



# AGENDA CITY COUNCIL MEETING

February 2, 2023 | 6:30 PM

Council Chambers

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, February 2, 2023, 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](mailto: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.

## **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 Ordinance 2023-02-00968 reappointing the Municipal Court Judge for an additional two (2) year term from February 1, 2023 through February 1, 2025. (City Secretary Erin Day)
  - B. Approval of the City of Lucas Quarterly Investment Report ended March 2022. (Finance Director Liz Exum)
  - C. Approval of the City of Lucas Quarterly Investment Report ended June 2022. (Finance Director Liz Exum)
  - D. Approval of the City of Lucas Quarterly Investment Report ended September 2022. (Finance Director Liz Exum)
  - E. Approval of the minutes of the January 19, 2023 City Council meeting. (City Secretary Erin Day)

## **Regular Agenda**

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4. Consider adopting Ordinance 2023-02-00969 amending the City's Code of Ordinances, Chapter 1 titled "General Provisions" by amending article 1.09 titled "Parks and Recreation" by amending Section 1.09.062 titled "Conduct in Parks" to allow the possession, sale, and consumption of alcohol in Parks by permit or as otherwise authorized by the City. (Lucas Farmers Market Committee Chair/Parks Board Member Bill Esposito, Assistant City Manager Kent Souriyasak)
5. Consider adopting Ordinance 2023-02-00970 amending Code of Ordinances, Appendix C, "Fee Schedule", Articles 19.000 and 20.000 adjusting the water and wastewater rates for a five-year period beginning March 1, 2023, through September 30, 2026. (Finance Director Liz Exum)
6. Consider authorizing the City Manager to enter into a contract with Reynolds Asphalt & Construction Company for the rehabilitation of Honeysuckle Lane in an amount not to exceed \$54,638.00 and Estelle Lane in an amount not to exceed \$104,354.00 for a total of \$159,092.00 from 11-8209-301 Improvement Roads (Street Maintenance). (Public Works Director Scott Holden)
7. Consider the approval of amending the fiscal year 2022-2023 budget by appropriating funding in the amount of \$60,000 from Unrestricted General Fund Reserves to Account 11-8210-421 (Vehicles) for the purchase of one-ton pickup truck with a utility bed for Public Works. (Development Services Director Joe Hilbourn)
8. Consider the 88<sup>th</sup> Legislative Session and discuss any proposed bill or significant resolution that may have an impact on the City of Lucas and provide guidance to the City Attorney and City Manager. (City Manager Joni Clarke, City Council, City Attorney Joe Gorfida)

## **Executive Session**

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9. Executive Session:

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 legal advice from the City Attorney on 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. Reconvene from Executive Session and take any action necessary as a result of the Executive Session.

11. 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 January 27, 2023.*

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



# City of Lucas

## City Council Agenda Request

### February 2, 2023

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

### February 2, 2023

Requester: Mayor Jim Olk

#### **Agenda Item Request**

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Items of Community Interest.

#### **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

### February 2, 2023

Requester: City Secretary Erin Day  
Finance Director Liz Exum

#### **Agenda Item Request**

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Consent Agenda:

- A. Approval of Ordinance 2023-02-00968 reappointing the Municipal Court Judge for an additional two (2) year term from February 1, 2023 through February 1, 2025.
- B. Approval of the City of Lucas Quarterly Investment Report ended March 2022.
- C. Approval of the City of Lucas Quarterly Investment Report ended June 2022.
- D. Approval of the City of Lucas Quarterly Investment Report ended September 2022.
- E. Approval of the minutes of the January 19, 2023 City Council meeting.

#### **Background Information**

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Agenda Item 6A:

On February 17, 2022, the City Council approved a Second Amended and Restated Agreement for the Municipal Court Judge with a term expiring on February 1, 2023, with the option to renew for an additional two (2) year term. Ordinance 2023-02-00968 will reappoint Judge Dana Huffman for a term expiring on February 1, 2025.

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

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- 1. Ordinance #2023-02-00968; Reappointing Municipal Court Judge
- 2. Reappointment Letter for Municipal Court Judge
- 3. Investment Report quarter ended March 2022
- 4. Investment Report quarter ended June 2022
- 5. Investment Report quarter ended September 2022
- 6. January 19, 2023 City Council meeting minutes

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

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N/A



# City of Lucas

## City Council Agenda Request

### February 2, 2023

#### **Recommendation**

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City staff recommends approval of the Consent Agenda.

#### **Motion**

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



**ORDINANCE NO. 2023-02-00968**  
[REAPPOINTMENT OF MUNICIPAL COURT JUDGE]

**AN ORDINANCE OF THE CITY OF LUCAS, TEXAS, RELATING TO THE RE-APPOINTMENT OF THE MUNICIPAL COURT JUDGE FOR THE CITY OF LUCAS, TEXAS, AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Lucas City Charter provides that the City Council shall appoint such Municipal judges of the Municipal Court as may be necessary, and that all such judges shall serve for a term of two years and may be appointed to additional consecutive terms; and

**WHEREAS**, the Texas Government Code, Chapter 29, provides state law requirements for hiring municipal judges for municipal courts; and

**WHEREAS**, the City Council previously appointed Dana Huffman to serve as the Municipal Court Judge; and

**WHEREAS**, the City Council of the City of Lucas, Texas, finds it to be in the public interest to reappoint Judge Huffman to said office.

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

**SECTION 1.** Dana Huffman is hereby reappointed to serve as the Municipal Judge for the Municipal Court in the City of Lucas, Texas, for a term of two years commencing February 1, 2023, per the Second Amended and Restated Agreement for Municipal Court Judge attached hereto and incorporated herein for all intents and purposes as Exhibit A.

**SECTION 2.** This Ordinance shall take effect immediately from and after its passage.

**DULY PASSED BY THE CITY COUNCIL OF THE CITY OF LUCAS, TEXAS, ON THIS THE 2ND DAY OF FEBRUARY, 2023.**

ATTEST:

APPROVED:

\_\_\_\_\_  
Erin Day, City Secretary

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

APPROVED AS TO FORM:

\_\_\_\_\_  
Joseph J. Gorfida Jr., City Attorney  
(cgm:1/23/23: 133283)



STATE OF TEXAS

§

COUNTY OF COLLIN

§

**SECOND AMENDED AND RESTATED AGREEMENT  
FOR MUNICIPAL COURT JUDGE**

This Second Amended and Restated Agreement for Municipal Court Judge ("Agreement") is made by and between the City of Lucas, Texas ("City") and Dana Huffman ("Huffman" or "Judge"), (individually as the "Party" or collectively as the "Parties"), acting by and through their authorized representatives.

**Recitals:**

**WHEREAS**, the City and Judge previously entered into that certain Agreement for Municipal Court Judge on February 2, 2017 ("Original Agreement"), for Huffman to serve as the Municipal Court Judge for the City; and

**WHEREAS**, the Parties entered into that certain First Amendment to Agreement for Municipal Court on August 24, 2018; and

**WHEREAS**, the Parties agreed to extend the Term of the Original Agreement for two (2) years by letter agreement dated February 19, 2019, extending the Term of the Original Agreement through February 2, 2021; and

**WHEREAS**, Huffman was not appointed by the ninety-first (91<sup>st</sup>) day following February 2, 2021, and the appointing authority took no action related therein. Accordingly, under Texas Government Code, Section 29.005, Huffman continues to serve as Municipal Court Judge for an additional Term of office for two (2) years from February 2, 2021, through February 1, 2023; and

**WHEREAS**, the Parties now desire to enter into a Second Amended and Restated Agreement, commencing February 17, 2022, through February 1, 2023, with an option to renew for an additional Term of two (2) years effective February 2, 2023; and

**NOW THEREFORE**, in exchange for the mutual covenants set forth herein and other valuable consideration, the sufficiency and receipt of which are hereby acknowledged, the parties agree as follows:

**Article I  
Term**

The Term of this Agreement shall commence on February 17, 2022 ("Effective Date") and shall extend through February 1, 2023.

1.2 City shall have the option to extend the term of this Agreement for one (1) additional two (2) year term ("Renewal Term") by providing written notice thirty (30) days prior to the expiration of the Initial Term.

## Article II Scope of Services

2.1 Judge shall preside over municipal court proceedings for and on behalf of the City as its Presiding Judge; and, to conduct services as may be required from time-to-time, including but not limited to, issuance of search arrests and/or capias warrants, and such administrative duties and responsibilities as are necessary and incidental to the office of Presiding Judge of the City's Municipal Court.

2.2 Judge shall maintain eligibility and the appropriate licenses as may be required under State law to serve in the capacity as the Presiding Judge of the City's Municipal Court for the Term of this Agreement.

2.3 Judge shall perform all services in accordance with the Code of Judicial Conduct applicable to judges of courts in the State of Texas and agrees to conduct herself in a judicial demeanor at all times in representing the City.

2.4 Judge is not precluded from performing such legal services in maintaining her private practice of law, and nothing construed herein shall preclude her from maintaining her private legal practice.

2.5 Judge hereby agrees not to knowingly undertake any legal matter that would compromise or conflict with her duties and responsibilities as the Municipal Court Judge or otherwise knowingly undertake to represent a client on a legal matter against the City.

## Article III Municipal Court Docket

Judge agrees to preside over the City's Municipal Court docket once per month that has an Active Court Docket. Active Court Docket shall mean one (1) scheduled trial date per month where the Judge holds court for the purpose of pre-trials and/or trials. If additional court dates in excess of the Active Court Docket are necessary, the Judge shall be compensated as provided in Section 4.2.

## Article IV Compensation and Method of Payment

4.1 City shall compensate Judge in the amount of Five Hundred Dollars (\$500.00) per month that has an Active Court Docket as defined in Article III.

4.1.1 In addition to the compensation set forth in Section 4.1 herein, City shall compensate Judge in the amount of Three Hundred Dollars (\$300) per month as a retainer fee so that a regular court docket may be scheduled on the fourth (4<sup>th</sup>) Friday of each month at 2:00 p.m. Judge shall be entitled to said retainer fee regardless of whether an Active Court Docket is held.

