

City of Lucas City Council Meeting June 6, 2019

7:00 PM

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

Notice is hereby given that a meeting of the Lucas City Council will be held on Thursday, June 6, 2019 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 Citizen 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 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. Items of Community Interest. (Mayor Jim Olk)
 - A. Discuss pending legislation that is being considered by the 86th Legislature and provide guidance to City Staff and City Attorney.

Consent Agenda

All items listed under the consent agenda are considered routine and are recommended 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 May 13, 2019 Special City Council meeting. (City Secretary Stacy Henderson)

B. Approval of the minutes of the May 16, 2019 City Council meeting. (City Secretary Stacy Henderson)

Regular Agenda

- 4. Update from the Technology Committee regarding planning and communication efforts to improve internet service throughout the City. (Mayor Jim Olk)
- 5. Consider removing the road humps on Forestview Drive and Gold Dust Trail. (City Engineer Stanton Foerster)
- 6. Review Articles VIII and IX of the City Charter and provide direction to the City Attorney regarding any proposed amendments to be considered as part of a Charter update. (City Attorney Joe Gorfida)
- 7. Provide update regarding fireworks patrol conducted over the July 4th holidays in 2017 and 2018 and give direction to staff regarding continued efforts of the fireworks patrol and citing illegal use of fireworks. (Assistant Fire Chief Lance Gant, City Attorney Joe Gorfida)
- 8. Consider a temporary solution to the under-road structure damage at the intersection of Cedar Bend and East Lucas Road and provide direction to City Staff. (**Development Services Director Joe Hilbourn**)
- 9. Consider the evaluation and possible revision of the City's benchmark cities to serve as a resource to generate comparable data regarding employee compensation. (City Manager Joni Clarke, Assistant to the City Manager Kent Souriyasak, HR Generalist Janice Babcock)
- 10. Provide direction to staff regarding the placement of a new sign at the fire station. (Fire Chief Ted Stephens)
- 11. Consider setting the date for Founders Day for 2020. (Mayor Jim Olk)
- 12. Consider City Council availability to conduct a joint meeting with the Planning and Zoning Commission on July 11, 2019 regarding drainage. (Mayor Jim Olk)
- 13. Consider an appointment to the Technology Committee to fill a vacant position. (Mayor Jim Olk)

Executive Session Agenda

Pursuant to 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 regarding any item on the agenda at any time during the meeting. This meeting is closed to the public as provided in the Texas Government Code.

14. An Executive Session is not scheduled for this meeting.

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 regarding any item on the agenda at any time during the meeting. This meeting is closed to the public as provided in the Texas Government Code.

15. 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 Luca 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 May 30, 2019.			
	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 Kent Souriyasak at 972.912.1213 or by email at kent@lucastexas.us at least 48 hours prior to the meeting.



City of Lucas City Council Agenda Request June 6, 2019

Requester:	Mayor Jim Olk	
Agenda Ito	tem Request	
Citizen Input	ıt	
Backgroui	and Information	
NA		
Attachmei	ents/Supporting Documentation	
NA		
Budget/Fin	inancial Impact	
NA		
Recommen	endation	
NA		
Motion		
NA		



City of Lucas City Council Agenda Request June 6, 2019

Requester: Mayor Jim Olk

Agenda	Item F	Request
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2. Item	s of Commu	nity Interest.	
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	g legislation that is being considered by the 86th Legislature and ce to City Staff and City Attorney.
Background Informat	on
NA	
Attachments/Supporti	ng Documentation
NA	
Budget/Financial Impa	act
NA	
Recommendation	
NA	
Motion	
NA	



City of Lucas City Council Agenda Request June 6, 2019

Requester: City Secretary Stacy Henderson

Agenda Item Request

- 3. Consent Agenda:
 - A. Approval of the minutes of the May 13, 2019 Special City Council meeting.
 - B. Approval of the minutes of the May 16, 2019 City Council meeting.

Background Information

NA

Attachments/Supporting Documentation

- 1. Minutes of the May 13, 2019 Special City Council meeting
- 2. Minutes of the May 16, 2019 City Council meeting.

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 Special Meeting May 13, 2019 8:15 A.M.

City Hall - 665 Country Club Road - Lucas Texas

MINUTES

Call to Order

Mayor Pro Tem Peele called the meeting to order at 8:19 a.m.

City Councilmembers Present:

Mayor Pro Tem Kathleen Peele Councilmember Steve Duke Councilmember Debbie Fisher

Staff Present:

City Secretary Stacy Henderson

City Councilmembers Absent:

Mayor Jim Olk Councilmember Wayne Millsap Councilmember Philip Lawrence Councilmember Tim Baney

Mayor Pro Tem Peele determined that a quorum was present, and the Pledge of Allegiance was recited.

Per Section 67.004(a) of the Texas Election Code, for the purpose of canvassing a City election, only two members of the City Council are needed to constitute a quorum and conduct the special meeting.

Regular Agenda

1. Consider approving Resolution R 2019-05-00481 of the City Council of the City of Lucas, Texas, canvassing the returns and certifying the results of the municipal officers election of the City of Lucas, Texas, held in the City of Lucas, Collin County, Texas, on May 4, 2019 for the purpose of electing two City Council Members for Seat No. 5 and Seat No. 6 to serve three (3) year terms, beginning May 16, 2019.

MOTION:

A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Duke to approve Resolution R 2019-05-00481 of the City Council of the City of Lucas, Texas, canvassing the returns and certifying the results of the municipal officers election of the City of Lucas, Texas, held in the City of Lucas, Collin County, Texas, on May 4, 2019 for the purpose of electing two City Council Members for Seat No. 5 and Seat No. 6 to serve three (3) year terms, beginning May 16, 2019. The motion passed by a 2 to 0 vote, with Councilmember Fisher abstaining.

2. Consider approving Resolution R 2019-05-00482 of the City Council of the City of Lucas, Texas, canvassing and declaring the results of the Special Election of the City of Lucas held May 4, 2019 regarding Proposition (A) whether the city of Lucas Fire Control, Prevention and Emergency Medical Services District should be continued for 10 years, and the Fire Control, Prevention and Emergency Medical Services District sales tax should be continued for 10 years.

MOTION:

A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Duke to approve Resolution R 2019-05-00482 of the City Council of the City of Lucas, Texas, canvassing and declaring the results of the Special Election of the City of Lucas held May 4, 2019 regarding Proposition (A) whether the city of Lucas Fire Control, Prevention and Emergency Medical Services District should be continued for 10 years, and the Fire Control, Prevention and Emergency Medical Services District sales tax should be continued for 10 years. The motion passed unanimously by a 3 to 0 vote.

3. Adjournment.

MOTION: A motion was made by Councilmember Fisher, seconded by Mayor Pro Tem Peele to adjourn the meeting at 8:22 am. The motion passed unanimously by a 3 to 0 vote.

APPROVED:	ATTEST:
Mayor Pro Tem Kathleen Peele	Stany Handaman City Saguatamy
Mayor Pro Tem Kaumeen Peele	Stacy Henderson, City Secretary



City of Lucas City Council Meeting May 16, 2019 7:00 P.M.

City Hall - 665 Country Club Road - Lucas Texas

MINUTES

Call to Order

Mayor Olk called the meeting to order at 7:01 p.m.

City Councilmembers Present:

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

Staff Present:

City Manager Joni Clarke Assistant to the City Manager Kent Souriyasak City Attorney Joe Gorfida Development Services Director Joe Hilbourn City Engineer Stanton Foerster

City Councilmembers 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.

Conduct Oath of Office

1. Administer the Oath of Office to incoming candidates, Councilmember Debbie Fisher, Seat 5 and Mayor Pro Tem Kathleen Peele, Seat 6.

City Attorney Joe Gorfida administered the Oath of Office to incoming candidates, Councilmember Debbie Fisher, Seat 5 and Mayor Pro Tem Kathleen Peele, Seat 6.

Citizen Input

2. Citizen Input.

Ed Fisher, 1015 Country Club Road, expressed his concern regarding aircraft noise over Lucas and noted that he had contacted the McKinney Airport who indicated that they would look into the issue and also suggested he contact TRACON who was in-charge of air space over the entire area of Lucas. Mr. Fisher suggested to the airport that aircrafts travel over the lake rather than over homes to not disrupt the residential quality of life. Mr. Fisher indicated that he has still not heard from TRACON and explained that McKinney Airport wants to expand their runways to increase flights and heavy fuel jets and this type of operation would not be good for the Lucas community. Mr. Fisher suggested a citizen advisory committee be formed to address the issue.

Mayor Olk stated that he would provide an update on this item during the Community Interest portion of the agenda.

Community Interest

3. Items of Community Interest.

A. Presentation of Proclamation to the Blacksheep Motorcycle Club for Motorcycle Safety and Awareness Month.

Mayor Olk presented the Proclamation for Motorcycle Safety and Awareness Month and noted that since the Blacksheep Motorcycle Club was not in attendance to receive the Proclamation, a copy would be forwarded to them.

B. Report from Mayor Olk regarding meeting with Congressman Van Taylor.

Mayor Olk and City Manager Joni Clarke met with Congressman Van Taylor to discuss items related to transportation, airport and aircraft noise. Congressman Taylor explained that McKinney Airport would like to expand from 7,000 to 11,000 feet and a public hearing would required before any expansion occurs. Mayor Olk indicated that he would contact the Mayor of McKinney to inform him that City representatives would be in attendance at the public hearing to discuss diverting flights to areas less populated.

Mayor Olk also mentioned other discussion topics from the meeting such as the park system, transportation, water and drainage issues, and grants to assist the City. City Manager Joni Clarke was awaiting a response from Congressman Van Taylor's office for more information on how to assist the City.

C. Discuss HB 281 introduced in the 86th Legislative Session relating to the use by a political subdivision of public money for lobbying activities including participation in lobbying organizations and provide guidance to City Staff.

Mayor Olk indicated that the hearing for HB 281 was to be held on May 17, 2019. HB 281 prohibits a city from hiring a lobbyist or joining an organization to promote city functions. The City had hired lobbyists to assist with establishing the Fire District and this bill would remove that ability. Mayor Olk stated he was opposed to HB 281.

Mayor Pro Tem Peele viewed the bill as a great concern regarding property tax reform and believed it would be impossible to devote the time and effort needed to keep up with all the bills proposed. Mayor Pro Tem Peele was not in favor of giving up this avenue and indicated that the Bill doesn't serve Lucas citizens and loses a viable option. Mayor Pro Tem Peele encouraged Mayor Olk's support.

Mayor Olk explained that we need to contact Representative Candy Noble to express our position.

Councilmember Baney and Councilmember Lawrence agreed with Mayor Olk.

Councilmember Fisher also agreed with the benefits the City receives but indicated that she did not understand how TML represented the cities in front of the committees.

Mayor Olk indicated that the influence and participation TML provides was a much larger scope. Mayor Olk stated that he would determine if a resolution was needed but would contact Representative Noble about how the City feels since the bill is on the floor tomorrow.

Councilmember Fisher inquired about HB 2439 regarding building materials and expressed her concern that the bill would dictate what cities can be allowed to build within the City. Mayor Olk asked the Council if he should reach out to the Governor regarding the bill on building materials.

City Attorney Joe Gorfida explained that we will have a better understanding of what bills will impact cities by the first of June.

Mayor Olk also added that the summer cleanup and electronic recycling is scheduled for Saturday, June 15 from 8 am to noon.

Mayor Pro Tem Peele thanked City staff and the Fire department for their work at Founders Day, as well as the wet-down ceremony for the new fire engine.

Mayor Olk indicated that the City has received notice of a public meeting by TxDOT. TxDOT is proposing intersection improvements to FM 1378 (West Lucas Road and Southview Drive) and FM 3286 (East Lucas Road) from Edgefield Lane to Arthur Court and from Southview Drive to Lost Valley Drive in Collin County, Texas. This includes a reconfiguration and widening of the Bait Shop intersection. The public meeting will be held on Tuesday, June 18 from 6 pm to 8 pm at Lovejoy Elementary School.

Councilmember Fisher added a late item of community interest that the wife of Milton Gosney, former Lucas Mayor, has passed away and will be buried on Sunday.

Consent Agenda

4. Consent Agenda.

- A. Approval of the minutes of the April 18, 2019 City Council meeting.
- B. Consider amending the Fiscal Year 18/19 budget 11-4914 insurance proceeds in the amount of \$24,330 and associated expense account 11-6999-231 Facility Maintenance for property damage repairs for the hailstorm that occurred on March 25, 2019.
- C. Consider amending the Fiscal Year 18/19 budget 11-4914 insurance proceeds in the amount of \$14,499 and associated expense accounts 11-6212-232 Vehicle Maintenance \$7,177; 11-6209-232 Vehicle Maintenance \$4,280; 11-6300-232 Vehicle Maintenance \$3,042 for property damage repairs for the hailstorm that occurred on March 25, 2019.

