



AMENDED AGENDA

City of Lucas

City Council Meeting

December 5, 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, December 5, 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)

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 November 21, 2019 City Council meeting. (City Secretary Stacy Henderson)

- B. Consider approving Resolution R 2019-12-00492 designating the Allen American as the official newspaper of the City of Lucas. (City Secretary Stacy Henderson)

Regular Agenda

4. Consider the administration, financial impact and logistics regarding the proposed 2020 Lucas Farmers Market:
- A. Consider the staffing requirements and financial support to enable planning for the 2020 Lucas Farmers Market, establishing a schedule, discussion of the budgetary impact and provide guidance to the Lucas Farmers Market Committee and staff.
- B. Consider a request from the City of Lucas Farmers Market Committee to exempt participants from permitting fees for the 2020 Farmers Market as required per the City's Code of Ordinances, Article 4.000 Health Department, Section 4.100 Commercial Business. (Councilmember Tim Baney, Lucas Farmers Market Committee Chair/Parks and Open Space Board Member Debra Guillemaud)
5. Consider reappointments to the Parks and Open Space Board, Board of Adjustment, and Planning and Zoning Commission for a two-year term beginning January 2020 through December 31, 2021. (Mayor Jim Olk)
6. Consider approving the Board Appointment Policy outlining City Council procedures for new board member appointments and existing board member reappointments. (City Secretary Stacy Henderson)
7. Consider approving Resolution R 2019-12-00493 approving the Collin County ExpressVote Universal Voting System to be used in all future elections held in the City of Lucas while contracting with Collin County Election Services. (City Secretary Stacy Henderson)
8. Consider adopting Ordinance 2019-12-00901 amending the City's Code of Ordinances, Article 1.09 Parks and Recreation, Section 1.09.062 and 1.09.063 regarding regulations relating to the use of park facilities, and discussion regarding the process for holding special events in the City of Lucas. (Mayor Pro Tem Kathleen Peele, Councilmember Debbie Fisher, Councilmember Steve Duke)
9. Consider establishing a policy, administrative guidelines and/or revise the City of Lucas' Code of Ordinances to create a process or procedure regarding requests for reasonable accommodation (i.e., modifications or exceptions under the Americans With Disabilities Act (ADA) and the Federal Fair Housing Act (FHA)). (City Attorney Joe Gorfida)

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.

10. 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.

11. Adjournment.

Certification

I do hereby certify that the above notice was posted in accordance with the Texas Open Meetings Act on the bulletin board at Lucas City Hall, 665 Country Club Road, Lucas, TX 75002 and on the City's website at www.lucastexas.us on or before 5:00 p.m. on November 26, 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 City Secretary Stacy Henderson at 972.912.1211 or by email at shenderson@lucastexas.us at least 48 hours prior to the meeting.



City of Lucas

City Council Agenda Request

December 5, 2019

Requester: Mayor Jim Olk

Agenda Item Request

Citizen Input

Background Information

NA

Attachments/Supporting Documentation

NA

Budget/Financial Impact

NA

Recommendation

NA

Motion

NA



City of Lucas Council Agenda Request December 5, 2019

Requester: Mayor Jim Olk

Agenda Item Request

2. Items of Community Interest.

Background Information

NA

Attachments/Supporting Documentation

NA

Budget/Financial Impact

NA

Recommendation

NA

Motion

NA



City of Lucas Council Agenda Request December 5, 2019

Requester: City Secretary Stacy Henderson

Agenda Item Request

3. Consent Agenda:
 - A. Approval of the minutes of the November 21, 2019 City Council meeting.
 - B. Consider approving Resolution R 2019-12-00492 designating the Allen American as the official newspaper of the City of Lucas.

Background Information

NA

Attachments/Supporting Documentation

1. Minutes of the November 21, 2019 City Council meeting.
2. Resolution R 2019-12-00492 Designating Official Newspaper

Budget/Financial Impact

NA

Recommendation

City Staff recommends approval of the Consent Agenda.

Motion

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



**City of Lucas
City Council Meeting
November 21, 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 7:00 p.m.

City Councilmembers Present:

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

City Staff Present:

City Manager Joni Clarke
City Secretary Stacy Henderson

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

Citizen Input

1. Citizen Input.

There was no citizen input at this meeting.

Community Interest

2. Items of Community Interest.

Mayor Olk presented to Finance Director Liz Exum the 2018 Certificate of Achievement for Excellence in Financial Reporting Award from the Government Finance Officers Association for the 9th consecutive year.

Mayor Olk also noted the following upcoming events:

- Country Christmas was scheduled for Friday, December 6 from 6 - 9 pm
- The City was accepting donations for Toys for Tots, Allen Community Outreach, Senior Angel Tree and Lucas Veterinary Hospital
- The Lovejoy Visual Arts Festival was scheduled for December 7 at Lovejoy High School
- The annual Fire-Rescue Awards Ceremony was scheduled for December 8 from 12:30 -2:30 pm at the Fire Station
- Registration for Light Up Lucas begins November 22 through December 12

Consent Agenda

3. Consent Agenda:

- A. Consider approval of the minutes of the November 7, 2019 City Council meeting.
- B. Approval of the City of Lucas Investment Report for quarter ending September 30, 2019.

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

Regular Agenda

There were no Regular Agenda Items scheduled for this meeting.

Executive Session Agenda

4. Pursuant to Section 551.074 of the Texas Government Code, the City Council will convene into Executive Session to discuss the evaluation for the City Manager.

The City Council convened into Executive Session at 7:06 pm to discuss the evaluation of the City Manager.

Councilmember Fisher left Executive Session and the remainder of the Council meeting at 9:10 pm.

Mayor Pro Tem Peele left Executive Session and the remainder of the Council meeting at 9:16 pm.

5. Reconvene from Executive Session and take any action necessary as a result of the Executive Session.

The City Council reconvened from Executive Session at 9:44 pm and took the following action as part of the Executive Session.

MOTION: A motion was made by Councilmember Millsap, seconded by Councilmember Lawrence to adjust the City Manager's salary to \$160,000 annually and authorize the Mayor to renegotiate the City Manager's contract. The motion passed unanimously by a 5 to 0 vote.

Adjournment

6. Adjournment.

MOTION: A motion was made by Councilmember Millsap, seconded by Councilmember Lawrence to adjourn the meeting at 9:45 pm. The motion passed unanimously by a 5 to 0 vote.

APPROVED:

ATTEST:

Mayor Jim Olk

Stacy Henderson, City Secretary



RESOLUTION R 2019-12-00492

[Designating Official Newspaper]

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LUCAS, TEXAS, DESIGNATING THE *ALLEN AMERICAN* AS THE OFFICIAL NEWSPAPER OF THE CITY OF LUCAS, COLLIN COUNTY, TEXAS, FOR 2020 BEGINNING JANUARY 1, 2020 THROUGH DECEMBER 31, 2020; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 3.17 of the City Charter states that the City Council pursuant to state law shall designate by resolution a newspaper of general circulation in the City as the official newspaper of the City as provided by State law; and

WHEREAS, the City Council of the City of Lucas, Texas, therefore designate the Allen American as the official newspaper of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LUCAS, TEXAS:

SECTION 1. That the City Council of Lucas, Texas, hereby designates the *Allen American*, a public newspaper in and for the City of Lucas, Collin County, Texas, as the official newspaper of the City, the same to continue as such until another is selected, and shall cause to be published therein all ordinances, notices and other matters required by law or by ordinance to be published.

SECTION 2. This Resolution shall become effective from and after its passage.

DULY PASSED by the City Council of the City of Lucas, Texas, on this the 5th day of December, 2019.

