

## MINUTES

## LANCASTER CITY COUNCIL REGULAR MEETING OF MARCH 8, 2021

The City Council of the City of Lancaster, Texas, met in a called Regular Meeting in the Council Chambers of City Hall on March 8, 2021, at 7:00 p.m. with a quorum present to-wit:

**Councilmembers Present (City Hall & Zoom):**

Mayor Clyde C. Hairston  
Carol Strain-Burk  
Deputy Mayor Pro Tem Stanley M. Jaglowski  
Marco Mejia  
Keithsha C. Wheaton  
Mayor Pro Tem Racheal Hill  
Betty Gooden-Davis

**City Staff Present (City Hall & Zoom):**

Opal Mauldin-Jones, City Manager  
Fabrice Kabona, Deputy City Manager  
Carey Neal, Assistant City Manager  
Andrew Waits, Director of Public Works  
Dori Lee, Director of Human Resources  
Kenneth Johnson, Fire Chief  
Sam Urbanski, Police Chief  
Shane Shepard, Director of Economic Development  
Vicki Coleman, Director of Development Services  
Cheryl Womble, Administrative & Community Relations Supervisor  
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 March 8, 2021.

**Invocation:**

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

**Pledge of Allegiance:**

Councilmember Strain-Burk led the pledge of allegiance.

**Proclamations:**

Mayor Hairston read World Kidney Day and Women's History Month proclamations.

**Public Testimony:**

Chief Scott Rubin, 437 Blanco Avenue, on behalf of the Texas Police Chief Association, recognized the Lancaster Police department for receiving the Texas Law Enforcement Best Practice Certification for the past four years.

Chief Sam Urbanski, 100 Craig Shaw Memorial Parkway, shared his gratitude to Chief Miller and staff for the participation with the Texas Law Enforcement Best Practice Certification Program.

Mayor and City Council congratulated the Lancaster Police Department.

**Consent Agenda:**

City Secretary Arenas read the consent agenda.

1. **Consider approval of minutes from the City Council Regular Meeting held on February 22, 2021.**
2. **Consider a resolution declaring an unopposed candidate for Mayor in the May 1, 2021 general municipal election, declaring the unopposed candidate elected to office; canceling the election for Mayor at-large; providing for all other provisions of Resolution No. 2021-02-20, as amended, ordering the election to remain in full force and effect.**
3. **Consider amending Chapter 24 of the City Code of Ordinances "Wastewater Discharge Standards" by Amending Article 24.05.**
4. **Consider a resolution endorsing the implementation of a Pretreatment Program for the Trinity River Authority Ten Mile Creek Regional Wastewater System.**

**MOTION:** Councilmember Strain-Burk made a motion, seconded by Councilmember Gooden-Davis to approve consent items 1 through 4. The vote was cast 7 for, 0 against.

**Action:**

5. **Discuss and consider an ordinance granting a franchise for the collection and removal of industrial solid waste and recyclable materials to FFC Environmental Services Texas, LLC.**

City Manager Mauldin-Jones shared Article 13.1400 of the Lancaster Code of Ordinances requires all solid waste operators to obtain a franchise agreement in order to collect, haul, or transport solid waste or industrial solid waste and recyclable materials from commercial properties within the City of Lancaster. It is unlawful for any industrial waste operator to operate within the City of Lancaster without such a franchise. FFC Environmental Services Texas, LLC desires to do business in the City of Lancaster. A street use fee of ten percent (10%) of the gross revenue collected from customers within the City limits by FFC Environmental Services Texas, LLC will be remitted to the city on a monthly basis.

In accordance with the Lancaster Charter Article 9, Section 9.06 (C) stating that "No franchise shall ever be granted until it has been approved by the majority of the City Council, after having been read in full at two (2) regular meetings of the City Council", this will count as the second reading of this franchise application.

This is the second reading and consideration of this franchise application. City Manager Mauldin-Jones read the caption: an ordinance of the City of Lancaster, Texas, granting to FFC Environmental Services Texas, LLC, its successors and assigns, the right, privilege, and franchise for the term of five (5) years to use the public streets, highways, or thoroughfares within the city for the purpose of engaging in the business of collecting and transporting solid waste and recyclable materials from commercial and industrial premises and development projects within the city; providing a street use fee; providing insurance requirements; providing for cancellation upon thirty (30) day written notice; providing for delays; providing for notices; providing for assignment by written approval of the city; providing a severability clause; and providing an effective date.

**MOTION:** Councilmember Strain-Burk made a motion, seconded by Mayor Pro Tem Hill to approve item 5. The vote was cast 7 for, 0 against.

6. **Discuss and consider a resolution ratifying a grant agreement, in an amount not to exceed one hundred eighty thousand dollars (\$180,000), with DW Distribution, Inc. (DWD) from funds collected from the one-fourth (1/4) of one (1) percent additional sales and use tax for the promotion and development of new and expanded business enterprises, as authorized by state law.**

City Manager Mauldin-Jones shared DWD is a regional light manufacturing operation that builds door units for residential construction. The company has been in business for over sixty (60) years and is expanding their warehousing and distribution at their current facility. They are splitting off manufacturing operations and moving them to Lancaster. The Lancaster location allows DWD the capacity to expand manufacturing operations by three hundred percent (300%). The expected average wage at the new Lancaster facility is \$50,000. DWD also operates facilities in Round Rock, Oklahoma City and Arlington, in addition to Desoto.

DWD submitted a request for one hundred eighty thousand dollars (\$180,000) to offset a portion of development costs related to a facility that they plan to lease, subject to this incentive, located at 2001 Daniieldale Road. DWD plans to lease a minimum of one hundred eighty-five thousand nine hundred (185,900) square feet of a building that is currently vacant. DWD agrees to maintain a taxable value of business personal property at the facility of a minimum of two million dollars (\$2,000,000).

