



**PUBLIC NOTICE**  
**City Council Regular Meeting**  
**August 1, 2013, at 7:00 PM**  
**City Hall - 665 Country Club Road**

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**Notice is hereby given that a Regular Meeting of the City Council of the City of Lucas will be held on Thursday, August 1, 2013, at 7 PM at the Lucas City Hall, 665 Country Club Road, Lucas, Texas, at which time the following agenda will be discussed.**

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**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.

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1) Citizens' Input.

**Community Interest**

2) Items of Community Interest.

## Regular Agenda

- 3) Discuss and Consider the approval of a Development Agreement between the City of Lucas and Centurion Acquisitions, LP for a 53 acre development located along Forest Grove Road. **[Hilbourn]**
- 4) Discuss and Consider the approval of sending a letter of termination for a contract between the City of Lucas and Solutions for Local Control, LLC. **[Jenkins]**
- 5) Discuss and Consider the approval of the minutes from the July 2, 2013 Special, July 18<sup>th</sup> Council, and the July 23<sup>rd</sup> Budget Workshop meetings. **[Wingo]**
- 6) Discuss and Consider the approval of **Resolution # R-2013-08-00399** to accept and approve the City Secretary's certification of the number of qualified signatures on a petition to order a local option election to legalize the sale of beer and wine for off-premise consumption only; and providing an effective date. **[Wingo]**
- 7) Discuss and Consider the approval of **Ordinance # 2013-08-00762** to order a Special Election to be held on Tuesday, November 5, 2013, for the purpose of approving the legal sale of beer and wine for off-premise consumption only; designating locations of polling places; ordering notices of election to be given as prescribed by law in connection with such election; and providing an effective date. **[Wingo]**
- 8) Discuss and Consider the proposed City of Lucas' Tax Rate for Fiscal Year 2013 – 2014. **[Jenkins]**
- 9) Discussion only for the proposed City of Lucas' Budget for Fiscal Year 2013 – 2014. **[Jenkins]**

- 10) Discuss and Consider calling for two Public Hearings regarding the Tax Rate and Fiscal Year Budget for 2013 – 2014. **[Jenkins]**
- 11) Discuss and Consider the addition of craft sales and a chili cook-off to the list of 2013 Founder’s Day Events. **[Hilbourn]**
- 12) Discuss and Consider the approval of commercial sponsorships for the 2013 Founder’s Day Event. **[Hilbourn]**
- 13) Adjournment.

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**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.**

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**Approval**

Approved by: Mayor Rebecca Mark, July 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, July 26, 2013, as required in accordance with Government Code §551.041.*

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Kathy Wingo, TRMC, MMC  
City Secretary

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**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](mailto:secretary@lucastexas.us).

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# LUCAS CITY COUNCIL

Meeting Date August 1, 2013

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## 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 Stanton Foerster

Finance Manager Liz Exum

Fire Chief Jim Kitchens

Development Services Director Joe Hilbourn

City Attorney Joe Gorfida, Jr.

Administrative Assistant Jennifer Faircloth



**City of Lucas  
Council Agenda Request**

Council Meeting: August 1, 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: August 1, 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: August 1, 2013

Requestor: Joe Hilbourn

Prepared by: Joe Hilbourn

Account Code #: N/A

Date Prepared: July 24, 2013

Budgeted Amount: \$ N/A

Exhibits:  Yes  No

### AGENDA SUBJECT:

Discuss and Consider the approval of a Development Agreement between the City of Lucas and Centurion Acquisitions, LP for a 53 acre development located along Forest Grove Road.

### RECOMMENDED ACTION:

Approve as presented.

### SUMMARY:

Agreement Highlights:

- Soften the two (2) ninety degree turns of Forest Grove Road adjacent to Holloway Welding
- Waive road impact fees equal to the amount of the improvements to compensate for the cost of road improvements
- Increase the size of the water main adjacent to Holloway Welding from 6" to 8" water line
- Give impact fee credits in the amount of actual to offset the cost of the water line upgrade
- Size retention to compensate for off-site storm water run-off, allow for R-1.5 zoning.

### MOTION:

I make a Motion to approve a Development Agreement between the City of Lucas and Centurion Acquisitions, LP for a 53 acre development located along Forest Grove Road.



**APPROVED BY:** \_\_\_\_\_

Initial/Date

Department Director: \_\_\_\_\_ / \_\_\_\_\_

City Manager: \_\_\_\_\_ / \_\_\_\_\_

**STATE OF TEXAS           §**  
**§       DEVELOPMENT AGREEMENT**  
**COUNTY OF COLLIN       §**

This Development Agreement (“Agreement”) is made by and between the City of Lucas, Texas (“City”) and Centurion Acquisitions, L.P., a Limited Partnership (“Developer”), (collectively referred to as “Parties” and individually as a “Party” acting by and through their respective representatives.

**RECITALS**

**WHEREAS**, Developer is under contract to purchase certain real property described by metes and bounds in attached Exhibit “A” (the “Property”); and

**WHEREAS**, City has adopted roadway impact fees pursuant to Chapter 395, TEX. LOC. GOV’T Code (“Roadway Impact Fees”); and

**WHEREAS**, City has adopted water impact fees pursuant to Chapter 395, TEX. LOC. GOV’T Code (“Water Impact Fees”); and

**WHEREAS**, Developer intends to develop the Property in general conformance with the concept plan attached as Exhibit “B” (the “Concept Plan”); and

**WHEREAS**, Developer intends to install or have installed a portion of West Forest Grove Road as shown on the plan attached as Exhibit “C” (the “Road Improvements”) which will realign West Forest Grove Road from its existing routing; and

**WHEREAS**, Developer intends to replace an existing 6” water line in a portion of the existing West Forest Grove Road with an 8” water line as shown on the plan attached as Exhibit “C” (the “Waterline Improvements”); and

**WHEREAS**, the Parties desire to obtain the benefits of certainty and predictability that can be provided by a development agreement.

**NOW, THEREFORE**, in consideration of the covenants and conditions contained in this Agreement, the City and Developer agree as follows:

**Article I**  
**Term**

This Agreement shall commence on the last date the Parties have executed the Agreement (“Effective Date”) and shall terminate on the date (“Expiration Date”) that is the earlier date of (1) the expiration of ten (10) years after City’s acceptance of the Road Improvements and the Waterline Improvements; or (2) the date the Developer and City have

fully satisfied all of the terms and condition herein; or (3) January 1, 2024; or (4) unless sooner terminated herein.

## **Article II Definitions**

For purposes of this Agreement, each of the following terms shall have the meaning set forth herein unless the context clearly indicates otherwise:

“Approved Plans” shall mean the plans and specifications for the Road Improvements and the Waterline Improvements approved by the City.

“City” shall mean the City of Lucas, Texas.

“Commencement of Construction” shall mean that (i) the plans have been prepared and all approvals thereof required by applicable governmental authorities have been obtained for construction of the Road Improvements, and the Waterline Improvements; (ii) all necessary permits for the construction of the Road Improvements, and the Waterline Improvements, pursuant to the respective plans therefore having been issued by all applicable governmental authorities; and (iii) the construction of the Road Improvements, and Waterline Improvements have commenced.

“Completion of Construction” shall mean (i) the construction of the Road Improvements, and Waterline Improvements have been substantially completed; and (ii) the final permanent certificate of completion for the Road Improvements, and Waterline Improvements have been issued to the City, or the City has accepted the Road Improvements, and Waterline Improvements, , as the case may be.

“Developer” shall mean Centurion Acquisitions, L.P. and or its assigns.

“Effective Date” shall mean the last date of execution hereof.

“Force Majeure” shall mean any contingency or cause beyond the reasonable control of Developer, as applicable, including, without limitation, acts of God or the public enemy, war, riot, civil commotion, insurrection, adverse weather, governmental action or inaction (unless caused by negligence or omissions of Developer), fire, explosions or floods, strikes, slowdowns or work stoppages, shortage of materials and labor, or delays by the City.

“Property” shall mean the real property described by meets and bounds in the attached Exhibit “A”.

## **Article III Road Improvements**

3.01 Construction of Roadway Improvements. Developer agrees to design and install the Road Improvements in accordance with the applicable standards, ordinances, and regulations

adopted by the City (“City Standards”). Developer shall submit plans for the design and construction of the Road Improvements (“Construction Plans”) to the City for review and approval by the City. Subject to extensions for delay caused by events of Force Majeure and to the City’s approval of the Approved Plans, Developer agrees, at Developer’s sole cost, to construct or have constructed the Road Improvements. Developer and City acknowledge and agree that neither Party has any obligation to condemn or pay any sum of money in connection with the dedication of right-of-way except as provided herein. Developer agrees and covenants to cause commencement of the Road Improvements on or before May 1, 2014, and to cause completion of construction thereof within eight (8) months thereafter.

3.02 Construction Specifications. It is agreed upon by both Developer and City that the Road Improvements will consist of thirty-four foot (34’) wide concrete pavement with drainage ditches and culvert crossings within a sixty foot (60’) wide right-of-way. The concrete pavement will transition to asphalt at the west end of the Property and at the radius connection point to the existing West Forest Grove Road on the eastern side of the Property.

3.03 Roadway Impact Fee Credits. Upon Completion of Construction of the Road Improvements, Developer shall provide City with proof of the Road Improvements cost, which shall include the design, engineering, material testing, inspection, and construction costs (the “Road Improvements Cost”). The proof shall be in the form of contracts and/or invoices reflecting the amount actually paid for the Road Improvements. City shall credit the Roadway Impact Fees applicable to the Property up to the amount of the Road Improvements Cost (the “Roadway Improvements Credit”). The final amount of the Roadway Improvements Credit shall be agreed upon by both Parties after completion of the Road Improvements and established within a secondary letter agreement. If the amount of the Roadway Improvements Credit exceeds the amount of the Roadway Impact Fees actually imposed against the Property, the City shall not be required to pay any remaining or unused portion of the Impact fee credit in cash or equivalent to Developer or any other party, or to apply any remaining or unused portion of the Impact fee credit against any other fees to be assessed against the Property including but not limited to Park Fees.

## **Article IV Waterline Improvements**

4.01 Construction of Waterline Improvements. Developer agrees to design and install the Waterline Improvements in accordance with the applicable standards, ordinances, and regulations adopted by the City (“City Standards”). Developer shall submit plans for the design and construction of the Waterline Improvements (“Construction Plans”) to the City for review and approval by the City. Subject to extensions for delay caused by events of Force Majeure and City’s approval of the Approved Plans, Developer agrees to construct the Waterline Improvements. Developer and City acknowledge and agree that the Waterline Improvements will be installed within the easement where the existing six inch (6”) waterline is installed and no additional easement will be needed. The Developer agrees and covenants to cause commencement of the Waterline Improvements on or before May 1, 2014, and to cause completion of construction thereof within eight (8) months thereafter.

4.02 Construction Specifications. It is agreed upon by both Developer and City that the Water Improvements will consist of constructing an eight inch (8”) waterline along the existing north/south section of West Forest Grove Road, adjacent to the Property. The waterline will be connected to the existing eight inch (8”) lines that the six inch (6”) waterline currently connects into.

4.03 Impact Fee Credits. Developer shall provide City with proof of the Waterline Improvements cost, which shall include the design, engineering, material testing, inspection, and construction costs of this eight inch (8”) waterline (the “Waterline Cost”). The proof shall be in the form of contracts and/or invoices reflecting the amount actually paid for the Waterline Improvements. City shall credit the Water Impact Fees applicable to the Property up to the amount of the Waterline Cost (the “Waterline Credit”). The final amount of the Waterline Credit shall be agreed upon by both Parties after completion of the Waterline Improvements and established within a secondary letter agreement.

## **Article V Notice**

Any notice to be given or to be served upon a Party hereto in connection with this Agreement must be in writing and may be given by certified or registered mail and shall be deemed to have been given and received when a certified or registered letter containing such notice, properly addressed with postage prepaid, is deposited in the United States mail, and if given otherwise than by certified or registered mail, it shall be deemed to have been given and delivered to and received by the Party (or such Party’s agent or representative) to whom it is addressed when actually received by the intended recipient. Such notice shall be given to the Parties hereto at the address set forth below. Any Party hereto may, at any time by giving two (2) days written notice to the other Party, designate any other address in substitution of the foregoing address to which such notice shall be given.