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 6 to 0 vote.

Executive Session Agenda

5. The City Council will convene into Executive Session as permitted under the Texas Government Code, Section 551.074, Personnel Matters, to conduct interviews of Board of Adjustment applicants and discuss Board of Adjustment appointments.

The City Council convened into Executive Session at 7:44 pm to conduct interviews of the Board of Adjustment applicants and discuss Board of Adjustment appointments.

6. Reconvene from Executive Session and take any action necessary as part of the Executive Session.

The City Council reconvened from Executive Session at 8:08 pm.

MOTION:

A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Baney, to appoint Michael Dunn as Alternate Member 2 for the Board of Adjustment. The motion passed unanimously by a 6 to 0 vote.

Public Hearing Agenda

7. Public hearing to consider adopting Ordinance 2019-05-00892 approving a specific use permit request by Jaclynn and Donnie Cauthorn, property owners of 1622 Snider Lane to allow a kitchen and food preparation area in an accessory building with habitable space.

The public hearing opened at 8:10 pm.

Development Services Director Joe Hilbourn explained that the property is zoned R-2 and has a building permit to construct an accessory building with habitable space that meets the City's requirements. Mr. Hilbourn indicated that the owners would like to amend the approved building plans to allow a kitchen in the accessory building currently under construction. Section 14.04.304 (a) of the City's Code of Ordinances requires that an addition of a food and kitchen preparation area requires a specific use permit in R-2 or AO zoning districts that contain a single family. The habitable space is located on the second story above and beside a horse barn. The Planning and Zoning Commission unanimously approved the request. Mr. Hilbourn noted that the property owners are concerned about entering into a deed restriction and would like that restriction removed.

Donnie Cauthorn, 1622 Snider Lane, indicated that they would like to add onto their existing space with an upper room. Mr. Cauthorn stated that they do not intend to have any rentals.

Mayor Olk explained the deed restriction requirements is a way for the City to notify property owners not to use the property for rentals.

Mayor Pro Tem Peele asked Mr. Cauthorn would they plan to use it for other services.

Mr. Cauthorn replied that it could be used as additional guest space for visitors.

Mr. Gorfida indicated it is allowed because it is not a barter.

Councilmember Fisher explained when we issue a specific use permit, it goes with the property and not the owner.

Councilmember Lawrence appreciated Mr. Cauthorn for being transparent with his intentions to the Council and stated that the ordinance was designed so that it protects everyone and that the specific use permit follows the property and not the owner.

Mayor Pro Tem Peele indicated having a conversation with Mrs. Cauthorn, and that the space could be used as a place for a consistent group to meet.

Mr. Cauthorn explained that it will not be a commercial use, just a place to have visitors and friends.

Mr. Gorfida indicated that if City grants the specific use permit, the owner still has control of whether or not to sign the deed.

Mayor Pro Tem Peele asked for insight regarding the discussion from the Planning and Zoning Commission meeting.

Planning and Zoning Commission Chair Peggy Rusterholtz, 215 Blondy Jhune Road, explained that the space was presented as an upstairs area over a barn and not on ground level activity. Ms. Rusterholtz indicated that the Commission did not see any problems with it. Ms. Rusterholtz also indicated based on conversations with the Cauthorns that the space would be to meet with their church and groups and prepare food.

Mr. Gorfida indicated that the City needs to grant the specific use permit based on what is being held.

Mayor Olk confirmed three letters of support for the Cauthorns' request for the specific use permit:

- Hector Bass, 1535 Snider Lane
- Jeremy Horvath, 1525 Snider Lane
- Daniel and Marcia Caruthers, 1602 Snider Lane

The public hearing closed at 8:25 pm.

Mayor Pro Tem Peele made a point of clarification from City Attorney Joe Gorfida if the Council approved the specific use permit then it's a requirement that the deed restriction be signed by the homeowner, and Mr. Gorfida responded that is correct and it is in the code of ordinances.

Councilmember Lawrence asked Mr. Gorfida if the homeowner has time to review and approve everything, and Mr. Gorfida confirmed yes and indicated if the homeowner decided not to install anything then the City can revoke the specific use permit.

MOTION:

A motion was made by Councilmember Baney, seconded by Councilmember Lawrence to approve adopting Ordinance 2019-05-00892 approving a specific use permit request by Jaclynn and Donnie Cauthorn, property owners of 1622 Snider Lane to allow a kitchen and food preparation area in an accessory building with habitable space and that the deed restriction with the requirements on the ordinance be on file. The motion passed by a 5 to 1 vote with Councilmember Fisher voting in opposition.

Regular Agenda

8. Consider aircraft noise being generated by aircraft departing and arriving at the McKinney National Airport.

Councilmember Lawrence stated that he met with Representative Candy Noble and was informed that Representative Noble had meetings with several Mayors to discuss the McKinney National Airport and their expansion plans. Councilmember Lawrence received feedback from Representative Noble that she does not support any airport vision of the expansion.

City Manager Joni Clarke extended Mr. Ed Fisher's appreciation to the Council.

Councilmember Baney stated that it was concerning that Congressman Van Taylor was in favor of the airport expansion, and noted that he was not in favor of the expansion. There was no way to reroute traffic due to the large jets and there need to have a large radius for flights.

Councilmember Duke explained the expansion affects more than the City of Lucas and suggested reaching out to the Mayor of Fairview as well. He stated that Lucas should partner with the Town of Fairview regarding the airport's expansion efforts. The airport has been open and honest about their plans for the future and well-documented their expansion.

Ms. Clarke indicated that the airport's comprehensive plan is long and extensive. Ms. Clarke also shared that she has met with the City Manager of Fairview regarding the aircraft noise concern.

Mayor Olk suggested having a meeting with the Mayor and City Manager of Fairview.

Councilmember Fisher would like to express appreciation to Mr. Ed Fisher for what he's done.

This item was for discussion purposes only, no formal action was taken.

9. Consider the request by Michelle Tillotta with LGA Engineering on behalf of the Collin County Water Control and Improvement District No. 3 for approval of a minor plat for the extension of Osage Lane for access to Inspiration Phases 6 and 7a, a tract of land being part of the Leroy Farmer Survey ABS# 334, being 1.821 acres partially in the City of Lucas, and partially in the City of Lucas ETJ creating a variable width right of way dedicated for public use.

Development Services Director Joe Hilbourn explained that the project was located within the City and the ETJ and has an approved concept plan. The project is part of a Municipal Utility District that supplies roads, sewer and water service for Inspiration. The minor plat is for right of way dedicated to access Inspiration Phases 6 and 7a. The plat meets the City's requirements, and the Planning and Zoning Commission unanimously approved the request.

Mayor Olk asked where Osage Lane is being reflected on the plat.

Mr. Hilbourn indicated that Osage Lane does not have a dedicated right of way.

Mr. Gorfida added that it will not be city dedicated.

Mr. Hilbourn also shared that it will be maintained by the water district.

MOTION: A motion was made by Councilmember Duke, seconded by Councilmember Lawrence to approve the minor plat for the extension of Osage Lane for access to Inspiration Phases 6 and 7a, a tract of land being part of the Leroy Farmer Survey ABS# 334, being 1.821 acres partially in the City of Lucas, and partially in the City of Lucas ETJ creating a variable width right of way dedicated for public use. The motion passed unanimously by a 6 to 0 vote.

10. Consider the request by Dr. Amin Ashfour for approval of a site plan, landscape plan, and architectural elevations for Lot 3R-1 of the Lucas Ranch Addition being 3.029 acres of a 7.234-acre tract of land zoned Village Center (VC) and located in the Gabriel Fitzhugh Survey of Abstract A0318, Tract 9, otherwise known as 2690 Country Club Road, Lucas, Texas.

Development Services Director Joe Hilbourn presented the site plan, photometric plan, landscape plan, and architectural plan. The plans were unanimously approved by the Planning and Zoning Commission which includes new architectural changes for the front and sides to have more character. Mr. Hilbourn indicated that the developer did make changes to break out the sides and front as requested by the Planning and Zoning Commission.

Mayor Pro Tem Peele asked why additional parking spaces were needed.

Mr. Hilbourn indicated that no parking spaces are required. The additional spaces could provide additional parking for potential retail, though none are projected for that location.

Mayor Olk explained that the Planning and Zoning Commission was concerned with exterior elevation and appreciates the changes made.

- MOTION: A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Duke to approve the site plan, landscape plan, and architectural elevations for Lot 3R-1 of the Lucas Ranch Addition being 3.029 acres of a 7.234-acre tract of land zoned Village Center and located in the Gabriel Fitzhugh Survey of Abstract A0318, Tract 9, otherwise known as 2690 Country Club Road, Lucas, Texas. The motion passed unanimously by a 6 to 0 vote.
- 11. Consider the request by David K. Kochalka, P.E. with Kimley Horn and Associates on behalf of Wendy Farms Estates for approval of a minor replat changing two lots of record into three lots located in the John W. Kerby Survey, ABS #505, and being 10.641 acres of land, currently known as Lots 2 and 3 Tokalaun Park and Estuary.

Development Services Director Joe Hilbourn explained that the Wendy Farms minor plat included a proposed tract zoned R-2 with a minimum lot size permitted of two acres. All three proposed lots are equal to or greater than two acres. The proposed minor replat will convert two existing lots of record into three. The subdivision is currently part of Tokalaun Park and Estuary. The owners were converting the name of the subdivision for the proposed three new lots to Wendy Farms Estates, however, have changed their minds and would like to return it to Tokalaun Park and Estuary. There is a bridge that crosses to property lines without an easement. The Planning and Zoning Commission unanimously approved the request.

City Attorney Joe Gorfida indicated that we have an amended plat that has temporary access exits for the bridge.

Mayor Pro Tem Peele asked about Lot 3R and where access would be provided.

Mayor Olk said the access is on Blondy Jhune Road.

Mayor Pro Tem Peele indicated it is not a good access point.

Councilmember Fisher inquired if the bridge will be removed and if the bridge was the City's responsibility.

Mr. Hilbourn answered that the bridge would be removed.

Mr. Gorfida explained that the bridge is not the City's responsibility.

Mr. Hilbourn indicated that the two lots were legally sized lots to fit the minimum requirements to two acres.

Councilmember Fisher inquired if Lot 13 will be a part of Tokalaun and will all three be a part of the homeowner's association.

Mr. Hilbourn indicated that two lots are part of Tokalaun through the homeowner's association. Half of the third parcel is located within Tokalaun and the other half of the parcel is outside Tokalaun. Since a parcel cannot be located in two subdivisions, the third will become part of Wendy Farms.

Mayor Olk indicated that it meets all requirements for the plat.

MOTION:

A motion was made by Councilmember Fisher, seconded by Councilmember Baney to approve the minor replat changing two lots of record into three lots located in the John W. Kerby Survey, ABS #505, and being 10.641 acres of land, currently known as Lots 2 and 3 Tokalaun Park and Estuary. The motion passed unanimously by a 6 to 0 vote.

12. Consider authorizing the City Manager to negotiate and enter into a development agreement for the construction of an off-site drainage facility for an assisted living, memory care and retirement community on a 10-acre parcel of land of a called 17.0026-acre tract of land located in the William Snider Survey, Abstract number A0821 Tract 16.

Development Services Director Joe Hilbourn explained that the proposed assisted living facility requires a specific use permit and is proposed on a parcel of land zoned C for Commercial Business. Mr. Hilbourn stated that the assisted living facility consisted of 39,502 square feet and 5,924 square feet would be dedicated to memory care, and 17 duplexes totaling 34 retirement homes, and one clubhouse. A stormwater run-off drain has been included to an area that has an ongoing concern for drainage. Surrounding property owners in Fox Glen and properties along McGarity Lane have expressed concerns about drainage in the area.

Mr. Hilbourn stated that the proposed agreement is to address the drainage concerns in the area and address the responsibilities of the City and the developer. The developer would be responsible for designing the project, oversite of the project, and repairing the drainage in the area. There are

concept plans for the repair work, the site, legal description for the proposed work, and the legal description for the property. The City would be responsible for obtaining the easements for the project and waiving impact fees, platting fees, and other fees normally charged by the City. The City may also need to participate costs above reimbursement to meet the City's required proportional share of the costs for the project.

