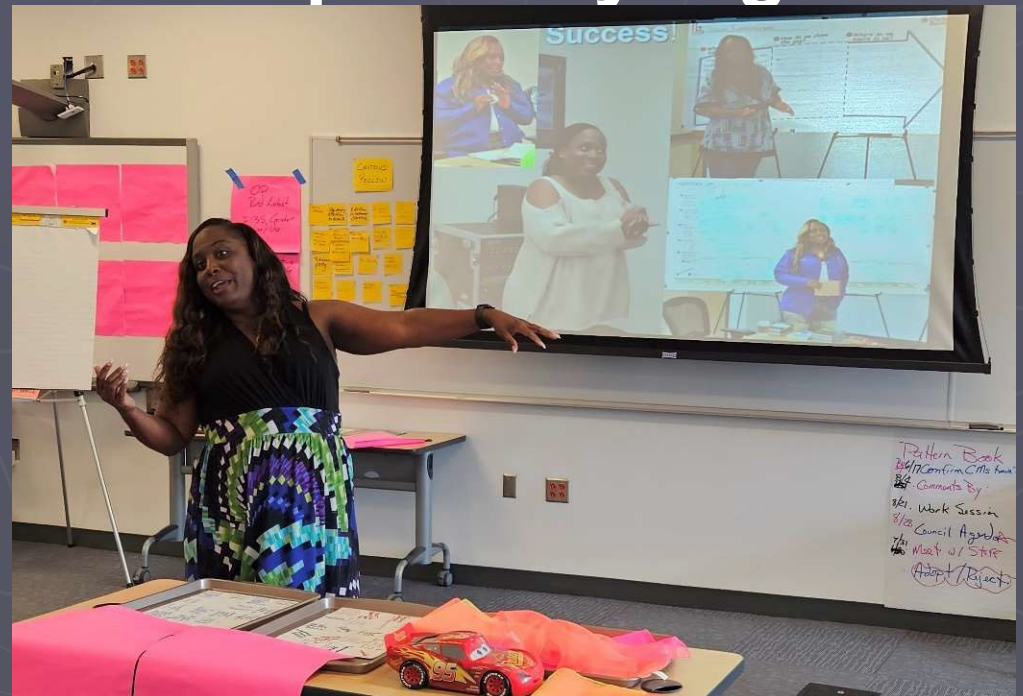
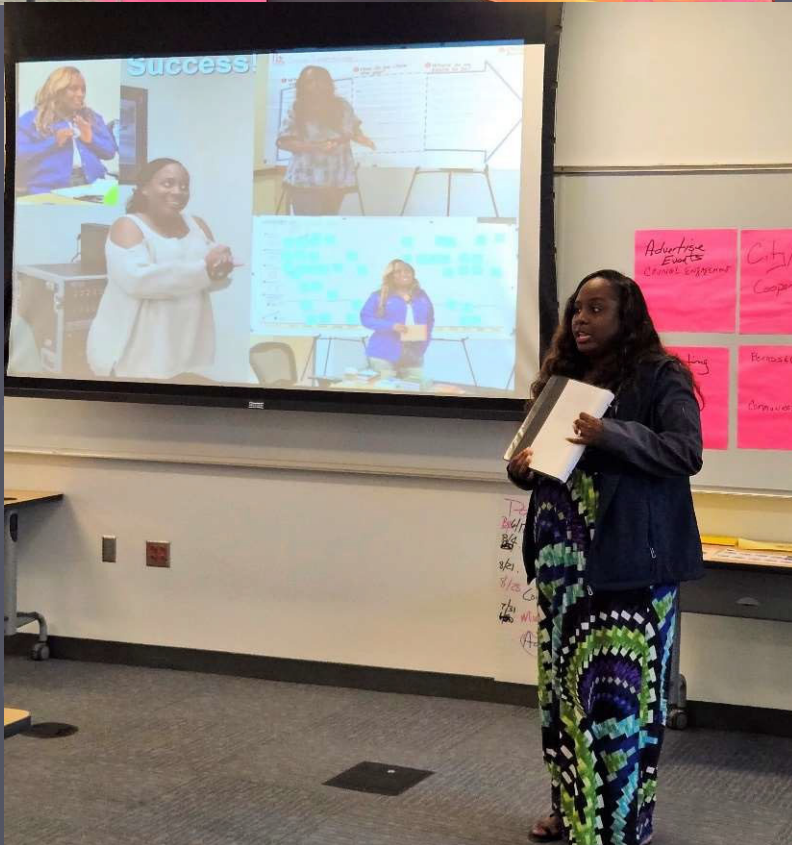
Healthy Safe and Engaged Community
Professional and Committed City Workforce
Sound Infrastructure

The Council Agreed
These Still Constitute
The Most Significant Categories

Solving the Puzzle Team Building



The Council received a brief report from the City Manager about the successes the City has had in the various Major Goal areas. After questions and discussion the Council agreed the staff and the organization are performing at an exceptionally high level.



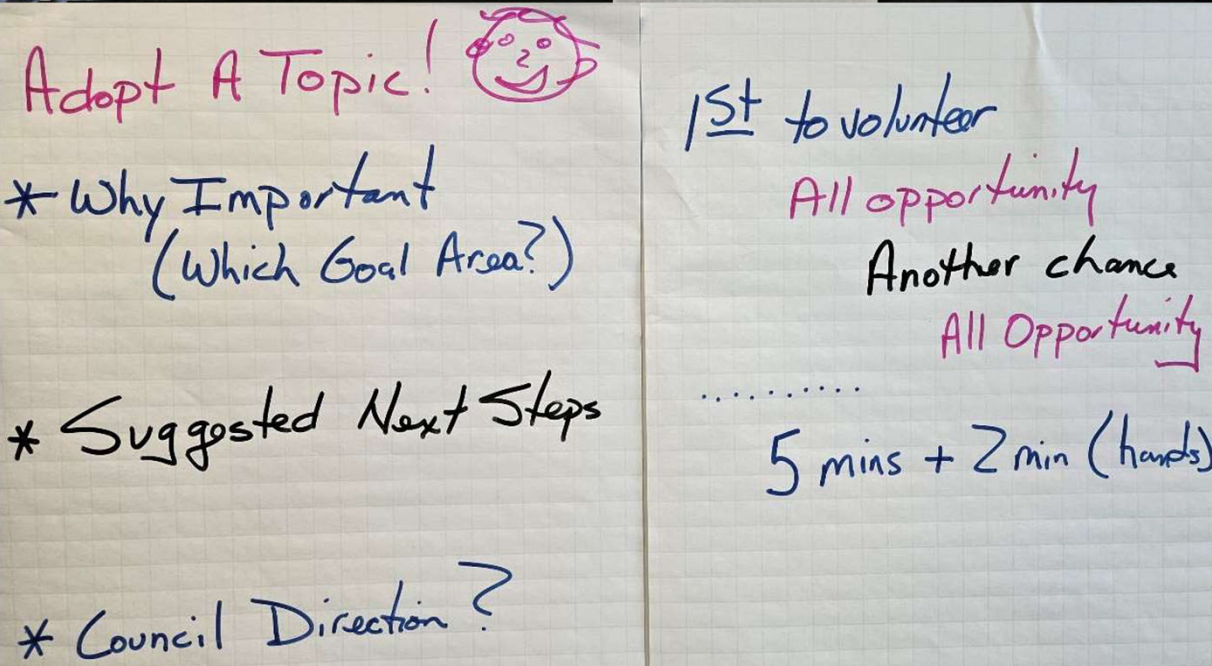
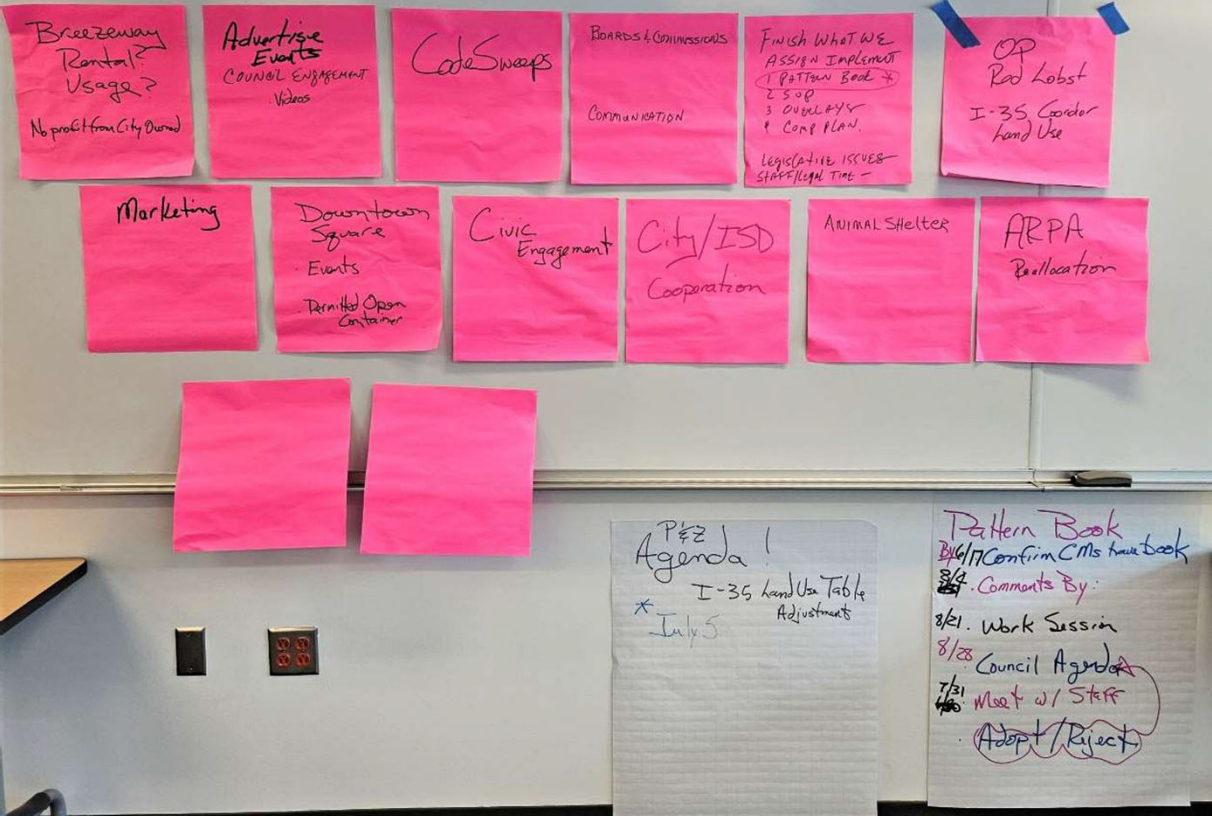
Policies & Procedures

