



PUBLIC NOTICE
City Council Regular Meeting
January 3, 2013, at 7:00 PM
City Hall - 665 Country Club Road

Notice is hereby given that a Regular Meeting of the City Council of the City of Lucas will be held on Thursday, January 3, 2013, at 7 PM at the Lucas City Hall, 665 Country Club Road, Lucas, Texas, at which time the following agenda will be discussed.

Agenda

Call to Order

Call to Order
Roll Call
Determination of Quorum
Reminder to turn off or silence cell phones
Pledge of Allegiance

Citizens' Input

At this time citizens who have pre-registered by filling out a "Request to Speak" sheet and have submitted the sheet to the City Secretary 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 a future agenda and posted in accordance with law.

1) Citizens' Input.

Community Interest

2) Items of Community Interest.

Public Hearings

The Public Hearing agenda is provided for the purpose of allowing citizens to ask specific questions regarding only the subject posted for the Public Hearing. Generally the Public Hearing is required by State Law and a record of those attending the Public Hearing is maintained as part of the official record of the proceedings.

3) Public Hearing/Discuss and Consider the approval of **Ordinance # 2013-01-00747** of the City of Lucas, Texas, amending the Code of Ordinances by amending Ordinance # 2008-12-00635, adjusting in-city and out-of-city residential water rates, adding a non-residential customer class; implementing a meter-size based minimum charge structure; increasing residential and non-residential minimum charges and

volumetric rates over a five year period at the levels and effective dates indicated in the rate tables provided within this ordinance; providing a severability clause; providing a repealing clause; and providing an effective date. **[Jenkins]**

- 4) Public Hearing/Discuss and Consider the approval of **Ordinance # 2013-01-00748** of the City of Lucas, Texas, establishing a wastewater rate structure; providing a severability clause; providing a repealing clause; and providing an effective date. **[Jenkins]**

Regular Agenda

- 5) Discuss and Consider the approval of the minutes from the December 6, 2012 City Council Regular meeting. **[Wingo]**
- 6) Discuss and Consider approval of an Arts and Craft event to be held in May, 2013. **[Hilbourn]**
- 7) Adjournment.

As authorized by Section 551.071 (2) of the Texas Government Code, the City Council may convene into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney regarding any item on the agenda at any time during the meeting.

Approval

Approved by: Mayor Rebecca Mark, December 21, 2012.

Certification

I hereby certify that the above notice of meeting was posted on the bulletin board at Lucas City Hall by 5:00 p.m. on or before Friday, December 28, 2012, as required in accordance with Government Code §551.041.

Kathy Wingo, TRMC, MMC, City Secretary

This building is wheelchair accessible. Any requests for sign interpretive services or other special requests for assistance of the hearing impaired must be made 48 hours in advance of the meeting. To make such arrangements, please call 972-727-8999 or email secretary@lucastexas.us.

LUCAS CITY COUNCIL

Meeting Date: January 3, 2013

AGENDA ITEM:

- Call to Order

- Roll Call

Present

Absent

Mayor Rebecca Mark

Seat 1 CM Wayne Millsap

Seat 2 CM Jim Olk

Seat 3 CM Steve Duke

Seat 4 CM Philip Lawrence

Seat 5 CM Debbie Fisher

Seat 6 MPT Kathleen Peele

- Determination of Quorum
 - Reminder to silence cell phones
 - Pledge of Allegiance
-

Informational Purposes

City Manager Jeff Jenkins

City Secretary Kathy Wingo

Public Works Director Stacy Caudell

Finance Manager Liz Exum

Fire Chief Jim Kitchens

Development Services Director Joe Hilbourn

City Attorney Joe Gorfida, Jr.



**City of Lucas
Council Agenda Request**

Council Meeting: January 3, 2013

Requestor: _____

Prepared by: Kathy Wingo

Account Code #: N/A

Date Prepared: _____

Budgeted Amount: \$ N/A

Exhibits: Yes No

AGENDA SUBJECT:

Citizen's Input.

RECOMMENDED ACTION:

SUMMARY:

MOTION:

No action necessary.

APPROVED BY: _____

Initial/Date

Department Director: _____ / _____
City Manager: _____ / _____



**City of Lucas
City Council Agenda
Request**

Council Meeting: January 3, 2013

Requestor: _____

Prepared by: Kathy Wingo

Account Code #: N/A

Date Prepared: _____

Budgeted Amount: \$ N/A

Exhibits: Yes No

AGENDA SUBJECT:

Items of Community Interest.

RECOMMENDED ACTION:

SUMMARY:

MOTION:

No action necessary.