4.1.2 City will provide Judge with seven day's advanced notice of the cancellation of a court docket."

4.2 City shall compensate Judge at the rate of One Hundred Twenty-Five Dollars (\$125.00) per hour for additional court duties with a 2-hour minimum payment.

4.3 City shall compensate the Judge for services provided pursuant to this Agreement and, as set forth in this Article, within thirty (30) days after receiving the Judge's invoice reflecting her time and billing, provided there are no errors or discrepancies.

4.4 The Parties agree that if the City's Municipal Court case load increases for any reason, the Parties shall review the terms of this Agreement and the Judge's compensation.

## **Article V Removal of Judge/Termination**

5.1 The Parties acknowledge that the Judge can be removed for cause.

5.2 Furthermore, either Party may terminate this Agreement with or without cause by giving thirty (30) days prior written notice to the other party. In the event of such termination, the Judge shall be entitled to compensation for any services completed to the reasonable satisfaction of City in accordance with this Agreement prior to such termination.

## **Article VI Miscellaneous**

6.1 Entire Agreement. This Agreement constitutes the sole and only agreement between the parties and supersedes any prior understandings written or oral agreements between the parties with respect to this subject matter.

6.2 Assignment. Judge may not assign this Agreement in whole or in part without the prior written consent of City. In the event of an assignment by the Judge to which City has consented, the assignee shall agree in writing with City to personally assume, perform, and be bound by all the covenants, and obligations contained in this Agreement.

6.3 Successors and Assigns. Subject to the provisions regarding assignment, this Agreement shall be binding on and inure to the benefit of the Parties to it and their respective heirs, executors, administrators, legal representatives, successors, and assigns.

6.4 Governing Law. The laws of the State of Texas shall govern this Agreement; and venue for any action concerning this Agreement shall be in the State District Court of Collin County, Texas. The Parties agree to submit to the personal and subject matter jurisdiction of said court.

6.5 Amendments. This Agreement may be amended by the mutual written agreement of the parties.

6.6 Severability. In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provisions, and the Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained in it.

6.7 Independent Contractor. It is understood and agreed by and between the Parties that the Judge, in satisfying the conditions of this Agreement, is acting independently, and that City assumes no responsibility or liabilities to any third party in connection with these actions. All services to be performed by the Judge pursuant to this Agreement shall be in the capacity of an independent contractor, and not as an agent or employee of City.

6.8 Notice. Any notice required or permitted to be delivered hereunder may be sent by first class mail, overnight courier or by confirmed telefax or facsimile to the address specified below, or to such other party or address as either party may designate in writing, and shall be deemed received three (3) days after delivery set forth herein:

If intended for City:

Attn: Joni Clarke  
City Manager  
City of Lucas  
665 Country Club Road  
Lucas, Texas 75002  
Phone: (972) 727-8999

With Copy to:

Joseph J. Gorfida, Jr.  
Nichols, Jackson, Dillard, Hager & Smith, L.L.P.  
1800 Ross Tower  
500 North Akard  
Dallas, Texas 75201  
Phone: (214) 965-9900

If intended for Judge:

Dana Huffman  
1143 Rockingham, Suite 107  
Richardson, Texas 75080

6.9 Counterparts. This Agreement may be executed by the Parties hereto in separate counterparts, each of which when so executed and delivered shall be an original, but all such counterparts shall together constitute one and the same instrument. Each counterpart may consist of any number of copies hereof each signed by less than all, but together signed by all of the parties hereto.

6.10 Exhibits. The exhibits attached hereto are incorporated herein and made a part hereof for all purposes.

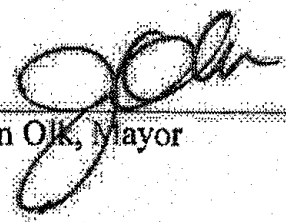
6.11 Audits and Records. Judge agrees that during the term hereof, City and its representatives may, during normal business hours and as often as deemed necessary, inspect, audit, examine and reproduce any and all of the Judge's records relating to the services provided pursuant to this Agreement for a period of one year following the date of completion of services as determined by City or date of termination if sooner.

6.12 Conflicts of Interests. Judge represents that no official or employee of City has any direct or indirect pecuniary interest in this Agreement.


*[signature page to follow]*

EXECUTED this 17 day of February, 2022.

City of Lucas, Texas

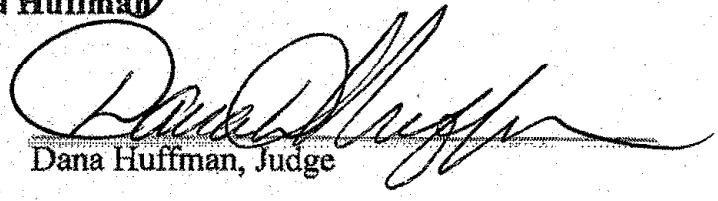
By:   
Jim Oik, Mayor

Approved as to form:

By:   
Joseph J. Gorfida, Jr.  
(01-25-2022: TM 127,335)

EXECUTED this 21 day of February, 2022.

Dana Huffman

By:   
Dana Huffman, Judge



City of Lucas  
665 Country Club Road  
Lucas, TX 75002  
972.727.8999  
[www.lucastexas.us](http://www.lucastexas.us)

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02/02/2023

The Honorable Dana Huffman  
Municipal Court Judge  
City of Lucas

Re: Renewal of Second Amended and Restated Agreement for Municipal Court Judge for the City of Lucas

Dear Judge Huffman:

The City Council of the City of Lucas, Texas hereby notifies you that the City has elected to renew the Second Amended and Restated Agreement for Municipal Court Judge (the "Agreement") upon the same terms and conditions as are recited in the Agreement in accordance with Article I thereof.

This renewal will be for an additional two-year Renewal Term. Please sign below if you are in agreement with this extension.

Please contact me if you have any questions or concerns.

Sincerely,

By: \_\_\_\_\_

Jim Olk, Mayor  
City of Lucas

**AGREED:**

By: \_\_\_\_\_

Dana Huffman, Judge  
City of Lucas  
Municipal Court

Cgm 1/23/23 TM 133282

**CITY OF LUCAS**  
**QUARTERLY INVESTMENT REPORT**

Quarter Ended

March, 2022

Bank Account Name	Rating	December 31, 2021	March 31, 2022	Changes	Total Portfolio
ANB Pooled Cash	AAAm	\$6,167,836.96	\$6,935,031.24	\$767,194.28	18.83%
Interest Rate		0.16%	0.11%	-0.05%	
ANB - Reserve	AAAm	\$4,000,000.00	\$4,000,000.00	\$0.00	10.86%
General Fund					
ANB - West Lucas Rd	AAAm	\$3,403,830.53	\$3,124,300.57	-\$279,529.96	8.48%
Interest Rate		0.16%	11.00%	10.84%	
ANB American Rescue Plan	AAAm	\$1,060,165.89	\$1,060,460.73	\$294.84	2.88%
Interest Rate		0.16%	0.11%	-0.05%	
<b>Total Bank Accounts</b>		<b>\$14,631,833.38</b>	<b>\$15,119,792.65</b>	<b>\$487,959.27</b>	<b>41.05%</b>
Weighted Average Life/Days(Balances assumed to have a one day maturity)		1	1	0	
<b>Pools</b>					
Logic - General Fund	AAAm	\$4,058,722.04	\$4,060,219.67	\$1,497.63	11.02%
Logic - Water Fund	AAAm	\$5,237,874.57	\$5,239,807.28	\$1,932.71	14.23%
Logic 2017 CO - Water Fund	AAAm	\$677,046.52	\$636,022.88	-\$41,023.64	1.73%
Logic 2019 CO - General Fund	AAAm	\$6,287,488.07	\$6,187,605.64	-\$99,882.43	16.80%
Logic 2019 CO - Water Fund	AAAm	\$1,471,974.62	\$1,472,517.77	\$543.15	4.00%
Interest Rate		0.0737%	0.2493%	0.1756%	
Weighted Average Life/Days(Balances assumed to have a one day maturity)		1	1	0	
Lone Star Invest - General Fund	AAAm	\$2,058,545.79	\$2,058,787.30	\$241.51	5.59%
Lone Star Invest- Water Fund	AAAm	\$770,998.43	\$771,088.89	\$90.46	2.09%
Interest Rate		0.0051%	0.1083%	0.1032%	
Weighted Average Life/Days(Balances assumed to have a one day maturity)		1	1	0	
Tex Pool - Debt Service Fund	AAAm	\$1,816,473.90	\$1,288,496.40	-\$527,977.50	3.50%
Interest Rate		0.0279%	0.1536%	0.1257%	
Weighted Average Life/Days(Balances assumed to have a one day maturity)		1	1	0	
<b>Total Pools</b>		<b>\$22,379,123.94</b>	<b>\$21,714,545.83</b>	<b>-\$664,578.11</b>	<b>58.95%</b>
<b>Total Bank Acct. and Pools</b>		<b>\$37,010,957.32</b>	<b>\$36,834,338.48</b>	<b>-\$176,618.84</b>	<b>100.00%</b>

The invested portfolio of the City of Lucas is in compliance with the Public Funds Investment Act and the City's Investment Policy and Strategies

