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

September 14, 2015 - 7:00 PM

CALL TO ORDER

INVOCATION: Ministerial Alliance

PLEDGE OF ALLEGIANCE: Councilmember LaShonjia Harris

PROCLAMATION: Daughters of the American Revolution

CITIZENS' COMMENTS:

At this time citizens who have pre-registered before the call to order will be allowed to speak on any matter other than personnel matters or matters under litigation, 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.

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.

C1. Consider approval of minutes from the City Council Regular Meeting held on August 24, 2015 and the City Council Special Meeting held on August 31, 2015.

C2. Discuss and consider a resolution approving the terms and conditions of an interlocal agreement by and between the City of Lancaster and Dallas County Department of Health and Human Services to provide certain health services.

C3. Discuss and consider a resolution approving the City Council rules and procedures pursuant to Section 3.14 of the Home Rule Charter.

C4. Consider a resolution canceling the City Council Work Session of September 21, 2015 and the regular City Council meeting of September 28, 2015, regular City Council meetings of November 23, 2015 and December 28, 2015.

C5. Consider a resolution providing for the adoption of the Master Fee Schedule for all fees and charges assessed and collected by the City.

C6. Discuss and consider a resolution approving the terms and conditions of an interlocal agreement by and between the City of Lancaster, Texas, and Dallas County Department of Health and Human Services to provide certain food establishment inspections and environmental services.

C7. Discuss and consider a resolution adopting the City of Lancaster Financial Policy providing for prudent financial management of all funds to enable the city to maintain a long term stable and positive financial condition and provide guidelines for the day-to-day planning and operation of the city's financial matters.

C8. Discuss and consider a resolution adopting the City of Lancaster Investment Policy providing that all funds of the city be managed and invested for safety, liquidity, diversification and yield and that investments be chosen in a manner which promotes diversity by market sector, credit and maturity; providing that this policy serve to satisfy the requirements of Chapter 2256 of the Local Government Code, "Public Funds Investment Act".

C9. Discuss and consider a resolution adopting the City of Lancaster Debt Management Policy establishing guidelines for debt financing to provide for needed land, long-term capital additions, and infrastructure improvements while minimizing the impact of debt payments on current and future revenues.

C10. Discuss and consider a resolution approving the terms and conditions of the Grant Agreement for the Routine Airport Maintenance Program (RAMP) by and between the City of Lancaster, as Airport Sponsor, and the Texas Department of Transportation, on behalf of the State of Texas; authorizing matching funds in the amount of $50,000 at the Lancaster Regional Airport.

PUBLIC HEARING:

11. Conduct a public hearing and consider an amendment to the City of Lancaster's Comprehensive Plan's Future Land Use Map from Public/Semi Public uses for uses suitable under Office zoning to a land use designation of Retail for uses suitable under R-Retail zoning. The property is approximately .6 acres of land that is located on the north side of Pleasant Run Road just east of the intersection of Lancaster Park Drive and Pleasant Run Road. The legal description of the property is Part of Lot 6, Block B, Bellaire Acres addition, Lancaster, Dallas County, Texas.

12. Conduct a public hearing and consider an amendment the City of Lancaster's Comprehensive Plan's Future Land use map from Low Density Residential uses to high Density Residential uses and a re-zoning request (Z15-02) from SF4-Single Family Residential to TH-16 Townhomes. The approximately 2 acre property is located on the south side of W. Main Street just east of the intersection of Briarwood Ln. and W. Main St., further described as H Lot 5 of the Enchanted Forest Unit 2 addition, Lancaster, Dallas County, Texas.

13. Conduct a public hearing and consider a Specific Use Permit (SUP) for a telecommunications tower on property known as 653 N. Bluegrove Road further described as William Rawlins Survey, Abstract 1200, Tract 40 in City of Lancaster, Dallas County, Texas.

14. Conduct a public hearing and consider an amendment to the City of Lancaster's Comprehensive Plan's Future Land Use Map from Retail uses to Light Industrial uses and a rezoning request from Planned Development Mixed Use (PD-MU) to Planned Development Light Industrial (PD-LI). The subject property is described as being a 3.845 acre tract and a 0.992 acre tract in the Smith Elkins Survey, Abstract No. 430, in the City of Lancaster, Dallas County, Texas.

ACTION:

15. Discuss and consider an ordinance establishing Civil Service classifications within the Police and Fire Departments; prescribing the number of positions in each classification.

16. Consider confirmation of Civil Service Commission appointments as designated by the City Manager.

17. Discuss and consider a resolution approving the City of Lancaster Public Improvement District (PID) Advisory Board Appointments.

18. Discuss and consider a resolution amending the rate for certain fees and charges assessed and collected by the City for water service; providing a repealing clause; and providing an effective date.

19. Discuss and consider a resolution amending Section 10.700 of the Master Fee Schedule for fees and charges assessed for water and wastewater rates.

20. Discuss and consider a resolution approving a Facilities Agreement by and between the City of Lancaster and the Pauls Corporation, relating to infrastructure and improvements for the development of property described as “Southpointe Business Park”, generally located in the city rights-of-way located at 3901 and 3951 Corporate Drive, Lancaster, Texas.

21. Discuss and consider a resolution granting a request for a Special Exception pursuant to Section 14.209 (d), of the Lancaster Development Code; to provide a Special Exception for increased height on the proposed fleet maintenance facility to be located on the east side of the intersection of the BNSF railway and Third Street and more commonly known as 629 E. Third.

22. Discuss and consider a resolution granting a request for Special Exceptions pursuant to Section 14.209 (d), of the Lancaster Development Code; to provide a Special Exception to a Masonry Requirement on the building; a reduction in the articulation requirements and increased height of the building to be located on the north side of Danieldale Road approximately 1,866 feet west of the intersection of Houston School Road and Danieldale Road, more commonly known as 2935 Danieldale Road.

23. Discuss and consider a resolution approving the terms and conditions of an Interlocal Agreement by and between the City of Dallas and the City of Lancaster for the Telephone Road Project.

24. Discuss and consider an ordinance regarding the proposed revenue increase from levying ad valorem taxes for fiscal year 2015/2016 at $0.8675 per one hundred dollars assessed valuation of all taxable property within the corporate limits to provide revenues for current maintenance and operation expenses and interest and sinking fund requirements; providing due and delinquent dates; penalties and interest; providing a homestead exemption and disability exemption.

25. Discuss and consider an ordinance regarding the proposed budget for the fiscal year beginning October 1, 2015 and ending September 30, 2016; providing that expenditures for said fiscal year shall be in accordance with said budget.

26. Discuss and consider a resolution ratifying the budget for the fiscal year 2015/2016 that results in an increase of revenues by 8.72% from property taxes than the previous year.

ADJOURNMENT

EXECUTIVE SESSION: The 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: The Municipal Center is 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.

Certificate

I hereby certify the above Notice of Meeting was posted at the Lancaster City Hall on September 11, 2015 @ 5:00 p.m. and copies thereof were provided to the Mayor, Mayor Pro-Tempore, Deputy Mayor Pro-Tempore and Council members.

Sorangel O. Arenas
City Secretary

LANCASTER CITY COUNCIL

Agenda Communication

September 14, 2015

Consider approval of minutes from the City Council Regular Meeting held on August 24, 2015 and the City Council Special Meeting held on August 31, 2015.

Background

Attached for your review and consideration are minutes from the:

- City Council Regular Meeting held August 24, 2015
- City Council Special Meeting held August 31, 2015

Submitted by:
Sorangel O. Arenas, City Secretary

MINUTES

LANCASTER CITY COUNCIL MEETING OF AUGUST 24, 2015

The City Council of the City of Lancaster, Texas, met in Regular session in the Council Chambers of City Hall on August 24, 2015 at 7:00 p.m. with a quorum present to-wit:

Councilmembers Present:
Mayor Marcus E. Knight
Carol Strain-Burk
Deputy Mayor Pro Tem Stanley Jaglowski
Marco Mejia
Mayor Pro Tem James Daniels
LaShonjia Harris
Nina Morris

City Staff Present:
Opal Mauldin-Robertson, City Manager
Rona Stringfellow, Assistant City Manager
Fabrice Kabona, Assistant to the City Manager
Jim Brewer, Public Works Director
Thomas Griffith, Fire Chief
Cheryl Wilson, Police Chief
Jermaine Sapp, Fleet Superintendent
Cynthia Pearson, Finance Director
Baron Sauls, Assistant Finance Director
Mark Divita, Airport Manager
Ed Brady, Director of Economic Development
Dori Lee, Human Resources Director
Sean Johnson, Managing Director of Quality of Life & Cultural Services
Michael Grace, Development Services Director
Robert E. Hager, City Attorney
Angie Arenas, City Secretary

Call to Order:
Mayor Knight called the meeting to order at 7:00 p.m. on August 10, 2015.

Invocation:
Sean Johnson gave the invocation.

Pledge of Allegiance:
Mayor Pro Tem James Daniels led the pledge of allegiance.

Citizens Comments:
Samuel M. Howard, 1122 Southridge Drive, stated that he would like to have the lights cut off at the Meadow Creek Park.

Consent Agenda:

City Secretary Arenas read the consent agenda.

C1. Consider approval of minutes from the City Council Special Meeting held August 3, 2015 and August 17, 2015 and the City Council Regular Meeting held August 10, 2015.

C2. Consider a resolution amending the terms and conditions of the City owned ground lease for Lot 27 at the Lancaster Regional Airport

C3. Consider a resolution approving and adopting the Lancaster Regional Airport Rules and Regulations dated August 2015.

MOTION: Councilmember Strain-Burk made a motion, seconded by Deputy Mayor Pro Tem Jaglowski, to approve consent items. The vote was cast 7 for, 0 against.

4. Consider a resolution authorizing the renewal of contracts with Blue Cross Blue Shield for employee medical administration with a Health Savings Account (HSA) option; and authorizing renewal with United Concordia for dental administration, Dearborn National for basic and voluntary life, accidental death and dismemberment, and long term disability; Discovery for flexible spending and the Section 125 Plan; Conexis for COBRA administration; and Alliance Work Partners for Employee Assistance Program administration.

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

5. Consider and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Beltline Ashmoore Public Improvement District.

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Morris, to approve item 5. The vote was cast 7 for, 0 against.

6. Consider and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Glendover Estates Public Improvement District.

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

7. Consider and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Boardwalk Public Improvement District.

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

8. Consider and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Lancaster Mills Public Improvement District.

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Morris, to approve item 8. The vote was cast 7 for, 0 against.

9. Consider and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Meadowview Public Improvement District.

MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro Tem Daniels, to approve item 9. The vote was cast 7 for, 0 against.

10. Consider and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Millbrook East Public Improvement District.

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Harris, to approve item 10. The vote was cast 7 for, 0 against.

11. Consider and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Rolling Meadows Public Improvement District.

Deputy Mayor Pro Tem Jaglowski excused for this item.

City Attorney Robert Hager shared that Deputy Mayor Pro Tem Jaglowski signed a conflict of interest affidavit and filed same with the City Secretary's Office in regard to action item 11. Mr. Hager stated that it is prudent for Deputy Mayor Pro Tem Jaglowski to recuse himself as the assessment would be a levy against his real estate.

Councilmember Harris spoke on action item 10 and advised she resides in the Millbrook East Public Improvement District. She inquired of the City Attorney whether she should also recuse herself.

City Attorney Hager advised to reapprove action item 10. He advised Councilmember Harris to recuse herself from item 10 and to sign a conflict of interest affidavit.

MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro Tem Daniels, to approve item 11. The vote was cast 6 for, 0 against [Jaglowski recused].

12. Consider and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Tribute at Mills Branch and Tribute East at Mills Branch Public Improvement District.

MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro Tem Daniels, to approve item 12. The vote was cast 7 for, 0 against.

10. Consider and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Millbrook East Public Improvement District.

Councilmember Harris excused for this item.

MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro Tem Daniels, to reconsider item 10. The vote was cast 6 for, 0 against [Harris recused].

MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro Tem Daniels, to approve item 10. The vote was cast 6 for, 0 against [Harris recused].

13. Conduct a public hearing and discuss an ordinance regarding the proposed revenue increase from levying ad valorem taxes for fiscal year 2015/2016 at $0.8675 per one hundred dollars assessed valuation of all taxable property within the corporate limits to provide revenues for current maintenance and operation expenses and interest and sinking fund requirements; providing due and delinquent dates; penalties and interest; providing a homestead exemption and disability exemption.

Mayor Knight stated the tax rate is not increasing and that the tax revenue will increase.

Mayor Knight opened the public hearing.

Samuel M. Howard, 1122 Southridge Drive, stated taxes cannot be increased and shared his concerns about his property value.

Mayor Knight clarified that the tax rate is staying the same but property values have increased.

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

14. Conduct a public hearing and discuss an ordinance regarding the proposed fiscal year 2015/2016 budget for the fiscal year beginning October 1, 2015 and ending September 30, 2016; providing that expenditures for said fiscal year shall be in accordance with said budget.

Mayor Knight opened the public hearing.

There were no speakers

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

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

The meeting was adjourned at 7:24 p.m.

ATTEST: **APPROVED:**

_____ _____

Sorangel O. Arenas, City Secretary Marcus E. Knight, Mayor

MINUTES

LANCASTER CITY COUNCIL MEETING OF AUGUST 31, 2015

The City Council of the City of Lancaster, Texas, met in a called Special session in the Council Chambers of City Hall on August 31, 2015 at 7:15 p.m. with a quorum present to-wit:

Councilmembers Present:
Mayor Marcus E. Knight
Carol Strain-Burk
Deputy Mayor Pro Tem Stanley Jaglowski
Marco Mejia
LaShonjia Harris
Nina Morris

Councilmembers Absent:
Mayor Pro Tem James Daniels

City Staff Present:
Opal Mauldin-Robertson, City Manager
Rona Stringfellow, Assistant City Manager
Fabrice Kabona, Assistant to the City Manager
Cheryl Wilson, Police Chief
Dori Lee, HR Director
Jim Brewer, Public Works Director
Ed Brady, Director of Economic
Michael Grace, Development Services Director
Sean Johnson, Managing Director of Quality of Life & Cultural Services
Thomas Griffith, Fire Chief
Alton Dixon, Purchasing Agent
Jermaine Sapp, Fleet Superintendent
Cynthia Pearson, Finance Director
Baron Sauls, Assistant Finance Director
Angie Arenas, City Secretary

Call to Order:
Mayor Knight called the meeting to order at 7:15 p.m. on August 31, 2015.

1. **Conduct a public hearing and discuss an ordinance regarding the proposed revenue increase from levying ad valorem taxes for fiscal year 2015/2016 at $0.8675 per one hundred dollars assessed valuation of all taxable property within the corporate limits to provide revenues for current maintenance and operation expenses and interest and sinking fund requirements; providing due and delinquent dates; penalties and interest; providing a homestead exemption and disability exemption.**

Mayor Knight opened the public hearing.

There were no speakers

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

2. Conduct a public hearing and discuss an ordinance regarding the proposed fiscal year 2015/2016 budget for the fiscal year beginning October 1, 2015 and ending September 30, 2016; providing that expenditures for said fiscal year shall be in accordance with said budget.

Mayor Knight opened the public hearing.

There were no speakers

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

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

The meeting was adjourned at 7:20 p.m.

ATTEST: **APPROVED:**

_____ _____

Sorangel O. Arenas, City Secretary Marcus E. Knight, Mayor

LANCASTER CITY COUNCIL

Agenda Communication

September 14, 2015

Discuss and consider a resolution approving the terms and conditions of an interlocal agreement by and between the City of Lancaster and Dallas County Department of Health and Human Services to provide certain health services.

This request supports the City Council 2015-2016 Policy Agenda.

Goal: Healthy Safe and Vibrant Community
Financially Sound City Government

Background

Annually the City of Lancaster has contracted with Dallas County Health and Human Services in order to provide certain public health programs for citizens of Lancaster. These health services include: Control Services for tuberculosis, sexually transmitted diseases and other communicable diseases; Laboratory Services (chemical, biological, bacteriological analysis); immunizations; child health care; high risk infant case management; and home visits.

Dallas County provides certain health services to various cities throughout Dallas County on a contract for services basis. This cooperative effort allows cities in Dallas County to participate in providing public health services for their residents, which helps promote the effectiveness of local public health programs.

Considerations

- **Operational** – Dallas County Health and Human Services provides program health services such as immunizations, child health care, and control services for communicable diseases for Lancaster residents at various locations throughout Dallas County on a sliding fee based on ability to pay. Fees charged for services by the County help offset Lancaster's program costs for each year.

- **Legal** – The agreement is unchanged from last year and has been previously reviewed and approved as to form by the City Attorney.

- **Financial** - The FY 2015-2016 contract is the same as last year. There is not an increase in fees for services. The cost as stated in Section 3(C) of the contract is $12,106. This is the amount of the City's share of the total cost less federal and state funding. The City has budgeted for these services in the FY 2015-2016 budget.

- **Public Information** - This resolution is being considered at a regular meeting of the City Council, in accordance with the Texas Open Meetings Act.

Options/Alternatives

1. City Council may approve the interlocal agreement for health services for its residents through Dallas County Health and Human Services.

2. City Council may reject the interlocal agreement for resident health services. This would leave residents without access to these health services.

Recommendation

Staff recommends approval of the resolution and interlocal agreement as presented.

Attachments

- Resolution
- Dallas County Health and Human Services Interlocal Agreement

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Submitted by:
Sorangel O. Arenas, City Secretary

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN INTERLOCAL AGREEMENT BY AND BETWEEN THE CITY OF LANCASTER, TEXAS, AND DALLAS COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES TO PROVIDE CERTAIN HEALTH SERVICES; AUTHORIZING ITS EXECUTION BY THE CITY MANAGER; REPEALING ALL RESOLUTIONS IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Dallas County Health and Human Services has offered to provide certain health services to cities throughout the County on a contract for services basis; and

WHEREAS, the City of Lancaster desires to participate with Dallas County in establishing coordinated health services for its residents and all of Dallas County; and

WHEREAS, Dallas County will operate certain health services for the residents of the City in order to promote the effectiveness of local public health programs;

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

SECTION 1. That the Dallas County Health and Human Services Interlocal Agreement for Fiscal Year 2016, attached hereto and incorporated herein by reference as Exhibit "A", having been reviewed by the City Council of the City of Lancaster, Texas, and found to be acceptable and in the best interest of the City and its citizens, be, and the same is hereby, in all things approved.

SECTION 2. That the City Manager of the City of Lancaster, Texas, is hereby authorized to execute said agreement.

SECTION 3. That any prior resolution of the City Council in conflict with the provisions contained in this Resolution are hereby repealed and revoked.

SECTION 4. 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 5. That this resolution shall take effect 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 September, 2015.

ATTEST: **APPROVED:**

_____ _____

Sorangel O. Arenas, City Secretary Marcus E. Knight, Mayor

APPROVED AS TO FORM:

_____

Robert E. Hager, City Attorney

THE STATE OF TEXAS	§	**INTERLOCAL AGREEMENT FOR**
	§	**COORDINATED HEALTH SERVICES**
	§	**BETWEEN DALLAS COUNTY, TEXAS, ON**
	§	**BEHALF OF DALLAS COUNTY HEALTH AND**
	§	**HUMAN SERVICES, AND THE CITY OF**
COUNTY OF DALLAS	§	**LANCASTER, TEXAS**

1. PARTIES

Whereas, Dallas County ("County") has offered to provide certain health services to the various cities throughout Dallas County on a contract for services basis; and

Whereas, the City of Lancaster, Texas ("City") desires to participate with County in establishing coordinated health services for City and Dallas County; and

Whereas, County will operate certain health services for the residents of City in order to promote the effectiveness of local public health services and goals ("Program"); and

Whereas, the cooperative effort will allow cities located within Dallas County to participate in providing public health services for their residents; and

Whereas, such cooperative effort serves and furthers the public purpose and benefits the citizens of County as a whole.

Now therefore, County, on behalf of Dallas County Health and Human Services ("DCHHS"), enters into this Interlocal Agreement ("Agreement") with City, pursuant to the authorities of the Texas Health and Safety Code Chapter 121, the Texas Government Code Chapter 791, and other applicable laws for health services to City.

2. HEALTH SERVICES TO BE PERFORMED

A. County agrees to operate the Program, which will include the following health services:

1) Tuberculosis Control Services: providing preventive, diagnostic treatment, and epidemiological services;

2) Sexually Transmitted Disease Control Services: consisting of education to motivate people to use preventive measures and to seek early treatment, prophylaxis, epidemiological investigation, and counseling in accordance with County policy;

3) Communicable Disease Control Services: providing information concerning immunization and communicable diseases and coordinating with the Texas Department of State Health Services ("DSHS") in monitoring communicable diseases;

4) Laboratory Services: performing chemical, biological, and bacteriological analysis

and tests on which are based diagnosis of disease, effectiveness of treatment, the quality of the environment, the safety of substance for human consumption, and the control of communicable disease.

B. County agrees to provide to City, in accordance with state and federal law, the following public health services:

1) Immunizations;

2) Child health care;

3) High risk infant case management; and

4) Home visits.

County also agrees to work with City in order to decentralize clinics and to plan and provide for desired services by City; however, any other services that City requires, in addition to the above mentioned services, may result in additional fees to City.

C. County agrees to charge a sliding fee based on ability to pay to all residents of every municipality, including City, in Dallas County. The fees charged by County for the services listed in Section 2A of this Agreement will be used to offset the City's Program costs for the next Agreement Term. A schedule of fees to be charged by County is set out in Exhibit A, attached and incorporated herein by reference for all purposes.

D. County agrees that the level of service provided in the Program for City will not be diminished below the level of service provided to City for the same services in the prior Agreement Term except as indicated in Section 2E of this Agreement. For purposes of Section 2E, level of service is measured by the number of patient visits and number of specimens examined. County will submit to City a monthly statement, which will also include the number of patient visits and number of specimens examined during the preceding month.

E. The possibility exists of reductions in state and federal funding to the Program that could result in curtailment of services if not subsidized at the local level. County will notify City in writing of any amount of reduction, and any extent to which services will be curtailed as a result. The notice will also include an amount that City may elect to pay to maintain the original level of services. City will notify County in writing no later than fourteen (14) calendar days after the date of City's receipt of the notice of funding reduction as to City's decision to pay the requested amount or to accept the curtailment of service. If City elects to pay the requested amount, payment is due no later than forty-five (45) calendar days after the date of the notice of funding reduction.

3. BUDGET

A. County agrees to submit to City by July 31st of each year a proposed budget describing the proposed level of services for the next Agreement Term;

B. For the Term of this Agreement, County agrees to provide the services listed in Section 2 of this Agreement at the level of services and for the amount stated in Exhibit D, which is attached and incorporated herein by reference for all purposes;

C. Payment. City shall pay County the following amount, as stated in Exhibit D, Twelve thousand one hundred six and 00/100 Dollars ($12,106.00), which is the agreed upon amount for City's share of the total cost of the Program less federal and state funding.

D. In lieu of paying the actual dollar amount stated in this Agreement, City has the option, to the extent authorized by law, ordinances or policy, of making a request to negotiate for in-kind services that are equal in value to the total amount.

E. This Agreement is contingent upon City's appropriation of funds, or ability to perform in-kind services as described in Section 3D of this Agreement, for the services set forth herein. In the event City fails to appropriate such funds, or provide in-kind services, County shall not incur any obligations under this Agreement.

4. ASSURANCES

A. County shall operate and supervise the Program.

B. Nothing in this Agreement shall be construed to restrict the authority of City over its health programs or environmental health programs or to limit the operations or services of those programs.

C. City agrees to provide to County or assist County in procuring adequate facilities to be used for the services under this Agreement. These facilities must have adequate space, waiting areas, heating, air conditioning, lighting, and telephones. None of the costs and maintenance expenses associated with these facilities shall be the responsibility of County and County shall not be liable to City or any third party for the condition of the facilities, including any premises defects.

D. City and County agree that other cities/towns/municipalities may join the Program by entering into an agreement with County that contains the same basic terms and conditions as this Agreement.

E. Each party paying for the performance of governmental functions or services under this Agreement must make those payments from current revenues available to the paying party.

5. FINANCING OF SERVICES

A. The health services provided under this Agreement will be financed as follows:

1) City and County will make available to the Program all appropriate federal and state funds, personnel, and equipment to provide the health services included under this Agreement and will use best efforts to cause these funds and resources to continue to increase.

2) City shall pay to County, or provide in-kind services, its share of budgeted costs that are in excess of the federal and state funding for providing the health services under this Agreement. Budgeted costs shall not exceed those reflected in Exhibits B, C and D for the appropriate Agreement Term.

B. County shall bill City each month an amount equal to one-twelfth (1/12) of its share of annual budgeted costs that exceed federal and state funding for the expenses of the preceding month.

C. Any payment not made within thirty (30) calendar days of its due date shall bear interest in accordance with Chapter 2251 of the Texas Government Code.

D. City and County agree that no more than ten percent (10%) of the City's cost of participating in the Program will be used for administration of the Program.

6. TERM

The Term of this Agreement shall be effective from October 1, 2015 through September 30, 2016, unless otherwise stated in this Agreement.

7. TERMINATION

A. Without Cause: This Agreement may be terminated in writing, without cause, by either party upon thirty (30) calendar days prior written notice to the other party.

B. With Cause: Either party may terminate the Agreement immediately, in whole or in part, at its sole discretion, by written notice to the other party, for the following reasons:

1) Lack of, or reduction in, funding or resources;

2) Non-performance;

3) The improper, misuse or inept use of funds or resources directly related to this Agreement;

4) The submission of data, statements and/or reports that is incorrect, incomplete and/or false in any way.

8. RESPONSIBILITY

County and City agree that each shall be responsible for its own negligent acts or omissions or other tortious conduct in the course of performance of this Agreement, without waiving any governmental immunity available to County or City or their respective officials, officers, employees, or agents under Texas or other law and without waiving any available defenses under Texas or other law. Nothing in this paragraph shall be construed to create or grant any rights, contractual or otherwise, in or to any third persons or entities.

9. INSURANCE

City and County agree that they will, at all times during the Term of this Agreement, maintain in full force and effect insurance or self-insurance to the extent permitted by applicable laws. City and County will be responsible for their respective costs of such insurance, any and all deductible amounts in any policy and any denials of coverage made by their respective insurers.

10. ACCESS TO RECORDS RELEVANT TO PROGRAM

City and County agree to provide to the other upon request, copies of the books and records relating to the Program. City and County further agree to give City and County health officials access to all Program activities. Both City and County agree to adhere to all applicable confidentiality provisions, including those relating to Human Immunodeficiency Virus (HIV) and Sexually Transmitted Disease (STD) information, as mandated by federal and State law, as well as by DSHS.

11. NOTICE

Any notice to be given under this Agreement shall be deemed to have been given if reduced to writing and delivered in person by a reputable courier service or mailed by Registered Mail, postage pre-paid, to the party who is to receive such notice, demand or request at the addresses set forth below. Such notice, demand or request shall be deemed to have been given, if by courier, at the time of delivery, or if by mail, three (3) business days subsequent to the deposit of the notice in the United States mail in accordance herewith. The names and addresses of the parties' hereto to whom notice is to be sent are as follows:

Zachary Thompson, Director
Dallas County Health & Human Services
2377 N. Stemmons Freeway, LB 12
Dallas, TX 75207-2710

_____
City of Lancaster
P.O. Box 940
Lancaster TX 75146

12. IMMUNITY

This Agreement is expressly made subject to County's and City's Governmental Immunity, including, without limitation, Title 5 of the Texas Civil Practices and Remedies Code, and all applicable federal and state laws. The parties expressly agree that no provision of this Agreement is in any way intended to constitute a waiver of any immunities from suit or from liability, or a waiver of any tort limitation, that City or County has by operation of law or otherwise. Nothing in this Agreement is intended to benefit any third party beneficiary.

13. COMPLIANCE WITH LAWS AND VENUE

In providing services required by this Agreement, City and County must observe and comply with all licenses, legal certifications, or inspections required for the services, facilities, equipment, or materials, and all applicable federal, State, and local statutes, ordinances, rules, and regulations. Texas law shall govern this Agreement and exclusive venue shall lie in Dallas County, Texas.

14. AMENDMENTS AND CHANGES IN THE LAW

No modification, amendment, novation, renewal or other alteration of this Agreement shall be effective unless mutually agreed upon in writing and executed by the parties hereto. Any alteration, addition or deletion to the terms of this Agreement which are required by changes in federal or State law are automatically incorporated herein without written amendment to this Agreement and shall be effective on the date designated by said law.

15. ENTIRE AGREEMENT

This Agreement, including all Exhibits and attachments, constitutes the entire agreement between the parties hereto and supersedes any other agreements concerning the subject matter of this transaction, whether oral or written.

16. BINDING EFFECT

This Agreement and the respective rights and obligations of the parties hereto shall inure to the benefit and be binding upon the successors and assigns of the parties hereto, as well as the parties themselves.

17. GOVERNMENT FUNDED PROJECT

If this Agreement is funded in part by either the State of Texas or the federal government, County and City agree to timely comply without additional cost or expense to the other party, unless otherwise specified herein, to any statute, rule, regulation, grant, contract provision or other State or federal law, rule, regulation, or other similar restriction that imposes additional or greater requirements than stated herein and that is directly applicable to the services rendered under the terms of this Agreement.

18. DEFAULT/ CUMULATIVE RIGHTS/ MITIGATION

In the event of a default by either party, it is not a waiver of default if the non-defaulting party fails to immediately declare a default or delays in taking any action. The rights and remedies provided by this Agreement are cumulative, and either party's use of any right or remedy will not preclude or waive its right to use any other remedy. These rights and remedies are in addition to any other rights the parties may have by law, statute, ordinance or otherwise. Both parties have a duty to mitigate damages.

19. FISCAL FUNDING CLAUSE

Notwithstanding any provisions contained herein, the obligations of County and City under this Agreement are expressly contingent upon the availability of funding for each item and obligation contained herein for the Term of the Agreement and any extensions thereto. City and County shall have no right of action against the other party in the event the other party is unable to fulfill its obligations under this Agreement as a result of lack of sufficient funding for any item or obligation from any source utilized to fund this Agreement or failure to budget or authorize funding for this Agreement during the current or future Agreement Terms. In the event that County or City is unable to fulfill its obligations under this Agreement as a result of lack of sufficient funding, or if funds become unavailable, each party, at its sole discretion, may provide funds from a separate source or may terminate this Agreement by written notice to the other party at the earliest possible time.

20. COUNTERPARTS, NUMBER, GENDER AND HEADINGS

This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument. Words of any gender used in this Agreement shall be held and construed to include any other gender. Any words in the singular shall include the plural and vice versa, unless the context clearly requires otherwise. Headings herein are for the convenience of reference only and shall not be considered in any interpretation of this Agreement.

21. PREVENTION OF FRAUD AND ABUSE

City and County shall establish, maintain and utilize internal management procedures sufficient to provide for the proper, effective management of all activities funded under this Agreement. Any known or suspected incident of fraud or program abuse involving County or City's employees or agents shall be reported immediately for appropriate action. Moreover, City and County warrant to be not listed on a local, county, State or federal consolidated list of debarred, suspended and ineligible contractors and grantees. City and County agree that every person who, as part of their employment, receives, disburses, handles or has access to funds collected pursuant to this Agreement does not participate in accounting or operating functions that would permit them to conceal accounting records and the misuse of said funds. Each party shall, upon notice by the other party, refund their respective expenditures that are contrary to this Agreement.

22. AGENCY / INDEPENDENT CONTRACTOR

County and City agree that the terms and conditions of this Agreement do not constitute the creation of a separate legal entity or the creation of legal responsibilities of either party other than under the terms of this Agreement. County and City are and shall be acting as independent contractors under this Agreement; accordingly, nothing contained in this Agreement shall be construed as establishing a master/servant, employer/employee, partnership, joint venture, or joint enterprise relationship between County and City. City and County are responsible for their own acts, forbearance, negligence and deeds, and for those of their respective officials, agents or employees in conjunction with the performance of work covered under this Agreement.

23. SEVERABILITY

If any provision of this Agreement is construed to be illegal or invalid, this will not affect the legality or validity of any of the other provisions in this Agreement. The illegal or invalid provision will be deemed stricken and deleted, but all other provisions shall continue and be given effect as if the illegal or invalid provisions had never been incorporated.

24. SIGNATORY WARRANTY

Each person signing and executing this Agreement does hereby warrant and represent that such person has been duly authorized to execute this Agreement on behalf of City or County, as the case may be.

DALLAS COUNTY:

_____

By: Clay Lewis Jenkins
Dallas County Judge

DATE: _____

Recommended:

_____

By: Zachary Thompson
Director, DCHHS

Approved as to Form*:
SUSAN HAWK
DISTRICT ATTORNEY

_____

By: Melanie Barton
Assistant District Attorney

CITY OF LANCASTER:

_____

By:
City Manager/Mayor

DATE: _____

Attested:

_____

By:
City Secretary

Approved as to Form:

_____

By:
City Attorney

*By law, the District Attorney's Office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval, and should seek review and approval by their own respective attorney(s).

EXHIBIT A

FY 2016 FEE SCHEDULE

SEXUALLY TRANSMITTED

Treatment	$20 - $45 (Sliding Scale)
Blood Drawing	$5
Chemical Lesion Reduction	$45
Medical Records Copies	$5 each

TUBERCULOSIS

TB Testing-Level I (Office Visit)	$30
TB Testing-Level II (QuantiFeron)	$50
Chest X-Ray Copies	$5

LABORATORY

Wet Prep	$6 each
Gram Stain	$6 each
GC Culture	$14 each
RPR	$11 each
GEN Probe GC Screen	$47 each
GEN Probe CT Screen	$47 each
HIV Test	$15 each
HIV Test - Rapid	$20 each
Salmonella/Shigella	$16 each
Chancroid Culture	$10 each
MTD Testing for TB	$40/ each
TB Culture & Concentration	$25 each
TB Identification	$15 each
TB Susceptibility	$31 each
TB Acid Fast Stain	$ 8 each

NURSING SERVICE

Hepatitis A Havrix*	$45/Injection
Hepatitis B Vaccine*	$55/Injection
Twinrix	$75/Injection
Rabies (PE)	$295/Injection
IPV	$45/Injection
Pneumococcal*	$95/Injection
Adacel (Pertusis)	$60/injection
HIB	$35/injection
Japanese Encephalitis	$285/Injection
Meningococcal (Menomune)	$140/Injection
Typhoid (Polysaccharide)	$70/Injection
Typhoid (Oral)	$50/box
Yellow Fever Vaccine	$135/Injection
Boostrix Vaccine	$50/Injection
Influenza Vaccine*	$20/Injection
Influenza (High Dose)	$40/injection
MMR*	$80/Injection
Rabies Administrative Fee/ Serves State Vaccine	$25
Foreign Travel Office Visit Fee	$25
TD*	$40/Injection

ENVIRONMENTAL HEALTH

Septic Tank Inspection	$310/Commercial/Business $260/Residential
Septic Tank Re-inspection	$35/Residential $85/Commercial
Food Establishment Inspection	$150/yr./establishment
Half-Way Houses & Boarding Homes, Residential	$75/plus $25 for each additional unit on site
Mosquito Spraying for Non-contracting cities	$185/ per hour
Water Sample	$50
Mosquito Testing	$35
Food Mgr. Cert. Program	$100/per person
Food Mgr. Cert. Retesting	$50/per person

Note: 1) # Indicates $10 charge for State fee

CRIMINAL TESTING

Blood Draws	$38
Buccal Swabs	$38
Cryotherapy	$15

EARLY INTERVENTION CLINIC

EIC Counseling Fee	$5
EIC Medical Visit Fee	$10
Comprehensive TB Testing & Evaluation (Incl. Chest X-ray)	$80
Pregnancy Test	$20 each
Urinalysis	$15 each
Dark Field	$16 each
Herpes Culture	$38 each
Herpes Type 1 & 2 Serology	$50 each
Group A Strep	$14 each
HIV-1 RNA Testing	$115 each
Western Blot	$75 each
Provision of Residual Clinical Specimens	$5 each
Urine Screen:	
Neisseria Gonorrhoeae	$47 each
Chlamydia Trachomatis	$47 each
Lead Screen	$10 each
Staphylococcus/Aureus Culture	$17 each
Varivax*	$130/Injection
Meningococcal (MCV4)*	$130/Injection
Zostavax (Shingles)*	$220/Injection
Gardasil (HPV)*	$180/Injection
Hepatitis A (Pediatric)	$35/injection
Hepatitis B (Pediatric)	$25/injection
DT	$55/injection
DTaP-HepB-IPV	$85/injection
DTaP-IPV	$65/injection
Rotavirus	$125/injection
PCV13	$205/injection
Communicable Disease Program:	
Hepatitis C Screening	$35/Test
Immunization/VFC Program:	
DPT,DT,Hib,	$5/Per child
Well Baby	$5/Visit
Diabetic Testing	$5/Test
Immunization Record	$5 each
Foreign Travel Yellow Card	$5 each

*Note: Vaccines marked with asterisks are part of the Adult Safety Net Program (ASNP) Clients eligible to receive through the ASNP will be charged a fee of $10/shot

Day Care Center Inspections	$2/per authorized child
Temporary Food Permit	$75/plus $10 per day
Funeral Home Inspection	$200
FHA, VA, Conventional Loans	$125/Licensed $150/Unlicensed
Annual Group Home Inspection	$50
Food Handler Class	$15/per person
Sub-division Plat Approval	$200/Residential $150/Commercial
Animal Control/Quarantine	$7/per day
Animal Control/Vicious Animal	$12/per day
Food Manager Re-certification W/Multiple Test Sites	$50/Test

Revised August/2015

EXHIBIT B

January, 2014 thru December, 2014

Municipality	Tuberculosis	Sexually Transmitted Disease	Laboratory	Communicable Disease
Addison	106	39	94	58
Balch Springs	656	123	262	58
Carrollton	1289	221	613	330
Cedar Hill	568	225	257	198
Cockrell Hill	40	0	11	3
Coppell	236	17	35	143
Dallas	31572	8938	42655	21525
Desoto	2764	336	306	264
Duncanville	283	140	439	121
Farmers Branch	303	40	361	112
Garland	3402	669	2578	651
Glenn Heights	358	51	96	19
Grand Prairie	2742	377	1679	687
Highland Park	0	0	0	18
Hutchins	348	24	43	10
Irving	3836	753	2356	1279
Lancaster	929	328	890	106
Mesquite	1241	599	1535	773
Richardson	1040	115	570	735
Rowlett	372	37	80	184
Sachse	82	13	31	67
Seagoville	66	42	90	69
Sunnyvale	257	4	4	77
University Park	0	2	2	8
Wilmer	46	21	49	4
Out of County	1151	1460	64864	2960
Total	**53687**	**14574**	**119900**	**30459**

July 17, 2015

DALLAS COUNTY HEALTH & HUMAN SERVICES
FY '16

EXHIBIT C

Municipality	Tuberculosis	Sexually Transmitted Disease	Laboratory	Communicable Disease	FY16 Contract Total
Addison	4,111	4,434	1,469	1,036	2,500
Balch Springs	25,441	13,984	4,093	1,036	9,377
Carrollton	49,989	25,126	9,577	5,896	23,823
Cedar Hill	22,028	25,580	4,015	3,538	2,498
Cockrell Hill	1,551	0	172	54	1,232
Coppell	9,152	1,933	547	2,555	3,131
Dallas	1,224,411	1,016,165	666,422	384,607	1,754,252
Desoto	107,192	38,200	4,781	4,717	17,620
Duncanville	10,975	15,917	6,859	2,162	11,273
Farmers Branch	11,751	4,548	5,640	2,001	6,856
Garland	131,935	76,059	40,277	11,632	80,156
Glenn Heights	13,884	5,798	1,500	339	574
Grand Prairie	106,339	42,861	26,232	12,275	38,854
Highland Park	0	0	0	322	132
Hutchins	13,496	2,729	672	179	3,149
Irving	148,766	85,609	36,809	22,853	81,906
Lancaster	36,028	37,290	13,905	1,894	12,106
Mesquite	48,128	68,101	23,982	13,812	31,608
Richardson	40,333	13,074	8,905	13,133	23,756
Rowlett	14,427	4,207	1,250	3,288	4,925
Sachse	3,180	1,478	484	1,197	362
Seagoville	2,560	4,775	1,406	1,233	6,440
Sunnyvale	9,967	455	62	1,376	99
University Park	0	227	31	143	48
Wilmer	1,784	2,387	766	71	2,597
Out of County	44,638	165,988	1,013,405	52,889	77,142
	$2,082,065	$1,656,924	$1,873,262	$544,239	$2,196,416

July 17, 2015

EXHIBIT D

FY'16 CONTRACT COSTS

	MUNICIPALITIES	CONTRACT COST
	ADDISON	$2,500
	BALCH SPRINGS	$9,377
	CARROLLTON	$23,823
	CEDAR HILL	$2,498
	COCKRELL HILL	$1,232
	COPPELL	$3,131
*	DALLAS	$1,754,252
*	DESOTO	$17,620
*	DUNCANVILLE	$11,273
	FARMERS BRANCH	$6,856
*	GARLAND	$80,156
	GLENN HEIGHTS	$574
	GRAND PRAIRIE	$38,854
	HIGHLAND PARK	$132
	HUTCHINS	$3,149
	IRVING	$81,906
	LANCASTER	$12,106
*	MESQUITE	$31,608
*	RICHARDSON	$23,756
*	ROWLETT	$4,925
*	SACHSE	$362
*	SEAGOVILLE	$6,440
	SUNNYVALE	$99
	UNIVERSITY PARK	$48
*	WILMER	$2,597
*	UNINCORPORATED	$77,142
	TOTAL	**$2,196,416**

*NON-CONTRACTING CITIES
July 17, 2015

LANCASTER CITY COUNCIL
Agenda Communication
September 14, 2015

Discuss and consider a resolution approving the City Council rules and procedures pursuant to Section 3.14 of the Home Rule Charter.

This request supports the City Council 2015-2016 Policy Agenda.

City Charter Requirement

Background

Section 3.14 of the City's Home Rule Charter requires the Council to determine its own rules of order and business ninety (90) days following the municipal elections. The City Council Rules and Procedures provide the framework in which the Council conducts its business.

Considerations

- **Operational** - Amendment of the Council Rules and Procedures is by resolution. Adoption of the resolution incorporates the revisions and reaffirms the Council Rules and Procedures in its entirety, meeting the City Charter requirements for review.

- **Legal** – The resolution has been reviewed and approved as to form by the City Attorney.

- **Financial** – There is no financial impact in amendment of the Council's Rules and Procedures.

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

Attachments

- Resolution
- City Council Rules and Procedures

Submitted by:
Sorangel O. Arenas, City Secretary

RESOLUTION NO.

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

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

WHEREAS, the City Council has reviewed and discussed the City Council Rules and Procedures at a strategic planning meeting held June 9 and 10, 2015; and

WHEREAS, after discussion and consideration, the City Council has determined that certain revisions to the Rules and Procedures are appropriate;

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

Section 1. That the City Council Rules and Procedures, as amended, attached hereto and incorporated herein by reference as Exhibit "A", having been reviewed by the City Council of the City of Lancaster, Texas, and found to be acceptable and in the best interest of the City and its citizens, be, and the same is hereby, in all things approved and adopted.

Section 2. That any prior resolutions of the City of Lancaster, Texas, in conflict with the provisions of this resolution, except as noted herein, be, and the same are hereby, repealed and revoked.

Section 3. That this resolution shall take effect immediately from and after its adoption and it is accordingly so resolved.

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the 14th day of September, 2015.

ATTEST: **APPROVED:**

_____ _____

Sorangel O. Arenas, City Secretary Marcus E. Knight, Mayor

APPROVED AS TO FORM:

_____

Robert E. Hager, City Attorney

City of Lancaster

City Council

Rules and Procedures

As Amended

~~July 9, 2012~~~~July 22, 2013~~September 8, 2014

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Last CC Review: ~~June 22, 2012~~July ~~15, 2013~~24, 2014

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STATEMENT OF MISSION

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

COUNCIL DUTIES AND RESPONSIBILITIES

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

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

1. The Council must strive for continual improvement of each member's personal knowledge and ability to serve in an atmosphere conducive to the responsible exchange of ideas.
2. The Council will keep the community informed on municipal affairs; encourage communication between the citizens and Council and strive for constructive relationships with Dallas County, neighboring communities, Lancaster Independent School District and other governmental bodies.
3. The Council will recognize and address the rights and privileges of the social, cultural, and physical characteristics of the community when setting policy.
4. The Council will seek to improve the quality and image of public service.
5. The Council will commit to improving the quality of life for the individual and the community by being dedicated to the faithful stewardship of the public trust.

SECTION I
MAYOR - CITY COUNCIL RELATIONS

A. MAYORAL RESPONSIBILITIES

1. The Mayor shall be the presiding officer at all meetings. The Mayor Pro Tem shall preside in the absence of the Mayor. The Deputy Mayor Pro Tem shall preside in the absence of both the Mayor and Mayor Pro Tem.
2. The Mayor shall have a voice and vote in all matters before the Council.

3. The Mayor is the spokesperson for and on behalf of the Council on all matters unless absent, at which time a designee will assume the role.
4. The Mayor shall preserve order and decorum and is responsible for keeping the meetings orderly by recognizing each Member for discussion, limiting speaking time, encouraging debate among Members, and keeping discussion on the agenda items being considered as required by these rules and in accordance with the TOMA.~~.~~
5. Should a conflict arise among Councilmembers, the Mayor serves as mediator and arbiter.

B. COUNCILMEMBER RESPONSIBILITIES

1. Councilmembers shall know and observe the adopted rules and procedures governing their duties and responsibilities.
2. Councilmembers shall be prepared to discuss and act upon the posted agenda.
3. Councilmembers shall take the initiative to be informed about Council actions taken in their absence. When absent the individual Councilmember is responsible for obtaining relevant information prior to the Council meeting when said item is to be considered.
4. Councilmembers appointed to serve as liaison to a board, commission, or study group are responsible for keeping all Councilmembers informed of significant board, commission, or study group activities.

C. HOUSE RULES: CODE OF CONDUCT

1. Listen and understand before judging.
2. Focus on the Vision and goals;
   no personal attacks or inferences.
3. Look for areas of agreement before differences.
4. Be on time; start on time; turn off all communication devices.
5. Once a decision is made,

support the City decision, but state your reservation.

6. Agree to disagree;
   move on to the next issue.

7. Come prepared to discuss issues;
   When possible ask questions of staff prior to the meeting so that staff can be prepared.

8. Praise in public;
   provide constructive feedback in private.

9. Participate in discussions and focus on the issue;
   avoid side conversations. Need to be mindful that sidebar conversations are disruptive.

10. Be courteous, honest and treat others with respect.

11. Communicate in an open, direct manner;
    keep others informed.

12. If you have a problem with another member of Council, go to that member directly and not to other council members, the community or staff.

13. Be a positive ambassador for the City.

D. CITY COUNCIL AGENDA PROCESS

1. Agenda Items

   a. The City Manager shall be responsible for the placement of agenda items.

   b. Any member of the City Council shall have the unabridged right to place an item on the agenda of a duly convened meeting of the council and nothing contained in the Charter or these Rules and Procedures shall be construed to limit or circumscribe such right.

   c. A Councilmember may place an item on the agenda by presenting same, in writing or verbally, to the City Manager not later than noon on the Friday one week before the Council meeting. The City Manager may discuss with the requesting Councilmember delay of the agenda item one meeting due to time considerations. However,

the Councilmember may choose to direct the City Manager to place the agenda item on the upcoming Council meeting without a one meeting delay. Such direction shall be noted in the agenda communication regarding the agenda item.

2. Parliamentary ~~Considerations~~Procedures

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a. Discussion on agenda items will be initiated following introduction by the Mayor, explanatory comments by staff, and a motion and a second for or against the proposal.

b. The Mayor will encourage all Councilmembers to participate in discussion and debate, ensuring all members the opportunity to speak, limiting each speaker to ensure efficient use of time as appropriate.

c. Generally accepted Parliamentary Procedure will determine the precedence of motions and the general conduct and composition of meetings except as otherwise provided herein or by State law.

3. Citizens Comments

a. When Citizens' Comments are listed on the posted agenda, the Mayor may enforce the three (3) minute rule. The Mayor, at his/her discretion, may adjust the length of time per speaker. All speakers shall be accorded the courtesy of the same time allowance. All citizens requesting to speak during Citizens' Comments must fill out a speaker card prior to the call to order of the meeting. *(Approved by motion at City Council meeting June 7, 1999)*

b. When Public Hearings are listed on the posted agenda, citizens wishing to speak during the Public Hearing will be asked to fill out a speaker card prior to the call to order of the meeting.

c. Public comment shall not be accepted during a Council work session. A councilmember may request that the Mayor recognize a person to speak during a work session if the councilmember believes the

person has pertinent, factual information that is directly relevant to the Council's discussion. The Mayor, at his/her discretion, may ask the person to speak.

4. Minutes
   a. The City Secretary will keep Action Minutes for all City Council meetings where Council takes official action and description minutes for all citizens' comments and Public Hearings.
   b. The City Secretary shall maintain recordings of City Council meetings in accordance with the City's adopted Records Management Program ordinance and applicable state law.
   c. Any questions regarding minutes shall be directed to the City Secretary prior to the council meeting.

5. Any Councilmember may appeal to the Council as a whole from a ruling by the Mayor. If the appeal is seconded, the person making the appeal may make a brief statement and the Mayor may explain the Mayor's position, but no other Member may speak on the motion. The Mayor will then put the ruling to a vote of the Council.

6. Any Councilmember may ask the Mayor to enforce the rules established by the Council. Should the Mayor fail to do so, a majority vote of the Council present ~~shall require the Mayor to do so~~may override the Mayor and call for enforcement of the house rules.~~.~~

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E. COUNCIL MEMBER TRAINING AND PROFESSIONAL DEVELOPMENT

1. Council members are encouraged to attend at least one training event per year, and others as found beneficial to performance of their elective duties, subject to the availability of funds as appropriated in the annual budget for the Mayor and each council district.
2. Council shall appropriate an amount for Mayor and each council district.

Travel and training funds appropriated for the Mayor and each council district shall not be available for transfer to another council district or the Mayor.

3. Selection of professional development events are at the discretion of each council member, but are limited to expenditures within the amount appropriated for mayor and each council district. Unexpended funds for each elective position are non-transferable and shall be returned to fund balance at the end of each fiscal year.

4. Council members are encouraged to select training events from the following providers:
   - Texas Municipal League
   - North Central Texas Council of Government

5. Additional expenditures from miscellaneous professional development funds, subject to annual appropriation, for the Mayor and/or a council member chosen to represent the council, may be made for special events as the need may arise. Such additional expenditures may be made only after having been placed on the agenda of a regular council meeting and acted upon by motion, second, and favorable majority vote. *(Resolution 46-99)*

SECTION II
COUNCIL - STAFF RELATIONS

The City Manager is the primary link between the Council and the professional staff. The Council's relationship with the staff shall be through the City Manager, subject only to the "inquiry" provision of the City Charter.

A. **AGENDA QUESTIONS.** Questions arising from Councilmembers after receiving their agenda information packet should be presented to the City Manager for staff consideration prior to the Council meeting. The additional

information will be distributed to all Councilmembers.

B. **PRESENTATIONS TO COUNCIL.** The City Manager shall designate appropriate staff to address each agenda item and shall see that it is adequately prepared and presented to the Council. Presentation should be professional, timely, and allow for discussion of options for resolving the issue. Staff shall make it clear that no Council action is required, present the staff recommendation, or present the specific options for Council consideration.

C. **PROBLEM RESOLUTION.** If the City Manager or staff time is being dominated or misdirected by a Councilmember or in any conflict arising between staff and Council, the City Manager shall:

1. Visit with the Councilmember and discuss the problem and/or impact on City Manager or staff time;
2. If unresolved, ask the Mayor to arbitrate a resolution to the issue;
3. If still unresolved, ask the Mayor to present the concerns to the Council.
4. If the unresolved issue is with the Mayor, ask the Mayor Pro Tem to arbitrate a resolution to the issue.
5. If still unresolved issue involves the Mayor, ask the Mayor Pro Tem to present the concerns to the Council.

D. **STAFF CONDUCT AND TRAINING**

1. The City Manager is responsible for the professional and ethical behavior of the City Staff. All staff members shall show each other, Council, and the public respect and courtesy at all times.
2. The City Manager is responsible, within the constraints of the appropriated budget, for staff development.

E. **COUNCIL ORIENTATION.** The City Manager will, in a timely manner, provide appropriate orientation services for new Councilmembers. Such services shall include, but not be limited to, the following:

1. Availability of Texas Municipal League conferences and seminars.
2. An individual meeting with new Members informing them about City facilities and procedures.
3. Printed documents and resource materials necessary to the performance of the office of Councilmember.

F. **COUNCIL - MANAGER/STAFF RELATIONS**

1. The rules and procedures governing Council right of inquiry shall apply only to the administrative staff reporting directly to the City Manager and shall not be in any way construed to limit the right of Council to direct access, verbal or written, with the City Manager, City Secretary, and City Attorney, unless otherwise specifically provided herein.

2. Inquiries: All administrative inquiries of staff may be made in writing and addressed to the person with a copy to the City Manager. Staff may respond in writing as soon as possible, but not later than five (5) business days, via the City Manager, as follows:
   a. The full response to the inquiry.
   b. Refer the inquiry to a more appropriate staff personnel with notice to the City Manager of the referral.
   c. City Manager shall send a copy of all responses to all members of the Council.

3. Dispute Resolution
   a. Visit with the Mayor and/or Councilmembers, and discuss abuse and/or impact on City Manager or staff time.

b. If unresolved, ask the Mayor to mediate a resolution to the issue; if the dispute is with the Mayor, the Mayor Pro-Tem shall mediate;

c. If still unresolved, the Council shall mediate a final resolution. *(Resolution 43-98, October 12, 1998)*

4. Communications with Staff

a. In order to make the most efficient use of council members and staff time and to facilitate responsiveness to both staff and constituents, Council members may, upon request and funding availability, be issued a cellular telephone and tablet with service plans.

5. Disclosure of Police or Code Offense Reports and Related Records

a. To protect the integrity of an investigation and prosecution of an offense, no Information regarding police or code enforcement matters, other than what may be made to the public or media generally, will be released verbally or in written form to any council member.

b. A Council member request for open records may be made through the City Secretary's office for personal subject matters. A council member may not use an Open Records Request to circumvent a copy of requested city documents being shared with other council members.

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SECTION III

MEDIA RELATIONS

It is through an informed public that progress is ensured and good government remains sensitive to its constituents. These guidelines are designed to help ensure fair relationships with print, radio, and television reports without infringing upon the First Amendment rights of the media.

The Council and the City Manager recognize the important link to the public provided by the media. It is the Council's desire to strengthen this link by establishing a professional working relationship to maintain a well-informed citizenry.

A. Media Orientation. Since each government body conducts business differently, it is requested that all reporters new to City Council meetings meet with the City Manager, Mayor or the designated media relations representative prior to covering their first meeting for information on policies and procedures.

B. Agenda Information. All reporters requesting same will receive an agenda package in advance and will be furnished support material needed for clarification for themselves or the general public.

C. Chamber Seating. During the conduct of official business, the news media shall occupy the places designated for them or the general public.

D. Conduct in Chambers. Representatives of the media are requested to refrain from conversing privately with others in the audience while Council is in session. Interviews with the public should be conducted outside the Council Chambers while Council is in session.

E. Spokesperson for Staff. On administrative matters, the City Manager or his/her designee is the spokesperson to present staff information on the agenda.

F. Spokesperson for City. The Mayor, or the Mayor's designee, is the primary spokesperson for the official position of the City on matters regarding policy decisions and Council information pertaining to issues on the agenda. Any

clarifications requested by the media on the issues should be addressed after the meeting.

G. Equal Access for Opposing Positions. The ethical burden for fair presentation of opposing positions on any issue falls upon the media. When opposing positions have been debated, regardless of the outcome, the public is better informed when all sides have adequate coverage by the media. Interviews by the media should provide equitable representation from all Councilmembers.

SECTION IV
BOARDS/COMMISSIONS

All City Councilmembers, with the exception of the Mayor, will serve as Council liaisons to all the boards and commissions of the City *for a period of one year*.

A. Councilmembers will select different boards and/or commissions to serve as liaisons after or around the completion of the boards and commissions appointments in July.

B. Each Councilmember will be allowed to select the board or commission they would like to serve as liaisons to by order of seniority.

C. Councilmembers are strongly encouraged, rather than required, to attend all meetings of their selected boards and/or commissions.

D. Each Councilmember may submit a quarterly report to the entire council through the City Secretary on their respective board and/or commission's activity.

This Section was added after Res. No. 50-97 was adopted October 13, 1997. Item D was added after Res. 2007-09-105 was adopted on September 24, 2007.

CODE OF ETHICS

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

A. Be dedicated to the highest ideals of honor and integrity in all public and personal relationships;

B. Recognize that the primary function of local government is to serve the best interests of all the people;

C. Be dedicated to public service by being cooperative and constructive, and by making the best and most efficient use of available resources;

D. Refrain from any activity or action that may hinder one's ability to be objective and impartial on any matter coming before the Council;

E. Not seek nor accept gifts or special favors and shall believe that personal gain by use of confidential information or by misuse of public funds or time is dishonest;

F. Recognize that public and political policy decisions are ultimately the responsibility of the City Council;

G. Conduct business in open, well-publicized meetings in order to be directly accountable to the citizens of Lancaster in compliance with the City Charter and Texas Open Meetings Act;

H. Avoid inappropriate reference to personalities, and refrain from impugning the integrity or motives of another;

I. Demonstrate respect and courtesy to others;

J. Refrain from rude and derogatory remarks and shall not belittle staff members, other Councilmembers and members of the public;

K. Not condone any unethical or illegal activity.

CENSURE POLICY

1. Two or more City Councilmembers may file a written notice of censure against another City Councilmember with the City Secretary. The written notice shall set forth the allegation(s) of conduct and City Charter provisions which the accused Councilmember shall have allegedly violated. A copy shall be delivered to all Councilmembers. A written response to the allegation(s) may be filed by the accused Councilmember ten (10) days after receipt thereof. A copy of the notice of censure and response thereto shall be delivered to each Councilmember within two (2) days after the response is filed.

2. On the first regularly called meeting of the Council, which complies with the Texas Open Meetings Act, after the filing of the notice and response, the City Secretary shall formally read the notice and response into the public record. The Council, by majority vote, shall thereafter determine whether or not good cause shall exist to set a formal hearing on the merits of the notice of censure or dismiss the allegation(s). A public hearing shall be set on the allegation(s) by the City Council. A vote to hold a public hearing shall not be construed to be a vote of censure.

3. The accused City Councilmember has the right to be represented by legal counsel and present witnesses relative to the allegation(s).

4. A public hearing on the allegation(s) and response shall be held at either a regular or special called meeting of the City Council, which shall be open to the public.

CENSURE POLICY

(continued)

5. The City Council will hear evidence concerning the notice of censure. The City Councilmembers proffering the charges shall present evidence in support of the allegation(s) contained in the notice of censure. The Councilmember who is the subject of the censure shall have the opportunity to present evidence to support his or her position with respect to the notice of censure. After receiving evidence at an open public meeting, the City Council shall then take a roll-call vote, after motion duly made and seconded, a majority of five members of the City Council shall be required to sustain the censure of the Councilmember.

LANCASTER CITY COUNCIL

Agenda Communication

September 14, 2015

Consider a resolution canceling the City Council Work Session of September 21, 2015 and regular City Council meetings scheduled for September 28, 2015, November 23, 2015, and December 28, 2015.

This request supports the City Council 2015-2016 Policy Agenda.

Goal: Civic Engagement

Background

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

The Work Session in September (September 21) is one day prior to the Texas Municipal League (TML) 103rd Annual Conference and Exhibition. Some of our City Council and City Staff are scheduled to attend the TML conference.

The Regular Meeting in September (September 28) occurs during the International City/County Management Association's (ICMA) annual conference. The City Manager and Assistant City Manager are scheduled to attend the ICMA conference.

Typically City Council cancels the second regular meetings in November and December to accommodate the holiday season. In November, the regular Council meeting falls on November 23. November 23 is the Monday prior to Thanksgiving Day.

The second regular meeting in December is December 28, the Monday after Christmas Day on December 25. The regular meeting of December 14 and work session, if needed, on December 21 provide sufficient opportunity for the City's business in December.

Considerations

Essential City business will be completed at the regular meeting on September 14 and essential City business can be completed at the regular or special meetings on November 9 and December 14. At any time, City Council may call a properly noticed Special Meeting if an unforeseen matter requires prompt action by the Council.

Options/Alternatives

1. Approve the resolution canceling the September 21, work session and September 28, November 23, and December 28 regular meetings as presented.
2. Amend the resolution to cancel and/or reschedule certain meeting(s).
3. Deny the resolution and conduct meetings as scheduled.

Recommendation

Staff recommends approval of the resolution as presented.

Attachments

- Resolution

Submitted by:
Sorangel O. Arenas, City Secretary

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, CANCELING THE CITY COUNCIL WORK SESSION OF SEPTEMBER 21, 2015 AND THE REGULAR CITY COUNCIL MEETINGS SCHEDULED FOR SEPTEMBER 28, 2015, NOVEMBER 23, 2015, AND DECEMBER 28, 2015.

WHEREAS, Section 3.10 (A) of the Lancaster Home Rule Charter provides that the City Council shall hold at least one (1) regular meeting each month and additional meetings as it deems necessary; and

WHEREAS, the Lancaster City Council is of the opinion that all essential City business may be conducted at the regularly scheduled and special meetings of November 9, 2015 and December 14, 2015; and

WHEREAS, in acknowledging the 2015 City schedule and in the spirit of the holiday season, the Lancaster City Council has determined that the outlined regularly scheduled meetings are not vital to conducting City business;

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

SECTION 1. The work session of the City Council set for September 21, 2015, and regular meetings of the City Council set for September 28, 2015, November 23, 2015 and December 28, 2015 are hereby canceled.

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

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the 14th day of September, 2015.

ATTEST:

_____
Sorangel O. Arenas, City Secretary

APPROVED:

_____
Marcus E. Knight, Mayor

APPROVED AS TO FORM:

_____
Robert E. Hager, City Attorney

LANCASTER CITY COUNCIL

Agenda Communication

September 14, 2015

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

This request supports the City Council 2015-2016 Policy Agenda.

Goal: Financially Sound City Government

Background

At the August 31, 2015 work session, City Council discussed proposed changes to the City's Master Fee Schedule. No changes were suggested to the proposed the Fee Schedule. The Master Fee Schedule is adopted by resolution. Changes to the fee schedule may be made throughout the year, as needed, by resolution.

The proposed revisions are outlined below.

Considerations

A summary of proposed changes is listed below. The redlined fee schedule is attached.

ARTICLE 3.000 BUILDING RELATED FEES (reference agenda page 6)

Sec. 3.100 Fees Adopted

(g) Backflow Test Report $25.00

TABLE 1-A

Total Valuation	Fee
$1.00 to $500.00	~~$25.00~~ $45.00 (minimum permit fee)
$501.00 to $2,000.00	$~~25.00~~ $45.00 for the first $500.00 plus $3.05 for each additional $100.00 or fraction thereof, to and including $2,000.00

ARTICLE 8.000 LIBRARY FINES AND FEES(reference agenda page 22)

(e) Lost Card ~~$1.00 replacement~~ $2.00 replacement

(k)	Tablets and E-Readers Usage Fee	$2.00 per hour/ plus replacement cost if Damaged

ARTICLE 10.000 UTILITY RELATED FEES (reference agenda page 25)

Sec. 10.600 Deposits for Water and/or Sewer

All taps residential and commercial owner or contractor is responsible for any required bore, encasement and grouting underneath a road. City Right–Of-Way (ROW) permit application is required and regular inspection fees will apply.

ARTICLE 15.000 PARKS AND RECREATION (reference agenda page 25)

(j) Programs

Individual Recreation Classes	Range from $5 - $25	per class/ per day
Recreation Programs	Range from $15 - $100	Programs vary by week or by month.
Recreation Team Sports	**Range from $100 - $400**	**per team/ per season**

ARTICLE 16.000 AIRPORT FEES (reference agenda page 25)

(a) Monthly Hangar Rental

(1)	956 sq. ft. (small T-hangar)	$190.00 / $0.20 per sq ft
(2)	1,018.25 sq. ft. (medium T-hangar)	$205.00 $0.20 per sq ft
(3)	1,624.33 sq. ft. (large T-hangar)	$~~305.00 / $0.19 per sq ft~~ $320.00 / $0.20 per sq ft

(b) Community Hangar Rental

(1)	956 sq. ft. (small T-hangar)	$ 95.00 / $0.10 per sq ft
(2)	1,018.25 sq. ft. (medium T-hangar)	$103.00 $0.09 per sq ft
(3)	1,624.33 sq. ft. (large T-hangar)	$153.00 / $0.10 per sq ft

(c) Other Airport Fees

(1)	Ground Lease (Improved)	$0.30 per square foot per year
(2)	Ground Lease (Unimproved)	$0.20 per square foot per year
(3)	Terminal Building Office Lease	$12 per square foot per year

(4)	Monthly Tie Down Fee	~~$75.00 per month~~ $80.00 per month
(5)	Fuel Flowage Fee	$0.20 per delivered gallon
(6)	Café Sales	5% of Gross Sales

Options/Alternatives

1. Council may approve the resolution adopting the Master Fee Schedule as presented with an effective date of October 1, 2015.
2. Council may modify proposed fee(s) and approve the resolution with an effective date of October 1, 2015.
3. Council may deny the resolution. Updated fees proposed in the Master Fee Schedule are part of the revenue projections used for the proposed FY 2015-2016 budget.

Recommendation

Staff recommends approval of the Master Fee Schedule as presented with an effective date of October 1, 2015.

Attachments

- Resolution
- Redlined Master Fee Schedule
- Building Fee Survey
- Library Fee Survey
- Parks and Recreation Fee Survey
- Airport Fee Survey

Submitted by:
Sorangel O. Arenas, City Secretary

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, PROVIDING FOR ADOPTION OF THE NEW MASTER FEE SCHEDULE FOR ALL FEES AND CHARGES ASSESSED AND COLLECTED BY THE CITY, WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT "A"; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lancaster desires to adopt an updated Master Fee Schedule to provide for the fees and charges assessed and collected by the City; and

WHEREAS, after consideration and review, the City Council finds that the Master Fee Schedule, which is attached hereto and incorporated herein as Exhibit "A," should be adopted.

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

SECTION 1. That a Master Fee Schedule, which is attached hereto and incorporated herein as Exhibit "A," be, and the same is, hereby adopted to provide for fees and charges assessed and collected by the City.

SECTION 2. That all provisions of any resolution of the City Council of the City of Lancaster in conflict with the provisions of this resolution be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this resolution shall remain in full force and effect.

SECTION 3. This Resolution shall become effective October 1, 2015, 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 September, 2015.

ATTEST:

_____
Sorangel O. Arenas, City Secretary

APPROVED:

_____
Marcus E. Knight, Mayor

APPROVED AS TO FORM:

_____
Robert E. Hager, City Attorney

CITY OF LANCASTER FEE SCHEDULE

		Page
ARTICLE 1.000	911 EMERGENCY TELEPHONE SERVICE FEE	2
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Effective October 1, 2015
Resolution 2015-09-XX

CITY OF LANCASTER FEE SCHEDULE

ARTICLE 1.000 911 EMERGENCY TELEPHONE SERVICE FEE

There is hereby imposed on each telephone subscriber's local exchange access line, or its equivalent, in the City of Lancaster, a 911 emergency service fee of eighty-two cents ($0.82) per month for each residential line, and one dollar and fifty-two cents ($1.52) per month for each business line, or two dollars and fifty cents ($2.50) per month for each business trunk line. Such fees shall be used only to provide for the purchase, installation, operating and maintenance expenses of 911 emergency services, including required personnel. (Ordinance 2007-08-38, adopted 8/13/07)

ARTICLE 2.000 ANIMAL CONTROL FEES

Sec. 2.100 General

(a)	Animal Impound Fee	
	(1) 1st Offense	$45.00
	(2) 2nd Offense	$55.00
	(3) 3rd Offense	$85.00
	(4) 4th Offense	$110.00
	(5) Each subsequent offense is increased by	$50.00
(b)	Boarding While Impounded	$10.00 per day
(c)	Rabies and Quarantine Observation Fee	$15.00 per day
(d)	Adoption Fees	
	(1) Small Dogs and Puppies	$15.00
	(2) Large Dogs	$25.00
	(3) Cats	$15.00
(e)	Surrender of Animal	
	(1) Residential Surrender Fee	$20.00 per animal or litter
	(2) Nonresidential Surrender Fee	$25.00
(f)	Euthanization/Dogs & Cats Only	
	(1) At Owner's Request	$30.00
(g)	Pick Up Deceased Animal for Owner	$30.00
(h)	Microchip and/or Registration Fee	$15.00 if spayed/neutered
		$25.00 not spayed/neutered

Sec. 2.200 Dangerous Dog Registration Fee

The required annual fee for the registration of a dangerous dog shall be fifty dollars ($50.00). (1994 Code of Ordinances, Chapter 2, Article 2.600, Section 2.604)

ARTICLE 3.000 BUILDING RELATED FEES

Sec. 3.100 Fees Adopted

(a) Moving Permit Fees

(1)	Base Fee (structures 200 sq. ft. and over)	Per Table 1-A
(2)	Inspection Fee (plus .35 cents per mile to building location)	Per Table 1-A

(b) Residential Portable/Storage Building Permit Fees

(1)	Under 200 sq. ft. base fees	Per Table 1-A
(2)	Over 200 sq. ft.	Per Table 1-A

(c) Fence Permit Fees

(1)	Residential Zoning (New/Replacement)	Per Table 1-A
(2)	Nonresidential	Per Table 1-A
(3)	A-O Zoning (Agricultural Fencing)	$25.00
	Accessory Structures less than 400 sq. ft.	$50.00
	Accessory Structures greater than 400 sq. ft.	$100.00
	All other construction and related additions or remodeling work will be permitted and charged in accordance with Table 1-A	

(d) Driveway, Drive Approach, Curb, Gutter and Sidewalk Permit Fees(Bond Required)

(1)	Residential zones, new/repair/replacement	Per Table 1-A
(2)	Nonresidential zones, per approach	$25.00 + per Table 1-A

(e) Paving Private/Commercial Property Permit Fees

(1)	Residential zones, new construction	Per Table 1-A
(2)	Nonresidential zones, per approach	Per Table 1-A
(3)	Commercial Parking Lots	Per Table 1-A

(f) Permit Fees

(1) Residential zones, new/repair/replacement Per Table 1-A

(2) Single family residence, duplex, multi-family, apartment, condominium townhouse, commercial and remodels per Table 1-A. Fee assessed per address.

(g) Backflow Test Report $25.00

TABLE 1-A

Total Valuation	Fee
$1.00 to $500.00	~~$25.00~~ $45.00 (minimum permit fee)
$501.00 to $2,000.00	$~~25.00~~ $45.00 for the first $500.00 plus $3.05 for each additional $100.00 or fraction thereof, to and including $2,000.00
$2,001.00 to $25,000.00	$69.25 for the first $2,000.00 plus $14.00 for each additional $1,000.00 or fraction thereof, to and including $25,000.00
$25,001.00 to $50,000.00	$391.25 for the first $25,000.00 plus $10.10 for each additional $1,000.00 or fraction thereof, to and including $50,000.00
$50,001.00 to $100,000.00	$643.75 for the first $50,000.00 plus $7.00 for each additional $1,000.00 or fraction thereof, to and including $100,000.00
$100,001.00 to $500,000.00	$993.75 for the first $100,000.00 plus $5.60 for each additional $1,000.00 or fraction thereof, to and including $500,000.00
$500,001.00 to $1,000,000.00	$3,233.75 for the first $500,000.00 plus $4.75 for each additional $1,000.00 or fraction thereof, to and including $1,000,000.00
$1,000,001.00 and up	$5,608.75 for the first $1,000,000.00 plus $3.15 for each additional $1,000.00 or fraction thereof

(g) Sewer/Water/Gas Lines & Replacements

(1)	Sewer line repair/install	Per Table 1-A
(2)	Sewer line replacement	Per Table 1-A
(3)	Water line repair/install	Per Table 1-A
(4)	Water line replacement	Per Table 1-A
(5)	Gas line repair/install Additional charge per outlet	Per Table 1-A
(6)	Gas line Replacement Additional charge per outlet (this fee will be included in the total fee)	Per Table 1-A
(7)	Drainage, vent system repair/replacement	Per Table 1-A
(8)	Water heater replacement	Per Table 1-A
(9)	Fixtures, addition/replacement	Per Table 1-A
(10)	Grease trap, sand trap, grit trap and other Approved catch basins	Per Table 1-A
(11)	Water treatment/water softener	Per Table 1-A
(12)	Solar heater	Per Table 1-A
(13)	Others as may be required	Per Table 1-A

(h) Electrical Fees

(1)	Temporary service pole (not related to construction permit)	Per Table 1-A / $25.00
	To and including 200 amp	Per Table 1-A
	Over 200 amp to 1,000 amp	Per Table 1-A
	Over 1,000 amp and up	Per Table 1-A
(2)	Receptacle, switch and lighting circuits	Per Table 1-A / $25.00 min.
(3)	Lighting fixture and lamp holding device	Per Table 1-A
(4)	Residential use appliances (fixed appliances or outlets for same)	Per Table 1-A
(5)	Building Rewire	Per Table 1-A

(6)	Nonresidential Use Appliances	Per Table 1-A
	[Nonresidential use appliances not exceeding 2 horsepower (hp), kilowatt (kw) or kilowatt ampere(kva)]	
(7)	Power Apparatus (Base Fee)	Per Table 1-A
	Motor over 1 hp, transformer, generator, heating/air conditioning units, heat pumps, cooking/baking	
(8)	Equipment – Rated in hp, kw, kva, kvar	
	Up to and including 1	Per Table 1-A
	Over 1-10	Per Table 1-A
	Over 10-50	Per Table 1-A
	Over 50-100	Per Table 1-A
	Over 100	Per Table 1-A
	Minimum fee	Per Table 1-A
(9)	Signs	
	Initial CKT	Per Table 1-A
	Each additional CKT	Per Table 1-A
(10)	Busways	
	Initial 100 feet	Per Table 1-A
	Each additional 100 feet or fraction thereof	Per Table 1-A
(11)	Subpanels	
	Initial panel	Per Table 1-A
	Each subsequent panel	Per Table 1-A
	Service change charge does not include additional circuits required.	

