
HISTORICAL INFORMATION

Awarded by Court Order No. 2021-898-09-20

Amendment No. 1 Court Order No. 2023-133-02-20 Summary Added two additional peace officers

**Amendment No. 1 to
Interlocal Agreement between Collin County and
the City of Lucas for Law-Enforcement Services**

1. **Current Agreement.** Under Commissioners Court Order No. 2021-898-09-20, Collin County and the City of Lucas entered an interlocal agreement for the County to provide two deputy sheriffs to patrol and provide law-enforcement services in the City of Lucas (the current agreement). *See* Interlocal Cooperation Act, Texas Gov't Code, Chapter 791.

2. **Additional Deputy Sheriffs.** In addition to the deputy sheriffs the County provides under the current agreement, the County will provide two additional peace officers to provide patrol services within the City's boundaries for the officers' full-time work or duty schedules.

3. **Vehicles.** The County and the City will confer on whether the County will dedicate a patrol vehicle or two to the additional deputies. Relevant factors include the number of deputies and vehicles the County has assigned to the City at the time of the decision, shift days and times, and whether the deputies use or should use take-home or pool vehicles. The City will have the same rights and obligations with respect to such additional vehicles as it has under the current agreement.

4. **Term.** This amendment will remain effective as long as the current agreement remains effective.

5. **Additional Compensation.** The City's obligation to pay the County fair compensation for these services will extend to the additional deputies and any vehicles, which the County provides under this amendment, consistent with the current agreement. *See* Gov't Code, § 791.011(e).

6. **Liquidated Damages.** To fulfill its obligation to dedicate patrol deputies to work inside the City's boundaries, the County will make a substantial investment by hiring and training new deputy sheriffs to provide those services or by reassigning current deputy sheriffs to provide the services and hiring new deputy sheriffs to backfill. The compensation for these new deputy sheriffs may fall within the scope of SB 23, 87th Legislature, Reg. Sess. 2021 (Local Gov't Code, Chapter 120). If the City terminates the agreement or this amendment or otherwise reduces the number of deputy sheriffs patrolling within its borders (including by materially breaching and forcing the County to terminate), then the City will pay the County liquidated damages. Liquidated damages will equal the total compensation (salary and benefits) for each deputy sheriff removed from patrolling in the City multiplied by three (approximately three years of compensation). At FY23 levels (including 9 months of a 5% increase, which will take effect just after January 1, 2023), this amount could be approximately \$1.2 million, if all four were removed (full compensation of \$68,422 + \$29,314 (for a deputy sheriff (556) on 84-hour schedule) = \$97,736 x 4 deputies x 3 years = \$1,172,832). This calculation is a reasonable forecast of just compensation in light of the County's investment and its lessened authority to adjust its budget under SB 23 (87(R)).

7. **Additional Definitions.** A "peace officer" means a deputy sheriff licensed under Chapter 1701, Occupations Code, with a commission or appointment carried by the Sheriff's Office.

“To provide patrol services” includes all reasonably necessary equipment and training for a peace officer to provide patrol services, including a patrol vehicle.

“Full-time work or duty schedule” means an officer’s complete work schedule under the FLSA before eligibility for overtime or comp time under 29 CFR Part 553, less the reductions in this duty time under Collin County’s personal-time-off or other leave policies, or short periods away from duty for attending mandatory training, answering emergency calls, or assisting other peace officers as required.

8. Additional Documents. In addition to this amendment, the County and the City will adopt this amendment by its own form of order, resolution, or ratification within the meaning of Section 791.011(d), Gov’t Code.

Agreed to:

Collin County

DocuSigned by:
Michelle Charnoski 3/7/2023

~~SP~~ Judge Chris Hill Date
2300 Bloomdale Road
McKinney, TX 75071

City of Lucas

Jim Oik
Mayor 1/5/23
Name Title Date

City of Lucas
665 Country Club Road
Lucas, TX 77002