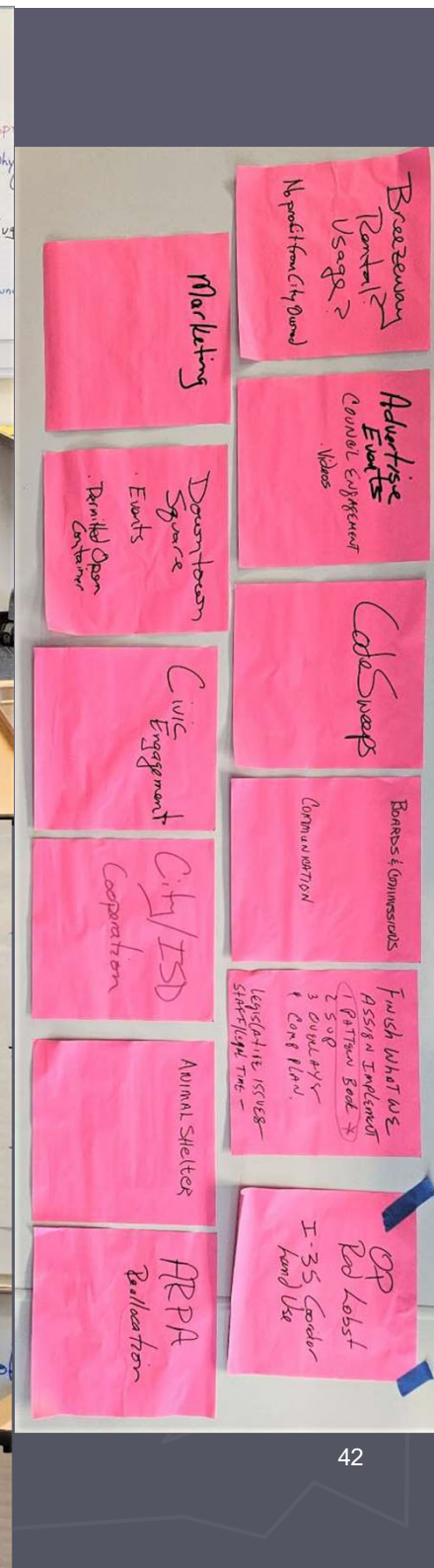
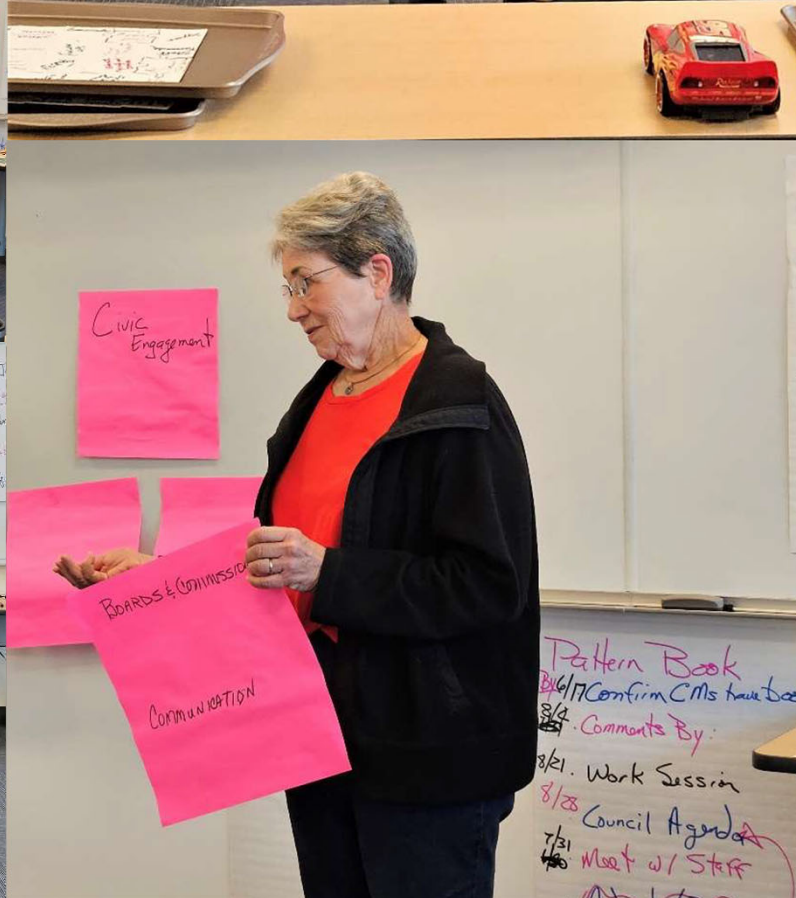


As they do each year, the City Council conducted a thorough review of their Policies and Procedures. The City Attorney answered questions and agreed to conduct research in a few key⁴⁰ areas.

Key Issue Discussion

In one of their annually most significant actions, the Council conducted a focused discussion on several topics of importance to the community and provided direction to the City Manager on each. Every Council Member facilitated a topic with several members volunteering to do another.



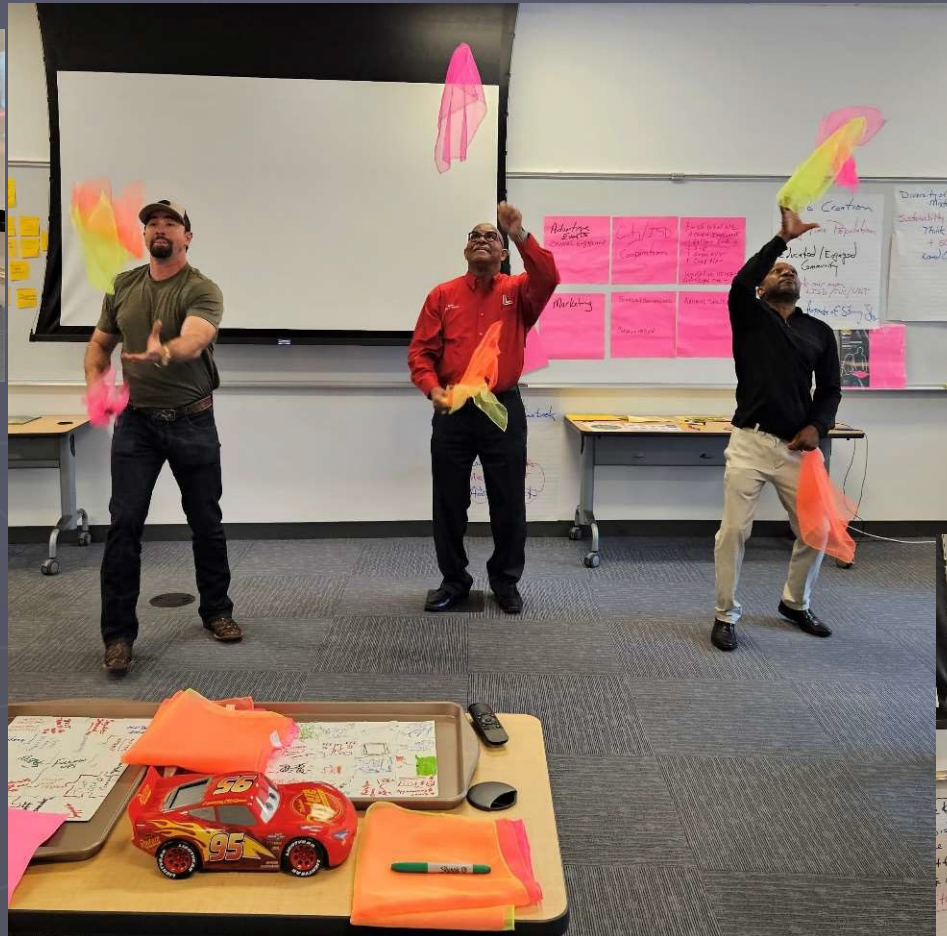


Agreed Council Priorities!

<i>Fiscal Year 2023-2024 Council Priorities</i>	<i>Strategic Goal</i>
Implementation of development priorities including high-quality diverse housing, commercial and retail growth and small businesses	<i>Quality Development</i>
Update Comprehensive Plan & Review all Overlay Districts and Specific Use Permit (SUP) Requirements	<i>Quality Development</i>
Consider Planning for a future City Hall	<i>Quality Development</i>
Finalize Quality Residential Pattern Book including Residential Development Incentives	<i>Quality Development</i>
Breezeway (Downtown/Public Space) Usage Policy	<i>Quality Development</i>
Economic Development Business Recruitment & Job Creation	<i>Quality Development</i>
Boards/Commissions Procedure to Formalize Practice (Rules and Procedure)	<i>Quality Development</i>
I35/I20/Loop 9 Corridor Regulation and Land Use Table Review, Amend & Implement	<i>Quality Development</i>
Develop Downtown Improvement Policy Changes	<i>Quality Development</i>
Strengthen Relationship with LISD & Pursue Joint ISD Board & City Council Meeting	<i>Healthy, Safe, & Engaged Community</i>
Explore creation of a Public Engagement Committee	<i>Healthy, Safe, & Engaged Community</i>
Redesign the website for easier public access to information	<i>Healthy, Safe, & Engaged Community</i>
Upgrade code enforcement efforts & proactive Code Compliance Sweeps	<i>Healthy, Safe, & Engaged Community</i>
Marketing Videos to promote City Council Priorities	<i>Healthy, Safe, & Engaged Community</i>
Provide Competitive Salaries	<i>Professional & Committed City Workforce</i>
Continue planning for a future bond election	<i>Financially Sound Government</i>
ARPA Reallocation to Water/Wastewater Projects	<i>Sound Infrastructure</i>



The Council Discussed Their Learnings From Their Juggle Teams!



Last Bite at the Apple

**Anything You Came
Last time or Today to
Talk About We Haven't
Touched On?**



Some of Mike's Titles

Mike Conduff Carol Gabanna Catherine Raso



THE ONTARGET BOARD MEMBER 8 INDISPUTABLE BEHAVIORS

FOURTH EDITION

onTarget

OVER
10,000
COPIES
SOLD



THE POLICY GOVERNANCE FIELDBOOK

PRACTICAL LESSONS, TIPS, AND TOOLS FROM
THE EXPERIENCES OF REAL-WORLD BOARDS

CAROLINE OLIVER, GENERAL EDITOR

WITH MIKE CONDUFF, SUSAN EDSALL, CAROL GABANNA,
RANDEE LOUCKS, DENISE PASZKIEWICZ,
CATHERINE RASO, AND LINDA STIER

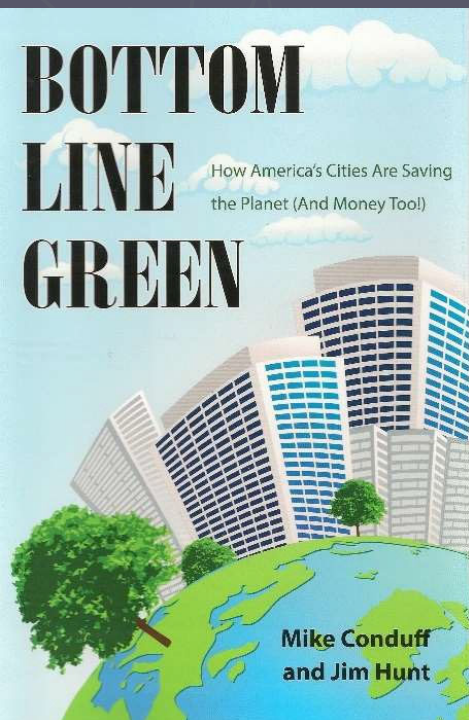
JOSSEY-BASS
A Wiley Brand

PUSHING TO THE FRONT

Front Line Strategies from the
World's Leading Experts



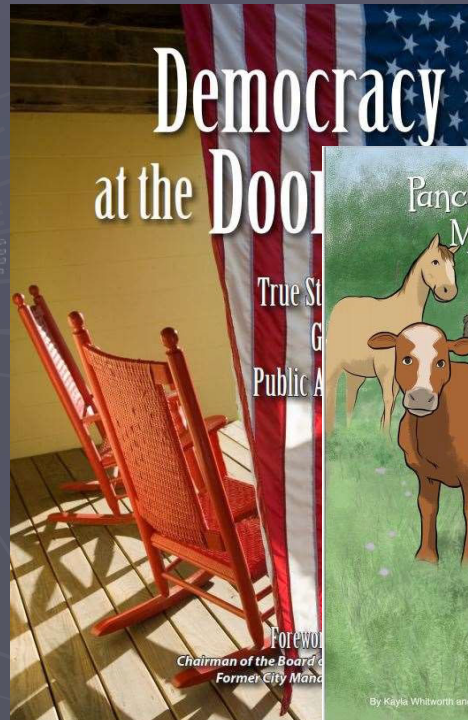
Featuring
Brian Tracy, Mike Conduff
& Leading Experts From Around the World



BOTTOM LINE GREEN

How America's Cities Are Saving
the Planet (And Money Too!)

