



**City Council Regular Meeting
February 20, 2014, 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 or (Absent):

Mayor Rebecca Mark
Councilmember Wayne Millsap
Councilmember Steve Duke
Councilmember Debbie Fisher

Mayor Pro Tem Kathleen Peele
Councilmember Jim Olk
Councilmember Philip Lawrence

Staff Present:

Interim City Manager Dan Savage City Secretary Kathy Wingo
City Attorney Joe Gorfida Development Services Director Joe Hilbourn
Public Works Director Stanton Foerster Fire Chief Jim Kitchens

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

Citizens' Input

1) Citizens' Input.

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

Community Interest

2) Items of Community Interest.

Collin County held a Mobility Plan meeting on Tuesday night, which Interim City Manager Dan Savage and Public Works Director Stanton Foerster attended. The County updates their mobility plan periodically. At the current time, there are approximately 47 local projects in the plan. Of those, the most expensive one happens to be in the City of Lucas. The reconstruction of W. Lucas Road to E. Lucas Road and then over to Branch. This is planned for the year 2020, and it is

proposed to have the local entities participate in the estimated cost, which is approximately \$30M. Interim City Manager Dan Savage is writing a letter to Collin County concerning the burden that this type participation would place on the citizens of Lucas. A copy of the letter will be provided to the Council.

Councilmember Debbie Fisher mentioned there would be a North Texas Municipal Water District (NTMWD) meeting next week which she plans to attend. As of today's date, the local area is already 3" below the normal rainfall for the year.

Regular Agenda

- 3) Discuss and Consider approval of the minutes from the February 6, 2014 City Council Regular meeting. **[Wingo]**

MOTION: Mayor Pro Tem Kathleen Peele made a Motion to approve the minutes from the February 6, 2014 City Council Regular meeting as presented. Councilmember Jim Olk seconded the Motion. Motion carried. Vote: 7-0.

- 4) Discuss and Consider the approval of a contract between the City of Lucas and Collin County Elections Administration for the purpose of providing May 10, 2014, General & Special Election Services, contract amount is approximately \$2,350. **[Wingo]**

MOTION: Councilmember Jim Olk made a Motion to approve the contract between the City of Lucas and Collin County Elections Administration for the purpose of providing May 10, 2014, General & Special Election Services, contract amount is approximately \$2,350 with the caveat that should other entities cancel elections causing the price to increase, that is approved also. Councilmember Debbie Fisher seconded the Motion. Motion carried. Vote: 7-0.

- 5) Discuss and Consider the approval of Ambulance Transport Fees for the City of Lucas Fire Department. **[Kitchens]**

Fire Chief Jim Kitchens reviewed the proposed Ambulance Transport Fees with the members of City Council.

Advanced Life Support (Resident)	\$600.00
Advanced Life Support (Non-Resident)	\$700.00
Advanced Life Support 2 (Resident)	\$700.00
Advanced Life Support 2 (Non-Resident)	\$800.00
Basic Life Support (Resident)	\$500.00
Basic Life Support (Non-Resident)	\$600.00

Plus any of the below fees that would apply:

Mileage (Per Loaded Mile) to Hospital	\$12.00
Oxygen	\$90.00
Advanced Life Support Supplies	\$250.00
Basic Life Support Supplies	\$150.00
Additional Crew Member (Resident)	\$0
Additional Crew Member (Non-Resident)	\$46.50

No action taken, these costs are included in the Master Fee Schedule (see next item).

- 6) Discuss and Consider the approval of **Resolution # R-2014-02-00411** of the City Council of the City of Lucas, Texas, adopting the Master Fee Schedule, providing a repealing clause and providing an effective date. **[Hilbourn]**

MOTION: Councilmember Debbie Fisher made a Motion to approve **Resolution # R-2014-02-00411** of the City Council of the City of Lucas, Texas, adopting the Master Fee Schedule, providing a repealing clause and providing an effective date. Councilmember Wayne Millsap seconded the Motion. Motion carried. Vote: 7-0.