(i) <u>HVAC Installation Fees</u>

(1)	Installing/replacing HVAC system (condensing unit, evaporator, coil, furnace and piping) up to and including 5 tons of air conditioning, and/or 200,000 Btu input of heating per system	Per Table 1-A
(2)	Installing/replacing HVAC system over 5 tons of air conditioning and/or over 200,000 Btu input of heating per system	Per Table 1-A

(3)	Component Installation/Replacement.	
	Condensing unit up to 5 tons	Per Table 1-A
	Over 5 tons, $10.00, plus per ton	Per Table 1-A
	Furnace up to 200,000 Btu input	Per Table 1-A
	Over 200,000 Btu input, $10.00 plus per 100,000	Per Table 1-A
(4)	Unit heater/suspended heater/duct heater	Per Table 1-A
(5)	Ventilation/exhaust fans/hoods – Type I, Type II, Hoods, Exhaust Fans, each	Per Table 1-A
(6)	Boilers	Per Table 1-A
(7)	Other as may be required by mechanical code	Per Table 1-A

(j) Swimming Pool/Spa/Hot Tub Permit Fees. Per Table 1-A

(1)	In ground pool	Per Table 1-A
(2)	Above ground pool	Per Table 1-A
(3)	Spa/hot tub	Per Table 1-A

(Above permits include electric and plumbing work, trades must validate)

(k) Mobile/HUD Manufactured Home Permit Fees

(1)	Pre-June 1976	Per Table 1-A
(2)	June 1976 to present	Per Table 1-A

(l) Industrialized Home Permit Fee Per Table 1-A

(m) Apartment Registration and Inspection Fee $15.00 per apartment unit

(n) Satellite Dish Permit Fees

Pole style or roof mount Per Table 1-A

(o) Installation or Removal of Underground Fuel Storage Tank and/or Hazardous Chemicals

(1) Storage tank permit fees Per Table 1-A

(p) Repair of Underground Fuel Storage Tank and/or Lines Permit Fees

(1)	Contractor's Registration (per year)	$100.00
(2)	Repairs of underground fuel storage tanks (base fee)	Per Table 1-A

(q) Above Ground LPG Storage Tank System Permit Fees

(1)	Contractor's Registration (per year)	$100.00
(2)	Base fee (per tank)	Per Table 1-A

(r) Fire Sprinkler and/or Standpipe System Permit Fees

(1)	Contractor's Registration (per year)	$100.00
(2)	Base Fee	Per Table 1-A

(s) Fire Alarm Fees

(1)	Base Fees	Per Table 1-A

(t) Fixed Fire-Extinguishing System Permit Fees

(1)	Contractor's Registration (per year)	$100.00
(2)	Base Fee	Per Table 1 A

(u) Tents and/or Air Support System Permit Fees

(1)	200 sq. ft. or larger	Per Table 1-A

(v) Grading Filling and Excavating Permit Fees

(1)	Base Fee	Per Table 1-A

(w) Fee Assessment for Traffic Signals. There shall be an assessment of thirty-five dollars $35.00 per acre for each acre of development so as to provide for future traffic signalization.

(1)	New Construction	$75.00
(2)	Existing Structure	$75.00

(x) Certificate of Occupancy Fees

(1)	New Construction	$75.00
(2)	Existing Structure	$75.00

(y) Concrete Permit

(1) All contractors' must submit $300,000.00 liability insurance made out with the City of Lancaster as a certificate holder.

(z)	Irrigation Permit Fee	$125.00
(aa)	Administrative Plan Review-Residential	$250.00
(bb)	Administrative Plan Review-Commercial	65% of permit fee
(cc)	Utility Verification Permit	$50.00
(dd)	After Hours Inspections	$47.00 per hour, minimum 2 hours
(ee)	Sign Permit Fees	Per Table 1-A
(ff)	Wind Energy System Permit Fee	Per Table 1-A
(gg)	Hotel/Motel Property Inspection Fee	$50.00 per rental unit annually

Contractor Registration Fees

(1) Building Contractor Registration	$100.00 Annually
(2) Plumbing Business Registration	$100.00 Annually
(3) Electrical Contractor Registration	$100.00 Annually
(a) Master License Registration	$30.00 Annually
(b) Journeyman License Registration	$20.00 Annually
(c) House Wireman License Registration	$10.00 Annually
(4) HVAC Contractor Registration	$100.00 Annually
(a) Type A License Registration	$30.00 Annually
(b) Type B License Registration	$30.00 Annually
(5) General Contractor Registration	$100.00 Annually
(6) Fence Contractor Registration	$100.00 Annually
(7) Sign Contractor Registration	$100.00 Annually
(8) Concrete Contractor Registration	$100.00 Annually

Sec. 3.200 When Fees Doubled

Where work for which a permit is required is started or proceeded prior to obtaining said permit, the fees above shall be doubled. The payment of a double fee shall not relieve any persons from fully complying with the regulations prescribed in this article in the execution of the work or from any other penalties prescribed herein.

Sec. 3.300 Second Inspections

Where work for which a permit is required and has been issued is inspected by the Inspection Department's Inspector and failed for noncompliance with city codes, and a second inspection is required, an additional fee of fifty dollars ($50.00) shall be charged for re-inspection and will increase by $25.00 for each subsequent re-inspection.

Sec. 3.400 Public Schools Exempt From Fee Requirements

Any public school within the City of Lancaster shall be exempt from payment of the fees provided by this article, provided that such public schools shall not be excused from the necessary permit approval process enumerated in this code or in any other code or ordinance of the City of Lancaster.
(Ordinance 13-00 adopted 4/24/00)

Sec. 3.500 Excavation Fees

Permit Fees. Permit fees shall be fifty dollars ($50.00) minimum with a maximum of 2.5% of the construction contract cost. Such fee if paid by check, money order, bank draft or other negotiable instrument, shall be made payable to the city treasurer. If paid by cash, such cash shall be remitted daily to the city treasurer, who shall deposit it to the credit of the general fund. Construction bond for work in a city right-of-way shall be $10,000.00 bond amount; $2,000.00 bond amount where work not to exceed $2,000.00 in value for any one permit that may be acquired for that work within the right-of-way.
(Ordinance 38-99 adopted 11/8/99)

Sec. 3.600 Backflow Prevention Assembly Testers Fees

An annual registration fee of one hundred dollars ($100.00) shall be paid by each contractor or business for the first certified tester/employee prior to any work commencing with the city. Each additional employee (who is a certified tester) working for a contractor that is registered in the city shall pay an additional fifty dollars ($50.00) registration fee per tester. (Ordinance 29-00 adopted 7/24/00)

ARTICLE 4.000 BUSINESSES RELATED FEES

Sec. 4.100 Peddlers, Solicitors and Itinerant Vendors

(a) Investigation Fee Each and every person seeking a permit under the provisions of the Lancaster Code of Ordinances, Chapter 4, Article 4.100 “Peddlers, Solicitors and Itinerant Vendors” shall pay a fee of twenty-five dollar ($25.00) per year for investigation of such application. Such fee shall be prorated, shall be paid in case at the time such application is made and shall not be returned to the applicant regardless of whether or not such permit is issued or denied. Persons representing firms or corporations shall be required to obtain separate permits, but shall pay only a single investigation fee.

Persons involved in interstate commerce shall be exempt from payment of the investigation fee, but shall be required to obtain a permit and otherwise fully comply with all provisions of Chapter 4, Article 4.100.

(b) The permit fee for itinerant vendors on private property is twenty dollars ($20.00). The City will not require payment of this permit fee by locally-based charitable organizations or organizations engaged in activities such as bake sales or car washes. The permit is issued for a minimum of five (5) days, but not to exceed forty-five (45) days. Each eligible property may only allow use of the property for a temporary business for a maximum of forty-five (45) days per calendar year in accordance with Chapter 4, Article 4.100, Section 4.114.

(c) Replacement Permits. Should a permittee lose the permit or otherwise need to obtain a replacement permit from the city, the cost of such replacement permit shall be fifteen dollars ($15.00).

(Ordinance 2008-06-24; adopted June 23, 2008)

Sec. 4.200 Coin-Operated Machine Fees

(a) Every owner or operator who owns, controls, possesses, exhibits, displays or permits to be exhibited or displayed in this city any coin-operated machine shall pay and there is hereby levied on each coin-operated machine an annual occupation tax in the amount of twenty-five dollars ($25.00).
(Ordinance 2002-10-38 adopted 10/14/02)

Sec. 4.300 Reserved for Future Use

Sec. 4.400 Food Service Establishments

The City of Lancaster shall issue a food service permit to the applicant if its inspection reveals that the proposed food service establishment complies with the requirements of Texas Health and Safety Code Chapters 437, Food and Drug Health Regulations, and 121, Local Regulation of Public Health. The permit shall be issued upon payment of a one hundred fifty dollar ($150.00) annual inspection fee (includes two (2) inspections) set by the Dallas County Department of Health and Human Services plus an administrative fee of fifty dollars ($50.00), which shall be due and payable on or before October 1 of each year. Such permit shall expire on September 30 of the succeeding year. Such permit shall be payable in full if the permit is issued at the beginning of the fiscal year or prorated as deemed appropriate by staff depending upon when it is issued within the year. All food service establishment permits shall expire on September 30 of each year and be issued upon inspection and payment of the required fee, to be effective on October 1. Beginning with the third food establishment inspection or any other food inspection outside of the two yearly inspections, a seventy-five dollar ($75.00) fee will be assessed for each additional inspection.

Sec. 4.500 Temporary Food Permit Application $75.00

(Set by the Dallas County Department of Health and Human Services.)

Sec. 4.600 Reserved for Future Use

Sec. 4.700 Temporary Building Use Fees

The permit fees for administering temporary uses within the city shall be as follows:

(1)	Real estate sales office	$100.00
(2)	Construction office	$100.00
(3)	Asphalt batching plant	$100.00
(4)	Cement hatching plant	$100.00
(5)	Portable church building	$100.00
(6)	Portable school building	$100.00
(7)	Other temporary use as determined by City Manager (or his/her designated representative)	$100.00
(8)	Cargo container for construction purposes	$150.00

Sec. 4.800 Taxicab Permits

Each applicant for a license to operate a vehicle for transporting of passengers for hire within the city shall pay a non-refundable fee in the sum of one hundred dollars ($100.00) to cover the cost of processing the application.

Sec. 4.900 Emergency Ambulance Service Permit

Each applicant shall pay to the City of Lancaster upon submission of his application a non-refundable two hundred dollar ($200.00) permit fee. Such fee shall be for a permit for the period of January 1 through December 31 of each year, provided that any permit secured during the year shall be valid through December 31 of that year, and such fee shall not be prorated.

Sec. 4.1000 Limousine Operator Permit

Each limousine service operator shall be subject to a one hundred dollar ($100.00) non-refundable permit application fee to cover the cost of processing the application.
(Ordinance 13-00 adopted 4/24/00)

Sec. 4.1100 Alcoholic Beverage Permit

The City shall assess a local permit fee for each Alcoholic Beverage Permit not to exceed one-half the amount of the state fee in accordance with the Texas Alcoholic Beverage Code. Said fee shall be non-refundable.
(Ordinance No. 2010-11-26, adopted 11/08/10; Resolution 2010-11-93, adopted 11/08/10)

ARTICLE 5.000 FIRE SERVICES FEES

Sec. 5.100 Apartment Registration and Inspection Fee $15.00 per apartment unit

Sec. 5.200 **Installation or Removal of Underground Fuel Storage Tank and/or Hazardous Chemicals**

(1)	Storage tank permit fees	Per Table 1-A

Repair of Underground Fuel Storage Tank and/or Lines Permit Fees

(1)	Contractor's Registration (per year)	$100.00
(2)	Repairs of underground fuel storage tanks (base fee)	Per Table 1-A

Above Ground LPG Storage Tank System Permit Fees

(1)	Contractor's Registration (per year)	$100.00
(2)	Base fees (per tank)	Per Table 1-A

Sec. 5.300 **Fire Sprinkler and/or Standpipe System Permit Fees**

(1)	Contractor's Registration (per year)	$100.00
(2)	Base fees	Per Table 1-A

Sec. 5.400 **Fire Alarm Fees**

(1)	Base fees	Per Table 1-A

Fixed Fire-Extinguishing System Permit Fees

(1)	Contractor's Registration (per year)	$100.00
(2)	Base Fees	Per Table 1-A

Sec. 5.500 **Tents and/or Air Support System Permit Fees**

(1)	200 sq. ft. or larger	$25.00

Sec. 5.600 **When Fees Doubled**

Where work for which a permit is required is started or proceeded prior to obtaining said permit, the fees above shall be doubled. The payment of a double fee shall not relieve any persons from fully complying with the regulations prescribed in this article in the execution of the work or from any other penalties prescribed herein.

Sec. 5.700 **Second Inspections**

Where work for which a permit is required and has been issued is inspected by the Inspection Department's Inspector and failed for noncompliance with City codes, and a second inspection is required, an additional fee of fifty dollars ($50.00) shall be charged for re-inspection and will increase by $25.00 for each subsequent re-inspection.

Sec. 5.800 Public Schools Exempt From Fee Requirements

Any public school within the City of Lancaster shall be exempt from payment of the fees provided by this article, provided that such public schools shall not be excused from the necessary permit approval process enumerated in this code or in any other code or ordinance of the City of Lancaster.
(Ordinance 13-00 adopted 4/24/00)

Sec. 5.900 Emergency Ambulance Service Permit

Upon submission of application, each applicant shall pay to the City of Lancaster a non-refundable two hundred dollar ($200.00) permit fee. Such fee shall be for a permit for the period of January 1 through December 31 of each year, provided that any permit secured during the year shall be valid through December 31 of that year, and such fee shall not be prorated.

Sec. 5.1000	**Residential Fire Alarm Permit Fee**	$25.00 Annually
	(No Charge if Burglar Alarm Permit is taken out with Police Department)	
	Senior Rate (65 or older)	Exempt
Sec. 5.1100	**Commercial Fire Alarm Permit Fee**	$100.00 Annually

Sec. 5.1200 Required Annual Operational Permit Fees

1	Aerosol products	$25.00
2	Amusement buildings	$100.00
3	Assisted living operations	$50.00
4	Aviation facilities	$25.00
5	Carnivals and fairs	$75.00
6	Cellulose nitrate film	$25.00
7	Combustible dust-producing operations	$25.00
8	Combustible fibers	$25.00
9	Compressed gases	$25.00
10	Covered mall buildings	$25.00
11	Cryogenic fluids	$100.00
12	Cutting and welding	$25.00
13	Day care operations	$25.00
14	Dry cleaning plants	$25.00
15	Exhibits and trade shows	$25.00

16	Explosives	$500.00
17	Fire hydrants and valves	$25.00
18	Flammable and combustible liquids	$25.00
19	Floor finishing	$0.00
20	Foster home operations	$25.00
21	Fruit and crop ripening	$25.00
22	Fumigation and thermal insecticidal Fogging	$25.00
23	Group home operations	$50.00
24	Half-way home operations	$50.00
25	Hazardous materials	$200.00
26	HPM facilities	$100.00
27	High-piled storage	$100.00
28	Hot work operations	$0.00
29	Industrial ovens	$25.00
30	Lumber yards and woodworking plants	$25.00
31	Liquid- or gas-fueled vehicles or equipment in assembly buildings	$25.00
32	LP-gas	$ 25.00
33	Magnesium	$25.00
34	Miscellaneous combustible storage	$25.00
35	Open burning (Exception: Recreational fires)	$25.00 per burn
36	Open flames and torches	$0.00
37	Open flames and candles	$0.00
38	Organic coatings	$25.00
39	Places of assembly	$0.00

40	Private fire hydrant installation	$25.00 per hydrant
41	Pyrotechnic special effects material	$100.00
42	Pyroxylin plastics	$100.00
43	Refrigeration equipment	$25.00
44	Repair garages and motor fuel-dispensing facilities.	$0.00
45	Rooftop heliports	$ 25.00
46	Spraying or dipping	$ 25.00
47	Storage of scrap tires and tire byproducts	$200.00
48	Temporary membrane structures, tents and canopies.	$25.00
49	Tire-rebuilding plants	$100.00
50	Waste handling	$200.00
51	Wood products	$25.00

Required Construction Permits

1	Automatic fire-extinguishing systems	Per Table 1-A
2	Battery systems	$25.00
3	Compressed gases	Per Table 1-A
4	Fire alarm and detection systems and related equipment.	Per Table 1-A
5	Fire pumps and related equipment	$25.00
6	Flammable and combustible liquids	Per Table 1-A
7	Hazardous materials	Per Table 1-A
8	Industrial ovens	Per Table 1-A
9	LP-gas	Per Table 1-A
10	Private fire hydrants	$25.00 per hydrant
11	Spraying or dipping	Per Table 1-A
12	Standpipe systems	$25.00

13	Temporary membrane structures, tents and canopies.	$25.00

Sec. 5.1300 <u>Ambulance Fees</u>

(1)	ALS Emergency Mileage	$15.00
(2)	ALS Non-Emergency Mileage	$15.00
(3)	ALS Supplies – IV Therapy	$100.00
(4)	ALS1 Emergency, Non-Resident	$1125.00
(5)	ALS1 Emergency, Resident	$1050.00
(6)	ALS2, Non-Resident	$1,275.00
(7)	ALS2, Resident	$1200.00
(8)	BLS Emergency, Non-Resident	$900.00
(9)	BLS Emergency, Resident	$825.00
(10)	BLS Emergency Mileage	$15.00
(11)	Treatment / No-Transport	$150.00

Any resident or non-resident delivered by helicopter transportation shall be charged fees accumulated as if delivered to a medical facility. This is in addition to the fee from the helicopter company

Sec. 5.1400 Local EMS Services

(1)	Extra Attendant	$100.00
(2)	Ambulance Stand-By	$200.00 per hour

Sec. 5.1500 <u>Fire Department Response Fees</u>

(1)	Absorbent for Cleanup	$40.00 per bag
(2)	Absorbent Pads	$50.00 each
(3)	Aerial Ladder Truck	$600.00 per hour on-scene
(4)	Air Truck with Cascades System	$300.00 per hour used
(5)	Boat Rescue	$50.00 per hour
(6)	Brush Truck	$300.00 per hour
(7)	Decon Pond/Spill Containment	$100.00 per each used
(8)	Extrication Tools	$100.00 per each used
(9)	Foam	$50.00 per gallon
(10)	On-Scene Labor	$48.00 per hour
(11)	Engine/Pumper	$500.00 per hour
(12)	Engine/Pumper #2	$500.00 per hour

(13)	Engine/Pumper #3	$500.00 per hour
(14)	Rescue Truck	$400.00 per hour
(15)	Sand	$400.00 per truck load
(16)	Tanker Truck	$500.00 per hour
(17)	Utility Truck	$150.00 per hour
(18)	Firefighting equipment damaged or destroyed as a result of response to the incident or contaminated with hazardous materials will be replaced at cost.	

For applicable disasters and emergencies declared by the Mayor, Governor or President, the current adopted FEMA Schedule of Equipment Rates will apply. Information regarding the Fee Schedule can be found at www.fema.gov/schedule-equipment-rates. Information regarding the use of the Schedule is contained in 44 CFR § 206.228 Allowable Costs.

Sec. 5.1600 False Alarms with Permit within 12 month period:

1-3	No Charge
4-5	$50.00
6-7	$75.00
8 or more	$100.00 each

False Alarms without Permit within 12 month period:

1-3 Residential	$50.00 each
1-3 Commercial	$100.00 each
4-5 Residential	$75.00 each
4-5 Commercial	$200.00 each
6-7 Residential	$100.00 each
6-7 Commercial	$250.00 each
8 or more – Residential	$200.00 each
8 or more – Commercial	$300.00 each
Late Payment for non-payment within 30 days after notification	$25.00

Sec. 5.1700 Dallas County Response Fees

(1)	Ambulance (In-County Calls)	$375.00 per ambulance run
(2)	Dallas County Assisted Fire Run	$395.00 per fire run

ARTICLE 6.000 ABATEMENT OF PROPERTY MAINTENANCE NUISANCE

The expenses incurred for abatement of the nuisance may be assessed against the real estate on which the work is done or improvements made. To obtain a lien against the property, the mayor, municipal health authority or code enforcement officer must file a statement of expenses with the county clerk of

Dallas County, including the name of the property owner, if known, and the legal description of the property. The actual cost of abatement shall include an administrative fee of one hundred fifty dollars ($150.00). In the event there are obstructions such as trees, shrubs, bushes, excavations, foundations, demolished structures or any similar obstructions, an additional charge shall be levied, assessed and collected against such premises. The lien obtained is security for the expenses and interest accrued thereon at the rate of ten percent (10%) annually on the total amount from the date of payment by the city. The lien is inferior only to tax liens and liens for street improvements. The city may bring a suit for foreclosure of the lien to recover the expenses and interest due. The state of expenses or certified copy of the statement is prima facie proof of the expenses incurred by the city in doing the work or making the improvements. This remedy is cumulative of the fine authorized for violation hereof by Section 1.109 of the code of ordinances.
(Ordinance 13-00 adopted 4/24/00)

ARTICLE 7.000 LIQUID WASTE TRANSPORT PERMIT

The city shall not issue a permit to an applicant until the appropriate fee is paid. Initially, a person shall pay a fee of one hundred dollars ($100.00) for the first vehicle and fifty dollars ($50.00) for each additional vehicle operated by the person. Each permit must be renewed annually at a rate of seventy-five dollars ($75.00) for the first vehicle and fifty dollars ($50.00) for each additional vehicle.
(Ordinance 13-00 adopted 4/24/00)

ARTICLE 8.000 LIBRARY FINES AND FEES

(a)	Charges for overdue materials	
	(1) Books/Magazines	Maximum $10 per item
	(2) Audio Tapes/CDs	Maximum $10 per item
	(3) Interlibrary Loans	Maximum $10 per item
	(4) Video Tapes/DVDs	Maximum $10 per item
(b)	Lost or Damaged Beyond Repair	$5.00 + replacement cost
(c)	Copies	
	(1) Single	$0.10 per page
	(2) Microfilm	$0.25 per page
	(3) Computer Printout	$0.10 per page
	(4) Color Copies	$1.00 per page
	(5) Fax	$1.00 per page
(d)	Nonresident Library Card	$20.00 Picture id required
(e)	Lost Card	~~$1.00 replacement~~ $2.00 replacement

(f)	Recovery Fee	$10.00 - if account is sent to third party for collection (value of material + $10.00)
(g)	Non-cardholder one (1) Hour Internet Access	$3.00 per hour
(h)	Microfilm / microfiche rental	Actual cost, plus shipping and $1.00 handling fee per order
(i)	Interlibrary loan service - Postage	$3.00 per item
(j)	Library meeting room [during operating hours]	
	Deposit, non-profit	$50
	Rental	$35.00/hour, resident $55.00/hour, non-resident $30.00/hour, non-profit
	Kitchen use per hour	$25.00/hour
	Set up Fee	$50.00
	Projector with screen	$65.00/hour, resident; $75.00/hour, non-resident
(k)	Tablets and E-Readers Usage Fee	$2.00 per hour/ plus replacement cost if damaged

ARTICLE 9.000 MUNICIPAL DRAINAGE UTILITY SYSTEM FEES

Account Classification	Rate/SFLUE per Month	Minimum Fee per month	Maximum Fee per Month
Single Family Residential	$7.97	$7.97	$7.97
Multi-Family Residential	$7.97	$7.97	$7.97
Residents Age 65 and Over	$3.98	$3.98	$3.98
Permanently Disabled Residents	$3.98	$3.98	$3.98
Commercial	$7.97 (≤3) $6.09 (>3-5) $5.42 (>5-10) $4.73 (>10-32) $4.62 (>32)	$7.97	N/A
City and Other Political Subdivision of the State	$7.97	$7.97	$100.00
Fire Hydrant	$0.00	$0.00	$0.00

Religious Institutions	$7.97	$7.97	$100.00
Lancaster Independent School Dist.	$7.97	$7.97	$100.00 Per each school property

(Ordinance No. 2002-10-41, adopted 10/14/02)
(Resolution No. 2010-02-11, corrected fees per ordinance)
(Resolution No. 2010-03-27, adopted 03/22/10)

ARTICLE 10.000 UTILITY RELATED FEES

Sec. 10.100 Water and Sewer Extensions

Water and sewer extensions shall be installed by the property owner/developer per city specifications; with approved plans and after paying required permits and fees, all at owner/developer's cost.

Sec. 10.200 Water Meter

(a)	Tampering and Criminal Mischief Damages	
	(1) Damaged meter only	$200.00 plus cost of meter
	(2) Damaged service line	$250.00 plus cost of meter
(b)	Broken Lock on Meter	$25.00
(c)	Pulled Meter	$200.00
(d)	Reread Meter at customers request	$20.00
(e)	Check for Leaks	$20.00

Sec. 10.300 Extension of Mains into New Areas

Water and sewer extensions shall be installed by the property owner/developer per city specifications; with approved plans and after paying required permits and fees, all at owner/developer's cost.

Sec. 10.400 Industrial Discharge Fee

The City of Lancaster shall pass through to industrial customers the cost of testing services for discharged wastewater into the City's collection system as contracted through the Trinity River Authority (TRA) in accordance with the Fiscal Year 2014 Technical Services Fee Schedule for laboratory analyses, Industrial Inspections and Industrial Sampling, attached to the Master Fee Schedule as Appendix "A" attached hereto.

Sec. 10.500 Charges for Water Service Connections

The city shall maintain all water service connections in streets, alleys, or easements within the city limits.

Sec. 10.600 Deposits for Water and/or Sewer

CITY OF LANCASTER FEE SCHEDULE

After the application for water and/or sewer service is received, the applicant shall pay to the city a deposit in the amount indicated below:

		New Fees with Activation Fee
(1)	Residential Owners – ¾ inch	$90.00 + $10.00 = $100.00
	Residential Renter – ¾ inch	$150.00 + $10.00 = $160.00
	*Temporary (30 day) clean up	$40.00 + $10.00 = $50.00

* (For owners of properties and/or realtors that need the water for a short period of time.)

Water Meter Cost on Existing Taps

3/4" Meter $250.00
1" Meter $300.00
1 ½" Meter $470.00
2" Meter $625.00
3" and Larger Meters - Owner provides meters approved by the City

Meter Set Fee

Included in cost of meter

3" and Larger Meters – Will be set by licensed plumber or bonded contractor. Customer must notify the City when meter is set.

Guidelines in order for customers to receive a refund/credit to their accounts prior to terminating utility service:

(a) The customer will have to make the request in writing.
(b) The account will have to be in good standing for a period of two consecutive years before a refund is granted. (The account will have no arrears, penalties or retuned checks posted during that time.)
(c) The refund will be made to the person listed on the account.

(2) Residential – Bore, Tap and Relocate Fees

Request for Residential Tap Fees for Water

¾" Tap $890.00
1 "Tap $997.00
1 ½" Tap $1,250.00
2" Tap $1,496.00
3" and larger - Owner provides Taps and Meters

***Relocate Existing Water Meter (12' Maximum)** $650.00

Plus $35/lf for each foot over 35'

*A new tap may be required if existing facilities are not adequate for the requested adjustment.

CITY OF LANCASTER FEE SCHEDULE

Request for Residential Tap Fees for Sewer

4" Sewer Tap
Less than 35' in length and less than
10' in depth $1,250.00

Any tap larger than 4" is required to be installed by a Bonded Utility Contractor, have engineering plans prepared and Contractor is required to obtain a Construction Permit.

Any tap over 10' depth is required to be installed by a Bonded Utility Contractor, have engineering plans prepared and Contractor is required to obtain a Construction Permit.

*** All plans must be reviewed and approved by City officials.**

All taps residential and commercial owner or contractor is responsible for any required bore, encasement and grouting underneath a road. City Right–Of-Way (ROW) permit application is required and regular inspection fees will apply.

(3) Third Party contractor is responsible for all commercial taps within the City. City Right-Of-Way (ROW) permit application is required and regular inspection fees will apply.

(4) Public schools and county community colleges are subject to commercial rates, but shall not be required to make a water and/or sewer deposit as required by this section.

(5)	Fire Hydrant Meter	
(A)	Deposit	$1,500.00
(B)	Monthly	$25.00
(C)	Usage	$2.75/1,000 gallons
		New Fee with Activation Fee
(6)	Commercial – ¾ inch	$125.00 + $10.00 = $135.00
(A)	1 inch	$150.00 + $10.00 = $160.00
(B)	1 ½ inch	$200.00 + $10.00 = $210.00
(C)	2 inch	$300.00 + $10.00 = $310.00
(D)	3 inch to compound meter	$300.00 + $10.00 = $310.00

Backflow Testing and Installation

All backflow Installers and testers must register with the City prior to performing any work.

Registration fee: $100.00 annually per company and $50.00 for each additional individual.

Inspection fee per device: $30.00

CITY OF LANCASTER FEE SCHEDULE

Sec. 10.700 Water Rates - Within City

The following schedule of water charges for residential, commercial, industrial, and multi-family complex customers shall be effective with the first billing of October 2011:

Minimum monthly water charge (no gallons) for residential, commercial, and industrial customers:

Meter Size:	Equivalent Units	Minimum Monthly Meter Charge:
⅝ or ¾ inch water	1	$20.90
1-inch water meter	2.5	$52.26
1 ½ inch water meter	5	$104.52
2-inch water meter	8	$167.23
3-inch water meter	16	$334.45
4-inch water meter	25	$522.58
6-inch water meter	50	$1045.17
8-inch water meter	80	$1,672.26
10-inch water meter	125	$2,450.00

(1) Multi-family complexes shall be charged a minimum monthly water charge equal to the greater of
(a) the minimum bill for a ⅝ inch meter, multiplied by the number of units, or
(b) the minimum monthly meter charge for the size meter(s) serving the account.

(2) A variable rate volume charge of two dollars and sixty-seven ($2.67) shall be charged per each one thousand (1,000) gallons usage. No gallons are included with the monthly minimum charge.

(3) Example of the calculation of a multi-family complex monthly water bill:
Two hundred apartment units with an 8” meter and 600,000 gallons of usage.

	Min. charge for 8” meter	$1,672.26	
	200 units @ $20.90 each	0.00	$4,180.00
	600,000 gallons @ $2.67/1000	$1,602.00	$1,602.00
		$3,274.26	$5,782.00

Therefore $5,782.00 would be billed. ($5,782.00 ÷ 200 = $28.91)

(4) For the purpose of encouraging water conservation, there shall be a 25% increase in the water volume rate for monthly usage in excess of 15,000 gallons by residential and commercial accounts. Usage in excess of 30,000 shall be subject to an additional 25% increase. These increases will not be assessed to industrial or multi-family accounts.

For example:

0 to 15,000 gallons	$2.67 per 1,000
15,001 to 30,000 gallons	$3.31 per 1,000
30,001 gallons or more	$4.16 per 1,000

(5) A discount for senior citizens (age 65 or over) of $1.79 per month shall be applied to each qualified residential account.

(Resolution 2011-09-80 adopted 9/12/11, effective October 1, 2011)

Sec. 10.800 Water Rates-Outside City

Effective with the first billing cycle of October 1992, the rates or sales of water to customers outside the city limits of Lancaster, Texas, will be determined by multiplication of the rates set out in Chapter 13, Article 13.500, Section 13.504 by one hundred fifteen (115) percent. (1994 Code of Ordinances, Chapter 11, Article 11.500, Section 11.505).

Sec. 10.900 Imposition of Lien for Water Service Charges

In the event that payment of charges for water and/or sewer services furnished by the city is not made by the date specified for cutoff in accordance with the notice sent pursuant to Chapter 13, Article 13.500, Section 13.508, service shall be discontinued. Any customer whose water and/or sewer services are discontinued due to nonpayment may have services resumed by paying all accrued and overdue charges, including the late charge penalty and a reconnection charge as follows: (1994 Code of Ordinances, Chapter 11, Article 11.500, Section 11.509).

(1)	Reconnect Fee (Cutoff)	$45.00
(2)	Reconnect Fee (Cutoff) After 5 p.m.	$55.00
(3)	Late Fee	7% of balance due
(4)	NSF Check	$35.00
(5)	Extra Trip Charge (New Connects and Reconnects)	$25.00
(6)	Data log meter	$25.00

Ordinance No. 2007-01-01 adopted 01/22/07)

Sec. 10.1000 Wastewater Treatment Services User Charges

The following schedule of charges for residential, commercial, industrial and multi-family complex customers shall be effective with the first billing cycle of October 2011:

(1) Minimum monthly sewer charge (no gallons of usage) for residential, commercial, and industrial is fourteen dollars and ten cents ($14.10) per connection.

(2) Minimum monthly sewer charge for each dwelling unit of a multi-family complex (no gallons) is seven dollars and twenty-five cents ($7.25) per unit.

(3) Variable rate per one thousand (1,000) gallons of water usage for residential, commercial, industrial, and multi-family complexes is seven dollars and twenty-five cents ($7.25).

(4) The total monthly amount due for “all” sewer accounts shall be the sum of the minimum monthly sewer charge plus the variable rate times the user’s water usage for the month. The maximum monthly

"residential customer" volume charges shall be based on average water consumption of the preceding December, January, and February. However, the utility billing department may adjust this forwards or backwards one month.

Industrial and commercial users that install a separate sewer metering system shall be charged for volume according to that meter, plus the minimum rate.

(5) The practice of discounting the computed sewer usage to 95% and 90% as detailed in the Lancaster Code of Ordinances Section 11.608(b) and 11.609(b); was discontinued in 2008.

(6) A discount for senior citizens (age 65 or over) of $0.76 per month shall be applied to each qualified residential account.
(Resolution 2011-09-80 adopted 9/12/11, effective October 1, 2011)

Sec. 10.1100 Water Impact Fee

(Reference Tables 1, 2, 3 and 11 of Ordinance)
(Ordinance 2004-09-27 adopted 9/27/04)

Water Impact Fees are imposed upon any new development (which includes expansion of existing facilities) to generate revenue for funding or recouping the costs of capital improvements or facility expansions to these systems necessitated by or attributable to the new developments' demand on these systems. The Water Impact Fees are calculated using Service Units, which are a standardized measure of consumption, use, generation or discharge attributable to an individual living unit equivalent (LUE) of development calculated in accordance with generally accepted engineering or planning standards for water systems' capital improvements or facility expansion. The total impact fee due is based on the meter size(s) used by the development. The meter size is determined by the City of Lancaster within the meter manufacturers optimum flow range based on flows required by the development.

Sec. 10.1200 Sewer Impact Fee

(Reference Table 3.5 of Ordinance)
(Ordinance 2006-07-22 adopted 7/10/06)

Sewer (Wastewater) Impact Fees are imposed upon any new development (which includes expansion of existing facilities) to generate revenue for funding or recouping the costs of capital improvements or facility expansions to these systems necessitated by or attributable to the new developments' demand on these systems. The Sewer Impact Fees are calculated using Service Units, which are a standardized measure of consumption, use, generation or discharge attributable to an individual living unit equivalent (LUE) of development calculated in accordance with generally accepted engineering or planning standards for sewer systems' capital improvements or facility expansion. The total impact fee due is based on the meter size(s) used by the development. The meter size is determined by the City of Lancaster within the meter manufacturers optimum flow range based on flows required by the development.

Sec. 10.1300 Roadway Impact Fee

(Reference Exhibit B of Ordinance)
(Ordinance 2003-12-42 adopted 12/8/03)

Roadway Impact Fees are imposed upon any new development (which includes expansion of existing facilities) to generate revenue for funding or recouping the costs of capital improvements or facility expansions to these systems necessitated by or attributable to the new developments' demand on these systems. The Roadway Impact Fees are calculated using Service Units, which are a standardized measure of consumption or use (supply and demand) of the roads in the city by new development and are calculated in accordance with generally accepted engineering or planning standards for Roadway Systems' capital improvements or facility expansion. The total impact fee due is determined by the land use, the location of the development, and the square footage of the building.

Sec. 10.1400 Inspections

(a)	Sewer	$150.00
(b)	Final Televised lateral inspection	$50.00

Sec. 10.1500 Calibrations

(a)	Pipe < 1 inch	$50.00
(b)	Pipe < 1 inch and < 3 inches	$50.00
(c)	Pipe > = 3 inches	$100.00 Contracted price plus 25%

(Ordinance 2002-10-38 adopted 10/14/02)

Sec. 10.1600 Reserved for future use.

CITY OF LANCASTER FEE SCHEDULE

Sec. 10.1700 Garbage Collection Fees

(a) Residential $13.84
Once weekly refuse collection/disposal
Every other month brush/bulk item collection
Bi-weekly recycling collection/processing

(b) Administrative Processing Fee $2.50

(c) Extra cart *Effective 01/01/2010*
2nd cart $10.00
3rd cart $15.00
4th cart $20.00

(d) Commercial Hand Collect $17.96
Once weekly refuse collection/disposal

(e) Special Pick Up $65.00 minimum

(f) Commercial Containers

Size	1 X WK	2 X WK	3 X WK	4 X WK	5 X WK	6 X WK	EXTRA
2YD	$64.61	$119.56	$166.30	$206.03	$239.79	$268.55	$27.69
3YD	$73.89	$136.72	$190.18	$235.64	$274.26	$307.19	$41.54
4YD	$92.38	$170.98	$237.76	$294.61	$342.95	$384.06	$55.38
6YD	$110.94	$205.29	$285.54	$353.85	$411.92	$461.38	$69.21
8YD	$138.71	$256.66	$357.05	$442.43	$515.06	$576.88	$83.06

(Resolution 2012-09-76 adopted 09/10/12, effective 10/01/12)

Sec. 10.1800 Wastewater Discharge

There is hereby established a wastewater discharge permit fee of $450.00 for a three year term by the Water/Wastewater Superintendent of the City of Lancaster. (1994 Code of Ordinances, Chapter 1, Article 11.1300, Section 11.1300)

CITY OF LANCASTER FEE SCHEDULE

Sec. 10.1900 Fees for Cuts to Streets, Alleys, Sidewalks and Drainage Structures

In the event any street, highway or roadway must have an open cut and is approved by the City Engineer in writing for the purpose of installing water or wastewater laterals, or utility repair by a Franchise Utility Company or their subcontractor, a fee of four dollars and fifty cents ($4.50 sq. ft.) per square foot, with a minimum one hundred dollar ($100.00) fee will be charged in advance for replacement of such open cut by the city. This fee will be reimbursed if the excavation is restored to like or better condition.

ARTICLE 11.000 PLANNING AND ZONING RELATED FEES

Sec. 11.100 Reserved for Future Use

Sec. 11.200 HLPC Application Review (Certificate of Appropriateness) $100.00

Sec. 11.300 Zoning Board of Adjustment

(a)	Variance Request	$250.00

Sec. 11.400 Plats

(a)	Preliminary Plat	
	50 acres or less	$500.00 + $50.00 per acre
	More than 50 acres	$1000.00 + $100.00 per acre
(b)	Final Plat	$500.00 + $10.00 per lot
(c)	Re Plat	
	With property owner notification	$575.00 + $35.00 per acre
	Without property owner notification	$450.00 + $35.00 per acre
(d)	Amended Plat	$200.00 + $10.00 per acre
(e)	Minor Plat	$400.00
(f)	Plat Vacations	$500.00

Sec. 11.500 Zoning

(a)	General Zoning Change	$500.00 + $10.00 per acre
(b)	Specific Use Permit	$500.00 + $10.00 per acre
(c)	Private Club Permit	$350.00
(d)	Amendment to SUP	$500.00 + $10.00 per acre
(e)	Planned Development	$1500.00 + $10.00 per acre
(f)	Amendment to Planned Development	$1,500.00 + 10.00 per acre
(g)	Exceptions	$250.00

Sec. 11.600 Other Planning & Zoning Fees

(a)	Site Plan Review	$250.00 + $10.00 per acre
(b)	Tree Survey Review	$25.00
(c)	Illegal Tree Cutting Fine	$125.00 per diameter inch
(d)	Dedication/Abandonment of Right-of-Way or Easements	$150.00 per development for first 5 + $25.00 for each additional document
(e)	Consultant Fees	Hourly Rate of Consultant
(f)	Zoning Verification Letter	$50.00
(h)	Subsequent Legal Notices after 1st	$15.00 per additional notice

Sec. 11.700 Maps, Publications and Miscellaneous Fees

(a)	Comprehensive Plan	$48.00
(b)	Copying – 8½" x 11", or 8½" x 14"	$0.10 per page. Any request for more than 20 pages may be sent to an outside duplicating facility at requestor expense.
(c)	Lancaster Development Code (Zoning Ordinance and Subdivision Regulations)	$45.00
(d)	Zoning Map (24” x 36”)	$20.00

ARTICLE 12.000 MUNICIPAL COURT

Sec. 12.100 Municipal Court Building Security Fund

Any defendant convicted in the municipal court of the City of Lancaster of a misdemeanor offense that occurs after September, 1997 or the passage of this article, shall pay a $3.00 security fee as a cost of court. The term “convicted” includes any convictions obtained by way of a plea of guilty, a trial and any cases, deferred adjudication, probation or pretrial diversion in order for the defendant to take advantage of one of the alternative programs offered by the municipal court including, but not limited to a driving safety course, deferred adjudication, alcohol awareness and shoplifters alternative. (1994 Code of Ordinances, Chapter 8, Article 8.100, Section 8.1600)

Sec. 12.200 Municipal Court Technology Fund

A defendant convicted of a misdemeanor offense in the municipal court in the City of Lancaster shall pay a technology fee not to exceed four dollars for each conviction as a cost of court. The Municipal Court Clerk shall collect the costs and pay the funds to the Finance Director for deposit in a fund to be known as the “Municipal Court Technology Fund”.

CITY OF LANCASTER FEE SCHEDULE

(Ordinance 2002-03-12 adopted 3/2/02)

SECTION 12.300 Special Expense Fee

There is hereby established a special expense fee in the amount of twenty-five dollars ($25.00) which shall be collected, after due notice to the defendant, for the issuance and service of a warrant of arrest for an offense under Section 38.10 of the Texas Penal Code titled "Bail Jumping and Failure to Appear"; or Section 543.009 of the Texas Transportation Code titled "Compliance With or Violation of Promise to Appear.

ARTICLE 13.000 ADMINISTRATIVE FEES

Public Information Charges

(a) copies, standard paper copy $0.10 per page

For standard paper copies reproduced by means of an office machine copier or a computer printer. Each side that has recorded information is considered a page.

(b) copies, nonstandard copy. The charges in this section are to cover the materials onto which information is copied and do not reflect any additional charges, including labor, that may be associated with a particular request. The charges for nonstandard copies are:

(A) Diskette	$1.00
(B) Magnetic tape	actual cost
(C) Data cartridge	actual cost
(D) Tape cartridge	actual cost
(E) Rewritable CD (CD-RW)	$1.00
(F) Non-rewritable CD (CD-R)	$1.00
(G) Digital video disc (DVD)	$3.00
(H) JAZ drive	actual cost
(I) Other electronic media	actual cost
(J) VHS video cassette	$2.50
(K) Audio cassette	$1.00
(L) Oversize paper copy (11 inches by 17 inches, greenbar, bluebar, not including maps and photographs using specialty paper)	$0.50
(M) Specialty paper (Mylar, blueprint, blueline, map, photographic)	actual cost

(c) Microfiche and Microfilm	actual cost of reproduction
From Master copy of Microfilm	$0.10 per page

(d) Computer Resource Charge

Mainframe	$10 per CPU minute
Midsize	$1.50 per CPU minute
Client/Server	$2.20 per clock hour
PC or LAN	$1.00 per clock hour

(e) Other Public Information Charges

(A) Computer Programmer	$28.50 per hour
(B) Personnel Charge (50 or more pages)	$15.00 per hour
(C) Overhead Charge (50 or more pages)	20% of personnel charge
(D) Remote Document Retrieval Charge	actual cost
(E) Miscellaneous Supplies (labels, boxes)	actual cost
(F) Postage and Shipping Charge	actual cost
(G) Miscellaneous (credit card transaction fee)	actual cost

(f) Certified or Attestation under City Seal $2.50

(g) Finance

(1) Return Check Fee	$35.00 per check
(2) Budget Book	$106.00 per book
(3) CAFR	$50.00 per book
(4) Copies – printouts (computer generated)	$0.25 per page

(h) Special Events

(1) Application Fee	$25.00 (applications submitted 31 days prior to event)
(2) Expedited Review Fee	$25.00 (expedited fee for applications received within 30 days of the event)
(3) Street Barricade Rental Fee	1 to 25 barricades $15.00 25 to 50 barricades $30.00 50+ barricades; will require contract services
(4) Street Cones Rental Fee	1 to 25 cones $10.00 25 to 50 cones $20.00 50+ cones; will require contract services
(5) Barricade Replacement Fee	$62.00 per barricade
(6) Cone Replacement Fee	$39.00 per cone

(7) Reimbursable Costs: Fees associated with City of Lancaster service provision at the request of the applicant will be calculated by the applicable department based on the associated reimbursable cost, the service/equipment requested, and the length of time the service is needed.

(Ordinance 2004-06-18 adopted 6/14/04)

ARTICLE 14.000 POLICE DEPARTMENT

(a) Alarm System Permit Fees

Alarm System Permit Fees

Registration Fee – Residential	$ 50.00
Registration Fee – Commercial	$100.00
Senior Rate (65 or older) – Residential only	Exempt*
Renewal Fee – Residential	$ 50.00

Renewal Fee – Commercial	$100.00
Senior Rate (65 or older) – Residential only	Exempt*
Late Fee after 30 days notice for registration	$ 25.00
Late Fee After 30 days notice for renewal	$ 25.00
False Alarms with Permit within 12 month period:	
1-3	No Charge
4-5	$ 50.00
6-7	$ 75.00
8 or more	$100.00 each
False Alarms without Permit within 12 month period:	
1-3 Residential	$100.00 each
1-3 Commercial	$200.00 each
4-5 Commercial	$250.00 each
6-7 Residential	$175.00 each
6-7 Commercial	$275.00 each
8 or more – Residential	$200.00 each
8 or more – Commercial	$300.00 each
Late Payment for Non-payment within 30 days after notification	$25.00
False Robbery Alarms within 12 month period:	
1-3	$100.00
4 or more	$200.00
Late Fee for Each False Robbery Alarm not paid within 30 days after notification	$25.00
Appeal:	
Appeal Hearing Fee*	$25.00
*(Fee shall be refunded, in its entirety, if appeal is upheld)	
Reinstatement:	
Reinstatement Fee	$50.00

(Resolution 2007-02-22 adopted 2/26/07)

(b) Accident Reports

(1) Regular Copy $6.00 per report

(2) Certificate of Regular Copy — Addl. $2.00 per report

(3) Certificate with no information or report on file — $6.00 per report

(c) Offense Reports — $0.10 per page

(d) Fingerprinting

(1) First two (2) fingerprint cards — $10.00

(2) Per fingerprint card thereafter — $ 5.00

(Resolution 2004-12-102 adopted 12/13/04)

ARTICLE 15.000 PARKS AND RECREATION

Sec. 15.100 Memberships

(a) Annual Membership Fees (Valid for 1 year from date of purchase)

1. Recreation (JR) ID Card – (Under 5 yrs)	Free w/ purchase of adult rec ID card	Must be accompanied by an adult over 18 years of age
2. Recreation ID Card - Youth (5-16 yrs)	$10/yr Resident $15/yr Non Resident	Provides access to use of gymnasium and walking track during designated hours.
3. Recreation ID Card - Adult (17-49 yrs)	$20/yr Resident $30/yr Non Resident	Provides access to use of gymnasium and walking track during designated hours.
4. Seniors (50 + years)	$15/yr Resident $20/yr Non Resident	Provides access to use of gymnasium and walking track during designated hours.
5. Daily Fitness Atrium Admission (17 years and older)	$5/day	Provides access to fitness atrium during designated hours.
6. Monthly Fitness Atrium Membership (17 years and older)	$20 Resident $25 Non Resident	Provides access to the fitness atrium during designated hours.
7. Annual Fitness Atrium Membership (17 years and older)	$160 Resident $200 Non Resident	Provides access to use the gymnasium, walking track and the fitness atrium during designated hours.
8. Open Swim Admission	$5/ day Resident $7/day Non Resident	Provides access to use of pool during designated hours.
9. Daily Fitness Swim Admission (17 years and older)	$3/ day Resident $5/day Non Resident	Provides access to use of pool during designated hours.
10. Monthly Fitness Swim Membership (17 years and older)	$15 Resident	Provides access to use of pool during designated hours.

	$20 Non Resident	
11. Seasonal Swim Pass (Summer) Individual (16 years and younger)	$60 Resident $70 Non Resident	Provides access to use of pool during designated hours.
12. Seasonal Swim Pass (Summer) Individual (17 years through adult)	$70 Resident $80 Non Resident	Provides access to use of pool during designated hours.
13. Seasonal Swim Pass (Summer) Family 4+	$180 Resident $200 Non Resident	Provides access to use of pool during designated hours.
14. Annual Fitness Swim Membership (17 years and older)	$120 Resident $160 Non Resident	Provides access to use of pool during designated hours.
15. Annual Senior Center Membership (50 + years)	$3 Resident $5 Non Resident	Provides access to the Senior Center facility and programming.

(b) Corporate Membership Rates

	Agency	Individual
(1) Corporate A (5-9)	$125.00	$100.00
(2) Corporate B (10+)	$225.00	$100.00

Sec. 15.200 Rental Facilities

(a) Athletic Fields

Deposit	$100.00
(1) Cedardale Field Rental/ hour	$25.00 2 hr minimum Resident $35.00 2 hr minimum Non Resident
(2) City Park Field Rental/ hour	$25.00 2 hr minimum Resident $35.00 2 hr minimum Non Resident
(3) Royce Clayton Ballpark/ hour	$25.00 2 hr minimum Resident $35.00 2 hr minimum Non Resident
(4) Youth Football/ hour	$25.00 2 hr minimum Resident $35.00 2 hr minimum Non Resident
(5) Soccer Field/ hour	$25.00 2 hr minimum Resident $35.00 2 hr minimum Non Resident

Additional fees for athletic field rentals with lights are $15.00 per hour

(b) Community House

Deposit	Resident	$150.00	Non Resident	$150.00

(1)	4 hour rental Resident	$200.00
(2)	4 hour rental Non Resident	$225.00
(3)	6 hour rental Resident	$300.00
(4)	6 hour rental Non Resident	$325.00

(c) Gymnasium

Deposit	Resident	$100.00	Non Resident	$100.00

(1) ½ Gym	$50/hour Resident $65/ hour Non Resident	4 hours min. after operating hours.
(2) Full Gym	$75/hour Resident $90/ hour Non Resident	4 hours min. after operating hours.
(3) Full Gym Tournament Fee	$100/hour Resident $125/ hour Non Resident	4 hours minimum after operating hours. Allows gate fees charged by renter. Must reserve entire gymnasium.

(d) Outdoor Facility

Deposit	Resident	$100.00	Nonresident	$100.00

(1) City Park Pavilion 1

8 am - 12 noon or 1 pm - 5 pm

(A) Resident	$75.00
(B) Non Resident	$100.00

(2) City Park Pavilion 2

8 am – 12 noon or 1 pm - 5 pm

(A) Resident	$75.00
(B) Non Resident	$100.00

(3) Community Park Pavilion

8 am – 12 noon or 1 pm - 5 pm

(A) Resident	$75.00
(B) Non Resident	$100.00

(4) Heritage Park Gazebo

8 am – 12 noon or 1 pm - 5 pm

(A) Resident	$50.00
(B) Non Resident	$75.00

(5) Kid Square Park Pavilion

8 am – 12 noon or 1 pm - 5 pm

(A) Resident	$75.00
(B) Non Resident	$100.00

(6) Bear Creek Park Pavilion

(A) Resident	$75.00
(B) Non Resident	$100.00

(7) Rocky Crest Park Pavilion

(A) Resident	$50.00
(B) Non Resident	$75.00

(8) Meadowcreek Park Pavilion

(A) Resident	$50.00
(B) Non Resident	$75.00

(9) JA Dewberry Park Pavilion

(A) Resident	$50.00
(B) Non Resident	$75.00

CITY OF LANCASTER FEE SCHEDULE

(e) Pool

(1) Indoor Pool Reservations	Resident	Non Resident
Deposit	$75.00	$75.00
(A) Party Room (Semi-Private) 2 hr	$100.00	$125.00
(B) Private Party A (1-50) 2 hr	$200.00	$250.00
(C) Private Party B (51-100) 2 hr	$250.00	$300.00
(D) Private Party C (101-150) 2 hr	$300.00	$350.00
(E) Private Party D (151 +) 2 hr	$350.00	$400.00

(f) Recreation Center

(1) Grand Banquet Hall	Resident	Non Resident
Deposit	$250.00	$250.00
Set-up Fee	$ 50.00	$ 50.00
Kitchen	$ 30.00/hour	$ 30.00/hour
1,100 sq. ft.	$50.00/hour	$75.00/hour
2,200 sq. ft	$75.00/hour	$100.00/hour
3,300 sq. ft	$100.00/hour	$125.00/hour

(2) Aerobic Dance Room/hour	$40.00/hr Resident	$60.00/hr Non Resident
(3) Classroom/hour	$30.00/hr Resident	$50.00/hr Non Resident
(4) Conference Room/hour	$20.00/hr Resident	$40.00/hr Non Resident
(5) Projector Screen/Podium/Sound System Rental		
Deposit	$200.00 Resident	$200.00 Non Resident
1 screen	$65/day Resident	$75/day Non Resident
2 screen	$75/day Resident	$100/day Non Resident
Podium	$35/day Resident	$40/day Non Resident
Portable Sound System	$200/day Resident	$275/day Non Resident

(g) Senior Life Center

Kitchen	$30.00/hour Resident	$30.00/hour Non Resident

Deposit	Resident	$250.00	Nonresident	$250.00

(1) 4 Hour Rental $400 Resident $500 Non Resident

(2) 6 Hour Rental $600 Resident $750 Non Resident

(h) Non-Profit - For meetings only

			Non-Resident
(1)	Deposit	$75.00/hour	$75.00
(2)	Classroom/Youth Room	$20.00/hour	$25.00
(3)	1,100 square feet (Grand Hall)	$50.00/hour	$75.00
(4)	Conference Room	$10.00/hour	$20.00

(i) Lancaster Youth and Adult Sports Association Fee

Player participation fee per season $ 15.00

(j) Programs

Individual Recreation Classes	Range from $5 - $25	per class/ per day
Recreation Programs	Range from $15 - $100	Programs vary by week or by month.
Recreation Team Sports	**Range from $100 - $400**	**per team/ per season**

(k) Amphitheater Rental

	Resident	Non Resident
Deposit	$150.00	$150.00
4 hour rental	$200.00	$325.00
6 hour rental	$275.00	$400.00
Each additional hour after 6 hrs.	$ $50.00	$75.00

(l) Visitors Center & State Auxiliary Museum Rental
(After hour rental includes atrium and conference room only)

	Resident	Non Resident
Deposit	$250.00	$250.00
Set-up Fee	$50.00	$50.00

(1) 3 Hour Rental (After hours) $350.00 $400.00
3 hour minimum and maximum for after hour reservations

(2) Conference Room (during hours of operation only)

	Resident	Non Resident

Deposit	$100.00	$100.00
Hourly rate (2 hour minimum)	$50.00	$75.00

ARTICLE 16.000 AIRPORT FEES

(a) Monthly Hangar Rental

(1)	956 sq. ft. (small T-hangar)	$190.00 / $0.20 per sq ft
(2)	1,018.25 sq. ft. (medium T-hangar)	$205.00 $0.20 per sq ft
(3)	1,624.33 sq. ft. (large T-hangar)	$~~305.00 / $0.19 per sq ft~~ $320.00 / $0.20 per sq ft

(b) Community Hangar Rental

(1)	956 sq. ft. (small T-hangar)	$ 95.00 / $0.10 per sq ft
(2)	1,018.25 sq. ft. (medium T-hangar)	$103.00 $0.09 per sq ft
(3)	1,624.33 sq. ft. (large T-hangar)	$153.00 / $0.10 per sq ft

(c) Other Airport Fees

(1)	Ground Lease (Improved)	$0.30 per square foot per year
(2)	Ground Lease (Unimproved)	$0.20 per square foot per year
(3)	Terminal Building Office Lease	$12 per square foot per year
(4)	Monthly Tie Down Fee	~~$75.00 per month~~ $80.00 per month
(5)	Fuel Flowage Fee	$0.20 per delivered gallon
(6)	Café Sales	5% of Gross Sales

(Ordinance 2003-10-32 adopted 10/27/03) (Resolution 2009-04-41 adopted April 13, 2009)

CITY OF LANCASTER FEE SCHEDULE
ARTICLE 17.000 DEVELOPMENT FEES

	Building Fee	Engineering Fee	Planning Fee
(a) Abandonment			
Driveway, Drive Approach, Curb, Gutter and Sidewalk Permit Fees (bond required)			
(1) Residential Zones Repair/Replacement	$25.00	N/A	N/A
(2) Residential Zones, New Construction	$35.00	N/A	N/A
(3) Nonresidential Zones, per Approach	$35.00	N/A	N/A
(b) Annexations	N/A	N/A	$1,000.00 plus filing fee
(c) Appeals to Zoning Board of Adjustments	N/A	N/A	N/A
(d) Building Permits			
Single-Family Residence, Duplex, Multi-Family, Apartment, Condominium & Townhouse, Commercial and remodels) Fees Assessed Per Address			
(e) Consultant Fee-Supplemental	N/A	N/A	N/A

CITY OF LANCASTER FEE SCHEDULE

	Building Fee	Engineering Fee	Planning Fee
(f) Design/Plan Review			
Commercial and Industrial Projects Amendments (Commercial & Industrial) Residential Projects, Amendments (Residential), Minor Design Review	65% of the building permit fee. Section titled "Building Permit" in this schedule	N/A	N/A
(g) Plats			
(1) Preliminary Plat			
Fifty (50) acres or less			$500.00 + $50.00/acre
More than fifty (50) acres			$1,000.00 + $100.00/acre

	Building Fee	Engineering Fee	Planning Fee
(2) Final Plat			$500.00 + $10.00/lot
(3) Re-Plats			
Plat revision with property owner notification			$575.00 + $35.00/acre
Plat revision without property owner notification			$450.00 + $35.00/acre
(4) Amended Plats			
Amended Plats Correcting Errors			$400.00
(5) Plat Vacations			

Plat Vacation increasing lots	$200.00 + $10.00/acre
All other plat vacations	$500.00

(6) Miscellaneous Plat Items

Dallas County Clerk's Recording Fee	$33.00 1st page $10.00 subsequent page

(7) Re-Plats $400.00

(1994 Code of Ordinance, Chapter 9, Article 9.100, Section 9.106)

(h) Development Inspection Fees

	Building Fee	Engineering Fee	Planning Fee
(1)	Special Inspection $47.00 per hour, minimum 2 hours	1.5%-3.5% estimated cost of improvements intended for dedication to the city for water, sewer and streets. Effectively Immediately = 1.5% Effective January 1, 2004 = 3.5% Each additional hour $47.00 per hour	N/A
1.	Inspection 2 hours - Travel time of job site and return time to be included outside of normal business hours (min. charge) $47.00 per hour	N/A	N/A
2.	Re-inspection fees assessed under provisions of Section 305.8 $47.00 per hour	N/A	N/A
3.	Inspection for which no fee is specifically	N/A	N/A

	indicated (min. charge – one half hour) $47.00 per hour		
	4. Additional plan review required by changes, additions or revisions to plans (min. charge-one-half hour) $47.00 per hour	N/A	N/A
(2) Miscellaneous Case	N/A	N/A	$100.00
(3) Planned Development Review	N/A	N/A	$1,500.00 plus $10.00 per acre
	Building Fee	Engineering Fee	Planning Fee
(4) Park Fee in Lieu of Dedication (including single-family, dual family, and multi-family residential areas)	N/A	N/A	$1,400.00 per dwelling unit (Ord. 2006-10-41 adopted 10/23/06)

(h) Signs
(Sec. 3.100 Fee Adopted – Lancaster City Code)

(1) Permanent Signs, Per Face Based on Sign Area	Table A	N/A	N/A
(2) Temporary Portable Signs, Flags, banners, etc. (good for two weeks)	$25.00	N/A	N/A
(3) Sign contractor registration	$100.00	N/A	N/A

(i) Site Plan Review	N/A	N/A	$250.00 plus $10 per acre
(j) Subdivision Name Change	N/A	N/A	$200.00
(k) Street Lighting Escrow	N/A	N/A	N/A
(l) Tree Survey/Preservation Plan	N/A	N/A	$25.00 administration processing fee with $125.00 per inch mitigation fee

CITY OF LANCASTER FEE SCHEDULE

Revision References

Effective October 1, 2007 (annual update)
Resolution 2007-09-108

Revised January 14, 2008 (revised water/waste water services rate)
Resolution 2008-01-07

Revised June 23, 2008 (revised garbage collection fees)
Resolution 2008-06-54

Revised September 8, 2008 (revised water service rate)
Resolution 2008-09-82

Revised September 8, 2008 (revised waste water service rate)
Resolution 2008-09-83

Effective October 1, 2008 (annual update)
Resolution 2008-09-84

Revised October 27, 2008 (Multi-Family Rental Property Registration and Inspection Fee)
Resolution 2008-10-91

Revised November 10, 2008 (Food Inspections & Administrative Fee)
Resolution 2008-11-100

Revised December 8, 2008 (Irrigation Permit Fee)
Resolution 2008-12-105

Revised April 13, 2009
Resolution 2009-04-41 (Municipal Airport Fees)

Revised April 27, 2009
Resolution 2009-04-51 (Cargo Container Fees)

Effective October 1, 2009 (annual update)
Resolution 2009-08-84

CITY OF LANCASTER FEE SCHEDULE

Revised October 26, 2009
Resolution 2009-10-102 (revised park land dedication fee per ordinance 2006-10-41)

Revised December 14, 2009
Resolution 2009-12-125 (revised Sec. 10.1700 Garbage Collection Fees)

Amended February 8, 2010
Resolution 2010-02-11 (amended Article 9.000 Drainage Utility Systems Fees to reflect Rates as adopted 10/14/02 Ordinance No. 2002-10-41)

Revised March 22, 2010
Resolution 2010-03-27 (revised Article 9.000 Drainage Utility System Fees)

Revised June 28, 2010
Resolution 2010-06-58 (repealed cargo container fee for agricultural purposes)

Revised June 28, 2010
Resolution 2010-06-59 (established Wind Energy System Permit Fee; Ordinance No. 2010-04-09)

~~Resolution 2010-09-75~~ (repealed in its entirety)

Effective October 1, 2010 (annual update)
Resolution 2010-09-82 (corrected Section 10.700 Water Rates – Within City)

Revised November 8, 2010
Resolution 2010-11-93 (adds fee for Local Alcohol Permit)

Revised September 12, 2011
Resolution 2011-09-79 (revised Sec. 10.1700 Garbage Collection Rates)

Revised September 12, 2011
Resolution 2011-09-80 (revised Sec. 10.700 Water Rates –Within City and Sec. 10.1000 Wastewater Treatment Services User Charges)

Effective October 1, 2011 (annual update)
Resolution 2011-09-81

CITY OF LANCASTER FEE SCHEDULE

Effective October 10, 2011 (revised Sec. 4.400 Food Service Establishments fees)
Resolution 2011-10-86

Effective February 27, 2012
Resolution 2012-02-17 (revised Article 16.000 Airport Fees to add rental rates for community hangars)

Effective October 1, 2012 (annual update)
Resolution 2012-08-69

Effective December 1, 2012
Resolution 2012-09-79 (Industrial Discharge Fee – reference Appendix "A")

Effective October 1, 2013 (annual update)
Resolution 2013-08-68

Effective January 1, 2014
Resolution 2013-07-61 (Hotel/Motel Property Annual Inspection Fee) (adopted 7-8-13)

Effective October 1, 2014 (annual update)
Resolution 2014-09-77

Effective October 1, 2015 (annual update)
Resolution 2015-09-XX

Airport	T-Hangars - Small					T-Hangars - Medium					T-Hangars - Large					Box Hangars				Tie Down Spot		Ground Lease		Fuel Flowage Fee (per gal)
	Wing-Span	Sqft	Current Mo. Rate	Sqft Rate	Proposed for FY16	Wing-Span	Sqft	Current Mo. Rate	Sqft Rate	Proposed for FY16	Wing-Span	Sqft	Current Mo. Rate	Sqft Rate	Proposed for FY16	Wing-Span	Sqft	Current Mo. Rate	Proposed for FY16	Current Mo. Rate	Proposed for FY16	Improved $/sqft per yr	Unimproved $/sqft per yr	
Addison	40ft	800	$345	$0.43	n/a	42ft	1122	$460	$0.41	n/a	57ft	1600	$700	$0.44	n/a	n/a	n/a	n/a	n/a	n/a	n/a	#	$0.45-0.65	Public: $0.12; Non-public: $0.20
Arlington	36ft	890	$230	$0.26	n/a	37ft	1050	$330	$0.31	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	$45	$50	$0.31-0.36	$0.20-0.26	*
Cleburne	36ft	940	$200	$0.21	n/a	45ft	1274	$250	$0.20	n/a	n/a	n/a	n/a	n/a	n/a	50ft	3025	$500	n/a	n/a	n/a	0.11	0.11	0.10
Dallas Exec.	n/a	n/a	n/a	n/a	n/a	40ft	n/a	$325	n/a	n/a	50ft	n/a	$600	n/a	n/a	n/a	n/a	$900+	n/a	$100	n/a	0.13 ♠	0.19 ♠	0.07 ♠
Denton	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	N/A
Grand Prairie	39ft	978	$200	$0.20	$205	41ft	1090	$289	$0.27	$294	47ft	1438	$416	$0.29	$424	?	5616	$2.25	$2.35	$30	n/a	$0.135	$0.165	$0.20 ◊
GPM Cont'd	41ft	987	$210	$0.21	$215	41ft	1509	$388	$0.26	n/a	47ft	1950	$549	$0.28	n/a	?	2808	$2.25	$2.35	n/a	n/a	n/a	n/a	20% ♦
Lancaster	36ft	956	$190	$0.20	$190	40ft	1018	$205	$0.20	$205	50ft	1624	$305	$0.19	$320	n/a	n/a	n/a	n/a	$75	$80	$0.30	$0.20	$0.20
McKinney	40ft	n/a	$398	n/a	n/a	50ft	n/a	$585	n/a	n/a	60ft	n/a	$650	n/a	n/a	59ft	2,714	$1,000	n/a	$80	n/a	$0.30	$0.30	$0.12-0.20**
Mecham	40ft	907	$350	$0.39	n/a	41ft	983	$350	$0.36	n/a	41ft	997	$350	$0.35	n/a	n/a	n/a	n/a	n/a	$80	n/a	$0.35˜		$0.13
Mesquite	40ft	910	$220	$0.24	$230	42ft	1300	$250	$0.19	$270	45ft	1428-1680	$320-$410	n/a	same	55-60ft	3600+	$800-$1250	same	$75	same	N/A	N/A	N/A
Midway	n/a	n/a	n/a	n/a	n/a	41ft	1419	$210	$0.15	$235	47ft	1584	$247	$0.16	$277	66ft	3111-4620	$774-$1545	same	$40	n/a	TBD ••	n/a	$0.09
Spinks	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	$0.27†	$0.20‡	N/A
Avg Fee:			$205.00					$334.29					$506.50							$65.63				

Notes:

KADS improved ground lease rates vary depending on the value and condition of the improvements.

Per gallon received

*KGKY FBO, Harrison Aviation, pays an annual lump sum "right to sell" fuel fee of $25,099.69

˜KFTW does not differentiate between improved and unimproved

† & ‡ KFWS †West side; ‡East Side -- lower rate as an incentive to develop on the East side(do not differentiate between improved and unimproved)

◊ based on the highest of the last 3 invoices from FBO

♦ Self-Fueling 20%

**KTKI $0.20 for self-fueling, which is currently not done and is discouraged.

••Midway currently in FBO contract negotiations; Considering changing ground lease rates.

♠ KRBD rates will incrase after construction of Rwy 13/31 in 2017 is completed.

Survey City		Min Inspection Fee			Backflow Test		Table 1-A
		Current	Proposed		Current	Proposed	Current
Lancaster					$0	$25	$1 - $500 = $25
Cedar Hill		$50.00			$25.00		
Coppel		$39.00			0		
Desoto		$55.00			0		
Duncanville		$25.00			0		
Farmers Branch		$49.00			$35.00		
Haltom City		$29.00			$35.00		
Keller		$50.00			$25.00		
Grand Praire		$45.00			$25.00		
Rockwall		$35.00			$0.00		
Rowlett		$50.00			$25.00		
The Colony		$50.00			$25.00		
The change I would like to make is to Table 1a $1.00 to $500.00 from $25.00 to $45.00							
and $501.00 to $2000. starting at $45.00.							
Also I think we should charge $25.00 for a backflow test report.							