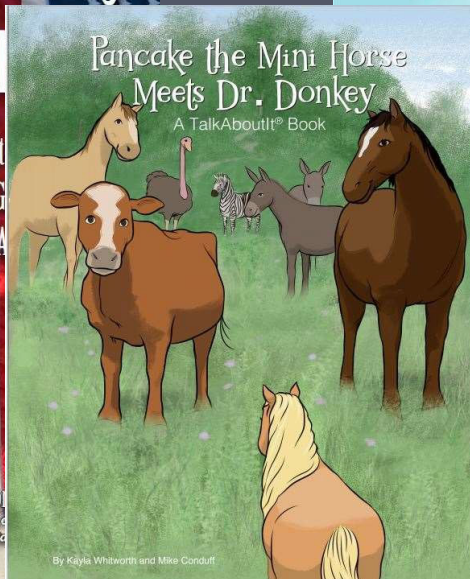
Mike Conduff
and Jim Hunt



Democracy at the Door

True Story
G
Public A

Foreword
Chairman of the Board
Former City Manager



Pancake the Mini Horse Meets Dr. Donkey

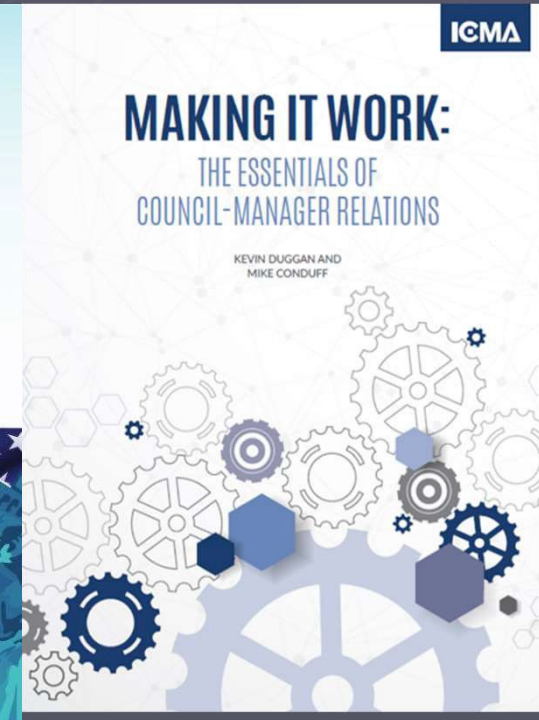
A TalkAboutIt! Book

By Katelyn Whitworth and Mike Conduff



Democracy at the Step, Too!

Mike Conduff & Melissa Byrne Vossmer
Bonnie Sivcek, ICMA President Elect



MAKING IT WORK: THE ESSENTIALS OF COUNCIL-MANAGER RELATIONS

KEVIN DUGGAN AND
MIKE CONDUFF

ICMA

Anchor and Adopt

Hold Your
Lightning in Your
Dominant Hand
Feel the Unique
Characteristics of
Your Lightning
Please Adopt At
Least One
More Training Toy

CITY OF LANCASTER CITY COUNCIL

City Council Regular Meeting

3.

Meeting Date: 07/24/2023

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
David Ritter, City Attorney

Agenda Caption:

Conduct a public hearing and consider a resolution adopting the Lancaster City Council's Rules and Procedures, as amended.

Background:

Section 3.14 of the City's Home Rule Charter requires the City Council to review and determine its own rules of order and business not later than ninety (90) days following the municipal elections. The City Council's Rules and Procedures provide the framework for which the Council conducts its business and may be amended by a majority vote of City Council at a posted Regular Meeting. City Council reviewed the Rules and Procedures during the Annual Strategic Planning Session, June 16th and 17th, 2023.

To clarify the process for discretionary items to be included on the boards/commissions agenda, City Council requested the attorney to add a section to the rules and procedures. The below was added to Section IV Boards/Commissions and it reads as follows:

E. The City Council board or commission liaison may contact the City Manager's office to request that one or more agenda items be placed on a future agenda for the board or commission for which they serve. Sufficient detail and information should be provided to allow the City Manager's staff to draft an agenda item that meets Open Meeting Act standards.

Legal Considerations:

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

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 approve the resolution with changes and state those changes.
3. City Council may deny the resolution.

Recommendation:

City Council Rules and Procedures are the rules and policies of the governing body and there is no staff recommendation.

Attachments

Resolution

Exhibit A

Rules and Procedures Red Line

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, ADOPTING THE CITY COUNCIL RULES AND PROCEDURES, AS AMENDED, AS ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES AS EXHIBIT "A"; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 3.14 of the City of Lancaster Home Rule Charter requires the City Council to review and determine its own rules of order and business not later than ninety (90) days following the municipal elections; and

WHEREAS, the City Council has reviewed and discussed the City Council Rules and Procedures on June 16th and June 17th during the 2023 annual Strategic Planning Session; and

WHEREAS, after discussion and consideration, the City Council has determined that certain revisions to Section IV by addition of (E) to the Rules and Procedures are appropriate;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS:

That the City Council Rules and Procedures, as amended, attached hereto and incorporated herein by reference as Exhibit "A", having been reviewed by the City Council of the City of Lancaster, Texas, and found to be acceptable and in the best interest of the City and its citizens, be, and the same is hereby, in all things approved and adopted.

SECTION 1. That any prior resolutions of the City of Lancaster, Texas, in conflict with the provisions of this resolution, except as noted herein, be, and the same are hereby, repealed and revoked.

SECTION 2. That this resolution shall take effect immediately from and after its adoption and it is accordingly so resolved.

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the 24th day of July, 2023.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

City of Lancaster City Council

Rules and Procedures



As Amended July 2023

Last CC Review: Strategic Planning Retreat, 2023

Adopted per The Home Rule Charter of the City of Lancaster, Texas, § 3.14

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MISSION STATEMENT

The City Council shall faithfully discharge all duties imposed upon it by the City Charter and the Constitution and laws of the State of Texas, independently and impartially deciding all matters brought before it with responsibility to the citizens and each other.

COUNCIL DUTIES AND RESPONSIBILITIES

The City Council is the governing body for the City of Lancaster and must bear responsibility for the integrity of governance. This policy intends to promote and ensure effective and efficient governance.

The Council shall govern the City with a commitment to preserving the values and integrity of representative local government and democracy. The following statements will serve as a guide to that commitment:

1. The Council must strive for continual improvement of each member's personal knowledge and ability to serve in an atmosphere conducive to the responsible exchange of ideas.
2. The Council will keep the community informed on municipal affairs; encourage communication between the citizens and Council and strive for constructive relationships with Dallas County, neighboring communities, Lancaster Independent School District and other governmental bodies.
3. The Council will recognize and address the rights and privileges of the social, cultural, and physical historical characteristics of the community when setting policy; and, to strive to enhance the cultural diversity of its citizens.
4. The Council will seek to improve the quality and image of public service.
5. The Council will always be committed to promote and protect the best interest of all its citizens and entire community.

SECTION I

MAYOR - CITY COUNCIL RELATIONS

A. MAYORAL RESPONSIBILITIES

1. The Mayor shall be the presiding officer at all meetings. The Mayor Pro-Tem shall preside in the absence of the Mayor. The Deputy Mayor Pro-Tem shall preside in the absence of both the Mayor and Mayor Pro-Tem.
2. The Mayor shall have a voice and vote in all matters before the Council. The Mayor is the spokesperson for and on behalf of the Council on all matters unless absent, at which time a designee will assume the role.
3. The Mayor shall preserve order and decorum and is responsible for keeping the meetings orderly by recognizing each Member for discussion, limiting speaking time, encouraging debate among Members, and keeping discussion on the agenda items being considered as required by these rules and in accordance with the Texas Open Meetings Act. Should a conflict arise among Councilmembers, the Mayor serves as mediator and arbiter.

B. COUNCILMEMBER RESPONSIBILITIES

1. Councilmembers shall know and observe the adopted rules and procedures governing their duties and responsibilities, and; complete their required open government training and cybersecurity (HB 3834) training as required bylaw.
2. Councilmembers shall be prepared to discuss and act upon the posted agenda.
3. Councilmembers shall take the initiative to be informed about Council actions taken in their absence. When absent the individual Councilmember is responsible for obtaining relevant information prior to the Council meeting when said item is to be considered.
4. Councilmembers appointed to serve as liaison to a board, commission, or study group are responsible for keeping all Councilmembers informed of significant board, commission, or study group activities, at Councilmembers discretion.
5. Councilmembers shall conduct annual performance review of any of its appointive positions as provided in the Home Rule Charter or ordinances.

C. HOUSE RULES: CODE OF CONDUCT

1. Listen and understand before judging.
2. Focus on the vision and goals; no personal attacks or inferences.
3. Look for areas of agreement before differences.

4. Be on time; start on time; silence all personal communication devices, and do not allow them to distract from the work at hand.
5. Once a decision is made, support the City decision, but state your reservation.
6. Agree to disagree; move on to the next issue.
7. Come prepared to discuss issues; When possible ask questions of staff prior to the meeting so that staff can be prepared.
8. Praise in public; provide constructive feedback in private.
9. Participate in discussions and focus on the issue; avoid side conversations. Need to be mindful that sidebar conversations are disruptive.
10. Be courteous, honest and treat others with respect.
11. Communicate in an open, direct manner; keep others informed.
12. If you have a personal issue with another member of Council, go to that member directly and not to other councilmembers, the community or staff. This house rule does not affect the right of one or more Councilmembers to institute the censure process set out in Section VI, (Censure Policy).
13. Be a positive ambassador for the City.
14. When the Council is meeting in the Council Chamber, use the electronic system to notify the Mayor you wish to comment on a matter before the Council.
15. Allow others to finish their comments before speaking, (subject to the rules of parliamentary procedure and the Mayor's responsibility to preserve order and decorum as set forth in Section I(A)).

D. CITY COUNCIL AGENDA PROCESS

1. Agenda Items
 - a. The City Manager shall be responsible for the placement of agenda items.
 - b. Any member of the City Council shall have the unabridged right to place an item on the agenda of a duly convened meeting of the council and nothing contained in the Charter or these Rules and Procedures shall be construed to limit or circumscribe such right.
 - c. A Councilmember may place an item on the agenda by presenting in writing, to the City Manager not later than noon (12:00 p.m.) on the Thursday, two weeks before the Council meeting. The City Manager and City Secretary shall acknowledge receipt of the request. The City Manager

may discuss with the requesting Councilmember delay of the agenda item to the next regular meeting. However, the Councilmember may choose to direct the City Manager to place the agenda item on the upcoming Council meeting without delay. Such direction shall be noted in the agenda communication regarding the agenda item.

2. Parliamentary Procedures

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- B. Agenda Information. All reporters requesting same will receive an agenda package in advance and will be furnished support material needed for clarification for themselves or the general public.
- C. Chamber Seating. During the conduct of official business, the news media shall occupy the places designated for them or the general public.
- D. Conduct in Chambers. Representatives of the media are requested to refrain from conversing privately with others in the audience while Council is in session. Interviews with the public should be conducted outside the Council Chambers while Council is in session.
- E. Spokesperson for Staff. On administrative matters, the City Manager or his/her designee is the spokesperson to present staff information on the agenda.
- F. Spokesperson for City. The Mayor, or the Mayor's designee, is the primary spokesperson for the official position of the City on matters regarding policy decisions and Council information pertaining to issues on the agenda. Any clarifications requested by the media on the issues should be addressed after the meeting. When speaking publicly on matters involving City business, individual Councilmembers should preface and/or qualify statements with a disclaimer that they are speaking only on behalf of themselves, and that their statement does not represent the official position of the City of Lancaster, unless the City Council has adopted a clear position statement on that matter.
- G. Equal Access for Opposing Positions. The ethical burden for fair presentation of opposing positions on any issue falls upon the media. When opposing positions have been debated, regardless of the outcome, the public is better informed when

all sides have adequate coverage by the media. Interviews by the media should provide equitable representation from all Councilmembers.

