



## **AGENDA**

### **CITY COUNCIL MEETING**

March 17, 2022 | 7:00 PM

Council Chambers | Video Conference

City Hall | 665 Country Club Road, Lucas, Texas

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*Notice is hereby given that a meeting of the Lucas City Council will be held on Thursday, March 17, 2022, 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.*

To join the meeting, please click this URL:

<https://us06web.zoom.us/j/83937347874?pwd=Q1p3U3VsajA5a0dpbzNxQ2FJcFZlZz09>

and enter your name and email address

Join by phone: 1-346-248-7799

Webinar ID: 839 3734 7874

Passcode: 325863

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 [shenderson@lucastexas.us](mailto:shenderson@lucastexas.us) by 4:00 pm noting the item you wish to speak on and noting your attendance will be remote. Please note, any requests received after 4:00 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 [shenderson@lucastexas.us](mailto:shenderson@lucastexas.us) by no later than 4:00 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 4:00 pm will not be included at the meeting.

#### **Call to Order**

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

## Citizen Input

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1. Citizen Input

## Community Interest

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*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:

- B. Presentation of Proclamation to In-N-Out Burger for their in-kind donation during the City of Lucas Country Christmas event.

## Consent Agenda

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*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 March 3, 2022, City Council meeting.  
(City Secretary Stacy Henderson)
- B. Consider participation with the City of Prosper and other customer cities regarding an agreement with Raftelis Financial Consultants, Inc. to review the North Texas Municipal Water District Independent Review performed by Amawalk Consulting Group LLC dated November 23, 2021 and submit their report/findings with an approximate cost of \$1,039.43 (4.1%) based on the participating twelve customer cities to be expensed to account 51-6400-309 Professional Services. (City Manager Joni Clarke)
- C. Adoption of Ordinance 2022-03-00947 of the City Council of the City of Lucas, Collin County, Texas, setting a new start time of City Council meetings to begin at 6:30 p.m., and providing for an effective date.  
(City Secretary Stacy Henderson)

## Regular Agenda

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4. Consider the acceptance and approval of the City of Lucas Annual Comprehensive Financial Report (ACFR) for Fiscal Year 2020-2021 presented by LaFollett and Company PLLC. (Finance Director Liz Exum)
5. Consider appointing the Grand Marshal for the 2022 Founders Day Parade. (Assistant to the City Manager Kent Souriyasak)
6. Discuss the City Council receiving public hearing notices that will be heard by various City boards and provide direction to the City Manager. (City Council)

## **Executive Agenda**

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7. Executive Session.
  - A. Pursuant to Section 551.071 of the Texas Government Code, the City Council will convene into Executive Session to consult with the City Attorney regarding City of Lucas, Texas v. Robert Kubicek and the following real property: 2205 Estates Parkway, Lucas, Texas, In Rem, Cause No. 417-00147-2018 in the 417 Judicial District Court of Collin County, Texas.
  - B. 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.
8. Reconvene from Executive Session and take any action necessary as a result of the Executive Session.
9. Adjournment.

## **Certification**

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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](http://www.lucastexas.us) on or before 5:00 p.m. on March 10, 2022.*

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*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](mailto:shenderson@lucastexas.us) at least 48 hours prior to the meeting.*



**City of Lucas**  
**City Council Agenda Request**  
**March 17, 2022**

Item No. 01

Requester: Mayor Jim Olk

**Agenda Item Request**

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Citizen Input

**Background Information**

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NA

**Attachments/Supporting Documentation**

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NA

**Budget/Financial Impact**

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NA

**Recommendation**

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NA

**Motion**

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NA



# City of Lucas

## City Council Agenda Request

### March 17, 2022

Requester: Mayor Jim Olk

#### **Agenda Item Request**

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2. Items of Community Interest:

- A. Presentation of Proclamation to In-N-Out Burger for their in-kind donation during the City of Lucas Country Christmas event.

