



**AGENDA**  
**AUGUST 20, 2019**  
**LAVON CITY COUNCIL**  
**CITY HALL, 120 SCHOOL ROAD, LAVON, TEXAS**  
**WORK SESSION 6:00 PM**  
**REGULAR MEETING 7:00 PM**

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- 1. PRESIDING OFFICER TO CALL THE MEETING TO ORDER AND ANNOUNCE THAT A QUORUM IS PRESENT**
- 2. PLEDGE OF ALLEGIANCE AND INVOCATION**
- 3. BUDGET WORK SESSION**

Discussion regarding the financial status for current Fiscal Year (FY) 2018-19, budget amendment, budget calendar, anticipated commitments, departmental service levels, fee schedule, and projected needs and requests for FY 2019-20. Announce that public hearings are scheduled for September 3, 2019 and September 10, 2019 and that a vote is scheduled for September 17, 2019.

**4. CITIZENS COMMENTS**

*Citizens may provide comments (3-minute time limit/person). The response on items that are not on the agenda may be to request the items to be placed on a future agenda or refer to city staff.*

**5. ITEMS OF INTEREST/COMMUNICATIONS**

*Members may identify community events, functions and other activities.*

**6. CONSENT AGENDA**

*Consent items are considered routine or non-controversial and will be voted on in one motion unless a separate discussion is requested by a Member.*

- A. Approve the minutes of the August 6, 2019 meeting.
- B. Accept the Heritage Public Improvement District #1 Assessment Report Summary dated 7/31/2019 and authorize the payment of invoices included therein.
- C. Approve Resolution No. 2019-08-05 amending Resolution No. 2019-08-02 authorizing the Mayor to execute an updated Interlocal Agreement with Collin County for Child Abuse, Investigation Services and Law Enforcement Services.
- D. Approve Resolution No. 2019-08-06 authorizing the Mayor to execute a contract with the Collin County Elections Administrator for Election Services related to the City's November 5, 2019 General Election.

**7. ITEMS FOR CONSIDERATION**

- A. Discussion and action regarding Resolution No. 2019-08-07 authorizing the Mayor to Negotiate and Execute an Agreement Regarding Conveyance of Right of Redemption and Waiver of Agricultural Valuation – LakePointe Public Improvement District.
- B. Discussion and action regarding Resolution No. 2019-08-08 authorizing the Mayor to Negotiate and Execute a Pro-Rata Reimbursement Agreement for Sanitary Sewer Improvements – LakePointe Public Improvement District.
- C. Discussion and action regarding Ordinance No. 2019-08-02 Accepting And Approving A Service And Assessment Plan And Assessment Rolls For The Lakepointe Public Improvement District; Making A Finding Of Special Benefit To The Property In The District; Levying Special Assessments Against Property Within The District And Establishing A Lien On Such Property; Providing for The Method Of Assessment And The Payment Of The Assessments In Accordance With Chapter 372, Texas Local

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Government Code, As Amended, Providing Penalties And Interest On Delinquent Assessments, Providing For Severability, And Providing An Effective Date.

- D. Discussion and action regarding Ordinance No. **2019-08-03** Authorizing The Issuance Of The "City Of Lavon, Texas, Special Assessment Revenue Bonds, Series 2019 (Lakepointe Public Improvement District Improvement Area #1 Project)"; Approving And Authorizing An Indenture Of Trust, A Bond Purchase Agreement, A Limited Offering Memorandum, A Continuing Disclosure Agreement; A Construction, Funding And Acquisition Agreement And Other Agreements And Documents In Connection Therewith; Making Findings With Respect To The Issuance Of Such Bonds; And Providing An Effective Date.
- E. Discussion and action regarding Ordinance No. **2019-08-04** Authorizing The Issuance Of The "City Of Lavon, Texas, Special Assessment Revenue Bonds, Series 2019 (Lakepointe Public Improvement District Major Improvement Area Project)"; Approving And Authorizing An Indenture Of Trust, A Bond Purchase Agreement, A Limited Offering Memorandum, A Continuing Disclosure Agreement; A Construction, Funding And Acquisition Agreement, An Agriculture Valuation Waiver And Redemption Agreement And Other Agreements And Documents In Connection Therewith; Making Findings With Respect To The Issuance Of Such Bonds; And Providing An Effective Date.
- F. Public hearing, discussion and action regarding an ordinance of the City of Lavon, Texas Enacting Amendments to The City's Subdivision Ordinance; Providing for Compliance with New State Legislation Affecting Procedures for Approving Plats, Replats And Related Site Plans; Providing A Conflict Clause; Providing A Severance Clause; And Setting An Effective Date.
  - 1) Presentation of request.
  - 2) **PUBLIC HEARING** to receive comments regarding the request.
  - 3) Discussion and action regarding the request and accompanying Ordinance No. **2019-08-05**.
- G. Public hearing, discussion and action regarding an ordinance of the City of Lavon, Texas, Enacting Amendments to The City's Zoning Ordinance And Building Code Regulations; Providing For Compliance With New State Laws Affecting Materials Used In The Construction Or Renovation Of Residential And Commercial Buildings, Rules And Proceedings Before The Zoning Board Of Adjustment; Providing For Appeals; Providing Related Directives To The City Manager; Providing A Conflict/Savings Clause; And Setting An Effective Date.
  - 1) Presentation of request.
  - 2) **PUBLIC HEARING** to receive comments regarding the request.
  - 3) Discussion and action regarding the request and accompanying Ordinance No. **2019-08-06**.
- H. Discussion and action regarding Ordinance No. **2019-08-07** amending Ordinance No. **2018-09-02**, as amended, that approved and adopted a budget for the City for the Fiscal Year October 1, 2018 through September 30, 2019 to amend adopted revenues and expenditures of the budget; and declaring an effective date.

