



PUBLIC NOTICE
City Council Meeting
May 2, 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, May 2, 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 an application request by M. Christopher Homes on behalf of Marion Strain Faust for a final site plan. The property to be considered is located in Collin County, Texas, and described as follows: Being a part of James Lovelady Survey Abstract Number 538, and James Anderson Survey, Abstract Number 17, and being 2.199 ± acres of land, more commonly known as

120 West Lucas Road, Texas, 75002. **[This is the 2nd Public Hearing, the 1st Public Hearing was held by the Planning & Zoning Commission on April 11, 2013]**

- 4) Public Hearing/Discuss and Consider an application request by KWIK Industries for a final site plan approval. The property to be considered is located in Collin County, Texas, and described as ABS A0821 William Snider Survey, Tract 32, 6.47± acres. **[This is the 2nd Public Hearing, the 1st Public Hearing was held by the Planning & Zoning Commission on April 11, 2013]**

- 5) Public Hearing/Discuss and Consider the approval of **Ordinance # 2013-05-00756** an amendment to the City of Lucas' Code of Ordinance, Chapter 14, Zoning, Article 14.03, Districts, Division 6 Village Center District (VC) Section 14.03.292 Use Regulations by adding (5) All drive thrus, drive-ins, drive-ups require a Specific Use Permit (SUP); Division 7, Commercial Business District (CB) Section 14.03.352 Use Regulations by adding (12) All drive thrus, drive-ins, drive-ups require a Specific Use Permit (SUP); Division 9, Light Industrial District (LI) Section 14.04.471 Use Regulations by adding (3) All drive thrus, drive-ins, drive-ups require a Specific Use Permit (SUP). **[This is the 2nd Public Hearing, the 1st Public Hearing was held by the Planning & Zoning Commission on April 11, 2013]**

Consent Agenda

The Consent Agenda is used to increase the efficiency of time. All items listed under the Consent Agenda may be considered by a single motion, second and passage by a majority vote of the Council present at the time of consideration. Any member of Council may remove an item from the Consent Agenda prior to a motion to act upon the agenda.

- 6) Consent and Approve:
 - a) The minutes from the April 18, 2013, City Council meeting. **[Wingo]**

 - b) **Ordinance # 2013-05-00754** 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. **[Lewis Property, 39.775 AC]**

 - c) **Ordinance # 2013-05-00755** 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. [Umphy Property, 2 TRACTS; 30 AC & 30.55 AC]

Regular Agenda

- 7) Discuss and Consider the approval of an agreement between the City of Lucas and Brinson Benefits, Inc. to provide employee benefit consultant services.
- 8) Discuss and Consider the approval of a preliminary plat for KWIK Industries to operate a minor automotive repair, property is known as being located in Lucas, Collin County, Texas, and described as ABS A0821 William Snider Survey, Tract 32, 6.47± acres.
- 9) Discuss and Consider the approval of **Resolution # R-2013-05-00397** of the City Council of the City of Lucas, Texas, establishing rules of order and procedures for City Council meetings.
- 10) 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, April 26, 2013.

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, April 26, 2013, 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 May 2, 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.

Administrative Assistant Jennifer Faircloth

Memo from the City Manager regarding upcoming Council meeting May 2, 2013, at 7:00 p.m., in the City Hall Council Chambers.

Item #3

This item involves the final site plan for Lucas Corners, which was approved at the last Planning and Zoning meeting pending the two additional items. The P&Z allowed them to continue to Council as long as two additional tasks were completed.

First item was the review of the traffic study by the city consultant. As of writing this memo, staff members were reviewing the city consultant's evaluation of the study. The second item dealt with them removing the drive-thru on the site plan. Under our code, Chapter 14, Division 7, Section 14.03.353 6(c) requires a drive thru be 100' from a residential district, therefore they need to remove this from their site plan. As of writing this memo, we have not received the new site plan. We have requested this item many times since the P&Z meeting on April 11th.

Item #5

After reviewing our code regarding drive-thrus, drive-ins, and drive-ups, we thought it would be best to make each of these usages be required to obtain an SUP in all of our zones VC, CB, and LI. This agenda item passed at the last Planning and Zoning meeting.

Item #7

The City of Lucas' HR department has been looking into ways to improve our overall health insurance benefits for our employees. Several cities in our area are using the services of Brinson Benefits to improve their benefits. Brinson would provide us the expertise to analyze healthcare plans, conduct yearly RFPs on benefits, advocacy on employee healthcare issues when dealing with the provider, telemedicine options, and implementation of the Affordable Healthcare Act.

Cheryl Meehan, our HR representative, and Demetra Bell with Brinson Benefits will provide an overall presentation on the consultants programs and how they would help the City of Lucas.



**City of Lucas
Council Agenda Request**

Council Meeting: May 2, 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: May 2, 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: May 2, 2013

Requestor: Joe Hilbourn

Prepared by: _____

Account Code #: _____

Date Prepared: _____

Budgeted Amount: \$ _____

Exhibits: Yes No

AGENDA SUBJECT:

Public Hearing/Discuss and Consider an application request by M. Christopher Homes on behalf of Marion Strain Faust for a site plan. The property to be considered is located in Collin County, Texas, and described as follows: Being a part of James Lovelady Survey Abstract Number 538, and James Anderson Survey, Abstract Number 17, and being 2.199 ± acres of land, more commonly known as 120 West Lucas Road, Texas, 75002.

RECOMMENDED ACTION:

SUMMARY:

This is the 2nd Public Hearing, the 1st Public Hearing was held by the P&Z Commission on April 11, 2013.

Rudy Rivas with M. Christopher Custom Homes has submitted an application for a site plan approval on behalf of Helen Strain Etal for a sub-division to be known as Lucas Corners. The property is located at Abs A0538 Jas Lovelady Survey, Tract 27, .89 Acres and more commonly known as 120 W. Lucas Road, at the intersection of East and West Lucas road. This site plan is for commercial use located within a previously zoned commercial district.

Planning & Zoning Commission's Motion made on April 11th:

Commissioner Sean McCaffity made a Motion to recommend approval of the site plan for 120 W. Lucas Road with the conditions that a revised plan be submitted with the drive-thru being removed and the traffic analysis review be complete prior to it going before the City Council on May 2nd. Commissioner Brian Blythe seconded the Motion. Motion carried. Vote: 5-0.

Staff will present the findings of the Traffic Impact Analysis to the City Council at the May 2nd City Council meeting.

MOTION:

I make a Motion to.....

APPROVED BY: _____ Initial/Date

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



April 4, 2013

Mr. Rudy Rivas
CEO
M. Christopher and Company
630 Oakmont Ct.
Fairview, TX 75069

Re: *Traffic Study (Amended) – Lucas Corner Development*

Dear Mr. Rivas:

Lee Engineering has completed the amended traffic analysis of the two (2) proposed driveways for the proposed Lucas Corner development located on the northeast corner of the FM 1378 and FM 3286 intersection in Lucas, Texas. This amended study considers the impact of traffic generated by the 395-student private school (Lucas Christian Academy) west of the proposed Lucas Corner, which was not in session (due to a two-week Spring Break) when the counts were performed on Tuesday, March 5, 2013. The main focus of this study was evaluating the two (2) proposed driveway locations – one on FM 1378 and one on FM 3286. While the location of both of these driveways has been approved by TxDOT, based on discussions with you, the City of Lucas has requested this traffic study of both driveway locations.

Background Information

The Lucas Corner development is proposed to be a two-story complex with 19,252 ft² of office and retail space on the northeast corner of the FM 1378 and FM 3286 intersection. **Figure 1** provides an aerial view of the existing property.

The development will have 10,206 ft² of retail space on the first floor with 9,026 ft² of office space on the second floor. Access to this development will be provided via an access driveway on both FM 1378 and FM 3286. A preliminary site plan of the Lucas Corner development is provided in **Figure 2**.

FM 1378 and FM 3286 are both two-lane undivided roadways with posted speeds of 45 mph (FM 3286) and 50 mph (FM 1378). Existing 24-hour traffic volumes were collected on both of the adjacent roadways on Tuesday, March 5, 2013 and are shown in **Figure 3**. This figure also shows the AM and PM peak hour volumes identified from the 24-hour counts.

Since the 395-student private school (Lucas Christian Academy) west of the proposed Lucas Corner was not in session when the initial counts were performed, the number of trips generated

by the private school (K-12) was estimated using information provided in the publication entitled *Trip Generation Manual, 9th Edition*, by the Institute of Transportation Engineers (ITE).

Table 1: Trip Generation Calculations for Private School (K-12)

Land Use	ITE Code	AM Peak Hour	PM Peak Hour	Avg. Weekday						
Equation/Rates¹										
Private School (K-12)	536	$T = 0.77(X) + 19.92$	$T = 0.17(X)$	$T = 2.48(X)$						
Directional Splits²										
Private School (K-12)	536	61 / 39	43 / 57	50 / 50						
Trips Generated										
	Size	Total	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit
Private School (K-12)	395 students	324	198	126	67	29	38	980	490	490

¹T = Trip Ends; X = Number of Students

²XX / YY = % entering vehicles / % exiting vehicles

The estimated trips generated by the nearby private school (Lucas Christian Academy) were assigned to the area roadways based on the assumed directional distribution (Figure 3) and are shown in **Figure 3A**. To obtain the amended existing traffic volumes on the area roadways, the existing traffic volumes collected in the field (Figure 3) were added to the estimated private school generated traffic volumes (Figure 3A), which are shown in **Figure 3B**.

Site Trip Generation

The number of vehicle trips generated by the proposed Lucas Corner development was estimated based on the trip generation rates and equations provided in the publication entitled *Trip Generation Manual, 9th Edition*, by the Institute of Transportation Engineers (ITE). Estimates of the number of trips generated by the site were made for the AM and PM peak hour, as well as on a daily basis. The trip generation rates, directional splits and estimated number of trips generated by the proposed development at build-out are presented in **Table 2**.

Table 2: Trip Generation Calculations for Lucas Corner Development

Land Use	ITE Code	AM Peak Hour	PM Peak Hour	Avg. Weekday						
Equation/Rates¹										
Office	710	$\ln(T) = 0.80\ln(X) + 1.57$	$T = 1.12(X) + 78.45$	$\ln(T) = 0.76\ln(X) + 3.68$						
Shopping Center	820	$\ln(T) = 0.61\ln(X) + 2.24$	$\ln(T) = 0.67\ln(X) + 3.31$	$\ln(T) = 0.65\ln(X) + 5.83$						
Directional Splits²										
Office	710	88 / 12	17 / 83	50 / 50						
Shopping Center	820	62 / 38	48 / 52	50 / 50						
Trips Generated										
	Size	Total	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit
Office	9,026 ft ²	28	25	3	89	15	74	212	106	106
Shopping Center	10,226 ft ²	39	24	15	130	62	68	1,544	772	772
Total	19,252 ft²	67	49	18	219	77	142	1,756	878	878

¹T = Trip Ends; X = 1,000 ft²

²XX / YY = % entering vehicles / % exiting vehicles

Directional Distribution

The existing traffic volumes in the area and the characteristics of the proposed development were used to determine the directions from which traffic would approach and depart the Lucas Corner development. The directional distribution used for the analysis is shown in **Figure 3**.

Traffic Volumes

Traffic volumes expected to be generated by the proposed Lucas Corner development were assigned to the area roadways and site access points based on the directional distribution identified in Figure 3. The estimated site generated traffic volumes for the AM and PM peak hours are shown in **Figure 4** for the proposed Lucas Corner development.

Total traffic volumes at the driveways to the Lucas Corner development at build-out were obtained by adding the Lucas Corner site generated traffic volumes (Figure 4) to the amended existing traffic volumes (Figure 3) and are shown in **Figure 5**.

Right Turn Deceleration Lane Analysis

The proposed Lucas Corner development was analyzed to determine if right turn deceleration lane would be required at either of the two driveway locations. Based on guidelines provided in TxDOT's *Access Management Manual*:

- Roadways with a posted speed limit greater than 45 mph (FM 1378 = 50 mph) – Right turn deceleration lanes should be considered for right turn volumes greater than 50 vehicles per hour.
- Roadways with a posted speed limit less than or equal to 45 mph (FM 3286 = 45 mph) – Right turn deceleration lanes should be considered for right turn volumes greater than 60 vehicles per hour.

As shown in Figure 5, the peak right turn volumes at both of the proposed site driveways are projected to be less than the guidelines identified in TxDOT's *Access Management Manual*. Therefore, right turn deceleration lanes are not recommended at either of the proposed site driveways for the Lucas Corner development.

Left Turn Deceleration Lane Analysis

Left turn entering volumes at the two site driveways were analyzed to determine if the installation of left turn lanes on the adjacent FM roadways would be required. For two-lane highways, TxDOT's *Roadway Design Manual* uses traffic volumes in determining whether left turn lanes should be considered. **Table 3** presents the information provided in Table 3-11 of the *Roadway Design Manual*.

Table 3: Guide for Left Turn Lanes on Two-Lane Highways

Opposing Volume (vph)	Advancing Volume (vph)			
	5 % Left Turns	10 % Left Turns	20 % Left Turns	30 % Left Turns
40 mph [60 km/h] Design Speed				
800	330	240	180	160
600	410	305	225	200
400	510	380	275	245
200	640	470	350	305
100	720	515	390	340
50 mph [80 km/h] Design Speed				
800	280	210	165	135
600	350	260	195	170
400	430	320	240	210
200	550	400	300	270
100	615	445	335	295
60 mph [100 km/h] Design Speed				
800	230	170	125	115
600	290	210	160	140
400	365	270	200	175
200	450	330	250	215
100	505	370	275	240

SOURCE: TxDOT Roadway Design Manual (Table 3-11)

The traffic volumes at the site driveways on the adjacent FM roadways during the AM and PM peak hours were presented in Figure 5 and are summarized in **Table 4**. These volumes were compared to the guidelines presented in Table 3 to determine whether a left turn deceleration lane should be considered for installation at either of the site driveway locations.

Table 4: Left Turn Deceleration Lane Evaluation Results

Peak	Opposing Volume (vph)	Advancing Volume (vph)			Guidelines Met or Exceeded?
		Percent Left Turns	Advancing Volume	Guidelines ¹	
West Driveway at FM 1378 (50 mph)					
AM Peak	1,019	~ 5%	393	280	Yes
PM Peak	548	~ 4%	814	371	Yes
South Driveway at FM 3286 (45 mph)					
AM Peak	599	~ 5%	234	380	No
PM Peak	255	~ 3%	570	561	Yes

¹ Interpolated from TxDOT's guidelines

At the site driveway location on FM 1378, the volumes presented in Table 4 exceed the guidelines presented in the *Roadway Design Manual* for consideration to install a left turn lane.

Based on projected traffic volumes, a southbound left turn deceleration lane should be installed on FM 1378 at this driveway as part of this development.

Using guidelines presented in TxDOT's *Roadway Design Manual*, the desirable left turn lane length on FM 1378 for this location, with a posted speed of 50 mph, is 525 feet (425 feet of deceleration + 100 feet of storage). If vehicles are allowed to decelerate by approximately 20 mph before clearing the through lane on FM 1378, the minimum left turn lane length is 375 feet (275 feet of deceleration + 100 feet of storage).

At the site driveway location on FM 3286, the volumes presented in Table 4 are predicted to be slightly above the guidelines presented in the *Roadway Design Manual* for consideration of installing a left turn lane. Using guidelines presented in TxDOT's *Roadway Design Manual*, the desirable left turn lane length on FM 3286 for this location, with a posted speed of 45 mph, is 445 feet (345 feet of deceleration + 100 feet of storage). If vehicles are allowed to decelerate by approximately 20 mph before clearing the through lane on FM 3286, the minimum left turn lane length is 315 feet (215 feet of deceleration + 100 feet of storage). With approximately 150 feet between the proposed driveway and the FM 1378 and FM 3286 signalized intersection, a left turn deceleration lane meeting TxDOT's minimum requirements would be unable to be installed. Therefore, due to the traffic volumes exceeding TxDOT's guidelines by a narrow margin (9 vehicles) and the inability to construct a left turn storage length meeting minimum design standards, an eastbound left turn deceleration lane is not recommended to be installed on FM 3286 at this driveway as part of this development.

Sight Distance

As part of this traffic analysis, the available and required intersection sight distance for motorists accessing the adjacent FM roadways from the site driveways was analyzed. The sight distance required at the proposed site driveway was estimated using the procedures developed by the American Association of State Highway and Transportation Officials (AASHTO) and published in the 2011 edition of *A Policy on Geometric Design of Highways and Streets*. At these locations, the motorist should be able to see if and when adequate gaps exist to perform their desired maneuver. **Table 5** presents the required and available sight distance for motorists exiting both of the proposed Lucas Corner driveways.

Table 5: Sight Distance Evaluation

Major Roadway	FM 1378	FM 3286
Speed	50 mph	45 mph
Minor Roadway	West Driveway	South Driveway
Design Vehicle	Passenger Car	
Required Intersection Sight Distance (Exiting Movements at Driveways)	590'	500'
Available Sight Distance to the Left (Exiting Movement)	485' (to traffic signal)	900'
Available Sight Distance to the Right (Exiting Movement)	515'	150' (to traffic signal)
Sight Distance Available > Required		
To the Left	NO ¹	YES
To the Right	NO ¹	YES

¹ See discussion below Table 5

At the site driveway on FM 1378, the field results indicate that the amount of sight distance currently available at the proposed site driveway at FM 1378 is less than recommended if motorists are driving at the posted speed of 50 mph as they approach and travel through the horizontal curve.

For motorists on FM 1378 approaching this driveway from the north/west, a “curve ahead” sign with an advisory speed of 35 mph is provided, as well as a “signal ahead” sign with a flashing beacon. The combination of both of these signs and the horizontal geometry of the roadway may result in motorists driving slower on the curve than the posted speed limit of 50 mph. If motorists are driving at the advisory speed of 35 mph (or even 40 mph), then the amount of available sight distance to the right (515 feet) would exceed the required sight distance value at 35 mph (415 feet) or 40 mph (475 feet).

Motorists approaching this site driveway from the south (to the left) may also be driving slower than the posted 50 mph speed limit through the curve. Motorists departing the signalized intersection on FM 1378 at FM 3286 (northbound through movements on FM 1378 or westbound right turn movements from FM 3286) from a stopped position or low-speed condition are more than likely driving at a speed less than the posted speed limit (50 mph) as they approach and travel through the existing horizontal curve on FM 1378. A lower speed of motorists on FM 1378 will result in more time available for motorists exiting the site driveway to perform their movement. With motorists exiting the Lucas Corner development at this driveway being able to see the signalized intersection to the left, they should be able to see whether an oncoming vehicle is either travelling through the intersection on a green indication or whether it is starting from a stopped or low speed condition.

At the site driveway on FM 3286, the field results indicated that the amount of sight distance currently available at the proposed site driveway at FM 3286 is greater than that recommended. With a signalized intersection approximately 150 feet west of the proposed site driveway, all eastbound vehicles on FM 3286 will have been turning movements from FM 3286, which are performed at considerably lower speeds than the posted speed limit of 45 mph. Motorists exiting

at this site driveway location are predicted to be able to see the signalized intersection and identify vehicles approaching the driveway from the signalized intersection. Under this scenario, adequate sight distance should be provided to the right for motorists to determine whether an adequate gap exists for them to enter the roadway.

Conclusions and Recommendations

Based on this traffic study, the following conclusions and recommendations can be made:

- The proposed Lucas Corner development is expected to generate approximately 1,756 trips on a daily basis, 67 trips during the AM peak hour, and 219 trips during the PM peak hour.
- Based on the projected peak right turn traffic volumes at both site driveway locations and guidelines specified in TxDOT's *Access Management Manual*, right turn deceleration lanes are not recommended at either of the proposed site driveways to the Lucas Corner development.
- Based on the projected traffic volumes at the Lucas Corner site driveways, TxDOT's guidelines for consideration of left turn lanes on two-lane roadways and left turn lane design requirements:
 - Installation of a southbound left turn lane at the site driveway on FM 1378 is recommended, with the left turn lane being a minimum of 375 feet long.
 - Installation of an eastbound left turn lane at the site driveway on FM 3286 is not recommended.
- Based on the posted speed limits of the adjacent roadways, the amount of available sight distance for motorists exiting the FM 1378 driveway is projected to be less than desired, while the amount of available sight distance for motorists exiting the FM 3286 driveway is projected to exceed the amount of sight distance required.
 - If motorists are travelling at a lower speed than that posted (50 mph), due to a combination of roadway geometry (horizontal curve), advance warning signs (advisory speed of 35 mph) and traffic control (signalized intersection), it is anticipated that the amount of available sight distance at the FM 1378 driveway location will be adequate for motorists exiting this location to be able to perform their desired maneuver.

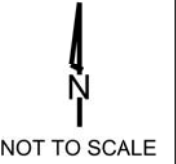
If you have any questions regarding this study, please contact me at (972) 248-3006. We appreciate the opportunity to provide these services.

