



AGENDA
Lucas Fire Control, Prevention, & EMS District
Board of Directors
April 20, 2017
6:30 PM
City Hall - 665 Country Club Road,
Lucas, Texas

Notice is hereby given that a meeting of the Lucas Fire Control, Prevention, & EMS District will be held on Thursday, April 20, 2017 at 6:30 pm at the Lucas City Hall, 665 Country Club Road, Lucas, Texas, at which time the following agenda will be discussed.

Call to Order

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

Public Hearing

1. Hold a public hearing and consider approving Resolution FD R-2017-04-00460 implementing local sales and use taxes on residential gas and electricity. (**Finance Director Liz Exum**)
 - A. Conduct Public Hearing
 - B. Take action regarding implementing local sales and use taxes on residential gas and electricity.

Regular Session

2. Consider approval of the minutes of the September 15, 2016 Lucas Fire Control Prevention and EMS District meeting. (**City Secretary Stacy Henderson**)
3. Consider approving Resolution FD R-2017-04-00461 amending the Fiscal Year Budget beginning October 1, 2016 and ending September 30, 2017 approving mid-year budget adjustments for sales tax revenue and service contract expense. (**Finance Director Liz Exum**)
4. Adjournment.

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 Thursday, April 13, 2017 as required in accordance with Government Code §551.041.

Stacy Henderson, City Secretary

This building is wheelchair accessible. Any requests for sign interpretive services or other special requests for assistance of the hearing impaired must be made 48 hours in advance of the meeting. To make such arrangements, please call 972-912-1211 or email shenderson@lucastexas.us.



City of Lucas
Lucas Fire Control Prevention and EMS
District Request
April 20, 2017

Item No. 01

Requester: Finance Director Liz Exum

Agenda Item:

Hold a public hearing and consider approving Resolution FD R-2017-04-00460 implementing local sales and use taxes on residential gas and electricity.

- A. Conduct Public Hearing
- B. Take action regarding implementing local sales and use taxes on residential gas and electricity.

Background Information:

Staff recently contacted the Texas State Comptroller regarding sales tax collections for the Lucas Fire Control, Prevention and EMS District (Fire District). The Fire District has been collecting less sales tax than the City. The City collects sales tax for residential gas and electric use; while the Fire District does not. The City applied for an exemption in May of 1979 from section 321.105 (Residential Use of Gas and Electricity) in the Tax Code which allowed the City the ability to collect tax on residential gas and electric. Staff inquired from the Comptroller the process required to enable the Fire District to collect sales tax for gas and electric. The Fire District can adopt a resolution to impose tax on residential use of gas and electricity according to Tax Code Section 321.1055 (Imposition of Fire Control or Crime Control District Tax on the Residential Use of Gas and Electricity). After conducting the public hearing, the resolution may be adopted by a vote of a majority of the board and recorded in the minutes. After adoption, the Fire District must send a copy of the resolution to the Comptroller by U.S. certified or registered mail. Once the Comptroller's office receives it, the resolution will become effective after one calendar quarter elapses.

Attachments/Supporting Documentation:

1. Resolution FD R- 2017-04-00460 Lucas Fire Control Prevention and EMS District Implementing Local Sales and Use Taxes on Residential Gas and Electricity

Budget/Financial Impact:

Estimated increase in sales tax approximately \$1,875 per month.

Recommendation:

Staff recommends approval of Resolution FD R-2017-04-00460 Lucas Fire Control Prevention and EMS District Implementing Local Sales and Use Taxes on Residential Gas and Electricity.



City of Lucas
Lucas Fire Control Prevention and EMS Item No. 01
District Request
April 20, 2017

Motion:

I make a motion to approve Resolution FD R- 2017-04-00460 implementing local sales and use taxes on residential gas and electricity.