#### **Background Information**

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NA

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

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1. Proclamation

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

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NA

#### **Recommendation**

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NA

#### **Motion**

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NA



# *Proclamation*

## *In-N-Out Burger*

**WHEREAS**, In-N-Out Burger contributed an in-kind donation for the Lucas community by participating in the City-sponsored Country Christmas event; and

**WHEREAS**, December 3, 2021, marks the day in which In-N-Out Burger provided 1,000 free meals to visitors attending the Lucas Country Christmas event, and because of In-N-Out Burger's immense generosity, provided an additional 300 meals exceeding the requested amount; and

**WHEREAS**, In-N-Out Burger, was declared the official burger of the City of Lucas on January 16, 2020; and

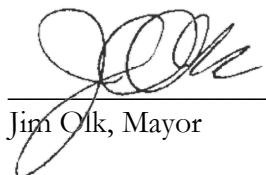
**WHEREAS**, continuing in their generosity, In-N-Out Burger has offered to provide an in-kind donation of 1,000 meals for the City of Lucas Founders Day event scheduled for May 14, 2022; and

**WHEREAS**, the City would like to thank the In-N-Out Burger Texas Cookout Team who planned, prepared and provided meals to the public at Country Christmas: Julio Reyes, Angelica Arroyo, Isai Escudero, Nicholas Nguyen, Jonathan Nguyen, Jorge De La Torre, Lina Gonzalez, Simon Zavala, Daira Prado, Dahlia Barrera, and Andy Zavala. The staff and volunteers of In-N-Out Burger are dedicated to upholding the highest standards of community service, donating their time and efforts to making a difference in the lives of others.

**WHEREAS**, the City of Lucas Mayor, City Council, City staff, and members of the community are appreciative and thankful to In-N-Out Burger for their generosity and donation of meals at Country Christmas and future events; and

**NOW THEREFORE**, in recognition of their generosity and commitment to their organizational values to community service and extreme generosity, I, Jim Olk, Mayor of the City of Lucas recognize In-N-Out Burger as an official community partner with the City of Lucas.

**PROCLAIMED** this day 17th day of March 2022.

  
\_\_\_\_\_  
Jim Olk, Mayor

\_\_\_\_\_  
Stacy Henderson, City Secretary



# City of Lucas

## City Council Agenda Request

### March 17, 2022

Requester: City Secretary Stacy Henderson  
City Manager Joni Clarke

#### **Agenda Item Request**

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Consent Agenda:

- A. Approval of the minutes of the March 3, 2022, City Council meeting.
- B. Consider participation with the City of Prosper and other customer cities regarding an agreement with Raftelis Financial Consultants, Inc. to review the North Texas Municipal Water District Independent Review performed by Amawalk Consulting Group LLC dated November 23, 2021 and submit their report/findings with an approximate cost of \$1,039.43 (4.1%) based on the participating twelve customer cities to be expensed to account 51-6400-309 Professional Services.
- C. Adoption of Ordinance 2022-03-00947 of the City Council of the City of Lucas, Collin County, Texas, setting a new start time of City Council meetings to begin at 6:30 p.m., and providing for an effective date.

#### **Background Information**

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Agenda Item 3B:

The customer cities are in agreement to move forward in hiring a utility consultant to review the NTMWD study and submit a report to the customer cities with their findings. There are twelve customer cities that support this next step and the cost of performing this analysis is \$25,000. This cost would be shared amongst the 12 customer cities. The cost allocated to the City of Lucas would be 4.16% (this percentage is based on 20/21 water volume) which would be \$1,039.43. Once the report is received from Raftelis Financial Consultants, it will be determined if additional work is warranted. Funding for this review can be found within the current budget.

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

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- 1. Minutes of the March 3, 2022, City Council meeting
- 2. Ordinance 2022-03-00947, Setting New Start Time of City Council Meetings

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

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NA



Item No. 03

**City of Lucas**  
**City Council Agenda Request**  
**March 17, 2022**

**Recommendation**

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City Staff recommends approval of the Consent Agenda.

