



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



Monday, February 11, 2019 - 6:30 PM

5:30 P.M. DINNER:

(There may or may not be a quorum of City Council members present for dinner. No City business will be transacted.)

6:30 P.M. SPECIAL WORK SESSION:

CALL TO ORDER

1. Receive a presentation and discuss services provided by Dallas Area Rapid Transit (DART).

ADJOURN SPECIAL WORK SESSION

7:00 P.M. REGULAR MEETING:

CALL TO ORDER

INVOCATION: Ministerial Alliance

PLEDGE OF ALLEGIANCE: Councilmember Carol Strain-Burk

RECOGNITION: 2018 TMLI Award Recipients

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.

1. Consider approval of minutes from the City Council Regular Meeting held on December 10, 2018.

2. Consider a resolution ordering a General Election to be held on Saturday, May 4, 2019, for the election of one councilmember for District 1, one councilmember for District 3, and one councilmember for District 5 for a three year term; providing for the publication and posting of notice; and providing for early voting dates, times and locations.

Considerar una resolución pidiendo una elección general que se celebrará el Sábado 4 de Mayo de 2019, por la elección de un concejal para el Distrito 1, un concejal para el Distrito 3, y un concejal del Distrito 5 para un período de tres años; se dispone la publicación y la publicación de la notificación; y modo de fechas de votación anticipada, horas y lugares.

3. Consider a resolution approving the terms and conditions of a Joint Election Contract and Election Services Agreement with Dallas County Elections to conduct a municipal General Election for the election of one councilmember for District 1, one councilmember for District 3, and one councilmember for District 5 to be held on Saturday, May 4, 2019.

Considere una resolución aprobando los términos y condiciones del Contrato Elección Conjunta y servicios de la elección con las elecciones del condado de Dallas para llevar a cabo una elección general municipal para la elección de los distritos 1, 3 y 5 que se celebrará el Sábado, 4 de mayo 2019.

4. Consider a resolution authorizing Dallas County to resell 870 Truman Circle, tax foreclosed property, by public or private sell, to the highest qualified purchaser, as provided by Section 34.05 of the Texas Property Tax Code.
5. Consider a resolution approving the terms and conditions of an interlocal agreement by and between the City of Lancaster and the City of Garland.
6. Consider amending Chapter 6 – Building Regulations, Article 6.04 – Technical Construction Codes and Standards, Division 5 – Plumbing Code, Section 6.04.202 – exceptions and amendments being local amendments to the 2015 International Plumbing Code of the City of Lancaster Code of Ordinances.

ACTION:

7. M18-06 Discuss and consider an ordinance abandoning rights-of-way on portions of Patman Drive, Brantley Drive and Eaton Drive located in the Daniieldale Subdivision, (and formerly underlying a slope and grading easement), to the underlying land owner, Lancaster Homes & Farms, LLC; providing for recording of a certified copy of this ordinance in the real property records of Dallas County, Texas and as a quitclaim deed.
8. Consider confirmation of Civil Service Commission appointment as designated by the City Manager.
9. Consider confirmation of nominations made by the Mayor for appointments to the City of Lancaster's Zoning Board of Adjustment.
10. Discuss and consider annual appointments to City of Lancaster Boards and Commissions.

ADJOURNMENT

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

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

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

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

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

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

Certificate

I hereby certify the above Notice of Meeting was posted at the Lancaster City Hall on February 8, 2019 @ 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

City Council Special Work Session

1.

Meeting Date: 02/11/2019

Policy Statement: This request supports the City Council 2018-2019 Policy Agenda

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

Submitted by: Fabrice Kabona, Assistant City Manager

Agenda Caption:

Receive a presentation and discuss services provided by Dallas Area Rapid Transit (DART).

Background:

As prescribed in the City Council Rules and Procedures as amended in September 2016, Section D. City Council Agenda Process, Subsection 1.b, Councilmember Strain-Burk requested an item be included at a Work Session meeting for the purpose of discussing options for service provisions by DART and federal funding possibilities.

DART will make a presentation to City Council regarding mobility opportunities for the City of Lancaster.

LANCASTER CITY COUNCIL

City Council Regular Meeting

1.

Meeting Date: 02/11/2019

Policy Statement: This request supports the City Council 2018-2019 Policy Agenda

Goal(s): Professional and Committed City Workforce

Submitted by: Sorangel O. Arenas, City Secretary

Agenda Caption:

Consider approval of minutes from the City Council Regular Meeting held on December 10, 2018.

Background:

Attached for your review and consideration are minutes from the City Council Regular Meeting held on December 10, 2018.

Attachments

December 10, 2018 Minutes

MINUTES

LANCASTER CITY COUNCIL REGULAR MEETING OF DECEMBER 10, 2018

The City Council of the City of Lancaster, Texas, met in a called Regular Session in the Council Chambers of City Hall on December 10, 2018 at 7:00 p.m. with a quorum present to-wit:

Councilmembers Present:

Mayor Clyde C. Hairston
Carol Strain-Burk
Deputy Mayor Pro Tem Stanley Jaglowski
Mayor Pro Tem Marco Mejia
Derrick D. Robinson
Racheal Hill
Nina Morris

City Staff Present:

Opal Mauldin-Jones, City Manager
Rona Stringfellow, Deputy City Manager
Fabrice Kabona, Assistant City Manager
Kenneth Johnson, Fire Chief
Sean Johnson, Director of Quality of Life and Cultural Services
Jermaine Sapp, Director of Equipment Services and Facilities
Baron Sauls, Finance Director
Shane Shepard, Director of Economic Development
Sam Urbanski, Police Chief
Andrew Waits, Interim Assistant Public Works Director
Bester Munyaradzi, Senior Planner
Amanda Monsivais, Benefits and Risk Manager
Jasmine Carr, Community Programs Coordinator
Charley Miller, Assistant Police Chief
Chris Youngman, Assistant Fire Chief
Delajer Walker, Interim E.C. Superintendent
Than Nguyen, City Engineer
David T. Ritter, City Attorney
Sorangel O. Arenas, City Secretary

Call to Order:

Mayor Hairston called the meeting to order at 7:26 p.m. on December 10, 2018.

Invocation:

Pastor Brown gave the invocation.

Pledge of Allegiance:

Councilmember Hill led the pledge of allegiance

Presentation:

Mayor Hairston introduced the Fire Chief Johnson and the representatives from Muscular Dystrophy Association, Gina Lansing and LaResha Ross. Fire Chief Johnson shared that the Fire Department collected donations for the 2018 Fill-the-Boot program benefitting the Muscular Dystrophy Association. This year the Lancaster Fire Department raised \$2,551.00 and presented the representatives with the funds.

Citizens' Comments:

There were no pre-registered citizens before the call to order.

Consent Agenda:

City Secretary Arenas read the consent agenda.

1. **Consider approval of minutes from the City Council Regular Meeting held on October 8, 2018.**
2. **Consider a resolution adopting City Council Goals and Objectives contained in the August 31, and September 1, 2018 City Council Strategic Planning Report prepared by The Azimuth Group.**
3. **Consider a resolution authorizing the continuance of a professional services agreement with Johnson Controls, Incorporated for the maintenance and repair of the Heating Ventilation and Air Conditioning (HVAC) units within City Facilities in an amount not to exceed eighty thousand two hundred and sixty-two dollars (\$80,262.00).**
4. **Discuss and consider a resolution accepting an approximately a 0.145 acre tract of land from WHL Dallas 45, LLC for the construction, installation, operation, maintenance, inspection, repair and replacement of a wastewater lift station and associated facilities and fencing.**

Deputy Mayor Pro Tem Jaglowski pulled item 2

MOTION: Deputy Mayor Pro Tem Jaglowski made a motion, seconded by Councilmember Morris to approve consent items 1, 3 and 4. The vote was cast 7 for, 0 against.

2. **Consider a resolution adopting City Council Goals and Objectives contained in the August 31, and September 1, 2018 City Council Strategic Planning Report prepared by The Azimuth Group.**

Deputy Mayor Pro Tem Jaglowski expressed his excitement to work along with the governing body as well as the staff and encourage citizens to obtain the report that identifies the City Councils' five year Goals, Strategies, Mission Statement and Vision 2028 for the City.

MOTION: Deputy Mayor Pro Tem Jaglowski made a motion, seconded by Councilmember Strain-Burk to approve consent item 2. The vote was cast 7 for, 0 against.

Mayor Hairston shared to the Boards and Commissions' applicants that appointments will be made at the next Regular Meeting in January 2019. He expressed his apologies as item 16 is pending for approval before appointments can be made.

Mayor Hairston altered the agenda.

6. **M18-04 Conduct a Public Hearing and consider an amendment to the City of Lancaster Comprehensive Plan's Future Land Use Map regarding an approximately 19.676 acres located on the south side of West Wintergreen Road and east side of**

Longhorn Drive within the Maraday Parks Survey, Abstract 1120, the property is specifically addressed as 2620 W. Wintergreen Road, Lancaster, Dallas County, Texas.

City Manager Mauldin-Jones shared that item 6 is a request to amend the City of Lancaster's Comprehensive Plan's Future Land Use Map adopted in 2016. The subject property is currently zoned Agricultural Open (A-O). The Comprehensive Plan's Future Land Use Map identifies the site as Suburban Mixed-Use Center. The proposed amendment to the Future Land Use Map is not consistent with the 2016 Comprehensive Plan vision for the area. On July 17, 2018, the Planning & Zoning Commission recommended denial of the amendment request and staff concurs with the Planning & Zoning Commission. The future land uses of the City of Lancaster were identified by the lengthy process led by the City Council appointed Comprehensive Plan Advisory Committee and City of Lancaster residents in a series of community involvement and engagement meetings. The future land uses were refined through numerous meetings with City Council, Planning and Zoning Commission and the Advisory Committee. During one of the Charrettes, City of Lancaster residents echoed the need to limit industrial uses north of W. Wintergreen Road with no industrial uses south of W. Wintergreen Road. The City Council made a commitment to the constituents of Lancaster not to allow industrial uses south of W. Wintergreen Road. Therefore, staff recommended denial of the requested amendment.

Mayor Hairston opened the public hearing.

Thomas Hillsman, applicant, 6519 Westgate Drive, Dallas, Texas, delivered a presentation requesting the change to Light Industrial (LI).

Carolyn Morris, 887 Wintergreen Road, spoke in opposition of item 6.

Lee Schmitt, 844 E. Beltline Road, spoke in favor of item 6.

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

Mayor Pro Tem Mejia expressed that the subject property aligns with the surrounding industrial uses and is not in favor for the site to be zoned Suburban Mixed-Use Center.

City Attorney Ritter clarified that item 6 is to consider amending the City of Lancaster's Comprehensive Plan's Future Land Use Map and item 5 is to consider the rezoning request.

Councilmember Hill inquired recommendation from staff on the proposed request to Light Industrial (LI). City Manager Mauldin-Jones stated that staff recommended denial of the requested amendment.

Councilmember Morris inquired additional comments from staff for the reasoning of the denial. City Manager Mauldin-Jones responded that there are criteria for reviewing and evaluating rezoning requests. The Comprehensive Plan is the vision that the City Council and community identify to want to transition too. The recommendation made is based on the vision that was established by the City Council and that is the vision that staff operates on.

Councilmember Strain-Burk requested confirmation from Applicant Hillsman that he was aware that the subject property was identified as Suburban Mixed-Use Center in the Comprehensive

Plan's Future Land Use Map. Applicant Hillsman confirmed and was under the presumption that the property would be appropriate for Light Industrial (LI).

Mayor Pro Tem Mejia is in agreement with Comprehensive Plan's Future Land Use Map. Therefore, the proposed amendment to the Future Land Use Map will not consistent with the 2016 Comprehensive Plan but amending the plan for Logistics/Distribution is great for the subject property.

Councilmember Strain-Burk inquired guidance from City Attorney Ritter as the Planning & Zoning Commission recommended denial of this amendment request.

City Attorney Ritter shared that item 5 requires simple-majority vote. However, on item 5, per the Texas Local Government Code, Chapter 211, seventy-five percent of the governing body is required to overrule the recommendation made which are 6 of the 7 members. He clarified that item 6 is to amend the Future Land Use Map of the Comprehensive Plan from Suburban Mixed-Use Center to Logistics/Distribution.

MOTION: Mayor Pro Tem Mejia made a motion, seconded by Deputy Mayor Pro Tem Jaglowski to approve item 6. The vote was cast 3 for, 4 against [Hairston, Robinson, Hill, and Morris].

- 5. Z18-04 Conduct a Public Hearing and consider a rezoning request from Agriculture Open (A-O) to Light Industrial (LI). The property is approximately 19.676 acres located on the southside of West Wintergreen Road and Eastside of Longhorn Drive. The property is within the Maraday Parks Survey, Abstract 1120, specifically addressed as 2620 Wintergreen Road, Lancaster, Dallas County, Texas.**

Mayor Hairston inquired from City Attorney Ritter since item 6 failed, does the governing body need to consider item 5. City Attorney Ritter advised that the subject property will remain under the City's Comprehensive Plan. However, he advised that the governing body ought to allow the applicant the opportunity to pull item 5. If the motion fails, the applicant will foreclose the opportunity to represent the request until after one year.

Applicant Hillsman requested to pull item 5 from the agenda.

- 7. Z18-14 Conduct a Public Hearing and consider a Specific Use Permit (SUP) request for a commercial daycare at a property addressed as 200 Rea Avenue; Lots 59 and 60, in Interurban Heights Addition Subdivision located in the City of Lancaster, Dallas County, Texas.**

City Manager Mauldin-Jones spoke on item 7 and shared that property is addressed as 200 Rea Avenue and is approximately 0.34 acre in size. It is the current location of the New Harmony Christian Church. The Church previously operated a daycare at this premise. Due to demand, the church requested to resume the daycare services to serve the surrounding communities. The 2016 Comprehensive Plan identified this site as suitable for Suburban Use Neighborhood uses. A daycare use can be permitted with a Specific Use Permit. The request is to operate a commercial daycare with 68 children from ages 0-12 years and 8 rotating teachers. The hours of operation will be from 6:00 a.m. to 7:00 p.m. She stated that there is adequate parking. On September 17, 2018 a notice for the public hearing appeared in the Focus Daily Newspaper. Staff mailed notifications of this public hearing to 14 property owners within 200 feet of the subject property and zoning signs were placed on the property. There was one letter received in support and no

letters received in opposition of this request. On October 2, 2018 the Planning and Zoning Commission recommended approval of the request with the following conditions: 1. The SUP being limited to the use and operation of the site as currently configured. Expansion of the existing building or substantial alteration that would change the building occupancy or intensity of use shall require reconsideration and approval of this SUP. 2. SUP ownership for daycare not being transferable to another owner, operator, or location. Change of ownership shall require new application. 3. The applicant resurfacing the pavement on the parking lot and re-striping the driveway loading area. Staff concurred with the Planning and Zoning Commission.

Mayor Pro Tem Mejia expressed his support of item 7.

Donald Nelson, 3028 Pickett Fence Drive, Applicant and Pastor of New Harmony Christian Church, he shared that the reasoning the daycare became inoperable is because of the transition of leadership. However, his staff is ready to operate the daycare.

Deputy Mayor Pro Tem Jaglowski inquired if the church provides any services to the community. Applicant Wilson confirmed and shared that he managed the Convey of Hope that fed and clothed approximately fifteen hundred residences.

Mayor Hairston opened the public hearing.

There were no speakers.

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

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

- 8. Z18-16 Conduct a public hearing and consider a Specific Use Permit (SUP) request for in-home daycare at a property addressed as 1405 Bumble Bee Drive; Lot 13 Block P in Meadowview Phase One Subdivision. The property is located within the J.L. Samson Survey, Abstract No. 1311 City of Lancaster, Dallas County, Texas.**

City Manager Mauldin-Jones spoke on item 8 and shared that the Texas Department of Family and Protective Services require in-home daycare operators to meet local government requirements as part of the State minimum guidelines for licensing and fire safety inspection is one of the State requirements. The Lancaster Development Code (LDC) requires in-home day cares to obtain a Specific Use Permit (SUP) in all Residential zoning districts. This is a request for an in-home daycare for up to (twelve) 12 children ranging from 5 months to after-school age children. This is a Registered Child-Care Home which currently has eight (8) children in the home (a 5 months old, a 20 months old, three, 3 years old, a 4 years old, a 7 years old, and a 12 years old). The in-home daycare has both received State license and been in operation since 2005. The applicant is therefore seeking to bring the business in compliance with the City's requirements. On October 17, 2018, a notice for this public hearing appeared in the Focus Daily Newspaper. Twenty-six (26) notifications of this public hearing were mailed to owners that are within 200 feet of the subject property. There were three (4) letters received in support of this request and one (1) letter received in opposition to this request. On November 6, 2018 the Planning and Zoning Commission recommended approval of the SUP with the following conditions: 1) Less than six (6)

children under the age of two and half years old (2 1/2) being kept on the first floor with a level of exit discharge. 2) If more than five (5) children under the age of two and half years old (2 1/2) are kept on the premise, an automatic fire sprinkler system is required. 3) Compliance with Home Occupation Regulations. 4) Confirmation by Animal Services that all animals kept on-site meets state and local regulations regarding immunizations and microchipping. Staff concurred with the Planning and Zoning Commission.

