



**City Council Workshop 6:00 PM
City Council Meeting 7:00 PM
April 17, 2014
City Hall - 665 Country Club Road
Minutes**

Call to Order

Mayor Rebecca Mark called the meeting to order at 6:00 p m

Present or (Absent):

Mayor Rebecca Mark
Councilmember Wayne Millsap
Councilmember Steve Duke (6:46)
Councilmember Debbie Fisher (6:02)

Mayor Pro Tem Kathleen Peele
Councilmember Jim Olk (6:11)
Councilmember Philip Lawrence

Staff Present

City Manager Joni Clarke
City Attorney Joe Gorfida
Public Works Director Stanton Foerster
Finance Director Liz Exum
City Secretary Kathy Wingo
Development Services Director Joe Hilbourn
Fire Chief Jim Kitchens

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

Workshop

- 1) Discuss and consider the creation of a Request for Qualifications to procure engineering services. **[Foerster]**

Part of the duties or expectations for the position of the Public Works Director is to procure engineering services for the City. The right firm for the right project is important. There may be a need to broaden the scope to have a competitive nature. Council agreed to rely on Staff to bring forth any proposals for engineering services.

- 2) Discuss and consider the importance and benefits of a street inventory with an assessment of each street. **[Foerster]**

This item will be discussed during a future workshop.

- 3) Discuss and consider right-of-way, street, and maintenance standards for arterials, collectors, and neighborhood streets. **[Foerster]**

There is a wide variety of materials which can be used in the construction of arterials, collectors, and neighborhood streets. Gravel, aggregate, chip seal (made of layers of liquid asphalt and aggregate) which is applied every few years; hot mix asphalt concrete (HMAC) and concrete (cement, aggregate, sand & water). The City of Lucas has used several of these type materials in the past.

Concrete could be used on high stress, high volume roadways but with limited use, due to the cost. There are locations that concrete roadways would solve some long term issues.

City Manager Joni Clarke stopped the presentation to get Council feedback.

Councilmember Debbie Fisher says whatever the city does, don't do something that is not necessary and could be very costly

Councilmember Jim Olk stated that the city is unique. Councilmember Olk prefers no curbs, causing more drainage issues and Council needs to address the overall width of the streets.

Mayor Rebecca Mark agrees with comments made thus far. However, Mayor Mark would like to work off the current comprehensive roadway plan. Each roadway under consideration should be done on an individual basis.

Mayor Pro Tem Kathleen Peele agrees with looking at the streets individually. Using roundabouts as traffic control devices are agreeable. However, Mayor Pro Tem Peele is not a fan of medians.

Councilmember Philip Lawrence agrees with what has been said thus far. Councilmember Lawrence is hesitant to create a standard, each street is individual and what works for one might not work for all.

Councilmember Wayne Millsap would like to see the residential neighborhoods, move away from bar ditches and culverts. This seems to cause more and more problems in the neighborhoods. Councilmember Millsap is agreeable to the decorative work on the bridges and guard rails.

Mayor Mark asked that Staff set a date and time for workshop to continue this discussion, separate from a Council meeting.

- 4) Discuss and consider the prioritization of street maintenance, reconstruction, and repairs. **[Foerster]**

This item will be discussed during a future workshop

- 5) Discuss and consider the various funding sources, methods, and funding strategies for street maintenance, reconstruction, and repairs. **[Foerster]**

This item will be discussed during a future workshop.

Citizens' Input

- 6) Citizens' Input

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

Community Interest

- 7) Items of Community Interest.

- a) Discussion and update regarding the drought contingency plan, conservation efforts and watering restrictions as it pertains to the City of Lucas. **[Fisher/Foerster]**

Councilmember Debbie Fisher stated that there had been no significant rainfall, water conservation is still critical. All the surrounding lakes are extremely low.

Consent Agenda

The Consent Agenda was presented for consideration and action.

MOTION: Councilmember Jim Olk made a Motion to approve the Consent Agenda as presented. Councilmember Wayne Millsap seconded the Motion Motion carried. Vote. 7-0.