## **8. DEPARTMENT REPORTS**

*The City Council may receive and discuss the reports.*

- A. Police Services – 1) Reports for traffic stops, calls for service, call breakout and consolidated activity; and 2) crime prevention and community relations officer's report.
- B. Fire Services – 1) LVFD service and equipment reports
- C. Public Works Services – 1) General public works and street maintenance report including projects, mowing and trash collection; 2) code enforcement report; and 3) sanitary sewer system report.
- D. Administration Services – 1) Financial Outlook; 2) Building Permits Report; 3) CWD Recycling Reports; 4) Collin County Tax Report; 5) Sales Tax Report; 6) Lavon Economic Development

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Corporation Board Report; 7) TexStar Newsletter; 8) Quarterly Investment Report; 9) Election information and 10) SH 205 Update.

#### **9. CITY COUNCIL TO SET FUTURE MEETINGS AND AGENDAS**

*Council Members and staff may request items be placed on a future agenda or request a special meeting.*

- September 3, 2019 City Council meeting and public hearing on tax rate
- September 7, 2019 Envision Lavon! Engagement Day – public input and feedback  
1:00 p.m. - 5:00 p.m.
- September 10, 2019 Special City Council meeting and public hearing on tax rate
- September 17, 2019 City Council meeting

#### **10. PRESIDING OFFICER TO ADJOURN THE CITY COUNCIL MEETING**

1. Notice is hereby given that members of the City Council, Lavon Economic Development Corporation Board, Planning and Zoning Commission, Parks and Recreation Board, and Reinvestment Zone #1 (TIF) Board of Directors may be in attendance at the meeting.

2. The Council reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551, including §551.071 (private consultation with the attorney for the City); §551.072 (discussing purchase, exchange, lease or value of real property); §551.074 (discussing personnel or to hear complaints against personnel); and §551.087 (discussing economic development negotiations). Any decision held on such matters will be taken or conducted in Open Session following the conclusion of the Executive Session.

This is to certify that this Agenda was duly posted on the City's website at [www.cityoflavon.com](http://www.cityoflavon.com) and at City Hall and on or before 6:00 PM on August 16, 2019.



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Kim Dobbs, City Administrator | City Secretary





## **CITY OF LAVON CITY COUNCIL Agenda Brief**

**MEETING:** August 20, 2019

**ITEM:** 3

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**Items:**

**BUDGET WORK SESSION**

Discussion regarding the financial status for current Fiscal Year (FY) 2018-19, budget amendment, budget calendar, anticipated commitments, departmental service levels, fee schedule, and projected needs and requests for FY 2019-20. Announce that public hearings are scheduled for September 3, 2019 and September 10, 2019 and that a vote is scheduled for September 17, 2019.

**Background:**

On August 6, 2019, in accordance with Truth in Taxation law requirements and for purposes of advertisement, the City Council identified a maximum proposed tax rate equal to the effective rate that by definition is the tax rate needed to raise the same revenues this year as last year for properties taxed in both years. At the time of the meeting, the Collin County Tax Office and city staff were still in the process of confirming calculations to determine the rollback tax rate which is the highest tax rate that the City may adopt before voters are entitled to petition for an election to limit the tax rate.

Since the August 6 meeting, the rollback tax rate calculation has been confirmed to be 0.478958. The draft proposed budget is prepared using a proposed tax rate of 0.478957, which is below the rollback and effective tax rates.

Among other things, the proposed tax rate of 0.478957 provides additional revenues that may fund capital improvement projects for repairs to Moore Lane, Lake Road, County Road 484 and drainage improvements to Wolf Run, Geren and other areas. Budget requests above and beyond FY 18-19 operations will include two police officers, fire department equipment and stipend program improvements, public works equipment and repairs to City Hall.

The proposed tax rate of 0.478957 does not require public hearings and is not subject to a rollback election, but because the effective rate was previously identified as the maximum tax rate that would be considered, public hearings have been scheduled on September 3, 2019 and

September 10, 2019 in accordance with Truth in Taxation guidelines. The budget calendar provides that the City Council will consider and vote on the proposed tax rate on September 17, 2019.

The draft general fund budget has been posted on the city's website and filed with the City Secretary's office for public inspection.

**Attachments:**      Budget Planning Calendar  
                             General Fund Budget Draft  
                             Notice of Tax Rate  
                             CIP worksheets  
                             Fee Schedule



## City of Lavon Budget Planning Calendar 2019-2020

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|                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>May-Jun</u> | Department Directors work on budget projections and packets                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <u>June 18</u> | Budget Work Session                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <u>July 16</u> | Budget Work Session (6pm)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <u>July 25</u> | Deadline for the appraisal district to certify values to taxing units                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <u>July 26</u> | Begin the calculation of effective and rollback tax rates.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <u>Aug 2</u>   | Post agenda for meeting to discuss proposed tax rate                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <u>Aug 6</u>   | Budget Work Session - City Council meeting to discuss the tax rate.<br><i>If the proposed rate is equal to or lower than the calculated effective and rollback rate, publish form 50-818 prior to September 1<sup>st</sup> and schedule required hearings/meetings and adopt proposed rate. If the proposed rate will exceed the effective or rollback rate (whichever is lower), schedule 2 required public hearings and the adoption of the tax rate. Publish form 50-819 to include those dates prior to September 1<sup>st</sup>.</i> |
| <u>Aug 7</u>   | Notify Collin County of proposed tax rate                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <u>Aug 9</u>   | Submit notice of public hearing – proposed budget to local newspaper                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <u>Aug 15</u>  | Deadline to post proposed budget on website<br>File with City Secretary office                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <u>Aug 20</u>  | Budget Work Session (6pm)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <u>Aug 21</u>  | Notice of public hearing – proposed budget in local newspaper                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <u>Aug 30</u>  | Post agenda for meeting                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <u>Sept 3</u>  | Public Hearing on tax rate, proposed budget and fee schedule<br>Schedule and announce the meeting date (9/17) to adopt tax rate                                                                                                                                                                                                                                                                                                                                                                                                           |
| <u>Sept 10</u> | <i>Special Meeting</i> Public Hearing on tax rate, proposed budget and fee schedule;<br>announce the meeting date (9/17) to adopt tax rate                                                                                                                                                                                                                                                                                                                                                                                                |
| <u>Sept 13</u> | Post agenda for meeting                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <u>Sept 17</u> | City Council Meeting to adopt:      Proposed Tax Rate<br>Proposed Budget and fee schedule                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <u>Sept 18</u> | Send information to Collin County                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

## Steps Required for Proposal and Adoption of Budget

Entity Name: City of Lavon

Date: 08/15/2019 09:44 AM

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### Steps for the Proposal of the Budget:

This year's property tax levy will not raise more revenue from property taxes than in the preceding year. A statement about "budget increase" as specified by §102.005(b) of the Local Government Code is not required to be included on the notice of public hearing on the proposed budget or on the cover of the proposed budget.

