



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



Monday, August 14, 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/85079622011?pwd=ZVN6L2tFRVBmaE5McjBiMkVvWHM5dz09>

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

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

7:00 P.M. SPECIAL WORK SESSION:

CALL TO ORDER

1. Receive a presentation regarding the McKinley Packaging Project.
2. Receive a presentation and discuss the utility rate study prepared by NewGen Strategies and Solutions, LLC (NewGen).
3. Receive a presentation regarding the Fiscal Year 2023/2024 proposed budget.

ADJOURNMENT

7:15 P.M. REGULAR MEETING:

CALL TO ORDER

INVOCATION: Lancaster Interdenominational Ministerial Alliance

PLEDGE OF ALLEGIANCE: Councilmember Carol Strain-Burk

PUBLIC TESTIMONY/CITIZENS COMMENTS:

At this time, citizens who have pre-registered before the call to order will be allowed to speak on any matter for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until such matter has been placed on an agenda and posted in accordance with law. Anyone desiring to speak on an item scheduled for a public hearing is requested to hold their comments until the public hearing on that item.

CONSENT AGENDA:

Items listed under the consent agenda are considered routine and are generally enacted in one motion. The exception to this rule is that a Council Member may request one or more items to be removed from the consent agenda for separate discussion and action.

1. Consider approval of minutes from the Regular Meeting held on July 10, 2023
2. Consider a resolution adopting the City of Lancaster Proposed Budget Calendar for Fiscal Year 2023/2024.
3. Consider a resolution authorizing the purchase of two (2) Ford F-250 4x2 SD Crew Cab Rush Medium Duty Trucks from Rush Truck Center, through an interlocal agreement with Buyboard, in an amount not to exceed ninety-four thousand, five-hundred ninety-one dollars and thirty cents (\$94,591.30).
4. Consider a resolution authorizing the purchase of one (1) 2023 GMC Sierra 1500 and one (1) 2023 Chevrolet Silverado from Freedom Chevrolet through an Interlocal Agreement with the City of Dallas, Texas, in an amount not to exceed eighty-two thousand dollars (\$82,000).
5. Consider a resolution ratifying an agreement with Siemens Industry, Incorporated for the installation and replacement of the Trane Chilled Water Coil on Air Handling Unit #4 to support the HVAC at the Public Safety Building, located at 100 Craig Shaw Memorial Parkway, in an amount not to exceed twenty-eight thousand, nine hundred eighty-nine dollars (\$28,989).

ACTION:

6. Discuss and consider a resolution approving the Lancaster Recreational Development Corporation (LRDC) amended bylaws.
7. Discuss and consider the proposed FY 2023/2024 tax rate of \$0.639004 per \$100 assessed valuation, receive related tax calculation documents, take record vote to consider a tax rate to increase total tax revenues from properties on the tax roll in the previous year, and set public hearing dates on the proposed tax rate.

EXECUTIVE SESSION:

8. 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 seek legal advice from the City Attorney concerning deliberations of a security audit.
 - b. Section 551.074(a) of the Texas Government Code, the City Council shall convene in executive session to discuss the duties of a public officer, to wit, the Councilmember for District 1; and/or to hear a complaint against that officer.
9. Reconvene into open session. Consider and take appropriate action(s), if any, on closed/executive session matters.

ADJOURNMENT

EXECUTIVE SESSION: The City Council reserves the right to convene into executive session on any posted agenda item pursuant to Section 551.071(2) of the Texas Government Code to seek legal advice concerning such subject.

ACCESSIBILITY STATEMENT: Meetings of the City Council are held in municipal facilities that are wheelchair-accessible. For sign interpretive services, call the City Secretary's office, 972-218-1311, or TDD 1-800-735-2989, at least 72 hours prior to the meeting. Reasonable accommodation will be made to assist your needs.

PURSUANT TO SECTION 30.06 PENAL CODE (TRESPASS BY HOLDER WITH A CONCEALED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A CONCEALED HANDGUN.

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

PURSUANT TO SECTION 30.07 PENAL CODE (TRESPASS BY HOLDER WITH AN OPENLY CARRIED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A HANDGUN THAT IS CARRIED OPENLY.

CONFORME A LA SECCION 30.07 DEL CODIGO PENAL (TRASPASAR PORTANDO ARMAS DE FUEGO AL AIRE LIBRE CON LICENCIA) PERSONAS CON LICENCIA BAJO DEL SUB-CAPITULO H, CAPITULO 411, CODIGO DE GOBIERNO (LEY DE PORTAR ARMAS), NO DEBEN ENTRAR A ESTA PROPIEDAD PORTANDO UN ARMA DE FUEGO AL AIRE LIBRE.

Certificate

I hereby certify the above Notice of Meeting was posted at Lancaster City Hall on **Friday, August 11, 2023, @ 5:00 p.m.** and copies thereof were provided to the Mayor, Mayor Pro-Tempore, Deputy Mayor Pro-Tempore and Council members.



Carey D. Neal, Jr.
Deputy City Manager

CITY OF LANCASTER CITY COUNCIL

City Council Special Work Session and Regular Meeting

1.

Meeting Date: 08/14/2023

Policy Statement: This request supports the City Council 2023-2024 Policy Agenda

Goal(s): Sound Infrastructure
Quality Development

Submitted by: Opal Mauldin-Jones, City Manager

Agenda Caption:

Receive a presentation regarding the McKinley Packaging Project.

Background:

As prescribed in the City Council Rules and Procedures as amended July 2023, Section D. Council agenda process Sub Section 1.b, Mayor Clyde C. Hairston requested an item be placed on the work session agenda to receive an update on the McKinley Packaging Project.

McKinley Packaging Company is an integrated paper and packaging company that emphasizes environmentally friendly processes. It currently operates facilities in California, Georgia, Indiana, and Mexico. McKinley Packaging Company is part of Bio Pappel, which is the largest manufacturer of paper and paper products in Mexico and Latin America.

The company plans to build a 450,000-square-foot building located on a 25.5-acre tract of land located at the northeast corner of East Pleasant Run Road and Pinto Road. Construction of the building is expected to be completed by the third quarter of 2023.

At the October 25, 2021, City Council Regular Meeting, City Council approved Resolution 2021-10-93, ratifying the terms and conditions of an Economic Development Grant Agreement with the Lancaster Economic Development Corporation (LEDC) and McKinley Packaging.

City Council also approved Resolution 2021-10-94, approving a Chapter 380 Economic Development Grant between the City and McKinley Packaging.

The McKinley Lancaster Box Plant is expected to open in December 2023 and will employ over one hundred (100) direct-hire employees.

City Council will receive a presentation regarding the McKinley Project.

CITY OF LANCASTER CITY COUNCIL

City Council Special Work Session and Regular Meeting

2.

Meeting Date: 08/14/2023

Policy Statement: This request supports the City Council 2023-2024 Policy Agenda

Goal(s): Financially Sound Government
Sound Infrastructure

Submitted by: Opal Mauldin-Jones, City Manager

Agenda Caption:

Receive a presentation and discuss the utility rate study prepared by NewGen Strategies and Solutions, LLC (NewGen).

Background:

In January 2014, the City entered into an agreement with NewGen to conduct a water/wastewater sewer rate study. NewGen prepared a 5-year rate study that continued through fiscal year 2019. Annually, the City evaluated the utility (water/wastewater) rate study and included recommendations through the budget process. In 2021, NewGen updated the 5-year rate study for FY 2021 - FY 2026.

Projections in the utility rate study indicated that the utility fund would soon have a fund balance deficit if rates were not incrementally increased. Increases in the utility rates were implemented by initiating rate increases in FY 2022/2023.

From Fiscal Year 2016 to Fiscal Year 2021, the City maintained its utility rate, absorbing cost increases from Dallas Water Utilities (DWU) and Trinity River Authority (TRA). Prior to the most recent adjustment in FY 2022/2023, the last rate increase had been implemented in FY 2014/2015. With the utility rate study's findings in FY 2022/2023, water rates were revised to a base bill of \$23.83, plus \$3.04 per 1,000 gallons up to 14,999 gallons. The wastewater base bill was adjusted to \$18.17 per month with an additional charge of \$9.34 per 1,000 gallons.

City Council will receive a presentation regarding the estimated 5-year revenue requirements and rate study for the water and wastewater fund for FY 2023/2024.

CITY OF LANCASTER CITY COUNCIL

City Council Special Work Session and Regular Meeting

3.

Meeting Date: 08/14/2023

Policy Statement: This request supports the City Council 2023-2024 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:

Receive a presentation regarding the Fiscal Year 2023/2024 proposed budget.

Background:

The City Manager will present an overview of the proposed FY 2023/2024 water/wastewater budget and answer any questions related to the city-wide municipal budget.

The following is the budget work session and meeting schedule:

August 28, 2023: Regular Meeting (1st Public Hearing) - PID Service Plans

September 11, 2023: Regular Meeting - Consider PID Service Plans, Public Hearing Tax Rate & Budget

September 18, 2023: Regular Meeting - Consider Tax Rate & Budget

CITY OF LANCASTER CITY COUNCIL

City Council Special Work Session and Regular Meeting

1.

Meeting Date: 08/14/2023

Policy Statement: This request supports the City Council 2023-2024 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 Regular Meeting held on July 10, 2023

Background:

Attached for your review and consideration are the minutes of the Regular Meeting held on July 10, 2023

Attachments

July 10, 2023 Minutes

MINUTES

LANCASTER CITY COUNCIL REGULAR MEETING OF JULY 10, 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 July 10, 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
Marco Mejia
Derrick Robinson
Mitchell Cheatham, Mayor Pro Tem
Betty Gooden-Davis, Deputy Mayor Pro Tem

City Staff Present (City Hall & Zoom):

Opal Mauldin-Jones, City Manager
Sorangel O. Arenas, City Secretary
David T. Ritter, City Attorney
Carey Neal, Deputy City Manager
Chris Youngman, Emergency Management and Communication Chief
Christine Harris-Reed, Director of Finance
Dori Lee, Assistant City Manager
Jermaine Sapp, Director of Equipment and Facility Services
Lisa Wube, Director of Park and Recreation
Sam Urbanski, Police Chief
Shane Shepard, Director of Economic Development
Vicki Coleman, Director of Development Services
Gregory Carrell, Budget Analyst
Jacqueline Thompson, Assistant Director of Finance
Jennifer Avila, Deputy City Secretary
Keaira English, Public Relations Manager
Marcus, Talton, Assistant Police Chief
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 7:01 p.m. on July 10, 2023.

Invocation:

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

Pledge of Allegiance:

Mayor Pro Tem Cheatham led the pledge of allegiance.

Proclamation:

Mayor Hairston read the Parks and Recreation Proclamation.

Public Testimony/Citizen's Comments:

Malcom Mayo, 1333 Kentucky Ave. Lancaster, TX 75134; a representative of the Boardwalk PIDs shared concerns regarding the rental homes being built in his neighborhood.

Paula Currie, P.O. Box 764043, Dallas, TX 75376; shared concerns regarding the Records Department and City Attorney.

Keaira English, 211 N. Henry St. Lancaster, TX 75146; shared information regarding the second Lancaster Quarterly Trash-off, and the upcoming Civic Leadership Academy.

Consent Agenda

1. **Consider approval of minutes from the Special Meeting held on May 15, 2023, and the Regular Meeting held on June 12, 2023.**
2. **Consider a resolution approving the terms and conditions of an agreement with American Municipal Services Corporation to perform collection services for delinquent utility accounts on behalf of the City of Lancaster..**

MOTION: Councilmember Mejia made a motion, seconded by Councilmember Strain-Burk to approve consent items C1 – C2. The vote was cast 7 for, 0 against.

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 for public hearing item 3, action items 5, 7, 8 and executive session item 9.

The City Council recessed for Executive Session at 7:20 p.m. and reconvened into open session at 8:42 p.m.

Public Hearing:

3. **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 3.

Councilmember Mejia requested to hear from the applicant.

Mario Gonzalez, 6711 Starbuck Drive, Dallas TX 75252 the applicant shared his support to keep the property without restrictions and Commercial Highway (CH) zoned.

Mayor Pro Tem Cheatham shared his concerns for the agreement that was drafted. City Attorney Ritter shared clarification on draft wording for agreement with staff.

Mayor Hairston opened the public hearing.

There were no speakers.

MOTION: Councilmember Jaglowski made a motion, seconded by Deputy Mayor Pro Tem Gooden-Davis to close the public hearing. The vote was cast 7 for, 0 against.

MOTION: Councilmember Mejia made a motion, seconded by Councilmember Jaglowski to approve public hearing item 3. The vote was cast 6 for, 1 against [Strain-Burk].

- 4. M23-23 Conduct a public hearing and consider approval of an ordinance granting two special exceptions to the Medical District Corridor Subdistrict, Medical District Overlay, specifically: 1) Section 2.1 - Building Setback, and 2) Section 2.3- Minimum Development Street Frontage on a property located at 3211 West Pleasant Run Road, known as Lot 8R, Block B, out of the Beckley City Lots Addition, City of Lancaster, Dallas County, Texas.**

Deputy City Manager Neal gave a staff report regarding the public hearing item 4.

Mayor Hairston opened the public hearing.

There were no speakers.

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

MOTION: Deputy Mayor Pro Tem Gooden-Davis made a motion, seconded by Councilmember Strain-Burk to approve public hearing item 4. The vote was cast 7 for, 0 against.

Action

- 5. Discuss and consider a resolution approving a Chapter 380 Economic Development Agreement with BB Holdings TX, LLC.**

Deputy City Manager Neal gave a staff report regarding the action item 5.

Councilmember Mejia shared his concerns with the agreement using general funds.

MOTION: Deputy Mayor Pro Tem Gooden-Davis made a motion, seconded by Councilmember Jaglowski to approve item 5. The vote was cast 4 for, 3 against [Mejia, Robinson, Cheatham].

- 6. Discuss and consider a resolution ratifying an amendment to the Performance Agreement between Noble RE, LLC, and the Lancaster Economic Development Corporation (LEDC), to extend completion deadlines from December 31, 2023, to July 31, 2024.**

Deputy City Manager Neal gave a staff report regarding the action item 6.

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Jaglowski approve item 6. The vote was cast 7 for, 0 against.

- 7. Discuss and consider a resolution ratifying an amendment to the Performance Agreement between Saviana Winery, LLC and the Lancaster Economic Development Corporation (LEDC) to extend the completion deadlines from July 1, 2023, to January 1, 2024.**

Deputy City Manager Neal gave a staff report regarding the action item 7.

Councilmember Mejia shared the importance of tabling action item 7 to allow negotiation.

MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro Tem Cheatham to approve item 7. The vote was cast 2 for, 5 against [Hairston, Jaglowski, Mejia, Robinson, Gooden-Davis]. Motion Failed.

- 8. Discuss and consider appointments to the Inland Port Local Government Corporation (LGC).**

City Attorney Ritter gave a staff report regarding action item 8.

MOTION: Councilmember Strain-Burk made a motion, seconded by Deputy Mayor Pro Tem Gooden-Davis to table action item 8. The vote was cast 7 for, 0 against.

EXECUTIVE SESSION:

- 9. In accordance with Section 551.071 of the Texas Government Code (the Texas Open Meetings Act), the City Council shall convene in executive session to confer with the City's Attorney to discuss the potential dis-annexation of real estate.**

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

City Attorney Ritter gave a report on executive session item 9.

MOTION: Councilmember Mejia made a motion, seconded by Councilmember Strain-Burk to approve the dis-annexation. The vote was cast 0 for, 7 against [Hairston, Strain-Burk, Jaglowski, Mejia, Robinson, Cheatham, Gooden-Davis]. Motion Failed

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

Meeting adjourn at 9:34 PM

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

CITY OF LANCASTER CITY COUNCIL

City Council Special Work Session and Regular Meeting

2.

Meeting Date: 08/14/2023

Policy Statement: This request supports the City Council 2023-2024 Policy Agenda

Goal(s): Financially Sound Government

Submitted by: Opal Mauldin-Jones, City Manager

Agenda Caption:

Consider a resolution adopting the City of Lancaster Proposed Budget Calendar for Fiscal Year 2023/2024.

Background:

The City Manager presented the proposed FY 2023/2024 municipal budget for all funds, excluding the water and wastewater funds, at the Special Work Session on Monday, August 7, 2023. The City Manager will present the proposed FY 2023/2024 municipal budget for water & wastewater funds and answer any questions related to all funds on Monday, August 14, 2023. City Council shall consider a resolution that establishes a calendar for the Fiscal Year 2023/2024 tax rate and budget. The budget calendar establishes the public hearing dates, time and location for City Council meetings.

Operational Considerations:

Approving this resolution establishes the schedule relative to the adoption of the Fiscal Year 2023/2024 budget. The following is the proposed calendar for budget:

August 14, 2023	Work Session - budget presentation, record vote to consider tax rate
August 28, 2023	Regular Meeting - (1st Public Hearing) Public Improvement District service plans
September 11, 2023	Special Meeting (1st Public Hearing) - tax rate and budget, (2nd Public Hearing and consideration) PID service plans
September 18, 2023	Special Meeting (2nd Public Hearing and consideration) - tax rate, and budget

Public Information Considerations:

This item is being considered at a 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 CITY OF LANCASTER PROPOSED BUDGET CALENDAR FOR THE FISCAL YEAR 2023/2024, INCLUDING THE PUBLIC IMPROVEMENT DISTRICTS, THE LANCASTER ECONOMIC DEVELOPMENT CORPORATION (TYPE A), AND THE LANCASTER RECREATIONAL DEVELOPMENT CORPORATION (TYPE B) BUDGET; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council finds that it is in the best interest of the City to establish a meeting schedule relative to the adoption of Fiscal Year 2023/2024 budget; and

WHEREAS, the City Council desires to adopt a proposed budget calendar for the Fiscal Year 2023/2024 budget cycle.

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

SECTION 1. The City Council hereby adopts the Fiscal Year 2023/2024 proposed budget calendar as shown in the attached Exhibit "A". Dates are subject to adjustment due to scheduling requirements. Meetings will be posted in accordance with the Texas Open Meetings Act.

SECTION 2. That any prior Resolution of the City Council in conflict with the provisions contained in this Resolution are hereby repealed and revoked.

SECTION 3. That should any part of this Resolution be held to be invalid for any reason, the remainder shall not be affected thereby, and such remaining portions are hereby declared to be severable.

SECTION 4. That this Resolution shall take effect immediately from and after its passage in accordance with the provisions of the law, and it is duly resolved.

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the 14th day of August, 2023.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

EXHIBIT A

PROPOSED YEAR 2023/2024 BUDGET CALENDAR

August 7, 2023	Work Session - budget presentation
August 14, 2023	Work Session - budget presentation, record vote to consider tax rate
August 28, 2023	Regular Meeting - (1st Public Hearing) Public Improvement District service plans
September 11, 2023	Special Meeting (1st Public Hearing) - tax rate and budget, (2nd Public Hearing and consideration) PID service plans
September 18, 2023	Regular Meeting (2nd Public Hearing and consideration) - tax rate, budget, and PID service plans

CITY OF LANCASTER CITY COUNCIL

City Council Special Work Session and Regular Meeting

3.

Meeting Date: 08/14/2023

Policy Statement: This request supports the City Council 2023-2024 Policy Agenda

Goal(s): Financially Sound Government
Sound Infrastructure
Professional and Committed City Workforce

Submitted by: Jermaine Sapp, Director of Equipment & Facility Services

Agenda Caption:

Consider a resolution authorizing the purchase of two (2) Ford F-250 4x2 SD Crew Cab Rush Medium Duty Trucks from Rush Truck Center, through an interlocal agreement with Buyboard, in an amount not to exceed ninety-four thousand, five-hundred ninety-one dollars and thirty cents (\$94,591.30).

Background:

At the March 20, 2023, Work Session, Council received a presentation regarding the FY 2022-2023 equipment replacement plan. This is a request to purchase two (2) Ford F-250 4x2 SD Crew Cab Rush Medium Duty Trucks, from Rush Truck Center, for use in the Streets and Stormwater department.

Legal Considerations:

Texas law authorizes cooperative agreements to help save time in developing specifications and duplication during the bid process. The use of cooperative agreements is in accordance with Section 791.001 of the Texas Government Code and 271.101 of the Texas Local Government Code.

An interlocal agreement allows staff to utilize other agencies' formal bid contracts. Each entity's formal bid process must meet the requirements set forth in the statutes, including advertising, M/WBE participation, reference checks, verification of insurance and bonding, if required by specifications, and any other requirements. All legal requirements are verified by the Purchasing Agent prior to recommendation or use of a contract. Utilization of interlocal agreements save time associated with issuing bids or in obtaining quotes. Savings are achieved through aggregate volumes either through joint bidding opportunities or by addressing the cooperative language within the specifications to the vendors. The City of Lancaster maintains an interlocal agreement with Buyboard.

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

Public Information Considerations:

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

Fiscal Impact:

This purchase is funded through the Equipment Replacement Fund, in an amount not to exceed ninety-four thousand, five-hundred ninety-one dollars, and thirty cents (\$94,591.30).

Options/Alternatives:

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

Recommendation:

Staff recommends approval of the resolution, as presented.

Attachments

Resolution

Exhibit A

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS AUTHORIZING THE PURCHASE OF TWO (2) FORD F-250 4x2 SD CREW CABS THROUGH AN INTERLOCAL AGREEMENT WITH BUYBOARD IN AN AMOUNT NOT TO EXCEED NINETY-FOUR THOUSAND, FIVE-HUNDRED NINETY-ONE DOLLARS AND THIRTY CENTS (\$94,591.30); PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The City of Lancaster, Texas desires to authorize the purchase of two (2) Ford F-250 trucks through an interlocal agreement with Buyboard; and

WHEREAS, The City of Lancaster maintains an executed Interlocal Agreement with Buyboard authorizing this purchase. The Local Government Code Chapter 791, Section 011 authorizes cooperative agreements of this type to help save time in developing specifications and duplication during the bid process.

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

SECTION 1. The City Council hereby authorizes, approves, and accepts the purchase of two (2) Ford F-250 trucks through an interlocal agreement with Buyboard from Rush Truck Center in a total amount not to exceed ninety-four thousand, five-hundred ninety-one dollars and thirty cents (\$94,591.30), as set forth in Exhibit "A."

SECTION 2. The City Manager of the City of Lancaster, Texas (or her designee) is hereby authorized to issue appropriate purchase orders in conformity herewith.

SECTION 3. Any prior Resolution of the Lancaster City Council in conflict with the provisions contained in this Resolution is hereby repealed and revoked.

SECTION 4. Should any part of this Resolution be held to be invalid for any reason, the remainder shall not be affected thereby, and such remaining portions are hereby declared to be severable.

SECTION 5. This Resolution shall become effective immediately from and after its passage, and it is duly resolved.

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the 14th day of August, 2023.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

Exhibit A

TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE BUYBOARD

Vendor RUSH TRUCK CENTER Date Prepared 7/6/2023
 Contact for Vendor: Mike Foley Phone 214 215 3536
 End User: City of Lancaster
 End User Contact: Jermaine Sapp Phone/Fax 214 870 7838
 Product Description: 2022 Ford F-250 Crew Cab

A: Base Price in Bid/Proposal Number: 601-19			Series: F-250 \$20,150.00		
B: Published Options(<i>Itemize Below</i>)					
	DESCRIPTION	AMOUNT	OPT #	DESCRIPTION	AMOUNT
Ford	W2A crew cab	\$ 6,625.00			
Ford	FOMOCO option Content	\$ 2,920.00	RTC-0051	OEM Safety inspection	\$ 1,236.00
Ford			RTC-1059	Lot Insurance	\$ 927.00
Ford			RTC-1060	Floorplan interest	\$ 1,235.00
Ford					
Ford					
Ford					
Subtotal Column 1:		\$ 9,545.00	Subtotal Column 2:		\$ 3,398.00
Published Options added to Base Price(<i>Subtotal of "Col 1" & "Col 2"</i>)					\$ 12,943.00

C: Subtotal of A + B					\$33,093.00
D: Non Published Options					
Subtotal Column 1:			Subtotal Column 2:		

Unpublished Options added to Base price (Subtotal "Col 1 + Col 2")					
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E: Contract Price Adjustment (If any, explain here)					
Loss of FOMOCO government discounts					\$ 13,802.65
Material cost increases					
F: Total of C + D +/- E					

G: Quantity ordered Units:	1.00	x F	
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H: BUYBOARD Administrative Fee	%	\$ 100.00
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I: Non-Equipment Charges & Credits (I.e.: Ext. Warranty, Trade-In, Delivery, etc.)					

J: TOTAL PURCHASE PRICE INCLUDING (G+H+I)	\$47,295.65
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Prepared for: Mr. Jermaine Sapp, Superintendant, City of Lancaster

2022 F-250 4x2 SD Crew Cab 6.75' box 160" WB SRW XL (W2A)

Price Level: 280



Client Proposal

Prepared by:

MIKE FOLEY

Office: 214-215-3536

Email: foleym@rushenterprises.com

Date: 07/06/2023



Rush Medium Duty Truck Center, Dallas | 4000 Irving Blvd., Dallas, Texas, 752475816

Office: 214-631-2050

Prepared for: Mr. Jermaine Sapp

Superintendent, City of Lancaster

Prepared by: MIKE FOLEY

07/06/2023

Rush Medium Duty Truck Center, Dallas | 4000 Irving Blvd. Dallas Texas | 752475816

2022 F-250 4x2 SD Crew Cab 6.75' box 160" WB SRW XL (W2A)

**Mr. Jermaine Sapp, Superintendent, City of
Lancaster**

Re: Vehicle Proposal 07/06/2023

Dear Mr. Sapp,

Thank you very much for your interest in acquiring a vehicle from our dealership. We concur that your interest is well deserved. We hope that an outstanding product lineup and our dedication to customer service will enhance your ownership experience should you decide to buy a vehicle from us.

Attached, please find additional information that I hope will assist you in making a more informed decision. Please feel free to contact me at any time as I would truly appreciate the opportunity to be of service to you.

Sincerely,

MIKE FOLEY

Municipal Sales Dir.

214-215-3536

foleym@rushenterprises.com

Prepared for: Mr. Jermaine Sapp

Superintendent, City of Lancaster

Prepared by: MIKE FOLEY

07/06/2023

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Table of Contents

Description	Page
Cover Page	1
Cover Letter	2
Table of Contents	3
Warranty	4
As Configured Vehicle	5

Prepared for: Mr. Jermaine Sapp

Superintendent, City of Lancaster

Prepared by: MIKE FOLEY

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2022 F-250 4x2 SD Crew Cab 6.75' box 160" WB SRW XL (W2A)

Warranty

Standard Warranty

Basic Warranty

Basic warranty

36 months/36,000 miles

Powertrain Warranty

Powertrain warranty

60 months/60,000 miles

Corrosion Perforation

Corrosion perforation warranty

60 months/unlimited

Roadside Assistance Warranty

Roadside warranty

60 months/60,000 miles

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Superintendent, City of Lancaster

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2022 F-250 4x2 SD Crew Cab 6.75' box 160" WB SRW XL (W2A)

As Configured Vehicle

Code	Description
Base Vehicle	
W2A	Base Vehicle Price (W2A)
Packages	
600A	Order Code 600A <i>Includes:</i> <ul style="list-style-type: none">- Engine: 6.2L 2-Valve SOHC EFI NA V8 Flex-Fuel- Transmission: TorqShift-G 6-Spd Auto w/SelectShift- GVWR: 10,000 lb Payload Package- Wheels: 17" Argent Painted Steel<ul style="list-style-type: none">Includes painted hub covers/center ornaments.- HD Vinyl 40/20/40 Split Bench Seat<ul style="list-style-type: none">Includes center armrest, cupholder, storage and driver's side manual lumbar.- Radio: AM/FM Stereo w/MP3 Player<ul style="list-style-type: none">Includes 4 speakers.- SYNC Communications & Entertainment System<ul style="list-style-type: none">Includes enhanced voice recognition with 911 Assist, 4.2" LCD center stack screen, AppLink and 1 smart-charging USB-C port.
Powertrain	
996	Engine: 6.2L 2-Valve SOHC EFI NA V8 Flex-Fuel
44S	Transmission: TorqShift-G 6-Spd Auto w/SelectShift
X3E	Electronic-Locking w/3.73 Axle Ratio
STDGV	GVWR: 10,000 lb Payload Package
Wheels & Tires	
TBM	Tires: LT245/75R17E BSW A/T <i>Spare may not be the same as road tire.</i>
64A	Wheels: 17" Argent Painted Steel <i>Includes painted hub covers/center ornaments.</i>
Seats & Seat Trim	
A	HD Vinyl 40/20/40 Split Bench Seat <i>Includes center armrest, cupholder, storage and driver's side manual lumbar.</i>
Other Options	
160WB	160" Wheelbase
96V	XL Value Package

Prices and content availability as shown are subject to change and should be treated as estimates only. Actual base vehicle, package and option pricing may vary from this estimate because of special local pricing, availability or pricing adjustments not reflected in the dealer's computer system. See salesperson for the most current information.