- 7) Discuss and Consider the approval of an application submitted by M. Christopher Homes for an amended architectural plan for the office building located in the Village Center, 2730 Country Club, Lucas, TX. **[Hilbourn]**

Brian Reed, on behalf of M. Christopher Homes, has submitted an application for approval of an amended architectural plan for a commercial building located in the Village Center District, 2730 Country Club Road. The plan shows the replacement of two signs that do not conform to the approved architectural plan. The approved plans shows a cursive script with back lighting. The proposed sign is block lettering with a gooseneck directional light. Staff is asking for direction from Council tonight.

Mayor Rebecca Mark asked if the sign was in conformance with the city's sign ordinance other than being in the block lettering. Development Services Director Joe Hilbourn stated that it was in compliance with the sign ordinance.

MOTION: Councilmember Debbie Fisher made a Motion the original architectural plan remain the same and give staff latitude to keep the signage consistent. Councilmember Philip Lawrence seconded the Motion. Motion carried. Vote: 7-0.

- 8) Discuss and Consider the approval of **Ordinance # 2014-02-00774** of the City of Lucas, Texas, amending the Code of Ordinances by amending Chapter 3, titled "Building Regulations" by amending Article 3.15 titled "Signs" by amending Section 3.16.007 titled "Exempt Signs" by amending Subsection 3.16.007(3) to provide for amended regulations for political signs and by adding a new Section 3.16.014 titled "Electioneering at Polling Locations" to provide regulations for electioneering at

polling places located on City owned or controlled public property; providing a severability clause; providing a repealing clause; providing a savings clause; providing for a penalty of fine not to exceed the sum of five hundred dollars (\$500.00) for each offense; and providing for an effective date. **[Hilbourn]**

There have been some rather significant changes to the rules and regulations for political signage. Political signs on public property used for a polling location can only be visible for three days before and after an election. The signs cannot have an effective area greater than thirty-six (36) feet; and not more than eight (8) feet in height. Previously, the city had no restriction on political sign size or height.

It is an offense for any person to engage in electioneering on driveways and parking areas on the premises of a polling location. This restriction shall not apply to electioneering signs that are attached to vehicles that are lawfully parked at the premises of a polling location. Previously they could poll in the parking lot outside the hundred (100) foot marker.

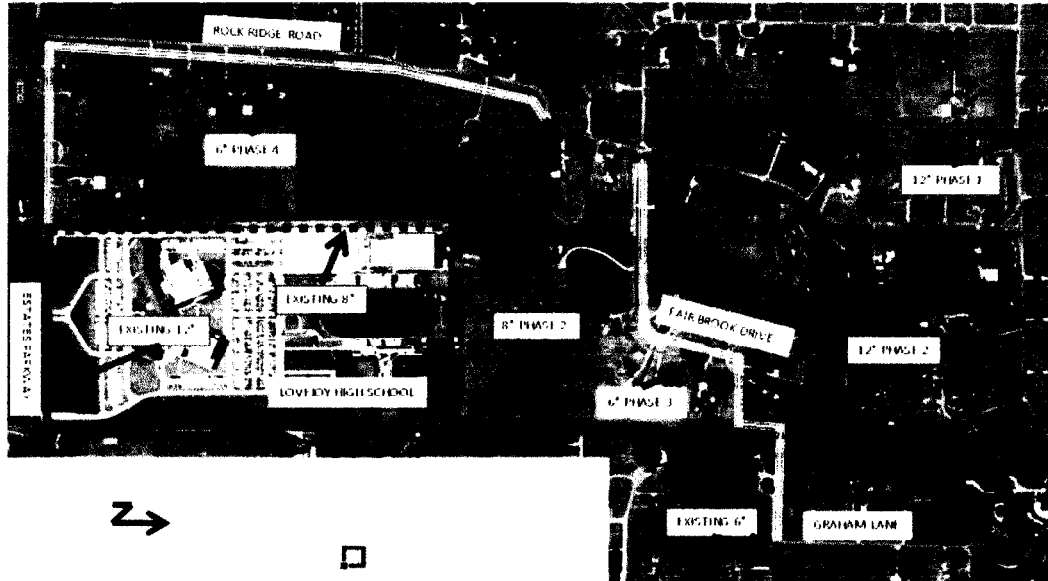
There are a few more minor changes, cannot put signs within 10' of a road, cannot attach signs to plantings, trees or poles, and cannot place in flower beds.