  
Joni Clarke - City Manager

  
Liz Exum - Finance Director




**CITY OF LUCAS  
QUARTERLY INVESTMENT REPORT**

Quarter Ended

June, 2022

Bank Account Name	Rating	March 31, 2022	June 30, 2022	Changes	Total Portfolio
ANB Pooled Cash	AAAm	\$6,935,031.24	\$6,375,356.01	-\$559,675.23	17.54%
Interest Rate		0.11%	0.11%	0.00%	
ANB - Reserve	AAAm	\$4,000,000.00	\$4,000,000.00	\$0.00	11.01%
General Fund					
ANB - West Lucas Rd	AAAm	\$3,124,300.57	\$3,125,157.48	\$856.91	8.60%
Interest Rate		0.11%	0.11%	0.00%	
ANB American Rescue Plan	AAAm	\$1,060,460.73	\$1,060,751.59	\$290.86	2.92%
Interest Rate		0.11%	0.11%	0.00%	
<b>Total Bank Accounts</b>		<b>\$15,119,792.54</b>	<b>\$14,561,265.08</b>	<b>-\$558,527.46</b>	<b>40.07%</b>
Weighted Average Life/Days(Balances assumed to have a one day maturity)		1	1	0	
<b>Pools</b>					
Logic - General Fund	AAAm	\$4,060,219.67	\$4,068,359.20	\$8,139.53	11.19%
Logic - Water Fund	AAAm	\$5,239,807.28	\$5,250,311.54	\$10,504.26	14.45%
Logic 2017 CO - Water Fund	AAAm	\$636,022.88	\$637,297.92	\$1,275.04	1.75%
Logic 2019 CO - General Fund	AAAm	\$6,187,605.64	\$6,200,010.01	\$12,404.37	17.06%
Logic 2019 CO - Water Fund	AAAm	\$1,472,517.77	\$1,475,469.74	\$2,951.97	4.06%
Interest Rate		0.2493%	1.1797%	0.9304%	
Weighted Average Life/Days(Balances assumed to have a one day maturity)		1	1	0	
Lone Star Invest - General Fund	AAAm	\$2,058,787.30	\$2,061,865.18	\$3,077.88	5.67%
Lone Star Invest- Water Fund	AAAm	\$771,088.89	\$772,241.66	\$1,152.77	2.12%
Interest Rate		0.1083%	0.9771%	0.8688%	
Weighted Average Life/Days(Balances assumed to have a one day maturity)		1	1	0	
Tex Pool - Debt Service Fund	AAAm	\$1,288,496.40	\$1,316,355.20	\$27,858.80	3.62%
Interest Rate		0.1536%	1.0013%	0.8477%	
Weighted Average Life/Days(Balances assumed to have a one day maturity)		1	1	0	
<b>Total Pools</b>		<b>\$21,714,545.83</b>	<b>\$21,781,910.45</b>	<b>\$67,364.62</b>	<b>59.93%</b>
<b>Total Bank Acct. and Pools</b>		<b>\$36,834,338.37</b>	<b>\$36,343,175.53</b>	<b>-\$491,162.84</b>	<b>100.00%</b>

The invested portfolio of the City of Lucas is in compliance with the Public Funds Investment Act and the City's Investment Policy and Strategies

  
Joni Clarke - City Manager

  
Liz Exum - Finance Director

**CITY OF LUCAS  
QUARTERLY INVESTMENT REPORT**

Quarter Ended

September, 2022

Bank Account Name	Rating	June 30, 2022	September 30, 2022	Changes	Total Portfolio
ANB Pooled Cash	AAAm	\$6,375,356.01	\$8,497,349.85	\$2,121,993.84	21.79%
Interest Rate		0.11%	0.11%	0.00%	
ANB - Reserve	AAAm	\$4,000,000.00	\$4,000,000.00	\$0.00	10.26%
General Fund					
ANB - West Lucas Rd	AAAm	\$3,125,157.48	\$2,700,850.27	-\$424,307.21	6.92%
Interest Rate		0.11%	0.11%	0.00%	
ANB American Rescue Plan	AAAm	\$1,060,751.59	\$2,124,919.60	\$1,064,168.01	5.45%
Interest Rate		0.11%	0.11%	0.00%	
<b>Total Bank Accounts</b>		<b>\$14,561,265.08</b>	<b>\$17,323,119.72</b>	<b>\$2,761,854.64</b>	<b>44.41%</b>
Weighted Average Life/Days(Balances assumed to have a one day maturity)		1	1	0	
<b>Pools</b>					
Logic - General Fund	AAAm	\$4,068,359.20	\$4,280,256.78	\$211,897.58	10.97%
Logic - Water Fund	AAAm	\$5,250,311.54	\$5,278,057.70	\$27,746.16	13.53%
Logic 2017 CO - Water Fund	AAAm	\$637,297.92	\$640,665.91	\$3,367.99	1.64%
Logic 2019 CO - General Fund	AAAm	\$6,200,010.01	\$6,042,377.34	-\$157,632.67	15.49%
Logic 2019 CO - Water Fund	AAAm	\$1,475,469.74	\$1,483,267.11	\$7,797.37	3.80%
Interest Rate		1.1797%	2.4756%	1.2959%	
Weighted Average Life/Days(Balances assumed to have a one day maturity)		1	1	0	
Lone Star Invest - General Fund	AAAm	\$2,061,865.18	\$2,072,495.61	\$10,630.43	5.31%
Lone Star Invest- Water Fund	AAAm	\$772,241.66	\$776,223.13	\$3,981.47	1.99%
Interest Rate		0.9771%	2.4842%	1.5071%	
Weighted Average Life/Days(Balances assumed to have a one day maturity)		1	1	0	
Tex Pool - Debt Service Fund	AAAm	\$1,316,355.20	\$1,107,408.38	-\$208,946.82	2.84%
Interest Rate		1.0013%	2.4126%	1.4113%	
Weighted Average Life/Days(Balances assumed to have a one day maturity)		1	1	0	
<b>Total Pools</b>		<b>\$21,781,910.45</b>	<b>\$21,680,751.96</b>	<b>-\$101,158.49</b>	<b>55.59%</b>
<b>Total Bank Acct. and Pools</b>		<b>\$36,343,175.53</b>	<b>\$39,003,871.68</b>	<b>\$2,660,696.15</b>	<b>100.00%</b>

The invested portfolio of the City of Lucas is in compliance with the Public Funds Investment Act and the City's Investment Policy and Strategies

  
Joni Clarke- City Manager

  
Liz Exum- Finance Director



## MINUTES

### CITY COUNCIL REGULAR MEETING

January 19, 2023 | 6:30 PM

Council Chambers

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 Phil Lawrence (*remote*)  
Councilmember David Keer  
Councilmember Debbie Fisher

#### City Councilmembers Absent:

Councilmember Tim Baney

#### City Staff Present:

City Manager Joni Clarke  
Assistant City Manager Kent Souriyasak  
Public Works Director Scott Holden  
Development Services Director Joe Hilbourn  
Finance Director Liz Exum  
CIP Manager Patrick Hubbard  
City Secretary Erin Day  
Deputy Nicholas Noel  
City Attorney Courtney Morris

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

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#### Citizen Input

##### 1. Citizen Input

Daryl Schulman, 8 Hickory Hill Road, advised he has a concern regarding the intersection at Stinson Road and West Lucas Road. Mayor Olk explained the plans that are being discussed between the City of Lucas and the Texas Department of Transportation to improve traffic in that area.

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#### Community Interest

##### 2. Items of Community Interest

Mayor Olk gave items of community interest including:

- Lucas Farmers Market upcoming dates
- Keep Lucas Beautiful Cleanup Event
- Tractor Supply Opening
- Outdoor burning information

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#### Public Hearing

Mayor Olk requested that Item 3 be moved due to Jeff Snowden with Capex Consulting running late.

4. **Conduct a public hearing and consider adopting Ordinance 2023-01-00965 approving a request by the City of Lucas to rezone a tract of land on the Southeast corner of the intersection of Estelle Lane and Country Club Road from Commercial Business to ED (Estates District) and revoke an expired SUP (Specific Use Permit) that permits a 3000 square foot commercial business, situated in the Ben Sparks Survey, Abstract No. A0813, Tract 74, 0.95 acres. (Cancelled)**

This public hearing was cancelled.

**5. Conduct a public hearing and consider adopting Ordinance 2023-01-00966 approving the updates to the City of Lucas Comprehensive Plan, including Chapters 1 through 8, the Wastewater System Master Plan, Water Distribution Master Plan, Thoroughfare Plan, Future Land Use Map, Zoning Map, and Trails Master Plan.**

Development Director Joe Hilbourn gave an update explaining that the Planning and Zoning Commission had requested some minor changes to the Comprehensive Plan at their January 12, 2023 meeting, and that staff had made those changes.

The City Council discussed further changes to the Comprehensive Plan and suggested the following:

- Page 10 – Under “Analysis of Existing Land Use, Residential Land Use”, remove the sentence that states, “Although there are some scattered commercial uses intermingled with single-family uses, most neighborhoods contend only with vacant lots as the only other use present.”
- Page 35 – Change last sentence to say “Additional residential/local streets (Type D) may include:”
- Throughout the Comprehensive Plan indicate when a subsection is continued on the next page.
- Zoning Map – Add a note referring readers to the Boundary Map for more details on boundaries and annexations, and add a note to the Extra Territorial Jurisdiction on Parker Road indicating that it has an annexation agreement.

Mayor Olk opened the public hearing at 6:55 p.m.

There were no members of the public wishing to address the City Council on this item.

Mayor Olk closed the public hearing at 6:55 p.m.

**MOTION:** A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Johnson, to adopt Ordinance 2023-01-00966 approving the updates to the City of Lucas Comprehensive Plan, including Chapters 1 through 8, the Wastewater System Master Plan, Water Distribution Master Plan, Thoroughfare Plan, Future Land Use Map, Zoning Map, and Trails Master Plan, as amended to include changes recommended by the City Council. The motion passed unanimously by a 6 to 0 vote, with Councilmember Baney absent.

## **Consent Agenda**

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**6. Consent Agenda:**

- A. Approval of Resolution R 2023-01-00538 scheduling a Public Hearing to consider amendments to the Land Use Assumptions and Capital Improvement Plan under which an Impact Fee may be amended for water and roadways within the City.
- B. Approval of Resolution R 2023-01-00539 designating the official newspaper of the City of Lucas for 2023 beginning January 19, 2023 through December 31, 2023.

C. Approval of the minutes of the January 5, 2023 City Council meeting.

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

### **Public Hearing**

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Mayor Olk moved to Item 3 after the arrival of Jeff Snowden with Capex Consulting.

**3. Conduct a public hearing and consider adjusting the water and wastewater rates for a five-year period beginning March 1, 2023, through September 30, 2026.**

Mayor Olk opened the public hearing at 6:58 p.m.

