

MINUTES

LANCASTER CITY COUNCIL REGULAR MEETING OF AUGUST 26, 2019

The City Council of the City of Lancaster, Texas met in a called Regular Session in the Council Chambers of City Hall on August 26, 2019 at 7:00 p.m. with a quorum present to-wit:

Councilmembers Present:

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

Councilmembers Absent:

Marco Mejia
Nina Morris

City Staff Present:

Opal Mauldin-Jones, City Manager
Rona Stringfellow, Deputy City Manager
Fabrice Kabona, Assistant City Manager
Dori Lee, Director of Human Resources
Jermaine Sapp, Director of Equipment Services and Facilities
Michelle Evans, HR Generalist and Risk Manager
Shane Shepard, Director of Economic Development
Sean Johnson, Director of Quality of Life and Cultural Services
Sam Urbanski, Police Chief
Charley Miller, Assistant Police Chief
Kenneth Johnson, Fire Chief
Andy Waits, Public Works Director
Sharon Jungman, Assistant Director of Finance
Carey Neal, Assistant to the City Manager
Delajer Walker, E.C. & E.M. Superintendent
Kellen Benbrook, Airport Manager
David T. Ritter, City Attorney
Sorangel O. Arenas, City Secretary

Call To Order:

Mayor Hairston called the meeting to order at 7:00 p.m. on August 26, 2019.

Invocation:

Reverend Payton Parker gave the invocation.

Pledge of Allegiance:

Councilmember Stanley Jaglowski led the pledge of allegiance.

Citizens' Comments:

Lynn Turner, 1530 Nokomis shared concerns with council communication. She also communicated pleasure with the animal shelter.

Robin Hunter, 1429 Glendover Court shared her concerns with the Glendover PID assessment rate.

Executive Session:

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

1. Section §551.071 of the Texas Government Code to seek legal advice from the City Attorney concerning pending or contemplated litigation: White Rock Commercial LLC v. City of Lancaster, Cause No. DC-14-06471 and
2. Sections §552.071(1) and (2) and 552.076(1) of the Texas Government Code.

2. 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 7:08 p.m. and reconvened into open session at 7:34p.m.

MOTION: Mayor Pro Tem Hill made a motion, seconded by Councilmember Strain-Burk to not accept the offer of White Rock Commercial, Inc., and, authorize special legal counsel to negotiate a possible settlement on the terms and conditions set forth in executive session; and, bring back a written agreement for consideration of the City Council in compliance with law.

Consent Agenda:

City Secretary Arenas read the consent agenda.

3. Consider approval of minutes from the City Council Regular Meeting held on July 8, 2019 and August 12, 2019.
4. Consider a Resolution authorizing agreements for the Fiscal Year 2019/2020 Employee Benefit Providers and Administrators.
5. Consider a Resolution to accept a dedication of rights-of-way from the Lancaster Independent School District for the extension of Millbrook Drive and Bridal Path Drive; providing for the furnishing of a certified copy of this Resolution for recording in the real property records of Dallas County, Texas as a deed; and providing an effective date.
6. Consider a resolution authorizing the City Manager to execute commercial and non-commercial leases, ground leases, and assignments and assumptions of ground leases at the Lancaster Regional Airport from August 1, 2019 to July 31, 2020.
7. Consider a resolution authorizing the purchase of a Ford F-350 Crane Truck and a Ford F-350 Dump Truck from Rush Truck Centers, through an interlocal agreement with Buyboard, in an amount not to exceed one hundred twenty-three thousand four hundred sixty-one dollars and thirty-six cents (\$123,461.36).

Councilmember Jaglowski pulled item 5.

MOTION: Councilmember Jaglowski made a motion, seconded by Councilmember Strain-Burk to approve consent items 3 through 7 excluding item 5. The vote was cast 5 for, 0 against [Mejia and Morris absent]

5. Consider a Resolution to accept a dedication of rights-of-way from the Lancaster Independent School District for the extension of Millbrook Drive and Bridal Path Drive; providing for the furnishing of a certified copy of this Resolution for recording in the real property records of Dallas County, Texas as a deed; and providing an effective date.

Mayor Pro Tem Hill shared her excitement with the extension of Millbrook Drive and Bridal Path Drive.

Councilmember Jaglowski also shared his excitement with the extension of the roads, as this will allow more access for parents.