	C.O. Re-inspection fee	
Proposed	**Current**	**Proposed**
$45	$0	

Library Fines & Fees	Lancaster Current Rate	Proposed change	Cedar Hill & Desoto	Coppell	Duncanville	Farmers Branch	Grand Prairie	Haltom City	Keller	Rockwall	Rowlett	The Colony
Charges for Overdue Materials												
Books/Magazines	$0.20 per day up to cost		$0.20/day ($5.00 max per item)	$0.10/day	$0.25/day	$0.10	$0.25	$0.20/day	$0.20/day	$0.15/day	$0.20/day	$0.00/day
Magazine only			$0.20/day ($5.00 max per item)	$0.10/day	$0.25/day	$0.10	$0.25	$0.20/day	$0.20/day	n/a	$0.20/day	$0.00/day
Audio Tapes/CD's	$0.20 per day up to cost		$0.20/day ($5.00 max per item)	$0.10/day	$0.25/day	$0.10	$0.25	$0.20/day	$0.20/day	$0.15	$0.20/day	$0.00/day
Interlibrary Loans	$0.20 per day up to cost		$0.20/day ($5.00 max per item)	No charge	$0.25/day	$0.10	$0.25	$0.20/day	$0.20/day	$0.15	$0.20/day	$0.00/day
Video Tapes/ DVD's	$1.00 per day up to cost		$1.00/day ($5.00 max per item)	$1.00/day	$2.00 per item per day up to cost of item	$1.00/day	$1.00/day	$0.20/day	$1.00/day	$0.50	$0.20/day	$0.00/day
Lost or Damaged Beyond Repair	$5.00 + Replacement cost		Replacement cost	Cost of item	$5.00 + Replacement cost	$5.00 + Replacement cost	$5.00 + Replacement cost	Cost of Item		$7.00 + Replacement cost	$15.00 + Replacement cost	$0.00/day
Tablets and eReaders		$2.00/hr. + Replacement cost	$2.00/hr. + Replacement cost									
B/W Copies	$0		$0.10 Letter/ $0.15 Legal/ $0.20 11X17	$0.15	$0.10	$0.15	$0.10 B/W	$0.10	$0.10	$0.15	$0.15	$0.15
Microfilm	$0.25		n/a	$0.15	n/a	No charge	No charge	n/a	$0.10	$0.15	n/a	Microfilm/fiche reader prints to computer printers - First 5 pages free, $0.10 for subsequent pages
Computer Printout	$0.10 per page		$0.10 Letter/ $0.15 Legal/ $0.20 11X17	$0.15	$0.10	$0.05	$0.10 B/W; $0.25 Color	$0.10	$0.10	$0.15	$0.15	$.0.10
Color Copies	$1.00 per page		$0.50 Letter/ $0.75 Legal/ $1.00 11X17	$0.25	n/a	n/a	n/a	$0.50	$0.25	n/a	$1.00	$0.40
Fax/ Scan to email	$1.00 per page fax		Free local/ $0.25/pg. long distance (15 pgs. max)	n/a	n/a	n/a	n/a	$1.00	n/a	n/a	n/a	$1.50 1st pg. $1.00 for subsequent pages
Non-resident Library Card (NR)			$15/yr.	$40.00	$35/year for full access or $20/year for computer access only	$200/yr.; $25/yr. Internet only	No charge	No charge	$25.00	$30/Household	No charge	
Lost Card	$1.00 replacement		$2.00	$1.00	$5.00	$1.00	$2.00	$2.00	$0.50	$3.00	$1.00	$2.00

Recovery Fee	$10.00 - If account is sent to 3rd party for collection/ Value of material + $10.00	n/a Cedar Hill; $10 Desoto	n/a	n/a			n/a	n/a	n/a	n/a	No 3rd party collection
Non-Cardholder 1 Hour Internet Access	$3.00/hr.	Free Cedar Hill; $1.00/hr. Desoto	n/a	No charge			n/a	No charge	$10/yr.	No charge	No charge
Microfilm/Microfiche Rental	Actual cost plus shipping & $1.00 handling fee per order	n/a	No charge					n/a	n/a	n/a	Same as ILL
Interlibrary Loan Service-Postage	$3.00 per item	$1.75	No charge	$3.00			$3.00	No charge	$3.00	No charge	Cost of return postage
Library Meeting Room Rental	$35.00hr/$55.00 hr. (NR): $30/hr. non-prof	No charge	n/a	$60.00/hr.; $100.00/hr. (NR)	No charge (Residents with library card only)		Whole and half available. Kitchen in one half only.	Free; $25.00/hr. up to 3 hrs. (NR)	$50.00		n/a
Deposit	$250 or $50 for non-prof	No charge	No charge	$50.00	No charge	No charge	$50.00	No charge	$150	$50.00	No charge
Kitchen use per hour	$25/ hr.	n/a	No charge	n/a	No charge	n/a	$50.00	n/a	$50.00	n/a	n/a
Set up fee	$50	n/a	No charge	n/a	n/a	n/a	n/a	n/a	No charge	n/a	n/a
Projector with screen	$65hr/ $75hr (NR)	n/a	No charge	n/a	No charge	No charge	No charge	No charge	No charge	No charge	No charge

City of Lancaster Fee Schedule - Quality of Life and Cultural Services - Recreation

	Lancaster Current Rate	Resident	Non Resident	Lancaster Proposed Rate	Resident	Non Resident	Cedar Hill	Coppell	Desoto	Duncanville	Farmers Branch	Grand Prairie	Haltom City	Keller	Rockwall	Rowlett	The Colony
Parks and Recreation																	
Memberships																	
Annual Membership Fees								$250 R $500 NR									$10 R $45 NR Individual
(Valid for 1 year from date of purchase)								Family $500 R $1000 NR									$45 R $115 NR Family
Recreation (JR) ID Card - (Under 5 yrs.) - Free with purchase of Adult Rec ID Card		FREE	FREE		No Change	No Change	FREE		$10					$209 R $230 NR	NA	NA	NA
Recreation ID Card - Youth (5-16 yrs.)		$10/yr.	$20/yr.		No Change	No Change	Ages 7-17 $100	$250 R $500 NR	$10	$65 R $290 NR			$3 R $50 NR			NA	NA
Recreation ID Card - Adult (17-49 yrs.)		$20/yr.	$30/yr.		No Change	No Change	Ages 18 - 54 $150	$250 R $500 NR	$5	$65 R $290 NR			$3 R $50 NR	$354R $450 NR		$10 R $144 NR	
Seniors (50+ yrs.)		$15/yr.	$20/yr.		No Change	No Change	$55 R $100 NR	$150 R $300 NR	$5	$45 R $260 NR			$3 R $50 NR	$244 R $310 NR			
Daily Fitness Atrium Admission (17 yrs. and older) - No Rec ID Card required		$5/day	$5/day		No Change	No Change	$5	FREE	$10						NA	$5	
Monthly Fitness Atrium Membership (17 yrs. and older) - No Rec ID Card required		$20	$25		No Change	No Change		FREE	$16				$10 R $20 NR	NA	NA	$10.75 R $19.75 NR	$35 (6 Month) R $55 (6 Month) NR
Annual Fitness Atrium Membership (17 yrs. and older) - No Rec ID Card required		$160	$200		No Change	No Change		FREE	$168				$75 R $140 NR			$101 R $202 NR	$60 R $85 NR
Open Swim Admission		$5/day	$5/day		No Change	No Change	$2	$4 R	$4 Adult R $2 Youth R	NA			NA	$8 R	$2 (Youth) $3 (Adult) $5 (Family)	$7.50/yr. $8.50yr.	$2 R $4 NR
							NA	$8 NR	$5 Adult NR $4 Youth NR	NA			NA	$10 NR	NA	$8.50/yr.(R) $9.50/yr. (NR)	
Daily Fitness Swim Admission (17 yrs. and older) - No Rec ID Card required		$3/day	$3/day														
Monthly Fitness Swim Membership (17 yrs. and older) - No Rec ID Card required		$15	$20														
Annual Fitness Swim Membership (17 yrs. and older) - No Rec ID Card required		$120	$160		No change	No Change	NA	NA	$65 R $90 NR	NA			NA	NA	NA		$36 R $71 NR
Annual Senior Center Membership (50+ yrs.)		$3	$5		No Fee Change	No Fee Change	No Fee	Resident $10/yr. Non Resident $20/yr.	No Fee	Resident $15/yr. Non Resident $20/yr.			No Fee	No Fee	No Fee	Resident $5/yr. Non Resident $10/yr.	Resident $10/yr. Non Resident $18/yr.
Corporate Membership Rates																	
Corporate A (5 - 9)		Agency $125 Individual $100			No change	No change	$500		$75 Agency $125 Individual	$825 Agency				No Available			$435 Individual
Corporate B (10+)		Agency $225 Individual $100			No change	No change			$325 Agency $95 Individual								
Rental Facilities																	
Athletic Fields																	
Deposit		$50	$50		**$100**	**$100**				$50							$

City of Lancaster Fee Schedule - Quality of Life and Cultural Services - Recreation

	Lancaster Current Rate	Resident	Non Resident	Lancaster Proposed Rate	Resident	Non Resident	Cedar Hill	Coppell	Desoto	Duncanville	Farmers Branch	Grand Prairie	Haltom City	Keller	Rockwall	Rowlett	The Colony
Cedardale Field Rental/hour		$20/2 hr. minimum	$30/2 hr. minimum		**$25 per/Field/hr.**	**$35 Per/Field/hr.**	No Policy in Place	Do not rent fields	NA	$30 R $60 NR			$10/hr. $15/hr. w/lights	$25 R $100 NR (w/lights)	$10/hr. (w/lights)	$25/hr. (w/lights)	$30/hr. $30/hr. w/lights
City Park Field Rental/hour		$20/2 hr. minimum	$30/2 hr. minimum		**$25 per/Field/hr.**	**$35 Per/Field/hr.**			$75/hr.	$30 R $60 NR			$10/hr. $15/hr. w/lights	$25 R $100 NR	$10/hr.	#20/hr.	$30/hr. $30/hr. w/lights
Royce Clayton Ballpark/hour		$20/2 hr. minimum	$30/2 hr. minimum		**$25 per/Field/hr.**	**$35 Per/Field/hr.**			NA	$30 R $60 NR			$10/hr. $15/hr. w/lights	$25 R $100 NR			$30/hr. $30/hr. w/lights
Youth Football/hour		$20/2 hr. minimum	$30/2 hr. minimum		**$25 per/Field/hr.**	**$35 Per/Field/hr.**				$30 R $60 NR			$10/hr. $15/hr. w/lights	$30/per player	$10/hr.	$250	$30/hr. $30/hr. w/lights
Soccer Field/hour		$20/2 hr. minimum	$30/2 hr. minimum		**$25 per/Field/hr.**	**$35 Per/Field/hr.**											$30/hr. $30/hr. w/lights
Additional fees for athletic field rentals with lights are $15 per hour.							No fees	Did not obtain	$10 R / $20 NR	$60 per team / $10 NR	No fees	$5 per child	$5 R & NR	$30 per NR	no charge	$7.50 R / $9.00 NR	no charge
Football Fields					**$30 hr./$60 hr. w/lights $15/$30 no lights**												
Deposit		$150	$150		No change	No change		NA							$25		
4 Hour Rental		$175	$250		No change	No change		NA							$40		
6 Hour Rental		$225	$300		No change	No change		NA									
Gymnasium																	
Deposit		$100	$100		No change	No change							$50				
1/2 Gym		$50/hr.	$65/hr.		No change	No change	$30	$40 M $45 NM $50 NR	$50/hr.					$35 R $43 NR		$50	
Full Gym		$75/hr.	$90/hr.		No change	No change	$60		$75/hr.				$50/hr.	$55 R $71 NR		$100	$80
Full Gym Tournament Fee		$100/hr.	$125/hr.		No change	No change											
Outdoor Facility																	
Deposit		$75	$100		No change	No change			$50	$100					$ -		
City Park Pavilion 1							$25/hr.	$150/4 hrs.						$30 R $40 NR	Only Residents		
8am - 12Noon or 1pm - 5pm		$75	$100		No change	No change			$100 R $150 NR	$30 R $50 NR					$20R $60NR	$50 M $50 NM $70 R $140 NR	$100 R $125 NR
City Park Pavilion 2																	
8am - 12Noon or 1pm - 5pm		$75	$100		No change	No change			$100 R $150 NR	$30 R $50 NR				$30 R $40 NR	$20R $60NR	$70R $140NR	$100 R $125 NR
Community Park Pavilion																	
8am - 12Noon or 1pm - 5pm		$75	$100		No change	No change			$100 R $150 NR	$30 R $50 NR				$30 R $40 NR	$20R $60NR	$70R $140NR	$100 NR

City of Lancaster Fee Schedule - Quality of Life and Cultural Services - Recreation

	Lancaster Current Rate	Resident	Non Resident	Lancaster Proposed Rate	Resident	Non Resident	Cedar Hill	Coppell	Desoto	Duncanville	Farmers Branch	Grand Prairie	Haltom City	Keller	Rockwall	Rowlett	The Colony
Heritage Park Gazebo																	
8am - 12Noon or 1pm - 5pm		$50	$75		No change	No change			$100 R $150 NR	$20 R $40 NR				$30 R $40 NR	$20R $60NR	$70R $140NR	$100 R $125 NR
Amphitheater		$150	$250				$200 Dep $20 R $30 NR		$100 Dep $175	$100 Dep $60 R $120 NR					$100R $200NR		
Kid Square Park Pavilion																	
8am - 12Noon or 1pm - 5pm		$75	$100		No change	No change			$100 R $150 NR	$50 R $75 NR				$30 R 40 NR	$125 R $150 NR	$70R $140NR	$100 R $125 NR
Bear Creek Park Pavilion		$75	$100		No change	No change			$100 R $150 NR	$30 R $50 NR				$30 R $40 NR	$20R $60NR	$70R $140NR	$100 R $125 NR
Rocky Crest Park Pavilion		$50	$75		No change	No change			$100 R $150 NR	$20 R $40 NR				$30 R $40 NR	$20R $60NR	$70R $140NR	
Meadowcreek Park Pavilion		$50	$75		No change	No change			$100 R $150 NR	$10 R $20 NR				$30 R $40 NR	$20R $60NR	$70R $140NR	
JA Dewberry Park Pavilion		$50	$75		No change	No change			$100 R $150 NR					$30 R $40 NR	$20R $60NR	$70R $140NR	
Pool		$5	$7				$2	$5 R - $9 NR	$4 R - $5 NR	NA		$1 outside / $2 inside	NA	$7 R - $9 NR	$1 R - $2 NR	$9.50 child - $10.50 adult	$4
Indoor Pool Reservations																	
Deposit		$75	$75		No change	No change	No Deposit	NA	No Deposit	No Deposit			No Deposit	No Deposit	No Deposit		
Party Room (Semi-Private) 2hours		$100	$125		No change	No change											
Private Party A (1-50) 2 hours		$200	$250		No change	No change	$150		$250 for 60 Guests	NA		$150 (0-50)	NA	$350 indoor (up to 200 guest)	$50/hr.	$100	$85-$215 for 50 people
					No change	No change			$10 Additional Per Guests	NA			NA	$600 outdoor (up to 200 guest)			
										NA			NA	same			
Private Party B (51-100) 2 hours		$250	$300		No change	No change	$200		$400	NA		$200 (51-60)	NA	same	$50/hr.		
Private Party C (101-150) 2 hours		$300	$350		No change	No change	$250		$400			$250 (61-80)		same			
Private Party D (151+) 2 hours		$350	$400		No change	No change	$300		NA			NA		same			
Recreation Center																	
Grand Banquet Hall																	
Deposit		$250	$250		No change	No change	$150 M $200 NM $250 NR	$100	$100	$250			NA	NA	$100 R $200 NR	$100	NA
Set-up Fee		$50	$50		No change	No change	$300	NA	NA	NA			NA	NA	NA	NA	[illegible]

City of Lancaster Fee Schedule - Quality of Life and Cultural Services - Recreation

	Lancaster Current Rate	Resident	Non Resident	Lancaster Proposed Rate	Resident	Non Resident	Cedar Hill	Coppell	Desoto	Duncanville	Farmers Branch	Grand Prairie	Haltom City	Keller	Rockwall	Rowlett	The Colony
Kitchen		$30/hr.	$30/hr.		No change	$35/hr.	$30	$30 M $35 NM $40 NR	WD $40/hr. WE $75 hr.	Can only be rented w/room			NA	NA	$75 deposit $20/hr.	$75 Deposit $20 R $30 NR	NA
1,100 sq. ft.		$50/hr.	$75/hr.		No change	No change	Sun-Fri $40/hr. Fri-Sat $50/hr.	$130 M $140 NM $170 NR	WD $95/hr. WE $180/hr.	$75 R $125 NR			$30 Deposit $20/hr.	$145 R $170 NR (2 hrs.)	BH $50 R $100 NR		$30
2,200 sq. ft.		$75/hr.	$100/hr.		No change	No change	Sun-Fri $55/hr. Fri-Sat $65/hr.	$90 M $100 NM $110 NR	WD $285/hr. WE $540/hr.				$50 Deposit $40/hr.	$240 R $260 NR (2 hrs.)	NBH $65 R $130 NR		
3,300 sq. ft.		$100/hr.	$125/hr.		No change	No change	Sun-Fri $75/hr. Fri-Sat $85/hr.	$105 M $115 NM $125 NR	WD $300/hr. WE $460/hr.	$100 R $150 NR				$320 R $340 NR (2 hrs.)	$80 R $125 NR	$65 R $130 NR	
Aerobic Dance Room/hour		$40/hr.	$60/hr.		No change	No change	Ages 0 - 30 $30/hr.										
Classroom/hour		$30/hr.	$50/hr.		No change	No change		$55 M $60 NM $65 NR									
Conference Room		$20/hr.	$40/hr.		No change	No change		$55 M $60 NM $65 NR									
Senior Life Center																	
Kitchen		$30/hr.	$30/hr.		$30/hr.	$35/hr.	Non Rental	None	Non Rental	Non Rental			Non Rental	Non Rental	None	Non Rental	None
Deposit		$250	$250		No change	No change		$400 both Resident & Non Resident								$200 both Resident & Non Resident	
4 Hour Rental		$400	$500		No change	No change											
6 Hour Rental		$600	$750		No change	No change											
Non-Profit - For Meetings Only																	
Deposit		$75/hr.	$75/hr.		No change	No change											
Classroom/Youth Room		$20/hr.	$20/hr.		No change	No change		$100 M $140 NM $170 NR					$40/hr.				$30 R $40 NR
3,300 square feet (Grand Hall)		$50/hr.	$50/hr.		No change	No change											
Conference Room		$10/hr.	$10/hr.		No change	No change		$55 M $60 NM $65 NR									
Lancaster Youth and Adult Sports Association Fee - No Rec ID Card required																	
(All Participants must purchase Recreation ID Card)					No change	No change	NA	10% Adult Revenue	$10 R	?			NA	NA	`$0 R	NA	$10 R
Player participation fee per season							No fees	Did not obtain	$10 R / $20 NR	$60 per team / $10 NR	No fees	$5 per child	$5 R & NR	$30 per NR	no charge	$7.50 R / $9.00 NR	no charge
Programs							$4 per Child /Uses a Staff Member	NA	NA	NA			Free w/Membership	$5 per Child per day	NA	$3 per Day or $20 Punch Card	Inclu Mem

City of Lancaster Fee Schedule - Quality of Life and Cultural Services - Recreation

	Lancaster Current Rate	Resident	Non Resident	Lancaster Proposed Rate	Resident	Non Resident	Cedar Hill	Coppell	Desoto	Duncanville	Farmers Branch	Grand Prairie	Haltom City	Keller	Rockwall	Rowlett	The Colony
Individual Recreation Classes		Range from$5 - $25 per class/per day	Range from $5 - $25 per class/per day		No Change	No Change		Range from $50 - $150 per class/per day		Range from $35-$75 per class/per day			Range from $45-$100 per class/per day	Range from $65-$200 per class/per day	Range from $89-$160 per class/per day	Range from $35-$110 per class/per day	Range from $60-$150 per class/per day
Individual Recreation Classes		Range from$15 - $100 per class/per day	Range from$15 - $100 per class/per day		No Change	No Change	Range from $25-$70 per class/per Month	Range from $30-$180 per class/per Month	Range from $35-$75 per class/per month	Range from $20-$50 per class/per month			Range from $25-$75 per class/per month	Range from $45-$150 per class/per month	Range from $25-$75 per class/per month significant discount for resident	Range from $25-$54 per class/per month	Range from $40-$100 per class/per month
Football League		NA	NA	$300	$300	$325	NA	$290	$140- $240	$55 R / $75 NR	NA	$80-$160	$70-$120	NA	$375	NA	NA
Football Camp		NA	NA	$75	$75	$90	NA	NA	NA	$50	NA	NA	NA	NA	$70R-$98NR	NA	NA
Basketball League		$305	SAME	SAME	$350	$375	NA	$350	NA	$65 R / $75	NA	NA	NA	NA	$70R-$98NR	$65/$75R-$80NR	$50/$65R-$60/$75NR
Basketball Camp		NA	NA	NA	$75	$90	NA	NA	NA	NA	NA	$ 45.00	NA	NA	NA	$110	NA
Soccer League		$85	$85	$100	$100	$115	NA	$80	$85r / $120NR	$70-$90	$60-$85	$50-$130	NA	NA	$ 75.00	$115	$55-$85
Soccer Camp		NA	NA	$50	$50	$65	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Baseball League		$50	NA	$100	$100	$115	NA	NA	$60- $174	$105 / $125	$ 50.00	$ 40.00	$275-$390	$45	$ 65.00	NA	$40/$55R-$50/$65NR
Baseball Camp		FREE	NA	$75	$75	$90	NA	NA	Free	NA	$10-$25	NA	NA	NA	NA	NA	NA
Volleyball League		NA	NA	$45	$45	$60	NA	NA	NA	NA	NA	NA	$55	$30-$210	NA	NA	$55R-$65NR
Volleyball Camp		NA	NA	$45	$45	$60	NA	NA	NA	NA	NA	NA	$71-$81	$40	NA	$115	NA

LANCASTER CITY COUNCIL
Agenda Communication
September 14, 2015

Discuss and consider a resolution approving the terms and conditions of an interlocal agreement by and between the City of Lancaster, Texas, and Dallas County Department of Health and Human Services to provide certain food establishment inspections and environmental services.

This request supports the City Council 2015-2016 Policy Agenda.

Goal 3: Healthy, Safe & Vibrant Community

Background

Dallas County Department of Health and Human Services provides certain food establishment inspections and environmental health services to cities throughout the County on a contract for services basis as it has in previous years.

Upon approval of this resolution, Dallas County will continue to operate certain food establishment and environmental health services for the residents of the City of Lancaster with the goal of promoting the effectiveness of healthy and safe food and environmental programs.

Considerations

- **Operational** – The Development Services Department coordinates the food establishment inspections and the Public Works Department coordinates environmental services.

- **Legal** – The City Attorney has reviewed and approved the resolution as to form.

- **Financial** – The City will collect and submit to the County a minimum of One Hundred and Fifty Dollars ($150.00) per the agreement term.

Beginning with the third food establishment inspection, the City will pay a Seventy Five Dollar ($75.00) fee for each additional inspection requested by City. The City will collect Seventy Five Dollars ($75) to be paid to the County for a re-opening or inspection fee of a food establishment that has been closed due to non-compliance of the Texas Health and Safety Code, or any other state rules and regulations.

The City shall pay the County the stipulated fees within thirty (30) days of the monthly request for payment, or if County fails to make the payment request, then City shall pay the stipulated

fees no later than the last date of this Agreement Term. Any payment not made within (30) days of its due date shall bear interest in accordance with the Texas Government Code. It is of note that the City charges an established administrative fee for the administration of this program.

Included in this contract are environmental health services related to vector and/or mosquito control complaints. It includes spraying for mosquitos and treating standing water services for the West Nile virus in mosquitos. In the event aerial spraying is needed, the city will have the option to participate and would be responsible for its proportionate share.

- **Public Information** – This resolution is being considered at a regular meeting of the City Council, in accordance with the Texas Open Meetings Act.

Options/Alternatives:

1. Approve the resolution as presented.
2. Reject the resolution.

Recommendation:

Staff recommends approval of the resolution as presented.

Attachments

- Resolution
- Interlocal Agreement

Submitted by:
Rona Stringfellow, Assistant City Manager

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN INTERLOCAL AGREEMENT BY AND BETWEEN THE CITY OF LANCASTER, TEXAS, AND DALLAS COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES TO PROVIDE CERTAIN FOOD ESTABLISHMENT INSPECTIONS AND ENVIRONMENTAL SERVICES; AUTHORIZING ITS EXECUTION BY THE CITY MANAGER; REPEALING ALL RESOLUTIONS IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Dallas County Department of Health and Human Services has offered to provide certain food establishment inspections and environmental health services to cities throughout the County on a contract for services basis; and

WHEREAS, the City of Lancaster desires to participate with Dallas County in establishing coordinated food establishment and environmental health services for its residents and all of Dallas County; and

WHEREAS, Dallas County will operate certain food establishment and environmental health services for the residents of the City in order to promote the effectiveness of healthy and safe food and environmental programs;

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

SECTION 1. That the Dallas County Department of Health and Human Services Interlocal Agreement for Fiscal Year 2016, attached hereto and incorporated herein by reference as Exhibit “A”, having been reviewed by the City Council of the City of Lancaster, Texas, and found to be acceptable and in the best interest of the City and its citizens, be, and the same is hereby, in all things approved.

SECTION 2. That the City Manager of the City of Lancaster, Texas, is hereby authorized to execute said agreement.

SECTION 3. That any prior Resolution of the City Council in conflict with the provisions contained in this Resolution are hereby repealed and revoked.

SECTION 4. 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 5. That this Resolution shall take effect 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 September, 2015.

ATTEST: **APPROVED:**

_____ _____

Sorangel O. Arenas, City Secretary Marcus E. Knight, Mayor

APPROVED AS TO FORM:

_____

Robert E. Hager, City Attorney

STATE OF TEXAS	§	**INTERLOCAL AGREEMENT FOR FOOD**
	§	**ESTABLISHMENT INSPECTION AND**
	§	**ENVIRONMENTAL HEALTH SERVICES BETWEEN**
	§	**DALLAS COUNTY, ON BEHALF OF DALLAS**
	§	**COUNTY HEALTH AND HUMAN SERVICES, AND**
COUNTY OF DALLAS	§	**CITY OF LANCASTER**

1. PARTIES

This Interlocal Agreement ("Agreement") is made by and between the City of Lancaster, Texas ("City"), a Texas municipal corporation, and Dallas County, Texas ("County"), on behalf of Dallas County Health and Human Services ("DCHHS"), a governmental entity, pursuant to the authorities granted by Texas Local Government Code Chapter 791, Interlocal Cooperation Act, Texas Health and Safety Code Chapters 437, Food and Drug Health Regulations, and 121, Local Regulation of Public Health, along with 25 Texas Administrative Code, Chapter 229, and any other applicable laws, as well as the City ordinance for inspection services of food establishments within City's jurisdiction and other environmental health services to City.

2. TERM

This Agreement is effective from October 1, 2015 through September 30, 2016 unless otherwise stated in this Agreement.

3. INSPECTION SERVICES AND REQUIREMENTS

A. County will perform a minimum of two (2) inspections per Agreement Term of each food establishment for which the City has submitted an inspection request and for which a fee has been collected from the said food establishment;

B. Additional follow-up inspections will be performed as deemed necessary by County;

C. Any additional request for follow-up inspections by City of food establishments, including food establishments that are closed due to non-compliance with the State and other applicable rules and regulations will be charged additional fees;

D. Each food establishment inspection will be made by a Registered Professional Sanitarian employed by DCHHS, in compliance with all state laws and regulations;

E. An examination of the following will be made during each inspection: food and food protection; personnel; food equipment and utensils; water source; sewage; plumbing; toilet and hand-washing facilities; garbage and refuse disposal; insect, rodent, and animal control; floors, walls, and ceiling; light; ventilation; and other operations.

4. BUDGET AND PAYMENT TO COUNTY

A. City will collect and submit to the County a minimum of One Hundred Fifty and 00/100 Dollars ($150.00) per Agreement Term.

B. Beginning with the third food establishment inspection, City will pay a Seventy Five and 00/100 Dollars ($75.00) fee for each additional inspection requested by City.

C. City will collect Seventy Five and 00/100 Dollars ($75.00) to be paid to the County for a re-opening or inspection fee of a food establishment that has been closed due to non-compliance of Chapter 437 of the Texas Health and Safety Code, or any other state rules and regulations.

D. The fees are subject to change, upon prior written notice to City, if additional cost is associated with the services under this Agreement

E. City shall pay County the stipulated fees within thirty (30) days of the monthly request for payment, or if County fails to make the payment request, then City shall pay the stipulated fees no later than the last date of this Agreement Term. Any payment not made within thirty (30) days of its due date shall bear interest in accordance with Chapter 2251 of the Texas Government Code.

5. OTHER ENVIRONMENTAL HEALTH SERVICES

A. Upon written request from City, County will respond to Vector and/or Mosquito Control complaints. Ground application services will include spraying for adult mosquitoes ("adulticiding"), and treating standing water ("larvaciding") services.

B. In the event aerial spraying is needed to control St. Louis Encephalitis or West Nile virus throughout the County, City will have the option to participate in the County's emergency aerial mosquito spraying plan. Should City agree to participate in the plan, City must provide written notice to County and agree to the following:

1) Indicate the areas and amount of acres to be sprayed; and

2) Pay City's proportioned share of the cost based upon the number of acres to be sprayed multiplied by the per-acre spraying cost.

6. RECORDS

City shall have the sole responsibility of responding to requests for records of food inspection results produced under this Agreement. County will make its best effort to forward any requests for such records that it received to City within three business days after County's receipt of such requests.

7. TERMINATION

A. Without Cause: This Agreement may be terminated in writing, without cause, by either party upon thirty (30) days prior written notice to the other party;

B. With Cause: The County reserves the right to terminate the Agreement immediately, in whole or in part, at its sole discretion, for the following reasons:

1) Lack of, or reduction in, funding or resources;

2) Non-performance;

3) City's improper, misuse or inept use of funds or resources; and/or

4) City's submission of data, statements and/or reports that are incorrect, incomplete and/or false in any way.

8. CITY ORDINANCE

In order for this Agreement to be valid, the City must have or adopt a City ordinance that provides for the inspection of food establishments by a Registered Professional Sanitarian. City must require the payment of a fee(s) by each food establishment. Ordinance enforcement shall be the responsibility of the City.

9. INDEMNIFICATION

County and City, including their respective employees and elected officials, agree that each shall be responsible for its own negligent acts or omissions or other tortious conduct in the course of performance of this Agreement, without waiving any governmental immunity available to County or City under Texas and other applicable laws, and without waiving any available defenses under Texas and other applicable laws. Nothing in this paragraph shall be construed to create or grant any rights, contractual or otherwise, in or to any third persons or entities.

10. INSURANCE

City agrees that it will at all times during the term of this Agreement maintain in full force and effect insurance, or self-insurance, to the extent permitted by applicable law under a plan of self-insurance, that is also maintained in accordance with sound accounting practices. It is expressly agreed that City will be solely responsible for all cost of such insurance; any and all deductible amounts in any policy; and in the event that the insurance company should deny coverage.

11. NOTICE

Any notice or certification required or permitted to be delivered under this Agreement shall be deemed to have been given when personally delivered, or if mailed, seventy-two (72) hours after deposit of the same in the United States Mail, postage prepaid, certified, or registered, return receipt requested, properly addressed to the contact person shown at the respective addresses setforth below, or at such other addresses as shall be specified by written notice delivered in accordance herewith:

COUNTY	CITY OF LANCASTER
Zachary Thompson, Director Dallas County Health & Human Svcs. 2377 N. Stemmons Frwy., Suite 600 Dallas, Texas 75207-2710	Opal Mauldin-Robertson, City Manager Attn: Sorangel Arenas, City Secretary 211 N. Henry Street Lancaster, Texas 75146

12. ENTIRE AGREEMENT AND AMENDMENT

This Agreement, including any Exhibits and Attachments, constitutes the entire agreement between

the parties and supersedes any other agreements concerning the subject matter of this transaction, whether oral or written. No modification, amendment, novation, renewal or other alteration of this Agreement shall be effective unless mutually agreed upon in writing and executed by the parties.

13. COUNTERPARTS, NUMBER/GENDER AND HEADINGS

This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument. Words of any gender used in this Agreement shall be held and construed to include any other gender. Any words in the singular shall include the plural and vice versa, unless the context clearly requires otherwise. Headings are for the convenience of reference only and shall not be considered in any interpretation of this Agreement.

14. SEVERABILITY

If any provision of this Agreement is construed to be illegal, invalid, void or unenforceable, this construction will not affect the legality or validity or any of the remaining provisions. The unenforceable or illegal provision will be deemed stricken and deleted, but the remaining provisions shall not be affected or impaired, and such remaining provisions shall remain in full force and effect.

15. FISCAL FUNDING CLAUSE

Notwithstanding any provisions contained in this Agreement, the obligations of the County under this Agreement are expressly contingent upon the availability of funding for each item and obligation for the term of the Agreement and any pertinent extensions. City shall not have a right of action against County in the event County is unable to fulfill its obligations under this Agreement as a result of lack of sufficient funding for any item or obligation from any source utilized to fund this Agreement or failure to budget or authorize funding for this Agreement during the current or future fiscal years. In the event that County is unable to fulfill its obligations under this Agreement as a result of lack of sufficient funding, or if funds become unavailable, County, at its sole discretion, may provide funds from a separate source or may terminate this Agreement by written notice to City at the earliest possible time prior to the end of its fiscal year.

16. DEFAULT/CUMULATIVE RIGHTS/MITIGATION

It is not a waiver of default if the non-defaulting party fails to immediately declare a default or delays in taking any action. The rights and remedies provided by this Agreement are cumulative, and either party's use of any right or remedy will not preclude or waive its right to use any other remedy. These rights and remedies are in addition to any other rights the parties may have by law, statute, ordinance or otherwise. Both parties have a duty to mitigate damages.

17. IMMUNITY

This Agreement is expressly made subject to City's and County's Governmental Immunity, including, without limitation, Title 5 of the Texas Civil Remedies Code and all applicable State and federal laws. The parties expressly agree that no provision of this Agreement is in any way intended to constitute a waiver of any immunities from suit or from liability, or a waiver of any tort limitation, that City or County has by operation of law, or otherwise. Nothing in this Agreement is intended to benefit any third party beneficiary.

18. COMPLIANCE OF LAWS AND VENUE

In providing services required by this Agreement, City and County must observe and comply with all licenses, legal certifications, or inspections required for the services, facilities, equipment, or materials, and all applicable federal, State, and local statutes, ordinances, rules, and regulations. Texas law shall govern this Agreement and venue shall lie exclusively in Dallas County, Texas.

19. RELATIONSHIP OF PARTIES

City is an independent contractor and not an agent, servant, joint enterpriser, joint venturer or employee of County. City and County agree and acknowledge that each entity shall be responsible for its own acts, forbearance, negligence and deeds, and for those of its agents or employees in conjunction with the performance of work covered under this Agreement.

20. SIGNATORY WARRANTY

City and County represent that each has the full right, power and authority to enter and perform this Agreement in accordance with all of the terms and conditions, and that the execution and delivery of Agreement have been made by authorized representatives of the parties to validly and legally bind the respective parties to all terms, performances and provisions set forth in this Agreement.

<signatures appear on following page>

COUNTY:

BY: Clay Lewis Jenkins
County Judge

DATE: _____

CITY OF LANCASTER:

BY: _____
City Manager/Mayor

DATE: _____

Recommended:

BY: Zachary Thompson
Director, DCHHS

BY: _____
Title: _____

Approved as to Form*:

CRAIG WATKINS
DISTRICT ATTORNEY

TERESA GUERRA SNELSON
CHIEF, CIVIL DIVISION

BY: Melanie Barton
Assistant District Attorney

Approved as to Form:

BY: _____
Title: _____

*By law, the District Attorney's Office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval, and should seek review and approval by their own respective attorney(s).

LANCASTER CITY COUNCIL

Agenda Communication

September 14, 2015

Consider a resolution adopting the City of Lancaster Financial Policy providing for prudent financial management of all funds to enable the city to maintain a long term stable and positive financial condition and provide guidelines for the day-to-day planning and operation of the city's financial matters.

This request supports the City Council 2015-2016 Policy Agenda.

Goal: Financially Sound City Government

Background

Financial Policy Statements provide guidelines to enable the City to achieve and maintain a long-term stable and positive financial position, and also provide guidelines for the day to day planning and operations of the City's financial affairs. These policy statements are to be reviewed and refined annually as part of the budget preparation process to reflect current laws as well as significant changes in the City which will impact the prevailing policy. There are no proposed changes to the financial policy statements.

Considerations

- **Operational** – Present fairly and with full disclosure the financial position and results of financial operations of the City in conformity to U.S. generally accepted accounting principles (U.S. GAAP). Demonstrate good fiscal administration of the City's funds and promote accountability to its citizens. Provide precedents for future policy-makers and financial managers on common financial goals and strategies.

- **Legal** – Determine and demonstrate compliance with the finance related legal and contractual issues in accordance with provisions of the City Charter, the Texas Local Government Code and other pertinent legal documents and mandates.

- **Financial** – There is no direct costs to adopt the Financial Policy Statements.

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

Options/Alternatives

1. Council may approve the resolution as presented.
2. Council may reject the resolution.

Recommendation

Staff recommends approval of the resolution as presented.

Attachments

- Resolution
- Financial Policy Statement

Submitted by:
Cynthia A. Pearson, Director of Finance

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, ADOPTING THE CITY OF LANCASTER FINANCIAL POLICY PROVIDING FOR PRUDENT FINANCIAL MANAGEMENT OF ALL FUNDS TO ENABLE THE CITY TO MAINTAIN A LONG TERM STABLE AND POSITIVE FINANCIAL CONDITION AND PROVIDE GUIDELINES FOR THE DAY-TO-DAY PLANNING AND OPERATION OF THE CITY'S FINANCIAL MATTERS; PROVIDING THAT THE SAME SHALL BE IMPLEMENTED; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lancaster Financial Policy is reviewed and refined annually as part of the budget preparation process; and

WHEREAS, the City of Lancaster Financial Policy provides for financial management through integrity, prudent stewardship, planning, accountability, full disclosure and communication regarding all City funds;

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

SECTION 1. The City of Lancaster Financial Policy, attached hereto and incorporated herein by reference as Exhibit "A", having been reviewed by the City Council of the City of Lancaster, Texas, and found to be acceptable and in the best interest of the City and its citizens is hereby in all things approved; and, the City Manager and staff shall implement and execute the procedures and policies adopted therein.

SECTION 2. This resolution shall take effect 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 September, 2015.

ATTEST:

_____
Sorangel O. Arenas, City Secretary

APPROVED:

_____
Marcus E. Knight, Mayor

APPROVED AS TO FORM:

_____
Robert E. Hager, City Attorney

Exhibit "A"

City of Lancaster, Texas
FINANCIAL MANAGEMENT POLICY

September 14, 2015

Lancaster

FINANCIAL MANAGEMENT POLICIES

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CITY OF LANCASTER, TEXAS
FINANCIAL MANAGEMENT POLICY STATEMENT

The overriding goal of the Financial Management Policy is to enable the City to achieve a long-term, stable and positive financial condition. The watchwords of the City's financial management include integrity, prudent stewardship, planning, accountability, and full disclosure. The purpose of the Financial Management Policy is to provide guidelines for planning and directing the City's day to day financial affairs and to assist staff in developing recommendations to the Mayor and City Council. Specifically, this policy framework mandates the pursuit of the following fiscal objectives:

I. Revenues

Design, maintain and administer a revenue system that will assure a reliable, equitable, diversified and sufficient revenue stream to support desired City services.

II. Expenditures

Identify priority services, establish and define appropriate service levels and administer the expenditure of available resources to assure fiscal stability and the effective and efficient delivery of services.

III. Fund Balance/Working Capital/ Net Assets

Maintain the fund balance, working capital and net assets of the various operating funds at levels sufficient to protect the City's credit worthiness as well as its financial position from emergencies.

IV. Capital Expenditures and Improvements

Annually review and monitor the condition of the City's capital equipment and infrastructure, setting priorities for its replacement and renovation based on needs, funding alternatives and availability of resources.

V. Debt Management

Establish guidelines for debt financing that will provide needed capital equipment and infrastructure improvements while minimizing the impact of debt payments on current and future revenues.

VI. Cash Management and Investments

Invest the City's operating cash to ensure the absolute safety of principal, provide for necessary liquidity and optimize yield in accordance with the City's adopted Investment policy.

VII. Intergovernmental Relations

Coordinate efforts with other governmental agencies to achieve common policy objectives, share the cost of providing governmental services on an equitable basis and support appropriate favorable legislation at the state and federal level.

VIII. Grants

Aggressively investigate, pursue and effectively administer federal, state, local and foundation grants-in-aid, which address and support the City's current priorities and policy objectives.

IX. Economic Development

Initiate, encourage and participate in economic development efforts to create job opportunities and strengthen the local economy and tax base.

X. Fiscal Monitoring

Prepare and present reports for the current and multi-year periods that analyze, evaluate and forecast the City's financial performance and economic condition.

XI. Accounting, Auditing and Financial Reporting

Comply with prevailing federal, state and local statutes and regulations. Conform to generally accepted accounting principles as promulgated by the Governmental Accounting Standards Board (GASB), the American Institute of Certified Public Accountants (AICPA) and the Government Finance Officers Association (GFOA).

XII. Internal Controls

Establish a system of internal controls designed to maintain an environment to provide management with reasonable assurance that assets are safeguarded against loss from unauthorized use or disposition.

XIII. Risk Management

Prevent and/or reduce the financial impact to the City due to claims and losses through prevention, transfer of liability and/or a program of self-insurance of the liability.

XIV. Operating Budget

Develop and maintain a balanced budget for operating funds that presents a clear understanding of the goals of the City Council, service levels and performance standards. A Balanced Budget is defined as revenues and any appropriated fund balance equal expenditures.

XV. Five Year Plans

Long term financial planning is intended to ensure sustainability of programs and integrate operating and capital financial planning.

I. Revenues

The City shall use the following guidelines to design, maintain and administer a revenue system that will assure a reliable, equitable, diversified and sufficient revenue stream to support desired City services

A. Balance and Diversification in Revenue Sources

The City shall strive to maintain a balanced and diversified revenue system to protect the City from fluctuations in any one source due to changes in economic conditions that adversely impact that source.

B. User Fees

For services that benefit specific users, where possible the City shall establish and collect fees to recover the cost of those services. Where feasible and desirable, the City shall seek to recover full direct and indirect costs. City staff shall review user fees on a regular basis to calculate their full cost recovery levels, to compare them to the current fee structure and to recommend adjustments where necessary.

C. Property Tax Revenues/Tax Rate

The City shall strive to reduce its reliance on residential property tax revenues by revenue diversification, implementation of user fees and economic development. The City shall also strive to minimize tax rate increases.

D. Utility/Enterprise Funds User Fees

Utility rates and enterprise funds user fees shall be set at levels sufficient to cover operating expenditures, meet debt obligations, provide additional funding for capital improvements and provide adequate levels of working capital and debt coverage.

E. Administrative Services Charges

The City shall prepare a cost allocation plan to determine the administrative services charges due to the General Fund from enterprise funds for overhead and staff support. Where appropriate, the enterprise funds shall pay the General Fund for direct services rendered.

F. Revenue Estimates for Budgeting

In order to maintain a stable level of service, the City shall use a conservative, objective and analytical approach when preparing revenue estimates for current and multi-year periods. The process shall include analysis of probable economic changes and their impacts on revenues, historical collection rates and trends in revenues. This approach should reduce the likelihood of actual revenues falling short of budget estimates during the year and should avoid mid-year service reductions.

G. Revenue Collection and Administration

The City shall maintain high collection rates for all revenues by keeping the revenue system as simple as possible in order to facilitate payment. In addition, since a revenue should exceed the cost of producing it, the City shall strive to control and reduce administrative costs. The City shall pursue to the full extent allowed by state law all delinquent taxpayers and others overdue in payments to the City. The fees based on user charges shall be reviewed annually to ensure continuing coverage of the cost of services. The City shall revise user fees with review of the City Council to adjust for the costs of inflation and additional recovery increments. The City shall review and adopt utility rates annually that shall generate revenues required to fully cover operating expenditures, meet the legal restrictions of all applicable bond covenants, and provide

for an adequate level of working capital needs. A method is established whereby the General Fund can impose a charge to the Utility Fund(s) for general and administrative services performed on the Enterprise Fund's behalf. The process shall be documented and disclosed to the City's auditors for review. All revenue collections will be consolidated under Finance and be audited annually.

II. Expenditures

The City shall use the following guidelines to identify necessary services, establish appropriate service levels and administer the expenditure of available resources to assure fiscal stability and the effective and efficient delivery of services.

Current Funding Basis

The City shall operate on a current funding basis. Expenditures shall be budgeted and controlled so as not to exceed current revenues plus the planned use of fund balance accumulated through prior year savings.

Avoidance of Operating Deficits

The City shall take timely corrective action if at any time during the fiscal year expenditure and revenue re-estimates are such that an operating deficit is projected at year-end.

Maintenance of Capital Assets

Within the resources available each fiscal year, the City shall maintain capital assets and infrastructure at a sufficient level to protect the City's investment, to minimize future replacement and maintenance costs and to continue service levels.

Periodic Program Reviews

Periodic program reviews for efficiency and effectiveness shall be performed. Programs not meeting efficiency and effectiveness objectives shall be brought up to required standards or be subject to reduction or elimination.

Purchasing

The City shall make every effort to maximize any discounts offered by creditors/vendors. Vendors with balances due the City will have payments due the vendor offset against the amount due the City. The City will follow state law concerning the amount of the purchase requiring formal bidding procedures and approval by the City Council. For purchases where competitive bidding is not required, the City shall seek to obtain the most favorable terms and pricing possible. Every effort will be made to include minority business enterprises in the bidding process.

Quarterly reports shall be prepared showing actual expenditures compared to the adopted budget. Modifications within the operating categories (materials, supplies, and services) and/or modifications within the personnel and capital categories may be made with the approval of the City Manager.

Where appropriate, performance measures and productivity indicators shall be used as guidelines and reviewed for efficiency and effectiveness. This information shall be included in the annual budgeting process.

Purchases shall be made in conformation with the States formal bidding process and requirements. Recommendations of bids and contracts in excess of $50,000 shall be presented to City Council for their formal approval.

III. Fund Balance/Working Capital/Net Assets

In accordance with the requirements of Governmental Accounting Standards Board Statement Number 53, the City shall use the following guidelines to explain and define the purpose of fund balance, working capital and retained earnings of the various operating funds. The city will describe fund balance as follows: (1) Unspendable – portion of net resources that cannot be spent, i.e. assets that will never convert to cash or not convert during the current period, or resources that must be maintained intact pursuant to legal or contractual requirements. (2) Restricted – portion of net resources that are required to be reserved by external legal restrictions such as debt covenants, grantors, contributors or other governments. (3) Committed – portion of fund balance that represents resources whose use is constrained by limitations that the City imposes upon itself by council action and require council action to release. (4) Assigned – portion of fund balance that reflects the City's intended use of resources. (5) Unassigned – surplus fund balance.

The City shall use the following guidelines to maintain the fund balance, working capital and net assets of the various operating funds at levels sufficient to protect the City's creditworthiness as well as its financial position from unforeseeable emergencies.

General Fund Unassigned Fund Balance

The City shall strive to maintain the General Fund unassigned fund balance at an amount equal to a minimum of twelve (12) percent of the general operating budget. The City will maintain an unallocated fund balance of an amount equal to a minimum of twelve (12) percent of the general operating budget. Any excess above the minimum will be designated to the Capital Improvement Program and the Equipment Replacement Program. These designations will be reviewed annually and authorized by the Council. The minimum twelve (12) percent unallocated fund balance will be used to

avoid cash-flow interruptions, generate interest income, reduce need for short-term borrowing and assist in maintaining an investment-grade bond rating.

Other Operating Funds Unrestricted Net Assets; Enterprise Working Capital

In other operating funds, the City shall strive to maintain a positive unrestricted net assets position to provide sufficient reserves for emergencies and revenue shortfalls. The unallocated fund balance of other funds should be maintained as follows:

Fund	Minimum	Target	Maximum
Water/Wastewater Fund	12.00%	18.00%	25.00%
Airport Fund	12.00%	18.00%	25.00%
Golf Fund	12.00%	18.00%	25.00%
Debt Service Funds	10% of Current Year Debt Payment		

Use of Fund Balance/ Net Assets

Fund Balance/ Net Assets shall be used only for emergencies, non-recurring expenditures, major capital purchases that cannot be accommodated through current year savings, and as designated by Council. Should such use reduce the balance below the appropriate level set as the objective for that fund, recommendations will be made on how to restore it.

Periodic review of cash flow position shall be performed to determine performance of cash management and investment policies. A detailed policy structure shall be followed with respect to Cash/Treasury Management. The underlying theme shall be that idle cash shall be invested with the goals and objectives as identified in the City's Investment Policy.

Procedures shall be taken so as to maximize any discounts offered by creditors. Current liabilities shall be paid within 30 days of receiving the invoice. Accounts receivable procedures shall target for a maximum of 60 days of service.

IV. Capital Infrastructure and Equipment Replacement

Capital Expenditures and Improvements

The City shall annually review and monitor the condition of the City's capital equipment and infrastructure, setting priorities for its replacement and renovation based on needs, funding alternatives and availability of resources.

Capital Improvements Program

The City shall annually review the Capital Improvements Program (CIP), potential new projects and the current status of the City's infrastructure, replacement and renovation needs, updating the program as appropriate. All projects, ongoing and proposed, shall be prioritized based on an analysis of current needs and resource availability. For every

project, all operation, maintenance and replacement expenditures shall be fully costed. The CIP shall also present the City's long-term borrowing plan, debt payment schedules and other debt outstanding or planned, including general obligation bonds, revenue bonds, certificates of obligation and lease/purchase agreements.

Replacement of Capital Assets (Equipment) on a Regular Schedule

The City shall annually prepare a schedule for the replacement of its non-infrastructure capital assets. Within the resources available each fiscal year, the City shall replace these assets according to this schedule.

Capital Expenditure Financing

The City recognizes that there are several methods of financing capital requirements. It can budget the funds from current revenues; it can take the funds from fund balance/retained earnings as allowed by the Fund Balance/ Net Assets Policy; it can utilize funds from grants and foundations or it can borrow money through debt. Debt financing includes general obligation bonds, revenue bonds, certificates of obligation, lease/purchase agreements and certificates of participation. Guidelines for assuming debt are set forth in the Debt Policy Statements.

A Capital Improvement Program shall be adopted for a period of five (5) years and reviewed annually for prioritization, based on analysis of the City's infrastructure. The replacement and maintenance for capital items shall also be projected for the next five (5) years. Future maintenance shall be fully cost, providing sufficient funding for future maintenance and replacement. The City shall identify the estimated costs and potential funding sources for each capital project proposal before it is submitted to council for approval. The City shall determine the least costly financing method for all new projects.

Where applicable, assessments, pro-rata charges or other user-based fees should be used to fund capital projects which have a limited benefit to the whole City.

Assets shall be maintained to protect the government's investment and minimize the future replacement and maintenance costs. The annual operating budget shall provide for adequate maintenance and issuance of all capital plant and equipment.

V. Debt Management

The City shall use the following guidelines for debt financing which will provide needed capital equipment and infrastructure improvements while minimizing the impact of debt payments on current and future revenues.

Use of Debt Financing

Debt financing, including general obligation bonds, revenue bonds, certificates of obligation and lease/purchase agreements, shall only be used to purchase capital assets. Debt payments should be structured to provide that capital assets, which are funded by the debt, have a longer life than the debt associated with those assets. Long Term Debt shall not be used for operating purposes. The life of the bonds shall not exceed the useful life of the projects.

Amortization of Debt

The City shall structure new debt issue payment schedules to utilize the City's declining debt payment schedules to keep tax increases for debt to a minimum. Capital projects that, by their character or size, are outside the normal core service projects will require careful evaluation of financial feasibility.

Affordability Targets

The City shall use an objective analytical approach to determine whether it can afford to assume new debt beyond the amount it retires each year. This process shall compare generally accepted standards of affordability to the current values for the City. These standards shall include debt per capita, debt as a percent of taxable value, debt service payments as a percent of current revenues and current expenditures and the level of overlapping net debt of all local taxing jurisdictions. The process shall also examine the direct costs and benefits of the proposed expenditures as determined in the City's annual update of the Capital Improvements Planning Program. The decision on whether or not to assume new debt shall be based on these costs and benefits and on the City's ability to "afford" new debt as determined by the aforementioned standards. The City shall use cities with similar bond ratings for debt ratio benchmarks.

Sale Process

The City shall use a competitive bidding process in the sale of debt unless the nature of the issue warrants a negotiated bid. In situations where a competitive bidding process is not elected, the bond counsel/advisors shall present the reasons why to the City. Also, the City shall participate in the selection of the underwriter with the assistance of the bond counsel/advisors in the case of a negotiated bid.

Rating Agencies Presentations

Full disclosure of operations and open lines of communication shall be made to the bond rating agencies. City staff, with assistance of financial advisors, shall prepare the necessary materials and presentation to the rating agencies.

Continuing Disclosure

The City is committed to continuing disclosure of financial and pertinent credit information relevant to the City's outstanding securities.

Debt Refunding

City staff and the financial advisor shall monitor the municipal bond market for opportunities to obtain interest savings by refunding outstanding debt.

When appropriate, self-supporting revenue bonds shall be issued before general obligation bonds. Interest earnings on bond proceeds shall be credited to the appropriate bond/capital fund. The bonds shall have a provision which allows them to be recalled after the tenth year of issue.

The Debt Services Fund(s) reserves should equal ten percent (10%) of the current year's debt payment. This minimum does not include the amounts accruing for the next debt payment.

The City shall be actively involved in the selection of all bond counsel, advisors, underwriters, and paying agents. The City shall evaluate the merits of rotating professional advisors and consultants and the kinds of services and fee structures available from independent financial advisors, investment banking firms and commercial banks. Also, the City shall carefully itemize and scrutinize all costs associated with the issuance of bonds.

The City shall explore all funding alternatives in addition to long-term debt including leasing, grants, and other aid, developer contributions, capital recovery fees, and current funds.

The City will establish and maintain an equipment replacement fund. If any equipment is secured through a lease/purchase agreement, it will have a useful life of at least seven (7) years.

VI. Cash Management and Investments

The City's available cash shall be invested according to the standard of prudence set forth in Section 2256.006 of the Texas Government Code. The following shall be the objectives of the City of Lancaster Investment Policy listed in their order of importance: preservation of capital and protection of investment principal, maintenance of sufficient liquidity to meet anticipated cash flows, diversification to avoid unreasonable market risks and attainment of a market value rate of return. The investment income derived from pooled investment accounts shall be allocated to contributing funds based upon the proportions of respective average balances relative to total pooled balances.

VII. Intergovernmental Relations

The City shall coordinate efforts with other governmental agencies to achieve common policy objectives, share the cost of providing government services on an equitable basis and support appropriate favorable legislation at the state and federal levels.

Interlocal Cooperation in Delivering Services

In order to promote the effective and efficient delivery of services, the City shall work with other local jurisdictions to share on an equitable basis the costs of services, to share facilities and to develop joint programs to improve service to its citizens.

Legislative Program

The City shall cooperate with other jurisdictions to actively oppose any state or federal regulation or proposal that mandates additional City programs or services and does not provide the funding for implementation.

VIII. Grants

The City shall seek, apply for, obtain and effectively administer federal, state and foundation grants-in-aid that address the City's current and future priorities and policy objectives.

Grant Guidelines

The City shall seek, apply for and obtain those grants that are consistent with priority needs and objectives identified by Council.

Grant Review

The City shall review all grant submittals for their cash or in-kind match requirements, their potential impact on the operating budget and the extent to which they meet the City's policy objectives. If there are cash match requirements, the source of funding shall be identified and approved prior to application, as set forth in the Grant Policy.

IX. Economic Development

The City shall initiate, encourage and participate in economic development efforts to create job opportunities and strengthen the local economy and tax base.

Commitment to Expansion and Diversification

The City shall encourage and participate in economic development efforts to expand Lancaster's economy and tax base, to increase local employment and to invest when there is a defined specific long-term return. These efforts shall not only focus on new areas but on redevelopment of older areas and other established sections of Lancaster where development can generate additional jobs and other economic benefits.

Increase Non-Residential Share of Tax Base

The City's economic development program shall seek to expand the non-residential share of the tax base to decrease the tax burden on residential homeowners

Coordinate Efforts with Other Jurisdictions

The City's economic development program shall encourage close cooperation with other local jurisdictions to promote the economic well being of this area.

Use of Other Incentives

The City shall use tax re-investment zones as allowed by law and shall seek new sources to encourage business expansion. The City shall also coordinate with state and federal agencies on offering any incentive programs they may provide for potential economic expansion.

X. Fiscal Monitoring

Reports shall be prepared and presented on a regular basis to analyze, evaluate and forecast the City's financial performance and economic condition for the current year and for multi-years.

Financial Status and Performance Reports

Quarterly reports shall be prepared comparing expenditures and revenues to current budget for fiscal year-to-date, and to prior year actual fiscal year-to-date.

Five-Year Forecast of Revenues and Expenditures

A five-year forecast of revenues and expenditures, including a discussion of major trends affecting the City's financial position, shall be prepared. The forecast shall examine critical issues facing the City, economic conditions and the outlook for the upcoming budget year. The document shall incorporate elements of the International City Management Association financial trend monitoring system, providing further insight into the City's financial position and alerting the Council to potential problem areas requiring attention.

XI. Accounting, Auditing and Financial Reporting

The City shall comply with prevailing local, state and federal regulations. Its accounting practices and financial reporting shall conform to generally accepted accounting principles promulgated by the Governmental Accounting Standards Board (GASB), the American Institute of Certified Public Accountants (AICPA) and the Government Finance Officers Association (GFOA). The City Council shall select an independent firm of certified public accountants to perform an annual audit of all operations. The City shall continue to participate in the Government Finance Officers Association's Certificate of Achievement for Excellence in

Financial Reporting program and the Texas Comptroller's Office Leadership Circle program promoting financial transparency.

The City will follow a five-year review and optional rotation of external (independent) auditors. The auditors must demonstrate that they have the experience and adequate staffing to handle the City's audit in a timely manner. The audited financial statements should be prepared within 120 days of the close of the fiscal year.

Annual reporting will be done within the guidelines set forth in the Governmental Accounting and Auditing Financial Review and under the standards currently being set by the Governmental Accounting Standards Board. Interim activity reports will be made available to council and management.

Full disclosure will be provided in the financial statements and bond representations.

Financial systems will be maintained to monitor expenditures and revenues on a monthly basis with a thorough analysis and adjustment (if required) at mid-year.

The City will strive to maintain accounting policies and practices in the preparation of its annual financial report. The report will be presented to the Governmental Finance Officers Association for review of qualifications that meet those necessary to obtain the Certificate of Achievement for Excellence in Financial Reporting.

XII. Internal Controls

The Chief Financial Officer is responsible for developing citywide written guidelines on accounting, cash handling, and other financial matters that will be approved by the City Manager. The Chief Financial Officer will assist department heads as needed in tailoring these guidelines into detailed written procedures to fit each department's specific requirements.

Each department head is responsible to ensure that good internal controls are followed throughout his or her department, that all finance department guidelines on accounting and internal controls are implemented, and that all independent auditor internal control recommendations are addressed.

XIII. Risk Management

The City will utilize a safety program, an employee health program and a risk management program to prevent and/or reduce the financial impact on the City from claims and losses. Transfer of liability for claims will be utilized where appropriate via transfer to other entities through insurance and/or by contract. Prevention of claims through the safety program and the employee health program will be employed.

XIV. Operating Budget

The City shall establish an operating budget, which shall link revenues and expenditures to the goals of the City Council. It will be the City's goal to participate in the Government Finance Officers Association's Distinguished Budget Presentation Award program and to obtain the award annually.

Current operating revenue will be sufficient to support current operating expenditures. Debt or bond financing will not be used to finance current expenditures. Deferrals, short-term loans, or one-time sources shall be avoided as budget balancing techniques. Annually recurring revenue will not be less than annually recurring operating budget expenditures (operating budget minus capital outlay) or Council may authorize the City Manager to utilize unrestricted fund balance to make up the difference.

The City has developed a program to integrate performance measures and productivity indicators within the annual budget.

XV. Five Year Financial Plans

Capital Improvement Plan

The City shall prepare annually a five year Capital Improvements Plan that incorporates all capital funds, existing and planned, showing planned projects by phase and by fiscal year. The first year of this CIP shall constitute the City's capital budget for the year.

Long Range Financial Forecast

The City shall prepare annually a Long Range Financial Forecast that projects revenue and expenditures for the General, Utility, Debt Service and any other major fund for a five year period. The forecast shall attempt to determine the impact on future revenue and expenditures from changes in the economy, population change, and implementation of the CIP including planned bond sales.

LANCASTER CITY COUNCIL

Agenda Communication

September 14, 2015

Discuss and consider a resolution adopting the City of Lancaster Investment Policy providing that all funds of the city be managed and invested for safety, liquidity, diversification and yield and that investments be chosen in a manner which promotes diversity by market sector, credit and maturity; providing that this policy serve to satisfy the requirements of Chapter 2256 of the Local Government Code, "Public Funds Investment Act".

This request supports the City Council 2015-2016 Policy Agenda.

Goal: Financially Sound City Government

Background

Chapter 2256 of the Texas Government Code known as the "Public Funds Investment Act" (PFIA) requires the City Council to annually review and adopt an investment policy.

Considerations

- **Operational** – No fundamental changes are proposed in the policy.

- **Legal** – The "Public Funds Investment Act", Chapter 2256 of the Texas Government Code requires the City to adopt its investment policy by resolution. The City Attorney has approved the resolution as to form.

- **Financial** – No individual investment securities are currently owned by the City at this time. We have funds invested in three pools: TexPool, Texas Class and Logic.

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

Options/Alternatives

1. Council may approve the resolution as presented.
2. Council may reject the resolution.

Recommendation

Staff recommends approval of the resolution as presented.

Attachments

- Resolution
- Investment Policy

Submitted by:
Cynthia A. Pearson, Director of Finance

RESOLUTION NO.

A RESOLUTION APPROVING AND ADOPTING THE CITY OF LANCASTER INVESTMENT POLICY; PROVIDING THAT ALL FUNDS OF THE CITY BE MANAGED AND INVESTED IN A MANNER THAT SERVES TO SATISFY THE REQUIREMENTS OF THE LOCAL GOVERNMENT CODE CHAPTER 2256, "PUBLIC FUNDS INVESTMENT ACT"; MAKING VARIOUS PROVISIONS RELATED TO THE SUBJECT; PROVIDING THAT THE SAME SHALL BE IMPLEMENTED; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 2256 of the Government Code, commonly known as the "Public Funds Investment Act" requires the city to adopt a written investment policy regarding the investment of its funds by rule, order, ordinance, or resolution; and

WHEREAS, the "Public Funds Investment Act" requires the treasurer; the chief financial officer, if not the treasurer, and the investment officer of the city to attend investment training; and

WHEREAS, the investment officers of the city have attended an investment training course as required by the "Public Funds Investment Act"; and

WHEREAS, the attached investment policy and incorporated strategy comply with the "Public Funds Investment Act", as amended, and authorize the investment of city funds in safe and prudent investments; and

WHEREAS, the City council must review and approve such Investment Policy at least once annually; and

WHEREAS, the City Council hereby affirms that the written investment policy will continue to protect City assets by identifying investment objectives, addressing the issues of investment risk versus rewards, and providing the framework for the establishment of controls, limitations and responsibilities of City employees in the performance of their fiduciary responsibilities;

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

SECTION 1. The City of Lancaster has complied with the requirements of the "Public Funds Investment Act", and the Investment Policy, as amended, attached hereto and incorporated herein by reference as Exhibit "A," is hereby adopted as the investment policy of the City effective September 14, 2015;

SECTION 2. This resolution shall take effect 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 September, 2015.

ATTEST:

_____
Sorangel O. Arenas, City Secretary

APPROVED:

_____
Marcus E. Knight, Mayor

APPROVED AS TO FORM:

_____
Robert E. Hager, City Attorney

Exhibit "A"

City of Lancaster, Texas
INVESTMENT POLICY

September 14, 2015

Lancaster

INVESTMENT POLICIES

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City of Lancaster, Texas
Investment Policy

I. Purpose

The purpose of this document is to set forth specific investment policy and strategy guidelines for the City of Lancaster, Texas, the Lancaster Economic Development Corporation, and the Lancaster Recreation Development Corporation (City) in order to achieve the objectives in order of priority; safety, public trust, liquidity, diversification, and yield for all investment activity. This policy ensures compliance with Chapter 2256, Public Funds Investment Act of the Government Code to define, adopt and annually review the investment policy of the City.

II. Policy Statement

It is the policy of the City of Lancaster that the administration of its funds and the investment of those funds shall be handled as its highest public trust. Investments shall be made in a manner which will provide the maximum security of principal invested through limitations and diversification while meeting the daily cash flow needs of the City and conforming to all applicable state statutes governing the investment of public funds.

The receipt of a market rate of return will be secondary to the requirements for safety and liquidity. It is the intent of the City to be in complete compliance with local law and the Texas Public Funds Investment Act ('The Act"). The earnings from investment will be used in a manner that best serves the interest of the City.

III. Scope

This investment policy applies to all the financial assets and funds of the City. The City commingles its funds into one pooled investment fund for investment purposes for efficiency and maximum investment opportunity. These funds shall be defined in the City's Annual Financial Report and any new funds created by the City unless specifically exempted by the City Council and this policy.

IV. Objective and Strategy

The City shall manage and invest with five primary objectives, listed in order of priority: safety, public trust, liquidity, diversification and yield. Investments are to be chosen in a manner which promotes diversity by market sector, credit and maturity. The choice of high-grade government investments and high-grade money market instruments is designed to assure the marketability of those investments should liquidity needs arise. To match anticipated cash flow requirements the maximum weighted average maturity of the overall portfolio may not exceed six months.

A. Safety

Safety of principal is the foremost objective of the City. Investments of the City shall be undertaken in a manner that seeks to insure the preservation of capital in the overall portfolio.

B. Public Trust

All parties of the City's investment process shall seek to act responsibly as custodians of the public trust. Investment advisors and officials shall avoid any transaction that might impair public confidence in the City's ability to govern effectively and maintain a sound, sustainable city government.

C. Liquidity

The City's investment portfolio will be based on a cash flow analysis of needs and will remain sufficiently liquid to enable it to meet all operating and debt/bond requirements which might be reasonably anticipated.

D. Diversification

Diversification of the portfolio will include diversification by maturity and market sector and will include the use of a number of broker/dealers for diversification and market coverage. Competitive bidding will be used on each sale and purchase.

E. Yield

The City's investment portfolio shall be designed with the objective of attaining a market rate of return, taking into account the City's risk constraints and the cash flow needs of the portfolio. "Market rate of return" may be defined as the average yield of the current six month U.S. Treasury Bill.

Additional priorities are: (1) understanding of the suitability of the investment to the financial requirements of the city; and (2) marketability of the investment if the need arises to liquidate the investment before maturity.

Effective cash management is recognized as essential to good fiscal management. Cash management is defined as the process of managing monies in order to ensure maximum cash availability. The City shall maintain a comprehensive cash management program which includes collection of accounts receivable, prudent investment of its available cash, disbursement of payments in accordance with invoice terms and the management of banking services.

V. Legal Limitations, Responsibilities and Authority

Direct specific investment parameters for the investment of public funds in Texas are found in the Public Funds Investment Act, Chapter 2256, Texas Government Code, (the "Act"). The Public Funds Collateral Act, Chapter 2257, Texas Government Code, specifies collateral requirements for all public funds deposits. All investments will be made in accordance with these statutes.

VI. Standards of Care

A. Delegation of Investment Authority

The Chief Financial Officer, acting on behalf of the City is designated as the Investment Officer of the City and is responsible for investment management decisions and activities. The Director of Finance is designated as the Chief Financial Officer for the City of Lancaster. The Chief Financial Officer is also responsible for considering the quality and capability of staff, investment advisors, and consultants involved in the investment management and procedures. All participants in the investment process shall seek to act as a prudent person as custodian of the public trust.

The Investment Officer shall develop and maintain written administrative procedures for the operation of the investment program which are consistent with this policy. The Procedures will include reference to safekeeping, require and include the "Bond Market Master Repurchase Agreements" (as applicable), wire transfer agreements, banking services contracts, and other investment related activities.

The Investment Officer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials and staff. The Investment Officer shall designate a staff person as a liaison/deputy in the event circumstances require timely action and the Investment Officer is unavailable.

No officer or designee may engage in an investment transaction except as provided under the terms of this policy.

<u>Authorization Resolution</u>

A Trading Resolution shall be established authorizing the Investment Officer to engage in investment transactions on behalf of the City. The persons authorized by the Resolution to transact business for the City must also be authorized to approve wire transfers used in the process of investing.

B. Prudence

The standard prudence to be used in the investment function shall be the "prudent person" standard and shall be applied in the context of managing the overall portfolio. This standard states:

"Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the expected income to be derived."

Limitation of Personal Liability

The Investment Officer and those delegated investment authority under this Policy, when acting in accordance with the written procedures and this Policy and in accord with the Prudent Person Rule, shall be relieved of personal liability in the management of the portfolio provided that deviations from expectations for a specific security's credit risk or market price change or portfolio shifts are reported in a timely manner and the appropriate action is taken to control adverse market effects.

C. Internal Controls

The Director of Finance is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the entity are protected from loss, theft, or misuse. The internal control structure shall be designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that (a) the cost of a control should not exceed the benefits likely to be derived and (b) the valuation of costs and benefits requires estimates and judgments by management. Therefore, the Director of Finance shall establish a process for annual independent review by an external auditor to assure compliance with policies and procedures. Quarterly Investment Reports must be formally reviewed at least annually by the independent auditor and reported to the City Council.

A compliance audit of management controls on investments and adherence to the City's established investment policies will be conducted in conjunction with the City's annual audit by the independent auditor.

Cash Flow Forecasting

Cash Flow forecasting is designed to protect and sustain cash flow requirements of the City. Supplemental to the financial and budgetary systems, the Investment Officer will maintain a cash flow forecasting process designed to monitor and forecast cash positions for investment purposes.

D. Ethics and Conflicts of Interest

City employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair the ability to make impartial investment decisions. City staff shall properly disclose to the City Manager and City Secretary any material financial interest in a financial institution that conducts business with the City.

An investment officer or City Council member of the City who has a personal business relationship with an organization seeking to sell an investment to the City shall file a disclosure statement disclosing that personal business interest. An investment officer who is related within the second degree by affinity or consanguinity to an individual seeking to sell an investment to the City shall file a state with the Texas Ethics commission and the City Council disclosing that relationship.

E. **Training** - Investment officials must complete at least 10 hours of investment training within 12 months of taking office or assuming duties, and shall attend an investment training session not less than once in a two year period and receive not less than 10 hours of instruction relating to investment responsibilities. The City shall provide the training through courses and seminars offered by professional organizations and associations in order to insure the quality and capability of the City's investment personnel making investment decisions in compliance with Public Funds Investment Act (PFIA). Professional organizations and associations that may provide investment training included the Government Treasurer's Organization of Texas, the University of North Texas, the Government Finance Officers Association of Texas, or the Texas Municipal League.

VII. Authorizations

A. Authorized Investments

Acceptable investments under this policy shall be limited to the instruments listed below and as further described by the Public Funds Investment Act.

A. Obligations of the United States Government, its agencies and instrumentalities and government sponsoring enterprises, not to exceed two years to stated maturity, excluding collateralized mortgage obligations (CMOs);

B. Fully insured or collateralized certificates of deposit from a bank doing business in the State of Texas and under the terms of a written depository agreement with the bank, not to exceed one year to stated maturity;

C. Repurchase agreement and reverse repurchase agreements as defined by the Act, not to exceed 180 days to stated maturity, provided an executed

Bond Market Master Repurchase Agreement is on file with the City and the counterparty bank or primary dealer. Flex repurchase agreements used specifically for capital projects may extend beyond two years but only to match the expenditure plan of the projects;

D. No-load, SEC registered money market funds, each approved specifically before use by the City;

E. Constant dollar Texas Local Government Investment Pools as defined by the Public Funds Investment Act; and

If additional types of securities are approved for investment by public funds by state statute, they will not be eligible for investment by the City until this policy has been amended and the amended version is approved by the City Council.

B. Competitive Bidding Requirement

All securities, including certificates of deposit, will be purchased or sold after three (3) offers/bids are taken to verify that the City is receiving fair market value/price for the investment.

C. Delivery versus Payment

All security transactions, including collateral for repurchase agreements, entered into by the City, shall be conducted on a delivery versus payment (DVP) basis.

D. Exemption for Existing Investments – Any investment currently held that does not meet the guidelines of this policy, but are authorized investments at the time of purchase, shall be exempted from the requirements of this policy and is not required to be liquidated. At maturity or liquidation, such monies shall be reinvested only as provided by this policy.

E. Authorized Financial Dealer and Institutions

All investments made by the City will be made through either the City's banking services bank or a primary dealer. The Investment Officer will review the list of authorized broker/dealers annually. A list of at least three broker/dealers will be maintained in order to assure competitive bidding. The City Council must review, approve and adopt the Authorized List of Brokers on at least an annual basis.

Securities broker/dealers must meet certain criteria as determined by the Investment officer. The following criteria must be met by those firms on the list:

- Provision of an audited financial statement each year

- Proof of certification by the National Association of Securities Dealers (NASD) and provision of CRM number
- Proof of current registration with the State Securities Commission

Every broker/dealer and bank the City transacts business with will be provided a copy of this Investment Policy to assure that they are familiar with the goals and objectives of the investment program. A representative of the firm will be required to return a signed certification stating that the Policy has been received and reviewed and that controls are in place to assure that only authorized securities are sold to the City.

VIII. Diversification and Maturity Limitations

It is the policy of the City to diversify its investment portfolio. Invested funds shall be diversified to minimize risk or loss resulting from over-concentration of assets in a specific maturity, specific issuer, or specific class of securities. Diversification strategies shall be established and periodically reviewed. At a minimum, diversification standards by security type and issuer shall be:

Security Type	Max % of Portfolio
U.S. Treasury obligations	100%
U.S. Government agencies and instrumentalities	not to exceed 50%
Fully insured or collateralized CDs	not to exceed 30%
Repurchase agreements	100%
Money Market funds	100%
For Bond funds	80%
Local Government Investment Pools	
Liquidity Pools	100%
Maximum percent ownership of pool	not to exceed 20%
For bond funds	not authorized

The Investment Officer shall be required to diversify maturities. The Investment Officer, to the extent possible, will attempt to match investment with anticipated cash flow requirements. Matching maturities with cash flow dates will reduce the need to sell securities prior to maturity, thus reducing market risk. Unless matched to a specific requirement, the Investment Officer may not invest more than 20% of the portfolio for a period greater than five (5) years. The Investment Officer may not invest any portion of the portfolio for a period greater than ten (10) years.

IX. Safekeeping and Collateralization

The laws of the State and prudent treasury management require that all purchased securities be bought on a delivery versus payment basis and be held in safekeeping by an independent Third Party safekeeping agent.

All safekeeping arrangements shall be designated by the Investment Officer and an agreement of the terms executed in writing. The third party custodian shall be required to issue safekeeping receipts to the City listing each specific security, rate, description, maturity, CUSIP number, and other pertinent information. Each safekeeping receipt will be clearly marked that the security is held for the City or pledged to the City.

All securities pledged to the City for certificates of deposit or demand deposits shall be held by an independent third party bank doing business in Texas. The safekeeping bank may not be within the same holding company as the bank from which the securities are pledged.