There were no members of the public wishing to address the City Council on this item.

Mayor Olk closed the public hearing at 6:58 p.m.

Councilmember Fisher asked Jeff Snowden with Capex Consulting if the increases in water rates are due to the increases from North Texas Municipal Water District. Mr. Snowden confirmed it is due to the 13 percent rate increase from the North Texas Municipal Water District. Mr. Snowden advised the increase for the average user would be 5% which would amount to a \$7.01 increase on the monthly bill.

**MOTION:** There was no motion needed for this item.

### **Regular Agenda**

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**7. Presentation to the City of Lucas Finance Department for receiving the 2022 Certificate of Achievement for Excellence in Financial Reporting Award from the Government Finance Officers Association.**

Mayor Olk awarded Finance Director Liz Exum with the 2022 Certificate of Achievement for Excellence in Financial Reporting Award for the twelfth year in a row. The City Council thanked the City staff for all of their hard work.

**MOTION:** There was no motion needed for this item.

**8. Consider nominations for the 2023 Service Tree Award Program.**

Councilmember Keer advised the Service Tree Committee received a nomination for Bill and Kathrin Esposito as the 2023 Service Tree Award recipient. Councilmember Keer gave a list of accomplishments Mr. Esposito and Mrs. Esposito have achieved while serving on the Parks and Open Space Board and the Lucas Farmers Market Committee and thanked them for their service to the City. Councilmember Keer gave a recommendation that Bill and Kathrin Esposito be awarded with the 2023 Service Tree Award.

**MOTION:** A motion was made by Mayor Jim Olk, seconded by Councilmember Fisher, to award the 2023 Service Tree Award to Bill and Kathrin Esposito. The motion passed unanimously by a 6 to 0 vote, with Councilmember Baney absent.

Mayor Olk requested to move Item 10 prior to Item 9.

**10. Receive a presentation of the 2022 Lucas Farmers Market Annual Report and plans for the 2023 market season.**

**Council Comments**

Chair to the Parks and Open Space Board Bill Esposito gave a presentation regarding the Lucas Farmers Market Annual Report for 2022 including the history of the City of Lucas Farmers Market, their budget, traffic counts, special events held, market share information, youth booths, Lucas historical exhibits, vendor survey results, awards and recognitions, what to expect in 2023, and discussed the possibility of having alcohol sales and consumption.

Mayor Pro Tem Peele thanked the Lucas Farmers Market for their hard work. Councilmember Fisher advised she received compliments on the produce of the market, that there is a playground, the accessibility of the sidewalk area, and the good mix of events. Mayor Olk requested the sale of alcohol at the Lucas Farmers Market be placed on a future agenda for further discussion.

**MOTION:** There was no motion needed for this item.

**9. Consider adopting Ordinance 2023-01-00967 amending the City’s Code of Ordinances, Chapter 3, Building Regulations by adding Article 3.22 Minimum Maintenance Standards.**

Development Services Director Joe Hilbourn gave a presentation explaining the changes that were made in the proposed ordinance including standards for exterior grounds and premises, exterior of structures, interior of structures, handrails, extermination, plumbing, fire safety, fire protection systems, and regulations regarding vacant dwelling units, structures and land.

**Council Comments**

Councilmember Lawrence gave comments advising some of the proposed ordinance is overreaching. Mayor Olk explained the purpose of the proposed ordinance, which would allow staff to enforce regulations if there is a deficiency. The City Council discussed the sections of the ordinance relating to operable windows, working locks, and the requirement of an air conditioner and made suggestions for revision.

City Attorney Courtney Morris advised there are some substandard structures in Lucas that are needing to be torn down, and this ordinance will give the City the ability to enforce the condemnations.

**MOTION:** A motion was made by Councilmember Lawrence, seconded by Councilmember Johnson to approve adopting Ordinance 2023-01-00967 amending the City’s Code of Ordinances, Chapter 3, Building Regulations by adding Article 3.22 Minimum Maintenance Standards, as amended to include the City Attorney and City Council’s revisions. The motion passed unanimously by a 6 to 0 vote, with Councilmember Baney absent.

## Executive Agenda

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### 11. Executive Session:

Mayor Olk convened into Executive Session at 8:15 p.m. as authorized by Section 551.074 of the Texas Government Code for the evaluation of the City Manager.

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

Mayor Olk reconvened into Regular Session at 9:40 p.m. with no action taken.

### 9. Adjournment.

**MOTION:** A motion was made by Councilmember Johnson, seconded by Councilmember Keer, to adjourn the meeting at 9:40 p.m. The motion passed unanimously by a 6 to 0 vote, with Councilmember Baney absent.

APPROVED:

ATTEST:

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Mayor Jim Olk

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Erin Day, City Secretary



# City of Lucas

## City Council Agenda Request

### February 2, 2023

Requester: Lucas Farmers Market Committee Chair/Parks Board Member Bill Esposito  
Assistant City Manager Kent Souriyasak

#### **Agenda Item Request**

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Consider adopting Ordinance 2023-02-00969 amending the City's Code of Ordinances, Chapter 1 titled "General Provisions" by amending article 1.09 titled "Parks and Recreation" by amending Section 1.09.062 titled "Conduct in Parks" to allow the possession, sale, and consumption of alcohol in Parks by permit or as otherwise authorized by the City.

#### **Background Information**

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At the City Council meeting on January 19, 2023, Lucas Farmers Market Committee Chair Bill Esposito presented the 2022 Lucas Farmers Market Annual Report and discussed plans for the 2023 market season. Mr. Esposito explained there were interested vendors who sold products related to liquid agriculture (i.e., beer and wine) in addition to other food items. Mr. Esposito requested the City Council to consider a future agenda item to discuss allowing sales and tastings of beer and wine at the Lucas Farmers Market.

The City Attorney has recommended the proposed amendments for the City Council to consider allowing the possession, sale, and consumption of alcohol in parks by permit or as otherwise authorized by the City:

To possess or consume any alcoholic beverage; provided, however, it shall be a defense if the person: (i) was in possession of and/or consumed the alcoholic beverage while in attendance at an event held in the park for which the city has issued a permit or otherwise provided written consent for the sale and/or service of alcoholic beverages in association with the event; and (ii) obtained the alcoholic beverage from the person or entity that was authorized by the city to sell or serve alcoholic beverages.

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

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1. Amended Ordinance 2023-02-00969

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

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N/A

#### **Recommendation**

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N/A





# City of Lucas

## City Council Agenda Request

### February 2, 2023

#### **Motion**

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I make a motion to approve/deny adopting Ordinance 2023-02-00969 amending the City's Code of Ordinances, Chapter 1 titled "General Provisions" by amending article 1.09 titled "Parks and Recreation" by amending Section 1.09.062 Titled "Conduct in Parks" to allow the possession, sale, and consumption of alcohol in Parks by permit or as otherwise authorized by the City.



**ORDINANCE NO. 2023-02-00969**

[AMENDING CHAPTER 1, ARTICLE 1.09, PARKS AND RECREATION]

**AN ORDINANCE OF THE CITY OF LUCAS, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 1 TITLED "GENERAL PROVISIONS" BY AMENDING ARTICLE 1.09 TITLED "PARKS AND RECREATION" BY AMENDING SECTION 1.09.062 TITLED "CONDUCT PROHIBITED IN PARKS" TO ALLOW THE POSSESSION, SALE, AND CONSUMPTION OF ALCOHOL IN PARKS BY PERMIT OR AS OTHERWISE APPROVED BY THE CITY; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00); AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Lucas Farmers Market is a city sponsored special event created to provide a safe and pleasant social experience for the community and visitors to provide access to local farmers, food producers and artists, and

**WHEREAS**, The Lucas Farmers Market has grown into one of the most successful events in the area and has been recognized by the International City/County Management Association for demonstrating innovation, excellence and success in improving the quality of life for our residents, and

**WHEREAS**, the Lucas Parks and Open Space Board in conjunction with the Lucas Farmers Market Committee have recommended the addition of alcohol sales and tastings to the Lucas Farmers Market to provide exposure and marketing opportunities to local vineyards, wineries, and micro brewers and distillers.

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

**SECTION 1.** That the City of Lucas Code of Ordinances is amended by amending Chapter 1 titled "General Provisions", by amending Article 1.09 titled "Parks and Recreation", by amending Section 1.09.062 titled "Conduct Prohibited in Parks," to read as follows:

**Chapter 1. GENERAL PROVISIONS**

**ARTICLE 1.09. PARKS AND RECREATION**

### §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;
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;
8. ~~To sell, possess or consume any alcoholic beverage;~~ **To possess or consume any alcoholic beverage; provided, however, it shall be a defense if the person: (i) was in possession of and/or consumed the alcoholic beverage while in attendance at an event held in the park for which the city has issued a permit or otherwise provided written consent for the sale and/or service of alcoholic beverages in association with the event; and (ii) obtained the alcoholic beverage from the person or entity that was authorized by the city to sell or serve alcoholic beverages.**
9. To erect, post, distribute, or place any advertising material, sign, circular, or handbill without the prior permission of the city;
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. City residents only may reserve the city park facilities for commercial residential 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 residential activity and may only be reserved by city residents.
  - 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.
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.

**SECTION 2.** To the extent of any irreconcilable conflict with the provisions of this Ordinance and other ordinances of the City of Lucas and which are not expressly amended by this Ordinance, the provision of this Ordinance shall remain be controlling.

**SECTION 3.** That should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of the remaining portions of this Ordinance or the City of Lucas Code of Ordinances, as amended hereby, which shall remain if full force and effect.

**SECTION 4.** An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Ordinances of the City of LUCAS, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 5.** That 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 2ND DAY OF FEBRUARY, 2023.**

APPROVED:

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

ATTEST:

\_\_\_\_\_  
Erin Day, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Joseph J. Gorfida, Jr., City Attorney  
(1-26-2023: CGM TM133340)

Ordinance 2023-02-00969  
Amending Chapter 1, Article 1.09, Parks and Recreation  
Adopted: February 2, 2023



# City of Lucas

## City Council Agenda Request

### February 02, 2023

Item No. 05

Requester: Finance Director Liz Exum

#### **Agenda Item Request**

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Consider adopting Ordinance 2023-02-00970 amending Code of Ordinances, Appendix C – “Fee Schedule”, Articles 19.000 and 20.000 adjusting the water and wastewater rates for a five-year period beginning March 1, 2023, through September 30, 2026.