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Jaglowski to approve consent item 5. The vote was cast 5 for, 0 against [Mejia and Morris absent]

8. **Discuss and consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Beltline Ashmoore PublicImprovement District (PID).**

City Manager Mauldin-Jones shared The City Council conducted a public hearing on Monday, August 19, 2019. Notice of public hearing was posted in the publication of record and mailed to the property owners of record in accordance with the provisions of Chapter 372 in the Texas Local Government Code on August 8, 2019 (Focus Daily News) August 2, 2019 (Mailed). The proposed five (5) year service and assessment plan are in accordance with Chapter 372 of Texas Local Government Code and have been reviewed and approved as to form by the City Attorney. The ordinance has been reviewed as approved as to form by the City Attorney. The Beltline Ashmoore PID is proposing an annual assessment of \$0.1500 per \$100 assessed value.

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Jaglowski to approve item 8. The vote was cast 5 for, 0 against. [Mejia and Morris absent]

9. **Discuss and consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Boardwalk Public Improvement District.**

City Manager Mauldin-Jones shared The City Council conducted a public hearing on Monday August 19, 2019. Notice of public hearing was posted in the publication of record and mailed to the property owners of record in accordance with the provisions of Chapter 372 in the Texas Local Government Code on August 8, 2019 (Focus Daily News) and August 2, 2019 (Mailed). The proposed five (5) year service and assessment plan are in accordance with Chapter 372 of Texas Local Government Code and have been reviewed and approved as to form by the City Attorney. The ordinance has been reviewed and approved as to form by the City Attorney. Boardwalk PID is proposing an annual assessment of \$0.2000 per \$100 assessed value.

MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro Tem Hill to approve item 9. The vote was cast 5 for, 0 against. [Mejia and Morris absent]

10. **Discuss and consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Glendover Estates PublicImprovement District.**

City Manager Mauldin-Jones shared The City Council conducted public hearing on Monday August 19, 2019. Notice of public hearing was posted in the publication of record and mailed to the property owners of record in accordance with the provisions of Chapter 372 in the Texas Local Government Code on August 8, 2019 (Focus Daily News) and August 2, 2019 (Mailed). The proposed five (5) year service and assessment plan are in accordance with Chapter 372 of Texas Local Government Code and have been reviewed and approved as to form by the City Attorney. The ordinance has been reviewed and approved as to form by the City Attorney. The Glendover Estates PID is proposing an annual assessment of \$0.2400 per \$100 assessed value.

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Jaglowski to approve item 10. The vote was cast 5 for, 0 against. [Mejia and Morris absent]

11. **Discuss and consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Lancaster Mills Public Improvement District.**

City Manager Mauldin-Jones shared the notice of public hearing was posted in the publication of record and mailed to the property owner of record in accordance with the provisions of Chapter 372 in the Texas Local Government Code on August 8, 2019 (Focus Daily News) and August 2, 2019 (Mailed). The proposed five (5) year service and assessment plan are in accordance with Chapter 372 of Texas Local Government Code and have been reviewed and approved as to form by the City Attorney. The ordinance has been reviewed and approved as to form by the City Attorney. As this district is currently undeveloped, the proposed assessment rate of \$0.0000 per \$100 assessed valuation as there are no budgeted expenses for the 2019/2020 fiscal year.

MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro Tem Hill to approve item 11. The vote was cast 5 for, 0 against. [Mejia and Morris absent]

12. **Discuss and consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Meadowview Public Improvement District.**

City Manager Mauldin-Jones shared The City Council conducted a public hearing on Monday, August 19, 2019. Notice of public hearing was posted in the publication of record and mailed to the property owners of record in accordance with the provisions of Chapter 372 in the Texas Local Government Code on August 8, 2019 (Focus Daily News) and August 2, 2019 (mailed). The proposed five (5) year service and assessment plan are in accordance with Chapter 372 of Texas Local Government Code and have been reviewed and approved as to form by the City Attorney. The ordinance has been reviewed and approved as to form by the City Attorney. The Meadowview PID is proposing an annual assessment of \$0.1000 per \$100 assessed value.

MOTION: Mayor Pro Tem Hill made a motion, seconded by Councilmember Strain-Burk to approve item 12. The vote was cast 5 for, 0 against. [Mejia and Morris absent]

13. **Discuss and consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Pleasant Run Estates Phase 1-A Public Improvement District.**

City Manager Mauldin-Jones shared The City Council conducted a public hearing on Monday, August 19, 2019. Notice of public hearing was posted in the publication of record and mailed to the property owner's of record in accordance with the provisions of Chapter 372 in the Texas Local Government Code on August 8, 2019 (Focus Daily News) and August 2, 2019 (Mailed). The proposed five (5) year service and assessment plan are in accordance with Chapter 372 of the Texas Local Government Code and has been reviewed by the City Attorney. The ordinance has been reviewed and approved as to form by the City Attorney. The Pleasant Run Estates, Phase 1-A PID is proposing an annual assessment of \$0.1800 per \$100 assessed value.

