



## AGENDA CITY COUNCIL MEETING

January 18, 2024 | 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, January 18, 2024, 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 City Secretary Toshia Kimball 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 Toshia Kimball at [tkimball@lucastexas.us](mailto:tkimball@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**

*The Citizen Input portion of the agenda is an opportunity for the public to address the City Council on any subject. By completing a "Request to Speak" form and submitting to the City Secretary, citizens have an opportunity to speak at the City Council meeting. However, in accordance with the Texas Open Meetings Act, the City council cannot discuss issues raised or make any decisions, but may refer items to City Staff for research and possible inclusion on a future agenda.*

1. Citizen Input.

### **Community Interest**

*Pursuant to Section 551.0415 of the Texas Government Code, the City Council may report on the following items: 1) expression of thanks, congratulations or condolences; 2) information about holiday schedules; 3) recognition of individuals; 4) reminders about upcoming City Council events; 5) information about community events; and 6) announcements involving imminent threat to public health and safety.*

2. Items of Community Interest.

## 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 minutes of the January 4, 2024, City Council meeting.

## Regular Agenda

- 4. Consider approving Ordinance #2024-01-00995, amending the City of Lucas Code of Ordinances by amending Chapter 2 titled “Animal Control” by amending Article 2.02 titled “Caring for Animals” by renaming Section 2.02.008 to “Nuisances” and by amending Section 2.02.008. (Presenter: Development Services Director Joe Hilbourn)
- 5. Review and approve “Policy#00-07 Vehicle and Personal Property Removal from Roadways” for Lucas Fire-Rescue. (Presenter: Fire Chief Ted Stephens)
- 6. Consider rescheduling or cancelling the July 4, 2024, City Council meeting. (Presenter: City Council)

## Executive Session

### 7. Executive Session:

- A. The City Council will convene into Executive Session pursuant to Section 551.071 of the Texas Government Code, to consult with the City Attorney regarding Welborn Lane.
- 8. Reconvene from Executive Session and take any action necessary as a result of the Executive Session.
- 9. 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, Texas 75002 and on the City’s website at [www.lucastexas.us](http://www.lucastexas.us) on or before 5:00 p.m. on January 12, 2024.*

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*Toshia Kimball, 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 Toshia Kimball at 972.912.1211 or by email at [tkimball@lucastexas.us](mailto:tkimball@lucastexas.us) at least 48 hours prior to the meeting.*



# City of Lucas

## City Council Agenda Request

### January 18, 2024

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

### January 18, 2024

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

### January 18, 2024

Item No. 03

Requester: City Secretary Toshia Kimball

#### **Agenda Item Request**

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Consent Agenda:

- A. Approval of the minutes of the January 4, 2024, City Council meeting.

#### **Background Information**

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NA

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

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- 1. Minutes of the January 4, 2024, City Council meeting

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

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NA

#### **Recommendation**

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Staff recommends approval of the consent agenda as presented.

#### **Motion**

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I make a motion to approve the consent agenda as presented.



**CITY COUNCIL REGULAR MEETING**

January 4, 2024 | 6:30 PM

Council Chambers

City Hall | 665 Country Club Road, Lucas, Texas

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**City Councilmembers Present:**

Mayor Jim Olk  
Councilmember David Keer  
Councilmember Debbie Fisher  
Councilmember Tim Johnson  
Councilmember Dusty Kuykendall

**City Staff Present:**

City Manager Joni Clarke  
Assistant City Manager Kent Souriyasak  
City Secretary Toshia Kimball  
Development Services Director Joe Hilbourn  
Deputy Nick Noel

**City Councilmembers Absent:**

Mayor Pro Tem Kathleen Peele  
Councilmember Phil Lawrence

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

**Citizen Input**

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**1. Citizen Input**

There was no citizen input at this meeting.