Sincerely,



Kelly D. Parma, P.E., PTOE
Senior Project Manager
Lee Engineering, LLC
TBPE Firm F-450

Attachments



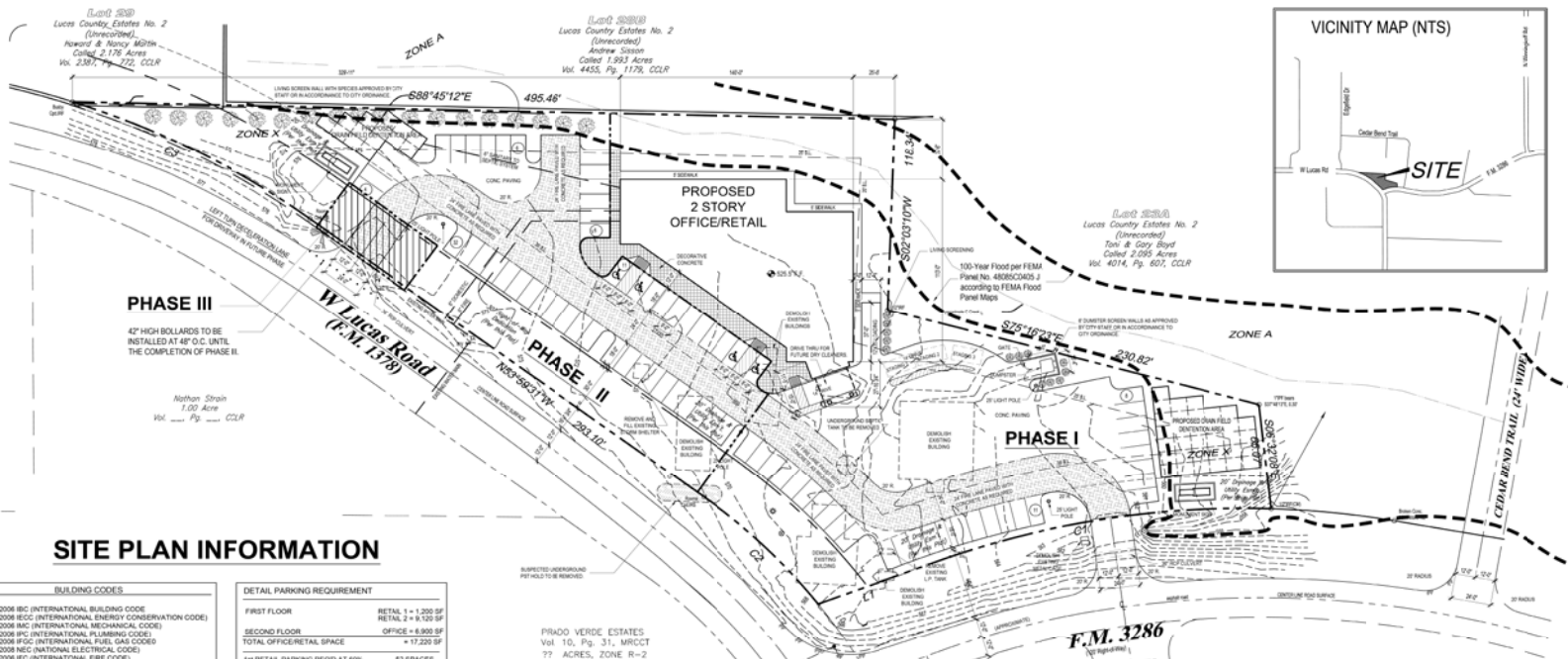
3030 LBJ FREEWAY
SUITE 1660
DALLAS, TEXAS 75234
972-248-3006 FAX 972-248-3855

LEE ENGINEERING

DALLAS - PHOENIX - ALBUQUERQUE

Study Area Vicinity Map

Figure 1

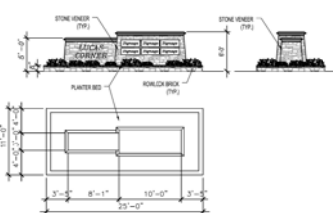


SITE PLAN INFORMATION

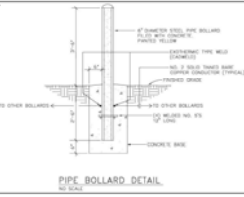
BUILDING CODES	
2006 IBC (INTERNATIONAL BUILDING CODE)	
2006 IECC (INTERNATIONAL ENERGY CONSERVATION CODE)	
2006 IMC (INTERNATIONAL MECHANICAL CODE)	
2006 IFBC (INTERNATIONAL FLOODING CODE)	
2006 IFGC (INTERNATIONAL FUEL GAS CODE)	
2006 NEC (NATIONAL ELECTRICAL CODE)	
2006 IFP (INTERNATIONAL FIRE CODE)	
PROPOSED BUILDING INFORMATION	
OCCUPANCY CLASS	OFFICE
OCCUPANCY LOAD (2)	100 S.F./S.F.
CONSTRUCTION TYPE VS SPRINKLERED	TYPE II
RETAIL OFFICE ZONE - CB	
MAX. OF 3' HIGH TO MID-POINT OF ROOF	
GROUND FLOOR BUILDING FOOTPRINT	10,320 S.F.
ANTICIPATED TOTAL AREA	17,220 S.F.
SITE LIGHTING SPECIFICATIONS	
MANUFACTURER	SPALDING
MODEL NO.	MEV A10 P40 H3 P 5 D6
BULB	P18W 400W
VOLT	480V
REMARKS	POLE MOUNTED LIGHT, 25' IN HEIGHT ARM MOUNTED AT 180 TYPE II DISTRIBUTION
SITE PLAN INFORMATION	
GROSS SITE SQUARE FOOTAGE	95,778.44 S.F.
NET SITE SQUARE FOOTAGE OUTSIDE OF FLOOD PLAIN	83,363.88 S.F.
ZONING - CB	2.199 ACRES
PROPOSED USE	OFFICE / RETAIL
BUILDING FOOTPRINT	10,320 S.F.
TOTAL BUILDING FOOTPRINT	17,220 S.F.
SIDEWALK PAVING	4,054 S.F.
PARKING LOT PAVING	42,367 S.F.
GREEN	41,278 S.F.
DRAINFIELD (part of green)	3,679 S.F.
CURB	1,563 L.F.
PERCENTAGE OF IMPERVIOUS COVERAGE	60%

DETAIL PARKING REQUIREMENT	
FIRST FLOOR	RETAIL 1 = 1,200 SF RETAIL 2 = 4,100 SF
SECOND FLOOR	OFFICE = 4,800 SF
TOTAL OFFICE/RETAIL SPACE	+ 17,220 SF
1st RETAIL PARKING REQD AT 60%	52 SPACES
2nd FLR. OFFICE PARKING REQD AT 40%	23 SPACES
TOTAL PARKING REQD	75 SPACES
H.C. SPACES REQD	4 SPACES
PARKING PROVIDED	78 SPACES
H.C. SPACES PROVIDED	4 SPACES

Area Code	Area Code
1	2
3	4
5	6
7	8
9	10



MONUMENT SIGN
SCALE: 1/8" = 1'-0"

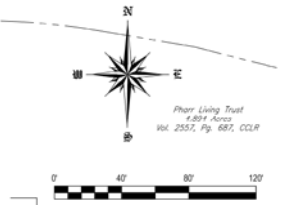


PIPE BOLLARD DETAIL
SCALE: 1/8" = 1'-0"

PRADO VERDE ESTATES
Vol 10, Pg. 31, MRCT
?? ACRES, ZONE R-2

F.M. 3286

Mohammed Darfalloh
0.539 Acre
Vol. 5259, Pg. 2576, CCLR
ZONE - C



SITE PLAN
SCALE: 1"=30'-0"

MAYOR _____
CITY ENGINEER _____
CHAIRMAN OF PLANNING AND ZONING _____

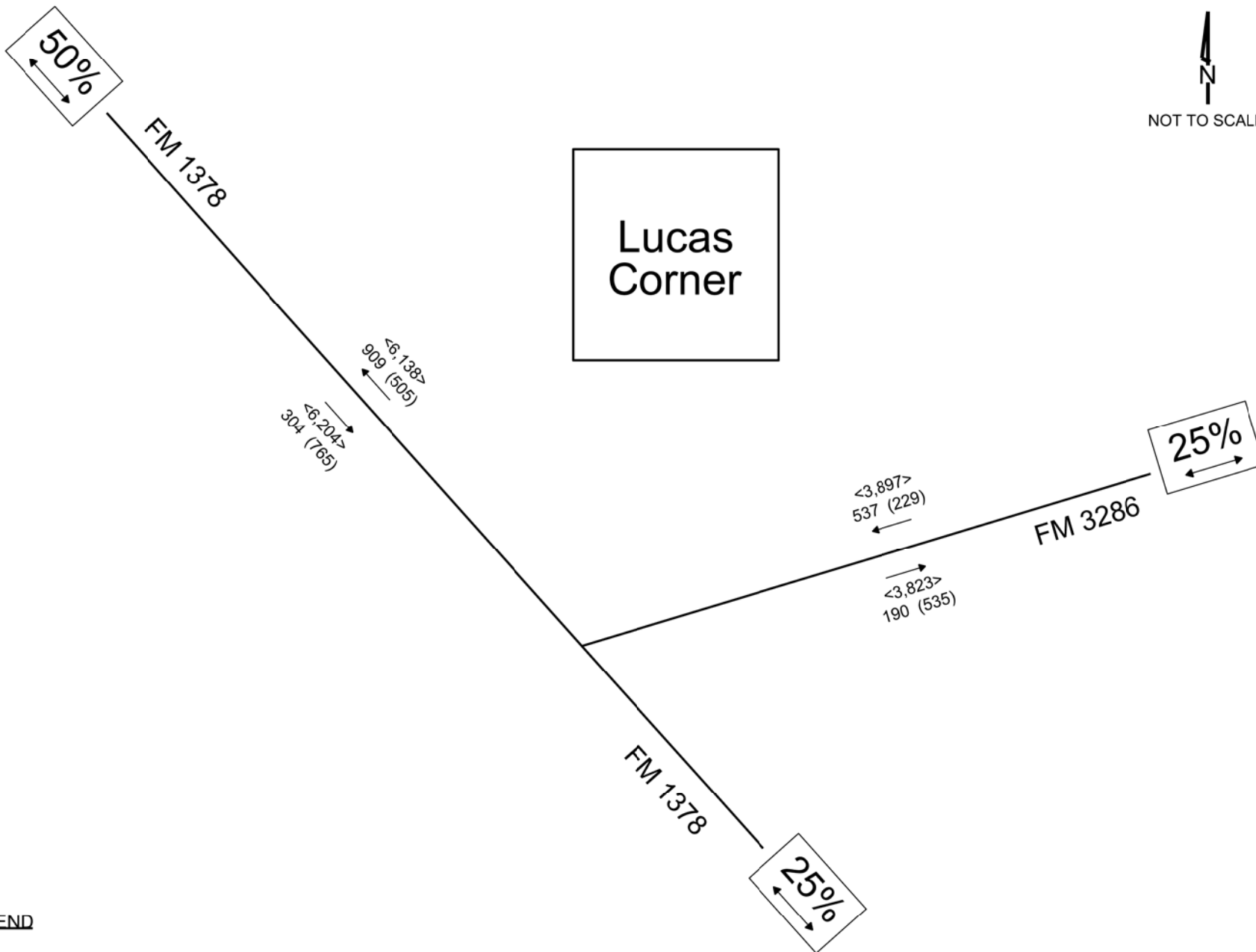
OWNER / DEVELOPER
M Christopher and Co.
2730 Country Club, Lucas TX 75002
PHONE - 972-974-2777
FAX - 972-529-1078

APPROVED FOR SUBMITTAL TO THE CITY OF LUCAS, TEXAS
DATE: 08/20/2013
FOR SUBMITTAL TO THE CITY OF LUCAS, TEXAS
DATE: 08/20/2013
FOR SUBMITTAL TO THE CITY OF LUCAS, TEXAS
DATE: 08/20/2013

LUCAS CHINNER
ADDRESS: 1000 W. LUCAS
LUCAS, TX 75002

08/20/2013

A2
2 of 2
4-00-2013



- Traffic volumes collected on Tuesday, March 5, 2013 -

VOLUME LEGEND

<24-Hour>

AM Peak Hour (PM Peak Hour)



3030 LBJ FREEWAY
SUITE 1660
DALLAS, TEXAS 75234
972-248-3006 FAX 972-248-3855

DALLAS - PHOENIX - ALBUQUERQUE
OKLAHOMA CITY

Existing Traffic Volumes and
Directional Distribution

Figure 3



<245>
63 (19)
←

<245>
100 (14)
←

→
<245>
98 (14)

→
<245>
64 (20)

Lucas
Christian
Academy

Lucas
Corner

FM 1378

→
<245>
64 (20)

←
<245>
100 (14)

←
<122>
50 (7)

→
<122>
32 (10)

FM 3286

FM 1378

VOLUME LEGEND

<24-Hour>

AM Peak Hour (PM Peak Hour)

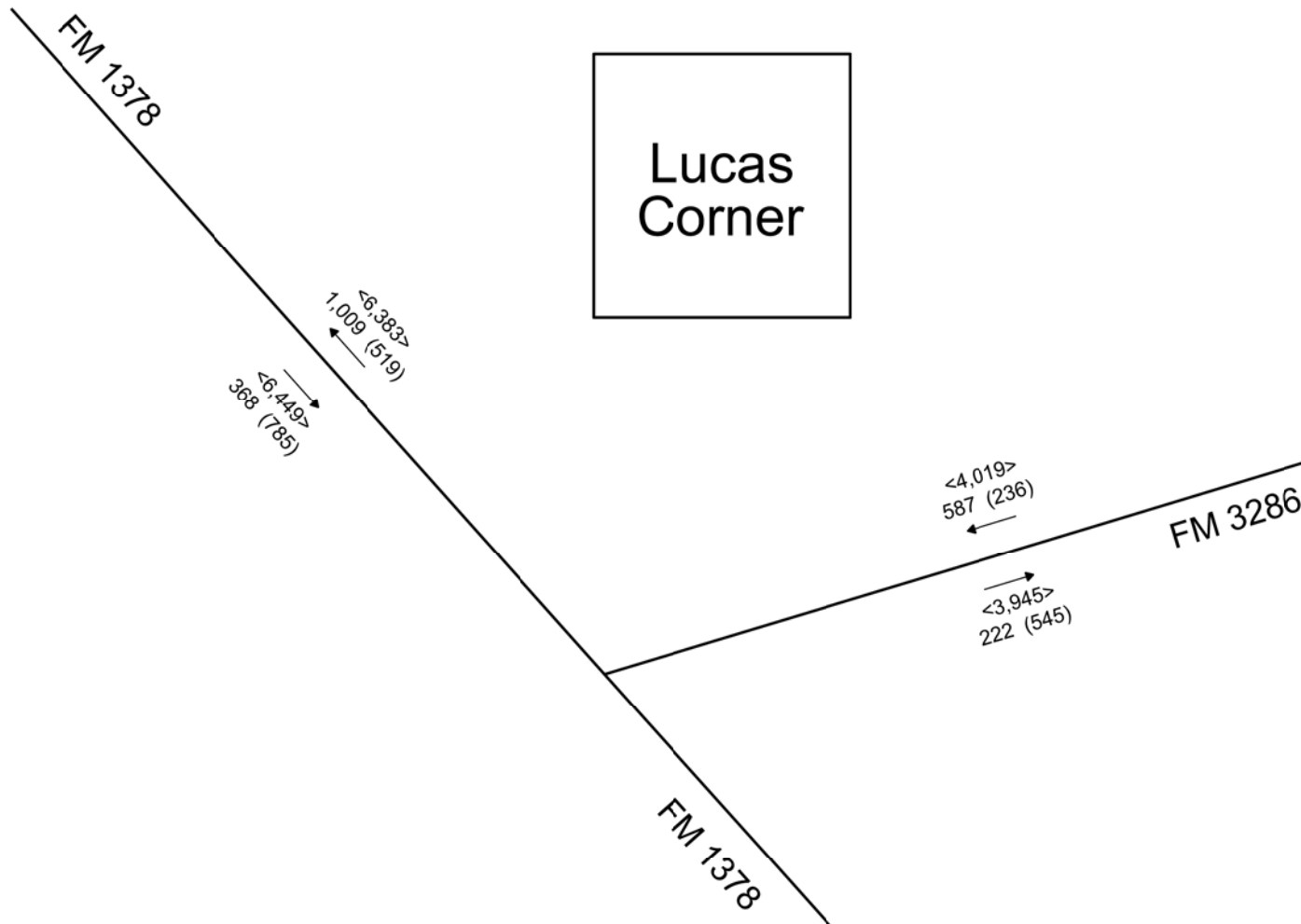


3030 LBJ FREEWAY
SUITE 1660
DALLAS, TEXAS 75234
972-248-3006 FAX 972-248-3855

DALLAS - PHOENIX - ALBUQUERQUE
OKLAHOMA CITY

Existing Traffic Volumes (Estimated)
for Lucas Christian Academy

Figure 3A



VOLUME LEGEND

<24-Hour>

AM Peak Hour (PM Peak Hour)

- Traffic volumes collected on Tuesday, March 5, 2013 + Estimated Private School Traffic -

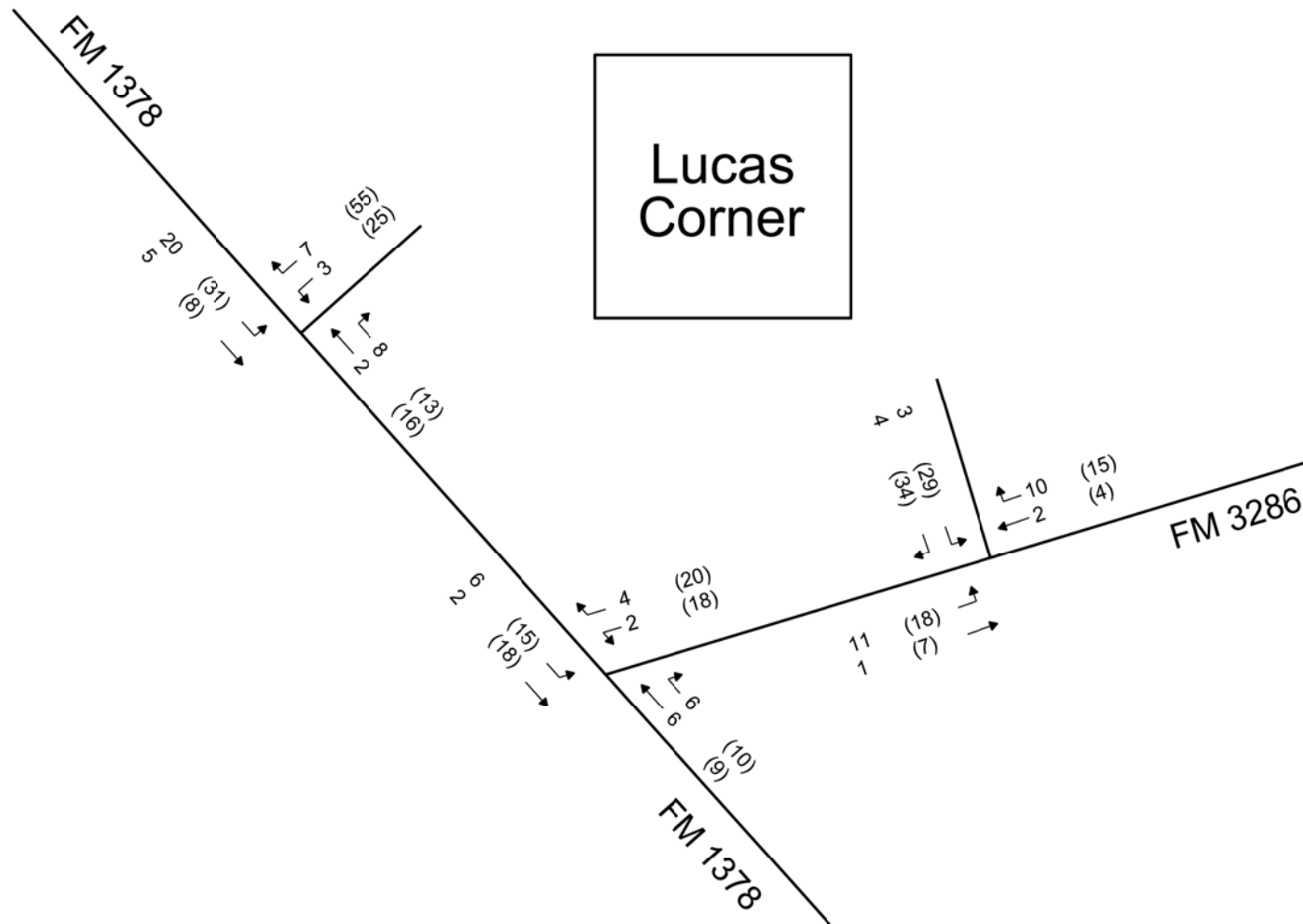


3030 LBJ FREEWAY
SUITE 1660
DALLAS, TEXAS 75234
972-248-3006 FAX 972-248-3855

DALLAS - PHOENIX - ALBUQUERQUE
OKLAHOMA CITY

Existing Traffic Volumes (Amended)

Figure 3B



Lucas Corner

LEGEND

AM Peak Hour (PM Peak Hour)