SECTION IV

BOARDS/COMMISSIONS

All City Councilmembers, with the exception of the Mayor, may serve at the Council pleasure liaisons to all the boards and commissions of the City for a period of one year.

- A. Councilmembers will select different boards and/or commissions to serve as liaisons on or after the appointment of the boards and commissions members.
- B. Each Councilmember will be allowed to select the board or commission they would like to serve as liaisons to by order of seniority.
- C. Councilmembers are strongly encouraged, rather than required, to attend all meetings of their selected boards and/or commissions.
- D. Each Councilmember may submit a quarterly report to the entire Council through the City Secretary on their respective board and/or commission's activity. Any questions or concerns about board or commission matters will be directed to the City Secretary for dissemination to the Council.
- E. The City Council board or commission liaison may contact the City Manager's office to request that one or more agenda items be placed on a future agenda for the board or commission for which they serve. Sufficient detail and information should be provided to allow the City Manager's staff to draft an agenda item that meets Open Meeting Act standards.

This Section was added after Res. No. 50-97 was adopted October 13, 1997. Item D was added after Res. 2007-09-105 was adopted on September 24, 2007. Item A amended after Resolution 2015-11-89 was adopted on November 16, 2015. Code of Ordinances Chapter 5: Boards, Commissions and Committees was decodified by Ordinance 2018-12-53.

SECTION V

CODE OF ETHICS

Since the office of elected official is one of trust and service to the citizens of Lancaster, certain ethical principles shall govern the conduct of Councilmembers, who shall:

- A. Be dedicated to the highest ideals of honor and integrity in all public and personal relationships;
- B. Recognize that the primary function of local government is to serve the best interests of all the people;
- C. Be dedicated to public service by being cooperative and constructive, and by making the best and most efficient use of available resources;
- D. Refrain from any activity or action that may hinder one's ability to be objective and impartial on any matter coming before the Council;
- E. To follow the required conflict of interest and disclosure of interest (vendors) required under state law.
- F. Not seek nor accept gifts or special favors and shall believe that personal gain by use of confidential information or by misuse of public funds or time is dishonest;
- G. Recognize that public and political policy decisions are ultimately the responsibility of the City Council;
- H. Conduct business in open, well-publicized meetings in order to be directly accountable to the citizens of Lancaster in compliance with the City Charter and Texas Open Meetings Act;
- I. Avoid inappropriate reference to personalities, and refrain from impugning the integrity or motives of another;
- J. Demonstrate respect and courtesy to others;
- K. Refrain from rude and derogatory remarks and shall not belittle staff members, other Councilmembers and members of the public;
- L. Not condone any unethical or illegal activity.
- M. Not use any City resources in campaigning, with the exception of photographs and/or video taking by the City for official purposes and which have been released into the public domain, and no photograph and/or video that a reasonable person believes may imply the endorsement of another Councilmember may be used

without a disclaimer. It is strongly encouraged as a best practice that: (1) no City photographs or video be used for campaign purposes, and (2) that any campaign material using a City photograph or video which portrays one or more Councilmembers besides the campaigning member bear a disclaimer stating that "DEPICTION OF CITY COUNCILMEMBER(S) DOES NOT IMPLY ENDORSEMENT."

- N. Not disclose any information deemed as confidential, including attorney-client or attorney work-product information or information relayed in executive session, pre-disclosure real estate transaction information, litigation information, or pre-disclosure economic development information, without permission from the City Council acting as a body, or until the information has been made public by operation of law.

SECTION VI

CENSURE POLICY

1. A Notice of Censure may be filed only after: (a) a personal conversation between at least one complaining Councilmember and the accused Councilmember has taken place in accordance with Section I(C)(12), and (b) mediation or arbitration has been conducted by the Mayor in accordance with Section I(A)(5), and both have been unsuccessful.
2. Two or more City Councilmembers may file a written Notice of Censure against another City Councilmember with the City Secretary. The written notice shall set forth the allegation(s) of conduct and City Charter, Code of Ethics, or Rules and Procedures provisions which the accused Councilmember shall have allegedly violated, and (1) a copy of all evidence supporting the allegations; and (2) a list of persons who may be called as witnesses if the allegations proceed to final hearing. A copy shall be delivered to all Councilmembers by the City Secretary. A written Response to the allegation(s) may be filed by the accused Councilmember within ten (10) business days after receipt thereof. A copy of the Notice of Censure and Response thereto shall be delivered to each Councilmember by the City Secretary within two (2) business days after the response is filed.
3. On the first regularly called meeting of the Council, which complies with the Texas Open Meetings Act, after the filing of the Notice and any Response, the City Secretary shall formally present the Notice and Response to the City Council and a copy will be attached to the minutes and become part of the public record. The Council, by majority vote, shall thereafter determine whether or not good cause shall exist to set a formal public hearing on the merits of the Notice of Censure or whether the allegations should be dismissed.

A vote to hold a public hearing shall not be construed to be a vote of censure.

4. The accused City Councilmember has the right to be represented by legal counsel of their choosing and at their own cost; no City funds may be expended on the legal counsel. The counsel may attend the hearings and present evidence and testimony at the preliminary and final hearings.
5. If the Council has voted to find good cause presented in the Notice of Censure, a public hearing on the allegation(s) and response shall be held at either a regular or special called meeting of the City Council, which shall be set no sooner than twenty (20) business days from the date of the meeting where the Notice and any Response is presented. At least ten (10) business days prior to the date of the public hearing, the accused Councilmember may file an evidentiary supplement to the written Response (if not done at the time of the initial Response filing) which shall contain: (1) a copy of all evidence refuting the allegations that the or that the Councilmember wishes the Council to consider; and (2) a list of persons who may be called as witnesses upon final hearing of the allegations.
6. At the final hearing, The City Council will hear evidence concerning the notice of censure. Evidence and witnesses shall be limited to that contained in, or listed on, the Notice of Censure and Response. The City Council shall determine whether the evidence presented is relevant and authentic, but formal Rules of Procedure and Evidence shall not apply. The format of the final hearing is as follows:
 - A. The City Councilmembers proffering the charges shall present evidence and witnesses in support of the allegation(s) contained in the Notice of Censure and explain how the evidence supports the proposition that the accused Councilmember violated the City Charter, Code of Ethics, or Rules and Procedures.
 - B. The Councilmember who is the subject of the censure shall have the opportunity to present evidence and witnesses to support his or her position with respect to the Notice of Censure.

The burden of proof shall be on the Councilmembers proffering the Notice of Censure and the standard shall be a preponderance of evidence. After receiving evidence at the final hearing, the City Council shall then take a roll-call vote, after motion duly made and seconded, and a majority of five members of the City Council shall be required to sustain the censure of the Councilmember. If sustained, the City Attorney shall prepare a formal Censure document for adoption by a majority vote of the City Council at a future meeting.

City of Lancaster City Council

Rules and Procedures



As Amended ~~October-July 2023~~²⁰²²

Last CC Review: Strategic Planning Retreat, ~~2022~~²⁰²³

Adopted per The Home Rule Charter of the City of Lancaster, Texas, § 3.14

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MISSION STATEMENT

The City Council shall faithfully discharge all duties imposed upon it by the City Charter and the Constitution and laws of the State of Texas, independently and impartially deciding all matters brought before it with responsibility to the citizens and each other.

COUNCIL DUTIES AND RESPONSIBILITIES

The City Council is the governing body for the City of Lancaster and must bear responsibility for the integrity of governance. This policy intends to promote and ensure effective and efficient governance.

The Council shall govern the City with a commitment to preserving the values and integrity of representative local government and democracy. The following statements will serve as a guide to that commitment:

1. The Council must strive for continual improvement of each member's personal knowledge and ability to serve in an atmosphere conducive to the responsible exchange of ideas.
2. The Council will keep the community informed on municipal affairs; encourage communication between the citizens and Council and strive for constructive relationships with Dallas County, neighboring communities, Lancaster Independent School District and other governmental bodies.
3. The Council will recognize and address the rights and privileges of the social, cultural, and physical historical characteristics of the community when setting policy; and, to strive to enhance the cultural diversity of its citizens.
4. The Council will seek to improve the quality and image of public service.
5. The Council will always be committed to promote and protect the best interest of all its citizens and entire community.

SECTION I

MAYOR - CITY COUNCIL RELATIONS

A. MAYORAL RESPONSIBILITIES

1. The Mayor shall be the presiding officer at all meetings. The Mayor Pro-Tem shall preside in the absence of the Mayor. The Deputy Mayor Pro-Tem shall preside in the absence of both the Mayor and Mayor Pro-Tem.
2. The Mayor shall have a voice and vote in all matters before the Council. The Mayor is the spokesperson for and on behalf of the Council on all matters unless absent, at which time a designee will assume the role.
3. The Mayor shall preserve order and decorum and is responsible for keeping the meetings orderly by recognizing each Member for discussion, limiting speaking time, encouraging debate among Members, and keeping discussion on the agenda items being considered as required by these rules and in accordance with the Texas Open Meetings Act. Should a conflict arise among Councilmembers, the Mayor serves as mediator and arbiter.

B. COUNCILMEMBER RESPONSIBILITIES

1. Councilmembers shall know and observe the adopted rules and procedures governing their duties and responsibilities, and; complete their required open government training and cybersecurity (HB 3834) training as required by law.
2. Councilmembers shall be prepared to discuss and act upon the posted agenda.
3. Councilmembers shall take the initiative to be informed about Council actions taken in their absence. When absent the individual Councilmember is responsible for obtaining relevant information prior to the Council meeting when said item is to be considered.
4. Councilmembers appointed to serve as liaison to a board, commission, or study group are responsible for keeping all Councilmembers informed of significant board, commission, or study group activities, at Councilmembers discretion.
5. Councilmembers shall conduct annual performance review of any of its appointive positions as provided in the Home Rule Charter or ordinances.

C. HOUSE RULES: CODE OF CONDUCT

1. Listen and understand before judging.
2. Focus on the vision and goals; no personal attacks or inferences.
3. Look for areas of agreement before differences.

4. Be on time; start on time; silence all personal communication devices, and do not allow them to distract from the work at hand.
5. Once a decision is made, support the City decision, but state your reservation.
6. Agree to disagree; move on to the next issue.
7. Come prepared to discuss issues; When possible ask questions of staff prior to the meeting so that staff can be prepared.
8. Praise in public; provide constructive feedback in private.
9. Participate in discussions and focus on the issue; avoid side conversations. Need to be mindful that sidebar conversations are disruptive.
10. Be courteous, honest and treat others with respect.
11. Communicate in an open, direct manner; keep others informed.
12. If you have a personal issue with another member of Council, go to that member directly and not to other councilmembers, the community or staff. This house rule does not affect the right of one or more Councilmembers to institute the censure process set out in Section VI, (Censure Policy).
13. Be a positive ambassador for the City.
14. When the Council is meeting in the Council Chamber, use the electronic system to notify the Mayor you wish to comment on a matter before the Council.
15. Allow others to finish their comments before speaking, (subject to the rules of parliamentary procedure and the Mayor's responsibility to preserve order and decorum as set forth in Section I(A)).