APPROVED BY: _____

Initial/Date

Department Director: _____ / _____

City Manager: _____ / _____



City of Lucas Council Agenda Request

Council Meeting: January 3, 2013

Requestor: Jeff Jenkins

Prepared by: Kathy Wingo

Account Code #: _____

Date Prepared: _____

Budgeted Amount: \$ _____

Exhibits: Yes No

AGENDA SUBJECT:

Public Hearing/Discuss and Consider the approval of **Ordinance # 2013-01-00747** of the City of Lucas, Texas, amending the Code of Ordinances by amending Ordinance # 2008-12-00635, adjusting in-city and out-of-city residential water rates, adding a non-residential customer class; implementing a meter-size based minimum charge structure; increasing residential and non-residential minimum charges and volumetric rates over a five year period at the levels and effective dates indicated in the rate tables provided within this ordinance; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDED ACTION:

Recommend approval.

SUMMARY:

See attached.

MOTION:

I make a Motion to (**approve or deny**) **Ordinance # 2013-01-00747** of the City of Lucas, Texas, amending the Code of Ordinances by amending Ordinance # 2008-12-00635, adjusting in-city and out-of-city residential water rates, adding a non-residential customer class; implementing a meter-size based minimum charge structure; increasing residential and non-residential minimum charges and volumetric rates over a five year period at the levels and effective dates indicated in the rate tables provided within this ordinance; providing a severability clause; providing a repealing clause; and providing an effective date.

APPROVED BY: _____

Initial/Date

Department Director: _____ / _____
City Manager: _____ / _____

| | |
|-------------------------------------|--------------------|
| <input type="checkbox"/> | Annexation |
| <input type="checkbox"/> | Disannexation |
| <input checked="" type="checkbox"/> | Code of Ordinances |
| <input type="checkbox"/> | Other |

ORDINANCE # 2013-01-00747

[Amendment to Water Rates]

AN ORDINANCE OF THE CITY OF LUCAS, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING ORDINANCE # 2008-12-00635, ADJUSTING IN-CITY AND OUT-OF-CITY RESIDENTIAL WATER RATES, ADDING A NON RESIDENTIAL CUSTOMER CLASS; IMPLEMENTING A METER-SIZE BASED MINIMUM CHARGE STRUCTURE; INCREASING RESIDENTIAL AND NON- RESIDENTIAL MINIMUM CHARGES AND VOLUMETRIC RATES OVER A FIVE YEAR PERIOD AT THE LEVELS AND EFFECTIVE DATES INDICATED IN THE RATE TABLES PROVIDED WITHIN THIS ORDINANCE; ; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LUCAS, TEXAS:

SECTION 1. That The Code of Ordinances, Appendix C, of Chapter 7 for water rates of the City of Lucas, Texas, be and the same is hereby amended, in part to read as follows:

“...

Appendix C. Water and Installation Rates

The following water rates shall apply to all water customers within the city limits. A detailed description of the adopted minimum charges and volumetric rates is provided in the following tables:

| PROPOSED WATER RATES: | | Residential Inside | | | | | |
|--|---------|---------------------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| Minimum Charge | | Current | FYE 2013 | FYE 2014 | FYE 2015 | FYE 2016 | FYE 2017 |
| 5/8" & 3/4" Meter | | \$18.00 | \$18.84 | \$19.67 | \$20.51 | \$21.34 | \$22.18 |
| 1" Meter | | \$18.00 | \$21.34 | \$24.68 | \$28.01 | \$31.35 | \$34.69 |
| 1 1/2" Meter | | \$18.00 | \$22.98 | \$27.96 | \$32.94 | \$37.92 | \$42.90 |
| 2" Meter | | \$18.00 | \$29.59 | \$41.18 | \$52.77 | \$64.36 | \$75.95 |
| Consumption Charge - Per Thousand Gallons | | | | | | | |
| 2,001 | 3,000 | \$4.40 | \$4.55 | \$4.71 | \$4.90 | \$5.07 | \$5.25 |
| 3,001 | 4,000 | \$4.40 | \$4.55 | \$4.71 | \$4.90 | \$5.07 | \$5.25 |
| 4,001 | 5,000 | \$4.40 | \$4.55 | \$4.71 | \$4.90 | \$5.07 | \$5.25 |
| 5,001 | 6,000 | \$4.68 | \$4.84 | \$5.01 | \$5.21 | \$5.40 | \$5.59 |
| 6,001 | 7,000 | \$4.68 | \$4.84 | \$5.01 | \$5.21 | \$5.40 | \$5.59 |
| 7,001 | 10,000 | \$4.68 | \$4.84 | \$5.01 | \$5.21 | \$5.40 | \$5.59 |
| 10,001 | 11,000 | \$4.90 | \$5.07 | \$5.25 | \$5.46 | \$5.65 | \$5.85 |
| 11,001 | 16,000 | \$4.90 | \$5.07 | \$5.25 | \$5.46 | \$5.65 | \$5.85 |
| 16,001 | 20,000 | \$4.90 | \$5.07 | \$5.25 | \$5.46 | \$5.65 | \$5.85 |
| 20,001 | 21,000 | \$4.90 | \$5.07 | \$5.25 | \$5.46 | \$5.65 | \$5.85 |
| 21,001 | 25,000 | \$4.90 | \$5.07 | \$5.25 | \$5.46 | \$5.65 | \$5.85 |
| 25,001 | 30,000 | \$4.90 | \$5.07 | \$5.25 | \$5.46 | \$5.65 | \$5.85 |
| 30,001 | 50,000 | \$5.12 | \$5.30 | \$5.48 | \$5.70 | \$5.90 | \$6.11 |
| 50,001 | Greater | \$5.50 | \$5.69 | \$5.89 | \$6.13 | \$6.34 | \$6.56 |