**Motion**

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





## MINUTES

### CITY COUNCIL REGULAR MEETING

March 3, 2022 | 7:00 PM

Council Chambers | Video Conference

City Hall | 665 Country Club Road, Lucas, Texas

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#### City Councilmembers Present:

Mayor Jim Olk  
Mayor Pro Tem Kathleen Peele  
Councilmember Tim Johnson  
Councilmember Tim Baney  
Councilmember David Keer  
Councilmember Debbie Fisher

#### City Staff Present:

City Manager Joni Clarke  
City Secretary Stacy Henderson  
Development Services Director Joe Hilbourn  
Assistant to the City Manager Kent Souriyasak

#### City Councilmember Absent:

Councilmember Phil Lawrence

The regular City Council meeting was called to order at 7:00 pm.

### Citizen Input

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#### 1. Citizen Input

Kathleen LoSapio, 650 Scarlet Drive, Secretary of the Friends of Lucas Fire-Rescue, asked that they be included in the 2022 Lucas Farmers Market season as they were a non-profit entity raising funds for Lucas Fire-Rescue.

Mayor Olk noted that the City Council will review the report from the last Farmers Market Committee meeting to determine what avenues could be reviewed regarding the request.

### Community Interest

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#### 2. Items of Community Interest

- A. Presentation of Proclamation to Lovejoy Independent School District for their partnership during the City of Lucas Country Christmas event.

Mayor Olk presented a Proclamation to representatives from Lovejoy Independent School District Transportation Department for their contributions during the City's Country Christmas event.

- B. Presentation of Proclamation to In-N-Out Burger for their in-kind donation during the City of Lucas Country Christmas event.

Representatives from In-N-Out Burger could not be present; therefore, this item will be moved to the March 17, 2022, City Council meeting.

Mayor Olk spoke regarding upcoming special events that included: Lucas Farmers Market, Keep Lucas Beautiful Spring Cleanup event, and Founders Day.

## Consent Agenda

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### 3. Consent Agenda:

- A. Approval of the minutes of the February 17, 2022, City Council meeting.
- B. Approval of Ordinance 2022-03-00946 declaring unopposed candidates in the May 7, 2022, City of Lucas General Election to be elected to office, cancelling the May 7, 2022, General Election and providing an effective date.

**MOTION:** A motion was made by Councilmember Johnson seconded by Councilmember Baney to approve the Consent Agenda as presented. The motion passed unanimously by a 6 to 0 vote.

## Regular Agenda

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- 4. **Consider approval of an application for a site plan, landscape plan, elevations, and preliminary plat submitted by the property owner Bill Shipley on behalf of Golden Chick for use as a commercial restaurant on a 0.833-acre tract of land in the William Snider Survey, Abstract Number 821, situated in the City of Lucas, located at 451 South Angel Parkway.**

Development Services Director Joe Hilbourn gave a presentation regarding elements of the site plan, landscape plan, elevations and preliminary plat.

**MOTION:** A motion was made by Mayor Olk seconded by Councilmember Johnson to approve the site plan, landscape plan, elevations, and preliminary plat of Golden Chick for a commercial restaurant on a 0.833-acre tract of land in the William Snider Survey, Abstract Number 821, situated in the City of Lucas, located at 451 South Angel Parkway with the condition the wall mounted sconces shown on the elevations be shielded to prevent glare to adjoining property owners. The motion passed unanimously by a 6 to 0 vote.

- 5. **Consider authorizing the City Manager to negotiate and enter into a Development Agreement with James Irwin for roadway improvements to the first 1,284 feet of Stinson Road south of West Lucas Road and appropriating funds in an amount not to exceed \$596,577.62 (95% of \$627,976.45 - the cost of the roadway improvements) from cash account 11-1009 General Fund Roadway Impact Fees in the amount of \$44,000 and the remainder \$552,577.62 from General Fund Reserves to account 21-8210-491-325 Stinson Road Realignment.**

The City Council discussed concerns related to speed and the amount of traffic that would be generated in the neighborhood.