D. CITY COUNCIL AGENDA PROCESS

1. Agenda Items
 - a. The City Manager shall be responsible for the placement of agenda items.
 - b. Any member of the City Council shall have the unabridged right to place an item on the agenda of a duly convened meeting of the council and nothing contained in the Charter or these Rules and Procedures shall be construed to limit or circumscribe such right.
 - c. A Councilmember may place an item on the agenda by presenting in writing, to the City Manager not later than noon (12:00 p.m.) on the Thursday, two weeks before the Council meeting. The City Manager and City Secretary shall acknowledge receipt of the request. The City Manager

may discuss with the requesting Councilmember delay of the agenda item to the next regular meeting. However, the Councilmember may choose to direct the City Manager to place the agenda item on the upcoming Council meeting without delay. Such direction shall be noted in the agenda communication regarding the agenda item.

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- B. Agenda Information. All reporters requesting same will receive an agenda package in advance and will be furnished support material needed for clarification for themselves or the general public.
- C. Chamber Seating. During the conduct of official business, the news media shall occupy the places designated for them or the general public.
- D. Conduct in Chambers. Representatives of the media are requested to refrain from conversing privately with others in the audience while Council is in session. Interviews with the public should be conducted outside the Council Chambers while Council is in session.
- E. Spokesperson for Staff. On administrative matters, the City Manager or his/her designee is the spokesperson to present staff information on the agenda.
- F. Spokesperson for City. The Mayor, or the Mayor's designee, is the primary spokesperson for the official position of the City on matters regarding policy decisions and Council information pertaining to issues on the agenda. Any clarifications requested by the media on the issues should be addressed after the meeting. When speaking publicly on matters involving City business, individual Councilmembers should preface and/or qualify statements with a disclaimer that they are speaking only on behalf of themselves, and that their statement does not represent the official position of the City of Lancaster, unless the City Council has adopted a clear position statement on that matter.
- G. Equal Access for Opposing Positions. The ethical burden for fair presentation of opposing positions on any issue falls upon the media. When opposing positions have been debated, regardless of the outcome, the public is better informed when

all sides have adequate coverage by the media. Interviews by the media should provide equitable representation from all Councilmembers.

SECTION IV

BOARDS/COMMISSIONS

All City Councilmembers, with the exception of the Mayor, may serve at the Council pleasure liaisons to all the boards and commissions of the City for a period of one year.

- A. Councilmembers will select different boards and/or commissions to serve as liaisons on or after the appointment of the boards and commissions members.
- B. Each Councilmember will be allowed to select the board or commission they would like to serve as liaisons to by order of seniority.
- C. Councilmembers are strongly encouraged, rather than required, to attend all meetings of their selected boards and/or commissions.
- D. Each Councilmember may submit a quarterly report to the entire Council through the City Secretary on their respective board and/or commission's activity. Any questions or concerns about board or commission matters will be directed to the City Secretary for dissemination to the Council.

~~D.E.~~ The City Council board or commission liaison may contact the City Manager's Secretary's office to request that one or more agenda items be placed on a future agenda for the board or commission for which they serve. Sufficient detail and information should be provided to allow the City Manager's Secretary's staff to draft an agenda item that meets Open Meeting Act standards.

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This Section was added after Res. No. 50-97 was adopted October 13, 1997. Item D was added after Res. 2007-09-105 was adopted on September 24, 2007. Item A amended after Resolution 2015-11-89 was adopted on November 16, 2015. Code of Ordinances Chapter 5: Boards, Commissions and Committees was decodified by Ordinance 2018-12-53.

SECTION V

CODE OF ETHICS

Since the office of elected official is one of trust and service to the citizens of Lancaster, certain ethical principles shall govern the conduct of Councilmembers, who shall:

- A. Be dedicated to the highest ideals of honor and integrity in all public and personal relationships;
- B. Recognize that the primary function of local government is to serve the best interests of all the people;
- C. Be dedicated to public service by being cooperative and constructive, and by making the best and most efficient use of available resources;
- D. Refrain from any activity or action that may hinder one's ability to be objective and impartial on any matter coming before the Council;
- E. To follow the required conflict of interest and disclosure of interest (vendors) required under state law.
- F. Not seek nor accept gifts or special favors and shall believe that personal gain by use of confidential information or by misuse of public funds or time is dishonest;
- G. Recognize that public and political policy decisions are ultimately the responsibility of the City Council;
- H. Conduct business in open, well-publicized meetings in order to be directly accountable to the citizens of Lancaster in compliance with the City Charter and Texas Open Meetings Act;
- I. Avoid inappropriate reference to personalities, and refrain from impugning the integrity or motives of another;
- J. Demonstrate respect and courtesy to others;
- K. Refrain from rude and derogatory remarks and shall not belittle staff members, other Councilmembers and members of the public;

- L. Not condone any unethical or illegal activity.
- M. Not use any City resources in campaigning, with the exception of photographs and/or video taking by the City for official purposes and which have been released into the public domain, and no photograph and/or video that a reasonable person believes may imply the endorsement of another Councilmember may be used without a disclaimer. It is strongly encouraged as a best practice that: (1) no City photographs or video be used for campaign purposes, and (2) that any campaign material using a City photograph or video which portrays one or more Councilmembers besides the campaigning member bear a disclaimer stating that "DEPICTION OF CITY COUNCILMEMBER(S) DOES NOT IMPLY ENDORSEMENT."
- N. Not disclose any information deemed as confidential, including attorney-client or attorney work-product information or information relayed in executive session, pre-disclosure real estate transaction information, litigation information, or pre-disclosure economic development information, without permission from the City Council acting as a body, or until the information has been made public by operation of law.

SECTION VI

CENSURE POLICY

1. A Notice of Censure may be filed only after: (a) a personal conversation between at least one complaining Councilmember and the accused Councilmember has taken place in accordance with Section I(C)(12), and (b) mediation or arbitration has been conducted by the Mayor in accordance with Section I(A)(5), and both have been unsuccessful.
2. Two or more City Councilmembers may file a written Notice of Censure against another City Councilmember with the City Secretary. The written notice shall set forth the allegation(s) of conduct and City Charter, Code of Ethics, or Rules and Procedures provisions which the accused Councilmember shall have allegedly violated, and (1) a copy of all evidence supporting the allegations; and (2) a list of persons who may be called as witnesses if the allegations proceed to final hearing. A copy shall be delivered to all Councilmembers by the City Secretary. A written Response to the allegation(s) may be filed by the accused Councilmember within ten (10) business days after receipt thereof. A copy of the Notice of Censure and Response thereto shall be delivered to each Councilmember by the City Secretary within two (2) business days after the response is filed.
3. On the first regularly called meeting of the Council, which complies with the Texas Open

Meetings Act, after the filing of the Notice and any Response, the City Secretary shall formally present the Notice and Response to the City Council and a copy will be attached to the minutes and become part of the public record. The Council, by majority vote, shall thereafter determine whether or not good cause shall exist to set a formal public hearing on the merits of the Notice of Censure or whether the allegations should be dismissed. A vote to hold a public hearing shall not be construed to be a vote of censure.

4. The accused City Councilmember has the right to be represented by legal counsel of their choosing and at their own cost; no City funds may be expended on the legal counsel. The counsel may attend the hearings and present evidence and testimony at the preliminary and final hearings.
5. If the Council has voted to find good cause presented in the Notice of Censure, a public hearing on the allegation(s) and response shall be held at either a regular or special called meeting of the City Council, which shall be set no sooner than twenty (20) business days from the date of the meeting where the Notice and any Response is presented. At least ten (10) business days prior to the date of the public hearing, the accused Councilmember may file an evidentiary supplement to the written Response (if not done at the time of the initial Response filing) which shall contain: (1) a copy of all evidence refuting the allegations that the or that the Councilmember wishes the Council to consider; and (2) a list of persons who may be called as witnesses upon final hearing of the allegations.
6. At the final hearing, The City Council will hear evidence concerning the notice of censure. Evidence and witnesses shall be limited to that contained in, or listed on, the Notice of Censure and Response. The City Council shall determine whether the evidence presented is relevant and authentic, but formal Rules of Procedure and Evidence shall not apply. The format of the final hearing is as follows:
 - A. The City Councilmembers proffering the charges shall present evidence and witnesses in support of the allegation(s) contained in the Notice of Censure and explain how the evidence supports the proposition that the accused Councilmember violated the City Charter, Code of Ethics, or Rules and Procedures.
 - B. The Councilmember who is the subject of the censure shall have the opportunity to present evidence and witnesses to support his or her position with respect to the Notice of Censure.

The burden of proof shall be on the Councilmembers proffering the Notice of Censure and the standard shall be a preponderance of evidence. After receiving evidence at the final hearing, the City Council shall then take a roll-call vote, after motion duly made and seconded, and a majority of five members of the City Council shall be required to sustain the censure of the Councilmember. If sustained, the City Attorney shall prepare a formal Censure document for adoption by a majority

vote of the City Council at a future meeting.

CITY OF LANCASTER CITY COUNCIL

City Council Regular Meeting

4.

Meeting Date: 07/24/2023

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

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

Submitted by: Carey Neal, Deputy City Manager

Agenda Caption:

Discuss and consider a variance request, to allow alcohol beverage sales within 300 feet of a church for a property located at 161 Historic Town Square.

Background:

The La Calle Doce, located at 161 Historic Town Square submitted a request for an Alcoholic Beverage Permit to allow for alcohol sales. Staff measured the distance of the business to area churches, schools and hospitals. Measurements determined that the business was less than 300 feet from a church.

Section 8.03.005 of the City's Code of Ordinances states:

"No private club or retail sale establishment which serves and/or sells alcoholic beverages, whether for on-premises or off-premises consumption, shall be licensed to operate within 300 feet from a church, public or private school, or public hospital. For a church or public hospital, the 300 feet shall be measured along the property lines of the street fronts and from the front door to front door, and in a direct line across intersections. For public or private schools, the measurement of distance shall be in a direct line from the property line of the public or private school to the property line of the private club and in a direct line across intersections."

The distance requirement and method of measurement are also spelled out in state law, mirroring our local regulations.

The permit application was denied as it is less than 300 feet from the church. The city received correspondence from the applicant requesting a variance from the 300-foot requirement. The physical location of the business nor the church is changed. As measured, the distance is 92 feet from the church.

The City Attorney has reviewed the request and determined that the applicant has the ability to present its case on why a variance should be granted.

Section 109.33(e) of the Texas Alcoholic Beverage Code states:

"The (City Council) of a city or town that has enacted a regulation under Subsection (a) of this section may also allow variances to the regulation if the governing body determines that enforcement of the regulation in a particular instance is not in the best interest of the public, constitutes waste or inefficient use of land or other resources, creates an undue hardship on an applicant for a license or permit, does not serve its intended purpose, is not effective or necessary, or for any other reason the (City Council), after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community."

The above section references "Subsection (a) of this section". Subsection (a) is the section that contains the distance requirements from churches, schools and hospitals.

Options/Alternatives:

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

Recommendation:

City Council shall consider information and make a policy decision whether to grant a variance allowing alcohol sales within 300 feet of a church.

Attachments

Application for Alcoholic Beverage Permit

Application for Alcohol Beverage Permit Review

City of Lancaster Variance Package

Letter 1

Letter 2



APPLICATION FOR
ALCOHOLIC BEVERAGE PERMIT



Date: 06/12/2023

Applicant: Laura Sanchez

Applicant's Phone No.: 214-328-4500 Applicant's Email: info@premierlicense.com

Applicant's Representative: Premier Liquor License

Certificate of Occupancy Permit #:

Business Name: La Calle Doce - Lancaster, LLC.