If Notice to Developer:

Centurion Acquisitions, L.P.  
1221 I-35 E. Suite 200  
Carrollton, TX 75006

With a copy to:

Lenart Development Company, LLC  
520 Central Parkway E. Suite 104  
Plano, TX 75074

If Notice to Lucas:

Jeff Jenkins, City Manager  
City of Lucas  
665 Country Club Road  
Lucas, Texas 75002

With a Copy to:

Joe Gorfida, Jr.  
Nichols, Jackson, Dillard, Hager & Smith  
500 N. Akard  
Suite 1800  
Dallas, Texas 75201

## **Article VI Termination**

This Agreement may be terminated by: (a) the mutual written agreement of the Parties; (b) either Party providing written notice of such termination to the other Party if the other Party breaches any of the material terms and conditions of this Agreement, and such breach is not cured by such Party within sixty (60) days after receipt of written notice thereof (or, if cure cannot be completed within said time period, if cure of such breach is not commenced within such time period and/or not thereafter diligently and continuously pursued to completion within sixty (60) days after receipt of written notice thereof); (c) by City providing written notice to Developer if Developer suffers an event of bankruptcy or insolvency; (d) by either Party providing written notice to the other Party if any subsequent federal or state legislation or any decision of a court of competent jurisdiction declares or renders this Agreement invalid, illegal or unenforceable.

## **Article VII Miscellaneous**

7.01 Assignment of Agreement. This Agreement may be assigned by Developer with the prior written consent of the City which consent shall not be unreasonably withheld, conditioned, or delayed. This Agreement may not be assigned, in whole or in part, by the City.

7.02 Venue. This Agreement shall be construed under and in accordance with the laws of the State of Texas and is specifically performable in Collin County, Texas. Exclusive venue shall be in state district court in Collin County, Texas.

7.03 Legal Construction. In case any one or more provisions contained in this Agreement shall be for any reason held invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof, and it is the intention of the Parties to this Agreement that in lieu of each provision that is found to be illegal, invalid, or unenforceable, a provision be added to this Agreement which is legal, valid, and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid, or unenforceable.

7.04 Savings / Severability. In case any one or more provisions contained in this Agreement shall be for any reason held invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof, and it is the intention of the Parties to this Agreement that in lieu of each provision that is found to be illegal,

invalid, or unenforceable, a provision be added to this Agreement which is legal, valid, and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid, or unenforceable.

7.05 Authority. Each of the Parties represents and warrants to the other that it has the full power and authority to enter into and fulfill the obligations of this Agreement.

7.06 Entire Agreement. This Agreement contains the entire agreement of the Parties with respect to the matters contained herein and may not be modified or terminated except upon the provisions hereof or by the mutual written agreement of the Parties to this Agreement.

7.07 Consideration. This Agreement is executed by the Parties hereto without coercion or duress and for substantial consideration, the sufficiency of which is forever confessed.

7.08 Counterparts. This Agreement may be executed in a number of identical counterparts, each of which will be deemed an original for all purposes.

7.09 Representations. Each signatory represents this Agreement has been read by the Party for which this Agreement is executed, and that such Party has had an opportunity to confer with it legal counsel.

7.10 Miscellaneous Drafting Provisions. This Agreement shall be deemed drafted equally by all Parties hereto. The language of all parts of this Agreement shall be construed as a whole according to its fair meaning, and any presumption or principle that the language herein is to be construed against any Party shall not apply. Headings in this Agreement are for the convenience of the Parties and are not intended to be used in construing this document.

7.11 Binding Effect. This Agreement will be binding upon and inure to the benefit of the Parties hereto and their respective heirs, executors, administrators, legal representatives, successors, and authorized assigns. This Agreement only inures to the benefit of, and may only be enforced by, the Parties, assignees, lender, successors, and the City. No other person or entity is a third-party beneficiary of this Agreement.

7.12 Authority. The City represents and warrants that this Agreement has been approved by the City Council of the City in accordance with all applicable public meeting and public notice requirements (including, but not limited to, notices required by the Texas Open Meetings Act) and that the individual executing this Agreement on behalf of the City has been authorized to do so. Developer represents and warrants that this Agreement has been approved on behalf of Developer and that the individual executing this Agreement on behalf of Developer has been authorized to do so. Each assignee, lender, or successor who becomes a party to this Agreement represents and warrants that this Agreement has been approved by appropriate action of such assignee, lender, or successor and that the individual executing this Agreement on behalf of such assignee, lender, or successor has been authorized to do so.

7.13 Governmental Powers; Waiver of Immunity. By its execution of this Agreement, City does not waive or surrender any of its governmental powers, immunities, or rights except as to the enforcement of this Agreement.

7.14 No Joint Venture. It is acknowledged and agreed by the Parties that the terms hereof are not intended to and shall not be deemed to create a partnership or joint venture among the Parties, nor to cause City to be deemed to be a constituent partner of the Developer.

7.15 Legal Construction. In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or enforceability shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

7.16 Multiple Counterparts and Duplicate Originals. This Agreement may be executed in any number of multiple counterparts and/or duplicate originals, each of which shall be deemed an original and all of which considered together shall be deemed one and the same Agreement.

*(signature page to follow)*



**EXECUTED** on this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

**City of Lucas, Texas**

By: \_\_\_\_\_  
Rebecca Mark, Mayor

**Approved as to Form:**

By: \_\_\_\_\_  
Joe Gorfida, Jr., City Attorney  
(JJG/07-18-13/60754)

**THE STATE OF TEXAS           §**  
  **§**  
**COUNTY OF COLLIN           §**

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2013, by Rebecca Mark, Mayor of the City of Lucas, a municipal corporation existing under the laws if the State of Texas, in such capacity on behalf of such municipal corporation.

\_\_\_\_\_  
Kathy Wingo  
Notary Public, State of Texas

**EXECUTED** on this \_\_\_\_\_ day of \_\_\_\_\_, 2013 .

Centurion Acquisitions, L.P.,  
a Texas limited partnership,

By: Pars Investments, Inc.,  
a Texas corporation,  
Its General Partner,

By: \_\_\_\_\_  
Name: Mehrdad Moayed  
Title: President

**STATE OF TEXAS**       §  
                                  §  
**COUNTY OF COLLIN**   §

This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 2013,  
by Mehrdad Moayed, as President of Pars Investments, Inc., a Texas corporation, as General  
Partner of Centurion Acquisitions, LP, a Texas limited partnership, on behalf of said limited  
partnership.

\_\_\_\_\_  
Notary Public, State of Texas

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

BEING a tract of land situated in the J. Kerby Survey, Abstract No. 506, City of Lucas, Collin County, Texas, the subject tract being a portion of a tract of land conveyed to Hooper Family Limited Partnership according to the deed recorded in Volume 5190, Page 404 of the Deed Records, Collin County, Texas (DRCCT), the subject tract being more particularly described as follows;

BEGINNING at a 1/2" iron rod with plastic cap stamped "SPIARSENG" set for the northwest corner of the subject tract, and being the southwest corner of The Enclave Addition, an addition to the City of Lucas, recorded in Cabinet N, Page 727, Plat Records, Collin County, Texas (PRCCT) and being on the east line of a tract conveyed to HWP Properties, LP, recorded in Document No. 20060327000389570 DRCCT, said rod being in Forest Grove Road (a variable width public right-of-way), from said rod an "X" found in concrete bears N 47°00'18" E, 622.02 feet;

THENCE S 88°49'35" E, 1471.45 feet along Forest Grove Road, and along the south line of said Enclave Addition, to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set for the northwest corner of a tract conveyed to Louis Hoefer, recorded in Volume 5635, Page 1245 DRCCT, from which an "X" found in concrete found bears S 88°46'59" E, 1245.01 feet, and from which a 5/8" iron rod with plastic cap found bears S 82°24'20" E, 264.25 feet;

THENCE S 00°45'13" W, along the west line thereof, passing at 1585.66 feet a 1/2" iron rod found for witness, continuing a total distance of 1665.38 feet to the southwest corner of said Hoefer tract, and being on the north line of Forest Creek Estates, an addition to the City of Lucas, recorded in Cabinet K, Page 45 PRCCT;

THENCE along the north line of Forest Creek Estates, the following:

N 70°26'15" W, 225.96 feet;

S 58°44'45" W, 285.00 feet;

S 88°44'45" W, 297.00 feet;

S 20°49'45" W, 150.00 feet;

And N 71°13'15" W, 35.48 feet to a point for corner;

THENCE N 08°33'16" W, departing said north line of Forest Creek Estates, passing at 34.02 feet the southeast corner of a tract conveyed to Joseph M. Pettinger and wife, Jennifer L. Pettinger, continuing along the east line thereof a total distance of 443.27 feet to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set for corner;

THENCE N 76°57'25" W, 503.96 feet along the north line thereof to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set for corner, from which a 1/2" capped iron rod found bears N 76°57'25" W, 14.84 feet;

THENCE N 11°16'59" W, 266.82 feet departing said north line to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set for corner;

THENCE N 00°00'52" E, passing at 606.27 feet the southeast corner of said HWP Properties tract, continuing along the east line thereof a total distance of 1089.12 feet to the PLACE OF BEGINNING with the subject tract containing 2,316,224 square feet or 53.173 acres of land.

**EXHIBIT "B"**  
**CONCEPT PLAN**

**EXHIBIT "C"**  
**ROAD IMPROVEMENTS**

*TO BE INSERTED*



HMF PROPERTIES, LP  
Doc. No. 20080327000389570

Louis Hoefler  
Vol. 5635, Pg. 1245

The Estates At Fo  
Doc. No. 2013-

Joseph M. Pottinger  
and wife  
Jennifer L. Pottinger  
Vol. 4611, Pg. 490

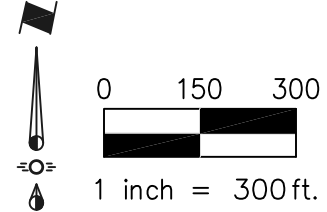
FOREST CREEK ESTATES  
Cab. K, Pg. 45

EXHIBIT B – CONCEPT PLAN

FOREST GROVE  
53.173 ACRES  
30 SINGLE-FAMILY LOTS

CITY OF LUCAS  
COLLIN COUNTY, TEXAS

July 8, 2013



Spiars Engineering, Inc.  
765 Custer Road, Suite 100  
Plano, Texas 75075

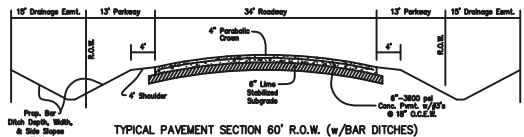
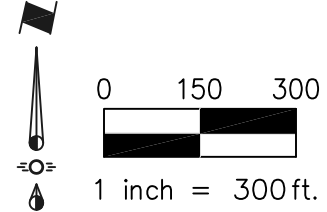


EXHIBIT C – IMPROVEMENT EXHIBIT

FOREST GROVE  
 53.173 ACRES  
 30 SINGLE-FAMILY LOTS

CITY OF LUCAS  
 COLLIN COUNTY, TEXAS

July 8, 2013



Spiaars Engineering, Inc.  
 765 Custer Road, Suite 100  
 Plano, Texas 75075





<h2 style="text-align: center;">City of Lucas Council Agenda Request</h2>
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Council Meeting: August 1, 2013

Requestor: Jeff Jenkins

Prepared by: Kathy Wingo

Account Code #: N/A

Date Prepared: July 24, 2013

Budgeted Amount: \$ N/A

Exhibits:  Yes  No

**AGENDA SUBJECT:**

Discuss and Consider the approval of sending a letter of termination for a contract between the City of Lucas and Solutions for Local Control, LLC.

**RECOMMENDED ACTION:**

Approve as presented.

**SUMMARY:**

**MOTION:**

I make a Motion to approve the cancellation of a contract between the City of Lucas and Solutions for Local Control, LLC and authorize the City Manager to immediately send a letter of termination.

**APPROVED BY:** \_\_\_\_\_

Initial/Date

Department Director: \_\_\_\_\_ / \_\_\_\_\_

City Manager: \_\_\_\_\_ / \_\_\_\_\_



# City of Lucas Council Agenda Request

Council Meeting: August 1, 2013

Requestor: Kathy Wingo

Prepared by: Kathy Wingo

Account Code #: N/A

Date Prepared: July 24, 2013

Budgeted Amount: \$ N/A

Exhibits:  Yes     No

**AGENDA SUBJECT:**

Discuss and Consider the approval of the minutes from the July 2, 2013 Special, July 18<sup>th</sup> Council, and the July 23<sup>rd</sup> Budget Workshop meetings.

