

**MINUTES
LANCASTER CITY COUNCIL REGULAR MEETING OF MAY 11, 2020**

The City Council of the City of Lancaster, Texas, met in a called Regular Meeting in the Council Chambers of City Hall on May 11, 2020, at 7:10 p.m. with a quorum present to-wit:

Councilmembers Present:

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

City Staff Present:

Opal Mauldin-Jones, City Manager
Fabrice Kabona, Assistant City Manager
Carey Neal, Assistant to the City Manager
Rebecca Lex, Communications & Public Relations Coordinator
Kim Hall, Director of Finance
Dori Lee, Director of Human Resources
Shane Shepard, Economic Development Director
Ron Gleaves, Information Technology Manager
David T. Ritter, City Attorney
Sorangel O. Arenas, City Secretary

Call to Order:

Mayor Hairston called the meeting to order at 7:54 p.m. on May 11, 2020.

Invocation:

Bishop Clyde C. Hairston of Miracle Temple Fellowship Church gave the invocation.

Pledge of Allegiance:

Councilmember Marco Mejia led the pledge of allegiance.

Consent Agenda:

City Secretary Arenas read the consent agenda.

5. **Consider approval of minutes from the city council regular meeting held February 10, 2020, February 24, 2020, and special meeting March 16, 2020.**

6. **Discuss and consider a resolution adopting the Federal Emergency Management Agency (FEMA) approved 2020 Dallas County Hazard Mitigation Plan Update.**

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Jaglowski to approve consent items 5 and 6. The roll call vote was cast 7 for, 0 against.

7. **Z20-04 Conduct a public hearing and consider an amendment to the existing Lancaster Mills General Development Plan (Resolution 2005-10-92) and certain standards from the Mills Branch Overlay District (MBOD) pertaining to Lancaster Mills to allow modifications to the development criteria. The property is located south of Redbud Street and Main Street, west of Stewart Street and north of Belt Line Road and is about 60.59 acres in size. The property is more particularly described as property located in the Bader Survey, Abstract No. 172 in the City of Lancaster, Dallas County, Texas.**

City Manager Mauldin-Jones provided background for the request to amend the Lancaster Mills General Development Plan, and certain standards from the Mills Branch Overlay District (MBOD) pertaining to Lancaster Mills and requested amendments. City Manager-Jones stated that pursuant to Section 14.1101 of the LDC, when reviewing a zoning change application. There are five (5) considerations that must be made when deciding on a zoning change application.

City Manager Mauldin-Jones stated that the Planning and Zoning Commission of April 7, 2020, recommended denial of the requested modifications.

Abraham Achar, 1615 Forest Central Drive #303, Dallas, Texas, 75243 (Builder), discussed in detail each home size square footages, price points, and building setbacks constraints with Council.

Councilmember Strain-Burk wanted clarification of home size minimums.

Councilmember Mejia stated the Council's current vision is for builders to present self-sufficient developments that would meet or exceed the city's minimums, as not to burden the budget.

City Manager Mauldin-Jones confirmed for Mayor Hairston that recommendations with modifications had been presented to the builder.

Councilmember Strain-Burk wanted further clarification that higher-end amenities would be used that could increase the home's value and allow city services to be paid.

Councilmember Jaglowski pointed out development concerns in the removal of the alleys, setbacks and approaches and the positives such as commercial areas of development.

Mayor Hairston opened the public hearing.

Dee Hinkle, 105 E. 5th St. Lancaster, TX requested Council to carefully compare and consider the proposal of item 7.

MOTION: Mayor Pro Tem Hill made a motion, seconded by Deputy Mayor Pro Tem Robinson to close the public hearing. The roll call vote was cast 7 for, 0 against.

City Attorney David Ritter stated that due to the Planning and Zoning Commission, April 7, 2020, meeting denying the requested modifications that a super majority vote by City Council would be required for approval.

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Mayor Pro Tem Hill to table item 7 and return to Planning and Zoning for an accompanying development agreement. The roll call vote was cast 7 for, 0 against.

- 8. Discuss and consider a resolution approving the terms and conditions of a Cooperative Agreement by and between the City of Lancaster and Dallas County to provide the Community Development Block Grant Program.**

City Manager Mauldin-Jones stated that every three years Dallas County is required to confirm the City's participation in its Community Development Block Grant (CDBG) program. Lancaster has participated in the Dallas County program since 1988. In order for Dallas County to qualify they must enter into agreements with local governments and have the collective population of the County's unincorporated area and the local Governments total at least 1,000,000 people. The primary objective of the program is to develop sustainable urban communities that meet the public service and housing needs of low and moderate-income households. Federal rules allow each community to tailor its program to address specific local needs.

