



AGENDA CITY COUNCIL MEETING

October 20, 2022 | 6:30 PM

Council Chambers

City Hall | 665 Country Club Road, Lucas, Texas

Notice is hereby given that a meeting of the Lucas City Council will be held on Thursday, October 20, 2022, beginning at 6:30 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. Pursuant to Texas Government Code 551.127, one or more members of the governing body may appear via videoconference call. The presiding officer and a quorum of the City Council will be physically present at this meeting.

If you would like to watch the meeting live, you may go to the City's live streaming link at <https://www.lucastexas.us/departments/public-meetings/>.

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.

Submit Written Comments: If you are unable to attend a meeting and would like to submit written comments regarding a specific agenda item, email City Secretary Erin Day at eday@lucastexas.us by no later than 3:30 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 3:30 pm will not be included at the meeting.

Call to Order

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

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:

- A. Presentation and recognition of the ISO (Insurance Services Office) Class 1 Rating for the City of Lucas.
- B. Presentation of a Proclamation declaring October 2022 as Breast Cancer Awareness Month.

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 September 15, 2022, City Council meeting. (City Secretary Erin Day)

Executive Session

- 4. Executive Session: The City Council will convene into executive session pursuant to Texas Government Code 551.071(2) to consult with the City Attorney regarding the West Lucas Road widening project.
- 5. Reconvene from Executive Session and take any action necessary as a result of the Executive Session.

Regular Agenda

- 6. Consider a request by Lucas citizen Helen Freshcoln to donate and install a memorial tree and stone marker at the Community Park in honor of former Board of Adjustments and Water System Review Board Member Harry Freshcoln. (Councilmember David Keer)
- 7. Discuss establishing logo usage guidelines for the City of Lucas logo and provide direction to the City Manager. (City Manager Joni Clarke)
- 8. 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 October 14, 2022.

Erin Day, 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 Erin Day at 972.912.1211 or by email at eday@lucastexas.us at least 48 hours prior to the meeting.



City of Lucas

City Council Agenda Request

October 20, 2022

Item No. 01

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

City Council Agenda Request

October 20, 2022

Requester: Mayor Jim Olk

Agenda Item Request

Items of Community Interest:

- A. Presentation and recognition of the ISO (Insurance Services Office) Class 1 Rating for the City of Lucas.
- B. Presentation of a Proclamation declaring October 2022 as Breast Cancer Awareness Month.

Background Information

Agenda Item 2A:

ISO (Insurance Services Office) is a New York-based advisory organization that serves the property and casualty insurance industry by providing inspection and statistical services to the insurance industry. Since 2018, the City of Lucas has been recognized as an ISO Class 2 City. Prior to this, the City had been recognized as an ISO Class 3 City.

Effective October 1, 2022, the City received the distinctive ISO Class 1 Rating as recommended by the ISO and approved by the Texas State Fire Marshal's Office and the Texas Department of Insurance. The City joins only 76 other communities in Texas with the Class 1 Public Protection Classification, which is the highest rating awarded.

By adding full-time firefighter/paramedics, improvement with the fire hydrant and water distribution system, and since Wylie Public Safety Communications dispatches for the Cities of Lucas, Wylie, Fairview, and Parker, credit was received for each city providing automatic aid to the citizens of Lucas. All of which were added to Lucas's Public Protection Classification (PPC) rating.

A representative from the Texas State Fire Marshal's Office and a representative from the Insurance Services Office will provide the City with a short presentation recognizing the outstanding support of the City Council, City staff, and Fire-Rescue Department.

Attachments/Supporting Documentation

1. Breast Cancer Awareness Month Proclamation

Budget/Financial Impact

NA



City of Lucas
City Council Agenda Request
October 20, 2022

Recommendation

NA

Motion

NA



Proclamation

WHEREAS, breast cancer is one of the most common cancers among women and affects approximately 287,850 women as well as 2,710 men each year, and is the second leading cause of cancer death among American women; and

WHEREAS, awareness of this disease and its symptoms must be raised so that education is first and foremost about the importance of early detection of breast cancer through mammography and other methods; and

WHEREAS, researchers, scientists, and nonprofit organizations, are dedicated to discovering the cure for breast cancer. During the month of October, we acknowledge the extraordinary commitment and effort invested in this cause; and

WHEREAS, we recognize that over 3.8 million Americans are breast cancer survivors that give us hope of a better future.