**RECOMMENDED ACTION:**

Approve as presented.

**SUMMARY:**

See attached.

**MOTION:**

I make a Motion to approve the minutes from the July 2, 2013 Special, July 18<sup>th</sup> Council, and the July 23<sup>rd</sup> Budget Workshop meetings as presented.

**APPROVED BY:** \_\_\_\_\_

Initial/Date

Department Director: \_\_\_\_\_ / \_\_\_\_\_

City Manager: \_\_\_\_\_ / \_\_\_\_\_



**City Council Special Meeting  
July 2, 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  
Councilmember Wayne Millsap  
Councilmember Steve Duke  
Councilmember Debbie Fisher  
City Secretary Kathy Wingo  
Fire Chief Jim Kitchens

Mayor Pro Tem Kathleen Peele  
Councilmember Jim Olk  
Councilmember Philip Lawrence  
City Manager Jeff Jenkins  
Finance Manager Liz Exum

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

**Citizens' Input**

1) Citizens' Input.

Charlie Gaines, 24 Brookhaven, came forward to speak on the Fire Department Expansion Project. Mr. Gaines feels that the proposed cost is too much. The old fire station could be refurbished for about \$50K, stated Mr. Gaines. Perhaps the annex could be modified for a cost savings.

Luke Crain, 415 W. Lucas Road, is very much in favor in moving forward with the expansion of the Fire Department. The cost is too high, Mr. Crain suggests that perhaps this needs to be scrapped and start over. Would it not be feasible to use a commercial home builder to provide what is needed but to stay within a better budget?

Tom Redman, 1930 Mary Lee Lane, wanted to speak to the proposed expansion of the fire station. He is in favor of the project but is concerned with the cost and how the citizens will be able to pay for this. Mr. Redman feels that the school will be raising taxes in the coming year. The city needs the minimum level to provide the protection that is needed for the citizens. As revenues rise raising the tax rate is a concern to Mr. Redman.

Jeanean McLaughlin, does not wish to speak but is very opposed to the outrageous cost of the proposed Fire Department Expansion Project.

<b>Regular Agenda</b>
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- 2) Discuss and Consider the approval of the minutes from the June 6, 2013 City Council Regular meeting. **[Wingo]**

**MOTION:** Councilmember Debbie Fisher made a Motion to approve the minutes from the June 6, 2013 City Council Regular meeting as presented. Councilmember Jim Olk seconded the Motion. Motion carried. Vote: 7-0.

- 3) Discuss and Consider Fire Department funding options for proposed fire station to include current and future EMS, equipment; recurring expenses; and impact to budget and debt. **[Exum]**

Finance Manager Liz Exum came forward to review the Financial Update for Fire Department and EMS Funding.

The following is incremental costs for Fire Department and EMS by year:

FY 2012-2013	\$173,100
FY 2013-2014	\$2,954,829
FY 2014-2015	\$1,940,844
FY 2015-2016	\$844,760
FY 2016-2017	\$909,311
Total	\$6,822,843

Projected uses of incremental costs October 1, 2012 through September 30, 2017

Fire Station	\$3,627,267
Fire Chief Vehicle FY 12	\$50,000
Computers and Radios FY 12	\$23,100
Battalion Chief Vehicle	\$50,000
Fire Department Quint Truck Lease	\$265,000
EMS Ambulance and Equipment Lease	\$267,000

EMS Equipment	\$44,600
EMS Operating	\$2,495,876
Total Projected use of funds	\$6,822,843

Forecasted budget for General Fund October 1, 2012 through September 30, 2017

Revenues:

Property Taxes	\$8,927,980
Sales and Franchise Taxes	\$5,025,852
License and Permit Fees	\$2,219,733
Fire Department and EMS Revenue	\$1,204,468
Other Revenues	\$1,475,791
Sales Tax Fire District*	\$809,587
*(additional reserves/resources will be needed if sales tax for Fire District is not approved by voters)	
Transfer in 2011 CO Funds	\$2,679,754
Transfer in Reserves	\$536,687
Total Revenues/Transfers	\$22,869,852

Other resources to consider: vacant land potential for sale or lease/increase in property tax rate.

Mayor Pro Tem Kathleen Peele asked if the agreement with Seis Lagos was included in the forecasts, Finance Manager Liz Exum stated that it was considered in determining the numbers.

Data was compiled using Quinlan, Benbrook, Fairview, and Parker stated City Manager Jeff Jenkins.

Forecasted budget for General Fund October 1, 2012 through September 30, 2017

Operating Expenses by function:

EMS	\$2,495,877
Fire Department	\$3,903,090
Other Departments	\$8,973,931

Total Operating \$15,372,898

Forecasted budget for General Fund October 1, 2012 through September 30, 2017

Capital Outlay by function:

Fire Department \$4,015,367

EMS \$311,600

Other Departments \$832,811

Total Capital Outlay \$5,159,778

Forecasted budget for General Fund October 1, 2012 through September 30, 2017

Road Maintenance by year:

FY 2012-2013\*\*\* \$185,060

\*\*\*(2011 CO Funds of \$440,940 budgeted for FY 12/13)

FY 2013-2014 \$300,000

FY 2014-2015 \$330,000

FY 2015-2016 \$360,000

FY 2016-2017 \$390,000

Total \$1,565,060

Forecasted budget for General Fund October 1, 2012 through September 30, 2017

Total General Fund Percent by function:

Fire Department 35.8%

EMS 12.7%

Other Departments 44.4%

Road Maintenance 7.1%

Total 100%

Debt Service General Fund through September 30, 2017

Total Outstanding \$8,424,592

Interest & Sinking portion of the tax rate ranges between 11 and 12 cents of the existing 37.4177 cent tax rate.

Fiscal Year 22-23 would be the first year to borrow additional debt without impacting the existing tax rate.

Certificates of Obligation Series 2011 – General Fund

Beginning Balance of	\$3,500,000
Interest Earned	\$11,300
	\$3,511,300

Payments applied:

White Rock Trail Design	\$28,750
Stinson Road Bridge Design	\$84,365
Fire Department Expansion Design	\$80,000
Capital Road Improvements	\$638,431
	\$831,546
Remaining balance	\$2,679,754

General Fund Reserves

Estimated Unreserved Fund Balance Sept. 30, 2013	\$4,434,826
Estimated General Fund budgeted Operating Costs (12 mos)	\$2,584,057
Estimated Operating Costs for EMS/Program (12 mos)	\$644,829
Estimated Excess Reserves Sept. 30, 2013	\$1,205,940
Estimated Operating Costs	\$269,074 per month

Estimated Excess operating months over the 12 month recommended, 4.5

- 4) Discuss and Consider the design/layout of the proposed fire station to include the interior and the façade of the building. **[Peele]**

Doug Eddy representative of Wiginton Hooker Jeffrey Architects came forward to present the design/layout of the proposed fire station.



Estimated Project Timeline



Design Development is the next phase...completion	9/15/2013
Construction Documents	9/15/2013 – 12/02/2013
Permitting, Bid, and Award	12/02/2013 – 02/03/2014
Construction Phase estimated	02/04/2014 – 03/01/2015

Need to keep this timeline moving forward to obtain the best prices and to meet the upcoming needs of the department

#### Estimated Project Costs

Construction Cost	\$3,030,000
Design Service Fees	\$379,450
Owner Costs	\$217,817
Total Project Cost	\$3,627,267

Council agrees that the architect has done a good job listening to the needs of the Fire Department and preparing a design that reflects the those needs. However, the cost of \$350 per square foot is extremely high for the type of construction.

Councilmember Jim Olk said that there are hospitals and prisons being built for far less than \$350 per square foot.

The use of wood frame, steel, and other types of construction should be considered. If you do not decide what type of construction the bids will come in with how the project is speced out, all the bids will come in the same. What are the key drivers that the determine the cost per square foot. Perhaps other projects could be reviewed, prior to going into the design phase, to see what determines the construction cost.

Mayor Pro Tem Kathleen Peele stated that looking at the budget numbers Council would be committing 50% of the operating budget to the Fire Department and EMS.

Mr. Eddy stated that the \$350 per square foot is current pricing for these type facilities.

Councilmember Jim Olk asked if there was a way to provide specs for performance rather than design. Mr. Eddy said that is called design build.

Perhaps there are differences that could be considered that would bring the cost per square foot down to a more reasonable range.

Councilmember Wayne Millsap nominates Councilmember Jim Olk to look at other cities on how they built their fire stations.

Council should consider the analysis of the financial data and determine how the City pays for this project and what can the City afford.

City Manager Jeff Jenkins recommends that Council use the remaining balance of the 2011 COs, \$2.6M, and some of the excess reserves to help fund this project.

There was a discussion on what road maintenance is needed and what dollars would be needed to complete these projects. In prior years, the road maintenance relied on the COs to fund those projects.

Finance Manager Liz Exum reviewed the financial data more in depth with Council.

Mayor Pro Tem Kathleen Peele stated that she would like to see this building project come in under \$3M. Councilmember Jim Olk stated that the design team needs to go back and rework the design to cut the cost to less than \$3M. Councilmember Philip Lawrence agreed.

Mayor Rebecca Mark says that the design is complete, Council agrees to the look of the project. Now the cost estimator needs to review this and look at the construction materials and the costs. Councilmember Jim Olk said that there could be some smaller things that could cut some of the costs.

The City Manager and Fire Chief will look at the owner's cost to bring them down below \$200K.

Council agrees that a total cost of \$2.8M would be acceptable.

**MOTION:** Mayor Pro Tem Kathleen Peele made a Motion to establish a budget of \$2.8M for the construction, design, and owner's cost for the Fire Department Expansion Project. Councilmember Philip Lawrence seconded the Motion. Motion carried. Vote 5-2, Councilmember(s) Duke and Fisher voting NAY.

- 5) Discuss and Consider an amendment to the agreement between the City of Lucas and Wiginton Hooker Jeffry Architects. **[Jenkins]**

This item is removed from this agenda.

## **Supplemental Agenda**

## Regular Agenda

Discuss and Consider the potential need for budget workshop, possibly schedule date for the meeting and subject matter. **[Jenkins]**

The dates of July 23<sup>rd</sup> or 24<sup>th</sup> is being proposed for the budget workshop. With some of the recent items discussed by Council, the budget workshop would be more or less an update.

**MOTION:** Mayor Pro Tem Kathleen Peele made a Motion to hold the Budget Workshop on Tuesday, July 23<sup>rd</sup>. Councilmember Wayne Millsap seconded the Motion. Motion carried. Vote: 7-0.

### 6) Adjournment.

**MOTION:** Councilmember Wayne Millsap made a Motion to adjourn the meeting at 9:09 p.m. Councilmember Steve Duke seconded the Motion. Motion carried. Vote: 7-0.

These minutes were approved by a majority vote of the City Council on August 1, 2013.

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Rebecca Mark  
Mayor

ATTEST:

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Kathy Wingo, TRMC, MMC  
City Secretary



**PUBLIC NOTICE**  
**City Council Meeting**  
**July 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 Secretary Kathy Wingo
City Manager Jeff Jenkins	Public Works Director Stanton Foerster
Development Services Director Joe Hilbourn	City Attorney Joe Gorfida

It was determined that a Quorum was present.

Everyone was reminded to turn off or silence cell phones.

Mayor Pro Tem Kathleen Peele led everyone in saying the Pledge of Allegiance.

**Citizens' Input**

1) Citizens' Input.

Charlie Gaines, 24 Brookhaven, came forward to express his concern with Item #8 (Law Enforcement Services Agreement). There is a major problem with vandalism at Brockdale and Highland Parks. There is a lot of crime that is happening that Council is not aware. Mr. Gaines is asking that the Deputy work some night shifts. Perhaps it is time to hire another deputy with the upcoming developments. Mr. Gaines stated that the Council should absolutely give a no vote for the sewer issues. There are other options for the developments to obtain sewer.

Brenda Rizos, 1200 N. Winningkoff, wanted to speak to Item #10 (wastewater treatment issues for the new development). The City has worked hard to keep sewer from our community. There are several options that are being proposed. There are other options that the developer could consider: one acre lots; go to the City of Wylie; or, build their own packet treatment plant. This is the developer's problem, not the City of Lucas.