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Superintendent, City of Lancaster

Prepared by: MIKE FOLEY

07/06/2023

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2022 F-250 4x2 SD Crew Cab 6.75' box 160" WB SRW XL (W2A)

As Configured Vehicle (cont'd)

Code	Description
	<i>Includes:</i> <ul style="list-style-type: none">- Bright Chrome Hub Covers & Center Ornaments- Chrome Front Bumper- Chrome Rear Step Bumper- Steering Wheel-Mounted Cruise Control
90L	Power Equipment Group <i>Deletes passenger-side lock cylinder. Includes upgraded door trim panel.</i> <i>Includes:</i> <ul style="list-style-type: none">- Accessory Delay- Trailer Tow Mirrors w/Power Heated Glass<ul style="list-style-type: none">Includes manual folding, manually telescoping, heated convex spotter mirror and integrated clearance lamps and turn signals.- Advanced Security Pack<ul style="list-style-type: none">Includes SecurILock Passive Anti-Theft System (PATS) and inclination/intrusion sensors.- Power Locks- Power Tailgate Lock- Power Front & Rear Seal Windows<ul style="list-style-type: none">Includes 1-touch up/down driver/passenger window.- Remote Keyless Entry
52B	Trailer Brake Controller <i>Verified to be compatible with select electric over hydraulic brakes. Includes smart trailer tow connector.</i>
18B	Platform Running Boards
592	LED Roof Clearance Lights
85S	Tough Bed Spray-In Bedliner <i>Includes tailgate-guard, black box bed tie-down hooks and black bed attachment bolts.</i>
PAINT	Monotone Paint Application
66S	Upfitter Switches (6) Requires Extra Extra Heavy-Duty Alternator (67E) when ordered with 110V/400W Outlet (43C) and Snow Plow Pkg. (473) or Snow Plow/Camper Pkg. (47B). <i>Located in overhead console.</i> <i>Includes:</i> <ul style="list-style-type: none">- 200 Amp Alternator
587	Radio: AM/FM Stereo w/MP3 Player <i>Includes 4 speakers.</i> <i>Includes:</i> <ul style="list-style-type: none">- SYNC Communications & Entertainment System<ul style="list-style-type: none">Includes enhanced voice recognition with 911 Assist, 4.2" LCD center stack screen, AppLink and 1 smart-charging USB-C port
76C	Exterior Backup Alarm (Pre-Installed)

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Prepared for: Mr. Jermaine Sapp

Superintendent, City of Lancaster

Prepared by: MIKE FOLEY

07/06/2023

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2022 F-250 4x2 SD Crew Cab 6.75' box 160" WB SRW XL (W2A)

As Configured Vehicle (cont'd)

Code	Description
Fleet Options	
942	Daytime Running Lamps (DRL) (LPO) Requires valid FIN code. <i>The non-controllable 942 Daytime Running Lamps (DRL) replace the standard Daytime Running Lamps (DRL) on/off cluster controllable</i>
WARANT	Fleet Customer Powertrain Limited Warranty Requires valid FIN code. <i>Ford is increasing the 5-year 60,000-mile limited powertrain warranty to 5-years, 100,000 miles. Only Fleet purchasers with a valid Fleet Identification Number (FIN code) will receive the extended warranty. When the sale is entered into the sales reporting system with a sales type fleet along with a valid FIN code, the warranty extension will automatically be added to the vehicle. The extension will stay with the vehicle even if it is subsequently sold to a non-fleet customer before the expiration. This extension applies to both gas and diesel powertrains. Dealers can check for the warranty extension on eligible fleet vehicles in OASIS. Please refer to the Warranty and Policy Manual section 3.13 00 Gas Engine Commercial Warranty. This change will also be reflected in the printed Warranty Guided distributed with the purchase of every new vehicle.</i>
Emissions	
425	50-State Emissions System
Exterior Color	
Z1_01	Oxford White
Interior Color	
AS_01	Medium Earth Gray w/HD Vinyl 40/20/40 Split Bench Seat

Prices and content availability as shown are subject to change and should be treated as estimates only. Actual base vehicle, package and option pricing may vary from this estimate because of special local pricing, availability or pricing adjustments not reflected in the dealer's computer system. See salesperson for the most current information.

CITY OF LANCASTER CITY COUNCIL

City Council Special Work Session and Regular Meeting

4.

Meeting Date: 08/14/2023

Policy Statement: This request supports the City Council 2023-2024 Policy Agenda

Goal(s): Financially Sound Government
Sound Infrastructure
Professional and Committed City Workforce

Submitted by: Jermaine Sapp, Director of Equipment & Facility Services

Agenda Caption:

Consider a resolution authorizing the purchase of one (1) 2023 GMC Sierra 1500 and one (1) 2023 Chevrolet Silverado from Freedom Chevrolet through an Interlocal Agreement with the City of Dallas, Texas, in an amount not to exceed eighty-two thousand dollars (\$82,000).

Background:

At the November 19, 2020, Special Work Session, City Council received a presentation regarding the FY 2020-2021 Equipment Replacement Plan. This is a request to purchase one (1) 2023 GMC Sierra 1500 and one (1) 2023 Chevrolet Silverado for use in the following divisions: Code Compliance and Parks and Recreation.

Operational Considerations:

Approval of this purchase will improve efficiencies and operations in the Code Compliance and Parks and Recreation divisions. This purchase will further our compliance with the Texas Clean Fleet Act.

Legal Considerations:

Texas law authorizes cooperative agreements to help save time in developing specifications and duplication during the bid process. The use of cooperative agreements is in accordance with Section 791.001 of the Texas Government Code and Section 271.101 of the Texas Local Government Code.

An interlocal agreement allows staff to utilize other agencies' formal bid contracts. Each entity's formal bid process must meet the requirements set forth in the statutes, including advertising, M/WBE participation, reference checks, verification of insurance and bonding, if required by specifications, and any other requirements. All legal requirements are verified by the Purchasing Agent prior to recommendation or use of a contract. Utilization of interlocal agreements save time associated with issuing bids or in obtaining quotes. Savings are achieved through aggregate volumes either through joint bidding opportunities or by addressing the cooperative language within the specifications to the vendors. The City of Lancaster maintains an interlocal agreement with the City of Dallas.

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

Public Information Considerations:

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

Fiscal Impact:

This purchase is funded through the Equipment Replacement Fund and expenditures will not exceed eighty-two thousand dollars (\$82,000.00).

Options/Alternatives:

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

Recommendation:

Staff recommends approval of the resolution, as presented.

Attachments

Resolution

Exhibit A

Exhibit B

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, AUTHORIZING THE PURCHASE OF ONE (1) 2023 GMC SIERRA 1500 AND ONE (1) 2023 CHEVROLET SILVERADO FROM FREEDOM CHEVROLET THROUGH AN INTERLOCAL AGREEMENT WITH THE CITY OF DALLAS, TEXAS IN AN AMOUNT NOT TO EXCEED EIGHTY-TWO THOUSAND DOLLARS (\$82,000); PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The City of Lancaster, Texas, desires to authorize the purchase of one (1) 2023 GMC Sierra 1500 and one (1) 2023 Chevrolet Silverado through an interlocal agreement with the City of Dallas, Texas; and

WHEREAS, The City of Lancaster maintains an executed Interlocal Agreement with the City of Dallas, Texas, authorizing this purchase. The Local Government Code section 791 authorizes cooperative agreements of this type to help save time in developing specifications and duplication during the bid process.

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

SECTION 1. The City Council hereby authorizes, approves and accepts the purchase of one (1) 2023 GMC Sierra 1500 and one (1) 2023 Chevrolet Silverado through an interlocal agreement with the City of Dallas, Texas from Freedom Chevrolet in a total amount not to exceed eighty-two thousand dollars (\$82,000), as set forth in Exhibit "A" and Exhibit "B".

SECTION 2. The City Manager of the City of Lancaster, Texas (or her designee) is hereby authorized to issue appropriate purchase orders in conformity herewith.

SECTION 3. Any prior Resolution of the Lancaster City Council in conflict with the provisions contained in this Resolution is hereby repealed and revoked.

SECTION 4. Should any part of this Resolution be held to be invalid for any reason, the remainder shall not be affected thereby, and such remaining portions are hereby declared to be severable.

SECTION 5. This Resolution shall become effective immediately from and after its passage, and it is duly resolved.

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the 14th day of August, 2023.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

Freedom Chevrolet Buick GMC by Ed Morse
8008 Marvin D Love Fwy
Dallas, TX 75237
972-298-4911

Deal Number: **120086**Date: 07/31/2023

County:

_ DOB:

Telephone (2):

E-mail: _____ D.L./State I.D.#: _____ Issuing State: _____ Exp. Date: _____

The above information has been requested so that we may verify your identity. By signing below, you represent that you are at least 18 years of age and have authority to enter into this Agreement. The Odometer Reading for the Vehicle you are purchasing is accurate unless indicated otherwise. Please refer to the Odometer Mileage Statement for full disclosure.

YEAR 2023		MAKE GMC		MODEL Sierra 1500		COLOR GAZ/White		STOCK NO. PZ304765	
VIN/SERIAL NO. 1GTRHAED8PZ304765				ODOMETER READING <input type="checkbox"/> Not Accurate 6			SALESPERSON		
THE VEHICLE IS: <input type="checkbox"/> NEW <input type="checkbox"/> USED		PRIOR USE DISCLOSURE: <input type="checkbox"/> DEMONSTRATOR <input type="checkbox"/> FACTORY OFFICIAL/EXECUTIVE <input type="checkbox"/> RENTAL <input type="checkbox"/> OTHER							
WARRANTY STATEMENT						CASH PRICE OF VEHICLE		42000.00	
<p>We are selling this Vehicle to you AS-IS and we expressly disclaim all warranties, express and implied, including any implied warranties of merchantability and fitness for a particular purpose, unless the box beside "USED VEHICLE LIMITED WARRANTY APPLIES" is marked below or we enter into a service contract with you at the time of, or within 90 days of, the date of this transaction. All warranties, if any, by a manufacturer or supplier other than our Dealership are theirs, <u>not</u> ours, and only such manufacturer or supplier shall be liable for performance under such warranties. We neither assume nor authorize any other person to assume for us any liability in connection with the sale of the Vehicle and related goods and services.</p> <p>CONTRACTUAL DISCLOSURE STATEMENT (USED VEHICLES ONLY) The information you see on the window form for this Vehicle is part of this contract. Information on the window form overrides any contrary provisions in the contract of sale. <u>Traducción española: Vea el dorso.</u></p> <p><input type="checkbox"/> Used Vehicle Limited Warranty Applies. We are providing a Used Vehicle Limited Warranty in connection with this transaction. Any implied warranties apply for the duration of the Limited Warranty.</p>						OPTIONAL ACCESSORIES: <input type="checkbox"/> See attached Addendum Sticker		N/A	
						N/A		N/A	
						N/A		N/A	
						N/A		N/A	
						N/A		N/A	
						TOTAL SELLING PRICE		42000.00	
						LESS: TRADE-IN ALLOWANCE		N/A	
						N/A		N/A	
						SUBTOTAL		42000.00	
						N/A			
TRADE-IN VEHICLE INFORMATION						SALES TAX		N/A	
Year: N/A		Make: N/A		Model: N/A		Color: N/A		DEALER'S INVENTORY TAX	
VIN/Serial No: N/A		Odometer Reading: <input type="checkbox"/> Not Accurate		N/A		N/A		N/A	
Trade-In Allowance: N/A		Balance Owed & Lienholder: N/A		N/A		DOCUMENTARY FEE *		N/A	
OTHER MATERIAL UNDERSTANDINGS AND INTEGRATED DOCUMENTS						STATE INSPECTION FEE		N/A	
<input type="checkbox"/> IF BOX IS MARKED, PLEASE SEE THE DELIVERY CONFIRMATION <input type="checkbox"/> IF BOX IS MARKED, PLEASE SEE THE CONDITIONAL DELIVERY AGREEMENT						DEPUTY SERVICE FEE		N/A	
						LICENSE FEE		N/A	
						TITLE FEE		N/A	
<p>Dealer's Inventory Tax: The Dealer's Inventory Tax charge is intended to reimburse the Dealer for ad valorem taxes on its motor vehicle inventory. The charge, which is paid by the Dealer to the county tax assessor-collector, is not a tax imposed on a consumer by the government, and is not required to be charged by the Dealer to the consumer.</p> <p>*Documentary Fee: A documentary fee is not an official fee. A documentary fee is not required by law, but may be charged to buyers for handling documents relating to the sale. A documentary fee may not exceed a reasonable amount agreed to by the parties. This notice is required by law.</p> <p>Traducción española: Vea el dorso.</p>						TOTAL DUE		42000.00	
						<input type="checkbox"/> DEPOSIT/ <input type="checkbox"/> DOWN PAYMENT If Deposit, see Deposit Receipt		N/A	
						N/A		N/A	
						LESS CASH DUE AT DELIVERY		N/A	
						AMOUNT TO BE FINANCED (See Paragraphs 12 and 17)		42000.00	

This Agreement and any documents which are part of this transaction or incorporated herein comprise the entire agreement affecting this Retail Purchase Agreement and no other agreement or understanding of any nature concerning the same has been made or entered into, or will be recognized. I have read all of the terms and conditions of this Agreement and agree to them as if they were printed above my signature. I further acknowledge receipt of a copy of this Agreement. This Agreement shall not become binding until signed and accepted by an Authorized Dealership Representative.

Purchaser
N/A

07/31/2023

Accepted by Authorized Dealership Representative

07/31/2023

Purchaser
DealerCAP

55777*1*22CBGM-FI
CATALOG #8963171

07/31/2023 03:43 pm
© 2015 CDK Global, LLC Texas (01/16)

ADDITIONAL AGREEMENTS BETWEEN THE DEALERSHIP AND PURCHASER(S)

Initial

1. **Terms Used in This Agreement:** This Retail Purchase Agreement contains the following words and phrases that appear throughout this Agreement and have particular meanings:
- **Agreement** - Means all of the pages of this Retail Purchase Agreement together with any documents incorporated into this Agreement by reference, whether such reference is made in this Agreement or in the document itself.
 - **You, Your** - Means the Purchaser(s) identified in this Agreement.
 - **We, Us, Our** - Means the Dealership that is identified in this Agreement and its Authorized Representatives.
 - **Manufacturer** - Means the company that manufactured the Vehicle.
 - **Vehicle** - Means the Vehicle that you are purchasing from us as described in this Agreement.
 - **Trade-In Vehicle** - Means the vehicle you are delivering to us as part of this transaction as identified in this Agreement.
2. **Our Right to Increase the Price:** We may increase the price of the Vehicle after we accept this Agreement if the Trade-In Vehicle is reappraised, new equipment is required by state or federal law, or the increase is caused by state or federal tax rate changes. If the price is increased, you may cancel this Agreement with full refund of any Deposit/Down Payment, provided that the cancellation occurs prior to you taking delivery of the purchased Vehicle.
3. **Manufacturer's Design Changes:** In the event the Manufacturer changes or modifies the design of or any part or accessory of the Vehicle after your order for the Vehicle has been entered by us, you will not have any claim or right against us if the Vehicle does not contain such changes or modifications, nor shall we be required to effect such changes or modifications to the Vehicle.
4. **Your Representations and Warranties:** You represent, warrant and affirm to us that (a) You are not purchasing a new Vehicle for resale or export within the period beginning on the date the Vehicle title is issued to you and ending on the date one (1) year thereafter. You confirm that we are relying on this representation and agree that we would not sell the Vehicle to you without this representation. If we are required by the Manufacturer to forfeit or repay any manufacturer incentives, allowance and/or special pricing, or if we suffer any loss or harm as a result of your breach of this provision, you agree to indemnify and hold us harmless from any such cost, loss or harm suffered as a result of or arising because of your breach; (b) the Deposit/Down Payment and any amounts due to us have been paid in full, any check given to us will be honored by your Bank, and that no part of the Deposit/Down Payment has been loaned to you by us or any third party; (c) all statements made by you in this Agreement and any other documents completed in connection with this transaction are true and correct; and (d) you are who you have represented yourself to be and you have purchased the Vehicle for your own use and not on behalf of another person, unless you have disclosed otherwise to us.
5. **Your Representations Regarding the Trade-In Vehicle:** Any Trade-In Vehicle delivered by you to us in connection with this transaction shall be accompanied by a Certificate of Title or documents sufficient to enable us to obtain a Certificate of Title to the Trade-In Vehicle in accordance with applicable state law. You warrant that the Trade-In Vehicle delivered to us is properly titled to you, has never been titled as or declared a total loss, salvage, junk, rebuilt, flood, or lemon buyback vehicle; that you have the right to sell or otherwise convey such vehicle; that such vehicle is free and clear of liens or encumbrances, except as may be noted in this Agreement; all emissions control equipment is on the vehicle and in satisfactory working order; and, unless you have told us otherwise, that you have not removed any equipment from the vehicle subsequent to our appraisal and that the odometer reading shown is accurate.
6. **Trade-In Vehicle Payoff:** If you are delivering a Trade-In Vehicle in connection with this transaction and the actual amount of the Balance Owed on the Trade-In Vehicle is greater than the amount of the Balance Owed as listed in this Agreement, you agree to pay the difference to us. If the actual amount of the Balance Owed is less than the amount listed, we will pay or credit the difference to you.
7. **Our Appraisal of Your Trade-In Vehicle:** If you are delivering a Trade-In Vehicle to us in connection with this transaction and the delivery will not be made until delivery of the Vehicle being purchased from us, we shall have the right to reappraise your Trade-In Vehicle at the time of delivery. The reappraised amount shall be the amount allowed for the Trade-In Vehicle in this transaction. If you are dissatisfied with the reappraisal, you may cancel this Agreement with full refund of any Deposit/Down Payment, provided that the cancellation occurs prior to you taking delivery of the purchased Vehicle.
8. **Remedies Upon Rightful Cancellation:** You agree that we are not liable for any damages resulting from our failure to deliver the Vehicle if the failure is caused by the manufacturer, an accident, fire, act of nature or any other causes beyond our control. This Agreement may be renegotiated or canceled (with full refund of any Deposit/Down Payment) if the Vehicle is not delivered to you on the date specified or pursuant to Paragraphs 2 or 7. If you have delivered a Trade-In Vehicle to us, the Trade-In Vehicle will be returned to you if we have not already sold it. If we have already sold the Trade-In Vehicle, we will refund the agreed upon Trade-In Allowance. Regardless of whether we return the Trade-In Vehicle or have already sold it, you shall be responsible for paying to us the Balance Owed on the Trade-In Vehicle if we have paid the Balance Owed to the Lienholder. We may keep any portion of the amount you have paid to us as a Deposit/Down Payment and any Trade-In Allowance we owe to you to offset against the amount you owe us. If the actual amount you owe to us is greater than the amount of the Deposit/Down Payment, you agree to pay the difference to us. If the actual amount you owe is less than the amount of the Deposit/Down Payment, we will pay the difference to you. You are responsible for paying the cost of repairing any damage and any other losses, liabilities, damages, claims, costs and expenses arising out of your use, possession and control of the Vehicle.
9. **Purchaser's Default and Dealership's Remedies:** In the event you have agreed to pay the Amount to be Financed in cash or financing is being obtained by you through a credit source of your choice and we do not receive the Amount to be Financed from you at the time of delivery of the Vehicle or on the date promised in this Agreement, you fail to perform any of your other obligations under this Agreement, or you breach any representation or warranty made by you to us, we shall be permitted, at our sole discretion, to the choice of remedies in this Agreement, which may be used separately or together, including: (1) cancel this Retail Purchase Agreement; (2) repossess the Vehicle without notice (if permitted by law); (3) rescind the sales transaction; (4) seek collection for amounts due; (5) retain any cash down payment made by you; and/or (6) in the event that you have delivered a Trade-In Vehicle as part of the consideration for your purchase of the Vehicle from us, to sell such Trade-In Vehicle and reimburse the Dealership out of the proceeds of such sale for any reasonable expenses incurred in connection with preparing and offering the Trade-In Vehicle for sale and any actual damages suffered by us as a result of your default. Regardless of whether we return the Trade-In Vehicle or have already sold it, you shall be responsible for paying to us the Balance Owed on the Trade-In Vehicle if we have paid the Balance Owed to the Lienholder and for any reasonable expenses incurred by us in connection with preparing or reconditioning the Trade-In Vehicle for sale. Any remedies in this Paragraph 9 shall be in addition to, and not in lieu of, any other remedies available under the Retail Purchase Agreement or at law or equity. Any waiver of all or part of a remedy hereunder is not a continuing waiver. If the actual amount you owe to us is greater than the amount of the down payment and/or proceeds from the sale of your Trade-In Vehicle, you agree to pay the difference to us upon demand and if the actual amount you owe is less, then we will pay the difference to you.
10. **Security Agreement:** Purchaser hereby grants the Dealership, its successors and assigns, a security interest in the Vehicle, equipment and accessories to be purchased pursuant to this Agreement, and such security interest shall remain in effect until all sums due hereunder have been paid in full.
11. **Other Products and Services:** The Dealership offers its customers goods and services from various suppliers. The amounts charged to customers for such goods or services may be greater than the Dealership's cost, and/or the Dealership may receive a commission or other payment in connection with such sale. You are not required to purchase any other goods or services from us, nor are you required to finance the Amount to be Financed under this Agreement with a particular lending source. In the event this Agreement includes a charge for other goods or services for which you must complete an application for coverage, and for any reason such coverage cannot be provided, you will receive a credit for the amount charged. If the cost of other goods or services was included in the amount to be financed in connection with this transaction, then this credit will be applied to the outstanding balance you owe to the Lender.
12. **Dealer Assisted Financing:** If we assist you to obtain financing for this transaction, the Annual Percentage Rate may be negotiated with us and we may receive a fee, commission or other compensation from the Lender. We do not make any representations or warranties regarding whether you obtained the best rate or could have obtained a better rate from us or a third party.
13. **Documentary Fee:** A documentary fee is not an official fee. A documentary fee is not required by law, but may be charged to buyers for handling documents relating to the sale. A documentary fee may not exceed a reasonable amount agreed to by the parties. This notice is required by law. **SPANISH TRANSLATION: Un honorario de documentación no es un honorario oficial. Un honorario de documentación no es requerido por la ley, pero puede ser cargada al comprador como gastos de manejo de documentos relacionados con una venta. Un honorario de documentación no puede exceder una cantidad razonable acordada por las partes. Esta notificación es requerida por la ley.**
14. **CONTRACTUAL DISCLOSURE STATEMENT (USED VEHICLES ONLY)** The information you see on the window form for this Vehicle is part of this contract. Information on the window form overrides any contrary provisions in the contract of sale. **SPANISH TRANSLATION: Guía para compradores de vehículos usados. La información que ve en el formulario de la ventanilla para este vehículo forma parte del presente contrato. La información del formulario de la ventanilla deja sin efecto toda disposición en contenida en el contrato de venta.**
15. **GOVERNING LAW:** THE TERMS AND CONDITIONS OF THIS AGREEMENT (INCLUDING ANY DOCUMENTS WHICH ARE A PART OF THIS TRANSACTION OR INCORPORATED HEREIN BY REFERENCE) AND ANY SALE HEREUNDER WILL BE GOVERNED BY THE LAWS OF THE STATE OF TEXAS.
16. **LIMIT ON DAMAGES:** TO THE EXTENT PERMITTED BY TEXAS LAW, PURCHASER EXPRESSLY WAIVES AND SHALL NOT BE ENTITLED TO RECOVER FROM THE DEALERSHIP ANY CONSEQUENTIAL DAMAGES, DAMAGES TO PROPERTY, DAMAGES FOR LOSS OF USE, LOSS OF TIME, LOSS OF PROFITS OR INCOME, OR ANY OTHER INCIDENTAL DAMAGES.
17. **CONDITIONAL DELIVERY AGREEMENT/LIMITED RIGHT TO CANCEL:** You may secure financing for this transaction through us or a financial institution of your choice. If you have elected to secure financing through us, the provisions of the Conditional Delivery Agreement/Limited Right to Cancel will apply. We may cancel this Agreement if: (1) you provide false or incomplete information regarding your creditworthiness; (2) your credit application is not approved by a financing source; or (3) your purchase is subject to the Conditional Delivery Agreement/Limited Right to Cancel and the Retail Installment Sale Contract is not accepted or approved by a financing source on terms acceptable to us.
18. **Entire Agreement and Signing Other Documents:** This Agreement and any documents which are part of this transaction or incorporated herein by reference comprise the entire agreement affecting this transaction. No other agreement or understanding of any nature has been made or will be recognized. You agree to sign any and all documents necessary to complete the terms of this transaction.

Exhibit B

Freedom Chevrolet Buick GMC by Ed Morse
 8008 Marvin D Love Fwy
 Dallas, TX 75237
 972-298-4911

CUST#: 179589

Deal Number: **120085**

RETAIL PURCHASE AGREEMENT

Purchaser's Name(s): **CITY OF LANCASTER**

Date: **07/31/2023**

Address: **PO BOX 940 LANCASTER, TX 75146**

County:

Telephone (1): **972-217-1320**

Telephone (2):

DOB:


E-mail: D.L./State I.D.#: Issuing State: Exp. Date:

The above information has been requested so that we may verify your identity. By signing below, you represent that you are at least 18 years of age and have authority to enter into this Agreement. The Odometer Reading for the Vehicle you are purchasing is accurate unless indicated otherwise. Please refer to the Odometer Mileage Statement for full disclosure.

YEAR 2023	MAKE CHEVROLET	MODEL Silverado 1500	COLOR GAZ/White	STOCK NO. PZ319197
VIN/SERIAL NO. 1GCPAAEK3PZ319197		ODOMETER READING <input type="checkbox"/> Not Accurate 6	SALESPERSON	
THE VEHICLE IS: <input checked="" type="checkbox"/> NEW <input type="checkbox"/> USED		PRIOR USE DISCLOSURE: <input type="checkbox"/> DEMONSTRATOR <input type="checkbox"/> FACTORY OFFICIAL/EXECUTIVE <input type="checkbox"/> RENTAL <input type="checkbox"/> OTHER		
WARRANTY STATEMENT			CASH PRICE OF VEHICLE	40000.00
We are selling this Vehicle to you AS-IS and we expressly disclaim all warranties, express and implied, including any implied warranties of merchantability and fitness for a particular purpose, unless the box beside "USED VEHICLE LIMITED WARRANTY APPLIES" is marked below or we enter into a service contract with you at the time of, or within 90 days of, the date of this transaction. All warranties, if any, by a manufacturer or supplier other than our Dealership are theirs, <u>not</u> ours, and only such manufacturer or supplier shall be liable for performance under such warranties. We neither assume nor authorize any other person to assume for us any liability in connection with the sale of the Vehicle and related goods and services.			OPTIONAL ACCESSORIES: <input type="checkbox"/> See attached Addendum Sticker	N/A
			N/A	N/A
			N/A	N/A
			N/A	N/A
			N/A	N/A
CONTRACTUAL DISCLOSURE STATEMENT (USED VEHICLES ONLY) The information you see on the window form for this Vehicle is part of this contract. Information on the window form overrides any contrary provisions in the contract of sale. <u>Traducción española: Vea el dorso.</u>			TOTAL SELLING PRICE	40000.00
<input type="checkbox"/> Used Vehicle Limited Warranty Applies. We are providing a Used Vehicle Limited Warranty in connection with this transaction. Any implied warranties apply for the duration of the Limited Warranty.			LESS: TRADE-IN ALLOWANCE	N/A
			N/A	N/A
TRADE-IN VEHICLE INFORMATION			SUBTOTAL	40000.00
Year: N/A	Make: N/A	Model: N/A	N/A	
VIN/Serial No: N/A	Odometer Reading: <input type="checkbox"/> Not Accurate N/A		SALES TAX	N/A
Trade-In Allowance: N/A	Balance Owed & Lienholder: N/A		DEALER'S INVENTORY TAX	N/A
OTHER MATERIAL UNDERSTANDINGS AND INTEGRATED DOCUMENTS			N/A	
<input type="checkbox"/> IF BOX IS MARKED, PLEASE SEE THE DELIVERY CONFIRMATION <input type="checkbox"/> IF BOX IS MARKED, PLEASE SEE THE CONDITIONAL DELIVERY AGREEMENT			DOCUMENTARY FEE *	N/A
			STATE INSPECTION FEE	N/A
			DEPUTY SERVICE FEE	N/A
			LICENSE FEE	N/A
			TITLE FEE	N/A
Dealer's Inventory Tax: The Dealer's Inventory Tax charge is intended to reimburse the Dealer for ad valorem taxes on its motor vehicle inventory. The charge, which is paid by the Dealer to the county tax assessor-collector, is not a tax imposed on a consumer by the government, and is not required to be charged by the Dealer to the consumer.				N/A
			TOTAL DUE	40000.00
*Documentary Fee: A documentary fee is not an official fee. A documentary fee is not required by law, but may be charged to buyers for handling documents relating to the sale. A documentary fee may not exceed a reasonable amount agreed to by the parties. This notice is required by law. <u>Traducción española: Vea el dorso.</u>			<input type="checkbox"/> DEPOSIT/ <input type="checkbox"/> DOWN PAYMENT If Deposit, see Deposit Receipt	N/A
			N/A	N/A
			LESS CASH DUE AT DELIVERY	N/A
			AMOUNT TO BE FINANCED (See Paragraphs 12 and 17)	40000.00

This Agreement and any documents which are part of this transaction or incorporated herein comprise the entire agreement affecting this Retail Purchase Agreement and no other agreement or understanding of any nature concerning the same has been made or entered into, or will be recognized. I have read all of the terms and conditions of this Agreement and agree to them as if they were printed above my signature. I further acknowledge receipt of a copy of this Agreement. This Agreement shall not become binding until signed and accepted by an Authorized Dealership Representative.