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Jaglowski to approve item 13. The vote was cast 5 for, 0 against. [Mejia and Morris absent]

14. **Discuss and consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Rolling Meadows Public Improvement District (PID).**

Councilmember Jaglowski recused himself from item 14.

City Manager Mauldin-Jones shared The City Council conducted a public hearing on Monday, August 19, 2019. Notice of public hearing was posted in the publication of record and mailed to the property owners of record in accordance with the provisions of Chapter 372 in the Texas Local Government Code on August 8, 2019 (Focus Daily News) and August 2, 2019 (Mailed). The proposed five (5) year service and assessment plan are in accordance with Chapter 372 of the Texas Local Government Code and have been reviewed and approved as to form by the City Attorney. This ordinance has been approved as to form by the City Attorney.

MOTION: Mayor Pro Tem Hill made a motion, seconded by Councilmember Strain-Burk to approve item 14. The vote was cast 4 for, 0 against. [Mejia and Morris absent] [Jaglowski recused]

15. **Discuss and consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Tribute at Mills Branch and Tribute East at Mills Branch Public Improvement District (PID).**

City Manager Mauldin-Jones shared The City Council conducted a public hearing on Monday, August 19, 2019. Notice of public hearing was posted in the publication of record and notice mailed to the property owners of record in accordance with the provisions of Chapter 372 in the Texas Local Government Code on August 8, 2019 (Focus Daily News) and August 2, 2019 (Mailed). The proposed five year service and assessment plan are in accordance with Chapter 372 of Texas Local Government Code and have been reviewed and approved as to form by the City Attorney.

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Jaglowski to approve item 15. The vote was cast 5 for, 0 against. [Mejia and Morris absent]

16. **M19-12 Discuss and consider a resolution accepting three (3) water line easements (a 2,194 square feet or .050 acre water easement, a 900 square feet or .021 acre water easement and a 700 square feet or .016 acre water easement) from Ollie's Bargain Outlet, Inc., a Pennsylvania corporation, Grantor, to the City of Lancaster for the installation, construction, operation, maintenance, replacement, repair, upgrade and/or removal of a waterline and all necessary or desirable structures, facilities and appurtenances necessary to provide a secondary and separate connection to the City water system; establishing conditions, providing for the furnishing of certified copy of this resolution for recording in the property records of Dallas County, Texas as a deed.**

City Manager Mauldin-Jones shared a resolution accepting three (3) water line easements (a 2,194 square feet or .050 acre water easement, a 900 square feet or .021 acre water easement and a 700 square feet or .016 acre water easement) from Ollie's Bargain Outlet, Inc., a Pennsylvania corporation, Grantor, to the City of Lancaster for the installation, construction, operation, maintenance, replacement, repair, upgrade and/or removal of a waterline and all necessary or desirable structures, facilities and appurtenances necessary to provide a secondary and separate connection to the City water system.

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Jaglowski to approve item 16. The vote was cast 5 for, 0 against. [Mejia and Morris absent]

17. Conduct a public hearing and consider a resolution regarding the proposed expansion of Millbrook East Public Improvement District (PID).

City Manager shared Millbrook East is an established subdivision consisting of approximately 46.265 acres in Phase 1 and 17.572 acres Phase 2A and 13.540 acres Phase 2B for a total of 77.377 acres generally located on the south side of Pleasant Run Road east of Houston School Road and west of Bluegrove Road. The subdivision has an approved Public Improvement District (PID) to provide for the maintenance of its common areas and entry features. The PID was established August 8, 2011. The purpose of the proposed expanded district includes the maintenance of public improvement projects authorized by the Act and necessary for the full development of the property. Being included in the existing Millbrook East PID the proposed 2019/2020 assessment rate for the maintenance component is to be considered at an amount of \$0.1500 per \$100 of appraised value. The notice of public hearing was mailed to the property owner of record and posted in the publication of record in accordance with the provisions of Chapter 372 in the Texas Local Government Code. The proposed five (5) year service and assessment plan are in accordance with Chapter 372 of Texas Local Government Code and have been reviewed and approved as to form by the City Attorney.

Mayor Hairston opened the public hearing.

There were no speakers.

MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro Tem Hill to close the public hearing. The vote was cast 5 for, 0 against. [Mejia and Morris absent]

MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro Tem Hill to approve item 17. The vote was cast 5 for, 0 against. [Mejia and Morris absent]

18. Conduct a public hearing and discuss an ordinance regarding the proposed fiscal year 2019/2020 budget for the fiscal year beginning October 1, 2019 and ending September 30, 2020; providing that expenditures for said fiscal year shall be in accordance with said budget.