## Community Interest

### 2) Items of Community Interest.

Councilmember Debbie Fisher stated that even though there has been some recent rains, be aware of the current restrictions with water usage are still in effect.

## Public Hearings

### 3) Public Hearing/Discuss and Consider an application request by Murphy Oil for a site plan for the operation of a Refueling Station and convenience store. The property to be considered is located in Collin County, Texas, and described as follows: ABS A0821 William Snider Survey, Tract 32, 6.47 acres, more commonly known as the Sterling property adjacent to Angel Parkway, just north of the existing Wal-Mart.

Development Services Director Joe Hilbourn came forward to review the application with the City Council.

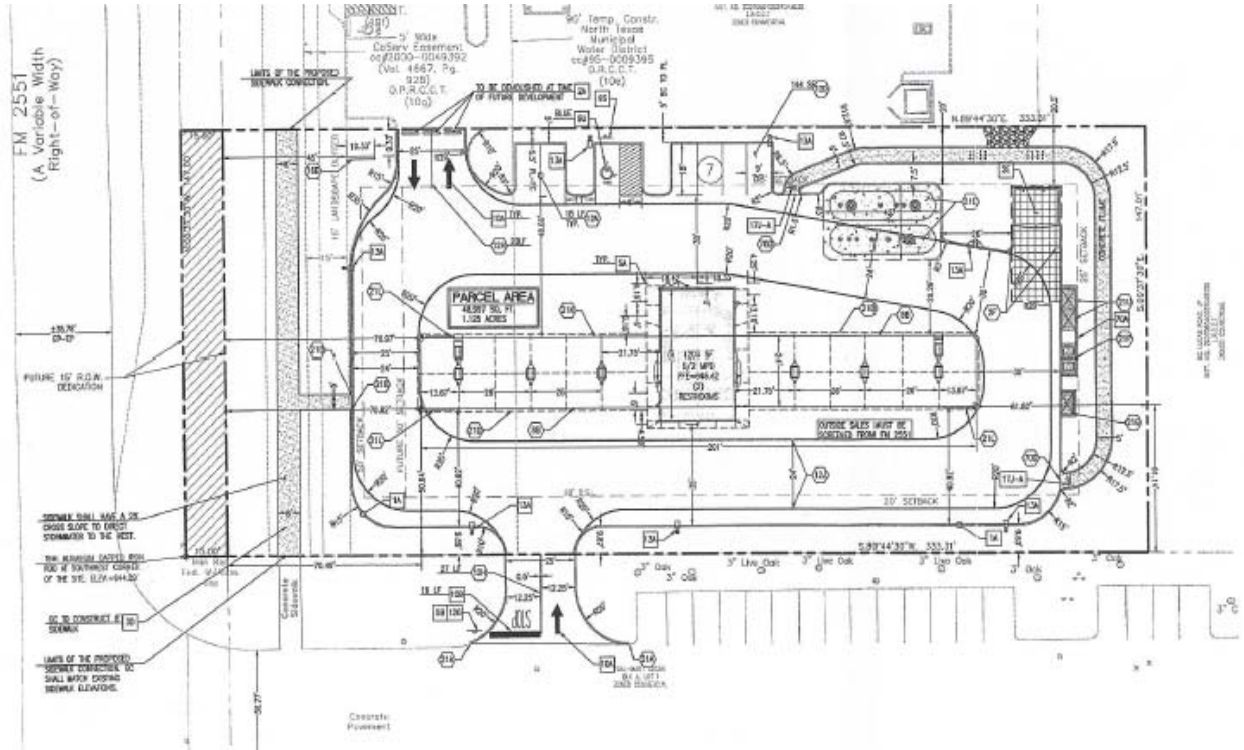
Yezenia Ortiz, has submitted an application on behalf of Murphy Oil, for a Site Plan for a refueling station in the Commercial Business District adjacent to Angel Parkway and just to the North of the Existing Wal-Mart.

The property is more formally known as ABS A0821 William Snider Survey, Tract 32, 6.47 acres.

#### Facts:

- Site size 51,183 square feet plus or minus, minimum permitted CB zone 30,000 square feet.
- Parking required 6 spaces, 7 are shown.
- Maximum impervious coverage allowed 75%, amount of impervious cover less than 60%.
- The site has an approved SUP; the site plan incorporates the required elements from the approval.
- 17J-A is the water quality filtration system
- No propane refilling equipment shown on site

Site Plan:



Staff recommends approval as presented.

The Public Hearing was opened at 7:12 p.m.

Dina Daulat, 415 Pennington, does not wish to speak but is opposed to this project.

Anand Daulat, 425 Pennington, stated that since Wal-Mart came there is runoff on his lot. Mr. Daulat does not wish to have the extra noise and traffic that comes from a gas station and convenience store.

Janak Daulat, 415 Pennington, stated that previously Council rejected this proposal. There is a gas station within 2 miles, now there is a convenience store added to this project. Mr. Daulat is opposed to this project.

Alissa Daulat, 425 Pennington Drive, is concerned with the gas station. When Mrs. Daulat first moved to Lucas the area was so peaceful now with the development in her back yard it is disappointing. The gas station and convenience store will really disturb the peacefulness of the neighborhood.

Wayne Gibson, Murphy Oil Representative, 422 N. Washington, El Dorado, AR came forward and stated that Murphy Oil has complied with the all the rules,

regulations, and requests set forth by the City. Mr. Gibson went on to thank Council and Staff for their willingness to work with Murphy Oil.

Yezenia Ortiz, Engineer for Murphy Oil, 1433 W. Peachtree St., Atlanta, GA came forward to speak. Ms. Ortiz stated that Murphy Oil is willing to meet with the residents, who have shown concern tonight, to address any of their concerns.

Frank Prokop, 1890 Sawmill Drive, asked if Mr. Gibson wished to correct his statement that the nearest gas station is 2 miles. There is a 7-11 on McDermott which is only about one mile.

The Public Hearing was closed at 7:22 p.m.

This area was first designated or zoned as commercial in 1981. Council requested that a screening be provided behind the development so as to buffer from the residents. There is 600 feet to the nearest home. This development meets all the City's requirements for site plan approval.

**MOTION:** Mayor Pro Tem Kathleen Peele made a Motion to approve request by Murphy Oil for a site plan for the operation of a Refueling Station and convenience store. The property to be considered is located in Collin County, Texas, and described as follows: ABS A0821 William Snider Survey, Tract 32, 6.47 acres, more commonly known as the Sterling property adjacent to Angel Parkway, just north of the existing Wal-Mart. Councilmember Jim Olk seconded the Motion and thanked Murphy Oil for addressing all the City's concerns. Motion carried. Vote: 7-0.

- 4) Public Hearing/Discuss and Consider the approval of **Ordinance # 2013-07-00760** of the City of Lucas, Texas, concerning an amendment to the City of Lucas' Code of Ordinance Chapter 14 "Definition" by adding definitions for a drive-through, drive-thrus, drive-in, and drive-up.

One change to the ordinance was discussed, add "product or service" throughout the definitions.

The Public Hearing was opened at 7:31 p.m.

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

The Public Hearing was closed at 7:31 p.m.

**MOTION:** Councilmember Jim Olk made a Motion to approve **Ordinance # 2013-07-00760** of the City of Lucas, Texas, concerning an amendment to the City of Lucas' Code of Ordinance Chapter 14 "Definition" by adding definitions for a drive-through, drive-thrus, drive-in, and drive-up with a

correction to add “product or service”. Councilmember Philip Lawrence seconded the Motion. Motion carried. Vote: 7-0.

- 5) Public Hearing/Discuss and Consider the approval of **Ordinance # 2013-07-00761** of the City of Lucas, Texas, concerning an amendment to the City of Lucas’ Code of Ordinances Chapter 14 “Zoning”; Article 14.03 “Districts”; Division 7 regarding the Commercial Business District (CB) by amending Section 14.03.353, Development Regulations subsection (9) to read as follows: Impervious Coverage, the maximum impervious coverage shall not exceed sixty-five percent (65%) of the total lot area, exclusive of green space permitted in the Commercial Business District (CB).

One change is to be made to the proposed ordinance, remove “exclusive of green space” to (9) Impervious coverage.

The Public Hearing was opened at 7:39 p.m.

Tim Baney, 1865 Shady Lane, came forward to speak to the paver discussion held by the Council. The City should not allow pavers to be used as it is not an impervious materials.

The Public Hearing was closed at 7:41 p.m.

**MOTION:** Councilmember Jim Olk made a Motion to approve **Ordinance # 2013-07-00761** of the City of Lucas, Texas, concerning an amendment to the City of Lucas’ Code of Ordinances Chapter 14 “Zoning”; Article 14.03 “Districts”; Division 7 regarding the Commercial Business District (CB) by amending Section 14.03.353, Development Regulations subsection (9) to read as follows: Impervious Coverage, the maximum impervious coverage shall not exceed sixty-five percent (65%) of the total lot area. Mayor Pro Tem Kathleen Peele seconded the Motion. Motion carried. Vote: 7-0.

## Regular Agenda

- 6) Discuss and Consider the approval of a landscape plan for Murphy Oil to operate a Refueling Station and convenience store. The property to be considered is located in Collin County, Texas, and described as follows: ABS A0821 William Snider Survey, Tract 32, 6.47 acres, more commonly known as the Sterling property adjacent to Angel Parkway, just north of the existing Wal-Mart. **[Hilbourn]**

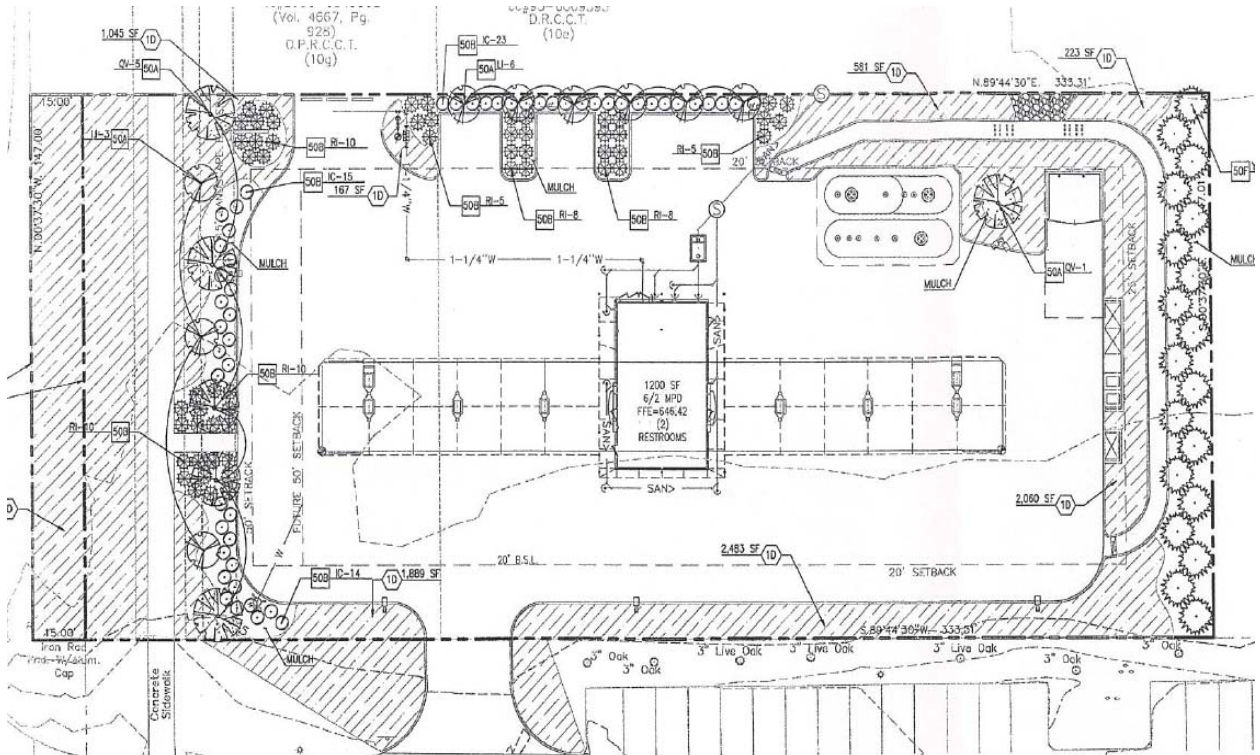
Yezenia Ortiz, has submitted an application on behalf of Murphy Oil, for a Landscape plan for a refueling station in the Commercial Business district adjacent to Angel Parkway and just to the North of the existing Wal-Mart. The property is more formally known as ABS A0821 William Snider Survey, Tract 32, 6.47 acres.