LUCAS, TEXAS

PROPOSED WATER RATES: Non Residential Inside

| Minimum Charge | Current | FYE 2013 | FYE 2014 | FYE 2015 | FYE 2016 | FYE 2017 |
|--|---------|----------|----------|----------|----------|------------|
| 5/8" & 3/4" Meter | \$18.00 | \$19.37 | \$20.73 | \$22.10 | \$23.47 | \$24.83 |
| 1" Meter | \$18.00 | \$21.78 | \$25.56 | \$29.35 | \$33.13 | \$36.91 |
| 1 1/2" Meter | \$18.00 | \$25.77 | \$33.54 | \$41.31 | \$49.08 | \$56.85 |
| 2" Meter | \$18.00 | \$38.08 | \$58.17 | \$78.25 | \$98.34 | \$118.42 |
| 3" Meter | \$18.00 | \$51.82 | \$85.64 | \$119.46 | \$153.28 | \$187.10 |
| 4" Meter | \$18.00 | \$86.81 | \$155.63 | \$224.44 | \$293.26 | \$362.07 |
| 6" Meter | \$18.00 | \$121.72 | \$225.43 | \$329.15 | \$432.86 | \$536.58 |
| 8" Meter | \$18.00 | \$226.29 | \$434.57 | \$642.86 | \$851.14 | \$1,059.43 |
| Consumption Charge - Per Thousand Gallons | | | | | | |
| 2,001 | 3,000 | \$4.40 | \$4.65 | \$4.79 | \$4.94 | \$5.09 |
| 3,001 | 4,000 | \$4.40 | \$4.65 | \$4.79 | \$4.94 | \$5.09 |
| 4,001 | 5,000 | \$4.40 | \$4.65 | \$4.79 | \$4.94 | \$5.09 |
| 5,001 | 6,000 | \$4.68 | \$4.94 | \$5.09 | \$5.24 | \$5.40 |
| 6,001 | 7,000 | \$4.68 | \$4.94 | \$5.09 | \$5.24 | \$5.40 |
| 7,001 | 10,000 | \$4.68 | \$4.94 | \$5.09 | \$5.24 | \$5.40 |
| 10,001 | 11,000 | \$4.90 | \$5.17 | \$5.33 | \$5.49 | \$5.65 |
| 11,001 | 16,000 | \$4.90 | \$5.17 | \$5.33 | \$5.49 | \$5.65 |
| 16,001 | 20,000 | \$4.90 | \$5.17 | \$5.33 | \$5.49 | \$5.65 |
| 20,001 | 21,000 | \$4.90 | \$5.17 | \$5.33 | \$5.49 | \$5.65 |
| 21,001 | 25,000 | \$4.90 | \$5.17 | \$5.33 | \$5.49 | \$5.65 |
| 25,001 | 30,000 | \$4.90 | \$5.17 | \$5.33 | \$5.49 | \$5.65 |
| 30,001 | 50,000 | \$5.12 | \$5.40 | \$5.56 | \$5.73 | \$5.90 |
| 50,001 | 100,000 | \$5.50 | \$5.50 | \$5.67 | \$5.83 | \$6.01 |
| 100,001 | Greater | \$5.50 | \$5.67 | \$5.83 | \$6.01 | \$6.19 |

Out-of-city rates shall be calculated as follows:

Minimum Charge: 1.5 times in-city rate

Volumetric Rate per Thousand Gallons: 1.636 times in-city rate

SECTION 2. That all provisions of the Ordinances of the City of Lucas, Texas, in conflict with the provisions of this ordinance be and the same are hereby amended, repealed, and all other provisions of the Ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, or of the Code of Ordinances, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity

of the remaining portions of said ordinance or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

SECTION 4. This ordinance shall take effect with the water consumption used beginning on March 1, 2013. FYE 2014 water rate increases will automatically go into effect on October 1, 2013 and for each subsequent year thereafter through September 2016 unless the City Council meets to revise this Ordinance; and the publication of the caption, as the law and charter in such case provides; and

IT IS ACCORDINGLY SO ORDAINED.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LUCAS, COLLIN COUNTY, TEXAS, ON THE 3rd DAY OF JANUARY, 2013.