- 8) Consent and Approve

- a) The minutes from the April 3, 2014 City Council Regular meeting. **[Wingo]**

Regular Agenda

- 9) Discuss and consider the filing of all City of Lucas cases and citations with Collin County Justice Court 3-1 located in Plano, Texas. **[Clarke]**

Currently, the City of Lucas conducts Municipal Court on a monthly basis to process cases and citations. The regulations and statutory requirements associated with municipal court operations is substantial. The staffing requirements associated with the City of Lucas Municipal Court currently includes two part-time Court Clerks to

administer court proceedings and the management of court records, a prosecuting attorney that is provided by Nichols, Jackson, Dillard, Hager & Smith LLP and a contractual municipal Court Judge that is compensated in the amount of \$500 per month. One of the part-time Court Clerks is bilingual to assist our Spanish speaking customers.

Development Services Director Joe Hilbourn has indicated that the code enforcement efforts have been very successful in obtaining voluntary compliance in the past six years, with only three citations being issued for code violations.

Mayor Rebecca Mark and City Manager Joni Clarke met with Judge Chuck Ruckel to discuss the possibility of filing all City of Lucas cases in the Collin County Justice Court 3-1. Judge Ruckel currently has a staff of five that provides judicial and administrative support for the Collin County Justice Court 3-1. Judge Ruckel who resides in Lucas also indicated that if there was ever a time where the number of cases rose to a level to warrant holding court at Lucas City Hall, he would be able to accommodate that situation.

This action would not prohibit the City Council from directing staff to hold Lucas Municipal Court at Lucas City Hall as deemed appropriate for the efficient processing of municipal court cases in the future. Section 2.03 of the Lucas Home Rule Charter gives the City the power to create and establish a municipal court but also acknowledges the concurrent jurisdiction with the Justice of the Peace. The filing of citations with the Collin County Justice Court 3-1 would allow for a better use of city resources.

Lucas Municipal Court uses OmniBase Services of Texas to maintain and administer the central database for the cities and counties contracted to use the Department of Public Safety's Failure to Appear Program. The FTA program as authorized by Chapter 706 of the Texas Transportation Code, provides an effective collection and enforcement tool by restricting the violator's ability to renew their driver's license for outstanding violations. However, there are other tools associated with municipal operations that are NOT being utilized, such as

- Texas Warrant Round-Up – A Texas Department of Public Safety program that has gained national notoriety over the past six years as a statewide warrant enforcement effort. Every year, more than 240 law enforcement agencies and departments across Texas come together to find and arrest those people who have active warrants as a result of not paying or settling their past due traffic tickets with the court.
- On-line Ticket Pay – Allows for the efficient collection of fees and fines via the internet with the goal of improving the collection percentage without increasing staffing levels.

- Scofflaw Program – A tool for improving collections of unpaid fines and fees owed to county and municipal governments. This unified collections mechanism, assists in the clearance of outstanding warrants and violations at the same time increasing revenues for corresponding departments. Sections of the Texas Transportation Code allow for the Tax Assessor of a County to deny the vehicle registration of an individual who is reported to be outstanding in a Municipal and or County fines & fees

For fiscal year 2012/2013, the Lucas Municipal Court processed 260 cases, brought in a total of \$26,867.58 in revenue and remitted \$7,653.75 to the State of Texas as required by law with the City being able to retain \$19,213.83. The actual expenses incurred for fiscal year 2012/2013 was \$31,091.53. Because of the limited amount of cases and citations processed by the Lucas Municipal Court and the resources necessary to properly administer court proceedings, it is in the best interest of the City and the citizens that we serve to find ways in which to partner with other agencies to ensure the best management practices for our local government

MOTION: Councilmember Debbie Fisher made a Motion to approve the filing of all City of Lucas cases and citations with Collin County Justice Court 3-1 located in Plano, Texas. Councilmember Philip Lawrence seconded the Motion. Motion carried. Vote 7-0

- 10) Discuss and consider the reclassification of part-time Court Clerk (.50 FTE) and the creation of a part-time Purchasing Coordinator (.50 FTE) position for the formation of a full-time Purchasing Coordinator/Finance Assistant position using existing funds in the current FY 2013-2014 budget. **[Clarke]**

The Finance Department currently has a part time position (Bi-Lingual Court Clerk) that is scheduled to work 19 hours per week. In evaluating the needs of the City, the Finance Department is in the process of adding a purchasing function. We currently have limited purchasing proficiencies and would like to expand our ability to properly encumber and account for City purchases. This full time position would include purchasing, fixed assets, utility billing backup, and additional finance duties as assigned.

The incremental costs for FY 13-14 would be a total of \$6,965.07. This total is comprised of salary of \$3,766.83 and benefit and tax costs of \$3,198.24. The impact to FY 14-15 would be approximately \$7,451.97 in additional expense.