Mayor Hairston 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 7 for, 0 against.

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

9. Conduct a Public Hearing and consider a resolution approving the 2019 Standards of Care for Youth Programs operated by the Recreation Division of the City of Lancaster Quality of Life and Cultural Services Department.

City Manager Mauldin-Jones spoke on item 9 and stated that Chapter 42 of the Human Resources Code, regulates certain facilities, homes, and agencies that provide child-care services, states that municipal youth recreation programs may be exempted from the state's licensing requirement if cities comply with the provisions of the legislation. The legislation requires that cities establish annual review of their Parks and Recreation Department's Standards of Care for Youth Programs and conduct a public hearing to allow citizen input. She informed the body that Managing Director of Quality of Life and Cultural Services Johnson will be sharing comments on the proposed recommendations.

Managing Director of Quality of Life and Cultural Services Johnson stated that it is the recommendation that the electronic device restriction be modified to be consistent with Lancaster ISD STEM verbiage and practices to allow usage of personal electronic devices and/or wireless communication devices with participants signing and abiding by cell contract policies and procedures. The Parks and Recreation Advisory Board considered the Standards of Care at a meeting held on November 14, 2018 and recommended approval.

Mayor Hairston opened the public hearing.

There were no speakers.

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

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

10. Discuss and consider a resolution approving the terms and conditions of an agreement with McMahon Contracting L.P. for limited pavement repairs on

Pleasant Run Road for Phase II on Pleasant Run Road between Houston School Road and Bluegrove Road, and Phase III on Pleasant Run Road between Bluegrove Road and North Dallas Avenue (State Highway 342), in an amount not to exceed three million eight hundred ninety-nine thousand two hundred five dollars and fifty-five cents (\$3,899,205.55).

City Manager Mauldin-Jones spoke on item 10 and stated that Sound Infrastructure has been identified as a Key Performance Objective for the City Council. Council approved Phase I plus Additional Improvements on July 30, 2018, which included Pleasant Run Road between Interstate 35E and Houston School Road. This item is for consideration of Phase II, Pleasant Run Road from its intersection at Houston School Road to Bluegrove Road and Phase III which is Pleasant Run Road from Bluegrove Road to North Dallas Avenue (State Highway 342). This project includes removing the failed sections of concrete pavement and curbs then compaction of the subgrade and the concrete being replaced. This will provide a smoother driving experience for vehicles that travel the roadway. City staff will serve as the project manager and will coordinate with McMahon Contracting L.P. to ensure the pavement replacement is in accordance with the City of Lancaster design manual specifications. She informed the body that Interim Assistant Public Works Director Waits and a representative from Dal-Tech Engineering, Inc. are available to answer any questions.

Councilmember Strain-Burk inquired the timeframe expected to start the projects on Phase II and III, if item 10 is approved. Interim Assistant Public Works Director Waits shared that the project will commence one hundred ten (110) days from the notice issued. The entire project, if awarded in its entirety, was scheduled to be completed on or around June 4, 2019. However, Dal-Tech Engineering, Inc. requested an additional thirty (30) days since the additional two phases was awarded separately.

Mayor Pro Tem Mejia inquired if the projects were bided separately or as collectively. Interim Assistant Public Works Director Waits shared that the bids were received collectively. Phase II and Phase III were bided by the same Contractor and there were no additional bids received. Staff recommended awarding the projects to the same Contractor as Phase I.

Mayor Pro Tem Mejia inquired the cost of the mobilization fee. H. Wayne Barton, Senior Engineer, 17400 Dallas Pkwy, Ste. 110, Dallas, Texas shared that the cost is an estimate of one hundred thousand dollars. He shared that he made contacted with eighteen contractors and cities to encourage them to place a bid. Mr. Barton shared that the result of this additional award amount will be a total award amount of \$5,874,495.29.

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Hill to approve item 10. The vote was cast 6 for, 1 against [Mejia].

11. **Discuss and consider a resolution approving the terms and conditions of an agreement with Santos Construction Inc. through the utilization of an Interlocal Agreement with the City of Grand Prairie for the reconstruction of 641 feet of alley behind 2629 Rutgers Drive, 302 feet of alley behind 2614 Arcady Lane and 577 feet of alley behind 806 Hartford Lane in an amount not to exceed two hundred eighteen thousand one hundred ninety dollars (\$218,190.00).**

City Manager Mauldin-Jones spoke on item 11 and the Interlocal Cooperation Act, Chapter 791 of

the Texas Government Code authorizes units of local government to contract with one or more units of local government to perform governmental functions and services. The uses of Interlocal Agreements allow staff to utilize other agencies' formal bid contracts. Each entity's formal bid process meets the requirements set forth in the statutes, including advertising, M/WBE participation, reference checks, verification of insurance and bonding if required by specifications, and any other requirements. This project includes removing the existing concrete pavement, compaction of the subgrade will be performed prior to three hundred two (302') feet of concrete pavement in the alley behind 2614 Arcady Lane, six hundred forty-one (641') feet of concrete pavement behind 2629 Rutgers Drive, and five hundred seventy-seven (577') feet of concrete pavement behind 806 Hartford Lane. This will provide for a smoother driving experience for residents and a more sustained roadway for solid waste trucks that utilize the alley's to service residents. These type of reconstruction projects are made possible through franchise funding provided to the City's sanitation fund. Funding is available within the sanitation fund and will not exceed two hundred eighteen thousand one hundred ninety dollars and zero cents (\$218,190.00). Staff recommended approval of the resolution, as presented.

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Morris to approve item 11. The vote was cast 7 for, 0 against.

- 12. Discuss and consider a resolution approving the terms and conditions of an agreement with Santos Construction Inc. through the utilization of an Interlocal Agreement with the City of Grand Prairie for the reconstruction of 517 feet, approximately 0.098 miles, on Stanford Street between Suffolk Lane and 810 Stanford in an amount not to exceed two hundred seventy-six thousand eight hundred twenty dollars and ninety five cents (\$276,820.95).**

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

- 13. Discuss and consider a resolution approving the terms and conditions of a Project Specific Agreement by and between Dallas County and the City of Lancaster for the construction phase of roadway and drainage improvements (Phase I) on Sunrise Road from Beltline Road, north to the Lancaster/Wilmer city limit, and to the easternmost city limit.**
- 14. Discuss and consider a resolution approving the terms and conditions of a Project Specific Agreement by and between Dallas County and the City of Lancaster for the preliminary alignment study to possibly widen Sunrise Road south of Beltline Road to the proposed Loop 9 highway (Phase II), from the easternmost to the southernmost city limit.**

City Manager Mauldin-Jones shared that item 13 and 14 are companion items. She spoke on item 13 and shared that on January 29, 2018, a Funding Agreement (Interlocal Agreement) was authorized by City Council for the engineering design to widen Sunrise Road from Beltline Road, north to the Lancaster/Wilmer city limit line, and to the easternmost city limit at no cost to the City. Dallas County desired to enter into a Project Specific Agreement with the City of Lancaster for the construction phase of this project. Dallas County will be the project manager on the project. The project will improve the existing roadway as the infrastructure improvement could serve as a catalyst for future development of the area. There will be no cost to the City for this

Project Specific Agreement (Phase I) for the construction phase of this project as the needed rights-of-way acquisition (valued at \$585,000) has been dedicated for this project. This project is partially funded by Dallas County and Dallas County Economic Development.

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Morris to approve item 13 and 14. The vote was cast 7 for, 0 against.

- 15. Discuss and consider applications received from Tiwanda Shaw and Shirley Mitchell and Peggy Collins to rename the Public Safety Building, and take action to include: (1) instituting a moratorium, (2) assigning the applications to a subcommittee, or (3) voting to suspend the previously adopted Facility Naming Policy and voting directly to name the Public Safety Building.**

City Attorney Ritter spoke on item 15 and shared that City Council discussed this item at a Work Session on Monday, December 3, 2018 and requested staff to place this item on the next regular meeting for consideration. He communicated that the City Council requested to provide a list of various options available regarding disposition of the applications received which are 1. City Council may accept the applications, and assign them to a subcommittee. 2. City Council may accept the applications and postpone consideration until the Facility Naming Policy has been reviewed and considered for amendments. 3. City Council may postpone consideration of the applications by instituting a moratorium for a time period of their choice (either globally or for the Public Safety Building in particular). 4. City Council may reject the applications. 5. City Council may choose to suspend the previously adopted Facility Naming Policy and vote directly on naming the Public Safety Building.

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Robinson to reject the applications and institute a moratorium for a time period of four (4) years for the Public Safety Building. The vote was cast 4 for, 3 against [Mejia, Hill, and Morris].

- 16. Discuss and consider criteria for City Council appointed Boards and Commissions.**

City Secretary Arenas spoke on item 16 and shared that the City Council discussed this item at the Special Work Session held on Monday, December 3, 2018. She shared that the updated ordinance was provided at the dais for your consideration as the third "Whereas" was removed from the ordinance.

City Attorney Ritter confirmed that the direction from City Council was to remove the Building Standards Commission portion of the ordinance.

Deputy Mayor Pro Tem Jaglowski inquired from City Attorney Ritter if disbanding the Citizen Advisory Committee will that cause concern if the governing body decides to establish the committee in the future. City Attorney Ritter notated that disbanding will not cause any concerns in the future. However, since the City does not possess photographic traffic control signal within the city limits there is no need for the committee.

Councilmember Strain-Burk inquired confirmation that the Historic Landmark Preservation Committee shall be appointed by the Planning & Zoning Commission and confirmed by City Council. City Attorney Ritter confirmed and referenced Section 5.02.007 (b) of the ordinance.

Deputy Mayor Pro Tem Jaglowski expressed his appreciation to staff and the city attorney for the

diligent work establishing the amending ordinance.

Councilmember Robinson expressed his gratitude to staff for all the time invested on item 16.

MOTION: Councilmember Morris made a motion, seconded by Deputy Mayor Pro Tem Jaglowski to approve item 16. The vote was cast 7 for, 0 against.

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

- a. **Section §551.071(1)(A) to receive information on the following pending or contemplated litigation matters: Texas Municipal League (TML) Claim Number LB 68208;**
- b. **Section §551.074 (a)(1) of the Texas Government Code to deliberate the appointment, employment, evaluation, duties or dismissal of a public officer, to wit: the Municipal Judge; and**
- c. **Section §551.074 (a)(1) of the Texas Government Code to deliberate the appointment, employment, evaluation, duties or dismissal of a public officer, to wit: the City Secretary.**

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

The City Council recessed for Executive Session at 9:25 p.m. and reconvened into open session at 11:06 p.m.

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

The meeting was adjourned at 11:07 p.m.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

LANCASTER CITY COUNCIL

City Council Regular Meeting

2.

Meeting Date: 02/11/2019

Policy Statement: This request supports the City Council 2018-2019 Policy Agenda

Goal(s): Civic Engagement

Submitted by: Sorangel O. Arenas, City Secretary

Agenda Caption:

Consider a resolution ordering a General Election to be held on Saturday, May 4, 2019, for the election of one councilmember for District 1, one councilmember for District 3, and one councilmember for District 5 for a three year term; providing for the publication and posting of notice; and providing for early voting dates, times and locations.

Considerar una resolución pidiendo una elección general que se celebrará el Sábado 4 de Mayo de 2019, por la elección de un concejal para el Distrito 1, un concejal para el Distrito 3, y un concejal del Distrito 5 para un período de tres años; se dispone la publicación y la publicación de la notificación; y modo de fechas de votación anticipada, horas y lugares.

Background:

The municipal General Election for City officers this year includes councilmembers for Districts 1, 3 and 5. The designated uniform Election Day is Saturday, May 4, 2019.

Operational Considerations:

To conduct the election, City of Lancaster will participate in a joint election with other governing entities in Dallas County administered by Dallas County Elections. Participating in a joint election with other cities and school districts greatly reduces election costs for all participants. The joint election agreement is a companion item to this agenda item.

Early voting will be held at the Lancaster Veterans Memorial Library. This location best serves the election process by offering sufficient space for the voters, easy entry/exit from the room (without entering the Library itself) and offers the necessary technology access for use by Dallas County Elections personnel. This location is familiar to our voters and has consistently been used in recent elections for early voting as well as for Election Day voting. The Library is one of about forty-nine early voting locations designated by Dallas County. During early voting, registered voters may vote at any Dallas County early voting polling location.

There will be three polling locations for Lancaster citizens on Election Day: Lancaster Veterans Memorial Library, Lancaster Elsie Robertson Middle School, and Wilmer Community Center. Voters must vote by precinct on Election Day.

Legal Considerations:

The City Attorney has reviewed the resolution ordering the election. The statutory last day for City Council to order the election is February 15, 2019.

Pursuant to state and federal laws, the resolution (Election Order) is provided in English and Spanish. In addition, the caption on the City's agenda for this meeting for both the election order and the joint election agreement is in English and Spanish.

The 82nd Texas Legislature revised the requirements for notice of early voting locations contained in the election order. Election law only requires the main early voting location to be listed in the election order. The main early voting location (Dallas County Records Building) and the Lancaster early voting location (Veterans Memorial Library) are included in the election order.

Public Information Considerations:

All requirements for the posting and publishing of the election order will be completed as outlined in the election order.

Fiscal Impact:

The City's cost will depend on the number of entities contracting with Dallas County for election services. There will be further details regarding estimated election costs in the future agenda item on the joint election agreement. If a run-off election is required, the City will incur additional costs.

Recommendation:

Staff recommends approval of the resolution as presented ordering the General Election for municipal officers on Saturday, May 4, 2019.

Attachments

Resolution (Election Order in English)

Resolution (Election Order in Spanish)

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, ORDERING A GENERAL ELECTION TO BE HELD ON MAY 4, 2019 FOR THE ELECTION OF ONE COUNCILMEMBER FOR DISTRICT 1, ONE COUNCILMEMBER FOR DISTRICT 3, AND ONE COUNCILMEMBER FOR DISTRICT 5 FOR A THREE YEAR TERM; PROVIDING FOR THE PUBLICATION AND POSTING OF NOTICE; PROVIDING FOR EARLY VOTING DATES, TIMES AND LOCATIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Charter requires that a councilmember for Districts 1, 3 and 5 shall be elected this year at a General Election to be held on May 4, 2019, under the TEXAS ELECTION CODE and the City's Home Rule Charter; and

WHEREAS, by law it becomes the ministerial duty of the City Council to call for such municipal election;

NOW, THEREFORE, BE IT REMEMBERED THAT on this the 11th day of February, 2019, at a duly convened meeting of the City Council of the City of Lancaster, Texas, a quorum being present, the Council issued the following order:

IT IS HEREBY ORDERED that a General Election be held in the City of Lancaster, Texas, on the 4th day of May, 2019, the same being the first Saturday of the month, 7:00 a.m. to 7:00 p.m., for the purpose of electing one councilmember for District 1 for a three (3) year term, one councilmember for District 3 for a three (3) year term, and one councilmember for District 5 for a three (3) year term; and,

IT IS FURTHER ORDERED: That such general election shall be held as a Joint Election administered by the Dallas County Elections Administrator in accordance with the provisions of the TEXAS ELECTION CODE and a Joint Election Agreement; and,

None but legally qualified voters of District 1 shall be entitled to vote for the Councilmember for District 1; none but legally qualified voters of District 3 shall be entitled to vote for the Councilmember for District 3; and none but legally qualified voters of District 5 shall be entitled to vote for the Councilmember for District 5; and,

The candidate for each such office receiving a majority of all votes cast for all candidates for such office shall be elected to serve such term or until his or her successor is duly elected and qualified; and,

In the event any candidate for any one of said offices fails to receive a majority of all votes cast for all the candidates for such office, a run-off election shall be held. If a run-off election becomes necessary, the run-off election shall be held on Saturday, June 8, 2019. The Dallas County Elections Administrator will conduct the run-off election; and,

A Presiding Election Judge and an Alternate Presiding Election Judge shall be appointed in accordance with the Joint Election Agreement; and,

Notice of said election shall be published once in the official newspaper of the City not earlier than April 4, 2019, the 30th day before Election Day, and not later than April 24, 2019, the 10th day before Election Day. Such notice shall also be posted on the Bulletin Board used to publish notice of City Council Meetings not later than April 12, 2019, the last business day prior to the 21st day before Election Day; and,

A copy of the published notice that contains the name of the newspaper and the date of publication shall be retained as a record of such notice, and the person posting the notice shall make a record at the time of posting stating the date and place of posting and deliver a copy of said notice posted to the Mayor of the City of Lancaster after the posting is made; and,

EARLY VOTING

Antoinette "Toni" Pippins-Poole, Dallas County Elections Administrator, is the appointed early voting clerk in compliance with Section 271.006 of the Texas Election Code. Other deputy early voting clerks will be appointed as needed to process early voting mail and to conduct early voting at the branch locations.

