



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



Monday, October 24, 2016 - 7:00 PM

CALL TO ORDER

INVOCATION: Ministerial Alliance

PLEDGE OF ALLEGIANCE: Councilmember Spencer W. Hervey, Jr.

RECOGNITION: LISD

PROCLAMATION: Municipal Court Week, United Nations Day, National Attendance Awareness Month, and Coach Humphrey Day

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 October 10, 2016.
2. Consider a resolution granting a public utility easement to Oncor Electric Delivery Company for the installation, construction, operation, maintenance, replacement, repair, and/or upgrade of overhead and/or underground electric supply and communications facilities, consisting of a variable number of wires and cables, supporting structures, surface mounted equipment, conduits and all necessary or desirable appurtenances over, under, through, across and upon grantor's land in support of the Bear Creek Nature Park restroom project.

ACTION:

3. Discuss and consider an ordinance authorizing the issuance of "City of Lancaster, Texas, General Obligation Refunding Bonds, Series 2016"; specifying the terms and features of said bonds; providing for the payment of said bonds by the levy of an ad valorem tax upon all taxable property within the City; and resolving other matters incident and related to the issuance, payment, security, sale and delivery of said bonds, including the approval and distribution of an official statement; and providing an effective date.

EXECUTIVE SESSION:

4. The City Council shall convene into closed executive session pursuant to:
 - a. Section § 551.072 of the Texas Government Code, discuss and deliberate the acquisition, purchase, exchange, lease or value of real property as deliberation in this open meeting would have a detrimental effect of the position of the City of Lancaster in negotiations with third persons.
 - 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 City Secretary.
 - 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 Manager.
5. Reconvene into open session. Consider and take appropriate action(s), if any, on closed/executive session matters.

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 October 20, 2016 @ 6:00 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 Regular Meeting

Item 1.

Meeting Date: 10/24/2016

Policy Statement: This request supports the City Council 2016-2017 Policy Agenda

Submitted by: Sorangel O. Arenas, City Secretary

Agenda Caption:

Consider approval of minutes from the City Council Regular Meeting held on October 10, 2016.

Background:

Attached for your review and consideration are minutes from the:

- City Council Regular Meeting held on October 10, 2016.

Attachments

Minutes

MINUTES

LANCASTER CITY COUNCIL MEETING OF OCTOBER 10, 2016

The City Council of the City of Lancaster, Texas, met in a called Regular session in the Council Chambers of City Hall on October 10, 2016 at 7:00 p.m. with a quorum present to-wit:

Councilmembers Present:

Mayor Marcus E. 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
Sean Johnson, Managing Director of Quality of Life & Cultural Services
Baron Sauls, Finance Director
Alton Dixon, Purchasing Manager
Tony Felts, Senior Planner
Jim Schlachter, Building Official
Nathan Diaz, Fire Marshal
Pat Adamcik, Assistant Fire Chief
Beau Jackson, Battalion Chief
Sorangel O. Arenas, City Secretary

Call to Order:

Mayor Knight called the meeting to order at 7:00 p.m. on October 10, 2016.

Invocation:

Pastor Richardson gave the invocation.

Pledge of Allegiance:

Councilmember Mejia led the pledge of allegiance.

Proclamation:

Mayor Knight proclaimed the Month of October as Fire Prevention Month and urged all of our citizens to find out the age of smoke alarms in their homes and to learn more about fire prevention.

Consent Agenda:

City Secretary Arenas read the consent agenda.

- 1. Consider approval of minutes from the City Council Regular Meeting held on August 22, 2016, City Council Special Meeting held on August 29, 2016, and City Council Regular Meeting held on September 12, 2016.**
- 2. Consider a resolution canceling the regular City Council meetings scheduled for November 28, 2016 and December 26, 2016.**
- 3. Consider a resolution authorizing Dallas County to resell 4291 and 4293 Elkins Avenue, 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.**

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

4. Z16-06 - Conduct a Public Hearing and consider an Amendment to the City of Lancaster Comprehensive Plan and Future Land use Map and a rezoning request from A-O Agricultural-Open to LI Light Industrial. The property is approximately 19.676 acres of land that is located on the south side of Wintergreen Road just west of the intersection of Houston School Road and Wintergreen Road. The legal description is Tract I and Tract II of First Baptist Church of Dallas located in Maraday Parks Survey, Abstract No. 1120, and more commonly addressed as 2620 Wintergreen Road, Lancaster, Dallas County, Texas.