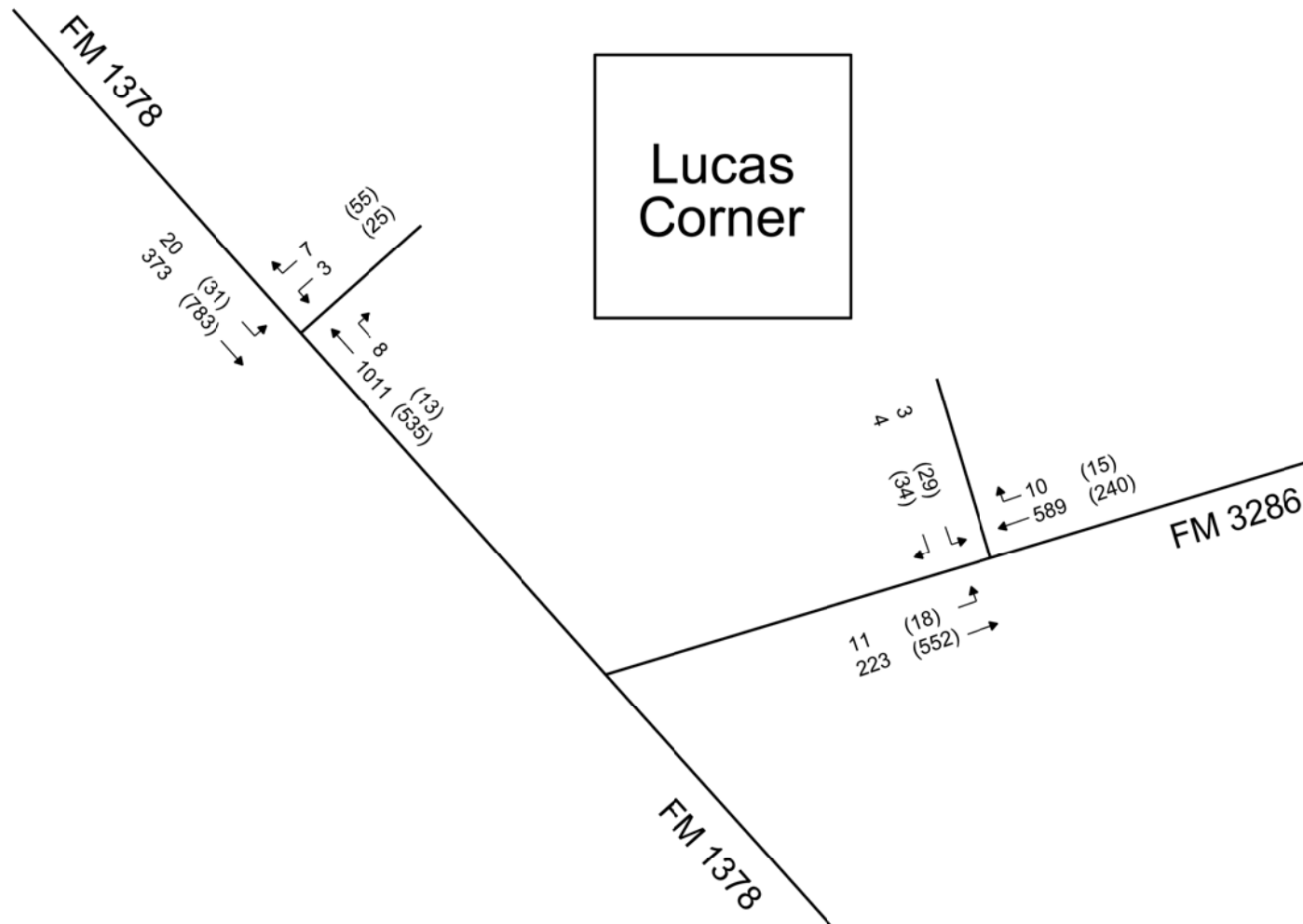
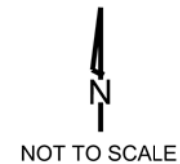
3030 LBJ FREEWAY
SUITE 1660
DALLAS, TEXAS 75234
972-248-3006 FAX 972-248-3855

LEE ENGINEERING

DALLAS - PHOENIX - ALBUQUERQUE
OKLAHOMA CITY

Site Generated Traffic Volumes

Figure 4



LEGEND

AM Peak Hour (PM Peak Hour)



3030 LBJ FREEWAY
SUITE 1660
DALLAS, TEXAS 75234
972-248-3006 FAX 972-248-3855

DALLAS - PHOENIX - ALBUQUERQUE
OKLAHOMA CITY

Total Traffic Volumes

Figure 5



TECHNICAL MEMORANDUM

DATE: April 17, 2013
TO: Joe Hilbourn
City of Lucas
FROM: Dannie Cummings, P.E.
Binkley & Barfield • C&P, Inc.
RE: Review of TIA Report
Lucas Corner Development

At your request we have reviewed the TIA report prepared by Lee Engineering for the Lucas Corner Development proposed for the northeast corner of the F.M. 1378 and F.M. 3286 intersection. The following paragraphs summarize our review findings of the key aspects of that study.

SITE TRIP GENERATION

Lee Engineering's original study failed to include the traffic from the Lucas Christian Academy (LCA) due to their collection of the traffic count data during the school's spring break. The updated study addressed this shortcoming by using trip rates from the Institute of Transportation Engineering's *Trip Generation Handbook* to calculate the number of trips generated by the LCA.

We concur with this approach and compared the trip rates that they used from ITE with the trip rates that we obtained in 2011 when we conducted a TIA for two schools: the LCA and the Willow Springs Middle School. The rates that we obtained by making actual counts of the LCA school traffic entering and leaving the school compared very favorably to the ITE rates that Lee Engineering used.

We concur with the trip rates used by Lee Engineering and the number of school related vehicles that were added to the traffic volumes obtained in their original study.

RIGHT-TURN DECELERATION LANES

We concur with Lee Engineering's approach to analyzing the need for right-turn deceleration lanes and their finding that right-turn lanes were not warranted at either site driveway location.

LEFT-TURN DECELERATION LANES

We concur with Lee Engineering's approach to analyzing the need for left-turn deceleration lanes and their recommendation that a left-turn lane be constructed for the site driveway on F.M. 1378, but not for the site driveway on F.M. 3286.

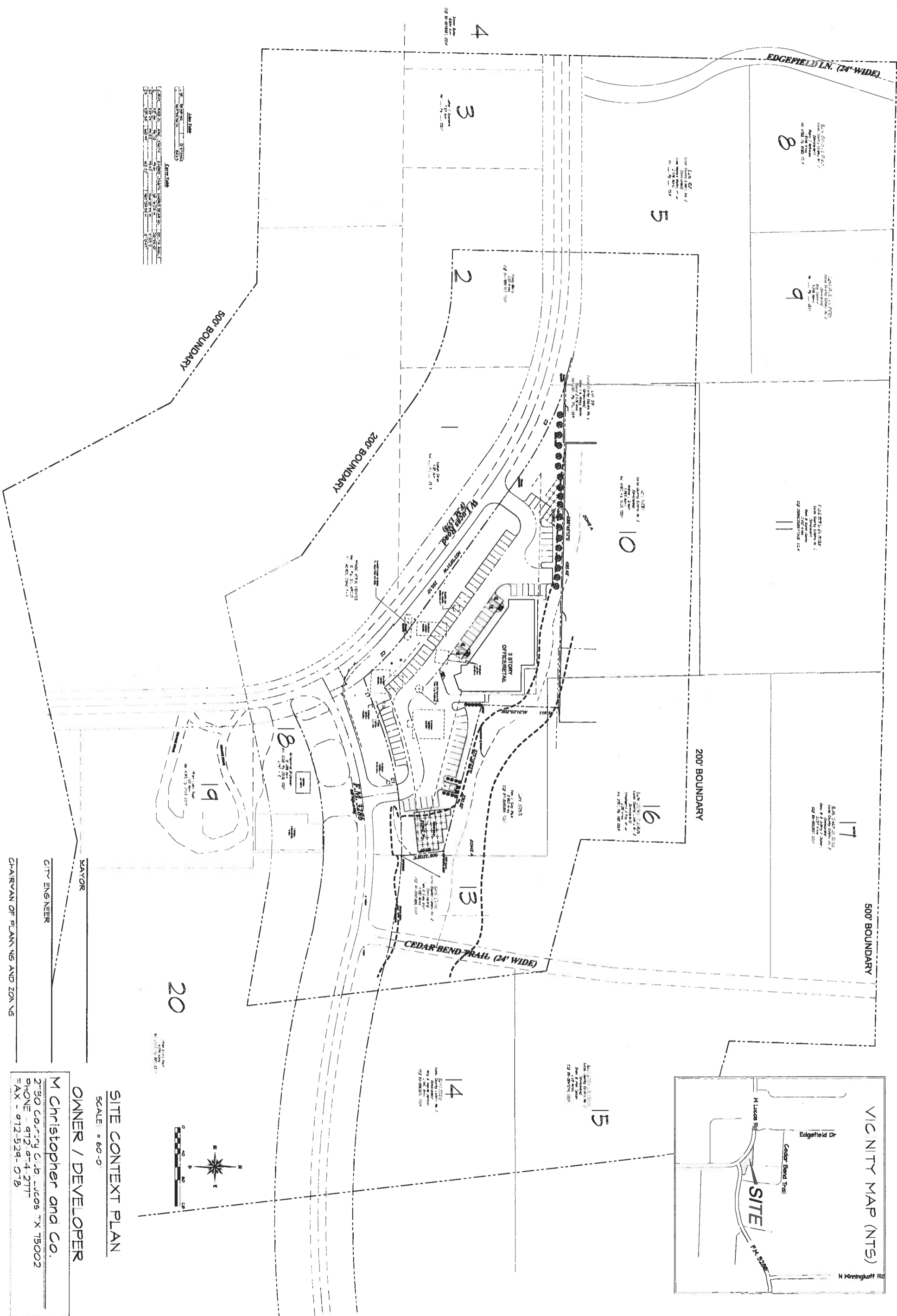
SIGHT DISTANCE

We concur with Lee Engineering's findings that the sight distance along F.M. 3286 is adequate for the site driveway on that facility and as a result no traffic control related improvements are needed to improve vehicular visibility.

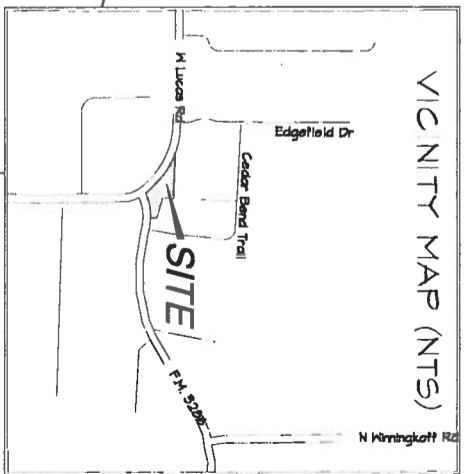
We also concur that the advance 35 mph advisory speed/curve ahead signs on each approach to the site driveway on F.M. 1378 in conjunction with the horizontal curve itself are sufficient to reduce the speed of approaching vehicles. We concur that the available sight distance for this driveway is satisfactory and as a result no traffic control related improvements are needed to improve vehicular visibility.

CLOSING

We have appreciated the opportunity to assist the City in its review of the traffic related aspects of the Lucas Corner Development. If there are any questions or concerns regarding this memorandum, do not hesitate to contact me.



NO.	DATE	DESCRIPTION
1	11/15/23	PRELIMINARY
2	11/15/23	REVISED
3	11/15/23	REVISED
4	11/15/23	REVISED
5	11/15/23	REVISED
6	11/15/23	REVISED
7	11/15/23	REVISED
8	11/15/23	REVISED
9	11/15/23	REVISED
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12	11/15/23	REVISED
13	11/15/23	REVISED
14	11/15/23	REVISED
15	11/15/23	REVISED
16	11/15/23	REVISED
17	11/15/23	REVISED
18	11/15/23	REVISED
19	11/15/23	REVISED
20	11/15/23	REVISED



SITE CONTEXT PLAN

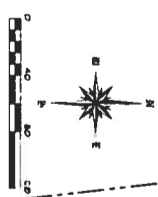
SCALE = 60'-0"

OWNER / DEVELOPER

M Christopher and Co.

230 Country Club, Lucas, TX 75002
 PHONE - 972-974-2777
 FAX - 972-524-078

MAYOR
CITY ENGINEER
CHAIRMAN OF PLANNING AND ZONING

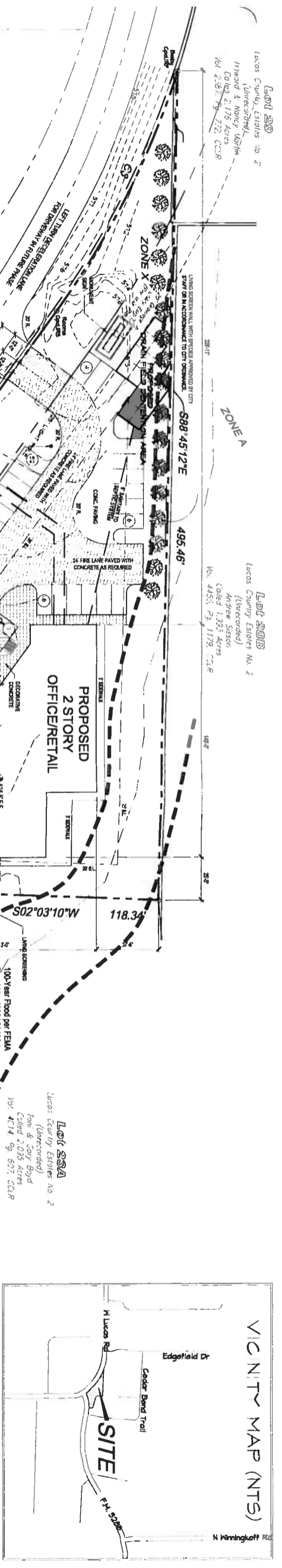


These plans are intended to provide the basic construction information necessary to substantially complete this structure. These plans shall be verified and checked completely by the person in authority for the job. Any discrepancy, error, and/or omission, if found, is to be brought immediately to the attention of the builder before any construction work or purchases are made. All local codes, ordinances and requirements take precedence over any part of these drawings which conflict with these agencies, rules and/or regulations and be solved to before and during all construction.

NO.	DATE	DESCRIPTION
1	11/15/23	PRELIMINARY
2	11/15/23	REVISED
3	11/15/23	REVISED
4	11/15/23	REVISED
5	11/15/23	REVISED
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14	11/15/23	REVISED
15	11/15/23	REVISED
16	11/15/23	REVISED
17	11/15/23	REVISED
18	11/15/23	REVISED
19	11/15/23	REVISED
20	11/15/23	REVISED

LUCAS CORNER
 ADDRESS LINE 1
 ADDRESS LINE 2
 LUCAS, TX

A1
 1 OF 2
 4.00 10.1



SITE PLAN INFORMATION

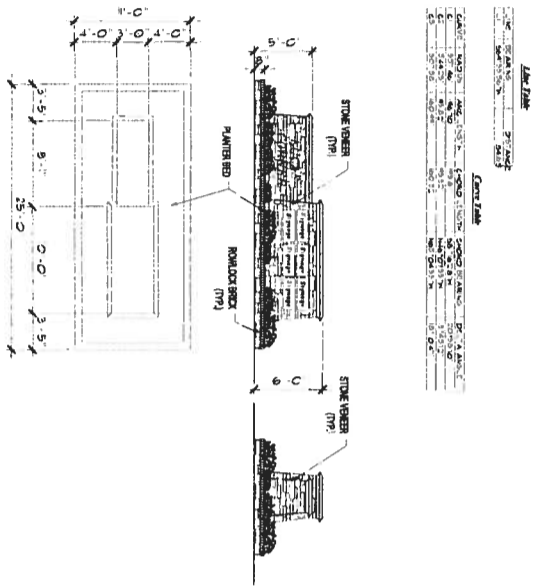
BUILDING CODES	
-2008 IBC (INTERNATIONAL BUILDING CODE)	
-2006 IECC (INTERNATIONAL ENERGY CONSERVATION CODE)	
-2005 IMC (INTERNATIONAL MECHANICAL CODE)	
-2005 IPC (INTERNATIONAL PLUMBING CODE)	
-2005 IFGC (INTERNATIONAL FUEL GAS CODE)	
-2005 NEC (NATIONAL ELECTRICAL CODE)	
-2006 IRC (INTERNATIONAL RESIDENTIAL CODE)	

PROPOSED BUILDING INFORMATION	
OCCUPANCY CLASS	B
OCCUPANCY LOAD	125
CONSTRUCTION TYPE	VA SPRINKLERED
RETURNS TO ZONE	C-2
MINIMUM HEIGHT OF ROOF	10.00 FT
GROUND FLOOR BUILDING FOOTPRINT	17,220 S.F.
ANTICIPATED TOTAL AREA	17,220 S.F.

SITE LIGHTING SPECIFICATIONS	
MANUFACTURER	SPALDING
MODEL NO.	MSV AND P40 H3 F 508
BUILDING HEIGHT	40 FT
VOLT	480V
REMARKS	POLE MOUNTED LIGHT 28 IN HEIGHT TYPE III DISTRIBUTION

SITE PLAN INFORMATION	
NET SITE SQUARE FOOTAGE	65,580.44 S.F.
NET SITE SQUARE FOOTAGE OUTSIDE ZONING CP	63,353.88 S.F.
PROPOSED USE	OFFICE / RETAIL
BUILDING FOOTPRINT	10,320 S.F.
TOTAL BUILDING FOOTAGE	17,220 S.F.
SIDEWALK PAVING	4,982 S.F.
PARKING LOT PAVING	41,058 S.F.
GREEN DRAINFIELD (part of green)	24,614 S.F.
CURB	3,879 S.F.
PERCENTAGE OF IMPERVIOUS COVERAGE	1,895 L.F.
	74.28%

DETAIL PARKING REQUIREMENT	
FIRST FLOOR	RETAIL 1 = 1,200 SF OFFICE = 6,900 SF
SECOND FLOOR	OFFICE = 6,900 SF
TOTAL OFFICE/RETAIL SPACE	= 17,220 SF
1st RETAIL PARKING RECD AT 60%	52 SPACES
2nd FLR OFFICE PARKING RECD AT 40%	23 SPACES
TOTAL PARKING RECD	75 SPACES
H.C. SPACES RECD	4 SPACES
PARKING PROVIDED	87 SPACES
H.C. SPACES PROVIDED	4 SPACES



MONUMENT SIGN

SCALE 1/8" = 1'-0"

SITE PLAN

SCALE: 1/8" = 1'-0"

OWNER / DEVELOPER

M Christopher and Co.

230 County Club Lucas TX 75002
PHONE - 972-974-2777
FAX - 972-529-078

REVISION	DATE	BY	DESCRIPTION
1	01-10-13	...	...
2	01-10-13	...	...
3	01-10-13	...	...
4	01-10-13	...	...
5	01-10-13	...	...

These plans are intended to provide the basic construction information necessary to substantially complete the structure. These plans must be verified and checked completely by the person in authority for the job. Any discrepancy, error or omission if found, is to be brought immediately to the attention of the builder before any construction work or materials are made. All local codes and all codes and regulations take precedence over any part of these drawings which conflict with these agencies, rules and/or regulations and be complied before and during all construction.



City of Lucas Council Agenda Request

Council Meeting: May 2, 2013

Requestor: Joe Hilbourn

Prepared by: _____

Account Code #: _____

Date Prepared: _____

Budgeted Amount: \$ _____

Exhibits: Yes No

AGENDA SUBJECT:

Public Hearing/Discuss and Consider an application request by KWIK Industries for a final site plan approval. The property to be considered is located in Collin County, Texas, and described as ABS A0821 William Snider Survey, Tract 32, 6.47± acres.

RECOMMENDED ACTION:

Approve as presented.

SUMMARY:

This is the 2nd Public Hearing, the 1st Public Hearing was held by the P&Z Commission on April 11, 2013.

Applicant Scott Pendley on behalf of Kwik Industries is requesting the approval of a site plan for a Kwik Lube Oil Express in compliance with the city's zoning use chart, approved SUP, and the city's code of ordinances. The property to be considered is located at ABS A0821 William Snider Survey, Tract 32, 6.47± acres.

Planning & Zoning Commission Motion made on April 11th:

Commissioner Brian Blythe made a Motion to recommend approval of the site plan for the property located in Lucas, Collin County, Texas, and described as ABS A0821 William Snider Survey, Tract 32, 6.47± acres. Vice-Chairman Peggy Rusterholtz seconded the Motion. Motion carried. Vote: 5-0.

See attached.

