



AGENDA

City of Lucas City Council Meeting January 18, 2018

7:00 PM

**City Hall – Council Chambers
665 Country Club Road – Lucas, Texas**

Notice is hereby given that a City of Lucas meeting of the City Council will be held on Thursday, January 18, 2018 at 7:00 pm at Lucas City Hall, 665 Country Club Road, Lucas, Texas, 75002-7651 at which time the following agenda will be discussed. As authorized by Section 551.071 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 on any item on the agenda at any time during the meeting.

Call to Order

- Roll Call
- Determination of Quorum
- Reminder to turn off or silence cell phones
- Pledge of Allegiance

Citizen Input

The Citizens' Input portion of the agenda is an opportunity for the public to address the City Council on any subject. By completing a "Request to Speak" form and submitting it to the City Secretary, citizens have an opportunity to speak at the City Council meeting. However, in accordance with the Texas Open Meetings Act, the City Council cannot discuss issues raised or make any decisions but may refer items to City Staff for research and possible inclusion on a future agenda.

1. Citizen Input (**Mayor Jim Olk**)

Community Interest

Pursuant to Section 551.0415 of the Texas Government Code, the City Council may report on the following items: 1) expression of thanks, congratulations or condolences; 2) information about holiday schedules; 3) recognition of individuals; 4) reminders about upcoming City Council events; 5) information about community events; and 6) announcements involving imminent threat to public health and safety.

2. Community Interest. (**Mayor Jim Olk**)

Consent Agenda

All items listed under the consent agenda are considered routine and are recommend to the City Council for a single vote approval. If discussion is desired, an item may be removed from the consent agenda for a separate vote.

3. Consent Agenda.
 - A. Approval of the minutes of the December 21, 2017 City Council meeting. (City Secretary **Stacy Henderson**)
 - B. Approval of the minutes of the January 4, 2018 City Council meeting. (City Secretary **Stacy Henderson**)
 - C. Approval of the City of Lucas Investment Report for quarter ending September 30, 2017. (Finance Director **Liz Exum**)
 - D. Approval of the reappointment of Chris Bierman, Board of Adjustment member for a two-year term, expiring December 31, 2019. (Mayor Pro Tem **Kathleen Peele**)

Regular Agenda

4. Consider proposals from Republic Services and Community Waste Disposal for curbside recycling services for the City of Lucas and authorize the City Manager to negotiate and execute a contract for recycling services. (Mayor **Jim Olk**)

Executive Session

5. Executive Session. An Executive Session is not scheduled for this meeting.
6. Adjournment.

Certification

I do hereby certify that the above notice was posted in accordance with the Texas Open Meetings Act on the bulletin board at Lucas City Hall, 665 Country Club Road, Lucas, TX 75002 and on the City's website at www.lucastexas.us on or before 5:00 p.m. on January 12, 2018.

Stacy Henderson, City Secretary

In compliance with the American with Disabilities Act, the City of Lucas will provide for reasonable accommodations for persons attending public meetings at City Hall. Requests for accommodations or interpretive services should be directed to Stacy Henderson at 972.912.1211 or by email at shenderson@lucastexas.us at least 48 hours prior to the meeting.



City of Lucas City Council Agenda Request January 18, 2018

Item No. 01

Requester: Mayor Jim Olk

Agenda Item:

Citizen Input

Background Information:

NA

Attachments/Supporting Documentation:

NA

Budget/Financial Impact:

NA

Recommendation:

NA

Motion:

NA



City of Lucas Council Agenda Request January 18, 2018

Item No. 02

Requester: Mayor Jim Olk

Agenda Item:

2. Items of Community Interest.

Background Information:

NA

Attachments/Supporting Documentation:

NA

Budget/Financial Impact:

NA

Recommendation:

NA

Motion:

NA



City of Lucas Council Agenda Request January 18, 2018

Item No. 03

Requester: City Secretary Stacy Henderson, Finance Director Liz Exum

Consent Agenda Items:

3. Consent Agenda:
 - A. Approval of the minutes of the December 21, 2017 City Council meeting.
 - B. Approval of the minutes of the January 4, 2018 City Council meeting.
 - C. Approval of the City of Lucas Investment Report for quarter ending September 30, 2017.
 - D. Approval of the reappointment of Chris Bierman, Board of Adjustment member for a two-year term, expiring December 31, 2019.