#### **Background Information**

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Staff contracted with Capex Consulting Group to complete an updated water and wastewater rate study for Fiscal Year 2021-2022 and for a forecast period of five years. The purpose of this study will be to design and implement a rate plan that will enable the water fund to meet operating and capital expenditure requirements for a five-year period beginning in Fiscal Year 2022-2023. The rate study includes the use of the following funding resources to address the \$7,500,000 capital improvement immediate needs identified in the Birkhoff Hendricks & Carter (BHC) Water Master Plan update:

- |                    |                                                       |
|--------------------|-------------------------------------------------------|
| • \$1,474,040      | 2019 Certificates of Obligation Funding               |
| • \$2,119,314      | American Recovery Plan Act (ARPA) Funding             |
| • \$1,116,461      | Partial Funding set aside for the water tower project |
| • <u>\$790,185</u> | Water Fund Reserves                                   |
| \$5,500,000        | Total potential funding sources                       |

This study also takes into account that our wholesale provider, North Texas Municipal Water District, is increasing our wholesale water rates by 13 percent. The study considers each customer class (residential or commercial) to make sure any rate structure is just and reasonable. It also reflects national and industry standards for ratemaking as well as making sure our rates are competitive with other water providers in the area. The City Council approved the results of this study at the City Council meeting held on November 17, 2022.

Section 10.03, Regulation of Rates in the City of Lucas Home Rule Charter, calls for a public hearing for consideration of any change to rates. The public hearing was held on January 19, 2023.

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

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1. Ordinance 2023-02-00970 Amending Code of Ordinances, Appendix C – “Fee Schedule” adjusting the water and wastewater rates.

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

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Varies according to usage.



**City of Lucas**  
**City Council Agenda Request**  
**February 02, 2023**

**Recommendation**

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City Staff recommends approval of Ordinance 2023-02-00970 amending Code of Ordinances Appendix C – “Fee Schedule” adjusting the water and wastewater rates for a five-year period beginning March 1, 2023, through September 30, 2026.

**Motion**

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I make a motion to approve/deny adopting Ordinance 2023-02-00970 amending Code of Ordinances, Appendix C – “Fee Schedule” adjusting the water and wastewater rates for a five-year period beginning March 1, 2023, through September 30, 2026.



**ORDINANCE 2023-02-00970**

[AMENDING CODE OF ORDINANCES, APPENDIX C “FEE SCHEDULE”]

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LUCAS, COLLIN COUNTY, TEXAS, AMENDING THE CITY OF LUCAS CODE OF ORDINANCES BY AMENDING APPENDIX C TITLED “FEE SCHEDULE” BY AMENDING ARTICLE 19.000 TITLED “WASTEWATER RATES” AND ARTICLE 20.000 TITLED “WATER AND INSTALLATION RATES” BY PROVIDING NEW RATES FOR RESIDENTIAL AND NON-RESIDENTIAL WASTEWATER AND WATER USAGE CUSTOMERS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

**Section 1.** The Code of Ordinances of the City of Lucas, Texas, is hereby amended by amending Appendix “C” titled “Fee Schedule” by amending Article 19.000 titled “Wastewater Rates” and Article 20.000 titled “Water and Installation Rates”, to read as follows:

**“APPENDIX C”  
FEE SCHEDULE**

**ARTICLE 19.000 WASTEWATER RATES**

The following rates shall apply to all nonresidential customers:

<b>Effective Date</b>	<b>03/01/23</b>	<b>10/01/23</b>	<b>10/01/24</b>	<b>10/01/25</b>	<b>10/01/26</b>
5/8" Meter	\$33.38	\$35.28	\$37.19	\$39.09	\$41.00
1" Meter	\$44.19	\$46.72	\$49.24	\$51.76	\$54.29
1 1/2" Meter	\$83.47	\$88.24	\$93.01	\$97.77	\$102.54
2" Meter	\$133.08	\$140.68	\$148.28	\$155.88	\$163.48
3" Meter	\$162.17	\$171.43	\$180.69	\$189.95	\$199.22
4" Meter	\$375.81	\$397.27	\$418.74	\$440.20	\$461.66
6" Meter	\$457.49	\$483.62	\$509.74	\$535.87	\$562.00
8" Meter	\$850.19	\$898.74	\$947.29	\$995.85	\$1,044.40
<b>*Consumption Charge</b>					
2,001 Greater	\$6.40	\$6.72	\$7.06	\$7.41	\$7.78



\*Consumption Charge – on a per monthly basis for every 1,000 gallons of water used after the first 2,000 gallons, the customer shall be charged the current consumption rate in effect. On an annual reconciled basis, if the discharge into the wastewater system by the customer exceeds the volume of water sold to the customer, the customer shall be charged the current consumption rate in effect per 1,000 gallons of wastewater discharge greater than the volume of water sold to the customer. The customer is responsible for paying for every gallon of wastewater discharge into the system regardless of the amount of water that is used by the customer.

**ARTICLE 20. WATER AND INSTALLATION RATES**

**Sec. 20.100 Water rates for all residential customers within city limits**

<b>Effective Date</b>	<b>03/1/23</b>	<b>10/1/23</b>	<b>10/1/24</b>	<b>10/1/25</b>	<b>10/1/26</b>
5/8" Meter	\$25.04	\$26.28	\$27.52	\$28.76	\$30.00
1" Meter	\$39.87	\$41.85	\$43.82	\$45.80	\$47.77
1 1/2" Meter	\$45.49	\$47.75	\$50.00	\$52.25	\$54.50
2" Meter	\$93.03	\$97.63	\$102.24	\$106.85	\$111.45
<b>Consumption Charge</b>					
2,001 - 3,000	\$7.31	\$7.67	\$8.06	\$8.46	\$8.88
3,001 - 4,000	\$7.31	\$7.67	\$8.06	\$8.46	\$8.88
4,001 - 5,000	\$7.31	\$7.67	\$8.06	\$8.46	\$8.88
5,001 - 6,000	\$7.77	\$8.16	\$8.57	\$9.00	\$9.45
6,001 - 7,000	\$7.77	\$8.16	\$8.57	\$9.00	\$9.45
7,001 - 10,000	\$7.77	\$8.16	\$8.57	\$9.00	\$9.45
10,001 - 11,000	\$8.14	\$8.55	\$8.97	\$9.42	\$9.89
11,001 - 16,000	\$8.14	\$8.55	\$8.97	\$9.42	\$9.89
16,001 - 20,000	\$8.14	\$8.55	\$8.97	\$9.42	\$9.89
20,001 - 21,000	\$8.14	\$8.55	\$8.97	\$9.42	\$9.89
21,001 - 25,000	\$8.14	\$8.55	\$8.97	\$9.42	\$9.89
25,001 - 30,000	\$8.14	\$8.55	\$8.97	\$9.42	\$9.89
30,001 - 50,000	\$8.51	\$8.93	\$9.38	\$9.85	\$10.34
50,001 - Greater	\$9.14	\$9.59	\$10.07	\$10.58	\$11.11

*(Water and Installation Rates continued on the next page.)*

**Sec. 20.200 Water rates for all commercial customers within city limits**

Effective Date	03/1/23	10/1/23	10/1/24	10/1/25	10/1/26
5/8" Meter	\$26.28	\$27.58	\$28.88	\$30.19	\$31.49
1" Meter	\$42.45	\$44.55	\$46.66	\$48.76	\$50.86
1 1/2" Meter	\$62.02	\$65.09	\$68.16	\$71.24	\$74.31
2" Meter	\$131.30	\$137.80	\$144.31	\$150.81	\$157.31
3" Meter	\$208.32	\$218.63	\$228.95	\$239.26	\$249.58
4" Meter	\$388.23	\$407.45	\$426.68	\$445.90	\$465.13
6" Meter	\$572.34	\$600.69	\$629.03	\$657.37	\$685.71
8" Meter	\$1,151.00	\$1,208.00	\$1,264.99	\$1,321.99	\$1,378.99
<b>Consumption Charge</b>					
2,001 - 3,000	\$7.75	\$8.26	\$8.79	\$9.36	\$9.97
3,001 - 4,000	\$7.75	\$8.26	\$8.79	\$9.36	\$9.97
4,001 - 5,000	\$7.75	\$8.26	\$8.79	\$9.36	\$9.97
5,001 - 6,000	\$8.23	\$8.77	\$9.34	\$9.95	\$10.59
6,001 - 7,000	\$8.23	\$8.77	\$9.34	\$9.95	\$10.59
7,001 - 10,000	\$8.23	\$8.77	\$9.34	\$9.95	\$10.59
10,001 - 11,000	\$8.61	\$9.17	\$9.77	\$10.40	\$11.08
11,001 - 16,000	\$8.61	\$9.17	\$9.77	\$10.40	\$11.08
16,001 - 20,000	\$8.61	\$9.17	\$9.77	\$10.40	\$11.08
20,001 - 21,000	\$8.61	\$9.17	\$9.77	\$10.40	\$11.08
21,001 - 25,000	\$8.61	\$9.17	\$9.77	\$10.40	\$11.08
25,001 - 30,000	\$8.61	\$9.17	\$9.77	\$10.40	\$11.08
30,001 - 50,000	\$8.99	\$9.58	\$10.20	\$10.86	\$11.57
50,001 - 100,000	\$9.16	\$9.76	\$10.39	\$11.07	\$11.78
100,001 - Greater	\$9.44	\$10.05	\$10.70	\$11.40	\$12.14