City Manager shared State Truth-in-Taxation and the City Charter require the City of Lancaster to conduct a public hearing on the proposed annual budget. The proposed total tax rate required to provide revenue for maintenance and operations and interest and sinking fund requirements is \$0.840925 cents per \$100 assessed valuation. The approval of the proposed ordinance will adopt the FY 2019/2020 budget and appropriate necessary funds for the City's operation, maintenance and debt service requirements. The proposed budget was presented to the Lancaster City Council at a work session held on Monday, August 5, 2019. A Town Hall meeting was held on Thursday, August 8, 2019. The first public hearing was held on Monday, August 19, 2019 and (1) citizen provided comment. The City Council closed the public hearing and announced the date and time of the next public hearing. This is the second public hearing on the proposed budget. Two additional public hearings have been noticed for the proposed budget. The next public hearing is scheduled for Monday, September 9, 2019 and the final public hearing is scheduled for Thursday, September 12, 2019. Consideration of the budget is scheduled for Monday, September 16, 2019. The public hearings and meeting are planned for 7:00 p.m. at Lancaster Municipal Center, 211 N. Henry Street, Lancaster, Texas. The total budget for all funds is \$64,544,796. Staff recommends closing the public hearing and announcing the next public hearing will be held on Monday, September 9, 2019 at 7:00 p.m. at Lancaster Municipal Center Council Chambers located at 211 North Henry Street, Lancaster, Texas.

Mayor Hairston opened the public hearing.

There were no speakers.

MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro Tem Hill to close the public hearing. The second public hearing is Thursday, September 12, 2019 7:00 p.m. at the Lancaster Municipal Center, Council Chambers, 211 North Henry Street, Lancaster, Texas and the vote is scheduled for Monday, September 16, 2019, 7:00 p.m. at the Lancaster Municipal Center, Council Chambers, 211 North Henry, Lancaster, Texas. The vote was cast 5 for, 0 against. [Mejia and Morris absent]

- 19. Conduct a public hearing and discuss an ordinance regarding the proposed revenue increase from levying ad valorem taxes for fiscal year 2019/2020 at \$0.840925 per one hundred dollars assessed valuation of all taxable property within the corporate limits to provide revenues for current maintenance and operation expenses and interest and sinking fund requirements; providing due and delinquent dates; penalties and interest; providing a homestead exemption and disability exemption.

City Manager shared State Truth-in-Taxation law, Local Government Code and the City Charter require that an ordinance levying the ad valorem taxes be read and a public hearing held at a regular or special meeting of the Lancaster City Council. The tax rate proposed for fiscal year 2019/2020 is \$0.840925 per one hundred dollars assessed valuation on taxable property within the corporate limits. These tax dollars provide revenue for current operating and maintenance expenses and interest and sinking fund requirements. The total tax revenue will increase from properties on the tax roll in the preceding tax year by 7.1% (percentage by which the tax rate will be higher than effective tax rate calculated under Chapter 26, Tax Code.) Individual taxes may increase or decrease at a rate greater or lesser depending on the change in the taxable value of each property. This is the second public hearing regarding the proposed tax rate. Two additional public hearings have been noticed for the proposed tax-rate. The next public hearing is scheduled for Monday, September 9, 2019, and again on Thursday, September 12, 2019. Consideration of the budget is scheduled for Monday, September 16, 2019. The public hearings and meetings will be at 7:00 p.m. at Lancaster Municipal Center, 211 N. Henry, Lancaster, Texas 75146. The governing body may not adopt the tax rate at either of the public hearings. Staff recommends Council closing the public hearing and announcing the next public hearing will be held on Monday, September 9, 2019 at 7:00 p.m. at the Lancaster Municipal Center, Council Chambers, 211 North Henry, Lancaster, Texas.

Mayor Hairston opened the public hearing.

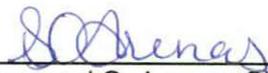
There were no speakers

MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro Tem Hill to close the public hearing. The second public hearing is Thursday, September 12, 2019 7:00 p.m. at the Lancaster Municipal Center, Council Chambers, 211 North Henry Street, Lancaster, Texas and the vote is scheduled for Monday, September 16, 2019, 7:00 p.m. at the Lancaster Municipal Center, Council Chambers, 211 North Henry, Lancaster, Texas. The vote was cast 5 for, 0 against. [Mejia and Morris absent]

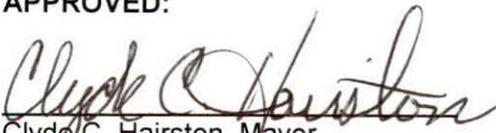
MOTION: Councilmember Strain-Burk made a motion, seconded by Mayor Pro Tem Hill to adjourn. The vote was cast 5 for, 0 against.

The meeting was adjourned at 8:08 p.m.

ATTEST:


Sorangel O. Arenas, City Secretary

APPROVED:


Clyde C. Hairston, Mayor