Mayor Olk asked if the proportional share is coming from the City of Allen and other developments and Mr. Hilbourn confirmed yes.

Councilmember Lawrence inquired about an estimate of the City's portion and Mr. Hilbourn indicated that the City would be responsible for 85% to 90% of the costs and responsible for drainage.

Mr. Gorfida indicated that Exhibit E indicates estimated costs.

Mayor Olk reviewed the costs and indicated that the impact fees estimate to be \$422,413 and the proportional share for anything additional.

Mr. Hilbourn indicated that our proportional share is more than the estimated cost and will be expensive.

Councilmember Baney did not see a benefit to residents and the City from the development by putting high density homes which would create a subdivision with small lots in a commercial area.

Councilmember Fisher indicated that residents have expressed their concern over this type of development.

Mayor Pro Tem Peele indicated that residents have made it clear that they did not want to see this type of commercial development in Lucas.

MOTION:

A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Lawrence to deny authorizing the City Manager to negotiate and enter into a development agreement for the construction of an off-site drainage facility for an assisted living, memory care and retirement community on a 10-acre parcel of land of a called 17.0026-acre tract of land located in the William Snider Survey, Abstract number A0821 Tract 16. The motion to deny passed unanimously by a 6 to 0 vote.

13. Consider amending the Fiscal Year 18/19 budget 11-General fund balance in the amount of \$15,000 and associated expense account 11-8999-200 Building improvements for the replacement of OSSF (on site sewerage facilities) at City Hall.

Development Services Director Joe Hilbourn explained that the City's septic tanks were leaking and repaired in February 2019. By mid-April, the tanks required inspection again and the City was informed that the lateral lines are no longer functioning properly. Collin County will no longer permit leach field repairs and the City will have to update facilities to an aerobics type system. Mr. Hilbourn indicated that the capital outlay will reduce General Fund Reserves by \$15,000.

MOTION:

A motion was made by Councilmember Fisher, seconded by Councilmember Duke to approve amending the Fiscal Year 18/19 budget 11-General fund balance in the amount of \$15,000 and associated expense account 11-8999-200 Building

improvements for the replacement of onsite sewerage facilities at City Hall. The motion passed unanimously by a 6 to 0 vote.

14. Consider Joint Resolution No. 2019-13(R) between the Cities of Lucas, Texas and Wylie, Texas clarifying the common boundary line.

Mayor Pro Tem Peele explained that she, City Manager Joni Clarke and City Engineer Stanton Foerster have worked with the City of Wylie to realign their boundaries. Mayor Pro Tem Peele thanked Mayor Olk for meeting with the City Manager and Mayor of Wylie and they readily agreed that the City of Wylie would relinquish the boat ramp to the City of Lucas. They also made slight adjustments to clean up the area and now the City can move forward with the long-term lease agreement with the United States Army Corp of Engineers.

City Manager Joni Clarke thanked City Engineer Stanton Foerster for researching the legalities and assisting the City of Wylie.

Councilmember Fisher thanked Mayor Pro Tem Peele, City Manager Joni Clarke and City Engineer Stanton Foerster for their efforts with the annexation and boat ramp.

MOTION:

A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Fisher to approve Joint Resolution No. 2019-13(R) of the City Councils of the Cities of Lucas, Texas and Wylie, Texas, clarifying an establishing the Cities' common boundary line by amending the joint resolution adopted on August 21, 1987, that was amending and republished on April 26, 1988, Lucas Resolution R-1988-04-00055; authorizing the Mayors of the Cities to execute the necessary annexation and deannexation agreements on behalf of the Cities. The motion passed unanimously by a 6 to 0 vote.

15. Consider the appointment of Mayor Pro Tem to serve for a one-year period beginning June 6, 2019 and ending May 31, 2020.

MOTION:

A motion was made by Councilmember Fisher, seconded by Councilmember Duke to nominate Mayor Pro Tem Peele to serve as Mayor Pro Tem for a one-year period beginning June 6, 2019 and ending May 31, 2020. The motion passed unanimously by a 6 to 0 vote.

16. Consider establishing a Farmers Market in the City of Lucas.

Councilmember Baney discussed that he and City Manager Joni Clarke wanted to bring forward the idea of establishing a farmers market to the Parks and Open Space Board. Councilmember Baney stated that in order to gage interest in a farmers market, an article would be placed in the Lucas Leader asking for feedback.

Councilmember Duke agreed that residents would like a farmers market to sell items. Councilmember Duke indicated that there should be a group that runs it for the City and should not create another project for staff.

Councilmember Baney stated that a Parks Board member was researching the logistics of hosting a farmers market, and that there should be some staff involved.

Mayor Olk explained that we can help find a location for the farmers market on private or public property to make sure it looks appropriate.

Councilmember Fisher indicated that many people have extra vegetables, eggs and honey, and is excited for the Parks Board to look into it.

Mayor Pro Tem Peele suggested the pros and cons be determined of hosting a farmers market and also determine why the farmers market in Fairview closed.

Mayor Olk indicated he does not envision building a facility for a farmers market and does not want to see vendors come to sell non-food items.

Councilmember Baney added that we can set rules and regulations for the farmers market and provide recommendations to staff to prepare a newsletter article.

Mayor Olk suggested that a Parks Board member should write the article.

City Manager Joni Clarke indicated that Development Services Director Joe Hilbourn has researched regulations for a farmers market.

Mr. Hilbourn explained that they would need a revision to the ordinance regarding hours to operate in the park if a farmers market were to take place at a City park.

Councilmember Baney envisioned the farmers market to take place at the Lucas Community Park.

Mayor Olk recommended looking into where the farmers market should go.

17. Consider and discuss preliminary plat, engineering, and drainage for 11.9-acre, five residential lot subdivision known as the The Farmstead (formally known as Benton Stables/Lee Estates) located on the north side of the Estates Parkway (FM 2170) and Ingram Lane intersection at 1890 Estates Parkway. The approval of the preliminary plat is not part of this agenda item.

Councilmember Fisher indicated that she had received questions from the public and would like to have the Planning and Zoning Commission review our ordinances to determine if they need to be updated. Councilmember Fisher suggested a change from the number of lots to lot size to address drainage issues.

Mayor Olk asked if this is for drainage or another concern.

City Attorney Joe Gorfida recommended the plat be reviewed by an engineer not the Planning and Zoning Commission.

Councilmember Lawrence discussed where that water came from and asked what was being adjusted.

Mr. Gorfida indicated this was done by engineering as stated in the ordinance.

Councilmember Fisher shared that some things changed with stormwater.

Mayor Olk indicated having no problem with the Planning and Zoning Commission reviewing to see if its up to date. However, it is technical in nature and must be reviewed by someone with drainage expertise.

Mr. Gorfida recommended having an engineer look at the information first.

Councilmember Duke indicated that we have not looked at it in 10 years and staff would have let the Council know if it is not working.

City Manager Joni Clarke indicated that staff has reviewed the entire code of ordinances and can obtain ordinances related to stormwater drainage.

Councilmember Fisher stated they should be gathered for review by the Planning and Zoning Commission.

Mayor Olk asked if we had the technical expertise on staff to review what was needed for drainage.

City Engineer Stanton Foerster and Development Services Director Joe Hilbourn address drainage and negotiate improvements that far exceed the requirement. Mr. Foerster indicated that The Farmstead subdivision had no exemption requirement and fell back to state law and retained their own lots.

Councilmember Lawrence expressed that it would be better to have a technical expert on drainage conduct the study.

Mr. Gorfida indicated that the risk is going to be there, and we have immunity being a municipality. Minor tweaks can be done by City staff unless it requires a study from a firm. Mr. Gorfida explained it is not a complex ordinance and we can tweak it or recommend a different stormwater runoff.

Mayor Olk recommended putting this item back on the agenda to allow staff to conduct a review for the stormwater drainage as directed by the Council.

There was no motion.

18. Adjournment.

MOTION:	A motion was made by Mayor Olk seconded by Councilmember Duke to adjourn the meeting at 9:33 pm. The motion passed unanimously by a 6 to 0 vote.		
APPROVED:	ATTEST:		
Mayor Jim Olk	Kent Souriyasak, Assistant to the City Manager		



NA

City of Lucas City Council Agenda Request June 6, 2019

Requester: Mayor Jim Olk

Agenda	Item	Req	uest
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Update from the Technology Committee regarding planning and communication efforts to improve internet service throughout the City.

Background Information

Technology Committee Chairman Paul Rathgeb will be present to discuss with the City Council the Committee's efforts to date regarding communication efforts and information gathered for improved internet service in the community.

ı	
Attachments/Supporting Documentation	on
NA	
11/1	
Budget/Financial Impact	
NA	
Recommendation	
NA	
Motion	



City of Lucas City Council Agenda Request June 6, 2019

Requester: City Engineer Stanton Foerster

Agenda Item Request

Consider removing the road humps on Forestview Drive and Gold Dust Trail.

Background Information

At the City Council meeting on April 4, 2019, the City Council discussed the stop signs in the Huntwick neighborhood and road humps on Forestview Drive and Gold Dust Trail. With the delivery of the new fire engine and closure of Blondy Jhune Road for reconstruction, the City Council expressed concern regarding the use of stop signs in the neighborhood as well as road humps. The City Council indicated that the primary concern is the road humps on Forestview Drive and Gold Dust Trail could slow Lucas Fire-Rescue response times and may also cause damage to the City's ambulances and fire engines.

At the April 18, 2019 City Council meeting, the City Council directed staff to review other traffic calming devices, signage and speed tables and bring back further information to the City Council.

There is a long history of why and when the Huntwick roadways, stop signs, and road humps were installed. Due to the lack of east/west connection between Country Club Road and Winningkoff Road, the Estelle Lane connection is attractive to motorists.

Motorists travel at a speed that is comfortable to them given all the variables associated with driving. According to engineering standards, the purpose of posting speed limits is to inform the traveling public of the 85-percential speed calculated by engineers.

So, what is the speed of the motorists using Estelle connection? The first task in determining this number is to study and document the speeds, traffic volumes, and motorists' behaviors. To determine speed, there are a variety of ways and devices. The goal is to collect numbers and data without the motorists knowing their driving behavior is being observed. Traditionally traffic tubes are used, but some motorist change their behavior when they see the tubes. Devices such as TrafficSTAT are less intrusive and less visible to the motorists. The cost of this type of device starts at \$2,500.

Once the speeding issue is quantified, enforcement of the speed limit becomes the challenge. The most popular method is to position a deputy at the location. This is not cost effective and only works during the deputy's presence along the roadway. Another popular idea is the placement of digital reminder signs showing the real-time speed of the traffic approaching the sign. These reminder signs range in costs from \$2,200 to \$10,000+.



City of Lucas City Council Agenda Request June 6, 2019

The use of road humps to enforce speed limits is non effective, and the original purpose of a hump was to divert traffic not reduce speed. Stop signs should not be used to control speed per state law.

Attachments/Supporting Documentation

- 1. Traffic Stats brochure
- 2. Citizen response

Budget/Financial Impact

NA

Recommendation

- 1. Determine the extent of speeding issue along a roadway.
- 2. Examine the impacts of modifying the speed limit.
- 3. Review enforcement options.
- 4. Implement solutions.
- 5. Monitor results.

Motion

I make a motion to approve/deny the removal of the road humps Forestview Drive and Gold Dust Trail.



TrafficSTATTraffic Data Collector

POLICE RADAR · POLICE LASERS · SURVEY LASERS · SPEED SIGNS

The **TrafficSTAT™** Traffic Data Collector allows your agency the ability to conduct covert traffic analysis in targeted areas when needed. The device's compact size and mounting bracket allows for easy installation on most roadside poles. Our proven **SpeedView™** analysis software is easy-to-use and downloadable via an on-board USB port. With the addition of optional Bluetooth® wireless technology, users can conveniently configure TrafficSTAT and download data at a distance without the need to open the enclosure.

Among the many uses of the collected data are verification of community speeding complaints, providing accurate information for when to deploy officers for traffic enforcement, grant applications and gathering vehicle speed data during peak road usage times.

You can be confident in the accuracy of the collected data as TrafficSTAT uses the same tried-and-true directional radar system technology used in our speed signs and trailers.



Features

Minimum of 8 days of unattended data collection

Optional solar power kit for 24/7/365 operation

Waterproof, dust-proof, lockable housing rated to IP68 / NEMA 4

Simple installation and setup. Mounting hardware included.