 **07/31/2023**
 Purchaser **N/A**

 **07/31/2023**
 Accepted by Authorized Dealership Representative

DealerCAP 55777*1*22CBGM-FI
 CATALOG #8963171

07/31/2023 03:39 pm
 © 2015 CDK Global, LLC Texas (01/16)

ADDITIONAL AGREEMENTS BETWEEN THE DEALERSHIP AND PURCHASER(S)

Initial

1. **Terms Used In This Agreement:** This Retail Purchase Agreement contains the following words and phrases that appear throughout this Agreement and have particular meanings:
- **Agreement** - Means all of the pages of this Retail Purchase Agreement together with any documents incorporated into this Agreement by reference, whether such reference is made in this Agreement or in the document itself.
 - **You, Your** - Means the Purchaser(s) identified in this Agreement.
 - **We, Us, Our** - Means the Dealership that is identified in this Agreement and its Authorized Representatives.
 - **Manufacturer** - Means the company that manufactured the Vehicle.
 - **Vehicle** - Means the Vehicle that you are purchasing from us as described in this Agreement.
 - **Trade-In Vehicle** - Means the vehicle you are delivering to us as part of this transaction as identified in this Agreement.
2. **Our Right to Increase the Price:** We may increase the price of the Vehicle after we accept this Agreement if the Trade-In Vehicle is reappraised, new equipment is required by state or federal law, or the increase is caused by state or federal tax rate changes. If the price is increased, you may cancel this Agreement with full refund of any Deposit/Down Payment, provided that the cancellation occurs prior to you taking delivery of the purchased Vehicle.
3. **Manufacturer's Design Changes:** In the event the Manufacturer changes or modifies the design of or any part or accessory of the Vehicle after your order for the Vehicle has been entered by us, you will not have any claim or right against us if the Vehicle does not contain such changes or modifications, nor shall we be required to effect such changes or modifications to the Vehicle.
4. **Your Representations and Warranties:** You represent, warrant and affirm to us that (a) You are not purchasing a new Vehicle for resale or export within the period beginning on the date the Vehicle title is issued to you and ending on the date one (1) year thereafter. You confirm that we are relying on this representation and agree that we would not sell the Vehicle to you without this representation. If we are required by the Manufacturer to forfeit or repay any manufacturer incentives, allowance and/or special pricing, or if we suffer any loss or harm as a result of your breach of this provision, you agree to indemnify and hold us harmless from any such cost, loss or harm suffered as a result of or arising because of your breach; (b) the Deposit/Down Payment and any amounts due to us have been paid in full, any check given to us will be honored by your Bank, and that no part of the Deposit/Down Payment has been loaned to you by us or any third party; (c) all statements made by you in this Agreement and any other documents completed in connection with this transaction are true and correct; and (d) you are who you have represented yourself to be and you have purchased the Vehicle for your own use and not on behalf of another person, unless you have disclosed otherwise to us.
5. **Your Representations Regarding the Trade-In Vehicle:** Any Trade-In Vehicle delivered by you to us in connection with this transaction shall be accompanied by a Certificate of Title or documents sufficient to enable us to obtain a Certificate of Title to the Trade-In Vehicle in accordance with applicable state law. You warrant that the Trade-In Vehicle delivered to us is properly titled to you, has never been titled as or declared a total loss, salvage, junk, rebuilt, flood, or lemon buyback vehicle; that you have the right to sell or otherwise convey such vehicle; that such vehicle is free and clear of liens or encumbrances, except as may be noted in this Agreement; all emissions control equipment is on the vehicle and in satisfactory working order; and, unless you have told us otherwise, that you have not removed any equipment from the vehicle subsequent to our appraisal and that the odometer reading shown is accurate.
6. **Trade-In Vehicle Payoff:** If you are delivering a Trade-In Vehicle in connection with this transaction and the actual amount of the Balance Owed on the Trade-In Vehicle is greater than the amount of the Balance Owed as listed in this Agreement, you agree to pay the difference to us. If the actual amount of the Balance Owed is less than the amount listed, we will pay or credit the difference to you.
7. **Our Appraisal of Your Trade-In Vehicle:** If you are delivering a Trade-In Vehicle to us in connection with this transaction and the delivery will not be made until delivery of the Vehicle being purchased from us, we shall have the right to reappraise your Trade-In Vehicle at the time of delivery. The reappraised amount shall be the amount allowed for the Trade-In Vehicle in this transaction. If you are dissatisfied with the reappraisal, you may cancel this Agreement with full refund of any Deposit/Down Payment, provided that the cancellation occurs prior to you taking delivery of the purchased Vehicle.
8. **Remedies Upon Rightful Cancellation:** You agree that we are not liable for any damages resulting from our failure to deliver the Vehicle if the failure is caused by the manufacturer, an accident, fire, act of nature or any other causes beyond our control. This Agreement may be renegotiated or canceled (with full refund of any Deposit/Down Payment) if the Vehicle is not delivered to you on the date specified or pursuant to Paragraphs 2 or 7. If you have delivered a Trade-In Vehicle to us, the Trade-In Vehicle will be returned to you if we have not already sold it. If we have already sold the Trade-In Vehicle, we will refund the agreed upon Trade-In Allowance. Regardless of whether we return the Trade-In Vehicle or have already sold it, you shall be responsible for paying to us the Balance Owed on the Trade-In Vehicle if we have paid the Balance Owed to the Lienholder. We may keep any portion of the amount you have paid to us as a Deposit/Down Payment and any Trade-In Allowance we owe to you to offset against the amount you owe us. If the actual amount you owe to us is greater than the amount of the Deposit/Down Payment, you agree to pay the difference to us. If the actual amount you owe is less than the amount of the Deposit/Down Payment, we will pay the difference to you. You are responsible for paying the cost of repairing any damage and any other losses, liabilities, damages, claims, costs and expenses arising out of your use, possession and control of the Vehicle.
9. **Purchaser's Default and Dealership's Remedies:** In the event you have agreed to pay the Amount to be Financed in cash or financing is being obtained by you through a credit source of your choice and we do not receive the Amount to be Financed from you at the time of delivery of the Vehicle or on the date promised in this Agreement, you fail to perform any of your other obligations under this Agreement, or you breach any representation or warranty made by you to us, we shall be permitted, at our sole discretion, to the choice of remedies in this Agreement, which may be used separately or together, including: (1) cancel this Retail Purchase Agreement; (2) repossess the Vehicle without notice (if permitted by law); (3) rescind the sales transaction; (4) seek collection for amounts due; (5) retain any cash down payment made by you; and/or (6) in the event that you have delivered a Trade-In Vehicle as part of the consideration for your purchase of the Vehicle from us, to sell such Trade-In Vehicle and reimburse the Dealership out of the proceeds of such sale for any reasonable expenses incurred in connection with preparing and offering the Trade-In Vehicle for sale and any actual damages suffered by us as a result of your default. Regardless of whether we return the Trade-In Vehicle or have already sold it, you shall be responsible for paying to us the Balance Owed on the Trade-In Vehicle if we have paid the Balance Owed to the Lienholder and for any reasonable expenses incurred by us in connection with preparing or reconditioning the Trade-In Vehicle for sale. Any remedies in this Paragraph 9 shall be in addition to, and not in lieu of, any other remedies available under the Retail Purchase Agreement or at law or equity. Any waiver of all or part of a remedy hereunder is not a continuing waiver. If the actual amount you owe to us is greater than the amount of the down payment and/or proceeds from the sale of your Trade-In Vehicle, you agree to pay the difference to us upon demand and if the actual amount you owe is less, then we will pay the difference to you.
10. **Security Agreement:** Purchaser hereby grants the Dealership, its successors and assigns, a security interest in the Vehicle, equipment and accessories to be purchased pursuant to this Agreement, and such security interest shall remain in effect until all sums due hereunder have been paid in full.
11. **Other Products and Services:** The Dealership offers its customers goods and services from various suppliers. The amounts charged to customers for such goods or services may be greater than the Dealership's cost, and/or the Dealership may receive a commission or other payment in connection with such sale. You are not required to purchase any other goods or services from us, nor are you required to finance the Amount to be Financed under this Agreement with a particular lending source. In the event this Agreement includes a charge for other goods or services for which you must complete an application for coverage, and for any reason such coverage cannot be provided, you will receive a credit for the amount charged. If the cost of other goods or services was included in the amount to be financed in connection with this transaction, then this credit will be applied to the outstanding balance you owe to the Lender.
12. **Dealer Assisted Financing:** If we assist you to obtain financing for this transaction, the Annual Percentage Rate may be negotiated with us and we may receive a fee, commission or other compensation from the Lender. We do not make any representations or warranties regarding whether you obtained the best rate or could have obtained a better rate from us or a third party.
13. **Documentary Fee:** A documentary fee is not an official fee. A documentary fee is not required by law, but may be charged to buyers for handling documents relating to the sale. A documentary fee may not exceed a reasonable amount agreed to by the parties. This notice is required by law. **SPANISH TRANSLATION: Un honorario de documentación no es un honorario oficial. Un honorario de documentación no es requerido por la ley, pero puede ser cargada al comprador como gastos de manejo de documentos relacionados con una venta. Un honorario de documentación no puede exceder una cantidad razonable acordada por las partes. Esta notificación es requerida por la ley.**
14. **CONTRACTUAL DISCLOSURE STATEMENT (USED VEHICLES ONLY)** The information you see on the window form for this Vehicle is part of this contract. Information on the window form overrides any contrary provisions in the contract of sale. **SPANISH TRANSLATION: Guía para compradores de vehículos usados. La información que ve en el formulario de la ventanilla para este vehículo forma parte del presente contrato. La información del formulario de la ventanilla deja sin efecto toda disposición en contenida en el contrato de venta.**
15. **GOVERNING LAW:** THE TERMS AND CONDITIONS OF THIS AGREEMENT (INCLUDING ANY DOCUMENTS WHICH ARE A PART OF THIS TRANSACTION OR INCORPORATED HEREIN BY REFERENCE) AND ANY SALE HEREUNDER WILL BE GOVERNED BY THE LAWS OF THE STATE OF TEXAS.
16. **LIMIT ON DAMAGES:** TO THE EXTENT PERMITTED BY TEXAS LAW, PURCHASER EXPRESSLY WAIVES AND SHALL NOT BE ENTITLED TO RECOVER FROM THE DEALERSHIP ANY CONSEQUENTIAL DAMAGES, DAMAGES TO PROPERTY, DAMAGES FOR LOSS OF USE, LOSS OF TIME, LOSS OF PROFITS OR INCOME, OR ANY OTHER INCIDENTAL DAMAGES.
17. **CONDITIONAL DELIVERY AGREEMENT/LIMITED RIGHT TO CANCEL:** You may secure financing for this transaction through us or a financial institution of your choice. If you have elected to secure financing through us, the provisions of the Conditional Delivery Agreement/Limited Right to Cancel will apply. We may cancel this Agreement if: (1) you provide false or incomplete information regarding your creditworthiness; (2) your credit application is not approved by a financing source; or (3) your purchase is subject to the Conditional Delivery Agreement/Limited Right to Cancel and the Retail Installment Sale Contract is not accepted or approved by a financing source on terms acceptable to us.
18. **Entire Agreement and Signing Other Documents:** This Agreement and any documents which are part of this transaction or incorporated herein by reference comprise the entire agreement affecting this transaction. No other agreement or understanding of any nature has been made or will be recognized. You agree to sign any and all documents necessary to complete the terms of this transaction.

CITY OF LANCASTER CITY COUNCIL

City Council Special Work Session and Regular Meeting

5.

Meeting Date: 08/14/2023

Policy Statement: This request supports the City Council 2023-2024 Policy Agenda

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

Submitted by: Jermaine Sapp, Director of Equipment & Facility Services

Agenda Caption:

Consider a resolution ratifying an agreement with Siemens Industry, Incorporated for the installation and replacement of the Trane Chilled Water Coil on Air Handling Unit #4 to support the HVAC at the Public Safety Building, located at 100 Craig Shaw Memorial Parkway, in an amount not to exceed twenty-eight thousand, nine hundred eighty-nine dollars (\$28,989).

Background:

On Monday, June 26, 2023, during a routine inspection of the public safety facility, it was discovered that the temperature discrepancy in the sleeping quarters versus the other areas in the building required additional attention. The air coming from the vents in the sleeping quarters was set at 69 degrees; however, the room itself remained at a warmer 77 degrees.

Concerns related to this room and its temperature arose at the beginning of Summer 2023, and at the recommendation of our HVAC contractor, the coil was cleaned, and the issue should have been rectified; however, as time revealed, this action did not develop the desired result.

Considering the urgency of this matter and the impending summer heat, on Friday, June 30, 2023, temporary cooling units were provided as an interim solution. After several attempts of collaboration, our contractor, Johnson Controls, the service standards that the City envisioned have not yet been met. The City has since engaged the expertise of Siemens, who has made a recommendation to replace the Trane Chilled Water Coil on Air Handling Unit #4 to support the HVAC at the public safety building. The project timeline has been proposed to be completed within 13 days.

Throughout this phase, the temporary cooling units will remain until the installation of the new unit is complete.

Legal Considerations:

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

Public Information Considerations:

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

Fiscal Impact:

Funding will not exceed twenty-eight thousand, nine hundred eighty-nine dollars (\$28,989).

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 and agreement, as presented

Attachments

Resolution

Exhibit A

Terms and Conditions Amendment

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS RATIFYING AN AGREEMENT WITH SIEMENS INDUSTRY, INCORPORATED, IN AN AMOUNT NOT TO EXCEED TWENTY-EIGHT THOUSAND, NINE HUNDRED EIGHTY-NINE DOLLARS AND ZERO CENTS (\$28,989.00); PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of Lancaster desires to contract with Siemens Industry, Incorporated for the replacement of the Trane chilled water coil on Air Housing Unit #4 at the Public Safety Building, located at 100 Craig Shaw Memorial Parkway.

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

SECTION 1. That the City Council hereby ratifies an agreement with Siemens Industry, Incorporated for the replacement of the Trane chilled water coil on Air Housing Unit #4 at the Public Safety Building, located at 100 Craig Shaw Memorial Parkway, in an amount not to exceed twenty-eight thousand, nine hundred eighty-nine dollars and zero cents (\$28,989.00), which is attached hereto and incorporated herein as Exhibit "A."

SECTION 2. That any prior Resolution of the City Council in conflict with the provisions contained in this Resolution is hereby repealed and revoked.

SECTION 3. That should any part of this Resolution be held to be invalid for any reason, the remainder shall not be affected thereby, and such remaining portions are hereby declared to be severable.

SECTION 4. That the City Manager of the City of Lancaster, Texas is hereby authorized to execute the agreement as proposed, in substantial compliance as depicted in Exhibit "A".

SECTION 5. This Resolution shall become effective immediately from and after its passage, as the law and charter in such cases provide.

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the 14th day of August, 2023.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

SIEMENS

PROPOSAL

COL Public Safety AHU coil

PREPARED BY

Siemens Industry, Inc. ("Siemens")

PREPARED FOR

CITY OF LANCASTER

DELIVERED ON

July 05, 2023

SMART BUILDINGS

Transforming the Everyday



Table of Contents

SIEMENS PROPOSAL 3

 Contact Information 3

 Scope of Work 4

 Sell Price..... 4

 Exclusions 5

 Payment Terms..... 6

Terms and Conditions..... 7

 Terms & Conditions Link(s) 7

Signature Page 8

 Signature Page 8

Contact Information

Proposal #: 8069365
Date: July 05, 2023

Sales Executive: Tim Barrington
Branch Address: 8600 North Royal Lane Suite 100
Irving, TX 75063
Telephone: 214-558-9597
Email Address: tim.barrington@siemens.com

Customer Contact: Jermaine Sapp
Customer: CITY OF LANCASTER
Address: 211 N HENRY ST
LANCASTER TX 75146-2569

Services shall be provided at: CITY OF LANCASTER - PUBLIC SAFETY
1650 N DALLAS AVE LANCASTER TX 75234

Scope of Work

Siemens proposes to complete the following described scope of work:

- Replacing the Trane chilled water coil on AHU #4.
- Qty (1) 6R/14FPI, LPCAA 12, chilled water coil – standard construction

*****The lead time on the above-listed coil is one and a half weeks.

Sell Price

Total Quote Price

\$28,989.00

This price is firm for 30 days from the date of this proposal.

Exclusions

1. Construction permits and other permits (e.g. general construction, mechanical, electrical, plumbing, security, etc.)
2. Removing, replacing, cutting, patching, or painting of ceilings or walls
3. Roof penetrations, access doors and fire caulking
4. Site cleanup crews and or additional labor for site cleanup of non-Siemens work
5. Overtime
6. After hours work
7. Asbestos abatement, and work within asbestos areas
8. Additional testing due to others
9. Costs associated with multiple trips to the jobsite due to incompleteness by others
10. Damage by other contractors
11. Any consequential damages, loss of use, loss of revenue, and any third-party consequential damages
12. Performance or Payment bonds
13. Per project aggregate general liability insurance
14. Professional liability insurance
15. Errors and omissions insurance
16. Bonding or special insurance
17. Owner Controlled Insurance Program (OCIP)
18. Owner provided insurance
19. Certified payroll
20. Wage scale or Davis-Bacon wages
21. 120VAC Power wiring to all new control panels and terminal box controllers
22. Lighting control panels
23. Ethernet drop to control panel for communication to the front end
24. Furnishing, monitoring or safety shutdown of vibration switches.
25. Any dampers not shown on drawings.
26. Motor starters, HOA switches, VFD's, or contactors
27. Networking, wiring, and conduit between buildings.
28. Furnishing, installing, or wiring of duct smoke detectors
29. Furnishing and/or wiring to fire, smoke or combo fire/smoke dampers
30. Wiring for fire alarm shutdown of HVAC equipment
31. Heat trace material of any kind
32. Split system thermostats
33. RTU thermostats
34. Furnishing or installation of Variable Frequency Drives (VFDs)
35. Automatic dampers NOT shown on mechanical drawings
36. VAV box control transformers
37. Installation of pipe mounted devices (i.e. control valves, flow meters, sensor wells)
38. Any trenching or excavation for wiring to fuel oil tanks or generators
39. Points or an interface to the fuel oil tank of generator system are not included.
40. Access doors
41. Temporary or standby labor and services

Payment Terms

Payment Terms Acceptance Agreement

The total price of: \$28,989.00 and the estimated return on investment are based on the items outlined in this proposal. ANY STATEMENTS MADE HEREIN REGARDING SAVINGS THAT MAY BE ACHIEVED BY IMPLEMENTING THE SERVICES OFFERED IN THIS PROPOSAL ARE ESTIMATES ONLY. NO WARRANTY, EITHER EXPRESSED OR IMPLIED, SHALL BE CONSTRUED TO ARISE FROM SUCH STATEMENTS, NOR SHALL SUCH STATEMENTS BE CONSTRUED AS CONSTITUTING A GUARANTEE BY SIEMENS THAT SUCH SAVINGS WILL OCCUR IF THE SERVICES ARE IMPLEMENTED.

The Buyer acknowledges that when accepted by the Buyer as proposed by Siemens Industry, Inc., this Proposal and the Siemens RAM Projects Business Standard Terms and Conditions, (together with any other documents, including any applicable Rider(s), incorporated herein) shall constitute the entire agreement of the parties with respect to its subject matter. BY EXECUTION HEREOF, THE SIGNER CERTIFIES THAT (S)HE HAS READ ALL OF THE TERMS AND CONDITIONS AND DOCUMENTS, THAT SIEMENS OR ITS REPRESENTATIVES HAVE MADE NO AGREEMENTS OR REPRESENTATIONS EXCEPT AS SET FORTH THEREIN, AND THAT (S)HE IS DULY AUTHORIZED TO EXECUTE THE SIGNATURE PAGE ON BEHALF OF THE BUYER.

Proposal is valid for thirty (30) days from the delivery date of July 05, 2023. Payment is due within 30 days of invoice date.

Terms & Conditions Link(s)

Terms and Conditions (Click to download)

[Terms & Conditions \(Restricted\)](#)

(www.siemens.com/standard-terms-project-restricted)

Price Escalation. If, during the term of this Contract, the price of various materials or labor or logistics are increased as reflected by CRU/IHS Markit/CMAI/COMEX market index, then Siemens may increase the Contract Sum or apply a surcharge to Customer accordingly.

As a result of the global Covid-19 Virus outbreak, temporary delays in delivery, labor or services from Siemens and its sub-suppliers or subcontractors may occur. Among other factors, Siemens' delivery is subject to the correct and punctual supply from sub-suppliers or subcontractors, and Siemens reserves the right to make partial deliveries or modify its labor or services. While Siemens shall make every commercially reasonable effort to meet the delivery or service or completion date mentioned above, such date is subject to change.

Signature Page

Proposed by:

Siemens Industry, Inc.

Company

Tim Barrington

Name

8069365

Proposal #

\$28,989.00

Proposal Amount

July 05, 2023

Date

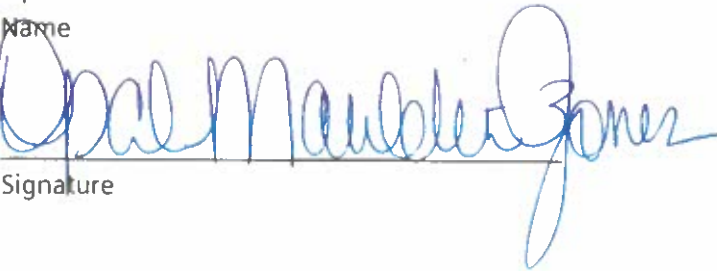
Accepted by:

CITY OF LANCASTER

Company

Opal Mauldin-Jones

Name



Signature

City Manager

Title

July 06, 2023

Date

Purchase Order #

AMENDMENT TO SIEMENS RAM PROJECTS BUSINESS STANDARD TERMS AND CONDITIONS

This Amendment ("**Amendment**"), dated and effective as of the ____ day of _____ 2023, is to the Siemens Ram Projects Business Standard Terms and Conditions (v.1.4, dated 10/14/2022 attached as part of the August Agreement (the "Agreement")) between the City of Lancaster, Texas with its principal place of business at 211 N. Henry Street, Lancaster, TX 75146 (the "City"), and Siemens Industry, Inc. with principal place of business at 300 New Jersey Avenue, Suite 1000, Washington, D.C. 20001.

In consideration of the mutual covenants contained herein and other valuable consideration received, and with the intent to be legally bound, the parties amend the Agreement as follows:

1. **ARTICLE 7. (Limitation of Liability).** The second paragraph is amended replaced in its entirety with the following: "EACH PARTY'S RESPECTIVE MAXIMUM LIABILITY UNDER THIS AGREEMENT IS THE GREATER OF: (1) THE ACTUAL PURCHASE PRICE RECEIVED BY SIEMENS OR; (2) THE ACTUAL PURCHASE PRICE DUE TO SIEMENS FOR THE EQUIPMENT THAT GAVE RISE TO THE CLAIM.
2. **ARTICLE 14. (Indemnities).** The following is inserted prior to the first sentence: "To the extent permitted by Texas law, and without waiving Buyer's governmental immunity from suit and damages,".
3. **ARTICLE 17 (Confidentiality).** Subsection (v) in the second paragraph is amended by inserting the following language between the phrases: "is required to be disclosed by law" and "except to the extent eligible for special treatment . . . : "including but not limited to the Texas Public Information Act." The following language is inserted following subsection (b) in the last paragraph: "except such copy or copies which must be retained in accordance with Texas law, including but not limited to the Texas Public Information Act and the Texas State Library and Archives Commission retention schedules applicable to municipalities."
4. **ARTICLE 18 (Miscellaneous Provisions).** The following sentence is stricken in its entirety: "BOTH SIEMENS AND BUYER KNOWINGLY, VOLUNTARILY AND IRREVOCABLY WAIVE ALL RIGHTS TO A JURY TRIAL IN ANY ACTION OR PROCEEDING RELATED IN ANY WAY TO THIS AGREEMENT."

All other terms and conditions of the Agreement shall remain unchanged and in full force and effect.

*** The remainder of this page is intentionally left blank***

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed as of the date above written.

City of Lancaster, Texas (“Buyer”)

Siemens Industry, Inc. (“Siemens”)

Opal Mauldin-Jones, City Manager

Date

Date

P.O. Box 940
Lancaster, TX 75146

300 New Jersey Avenue, Suite 1000
Washington, DC 20001

CITY OF LANCASTER BOARDS AND COMMISSIONS

City Council Special Work Session and Regular Meeting

6.

Meeting Date: 08/14/2023

Policy Statement: This request supports the City Council 2023-2024 Policy Agenda

Goal(s): Healthy, Safe & Engaged Community

Submitted by: Dori Lee, Assistant City Manager

Agenda Caption:

Discuss and consider a resolution approving the Lancaster Recreational Development Corporation (LRDC) amended bylaws.

Background:

The Lancaster Recreational Development Corporation is a Type B economic development corporation authorized by the Development Corporation Act of 1979 as amended, Article 5193.6, Tex. Rev. Civ. Stats, Section 4B of the Act. The Lancaster Recreational Development Corporation was incorporated and approved on September 25, 1995 by Resolution No. 37-95, and currently operates under such amended bylaws as approved by the City Council.

In 2006 the Board of Directors of the Lancaster Recreational Development Corporation (LRDC) reviewed and approved amendments to the bylaws by Resolution No. 2006-03-22.

City Council adopted Ordinance No. 2018-12-53 December 10, 2018 amending the Lancaster Code of Ordinances by providing a single ordinance reference for City Boards, Commissions and Committees, including the Lancaster Recreational Development Corporation (Type B) LRDC Board.

Article 5.01 GENERAL PROVISIONS

Sec. 5.01.005 Form Bylaws (a) The City Council shall promulgate a set of form bylaws for use by the Advisory Boards which shall become effective when adopted. An advisory board or commission that seeks to amend its bylaws must submit the proposed change to the City Council for consideration and approval before it becomes effective.

The Corporation reviewed its bylaws and recommended changes at the July 2023 Regular Meeting.

The recommended changes include complying with the City Council's 2018 ordinance.

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 bylaws as presented.
2. City Council may approve the bylaws with changes and state those changes.
3. City Council may deny the bylaws.

Recommendation:

The LRDC recommended approval at their July 18, 2023 and staff concurs with the LRDC.

Attachments

Resolution

July 18, 2023 LRDC Agenda Item

July 18, 2023 LRDC Draft Minutes

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, APPROVING THE LANCASTER RECREATIONAL DEVELOPMENT CORPORATION (LRDC) BYLAWS; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The Board of Directors of the Lancaster Recreational Development Corporation (LRDC) has reviewed the bylaws of the Corporation and determined that certain revisions are appropriate; and

WHEREAS, The Board of Directors of the LRDC has approved amendments to the bylaws of the Corporation;

WHEREAS, The Board of Directors of the LRDC is complying with the City Council's direction for all City Boards, Commissions, and other constituent units to conform as nearly as possible to the model bylaws promulgated through the City's Boards and Commissions Ordinance.

WHEREAS, The Board of Directors of the Lancaster Recreational Development Corporation approved by a majority vote to amend the Lancaster Recreational Development Corporation bylaws on July 18, 2023.

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

SECTION 1. That the City Council approves bylaws of the Lancaster Recreational Development Corporation (LRDC), a true copy of which is attached hereto as Exhibit "A" and made part hereof for all purposes.

SECTION 2. That all previous resolutions of the City Council in conflict with this resolution are hereby repealed to the extent of the conflict.

SECTION 3. That this resolution shall take effect immediately from and after its passage, and it is accordingly so resolved.

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the 14th day of August 2023.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

BYLAWS
of the
LANCASTER RECREATIONAL DEVELOPMENT CORPORATION

Article I – Establishment, Purpose, and Powers

Sec. 1.01 Establishment

The Lancaster Recreational Development Corporation is a Type-B economic development corporation (“LRDC”) which shall be subject to the jurisdiction of the City Council as set forth in Chapters 501 and 505 of the Texas Local Government Code. For purposes of the Texas Tort Claims Act, and consistent with its Articles of Incorporation, the LRDC is considered to be a governmental unit and its actions are governmental functions.

Sec. 1.02 Purposes and Powers

- (a) **Long-Term Purposes and Powers.** The Corporation is incorporated for the purposes set forth in Article Four of its Articles of Incorporation, the same to be accomplished on behalf of the City, as a duly constituted authority and instrumentality operating as a Type-B economic development corporation. This includes all permissible projects described by the Act, such as parks, auditoriums, learning centers, open space improvements, athletic and exhibition facilities, and other related improvements and for maintenance and operating costs of the publicly-owned and operated projects in accordance with applicable law.
- (b) **Current Purposes and Powers.** The current purpose of the LRDC is to pay the City for: (1) the bonds issued to build the following facilities: Lancaster Veterans Memorial Library (completed May 2001), the Recreation Center (completed June 2001), and Dewberry Park (completed 1999), and (2) the maintenance and operations (“M&O”) costs associated with those facilities and the Community Park land (purchased 1997) on which the Library, Recreation Center and Senior Life Center are located.

Until all bonds noted in Section 1.02(b) have been fully paid, and a City Council resolution to that effect has been issued, the LRDC will operate under the Current Purposes and Powers, and any corresponding powers shall be so restricted. Immediately upon receipt of the City Council resolution releasing it from the Current Purposes, the LRDC shall operate under the Long-Term Purposes and Powers.

Article II – Board of Directors

Sec. 2.01 Number of Directors

The LRDC Board shall be composed of seven (7) Directors appointed by the City Council. Each Director shall meet the eligibility requirements established by the City Charter and the Board and Commission Ordinance. The staff liaison will be appointed by the City Manager. The Directors shall serve at the pleasure of the City Council and may be removed at the discretion of the City Council, and all Directors shall serve without compensation.

Sec. 2.02 Term of office

The term of office of each director shall be two (2) years, with four (4) members' terms expiring in odd numbered years, and three (3) members' terms expiring in even numbered years.

Sec. 2.03 Officers

The LRDC Board shall have a President and a Vice-President, (collectively "Officers") whose terms shall be one (1) year but not more than two (2) consecutive terms in one (1) office. No Director shall serve for a total period of more than two (2) consecutive years as President or Vice-President. The Officers shall be nominated by a majority vote of the Board. All Board members are voting members.