**Community Interest**

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**2. Items of Community Interest.**

Mayor Jim Olk gave items of community interest including:

- City Hall Holiday Closures
- 2024 General Elections
- Service Tree Nominations

**Consent Agenda**

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**3. Consent Agenda:**

**A. Approval of minutes of December 21, 2023, City Council meeting.**

**MOTION:** A motion was made by Councilmember Johnson, seconded by Councilmember Fisher to approve the Consent Agenda as presented. The motion passed unanimously by a 5 to 0 vote.

**Public Hearing Agenda**

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**4. Conduct a public hearing and consider adopting Ordinance Number 2024-01-00994 reauthorizing certain building permit fees in the City of Lucas Code of Ordinances, Appendix C titled "Fee Schedule".**

Mayor Jim Olk stated that we are readopting the same set of fees, and Development Services Director Joe Hilbourn agreed.

Mayor Jim Olk opened the public hearing at 6:34 pm. There were no members of the public wishing to speak. Mayor Olk closed the public hearing at 6:34 pm.

**MOTION:** A motion was made by Councilmember Kuykendall, seconded by Councilmember Keer to approve adopting Ordinance Number 2024-01-00994 reauthorizing certain building permit fees in the City of Lucas Code of Ordinances, Appendix C titled “Fee Schedule”. The motion passed unanimously by a 5 to 0 vote.

## **Regular Agenda**

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5. **Consider approving the amended site plan requested by the property owner Walmart Real Estate on behalf of Panda Express for a restaurant located at 2662 West Lucas Road, Lucas, Texas, on a 0.975-acre tract of land situated in the W. Snider Survey, Abstract Number 821, being part of Lot 1, Block A of the Walmart Lucas Addition.**

Mayor Jim Olk asked if there are any changes from what was originally approved in the plan. Development Services Director Joe Hilbourn answered, no.

Councilmember Fisher advised that on the plans it states Brandy Lane, but in the past the name of the street was Bandy Lane.

**MOTION:** A motion was made by Councilmember Fisher, seconded by Councilmember Kuykendall to approve the amended site plan requested by the property owner Walmart Real Estate on behalf of Panda Express for a restaurant located at 2662 West Lucas Road, Lucas, Texas, on a 0.975-acre tract of land situated in the W. Snider Survey, Abstract Number 821, being part of Lot 1, Block A of the Walmart Lucas Addition. The motion passed unanimously by a 5 to 0 vote.

6. **Consider approving the site plan, landscape plan, elevations, and tree survey requested by Panda Express for a restaurant located at 2662 West Lucas Road, Lucas, Texas, on 0.975-acre tract of land situated in the W. Snider Survey, Abstract Number 821, being part of Lot 1, Block A of the Walmart Lucas Addition.**

**MOTION:** A motion was made by Councilmember Johnson, seconded by Councilmember Kuykendall to approve the site plan, landscape plan, elevations, and tree survey requested by Panda Express for a restaurant located at 2662 West Lucas Road, Lucas, Texas, on 0.975-acre tract of land situated in the W. Snider Survey, Abstract Number 821, being part of Lot 1, Block A of the Walmart Lucas Addition. The motion passed unanimously by a 5 to 0 vote.

## **Executive Session**

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7. **Executive Session:**

- A. **The City Council will convene into Executive Session pursuant to Section 551.074(a)(1) of the Texas Government Code, Personnel Matters, for City Manager Evaluation.**

City Council convened into Executive Session at 6:44 pm.

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

City Council reconvened from Executive Session at 7:29 pm.

**MOTION:** A motion was made by Councilmember Kuykendall, seconded by Councilmember Keer to increase City Manager Joni Clarke's salary by 5% starting October 1, 2023. The motion passed unanimously by a 5 to 0 vote.

**9. Adjournment.**

**MOTION:** A motion was made by Councilmember Johnson, seconded by Councilmember Kuykendall, to adjourn the meeting at 7:30 pm. The motion passed unanimously by a 5 to 0 vote.