The following individuals came forward to speak:

- Kathleen LoSapio expressed opposition to increased traffic and having a major thoroughfare located through a neighborhood.
- Andrea Bedell discussed her purchase of the property under the assumption that the City would contribute funds for construction of the roadway.

- Josh Edge with Dynamic Engineering discussed the installation of a stop sign to slow traffic or making the roadway a dead-end.

The City Council convened into Executive Session at 7:46 pm to seek legal advice from the City Attorney. The City Council reconvened from Executive Session at 8:03 pm.

**MOTION:** A motion was made by Councilmember Johnson, seconded by Councilmember Fisher to deny the Development Agreement as presented. The motion to deny passed unanimously by a 6 to 0 vote.

**6. Consider approval of proposed edits recommended by the Planning and Zoning Commission to Chapters 4 and 5 of the City of Lucas Comprehensive Plan and provide direction to staff regarding any additional amendments.**

The City Council had minor edits to Chapters 4 and 5 and were in agreement to approve the proposed edits recommended by the Planning and Zoning Commission.

**7. Consider changing the start time of City Council meetings from 7:00 pm to 6:00 pm and setting a date to begin the new schedule.**

The City Council discussed citizen ability to attend meetings at an earlier time, meeting accessibility via remote access, and Councilmember availability. The Council also discussed notification of the new time to be advertised in the City's newsletter as well as implementation of the new start time beginning May 5, 2022.

**MOTION:** A motion was made by Mayor Olk, seconded by Mayor Pro Tem Peele approve starting City Council meetings at 6:30 pm, beginning May 5, 2022 and prepare an ordinance for consideration. The motion passed unanimously by a 6 to 0 vote.

## **Executive Session Agenda**

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**8. Executive Session.**

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.

City Council convened into Executive Session at 8:18 pm.

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

City Council reconvened from Executive Session at 9:49 pm. There was no action taken as a part of Executive Session.

**10. Adjournment.**

**MOTION:** A motion was made by Councilmember Johnson seconded by Mayor Pro Tem Peele to adjourn the meeting at 9:50 pm. The motion passed unanimously by a 6 to 0 vote.

APPROVED:

ATTEST:

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Mayor Jim Olk

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City Secretary Stacy Henderson



**ORDINANCE 2022-03-00947**  
[Setting New Start time for City Council Meetings]

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LUCAS, COLLIN COUNTY, TEXAS, SETTING A NEW START TIME OF CITY COUNCIL MEETINGS TO BEGIN AT 6:30 P.M.; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Lucas adopted its Home Rule Charter on May 15, 2008, by Ordinance 2008-05-00612, and amended its Home Rule Charter by election on May 1, 2021, adopting Ordinance 2021-05-00934.

**WHEREAS**, Section 3.14 Meetings of City Council of the Home Rule Charter states that the City Council shall hold at least one regular meeting each month and as many additional meetings as the City Council deems necessary to transact the business of the City. The City Council shall fix by ordinance the date and time of the regular meetings.

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

**SECTION 1.** On March 3, 2022, the City Council of the City of Lucas, Texas approved setting a new start time for City Council meetings of 6:30 p.m.

**SECTION 2.** The new start time of 6:30 p.m. for City Council meetings will begin on May 5, 2022.

**SECTION 3.** The approval of a new start time of 6:30 p.m. does not preclude the City Council from setting a different start time for City Council meetings should it be warranted.

**SECTION 4.** This Ordinance shall take effect immediately upon its passage and publication of the caption, as the law and charter in such case provide.

**DULY PASSED AND APPROVED** by the City Council of the City of Lucas on this 17th day of March 2022.

APPROVED:

ATTEST:

\_\_\_\_\_  
Jim Olk, Mayor

\_\_\_\_\_  
Stacy Henderson, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Joseph J. Gorfida, Jr.



Item No. 04

**City of Lucas**  
**City Council Agenda Request**  
**March 17, 2022**

Requester: Finance Director Liz Exum

**Agenda Item Request**

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Consider the acceptance and approval of the City of Lucas Annual Comprehensive Financial Report (ACFR) for Fiscal Year 2020-2021 presented by LaFollett and Company PLLC.