The President and Vice-President shall be elected each year at the first regular meeting after the Directors are appointed and have taken their oath of office.

Vacancies in office shall be handled as follows:

- a. In the event of resignation or incapacity of the President; the Vice-President shall become the President for the unexpired portion of the term.
- b. Vacancy of the Vice-President, Secretary, or Treasurer shall be filled for the unexpired term by special election.

Duties of the officers shall be as follows:

a. President:

- i. Conduct the affairs of the LRDC in accordance with the applicable purposes and powers and preside at all meetings.

b. Vice-President:

- i. Assist the President in conducting the affairs of the LRDC in accordance with the applicable purposes and powers, and act in the President's absence.

c. Secretary and Treasurer:

The offices of Secretary and Treasurer shall not be filled from the membership of the Board; but these duties will instead be performed by staff members of the City. The City staff liaison will take minutes of the meetings and present them to the Board for review and ratification, and the City Secretary's office shall maintain the permanent records of the LRDC. City staff will also provide the functional duties of the Treasurer and shall be responsible for handling, custody, and security of all funds and securities of the LRDC and the entry of complete and accurate information in the books and records of the LRDC.

An Officer may resign at any time, and such resignation shall be made in writing and shall take effect as specified in the writing, or, if no time is specified, at the time of its receipt by the President or Secretary. The formal acceptance of a resignation shall not be necessary to make it effective unless specifically so provided in the resignation.

Sec. 2.04 Meetings

The LRDC must meet at least two (2) times per year; once for open government training, and once for a regular business meeting. All meetings shall be held in a public place with public notice as prescribed by law, and in accordance with the Texas Open Meetings Act.

A simple majority of the regular members shall constitute a quorum at all meetings of the board, commission or committee. If a quorum is not present, the meeting shall be cancelled.

Robert's Rules of Order, Newly Revised is used a guideline for the Board's parliamentary procedures.

The meeting date shall be established by the then-current Boards and Commissions meeting schedule established by the City Council. Changes in the Boards and Commissions meeting schedule by City Council shall become immediately effective upon passage and no amendment to these bylaws shall be necessary to effect a change in the meeting date.

Sec. 2.05 Removal from office/absences

The directors shall serve at the pleasure of the City Council and may be removed at the discretion of the City Council. Directors are expected to maintain regular attendance at meetings in accordance with the attendance policy established by the Board and Commission Ordinance.

Sec. 2.06 Powers and authority

The Directors provide opinion, support, and expertise as needed. Directors shall:

- a. Provide advice and counsel to the Staff Liaison in matters relating to the operations of the LRDC and the Board. The Staff Liaison for the LRDC will communicate updates on City events and the LRDC's contribution to advancing the City's goals and objectives (subject to the purposes set forth in Article 1), and shall provide quarterly attendance updates to the City Council and the LRDC.
- b. Review data and circumstances pertaining to the LRDC (subject to the purposes set forth in Article 1) and formulate and recommend to the City Council, for its adoption, policies and regulations consistent with the overall City plan and ordinances.
- c. Study the need for, and encourage the development of knowledge of the LRDC.
- d. At the direction of the City Council, shall study and submit reports on any topics within its purview that the City Council deems appropriate.
- e. Encourage in every possible way the development and advancement of the LRDC.
- f. Participate in local events.

- g. Directors shall comply with all statutory time limits, public notices, and the Texas Open Meetings Act, V.T.C.A., Government Code § 551.001 et seq.

Article III – Budget and Operations

Sec. 3.01 Annual Corporate Budget

At least sixty (60) days prior to the commencement of each Fiscal Year (“FY”) of the LRDC, the Board shall adopt a proposed budget of expected revenues and proposed expenditures for the ensuing FY. Each FY shall be identical to the then-current FY policy of the City. The budget shall contain such detail and shall be in such form as may be prescribed from time to time by the City Council. The budget shall not be effective until approved by City Council.

Section 3.02 Books, Records, and Audit

- a) In accordance with Section 2.03, *supra*, The LRDC shall keep and properly maintain, in accordance with GAAP, complete books, records, accounts, and financial statements pertaining to its corporate funds, activities, and affairs.
- b) At the direction of City Council, the books, records, accounts, and financial statements of the LRDC will be maintained for the LRDC by the accountants, staff, and personnel of the City.
- c) The LRDC’s books and records shall be audited at least once every fiscal year by an outside, independent auditing and accounting firm selected by the City Council, as part of the City’s annual unified audit process.

Section 3.03 Deposit and Investment

Subject to the requirements of contracts, agreements, or bond or debt terms, the monies of the LRDC shall be deposited, secured, and invested in the manner consistent with the investment policy of the City. The accounts, reconciliation, and investment of such funds shall be performed by the City’s finance personnel.

Section 3.04 Services of City Staff and Officers

Subject to the paramount authority of the City Manager and under the City Charter, the LRDC shall have the right to use the services of the City Attorney, City Secretary, and Finance staff of the City, provided: (1) that the LRDC shall pay reasonable compensation for such services; and (2) that the performance of such services does not materially interfere with their duties to the City.

Article IV – Amendments

Sec. 4.01 Amendments

These bylaws may be amended by the LRDC Board at any regular meeting, provided all Directors have been notified of the proposed amendment. No amendment shall be effective unless and until approved by the City Council.

ORDINANCE NO. 2018-12-53

AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS, AMENDING THE LANCASTER CODE OF ORDINANCES, BY ESTABLISHING A NEW CHAPTER 5 “BOARDS, COMMISSIONS AND COMMITTEES”; BY DISBANDING THE CITIZEN ADVISORY COMMITTEE (FOR PHOTOGRAPHIC TRAFFIC CONTROL SIGNAL ENFORCEMENT SYSTEM); PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the following Boards, Commissions and Committees have previously been established by resolution or ordinance by prior City Councils: (1) Airport Advisory Board; (2) Animal Shelter Advisory Committee; (3) Capital Improvements Advisory Committee; (4) Citizen Advisory Committee (Photographic Traffic Control Signal Enforcement System); (5) Civil Service Commission; (6) Economic Development Corporation (Type A); (7) Historic Landmark Preservation Committee; (8) Lancaster Recreational Development Corporation (Type B); (9) Lancaster State Auxiliary Museum Advisory Board; (10) Lancaster Veterans Memorial Library Advisory Board; (11) Parks and Recreation Advisory Board; (12) Planning and Zoning Commission; (13) Property Standards and Appeals Board; (14) Sign Control Board; (15) Tree Board; (16) Youth Advisory Committee; and (17) Zoning Board of Adjustment; and

WHEREAS, the City Council of the City of Lancaster, Texas (the “Council”) has determined that it is in the best interest of the City to recodify the portions of the City of Lancaster Code of Ordinances dealing with City Boards, Commissions and Committees in order to (1) provide a uniform structure for City Boards, Commissions and Committees and to delineate the rights and responsibilities of each City Board and Commission; and (2) aid in administrative efficiency and open government by providing a single ordinance reference for City Boards, Commissions and Committees.

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

SECTION 1. That the Code of Ordinances for the City of Lancaster be amended by adding a new Chapter 5 of the City of Lancaster Code of Ordinances, and the new Chapter 5 shall read as follows:

“ ...

CHAPTER 5: BOARDS, COMMISSIONS AND COMMITTEES

Preliminary Statement A: This Chapter is intended to be a recodification of City Boards, Commissions and Committees as they existed on the date of adoption. In passing this ordinance, all existing enabling ordinances and resolutions shall remain in effect, except to the extent they directly conflict with, or are modified by, this ordinance. In the case of conflict between existing ordinances and resolutions, this ordinance shall control.

Preliminary Statement B: The members and/or directors of the Boards, Commissions and Committees listed herein currently serving at the time of the passage of this ordinance shall continue their service upon the adoption of this ordinance and each member or director serving on a Board or Commission shall upon adoption of this ordinance shall maintain their seat and serve out the remainder of their term unless otherwise removed from their seat pursuant to the terms of this ordinance or applicable bylaws of their respective Board or Commission. At the time for reappointment or appointment of new members, any Board or Commission that has a reduction in membership due to the general provisions of Section 5.01.001(c) shall have only five (5) members appointed or reappointed to the Board or Commission, in addition to one (1) alternate member, unless specifically stated to the contrary by any section in this Chapter 5. All bylaws of each City Board and Commission in effect upon the adoption of this ordinance shall continue to be in effect unless and until amended in accordance with the bylaw policy and/or other applicable state law.

ARTICLE 5.01 GENERAL PROVISIONS

Sec. 5.01.001 Board and Commission appointments, terms, removal, and meetings.

- (a) Unless stated to the contrary herein, all appointments to Boards, Commissions and Committees of the City shall be made by the City Council.
- (b) All appointments to Boards, Commissions and Committees of the City shall expire on December 1st of the year in which they would normally expire. At the first meeting of the board or commission following December 1st, a chairperson and vice-chairperson shall be elected by the members of the board or commission. Should no appointment be made at the time a term would otherwise expire, the sitting board, commission, or committee member will continue to serve in an interim capacity until the replacement appointment has been made.
- (c) Unless expressly stated to the contrary herein, each board, commission or committee of the City shall be composed of five (5) members, and the term of appointment for regular members shall be for two (2) years, one (1) alternate member, the alternate member serving a term of one (1) year.
- (d) Unless expressly stated to the contrary herein, the board and commission members serve at the pleasure of the City Council and may be removed at any time by a majority vote of the Council.
- (e) All Boards, Commissions and Committees must meet at least two (2) times per year; once for open meeting act and public information act training, and once for a regular business meeting. Additional meetings may be held separately for work sessions, educational training, and city updates.
- (f) Unless expressly stated to the contrary herein, a simple majority of each board or commission shall serve to establish a quorum for a board or commission.

- (g) Subject to the provisions of subsection (d), above, a board or commission member should regularly attend meetings in order to ensure that a quorum can be met and business transacted. Three (3) consecutive absences, or a total of five (5) absences during a twelve-month period shall cause the City Council to consider removal of the board or commission member. Failure to meet these attendance requirements will also bar the member from being re-appointed for a subsequent term, absent the showing of good cause presented to, and accepted by the City Council based on special circumstances.
- (h) All City Councilmembers, with the exception of the Mayor, may serve at as the Council liaison to the boards and commissions of the City for a period of one year. A Council liaison for each board or commission shall be selected by the City Council by order of seniority. Unless provided for to the contrary by specific ordinance, the liaison shall not vote, count towards a quorum, or otherwise be considered a regular member of the board or commission to which he or she is appointed.
- (i) A Staff liaison shall be appointed by the City Manager for each board or commission.
- (j) The Boards, Commissions and Committee Matrix, attached to this ordinance as **Appendix A**, setting forth a summary of the membership, requirements, terms, dates and times, and other information, is hereby incorporated herein and adopted by the City Council. To the extent that there is a conflict between the Boards, Commissions and Committees Matrix and the text of this ordinance, the text of this ordinance will control.

Sec. 5.01.002 Qualifications of Board and Commission members.

- (a) Unless stated to the contrary herein, each board or commission or committee member must reside within the corporate limits of the City at the time of the appointment to the board or commission; must not be in arrears in the payment of any taxes or other liability due to the City; and must be a registered voter within the City.
- (b) Additional board, commission or committee qualifications may be specified in the board- and commission-specific portions of Section 5.02. herein.
- (c) Any board, commission or committee member ceasing to possess any of the qualifications set forth in this section, or in the board- and commission-specific portions of Section 5.02, herein, applicable to their particular board, shall immediately forfeit his or her office.

Sec. 5.01.003 Advisory Boards and Statutory Boards

- (a) Each City board, commission or committee shall be identified as "Advisory" or "Statutory", or as special purpose corporations such as economic development corporations. Advisory boards shall serve only in an advisory capacity and shall make recommendations to the City Council for further action and consideration. Statutory boards and special purpose corporations may possess decision-making and/or quasi-judiciary powers and functions as designated by their applicable enabling statute.

Sec. 5.01.004 Applicability of Texas Open Meetings Act

- (a) All City boards or commissions shall operate according to the provisions of the Texas Open Meetings Act, (Chapter 551 of the Texas Government Code), as amended.

Sec. 5.01.005 Form Bylaws

- (a) The City Council shall promulgate a set of form bylaws for use by the Advisory Boards which shall become effective when adopted. An advisory board or commission that seeks to amend its bylaws must submit the proposed change to the City Council for consideration and approval before it becomes effective.

ARTICLE 5.02 BOARD- AND COMMISSION-SPECIFIC PROVISIONS

Sec. 5.02.001 Airport Advisory Board

- (a) The Airport Advisory Board was established on April 17, 1978 by Resolution No. 4-78 and is designated as an Advisory Board of the City of Lancaster, Texas.
- (b) It is recommended that members have a working knowledge of airport and/or aviation operations, rent or own a hanger or other space at Lancaster Regional Airport, or operate a business at Lancaster Regional Airport. Members of this Board are exempt from the requirements of Sec. 5.01.002(a).
- (c) The Board is established pursuant to Section 3.19 of the Lancaster Home Rule Charter to advise the City Council regarding the expansion and capital improvement, of Lancaster Regional Airport.

Sec. 5.02.002 Animal Shelter Advisory Committee

- (a) The Animal Shelter Advisory Committee was established on March 10, 2008 by Resolution No. 2008-03-22, is subject to the Interlocal Agreement for Animal Control Services between the City and the City of Hutchins, and is designated as an Advisory Board of the City of Lancaster, Texas.
- (b) The Committee shall be composed of five (5) regular members including one (1) Alternate, and shall include at least one (1) licensed veterinarian, one (1) county or municipal official, one (1) person whose duties include the daily operation of an animal shelter, and one (1) representative from an animal welfare organization. Three (3) members shall be appointed by the City, and three (3) members shall be appointed by the City of Hutchins.
- (c) The Committee is established pursuant to Texas Health and Safety Code, Section 823.005, to ensure that the City animal shelter meets the state operating requirements.
- (d) The Committee shall meet no less than three (3) times per year.

Sec. 5.02.003 Capital Improvements Advisory Committee

- (a) The Capital Improvements Advisory Committee was established on June 18, 1990 by Resolution No. 21-90 and is designated as an Advisory Board of the City of Lancaster, Texas.
- (b) At least two (2) members of the Committee shall be representatives of the real estate, development, or building industries who are not employees or officials of a political subdivision or governmental entity. If the Texas Local Government Code Chapter 395 impact fee is to be applied to the extraterritorial jurisdiction of the City, one member of the Committee must be a representative from the area where the impact fee will be apply.
- (c) The Committee is established pursuant to Texas Local Government Code, Section 395.058, to (a) advise and assist the City in adopting land use assumptions; (b) review the City's capital improvements plan and file written comments; (c) monitor and evaluate implementation of the City's capital improvements plan; (d) file semiannual reports with respect to the progress of the City's capital improvements plan and report to the City Council any perceived inequities in implementing the plan or imposing the impact fee; and advise the City Council of the need to update or revise the land use assumptions, capital improvements plan, and impact fee.

Sec. 5.02.004 Citizen Advisory Committee (Photographic Traffic Control Signal Enforcement System)

- (a) The Citizen Advisory Committee was established on December 10, 2007 by Resolution No. 2007-12-138.
- (b) The Committee was established pursuant to Texas Transportation Code provisions regarding the installation and operation of Photographic Traffic Control Signal Enforcement Systems. Given that there are no such systems currently operating or contemplated within the City, this Committee is hereby disbanded.

Sec. 5.02.005 Civil Service Commission

- (a) The Civil Service Commission was established pursuant to the May 8, 1995 Resolution No. 21-95 which canvassed the results of the election in which Texas Local Government Code Chapter 143 Civil Service was established by the electorate, and is designated as a Statutory Board of the City of Lancaster, Texas.
- (b) The Commission shall be composed of three (3) members, with no alternate members, who shall be appointed by the City Manager and confirmed by the City Council. Members shall serve staggered three (3) year terms with the term of one member expiring each year. Each person appointed to the commission must: (1) be of good moral character; (2) be a United States citizen; (3) be a resident of the City who has resided in the City for more than three (3) years; (4) be over 25 years of age; and (5) not have held a public office within the preceding three years.

- (c) The Commission is established pursuant to Texas Local Government Code, Section 143.006, to ensure that the City conforms to the requirements of Chapter 143 of the Texas Local Government Code, and to investigate and report on all matters relating to the enforcement and effect of Chapter 143, including appeals from fire fighters or police officers. The Commission is empowered to (1) administer oaths, (2) issue subpoenas to complete the attendance of witnesses and the production of books, papers, documents, and accounts relating to the investigation; and (3) cause the deposition of witnesses residing inside or outside the state, pursuant to Section 143.009 of the Texas Local Government Code.

Sec. 5.02.006 Economic Development Corporation – (Type A)

- (a) The Lancaster Economic Development Corporation is a Type A economic development corporation, and had its initial bylaws approved on October 9, 1995 by Resolution No. 38-95, and currently operates under such amended bylaws as approved by City Council.
- (b) The Corporation shall consist of five (5) directors, with no alternate members. The Board of Directors shall appoint, at a minimum, a president and a secretary, and such other officers as designated in its then-current bylaws.
- (c) The Committee is established pursuant to Texas Local Government Code, Section 504.051, to promote economic development in the City and the area, and to perform all duties as authorized by Chapter 504 of the Texas Local Government Code for Type A corporations.

Sec. 5.02.007 Historic Landmark Preservation Committee

- (a) The Historic Landmark Preservation Committee was established on December 5, 1994 by Ordinance No. 31-94 and is designated as an Advisory Board of the City of Lancaster, Texas.
- (b) Members of the committee shall be appointed by the Planning & Zoning Commission and confirmed by City Council. Each member appointed to the committee shall have a demonstrated interest in or knowledge of historic preservation practices and principles. Of the regular members, at least three (3) shall have experience and/or expertise in the following fields: architecture, planning, landscape architecture, building construction or real estate appraisal. At least one (1) member shall be a member of the Lancaster Historical Society. At least one (1) member shall be the owner of a designated historic landmark or property within an historic district.
- (c) The Committee is established pursuant to Section 3.19 of the Lancaster Home Rule Charter to: (1) adopt criteria for the designation of historic, architectural, and cultural landmarks and the delineation of historic districts for submission to Planning & Zoning and City Council; (2) Recommend to the Planning & Zoning Commission (for subsequent submission to the City Council) recognition of individuals and organizations who own designated historical landmarks or properties within designated historic districts through the conferral of certificates, plaques, or markers; (3) Increase public awareness of the value of historic, cultural and architectural preservation by developing and participating in public education programs; (4) Recommend the designation of sites, buildings, structures, objects or areas a landmarks or historic districts; (5) Make recommendations to the

Planning & Zoning Commission (for subsequent submission to the City Council) regarding the utilization of funds and funding methods (such as tax deferments, grants, fees, and donations); to promote the preservation and vitality of landmarks and historic districts within the City; and (6) Review and make recommendations on applications for Certificates of Appropriateness and Certificates of Economic Hardship; and (7) ensure compliance with U.S. Department of the Interior standards for historic landmarks

Sec. 5.02.008 Lancaster Recreational Development Corporation – (Type B)

- (a) The Lancaster Recreational Development Corporation is a Type B economic development corporation incorporated and approved on September 25, 1995 by Resolution No. 37-95, and currently operates under such amended bylaws as approved by City Council.
- (b) The Corporation shall consist of seven (7) directors with no alternate members, who shall serve two (2) year terms. The Board of Directors shall appoint, at a minimum, a president and a secretary, and such other officers as designated in its then-current bylaws.
- (c) The Committee is established pursuant to Texas Local Government Code, Section 505.003, to promote authorized projects and to perform all duties as authorized by Chapter 505 of the Texas Local Government Code for Type B corporations.

Sec. 5.02.009 Lancaster State Auxiliary Museum Advisory Board

- (a) The Lancaster State Auxiliary Museum Board Advisory Board was established on March 23, 2015 by Resolution No. 2015-03-22 and is designated as an Advisory Board of the City of Lancaster, Texas.
- (b) The Board is established pursuant to Section 3.19 of the Lancaster Home Rule Charter to report to City Council on all matters concerning the City of Lancaster State Auxiliary Museum and to promote public interest in the Museum.

Sec. 5.02.010 Lancaster Veterans Memorial Library Advisory Board

- (a) The Lancaster Veterans Memorial Library Advisory Board was established on December 17, 1984 by Ordinance No. 51-84 and is designated as an Advisory Board of the City of Lancaster, Texas.
- (b) The Board is established pursuant to Section 3.19 of the Lancaster Home Rule Charter to report to City Council on all matters concerning the City's public library system, including: (1) recommending library programming; (2) giving guidance regarding the expansion of library facilities; and (3) encouraging the development and improvement of the library.

Sec. 5.02.011 Parks and Recreation Advisory Board

- (a) The Parks and Recreation Advisory Board was established on February 11, 2008 by Ordinance No. 2008-02-07 and is designated as an Advisory Board of the City of Lancaster, Texas.

- (b) The Committee is established pursuant to Section 3.19 of the Lancaster Home Rule Charter to advise the City Council in regard to all matters relating to the City's Parks and Recreation Department, to study the City's parks and recreational programs, and advise the City Council regarding the future acquisition, development, enlargement and use policy of the parks and recreation system, including an annual review of the City's Master Parks Plan.

Sec. 5.02.012 Planning & Zoning Commission

- (a) The Planning & Zoning Commission was previously established by the City pursuant to Section 211.007 of the Texas Local Government Code, and is designated as a Statutory Board of the City of Lancaster, Texas.
- (b) A City Planner, or the designee of the City Manager shall serve as the Secretary of the Commission.
- (c) The Commission is established pursuant to Section 211.07 of the Texas Local Government Code, and is vested with the following powers and duties:
 - (i) to advise the City Council and make recommendations concerning adoption of, or amendments to, zoning regulations and the zoning map;
 - (ii) to advise the City Council and make recommendations concerning adoption of, or amendments to the City's Comprehensive Plan, Thoroughfare Plan, and Open Space Plan and implementation thereof;
 - (iii) to oversee the City's regulations governing the platting and recording of subdivisions, including matters pertaining to the dedication of public facilities, and to advise the Council on matters pertaining to public improvements, traffic, utility extension and the provision of public facilities and services, in order to implement the City's Comprehensive Plan;
 - (iv) to undertake such actions as are necessary to exercise its delegated powers, as indicated by adopted ordinance, including the granting of exceptions to zoning standards and the Lancaster Development Code;
 - (v) to approve certain matters relating to platting and recording of subdivisions as dictated by the City's ordinances (including the Lancaster Development Code);
 - (vi) other duties and powers as authorized by Chapter 211 of the Texas Local Government Code and other applicable state law.

Sec. 5.02.013 Property Standards and Appeals Board

- (a) The Property Standards and Appeals Board was established on July 24, 2006 by Ordinance No. 2006-07-24, and is designated as a Statutory Board of the City of Lancaster, Texas.

- (b) The board is empowered to hear the appeal of any person directly affected by a decision of the City's chief building official and/or code official or a notice or order issued under the International Property Maintenance code (and other model codes governing building, construction, and property maintenance standards) as adopted by the City and amended from time to time, provided that the code in question provides for an appellate process.
- (c) Appeals of notice and orders (other than imminent danger notices) shall stay the enforcement of the notice or order until the appeal is heard by the board.
- (d) The board shall meet upon notice from the City's *code official*, (as that term is used in the version of the International Property Maintenance Code currently adopted by the City), within twenty (20) days of the City's receipt of a notice of appeal, or at stated meetings that may be called from time to time. The appellant, the appellant's representative, and any other person whose interests are affected by the hearing shall be given an opportunity to present their case to the board.
- (e) The City Manager, or his or her designee(s) shall present all cases before the board. The City's *code official*, as that term is used in the version of the International Property Maintenance Code currently adopted by the City, shall have a standing designation, which may be modified at the will of the City Manager.
- (f) The board may, by a majority vote: (1) affirm the order of the *code official* being appealed and enforce the recommendation of the official; (2) modify the order of the *code official* being appealed, or (3) reverse the order of the *code official* being appealed.
- (g) Any person affected by the *code official's* order or the board's decision, may apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made within thirty (30) days of the board's decision.

Sec. 5.02.014 Sign Control Board

- (a) The Sign Control Board was previously established by the City Council and is designated as a Statutory Board of the City of Lancaster, Texas, when considering exceptions, and an Advisory Board of the City of Lancaster, Texas, when operating in its advisory capacity.
- (b) The Planning & Zoning Commission shall serve as the Sign Control Board.
- (c) The Board is established pursuant to Section 3.19 of the Lancaster Home Rule Charter to: (1) consider exceptions from the sign control provisions of the Lancaster Development Code, evaluating requested exceptions by considering: (a) the degree of exception; (b) the reasons for the exception; (c) the location of the exception; (d) the duration of the exception; (e) the effect on public safety; (f) protection of neighborhood property; (g) the degree of hardship or injustice involved; and (h) the effect of the exception on the general plan for signage throughout the City; and shall have the power to grant, deny, or grant with lesser exceptions any proposed exception before it; (2) to conduct continuing studies of sign ordinances in neighboring municipalities and other Texas cities and make

recommendations to the City Council where appropriate; (3) to conduct a continuing review of all nonconforming signs and exceptions granted and determine the desirability and effects upon the immediate area of the nonconforming signs and exceptions and the City as a whole and make recommendations to the City Council where appropriate; (4) to evaluate new signage methods and materials and make recommendations to City Council regarding their benefits and disadvantages; and (5) conduct such other sign-related studies and plans as directed by City Council.

Sec. 5.02.015 Tree Advisory Board

- (a) The Tree Advisory Board was previously established by the City Council and is designated as an Advisory Committee of the City of Lancaster, Texas.
- (b) The Planning & Zoning Commission shall serve as the Tree Board. When meeting in this capacity, they shall be an Advisory Board.
- (c) The Committee is established pursuant to Section 3.19 of the Lancaster Home Rule Charter to advise the City Council in regard to all matters relating to the City's tree preservation and urban forestry activities.

Sec. 5.02.016 Youth Advisory Committee

- (a) The Youth Advisory Committee was established on July 14, 2008 by Ordinance No. 2008-07-28 and is designated as an Advisory Board of the City of Lancaster, Texas.
- (b) The Board shall be composed of ten (10) student youth members, who shall be enrolled in a public or private accredited secondary school and who shall be fifteen years of age or older, and two sponsors, who shall be adults and residents of the City, and who shall be appointed to staggered terms. The City Manager (or his or her designee) shall appoint the student youth members. City Council shall appoint the sponsors. Terms of office shall be two (2) years for the sponsor, and two (2) years for five (5) of the student youth members and one (1) year for five (5) of the remaining student youth members. The Mayor serves as an advisor, and one (1) City Council member serves as a Council liaison to the Committee.
- (c) The Committee is established pursuant to Section 3.19 of the Lancaster Home Rule Charter to provide participation in municipal government by the local youth, and to advise the City Council on matters of relevance to young members of the community.

Sec. 5.02.017 Zoning Board of Adjustment

- (a) The Zoning Board of Adjustment was established on April 24, 2006 by Ordinance No. 2006-04-13 and is designated as a Statutory Board of the City of Lancaster, Texas.
- (b) The Board is established pursuant to Section 211.009 of the Texas Local Government Code, and the Board is vested with all the powers and duties set forth therein, including the authority to: (1) hear and decide an appeal that alleges an error in an order, requirement, decision, or determination made by an administrative official in the enforcement of Chapter 211, Subchapter A of the

Texas Local Government Code, under the provision that reversing such order, requirement, decision or determination of an administrative official must be supported by a vote of at least seventy-five (75%) percent of the Board; and (2) authorize in specific cases a variance from the terms of a zoning ordinance if the variance is not contrary to the public interest and due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and so that the spirit of the ordinance is observed and substantial justice is done, under the provision that granting a variance from the terms of a zoning ordinance must be supported by a vote of at least seventy-five (75%) percent of the Board.

...

SECTION 2. That all provisions of the City of Lancaster Code of Ordinances, and/or the Lancaster Development Code in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other provisions of the City of Lancaster Code of Ordinances and/or the Lancaster Development Code not in conflict with the provisions of this ordinance shall remain in full force and effect.


SECTION 3. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, or of the Lancaster Development Code, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Lancaster Development Code, as amended hereby, which shall remain in full force and effect.

SECTION 4. Any person, firm or corporation violating any of the provisions of this ordinance or the provisions of the Code of Ordinances of the City of Lancaster, Texas, as amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of Lancaster, Texas, shall be subject to a fine not to exceed the sum of Two Thousand (\$2,000.00) dollars for each offense, and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 5. This Ordinance shall become effective from and after its passage and publication by the City Secretary as required by law and the charter.


DULY PASSED by the City Council of the City of Lancaster, Texas, on the 10th day of December 2018.

ATTEST:



Sorangel O. Arenas, City Secretary

APPROVED:



Clyde C. Hairston, Mayor

APPROVED AS TO FORM:



David T. Ritter, City Attorney

BOARDS, COMMISSIONS AND COMMITTEES

Bylaws

Division 1. Boards, Commissions and Committees

Sec. 1.01 Establishment

There is hereby created and established within the City a Boards, Commissions and Committees by Ordinance 2018-xx-xx which shall be subject to the jurisdiction of the City Council and shall constitute a board, commission or committee to the City Council.

Sec. 1.02 Number of members

Shall be composed of five (5) regular members and one (1) alternate appointed by the City Council. Each member of the board, commission or committee shall meet the eligibility requirements established by the City Charter and the Board and Commission Ordinance. The staff liaison will appointed by the City Manager. The members shall serve at the pleasure of the City Council and may be removed at the discretion of the City Council.