High-capacity internal memory

Proven directional radar

SpeedView software for statistical analysis

Built-in 4 event scheduler for customized data collection periods





Specifications

• Dimensions: 10.59 in. H x 8.59 in. W x 6.59 in. D

• Housing: Lockable, polycarbonate enclosure

IP68 / NEMA 4 protection

• Weight w/o battery: 6.7 lbs

• Weight w/ battery: 20 lbs

• Battery: 12V sealed lead acid

• Battery capacity: 20 amp-hours

 Unattended operation: (w/o solar panel) 8 days

• Radar: MPH Directional K-band

• Direction: Approaching

• Typical range: 1,000 ft. for typical vehicles

• Operating Temp: -22 to +160°F

• Speed accuracy: ± 1 mph

• Internal data storage: 4 MB

• Connection method: USB, and/or optional Bluetooth

Options & Accessories

- · Bluetooth wireless connectivity
- 20W solar panel kit (allows for indefinite unattended use)

SpeedView Traffic Analyzer

- Analyze files without altering data
- Runs in Microsoft Excel, all versions
- Simple, menu-driven analysis
- Compiles tables and graphs of study data
- Print or export charts to other programs for reporting
- Data file information includes:
 - Start date/time, end date/time, total study time
 - Number of vehicles in each selectable mph range
 - Median, maximum and average vehicle speeds
 - Speeding vehicle information
 - Total number of vehicles
 - Maximum speed observed
 - Time or speed-based analysis





The MPH TrafficSTAT is manufactured in our Owensboro, KY facility and is in compliance with the BUY AMERICA ACT. For more information or official documentation, contact us at www.mphindustries.com

11 MAY 19

To whom this may concern,

I would like to address the Lucas City Council's consideration of removing the speed humps located in Huntwick Estates.

A brief history Huntwick Estates will establish a baseline. When conceived, the developer proposed Huntwick to have but one entrance/exit. The city council mandated a second in the name of safety creating a throughway with Winningkoff. No other redesign or applied civil engineering was considered. The roads were left designated residential. When traffic increased to the point of concern, a study was done by Lucas City Engineering. It was determined that volume exceeded the residential criterium and increased law enforcement for stop signs and speed was needed. Consideration of closing one of the entrance/exits was also discussed. The City Council decided to place speed humps on Estelle to include the Huntwick subdivision. The speed humps on Estelle were temporarily removed during the development of Tara but were never rebuilt.

In the 15 plus years that have passed, traffic has increased and lawless driving habits have remained unchanged. I have read the reports cited by the City Council and Engineering and have determined the council's response to be flawed. If safety is the chief concern, as stated by the City Council, then following the multifaceted guidelines of the report is requisite or the plan will fail. Law enforcement is the key to success.

One observation of the city study cited approximately 1/3 of the traffic stopped, 1/3 of the traffic had rolling stops and the remaining 1/3 made no attempt to stop at stop signs within Huntwick Estates. Therefore, a conservative number of 40,000 vehicles per year make no attempt to stop at signs. I have witnessed less than 10 traffic stops in the 20 years I have lived in Huntwick. I have witnessed multiple car accidents and care flight rescues. I have been passed while stopping at stop signs and have seen the same with school busses at both pick up locations and at stop signs. I have been struck while biking by someone with the belief that stop signs are optional. I have stopped the sherif in order to voice my concerns and they witnessed multiple violations while parked in the driveway. During the recent fire off Estelle, a sherif directing traffic witnessed multiple violators. Another sheriff stated, traffic violations were not a priority as long as there were not injuries and the city of Lucas wanted to avoid the stigma.

The calming study the city cites states a speed hump, depending on design, will slow emergency vehicles on average 10 seconds per hump. Therefore, up to 30 additional seconds would be required for emergency vehicles to travel completely through Huntwick. It also states no damage to vehicles, emergency or not, is likely.

I conclude the daily safety of those who live in, bike or walk Huntwick trumps the handful of times per year emergency vehicles or others are inconvenienced. It is obvious that response time is important and a full time fire fighting force would be a better solution. Also, simply spend an hour on my front porch and you will realize a Lucas Police force who enforces traffic laws is a requisite for safety.

The City Council missed there chance for an additional east/west corridor 20 years ago when they erroneously mandated a throughway without proper engineering and traffic study. It is also my understanding that the county comprehensive plan shows the Estelle/Gold Dust/Forestview corridor as 4 lane. The neighborhood has endured the issue for 20 years and should not have to make additional sacrifices which compromise safety.

William and Carla Berry 302 Forestview Drive



City of Lucas City Council Agenda Request June 6, 2019

Requester: City Attorney Joe Gorfida

Agenda Item Request

Review Articles VIII and IX of the City Charter and provide direction to the City Attorney regarding any proposed amendments to be considered as part of a Charter update.

Background Information

Section 12.03 of the City's Home Rule Charter requires that the City Council review the charter at least once every five years to determine whether any amendments are necessary.

City Staff is also reviewing the Charter and providing updates to the City Attorney for compilation.

Attachments/Supporting Documentation

- 1. Article VIII of the Home Rule Charter
- 2. Article IX of the Home Rule Charter

Budget/Financial Impact

NA

Recommendation

NA

Motion

I make a motion to provide the following recommended updates to the Home Rule Charter:

•

take the property subject to the liens provided above. In addition to the liens herein provided, on January 1st of any year, the owner of property subject to taxation by the City shall be personally liable for the taxes due for that year.

(B) The City shall have the power to sue for and recover personal judgment for taxes without foreclosure, or to foreclose its lien or liens, or to recover both personal judgment and foreclosure. In any such suit where it appears that the description of any property in the City appraisal rolls is insufficient to identify such property, the City shall have the right to plead a good description of the property to be assessed, to prove the same, and to have its judgment foreclosing the tax lien or for personal judgment against the owners for such taxes.

SECTION 6.04 Designation of Depository for City Funds

The City Council shall select a depository for City funds in accordance with State law, and to follow all the terms and provisions of State law.

ARTICLE VII

Bonds, Warrants and Other Evidence of Indebtedness

SECTION 7.01 Authority to Issue

The City shall have the right and power to borrow money for public purposes by whatever method it may deem to be in the public interest. The City shall have the right and power to issue tax bonds, revenue bonds, and any other evidences of indebtedness for permanent public improvements or for any other public purpose not prohibited by law or this Charter and to issue refunding bonds to refund outstanding evidences of indebtedness previously issued. All such bonds or other evidences of indebtedness shall be issued in conformity with the laws of the State applicable at the time of issuance of such obligations.

SECTION 7.02 Manner of Issuance

Bonds and warrants of the City shall be issued as provided by the General Laws of Texas applicable to cities and towns.

ARTICLE VIII

Recall

SECTION 8.01 Procedure

The Mayor or any Councilmember may be removed from office in the following manner:

City of Lucas, Texas Ordinance # 2008-05-00612 Canvass of Election for Home Rule Charter Approved May 15, 2008

- (1) Any qualified voter of the City may make and file with the City Secretary an affidavit containing the name of any member of the City Council whose removal is sought, which said affidavit shall distinctly and specifically state the ground or grounds upon which removal is predicated. The City Attorney shall review the affidavit for legal sufficiency and determine the validity of the allegations.
- The City Secretary shall deliver a copy of such affidavit to the party so charged and also to (2) the other members of the City Council. The City Secretary shall then place the matter on the agenda of the next regular City Council meeting for the purpose of giving the affiant an opportunity to present such charges to the City Council and to give the Mayor or Councilmember so charged an opportunity to answer such charge or charges. Such matter may be considered by the City Council in an executive session which is closed to the public, unless such officer requests a public hearing. If, after such meeting, such officer has not tendered such resignation or such affiant has not withdrawn such charges, the City Secretary shall deliver to the affiant making such charges, copies of petition blanks for demanding such removal, printed on forms which shall be kept on hand. Such blanks shall be issued by the City Secretary with the City Secretary's signature thereto attached, and they shall be dated and addressed to the City Council, indicate the person to whom issued, state the name of the member whose removal is sought, and such petition must distinctly and specifically point out the ground or grounds upon which such petition for removal is predicated, and, if there be more than one ground, such as for incompetency, misconduct or malfeasance in office, shall specifically state each ground with certainty, as was required in the initial affidavit, so as to give the officer sought to be removed and those signing the petition, notice of the matters and things with which such officer is charged. A copy of the petition shall be recorded in a record book for that purpose to be kept in the office of the City Secretary.
- (3) For a recall petition to be effective, the petition must be returned and filed with the City Secretary within thirty (30) days after its issuance. Such petition must bear the signatures of qualified voters of the City equal in number to at least fifty-one percent (51%) of the total number of voters casting votes for such office at the last regular election or the signatures of two hundred fifty (250) qualified voters of the City, whichever is the greatest.
- (4) Signatures to a recall petition need not be appended to one paper, but to each such petition paper there shall be attached an affidavit of the circulator thereof, stating that each signature thereto was made in the circulator's presence and is the genuine signature of the person whose name it purports to be. Each signer of a recall petition shall sign in ink or indelible pencil and shall place after such signature, said name printed, the date when said signature was made, signer's residence by street and number, or other description to identify signer's place of residence, and if available, signer's voter registration certificate number. Inclusion of the voter registration number is not required and may be placed on the petition by the signer or added to the petition by the person circulating the petition. It shall serve only as an aid to assist the City Secretary in the task of determining whether or not the signer is a qualified voter. Provided, however, nothing in regard to the inclusion of such registration number shall affect the validity of the petition including, but not limited to, errors in regard to the number supplied or its total omission. Recall petition papers

provided by the City Secretary shall be in form that substantially complies with the form in Appendix A.

- All papers and affidavits comprising a recall petition shall be assembled and filed with the City Secretary as one instrument, with a notarized statement attached thereto giving the names and addresses of three (3) qualified voters, who as a committee of the petitioners, shall be officially regarded as filing the petition. Within twenty (20) business days of the date of filing a recall petition, the City Secretary shall determine the sufficiency thereof and attach thereto a certificate showing the result of the examination. If the City Secretary shall certify that the petition is insufficient, the City Secretary shall set forth in the certificate the particulars in which it is defective and shall within three (3) business days notify the committee of petitioners of such finding.
- (6) A recall petition may be amended at any time within twenty (20) business days after the making of the certificate of insufficiency by the City Secretary by filing a supplementary petition upon additional papers issued, signed and filed as provided herein for an original petition. The City Secretary shall within five (5) business days after such amendment is filed, make examination of the amended petition and, if the City Secretary certificate shall show the petition still to be insufficient, the City Secretary shall file the petition in the office of the City Secretary and notify the committee of petitioners of such findings. The finding of insufficiency of a recall petition shall not prejudice the filing of a new petition for the same purpose.
- If a recall petition, or amended petition shall be certified by the City Secretary to be **(7)** sufficient, the City Secretary shall within three (3) business days submit it to the City Council with the City Secretary certificate to that effect and shall notify the member whose removal is sought on such action. The officer whose removal is sought may, within five (5) days after such recall petition has been presented to the City Council, request that a public hearing be held to permit the officer whose removal is sought to present facts pertinent to the charges specified in the recall petition. In this event, the City Council shall order such public hearing to be held, not less than five (5) nor more than fifteen (15) business days after receiving such request for public hearing. If the officer whose removal is sought does not resign within five (5) business days after such public hearing, or if no public hearing is requested, within five (5) business days after the deadline for requesting such public hearing, the City Council shall thereupon order and fix the date for holding a recall election which shall be held at the next date authorized for City elections by State law, but not less than forty (40) days after the date of said public hearing, if requested, or if a public hearing has not been requested, not less than forty (40) days after the deadline for requesting such public hearing.
- (8) The question of recalling any number of members of the City Council may be submitted at the same election, but as to each member whose removal is sought a separate affidavit and a separate petition shall be filed and there shall be an entirely separate ballot. Candidates to succeed any members of the City Council whose removal is sought shall be placed in nomination in compliance with this Charter.