RESOLUTION NO. FD R 2017-04-00460

[Authorizing Local Sales & Use Tax on Residential Gas & Electric]

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE LUCAS FIRE CONTROL, PREVENTION AND EMERGENCY MEDICAL SERVICES DISTRICT (“DISTRICT”), AUTHORIZING THE IMPOSITION AND COLLECTION OF A LOCAL SALES AND USE TAX ON RESIDENTIAL GAS AND ELECTRIC FOR THE BENEFIT OF THE DISTRICT PURSUANT TO SECTION 321.1055 OF THE TEXAS TAX CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a majority of the qualified voters of the City of Lucas (“City”) previously voted to adopt a local sales tax and use for the benefit of the City in accordance with the Local Sales and Use Tax Act, Section 321.101 of the Texas Tax Code; and

WHEREAS, pursuant to Texas Tax Code §321.105, the City imposed a local sales and use tax for residential gas and electricity services prior to October 1, 1979; and

WHEREAS, the Lucas Fire Control, Prevention and Emergency Medical Services District (“District”) was created on June 19, 2014; and

WHEREAS, Section 321.1055 of the Texas Tax Code authorizes the District to impose local sales and use taxes on receipts from residential use of gas and electric utilities within the City as previously adopted; and

WHEREAS, the District may impose the local sales and use tax on receipts from the residential use of gas and electric utilities by passage of this Resolution; and

WHEREAS, the Board of Directors of the District finds that the imposition of a sales and use tax on the receipts from residential use of gas and electricity within the city is in the best interest of the citizens;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE LUCAS FIRE CONTROL, PREVENTION AND EMERGENCY SERVICES DISTRICT, THAT:

SECTION 1. a tax is hereby authorized, imposed and shall be collected on all receipts from residential use of gas and electricity within the City, as is provided by Texas law.

SECTION 2. the rate of tax imposed by this Resolution shall be the same as the rate imposed by the City for all other local sales and use taxes as authorized by the legislature of the State of Texas.

SECTION 3. in the event the residential use of gas and electricity utilities ceases to be taxable in the City, the taxes associated with the residential use of gas and electricity shall not be collected by the District.

SECTION 4. this Resolution shall take effect immediately upon its passage.

DULY PASSED by the Board of Directors of the Lucas Fire Control, Prevention and Emergency Medical Services District, on the 20th day of April, 2017.

APPROVED:

Wayne Millsap, President

ATTEST:

Stacy Henderson, City Secretary



City of Lucas
Lucas Fire Control Prevention and EMS
District Request
April 20, 2017

Item No. 02

Requester: City Secretary Stacy Henderson

Agenda Item:

Consider approval of the minutes of the September 15, 2016 Lucas Fire Control Prevention and EMS District meeting.

Background Information:

NA

Attachments/Supporting Documentation:

1. September 15, 2016 minutes

Budget/Financial Impact:

NA

Recommendation:

Staff recommends approval of the minutes as submitted.

Motion:

I make a motion to approve the minutes of the September 15, 2016 Lucas Fire Control Prevention and EMS District meeting.



Lucas Fire Control, Prevention & EMS District
September 15, 2016
7:00 PM
City Hall – Council Chambers
665 Country Club Road

Minutes

Call to Order

President Millsap called the meeting to order at 7:00 p.m.

Members Present:

President Wayne Millsap
Vice-President Kathleen Peele
Member Jim Olk
Member Tim Baney
Member Philip Lawrence
Member Steve Duke
Member Debbie Fisher

City Staff Present:

City Manager Joni Clarke
City Secretary Stacy Henderson
City Attorney Joe Gorfida
Development Services Director Joe Hilbourn
Public Works Director/City Engineer Stanton Foerster
Finance Director Liz Exum
Fire Chief Jim Kitchens
Assistant Fire Chief Ted Stephens

President Millsap determined that a quorum was present and reminded everyone to turn off or silence their cell phones.

Regular Session

- 1. Consider approval of the minutes of the September 1, 2016 Lucas Fire Control Prevention and EMS District meeting.**

MOTION: A motion was made by Vice President Peele, seconded by Mr. Duke to approve the minutes of the September 1, 2016 Lucas Fire Control Prevention and EMS District meeting. The motion passed unanimously by a 7 to 0 vote.

- 2. Consider approval of Resolution FD R-2016-09-00454 adopting the Fiscal Year Budget for 2016-2017.**

MOTION: *A motion was made by Mr. Olk, seconded by Ms. Fisher to approve Resolution FD R 2016-09-00454 adopting the fiscal year budget for 2017-2017 for the Lucas Fire Control Prevention and EMS District. The motion passed unanimously by a 7 to 0 vote.*

3. **Adjournment.**

MOTION: *A motion was made by President Millsap, seconded by Mr. Lawrence to adjourn the meeting at 7:02pm. The motion passed unanimously by a 7 to 0 vote.*

Wayne Millsap, President

ATTEST:

Stacy Henderson, City Secretary



City of Lucas
Lucas Fire Control Prevention and EMS
District Request
April 20, 2017

Item No. 03

Requester: Finance Director Liz Exum

Agenda Item:

Consider approving Resolution FD R-2017-04-00461 amending the Fiscal Year Budget beginning October 1, 2016 and ending September 30, 2017 approving mid-year budget adjustments for sales tax revenue and service contract expense.

