

#### City Hall, Council Chambers and Video Conference 665 Country Club Road – Lucas, Texas

7:00 PM

Notice is hereby given that a meeting of the Lucas City Council will be held on Thursday, May 20, 2021 beginning at 7:00 pm at Lucas City Hall, 665 Country Club Road, Lucas, Texas 75002-7651 and by video conference, 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.

On March 16, 2020 Governor Abbott suspended some provisions of the Open Meetings Act in response to the COVID-19 emergency. City Council meetings will also be available through Zoom from your computer or smartphone. To join the meeting, please click this URL:

 $\underline{https://zoom.us/s/95534828374?pwd} = \underline{ZkJ5cTZkVWNEL3o0WFNCQXBjQ0RvZz09} \text{ and enter } \underline{LStarted Started Started$ 

your name and email address. To join by phone: 1-346-248-7799

Webinar ID: 955 3482 8374

Passcode: 712285

If you would like to watch the meeting live, and not participate via Zoom, you may go to the City's live streaming link at https://www.lucastexas.us/live-streaming-videos/.

#### **How to Provide Input at a Meeting:**

**Speak In Person**: Request to Speak forms will be available at the meeting. Please fill out the form and give to the City Secretary prior to the start of the meeting. This form will also allow a place for comments.

**Speak Remotely Via Zoom**: If you would like to attend a meeting remotely and speak via Zoom, email the City Secretary at <a href="mailto:shenderson@lucastexas.us">shenderson@lucastexas.us</a> by 5:00 pm noting the item you wish to speak on and noting your attendance will be remote. Any requests received after 5:00 pm will not be included at the meeting.

**Submit Written Comments**: If you are unable to attend a meeting and would like to submit written comments regarding a specific agenda item, email the City Secretary at <a href="mailto:shenderson@lucastexas.us">shenderson@lucastexas.us</a> by no later than 5:00 pm the day of the meeting. The email must contain the person's name, address, phone number, and the agenda item(s) for which comments will be made. Any requests received after 5:00 pm will not be included at the meeting.

#### **Citizen Input**

1. Citizen Input

#### **Community Interest**

Pursuant to Section 5510415 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

#### **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 6, 2021 City Council meeting. (City Secretary Stacy Henderson)
  - B. Authorize the Mayor to enter into an interlocal agreement between the City of Lucas and Collin County for jail services for a one-year period beginning October 1, 2021 through September 30, 2022. (City Manager Joni Clarke)

#### Regular Agenda

- 4. Consider an appointment to fill an unexpired vacant position on the Planning and Zoning Commission with a term ending December 31, 2021. (City Council)
- 5. Consider pending legislation that is brought before the 87th Legislature, provide direction to City Staff and City Attorney, or take action regarding any proposed legislation. (City Attorney Joe Gorfida)
- 6. Discuss the City of Lucas Code Enforcement Program. (City Council)

#### **Executive Agenda**

- 7. 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.
- 8. Reconvene from Executive Session and take any action necessary as a result of the Executive Session.

#### 9. Adjournment.

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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 May 14, 2021.

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.



Requester:	Mayor Jim Olk	
Agenda Ito	em Request	
Citizen Input	t	
Backgroun	nd Information	
NA		
Attachmer	nts/Supporting Documentation	
NA		
Budget/Fir	nancial Impact	
NA		
Recommer	ndation	
NA		
Motion		
NA		



Requester:	Mayor Jim Olk		
Agenda Ite	em Request		
Items of Com	nmunity Interest		
Backgroun	nd Information		
NA			
Attachmen	nts/Supporting Docume	ntation	
NA			
Budget/Fir	nancial Impact		
NA			
Recommen	ıdation		
NA			
Motion			
NA			

Item No. 03



## City of Lucas City Council Agenda Request May 20, 2021

Requester: City Secretary Stacy Henderson

City Manager Joni Clarke

#### **Agenda Item Request**

#### Consent Agenda:

- A. Approval of the minutes of the May 6, 2021 City Council meeting.
- B. Authorize the Mayor to enter into an interlocal agreement between the City of Lucas and Collin County for jail services for a one-year period beginning October 1, 2021 through September 30, 2022.