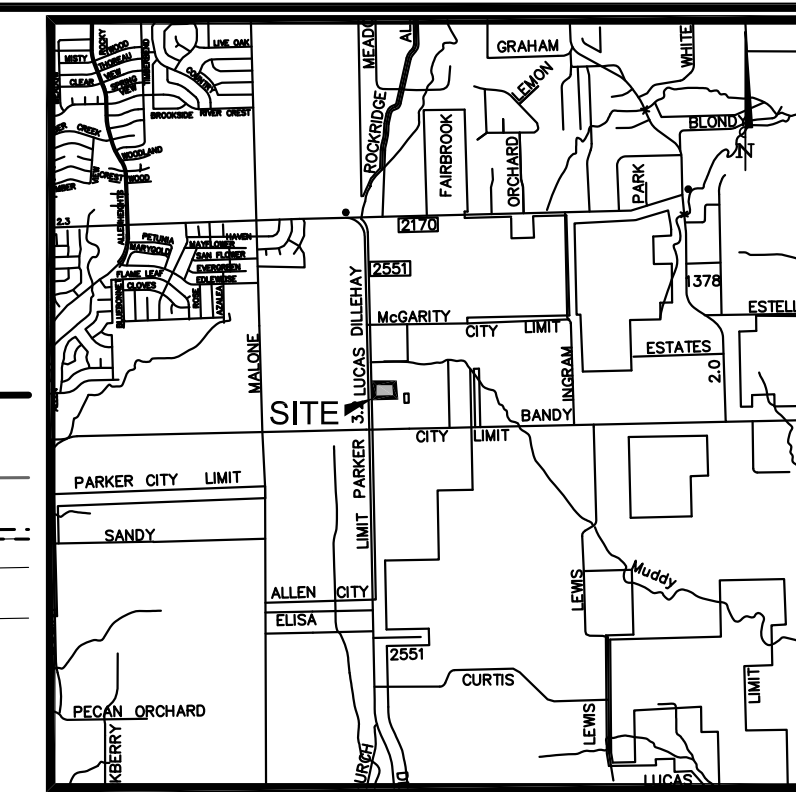
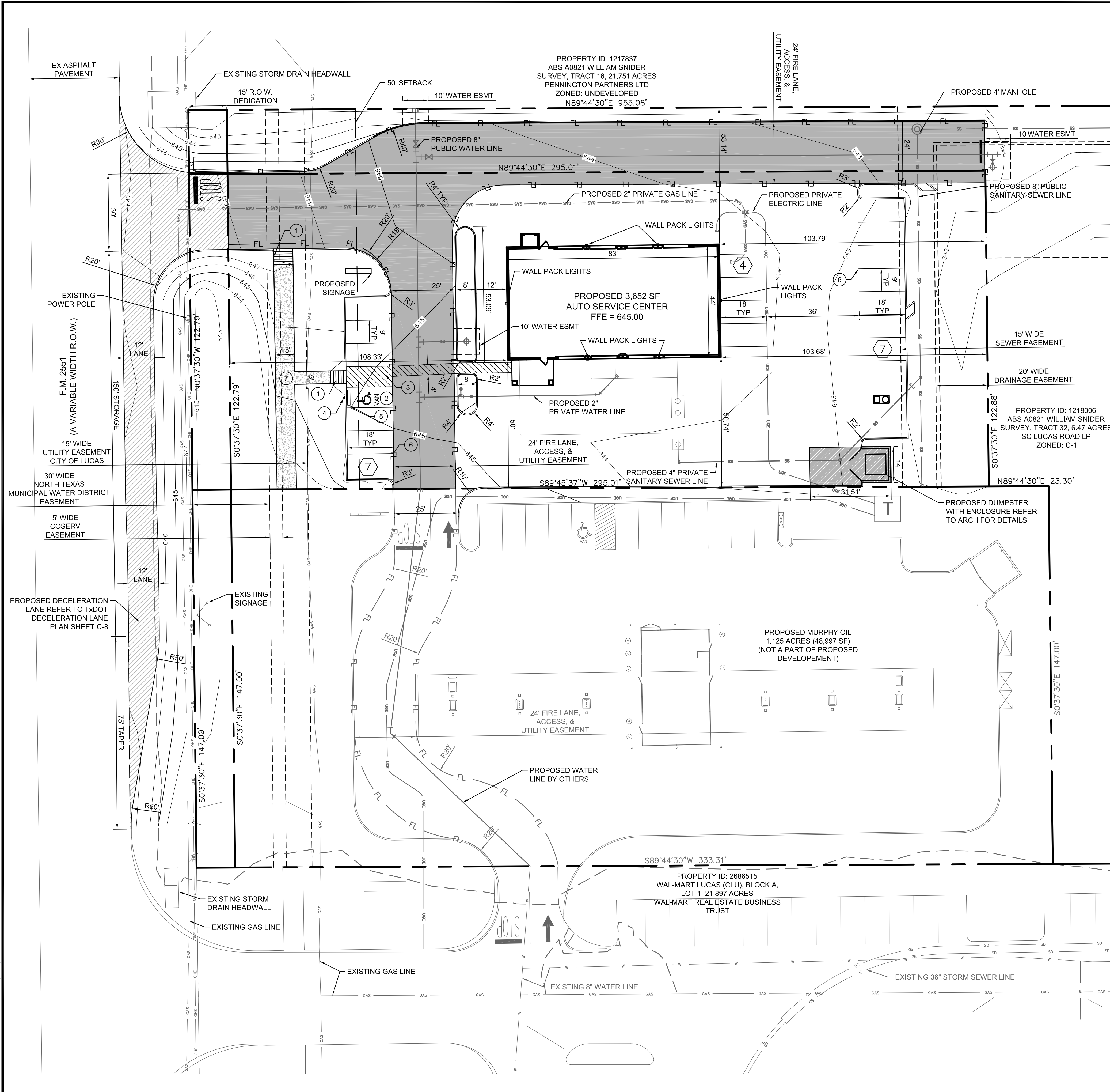
MOTION:

I make a Motion to approve the site plan for KWIK. The property is located in Collin County, Texas, and described as ABS A0821 William Snider Survey, Tract 32, 6.47± acres.

APPROVED BY: _____ Initial/Date

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

PLOTTED BY: CLAY
 PLOT DATE: 3/29/2013 9:57 AM
 LOCATION: Z:\PROJECTS\2012-071 KWIK LUCAS\CADD\SHEETS\C-2 CITY SITE PLAN.DWG
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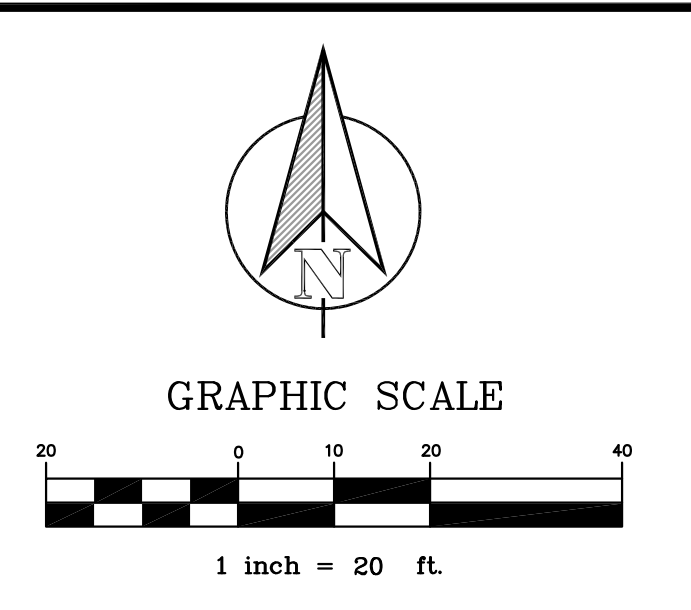
VICINITY MAP
N.T.S.

LEGEND

— FL —	PROPOSED FIRE LANE
[Symbol]	STANDARD CONCRETE PAVEMENT
[Symbol]	HEAVY DUTY PAVEMENT
[Symbol]	DUMPSTER PAVEMENT
[Symbol]	CONCRETE SIDEWALK
[Symbol]	ASPHALT PAVEMENT
[Symbol]	PROPOSED CONCRETE CURB AND GUTTER
[Symbol]	PARKING COUNT
- - - - -	PROPERTY BOUNDARY

CONSTRUCTION SCHEDULE

①	HANDICAP RAMP
②	HANDICAP SYMBOL
③	PAVEMENT STRIPING
④	HANDICAP SIGNAGE
⑤	CURB STOP
⑥	4" PARKING STALL STRIPING COLOR: WHITE (TYP)
⑦	SIDEWALK



PROPERTY TABLE

EXISTING ZONING	C-1
PROPOSED ZONING	C-1
LOT AREA	0.87 AC
BUILDING SF	3,652
PERCENT IMPERVIOUS	70.8%

PARKING INFORMATION

REQUIRED PARKING SPACES (1 SPACE FOR EVERY 200 SF)	18 SPACES
REQUIRED ADA PARKING (1 SPACE FOR EVERY 25 SPACES)	1 SPACE
TOTAL PARKING PROVIDED	18 SPACES (1 ADA)

IMPERVIOUS CALCULATIONS

TOTAL SITE AREA	38,094 SF (0.87 AC)
PROPOSED CONCRETE PAVING AREA	32,530 SF

BUILDING SETBACK

SIDE	20'
REAR	25'
FRONT	50'
LANDSCAPE	10'

SITE LIGHTING

LIGHT TYPE	METAL HALIDE
FIXTURE TYPE	WALL PACK
MAX HEIGHT	12'-0"
WATTAGE	150 W
VOLTAGE	240 V
MODEL	TWP 150M 240 DF

BENCH MARK

(1) SQUARE CUT FOUND ON THE WESTERLY CURB RETURN AT THE SOUTHWEST CORNER OF LAKE WHITNEY DRIVE AND LAKE TEXHOMA DRIVE. POSTED ELEVATION = 647.32

(2) RAILROAD SPIKE FOUND ON THE WEST SIDE OF A TRAFFIC SIGNAL POLE LOCATED ON THE NORTHEAST CORNER OF THE INTERSECTION OF W. LUCAS ROAD AND FM 2551. POSTED ELEVATION = 644.00

ALUMINUM CAPPED IRON ROD AT THE SOUTHWEST CORNER OF THE SITE = 644.09



PRELIMINARY

FOR REVIEW ONLY
Not for construction purposes.

CLAYMOORE ENGINEERING
ENGINEERING AND PLANNING CONSULTANTS
Engineer: MATT MOORE
P.E. No. 95813 Date 03/29/2013

**KWIK KAR
LUBE & AUTOMOTIVE
SERVICE CENTER
LUCAS, TX**

No.	DATE	REVISION	BY

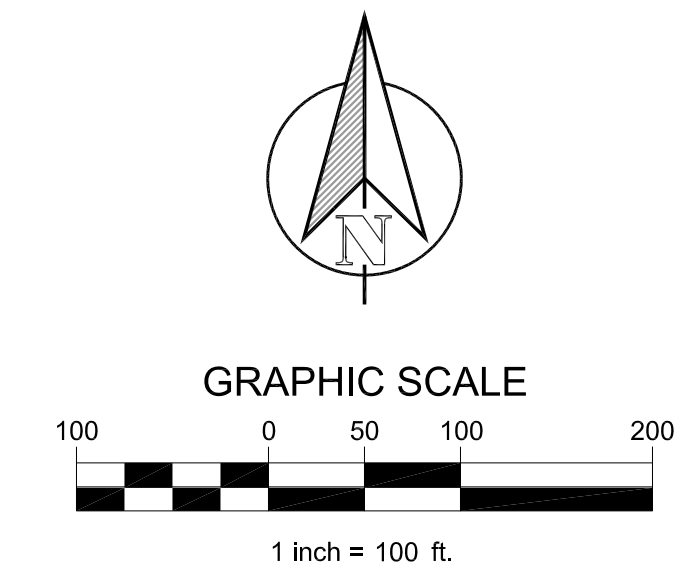
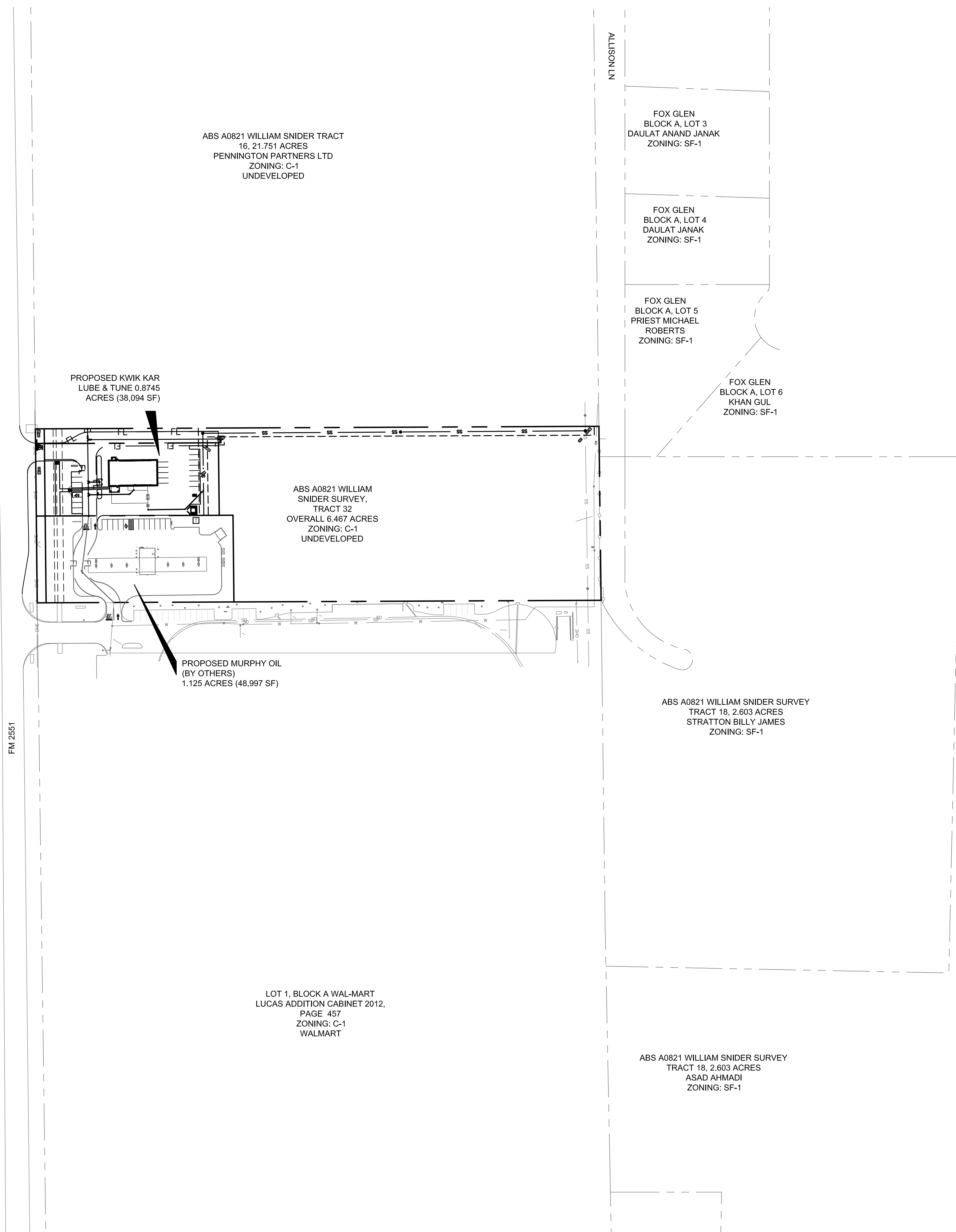
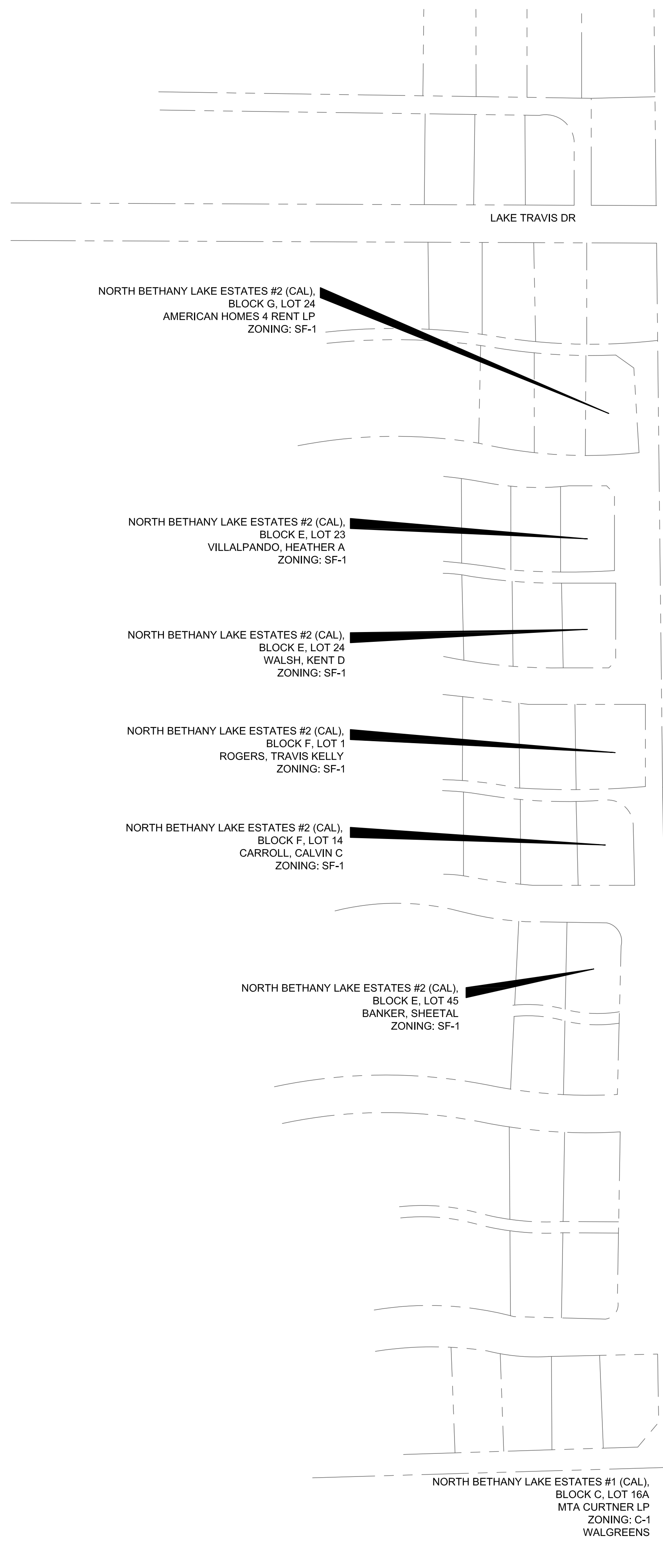
CITY SITE PLAN

DESIGN: CLC
 DRAWN: CLC
 CHECKED: MAM
 DATE: 3/24/2013

SHEET
C-2

File No. 2012-071

PLOTTED BY: CLAY
 PLOT DATE: 3/29/2013 9:58 AM
 LOCATION: Z:\PROJECTS\2012-071 KWIK LUCAS\CADD\SHEETS\SP-2 CITY SITE PLAN.DWG
 LAST SAVED: 3/29/2013 9:54 AM



TEXAS REGISTRATION #14159
CLAY MOORE ENGINEERING
 1160 CHEST SPANGLER RD, SUITE #1
 DALLAS, TX 75244
 PHONE: 972.381.0077
 WWW.CLAYMOOREENGINEERING.COM

PRELIMINARY
 FOR REVIEW ONLY
 Not for construction purposes.
CLAYMOORE ENGINEERING
 ENGINEERING AND PLANNING
 CONSULTANTS
 Engineer: MATT MOORE
 P.E. No. 95813, Date 03/29/2013

**KWIK KAR
 LUBE & AUTOMOTIVE
 SERVICE CENTER
 LUCAS, TX**

No.	DATE	REVISION	BY

OVERALL SITE SITE PLAN

DESIGN: CLC
 DRAWN: CLC
 CHECKED: MAM
 DATE: 3/24/2013

SHEET
C-3

File No. 2012-071



City of Lucas Council Agenda Request

Council Meeting: May 2, 2013

Requestor: Joe Hilbourn

Prepared by: _____

Account Code #: _____

Date Prepared: _____

Budgeted Amount: \$ _____

Exhibits: Yes No

AGENDA SUBJECT:

Public Hearing/Discuss and Consider the approval of **Ordinance # 2013-05-00756** an amendment to the City of Lucas' Code of Ordinance, Chapter 14, Zoning, Article 14.03, Districts, Division 6 Village Center District (VC) Section 14.03.292 Use Regulations by adding (5) All drive thrus, drive-ins, drive-ups require a Specific Use Permit (SUP); Division 7, Commercial Business District (CB) Section 14.03.352 Use Regulations by adding (12) All drive thrus, drive-ins, drive-ups require a Specific Use Permit (SUP); Division 9, Light Industrial District (LI) Section 14.04.471 Use Regulations by adding (3) All drive thrus, drive-ins, drive-ups require a Specific Use Permit (SUP).

RECOMMENDED ACTION:

Approve as presented.

SUMMARY:

This is the 2nd Public Hearing, the 1st Public Hearing was held by the P&Z Commission on April 11, 2013.

Recommend amending the city's zoning district requirements regarding

Village center district add to Sec. 14.03.292 Use regulations

(5) All drive-thrus, drive-ins, drive-ups, require an SUP permit

Commercial Business district add to Sec. 14.03.352 Use regulations

(12) All drive-thrus, drive-ins, drive-ups, require an SUP permit

Industrial District add to Sec. 14.03.471 Use regulations

(3) All drive-thrus, drive-ins, drive-ups, require an SUP permit

Planning & Zoning Commission Motion made April 11th:

Commissioner David Keer made a Motion to recommend approval of an amendment to City of Lucas' Code of Ordinance, Chapter 14, Zoning, Article 14.03, Districts, Division 6 Village Center District (VC) Section 14.03.292 Use Regulations by adding (5) All drive-thrus, drive-ins, drive-ups require a Specific Use Permit (SUP); Division 7, Commercial Business District (CB) Section 14.03.352 Use Regulations by adding (12) All drive-thrus, drive-ins, drive-ups require a Specific Use Permit (SUP); Division 9, Light Industrial District (LI) Section 14.04.471 Use Regulations by adding (3) All drive-thrus, drive-ins, drive-ups require a Specific Use Permit (SUP). Commissioner Sean McCaffity seconded the Motion. Motion carried. Vote: 5-0.

MOTION:

I make a Motion to approve **Ordinance # 2013-05-00756** OF THE CITY COUNCIL OF THE CITY OF LUCAS, COLLIN COUNTY, TEXAS, AMENDING THE LUCAS CODE OF ORDINANCES BY AMENDING CHAPTER 14 TITLED "ZONING" BY AMENDING ARTICLE 14.03 TITLED "DISTRICTS" BY AMENDING DIVISION 6 TITLED "VC VILLAGE CENTER DISTRICT" BY AMENDING SECTION 14.03.292 TITLED "USE REGULATIONS" BY ADDING SUP REQUIREMENTS FOR ALL DRIVE-THROUGH, DRIVE-IN AND DRIVE-UP BUSINESSES; BY AMENDING DIVISION 7 TITLED "COMMERCIAL BUSINESS DISTRICT" BY AMENDING SECTION 14.03.353 TITLED "DEVELOPMENT REGULATIONS" BY ADDING SUP REQUIREMENTS FOR ALL DRIVE-THROUGH, DRIVE-IN AND DRIVE-UP BUSINESSES; BY AMENDING DIVISION 9 TITLED "LIGHT INDUSTRIAL DISTRICT" BY AMENDING SECTION 14.03.471 TITLED "USE REGULATIONS" BY ADDING SUP REQUIREMENTS FOR ALL DRIVE-THROUGH, DRIVE-IN AND DRIVE-UP BUSINESSES; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING FOR 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 # 2013-05-00756
[AMENDING CODE OF ORDINANCE CHAPTER 14 “ZONING”]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LUCAS, COLLIN COUNTY, TEXAS, AMENDING THE LUCAS CODE OF ORDINANCES BY AMENDING CHAPTER 14 TITLED “ZONING” BY AMENDING ARTICLE 14.03 TITLED “DISTRICTS” BY AMENDING DIVISION 6 TITLED “VC VILLAGE CENTER DISTRICT” BY AMENDING SECTION 14.03.292 TITLED “USE REGULATIONS” BY ADDING SUP REQUIREMENTS FOR ALL DRIVE-THROUGH, DRIVE-IN AND DRIVE-UP BUSINESSES; BY AMENDING DIVISION 7 TITLED “COMMERCIAL BUSINESS DISTRICT” BY AMENDING SECTION 14.03.353 TITLED “DEVELOPMENT REGULATIONS” BY ADDING SUP REQUIREMENTS FOR ALL DRIVE-THROUGH, DRIVE-IN AND DRIVE-UP BUSINESSES; BY AMENDING DIVISION 9 TITLED “LIGHT INDUSTRIAL DISTRICT” BY AMENDING SECTION 14.03.471 TITLED “USE REGULATIONS” BY ADDING SUP REQUIREMENTS FOR ALL DRIVE-THROUGH, DRIVE-IN AND DRIVE-UP BUSINESSES; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and the governing body of the City of Lucas, Texas, in compliance with the laws of the State of Texas and the Ordinances of the City of Lucas, Texas, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally and to all persons interested and situated in the affected area, and in the vicinity thereof, and in the exercise of its legislative discretion, the City Council has concluded that the Lucas Code of Ordinances and Zoning Regulations should be amended as follows:

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

Section 1. The Code of Ordinances of the City of Lucas, Texas, is hereby amended by amending Chapter 14 “Zoning” by amending Article 14.03 “Districts” by amending Division 6 “VC Village Center District” ” by amending Section 14.03.292 “Use Regulations” to read as follows:

“ARTICLE 14. 03 DISTRICTS

...