APPROVED:

Rebecca Mark, Mayor

ATTEST:

Kathy Wingo, TRMC, MMC, City Secretary

APPROVED AS TO FORM:

Joe Gorfida, Jr., City Attorney

NOTICE OF PUBLIC HEARING

PROPOSED RATE INCREASE FOR WATER AND WASTEWATER SERVICES

The City of Lucas City Council will hold a public hearing regarding proposed increases to water rates for in-city residential, out-of-city residential, and non-residential customers and for the adoption of wastewater rates for non-residential customers on **Thursday, January 3, 2013 at 7 p.m. in the City Council Chambers located at 665 Country Club Road, Lucas, Texas.**

The Proposed rate increases effective March 1, 2013 for water are as follows:

Residential, In-City and Out-of-City:

- 7.1% over 1 year period
- 3.7% over the 5 year period

Non-Residential, In-City and Out-of-City

- 4.1% over 1 year period
- 3.3% over the 5 year period

The proposed Wastewater rates for non-residential effective January 17, 2013 are as follows:

| PROPOSED WW RATES: | | Non Residential |
|--|---------|-----------------|
| Minimum Charge | | |
| 5/8" & 3/4" Meter | | \$20.22 |
| 1" Meter | | \$38.68 |
| 1 1/2" Meter | | \$73.06 |
| 2" Meter | | \$116.48 |
| 3" Meter | | \$141.94 |
| 4" Meter | | \$328.93 |
| 6" Meter | | \$400.42 |
| 8" Meter | | \$744.13 |
| Consumption Charge - Per Thousand Gallons | | |
| 2,000 | Greater | \$4.00 |

Those wishing to speak FOR or AGAINST this item are invited to attend. If you are unable to attend and have any comments you may send them to City Hall, Attn: City Secretary and they will be presented at the Public Hearing. For further information please contact Lucas City Hall at 972-727-8999.

Kathy Wingo, TRMC, MMC
City Secretary



**City of Lucas
Council Agenda Request**

Council Meeting: January 3, 2013

Requestor: Jeff Jenkins

Prepared by: Kathy Wingo

Account Code #: _____

Date Prepared: _____

Budgeted Amount: \$ _____

Exhibits: Yes No

AGENDA SUBJECT:

Public Hearing/Discuss and Consider the approval of **Ordinance # 2013-01-00748** of the City of Lucas, Texas, establishing a wastewater rate structure; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDED ACTION:

Recommend approval.

SUMMARY:

See attached.

MOTION:

I make a Motion to (**approve or deny**) **Ordinance # 2013-01-00748** of the City of Lucas, Texas, establishing a wastewater rate structure; providing a severability clause; providing a repealing clause; and providing an effective date.

APPROVED BY: _____

Initial/Date

Department Director: _____ / _____

City Manager: _____ / _____

be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

SECTION 4. This ordinance shall take effect with the water consumption used beginning January 17, 2013, and the publication of the caption, as the law and charter in such case provides; and

IT IS ACCORDINGLY SO ORDAINED.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LUCAS, COLLIN COUNTY, TEXAS, ON THE 3RD DAY OF JANUARY, 2013.

APPROVED:

Rebecca Mark, Mayor

ATTEST:

Kathy Wingo, TRMC, MMC, City Secretary

APPROVED AS TO FORM:

Joe Gorfida, Jr., City Attorney



**City of Lucas
Council Agenda Request**

Council Meeting: January 3, 2013

Requestor: Kathy Wingo

Prepared by: Kathy Wingo

Account Code #: _____

Date Prepared: _____

Budgeted Amount: \$ _____

Exhibits: Yes No

AGENDA SUBJECT:

Discuss and Consider the approval of the minutes from the December 6, 2012, City Council Regular meeting.

RECOMMENDED ACTION:

Approve as presented.

SUMMARY:

See attached.

MOTION:

I make a Motion to approve the minutes from the December 6, 2012, City Council Regular meeting as presented.

APPROVED BY: _____

Initial/Date

Department Director: _____ / _____

City Manager: _____ / _____



**City Council Regular Meeting
December 6, 2012, at 7:00 PM
City Hall - 665 Country Club Road
Minutes**

Call to Order

Mayor Rebecca Mark called the meeting to order at 7:00 p.m.

Present:

| | |
|--|---------------------------------------|
| Mayor Rebecca Mark | Mayor Pro Tem Kathleen Peele (absent) |
| Councilmember Wayne Millsap | Councilmember Jim Olk |
| Councilmember Steve Duke | Councilmember Philip Lawrence |
| Councilmember Debbie Fisher | City Manager Jeff Jenkins |
| City Secretary Kathy Wingo | City Attorney Joe Gorfida |
| Development Services Director Joe Hilbourn | Fire Chief Jim Kitchens |

It was determined that a Quorum was present.
Everyone was reminded to turn off or silence cell phones.
Boy Scout Dan Orr led everyone in saying the Pledge of Allegiance.

Citizens' Input

1) Citizens' Input.

There was no one present who wished to speak during Citizen's Input.

Community Interest

2) Items of Community Interest.

Councilmember Debbie Fisher stated that she recently attended a ceremony hosted by the Collin County Historical Society. There has been a historical marker placed on Winningkoff where once stood the Winningkoff School. Councilmember Fisher invited everyone to go by and read the history of the school.