Background Information:

NA

Attachments/Supporting Documentation:

1. Minutes of the December 21, 2017 City Council meeting
2. Minutes of the January 4, 2018 City Council meeting
3. Quarterly Investment Report – September 30, 2017

Budget/Financial Impact:

NA

Recommendation:

City Staff recommends approval of the Consent Agenda.

Motion:

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



**City of Lucas
City Council Meeting
December 21, 2017
7:00 P.M.**

**City Hall - 665 Country Club Road – Lucas Texas
Minutes**

Call to Order

Mayor Olk called the meeting to order at 7:00 p.m.

City Councilmembers Present:

Mayor Jim Olk
Mayor Pro Tem Kathleen Peele
Councilmember Wayne Millsap
Councilmember Tim Baney
Councilmember Steve Duke
Councilmember Philip Lawrence
Councilmember Debbie Fisher

Staff Present:

City Manager Joni Clarke
City Secretary Stacy Henderson
City Attorney Joe Gorfida

Mayor Olk determined that a quorum was present. Everyone was reminded to silence their cell phones and the Pledge of Allegiance was recited.

Citizen Input

1. Citizen Input.

There was no citizen input at this meeting.

Community Interest

2. Community Interest.

Mayor Olk reminded those in attendance that the City's annual Founders Day event would be held on April 14, 2018. Mayor Pro Tem Peele also noted that the City was accepting stick horse donations for the stick horse rodeo event.

Councilmember Fisher accepted a plaque awarded to the City of Lucas from the Trinity Trail Preservation Association for the City's continuing support of the Trinity Trail and partnership with the Trinity Trail Preservation Association. Councilmember Fisher also noted that the North Texas Municipal Water District would be conducting guided tours of their facility throughout the year should anyone be interested in attending.

City Manager Joni Clarke noted that approximately 700 people attended the Lucas Country Christmas event on December 1 and were complimentary of the event and its activities.

Mayor Pro Tem Peele thanked Lucas Fire-Rescue for their outstanding work on a recent large fire in Lucas, working with the 13 other agencies that responded to assist, and helped to save many homes, livestock, and land in the area.

Consent Agenda

3. **Consent Agenda.**

- A. Approval of the minutes of the November 16, 2017 City Council special meeting.
- B. Consider amending the Fiscal Year 17/18 budget 11-4985 grant revenues and associated expense account 11-8300-420 Capital Equipment in the amount of \$20,703 for a grant received from COSERV Charitable Foundation for the purpose of purchasing an automated CPR device.

MOTION: A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Duke to approve the Consent Agenda as presented. The motion passed unanimously by a 7 to 0 vote.

Regular Agenda

4. **Presentation by Brianna Kemlo, Collin County 4-H member, supporting agriculture and promoting awareness of the Collin County Jr. Livestock Show.**

Ms. Brianna Kemlo representing the Collin County 4-H gave a presentation discussing the importance of agriculture.

No formal action was taken on this item.

5. **Consider appointments and reappointments to the Parks and Open Space Board, Board of Adjustment and Planning and Zoning Commission and speak with potential volunteer board applicants regarding open positions.**

The City Council spoke with prospective volunteer board applicants Robert Talabay and Debra Guillemaud discussing their interests and vision for the City.

Mayor Pro Tem Peele suggested Board of Adjustment appointments be discussed at the January 4, 2018 City Council meeting during Executive Session, and consideration of board appointments to the Parks Board and Board of Adjustment could take place at that time.

The City Council asked that the ordinance adopting the Parks Board and their duties, as well as minutes from prior meetings be included as part of the item for discussion if clarification to the Board was needed.

MOTION: A motion was made by Councilmember Baney, seconded by Councilmember Lawrence to reappoint existing Parks Board members Bill Esposito and Ken Patterson for a two-year term expiring on December 31, 2019. The motion passed unanimously by a 7 to 0 vote.

MOTION: A motion was made by Mayor Olk, seconded by Councilmember Fisher to reappoint Peggy Rusterholtz, David Keer, and Scott Sperling for a two-year term expiring on December 31, 2019. The motion passed unanimously by a 7 to 0 vote.

Executive Session

6. Executive Session:

- A. Pursuant to Section 551.071 of the Texas Government Code, the City Council will convene into Executive Session to consult with the City Attorney regarding contemplated litigation concerning real property located at 2205 Estates Parkway.