#### **Background Information**

#### Agenda Item 3B:

The daily rate for FY 2022 will be \$58.80. This is \$32.61 per day less than FY 2021. The reduction is due to a large portion of public safety salaries being moved to the CARES Act grant for FY 2020. The daily rate is expected to increase to its normal rate again in FY 2023.

#### **Attachments/Supporting Documentation**

- 1. Minutes of the May 6, 2021 City Council meeting.
- 2. Proposed inmate per day expense report.

#### **Budget/Financial Impact**

NA

#### Recommendation

City Staff recommends approval of the Consent Agenda.

#### Motion

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



## City of Lucas City Council Meeting

## May 6, 2021

## City Hall Council Chambers and by Video Conference 7:00 P.M.

## City Hall, 665 Country Club Road, Lucas, Texas

#### **MINUTES**

#### **City Councilmembers Present:**

Mayor Jim Olk
Mayor Pro Tem Kathleen Peele
Councilmember Tim Johnson
Councilmember Steve Duke (Left the meeting at 7:23pm)
Councilmember David Keer (took his Council Seat at 7:23pm)
Councilmember Tim Baney

#### City Staff Present:

City Manager Joni Clarke City Secretary Stacy Henderson City Engineer Stanton Foerster Development Services Director Joe Hilbourn Fire Chief Ted Stephens Assistant to the City Manager Kent Souriyasak

#### **City Councilmember Absent:**

Councilmember Debbie Fisher

Councilmember Phil Lawrence

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

#### Matters Related to the May 1, 2021 General and Special Election

- 1. Consider matters related to the May 1, 2021 General and Special Election:
  - A. Consider approving Resolution R 2021-05-00513 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 1, 2021 for the purpose of electing two City Council members for Seat No. 3 and Seat No. 4 and the seat for Mayor to serve three (3) year terms, beginning May 6, 2021, and providing an effective date.

#### MOTION:

A motion was made by Councilmember Johnson, seconded by Councilmember Duke to approve Resolution R 2021-05-00513 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 held on May 1, 2021 for the purpose of electing two City Council members for Seat No. 3 and Seat No. 4 and the seat for Mayor to serve three (3) year terms, beginning May 6, 2021. The motion passed unanimously by a 6 to 0 vote.

B. Consider approving Resolution R 2021-05-00514 of the City Council of the City of Lucas, Texas, canvassing the returns and declaring the results of the special election of the City of Lucas held May 1, 2021 regarding propositions submitted to the qualified voters of the City for amendments to the City Home Rule Charter, and providing an effective date.

**MOTION:** A motion was made by Councilmember Duke, seconded by Councilmember Fisher to approve Resolution R 2021-05-00514 of the City Council of the City of Lucas, Texas, canvassing the returns and declaring the results of the special election of the City of Lucas held May 1, 2021 regarding propositions submitted to the qualified voters of the City for amendments to the City Home Rule Charter. The motion passed unanimously by a 6 to 0 vote.

C. Consider adopting Ordinance 2021-05-00934 approving amendments to the Home Rule Charter approved by the voters of the City of Lucas, Texas at an election held on May 1, 2021, and providing an effective date.

**MOTION:** A motion was made by Councilmember Duke, seconded by Mayor Pro Tem Peele, to approve Ordinance 2021-05-00934 approving amendments to the Home Rule Charter approved by the voters of the City of Lucas, Texas at an election held on May 1, 2021. The motion passed unanimously by a 6 to 0 vote.

D. Administer the Oath of Office and Certificate of Election to candidates for the Seat of Mayor, City Council Seat 3 and City Council Seat 4.

City Secretary Stacy Henderson administered the Oath of Office to Mayor Jim Olk and Councilmember David Keer, Seat 3.

E. Statements from outgoing/newly elected Mayor and City Councilmembers.

Statements were made from Councilmember Steve Duke, Mayor Jim Olk and Councilmember David Keer.

#### Citizen Input

#### 2. Citizen Input

Mark Skaggs, Lucas resident congratulated the elected City Councilmembers and Mayor.

#### **Community Interest**

#### 3. Community Interest.

A. Presentation of Proclamation to Councilmember Steve Duke.

Mayor Olk presented a Service Tree Proclamation to outgoing Councilmember Steve Duke.