Mayor Rebecca Mark stated that Wal-Mart is having a grand opening on February 13, 2013, 8:00 a.m. This store will add 300 jobs to the area.

Consent Agenda

The Consent Agenda was presented for consideration and action.

3) Consent and Approve:

- a) The minutes from the November 1, 2012, City Regular meeting. **[Wingo]**
- b) Amendment No. 5 of the Interlocal Agreement for the Facility Construction and Use of an Animal Shelter in Collin County between the City of Lucas and Collin County extending the contract for a period of one (1) year ending September 30, 2013, all terms and conditions of the said contract remain in full force and effect.
- c) Amendment No. 5 of the Interlocal Agreement for Animal Control Services between the City of Lucas and Collin County extending the contract for a period of one (1) year ending September 30, 2013, all terms and conditions of the said contract remain in full force and effect.
- d) **Ordinance # 2012-12-00743** of the City of Lucas, Texas, annexing the hereinafter described territory into the City of Lucas, Texas, extending the boundary limits of the city so as to include said hereinafter described territory within the city's limits, granting to all inhabitants and owners of territory all of the rights and privileges of other citizens, and binding the inhabitants by all the acts, ordinances and regulations of the city; adopting a service plan for the described territory; providing a repealing clause; providing a severability clause; and providing an effective date. **[KRBE]**
- e) **Ordinance # 2012-12-00744** of the City of Lucas, Texas, annexing the hereinafter described territory into the City of Lucas, Texas, extending the boundary limits of the city so as to include said hereinafter described territory within the city's limits, granting to all inhabitants and owners of territory all of the rights and privileges of other citizens, and binding the inhabitants by all the acts, ordinances and regulations of the city; adopting a service plan for the described territory; providing a repealing clause; providing a severability clause; and providing an effective date. **[Morales Annexation]**
- f) **Ordinance # 2012-12-00745** of the City of Lucas, Texas, annexing the hereinafter described territory into the City of Lucas, Texas, extending the boundary limits of the city so as to include said hereinafter described territory within the city's limits, granting to all inhabitants and owners of territory all of the rights and privileges of other citizens, and binding the inhabitants by all the acts, ordinances and regulations of the city; adopting a service plan for the described territory; providing a repealing clause; providing a severability clause; and providing an effective date. **[NTMWD Annexation]**

MOTION: Councilmember Debbie Fisher made a Motion to approve the consent agenda as presented. Councilmember Jim Olk seconded the Motion. Motion carried. Vote: 6-0.

Public Hearings

- 4) Public Hearing/Discuss and Consider the approval of **Ordinance # 2012-12-00746** of the City of Lucas, Texas, amending the comprehensive zoning ordinance and map of the City of Lucas, as heretofore amended, so as to grant a change in zoning classification from Agriculture ("AO") to Residential 1.5 ("R-1.5") for the ±46.14 acres in the John Gray Survey, Abstract 349, Lucas, Collin County, Texas; and, being more particularly described in Exhibit "A" and depicted in Exhibit "B" attached hereto; providing a repealing clause; providing a severability clause; providing a penalty of fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and providing an effective date. **[2nd Public Hearing, 1st Public Hearing was held at the November 8, 2012, Planning & Zoning Commission Meeting] [Hilbourn] Stinson Estates**

The Public Hearing was opened at 7:10 p.m.

Development Services Director Joe Hilbourn came forward to review the request. Steve DiNapoli, on behalf of Cowtown Meadows, has submitted a zoning change from AO to R-1.5 request for a 49 acre tract of land located along Stinson Road. The request complies with the City's Comprehensive Plan. The Council is not being asked to approve the layout or site plan tonight, the depiction is simply for illustration of what the site may look like.

The Planning & Zoning Commission recommends approval of this request.

There was no one who wished to speak FOR or AGAINST this item.

The Public Hearing was closed at 7:13 p.m.

MOTION: Councilmember Jim Olk made a Motion to approve **Ordinance # 2012-12-00746** of the City of Lucas, Texas, amending the comprehensive zoning ordinance and map of the City of Lucas, as heretofore amended, so as to grant a change in zoning classification from Agriculture ("AO") to Residential 1.5 ("R-1.5") for the ±46.14 acres in the John Gray Survey, Abstract 349, Lucas, Collin County, Texas; and, being more particularly described in Exhibit "A" and depicted in Exhibit "B" attached hereto; providing a repealing clause; providing a severability clause; providing a penalty of fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and providing an effective date. Councilmember Debbie Fisher seconded the Motion. Motion carried. Vote: 6-0.