Facts:

- Minimum landscape required is 15 % with 5% interior landscape, and 25% green space.
- Shown is 34% green space, 20% landscape, and 5% interior parking.
- Parking is required to be buffered with trees and bushes, 1 tree for every 20 lineal feet and 8 bushes for every 20 lineal feet, shown is 6 trees and 32 bushes for 70 lineal feet.
- The landscape plan also incorporates design features to match the requirements placed on the SUP, enclosed storage, tree buffer at the rear of the property, and species of trees.

Landscape Plan:



**MOTION:** Councilmember Wayne Millsap made a Motion to approve the landscape plan for Murphy Oil to operate a Refueling Station and convenience store. The property to be considered is located in Collin County, Texas, and described as follows: ABS A0821 William Snider Survey, Tract 32, 6.47 acres, more commonly known as the Sterling property adjacent to Angel Parkway, just north of the existing Wal-Mart. Councilmember Philip Lawrence seconded the Motion. Motion carried. Vote: 7-0.

Item 10 was discussed at this time.

- 7) Discuss and Consider the approval of an Advance Funding Agreement between the City of Lucas and Texas Department of Transportation (TxDot) for the widening from a two-lane street to a three/four lane divided street to include traffic signal modifications at FM 2551 and FM 1378 on West Lucas Road from FM 2551 to FM 1378. **[Foerster]**

Public Works Director Stanton Foerster come forward to explain that RTR funds come from tolls from Hwy 121. Two (2) years ago the City was asked to identify projects and submit them to Collin County for consideration of using RTR funds.

Public Works Director Stanton Foerster says that Council could use the same roadway design that is going in front of the middle school on W. Lucas Road to Angel Parkway, or another could be created. This project would also allow the City to solve drainage issues along W. Lucas Road. According to the agreement, the City would pay \$55K, the County will pay \$245K, and the RTR funds would pay \$1.2M

Councilmember Wayne Millsap asked if these funds could be rerouted to other roadways, Public Works Director Stanton Foerster answered no. The projects were identified and submitted two (2) years ago.

Mayor Pro Tem Kathleen Peele stated that she does not want a four lane thoroughfare along that roadway.

Councilmember Jim Olk asked if the City could request turn lanes as certain areas of the road and not the entire length of the road. Public Works Director Stanton Foerster said Council would approve the design so could have turn lanes anywhere along the roadway.

Public Works Director Stanton Foerster said that this is a standard TxDot agreement. Council should place confidence in that Staff will design a schematic for what is best for the City.

Mayor Pro Tem Kathleen Peele stated that the contract appears that the City is paying \$300K. Mayor Pro Tem Kathleen Peele says she needs to see the design and the County commitment for paying their portion.

Councilmember Wayne Millsap says that the contract only gives the City the option to improve the roadway.

The City would be in control of the design and construction. Staff does not anticipate any easements that would be need to be acquired.

Monies for the project can be paid out of the impact fees. This agreement is the first step in the conversation, an interlocal agreement with Collin County will be done to obtain their commitment to provide \$245K for the project.

**MOTION:** Councilmember Wayne Millsap made a Motion to approve Advance Funding Agreement between the City of Lucas and Texas Department of Transportation (TxDot) for the widening from a two-lane street to a three/four lane divided street to include traffic signal modifications at FM 2551 and FM 1378 on West Lucas Road from FM 2551 to FM 1378. Councilmember Jim Olk seconded the Motion. Motion carried. Vote: 7-0

- 8) Discuss and Consider the approval of an Interlocal Agreement between the City of Lucas and Collin County concerning law enforcement services. **[Jenkins]**

This is the base contract used in the past with a few exceptions: the City agrees to purchase a new vehicle in an amount of \$45,300; the operations would increase to \$7,000, and \$77,827 for deputy salary increase.

Mayor Pro Tem Kathleen Peele wished to ask for the flexibility to set the days and time that the deputy. City Manager Jeff Jenkins said that Collin County has always been accommodating if the City should have some desire to change the deputy's schedule.

**MOTION:** Councilmember Jim Olk made a Motion to approve Interlocal Agreement between the City of Lucas and Collin County concerning law enforcement services. Councilmember Philip Lawrence seconded the Motion. Motion carried. Vote: 7-0.

- 9) Discuss and Consider the approval of Amendment No. Eight (8) of an Interlocal Agreement between the City of Lucas and Collin County concerning jail services. **[Jenkins]**

**MOTION:** Councilmember Wayne Millsap made a Motion to approve Amendment No. Eight (8) of an Interlocal Agreement between the City of Lucas and Collin County concerning jail services. Councilmember Debbie Fisher seconded the Motion. Motion carried. Vote: 7-0.

- 10) Discuss and Consider wastewater treatment issues for the new Huffines development, Seis Lagos, and proposed Brockdale development. **[Jenkins]**

City Manager Jeff Jenkins reported that a few weeks back Huffines Development, Seis Lagos, and the proposed Brockdale Development met with the Mayor and Staff to get input on how the city would receive requests for wastewater treatment needed for future developments.

Some of the options presented at the meeting included:

Option 1: Package Plant at the Huffines Development and Seis Lagos would do a package plant or upgrades to their existing system.

Option 2: Utilize the commercial line that the City of Lucas has in place. In order to do this option the line would have to be upgraded in size and the City would be asked to participate in the cost of the upgrade.

Option 3: Create a line from Huffines Development north to the Wilson Creek Plant. This option would require easements across privately owned property.

The City did indicate at the meeting that there were some concerns but agreed to take this item to Council for discussion.

The Mayor stated that this was not an official request but more an informational meeting.

Tom Redman, 1930 Mary Lee Lane, came forward to speak. Mr. Redman wanted to voice his opposition to any further involvement with sewer in the City of Lucas. This would put a burden upon the citizens. Mr. Redman asked that Council give this no further consideration.

Tim Baney, 1865 Shady Lane, came forward and said that he agreed with Mr. Redman. These developers would be good neighbors by following the Comprehensive Plan of the City. Council should just walk away.

Mayor Pro Tem Kathleen Peele stated that the sewer line on the Hunt property was designed for the commercial area only. The three developments could combine and build their own package plant. Mayor Pro Tem Kathleen Peele agrees with Mr. Redman and Council should not consider this, this is not the right thing for the citizens.

Councilmember Debbie Fisher said that the package plant has already been approved by the State. It appears that NTMWD does not want this plant. Councilmember Fisher says that Lucas is not part of this problem and the Council should not consider any option.

Councilmember Philip Lawrence stated that it is not the problem of the City and he has no intention of making this a problem for the citizens. Councilmember Lawrence's position on sewer is no sewer.

Councilmember Steve Duke agrees with the statements thus far.

Councilmember Jim Olk says that if this is a forced main there is no reason for this to cross the City of Lucas at all. This is not the City's issue, there is no benefit whatsoever for the City.

Councilmember Wayne Millsap agrees that there is no benefit for the City. There is no reason for the City to accommodate this development.

Mayor Rebecca Mark is adamantly opposed to this. One of the benefits to the City that was mentioned in the meeting was cost sharing to upgrade the line, which the City does not want or need. Mayor Mark is opposed to eminent domain being used for something such as this.

**DIRECTIVE:** The City Manager and City Attorney will draft a letter that the City is not interested in any option.

11) Discuss and Consider the seating arrangement of the City Council. **[Peele]**

Mayor Pro Tem Kathleen Peele stated that Council is elected at members at-large. Mayor Pro Tem Kathleen Peele said that she would like to mix up the seating a bit to perhaps change the dynamic of Council. Mayor Pro Tem Kathleen Peele asked to be seated next to the Mayor and City Attorney so as to be privileged to those conversations.

Councilmember Debbie Fisher agreed that the Mayor Pro Tem should be seated next to the Mayor.

Councilmember Wayne Millsap said that the seat order in most cities are done by seat number.

Councilmember Jim Olk stated that it makes no difference to him where he sits.

**MOTION:** Councilmember Jim Olk made a Motion to allow the Mayor to make decision and seating assignments. Mayor Pro Tem Kathleen Peele seconded the Motion. Motion carried. Vote: 7-0.

12) Adjournment.

**MOTION:** Councilmember Wayne Millsap made a Motion to adjourn the meeting at 8:55 p.m. Councilmember Philip Lawrence seconded the Motion. Motion carried. Vote: 7-0.

These minutes were approved by a majority vote of the City Council on August 1, 2013.

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Rebecca Mark  
Mayor

ATTEST:

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Kathy Wingo, TRMC, MMC  
City Secretary



**City Council  
Budget Workshop Meeting  
July 23, 2013, at 6:00 PM  
City Hall - 665 Country Club Road  
Minutes**

**Call to Order**

Mayor Rebecca Mark called the meeting to order at 6:09 p.m.

Present:

Mayor Rebecca Mark  
Councilmember Wayne Millsap  
Councilmember Steve Duke  
Councilmember Debbie Fisher  
City Manager Jeff Jenkins  
Fire Chief Jim Kitchens  
Finance Manager Liz Exum

Mayor Pro Tem Kathleen Peele  
Councilmember Jim Olk (absent)  
Councilmember Philip Lawrence  
City Secretary Kathy Wingo  
Public Works Director Stanton Foerster  
Admin Assistant Jennifer Faircloth  
Development Services Director Joe Hilbourn

It was determined that a Quorum was present.  
Everyone was reminded to turn off or silence cell phones.

**Regular Agenda**

- 1) Discuss and Consider the approval of changing the date for the 2013 Founder's Day Event to Saturday, October 12<sup>th</sup>. **[Hilbourn]**

City Secretary Kathy Wingo presented this item for Council consideration.

City Secretary Kathy Wingo stated that with the proposed Local Option Election that is scheduled to be held in November is the reason that Council is asked to consider changing the date for the 2013 Founder's Day Event. Upon hearing from several councilmembers who expressed concerns with changing the date, City Secretary Kathy Wingo contacted the Collin County Elections Office to see what, if anything, could be done so as to allow the city's event not to be rescheduled.

Collin County will conduct the election, with Early Voting to begin on Monday, October 21<sup>st</sup>. However, the Early Voting polling location scheduled to be here at City Hall will not occur until Monday, October 28<sup>th</sup> through Friday, November 1<sup>st</sup>, 7 AM to 7 PM. This will allow for use of Council Chambers for the 2013 Founder's Day Event. However, the City will be required to pay Collin County Elections personnel overtime on Sunday, October 27<sup>th</sup> to set up the voting equipment.

Staff asked that Council consider not changing the date for the 2013 Founder's Day Event, but keep the original date of Saturday, October 26<sup>th</sup>.

**MOTION:** Councilmember Debbie Fisher made a Motion to keep the 26<sup>th</sup> of October as the date for the City of Lucas' Founder's Day. Mayor Pro Tem Kathleen Peele seconded the Motion. Motion carried. Vote: 6-0.

- 2) Discuss and Consider presentations made by City Staff concerning the proposed Budget for Fiscal Year 2013-2014.

A copy of the City Staff presentation is attached as "Exhibit A" and becomes apart of these minutes.

City Staff presented departmental requests to be considered in the proposed Budget for Fiscal Year 2013-2014.

- 3) Adjournment.

**MOTION:** Councilmember Steve Duke made a Motion to adjourn the meeting at 8:41 p.m. Councilmember Wayne Millsap seconded the Motion. Motion carried. Vote: 6-0.

These minutes were approved by a majority vote of the City Council on August 1, 2013.

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Rebecca Mark  
Mayor

ATTEST:

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Kathy Wingo, TRMC, MMC  
City Secretary



# EXHIBIT A

# Budget Workshop FY 2013–2014



City of Lucas



## Budget Workshop Introductions:

- I. Goal is to discuss an overview of changes to current/future programs, capital improvements, equipment and personnel needs.
- II. Workshop provides guidance and direction to City Manager and Finance Director, regarding Council budget priorities.
- III. During Workshop, staff members will present their requested priorities for this years budget and provide a review of changes already approved by previous actions.
- IV. Based on these discussions City Manager and Finance Director will complete next budget draft.