APPROVED:

ATTEST:

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Mayor Jim Olk

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Toshia Kimball, City Secretary





# City of Lucas

## City Council Agenda Request

### January 18, 2024

Item No. 04

Requester: Development Services Director Joe Hilbourn

### Agenda Item Request

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Consider approving Ordinance # 2024-01-00995, amending the City of Lucas Code of Ordinances by amending Chapter 2 titled “Animal Control” by amending Article 2.02 titled “Caring for Animals” by renaming Section 2.02.008 to “Nuisances” and by amending Section 2.02.008.

### Background Information

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Staff is recommending two changes to the City’s Code of Ordinances, these changes will also require renumbering, and renaming other sections in Chapter 2:

RENAME AND AMEND §2.02.008

§ 2.02.008      Nuisances. Animals running at-large or disturbing the peace

It shall be unlawful for any person to do the following in the corporate limits of the city:

...

ADD:

(3)      Fail to remove and dispose of any excreta the animal produces and the property where the animal defecated was not owned, leased, or controlled by the animal’s owner.

ADD:

(4)      Fail to visibly have in their possession materials that can be used to immediately remove and dispose of any excreta the animal produces.

§ 2.02.009      Restraint of dogs.

(a)      Any dog in the corporate limits of the city while not in a city park, shall be restrained by at least one of the following means:

### Attachments/Supporting Documentation

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1. Ordinance Number #2024-01-00995

### Budget/Financial Impact

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NA



# City of Lucas City Council Agenda Request January 18, 2024

Item No. 04

## **Recommendation**

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Staff recommends approval as presented.

## **Motion**

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I make a motion to approve/deny Ordinance # 2024-01-00995, amending the City of Lucas Code of Ordinances by amending Chapter 2 titled “Animal Control” by amending Article 2.02 titled “Caring for Animals” by renaming Section 2.02.008 to “Nuisances” and by amending Section 2.02.008.



**ORDINANCE #2024-01-00995**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LUCAS, TEXAS, AMENDING THE LUCAS CODE OF ORDINANCES BY AMENDING CHAPTER 2 TITLED “ANIMAL CONTROL” BY AMENDING ARTICLE 2.02 TITLED “CARING FOR ANIMALS” BY RENAMING SECTION 2.02.008 TO “NUISANCES” AND BY AMENDING SECTION 2.02.008 BY ADDING PARAGRAPHS (3) AND (4) SETTING FORTH REQUIREMENTS FOR REMOVAL AND DISPOSAL OF EXCRETA; BY AMENDING SECTION 2.02.009 TITLED “RESTRAINT OF DOGS” BY AMENDING PARAGRAPH (a)(5) TO SET FORTH A NEW REQUIREMENT FOR CONTROLLING AND RESTRAINING A DOG AND BY DELETING PARAGRAPH (a)(7) IN ITS ENTIRETY AND RENUMBERING THE REMAINING SECTIONS; BY AMENDING ARTICLE 2.03 TITLED “RABIES CONTROL” BY DELETING SECTION 2.03.001 TITLED “VACCINATIONS; DISPOSITION OF ANIMALS EXPOSED TO RABIES” IN ITS ENTIRETY AND RENAMING SECTION 2.03.001 TO “STATE REGULATIONS ADOPTED; RABIES TAG AND VACCINATION CERTIFICATE” AND BY AMENDING SECTION 2.03.001 TO ADOPT THE TEXAS STATE RABIES CONTROL ACT; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF A 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, TEXAS, THAT:**

**SECTION 1.** The Code of Ordinances, City of Lucas, Texas, be amended, by amending Chapter 2 titled “Animal Control,” by amending Article 2.02 titled “Caring for Animals” by renaming and amending Section 2.02.008; by amending Section 2.02.009; and, by amending Article 2.03 titled “Rabies Control” by renaming and amending Section 2.03.001, to read as follows:

**“CHAPTER 2        ANIMAL CONTROL**

**...**

**ARTICLE 2.02   CARING FOR ANIMALS**

**...**

## **RENAME AND AMEND §2.02.008**

### **§ 2.02.008     Nuisances. ~~Animals running at large or disturbing the peace~~**

It shall be unlawful for any person to do the following in the corporate limits of the city:

...