Business Known as: La Calle Doce - Lancaster

Business Location: 161 Historic Town Sq. Lancaster, TX 75146

Mailing Address if different from business address:

APPLICATION TYPE:

- ☐ BQ WINE AND BEER RETAILER'S OFF-PREMISE
☐ RM MIXED BEVERAGE RESTAURANT PERMIT WITH FOOD & BEVERAGE
☒ FB FOOD AND BEVERAGE
☒ OTHER (Please specify.) Mixed Beverage Permit

PLEASE INDICATE:

☒ ORIGINAL/NEW ☐ ANNUAL RENEWAL ☐ ADD LICENSE TYPE ☐ OWNER CHANGE ☐ TEMPORARY

FEES

- ☐ The City of Lancaster collects local fees according to the state schedule (two-year renewal). Fees have been assessed at one-half (1/2) the amount of the state fee in accordance with the Texas Alcoholic Beverage Code (TABC) and are non-refundable. Allowable fees remitted with application will be processed upon TABC approval.

OFFICE USE:

FEE RECEIVED: SIGNATURE:

DATE PROCESSED: SIGNATURE:



**TEXAS ALCOHOLIC
BEVERAGE COMMISSION**
Texans Helping Businesses & Protecting Communities

**Required
Certifications**

Join TABC in the fight against human trafficking

L-CERT (10/2021)

Submit this form to the proper officials to obtain certification for the type of license/permit for which you are applying as required by TX Alc. Bev. Code, Sections 11.37, 11.39, 11.46(b), 61.37, 61.38, 61.42 and Rule §33.13. This Required Certifications form must be submitted with your Initial Application form.
Contact your local TABC office for assistance.

LOCATION INFORMATION

1. Trade Name of Location (Name of restaurant, bar, store, etc.) LA CALLE DOCE - LANCASTER			
2. Owner of Business/Applicant (Name of Corporation, LLC, etc.) LA CALLE DOCE - LANCASTER, LLC			
3. Type of Owner <input type="checkbox"/> Corporation <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Partnership <input type="checkbox"/> Limited Liability Partnership <input type="checkbox"/> Other: _____			
4. Location Address 161 HISTORIC TOWN SQ			
City LANCASTER		County DALLAS	State TX
Zip Code 75146			
5. Mailing Address 161 HISTORIC TOWN SQ			
City LANCASTER		County	State Zip Code
LANCASTER			75146
6. Business Telephone Number TBD		Alternate Telephone Number 469-774-9073	E-mail Address elizamsanchez@gmail.com
7. Application for:			
<input checked="" type="checkbox"/> Original	<input type="checkbox"/> Reinstatement	License/Permit Number	<input type="checkbox"/> Reinstatement and Change of Trade Name
	<input type="checkbox"/> Change of Location	License/Permit Number	<input type="checkbox"/> Change of Location and Trade Name
8A. Type of Off-Premise Retailer License/Permit:			
<input type="checkbox"/> BF Retail Dealer's Off-Premise License	<input type="checkbox"/> E Local Cartage Permit	<input type="checkbox"/> P Package Store Permit	
<input type="checkbox"/> BQ Wine and Malt Beverage Retail Dealer's Off-Premise Permit	<input type="checkbox"/> ET Third-Party Local Cartage Permit	<input type="checkbox"/> Q Wine Only Package Store	
<input type="checkbox"/> LP Local Distributor's Permit			
8B. Type of On-Premise Retailer License/Permit			
<input type="checkbox"/> BE Retail Dealer's On-Premise License	<input type="checkbox"/> E Local Cartage Permit	<input checked="" type="checkbox"/> MB Mixed Beverage	
<input type="checkbox"/> BG Wine and Malt Beverage Retail Dealer's On-Premise Permit	<input checked="" type="checkbox"/> FB Food and Beverage Certificate	<input type="checkbox"/> WP Waterpark Permit	
<input type="checkbox"/> BP Brewpub License	<input type="checkbox"/> LH Late Hours Certificate		
8C. Type of Wholesaler's, Distributor's, or Manufacturer's License/Permit			
<input type="checkbox"/> BB General Distributor's License	<input type="checkbox"/> D Distillers and Rectifiers Permit - allows on-premise consumption	<input type="checkbox"/> S Nonresident Seller's Permit	
<input type="checkbox"/> BC Branch Distributor's License	<input type="checkbox"/> DS Out-of-State Winery Direct Shipper's Permit	<input type="checkbox"/> SD Brewer's Self-Distribution License	
<input type="checkbox"/> BN Nonresident Brewer's License	<input type="checkbox"/> G Winery - allows on-premise consumption	<input type="checkbox"/> W Wholesaler's Permit	
<input type="checkbox"/> BW Brewer's License	<input type="checkbox"/> J Bonded Warehouse	<input type="checkbox"/> X General Class B Wholesaler Permit	
<input type="checkbox"/> JD Bonded Warehouse (Dry Area)			
9. For On or OFF-Premise Applicants, Indicate Primary Business Type at this Location			
<input type="checkbox"/> Bar	<input type="checkbox"/> Grocery/Market	<input type="checkbox"/> Package Store	<input type="checkbox"/> Sexually Oriented
<input type="checkbox"/> Civic Center	<input type="checkbox"/> Hotel	<input type="checkbox"/> Public Entertainment Fac. (PEF as defined in Sec. 108.73)	<input type="checkbox"/> Sporting Arena
<input type="checkbox"/> Convenience Store	<input type="checkbox"/> Motel	<input type="checkbox"/> Racetrack	
<input type="checkbox"/> Delivery Company	<input type="checkbox"/> Movie Theater	<input checked="" type="checkbox"/> Restaurant	

Trade Name: LA CALLE DOCE - LANCASTER

Location Address: 161 HISTORIC TOWN SQ

City: LANCASTER

County: DALLAS

Off-Premise Certifications

Per Sec. 11.37, not later than the 30th day after the date a prospective applicant for a permit...requests certification, the city secretary...shall certify whether the location or address given in the request is in a wet area and whether the sale of alcoholic beverages for which the permit is sought is prohibited by charter or ordinance.

Certificate of City Secretary: P, Q, BF, BQ

TX Alc. Bev. Code, Section 11.37 & 61.37

☐ CHECK HERE IF NOT IN CITY LIMITS

I hereby certify on this _____ day of _____, 20____, that the location for which the license/permit is sought as the place of business is in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages.

Permits/Licenses Wet For	Based on most recent local option election, area is wet for:
<input type="checkbox"/> BF	The legal sale of malt beverages for off-premise consumption only <input type="checkbox"/> greater than 5% alcohol by volume OR <input type="checkbox"/> 5% or less alcohol by volume
<input type="checkbox"/> BF, BQ, Q	The legal sale of malt beverages and wine for off-premise consumption only
<input type="checkbox"/> BF, BQ, Q, P	The legal sale of all alcoholic beverages for off-premise consumption only

OR

☐ I hereby refuse on this _____ day of _____, 20____ to certify this location.

SIGN

HERE _____, _____, TEXAS
City Secretary/Clerk City

SEAL

On-Premise Certifications

Per Sec. 11.37, not later than the 30th day after the date a prospective applicant for a permit...requests certification, the city secretary...shall certify whether the location or address given in the request is in a wet area and whether the sale of alcoholic beverages for which the permit is sought is prohibited by charter or ordinance.

Certificate of City Secretary (FOR MB, MB/FB, BG, BG/FB, BE, & BE/FB)

TX Alc. Bev. Code, Section 11.37 & 61.37

I hereby certify on this _____ day of _____, 20____, that this location address is in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages.

Permits/Licenses Wet For	Based on most recent local option election, area is wet for:
<input type="checkbox"/> MB	Mixed Beverage Permit
<input type="checkbox"/> MB/FB	Mixed Beverage Restaurant Permit with required Food and Beverage Certificate
<input type="checkbox"/> BG*	Wine and Malt Beverage Retail Dealer's On-Premise Permit
<input type="checkbox"/> BG/FB*	Wine and Malt Beverage Retail Dealer's On-Premise Permit with required Food and Beverage Certificate
<input type="checkbox"/> BE*	Retail Dealer's On-Premise License
<input type="checkbox"/> BE/FB*	Retail Dealer's On-Premise License with required Food and Beverage Certificate
*Mark box on right for BE and/or BE/FB	<input type="checkbox"/> greater than 5% alcohol by volume OR <input type="checkbox"/> 5% or less alcohol by volume
*Mark box on right for any of the following license or permit types BG, BG/FB BE, BE/FB	Election for given location was held for: <input type="checkbox"/> legal sale of malt beverage/wine (17%) on-premise AFTER Sept. 1, 1999 OR <input type="checkbox"/> legal sale of malt beverage/wine (14%) on-premise BEFORE Sept. 1, 1999

SIGN

HERE _____, _____, TEXAS
City Secretary/Clerk City

SEAL

Certification for Late Hours Certificate (LH)

TX Alc. Bev. Code, Chapters 29 & 70 et seq.

I hereby certify on this _____ day of _____, 20____, that one of the below is correct:

<input type="checkbox"/>	The governing body of this city or county has by ordinance or order authorized the sale of mixed beverages between midnight and 2:00 A.M.;
OR	
<input type="checkbox"/>	The governing body of this city or county has by ordinance or order authorized the sale of malt beverage between midnight and _____ A.M.;
OR	
<input type="checkbox"/>	The population of the city or county where premises are located was 500,000 or more according to the 22 nd Decennial Census of the United States as released by the Bureau of the Census on March 12, 2001;
OR	
<input type="checkbox"/>	The population of the city or county where premises are located was 800,000 or more according to the last Federal Census (2010).

SIGN

HERE _____, _____, TEXAS
City Secretary/Clerk City

SEAL

Trade Name: LA CALLE DOCE - LANCASTER

Location Address: 161 HISTORIC TOWN SQ

City: LANCASTER

County: DALLAS

Wholesaler, Distributor or Manufacturer Certifications

Per Sec. 11.37, not later than the 30th day after the date a prospective applicant for a permit requests certification, the city secretary...shall certify whether the location or address given in the request is in a wet area and whether the sale of alcoholic beverages for which the permit is sought is prohibited by charter or ordinance.

Certificate of City Secretary for: BB, BC, J, W & X

☐ CHECK HERE IF NOT IN CITY LIMITS

I hereby certify on this ____ day of _____, 20__, that this location address is in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages.

SIGN

HERE _____, TEXAS
City Secretary/Clerk City

SEAL

Certificate of City Secretary for Winery (G) Applicants

Per Sec. 16.011, "A winery permit may be issued for premises in an area in which the sale of wine has not been authorized by a local option election..."

I hereby certify on this ____ day of _____, 20__, that this location address ☐ is ☐ is not in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages.

OR

☐ I hereby refuse on this ____ day of _____, 20__ to certify this location.

SIGN

HERE _____, TEXAS
City Secretary/Clerk City

SEAL

Certificate of City Secretary for: BW & D

I hereby certify on this ____ day of _____, 20__, that this location address is in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages, and

☐ does ☐ does not allow for on-premise consumption and

☐ does ☐ does not allow for off-premise consumption in accordance with 501.035 of the Election Code.

OR

☐ I hereby refuse on this ____ day of _____, 20__ to certify this location.

SIGN

HERE _____, TEXAS
City Secretary/Clerk City

SEAL

Trade Name: LA CALLE DOCE - LANCASTER

Location Address: 161 HISTORIC TOWN SQ

City: LANCASTER

County: DALLAS

Off-Premise Certifications

Per Sec. 11.37, not later than the 30th day after the date a prospective applicant for a permit...requests certification, the county clerk...shall certify whether the location or address given in the request is in a wet area and whether the sale of alcoholic beverages for which the permit is sought is prohibited by any valid order....

Certificate of County Clerk: P, Q, BF, BQ

TX Alc. Bev. Code, Section 11.37 & 61.37

☐ CHECK HERE IF NOT IN CITY LIMITS

I hereby certify on this _____ day of _____, 20____, that the location for which the license/permit is sought as the place of business is in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages.