Early voting by personal appearance will be conducted at the main and branch locations beginning Monday, April 22, 2019 through Friday, April 26, 2019, between 8:00 a.m. - 5:00 p.m.; Saturday, April 27, 2019, between 8:00 a.m. - 5:00 p.m.; Sunday, April 28, 2019, between 1:00 p.m. - 6:00 p.m.; and Monday, April 29, 2019 through Tuesday, April 30, 2019, between 7:00 a.m. - 7:00 p.m.; and,

Any qualified voter of Lancaster may vote early for the Joint Election by personal appearance at either the main early voting location or at any Dallas County Branch Early Voting location;

MAIN EARLY VOTING POLLING PLACE:

Dallas County Records Building

509 Main Street
Dallas, Texas 75202

BRANCH EARLY VOTING POLLING PLACES:

Branch early voting for the joint election to be held on May 4, 2019, will be conducted at various branch early voting polling locations including the Lancaster Veterans Memorial Library at 1600 Veterans Memorial Parkway, Lancaster, Texas 75134. A list of all Dallas County Early Voting Polling locations is available at www.dallascountyvotes.org.

EARLY VOTING BY MAIL

Application for a ballot by mail shall be mailed to:
Toni Pippins-Poole - Early Voting Clerk
Office of the Elections Department
2377 N. Stemmons Freeway, Suite 820
Dallas, Texas 75207

Application for ballot by mail must be received no later than the close of business on April 23, 2019; and,

The polling places for voters on Election Day shall be the Lancaster Veterans Memorial Library, 1600 Veterans Memorial Parkway, Lancaster, Texas 75134; the Lancaster Elsie Robertson Middle School, 822 W. Pleasant Run Road, Lancaster, Texas 75146; the Houston Elementary School, 2929 Marquis Lane, Lancaster, Texas 75134; and the Wilmer Community Center, 101 Davidson Plaza, Wilmer, Texas 75172. The polls shall be open from 7:00 a.m. to 7:00 p.m.

The City Secretary shall present such returns to the City Council for the canvassing of said elections; and,

The canvass of said election returns for the election of officers shall be conducted by the City Council not earlier than the 3rd day nor later than the 11th day after the election.

DULY ORDERED by the City Council of the City of Lancaster, Texas on this the 11th day of February, 2019.

ATTEST:

Sorangel O. Arenas, City Secretary

APPROVED:

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

RESOLUCIÓN NO.

RESOLUCIÓN DEL CONSEJO MUNICIPAL DE LA CIUDAD DE LANCASTER, TEXAS, QUE ORDENA UNA ELECCIÓN GENERAL QUE SE CELEBRARÁ EL 4 DE MAYO DE 2019, PARA LA ELECCIÓN DE UN CONCEJO DE DISTRITO 1, UN CONCEJO DE DISTRITO 3, Y UN CONCEJO DE DISTRITO 5 PARA UN TÉRMINO DE TRES AÑOS; QUE CONTEMPLA LA PUBLICACIÓN Y PUBLICACIÓN DEL AVISO, LA PRESTACIÓN PARA VOTACIÓN TEMPRANA FECHAS, HORAS Y LUGARES; Y PROPORCIONAR UNA FECHA DE VIGENCIA

CONSIDERANDO, que la Carta exige que los concejales de la ciudad para los distritos 1, 3 y 5 serán elegidos este año en una elección general que se celebrará el 4 de mayo de 2019, en el marco del Código Electoral de Texas y

CONSIDERANDO, que, por ley se convierte en el deber ministerial del Consejo de la Ciudad para solicitar tales elecciones municipales

AHORA, POR LO TANTO, debe recordarse que en este día el 11 de febrero 2019, en una reunión debidamente convocada del Consejo Municipal de la Ciudad de Lancaster, Texas, el quórum está presente, el Consejo emitió el siguiente orden:

SE ORDENA que las elecciones generales se celebrarán en la ciudad de Lancaster, Texas, el día 4 de mayo 2019, el mismo ser el primer sábado del mes, de 7:00 a.m. - 7:00 p.m. con el fin de elegir a un Concejal para el Distrito 1, para un período tres (3) años, un Concejal del distrito 3, para un período de tres (3) años, y un Concejal para el Distrito 5, para un período de tres (3) años y,

SE ORDENA ADEMÁS: Que las elecciones generales se llevará a cabo como una elección conjunta administrado por el Administrador de Elecciones del Condado de Dallas, de conformidad con las disposiciones del Código Electoral de Texas y un acuerdo electoral mixto y,

Ninguno, pero está legalmente calificado votantes del Distrito 1, tendrá derecho a votar por el concejal para el Distrito 1, ninguna formación jurídica, pero los votantes del Distrito 3, tendrá derecho a votar por el Concejal del distrito 3, ninguna formación jurídica, pero los votantes del Distrito 5 se derecho a votar por el concejal para el Distrito 5 y,

El candidato para cada oficina, que recibe la mayoría de los votos emitidos para todos los candidatos a cargos serán elegidos para servir a dicho término o hasta que su sucesor sea debidamente elegido y calificado y,

En el caso de que cualquier candidato a cualquiera de dichos oficios no recibe una mayoría de los votos emitidos a favor de todos los candidatos a dicho cargo, una vuelta de las elecciones se celebrarán. Si una segunda vuelta de las elecciones se hace necesario, la vuelta de las elecciones se celebrará el Sábado, 8 de junio 2019. El Administrador de Elecciones del Condado de Dallas llevará a cabo la segunda vuelta electoral y,

Un Juez de Elección Presidente y un Suplente Elección Juez Presidente será nombrado de conformidad con el acuerdo electoral mixto y,

Aviso de dicha elección se publicará una vez en el periódico oficial de la ciudad no antes del 4 de abril 2019, 30 días antes de las elecciones, ya más tardar el 24 de abril 2019, el día 10 antes de las elecciones. Dicho aviso también se publicará en el tablón de anuncios utilizado para publicar un anuncio de reuniones del Concejo Municipal a más tardar el 12 de abril 2019, el último día hábil antes del día 21 antes de las elecciones y,

Una copia del anuncio publicado que contenga el nombre del periódico y la fecha de publicación se mantiene como un registro de tal notificación, y la persona que envía el anuncio deberá hacer un registro en el momento del anuncio indicando la fecha y lugar de envío y entregar una copia de dicho aviso enviado a el Alcalde de la ciudad de Lancaster, después de que se haga la publicación y,

VOTACIÓN TEMPRANA

Antoinette “Toni” Pippins-Poole, Dallas County Elections Administrator, es el designado secretario de votación anticipada en cumplimiento con la Sección 271.006 del Código Electoral de Texas. Otros empleados de la votación anticipada Adjunto será designado como sea necesario para el proceso electrónico de votación temprana y llevar a cabo la votación anticipada en las sucursales.

La votación anticipada en persona se llevará a cabo a partir Lunes, 22 de abril 2019 hasta el Viernes, 26 de abril 2019, entre 8:00 a.m. - 5:00 p.m.; Sábado, 27 de abril 2019, entre las 8:00 a.m. - 5:00 p.m., Domingo, 28 de abril 2019, entre las 1:00 p.m. - 6:00 p.m., y 29 de abril 2019 hasta el Martes, 30 de abril 2019, entre las 7:00 a.m. - 7:00 p.m. y,

Cualquier votante calificado de Lancaster puede votar por adelantado para la elección conjunta de comparecencia personal en cualquier lugar principal de votación anticipada o en cualquier lugar del condado de Dallas lugar de votación temprana:

Lugare principal de votación temprana electoral:

Dallas County Records Building

Oficina del Departamento de Elecciones, Primer Piso
509 Main Street
Dallas, Texas 75202

LUGARES DE VOTACIÓN TEMPRANA:

Lugares de votación temprana para la elección conjunta que se celebrará el 4 de mayo de 2019, se llevará a cabo en varios lugares de votación temprana, incluyendo la Biblioteca Lancaster Veterans Memorial Library at 1600 Veterans Memorial Parkway, Lancaster, Texas 75134. Una lista de todos los lugares del condado de Dallas votación temprana están disponible en www.dallascountyvotes.org.

VOTACIÓN TEMPRANA POR CORREO

Solicitud para votar por correo deberán enviarse a:
Toni Pippins-Poole - De votación anticipada
Oficina del Departamento de Elecciones
2377 N. Stemmons Freeway, Suite 820
Dallas, Texas 75207

Solicitud de boleta por correo deberán recibirse a más tardar al cierre de actividades el 23 de abril de 2019 y,

Los lugares de votación para los votantes el día de elecciones queda fijada en el Lancaster Veterans Memorial Library, 1600 Veterans Memorial Parkway, Lancaster, Texas 75134, Lancaster Elsie Robertson Middle School, 822 W. Pleasant Run Road, Lancaster, Texas 75146, Houston Elementary School, 2929 Marquis Lane, Lancaster, Texas 75134, y en Wilmer Community Center, 101 Davidson Plaza, Wilmer, Texas 75172. Las urnas estarán abiertas 7:00 a.m. - 7:00 p.m.

El Secretario de la Ciudad deberá presentar estas declaraciones al Ayuntamiento para la captación de dicha elección y,

El escrutinio de los resultados de las elecciones dijo que para la elección de la Mesa se llevará a cabo por el Ayuntamiento no antes del día 3, ni a más tardar el día 11 después de las elecciones.

Debidamente ordenadas por el Consejo Municipal de la Ciudad de Lancaster, Texas, en este día el 11 de febrero de 2019.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

LANCASTER CITY COUNCIL

City Council Regular Meeting

3.

Meeting Date: 02/11/2019

Policy Statement: This request supports the City Council 2018-2019 Policy Agenda

Goal(s): Financially Sound City Government

Submitted by: Sorangel O. Arenas, City Secretary

Agenda Caption:

Consider a resolution approving the terms and conditions of a Joint Election Contract and Election Services Agreement with Dallas County Elections to conduct a municipal General Election for the election of one councilmember for District 1, one councilmember for District 3, and one councilmember for District 5 to be held on Saturday, May 4, 2019.

Considere una resolución aprobando los términos y condiciones del Contrato Elección Conjunta y servicios de la elección con las elecciones del condado de Dallas para llevar a cabo una elección general municipal para la elección de los distritos 1, 3 y 5 que se celebrará el Sábado, 4 de mayo 2019.

Background:

On May 4, 2019, the City will conduct a municipal General Election to elect councilmembers for Districts 1, 3, and 5 for a three-year term.

Operational Considerations:

Dallas County Elections has the staff, equipment, and expertise to efficiently conduct elections. Participating with other municipalities and school districts helps defray the cost of the election and streamlines the voting process for residents.

Legal Considerations:

The election services agreement is attached. At this writing, the finalized agreement is not available. The City Attorney has reviewed and approved the resolution as to form.

Public Information Considerations:

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

Fiscal Impact:

Dallas County Elections has indicated the estimated cost for the City's share of this year's election is \$9,331.78. The City's final cost depends on how many entities contract with Dallas County for election services. Recent general municipal election costs are outlined below.

Election Year	Costs
May 2018	\$30,310.76
May 2017	\$0.00 (election canceled)
August 2016 Special	\$0.00 (election canceled)
May 2016	\$0.00 (election canceled)

May 2015	6,205.77
----------	----------

Estimated costs for the City's election are calculated by Dallas County Elections based on various factors including shared polling locations and total number of governing entities that participate in the election. If a run-off election is required, the City will incur additional costs.

Options/Alternatives:

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

Recommendation:

Staff recommends approval of the resolution as presented contracting with Dallas County Elections for election services.

Attachments

Resolution

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, APPROVING THE TERMS AND CONDITIONS OF A JOINT ELECTION CONTRACT AND ELECTION SERVICES AGREEMENT WITH DALLAS COUNTY ELECTIONS TO CONDUCT A MUNICIPAL GENERAL ELECTION FOR THE ELECTION OF ONE COUNCILMEMBER FOR DISTRICT 1, ONE COUNCILMEMBER FOR DISTRICT 3 AND ONE COUNCILMEMBER FOR DISTRICT 5 TO BE HELD ON SATURDAY, MAY 4, 2019; AUTHORIZING THE CITY MANAGER TO EXECUTE SAID CONTRACT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lancaster will hold a municipal General Election for the election of a councilmember for Districts 1, 3, and 5 to be held on Saturday, May 4, 2019; and

WHEREAS, the City of Lancaster desires to participate with other municipalities and entities in Dallas County to help defray the costs of such elections and streamline the voting process for residents; and

WHEREAS, it is the desire of the City of Lancaster to secure election services from Dallas County Elections;

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

SECTION 1. That the Dallas County Joint Election Contract and Election Services Agreement 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 is hereby authorized to execute the Joint Election Contract and Election Services Agreement with Dallas County Elections to conduct a general and special election.

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 the 11th day of February, 2019.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

LANCASTER CITY COUNCIL

City Council Regular Meeting

4.

Meeting Date: 02/11/2019

Policy Statement: This request supports the City Council 2018-2019 Policy Agenda

Goal(s): Financially Sound City Government

Submitted by: Fabrice Kabona, Assistant City Manager

Agenda Caption:

Consider a resolution authorizing Dallas County to resell 870 Truman Circle, tax foreclosed property, by public or private sell, to the highest qualified purchaser, as provided by Section 34.05 of the Texas Property Tax Code.

Background:

Following a judgment of the District Court of Dallas County, a parcel of land, 870 Truman Circle, was offered for sell at public auction for foreclosure of the tax liens, securing payment of delinquent property taxes, accrued penalty and interest, and court costs. This parcel is in the City of Lancaster. This parcel did not receive sufficient bid as set by law and was struck off to the City of Lancaster at the following market value:

- 870 Truman Circle.: \$94,000.00

Dallas County is preparing for the resell of the property, as a tax foreclosed property, which is now in the ownership of the taxing authorities. Pursuant to Section 34.05(a) of the Tax Code, Dallas County is requesting the City of Lancaster's consent to sell said property to the highest qualified purchaser, by either public or private sell. The sell of said property will bring it back onto the City of Lancaster's tax roll, increasing the tax base and often recouping portions of delinquent taxes due as a result of judgments.

Operational Considerations:

Dallas County will coordinate the public or private sell of the tax foreclosed property.

Legal Considerations:

Dallas County handles all legal matters associated with the public or private sell process. The resolution authorizing the resell has been reviewed and approved as to form by the City Attorney.

Public Information Considerations:

Dallas County is responsible for all applicable legal notices required under the Texas Property Code for the public sell of tax foreclosed properties.

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

Fiscal Impact:

The judgment at the time of strike off was as follows: 870 Truman Cr: \$94,000.00

The taxing authorities may recoup some of their back taxes, and the property will be placed back on the tax rolls and we will begin to receive tax revenue. At this time, the City is receiving no tax revenue from this parcel. The City of Lancaster retains responsibility for the maintenance of properties struck off to the taxing authority until sold.

Options/Alternatives:

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

Recommendation:

Staff recommends approval of the resolution, as presented.

Attachments

Resolution

Exhibit A

Map

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, AUTHORIZING DALLAS COUNTY TO RESELL TAX FORECLOSED PROPERTIES BY PUBLIC OR PRIVATE SALE, TO THE HIGHEST QUALIFIED PURCHASER, AS PROVIDED BY SECTION 34.05 OF THE TEXAS PROPERTY TAX CODE.

WHEREAS, this matter was briefed to the Lancaster City Council ("City Council") on February 11, 2019 wherein the City Council agreed to authorize this Resolution to provide the County of Dallas, Texas consent to sell specific properties to the highest qualified purchaser by public or private sale; and

WHEREAS, those parcels of land which did not receive a sufficient bid as set by law were struck off to the County of Dallas, the City of Lancaster and Lancaster Independent School District (Taxing Authorities) pursuant to Section 34.01(j) of the Property Tax Code; and

WHEREAS, by this resolution, the County of Dallas, as Trustee for itself and the other Taxing Authorities, is authorized to resell those struck off parcels of land, which did not receive a sufficient bid as set by law, and to execute quitclaim for said parcels conveying the right, title, and interest acquired or held by the City of Lancaster as a party to the judgement foreclosing tax liens, and

WHEREAS, the City of Lancaster desires to resell said parcel(s) in an expeditious manner pursuant to Section 34.05 of the Property Tax Code.

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

SECTION 1. The City does hereby provide specific authorization to the County of Dallas to act as Trustee to offer for sale by public or private sell the parcels of land shown in Exhibit "A" attached hereto and made a part hereof and the Lancaster City Council does hereby consent to the sale of said parcels to the highest purchaser, even if the amount tendered is less than the market value of the land specified in the judgment of foreclosure or the total amount of the judgement against the property in compliance with Section 34.05(i) of the Texas Property Tax Code, or for an amount equal to or greater than its current market value as shown by the most recent certified appraisal role, if the sum of the amount of the judgment plus post-judgment taxes, penalties, and interest owing against the property exceeds the market value in compliance with Section 34.05(j) of the Texas Property Code, and each taxing unit entitled to receive proceeds of the sale consents to the sale for that amounts

SECTION 2. This Resolution shall take effect immediately from and after its passage in accordance with the provisions of the law.