### Steps for the Adoption of the Budget:

- A vote to adopt the budget must be a record vote.
- An adopted budget must contain a cover page stating a record vote of each member of the governing body by name, the property tax rates for the current and preceding fiscal year, the total amount of debt obligations, and the following statement in 18 point font:  
**This budget will raise less revenue from property taxes than last year's budget by an amount of \$-224,793, which is a -16.79 percent decrease from last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is \$112,518.**
- The budget and cover page must be filed with the clerk and posted on the entity's website at least until the date of the first anniversary the budget is adopted.

**Section 26.05(b) of Property Tax Code**  
**Worksheet for Determination of Steps Required for Adoption of Tax Rate**  
**City of Lavon**

|                                                                                                                                                            |                  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| <b>M&amp;O Tax Increase in Current Year</b>                                                                                                                |                  |
| 1. Last year's taxable value, adjusted for court-ordered reductions.<br>Enter Line 6 of the Effective Tax Rate Worksheet.                                  | \$293,244,691    |
| 2. Last year's M&O tax rate.<br>Enter Line 26 of the Rollback Tax Rate Worksheet.                                                                          | \$0.221741/\$100 |
| 3. M&O taxes refunded for years preceding tax year 2018.<br>Enter Line 28E of the Rollback Tax Rate Worksheet.                                             | \$2,264          |
| 4. Last year's M&O tax levy. Multiply line 1 times line 2 and divide by 100. To the result, add line 3.                                                    | \$652,507        |
| 5. This year's total taxable value. Enter line 19 of the Effective Tax Rate Worksheet.                                                                     | \$232,572,122    |
| 6. This year's proposed M&O tax rate<br>Enter the proposed M&O tax rate approved by the Governing Body.                                                    | \$0.279393/\$100 |
| 7. This year's M&O tax levy. Multiply line 5 times line 6 and divide by 100.                                                                               | \$649,790        |
| 8. M&O Tax Increase (Decrease).<br>Subtract line 4 from line 7.                                                                                            | \$-2,717         |
| <b>Comparison of Total Tax Rates</b>                                                                                                                       |                  |
| 9. Effective Total Tax Rate.                                                                                                                               | \$0.530573/\$100 |
| 10. This year's proposed total tax rate.                                                                                                                   | \$0.478957/\$100 |
| 11. This year's rate minus effective rate. Subtract line 9 from line 10.                                                                                   | \$-0.051616      |
| 12. Percentage change in total tax rate. Divide Line 11 by line 9.                                                                                         | -9.73%           |
| <b>Comparison of M&amp;O Tax Rates</b>                                                                                                                     |                  |
| 13. Effective M&O Tax Rate. Enter line 30 of the Rollback Tax Rate Worksheet. Adjust for Sales Tax using Line 44 of the Sales Tax Worksheet, if necessary. | \$0.258699/\$100 |
| 14. This year's proposed M&O tax rate.                                                                                                                     | \$0.279393/\$100 |
| 15. This year's rate minus effective rate. Subtract line 13 from line 14.                                                                                  | \$0.020694       |
| 16. Percentage change in M&O tax rate. Divide line 15 by line 13.                                                                                          | 8.00%            |
| <b>Raised M&amp;O Taxes on a \$100,000 Home</b>                                                                                                            |                  |
| 17. This year's taxable value on a \$100,000 home.                                                                                                         | \$100,000        |
| 18. Last year's M&O tax rate.                                                                                                                              | \$0.221741/\$100 |
| 19. This year's proposed M&O tax rate.                                                                                                                     | \$0.279393/\$100 |
| 20. This year's raised M&O taxes.<br>Subtract line 18 from line 19 and multiply result by line 17. Divide by 100.                                          | \$57.65          |

**§26.05(b) of Property Tax Code  
Steps Required for Adoption of Tax Rate**

Entity Name: City of Lavon

Date: 08/15/2019 09:47 AM

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**Language Required in the Motion Setting This Year's Tax Rate:**

This year's proposed tax rate does not exceed the effective tax rate. A motion to adopt an ordinance, resolution, or order setting the tax rate does not require the language about "tax increase" as stated in §26.05(b) of Property Tax Code.

**Statement Required in the Ordinance, Resolution, or Order Setting This Year's Tax Rate:**

This year's tax levy to fund maintenance and operations expenditures does not exceed last year's maintenance and operations tax levy. The ordinance, resolution, or order setting this year's tax rate does not require the statements about "tax increase" as specified in §26.05(b) of Property Tax Code.

**Statement That Must be Posted on the Home Page of Any Internet Website Operated by the Taxing Unit:**

This year's tax levy to fund maintenance and operations expenditures does not exceed last year's maintenance and operations tax levy. A statement about "tax increase" as specified by §26.05(b) of Property Tax Code is not required to be included on the home page of any Internet website operated by City of Lavon.

# City of Lavon

## Fiscal Year 2019-2020

### Budget Cover Page

This budget will raise less revenue from property taxes than last year's budget by an amount of \$-224,793, which is a -16.79 percent decrease from last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is \$112,518.