Regular Agenda

- 5) Discuss and Consider the approval of a Communications Facilities Lease Agreement between the City of Lucas and Friendship Cable of Texas, Inc. dba Suddenlink Communications. **[Jenkins]**

Suddenlink currently uses a 50'x50' site on the old city hall lot. They utilize the site for continued operations and maintenance of communication equipment. The 10' x 10' building contains telecommunication racks, UPS system with power supply, fiber termination bay, and other telecommunication electronic equipment. Suddenlink obtained a state franchise agreement back in 2006 to operate a cable system here in Lucas from Friendship Cable. Currently, their records show 34 TV customers in Lucas, and they recently launched high-speed internet in a couple of Lucas neighborhoods. Friendship Cable and previous companies signed a lease agreement for the current site. The agreement needs to be reworked to make it current with Suddenlink. Staff has looked at several examples and found one in Seagoville includes seven basic cable connections in compensation for the lease, and Anna's contract called for a \$600 a year payment along with three basic and expanded cable connections for city facilities. Staff has proposed for their lease a \$1,200 yearly fee with up to eight free basic cable outlets. On most of their contracts, they requested a five-year deal; however, the City Manager made the agreement for three years with an option to renew for three years for an amount equal to the greater of five percent or the percentage in the Municipal Cost Index. The City does have the option to terminate the agreement with 90 days written notice to them.

MOTION: Councilmember Philip Lawrence made a Motion to approve the Communications Facilities Lease Agreement between the City of Lucas and Friendship Cable of Texas, Inc. dba Suddenlink Communications. Councilmember Debbie Fisher seconded the Motion. Motion carried. Vote: 6-0.

- 6) Discuss and Consider the approval of the installation of a barrier between Rockland Farms Phase I and Phase II (592 Bastrop Road) to prevent construction traffic from accessing Rockland Farms Phase II via Rockland Farms Phase I. **[Hilbourn]**

The Development Services Department has received complaints from Rockland Farms Phase I and Austin Trails homeowners concerning the construction traffic. Staff members have informed contractors and builders not to use Bastrop Road as the entry into Rockland Farms Phase II. Development Services Director Joe Hilbourn recommends closing the end of Bastrop Road with barricades, which would then require the construction workers to use the Stinson Road entrance.

Staff will take the lead on the item and continue to monitor the situation after the barrier is installed.

- 7) Discuss and Consider the approval of an amendment to the Village Center site plan for Phase II and Phase III and architectural plan approval for Phase II only. The property is located in Collin County, Texas, and described as Lot 2, Forest Grove Addition, or more commonly known as 2730 Country Club, Lucas, Texas. **[Hilbourn]**

Rudy Rivas has submitted amended site plans for Phase II and Phase III as well as architectural plans for Phase II of Wolf Creek Villages. The original site and architectural plans were approved in 2011. Phase I of the project is nearing completion. The changes to the existing site plan are based on size, Phase II is moving from 12,000 square feet to 15,640 square feet. Phase III is going down from 12,000 square feet to 8,700 square feet.

Staff and the Planning & Zoning Commission recommend approval of the requests as presented.

Councilmember Jim Olk pointed out that the landscaping, such as the crepe myrtles, could be moved back toward the building to break up some of the solid concrete.

There was some concern on the signage on the architectural changes. The initial amount of signage and the type of signage was very specific in the original request.

Council would like the signage more clearly defined in the architectural plans.

MOTION: Councilmember Wayne Millsap made a Motion to deny the architectural plan for Phase II of the Village Center. Councilmember Debbie Fisher seconded the Motion. Motion carried. Vote: 6-0.

MOTION: Councilmember Wayne Millsap made a Motion to approve the amended site plans for Phase II and Phase III of the Village Center. Councilmember Steve Duke seconded the Motion. Motion carried. Vote: 6-0.

- 8) Discussion of final water and wastewater rate study. **[Jenkins]**

Jeff Snowden came forward to address any questions that the Council might have of the rate study. Mr. Snowden reviewed the in-city versus out-of-city customer rate structure.

- 9) Discuss and Consider the approval of **Ordinance # 2012-12-00747** of the City of Lucas, Texas, amending the Code of Ordinances by amending Ordinance # 2008-12-00635, adjusting in-city and out-of-city residential water rates, adding a non-residential customer class; implementing a meter-size based minimum charge structure; increasing residential and non-residential minimum charges and volumetric rates over a five year period at the levels and effective dates indicated in the rate tables provided within this ordinance; providing a severability clause; providing a repealing clause; and providing an effective date. **[Jenkins]**

The out-of-city rate charts will be removed, and a statement that out-of-city rates would be assessed 1.5 times the in-city rate.

Councilmember Debbie Fisher asked Mr. Snowden when doing his rate of the City's rate structure was anything found that would cause concern. Mr. Snowden stated that the City had a very good base rate structure.