We will be able to absorb the incremental costs for FY 13-14 with the existing budget that we have for part time and temporary help. The savings in part time were from the reduction in the hours provided by a part time receptionist position from 19 hours per week to 5 hours per week and savings from temporary help.

The addition of this position would help all departments properly account for their purchases and stay on course with their fiscal budgets. We would also be able to utilize this position to cross-train and backup Utility Billing.

MOTION Councilmember Philip Lawrence made a Motion to approve the reclassification of part-time Court Clerk (.50 FTE) and the creation of a part-time Purchasing Coordinator (.50 FTE) position for the formation of a full-time Purchasing Coordinator/Finance Assistant position using existing funds in the current FY 2013-2014 budget. Mayor Pro Tem Kathleen Peele seconded the Motion. Motion carried. Vote: 7-0.

- 11) Discuss and consider the approval of an agreement between the City of Lucas and Konica Minolta concerning a thirty-six (36) month lease of a color copier/printer/scanner using existing funds in the current FY 2013-2014 budget **[Wingo/Exum]**

The City currently has two (2) copiers; one color (owned by the city) and one black & white. The current lease for the black & white is \$523.79 and we pay a monthly maintenance and usage/supply fee for the color copier, which ranges from \$300 - \$700, depending on the monthly activity

There is also a need to replace the existing scanner for Laserfiche. The new copier would eliminate the need for an additional scanner as it would include the ability to scan directly to the Laserfiche server, a savings of approximately \$4,500.

The cost of the new lease, by discontinuing the service on the color copier and with the expiration of the black & white copier lease, could be absorbed. The color copier, owned by the city, could also be sold.

MOTION. Councilmember Wayne Millsap made a Motion to approve the agreement between the City of Lucas and Konica Minolta concerning a thirty-six (36) month lease of a color copier/printer/scanner using existing funds in the current FY 2013-2014 budget. Councilmember Jim Olk seconded the Motion. Motion carried. Vote: 7-0.

- 12) Discuss and consider the approval of **Resolution # R-2014-04-00417** of the City Council of the City of Lucas, Texas, approving the agreement to contribute to right-of-way funds to the State of Texas through the Texas Department of Transportation for a transportation improvement project; and providing for an effective date. **[Foerster]**

On January 14, 2014, TxDOT sent an "Agreement to Contribute Right of Way Funds" to staff asking the city to commit to a 10% participation of the ROW acquisition and utility adjustments. These funds are requested as part of the widening of the White Rock Creek Bridge on FM 1378. TxDOT did not provide a map or exhibit of the ROW needs to the city until March 25, 2014. There are three parcels involved: 1) Wise Revocable Trust, 2) Beverly A. Parr and Roderick J. Parr,

and 3) Donald L. Kanzler and Carolyn T. Kanzler. All three parcels are located south of Forest Grove Road on the east side of FM 1378.

This agreement also includes the city's portion of the cost of utility adjustments. We have a 12-inch waterline on the east side of FM 1378. Approximately 800 feet of the waterline must be relocated to not interfere with the construction.

TxDOT estimates total costs for ROW and utility adjustments to be \$230,000.00 of which TxDOT is asking the city to pay 10% in the amount of \$23,000.00. This is only an estimate. If the actual costs are higher, the city will be obligated by this contract to pay 10% of the total. TxDOT is planning to let this project in July 2014.

Without the city's participation the project will be canceled.

One last minute development, \$10,000 would not be needed as the city owns part of the right-of-way required.

MOTION: Councilmember Wayne Millsap made a Motion to approve **Resolution # R-2014-04-00417** of the City Council of the City of Lucas, Texas, approving the agreement to contribute to right-of-way funds to the State of Texas through the Texas Department of Transportation for a transportation improvement project; and providing for an effective date. Councilmember Debbie Fisher seconded the Motion. Motion carried. Vote: 7-0.

MOTION: Councilmember Debbie Fisher made a Motion to approve using General Funds Reserves in the amount not to exceed \$13,000 for property acquisition. Councilmember Wayne Millsap seconded the Motion. Motion carried. Vote: 7-0

- 13) Discuss and consider the proposed information technology telephone system project, provide guidance to staff regarding priorities, and identify funding strategies. **[Foerster]**

The number of lines would increase to 25 direct dial lines. This would also allow for the fire department to be part of the phone system. An estimated monthly increase is \$195 to go to 25 direct dial lines.