The City Council convened into Executive Session at 7:33 pm.

7. Reconvene into open session and take any action necessary as a result of the Executive Session.

The City Council reconvened from Executive Session at 7:46 pm and took the following action:

MOTION: A motion was made by Councilmember Millsap, seconded by Councilmember Duke to authorize the City Attorney to pursue litigation concerning real property located at 2205 Estates Parkway. The motion passed unanimously by a 7 to 0 vote.

8. Adjournment

MOTION: A motion was made by Councilmember Millsap, seconded by Mayor Pro Tem Peele to adjourn the meeting at 7:47 pm. The motion passed unanimously by a 7 to 0 vote.

APPROVED:

Jim Olk, Mayor

ATTEST:

Stacy Henderson, City Secretary



**City of Lucas
City Council Meeting
January 4, 2018
7:00 P.M.**

**City Hall - 665 Country Club Road – Lucas Texas
Minutes**

Call to Order

Mayor Olk called the meeting to order at 7:00 p.m.

City Councilmembers Present:

Mayor Jim Olk
Mayor Pro Tem Kathleen Peele
Councilmember Tim Baney
Councilmember Steve Duke
Councilmember Philip Lawrence
Councilmember Debbie Fisher

Staff Present:

City Manager Joni Clarke
City Secretary Stacy Henderson
City Attorney Joe Gorfida
Development Services Director Joe Hilbourn
Fire Chief Ted Stephens

City Councilmember Absent:

Councilmember Wayne Millsap

Mayor Olk determined that a quorum was present. Everyone was reminded to silence their cell phones and the Pledge of Allegiance was recited.

Citizen Input

1. Citizen Input.

There was no citizen input at this meeting.

Community Interest

2. Community Interest.

Mayor Olk reminded those in attendance that the City's annual Founders Day event would be held on April 14, 2018. Mayor Pro Tem Peele also noted that the City was accepting stick horse donations for the stick horse rodeo event part of Founders Day.

City Manager Joni Clarke stated that Public Works Director/City Engineer Stanton Foerster would be returning to work on January 15.

Mayor Olk noted that filing would begin January 17 through February 16 for the three City Council positions set to be on the ballot in the May 5, 2018 general election. Applications will be accepted in the City Secretary's office.

Regular Agenda

3. Discuss and provide direction regarding the regulation of short-term rentals within the City of Lucas.

City Attorney Joe Gorfida discussed short-term rentals, their definition and websites that promote short-term rentals such as Airbnb, VRBO, FlipKey and HomeAway. Mr. Gorfida explained the challenges associated with short-term rentals, such as noise, parking, safety and location. He also discussed what other cities were doing to find a solution to these challenges, and what regulations could be enacted to control where and how short-term rentals operate. Mr. Gorfida explained that some regulatory solutions included permitting and licensing short-term rentals, limiting the number of occupants, strict noise and parking regulations, and zoning that limits the area where short-term rentals could be located. Mr. Gorfida also discussed current lawsuits other cities were facing from homeowners that claimed it was unconstitutional to dictate how their home could be used. Mr. Gorfida advised that it would be best to wait until the lawsuits were settled before putting in place any regulations.

The Council discussed whether it would be helpful to have regulations in place that could address issues associated with short-term rentals. They also discussed the undesirable elements short-term rentals bring to a neighborhood.

City Attorney Joe Gorfida discussed the difficulties associated with determining who may be living in a home or visiting. He also discussed the existing regulations the City has in place to manage items such as noise and parking.

The City Council was in agreement to continue to monitor short-term rental activity within the City, and bring this item back for further discussion if and when it was warranted.

4. Consider the funding for various elements of the Stinson Road/W. Lucas Road intersection and/or the Edgewood Drive to Stinson Road connection through the Bedell/Gipson tract and give the City Manager direction on the same.

City Manager Joni Clarke stated that an agreement had been entered into with Birkhoff, Hendricks, and Carter Engineers to redesign the Stinson Road and W. Lucas Road intersection. Ms. Clarke noted that due to the numerous accidents and complaints received at this location, staff was asking to fund the safety items first to include the intersection widening and culvert portion only in the amount of \$245,000. No additional lane would be added at this time. Ms. Clarke noted that the City's Thoroughfare Plan calls for the to be responsible the connection to Stinson Road at the Bedell/Gipson tract; however, staff was unable at this time to determine when and if that tract will be developed, and believed the safety items should be addressed first.