MOTION: Councilmember Wayne Millsap made a Motion to approve **Ordinance # 2012-12-00747** of the City of Lucas, Texas, amending the Code of Ordinances by amending Ordinance # 2008-12-00635, adjusting in-city and out-of-city residential water rates, adding a non-residential customer class; implementing a meter-size based minimum charge structure; increasing residential and non-residential minimum charges and volumetric rates over a five year period at the levels and effective dates indicated in the rate tables provided within this ordinance; providing a severability clause; providing a repealing clause; and providing an effective date with the stipulation that out-of-city charts will be deleted and language change to reflect the minimum charge of 1.5 times the in-city rate would be used for residential out-of-city customers; and a 1.6 times rate for volume with an effective date of February 1, 2013. Councilmember Jim Olk seconded the Motion. Motion carried. Vote: 6-0.

The City Attorney stated that Council is required by the City of Lucas Charter, Section 10.03, Regulation of Rates (2) to call for a public hearing for consideration of any change to the rates. Therefore, Council should not approve this ordinance tonight but call for Public Hearings on January 3rd and January 17th for consideration of the water and wastewater rates.

MOTION: Councilmember Wayne Millsap made a Motion to rescind the previous Motion approving **Ordinance # 2012-12-00747** of the City of Lucas, Texas, amending the Code of Ordinances by amending Ordinance # 2008-12-00635 and call for the public hearings on January 3rd and January 17th. Councilmember Jim Olk seconded the Motion. Motion carried. Vote: 6-0.

10) Discuss and Consider the approval of **Ordinance # 2012-12-00748** of the City of Lucas, Texas, establishing a wastewater rate structure; providing a severability clause; providing a repealing clause; and providing an effective date. **[Jenkins]**

No action to be taken, Public Hearings will be held on January 3rd and January 17th.

11) Discuss and Consider the approval of a Professional Services Agreement between the City of Lucas and Solutions for Local Control, LLC to assist the City with legislative changes concerning the Emergency Service District Law. **[Jenkins]**

This item was brought forward from the November 1, 2012 City Council meeting with some recommended changes being made as Council requested.

The main change is the term of the contract, from a two year term to January 8, 2013, to May 7, 2013, and can be extended to any special session that may be called. At any time either party can cancel the contract with 60 days' notice. It is being asked that Council continue with the two year term contract and not limit it to the short term as being proposed by the document in the packet.

City Manager Jeff Jenkins stated there is a draft of the bill and it is recommended the make the effective date immediately.

Fred Hill, Solution for Local Control, LLC, came forward to address the Council. Mr. Hill reviewed the process of filing a bill in the upcoming legislative session. During the process, periodically Mr. Hill will send emails giving an update of the progress of the bills.

MOTION: Councilmember Wayne Millsap made a Motion to approve the Professional Services Agreement and authorize the City Manager and City Attorney to negotiate and execute the agreement between the City of Lucas and Solutions for Local Control, LLC to assist the City with legislative changes concerning the Emergency Service District Law with the change of effective date being upon execution of said contract and ending October 30, 2014, with a rate of \$2,500 per month. Councilmember Jim Olk seconded the Motion. Motion carried. Vote: 6-0.

12) Discuss and Consider presentation by Fire Chief Jim Kitchens concerning the final fire department future plans. **[Kitchens]**

Fire Chief Jim Kitchens presented the future plan assessment for the Lucas Fire Department. The amounts and dates being used are estimates for future planning purposes only.

In the year 2000 the long range plan called for station one and two to be completed by the year 2014, and looking forward to the third station. There would be 17 paid firefighter/paramedics, 50 volunteers, the purchase of a ladder truck and 1 MICU (ambulance).

Currently, in 2012, the City is in the process of constructing station one, with stations two and three in the long range plans. The City has 50 volunteers, EMS planning is now in progress and Engine 2 replacement within the next 5 years.

Facility needs for the future of the City is seen as completing station one; 5-10 years construct station two costing approximately \$3,500,000; and 15-20 years construct station three costing approximately \$4,000,000.

Fire Chief Kitchens went on to review the current fleet of equipment and life expectancy of each.

| Vehicles | | Information |
|------------------------------------|-----------|--|
| 2012 – 2013 | | |
| Admin. Veh. Tahoe | \$50,000 | <ul style="list-style-type: none"> ➤ Need for emergency response for Chief ➤ Room for Gear, SCBA, Accountability board, etc... |
| 2013 – 2014 | | |
| New Battalion Veh. Tahoe | \$50,000 | <ul style="list-style-type: none"> ➤ 10 years old over 127,000 mile today |
| 2014 - 2015 | | |
| Quint with 75Ft. Ladder | \$850,000 | <ul style="list-style-type: none"> ❖ Replacement for 1996 Engine 2 ➤ Engine 2 placed in reserve |
| 2015 - 2016 | | |
| Convert Squad 1 as quick attack | \$10,000 | <ul style="list-style-type: none"> ➤ Install new pump & tank from old rig ➤ Add hose for long driveways w/gates that are inaccessible by larger trucks |
| Admin Tahoe for Fire Marshal | \$50,000 | <ul style="list-style-type: none"> ➤ Need for emergency response for Fire Marshal ➤ Storage for gear, SCBA, Investigative equipment |
| 2016 - 2017 | | |
| New Pug “smaller” Engine | \$600,000 | <ul style="list-style-type: none"> ➤ Replace 2004 Engine 3 ➤ Engine 3 to reserve status ➤ Reserve engine sold or traded in |
| Refurbish <i>Old Streaker</i> 1949 | \$15,000 | <ul style="list-style-type: none"> ❖ Possible with donated funds |
| Grand Total | | \$1,625,000 |

The current EMS The current EMS contract expires 30 September 2013. A proposal has been submitted to extend the contract for one year, ending 30 September 2014. This will allow the City time for negotiation with two private EMS companies to design a new business model to fit Lucas.