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the 11th day of February, 2019.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

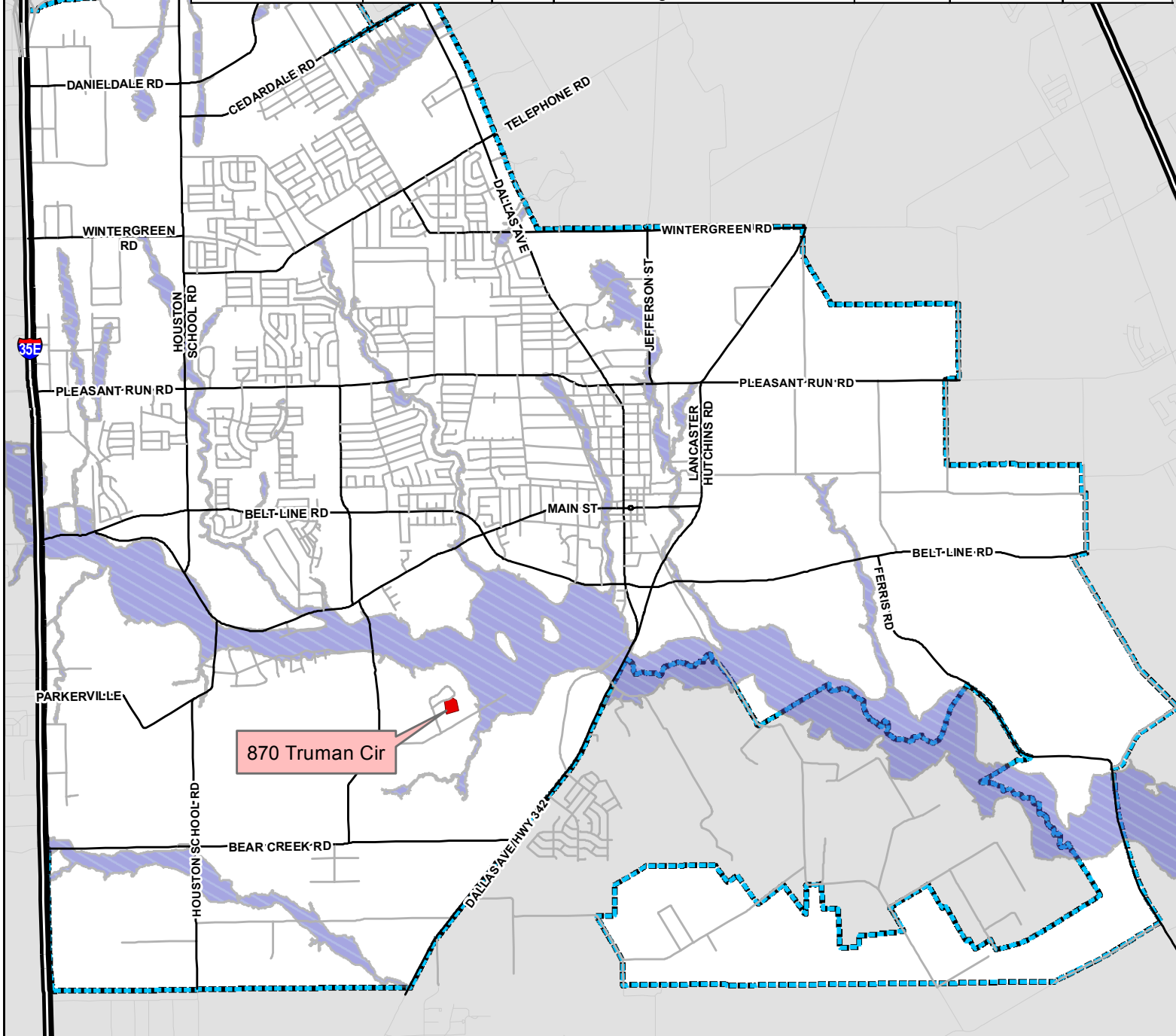
EXHIBIT "A"

**TAX FORECLOSURE PROPERTY STRUCK OFF TO THE CITY OF LANCASTER
AS TRUSTEE FOR THE COUNTY OF DALLAS AND LANCASTER ISD
WITH THE COUNTY OF DALLAS ASSUMING THE LEAD ROLE IN THE RESALE OF SAID LISTED PROPERTIES**




[illegible]

City of Lancaster
Tax Foreclosed
Property Sturck Off
to City of Lancaster
01/30/2019

DCAD Account #	Site Address	Acres	Legal Description	Strike Off Date	Sheriff's Deed Date	In Floodplain?
65044947610050200	870 Truman Cir	4.4086	Arthur Eldridge 449 Abstract, Tract 5	1/30/2019	11/11/1900	No



Legend

-  City Limits
-  Foreclosed Property
-  100 yr Floodplain



0 0.375 0.75 1.5 Miles

LANCASTER CITY COUNCIL

City Council Regular Meeting

5.

Meeting Date: 02/11/2019

Policy Statement: This request supports the City Council 2018-2019 Policy Agenda

Goal(s): Financially Sound City Government

Submitted by: Fabrice Kabona, Assistant City Manager

Agenda Caption:

Consider a resolution approving the terms and conditions of an interlocal agreement by and between the City of Lancaster and the City of Garland.

Background:

Entering into an Interlocal agreement with the City of Garland will provide the opportunity to purchase goods and services from vendors under present and future contracts with the City of Garland.

Operational Considerations:

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

Legal Considerations:

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

Public Information Considerations:

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

Options/Alternatives:

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

Recommendation:

Staff recommends approval of the resolution, as presented.

Attachments

Resolution
Exhibit A

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS APPROVING AN INTERLOCAL AGREEMENT WITH THE CITY OF GARLAND, TEXAS FOR THE COOPERATIVE PURCHASING OF GOODS AND SERVICES PURSUANT TO TEXAS GOVERNMENT CODE CHAPTER 791.

WHEREAS, the City of Lancaster, Texas and the City of Garland, Texas are both subdivisions of state and local governments as defined by Texas Government Code, Section 791.003(4)(A)-(B); and

WHEREAS, both the City of Lancaster, Texas and the City of Garland, Texas wish to enter into an Cooperative Purchasing Interlocal Agreement pursuant to Chapter 791 of the Texas Government Code to purchase various goods and services as may be deemed necessary or desirable by each of the respective entities; and

WHEREAS, the City of Lancaster, Texas finds that entering into the Cooperative Purchasing Interlocal Agreement is in the best interest of the citizens of the city, in that savings may be realized by use of the agreement, and the variety of the goods and services available to the city may be increased.

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

SECTION 1. That the findings and recitations set out in the preamble to this Resolution are found to be true and correct and hereby adopted by the City Council and made a part of hereof for all purposes.

SECTION 2. That the City of Lancaster hereby approves the Cooperative Purchasing Interlocal Agreement, attached hereto as Exhibit A, which is incorporated herein for all purposes consistent with state law.

SECTION 3. That the City Council of the City of Lancaster hereby authorizes the City Manager or her designee to execute the Cooperative Purchasing Interlocal Agreement attached hereto.

SECTION 4. That this resolution shall be in full force and effect from and after its passage and approval and it is accordingly so resolved.

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the 11th day of February, 2019.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

COOPERATIVE PURCHASING INTERLOCAL AGREEMENT

This agreement made and entered into as of the date written below, by and between City of Garland, Texas (hereinafter called "THIS GOVERNING BODY"), and City of Lancaster, Texas another governmental entity as defined under § 791.003. of Texas Governmental Code, Interlocal Cooperation Contracts, (hereinafter called "COOP ENTITY") each acting by and through its duly authorized officials:

WHEREAS, THIS GOVERNING BODY and COOP ENTITY are both governmental entities engaged in the purchase of goods and services, which is a recognized governmental function;

WHEREAS, THIS GOVERNING BODY and COOP ENTITY wish to enter into an Interlocal Agreement pursuant to Chapter 791 of the Texas Government Code (hereinafter "Interlocal Cooperation Act") to set forth the terms and conditions upon which THIS GOVERNING BODY and COOP ENTITY may purchase various goods and services commonly utilized by each entity;

WHEREAS, participation in an interlocal agreement will be highly beneficial to the taxpayers of THIS GOVERNING BODY and COOP ENTITY through the anticipated savings to be realized and is of mutual concern to the contracting parties;

WHEREAS, THIS GOVERNING BODY and COOP ENTITY have current funds available to satisfy any fees owed pursuant to this Agreement.

NOW, THEREFORE, in consideration of the foregoing and the mutual promises, covenants and obligations as set forth herein; THIS GOVERNING BODY and COOP ENTITY agree as follows:

1. THIS GOVERNING BODY and COOP ENTITY may cooperate in the purchase of various goods and services commonly utilized by the participants, where available and applicable, and may purchase goods and services from vendors under present and future contracts;
2. THIS GOVERNING BODY and COOP ENTITY shall each be individually responsible for payments directly to the vendor and for the vendor's compliance with all conditions of delivery and quality of purchased items under such contracts. THIS GOVERNING BODY and COOP ENTITY shall each make their respective payments from current revenues available to the paying party;
3. THIS GOVERNING BODY and COOP ENTITY shall keep each other informed of any changes to the contracts, rules, regulations or statutes which affect any purchase arrangement planned or in place between the parties.
4. The Agreement shall be in full force and effect until terminated by either party;

5. Notwithstanding anything herein to the contrary, participation in this Agreement may be terminated by either party upon thirty (30) days written notice to another participating entity;

6. The undersigned officer and/or agents of the party(ies) hereto are duly authorized officials and possess the requisite authority to execute this Agreement on behalf of the parties hereto;

7. This Agreement may be executed separately by the participating entities, each of which shall be deemed an original and all of which together shall constitute one and the same instrument.

EXECUTED this _____ day of _____, 2019.

THE CITY OF LANCASTER, TEXAS

THE CITY OF GARLAND, TEXAS



By: _____
Opal Mauldin- Jones

By: _____
Gary L. Holcomb, CPPO, C.P.M.

Title: City Manager
City of Lancaster
P.O. Box 940
Lancaster, Texas 75146

Title: Director of Procurement
City of Garland
PO Box 469002
Garland, TX 75040
972-205-2425
gholcomb@garlandtx.gov

LANCASTER CITY COUNCIL

City Council Regular Meeting

6.

Meeting Date: 02/11/2019

Policy Statement: This request supports the City Council 2018-2019 Policy Agenda

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

Submitted by: Terry Capehart, Director of Development Services

Agenda Caption:

Consider amending Chapter 6 – Building Regulations, Article 6.04 – Technical Construction Codes and Standards, Division 5 – Plumbing Code, Section 6.04.202 – exceptions and amendments being local amendments to the 2015 International Plumbing Code of the City of Lancaster Code of Ordinances.

Background:

There are currently conflicts which exist between the International Plumbing Code (IPC) of the City of Lancaster as adopted or amended and the City's adopted Technical Construction Codes and Standards (Civil Engineering) regarding the construction, inspection and maintenance of certain private utilities. In the past it has been customary to place all utilities within easements on private property such as fire mains, domestic water mains, gas lines, storm water facilities or sewer mains and as such it became the responsibility of the City of Lancaster to maintain and repair those utilities located in easements over the life of the development. In addition, when utilities are located within an easement the codes allowed general contractors or utility contractors to construct or install these facilities, whereas, services not located in an easement on private property could only be installed by a licensed plumbing contractor by code. It is standard practice for a general contractor to perform all of the civil engineering work at the beginning of a project, such as, grading and the installation of utilities. This then exposed the conflict in the codes, in that, it became unclear as to whether a general contractor was allowed to install private utilities up to within 10 feet of the buildings they would serve or a licensed plumber was required. The Texas Board of Plumbing Examiners has recommended that if the City adopted a local amendment to Ordinance Number 2017-04-08 (Chapter 6-Division 5 International Plumbing Code (IPC)) defining 'private utilities' as opposed to 'plumbing' and the associated authorizations we could continue the preactice of allowing utilities to be installed by a contractor. This practice is more developer friendly and economical.

Legal Considerations:

The City Attorney has prepared the ordinance and approved as to form.

Public Information Considerations:

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

Options/Alternatives:

1. The City Council may approve the ordinance, as presented.
2. The City Council may approve the ordinance with modifications.
3. The City Council may deny the ordinance.

Recommendation:

Staff recommends approval of the ordinance, as presented.

Attachments

Ordinance

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS, AMENDING CHAPTER 6 – BUILDING REGULATIONS, ARTICLE 6.04 – TECHNICAL CONSTRUCTION CODES AND STANDARDS, DIVISION 5 – PLUMBING CODE, SECTION 6.04.202 – EXCEPTIONS AND AMENDMENTS BEING LOCAL AMENDMENTS TO THE 2015 INTERNATIONAL PLUMBING CODE OF THE CITY OF LANCASTER CODE OF ORDINANCES AS ADOPTED OR AMENDED; ADOPTING CERTAIN LOCAL AMENDMENTS TO THE CODES AS ENUMERATED; PROVIDING FOR A PENALTY; PROVIDING FOR A SEVERABILITY CLAUSE; A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, conflicts exist between the International Plumbing Code (IPC) of the City of Lancaster as adopted or amended and the City's adopted Technical Construction Codes and Standards (Civil Engineering) regarding the construction, inspection, acceptance and maintenance of certain private utilities; and

WHEREAS, the Texas Board of Plumbing Examiners has recommended that a local amendment to the adopted plumbing codes be passed and adopted in order to resolve the conflict; and

WHEREAS, the City Council of the City of Lancaster is of the opinion and finds it is in the best interest of public health, safety and welfare to adopt certain local amendments to the International Plumbing Code.

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

SECTION 1. That the adopted Code of Ordinances of the City of Lancaster, Chapter 6: Building Regulations be amended to read as follows:

CHAPTER 6: BUILDING REGULATIONS

ARTICLE 6.04 – TECHNICAL AND CONSTRUCTION CODES AND STANDARDS

DIVISION 5 – PLUMBING CODE

SECTION 6.04.202. EXCEPTIONS AND AMENDMENTS

Amendments to the 2015 International Plumbing Code. Section 102.3 – Maintenance.

To amend Section 102.3 - Maintenance; change to read as follows:

“All plumbing and private utility systems, materials and appurtenances, both existing and new, and all parts thereof, shall be maintained in proper operating condition in accordance with the original design in a safe and sanitary condition. All devices or safeguards required by this code or required to be installed in these systems by an approved licensed and/or registered design professional shall be maintained in compliance with the code edition or approved civil engineering design plans under which they were installed. Remaining paragraphs of this section to remain unchanged.”

To amend Section 106.2 – Permits – Exempt Work; change to read as follows:

Add: “3. Private utilities being constructed or installed under approved civil engineering plans by a registered general contractor and inspected and accepted by a registered civil engineer employed or contracted by the City is exempt from obtaining a plumbing permit. However, if private utilities are not included in the approved civil engineering plans then a licensed plumber shall be required to obtain a valid permit for the installation of such utilities.”

To amend Section 107.2 Required inspections and testing; change to read as follows:

Add: “4. Private utilities being constructed or installed under approved civil engineering plans by an approved utility contractor and accepted by a registered civil engineer employed or contracted by the City is exempt from obtaining a plumbing permit.”

To amend Section 202 - Definitions; change to read as follows:

Add: “**Private Utilities.** The practice, materials and fixtures utilized in the installation, maintenance, extension and alteration of all piping, fixtures, appliances, and appurtenances associated with utility systems located on private property from a public easement or right-of-way up to within ten (10') feet of a structure to which they are designed or intended to serve. From the point at which the utilities are within ten (10') feet of the structure and carried on into the structure all such systems shall then be defined as plumbing and shall be installed, inspected and maintained in accordance with the International Plumbing Code as adopted or amended.”

SECTION 2. All ordinances or part of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

SECTION 3. That Chapter 6: Building Regulations of the City of Lancaster Code of Ordinances, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 4. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 5. Any person, firm or corporation violating any of the provisions of this ordinance or Chapter 6: Building Regulations of the City of Lancaster, Texas, as adopted or amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of Lancaster, Texas, shall be subject to a fine not to exceed the sum

of Two Thousand (\$2,000.00) dollars for each offense, and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 6. This Ordinance will take effect immediately from and after its passage and the publication of the caption, as the law and charter in such case provides.

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the 11th day of February, 2019.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

LANCASTER CITY COUNCIL

City Council Regular Meeting

7.

Meeting Date: 02/11/2019

Policy Statement: This request supports the City Council 2018-2019 Policy Agenda

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

Submitted by: Bester Munyaradzi, Senior Planner

Agenda Caption:

M18-06 Discuss and consider an ordinance abandoning rights-of-way on portions of Patman Drive, Brantley Drive and Eaton Drive located in the Daniieldale Subdivision, (and formerly underlying a slope and grading easement), to the underlying land owner, Lancaster Homes & Farms, LLC; providing for recording of a certified copy of this ordinance in the real property records of Dallas County, Texas and as a quitclaim deed.