The members of the governing body voted on the budget as follows:  
**FOR:**

**AGAINST:**

**PRESENT** and not voting:

**ABSENT:**

#### Property Tax Rate Comparison

|                                              | 2019-2020      | 2018-2019      |
|----------------------------------------------|----------------|----------------|
| Property Tax Rate:                           | \$0.478957/100 | \$0.455700/100 |
| Effective Tax Rate:                          | \$0.530573/100 | \$0.558367/100 |
| Effective Maintenance & Operations Tax Rate: | \$0.258699/100 | \$0.530186/100 |
| Rollback Tax Rate:                           | \$0.478958/100 | \$0.806559/100 |
| Debt Rate:                                   | \$0.199564/100 | \$0.233959/100 |

Total debt obligation for City of Lavon secured by property taxes: \$0

## Worksheet for Calculation of Tax Increase City of Lavon

Date: 08/15/2019 09:47 AM

|                                                                                                                    |                  |
|--------------------------------------------------------------------------------------------------------------------|------------------|
| 1. 2018 taxable value, adjusted for court-ordered reductions.<br>Enter Line 6 of the Effective Tax Rate Worksheet. | \$293,244,691    |
| 2. 2018 total tax rate.<br>Enter Line 4 of the Effective Tax Rate Worksheet.                                       | \$0.455700/\$100 |
| 3. 2018 tax levy. Multiply line 1 times line 2 and<br>divide by 100. To the result, add ETR line 13.               | \$1,338,713      |
| 4. 2019 total taxable value.<br>Enter line 19 of the Effective Tax Rate Worksheet.                                 | \$232,572,122    |
| 5. 2019 proposed tax rate.<br>Enter the proposed tax rate approved by the Governing Body.                          | \$0.478957/\$100 |
| 6. 2019 tax levy.<br>Multiply line 4 times line 5 and divide by 100.                                               | \$1,113,920      |
| 7. Tax levy increase (decrease).<br>Subtract line 3 from line 6.                                                   | \$-224,793       |
| 8. Percentage levy increase (decrease).<br>Divide line 7 by line 3. Multiply by 100.                               | -16.79%          |
| 9. Notice & hearing limit.<br>Enter the lower of the effective tax rate or the rollback tax rate.                  | \$0.478958       |
| 10. Percentage tax increase (decrease)*.<br>Subtract Line 9 from Line 5. Divide result by Line 9. Multiply by 100. | 0.00%            |

\*Amount by which the proposed tax rate exceed the lower of the rollback tax rate or the effective tax rate. This figure was previously published in the Notice of Public Hearing on Tax Increase and the Notice of Tax Revenue Increase.



# **CITY OF LAVON PROPOSED GENERAL FUND BUDGET**

**Assumption: Tax rate of 0.478958 that  
will raise less revenue from property  
tax than last year's budget**

**Posted on website and  
filed with the City Secretary**

**August 16, 2019**

**DRAFT**

# City of Lavon

## Fiscal Year 2019-2020

### Budget Cover Page

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The members of the governing body voted on the budget as follows:

**FOR:**

**AGAINST:**

**PRESENT** and not voting:

**ABSENT:**

#### Property Tax Rate Comparison

|                                              | 2019-2020      | 2018-2019      |
|----------------------------------------------|----------------|----------------|
| Property Tax Rate:                           | \$0.478957/100 | \$0.455700/100 |
| Effective Tax Rate:                          | \$0.530573/100 | \$0.558367/100 |
| Effective Maintenance & Operations Tax Rate: | \$0.258699/100 | \$0.530186/100 |
| Rollback Tax Rate:                           | \$0.478958/100 | \$0.806559/100 |
| Debt Rate:                                   | \$0.199564/100 | \$0.233959/100 |

Total debt obligation for City of Lavon secured by property taxes: \$0

# DRAFT

## Steps Required for Proposal and Adoption of Budget

Entity Name: City of Lavon

Date: 08/15/2019 09:44 AM

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### Steps for the Adoption of the Budget:

-A vote to adopt the budget must be a record vote.

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# DRAFT

**§26.05(b) of Property Tax Code  
Steps Required for Adoption of Tax Rate**

Entity Name: City of Lavon

Date: 08/15/2019 09:47 AM

**Language Required in the Motion Setting This Year's Tax Rate:**

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**Statement Required in the Ordinance, Resolution, or Order Setting This Year's Tax Rate:**

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**Statement That Must be Posted on the Home Page of Any Internet Website Operated by the Taxing Unit:**

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**DRAFT**



## City of Lavon Budget Planning Calendar 2019-2020

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|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>May-Jun</u> | Department Directors work on budget projections and packets                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <u>June 18</u> | Budget Work Session                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <u>July 16</u> | Budget Work Session (6pm)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <u>July 25</u> | Deadline for the appraisal district to certify values to taxing units                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <u>July 26</u> | Begin the calculation of effective and rollback tax rates.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <u>Aug 2</u>   | Post agenda for meeting to discuss proposed tax rate                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <u>Aug 6</u>   | Budget Work Session - City Council meeting to discuss the tax rate.<br><i>If the proposed rate is <u>equal to or lower than</u> the calculated effective and rollback rate, publish form 50-818 prior to September 1<sup>st</sup> and schedule required hearings/meetings and adopt proposed rate. If the proposed rate will <u>exceed</u> the effective or rollback rate (whichever is lower), schedule 2 required public hearings and the adoption of the tax rate. Publish form 50-819 to include those dates prior to September 1<sup>st</sup>.</i> |
| <u>Aug 7</u>   | Notify Collin County of proposed tax rate                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <u>Aug 9</u>   | Submit notice of public hearing – proposed budget to local newspaper                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <u>Aug 15</u>  | Deadline to post proposed budget on website<br>File with City Secretary office                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <u>Aug 20</u>  | Budget Work Session (6pm)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <u>Aug 21</u>  | Notice of public hearing – proposed budget in local newspaper                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <u>Aug 30</u>  | Post agenda for meeting                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <u>Sept 3</u>  | Public Hearing on tax rate, proposed budget and fee schedule<br>Schedule and announce the meeting date (9/17) to adopt tax rate                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <u>Sept 10</u> | <i>Special Meeting</i> Public Hearing on tax rate, proposed budget and fee schedule;<br>announce the meeting date (9/17) to adopt tax rate                                                                                                                                                                                                                                                                                                                                                                                                              |
| <u>Sept 13</u> | Post agenda for meeting                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <u>Sept 17</u> | City Council Meeting to adopt:      Proposed Tax Rate<br>Proposed Budget and fee schedule                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <u>Sept 18</u> | Send information to Collin County                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