Background Information:

The Finance Department has completed the Mid-Year budget review process. Adjustments have been made to properly reflect actual trends in activity.

Attachments/Supporting Documentation:

1. Resolution FD R-2017-04-00461 with Exhibit A detailing budget amendments for FY 2016-2017.

Budget/Financial Impact:

The financial impact to the budget is varied and is outlined in detail to be reviewed and discussed.

Recommendation:

Staff recommends approval of the FY 2016-2017 Mid-Year Budget Adjustments.

Motion:

I make a motion to approve Resolution FD R-2017-04-00461 amending the budget for Fiscal Year beginning October 1, 2016 and ending September 30, 2017.



RESOLUTION NO. FD R-2017-04-00461

AN RESOLUTION OF THE BOARD OF DIRECTORS OF THE LUCAS FIRE CONTROL, PREVENTION & EMS DISTRICT, AMENDING RESOLUTION NO. FD R-2016-09-00454, THE 2016-2017 FISCAL YEAR BUDGET, BY ADJUSTING TOTAL REVENUES WITHIN THE BUDGET; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR BE MADE IN ACCORDANCE WITH SAID AMENDED BUDGET; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of Directors of the Lucas Fire Control, Prevention & EMS District of Lucas, Texas, has determined, after due consideration and study, that it is necessary to the efficient business and operation of the District to amend the budget for fiscal year 2016-2017 and that the budget amendments set forth hereinafter are in the best interest of the public health, safety and welfare of the citizens that the District serves.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE LUCAS FIRE CONTROL, PREVENTION & EMS DISTRICT:

SECTION 1. That Resolution No. FD R-2016-09-00454, the Fiscal Year 2016-2017 Budget Resolution of the District, be and the same is hereby amended by providing for an amendment in total revenues for the sales tax for the District in accordance with the budget attached hereto and incorporated herein as Exhibit "A."

SECTION 2. That the District be and is hereby authorized to expend those funds allocated under the budget, as amended herein and the fund balance at the end of the current fiscal year will be carried forward to the next budget to fund the allocations for the next fiscal year.

SECTION 3. That except as amended hereby, or as heretofore amended, the provisions of Resolution No. FD R-2016-09-00454 shall remain in full force and effect.

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

SECTION 5. That this Resolution shall take effect immediately from and after its passage as the law in such cases provides.

DULY PASSED by the Board of Director of the Lucas Fire Control, Prevention & EMS District, on the 20th day of April, 2017.

APPROVED:

Wayne Millsap, President

ATTEST:

Stacy Henderson, City Secretary

EXHIBIT "A"
Lucas Fire Control, Prevention & EMS District Revised Budget

Lucas Fire Control, Prevention & EMS District

**REVISED BUDGET
FOR MID-YEAR ADJS
Fiscal Year 2016 - 2017**

15 -FIRE DISTRICT FIRE DISTRICT DEPARTMENTAL REVENUES/ EXPENDITURES	2016-2017 ORIGINAL BUDGET	2016-2017 MID-YR BUDGET ADJUSTMENTS	2016-2017 AMENDED BUDGET	2016-2017 YTD ACTUAL AS OF 3/31/17	DESCRIPTION
REVENUES					
4101-300 SALES TAX - FIRE DISTRICT	325,000	-8,000	317,000	162,012	Adjust for trend
TOTAL REVENUES	325,000	-8,000	317,000	162,012	
TOTAL FIRE DISTRICT REVENUE	325,000	-8,000	317,000	162,012	
REIMBURSEMENTS & SERVICES					
6500-998 SERVICE CONTRACT-TRANSFER	323,000	-8,000	315,000	0	
TOTAL REIMBURSEMENTS & SERVICES	323,000	-8,000	315,000	0	
TOTAL FIRE DISTRICT EXPENSE	323,000	-8,000	315,000	0	
NET REVENUE LESS EXPENDITURES	2,000	0	2,000	162,012	