Mayor Olk discussed upcoming events related to Founders Day, Movie in the Park and the Farmers Market.

Councilmember Johnson discussed fiber installation from AT&T Fiber and SuddenLink that was occurring in various locations in the City.

#### Consent Agenda

#### 4. Consent Agenda:

- A. Approval of the minutes of the April 15, 2021 City Council meeting.
- B. Approval of the City of Lucas Investment Report for quarters ending December 2020 and March 2021.

#### MOTION:

A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Johnson to approve the Consent Agenda as presented. The motion passed unanimously by a 6 to 0 vote.

#### Regular Agenda

5. Consider the request by Colin Helffrich on behalf of Carl Williams for preliminary plat approval for a parcel of land being 53.788 acres, part of the John W Kirby Survey, Abstract 506, Peter F Lucas Survey Abstract 537, and the Benjamin Sparks Survey Abstract 813 located on the north end of Wendy Lane, more commonly known as 1355 Wendy Lane.

Development Services Director Joe Hilbourn gave a presentation discussing details of the preliminary plat.

The applicant, Coin Helffrich, spoke regarding his request and noted that he was willing to place a cul-de-sac or emergency access only at the end of the street of the proposed subdivision rather than creating a through street to the Tara neighborhood.

The following individuals spoke in opposition to the request:

David Finn, 980 Wendy Lane Cindy Broughton, 820 Scarlett Jafar Nikzad, 1200 Wilkes Michelle Miller, 1200 Scarlett Greg and Heather Bouska, 920 Scarlett Jody Harper, 830 Kennedy Rob and Stacy Nichols, 1100 Wilkes Aimee and Chad Krisher, 1255 Scarlett Mike Stone, 1030 Wilkes Al and Donna Karcher, 1245 Scarlett Carrie Rios, 795 Ohara Bruce Shray, 795 Kennedy Diane Redman, 1930 Mary Lee Colleen Wood, 695 Ohara Aly Johansson, 950 Scarlett Erika Jordan, 1155 Scarlett Judy Strain, 820 Ohara Kim and Kyle Dziubinski, 1250 Scarlett Doug Harper, 830 Kennedy Patrick Roy, 990 Scarlett Ann and Ronald Keeler, 1005 Wendy Scott, Susan and Summer McCall, 980 Scarlett Brandon and Catherine Montgomery, 880 Estelle John Stover, 920 Hamilton Lea Lencioni, 925 Wendy Matt Adell, 1235 Scarlett Robin Wells, 670 Wendy Adrienne Ciletti, 990 Hamilton Donna Bruner, 985 Scarlett Carolyn Rasmussen, 790 Ohara Kathleen LoSapio, 650 Scarlett Dyann and Jim Smith, 700 Scarlett Helene and Kris Langer, 1125 Wilkes Leon Luckey, 1065 Wendy Patricia Reyna, 1150 Wilkes David Hulsander, 790 Scarlett Trudy and Wayne Mathis, 1010 Scarlett Marc Sherrin, 1025 Scarlett Shannon Verschage, 850 Kennedy

The following individual spoke in favor of the request:

Steven Long, 900 Wendy Lane

The City Council had a lengthy discussion regarding access points to the subdivision, plat approval requirements, and allowable conditions on the plat.

#### **Executive Session**

As authorized by Section 551.071 of the Texas Government Code, the City Council convened into closed Executive Session at 8:47 pm for the purpose of seeking confidential legal advice from the City Attorney.

The City Council reconvened from Executive Session at 9:06 pm, there was no action taken as a result of the Executive Session.

#### MOTION:

A motion was made by Councilmember Baney, seconded by Mayor Pro Tem Peele to approve the preliminary plat for a parcel of land being 53.788 acres, part of the John W Kirby Survey, Abstract 506, Peter F Lucas Survey Abstract 537, and the Benjamin Sparks Survey Abstract 813 located 1355 Wendy Lane with the condition that a tree survey be completed and approved by the City pursuant to Section

3.18.006 and Section 10.03.039 of the City's Code of Ordinances, and to terminate the private street, lot 12 of Wendy Farms connection to Scarlett Drive of Tara Estates and provide a cul-de-sac, emergency turn around. The motion passed unanimously by a 6 to 0 vote.