Senior Planner Felts informed Council this was a request to rezone the subject property from the current Agricultural-Open Space ("A-O") to Light Industrial ("LI"). The property owner is seeking to utilize the subject property as a Bus Service Center. A bus service center or any other use currently allowed under the Light Industrial zoning district will be incompatible with the future vision for this area. Mr. Felts shared the 2002 Comprehensive Plan identifies this site as suitable for bus service centers. However, the 2002 Comprehensive Plan has been deemed incompatible with the growth and future direction that the City's residents and stakeholders envision for Lancaster's future and is currently in the process of being updated. The Comprehensive Plan update is scheduled for adoption at this current meeting and identifies the property site as Suburban Mixed-Use Center Uses, which is different from the 2002 Comprehensive Plan. Mr. Felts noted that the proposed zoning designation would be in conflict with the updated Future Land Use Plan. Additionally, the P&Z Commission recommended denial of the rezoning request.

Mayor Knight stated since the P&Z Commission denied the request, a supermajority (6 of the 7 members of Council) is required to approve the request.

Mayor Knight opened the public hearing.

Dallas Cothrum, 900 Jackson Street, Dallas, Texas, distributed planning examples to the governing body and would like to speak about a plan versus a project. Mr. Cothrum quoted Helmuth von Moltke who once said that "no battle plan survives contact with the Enemy." The enemy to plans is the market in which plans are a long-term vision for the area. A plan requires City's approval and investment which is an essential tool that does not necessarily drive development. He shared that his project will create approximately three hundred jobs, property taxes, and ad valorem taxes. The property site is surrounded by other industrial users and spoke about the difficult features which include an inefficient shape property to try to develop, has 280 feet of frontage, a creek to the east and no access to Longhorn Street. Mr. Cothrum is in favor of a Mixed-Used development on the property site. The handouts reflect details which includes the surrounding Industrial-Users in the area, businesses grouping for competition, and retail shoppers versus online shoppers. He stated that the site is not sufficient for a grocery store and does not have enough traffic for a Subway. Mr. Cothrum stated that the applicant is willing to spend several million dollars buying a piece of property and placing the company on the tax rolls. He stated that the land use request is not the best use but is viable one for a very difficult site to develop.

Deputy Mayor Pro Tem Jaglowski inquired of Mr. Cothrum the number of buses at the facility and the timeframes that the buses will be operating. Mr. Cothrum answered approximately 100-200 buses and will start operating from 6:00 a.m. into the late hours depending on the day and school events. Also, Deputy Mayor Pro Tem Jaglowski asked about traffic plans for the area. Mr. Cothrum stated that the bus traffic will spread across the day and majority will occur during peak hours. They are agreeable to some sort of traffic management plans and if P&Z Commissions recommended traffic plans, they would have done so.

Councilmember Hairston questioned whether the bus center is an additional center and confirmation on the number of jobs. Mr. Cothrum stated that the center will replace the center bus center and confirmed the number of jobs, including full-time and part-time, is approximately 300.

Mayor Knight inquired if the jobs will transfer from the current facility to the new facility and if it is a net of 300 jobs. Mr. Cothrum confirmed that it is probable that the jobs will transfer and the jobs probably already exist and some of the jobs might be new since it will be a new facility.

Mayor Pro Tem Strain-Burk inquired whether the facility is closing. Mr. Cothrum shared that the land has enough space and the tenant has a lease term remaining.

Councilmember Hairston inquired the party's name in which Mr. Cothrum represents. Mr. Cothrum shared that the developer is Wedgewood which develops similar facilities and leases to operating companies like Dallas County Schools. Councilmember Hairston asked the name and business information from Mr. Cothrum. Mr. Cothrum shared his name and serves as Executive Vice-President of the Masterplan firm. He has provided consultation for Oncor throughout the state of Texas.

Mr. Cothrum appreciated the feedback and has some information to share with his client.

Councilmember Mejia stated the proposed property is deemed incompatible with the growth and future direction envisioned for Lancaster's future.

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

Mayor Knight shared that the Planning and Zoning Commission recommended denial of the rezoning request; therefore, the reason for a supermajority vote is required to overturn the recommendation.

City Attorney Hager shared that a "Yes" vote is in favor to zoning request and "No" vote is in opposition to the request.

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

5. Conduct a Public Hearing and consider an ordinance adopting the City of Lancaster Comprehensive Plan.

Senior Planner Felts shared that at the August 12, 2013, meeting, the City Council approved a resolution authorizing the award of a contract to Jacobs Engineering Group, Inc. to provide an update to the City of Lancaster's Comprehensive Land Use Plan. Over the last few years, staff has worked diligently with the consultants and the advisory committee to draft the Plan. A joint work session was conducted on August 9, 2016 with the Planning and Zoning Commission. The Planning and Zoning Commission conducted a public hearing at its September 16, 2016 meeting. Four citizens provided comments regarding the proposed Plan. The commission voted 4-0 and recommended approval of the plan. An updated Comprehensive Plan was provided to Council and the consultants will provide a presentation.