Division 6. VC Village Center District

...
Sec. 14.03.292 Use regulations

No land shall be used and no building shall be erected, altered, converted or used for a use other than those specified in section 14.03.801, schedule of uses, and article 14.02 division 4, specific use permits.

... (5) All drive-through, drive-in, and drive-up businesses shall require a specific use permit.

...”

Section 2. The Code of Ordinances of the City of Lucas, Texas, is hereby amended by amending Chapter 14 “Zoning” by amending Article 14.03 “Districts” by amending Division 7 “CB Commercial Business District” by amending subsection 14.03.353 “Development regulations” to read as follows:

“ARTICLE 14.03 DISTRICTS

...

Division 7. CB Commercial Business District

...

Sec. 14.03.353 Development regulations

In the commercial business district, the following development regulations shall be applicable to all buildings:

... (12) All drive-through, drive-in, and drive-up businesses shall require a specific use permit.

...”

Section 3. The Code of Ordinances of the City of Lucas, Texas, is hereby amended by amending Chapter 14 “Zoning” by amending Article 14.03 “Districts” by amending Division 9 “LI Light Industrial District” by amending section 14.03.471 “Use regulations” to read as follows:

“ARTICLE 14. 03 DISTRICTS

...

Division 9. LI Light Industrial District

Sec. 14.03.471 Use regulations

No land shall be used and no building shall be erected, altered, converted or used for a use other than those specified in section 14.03.801, schedule of uses, and article 14.02 division 4, specific use permits.

...

(3) All drive-through, drive-in and drive-up businesses shall require an specific use permit.

...”

Section 4. All ordinances of the City of Lucas in conflict with the provisions of this Ordinance shall be, and same are hereby, repealed, provided, however, that all other provisions of said Ordinances are not in conflict herewith shall remain in full force and effect.

Section 5. Should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance or of the City of Lucas Code of Ordinances, as amended hereby, be adjudged or held to be voided or unconstitutional, the same shall not affect the validity of the remaining portions of said Ordinances or the City of Lucas Code of Ordinances, as amended hereby, which shall remain in full force and effect.

Section 6. An offense committed before the effective date of the Ordinance is governed by prior law and the provisions of the City of Lucas Code of Ordinances in effect when the offense was committed and the former law is continued in effect for this purpose.

Section 7. Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for the in the City of Lucas Code of Ordinances, as amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense, and each and every day such violation shall continue shall be deemed to constitute a separate offense.

Section 8. This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Lucas, and it is accordingly so ordained.

PASSED AND APPROVED by the City Council of the City of Lucas, Texas, on the 2nd day of May, 2013.

By: _____
Rebecca Mark, Mayor

ATTEST:

Kathy Wingo, TRMC, MMC
City Secretary City Secretary

APPROVED AS TO FORM:

Joe Gorfida, Jr., City Attorney
(JIG/04-25-13/60355)



City of Lucas Council Agenda Request

Council Meeting: May 2, 2013

Requestor: _____

Prepared by: Kathy Wingo

Account Code #: N/A

Date Prepared: April 24, 2013

Budgeted Amount: \$ N/A

Exhibits: Yes No

AGENDA SUBJECT:

Consent and Approve:

- a) The minutes from the April 18, 2013, City Council meeting. **[Wingo]**
- b) **Ordinance # 2013-05-00754** 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. **[Lewis Property, 39.775 AC]**
- c) **Ordinance # 2013-05-00755** 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. **[Umphy Property, 2 TRACTS; 30 AC & 30.55 AC.**

RECOMMENDED ACTION:

Approve as presented.

SUMMARY:

See attached.

MOTION:

I make a Motion to approve the Consent Agenda as presented.

APPROVED BY: _____ Initial/Date

Department Director: _____ / _____

City Manager: _____ / _____



**City Council Meeting
April 18, 2013, 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
Councilmember Wayne Millsap	Councilmember Jim Olk
Councilmember Steve Duke	Councilmember Philip Lawrence
Councilmember Debbie Fisher	City Manager Jeff Jenkins
City Secretary Kathy Wingo	Development Services Director Joe Hilbourn
City Attorney Joe Gorfida	Fire Chief Jim Kitchens
Public Works Director Stacy Caudell	

It was determined that a Quorum was present.
Everyone was reminded to turn off or silence cell phones.
Councilmember Philip Lawrence led everyone in saying the Pledge of Allegiance.

Citizens' Input

1) Citizens' Input.

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

Community Interest

2) Items of Community Interest.

Mayor Rebecca Mark extended the City of Lucas' thoughts and prayers for the people of Boston and the marathon runners this week as they are remembered. Even closer to home, the City of West, Texas, is also in our thoughts and prayers this night. The City of Lucas extends their condolences to the families, firefighters, and the city leaders for their loss.

Mayor Rebecca Mark asked Pastor Luke Crain, of Faith Fellowship Church, to come forward and offer a prayer.

Regular Agenda

- 3) Discuss and Consider the approval of the minutes from the April 4, 2013, City Council Regular meeting. **[Wingo]**

MOTION: Councilmember Debbie Fisher made a Motion to approve the minutes from the April 4, 2013, City Council Regular meeting. Councilmember Jim Olk seconded the Motion. Motion carried. Vote: 7-0.

- 4) Discuss and Consider the approval of an agreement between the City of Lucas and the Texas Department of Public Safety (DPS) concerning the release of driver records. **[Jenkins]**

This is the standard agreement that is used by local governments to provide pre-employment driving records. The City does between 1 – 10 searches per year. It is also used to spot check employees.

MOTION: Councilmember Wayne Millsap made a Motion to approve the agreement between the City of Lucas and the Texas Department of Public Safety (DPS) concerning the release of driver records. Councilmember Philip Lawrence seconded the Motion. Motion carried. Vote: 7-0.

- 5) Discuss and Consider a report by the City Manager concerning flooding along West Lucas Road, including but not limited to actions taken by staff and plan of action to alleviate flooding/standing water problem. **[Fisher]**

City Manager Jeff Jenkins stated the week of January 7, 2013, EMJ, Walmart building contractor, removed the erosion control devices, check dams, and silt fencing. On January 16th, at the first siting of drainage issues, Staff contacted Kimley-Horn, the project engineer. At that time, the City was assured that the problem was due to fact that the sod had been washed up because of the recent heavy rain. The rolled up sod was blocking the drainage ditch and culverts.

On February 8th, Staff walked the public improvement and determined that the drainage ditch had not been graded correctly. The item was noted and a cash bond was given to the City for the re-grading of the ditch should the contractor fail to complete the work within ninety (90) days, the rolled up sod had been removed, and there appeared to be no blockages in the drainage ditches. A measurement of the wier was taken and it appeared to be the same size as indicated on the construction plans.

The pictures that were presented to the Council on April 4th by the adjoining property owners, the weir and drainage designs appear to have issues. Staff contacted the contractor responsible for the work on April 5th. An onsite meeting with the contractor took place on April 9th and a temporary check dam was installed in order to slow down the water runoff until a permanent solution was completed.

Kimley-Horn is conducting a study of the design of the retention pond, weir size, and drainage design numbers which should be completed on Friday, April 19th. There will be a meeting of Kimley-Horn and City Staff on Monday, April 22nd to go over the findings of the study. Staff believes that the weir size may need adjustment and additional drainage ditch work needs to be done. The study should give us the best solution on how to proceed.

Councilmember Debbie Fisher stated that there were times late last summer or early fall that there was water in the ditch and there appeared to be issues in the area. Do we need to adjust the impervious surface amounts, at the present time it is 75%. With more development in the area, this will only add to the existing problem.

An update will be sent to Council after the meeting on April 22nd. The City Manager will include the update in the weekly report.

6) Discuss and Consider an update of the EMS options. **[Kitchens]**

Fire Chief Jim Kitchens gave the following presentation.

Fire Chief Kitchen stated the first plan to use part-time Firefighter/Paramedics to staff Lucas ambulance was rejected by ETMC, even though they approved part-time staff for Wylie Fire Department. Lucas Fire Department then prepared a plan to use full time Firefighter/Paramedics to staff a Lucas ambulance only to be rejected a second time. ETMC has stated that they are not interested in certifying any Lucas Paramedics or EMTs. The response times for ambulances continue to increase while Lucas Fire Department response times continue to improve. Fire Chief Jim Kitchens believes that it is time that we raise the bar as it applies to EMS care for our citizens.

The proposed cost for EMS services is roughly \$86,550 per year. Fire Chief Kitchens is proposing the following personnel expenses:

		TCFP Firefighter EMT	TCFP Firefighter Paramedic
Base Salary		\$ 45,000.00	\$ 47,500.00
Medicare	1.45%	\$ 652.50	\$ 688.75
TMRS	6.82%	\$ 3,069.00	\$ 3,239.50
Longevity	48.00	\$ 48.00	\$ 48.00

Insurance	6720.00	\$ 6,469.08	\$ 6,469.08
Aflac	300.00	\$ 300.00	\$ 300.00
ST Disability	250.00	\$ 224.31	\$ 236.77
Workers Comp		\$ 1,034.89	\$ 1,092.39

Total		\$ 56,797.78	\$ 59,574.49
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The estimated cost to hire seven (7) firefighter/paramedics is \$437,022 annually.

The capitol outlay to purchase two (2) ambulances (one (1) new; one (1) used); Life Pac 15; and a stretcher is approximately \$366,000. This can be purchased via a 6 – 7 year lease with an annual cost of approximately \$50,000, APR 2.49%. An EMS proposed annual expense totals \$75,050 which includes fuel, medical oversight, liability insurance, vehicle insurance, errors and omissions, supplies, and maintenance.

The City would use a third party billing service which offers \$10,387 in necessary software and equipment provided for by the vendor. The amount being charged to the City for the billing would be 11% of the amount collected. Surrounding communities that provide ambulance service have transport fees ranging from \$450 - \$1,500. The City of Lucas could set the fee within this range. Annual revenue estimated from ambulance transport fees could be approximately \$80,100.

The following pages contain slides from Fire Chief Jim Kitchens' presentation that will become a part of these minutes.



EMS Proposal Cost Summary



Total Start up Cost (\$50,000)	\$366,000.00
Annual Expenses	\$75,050.00
Personnel Cost	\$437,022.00



EMS Proposal Cost Summary



Annual lease payment	\$50,000.00
Annual expenses	\$512,072.00
Total	\$562,072.00
Less estimated revenue	\$80,100.00
Total	\$482,072.00
Less current expenses	\$86,550.00
Total Budget Increase	\$395,422.00



Fire Chief Jim Kitchens proposed a target date of December 1, 2013, to begin Advance Life Support service to the citizens. And a target date of March 1, 2014, to begin transports.



EMS Proposal Estimated Times



- > 240 Days from order to delivery on new ambulance (8 to 9 months) Order by 5/1/13
- > Distribution and training on new protocols 120 days (4 months) New medics start on 10/01/13
- > Application for ALS first responder then a provider license (6–8months) Start as soon as possible
- > Application to DEA and DPS for narcotics(6–8 months)
- > Need to begin the process now to reach Target dates



EMS Proposal Requested Action



- > Allow fire department to design and order new ambulance this budget
 - Will take about 30 days to design and order
 - 240 days to construct and deliver
 - On HGAC contract requires only a PO number no funds until next budget when it is delivered
- > Allow midyear adjustment of \$9,000 to begin protocol development and training of personnel
- > Bring on one employee to assist with this process. Will require a \$19,000 Mid-year adjustment
- > Will have a midyear adjustment income of \$22,000 from Seis Lagos this year



Fire Chief Jim Kitchens was asked if the department had the room to house two (2) ambulances and the answer was yes. Some of the existing equipment will be parked outside the Fire Station allowing more room in the bay areas.

There was a question whether or not the Coalition gave us any other options when our two proposals were rejected. The Coalition offered no other options.

Mayor Pro Tem Kathleen Peele commended the Fire Chief in putting together a solution for the City.

City Manager Jeff Jenkins presented the following information concerning the funding of the EMS options.



General Fund Financial Status Going into 2013-2014 Budget, concerning funding EMS

➤ **New funding and funds available**

Current 2012-2013 general fund budget surplus
\$210,000; note need to go through mid-year budget to get the new actual number, but we believe the number will be similar to current.

➤ Original Estimate of additional seven months of commercial sales tax
February 2013 estimate \$275,000 (Oct 2013-April 2014)
Revised (Oct 13-April 14) **\$476,005**, reduced 5-10%, until full data in May 2013
Additional sales tax not factored in 2012-2013 **\$130,227**

➤ Original February estimate of New Ad Valorem Tax for Walmart Property and other new properties totaled \$142,000

➤ Chief Appraiser's rough estimate of new value March 26th was: \$40,680,000, which would at current rates be **\$152,215**; note this also does not include the additional increases in existing property appraisals

➤ Total estimated new revenue/projected budget surplus: \$968,447
Minus budget surplus \$758,447



It was suggested that the City buy the equipment and not lease it. Placing the money aside that would have been used in leasing the equipment would provide budgeting for future equipment needs. However, spreading the cost over time with such a small interest might be the better choice stated Councilmember Wayne Millsap. Council will visit these options at a later date.

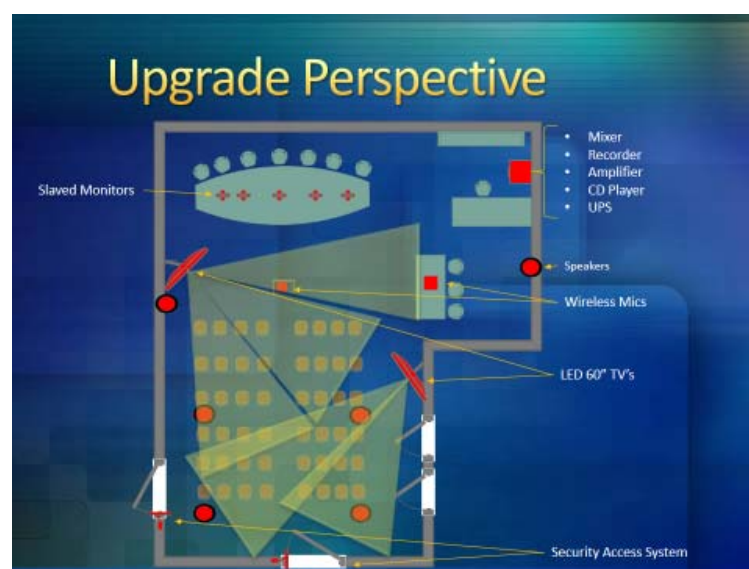
MOTION: Councilmember Wayne Millsap made a Motion to direct staff to move forward with EMS proposal as presented by Fire Chief Kitchens and a budget amendment be brought back for Council action. Mayor Pro Tem Kathleen Peele seconded the Motion. Motion carried. Vote: 7-0.

- 7) Discuss and Consider an upgrade to the visual/audio systems in the Council Chambers and authorize a budget amendment.

William Baxter, Baxter IT, came forward to present upgrade options for Council to consider.

- Upgrade Sound System
 - Replace Amplifier
 - Replace Mixer
 - Replace Speakers
- Upgrade Power Protection for AV Equipment
 - Add UPS with power conditioning capabilities
- Upgrade Recording Capabilities
 - Install Podium & Staff Mic with recording capabilities
- Reconfigure Shure Mic's
 - Push to Talk,
 - Push to Mute,
 - Push to On/Off
- Upgrade Presentation Capabilities
 - Install Daisy Chained Council Monitors
 - Replace Projection System with 2 60" TV Monitors
- Upgrade Security
 - Install a AV Hardware Rack with Fans and Locking cabinet door
 - Add Card Access security to Council Chamber doors
- Upgrade Organization of Equipment
 - Relocate AV Equipment to AV Rack

The estimated cost to provide all the upgrades listed above is approximately \$18,022.11 which will require a budget amendment.



MOTION: Councilmember Debbie Fisher made a Motion to approve the upgrade to the visual/audio systems in the Council Chambers and authorize a budget amendment of \$18,022.11. Councilmember Philip Lawrence seconded the Motion. Motion carried. Vote: 7-0.

Executive Session

The City Council convened into Executive Session at 8:23 p.m.

- 8) The City Council pursuant to Section 551.074 of the Texas Government Code may convene into Executive Session to conduct the annual review of the City Manager.

Regular Agenda

The City Council reconvened into Regular Session at 10:15 p.m.

- 9) Take any action as necessary from the Executive Session.

MOTION: Councilmember Wayne Millsap made a Motion to authorize a 1.5% cost of living raise to the City Manager. Councilmember Jim Olk seconded the Motion. Motion carried. Vote: 7-0.

- 10) Adjournment.

MOTION: Councilmember Jim Olk made a Motion to adjourn the meeting at 10:15 p.m. Councilmember Wayne Millsap seconded the Motion. Motion carried. Vote: 7-0.

These minutes were approved by a majority vote of the City Council on May 2, 2013.

Rebecca Mark, Mayor

ATTEST:

Kathy Wingo, TRMC, MMC, City Secretary

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

**ORDINANCE # 2013-05-00754
[ANNEXATION - LEWIS]**

AN ORDINANCE 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.

WHEREAS, this ordinance pertains to the hereinafter described territory consisting of a 39.7775-acre tract of land, more or less, being part of the Calvin Boles Survey, Abstract No. 28, and which is more particularly described and identified in Exhibit “A” and Exhibit “B”; and

WHEREAS, the City Council of the City of Lucas has given the requisite notices and conducted the public hearings required by Chapter 43 of the Texas Local Government Code; and

WHEREAS, the City Council has adopted a service plan as required by Section 43.056 of the Local Government Code for the territory, which is attached hereto as Exhibit “C”; and

WHEREAS, the said territory is exempt from the municipal annexation plan pursuant to Section 43.052(h) of the Texas Local Government Code; and

WHEREAS, the City Council of the City of Lucas has concluded that said territory should be annexed to and made a part of the City of Lucas, Texas.

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

SECTION 1. That the territory consisting of a 39.7775-acre tract of land, more or less, being part of the Calvin Boles Survey, Abstract No. 28, and which is more particularly described and identified in Exhibit “A” and Exhibit “B,” attached hereto and made a part hereof for all purposes, is situated within the exclusive extraterritorial jurisdiction of the City and adjacent and contiguous thereto, be and the same is hereby annexed to the City of Lucas, Texas.

SECTION 2. The boundary limits of the City of Lucas, Texas, shall be and are hereby extended to include said territory within the City limits and the territory described herein shall be

and is hereby included within the territorial limits of the City, subject to all the acts, ordinances, resolutions and regulations of said City. The inhabitants of the property described herein and annexed hereby shall hereafter be entitled to all rights and privileges of other citizens of the City of Lucas, and shall be bound by the acts, ordinances, resolutions, and regulations of the City.

SECTION 3. That the service plan for the territory as approved by the City Council of the City of Lucas is attached hereto as Exhibit “C” and made a part hereof for all purposes, the same as if fully copied herein, be and the same is hereby adopted by the City of Lucas.

SECTION 4. 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, 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 5. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

SECTION 6. This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

DULY PASSED AND APPROVED BY THE CITY COUNSEL OF THE CITY OF LUCAS, COLLIN COUNTY, TEXAS, ON THIS 2ND DAY OF MAY, 2013.