# Finance Department FY 2013–2014



City of Lucas

## General Fund FY 14 Estimates

FY 14 Preliminary Revenues \$3,576,418

FY 14 Preliminary Expenses (\$3,515,138)

Difference \$61,280

## GF Departmental Capital Items Request

### Public Works:

▶ Replacement Vehicle for 2000 Chevy Pickup	\$31,000
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### Parks:

▶ Top Dresser Equipment	\$9,000
▶ Materials to treat 3 parks	\$10,000

### Fire Dept:

▶ New and used ambulances, life pac, and stretcher(lease)	\$66,750
▶ Computer Hardware	\$19,600
▶ Radios for ambulances	\$25,000

### Non Departmental:

▶ Replacement Vehicle Collin County Deputy	\$45,300
▶ Software upgrades	\$7,400
▶ Hardware computer replacements	<u>\$10,400</u>

TOTAL	\$224,450
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## Water Fund FY 14 Estimates

FY 14 Preliminary Revenue	\$3,225,600
FY 14 Preliminary Expense	(\$2,633,410)
FY 14 Prelim Exp- WF Debt Service	<u>(\$533,220)</u>
Difference	\$58,970

## Water Fund Capital Items Request

Replacement truck for F150 Ford \$33,000

Total \$33,000

## Projected Unrestricted Cash Balance as of 9-30-14

Prior to GASB 54 Fund Balance Policy Requirements:

General Fund: \$4,514,608 15.6 months

Water Fund: \$3,919,244 16.8 months

After GASB 54 Fund Balance Policy Requirements:

General Fund: \$2,757,039 9.6 months

Water Fund: \$2,499,203 10.7 months

## Capital Fund FY 14 Estimates

Water Fund:	
2011 CO Funds	\$1,284,882
FY 14 Impact Fees	\$150,000
Transfer Reserves for Water project	<u>\$23,451</u>
<b>Total Water Project Funding</b>	<b>\$1,458,333</b>
General Fund:	
2011 CO Funds	\$277,000
RTR Funds	\$1,258,247
County Funds	\$244,000
Impact Fees	<u>\$27,753</u>
<b>Total General Fund Project Funding</b>	<b>\$1,807,000</b>

## Capital Improvement Projects:

Water Fund:	
Stinson Water Line	<u>\$1,458,333</u>
<b>Total Water Fund Capital Projects</b>	<b>\$1,458,333</b>
General Fund:	
Fire Dept. Addition Design	\$277,000
W Lucas CC Intersection RTR	\$30,000
W Lucas FM 2551 /FM 1378 RTR	<u>\$1,500,000</u>
<b>Total General Fund Capital Projects</b>	<b>\$1,807,000</b>

# Law Enforcement FY 2013–2014



City of Lucas

## Law Enforcement

- ▶ Lucas has contracted with the Collin County Sheriff's Office since 2002
- ▶ CCSO provides one full-time Deputy, salary and O/H paid by the City of Lucas
- ▶ CCSO provides coverage when the Lucas Deputy is off
- ▶ Current contract renewed through September 30, 2017
- ▶ City will pay \$84,827 year for deputy salary and vehicle maintenance, this year an additional \$45,300 will be charged to cover the vehicle cost

## What Else does Lucas get?

- ▶ Patrol when Lucas Deputy is off, back-up when he is on
- ▶ Traffic Unit (Motorcycles)
- ▶ Incident Command/Special Events
- ▶ Lake Patrol
- ▶ K-9
- ▶ Criminal Investigations
- ▶ Crime Scene Investigations
- ▶ Special Operations (Narcotics, Vice, Etc)
- ▶ Child Abuse Task Force
- ▶ Auto Theft Task Force
- ▶ Crime Prevention
- ▶ Intelligence
- ▶ Environmental Crimes
- ▶ Weights & License
- ▶ School Resource Officer in Lovejoy ISD
- ▶ Tactical Team
- ▶ Negotiation Team
- ▶ Dive Team
- ▶ Reserve Deputies
- ▶ Citizens on Patrol (COP) Program
- ▶ Citizen's Sheriff's Academy Program
- ▶ Law Enforcement Explorer Program
- ▶ Dispatch
- ▶ Warrant Service
- ▶ Jail (Class C)
- ▶ Sex Offender Registry

## Crime Statistics from area cities before and after local options

	Murder	Rape	Robbery	Ag. Assault	Burglary	Larceny	Auto Theft	Total	Rate per 100,000
Sanger 2006	1	6	1	6	48	156	10	228	3,489
Population 6,534									
B&W 11/7/2006									
Sanger 2007	0	2	0	11	24	118	11	166	2,245
Population 7,391									
Argyle 2007									
Population 3,291	0	0	0	0	6	20	0	26	790
B&W Mixed Bev. 11/7/2006									
Argyle 2008	0	1	0	2	9	24	3	39	1,099
Population 3,548									
Greenville 2008	0	17	73	174	398	981	111	1754	6,775
Population 25,886									
B&W + Mixed Bev. 11/04/2008									
Greenville 2009	1	10	43	140	270	891	52	1407	5,439
Population 25,865									
Princeton 2008	0	5	3	11	36	120	4	179	2,948
Population 6,072									
B&W 5/09/2009									
Princeton 2009	0	10	0	8	32	91	2	143	2,193
Population 6,519									
Princeton 2010	0	4	0	8	48	104	6	170	2,458
Population 6,916									



## Continued

	Murder	Rape	Robbery	Ag. Assault	Burglary	Larceny	Auto Theft	Total	Rater per 100,000
Lavon 2010	0	0	0	5	9	26	0	40	1,802
Population 2,219									
B&W 11/02/2010									
Lavon 2011	0	0	0	0	6	11	1	18	794
Population 2,266									
Celina 2010	0	3	0	3	22	53	2	83	1,357
Population 6,115									
B&W Mixed Bev. 11/02/2010									
Celina 2011	0	0	0	2	26	55	3	86	1,397
Population 6,155									
Lucas 2010	0	0	0	3	15	16	2	36	705
Population 5,100									
Lucas 2012									
Population	0	0	0	2	13	34	5	54	990

Notes: UCR only shows the 7 types of crime reported above and not DWIs. Greenville PD reported 75 DWIs in 2008 and 88 in 2009. Argyle Chief noted no changes in DWIs.

## Recommendation For 2013-2014

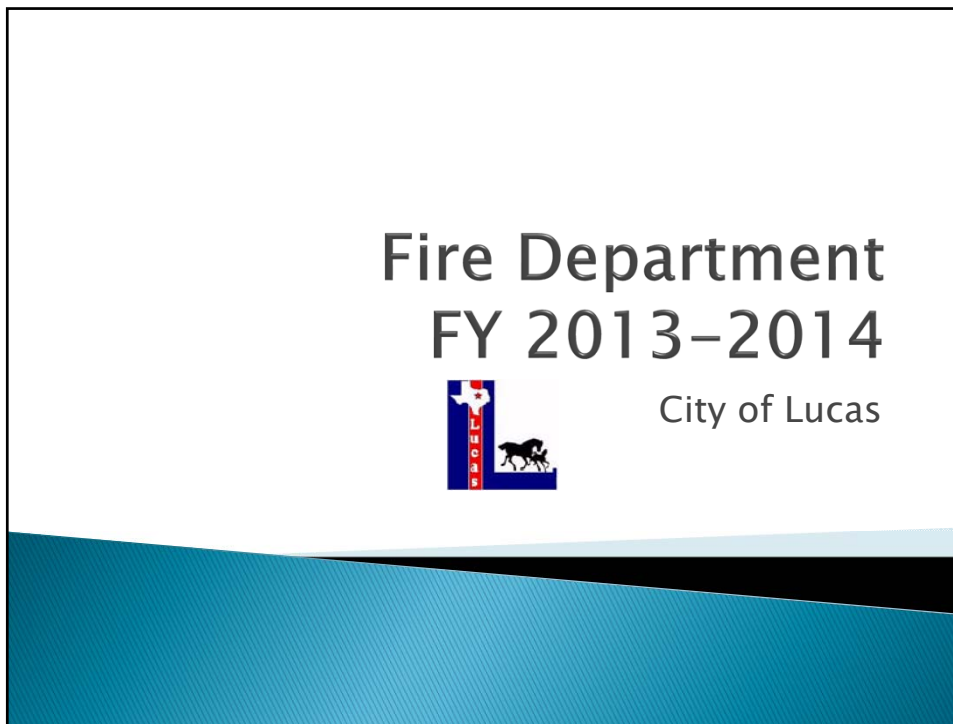
Major/City Manager to continue to monitor call data for possible significant changes

Maintain services at current level, and if call data show significant changes, then we can consider adding additional hours or a future contract amendment

# Fire Department FY 2013-2014



City of Lucas





## EMS Proposal Personnel Expenses





		TCFP Firefighter Paramedic
<b>Base Salary</b>		\$ 47,500.00
<b>Medicare</b>	1.45%	\$ 688.75
<b>TMRS</b>	6.82%	\$ 3,239.50
<b>Longevity</b>	48.00	\$ 48.00
<b>Insurance</b>	6720.00	\$ 6,469.08
<b>Aflac</b>	300.00	\$ 300.00
<b>ST Disability</b>	250.00	\$ 236.77
<b>Workers Comp</b>		\$ 1,092.39
<b>Total</b>		<b>\$ 59,574.49</b>




## EMS Proposal Personnel Expenses

Seven Firefighter/Paramedics	\$417,022.00
Overtime Salaries	\$20,000.00
<b>Total</b>	<b>\$437,022.00</b>





## EMS Proposal Capitol Expenses

New Ambulance	\$250,000.00
Used Ambulance	\$50,000.00
Life Pac 15	\$48,000.00
Stretcher	\$18,000.00
<b>Total</b>	<b>\$366,000.00</b>




## EMS Proposal Leasing Options




\$375,000.00



6 Years	\$66,748.55
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## EMS Proposal Annual Expenses





Fuel	\$4,000.00
Med Oversight/CE	\$48,000.00
Liability Insurance	\$400.00
Vehicle Insurance	\$750.00
Errors and Omissions	\$900.00
Supplies	\$20,000.00
Maintenance	\$1,000.00
<b>Total</b>	<b>\$75,050.00</b>


## Computer Hardware

Replace two older PCs	\$2,000.00
Toughbook for Ambulance	\$3,200.00
Computer Mounts	\$2,000.00
Rocket Data Modem for Ambulance	\$3,300.00
Fire Department Server Replacement	\$9,100.00
<b>Total</b>	<b>\$19,600.00</b>





## Radios

Two Mobile Radios for Ambulances	\$13,000.00
Two Portable Radios for Ambulance Crew	\$12,000.00
<b>Total</b>	<b>\$25,000.00</b>



## Miscellaneous Equipment



Blitzfire Monitor	\$3,800.00
Jackets for CERT members	\$3,600.00
Total	\$7,400.00

# Development Services FY 2013–2014



City of Lucas

## Residential and Non-Residential Permit History since 2006

2006/2007 Single Family Homes 57  
 Commercial Projects 1 (Little Harts)  
 2007/2008 Single Family Homes 51  
 Commercial Projects 2 (Hart, and Lovejoy High Schools)  
 2008/2009 Single Family Homes 47  
 Commercial Projects 1 (Holloway)  
 2009/2010 Single Family Homes 69  
 Commercial Projects 0  
 2010/2011 Single Family Homes 91  
 Commercial Projects 0  
 2011/2012 Single Family Homes 90  
 Commercial Projects 3 (Self Storage Osage, Village  
 Center, Wal-Mart)  
 2012/2013 Single Family Homes 72 to date  
 Commercial Projects 2 (KWIK, Osage Self Storage)

## Developments added since 2005

	Proposed Subdivision Name	# of Projected Lots	Built Out Lots	Lots Remaining	Zoning
1	Amherst	31	31	0	R-1
2	Belmont	19	7	12	R-2
3	Broadmoor	34	1	33	R-2
4	Brockdale Park	43	0	43	ETJ
5	Cimarron phase 1	25	25	0	ETJ
6	Cimarron phase 2	8	7	1	R-2
7	Claremont Springs phase 1	51	50	1	R-1 & ETJ
8	Claremont Springs phase 2	37	35	2	R-1
9	Creeks of Forest Grove	18	6	12	R-2
10	Eastlake Estates	5	2	3	R-2
11	Edgewood	49	45	4	ETJ
12	Estates of Forest Grove	10	1	9	R-2
13	Fox Glen	11	9	2	R-1
14	Monte Carlo Estates	5	3	2	R-2
15	Ranch at Pecan Grove	15	10	5	R-1.5
16	The Reserve	20	20	0	R-1
17	Rockland Farms phase 1	38	34	4	R-1.5
18	Rockland Farms phase 2	34	29	5	R-2
19	Stinson Highlands phase 1	44	18	26	R-1
20	Wolf Creek Phase 1	33	33	0	R-1
21	Wolf Creek Phase 2	27	26	1	R-1
	Total	557	392	165	
	Seis Lagos	non city water	406	26	ETJ

## Platted lots, or close to platting

Platted or close to platting sub-division expected to start in future.