Permits/Licenses Wet For	Based on most recent local option election, area is wet for:
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<input type="checkbox"/> BF, BQ, Q, P	The legal sale of all alcoholic beverages for off-premise consumption only

OR

☐ I hereby refuse on this _____ day of _____, 20____ to certify this location.

SIGN

HERE _____, _____ County
County Clerk

SEAL

On-Premise Certifications

Per Sec. 11.37, not later than the 30th day after the date a prospective applicant for a permit...requests certification, the county clerk...shall certify whether the location or address given in the request is in a wet area and whether the sale of alcoholic beverages for which the permit is sought is prohibited by any valid order....

Certificate of County Clerk MB, MB/FB, BG, BG/FB, BE, & BE/FB

TX Alc. Bev. Code, Section 11.37 & 61.37

I hereby certify on this _____ day of _____, 20____, that this location address is in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages.

Permits/Licenses Wet For	Based on most recent local option election, area is wet for:
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<input type="checkbox"/> MB/FB	Mixed Beverage Restaurant Permit with required Food and Beverage Certificate
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<input type="checkbox"/> BG/FB*	Wine and Malt Beverage Retail Dealer's On-Premise Permit with required Food and Beverage Certificate
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<input type="checkbox"/> BE/FB*	Retail Dealer's On-Premise License with required Food and Beverage Certificate
*Mark box on right for BE and/or BE/FB	<input type="checkbox"/> greater than 5% alcohol by volume OR <input type="checkbox"/> 5% or less alcohol by volume
*Mark box on right for any of the following license or permit types BG, BG/FB BE, BE/FB	Election for given location was held for: <input type="checkbox"/> legal sale of malt beverage/wine (17%) on-premise AFTER Sept. 1, 1999 OR <input type="checkbox"/> legal sale of malt beverage/wine (14%) on-premise BEFORE Sept. 1, 1999

SIGN

HERE _____, _____ County
County Clerk

SEAL

Certification for Late Hours Certificate (LH)

TX Alc. Bev. Code, Chapters 29 & 70 et seq.

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<input type="checkbox"/>	The governing body of this city or county has by ordinance or order authorized the sale of <i>mixed beverages</i> between midnight and 2:00 A.M.;
OR	
<input type="checkbox"/>	The governing body of this city or county has by ordinance or order authorized the sale of <i>malt beverage</i> between midnight and _____ A.M.;
OR	
<input type="checkbox"/>	The population of the city or county where premises are located was 500,000 or more according to the 22 nd Decennial Census of the United States as released by the Bureau of the Census on March 12, 2001;
OR	
<input type="checkbox"/>	The population of the city or county where premises are located was 800,000 or more according to the last Federal Census (2010).

SIGN

HERE _____, _____ County
County Clerk

SEAL

Trade Name: LA CALLE DOCE - LANCASTER

Location Address: 161 HISTORIC TOWN SQ

City: LANCASTER

County: DALLAS

Wholesaler, Distributor or Manufacturer Certifications

Per Sec. 11.37, not later than the 30th day after the date a prospective applicant for a permit...requests certification, the county clerk...shall certify whether the location or address given in the request is in a wet area and whether the sale of alcoholic beverages for which the permit is sought is prohibited by any valid order...

Certificate of County Clerk for: BB, BC, J, W & X

☐ CHECK HERE IF NOT IN CITY LIMITS

I hereby certify on this ____ day of _____, 20__, that this location address is in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages.

SIGN

HERE _____, _____ County
County Clerk

SEAL

Certificate of County Clerk for Winery (G) Applicants

Per Sec. 16.011, "A winery permit may be issued for premises in an area in which the sale of wine has not been authorized by a local option election..."

I hereby certify on this ____ day of _____, 20__, that this location address ☐ is ☐ is not in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages.

OR

☐ I hereby refuse on this ____ day of _____, 20__ to certify this location.

SIGN

HERE _____, _____ County
County Clerk

SEAL

Certificate of County Clerk for: BW & D

I hereby certify on this ____ day of _____, 20__, that this location address is in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages, and

☐ does ☐ does not allow for on-premise consumption and

☐ does ☐ does not allow for off-premise consumption in accordance with 501.035 of the Election Code.

OR

☐ I hereby refuse on this ____ day of _____, 20__ to certify this location.

SIGN

HERE _____, _____ County
County Clerk

SEAL

Trade Name: LA CALLE DOCE - LANCASTER

Location Address: 161 HISTORIC TOWN SQ

City: LANCASTER

County: DALLAS

**Publisher's Affidavit for All Applicants Except BN, DS, S, J and JD
TX Alc. Bev. Code, Section 11.39 and 61.38**

Name of newspaper		ATTACH PRINTED COPY OF THE NOTICE HERE Click here to see example of newspaper publication
City, County		
Dates notice published in daily/weekly newspaper (MM/DD/YYYY)		
<i>Publisher or designee certifies attached notice was published in newspaper stated on dates shown.</i>		
Signature of publisher or designee Sworn to and subscribed before me on this date (MM/DD/YYYY)		
Signature of Notary Public		
SEAL		

Comptroller of Public Accounts Certificate for All Applicants

TX Alc. Bev. Code, Section 11.46 (b) & 61.42 (b)

This is to certify on this 6th day of June, 20 23, the applicant holds or has applied for and satisfies all legal requirements for the issuance of a Sales Tax Permit under the Limited Sales, Excise and Use Tax Act or the applicant as of this date is not required to hold a Sales Tax Permit and that none of the persons making this application are indebted to the State of Texas.

Sales Tax Permit Number 32088450161

Outlet Number 00001

Print Name of Comptroller Employee Felicia Franklin

Print Title of Comptroller Employee Tax Enforcer.

SIGN HERE

FIELD OFFICE

2453





CITY OF LANCASTER

SHINING STAR OF TEXAS

DEPARTMENT REVIEW FOR ALCOHOLIC PERMIT



Name of Business: La Calle Doce

Business Address: 161 Historic Town Sq

PLANNING AND ZONING:

Is the property properly zoned for the above requested permit? Yes X No _____

Zoning Designation Retail (R) Downtown / Historic District

Signed by: Myriam Aguilar

Date: 7/5/23

BUILDING INSPECTION:

Does the business have a valid Certificate of Occupancy? Yes _____ No X

The requested permit appears to be located within: *BUILDING PERMIT ISSUED & CO IS PENDING
LESS THAN 300 Feet of a church - FRONT DOOR TO FRONT DOOR

_____ Feet of a Public Hospital

_____ Feet of a Public School

Does the Application Meet City Requirements: Yes _____ No X

Signed by: [Signature]

Date: 7/5/2023

Comments: DOOR AT 161 HISTORIC TOWN SQ IS LESS THAN 300'
FROM DOOR AT 183 HISTORIC TOWN SQ = CO FOR 183 HTS
LISTED AS CHURCH

OFFICE OF CITY SECRETARY:

FEE RECEIVED: _____

SIGNATURE: _____

DATE RECEIVED: _____

SIGNATURE: _____

P. O. Box 940 | Lancaster | Texas | 75146 | 972.218.1310 | www.lancaster-tx.com





City of Lancaster, Texas
Texas Alcoholic Beverage Code
§109.33 Variance Package



In order to permit a location that sells alcoholic beverages within 300 feet of a church, public or private school, or public hospital, (or 1,000 feet of a public or private school, if the City Council has received a request from the ISD or governing body of the school), the applicant must obtain a waiver under Section 109.33(e) of the Texas Alcoholic Beverage Code.

The City Council may grant a variance if it determines that: “enforcement of the regulation in a particular instance is not in the best interest of the public, constitutes waste or inefficient use of land or other resources, creates an undue hardship on an applicant for a license or permit, does not serve its intended purpose, is not effective or necessary, or for any other reason the [City Council], after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.”

If you have information or argument that you would like the Council to consider, please submit it to City Secretary’s office, or plan to attend the Council meeting where the variance will be considered.

A copy of the following relevant materials is attached:

1. City Ordinance No. 2008-08-31.
2. TEX. ALCOHOLIC BEV. CODE § 109.33(e).

**PLEASE NOTE THAT CITY STAFF CANNOT PROVIDE LEGAL ADVICE
REGARDING THE VARIANCE PROCESS**





CITY OF LANCASTER

SHINING STAR OF TEXAS

1. City of Lancaster Ord. No. 2008-08-31



P. O. Box 940 | Lancaster | Texas | 75146 | 972.218.3700 | www.lancaster-tx.com



ORDINANCE NO. 2008-08-31

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 4 "BUSINESS REGULATIONS" BY AMENDING ARTICLE 4.1500 "ALCOHOLIC BEVERAGES" BY AMENDING SECTION 4.1507 BY AMENDING THE LOCATION RESTRICTIONS FOR A PRIVATE CLUB IN THE CITY LIMITS TO CONFORM TO THE STATE LAW REQUIREMENTS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council desires to amend the Code of Ordinances Chapter 4 "Business regulations" Section 4.1507 to adopt regulations governing the sale of alcoholic beverages to conform to the requirements contained in the Texas Alcoholic Beverage Code; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, THAT:

SECTION 1. That Chapter 4 of Lancaster Code of Ordinances be, and the same is, hereby amended by amending Article 4.1500 by amending Section 4.1507 which shall read as follows:

"ARTICLE 4.1500 ALCOHOLIC BEVERAGES"

Sec. 4.1507 Location Restrictions

No private club or retail sale establishment which serves and/or sells alcoholic beverages, whether for on-premise or off-premise consumption, shall be licensed to operate within 300 feet from a church, public or private school, or public hospital. For a church or public hospital, the 300 feet shall be measured along the property lines of the street fronts and from front door to front door, and in a direct line across intersections. For public or private schools, the measurement of distance shall be in direct line from the property line of the public or private school to the property line of the private club and in a direct line across intersections. Provided that the limitations of this section shall not apply to a private club which is in operation at the time of the passage of this article."

Section 2. Should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be unconstitutional, illegal or invalid, and shall not affect the validity of the Code of Ordinances as a whole.

Section 3. All ordinances of the City of Lancaster heretofore adopted which are in conflict with the provisions of this ordinance be, and the same are hereby repealed, and all ordinances of the City of Lancaster not in conflict with the provisions hereof shall remain in full force and effect.

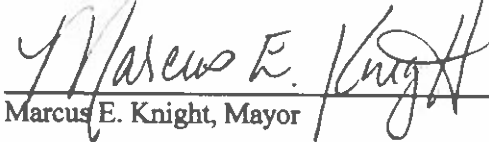
Section 4. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Ordinances of the City of Lancaster, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

Section 5. That any person, firm, or corporation violating any provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the City of Lancaster, as heretofore amended and upon conviction shall be punished by a fine not exceeding \$500.00. The penalty imposed for a violation of this ordinance shall not exceed or be less than the penalty prescribed by state law, and each and every day such violation shall continue shall be deemed to constitute a separate offense.

Section 6. That this Ordinance shall take effect immediately from and after its passage as the law and charter in such case provide.

DULY PASSED AND APPROVED by the City Council of the City of Lancaster, Texas,
on the 25th day of August 2008.

APPROVED:



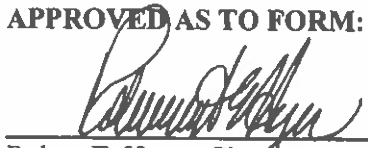
Marcus E. Knight, Mayor

ATTEST:



Dolle K. Shane, City Secretary

APPROVED AS TO FORM:



Robert E. Hager, City Attorney
(REH:jig:cgo 29921)



CITY OF LANCASTER
SHINING STAR OF TEXAS



2. Texas Alcoholic Beverage Code Section 109.33

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Texas Alcoholic Beverage Code

Sec. 109.33. SALES NEAR SCHOOL, CHURCH, OR HOSPITAL. (a)

The commissioners court of a county may enact regulations applicable in areas in the county outside an incorporated city or town, and the governing board of an incorporated city or town may enact regulations applicable in the city or town, prohibiting the sale of alcoholic beverages by a dealer whose place of business is within:

(1) 300 feet of a church, public or private school, or public hospital;

(2) 1,000 feet of a public school, if the commissioners court or the governing body receives a request from the board of trustees of a school district under Section 38.007, Education Code; or

(3) 1,000 feet of a private school if the commissioners court or the governing body receives a request from the governing body of the private school.