6. Consider authorizing an appropriation of \$50,000 from the 2019 Certificates of Obligation to the North Pump Station Project 21-8210-490-128 to cover anticipated project budget shortfall.

**MOTION:** 

A motion was made by Councilmember Fisher, seconded by Councilmember Johnson to approve authorizing an appropriation of \$45,000 from the oldest Certificates of Obligation containing funds to the North Pump Station Project 21-8210-490-128 to cover anticipated project budget shortfall. The motion passed unanimously by a 6 to 0 vote.

#### **Executive Session**

As authorized by Section 551.071 of the Texas Government Code, the City Council convened into closed Executive Session at 9:28 pm for the purpose of seeking confidential legal advice from the City Attorney.

The City Council reconvened from Executive Session at 9:42 pm, there was no action taken as a result of the Executive Session.

7. Consider amending the Fiscal Year 2020-2021 budget to appropriate funding in the amount not to exceed \$500,000 for employee compensation.

The City Council discussed at length the market analysis review, current inequities, salary distribution, need for additional Fire Department positions, Fire Department funding, and funding overall compensation.

MOTION:

A motion was made by Mayor Olk, seconded by Mayor Pro Tem Peele, to approve amending the Fiscal Year 2020-2021 budget to appropriate funds in the amount of \$123,393 for employee compensation and an additional \$26,607 for staff retention at the Fire Department for a total of \$150,000. The motion passed unanimously by a 6 to 0 vote.

8. Consider pending legislation that is brought before the 87th Legislature, provide direction to City Staff and City Attorney, or take action regarding any proposed legislation.

City Attorney Joe Gorfida gave a presentation regarding pending legislative items. This item was for discussion purposes only, no formal action was taken on this item.

MOTION:	A motion was made by Councilmember meeting at 10:36 pm.	Keer seconded by Mayor Olk to adjourn the
APPROVED:		ATTEST:
	<u></u>	Stacy Henderson, City Secretary

9.

Adjournment.



#### **Contract Amendment**

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Office of the Purchasing Agent Collin County Administration Building 2300 Bloomdale Rd, Ste 3160 McKinney, TX 75071 972-548-4165

Vendor:  Awarded by C Amendment	City of Lucas 665 Country Club Lucas, TX 75002  Court Order No.: 1 Court C	order No.:	Effective Date Contract No. Contract	10/1/2021 2020-363 Interlocal Agreement for Jail Services 020-692-08-03	
•	VOLLARE DIRECT	ED TO MAKE TH	HE FOLLOWING AMEND	MENT TO THIS CONTRACT	
-	TOO ARE DIRECT	LD TO WARL II	TE I OLLOWING AMEND	MENT TO THIS CONTRACT	
ITEM #1:	Extend agreement for the either party to terminate			eptember 30, 2022, with the option for ten notice.	
ITEM #2:	Charges for fiscal year 2	9022: <u>\$</u>	58.80 per day, per inma	ate	
Except as p	rovided herein, all te	rms and con-	ditions of the contra	act remain in full force and effect	
and may or	nly be modified in wri	ting signed b	y both parties.		
ACCEPTED BY	:	(Print Name)		ACCEPTED AND AUTHORIZED BY AUTHORITY OF COLLIN COUNTY COMMISSIONERS' COURT	
City of Lucas		<b>.</b>			
665 Country Club		-		Collin County Administration Building	
Lucas, TX 750	002	<b>-</b>		2300 Bloomdale Rd, Ste 3160 McKinney, Texas 75071	
SIGNATURE		-		Michelle Charnoski	
TITLE:		=2.		Purchasing Agent, CPPB	
DATE:		•		DATE:	

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1,254,164.03 1,179,869.74 \$ 96.38% 0.19% 3.42% 11,944 952,492.33 \$ 96.16% 0.30% 3.54% 13,648 821,360.10 \$ 96.41% 0.37% 3.22% 11,769 919,901.99 \$ 95.99% 0.43% 3.58% 95.54% 0.51% 3.95% 12,975 94.90% 0.41% 4.68% 16,028 Facility Utilization # Federal Days % County % Federal % City

NOTE: CARES Act funding was used in FY 2020 to cover a portion of Public Safety salaries. This savings has translated into a lower daily rate for FY 2022. We expect the expenditures to return to normal over the course of FY 2021 and FY 2022.