**Background Information**

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The audit firm, LaFollett and Company PLLC will be presenting the Annual Comprehensive Financial Report (ACFR) for Fiscal Year 2020-2021.

**Attachments/Supporting Documentation**

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1. An electronic copy of the Annual Comprehensive Financial Report (ACFR) for Fiscal Year 2020-2021 will be sent under separate cover.

**Budget/Financial Impact**

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NA

**Recommendation**

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Approve as presented.

**Motion**

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I make a motion to approve/deny the City of Lucas Annual Comprehensive Financial Report (ACFR) for Fiscal Year 2020-2021.



# City of Lucas

## City Council Agenda Request

### March 17, 2022

Item No. 05

Requester: Assistant to the City Manager Kent Souriyasak

#### **Agenda Item Request**

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Consider appointing the Grand Marshal for the 2022 Founders Day Parade.

#### **Background Information**

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This year's Founders Day event is scheduled on Saturday, May 14, 2022. The event will also include the parade which will be staged at Hart Elementary School. Parade participants will be able to check in at 8:30 am and the parade will start at 9:30 am. In previous years, the City Council appointed the following Grand Marshals for the parade:

2021 - Steve Duke

2020 - Canceled due to COVID-19

2019 - Canceled due to inclement weather

2018 - Ron Grotti, Jim Kitchens, Roy Matheny, Tuck Minnett, Richard Morris, and Alan Storck

2017 - Event moved to the Spring

2016 - Lee Bauer

2015 - Canceled due to inclement weather

2014 - Jodie Laubenberg

Moving forward, staff recommends appointing the recipient(s) of the Service Tree Awards to serve as the Grand Marshal(s) for the parade each year. The 2022 Service Tree Award recipients are Tammy Duke and Gary Johnson.

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

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NA

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

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NA

#### **Recommendation**

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Staff recommends appointing this years' Service Tree Award recipients Tammy Duke and Gary Johnson to serve as the Grand Marshals for the Founders Day Parade.

#### **Motion**

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I make a motion to approve/deny appointing Tammy Duke and Gary Johnson as the Grand Marshals for the 2022 Founders Day Parade.



# City of Lucas City Council Agenda Request March 17, 2022

Item No. 06

Requester: City Council

## **Agenda Item Request**

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Discuss the City Council receiving public hearing notices that will be heard by various City boards and provide direction to the City Manager.

## **Background Information**

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Currently, the City Council receives board and commission packets for the Board of Adjustment, Parks and Open Space Board, and the Planning and Zoning Commission prior to all meetings. Cases before the Board of Adjustment and some requests before the Planning and Zoning Commission require public notification.

The City Council will discuss and provide direction to the City Manager regarding public hearing notices.

## **Attachments/Supporting Documentation**

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NA

## **Budget/Financial Impact**

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NA

## **Recommendation**

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NA

## **Motion**

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There is no motion required on this item, it is for discussion purposes only.





# City of Lucas City Council Agenda Request March 17, 2022

Requestor: Mayor Jim Olk

## **Agenda Item Request**

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Executive Session.

- A. Pursuant to Section 551.071 of the Texas Government Code, the City Council will convene into Executive Session to consult with the City Attorney regarding City of Lucas, Texas v. Robert Kubicek and the following real property: 2205 Estates Parkway, Lucas, Texas, In Rem, Cause No. 417-00147-2018 in the 417 Judicial District Court of Collin County, Texas.
- B. 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.

## **Background Information**

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NA

## **Attachments/Supporting Documentation**

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NA

## **Budget/Financial Impact**

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NA

## **Recommendation**

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NA

## **Motion**

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NA



# City of Lucas City Council Agenda Request March 17, 2022

Item No. 08

Requester: Mayor Jim Olk

## **Agenda Item Request**

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

## **Background Information**

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NA

## **Attachments/Supporting Documentation**

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NA

## **Budget/Financial Impact**

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NA

## **Recommendation**

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NA

## **Motion**

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NA