	Proposed Name of Sub-Division	# of Projected Lots	Zoning	City Water	Non-City Water
1	Brock Dale Park	163	ETJ	0	163
2	East Lucas	3	R-2	3	
3	East Lucas	8	R-2	8	
4	Forest Grove Rd 50 Acres	28	R-2	28	0
5	Huffine/Inspiration	1000 (1406 total)	ETJ	0	1406
6	Hunt Properties	125	R-1	125	
7	Lakeview Downs	116	ETJ	116	0
8	Stinson Highlands	79	ETJ & R-1.5	79	0
9	Todd Downing	18	AG to R-1.5	18	0
10	87 acres Stinson	44	R-1.5 & R-2	44	0
11	46 acres stinson	25	R-1.5	25	0
12	30 acres Stinson	24	ETJ	24	
13	Cameron Estates	14	R-2	14	0
	Total	2053		484	1569

## Projected 2013/2014

- ▶ Single Family homes      103
- ▶ Commercial projects      3
- ▶ Schools                      1 (Lucas Christian Academy)
  
- ▶  $88 \times \$2,600 = 228,000 - 20\% =$       \$190,000
- ▶  $3 \times \$3,000 = 9,000 - 20\% =$       \$7,200
- ▶  $1 \times \$17,800 =$       \$17,800



## Population Estimates

2012	5,450
2013	5,750
2014	6,050

## Public Works Department FY 2013–2014



City of Lucas

## Parks Department Equipment Needs

**Item Description:** Top Dresser Turf Tiger Cub 3200

**Estimated Cost:** \$9,000

**Justification:** The top dresser is designed to apply all kinds of bulk material with precision, power, and speed. This commercial top dresser is ideal for spreading material (sand, fertilizer, etc.) on sports fields and parks. This equipment is the second stage in maintaining the sodded areas. The first state is the aeration; the aeration equipment was purchased two years ago.



## Truck Replacement Schedule

- ▶ Public Works 2000 Chevrolet Pickup to be traded-in as part of the purchase of a new pickup (\$31,000).



## Truck Replacement Schedule

- ▶ Public Works (Water) 2005 Ford Pickup is being replaced (\$33,000). The Ford has a trade-in value of \$1,500 to \$2,000. In lieu of trading this truck in, staff is proposing to make it a pool truck. This old truck will not be considered in future rotations.



## RTR Funding

**Regional Toll Revenue** program from the NTTA, NCTCOG, and TxDOT. The City of Lucas is involved in two projects:

1. **W Lucas Rd Turn Lanes and Paving**  
Limits: Country Club Rd to Angel Pkwy  
Cost: \$1,500,000  
Funding: RTR \$1,200,000  
Other \$245,000  
City of Lucas \$55,000
2. **W Lucas Rd/Country Club Rd Intersection**  
Cost: \$550,000  
Funding: RTR \$440,000  
City of Lucas \$110,000

## Stinson 12" Waterline Project

Project Total: \$1,618,234

\$75,120 FY 11-12

\$84,781 FY 12-13

\$1,458,333 FY 13-14

- ▶ Design is on hold pending alignment modifications.
- ▶ In an effort to avoid condemnation, staff as sought various routes around the last parcel needed.
- ▶ Twelve-inch waterline will help balance pressure issues.
- ▶ This is one step closer to completing the City of Lucas waterworks.

## Collin County & IESI Recycle Dumpsters

- ▶ The cost each year is \$20,000 plus the indirect man-hours.
- ▶ Weekly the Public Work staff has removed non recyclables: tires, motor oil, paint, etc.
- ▶ The City of Lucas is providing a convenience for Collin County residents but not necessarily City of Lucas residents.

## Is this the best use of old city hall property?



Are there other ways to use these funds to promote recycling?  
Should we be providing a county-wide dumpsite in Lucas?  
How do we remain committed to recycling?

## Roadway Maintenance Fund

The \$325,000 allocated for FY 13-14 is inline with the previous spending in the last five years:

- ▶ 2012-13 >>> \$634,100
- ▶ 2011-12 >>> \$823,914
- ▶ 2010-11 >>> \$549,482
- ▶ 2009-10 >>> \$374,100
- ▶ 2008-09 >>> \$440,882

8210-301 Improvements Roads and 8210-491 Cap Roadway Proj

# Legislative Services FY 2013–2014



City of Lucas

## Administration Item

Solutions for Local Control LLC contract–  
Continues through October 30,2014

Has a 60 day written notice to cancel, with  
overall yearly cost \$30,000

Thoughts on this agreement, as it has been  
included in the draft budget



## City of Lucas Council Agenda Request

Council Meeting: August 1, 2013

Requestor: Kathy Wingo

Prepared by: Kathy Wingo

Account Code #: N/A

Date Prepared: July 24, 2013

Budgeted Amount: \$ N/A

Exhibits:  Yes  No

### AGENDA SUBJECT:

Discuss and Consider the approval of **Resolution # R-2013-08-00399** to accept and approve the City Secretary's certification of the number of qualified signatures on a petition to order a local option election to legalize the sale of beer and wine for off-premise consumption only; and providing an effective date.

### RECOMMENDED ACTION:

Approve as presented.

### SUMMARY:

A petition was issued on June 11, 2013, and returned to the City Secretary on July 1, 2013 with 724 signatures.

At the time the petition was issued, the City of Lucas had 3,853 registered voters, however, the number changes daily/weekly.

The number of qualified signatures needed was 560. Out of the 724 signatures submitted, 580 were verified, more than enough for Council to call for a Special Local Option Election.

### MOTION:

I make a Motion to approve **Resolution # R-2013-08-00399** to accept and approve the City Secretary's certification of the number of qualified signatures on a petition to order a local option election to legalize the sale of beer and wine for off-premise consumption only; and providing an effective date.

APPROVED BY: \_\_\_\_\_

Initial/Date

Department Director: \_\_\_\_\_ / \_\_\_\_\_

City Manager: \_\_\_\_\_ / \_\_\_\_\_



## **RESOLUTION NO. # R-2013-08-00399**

### **[Approving Local Option Election to Legalize the Sale of Beer and Wine for Off-Premise Consumption]**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LUCAS, COLLIN COUNTY, TEXAS, ACCEPTING AND APPROVING THE CITY SECRETARY'S CERTIFICATION OF THE NUMBER OF QUALIFIED SIGNATURES ON A PETITION TO ORDER A LOCAL OPTION ELECTION TO LEGALIZE THE SALE OF BEER AND WINE FOR OFF-PREMISE CONSUMPTION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on June 11, 2013, the City of Lucas received the Application for a Petition seeking a Local Option Election to legalize the sale of beer and wine for off-premise consumption only from the Lucas Citizens for Economic Growth; and

**WHEREAS**, on July 1, 2013, the City Secretary of Lucas received the petition containing 724 signatures for the legal sale of beer and wine for off-premise consumption only; and

**WHEREAS**, pursuant to Sec. 501.032(a)(1)(A) Requirements to Order Election of the Texas Election Code, Title 17 of Chapter 501, the City is required to receive at least 560 signatures which represents 35 percent (35%) of the registered voters in the subdivision who voted in the most recent gubernatorial election, and the City received 724 signatures; and

**WHEREAS**, the City Secretary verified the number of qualified signatures that are required; and

**WHEREAS**, after duly verifying the signatures within the thirty (30) day period as required by statute, the City Secretary certifies that the petition contains 580 verified signatures that meet the statutory threshold under Chapter 501 of the Texas Election Code.

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

**SECTION 1.** The City Council accepts and approves the City Secretary's certification of the number of qualified signatures on the petition for ordering a local option election as required by Chapter 501 of the Texas Election Code.

**SECTION 2.** This Resolution shall take effect immediately upon its passage.

**DULY PASSED** by the City Council of the City of Lucas, Texas, on the 1<sup>st</sup> day of August, 2013.

**APPROVED:**

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Rebecca Mark, Mayor

**ATTEST:**

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Kathy Wingo, TRMC, MMC, City Secretary

**APPROVED AS TO FORM:**

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Joe Gorfida, City Attorney  
(JG/07-24-2013/61536)



**City of Lucas  
Council Agenda Request**

Council Meeting: August 1, 2013

Requestor: Kathy Wingo

Prepared by: Kathy Wingo

Account Code #: N/A

Date Prepared: July 24, 2013

Budgeted Amount: \$ N/A

Exhibits:  Yes     No

**AGENDA SUBJECT:**

Discuss and Consider the approval of **Ordinance # 2013-08-00762** to order a Special Election to be held on Tuesday, November 5, 2013, for the purpose of approving the legal sale of beer and wine for off-premise consumption only; designating locations of polling places; ordering notices of election to be given as prescribed by law in connection with such election; and providing an effective date.

**RECOMMENDED ACTION:**

Approve as presented.

**SUMMARY:**

See Item # 6.

**MOTION:**

I make a Motion to approve **Ordinance # 2013-08-00762** to order a Special Election to be held on Tuesday, November 5, 2013, for the purpose of approving the legal sale of beer and wine for off-premise consumption only; designating locations of polling places; ordering notices of election to be given as prescribed by law in connection with such election; and providing an effective date.

**APPROVED BY:** \_\_\_\_\_

Initial/Date

Department Director: \_\_\_\_\_ / \_\_\_\_\_  
City Manager: \_\_\_\_\_ / \_\_\_\_\_

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

**ORDINANCE # 2013-08-00762**  
**[Calling for November 5, 2013 Special Election for Beer and Wine Off-Premise Consumption Only]**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LUCAS, COLLIN COUNTY, TEXAS, ORDERING A SPECIAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2013, FOR THE PURPOSE OF APPROVING THE LEGAL SALE BEER AND WINE FOR OFF-PREMISE CONSUMPTION ONLY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Lucas has been presented with a Application for a Petition seeking a Local Option Election to legalize the sale of beer and wine for off-premise consumption only from the Lucas Citizens for Economic Growth;

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

**SECTION 1.** A Special Election is hereby ordered to be held in and throughout the City of Lucas, Texas, on Tuesday, November 5, 2013, for the purpose of approving the legal sale of beer and wine for off-premise consumption only.

The Proposition ballot language shall read:

“The legal sale of beer and wine for off-premise consumption only”.