# DRAFT

**GENERAL FUND**
**2016-17  
ACTUAL**
**2017-18  
ACTUAL**
**2018-19  
ORIGINAL  
BUDGET**
**2018-19  
AMENDED #2  
BUDGET**
**2018-19 PROP  
AMENDED #3  
BUDGET**
**2018-19  
PROJECTED**
**2019-20  
PROPOSED**

based on a tax rate of 0.478957

09-18-2018

05-21-2019

8-20-2019

8-20-2019

8-20-2019

| <b>SOURCE OF FUNDS</b>   |                                     |                  |                  |                  |                  |                  |                  |                  |
|--------------------------|-------------------------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|
|                          | 10-1570 - Beginning Resources       | 216,193          | 243,734          | 482,462          | 485,438          | 485,438          | 485,438          | 524,653          |
| <b>REVENUE - CURRENT</b> |                                     |                  |                  |                  |                  |                  |                  |                  |
|                          | <b>Taxes</b>                        |                  |                  |                  |                  |                  |                  |                  |
|                          | 10-1600 - Franchise Tax             | 118,183          | 128,608          | 130,000          | 140,000          | 145,000          | 145,000          | 150,000          |
|                          | 10-1601 - Property Tax              | 1,161,581        | 1,300,919        | 987,176          | 709,633          | 714,947          | 714,947          | 1,087,181        |
|                          | 10-1602 - Sales & Use Tax           | 157,621          | 204,435          | 155,000          | 175,000          | 208,000          | 208,000          | 208,000          |
|                          | <b>Total Taxes</b>                  | <b>1,437,385</b> | <b>1,633,962</b> | <b>1,272,176</b> | <b>1,024,633</b> | <b>1,067,947</b> | <b>1,067,947</b> | <b>1,445,181</b> |
|                          | <b>Transfers to Reimburse GF</b>    |                  |                  |                  |                  |                  |                  |                  |
|                          | 10-1200 - Solid Waste for admin svc | 168,000          | 172,000          | 172,000          | 172,000          | 172,000          | 172,000          | 172,000          |
|                          | 10-1201 - Sewer for admin svc       | 120,000          | 120,000          | 120,000          | 120,000          | 120,000          | 120,000          | 100,000          |
|                          | 10-1511 - Tobacco Grant             | -                | 3,300            | -                | -                | -                | -                | -                |
|                          | 10-1512 - Court Security            | -                | 4,000            | -                | -                | -                | -                | -                |
|                          | 10-3675 - LEDC for I&S              | 13,866           | 13,466           | 13,066           | 13,066           | 13,066           | 13,066           | 13,650           |
|                          | 10-3676 - Sewer for I&S             | -                | -                | 451,213          | 451,213          | 451,213          | 451,213          | 450,482          |
|                          | 10-3680 - Public Safety Radios      | -                | -                | 27,062           | 27,062           | 27,062           | 27,062           | 27,061           |
|                          | 10- LEDC for Consulting             | -                | -                | -                | -                | 3,000            | 3,000            | -                |
|                          | <b>Total Transfers</b>              | <b>301,866</b>   | <b>312,766</b>   | <b>783,341</b>   | <b>783,341</b>   | <b>786,341</b>   | <b>786,341</b>   | <b>763,193</b>   |
|                          | <b>Municipal Court</b>              |                  |                  |                  |                  |                  |                  |                  |
|                          | 10-1301 - Court Fees                | 3,652            | 2,385            | 3,000            | 3,000            | 3,000            | 2,320            | 2,320            |
|                          | <b>Total Municipal Court</b>        | <b>3,652</b>     | <b>2,385</b>     | <b>3,000</b>     | <b>3,000</b>     | <b>3,000</b>     | <b>2,320</b>     | <b>2,320</b>     |
|                          | <b>Administration</b>               |                  |                  |                  |                  |                  |                  |                  |
|                          | 10-1400 - Administrative Fee        | 14,145           | 23,000           | 17,000           | 17,000           | 17,000           | 16,000           | 20,000           |
|                          | 10-1401 - Banking Interest          | 328              | 4,835            | 6,428            | 6,428            | 6,428            | 3,035            | 2,689            |
|                          | 10-1403 - Utility Late Fees         | 22,666           | 22,350           | 20,000           | 20,000           | 23,457           | 23,547           | 23,000           |
|                          | 10-1404 - Photocopies               | 50               | 10               | -                | -                | -                | -                | -                |
|                          | 10-1408 - Restitution Pay           | 4,750            | 2,446            | -                | -                | -                | -                | -                |
|                          | 10-1410 - Comm Ctr/Pav Rent Fees    | 11,594           | 12,500           | 10,000           | 10,000           | 10,000           | 11,000           | 7,000            |
|                          | <b>Total Administration</b>         | <b>53,533</b>    | <b>65,141</b>    | <b>53,428</b>    | <b>53,428</b>    | <b>56,885</b>    | <b>53,582</b>    | <b>52,689</b>    |