A presentation was presented by the consultant team: Mark Bowers with Kimley-Horn and Associates Firm; Chuck Haynes, Jacobs Group; Karen Walz, Strategic Community Solutions; and Bill Cunningham, Ricker-Cunningham, Inc. The presentation topics included the Comprehensive Plan Background, Community Process for Plan Development, Comprehensive Plan Chapters (Vision Statement, Future Land Use, Transportation, Economic Development and Implementation), Planning and Zoning Commission Recommendation and Discussion.

Mayor Pro Tem Strain-Burk shared her observation on page 28, of Exhibit "A", that the private open space located south of Beltline Road is incorrect on the map. Also, the Implementation Strategy, page 106, the verbiage on adopting the area guidelines that in the Planning and Zoning there was some additional requests from citizens about adopting the guidelines making the HLPC a commission board so the appeals process is presented to the governing body and not the P&Z Commissions.

Mayor Knight shared that Mayor Pro Tem Strain-Burk's request should be potentially clarified in the implementation process.

Mayor Pro Tem Strain-Burk shared that the information that was given only listed markers and there are more historic homes that the citizens brought forward that define additional historic sites that do not have state and national markers but are extremely significant to the character and to the community which based on the plan it did not reflect what was requested by the citizens.

Consultant Bowers asked if the addition of the updated inventories conducted in relation to historic assets" address the request. Mayor Pro Tem Strain-Burk confirmed. Consultant Walz agreed to have the verbiage consistent with the information on Exhibit 9.02.

Mayor Knight opened the public hearing.

There were no speakers.

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

Mayor Knight shared that the process and input meet satisfactory.

Mayor Pro Tem Strain-Burk requested to have the verbiage included on page 106.

Councilmember Hairston inquired from City Manager Mauldin-Robertson if the Plan will enhance the districts and if future zoning cases will follow the Plan.

City Manager Mauldin-Robertson stated that should item 4 be approved, because the Plan puts in place the land uses for the growth and future direction that the City's residents and stakeholders envisions. Staff will utilize the Plan and over the next several years the Plan will be further implemented. Following adoption, and before any zoning cases shall be considered the Planning and Zoning Commission will utilize the document as an "umbrella" guiding most aspects of the City's development and growth. The Comprehensive Plan will also impact the budget process because there are implementation elements that will require funding and action from staff.

Deputy Mayor Pro Tem Jaglowski thanked the consultant team and colleagues of their hard-worked and is excited to see the forthcoming projects and goals associated with the plan.

Councilmember Hervey thanked all parties associated to the plan.

Mayor Knight stated that the Comprehensive Plan does not necessarily have to include the historic guidelines for adoption. He mentioned that a separate discussion could be arranged to discuss further on how to handle the specific guidelines without pausing the process.

City Manager Mauldin-Robertson stated that the adoption of the Plan will change the Historic Area Guidelines as regulations. The recommendation is to adopt the guidelines as regulations; however, the recommendation could be consider adoption the Historic Area Guidelines as regulations.

Mayor Knight shared that the document is capable to be amended at any given time.

Senior Felts shared that the Comprehensive Plan provides the framework to provide for future discussion for the future vision of the City. Based on the citizen inputs and Planning and Zoning Commission recommendation was to adopt the Historic Guidelines. The action requested from Council is to set up the framework to provide future discussion which the guidelines will be brought back for further discussion along with ordinances associated with the guidelines.

Mayor Knight shared that a motion can be made to maintain considering the adoption or a motion could be made to create the adoption.

Councilmember Morris thanked the consultant team for holding the meetings and charrettes. She inquired if the guidelines for HLPC were established by statues and received confirmation.

Mayor Pro Tem Strain-Burk commented that the surveys completed the historic district was a high importance to maintain the historic character. Citizens that were present at the Planning and Zoning Commission mentioned that they would like to have the historic district to be restored and will raise the value of the homes.

Mayor Knight suggested the adoption is not stating what the guidelines will be but that there will be some sort of guidelines as regulations to be further discussed.

MOTION: Councilmember Morris made a motion, seconded by Councilmember Hairston to approve item 5 to create and/or adopt the Historic Guidelines. The vote was cast 6 for, 1 against [Mejia].

6. Discuss and consider an ordinance which prohibits the exhibit, display, or offering of electronic and mechanical games of chance within the City of Lancaster.

City Manager Mauldin-Robertson stated that the ordinance for consideration modifies Chapter 8 of the City Code of Ordinances to prohibit the exhibit, sale, or offering of electronic and mechanical games of chance in the City of Lancaster. Electronic and mechanical games of chance are currently illegal in the State of Texas; however the Texas Penal Code provides an exemption for such gaming machines which reward the players exclusively with non-cash items.