Sec. 1.03 Term of office

The term of office of each board, commission or committee regular member shall be two (2) years, alternate member shall be one (1) year. Each board, commission or committee member shall be appointed so that three (3) members' terms shall expire in odd numbered years, and two (2) members' terms shall expire in even numbered years.

Sec. 1.04 Officers

The board, commission or committee shall have a Chair and a Vice-Chair, whose terms shall be one (1) year. The Chair and Vice-Chair shall be nominated by a majority vote of the board, commission or committee.

The Chair and Vice-chair shall be elected each year at the first regular meeting after the board, commission or committee members are appointed and have taken their oath of office.

Vacancies in office shall be handled as follows:

- a. In the event of resignation or incapacity of the Chair; the Vice-Chair shall become the Chair for the unexpired portion of the term.
- b. Vacancy of the Vice-Chair shall be filled for the unexpired term by special election.

Duties of the officers shall be as follows:

- a. Chair:
 - i. Preside at all meetings.

- b. Vice-chair:
 - i. Assist the Chair in directing the affairs of the Library Board and act in the Chair's absence.

Sec. 1.05 Meetings

The meeting of the board, commission or committee must meet at least two (2) times per year; once for open meeting act and public information act training, and once for a regular business meeting. All meetings shall be held in a public place with public notice as prescribed by law.

A simple majority of the regular members shall constitute a quorum at all meetings of the board, commission or committee. If a quorum is not present, the meeting shall be cancelled.

Robert's Rules of Order, Newly Revised governs the parliamentary procedure of the board, commission or committee in all cases to which they are applicable.

Sec. 1.06 Removal from office/absences

The regular members shall serve at the pleasure of the City Council and may be removed at the discretion of the City Council. Board, Commission and committee members are expected to maintain regular attendance at meetings in accordance with the attendance policy established by the Board and Commission Ordinance.

Sec. 1.07 Powers and authority

The board, commission and committee members provide opinion, support, and expertise as needed. Members shall:

- a. Provide advice and counsel to the Staff Liaison in matters relating to the services rendered. The Staff Liaison for each board will communicate updates on City events and the board, commission, or committee's contribution to advancing the City's goals and objectives, and shall provide quarterly attendance updates to the City Council and their respective board, commission, or committee.
- b. Review data and circumstances pertaining to their respective boards, commissions, or committees, and formulate and recommend to the city council, for its adoption, policies and regulations consistent with the overall city plan and ordinances.
- c. Study the need for, and encourage the development of knowledge of each board.

- d. Each board, commission, or committee at the direction of the city council, shall study and submit reports on any topics within their purview that the city council deems appropriate.
- e. programs for the development of Library facilities and necessary financial support for those facilities.
- f. Encourage in every possible way the development and advancement of the board.
- g. Participate in local events.
- h. Members of each board and commission shall comply with all statutory time limits, public notices, and the Texas Open Meetings Act, V.T.C.A., Government Code § 551.001 et seq.

Sec. 1.08 Amendments

These bylaws may be amended by the City Council at any regular meeting, provided all members have been notified of the proposed amendment. Such amendment would then be subject to approval by the City Council.

Boards, Commissions, and Committees																
	Airport Advisory Board	Animal Shelter Advisory Committee	Capital Improvements Advisory Committee	Civil Service	Economic Development Corp.(Type A)	Historic Landmark Preservation Committee	Lancaster Recreational Development Corp.(Type B)	Lancaster State Auxiliary Museum Advisory Board	Lancaster Veterans Memorial Library Advisory Board	Parks and Recreation Advisory Board	Planning and Zoning Commission	Sign Control Board	Tree Advisory Board	Property Standards and Appeals Board	Youth Advisory Committee	Zoning Board of Adjustment
Members	5-Regular 1-Alternate	5-Regular 1-Alternate	5-Regular 1-Alternate	3-Regular	5-Regular	5-Regular 1-Alternate	7-Regular	5-Regular 1-Alternate	5-Regular 1-Alternate	5-Regular 1-Alternate	5-Regular 1-Alternate	5-Regular 1-Alternate	5-Regular 1-Alternate	5-Regular 1-Alternate	10-Student 1-Sponsor	5-Regular 1-Alternate
Board Officers	Chair Vice-Chair	Chair Vice-Chair	Chair Vice-Chair	Chair Vice-Chair	President Secretary	Chair Vice-Chair	President Secretary	Chair Vice-Chair	Chair Vice-Chair	Chair Vice-Chair	Chair Vice-Chair	Chair Vice-Chair	Chair Vice-Chair	Chair Vice-Chair	Chair Vice-Chair	Chair Vice-Chair
Membership Requirement	*Must be current with any and all taxes or other liability to the City *Must be registered voter within the City	*Resident of the City *Must be current with any and all taxes or other liability to the City *Must be registered voter within the City	*Resident of the City *Must be current with any and all taxes or other liability to the City *Must be registered voter within the City	*Resident of the City *Must be current with any and all taxes or other liability to the City *Must be registered voter within the City	*Resident of the City *Must be current with any and all taxes or other liability to the City *Must be registered voter within the City	*Resident of the City *Must be current with any and all taxes or other liability to the City *Must be registered voter within the City	*Resident of the City *Must be current with any and all taxes or other liability to the City *Must be registered voter within the City	*Resident of the City *Must be current with any and all taxes or other liability to the City *Must be registered voter within the City	*Resident of the City *Must be current with any and all taxes or other liability to the City *Must be registered voter within the City	*Resident of the City *Must be current with any and all taxes or other liability to the City *Must be registered voter within the City	*Resident of the City *Must be current with any and all taxes or other liability to the City *Must be registered voter within the City	*Resident of the City *Must be current with any and all taxes or other liability to the City *Must be registered voter within the City	*Resident of the City *Must be current with any and all taxes or other liability to the City *Must be registered voter within the City	*Resident of the City *Must be current with any and all taxes or other liability to the City *Must be registered voter within the City	*Resident of the City *Must be current with any and all taxes or other liability to the City *Must be registered voter within the City	*Resident of the City *Must be current with any and all taxes or other liability to the City *Must be registered voter within the City
Terms	2 Yrs - Regular 1 Yr - Alternate	2 Yrs - Regular 1 Yr - Alternate	2 Yrs - Regular 1 Yr - Alternate	3 Yrs - Regular	3 Yrs - Regular	2 Yrs - Regular 1 Yr - Alternate	2 Yrs - Regular	2 Yrs - Regular 1 Yr - Alternate	2 Yrs - Regular 1 Yr - Alternate	2 Yrs - Regular 1 Yr - Alternate	2 Yrs - Regular 1 Yr - Alternate	2 Yrs - Regular 1 Yr - Alternate	2 Yrs - Regular 1 Yr - Alternate	2 Yrs - Regular 1 Yr - Alternate	2 Yrs - five youth 1 Yr - remaining five youth 2 Yrs - Adult Sponsor	2 Yrs - Regular 1 Yr - Alternate
Meeting Date & Times	*Shall meet at least two times a year and as needed *Meets on the 2nd Tuesday of each month - 7:00p.m.	*Shall meet at least three times a year and as needed *Meets on the 2nd Thursday of each month - 7:00p.m.	Shall meet as needed	*Shall meet each January, two times a year and as needed *Meets on the 4th Thursday of each month - 7:00p.m.	*Shall meet at least two times a year and as needed *Meets on the 3rd Thursday of each month - 7:00p.m.	*Shall meet at least two times a year and as needed *Meets on the 4th Tuesday of each month - 7:00p.m.	*Shall meet at least two times a year and as needed *Meets on the 3rd Tuesday of each month - 7:00p.m.	*Shall meet at least two times a year and as needed *Meets on the 1st Wednesday of each month - 7:00p.m.	*Shall meet at least two times a year and as needed *Meets on the 2nd Wednesday of each month - 7:00p.m.	*Shall meet at least two times a year and as needed *Meets on the 3rd Wednesday of each month - 7:00p.m.	*Shall meet at least two times a year and as needed *Meets on the 1st Tuesday of each month - 7:00p.m.	*Shall meet at least two times a year and as needed *Meets on the 1st Tuesday of each month - 7:00p.m.	*Shall meet at least two times a year and as needed *Meets on the 1st Tuesday of each month - 7:00p.m.	*Shall meet at least two times a year and as needed *Meets on the 1st Thursday of each month - 7:00p.m.	*Shall meet at least two times a year and as needed *Meets on the 4th Wednesday of each month - 7:00p.m.	*Shall meet at least two times a year and as needed *Meets on the 4th Thursday of each month - 7:00p.m.

CITY OF LANCASTER BOARDS AND COMMISSIONS

Lancaster Recreational Development Corporation (LRDC)

2.

Meeting Date: 07/18/2023

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

Goal(s): Healthy, Safe & Engaged Community

Submitted by: Dori Lee, Assistant City Manager

Agenda Caption:

Discuss and consider the Lancaster Recreational Development Corporation bylaws.

Background:

The Lancaster Recreational Development Corporation is a Type B economic development corporation authorized by the Development Corporation Act of 1979 as amended, Article 5193.6, Tex. Rev. Civ. Stats, Section 4B of the Act. The Lancaster Recreational Development Corporation was incorporated and approved on September 25, 1995 by Resolution No. 37-95, and currently operates under such amended bylaws as approved by the City Council.

In 2006 the Board of Directors of the Lancaster Recreational Development Corporation (LRDC) reviewed and approved amendments to the bylaws by Resolution No. 2006-03-22.

City Council adopted Ordinance No. 2018-12-53 December 10, 2018 amending the Lancaster Code of Ordinances by providing a single ordinance reference for City Boards, Commissions and Committee, including the Lancaster Recreational Development Corporation (Type B) LRDC Board.

Article 5.01 GENERAL PROVISIONS

Sec. 5.01.005 Form Bylaws (a) The City Council shall promulgate a set of form bylaws for use by the Advisory Boards which shall become effective when adopted. An advisory board or commission that seeks to amend its bylaws must submit the proposed change to the City Council for consideration and approval before it becomes effective.

The Corporation will receive a presentation from a representative of the City Attorney's Office regarding aligning the bylaws with Ordinance No. 2018-12-53.

Bylaw amendments approved by the Lancaster Recreational Development Corporation are presented to City Council for consideration of ratification and acceptance.

Public Information Considerations:

This item is being considered at a Regular Meeting of the Lancaster Recreational Development Corporation noticed in accordance with the Texas Open Meetings Act.

Options/Alternatives:

1. The Corporation may approve the amended bylaws as presented.
2. The Corporation may deny the amended bylaws as presented.

Recommendation:

Staff recommends approval of the draft bylaws as presented by the Assistant City Attorney.

Attachments

Resolution

Draft Bylaws

2018 Ordinance

Current Bylaws

RESOLUTION NO.

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE LANCASTER RECREATIONAL DEVELOPMENT CORPORATION, APPROVING AMENDED BYLAWS; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The Board of Directors of the Lancaster Recreational Development Corporation (LRDC) has reviewed the bylaws of the Corporation and determined that certain revisions are appropriate; and

WHEREAS, The Board of Directors of the LRDC has approved proposed amendments to the bylaws of the Corporation; and

WHEREAS, The Board of Directors of the LRDC is complying with the City Council's direction for all City Boards, Commissions, and other constituent units to conform as nearly as possible to the model bylaws promulgated through the City's Boards and Commissions Ordinance.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE LANCASTER RECREATIONAL DEVELOPMENT CORPORATION OF THE CITY OF LANCASTER, TEXAS:

SECTION 1. That the LRDC Board of Directors approves the amended bylaws of the Lancaster Recreational Development Corporation, a true copy of which is attached hereto as Exhibit "A" and made part hereof for all purposes.

SECTION 2. Having approved the amended bylaws, the LRDC Board of Directors now forwards this Resolution for consideration and of the bylaws by the City Council, such amendments to the bylaws being effective only upon Council approval.

SECTION 3. That all previous resolutions of the LRDC Board of Directors in conflict with this resolution are hereby repealed to the extent of the conflict.

SECTION 4. That this resolution shall take effect immediately from and after its passage, and it is accordingly so resolved.

DULY PASSED and approved by the Board of Directors of the Lancaster Recreational Development Corporation, on this the 18th day of July 2023.

ATTEST:

APPROVED:

Dori Lee, Assistant City Manager

Mary Sykes, Chair

APPROVED AS TO FORM:

David T. Ritter, City Attorney

BYLAWS
of the
LANCASTER RECREATIONAL DEVELOPMENT CORPORATION

Article I – Establishment, Purpose, and Powers

Sec. 1.01 Establishment

The Lancaster Recreational Development Corporation is a Type-B economic development corporation (“LRDC”) which shall be subject to the jurisdiction of the City Council as set forth in Chapters 501 and 505 of the Texas Local Government Code. For purposes of the Texas Tort Claims Act, and consistent with its Articles of Incorporation, the LRDC is considered to be a governmental unit and its actions are governmental functions.

Sec. 1.02 Purposes and Powers

- (a) **Long-Term Purposes and Powers.** The Corporation is incorporated for the purposes set forth in Article Four of its Articles of Incorporation, the same to be accomplished on behalf of the City, as a duly constituted authority and instrumentality operating as a Type-B economic development corporation. This includes all permissible projects described by the Act, such as parks, auditoriums, learning centers, open space improvements, athletic and exhibition facilities, and other related improvements and for maintenance and operating costs of the publicly-owned and operated projects in accordance with applicable law.
- (b) **Current Purposes and Powers.** The current purpose of the LRDC is to pay the City for: (1) the bonds issued to build the following facilities: Lancaster Veterans Memorial Library (completed May 2001), the Recreation Center (completed June 2001), and Dewberry Park (completed 1999), and (2) the maintenance and operations (“M&O”) costs associated with those facilities and the Community Park land (purchased 1997) on which the Library, Recreation Center and Senior Life Center are located.

Until all bonds noted in Section 1.02(b) have been fully paid, and a City Council resolution to that effect has been issued, the LRDC will operate under the Current Purposes and Powers, and any corresponding powers shall be so restricted. Immediately upon receipt of the City Council resolution releasing it from the Current Purposes, the LRDC shall operate under the Long-Term Purposes and Powers.

Article II – Board of Directors

Sec. 2.01 Number of Directors

The LRDC Board shall be composed of seven (7) Directors appointed by the City Council. Each Director shall meet the eligibility requirements established by the City Charter and the Board and Commission Ordinance. The staff liaison will be appointed by the City Manager. The Directors shall serve at the pleasure of the City Council and may be removed at the discretion of the City Council, and all Directors shall serve without compensation.

Sec. 2.02 Term of office

The term of office of each director shall be two (2) years, with four (4) members' terms expiring in odd numbered years, and three (3) members' terms expiring in even numbered years.

Sec. 2.03 Officers

The LRDC Board shall have a President and a Vice-President, (collectively "Officers") whose terms shall be one (1) year but not more than two (2) consecutive terms in one (1) office. No Director shall serve for a total period of more than two (2) consecutive years as President or Vice-President. The Officers shall be nominated by a majority vote of the Board. All Board members are voting members.

The President and Vice-President shall be elected each year at the first regular meeting after the Directors are appointed and have taken their oath of office.

Vacancies in office shall be handled as follows:

- a. In the event of resignation or incapacity of the President; the Vice-President shall become the President for the unexpired portion of the term.
- b. Vacancy of the Vice-President, Secretary, or Treasurer shall be filled for the unexpired term by special election.

Duties of the officers shall be as follows:

a. President:

- i. Conduct the affairs of the LRDC in accordance with the applicable purposes and powers and preside at all meetings.

b. Vice-President:

- i. Assist the President in conducting the affairs of the LRDC in accordance with the applicable purposes and powers, and act in the President's absence.

c. Secretary and Treasurer:

The offices of Secretary and Treasurer shall not be filled from the membership of the Board; but these duties will instead be performed by staff members of the City. The City staff liaison will take minutes of the meetings and present them to the Board for review and ratification, and the City Secretary's office shall maintain the permanent records of the LRDC. City staff will also provide the functional duties of the Treasurer and shall be responsible for handling, custody, and security of all funds and securities of the LRDC and the entry of complete and accurate information in the books and records of the LRDC.

An Officer may resign at any time, and such resignation shall be made in writing and shall take effect as specified in the writing, or, if no time is specified, at the time of its receipt by the President or Secretary. The formal acceptance of a resignation shall not be necessary to make it effective unless specifically so provided in the resignation.

Sec. 2.04 Meetings

The LRDC must meet at least two (2) times per year; once for open government training, and once for a regular business meeting. All meetings shall be held in a public place with public notice as prescribed by law, and in accordance with the Texas Open Meetings Act.

A simple majority of the regular members shall constitute a quorum at all meetings of the board, commission or committee. If a quorum is not present, the meeting shall be cancelled.

Robert's Rules of Order, Newly Revised is used a guideline for the Board's parliamentary procedures.

The meeting date shall be established by the then-current Boards and Commissions meeting schedule established by the City Council. Changes in the Boards and Commissions meeting schedule by City Council shall become immediately effective upon passage and no amendment to these bylaws shall be necessary to effect a change in the meeting date.

Sec. 2.05 Removal from office/absences

The directors shall serve at the pleasure of the City Council and may be removed at the discretion of the City Council. Directors are expected to maintain regular attendance at meetings in accordance with the attendance policy established by the Board and Commission Ordinance.

Sec. 2.06 Powers and authority

The Directors provide opinion, support, and expertise as needed. Directors shall:

- a. Provide advice and counsel to the Staff Liaison in matters relating to the operations of the LRDC and the Board. The Staff Liaison for the LRDC will communicate updates on City events and the LRDC's contribution to advancing the City's goals and objectives (subject to the purposes set forth in Article 1), and shall provide quarterly attendance updates to the City Council and the LRDC.
- b. Review data and circumstances pertaining to the LRDC (subject to the purposes set forth in Article 1) and formulate and recommend to the City Council, for its adoption, policies and regulations consistent with the overall City plan and ordinances.
- c. Study the need for, and encourage the development of knowledge of the LRDC.
- d. At the direction of the City Council, shall study and submit reports on any topics within its purview that the City Council deems appropriate.
- e. Encourage in every possible way the development and advancement of the LRDC.
- f. Participate in local events.

- g. Directors shall comply with all statutory time limits, public notices, and the Texas Open Meetings Act, V.T.C.A., Government Code § 551.001 et seq.

Article III – Budget and Operations

Sec. 3.01 Annual Corporate Budget

At least sixty (60) days prior to the commencement of each Fiscal Year (“FY”) of the LRDC, the Board shall adopt a proposed budget of expected revenues and proposed expenditures for the ensuing FY. Each FY shall be identical to the then-current FY policy of the City. The budget shall contain such detail and shall be in such form as may be prescribed from time to time by the City Council. The budget shall not be effective until approved by City Council.

Section 3.02 Books, Records, and Audit

- a) In accordance with Section 2.03, *supra*, The LRDC shall keep and properly maintain, in accordance with GAAP, complete books, records, accounts, and financial statements pertaining to its corporate funds, activities, and affairs.
- b) At the direction of City Council, the books, records, accounts, and financial statements of the LRDC will be maintained for the LRDC by the accountants, staff, and personnel of the City.
- c) The LRDC’s books and records shall be audited at least once every fiscal year by an outside, independent auditing and accounting firm selected by the City Council, as part of the City’s annual unified audit process.

Section 3.03 Deposit and Investment

Subject to the requirements of contracts, agreements, or bond or debt terms, the monies of the LRDC shall be deposited, secured, and invested in the manner consistent with the investment policy of the City. The accounts, reconciliation, and investment of such funds shall be performed by the City’s finance personnel.

Section 3.04 Services of City Staff and Officers

Subject to the paramount authority of the City Manager and under the City Charter, the LRDC shall have the right to use the services of the City Attorney, City Secretary, and Finance staff of the City, provided: (1) that the LRDC shall pay reasonable compensation for such services; and (2) that the performance of such services does not materially interfere with their duties to the City.

Article IV – Amendments

Sec. 4.01 Amendments

These bylaws may be amended by the LRDC Board at any regular meeting, provided all Directors have been notified of the proposed amendment. No amendment shall be effective unless and until approved by the City Council.

ORDINANCE NO. 2018-12-53

AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS, AMENDING THE LANCASTER CODE OF ORDINANCES, BY ESTABLISHING A NEW CHAPTER 5 “BOARDS, COMMISSIONS AND COMMITTEES”; BY DISBANDING THE CITIZEN ADVISORY COMMITTEE (FOR PHOTOGRAPHIC TRAFFIC CONTROL SIGNAL ENFORCEMENT SYSTEM); PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the following Boards, Commissions and Committees have previously been established by resolution or ordinance by prior City Councils: (1) Airport Advisory Board; (2) Animal Shelter Advisory Committee; (3) Capital Improvements Advisory Committee; (4) Citizen Advisory Committee (Photographic Traffic Control Signal Enforcement System); (5) Civil Service Commission; (6) Economic Development Corporation (Type A); (7) Historic Landmark Preservation Committee; (8) Lancaster Recreational Development Corporation (Type B); (9) Lancaster State Auxiliary Museum Advisory Board; (10) Lancaster Veterans Memorial Library Advisory Board; (11) Parks and Recreation Advisory Board; (12) Planning and Zoning Commission; (13) Property Standards and Appeals Board; (14) Sign Control Board; (15) Tree Board; (16) Youth Advisory Committee; and (17) Zoning Board of Adjustment; and

WHEREAS, the City Council of the City of Lancaster, Texas (the “Council”) has determined that it is in the best interest of the City to recodify the portions of the City of Lancaster Code of Ordinances dealing with City Boards, Commissions and Committees in order to (1) provide a uniform structure for City Boards, Commissions and Committees and to delineate the rights and responsibilities of each City Board and Commission; and (2) aid in administrative efficiency and open government by providing a single ordinance reference for City Boards, Commissions and Committees.

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

SECTION 1. That the Code of Ordinances for the City of Lancaster be amended by adding a new Chapter 5 of the City of Lancaster Code of Ordinances, and the new Chapter 5 shall read as follows:

“ ...

CHAPTER 5: BOARDS, COMMISSIONS AND COMMITTEES

Preliminary Statement A: This Chapter is intended to be a recodification of City Boards, Commissions and Committees as they existed on the date of adoption. In passing this ordinance, all existing enabling ordinances and resolutions shall remain in effect, except to the extent they directly conflict with, or are modified by, this ordinance. In the case of conflict between existing ordinances and resolutions, this ordinance shall control.

Preliminary Statement B: The members and/or directors of the Boards, Commissions and Committees listed herein currently serving at the time of the passage of this ordinance shall continue their service upon the adoption of this ordinance and each member or director serving on a Board or Commission shall upon adoption of this ordinance shall maintain their seat and serve out the remainder of their term unless otherwise removed from their seat pursuant to the terms of this ordinance or applicable bylaws of their respective Board or Commission. At the time for reappointment or appointment of new members, any Board or Commission that has a reduction in membership due to the general provisions of Section 5.01.001(c) shall have only five (5) members appointed or reappointed to the Board or Commission, in addition to one (1) alternate member, unless specifically stated to the contrary by any section in this Chapter 5. All bylaws of each City Board and Commission in effect upon the adoption of this ordinance shall continue to be in effect unless and until amended in accordance with the bylaw policy and/or other applicable state law.

ARTICLE 5.01 GENERAL PROVISIONS

Sec. 5.01.001 Board and Commission appointments, terms, removal, and meetings.

- (a) Unless stated to the contrary herein, all appointments to Boards, Commissions and Committees of the City shall be made by the City Council.
- (b) All appointments to Boards, Commissions and Committees of the City shall expire on December 1st of the year in which they would normally expire. At the first meeting of the board or commission following December 1st, a chairperson and vice-chairperson shall be elected by the members of the board or commission. Should no appointment be made at the time a term would otherwise expire, the sitting board, commission, or committee member will continue to serve in an interim capacity until the replacement appointment has been made.
- (c) Unless expressly stated to the contrary herein, each board, commission or committee of the City shall be composed of five (5) members, and the term of appointment for regular members shall be for two (2) years, one (1) alternate member, the alternate member serving a term of one (1) year.
- (d) Unless expressly stated to the contrary herein, the board and commission members serve at the pleasure of the City Council and may be removed at any time by a majority vote of the Council.
- (e) All Boards, Commissions and Committees must meet at least two (2) times per year; once for open meeting act and public information act training, and once for a regular business meeting. Additional meetings may be held separately for work sessions, educational training, and city updates.
- (f) Unless expressly stated to the contrary herein, a simple majority of each board or commission shall serve to establish a quorum for a board or commission.

- (g) Subject to the provisions of subsection (d), above, a board or commission member should regularly attend meetings in order to ensure that a quorum can be met and business transacted. Three (3) consecutive absences, or a total of five (5) absences during a twelve-month period shall cause the City Council to consider removal of the board or commission member. Failure to meet these attendance requirements will also bar the member from being re-appointed for a subsequent term, absent the showing of good cause presented to, and accepted by the City Council based on special circumstances.
- (h) All City Councilmembers, with the exception of the Mayor, may serve at as the Council liaison to the boards and commissions of the City for a period of one year. A Council liaison for each board or commission shall be selected by the City Council by order of seniority. Unless provided for to the contrary by specific ordinance, the liaison shall not vote, count towards a quorum, or otherwise be considered a regular member of the board or commission to which he or she is appointed.
- (i) A Staff liaison shall be appointed by the City Manager for each board or commission.
- (j) The Boards, Commissions and Committee Matrix, attached to this ordinance as **Appendix A**, setting forth a summary of the membership, requirements, terms, dates and times, and other information, is hereby incorporated herein and adopted by the City Council. To the extent that there is a conflict between the Boards, Commissions and Committees Matrix and the text of this ordinance, the text of this ordinance will control.

Sec. 5.01.002 Qualifications of Board and Commission members.

- (a) Unless stated to the contrary herein, each board or commission or committee member must reside within the corporate limits of the City at the time of the appointment to the board or commission; must not be in arrears in the payment of any taxes or other liability due to the City; and must be a registered voter within the City.
- (b) Additional board, commission or committee qualifications may be specified in the board- and commission-specific portions of Section 5.02. herein.
- (c) Any board, commission or committee member ceasing to possess any of the qualifications set forth in this section, or in the board- and commission-specific portions of Section 5.02, herein, applicable to their particular board, shall immediately forfeit his or her office.

Sec. 5.01.003 Advisory Boards and Statutory Boards

- (a) Each City board, commission or committee shall be identified as "Advisory" or "Statutory", or as special purpose corporations such as economic development corporations. Advisory boards shall serve only in an advisory capacity and shall make recommendations to the City Council for further action and consideration. Statutory boards and special purpose corporations may possess decision-making and/or quasi-judiciary powers and functions as designated by their applicable enabling statute.

Sec. 5.01.004 Applicability of Texas Open Meetings Act

- (a) All City boards or commissions shall operate according to the provisions of the Texas Open Meetings Act, (Chapter 551 of the Texas Government Code), as amended.

Sec. 5.01.005 Form Bylaws

- (a) The City Council shall promulgate a set of form bylaws for use by the Advisory Boards which shall become effective when adopted. An advisory board or commission that seeks to amend its bylaws must submit the proposed change to the City Council for consideration and approval before it becomes effective.

ARTICLE 5.02 BOARD- AND COMMISSION-SPECIFIC PROVISIONS

Sec. 5.02.001 Airport Advisory Board

- (a) The Airport Advisory Board was established on April 17, 1978 by Resolution No. 4-78 and is designated as an Advisory Board of the City of Lancaster, Texas.
- (b) It is recommended that members have a working knowledge of airport and/or aviation operations, rent or own a hanger or other space at Lancaster Regional Airport, or operate a business at Lancaster Regional Airport. Members of this Board are exempt from the requirements of Sec. 5.01.002(a).
- (c) The Board is established pursuant to Section 3.19 of the Lancaster Home Rule Charter to advise the City Council regarding the expansion and capital improvement, of Lancaster Regional Airport.

Sec. 5.02.002 Animal Shelter Advisory Committee

- (a) The Animal Shelter Advisory Committee was established on March 10, 2008 by Resolution No. 2008-03-22, is subject to the Interlocal Agreement for Animal Control Services between the City and the City of Hutchins, and is designated as an Advisory Board of the City of Lancaster, Texas.
- (b) The Committee shall be composed of five (5) regular members including one (1) Alternate, and shall include at least one (1) licensed veterinarian, one (1) county or municipal official, one (1) person whose duties include the daily operation of an animal shelter, and one (1) representative from an animal welfare organization. Three (3) members shall be appointed by the City, and three (3) members shall be appointed by the City of Hutchins.
- (c) The Committee is established pursuant to Texas Health and Safety Code, Section 823.005, to ensure that the City animal shelter meets the state operating requirements.
- (d) The Committee shall meet no less than three (3) times per year.

Sec. 5.02.003 Capital Improvements Advisory Committee

- (a) The Capital Improvements Advisory Committee was established on June 18, 1990 by Resolution No. 21-90 and is designated as an Advisory Board of the City of Lancaster, Texas.
- (b) At least two (2) members of the Committee shall be representatives of the real estate, development, or building industries who are not employees or officials of a political subdivision or governmental entity. If the Texas Local Government Code Chapter 395 impact fee is to be applied to the extraterritorial jurisdiction of the City, one member of the Committee must be a representative from the area where the impact fee will be apply.
- (c) The Committee is established pursuant to Texas Local Government Code, Section 395.058, to (a) advise and assist the City in adopting land use assumptions; (b) review the City's capital improvements plan and file written comments; (c) monitor and evaluate implementation of the City's capital improvements plan; (d) file semiannual reports with respect to the progress of the City's capital improvements plan and report to the City Council any perceived inequities in implementing the plan or imposing the impact fee; and advise the City Council of the need to update or revise the land use assumptions, capital improvements plan, and impact fee.