The majority of Council felt that any additional restrictions other than what the state required was unnecessary.

MOTION: Councilmember Jim Olk made a Motion to approve **Ordinance # 2014-02-00774** of the City of Lucas, Texas, amending the Code of Ordinances by amending Chapter 3, titled "Building Regulations" Article 3.16 titled "Signs" by amending Section 3.16.007 titled "Exempt Signs" by amending Subsection 3.16.007(3) to provide for amended regulations for political signs located on private property; providing a severability clause; providing a repealing clause; providing a savings clause; providing for a penalty of fine not to exceed the sum of five hundred dollars (\$500.00) for each offense; and providing for an effective date. Councilmember Philip Lawrence seconded the Motion. Motion carried. Vote: 7-0.

- 9) Discuss and Consider the approval of a Professional Services Agreement between the City of Lucas and BW2 Engineers, Inc. for the design of the Rock Ridge Road waterline in an amount not to exceed \$49,500 and authorize the use of Water Fund Reserves to fund the design work. **[Foerster]**

This project is for the Rock Ridge Waterline Phase 2:



The funds would come from the Water Reserve Fund in amount not to exceed \$49,500.

MOTION: Councilmember Debbie Fisher made a Motion to approve a Professional Services Agreement between the City of Lucas and BW2 Engineers, Inc. for the design of the Rock Ridge Road waterline in an amount not to exceed \$49,500 and authorize the use of Water Fund Reserves to fund the design work. Councilmember Wayne Millsap seconded the Motion. Motion carried. Vote: 7-0.

10) Discuss and Consider cost adjustments for the City of Lucas Fire Department Expansion Project budget. **[Savage]**

The latest (January 31, 2014) estimate of the costs from the cost estimator of the fire station expansion project is \$2,652,602 for the total building cost and \$3,202,174 for the total project cost. This is \$402,174 over the allocated funding of \$2,800,000.

To address this, staff has worked with Doug Edney, the architect, to identify four potential tactics that could be used to reduce the overall project costs. The tactics include: (1) items to be eliminated from the project; (2) items to revise; (3) items to be moved to owner's work; and (4) items to be alternates.

If all of the items listed are adopted, then the total building cost is reduced to \$2,287,987 and the total project cost is \$2,888,759. Of course, these changes are estimates, and the ultimate costs will be determined through the bid process and subsequent work to completion. Also, Council may not want to take all of these options.

Fire Station Expansion
Design Development Cost Review

Items to be Eliminated

1. Removal of Propane Tank	\$ 3,500
2. Removal of masonry wall for generator	\$21,000
3. Removal of gates for wall around generator	\$ 3,000
4. Removal asphalt approach in existing drive	\$ 3,120
5. Removal of drainage pipe under existing drive	\$10,040
6. Removal of fire pump	\$35,000
7. Removal of SWPPP	\$ 3,500
8. Removal of soap dispensers	<u>\$ 675</u>
Total	\$79,835

Items to be Revised

1. Cost adjustment on 21' window	\$ 4,027
2. Substitute for 1 AL/GL door	\$ 2,210
3. Reduction of earthwork	\$14,370
4. Reduction of excavation	\$10,500
5. Reductions of insulation	<u>\$ 1,166</u>
Total	\$32,273

Items to be Moved to Owner's Work

1. Flag poles (3)	\$10,500
2. Existing Building Sprinklers	\$13,559
3. Existing Building Fire Alarm	\$15,496
4. Owner will do fire hydrant	\$ 3,200
5. New Building Sprinklers	\$16,319
6. New Building Fire Alarm	<u>\$18,650</u>
Total	\$77,724

Items To Be Alternates

1. Cost of Slopped Roof option	\$53,201
2. Cost of Stone and Stucco options	\$50,974
3. Cost savings if top soil is not needed for final grading	<u>\$15,156</u>
Total	\$119,331