City of Lucas, Texas

Attest:

Jim Olk, Mayor

Stacy Henderson, City Secretary



City of Lucas

Council Agenda Request

December 5, 2019

Requester: Councilmember Tim Baney
Lucas Farmers Market Committee Chair/Parks and Open Space Board Member
Debra Guillemaud

Agenda Item Request

Consider the administration, financial impact and logistics regarding the proposed 2020 Lucas Farmers Market:

- A. Consider the staffing requirements and financial support to enable planning for the 2020 Lucas Farmers Market, establishing a schedule, discussion of the budgetary impact and provide guidance to the Lucas Farmers Market Committee and staff.
- B. Consider a request from the City of Lucas Farmers Market Committee to exempt participants from permitting fees for the 2020 Farmers Market as required per the City's Code of Ordinances, Article 4.000 Health Department, Section 4.100 Commercial Business.

Background Information

At the May 16, 2019 City Council meeting, the City Council discussed exploring the idea of creating a Lucas Farmers Market and supported the Parks and Open Space Board to evaluate this endeavor.

At the July 23, 2019 Parks and Open Space Board meeting, the Board considered the viability of creating a Lucas Farmers Market to serve the community. Six individuals spoke in favor of creating a farmers market in Lucas at the Parks and Open Space meeting. Parks and Open Space Vice Chairman Vanhorn gave a presentation regarding the creation and structure of a farmers market discussing liability insurance requirements, ratio of food sold versus goods sold, having a single point of contact, and restrictions related to rules and regulations. The Board agreed to form a subcommittee that consisted of Vice Chairman Vanhorn and Board Member Guillemaud with the first meeting to be held on July 30, 2019.

In the July edition of the Lucas Leader, the City notified the community that the City was considering the viability of creating a Lucas Farmers Market. The City wanted this endeavor to be led by interested citizens. The Lucas Farmers Market Committee was formed with the interested volunteers and Debra Guillemaud agreed to serve as the chairperson.

The Lucas Farmers Market Committee made the decision to conduct two test markets that would be held at the Lucas Community Park, the first on October 12 and the second on November 2. The Committee conducted research relating the creation and management of a farmers market and went to work creating market guidelines, an online application and marketing material including a logo. Marketing occurred in the Allen American, Lucas Estate Life, and social media pages. The Lucas Farmers Market had 30 vendors attending the October 12 event and 50 vendors attending the November 2 event. Both test markets were well attended by the community.



City of Lucas

Council Agenda Request

December 5, 2019

The Lucas Farmers Market Committee is considering starting the planning process for the 2020 Lucas Farmers Markets in January 2020 and is seeking input and guidance from the City Council regarding this event. The schedule being proposed for evaluation is to hold a total of 13 markets. Markets would not be held in January, February, March and November. There will be one market in April, two markets in May, June, July, August and September, and then return to one market in October and December. The following is a proposed schedule:

- First Market of the 2020 Season on April 25 (Fourth Saturday in April)
- May 9 (Second Saturday in conjunction with Founders Day) and May 23 (Fourth Saturday)
- June 6 (Second Saturday) and June 27 (Fourth Saturday)
- July 11 (Second Saturday) and July 25 (Fourth Saturday)
- August 8 (Second Saturday) and August 22 (Fourth Saturday)
- September 9 (Second Saturday) and September 26 (Fourth Saturday)
- October 10 (Second Saturday)
- November (no market scheduled)
- December 4 (First Friday indoor Holiday Farmers Market at Country Christmas)

The Lucas Farmers Market Committee would like to further explore the sustainability of a Lucas Farmers Market in 2020. Keeping fees down may help drive vendor interest since we are a relatively unknown venue to participants and customers. The fees for health permits and required food vendors are below:

ARTICLE 4.000 HEALTH DEPARTMENT

Section. 4.100 Commercial business

- (a) Cost of service for permanent food establishment permit (2 TFER inspections): \$450.00.
- (b) Cost of service for each temporary event (1 TFER inspection): \$60.00.
- (c) Cost of service for each complaint investigation (1 TFER inspection): \$60.00.
- (d) Cost of service for mobile food vendor (hot and cold truck, seasonal vendor) (1 TFER inspection): \$250.00.
- (e) Cost of service for public swimming pool inspections (1 inspection per year): \$250.00.
- (f) Hourly cost of service for consultation outside of the aforementioned scope of services (health plan review, health final and CO inspections and/or for more than 1 inspection): \$100.00 per hour.

Attachments/Supporting Documentation

1. Farmers Market Report

Budget/Financial Impact

The fiscal year 19/20 budget included \$3,500 for the Lucas Farmers Market in line item 6211-448 Parks Events. Expenditures to date for the market in FY 18/19 were \$1,200.20 and in FY 19/20 are \$1,638.94 excluding staff. Staff anticipate that each market will require two staff members from Public Works or Development Services to assist with logistics and parking from 6:30 am until



City of Lucas Council Agenda Request December 5, 2019

12:30 pm (6 hours) with an approximate cost of \$620 per market. Two of the markets will be in conjunction with another city-sponsored event so no additional cost will be incurred. The projected cost necessary for staffing the markets would be \$620 per market * 11 markets = \$6,820.

Recommendation

Staff recommends approving the proposed schedule to hold 13 markets in 2020.

Staff recommends waiving fees for the 2020 farmers markets.

Motion

- A. I make a motion to approve/deny the 2020 proposed schedule, the funding associated with staffing the event and authorize the Lucas Farmers Market Committee to begin planning for the 2020 Lucas Farmers Market.
- B. I make a motion to approve/deny a request from the City of Lucas Farmers Market Committee to exempt participants from permitting fees for the 2020 Farmers Market as required per the City's Code of Ordinances, Article 4.000 Health Department, Section 4.100 Commercial Business.

2019 Farmers Market Report

Report Summary:

The Lucas Farmers Market Committee (LFMC) held two trial markets on October 12 and November 2 at the Community Park in 2019. A special holiday market is currently planned to be held in the Community Center during Country Christmas on December 6. At the October 12 market, there were 32 vendors who participated in the first trial market. At the November 2 market, there were 47 vendors who participated in the second trial market. There are currently 33 vendors scheduled to participate in the special holiday market during Country Christmas. The LFMC estimated over 1,000 visitors attended each trial run of the Farmers Market, and it is anticipated that attendance and vendor participation will increase in 2020.

The direct costs incurred by the City totaled \$5,725.49 for the October 2 and November 12 Farmers Markets. The direct costs include overtime for non-exempt staff and supplies for both markets. The indirect costs totaled \$3,337.28 which includes time for exempt staff who assisted at both markets. Although the indirect costs do not include additional work hours, planning meetings and City resources used at both markets, these factors should also be considered in contributing to significant staff time. The total event cost for direct and indirect expenses is \$9,062.77. The breakdown for the direct and indirect costs can be seen on the tables of the following pages.

The LFMC primarily consisted of 11 active volunteer members, with active being defined as volunteers who participated in more than two LFMC planning meetings. The LFMC held seven meetings starting in July through October and developed the mission statement and guidelines for the Farmers Market. Debra Guillemaud was selected as the LFMC Interim Chair during the initial trial period and worked with City Manager Joni Clarke and Development Services Director Joe Hillbourn regarding logistics for each Farmers Market. Additional duties included preparing meeting agendas and summaries, establishing rules and regulations, communicating information to vendors, determining vendor locations and managing late vendor changes.

The LFMC members attended other regional markets to recruit vendors as well as pursued other communication outreach tactics for additional vendor recruitment. The LFMC members also helped promote the Farmers Market through social media, designed the logo, signage and photo booth, wrote articles, and provided volunteering assistance at both trial markets. City staff was involved throughout the process and was active during market setup and hours of operation. City staff helped create the market rules and regulations, posted information on the City's website, purchased signage, created and updated vendor maps, prepared the Community Park for market days, developed additional parking, created the hospitality booth, and established permits, licenses and certification requirements for vendors.