Sec. 5.02.004 Citizen Advisory Committee (Photographic Traffic Control Signal Enforcement System)

- (a) The Citizen Advisory Committee was established on December 10, 2007 by Resolution No. 2007-12-138.
- (b) The Committee was established pursuant to Texas Transportation Code provisions regarding the installation and operation of Photographic Traffic Control Signal Enforcement Systems. Given that there are no such systems currently operating or contemplated within the City, this Committee is hereby disbanded.

Sec. 5.02.005 Civil Service Commission

- (a) The Civil Service Commission was established pursuant to the May 8, 1995 Resolution No. 21-95 which canvassed the results of the election in which Texas Local Government Code Chapter 143 Civil Service was established by the electorate, and is designated as a Statutory Board of the City of Lancaster, Texas.
- (b) The Commission shall be composed of three (3) members, with no alternate members, who shall be appointed by the City Manager and confirmed by the City Council. Members shall serve staggered three (3) year terms with the term of one member expiring each year. Each person appointed to the commission must: (1) be of good moral character; (2) be a United States citizen; (3) be a resident of the City who has resided in the City for more than three (3) years; (4) be over 25 years of age; and (5) not have held a public office within the preceding three years.

- (c) The Commission is established pursuant to Texas Local Government Code, Section 143.006, to ensure that the City conforms to the requirements of Chapter 143 of the Texas Local Government Code, and to investigate and report on all matters relating to the enforcement and effect of Chapter 143, including appeals from fire fighters or police officers. The Commission is empowered to (1) administer oaths, (2) issue subpoenas to complete the attendance of witnesses and the production of books, papers, documents, and accounts relating to the investigation; and (3) cause the deposition of witnesses residing inside or outside the state, pursuant to Section 143.009 of the Texas Local Government Code.

Sec. 5.02.006 Economic Development Corporation – (Type A)

- (a) The Lancaster Economic Development Corporation is a Type A economic development corporation, and had its initial bylaws approved on October 9, 1995 by Resolution No. 38-95, and currently operates under such amended bylaws as approved by City Council.
- (b) The Corporation shall consist of five (5) directors, with no alternate members. The Board of Directors shall appoint, at a minimum, a president and a secretary, and such other officers as designated in its then-current bylaws.
- (c) The Committee is established pursuant to Texas Local Government Code, Section 504.051, to promote economic development in the City and the area, and to perform all duties as authorized by Chapter 504 of the Texas Local Government Code for Type A corporations.

Sec. 5.02.007 Historic Landmark Preservation Committee

- (a) The Historic Landmark Preservation Committee was established on December 5, 1994 by Ordinance No. 31-94 and is designated as an Advisory Board of the City of Lancaster, Texas.
- (b) Members of the committee shall be appointed by the Planning & Zoning Commission and confirmed by City Council. Each member appointed to the committee shall have a demonstrated interest in or knowledge of historic preservation practices and principles. Of the regular members, at least three (3) shall have experience and/or expertise in the following fields: architecture, planning, landscape architecture, building construction or real estate appraisal. At least one (1) member shall be a member of the Lancaster Historical Society. At least one (1) member shall be the owner of a designated historic landmark or property within an historic district.
- (c) The Committee is established pursuant to Section 3.19 of the Lancaster Home Rule Charter to: (1) adopt criteria for the designation of historic, architectural, and cultural landmarks and the delineation of historic districts for submission to Planning & Zoning and City Council; (2) Recommend to the Planning & Zoning Commission (for subsequent submission to the City Council) recognition of individuals and organizations who own designated historical landmarks or properties within designated historic districts through the conferral of certificates, plaques, or markers; (3) Increase public awareness of the value of historic, cultural and architectural preservation by developing and participating in public education programs; (4) Recommend the designation of sites, buildings, structures, objects or areas a landmarks or historic districts; (5) Make recommendations to the

Planning & Zoning Commission (for subsequent submission to the City Council) regarding the utilization of funds and funding methods (such as tax deferments, grants, fees, and donations); to promote the preservation and vitality of landmarks and historic districts within the City; and (6) Review and make recommendations on applications for Certificates of Appropriateness and Certificates of Economic Hardship; and (7) ensure compliance with U.S. Department of the Interior standards for historic landmarks

Sec. 5.02.008 Lancaster Recreational Development Corporation – (Type B)

- (a) The Lancaster Recreational Development Corporation is a Type B economic development corporation incorporated and approved on September 25, 1995 by Resolution No. 37-95, and currently operates under such amended bylaws as approved by City Council.
- (b) The Corporation shall consist of seven (7) directors with no alternate members, who shall serve two (2) year terms. The Board of Directors shall appoint, at a minimum, a president and a secretary, and such other officers as designated in its then-current bylaws.
- (c) The Committee is established pursuant to Texas Local Government Code, Section 505.003, to promote authorized projects and to perform all duties as authorized by Chapter 505 of the Texas Local Government Code for Type B corporations.

Sec. 5.02.009 Lancaster State Auxiliary Museum Advisory Board

- (a) The Lancaster State Auxiliary Museum Board Advisory Board was established on March 23, 2015 by Resolution No. 2015-03-22 and is designated as an Advisory Board of the City of Lancaster, Texas.
- (b) The Board is established pursuant to Section 3.19 of the Lancaster Home Rule Charter to report to City Council on all matters concerning the City of Lancaster State Auxiliary Museum and to promote public interest in the Museum.

Sec. 5.02.010 Lancaster Veterans Memorial Library Advisory Board

- (a) The Lancaster Veterans Memorial Library Advisory Board was established on December 17, 1984 by Ordinance No. 51-84 and is designated as an Advisory Board of the City of Lancaster, Texas.
- (b) The Board is established pursuant to Section 3.19 of the Lancaster Home Rule Charter to report to City Council on all matters concerning the City's public library system, including: (1) recommending library programming; (2) giving guidance regarding the expansion of library facilities; and (3) encouraging the development and improvement of the library.

Sec. 5.02.011 Parks and Recreation Advisory Board

- (a) The Parks and Recreation Advisory Board was established on February 11, 2008 by Ordinance No. 2008-02-07 and is designated as an Advisory Board of the City of Lancaster, Texas.

- (b) The Committee is established pursuant to Section 3.19 of the Lancaster Home Rule Charter to advise the City Council in regard to all matters relating to the City's Parks and Recreation Department, to study the City's parks and recreational programs, and advise the City Council regarding the future acquisition, development, enlargement and use policy of the parks and recreation system, including an annual review of the City's Master Parks Plan.

Sec. 5.02.012 Planning & Zoning Commission

- (a) The Planning & Zoning Commission was previously established by the City pursuant to Section 211.007 of the Texas Local Government Code, and is designated as a Statutory Board of the City of Lancaster, Texas.
- (b) A City Planner, or the designee of the City Manager shall serve as the Secretary of the Commission.
- (c) The Commission is established pursuant to Section 211.07 of the Texas Local Government Code, and is vested with the following powers and duties:
 - (i) to advise the City Council and make recommendations concerning adoption of, or amendments to, zoning regulations and the zoning map;
 - (ii) to advise the City Council and make recommendations concerning adoption of, or amendments to the City's Comprehensive Plan, Thoroughfare Plan, and Open Space Plan and implementation thereof;
 - (iii) to oversee the City's regulations governing the platting and recording of subdivisions, including matters pertaining to the dedication of public facilities, and to advise the Council on matters pertaining to public improvements, traffic, utility extension and the provision of public facilities and services, in order to implement the City's Comprehensive Plan;
 - (iv) to undertake such actions as are necessary to exercise its delegated powers, as indicated by adopted ordinance, including the granting of exceptions to zoning standards and the Lancaster Development Code;
 - (v) to approve certain matters relating to platting and recording of subdivisions as dictated by the City's ordinances (including the Lancaster Development Code);
 - (vi) other duties and powers as authorized by Chapter 211 of the Texas Local Government Code and other applicable state law.

Sec. 5.02.013 Property Standards and Appeals Board

- (a) The Property Standards and Appeals Board was established on July 24, 2006 by Ordinance No. 2006-07-24, and is designated as a Statutory Board of the City of Lancaster, Texas.

- (b) The board is empowered to hear the appeal of any person directly affected by a decision of the City's chief building official and/or code official or a notice or order issued under the International Property Maintenance code (and other model codes governing building, construction, and property maintenance standards) as adopted by the City and amended from time to time, provided that the code in question provides for an appellate process.
- (c) Appeals of notice and orders (other than imminent danger notices) shall stay the enforcement of the notice or order until the appeal is heard by the board.
- (d) The board shall meet upon notice from the City's *code official*, (as that term is used in the version of the International Property Maintenance Code currently adopted by the City), within twenty (20) days of the City's receipt of a notice of appeal, or at stated meetings that may be called from time to time. The appellant, the appellant's representative, and any other person whose interests are affected by the hearing shall be given an opportunity to present their case to the board.
- (e) The City Manager, or his or her designee(s) shall present all cases before the board. The City's *code official*, as that term is used in the version of the International Property Maintenance Code currently adopted by the City, shall have a standing designation, which may be modified at the will of the City Manager.
- (f) The board may, by a majority vote: (1) affirm the order of the *code official* being appealed and enforce the recommendation of the official; (2) modify the order of the *code official* being appealed, or (3) reverse the order of the *code official* being appealed.
- (g) Any person affected by the *code official's* order or the board's decision, may apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made within thirty (30) days of the board's decision.

Sec. 5.02.014 Sign Control Board

- (a) The Sign Control Board was previously established by the City Council and is designated as a Statutory Board of the City of Lancaster, Texas, when considering exceptions, and an Advisory Board of the City of Lancaster, Texas, when operating in its advisory capacity.
- (b) The Planning & Zoning Commission shall serve as the Sign Control Board.
- (c) The Board is established pursuant to Section 3.19 of the Lancaster Home Rule Charter to: (1) consider exceptions from the sign control provisions of the Lancaster Development Code, evaluating requested exceptions by considering: (a) the degree of exception; (b) the reasons for the exception; (c) the location of the exception; (d) the duration of the exception; (e) the effect on public safety; (f) protection of neighborhood property; (g) the degree of hardship or injustice involved; and (h) the effect of the exception on the general plan for signage throughout the City; and shall have the power to grant, deny, or grant with lesser exceptions any proposed exception before it; (2) to conduct continuing studies of sign ordinances in neighboring municipalities and other Texas cities and make

recommendations to the City Council where appropriate; (3) to conduct a continuing review of all nonconforming signs and exceptions granted and determine the desirability and effects upon the immediate area of the nonconforming signs and exceptions and the City as a whole and make recommendations to the City Council where appropriate; (4) to evaluate new signage methods and materials and make recommendations to City Council regarding their benefits and disadvantages; and (5) conduct such other sign-related studies and plans as directed by City Council.

Sec. 5.02.015 Tree Advisory Board

- (a) The Tree Advisory Board was previously established by the City Council and is designated as an Advisory Committee of the City of Lancaster, Texas.
- (b) The Planning & Zoning Commission shall serve as the Tree Board. When meeting in this capacity, they shall be an Advisory Board.
- (c) The Committee is established pursuant to Section 3.19 of the Lancaster Home Rule Charter to advise the City Council in regard to all matters relating to the City's tree preservation and urban forestry activities.

Sec. 5.02.016 Youth Advisory Committee

- (a) The Youth Advisory Committee was established on July 14, 2008 by Ordinance No. 2008-07-28 and is designated as an Advisory Board of the City of Lancaster, Texas.
- (b) The Board shall be composed of ten (10) student youth members, who shall be enrolled in a public or private accredited secondary school and who shall be fifteen years of age or older, and two sponsors, who shall be adults and residents of the City, and who shall be appointed to staggered terms. The City Manager (or his or her designee) shall appoint the student youth members. City Council shall appoint the sponsors. Terms of office shall be two (2) years for the sponsor, and two (2) years for five (5) of the student youth members and one (1) year for five (5) of the remaining student youth members. The Mayor serves as an advisor, and one (1) City Council member serves as a Council liaison to the Committee.
- (c) The Committee is established pursuant to Section 3.19 of the Lancaster Home Rule Charter to provide participation in municipal government by the local youth, and to advise the City Council on matters of relevance to young members of the community.

Sec. 5.02.017 Zoning Board of Adjustment

- (a) The Zoning Board of Adjustment was established on April 24, 2006 by Ordinance No. 2006-04-13 and is designated as a Statutory Board of the City of Lancaster, Texas.
- (b) The Board is established pursuant to Section 211.009 of the Texas Local Government Code, and the Board is vested with all the powers and duties set forth therein, including the authority to: (1) hear and decide an appeal that alleges an error in an order, requirement, decision, or determination made by an administrative official in the enforcement of Chapter 211, Subchapter A of the

Texas Local Government Code, under the provision that reversing such order, requirement, decision or determination of an administrative official must be supported by a vote of at least seventy-five (75%) percent of the Board; and (2) authorize in specific cases a variance from the terms of a zoning ordinance if the variance is not contrary to the public interest and due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and so that the spirit of the ordinance is observed and substantial justice is done, under the provision that granting a variance from the terms of a zoning ordinance must be supported by a vote of at least seventy-five (75%) percent of the Board.

...

SECTION 2. That all provisions of the City of Lancaster Code of Ordinances, and/or the Lancaster Development Code in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other provisions of the City of Lancaster Code of Ordinances and/or the Lancaster Development Code not in conflict with the provisions of this ordinance shall remain in full force and effect.


SECTION 3. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, or of the Lancaster Development Code, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Lancaster Development Code, as amended hereby, which shall remain in full force and effect.

SECTION 4. Any person, firm or corporation violating any of the provisions of this ordinance or the provisions of the Code of Ordinances of the City of Lancaster, Texas, as amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of Lancaster, Texas, shall be subject to a fine not to exceed the sum of Two Thousand (\$2,000.00) dollars for each offense, and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 5. This Ordinance shall become effective from and after its passage and publication by the City Secretary as required by law and the charter.

DULY PASSED by the City Council of the City of Lancaster, Texas, on the 10th day of December 2018.

ATTEST:



Sorangel O. Arenas, City Secretary

APPROVED:



Clyde C. Hairston, Mayor

APPROVED AS TO FORM:



David T. Ritter, City Attorney

BOARDS, COMMISSIONS AND COMMITTEES

Bylaws

Division 1. Boards, Commissions and Committees

Sec. 1.01 Establishment

There is hereby created and established within the City a Boards, Commissions and Committees by Ordinance 2018-xx-xx which shall be subject to the jurisdiction of the City Council and shall constitute a board, commission or committee to the City Council.

Sec. 1.02 Number of members

Shall be composed of five (5) regular members and one (1) alternate appointed by the City Council. Each member of the board, commission or committee shall meet the eligibility requirements established by the City Charter and the Board and Commission Ordinance. The staff liaison will appointed by the City Manager. The members shall serve at the pleasure of the City Council and may be removed at the discretion of the City Council.

Sec. 1.03 Term of office

The term of office of each board, commission or committee regular member shall be two (2) years, alternate member shall be one (1) year. Each board, commission or committee member shall be appointed so that three (3) members' terms shall expire in odd numbered years, and two (2) members' terms shall expire in even numbered years.

Sec. 1.04 Officers

The board, commission or committee shall have a Chair and a Vice-Chair, whose terms shall be one (1) year. The Chair and Vice-Chair shall be nominated by a majority vote of the board, commission or committee.

The Chair and Vice-chair shall be elected each year at the first regular meeting after the board, commission or committee members are appointed and have taken their oath of office.

Vacancies in office shall be handled as follows:

- a. In the event of resignation or incapacity of the Chair; the Vice-Chair shall become the Chair for the unexpired portion of the term.
- b. Vacancy of the Vice-Chair shall be filled for the unexpired term by special election.

Duties of the officers shall be as follows:

- a. Chair:
 - i. Preside at all meetings.

- b. Vice-chair:
 - i. Assist the Chair in directing the affairs of the Library Board and act in the Chair's absence.

Sec. 1.05 Meetings

The meeting of the board, commission or committee must meet at least two (2) times per year; once for open meeting act and public information act training, and once for a regular business meeting. All meetings shall be held in a public place with public notice as prescribed by law.

A simple majority of the regular members shall constitute a quorum at all meetings of the board, commission or committee. If a quorum is not present, the meeting shall be cancelled.

Robert's Rules of Order, Newly Revised governs the parliamentary procedure of the board, commission or committee in all cases to which they are applicable.

Sec. 1.06 Removal from office/absences

The regular members shall serve at the pleasure of the City Council and may be removed at the discretion of the City Council. Board, Commission and committee members are expected to maintain regular attendance at meetings in accordance with the attendance policy established by the Board and Commission Ordinance.

Sec. 1.07 Powers and authority

The board, commission and committee members provide opinion, support, and expertise as needed. Members shall:

- a. Provide advice and counsel to the Staff Liaison in matters relating to the services rendered. The Staff Liaison for each board will communicate updates on City events and the board, commission, or committee's contribution to advancing the City's goals and objectives, and shall provide quarterly attendance updates to the City Council and their respective board, commission, or committee.
- b. Review data and circumstances pertaining to their respective boards, commissions, or committees, and formulate and recommend to the city council, for its adoption, policies and regulations consistent with the overall city plan and ordinances.
- c. Study the need for, and encourage the development of knowledge of each board.

- d. Each board, commission, or committee at the direction of the city council, shall study and submit reports on any topics within their purview that the city council deems appropriate.
- e. programs for the development of Library facilities and necessary financial support for those facilities.
- f. Encourage in every possible way the development and advancement of the board.
- g. Participate in local events.
- h. Members of each board and commission shall comply with all statutory time limits, public notices, and the Texas Open Meetings Act, V.T.C.A., Government Code § 551.001 et seq.

Sec. 1.08 Amendments

These bylaws may be amended by the City Council at any regular meeting, provided all members have been notified of the proposed amendment. Such amendment would then be subject to approval by the City Council.

Boards, Commissions, and Committees																
	Airport Advisory Board	Animal Shelter Advisory Committee	Capital Improvements Advisory Committee	Civil Service	Economic Development Corp.(Type A)	Historic Landmark Preservation Committee	Lancaster Recreational Development Corp.(Type B)	Lancaster State Auxiliary Museum Advisory Board	Lancaster Veterans Memorial Library Advisory Board	Parks and Recreation Advisory Board	Planning and Zoning Commission	Sign Control Board	Tree Advisory Board	Property Standards and Appeals Board	Youth Advisory Committee	Zoning Board of Adjustment
Members	5-Regular 1-Alternate	5-Regular 1-Alternate	5-Regular 1-Alternate	3-Regular	5-Regular	5-Regular 1-Alternate	7-Regular	5-Regular 1-Alternate	5-Regular 1-Alternate	5-Regular 1-Alternate	5-Regular 1-Alternate	5-Regular 1-Alternate	5-Regular 1-Alternate	5-Regular 1-Alternate	10-Student 1-Sponsor	5-Regular 1-Alternate
Board Officers	Chair Vice-Chair	Chair Vice-Chair	Chair Vice-Chair	Chair Vice-Chair	President Secretary	Chair Vice-Chair	President Secretary	Chair Vice-Chair	Chair Vice-Chair	Chair Vice-Chair	Chair Vice-Chair	Chair Vice-Chair	Chair Vice-Chair	Chair Vice-Chair	Chair Vice-Chair	Chair Vice-Chair
Membership Requirement	*Must be current with any and all taxes or other liability to the City *Must be registered voter within the City	*Resident of the City *Must be current with any and all taxes or other liability to the City *Must be registered voter within the City	*Resident of the City *Must be current with any and all taxes or other liability to the City *Must be registered voter within the City	*Resident of the City *Must be current with any and all taxes or other liability to the City *Must be registered voter within the City	*Resident of the City *Must be current with any and all taxes or other liability to the City *Must be registered voter within the City	*Resident of the City *Must be current with any and all taxes or other liability to the City *Must be registered voter within the City	*Resident of the City *Must be current with any and all taxes or other liability to the City *Must be registered voter within the City	*Resident of the City *Must be current with any and all taxes or other liability to the City *Must be registered voter within the City	*Resident of the City *Must be current with any and all taxes or other liability to the City *Must be registered voter within the City	*Resident of the City *Must be current with any and all taxes or other liability to the City *Must be registered voter within the City	*Resident of the City *Must be current with any and all taxes or other liability to the City *Must be registered voter within the City	*Resident of the City *Must be current with any and all taxes or other liability to the City *Must be registered voter within the City	*Resident of the City *Must be current with any and all taxes or other liability to the City *Must be registered voter within the City	*Resident of the City *Must be current with any and all taxes or other liability to the City *Must be registered voter within the City	*Resident of the City *Must be current with any and all taxes or other liability to the City *Must be registered voter within the City	*Resident of the City *Must be current with any and all taxes or other liability to the City *Must be registered voter within the City
Terms	2 Yrs - Regular 1 Yr - Alternate	2 Yrs - Regular 1 Yr - Alternate	2 Yrs - Regular 1 Yr - Alternate	3 Yrs - Regular	3 Yrs - Regular	2 Yrs - Regular 1 Yr - Alternate	2 Yrs - Regular	2 Yrs - Regular 1 Yr - Alternate	2 Yrs - Regular 1 Yr - Alternate	2 Yrs - Regular 1 Yr - Alternate	2 Yrs - Regular 1 Yr - Alternate	2 Yrs - Regular 1 Yr - Alternate	2 Yrs - Regular 1 Yr - Alternate	2 Yrs - Regular 1 Yr - Alternate	2 Yrs - five youth 1 Yr - remaining five youth 2 Yrs - Adult Sponsor	2 Yrs - Regular 1 Yr - Alternate
Meeting Date & Times	*Shall meet at least two times a year and as needed *Meets on the 2nd Tuesday of each month - 7:00p.m.	*Shall meet at least three times a year and as needed *Meets on the 2nd Thursday of each month - 7:00p.m.	Shall meet as needed	*Shall meet each January, two times a year and as needed *Meets on the 4th Thursday of each month - 7:00p.m.	*Shall meet at least two times a year and as needed *Meets on the 3rd Thursday of each month - 7:00p.m.	*Shall meet at least two times a year and as needed *Meets on the 4th Tuesday of each month - 7:00p.m.	*Shall meet at least two times a year and as needed *Meets on the 3rd Tuesday of each month - 7:00p.m.	*Shall meet at least two times a year and as needed *Meets on the 1st Wednesday of each month - 7:00p.m.	*Shall meet at least two times a year and as needed *Meets on the 2nd Wednesday of each month - 7:00p.m.	*Shall meet at least two times a year and as needed *Meets on the 3rd Wednesday of each month - 7:00p.m.	*Shall meet at least two times a year and as needed *Meets on the 1st Tuesday of each month - 7:00p.m.	*Shall meet at least two times a year and as needed *Meets on the 1st Tuesday of each month - 7:00p.m.	*Shall meet at least two times a year and as needed *Meets on the 1st Tuesday of each month - 7:00p.m.	*Shall meet at least two times a year and as needed *Meets on the 1st Thursday of each month - 7:00p.m.	*Shall meet at least two times a year and as needed *Meets on the 4th Wednesday of each month - 7:00p.m.	*Shall meet at least two times a year and as needed *Meets on the 4th Thursday of each month - 7:00p.m.

**BYLAWS OF
LANCASTER RECREATIONAL DEVELOPMENT CORPORATION**

**ARTICLE I
PURPOSE AND POWERS**

Section 1. Purpose

The Corporation is incorporated for the purposes set forth in Article Four of its Articles of Incorporation, the same to be accomplished on behalf of the City of Lancaster, Texas (the "City") as its duly constituted authority and instrumentality. This includes all permissible projects prescribed by the Act, such as parks, auditoriums, learning centers, open space improvements, athletic and exhibition facilities, and other related improvements and for maintenance and operating costs of the publicly owned and operated projects in accordance with the Development Corporation Act of 1979, as amended, Article 5190.6, Tex. Rev. Civ. Stats, Ann as amended, (the "Act"), and other applicable laws.

Section 2. Powers

In the fulfillment of its Corporate purpose, the Corporation shall be governed by Section 4B of the Act, and shall have all of the powers set forth and conferred in its Articles of Incorporation, in the Act, and in other applicable law, subject to the limitations prescribed therein and herein and to the provisions thereof and hereof.

**ARTICLE II
BOARD OF DIRECTORS**

Section 1. Powers, Number and Term of Office

- a.) The property and affairs of the Corporation shall be managed and controlled by a Board of Directors (The "Board") and, subject to the restrictions imposed by law, by the Articles of Incorporation, and by these Bylaws, the Board shall exercise all of the powers of the Corporation.
- b.) The Board shall consist of seven (7) Directors, each of whom shall be appointed by the City Council (the "City Council") of the City. Each of the Directors shall be a citizen of the City.
- c.) The Directors constituting the First Board shall be those Directors named in the Articles of Incorporation. Successor Directors shall have the qualifications, shall be of the classes of Directors, and shall be appointed to the terms set forth in the Articles of Incorporation.
- d.) Any Director may be removed from office by the City Council at will.

RESOLUTION NO. 2006-03-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, RATIFYING THE ACTION OF THE LANCASTER RECREATIONAL DEVELOPMENT CORPORATION BOARD OF DIRECTORS APPROVING THE AMENDED BYLAWS OF THE LANCASTER RECREATIONAL DEVELOPMENT CORPORATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of Directors of the ~~Lancaster Recreational Development~~ Corporation (LRDC) has reviewed the Bylaws of the Corporation and determined that certain revisions are appropriate; and

WHEREAS, the Board of Directors of the LRDC has unanimously approved these amendments to the Bylaws of the Corporation;

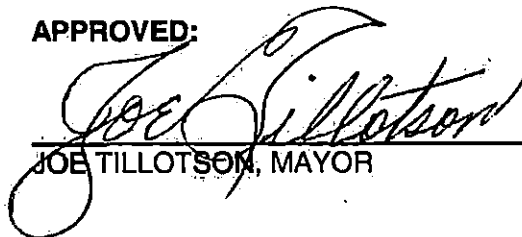
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS:

Section 1. That the City Council of the City of Lancaster, Texas, hereby ratifies the action of the LRDC Board of Directors and approves the amended Bylaws of the Lancaster Recreational Development Corporation, a true copy of which is attached hereto as Exhibit "A" and made a part hereof for all purposes.

Section 2. That this resolution shall take effect immediately from and after its passage, and it is accordingly so resolved.

DULY PASSED and approved by the City Council of the City of Lancaster, Texas on the 27th day of March 2006.


APPROVED:


JOE TILLOTSON, MAYOR

ATTEST:


DOLLE K. SHANE, CITY SECRETARY

APPROVED AS TO FORM:


ROBERT E. HAGER, CITY ATTORNEY

Section 6. Conduct of Business

- a.) At the meetings of the Board, matters pertaining to the business of the Corporation shall be considered in accordance with rules of procedure as from time to time prescribed by the Board.
- b.) At all meetings of the Board, the President shall preside. In the absence of the President, the Vice President shall preside.
- c.) The Secretary of the Corporation shall act as Secretary of all meetings of the Board, but in the absence of the Secretary, the Presiding Officer may appoint any person to act as Secretary of the meeting.

Section 7. Committees of the Board

- a.) The Board may designate two or more Directors to constitute an official committee of the Board to exercise such authority of the Board as may be specified in the resolution. It is provided, however, that all final, official actions of the Corporation may be exercised only by the Board. Each committee so designated shall keep regular minutes of the transactions of its meetings and shall cause such minutes to be recorded in books kept for that purpose in the principal office of the Corporation.
- b.) The President of the Corporation or any official Committee of the Board has the authority to appoint support committees to aid and assist the Board in its business undertakings or other matters incidental to the operation and functions of the Board.

Section 8. Compensation of Directors

Directors shall not receive any salary or compensation for their services as Directors. However, they shall be reimbursed for their actual expenses incurred in the performance of their official duties as Directors

ARTICLE III OFFICERS

Section 1. Titles and Term of Office

- a.) The Officers of the Corporation shall be a President, a Vice President, a Secretary and a Treasurer, and such other Officers as the Board may from time to time elect or appoint. One person may hold more than one office, except that the President shall not hold the Office of Secretary. Terms of office shall be two (2) years with the right of an Officer to be re-elected.

e.) only Directors shall have voting privileges.

Section 2. Meetings of Directors

The Directors may hold their meetings at such place or places in the City as the Board may from time to time determine; provided, however, in the absence of any such determination by the Board, the meetings shall be held at the principal office of the Corporation as specified in Article V of these Bylaws.

Section 3. Notice of Meetings

~~The Board shall meet a minimum of twice a year.~~ The two set meetings shall be the annual meeting and another meeting to approve the budget. The President shall call additional meetings as needed. All meetings of the Board shall provide notice thereof as provided and set forth in Section 551.001 et. Seq. of the Texas Local Government Code. Any member of the Board may request that an item be placed on the agenda by delivering the same in writing to the Secretary of the Board no later than seven (7) days prior to the date of the Board meeting. The President of the Board shall set regular meeting dates and times at the beginning of his/her term.

Notice of any meeting shall be given to the public in accordance with the requirements of the Texas Open Meetings Act. The notice shall contain information regarding the particular time, date, and location of the meeting and the agenda to be considered. All meetings shall be conducted in accordance with the Texas Open Meetings Act.

The annual meeting of the Board of Directors shall be the first Monday in October of each year, at 7:00 p.m.