APPROVED:

Rebecca Mark, Mayor

APPROVED AS TO FORM:

ATTEST:

Joe Gorfida, Jr., City Attorney
(JJG/02-04-13/59294)

Kathy Wingo, TRMC, CMC, City Secretary

EXHIBIT “A”
Legal Description
39.7775-Acre Annexed Tract

FIRST TRACT:

BEING A NET 39.7775 ACRES OF LAND OUT OF THE MARTIN HEARN SURVEY, ABSTRACT NO. 426, AND BEING A REMAINDER TRACT OF 49.5 ACRES (FIRST TRACT) CONVEYED BY W.H. McGUIRE AND WIFE TO T.E. HOGGE, BY DEED DATED JUNE 8, 1917, AND RECORDED IN VOLUME 211, PAGES 5-6, COLLIN COUNTY DEED RECORDS, AND BEING THE SAME PROPERTY AS DEEDED TO CAROL McCAHILL, TOM McCAHILL, KENNY LEWIS, LISA GRIFFIN, BEN GRIFFIN, SUSAN GILLIS, AND BRUCE GILLIS AND RECORDED IN VOLUME 4372, PAGE 1442 OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS (DRCCT), AND A 7.12 ACRE TRACT OUT OF THE L.P. TURNER SURVEY, ABSTRACT NO. 901 AND THE JOHN GRAY SURVEY, ABSTRACT NO. 349 (SECOND TRACT) AS SHOWN ON THE ATTACHED EXHIBIT “A” AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

The POINT OF BEGINNING is the northeast corner of said First Tract, being the northeast corner said Hearn Survey;

THENCE South 0°15’ West, with the east line of said First Tract, a distance of 224.77 feet to a point, being the northwest corner of said Second Tract;

THENCE South 83°21’12” East, with the north line of said Second Tract, a distance of 312.06 feet to a point;

THENCE South 35°00’12” East, with the east line of said Second Tract, a distance of 604.44 feet to a point;

THENCE South 25°06’02” East, continue with said line, a distance of 105.4 feet to a point being the southeast corner of said Second Tract;

THENCE North 89°41’12” West, a distance of 709.54 feet to a point on the east line of said First Tract and being the northwest corner of Kirkland Estates West, an addition to the City of Lucas as recorded in Volume 10, Page 52 DRCCT;

THENCE South 01°13’31” West, with the east line of said First Tract, being a west line of Kirkland Estates West, a distance of 132.54 feet to a point being a southeast corner of the parcel herein described, and being an interior ell corner of said Kirkland Estates West;

THENCE South 88°45’00” West, with the south line of said First Tract, being the north line of Kirkland Estates West, a distance of 1337.50 feet to a point being the northwest corner of said Kirkland Estates West, and being on the east line of a 3.00 acre Save and Except tract out of said First Tract;

THENCE North 02°18'13" West, a distance of 274.57 feet to the northeast corner of said 3.00 acre tract;

THENCE South 82°01'00" West, a distance of 502.74 feet to a point being the northwest corner of said 3.00 acre tract, and being on the east line of a 10.7825 acre Save and Except tract out of said First Tract, and being near the center of Lewis Lane;

THENCE North 07°11'35" West, with the east line of said 10.7825 acre tract and the centerline of Lewis Lane, a distance of 650.14 feet to a point on the south line of a 2.60 acre Save and Except tract out of said First Tract;

THENCE North 89°10'07" East, with the south line of said 2.6 acre tract, a distance of 1126.41 feet to a point;

THENCE North 00°25'25" West, with the east line of said 2.6 acre tract, a distance of 100.00 feet to a point on the north line of said First Tract;

THENCE North 89°59'32" East, with the north line of said First Tract, a distance of 542.79 feet to the POINT OF BEGINNING, and containing 39.7775 acres of land;

EXHIBIT "B"
DEPICTION
39.7775-Acre Annexed Tract

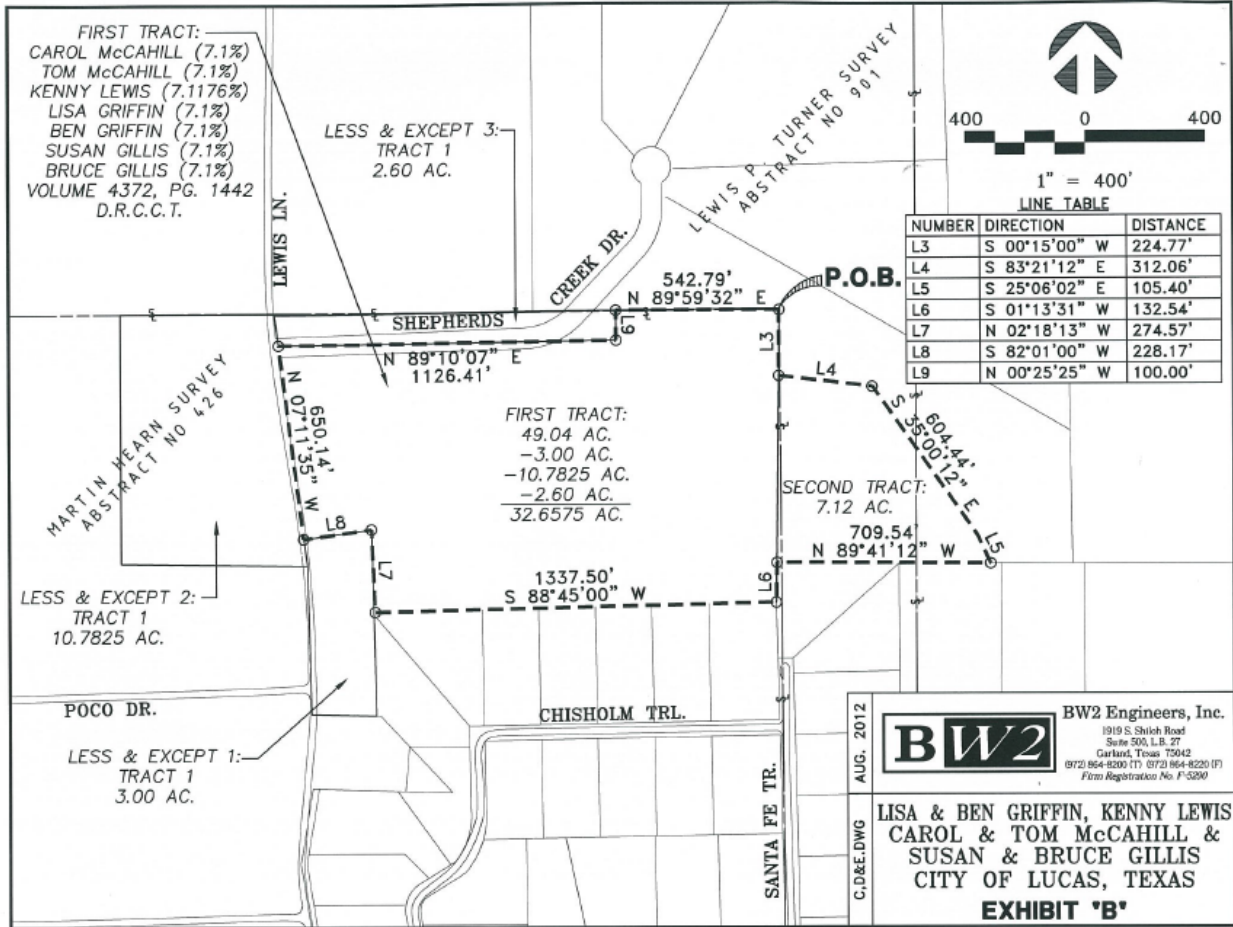


EXHIBIT “C”

**CITY OF LUCAS, TEXAS
SERVICE PLAN FOR ANNEXED AREA**

ANNEXATION SERVICE PLAN FOR THE CITY OF LUCAS, TEXAS

For approximately, a 39.7775-acre tract of land situated in Collin County, Texas, being part of the Calvin Boles Survey, Abstract No. 28, and which is more particularly described and identified in Exhibit “A” and Exhibit “B” attached hereto.

FOR SERVICES EFFECTIVE IMMEDIATELY AFTER DATE OF ANNEXATION

1. POLICE PROTECTION

The City of Lucas, Texas will provide police protection to the newly annexed tract at the same or similar level now being provided to other areas of the City of Lucas, Texas with similar topography, land use and population within the newly annexed area.

2. FIRE PROTECTION AND AMBULANCE SERVICE

The City of Lucas, Texas will provide fire protection to the newly annexed tract at the same or similar level of service now being provided to other areas of the City of Lucas, Texas, with similar topography, land use and population with the City. Ambulance service will be provided to the newly annexed tract at the same or similar level of service now being provided to other areas of the City of Lucas, Texas, with similar topography, land use and population with the City.

3. SOLID WASTE COLLECTION

The City of Lucas, Texas will provide residential solid waste collection to the newly annexed tract at the same or similar level now being provided to other areas of the City of Lucas, Texas with similar topography, land use and population within the newly annexed area.

4. WATER FACILITIES

Maintenance of any public water facilities in the area to be annexed that are not in the service area of another water utility will begin upon the effective date of the annexation using existing personnel and equipment.

5. MAINTENANCE OF ROADS AND STREETS

Any and all roads, streets or alleyways which have been dedicated to the City of Lucas, Texas, shall be maintained to the same degree and extent that other roads, streets and alleyways are maintained in areas with similar topography, land use and population density. Any and all

lighting of roads, streets and alleyways which may be positioned in a right-of-way, roadway or utility company easement shall be maintained by the applicable utility company servicing the City of Lucas, Texas, pursuant to the rules, regulations and fees of such utility.

6. MAINTENANCE OF PARKS, PLAYGROUNDS AND SWIMMING POOLS

The City Council of the City of Lucas, Texas, is not aware of the existence of any parks, playgrounds or swimming pools now located in the area proposed for annexation. Any existing private parks, playgrounds, swimming pools and other recreational and community facilities within the annexation area will be unaffected by the annexation.

7. MAINTENANCE OF PUBLICLY OWNED FACILITY, BUILDING OR MUNICIPAL SERVICE

The City Council of the City of Lucas, Texas, is not aware of the existence of any publicly owned facility, building or other municipal service now located in the area proposed for annexation. In the event any such publicly owned facility, building or municipal service does exist and are public facilities, the City of Lucas, Texas, will maintain such areas to the same extent and degree that it maintains publicly owned facilities, buildings or municipal services of the City now incorporated in the City of Lucas, Texas.

CONSTRUCTION OF ANY CAPITAL IMPROVEMENTS

1. POLICE PROTECTION, FIRE PROTECTION AND SOLID WASTE COLLECTION

The Council of the City of Lucas, Texas finds and determines it to be unnecessary to acquire or construct any capital improvement for the purposes of providing police protection, fire protection or solid waste collection. The City Council finds and determines that it has at the present time adequate facilities to provide the same type, kind and level of protection and service which is presently being administered to other areas already incorporated in the City of Lucas, Texas, with the same or similar topography, land use and population density.

2. WATER AND WASTE WATER FACILITIES

The City Council of the City of Lucas, Texas, finds and determines it to be unnecessary to construct any additional capital improvements for the purpose of providing water and waste water services. The City Council finds and determines that it has, at the present time, adequate facilities to provide the same type, kind and level of service which is presently being administered to other parts of Lucas, Texas, with the same topography, land use and population density.

3. ROADS AND STREETS

Maintenance of properly dedicated roads and streets will be consistent with the maintenance provided by the City to other roads and streets will be consistent with the maintenance provided by the City to other roads and streets in areas of similar topography, land use and sub-development of the annexed property, the developers will be required pursuant to the ordinances of the City of Lucas, Texas, to provide internal and peripheral streets and to construct those streets in accordance with the specifications required by the City of Lucas, Texas, for the properly dedicated street.

4. CAPITAL IMPROVEMENTS

Notwithstanding any other provision of this service plan, a landowner within the newly annexed area will not be required to fund capital improvements necessary to provide municipal services in a manner inconsistent with Chapter 395 of the Local Government Code, unless otherwise agreed to by the landowner.

SPECIFIC FINDINGS

The City Council of the City of Lucas, Texas finds and determines that this proposed Service Plan will not provide any fewer services, and it will not provide a lower level of service in the area proposed to be annexed than were in existence in the proposed area at the time immediately preceding the annexation process.

Because of the differing characteristics of topography, land utilization and population density, the service levels which may ultimately be provided in the newly annexed area may differ somewhat from services provided in other areas of the City of Lucas, Texas. These differences are specifically dictated because of differing characteristics of the property and the City of Lucas, Texas will undertake to perform consistent with this contract so as to provide the newly annexed area with the same type, kind and quality of service presently enjoyed by the citizens of the City of Lucas, Texas who reside in areas of similar topography, land utilization and population.

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

**ORDINANCE # 2013-05-00755
[ANNEXATION - UMPHY]**

AN ORDINANCE 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.

WHEREAS, this ordinance pertains to the hereinafter described territory consisting of two tracts of land, a 30-acre tract and a 30.55-acre tract, for a combined 60.55 acres, more or less, which is more particularly described and identified in Exhibit “A” and Exhibit “B”; and

WHEREAS, the City Council of the City of Lucas has given the requisite notices and conducted the public hearings required by Chapter 43 of the Texas Local Government Code; and

WHEREAS, the City Council has adopted a service plan as required by Section 43.056 of the Local Government Code for the territory, which is attached hereto as Exhibit “C”; and

WHEREAS, the said territory is exempt from the municipal annexation plan pursuant to Section 43.052(h) of the Texas Local Government Code; and

WHEREAS, the City Council of the City of Lucas has concluded that said territory should be annexed to and made a part of the City of Lucas, Texas.

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

SECTION 1. That the territory consisting of two tracts of land totaling 60.55 acres, more or less, which is more particularly described and identified in Exhibit “A” and Exhibit “B,” attached hereto and made a part hereof for all purposes, is situated within the exclusive extraterritorial jurisdiction of the City and adjacent and contiguous thereto, be and the same is hereby annexed to the City of Lucas, Texas.

SECTION 2. The boundary limits of the City of Lucas, Texas, shall be and are hereby extended to include said territory within the City limits and the territory described herein shall be

and is hereby included within the territorial limits of the City, subject to all the acts, ordinances, resolutions and regulations of said City. The inhabitants of the property described herein and annexed hereby shall hereafter be entitled to all rights and privileges of other citizens of the City of Lucas, and shall be bound by the acts, ordinances, resolutions, and regulations of the City.

SECTION 3. That the service plan for the territory as approved by the City Council of the City of Lucas is attached hereto as Exhibit “C” and made a part hereof for all purposes, the same as if fully copied herein, be and the same is hereby adopted by the City of Lucas.

SECTION 4. 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, 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 5. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

SECTION 6. This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

DULY PASSED AND APPROVED BY THE CITY COUNSEL OF THE CITY OF LUCAS, COLLIN COUNTY, TEXAS, ON THIS 2ND DAY OF MAY, 2013.

APPROVED:

Rebecca Mark, Mayor

APPROVED AS TO FORM:

ATTEST:

Joe Gorfida, Jr., City Attorney
(JIG/02-04-13/59292)

Kathy Wingo, TRMC, CMC, City Secretary

EXHIBIT "A"
Legal Description
60.55 Total Acres

TRACT 1:

All that certain lot, tract or parcel of land, situated in Collin County, Texas, a part of the L.P. Turner Survey, Abstract No. 901 and being off the South end of a 60 acre tract conveyed by J.F. Ray and wife to Watson McCreary dated August 12th, 1941, and recorded in Volume 330, Page 423, Collin County Deed Records:

Beginning at a stake in middle of dirt road, in the West line of said 60 acre tract, 22.695 chains South of the Northwest corner of said Turner Survey;

Thence South 22.11 chains a stake in middle of road;

Thence North 88°5' East 13.57 chains following established fence line to a stake at fence corner;

Thence North 22.11 chains following established fence along the East edge of lane and with old fence and hedge row to a stake under fence;

Thence South 88°5' West 13.57 chains to the place of beginning containing 30 acres of land.

TRACT 2:

All that lot, tract, or parcel of land, described as follows;

Situated in Collin County, Texas, a part of the L.P. Turner Survey, Abstract Number 901, and being off the North end of a tract supposed to contain 60 acres of land that was conveyed by J.F. Ray et ux, to Watson McCreary dated August 12th, 1941, and recorded in Volume 330, Page 423, Collin County deed Records.

Beginning at the Northwest corner of said 60 acres, which is the northwest corner of said L.P. Turner Survey;

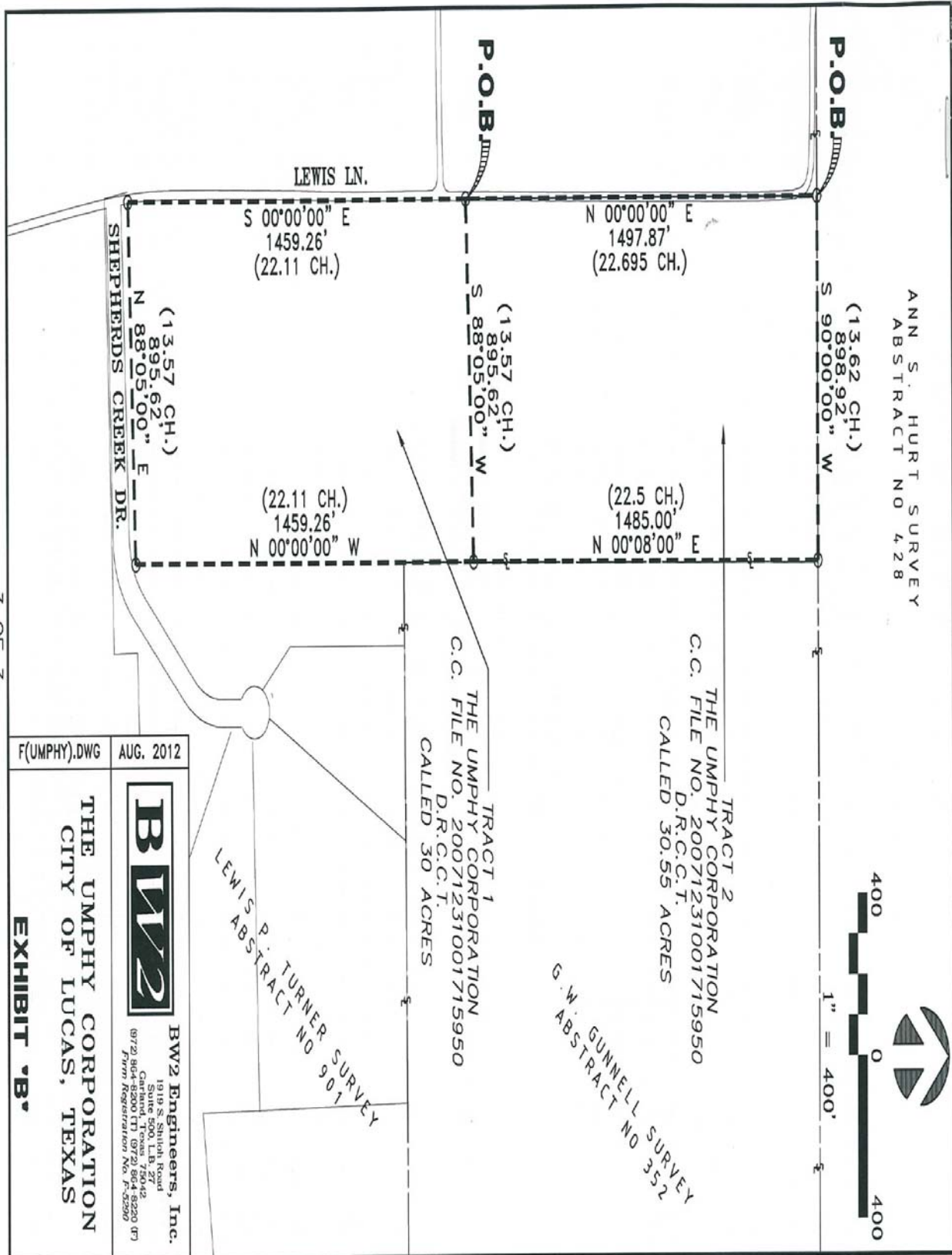
Thence South 22.695 chains to a stake in center of dirt road at the Northwest corner of 30 acres conveyed by Watson McCreary et ux, to J.S. Morrison;

Thence North 88°5' East 13.57 chains with the north line of said 30 acres to a stake under fence;

Thence North 0°8' East 22.5 chains following established old fence and hedge to a stake at fence corner;

Thence West 13.62 chains to the place of beginning, containing 30.55 acres of land.

EXHIBIT "B"
Depiction of 60.55 Total Acres



F(UMPHY).DWG	AUG. 2012
	
THE UMPHY CORPORATION CITY OF LUCAS, TEXAS EXHIBIT "B"	
BW2 Engineers, Inc. 1919 S. English Road Suite 500, L.B. 27 Garland, Texas 75042 (972) 964-8200 (TX) (972) 267-7500 (FL) (972) 968-9100 (TX) (972) 267-5290 (FL)	

EXHIBIT “C”

**CITY OF LUCAS, TEXAS
SERVICE PLAN FOR ANNEXED AREA**

ANNEXATION SERVICE PLAN FOR THE CITY OF LUCAS, TEXAS

For approximately two tracts of land totaling 60.55 acres situated in Collin County, Texas, which is more particularly described and identified in Exhibit “A” and Exhibit “B” attached hereto.

FOR SERVICES EFFECTIVE IMMEDIATELY AFTER DATE OF ANNEXATION

1. POLICE PROTECTION

The City of Lucas, Texas will provide police protection to the newly annexed tract at the same or similar level now being provided to other areas of the City of Lucas, Texas with similar topography, land use and population within the newly annexed area.

2. FIRE PROTECTION AND AMBULANCE SERVICE

The City of Lucas, Texas will provide fire protection to the newly annexed tract at the same or similar level of service now being provided to other areas of the City of Lucas, Texas, with similar topography, land use and population with the City. Ambulance service will be provided to the newly annexed tract at the same or similar level of service now being provided to other areas of the City of Lucas, Texas, with similar topography, land use and population with the City.

3. SOLID WASTE COLLECTION

The City of Lucas, Texas will provide residential solid waste collection to the newly annexed tract at the same or similar level now being provided to other areas of the City of Lucas, Texas with similar topography, land use and population within the newly annexed area.

4. WATER FACILITIES

Maintenance of any public water facilities in the area to be annexed that are not in the service area of another water utility will begin upon the effective date of the annexation using existing personnel and equipment.

5. MAINTENANCE OF ROADS AND STREETS

Any and all roads, streets or alleyways which have been dedicated to the City of Lucas, Texas, shall be maintained to the same degree and extent that other roads, streets and alleyways are maintained in areas with similar topography, land use and population density. Any and all lighting of roads, streets and alleyways which may be positioned in a right-of-way, roadway or

utility company easement shall be maintained by the applicable utility company servicing the City of Lucas, Texas, pursuant to the rules, regulations and fees of such utility.

6. MAINTENANCE OF PARKS, PLAYGROUNDS AND SWIMMING POOLS

The City Council of the City of Lucas, Texas, is not aware of the existence of any parks, playgrounds or swimming pools now located in the area proposed for annexation. Any existing private parks, playgrounds, swimming pools and other recreational and community facilities within the annexation area will be unaffected by the annexation.