#### **ADD:**

- (3) Fail to remove and dispose of any excreta the animal produces and the property where the animal defecated was not owned, leased, or controlled by the animal's owner.

#### **ADD:**

- (4) Fail to visibly have in their possession materials that can be used to immediately remove and dispose of any excreta the animal produces.

### **§ 2.02.009     Restraint of dogs.**

- (a) Any dog in the corporate limits of the city while not in a city park, shall be restrained by at least one of the following means:

...

#### **AMEND (5):**

- (5) On a leash that is held in the hands of the owner or keeper. **Said leash shall be of sufficient strength to control and restrain the particular dog and shall not be longer than ten feet (10').**
- (6) Held in the hands of the hands of the owner or keeper;

#### **DELETE (7) IN ITS ENTIRETY:**

- ~~(7) Within a distance of 25 feet from the owner and under direct supervision of the owner to the extent that the animal does not damage public or private property and does not attack, charge or otherwise disrupt the lawful use of private or public property by third parties; or~~

#### **RENUMBER:**

- (7) Trained to remain within the confines of an electronic fence and is within the confines of an activated electronic fence.
- (b) Any dog that is not restrained in compliance with this section shall be considered at-large in violation of section **2.02.008**.

...

**ARTICLE 2.03  
RABIES CONTROL**

**DELETE SECTION 2.03.001 IN ITS ENTIRETY.**

**RENAME AND AMEND SECTION 2.03.001:**

**2.03.001 State regulations adopted; rabies tags; vaccination certificates.**

- (a) The City of Lucas hereby adopts by reference the Texas State Rabies Control Act, as amended, and the standards established by the appropriate state agency or rule-making board as minimum standards for rabies control and quarantine provisions within the City of Lucas.
- (b) Rabies tag and vaccination certificate:
  - (1) All animals that are required by the Texas State Rabies Control act to have a rabies vaccination must have their current rabies tag affixed to a properly fitted collar or harness at all times. The owner shall retain the rabies vaccination certificate and make it available for inspection upon request by a city enforcement agent.
  - (2) Rabies vaccination certificate will be valid for a period of time as determined by the issuing veterinarian in accordance with the Texas State Rabies Control Act.
  - (3) A person commits an offense if they are the owner of an animal and fail to have the animal vaccinated as required by the Texas State Rabies Control Act.
  - (4) A person commits an offense if they present a rabies vaccination certificate to a city enforcement agent for any animal other than the animal for which the certificate was issued.
  - (5) A person commits an offense if they attach a rabies tag to any animal's collar or harness other than the animal for which the tag was issued.
  - (6) A person commits an offense if they fail to display the rabies tag as required by this section.
  - (7) A person commits an offense if they fail to provide proof of rabies vaccination upon request from a city enforcement agent.

**SECTION 2.** That all provisions of the Ordinances of the City of Lucas, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions

of the Ordinances of the City not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**SECTION 3.** An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 4.** That should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said Ordinance, which shall remain in full force and effect.

**SECTION 5.** That any person violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Lucas as heretofore 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.

**SECTION 6.** This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provides.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LUCAS, COLLIN COUNTY, TEXAS, ON THIS \_\_\_\_\_ DAY OF JANUARY 2024.**

APPROVED:

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

APPROVED AS TO FORM:

ATTEST:

\_\_\_\_\_  
Joseph J. Gorfida, Jr., City Attorney  
(01-04-2024: 4891-4633-7178, v. 1)

\_\_\_\_\_  
Toshia Kimball, City Secretary



# City of Lucas

## City Council Agenda Request

### January 18, 2024

Item No. 05

Requester: Fire Chief Ted Stephens

#### **Agenda Item Request**

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Review and approve “Policy#00-07 Vehicle and Personal Property Removal from Roadways” for Lucas Fire-Rescue.

#### **Background Information**

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With the passage of Senate Bill 1413 in the Texas Legislature, updating the Texas Transportation Code, Section 545.3051, the City of Lucas is required to have a policy concerning the fire department consulting with law enforcement agencies regarding removal of personal property from a roadway or right-of-way.