Collateralization

Collateralization is required on the time and demand deposits over the FDIC insurance coverage of $250,000 and repurchase agreements.

In order to anticipate market changes and provide a level of additional security for all funds, the collateralization level required will be 102% of the market value of the principal and accrued interest. Collateral will be held by an independent third party safekeeping agent.

Securities pledged as collateral will be held in the City's name by an independent third party with whom the City has a current custodial agreement. The Investment Officer is responsible for entering into collateralization agreements with third party custodians in compliance with this Policy. The agreements are to specify the acceptable investment securities for collateral, including provisions relation to possession of the collateral, the substitution or release of investment securities, ownership of securities, and the method of valuation of securities. A clearly marked evidence of ownership (safekeeping receipt) must be supplied to the City and retained. Collateral shall be reviewed at least quarterly to assure that the market value of the pledged securities is adequate.

X. Performance Evaluation and Reporting

A. Methods – The Investment Officer shall prepare an investment report at least quarterly, including a management summary that provides an analysis of the status of the current investment portfolio and transactions made over the last quarter. This management summary will be prepared in a manner consistent with the requirements of Section 2256.023 (Internal Management Reports) of the PFIA, and that will allow the City to ascertain whether investment activities during the reporting period have conformed to the investment policy. The report should be provided to the City Council.

An independent auditor shall formally review the quarterly reports prepared under this section at least annually, and that auditor shall report the results of the review to City Council.

B. **Performance Standards** – The investment portfolio shall be managed in accordance with the objectives specified in this policy (safety, liquidity, and yield). The portfolio should obtain a market average rate of return during a market/economic environment of stable interest rates. The investment officer shall determine whether market yields are being achieved by comparing the portfolio market yield to the three (3) month U.S. Treasury Bill, the six (6) month U.S. Treasury Bill and the two (2) year U.S. Treasury Note.

C. **Marking to Market** – The market value of the portfolio shall be calculated at least quarterly and a statement of the market value of the portfolio shall be issued at least quarterly. The market value of each investment shall be obtained from a source such as the Wall Street Journal, a reputable brokerage firm or security pricing service and reported on the investment reports.

XI. Depositories

The City will designate one banking institution through a competitive process as its central banking services provider at least every three years. This institution will be used for normal banking services including disbursements, collections, and safekeeping of securities. Other banking institutions from which the City may purchase certificates of deposit will also be designated as a depository after they provide their latest audited financial statements to the City.

XII. Investment Policy Adoption by City Council

The City's Investment Policy shall be adopted annually by the City Council. The policy and strategies shall be reviewed on an annual basis prior to adoption. A written resolution approving the review and changes to the policy will be passed and recorded by the City Council.

EXHIBIT A

City of Lancaster, Texas
Authorized Investment Officials

Cynthia A. Pearson, Director of Finance

Baron Sauls, Assistant Finance Director

EXHIBIT B

City of Lancaster, Texas
Statement of Ethics and Conflicts of Interest

Investment officials for the City of Lancaster shall refrain from personal business relationships with business organizations that could conflict with the proper execution of the investment program, or which could impair their ability to make partial investment decisions. This would only apply to personal business relationships with business organizations that have been approved by City Council to conduct investment transactions with the City of Lancaster.

An investment official is considered to have a personal business relationship with a business organization if:

(1) The investment official owns 10 percent or more of the voting stock or shares of the business organization or owns $5,000 or more of the fair market value of the business.

(2) Funds received by the investment official from the business organization exceed 10 percent of the investment official's gross income for the previous year.

(3) The investment official has acquired from the business organization during the previous year investments with a book value of $2,500 or more for the personal account of the investment official.

I do hereby certify that I do not have a personal business relationship with any business organization approved to conduct investment transactions with the City of Lancaster, nor am I related within the second degree by affinity or consanguinity, as determined under Chapter 573, to an individual seeking to sell an investment to the City of Lancaster as of the date of this statement.

City of Lancaster
Investment Officials

_____ _____
Cynthia Pearson, Director of Finance Date

_____ _____
Baron Sauls, Assistant Finance Director Date

EXHIBIT C

City of Lancaster, Texas
Approved Broker/Dealers, Financial Institutions and Investment Pools

Broker/Dealers
Coastal Securities
Duncan-Williams, Inc.
First Southwest Company

Public Depositories
JP Morgan Chase, NA (Primary)

Investment Pools
TexPool
LOGIC
Texas Class

EXHIBIT D

City of Lancaster, Texas
Certification by Business Organization

(date)
City of Lancaster, Texas
(Attn: Designated Investment official)
211 N. Henry
Lancaster, TX 75146
Dear Mr/s. *(investment official):*

This certification is executed on behalf of the City of Lancaster, Texas (the Investor) and _____ (the Business Organization), pursuant to the Public Funds Investment Act, Chapter 2256, Texas Government Code, (the Act) in connection with investment transactions conducted between the Investor and Business Organization.

The undersigned Registered Principal of the Business Organization hereby certifies on behalf of the Business Organization that:

1. The undersigned is a Registered Principal of the Business Organization offering to enter an investment transaction with the Investor (Note: as such terms are used in the Public Funds Investment Act, chapter 2256, Texas Local Government Code) and;

2. The Registered Principal of the Business Organization has received and reviewed the Investment Policy furnished by the Investor and;

3. The Registered Principal of the Business Organization has implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the Business Organization and the Investor that are not authorized by the Investor's investment policy, except to the extent that this authorization is dependent on an analysis of the makeup of the investor's entire portfolio or requires and interpretation of the subjective investment standards.

	Registered Principal	**Broker Assigned to the Account**
Signed By:	_____	_____
Printed Name	_____	_____
Title	_____	_____
Date	_____	_____

LANCASTER CITY COUNCIL

Agenda Communication

September 14, 2015

Discuss and consider a resolution adopting the City of Lancaster Debt Management Policy establishing guidelines for debt financing to provide for needed land, long-term capital additions, and infrastructure improvements while minimizing the impact of debt payments on current and future revenues.

This request supports the City Council 2015-2016 Policy Agenda.

Goal: Financially Sound City Government

Background

At the July 20, 2015 work session, City Council received a presentation and discussed the Debt Management Policy Statements to be considered for the City of Lancaster. A debt management policy statements are written guidelines, allowances and restrictions that guide the debt issuance practices for the City. Government Finance Officers Association (GFOA) recommends that state and local governments adopt comprehensive written debt management policies; and that the Debt Management Policy include the issuance process, management of the debt portfolio, and adherence to various laws and regulations. These policy statements will be reviewed annually to reflect current laws as well as significant changes in the City which may have an impact.

Considerations

- **Operational** – The Debt Management Policies set forth comprehensive guidelines for the financing of capital expenditures and demonstrates good fiscal administration of the City's debt obligations while promoting accountability to its citizens. Adherence to a debt management policy signals that the government is well managed and is likely to meet its debt obligations in a timely manner. Approval by the governing body ensures that there is a common understanding regarding the entity's approach to debt financing. Debt Management policies provide precedents for future policy-makers and financial managers on common financial goals and strategies; thereby providing credibility and transparency.

- **Legal** – This policy demonstrates compliance with the related legal and contractual issues in accordance with provisions of the City Charter, the Texas Local Government Code; and bond referenda approved by voters. The resolution has been reviewed and approved as to form by the City Attorney.

- **Financial** – There are no financial costs with adopting the policy.

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

Options/Alternatives

1. Council may approve the resolution as presented.
2. Council may reject the resolution.

Recommendation

Staff recommends approval of the resolution as presented.

Attachments:

- Resolution
- Debt Management Policy

Submitted by:
Cynthia A. Pearson, Director of Finance

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, ADOPTING THE CITY OF LANCASTER DEBT MANAGEMENT POLICY PROVIDING FOR PRUDENT FINANCIAL MANAGEMENT OF ALL DEBT FINANCING TO PROVIDE FOR NEEDED LAND, LONG-TERM CAPITAL ADDITIONS, AND INFRASTRUCTURE IMPROVEMENTS WHILE MINIMIZING THE IMPACT OF DEBT PAYMENTS ON CURRENT AND FUTURE REVENUES ; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lancaster Council of the City has reviewed the Debt Management Policy and found it to be acceptable; and

WHEREAS, the City of Lancaster Debt Management Policy provides for financial management through integrity, prudent stewardship, planning, accountability, full disclosure and communication regarding all debt service;

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

SECTION 1. The City of Lancaster Debt Management Policy, attached hereto and incorporated herein by reference as Exhibit "A", having been reviewed by the City Council of the City of Lancaster, Texas, and found to be acceptable and in the best interest of the City and its citizens is hereby in all things approved; and, the City Manager and staff shall implement and execute the procedures and policies adopted therein.

SECTION 2. This resolution shall take effect 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 September, 2015.

ATTEST:

_____
Sorangel O. Arenas, City Secretary

APPROVED:

_____
Marcus E. Knight, Mayor

APPROVED AS TO FORM:

_____
Robert E. Hager, City Attorney

Exhibit "A"

City of Lancaster, Texas
DEBT MANAGEMENT POLICY

September 14, 2015

Lancaster

DEBT MANAGEMENT POLICIES

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CITY OF LANCASTER, TEXAS
DEBT MANAGEMENT POLICIES

I. PURPOSE

The Debt Management Policies set forth comprehensive guidelines for the financing of capital expenditures. It is the objective of the policies that (1) the city obtains financing only when necessary, (2) the process for identifying the timing and amount of debt or other financing be as efficient as possible and (3) the most favorable interest and other costs be obtained.

With the establishment of these guidelines for debt financing to provide needed land, long-term capital additions, and infrastructure improvements while minimizing the impact of debt payments on current and future revenues; the City shall annually review and monitor the state of the City's capital assets, setting priorities for the addition, replacement, and renovation of these assets based on needs, funding alternatives, and availability of resources.

II. RESPONSIBILITY

The primary responsibility for developing financing recommendations rests with the Director of Finance; however, the City shall employ the assistance of its financial advisors and consultants, as needed, to assist in the administration and management of the City's financial affairs, debt administration and financial modeling. In developing the recommendations, the Director of Finance shall be assisted by the Assistant City Manager and the Assistant Director of Finance. The Director of Finance shall hold as follows:

- meet no less than twice a year with Department Managers to consider the need for financing and assess progress on the Capital Improvement Program,
- meet as necessary in preparation for a financing,
- review changes in state and federal legislation,
- review annually the provisions of ordinances authorizing issuance of obligations, and to
- annually review services provided by the Financial Advisor, Bond Counsel, Paying Agent and other service providers to evaluate the extent and effectiveness of services being provided.

Prior to the meetings, a written report will be presented on the status of Capital Improvement Program financing. The report shall be based in part on information collected from the primary capital improvement project manager in the city and shall include a projection of near term financing needs compared to available resources, an analysis of the impact of contemplated financings on the property tax rate and user charges, and a financing recommendation.

In developing financing recommendations, consideration will be given as follows:

- the time proceeds of obligation are expected to remain on hand and the related carrying cost;
- the options for interim financing including short term and interfund borrowing, taking into consideration federal and state reimbursement regulations;
- the effect of proposed action on the tax rate and user charges;
- trends in interest rates; and
- other factors as appropriate.

A. **Bond Counsel Involvement**

The Bond Counsel will issue an opinion as to the legality and tax exempt status of any obligations. The city will also seek the advice of Bond Counsel on all other types of financings and on any other questions involving federal tax or arbitrage law. Bond Counsel is also responsible for the preparation of the ordinance authorizing issuance of obligations and all of the closing documents to complete their sale and will perform other services as defined by contract approved by the City Council. Bond counsel to the City shall provide an objective legal opinion concerning the issuance of bonds and other debt instruments. Generally, bonds are not marketable without the opinion of bond counsel indicating the bonds are valid and binding obligations of the City and exempt from federal and state income taxes.

Due to the complexity of the City's financial structure and the benefits that come from a history and knowledge of the City, the City maintains an ongoing relationship with the bond counsel for continuity. The engagement letter with bond counsel may be terminated as set forth in our contractual agreement.

B. **Financial Advisor Involvement**

The city will seek the advice of the Financial Advisor when necessary. The Financial Advisor will advise on the structuring of obligations to be issued, inform the city of various options, advise the city as to how choices will impact the marketability of city obligations, assist with determining the method of sale and the selection of other financing team members, and shall provide other financial advice and expertise, as needed. The Financial Advisor will inform the City Manager of significant issues. The City issues various types of securities to finance its capital improvement program and shall employ a financial advisor for these services. Debt issuance and restructuring requires a comprehensive list of services associated with municipal transactions including, but not limited to, analysis of market conditions, size and structure of the issue, method of sale, preparation of disclosure documents, evaluation of and advice on the pricing of securities, facilitation of rating agency relations, and calculation of debt service schedules.

Due to the complexity of the City's financial structure and the benefits that come from a history and knowledge of the City, the City maintains an ongoing relationship with the

financial advisor for continuity. The City's agreement with the financial advisor may be terminated as set forth in our contractual agreement..

III. CAPITAL PROJECTS

The City shall maintain capital project funds to account for and report financial resources that are restricted, committed, or assigned for capital outlay (e.g., bond funds).

A. Capital Improvement Plan

As part of the annual budget process, the City shall prepare a capital improvement plan (CIP) based on the needs for capital improvements and equipment, including replacement and renovation and potential new projects. Annual capital spending needs shall be considered within the scope of the long-range capital improvement plan taking into consideration pay-as-you go, debt requirements, operating costs, etc.

Capital expenditures are generally defined as those to purchase and/or construct land, buildings, improvements other than buildings, and infrastructure, including roads, sidewalks, bridges, utility lines, etc., in order to provide services over a considerable period of time. Capital costs typically consist of preliminary and final engineering and design and construction, but may also include the acquisition of land or easements. For each project identified in the plan, a project scope and justification shall be provided for review and consideration and shall include cost estimates, funding sources, and projected annual operation and maintenance costs. Capital projects shall become part of the City's asset inventory.

The Capital Improvement Plan may be reviewed along with the annual budget. Appropriations are for the life of the capital project. At fiscal year-end, projects shall be reviewed and if complete, shall be closed. Following completion of a project, any remaining funds shall be re-appropriated as part of the next year's capital budget. Funds remaining from bond proceeds may only be used in accordance with the legal use of those funds.

B. Infrastructure Evaluation and Replacement/Rehabilitation

Water, wastewater, drainage, street lighting, streets and sidewalks, municipal facilities, and other infrastructure are fundamental and essential for public health and safety, environmental protections, and the economic well-being of the City. The City's CIP shall be focused on ensuring that infrastructure is replaced as needed to protect the City's investment, to minimize future replacement and maintenance costs, to maintain existing levels of service, and to accommodate growth.

Infrastructure will be replaced, if feasible, at the end of its useable service life. If upgrades are warranted to meet current design standards, a cost/benefit analysis shall be done and presented to City Council for review and consideration.

C. Capital Expenditure Financing

The City utilizes several basic methods of financing its capital needs: pay-as-you-go from current revenues, fund balance/working capital, and debt. Capital projects shall not commence prior to the necessary funds being appropriated.

When cash funding is available, the City may elect to pay for all or part of its capital improvements from the appropriate fund rather than through the issuance of debt. The anticipated benefit of pay-as-you-go financing is a reduced or minimized impact on the property tax rate and utility rates. The use of pay-as-you-go financing may not reduce fund balance below target levels.

Debt financing may include general obligation bonds, revenue bonds, certificates of obligation, lease/purchase agreements, and other obligations permitted by state law. Capital improvement projects may not be debt-financed for periods longer than the projected useful life of the project or improvement.

D. Reporting

A summary and status report on capital projects and expenditures may be included in the quarterly financial report presented to City Council.

IV. DEBT MANAGEMENT

The City shall establish guidelines for debt financing to provide needed land, long-term capital additions, and infrastructure improvements while minimizing the impact of debt payments on current and future revenues. The City has no general obligation legal debt limit other than a ceiling on the tax rate as specified by the State of Texas. The prescribed maximum is $2.50 per $100 assessed valuation.

A. Use of Debt Financing

Debt financing, including general obligation bonds, revenue bonds, certificates of obligation, lease/purchase agreements, and other obligations permitted by state law, may only be used to purchase capital assets that cannot be acquired from current revenues or fund balance/working capital. Debt financing may be used to fund infrastructure improvements and additions.

B. Debt Financing

The City may not assume more tax-supported general purpose debt than it retires each year without conducting an objective analysis regarding the City's ability to assume and support additional debt service. This analysis may include an examination of the costs and benefits of the proposed capital spending and the anticipated impact on the property tax rate. The

decision to issue new debt should be based on this analysis, a review of the current and projected conditions of the municipal bond market, and the City's ability to service the new debt.

General Obligation Bonds require voter approval and shall be issued to accomplish projects identified in the bond referendum. General Obligation Bonds shall be used to fund capital assets of the City and shall not be used to fund current operating expenditures.

Certificates of Obligation may be issued without voter approval to finance any public works project or capital improvement, as permitted by state law. The City may issue Certificates of Obligation in the event it is more economical than issuing Revenue Bonds.

Revenue Bonds are secured by the revenues of an enterprise fund and require adequate projected revenues to cover anticipated future payments over the life of the bonds. If the City determines it is feasible to issue Revenue Bonds, it may also be necessary to make adjustments to the City's utility rate structure to maintain required coverage. Coverage requirements, and the need for and level of reserve funds to provide additional security in support of the bonds, are subject to rating agency review and market standards.

C. Debt Structure

The term of any debt issuance may not exceed the useful life of the asset funded by the debt. Relative to the issuance of revenue bonds, the term of the debt shall also be consistent with the revenue-generating capacity of the asset. The maximum term of any debt issue shall not exceed 40 years.

The structure of any debt issuance shall be designed to achieve the best possible results for the City given current market conditions, etc. Consideration shall be given to the term, amortization schedule, interest rates, yield, pricing and call provisions.

To achieve a more favorable interest rate, the City shall strive to issue bonds in amounts such that the issue is bank qualified. However, if the City needs to issue debt that is non-bank qualified, the fact that the issue is so designated will not be a consideration if all other factors support the issuance.

D. Debt Refunding

The City's financial advisor shall monitor the municipal bond market for opportunities to obtain interest savings by refunding outstanding debt. The City may issue an advance refunding if the difference between when the new bonds are issued and the outstanding bonds being refunded are called or paid at maturity is greater than 90-days. If that difference is less than 90-days, the City may issue a current refunding. Pursuant to federal tax law, the City may advance refund bonds only once on a tax-exempt basis. There is no limit on the number of times the City may refund current bonds.

As a general rule, the net present value savings of an advance refunding should exceed three percent (3%) of the refunded maturities (including cost of issuance), unless, a debt restructuring is necessary.

E. Bond Elections

General obligation bond elections shall be determined and set by the City Council and an analysis showing the impact of the new debt on the City's tax rate and total debt capacity will be included with each proposal to issue new general obligation bonds.

F. Method of Sale

The City may use a competitive bidding process for the sale of debt unless the nature of the issue warrants a negotiated sale. The City may utilize a negotiated sale when the debt issuance is, or contains, a refinancing that is dependent on market timing.

G. Underwriting Syndicates

As part of the debt issuance process, the City shall partner with qualified and experienced firms. The City shall be actively involved in the debt issuance process and shall work with the financial advisor, bond counsel, and underwriter(s) to develop and recommend the most appropriate debt financing to meet the City's needs. For any given bond issue, the City may elect to work with a single underwriter or with an underwriting syndicate, which includes several firms and a designated lead underwriter.

H. Rating Agency Presentations

Full disclosure of operations and open lines of communication shall be maintained with the rating agencies. The City shall work with the financial advisor to prepare the necessary materials and presentation to the rating agencies. Credit ratings will be sought from one or more of the nationally recognized municipal bond rating agencies, currently Moody's Investor Service, Standard & Poor's Ratings Services, and Fitch Ratings, based on the recommendation of the financial advisor.

I. Bond Ratings

The City shall prudently manage the general and enterprise funds in order to maintain or improve the City's bond rating.

J. Lease/Purchase Agreements

The City may consider lease/purchase agreements for short-term financing needs when it is the most cost-effective option.

K. Interest Earnings on Debt Proceeds

Interest earnings on debt proceeds shall remain in the construction fund or be transferred to the debt service fund. Interest earnings on water and wastewater debt proceeds shall remain in the enterprise fund.

L. Continuing Financial Disclosure

The City shall comply with all requirements for continuing financial disclosure prescribed by state and federal regulations and City bond ordinances. In order to meet these requirements, the City must annually provide certain updated financial information and operating data to the Municipal Securities Rulemaking Board.

M. Post-Issuance Compliance

The City will follow post-issuance compliance policies and procedures to address the requirements of the Tax Code relative to its debt issuances. These requirements include restrictions on the use of proceeds, arbitrage yield restrictions, and the arbitrage rebate requirement. In general, these requirements are applicable throughout the period the debt issuance remains outstanding.

N. Arbitrage Investments and Reporting

The investment of bond proceeds shall be made in accordance with the same priority order of safety, liquidity, and yield. Bond proceeds shall be invested in separate instruments or accounts and not commingled with other investment purchases. Arbitrage rebate calculations shall be done for each bond issue, as required, and funds shall be set aside for any positive arbitrage. Arbitrage shall be rebated to the federal government when due. The City is responsible for the annual arbitrage rebate calculation on each bond issue. The City shall provide the necessary information and records to a qualified firm for completing these calculations and preparing the required report filings. The City shall make timely payments of any rebate amount owed to the federal government. Requests for qualifications shall be solicited at least every five years from firms qualified to prepare arbitrage rebate calculations and reports

V. **SHORT TERM DEBT**

A. **General**

Short term obligations may be issued to finance projects or portions of projects for which the city ultimately intends to issue long term debt; i.e., it will be used to provide interim financing which will eventually be refunded with the proceeds of long term obligations.

Short term obligations may be backed with a tax or revenue pledge, or a pledge of other available resources.

The amount of short term obligations due to mature in a year shall not exceed 5% of outstanding long term debt.

Interim financing may be appropriate when long term interest rates are expected to decline in the future. In addition, some forms of short term obligations can be obtained quicker than long term obligations and thus can be used in emergencies until long term financing can be obtained. In some cases when the amount of financing required in the immediate future is relatively small, it may be cheaper for the city to issue a small amount of short term obligations to provide for its immediate needs than to issue a larger amount of long term obligations to provide financing for both immediate and future needs when the carrying costs of issuing obligations which are not immediately needed are taken into account.

B. **Commercial Paper**

Interest rates on commercial paper are generally favorable to an issuer relative to interest on other forms of debt. However, it does not appear to be feasible for the City of Lancaster to issue commercial paper because the cost of issuance for small issuers is too great and the market for commercial paper from a small issuer is poor. In addition, cities may legally only issue commercial paper for revenue supported projects. However, should the opportunity to participate in a commercial paper issuance pool present itself, the advantages and disadvantages shall be evaluated.

C. **Line of Credit**

With the approval of the City Council, the city may establish a tax-exempt line of credit with a financial institution selected through a competitive process. Draws shall be made on the line of credit when (1) the need for financing is so urgent that time does not permit the issuance of long term debt, or (2) the need for financing is so small that the total cost of issuance of long term debt including carrying costs of debt proceeds not needed immediately is significantly higher.

Draws will be made on the line of credit to pay for projects designated for line of credit financing by the City Council. Only projects which will ultimately be financed with the proceeds of authorized bonds may be so designated.

Note: Lines of credit must mature within the current fiscal year.

The Director of Finance (or designee) will authorize draws and the Assistant Finance Director (or designee) will execute them. The Finance department will identify line-of-credit draws and expenditures on the books of account, and quarterly verify compliance and adequacy of documentation.

Additionally, a line of credit may be established to fulfill bond covenant requirements for a reserve fund when permitted under applicable ordinances and it is cost beneficial to do so. Before drawing on a line of credit for a capital item, the city should adopt a reimbursement resolution for the project in the event bonds need to be issued.

VI. **LONG TERM DEBT**

A. **General**

Long-term obligations will not be used for operating purposes, and the life of the obligations will not exceed the useful life of the projects financed.

Debt service structure will approximate level debt service unless operational matters dictate otherwise.

The city will strive to limit its annual issuance of long term obligations to $10 million in order to take advantage of small issuer exemptions in the federal arbitrage laws. Should subsequent changes in the law raise these limits, then the city's policies will be adjusted accordingly.

The cost of issuance of private activity bonds is usually higher than for governmental purpose bonds. Consequently, private activity bonds will be issued only when they will economically benefit the city.

The cost of taxable debt is higher than for tax exempt debt. However, the issuance of taxable debt is mandated in some circumstances, and may allow valuable flexibility in subsequent contracts with users or managers of the improvement constructed with the bond proceeds. Therefore, the city will usually issue obligations tax-exempt, but may occasionally issue taxable obligations.

B. **Bonds – General Obligation or Revenue**

Long-term general obligation or revenue bonds shall be issued to finance significant capital improvements for purposes set forth by voters in bond elections. Additionally, revenue bonds may be issued in response to public need without voter authorization.

Bonds may have an average life of 30 years or less.

A resolution of intent to issue bonds authorizing staff to proceed with preparations may be presented for the consideration of the City Council when the capital budget is presented, as necessary.

The city may consider the use of surety bonds, lines of credit or similar instruments to satisfy reserve requirements.

C. **Certificates of Obligation**

Certificates of obligation may be issued to finance permanent improvements and land acquisition, if the need arises between bond elections. In addition, they may be used to finance cost overruns or to acquire equipment costing at least $100,000. The life of certificates of obligation issued to finance equipment shall match the life of the equipment.

In accordance with state law, a resolution authorizing publication of notice of intent to issue certificates of obligation shall be presented for the consideration of the City Council no less than 45 days before an expected issuance. The notice of intent shall be published in the City's publication of record or a newspaper of general circulation in the city once a week for two consecutive weeks with the first publication to be at least thirty (30) days prior to the sale date.

Certificates of obligation can be backed by revenues eligible to be pledged under state law. Some revenues are restricted as to the uses for which they may be pledged. Water and wastewater revenues may be pledged without limit for water and wastewater purposes, but may only be pledged up to $100,000 for non-water and wastewater purposes.

Certificates of obligation may also be backed by a tax pledge under certain circumstances as defined by law. They may also be backed by a combination tax and revenue pledge.

D. **Public Property Finance Contractual Obligation**
Public property finance contractual obligations may be issued to finance the acquisition of personal property.

E. **Anticipation Notes**
Anticipation Notes empower municipalities to issue debt without giving notice of intent. Anticipation Notes may be secured and repaid by a singular pledge, but not plural pledge, of revenue, taxes, or the proceeds of a future debt issue. Anticipation Notes are authorized by an ordinance adopted by the city.

Anticipation Notes may be used to finance projects or acquisition that could also be financed with Certificates of Obligation.

Anticipation Notes have several restrictions which include:

1) Anticipation Notes issued for general purposes must mature before the seventh anniversary of the date the Attorney General approves the issue,
2) Anticipation Notes may not be used to repay interfund borrowing or a borrowing that occurred 24 months prior to the date of issuance,
3) A governing body may not issue Anticipation Notes that are payable from bond proceeds unless the proposition authorizing the issuance of the bonds has already been approved by the voters.

H. **Bond Elections**
Before a bond election, the City Manager and City Councilmembers will be provided with competent debt capacity analyses, tax and user fee impact projections and other information as deemed appropriate by the City Manager's Office. The Bond Counsel and Financial Advisor will provide support during the process.

VII. **REFUNDING**

The city shall consider refunding debt whenever an analysis indicates the potential for present value savings of approximately 3% of the principal being refunded or at least $200,000. The city will not refund less than 3% of its outstanding debt at one time except in unusual circumstances such as when it intends to change bond covenants.

Private activity bonds may be refunded in a current refunding only.

VIII. **CAPITAL LEASING**

Capital leasing is an option for the acquisition of a piece or package of equipment costing less than $1,000,000.

Leasing shall not be considered when funds are on hand for the acquisition unless the interest expense associated with the lease is less than the interest that can be earned by investing the funds on hand or when other factors such as budget constraints or vendor responsiveness override the economic consideration.

Whenever a lease is arranged with a private sector entity, a tax exempt rate shall be sought. Whenever a lease is arranged with a government or other tax-exempt entity, the city shall strive to obtain an explicitly defined taxable rate so that the lease will not be counted in the city's total annual borrowings subject to arbitrage rebate.

The lease agreement shall permit the city to refinance the lease at no more than reasonable cost should the city decide to do so. A lease which can be called at will is preferable to one which can merely be accelerated.

Since the market for lease financings is relatively inefficient, the interest rates available at any one time may vary widely. Therefore, the city shall obtain at least three competitive proposals for any major lease financing. The net present value of competitive bids shall be compared, taking into account whether payments are in advance or in arrears, and how frequently payments are made. The purchase price of equipment shall be competitively bid as well as the financing cost.

The advice of the city's bond counsel shall be sought in any leasing arrangement and when federal tax forms 8038 are prepared to ensure that all federal tax laws are obeyed.

The city may consider issuing certificates of participation to finance a very large project. Care should be taken because financing costs may be greater than for other types of financing. When possible, the lease agreement will be backed with a tax pledge.

If the city is obligated to make payments more than a year in the future then the agreement will probably be considered debt by the state. However, if the payments are subject to annual appropriation by the City Council, then they may not.

IX. **OTHER TYPES OF FINANCING**

From time to time other types of financing may become available. Examples of these options are debt pools with other entities and low-interest loans from state agencies such as the Texas Water Development Board.

X. **RATIOS AND RESERVES**

The portion of the city's property tax rate levied for debt service shall not exceed 40% of the total tax rate.

The Water and Wastewater Fund total long term debt outstanding shall not exceed the amount of fund equity.

The city will endeavor to maintain 1.25 coverage for all indebtedness of the Water and Wastewater Fund and 1.50 coverage for the Lancaster Recreational Development Fund.

Debt Service Funds should not have reserves or balances in excess of 1/12 of last year's principal and interest expense except that (1) the city's Water/Wastewater revenue bond debt service reserves will be maintained at the level of the average annual debt service plus amounts accrued for the next debt service payment, (2) the City's Parks & Recreation Sales Tax Venue revenue bond reserves will be maintained at the level of maximum annual debt service plus amounts accrued for the next debt service payment.

When revenue supported, tax-backed debt is issued, a debt service reserve or similar alternative backup source from which to pay debt service will be established. The source of the reserve will be determined on a case by case basis. When the revenue source being financed with the debt has become well established, then it will no longer be necessary to maintain the reserve or similar alternative backup source.

XI. **OFFICIAL STATEMENT**

The Official Statement is the disclosure document prepared by or on behalf of the city for an offering of securities. The City's Financial Advisor and Bond Counsel will assist in the preparation of the Official Statement. The information contained in the Official Statement is gathered from departments/divisions throughout the city. Coordination and compilation of the

information provided to the Financial Advisor by the City is the responsibility of the Assistant Director of Finance under the supervision of the Director of Finance.

XII. **RATINGS**

The city's goal is to maintain or improve its bond ratings. To that end, prudent financial management policies will be adhered to in all areas.

Full disclosure of operations will be made to the bond rating agencies. The city staff, with the assistance of the financial advisors and bond counsel, will prepare the necessary materials for presentation to the rating agencies.

The city shall maintain a line of communications with the national rating agencies informing them of major financial events in the city as they occur. The Comprehensive Annual Financial Report shall be distributed to the rating agencies after it has been accepted by the City Council.

The rating agencies will also be notified either by telephone or through written correspondence when the city begins preparation for a debt issuance. After the initial contact, a formal ratings application will be prepared and sent along with the draft of the Official Statement relating to the bond sale to the rating agencies. This application and related documentation should be sent several weeks prior to the bond sale to give the rating agencies sufficient time to perform their review.

A personal meeting with representatives of the rating agencies will be scheduled every few years or whenever a major project is initiated.

XIII. **CREDIT ENHANCEMENTS**

Credit enhancements are mechanisms which guarantee principal and interest payments. They include bond insurance and a line or letter of credit. A credit enhancement, will be considered if it results in and lowers overall costs.

During debt issuance planning, the Financial Advisor will advise the city whether or not a credit enhancement is cost effective under the circumstances and what type of credit enhancement, if any, should be purchased. In a negotiated sale, bids may be taken during the period prior to the pricing of the sale. In a competitive sale, bond insurance may be provided by the purchaser if the issue qualifies for bond insurance.

XIV. **SECONDARY MARKET DISCLOSURE**

In compliance with SEC 15c2-12 regulations, which became effective July 3, 1995, municipal debt issuers are required to annually provide specified financial and operating information to

the Municipal Securities Rulemaking Board (MSRB) Electronic Municipal Market Access (EMMA) designated by the SEC. This information is available free of charge via the Electronic Municipal Market Access (EMMA) system at www.emma.msrb.org. Additionally, issuers must notify the State Information Depositories (SIDs) if one exists.

The information to be provided includes quantitative financial information and operating data as well as audited financial statements. This financial disclosure must be filed by March 31 of each year.

In addition to the financial and operating information any material event must be provided to EMMA within 10 business days of occurence. Municipal debt issuers will be obligated to provide ongoing disclosure on the status of the following material events:

- Principal and interest payment delinquencies
- Nonpayment-related defaults
- Unscheduled draws on reserves
- Unscheduled draws on credit enhancements
- Substitution of credit or liquidity providers, or the failure to perform
- Adverse tax opinions or events affecting the tax-exempt status of the security
- Modifications to rights of security holders
- Bond calls
- Defeasances
- Matters affecting collateral
- Rating changes

The Director of Finance will be designated "Compliance Officer" for disclosure requirements. Levels of reporting will include:

• Annual compliance report to the City Manager,

• Notification by electronic filing to EMMA, and SID's of material events, with copies to the City Council

• Copies of CAFR and updated tables from the Official Statement to EMMA and SIDs within six months of fiscal year end.

XV. **ARBITRAGE LIABILITY MANAGEMENT**

It is the city's policy to minimize the cost of arbitrage rebate and yield restriction while strictly complying with the law.

A. **General**

Federal arbitrage legislation is intended to discourage entities from issuing tax exempt obligations unnecessarily. In compliance with the spirit of this legislation, the city will not issue obligations except for identifiable projects with very good prospects of timely initiation.

Obligations will be issued as closely in time as feasible to the time contracts are expected to be awarded so that they will be spent quickly.

B. **Responsibility**

Because of the complexity of arbitrage rebate regulations and the severity of noncompliance penalties, the advice of Bond Counsel and other qualified experts will be sought whenever questions about arbitrage rebate regulations arise. The city maintains a contract for arbitrage rebate services.

The Director of Finance will be responsible for identifying the amount of unspent debt proceeds including interest which is on hand and for ensuring that, to the extent feasible, the oldest proceeds on hand are spent first.

The arbitrage rebate consultant maintains a system for computing and tracking the arbitrage rebate liability, and will notify the city of the amount of accrued liability. They will also be responsible for notifying the city two months in advance of when a rebate of excess arbitrage earnings is due to the Internal Revenue Service.

The city's bond counsel and financial advisor shall review in advance any arbitrage rebate payments and forms sent to the Internal Revenue Service.

The expenditure of obligation proceeds will be tracked in the financial accounting system by type of issue. Investments will be pooled for financial accounting purposes and may, at the discretion of the Director of Finance, be pooled for investment purposes. When investments of bond proceeds are co-mingled with other investments, the city shall adhere to the Internal Revenue Service rules on accounting allocations.

Arbitrage rebate costs shall be charged as negative interest revenue to the funds in which the related obligation proceeds were originally deposited.

C. **Internal Interim Financing**

In order to defer the issuance of obligations, when sufficient non-restricted reserve funds are on hand, consideration shall be given to appropriating them to provide interim financing for large construction contracts or parts of contracts. When the appropriations are subsequently re-financed with the proceeds of obligations or other resources, the non-restricted reserve funds shall be repaid. When expenditures are reimbursed from debt issuances, applicable state law and the Internal Revenue Service rules on reimbursements will be complied with so that the reimbursements may be considered expenditures for arbitrage purposes.

Requirements are in general:

- The city shall declare its intention to reimburse an expenditure with debt proceeds before paying the expenditure, and will exclude costs such as design and engineering fees or cost of issuance;

- Reimbursement bonds must be issued and the reimbursement made within one year after the expenditure was made or the property financed by the expenditure was placed in service, whichever is later; and
- The expenditure to be reimbursed must be a capital expenditure.

D. **Two Year Spend-out Option**

Arbitrage rebate legislation offers a safe harbor whereby obligations issued for construction will be exempt from arbitrage rebate if certain rules are adhered to and the proceeds are spent within two years. However, if this option is elected and all the proceeds are not spent according to the prescribed schedule, penalties are imposed. The option should be considered when circumstances indicate the city will with certainty be successful in achieving a two year spendout goal. Such circumstances may include, but are not limited to the following:

- Obligations are issued to finance a variety of small construction projects, not large projects which might be unexpectedly delayed after the issuance. Also, project management understands the requirements and is firmly committed to achieving the spendout goal.
- Obligations are issued for a single, large high priority project with a relatively short construction period and there is a high level of commitment to speedy completion.

When the two year spendout option is elected, debt will be issued for an estimated one year of expenditures to provide for unexpected delays of up to a year without incurring penalties. The exercise of the two year spendout option will always be coordinated with Bond Counsel and the Financial Advisor.

XVI. **MODIFICATION TO POLICIES**

These policies will be reviewed annually and presented to the City Council for consideration.

LANCASTER CITY COUNCIL
Agenda Communication
September 14, 2015

Discuss and consider a resolution approving the terms and conditions of the Grant Agreement for the Routine Airport Maintenance Program (RAMP) by and between the City of Lancaster, as Airport Sponsor, and the Texas Department of Transportation, on behalf of the State of Texas; authorizing matching funds in the amount of $50,000 at the Lancaster Regional Airport.

This request supports the City Council 2015-2016 Policy Agenda.

Goal: Sound Infrastructure

Background

The Routine Airport Maintenance Program (RAMP) is a 50/50 match grant program designed by TxDOT to assist smaller Texas airports with the routine maintenance requirements. Lancaster Regional Airport has fully participated in and benefited from this program in past years. This grant program supplements airport revenues in maintenance of the airport and defraying 50% of the cost.

Considerations

- **Operational** - Utilization of the RAMP grant has assisted with the routine maintenance and upkeep on the five city-owned T-hangars, repairs to airfield lighting, and pavement repairs. Over the past few years multiple taxi-lane pavement has been repaired utilizing RAMP funds. The fiscal year 2016 RAMP grant is planned to be used on the following maintenance and improvement items: pavement repairs, building a shop, repairs to buildings, repaint airport beacon, weather station data & maintenance, annual fuel meter calibrations.

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

- **Financial** - The City match is $50,000 and is included in the FY 2016 budget.

- **Public Information** – 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. Council may approve the resolution as presented.
2. Council may reject the resolution.

Recommendation

Staff recommends adoption of the resolution approving the Routine Airport Maintenance Program grant agreement and authorizing matching funds in the amount of $50,000.

Attachments

- Resolution
- Exhibit “A” FY2016 Grant for Routine Airport Maintenance Program Agreement

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Submitted by:
Mark Divita, Airport Manager

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, APPROVING THE TERMS AND CONDITIONS OF THE GRANT AGREEMENT FOR THE ROUTINE AIRPORT MAINTENANCE PROGRAM BY AND BETWEEN THE CITY OF LANCASTER, AS AIRPORT SPONSOR, AND THE TEXAS DEPARTMENT OF TRANSPORTATION, ON BEHALF OF THE STATE OF TEXAS; AUTHORIZING MATCHING FUNDS IN THE AMOUNT OF $50,000 AT LANCASTER REGIONAL AIRPORT; AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Texas Department of Transportation provides fifty percent matching grants under the Routine Airport Maintenance Program; and

WHEREAS, the Lancaster Regional Airport is in need of ongoing routine airport maintenance; and

WHEREAS, the City Council desires to continue participation in the Routine Airport Maintenance Program;

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

SECTION 1. The City Council hereby approves the terms and conditions of the grant agreement for the FY2016 Routine Airport Maintenance Program, by and between the City of Lancaster, Texas, and the Texas Department of Transportation, attached hereto and incorporated herein by reference as Exhibit “A”.

SECTION 2. The City Manager of the City of Lancaster, Texas is authorized to execute said grant agreement.

SECTION 3. Any prior Resolution of the City Council in conflict with the provisions contained in this Resolution are 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 take effect 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 September, 2015.

ATTEST:

_____
Sorangel O. Arenas, City Secretary

APPROVED:

_____
Marcus E. Knight, Mayor

APPROVED AS TO FORM:

_____
Robert E. Hager, City Attorney

TEXAS DEPARTMENT OF TRANSPORTATION
GRANT FOR ROUTINE AIRPORT MAINTENANCE PROGRAM

(State Assisted Airport Routine Maintenance)

TxDOT CSJ No.: M1618LNCA

Part I - Identification of the Project

TO: The City of Lancaster, Texas

FROM: The State of Texas, acting through the Texas Department of Transportation

This Grant is made between the Texas Department of Transportation, (hereinafter referred to as the "State"), on behalf of the State of Texas, and the City of Lancaster, Texas, (hereinafter referred to as the "Sponsor").

This Grant Agreement is entered into between the State and Sponsor shown above, under the authority granted and in compliance with the provisions of the Transportation Code Chapter 21.

The project is for **airport maintenance** at the Lancaster Regional Airport.

Part II - Offer of Financial Assistance

1. For the purposes of this Grant, the annual routine maintenance project cost, Amount A, is estimated as found on Attachment A, Scope of Services, attached hereto and made a part of this grant agreement.

   State financial assistance granted will be used solely and exclusively for airport maintenance and other incidental items as approved by the State. Actual work to be performed under this agreement is found on Attachment A, Scope of Services. State financial assistance, Amount B, will be for fifty percent (50%) of the eligible project costs for this project or $50,000.00, whichever is less, per fiscal year and subject to availability of state appropriations.

   Scope of Services, Attachment A, of this Grant, may be amended, subject to availability of state funds, to include additional approved airport maintenance work. Scope amendments require submittal of an Amended Scope of Services, Attachment A.

   Services will not be accomplished by the State until receipt of Sponsor's share of project costs.

Only work items as described in Attachment A, Scope of Services of this Grant are reimbursable under this grant.

Work shall be accomplished by August 31, 2016, unless otherwise approved by the State.

2. The State shall determine fair and eligible project costs for work scope. Sponsor's share of estimated project costs, Amount C, shall be as found on Attachment A and any amendments.

   It is mutually understood and agreed that if, during the term of this agreement, the State determines that there is an overrun in the estimated annual routine maintenance costs, the State may increase the grant to cover the amount of the overrun within the above stated percentages and subject to the maximum amount of state funding.

   The State will not authorize expenditures in excess of the dollar amounts identified in this Agreement and any amendments, without the consent of the Sponsor.

3. Sponsor, by accepting this Grant certifies and, upon request, shall furnish proof to the State that it has sufficient funds to meet its share of the costs. The Sponsor grants to the State the right to audit any books and records of the Sponsor to verify expended funds.

   Upon execution of this Agreement and written demand by the State, the Sponsor's financial obligation (Amount C) shall be due in cash and payable in full to the State. State may request the Sponsor's financial obligation in partial payments. Should the Sponsor fail to pay their obligation, either in whole or in part, within 30 days of written demand, the State may exercise its rights under Paragraph V-3. Likewise, should the State be unwilling or unable to pay its obligation in a timely manner, the failure to pay shall be considered a breach and the Sponsor may exercise any rights and remedies it has at law or equity.

   The State shall reimburse or credit the Sponsor, at the financial closure of the project, any excess funds provided by the Sponsor which exceed Sponsor's share (Amount C).

4. The Sponsor specifically agrees that it shall pay any project costs which exceed the amount of financial participation agreed to by the State. It is further agreed that the Sponsor will reimburse the State for any payment or payments made by the State which are in excess of the percentage of financial assistance (Amount B) as stated in Paragraph II-1.

5. Scope of Services may be accomplished by State contracts or through local contracts of the Sponsor as determined appropriate by the State. All locally contracted work must be approved by the State for scope and reasonable cost. Reimbursement requests for locally contracted work shall be submitted on forms provided by the State and shall include copies of the invoices for materials or services. Payment shall be made for no more than 50% of allowable charges.

The State will not participate in funding for force account work conducted by the Sponsor.

6. This Grant shall terminate upon completion of the scope of services.

Part III - Sponsor Responsibilities

1. In accepting this Grant, if applicable, the Sponsor guarantees that:

   a. it will, in the operation of the facility, comply with all applicable state and federal laws, rules, regulations, procedures, covenants and assurances required by the State in connection with this Grant; and

   b. the Airport or navigational facility which is the subject of this Grant shall be controlled by the Sponsor for a period of at least 20 years; and

   c. consistent with safety and security requirements, it shall make the airport or air navigational facility available to all types, kinds and classes of aeronautical use without discrimination between such types, kinds and classes and shall provide adequate public access during the period of this Grant; and

   d. it shall not grant or permit anyone to exercise an exclusive right for the conduct of aeronautical activity on or about an airport landing area. Aeronautical activities include, but are not limited to scheduled airline flights, charter flights, flight instruction, aircraft sales, rental and repair, sale of aviation petroleum products and aerial applications. The landing area consists of runways or landing strips, taxiways, parking aprons, roads, airport lighting and navigational aids; and

   e. it shall not enter into any agreement nor permit any aircraft to gain direct ground access to the sponsor's airport from private property adjacent to or in the immediate area of the airport. Further, Sponsor shall not allow aircraft direct ground access to private property. Sponsor shall be subject to this prohibition, commonly known as a "through-the-fence operation," unless an exception is granted in writing by the State due to extreme circumstances; and

   f. it shall not permit non-aeronautical use of airport facilities without prior approval of the State; and

   g. the Sponsor shall submit to the State annual statements of airport revenues and expenses when requested; and

   h. all fees collected for the use of the airport shall be reasonable and nondiscriminatory. The proceeds from such fees shall be used solely for the development, operation and maintenance of the airport or navigational facility; and

   i. an Airport Fund shall be established by resolution, order or ordinance in the

treasury of the Sponsor, or evidence of the prior creation of an existing airport fund or a properly executed copy of the resolution, order, or ordinance creating such a fund, shall be submitted to the State. The fund may be an account as part of another fund, but must be accounted for in such a manner that all revenues, expenses, retained earnings, and balances in the account are discernible from other types of moneys identified in the fund as a whole. All fees, charges, rents, and money from any source derived from airport operations must be deposited in the Airport Fund and shall not be diverted to the general revenue fund or any other revenue fund of the Sponsor. All expenditures from the Airport Fund shall be solely for airport purposes. Sponsor shall be ineligible for a subsequent grant or loan by the State unless, prior to such subsequent approval of a grant or loan, Sponsor has complied with the requirements of this subparagraph; and

j. the Sponsor shall operate runway lighting at least at low intensity from sunset to sunrise; and

k. insofar as it is reasonable and within its power, Sponsor shall adopt and enforce zoning regulations to restrict the height of structures and use of land adjacent to or in the immediate vicinity of the airport to heights and activities compatible with normal airport operations as provided in Tex. Loc. Govt. Code Ann. Sections 241.001 et seq. (Vernon and Vernon Supp.). Sponsor shall also acquire and retain aviation easements or other property interests in or rights to use of land or airspace, unless sponsor can show that acquisition and retention of such interest will be impractical or will result in undue hardship to Sponsor. Sponsor shall be ineligible for a subsequent grant or loan by the State unless Sponsor has, prior to subsequent approval of a grant or loan, adopted and passed an airport hazard zoning ordinance or order approved by the State.

l. mowing services will not be eligible for state financial assistance. Sponsor will be responsible for 100% of any mowing services.

2. The Sponsor, to the extent of its legal authority to do so, shall save harmless the State, the State's agents, employees or contractors from all claims and liability due to activities of the Sponsor, the Sponsor's agents or employees performed under this agreement. The Sponsor, to the extent of its legal authority to do so, shall also save harmless the State, the State's agents, employees or contractors from any and all expenses, including attorney fees which might be incurred by the State in litigation or otherwise resisting claim or liabilities which might be imposed on the State as the result of those activities by the Sponsor, the Sponsor's agents or employees.

3. The Sponsor's acceptance of this Offer and ratification and adoption of this Grant shall be evidenced by execution of this Grant by the Sponsor. The Grant shall comprise a contract, constituting the obligations and rights of the State of Texas and the Sponsor with respect to the accomplishment of the project and the operation and maintenance of the airport.

If it becomes unreasonable or impractical to complete the project, the State may void this agreement and release the Sponsor from any further obligation of project costs.

4. Upon entering into this Grant, Sponsor agrees to name an individual, as the Sponsor's Authorized Representative, who shall be the State's contact with regard to this project. The Representative shall receive all correspondence and documents associated with this grant and shall make or shall acquire approvals and disapprovals for this grant as required on behalf of the Sponsor, and coordinate schedule for work items as required.

5. By the acceptance of grant funds for the maintenance of eligible airport buildings, the Sponsor certifies that the buildings are owned by the Sponsor. The buildings may be leased but if the lease agreement specifies that the lessee is responsible for the upkeep and repairs of the building no state funds shall be used for that purpose.

6. Sponsor shall request reimbursement of eligible project costs on forms provided by the State. All reimbursement requests are required to include a copy of the invoices for the materials or services. The reimbursement request will be submitted no more than once a month.

7. The Sponsor's acceptance of this Agreement shall comprise a Grant Agreement, as provided by the Transportation Code, Chapter 21, constituting the contractual obligations and rights of the State of Texas and the Sponsor with respect to the accomplishment of the airport maintenance and compliance with the assurances and conditions as provided. Such Grant Agreement shall become effective upon the State's written Notice to Proceed issued following execution of this agreement.

PART IV - Nomination of the Agent

1. The Sponsor designates the State as the party to receive and disburse all funds used, or to be used, in payment of the costs of the project, or in reimbursement to either of the parties for costs incurred.

2. The State shall, for all purposes in connection with the project identified above, be the Agent of the Sponsor. The Sponsor grants the State a power of attorney to act as its agent to perform the following services:

   a. accept, receive, and deposit with the State any and all project funds granted, allowed, and paid or made available by the Sponsor, the State of Texas, or any other entity;

   b. enter into contracts as necessary for execution of scope of services;

   c. if State enters into a contract as Agent: exercise supervision and direction of the project work as the State reasonably finds appropriate. Where there is an

irreconcilable conflict or difference of opinion, judgment, order or direction between the State and the Sponsor or any service provider, the State shall issue a written order which shall prevail and be controlling;

d. receive, review, approve and pay invoices and payment requests for services and materials supplied in accordance with the State approved contracts;

e. obtain an audit as may be required by state regulations; the State Auditor may conduct an audit or investigation of any entity receiving funds from TxDOT directly under this contract or indirectly through a subcontract under this contract. Acceptance of funds directly under this contract or indirectly through a subcontract under this contract acts as acceptance of the authority of the State Auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.

f. reimburse sponsor for approved contract maintenance costs no more than once a month.

PART V - Recitals

1. This Grant is executed for the sole benefit of the contracting parties and is not intended or executed for the direct or incidental benefit of any third party.

2. It is the intent of this grant to not supplant local funds normally utilized for airport maintenance, and that any state financial assistance offered under this grant be in addition to those local funds normally dedicated for airport maintenance.

3. This Grant is subject to the applicable provisions of the Transportation Code, Chapters 21 and 22, and the Airport Zoning Act, Tex. Loc. Govt. Code Ann. Sections 241.001 et seq. (Vernon and Vernon Supp.). Failure to comply with the terms of this Grant or with the rules and statutes shall be considered a breach of this contract and will allow the State to pursue the remedies for breach as stated below.

   a. Of primary importance to the State is compliance with the terms and conditions of this Grant. If, however, after all reasonable attempts to require compliance have failed, the State finds that the Sponsor is unwilling and/or unable to comply with any of the terms of this Grant, the State, may pursue any of the following remedies: (1) require a refund of any financial assistance money expended pursuant to this Grant, (2) deny Sponsor's future requests for aid, (3) request the Attorney General to bring suit seeking reimbursement of any financial assistance money expended on the project pursuant to this Grant, provided however, these remedies shall not limit the State's authority to enforce its rules, regulations or

orders as otherwise provided by law, (4) declare this Grant null and void, or (5) any other remedy available at law or in equity.

b. Venue for resolution by a court of competent jurisdiction of any dispute arising under the terms of this Grant, or for enforcement of any of the provisions of this Grant, is specifically set by Grant of the parties in Travis County, Texas.

4. The State reserves the right to amend or withdraw this Grant at any time prior to acceptance by the Sponsor. The acceptance period cannot be greater than 30 days after issuance unless extended by the State.

5. This Grant constitutes the full and total understanding of the parties concerning their rights and responsibilities in regard to this project and shall not be modified, amended, rescinded or revoked unless such modification, amendment, rescission or revocation is agreed to by both parties in writing and executed by both parties.

6. All commitments by the Sponsor and the State are subject to constitutional and statutory limitations and restrictions binding upon the Sponsor and the State (including Sections 5 and 7 of Article 11 of the Texas Constitution, if applicable) and to the availability of funds which lawfully may be applied.

Part VI - Acceptances

Sponsor

The City of Lancaster, Texas, does ratify and adopt all statements, representations, warranties, covenants, agreements, and all terms and conditions of this Grant.

Executed this _____ day of September, 2015.

The City of Lancaster, Texas
Sponsor

_____	_____
Witness Signature	Sponsor Signature
City Secretary	City Manager
Witness Title	Sponsor Title

Certificate of Attorney

I, Robert E. Hagar, acting as attorney for the City of Lancaster, Texas, do certify that I have fully examined the Grant and the proceedings taken by the Sponsor relating to the acceptance of the Grant, and find that the manner of acceptance and execution of the Grant by the Sponsor, is in accordance with the laws of the State of Texas.

Dated at Lancaster, Texas, this _____ day of September, 2015.

_____	_____
Witness Signature	Attorney's Signature
City Secretary	
Witness Title	

Acceptance of the State

Executed by and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs and grants heretofore approved and authorized by the Texas Transportation Commission.

STATE OF TEXAS
TEXAS DEPARTMENT OF TRANSPORTATION

By:_____

Date:_____

Attachment A
Scope of Services
TxDOT CSJ No.:M1618LNCA

Eligible Scope Item:	Estimated Costs Amount A	State Share Amount B	Sponsor Share Amount C
GENERAL MAINTENANCE	$100,000.00	$50,000.00	$50,000.00
Special Project	$0.00	$0.00	$0.00
Special Project	$0.00	$0.00	$0.00
Special Project	$0.00	$0.00	$0.00
Special Project	$0.00	$0.00	$0.00
Special Project	$0.00	$0.00	$0.00
TOTAL	$100,000.00	$50,000.00	$50,000.00

Accepted by: The City of Lancaster, Texas

_____
Signature

Title: City Manager

Date: _____

GENERAL MAINTENANCE: As needed, Sponsor may contract for services/purchase materials for routine maintenance/improvement of airport pavements, signage, drainage, AWOS systems, approach aids, lighting systems, utility infrastructure, fencing, herbicide/application, sponsor owned and operated fuel systems, hangars, terminal buildings and security systems; professional services for environmental compliance, approved project design. Special projects to be determined and added by amendment.

Only work items as described in Attachment A, Scope of Services of this Grant are reimbursable under this grant.

CERTIFICATION OF AIRPORT FUND

TxDOT CSJ No.: M1618LNCA

The City of Lancaster does certify that an Airport Fund has been established for the Sponsor, and that all fees, charges, rents, and money from any source derived from airport operations will be deposited for the benefit of the Airport Fund and will not be diverted for other general revenue fund expenditures or any other special fund of the Sponsor and that all expenditures from the Fund will be solely for airport purposes. The fund may be an account as part of another fund, but must be accounted for in such a manner that all revenues, expenses, retained earnings, and balances in the account are discernible from other types of moneys identified in the fund as a whole.

The City of Lancaster, Texas
(Sponsor)

By:_____

Title: Finance Director

Date:_____

Certification of State Single Audit Requirements

I, Cynthia Pearson, do certify that the City of Lancaster will comply with all
(Designated Representative)
requirements of the State of Texas Single Audit Act if the City of Lancaster spends or receives more than the threshold amount in any grant funding sources during the most recently audited fiscal year. And in following those requirements, the City of Lancaster will submit the report to the audit division of the Texas Department of Transportation. If your entity did not meet the threshold in grant receivables or expenditures, please submit a letter indicating that your entity is not required to have a State Single Audit performed for the most recent audited fiscal year.

_____
Signature

Finance Director
Title

_____
Date

DESIGNATION OF SPONSOR'S AUTHORIZED REPRESENTATIVE

TxDOT CSJ Number: M1618LNCA

The City of Lancaster designates, Mark Divita, Airport Manager
(Name, Title)
as the Sponsor's authorized representative, who shall receive all correspondence and documents associated with this grant and who shall make or shall acquire approvals and disapprovals for this grant as required on behalf of the Sponsor.

The City of Lancaster, Texas
(Sponsor)

By:_____

Title: City Manager

Date:_____

DESIGNATED REPRESENTATIVE

Mailing Address: 730 Ferris Rd, Suite 102
Lancaster, TX 75146

Overnight Mailing Address: same as above

Telephone/Fax Number: 972-218-1274
FAX: 972-275-0918

Email address: mdivita@lancaster-tx.com

LANCASTER CITY COUNCIL

Agenda Communication

September 14, 2015

Conduct a public hearing and consider an amendment to the City of Lancaster's Comprehensive Plan's Future Land Use Map from Public/Semi Public uses for uses suitable under Office zoning to a land use designation and a Retail zoning designation for uses suitable under R-Retail zoning for a property containing approximately .6 acres of land located on the north side of Pleasant Run Road just east of the intersection of Lancaster Park Drive and Pleasant Run Road. The legal description of the property is Part of Lot 6, Block B, Bellaire Aces addition, Lancaster, Dallas County, Texas.

This request supports the City Council 2014-2015 Policy Agenda.

Goal: Quality Development

Background

1. **Location and Size:** The property is generally located at 837 W. Pleasant Run Road. The property under consideration is approximately .6 acres of land.

2. **Current Zoning:** The subject property is currently zoned SF-5, Single Family Residential.

3. **Adjacent Properties:**
   North: SF-5 – Single Family residential
   South: SF – 5 Single Family residential (Lancaster Middle School)
   East: NS – Retail (Church)
   West: SF-5 Single Family residential (Assisted living)

4. **Comprehensive Plan Compatibility:** The Comprehensive Plan identifies this site as suitable for Public and Semi-Public space which is a land use designation suitable for schools.

5. **Public Notification:** Newspaper notice was published in the Focus Daily News on June 11, 2015. Zoning signs were placed on the subject property and property owner notices were sent to properties within 200 feet of the subject site on June 12, 2015.

6. **Case/Site History:** N/A

On November 4, 2014, a rezoning request was received by the applicant requesting rezoning the subject property from the current SF-5 Single family residential zoning to R-Retail. The applicant indicated that the current building was a former barber/beauty salon. The property owner is seeking to sell the subject property for use as a real estate office. Due to the previous tenant no longer occupying the space, the legal, non-conforming use expired and the new owner would have to seek zoning for the property. Permit records indicate that the subject property has been used for commercial uses since at least 1997. Available zoning records indicate that the subject property has been restricted to single family zoning since at least 1989.

On May 14, 2015 the Planning and Zoning Commission held another Work Session to discuss this proposed zoning change, receive information from the Director of Development Services, Mike Grace and Assistant City Manager Rona Stringfellow regarding the city's current efforts to update the Comprehensive Plan, and conflicts with the current Comprehensive Plan that would result from approval of the zoning request.

The Planning and Zoning Commission directed staff to move forward with reviewing the zoning request and forward to the Commission for action.

Shortly after the May 14, 2015 P&Z Commission work session, the previous owner of the property sold the property leading to a change in ownership records. As a result, the new owner submitted a new zoning change request. Staff has worked with the applicant to move the case forward.

On September 1, 2015 the Planning and Zoning Commission held a public hearing on the zoning change request and received background information from Director of Development Services, Mike Grace. The Commission conducted and closed the public hearing and recommended approval of the zoning change request. One letter of opposition was received.

Considerations

Operational - This is a request for a comprehensive plan amendment to change the City of Lancaster's Future Land Use Plan (FLUP) map from Public/Semi-Public uses to uses suitable for office uses and a rezoning request. This would make the current zoning compatible with the FLUP. The current designation of Public/Semi-Public uses is suitable for schools, churches, lodges and fraternal meeting facilities, certain non-profit organizations, and other similar institutions.

The subject property is a small parcel of land with parking provided from the previous use. The applicant is attempting to open a real estate office.

The Lancaster Development Code states that zoning should be in conformance with the Future Land Use Plan of the City Comprehensive plan. Pursuant to Section 14.1101 of the LDC, when reviewing a zoning change application, there are five (5) considerations

that must be made when deciding on a zoning change application. Below is an analysis of these considerations:

Consistency with the Comprehensive Plan: The Comprehensive Plan identifies this site as Public/Semi-Public Uses. The existing zoning is not in compliance with this designation.

The proposed zoning designation, (R) Retail, is not in compliance with the Future Land Use Plan. The proposed amendment to the Future Land Use Plan would allow the subject property to become consistent with the proposed zoning with the adjacent properties. It should be of note that the City is currently undergoing a Comprehensive Plan update that would potentially address this area in the future vision of the City of Lancaster.

Potential Impact on Adjacent Development: The subject property is currently developed and finished out as a beauty/barber salon. The properties to the north and west have been developed as single family uses. The property to the east is currently used as a church. Staff does not foresee any potential negative impacts upon adjacent properties or developments.

Availability of utilities and access: The subject property is served by City of Lancaster water and sanitary sewer. The applicant is not proposing any changes to the water and sewer master plan.

Site conditions such as vegetation, topography and flood plain: The subject property is currently developed. Issues such as vegetation, topography and flood plain have been addressed as part of the previous site plan approval process.

Timing of Development as it relates to Lancaster's Capital Improvement Plan: This is not applicable to this site.

- **Legal** – The City Attorney has drafted an Ordinance for the proposed zoning change.

- **Financial** - There are no financial considerations for this item.

- **Public Information** - On Friday, August 21, 2015 a Public Hearing notice appeared in the Focus Daily News, the City of Lancaster's newspaper of record. 2 property owner notices were sent out on August 21, 2015. 2 notices were returned in favor the proposal.

<u>Options/Alternatives</u>

1. Approve the rezoning request, as submitted.
2. Approve the rezoning request in accordance with staff recommended conditions.
3. Deny the SUP.

Recommendation

On September 1, 2015, the P&Z Commission recommended approval of the rezoning request.

Staff concurs with the P&Z.

Attachments

- Ordinance
- P&Z Agenda Communication
- P&Z Minutes (draft)

Submitted By:
Mike Grace, AICP
Director of Development Services

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS, AMENDING THE COMPREHENSIVE LAND USE PLAN AND MAP THEREOF OF THE CITY OF LANCASTER, TEXAS, AS HERETOFORE AMENDED, BY DESIGNATING SAID PLAN FROM PUBLIC/SEMI-PUBLIC TO OFFICE/RETAIL, AND GRANTING A CHANGE IN ZONING FROM OFFICE TO RETAIL, OF APPROXIMATELY 0.60± ACRES OF LAND, LOCATED ON THE NORTH SIDE OF PLEASANT RUN ROAD, EAST OF ITS INTERSECTION OF LANCASTER PARK DRIVE, BEING A PART OF LOT 6, BLOCK B, BELLAIRE ACES ADDITION, CITY OF LANCASTER, DALLAS COUNTY, TEXAS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Planning and Zoning Commission and the governing body of the City of Lancaster, Texas, in compliance with the laws of the State of Texas and pursuant to the Comprehensive Zoning Ordinance of the City of Lancaster, have given requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to all persons interested and situated in the affected area and in the vicinity thereof, the said governing body is of the opinion that Comprehensive Land Use Plan and Zoning Application No. Z15-01 should be approved, and in the exercise of legislative discretion have concluded that the Comprehensive Land Use Plan and Zoning Ordinance and Map thereof should be amended.

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

SECTION 1. That the Comprehensive Land Use Plan and Map thereof and Zoning Ordinance and Map of the City of Lancaster, Texas, duly passed by the governing body of the City of Lancaster, Texas, as heretofore amended, be and the same is hereby amended by amending the Comprehensive Land Use Plan Ordinance and Map thereof from Public/Semi-Public to Office/Retail and to grant zoning from Office (O) to Retail (R), on property approximately 0.60± acres of land, on the north side of Pleasant Run Road, east of its intersection of Lancaster Park Drive, Lancaster, Texas, more particularly described as Part of Lot 6, Block B, Bellaire Aces Addition to the City of Lancaster, Dallas County, Texas.

SECTION 2. That the subject Property, as hereby zoned, shall be developed and used in conformance and in the manner and for the purposes provided for by Light Industrial (LI) zoning district regulations and approvals required as set forth in the Lancaster Land Development Code and the Comprehensive Zoning Ordinance of the City of Lancaster, as heretofore amended, and the detailed site plan, which shall be submitted and approved in accordance with said ordinances.

SECTION 3. That all provisions of the Ordinances of the City of Lancaster, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be unconstitutional, illegal or invalid, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 5. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 6. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Lancaster, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars ($2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 7. That this ordinance shall take effect immediately from and after its passage and the publication of its caption, as the law and charter in such cases provide.

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on the 14th day of September, 2015.

ATTEST:

_____
Sorangel O. Arenas, City Secretary

APPROVED:

_____
Marcus E. Knight, Mayor

APPROVED AS TO FORM:

_____
Robert E. Hager, City Attorney

PLANNING & ZONING COMMISSION
Agenda Communication for September 1, 2015

#1

Z15-01 Conduct a public hearing for an Amendment to the City of Lancaster's Comprehensive Plan's Future Land Use Map from Public/Semi Public uses for uses suitable under Office zoning to a land use designation of Retail for uses suitable under R-Retail zoning and a rezoning request from SF-5 Single family to Retail (R). The property is approximately .6 acres of land that is located on the north side of Pleasant Run Road just east of the intersection of Lancaster Park Drive and Pleasant Run Road. The legal description of the property is Part of Lot 6, Block B, Bellaire Aces addition, Lancaster, Dallas County, Texas.

Background

On May 14, 2015 the Planning and Zoning Commission held a Work Session to discuss this proposed zoning change, receive information from the Director of Development Services, Mike Grace and Assistant City Manager Rona Stringfellow regarding the city's current efforts to update the Comprehensive Plan, and conflicts with the current Comprehensive Plan that would result from approval of the zoning request.

The Planning and Zoning Commission directed staff to move forward with reviewing the zoning request and forward to the Commission for action.

On November 4, 2014, a rezoning request was received by the applicant requesting rezoning the subject property from the current SF-5 Single family residential zoning to R-Retail. The applicant indicated that the current building was a former barber/beauty salon. The property owner is seeking to sell the subject property for use as a real estate office. Due to the previous tenant no longer occupying the space, the legal, non-conforming use expired and the new owner would have to seek zoning for the property.

Permit records indicate that the subject property has been used for commercial uses since at least 1997.

Available zoning records indicate that the subject property has been restricted to single family zoning since at least 1989.

1. **Location and Size:** The property is generally located at 837 W. Pleasant Run Road. The property under consideration is approximately .6 acres of land.

2. **Current Zoning:** The subject property is currently zoned SF-5, Single Family Residential.

3. **Adjacent Properties:**
   North: SF-5 – Single Family residential
   South: SF – 5 Single Family residential (Lancaster Middle School)
   East: NS – Retail (Church)
   West: SF-5 Single Family residential (Assisted living)

4. **Comprehensive Plan Compatibility:** The Comprehensive Plan identifies this site as suitable for Public and Semi-Public space which is a land use designation suitable for schools.

5. **Public Notification:** Zoning signs were placed on the subject property. Property owner notices were sent to properties within 200 feet of the subject site. Newspaper notice was published in the Focus Daily News.

6. **Case/Site History: N/A**

Considerations

This is a request for a comprehensive plan amendment to change the City of Lancaster's Future Land Use Plan (FLUP) map from Public/Semi-Public uses to uses suitable for office uses. This would make the current zoning compatible with the FLUP. The current designation of Public/Semi-Public uses is suitable for schools, churches, lodges and fraternal meeting facilities, certain non-profit organizations, and other similar institutions.

The subject property is a small parcel of land with parking provided from the previous use. The applicant is attempting to open a real estate office.

The Lancaster Development Code states that zoning should be in conformance with the Future Land Use Plan of the City Comprehensive plan. Pursuant to Section 14.1101 of the LDC, when reviewing a zoning change application, there are five (5) considerations that must be made when deciding on a zoning change application. Below is an analysis of these considerations:

Consistency with the Comprehensive Plan: The Comprehensive Plan identifies this site as Public/Semi-Public Uses. The existing zoning is not in compliance with this designation.

The proposed zoning designation, (R) Retail, is not in compliance with the Future Land Use Plan. The proposed amendment to the Future Land Use Plan would allow the subject property to become consistent with the proposed zoning with the adjacent properties. It should be of note that the City is currently undergoing a Comprehensive Plan update that would potentially address this area in the future vision of the City of Lancaster.

Potential Impact on Adjacent Development: The subject property is currently developed and finished out as a beauty/barber salon. The properties to the north and west have been developed as single family uses. The property to the east is currently used as a church. Staff does not foresee any potential negative impacts upon adjacent properties or developments.

Availability of utilities and access: The subject property is served by City of Lancaster water and sanitary sewer. The applicant is not proposing any changes to the water and sewer master plan.

Site conditions such as vegetation, topography and flood plain: The subject property is currently developed. Issues such as vegetation, topography and flood plain have been addressed as part of the previous site plan approval process.

Timing of Development as it relates to Lancaster's Capital Improvement Plan: This is not applicable to this site.

Recommendation

The proposed zoning designation and use would not be in compliance with the city's current Comprehensive Plan and associated Future Land Use Map. In addition, the city is on schedule to adopt an update to the Comprehensive Plan and Future Land Use Map by Fall 2015.

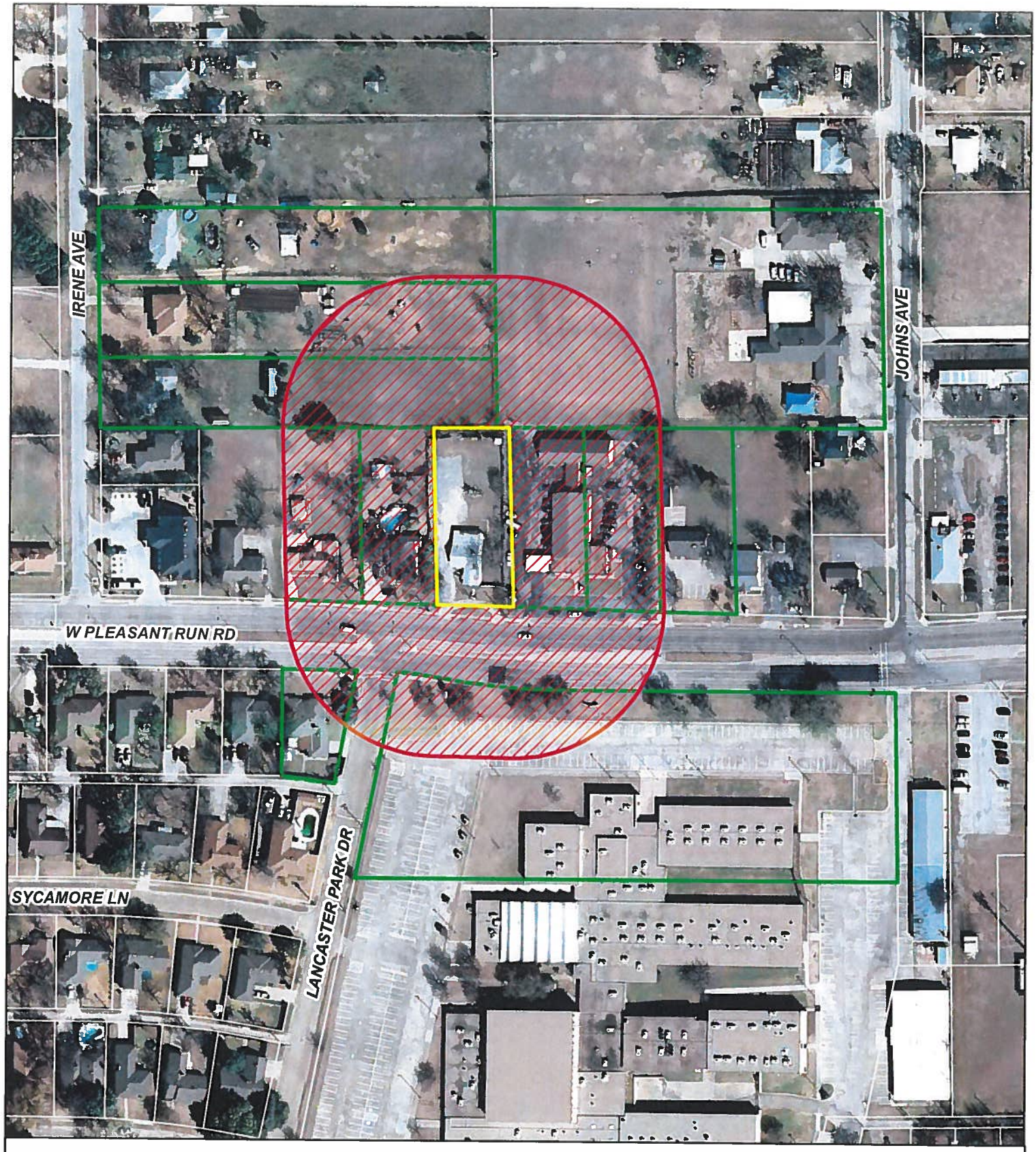
As a result, staff recommendation is for denial.