Background:

1. **Location and Size:** The properties are dispersed within the Daniieldale Resubdivision, located on the southeast corner of Oak Farms Boulevard and I-20 Frontage Road and is approximately two (2) acres in total.
2. **Current Zoning:** The subject properties are currently zoned SF-6 Single Family Residential and Light Industrial (LI).
3. **Adjacent Properties:**
 - North: Planned Development - Southpointe Campus District, (Warehouse - Vacant)
 - South: SF-6 Single Family Residential - (Residential Lots - Vacant and Occupied)
 - East: Planned Development - Southpointe Campus District (SITCO Lumber Company - Occupied)
 - West: Planned Development (PD for Office Warehouse) #9 - Office Warehouse (Vacant Lot)
4. **Related Case History:**

Date	Body	Action
04/09/1958	P&Z	PS58-04 Approval of Residential Final Plat
01/02/2018	P&Z	Z17-11 Tabled to February 6, 2018 P&Z Meeting
02/06/2018	P&Z	Meeting Canceled
03/06/2018	P&Z	Z17-11 Recommended Approval of the Zonign Change Request
03/26/2018	CC	Z17-11 Approved the Zoning Change Request

05/14/2018	CC	M18-06 Approved abandonment of portions of Patman Drive, Criswell Street, Brantley Drive, and 3 separate portions of 15' wide alleys within the Danieldale Subdivision
11/12/2018	CC	M18-06 Approved abandonment of slope and grading easement and a portion of Eaton Avenue within the Danieldale Resubdivision.

Operational Considerations:

This is a request for an ordinance abandoning the rights-of-way on portions of Patman Drive, Brantley Drive and Eaton Drive located in the Danieldale Subdivision. The ordinance is intended to clear the confusion that was caused by the language in Ordinance No. 2018-11-49 and grant the rights-of-way located in the Danieldale Subdivision to the underlying landowner, Lancaster Homes & Farms, LLC and its successors and assigns in the interest of public health, safety and general welfare as detailed in the attached ordinance.

Legal Considerations:

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

Public Information Considerations:

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

Options/Alternatives:

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

Recommendation:

Staff recommends approval of the ordinance, as presented.

Attachments

Ordinance

Ordinance No. 2018-11-49

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS ABANDONING RIGHT-OF-WAY ON PORTIONS OF PATMAN DRIVE, BRANTLEY DRIVE, AND EATON DRIVE LOCATED IN THE DANIELDALE SUBDIVISION, (AND FORMERLY UNDERLYING A SLOPE AND GRADING EASEMENT), AND DEPICTED IN EXHIBIT "A" TO THE UNDERLYING LANDOWNER, LANCASTER HOMES & FARMS, LLC; PROVIDING FOR RECORDING OF A CERTIFIED COPY OF THIS ORDINANCE IN THE REAL PROPERTY RECORDS OF DALLAS COUNTY, TEXAS AS A QUITCLAIM DEED; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Lancaster, Texas (the "City") previously determined that certain portions of right-of-way and alleys in the Danieldale Subdivision no longer served the public interest and were of no further use to the City or the public, and abandoned those property interests to the underlying landowner, Lancaster Homes and Farms, LLC, through City Ordinance No. 2018-05-09; and

WHEREAS, at the time of the 2018-05-09 ordinance, certain remaining rights-of-way located in the Danieldale Subdivision and located on Patman Drive, Brantley Drive, and Eaton Drive were retained by the City as they were encumbered by a Slope and Grading Easement which had been granted to the adjoining landowner, PIHV South Pointe Industrial, LLC via resolution 2015-06-46 and recorded in the Deed Records of Dallas County under document number 201800054289; and

WHEREAS, the adjoining property benefited by the Slope and Grading Easement and formerly owned by PIHV South Pointe Industrial, LLC was sold to LIT Industrial Limited Partnership, (such property rights including the benefit of the Slope and Grading Easement); and

WHEREAS, LIT Industrial Limited Partnership has executed a Release of Slope and Grading Easement releasing to the City all of the rights, title and interest that LIT Industrial Limited Partnership possessed by virtue of the Slope and Grading Easement; and

WHEREAS, LIT Industrial Limited Partnership executed an October 4, 2018 letter confirming it was terminating the Slope and Grading Easement previously granted by the City and releasing the City from any obligations previously imposed by the Slope and Grading Easement; and

WHEREAS, the City passed Ordinance No. 2018-11-49, purporting to abandon the Slope and Grading Easement to LIT Industrial Limited Partnership; and

WHEREAS, the City recognizes that there may be some confusion caused by the language used in Ordinance No. 2018-11-49 and wishes to clarify that Ordinance No. 2018-11-49 was intended to reflect the City's acceptance of LIT Industrial Limited Partnership's termination and release of the Slope and Grading Easement; but was not intended to give the erroneous impression that the right-of-way underlying the Slope and Grading was abandoned to LIT Industrial Limited Partnership or any other party; and

WHEREAS, the City recognizes that the Slope and Grading Easement has been terminated and released by LIT Industrial, that retaining the remaining rights-of-way located in the Danieldale Subdivision is no longer necessary to support the Slope and Grading Easement, and has determined that the rights-of-way no longer serve a public purpose and has determined that the real property interests described in Exhibit "A" should be abandoned, released, and quit-claimed to the underlying landowner, Lancaster Homes & Farms, LLC and its successors and assigns in the interest of public health, safety, and general welfare;

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

SECTION 1. That the findings and recitals set out in the preamble to this Ordinance are found to be true and correct and hereby adopted by the City Council and made a part of hereof for all purposes.

SECTION 2. That it be clarified that the intent of the City Council in passing Ordinance No. 2018-11-49 was to: (1) recognize LIT Industrial Limited Partnership's release of the Slope and Grading Easement granted by the City to LIT Industrial Limited Partnership's predecessor-in-interest PIHV South Pointe Industrial, LLC through City Resolution No. 2015-06-46; and (2) accept and ratify the release of the Slope and Grading Easement execute by LIT Industrial Limited Partnership; and that Ordinance No. 2018-11-49 did not convey or abandon any right-of-way property underlying the Slope and Grading Easement to LIT Industrial Limited Partnership or to any other person or entity.

SECTION 3. That the City Council of the City of Lancaster, Texas finds that the portions of Patman Drive, Brantley Drive, and Eaton Avenue in the Danieldale Subdivision and identified in more detail in the Exhibit "A" attached hereto and incorporated herein, no longer serve a public purpose and the same be hereby abandoned by the City of Lancaster, Texas to the underlying landowner, Lancaster Homes & Farms, LLC.

SECTION 4. That the abandonment provided for herein shall extend only to the public right, title and interest which the City of Lancaster, Texas may have in and to the surface of said public rights-of-way, and shall be construed to extend only to such interests that the governing body of the City of Lancaster, Texas may legally and lawfully abandon.

SECTION 5. That the City Secretary is hereby directed to certify a copy of the Ordinance and cause it to be filed in the Deed Records of Dallas County, Texas and the same shall be a Quitclaim Deed in favor of the underlying property owner in accordance with applicable law.

SECTION 6. Any provisions of any prior City of Lancaster, Texas ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 7. This ordinance shall take effect immediately from and after its passage as the law and charter in such cases provide, and upon recordation in the Deed Records of Dallas County, Texas.

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the 11th Day of February, 2019.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

PROPERTY DESCRIPTION

BEING 1.7689 ACRE TRACT OF LAND SITUATED IN THE CITY OF LANCASTER, DALLAS COUNTY, TEXAS AND BEING A PORTION OF PATMAN DRIVE (50' RIGHT-OF-WAY) AS RECORDED IN VOLUME 35, PAGE 213 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS, AND BEING A PORTION OF BRANTLEY DRIVE (25' RIGHT-OF-WAY) AND BEING A PORTION OF EATON AVENUE (50' RIGHT-OF-WAY) AS RECORDED IN VOLUME 35, PAGE 213 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS, SAID 1.7689 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT FOR CORNER IN THE EAST RIGHT-OF-WAY LINE OF SAID PATMAN DRIVE, SAID POINT BEING IN THE WEST LINE OF LOT 1 IN BLOCK 2 OF SOUTHPOINTE CORPORATE CENTER REPLAT, AN ADDITION TO THE CITY OF LANCASTER, DALLAS COUNTY, TEXAS AND RECORDED IN COUNTY CLERK'S FILE NO. 201600211196 OF THE OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS;

THENCE SOUTH 01° 48' 07" EAST ALONG THE EAST RIGHT-OF-WAY LINE OF SAID PATMAN DRIVE AND THE WEST LINE OF SAID LOT 1 IN BLOCK 2 OF SOUTHPOINTE CORPORATE CENTER REPLAT FOR A DISTANCE OF 345.04 FEET TO A POINT FOR CORNER, SAID POINT BEING THE SOUTHWEST CORNER OF SAID LOT 1 IN BLOCK 2 OF SOUTHPOINTE CORPORATE CENTER REPLAT AND BEING IN THE NORTH RIGHT-OF-WAY LINE OF AFORESAID BRANTLEY DRIVE;

THENCE NORTH 89° 05' 58" EAST ALONG THE NORTH RIGHT-OF-WAY LINE OF AFORESAID BRANTLEY DRIVE AND THE SOUTH LINE OF SAID LOT 1 IN BLOCK 2 OF SOUTHPOINTE CORPORATE CENTER REPLAT FOR A DISTANCE OF 724.42 FEET TO A POINT FOR CORNER AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF AFORESAID BRANTLEY DRIVE AND THE EAST RIGHT-OF-WAY LINE OF AFORESAID EATON AVENUE;

THENCE SOUTH 00° 01' 46" EAST ALONG THE EAST RIGHT-OF-WAY LINE OF AFORESAID EATON AVENUE AND PASSING THE COMMON CORNER OF SAID LOT 1 IN BLOCK 2 AND LOT 2 IN BLOCK 2 OF SAID SOUTHPOINTE CORPORATE CENTER REPLAT ADDITION AND ALONG THE WEST LINE OF SAID LOT 2 IN BLOCK 2 OF SAID SOUTHPOINTE CORPORATE CENTER REPLAT ADDITION FOR A DISTANCE OF 833.91 FEET TO A POINT FOR CORNER, SAID POINT BEING THE NORTHWEST CORNER OF LOT 1R IN BLOCK A OF SOUTHPOINTE ADDITION, AN ADDITION TO THE CITY OF LANCASTER, DALLAS COUNTY, TEXAS AND RECORDED IN COUNTY CLERK'S FILE NO. 201700089779 OF THE OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS;

THENCE SOUTH 88° 58' 03" WEST AND LEAVING THE EAST RIGHT-OF-WAY LINE OF AFORESAID EATON AVENUE AND ACROSS AFORESAID EATON AVENUE FOR A DISTANCE OF 50.01 FEET TO A POINT FOR CORNER IN THE WEST RIGHT-OF-WAY LINE OF AFORESAID EATON AVENUE, SAID POINT BEING IN THE EAST LINE OF LOT 19 IN BLOCK C OF DANIELDALE RESUBDIVISION, AN ADDITION TO THE CITY OF LANCASTER, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 35, PAGE 213 OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS;



BLUE SKY SURVEYING
& MAPPING, CORPORATION
11015 MIDWAY ROAD
DALLAS, TEXAS 75229
PHONE: (214) 358-4500
FAX: (214) 358-4600
DRPETREE@BLUESKYSURVEYING.COM
TBPLS REGISTRATION No. 10105700

ABANDONMENT EXHIBIT 2.1

A PORTION OF EATON AVENUE, A PORTION OF
PATMAN DRIVE, AND A PORTION OF BRANTLEY DRIVE,
1.7689 ACRE PARCEL

DANIELDALE RESUBDIVISION
CITY OF LANCASTER, DALLAS COUNTY, TEXAS

DATE: DECEMBER 28, 2018

Lancaster\H20\H35sec\Exhibits\Abandonments

THENCE NORTH 00° 01' 45" WEST ALONG THE WEST RIGHT-OF-WAY LINE OF AFORESAID EATON AVENUE AND THE EAST LINE OF LOTS 19 THROUGH 30 IN BLOCK C OF SAID DANIELDALE RESUBDIVISION FOR A DISTANCE OF 809.03 FEET TO A POINT FOR CORNER AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF AFORESAID EATON AVENUE AND THE SOUTH RIGHT-OF-WAY LINE OF AFORESAID BRANTLEY DRIVE, SAID POINT BEING THE NORTHEAST CORNER OF SAID LOT 30;

THENCE SOUTH 89° 05' 58" WEST ALONG THE SOUTH RIGHT-OF-WAY LINE OF AFORESAID BRANTLEY DRIVE AND THE NORTH LINE OF LOT 30, 15 ALLEY AND LOT 1 IN BLOCK C OF SAID DANIELDALE RESUBDIVISION AND ALONG THE NORTH RIGHT-OF-WAY LINE OF CRISWELL STREET (50' RIGHT-OF-WAY) AS RECORDED IN VOLUME 35, PAGE 213 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS AND ALONG THE NORTH LINE OF LOT 30, 15' ALLEY AND LOT 1 IN BLOCK B OF SAID DANIELDALE RESUBDIVISION, AND PASSING THE EAST RIGHT-OF-WAY LINE OF AFORESAID PATMAN DRIVE AND ACROSS AFORESAID PATMAN DRIVE FOR A DISTANCE OF 723.65 FEET TO A POINT FOR CORNER IN THE WEST RIGHT-OF-WAY LINE OF AFORESAID PATMAN DRIVE, SAID POINT BEING IN THE EAST LINE OF LOT 35 IN BLOCK A OF SAID DANIELDALE RESUBDIVISION;

THENCE NORTH 01° 48' 07" WEST ALONG THE WEST RIGHT-OF-WAY LINE OF AFORESAID PATMAN DRIVE AND THE EAST LINE OF LOTS 35 THROUGH 40 IN BLOCK A OF SAID DANIELDALE RESUBDIVISION FOR A DISTANCE OF 370.20 FEET TO A POINT FOR CORNER AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF AFORESAID PATMAN DRIVE AND THE NORTH RIGHT-OF-WAY LINE OF AFORESAID BRANTLEY DRIVE;

THENCE NORTH 89° 17' 04" EAST ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID PATMAN DRIVE FOR A DISTANCE OF 50.01 FEET TO THE **POINT OF BEGINNING AND CONTAINING 1.7689 ACRES OF LAND, MORE OR LESS.**

(THE BASIS OF BEARINGS IS PER PLAT, RECORDED IN COUNTY CLERK'S FILE NUMBER 201600211196, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS)



David Petree

DAVID PETREE
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 1890



BLUE SKY SURVEYING
& MAPPING, CORPORATION
11015 MIDWAY ROAD
DALLAS, TEXAS 75229
PHONE: (214) 358-4500
FAX: (214) 358-4600
DRPETREE@BLUESKYSURVEYING.COM
TBPLS REGISTRATION No. 10105700

ABANDONMENT EXHIBIT 2.1

A PORTION OF EATON AVENUE, A PORTION OF
PATMAN DRIVE, AND A PORTION OF BRANTLEY DRIVE,
1.7689 ACRE PARCEL

DANIELDALE RESUBDIVISION
CITY OF LANCASTER, DALLAS COUNTY, TEXAS

DATE: DECEMBER 28, 2018

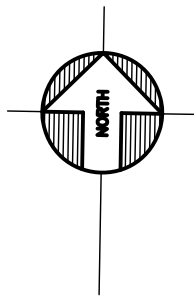
Lancaster\H20\H35sec\Exhibts\Abandonments

TO STATE OF TEXAS
VOLUME 67212, PAGE 1089 DRDCT

INTERSTATE HIGHWAY 20
(VARIABLE WIDTH RIGHT-OF-WAY)
TO STATE OF TEXAS
VOLUME 67053, PAGE 287 DRDCT

~ LINE TABLE ~

NO.	BEARING	DISTANCE
L1	S01°48'07"E	345.04'
L2	N89°05'58"E	724.42'
L3	S00°01'46"E	833.91'
L4	S88°58'03"W	50.01'
L5	N00°01'45"W	809.03'
L6	S89°05'58"W	723.65'
L7	N01°48'07"W	370.20'
L8	N89°17'04"E	50.01'



LOT 1, BLOCK A
INTERSTATE
COMMERCE CENTER
CCF#201400175708
O.P.R.D.C.T.

(34.29 AC.)
INDUSTRIAL DEVELOPMENT
INST. NO. 20080213747
O.P.R.D.C.T.

OAK FARMS BLVD
50' R.O.W. VOL. 3791, PG. 20

LOT 4, BLOCK B
F.M. WATERS SUBD.
VOL. 13., PG. 145
M.R.D.C.T.

(4.997 AC.)
SPRING DREAM
INVESTORS LLC
CCF#201500139155
O.P.R.D.C.T.

GREAT LAKES LLC
CCF#20140019674
O.P.R.D.C.T.

LOT 1, BLOCK 1
SCOTT ADDITION
CCF#201200133965
O.P.R.D.C.T.

1 2 3 4 5 6 7
H.W. FERRELL ADDITION
VOL. 42, PAGE 171
M.R.D.C.T.
LOT 8
HAROLD R. WOMACK
VOL. 95087, PG. 1654
D.R.D.C.T.