*(Water and Installation Rates continued on the next page.)*

**Sec. 20.300 Water rates for out-of-city residential**

<b>Effective Date</b>	<b>03/1/23</b>	<b>10/1/23</b>	<b>10/1/24</b>	<b>10/1/25</b>	<b>10/1/26</b>
5/8" Meter	\$37.56	\$39.42	\$41.28	\$43.14	\$45.00
1" Meter	\$59.82	\$62.78	\$65.75	\$68.71	\$71.67
1 1/2" Meter	\$68.23	\$71.61	\$74.99	\$78.37	\$81.75
2" Meter	\$139.55	\$146.47	\$153.38	\$160.29	\$167.20
<b>Consumption Charge</b>					
2,001 - 3,000	\$11.99	\$12.59	\$13.22	\$13.88	\$14.57
3,001 - 4,000	\$11.99	\$12.59	\$13.22	\$13.88	\$14.57
4,001 - 5,000	\$11.99	\$12.59	\$13.22	\$13.88	\$14.57
5,001 - 6,000	\$12.75	\$13.39	\$14.06	\$14.76	\$15.50
6,001 - 7,000	\$12.75	\$13.39	\$14.06	\$14.76	\$15.50
7,001 - 10,000	\$12.75	\$13.39	\$14.06	\$14.76	\$15.50
10,001 - 11,000	\$13.35	\$14.02	\$14.72	\$15.45	\$16.23
11,001 - 16,000	\$13.35	\$14.02	\$14.72	\$15.45	\$16.23
16,001 - 20,000	\$13.35	\$14.02	\$14.72	\$15.45	\$16.23
20,001 - 21,000	\$13.35	\$14.02	\$14.72	\$15.45	\$16.23
21,001 - 25,000	\$13.35	\$14.02	\$14.72	\$15.45	\$16.23
25,001 - 30,000	\$13.35	\$14.02	\$14.72	\$15.45	\$16.23
30,001 - 50,000	\$13.95	\$14.65	\$15.38	\$16.15	\$16.95
50,001 Greater	\$14.98	\$15.73	\$16.52	\$17.35	\$18.21

*(Water and Installation Rates continued on the next page.)*

**Sec. 20.400 Water rates for out-of-city commercial**

Effective Date	03/1/23	10/1/23	10/1/24	10/1/25	10/1/26
Min. Charge 0 - 2,000 Gallons					
5/8" Meter	\$39.42	\$41.37	\$43.33	\$45.28	\$47.23
1" Meter	\$63.68	\$66.83	\$69.99	\$73.14	\$76.29
1 1/2" Meter	\$93.03	\$97.64	\$102.25	\$106.85	\$111.46
2" Meter	\$196.95	\$206.71	\$216.46	\$226.21	\$235.97
3" Meter	\$312.47	\$327.95	\$343.42	\$358.90	\$374.37
4" Meter	\$582.34	\$611.18	\$640.01	\$668.85	\$697.69
6" Meter	\$858.51	\$901.03	\$943.54	\$986.06	\$1,028.57
8" Meter	\$1,726.50	\$1,811.99	\$1,897.49	\$1,982.99	\$2,068.49
<b>Consumption Charge</b>					
2,001 - 3,000	\$12.71	\$13.54	\$14.42	\$15.36	\$16.35
3,001 - 4,000	\$12.71	\$13.54	\$14.42	\$15.36	\$16.35
4,001 - 5,000	\$12.71	\$13.54	\$14.42	\$15.36	\$16.35
5,001 - 6,000	\$13.50	\$14.38	\$15.32	\$16.31	\$17.37
6,001 - 7,000	\$13.50	\$14.38	\$15.32	\$16.31	\$17.37
7,001 - 10,000	\$13.50	\$14.38	\$15.32	\$16.31	\$17.37
10,001 - 11,000	\$14.13	\$15.04	\$16.02	\$17.06	\$18.17
11,001 - 16,000	\$14.13	\$15.04	\$16.02	\$17.06	\$18.17
16,001 - 20,000	\$14.13	\$15.04	\$16.02	\$17.06	\$18.17
20,001 - 21,000	\$14.13	\$15.04	\$16.02	\$17.06	\$18.17
21,001 - 25,000	\$14.13	\$15.04	\$16.02	\$17.06	\$18.17
25,001 - 30,000	\$14.13	\$15.04	\$16.02	\$17.06	\$18.17
30,001 - 50,000	\$14.75	\$15.71	\$16.73	\$17.81	\$18.97
50,001 - 100,000	\$15.02	\$16.00	\$17.04	\$18.15	\$19.33
100,001 - Greater	\$15.47	\$16.48	\$17.55	\$18.69	\$19.91

**Sec. 20.500 Out-of-city rates**

Out-of-city rates shall be calculated as:

- (1) Minimum charge: 1.5 times in-city rate.
- (2) Volumetric rate per thousand gallons: 1.64 times in-city rate.

**Sec. 20.600 Water and utilities installation rates**

- a. 1" meter: \$2,100.00.
- b. 2" meter: \$4,200.00.
- c. 3" meter: \$6,300.00.

- d. 4" meter: \$8,400.00.
- e. Tap: \$500.00.
- f. Standard bore: \$1,000.00.
- g. Nonstandard bore: Cost + 20%.
- h. Reread: \$25.00.
- i. Disconnect water service: \$25.00.
- j. Reconnect water service: \$25.00.
- k. Late fee: \$25.00.
- l. NSF returned check: \$25.00.
- m. Meter tampering: \$500.00.
- n. Meter testing: \$500.00 (fee charged if found to be accurate within 3%. No charge if inaccurate).
- o. Replacement for damaged meter: \$600.00.
- p. Fire hydrant meter deposit: \$1,500.00 (includes backflow preventer + rental and water).
- q. Fire hydrant monthly rental: \$50.00.
- r. Fire hydrant meter water usage (per current water rate schedule): Current rate.
- s. Required deposit for in-city water service: \$100.00.
- t. Required deposit for out-of-city water service: \$125.00.
- u. Water meter upgrade 3/4" to 1": \$600.00.
- v. Water meter upgrade 3/4 or 1" to 2": \$1,200.00.

**Sec. 20.700 Drought contingency surcharge**

During a stage 3 or stage 4 drought response stage, water used in excess of 25,000 gallons per month will be billed a \$3.50 surcharge per 1,000 gallons as set forth in the city's drought contingency.

**Sec. 20.800 Administrative remedies for violations**

- (a) First offense: \$200.00.
- (b) Second offense: \$400.00.
- (c) Third offense: \$600.00.
- (d) Fourth and subsequent offenses: \$2,000.00.

**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 Two Thousand Dollars (\$2,000.00) 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 2ND DAY OF FEBRUARY, 2023.**

APPROVED:

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

APPROVED AS TO FORM:

ATTEST:

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

\_\_\_\_\_  
Erin Day, City Secretary



# City of Lucas

## City Council Agenda Request

### February 2, 2023

Item No. 06

Requester: Public Works Director Scott Holden

#### **Agenda Item Request**

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Consider authorizing the City Manager to enter into a contract with Reynolds Asphalt & Construction Company for the rehabilitation of Honeysuckle Lane in an amount not to exceed \$54,638.00 and Estelle Lane in an amount not to exceed \$104,354.00, for a total of \$158,992.00 from 11-8209-301 Improvement Roads (Street Maintenance).

#### **Background Information**

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NEXCO Highway Solutions of America Inc. (NHSA) completed 79 miles of street inventory for the City of Lucas using their Smart Pavement Management (SPM) system. The rating model is based on the Pavement Surface Evaluation and Rating (PASER) manual, which is an industry standard manual for conducting condition assessments of this nature. Conditions are rated from 1 to 5, which aids in identifying roads for rehabilitation. Following the initial rating, which functions as a survey of the entire network, staff completes site visits and more thorough evaluations of distresses in roadway segments.

The data supports the conclusion that Honeysuckle Lane and Estelle Lane both contain small sections that warrant major rehabilitation. Therefore, Engineering/Public Works secured a quote from Reynolds Asphalt & Construction Company for spot repairs of identified segments of Honeysuckle Lane and Estelle Lane in the amount of \$158,992.00.

By focusing on spot repairs in lieu of a full major rehabilitation, the budget can be more precisely targeted to the best candidates for repair across multiple streets throughout the City of Lucas.

This project serves as a pilot for this approach and as an opportunity to assess the performance of Reynolds Asphalt & Construction Company as a vendor for spot repair projects. The contractor's price matches the listed price as stated in the City of Grand Prairie's Pavement Resurfacing Services contract. The City of Lucas can utilize this contract through an interlocal agreement with the City of Grand Prairie.

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

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1. Pavement Rehab Honeysuckle Lane and Estelle Lane

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

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For Fiscal Year 2022-2023, the following funds are available for proposed pavement rehabilitation projects:

11-8209-301 Improvement Roads (street maintenance):	Budget \$650,000.00
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# City of Lucas

## City Council Agenda Request

### February 2, 2023

Item No. 06

1. Honeysuckle Lane	\$54,638.00
2. Estelle Lane	\$104,354.00
<hr/>	
Total	\$158,992.00

#### **Recommendation**

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City staff recommends entering into a contract with Reynolds Asphalt & Construction Company for the rehabilitation for Honeysuckle Lane and Estelle Lane.

#### **Motion**

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I make a motion to approve/deny authorizing the City Manager to enter into a contract with Reynolds Asphalt & Construction Company for the rehabilitation of Honeysuckle Lane in an amount not to exceed \$54,638.00 and Estelle Lane in an amount not to exceed \$104,354.00, for a total of \$158,992.00 from 11-8209-301 Improvement Roads (Street Maintenance).