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| GENERAL FUND |                                            | 2016-17<br>ACTUAL | 2017-18<br>ACTUAL | 2018-19<br>ORIGINAL<br>BUDGET | 2018-19<br>AMENDED #2<br>BUDGET | 2018-19 PROP<br>AMENDED #3<br>BUDGET | 2018-19<br>PROJECTED | 2019-20<br>PROPOSED |
|--------------|--------------------------------------------|-------------------|-------------------|-------------------------------|---------------------------------|--------------------------------------|----------------------|---------------------|
|              | <b>Operations</b>                          |                   |                   |                               |                                 |                                      |                      |                     |
|              | 10-1500 · Food Serv Insp Permits           | 3,875             | 3,200             | 4,000                         | 4,000                           | 4,000                                | 4,000                | 4,000               |
|              | 10-1501 · General Permit Fees              | 41,797            | 66,383            | 46,000                        | 46,000                          | 60,261                               | 60,261               | -                   |
|              | 10-1502 · Bldg Permit Fees                 | 137,454           | 319,744           | 20,000                        | 35,000                          | 35,000                               | 35,000               | 166,500             |
|              | 10-1503 · OSSF Permit Fees                 | 1,400             | 600               | 500                           | 500                             | 500                                  | 800                  | 500                 |
|              | 10-1504 · PD Fines / Fees                  | 91,673            | 64,150            | 65,000                        | 65,000                          | 65,000                               | 60,000               | 60,000              |
|              | 10-1505 · PD Warrant Fines / Fees          | 3,970             | 4,800             | 5,000                         | 5,000                           | 5,000                                | 3,500                | 3,500               |
|              | 10-1506 · Sale of Property                 | 21                | 1,275             | 2,000                         | 2,000                           | 4,824                                | 4,824                | 500                 |
|              | 10-1508 · PD Contract                      | 20,331            | 36,500            | 64,500                        | 64,500                          | 64,500                               | 64,500               | -                   |
|              | 10-1513 - Infrastructure Inspection Fees   | -                 | 56,662            | 75,000                        | 166,000                         | 212,618                              | 212,618              | 115,000             |
|              | 10-1514 - Building Rent - LEDC             | -                 | -                 | 2,000                         | 2,000                           | 2,000                                | 2,000                | 2,000               |
|              | 10-1515 - Fire Permit & Insp Fees          | -                 | -                 | 1,000                         | 1,000                           | 1,000                                | -                    | 200                 |
|              | <b>Total Operations</b>                    | <b>300,520</b>    | <b>553,314</b>    | <b>285,000</b>                | <b>391,000</b>                  | <b>454,703</b>                       | <b>447,503</b>       | <b>352,200</b>      |
|              |                                            |                   |                   |                               |                                 |                                      |                      |                     |
|              | <b>Total General Fund Current Revenues</b> | <b>2,096,956</b>  | <b>2,567,568</b>  | <b>2,396,945</b>              | <b>2,255,402</b>                | <b>2,368,876</b>                     | <b>2,357,693</b>     | <b>2,615,583</b>    |
|              |                                            |                   |                   |                               |                                 |                                      |                      |                     |
|              | <b>TOTAL SOURCES OF FUNDS</b>              | <b>2,313,149</b>  | <b>2,811,302</b>  | <b>2,879,407</b>              | <b>2,740,840</b>                | <b>2,854,314</b>                     | <b>2,843,131</b>     | <b>3,140,236</b>    |

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| GENERAL FUND                    |                                | 2016-17<br>ACTUAL | 2017-18<br>ACTUAL | 2018-19<br>ORIGINAL<br>BUDGET | 2018-19<br>AMENDED #2<br>BUDGET | 2018-19 PROP<br>AMENDED #3<br>BUDGET | 2018-19<br>PROJECTED | 2019-20<br>PROPOSED |
|---------------------------------|--------------------------------|-------------------|-------------------|-------------------------------|---------------------------------|--------------------------------------|----------------------|---------------------|
| <b>EXPENDITURES</b>             |                                |                   |                   |                               |                                 |                                      |                      |                     |
| <b>Municipal Court Services</b> |                                |                   |                   |                               |                                 |                                      |                      |                     |
|                                 | 20-6001 · Credit Card Fees     | 3,065             | 3,200             | 3,200                         | 3,200                           | 3,200                                | 1,500                | 1,500               |
|                                 | 20-6006 · Jury Panel           | 75                | 216               | 150                           | 150                             | 150                                  | 150                  | 250                 |
|                                 | 20-6007 · Health Insurance     | 7,530             | 8,501             | 8,600                         | 8,600                           | 8,600                                | 8,600                | 8,500               |
|                                 | 20-6250 · Office Supplies      | 577               | 1,500             | 1,500                         | 1,500                           | 1,500                                | 1,500                | 1,500               |
|                                 | 20-6300 · Payroll              | 56,131            | 64,349            | 64,638                        | 64,638                          | 64,638                               | 62,093               | 63,891              |
|                                 | 20-6302 · Payroll - Judge      | 3,629             | 3,800             | 3,500                         | 3,500                           | 3,500                                | 3,500                | 3,500               |
|                                 | 20-6303 · Payroll - Prosecutor | 3,708             | 3,500             | 3,500                         | 3,500                           | 3,500                                | 3,500                | 3,500               |
|                                 | 30- FICA                       | -                 | -                 | 4,442                         | 4,442                           | 4,442                                | 4,284                | 4,395               |
|                                 | 30- Medicare                   | -                 | -                 | 166                           | 166                             | 166                                  | 164                  | 165                 |
|                                 | 30- Retirement                 | -                 | -                 | 4,347                         | 4,347                           | 4,347                                | 4,176                | 4,344               |
|                                 | 20-6400 · Postal Fees          | 220               | 300               | 450                           | 450                             | 450                                  | 450                  | 450                 |
|                                 | 20-6800 · Training             | 911               | 350               | 1,000                         | 1,000                           | 1,000                                | 1,000                | 1,000               |
|                                 | <b>Total Municipal Court</b>   | <b>75,846</b>     | <b>85,716</b>     | <b>95,492</b>                 | <b>95,492</b>                   | <b>95,492</b>                        | <b>90,916</b>        | <b>92,995</b>       |