Councilmember Hairston how many of these types of facilities are in the City. Senior Planner Felts shared that there are approximately 10 within the City of Lancaster along North Dallas Avenue and Pleasant Run Road.

Deputy Mayor Pro Tem Jaglowski questioned how many violations there were and when they began. Senior Planner Felts shared citizen complaints were received and the Building Official and Fire Marshall identified and issued a notice of violation to all 10. City Manager Mauldin-Robertson shared that numerous complaints came from either the Police Department or from Fire Marshall's office. The facilities that were identified have the electronic and mechanical games of chance behind closed doors and the ordinance will allow staff to enter the facilities to inspect.

MOTION: Councilmember Morris made a motion, seconded by Deputy Mayor Pro Tem Jaglowski to approve item 6. The vote was cast 6 for, 1 against [Hervey].

7. Discuss and consider a resolution ratifying an economic development agreement authorized by Resolution 2016-08-64 pursuant to Chapter 380, Texas Local Government Code, by and between the City of Lancaster and I-20 Commerce Center, LLC.

City Manager Mauldin-Robertson shared that at the August 8, 2016 regular meeting Council approved an economic development agreement with I-20 Commerce Center, LLC. The agreement requires execution to the City within 30 days of approval of the agreement and the developer did not execute and return the agreement(s) within the stipulated time frame. For the agreement(s) to be valid Council must ratify the agreement.

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

8. Discuss and consider amending the Rental Registration & Inspection Program Ordinance Number 2016-06-10.

City Manager Mauldin-Robertson stated that item 8 is a companion to item 9 clarifying an Annual Registration Fee under the scope of this program is well within the ability of staff to administer. The annual fee of \$15.00 is to register the property after the first year. There is an annual registration and inspection fee of \$55.00 at the time of the initial inspection. Re-inspections for failure to pass initial inspection are \$25.00. Should there be a change in tenancy; an additional inspection fee of \$55.00 is charged. Lastly, if there is a long term tenant, the charge for inspection is at the time that there is a change of tenancy and the fee is \$55.00.

City Manager Mauldin-Robertson shared that the number of rental properties are provided in the quarterly update.

Deputy Mayor Pro Tem Jaglowski asked whether the City Attorney had reviewed the amendments proposed. City Manager Mauldin-Robertson shared that the City Attorney reviewed and approved the amended ordinance as to form during the bi-monthly meeting to ensure the landlord and the tenant understand the fees.

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

9. Discuss and consider a resolution amending the Master Fee Schedule, Article 3.000 Building Related Fees to provide an annual registration fee for Single Family Residential rental units.

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

Executive Session:

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

(a) 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: Municipal Court Judge.

(b) City Council shall convene into closed executive pursuant to § 551.072 of the Texas Government Code, discuss and deliberate the acquisition, purchase, exchange, lease or value of real property as deliberation in this open meeting would have a detrimental effect of the position of the City of Lancaster in negotiations with third persons.

11. 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 9:05 p.m. and reconvened into open session at 9:52 p.m.

No action was taken following Executive Session.

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 9:52 p.m.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Marcus E. Knight, Mayor

LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 2.

Meeting Date: 10/24/2016

Policy Statement: This request supports the City Council 2016-2017 Policy Agenda

Goal(s): Sound Infrastructure
Quality Development

Submitted by: Rona Stringfellow, Assistant City Manager

Agenda Caption:

Consider a resolution granting a public utility easement to Oncor Electric Delivery Company for the installation, construction, operation, maintenance, replacement, repair, and/or upgrade of overhead and/or underground electric supply and communications facilities, consisting of a variable number of wires and cables, supporting structures, surface mounted equipment, conduits and all necessary or desirable appurtenances over, under, through, across and upon grantor's land in support of the Bear Creek Nature Park restroom project.

Background:

The proposed Easement dedication from the City to Oncor Electric Delivery is needed to support the Bear Creek Nature Park Capital Improvement project. Bear Creek Nature Park is located on Bear Creek Road, just east of the BNSF railroad. A new transformer needs to be installed and maintained by Oncor to supply adequate power to the restroom facility. Oncor requires that the attached Oncor Easement document along with its attached Exhibits A and B be approved by the City before they can install, operate and maintain their facilities on city property.

Operational Considerations:

This will improve the operating capacity and efficiency of Bear Creek Nature Park by allowing restrooms.

Legal Considerations:

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

Public Information Considerations:

There are no public information requirements other than the requisite 72 hour notice in fulfillment of the requirements of the Texas Open Meetings Act.

Fiscal Impact:

The easement dedicated is at no cost to the City.

Options/Alternatives:

1. Approve the resolution as presented.
2. Deny the dedication request.

Recommendation:

Staff recommends approval of the resolution as presented.