Joe Carter with Birkhoff, Hendricks & Carter Engineers stated it was difficult for larger vehicles to maneuver through this intersection currently. Mr. Carter stated that TxDOT has reviewed the design plans and asked that one minor item be addressed. Mr. Carter stated that one easement needs to be acquired and once these items were addressed and the project was funded, construction could begin.

MOTION: A motion was made by Councilmember Fisher, seconded by Councilmember Lawrence to direct staff to proceed with the Stinson Road widening culvert expansion only in the amount of \$245,000. The motion passed unanimously by a 6 to 0 vote.

5. Consider Ordinance No. 2014-12-00803 Amending Code of Ordinance Chapter 1, Article 1.09, Parks and Recreation regarding:

- a) Composition of Park and Opens Space Board, qualification of members, regular meetings and quorum, election of officers, and filling of two alternate positions;
- b) Duties of Parks and Open Space Board; and
- c) Review of Park Rules and Prohibited Conduct in Parks.

City Manager Joni Clarke stated that the Parks Board had gone through an extensive process of creating specific goals and tasks and assigning a Parks Board member to each goal. Ms. Clarke stated that a year long planning calendar has been created aligning those tasks and goals to quarterly meetings that have been set.

Councilmember Baney stated that the Parks Board was on tract to their assigned goals and responsibilities and was in favor of quarterly meetings with the option for the Chairman to call additional meetings if needed.

The City Council thanked the Parks Board for their dedication, volunteerism and service.

MOTION: A motion was made by Councilmember Baney, seconded by Councilmember Lawrence to appoint Tommy DeWitt as Alternate Member 1 to the Parks and Open Space Board and Debra Guillemaud as Alternate Member 2 to the Parks and Open Space Board. The motion passed unanimously by a 6 to 0 vote.

Executive Session

6. Executive Session:

- A. The City Council will convene into Executive Session as permitted under the Texas Government Code, Section 551.074, Personnel Matters, to discuss Board of Adjustment appointments.
- B. The City Council will convene into Executive Session as permitted under the Texas Government Code, Section 551.071, Consultation with Attorney, to seek legal advice from the City Attorney regarding GT Construction and the White Rock Trail project.

The City Council convened into Executive Session at 8:08 pm to discuss the above-mentioned items.

7. Reconvene into open session and take any action necessary as a result of the Executive Session.

The City Council reconvened into open session at 8:29 pm and took the following action as a result of the Executive Session:

MOTION: A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Fisher to promote James Foster to a regular member position on the Board of Adjustment and appoint Brenda Rizos as Alternate Member 2 to the Board of Adjustment. The motion passed unanimously by a 6 to 0 vote.

MOTION: A motion was made by Councilmember Duke, seconded by Councilmember Lawrence to authorize the City Manager to execute the Compromise Settlement Agreement and Release with GT Construction and appropriate \$79,300 from unrestricted general fund reserves and amend the fiscal year 17/18 budget line item 11-8209-301 roadway improvements. The motion passed unanimously by a 6 to 0 vote.

8. Adjournment

MOTION: A motion was made by Councilmember Fisher, seconded by Councilmember Duke to adjourn the meeting at 8:31 pm. The motion passed unanimously by a 6 to 0 vote.

APPROVED:

ATTEST:

Jim Olk, Mayor

Stacy Henderson, City Secretary

**CITY OF LUCAS
QUARTERLY INVESTMENT REPORT**

Quarter Ended

Sep 30, 2017

Bank Account Name	Rating	June 30, 2017	September 30, 2017	Changes	Total Portfolio
ANB Pooled Cash	AAAm	\$8,716,019.74	\$9,935,209.08	\$1,219,189.34	34.88%
ANB - 2015 CO Capital & Water Fund	AAAm	\$811,213.18	\$272,166.29	-\$539,046.89	0.96%
ANB - Reserve General Fund	AAAm	\$3,000,000.00	\$3,000,000.00	\$0.00	10.53%
ANB - RTR West Lucas Capital Fund	AAAm	\$63,192.90	\$63,224.41	\$31.51	0.22%
ANB - RTR FM 2551 Capital Fund	AAAm	\$1,146,473.10	\$1,142,179.82	-\$4,293.28	4.01%
Total Bank Accounts		\$13,736,898.92	\$14,412,779.60	\$675,880.68	50.60%
Interest Rate		0.20%	0.20%	\$0.00	
Weighted Average Life/Days(Balances assumed to have a one day maturity)		1	1	0	
Pools					
Logic - General Fund	AAAm	\$190,970.95	\$191,579.51	\$608.56	0.67%
Logic - Water Fund	AAAm	\$1,358,878.93	\$1,363,209.19	\$4,330.26	4.79%
Logic 2017 CO - General Fund	AAAm	\$0.00	\$6,006,955.22	\$6,006,955.22	21.09%
Logic 2017 CO - Water Fund	AAAm	\$0.00	\$3,003,477.63	\$3,003,477.63	10.54%
Interest Rate		1.1333%	1.2827%	\$0.001494	
Weighted Average Life/Days(Balances assumed to have a one day maturity)		1	1	0	
Lone Star Invest - General Fund	AAAm	\$1,951,838.64	\$1,956,688.97	\$4,850.33	6.87%
Lone Star Invest- Water Fund	AAAm	\$733,283.38	\$735,105.59	\$1,822.21	2.58%
Interest Rate		0.8226%	1.0169%	\$0.00194	
Weighted Average Life/Days(Balances assumed to have a one day maturity)		1	1	0	
Tex Pool - Debt Service Fund	AAAm	\$913,596.66	\$813,083.76	-\$100,512.90	2.85%
Interest Rate		0.8817%	1.0151%	\$0.00133	
Weighted Average Life/Days(Balances assumed to have a one day maturity)		1	1	0	
Total Pools		\$5,148,568.56	\$14,070,099.87	\$8,921,531.31	49.40%
Total Bank Acct. and Pools		\$18,885,467.48	\$28,482,879.47	\$9,597,411.99	100.00%

The invested portfolio of the City of Lucas is in compliance with the Public Funds Investment Act and the City's Investment Policy and Strategies


Joni Clarke- City Manager


Liz Exum - Finance Director



City of Lucas City Council Agenda Request January 18, 2018

Requester: Mayor Jim Olk

Agenda Item:

Consider proposals from Republic Services and Community Waste Disposal for curbside recycling services for the City of Lucas and authorize the City Manager to negotiate and execute a contract for recycling services.

Background Information:

In July of 2017 the Mayor agreed to seek out recycling vendors and solicit proposals for curbside recycling. Following are the results of that effort:

No Proposal Submitted:

- Barnes Waste Disposal Service – Did not wish to bid.
- Waste Connections – Did not wish to bid.
- Santek Waste Services – Did not provide service to this area.
- Waste Management – Did not wish to bid on subscription service.
- Balcones Recycling – Does not provide pick up services.

Proposals submitted and being considered:

- Community Waste Disposal
- Republic Services

Attachments/Supporting Documentation:

Proposals from Community Waste Disposal and Republic Services will be sent under separate attachment as they are labeled confidential by the Contractors.

Budget/Financial Impact:

When this was last discussed by the City Council, it was Council's direction that we seek only a subscription based curbside solution. The two proposals provide a subscription based solution, although the Community Waste Disposal would have a potential variable cost to the subscriber, based on the actual number of subscribers. This could lead to uncertain costs for both the residents and the City, since the City would be initially billed for the service. A Council policy would need to be adopted to address potential shortfalls and/or overages that could occur with this proposal.



City of Lucas City Council Agenda Request January 18, 2018

Additionally with both the Republic Services and the Community Waste Disposal proposals, City Council should consider discussing the potential of waiving or reducing franchise fees to minimize the impact to the subscribers.

Recommendation:

It is my recommendation that we enter into a one-year contract (with potential renewals) with Republic Services to provide curbside recycling services on a subscription basis.

Motion:

I make a motion to approve the proposal submitted by _____ for curbside recycling services for the City of Lucas for the provision of recycling services including curbside collection and authorize the City Manager to negotiate and execute a contract for such recycling services.



City of Lucas Council Agenda Request January 18, 2018

Requester: Mayor Jim Olk

Agenda Item:

5. Executive Session.

An Executive Session is not scheduled for this meeting.

Background Information:

NA

Attachments/Supporting Documentation:

NA

Budget/Financial Impact:

NA

Recommendation:

NA

Motion:

NA