Primary Feedback from the Farmers Markets:

- Continual assistance from City staff to set up the electricity in advance, turn on the lights, help park vendors with food trucks or trailers on the grass, assist with customer traffic flow and put out additional garbage cans.
- Recommend a minimum of one volunteer at vendor setup that can deal with any issues such as vendor locations.
- Develop new market layout for 2020 to show vendor locations and avoid barriers in the park.

- Separate vendor assignment from the layout map so the market manager can update as needed.
- Ensure the vendor map and information on the City’s website is updated.
- Establish clear parking guidelines for market vendors prior to the start of the event.
- Improved lighting since it is still dark when vendors arrive at 6:30 am.
- Consider weather impact strategy in the event of inclement weather and moving food trucks to the concrete area.
- Improve congestion along walking areas and limiting vendors to one side to allow more available walking space.
- Accessibility concerns of electric for vendors who need it for set up and operations.
- Consider additional parking needs as attendance is anticipated to increase.
- Consider three additional staff members to direct traffic.
- Safety concerns with pedestrians crossing Country Club Road.
- Improve lighting at the pavilion.
- Consider how to manage vendors that do not show up to participate at the market.
- Post only the market map on the City’s website and do not include a separate vendor list.
- Determine if the hospitality table is needed due to increasing costs of coffee, donuts, candy and additional expenses.
- Consider plastic bags with logo for consumers at the market and supplying water for the event.
- Establish review process of the permits, licenses and training needs by vendor type.
- Recommend the City to stop filing permits and certifications that vendors send in and instead, inform the vendors to have their documents on hand at the marker should they be requested.
- Set a deadline for vendor applications and making selections after the deadline to allow the LFMC to review all applicants together.
- Local artisan vendors were denied because the percentage of artisan vendors were maxed out early. Explore how to manage this in 2020 and determine if preference should be given to vendors located in Lucas.

Lucas Farmers Market Schedule:

6:00 am	On-Site Volunteers begin setup
6:30 am – 7:50 am	Vendor setup
7:55 am	All vendors vehicles must be relocated to the vendor parking area
8:00 am	Market is open
12:00 pm – 1:00 pm	Breakdown
1:00 pm	Vendors must be out

Lucas Farmers Market Committee (LFMC)	Number
Active Volunteers	11
City Staff Liaison	2
City Council Liaison	1
TOTAL	14

Farmers Market Cost Breakdown

Direct Costs	Amount
Supplies	
Apple Cider for October 12 Farmers Market	\$24.95
Apple Cider for November 2 Farmers Market	\$29.28
Business Cards	\$72.86
Candy for Hospitality Table	\$117.24
Coffee for October 12 Farmers Market	\$153.36
Coffee for November 2 Farmers Market	\$230.00
Decorations for Hospitality Booth	\$121.69
Donuts for October 12 Farmers Market	\$46.51
Donuts for November 2 Farmers Market	\$45.91
Logo	\$167.84
Shirts for LFMC members	\$959.50
Signage	\$870.00
Total Cost	\$2,839.14
Non-exempt City Staff Overtime (includes compensation and benefits)	
October 12 Farmers Market	
Anthony Aguinaga (8.5 hours)	\$339.85
Scott Dejong (8.5 hours)	\$455.08
Jose Quiles (8.5 hours)	\$260.41
Jacob Tassan (8.5 hours)	\$281.22
November 2 Farmers Market	
Anthony Aguinaga (8.5 hours)	\$339.85
Marcus Chaney (8 hours)	\$264.68
Scott Dejong (8.5 hours)	\$455.08
Cesar Guevara (8 hours)	\$245.09
Jose Quiles (8 hours)	\$245.09
Total Cost	\$2,886.35
TOTAL DIRECT COSTS	\$5,725.49

Indirect Costs	Amount
Exempt City Staff Time (includes compensation and benefits)	
October 12 Farmers Market	
Joni Clarke (6 hours)	\$732.59
Joe Hilbourn (8.5 hours)	\$689.53
November 2 Farmers Market	
Joni Clarke (6 hours)	\$732.59
Stanton Foerster (5.5 hours)	\$493.04
Joe Hilbourn (8.5 hours)	\$689.53
TOTAL INDIRECT COSTS	\$3,337.28

October 12 Farmers Market Breakdown

Market Vendors	Confirmed Participants
Agricultural Producers (Farmers, Ranchers, Other) Bare Naked Bee Company Berkshire Farms Fairview Farms Fieldsong Farm Gentlesoll Farm Kelly Family Farms Lovejoy High School Organic Permaculture Club Mill Creek Honey Bee Farm Nisan Farm Honey Printz Farms Royal Roost Farm Sunken Boot Honey Two Rivers Family Farm	13
Value Added Producers (Prepared Food Vendors, Cottage Food Vendors) Always Cookin' for 10 Buttermilk Sky Pie Cita's Salsa Cupid's Candies Julie's Sweet Ideas Love That! Gluten Free Lucas Cookie Company Oven Love Baked Goods Quaattro Grain R'Achelle's Rockin Juice Something from the Oven Spice and Tea Merchants Wisdom Health	13
Artisans (Artist, Craftsperson) Ah-Mazing Doors Body Artisan Cande Wrapperz MCLWood Rocky Creek Candy Company Woodshop Stop	6
TOTAL PARTICIPANTS	32

November 2 Farmers Market Breakdown

Market Vendors	Confirmed Participants
Agricultural Producers (Farmers, Ranchers, Other) Bare Naked Bee Company Berkshire Farms Buck Creek Meats Fairview Farms Fieldsong Farm Gentlesoll Farm Kelly Family Farms Lime Ridge Farm Lovejoy High School Organic Permaculture Club Mill Creek Honey Bee Farm Nisan Farm Honey On the Grow Rockin' SJS Farm/Raintree Ranch Royal Roost Farm Sunken Boot Honey Two Rivers Family Farm	16
Value Added Producers (Prepared Food Vendors, Cottage Food Vendors) Always Cookin' for 10 Amazing Dip Company Buttermilk Sky Pie Chimmy Tea Cita's Salsa Cross My Heart and Hope for Pie Cupid's Candies Dippin' Darlin's Igknighted Kitchen Julie's Sweet Ideas Lettuce Indulge Line Drinks Love That! Gluten Free Lucas Cookie Company Mix It Up Oven Love Baked Goods Quaattro Grain Something from the Oven Spice and Tea Merchants Spicemart Grocers and Caterers Susie's Snack Shop Sweet Life Baking and Canning Twisted Cake Balls Wisdom Health	24
Artisans (Artist, Craftsperson) Bees and Blossoms Soaps Body Artisan Cande Wrapperz MCLWood Ranch Hand Originals Rocky Creek Candle Company Woodshop Stop	7
TOTAL PARTICIPANTS	47

December 6 Holiday Farmers Market Breakdown

Market Vendors	Scheduled Participants
Agricultural Producers (Farmers, Ranchers, Other) Bare Naked Bee Company Buck Creek Meets Fieldsong Farm Gentlesoll Farm Kelly Family Farms Mill Creek Honey Bee Farm Nisan Farm Honey Royal Roost Farm Sunken Boot Honey	9
Value Added Producers (Prepared Food Vendors, Cottage Food Vendors) Always Cookin' for 10 Amazing Dip Company Chimmy Tea Igknighted Kitchen Julie's Sweet Ideas Love That! Gluten Free Lucas Cookie Company Mix It Up Oven Love Baked Goods Quaattro Grain Something from the Oven Spice and Tea Merchants Susie's Snack Shop Sweet Life Baking and Canning Twisted Cake Balls Wisdom Health	16
Artisans (Artist, Craftsperson) Ah-Mazing Doors Bees and Blossoms Soap Body Artisan Cande Wrapperz Canticle Farms MCLWood Ranch Hand Originals Woodshop Stop	8
TOTAL PARTICIPANTS	33



City of Lucas

City Council Agenda Request

December 5, 2019

Item No. 05

Requester: Mayor Jim Olk

Agenda Item Request

Consider reappointments to the Parks and Open Space Board, Board of Adjustment, and Planning and Zoning Commission for a two-year term beginning January 2020 through December 31, 2021.