MOTION: Councilmember Mejia made a motion, seconded by Mayor Pro Tem Hill to approve item 8. The roll call vote was cast 7 for, 0 against.

- 9. Discuss and consider ratification of the City Council's action regarding items 8 and item 9 at the April 27, 2020, Regular City Council meeting, due to possible audio/visual transmission problems during consideration and/or voting on the following:**

Item 8: Discuss and consider a resolution denying Oncor's application to amend its Distribution Cost Recovery Factor (DCRF) to increase distribution rates with each of the cites in their service area. ACTION TAKEN: Passage of resolution by unanimous vote.

Item 9: Discuss and consider appointment(s) to the Planning and Zoning Commission. ACTION TAKEN: Angela Murphy appointed to Commission (regular member); Saeed Bowens appointed to alternate position formerly held by Angela Murphy by unanimous vote.

City Attorney David Ritter explained the need to ratify the actions taken at the April 27, 2020, Regular City Council meeting due to possible audio/visual transmission problems that impeded the listening and viewing audience's ability to hear discussions in completeness for item 8 and item 9.

MOTION: Mayor Pro Tem Hill made a motion, seconded by Councilmember Jaglowski to approve item 9. The roll call vote was cast 7 for, 0 against.

- 10. Discuss and consider appointment(s) to the Planning and Zoning Commission.**

City Secretary Arenas stated that on December 19, 2019, City Council considered its annual appointments to the various Boards and Commissions of the City of Lancaster. However, there is currently a vacancy as a result of a withdraw. At the April 27, 2020, City Council Regular meeting that Mr. Saeed Bowens was appointed as a Planning and Zoning alternate, with a term ending December 2020. Subsequently, Mr. Bowens has respectfully withdrawn his application due to his concerns with current data surrounding COVID-19.

City Secretary Arenas confirmed for Council that Boards and Commissions interviews were conducted December 2019, and that Council also can choose to seek additional applications for two (2) weeks and then have the item brought back to Council at a time of their choosing.

MOTION: Councilmember Jaglowski made a motion, seconded by Councilmember Mejia to seek additional applications for item 10. The roll call vote was cast 7 for, 0 against.

11. Discuss and consider a resolution authorizing the City Manager to execute an amendment to the economic development agreement pursuant to Chapter 380, Texas Local Government Code, by and between the City of Lancaster and PME Oakmont Lancaster, LLC.

City Manager Mauldin-Jones provided background on the City of Lancaster and PME Oakmont Lancaster, LLC previously entered into a Chapter 380 agreement on November 12, 2018. The rebate amount is consistent with the City's incentive policy. The agreement allows for the property to be sold to a new owner with the incentive intact if the new owners committed \$50,000,000 to the project, requiring them to invest in more than double the taxable value in their purchase of the building and improvements. The purpose of the committed capitol clause was to assure to the City that the buyer of the property is a sound company and would further improve the property. Due to local market conditions for warehouse space and Oakmont's claim they meant to agree to selling to a company with \$50,000,000 in total capital, not committed capitol, they are requesting the term of the agreement is extended to 63 months instead of 60 months. The company desires to transfer the facility and agreement to a buyer with \$30,000,000 in committed capital instead of \$50,000,000. The effective date of the agreement is changed to when the amendment is signed, giving the developer two additional years to receive a certificate of occupancy. Force Majeure will include a provision to toll the time if a mass illness delays material or labor. The agreement would rebate 50% of the City's collected sales tax in connection to building the facility. In return, the company will source the purchase of taxable building materials for the project to companies within city limits. The projected sales tax revenue will net the City an approximate \$100,000. Valuation of the project and real property tax rebate percentage does not change in this amendment.

Thomas Cobb, 4561 Olde Premier Way, Atlanta, GA, (Developer/Owner Applicant) was available to answer questions from Council.

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

MOTION: Councilmember Morris made a motion, seconded by Councilmember Strain-Burk to adjourn. Council unanimously agreed to adjourn.

The meeting was adjourned at 9:19 p.m.

ATTEST:



Sorangel O. Arenas, City Secretary

APPROVED:



Clyde C. Hairston, Mayor