Attachments

Resolution

Agreement

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS (GRANTOR), GRANTING A PUBLIC UTILITY EASEMENT AND RIGHT-OF-WAY TO ONCOR ELECTRIC DELIVERY COMPANY (GRANTEE) FOR THE INSTALLATION, CONSTRUCTION, OPERATION, MAINTENANCE, REPLACEMENT, REPAIR, AND/OR UPGRADE OF OVERHEAD AND/OR UNDERGROUND ELECTRIC SUPPLY AND COMMUNICATIONS FACILITIES, CONSISTING OF A VARIABLE NUMBER OF WIRES AND CABLES, SUPPORTING STRUCTURES, SURFACE MOUNTED EQUIPMENT, CONDUITS AND ALL NECESSARY OR DESIRABLE APPURTENANCES OVER, UNDER, THROUGH, ACROSS AND UPON GRANTOR'S LAND IN SUPPORT OF THE BEAR CREEK NATURE PARK RESTROOM PROJECT; AUTHORIZING THE MAYOR TO EXECUTE SAID EASEMENT AND RIGHT-OF-WAY DOCUMENT; REPEALING ALL RESOLUTIONS IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Bear Creek Nature Park Restroom Project is necessary to provide adequate power to the restroom facility; and

WHEREAS, Oncor Electric Delivery cannot perform the activities of installing, maintaining, constructing, operating, replacing, repairing, and/or upgrading equipment on private property; and

WHEREAS, it is necessary to provide easement and right-of-way to Oncor Electric Delivery to enable them to perform such activities in support of the Bear Creek Nature Park Project.

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

SECTION 1. The City Council of the City of Lancaster, Texas, hereby grants the Easement and Right-of-Way Dedication as provided in the attached Oncor Easement and Right-of-Way Document and Exhibits A and B to Oncor Electric 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 Mayor of the City of Lancaster, Texas is authorized to execute the appropriate documents to implement this conveyance.

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

SECTION 4. Should any part of this Resolution be held to be invalid for any reason, the remainder shall not be affected thereby, and such remaining portions are hereby declared to be severable.

SECTION 5. This Resolution shall take effect immediately from and after its passage, and it is duly resolved.

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the 24th day of October 2016.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Marcus E. Knight, Mayor

APPROVED AS TO FORM:

Robert E. Hager, City Attorney

EASEMENT AND RIGHT OF WAY

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF DALLAS §

That **City Lancaster**, hereinafter called "Grantor," whether one or more, for and in consideration of Ten and No/100 Dollars (\$10.00) and other valuable consideration to Grantor in hand paid by **Oncor Electric Delivery Company LLC**, a Delaware limited liability company, located at 1616 Woodall Rodgers Freeway, Dallas, Texas, 75202-1234, hereinafter referred to as "Grantee", has granted, sold and conveyed and by these presents does grant, sell and convey unto said Grantee, their successors and assigns, an easement and right-of-way for overhead and/or underground electric supply and communications facilities, consisting of a variable number of poles, guys, anchors, wires and cables, supporting structures, surface mounted equipment, transformers, switchgears, auto-transformers, conduits, manholes, vaults, and all necessary or desirable appurtenances over, under, through, across, and upon Grantor's land described as follows:

SEE EXHIBIT "B" ATTACHED

Grantor recognizes that the general course of said lines, or the metes and bounds as above described, is based on preliminary surveys only, and Grantor hereby agrees that the easement and right-of way and its general dimensions hereby granted shall apply to the actual location of said lines when constructed.

Together with the right of ingress and egress along and upon said easement and right-of-way and over and across Grantor's adjoining properties for the purpose of and with the right to construct, maintain, operate, repair, remove, replace, reconstruct, abandon in place, and to change the size and capacity of said facilities; the right to relocate said facilities in the same relative direction of said facilities; the right to relocate said facilities in the same relative position to any adjacent road if and as such road is widened in the future; the right to lease wire space for the purpose of permitting others to string or lay wire or cable along said facilities; the right to prevent excavation within the easement area; the right to prevent construction of, within the easement area, any and all buildings, structures or other obstructions which, in the sole judgment of Grantee, may endanger or interfere with the efficiency, safety, and/or convenient operation of said facilities and their appurtenances, and the right to trim or remove trees or shrubbery within, but not limited to, said easement area, including by use of herbicides or other similar chemicals approved by the U. S. Environmental Protection Agency, to the extent in the sole judgment of Grantee, as may be necessary to prevent possible interference with the operation of said facilities or to remove possible hazard thereto. Grantor shall not make changes in grade, elevation or contour of the land or impound water within the easement area as described above without prior written consent of Grantee.

Grantor reserves the right to use the land within the above described easement area for purposes not inconsistent with Grantee's use of such property, provided such use shall not, in the sole judgment of the Grantee, interfere with the exercise by the Grantee of the rights hereby granted.