Attachments

- Notification Map
- Zoning Map
- Future Land Use Plan map
- Sec. 14.302 Rules for Interpretation of District Boundaries and 14.303 Regulations Applicable to all Districts
- Zoning Map (Ordinance 35-89)

Prepared By and Submitted By:

Mike Grace, AICP
Director of Development Services



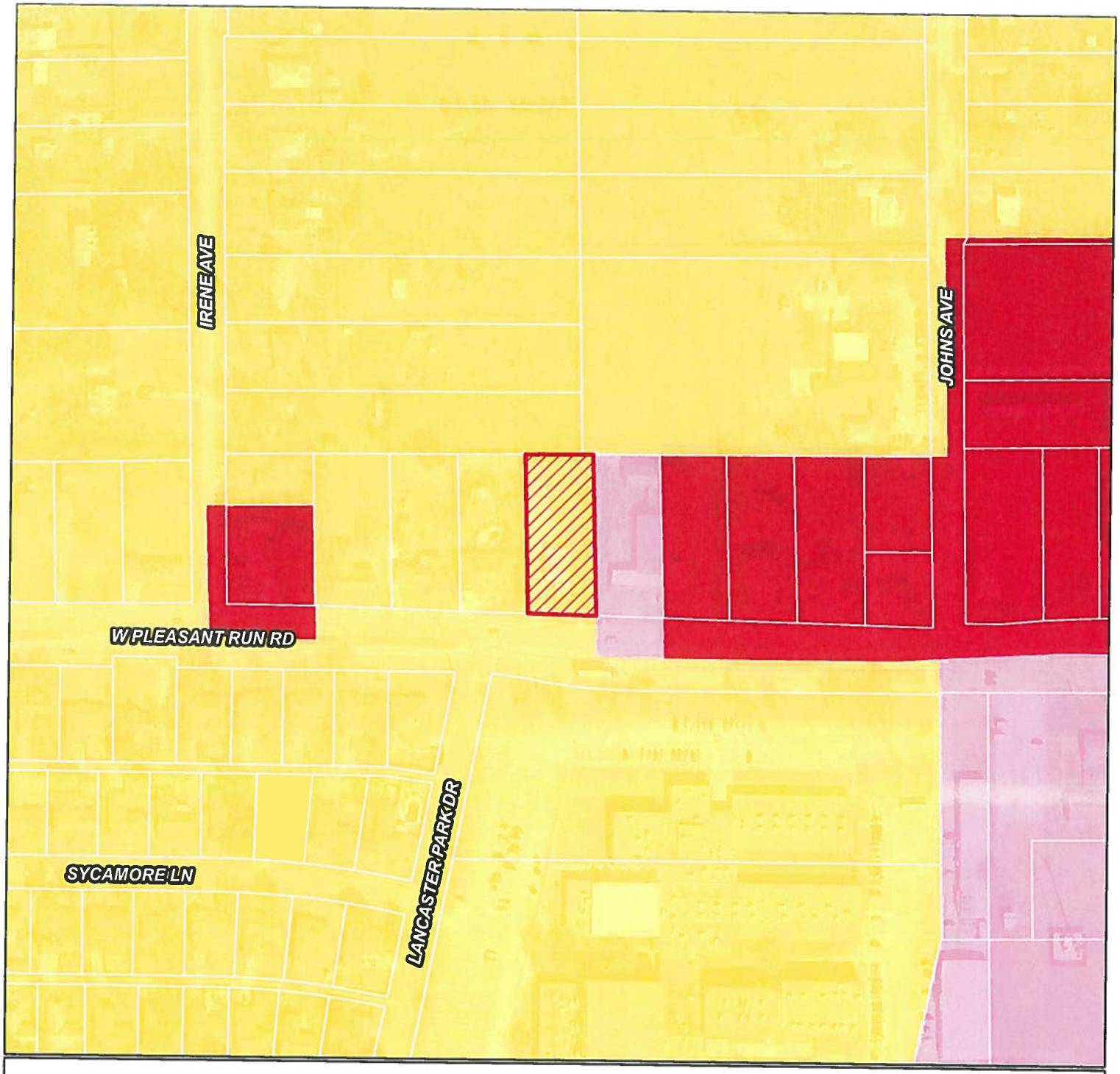
N
W E
S

Parcels
Subject Parcel
Notification Parcels
200' Notification Area

0 75 150 300 Feet

City of Lancaster
837 W Pleasant Run Rd
200' Notification Area

date: 06/11/2015



N
W E
S

Feet
0 75 150 300

Lancaster

City of Lancaster
837 W Pleasant Run Rd
SF-5 Zoning

Legend

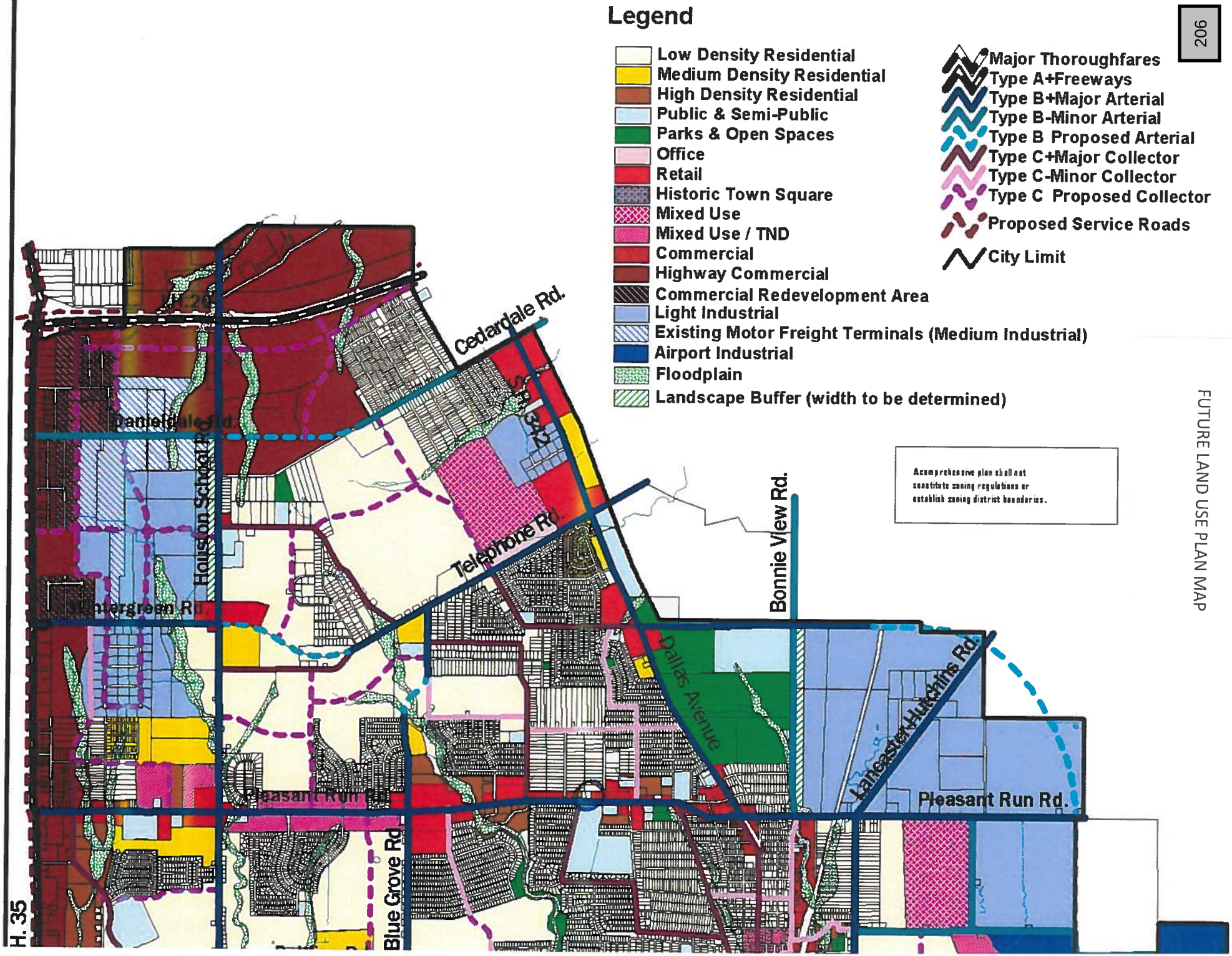
- Subject Property
- Parcels

Zoning

- 2F-6 (2 Family Residential)
- A-O (Agricultural Open)
- CH (Commercial Hwy)
- CS (Commercial Services)
- LI (Light Industrial)
- MI (Medium Industrial)
- MF-16 (Mulit-Family)
- MH (Mobile Home)
- MZ
- NS (Neighborhood Service)
- ORT (Office)
- PD (Planned Development)
- R (Retail)
- SF-4 (Residential Low)
- SF-5 (Residential Medium)
- SF-6 (Residential High)
- SF-E (Single Family Estate)
- TC (Town Center)
- TH-16 (Town Home)
- TND (Residential)
- ZL-7 (Zero Lot Line Res)

date: 6/30/2015

FUTURE LAND USE PLAN MAP



Sec. 14.302 Rules for Interpretation of District Boundaries

(a) Boundaries. Where uncertainty exists as to the boundaries of zoning districts as shown on the Official Zoning Map, the following rules shall apply:

(1) The district boundary lines shown on the zoning district map are usually along streets, alleys, property lines or extensions thereof.

(2) Boundaries indicated as approximately following streets, highways or alleys shall be construed to follow the centerlines of such streets, highways or alleys.

(3) Boundaries indicated as approximately following platted lot lines shall be construed as following such lines.

(4) Boundaries indicated as approximately following city limits shall be construed as following city limits.

(5) Boundaries indicated as following railroad or utility lines shall be construed to be the centerline of the right-of-way or, if no centerline is established, the boundary shall be interpreted to be midway between the right-of-way lines.

(6) Boundaries indicated as approximately following the centerlines of streams, drainageways or other bodies of water shall be construed to follow such centerlines.

(7) Whenever any street, alley or other public way is vacated by official action of the city council, or whenever a street or alley area is franchised for building purposes, the zoning district line adjoining each side of such street, alley or other public way shall be automatically extended to the centerline of such vacated street, alley or way, and all area so involved shall then and henceforth be subject to all regulations of the extended districts.

(8) Boundaries indicated as parallel to or extensions of features indicated in *Subsections A* through *C* above shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map;

(9) Where physical features of the ground are at variance with information shown on the official zoning district map, or if there arises a question as to how or whether a parcel of property is zoned and such question cannot be resolved by the application of subsections A through J, or the zoning of property is invalidated by a final judgment of a court of competent jurisdiction, the property shall be considered as classified AO, Agricultural Open District, temporarily.

Sec. 14.303 Regulations Applicable to all Districts.

The following regulations shall apply to all zoning districts listed in this Article and further defined in *Article 14.400 Permissible Uses* and *Article 14.500. District Development Standards*.

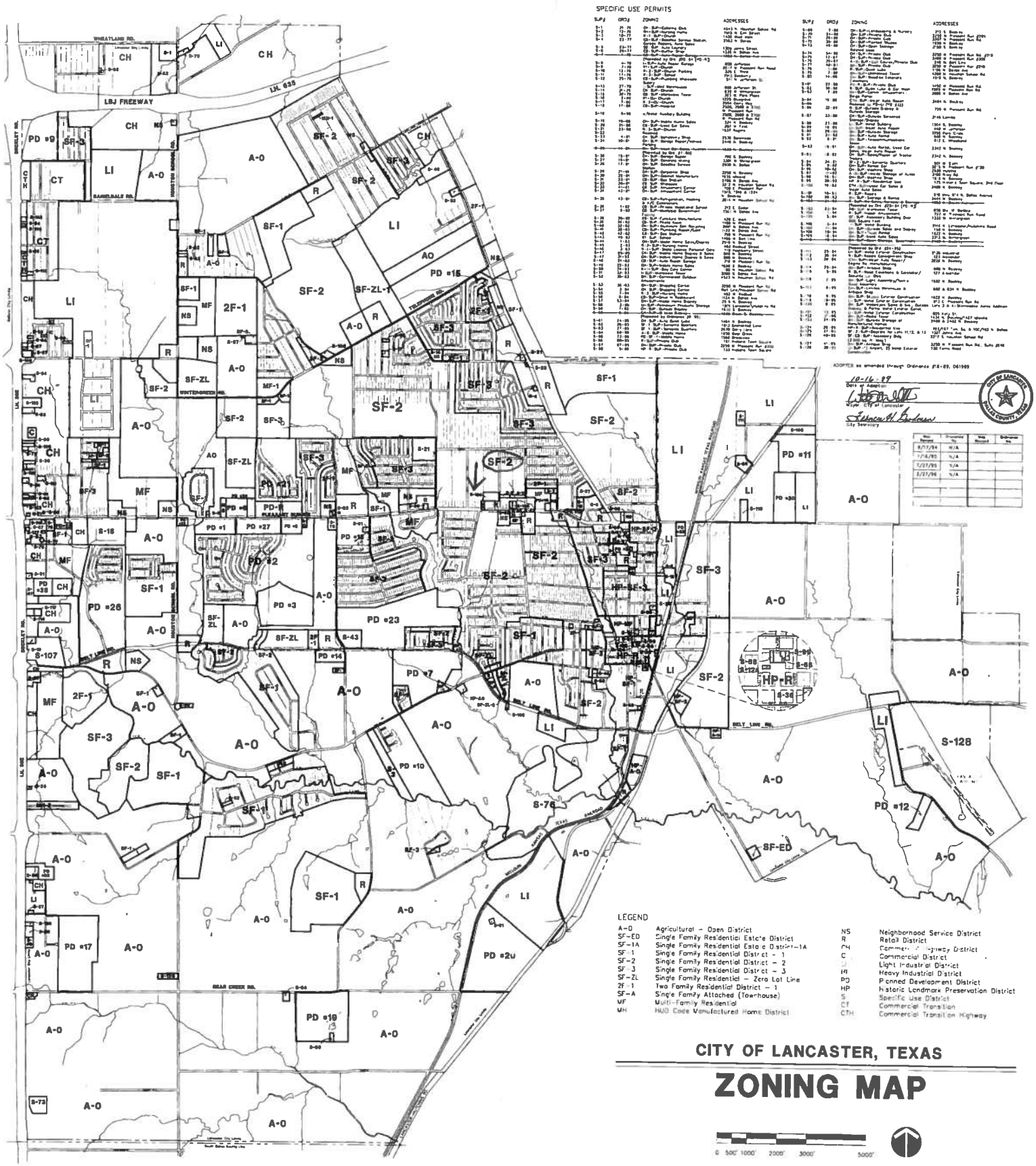
(1) No land or building shall be used or intended for any use other than those permitted in the district wherein such land or building is located.

(2) No building shall be erected, reconstructed, enlarged, structurally altered, or moved in such manner as to evade conformity with height, bulk, yard, lot area, use, and other regulations for the district wherein such building is located.

(3) No yard provided adjacent to a building for the purpose of complying with provisions of this zoning code shall be considered as providing any part of a yard for another building on the same lot or on an adjacent lot.

(4) No street or walkway shall serve as any part of a required yard or minimum lot area although street rights of way and open space may be used in determining allowable units per acre in residential subdivisions.

ZONING MAP (ORDINANCE 35-89)



ORDINANCE NO. 35-89

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF LANCASTER, ORDINANCE NO. 13-84, ADOPTING UPDATES TO THE OFFICIAL ZONING MAP; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS ($2,000.00); AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on March 5, 1984, the Official Zoning District Map was adopted by reference Ordinance No. 13-84; and

WHEREAS, periodic amendments have been made to the zoning districts in accordance with state law and the Comprehensive Zoning Ordinance; and

WHEREAS, it is desirable that all these amendments be accurately portrayed on an updated District Map.

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

SECTION 1. The Official Zoning District Map of the City of Lancaster be and it is hereby adopted as amended in accordance with ordinances authorizing such amendments including Ordinance No. 13-84, approved on March 5, 1984, through Ordinance No. 18-89, approved on June 19, 1989.

SECTION 2. The Official Zoning District Map be affixed with the City Seal and maintained by the City Secretary.

SECTION 3. If any article, paragraph, subdivision, clause or provision of this ordinance or the Lancaster City Code, as hereby amended, be adjudged invalid or held unconstitutional for any reason, such judgement or holding shall not effect the validity of this ordinance as a whole or any part or provision thereof, or of the Lancaster City Code, as amended hereby, other than the part so declared to be invalid or unconstitutional.

SECTION 4. Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction in the Municipal Court, shall be subject to a penalty of fine not to exceed the sum of Two Thousand Dollars ($2,000.00) for each offense.

SECTION 5. This ordinance shall take effect immediately from and after its passage and the publication of the caption as the law in such cases provides.

DULY PASSED by the City Council of the City of Lancaster, Texas, on the 16th day of October, 1989.

APPROVED:

Mayor

ATTEST:

Frances H. Goodman
City Secretary

Published on 19th day of October, 1989, in Lancaster newspaper.

ORDINANCE NO. 35-89

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF LANCASTER, ORDINANCE NO. 13-84, ADOPTING UPDATES TO THE OFFICIAL ZONING MAP; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS ($2,000.00); AND PROVIDING FOR AN EFFECTIVE DATE.

DULY PASSED by the City Council of the City of Lancaster, Texas, on the 16th day of October, 1989.

APPROVED:

Mayor

ATTEST:

City Secretary

Published on 19th day of October, 1989, in Lancaster newspaper.

REGULAR MEETING MINUTES
PLANNING & ZONING COMMISSION
CITY OF LANCASTER, TEXAS
TUESDAY, SEPTEMBER 1, 2015

CALL TO ORDER:
Chair Prothro called the meeting to order at 7:00 p.m. on September 1, 2015.

COMMISSIONERS

LAWRENCE PROTHRO, CHAIR
MARVIN EARLE
RACHEAL HILL
TOM BARNETT JR.

CITY STAFF
MIKE GRACE, AICP — **DIRECTOR OF DEVELOPMENT SERVICES**
JULIE DOSHER — **CITY ATTORNEY**

CITIZENS COMMENTS: (At this time citizens will be allowed to speak only on matters contained on the Planning and Zoning Commission agenda.)

Chair Prothro opened the meeting to citizen comments. No citizens came forward to speak.

ACTION:

Chair Prothro explained the process and rules for the public to speak regarding public hearings and then opened the public hearings.

1. **Z15-01** Conduct a public hearing for an Amendment to the City of Lancaster's Comprehensive Plan's Future Land Use Map from Public/Semi Public uses for uses suitable under Office zoning to a land use designation of Retail for uses suitable under R-Retail zoning. The property is approximately .6 acres of land that is located on the north side of Pleasant Run Road just east of the intersection of Lancaster Park Drive and Pleasant Run Road. The legal description of the property is Part of Lot 6, Block B, Bellaire Aces addition, Lancaster, Dallas County, Texas.

COMMISSIONER EARLE MOTIONED TO REJECT STAFF'S RECOMMENDATION AND RECOMMEND APPROVAL OF THE REQUEST. 2ND BY COMMISSIONER HILL.

THE MOTION CARRIED 4-0

AYES: PROTHRO, BARNETT, EARLE, HILL

NAYS: NONE

2. **Z15-03** Conduct a Public Hearing and consider an application for a Specific Use Permit (SUP) for a telecommunications tower on property known as 653 N. Bluegrove Road further described as William Rawlins Survey, Abstract 1200, Tract 40 in City of Lancaster, Dallas County, Texas.

DRAFT

COMMISSIONER EARLE MADE MOTION TO CLOSE THE PUBLIC HEARING, 2ND BY COMMISSIONER BARNETT.

THE MOTION CARRIED 4-0

AYES: EARLE, BARNETT, HILL, PROTHRO
NAYES: NONE

COMMISSIONER HILL MADE MOTION TO RECOMMEND APPROVAL SUBJECT TO STAFF'S RECOMMENDED CONDITION. 2ND BY COMMISSIONER BARNETT.

THE MOTION CARRIED 4-0

AYES: EARLE, BARNETT, HILL, PROTHRO
NAYES: NONE

3. **Z15-04** Discuss an Amendment to the City of Lancaster's Comprehensive Plan's Future Land Use Map from Retail uses to Light Industrial uses and a rezoning request from Planned Development Mixed Use (PD-MU) to Planned Development Light Industrial (PD-LI). The subject property is described as being a 3.845 acre tract and a 0.992 acre tract in the Smith Elkins Survey, Abstract No. 430, in the City of Lancaster, Dallas County, Texas.

COMMISSIONER BARNETT MADE MOTION TO CLOSE THE PUBLIC HEARING, 2ND BY COMMISSIONER EARLE.

THE MOTION CARRIED 4-0

COMMISSIONER EARLE MADE MOTION TO RECOMMEND APPROVAL SUBJECT TO STAFF'S RECOMMENDED CONDITION. 2ND BY COMMISSIONER HILL.

AYES: EARLE, BARNETT, HILL, PROTHRO
NAYES: NONE

THE MOTION CARRIED 4-0.

Meeting was adjourned at 8:30 p.m.

_____
Lawrence Prothro, Chair

ATTEST

_____
Mike Grace, AICP
Director

DRAFT

LANCASTER CITY COUNCIL

Agenda Communication

September 14, 2015

Conduct a public hearing and consider amend the City of Lancaster's Comprehensive Plan's Future Land use map from Low Density Residential uses to high Density Residential uses and a re-zoning request (Z15-02) from SF4-Single Family Residential to TH-16 Town homes. The approximately 2 acre property is located on the south side of W. Main Street just east of the intersection of Briarwood Ln. and W. Main St., further described as H Lot 5 of the Enchanted Forest Unit 2 addition, Lancaster, Dallas County, Texas.

This request supports the City Council 2015-2016 Policy Agenda.

Goal: Quality Development

Background

1. **Location and Size:** The property is generally located on the south side of W. Main St. just east of the intersection of Briarwood Ln. and W. Main St. The property under consideration contains approximately 2 acres of land.

2. **Current Zoning:** The subject property is currently zoned SF-4, Single Family Residential.

3. **Adjacent Properties:**
   North: SF-5, Single Family residential (single family home)
   South: SF – 4, Single Family residential (single family homes)
   East: SF-4, Single Family residential (undeveloped/cemetery)
   West: SF-4, Single Family residential (undeveloped)

4. **Comprehensive Plan Compatibility:** The Comprehensive Plan identifies this site as suitable for low density residential which is a land use designation suitable for single family detached dwellings.

5. **Public Notification:** Newspaper notice was published in the Focus Daily News on June 11, 2015. Zoning signs were placed on the subject property and 18 property owner notices were sent on 6-19-15. ***Two responses in opposition have been received.***

6. **Case/Site History:** N/A

On January 13, 2015, a rezoning request was received by the applicant requesting to rezone the subject property from the current SF-4 Single family residential zoning to TH-16 Townhomes. The applicant indicated that the intent is to construct detached, single family townhomes, generally in conformance with the attached conceptual renderings.

On May 14, 2015, the Planning & Zoning Commission held another Work Session to discuss and receive a briefing from staff on the facts of the upcoming case per a pending update to the City's Comprehensive Plan. Staff was directed to move forward with this request.

Per the Planning & Zoning Commission's recommendation for denial, the applicant requested to delay forwarding the request to council to take time to re-evaluate development plans.

On June 30, 2015 the Planning & Zoning Commission held a public hearing on the zoning change request and the Commission conducted and closed the public hearing and recommended denial of the zoning change request.

Eleven (11) responses in opposition and 6 responses in favor were received

Considerations

- **Operational -** This is a request for a comprehensive plan amendment to change the City of Lancaster's Future Land Use Plan (FLUP) map from low density single family uses to high density town home uses and a rezoning request from SF-4 Single family to TH-16 Town homes. If the amendment and zoning change are both approved, this would make the proposed zoning compatible with the FLUP. The current designation of low density residential uses is suitable for single family detached structures.

The subject property is a 2 acre site of previously subdivided land (see notification area map). The applicant is seeking to construct a single family attached town home product. While undeveloped, the subject property is zoned SF-4 Single Family (a low density designation) and the surrounding developed parcels are all existing low density residential uses.

To date, two additional responses in opposition have been received from property owners within the 200' notification area.

The Lancaster Development Code states that zoning should be in conformance with the Future Land Use Plan of the City Comprehensive plan. Pursuant to Section 14.1101 of the LDC, when reviewing a zoning change application, there are five (5) considerations that must be made when deciding on a zoning change application. Below is an analysis of these considerations:

Consistency with the Comprehensive Plan: The Comprehensive Plan identifies this site as Low density residential uses. The proposed change in zoning is not in compliance with the Future Land Use Plan (FLUP).

The proposed amendment to the Future Land Use Plan would allow the proposed zoning to become consistent with the FLUP if the proposed zoning change is approved.

It should be noted that the City is currently undergoing a Comprehensive Plan update that would potentially address this area in the future vision of the City of Lancaster.

Potential Impact on Adjacent Development: The subject property is currently undeveloped. Some of the surrounding properties have been developed as single family uses. This is in keeping with the general nature of this area.

Availability of utilities and access: The subject property is served by City of Lancaster water and sanitary sewer. The applicant is not proposing any changes to the water and sewer master plan.

Site conditions such as vegetation, topography and flood plain: The subject property is currently undeveloped. Issues such as vegetation, topography and flood plain will be addressed as part of the previous site plan approval process.

Timing of Development as it relates to Lancaster's Capital Improvement Plan: This is not applicable to this site.

- **Legal** – The City Attorney has drafted an Ordinance for the proposed zoning change.

- **Financial** - There are no financial considerations for this item.

- **Public Information** - On Friday, June 11, 2015 a Public Hearing notice appeared in the Focus Daily News, the City of Lancaster's newspaper of record. 18 property owner notices were sent out on June 19, 2015. 9 notices were returned in favor the proposal and 9 were returned in opposition. This is the second of two public hearings, the first being held on June 30, 2015 at the Planning and Zoning Commission meeting.

Options/Alternatives

1. Approve the ordinance, as presented.
2. Deny the ordinance and direct staff.

Recommendation

On September 1, 2015, the Planning & Zoning (P&Z) Commission recommended denial. Per the P&Z Commission's recommendation for denial, Section 14.208(d)(1) of the Lancaster Development Code requires a 3/4 majority vote by City Council for approval.

Staff concurs with the P&Z recommendation of denial.

Attachments

- Ordinance
- P&Z Agenda Communication w/attachments
- P&Z Minutes (draft)
- P&Z Agenda Communication w/attachments (June 30, 2015)
- P&Z Minutes (June 30, 2015)

Submitted By:
Mike Grace, AICP
Director of Development Services

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS, AMENDING THE COMPREHENSIVE LAND USE PLAN AND MAP THEREOF OF THE CITY OF LANCASTER, TEXAS, AS HERETOFORE AMENDED, BY DESIGNATING SAID PLAN FROM LOW DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL AND GRANTING A CHANGE IN ZONING FROM SF-4 SINGLE FAMILY RESIDENTIAL TO TH-16 TOWN HOMES, OF APPROXIMATELY 2.0± ACRES OF LAND, LOCATED ON SOUTH SIDE OF WEST MAIN STREET, EAST OF ITS INTERSECTION WITH BRIARWOOD LANE, BEING MORE PARTICULARLY DESCRIBED AS H LOT 5 OF THE ENCHANTED FOREST UNIT Z ADDITION OF THE CITY OF LANCASTER, DALLAS COUNTY, TEXAS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Planning and Zoning Commission and the governing body of the City of Lancaster, Texas, in compliance with the laws of the State of Texas and pursuant to the Comprehensive Zoning Ordinance of the City of Lancaster, have given requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to all persons interested and situated in the affected area and in the vicinity thereof, the said governing body is of the opinion that Comprehensive Land Use Plan and Zoning Application No. Z15-02 should be approved, and in the exercise of legislative discretion have concluded that the Comprehensive Land Use Plan and Zoning Ordinance and Map thereof should be amended.

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

SECTION 1. That the Comprehensive Land Use Plan and Map thereof and Zoning Ordinance and Map of the City of Lancaster, Texas, duly passed by the governing body of the City of Lancaster, Texas, as heretofore amended, be and the same is hereby amended by amending the Comprehensive Land Use Plan Ordinance and Map thereof from SF-4 Single Family Residential to TH-16 Town Homes and to grant zoning from Office (O) to Retail (R), on property of approximately 2.0± acres of land, on the south side of West Main Street, East of its intersection with Briarwood Lane, Lancaster, Texas, more particularly described as H Lot 5 of the Enchanted Forest Unit Z Addition to the City of Lancaster, Dallas County, Texas.

SECTION 2. That the subject Property, as hereby zoned, shall be developed and used in conformance and in the manner and for the purposes provided for by Light Industrial (LI) zoning district regulations and approvals required as set forth in the

Lancaster Land Development Code and the Comprehensive Zoning Ordinance of the City of Lancaster, as heretofore amended, and the detailed site plan, which shall be submitted and approved in accordance with said ordinances.

SECTION 3. That all provisions of the Ordinances of the City of Lancaster, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be unconstitutional, illegal or invalid, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 5. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 6. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Lancaster, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars ($2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 7. That this ordinance shall take effect immediately from and after its passage and the publication of its caption, as the law and charter in such cases provide.

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on the 14th day of September, 2015.

ATTEST: **APPROVED:**

_____ _____

Sorangel O. Arenas, City Secretary Marcus E. Knight, Mayor

APPROVED AS TO FORM:

_____

Robert E. Hager, City Attorney

PLANNING & ZONING COMMISSION
Agenda Communication for June 30, 2015

#2

Z15-02 – Conduct a public hearing and consider an application to amend the City of Lancaster's Comprehensive Plan's Future Land use map from Low Density Residential uses to high Density Residential uses and a re-zoning request from SF4-Single Family Residential to TH-16 Townhomes. The approximately 2 acre property is located on the south side of W. Main Street just east of the intersection of Briarwood Ln. and W. Main St., further described as H Lot 5 of the Enchanted Forest Unit 2 addition, Lancaster, Dallas County, Texas.

Background

On May 14, 2015, the Planning & Zoning Commission had a discussion to allow staff to brief the Commission on the facts of the upcoming case per a pending update to the City's Comprehensive Plan. Staff was directed to move forward with this request.

On January 13, 2015, a rezoning request was received by the applicant requesting to rezone the subject property from the current SF-4 Single family residential zoning to TH-16 Townhomes. The applicant indicated that the intent is to construct detached, single family townhomes, generally in conformance with the attached conceptual renderings.

1. **Location and Size:** The property is generally located on the south side of W. Main St. just east of the intersection of Briarwood Ln. and W. Main St. The property under consideration contains approximately 2 acres of land.

2. **Current Zoning:** The subject property is currently zoned SF-4, Single Family Residential.

3. **Adjacent Properties:**
   North: SF-5, Single Family residential (single family home)
   South: SF – 4, Single Family residential (single family homes)
   East: SF-4, Single Family residential (undeveloped/cemetery)
   West: SF-4, Single Family residential (undeveloped)

4. **Comprehensive Plan Compatibility:** The Comprehensive Plan identifies this site as suitable for low density residential which is a land use designation suitable for single family detached dwellings.

5. **Public Notification:** Zoning signs were placed on the subject property. 18 property owner notices were sent on 6-19-15. ***Two responses in opposition have been received.***

6. **Case/Site History: N/A**

Considerations

This is a request for a comprehensive plan amendment to change the City of Lancaster's Future Land Use Plan (FLUP) map from low density single family uses to high density town home uses. If the amendment and zoning change are both approved, this would make the proposed zoning compatible with the FLUP. The current designation of low density residential uses is suitable for single family detached structures.

The subject property is a 2 acre site of previously subdivided land (see notification area map). The applicant is seeking to construct a single family attached town home product. While undeveloped, the subject property is zoned SF-4 Single Family (a low density designation) and the surrounding developed parcels are all existing low density residential uses.

Two responses in opposition have been received from property owners within the 200' notification area.

The Lancaster Development Code states that zoning should be in conformance with the Future Land Use Plan of the City Comprehensive plan. Pursuant to Section 14.1101 of the LDC, when reviewing a zoning change application, there are five (5) considerations that must be made when deciding on a zoning change application. Below is an analysis of these considerations:

Consistency with the Comprehensive Plan: The Comprehensive Plan identifies this site as Low density residential uses. The proposed change in zoning is not in compliance with the Future Land Use Plan (FLUP).

The proposed amendment to the Future Land Use Plan would allow the proposed zoning to become consistent with the FLUP if the proposed zoning change is approved.

It should be noted that the City is currently undergoing a Comprehensive Plan update that would potentially address this area in the future vision of the City of Lancaster.

Potential Impact on Adjacent Development: The subject property is currently undeveloped. Some of the surrounding properties have been developed as single family uses. This is in keeping with the general nature of this area.

Availability of utilities and access: The subject property is served by City of Lancaster water and sanitary sewer. The applicant is not proposing any changes to the water and sewer master plan.

Site conditions such as vegetation, topography and flood plain: The subject property is currently undeveloped. Issues such as vegetation, topography and flood plain will be addressed as part of the previous site plan approval process.

Timing of Development as it relates to Lancaster's Capital Improvement Plan: This is not applicable to this site.

Recommendation

Surrounding development is detached single family, large lot development as reflected in the Comprehensive Plan's Future Land Use Plan map. The proposed amendment to the Comprehensive Plan and associated zoning change is not in keeping with these plans.

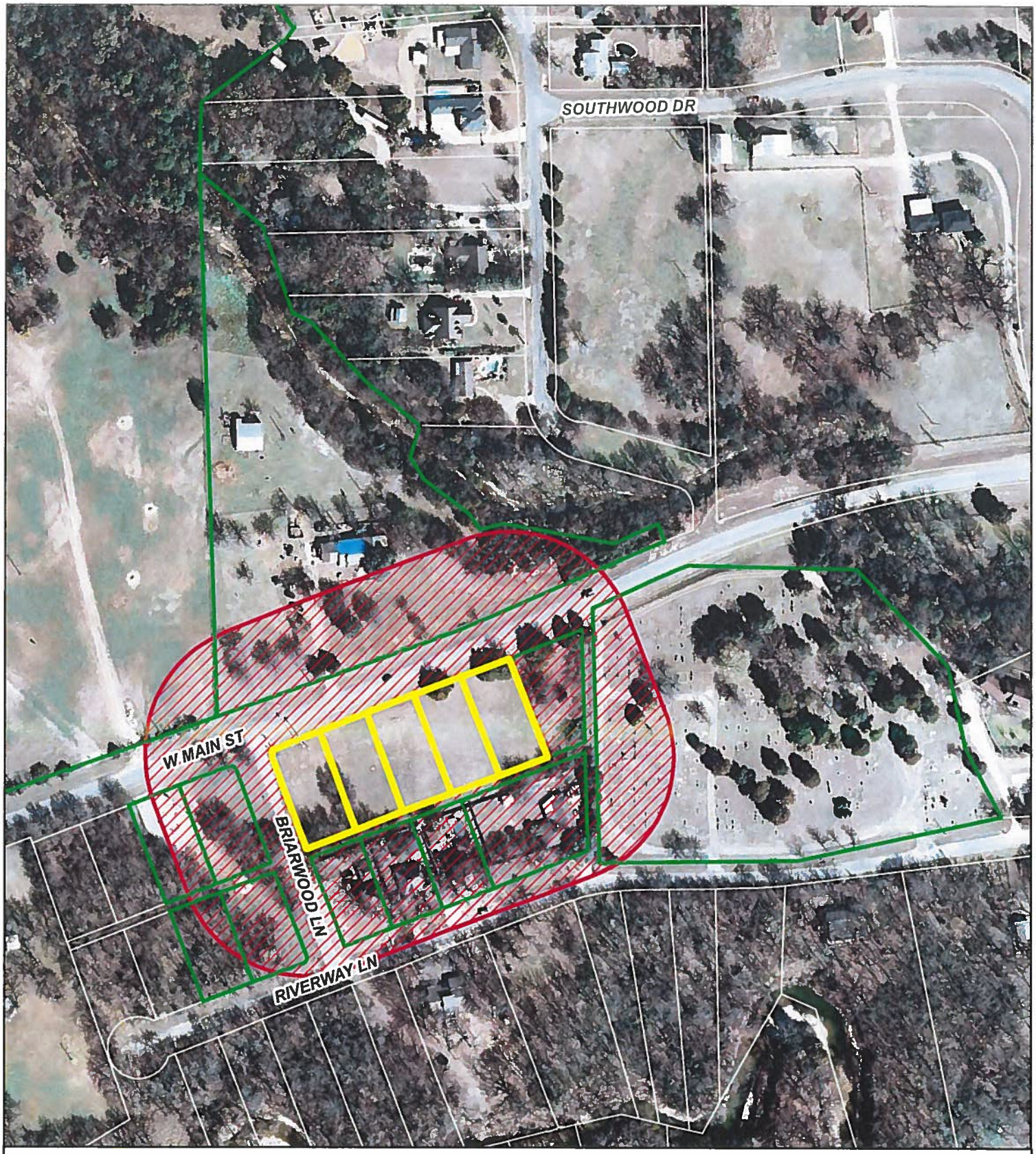
Staff recommends denial of the requested amendment to the Future Land Use Plan map and proposed zoning change.

Attachments

- Location/Property Owner Notification Map
- Future Land Use Plan map

Prepared By and Submitted By:

Mike Grace, AICP
Director of Development Services



N
W E
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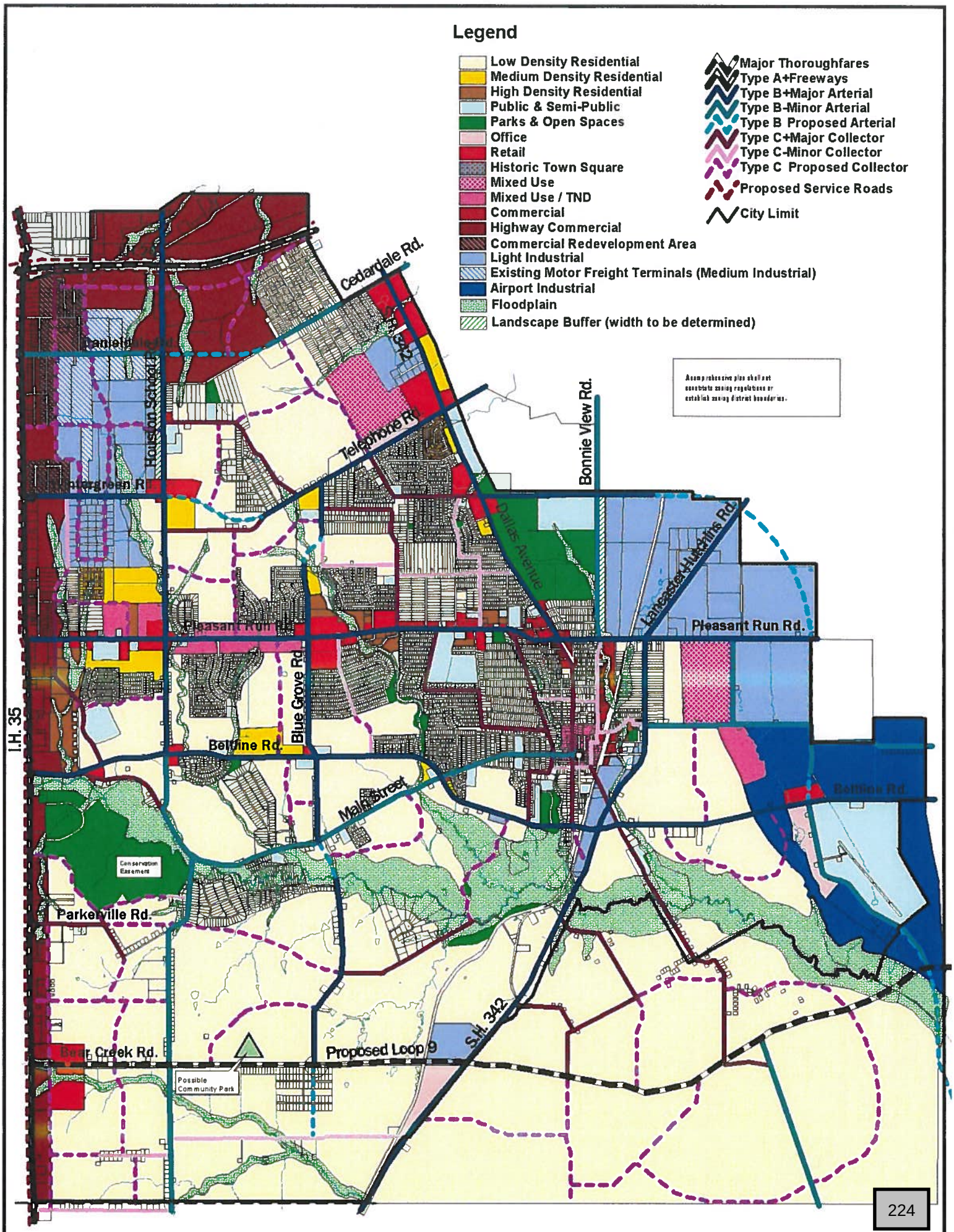
Parcels
Subject Parcel
Notification Parcels
200' Notification Area

0 100 200 400 Feet

City of Lancaster
1616-1642 W Main St
200' Notification Area

date: 06/11/2015


Legend
Low Density Residential
Medium Density Residential
High Density Residential
Public & Semi-Public
Parks & Open Spaces
Office
Retail
Historic Town Square
Mixed Use
Mixed Use / TND
Commercial
Highway Commercial
Commercial Redevelopment Area
Light Industrial
Existing Motor Freight Terminals (Medium Industrial)
Airport Industrial
Floodplain
Landscape Buffer (width to be determined)
Major Thoroughfares
Type A+Freeways
Type B+Major Arterial
Type B-Minor Arterial
Type B Proposed Arterial
Type C+Major Collector
Type C-Minor Collector
Type C Proposed Collector
Proposed Service Roads
City Limit
Cedardale Rd.
Houston School Rd.
Telephone Rd.
Bonnie View Rd.
Dallas Avenue
Lancaster-Hutchins Rd.
Pleasant Run Rd.
Blue Grove Rd.
Belt Line Rd.
Main Street
Parkerville Rd.
Bear Creek Rd.
Proposed Loop 9
S.H. 342
I.H. 35
Conservation Easement
Possible Community Park

REGULAR MEETING MINUTES
PLANNING & ZONING COMMISSION
CITY OF LANCASTER, TEXAS
TUESDAY, SEPTEMBER 1, 2015

CALL TO ORDER:
Chair Prothro called the meeting to order at 7:00 p.m. on September 1, 2015.

COMMISSIONERS

LAWRENCE PROTHRO, CHAIR
MARVIN EARLE
RACHEAL HILL
TOM BARNETT JR.

CITY STAFF
MIKE GRACE, AICP — **DIRECTOR OF DEVELOPMENT SERVICES**
JULIE DOSHER — **CITY ATTORNEY**

CITIZENS COMMENTS: (At this time citizens will be allowed to speak only on matters contained on the Planning and Zoning Commission agenda.)

Chair Prothro opened the meeting to citizen comments. No citizens came forward to speak.

ACTION:

Chair Prothro explained the process and rules for the public to speak regarding public hearings and then opened the public hearings.

1. **Z15-01** Conduct a public hearing for an Amendment to the City of Lancaster's Comprehensive Plan's Future Land Use Map from Public/Semi Public uses for uses suitable under Office zoning to a land use designation of Retail for uses suitable under R-Retail zoning. The property is approximately .6 acres of land that is located on the north side of Pleasant Run Road just east of the intersection of Lancaster Park Drive and Pleasant Run Road. The legal description of the property is Part of Lot 6, Block B, Bellaire Aces addition, Lancaster, Dallas County, Texas.

COMMISSIONER EARLE MOTIONED TO REJECT STAFF'S RECOMMENDATION AND RECOMMEND APPROVAL OF THE REQUEST. 2ND BY COMMISSIONER HILL.

THE MOTION CARRIED 4-0

AYES: PROTHRO, BARNETT, EARLE, HILL

NAYS: NONE

2. **Z15-03** Conduct a Public Hearing and consider an application for a Specific Use Permit (SUP) for a telecommunications tower on property known as 653 N. Bluegrove Road further described as William Rawlins Survey, Abstract 1200, Tract 40 in City of Lancaster, Dallas County, Texas.

DRAFT

COMMISSIONER EARLE MADE MOTION TO CLOSE THE PUBLIC HEARING, 2ND BY COMMISSIONER BARNETT.

THE MOTION CARRIED 4-0

AYES: EARLE, BARNETT, HILL, PROTHRO
NAYES: NONE

COMMISSIONER HILL MADE MOTION TO RECOMMEND APPROVAL SUBJECT TO STAFF'S RECOMMENDED CONDITION. 2ND BY COMMISSIONER BARNETT.

THE MOTION CARRIED 4-0

AYES: EARLE, BARNETT, HILL, PROTHRO
NAYES: NONE

3. **Z15-04** Discuss an Amendment to the City of Lancaster's Comprehensive Plan's Future Land Use Map from Retail uses to Light Industrial uses and a rezoning request from Planned Development Mixed Use (PD-MU) to Planned Development Light Industrial (PD-LI). The subject property is described as being a 3.845 acre tract and a 0.992 acre tract in the Smith Elkins Survey, Abstract No. 430, in the City of Lancaster, Dallas County, Texas.

COMMISSIONER BARNETT MADE MOTION TO CLOSE THE PUBLIC HEARING, 2ND BY COMMISSIONER EARLE.

THE MOTION CARRIED 4-0

COMMISSIONER EARLE MADE MOTION TO RECOMMEND APPROVAL SUBJECT TO STAFF'S RECOMMENDED CONDITION. 2ND BY COMMISSIONER HILL.

AYES: EARLE, BARNETT, HILL, PROTHRO
NAYES: NONE

THE MOTION CARRIED 4-0.

Meeting was adjourned at 8:30 p.m.

_____
Lawrence Prothro, Chair

ATTEST

_____
Mike Grace, AICP
Director

DRAFT

PLANNING & ZONING COMMISSION
Agenda Communication for June 30, 2015

#2

Z15-02 – Conduct a public hearing and consider an application to amend the City of Lancaster's Comprehensive Plan's Future Land use map from Low Density Residential uses to high Density Residential uses and a re-zoning request from SF4-Single Family Residential to TH-16 Townhomes. The approximately 2 acre property is located on the south side of W. Main Street just east of the intersection of Briarwood Ln. and W. Main St., further described as H Lot 5 of the Enchanted Forest Unit 2 addition, Lancaster, Dallas County, Texas.

Background

On May 14, 2015, the Planning & Zoning Commission had a discussion to allow staff to brief the Commission on the facts of the upcoming case per a pending update to the City's Comprehensive Plan. Staff was directed to move forward with this request.

On January 13, 2015, a rezoning request was received by the applicant requesting to rezone the subject property from the current SF-4 Single family residential zoning to TH-16 Townhomes. The applicant indicated that the intent is to construct detached, single family townhomes, generally in conformance with the attached conceptual renderings.

1. **Location and Size:** The property is generally located on the south side of W. Main St. just east of the intersection of Briarwood Ln. and W. Main St. The property under consideration contains approximately 2 acres of land.

2. **Current Zoning:** The subject property is currently zoned SF-4, Single Family Residential.

3. **Adjacent Properties:**
   North: SF-5, Single Family residential (single family home)
   South: SF – 4, Single Family residential (single family homes)
   East: SF-4, Single Family residential (undeveloped/cemetery)
   West: SF-4, Single Family residential (undeveloped)

4. **Comprehensive Plan Compatibility:** The Comprehensive Plan identifies this site as suitable for low density residential which is a land use designation suitable for single family detached dwellings.

5. **Public Notification:** Zoning signs were placed on the subject property. 18 property owner notices were sent on 6-19-15. ***Two responses in opposition have been received.***

6. **Case/Site History: N/A**

Considerations

This is a request for a comprehensive plan amendment to change the City of Lancaster's Future Land Use Plan (FLUP) map from low density single family uses to high density town home uses. If the amendment and zoning change are both approved, this would make the proposed zoning compatible with the FLUP. The current designation of low density residential uses is suitable for single family detached structures.

The subject property is a 2 acre site of previously subdivided land (see notification area map). The applicant is seeking to construct a single family attached town home product. While undeveloped, the subject property is zoned SF-4 Single Family (a low density designation) and the surrounding developed parcels are all existing low density residential uses.

Two responses in opposition have been received from property owners within the 200' notification area.

The Lancaster Development Code states that zoning should be in conformance with the Future Land Use Plan of the City Comprehensive plan. Pursuant to Section 14.1101 of the LDC, when reviewing a zoning change application, there are five (5) considerations that must be made when deciding on a zoning change application. Below is an analysis of these considerations:

Consistency with the Comprehensive Plan: The Comprehensive Plan identifies this site as Low density residential uses. The proposed change in zoning is not in compliance with the Future Land Use Plan (FLUP).

The proposed amendment to the Future Land Use Plan would allow the proposed zoning to become consistent with the FLUP if the proposed zoning change is approved.

It should be noted that the City is currently undergoing a Comprehensive Plan update that would potentially address this area in the future vision of the City of Lancaster.

Potential Impact on Adjacent Development: The subject property is currently undeveloped. Some of the surrounding properties have been developed as single family uses. This is in keeping with the general nature of this area.

Availability of utilities and access: The subject property is served by City of Lancaster water and sanitary sewer. The applicant is not proposing any changes to the water and sewer master plan.

Site conditions such as vegetation, topography and flood plain: The subject property is currently undeveloped. Issues such as vegetation, topography and flood plain will be addressed as part of the previous site plan approval process.

Timing of Development as it relates to Lancaster's Capital Improvement Plan: This is not applicable to this site.

Recommendation

Surrounding development is detached single family, large lot development as reflected in the Comprehensive Plan's Future Land Use Plan map. The proposed amendment to the Comprehensive Plan and associated zoning change is not in keeping with these plans.

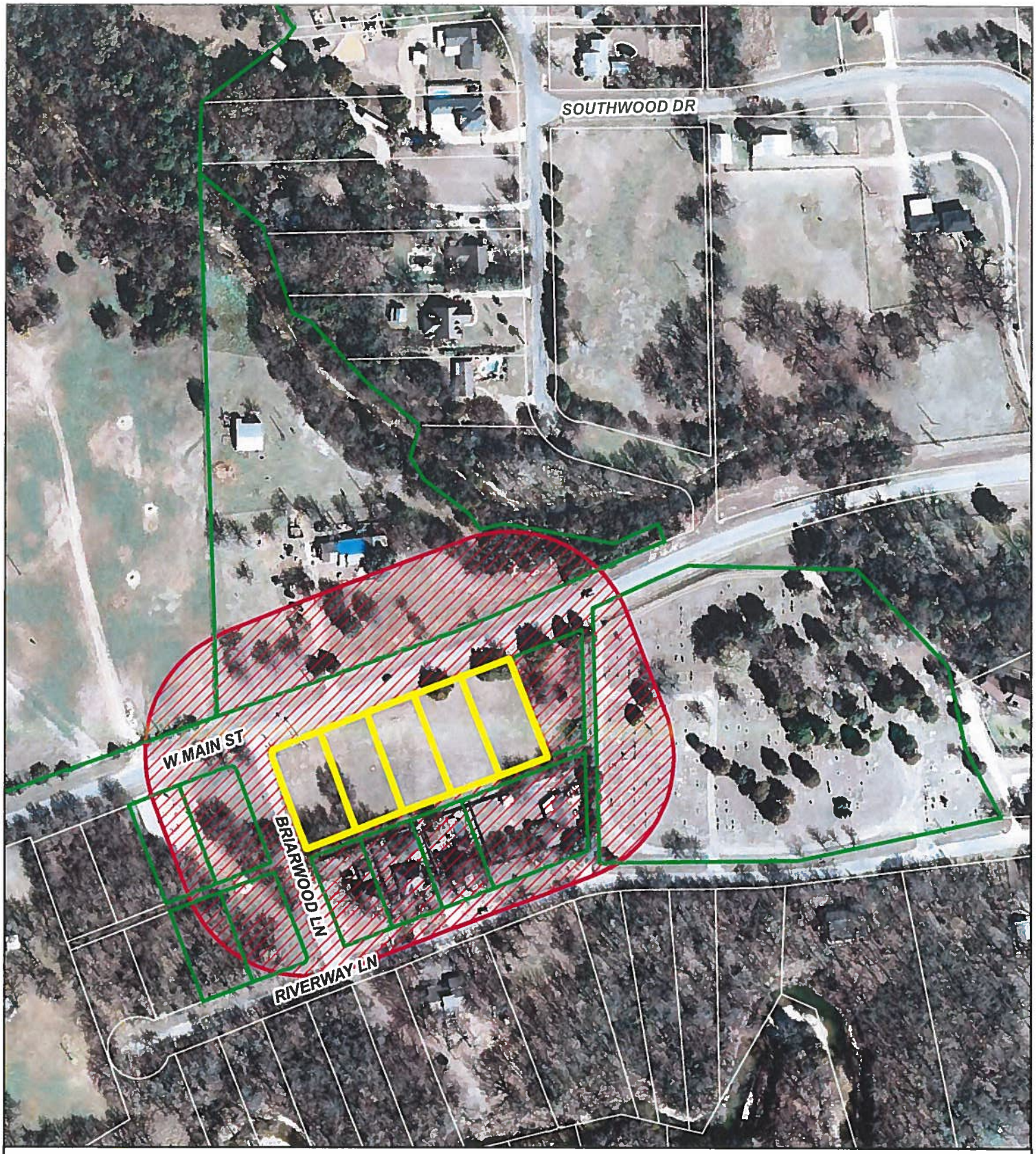
Staff recommends denial of the requested amendment to the Future Land Use Plan map and proposed zoning change.

Attachments

- Location/Property Owner Notification Map
- Future Land Use Plan map

Prepared By and Submitted By:

Mike Grace, AICP
Director of Development Services



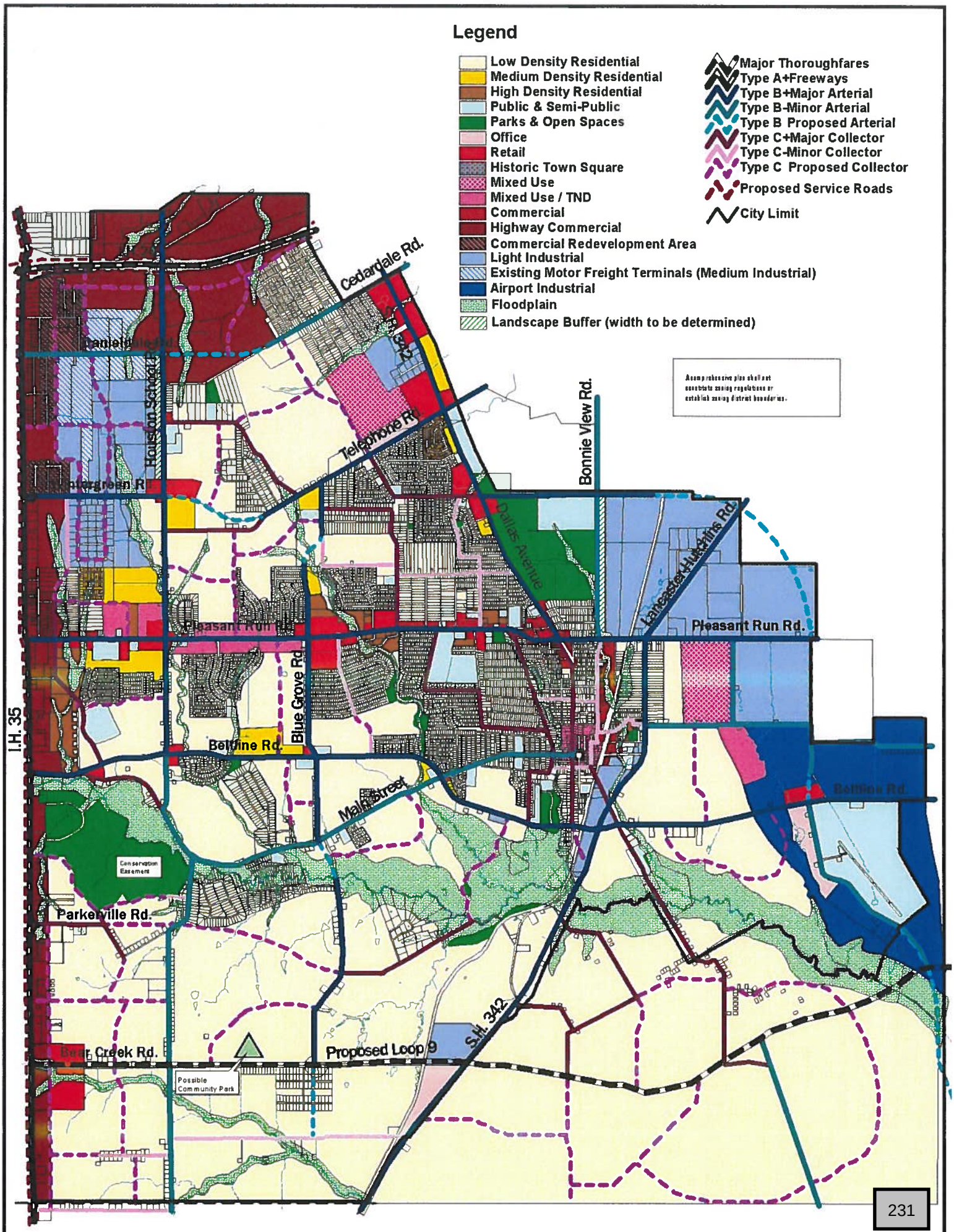
N
W E
S

Parcels
Subject Parcel
Notification Parcels
200' Notification Area

0 100 200 400 Feet

City of Lancaster
1616-1642 W Main St
200' Notification Area

date: 06/11/2015


Legend
Low Density Residential
Medium Density Residential
High Density Residential
Public & Semi-Public
Parks & Open Spaces
Office
Retail
Historic Town Square
Mixed Use
Mixed Use / TND
Commercial
Highway Commercial
Commercial Redevelopment Area
Light Industrial
Existing Motor Freight Terminals (Medium Industrial)
Airport Industrial
Floodplain
Landscape Buffer (width to be determined)
Major Thoroughfares
Type A+Freeways
Type B+Major Arterial
Type B-Minor Arterial
Type B Proposed Arterial
Type C+Major Collector
Type C-Minor Collector
Type C Proposed Collector
Proposed Service Roads
City Limit
Cedardale Rd.
Houston School Rd.
Telephone Rd.
Bonnie View Rd.
Dallas Avenue
Lancaster-Hutchins Rd.
Pleasant Run Rd.
Blue Grove Rd.
Belt Line Rd.
Main Street
I.H. 35
Conservation Easement
Parkerville Rd.
Bear Creek Rd.
Proposed Loop 9
S.H. 342
Possible Community Park

REGULAR MEETING MINUTES
PLANNING & ZONING COMMISSION
CITY OF LANCASTER, TEXAS
TUESDAY, JUNE 30, 2015

CALL TO ORDER:
Chair Prothro called the meeting to order at 7:02 p.m. on June 30, 2015.

COMMISSIONERS

LAWRENCE PROTHRO, CHAIR
MARVIN EARLE
RACHEAL HILL
TOM BARNETT JR.
GENEVIEVE ROBINSON - absent

CITY STAFF
MIKE GRACE, AICP — **DIRECTOR OF DEVELOPMENT SERVICES**
JULIE DOSHER — **CITY ATTORNEY**

CITIZENS COMMENTS: (At this time citizens will be allowed to speak only on matters contained on the Planning and Zoning Commission agenda.)

ACTION

Chair Prothro explained the process and rules for the public to speak regarding public hearings.

1. **Z15-02 -** Conduct a Public Hearing and Consider an amendment to the Future Land Use Map and a rezoning request from SF-4 – Single Family Residential to TH-16 Town House residential detached on the addresses of 1616-1642 W. Main Street located within the Enchanted Forest Subdivision, Block H, Lots 1-5, within the City of Lancaster, Dallas County, Texas.

Director of Development Services Mike Grace gave the Staff presentation. He explained that the Planning and Zoning Commission held a May 14, 2015 Work Session to discuss the above proposed zoning request and provided direction to staff to move forward with the rezoning request ahead of the adoption of the updated Comprehensive Plan in the Fall of 2015. He also noted that the City of Lancaster is currently in the process of updating its Comprehensive Plan with an expected Fall 2015 completion and adoption.

Member Earle asked what variables staff used to evaluate the request.

Director Grace explained that compatibility with surrounding uses, current Comprehensive Plan designation of low single-family uses, higher density nature of town home uses and that an approved zoning request would create a conflict with the current Comprehensive Plan. He also explained that changes to the land use designation are not expected for this location in the forthcoming update to the Comprehensive Plan.

Chair Prothro asked if there were any questions for staff. None were asked.

DRAFT

Chair Prothro then asked if the applicant was present.

Chair Prothro opened the Public Hearing.

Chair Prothro then asked if anyone wanted to speak in favor of the proposal. No one speak in favor.

Chair Prothro then asked if anyone wanted to speak in opposition.

8 residents spoke in opposition.

Chair Prothro stated if no one else wished to speak Chair would entertain a motion to close the public hearing.

COMMISSIONER EARLE MADE MOTION TO CLOSE, 2ND BY COMMISSIONER BARNETT.

AYES: EARLE, BARNETT, HILL, PROTHRO
NAYES: NONE

Chair Prothro stated that public hearing has been closed.

Chair Prothro asked if there were any questions of staff, applicant or the public speakers. Commissioner Hill asked if the subject area is still being planned as being read as a low density area in the Comprehensive Plan update.

Director Grace confirmed that it is.

Chair Prothro asked if the Commission had any discussion; Commissioner Barnett suggested that they continue forward with low density for the subject area.

Chair Prothro that the city has been working on an update to the Comprehensive Plan and they should not deviate from a plan that's still in the process of being updated.

Attorney Julie Dosher stated that a motion for approval or denial of the zoning request was needed.

Chair requested a motion to recommend approval or denial Z15-02.

COMMISSIONER EARLE MADE MOTION TO ACCEPT STAFF'S RECOMMENDATION TO DENY THE APPLICATION. COMMISSIONER HILL SECONDED.

AYES: EARLE, BARNETT, HILL, PROTHRO
NAYES: NONE

THE MOTION CARRIED 4-0.

Commissioner Earle noted that he lived in the general vicinity, but still voting.

Chair asked for motion to adjourn.

COMMISSIONER BARNETT MADE MOTION TO ACCEPT STAFF'S RECOMMENDATION TO DENY THE APPLICATION. COMMISSIONER EARLE SECONDED.

AYES: EARLE, BARNETT, HILL, PROTHRO
NAYES: NONE

THE MOTION CARRIED 4-0.

Meeting was adjourned at 7:22 p.m.

_____
Lawrence Prothro, Chair

ATTEST

_____
Mike Grace, AICP
Director

DRAFT

LANCASTER CITY COUNCIL

Agenda Communication

September 14, 2015

Conduct a public hearing and consider a Specific Use Permit (SUP) for a telecommunications tower on property known as 653 N. Bluegrove Road further described as William Rawlins Survey, Abstract 1200, Tract 40 in City of Lancaster, Dallas County, Texas.

This request supports the City Council 2015-2016 Policy Agenda.

Goal: Quality Development

Background

1. **Location and Size:** The property is generally located at 653 N. Bluegrove Road. The property under consideration is approximately 5.055 acres of land.

2. **Current Zoning:** The subject property is currently zoned Agricultural-Open Space (A-O) uses.

3. **Adjacent Properties:**
   North: A-O, Single family residential
   South: A-O, Single Family residential
   East: SF-6, Single Family high density residential
   West: SF-5, Single Family medium density residential (undeveloped)

4. **Comprehensive Plan Compatibility:** The Comprehensive Plan identifies this site as suitable for low density residential which is a land use designation suitable for single family attached dwellings.

5. **Public Notification:** Newspaper notice was published in the Focus Daily News on August 21, 2015. Zoning signs were placed on the subject property and notices were sent to property owners within 200 feet of the request site.

6. **Case/Site History:** N/A

On September 1, 2015 the Planning & Zoning Commission held a public hearing on the zoning change request and received background information from Director of Development Services, Mike Grace. The Commission conducted and closed the public hearing and recommended approval of the Specific Use Permit request. One property owner response in favor was received.

A Specific Use Permit (SUP) rezoning request was submitted by the applicant requesting permission to develop an 85 feet tall monopole telecommunications tower, associated 5 feet tall lighting rod and future equipment building. The Lancaster Development Code identifies such use as “Antenna, Commercial – Free Standing”.

The proposed tower will be located within a lease area 2,500 square feet in size. An 8 feet tall masonry wall will enclose the tower and with vehicular access provided by a proposed 30 feet wide utility and access easement containing a 12 feet gravel drive.

The subject property contains an existing single family residential structure and three accessory storage structures.

Considerations

Operational -This is a request for a Specific Use Permit (SUP) for an 85 feet tall monopole telecommunications tower, associated 5 feet tall lighting rod and future equipment building.

The Lancaster Development Code states that zoning should be in conformance with the Future Land Use Plan of the City Comprehensive plan. Pursuant to Section 14.1101 of the LDC, when reviewing a zoning change application, there are five (5) considerations that must be made when deciding on a zoning change application. Below is an analysis of these considerations:

Consistency with the Comprehensive Plan: The Comprehensive Plan identifies this site as Low density residential uses. The proposed Specific Use Permit does not conflict with the Future Land Use Plan.

Potential Impact on Adjacent Development: The subject property is currently developed with a single family structure and associated accessory structures. The surrounding properties to the north, south and east have been developed as single family uses. Property immediately adjacent to the west is undeveloped. Staff does not foresee any potential negative impacts upon adjacent properties and has received 1 reply in support of the request from adjacent property owners.

Availability of utilities and access: The subject property is served by City of Lancaster water and sanitary sewer. The applicant is not proposing any changes to the water and sewer master plan.

Site conditions such as vegetation, topography and flood plain: The subject property is currently developed with a single family residential structure and three accessory buildings. Issues such as vegetation, topography and flood plain have been addressed as part of the SUP Site Plan approval process.

Timing of Development as it relates to Lancaster’s Capital Improvement Plan: This is not applicable to this site.

- **Legal** – The City Attorney has drafted an Ordinance for the proposed zoning change. Per the Lancaster Development Code, the following conditions apply to the subject request:

Antenna, Commercial—Free-Standing, Other.

1. The antenna installation shall comply with the height and area regulations of the applicable zoning district and the support structure shall not exceed 125 feet in height.
2. The antenna shall not extend more than 10 feet above the maximum height of the support structure.
3. Any necessary equipment building shall be of a material allowed by the applicable zoning district, similar in color and character to the principal building on the site; or the necessary equipment shall be contained entirely within a principal building on the property or in an underground vault.
4. The antenna and any equipment buildings shall be enclosed by a decorative iron fence surrounded by a screening hedge which will achieve a height of at least six (6) feet at maturity or by a masonry screening wall at least eight (8) feet in height, compatible in color and character with the principal building and the equipment building.
5. At least one (1) paved parking space with a concrete paved access may be required at the antenna location; this space need not be reserved exclusively for use in conjunction with the antenna facility and may be one (1) of the spaces required for the principal use on the property.
6. Administrative approval of the antenna installation shall be required prior to the issuance of any permits for construction.

   No more than three (3) separate antennas and three (3) equipment buildings shall be located on a single lot or structure.

Additional Conditions

7. Section 18.03.043 Driveways of the city's Code of Ordinances requires that all driveways be constructed of concrete. Commercial driveways must be 6" thick.

Applicant's Proposed Alternative Conditions

- The applicant proposes to serve the proposed tower and ancillary building with a gravel road.

- **Financial** - There are no financial considerations for this item.

- **Public Information** - On Friday, August 21, 2015 a Public Hearing notice appeared in the Focus Daily News, the City of Lancaster's newspaper of record. 18 property owner notices were sent out on August 21, 2015. 1 notice was returned in favor the proposal.

Options/Alternatives

1. Approve the SUP as submitted.
2. Approve the SUP in accordance with staff recommended conditions and state those conditions.
3. Approve the SUP with amended conditions and state those conditions.
4. Deny the SUP.

Recommendation

On September 1, 2015, the P&Z Commission recommended approval on the condition that the Specific Use Permit requests comply with Section 18.03.043 (Driveways) of the City of Lancaster's Code of Ordinances requiring that the proposed commercial driveway be constructed of 6" thick concrete.

Staff concurs with the P&Z.

Attachments

- Ordinance
- P&Z Agenda Communication
- P&Z Minutes (draft)

Submitted by: Mike Grace, AICP
Director of Development Services

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF LANCASTER, TEXAS, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING FROM AGRICULTURAL (AO) TO AGRICULTURAL SPECIAL USE PERMIT (AO-SUP) TO ALLOW A FREE-STANDING RADIO ANTENNA TOWER AND BEING MORE PARTICULARLY DESCRIBED AS A 3.854 ACRE TRACT AND A .992 ACRE TRACT IN THE SMITH ELKINS SURVEY, ABSTRACT 430, CITY OF LANCASTER, DALLAS COUNTY, TEXAS; PROVIDING FOR THE APPROVAL OF THE SITE PLAN ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Planning and Zoning Commission and the governing body of the City of Lancaster, Texas, in compliance with the laws of the State of Texas and pursuant to the Comprehensive Zoning Ordinance of the City of Lancaster, have given requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to all persons interested and situated in the affected area and in the vicinity thereof, the said governing body is of the opinion that Zoning Application No. ZC15-03 should be approved, and in the exercise of legislative discretion have concluded that the Comprehensive Zoning Ordinance and Map should be amended.

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

SECTION 1. That the Comprehensive Zoning Ordinance and Map of the City of Lancaster, Texas, duly passed by the governing body of the City of Lancaster zoning change request from Agricultural (AO) to Agricultural Special Permit Use (AO-SUP), to allow a free-standing radio antenna tower on property being more particularly described as a 3.854 acre tract and a .992 acre tract in the Smith Elkins Survey, Abstract 430, City of Lancaster, Dallas County, Texas, subject to special conditions.

SECTION 2. That Special Use Permit granted herein is hereby approved subject to the following special conditions:

1. The antenna installation shall comply with the height and area regulations of the applicable zoning district and the support structure (monopole) shall not exceed 85 feet in height.

2. The antenna shall not extend more than 10 feet above the maximum height of the support structure (monopole).

3. Any necessary equipment building shall be of a material allowed by the applicable zoning district, similar in color and character to the principal building on the site; or, the necessary equipment shall be contained entirely within a principal building on the property or in an underground vault.

4. The antenna and any equipment buildings shall be enclosed by a decorative iron fence surrounded by a screening hedge which will achieve a height of at least six (6) feet at maturity or by a masonry screening wall at least eight (8) feet in height, compatible in color and character with the principal building and the equipment building.

5. At least one (1) paved parking space with a concrete paved access may be required at the antenna location; this space need not be reserved exclusively for use in conjunction with the antenna facility and may be one (1) of the spaces required for the principal use on the property.

6. Administrative approval of the antenna installation shall be required prior to the issuance of any permits for construction. No more than three (3) separate antennas and three (3) equipment buildings shall be located on a single lot or structure.

7. Section 18.03.043 Driveways of the city's Code of Ordinances requires that all driveways be constructed of concrete. Commercial driveways must be 6" thick.

SECTION 3. That the above property shall be used only in the manner and for the purpose provided for by the Comprehensive Zoning Ordinance of the City of Lancaster, as heretofore amended, and as amended herein.

SECTION 4. That the development of the property herein shall be in accordance with building regulations, zoning ordinances, and any applicable ordinances except as may be specifically altered or amended herein.

SECTION 5. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be unconstitutional, illegal or invalid, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 6. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 7. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Lancaster, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars ($2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 8. That this ordinance shall take effect immediately from and after its passage and the publication of its caption, 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 September, 2015.

ATTEST:

_____
Sorangel O. Arenas, City Secretary

APPROVED:

_____
Marcus E. Knight, Mayor

APPROVED AS TO FORM:

_____
Robert E. Hager, City Attorney

AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS

AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF LANCASTER, TEXAS, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING FROM AGRICULTURAL (AO) TO AGRICULTURAL SPECIAL USE PERMIT (AO-SUP) TO ALLOW A FREE-STANDING RADIO ANTENNA TOWER AND BEING MORE PARTICULARLY DESCRIBED AS A 3.854 ACRE TRACT AND A .992 ACRE TRACT IN THE SMITH ELKINS SURVEY, ABSTRACT 430, CITY OF LANCASTER, DALLAS COUNTY, TEXAS; PROVIDING FOR THE APPROVAL OF THE SITE PLAN ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

DULY PASSED by the City Council of the City of Lancaster, Texas, this the _____ day of _____, 2015.