Owner's Cost

1. Engineering lab work/materials testing	\$30,000
2. Commissioning work/Air Balance	\$15,000
3. Asbestos Abatement	\$ 6,615
4. Building demolition	\$ 7,115
5. FFE/Washer and Dryer/ Refrigerants	\$47,550
6. IT and Communications	\$59,425
7. Bid Advertisement	\$ 1,500
8. Landscaping	\$40,000
9. Irrigation	\$24,200
10. Flag Poles	\$10,500
11. Existing Building Sprinkler	\$13,559
12. Fire Alarm System	\$10,130
13. Fire Hydrants	\$ 3,200
14. New Building Sprinkler	<u>\$16,319</u>

Total \$285,113

At this point it appears that each of the "items to be eliminated" can be taken out of the project without impacting the overall design and functionality of the construction project. For example, the wall around the generator can be a wooden stockade fence that can be done by the City. This will meet code requirements.

Among the "items to be revised" is a reduction in earthwork. The architect and his staff have recalculated the amount of earthwork required. Similar adjustments have been made for these items.

Moving "items to the Owners work" category helps reduce overall project costs because it eliminates project overhead markups. It also may provide more competitive pricing for certain items. The fire alarm cost in the latest cost estimate totaled \$34,146. Staff has asked a Fire Alarm contractor to give us a quote on the work and it came back at \$10,130.

Among the "items to be alternates" are the sloped roof and the stone and stucco finishes. These items total \$104,175 in direct costs and roughly \$25,000 more in markups. They add to the appearance of the station, but they do not add to its functionality. One tactic may be to include these items as options in the bid process, with a final decision being withheld until the time of the contract award.

There are still several other items that may be adjusted. We are still looking at the generator requirements and also the possibility of using solid surface panels instead of porcelain tile in showers.

Even if all of these adjustments are made, it is still possible that the bids will come in higher than expected. The 5% contingency may cover some or all of this.

Estimated Total Project Costs as of February 12, 2014

Direct Building Cost	\$2,249,188
(1) Items to be eliminated	-\$ 79,835
(2) Items to be substituted	-\$ 32,273
(3) Items to be moved to Owners work	-\$ 77,724
(4) Items to be alternates	<u>-\$119,331</u>
Adjusted Direct Building Cost	\$1,940,025
General Contractor Overhead (8%)	\$155,202
General Contractor Fee (4%)	\$ 83,809
Contingency (5%)	<u>\$108,952</u>
Total Building Cost	\$2,287,987
Architect Fee (9.5%)	\$217,359
Consultant Fees	\$ 78,300
Reimbursements	<u>\$ 20,000</u>
	\$315,659
Owner's Work	\$285,113
Total Project Cost	\$2,888,759
Total Project Budget	<u>\$2,800,000</u>
Deficit	- \$ 88,759

MOTION: Councilmember Wayne Millsap made a Motion to authorize Staff to proceed with the construction plans and place the project out for bid. Councilmember Steve Duke seconded the Motion. Motion carried. Vote: 7-0.

- 11) Discuss and Consider the request by Brockdale Park Development to make repairs and upgrade Brockdale Park Road and approval of a Facilities Agreement between the City of Lucas and Brockdale Park Development, a Hillwood Development, concerning funding for Phase III Improvements to Brockdale Park Road. **[Savage]**

Representatives of the Brockdale Park Development have submitted a letter offering their responses to four (4) questions raised at the January 16, 2014 City Council Meeting relating to their request concerning Brockdale Park Road. If the City Council concurs with their request, a facilities agreement is presented for consideration.

Questions/Answers were taken from the memo submitted by Hillwood:

Question 1: Can Brockdale make immediate repairs prior to Phase I work?

Yes, we want to begin as soon as possible. We will begin making minor improvements immediately weather permitting following a facilities agreement with

the City. We met onsite with the City and County on Friday, February 7th, and generated a scope for the immediate repairs.

Question 2: Can the time requirement for the City to begin its repairs to the remainder of the road be removed?