TOMMY & DOROTHY SAMPLES
CCF# 20170137091
D.R.D.C.T.

3146 SPRINGFIELD
HOLDINGS, LLC
CCF#201400134133
O.P.R.D.C.T.



LOT 2, BLOCK 2
SOUTHPOINTE
CORPORATE
CENTER REPLAT
CCF#201600211196
O.P.R.D.C.T.
(12.92 AC.)
PIHV SOUTH POINTE
INDUSTRIAL, LLC
INST. NO. 201400276100
O.P.R.D.C.T.

LOT 1R, BLOCK A
SOUTHPOINTE ADDITION
CCF#201700089779
O.P.R.D.C.T.

2935 DANIELDALE RD HOLDINGS LLC
CCF#201500119206
OPRDCT

LEGEND
POB - POINT OF BEGINNING

MAP PREPARED
DATE: MARCH 28, 2018
FROM SURVEYS.

BY:

David Petree

DAVID PETREE
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 1890



GRAPHIC SCALE: 1"=300'



BLUE SKY SURVEYING
& MAPPING, CORPORATION
11015 MIDWAY ROAD
DALLAS, TEXAS 75229
PHONE: (214) 358-4500
FAX: (214) 358-4600
DRPETREE@BLUESKYSURVEYING.COM
TBPLS REGISTRATION No. 10105700

ABANDONMENT EXHIBIT 2.1
A PORTION OF EATON AVENUE, A PORTION OF
PATMAN DRIVE, AND A PORTION OF BRANTLEY DRIVE,
1.7689 ACRE PARCEL
DANIELDALE RESUBDIVISION
CITY OF LANCASTER, DALLAS COUNTY, TEXAS

DATE: DECEMBER 28, 2018

Lancaster\H20IH35sec\Exhibits\Abandonments

PROPERTY DESCRIPTION

BEING A 0.2871 ACRE TRACT OF LAND SITUATED IN THE CITY OF LANCASTER, DALLAS COUNTY, TEXAS AND BEING A PORTION OF EATON AVENUE (50' RIGHT-OF-WAY), SAID 0.2582 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT FOR CORNER ON THE EAST LINE OF SAID EATON AVENUE, AND AT THE NORTHWEST CORNER OF LOT 1R IN BLOCK A, OF SOUTHPONTE ADDITION, AN ADDITION TO THE CITY OF LANCASTER, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN COUNTY CLERK'S FILE NUMBER 201700089779, OF THE OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS, SAID POINT BEING THE SOUTHWEST CORNER OF LOT 2 IN BLOCK 2 OF SOUTHPONTE CORPORATE CENTER REPLAT, AND ADDITION TO THE CITY OF LANCASTER, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN COUNTY CLERK'S FILE NUMBER 201600211196 OF THE OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS;

THENCE SOUTH 00° 01' 45" EAST AND ALONG THE EAST LINE OF SAID EATON AVENUE FOR A DISTANCE OF 250.05 FEET TO A POINT FOR CORNER AT THE INTERSECTION OF THE WEST LINE OF SAID EATON STREET AND THE NORTH LINE OF WEST SPRINGFIELD AVENUE;

THENCE SOUTH 88° 53' 07" WEST AND ALONG THE NORTH LINE OF SAID WEST SPRINGFIELD AVENUE FOR A DISTANCE OF 50.01 FEET TO A POINT FOR CORNER AT THE SOUTHEAST CORNER OF LOT 16 IN BLOCK C OF DANIELDALE RESUBDIVISION, AN ADDITION TO THE CITY OF LANCASTER ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 35, PAGE 213 OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS;

THENCE NORTH 00° 01' 45" WEST AND ALONG THE WEST LINE OF SAID EATON AVENUE FOR A DISTANCE OF 250.12 FEET TO A POINT FOR CORNER;

THENCE NORTH 88° 58' 03" EAST ACROSS SAID EATON AVENUE FOR A DISTANCE OF 50.01 FEET TO THE **POINT OF BEGINNING AND CONTAINING 0.2871 ACRES, MORE OR LESS.**

(THE BASIS OF BEARINGS IS PER PLAT, RECORDED IN COUNTY CLERK'S FILE NUMBER 201600211196, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS)



David Petree

DAVID PETREE
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 1890



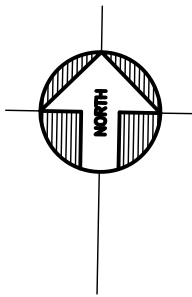
BLUE SKY SURVEYING
& MAPPING, CORPORATION
11015 MIDWAY ROAD
DALLAS, TEXAS 75229
PHONE: (214) 358-4500
FAX: (214) 358-4600
DRPETREE@BLUESKYSURVEYING.COM
TBPLS REGISTRATION No. 10105700

ABANDONMENT EXHIBIT 1.3
PORTION OF EATON AVE., 0.2871 ACRE PARCEL
DANIELDALE RESUBDIVISION
CITY OF LANCASTER, DALLAS COUNTY, TEXAS

DATE: APRIL 10, 2018
SCALE: 1"=300'

Lancaster\H201H35sec\Exhibts\Abandonments

TO STATE OF TEXAS
VOLUME 67212, PAGE 1089 DRDCT



10' SANITARY SEWER ESMT.
VOL. 83204, PG. 1451

LOT 1, BLOCK A
INTERSTATE
COMMERCE CENTER
CCF#201400175708
O.P.R.D.C.T.

(34.29 AC.)
INDUSTRIAL DEVELOPMENT
INST. NO. 20080213747
O.P.R.D.C.T.

OAK FARMS
BOULEVARD

JMJ DIRECTION
OUTDOOR LLC
CCF#201100228492
O.P.R.D.C.T.

BRANTLEY DRIVE
(25' R.O.W.)

INTERSTATE HIGHWAY 20
(VARIABLE WIDTH RIGHT-OF-WAY)
TO STATE OF TEXAS
VOLUME 67053, PAGE 287 DRDCT

LOT 1, BLOCK 2
SOUTHPOINTE CORPORATE
CENTER REPLAT
CCF#201600211196
O.P.R.D.C.T.

~ LINE TABLE ~

NO.	BEARING	DISTANCE
L19	S00°01'45"E	250.05'
L20	S88°53'07"W	50.01'
L21	N00°01'45"W	250.12'
L22	N88°58'03"E	50.01'

(11.44 AC.)
PIHV SOUTH POINTE
INDUSTRIAL, LLC
INST. NO. 201400276100
O.P.R.D.C.T.

LOT 2, BLOCK 1
SOUTHPOINTE
CORPORATE CENTER
INST#201300251920
O.P.R.D.C.T.

BRANTLEY DRIVE (25' R.O.W.)

(BASIS OF BEARING PER PLAT, RECORDED
CCF#201600211196 OPRDCT)

SLOPE & GRADING ESMT.
INST. NO. 201800054289

LOT 2,
BLOCK 2
SOUTHPOINTE
CORPORATE
CENTER REPLAT
CCF#201600211196
O.P.R.D.C.T.

(12.92 AC.)
PIHV SOUTH POINTE
INDUSTRIAL, LLC
INST. NO. 201400276100
O.P.R.D.C.T.

EATON AVENUE 50' R.O.W.
VOL. 35, PAGE 213

**0.2871 AC
ABANDONMENT**

LOT 1R, BLOCK A
SOUTHPOINTE ADDITION
CCF#201700089779
O.P.R.D.C.T.

2935 DANIELDALE RD HOLDINGS LLC
CCF#201500119206
OPRDCT

WEST SPRINGFIELD AVENUE
VOL. 35, PG. 213 M.R.D.C.T.

LOT 4, BLOCK B
F.M. WATERS SUBD.
VOL. 13, PG. 145
M.R.D.C.T.

(4.997 AC.)
SPRING DREAM
INVESTORS LLC
CCF#201500139155
O.P.R.D.C.T.

GREATL DALLAS LLC
CCF#20140019674
O.P.R.D.C.T.

LOT 1, BLOCK 1
SCOTT ADDITION
CCF#201200133965
O.P.R.D.C.T.

1 2 3 4 5 6 7
H.W. FERRELL ADDITION
VOL. 42, PAGE 171
M.R.D.C.T.

HAROLD. R. WOMACK
VOL. 95087, PG. 1654
D.R.D.C.T.

TOMMY & DOROTHY SAMPLES
CCF# 20170137091
D.R.D.C.T.

3146 SPRINGFIELD
HOLDINGS, LLC
CCF#201400134133
O.P.R.D.C.T.

CASTANEDA RUBEN
& RENTERIA MARIA
CCF#201500123731
O.P.R.D.C.T.

DONALDSON HECTOR LEONEL
& CASTILLO ROSA ISABEL
CCF#201600006726

CLYDE T. JOHNSON
PROBATE 84-4534-P2

NEXTLOTS NOW, LLC
CCF#2017000217553
O.P.R.D.C.T.

LEGEND
POB - POINT OF BEGINNING

MAP PREPARED
DATE: MARCH 28, 2018
FROM SURVEYS.

BY:

David Petree

DAVID PETREE
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 1890



GRAPHIC SCALE: 1"=300'



BLUE SKY SURVEYING
& MAPPING, CORPORATION
11015 MIDWAY ROAD
DALLAS, TEXAS 75229
PHONE: (214) 358-4500
FAX: (214) 358-4600
DRPETREE@BLUESKYSURVEYING.COM
TBPLS REGISTRATION No. 10105700



ABANDONMENT EXHIBIT 1.3
PORTION OF EATON AVE., 0.2871 ACRE PARCEL
DANIELDALE RESUBDIVISION
CITY OF LANCASTER, DALLAS COUNTY, TEXAS

DATE: APRIL 10, 2018
SCALE: 1"=300'

Lancaster\H20\H35\sec\Exhibts\Abandonments



CERTIFICATE OF CITY SECRETARY

STATE OF TEXAS
COUNTY OF DALLAS
CITY OF LANCASTER

I, the undersigned, Sorangel O. Arenas, City Secretary of the City of Lancaster, Texas, a municipal corporation, in the performance of the functions of my office, hereby certify that the attached Ordinance Number 2018-11-49 is a full, true, and correct copy of the ordinance as adopted by the City Council of the City of Lancaster, Texas on November 12, 2018.

WITNESS MY HAND AND SEAL OF OFFICE in Lancaster, Dallas County, Texas, this 13th day of November, 2018, A. D.

A handwritten signature in black ink, appearing to read 'Sorangel O. Arenas', written over a horizontal line.

Sorangel O. Arenas,
City Secretary
City of Lancaster, Texas



Seal

ORDINANCE NO. 2018-11-49

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, ABANDONING THE SLOPE AND GRADING EASEMENT AND A PORTION OF EATON AVENUE WITHIN THE DANIELDALE SUBDIVISION AS DEPICTED IN EXHIBIT "A"; PROVIDING FOR RECORDING OF A CERTIFIED COPY OF THIS ORDINANCE IN THE REAL PROPERTY RECORDS OF DALLAS COUNTY, TEXAS AS A DEED; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Lancaster, Texas, has determined that the Slope and Grading Easement and portion of Eaton Avenue described and depicted in Exhibit "A" no longer serve a public purpose and are of no use to the City of Lancaster; and

WHEREAS, the City Council has determined that the real property interests described in Exhibit "A" should be abandoned, released and quit-claimed to the Grantee LIT INDUSTRIAL LIMITED PARTNERSHIP (LIT), and its successors and assigns in the interest of the public health, safety, and general welfare; and

WHEREAS, Grantee has executed a release of liability in favor of the City and accounts the release "As-Is", attached as Exhibit "B";

WHEREAS, the City Council has determined that a certified copy of this ordinance should be provided for recording in the real property records of Dallas County Texas as a deed.

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

SECTION 1. That the City Council finds that the Slope and Grading Easement and a portion of Eaton Avenue as described and depicted in Exhibit "A", (which is attached hereto and incorporated herein by reference), no longer serve a public purpose and the same be hereby abandoned by the City of Lancaster.

SECTION 2. The City Secretary is hereby directed to certify a copy of the Ordinance and cause to be recorded in the Deed Records of Dallas County, Texas and the same shall be a Quitclaim Deed in favor of the underlying property owner in accordance with law.


SECTION 3. That the abandonment provided for herein shall extend only to the public right, title and interest which the City of Lancaster, Texas, may have in and to the surface of said strips of publicly owned land, and shall be construed to extend only to such interests that the governing body of the City of Lancaster, Texas, may legally and lawfully abandon.

SECTION 4. That the Mayor is hereby authorized to execute and deliver a quitclaim deed on a form approved by the City Attorney.

SECTION 5. That this ordinance shall take effect immediately from and after its passage as the law and charter in such cases provide, and upon recording in the deed records of Dallas County.


DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the 12th day of November, 2018.

ATTEST:




Sorangel O. Arenas, City Secretary

APPROVED:



Clyde C. Hairston, Mayor

APPROVED AS TO FORM:



David T. Ritter, City Attorney

PROPERTY DESCRIPTION

BEING 1.7689 ACRE TRACT OF LAND SITUATED IN THE CITY OF LANCASTER, DALLAS COUNTY, TEXAS AND BEING A PORTION OF PATMAN DRIVE (50' RIGHT-OF-WAY) AS RECORDED IN VOLUME 35, PAGE 213 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS, AND BEING A PORTION OF BRANTLEY DRIVE (25' RIGHT-OF-WAY) AND BEING A PORTION OF EATON AVENUE (50' RIGHT-OF-WAY) AS RECORDED IN VOLUME 35, PAGE 213 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS, SAID 1.7689 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT FOR CORNER IN THE EAST RIGHT-OF-WAY LINE OF SAID PATMAN DRIVE, SAID POINT BEING IN THE WEST LINE OF LOT 1 IN BLOCK 2 OF SOUTHPONTE CORPORATE CENTER REPLAT, AN ADDITION TO THE CITY OF LANCASTER, DALLAS COUNTY, TEXAS AND RECORDED IN COUNTY CLERK'S FILE NO. 201600211196 OF THE OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS;

THENCE SOUTH 01° 48' 07" EAST ALONG THE EAST RIGHT-OF-WAY LINE OF SAID PATMAN DRIVE AND THE WEST LINE OF SAID LOT 1 IN BLOCK 2 OF SOUTHPONTE CORPORATE CENTER REPLAT FOR A DISTANCE OF 345.04 FEET TO A POINT FOR CORNER, SAID POINT BEING THE SOUTHWEST CORNER OF SAID LOT 1 IN BLOCK 2 OF SOUTHPONTE CORPORATE CENTER REPLAT AND BEING IN THE NORTH RIGHT-OF-WAY LINE OF AFORESAID BRANTLEY DRIVE;

THENCE NORTH 89° 05' 58" EAST ALONG THE NORTH RIGHT-OF-WAY LINE OF AFORESAID BRANTLEY DRIVE AND THE SOUTH LINE OF SAID LOT 1 IN BLOCK 2 OF SOUTHPONTE CORPORATE CENTER REPLAT FOR A DISTANCE OF 724.42 FEET TO A POINT FOR CORNER AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF AFORESAID BRANTLEY DRIVE AND THE EAST RIGHT-OF-WAY LINE OF AFORESAID EATON AVENUE;

THENCE SOUTH 00° 01' 46" EAST ALONG THE EAST RIGHT-OF-WAY LINE OF AFORESAID EATON AVENUE AND PASSING THE COMMON CORNER OF SAID LOT 1 IN BLOCK 2 AND LOT 2 IN BLOCK 2 OF SAID SOUTHPONTE CORPORATE CENTER REPLAT ADDITION AND ALONG THE WEST LINE OF SAID LOT 2 IN BLOCK 2 OF SAID SOUTHPONTE CORPORATE CENTER REPLAT ADDITION FOR A DISTANCE OF 833.91 FEET TO A POINT FOR CORNER, SAID POINT BEING THE NORTHWEST CORNER OF LOT 1R IN BLOCK A OF SOUTHPONTE ADDITION, AN ADDITION TO THE CITY OF LANCASTER, DALLAS COUNTY, TEXAS AND RECORDED IN COUNTY CLERK'S FILE NO. 201700089779 OF THE OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS;

THENCE SOUTH 88° 58' 03" WEST AND LEAVING THE EAST RIGHT-OF-WAY LINE OF AFORESAID EATON AVENUE AND ACROSS AFORESAID EATON AVENUE FOR A DISTANCE OF 50.01 FEET TO A POINT FOR CORNER IN THE WEST RIGHT-OF-WAY LINE OF AFORESAID EATON AVENUE, SAID POINT BEING IN THE EAST LINE OF LOT 19 IN BLOCK C OF DANIELDALE RESUBDIVISION, AN ADDITION TO THE CITY OF LANCASTER, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 35, PAGE 213 OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS;



BLUE SKY SURVEYING
& MAPPING, CORPORATION
11015 MIDWAY ROAD
DALLAS, TEXAS 75229
PHONE: (214) 358-4500
FAX: (214) 358-4600
DRPETREE@BLUESKYSURVEYING.COM
TBPLS REGISTRATION No. 10105700