NOW, THEREFORE, I, Jim Olk, Mayor of the City of Lucas, Texas on behalf of the City Council support those who continue to cope with breast cancer, and extend our deepest respect for survivors and those advocating for prevention and a cure, and in so doing hereby proclaim October 2022 as

“BREAST CANCER AWARENESS MONTH”

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the City of Lucas, this 20th day of October, 2022.

Jim Olk, Mayor

Erin Day, City Secretary



City of Lucas

City Council Agenda Request

October 20, 2022

Item No. 03

Requester: City Secretary Erin Day

Agenda Item Request

Consent Agenda:

- A. Approval of the minutes of the September 15, 2022, City Council meeting.

Background Information

NA

Attachments/Supporting Documentation

1. Minutes of the September 15, 2022, City Council meeting

Budget/Financial Impact

NA

Recommendation

City staff recommends approval of the Consent Agenda.

Motion

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



MINUTES CITY COUNCIL REGULAR MEETING

September 15, 2022 | 6:30 PM

Council Chambers

City Hall | 665 Country Club Road, Lucas, Texas

City Councilmembers Present:

Mayor Jim Olk
Mayor Pro Tem Kathleen Peele
Councilmember Tim Johnson
Councilmember David Keer
Councilmember Tim Baney
Councilmember Phil Lawrence (*remote*)
Councilmember Debbie Fisher

City Staff Present:

City Manager Joni Clarke
Assistant to the City Manager Kent Souriyasak
Finance Director Liz Exum
Development Services Director Joe Hilbourn
Assistant Fire Chief Aaron Alderdice
Management Analyst Kevin Becker
Assistant City Attorney Courtney Morris
Public Works Director Scott Holden
Engineering Consultant Joe Grajewski

The regular City Council meeting was called to order at 6:30 pm.

Executive Agenda

1. Executive Session.

As authorized by Section 551.074(a)(1) of the Texas Government Code, the City Council may convene into closed Executive Session to interview an applicant for the position of City Secretary.

The City Council went into Executive Session to interview an applicant for the position of City Secretary at 6:32 pm.

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

The City Council reconvened from Executive Session at 7:45 pm and took no action as a result of the Executive Session.

Citizen Input

3. Citizen Input

There was no citizen input at this meeting.

Community Interest

4. Items of Community Interest

Mayor Olk provided an update on the new telephone system, trash and recycling transition, Public Lands Trail Cleanup, Lucas Farmers Market, National Night Out, CPR training, Fire Station Open House, and Movie in the Park.

Councilmember Fisher indicated that Collin County Judge Chris Hill is accepting applications for the Collin County Youth Leadership Council and encouraged students to apply.

Consent Agenda

5. **Consent Agenda:**
 - A. **Approval of the minutes of the September 1, 2022, City Council meeting.**
 - B. **Approval of Resolution R-2022-09-00535 adopting the City of Lucas Public Funds Investment Policy.**
 - C. **Approval of Resolution R-2022-09-00536 adopting a Rate Review Mechanism Tariff with Atmos Energy.**
 - D. **Approval of amending the Fiscal Year 2021-2022 Budget by appropriating funding in an amount not to exceed \$500,000 from unrestricted general fund reserves to account 11-8300-421 Vehicles for the purchase of a new ambulance.**

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

Regular Agenda

6. **Presentation by Birkhoff, Hendricks & Carter, LLP and consider appropriating funds from unrestricted general fund reserves to account 11-8209-303 Drainage in fiscal year 2022-2023 for:**
 - A. **Orchard Road South Culvert and Channel Improvements in the amount of \$374,000**

and/or
 - B. **Rimrock Detention Pond in the amount of \$198,000**

Public Works Director Scott Holden provided background information on this agenda item and introduced Gary Hendricks with Birkhoff, Hendricks & Carter, LLP.