TO HAVE AND TO HOLD the above described easement and right-of-way unto the said Grantee, its successors and assigns, until all of said electric lines and facilities shall be abandoned, and in that event said easement and right-of-way shall cease and all rights herein granted shall terminate and revert to Grantor or Grantor's heirs, successors or assigns; and Grantor hereby binds Grantor and Grantor's heirs, successors, assigns, and legal representatives, to warrant and forever defend the above described easement and right-of-way unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this _____ day of _____, 20_____.

GRANTOR:

City of Lancaster

By: _____

Opal Mauldin-Robertson
City Manager

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, on this day personally appeared **Opal Mauldin-Robertson**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he / she executed the same as the act and deed of **City of Lancaster**, as the **City Manager** thereof, for the purposes and consideration therein expressed, in the capacity therein stated and he is authorized to do so.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, A. D. 20____.

Notary Public in and for the State of Texas

EXHIBIT "B"
ONCOR ELECTRIC DELIVERY COMPANY EASEMENT
LEGAL DESCRIPTION

BEING a lot, tract or parcel of land situated on the R. Rawlins Survey Abstract No. 1228 and the T. Bledsoe Survey Abstract No. 119 Dallas County, Texas and a part of Tract 1 in a deed to City of Lancaster recorded in Volume 62, Page 5576 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and also being a part of a called 210.46 acre tract of land in a deed to the City of Lancaster recorded in Volume 89235, Page 2543 (D.R.D.C.T.) and being more particularly described as follows:

BEGINNING at a point for corner and being West , a distance of 474.70 feet from the most southeasterly corner of said City of Lancaster Tract 1;

THENCE along the following calls as follows;

West, a distance of 11.28 feet to a point for corner;

N 27 Deg 31 Min 22 Sec W , a distance of 64.14 feet to a point for corner;

North, a distance of 87.00 feet to a point for corner;

N 13 Deg. 09 Min. 56 Sec. E , a distance of 88.90 feet to a point for corner;

N 27 Deg. 59 Min. 46 Sec. E , a distance of 108.79 feet to a point for corner;

N 40 Deg. 58 Min. 39 Sec. E , a distance of 89.70 feet to a point for corner;

N 38 Deg. 42 Min. 41 Sec. E , a distance of 154.31 feet to a point for corner;

THENCE N 25 Deg. 09 Min. 11 Sec. E , a distance of 117.13 feet to a point for corner in the approximate northeasterly line of aforesaid Tract 1 same also being the southwesterly line of the aforesaid called 210.46 acre City of Lancaster tract;

THENCE along the following calls as follows;

N 41 Deg. 05 Min. 05 Sec. E , a distance of 58.63 feet to a point for corner;

N 27 Deg. 38 Min. 26 Sec. E , a distance of 89.93 feet to a point for corner;

N 23 Deg. 47 Min. 55 Sec. E , a distance of 94.32 feet to a point for corner;

N 40 Deg. 10 Min. 15 Sec. E , a distance of 237.43 feet to a point for corner;

N 26 Deg. 49 Min. 04 Sec. E , a distance of 38.46 feet to a point for corner;

S 67 Deg. 22 Min. 25 Sec. E , a distance of 10.03 feet to a point for corner;

S 26 Deg. 49 Min. 04 Sec. W , a distance of 40.37 feet to a point for corner;

S 40 Deg. 10 Min. 15 Sec. W , a distance of 237.16 feet to a point for corner;

S 23 Deg. 47 Min. 55 Sec. W , a distance of 93.21 feet to a point for corner;

S 27 Deg. 38 Min. 26 Sec. W , a distance of 91.44 feet to a point for corner;

S 41 Deg. 05 Min. 05 Sec. W , a distance of 58.41 feet to a point for corner;

S 25 Deg. 09 Min. 11 Sec. W , a distance of 116.92 feet to a point for corner;

S 38 Deg. 42 Min. 41 Sec. W , a distance of 155.70 feet to a point for corner;

S 40 Deg. 58 Min. 39 Sec. W , a distance of 88.76 feet to a point for corner;

S 27 Deg. 59 Min. 46 Sec. W , a distance of 106.35 feet to a point for corner;