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

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1. Policy#00-07 Vehicle and Personal Property Removal from Roadways
2. Senate Bill No. 1413
3. Texas Transportation Code, Section 545.3051

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

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There is not a budget/financial impact for the City of Lucas.

#### **Recommendation**

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Staff recommends approval of the policy as written.

#### **Motion**

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I make a motion to approve/deny “Policy#00-07 Vehicle and Personal Property Removal from Roadways”



## Lucas Fire-Rescue Policy



### **POLICY#00-07 VEHICLE AND PERSONAL PROPERTY REMOVAL FROM ROADWAYS**

**City Council Approval Date:** January 18, 2024

**Purpose:** To establish a policy for Lucas Fire-Rescue personnel when responding to incidents involving vehicles and personal property blocking roadways or endangering public safety, as authorized under Texas Transportation code, Section 545.3051(a), relating to the authority of a fire department to remove certain personal property from a roadway.

**Resources:** Texas Transportation Code, Section 545.3051, as amended Senate Bill 1413

**Scope:** This policy applies to all Operations Division members.

#### **Directions:**

- I. Assessment and Determination:
  - A. Upon arrival at an incident scene involving vehicles or personal property blocking a roadway or posing a threat to public safety, the Fire Officer in charge will assess the situation.
  - B. The Fire Officer shall determine whether the personal property obstructs the roadway or endangers public safety.
  - C. If the Fire Officer determines that the personal property meets the criteria mentioned above, he/she is authorized to act as outlined in this policy.
- II. Removal Authorization:
  - A. The Fire Officer is authorized to initiate the removal of vehicles and associated personal property when it is deemed necessary to ensure public safety.
  - B. The Fire Officer, utilizing the City supplied phone, shall take pictures of the entire scene and document important information prior to vehicles or property being moved.
  - C. Personal Property may be removed before law enforcement arrives when it poses a danger to public safety, with the following exceptions:
    1. Vehicles and/or personal property shall not be removed prior to contacting the responding Collin County Sheriff's Department Deputy.
    2. Vehicles, personal property, and/or debris shall not be moved prior to the arrival of Collin County Sheriff's Department and/or Texas Department of Public Safety when a life-threatening injury or death has occurred.



By: Johnson

S.B. No. 1413

(In the Senate - Filed March 1, 2023; March 16, 2023, read first time and referred to Committee on Transportation; April 6, 2023, reported adversely, with favorable Committee Substitute by the following vote: Yeas 9, Nays 0; April 6, 2023, sent to printer.)

[Click here to see the committee vote](#)

COMMITTEE SUBSTITUTE FOR S.B. No. 1413

By: Eckhardt

A BILL TO BE ENTITLED  
AN ACT

relating to the authority of a fire department to remove certain personal property from a roadway or right-of-way.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 545.3051(a), Transportation Code, is amended by adding Subdivision (1-a) to read as follows:

(1-a) "Fire department" has the meaning assigned by Section 419.021, Government Code.

SECTION 2. Section 545.3051, Transportation Code, is amended by amending Subsections (b), (d), and (e) and adding Subsection (f) to read as follows:

(b) An authority, a fire department, or a law enforcement agency may remove personal property from a roadway or right-of-way if the authority, fire department, or law enforcement agency determines that the property blocks the roadway or endangers public safety.

(d) The owner and any carrier of personal property removed under this section shall reimburse the authority, fire department, or law enforcement agency for any reasonable cost of removal and disposition of the property.

(e) Notwithstanding any other provision of law, an authority, a fire department, or a law enforcement agency is not liable for:

(1) any damage to personal property removed from a roadway or right-of-way under this section, unless the removal is carried out recklessly or in a grossly negligent manner; or

(2) any damage resulting from the failure to exercise the authority granted by this section.

(f) The governing body of a political subdivision that has a fire department shall develop and implement a policy concerning the fire department consulting with law enforcement agencies regarding removal of personal property from a roadway or right-of-way.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.