7. MAINTENANCE OF PUBLICLY OWNED FACILITY, BUILDING OR MUNICIPAL SERVICE

The City Council of the City of Lucas, Texas, is not aware of the existence of any publicly owned facility, building or other municipal service now located in the area proposed for annexation. In the event any such publicly owned facility, building or municipal service does exist and are public facilities, the City of Lucas, Texas, will maintain such areas to the same extent and degree that it maintains publicly owned facilities, buildings or municipal services of the City now incorporated in the City of Lucas, Texas.

CONSTRUCTION OF ANY CAPITAL IMPROVEMENTS

1. POLICE PROTECTION, FIRE PROTECTION AND SOLID WASTE COLLECTION

The Council of the City of Lucas, Texas finds and determines it to be unnecessary to acquire or construct any capital improvement for the purposes of providing police protection, fire protection or solid waste collection. The City Council finds and determines that it has at the present time adequate facilities to provide the same type, kind and level of protection and service which is presently being administered to other areas already incorporated in the City of Lucas, Texas, with the same or similar topography, land use and population density.

2. WATER AND WASTE WATER FACILITIES

The City Council of the City of Lucas, Texas, finds and determines it to be unnecessary to construct any additional capital improvements for the purpose of providing water and waste water services. The City Council finds and determines that it has, at the present time, adequate facilities to provide the same type, kind and level of service which is presently being administered to other parts of Lucas, Texas, with the same topography, land use and population density.

3. ROADS AND STREETS

Maintenance of properly dedicated roads and streets will be consistent with the maintenance provided by the City to other roads and streets will be consistent with the maintenance provided by the City to other roads and streets in areas of similar topography, land use and sub-development of the annexed property, the developers will be required pursuant to the ordinances of the City of Lucas, Texas, to provide internal and peripheral streets and to construct those streets in accordance with the specifications required by the City of Lucas, Texas, for the properly dedicated street.

4. CAPITAL IMPROVEMENTS

Notwithstanding any other provision of this service plan, a landowner within the newly annexed area will not be required to fund capital improvements necessary to provide municipal services in a manner inconsistent with Chapter 395 of the Local Government Code, unless otherwise agreed to by the landowner.

SPECIFIC FINDINGS

The City Council of the City of Lucas, Texas finds and determines that this proposed Service Plan will not provide any fewer services, and it will not provide a lower level of service in the area proposed to be annexed than were in existence in the proposed area at the time immediately preceding the annexation process.

Because of the differing characteristics of topography, land utilization and population density, the service levels which may ultimately be provided in the newly annexed area may differ somewhat from services provided in other areas of the City of Lucas, Texas. These differences are specifically dictated because of differing characteristics of the property and the City of Lucas, Texas will undertake to perform consistent with this contract so as to provide the newly annexed area with the same type, kind and quality of service presently enjoyed by the citizens of the City of Lucas, Texas who reside in areas of similar topography, land utilization and population.



City of Lucas Council Agenda Request

Council Meeting: May 2, 2013

Requestor: Jeff Jenkins

Prepared by: _____

Account Code #: _____

Date Prepared: _____

Budgeted Amount: \$ _____

Exhibits: Yes No

AGENDA SUBJECT:

Discuss and Consider the approval of an agreement between the City of Lucas and Brinson Benefits, Inc. to provide employee benefit consultant services.

RECOMMENDED ACTION:

SUMMARY:

See attached.

The City Manager and Human Resource Department have been looking at some options on the employee health care. The City of Murphy and Sachse are using their service.

Basically, they are a Professional Healthcare advocate/manager that we could hire to assist with our program. The first thing they do is evaluate our current program and suggest recommended changes based on best practices and industry standards.

Then each year they will assist the city with an RFP on proposals for our health care. Each year we then would evaluate the options and help us select one based on our needs and their evaluation of the plans. Some of these areas are becoming more technical in nature.

The biggest thing I liked about their program was advocacy. Some health insurances like TML require a lot of different information to check claims and a lot of the time the employees do not understand what they are asking. Even HR departments have difficulty with this because they are not the healthcare experts. The employee would

call the purple card, which is a Brinson program in the plan, and then an advocate would help them on their case. This is probably the biggest issue employees have with insurances, as it takes time to figure out what exactly to do.

They also offer Telemedicine, where the employee could call from home and through the phone or computer to see a doctor. Employees with children could sign them up for this program as well.

Finally, they assist with implementation of the Affordable Healthcare Act.

In summary, this company would serve as a city healthcare consultant to help us manage our plan, provide us additional options, and assist in reviewing options. Because of the complexity of healthcare, staff looking into the healthcare believe this would be a good solution to help with this issue.

MOTION:

I make a Motion to

APPROVED BY: _____

Initial/Date

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

PROFESSIONAL SERVICES AGREEMENT

This Professional Services Agreement (“Agreement”) is made and entered into by and between the City of Lucas located in Collin County, Texas (“Client”) and Brinson Benefits, Inc., having its principal place of business in Dallas County, Texas, at 12720 Hillcrest, Suite 810-b, Dallas, Texas 75230 (“Brinson”).

1. Purpose. The purpose of this Agreement is to state the terms and conditions under which Brinson shall provide employee benefit consultant services to Client.

2. Description of Services. Brinson’s services to Client shall include, but shall not be limited to, the following:

A. Review the various Client plans’ structure, benefits, service, vendor contracts, and costs, including (i) review of current benefits and recommend potential benefit adjustments or changes; and (ii) review costs and other obligations.

B. Review proposal specifications, including (i) review and recommendation of specification adjustments for improvement of benefits for Client’s Plans to be offered; (ii) review presentation procedures for eligible participants; and (iii) assist with the selection of insurance carriers and other professional vendors that will be provided with a request for proposal.

C. Assist in the selection process by (i) responding to questions or inquiries from insurance carriers and other professional vendors during the proposal process; (ii) reviewing and comparing the proposals received to determine conformity to bid request requirements; (iii) conducting discussions and meet with those insurance carriers and other professional vendors who are competitive to achieve the best benefits, costs and contractual terms for Client; and (iv) making recommendations for the placement of coverage for insurance services and other related professional services.

D. Assist in implementation, communication and Plan management by (i) coordinating the enrollment and installation of contract(s), including employee communication and employee meetings and other necessary services to complete the enrollment and implementation of the Plans; (ii) coordinating with the insurance carrier and other professional vendors for proper administrative procedures, reporting requirements, and contacting service representatives; (iii) monitoring the performance, throughout the year, of such insurance carriers and other vendors; (iv) assisting in the resolution of claims or service issues with insurance carriers or other

related professional vendors; and (v) providing services not listed above as may be necessary or negotiated by Brinson and Client .

3. Work with Client Staff. In undertaking the foregoing services on behalf of Client, Brinson shall work closely with the Human Resources and/or his/her designees, including other Client Human Resources personnel and other appropriate Client personnel and officials ("Client Staff"), and perform any and all related tasks required by Client Staff in order to fulfill the purposes of this Agreement.

4. Performance of Services. Brinson and its employees and/or associates shall perform all the services under this Agreement and Brinson hereby agrees and represents that all of its employees and/or associates who perform services under this Agreement are and shall be fully qualified and competent to perform the services described herein.

5. Term. The term of this Agreement shall begin May 1, 2013 and, unless sooner terminated pursuant to paragraph number 10 below, shall continue to the end of the first anniversary of the Client's benefit plan year (as determined by Client's benefit plan documents); provided, however, that unless either party shall give written notice of termination as provided in paragraph number 10 below, the term shall automatically continue in force and effect for consecutive one-year periods starting at the end of each plan year. Further, Brinson understands and agrees that all services, written reports, and other data are to be completed and delivered to Client by the termination date unless an extension of time is approved by Client Staff.

6. Compensation for Services. In consideration of the professional services to be performed by Brinson pursuant to the terms of this Agreement, Client shall pay Brinson for services rendered, as referenced in attached Exhibit A, which is incorporated by reference. Payments to Brinson shall be in the amount shown by its billings and other documentation submitted to Client. Payments are due on the 1st day of the month for that month's services. If payment is not received by the end of that same month there will be a late fee assessed in the amount of 10% on any past due amounts. Brinson reserves the right to suspend or terminate all Brinson services until full payment and applicable late fees are received. Brinson shall have the right to change its professional service fees at any time during this Agreement.

7. Change in Scope or Focus of Services. Client and Brinson acknowledge that Client may request, from time to time, changes in the scope or focus of the activities and services conducted or to be conducted by Brinson pursuant to this Agreement. Any such change which varies significantly from the Description of Services referenced above and which entails a significant increase in cost or expense to Brinson shall be mutually agreed on by Brinson and Client. Changes in the scope, which in the opinion of Brinson and Client Staff will or in

all likelihood will require additional funding by Client, must first be authorized in advance by Client.

8. Brinson's Liability and Insurance Coverage. Approval of Client shall not constitute nor be deemed a release of the responsibility and liability of Brinson, its employees, agents and/or associates for the accuracy and competency for their designs, reports, information, and other documents or services, nor shall approval be deemed to be the assumption of such responsibility by Client for any defect, error or omission in the documents prepared by Brinson, its employees, agents and/or associates.

9. Indemnity. Brinson shall defend, indemnify, and hold Client whole and harmless against any and all claims for damages, costs, and expenses to persons or property that may arise out of, or be occasioned by or from any negligent act, error or omission of Brinson and/or any agent, servant, or employee of Brinson, in the execution or performance of this Agreement.

10. Termination. Either party may terminate this Agreement upon sixty (60) days advance written notice, it being understood and agreed that the termination date shall be effective 60 days after the written notice of termination is provided. Payments for services are due within 14 days of the termination date.

11. Additional Terms of Agreement. The following shall be additional conditions of, and a part of, the consideration of this Agreement, to-wit:

A. Conflict of Interest. Brinson hereby acknowledges that no officer or employee of Brinson is financially interested, directly or indirectly, in the sale to Client of any materials, supplies or services other than the professional services referenced herein. Brinson hereby agrees that it shall not accept other employment or engage in outside activities incompatible with the proper discharge of its professional obligations, duties and responsibilities to Client, or which might impair its independent judgment in the performance of its obligations, duties and responsibilities to Client. Notwithstanding any provision herein to the contrary, Client understands that Brinson may be paid a commission or fee by an insurance carrier providing insurance coverage to Client and/or its employees. Client acknowledges and agrees that receipt of such commission and/or fees from insurance carriers does not constitute a conflict of interest for Brinson in providing services as set forth this Agreement.

B. Nondiscrimination. As a condition of this Agreement, Brinson covenants that it will take all necessary actions to insure that, in connection with any work undertaken pursuant to this Agreement, that it, its associates, agents and subcontractors will not discriminate in the

treatment or employment of any individual or groups of individuals on any basis prohibited by applicable law, including but not limited to race, color, religion, national origin, age, sex or physical disability, either directly, indirectly or through contractual or other arrangements. In this regard, Brinson shall keep, retain and safeguard all records relating to this Agreement or work performed hereunder for a minimum period of three (3) years from completion of services to Client, with full access allowed to authorized representatives of Client, upon request, for purposes of evaluating compliance with this and other provisions of this Agreement.

C. Assignment. This Agreement shall not be assigned, in whole or in part, without the prior express written consent of Client.

D. Notices. All notices and communications, required or permitted under this Agreement shall be personally delivered, mailed or emailed to the respective parties, postage prepaid, or delivered electronically at the following addresses. Mailed notices shall be deemed communicated as of five (5) days after mailing.

If intended for Client to:

Cheryl M. Meehan
City of Lucas
Finance Asst/HR/Court Administrator
665 Country Club Road
Lucas, Texas 75002

If intended for Brinson, to:

Melinda Malone
Account Executive
Brinson Benefits, Inc.
12720 Hillcrest Road, Suite 810-b
Dallas, Texas 75230

E. Independent Contractor. In performing services under this Agreement, Brinson is and shall be considered an independent contractor of Client. Nothing contained herein shall modify that relationship and the parties hereto specifically acknowledge that Brinson is an independent contractor of Client. Additionally, no term or provision of this Agreement shall be construed as making Brinson an agent, servant or employee of Client.

F. Venue. The obligations of the parties pursuant to this Agreement are performable in Dallas County, Texas, and if legal action is necessary to enforce same, exclusive venue shall lie in Dallas County, Texas.

G. Applicable Laws. This Agreement is made subject to the provisions of applicable state and federal laws. Further, this Agreement shall be governed by and construed in accordance with the laws and court decisions of the State of Texas.

H. Mediation. In the event of any controversy or claim arising out of or relating to this Agreement, or the breach of this Agreement, the parties hereto agree to submit such controversy or claim to nonbinding mediation.

I. Entire Agreement. This Agreement contains the entire agreement between the parties and this Agreement supersedes any and all other agreements, whether oral or written. This Agreement may not be amended except in writing and all amendments must be approved by both Client and Brinson.

J. Severability. If any one or more of the provisions of this Agreement shall for any reason be held invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision.

K. Binding Obligation. This Agreement shall become a binding obligation on the signatories upon execution by all signatories hereto. Client warrants and represents that the individual executing this Agreement on behalf of Client has full authority to execute this Agreement and bind Client to the same. Brinson warrants and represents that the individual executing this Agreement on its behalf has full authority to execute this Agreement and bind Brinson to same.

L. Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original and constitute one and the same instrument.

M. Captions. The captions to the various clauses of this Agreement are for informational purposes only and shall not alter the substance of the terms and conditions of this Agreement.

N. Attorney Fees. In the event of any dispute that results in a proceeding to construe or enforce any provisions of this Agreement, the prevailing party shall recover from the non-prevailing party reasonable attorneys' fees and other costs incurred (in addition to all other amounts and relief to which such party may be entitled to recover).

EXECUTED AND AGREED TO by the City of Lucas and Brinson Benefits, Inc. on this _____ day of _____, 2013.

ACCEPTED:

Brinson Benefits, Inc.

By: _____
Dawn Brinson, President

Date

ACCEPTED:

City of Lucas

By: _____

Date

PROFESSIONAL SERVICES AGREEMENT

EXHIBIT A

<p align="center">City of Lucas</p> <p align="center">Professional Services</p>	<p align="center">Benefit Plans</p>
<p>Brinson Benefits, Inc. services include:</p> <p>Plan Benefit/Cost Renewal Analysis Plan Design Consultation & Strategic Benefit Planning Plan Management and Data Analysis Vendor Negotiations Annual Bid Process and Plan Implementations Open Enrollment/Communication Support Customer Service Purple Card – Patient Advocate Services & Reporting</p>	<p>Brinson Benefits Service Fees effective May 1, 2013 – April 30, 2014</p> <p align="center">\$6,300 / year (does not include applicable insurance premiums paid to carrier)</p> <p align="center">Medical Dental Vision Basic Life & AD&D Voluntary Life & AD&D Short Term Disability</p> <p align="center">Consult A Doctor (\$3.00 PEPM)</p> <p align="center">Compliance Dashboard (one year demo included at no additional fee)</p> <p align="center">Employee Benefits Portal (included at no additional fee)</p> <p align="center">Effective Subsequent Renewals 5% Annual Fee Increase</p>
<p>The following are not included in the compensation: 5500 preparation, printing, graphic design work, custom programming, contracted third-party services &/or products (COBRA/HIPAA, Technology, Legal/Accounting, Wellness Services, etc.), travel outside of DFW area, and independent third party audits. Any lines of coverage or services not provided in this proposal are subject to additional fees.</p>	<p align="center">Available Upon Request</p>



City of Lucas Council Agenda Request

Council Meeting: May 2, 2013

Requestor: Joe Hilbourn

Prepared by: _____

Account Code #: _____

Date Prepared: _____

Budgeted Amount: \$ _____

Exhibits: Yes No

AGENDA SUBJECT:

Discuss and Consider the approval of a preliminary plat for KWIK Industries to operate a minor automotive repair, the property is known as being located in Lucas, Collin County, Texas, and described as ABS A0821 William Snider Survey, Tract 32, 6.47± acres.

RECOMMENDED ACTION:

Approve as presented.

SUMMARY:

Applicant Scott Pendley on behalf of Kwik Industries is requesting the approval of a preliminary plat for KWIK Industries to operate a minor automotive repair, the property is known as being located in Lucas, Collin County, Texas, and described as ABS A0821 William Snider Survey, Tract 32, 6.47± acres.

Planning & Zoning Commission Motion made on April 16th:

Commissioner David Keer made a Motion to approve the preliminary plat for KWIK Industries to operate a minor automotive repair. The property is known as being located in Lucas, Collin County, Texas, and described as ABS A0821 William Snider Survey, Tract 32, 6.47± acres. Alternate Commissioner Joe Williams seconded the Motion. Motion carried. Vote: 5-0.

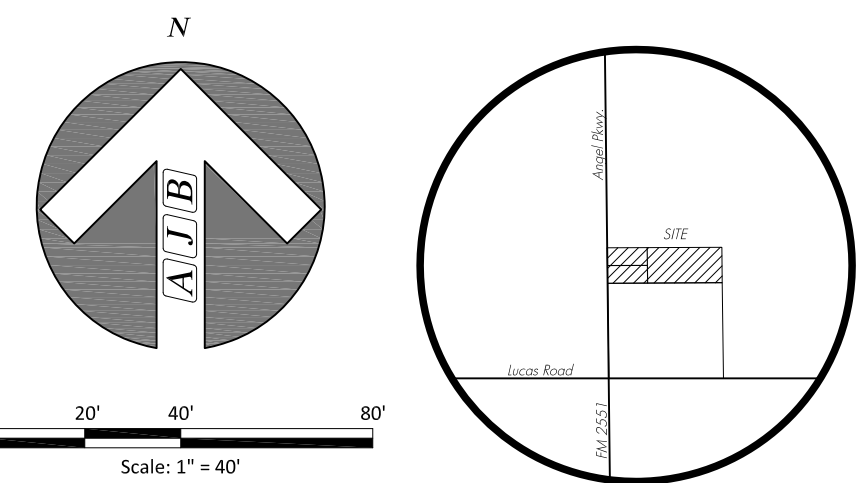
See attached.

MOTION:

I make a Motion to approve the preliminary plat for KWIK Industries to operate a minor automotive repair, the property is known as being located in Lucas, Collin County, Texas, and described as ABS A0821 William Snider Survey, Tract 32, 6.47± acres.