APPROVED:

_____
MARCUS KNIGHT

ATTEST:

_____
SORANGEL ARENAS

APPROVED AS TO FORM:

_____
ROBERT E. HAGER, CITY ATTORNEY
(REH/co)

PLANNING & ZONING COMMISSION
Agenda Communication for September 1, 2015

#2

Z15-03: Conduct a Public Hearing and consider an application for a Specific Use Permit (SUP) for a telecommunications tower on property known as 653 N. Bluegrove Road further described as William Rawlins Survey, Abstract 1200, Tract 40 in City of Lancaster, Dallas County, Texas.

Background

A Specific Use Permit (SUP) rezoning request was submitted by the applicant requesting permission to develop an 85 feet tall monopole telecommunications tower, associated 5 feet tall lighting rod and future equipment building. The Lancaster Development Code identifies such use as "Antenna, Commercial – Free Standing".

The proposed tower will be located within a lease area 2,500 square feet in size. An 8 feet tall masonry wall will enclose the tower and with vehicular access provided by a proposed 30 feet wide utility and access easement containing a 12 feet gravel drive.

The subject property contains an existing single family residential structure and three accessory storage structures.

1. **Location and Size:** The property is generally located at 653 N. Bluegrove Road. The property under consideration is approximately 5.055 acres of land.

2. **Current Zoning:** The subject property is currently zoned Agricultural-Open Space (A-O) uses.

3. **Adjacent Properties:**
   North: A-O, Single family residential
   South: A-O, Single Family residential
   East: SF-6, Single Family high density residential
   West: SF-5, Single Family medium density residential (undeveloped)

4. **Comprehensive Plan Compatibility:** The Comprehensive Plan identifies this site as suitable for low density residential which is a land use designation suitable for single family attached dwellings.

5. **Public Notification:** Zoning signs were placed on the subject property. In addition, notices were sent to property owners within 200 feet of the request site.

6. **Case/Site History: N/A**

Staff Recommended Conditions

Per the Lancaster Development Code, the following conditions apply to the subject request:

Antenna, Commercial—Free-Standing, Other.

1. The antenna installation shall comply with the height and area regulations of the applicable zoning district and the support structure shall not exceed 125 feet in height.
2. The antenna shall not extend more than 10 feet above the maximum height of the support structure.
3. Any necessary equipment building shall be of a material allowed by the applicable zoning district, similar in color and character to the principal building on the site; or the necessary equipment shall be contained entirely within a principal building on the property or in an underground vault.
4. The antenna and any equipment buildings shall be enclosed by a decorative iron fence surrounded by a screening hedge which will achieve a height of at least six (6) feet at maturity or by a masonry screening wall at least eight (8) feet in height, compatible in color and character with the principal building and the equipment building.
5. At least one (1) paved parking space with a concrete paved access may be required at the antenna location; this space need not be reserved exclusively for use in conjunction with the antenna facility and may be one (1) of the spaces required for the principal use on the property.
6. Administrative approval of the antenna installation shall be required prior to the issuance of any permits for construction.

   No more than three (3) separate antennas and three (3) equipment buildings shall be located on a single lot or structure.

Additional Conditions

- Section 18.03.043 Driveways of the city's Code of Ordinances requires that all driveways be constructed of concrete. Commercial driveways must be 6" thick.

- Staff requests the submittal of a metes and bounds description of the proposed lease area.

Applicant's Proposed Alternative Conditions

- The applicant proposes to serve the proposed tower and ancillary building with a gravel road.

Considerations

This is a request for a Specific Use Permit (SUP) for an 85 feet tall monopole telecommunications tower, associated 5 feet tall lighting rod and future equipment building.

The Lancaster Development Code states that zoning should be in conformance with the Future Land Use Plan of the City Comprehensive plan. Pursuant to Section 14.1101 of the LDC, when reviewing a zoning change application, there are five (5) considerations that must be made when deciding on a zoning change application. Below is an analysis of these considerations:

Consistency with the Comprehensive Plan: The Comprehensive Plan identifies this site as Low density residential uses. The proposed Specific Use Permit does not conflict with the Future Land Use Plan.

Potential Impact on Adjacent Development: The subject property is currently developed with a single family structure and associated accessory structures. The surrounding properties to the north, south and east have been developed as single family uses. Property immediately adjacent to the west is undeveloped. Staff does not foresee any potential negative impacts upon adjacent properties and has received 1 reply in support of the request from adjacent property owners.

Availability of utilities and access: The subject property is served by City of Lancaster water and sanitary sewer. The applicant is not proposing any changes to the water and sewer master plan.

Site conditions such as vegetation, topography and flood plain: The subject property is currently developed with a single family residential structure and three accessory buildings. Issues such as vegetation, topography and flood plain have been addressed as part of the SUP Site Plan approval process.

Timing of Development as it relates to Lancaster's Capital Improvement Plan: This is not applicable to this site.

Options/Alternatives

1. Approve the SUP as submitted.
2. Approve the SUP in accordance with staff recommended conditions and state those conditions.
3. Approve the SUP with amended conditions and state those conditions.
4. Deny the SUP.

Recommendation

Staff recommends **approval** of the item in accordance with the above listed staff recommended conditions.

Attachments

- Specific Use Permit Regulations
- Zoning Map
- Notification Map
- Proposed Site Plan
- Proposed Enlarged Site Plan
- Propagation Maps

Prepared By and Submitted By:

Mike Grace, AICP
Director of Development Services

D. In SF-E, no swine, goats, or fowl are permitted.

E. Nothing contained herein shall conflict with any State law or applicable ordinance.

(b) Temporary Accommodation for Employees, Customers and Visitors

(1) Temporary Accommodations. Temporary accommodation for employees, customers and visitors may be provided as an ancillary use in commercial zoning districts provided that:

A. Such accommodation is clearly in support of the business operation,

B. No rental of such facilities to the general transient public occurs,

C. Accommodation is for temporary stays, not to exceed 30 days, and

D. No more than 5% of the building area is utilized for this ancillary use.

Sec. 14.404 Specific Use Permits (SUP)

(a) **Permit Required.** A Specific Use Permit (SUP) is required for any use identified in the Land Use Table as requiring one. And for uses with standards where the standards are not being met, unless otherwise set out (See *Use Standards*). The procedure for requesting an SUP is set out in *Article 14.1100. Zoning Related Applications.*

(b) **Special Requirements:** The Planning and Zoning Commission in considering and determining its recommendations to the City Council on any request for a Specific Use Permit may require from the applicant plans, information, operating data and expert evaluation concerning the location and function and characteristics of any building or use proposed. The City Council may, in the interest of public welfare and to assure compliance of this Ordinance, establish conditions of operation, location, arrangement and construction of any use for which a permit is authorized. In authorizing the location of any of the uses listed as Specific Use Permits, the City Council may impose such development standards and safeguards as the conditions and locations indicate important to the welfare and protection of adjacent property from excessive noise, vibration, dust, smoke, fumes, gas, odor, explosion, glare, offensive view or other undesirable or hazardous conditions.

(c) **Application for Specific Use Permit:** Any person, firm or corporation, either as land owner or tenant, may request the use of property which requires a Specific Use Permit. A Specific Use Permit may be granted after application has been properly made and a public hearing before the Planning and Zoning Commission and the City Council has been conducted. The proposed use must comply with all regulations and restrictions as contained in the Zoning Ordinance, codes, regulations, and conditions of the City of Lancaster, including, but not limited to the Electrical Code, the Building Code, the Fire Code, the Plumbing Code, and other applicable Ordinances and codes. In addition all requests for a Specific Use Permit must comply with all State and Federal laws and regulations applicable to such use. The Planning and Zoning Commission and/or City Council may enforce additional restrictions or stipulations as the facts and circumstances of each case may warrant.

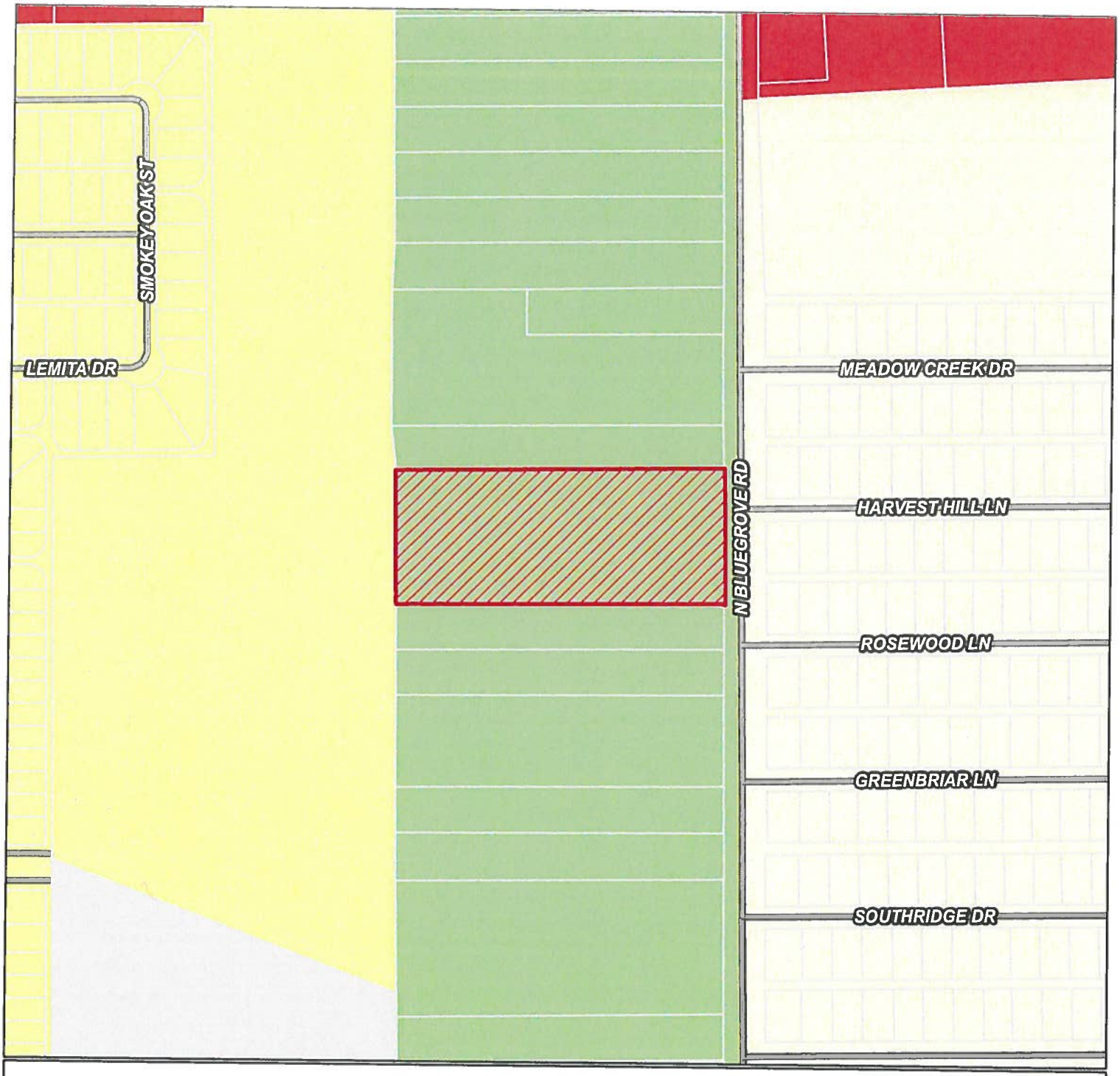
Sec. 14.405 Floodplain Areas

(a) Permitted Uses. The following uses shall be permitted within that portion of a district which is designated as being within the 100-year floodplain by the City Engineer, provided they are allowed in the underlying zoning, and that they meet any additional requirements established in the City's Floodplain Regulations:

(1) *Agriculture*. Agricultural activities including the ordinary cultivation of land or legal forms of animal husbandry.

(2) *Utilities*. Local utilities

(3) *Parks and Recreation*. Public or private parks, community centers, playgrounds, public golf courses.



N
W E
S

0 115 230 460 Feet

Lancaster

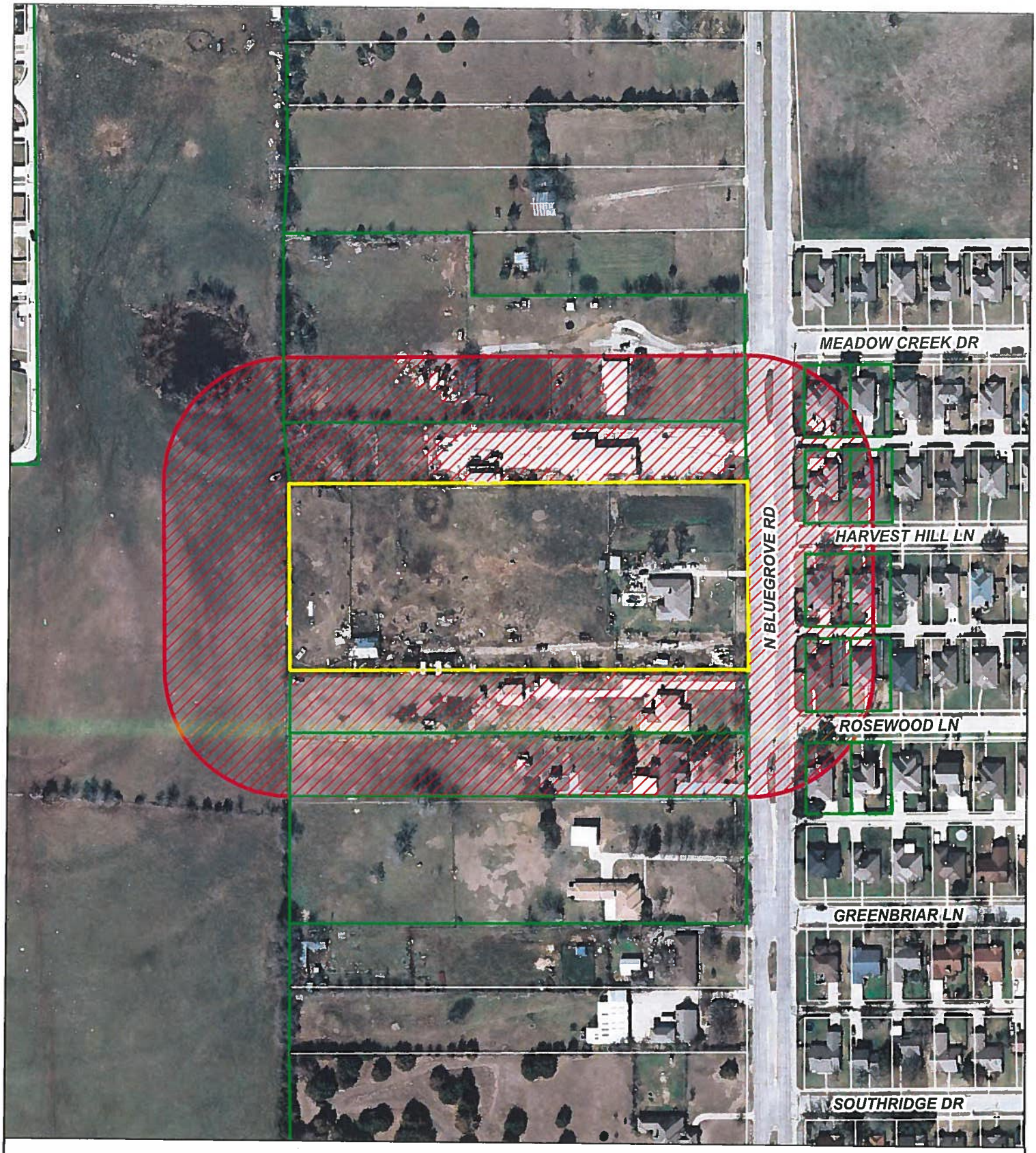
City of Lancaster
653 N Bluegrove Rd
A-O Zoning

Legend

Parcels

Zoning

- 2F-6 (2 Family Residential)
- A-O (Agricultural Open)
- CH (Commercial Hwy)
- CS (Commercial Services)
- LI (Light Industrial)
- MI (Medium Industrial)
- MF-16 (Mulit-Family)
- MH (Mobile Home)
- MZ
- NS (Neighborhood Service)
- ORT (Office)
- PD (Planned Development)
- R (Retail)
- SF-4 (Residential Low)
- SF-5 (Residential Medium)
- SF-6 (Residential High)
- SF-E (Single Family Estate)
- TC (Town Center)
- TH-16 (Town Home)
- TND (Residential)
- ZL-7 (Zero Lot Line Res)



N
W E
S

Parcels
Subject Parcel
Notification Parcels
200' Notification Area

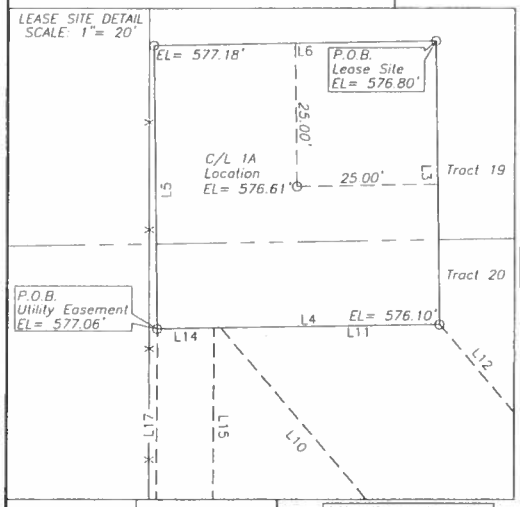
0 90 180 360 Feet

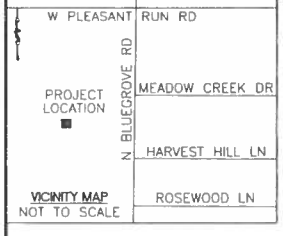
City of Lancaster
653 N Bluegrove Rd
200' Notification Area

CENTER OF TOWER COORDINATES:

NAD83:
LATITUDE NORTH 32° 35' 59.141"
LONGITUDE WEST 96° 47' 24.618"
VERTICAL DATUM: 576.61' NAVD88

LINE	BEARING	DISTANCE
L1	S 00°44'03" E	66.52'
L2	S 89°15'57" W	500.55'
L3	S 00°54'31" E	50.00'
L4	S 89°05'29" W	50.00'
L5	N 00°54'31" W	50.00'
L6	N 89°05'29" E	50.00'
L7	S 00°44'03" E	231.90'
L8	S 00°44'03" E	30.01'
L9	S 87°44'50" W	410.39'
L10	N 40°17'17" W	202.52'
L11	N 89°05'29" E	38.81'
L12	S 40°17'17" E	163.27'
L13	N 87°44'50" E	396.57'
L14	N 89°05'29" E	10.00'
L15	S 00°08'40" W	184.40'
L16	N 89°51'20" W	10.00'
L17	N 00°08'40" E	184.22'





LEASE SITE AREA
2,500.00 Sq. Feet
0.057 Acres

UTILITY EASEMENT
1,843.04 Sq. Feet
0.042 Acres

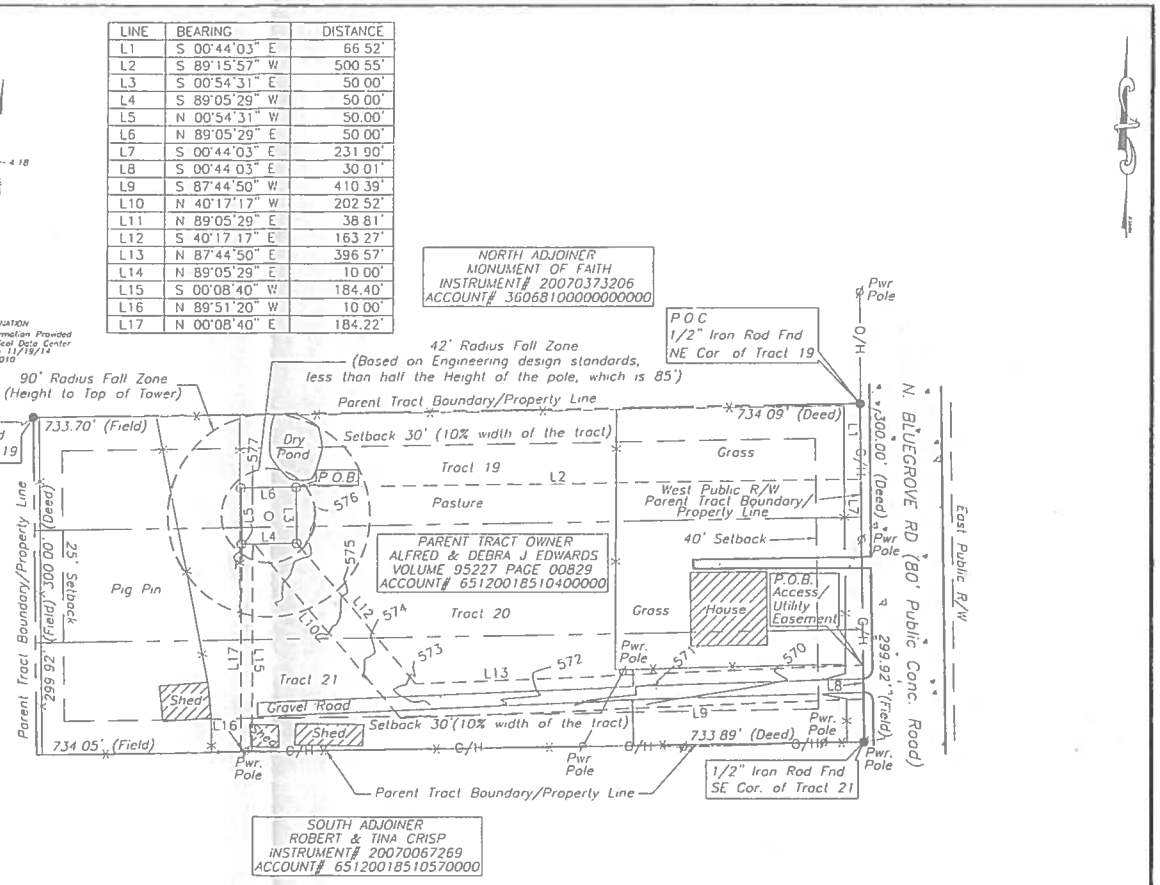
ACCESS/UTILITY EASEMENT
17,591.13 Sq. Feet
0.404 Acres

GRAPHIC SCALE

100 0 50 100 200 400

(IN FEET)
1 inch = 100 ft.

MAGNETIC DECLINATION
Magnetic Declination Information Provided By the National Geophysical Data Center Boulder, Colorado On 11/19/14 Model IGRF2010



TEXAS ONE CALL SYSTEM
CALL BEFORE YOU DIG
UNDERGROUND UTILITIES
1-800-245-4545
CALL 48 HOURS BEFORE YOU DIG, DRILL, OR BLAST.

DISTANCE TIES FROM THE 1A LOCATION:
TO THE NORTH PARENT TRACT BOUNDARY LINE = 90' +/-
TO THE WEST PARENT TRACT BOUNDARY LINE = 208' +/-

THE UTILITIES AS SHOWN ON THIS DRAWING WERE DEVELOPED FROM THE INFORMATION AVAILABLE. THIS IS NOT IMPLIED NOR INTENDED TO BE THE COMPLETE INVENTORY OF UTILITIES IN THIS AREA. IT IS THE CLIENTS RESPONSIBILITY TO VERIFY THE LOCATION OF ALL UTILITIES (WHETHER SHOWN OR NOT) AND PROTECT SAID UTILITIES FROM ANY DAMAGE.

BASIS OF BEARING:
Bearings Based on T.S.P.C.
Established GPS on: 11/19/14
Datum: Horz: NAD83 Texas North Central Zone
Vert: Geoid 96

NO.	REVISION	DATE	BY
1.	FINAL SURVEY ISSUED TO CLIENT	3/3/15	GLH
2.	REVISED DRAWING PER CLIENT	8/28/15	GLH
2.	FINAL SURVEY RE-ISSUED TO CLIENT	8/28/15	GLH

DATE SURVEYED: 11/19/14	DATE DRAFTED: 11/24/14
FIELD WORK: S.G.	OFFICE WORK: GLH
CHK'D BY: K.R.W.	JOB NO.: 3014.0181
SCALE: 1" = 100'	

LEGEND
LIGHT POLE (U/G ELEC) — GAS LINE
LIGHT POLE (O/H ELEC) — GAS METER
POWER POLE — TELEPHONE LINE
GUY LINE — TELEPHONE RISER
O/H — OVERHEAD ELECTRIC — SANITARY SEWER MANHOLE
U/G — U/G ELECTRIC — FENCE LINE
WATER LINE — STORM SEWER MANHOLE
WATER METER — STORM SEWER LINE
WATER VALVE — 1/2" IRON ROD SET
FIRE HYDRANT — IRON ROD FOUND

SURVEYOR:
Webb Surveying, Inc. — Land Surveyors
3401 Custer Road, Suite 139, Plano, TX 75024
Phone (972) 599-2300, Fax: (972) 593-2302
mail@webbsurveying.com

WORK COORDINATED BY
H&S SURVEYING, INC.
Surveying and Telecommunication Company SERVING THE CENTRAL U.S.
201 N. BICKFORD, EL RENO, OK. 73036
PH. (405) 262-0249 FAX (405) 262-3107
EMAIL: HSSURVEYING@AOL.COM

PREPARED FOR:
SBA
SBA Towers VI, LLC, a Delaware Limited Liability Company
5900 Broken Sound Parkway NW
Boca Raton, FL 33487

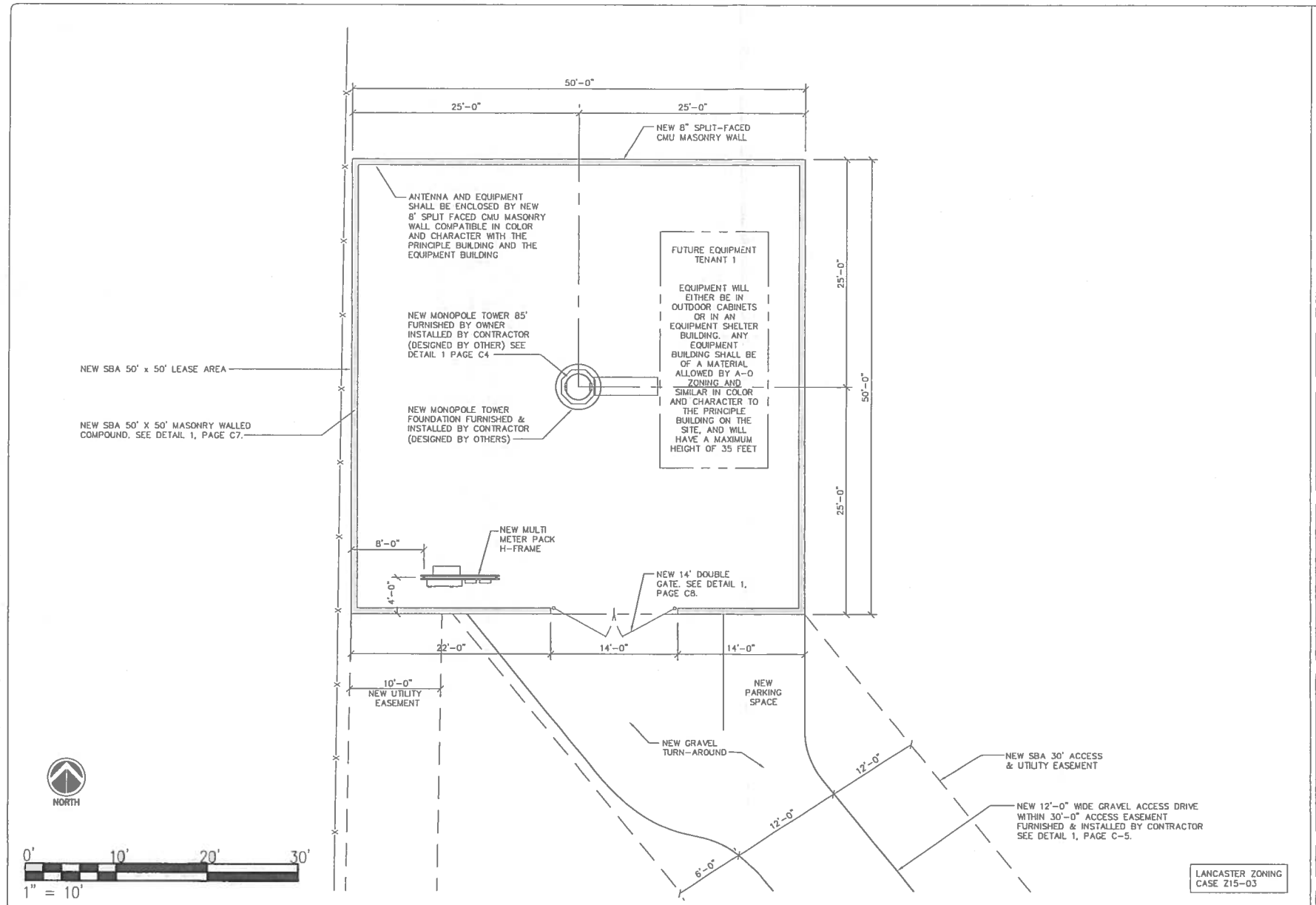
PRELIMINARY SURVEY OF:
TX16596-B/BLUEGROVE

SITE ADDRESS:
TRACTS 19, 20, & 21, WILLIAMS RAWLINS SURVEY
ABSTRACT# 1200, DALLAS COUNTY, TEXAS

DRAWING NO.
SV-1
SHEET 1 OF 2

RECEIVED
AUG 28 2015

Z15-03



LANCASTER ZONING CASE Z15-03

1 ENLARGED SITE PLAN

SBA

SBA TOWERS, INC.
5900 BROKEN SOUND PARKWAY, NW
BOCA RATON, FL 33487-2797
TEL: (800) 487-4722

ARCHCOMM, LLC
1006 Beckett
San Antonio, Texas 78213
(210) 308 9905
TBPE NO F-15659

THE INFORMATION CONTAINED IN THIS SET OF DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO THE CLIENT IS STRICTLY PROHIBITED.

A&E PROJECT #:	N/A
DRAWN BY:	
CHECKED BY:	

REVISIONS

NO.	DATE	DESCRIPTION
A	08.27.15	CITY REVISIONS
A	04.23.15	ISSUE FOR CONSTRUCTION
A	03.05.15	ISSUE FOR REVIEW

08.27.15
REGISTERED ARCHITECT GARY THOMPSON 6142 STATE OF TEXAS
EXP. DATE: 06/30/16

PROJECT No. N/A

SITE NAME: BLUEGROVE ROAD

SITE NUMBER: TX 16996-B

SITE ADDRESS: 653 BLUEGROVE ROAD LANCASTER, TX 75146

DESIGN TYPE: RAW LAND

SHEET TITLE: ENLARGED SITE PLAN

DRAWING NO. C-3 | REVISION: A

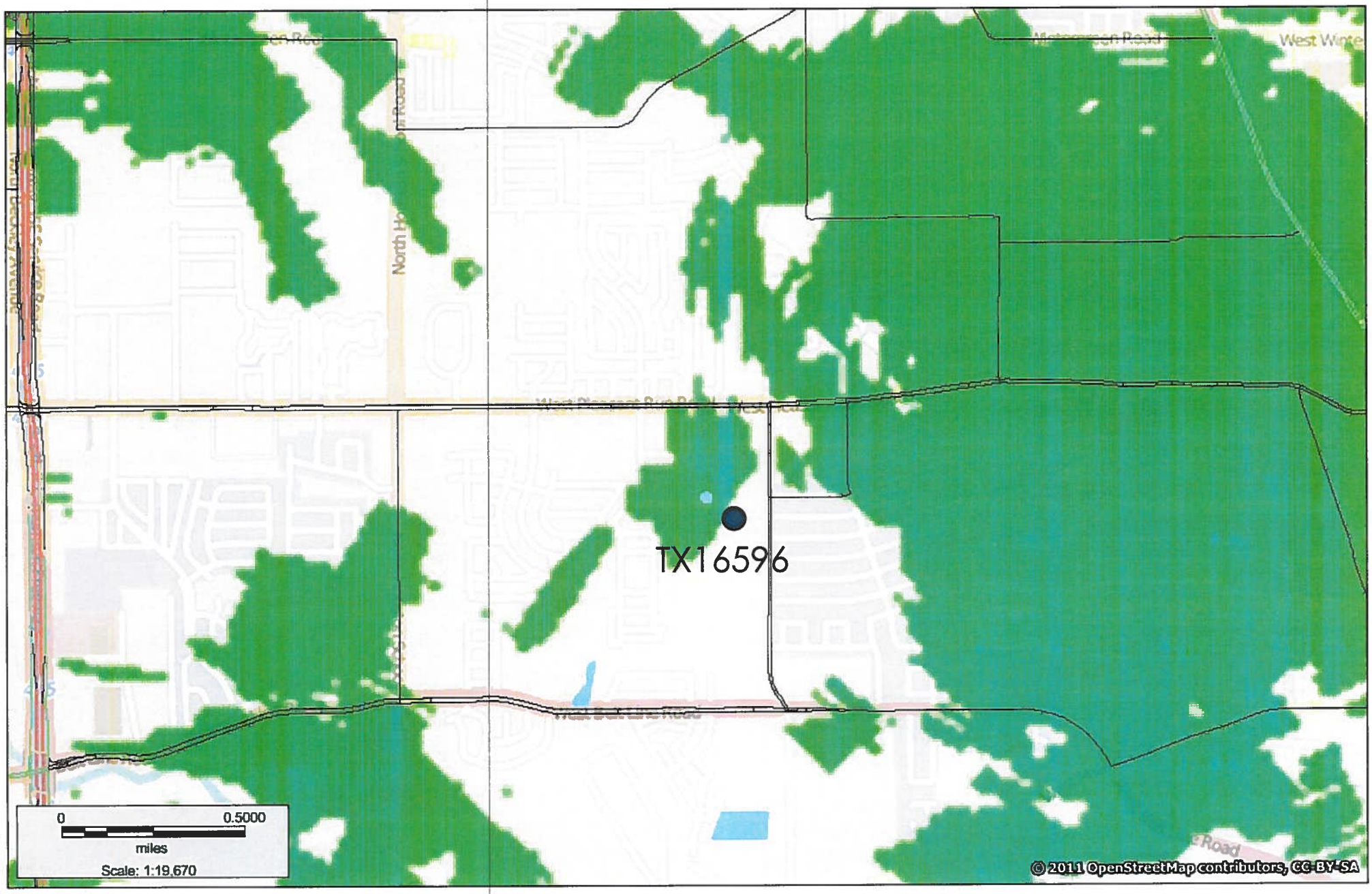
H:\SBA\Bluegrove - TX16596-B\20141211-NB\Bluegrove 1.dwg, 8/27/2015 3:39:01 PM, mlopez

252

Z15-03

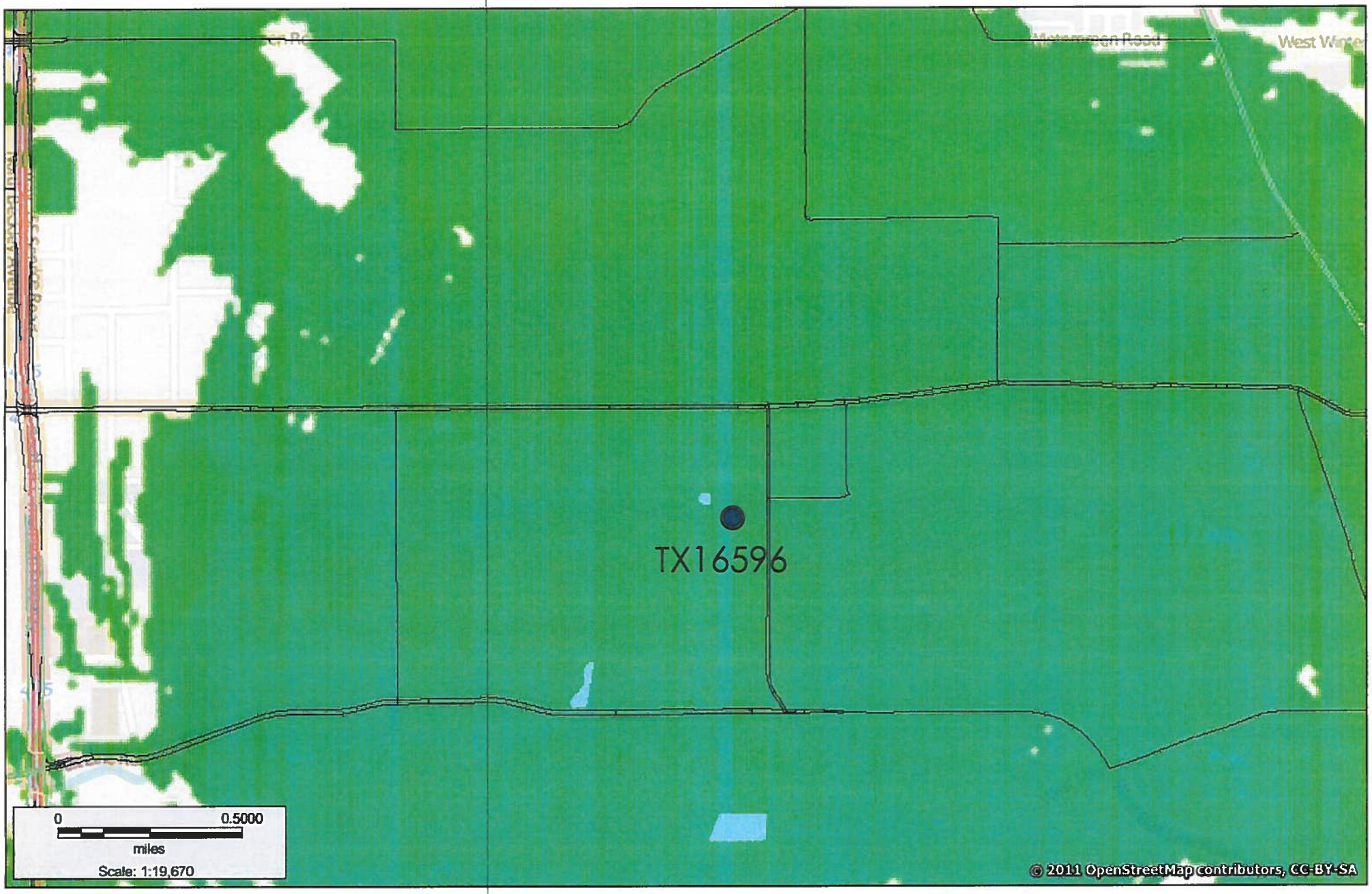
EXISTING COVERAGE WITHOUT BLUEGROVE ROAD TX16996

SIGNAL THRESHOLDS
IN-BUILDING



PROPOSED COVERAGE WITH BLUEGROVE RD TX16996

SIGNAL THRESHOLDS
IN-BUILDING



REGULAR MEETING MINUTES
PLANNING & ZONING COMMISSION
CITY OF LANCASTER, TEXAS
TUESDAY, SEPTEMBER 1, 2015

CALL TO ORDER:
Chair Prothro called the meeting to order at 7:00 p.m. on September 1, 2015.

COMMISSIONERS

LAWRENCE PROTHRO, CHAIR
MARVIN EARLE
RACHEAL HILL
TOM BARNETT JR.

CITY STAFF
MIKE GRACE, AICP — **DIRECTOR OF DEVELOPMENT SERVICES**
JULIE DOSHER — **CITY ATTORNEY**

CITIZENS COMMENTS: (At this time citizens will be allowed to speak only on matters contained on the Planning and Zoning Commission agenda.)

Chair Prothro opened the meeting to citizen comments. No citizens came forward to speak.

ACTION:

Chair Prothro explained the process and rules for the public to speak regarding public hearings and then opened the public hearings.

1. **Z15-01** Conduct a public hearing for an Amendment to the City of Lancaster's Comprehensive Plan's Future Land Use Map from Public/Semi Public uses for uses suitable under Office zoning to a land use designation of Retail for uses suitable under R-Retail zoning. The property is approximately .6 acres of land that is located on the north side of Pleasant Run Road just east of the intersection of Lancaster Park Drive and Pleasant Run Road. The legal description of the property is Part of Lot 6, Block B, Bellaire Aces addition, Lancaster, Dallas County, Texas.

COMMISSIONER EARLE MOTIONED TO REJECT STAFF'S RECOMMENDATION AND RECOMMEND APPROVAL OF THE REQUEST. 2ND BY COMMISSIONER HILL.

THE MOTION CARRIED 4-0

AYES: PROTHRO, BARNETT, EARLE, HILL

NAYS: NONE

2. **Z15-03** Conduct a Public Hearing and consider an application for a Specific Use Permit (SUP) for a telecommunications tower on property known as 653 N. Bluegrove Road further described as William Rawlins Survey, Abstract 1200, Tract 40 in City of Lancaster, Dallas County, Texas.

DRAFT

COMMISSIONER EARLE MADE MOTION TO CLOSE THE PUBLIC HEARING, 2ND BY COMMISSIONER BARNETT.

THE MOTION CARRIED 4-0

AYES: EARLE, BARNETT, HILL, PROTHRO
NAYES: NONE

COMMISSIONER HILL MADE MOTION TO RECOMMEND APPROVAL SUBJECT TO STAFF'S RECOMMENDED CONDITION. 2ND BY COMMISSIONER BARNETT.

THE MOTION CARRIED 4-0

AYES: EARLE, BARNETT, HILL, PROTHRO
NAYES: NONE

3. **Z15-04** Discuss an Amendment to the City of Lancaster's Comprehensive Plan's Future Land Use Map from Retail uses to Light Industrial uses and a rezoning request from Planned Development Mixed Use (PD-MU) to Planned Development Light Industrial (PD-LI). The subject property is described as being a 3.845 acre tract and a 0.992 acre tract in the Smith Elkins Survey, Abstract No. 430, in the City of Lancaster, Dallas County, Texas.

COMMISSIONER BARNETT MADE MOTION TO CLOSE THE PUBLIC HEARING, 2ND BY COMMISSIONER EARLE.

THE MOTION CARRIED 4-0

COMMISSIONER EARLE MADE MOTION TO RECOMMEND APPROVAL SUBJECT TO STAFF'S RECOMMENDED CONDITION. 2ND BY COMMISSIONER HILL.

AYES: EARLE, BARNETT, HILL, PROTHRO
NAYES: NONE

THE MOTION CARRIED 4-0.

Meeting was adjourned at 8:30 p.m.

_____
Lawrence Prothro, Chair

ATTEST

_____
Mike Grace, AICP
Director

DRAFT

LANCASTER CITY COUNCIL

Agenda Communication

September 14, 2015

Conduct a public hearing and consider an amendment to the City of Lancaster's Comprehensive Plan's Future Land Use Map from Retail uses to Light Industrial uses and a rezoning request from Planned Development Mixed Use (PD-MU) to Planned Development Light Industrial (PD-LI). The subject property is described as being a 3.845 acre tract and a 0.992 acre tract in the Smith Elkins Survey, Abstract No. 430, in the City of Lancaster, Dallas County, Texas.

This request supports the City Council 2015-2016 Policy Agenda.

Goal: Quality Development

Background

1. **Location and Size:** The 3.485 acre property is generally located on the northwest corner of Dallas Avenue and Telephone Road.

2. **Current Zoning:** The subject property is currently zoned Light Industrial (LI).

3. **Adjacent Properties:**
   North: PD-71 - Undeveloped
   South: PD-71 - Undeveloped
   East: LI – Retail (Warehouse/undeveloped)
   West: PD-71 – Undeveloped

4. **Comprehensive Plan Compatibility:** The Comprehensive Plan identifies this site as suitable for retail use.

5. **Public Notification:** Zoning signs were placed on the subject property. Property owner notices were sent to properties within 200 feet of the subject site. Newspaper notice was published in the Focus Daily News.

6. **Case/Site History:**

Date	Body	Action
08/08/05	City Council	Z05-22 Comprehensive Plan amendment and Zoning Change request recommended approval w/R at northwest corner of Telephone Road and Dallas Avenue (surrounding property).
May 2015	Building Inspections	Previously existing Bingo hall was demolished.

A request was submitted to amend the City of Lancaster's Comprehensive Plan's Future Land Use Map from Retail uses to Light Industrial uses and a rezoning request from Planned Development Mixed Use (PD-MU) to Planned Development Light Industrial (PD-LI) with an associated Concept Plan. Warehouse/distribution center development is proposed.

Two (2) property owner responses in favor were received.

The proposed PD-LI is designed to allow development of the subject site in conjunction with adjacent, similarly zoned property to facilitate the establishment of warehouse/distribution uses.

Considerations

Operational - This is a request for a comprehensive plan amendment to change the City of Lancaster's Future Land Use Plan (FLUP) map from Retail uses to Light Industrial uses and a rezoning request from Light Industrial (LI) to Planned Development (PD) - Light Industrial.

The current Light Industrial (LI) zoning designation allows warehouse and limited retail uses, but does not allow the development of warehouse/distribution center uses in keeping with approved and proposed plans for surrounding property.

If approved, the requested zoning change would allow the site to be incorporated into a larger surrounding development containing warehouse/distribution center uses. Current and expected development trends indicate that retail development is not likely on the subject property.

At the present time, the site consists of two undeveloped tracts of land 3.485 acres and 0.992 acres in size. As submitted, the Conceptual Plan proposes parking to serve proposed warehouse/distribution center development. This would complement proposed development plans for adjacent and surrounding property.

The Lancaster Development Code states that zoning should be in conformance with the Future Land Use Plan of the City Comprehensive plan. Pursuant to Section 14.1101 of the LDC, when reviewing a zoning change application, there are five (5) considerations that must be made when deciding on a zoning change application. Below is an analysis of these considerations:

Staff Recommended Conditions

- Amend Conceptual Site Plan to clarify "Park Detention Acreage".

Consistency with the Comprehensive Plan: The Comprehensive Plan identifies this site for Retail Uses. The existing zoning is in compliance with this designation. This designation does not allow warehouse/distribution style uses.

While the proposed zoning designation, PD-LI, is not in strict compliance with the Future Land Use Plan, it will allow development of warehouse/distribution center uses compatible with approved plans for adjacent property. Due to current and expected development trends and the property's location, retail development of the subject site is highly unlikely.

It should be noted that the City is currently undergoing a Comprehensive Plan update that would potentially address this area in the future vision of the City of Lancaster.

Potential Impact on Adjacent Development: The subject property is currently undeveloped, but was formerly occupied by a bingo hall. Property immediately adjacent to the north and west are undeveloped. The property to the east, across N. Dallas Avenue, is undeveloped. Staff does not foresee any potential negative impacts upon adjacent properties or developments.

Availability of utilities and access: The subject property is served by City of Lancaster water and sanitary sewer. The applicant is not proposing any changes to the water and sewer master plan.

Site conditions such as vegetation, topography and flood plain: The subject property is currently undeveloped. Issues such as vegetation, topography and flood plain have been addressed as part of the previous site plan approval process.

Timing of Development as it relates to Lancaster's Capital Improvement Plan: This is not applicable to this site.

- **Legal** – The City Attorney has drafted an Ordinance for the proposed zoning change.

- **Financial** - There are no financial considerations for this item.

- **Public Information** - On Friday, August 21, 2015 a Public Hearing notice appeared in the Focus Daily News, the City of Lancaster's newspaper of record. 2 property owner notices were sent out on August 21, 2015. 2 notices were returned in favor the proposal.

Options/Alternatives

1. Approve the PD as submitted.
2. Approve the PD in accordance with staff recommended conditions.
3. Deny the PD.

Recommendation

On September 1, 2015, the P&Z Commission recommended approval with the condition that the Conceptual Site Plan be amended to clarify "Park Detention Acreage".

Staff concurs with the P&Z

Attachments

- Ordinance
- P&Z Agenda Communication
- P&Z Minutes (draft)

Submitted by: Mike Grace, AICP
Director of Development Services

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS, AMENDING THE COMPREHENSIVE LAND USE PLAN AND MAP THEREOF FROM RETAIL TO LIGHT INDUSTRIAL AND COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF LANCASTER, TEXAS, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING FROM PLANNED DEVELOPMENT MIXED USE (PD-MU) TO PLANNED DEVELOPMENT LIGHT INDUSTRIAL (PD-LI) ON APPROXIMATELY 3.845± ACRE TRACT AND .992± ACRE TRACT IN THE ELKINS SURVEY, ABSTRACT NUMBER 430 IN THE CITY OF LANCASTER, TEXAS PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Planning and Zoning Commission and the governing body of the City of Lancaster, Texas, in compliance with the laws of the State of Texas and pursuant to the Comprehensive Land Use Plan Ordinance and the Comprehensive Zoning Ordinance of the City of Lancaster, have given requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to all persons interested and situated in the affected area and in the vicinity thereof, the said governing body is of the opinion that Zoning Application No. Z15-04 should be approved, and in the exercise of legislative discretion have concluded that the Comprehensive Zoning Ordinance and Map should be amended.

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

SECTION 1. That the Comprehensive Land Use Plan Ordinance and Map thereof from Retail to Light Industrial; and, Comprehensive Zoning Ordinance and Map of the City of Lancaster, Texas, duly passed by the governing body of the City of Lancaster, Texas, as heretofore amended, be and the same is hereby amended by granting a change in zoning from Planned Development Mixed Use (PD-MU) to Planned Development Light Industrial (PD-LI) on property of approximately 3.845± acres, tract and .992± acre tract, more or less, in the Elkins survey abstract number 430 in the city of Lancaster, Dallas County, Texas.

SECTION 2. That the subject Property, as hereby zoned, shall be developed and used in conformance and in the manner and for the purposes provided for by Light Industrial (LI) zoning district regulations and approvals required as set forth in the Lancaster Land Development Code and the Comprehensive Zoning Ordinance of the City of Lancaster, as heretofore amended, and the detailed site plan, which shall be submitted and approved in accordance with said ordinances.

SECTION 3. That all provisions of the Ordinances of the City of Lancaster, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be unconstitutional, illegal or invalid, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 5. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 6. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Lancaster, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars ($2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 7. That this ordinance shall take effect immediately from and after its passage and the publication of its caption, as the law and charter in such cases provide.

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on the 14th day of September, 2015.

ATTEST:

_____
Sorangel O. Arenas, City Secretary

APPROVED:

_____
Marcus E. Knight, Mayor

APPROVED AS TO FORM:

_____
Robert E. Hager, City Attorney

PLANNING & ZONING COMMISSION
Agenda Communication for September 1, 2015

#3

Z15-04 Discuss an Amendment to the City of Lancaster's Comprehensive Plan's Future Land Use Map from Retail uses to Light Industrial uses and a rezoning request from Planned Development Mixed Use (PD-MU) to Planned Development Light Industrial (PD-LI). The subject property is described as being a 3.845 acre tract and a 0.992 acre tract in the Smith Elkins Survey, Abstract No. 430, in the City of Lancaster, Dallas County, Texas.

Background

A request was submitted to amend the City of Lancaster's Comprehensive Plan's Future Land Use Map from Retail uses to Light Industrial uses and a rezoning request from Planned Development Mixed Use (PD-MU) to Planned Development Light Industrial (PD-LI) with an associated Concept Plan. Warehouse/distribution center development is proposed.

The proposed PD-LI is designed to allow development of the subject site in conjunction with adjacent, similarly zoned property to facilitate the establishment of warehouse/distribution uses.

1. **Location and Size:** The 3.485 acre property is generally located on the northwest corner of Dallas Avenue and Telephone Road.

2. **Current Zoning:** The subject property is currently zoned Light Industrial (LI).

3. **Adjacent Properties:**
   North: PD-71 - Undeveloped
   South: PD-71 - Undeveloped
   East: LI – Retail (Warehouse/undeveloped)
   West: PD-71 - Undeveloped

4. **Comprehensive Plan Compatibility:** The Comprehensive Plan identifies this site as suitable for retail use.

5. **Public Notification:** Zoning signs were placed on the subject property. Property owner notices were sent to properties within 200 feet of the subject site. Newspaper notice was published in the Focus Daily News.

6. **Case/Site History: N/A**

Date	Body	Action
08/08/05	City Council	Z05-22 Comprehensive Plan amendment and Zoning Change request recommended approval w/R at northwest corner of Telephone Road and Dallas Avenue (surrounding property).
May 2015	Building Inspections	Previously existing Bingo hall was demolished.

Considerations

This is a request for a comprehensive plan amendment to change the City of Lancaster's Future Land Use Plan (FLUP) map from Retail uses to Light Industrial uses and a rezoning request from Light Industrial (LI) to Planned Development (PD) - Light Industrial.

The current Light Industrial (LI) zoning designation allows warehouse and limited retail uses, but does not allow the development of warehouse/distribution center uses in keeping with approved and proposed plans for surrounding property.

If approved, the requested zoning change would allow the site to be incorporated into a larger surrounding development containing warehouse/distribution center uses. Current and expected development trends indicate that retail development is not likely on the subject property.

At the present time, the site consists of two undeveloped tracts of land 3.485 acres and 0.992 acres in size. As submitted, the Conceptual Plan proposes parking to serve proposed warehouse/distribution center development. This would complement proposed development plans for adjacent and surrounding property.

The Lancaster Development Code states that zoning should be in conformance with the Future Land Use Plan of the City Comprehensive plan. Pursuant to Section 14.1101 of the LDC, when reviewing a zoning change application, there are five (5) considerations that must be made when deciding on a zoning change application. Below is an analysis of these considerations:

Staff Recommended Conditions

- Amend Conceptual Site Plan to clarify "Park Detention Acreage".

Consistency with the Comprehensive Plan: The Comprehensive Plan identifies this site for Retail Uses. The existing zoning is in compliance with this designation. This designation does not allow warehouse/distribution style uses.

While the proposed zoning designation, PD-LI, is not in strict compliance with the Future Land Use Plan, it will allow development of warehouse/distribution center uses compatible with approved plans for adjacent property. Due to current and expected development trends and the property's location, retail development of the subject site is highly unlikely.

It should be noted that the City is currently undergoing a Comprehensive Plan update that would potentially address this area in the future vision of the City of Lancaster.

Potential Impact on Adjacent Development: The subject property is currently undeveloped, but was formerly occupied by a bingo hall. Property immediately adjacent to the north and west are undeveloped. The property to the east, across N. Dallas Avenue, is undeveloped. Staff does not foresee any potential negative impacts upon adjacent properties or developments.

Availability of utilities and access: The subject property is served by City of Lancaster water and sanitary sewer. The applicant is not proposing any changes to the water and sewer master plan.

Site conditions such as vegetation, topography and flood plain: The subject property is currently undeveloped. Issues such as vegetation, topography and flood plain have been addressed as part of the previous site plan approval process.

Timing of Development as it relates to Lancaster's Capital Improvement Plan: This is not applicable to this site.

Options/Alternatives

1. Approve the PD as submitted.
2. Approve the PD in accordance with staff recommended conditions and state those conditions.
3. Approve the PD with amended conditions and state those conditions.
4. Deny the PD.

Recommendation

While the proposed zoning designation, PD-LI, is not in strict compliance with the Future Land Use Plan, it will allow development of warehouse/distribution center uses compatible with approved plans for adjacent property. Due to current and expected development trends and the property's location, retail development of the subject site is

highly unlikely. In addition, the city is on schedule to adopt an update to the Comprehensive Plan and Future Land Use Map by January 2016.

Staff recommends that the Conceptual Site Plan be amended to clarify "Park Detention Acreage".

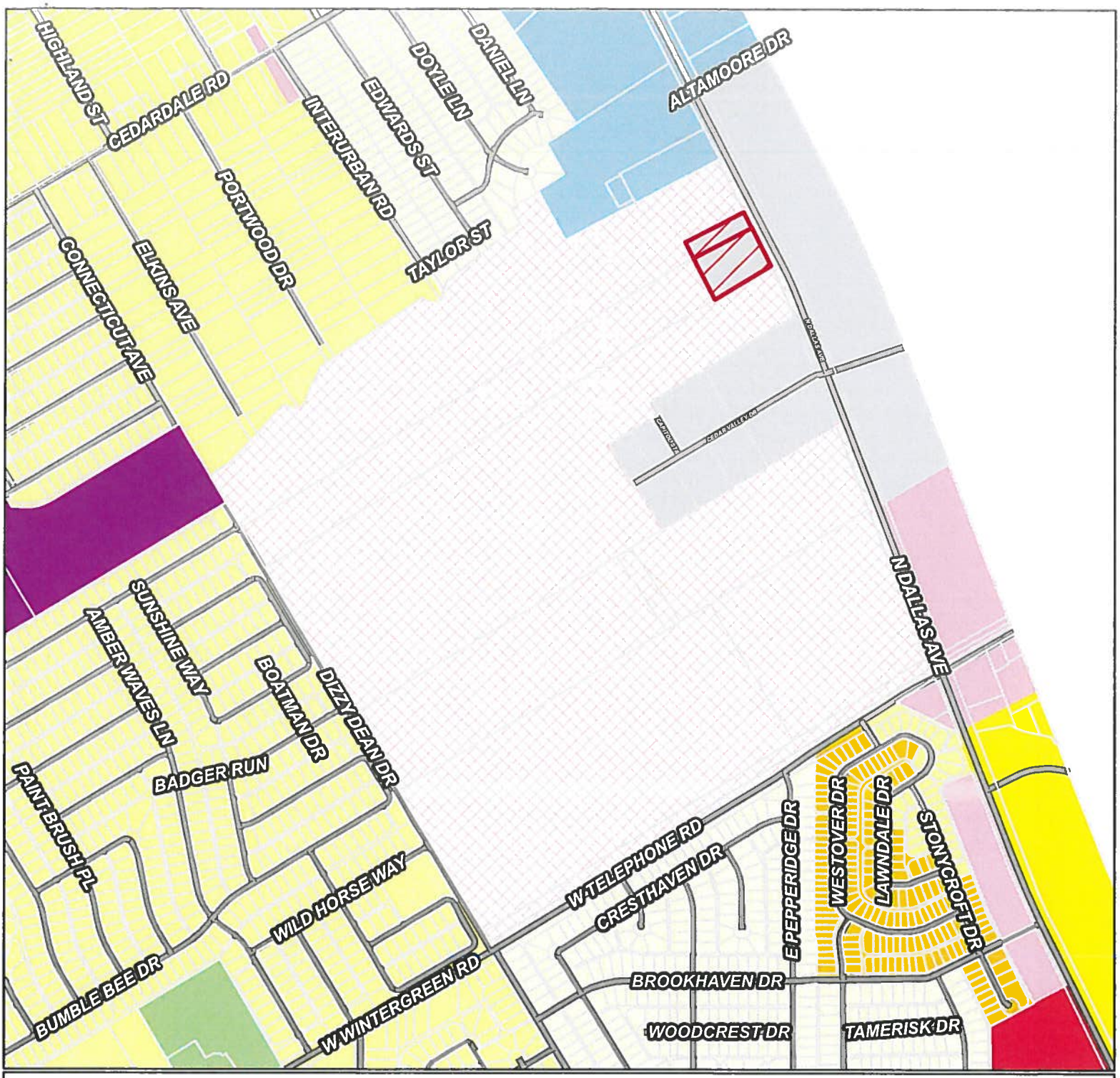
Staff recommendation is for approval subject to staff recommended conditions.

Attachments

- Zoning Map
- Notification Map
- Proposed Conceptual Site Plans
- Proposed Planned Development Regulations

Prepared By and Submitted By:

Mike Grace, AICP
Director of Development Services



N
W E
S

0 320 640 1,280 Feet

Lancaster

City of Lancaster
3800 N Dallas Ave
Light Industrial Zoning

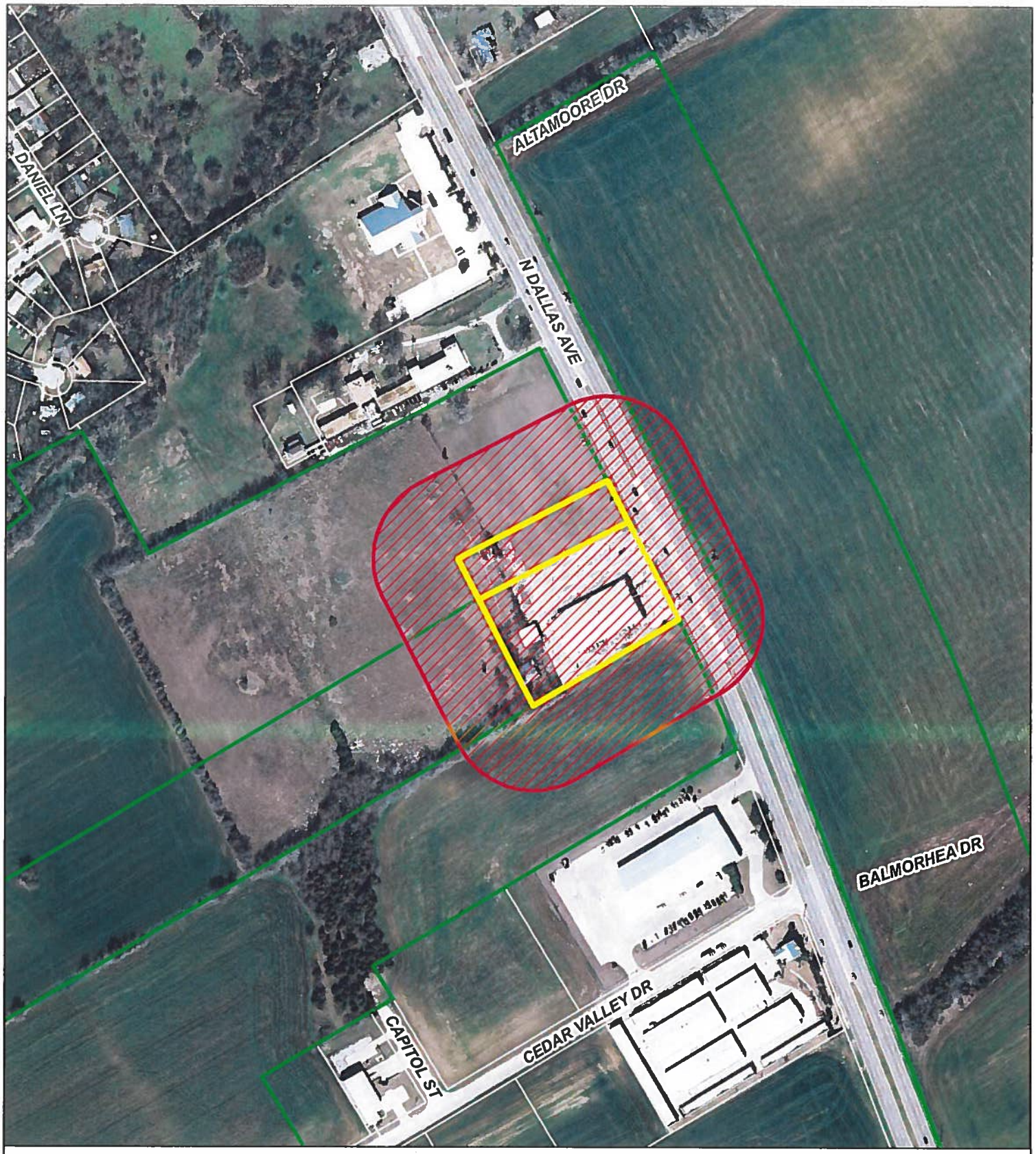
Legend

- Subject Property
- Parcels

Zoning

- 2F-6 (2 Family Residential)
- A-O (Agricultural Open)
- CH (Commercial Hwy)
- CS (Commercial Services)
- LI (Light Industrial)
- MI (Medium Industrial)
- MF-16 (Mulit-Family)
- MH (Mobile Home)
- MZ
- NS (Neighborhood Service)
- ORT (Office)
- PD (Planned Development)
- R (Retail)
- SF-4 (Residential Low)
- SF-5 (Residential Medium)
- SF-6 (Residential High)
- SF-E (Single Family Estate)
- TC (Town Center)
- TH-16 (Town Home)
- TND (Residential)
- ZL-7 (Zero Lot

date: 8/31/2015



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Parcels
Subject Parcel
Notification Parcels
200' Notification Area

0 125 250 500 Feet

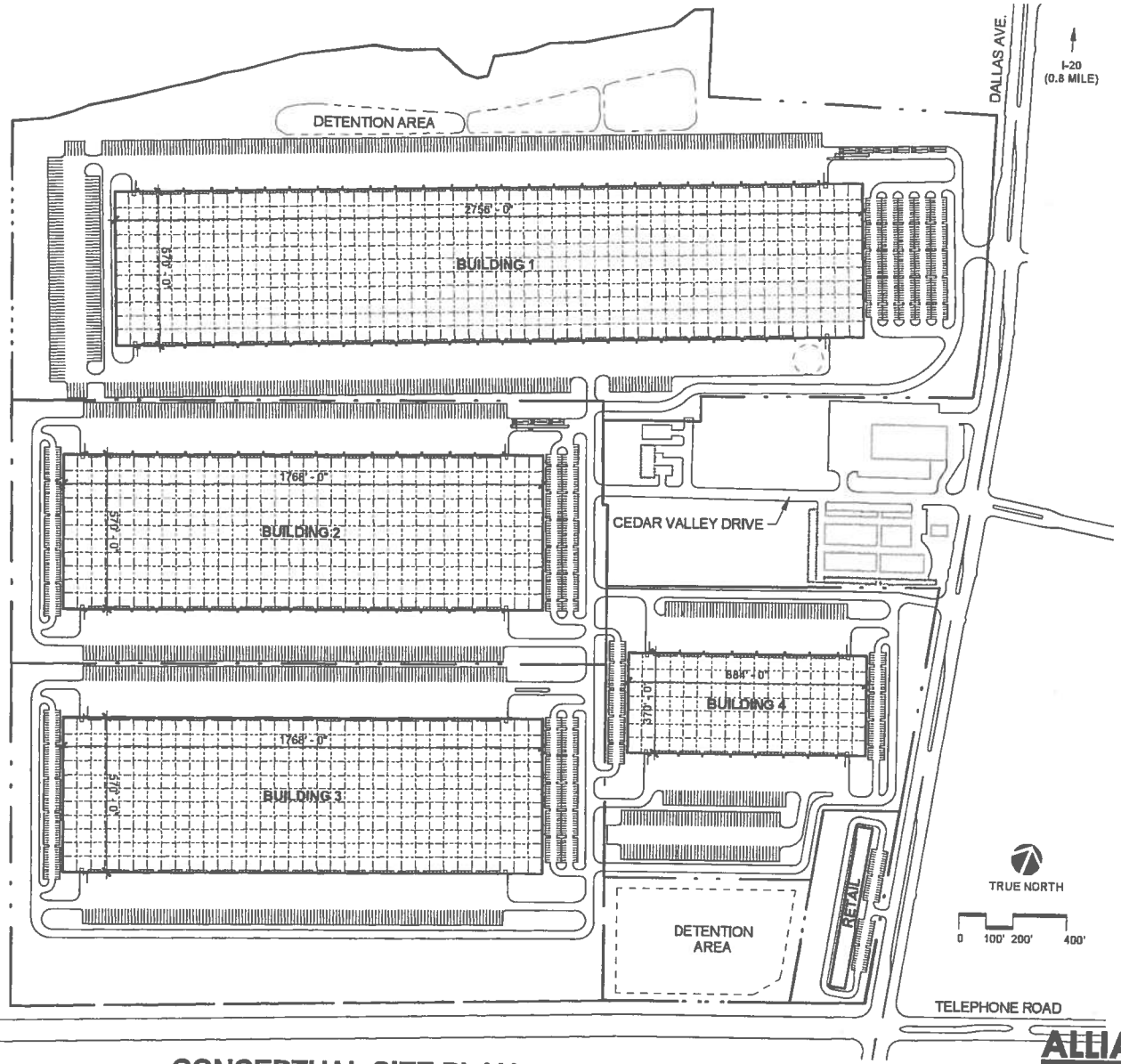
City of Lancaster
3800 N Dallas Ave
200' Notification Area

date: 08/31/2015

PANATTONI

CALCULATIONS:

BUILDING 1 SQ. FT. =	1,570,920
36' CLEAR HEIGHT	
LOT ACREAGE =	99.49
CAR PARKING =	459
TRAILER PARKING =	521
DOCK DOOR - 9' x 10' =	328
RAMP UP DOOR - 12' x 14' =	4
BUILDING 2 SQ. FT. =	1,007,760
36' CLEAR HEIGHT	
LOT ACREAGE =	48.72
CAR PARKING =	366
TRAILER PARKING =	259
DOCK DOOR - 9' x 10' =	204
RAMP UP DOOR - 12' x 14' =	4
BUILDING 3 SQ. FT. =	1,007,760
36' CLEAR HEIGHT	
LOT ACREAGE =	62.72
CAR PARKING =	350
TRAILER PARKING =	259
DOCK DOOR - 9' x 10' =	204
RAMP UP DOOR - 12' x 14' =	4
BUILDING 4 SQ. FT. =	327,080
32' CLEAR HEIGHT	
LOT ACREAGE =	26.48
CAR PARKING =	172
TRAILER PARKING =	192
DOCK DOOR - 9' x 10' =	96
RAMP UP DOOR - 12' x 14' =	4
LOT ACREAGE =	249.60
RETAIL ACREAGE =	4.57
PARK DETENTION ACREAGE =	7.61

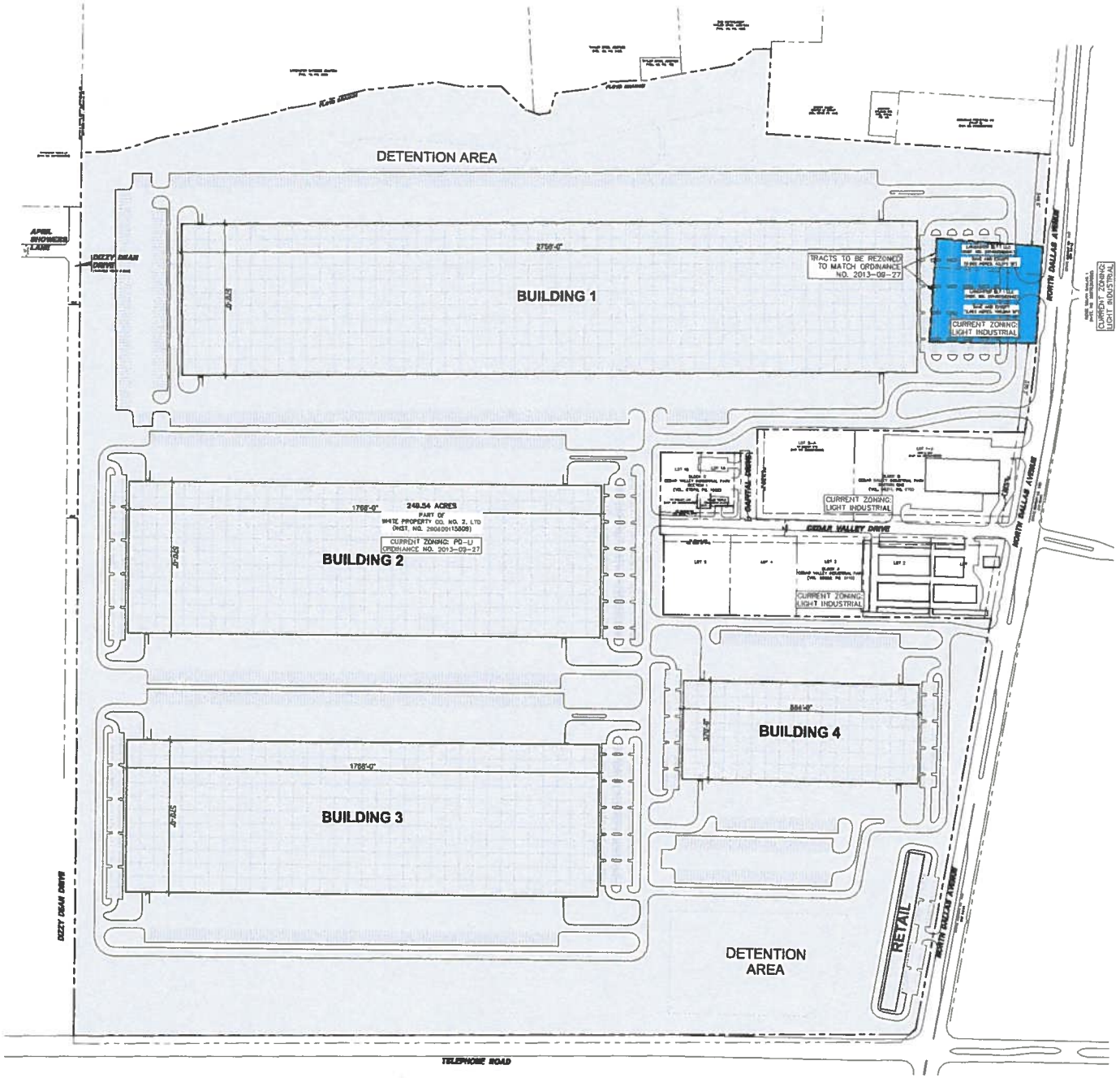


CONCEPTUAL SITE PLAN

Lancaster, Texas

April 10, 2015

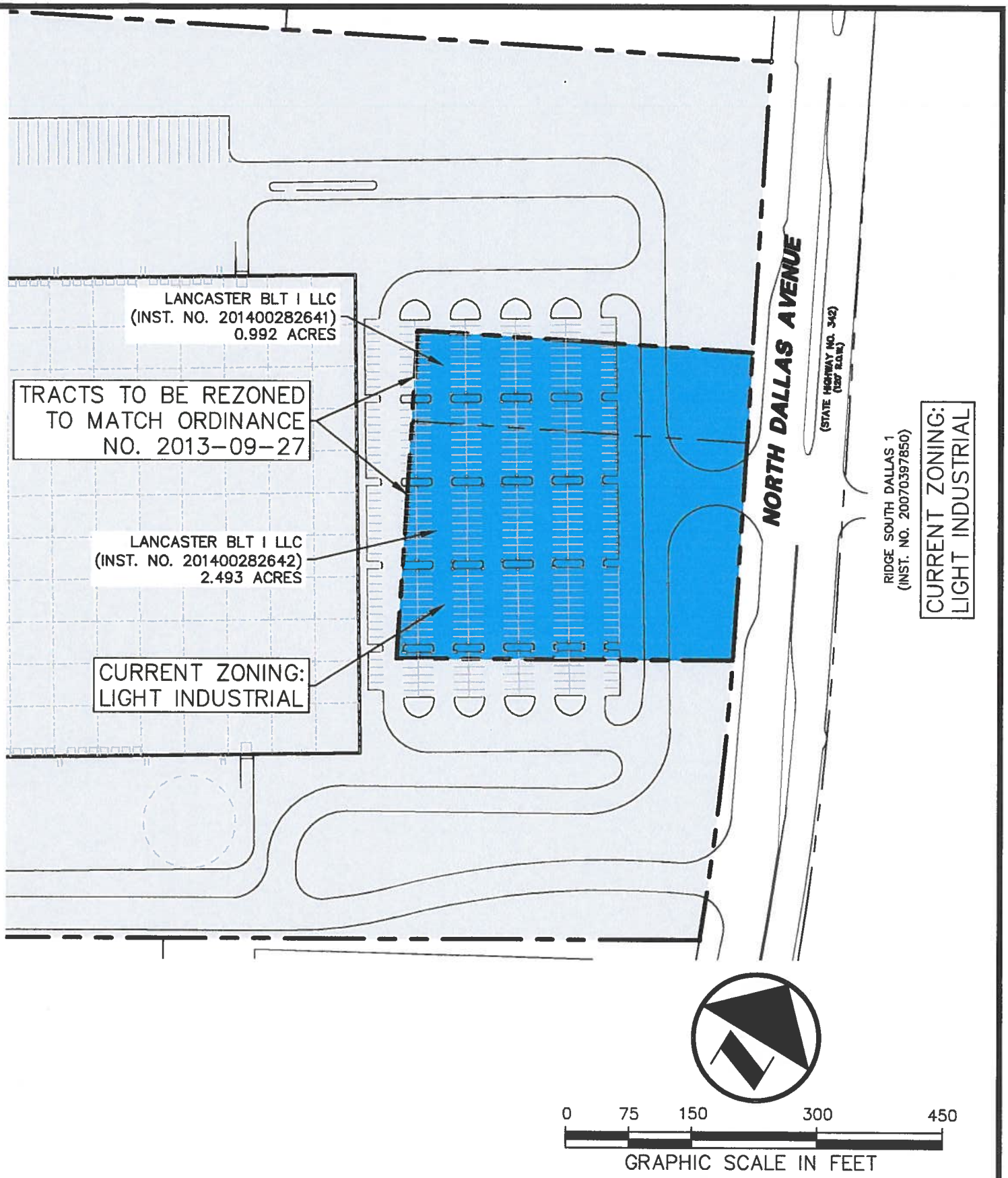
ALLIANCE ARCHITECTS



GRAPHIC SCALE IN FEET

VICINITY MAP
(NOT TO SCALE)

Pacheco Koch
7557 RAMBLER ROAD, SUITE 1400
DALLAS, TX 75231 972.235.3031
TX REG. ENGINEERING FIRM F-14439
TX REG. SURVEYING FIRM LS-10193905



CONCEPT SITE PLAN

Pacheco Koch
7557 RAMBLER ROAD, SUITE 1400
DALLAS, TX 75231 972.235
TX REG. ENGINEERING FIRM F-
TX REG. SURVEYING FIRM LS-10193805

EXHIBIT "A"
PLANNED DEVELOPMENT REGULATIONS

Lancaster Logistics Industrial Center- Tract B

Planned Development Regulations

Purpose and Intent

The purpose and intent of this Planned Development is to provide regulations for the development of the subject property as a master-planned business park. These regulations are intended to provide flexibility in terms of development while maintaining standards that will encourage future growth and protect property values in the area.