Yes. The time constraint for the City to repair the portion of road past our entrance can be removed. However, if practical, we request that the City work with the County to improve this section of roadway prior to or concurrently with the Phase III work, as it is in immediate need of repair.

Question 3: After the Phase III improvements are complete, the City prefers to keep the residual funds, from the \$2,200 assessment in an account dedicated to future maintenance and repairs for Brockdale Park Road. Is this acceptable to Hillwood/Brockdale?

Yes. The City can keep any residual funds for future maintenance of Brockdale Park Road.

Question 4: Explore an ongoing revenue stream for the future maintenance of Brockdale Park Road.

This is not something we can directly provide; however, we've attempted to indirectly address this item by carefully phasing the immediate, interim, permanent repairs. This plan will immediately reduce the City's maintenance liability to this road for the next few years, and the City will also be left with a new road in 2019. We are also allowing the City to keep the residual funds from the proposed assessments. The road is currently in need of repairs, irrespective of the Brockdale subdivision, and the proposed improvement plan is a substantial investment by Hillwood/Brockdale that will inject over \$600,000 towards the road.

There was some concern whether the \$453,200 would be sufficient to complete the final work needed on the roadway. Public Works Director Stanton Foerster stated that there had been 3 estimates done for the roadway improvements. The amount will give a buffer of \$100,000 to allow for cost increases since the final product will not be done for several years. This does not cover the cost to maintain the roadway for the future. It does not address the issue of a traffic control device that will most likely have to be placed.

Councilmember Wayne Millsap said the City needs to move forward and throw out the figure of \$4,400 per lot, \$900,000 which would be placed in the General Fund. The \$4,400 impact fee per lot is what would be paid if the development were in the city. The development gets all the benefit and the City gets all the costs.

The County agrees that their portion would be via an Interlocal Agreement. Interim City Manager Dan Savage was confident that the \$450K would be adequate to

improve the 5,000 feet of roadway. If the County should not approve the Interlocal Agreement within the time needed there is no contingency for the agreement.

Elaine Ford, 3090 Olive Pkwy, Dallas came forward to address any of the questions. The agreement is not intended that the city be required to the construct the 3,000 feet of roadway.

Ms. Ford said that some emergency repairs to the roadway to make it safe. Ms. Ford said their development would be funding 100% of the costs of reconstructing the road.

City Council was in agreement that the roadway was in need of repairs. However, it was felt by a majority of the Council that the residents of the development would benefit from the roadway and not the 10 or 12 Lucas residents. Since this development is mostly in the ETJ then the citizens would be paying for any future maintenance to the roadway.

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.

The City Council convened into Executive Session at 9:07 p.m.

The City Council reconvened into Regular Session at 9:23 p.m.

No action taken as a result of the Executive Session.

Ms. Ford came forward and stated she was not authorized to pay the \$4,400 per lot in Impact Fees. Ms. Ford went on to say that it appeared that the Council was not willing to accept the agreement as presented tonight. Therefore, the entire agreement is withdrawn.

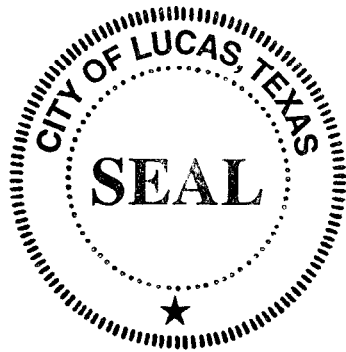
No action to be taken on this item.

Interim City Manager Dan Savage said that Staff will develop a position paper and contact the developer.

12)Adjournment.

MOTION: Councilmember Wayne Millsap made a Motion to adjourn the meeting at 9:26 p.m. Councilmember Philip Lawrence seconded the Motion. Motion carried. Vote: 7-0.

These minutes were approved on March 6, 2014 by a majority vote of the City Council.



A handwritten signature in cursive script, appearing to read "Rebecca Mark", written over a horizontal line.

Rebecca Mark, Mayor

ATTEST:

A handwritten signature in cursive script, appearing to read "Kathy Wingo", written over a horizontal line.

Kathy Wingo, TRMC, MMC
City Secretary