Background Information

All City Board and Commission positions are currently full. The following members from the Parks and Open Space Board, Board of Adjustment, and Planning and Zoning Commission have terms expiring on December 31, 2019 and are interested in serving another two-year term. An attendance roster has been included for each board.

Board of Adjustment:

- Chris Bierman
- Tom Redman
- James Foster
- Michael Dunn, Alternate 2

Parks and Open Space Board:

- Kenneth Patterson
- Bill Esposito
- Debra Guillemaud, Alternate 1

Planning and Zoning Commission:

- Peggy Rusterholtz
- David Keer
- Tim Johnson

Attachments/Supporting Documentation

1. Appointment Chart
2. Board member attendance charts

Budget/Financial Impact

NA



**City of Lucas
City Council Agenda Request
December 5, 2019**

Recommendation

NA

Motion

I make a motion to reappoint the following individuals to the Parks and Open Space Board, Board of Adjustment and Planning and Zoning Commission:

Board/Commission Appointment Chart

Board/Commission	Members with Term Expiring	Interested In Reappointment
Board of Adjustment:		
- Four (4) positions with expiring terms being considered for reappointment	Chris Bierman	Yes
	Tom Redman	Yes
	James Foster	Yes
	Michael Dunn, Alternate 2	Yes
Parks and Open Space Board		
- Three (3) positions with expiring terms being considered for reappointment	Kenneth Patterson	Yes
	Bill Esposito	Yes
	Debra Guillemaud, Alternate 1	Yes
Planning and Zoning Commission		
- Three (3) positions with expiring terms being considered for reappointment	Peggy Rusterholtz	Yes
	David Keer	Yes
	Tim Johnson	Yes

Board of Adjustment Attendance 2018-2019

Meeting Date 2018-2019	Chris Bierman Chairman	Ron Poteete	James Foster	Tom Redman	Brian Blythe	Brenda Rizos Alternate 1	Michael Dunn Alternate 2
	<i>Term Expires: 2019</i>	<i>Term Expires: 2020</i>	<i>Term Expires: 2019</i>	<i>Term Expires: 2019</i>	<i>Term Expires: 2020</i>	<i>Term Expires: 2020</i>	<i>Term Expires: 2019</i>
February 20, 2018	Present	Appointed: 1/3/19	Absent	Appointed: 6/21/18	Present	Present	Appointed: 5/16/19
May 7, 2018	Present		Absent		Absent	Present	
June 4, 2018	Present		Present		Present	Present	
December 12, 2018	Present		Absent	Present	Absent		
August 13, 2019	Present	Present	Present	Present	Present	Present	Present
2018-2019 Totals:	Present: 5 Absent: 0	Present: 1 Absent: 0	Present: 2 Absent: 3	Present: 2 Absent: 0	Present: 4 Absent: 1	Present: 4 Absent: 1	Present: 1 Absent: 0

*Denotes Board members whose terms expire in December 2019

Planning and Zoning Commission Attendance 2018-2019

Meeting Date 2018-2019	Peggy Rusterholtz Chairman	David Keer Vice Chairman	Andre Guillemaud	Joe Williams	Tim Johnson	Tommy Tolson Alternate 1	Adam Sussman Alternate 2
	<i>Term Expires: 2019</i>	<i>Term Expires: 2019</i>	<i>Term Expires: 2020</i>	<i>Term Expires: 2020</i>	<i>Term Expires: 2019</i>	<i>Term Expires: 2020</i>	<i>Term Expires: 2020</i>
February 8, 2018	Present	Present	Present	Present	Present	Present	Appointed 4/18/19
March 8, 2018	Present	Present	Present	Absent	Present	Present	
April 12, 2018	Present	Present	Present	Present	Present	Present	
June 14, 2018	Present	Present	Present	Present	Present	Present	
August 9, 2018	Absent	Present	Present	Absent	Absent	Present	
September 13, 2018	Present	Absent	Absent	Present	Present	Present	
January 10, 2019	Present	Present	Present	Present	Present	Present	
February 14, 2019	Absent	Present	Present	Present	Present	Absent	
March 14, 2019	Present	Present	Absent	Absent	Present	Present	
May 9, 2019	Present	Present	Present	Present	Present	Present	
June 13, 2019	Present	Present	Present	Present	Present	Present	Absent
July 11, 2019	Present	Absent	Present	Present	Present	Present	Absent
August 8, 2019	Present	Present	Absent	Absent	Present	Present	Present
September 12, 2019	Present	Present	Present	Present	Present	Absent	Absent
October 10, 2019	Present	Present	Present	Absent	Absent	Present	Present
November 14, 2019	Absent	Present	Absent	Present	Present	Present	Absent
2016-2018 Totals:	Present: 13 Absent: 3	Present: 14 Absent: 2	Present: 12 Absent: 4	Present: 11 Absent: 5	Present: 14 Absent: 2	Present: 14 Absent: 2	Present: 3 Absent: 4

*Denotes Board members whose terms expire in December 2019

Parks and Open Space Board Attendance 2018-2019

Meeting Date 2018-2019	David Rhoads Chairman	Chris Vanhorn Vice Chairman	Tommy DeWitt	Ken Patterson	Bill Esposito	Debra Guillemaud Alternate 1	Christel Parish Alternate 2
	Term Expires: 2020	Term Expires: 2020	Term Expires: 2020	Term Expires: 2019	Term Expires: 2019	Term Expires: 2019	Term Expires: 2020
January 23, 2018	Present	Present	Present	Present	Present	Present	Appointed: 12/6/2018
April 24, 2018	Present	Present	Absent	Present	Present	Present	
July 24, 2018	Present	Present	Present	Present	Present	Present	
October 23, 2018	Present	Present	Absent	Absent	Present	Present	
January 22, 2019	Present	Present	Present	Present	Present	Present	Present
April 23, 2019	Present	Absent	Absent	Present	Present	Present	Absent
May 21, 2019	Present	Absent	Present	Present	Present	Absent	Present
July 23, 2019	Present	Present	Absent	Present	Present	Present	Present
September 24, 2019	Present	Present	Absent	Present	Absent	Present	Absent
2016-2018 Totals:	Present: 9 Absent: 0	Present: 7 Absent: 2	Present: 4 Absent: 5	Present: 8 Absent: 1	Present: 8 Absent: 1	Present: 8 Absent: 1	Present: 3 Absent: 2

*Denotes Board members whose terms expire in December 2019



City of Lucas

City Council Agenda Request

December 5, 2019

Requester: City Secretary Stacy Henderson

Agenda Item Request

Consider approving the Board Appointment Policy outlining City Council procedures for new board member appointments and existing board member reappointments.

Background Information

At the February 21, 2019 and October 17, 2019 City Council meetings, the board/commission appointment process was discussed, and from those discussions the Board Appointment Policy was created.

The policy outlines the timing and procedures for the recruitment of new board members, the application process, holding a meet and greet reception, and the interview process. The Board Appointment Policy also addresses the reappointment process for existing board members.

Attachments/Supporting Documentation

1. Board Appointment Policy

Budget/Financial Impact

NA

Recommendation

Staff recommends approval of the Board Appointment Policy as presented.

Motion

I make a motion to approve the Board Appointment Policy outlining City Council procedures for new board member appointments and existing board member reappointments.



City of Lucas

BOARD APPOINTMENT POLICY

PURPOSE

The purpose of the Board Appointment Policy is to provide procedures and standards for the appointment process by the City Council, and guidelines for citizens being appointed to a City of Lucas board or commission.