- (9) The ballot to be used in a recall election shall submit the proposition in substantial compliance with the form in Appendix B. Except as provided in this section, ballots used in recall elections shall comply with the provisions of this Charter regarding ballots for regular municipal elections.
- (10) If a majority of the votes cast on the question of recalling the Mayor or a Councilmember be against recall, such Mayor or Councilmember shall continue in office for the remainder of the unexpired term, but subject to recall as before. If a majority of such votes be for recall of the officer on the ballot, such officer shall, regardless of any technical defect in the recall petition, be deemed removed from office. When the Mayor or a Councilmember is removed from office by recall, the candidate to succeed such officer who receives the highest vote shall be declared elected to fill the unexpired term.
- (11) If a Mayor or Councilmember in regard to whom sufficient recall petition is submitted shall resign, the seat shall be declared vacant by the City Council and shall be filled by the qualified voters at an election called for the next available uniform election date prescribed by State law, as amended. If the term of office or offices is or are unexpired, the member or members elected at such election shall serve in such office or offices for the remainder of the unexpired term of such office or offices following the date of the election.
- (12) No recall shall be filed against the Mayor or a Councilmember within three (3) months after such Mayor or Councilmember takes office. In the case of a Mayor or Councilmember subjected to a recall petition and not removed thereby no recall shall be filed against the Mayor or Councilmember until at least six (6) months after the recall election. In the case of a Mayor or Councilmember subjected to an ineffective recall petition that is not returned to the City Secretary within thirty (30) days after its issuance no recall shall be filed against the Mayor or Councilmember until at least six (6) months after the expiration of the thirty (30) days.

ARTICLE IX

Legislation by Initiative and Referendum

SECTION 9.01 Initiative

Qualified voters of the City shall, on at least two (2) separate regular meetings of the City Council within a sixty (60) day period, request adoption of an ordinance (except one appropriating money, levying a tax, issuing bonds, or zoning). In the event the City Council fails to enact such an ordinance, such voters may submit a petition to the City Council which, after approval as to legal form by the City Attorney, requests that the ordinance be passed by the City Council, or, if not passed, it be submitted to a vote of the qualified voters of the City. Said petition must be signed by qualified voters of the City equal in number to twenty percent (20%) of the number of votes cast at the last regular municipal election, or 250, whichever is greater, and each copy of the petition shall have attached to it a copy of the proposed ordinance.

City of Lucas, Texas Ordinance # 2008-05-00612 Canvass of Election for Home Rule Charter Approved May 15, 2008

- (A) The petition must state the residence of each signer and bear the oath of one of the Petitioners that each signature thereon is the genuine signature of each person whose name it purports to be subscribed thereon.
- (B) The petition shall be filed with the City Secretary and within twenty (20) business days after such filing the City Secretary shall check the signatures on the petition against the county voter registration lists and attach thereto the City Secretary certificate showing the results of such examination.
- (2) Any person who has filed an insufficient petition shall be notified within three (3) business days upon discovery of such insufficiency and may present additional signatures within ten (10) business days after such notice or may file a new petition at any time.
- Within twenty (20) business days after the City Secretary finds such a petition to be sufficient, the City Council shall either pass the ordinance as submitted or order an election to submit the proposed ordinance to a vote of the qualified voters of the City who shall vote on the question: "For the Ordinance" or "Against the Ordinance." If a majority of the qualified voters at such election vote for the ordinance, it shall thereupon be an ordinance of the City.

SECTION 9.02 Referendum

Qualified voters of the City may require that any ordinance, with the exception of ordinances appropriating money or levying taxes, passed by the Council be submitted to the voters of the City for approval or disapproval, by submitting a petition for this purpose within thirty (30) days after final passage of said ordinance, or within thirty (30) days after its publication. The petition shall be signed in the same manner as recall petitions are signed, as provided in this article, and shall be verified by oath in the manner and form provided for recall petitions in this article and shall be submitted to the City Secretary. Immediately upon the filing of such petition, the City Secretary shall present to the Council. Thereupon the Council shall immediately reconsider such ordinance and, if the Council does not entirely repeal the same, shall submit it to the popular vote as provided in this charter. Pending the holding of such election, each ordinance shall be suspended from taking effect and shall not later take effect unless a majority of the qualified voters voting thereon at such election shall vote in favor thereof.

SECTION 9.03 Voluntary Submission of Legislation by the City Council

The City Council, upon its own motion and by the affirmative vote of a majority of the full membership of the City Council, may submit to popular vote at any election for adoption or rejection any proposed ordinance, or may submit for repeal any existing ordinance, in the same manner and with the same force and effect as provided in this Article for submission of petition, and may at its discretion call a special election for this purpose.

SECTION 9.04 Form of Ballots

The ballots used when voting upon such proposed and referred ordinance, resolution or measures, shall set forth their nature sufficiently to identify them and shall also set forth upon separate lines the words:

"For the Ordinance" or

SECTION 9.05 Publication of Proposed or Referred Ordinances

Prior to the date early voting shall begin in any election on an initiative or referendum, the City Secretary shall cause the caption of the particular ordinance to be published in at least one issue of the official newspaper of the City or a printed copy thereof mailed to each qualified voter of the City as appears on the tax roll of the City on the 1st day of January of the year the petition was presented and the City Secretary shall do such other things relative to such election as are required in general municipal elections or by the order calling said election.

SECTION 9.06 Adoption of Ordinances

If a majority of the qualified voters voting on any proposed ordinance shall vote in favor thereof, it shall thereupon or at any time fixed therein, become effective as a law or as a mandatory order of the Council.

SECTION 9.07 Inconsistent Ordinances

If the provisions of two (2) or more proposed ordinances approved at the same election are inconsistent, the ordinance receiving the highest number of votes shall prevail.

SECTION 9.08 Ordinances Passed by Popular Vote, Repeal or Amendment

No ordinance which may have been passed by the Council upon a petition or adopted by popular vote under the provisions of this article shall be repealed or amended except by the Council in response to a referendum petition or by submission as provided by this charter.

SECTION 9.09 Further Regulations by the City Council

The City Council may pass ordinances or resolutions providing other and further regulations for carrying out the provisions of this Article consistent herewith.

SECTION 9.10 Franchise Ordinances

Nothing contained in this Article shall be construed to be in conflict with any provisions of this charter pertaining to ordinances granting franchises when valuable rights shall have accrued thereunder.

[&]quot;Against the Ordinance"



City of Lucas Council Agenda Request June 6, 2019

Requester: Assistant Fire Chief/Emergency Management Coordinator Lance Gant

City Attorney Joe Gorfida

Agenda Item Request

Provide update regarding fireworks patrol conducted over the July 4th holidays in 2017 and 2018 and give direction to staff regarding continued efforts of the fireworks patrol and citing illegal use of fireworks.

Background Information

Since July 2017, City Staff has been conducting fireworks patrol over the July 4th Holiday to monitor illegal use of fireworks per Chapter 5, Article 5.03 of the Fire Prevention and Protection section of the City's Code of Ordinances.

	2017 (July 1-4 Patrol)	2018 (July 4 Patrol)
City Staff Overtime Hours	Approx – 175 hours	Approx – 55 hours
Warning Letters Issued	14	10
Violations Written	0	1
LFR Calls for Service	0	4
(outside/grass fires)		

Attachments/Supporting Documentation

- 1. Fireworks Patrol After Action Report 2017
- 2. 2017 City of Lucas Notice Warning of Violation
- 3. Fireworks Patrol After Action Report 2018
- 4. 2018 City of Lucas Written Warning for Illegal Use of Fireworks

Budget/Financial Impact

City Staff Overtime

Recommendation

City Staff and outside agencies (Collin County Sheriff's Office, Collin County Sheriff's Office Citizen on Patrol, Lake Lavon Corps of Engineers) will continue fireworks patrol for the July 4th holiday for 2019. City Staff is seeking recommendations from the City Council on the continued efforts of the fireworks patrol and citing illegal use of fireworks.

Motion

No action needed (information only)

Fireworks
Patrol –
After
Action
Report

July 1

2017

Assistant Fire Chief/EMC Lance Gant Report Completed: July 5, 2017

Lucas Fire-Rescue

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EXPLANATION OF TERMS

AAR After Action Report

CAD Computer Aided Dispatch EOC Emergency Operations Center

LFR Lucas Fire-Rescue
CE Code Enforcement

PW Public Works

CCSO Collin County Sheriff's Office

COP Citizens on Patrol IC Incident Command

ICS Incident Command System

NIMS National Incident Management System
OEM Office of Emergency Management

INTRODUCTION

Several departments within the City of Lucas were tasked to perform fireworks patrol on the evenings of July 1st-4th. Departments included were Code Enforcement, Public Works, LFR, EOC, and CCSO.

Sequence of events:

Saturday, July 1 - We ended up with six (6) records that night with five from us monitoring and one call came through 911-Collin County Sheriff's Office for fireworks complaint that Deputy Collins responded to. Some written warnings were issued and people were receptive. Other calls we were unable to make contact or no more fireworks were being discharged once we arrived at the location so with no evidence, staff was unable to issue written warnings. All calls were recorded in the log and plotted on the map. (A total of approximately 45 hours of overtime used this evening)

Sunday, July 2 - We ended up with **three (3) records** from that night with two from us monitoring and one call came through 911- Collin County Sheriff's Office for fireworks complaint that the Citizens on Patrol vehicle reported and the game warden responded to. One written warning was issued and people were receptive to the notice. All calls were recorded in the log and plotted on the map. **(A total of approximately 35 hours of overtime used this evening)**

Monday, July 3 - We ended up with three (3) records that night with two from us monitoring and one call came through 911- Collin County Sheriff's Office for fireworks complaint. One written warning was issued and people were receptive to the notice. All calls were recorded in the log and plotted on the map. Very slow considering we thought this would be the busiest night. (A total of approximately 45 hours of overtime used this evening)

Tuesday, July 4 - We ended up with **37 records** that night with 17 calls to the Deputy from the Collin County Sheriff's Office. Twelve written warnings were delivered, with most being polite and seemingly compliant. There were several calls to the same address (several addresses). Due to call volume and an accident that occurred, the Deputy was unable to make contact with some of the parties involved in discharging fireworks. (A total of approximately 50 hours of overtime used this evening)

AFTER ACTION REPORT OVERVIEW

This report is a compilation of information from the different departments and staff who participated in the response to fireworks patrol. The information was gathered by the EOC and LFR.

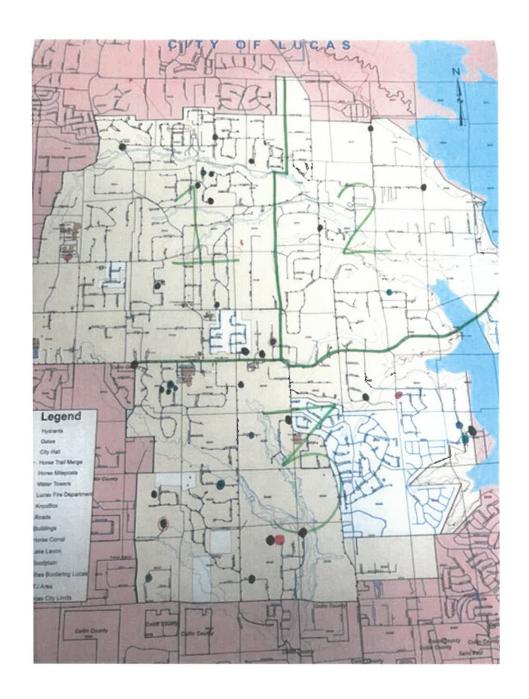
The recommendations in this AAR should be viewed with considerable attention to the needs for a safe July 4th Holiday. In some cases, departments may determine that the benefits of implementation are insufficient to outweigh cost. In other cases, departments may identify alternative solutions that are more effective. However, each department should review the recommendations and determine the most appropriate action and time needed for implementation.

The issues addressed in this AAR are being requested to be reviewed and thoroughly examined for the appropriation of needed resources to ensure the functions of incident response, stabilization and notification are efficient and effective.

A total of 49 calls were received by the EOC.

17 calls came through CCSO dispatch, 32 calls from patrol units

17 letters issued in total. 34% of calls received a letter, 66% of calls there was no contact made or no proof or evidence of fireworks at the location



EOC MAP WITH FIREWORKS RECORDS PLOTTED

STRENGTHS

Effective interoperable communication overall and working together as a team

Meeting the SMART objectives

Nobody got hurt

Patrols were able to reduce the number of illegal fireworks being shot off

AREAS OF IMPROVEMENT

Training on how to use radios

Training on ICS Forms for record keeping

Driver training course

Needing more personnel that can write/issue citations

EOC – IT issues with screens and laptops. Need more radios to hand out.

RECOMMENDATIONS

Start later in the evening. First call for the first 3 nights came in after 2100. On the fourth the first call was at 2025

Code Enforcement - TCLEOSE Certification

Reduce number of teams on the slower days leading to the 4th (see call volume)

Increase the number of teams on the 4th (see call volume)

EOC - purchase radios and bank charger; purchase new laptop as the EOC one kept freezing up; purchase another projector; purchase HDMI cables for TV's, laptops, and projectors; get a scribe and/or runner (especially for the 4^{th}) to assist with documentation and/or breaks for IC

Purchase a better tower camera – low visibility in the camera at night

All personnel driving LFR vehicles attend the LFR Emergency Vehicle Operators Course (EVOC) classes.