Mr. Hendricks gave a presentation on this agenda item discussing the study area and recommendations for Rimrock detention pond improvements and Orchard Road channel and culvert improvements. City Council discussed the study area and recommendations regarding the proposed improvements.

L.A. Pacheco, 7 Orchard Road, spoke in favor of this agenda item.

Brad Livingstone, 9 Orchard Road, spoke in favor of this agenda item.

Robert Lang, 8 Orchard Road, spoke in favor of this agenda item.

Alan Leiker, 24 Citrus Way, spoke in favor of this agenda item.

Councilmember Lawrence recused himself from this agenda item.

City Council discussed different approaches about how to address future concerns and drainage issues such as public improvement districts. City Council agreed that the culvert at Orchard Road is a city issue that should be fixed. Mr. Hendricks indicated that the culvert and channel improvements are needed together.

City Council further discussed the benefits and concerns of funding both the Orchard Road south culvert and channel improvements and the Rimrock detention pond.

MOTION: A motion was made by Mayor Olk, seconded by Councilmember Baney to approve appropriating funds from unrestricted general fund reserves to account 11-8209-303 Drainage in a total amount not to exceed \$572,000 in fiscal year 2022-2023 for:

- Orchard Road South Culvert and Channel Improvements in the amount of \$374,000 and
- Rimrock Detention Pond in the amount of \$198,000.

The motion passed by a 5 to 1 vote. Mayor Pro Tem Peele voted in opposition and Councilmember Lawrence was recused from voting.

City Council went into break at 8:56 pm.

City Council returned from break at 9:07pm.

- 7. Consider approving the request by Karl D. Williams to vacate the existing plat of Wendy Farms Addition creating 13 single family lots being all of a 53.788 tract of land situated in 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 presented on this agenda item. Mr. Hilbourn indicated the zoning will remain R2 (single-family residential, 2-acre lots). Mr. Hilbourn clarified this does not impact Blondy Jhune Road and there will still be access to Wendy Lane.

MOTION: A motion was made by Councilmember Fisher, seconded by Councilmember Baney to approve vacating the existing plat of Wendy Farms Addition creating 13 single family lots being all of a 53.788 tract of land situated in 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. The motion passed unanimously by a 7 to 0 vote.

8. Discuss the use of roll-off containers and dumpsters in residential zoning districts and provide direction to the City Manager.

Mayor Olk indicated he received a request to table this agenda item. City Council agreed not to table this agenda item and would like to continue with the discussion.

Development Services Director Joe Hilbourn discussed the concern of the residential dumpster on Blondy Jhune Road and has contacted the property owner that it was not allowed.

City Council discussed the benefits and concerns of dumpsters in different zoning districts and indicated the current contract with CWD (Community Waste Disposal) shows the use of poly carts for manure collection.

Greg Jacobs, 1415 Ford Lane, spoke in opposition of this agenda item.

Mayor Olk read an email from Deborah Jacobs, 1415 Ford Lane, who is in opposition to this agenda item.

City Council indicated the City has given CWD exclusive rights and should be in compliance with the CWD contract. City Council agreed to continue with the current regulations as they are. City Council directed staff to work with residents on a timeline for removing dumpsters and that the residents should be notified and re-notified.

9. Consider casting votes on the ballot for the Texas Municipal League Intergovernmental Risk Pool Board of Trustees, Places 6 through 9, Election.

MOTION: A motion was made by Mayor Olk, seconded by Councilmember Baney to cast a vote for the following individuals to the Texas Municipal League Intergovernmental Risk Pool Board of Trustees:

Kimberly Meisner, Assistant City Manager for the City of Kerrville, Place 6

Mary Dennis, Mayor for the City of Live Oak, Place 7

Mike Land, City Manager for the City of Coppell, Place 8

Carl Joiner, Mayor for the City of Kemah, Place 9

10. Adjournment.

MOTION: A motion was made by Councilmember Johnson, seconded by Councilmember Lawrence to adjourn the meeting at 9:42 pm. The motion passed unanimously by a 7 to 0 vote.