APPLICATION PROCESS

The City of Lucas will advertise in the Lucas Leader and on the City website during the months of September and October each year for the recruitment of new board members.

A Meet and Greet reception will be held on the 4th Thursday in October at 6:30 pm at City Hall for citizens interested in serving on a board as well as existing board members. The reception will provide an opportunity for each City Council liaison to provide information on the board/commission they represent.

Board applications will be accepted through November 1st each year.

New board member applications will be submitted to the City Council for review at the first meeting in November, and the City Council will determine which prospective applicants they would like to interview.

Interviews with the City Council will take place at the second meeting in November.

Prospective applicants of the Board of Adjustment will meet with City Councilmembers during Executive Session. Prospective applicants of the Parks and Open Space Board and the Planning and Zoning Commission will meet with the City Council during the open regular session of the City Council meeting and will be called to the podium to talk with the City Council.

During the interview process in Executive Session or during the regular open session meeting, a prospective board member can expect to be asked about the following items:

- Why the applicant would like to serve their community
- What experience the applicant could bring to a board/commission
- Any other questions the Council deems appropriate for that board/commission

APPOINTMENT PROCESS FOR NEW BOARD MEMBERS

At the first City Council meeting in December, appointment of new board members will take place.

The City Secretary will notify new board members of their appointment along with procedures for setting up email and appropriate training.

Each new board member will be required to take part in Open Meetings Act training (50-minute video on Attorney General's website), sign a Statement of Officer paperwork and Oath of Office paperwork within 30 days of being appointed. Each new board member will also be required to setup a City of Lucas email account where the City will correspond with the board member for meeting notices, Board packet distribution, and general correspondence.

REAPPOINTMENT PROCESS FOR EXISTING BOARD MEMBERS

In October each year, the City Secretary shall contact existing board members whose terms are expiring confirming they would like to be considered for another two-year term.

At the first City Council meeting in December, reappointment of existing board members whose term are expiring will be considered. Board member attendance will be brought before the City Council as part of reappointment consideration.

The City Council will review each board and vote upon each board member whose term is expiring.

The City Secretary shall contact each board member who was reappointed for another two-year term.

For any existing board members that would like to serve on a different board, a new application shall be completed and submitted for City Council consideration.



City of Lucas

City Council Agenda Request

December 5, 2019

Requester: City Secretary Stacy Henderson

Agenda Item Request

Consider approving Resolution R 2019-12-00493 approving the Collin County ExpressVote Universal Voting System to be used in all future elections held in the City of Lucas while contracting with Collin County Election Services.

Background Information

On August 26, 2019, the Collin County Commissioner's Court adopted the ExpressVote Universal Voting System, EVS 6.0.2.0 consisting of Electionware election management software, ExpressVote ballot marking device, ExpressTouch curbside voting device, DS200 precinct tabulator/scanner, DS450 high speed central scanner, and DS850 high speed central scanner. This voting equipment will be used for Early Voting in Person, Early Voting by Mail, Election Day Voting and Provisional Voting in all future elections held in Collin County.

As an entity within Collin County, that contracts with the County to use their election services, the City of Lucas is also required to adopt the ExpressVote Universal Voting System outlined above. This voting equipment will be used in the City's upcoming May 2020 election as well as any other elections held by Collin County at the Community Center.

Attachments/Supporting Documentation

1. Resolution
2. Collin County Commissioners Court Order approving election equipment
3. Secretary of State's Election Advisory No. 2018-34 (Section 2)

Budget/Financial Impact

NA

Recommendation

City Staff recommends adopting Resolution R 2019-12-00493 approving



City of Lucas
City Council Agenda Request
December 5, 2019

Motion

I make a motion to approve/deny Resolution R 2019-12-00493 approving the Collin County ExpressVote Universal Voting System to be used in all future elections held in the City of Lucas while contracting with Collin County Election Services.



RESOLUTION R 2019-12-00493

[Approving New Voting Equipment with Collin County Election Services]

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LUCAS, TEXAS, APPROVING THE COLLIN COUNTY EXPRESS VOTE UNIVERSAL VOTING SYSTEM TO BE USED IN ALL FUTURE ELECTIONS HELD IN THE CITY OF LUCAS WHILE CONTRACTING WITH COLLIN COUNTY ELECTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Lucas contracts with the Collin County Elections office for election services during Early Voting and Election Day voting on all General and Special elections; and

WHEREAS, on August 26, 2019, the Collin County Commissioners Court adopted new voting equipment, the ExpressVote Universal Voting System; and

WHEREAS, the ExpressVote Universal Voting System consisting of Electionware election management software, ExpressVote ballot marking device, ExpressTouch curbside voting device, DS200 precinct tabulator/scanner, DS450 high speed central scanner, and DS850 high speed central scanner will be used for Early Voting in person, Early Voting by mail, Election Day voting, and Provisional Voting in all future elections held in the City of Lucas contracting with Collin County for election services.

WHEREAS, the Texas Election Code, Chapter 123, Subchapter A, Section 123.001, states that the governing body of the political subdivision served by the authority ordering the election must adopt a voting system by resolution, order, or other official action; and

WHEREAS, the City Council of the City of Lucas, Texas, therefore, approves the ExpressVote Universal Voting System as the voting system to be used during City of Lucas General and Special elections while contracting with Collin County.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LUCAS, TEXAS:

SECTION 1. That the City Council of Lucas, Texas, hereby approves the use of the ExpressVote Universal Voting System during Early Voting in person, Early Voting by mail, Election Day voting, and Provisional Voting in all General and Special elections held by the City of Lucas while contracting with Collin County for election services.

SECTION 2. This Resolution shall become effective from and after its passage.

DULY PASSED by the City Council of the City of Lucas, Texas, on this the 5th day of December 2019.

City of Lucas, Texas

Attest:

Jim Olk, Mayor

Stacy Henderson, City Secretary
(11-12-2019:TM 112124)

State of Texas § Court Order
Collin County § 2019-697-08-26
Commissioners Court §

An order of the Commissioners Court adopting the ExpressVote Universal Voting System for Early Voting in Person, Early Voting by Mail, Election Day Voting, and Provisional Voting in all future elections held in Collin County.

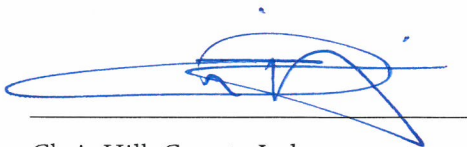
Whereas, on January 28, 2019, the Collin County Commissioners Court voted unanimously to award RFP No. 2018-241 for the new voting systems to Election Systems and Software; and

Whereas, the Texas Secretary of State has officially approved the contract between Collin County and ES&S for the purchase of the ExpressVote Universal Voting System; and

Whereas, the ExpressVote Universal Voting System, EVS 6.0.2.0 consisting of Electionware election management software, ExpressVote ballot marking device, ExpressTough curbside voting device, DS200 precinct tabulator/scanner, DS450 high speed central scanner, and DS850 high speed central scanner have been certified by both the Texas Secretary of State and the United States Election Assistance Commission;

Now, therefore, be it resolved that the Commissioners Court of Collin County adopts the ExpressVote Universal Voting System consisting of Electionware election management software, ExpressVote ballot marking device, ExpressTouch curbside voting device, DS200 precinct tabulator/scanner, DS450 high speed central scanner, and DS850 high speed central scanner. This voting equipment will be used for Early Voting in Person, Early Voting by Mail, Election Day Voting, and Provisional Voting in all future elections held in Collin County.

Passed and approved this 26th day of August, 2019.