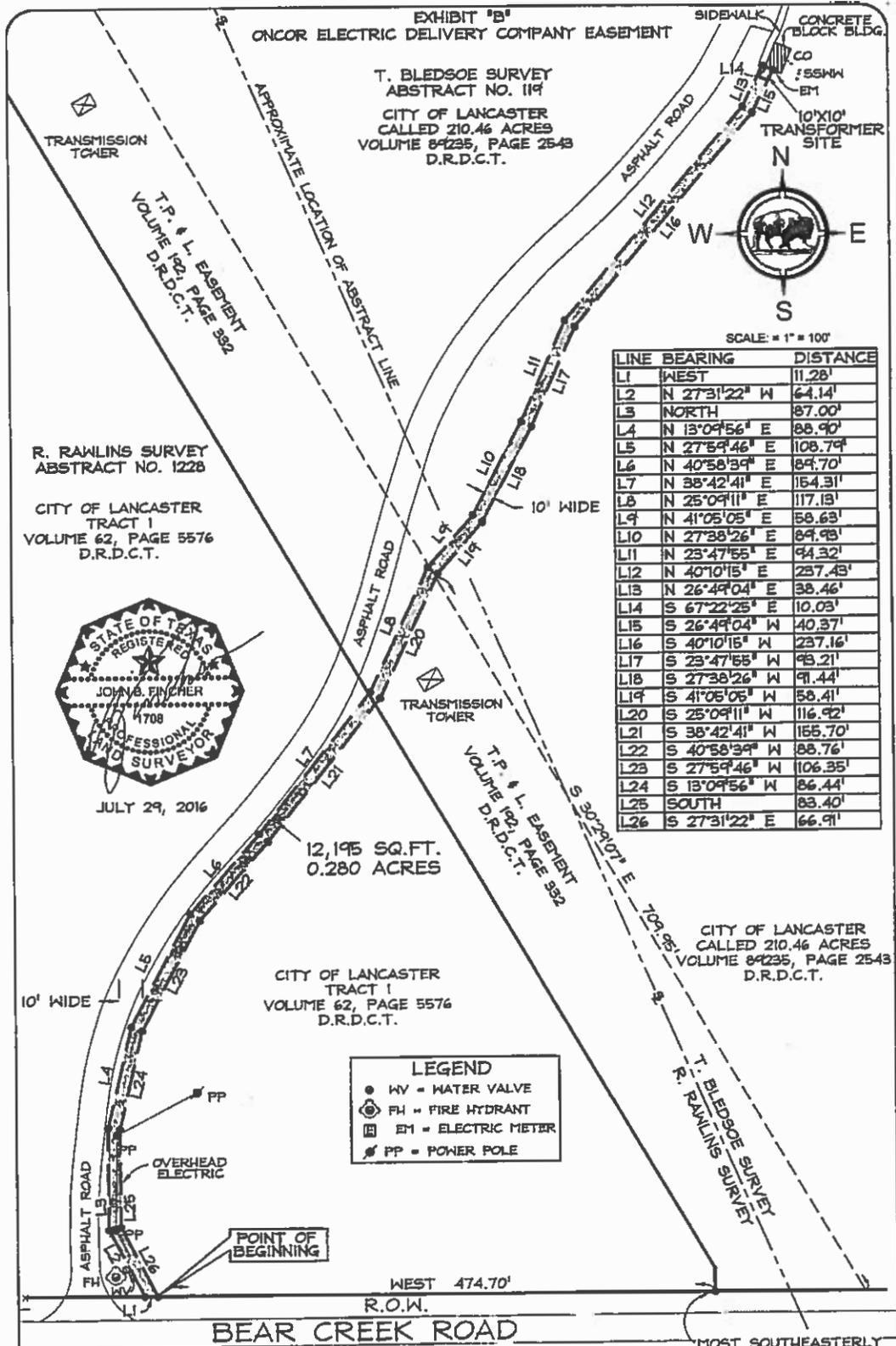
S 13 Deg. 09 Min. 56 Sec. W , a distance of 86.44 feet to a point for corner;

South a distance of 83.40 feet to a point for corner;

S 27 Deg. 31 Min. 22 Sec. E , a distance of 66.91 feet to the PLACE OF BEGINNING and containing 12,269 square feet, or 0.282 acres of land more or less.

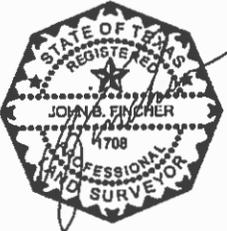
**SEE SHEET 1 OF 2

DRAWING PREPARED EVEN DATE TO ACCOMPANY THIS DESCRIPTION
JULY 29, 2016



SCALE: = 1" = 100'

LINE	BEARING	DISTANCE
L1	WEST	11.28'
L2	N 27°31'22" W	64.14'
L3	NORTH	87.00'
L4	N 13°09'56" E	88.90'
L5	N 27°59'46" E	108.79'
L6	N 40°58'39" E	89.70'
L7	N 38°42'41" E	154.31'
L8	N 25°09'11" E	117.13'
L9	N 41°05'05" E	58.63'
L10	N 27°38'26" E	89.93'
L11	N 23°47'55" E	94.32'
L12	N 40°10'15" E	287.43'
L13	N 26°49'04" E	38.46'
L14	S 67°22'25" E	10.03'
L15	S 26°49'04" W	40.37'
L16	S 40°10'15" W	237.16'
L17	S 23°47'55" W	93.21'
L18	S 27°38'26" W	91.44'
L19	S 41°05'06" W	58.41'
L20	S 25°09'11" W	116.92'
L21	S 38°42'41" W	155.70'
L22	S 40°58'39" W	88.76'
L23	S 27°59'46" W	106.35'
L24	S 13°09'56" W	86.44'
L25	SOUTH	83.40'
L26	S 27°31'22" E	66.91'



