

## MINUTES

## LANCASTER CITY COUNCIL REGULAR MEETING OF APRIL 27, 2020

The City Council of the City of Lancaster, Texas, met in a called Regular Meeting in the Council Chambers of City Hall on April 27, 2020, at 7:00 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  
Carey Neal, Assistant to the City Manager  
Dori Lee, Director of Human Resources  
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 7:00 p.m. on April 27, 2020.

**Invocation:**

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

**Pledge of Allegiance:**

Councilmember Stanley Jaglowski led the pledge of allegiance.

**Citizens Comments:**

Opal Mauldin-Jones, 211 N. Henry St. shared information on upcoming events.

**Consent Agenda:**

City Secretary Arenas read the consent agenda.

1. Consider approval of minutes from the City Council Regular Meeting held on January 27, 2020.
2. Consider a resolution approving the terms and conditions of an Interlocal Agreement by and between The University of Texas Southwestern Medical Center (UT Southwestern) and the City of Lancaster, for services related to the provision of paramedic continuing education.
3. Consider a resolution approving the terms and conditions of an agreement between Revenue Optimization Solutions, LLC and the City of Lancaster for services related to cost allocation and cost reporting services for the Texas Ambulance Service Supplemental Payment Program (TASSPP).
4. Consider a resolution amending the Master Fee Schedule, Article 5.000- Fire Services Fees to increase fees.

5. Consider a resolution approving the terms and conditions of two maintenance agreements between Stryker and the City of Lancaster, for services related to the maintenance of advanced medical equipment utilized by the Lancaster Fire Department (LFD) in providing advanced medical care.
6. Consider a resolution authorizing the award of Bid# 2020-01 to McMahon Contracting L.P. for the roadway extension of Bridle Path Drive to Millbrook Drive, in an amount not to exceed seven hundred seventy thousand one hundred seventy-one dollars and ninety-seven cents (\$770,171.97).

Councilmember Strain-Burk pulled item 6.

**MOTION:** Councilmember Strain-Burk made a motion, seconded by Councilmember Jaglowski to approve consent items 1 through 5, excluding item 6. The roll call vote was cast 7 for, 0 against.

6. Consider a resolution authorizing the award of Bid# 2020-01 to McMahon Contracting L.P. for the roadway extension of Bridle Path Drive to Millbrook Drive, in an amount not to exceed seven hundred seventy thousand one hundred seventy-one dollars and ninety-seven cents (\$770,171.97).

City Manager Opal Mauldin-Jones provided background stating at the February 18, 2019 Work Session, Council received and discussed a presentation on the Lancaster Independent School District (LISD) land exchange and rights-of-way dedication for roadway construction. City Council discussed an alternative solution to reduce the amount of traffic congestion created by the charter school, International Leadership of Texas-Lancaster, located on the southwest corner of Pleasant Run Road and Rawlins Drive. The proposed alternate route is to be created by extending Millbrook Drive to Bridal Path Drive which will allow vehicles to enter and exit Millbrook subdivision from Beltline Road.

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

7. Discuss and consider a resolution accepting the 2019 Lancaster Police Department Racial Profiling Analysis Annual Report.

City Manager stated that Police Chief Urbanski would provide an update on the Racial Profiling Analysis Annual Report.

Police Chief Urbanski provided a brief on the Racial Profiling Analysis Annual Report.

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

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 cities in their service area, including the City of Lancaster.

City Manager Mauldin-Jones provided background stating that on April 3, 2020, Oncor Electric Delivery Company ("Oncor") filed an Application for Approval of a DCRF. This is Oncor's third filing under a law adopted in 2011 allowing electric utilities to file limited issue, limited review cases. In the filing, Oncor is seeking an increase in distribution revenues of \$75,889,531.00.

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

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

City Secretary Arenas states that on December 19, 2019, the City Council considered its annual appointments to the various Boards and Commissions of the City of Lancaster. Due to the resignation of Ty G. Jones, there is currently a vacancy as a result of a resignation. The position terms expires in 2020.

**MOTION:** Councilmember Strain-Burk made a motion, seconded by Deputy Mayor Pro Tem Robinson to approve item 9. The roll call vote was cast 7 for, 0 against.

**10. Discuss and consider confirmation of nomination made by the Planning and Zoning Commission of one (1) regular member to the City of Lancaster Historic Landmark Preservation Committee (HLPC).**

City Secretary Arenas stated pursuant to Section 5.02.007 of the Lancaster Code of Ordinances, members of the Historic Landmark Preservation Committee are appointed by the Planning and Zoning Commission and confirmed by the City Council. This item was on the March 23, 2020, City Council Meeting agenda and after extensive discussion, City Council voted to return this item to the Planning & Zoning Commission for reconsideration.

**MOTION:** Councilmember Strain-Burk made a motion, seconded by Deputy Mayor Pro Tem Robinson to approve item 10. Roll call was taken 7 for, 0 against.