ABANDONMENT EXHIBIT 2.1
SLOPE EASEMENT, 1.7689 ACRE PARCEL
DANIELDALE RESUBDIVISION
CITY OF LANCASTER, DALLAS COUNTY, TEXAS

DATE: APRIL 10, 2018
SCALE: 1"=300'

Lancaster\H201H35sec\Exhibts\Abandonments

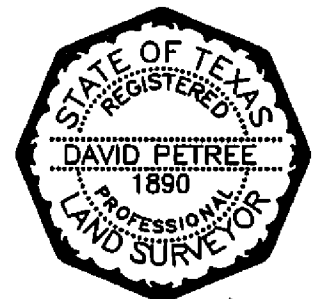
THENCE NORTH 00° 01' 45" WEST ALONG THE WEST RIGHT-OF-WAY LINE OF AFORESAID EATON AVENUE AND THE EAST LINE OF LOTS 19 THROUGH 30 IN BLOCK C OF SAID DANIELDALE RESUBDIVISION FOR A DISTANCE OF 809.03 FEET TO A POINT FOR CORNER AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF AFORESAID EATON AVENUE AND THE SOUTH RIGHT-OF-WAY LINE OF AFORESAID BRANTLEY DRIVE, SAID POINT BEING THE NORTHEAST CORNER OF SAID LOT 30;

THENCE SOUTH 89° 05' 58" WEST ALONG THE SOUTH RIGHT-OF-WAY LINE OF AFORESAID BRANTLEY DRIVE AND THE NORTH LINE OF LOT 30, 15 ALLEY AND LOT 1 IN BLOCK C OF SAID DANIELDALE RESUBDIVISION AND ALONG THE NORTH RIGHT-OF-WAY LINE OF CRISWELL STREET (50' RIGHT-OF-WAY) AS RECORDED IN VOLUME 35, PAGE 213 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS AND ALONG THE NORTH LINE OF LOT 30, 15' ALLEY AND LOT 1 IN BLOCK B OF SAID DANIELDALE RESUBDIVISION, AND PASSING THE EAST RIGHT-OF-WAY LINE OF AFORESAID PATMAN DRIVE AND ACROSS AFORESAID PATMAN DRIVE FOR A DISTANCE OF 723.65 FEET TO A POINT FOR CORNER IN THE WEST RIGHT-OF-WAY LINE OF AFORESAID PATMAN DRIVE, SAID POINT BEING IN THE EAST LINE OF LOT 35 IN BLOCK A OF SAID DANIELDALE RESUBDIVISION;

THENCE NORTH 01° 48' 07" WEST ALONG THE WEST RIGHT-OF-WAY LINE OF AFORESAID PATMAN DRIVE AND THE EAST LINE OF LOTS 35 THROUGH 40 IN BLOCK A OF SAID DANIELDALE RESUBDIVISION FOR A DISTANCE OF 370.20 FEET TO A POINT FOR CORNER AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF AFORESAID PATMAN DRIVE AND THE NORTH RIGHT-OF-WAY LINE OF AFORESAID BRANTLEY DRIVE;

THENCE NORTH 89° 17' 04" EAST ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID PATMAN DRIVE FOR A DISTANCE OF 50.01 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.7689 ACRES OF LAND, MORE OR LESS.

(THE BASIS OF BEARINGS IS PER PLAT, RECORDED IN COUNTY CLERK'S FILE NUMBER 201600211196, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS)



David Petree

DAVID PETREE
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 1890



BLUE SKY SURVEYING
& MAPPING, CORPORATION
11015 MIDWAY ROAD
DALLAS, TEXAS 75229
PHONE: (214) 358-4500
FAX: (214) 358-4600
DRPETREE@BLUESKYSURVEYING.COM
TBPLS REGISTRATION No. 10105700

ABANDONMENT EXHIBIT 2.1
SLOPE EASEMENT, 1.7689 ACRE PARCEL
DANIELDALE RESUBDIVISION
CITY OF LANCASTER, DALLAS COUNTY, TEXAS

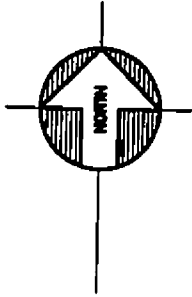
DATE: APRIL 10, 2018
SCALE: 1"=300'

Lancaster\H20\H35sec\Exhibits\Abandonments

INTERSTATE HIGHWAY 20
 VARIABLE WIDTH R.O.W. (T-O-F-WAY)
 TO STATE OF TEXAS
 LUME 87053, PAGE 287 DRDCT

~ LINE TABLE ~

NO.	BEARING	DISTANCE
L1	S01°48'07"E	345.04'
L2	N89°05'58"E	724.42'
L3	S00°01'46"E	833.91'
L4	S88°58'03"W	50.01'
L5	N00°01'45"W	809.03'
L6	S89°05'58"W	723.65'
L7	N01°48'07"W	370.20'
L8	N89°17'04"E	50.01'



LOT 1, BLOCK A
 INTERSTATE
 COMMERCE CENTER
 CCF#201400175708
 O.P.R.D.C.T.

(34.29 AC.)
 INDUSTRIAL DEVELOPMENT
 INST. NO. 20080213747
 O.P.R.D.C.T.

OAK FARMS BLVD.
 50' R.O.W. VOL. 3791, PG. 20

LOT 1, BLOCK 2
 SOUTH POINTE CORP. ORA
 CENTER REPLAT
 CCF#201600211196
 O.P.R.D.C.T.

SLOPE & GRADING ESMT
 INST. NO. 201800054289

(BASIS OF BEARING PER PLAT, RECORDED
 CCF#201600211196 OPRDCT)

BRANTLEY DRIVE
 (25' R.O.W.)

1.7689 AC
 ABANDONMENT

LOT 2
 BLOCK 1

LOT 2,
 BLOCK 2
 SOUTH POINTE
 CORPORATE
 CENTER REPLAT
 CCF#201600211196
 O.P.R.D.C.T.
 (12.92 AC)
 PMV SOUTH POINTE
 INDUSTRIAL, LLC
 INST. NO. 201400276100
 O.P.R.D.C.T.

EATON AVENUE 50' R.O.W.
 VOL. 35, PAGE 213

LOT 1A, BLOCK A
 SOUTH POINTE ADDITION
 CCF#201700089779
 O.P.R.D.C.T.

2935 DANIELDALE RD HOLDINGS LLC
 CCF#201500119206
 OPRDCT

LOT 4, BLOCK B
 F.W. WATERS SUBD.
 VOL. 13, PG. 145
 M.R.D.C.T.

(4.997 AC.)
 SPRING DREAM
 INVESTORS LLC
 CCF#201500139155
 O.P.R.D.C.T.

CREAT DALLAS LLC
 CCF#20140019674
 O.P.R.D.C.T.

LOT 1, BLOCK 1
 SCOTT ADDITION
 CCF#201200133965
 O.P.R.D.C.T.

1 2 3 4 5 6 7
 H.W. FERRELL ADDITION
 VOL. 42, PAGE 1711
 M.R.D.C.T.

HAROLD R. WOMACK
 VOL. 95087, PG. 1654
 D.R.D.C.T.

TOMMY & DOROTHY SAMPLES
 CCF# 20170137091
 O.R.D.C.T.

3146 SPRINGFIELD
 HOLDINGS, LLC
 CCF#201400134133
 O.P.R.D.C.T.

CARMENIA RUBEN
 & FORTUNA MARRA
 CCF#201200127731
 O.P.R.D.C.T.

MONIQUE NECTON LEONEL
 & ORFELIA RIVERA RAMOS
 CCF#20180008778

CLARE E. JOHNSON
 PROBATE 94-4334-72

DEVILDOPE HOLD, LLC
 CCF#2017002017563
 O.P.R.D.C.T.

LEGEND
 POB - POINT OF BEGINNING

MAP PREPARED
 DATE: MARCH 28, 2018
 FROM SURVEYS.

BY:

David Petree

DAVID PETREE
 REGISTERED PROFESSIONAL
 LAND SURVEYOR NO. 1890



GRAPHIC SCALE: 1"=300'



BLUE SKY SURVEYING
 & MAPPING, CORPORATION
 11015 MIDWAY ROAD
 DALLAS, TEXAS 75229
 PHONE: (214) 358-4500
 FAX: (214) 358-4600
 DRPETREE@BLUESKYSURVEYING.COM
 TBPLS REGISTRATION No. 10105700



ABANDONMENT EXHIBIT 2.1
 SLOPE EASEMENT, 1.7689 ACRE PARCEL
 DANIELDALE RESUBDIVISION
 CITY OF LANCASTER, DALLAS COUNTY, TEXAS

DATE: APRIL 10, 2018
 SCALE: 1"=300'

Lancaster\H20IH35sec\Exhibits\Abandonments

PROPERTY DESCRIPTION

BEING A 0.2871 ACRE TRACT OF LAND SITUATED IN THE CITY OF LANCASTER, DALLAS COUNTY, TEXAS AND BEING A PORTION OF EATON AVENUE (50' RIGHT-OF-WAY), SAID 0.2582 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT FOR CORNER ON THE EAST LINE OF SAID EATON AVENUE, AND AT THE NORTHWEST CORNER OF LOT 1R IN BLOCK A, OF SOUTHPONTE ADDITION, AN ADDITION TO THE CITY OF LANCASTER, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN COUNTY CLERK'S FILE NUMBER 201700089779, OF THE OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS, SAID POINT BEING THE SOUTHWEST CORNER OF LOT 2 IN BLOCK 2 OF SOUTHPONTE CORPORATE CENTER REPLAT, AND ADDITION TO THE CITY OF LANCASTER, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN COUNTY CLERK'S FILE NUMBER 201600211196 OF THE OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS;

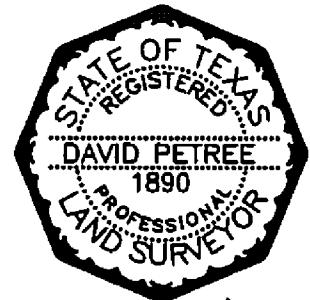
THENCE SOUTH 00° 01' 45" EAST AND ALONG THE EAST LINE OF SAID EATON AVENUE FOR A DISTANCE OF 250.05 FEET TO A POINT FOR CORNER AT THE INTERSECTION OF THE WEST LINE OF SAID EATON STREET AND THE NORTH LINE OF WEST SPRINGFIELD AVENUE;

THENCE SOUTH 88° 53' 07" WEST AND ALONG THE NORTH LINE OF SAID WEST SPRINGFIELD AVENUE FOR A DISTANCE OF 50.01 FEET TO A POINT FOR CORNER AT THE SOUTHEAST CORNER OF LOT 16 IN BLOCK C OF DANIELDALE RESUBDIVISION, AN ADDITION TO THE CITY OF LANCASTER ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 35, PAGE 213 OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS;

THENCE NORTH 00° 01' 45" WEST AND ALONG THE WEST LINE OF SAID EATON AVENUE FOR A DISTANCE OF 250.12 FEET TO A POINT FOR CORNER;

THENCE NORTH 88° 58' 03" EAST ACROSS SAID EATON AVENUE FOR A DISTANCE OF 50.01 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.2871 ACRES, MORE OR LESS.

(THE BASIS OF BEARINGS IS PER PLAT, RECORDED IN COUNTY CLERK'S FILE NUMBER 201600211196, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS)



David Petree

DAVID PETREE
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 1890



BLUE SKY SURVEYING
& MAPPING, CORPORATION
11015 MIDWAY ROAD
DALLAS, TEXAS 75229
PHONE: (214) 358-4500
FAX: (214) 358-4600
DRIPETREE@BLUESKYSURVEYING.COM
TBPLS REGISTRATION No. 10105700

ABANDONMENT EXHIBIT 1.3
PORTION OF EATON AVE., 0.2871 ACRE PARCEL
DANIELDALE RESUBDIVISION
CITY OF LANCASTER, DALLAS COUNTY, TEXAS

DATE: APRIL 10, 2018
SCALE: 1"=300'

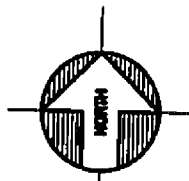
Lancaster\H20\H35sec\Exhibits\Abandonments

TO STATE OF TEXAS
VOLUME 67212, PAGE 17-9 JPRCT

INTERSTATE HIGHWAY 20
(VARIABLE WIDTH RIGHT-OF-WAY)
TO STATE OF TEXAS
VOLUME 67212, PAGE 17-9 JPRCT

~ LINE TABLE ~

NO.	BEARING	DISTANCE
L19	S00°01'45"E	250.05'
L20	S88°53'07"W	50.01'
L21	N00°01'45"W	250.12'
L22	N88°58'03"E	50.01'



DAY FARM
BOX 1000

JM. DIRECTION
OUTDOOR LLC
CF#201107228492
O.P.R.D.C.T.

FRANTLEY DRIVE
(25' R.O.W.)

LOT 1, BLOCK 2
SOUTHPOINTE CORPORATE
CENTER REPLAT
CCF#201600211196
O.P.R.D.C.T.

(11.44 AC.)
PIV SOUTH POINT
INDUSTRIAL, LLC
INST. NO. 201400276100
O.P.R.D.C.T.

LOT 2, BLOCK 1
SOUTHPOINTE
CORPORATE CENTER
INST#201300251920
O.P.R.D.C.T.

10. SANITARY SOWER E&M
VOL. 83204, PG. 14-1

LOT 1, BLOCK A
INTERSTATE
COMMERCE CENTER
CCF#201400175708
O.P.R.D.C.T.

(34.29 AC.)
INDUSTRIAL DEVELOPMENT
INST. NO. 20180213747
O.P.R.D.C.T.

SLOPE & GRADING E&M
INST. NO. 20180044289

FRANTLEY DRIVE (25' R.O.W.)

(BASED ON BEARINGS PER PLAT, RECORDED
CCF#201600211196 O.P.R.D.C.T.)

SLOPE & GRADING E&M
INST. NO. 20180044289

LOT 2, BLOCK 2
SOUTHPOINTE
CORPORATE CENTER REPLAT
CCF#201600211196
O.P.R.D.C.T.

(12.92 AC.)
PIV SOUTH POINT
INDUSTRIAL, LLC
INST. NO. 201400276100
O.P.R.D.C.T.

EATON AVENUE 50' R.O.W.
VOL. 35, PAGE 213

POB

0.2871 AC
ABANDONMENT

LOT 1R, BLOCK A
SOUTHPOINTE ACQUISITION
CCF#201700081779
O.P.R.D.C.T.

29.5 DANIELDALE RD HOLDINGS, LLC
CCF#201500119296
O.P.R.D.C.T.

LOT 4, BLOCK B
F.W. WATERS SH&BG
VOL. 13, PG. 14
M.R.D.C.T.

(4.997 AC.)
SPRING DREAM
INVESTORS LLC
CCF#201500139155
O.P.R.D.C.T.

GREAT DALLAS, LLC
CCF#20140019674
O.P.R.D.C.T.

LOT 1, BLOCK 1
SCOTT ADDITION
CCF#201200131965
O.P.R.D.C.T.

1 2 3 4 5 6 7
W. FERRELL ADDITION
VOL. 42, PAGE 171
M.R.D.C.T.

HAROLD R. WOMACK
VOL. 95087, PG. 1654
D.R.D.C.T.

TOMMY & DOROTHY SAMPLES
CCF# 20170137091
D.R.D.C.T.

3146 SPRINGFIELD
HOLDINGS, LLC
CCF#201400134133
O.P.R.D.C.T.

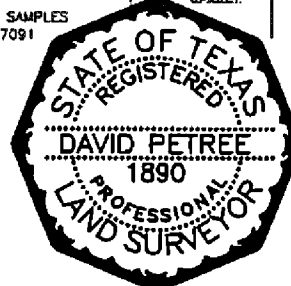
CITIZENSHIP, BLISS
& BENTON, MARI
CCF#201500123751
O.P.R.D.C.T.
WINDLEZ, VICTOR LEON
& CAYLE, INGA MARIE
CCF#201400060728
CLYDE T. JOHNSON
PRACTICE #4434472
MONTGOMERY HOLD, LLC
CCF#2017000017553
O.P.R.D.C.T.

LEGEND
POB - POINT OF BEGINNING

MAP PREPARED
DATE: MARCH 28, 2018
FROM SURVEYS.

BY: *David Petree*

DAVID PETREE
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 1890



GRAPHIC SCALE: 1"=300'



BLUE SKY SURVEYING
& MAPPING, CORPORATION
11015 MIDWAY ROAD
DALLAS, TEXAS 75229
PHONE: (214) 358-4500
FAX: (214) 358-4600
DRPETREE@BLUESKYSURVEYING.COM
TBPLS REGISTRATION No. 10105700

ABANDONMENT EXHIBIT 1.3
PORTION OF EATON AVE., 0.2871 ACRE PARCEL
DANIELDALE RESUBDIVISION
CITY OF LANCASTER, DALLAS COUNTY, TEXAS

DATE: APRIL 10, 2018
SCALE: 1"=300'

Lancaster\H20IH35sec\Exhibts\Abandonments

LIT INDUSTRIAL LIMITED PARTNERSHIP

October 4, 2018

VIA FEDEX

City of Lancaster

211 N. Henry Street

Lancaster, Texas 75146

Attn: Bester Munyaradzi, AICP, Senior Planner

Opal Mauldin-Jones, City Manager

Re: Slope and Grading Easement dated July 8, 2015 executed by the City of Lancaster, Texas (the "City"), as Grantor, to PIHV South Pointe Industrial, LLC, as Grantee, recorded on March 1, 2018 in the Official Public Records of Dallas County Texas as Document Number 201800054289 (the "Slope Easement"), covering approximately 1.769 acres as described in the Slope Easement (the "Slope Easement Property"), the Grantee's rights having been assigned to LIT Industrial Limited Partnership ("LIT"), successor in title to PIHV South Pointe Industrial, LLC.