APPROVED:

ATTEST:

Mayor Jim Olk

Erin Day, City Secretary



City of Lucas City Council Agenda Request October 20, 2022

Item No. 04

Requester: Mayor Jim Olk

Agenda Item Request

Executive Session: The City Council will convene into executive session pursuant to Texas Government Code 551.071(2) to consult with the City Attorney regarding the West Lucas Road widening project.

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



City of Lucas City Council Agenda Request October 20, 2022

Item No. 05

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

Motion

NA



City of Lucas

City Council Agenda Request

October 20, 2022

Item No. 06

Requester: Councilmember David Keer

Agenda Item Request

Consider a request by Lucas citizen Helen Freshcoln to donate and install a memorial tree and stone marker at the Community Park in honor of former Board of Adjustments and Water System Review Board Member Harry Freshcoln.

Background Information

Harry and Helen Freshcoln are Lucas citizens who moved to Kirkland Estates West in 1986.

In 1988, Harry Freshcoln began his service in Lucas when he was appointed to the Board of Adjustments. His exemplary service on the Board of Adjustments led to his next appointment. In 1990 and continuing for five additional years, Mr. Freshcoln served on the City's Water System Review Board which was comprised of several involved citizen volunteers.

Prior to that time, Lucas water lines had primarily been added gradually by property owners or developers. There were few records of where these pipes were located. The Water System Review Board's first task was to create a map of Lucas' water system. Their next job was planning for future water needs. The Water System Review Board created a roadmap that helped lead to the fine water system we have today.

Sadly, Mr. Freshcoln passed away in March 2022. To honor Harry's life and service to Lucas, Helen Freshcoln and her family would like to donate and install a live tree and memorial stone marker at the Community Park.

Attachments/Supporting Documentation

NA

Budget/Financial Impact

NA

Recommendation

NA

Motion

I make a motion to approve/deny the request by Lucas citizen Helen Freshcoln to donate and install a memorial tree and stone marker at the Community Park in honor of former Board of Adjustments and Water System Review Board Member Harry Freshcoln.



City of Lucas

City Council Agenda Request

October 20, 2022

Requester: City Manager Joni Clarke

Agenda Item Request

Discuss establishing logo usage guidelines for the City of Lucas logo and provide direction to the City Manager.

Background Information

The City of Lucas logo is the official trademark of the City. It represents the City's distinctive brand in municipal governance and public services. The City of Lucas logo is recognizable and a valuable asset in communicating with the public. The logo helps residents identify personnel, property, printed materials, and other forms of communication originating from the City of Lucas.

The city logo is valid and protected under the State of Texas Trademark Registration. The City currently does not have guidelines for city logo usage or a formal process to consider third-party requests to use the city logo for reproduction (e.g., website, publications, print materials, products, and signage). Guidelines for city logo usage may help standardize requirements and govern limited use by third-party entities.

The City of Lucas has received a request from the Friends of Lucas-Fire Rescue to use the city logo on small barn quilts that are displayed on mailboxes. The Friends received an inquiry from a Lucas resident who would like to purchase these small barn quilts with the logo for their neighborhood.

The City Manager is requesting direction from the City Council in regard to allowing third parties to use the City's logo and establishing logo usage guidelines.

Attachments/Supporting Documentation

1. Draft of City of Lucas Logo Usage Guidelines

Budget/Financial Impact

NA

Recommendation

NA

Motion

There is no motion required.



City of Lucas Logo Usage Guidelines

Purpose

The purpose of these guidelines is to protect the City of Lucas' ("City") property rights inherent in the City logo and ancillary logos by governing its limited use by third-party entities professionally and consistently. These guidelines are intended to standardize the application of the City's logo and ancillary logos, hereinafter referred to collectively as "logos," and to protect the City's logos from any unauthorized usage.

Policy

The City's logo is the official trademark of the City of Lucas. It represents the City's distinctive localized success in municipal governance and public services. Pursuant to municipal law, City logos are exclusively used for official City business such as events, services, marketing, communications, etc.