It will also allow time for a more detailed report to be presented to the City Council in early 2013 to include the pricing options, staffing options, and revenue options.

In the current budget GPS equipment was identified to help with the marking of streets, hydrants, and water valves. There are several products being evaluated at this time with hopes of having a decision made very soon.

The Knox Key Security System has been ordered and should be implanted in the near future.

The Fire Department has started using social media such as Facebook and Twitter. Several members of the department have received training and are now authorized to use the new Federal Government warning system IPAWS and the local system EAS (early warning systems). EAS is delivered to the public through road signs, TV, cable, AM/FM radio, and weather radios. The department has applied for a Community Resilience Grant to purchase weather radios for the public, and if selected, the city could receive up to \$35,000.

The department is working closely with the Texas Forest Service staff to become a Firewise Community. The application has been submitted and if approved, Lucas would be the first in the county to become a Firewise Community. A committee has been formed and held its first meeting. The cost of the program is approximately \$10,730 that is offset through volunteer hours of which Lucas already has accumulated enough hours resulting in \$11,484.82.

13) Discuss and Consider the approval of a contract between the City of Lucas and CivicPlus for website services. **[Wingo]**

The website committee members have met several times over the past few months. The goal of the committee was to look closely at the City's website, identify areas for improvement, review other cities' websites, and make recommendations to the Council. After meeting with the current webmaster and attending a webinar with CivicPlus, it is the recommendation of the committee to do a total redevelopment of our website and use CivicPlus to help accomplish this task.

CivicPlus has over 1,400 clients nationwide and 180 of those are in Texas. CivicPlus provides a full service solution from design to development to launch of the new website. There is a high-touch consulting and project management team in place so that our website is tailored to the city's needs. CivicPlus has the expertise to guide the city on best practices and usability as well as providing comprehensive training options.

Support is available 24 hours per day, continuous upgrades and enhancements, site hosting, daily backups, extensive disaster recovery measures, and compliance with accessibility and open records standards are all included.

Overall cost(s) for the project development which includes the first year's annual support, maintenance, and hosting is approximately \$19,013. The city has the option to pay a one-time payment or pay out over a three (3) year period, \$9,000 each year.

Currently in the budget Council has approved \$7,000 for website development. A budget amendment will be brought back to Council for action during a future meeting.

MOTION: Councilmember Philip Lawrence made a Motion to approve the contract between the City of Lucas and CivicPlus for website services and authorize the City Manager to execute said agreement. Councilmember Debbie Fisher seconded the Motion. Motion carried. Vote: 6-0.

14)Adjournment.

MOTION: Councilmember Wayne Millsap made a Motion to adjourn the meeting at 10:09 p.m. Councilmember Debbie Fisher seconded the Motion. Motion carried. Vote: 6-0.

These minutes were approved by a majority vote of the City Council on January 3, 2013.

Rebecca Mark, Mayor

ATTEST:

Kathy Wingo, TRMC, MMC, City Secretary



**City of Lucas
City Council Agenda
Request**

Council Meeting: January 3, 2013

Requestor: Joe Hilbourn

Prepared by: Joe Hilbourn

Account Code #: N/A

Date Prepared: December 10, 2012

Budgeted Amount: \$ N/A

Exhibits: Yes No

AGENDA SUBJECT:

Discuss and Consider approval of an Arts and Craft event to be held in May, 2013.

RECOMMENDED ACTION:

Provide a date, Parks & Open Space Board recommends last weekend in May.
Provide a fee schedule for participation.

SUMMARY:

Parks Board would like to host a craft fair in the city park the last weekend in May every year, with proceeds going to the Parks Department. We would like to rent space for craft and food spaces.

MOTION:

I make a Motion....

APPROVED BY: _____

Initial/Date

Department Director: _____ / _____

City Manager: _____ / _____



**City of Lucas
Council Agenda Request**

Council Meeting: January 3, 2013

Requestor: _____

Prepared by: Kathy Wingo

Account Code #: N/A

Date Prepared: _____

Budgeted Amount: \$ N/A

Exhibits: Yes No

AGENDA SUBJECT:

Adjournment.

RECOMMENDED ACTION:

SUMMARY:

MOTION:

I make a Motion to adjourn the meeting at _____ p.m.

APPROVED BY: _____ Initial/Date

Department Director: _____ / _____

City Manager: _____ / _____