Chris Hill, County Judge



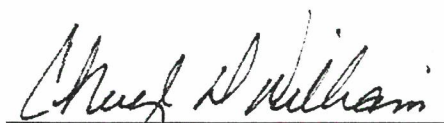
Darrell Hale, Commissioner, Pct 3



Susan Fletcher, Commissioner, Pct 1



Duncan Webb, Commissioner, Pct 4



Cheryl Williams, Commissioner, Pct 2



ATTEST: Stacey Kemp, County Clerk



Note - Navigational menus along with other non-content related elements have been removed for your convenience. Thank you for visiting us online.

Election Advisory No. 2018-34

To: County Elections Officers (County Clerks/Elections Administrators/Tax Assessors-Collectors)

From: Keith Ingram, Director of Elections

A handwritten signature in blue ink, appearing to read "Keith Ingram".

Date: October 15, 2018

RE: Electronic Voting System Procedures Advisory

The purpose of this advisory is to provide an explanation of various voting systems provisions in the Texas Election Code and Texas Administrative Code and to prescribe additional procedures for voting systems in accordance with Section 122.001(c) of the Texas Election Code. Each section is outlined below, and followed by the glossary of terms for voting systems.

[Section 1 – Acquiring a Voting System](#)

[Section 2 – Adopting a Voting System](#)

[Section 3 – Acceptance Testing](#)

[Section 4 – Election Set-up and Definition](#)

[Section 5 – Voting System Testing](#)

[Section 6 – Polling Place Preparation and Procedures](#)

[Section 7 – Central Accumulation Procedures](#)

[Section 8 – Post Election Audits](#)

[Section 9 – Voting System Security](#)

[Section 10 – Automatic Recount, if applicable](#)

[Section 11 – Requested Recount, if applicable](#)

[Section 12 – Retention of Election Material](#)

Section 1 – Acquiring a Voting System (TEC Chapter 123, Subchapter B)

A contract for the acquisition of a voting system must be (1) in writing, and (2) approved by the Secretary of State. This approval is required to ensure that the voting system being acquired complies with applicable state requirements. The authority acquiring the equipment is required to submit to the Secretary of State a letter requesting approval of the acquisition of the voting system along with a copy of the relevant portions of the acquisition contract. The Secretary of State only needs the relevant portion of the contract that contains the information identifying the versions of the voting system and voting system equipment.

If a contract is approved, the Secretary of State will provide to the parties of the contract:

1. A letter stating that the voting system and voting system equipment being acquired satisfy the applicable approval requirements, and
2. A certified copy of the written order issued by the Secretary of State approving the voting system and voting system equipment

Any contract not approved by the Secretary of State is **void**. If a contract is not approved, the Secretary of State shall provide notice to the parties of the contract of the reasons that the contract was not approved. Executing a voting system equipment contract without the approval of the Secretary of State constitutes a **Class B Misdemeanor**.

Section 2 – Adopting a Voting System (TEC Chapter 123, Subchapter A)

A voting system must be adopted for use in any one or more elections by resolution, order or other official action. The adoption of a voting system may be modified or rescinded at any time. Additionally, the authority adopting the system should indicate in their official adoption action whether they are adopting the system for use in early voting only, regular voting on election day or both. The general custodian of election records is required to make any user or operator manuals or instructions relating to the system available for public inspection.

Adoption of a Voting System occurs by the following authorities:

1. General Election for State and County Officers: Commissioners Court
2. Primary Elections: County Executive of Party holding the primary
3. All Other Elections
 - a. The Commissioners Court, if ordered by the governor or a county authority,
 - b. The Governing Body of the Political Subdivision served by the authority ordering the election.

Section 3 - Acceptance Testing (Texas Election Code (TEC Chapter 129.021))

If your entity has purchased or leased new voting system equipment from a vendor, the entity is required to perform Acceptance Testing immediately upon taking delivery from a vendor of a new system or new equipment components.

As part of the **Acceptance Testing**, the entity is required to do the following:

1. Verify that the system delivered is certified by the Texas Secretary of State.
 - a. To verify the system, the entity must compare the following to the certification order:
 - i. Model number and/or name of system.
 - ii. Software and/or firmware version.
2. Perform the following tests:
 - a. Hardware Diagnostic Test provided by 129.022(b), and
 - b. Logic and Accuracy (L&A) Test as provided by 129.023.
3. The entity **MUST** complete a system validation. Your vendor should provide you with specific instructions on how to validate that software that is being installed and used on your voting system is the same software that was certified by the EAC.

Section 4 - Election Set-up and Definition (TEC, § 125)

Prior to each election, there are a number of things you must do to properly configure your election systems. This section provides guidance on the pre-election actions you must take to prepare for an election.

1. **Setting up Equipment:**



City of Lucas

City Council Agenda Request

December 5, 2019

Requester: Mayor Pro Tem Kathleen Peele, Councilmember Debbie Fisher, Councilmember Steve Duke

Agenda Item Request

Consider adopting Ordinance 2019-12-00901 amending the City's Code of Ordinances, Article 1.09 Parks and Recreation, Section 1.09.062 and 1.09.063 regarding regulations relating to the use of park facilities, and discussion regarding the process for holding special events in the City of Lucas.

Background Information

Mayor Pro-Tem Peele along with Councilmembers Steve Duke and Debbie Fisher were assigned the task of reviewing the City's Parks Ordinance and to discuss and consider the addition of a Special Events Ordinance then return with their recommendations

Attachments/Supporting Documentation

1. Redline version of proposed changes to Parks Ordinance
2. Ordinance 2019-12-00901
3. Minutes from the August 15, 2019 City Council meeting

Budget/Financial Impact

NA

Recommendation

NA

Motion

I make a motion to adopt Ordinance 2019-12-00901 amending the City's Code of Ordinances, Article 1.09 Parks and Recreation, Section 1.09.062 and 1.09.063 regarding regulations relating to the use of park facilities.

Division 3. Park Rules

Sec. 1.09.061 Penalty

Any person, firm or corporation violating any of the provisions of this division shall be deemed guilty of a misdemeanor, and upon conviction in the municipal court of the city shall be subject to a fine as provided in [section 1.01.009](#) of this chapter for each offense.

Sec. 1.09.062 Conduct prohibited in parks

As used in this division, “city park” or “park facility” shall mean any area in the city owned or used by the city, or by the city jointly with any other governmental or private entity, devoted to active or passive recreation, and includes but is not limited to athletic fields, recreation areas, community center property, and those areas designated as city parks. The following acts, omissions or conduct are prohibited within the limits of all city parks and no person, firm or corporation shall engage in, commit, cause, or suffer the following acts, omissions or conduct:

- (1) To enter or remain in any park facility between the hours of 11:00 p.m. and 5:00 a.m. unless different hours for the park facility have been designated. All soft surface trails shall be closed from dusk until dawn where on-site signage is posted, unless different hours have been posted;
- (2) To allow any pet or animal to run at-large or fail to keep a pet or animal restrained by a leash, chain or cord not more than six (6) feet long;
- (3) To dump or litter any park. All persons shall use receptacles provided for the deposit of refuse;
- (4) To tie or restrain an animal by attaching its leash to fencing, trees, benches, bleachers, pole or other park facility infrastructure;
- (5) To operate a motor vehicle within any city park in any area not designated as a roadway for vehicular traffic (for the purposes of this subsection, “motorized vehicle” means any vehicle or conveyance which is self-propelled) which would exclude electronic wheelchairs or electric scooters for the disabled;
- (6) To use or ride on a skateboard within a city park;

(Ordinance 2014-12-00803 adopted 12/4/14)

(7) To possess, use, discharge or employ any fireworks, firearm, BB gun, air gun, bow and arrow, or slingshot is prohibited with the exception of licensed holders who are authorized to carry firearms in accordance with state law; (Ordinance 2016-05-00838 adopted 5/19/16)

(8) To sell, possess or consume any alcoholic beverage;

(9) To erect, post, distribute, or place any advertising material, sign, circular, or handbill without the prior permission of the city;

(Ordinance 2014-12-00803 adopted 12/4/14)

(10) (A) To practice, conduct, or carry on any commercial activity, trade or business activity unless said commercial activity has been approved through a facility use agreement issued by the city manager or designee.