# REYNOLDS ASPHALT & CONSTRUCTION COMPANY

Since 1981

P.O. Box 370 \* Euless, TX 76039

Metro (817) 267-3131 \* Fax (817) 267-7022

Various Streets

Lucas, Texas

City of Lucas

Ref: City of Grand Prairie RFB #21117

Quoted: 1/11/23 4:39 PM

Item	Description	Estimated Quantity	Unit	Unit Bid	Bid Extension
<b>Honeysuckle Lane</b>					
3	2" Ty "D" HMAC	170.0	TON	\$121.10	\$20,587.00
10	Additional Mileage Charge	170.0	TON	\$18.00	\$3,060.00
11	Move in/out charge	1.0	EA	\$1,800.00	\$1,800.00
19	8" Cement Stab Existing	1,260.0	SY	\$19.70	\$24,822.00
21	Hauling Excessive	70.0	CY	\$37.40	\$2,618.00
26	Backfill Shoulders	1,030.0	LF	\$1.70	\$1,751.00
					<u>\$54,638.00</u>
<b>Estelle Lane</b>					
3	2" Ty "D" HMAC	385.0	TON	\$121.10	\$46,623.50
10	Additional Mileage Charge	385.0	TON	\$18.00	\$6,930.00
11	Move in/out charge	1.0	EA	\$1,800.00	\$1,800.00
12	Traffic Control	1.0	EA	\$3,600.00	\$3,600.00
17	8" Cement Stab Existing	3,500.0	SY	\$9.80	\$34,300.00
20	Hauling Excessive	200.0	CY	\$33.40	\$6,680.00
26	Backfill Shoulders	2,600.0	LF	\$1.70	\$4,420.00
					<u>\$104,353.50</u>
Total					\$158,991.50

**CITY OF LUCAS**

Honeysuckle - at Creekview

		UNIT PRICE	TOTAL	TOTAL
		BID	QUANTITY	COMPLETED TO DATE
1	HMAC Type D Delivered more than 1500 tons	TONS \$ 99.10		\$ -
2	HMAC Type D Delivered 500 to 1499 tons	TONS \$ 103.00		\$ -
3	HMAC Type D Delivered less than 499 tons	TONS \$ 121.10	170.00	\$ 20,587.00
4	HMAC Type C Delivered more than 1500 tons	TONS \$ 96.30		\$ -
5	HMAC Type C Delivered 500 to 1499 tons	TONS \$ 102.20		\$ -
6	HMAC Type C Delivered less than 499 tons	TONS \$ 120.90		\$ -
7	HMAC Type B Delivered more than 1500 tons	TONS \$ 93.60		\$ -
8	HMAC Type B Delivered 500 to 1499 tons	TONS \$ 97.90		\$ -
9	HMAC Type B Delivered less than 499 tons	TONS \$ 116.30		\$ -
10	Additional Mileage Hauled beyond the first 10 from bidders plant Items# 1-9 Per Ton Per Mile **NOTE: \$0.90 per mile @ 20 miles **	EACH \$ 18.00 PER TON MILE	170.00	\$ 3,060.00
11	Move In/Out Charge for projects under 499 tons	EACH \$ 1,800.00	1.00	\$ 1,800.00
12	Thoroughfare Traffic Control Charges Per street	EACH \$ 3,600.00		\$ -
13	Manhole Ring Riser Adjustment/Placement Ring	EACH \$ 300.00		\$ -
14	Valve Ring Riser Adjustment/Placement Ring	EACH \$ 200.00		\$ -
15	Base Repair	SY \$ 76.50		\$ -
16	Flex Base furnish and install	TONS \$ 43.50		\$ -
17	8" Cement Stab Existing - more than 3000 sy	SY \$ 9.80		\$ -
18	8" Cement Stab Existing - 1400 to 2999 sy	SY \$ 11.30		\$ -
19	8" Cement Stab Existing - less than 1399 sy	SY \$ 19.70	1,260.00	\$ 24,822.00
20	Hauling Excessive Material more than 101 cy	CY \$ 33.40		\$ -
21	Hauling Excessive Material 51 to 100 cy	CY \$ 37.40	70.00	\$ 2,618.00
22	Hauling Excessive Material less than 50 cy	CY \$ 47.60		\$ -
23	Wedge Mill	LF \$ 5.50		\$ -
24	Full Depth Milling 0-4"	SY \$ 5.30		\$ -
25	Full Depth Milling Each Additional Inch	SY \$ 0.75		\$ -
26	Backfill Shoulders	LF \$ 1.70	1,030.00	\$ 1,751.00
27	8" Pulverization	SY \$ 3.00		\$ -
28	Petromat less than 2500 SY	SY \$ 5.40		\$ -
29	Petromat 2500 - 4999 SY	SY \$ 3.70		\$ -
30	Petromat more 5000 SY	SY \$ 3.00		\$ -

**TOTAL FOR PAGE**

**\$ 54,638.00**

**CITY OF LUCAS**

Estelle - Wendy to Danbury

			UNIT PRICE BID	TOTAL QUANTITY	TOTAL COMPLETED TO DATE
1	HMAC Type D Delivered more than 1500 tons	TONS	\$ 99.10		\$ -
2	HMAC Type D Delivered 500 to 1499 tons	TONS	\$ 103.00		\$ -
3	HMAC Type D Delivered less than 499 tons	TONS	\$ 121.10	<b>385.00</b>	<b>\$ 46,623.50</b>
4	HMAC Type C Delivered more than 1500 tons	TONS	\$ 96.30		\$ -
5	HMAC Type C Delivered 500 to 1499 tons	TONS	\$ 102.20		\$ -
6	HMAC Type C Delivered less than 499 tons	TONS	\$ 120.90		\$ -
7	HMAC Type B Delivered more than 1500 tons	TONS	\$ 93.60		\$ -
8	HMAC Type B Delivered 500 to 1499 tons	TONS	\$ 97.90		\$ -
9	HMAC Type B Delivered less than 499 tons	TONS	\$ 116.30		\$ -
10	Additional Mileage Hauled beyond the first 10 from bidders plant Items# 1-9 Per Ton Per Mile <b>**NOTE: \$0.90 per mile @ 20 miles **</b>	EACH PER TON MILE	\$ 18.00	<b>385.00</b>	<b>\$ 6,930.00</b>
11	Move In/Out Charge for projects under 499 tons	EACH	\$ 1,800.00	<b>1.00</b>	<b>\$ 1,800.00</b>
12	Thoroughfare Traffic Control Charges Per street	EACH	\$ 3,600.00	<b>1.00</b>	<b>\$ 3,600.00</b>
13	Manhole Ring Riser Adjustment/Placement Ring	EACH	\$ 300.00		\$ -
14	Valve Ring Riser Adjustment/Placement Ring	EACH	\$ 200.00		\$ -
15	Base Repair	SY	\$ 76.50		\$ -
16	Flex Base furnish and install	TONS	\$ 43.50		\$ -
17	8" Cement Stab Existing - more than 3000 sy	SY	\$ 9.80	<b>3,500.00</b>	<b>\$ 34,300.00</b>
18	8" Cement Stab Existing - 1400 to 2999 sy	SY	\$ 11.30		\$ -
19	8" Cement Stab Existing - less than 1399 sy	SY	\$ 19.70		\$ -
20	Hauling Excessive Material more than 101 cy	CY	\$ 33.40	<b>200.00</b>	<b>\$ 6,680.00</b>
21	Hauling Excessive Material 51 to 100 cy	CY	\$ 37.40		\$ -
22	Hauling Excessive Material less than 50 cy	CY	\$ 47.60		\$ -
23	Wedge Mill	LF	\$ 5.50		\$ -
24	Full Depth Milling 0-4"	SY	\$ 5.30		\$ -
25	Full Depth Milling Each Additional Inch	SY	\$ 0.75		\$ -
26	Backfill Shoulders	LF	\$ 1.70	<b>2,600.00</b>	<b>\$ 4,420.00</b>
27	8" Pulverization	SY	\$ 3.00		\$ -
28	Petromat less than 2500 SY	SY	\$ 5.40		\$ -
29	Petromat 2500 - 4999 SY	SY	\$ 3.70		\$ -
30	Petromat more 5000 SY	SY	\$ 3.00		\$ -

**TOTAL FOR PAGE**

**\$ 104,353.50**



# City of Lucas

## City Council Agenda Request

### February 2, 2023

Item No. 07

Requester: Development Services Director Joe Hilbourn

#### **Agenda Item Request**

---

Consider the approval of amending the fiscal year 2022-2023 budget by appropriating funding in the amount of \$60,000 from Unrestricted General Fund Reserves to Account 11-8210-421 (Vehicles) for the purchase of one-ton pickup truck with a utility bed for Public Works.

#### **Background Information**

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In the fiscal year 2022-2023 budget, Public Works received approval and funding in the amount of \$55,000 to purchase one-ton pickup truck with a utility bed. City staff have been unable to purchase a vehicle with the specification due to lack of inventory. The cost of the one-ton pickup truck with a utility bed has increased substantially and will cost approximately \$80,000 with trade-in. To be able to acquire this vehicle, the City has been advised that the truck would need to be ordered as soon as possible, as it is very possible that it could take a year to fulfill the request.

The Vehicle & Equipment Committee has Public Works scheduled to acquire a three-quarter ton pickup truck with a utility bed in fiscal year 2023-2024. The cost of this vehicle is approximately \$38,500 with trade-in and this vehicle is currently available.

The Vehicle & Equipment Committee is recommending to move forward with purchasing a three-quarter ton pickup truck with a utility bed and placing the order for the one-ton pickup truck with a utility bed. To ensure the Public Works Department can obtain the necessary vehicles in a timely manner, staff is requesting that City Council appropriate an additional \$60,000.

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

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1. General Fund Reserves Trend

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

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Purchase one-ton pickup truck with a utility bed	\$76,500 (with trade-in)
Purchase three-quarter ton pickup truck with a utility bed	<u>\$38,500</u> (with trade-in)
Total Needed	\$115,000
Funds appropriated in 11-8210-421 Vehicles	<u>(\$55,000)</u>
<b>Additional Funding Requested</b>	<b>\$60,000</b>



# City of Lucas

## City Council Agenda Request

### February 2, 2023

Item No. 07

#### **Recommendation**

---

Staff recommends approving the acquisition of the three-quarter ton pickup truck with a utility bed and an additional appropriation in the amount of \$60,000 from Unrestricted General Fund Reserves to Account 11-8210-421 (Vehicles) for the purchase of one-ton pickup truck with a utility bed for Public Works.

#### **Motion**

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I hereby make a motion to approve/deny the acquisition of the three-quarter ton pickup truck with a utility bed and an additional appropriation in the amount of \$60,000 from Unrestricted General Fund Reserves to Account 11-8210-421 (Vehicles) for the purchase of one-ton pickup truck with a utility bed for Public Works.