The City's logo is protected under the State of Texas Trademark Registration #802567570. The registration is valid from January 2022 to 2027. With permission from the City of Lucas, there are limited circumstances under which non-City, third parties may be granted permission to use the City's logos on a case-by-case basis for reproduction. Any use that falls outside of these guidelines is expressly unauthorized.

The City of Lucas reserves the right to deviate from these guidelines in certain situations, as it deems necessary.

Procedure

1. Eligibility

To be eligible for consideration for use of the City of Lucas' logos, third-party entities must fill out the official request use application below, submit the completed application form, and be in compliance with the evaluation criteria listed in these guidelines.

Apart from government agencies and public institutions, inaugural or one-time programs and events primarily sponsored by third parties that are unfamiliar to the City or without a direct collaborative history with the City are ineligible to use City logos. These parameters help the City manage community expectations and protect the City's public image by building and assessing new relationships with third party entities over time. Permission to use the City logos is a privilege and requires direct, written City approval in every case.

2. Application

Organizations or individuals requesting permission to use City logos shall submit the required application form to the City Manager.

The submitted application shall be completed in its entirety and, at a minimum, include the following information: explanation of the proposed use of the City logos, how the City logos are proposed to appear, identification of project, and proposed scope of distribution.

3. Evaluation Criteria

The City shall consider (as appropriate) any of the following criteria to evaluate the merits of the third-party entity's application and the City's benefits of co-branding an event or program with the third-party entity:

- a) Demonstrated commitment to the City's core values and City's Comprehensive Plan;
- b) Impact on City core services, operations, assets, and facility resources;
- c) Financial viability;
- d) Media exposure value for key City messages;
- e) Economic impact;
- f) Protection of the City's best interests;
- g) Project timelines;
- h) Third party entity's experience, qualifications, and reputation;
- i) Communications strategy; and
- j) Other relevant criteria as determined by City staff.

4. License Agreement

Third party entities granted permission to use City logos for approved activities shall sign a separate license agreement accepting the City's terms and conditions.

Not-for-profit organizations recognized by the City, State of Texas and/or United States may be granted use of the City logos without a licensing fee.

For-profit corporations granted permission to use the City's logos in connection with merchandise for sale shall enter a license agreement and pay a license fee. The license fee is [.....] of the gross sales amount of the first sale of all items bearing the City logo unless otherwise waived. The for-profit corporation shall register the City of Lucas as the point of sale for said merchandise.

5. Guidelines

The City shall ensure the following guidelines are adhered to:

- a) Reproduction of City logos adherence with these guidelines;
- b) Submission of a pre-event copy of final artwork for approval by the City;

- c) City logos do not imply endorsement or sponsorship of any kind; and
- d) Enforcement of unaccepted uses of the City logos including, but not limited to:
 - i. Use that advocates or promotes the sale or use of tobacco, alcohol, controlled substances, firearms or weapons;
 - ii. Use that promotes pornography, obscenity, indecency, or other material offensive to prevailing community standards or persons of ordinary sensibilities;
 - iii. Use that promotes adult-oriented businesses;
 - iv. Use that promotes religious messages or advocates or promotes religious beliefs;
 - v. Use to promote, or support, or in opposition to any political candidate or ballot measure;
 - vi. Use to promote or support political messages not endorsed by the City; and
 - vii. Use that in any way denigrates the City, or its operation, or its officers, agents, or employees.

Improper use of City logos may result in termination of an entity's license agreement and prohibition of future use of City logos.

DRAFT

Request for Non-City Use of City of Lucas Logo

Date: _____

Requesting entity: _____

Individual contact name: _____ Phone: _____

Email: _____

Purpose for requesting use of City of Lucas' logo:

Length of time logo will be used/displayed/published/etc.:

Will use be recurring, and if so, how many times:

Will elements of the logo be used separately (i.e. using only the "column" graphic or the name "Lucas", and if so which element(s) and in what way:

Completed applications and/or any questions should be directed to the City Manager at the City of Lucas.