Conduct training on ICS Forms and how to properly complete the form (online and/or internal classes)

Conduct training on radio use and how to operate

CONCLUSION AND NEXT STEPS

Overall it was a successful operation but the City needs to review the costs of overtime verse the effectiveness of the patrolling efforts. There was approximately 175 overtime hours put into this event over the four nights of patrolling. 66% of all contact made by the patrolling personnel was not effective in that "no contact was made with RP" or "no proof or evidence of fireworks being shot from that location were found". The contact that was made in 34% of the calls, the RP in most cases was receptive to the NOTICE WARNING OF VIOLATION LETTER and only a few RP's weren't that polite to the patrol personnel. We had several address and or areas where more than one visit occurred and/or a letter was issued. No citations were issued over the four day event.

All departments worked great in communication and working together as they monitored specific divisions per that operational time period.

If the City feels the efforts of the patrol are worth it, the next steps will be to look through the recommendations from the event to better help the event throughout the operation in the future.



2017

City of Lucas 665 Country Club Road Lucas, Texas 75002 972.727.8999 www.lucastexas.us

NOTICE

WARNING OF VIOLATION

City staff and the City's Fire-Rescue Department are on patrol during the Fourth of July holiday in response to the negative impact caused by the illegal use of Fireworks in our community.

You are receiving this Notice because you are in violation of Chapter 5, Article 5.03 of the Fire Prevention and Protection section of the of the City's Code of Ordinances, which prohibits the use of fireworks within the City of Lucas as well as within 5,000 feet of the city limits. As a courtesy, City staff will provide one warning to those discovered using prohibited fireworks.

Should you be found using fireworks a second time, the City will dispatch either a Code Enforcement Officer or the Collin County Deputy assigned to Lucas, and they may confiscate any remaining fireworks and/or issue a citation that carries a fine of up to \$2,000.

Our goal is preserve the safety of all Lucas residents and remain considerate to veterans, families with small children, and those with pets or other animals that may be easily frightened by the noise. With this in mind, your compliance with the law is of the utmost importance.

Fireworks
Patrol –
After
Action
Report

July 4

2018

Assistant Fire Chief/EMC Lance Gant Report Completed: July 9, 2018

Lucas Fire-Rescue

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EXPLANATION OF TERMS

AAR After Action Report

CAD Computer Aided Dispatch
EOC Emergency Operations Center

LFR Lucas Fire-Rescue
CE Code Enforcement

PW Public Works

CCSO Collin County Sheriff's Office

COP Collin County Sheriff's Office - Citizens on Patrol

IC Incident Command

ICS Incident Command System

NIMS National Incident Management System
OEM Office of Emergency Management
EOC Emergency Operations Center

EAP Event Action Plan

INTRODUCTION

Departments within the City of Lucas and Collin County Sheriff's Office were tasked to perform fireworks patrol on the evening of July 4th. Departments with the City of Lucas included Code Enforcement, Public Works, Lucas Fire-Rescue (LFR), Office of Emergency Management, and with CCSO there were two (2) deputies along with COP.

Wednesday, July 4 - Summary of Events

Personnel:

City of Lucas Public Works:

6 people

City of Lucas Code Enforcement:

2 people

City of Lucas Fire-Rescue:

3 people (shift)

City of Lucas EOC:

3 people (1 PW/2 LFR)

CCSO Officers:

2 people

CCSO COP:

2 people

The EOC was opened at 1900. The City was divided into four (4) districts. City of Lucas patrol teams were assigned specific districts as CCSO and COP were utilized to roam heavier areas within the City. Patrols began at 1940. The last recorded event was at 2305. Patrol teams returned to the EOC and the EOC was closed at approximately 2330 following the decline in activity (see attached spreadsheet).

32 records that night in the EOC. Some calls were same location multiple times.

4 calls for LFR to respond to grass/outside fires

- 2045 E Lucas Road
- Inspiration Subdivision (call taken by Wylie Fire-Rescue)
- 230 Rock Ridge (call taken by Fairview Fire Department)
- Stinson Road/La Cantera

10 written warnings were delivered, with most being polite and seemingly compliant.

1 violation written - 30 Woodmoor Circle

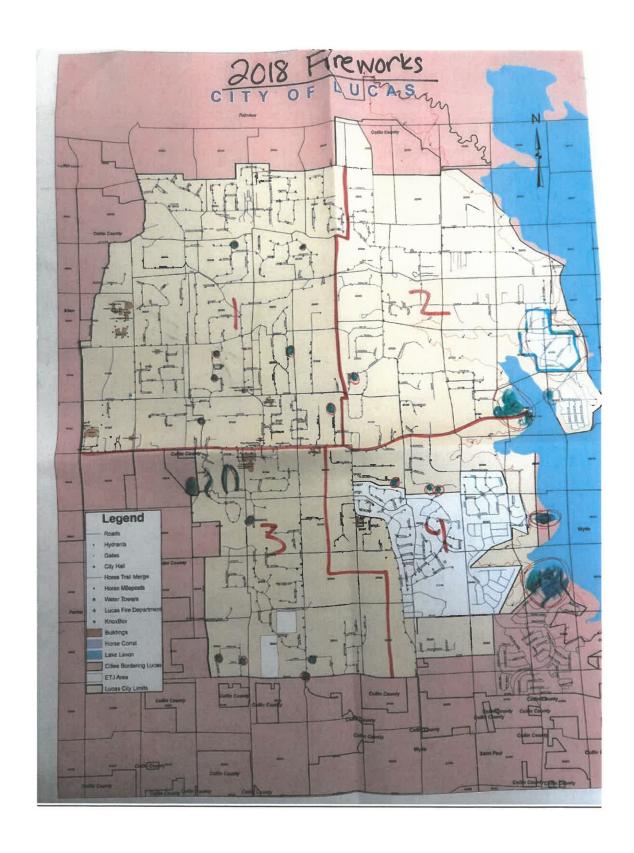
(A total of approximately 50 hours of overtime used this evening)

AFTER ACTION REPORT OVERVIEW

This report is a compilation of information from the different departments and staff who participated in the response to fireworks patrol. The information was gathered by the EOC, LFR, PW, CE, or CCSO.

The recommendations in this AAR should be viewed with considerable attention to the needs for a safe July 4th Holiday. In some cases, departments may determine that the benefits of implementation are insufficient to outweigh cost. In other cases, departments may identify alternative solutions that are more effective. However, each department should review the recommendations and determine the most appropriate action and time needed for implementation.

The issues addressed in this AAR are being requested to be reviewed and thoroughly examined for the appropriation of needed resources to ensure the functions of incident response, stabilization and notification are efficient and effective.



EOC MAP WITH FIREWORKS RECORDS PLOTTED

STRENGTHS

Effective interoperable communication overall and working together as a team

Meeting the SMART objectives in the Event Action Plan (EAP)

Nobody got hurt

Patrols were able to reduce the number of illegal fireworks being shot off

Able to write violation tickets this year

Communications

Adaptability – able to adapt district coverage when units where pulled off for other assignments/grass fires

AREAS OF IMPROVEMENT

Communications – can always get better

Continued training on ICS Forms for record keeping

Better signs (TXDOT signage??); once dark you can't see the signs by the lake or roadside

RECOMMENDATIONS

EOC felt shorthanded/overwhelmed at times. Especially when LFR was out on grass fires.

CCSO COP – had the idea of driving neighborhoods during the daylight and note address to EOC where several cars are parked outside. Usually a good indicator there might be fireworks

See what the Corp of Engineers might be able to do to help. What is the fine for starting a fire on Corp property? Can enforcement come from them? Etc.

LFR – better scheduling of personnel. Either not allowed to take off or have covered by OT to strengthen staffing numbers.

CONCLUSION AND NEXT STEPS

Overall it was a successful operation. The City will need to review the AAR for this year and previous years to gauge necessary man power, equipment, and signage for the illegal use of fireworks. The RP in most cases was receptive to the NOTICE WARNING OF VIOLATION LETTER and only a few RP's weren't that polite to the patrol personnel. We had several address and or areas where more than one visit occurred and/or a letter was issued. One citation was issued.

All departments worked great in communication and working together as they monitored specific divisions per that operational time period.

If the City feels the efforts of the patrol are worth it, the next steps will be to look through the recommendations from the event to better help the event throughout the operation in the future.

2018 FIREWORKS PATROL July 4, 2018

2131 2134	2131			2131		2120	2118	2118	2117		2116	2108	2101			2100	2051	2050	2048	2003	1959	1954		1945		1940	1900	Time
COP, S862 S861, B86	S861			S861		810 COP	PW1	S862	S862		S862	S862	PW1			S861			PW2	PW1	PW1	135		135				Unit
COP, S862 Bee Caves area S861, B8612045 E Lucas Rd	232 Forest View			Lakeview Downs subdivion		Gruene - area of Rockland Trls	1910 Northfork	Rockland Trl	30 Woodmoor		32 Woodmoor	30 Woodmoor	30 Woodmoor			End of Welborn Rd	1810 Crestland		950 Hamilton	591 Shiloh Dr	Stinson / Parker	450 Arthur		1865 Mary Lee				Address
between houses and down in ditch. Grass Fire - C860, B861, S861 (DeJong enroute)	subdivision Bee Caves - fireworks seen - unable to find where they are coming from -	his grass is dry - S861 would be enroute when they clear Lakeview Downs	Caller over station 10 digit at this address - wants area checked - advised	quit and vacate area	S861 advised subjects in area shooting offf fireworks, advised they would	Gruene - area of Rockland Trls	PW1 issued flyer	S862 enrt to check area of Rockland Trl	warning delivered. Can issue citation tomorrow	S862 advised 30 Woodmoor continued to shoot off fireworks after	S862 delivered flyer to 32 Woodmoor	S862 (Hurley) on location - no fireworks. Waiting to make contact	(Hurley)	shoting fireworks - S862 enrt with PW code enforcement personnel	PW1 delivered flyer, homeowner advised he was going to continue	2 vehicles, unattended at end of Welborn. No occupants, no hazard	Called into CCSO, stacked on 136	Units rotate districts	Called into CCSO, fireworks in area, PW2 enrt, PW2 on location UTA	Called into CCSO, PW1 advised (maybe same incident as above)	Called into CCSO, EOC sent PW1	clear, no contact	Called into CCSO from this address, 135 advised FW from Seis Lagos. 135	homeowner of FW ordiance	Called into CCSO dispatch, 135. 135 made contact and advised	Units out to patrol (S861 D1, S862 D2, PW1 D3, PW2 D3, COPS D1)	Briefing / EOC Activated	Action Taken

B861 out to check hot spots from previous fire - multiple people out there 2045 E Lucas Rd shooting off fireworks - they advised they would quit and vacate area Letter delivered - compliant All units reported no fireworks activity - start to return to FD and wind down operations			
ર ત			2311
		COP 810	2305
	2005	B 0 6 1	2245
6 Santa Fe they would cease fireworks	6 Sar	S862	2243
E Lucas / Hollyoak stuck in ditch		COP 810	2237
131 on location @2250 helping to get people to disperse - advised cars			
810 advised to contact their dispatch to request deputy and advise EOC -			
Cars parked along E Lucas / Hollyoak and lots of fireworks - need deputy -			
20 Edgefield -called CCSO to report "loud fireworks" in area	20 E	PW1	2234
E Lucas / Short Bridge COP reported fireworks at short bridge off E Lucas - will make contact		COP 810	2230
Clear of Stinson Rd fire		S861	2221
8 Cimarron S862 enrt to check area	8 Cin	S862	2221
1010 Sadlebrook Fireworks in driveway - unable to make contact with party	1010	PW2	2216
2180 Snider Ln COP 810 enrt ot check area		COP 810	2216
Conrad Estates (Goose Ln) Conrad Estates / Goose area - PW1 sent to check area - UTL	Conr	PW2	2210
roamer			2208
S862 shift to cover D3 & D4 - COP 810 shift to cover D1 & D2 - PW1			
850 Saddlebrook PW2 enrt - fireworks in area	850	PW2	2204
700 Preakness CCSO COP 810 delivered flyer - advised they would quit shooting fireworks		FV B752	2159
Parker / Stinson B752 enroute - Fire under control @ 2202		Multiple	2154
requested - No structures threatened, but backing up to neighborhood -			
290 Bee Caves Coming from behind location in Parker ETF - S862 clear	290	S862	

135 136 C860 EOC	COP 810	\$861 \$862 PW1 PW2
Cass Lawson Gant Alderdice, Bogle	Deb, Terry	Scott, Marco Jim, Cesear Marcus, Jose Jacob, John
Ö	972-690-9919	214-718-0279 214-475-1437 972-632-8187 469-251-3843



2018

City of Lucas 665 Country Club Road Lucas, Texas 75002 972.727.8999 www.lucastexas.us

WRITTEN WARNING

FOR ILLEGAL USE OF FIREWORKS

City staff and the City's Fire-Rescue Department are on patrol during the Fourth of July holiday in response to the negative impact caused by the illegal use of fireworks in our community.

