

## MINUTES

## LANCASTER CITY COUNCIL REGULAR MEETING OF January 23, 2017

The City Council of the City of Lancaster, Texas, met in a called Regular session in the Council Chambers of City Hall on January 23, 2017 at 7:00 p.m. with a quorum present to-wit:

**Councilmembers Present:**

Mayor Knight  
Mayor Pro Tem Carol Strain-Burk  
Deputy Mayor Pro Tem Stanley Jaglowski  
Marco Mejia  
Spencer W. Hervey Jr.  
Clyde C. Hairston  
Nina Morris

**City Staff Present:**

Opal Mauldin-Robertson, City Manager  
Rona Stringfellow, Assistant City Manager  
Dori Lee, Human Resources Director  
Shane Shepard, Director of Economic Development  
Jermaine Sapp, Equipment and Facilities Services Director  
Sean Johnson, Managing Director of Quality of Life & Cultural Services  
Baron Sauls, Finance Director  
Sam Urbanski, Interim Police Chief  
Robert Franklin, Fire Chief  
Alton Dixon, Purchasing Manager  
Fabrice Kabona, Assistant to the City Manager  
Bester Munyaradzi, Sr. Planner  
Robert E. Hager, City Attorney  
Sorangel O. Arenas, City Secretary

**Call to Order:**

Mayor Knight called the meeting to order at 7:19 p.m. on January 23, 2017.

**Invocation:**

Pastor Wilson gave the invocation.

**Pledge of Allegiance:**

Mayor Pro Tem Carol Strain-Burk led the pledge of allegiance.

**Consent Agenda:**

City Secretary Arenas read the consent agenda.

1. **Consider approval of minutes from the City Council Regular Meeting held on January 9, 2017.**
2. **Consider a resolution approving the terms and conditions of a Professional Service Agreement with BKD CPAs & Advisors, LLP to provide audit services of the Financial Statements for the City of Lancaster.**
3. **Consider a resolution ratifying the terms and conditions of an agreement with Highway Intelligent Traffic Solutions, Inc. for the repair of median lighting on North Interstate Highway 35 from south of Pleasant Run Road to the southern city limits in an amount not to exceed fifty-six thousand five hundred thirty-eight dollars and thirty-three cents \$56,538.33.**

4. **Consider a Resolution awarding RFP 2015-10 "Rights-of-Way Maintenance Interstate 35E & 20" for an annual maintenance contract providing mowing and litter control services of the Interstate 35E and 20 corridors that border the City of Lancaster to Lawn Patrol Service, Inc.**

Councilmember Morris pulled item 2.

Deputy Mayor Pro Tem Jaglowski pulled items 3 and 4.

**MOTION:** Mayor Pro Tem Strain-Burk made a motion, seconded by Deputy Mayor Pro Tem, to approve consent items excluding items 2 through 4. The vote was cast 7 for, 0 against.

2. **Consider a resolution approving the terms and conditions of a Professional Service Agreement with BKD CPAs & Advisors, LLP to provide audit services of the Financial Statements for the City of Lancaster.**

Councilmember Morris inquired if the agreement would be with the current auditors. City Manager Mauldin-Robertson confirmed that the auditing services are provided by the same firm. Also, she confirmed the contract approves the terms of the agreement for the audit of the City's Financial Statements for three years with two one year renewal options.

Councilmember Hervey inquired the cost of the contract. Finance Director Sauls stated it is not to exceed eighty thousand dollars on an annual basis. The cost will not exceed four hundred thousand dollars over the three-year period including the two-year renewal options. Councilmember Hervey stated that Article 5 reads the amount not to exceed sixty-eight thousand two hundred dollars. Director Sauls replied that the compensation amount was for the prior contract.

Mayor Knight advised the current contract is for the remainder of 2017 and the proposed contract is for a maximum of five years, but not to exceed eight thousand dollars per year. He shared that the Renewal Request Form represents the request for additional years at a modified rate. The renewal contract is under the same terms and conditions.

Councilmember Hervey inquired the status under the contract. City Manager Mauldin-Robertson replied that the cost of sixty-eight thousand dollars was exceeded since there are processes and procedures that the auditors have advised in order to increase our performances which have been documented. As a result of the additional work, staff has worked with the firm and the cost will not exceed eighty thousand dollars. The firm continues to document their recommendations to prepare for the annual audit season in order to improve our performance. City Manager Mauldin-Robertson confirmed that the firm has been visiting and executing pre-audit work through the course of the year in order for staff to be prepared.

**MOTION:** Councilmember Morris made a motion, seconded by Councilmember Hairston, to approve consent item 2. The vote was cast 7 for, 0 against.

3. **Consider a resolution ratifying the terms and conditions of an agreement with Highway Intelligent Traffic Solutions, Inc. for the repair of median lighting on North Interstate Highway 35 from south of Pleasant Run Road to the southern city limits in an amount not to exceed fifty-six thousand five hundred thirty-eight dollars and thirty-three cents \$56,538.33.**

Deputy Mayor Pro Tem Jaglowski requested additional comments on item 4.