Dear City of Lancaster:

In connection with the proposed termination and release of the above referenced Slope Easement and the abandonment and rezoning by the City of the Slope Easement Property, LIT understands the City is concerned about any claims LIT may have against the City or any liability the City may have to LIT relating to the Slope Easement and/or the Slope Easement Property.

Please be advised that the LIT hereby accepts the Slope Easement Property in its current "As Is" condition and confirms the City has no responsibility to perform any work in or any responsibility for the current condition of any previous construction work related to the Slope Easement Property.

Effective upon the termination and release of the Slope Easement and the abandonment by the City of its right of way rights to the Slope Easement Property, LIT hereby releases the City from any and all claims, damages or causes of action, of any nature whatsoever LIT may have against the City arising out of or relating to the Slope Easement and/or the condition of the Slope Easement Property.

[SIGNATURE PAGE FOLLOWS]

Very truly yours,

LIT INDUSTRIAL LIMITED PARTNERSHIP, a
Delaware limited partnership

By: LIT Holdings GP, LLC, a Delaware limited
liability company, its general partner

By: 

Name: JOHN M. CLINTON

Title: EXP

STATE OF TEXAS

§

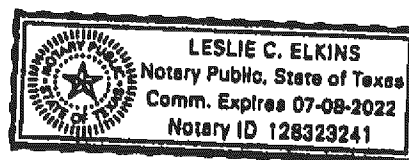
COUNTY OF DALLAS

§

This instrument was acknowledged before me on OCTOBER 2, 2018, by
JOHN M. CLINTON, SVP of LIT Holdings GP, LLC, a Delaware limited liability
company and the general partner of LIT Industrial Limited Partnership, a Delaware limited partnership],
on behalf of said limited liability company and limited partnership.



Notary Public, State of Texas



Filed and Recorded
Official Public Records
John F. Warren, County Clerk
Dallas County, TEXAS
11/27/2018 03:20:32 PM
\$62.00
201800311175





LANCASTER CITY COUNCIL

City Council Regular Meeting

8.

Meeting Date: 02/11/2019

Policy Statement: This request supports the City Council 2018-2019 Policy Agenda

Goal(s): Professional and Committed City Workforce

Submitted by: Dori Lee, Director of Human Resources

Agenda Caption:

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

Background:

City of Lancaster Police Officers and Firefighters serve under the Texas Local Government Code Chapter 143 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.

There are currently no vacancies on the Civil Service Commission. Commission member Keith Whitley has a term that expires in 2018. He has submitted his application seeking to be re-appointed to the Civil Service Commission.

The City Manager respectfully requests the re-appointment of Keith Whitley, to the Civil Service Commission.

Current members include:

Audley Logan, term expires 2019
Corey Womack, term expires 2020

Operational Considerations:

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 in order for the Commission to conduct its required business.

Public Information Considerations:

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

Options/Alternatives:

1. City Council may confirm the City Manager's recommendation.
2. City Council may deny 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.

LANCASTER CITY COUNCIL

City Council Regular Meeting

9.

Meeting Date: 02/11/2019

Policy Statement: This request supports the City Council 2018-2019 Policy Agenda

Goal(s): Civic Engagement

Submitted by: Sorangel O. Arenas, City Secretary

Agenda Caption:

Consider confirmation of nominations made by the Mayor for appointments to the City of Lancaster's Zoning Board of Adjustment.

Background:

As set by ordinance, the Zoning Board of Adjustment members are appointed by the Mayor and confirmed by the City Council

The Zoning Board of Adjustment consists of five regular members and an alternate. Currently, serving on the Zoning Board of Adjustment are:

	<u>Term Expires</u>
Deborah Taylor	2019
Sherri Williams	2019
Margaret Brooks	2019
Syrinithia Mann	2018
John G. Thomas	2018
Alternate member:	
Lawrence Smith	2018

Operational Considerations:

Mayor Hairston will make nominations for appointments following other City's Board and Commission's appointments.

A motion, with a second, and an affirmative vote is required to confirm the appointments.

Recommendation:

Boards and Commissions appointments are solely at Council's pleasure.

LANCASTER CITY COUNCIL

City Council Regular Meeting

10.

Meeting Date: 02/11/2019

Policy Statement: This request supports the City Council 2018-2019 Policy Agenda

Goal(s): Civic Engagement

Submitted by: Sorangel O. Arenas, City Secretary

Agenda Caption:

Discuss and consider annual appointments to City of Lancaster Boards and Commissions.

Background:

For boards and commissions appointments, recruiting efforts for applications were made through various sources including:

- Lancaster Connection - Winter and Summer Issues
- Lancaster Live
- Lancaster Today
- Invitation to the participants of the 2018 Civic Leadership Academy
- Invitation to the participants of the 2018 Citizens Public Safety Academy
- City of Lancaster's website
- Cable Channel 16
- Social media
- Town Hall Meetings
- Trash-Off
- Recreation Center
- Library
- Utility Billing monthly statements

An appointment worksheet is attached to facilitate nominations to fill vacancies. The attached worksheet outlines all vacancies.

Operational Considerations:

Vacancies may be filled through any combination of reappointment of existing members or appointment of new applicants and alternates.

Animal Shelter Advisory Board

Please note that there are state requirements for appointment to the Animal Shelter Advisory Board. Under Section 823.005 of the Texas Health and Safety Code, a municipality in which an animal shelter is located is required to appoint an advisory committee to assist in complying with state requirements.

Under the state code, the advisory committee must be composed of at least:

- one (1) licensed veterinarian
- one (1) municipal officer
- one (1) person whose duties include the daily operation of animal shelter

- one (1) representative from an animal welfare organization

Member	Role/Capacity	Term Expires
Dr. Jean Eye**	veterinarian*	2018
Katherine Hail**	involved in operations of shelter*	2018
Fabrice Kabona	municipal officer*	2019
Stacey Jaglowski	regular position	2019
Carol DeLaRosa-Green	animal welfare*	2019
Ivory Williams	alternate	2018
**desires reappointment	*state requirement	

It is necessary that Council make appointments such that state requirements are met.

Council should appoint two (2) members and confirm one (1) member for the City of Hutchins to serve on the Animal Shelter Advisory Board. As the City of Lancaster was notified by the City of Hutchins pursuant to the agreement, they only have one (1) appointment.

Other Appointment Notes

Zoning Board of Adjustment members are appointed by the Mayor and confirmed by City Council; however, there is a companion item for Zoning Board of Adjustment appointments. The Planning & Zoning Commission makes recommendations for appointments to the Historic Landmark Preservation Committee, which are confirmed by City Council. Civil Service Commission appointments are recommended by the City Manager and confirmed by City Council. Appointments to the Youth Advisory Committee are made by the City Manager or her designee, the two (2) adult sponsors are appointed by City Council.

Public Information Considerations:

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

Options/Alternatives:

The Council may choose to:

1. Make appointments from new applications on hand.
2. Reappoint members whose terms are expiring.
3. Appoint an alternate to fill a regular position and then appoint a new alternate.
4. Delay some appointments until a future Council meeting.
5. Leave any regular position or alternate position unfilled at this time.

Recommendation:

Boards and Commissions appointments are solely at Council's pleasure.

Attachments

Appointment Worksheet

Alphabetical list of all applicants (indicates board preferences)

Applicant verification log

2018-19 Boards, Commissions and Committees

Airport Advisory Board	Term Expires	Desires Reappointment YES NO	With New Ordinance
1. Dean Byers	2019		1. Dean Byers
2. John Stewart	2019		2. John Stewart
3. Tim Fagan	2019		3. Tim Fagan
4. Andy Mungenast	2018	✓	4.
5. Barbara J. Thomas	2018	✓	5.
6. Keith Hutchinson	2018	✓	1. (alternate)
1. Alternate: Kurtis Samples	2018	✓	

Animal Shelter Advisory Committee	Term Expires	Desires Reappointment YES NO	With New Ordinance
1. *Fabrice Kabona	2019		1. Fabrice Kabona
2. Stacey Jaglowski	2019		2. Stacey Jaglowski
3. *Carol DeLaRosa-Green	2019		3. Carol DeLaRosa-Green
4. *Dr. Jean Eye	2018	✓	4.
5. *Katherine Hail	2018	✓	5.
1. Alternate: Ivory Williams	2018	✓	1. Jonas Houston – Hutchins (alternate)

Note: *State requirement

Civil Service Commission	Term Expires	Desires Reappointment YES NO	With New Ordinance
1. Audley Logan	2019		1. Audley Logan
2. Corey Womack	2020		2. Corey Womack
3. Keith Whitley	2018	✓	3.

Note: City Manager appoints and City Council confirms

Historic Landmark Preservation Committee	Term Expires	Desires Reappointment YES NO	With New Ordinance
1. Mindy Truly	2019		1. Mindy Truly
2. Gilles Delaisse	2019		2. Gilles Delaisse
3. Glenn Hooper	2019		3. Glenn Hooper
4. Dee Hinkle	2018	✓	4.
5. Patricia Siegfried-Giles	2018	✓	5.
1. Alternate: Mary Guinn	2018	✓	1. (alternate)

Note: Planning & Zoning appoints and City Council confirms

2018-19 Boards, Commissions and Committees

Lancaster Economic Development Corp. Board (4A)	Term Expires	Desires Reappointment YES NO	With New Ordinance
1. Ric Peterson	2019	Resigned 12/18/18	1.
2. Sandi Collier	2019		2. Sandi Collier
3. Ellen Clark	2020		3. Ellen Clark
4. Ted Burk	2020		4. Ted Burk
5. Octavia Giadolor	2020		5. Octavia Giadolor

Library Advisory Board	Term Expires	Desires Reappointment YES NO	With New Ordinance
1. Quinnest Banks	2019		1. Quinnest Banks
2. Cecelia J. Smith Whitson	2019		2. Cecelia J. Smith Whitson
3. Gretchen Weaver	2019		3. Gretchen Weaver
4. Angela McCowan	2018	✓	4.
5. Antoinette Turner	2018	✓	5.
6. Felicia Gibbons	2018	No response	1. (alternate)
7. Reba Matthews	2018	✓	
1. Alternate: Kyshia Gibbons	2018	✓	

Museum Advisory Board	Term Expires	Desires Reappointment YES NO	With New Ordinance
1. Mary Ryan	2019		1. Mary Ryan
2. Shannon Boyd	2019		2. Shannon Boyd
3. Lillian Cullors	2019		3. Lillian Cullors
4. Clara Butler	2018	✓	4.
5. Oscar Miller	2018	No response	5.
1. Alternate: Joann Harrell	2018	✓	1. (alternate)

Parks & Rec. Advisory Board With New Ordinance	Terms Expires	Desires Reappointment YES NO	With New Ordinance
1. Abe Cooper	2019		1. Abe Cooper
2. Darwin Isham	2019		2. Darwin Isham
3. Petra Covington	2019		3. Petra Covington
4. Jerry W. Giles	2018	✓	4.
5. Joe Smith	2018	✓	5.
1. Alternate: Frances Allen	2018	✓	1. (alternate)

2018-19 Boards, Commissions and Committees

Lancaster Recreational Development Corp. (4B)	Term Expires	Desires Reappointment YES NO	With New Ordinance
1. Mary Sykes	2019		1. Mary Sykes
2.	2019		2.
3.	2019		3.
4.	2019		4.
5. Don McCoo	2018	✓	5.
6.	2018		6.
7.	2018		7.
1.	2018		

Planning & Zoning Commission/ Sign Control Board	Term Expires	Desires Reappointment YES NO	P&Z/ Sign Control/Tree Advisory With New Ordinance
1. Karen Collins	2019	Resigned 1/7/19	1.
2. Jeremy Reed	2019		2. Jeremy Reed
3. Cynthia Johnson	2019	Resigned 12/28/18	3.
4. Ty G. Jones	2018	✓	4.
5. Ernest Casey	2018	✓	5.
			1. (alternate)

Property Standards & Appeals Board	Term Expires	Desires Reappointment YES NO	With New Ordinance
1. Cassondra Andrews	2019		1. Cassondra Andrews
2. Donna Lee	2019		2. Donna Lee
3. Sue Wyrick	2019		3. Sue Wyrick
4. Alan Beavers	2018	✓	4.
5. Carlon Terry	2018	No response	5.
1. Alternate: Charlene Cade	2018	✓	1. (alternate)

Youth Advisory Committee (Adult Sponsors)	Term Expires
1.	2018
2.	2019

2018-19 Boards, Commissions and Committees

Zoning Board of Adjustment	Term Expires	Desires Reappointment		With New Ordinance
		YES	NO	
3. Deborah Taylor	2019			1. Deborah Taylor
4. Sherri Williams	2019			2. Sherri Williams
3. Margaret Brooks	2019			3. Margaret Brooks
4. Syrinithnia Mann	2018	✓		4.
5. John G. Thomas	2018	✓		5.
1. Alternate: Lawrence Smith	2018	✓		1. (alternate)

Note: Mayor appoints and City Council Confirms



Boards and Commissions Applicants



2018-19

Applicants	Airport	Animal	HLPC	LEDC	Library	LRDC	Parks Advisory	PSAB	P&Z/ Sign control	ZBA	Museum	Comments
Aguilar, Isabel									1			
Anderson, Bren					1						2	Youth Advisory Committee-3
Bell, Shannon	2				1		3					
Birge, David			2		1							Civil Service Commission - 3
Boyd, Christye				2		3			1			
Bullard, Cindy		2			1						3	
Cullum, Erikka				3				2	1			
Davis, Adrienne				2		1						
Davis, Brenda						2		1	3			
Freeman, William						1						
Green, Rachel						3						Youth Advisory Committee - 2
Lee, Shannon				1								
Lewis, Sharmetra						3	1		2			
Lyons, Rachel				1	2	3						
Mathonican Knijinski				3					1		2	
Mays, Harmonica						3	1		2			
Mixon, Zaychiana				1				3	2			
Monroe, Meriem				1								
Morris, Carolyn												Civil Service Commission - 1
Osegueda, Judith "Jo"							3					Civil Service Commission - 1 Youth Advisory Commission - 2
Peppers, Sharonda				1		4		2	3			
Prothro, Lawrence									1			
Richardson, Elizabeth				1	2						3	
Suber, Ronay				2					3			Youth Advisory Committee - 1
Tigert, Tommy	1											
Whitfield, Temika				2				1	3			
Woods, Tedrick				1					2	3		

Applicant verification log

Applicant Name	Address Verified	Registered Voter	Taxes	Utility Billing	Code Compliance	Court
Aguilar, Isabel	✓	✓	✓	✓	✓	✓
Anderson, Bren	✓	✓	✓	✓	✓	✓
Bell, Shannon	✓	✓	✓	✓	✓	✓
Birge, David	✓	✓	✓	✓	✓	✓
Boyd, Christye	✓	✓	✓	✓	✓	✓
Bullard, Cindy	✓	✓	✓	✓	✓	✓
Cullum, Erikka	✓	✓	✓	✓	✓	✓
Davis, Adrienne	✓	✓	✓	✓	✓	✓
Davis, Brenda	✓	✓	✓	✓	✓	✓
Freeman, William	✓	✓	✓	✓	✓	✓
Green, Rachel	✓	✓	✓	✓	✓	✓
Lee, Shannon	✓	✓	✓	✓	✓	✓
Lewis, Sharmetra	✓	✓	✓	✓	✓	✓
Lyons, Rachel	✓	✓	✓	✓	✓	✓
Mathonican, Knijinski	✓	✓	✓	✓	✓	✓
Mays, Harmonica	✓	✓	✓	✓	✓	✓
Mixon, Zaychiana	✓	✓	✓	✓	✓	✓
Monroe, Meriem	✓	✓	✓	✓	✓	✓
Morris, Carolyn	✓	✓	✓	✓	✓	✓
Osegueda, Judith "Jo"	✓	✓	✓	✓	✓	✓
Peppers, Sharonda	✓	✓	✓	✓	✓	✓
Prothro, Lawrence	✓	✓	✓	✓	✓	✓
Richardson, Elizabeth	✓	✓	✓	✓	✓	✓
Suber, Ronay	✓	✓	✓	✓	✓	✓
Tigert, Tommy	✓	✓	✓	✓	✓	✓
Whitfield, Temika	✓	✓	✓	✓	✓	✓
Woods, Tedrick	✓	✓	✓	✓	✓	✓