You are receiving this written warning to give you official notice that you are in violation of Chapter 5, Article 5.03 of the Fire Prevention and Protection section of the City's Code of Ordinances, which prohibits the use of fireworks within the City of Lucas and within 5,000 feet of the city limits. As a courtesy, City staff will provide one warning to those discovered using prohibited fireworks.

This written warning with your physical address is being sent to our Emergency Operations Center. Should you be found using fireworks a second time, the City will dispatch either a Code Enforcement Officer or a Collin County Deputy and they may confiscate any remaining fireworks and/or issue a citation that carries a fine of up to \$2,000.

Our goal is to preserve the safety of all Lucas residents and to be considerate of our veterans, families with small children, and those with pets or other animals that may be easily frightened by the noise. Your compliance with the law is of the utmost importance.



City of Lucas City Council Agenda Request June 6, 2019

Requester: Development Services Director Joe Hilbourn

Agenda Item Request

Consider a temporary solution to the under-road structure damage at the intersection of Cedar Bend and East Lucas Road and provide direction to City staff.

Background Information

During recent storms the culvert under Cedar Bend separated causing the road to washout/lose structural stability. Staff barricaded the road for safety reasons. The City Engineer contracted with Birkhoff Engineering for a design to study the drainage in the area and design a new drainage structure based on the outfall. Following closing the road and hiring a design firm, the City Engineer had a meeting with TxDOT and found that they may be studying this drainage area and structure as part of intersection improvements at the intersection of East and West Lucas Road. Staff would like to replace the existing culvert with something similar or slightly upsize and let the TxDOT take care of repairing the culvert with their project to speed up the process and reduce costs. The City Engineer is obtaining estimates from McMahon, the contractor working on Blondy Jhune Road and Public Works is obtaining an estimate from K-Con, the contractor working on Farmstead Estates. Development Services staff will be meeting the Project Manager for J. Anthony Custom Homes on site to get an estimate.

Attachments/Supporting Documentation

NA

Budget/Financial Impact

Original design estimate \$30,000 Culvert and road repairs are to be determined.

Recommendation

Staff recommends a temporary repair to reopen the road as soon as possible, and let TxDOT take care of studying the drainage, and designing the drainage for the area.

Motion

Provide direction to City staff on the culvert replacement and road repairs for the intersection of East Lucas Road and Cedar Bend Trail. Once additional information is received, staff will bring back for City Council consideration.



City of Lucas Council Agenda Request June 6, 2019

Requester: City Manager Joni Clarke

Assistant to the City Manager Kent Souriyasak

HR Generalist Janice Babcock

Agenda Item Request

Consider the evaluation and possible revision of the City's benchmark cities to serve as a resource to generate comparable data regarding employee compensation.

Background Information

The City Council establishes benchmark cities to serve as a resource to generate comparable data regarding employee compensation. To retain a skilled workforce and to remain competitive in the market, the City Council will periodically authorize a compensation market study and implement market adjustments specific to positions that are deemed below acceptable market levels.

Previous Comprehensive Market Survey

On August 7, 2014, the City Council discussed the method and process used to conduct market surveys and criteria to be used to identify benchmark cities. The following cities were selected to serve as benchmark cities:

- Celina
- Fairview
- Fate
- Melissa
- Parker
- Prosper
- Sunnyvale
- Trophy Club

The City hired Wendi Delgado of Delgado Consulting to perform a comprehensive market salary survey for twenty-two positions and a benefits survey using the eight benchmark cities. A presentation was provided on February 5, 2015 (fiscal year 14/15).

A pay scale was also developed using market data accordingly:

- Minimum = 85% of Market Average
- Midpoint = 100% of Market Average
- Maximum = 115% of Market Average

To calculate the market, the high and low responses were eliminated, and the average was calculated using the remaining six responses. This number was used as the midpoint (100% of



City of Lucas Council Agenda Request June 6, 2019

market average). Market adjustments were implemented for nonexempt staff in fiscal year 14/15 (February 9, 2015) and market adjustments were processed for exempt staff in fiscal year 15/16 (October 8, 2015).

Recent Market Salary Survey

At the budget workshop held on July 19, 2018, a request was made to fund a compensation market study and this request was not funded.

A decision was made to conduct an in-house market compensation study based on the following factors:

- During a recent recruitment to fill a vacant Firefighter/Paramedic position, the City only received six applications.
- Over a five-year period, the City's Public Works Department has experience turnover ratios ranging from 12.5% to 37.5%

Staff conducted a salary range survey from six benchmark municipalities. The two benchmark municipalities that do not have an established salary range were not included in the survey (Sunnyvale and Parker). To establish the market, staff collected the minimum, midpoint and maximum for the salary ranges and the median was calculated using this salary range data.

The goal of this project was to use the pay ranges from benchmark cities to calculate the market level and then compare actual compensation levels by position in analyzing the City of Lucas employee compensation. Employees that were in their current position with the City for less than three years were compared to the minimum and employees that were in their current position with the City for three years or more were compared to the midpoint. To be recommended for a market adjustment, the compensation of a specific position would have to be greater than 10% below market.

The following five job positions in the City of Lucas were recommended for market adjustments:

Development Services Director Finance Director Fire Chief EMS Officer Fire Captain Firefighter/Paramedic

Future Considerations

At the January 17, 2019, City Council meeting, the City Council thought that it may be time to evaluate the City's benchmark cities. There are two approaches worth considering. The first



City of Lucas Council Agenda Request June 6, 2019

approach is to continue identifying benchmark cities. There is a variety of selection criteria that can be used to update our established benchmark cities.

- Per Capita Spending
- Property Tax and/or Sales Tax Revenue
- Population
- Home Rule Cities
- Geographical Area
- Staff Size
- Ad Valorem Taxable Value
- Median Household Income
- Median Cost of a House
- City Services Provided
- Perspective (Should the City choose benchmarks cities that are comparable today or fit the vision of where the City would like to be in a specific time period?)

The second approach would be to evaluate the labor market. A labor market is the market that the City of Lucas competes for employees. In determining the labor market, it can represent a variety of organizations and include diversity in size, geographic location and other criteria. In the past five years, the City has lost employees to the following organizations:

Allen

Celina

Frisco (accepted position with Frisco and then returned to Lucas)

Lewisville

North Texas Municipal Water District

Plano

With an assessment of the relative market data, the City could strive towards a specified market position. For example, the City would strive to position itself at a mid-level position at the 50th percentile. On average, 50% of the labor market will pay higher than the City of Lucas.

At the April 4, 2019, City Council meeting, City Manager Joni Clarke gave a presentation regarding the City's compensation system noting that the City provides for cost of living adjustments as well as merit compensation. Ms. Clarke discussed identifying benchmark cities, to provide compensation data for use in a future market study as some of the current benchmark cities did not provide an appropriate comparison to Lucas.

Ms. Clarke discussed how market data was calculated in previous studies that included eliminating the high and low responses, with the average used for the remaining responses, as well as the midpoint of the market average.



City of Lucas Council Agenda Request June 6, 2019

Ms. Clarke recommended the Council identify eight to twelve benchmark cities and their selection criteria such as population, property tax rate, geographical area, or staff size and direct City staff accordingly on how to proceed.

Mayor Olk stated that he wanted to retain employees and would like the City to be above average in the market in order to encourage potential applicants to work for the City of Lucas.

Councilmember Fisher stated that she preferred the median to be used for the calculation rather than the average so that we are aware of the tax impact on households.

Mayor Pro Tem Peele stated that the City should use population size as well as government size as part of the methodology.

Councilmember Millsap stated that geographical implications differ by county and also pay differently. The City should also consider reaching out to various colleges to assist with a market study project.

The City Council discussed how to choose appropriate benchmark cities and possible methodologies to be used.

Mayor Olk suggested the following methodology be used:

- Choose approximately 8-12 benchmark cities that have similar employee size, job descriptions and population
- Use median for the calculation and see how it compares to the average calculation
- Look to colleges to see if the compensation study could be taken on as a project
- Review various positions with each budget cycle

Staff spoke with one professor from the University of North Texas and staff does not recommend this being a student project for various reasons. Staff has been successful in getting positive feedback from a municipal compensation specialist in the Dallas metropolitan area who would consider some consulting work pending approval from her employer.

Attachments/Supporting Documentation

1. List of Cities to be evaluated as Benchmark Cities using staffing levels, property tax revenue, tax rate and average valuation.

Budget/Financial Impact

Staff would like to purse an agreement with a municipal compensation specialist in the Dallas metropolitan area who would consider some consulting work pending approval from her



City of Lucas Council Agenda Request June 6, 2019

employer. Staff would conduct some of the research internally. The cost is undetermined at this point. The City of Lucas has 23 positions to evaluate that represents 38 employees.

Recommendation

- 1. Identify eight to twelve benchmark cities with agreed upon selection criteria and obtain actual compensation data to perform a comprehensive market study for fiscal year 19/20 on all 23 positions in the City.
- 2. Acquire the services of a consultant for fiscal year 19/20 comprehensive market study. Update pay plan compensation ranges using actual compensation data of benchmark cities and review the position classification as an integral part of the City's Pay Plan using compensable factors include items such as education, experience, supervision, technical skills, working conditions and fiscal responsibility and the overall structure of the organization. Update compensation data using in-house resources for subsequent years based on the strategy noted below (recommendation #3).
- 3. Beginning in fiscal year 20/21, the City Manager recommends a three-year review cycle for market compensation as part of the annual budget process. The following departments are being recommended for review in the order presented based on job demand and current positions in the market:

Fire-Rescue Personnel	16 employees	6 positions
PW, Development Services and Engineering	14 employees	9 positions
Administration and Finance	8 employees	8 positions

Motion

I make a motion to identify the following cities as benchmark cities for the City of Lucas:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.
- 11.
- 12.

METROPLEX	MUNICIPALITY	POPULATION	PROPERTY TAX RATE	PROPERTY TAX REVENUE	AVERAGE MARKET VALUE	FULL-TIME EMPLOYEES	ADMIN	DEVELOPMENT SERVICES	ENGINEERING	FINANCE	FIRE	PUBLIC WORKS
DALLAS-FORT WORTH	LUCAS	7,958	0.303216	\$2,559,106	\$626,719	38	4	5	2	4	16	7
DALLAS-FORT WORTH	FAIRVIEW	9,500	0.349709	\$4,356,000	\$543,075	70	4	4	2	5	25	11
DALLAS-FORT WORTH	LAKE DALLAS	7,958	0.661750	\$2,873,332	\$187,168	28	3	3	0	1	0	4
DALLAS-FORT WORTH	PILOT POINT	5,047	0.546627	\$1,331,575	\$173,638	49	3	3	0	4	10	16
DALLAS-FORT WORTH	RICHLAND HILLS	8,350	0.585000	\$2,374,548	\$237,174	70	4	4	0	3	16	12
DALLAS-FORT WORTH	ROANOKE	8,954	0.375120	\$3,522,037	\$317,331	130	10	6	0	7	20	16
AUSTIN	BASTROP	8,802	0.564000	\$3,533,514	\$163,783	145	6	8	1	9	7	33
AUSTIN	BURNET	7,100	0.623700	\$2,412,000	\$164,165	124	4	3	0	2	30	23
AUSTIN	HORSHOE BAY	6,400	0.267020	\$4,550,900	\$543,631	91	6	5	0	4	23	17
AUSTIN	LAGO VISTA	6,800	0.650000	\$2,673,579	\$261,290	92	5	5	3	3	0	35
AUSTIN	LAKEWAY	15,154	0.164500	\$5,625,469	\$537,933	115	7	17	1	6	0	9
HOUSTON	JERSEY VILLAGE	7,962	0.742500	\$6,705,000	\$246,700	92	3	0	1	4	6	15
HOUSTON	MONT BELVIEU	6,276	0.436659	\$7,438,151	\$553,110	104	6	12	0	11	16	19
HOUSTON	TOMBALL	11,540	0.340000	\$2,245,000	\$213,400	177	9	9	2	11	33	48
HOUSTON	WEBSTER	11,123	0.347940	\$4,891,330	\$153,900	171	11	12	0	6	22	23
HOUSTON	WHARTON	8,832	0.415940	\$1,985,489	\$102,700	104	3	5	0	4	26	26
SAN ANTONIO	ALAMO HEIGHTS	8,413	0.386439	\$5,800,719	\$645,987	100	4	4	0	4	18	20
SAN ANTONIO	FAIR OAKS RANCH	9,091	0.366784	\$4,999,835	\$435,004	74	9	3	5	6	0	21
SAN ANTONIO	FREDERICKSBURG	11,382	0.225600	\$3,703,500	\$297,887	145	4	7	5	12	21	30
SAN ANTONIO	HELOTES	9,169	0.350000	\$2,830,696	\$343,073	81	9	3	0	1	22	6
SAN ANTONIO	LIVE OAK	15,820	0.437087	\$4,241,382	\$166,655	117	6	4	0	7	21	26



City of Lucas City Council Agenda Request June 6, 2019

Requester: Fire Chief Ted Stephens

Agenda Item Request

Provide direction to staff regarding the placement of a new sign at the fire station.