Requester: City Council

#### **Agenda Item Request**

Consider an appointment to fill an unexpired vacant position on the Planning and Zoning Commission with a term ending December 31, 2021.

#### **Background Information**

The Planning and Zoning Commission has a vacancy of a regular member position that needs to be filled. Current Planning and Zoning regular and alternate members are outlined below.

- Peggy Rusterholtz
- Dusty Kuykendall
- Tommy Tolson
- Joe Williams
- Adam Sussman, Alternate 1

I make a motion to approve appointing

• James Foster, Alternate 2

Applications received to date for board member positions have been included under separate attachment for review.

# Attachments/Supporting Documentation 1. Board member applications (under separate attachment) Budget/Financial Impact NA Recommendation NA Motion

Commission to fill an unexpired vacant position with a term ending December 31, 2021.

to the Planning and Zoning



NA

# City of Lucas City Council Agenda Request May 20, 2021

Requester: City Attorney Joe Gorfida

Agenda Item Request
Consider pending legislation that is brought before the 87th Legislature, provide direction to City Staff and City Attorney, or take action regarding any proposed legislation.
Background Information
NA
Attachments/Supporting Documentation
NA
Budget/Financial Impact
NA
Recommendation
NA
Motion



Requester: City Council

#### **Agenda Item Request**

Discuss the City of Lucas Code Enforcement Program.

#### **Background Information**

Recently, the City Council identified several topics that they wanted to discuss to facilitate their goals for the City of Lucas. One of the topics identified was code enforcement. The City has one full-time Code Enforcement Officer that is under the direction of the Development Services Director. While the essential functions of this position are code enforcement related, this position also has additional duties pertaining to maintenance of city facilities, pool inspections, driveway approach inspections, and electrical T-pole inspections.

There has been dialogue pertaining to the overall approach to code enforcement activities regarding whether the City should continue its reactive approach or become more proactive which would require additional resources. Should City of Lucas staff be actively issuing citations for tall grass, home based businesses, and other code enforcement issues or continue its practice of seeking voluntary compliance whenever possible. Staff's current code enforcement is primarily reactive, meaning code enforcement is addressed based on complaints. Staff is proactive when violations are significantly out of compliance. An example of a situation where staff would be proactive is high grass. The maximum permitted height of grass is 12 inches and staff will proactively address high grass if it exceeds two feet in height.

In addition, should City staff consider conducting sign patrols actively on the weekend when many illegal signs are present. Staff has completed six weekend sign patrols this fiscal year, in early spring new construction signs were out in significant numbers. The first weekend 22 signs were picked up, the final weekend six signs were picked up.

Staff is seeking direction on code enforcement initiatives.

#### **Attachments/Supporting Documentation**

N/A

#### **Budget/Financial Impact**

N/A

#### Recommendation

None.

Item No. 06



# City of Lucas City Council Agenda Request May 20, 2021

### Motion

There is no motion with this item it is discussion only.

Item No. 07



NA

## City of Lucas City Council Agenda Request May 20, 2021

Requestor:	Mayor Jim Olk
Agenda Item	Request
<b>Executive Session</b>	on.
An Executive Se	ssion is not scheduled for this meeting.
convene into clos the City Attorney	Section 551.071 of the Texas Government Code, the City Council may sed Executive Session for the purpose of seeking confidential legal advice from regarding any item on the agenda at any time during the meeting. This meeting ublic as provided in the Texas Government Code.
Background I	nformation
NA	
Attachments/	Supporting Documentation
NA	
<b>Budget/Finan</b>	cial Impact
NA	
Recommenda	tion
NA	
Motion	



Motion

NA

# City of Lucas City Council Agenda Request May 20, 2021

Item No. 08

Requester: Mayor Jim Olk

Agenda Item Request

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

Background Information

NA

Attachments/Supporting Documentation

NA

Budget/Financial Impact

NA

Recommendation

NA