Applicability

The development regulations contained herein shall apply when the City considers a subdivision plat, a detailed site plan and/or a building permit application.

General Layout and Street Configuration

The building and street configurations shown on the attached Concept Plan labeled Exhibit "B" are just that, a concept. As the development proceeds, Detailed Site Plans shall be submitted for further clarification and staff approval. At no time will trucks be allowed to have ingress or egress onto Telephone Road or Dizzy Dean Drive. On the contrary, car traffic from area labeled "Retail Area" in Exhibit "B" shall have ingress or egress onto Telephone Road.

Permitted Uses

Any use allowed in the NS – Neighborhood Service, R – Retail, CH – Commercial Highway, CS – Commercial Service, ORT – Office Research Technology, or LI – Light Industrial Zoning districts.

Lot Requirements

For the purposes of these regulations; "Front" shall refer to all site boundaries along a public right-of-way; "Side" shall refer to all site boundaries which intersect with a public right-of-way; and "Rear" shall refer to all other site boundaries.

Minimum Building Setback

Front Setback	25'
Side Setback	15'
Rear Setback	15'

Maximum Lot coverage by Building	60% (For single use sites) 75% (For combination use sites)

Structure Requirements

Maximum Building Height

Height of Buildings	140' above finished floor elevation but no greater than 50' within 50' of a property line that is adjacent to a residentially zoned property

Building Articulation

Building Articulation	Vertical and horizontal articulation is recommended, but will not be required with the use of other architectural elements such as reveals, alternating paint schemes, faux windows and other features to minimize the "flat-box" look. The intent is to make the buildings more aesthetically pleasing when viewed from Dallas Avenue, Dizzy Dean Road, and Telephone Road.

Exterior Material Requirements

All building facades shall be 100% masonry. Masonry is defined as brick, stone, standard concrete block (painted), split-faced concrete block, fluted concrete block, burnished concrete block, stucco, pre-cast concrete panels, cast-in-place concrete (painted), tilt-up concrete panels which will have any one or combination of the following finishes; painted exposed aggregate, sandblasted, and/or stained. The area of doors and window openings shall not be included in the calculation of this requirement.

Building Orientation Requirements

Trucks courts, loading docks and service courts shall be allowed in any orientation but will have screening that will help keep these area less visible from Dallas Avenue, Dizzy Dean, or Telephone Road.

Parking Requirements

Off-street parking shall comply with the provisions set forth in the Lancaster Development Code, as amended, except where otherwise provided in this subsection.

- No on-street parking (Parking within a street Right-of-Way) will be permitted
- Automobile parking stalls shall be a minimum of 9" wide x 18' long.
- Warehouse and Distribution: Minimum 1 parking space (facilitating either a truck or car) per 2,500 s.f. of warehouse space for buildings comprising less than 100,000 s.f.; or minimum 1 parking space (facilitating either a truck or car) per 5,000 s.f.: of warehouse space for buildings equal to or greater than 100,000 s.f. Parking for the office portion shall be 1 parking space (facilitating only cars) per 300 s.f. of office area.

Outdoor Storage

Outdoor storage of raw materials, finished goods, commodities or other such items shall be permitted provided the storage is incidental to the principal use of the property. Such outdoor storage shall be subject to the following regulations:

The area used for outdoor storage:

- shall not be located in the front 1/3 of the lot; and,
- shall not exceed 30% of the lot area; and,

- shall be screened from view from all sides, public and private, by a minimum 6-foot high opaque screen consisting of anyone or a combination of the following:
    - Wood Fence
    - Masonry Wall
    - Vegetation
    - Berm
- and at all times the stored materials must be one foot (1') below the opaque screen.

Sidewalks

Standard City of Lancaster pedestrian sidewalks will be required along the perimeter of this development adjacent to existing road right-of-ways and will be constructed at the time of final plat and construction for the adjacent platted lot.

Landscaping and Open Space

Required Landscape Areas and Trees:

- Perimeter screening from Dizzy Dean Road and Telephone Road will consist of a 6-8' masonry screenwall, with masonry accent columns spaced approximately 100 feet. Additionally, street trees, minimum 3 caliper inches, will be required along Dizzy Dean Road and Telephone Road frontage spaced in two staggered rows approximately every 30' except; when in front of masonry columns for screening fence, adjacent to drainage or other features, and in areas which cause intersection visibility issues or traffic concerns. The perimeter screening is intending to buffer the buildings and create a restricted visibility corridor to the proposed building within the Lancaster Logistics Industrial Center. Also, the screening wall along Telephone Road and Dizzy Dean shall be placed on a 3' berm to further increase the building screening from adjacent residential. Construction of perimeter screening will be required at the time of final platting for the adjacent lot to Dizzy Dean Road or Telephone Road.
- Open space areas within the development will be maintained by a property owner's association.
- All other Landscaping and Open Space requirements will be Per City of Lancaster Development Code, Article 14.800.

General Architectural Guidelines

Purpose

The character, image and identification of the City of Lancaster and the Lancaster Logistics Industrial Center is based, in large part, upon the architecture of its buildings; and how well those buildings are located and oriented on the site to relate to one another and the surrounding elements. The following guidelines are intended for the use with site plan submittals to encourage excellence in the design of buildings proposed for this development.

Building Form/Scale/Bulk/Height/Rhythm

Architectural design shall be encouraged throughout the development with the design reflecting a general continuity and harmony consistent with the general style and character of the community, while at the same time providing new, creative, forward-looking and dynamic approaches to design.

Buildings along Dallas Avenue should be image making and designed to reflect their significance as primary entry and focal point.

Structures immediately adjacent to residential areas or adjacent thoroughfares identified on the City's Thoroughfare Plan should be designed to create transitions to surrounding developments through the use of structural enhancements, landscaping or building placement.

Buildings within the Lancaster Logistics Industrial Center shall be designed and grouped to create a cohesive, visual relationship among buildings.

Building design shall consider solar orientation and existing topography.

Monotonous look-alike structures and over-zealous repetition shall be discouraged. This shall not preclude the use of unifying design themes to the extent that a "structural rhythm" is established.

Stylized buildings and "trademark" architecture that are used as a form of advertising shall be discouraged.

Theme architecture or historically relevant design elements may be used provided it generally reflects and is consistent with architectural elements consistent with the history of the community, and demonstrated in actual use within the community.

Building design and orientation shall encourage safety and privacy of adjacent outdoor spaces and shall be intended to reduce noise and odor impacts received from, or generated by the development.

Building Facades
Building facades shall reflect the design intent of the structures, while at the same time provide an architectural face that relates to surrounding land uses and streetscapes; and contributes to the neighborhood and community character.

Exterior building design, as well as architectural details related to color, type and application of materials and building form shall be coordinated for all elevations of a building to achieve continuity of design.

The rear and sides of buildings shall be of an architectural character comparable with the front of the building.

Buildings with multiple entrances and/or that face onto more than one street shall have a coordinated and unifying façade design for all such entrances to achieve harmony and continuity of design.

Architectural design features, techniques, patterns, materials and colors shall be used with sufficient variety to create visual interest in the façade of buildings, provided that such elements are incorporated into an overall site design or unifying theme.

Recessed entryways and windows, grouping of windows, horizontal and vertical articulation, reveals and three dimensional details between surface planes, shall be used to create shadow lines and break up flat wall areas facing a street. For buildings oriented perpendicular to a street, these guidelines shall apply for a distance equaling 1/5 of the building wall or a maximum of 100 feet extending from the street facing façade towards the interior of the site.

Reveals, vertical offsets and changes in color or materials shall be used to enhance the interior wall sections not facing toward a street.

To facilitate the general public and emergency service response, all building facades shall contain conspicuously placed street address numbers that are sized appropriately to be seen from public rights-of-way and emergency service access. Address signs shall consist of materials and styles compatible with the character of the building.

Roof Architecture
Long continuous mansard roofs, false mansard roofs, and long veneer parapets without variation of horizontal line shall be discouraged.

Rooflines approaching an adjacent street shall vary in height and setback to reduce the apparent scale of the building, break up long continuous horizontal facades and minimize the overall visual impact of the building.

Flat roofs shall be used in conjunction with other roof styles consistent with a particular style of architecture and shall incorporate decorative parapet forms and walls that are an integral part of the overall architecture of the building.

Parapet walls shall be designed and constructed in a manner to appear as a solid, three dimensional form, rather than a veneer.

Roof-top plumbing, vents, ducts, air conditioning equipment, antennae and any other mechanical or electrical equipment mounted on a roof shall be screened in an architecturally integral fashion to the building and screened in a manner so as not to be visible from five feet (5') above the street pavement surface of Houston School Road, Cedardale Road, and from adjacent property lines.

Chimneys, roof flashing, rain gutters, downspouts and other roof protrusions should be painted and finished to match the color of the adjacent surface, unless such protrusions are being used as an accent element or decorative feature.

Colors and Materials
The use of accent colors shall be encouraged to provide a dignified and lively streetscapoe,

Colors that are compatible with the general environment of the community and that reduce reflected heat and glare are encouraged.
The use of bright or intense primary colors should be used sparingly and only as primary elements for buildings fronting Dallas Avenue.

More subtle, less intense colors should be used for facades facing Telephone Road, Dizzy Dean Road, and adjacent properties.

Color should be used to accent entryways and special architectural features.

A change in the use of a building material on a structure should reflect a change in the plane of the structure.

Materials applied to a building elevation should wrap around onto adjoining walls and provide design continuity to the building.

Building materials shall not be composed of such a large variety that a visually cluttered affect is created.

Window and Door Placement
Windows and doors should be aligned and sized to bring order to the building façade.

Windows and doors should be sufficiently recessed, and/or placed or varied to create façade patterns that add variety and visual interest to the building design.

Along Dallas Avenue and Telephone Road, window and door placement shall be sufficiently recessed and/or placed or varied to create shadows and provide noticeable breaks in facades.

Doors and entryways should be designed and located to provide immediate identification of the building's entryways.

Site Details
Utility boxes, transformers, generators, chillers, mailboxes, trash and refuse receptacles, air conditioners, compressors, outside storage areas and other mechanical/electrical/support features should be integrated into the overall design of the building and development.

Ground level devices described above should be accessible for servicing and screened from view of vehicular entrances, streets and pedestrian areas.

Special Conditions – Dallas Avenue
Building facades along Dallas Avenue should be used in manner to present an office, institutional and/or corporate headquarters appearance. Building materials, roof design, horizontal and vertical articulation, the use of eaves and overhangs, window and doorway treatments should be enhanced along these corridors to enhance the visual appeal of the development and to minimize potential negative impact to adjacent and nearby properties.

REGULAR MEETING MINUTES
PLANNING & ZONING COMMISSION
CITY OF LANCASTER, TEXAS
TUESDAY, SEPTEMBER 1, 2015

CALL TO ORDER:
Chair Prothro called the meeting to order at 7:00 p.m. on September 1, 2015.

COMMISSIONERS

LAWRENCE PROTHRO, CHAIR
MARVIN EARLE
RACHEAL HILL
TOM BARNETT JR.

CITY STAFF
MIKE GRACE, AICP — **DIRECTOR OF DEVELOPMENT SERVICES**
JULIE DOSHER — **CITY ATTORNEY**

CITIZENS COMMENTS: (At this time citizens will be allowed to speak only on matters contained on the Planning and Zoning Commission agenda.)

Chair Prothro opened the meeting to citizen comments. No citizens came forward to speak.

ACTION:

Chair Prothro explained the process and rules for the public to speak regarding public hearings and then opened the public hearings.

1. **Z15-01** Conduct a public hearing for an Amendment to the City of Lancaster's Comprehensive Plan's Future Land Use Map from Public/Semi Public uses for uses suitable under Office zoning to a land use designation of Retail for uses suitable under R-Retail zoning. The property is approximately .6 acres of land that is located on the north side of Pleasant Run Road just east of the intersection of Lancaster Park Drive and Pleasant Run Road. The legal description of the property is Part of Lot 6, Block B, Bellaire Aces addition, Lancaster, Dallas County, Texas.

COMMISSIONER EARLE MOTIONED TO REJECT STAFF'S RECOMMENDATION AND RECOMMEND APPROVAL OF THE REQUEST. 2ND BY COMMISSIONER HILL.

THE MOTION CARRIED 4-0

AYES: PROTHRO, BARNETT, EARLE, HILL

NAYS: NONE

2. **Z15-03** Conduct a Public Hearing and consider an application for a Specific Use Permit (SUP) for a telecommunications tower on property known as 653 N. Bluegrove Road further described as William Rawlins Survey, Abstract 1200, Tract 40 in City of Lancaster, Dallas County, Texas.

DRAFT

COMMISSIONER EARLE MADE MOTION TO CLOSE THE PUBLIC HEARING, 2ND BY COMMISSIONER BARNETT.

THE MOTION CARRIED 4-0

AYES: EARLE, BARNETT, HILL, PROTHRO
NAYES: NONE

COMMISSIONER HILL MADE MOTION TO RECOMMEND APPROVAL SUBJECT TO STAFF'S RECOMMENDED CONDITION. 2ND BY COMMISSIONER BARNETT.

THE MOTION CARRIED 4-0

AYES: EARLE, BARNETT, HILL, PROTHRO
NAYES: NONE

3. **Z15-04** Discuss an Amendment to the City of Lancaster's Comprehensive Plan's Future Land Use Map from Retail uses to Light Industrial uses and a rezoning request from Planned Development Mixed Use (PD-MU) to Planned Development Light Industrial (PD-LI). The subject property is described as being a 3.845 acre tract and a 0.992 acre tract in the Smith Elkins Survey, Abstract No. 430, in the City of Lancaster, Dallas County, Texas.

COMMISSIONER BARNETT MADE MOTION TO CLOSE THE PUBLIC HEARING, 2ND BY COMMISSIONER EARLE.

THE MOTION CARRIED 4-0

COMMISSIONER EARLE MADE MOTION TO RECOMMEND APPROVAL SUBJECT TO STAFF'S RECOMMENDED CONDITION. 2ND BY COMMISSIONER HILL.

AYES: EARLE, BARNETT, HILL, PROTHRO
NAYES: NONE

THE MOTION CARRIED 4-0.

Meeting was adjourned at 8:30 p.m.

_____
Lawrence Prothro, Chair

ATTEST

_____
Mike Grace, AICP
Director

DRAFT

LANCASTER CITY COUNCIL

Agenda Communication

September 14, 2015

Discuss and consider an ordinance establishing Civil Service classifications within the Police and Fire Departments; prescribing the number of positions in each classification.

This request supports the City Council 2015-2016 Policy Agenda.

Goal: Financially Sound City Government

Background

Pursuant to Title 5, Chapter 143, of the Texas Local Government Code, the City Council must establish the civil service classifications in the Police and Fire Departments and the number of positions in each classification. The proposed ordinance is in compliance with Civil Service regulations and the staffing levels discussed in the proposed FY 2015-2016 budget. Civil Service requires a notice of examination and test prior to appointment to positions.

Considerations

- **Operational** - The Fire Department staffing includes 62 sworn fire personnel. The Police Department staffing includes 53 sworn police personnel. The proposed classifications are as follows:

Classification	FIRE PREVENTION Authorized No. of Positions as of 10/01/2015	FIRE SUPPRESSION Authorized No. of Positions as of 10/01/2015
Assistant Chief	0	1
Fire Marshal/Battalion Chief	1	3
Fire Captains	0	11
Fire Engineer	0	21
Fire Fighter**	0	25
Total	1	61

*** Six fire fighter positions funded through a two year grant period beginning May 2014.*

Classification	FIRE PREVENTION Authorized No. of Positions as of 01/01/2016	FIRE SUPPRESSION Authorized No. of Positions as of 01/01/2016
Assistant Chief	0	1
Fire Marshal/Battalion Chief	1	5
Fire Captains	0	9
Fire Engineer	0	21
Fire Fighter**	0	25
Total	1	61

*** Six fire fighter positions funded through a two year grant period beginning May 2014 and ending May 2016*

Classification	POLICE Authorized No. of Positions as of 10/1/2015
Assistant Chief	2
Police Lieutenant	6
Police Sergeant	7
Police Officer*	41
Total	56

- **Financial** - Funding is included in the Fire Department and Police Department Fiscal Year 2015-2016 Operating Budget.

Recommendation

Staff recommends approval of an ordinance authorizing all civil service classifications and the number of positions.

Attachments

- Ordinance

Submitted by:
Dori Lee, Civil Service/Human Resources Director

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS, ESTABLISHING CIVIL SERVICE CLASSIFICATION WITHIN THE POLICE AND FIRE DEPARTMENTS; PRESCRIBING THE NUMBER OF POSITIONS IN EACH CLASSIFICATION; PROVIDING FOR SEVERABILITY: PROVIDING A REPEALER; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 143 of the Texas Local Government Code, the City Council shall establish certain classifications and shall prescribe the number of positions in each of these classifications by ordinance; and

WHEREAS, the City Council has reviewed and approved a budget for the City for fiscal year beginning October 1, 2015 and ending December 31, 2015. With a revised classification schedule beginning January 1, 2016 ending September 30, 2016; and~~the City Council has reviewed and approved an agreement between the City of Lancaster and the United States Department of Homeland Security, Federal Emergency Management Agency, Staffing for Adequate Fire and Emergency Response (SAFER) grant; and~~

WHEREAS, it serves the Fire Department's operational needs to reclassify two Captain positions to the Battalion Chief rank; those Battalion Chief positions will be filled through competitive examination in compliance with Chapter 143 of the Texas Local Government Code; when the Battalion Chief positions are filled, the two Captain positions will be abolished; and

WHEREAS, it is the express intent of the City Council that the total number of authorized positions within the Lancaster Fire & Police Department remain the same throughout the next fiscal year; and

WHEREAS, such budget contains a program of planned expenditures and for authorized positions within the police and fire departments, including programmed changes to the operations and human resources of those departments;~~the grant funds will be used only for the purposes for which they are intended under the grant.~~

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

SECTION 1. That City Council hereby establishes the classifications and the number of authorized positions within each classification in the Fire Department, which shall read as follows:

Classification	**FIRE PREVENTION** Authorized No. of Positions as of 10/01/201~~3~~5	**FIRE SUPPRESSION** Authorized No. of Positions as of ~~04/28/2014~~10/01/2015
Assistant Chief	0	1
Fire Marshal/Battalion Chief	1	3
Fire Captains	0	11
Fire Engineer	0	21

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Fire Fighter**	0	25
Total	1	61

*** Six fire fighter positions funded through a two year grant period beginning May 2014.*

For the Fire Suppression schedule ~~O~~on January 1, 2016, at 12:01 a.m., two (2) Battalion Chief positions are being created. Those positions will be filled through competitive examination. The day following the date that the Battalion Chief rank is fully staffed at five, at 12:~~:~~01 a.m., two captain positions are abolished so that there will exist only nine (9) Fire Captain positions.

At that time and date, the following strength of force for the Lancaster Fire Department is set forth as follows:

Classification	FIRE PREVENTION Authorized No. of Positions as of 01/01/2016	FIRE SUPPRESSION Authorized No. of Positions as of 01/01/2016
Assistant Chief	0	1
Fire Marshal/Battalion Chief	1	5
Fire Captains	0	9
Fire Engineer	0	21
Fire Fighter**	0	25
Total	1	61

*** Six fire fighter positions funded through a two year grant period beginning May 2014 and ending May 2016*

SECTION 2. That City Council hereby establishes the classifications and the number of authorized positions within each classification in the Police Department, which shall read as follows:

Classification	POLICE Authorized No. of Positions as of 10/1/201~~3~~5
Assistant Chief	2
Police Lieutenant	6
Police Sergeant	7
Police Officer*	41~~38~~
Total	56~~53~~

~~*Three officer positions funded through a three year grant effective 10/1/2009. A grant extension has been provided through 2015.~~

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SECTION 3. Severability: If any provision, section, clause, sentence, or phrase of this ordinance is for any reason held to be unconstitutional, void, invalid, or un-enforced, the validity of the remainder of this ordinance or its application shall not be affected, it being the intent of the City Council in adopting and of the Mayor in approving this ordinance that no portion, provision, or regulation contained herein shall become inoperative or fail by way of reasons of any unconstitutionality or invalidity of any other portion, provision, or regulation.

SECTION 4. Repealer: That all other ordinances, section, or parts of ordinances heretofore adopted by the City of Lancaster in conflict with the provisions set out above in this ordinance are hereby repealed or amended as indicated.

SECTION 5. This ordinance shall take effect on ~~April 28, 2014~~October 1, 2015.

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the ~~28th day of April 2014~~14th day of September, 2015.

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ATTEST:

_____
Sorangel O. Arenas, City Secretary

APPROVED:

_____
Marcus E. Knight, Mayor

APPROVED AS TO FORM:

_____
Robert E. Hager, City Attorney

LANCASTER CITY COUNCIL

Agenda Communication

September 14, 2015

Consider confirmation of Civil Service Commission appointments as designated by the City Manager.

This request supports the City Council 2015-2016 Policy Agenda.

Goal: Civic Engagement

Background

Our Police Officers and Firefighters serve under the State Civil Service provisions. State law requires the City to have a three-member Civil Service Commission. It also requires that the City Manager make the appointments to the Commission with confirmation by City Council.

At present one seat on the Civil Service Commission is available due to the previously appointed member's term expiration and desire not to be reappointed. We have received an application from Mr. Keith Whitley to be appointed to the vacant position on the Commission. There are no other terms that expire in 2015.

The City Manager respectfully submits the following name for appointment to the Civil Service Commission:

- Appoint Keith Whitley, term expires 2018

Current members include:

- Audley Logan, term expires 2016
- Lafayette Miles, term expires 2017

Considerations

- **Operational** - State law requires that the City maintain a Civil Service Commission. With only three members on the Commission, it is important that all three positions be filled as soon as possible in order for the Commission to conduct its required business.

- **Legal** - State law requires that the City Manager make the appointments to the Commission with confirmation by City Council.

- **Financial** - Civil Service Commission members are not compensated.

- **Public Information** – This item is being considered at a meeting of the City Cou posted in accordance with the Texas Open Meetings Act.

Options/Alternatives

1. Confirm the City Manager's recommendation.
2. Reject the City Manager's recommendation and request Manager to solicit additional applications.

Recommendation

The City Manager is asking for favorable consideration from City Council by confirming the appointment.

Attachments

- Keith Whitley's application

Submitted by:
Opal Mauldin-Robertson, City Manager

City of Lancaster, Texas
Boards and Commissions
Application

Name: Keith Whitley Date: August 12, 2015

Address: 751 Northampton Trail Zip: 75134

Home Phone: 972-218-8016 Cell Phone: 214-538-5166

Email Address: harvesttimebc@sbcglobal.net Length of residency: 15

Occupation: Police Officer

Please list the Boards/Commissions/Corporations you wish to serve on in order of preference.

1. Civil Service Commissions
2.
3.

Have you ever served as a member of any Lancaster boards, commissions, or committees?

☐ YES ☒ NO

List any particular qualifications you feel would be beneficial to serving on any particular board or commission. You may also attach additional sheets as well as a resume.

Pastor of Harvest Time Community Church
20 year of experience in law enforcement

To be an effective member of a Board or Commission, you must be willing to attend and participate in all scheduled meetings.

DISCLOSURE OF PERSONAL INFORMATION

I, Keith Whitley, an applicant for, or an appointed official, for the City of Lancaster, Texas, elect to:

☐ ALLOW public access to my personal information

☒ NOT ALLOW public access to my personal information

Note: Under the Public Information Act, a personal e-mail address is not public information and would not be released.

Signature Keith Whitley Date August 12, 2015

Please return your completed application to the City Secretary's Office at 211 N. Henry St., or mail to P. O. Box 940, Lancaster, TX 75146 or fax to 972-218-1399.

Applications are always welcome as vacancies may occur throughout the year.

Office Use Only

LANCASTER CITY COUNCIL
Agenda Communication
September 14, 2015

Discuss and consider a resolution approving the City of Lancaster Public Improvement District (PID) Advisory Board Appointments.

This request supports the City Council 2015-2016 Policy Agenda.

Goal: Quality Development
Healthy Safe and Vibrant Community

Background

At the April 28, 2014 regular meeting, City Council adopted a Public Improvement District (PID) policy establishing a uniform policy for all PID Advisory Boards. As part of the adoption of the policy was a provision for all of the Board appointments to be confirmed by the governing body.

Considerations

There are currently eight Public Improvement Districts within the City of Lancaster. They are as follows: Beltline Ashmoore, Boardwalk, Glendover Estates, Lancaster Mills, Meadowview, Millbrook East, Rolling Meadows, and Tribute at Mills Branch. Annually, each PID is required to have an election to establish the PID Advisory Board as required by the policy and in compliance with Chapter 372 of the Texas Local Government Code.

- **Operational** – The City Manager's office, Community Relations Division is responsible for the implementation of PIDs. As prescribed by Chapter 372 of the Texas Local Government Code and the PID policy, the Lancaster City Council will confirm all PID Advisory board elections following the policy adoption.

- **Legal** – The City Attorney has reviewed and approved the resolution as to form.

- **Financial** – There is no financial impact.

- **Public Information** – 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 reject the resolution.

Recommendation

Staff recommends that Council approve the resolution as presented.

Attachments

- Resolution
- Exhibit A

Submitted by:
Rona Stringfellow, Assistant City Manager

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS APPROVING THE PUBLIC IMPROVEMENT DISTRICT ADVISORY BOARD APPOINTMENTS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Lancaster, Texas has previously adopted a Public Improvement District Policy; and

WHEREAS, Public Improvement Districts support Lancaster neighborhoods and seeks to strengthen and connect neighborhoods; and

WHEREAS, the City Council has determined that it is in the best interest of the City to provide a consistent process of implementing Public Improvement Districts; and

WHEREAS, the City Council desires to support the process of policy implementation for the purposes of uniformity amongst all City boards and commissions.

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

SECTION 1. That following appointment of the eight (8) Public Improvement District Advisory Boards attached hereto in Exhibit "A".

SECTION 2. 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 3. 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 14th day of September, 2015.

ATTEST:

_____
Sorangel O. Arenas, City Secretary

APPROVED:

_____
Marcus E. Knight, Mayor

APPROVED AS TO FORM:

_____
Robert E. Hager, City Attorney

Beltline Ashmoore
Ivory Barnes
Deborah Taylor
Petra Covington

Boardwalk
Tamara Vaughn
Vincent Johnson
Ella Douglas

Glendover Estates
Darren Reynolds
Brian Fulgence
Shawn Long
Lashonda Thompson

Lancaster Mills
Established under the developer Lancaster Mills LP (serves as Board)

Meadowview
Harmonica Mays
Pamella Robinson
Kenneth Kirk
Amos Williams
Cassandra McCray

Millbrook East
Cynthia Adams
Gordon Butler
Evelyn Dubois

Rolling Meadows
Ted Darden
Bobbie Young
Anita Lott
Stacey Jaglowski
Johnny Hampton

Tribute at Mills Branch
Chas Fitzgerald
Emma Thompson

LANCASTER CITY COUNCIL

Agenda Communication

September 14, 2015

Discuss and consider a resolution approving the rate for certain fees and charges assessed and collected by the City for water service; providing a repealing clause; and providing an effective date.

This request supports the City Council 2015-2016 Policy Agenda.

Goal: Financially Sound City Government

Background

A utility rate study was presented to Council on August 18, 2014. At that time, there had been no water or sewer rate increase considered for over three years, even though Dallas Water Utilities and Trinity River Authority had substantially raised rates charged to the City during the same time frame. 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 recommended to be implemented by initiating rate increases in 2014 and spreading them over four (4) years; to mitigate the impact of increased utility bills on customers.

The proposed 2015-2016 base water bill is proposed to remain at $20.90. The rate per 1,000 gallons up to 14,999 gallons will remain at $2.67. The rate for 15,000 to 29,999 gallons will remain at $3.31. The rate for 30,000 or more gallons will remain at $4.16. The 2015-2016 base sewer bill will remain at $15.04. The price per 1000 gallons of usage will remain at $7.73.

The senior citizen discount is proposed to increase to $1.94 from $1.74 on water and the sewer senior discount will increase from $.76 to $1.76 per month.

Based on the analysis conducted, it was proposed to maintain the City's current rates, continue the register replacement program, and enhance collection efforts. Council will re-evaluate the rates prior to the start of fiscal year 2016/2017.

Considerations

- **Operational** – Utilizing the existing fee structure, staff will continue maintenance and operation of the infrastructure necessary to provide quality water and wastewater system services.

- **Legal** - The City Attorney has reviewed and approved the resolution as to form.

- **Financial** - The senior citizen discount is proposed to increase to $1.94 from $1.74 on water and the sewer senior discount will increase from $.76 to $1.76 per month.

Water/Waste water	Current	FY 2015/2016
Water		
Minimum Bill	$20.90	$20.90
0-15,000	$2.67	$2.67
15,001-30,000	$3.31	$3.31
30,000+	$4.16	$4.16
Senior Citizen Discount	$1.74	$1.94
Sewer		
Minimum Bill	$15.04	$15.04
Price per 1000 gallons of usage	$7.73	$7.73
Senior Discount	$.76	$1.76

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

Options/Alternatives

1. Approve the resolution increasing the Senior Citizen Discount and maintaining current water and waste water rates.

2. Deny the resolution.

Recommendation

Staff recommends approval of the resolution as presented.

Attachments

- Resolution
- Exhibit “A” Sec. 10.700 Rates

Submitted by:
Opal Mauldin-Robertson, City Manager

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, AMENDING THE RATE FOR CERTAIN FEES AND CHARGES ASSESSED AND COLLECTED BY THE CITY FOR WATER AND WASTEWATER SERVICE; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lancaster desires to provide for certain fees and charges assessed and collected by the City for water and wastewater services; and

WHEREAS, after consideration and review, the City Council finds that the adjustments shall be reflected in the Master Fee Schedule, and should be adopted;

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

SECTION 1. That maintaining the existing rates for water and wastewater and providing a flat rate discount for senior citizens shall be reflected in the Master Fee Schedule, and the same is, hereby adopted to provide for changes to certain fees and charges assessed and collected by the City for water and wastewater services.

SECTION 2. That all provisions of any section of any resolution of the City Council of the City of Lancaster in conflict with the provisions of this resolution be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this resolution shall remain in full force and effect.

SECTION 3. This Resolution shall become effective on October 1, 2015, after its passage and 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 September 2015.

ATTEST: **APPROVED:**

_____ _____

Sorangel O. Arenas, City Secretary Marcus E. Knight, Mayor

APPROVED AS TO FORM:

_____

Robert E. Hager, City Attorney

Exhibit "A"

Sec. 10.700 Water Rates - Within City

The following schedule of water charges for residential, commercial, industrial, and multi-family complex customers shall be effective with the first billing of October 2015:

Minimum monthly water charge (no gallons) for residential, commercial, and industrial customers:

Meter Size:	Equivalent Units	Minimum Monthly Meter Charge:
⅝ or ¾ inch water	1	$20.90
1-inch water meter	2.5	$52.26
1 ½ inch water meter	5	$104.52
2-inch water meter	8	$167.23
3-inch water meter	16	$334.45
4-inch water meter	25	$522.58
6-inch water meter	50	$1,045.17
8-inch water meter	80	$1,672.26
10-inch water meter	125	$2,450.00

(1) Multi-family complexes shall be charged a minimum monthly water charge equal to the greater of (a) the minimum bill for a ⅝ inch meter, multiplied by the number of units or (b) the minimum monthly meter charge for the size meter(s) serving the account.

(2) A variable rate volume charge of two dollars and fifty cents ($2.67) shall be charged per each one thousand (1,000) gallons usage. No gallons are included with the monthly minimum charge.

(3) Example of the calculation of a multi-family complex monthly water bill:
Two hundred apartment units with an 8" meter and 600,000 gallons of usage.

	Min. charge for 8" meter	$1,672.26	
	200 units @ $20.90 each	0.00	$4,180.00
	600,000 gallons @ $2.67/1000	$1,602.02	$1,602.02
		$3,274.28	$5,782.02

Therefore $5,782.02 would be billed. ($5,782.02 ÷ 200 = $28.91)

(4) For the purpose of encouraging water conservation, there shall be a 25% increase in the water volume rate for monthly usage in excess of 15,000 gallons by residential and commercial accounts. Usage in excess of 30,000 shall be subject to an additional 25% increase. These increases will not be assessed to industrial or multi-family accounts.

For example:

0 to 15,000 gallons	$2.67 per 1,000
15,001 to 30,000 gallons	$3.31 per 1,000
30,000 gallons or more	$4.16 per 1,000

(5) A discount for senior citizens (age 65 or over) of $1.94 per month shall be applied to each qualified residential account.

(Resolution 2011-09-80 adopted 9/12/11, effective October 1, 2011)

. . . .

Sec. 10.700 Water Rates - Outside City Limits

Effective with the first billing cycle of October 2014, the rates or The following schedule of water charges for sales of water to customers outside the city limits of Lancaster, Texas, shall be effective with the first billing of October 2014:

Minimum monthly water charge (no gallons) for residential, commercial, and industrial customers:

Meter Size:		Minimum Monthly Meter Charge:
¾ inch or less		$24.04
1-inch		$60.10
1 ½ inch		$120.19
2-inch		$192.31
3-inch		$384.62
4-inch		$600.97
6-inch		$1,201.94
8-inch		$1,923.10
10 inch		$2,450.00

(1) Multi-family complexes shall be charged a minimum monthly water charge equal to the greater of (a) the minimum bill for a ⅝ inch meter, multiplied by the number of units or (b) the minimum monthly meter charge for the size meter(s) serving the account.

(2) A variable rate volume charge of two dollars and fifty cents ($2.67) shall be charged per each one thousand (1,000) gallons usage. No gallons are included with the monthly minimum charge.

(3) Example of the calculation of a multi-family complex monthly water bill:
Two hundred apartment units with an 8" meter and 600,000 gallons of usage.

	Min. charge for 8" meter	$1,923.10	
	200 units @ $24.04 each	0.00	$4,808.00
	600,000 gallons @ $3.07/1000	$1,842.00	$1,842.00
		$3,765.00	$6,650.00

Therefore $6,650.00 would be billed. ($6,650.00 ÷ 200 = $33.25)

(5) A discount for senior citizens (age 65 or over) of $1.94 per month shall be applied to each qualified residential account.

Sec. 10.1000 Wastewater Treatment Services User Charges

The following schedule of charges for residential, commercial, industrial and multi-family complex customers shall be effective with the first billing cycle of October, 2014:

(1) Minimum monthly sewer charge (no gallons of usage) for residential, commercial, and industrial is fourteen dollars and ten cents ($15.04) per connection.

(2) Minimum monthly sewer charge for each dwelling unit of a multi-family complex (no gallons) is seven dollars and twenty-five cents ($7.73) per unit.

(3) Minimum monthly sewer charge for each dwelling unit of a multi-family complex outside of the city limits (no gallons) is seven dollars and twenty-five cents ($8.89) per unit.

(4) Variable rate per one thousand (1,000) gallons of water usage for residential, commercial, industrial, and multi-family complexes is seven dollars and twenty-five cents ($7.73).

(5) The total monthly amount due for "all" sewer accounts shall be the sum of the minimum monthly sewer charge plus the variable rate times the user's water usage for the month. The maximum monthly "residential customer" volume charges shall be based on the average of the three lowest monthly bills in the last twelve. Normally these will be the reading cycles ending in January, February, and March. However, the utility billing department may adjust this forwards or backwards one month.

Industrial and commercial users that install a separate sewer metering system shall be charged for volume according to that meter, plus the minimum rate.

(6) The practice of discounting the computed sewer usage to 95% and 90% as detailed in the Lancaster Code of Ordinances Section 11.608(b) and 11.609(b); was discontinued in 2008.

(7) A discount for senior citizens (age 65 or over) of $1.76 per month shall be applied to each qualified residential account.

LANCASTER CITY COUNCIL

Agenda Communication

September 14, 2015

Discuss and consider a resolution amending Section 10.700 of the Master Fee Schedule for fees and charges assessed for water and wastewater rates.

This request supports the City Council 2015-2016 Policy Agenda.

Goal: Financially Sound City Government

Background

This item is a companion item to the agenda item regarding the Water and Waste water rates. Approval of the water and waste water rates and senior citizen discount requires amendment to the Master Fee Schedule to reflect fees assess to residents for water and waste water services.

Considerations

Water/Waste water	Current	FY 2015/2016
Water		
Minimum Bill	$20.90	$20.90
0-15,000	$2.67	$2.67
15,001-30,000	$3.31	$3.31
30,000+	$4.16	$4.16
Senior Citizen Discount	$1.74	$1.94
Sewer		
Minimum Bill	$15.04	$15.04
Price per 1000 gallons of usage	$7.73	$7.73
Senior Discount	$.76	$1.76

- **Operational** - This fee structure will provide the funding for the required infrastructure and maintenance needed to provide quality water and wastewater system services.

- **Legal** - The City Attorney has reviewed and approved the resolution as to form.

- **Financial** - Adoption and approval of the proposed rates will ensure adequate funding for operations and maintenance for the water and wastewater system.

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

Options/Alternatives

1. Approve the resolution as presented.
2. Deny the resolution and direct staff.

Recommendation

Staff recommends approval of the resolution as presented.

Attachments

- Resolution
- Exhibit “A”

Submitted by:
Opal Mauldin-Robertson, City Manager

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, AMENDING SECTION 10.700 OF THE MASTER FEE SCHEDULE FOR FEES AND CHARGES ASSESSED FOR WATER AND WASTEWATER RATES; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lancaster desires to provide an increase for certain fees, discounts and charges assessed and collected by the City for water and wastewater; and

WHEREAS, after consideration and review, the City Council finds that the increases shall be reflected in the Master Fee Schedule, and should be adopted;

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

SECTION 1. That the increase in rates for water shall be reflected in the Master Fee Schedule, and the same is, hereby adopted to provide for changes to certain fees and charges assessed and collected by the City for water services, as attached hereto and incorporated herein by reference as Exhibit "A".

SECTION 2. That all provisions of any section of any resolution of the City Council of the City of Lancaster in conflict with the provisions of this resolution be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this resolution shall remain in full force and effect.

SECTION 3. This Resolution shall become effective on October 1, 2015, after its passage and 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 September, 2015.

ATTEST:

_____
Sorangel O. Arenas, City Secretary

APPROVED:

_____
Marcus E. Knight, Mayor

APPROVED AS TO FORM:

_____
Robert E. Hager, City Attorney

Exhibit "A"

Sec. 10.700 Water Rates - Within City

The following schedule of water charges for residential, commercial, industrial, and multi-family complex customers shall be effective with the first billing of October 2015:

Minimum monthly water charge (no gallons) for residential, commercial, and industrial customers:

Meter Size:	Equivalent Units	Minimum Monthly Meter Charge:
⅝ or ¾ inch water	1	$20.90
1-inch water meter	2.5	$52.26
1 ½ inch water meter	5	$104.52
2-inch water meter	8	$167.23
3-inch water meter	16	$334.45
4-inch water meter	25	$522.58
6-inch water meter	50	$1,045.17
8-inch water meter	80	$1,672.26
10-inch water meter	125	$2,450.00

(1) Multi-family complexes shall be charged a minimum monthly water charge equal to the greater of (a) the minimum bill for a ⅝ inch meter, multiplied by the number of units or (b) the minimum monthly meter charge for the size meter(s) serving the account.

(2) A variable rate volume charge of two dollars and fifty cents ($2.67) shall be charged per each one thousand (1,000) gallons usage. No gallons are included with the monthly minimum charge.

(3) Example of the calculation of a multi-family complex monthly water bill:
Two hundred apartment units with an 8" meter and 600,000 gallons of usage.

	Min. charge for 8" meter	$1,672.26	
	200 units @ $20.90 each	0.00	$4,180.00
	600,000 gallons @ $2.67/1000	$1,602.02	$1,602.02
		$3,274.28	$5,782.02

Therefore $5,782.02 would be billed. ($5,782.02 ÷ 200 = $28.91)

(4) For the purpose of encouraging water conservation, there shall be a 25% increase in the water volume rate for monthly usage in excess of 15,000 gallons by residential and commercial accounts. Usage in excess of 30,000 shall be subject to an additional 25% increase. These increases will not be assessed to industrial or multi-family accounts.

For example:

0 to 15,000 gallons	$2.67 per 1,000
15,001 to 30,000 gallons	$3.31 per 1,000
30,000 gallons or more	$4.16 per 1,000

(5) A discount for senior citizens (age 65 or over) of $1.94 per month shall be applied to each qualified residential account.

(Resolution 2011-09-80 adopted 9/12/11, effective October 1, 2011)

. . . .

Sec. 10.700 Water Rates - Outside City Limits

Effective with the first billing cycle of October 2014, the rates or The following schedule of water charges for sales of water to customers outside the city limits of Lancaster, Texas, shall be effective with the first billing of October 2014:

Minimum monthly water charge (no gallons) for residential, commercial, and industrial customers:

Meter Size:		Minimum Monthly Meter Charge:
¾ inch or less		$24.04
1-inch		$60.10
1 ½ inch		$120.19
2-inch		$192.31
3-inch		$384.62
4-inch		$600.97
6-inch		$1,201.94
8-inch		$1,923.10
10 inch		$2,450.00

(1) Multi-family complexes shall be charged a minimum monthly water charge equal to the greater of (a) the minimum bill for a ⅝ inch meter, multiplied by the number of units or (b) the minimum monthly meter charge for the size meter(s) serving the account.

(2) A variable rate volume charge of two dollars and fifty cents ($2.67) shall be charged per each one thousand (1,000) gallons usage. No gallons are included with the monthly minimum charge.

(3) Example of the calculation of a multi-family complex monthly water bill:
Two hundred apartment units with an 8” meter and 600,000 gallons of usage.

	Min. charge for 8” meter	$1,923.10	
	200 units @ $24.04 each	0.00	$4,808.00
	600,000 gallons @ $3.07/1000	$1,842.00	$1,842.00
		$3,765.00	$6,650.00

Therefore $6,650.00 would be billed. ($6,650.00 ÷ 200 = $33.25)

(5) A discount for senior citizens (age 65 or over) of $1.94 per month shall be applied to each qualified residential account.

Sec. 10.1000 Wastewater Treatment Services User Charges

The following schedule of charges for residential, commercial, industrial and multi-family complex customers shall be effective with the first billing cycle of October, 2014:

(1) Minimum monthly sewer charge (no gallons of usage) for residential, commercial, and industrial is fourteen dollars and ten cents ($15.04) per connection.

(2) Minimum monthly sewer charge for each dwelling unit of a multi-family complex (no gallons) is seven dollars and twenty-five cents ($7.73) per unit.

(3) Minimum monthly sewer charge for each dwelling unit of a multi-family complex outside of the city limits (no gallons) is seven dollars and twenty-five cents ($8.89) per unit.

(4) Variable rate per one thousand (1,000) gallons of water usage for residential, commercial, industrial, and multi-family complexes is seven dollars and twenty-five cents ($7.73).

(5) The total monthly amount due for “all” sewer accounts shall be the sum of the minimum monthly sewer charge plus the variable rate times the user’s water usage for the month. The maximum monthly “residential customer” volume charges shall be based on the average of the three lowest monthly bills in the last twelve. Normally these will be the reading cycles ending in January, February, and March. However, the utility billing department may adjust this forwards or backwards one month.

Industrial and commercial users that install a separate sewer metering system shall be charged for volume according to that meter, plus the minimum rate.

(6) The practice of discounting the computed sewer usage to 95% and 90% as detailed in the Lancaster Code of Ordinances Section 11.608(b) and 11.609(b); was discontinued in 2008.

(7) A discount for senior citizens (age 65 or over) of $1.76 per month shall be applied to each qualified residential account.

LANCASTER CITY COUNCIL

Agenda Communication

September 14, 2015

Discuss and consider a resolution approving the terms and conditions of a Facilities Agreement by and between the City of Lancaster and the Pauls Corporation, relating to infrastructure and improvements for the development of property described as "Southpointe Business Park", generally located in the city rights-of-way located at 3901 and 3951 Corporate Drive, Lancaster, Texas.

This request supports the City Council 2015-2016 Policy Agenda.

Goal: Sound Infrastructure

Background

In August 2012, the City Council adopted an updated Water and Wastewater Impact Fee report in accordance with Chapter 395 of the Texas Local Government Code (TLGC). TLGC requires an impact fee analysis before impact fees can be created and assessed. Chapter 395 defines an impact fee as "a charge or assessment imposed by a political subdivision against new development in order to generate revenue for funding or recouping the costs of capital improvements or facility expansions necessitated by and attributable to the new development."

In September 2001, Senate Bill 243 amended Chapter 395 thus creating the current procedure for implementing impact fees. Chapter 395 identifies the following items as impact fee eligible costs: a) Construction contract price; b) surveying and engineering fees; c) land acquisition costs; d) fees paid to the consultant preparing or updating capital improvements plan (CIP); and e) projected interest charges and other finance costs for projects identified in the CIP.

A summary of the costs for each of the projects required for the 10-year growth period used in the impact fee analysis for wastewater systems is shown in the attached Table 4-2. The proposed 10-year wastewater impact fee CIP is shown on Figure 4-2.

Considerations

The purpose of the request is to allow the developer to receive impact fee credits for the decommissioning of the lift station located on the south side of Interstate 20 within the City's rights-of-way. There are three existing lift stations in the City of Lancaster; one of

which is located in the city rights-of-way on the south side of Interstate Highway 20 (IH-20). The water and wastewater impact fee analysis shows this lift station to require decommissioning as a result of future development and the expanded capacity needs for the future planned developments in which construction is already underway.

- **Operational** – The Development Services Department, Engineering Division will oversee decommission of the lift station; as well as design and construction of an 8" gravity sanitary sewer line. The Public Works Department, Water/Wastewater Division, currently maintains the lift station. The decommissioning of the lift station and the installation of the 8" gravity sanitary sewer line will support the current and future growth in this area and alleviate the need for maintenance of the lift station. The Engineering Division has reviewed the proposal and recommends a 10" line. The water/wastewater impact fee update requires a 12" line at full development. Staff is of the opinion that since the property to the east has installed a 10" line and the applicant's proposal to connect an 8" line is not taking into consideration near future capacity which would probably require upsize upon the next update. Therefore staff believes the 10" is a good compromise.

- **Legal** – Staff is bringing this item forward for City Council consideration in an effort to give the applicant necessary assurances on approval of the agreement. The applicant has indicated to staff that should the City Council not want to proceed with the terms and conditions, they plan to withdraw their request. Should the City Council agree with the conditions or both parties agree to revised conditions, the City Attorney will draft an agreement according to the agreed upon terms.

- **Financial** – The decommissioning of the lift station is cited in the 2012 Impact Fee Analysis eligible CIP projects. Had this development not occurred and necessitated additional capacity, the City at some point would have had to decommission the lift station. Since the development necessitates a larger capacity line, the developer will install and is seeking credits for actual costs. Chapter 395 allows for impact fee credits on eligible expenses related to the CIP designated projects. See attached cost estimates.

Included in this proposal is the request with actual costs and the offsite sewer exhibit.

- **Public Information** – This resolution is being considered at a regular meeting of the City Council, noticed in accordance with the Texas Open Meetings Act.

<u>Options/Alternatives:</u>

1. Approve resolution accepting the terms and conditions of the facilities agreement.
2. Reject resolution.

Recommendation:

Staff recommends approval of the resolution approving the terms and conditions of the agreement.

Attachments

- Resolution (draft)
- Facilities Agreement proposal
- Figure 4-2 Wastewater system impact fee CIP map
- Table 4-2 Wastewater system impact fee eligible projects
- Wastewater opinion of probable cost
- Design specifications-Exhibit 1

Submitted by:
Rona Stringfellow, Assistant City Manager

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, APPROVING THE TERMS AND CONDITIONS OF A FACILITIES AGREEMENT BY AND BETWEEN THE CITY OF LANCASTER AND PAULS CORPORATION WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE, FOR INFRASTRUCTURE AND IMPROVEMENTS FOR THE DEVELOPMENT OF PROPERTY COMMONLY DESCRIBED AS "SOUTHPOINTE BUSINESS PARK", GENERALLY LOCATED IN THE CITY RIGHTS-OF-WAY LOCATED AT 3901 AND 3951 CORPORATE DRIVE, LANCASTER, TEXAS; AUTHORIZING ITS EXECUTION BY THE MAYOR; REPEALING ALL RESOLUTIONS IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Lancaster desires to contract with Paul's Corporation for certain infrastructure and other improvements as outlined in the attached Facilities Agreement; and

WHEREAS, after discussion and consideration, the City Council has determined that it would be in the best interest of the City and its citizens to enter into such agreement;

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

SECTION 1. The Facilities Agreement by and between the City of Lancaster, Texas and Paul's Corporation, attached hereto with Exhibit "A", and incorporated herein by reference, having been reviewed by the City Council of the City of Lancaster, Texas and found to be acceptable and in the best interest of the City and its citizens, and the same is hereby, in all things approved.

SECTION 2. The Mayor of the City of Lancaster, Texas is authorized to execute the appropriate documents to implement this agreement.

SECTION 3. Any prior resolution of the City Council in conflict with the provisions contained in this resolution are 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 take effect 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 September, 2015.

ATTEST:

_____
Sorangel O. Arenas, City Secretary

APPROVED:

_____
Marcus E. Knight, Mayor

APPROVED AS TO FORM:

_____
Robert E. Hager, City Attorney

PIHV SOUTH POINTE INDUSTRIAL, LLC

August 25, 2015

Ms. Rona Stringfellow
Assistant City Manager
City of Lancaster
700 E. Main Street
PO Box 940
Lancaster, TX 75146

Ms. Stringfellow,

Per our discussion PIHV South Pointe Industrial, LLC (Developer) would propose to complete the following work on behalf of the City of Lancaster (City); Installation of an 8" gravity sanitary sewer line per attached drawing dated 08/07/15, abandonment of the existing lift station on site, and increase in size from 6" to 8" (for future development) the 390 linear feet of sanitary sewer line located in City ROW (see attachments for drawings of work to be performed) located at 3951 and 3901 Corporate Drive, Lancaster, TX 75134.

It is our understanding that the City of Lancaster shall pay Developer for the performance of the work, subject to the terms and conditions that shall be outlined in a final Development Agreement between the City and the Developer. Preliminary budget pricing for this work is estimated at **$118,699.98** and breaks down as follows.

Scope of work to include:

GENERAL CONDITIONS $ 24,515.20

- Legal Fees ($5,000 allowance)
- Project Management
- Project Superintendent
- Project Administration
- Insurance
- Civil Engineer, Including Special Inspections
- Material Testing Services
- Easement Preparations
- Roll-Off Dumpster
- Periodic & Final Cleanup
- Erosion Control ($3,500 allowance)

DEMOLITION

- Abandonment and removal of existing lift station $ 3,765.00

UTILITIES $ 86,962.50

- Increase pipe diameter from 6" to 8"
- Install 6" and 8 "sanitary sewer line and 3 manholes
- Install 18" metal sleeve

ELECTRICAL	$	0.00
• City to disconnect power to lift station		
SUBTOTAL	$	115,242.70
DEVELOPER'S FEE		
• (3% of Managed Costs)	$	3,457.28
TOTAL CONTRACT AMOUNT		***$ 118,699.98***

If this proposal is acceptable to the City, the Developer would work with the City to draft, finalize and execute the Development Agreement in order to complete the scope of work as generally described in this letter.

Please let me know if you should have and questions, comments or concerns; we look forward to working with the City to complete the Development Agreement and execute this work as expeditiously as possible.

Sincerely,

Scott Lane
PIHV South Pointe Industrial, LLC

Cc: Jeffrey M. Todd
Charlie Alexander
Brian Roach
Opal Mauldin Robertson

DESIGN CHANGE NOTICE

Client: Meinhardt & Associates Architects

DCN No.: 3

Attn: Mike Meinhardt mem@m-aarch.com
Copy: Scott Lane scott.lane@paulscorp.com
Jeff Todd jeff.todd@paulscorp.com

HAI Project No.: 30592

Date: 08-24-2015

Project Name: Southpointe Corporate Center – Buildings A & B, Lancaster, Texas

Description of Change:

1. Offsite Sanitary Sewer. - Design of sanitary sewer gravity connection across INO property:
   a. Addition of sanitary sewer plan and profile.
   b. Abandonment of existing lift station.
   c. Coordinate City approval of plan revision.
2. Sanitary Sewer Easement by separate instrument:
   Prepare legal description and exhibit for separate instrument easement document.

Reason for Change:

1. The Owner is working with the INO adjacent property owner and the City to construction the offsite section of sanitary sewer necessary to abandon the existing lift station. Agreement documents with the City will need to be formalized prior to construction
2. Easement will need to be dedicated by INO prior to construction of the offsite sanitary sewer.

This is to notify you that the change described will increase Halff Associates, Inc. design and survey fees by an estimated amount of $9,700.00 to perform these services. The below tasks shall be performed as an additional service to our fees provided via email dated October 29, 2014. We will not exceed this budget without your prior written authorization. The breakdown of these additional services is as follows:

Additional Task		Cost
1. Offsite Sanitary Sewer		**$7,500**
2. Sanitary Sewer Easement by Separate Instrument		**$2,200**
TOTAL		**$9,700**

Please check appropriate box, sign, and return one copy to Halff Associates, Inc., ATTN: Brian Satagaj

Project Manager

Client [ ] Approved [ ] Disapproved

By: _____
Client Date

Terracon

BUDGET ESTIMATE - EXHIBIT D
South Pointe Corporate Center, Sewer Line Addition
IH-20 at Corporate Drive, Lancaster TX
Terracon Proposal No. P94150403R2
August 25, 2015

Service	Quantity	Unit	Unit Rate	Estimate
Sanitary Sewer Line Addition				
Earthwork Observation and Testing				
Soils Technician, hour (min. 4 hours)	28	hour	$45.00	$1,260.00
Soils Technician, (Overtime)	0	hour	$67.50	$0.00
Moisture Density Relationship (ASTM D698)	1	each	$150.00	$150.00
Sieve Analysis, Minus #200 (ASTM D1140)	1	each	$25.00	$25.00
Atterberg Limits (ASTM D4318)	1	each	$60.00	$60.00
Vehicle Charge	5	trip	$50.00	$250.00
Nuclear Density Gauge	5	day	$50.00	$250.00
			Sub-total	**$1,995.00**
PROJECT ADMINISTRATION				
Project Management and Clerical Services			10 % of fees	$199.50
			Sub-total	**$199.50**
			Estimated Project Total	$2,194.50

Proposed Change Order

Project: South Pointe Corporate Center
3951 / 3901 Corporate Drive Bldg
Lancaster, TX 75134

Contract Number: 15502- South Pointe Corporate Center

Proposed Change Order #: PCO 4
In/Out Sewer Line, Abandon Lift Station, SS 6" to 8" Pipe

To (Contractor): FCL Builders Texas, LLC
7929 Brookriver Drive, Suite 630
Dallas, TX 75247

Pending CO Date : 08/24/15

You are directed to make the following changes in this Contract:

North Texas Utility to provied labor and materials to install the In/Out sewer line per the attached drawing dated 5-27-15 from Scott Lane with Pauls Corp and drawing dated 8-7-15.

Removal of Abandon Lift Station by North Texas Utility

SS size increase from 6" to 8"

C.O. Item	Contract Item	Change in Days	Description	Amount
1	2500		In/Out Sewer Line- North Texas Utility	90,727.50
2	1500		Insurance rate .00521%	472.70
3	999999		Fee 4%	3,648.00
			Total For Change Order:	**94,848.20**

Signature of the Contractor indicates the Contractor's agreement herewith, including any adjustment in the Contract Sum or Contract Time.

Accepted By Owner: Yes ☐ No ☐

270 Saint Paul Street
Denver, CO 80206

By: _____

Date: _____

Accepted By Contractor: Yes ☐ No ☐

FCL Builders Texas, LLC
7929 Brookriver Drive, Suite 630
Dallas, TX 75247

By: Shaun Feltner Digitally signed by Shaun Feltner Date: 2015.08.24 10:43:54-05'00'

Date: _____

Accepted by Tenant Yes ☐ No ☐

By: _____

Date: _____

North Texas Contracting, Inc.

Job Name: SOUTH POINTE CORPORATE CENTER 8/17/2015
Location: LANCASTER, TEXAS 8:13 PM
Bid Date: 16-Mar-15
Bid Time:

Revised 10/02

Item No.	Description	Qty	Unit	Bid Unit	Bid Amount
OFF-SITE SEWER				0.00	0.00
				0.00	0.00
	8" SDR 26	756	LF	64.00	48,384.00
	10" SDR 26	252	LF	68.00	17,136.00
	4' DIA MANHOLE	2	EA	4,925.00	9,850.00
	CONNECT TO EXISTING	2	EA	1,945.00	3,890.00
	REMOVE EXISTING MANHOLE	0	EA	0.00	0.00
	SURVEY	1	LS	2,200.00	2,200.00
	HAUL-OFF OF SPOILS	145	CY	8.00	1,160.00
	REM & REP CONCRETE PAVING	0	SY	0.00	0.00
	REM & REP CONC C&G	0	LF	0.00	0.00
				0.00	0.00
NOTES:	NO CLEARING AND GRUBBING INCLUDED			0.00	0.00
	NO HYDROMLUCH INCLUDED			0.00	0.00
	SPOIL HAUL OFF INCLUDED			0.00	0.00
	STAKING FOR ABOVE INCLUDED			0.00	0.00
	MAINT BOND INCLUDED FOR CITY			0.00	0.00
	PRICE ASSUMES WORK WILL BE DONE WHILE ONSITE			0.00	0.00
	MAX DEPTH TO BE **14'** DEEP FOR THIS SEWER CHANGE			0.00	0.00
	NO PAVING REMOVAL OR REPLACEMENT INCLUDED			0.00	0.00
	NO REMOVAL OF EXISTING MANHOLES INCLDUED			0.00	0.00
	PRICE CONTINGENT UPON SSWR CONNECTING TO EX MH			0.00	0.00
	TO EAST SIDE OF PROPERTY LINE			0.00	0.00
	PRICE ASSUME NO FENCE REMOVAL REQUIRED			0.00	0.00
	IF FENCE REMOVAL REQUIRED NTC TO PRICE ACCORDINGLY			0.00	0.00
	ABOVE PRICE INCLUDES 2 EA NEW MANHOLES ONLY			0.00	0.00
				0.00	0.00
				0.00	0.00
				0.00	0.00
				0.00	0.00
				0.00	0.00
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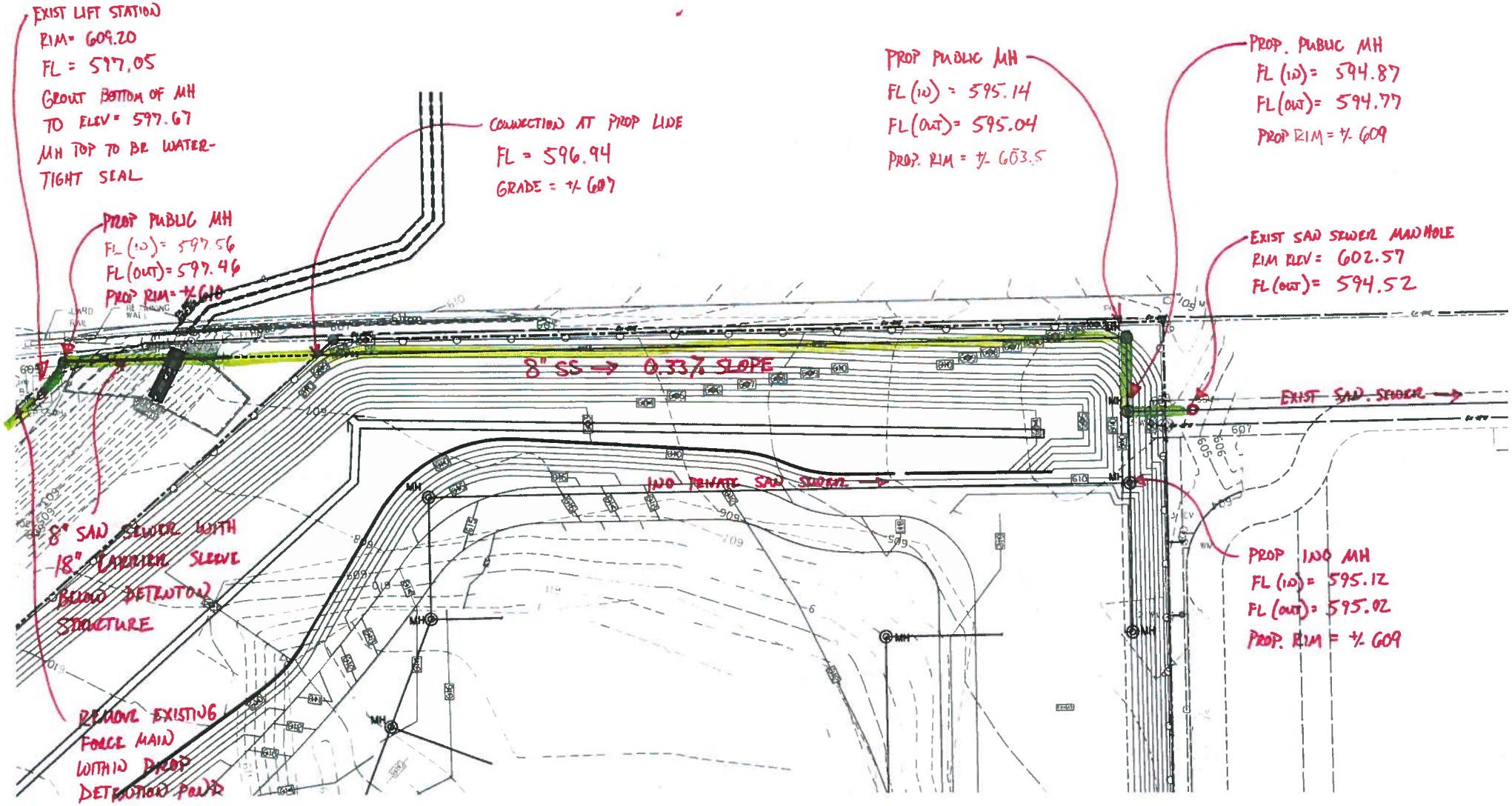
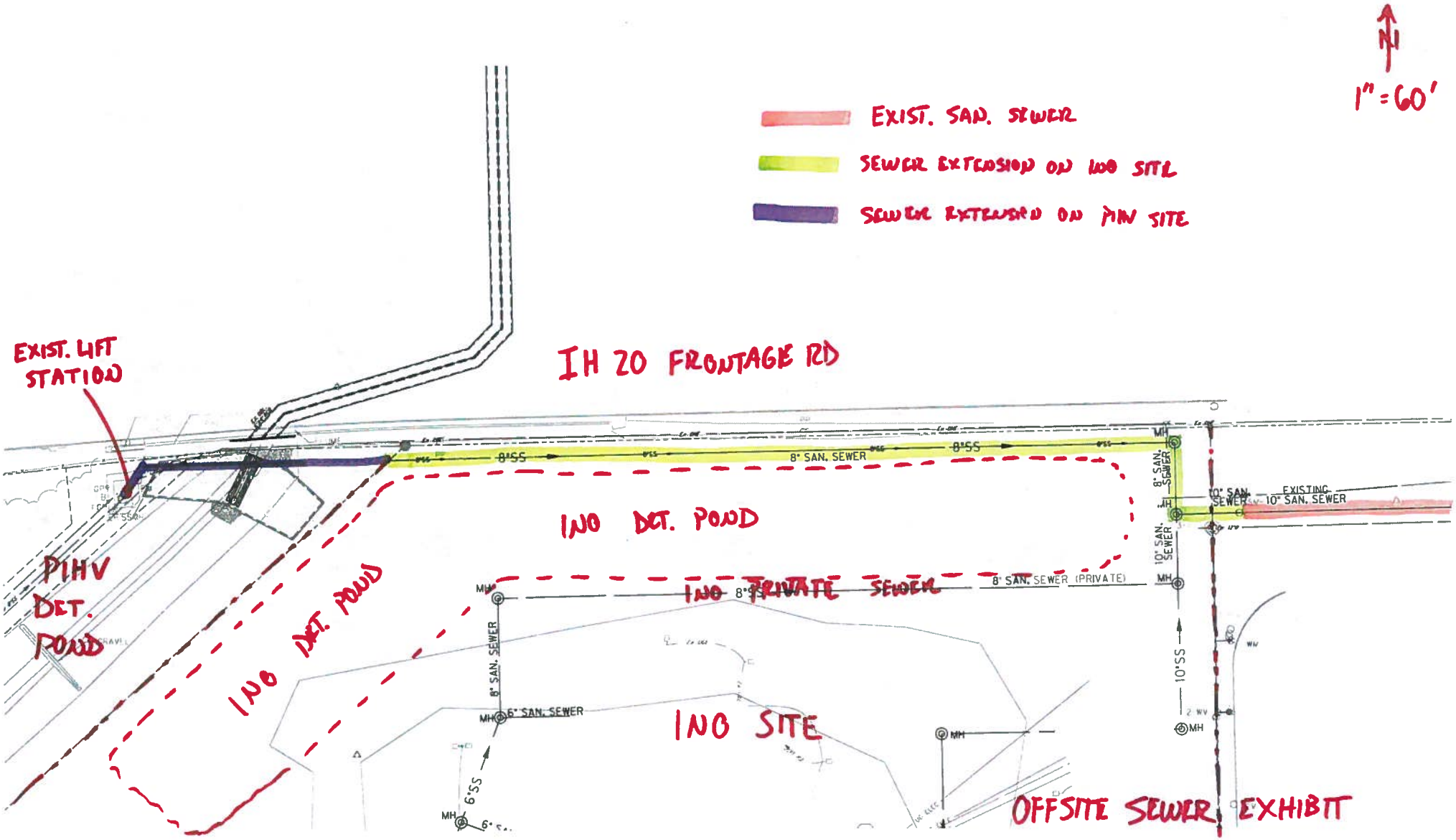
				0.00	0.00


EXIST LIFT STATION
RIM = 609.20
FL = 597.05
GROUT BOTTOM OF MH TO ELEV = 597.67
MH TOP TO BE WATER-TIGHT SEAL
PROP PUBLIC MH
FL (IN) = 597.56
FL (OUT) = 597.46
PROP RIM = ±610
CONNECTION AT PROP LINE
FL = 596.94
GRADE = ±607
PROP PUBLIC MH
FL (IN) = 595.14
FL (OUT) = 595.04
PROP. RIM = ±603.5
PROP. PUBLIC MH
FL (IN) = 594.87
FL (OUT) = 594.77
PROP RIM = ±609
EXIST SAN SEWER MANHOLE
RIM ELEV = 602.57
FL (OUT) = 594.52
8" SS → 0.33% SLOPE
EXIST SAN. SEWER →
INO PRIVATE SAN SEWER →
8" SAN SEWER WITH 18" CARRIER SLEEVE BELOW DETENTION STRUCTURE
PROP INO MH
FL (IN) = 595.12
FL (OUT) = 595.02
PROP. RIM = ±609
REMOVE EXISTING FORCE MAIN WITHIN PROP DETENTION POND
ALL OTHER AREAS ABANDON IN PLACE
SOUTHPOINTE CORPORATE CENTER
INO-N-OUT & CITY OF LANCASTER COORDINATION OF PUBLIC SEWER EXTENSION
08/07/2015



OFFSITE SEWER EXHIBIT

SOUTHPOINTE LANCASTER

AVO: 30592 05/27/2015

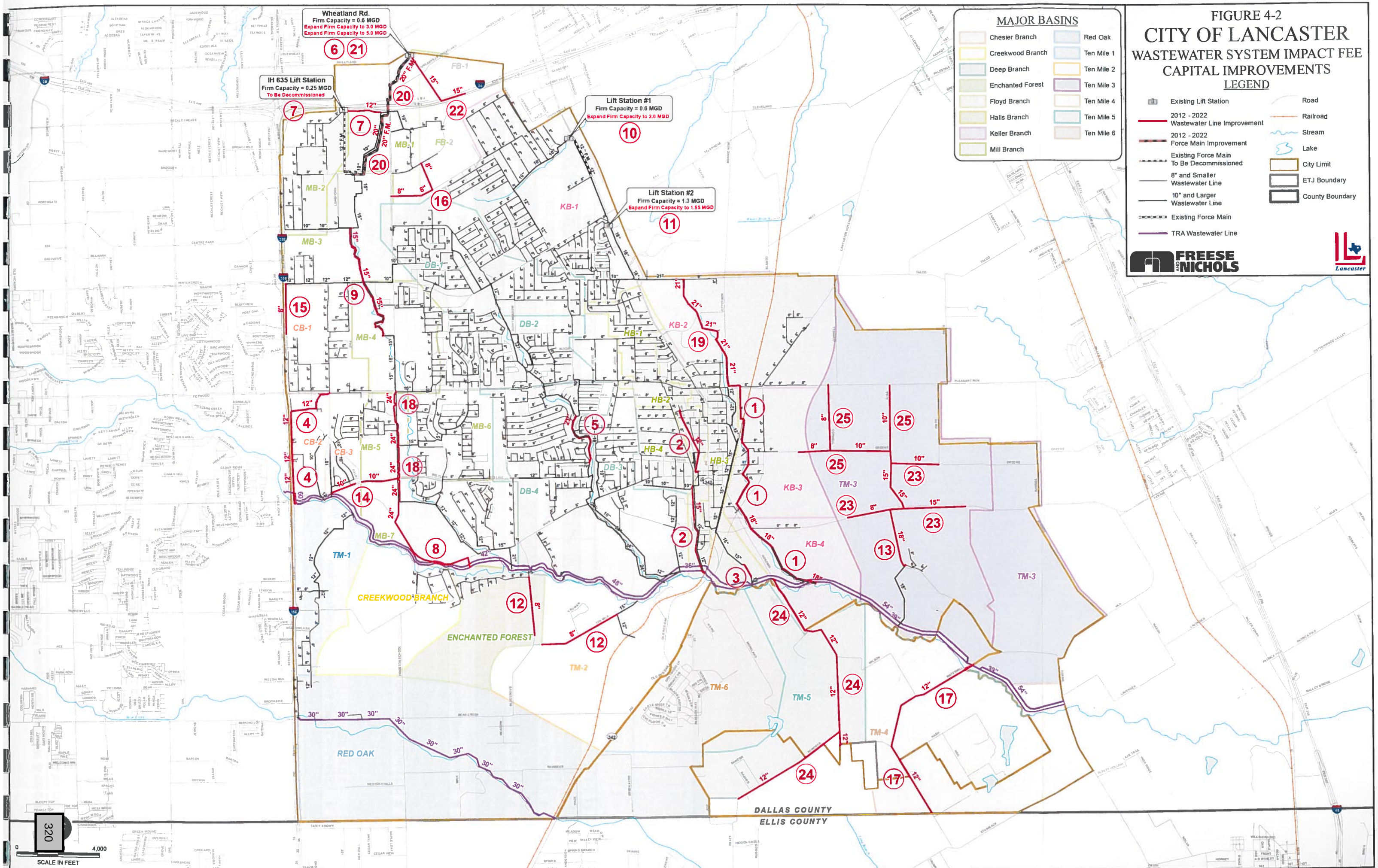


FIGURE 4-2
CITY OF LANCASTER
WASTEWATER SYSTEM IMPACT FEE
CAPITAL IMPROVEMENTS
LEGEND
Existing Lift Station
2012 - 2022 Wastewater Line Improvement
2012 - 2022 Force Main Improvement
Existing Force Main To Be Decommissioned
8" and Smaller Wastewater Line
10" and Larger Wastewater Line
Existing Force Main
TRA Wastewater Line
Road
Railroad
Stream
Lake
City Limit
ETJ Boundary
County Boundary
MAJOR BASINS
Chesier Branch
Creekwood Branch
Deep Branch
Enchanted Forest
Floyd Branch
Halls Branch
Keller Branch
Mill Branch
Red Oak
Ten Mile 1
Ten Mile 2
Ten Mile 3
Ten Mile 4
Ten Mile 5
Ten Mile 6
Wheatland Rd.
Firm Capacity = 0.6 MGD
Expand Firm Capacity to 3.0 MGD
Expand Firm Capacity to 5.0 MGD
IH 635 Lift Station
Firm Capacity = 0.25 MGD
To Be Decommissioned
Lift Station #1
Firm Capacity = 0.6 MGD
Expand Firm Capacity to 2.0 MGD
Lift Station #2
Firm Capacity = 1.3 MGD
Expand Firm Capacity to 1.55 MGD
CREEKWOOD BRANCH
ENCHANTED FOREST
RED OAK
DALLAS COUNTY
ELLIS COUNTY
FREESE AND NICHOLS
Lancaster
0
4,000
SCALE IN FEET

Table 4-2 Wastewater System Impact Fee Eligible Projects

		Percent Utilization			Costs Based on 2012 Dollars			
No.	Description of Project	2012*	2022	2012-2022	Capital Cost	Current Development	10-Year (2012-2022)	Beyond 2022
				EXISTING				
A	Impact Fee Study	0%	100%	100%	$66,000	$0	$66,000	$0
				PROPOSED				
1	18-inch gravity line in the Keller Branch Basin	90%	95%	5%	$2,797,170	$2,517,453	$139,859	$139,859
2	15- and 12-inch gravity lines in the Halls Branch Basin	90%	95%	5%	$1,252,720	$1,127,448	$62,636	$62,636
3	15-inch gravity line in the Halls Branch Basin north of TRA interceptor	85%	90%	5%	$188,640	$160,344	$9,432	$18,864
4	12-inch gravity line in Chesier Branch Basin	80%	90%	10%	$978,220	$782,576	$97,822	$97,822
5	21-inch gravity line in the Deep Branch Basin	75%	80%	5%	$826,350	$619,763	$41,318	$165,270
6	Wheatland Lift Station expansion to 3.0 MGD firm capacity	21%	100%	79%	$1,380,000	$289,800	$1,090,200	$0
7	Decommission IH 635 Lift Station and construct new 12-inch gravity line	40%	80%	40%	$508,330	$203,332	$203,332	$101,666
8	Construct 24-inch relief line in Mills Branch Basin	80%	95%	15%	$1,538,070	$1,230,456	$230,711	$76,904
9	15-inch gravity line in the Mills Branch Basin	60%	85%	25%	$1,359,170	$815,502	$339,793	$203,876
10	Lift Station #1 expansion to 2.0 MGD Firm Capacity	68%	95%	27%	$828,000	$563,040	$223,560	$41,400
11	Lift Station #2 expansion to 1.55 MGD Firm Capacity	0%	15%	15%	$345,000	$0	$51,750	$293,250
12	8-inch gravity lines in Ten Mile-2 and Enchanted Forest Basin	0%	50%	50%	$710,120	$0	$355,060	$355,060
13	18-inch gravity line in Ten Mile-3	0%	50%	50%	$595,840	$0	$297,920	$297,920
14	10-inch gravity lines in Chesier Branch Basin and Mills Branch Basin	0%	85%	85%	$343,920	$0	$292,332	$51,588
15	8-inch gravity line in Chesier Branch	0%	80%	80%	$233,220	$0	$186,576	$46,644

City of Lancaster
Wastewater CIP

Freese and Nichols

OPINION OF PROBABLE COST — UPDATE

Construction Project Number 7

Project Description

Decommission IH 635 Lift Station and construct new 12-inch gravity line. This project will allow for easier system operation and future growth.