Background Information

In the current budget year, City Council approved a new sign for the fire station. The new sign estimate is \$14,750 plus approximately \$3,000-\$7,500 for an electrician to put in the power.

Currently the sign is used for City and Fire-Rescue Department communications. Reminders such as "change your smoke detector battery", Founders Day, Fire Station Open House, etc.

With this cost, staff is requesting your input on the replacement of the sign. Currently, the sign is not easily seen from Country Club Road; therefore, three options are being proposed:

- 1. Remove existing sign and not replace
- 2. Remove existing sign and install new sign just to the south of the fire station driveway
- 3. Remove existing sign and install new sign on the corner of Country Club and West Lucas Road

Attachments/Supporting Documentation

- 1. Sign Drawing
- 2. Sign Estimate
- 3. Sign Placement options

Budget/Financial Impact

Currently budgeted in the Fire Station capital account.

Recommendation

City staff recommends placing the new sign on the corner of Country Club and West Lucas Road.

Motion

I make a motion in support of Option 1, 2, or 3 as noted in the "Background Information" above.

SCOPE OF WORK:

FABRICATE & INSTALL (1) ONE MONUMENT SIGN WITH CHANGEABLE COPY CABINET DISPLAY AND FCO LETTERS

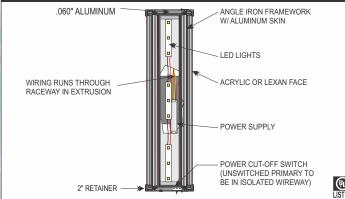
- * TOP CAPTO BE ALUMINUM AIRBRUSHED TO LOOK LIKE ROUGH CEDAR
- * ACRYLIC FLAT CUT OUT LETTERS STUD MOUNTED TO STONE



10'-0"

ILLUMINATED MONUMENT SIGN MATERIAL **COLOR PRIMED & WELDED STEEL FRAME GREY** .050 ALUMINUM SKIN/RETAINERS MILL FINISH 8 7/8 IN. LTR/S 3 LINE CHANGEABLE COPY CAB. **TOP CAP .050 ALUMINUM AIRBRUSHED** .25 ACRYLIC FCO LETTERS **BLACK AUSTIN STONE** WHITE .050 ALUMINUM TOP CAP AIRBRUSH **ROUGH CEDAR OTHER**

DOUBLE SIDED CABINET SIGN



ELECTRICAL NOTES

Sign Company DOES NOT provide primary electrical to sign.

Power to the sign must be done by a licensed electrical contractor or licensed electrician. Each sign must have:

- A minimum of one dedicated 120V 20A circuit
 Junction box installed within 6 feet of sign

- 3. Three wires: Line, Ground, Neutral

SCALE 1/2"=1



ONE (1) SET DOUBLE SIDED REQUIRED



SECTION DETAIL - MONUMENT SIGN WITH EMC DISPLAY AND FCO LETTERS

1			
10375 Alta Vista I	Rd, Fort Worth, TX	76244 0 817.431.57	00 / F 817.431.5799
⊕ UL¹	100525-14	7 🍁 TSC	CL 18933
CONCEP	T ART. NO	T FOR PROI	DUCTION

	JOB DESCRIPTION	New D/F Monument with Changeable Copy Letters	DATE	ВУ
	COMPANY OR JOB NAME	Lucas Fire Rescue	3/28/2019	WM
	CUSTOMER CONTACT	Jonathan Haynes		
	ADDRESS	165 Country Club, Lucas TX 75002		
9	PHONE	972-727-1242		
-	EMAIL	jhaynes@lucastexas.us		

CUSTOMER APPROVAL: Note: The colors depicted on this rendering may not match actual colors used on the finished display. Note: The proportion of signs shown on building and landscape area photos is

PLEASE READ CAREFULLY: Before you OK this proof, please read your copy carefully and completely. Check for spelling errors and copy omissions. Any changes or alterations from the original instructions vill be charged according to time and material.

FINAL PROOF APPROVAL: By signing this form I am approving the above described job and I hereby acknowledge that I have read and accept the proofing policy and Terms and Conditions of Legacy Signs of Texas. Please sign and return so that we may process your order.



SIGN PROPOSAL

www.legacysignsoftexas.com

\$14,750

10375 Alta Vista Rd. Fort Worth, TX 76244 (817) 431-5700 OFFICE (817) 431-5799 FAX

Aharon Btesh (347) 993-4604 <u>aharon@legacysignsoftexas.com</u> TSCL18933

Customer: Lucas Fire Rescue Phone: 972.727.1242

165 Country Road Cell:

Lucas, TX. 75002 Email: tstephens@lucastexas.us

Contact: Ted Stephens, Chief

Subtotal:

<u>DESCRIPTION:</u> Remove and discard existing monument sign, manufacture and install Sign as per Attached proof. Double face monument sign with changeable copy letters. (zip letters not included). Includes manufacturing And installation. Power must be provided to the sign site for final connection.

Payment Schedule: 50% DEPOSIT-BALANCE IN FULL O	N DATE OF INSTALLATION	Initial
Price for work described above:	Plus State Sales Tax & Permit fe	e
Our signs are built to meet or exceed all city, state, not projected Completion Date: Warranty: 1 year parts & 1 labor, excluding vandalism and Electrical:	-	
Total:		\$14,750
Permit acquisition Fee: na		
Tax: TE		

Terms & Conditions

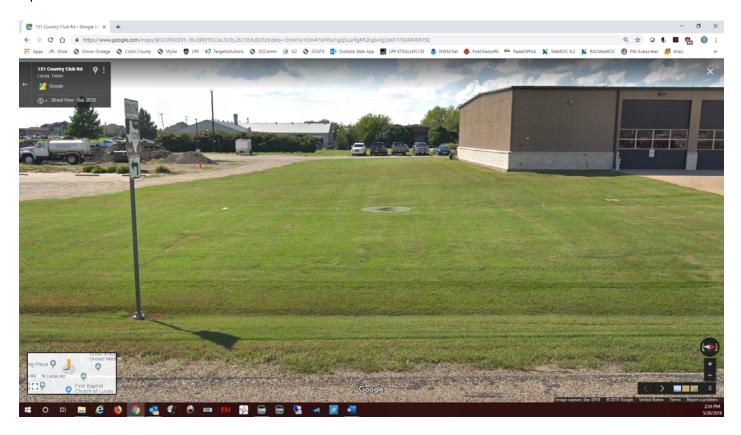
- Price quotation is valid for 90 days.
- If required, Legacy Signs of Texas will coordinate all surveys, drawings, landlord approvals, and permit applications.
- Finished art, mechanical, and signs will be released for use by client only. Mechanical, original art, sketches and design materials are the property of the designer unless otherwise noted.
- Special conditions on client's purchase order in no way negate the above Conditions of Sale. In ordering the work described above, the client accepts all of these conditions whether noted on their purchase order or not.
- If unusual digging conditions (ie: ledge, water, etc.) are encountered in ground installation, this contract is binding, however, an additional cost based on our labor, sub-contract labor and materials, plus 10%, will be added to the above price.
- A dedicated 20a, 120v circuit and GFI transformer with designated ground as required by National Electrical Code, primary electrical service wiring, disconnect switches and timers must be supplied by others at customer's expense.
 Legacy Signs of Texas will perform final connection to primary electrical connection within 8 feet of sign if available at time of installation. A return trip charge will be accessed if we are required to return to the site for final connection.
- The client agrees to pay all costs of collection in the event of default of payment by the client, including a reasonable attorney's fee. In the event of delinquent payments, the client will be charged a rate of 10% interest every month after the first 30 days from installation of sign. If payment is not received after written contact, Legacy Signs of Texas, LLC has the right to repossess the signage until payment is made in full or other written arrangements are made. Customer will be responsible for the cost of removal and re-installation if repossession is required.

QUOTED BY:	Aharon Btesh	DATE: _	5/15/19

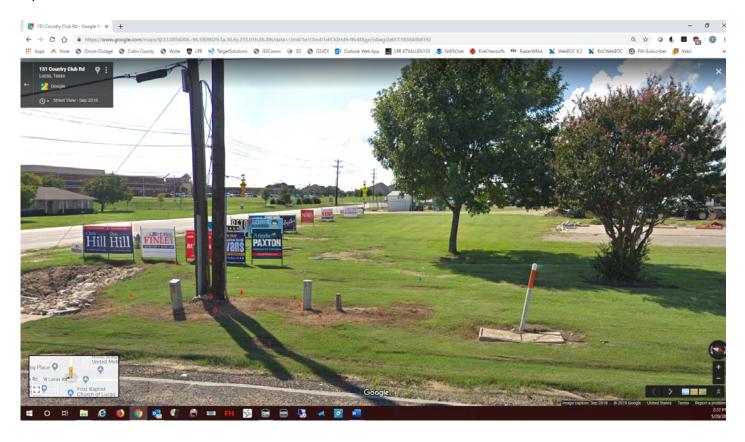
The above prices, specifications, and conditions are satisfactory and are hereby accepted. You are authorized to do the work above as specified. Payment will be made as outlined.

CUSTOMED STONATURE.	DATE	
CUSTOMER SIGNATURE:	DATE:	

Option 2



Option 3





City of Lucas City Council Agenda Request June 6, 2019

Requester: Mayor Jim Olk

Agenda Item Request
Consider setting the date for Founders Day for 2020.
Background Information
NA
Attachments/Supporting Documentation
NA
Budget/Financial Impact
NA
Recommendation
NA
Motion
NΔ



City of Lucas City Council Agenda Request June 6, 2019

Requester: Mayor Jim Olk

Agenda Item Request

Consider City Council availability to conduct a joint meeting with the Planning and Zoning Commission on July 11, 2019 regarding drainage.

Background Information

At the May 16, 2019 City Council meeting, Councilmembers stated they would like to consider hosting a joint meeting with the Planning and Zoning Commission to review City's ordinances as it pertains to drainage. Currently, there is only one Council meeting scheduled for July, as the July 4th meeting was cancelled. The Planning and Zoning Commission meets on January 11 and staff is suggesting a joint drainage workshop occur following the regular Planning and Zoning Commission agenda concludes.

Attachments/Supporting Documentation
NA
Budget/Financial Impact
NA
Recommendation
NA
Motion

I make a motion to host a joint workshop with the Planning and Zoning Commission and City Council on July 11, 2019 at 7:00 p.m.



City of Lucas City Council Agenda Request June 6, 2019

Requester: Mayor Jim Olk
Agenda Item Request
Consider an appointment to the Technology Committee to fill a vacant position.
Background Information
Technology Committee Member Marks Skaggs has resigned from the Technology Committee leaving a vacant position. Volunteer applications have been sent under separate attachment for appointment consideration.
Attachments/Supporting Documentation
1. Technology Committee applications (sent under separate attachment)
Budget/Financial Impact
NA
Recommendation
NA
Motion
I make a motion to appoint to the Technology Committee.



City of Lucas City Council Agenda Request June 6, 2019

Requester: Mayor Jim Olk

Agenda Item Request
Executive Session:
An Executive Session is not scheduled for this meeting.
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 regarding any item on the agenda at any time during the meeting. This meeting is closed to the public as provided in the Texas Government Code.
Background Information
NA
Attachments/Supporting Documentation
NA
Budget/Financial Impact
NA
Recommendation
NA
Motion
NΔ