Equipment and Facilities Services Director Sapp shared that In July 1997 the City of Lancaster entered into an Agreement for the Construction, Maintenance and Operation of Continuous Highway Lighting Systems

within a Municipality with the Texas Department of Transportation. This agreement requires the City to maintain the median lighting from south of Pleasant Run Road to the southern city limits. The City subsequently amended the agreement in 2004 and 2006. Theft of copper wire increased this expense to seventy-five thousand dollars. This information was presented to the City Council members of the City of Glenn Heights who contributed about eighteen thousand dollars. The City's share is fifty-six thousand dollars. Deputy Mayor Pro Tem inquired when the repairs would be complete. Director Sapp shared that this portion of the project is complete which leaves twelve light bulbs that need to be replaced.

Director Sapp confirmed Mayor Knight's inquiries that other than replacing the light bulbs, the street lights have been repaired and copper wiring has been completed. Also, we will only provide regular maintenance on the Lancaster side of the Interstate 35.

Mayor Knight inquired if the City could file a claim with insurance. City Attorney Hager stated if it occurred in the City's right-of-way, we may be able to file a claim. City Manager Mauldin-Robertson disclosed that an attempt to file a claim has been made and due to it not being in our right-of-way we could not, the wiring of the boxes face the west side.

**MOTION:** Councilmember Hairston made a motion, seconded by Deputy Mayor Pro Tem Jaglowski, to approve consent item 3. The vote was cast 7 for, 0 against.

**4. Consider a Resolution awarding RFP 2015-10 "Rights-of-Way Maintenance Interstate 35E & 20" for an annual maintenance contract providing mowing and litter control services of the Interstate 35E and 20 corridor that borders the City of Lancaster to Lawn Patrol Service, Inc.**

Deputy Mayor Pro Tem Jaglowski requested a discussion on item 4.

City Manager Mauldin-Robertson shared that in May 2015, Staff met with the Area Engineer to address ongoing concerns related to litter, debris and mowing along Interstates 35E and 20. Council received a presentation in June, 2015. In December 2015, Council approved a resolution authorizing a landscape maintenance agreement with TxDOT for the landscaping at Houston School Road and Interstate 20 (installed by the City of Dallas). The State will only pick up litter and mow the rights-of-way along Interstates 35E and 20 three cycles per year in May, August and November. The City continues to experience litter accumulation and growth of grass and weeds in the area that affects the cleanliness of our community. This item is to authorize a bid awarding to the lowest and most qualified bidder to Lawn Patrol Service. The contract will require mowing 9 times per year and litter removal monthly and the City will be reimbursed by the State of Texas for a maximum of three times per year mowing cycles and up to twelve times per year for litter cycles.

Deputy Mayor Pro Tem Jaglowski inquired of City Manager Mauldin-Robertson that the rights-of-way are along Interstates 35E and 20. She confirmed and stated that there are approximately 72 acres of TxDOT rights-of-way within the City of Lancaster.

Councilmember Hairston asked if the additional expense was not covered in the contract. City Manager Mauldin-Robertson shared that TxDOT will reimburse the City for mowing and cleaning up litter on certain roads for a maximum of 3 mowing cycles per year and up to 12 litter cycles per year.

Mayor Knight reiterated that by approval of item 4 the City will get an increase of mowing and increase of litter collection.

Councilmember Hervey complimented the City Manager and staff on the aggressive attempt in trying to maintain the beautification of our roads and streets.

**MOTION:** Councilmember Hairston made a motion, seconded by Deputy Mayor Pro Tem Jaglowski, to approve consent item 4. The vote was cast 7 for, 0 against.

**Executive Session:**

5. The City Council shall convene into closed executive session pursuant to:
- a. Section §551.071 of the Texas Government Code to seek legal advice from City Attorney to consider the public hearing requirements under the Texas Zoning and Enabling Act, the City Comprehensive zoning ordinances and the Texas Open Meeting Act.
  - b. Section §551.074 (a)(1) of the TEXAS GOVERNMENT CODE to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, to wit: City Attorney.
6. 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 7:43 p.m. and reconvened into open session at 8:26 p.m.

**MOTION:** Councilmember Hairston made a motion, seconded by Councilmember Morris, to decline the current RFP and start a new RFP process for legal services. The vote was cast 7 for, 0 against.

**MOTION:** Councilmember Hairston made a motion, seconded by Deputy Mayor Pro Tem Jaglowski, to adjourn. The vote was cast 7 for, 0 against.

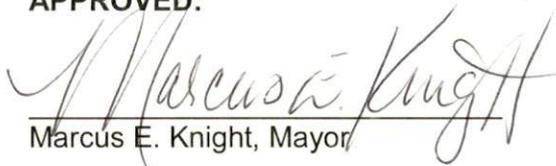
The meeting was adjourned at 8:28 p.m.

**ATTEST:**



Sorangel O. Arenas, City Secretary

**APPROVED:**



Marcus E. Knight, Mayor