**11. Discuss and consider an amendment to Ordinance No. 2019-09-36 amending the Stormwater Fund and Water and Wastewater Fund for Fiscal Year 2019-2020.**

City Manager Mauldin-Jones discussed in the Water/Wastewater Fund, the proposed amendment will cover water main replacement costs on Edwards Street (between Cedardale Road and Taylor Street), Lindenwood Drive (from Dewberry to Lindenwood), Redbud Lane (from Stewart to Main Street), and Crest Street (from Francis to West Main Street). This project was approved by City Council on January 13, 2020 (Resolution No. 2020-01-03), however, due to increase in consumer price index, the budgeted funds will not be sufficient to cover the excess. The additional cost amounts to \$198,401.00.

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

**12. Discuss and consider a resolution approving the terms and conditions of a professional services agreement with Pacheco Koch Consulting Engineers, Inc. (PCKE) to provide an updated Stormwater Master Plan Study.**

City Manager Mauldin-Jones stated that a review of the existing 2008 Storm Water Master Plan revealed a need to update this plan for the entire City and to update a list of Capital Improvement Projects (CIPs) to minimize stormwater impact. Updated topographic data is now available as existing computer models will be updated for the many creeks and streams throughout the City. Updated CIPs will be proposed to the Capital Improvement Advisory Committee (CIAC) which is an oversight committee required by Chapter 395 of the Texas Local Government Code. In 2008, the City of Lancaster Stormwater Master Plan was completed by Freese and Nichols, Inc. The City Council 2019-2020 Goals & Objectives "identify a flood plain reclamation study for Country View Golf Course". The 2016 Comprehensive Plan called for an update to this plan.

**MOTION:** Mayor Pro Tem Hill made a motion, seconded by Councilmember Strain-Burk to approve item 12. The roll call vote was cast 7 for, 0 against.

- 13. Discuss and consider an ordinance, establishing the Lancaster Public Safety Emergency Responder Additional Paid Leave Program for sworn police, sworn fire and emergency dispatch personnel; prescribing the additional paid leave benefit.**

City Manager Mauldin-Jones stated that in March of 2020, the United States Congress passed the Families First Coronavirus Response Act (HR 6201), also known as the "FFCRA", which became effective on April 1, 2020 and which provided for an expansion of the Family and Medical Leave Act ("FMLA") and added paid sick leave benefits in response to the COVID-19 pandemic, but which specifically allowed local government to exempt or exclude emergency responders from the benefits afforded under the FFCRA because of the need for their essential services during this pandemic and public health emergency. On March 31, 2020, after consultation between the City Manager, Fire Chief and Police Chief, all sworn police, fire and dispatch personnel were notified of their exclusion from the Families First Coronavirus Response Act (FFCRA) as allowed by the terms of that law. Therefore, Human Resources has worked with both the Fire and Police Department Chiefs and the City Manager's Office staff to present for consideration a Lancaster Emergency Responder Additional Paid Leave Program, to run until December 31, 2020 to be consistent with the FFCRA and provide broader flexibility than the FFCRA for use of such leave.

**MOTION:** Councilmember Morris made a motion, seconded by Mayor Pro Tem Hill to approve item 13. The roll call vote was cast 7 for, 0 against.

- 14. Discuss and consider an ordinance extending the previously declared local public health disaster resulting from COVID-19 until May 20, 2020, and adopting and ratifying all national, state, and county executive or emergency orders regarding COVID-19.**

City Manager Mauldin-Jones stated that on March 12, 2020, Dallas County Judge Clay Jenkins issued a Declaration of Local Disaster for Public Health Emergency due to a novel coronavirus (COVID-19). Judge Jenkins also issued an order in furtherance of his authority to protect the safety and welfare of the public by slowing the spread of the virus. As such, Mayor Clyde C. Hairston also issued a Declaration of Local Disaster for Public Health Emergency and issued an order to further ensure the safety of residents and visitors of the City of Lancaster. She stated that this ordinance would extend the previously declared local public health disaster resulting from COVID-19 until May 20, 2020, and adopting and ratifying all national, state, and county executive or emergency orders regarding COVID-19.

**MOTION:** Councilmember Strain-Burk made a motion, seconded by Councilmember Jaglowski to approve, with amendments, item 14. The roll call vote was cast 7 for, 0 against.

- 15. City Council shall convene into closed executive session pursuant to:**

**1. Section §551.071 (1) (A) of the Texas Government Code to seek legal advice from the Attorney concerning pending or contemplated litigation: White Rock Commercial LLC v. City of Lancaster, Cause No. DC-14-06471, Case No:19-0460; and**

**2. Section §551.071 (1) (A) of the Texas Government Code to seek legal advice from the Attorney concerning pending or contemplated litigation: Rodney Brisco, as administrator for the Estate of Michael Brisco v. City of Lancaster et al, Cause No. 3:20-cv-00643-E United States District Court for the Northern District of Texas**

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

The City Council recessed for Executive Session at 8:13 p.m. and reconvened into open session at 8:48 p.m.

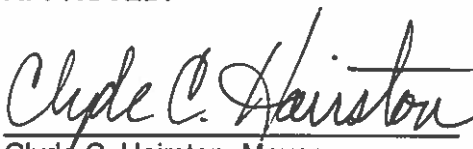
**MOTION:** Councilmember Strain-Burk made a motion, seconded by Councilmember Hill to adjourn. The vote was cast 7 for, 0 against

The meeting was adjourned at 8:52 p.m.

**ATTEST:**

  
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Sorangel O. Arenas, City Secretary

**APPROVED:**

  
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Clyde C. Hairston, Mayor