Section 4. Open Meetings Act

All meetings and deliberations of the Board shall be called, convened, held and conducted, and notice shall be given to the public, in accordance with the Texas Open Meetings Act, Section 551.001 et. Seq. of the Texas Local Government Code, as amended.

Section 5. Quorum

A majority of the Directors shall constitute a quorum for the conduct of the official business of the Corporation. The act of a majority of the Directors present at a meeting at which a quorum is in attendance shall constitute the act of the Board and of the Corporation, unless the act of a greater number is required by law.

Section 4. Treasurer

The Treasurer shall have the responsibility to see to the handling, custody, and security of all funds and securities of the Corporation in accordance with these Bylaws. When necessary or proper, the Treasurer may endorse and sign, on behalf of the Corporation, for collection or issuance, checks, notes and other obligations in or drawn upon such bank, banks or depositories as shall be designated by the Board consistent with these Bylaws. The Treasurer shall see to the entry in the books of the Corporation full and accurate accounts of all monies received and paid out on account of the Corporation. The Treasurer shall, at the expense of the Corporation, give such bond for the faithful discharge of his/her duties in such form and amount as the Board or the city Council may require.

Section 5. Secretary

The Secretary shall keep the minutes of all meetings of the Board in books provided for that purpose, shall give and serve all notices, may sign with the President in the name of the Corporation, and/or attest the signature thereto, all contracts, conveyances, franchises, bonds, deeds, assignments, mortgages, notes and other instruments of the Corporation, shall have charge of the corporate books, records, documents and instruments, except the books of account and financial records and securities, and such other books and papers as the Board may direct, all of which shall at all reasonable times be open to public inspection upon application at the Office of the Corporation during business hours, and shall in general perform all duties incident to the Office of Secretary subject to the control of the board.

Section 6. Member/Non-member Officers

The President and Vice President shall be named from among the members of the Board. The Treasurer and Secretary may, at the option of the Board, be persons other than members of the Board, and they may be employees of the City.

Section 7. Compensation

Officers who are members of the Board shall not receive any salary or compensation for their services, except that they shall be reimbursed for their actual expenses incurred in the performance of their official duties as officers.

Section 8. Attendance

Directors must be present in order to vote at any meeting. Regular attendance at the Board meetings is required of all directors. The following number of absences shall constitute the basis for replacement of a director. Three (3) consecutive unexcused

- b.) Any officers shall be subject to removal from office at any time by a vote of majority of the entire Board.
- c.) A vacancy in the office of any officer shall be filled by a vote of a majority of the Directors.

Section 2. Powers and Duties of the President

The President shall be the Chief Executive Officer of the Corporation, and subject to the paramount authority of the Board, shall be in general charge of the properties and affairs of the Corporation, shall preside at all meetings of the Board, and may sign and execute all contracts, conveyance, franchises, bonds, deeds, assignments, mortgages, notes and other instruments in the name of the Corporation. In addition, the President shall:

- A.) Call both regular and special meetings of the Board and establish the agenda for such;
- B.) Have the right to vote on all matters coming before the Board;
- C.) Have the authority to appoint standing or study committees to aid and assist the Board in its business undertaking or other matters incidental to the operation and functions of the Board;
- D.) Perform all duties incident to the office, and such other duties as shall be prescribed from time to time by the Board, subject to approval by the City Council;
- E.) Appear before the City Council on a periodic basis to give a report on the status of activities of the Corporation; and
- F.) Appear before the City Council, or be represented by his/her designee, regarding any item being considered by the City Council concerning the corporation.

Section 3. Vice President

The Vice President shall have such powers and duties as may be prescribed by the Board and shall exercise the powers of the President during that Officer's absence or inability to act. Any action taken by the Vice President in the performance of the duties of the President shall be conclusive evidence of the absence or inability to act of the President at the time such action was taken.

Section 2. Annual Corporate Budget

At least 60 days prior to the commencement of each fiscal year of the Corporation, the Board shall adopt a proposed budget of expected revenues and proposed expenditures for the next ensuing fiscal year. The budget shall contain such classifications and shall be in such form as may be prescribed from time to time by the City Council. The budget shall not be effective until the same has been approved by the City Council.

Section 3. Books, Records, Audit

- a.) The Corporation shall keep and properly maintain, in accordance with generally accepted accounting principles, complete books, records, accounts, and financial statements pertaining to its corporate funds, activities, and affairs.
- b.) At the direction of the City Council, the books, records, accounts, and financial statements of the Corporation may be maintained for the Corporation by the accountants, staff and personnel of the City.
- c.) The Corporation, or the City if the option described in subsection (b) is selected, shall cause its books, records, accounts, and financial statements to be audited at least once each fiscal year by an outside, independent, auditing and accounting firm selected by the Corporation and approved by the City Council. Such audit shall be at the expense of the Corporation.

Section 4. Deposit and Investment of Corporation Funds

- a.) All proceeds from loans or from the issuance of bonds, notes, or other debt instruments ("Obligations") issued by the Corporation shall be deposited and invested as provided in the resolution, order, indenture, or other documents authorizing or relating to their execution or issuance.
- b.) Subject to the requirements of contracts, loan agreements, indentures or other agreements securing Obligations, all other monies of the Corporation, if any, shall be deposited, secured, and/or invested in the manner provided for the deposit, security, and/or investment of the public funds of the City. The Board shall designate the accounts and depositories to be created and designated for such purposes, and the methods of withdrawal of funds there from for use by and for the purposes of the Corporation upon the signature of its Treasurer and such other persons as the Board shall designate. The accounts, reconciliation, and investment of such funds and accounts shall be performed by the Department of Finance of the City.

absences or a total of five (5) absences within a twelve month period from meetings of the Board shall cause the position to be considered vacant.

Section 9. Conflict of Interest

In the event that a director is aware that he has a conflict of interest or potential conflict of interest, with regard to any particular matter or vote coming before the Board, the director shall bring the same to the attention of the Board and shall abstain from discussion and voting thereof.

Any director shall bring to the attention of the Board any apparent conflict of interest or potential conflict of interest of any other director, in which case the Board shall determine whether a true conflict of interest exists before any further discussion or vote shall be conducted regarding that particular matter. The director about whom a conflict of interest questions has been raised shall refrain from voting with regard to the determination as to whether a true conflict exists. Failure to conform to these requirements herein and policies as may be adopted by the Board is cause for dismissal from the Board by action of the City Council.

ARTICLE IV FUNCTIONAL CORPORATE DUTIES AND REQUIREMENTS

Section 1. Development Plan

- a.) It shall be the duty and obligation of the Board, in coordination with the necessary contracting parties, to research, develop, prepare, finance, and implement a Development Plan.
- b.) In carrying out the obligations under subsection (a), the Corporation shall be authorized to exercise all rights and powers granted under the Act, including, but not limited to Section 4B thereof, subject to the terms of the "Development Plan", and with the objective and for the purpose of developing and diversifying the recreational, educational and cultural aspects of the City.
- c.) The Board shall periodically submit reports to the City Council as to the status of its activities in carrying out its obligations under the Section.
- d.) Any and all agreements between the Corporation and other parties shall be authorized, executed, approved, and delivered in accordance with applicable law.

Registered Office of the Corporation specified in the Articles of Incorporation.

- b) The Corporation shall have and shall continually designate a registered agent at its Registered Office, as required by the Act.

Section 2. Fiscal Year

The Fiscal Year of the Corporation shall be the same as the Fiscal Year of the City.

Section 3. Seal

The Seal of the Corporation shall be as determined by the Board.

Section 4. Resignations

Any Director or Officer may resign at any time. Such resignation shall be made in writing and shall take effect at the time specified therein, or, if any time be specified, at the time of its receipt by the President or Secretary. The acceptance of a resignation shall not be necessary to make it effective unless expressly so provided in the resignation.

Section 5. Approval or Advice and Consent of the City Council

To the extent that these Bylaws refer to any approval by the City or refer to advice and consent to the Council, such advice and consent shall be evidenced by a certified copy of a resolution, order or motion duly adopted by the City Council.

Section 6. Services of City Staff and Officers

Subject to the paramount authority of the City Manager under the Charter of the City, the Corporation shall have the right to utilize the services of the City Attorney, the City Secretary, and the staff and employees of the Finance Department of the City, provided (1) that the Corporation shall pay reasonable compensation to the City for such services, and (2) the performance of such services does not materially interfere with the other duties of such personnel of the City.

Section 7. Indemnification of Directors, Officer and Employees

- a) As provided in the Act and in the Articles of Incorporation, the Corporation is for the purposes of the Texas Tort claims Act (Subchapter A, Chapter 101, Texas Civil Practices and Remedies Code), a governmental unit and its actions are governmental functions.

Section 5. Expenditures of Corporate Money

The monies of the Corporation, including sales and use taxes collected pursuant to Section 4B of the Act, monies derived from rents received from the lease or use of property, the proceeds from the investment of funds of the Corporation, the proceeds from the sale of property, and the proceeds derived from the sale of Obligations, may be expended by the Corporation for any of the purposes authorized by the Act, subject to the following limitations:

- I.) Expenditures from the proceeds of Obligations shall be identified and described in the orders, resolutions, indentures, or other agreements submitted to and approved by the City Council prior to the execution of loan or financing agreements or the sale and delivery of the Obligations to the purchasers thereof required by Section 6 of this Article;
- II.) Expenditures that may be made from a fund created with the proceeds of Obligations, and expenditures of monies derived from sources other than the proceeds of Obligations may be used for the purpose of financing or otherwise providing one or more "Projects", as defined in Section 4B of the Act. The specific expenditures shall be described in a resolution or order of the Board and shall be made only after the approval thereof by the City Council;
- III.) All other proposed expenditures shall be made in accordance with and shall be set forth in the annual budget required by Section 2 of this Article or in contracts
- IV.) meeting the requirements of Section 1 (d) of this Article.

Section 6. Issuance of Obligations

No obligations, including refunding Obligations, shall be authorized or sold and delivered by the Corporation unless the City Council shall approve such Obligations by action taken prior to the date of sale of the Obligations.

Section 7. Donations

The Board may accept on behalf of the Corporation any contribution, gift, bequest, or device for the general purpose or any special purposes of the Corporation.

ARTICLE V MISCELLANEOUS PROVISIONS

Section 1. Principal Office

- a) The Principal Office and the Registered Office of the Corporation shall be the

- b) The Corporation shall indemnify each and every member of the Board, its Officers, and its employees, and each member of the City Council and each employee of the City, to the fullest extent permitted by law, against any and all liability or expense, including attorney fees, incurred by any of such persons by reason of any actions or omissions that may arise out of the functions and activities of the Corporation.

ARTICLE VI EFFECTIVE DATE, AMENDMENTS

Section 1. Effective Date

These Bylaws shall become effective upon the occurrence of the following events:

- 1) the approval of these Bylaws by the City council; and
- 2) the adoption of these Bylaws by the Board.

Section 2. Amendments to Articles of Incorporation and Bylaws

The Articles of Incorporation and these Bylaws may be amended by the Board. Any amendments approved by the LRDC must then be presented to the City Council for ratification.

**MINUTES
LANCASTER RECREATIONAL DEVELOPMENT CORPORATION
BOARD MEETING OF JULY 18, 2023**

The Members of the Lancaster Recreational Development Board met in a Regular Meeting at the Lancaster Recreation Center Conference Room, 1700 Veterans Memorial Parkway, Lancaster, TX 75134 on July 18, 2023 at 7:00 p.m. with a quorum present to-wit:

Lancaster Recreational Development Corporation Board Members Present:

Mary Sykes, Chair
William Freeman, Vice Chair
Linda Haltom
Sheila Wilson
Latitia Carter
LaMonica Hudleton

Lancaster Recreational Development Corporation Board Members Absent:

Harmonica Mays

City Staff Present:

Opal Mauldin-Jones, City Manager
Dori Lee, Assistant City Manager
Lisa Wube, Director of Parks and Recreation
JR Peterson, City Attorney's Office
Kimberly Morris-Burse, Administrative Secretary

Call to Order:

Chair Mary Sykes called the Lancaster Recreational Development Corporation Board Regular Meeting to order at 7:08 p.m. on July 18, 2023.

Public Testimony:

At this time citizens who have pre-registered before the meeting will be allowed to speak on consent or action items on the agenda, with the exception of public hearings, for a length of time not to exceed three minutes. 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.

No speakers.

CONSENT AGENDA:

1. Consider approval of minutes from the Lancaster Recreational Development Corporations Board Regular Meeting held on May 16, 2023.

Board Member Carter made a motion, seconded by Board Member Haltom. The vote was cast 6 for, 0 against. The motion carries.

ACTION:

1. Discuss and consider the Lancaster Recreational Development Corporation bylaws.

Board Member Freeman made a motion, seconded by Board Member Haltom. The vote was cast 6, for 0 against. The motion carries.

ADJOURNMENT:

Board Member Hudleton made a motion seconded by Board Member Carter to adjourn. The vote was cast 6 for, 0 against. The motion carries. Meeting adjourned at 7:26 p.m.

ATTEST:

APPROVED:

Lisa Wube, Board Liaison

Mary Sykes, Chair

CITY OF LANCASTER CITY COUNCIL

City Council Special Work Session and Regular Meeting

7.

Meeting Date: 08/14/2023

Policy Statement: This request supports the City Council 2023-2024 Policy Agenda

Goal(s): Financially Sound Government

Submitted by: Opal Mauldin-Jones, City Manager

Agenda Caption:

Discuss and consider the proposed FY 2023/2024 tax rate of \$0.639004 per \$100 assessed valuation, receive related tax calculation documents, take record vote to consider a tax rate to increase total tax revenues from properties on the tax roll in the previous year, and set public hearing dates on the proposed tax rate.

Background:

Pursuant to Truth-in-Taxation requirements, and following receipt of tax calculations from Dallas County Tax office, the governing body must take a record vote approving the proposed tax rate. The governing body must also set and announce the date, time, and location of any required public hearings to consider the tax rate.

On Tuesday, July 25, 2023, the Dallas Central Appraisal District (DCAD) released the Certified Values of properties within the City of Lancaster. This data was utilized to calculate the no-new-revenue tax rate (effective rate) and voter-approval (roll-back) tax rate for the 2023/2024 fiscal year.

The City of Lancaster experienced an increase of 20.99% in taxable property values over the previous fiscal year values.

City of Lancaster Tax Rate Comparison (per \$100 assessed valuation)

Tax Rate Comparison	FY 2022/2023	FY 2023/2024
Certified Values	\$4,353,786,034	\$5,267,696,877
Voter-Approval Tax Rate	\$0.691824	\$0.639004
No-New-Revenue Tax Rate	\$0.660078	\$0.598026
Proposed Tax Rate	\$0.691822	\$0.639004

The City Manager's proposed budget will **raise more** total revenue from property taxes than last year's budget.

Fund	FY 2022/2023 Adopted Budget	FY 2023/2024 Proposed Budget
General Fund	\$38,323,836	\$41,648,502
G.O. Debt Service	\$5,489,220	\$8,150,589
Street Maintenance	\$1,148,423	\$1,260,955
WaterWastewater	\$20,622,987	\$21,634,326
Airport	\$518,962	\$571,736

Hotel/Motel	\$44,478	\$125,956
LEDC/4A	\$2,522,227	\$2,343,614
LRDC/4B	\$3,941,805	\$4,142,729
Golf Course	\$1,300,907	\$1,471,324
Sanitation	\$2,690,921	\$2,578,783
E911	\$382,850	\$335,276
Stormwater	\$2,379,240	2,879,769
New Equipment	\$0	\$0
Total	\$79,365,856	\$87,143,558

Recommendation:

Staff recommends that City Council take a record vote on the proposal to consider a tax rate that will result in an increase of total revenues from properties on the tax roll in the previous year. City Council will also announce the date, time and location of the public hearings regarding the proposed tax rate. The public hearings for the proposed FY2023/2024 Tax Rate and Budget are scheduled for Monday, September 11, 2023 and Monday, September 18, 2023 at 7:00 p.m. at the Lancaster Municipal Center, 211 North Henry Street, Lancaster, Texas 75146.

Attachments

City-Wide Fund Summary

2023 Tax Rate Calculation Worksheet

CITY-WIDE OPERATING FUND TOTALS

TOTAL REVENUES		2021	2022	2023		2024
Fund Number	Fund	Actual	Actual	Year to Date	Budget	Proposed
	1 General Fund	39,817,960	46,239,144	41,168,875	38,086,946	42,001,466
	2 G.O. Debt Service	7,905,999	7,565,987	7,430,395	7,574,310	9,046,321
	4 Street Maintenance	826,698	912,109	1,024,248	1,116,547	1,356,513
	5 WaterWastewater	19,149,826	22,408,698	22,679,094	21,335,249	22,604,841
	9 Airport	433,994	398,395	488,794	520,450	472,000
	14 HotelMotel	281,544	333,157	314,246	200,976	270,000
	16 LEDC/4A	1,568,240	2,357,753	1,981,566	1,565,553	2,067,192
	17 LRDC/4B	3,623,958	5,009,317	3,973,279	3,395,450	4,055,076
	18 Golf Course	882,190	1,065,137	1,085,682	1,284,127	1,473,971
	19 Sanitation	2,751,711	2,839,352	2,531,884	2,983,621	2,882,674
	21 E911	222,494	290,672	269,621	257,488	268,955
	37 New Equipment Fund	-	-	99,164	111,205	135,186
	53 Stormwater	1,904,949	1,978,651	1,905,531	1,987,254	2,181,515
Total		\$ 79,369,563	\$ 91,398,373	\$ 84,952,380	\$ 80,419,175	\$ 88,815,710
TOTAL EXPENDITURES		2021	2022	2023		2024
Fund Number	Fund	Actual	Actual	Year to Date	Budget	Proposed
	1 General Fund	31,596,573	33,803,478	32,262,816	38,323,836	41,648,502
	2 G.O. Debt Service	6,453,638	5,497,203	3,826,889	5,489,220	8,150,589
	4 Street Maintenance	1,738,764	-	2,009,631	1,148,423	1,260,955
	5 WaterWastewater	14,647,379	20,081,324	18,030,064	20,622,987	21,634,326
	9 Airport	561,865	578,374	419,102	518,962	571,736
	14 HotelMotel	41,116	18,469	79,577	44,478	125,956
	16 LEDC/4A	981,824	1,769,116	859,049	2,522,227	2,343,614
	17 LRDC/4B	3,510,927	4,368,112	2,021,496	3,941,805	4,142,729
	18 Golf Course	1,040,881	1,281,348	1,092,605	1,300,907	1,471,324
	19 Sanitation	1,858,447	1,798,380	2,024,892	2,690,921	2,578,783
	21 E911	273,270	222,581	326,872	382,850	335,276
	37 New Equipment Fund	-	-	-	-	-
	53 Stormwater	1,692,449	1,715,726	1,563,530	2,379,240	2,879,769
Total		\$ 64,397,132	\$ 71,134,112	\$ 64,516,524	\$ 79,365,856	\$ 87,143,558
Net Gain (Loss)		14,972,432	20,960,647	20,435,856	1,053,319	1,672,152
BALANCES		2021	2022	2023		2024
		Actual	Actual	Year to Date	Budget	Proposed
	Net Gain (Loss)	14,972,432	20,684,771	18,668,401	1,053,319	1,672,152
	Beginning Balance	9,167,699	24,140,131	44,404,391	44,404,391	60,202,973
	Ending Balance	24,140,131	44,824,901	60,202,973	45,457,710	61,875,125
	Fund Balance (audited)	140,295,544	156,051,200			
Ending Balance as % of Expenditures		37.49%	63.39%	93.31%	57.28%	71.00%



DALLAS COUNTY TAX OFFICE
JOHN R. AMES, PCC, CTA
TAX ASSESSOR/COLLECTOR

MEMORANDUM

Date: July 26, 2023

To: Christine Harris, CFO, City of Lancaster

From: Ashley Richard, Director of Accounting Dallas County Tax Office

Re: Tax Year 2023 Tax Rate Calculation worksheet

Proposed Tax Rate: M&O .484072 I&S .154932 Total .639004

Submission of this document confirms acknowledgment that the Tax Rate Calculation Worksheet is approved and may be transferred to the Central Appraisal District's public database.

Signed

A handwritten signature in blue ink, appearing to read "Ashley Richard", is written over a horizontal line.

Date:

8/4/2023

Mission Statement

Provide Dallas County Citizens with Excellent Service using Innovative Technology to Ensure Quality Collections.

Records Building ♦ 500 Elm St., Ste. 3300 ♦ Dallas, TX 75202 ♦ 214-653-7811

2023 Tax Rate Calculation Worksheet

Taxing Units Other Than School Districts or Water Districts

9/4/23
8:46pm
Omaj

8/4/23 or

Form 50-856

City of Lancaster

972.218.1300

Taxing Unit Name

Phone (area code and number)

211 N. Henry St., Lancaster, TX 75146

www.lancaster-tx.com

Taxing Unit's Address, City, State, ZIP Code

Taxing Unit's Website Address

GENERAL INFORMATION: Tax Code Section 26.04(c) requires an officer or employee designated by the governing body to calculate the no-new-revenue (NNR) tax rate and voter-approval tax rate for the taxing unit. These tax rates are expressed in dollars per \$100 of taxable value calculated. The calculation process starts after the chief appraiser delivers to the taxing unit the certified appraisal roll and the estimated values of properties under protest. The designated officer or employee shall certify that the officer or employee has accurately calculated the tax rates and used values shown for the certified appraisal roll or certified estimate. The officer or employee submits the rates to the governing body by Aug. 7 or as soon thereafter as practicable.

School districts do not use this form, but instead use Comptroller Form 50-859 *Tax Rate Calculation Worksheet, School District without Chapter 313 Agreements* or Comptroller Form 50-884 *Tax Rate Calculation Worksheet, School District with Chapter 313 Agreements*.

Water districts as defined under Water Code Section 49.001(1) do not use this form, but instead use Comptroller Form 50-858 *Water District Voter-Approval Tax Rate Worksheet for Low Tax Rate and Developing Districts* or Comptroller Form 50-860 *Developed Water District Voter-Approval Tax Rate Worksheet*.

The Comptroller's office provides this worksheet to assist taxing units in determining tax rates. The information provided in this worksheet is offered as technical assistance and not legal advice. Taxing units should consult legal counsel for interpretations of law regarding tax rate preparation and adoption.

SECTION 1: No-New-Revenue Tax Rate

The NNR tax rate enables the public to evaluate the relationship between taxes for the prior year and for the current year based on a tax rate that would produce the same amount of taxes (no new taxes) if applied to the same properties that are taxed in both years. When appraisal values increase, the NNR tax rate should decrease.

The NNR tax rate for a county is the sum of the NNR tax rates calculated for each type of tax the county levies.

While uncommon, it is possible for a taxing unit to provide an exemption for only maintenance and operations taxes. In this case, the taxing unit will need to calculate the NNR tax rate separately for the maintenance and operations tax and the debt tax, then add the two components together.

Line	No-New-Revenue Tax Rate Worksheet	Amount/Rate
1.	2022 total taxable value. Enter the amount of 2022 taxable value on the 2022 tax roll today. Include any adjustments since last year's certification; exclude Tax Code Section 25.25(d) one-fourth and one-third over-appraisal corrections from these adjustments. Exclude any property value subject to an appeal under Chapter 42 as of July 25 (will add undisputed value in Line 6). This total includes the taxable value of homesteads with tax ceilings (will deduct in Line 2) and the captured value for tax increment financing (adjustment is made by deducting TIF taxes, as reflected in Line 17). ¹	\$ 4,115,552,843
2.	2022 tax ceilings. Counties, cities and junior college districts. Enter 2022 total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing unit adopted the tax ceiling provision in 2022 or a prior year for homeowners age 65 or older or disabled, use this step. ²	\$ 0
3.	Preliminary 2022 adjusted taxable value. Subtract Line 2 from Line 1.	\$ 4,115,552,843
4.	2022 total adopted tax rate.	\$ 0.691822 /\$100
5.	2022 taxable value lost because court appeals of ARB decisions reduced 2022 appraised value.	
	A. Original 2022 ARB values:	\$ 67,077,520
	B. 2022 values resulting from final court decisions:	- \$ 58,087,180
	C. 2022 value loss. Subtract B from A. ³	\$ 8,990,340
6.	2022 taxable value subject to an appeal under Chapter 42, as of July 25.	
	A. 2022 ARB certified value:	\$ 384,794,080
	B. 2022 disputed value:	- \$ 198,971,438
	C. 2022 undisputed value. Subtract B from A. ⁴	\$ 185,822,642
7.	2022 Chapter 42 related adjusted values. Add Line 5C and Line 6C.	\$ 194,812,982

¹ Tex. Tax Code §26.012(14)

² Tex. Tax Code §26.012(14)

³ Tex. Tax Code §26.012(13)

⁴ Tex. Tax Code §26.012(13)

Line	No-New-Revenue Tax Rate Worksheet	Amount/Rate
8.	2022 taxable value, adjusted for actual and potential court-ordered adjustments. Add Line 3 and Line 7.	\$ 4,310,365.825
9.	2022 taxable value of property in territory the taxing unit deannexed after Jan. 1, 2022. Enter the 2022 value of property in deannexed territory. ⁵	\$ 0
10.	2022 taxable value lost because property first qualified for an exemption in 2023. If the taxing unit increased an original exemption, use the difference between the original exempted amount and the increased exempted amount. Do not include value lost due to freeport, goods-in-transit, temporary disaster exemptions. Note that lowering the amount or percentage of an existing exemption in 2023 does not create a new exemption or reduce taxable value. A. Absolute exemptions. Use 2022 market value: \$ 64,400 B. Partial exemptions. 2023 exemption amount or 2023 percentage exemption times 2022 value: + \$ 2,714,000 C. Value loss. Add A and B. ⁶	\$ 2,778,400
11.	2022 taxable value lost because property first qualified for agricultural appraisal (1-d or 1-d-1), timber appraisal, recreational/scenic appraisal or public access airport special appraisal in 2023. Use only properties that qualified in 2023 for the first time; do not use properties that qualified in 2022. A. 2022 market value: \$ 701,370 B. 2023 productivity or special appraised value: - \$ 2,277 C. Value loss. Subtract B from A. ⁷	\$ 699,093
12.	Total adjustments for lost value. Add Lines 9, 10C and 11C.	\$ 3,477,493
13.	2022 captured value of property in a TIF. Enter the total value of 2022 captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which 2022 taxes were deposited into the tax increment fund. ⁸ If the taxing unit has no captured appraised value in line 18D, enter 0.	\$ 41,157,230
14.	2022 total value. Subtract Line 12 and Line 13 from Line 8.	\$ 4,265,731,102
15.	Adjusted 2022 total levy. Multiply Line 4 by Line 14 and divide by \$100.	\$ 29,511,266
16.	Taxes refunded for years preceding tax year 2022. Enter the amount of taxes refunded by the taxing unit for tax years preceding tax year 2022. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2022. This line applies only to tax years preceding tax year 2022. ⁹	\$ 101,242
17.	Adjusted 2022 levy with refunds and TIF adjustment. Add Lines 15 and 16. ¹⁰	\$ 29,612,508
18.	Total 2023 taxable value on the 2023 certified appraisal roll today. This value includes only certified values or certified estimate of values and includes the total taxable value of homesteads with tax ceilings (will deduct in Line 20). These homesteads include homeowners age 65 or older or disabled. ¹¹ A. Certified values: \$ 5,267,696,877 B. Counties: Include railroad rolling stock values certified by the Comptroller's office: + \$ C. Pollution control and energy storage system exemption: Deduct the value of property exempted for the current tax year for the first time as pollution control or energy storage system property: - \$ 0 D. Tax increment financing: Deduct the 2023 captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which the 2023 taxes will be deposited into the tax increment fund. Do not include any new property value that will be included in Line 23 below. ¹² - \$ 54,354,353 E. Total 2023 value. Add A and B, then subtract C and D.	\$ 5,213,342,524

⁵ Tex. Tax Code §26.012(15)⁶ Tex. Tax Code §26.012(15)⁷ Tex. Tax Code §26.012(15)⁸ Tex. Tax Code §26.03(c)⁹ Tex. Tax Code §26.012(13)¹⁰ Tex. Tax Code §26.012(13)¹¹ Tex. Tax Code §26.012, 26.04(c-2)¹² Tex. Tax Code §26.03(c)

Line	No-New-Revenue Tax Rate Worksheet	Amount/Rate
19.	Total value of properties under protest or not included on certified appraisal roll. ¹³	
A.	2023 taxable value of properties under protest. The chief appraiser certifies a list of properties still under ARB protest. The list shows the appraisal district's value and the taxpayer's claimed value, if any, or an estimate of the value if the taxpayer wins. For each of the properties under protest, use the lowest of these values. Enter the total value under protest. ¹⁴	\$ 139,723,192
B.	2023 value of properties not under protest or included on certified appraisal roll. The chief appraiser gives taxing units a list of those taxable properties that the chief appraiser knows about but are not included in the appraisal roll certification. These properties also are not on the list of properties that are still under protest. On this list of properties, the chief appraiser includes the market value, appraised value and exemptions for the preceding year and a reasonable estimate of the market value, appraised value and exemptions for the current year. Use the lower market, appraised or taxable value (as appropriate). Enter the total value of property not on the certified roll. ¹⁵	+ \$ 0
C.	Total value under protest or not certified. Add A and B.	\$ 139,723,192
20.	2023 tax ceilings. Counties, cities and junior colleges enter 2023 total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing unit adopted the tax ceiling provision in 2022 or a prior year for homeowners age 65 or older or disabled, use this step. ¹⁶	\$ 0
21.	2023 total taxable value. Add Lines 18E and 19C. Subtract Line 20. ¹⁷	\$ 5,353,065,716
22.	Total 2023 taxable value of properties in territory annexed after Jan. 1, 2022. Include both real and personal property. Enter the 2023 value of property in territory annexed. ¹⁸	\$ 0
23.	Total 2023 taxable value of new improvements and new personal property located in new improvements. New means the item was not on the appraisal roll in 2022. An improvement is a building, structure, fixture or fence erected on or affixed to land. New additions to existing improvements may be included if the appraised value can be determined. New personal property in a new improvement must have been brought into the taxing unit after Jan. 1, 2022 and be located in a new improvement. New improvements do include property on which a tax abatement agreement has expired for 2023. ¹⁹	\$ 401,364,369
24.	Total adjustments to the 2023 taxable value. Add Lines 22 and 23.	\$ 401,364,369
25.	Adjusted 2023 taxable value. Subtract Line 24 from Line 21.	\$ 4,951,701,347
26.	2023 NNR tax rate. Divide Line 17 by Line 25 and multiply by \$100. ²⁰	\$ 0.598026 /\$100
27.	COUNTIES ONLY. Add together the NNR tax rates for each type of tax the county levies. The total is the 2023 county NNR tax rate. ²¹	\$ /\$100

SECTION 2: Voter-Approval Tax Rate

The voter-approval tax rate is the highest tax rate that a taxing unit may adopt without holding an election to seek voter approval of the rate. The voter-approval tax rate is split into two separate rates:

- Maintenance and Operations (M&O) Tax Rate:** The M&O portion is the tax rate that is needed to raise the same amount of taxes that the taxing unit levied in the prior year plus the applicable percentage allowed by law. This rate accounts for such things as salaries, utilities and day-to-day operations.
- Debt Rate:** The debt rate includes the debt service necessary to pay the taxing unit's debt payments in the coming year. This rate accounts for principal and interest on bonds and other debt secured by property tax revenue.