\* \* \* \* \*

Sec. 545.3051. REMOVAL OF PERSONAL PROPERTY FROM ROADWAY OR RIGHT-OF-WAY. (a) In this section:

(1) "Authority" means:

(A) a metropolitan rapid transit authority operating under Chapter [451](#); or

(B) a regional transportation authority operating under Chapter [452](#).

(1-a) "Fire department" has the meaning assigned by Section [419.021](#), Government Code.

(2) "Law enforcement agency" means:

(A) the department;

(B) the police department of a municipality;

(C) the sheriff's office of a county; or

(D) a constable's office of a county.

(3) "Personal property" means:

(A) a vehicle described by Section [545.305](#);

(B) spilled cargo;

(C) a hazardous material as defined by 49 U.S.C. Section 5102 and its subsequent amendments;

(D) a hazardous substance as defined by Section [26.263](#), Water Code; or

(E) an unattended manufactured home as defined by Section [1201.003](#), Occupations Code.

(b) An authority, a fire department, or a law enforcement agency may remove personal property from a roadway or right-of-way if the authority, fire department, or law enforcement agency determines that the property blocks the roadway or endangers public safety.

(c) Personal property may be removed under this section without the consent of the owner or carrier of the property.

(d) The owner and any carrier of personal property removed under this section shall reimburse the authority, fire department, or law enforcement agency for any reasonable cost of removal and disposition of the property.

(e) Notwithstanding any other provision of law, an authority, a fire department, or a law enforcement agency is not liable for:

(1) any damage to personal property removed from a roadway or right-of-way under this section, unless the removal is carried out recklessly or in a grossly negligent manner; or

(2) any damage resulting from the failure to exercise the authority granted by this section.

(f) The governing body of a political subdivision that has a fire department shall develop and implement a policy concerning the fire department consulting with law enforcement agencies regarding removal of personal property from a roadway or right-of-way.



# City of Lucas City Council Agenda Request January 18, 2024

Item No. 06

Requester: City Secretary Toshia Kimball

## **Agenda Item Request**

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Consider rescheduling or cancelling the July 4, 2024, City Council meeting.

## **Background Information**

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The City Council meets every 1<sup>st</sup> and 3<sup>rd</sup> Thursday of the month in the City of Lucas Council Chambers.

## **Attachments/Supporting Documentation**

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1. City Council Annual Meeting Dates

## **Budget/Financial Impact**

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NA

## **Recommendation**

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Staff recommends rescheduling or cancelling the upcoming July 4, 2024, City Council meeting.

## **Motion**

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I make a motion to approve/deny rescheduling/cancelling the upcoming July 4, 2024 City Council meeting.



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## 2024 City Council Meeting Dates

Thursday January 4, 2024  
Thursday January 18, 2024  
Thursday February 1, 2024  
Thursday February 15, 2024  
Thursday March 7, 2024  
Thursday March 21, 2024  
Thursday April 4, 2024  
Thursday April 18, 2024  
Thursday May 2, 2024  
Thursday May 16, 2024  
Thursday June 6, 2024  
Thursday June 20, 2024  
Thursday July 4, 2024  
Thursday July 18, 2024  
Thursday August 1, 2024  
Thursday August 15, 2024  
Thursday September 5, 2024  
Thursday September 19, 2024  
Thursday October 3, 2024  
Thursday October 17, 2024  
Thursday November 7, 2024  
Thursday November 21, 2024  
Thursday December 5, 2024  
Thursday December 19, 2024



# City of Lucas

## City Council Agenda Request

### January 18, 2024

Item No. 07

Requester: City Council

#### **Agenda Item Request**

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Executive Session:

- A. The City Council will convene into Executive Session pursuant to Section 551.071 of the Texas Government Code, to consult with the City Attorney regarding Welborn Lane.

#### **Background Information**

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The meeting is closed to the public as authorized by Section 551.071 of the Texas Government Code.

#### **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

### January 18, 2024

Requester: City Council

#### **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