DWD will be required to meet the following obligations:

Occupation of Facility – DWD agrees to occupy the facility within twelve (12) months of approval of the incentive request by City Council;

Certificate of Occupancy – DWD agrees to obtain a Certificate of Occupancy for the facility within twelve (12) months of approval of the incentive request by City Council;

Documentation of Costs – DWD agrees to document costs associated with occupancy of the building. A maximum of one hundred eighty thousand dollars (\$180,000) is available for reimbursement of the allowable expenditures. Rebated funds will be limited to reimbursements of actual expenditures for eligible expenditures. Receipts totaling an amount of at least one hundred eighty thousand dollars (\$180,000) for said purchases must be submitted to the City of Lancaster, Department of Economic Development. Grant expenditures may be less if eligible costs are less than one hundred eighty thousand dollars (\$180,000);

Job Creation – DWD agrees to add no fewer than sixty (60) jobs within twelve months of City Council approval of this Agreement;

Capital Investment – DWD must maintain a minimum taxable business personal property valuation of two million dollars (\$2,000,000);

Payment of City Fees – DWD is required to pay all City-related development fees for the project;

Reporting – DWD is required to submit annual reports for the term of this Agreement documenting expenditures, and employment rolls.

The Economic Development Corporation met March 3, 2021 special meeting, the item was approved. Staff concurs with the Lancaster Economic Development Corporation and recommends approval.

Councilmember Strain-Burk asked for clarification, will the 60 jobs transfer from Desoto or will they be new jobs?

City Attorney Ritter clarified the jobs will be new jobs to Lancaster.

Deputy Mayor Pro Tem Jaglowski congratulated the staff and council for moving closer to the goal of growing the day time population.

Councilmember Wheaton asked if there is any incentive to hiring City of Lancaster residents.

City Attorney Ritter shared the company will give a close look, and first look, to Lancaster residents.

Councilmember Mejia shared his excitement to be able to partner with DWD and shared his gratitude to staff for their professionalism to DWD.

**MOTION:** Councilmember Mejia made a motion, seconded by Deputy Mayor Pro Tem Jaglowski to approve item 6. The vote was cast 7 for, 0 against.

7. **Discuss and consider a resolution ratifying the terms and conditions of a contract by and between HMWK, LLC and the Lancaster Economic Development Corporation (LEDC) in an amount not to exceed seventy-five thousand dollars (\$75,000) from funds collected from the one-fourth (1/4) of one (1) percent additional sales and use tax for services to the City relating to the creation of a municipal special-purpose district.**

City Manager Mauldin-Jones shared this item is for a resolution ratifying the terms and conditions of a contract by and between HMWK, LLC and the Lancaster Economic Development Corporation (LEDC) in an amount not to exceed seventy-five thousand dollars (\$75,000) from funds collected from the one-fourth (1/4) of one (1) percent additional sales and use tax for services to the City relating to the creation of a municipal special-purpose district.

The City of Lancaster is considering the creation of a municipal special purpose district whose primary purpose is the advancement of economic development and the support of economic activity within the community including manufacturing and distribution activity. Creation of the district is governed by state law including Sections 52 and 52a, Article III, and Section 59, Article XVI, of the Texas Constitution, and the creation of a special-purpose district requires enabling legislation to be passed by the state legislature.

HMWK, LLC., is a firm that specializes in drafting legislation and performing professional services related to the creation of special-purpose districts. The agreement includes professional services fees in an amount not to exceed seventy-five thousand dollars (\$75,000), which includes expenses and the drafting and finalizing special purpose district-creation legislation at the direction of the City; identifying and monitoring legislation and regulations affecting the City's interests with specific emphasis on Lancaster's regulatory, economic development and sales and use tax position; promoting legislative, regulatory and executive governmental services before state policy and regulatory organizations as directed; facilitating meetings between City representatives and key state and local officials and agency administrators/regulators; working with City officials, its governmental affairs team and allies (including key local business interests) to ensure, to the extent appropriate and feasible, a coordinated strategy and effort; and providing Texas governmental affairs services as directed before the Texas Legislature, Executive Administration and other regulatory agencies concerning items and issues surrounding and resulting from activities of the 87th Session of the Texas Legislature relevant to the special-purpose district.

Councilmember Strain-Burk applauded staff for bringing opportunities to grow development.

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

8. **Discuss and consider a resolution supporting proposed legislation to create a municipal special-purpose district whose primary purpose is the advancement of economic development and the support of economic activity within the community.**

City Manager Mauldin-Jones shared this is a resolution supporting proposed legislation to create a municipal special-purpose district whose primary purpose is the advancement of economic development and the support of economic activity within the community.

The City is working with HMWK, LLC to assist in drafting legislation to create a municipal special-purpose district that will improve the competitiveness of Lancaster in attracting new economic development investments and improving economic equity for the community. The special purpose district would reduce statutory limitations to large project grant funding, improve and clarify how the City may benefit from projects and program opportunities.

Deputy Mayor Pro Tem Jaglowski applaud staff for partnering with HMWK.

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

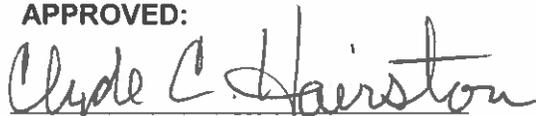
**MOTION:** Councilmember Strain-Burk made a motion, seconded by Councilmember Mejia to adjourn. The vote was cast 7 for, 0 against.

The meeting was adjourned at 7:47 p.m.

**ATTEST:**

  
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Sorangel O. Arenas, City Secretary

**APPROVED:**

  
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Clyde C. Hairston, Mayor