(B) In approving a facility use agreement for a commercial activity, the city manager or designee shall consider whether such activity is classified as a recreational activity that enhances the overall well-being of participants and includes but is not limited to the provision of physical fitness classes, athletic sports activities and services that promote healthy lifestyles. It does not include the sale of products and/or goods. While this activity may serve nonresidents, the provider must make the provision of recreational programming to city residents a priority. The number of city residents served may be taken into consideration on future applications for use of park facilities.

(C) Lucas residents only may reserve the city park facilities for commercial recreational activity daily from 5:00 a.m. through 8:00 a.m. and from 7:00 p.m. through 9:00 p.m. The community center is not available for use for commercial recreational activity and may only be used by Lucas residents.

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(D) A city facility use agreement must be completed and submitted to the city manager for consideration along with the required fee, as set forth in the City fee Schedule. The applicant must provide documentation demonstrating the vendor's liability insurance coverage in the amount of \$1,000,000.00 and must name the city as an additional insured on the certificate of insurance. The applicant is responsible for any damage to the park facilities.

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(E) The applicant may reserve the park facility, up to two months in advance of the event and must reapply for any subsequent use. If any park facility is left in a condition that is unacceptable to the city, the city reserves the right to not allow the vendor to use any of its facilities in the future;

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(Ordinance 2015-03-00812 adopted 4/16/15)

- (11) To cause, create or maintain any nuisance or engage in any conduct or activity that unreasonably disturbs persons of ordinary sensibilities;
- (12) To use any type of sound amplification devices which include but are not limited to loudspeakers, amplifiers or microphones without the written permission of the city;
- (13) To ascend, descend, operate, or launch any aircraft, including but not limited to hot air balloons, airplanes, paraplanes, ultralight aircrafts, helicopters, drones, remote/radio controlled devices and gliders;
- (14) To hit golf balls of any type in a park facility;
- (15) To camp overnight in or upon any park facility;
- (16) To enter onto a reserved facility or area, or a location where scheduled activities are occurring, during the period that the area or facility is reserved or during the scheduled activity and remain or return there after the person has been given notice to leave. Reserved facilities and areas, and scheduled activities, include but are not limited to: athletic fields and pavilions;
- (17) To make or kindle a fire except in public stoves, grills, fire pits, or designated areas provided for that purpose. Fires shall not be left unattended and must be extinguished prior to departure. The city manager may prohibit all fires in public parks during those periods that he, in his sole discretion, determines that extreme dry weather, high winds or other conditions endanger public health and safety;
- (18) To use or consume any tobacco products within a park facility;
- (19) To destroy, damage, deface or remove shrubbery, trees, soil, grass, turf or other vegetation, rock, minerals or any other personal or real property.

(Ordinance 2014-12-00803 adopted 12/4/14)

  **Sec. 1.09.063 Reservation of Lucas Community Center**

The Lucas Community Center shall only be reserved by individuals residing within the territorial limits of the city. Any city resident requesting a reservation of the Lucas Community Center shall provide proof of residency and submit a completed facility use agreement in the form approved by the city to the development services department for approval prior to reserving the facility. Any damage to the facility by the applicant or the attendees shall be the responsibility of the applicant and the applicant shall bear the cost for the repair and/or replacement of any damage caused to the facility or property within the facility. (Ordinance 2017-09-00865 adopted 9/21/17)

ORDINANCE NO. 2019-12-00901
[AMENDING ARTICLE 1.09 “PARKS AND RECREATION”]

AN ORDINANCE OF THE CITY OF LUCAS, COLLIN COUNTY, TEXAS, AMENDING THE LUCAS CODE OF ORDINANCES BY AMENDING CHAPTER 1 TITLED “GENERAL PROVISIONS” BY AMENDING ARTICLE 1.09 TITLED “PARKS AND RECREATION” BY AMENDING DIVISION 3 TITLED “PARK RULES” BY AMENDING SECTION 1.09.062 TITLED “CONDUCT PROHIBITED IN PARKS” BY AMENDING REQUIREMENTS FOR RESERVING CITY PARK FACILITIES AND BY AMENDING SECTION 1.09.063 TITLED “RESERVATION OF LUCAS COMMUNITY CENTER”; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LUCAS, TEXAS, THAT:

Section 1. The Code of Ordinances of the City of Lucas, Texas, is hereby amended by amending Chapter 1 titled “General Provisions” by amending Article 1.09 titled “Parks and Recreation” by amending Division 3 titled “Park Rules” by amending Section 1.09.062 titled “Conduct Prohibited in Parks” and Section 1.09.063 titled “Reservation of Lucas Community Center”, to read as follows:

“CHAPTER 1

GENERAL PROVISIONS

ARTICLE 1.09 PARKS AND RECREATION

Division 3. Park Rules

AMEND Section 1.09.062(10) (C), (D) AND (E)

Sec. 1.09.062 Conduct prohibited in parks

As used in this division, “city park” or “park facility” shall mean any area in the city owned or used by the city, or by the city jointly with any other governmental or private entity, devoted to active or passive recreation, and includes but is not limited to athletic fields, recreation areas, community center property, and those areas designated as city parks. The following acts, omissions or conduct are prohibited within the limits of all city parks and no person, firm or corporation shall engage in, commit, cause, or suffer the following acts, omissions or conduct:

(10)

(C) City park facilities may only be reserved by Lucas residents for commercial recreational activity daily from 5:00 a.m. through 8:00 a.m. and from 7:00 p.m. through 9:00 p.m.

(D) A city facility use agreement must be completed and submitted to the city manager for consideration along with the required fee as shown in the Fee Schedule set forth in Appendix C. The applicant must provide documentation demonstrating the vendor's liability insurance coverage in the amount of \$1,000,000.00 and must name the city as an additional insured on the certificate of insurance. The applicant shall be responsible for any damage to the park facilities.

(E) The applicant may reserve the park facility up to two months in advance of the event and must reapply for any subsequent use. If any park facility is left in a condition that is unacceptable to the city, the city reserves the right to not allow the vendor to use any of its facilities in the future.

AMEND

Section 1.09.063 Reservation of Lucas Community Center

The Lucas Community Center shall only be reserved by individuals residing within the territorial limits of the city. Any city resident requesting a reservation of the Lucas Community Center shall provide proof of residency and submit a completed facility use agreement in the form approved by the city to the development services department for approval prior to reserving the facility. Any damage to the facility or property located within the facility caused by the applicant or attendees shall be the responsibility of the applicant. The applicant shall be responsible for the repair and/or replacement of the damage caused to the facility or property located within the facility.”

Section 2. All ordinances of the City of Lucas in conflict with the provisions of this Ordinance shall be, and same are hereby, repealed, provided, however, that all other provisions of said Ordinances are not in conflict herewith shall remain in full force and effect.

Section 3. Should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance or of the City of Lucas Code of Ordinances, as amended hereby, be adjudged or held to be voided or unconstitutional, the same shall not affect the validity of the remaining portions of said Ordinances or the City of Lucas Code of Ordinances, as amended hereby, which shall remain in full force and effect.

Section 4. An offense committed before the effective date of the Ordinance is governed by prior law and the provisions of the City of Lucas Code of Ordinances in effect when the offense was committed and the former law is continued in effect for this purpose.

Section 5. Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for the in the City of Lucas Code of Ordinances, as amended, and upon conviction shall be punished by a fine not to exceed the sum of Five Hundred Dollars (\$500.00) for each offense, and each and every day such violation shall continue shall be deemed to constitute a separate offense.

Section 6. This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Lucas, and it is accordingly so ordained.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LUCAS, COLLIN COUNTY, TEXAS, ON THIS 5TH DAY OF DECEMBER 2019.