(b) The measurement of the distance between the place of business where alcoholic beverages are sold and the church or public hospital shall be along the property lines of the street fronts and from front door to front door, and in direct line across intersections. The measurement of the distance between the place of business where alcoholic beverages are sold and the public or private school shall be:

(1) in a direct line from the property line of the public or private school to the property line of the place of business, and in a direct line across intersections; or

(2) if the permit or license holder is located on or above the fifth story of a multistory building, in a direct line

from the property line of the public or private school to the property line of the place of business, in a direct line across intersections, and vertically up the building at the property line to the base of the floor on which the permit or license holder is located.

(c) Every applicant for an original alcoholic beverage license or permit for a location with a door by which the public may enter the place of business of the applicant that is within 1,000 feet of the nearest property line of a public or private school, measured along street lines and directly across intersections, must give written notice of the application to officials of the public or private school before filing the application with the commission. A copy of the notice must be submitted to the commission with the application. This subsection does not apply to a permit or license covering a premise where minors are prohibited from entering the premises under Section 109.53.

(d) As to any dealer who held a license or permit on September 1, 1983, in a location where a regulation under this section was in effect on that date, for purposes of Subsection (a), but not Subsection (c), of this section, the measurement of the distance between the place of business of the dealer and a public or private school shall be along the property lines of the street fronts and from front door to front door, and in direct line across intersections.

(e) The commissioners court of a county or the governing board of a city or town that has enacted a regulation under Subsection (a) of this section may also allow variances to the regulation if the commissioners court or governing body determines that enforcement of the regulation in a particular instance is not in the best interest of the public, constitutes waste or inefficient use of land or other resources, creates an undue hardship on an applicant for a license or permit, does not serve its intended purpose, is not effective or necessary, or

for any other reason the court or governing board, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.

(f) Subsections (a)(2) and (3) do not apply to the holder of:

(1) a retail on-premises consumption permit or license if less than 50 percent of the gross receipts for the premises is from the sale or service of alcoholic beverages;

(2) a retail off-premises consumption permit or license if less than 50 percent of the gross receipts for the premises, excluding the sale of items subject to the motor fuels tax, is from the sale or service of alcoholic beverages; or

(3) a wholesaler's, distributor's, brewer's, distiller's and rectifier's, or winery permit or license, or any other license or permit held by a wholesaler or manufacturer as those words are ordinarily used and understood in Chapter 102.

(f-1) Subsections (a)(2) and (3) do not apply to a performing arts facility leased to a nonprofit organization under a policy adopted under Section 11.179, Education Code.

(g) Subsection (a)(3) does not apply to the holder of:

(1) a permit issued under Chapter 30 who is operating on the premises of a private school; or

(2) a license or permit covering a premise where minors are prohibited from entering under Section 109.53 and that is located within 1,000 feet of a private school.

(h) Subsection (a)(1) does not apply to the holder of:

(1) a license or permit who also holds a food and beverage certificate covering a premise that is located within 300 feet of a private school; or

(2) a license or permit covering a premise where minors are prohibited from entering under Section 109.53 and that is located within 300 feet of a private school.

(i) In this section, "private school" means a private school, including a parochial school, that:

(1) offers a course of instruction for students in **one** or more grades from kindergarten through grade 12; and

(2) has more than 100 students enrolled and attending **courses** at a single location.

Acts 1977, 65th Leg., p. 526, ch. 194, Sec. 1, eff. Sept. 1, 1977. Amended by Acts 1983, 68th Leg., p. 4038, ch. 629, Sec. 1, eff. Sept. 1, 1983; Acts 1995, 74th Leg., ch. 260, Sec. 7, eff. May 30, 1995; Acts 2001, 77th Leg., ch. 388, Sec. 2, eff. May 28, 2001.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 834 (H.B. 2633), Sec. 1, **eff.** September 1, 2019.

Acts 2019, 86th Leg., R.S., Ch. 1359 (H.B. 1545), Sec. 356, **eff.** September 1, 2021.



letter 1

Lancaster City Council

211 N Henry Street

Lancaster, Texas

Subject: Alcohol Variance Request - City Ordinance No. 2008-08-31

Dear Members of the Lancaster City Council,

I hope this letter finds you in good health and high spirits. I am writing to formally request an alcohol variance, as per the guidelines outlined in the Lancaster City Code, specifically City Ordinance No. 2008-08-31.

I, Laura Sanchez, owner of La Calle Doce, am in the process of opening a location in your Historic Town Square located at 161 Historic Town Square. Our establishment aims to provide a unique and enjoyable experience to residents and visitors of Lancaster. As per the current city ordinance, our suite is less than 300 feet from an existing church, disallowing the sale of alcohol. While I understand and respect the intentions behind these regulations, I believe that granting an alcohol variance for my establishment would be in the best interest of both the business and the community.

Here are the reasons supporting my request for an alcohol variance:

1. Enhancing Customer Experience: Serving alcoholic beverages at our establishment would complement the overall experience we aim to provide to our patrons. It would allow us to cater to a wider range of preferences and create a welcoming environment for social gatherings and celebrations.

2. Economic Development: By offering alcoholic beverages, we can attract a broader customer base, thereby stimulating economic growth within the city. This would potentially result in increased revenue generation, job creation, and overall prosperity for the community.

3. Responsible Service: We understand the importance of responsible alcohol service and are committed to adhering to all applicable laws, regulations, and safety measures. We will implement robust staff training programs to ensure that our team members are well-versed in responsible alcohol service practices, including ID verification, alcohol consumption limits, and preventing overservice.



4. Positive Impact on Community: Our establishment seeks to actively engage with the local community and participate in initiatives that contribute to its betterment. With an alcohol variance, we will have the opportunity to host community events, fundraisers, and gatherings that foster social connections and promote community cohesion.

In light of the above reasons, I kindly request that the Lancaster City Council consider granting an alcohol variance for La Calle Doce. We are committed to working closely with the city authorities and meeting any additional requirements or conditions that may be necessary to ensure responsible alcohol service within the bounds of the ordinance.

I appreciate your time and attention to this matter. If you require any further information or have any questions, please do not hesitate to contact me at 469-774-9073. I would be more than happy to provide any additional documentation or meet in person to discuss this request further.

Thank you for your consideration, and I look forward to a favorable response.

Sincerely,

Laura Sanchez

A handwritten signature in black ink, appearing to read "Laura Sanchez", is positioned below the printed name.

Owner/Founder

La Calle Doce



Letter 2

July 12, 2023

Lancaster City Council
211 N Henry Street
Lancaster, Texas

Subject: Alcohol Variance Request - City Ordinance No. 2008-08-31

Dear Members of the Lancaster City Council,

I am writing to formally request an alcohol variance, as per the guidelines outlined in the Lancaster City Code, specifically City Ordinance No. 2008-08-31.

La Calle Doce is an established and popular dining establishment, and we are in the process of opening a new location at 161 Historic Town Square. Our restaurant aims to provide a unique and enjoyable dining and entertainment experience to our patrons. Our delicious food and fun, family-friendly atmosphere have helped us thrive in our other locations, and we look forward to bringing that same spirit to the historic Downtown Lancaster square and to the residents of and visitors to Lancaster.

Unfortunately, our suite is less than 300 feet from a building potentially used as a church, and so pursuant to the current code we are not allowed to sell alcohol from this location. While I understand and respect the intentions behind these regulations, I believe that granting an alcohol variance for my establishment would be in the best interest of both the business and the community. Below are just a few reasons supporting our request for an alcohol variance:

1. Enhancing Customer Experience: Serving alcoholic beverages at our establishment would complement the overall experience we aim to provide to our patrons. It would allow us to cater to a wider range of preferences and create a welcoming environment for social gatherings and celebrations.
2. Economic Development: By offering alcoholic beverages, we can attract a broader customer base, thereby stimulating economic growth within the city. This would potentially result in increased revenue generation, job creation, and overall prosperity for the community.
3. Undue Hardship on Restaurant: Our established restaurant locations all have robust food and beverage sales, of which alcohol sales equate approximately 18-20% of total sales. If we are not granted a variance, it would make it difficult to operate at the level of service – providing the full economic benefits discussed above – our patrons are used to, and may make development of this location as a restaurant site impossible for our purposes.
4. Positive Impact on Community: Our establishment seeks to actively engage with the local community and participate in initiatives that contribute to its betterment. With an alcohol variance, we will have the opportunity to host community events, fundraisers, and gatherings that foster social connections and promote community cohesion.
5. Enforcement is Not Necessary: The traditional public policy concerns behind the ordinance prohibiting sales of alcohol within 300' of a church do not apply in this instant case, as the church in question does not have an observable regular attendance during La Calle Doce's operating hours, and nor does it offer children's programming. There would be no public harm by allowing the sale of alcohol to restaurant patrons in a responsible manner.
6. Commitment to Responsible Service: We will implement robust staff training programs to ensure that our team members are well-versed in responsible alcohol service practices, including ID verification, alcohol consumption limits, and preventing overservice.

In light of the above reasons, I kindly request that the Lancaster City Council consider granting an alcohol variance for La Calle Doce. We are committed to working closely with the city authorities and meeting any additional requirements or conditions that may be necessary to ensure responsible alcohol service within the bounds of the ordinance. Further, we

understand the importance of responsible alcohol service and are committed to adhering to all applicable laws, regulations, and safety measures if such a variance is granted.

I appreciate your time and attention to this matter. If you require any further information or have any questions, please do not hesitate to contact me at 469-774-9073. I would be more than happy to provide any additional documentation or meet in person to discuss this request further. Thank you for your consideration, and I look forward to a favorable response.

Sincerely,
Laura Sanchez

A handwritten signature in black ink, appearing to read 'Laura Sanchez', with a stylized, flowing script.

Owner/Founder

CITY OF LANCASTER CITY COUNCIL

City Council Regular Meeting

5.

Meeting Date: 07/24/2023

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:

In accordance with Chapter 551 of the Texas Government Code (the Texas Open Meetings Act), the City Council may meet in executive session to discuss the following:

- (a) Section 551.071 of the Texas Government Code, the City Council shall convene in executive session to confer with the City's attorney to discuss pending, threatened, contemplated, or potential related litigation in regard to Real Property located at 1508 Dewberry Boulevard (Bel-Air Place Apartments).
- (b) Section 551.071 of the Texas Government Code, the City Council shall convene in executive session to confer with the City's attorney to discuss pending, threatened, contemplated or potential related litigation in regard to Real Property located at 632 Reindeer Road.
- (c) Section § 551.071(1)(a) of the Texas Government Code, the City Council shall convene in executive session to confer with the City's attorney to discuss pending, threatened, contemplated, or potential related litigation in regard to Dagger Contracting, LLC. (Houston School Road water main damage).
- (d) Section § 551.071(1)(a) of the Texas Government Code, the City Council shall convene in executive session to confer with the City's attorney to discuss pending, threatened, contemplated, or potential related litigation in regard to DeltaVictor LLC v. City of Lancaster.
- (e) Section 551.071 of the Texas Government Code, the City Council shall convene in executive session to confer with the City's attorney to discuss pending, threatened, contemplated or potential related litigation in regard to Real Property located at 3410 Sherwood Drive.

LANCASTER CITY COUNCIL

City Council Regular Meeting

6.

Meeting Date: 07/24/2023

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.