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| GENERAL FUND |                                        | 2016-17<br>ACTUAL | 2017-18<br>ACTUAL | 2018-19<br>ORIGINAL<br>BUDGET | 2018-19<br>AMENDED #2<br>BUDGET | 2018-19 PROP<br>AMENDED #3<br>BUDGET | 2018-19<br>PROJECTED | 2019-20<br>PROPOSED |
|--------------|----------------------------------------|-------------------|-------------------|-------------------------------|---------------------------------|--------------------------------------|----------------------|---------------------|
|              | <b>Administration Services</b>         |                   |                   |                               |                                 |                                      |                      |                     |
|              | 30-6010 · Adv. Notices & Pubs          | 6,508             | 7,000             | 7,500                         | 7,500                           | 7,500                                | 7,500                | 7,500               |
|              | 30-6011 · Automobile Allowance         | 2,400             | 2,400             | 2,400                         | 2,400                           | 2,400                                | 2,400                | 3,600               |
|              | 30-6015 · Building Supplies            | 1,830             | 1,500             | 2,000                         | 2,000                           | 2,000                                | 2,000                | 2,000               |
|              | 30-6020 · Cell Phone                   | 885               | 1,000             | 1,500                         | 1,500                           | 1,500                                | 500                  | 500                 |
|              | 30-6060 · Computer (Srvr/Sftwr)        | 1,672             | 2,500             | 5,500                         | 15,200                          | 250                                  | 250                  | 15,500              |
|              | 30-6065 · Council Supplies             | 725               | 1,350             | 1,500                         | 1,500                           | 1,500                                | 1,500                | 2,500               |
|              | 30-6070 · Cleaning                     | 5,585             | 5,640             | 5,640                         | 5,640                           | 5,640                                | 5,640                | 6,400               |
|              | 30-6080 · CPA                          | 950               | 800               | 1,000                         | 1,000                           | 1,000                                | 1,000                | 1,000               |
|              | 30-6081 · Drinking Water All Depts     | 819               | 500               | 1,000                         | 1,000                           | 1,000                                | 1,000                | 1,000               |
|              | 30-6100 · Dues & Fees                  | 2,200             | 3,600             | 5,130                         | 5,130                           | 5,130                                | 5,130                | 5,130               |
|              | 30-6101 · Elections                    | 12,589            | 5,038             | 7,500                         | 7,500                           | 7,500                                | 7,500                | 7,500               |
|              | 30-6103 · Health Insurance             | 29,480            | 31,110            | 34,400                        | 34,400                          | 34,400                               | 34,400               | 34,000              |
|              | 30-6104 · Community Events             | 4,500             | 4,500             | 5,000                         | 6,000                           | 6,000                                | 6,000                | 6,000               |
|              | 30-6105 · Mileage & Meals              | -                 | 500               | 1,000                         | 1,000                           | 1,000                                | 1,000                | 1,000               |
|              | 30-6250 · Office Supplies              | 3,138             | 3,000             | 3,500                         | 3,500                           | 3,500                                | 3,500                | 3,500               |
|              | 30-6251 · Office Furniture             | 1,000             | -                 | 750                           | 750                             | 750                                  | 750                  | 750                 |
|              | 30-6252 · Office Equipment             | 3,500             | -                 | 4,500                         | 4,500                           | 3,000                                | 1,500                | 1,500               |
|              | 30-6299 · Payroll - Admin Staff        | 187,858           | 203,859           | 216,371                       | 216,371                         | 216,371                              | 216,371              | 223,089             |
|              | 30- FICA                               | -                 | -                 | 13,415                        | 13,415                          | 13,415                               | 13,415               | 13,832              |
|              | 30- Medicare                           | -                 | -                 | 3,137                         | 3,137                           | 3,137                                | 3,137                | 3,235               |
|              | 30- Retirement                         | -                 | -                 | 13,572                        | 13,572                          | 13,572                               | 13,572               | 17,401              |
|              | 30-6324 · Comm Events Monitors         | 8,234             | 8,400             | 7,500                         | 7,500                           | 7,500                                | 7,500                | 7,500               |
|              | 30-6400 · Postal Fees                  | 162               | 200               | 250                           | 250                             | 250                                  | 250                  | 250                 |
|              | 30-6415 · Records Storage              | 1,400             | 1,680             | -                             | -                               | -                                    | -                    | -                   |
|              | 30-6450 · Sales Tax Rebate             | 3,750             | 24,720            | 5,000                         | 15,000                          | 15,000                               | 15,000               | 15,000              |
|              | 30-6500 · Software/Website             | 3,566             | 3,500             | 1,000                         | 1,000                           | 1,000                                | 1,000                | 1,000               |
|              | 30-6800 · Training                     | 1,602             | 2,400             | 2,500                         | 2,500                           | 2,500                                | 2,500                | 2,500               |
|              | 30- - Team Development                 | -                 | -                 | -                             | -                               | -                                    | -                    | 4,100               |
|              | 30-7000 · Electric                     | 6,523             | 6,400             | 5,000                         | 5,000                           | 5,000                                | 5,000                | 5,000               |
|              | 30-7002 · Natural Gas                  | 2,525             | 4,100             | 4,500                         | 4,500                           | 4,500                                | 4,500                | 4,500               |
|              | 30-7003 · Telephone                    | 6,091             | 6,200             | 6,200                         | 6,200                           | 6,200                                | 6,200                | 6,200               |
|              | 30-7004 · Water                        | 556               | 1,000             | 750                           | 750                             | 750                                  | 750                  | 750                 |
|              | <b>Total Administration Operations</b> | <b>300,048</b>    | <b>332,898</b>    | <b>369,015</b>                | <b>389,715</b>                  | <b>373,265</b>                       | <b>370,765</b>       | <b>403,736</b>      |
|              | <b>Administration Capital Outlay</b>   |                   |                   |                               |                                 |                                      |                      |                     |
|              | 50-8150 City Hall improvements         | -                 | -                 | 1,500                         | 1,500                           | 1,500                                | 1,500                | 1,500               |
|              | <b>Total Admin Capital Outlay</b>      | <b>-</b>          | <b>-</b>          | <b>1,500</b>                  | <b>1,500</b>                    | <b>1,500</b>                         | <b>1,500</b>         | <b>1,500</b>        |
|              | <b>Total Administration Services</b>   | <b>300,048</b>    | <b>332,898</b>    | <b>370,515</b>                | <b>391,215</b>                  | <b>374,765</b>                       | <b>372,265</b>       | <b>405,236</b>      |