APPROVED:

Jim Olk, Mayor

APPROVED AS TO FORM:

ATTEST:

Joseph J. Gorfida, Jr., City Attorney
(11-20-2019:TM 112280)

Stacy Henderson, City Secretary



City of Lucas
City Council Meeting
August 15, 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 7:00 p.m.

City Councilmembers Present:

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

Staff Present:

City Manager Joni Clarke
City Secretary Stacy Henderson
City Attorney Joe Gorfida
Development Services Director Joe Hilbourn
City Engineer Stanton Foerster
Finance Director Liz Exum

City Councilmember Absent:

Councilmember Tim Baney

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

Citizen Input

1. Citizen Input.

John Ballis, 1820 Winningkoff, discussed his concerns related to traffic and speeding on Winningkoff near Blondy Jhune Road and asked that an item be placed on the agenda for a future meeting to discuss safety concerns on Winningkoff.

Brenda Rizos, 1200 Winningkoff, spoke in favor of the Memorandum of Understanding with the Army Corps of Engineers to maintain and improve the Trinity Trail. Ms. Rizos stated that she was not in support of Agenda Item No. 10 that would close roadways for a bike race.

Community Interest

2. Items of Community Interest.

Mayor Olk introduced Dr. Goddard, the new Lovejoy ISD Superintendent. Dr. Goddard discussed highlights of the Lovejoy ISD school district accomplishments and expressed his desire for a good working relationship with the City of Lucas and the City Council.

Mayor Olk discussed the following items of Community Interest:

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

8. **Consider entering into a Memorandum of Understanding (MOU) with the U.S. Army Corp of Engineers, Collin County and the City of Lucas to create mutual cooperation in the support of Trinity Trail in accordance with the guidelines in the Cooperative Management Plan (Plan) and authorize the City Manager to execute the Memorandum of Understanding and the Trinity Trail Cooperative Management Plan.**

Mayor Pro Tem Peele explained that the City would be partnering with the U.S. Army Corps of Engineers and Collin County to aid in the protection and maintenance of the Trinity Trail, and broader support was needed to ensure the trail was maintained and not encroached upon by development. Mayor Pro Tem Peele reviewed highlights and guidelines from the MOU and Management Plan noting the trail was a multi-use trail for hiking and equestrian use.

Mayor Olk noted that one email was received in favor of the MOU from Christine Churchill, 1125 Brockdale Park Road.

MOTION: A motion was made by Councilmember Fisher, seconded by Mayor Pro Tem Peele to enter into a Memorandum of Understanding (MOU) with the U.S. Army Corp of Engineers, Collin County and the City of Lucas to create mutual cooperation in the support of Trinity Trail in accordance with the guidelines in the Cooperative Management Plan (Plan) and authorize the City Manager to execute the Memorandum of Understanding and the Trinity Trail Cooperative Management Plan. The motion passed unanimously by a 6 to 0 vote.

9. **Discuss revising the City's Code of Ordinances, Article 1.09 Parks and Recreation, Section 1.09.062 Conduct Prohibited in Parks relating to commercial, trade, or business activity in city parks or park facilities.**

City Manager Joni Clarke stated that the City does not currently allow commercial activity in its parks or park facilities. An event was being proposed to be held in the Community Park on October 19 that would include craft booths that sell items to the public. Ms. Clarke stated that the ordinance regulating park activities had been amended once to allow a boot camp group to hold their classes in the park. Ms. Clarke stated that she was asking for the Council's direction on this matter.

The Council discussed the types of commercial activity that could take place in the park, the positives and negatives of commercial use in the park, fundraising activities, and defining a narrow scope of allowed commercial activity. The Council expressed their concern regarding the park being overrun by commercial activity and not being able to be enjoyed by the citizens of Lucas.

Councilmember Millsap questioned how much additional work would be put onto staff to manage events happening in the park.

The Council discussed reimbursement of City costs, insurance coverage, cleanup activities after an event, traffic control, and required deposits.

Councilmember Fisher stated that a special event permitting process should be considered.

Councilmember Fisher, Councilmember Duke, and Mayor Pro Tem Peele agreed to form a subcommittee to review the ordinance regarding special events in the park and come back to the Council with a recommendation.

10. Consider the request by Racing Systems Run Project to close various streets in Lucas as part of the 2019 Emmitt Smith Gran Fondo bike race.

MOTION: A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Duke to deny the request to close streets in Lucas for the 2019 Emmitt Smith Gran Fondo bike race. The motion to deny passed unanimously by a 6 to 0 vote.

13. Adjournment.

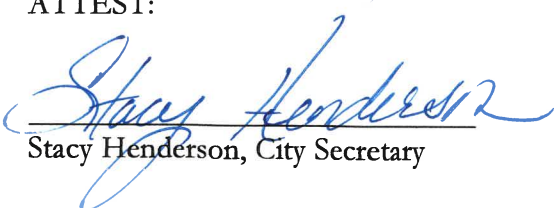
MOTION: A motion was made by Councilmember Millsap seconded by Councilmember Lawrence to adjourn the meeting at 9:10 pm. The motion passed unanimously by a 6 to 0 vote.

APPROVED:



Mayor Jim Olk

ATTEST:



Stacy Henderson, City Secretary



City of Lucas

Council Agenda Request

December 5, 2019

Requester: City Attorney Joe Gorfida

Agenda Item Request

Consider establishing a policy, administrative guidelines and/or revise the City of Lucas' Code of Ordinances to create a process or procedure regarding requests for reasonable accommodation (i.e., modifications or exceptions) under the Americans With Disabilities Act (ADA) and the Federal Fair Housing Act (FHA).

Background Information

The City's Board of Adjustments (BOA) has received a request for a reasonable accommodation requesting a variance from the literal interpretation of the City's Code of Ordinances to allow a fence located within the side and rear yard setbacks that is less than 50% see through for a parcel of land. The City has currently scheduled this request to be heard by the City's BOA on December 18, 2019.

Section 3.19.002 (b) of the City's Code of Ordinances, "Residential, agricultural and estate districts" states the following: "Fencing located within the required front, side and rear yard setbacks shall be a minimum of 50% see through."

The City's Board of Adjustments does not have the jurisdiction to hear the current request for a reasonable accommodation. Therefore, the City Council should consider a process for handling requests for reasonable accommodations under the Fair Housing Act ("FHA") and the Americans with Disabilities Act ("ADA").

The FHA and Title II of the ADA impose an affirmative duty on local governments to make reasonable accommodations (i.e., modifications or exceptions) in their zoning laws and other land use regulations and practices when such accommodations "may be necessary to afford" a person with a disability "an equal opportunity to use and enjoy a dwelling". City governments are required to make reasonable modifications to policies, practices, or procedures to prevent discrimination on the basis of disability. Reasonable modifications can include modifications to local laws, ordinances, and regulations that adversely impact people with disabilities. For example, it may be a reasonable modification to grant a variance for zoning requirements and setbacks. In addition, city governments may consider granting exceptions to the enforcement of certain laws as a form of reasonable modification.

Lucas' ordinances do not currently have a process or procedure for a request for accommodation under the ADA or FHA. The City could choose to amend its ordinances to include a procedure for making application for an accommodation under the ADA including the standards for such a decision and the assignment of the decision to a zoning official or body such as the Board of Adjustments. Such an ordinance could provide that the accommodation is not transferrable to a new owner and must be removed if no longer necessary.



City of Lucas Council Agenda Request December 5, 2019

Attachments/Supporting Documentation

NA

Budget/Financial Impact

NA

Recommendation

Direct the City Attorney to bring back a policy or ordinance that establishes a process to address requests for reasonable accommodations.

Motion

No motion necessary.



City of Lucas

City Council Agenda Request

December 5, 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

NA