MOTION: Councilmember Debbie Fisher made a Motion the proposed information technology telephone system project, and this is to be brought back with mid-year budget adjustments. Councilmember Jim Olk seconded the Motion. Motion carried. Vote: 7-0

- 14) Discuss and consider the proposed information technology project to purchase a web filtering appliance, provide guidance to staff regarding priorities, and identify funding strategies, and the initial development of a social media policy **[Foerster]**

MOTION Mayor Pro Tem Kathleen Peele made a Motion to approve the proposed information technology project to purchase a web filtering appliance, and the initial development of a social media policy to include other items as suggested by the City Manager and bring this back with the mid-year budget adjustment. Councilmember Philip Lawrence seconded the Motion. Motion carried. Vote: 7-0.

- 15) Discuss and consider the proposed information technology project to upgrade our Microsoft Platform Licensing, provide guidance to Staff regarding priorities and email access, and identify funding strategies. **[Foerster]**

The current server can handle 75 license, 90 are needed. The City could scale back the number needed by dropping some of the people who currently have lucastexas.us emails, this would be the board members. By doing this the minimal cost would be \$3,200 which is already budgeted for this fiscal year

MOTION: Councilmember Wayne Millsap made a Motion to scale back the number of licenses required by eliminating lucastexas.us email addresses for the members of the Board of Adjustments, Planning & Zoning Commission and the Parks & Open Space Board, and use the funds currently budgeted. Councilmember Jim Olk seconded the Motion. Motion carried. Vote: 7-0

- 16) Discuss and consider the approval of **Ordinance # 2014-04-00776** an ordinance of the City Council of the City of Lucas, Texas, amending the Code of Ordinance by amending Chapter 13, "Utilities" by amending Article 13.03 "Drought Contingency Plan" by amending sections 13.03.001 through 13.03.002; by adopting the May 2014 Water Conservation Plan and the May 2014 Water Resource Management Plan; providing for the delayed effective date for the May 2014 Water Conservation and Water Resource Management Plan, providing a repealing clause; providing a severability clause; providing a savings clause, providing for a penalty or fine not to exceed the sum of two thousand dollars (\$2,000) for each offense; providing for an administrative penalty applicable to non-single family water customers; and providing for an effective date. **[Foerster]**

From the TCEQ.

The amended Texas Administrative Code Title 30, Chapter 288 became effective on December 6, 2012, requires that a revision of water conservation plans for municipal, industrial, and other non-irrigation uses be submitted to the TCEQ no later than May 1, 2014, and every five years after that date to coincide with the regional water planning process. The Chapter 288 Rules require specific, quantified five and ten year targets for water savings to be included in all water conservation plans. In addition to the revised water conservation plans, water conservation Implementation Reports must be submitted to the TCEQ no later than May 1, 2014. Any revised plans must be submitted to the TCEQ within 90 days of adoption and must also include implementation reports

MOTION: Councilmember Wayne Millsap made a Motion to approve **Ordinance # 2014-04-00776** an ordinance of the City Council of the City of Lucas, Texas, amending the Code of Ordinance by amending Chapter 13, "Utilities" by amending Article 13.03 "Drought Contingency Plan" by amending sections 13.03.001 through 13.03.002; by adopting the May 2014 Water Conservation Plan and the May 2014 Water Resource Management Plan; providing for the delayed effective date for the May 2014 Water Conservation and Water Resource Management Plan; providing a repealing clause; providing a severability clause; providing a savings clause; providing for a penalty or fine not to exceed the sum of two thousand dollars (\$2,000) for each offense; providing for an administrative penalty applicable to non-single family water customers; and providing for an effective date. Councilmember Philip Lawrence seconded the Motion. Motion carried. Vote: 7-0.

17)Adjournment.

MOTION: Councilmember Wayne Millsap made a Motion to adjourn the meeting at 8:30 p.m. Councilmember Debbie Fisher seconded the Motion. Motion carried. Vote: 7-0

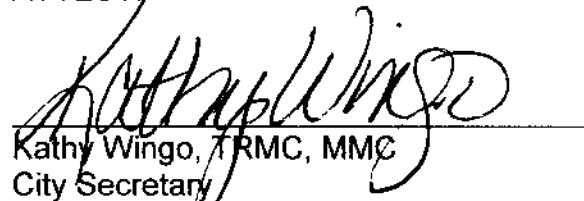
These minutes were approved on May 1, 2014 by a majority vote of the City Council.



Rebecca Mark, Mayor



ATTEST:



Kathy Wingo, TRMC, MMC
City Secretary