\_\_\_ For    \_\_\_ Against

**SECTION 2.** The polling places and the county election precincts whose qualified voters shall cast ballots at such locations in the City of Lucas for the November 5, 2013 Special Election for the purpose of approving the legal sale of beer and wine for off-premise consumption only are as follows:

Polling Place	Address	City
Akin Elementary School	1100 Springwood	Wylie
Aldridge Elementary School	720 Pleasant Valley	Richardson
Allen Municipal Courts Facility	301 Century Parkway	Allen
Armstrong Middle School	3805 Timberline	Plano
Benton Staley Middle School	6927 Stadium Drive	Frisco
Blue Ridge ISD Administration Building	10688 CR 504	Blue Ridge
Bowman Middle School	2501 Jupiter Road	Plano
Boys and Girls Club - Douglass Branch	1111 H Avenue	Plano

<b>Polling Place</b>	<b>Address</b>	<b>City</b>
Brinker Elementary School	3800 Clark Parkway	Plano
Carpenter Middle School	3905 Rainier Road	Plano
Carpenter Park Recreation Center	6701 Coit Road	Plano
Celina ISD Administration Building	205 S. Colorado	Celina
Christ United Methodist Church	3101 Coit Road	Plano
Clark High School - Plano	523 Spring Creek	Plano
Clark Middle School	4600 Colby Drive	Frisco
Collin College - Higher Education Center	3452 Spur 399	McKinney
Collin College Central Park Campus	2200 University	McKinney
Collin College Preston Ridge Campus	9700 Wade Blvd.	Frisco
Collin College Spring Creek Campus	2800 Spring Creek Parkway	Plano
Collin County Elections Office	2010 Redbud Blvd, Ste. 102	McKinney
Community ISD Technology and Conference Center	615 FM 1138	Nevada
Cooper Fitness Center at Craig Ranch	7910 Collin McKinney Parkway	McKinney
Cox Elementary School	7009 Woodbridge Pkwy.	Sachse
Dr. Pepper Star Center at Craig Ranch	6993 Stars Ave.	McKinney
Eldorado Country Club	2604 Country Club Drive	McKinney
FC Dallas Stadium	9200 World Cup Way	Frisco
Fire Station #7 - McKinney	861 Independence Pkwy.	McKinney
First Baptist Church - Branch	7011 FM 546	Princeton
First Baptist Church Farmersville, Youth Building	201 Farmersville Pkwy.	Farmersville
Ford Middle School	630 Park Place Drive	Allen
Fowler Middle School	3801 McDermott Road	Plano
Hunt Middle School	4900 Legendary Drive	Frisco
Frisco Senior Center	6670 Moore Street	Frisco
Harrington Library	1501 18th Street	Plano
John and Judy Gay Library	6861 W. Eldorado Parkway	McKinney
John Q. Hammons Center - Courtyard Marriott	210 East Stacy Road	Allen
Josephine City Hall	108 West Hubbard	Josephine
Lavon City Hall	120 School Road	Lavon
Liberty High School	15250 Rolater Road	Frisco
Lovejoy ISD HS Auxiliary Gym	2350 Estates Parkway	Allen
Lowry Crossing City Hall	1405 S. Bridgefarmer Road	Lowry Crossing
Lucas City Hall	665 Country Club Road	Lucas
Maribelle Davis Library	7501 Independence Parkway	Plano
McKinney Senior Recreation Center	1400 S. College	McKinney
Melissa City Hall	3411 Barker Ave.	Melissa

<b>Polling Place</b>	<b>Address</b>	<b>City</b>
Mitchell Elementary School	4223 Briargrove	Dallas
Murphy City Hall	206 N. Murphy Road	Murphy
Old Settlers Recreation Center	1201 E. Louisiana	McKinney
Parker City Hall	5700 E. Parker Road	Parker
Parr Library	6200 Windhaven Pkwy.	Plano
PISD Administration Center	2700 W. 15th Street	Plano
Plano Senior Center	401 W. 16th Street	Plano
Princeton High School	1000 E. Princeton Drive	Princeton
Renner-Frankford Library	6400 Frankford Road	Dallas
Reynolds Middle School	700 N. Coleman	Prosper
Roach Middle School	12499 Independence Pkwy.	Frisco
Rose Haggard Elementary School	17820 Campbell Road	Dallas
Ruth Cherry Intermediate School	1400 FM 1777	Royse City
Ruth Dowell Middle School	301 Ridge Road	McKinney
Seis Lagos Community Services Association	222 Seis Lago Trail	Wylie
Shepton High School	5505 Plano Pkwy.	Plano
Stonebridge United Methodist Church	1800 S. Stonebridge Drive	McKinney
Suncreek United Methodist Church	1517 W. McDermott Drive	Allen
Texas Star Bank	402 W. White Street	Anna
Weston Community Center	117 Main Street	Weston
Woodcreek Church	3400 E. Renner Road	Richardson
Wylie Municipal Complex Library	300 Country Club	Wylie

Polling places on November 5, 2013, shall be open from 7:00 a.m. to 7:00 p.m.

**SECTION 3.** Early voting by personal appearance for the above-designated election shall be conducted at the following locations on the following dates and times. The list of early voting polling locations for this election may be expanded subject to Collin County Election Administrators' decisions to include ballots at additional locations throughout the county.

<b>COLLIN COUNTY EARLY VOTING DATES AND TIMES</b>						
<b>SUNDAY</b>	<b>MONDAY</b>	<b>TUESDAY</b>	<b>WEDNESDAY</b>	<b>THURSDAY</b>	<b>FRIDAY</b>	<b>SATURDAY</b>
<i>October 10-20</i>	<i>October 21</i> <b>Early Voting 8am to 5pm</b>	<i>October 22</i> <b>Early Voting 8am to 5pm</b>	<i>October 23</i> <b>Early Voting 8am to 5pm</b>	<i>October 24</i> <b>Early Voting 8am to 5pm</b>	<i>October 25</i> <b>Early Voting 8am to 5pm</b>	<i>October 26</i> <b>Early Voting 7am to 7pm</b>

<i>October 27</i> <b>Early Voting</b> 1pm to 6pm	<i>October 28</i> <b>Early Voting</b> 7am to 7pm	<i>October 29</i> <b>Early Voting</b> 7am to 7pm	<i>October 30</i> <b>Early Voting</b> 7am to 7pm	<i>October 31</i> <b>Early Voting</b> 7am to 7pm	<i>November 1</i> <b>Early Voting</b> 7am to 7pm	<i>November 2</i>
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<b>Polling Place</b>	<b>Address</b>	<b>City</b>
<b>Main Early Voting Location</b> Collin County Election Office	2010 Redbud Blvd. Ste 102	McKinney
Allen Municipal Courts Facility	301 Century Pkwy.	Allen
Carpenter Park Recreation Center	6701 Coit Road	Plano
Celina ISD Administration Building	205 S. Colorado	Celina
Christ United Methodist Church	3101 Coit Road	Plano
Collin College - Central Park Campus	2200 W. University Drive	McKinney
Collin College - Preston Ridge Campus	9700 Wade Blvd.	Frisco
Collin College - Spring Creek Campus	2800 E. Spring Creek Pkwy.	Plano
Collin College – Higher Education Center	3452 Spur 399	McKinney
Frisco Senior Center	6670 Moore Street	Frisco
Haggard Library	2501 Coit Road	Plano
Harrington Library	1501 18 <sup>th</sup> Street	Plano
John and Judy Gay Library	6861 W. Eldorado Parkway	McKinney
Lavon City Hall	120 School Road	Lavon
Maribelle Davis Library	7501 Independence Parkway	Plano
McKinney Fire Station #7	861 S. Independence Pkwy.	McKinney
Murphy City Hall	206 North Murphy Road	Murphy
Old Settlers Recreation Center	1201 E. Louisiana	McKinney
Parker City Hall	5700 E. Parker Rd.	Parker
Parr Library	6200 Windhaven Pkwy.	Plano
PISD Administration Center	2700 W. 15 <sup>th</sup> Street	Plano
Princeton City Hall	123 W. Princeton Drive	Princeton
Prosper Municipal Chambers	108 W. Broadway	Prosper
Renner-Frankford Library	6400 Frankford	Dallas
Wylie Municipal Complex Library	300 Country Club	Wylie

**Temporary Early Voting Locations**

Farmersville City Hall (First Week of Early Voting)

Lucas City Hall and Texas Star Bank (Open the second week of Early Voting)

Applications for ballots by mail shall be mailed to the county clerk address below and must be received no later than the close of business on Friday, October 25, 2013:

Sharon Rowe, Early Voting Clerk  
Elections Administrator  
Collin County Elections Administration  
2010 Redbud Boulevard, Suite 102  
McKinney, Texas 75069

**SECTION 4.** The Mayor, through the City Secretary is hereby authorized and directed to publish and/or post, in the time and manner prescribed by law, all notices required to be published and/or posted in connection with the conduct of this election.

**SECTION 5.** That 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

**DULY PASSED AND APPROVED BY THE CITY COUNSEL OF THE CITY OF LUCAS, COLLIN COUNTY, TEXAS, ON THIS 1<sup>st</sup> DAY OF AUGUST, 2013.**

APPROVED:

\_\_\_\_\_  
Rebecca Mark, Mayor

APPROVED AS TO FORM:

ATTEST:

\_\_\_\_\_  
Joe Gorfida, Jr., City Attorney  
(JJG/07-25-13/61544)

\_\_\_\_\_  
Kathy Wingo, TRMC, MMC, City Secretary





**City of Lucas  
Council Agenda Request**

Council Meeting: August 1, 2013

Requestor: Jeff Jenkins

Prepared by: Kathy Wingo

Account Code #: N/A

Date Prepared: \_\_\_\_\_

Budgeted Amount: \$ N/A

Exhibits:  Yes     No

**AGENDA SUBJECT:**

Discuss and Consider the proposed City of Lucas' Tax Rate for Fiscal Year 2013 – 2014.

**RECOMMENDED ACTION:**

**SUMMARY:**

This information was not available at the time the packet was assembled. The information will be made available as soon as possible.

**MOTION:**

I make a Motion...

**APPROVED BY:** \_\_\_\_\_

Initial/Date

Department Director: \_\_\_\_\_ / \_\_\_\_\_

City Manager: \_\_\_\_\_ / \_\_\_\_\_



**City of Lucas  
Council Agenda Request**

Council Meeting: August 1, 2013

Requestor: Jeff Jenkins

Prepared by: Kathy Wingo

Account Code #: N/A

Date Prepared: \_\_\_\_\_

Budgeted Amount: \$ N/A

Exhibits:  Yes     No

**AGENDA SUBJECT:**

Discussion only for the proposed City of Lucas' Budget for Fiscal Year 2013 – 2014.

**RECOMMENDED ACTION:**

**SUMMARY:**

Proposed budget will be emailed prior to the meeting.

**MOTION:**

Discussion only, no action to be taken.

**APPROVED BY:** \_\_\_\_\_

Initial/Date

Department Director: \_\_\_\_\_ / \_\_\_\_\_

City Manager: \_\_\_\_\_ / \_\_\_\_\_



# City of Lucas Council Agenda Request

Council Meeting: August 1, 2013

Requestor: \_\_\_\_\_

Prepared by: Kathy Wingo

Account Code #: N/A

Date Prepared: \_\_\_\_\_

Budgeted Amount: \$ N/A

Exhibits:  Yes  No

**AGENDA SUBJECT:**

Discuss and Consider calling for two Public Hearings regarding the Tax Rate and Fiscal Year Budget for 2013-2014.

**RECOMMENDED ACTION:**

**SUMMARY:**

1<sup>st</sup> Public Hearing should be August 15, 2013 at the City Council Meeting.

2<sup>nd</sup> Public Hearing should be September 5, 2013 at the City Council Regular Meeting.

Budget is scheduled to be presented to Council for action on September 19, 2013 at the City Council Meeting.

**MOTION:** I make a Motion call for two (2) Public Hearings for the proposed City of Lucas' Budget for Fiscal Year 2013-2014; the 1<sup>st</sup> Public Hearing is called for August 15<sup>th</sup> and the 2<sup>nd</sup> Public Hearing is called for September 5<sup>th</sup>.

**APPROVED BY:** \_\_\_\_\_

Initial/Date

Department Director: \_\_\_\_\_ / \_\_\_\_\_  
City Manager: \_\_\_\_\_ / \_\_\_\_\_



**City of Lucas  
Council Agenda Request**

Council Meeting: August 1, 2013

Requestor: Joe Hilbourn

Prepared by: Kathy Wingo

Account Code #: N/A

Date Prepared: \_\_\_\_\_

Budgeted Amount: \$ N/A

Exhibits:  Yes  No

**AGENDA SUBJECT:**

Discuss and Consider the addition of craft sales and a chili cook-off to the list of 2013 Founder's Day Events.

**RECOMMENDED ACTION:**

**SUMMARY:**

**MOTION:**

I make a Motion to.....

**APPROVED BY:** \_\_\_\_\_

Initial/Date

Department Director: \_\_\_\_\_ / \_\_\_\_\_

City Manager: \_\_\_\_\_ / \_\_\_\_\_



**City of Lucas  
Council Agenda Request**

Council Meeting: August 1, 2013

Requestor: Joe Hilbourn

Prepared by: Kathy Wingo

Account Code #: N/A

Date Prepared: \_\_\_\_\_

Budgeted Amount: \$ N/A

Exhibits:  Yes  No

**AGENDA SUBJECT:**

Discuss and Consider the approval of commercial sponsorships for the 2013 Founder's Day Event.

**RECOMMENDED ACTION:**

**SUMMARY:**

**MOTION:**

I make a Motion to.....

**APPROVED BY:** \_\_\_\_\_

Initial/Date

Department Director: \_\_\_\_\_ / \_\_\_\_\_

City Manager: \_\_\_\_\_ / \_\_\_\_\_



**City of Lucas  
Council Agenda Request**

Council Meeting: August 1, 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: \_\_\_\_\_ / \_\_\_\_\_