The voter-approval tax rate for a county is the sum of the voter-approval tax rates calculated for each type of tax the county levies. In most cases the voter-approval tax rate exceeds the no-new-revenue tax rate, but occasionally decreases in a taxing unit's debt service will cause the NNR tax rate to be higher than the voter-approval tax rate.

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
28.	2022 M&O tax rate. Enter the 2022 M&O tax rate.	\$ 0.531384 /\$100
29.	2022 taxable value, adjusted for actual and potential court-ordered adjustments. Enter the amount in Line 8 of the No-New-Revenue Tax Rate Worksheet.	\$ 4,310,365,825

¹³ Tex. Tax Code §26.01(c) and (d)

¹⁴ Tex. Tax Code §26.01(c)

¹⁵ Tex. Tax Code §26.01(d)

¹⁶ Tex. Tax Code §26.012(6)(B)

¹⁷ Tex. Tax Code §26.012(6)

¹⁸ Tex. Tax Code §26.012(17)

¹⁹ Tex. Tax Code §26.012(17)

²⁰ Tex. Tax Code §26.04(c)

²¹ Tex. Tax Code §26.04(d)

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
30.	Total 2022 M&O levy. Multiply Line 28 by Line 29 and divide by \$100	\$ 22,904,594
31.	Adjusted 2022 levy for calculating NNR M&O rate.	
	<p>A. M&O taxes refunded for years preceding tax year 2022. Enter the amount of M&O taxes refunded in the preceding year for taxes before that year. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2022. This line applies only to tax years preceding tax year 2022.</p> <p>+ \$ 76,485</p> <p>B. 2022 taxes in TIF. Enter the amount of taxes paid into the tax increment fund for a reinvestment zone as agreed by the taxing unit. If the taxing unit has no 2023 captured appraised value in Line 18D, enter 0.</p> <p>- \$ 71,184</p> <p>C. 2022 transferred function. If discontinuing all of a department, function or activity and transferring it to another taxing unit by written contract, enter the amount spent by the taxing unit discontinuing the function in the 12 months preceding the month of this calculation. If the taxing unit did not operate this function for this 12-month period, use the amount spent in the last full fiscal year in which the taxing unit operated the function. The taxing unit discontinuing the function will subtract this amount in D below. The taxing unit receiving the function will add this amount in D below. Other taxing units enter 0.</p> <p>+/- \$ 0</p> <p>D. 2022 M&O levy adjustments. Subtract B from A. For taxing unit with C, subtract if discontinuing function and add if receiving function.</p> <p>\$ 5,301</p> <p>E. Add Line 30 to 31D.</p>	\$ 22,909,895
32.	Adjusted 2023 taxable value. Enter the amount in Line 25 of the No-New-Revenue Tax Rate Worksheet.	\$ 4,951,701,347
33.	2023 NNR M&O rate (unadjusted). Divide Line 31E by Line 32 and multiply by \$100.	\$ 0.462667 /\$100
34.	Rate adjustment for state criminal justice mandate. ²³ If not applicable or less than zero, enter 0.	
	<p>A. 2023 state criminal justice mandate. Enter the amount spent by a county in the previous 12 months providing for the maintenance and operation cost of keeping inmates in county-paid facilities after they have been sentenced. Do not include any state reimbursement received by the county for the same purpose.</p> <p>\$ 0</p> <p>B. 2022 state criminal justice mandate. Enter the amount spent by a county in the 12 months prior to the previous 12 months providing for the maintenance and operation cost of keeping inmates in county-paid facilities after they have been sentenced. Do not include any state reimbursement received by the county for the same purpose. Enter zero if this is the first time the mandate applies.</p> <p>- \$ 0</p> <p>C. Subtract B from A and divide by Line 32 and multiply by \$100.</p> <p>\$ 0 /\$100</p> <p>D. Enter the rate calculated in C. If not applicable, enter 0.</p>	\$ 0 /\$100
35.	Rate adjustment for indigent health care expenditures. ²⁴ If not applicable or less than zero, enter 0.	
	<p>A. 2023 indigent health care expenditures. Enter the amount paid by a taxing unit providing for the maintenance and operation cost of providing indigent health care for the period beginning on July 1, 2022 and ending on June 30, 2023, less any state assistance received for the same purpose.</p> <p>\$ 0</p> <p>B. 2022 indigent health care expenditures. Enter the amount paid by a taxing unit providing for the maintenance and operation cost of providing indigent health care for the period beginning on July 1, 2021 and ending on June 30, 2022, less any state assistance received for the same purpose.</p> <p>- \$ 0</p> <p>C. Subtract B from A and divide by Line 32 and multiply by \$100.</p> <p>\$ 0 /\$100</p> <p>D. Enter the rate calculated in C. If not applicable, enter 0.</p>	\$ 0 /\$100

²³ [Reserved for expansion]²⁴ Tex. Tax Code §26.044.²⁵ Tex. Tax Code §26.0441

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
36.	Rate adjustment for county indigent defense compensation. ²⁵ If not applicable or less than zero, enter 0. <p>A. 2023 indigent defense compensation expenditures. Enter the amount paid by a county to provide appointed counsel for indigent individuals and fund the operations of a public defender's office under Article 26.044, Code of Criminal Procedure for the period beginning on July 1, 2022 and ending on June 30, 2023, less any state grants received by the county for the same purpose. \$ <u>0</u></p> <p>B. 2022 indigent defense compensation expenditures. Enter the amount paid by a county to provide appointed counsel for indigent individuals and fund the operations of a public defender's office under Article 26.044, Code of Criminal Procedure for the period beginning on July 1, 2021 and ending on June 30, 2022, less any state grants received by the county for the same purpose. \$ <u>0</u></p> <p>C. Subtract B from A and divide by Line 32 and multiply by \$100. \$ <u>0</u> / \$100</p> <p>D. Multiply B by 0.05 and divide by Line 32 and multiply by \$100. \$ <u>0</u> / \$100</p> <p>E. Enter the lesser of C and D. If not applicable, enter 0. \$ <u>0</u> / \$100</p>	
37.	Rate adjustment for county hospital expenditures. ²⁶ If not applicable or less than zero, enter 0. <p>A. 2023 eligible county hospital expenditures. Enter the amount paid by the county or municipality to maintain and operate an eligible county hospital for the period beginning on July 1, 2022 and ending on June 30, 2023. \$ <u>0</u></p> <p>B. 2022 eligible county hospital expenditures. Enter the amount paid by the county or municipality to maintain and operate an eligible county hospital for the period beginning on July 1, 2021 and ending on June 30, 2022. \$ <u>0</u></p> <p>C. Subtract B from A and divide by Line 32 and multiply by \$100. \$ <u>0</u> / \$100</p> <p>D. Multiply B by 0.08 and divide by Line 32 and multiply by \$100. \$ <u>0</u> / \$100</p> <p>E. Enter the lesser of C and D, if applicable. If not applicable, enter 0. \$ <u>0</u> / \$100</p>	
38.	Rate adjustment for defunding municipality. This adjustment only applies to a municipality that is considered to be a defunding municipality for the current tax year under Chapter 109, Local Government Code. Chapter 109, Local Government Code only applies to municipalities with a population of more than 250,000 and includes a written determination by the Office of the Governor. See Tax Code Section 26.0444 for more information. <p>A. Amount appropriated for public safety in 2022. Enter the amount of money appropriated for public safety in the budget adopted by the municipality for the preceding fiscal year. \$ <u>0</u></p> <p>B. Expenditures for public safety in 2022. Enter the amount of money spent by the municipality for public safety during the preceding fiscal year. \$ <u>0</u></p> <p>C. Subtract B from A and divide by Line 32 and multiply by \$100. \$ <u>0</u> / \$100</p> <p>D. Enter the rate calculated in C. If not applicable, enter 0. \$ <u>0</u> / \$100</p>	
39.	Adjusted 2023 NNR M&O rate. Add Lines 33, 34D, 35D, 36E, and 37E. Subtract Line 38D.	\$ <u>0.462667</u> / \$100
40.	Adjustment for 2022 sales tax specifically to reduce property taxes. Cities, counties and hospital districts that collected and spent additional sales tax on M&O expenses in 2022 should complete this line. These entities will deduct the sales tax gain rate for 2023 in Section 3. Other taxing units, enter zero. <p>A. Enter the amount of additional sales tax collected and spent on M&O expenses in 2022, if any. Counties must exclude any amount that was spent for economic development grants from the amount of sales tax spent. \$ <u>2,347,233</u></p> <p>B. Divide Line 40A by Line 32 and multiply by \$100. \$ <u>0.047402</u> / \$100</p> <p>C. Add Line 40B to Line 39. \$ <u>0.510069</u> / \$100</p>	
41.	2023 voter-approval M&O rate. Enter the rate as calculated by the appropriate scenario below. Special Taxing Unit. If the taxing unit qualifies as a special taxing unit, multiply Line 40C by 1.08. - or - Other Taxing Unit. If the taxing unit does not qualify as a special taxing unit, multiply Line 40C by 1.035.	\$ <u>0.527921</u> / \$100

²⁵ Tex. Tax Code §26.0442²⁶ Tex. Tax Code §26.0443

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
D41.	Disaster Line 41 (D41): 2023 voter-approval M&O rate for taxing unit affected by disaster declaration. If the taxing unit is located in an area declared a disaster area and at least one person is granted an exemption under Tax Code Section 11.35 for property located in the taxing unit, the governing body may direct the person calculating the voter-approval tax rate to calculate in the manner provided for a special taxing unit. The taxing unit shall continue to calculate the voter-approval tax rate in this manner until the earlier of 1) the first year in which total taxable value on the certified appraisal roll exceeds the total taxable value of the tax year in which the disaster occurred, or 2) the third tax year after the tax year in which the disaster occurred If the taxing unit qualifies under this scenario, multiply Line 40C by 1.08. ²⁹ If the taxing unit does not qualify, do not complete Disaster Line 41 (Line D41).	\$ 0 /\$100
42.	Total 2023 debt to be paid with property taxes and additional sales tax revenue. Debt means the interest and principal that will be paid on debts that: (1) are paid by property taxes, (2) are secured by property taxes, (3) are scheduled for payment over a period longer than one year, and (4) are not classified in the taxing unit's budget as M&O expenses. A. Debt also includes contractual payments to other taxing units that have incurred debts on behalf of this taxing unit, if those debts meet the four conditions above. Include only amounts that will be paid from property tax revenue. Do not include appraisal district budget payments. If the governing body of a taxing unit authorized or agreed to authorize a bond, warrant, certificate of obligation, or other evidence of indebtedness on or after Sept. 1, 2021, verify if it meets the amended definition of debt before including it here. ²⁸ Enter debt amount \$ 8,544,938 B. Subtract unencumbered fund amount used to reduce total debt. - \$ 0 C. Subtract certified amount spent from sales tax to reduce debt (enter zero if none) - \$ 0 D. Subtract amount paid from other resources - \$ 0 E. Adjusted debt. Subtract B, C and D from A. \$ 8,544,938	\$ 8,544,938
43.	Certified 2022 excess debt collections. Enter the amount certified by the collector. ²⁹	\$ 0
44.	Adjusted 2023 debt. Subtract Line 43 from Line 42E.	\$ 8,544,938
45.	2023 anticipated collection rate. A. Enter the 2023 anticipated collection rate certified by the collector. ³⁰ 100.00 % B. Enter the 2022 actual collection rate. 103.03 % C. Enter the 2021 actual collection rate. 103.07 % D. Enter the 2020 actual collection rate. 112.40 % E. If the anticipated collection rate in A is lower than actual collection rates in B, C and D, enter the lowest collection rate from B, C and D. If the anticipated rate in A is higher than at least one of the rates in the prior three years, enter the rate from A. Note that the rate can be greater than 100%. ³¹ 103.03 %	103.03 %
46.	2023 debt adjusted for collections. Divide Line 44 by Line 45E.	\$ 8,293,640
47.	2023 total taxable value. Enter the amount on Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 5,353,065,716
48.	2023 debt rate. Divide Line 46 by Line 47 and multiply by \$100.	\$ 0.154932 /\$100
49.	2023 voter-approval tax rate. Add Lines 41 and 48.	\$ 0.682853 /\$100
D49.	Disaster Line 49 (D49): 2023 voter-approval tax rate for taxing unit affected by disaster declaration. Complete this line if the taxing unit calculated the voter-approval tax rate in the manner provided for a special taxing unit on Line D41. Add Line D41 and 48.	\$ /\$100

²⁹ Tex. Tax Code §26.042(a)³⁰ Tex. Tax Code §26.012(7)³¹ Tex. Tax Code §26.012(10) and 26.04(b)³² Tex. Tax Code §26.04(b)

Tex. Tax Code §§26.04(h), (h-1) and (h-2)

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
50.	COUNTIES ONLY. Add together the voter-approval tax rates for each type of tax the county levies. The total is the 2023 county voter-approval tax rate.	\$ 0 /\$100

SECTION 3: NNR Tax Rate and Voter-Approval Tax Rate Adjustments for Additional Sales Tax to Reduce Property Taxes

Cities, counties and hospital districts may levy a sales tax specifically to reduce property taxes. Local voters by election must approve imposing or abolishing the additional sales tax. If approved, the taxing unit must reduce its NNR and voter-approval tax rates to offset the expected sales tax revenue.

This section should only be completed by a county, city or hospital district that is required to adjust its NNR tax rate and/or voter-approval tax rate because it adopted the additional sales tax.

Line	Additional Sales and Use Tax Worksheet	Amount/Rate
51.	Taxable Sales. For taxing units that adopted the sales tax in November 2022 or May 2023, enter the Comptroller's estimate of taxable sales for the previous four quarters. ³² Estimates of taxable sales may be obtained through the Comptroller's Allocation Historical Summary webpage. Taxing units that adopted the sales tax before November 2022, enter 0.	\$ 0
52.	Estimated sales tax revenue. Counties exclude any amount that is or will be spent for economic development grants from the amount of estimated sales tax revenue. ³³ Taxing units that adopted the sales tax in November 2022 or in May 2023. Multiply the amount on Line 51 by the sales tax rate (.01, .005 or .0025, as applicable) and multiply the result by .95. ³⁴ - or - Taxing units that adopted the sales tax before November 2022. Enter the sales tax revenue for the previous four quarters. Do not multiply by .95.	\$ 2,347,233
53.	2023 total taxable value. Enter the amount from Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 5,353,065,716
54.	Sales tax adjustment rate. Divide Line 52 by Line 53 and multiply by \$100.	\$ 0.043849 /\$100
55.	2023 NNR tax rate, unadjusted for sales tax. ³⁵ Enter the rate from Line 26 or 27, as applicable, on the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 0.598026 /\$100
56.	2023 NNR tax rate, adjusted for sales tax. Taxing units that adopted the sales tax in November 2022 or in May 2023. Subtract Line 54 from Line 55. Skip to Line 57 if you adopted the additional sales tax before November 2022.	\$ 0.598026 /\$100
57.	2023 voter-approval tax rate, unadjusted for sales tax. ³⁶ Enter the rate from Line 49, Line D49 (disaster) or Line 50 (counties) as applicable, of the <i>Voter-Approval Tax Rate Worksheet</i> .	\$ 0.682853 /\$100
58.	2023 voter-approval tax rate, adjusted for sales tax. Subtract Line 54 from Line 57.	\$ 0.639004 /\$100

SECTION 4: Voter-Approval Tax Rate Adjustment for Pollution Control

A taxing unit may raise its rate for M&O funds used to pay for a facility, device or method for the control of air, water or land pollution. This includes any land, structure, building, installation, excavation, machinery, equipment or device that is used, constructed, acquired or installed wholly or partly to meet or exceed pollution control requirements. The taxing unit's expenses are those necessary to meet the requirements of a permit issued by the Texas Commission on Environmental Quality (TCEQ). The taxing unit must provide the tax assessor with a copy of the TCEQ letter of determination that states the portion of the cost of the installation for pollution control.

This section should only be completed by a taxing unit that uses M&O funds to pay for a facility, device or method for the control of air, water or land pollution.

Line	Voter-Approval Rate Adjustment for Pollution Control Requirements Worksheet	Amount/Rate
59.	Certified expenses from the Texas Commission on Environmental Quality (TCEQ). Enter the amount certified in the determination letter from TCEQ. ³⁷ The taxing unit shall provide its tax assessor-collector with a copy of the letter. ³⁸	\$ 0
60.	2023 total taxable value. Enter the amount from Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 5,353,065,716
61.	Additional rate for pollution control. Divide Line 59 by Line 60 and multiply by \$100.	\$ 0 /\$100
62.	2023 voter-approval tax rate, adjusted for pollution control. Add Line 61 to one of the following lines (as applicable): Line 49, Line D49 (disaster), Line 50 (counties) or Line 58 (taxing units with the additional sales tax).	\$ 0.639004 /\$100

³² Tex. Tax Code §26.041(d)

³³ Tex. Tax Code §26.041(f)

³⁴ Tex. Tax Code §26.041(d)

³⁵ Tex. Tax Code §26.04(c)

³⁶ Tex. Tax Code §26.04(c)

³⁷ Tex. Tax Code §26.045(d)

³⁸ Tex. Tax Code §26.045(f)

SECTION 5: Voter-Approval Tax Rate Adjustment for Unused Increment Rate

The unused increment rate is the rate equal to the difference between the adopted tax rate and voter-approval tax rate adjusted to remove the unused increment rate for the prior three years.³⁹ In a year where a taxing unit adopts a rate by applying any portion of the unused increment rate, the portion of the unused increment rate must be backed out of the calculation for that year.

The difference between the adopted tax rate and adjusted voter-approval tax rate is considered zero in the following scenarios:

- a tax year before 2020,⁴⁰
- a tax year in which the municipality is a defunding municipality, as defined by Tax Code Section 26.0501(a),⁴¹ or
- after Jan. 1, 2022, a tax year in which the comptroller determines that the county implemented a budget reduction or reallocation described by Local Government Code Section 120.002(a) without the required voter approval.⁴²

Individual components can be negative, but the overall rate would be the greater of zero or the calculated rate.

This section should only be completed by a taxing unit that does not meet the definition of a special taxing unit.⁴³

Line	Unused Increment Rate Worksheet	Amount/Rate
63.	Year 3 component. Subtract the 2022 actual tax rate and the 2022 unused increment rate from the 2022 voter-approval tax rate.	
A.	Voter-approval tax rate (Line 67).....	\$ 0.691824 /\$100
B.	Unused increment rate (Line 66).....	\$ 0.003231 /\$100
C.	Subtract B from A.....	\$ 0.688593 /\$100
D.	Adopted Tax Rate.....	\$ 0.691822 /\$100
E.	Subtract D from C.....	\$ -0.003229 /\$100
64.	Year 2 component. Subtract the 2021 actual tax rate and the 2021 unused increment rate from the 2021 voter-approval tax rate.	
A.	Voter-approval tax rate (Line 67).....	\$ 0.769288 /\$100
B.	Unused increment rate (Line 66).....	\$ 0.003231 /\$100
C.	Subtract B from A.....	\$ 0.766057 /\$100
D.	Adopted Tax Rate.....	\$ 0.769287 /\$100
E.	Subtract D from C.....	\$ -0.003230 /\$100
65.	Year 1 component. Subtract the 2020 actual tax rate and the 2020 unused increment rate from the 2020 voter-approval tax rate.	
A.	Voter-approval tax rate (Line 65).....	\$ 0.822967 /\$100
B.	Unused increment rate (Line 64).....	\$ 0 /\$100
C.	Subtract B from A.....	\$ 0.822967 /\$100
D.	Adopted Tax Rate.....	\$ 0.819736 /\$100
E.	Subtract D from C.....	\$ 0.003231 /\$100
66.	2023 unused increment rate. Add Lines 63E, 64E and 65E.	\$ 0.000000 /\$100
67.	Total 2023 voter-approval tax rate, including the unused increment rate. Add Line 66 to one of the following lines (as applicable): Line 49, Line D49 (disaster), Line 50 (counties), Line 58 (taxing units with the additional sales tax) or Line 62 (taxing units with pollution control).	\$ 0.639004 /\$100

³⁹ Tex. Tax Code §26.013(a).

⁴⁰ Tex. Tax Code §26.013(c).

⁴¹ Tex. Tax Code §§26.0501(a) and (c).

⁴² Tex. Local Gov't Code §120.007(d), effective Jan. 1, 2022.

⁴³ Tex. Tax Code §26.063(a)(1).

⁴⁴ Tex. Tax Code §26.012(B-a).

⁴⁵ Tex. Tax Code §26.063(a)(1).

SECTION 6: De Minimis Rate

The de minimis rate is the rate equal to the sum of the no-new-revenue maintenance and operations rate, the rate that will raise \$500,000, and the current debt rate for a taxing unit.⁴⁶ This section should only be completed by a taxing unit that is a municipality of less than 30,000 or a taxing unit that does not meet the definition of a special taxing unit.⁴⁵

Line	De Minimis Rate Worksheet	Amount/Rate
68.	Adjusted 2023 NNR M&O tax rate. Enter the rate from Line 39 of the <i>Voter-Approval Tax Rate Worksheet</i> .	\$ 0.462667 /\$100
69.	2023 total taxable value. Enter the amount on Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 5,353,065,716
70.	Rate necessary to impose \$500,000 in taxes. Divide \$500,000 by Line 69 and multiply by \$100.	\$ 0.009340 /\$100
71.	2023 debt rate. Enter the rate from Line 48 of the <i>Voter-Approval Tax Rate Worksheet</i> .	\$ 0.154932 /\$100
72.	De minimis rate. Add Lines 68, 70 and 71.	\$ 0.000000 /\$100

SECTION 7: Voter Approval Tax Rate Adjustment for Emergency Revenue Rate

In the tax year after the end of the disaster calculation time period detailed in Tax Code Section 26.042(a), a taxing unit that calculated its voter-approval tax rate in the manner provided for a special taxing unit due to a disaster must calculate its emergency revenue rate and reduce its voter-approval tax rate for that year.⁴⁶

Similarly, if a taxing unit adopted a tax rate that exceeded its voter-approval tax rate, calculated normally, without holding an election to respond to a disaster, as allowed by Tax Code Section 26.042(d), in the prior year, it must also reduce its voter-approval tax rate for the current tax year.⁴⁷

This section will apply to a taxing unit other than a special taxing unit that:

- directed the designated officer or employee to calculate the voter-approval tax rate of the taxing unit in the manner provided for a special taxing unit in the prior year; and
- the current year is the first tax year in which the total taxable value of property taxable by the taxing unit as shown on the appraisal roll for the taxing unit submitted by the assessor for the taxing unit to the governing body exceeds the total taxable value of property taxable by the taxing unit on January 1 of the tax year in which the disaster occurred or the disaster occurred four years ago. This section will apply to a taxing unit in a disaster area that adopted a tax rate greater than its voter-approval tax rate without holding an election in the prior year.

Note: This section does not apply if a taxing unit is continuing to calculate its voter-approval tax rate in the manner provided for a special taxing unit because it is still within the disaster calculation time period detailed in Tax Code Section 26.042(a) because it has not met the conditions in Tax Code Section 26.042(a)(1) or (2).

Line	Emergency Revenue Rate Worksheet	Amount/Rate
73.	2022 adopted tax rate. Enter the rate in Line 4 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 0.691822 /\$100
74.	Adjusted 2022 voter-approval tax rate. Use the taxing unit's Tax Rate Calculation Worksheets from the prior year(s) to complete this line. If a disaster occurred in 2022 and the taxing unit calculated its 2022 voter-approval tax rate using a multiplier of 1.08 on Disaster Line 41 (D41) of the 2022 worksheet due to a disaster, complete the applicable sections or lines of Form 50-856-a, <i>Adjusted Voter-Approval Tax Rate for Taxing Units in Disaster Area Calculation Worksheet</i> . - or - If a disaster occurred prior to 2022 for which the taxing unit continued to calculate its voter-approval tax rate using a multiplier of 1.08 on Disaster Line 41 (D41) in 2022, complete the separate <i>Adjusted Voter-Approval Tax Rate for Taxing Units in Disaster Area Calculation Worksheet</i> to recalculate the voter-approval tax rate the taxing unit would have calculated in 2022 if it had generated revenue based on an adopted tax rate using a multiplier of 1.035 in the year(s) following the disaster. ⁴⁸ Enter the final adjusted 2022 voter-approval tax rate from the worksheet. - or - If the taxing unit adopted a tax rate above the 2022 voter-approval tax rate without calculating a disaster tax rate or holding an election due to a disaster, no recalculation is necessary. Enter the voter-approval tax rate from the prior year's worksheet.	\$ 0 /\$100
75.	Increase in 2022 tax rate due to disaster. Subtract Line 74 from Line 73.	\$ 0 /\$100
76.	Adjusted 2022 taxable value. Enter the amount in Line 14 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 4,265,731,102
77.	Emergency revenue. Multiply Line 75 by Line 76 and divide by \$100.	\$ 0
78.	Adjusted 2023 taxable value. Enter the amount in Line 25 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 4,951,701,347
79.	Emergency revenue rate. Divide Line 77 by Line 78 and multiply by \$100. ⁴⁹	\$ 0 /\$100

⁴⁶ Tex. Tax Code §26.042(b)

⁴⁷ Tex. Tax Code §26.042(f)

⁴⁸ Tex. Tax Code §26.042(c)

⁴⁹ Tex. Tax Code §26.042(b)

Line	Emergency Revenue Rate Worksheet	Amount/Rate
80.	2023 voter-approval tax rate, adjusted for emergency revenue. Subtract Line 79 from one of the following lines (as applicable): Line 49, Line D49 (disaster), Line 50 (counties), Line 58 (taxing units with the additional sales tax), Line 62 (taxing units with pollution control) or Line 67 (taxing units with the unused increment rate).	\$ 0.639004 / \$100 ✓

SECTION 8: Total Tax Rate

Indicate the applicable total tax rates as calculated above.

No-new-revenue tax rate. \$ 0.598026 / \$100
 As applicable, enter the 2023 NNR tax rate from: Line 26, Line 27 (counties), or Line 56 (adjusted for sales tax).
 Indicate the line number used: 26

Voter-approval tax rate. \$ 0.639004 / \$100
 As applicable, enter the 2023 voter-approval tax rate from: Line 49, Line D49 (disaster), Line 50 (counties), Line 58 (adjusted for sales tax), Line 62 (adjusted for pollution control), Line 67 (adjusted for unused increment), or Line 80 (adjusted for emergency revenue).
 Indicate the line number used: 58

De minimis rate. \$ 0.000000 / \$100
 If applicable, enter the 2023 de minimis rate from Line 72.

SECTION 9: Taxing Unit Representative Name and Signature

Enter the name of the person preparing the tax rate as authorized by the governing body of the taxing unit. By signing below, you certify that you are the designated officer or employee of the taxing unit and have accurately calculated the tax rates using values that are the same as the values shown in the taxing unit's certified appraisal roll or certified estimate of taxable value, in accordance with requirements in the Tax Code.¹⁰

**print
here**

John R. Ames, PCC, CTA

Printed Name of Taxing Unit Representative

**sign
here**

Peggy McLoimich for John R. Ames

Taxing Unit Representative

8/4/23

Date

¹⁰ Tex. Tax Code §§26.04(c-2) and (d-2)

8/4/2023
 8:44 am
 [Signature]

CITY OF LANCASTER CITY COUNCIL

City Council Special Work Session and Regular Meeting

8.

Meeting Date: 08/14/2023

Policy Statement: This request supports the City Council 2023-2024 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 seek legal advice from the City Attorney concerning deliberations of a security audit.

b. Section 551.074(a) of the Texas Government Code, the City Council shall convene in executive session to discuss the duties of a public officer, to wit, the Councilmember for District 1; and/or to hear a complaint against that officer.

LANCASTER CITY COUNCIL

City Council Special Work Session and Regular Meeting

9.

Meeting Date: 08/14/2023

Policy Statement: This request supports the City Council 2023-2024 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.