APPROVED BY: _____ Initial/Date

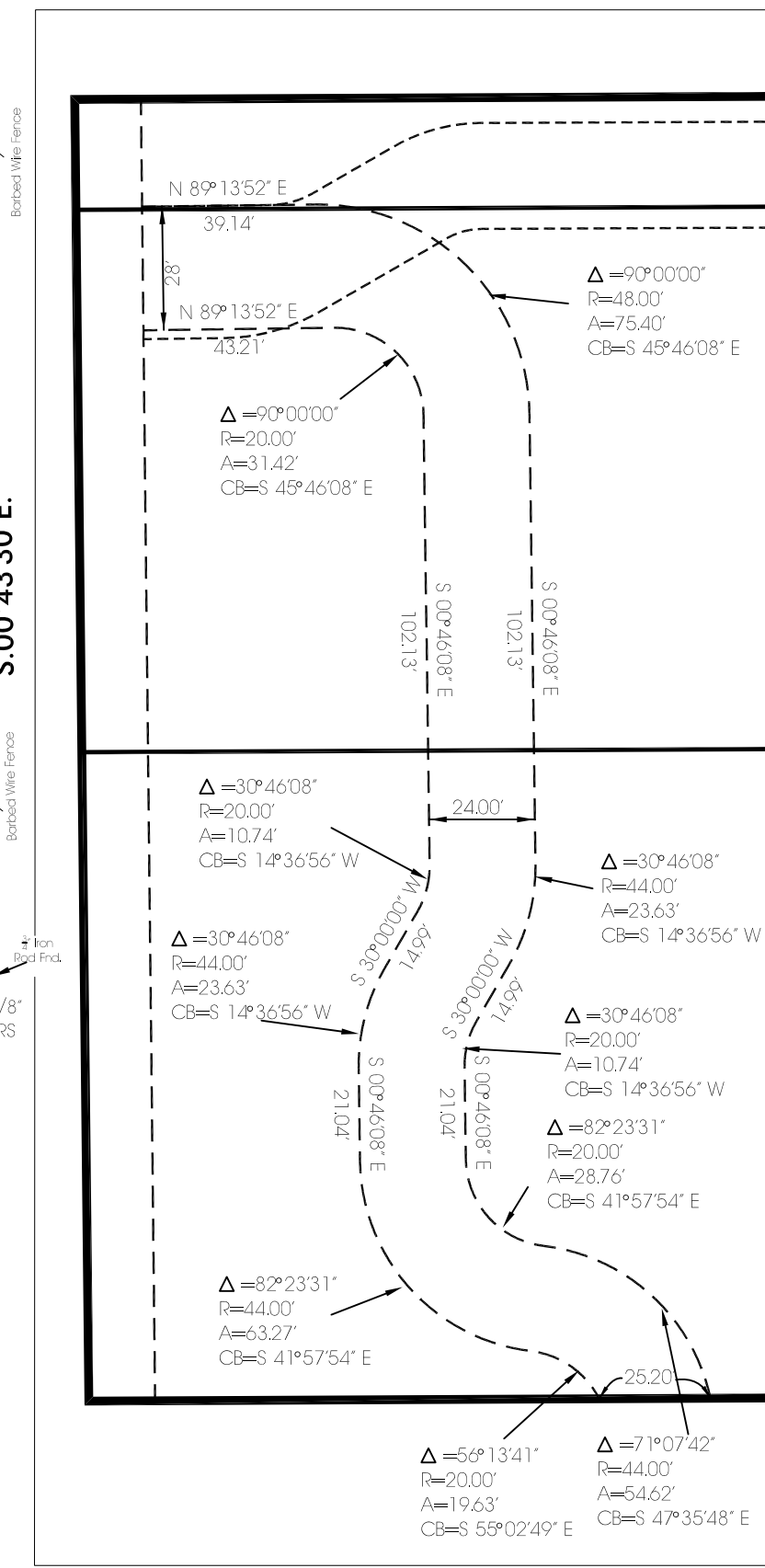
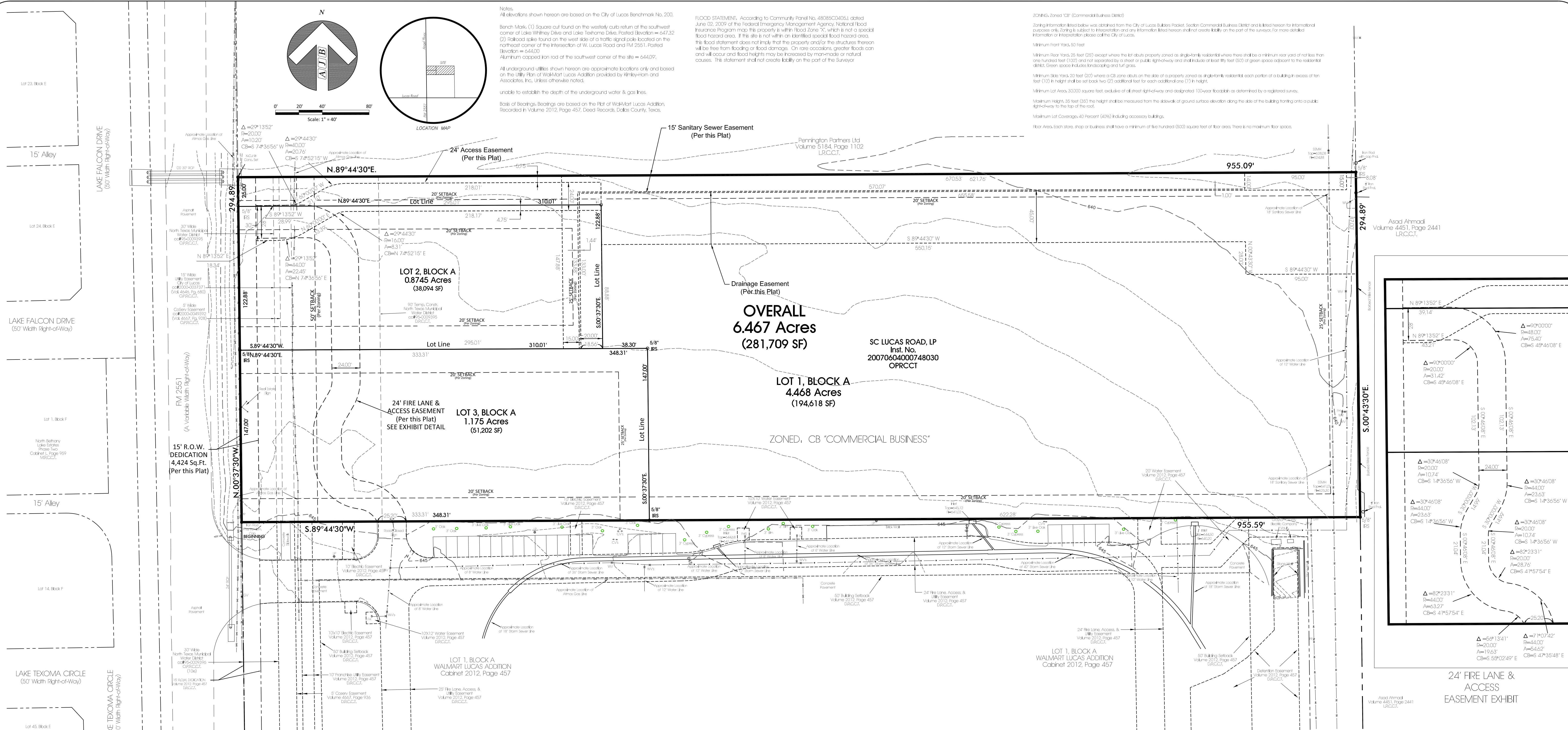
Department Director: _____ / _____
City Manager: _____ / _____



Notes:
 All elevations shown herein are based on the City of Lucas Benchmark No. 200.
 Bench Mark (1) Square cut found on the westerly curb return of the southwest corner of Lake Whitney Drive and Lake Texoma Drive. Posted Elevation = 647.32
 (2) Railroad spike found on the west side of a traffic signal pole located on the northeast corner of the intersection of W. Lucas Road and FM 2551. Posted Elevation = 644.07.
 Aluminum capped iron rod at the southwest corner of the site = 644.07.
 All underground utilities shown herein are approximate locations only and based on the Utility Plan of Wal-Mart Lucas Addition provided by Kinkivytin and Associates, Inc., unless otherwise noted.
 Unable to establish the depth of the underground water & gas lines.
 Book of Bearings, Bearings are based on the Plat of Wal-Mart Lucas Addition, Recorded in Volume 2012, Page 457, Deed Records, Dallas County, Texas.

FLOOD STATEMENT: According to Community Panel No. 4808C04051, dated June 10, 2009 of the Federal Emergency Management Agency, National Flood Insurance Program map this property is within Flood Zone "X", which is not a special flood hazard area. If the site is not within an identified special flood hazard area, the flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. The statement shall not create liability on the part of the Surveyor.

ZONING, Zoned "CB" (Commercial Business District)
 Zoning Information listed below was obtained from the City of Lucas Public Works Section Commercial Business District and is listed herein for informational purposes only. Zoning is subject to interpretation and any information listed herein shall not create liability on the part of the Surveyor. For more detailed information or interpretation please call the City of Lucas.
 Minimum Front Yard, 50 feet
 Minimum Rear Yard, 25 feet (25) except where the lot abuts property zoned as single-family residential where there shall be a minimum rear yard of not less than one hundred feet (100) and not separated by a street or public right-of-way and not include at least five feet (5) of green space adjacent to the rear boundary.
 Minimum Side Yard, 20 feet (20) where a CB zone abuts on the side of a property zoned as single-family residential, each portion of a building in excess of ten feet (10) in height shall be set back two (2) additional feet for each additional one (1) in height.
 Minimum Lot Area, 30,000 square feet, exclusive of all street right-of-way and designated 100-year floodplain as determined by a registered survey.
 Minimum Height, 35 feet (35) the height shall be measured from the average of ground surface elevations along the side of the building fronting onto a public right-of-way to the top of the roof.
 Minimum Lot Coverage, 40 Percent (40%) including accessory buildings.
 Floor Area, each store, shop or business shall have a minimum of five hundred (500) square feet of floor area. There is no maximum floor space.



24' FIRE LANE & ACCESS EASEMENT EXHIBIT

PRELIMINARY PLAT - FOR INSPECTION PURPOSES ONLY

PRELIMINARY PLAT SC LUCAS ADDITION LOTS 1-3, BLOCK A

WILLIAM SNIDER SURVEY, ABSTRACT NO. 821, TRACT 32
 CITY OF LUCAS
 COLLIN COUNTY, TEXAS

Owner: SC LUCAS ROAD, LP
 6210 CAMPBELL ROAD, SUITE 140
 DALLAS, TEXAS 75248-1380 214-850-5186

Scale: 1" = 40'	Checked By: A.J. Bedford
Date: March 20, 2013	P.C.: D. Croyer
Technician: L. Spradling	File: PRELIMINARY PLAT
Drawn By: L. Spradling	Job No.: 552-013
	CF No.: N/A

301 N. Alamo Rd. * Rockwall, Texas 75087
 (972) 722-0225, www.ajbedfordgroup.com



Sheet: 1
 Of: 1

OWNER'S CERTIFICATE

STATE OF TEXAS §
 COUNTY OF COLLIN §

WHEREAS, SC LUCAS ROAD, LP are the Owners of a tract of land situated in the William Snider Survey, Abstract No. 821, Collin County, Texas and being all of a 6.467 acre tract of land according to the Deed recorded in Instrument Number 20070604000748030, Official Public Records of Collin County, Texas and being more particularly described as follows:

BEGINNING at a iron rod with aluminum cap found for the southwest corner of said 6.476 acre tract of land and being the POINT OF BEGINNING; of Lot 1, Block A of Walmart Lucas Addition recorded in Cabinet 2012, Page 457 of the Plat Records of Collin County Texas and being located in the east line of F.M. 2551 (variable width);

THENCE with the east line of said F.M. 2551, NORTH 00°37'30" WEST a distance of 294.89 feet to an X cut in concrete set for corner;

THENCE departing the east line of said F.M. 2551, NORTH 89°44'30" EAST a distance of 955.09 feet to a 5/8 inch iron rod set for corner;

THENCE SOUTH 00°43'30" EAST a distance of 249.89 feet to a 5/8 inch iron rod set for the southeast corner of said 6.467 acre tract of land and being the northeast corner of said Lot 1;

THENCE along the south line of said 6.467 acre tract of land, SOUTH 89°44'30" WEST a distance of 955.59 feet to the POINT OF BEGINNING;

CONTAINING 6.467 acres or 281,709 square feet of land more or less.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That we, SC LUCAS ROAD, LP, Owners, do hereby bind themselves and their heirs, assigns and successors of title this plat designating the herein above described property as SC LUCAS ADDITION, LOTS 1 - 3, BLOCK A, an addition to the City of Lucas, and do hereby dedicate to the public use forever the streets, alleys, and right-of-way easements shown thereon, and do hereby reserve the easement strips shown on this plat for the mutual use and accommodation of garbage collection agencies and all public utilities desiring to use or using same. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other improvements or growths that in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easements, strips, and any public utility shall at all times have the right of ingress and egress to and from upon the said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, without the necessity at any time of procuring the permission of anyone. Additionally, we certify that we are the sole owners of the dedicated property and that no other's interest are attached to this property unless otherwise indicated on the required Mortgage Holder Certification that is included on this plat. This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Lucas, Texas.

Witness our hands at Lucas, Texas, this _____ day of _____, 2013

SC LUCAS ROAD, LP, Owner
 By: Stephen Preston

STATE OF TEXAS §
 COUNTY OF COLLIN §

Before me, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Stephen Preston, SC LUCAS ROAD, LP, Owners, known to me to be the person whose name are subscribed to the foregoing instrument and acknowledged to me that they each executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this _____ day of _____, 2013.

Notary Public in and for the State of Texas

MORTGAGE HOLDER CERTIFICATION

(If no homeowners' association is involved)

That I, _____, hold a mortgage or represent holders of a mortgage on the described property herein, do hereby consent to the submission and filing of this plat designating the hereinabove described property as New Town Estates, an addition to the City of Lucas and do hereby dedicate to the public use forever the streets, alleys, and right-of-way easements shown thereon and do hereby reserve the easements shown on this plat for the mutual use and accommodation of garbage collection agencies, public utilities desiring to use or using same and fire and access easements. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other improvements or growths which in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easements and any public utility shall at all times have the right of ingress and egress to and from upon the said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, without the necessity at any time of procuring the permission of anyone. This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Lucas, Texas.

Witness our hands at _____, Texas, this _____ day of _____, 2013.

Signature _____
 Title _____
 Company _____

STATE OF TEXAS §
 COUNTY OF COLLIN §

Before me, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared _____, 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 for the purpose and considerations therein expressed.

Given under my hand and seal of office, this _____ day of _____, 2013.

Notary Public in and for the State of Texas

SURVEYOR'S CERTIFICATION

KNOW ALL MEN BY THESE PRESENTS:

That I, AUSTIN J. BEDFORD, do hereby certify, that I prepared this plat from an actual on the ground survey of the land as described and that the corner monuments shown thereon were properly placed under my personal supervision in accordance with the Platting Rules and Regulations of the City of Lucas Planning and Zoning Commission.

Given under my hand and seal of office, this _____ day of _____, 2013.

Signature _____
 Title _____
 Company _____

STATE OF TEXAS §
 COUNTY OF ROCKWALL §

Before me, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared AUSTIN J. BEDFORD, 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 for the purpose and considerations therein expressed.

Given under my hand and seal of office, this _____ day of _____, 2013.

Notary Public in and for the State of Texas

CITY APPROVAL CERTIFICATE

This plat is hereby approved by the Planning and Zoning Commission of the City of Lucas, Texas

Chairman, Planning and Zoning Commission Date _____

ATTEST: _____

Signature _____ Date _____

Name & Title _____

The Director of Public Works of the City of Lucas, Texas hereby certifies that to the best of his/her knowledge or belief, this subdivision plat conforms to all requirements of the Code of Ordinances and with engineering construction standards and processes adopted by the City of Lucas, Texas as to which his/her approval is required.

Director of Public Works Date _____

The Director of Planning and Community Development of the City of Lucas, Texas hereby certifies that to the best of his/her knowledge or belief, this subdivision plat conforms to all requirements of the Code of Ordinances, or as may have been amended or modified, as allowed, by the Planning and Zoning Commission as to which his/her approval is required.

Director of Planning and Community Development Date _____

Engineer:
 CLAYMOORE ENGINEERING
 1105 CHEEK SPANGLER ROAD, SUITE 1
 COLLEYVILLE, TEXAS 76034 (817) 281-0574



**City of Lucas
Council Agenda Request**

Council Meeting: May 2, 2013

Requestor: _____

Prepared by: Kathy Wingo

Account Code #: N/A

Date Prepared: April 24, 2013

Budgeted Amount: \$ N/A

Exhibits: Yes No

AGENDA SUBJECT:

Discuss and Consider the approval of **Resolution # R-2013-05-00397** of the City Council of the City of Lucas, Texas, establishing rules of order and procedures for City Council meetings.

RECOMMENDED ACTION:

SUMMARY:

See attached.

MOTION:

I make a Motion to approve **Resolution # R-2013-05-00397** of the City Council of the City of Lucas, Texas, establishing meeting rules of order and procedures.

APPROVED BY: _____

Initial/Date

Department Director: _____ / _____

City Manager: _____ / _____

RESOLUTION # R-2013-05-00397

[Rules of Order and Procedures]

WHEREAS, the Home Rule Charter does not provide a procedure for the agenda preparation; and

WHEREAS, the City Council has determined that it is in the best interest of all concerned to establish guidelines for the preparation of the agenda for City Council meetings and an orderly process for citizen participation; and

WHEREAS, the City Council has determined that establishing a procedure for allowing routine business to be placed on a Consent Agenda would expedite the business matters of the Council.

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

SECTION I - DEFINITIONS

1. Regular Meeting- a meeting of the City Council to conduct its business as set forth in the Home Rule Charter will be held on the first and third Thursday of each month unless otherwise scheduled by City Council.
2. Special Meeting- a meeting of the City Council that is not a Regular Meeting. Per the Home Rule Charter Section 3.14 (2) a Special Meeting shall be called by the Mayor or a majority of the Councilmembers upon provision of public notice in accordance with State Law.
3. Work Session- a meeting of the City Council called for the purpose of exchanging information about the public business or policy. No action is taken by Council during Work Sessions.
4. Agenda Packet- supporting documentation for agenda items.
5. Routine Business- items of normal city business including: canvassing an election, authorizing a contract, zoning which has previously been discussed at a public hearing, approval of minutes, grant deeds, grant of easements, final reading and adoption of ordinances, auditor's reports ~~as to cash count~~, standard subdivision agreements, calls for bids, reports of administrative actions and proposals, leases and agreements approved in principle, and rescheduling or cancelling regular meetings.

SECTION II – AGENDA PREPARATION

City of Lucas, Texas
Resolution # R-2013-05-00397 Rules of Order and Procedures
Approved: May 2, 2013

1. Regular Meeting agendas should be posted by the Friday before said meeting by 5:00 p.m. but in no case later than 72 hours before the scheduled time of the meeting as provided by State Law.

2. ~~Requests for placing an item on the agenda shall be submitted, in writing, to the City Secretary no later than The deadline for requesting that an item be placed on the agenda by submitting a written request to the City Secretary by the Tuesday of the week before said meeting by 12:00 p.m.~~

Items placed on the agenda ~~must-need to~~ be of sufficient clarity to enable the general public to determine the nature of the issue for consideration and the type of Council action required, if any.

~~The request and documentation will be reviewed by the City Manager and Mayor prior to being placed on the agenda. The City Manager and/or Mayor reserve the right to pull any item from the agenda if supporting documentation is deemed inadequate, except if two or more Councilmembers request the item-~~

ALTERNATE LANGUAGE

~~If the City Manager and/or Mayor determines that additional clarity and/or supporting documentation is necessary for the agenda item, they shall notify the requestor and may, at their discretion, delay the inclusion of the item in the meeting agenda to the next regular scheduled meeting agenda. The requested item may not be delayed from inclusion on the agenda for more than 2 consecutive meetings.~~

3. Items may be placed on the agenda by the following:
- a. The Mayor or any Councilmember, as provided for in Section II, 2.
 - b. The City Manager, City Secretary, and City Attorney for items dealing with the operations or administration of their respective job functions.
 - c. Citizens desiring to have Council discuss an issue should seek the concurrence of the Mayor or a Councilmember that the item should be discussed. The Mayor or Councilmember may then request that the item be placed on the agenda in conformance with subsection II.3.a.

SECTION III – CONSENT AGENDA

Routine business which is brought before Council will be consolidated under the heading “Consent Agenda”. All items appearing under Consent Agenda shall be approved,
City of Lucas, Texas
Resolution # R-2013-05-00397 Rules of Order and Procedures
Approved: May 2, 2013

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adopted, accepted, or enacted by one motion and one vote of Council. ~~If the Consent Agenda contains minutes of meetings which one or more Councilmembers did not attend, an abstention will be recorded for those members. The agenda will contain the names of those absent from each meeting in parentheses after the meeting date to officially record the abstention.~~—Items may be removed from the Consent Agenda by the Mayor, a Councilmember, or a member of the public for separate discussion and action.

SECTION IV – CITIZEN INPUT DURING MEETINGS

1. CONDUCT

- a. Conversations between or among audience members should be conducted outside the meeting room. Attendees will refrain from loud private conversations while Council is in session. Attendees shall not address the Council except as provided herein.
- b. Placards, banners or signs will not be permitted in the Council Chambers or in any other room in which the City Council is meeting. Exhibits, displays and visual aids used in connection with presentations to the Council are permitted.
- c. Only City Councilmembers, city staff, and scheduled consultants may step to the dais. If information or documents need to be presented to the Council, it must be provided to the City Secretary who shall distribute such material.
- d. All remarks and questions shall be made to the Mayor or Council as a whole, and not to individual Councilmembers.

2. COMMENTS

- a. Any person who wishes to address the Council must first register with the City Secretary by submitting a completed “Request to Speak” form. This form may also be used by citizens to show their support or opposition to an agenda item without having to address the Council.

Groups coming to address the Council are encouraged to select representatives in order to conserve speaking time and reduce repetitive or redundant comments.

Regular Meetings: Citizen Input is allowed on posted agenda items when those items are addressed in the meeting. Other public comments are heard at the beginning of the meeting.

Special Meetings and Work Sessions: Citizen Input may be allowed on posted agenda items only. (See Sec. II. 7.) Council may set time limits on Citizen Input as necessary. ~~Groups coming to address the Council are encouraged to select representatives in order to conserve speaking time and reduce repetitive or redundant comments.~~

- b. In accordance with the Texas Open Meetings Act, the Council cannot take action on or discuss any subject brought up during Citizen Input; however, the Mayor or Council may add the issue to a future Council agenda or refer it to the proper city department for action.
- c. Comments will be heard prior to deliberations by the Council. Persons wishing to speak on any agenda item must submit a Request to Speak form prior to the beginning of discussion on that item. Each person shall be recognized by the Mayor, and will be allowed to speak one time for each agenda item listed on their Request to Speak form.
- d. When their name is called to speak, each person shall come to the designated microphone, state their name and address, limit their presentation to three (3) minutes and restrict the comments to the subject being discussed. The Mayor may allow a speaker to exceed the three minute time limit if the information presented is of value to the discussion and does not unduly prolong the meeting. A majority of Council may also allow a speaker to continue after the Mayor has announced the end of the speaker's time.
- e. If a speaker's comments will be longer than three (3) minutes, the Council encourages remarks to be prepared in writing and provided to each member through the City Secretary.
- f. During Public Hearings the applicant will be allowed a maximum of ten (10) minutes to make a presentation and five (5) minutes for rebuttal if necessary. The Mayor or a majority of Council has the right to adjust or extend times as necessary to ensure a fair and open hearing.
- g. The Mayor has the responsibility and duty to rule a speaker out of order if the comments made are of a personal nature, or are in any other manner disruptive to the orderly conduct of business of the Council. If the Mayor does not act promptly, a "Point of Order" motion from any Councilmember can request the Mayor to call the

speaker out of order. If the Mayor still does not act, the Councilmember may call for a "Point of Privilege" and move for a vote of the Council to restrict the speaker. A majority vote of the Council will require the Mayor to immediately rule the speaker out of order.

SECTION V – ATTENDANCE

Any member of Council who misses a meeting will contact the Mayor, City Manager or City Secretary prior to the meeting or as soon as practical with the reason for the absence.

SECTION VI – MISCELLANEOUS

1. Call to Order - The Mayor, or in the absence of the Mayor, the Mayor Pro-tem shall call the meeting to order. In the absence of the Mayor and Mayor Pro-tem, the City Secretary shall call the meeting to order and a temporary presiding officer shall be elected.
2. Conflict of Interest - A Councilmember prevented from voting due to a conflict of interest shall leave the meeting during the debate, shall not vote on the matter, and shall otherwise comply with current state law, and ordinances concerning conflicts of interest.

SECTION VII

This Resolution shall supercede any preceding Resolutions regarding City Council agenda preparation and conduct of meetings.

PASSED AND APPROVED this 2nd day of May, 2013.

Rebecca Mark, Mayor

ATTEST:

Kathy Wingo, TRMC, MMC
City Secretary

APPROVED AS TO FORM:

City of Lucas, Texas
Resolution # R-2013-05-00397 Rules of Order and Procedures
Approved: May 2, 2013

Joe Gorfida, Jr., City Attorney



**City of Lucas
Council Agenda Request**

Council Meeting: May 2, 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: _____ / _____