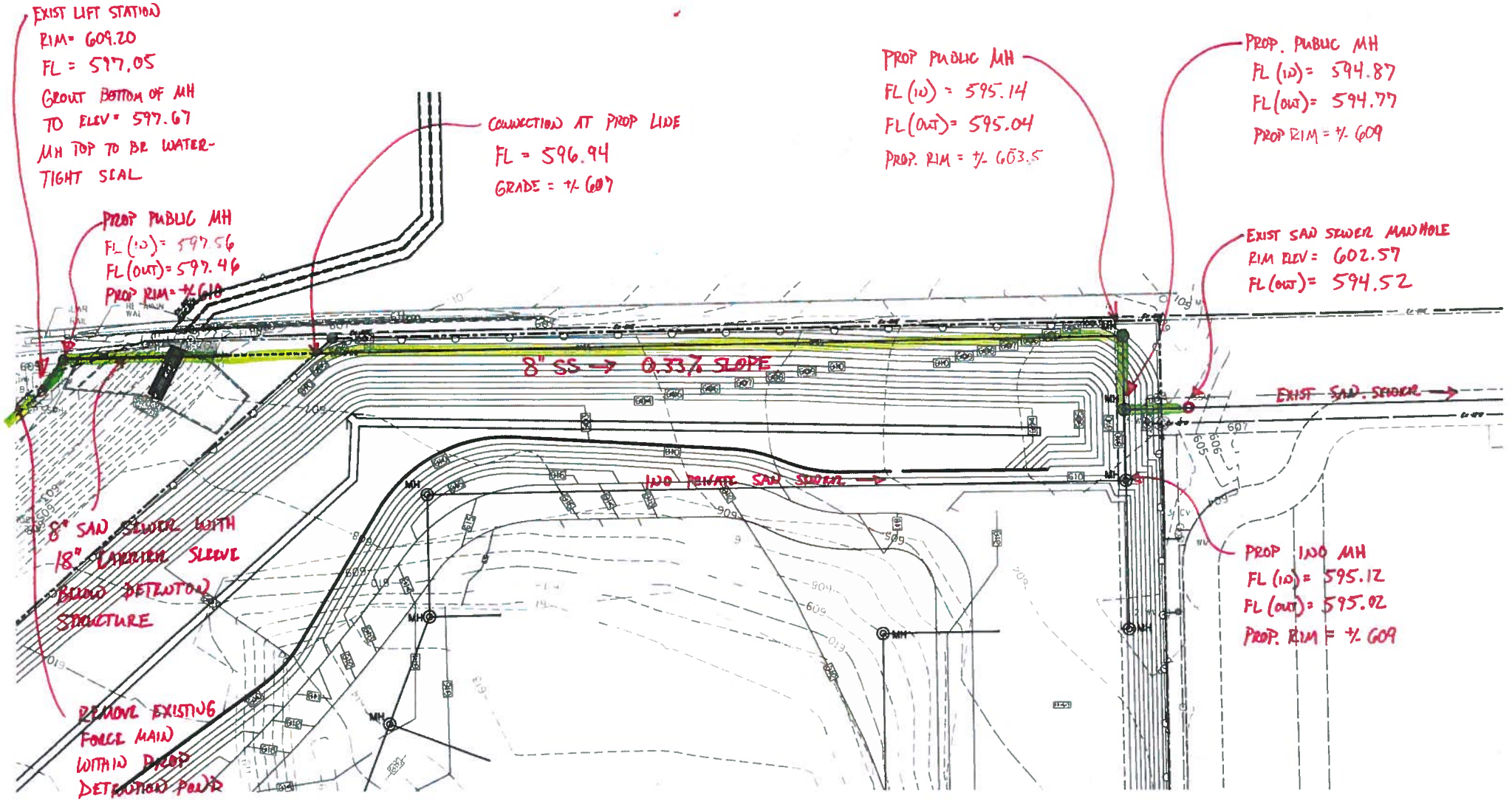
ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	Lift Station - Decomm	1	EA	$200,000	200,000
2	12" Pipe	2,130	LF	$72	153,350
3	48" Diameter Manhole	3	EA	$5,000	15,000
		SUBTOTAL:			$368,350
		CONTINGENCY		20%	$73,670
		SUBTOTAL:			$442,020
		ENG/SURVEY		15%	$66,310
		SUBTOTAL:			$508,330
PROJECT TOTAL					$508,330

Construction Project Number 8

Project Description

Construct 24-inch relief line in Mills Branch Basin. This project will address an existing system deficiency and allow for future growth.

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	24" Pipe	6,884	LF	$144	991,280
2	72" Diameter Manhole	17	EA	$6,000	103,260
3	Pavement Repair	200	LF	$100	20,000
		SUBTOTAL:			$1,114,540
		CONTINGENCY		20%	$222,910
		SUBTOTAL:			$1,337,450
		ENG/SURVEY		15%	$200,620
		SUBTOTAL:			$1,538,070
PROJECT TOTAL					$1,538,070



SOUTHPOINTE CORPORATE CENTER
IN-N-OUT & CITY OF LANCASTER
COORDINATION OF PUBLIC
SEWER EXTENSION

08/07/2015

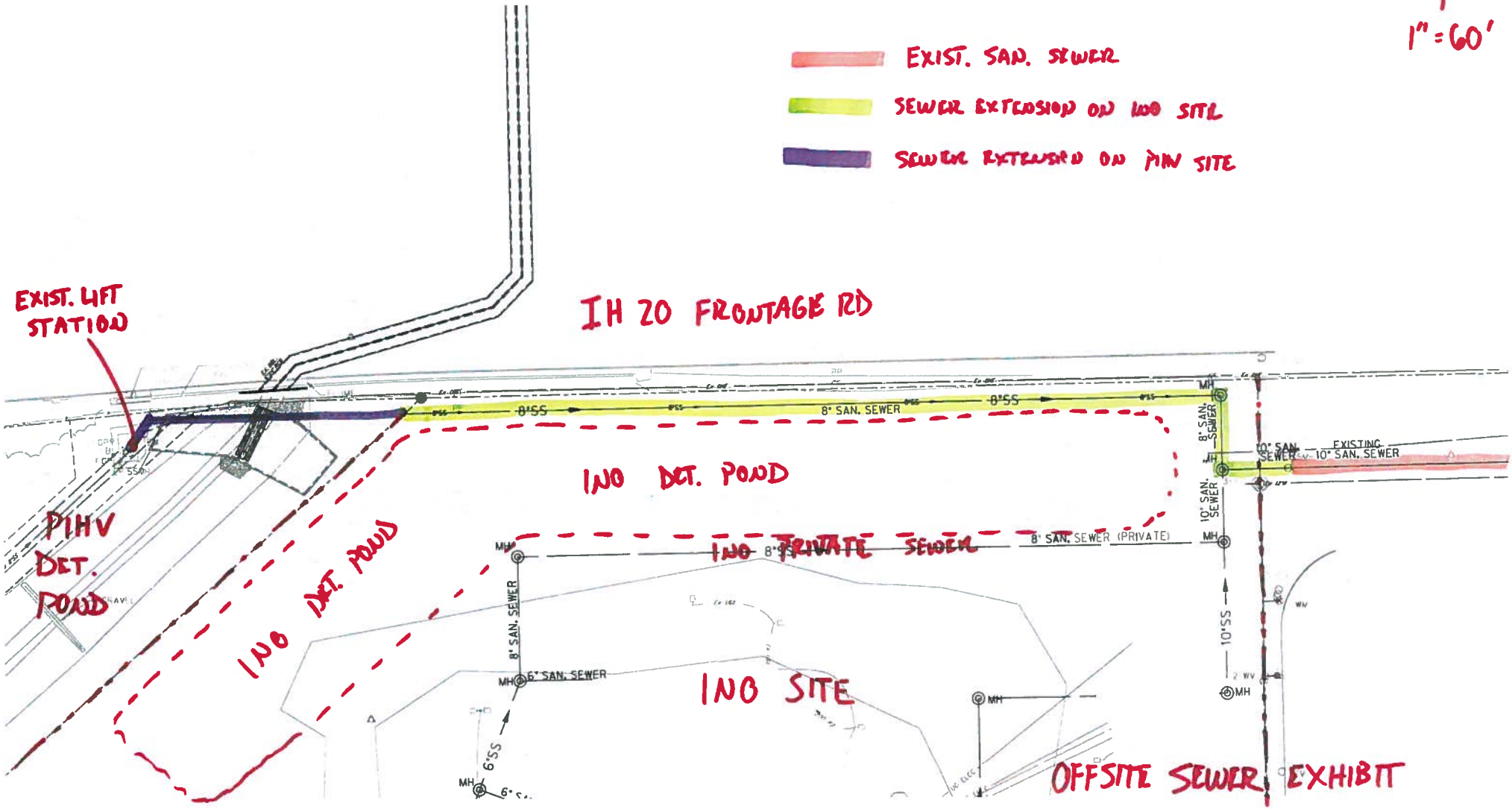
N

1" = 60'

EXIST. SAN. SEWER

SEWER EXTENSION ON INO SITE

SEWER EXTENSION ON PIHV SITE



OFFSITE SEWER EXHIBIT

SOUTHPOINTE LANCASTER

AVO: 30592 05/27/2015

LANCASTER CITY COUNCIL
Agenda Communication
September 14, 2015

Discuss and consider a resolution granting a request for a Special Exception pursuant to Section 14.209 (d), of the Lancaster Development Code; to provide a Special Exception for increased height on the proposed fleet maintenance facility to be located on the east side of the intersection of the BNSF railway and Third Street and more commonly known as 629 E. Third.

This request supports the City Council 2015-2016 Policy Agenda.

Goal: Quality Development

Background

The City of Lancaster is in the design phase of construction of a new Fleet Maintenance facility to be located at 629 E. Third Street. At the April 20, 2015 work session, the City Council received a presentation on the exterior design and façade of the proposed new facility. Since that time, staff has been working with the architects on design specifications.

Article 14.500 – District Development Regulations and Standards of the Lancaster Development Code (LDC) states in Section 14.504 (a) 3 A (Maximum Building Height) that the height limit for all structures shall be as established in the Districts governing the property on which the structures are located… The District Development Standards table indicates that the maximum height of a building within the Light Industrial (LI) zoning district is thirty five feet (35 ').

Due to the unique function of working on and maneuvering around large equipment, the applicant (City's consultant) is requesting that the total building height will need to be increased to forty five feet, six inches (45'6").

Section 14.209 (d) of Chapter 14.200 – Authority and Administrative Procedures of the LDC states that the City Council, pursuant to the powers conferred upon it by State law, the ordinances of the City, and this Article may grant Exceptions herein provided to the provisions of this ordinance upon finding that:

(1) Such Exception will not substantially or permanently injure the appropriate use of adjacent property in the same district; and
(2) Such Exception will not adversely affect the health, safety or general welfare of the public; and
(3) Such Exception will not be contrary to the public interest; and

(4) Such Exception will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the Exception sought is located, except as provided elsewhere in this ordinance; and
(5) Such Exception will be in harmony with the spirit and purpose of this ordinance; and
(6) Such Exception will not alter the essential character of the district in which is located the property for which the Exception is sought; and
(7) Such Exception will not substantially weaken the general purposes of the zoning regulations established for the district in which the property is located; and
(8) Such Exception is within the spirit and intent of the City's Comprehensive plan and other policies.

Considerations

The purpose of the request is to seek an exception to the maximum building height in the Light Industrial (LI) zoning district.

- **Operational** – The City Council must determine if the height exception meet the intent of the ordinance while bringing the property from non-conforming status to a conforming site. To provide a facility conducive to maintenance of city vehicles and equipment the exception is necessary.

- **Legal** – The resolution has been reviewed and approved as to form by the City Attorney.

- **Financial** – There are no financial obligations for the City with approval of this height exception.

- **Public Information** – This resolution is being considered at a regular meeting of the City Council, in accordance with the Texas Open Meetings Act.

Options/Alternatives:

1. Approve the resolution as presented.
2. Deny the request.

Recommendation:

Staff recommends approval for the exception of the height requirement.

Attachments

- Resolution
- Location map
- Elevation Plan

Submitted by:
Rona Stringfellow, Assistant City Manager

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, GRANTING A REQUEST FOR A SPECIAL EXCEPTION PURSUANT TO SECTION 14.209 (d), OF THE LANCASTER DEVELOPMENT CODE; TO PROVIDE A SPECIAL EXCEPTION FOR INCREASED HEIGHT ON THE PROPOSED FLEET MAINTENANCE FACILITY TO BE LOCATED ON THE EAST SIDE OF THE INTERSECTION OF THE BNSF RAILWAY AND THIRD STREET, MORE COMMONLY KNOWN AS 629 E. THIRD; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Lancaster Development Code provides a thirty five foot (35') maximum height for buildings located within the Light Industrial (LI) zoning district; and

WHEREAS, the applicant has made a request for a special exception to be granted to said height requirement to allow for the increased height of forty five feet (45'); and

WHEREAS, after review and consideration, the City Council finds that the request for special exceptions as provided herein are warranted pursuant to §14.209 (d) of said code and meets the requirements of the Ordinance permits of the Lancaster Development Code to allow stucco material on the exterior of the building, should be granted.

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

SECTION 1. That the request for a special exception to the thirty five feet height requirements of the Lancaster Development Code to allow forty five feet, six inches (45'6") to be located on the east side of BNSF railway and Third Street and being more commonly known as and addressed as 629 E. Third, be, and the same is, hereby granted.

SECTION 2. This Resolution shall become effective immediately from and after its passage, as the law and charter in such cases provides.

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the 14th day of September, 2015.

ATTEST:

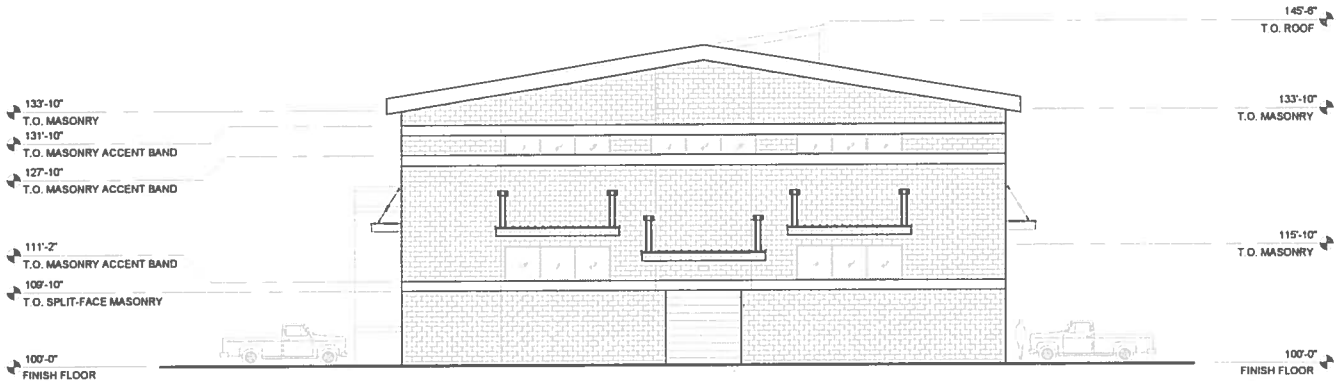
_____
Sorangel O. Arenas, City Secretary

APPROVED:

_____
Marcus E. Knight, Mayor

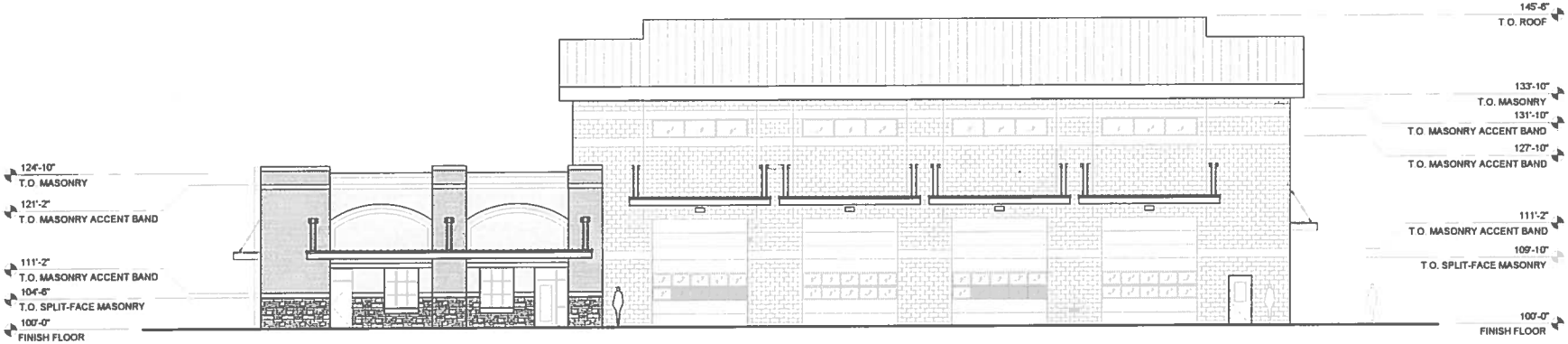
APPROVED AS TO FORM:

_____
Robert E. Hager, City Attorney



EXTERIOR ELEVATIONS - EAST 2

SCALE: 1/8"=1'-0"



EXTERIOR ELEVATIONS - SOUTH 1

SCALE: 1/8"=1'-0"

quorum
Design. Spaces. People

Architecture Interior Design
787 W. Seventy Blvd. #101
Fort Worth, Texas 76104
ph. (817) 738-8995
fx. (817) 738-9524
www.quorum.com

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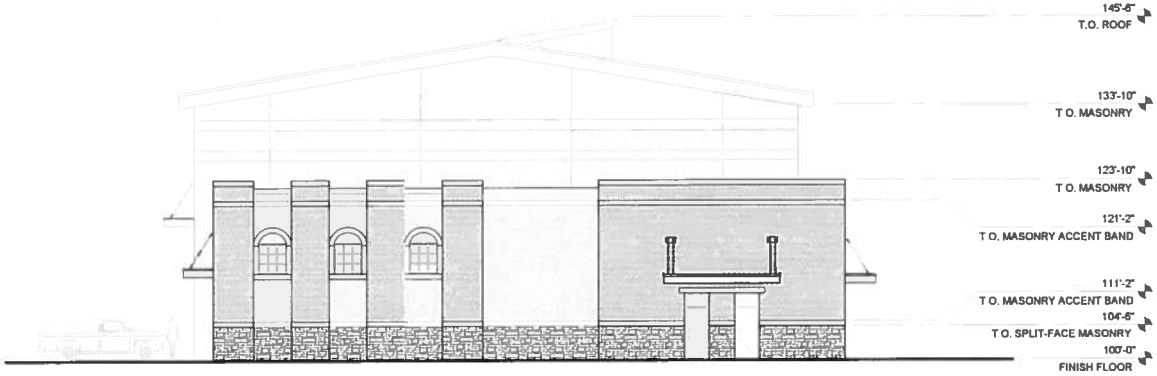
PROJECT NO. 14102
DATE: 07 03 15
FILE NAME:

CITY OF LANCASTER
FLEET MAINTENANCE
FACILITY
LANCASTER, TEXAS

REVISIONS:

SHEET TITLE:
EXTERIOR ELEVATIONS

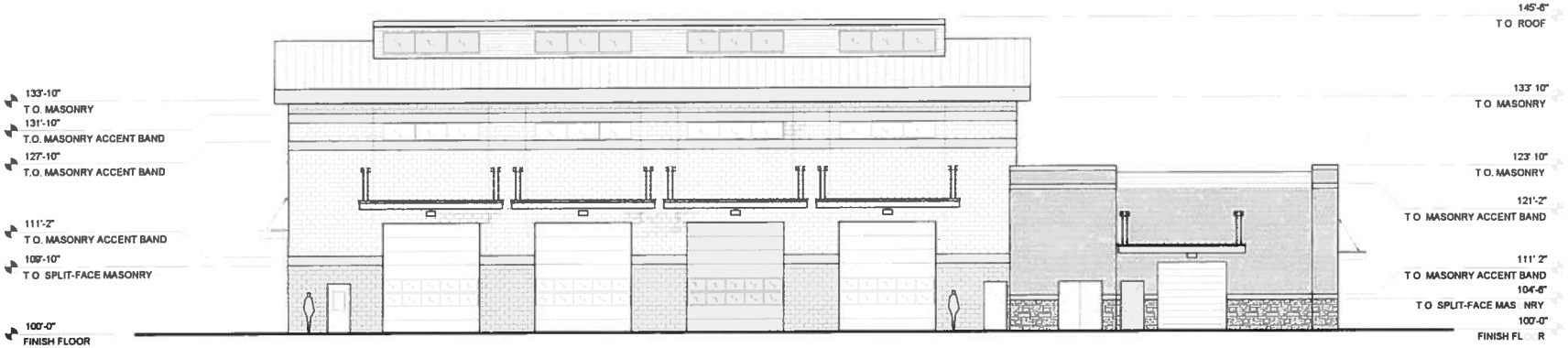
A-201



EXTERIOR ELEVATIONS - EAST

2

SCALE: 1/8"=1'-0"



EXTERIOR ELEVATIONS - SOUTH

1

LE: 1/8"=1'-0"

quorum
Design. Spaces. People

Architecture Interior Design
707 W. Vickery Blvd. #101
Fort Worth, Texas 76104
ph. (817) 738-8095
fx. (817) 738-9524
www.quorum

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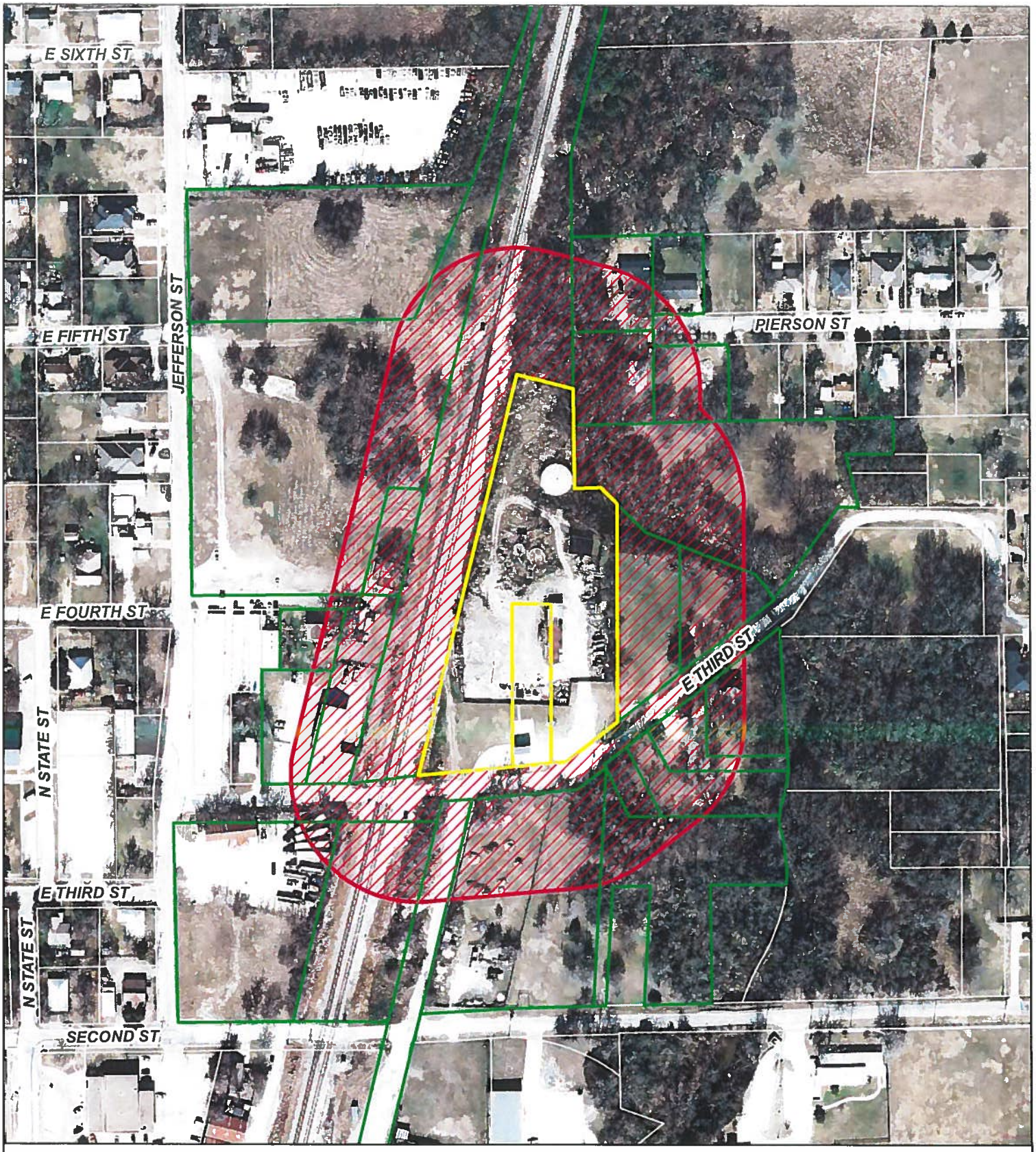
PROJECT NO. 14102
DATE: 07 03 15
FILE NAME:

CITY OF LANCASTER
FLEET MAINTENANCE FACILITY
LANCASTER, TEXAS

REVISIONS:

SHEET TITLE:
EXTERIOR ELEVATIONS

A-202



N
W E
S

Parcels
Subject Parcel
Notification Parcels
200' Notification Area

0 90 180 360 Feet

City of Lancaster
629 E. Third St.
200' Notification Area

LANCASTER CITY COUNCIL
Agenda Communication
September 14, 2015

Discuss and consider a resolution granting a request for Special Exceptions pursuant to Section 14.209 (d), of the Lancaster Development Code; to provide a Special Exception to a Masonry Requirement on the building; a reduction in the articulation requirements and increased height of the building to be located on the north side of Danieldale Road approximately 1,866 feet west of the intersection of Houston School Road and Danieldale Road, more commonly known as 2935 Danieldale Road.

This request supports the City Council 2015-2016 Policy Agenda.

Goal: Quality Development

Background

At the February 11, 2013 regular meeting, City Council convened into closed executive session to consult with the City Attorney concerning Cause No. DC11-10174 Con-Way Truckload, Inc. v. The City of Lancaster, at the March 24, 2014 regular meeting Council approved Resolution 2014-03-28 authorizing the City Manager to execute a Memorandum of Understanding with Con-Way Truckload.

Con-Way Truckload has owned approximately 58.206 acres of land and has operated approximately 16 acres of land since 1989 as a truck terminal. Holt Lunsford purchased the property in November 2014. Initially Con-Way intended to remain on the property subsequent to the date of sale for a period of 13 months from the closing date of the sale.

Design of the site is currently underway and the applicant has received approval to demolish the parking lot. While designing the site, the applicant has discovered three areas in which they would like to request an exception. The applicant is seeking to time construction of the site in tandem with the reconstruction of Danieldale Road, which is estimated to commence in November 2015, if all of the right-of-way acquisitions are complete.

Article 14.500 – District Development Regulations and Standards of the Lancaster Development Code (LDC) states in Section 14.504 (a) 2 A (Exterior walls) that each exterior wall shall consist of 100% masonry materials. It goes on to state that on walls visible from a public street or open space, must include a minimum of 20% stone. The applicant is asking for an exception to the 20% stone requirement. Also in Section 14.504 (a) 2 A (Exterior walls), it gives the City Council the ability to grant an exception to these requirements upon submission and approval of elevation drawings of the subject structure. The applicant is proposing in lieu of the 20% stone to provide additional variations in color to the concrete

walls to add visual interest that will be concentrated near the corners and entrances to give the most visual appeal.

Additionally, Article 14.500 – District Development Regulations and Standards of the Lancaster Development Code (LDC) states in Section 14.504 (a) 3 A (Maximum Building Height) that the height limit for all structures shall be as established in the Districts governing the property on which the structures are located... The District Development Standards table indicates that the maximum height of a building within the Light Industrial (LI) zoning district is thirty five feet (35 ').

Due to the changing market of the logistics industry, the applicant is requesting that the total building height will need to be increased to forty five feet (45'). It should be of note that the maximum height within the Commercial Highway (CH) zoning district is one hundred and forty feet (140'), which is directly adjacent to the LI zoning in the area.

Lastly, Section 14.505 (a) (3) (2) states under Vertical Articulation that no horizontal wall shall extend for a distance greater than 4 times the height of the wall without changing height by a minimum of 25% of the wall's height. The applicant is stating that the vertical articulation requirement will cause a change in the height by a minimum of 25% of the wall height thereby resulting in unnecessarily tall parapets that in their opinion would add little visual interest to the building as well as reduce the available clear height available inside the building. The attached elevations are proposing that the building height will be articulated across the façade in a way that is proportionate to the building and would still meet the spirit and intent of the ordinance. This requirement is only applicable to those walls that are visible from the street.

Section 14.209 (d) of Chapter 14.200 – Authority and Administrative Procedures of the LDC states that the City Council, pursuant to the powers conferred upon it by State law, the ordinances of the City, and this Article may grant Exceptions herein provided to the provisions of this ordinance upon finding that:

(1) Such Exception will not substantially or permanently injure the appropriate use of adjacent property in the same district; and
(2) Such Exception will not adversely affect the health, safety or general welfare of the public; and
(3) Such Exception will not be contrary to the public interest; and
(4) Such Exception will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the Exception sought is located, except as provided elsewhere in this ordinance; and
(5) Such Exception will be in harmony with the spirit and purpose of this ordinance; and
(6) Such Exception will not alter the essential character of the district in which is located the property for which the Exception is sought; and
(7) Such Exception will not substantially weaken the general purposes of the zoning regulations established for the district in which the property is located; and
(8) Such Exception is within the spirit and intent of the City's Comprehensive plan and other policies.

Considerations

The purpose of the request is to seek an exception to the maximum building height, the vertical articulation requirements, and a stone requirement reduction in the Light Industrial (LI) zoning district.

- **Operational** – The City Council must determine if the height, vertical articulation, and stone reduction exceptions meet the intent of the ordinance.

- **Legal** – The resolution has been reviewed and approved as to form by the City Attorney.

- **Financial** – There are no financial obligations for the City with approval of this masonry or height exception.

- **Public Information** – This resolution is being considered at a regular meeting of the City Council, noticed in accordance with the Texas Open Meetings Act.

Options/Alternatives:

1. Approve the resolution as presented.
2. Deny the request.

Recommendation:

Staff recommends approval of the resolution as presented.

Attachments

- Resolution
- Elevation Plan

Submitted by:
Rona Stringfellow, Assistant City Manager

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, GRANTING A REQUEST FOR SPECIAL EXCEPTIONS PURSUANT TO SECTION 14.209 (d), OF THE LANCASTER DEVELOPMENT CODE; TO PROVIDE A SPECIAL EXCEPTION TO A MASONRY REQUIREMENT , A REDUCTION IN THE ARTICULATION REQUIREMENTS AND FOR INCREASED HEIGHT ON THE PROPOSED BUILDING TO BE LOCATED ON THE NORTH SIDE OF DANIELDALE ROAD APPROXIMATELY 1,866 FEET WEST OF THE INTERSECTION OF HOUSTON SCHOOL ROAD AND DANIELDALE ROAD, MORE COMMONLY KNOWN AND ADDRESSED AS 2935 DANIELDALE ROAD; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Lancaster Development Code provides a thirty five foot (35') maximum height for buildings, a 20% masonry stone requirement, and a minimum change in vertical height of 25% for vertical articulation located within the Light Industrial (LI) zoning district; and

WHEREAS, the applicant has made a request for special exceptions to be granted to said height requirement, masonry, and vertical articulation to allow for the increased height of forty five feet (45'), a reduction of stone requirements to 10%, and reduction in the vertical articulation in accordance with the attached elevations; and

WHEREAS, after review and consideration, the City Council finds that the request for special exceptions as provided herein are warranted pursuant to §14.209 (d) of said code and meets the requirements of the Ordinance.

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

SECTION 1. That the request for the special exceptions to the requirements of the Lancaster Development Code to allow forty five feet, (45'), reduced stone requirements to 10%, and vertical articulation in accordance with attached elevations to be located on the north side of Danieldale Road, approximately 1,866 linear feet west of the intersection of Danieldale Road and Houston School Road and being more commonly known as and addressed as 2935 Danieldale Road, be, and the same is, hereby granted.

SECTION 2. This Resolution shall become effective immediately from and after its passage, as the law and charter in such cases provides.

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the 14th day of September, 2015.

ATTEST:

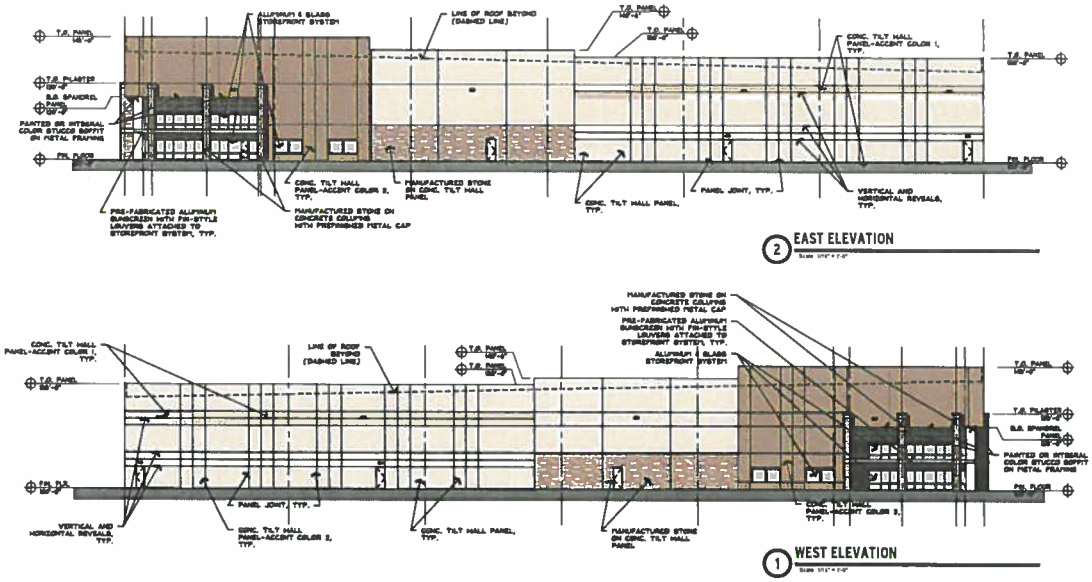
_____
Sorangel O. Arenas, City Secretary

APPROVED:

_____
Marcus E. Knight, Mayor

APPROVED AS TO FORM:

_____
Robert E. Hager, City Attorney



301 S. OAK STREET, STE 100
ROANOKE, TX 76262
PH: (817) 430 3382
RGAARCHITECTS.COM
RGA ARCHITECTS

PRELIMINARY

NOT FOR REGULATORY APPROVAL, PERMITTING OR CONSTRUCTION. THIS DOCUMENT IS RELEASED UNDER THE AUTHORITY OF JAMES E. CELLULARI TEXAS REGISTERED ARCHITECT ON DATE INDICATED BELOW.

SouthPointe 20 / 35

2935 Stonehollow Road
Lancaster, Texas 75134

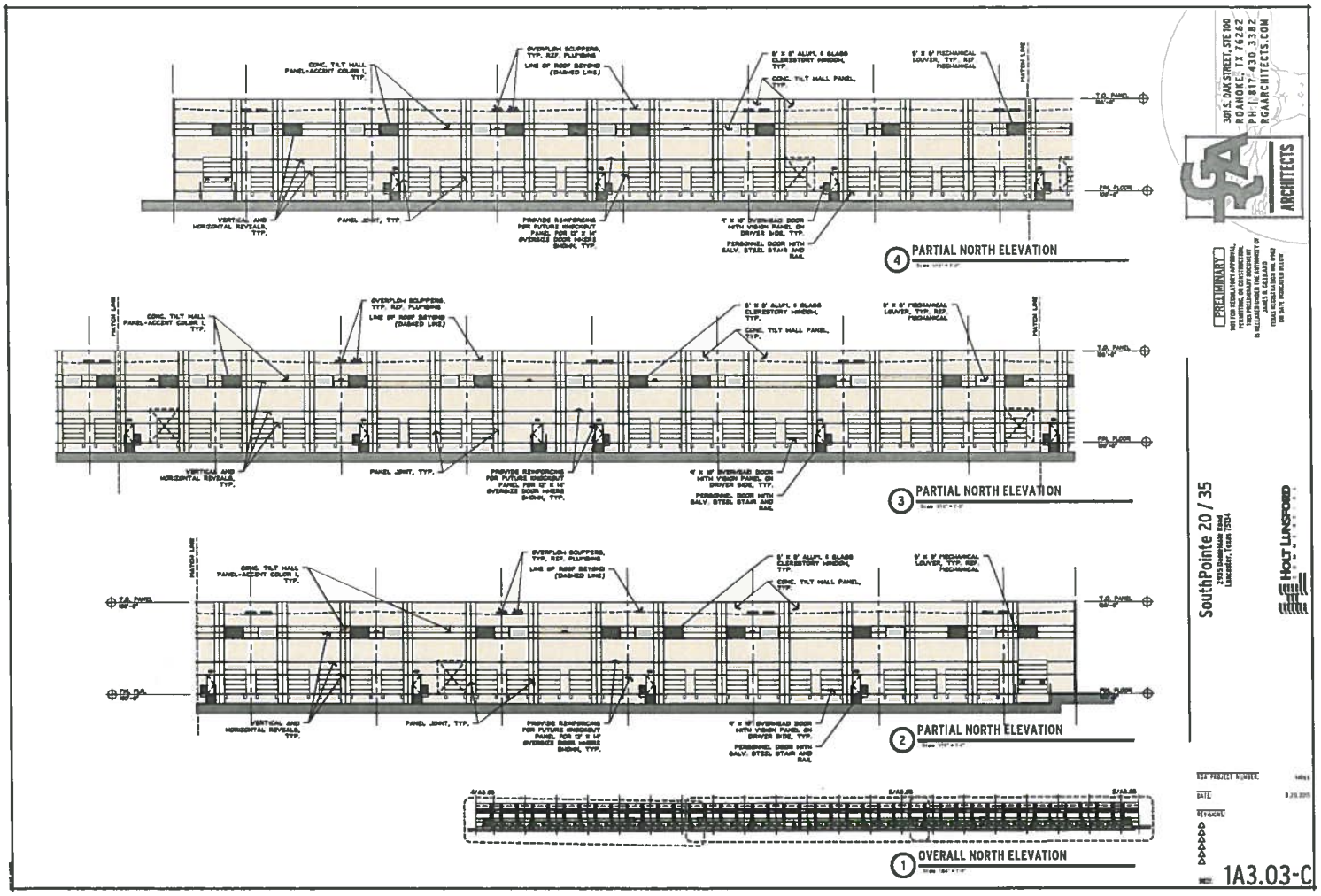
Hoar Lunsford Properties

RGA PROJECT NUMBER: 14064

DATE: 8.20.2015

REVISIONS:

SHEET: 1A3.02-C


PARTIAL NORTH ELEVATION
PARTIAL NORTH ELEVATION
PARTIAL NORTH ELEVATION
OVERALL NORTH ELEVATION
SouthPointe 20 / 35
1935 Dawnridge Road
Longbeach, Texas 75234
305 S. OAK STREET, STE 100
ROANOKE, TX 76262
PH | 817.430.3382
RGARCHITECTS.COM
ARCHITECTS
PRELIMINARY
HOLT LUNSFORD
DATE
REVISIONS
1A3.03-C

LANCASTER CITY COUNCIL
Agenda Communication
September 14, 2015

Discuss and consider a resolution approving an Interlocal Agreement by and between the City of Dallas and the City of Lancaster for the Telephone Road Project.

This request supports the City Council 2015-2016 Policy Agenda.

Goal: Sound Infrastructure

Background

The City of Dallas desires to enter into an agreement with the City of Lancaster to reconstruct a portion of Telephone Road, making it a four lane divided roadway connecting with State Highway 342 (Dallas Avenue). Dallas plans to design and re-construct the roadway within the corporate limits of Lancaster.

The Telephone road project will improve a transportation corridor that will have an impact on private development within the City of Dallas and Lancaster. As such certain public improvements along Telephone Road between Dallas Avenue (State Highway 342) and Bonnie View Road are necessary to support development of the international inland port of Dallas.

Considerations

- **Operational** – The City of Dallas will submit preliminary and final construction plans for the construction of the Telephone Road Project and will procure the necessary property rights for those portions of the Telephone Road Project.

- **Legal** – Chapter 791 of the Texas Local Government Code provides authorization for a local government to contract with one or more local governments to perform governmental functions and services under the terms of the Act. The resolution and agreement have been reviewed and approved as to form by the City Attorney.

- **Financial** – The City of Dallas has an agreement with Ridge South Dallas I, LLC, a developer to fund the project. Ridge South Dallas I, LLX is developing a property tract adjacent to Telephone Road, including paving and drainage improvements, located within the City of Lancaster. No funding is required from the City of Lancaster; the City of Dallas will incur all expenses involved with the project.

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

Options/Alternatives

1. Council may approve the resolution.
2. Council may deny the resolution.

Recommendation

Staff recommends approving the resolution as presented.

Attachments

- Resolution
- Interlocal Agreement

Submitted by:
Rona Stringfellow, Assistant City Manager
Mike Grace, Director of Development Services

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, AUTHORIZING AN INTERLOCAL COOPERATION AGREEMENT FOR THE TELEPHONE ROAD PROJECT; BY AND BETWEEN THE CITY OF DALLAS AND THE CITY OF LANCASTER AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Lancaster has determined, after due consideration that it is in the best interest of the City of Lancaster to approve the Interlocal Cooperation Agreement for the Telephone Road Project.

WHEREAS, the City of Dallas shall fund this project and shall incur all expenses involved with the project, as outlined in the Agreement.

WHEREAS, the City of Dallas desires to enter into an agreement with the City of Lancaster, for the use of existing public rights-of-way to accommodate the Telephone Road Project.

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

SECTION 1. That the City Council hereby approves and authorizes the Interlocal Cooperation Agreement for the Telephone Road Project, attached hereto and incorporated herein by reference as: Transmission Pipeline Project.

SECTION 2. That the City Manager of the City of Lancaster, Texas is hereby authorized to execute the contract in substantial compliance as depicted in Telephone Road Project.

SECTION 3. Any prior Resolution of the City Council in conflict with the provisions contained in this Resolution are 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, 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 September, 2015.

ATTEST: **APPROVED:**

_____ _____

Sorangel O. Arenas, City Secretary Marcus E. Knight, Mayor

APPROVED AS TO FORM:

_____

Robert E. Hager, City Attorney

THE STATE OF TEXAS §
§
COUNTY OF DALLAS §

INTERLOCAL COOPERATION AGREEMENT REGARDING TELEPHONE ROAD

THIS INTERLOCAL COOPERATION AGREEMENT ("Agreement") is made and entered into on this _____ day of August, 2015, by and between the City of Dallas, Texas (hereinafter referred to as "DALLAS"), acting by and through its City Manager, and the City of Lancaster, Texas (hereinafter referred to as "LANCASTER"), and acting by and through its City Manager.

WITNESSETH:

WHEREAS, DALLAS is re-constructing a portion of Telephone Road, making it a four lane divided roadway to be connected with State Highway 342 in the City of Lancaster; and

WHEREAS, Telephone Road is located in both the city limits of the City of Dallas and the City of Lancaster; and

WHEREAS, DALLAS and LANCASTER have deemed it necessary and desirable to spur private development and make certain public improvements along Telephone Road between Dallas Avenue (State Highway 342) and Bonnie View Road in southern Dallas in order to support the international Inland Port of Dallas; and

WHEREAS, DALLAS has an agreement with Ridge South Dallas I, LLC, ("DEVELOPER"), a developer who is developing a property tract adjacent to Telephone Road, to fund the re-construction of a 500 foot portion of Telephone Road, including paving and drainage improvements, lying within the city limits of Lancaster; and

WHEREAS, LANCASTER has agreed to DALLAS' re-construction of that 500 foot portion of Telephone Road that lies within the city limits of Lancaster under the terms and conditions of this Agreement; and

WHEREAS, the Texas State Legislature has authorized the use of interlocal cooperation agreements between and among governmental entities for the provision of governmental services and functions; and

WHEREAS, this Interlocal Cooperation Agreement is made under the authority granted by and pursuant to the Interlocal Cooperation Act, Texas Government Code, Chapter 791, and as otherwise provided herein, relative to improving Telephone Road.

WHEREAS, the governing bodies find that the performance of this Agreement is in the common public interest of both parties, and that the services provided pursuant hereto benefit the citizens of Dallas and Lancaster; and

WHEREAS, the parties, in expending funds in the performance of the governmental functions or in performing such governmental functions under this Agreement, shall make payments therefore only from current revenues legally available to such party.

NOW THEREFORE, FOR AND IN CONSIDERATION of the mutual agreements contained herein, the parties hereto do hereby agree as follows:

I

AGREEMENT

A. DALLAS has initiated a project to improve Telephone Road by turning a portion of the road into a four lane divided roadway. Telephone Road also needs to be improved within the city limits of Lancaster, along with the section located in Dallas. The scope of the improvements include the reconstruction of approximately five hundred (500) feet of Telephone Road within the city limits of Lancaster (said section hereinafter called "the Lancaster Section") and will include removal and replacement of the pavement, installation of crosswalks, sidewalks, handicap ramps, street markings, conduit, traffic signs, new paving, and associated materials testing (the entire improvement of Telephone Road hereinafter being called "the Project"). The plans for the Lancaster Section construction are attached hereto as Exhibit "A". LANCASTER acknowledges herein that it has reviewed and approved the plans.

B. LANCASTER and DALLAS both benefit due to the Project's enhancement of traffic movement in the area within the city limits of Lancaster. The construction cost for the Lancaster Section is approximately $324,086.00.

C. DALLAS agrees to construct the Project, including the Lancaster Section, through a qualified contractor as procured in compliance with Texas law.

D. DALLAS acknowledges that it has received monies from Ridge South Dallas I, LLC sufficient to pay for the estimated Lancaster Section construction costs. All expenditures for the Project shall be made hereunder from current assets available to DALLAS. Any cost overruns for the re-construction of Telephone Road in the Lancaster Section shall be paid by the Developer.

E. At the completion of the Project, DALLAS agrees to reconcile all costs for the Project including the Lancaster Section. LANCASTER shall not be responsible for any portion of the costs of the Project.

II

GENERAL REQUIREMENTS APPLICABLE TO LANCASTER AND DALLAS

The following subparagraphs shall apply to this Agreement:

A. IMMUNITY: Nothing in this Agreement shall be construed to affect, alter, or modify the sovereign immunity of either party under the Texas Civil Practice and Remedies Code §§101.001 et seq. It is expressly understood and agreed that in the execution of this Agreement, neither DALLAS nor LANCASTER waives, nor shall be deemed to waive, any immunity or defense that would otherwise be available to each against claims arising in the exercise of its governmental powers and functions.

B. THIRD PARTIES: This Agreement does not create any third-party beneficiaries. Nothing in this Agreement shall be construed to create, expand or form a basis for liability to any third party under any theory of law against either DALLAS or LANCASTER unless such a basis exists independent of this Agreement under State or federal law.

C. NOTICE: Each notice or other communication which may be or is required to be given under this Agreement shall be in writing and shall be deemed to have been properly given when delivered personally during the normal business hours of the party to whom such communication is directed, or upon receipt when sent by United States registered or certified mail, return receipt requested, postage prepaid, to the appropriate one of the following addresses as may be designated by the appropriate party; however, each party has a right to designate a different address by giving the other party fifteen (15) days prior written notice of such designation:

If to LANCASTER:

_____
_____
_____
_____

If to DALLAS:

Mr. Rick Galceran
Director of Public Works
City of Dallas
320 East Jefferson Boulevard
Room No. 101
Dallas, Texas 75201

D. CLAIMS AGAINST PARTIES: Each party shall be responsible for defending and/or disposing of all causes arising against the respective party as a result of this Agreement. It is expressly understood and agreed that in the execution and performance of this

Agreement, neither DALLAS nor LANCASTER waives, nor shall be deemed to waive, any immunity or defense that would otherwise be available to each against claims arising in the exercise of governmental powers and functions.

E. TERM; AMENDMENT: The term of this Agreement shall be effective commencing on the _____ day of August, 2015 and shall end on July 31, 2016, unless otherwise extended in writing by the parties to this Agreement. This Agreement may only be amended in writing with the express approval of LANCASTER and DALLAS.

F. ENTIRE AGREEMENT: This Agreement contains the entire agreement of the parties hereto, and no other oral or written commitments shall have any force or effect if not contained herein.

G. SEVERABILITY: In case any one or more of the provisions contained herein shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision thereof, and this Agreement shall be construed as if such invalidity, illegality or unenforceable provision had never been contain herein.

H. AUTHORITY: The undersigned officers and/or agents are duly authorized by action of the respective governing bodies to execute this Agreement on behalf of the parties hereto, and each party hereto certifies to the other that any necessary resolutions extending such authority have been duly passed and are now in full force and effect.

III

REMEDIES

No right or remedy granted or reserved to the parties is exclusive of any other right or remedy herein by law or equity provided or permitted; but each shall be cumulative of every other right or remedy given hereunder. No covenant or condition of this Agreement may be waived without written consent of the parties. Forbearance or indulgence by either party shall not constitute a waiver of any covenant or condition to be performed pursuant to this Agreement.

IV

APPLICABLE LAW

This Agreement is governed by the laws of the State of Texas and venue of any action brought to enforce the terms hereof shall lie exclusively in Dallas County, Texas.

V

RECITALS

The recitals to this Agreement are incorporated herein for all purposes.

VI

EXECUTION

This Agreement may be executed in any number of counterparts, each of which shall be deemed an original and constitute one and the same instrument, to be effective on the date first written above.

CITY OF DALLAS, TEXAS
A.C. Gonzalez
City Manager

By: _____
Assistant City Manager

APPROVED AS TO FORM:
Warren M. S. Ernst
City Attorney

By: _____
Robert L. Sims
Assistant City Attorney

CITY OF LANCASTER, TEXAS

By: _____
City Manager

APPROVED AS TO FORM:

By: _____
City Attorney

LANCASTER CITY COUNCIL

Agenda Communication

September 14, 2015

Consider an ordinance regarding the proposed revenue increase from levying ad valorem taxes for fiscal year 2015/2016 at $0.8675 per one hundred dollars assessed valuation of all taxable property within the corporate limits to provide revenues for current maintenance and operation expenses and interest and sinking fund requirements; providing due and delinquent dates; penalties and interest; providing a homestead exemption and disability exemption.

This request supports the City Council 2015-2016 Policy Agenda.

Goal: Financially Sound City Government

Background

State Truth-in-Taxation law, Local Government Code and the City Charter require that an ordinance levying the ad valorem taxes be read and a public hearing held at a regular or special meeting of the Lancaster City Council.

The current tax rate for fiscal year 2015/2016 is proposed at $0.8675 per one hundred dollars assessed valuation on taxable property within the corporate limits. These tax dollars provide revenue for current operating and maintenance expenses and interest and sinking fund requirements. The total tax revenue will increase from properties on the tax roll in the preceding tax year by $1,240,774 or 8.72% (percentage by which the tax rate will be higher than the effective tax rate calculated under Chapter 26, Tax Code.) Individual taxes may increase or decrease at a rate greater or lesser depending on the change in the taxable value of each property.

A public hearing was conducted on Monday, August 24, 2015 at the City Council regular meeting to receive comment from the public regarding the proposed tax rate. There was one speaker. The second and final public hearing regarding the proposed tax rate was conducted on August 31, 2015. No comments were received.

Considerations

- **Operational** – The proposed tax rate of eighty-six and seventy-five one thousandths cents ($0.8675) on each one hundred dollars ($100.00) assessed value of taxable property to be apportioned and distributed as follows: $0.6012 for the purpose of maintenance and operations, and $0.2663 for interest and sinking fund requirements.

- **Legal** - The required notice and vote are being held in accordance with state law and the City Charter. The ordinance has been reviewed and approved as to form by the City Attorney.

- **Financial** - The proposed tax rate is to cover the cost of the maintenance and operations and interest and sinking fund requirements.

- **Public Information** - Public notices were published in the official City publication of record, Focus Daily News and on the City of Lancaster website. The first public hearing was conducted on Monday, August 24, 2015 and the second public hearing was conducted on Monday, August 31, 2015. Information regarding the proposed tax rate is being made available in accordance with state law and the City Charter.

Options/Alternatives

1. Approve the tax rate

Recommendation

Staff recommends approving the tax rate.

Attachments

- Ordinance

Submitted by:
Opal Mauldin-Robertson, City Manager

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS LEVYING AD VALOREM TAXES FOR FISCAL YEAR 2015/2016 AT $0.8675 PER ONE HUNDRED DOLLARS ASSESSED VALUATION OF ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS TO PROVIDE REVENUES FOR CURRENT MAINTENANCE AND OPERATIONAL EXPENSES AND INTEREST AND SINKING FUND REQUIREMENTS; PROVIDING DUE AND DELINQUENT DATES; PENALTIES AND INTEREST; PROVIDING A HOMESTEAD EXEMPTION AND DISABILITY EXEMPTION; AND PROVIDING AN EFFECTIVE DATE.

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

RECITALS: On Monday, August 24, 2015 and August 31, 2015 City Council read the ordinance and conducted a public hearing to receive comment regarding the proposed ad valorem tax rate of $0.8675 per one hundred dollars assessed valuation. 1 comment was received on August 24, 2015 and 0 comments were received on August 31, 2015. The public hearing and meetings were noticed in accordance with the Texas Open Meetings Act, Tax Code, Truth-In-Taxation and Lancaster Home Rule Charter.

SECTION 1. There be and is hereby levied for the fiscal year 2015/2016 on all taxable property, real, personal and mixed, situated within the corporate limits of the City of Lancaster, Texas, and not exempt by the Constitution of the State and valid State laws, a tax of eighty-six and seventy-five one thousandths cents ($0.8675) on each one hundred dollars ($100.00) assessed value of taxable property, and shall be apportioned and distributed as follows: **$0.6012 for the purpose of paying maintenance and operation, and, defraying the expenses of current operations, and $0.2663 for interest and sinking fund requirements of the** municipal government of the City.

SECTION 2. THAT THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS AND INTEREST AND SINKING FUND REQUIREMENTS THAN LAST YEAR'S TAX RATE.

SECTION 3. THAT THE TAX REVENUE WILL INCREASE FROM PROPERTIES ON THE TAX ROLL IN THE PRECEDING TAX YEAR BY 8.72% (PERECENTAGE BY WHICH TAX RATE WILL BE HIGHER THAN EFFECTIVE TAX RATE CALCULATED UNDER CHAPTER 26, TAX CODE.)

SECTION 4. All ad valorem taxes shall become due and payable on October 1, 2015, and all ad valorem taxes for fiscal year 2014/2015 shall become delinquent after January 31, 2016. If any person fails to pay the ad valorem taxes on or before the 31st day of January 2016, the penalties and interest as set forth under Section 33.01 of the Texas State Property Tax Code shall apply.

SECTION 5. Taxes are payable to the Dallas County Tax Assessor-Collector, Records Building, Dallas, Texas, by contract dated November 12, 2001and amended April 2014. The City shall have available all the rights and remedies provided by law for the enforcement of the collection of taxes levied under this ordinance.

SECTION 6. The tax rolls as presented to the City Council, together with any supplement thereto, be and the same are hereby approved.

SECTION 7. All delinquent taxes shall accrue interest at the rate of one percent (1%) per month, in addition to the penalties provided for herein. All taxes that remain delinquent on July 1st of the year in which they become delinquent shall incur an additional penalty to defray costs of collection, of an amount not to exceed 20% of the amount of taxes, penalty and interest due.

SECTION 8. In accordance with the Texas State Property Tax Code, and effective with the passage of the ordinance, there is hereby provided an exemption of $30,000 on homestead property for those head-of-household persons who have attained the age of 65 years prior to January 1, 2016 and an exemption of $30,000 on disability designations.

SECTION 9. This Ordinance shall become effective upon its adoption as the law in such cases provides.

SECTION 10. All recitals are incorporated herein by reference as if fully written.

DULY PASSED by the City Council of the City of Lancaster, Texas, on this the 14th day of September, 2015.

ATTEST:

_____
Sorangel O. Arenas, City Secretary

APPROVED:

_____
Marcus E. Knight, Mayor

APPROVED AS TO FORM:

_____
Robert E. Hager, City Attorney

LANCASTER CITY COUNCIL

Agenda Communication

September 14, 2015

Consider an ordinance regarding the proposed fiscal year 2015/2016 budget for the fiscal year beginning October 1, 2015 and ending September 30, 2016; providing that expenditures for said fiscal year shall be in accordance with said budget.

This request supports the City Council 2015-2016 Policy Agenda.

Goal: Financially Sound City Government

Background

State Truth-in-Taxation and the City Charter require the City of Lancaster to conduct a public hearing on the proposed annual budget. The proposed total tax rate required to provide revenue for maintenance and operations and interest and sinking fund requirements is $0.8675 cents per $100 assessed valuation. The approval of the proposed ordinance will adopt the FY 2015/2016 budget and appropriate necessary funds for the City's operation, maintenance and debt service requirements.

The proposed budget was presented to the Lancaster City Council at work sessions held on Monday, August 3, August 10, and August 17, 2015.

A public hearing on the proposed budget was conducted at the August 24, 2015 meeting. The second public hearing was conducted on August 31, 2015. A copy of the proposed budget is available for public review in the City Secretary's office.

Considerations

- **Operational** - The proposed tax rate is $0.8675 per $100 assessed valuation to be assessed on taxable property to generate revenues for the maintenance, operations, interest, and sinking fund requirements. The proposed maintenance and operations fund requirements ($0.6012) and the interest and sinking fund requirements ($0.2663) will remain the same.

- **Legal** - The ordinance has been reviewed and approved as to form by the City Attorney.

- **Financial** - The proposed budget is a plan for revenues and expenditures related to the operations of the City.

- **Public Information** - Notice regarding the public hearings was posted in accordance with state law in the City's newspaper of record, Focus Daily News and on the City of Lancaster website.

Options/Alternatives

1. Approve the ordinance as presented.

Recommendation

Staff recommends approving the ordinance as presented.

Attachments

- Ordinance
- Exhibit A

Submitted by:
Opal Mauldin-Robertson, City Manager

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, APPROVING AND ADOPTING A BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE IN ACCORDANCE WITH SAID BUDGET; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Manager of the City of Lancaster has submitted to the City Council a proposed budget of the revenues and expenditures for conducting the affairs of the City and providing a complete financial plan for fiscal year 2015-2016; and

WHEREAS, the City Council has received the City Manager's proposed budget, a copy of which proposed budget has been filed with the City Secretary of the City of Lancaster;

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

SECTION 1. That the Budget of the revenues and expenditures necessary for conducting the affairs of the City of Lancaster and providing a financial plan for the ensuing fiscal year beginning October 1, 2015 and ending September 30, 2016, as submitted by the City Manager, be and the same is hereby adopted as the Budget of the City of Lancaster for the fiscal year beginning October 1, 2015 and ending September 30, 2016.

SECTION 2. That the appropriation for the fiscal year including the budgets of the Lancaster Economic Development Corporation (Type A) and Lancaster Recreational Development Corporation (Type B), which are hereby approved beginning October 1, 2015, and ending September 30, 2016, for the various funds and purposes of the City of Lancaster, which is attached hereto and incorporated herein as Exhibit A and is summarized as follows:

Fund	2015-2016 Budget Expenditures
General Fund	$22,161,564
G.O. Debt Service	$4,402,227
Water/Wastewater	$13,169,541
Airport	$503,796
Hotel/Motel	$50,739
LEDC/4A	$1,009,443
LRDC/4B	$2,783,658
Golf Course	$120,526
Sanitation	$1,744,850
E911	$216,973
Stormwater	$1,370,254
Total	**$ 47,533,571**

SECTION 3. Those expenditures during the fiscal year shall be made in accordance with the budget approved by this ordinance and made part hereof for all purposes unless otherwise authorized by a duly enacted ordinance of the City.

SECTION 4. That all notices and public hearings required by law have been duly completed.

SECTION 5. That all provisions of the ordinances of the City of Lancaster in conflict with the provisions of this ordinance be and the same are hereby repealed, and all other provisions of the ordinances of the City of Lancaster not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 6. That should any sentence, paragraph, subdivision, clause, phase or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional.

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the 14th day of September, 2015.

ATTEST:

_____
Sorangel O. Arenas, City Secretary

APPROVED:

_____
Marcus E. Knight, Mayor

APPROVED AS TO FORM:

_____
Robert E. Hager, City Attorney

CITY-WIDE OPERATING FUND TOTALS

Fund Summary as of: 8/3/2015

TOTAL REVENUES		2013	2014	2015		2016
Fund Number	Fund	Actual	Actual	Year to Date	Budget	Proposed
1	General Fund	19,574,245	19,763,066	19,218,776	20,788,409	21,313,275
2	G.O. Debt Service	4,145,322	5,135,587	4,504,646	4,372,465	4,971,115
5	WaterWastewater	15,048,278	15,022,936	13,649,398	14,929,217	14,280,548
9	Airport	427,713	459,379	283,033	464,290	467,090
14	HotelMotel	116,422	109,760	104,050	50,416	75,525
16	LEDC/4A	972,876	971,839	829,219	900,190	900,190
17	LRDC/4B	2,892,972	2,674,387	2,286,783	2,518,137	2,365,700
18	Golf Course	95,072	83,154	56,027	100,164	106,282
19	Sanitation	2,211,263	2,231,290	1,903,284	1,732,557	1,925,379
20	HAP	1,361,565	247	-	-	-
21	E911	273,738	294,178	231,698	215,984	229,984
53	Stormwater	1,335,696	1,463,130	1,242,910	1,400,000	1,460,000
	Total	$ 48,455,161	$ 48,208,954	$ 44,309,823	$ 47,471,829	$ 48,095,088

TOTAL EXPENDITURES		2013	2014	2015		2016
Fund Number	Fund	Actual	Actual	Year to Date	Budget	Proposed
1	General Fund	19,152,017	19,963,428	19,012,593	21,344,213	22,161,564
2	G.O. Debt Service	4,461,349	5,090,139	2,803,796	4,209,523	4,402,227
5	WaterWastewater	10,007,041	12,986,441	10,478,586	13,044,608	13,169,541
9	Airport	432,236	446,587	384,154	522,032	503,796
14	HotelMotel	47,252	43,812	34,863	50,358	50,739
16	LEDC/4A	692,267	699,423	528,493	899,269	1,009,443
17	LRDC/4B	3,525,293	2,725,452	2,408,495	3,121,107	2,783,658
18	Golf Course	89,015	149,605	51,054	99,877	120,526
19	Sanitation	2,041,983	2,345,027	1,925,619	1,594,850	1,744,850
20	HAP	2,110,768	3,626	-	-	-
21	E911	55,913	486,727	127,846	126,681	216,973
53	Stormwater	1,115,600	1,153,419	1,039,918	1,266,376	1,370,254
	Total	$ 43,730,735	$ 46,093,685	$ 38,795,417	$ 46,278,893	$ 47,533,571

Net Gain (Loss)	$ 4,724,426	$ 2,115,269	$ 5,514,406	$ 1,192,936	$561,517

LANCASTER CITY COUNCIL

Agenda Communication

September 14, 2015

Discuss and consider a resolution ratifying the budget for the fiscal year 2015/2016 that results in an increase of revenues by 8.72% from property taxes than the previous year.

This request supports the City Council 2015-2016 Policy Agenda.

Goal: Financially Sound City Government

Background

As of September 1, 2007 several laws went into effect, including House Bill 3195 as passed by the 80th Legislature. This bill requires cities to post both their preliminary and adopted budgets on their website.

It also requires cities and counties that will be raising more revenue from property taxes than in the previous year, to have a separate vote of the governing body to ratify the tax increase reflected in the budget. The FY 2015/2016 budget and tax rate results in an increase in revenues by 8.72% (percentage by which the tax rate will be higher than effective rate calculated under Chapter 26, Tax Code) from property taxes compared to the previous year.

The legislation is specific and requires separate action by the City Council.

Considerations

- **Operational** - Resolution and action must be approved for adoption of the fiscal year 2015/2016 budget.

- **Legal** - The motion and resolution have been prepared by the City Attorney.

- **Financial** - Not approving this resolution will have direct impact on staff's ability to implement the proposed budget.

- **Public Information** - All public notices and hearings were provided and published in accordance with state law.

Options/Alternatives

1. Approve the resolution.

Recommendation

Staff recommends approval of the resolution with the following motion that is required by state law: *"Motion to approve a budget that will result in an increase of revenue from property taxes than the previous year and to ratify a property tax revenue increase reflected in said budget."*

Attachments

- Resolution

Submitted by:
Opal Mauldin-Robertson, City Manager

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, RATIFYING THE BUDGET FOR THE FISCAL YEAR 2015-2016 THAT RESULTS IN AN INCREASE OF REVENUES BY 8.72% FROM PROPERTY TAXES THAN THE PREVIOUS YEARS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, following public notice duly posted and published in all things as required by law, a public hearing was held, by and before the City Council of the City of Lancaster, the subject of which was the proposed budget for the City of Lancaster for Fiscal Year 2015-2016; and

WHEREAS, House Bill 3195, as adopted at the Regular Session of the 80th Legislature requires a separate vote on a budget that will require raising more revenue from property taxes than previous years.

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

Section 1. The City Council hereby ratifies, by a record vote, the adoption of a budget for Fiscal Year 2015-2016 which results in an increase of revenues from property taxes than the previous years.

Section 2. This Resolution shall become effective immediately from and after its passage, as the law and charter in such cases provides.

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on the 14th day of September, 2015.

ATTEST:

_____
Sorangel O. Arenas, City Secretary

APPROVED:

_____
Marcus E. Knight, Mayor

APPROVED AS TO FORM:

_____
Robert E. Hager, City Attorney