LEGEND

- WV = WATER VALVE
- ⊙ FH = FIRE HYDRANT
- ⊞ EM = ELECTRIC METER
- ⚡ PP = POWER POLE

**** SEE DESCRIPTION PREPARED EVEN DATE SHEET 2 OF 2**

12,269 FT. / 0.282 ACRES

MOST SOUTHEASTERLY CORNER OF CITY OF LANCASTER TRACT 1

<p>ONCOR ELECTRIC DELIVERY EASEMENT CITY OF LANCASTER, DALLAS COUNTY TEXAS</p> <p>PROJECT NO. 16-0384 SHEET 1 OF 2</p>	<p>SITUATED IN THE R. RAWLINS SURVEY, ABSTRACT NO. 1228 & T. BLEDSOE SURVEY, ABSTRACT NO. 119 DALLAS COUNTY, TEXAS</p>	<p>BISON CREEK LAND SERVICES, LLC WWW.BISONCREEK.COM</p> <p>FIRM LICENSE NO. 10193880 COPYRIGHT © 2016</p>
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BISON CREEK LAND SERVICES, LLC 24448 INTERSTAE 20, MILLS POINT, TEXAS 76169 PHONE: (908) 875 - 8400 FAX: (908) 875 - 8400

LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 3.

Meeting Date: 10/24/2016

Policy Statement: This request supports the City Council 2016-2017 Policy Agenda

Goal(s): Financially Sound Government

Submitted by: Raju Anthony, Assistant Finance Director

Agenda Caption:

Discuss and consider an ordinance authorizing the issuance of "City of Lancaster, Texas, General Obligation Refunding Bonds, Series 2016"; specifying the terms and features of said bonds; providing for the payment of said bonds by the levy of an ad valorem tax upon all taxable property within the City; and resolving other matters incident and related to the issuance, payment, security, sale and delivery of said bonds, including the approval and distribution of an official statement; and providing an effective date.

Background:

Staff met with First Southwest, the City's Financial Advisors, to discuss options. Based upon current market conditions, the City has the opportunity to refund portions of its outstanding debt and realize debt service savings. The 2007 issues that are being refunded are the General Obligation Refunding and Improvement Bonds, Series 2007, and the Series 2007 Certificates of Obligation with an outstanding principal amount of \$6,800,000.00. Subsequently, staff met with the rating agencies and our ratings have been confirmed as "Aa3" from Moody's.

Operational Considerations:

Approving this ordinance authorizes the City to issue General Obligation Refunding, Series 2016 to be utilized for refunding of a portion of existing debt for debt service savings.

Legal Considerations:

The ordinance has been prepared by West and Associates, LLP, the City's Bond Counsel.

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.

Fiscal Impact:

The issuance of this debt will not impact the city's tax rate. All fees are included in the debt issuance; no additional funds need to be budgeted. Bond issuance costs are paid at closing from the proceeds of the bond issue; therefore, no out of pocket costs are incurred.

Options/Alternatives:

1. City Council may approve the ordinance as presented.
2. City Council may deny the ordinance.

Recommendation:

Staff recommends approval of the ordinance authorizing the issuance of City of Lancaster, Texas, General Obligation Refunding Bonds, Series 2016 in an approximate amount of \$6,660,000 for refunding a portion of the City's outstanding debt.

LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 4.

Meeting Date: 10/24/2016

Policy Statement: This request supports the City Council 2016-2017 Policy Agenda

Goal(s): Professional & Committed City Workforce

Submitted by: Sorangel O. Arenas, City Secretary

Agenda Caption:

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

- a. Section § 551.072 of the Texas Government Code, discuss and deliberate the acquisition, purchase, exchange, lease or value of real property as deliberation in this open meeting would have a detrimental effect of the position of the City of Lancaster in negotiations with third persons.
- 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 City Secretary.
- 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 Manager.

Background:

Executive Session matters.

LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 5.

Meeting Date: 10/24/2016

Policy Statement: This request supports the City Council 2016-2017 Policy Agenda

Goal(s): Professional & Committed City Workforce

Submitted by: Sorangel O. Arenas, City Secretary

Agenda Caption:

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

Background:

This agenda item allows City Council to take action necessary, if any, on item(s) discussed in Executive Session.