City of Lucas  
General Fund Reserves by Fiscal Year

	Actual 2013-2014	Actual 2014-2015	Actual 2015-2016	Actual 2016-2017	Actual 2017-2018	Actual 2018-2019	Actual 2019-2020	Actual 2020-2021	Projected 2021-2022	Projected 2022-2023
<b>Unassigned Fund Balance per Audit Report</b>	<b>\$ 5,867,875</b>	<b>\$ 6,203,973</b>	<b>\$ 7,545,674</b>	<b>\$ 8,774,909</b>	<b>\$ 7,380,496</b>	<b>\$ 7,442,323</b>	<b>\$ 8,524,465</b>	<b>\$ 10,085,127</b>	<b>\$ 10,085,127</b>	<b>\$ 10,085,127</b>
Adjusted For:										
Projected Excess Fund Balance FY 21-22 (Revenue vs. Expense)									\$ 673,906	\$ 673,906
Projected Excess Fund Balance FY 22-23 (Revenue vs. Expense)									\$ 1,422	\$ 1,422
Additional Restrictions:										
Capital Project funding approved at (3-2-17) City Council Meeting				\$ (1,385,000)						
FY 20-21 Brockdale Roadway Improvements carry-over	\$ (47,935)	\$ (102,935)	\$ (140,335)	\$ (199,570)		\$ -	\$ (41,349)	\$ (31,464)	\$ (31,464)	\$ (31,464)
FY 20-21 FD bunker gear carry-over							\$ (5,000)			
FY 20-21 Development Services Software carry-over							\$ (34,843)	\$ (21,880)	\$ (21,880)	\$ (21,880)
FY 20-21 -CC 7-1-21 Lemontree drainage carry-over							\$ (67,813)			
FY 21-22 Carryover HR Software								\$ (9,848)	\$ (9,848)	\$ (9,848)
FY 21-22 Carryover Flood Warning Devices								\$ (49,350)	\$ (49,350)	\$ (49,350)
FY 21-22 City Hall Renovations								\$ (243,069)	\$ (243,069)	\$ (243,069)
FY 21-22 FD equipment								\$ (13,130)	\$ (13,130)	\$ (13,130)
FY 21-22 FD outfit Tahoe								\$ (30,158)	\$ (30,158)	\$ (30,158)
FY 21-22 FD Stryker Lifepak								\$ (49,796)	\$ (49,796)	\$ (49,796)
Reserve for Capital Outlay FY 20-21			\$ (50,000)	\$ (100,000)						
Reserve for Capital Outlay FY 21-22								\$ -	\$ -	\$ -
CC 11-4-21 Reserves for Claremont Springs Drainage (FY 21-22)										
CC 11-4-21 Reserves for Brookhaven Culvert (FY 21-22)								\$ (24,000)	\$ (24,000)	\$ (24,000)
CC 12-16-21 Reserves for Water Master Plan (FY 21-22)								\$ (13,904)	\$ (13,904)	\$ (13,904)
CC 1-20-22 Reserves for Records Management Scanning (FY 21-22)								\$ (3,750)	\$ (3,750)	\$ (3,750)
CC 2-17-22 Reserves for Rimrock Detention Pond Design (FY 21-22)								\$ (5,204)	\$ (5,204)	\$ (5,204)
CC 2-17-22 Reserves for Orchard Road Crossing Design (FY 21-22)										
CC 4-21-22 Reserves for Pavement Management Projects (FY 21-22)										
CC 8-4-22 Reserves for Farmstead Estates Phase Two (FY 21-22)								\$ (199,075)	\$ (199,075)	\$ (199,075)
CC 9-15-22 Reserves for Ambulance Purchase (FY 21-22)								\$ (500,000)	\$ (500,000)	\$ (500,000)
CC 9-15-22 Reserves for Orchard Rd Culvert (FY 22-23)									\$ (374,000)	\$ (374,000)
CC 9-15-22 Reserves for Rimrock Detention (FY 22-23)									\$ (198,000)	\$ (198,000)
<b>Reserve Balance Prior to GASB 54 Requirement</b>	<b>\$ 5,819,940</b>	<b>\$ 6,101,038</b>	<b>\$ 7,355,339</b>	<b>\$ 7,090,339</b>	<b>\$ 7,380,496</b>	<b>\$ 7,442,323</b>	<b>\$ 8,524,465</b>	<b>\$ 9,936,122</b>	<b>\$ 9,564,405</b>	<b>\$ 8,993,827</b>
<b>Reserve Balance in Operating Months</b>	<b>16.7</b>	<b>17.1</b>	<b>19.3</b>	<b>16.5</b>	<b>16.9</b>	<b>14.9</b>	<b>17.9</b>	<b>18.3</b>	<b>16</b>	<b>13</b>
50% Current Year General Fund Expenditures (6 months)	\$ (2,089,807)	\$ (2,143,890)	\$ (2,286,670)	\$ (2,583,535)	\$ (2,624,410)	\$ (3,009,319)	\$ (2,861,041)	\$ (3,245,588)	\$ (3,572,478)	\$ (4,132,804)
<b>Reserve Balance After GASB 54 Requirement</b>	<b>\$ 3,730,133</b>	<b>\$ 3,957,148</b>	<b>\$ 5,068,669</b>	<b>\$ 4,506,804</b>	<b>\$ 4,756,086</b>	<b>\$ 4,433,005</b>	<b>\$ 5,663,424</b>	<b>\$ 6,690,534</b>	<b>\$ 5,991,927</b>	<b>\$ 4,861,023</b>
<b>Reserve Balance in Operating Months</b>	<b>10.7</b>	<b>11.1</b>	<b>13.3</b>	<b>10.5</b>	<b>10.9</b>	<b>8.9</b>	<b>11.9</b>	<b>12.3</b>	<b>10</b>	<b>7</b>
<b>Restricted during Fiscal Year Audit:</b>										
Ambulance Donation					\$ 100,000	\$ -	\$ -	\$ -	\$ -	\$ -
Capital Project Funding approved (3105)					\$ 1,385,000	\$ 1,385,000	\$ 613,590	\$ -	\$ -	\$ -
Restricted Court/Misc (3105.10)(3105.35)	\$ 35,473	\$ 45,612	\$ 51,004	\$ 56,820	\$ 64,031	\$ 77,266	\$ 78,726	\$ 76,647	\$ 84,760	\$ 84,760
Restricted Cable Fees (3105.20)	\$ 8,256	\$ 12,773	\$ 17,670	\$ 21,843	\$ 25,318	\$ 28,582	\$ 31,834	\$ 34,707	\$ 38,360	\$ 38,360
Brockdale Roadway Improvements (3105.25)					\$ 245,054	\$ 285,878	\$ 385,528	\$ -	\$ 31,464	\$ 31,464
Restricted Impact Fees (3105.30)	\$ 770,508	\$ 867,279	\$ 1,116,079	\$ 1,254,213	\$ 1,572,405	\$ 1,785,286	\$ 2,115,802	\$ 1,417,322	\$ 1,724,913	\$ 1,418,424
Restricted Water Rescue (3105-32)							\$ 120,000			
Restricted Bldg Improvements (3105-33)								\$ 243,069	\$ -	\$ -
Restricted FD Equipment (3105-34)							\$ 16,379	\$ 13,130	\$ -	\$ -
Restricted Capital Outlay (3105-36)								\$ 611,682	\$ -	\$ -
Restricted Impact Fee Study(3105-37)								\$ 24,000	\$ -	\$ -
Restricted Records Mgmt(3105-38)								\$ 13,903	\$ -	\$ -
Restricted Drainage (3105-39)								\$ 257,379	\$ -	\$ -
Restricted Cares Funding (3105.40)						\$ 89,755				
Restricted LOSAP (3105.45)				\$ 216,615	\$ 233,592	\$ 252,407	\$ 265,669	\$ 279,043	\$ 280,509	\$ 280,509
Capital Outlay ( \$50K per year) (3106)					\$ 150,000	\$ 200,000	\$ 250,000	\$ 300,000	\$ 250,000	\$ 250,000
Project Mgmt (3107)						\$ 358,290	\$ 70,853	\$ -	\$ -	\$ -
<b>Reserve Restricted per Audit Report</b>	<b>\$ 814,237</b>	<b>\$ 925,664</b>	<b>\$ 1,184,753</b>	<b>\$ 1,549,491</b>	<b>\$ 3,775,400</b>	<b>\$ 4,372,709</b>	<b>\$ 3,901,757</b>	<b>\$ 2,244,098</b>	<b>\$ 3,573,169</b>	<b>\$ 2,103,517</b>



# City of Lucas

## City Council Agenda Request

### February 2, 2023

Requesters: Mayor Jim Olk  
Mayor Pro Tem Kathleen Peele  
Councilmember Debbie Fisher  
Councilmember Tim Baney  
Councilmember David Keer  
Councilmember Tim Johnson  
Councilmember Philip Lawrence  
City Attorney Joe Gorfida  
City Manager Joni Clarke

#### **Agenda Item Request**

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Consider the 88<sup>th</sup> Legislative Session and discuss any proposed bill or significant resolution that may have an impact on the City of Lucas and provide guidance to the City Attorney and City Manager.

#### **Background Information**

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The 88th Legislature's regular session runs from January 10 to May 29, 2023. Last session, lawmakers in the Texas House and Senate filed nearly 7,000 bills and passed just over 1,000 of them with the Governor vetoing 21 of them.

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

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N/A

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

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Unknown

#### **Recommendation**

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N/A

#### **Motion**

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N/A



**City of Lucas**  
**City Council Agenda Request**  
**February 2, 2023**

Item No. 09

Requester: Mayor Jim Olk

**Agenda Item Request**

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Executive Session:

As authorized by Section 551.074 of the Texas Government Code, the City Council may convene into closed Executive Session for the evaluation of the City Manager. This meeting is closed to the public as provided in the Texas Government Code.

**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**  
**February 2, 2023**

Item No. 10

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