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| GENERAL FUND |                                       | 2016-17<br>ACTUAL | 2017-18<br>ACTUAL | 2018-19<br>ORIGINAL<br>BUDGET | 2018-19<br>AMENDED #2<br>BUDGET | 2018-19 PROP<br>AMENDED #3<br>BUDGET | 2018-19<br>PROJECTED | 2019-20<br>PROPOSED |
|--------------|---------------------------------------|-------------------|-------------------|-------------------------------|---------------------------------|--------------------------------------|----------------------|---------------------|
|              | <b>Fire Services</b>                  |                   |                   |                               |                                 |                                      |                      |                     |
|              | <b>Fire Operations</b>                |                   |                   |                               |                                 |                                      |                      |                     |
|              | 40-5000 - ALS Med Supplies            | 826               | 1,300             | 950                           | 950                             | 950                                  | 890                  | 2,000               |
|              | 40-5001 - Apparatus Maintenance       | 3,107             | 7,000             | 5,000                         | 5,000                           | 5,000                                | 4,500                | 5,000               |
|              | 40-5002 - Asset Tags/Metal            | 378               | -                 | 300                           | 300                             | 300                                  | 250                  | 300                 |
|              | 40-5007 - Radio/Antenna Install       | 975               | -                 | 1,210                         | 1,210                           | 1,210                                | 50                   | 1,200               |
|              | 40-5008 - Cleaning FD                 | -                 | 700               | 2,400                         | 1,600                           | 1,600                                | 1,575                | -                   |
|              | *40-5010 - Comp/IT Items/Printer      | -                 | -                 | 2,250                         | 9,350                           | 9,350                                | 9,290                | 2,500               |
|              | *40-6002 - Equipment Maint Rep        | -                 | 500               | 500                           | 1,300                           | 1,300                                | 1,225                | 2,500               |
|              | *40-6010 - Fuel                       | -                 | 200               | 1,500                         | 3,900                           | 3,900                                | 2,966                | 4,000               |
|              | 40-6073 - FD Dispatch                 | -                 | -                 | 11,778                        | 11,778                          | 14,188                               | 14,188               | -                   |
|              | *42-6101 - VFD Dues & Fees            | -                 | 575               | 1,350                         | 2,050                           | 2,050                                | 1,427                | 3,000               |
|              | 40-6120 - Internet/Wifi - FD          | 722               | 1,640             | 1,750                         | 1,750                           | 2,492                                | 2,492                | 2,000               |
|              | 40-6130 - Lifepac Heart Monitor       | 1,000             | -                 | -                             | -                               | -                                    | -                    | -                   |
|              | 40-6131 - Helmet EMS PK               | 1,750             | 762               | -                             | -                               | -                                    | -                    | -                   |
|              | *40-6147 - Postage - FD               | -                 | -                 | 25                            | 75                              | 75                                   | 70                   | 75                  |
|              | 40-6148 - PPE/ Bunker Gear & Maint    | 3,500             | 14,000            | 15,200                        | 15,200                          | 15,200                               | 7,509                | 10,000              |
|              | 40-6200 - Safety/Fire Equipment       | 300               | 32,850            | 9,980                         | 9,980                           | 7,500                                | 7,500                | 10,000              |
|              | 40-6201 - Fire Hose                   | 1,000             | 2,160             | 1,400                         | 1,400                           | 1,400                                | 1,400                | 2,000               |
|              | 40-6204 - NFPA Pump/Ladder Test       | 400               | 550               | 500                           | 500                             | 500                                  | 500                  | 1,000               |
|              | *42-6205 - Payroll                    |                   |                   |                               | 61,500                          | 61,500                               | 61,500               | 63,345              |
|              | *42- FICA                             | -                 | -                 | -                             | 4,051                           | 4,051                                | 4,051                | 4,051               |
|              | *42- Medicare                         | -                 | -                 | -                             | 947                             | 947                                  | 947                  | 947                 |
|              | *42 - Retirement                      | -                 | -                 | -                             | 4,098                           | 4,098                                | 4,098                | 4,941               |
|              | *42-6206 - Health Insurance           | 7,536             | 8,501             |                               | 7,200                           | 7,200                                | 7,200                | 8,500               |
|              | 40-6207 - PT Personnel Stipend        | 22,125            | 3,150             | 25,050                        | 25,050                          | 25,050                               | 22,700               | 22,700              |
|              | *40-6208 - Graphics/Uniforms          | 787               | 700               | 1,500                         | 1,850                           | 1,850                                | 1,850                | 3,000               |
|              | *42-6209 - Mobile Technology          |                   |                   |                               | 1,200                           | 1,200                                | 900                  | 1,500               |
|              | 40-6210 - Fire Services               | -                 | 7,500             | 2,000                         | 1,000                           | 1,000                                | 400                  | 500                 |
|              | *40-6250 - Office Supplies - FD       | 828               | 500               | 1,000                         | 1,200                           | 2,000                                | 2,000                | 1,500               |
|              | *40-6261 - Travel/ Conf / Meals       | 1,000             | 850               | 3,300                         | 4,000                           | 4,000                                | 2,500                | 6,000               |
|              | 40-7000 - Electric                    | 1,965             | 1,500             | 2,500                         | 2,500                           | 3,600                                | 3,600                | 4,000               |
|              | 40-7001 - Natural Gas                 | 678               | 700               | 1,000                         | 1,000                           | 1,000                                | 630                  | 1,000               |
|              | 40-7002 - Water                       | 404               | 700               | 850                           | 850                             | 850                                  | 850                  | 1,000               |
|              | 40-7003 - Storm Siren and Maintenance | -                 | -                 | 1,800                         | 5,300                           | 7,331                                | 7,331                | 1,000               |
|              | 40-7004 - Telephone                   | 148               |                   | -                             | -                               | -                                    | -                    |                     |
|              | 40-7005 - EOC Fire Alarm Monitoring   | -                 | 180               | 720                           | 720                             | 720                                  | 720                  | 720                 |
|              | <b>Total Fire Operations</b>          | <b>49,428</b>     | <b>86,518</b>     | <b>95,813</b>                 | <b>188,809</b>                  | <b>193,412</b>                       | <b>177,109</b>       | <b>170,279</b>      |

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| GENERAL FUND |                                             | 2016-17<br>ACTUAL | 2017-18<br>ACTUAL | 2018-19<br>ORIGINAL<br>BUDGET | 2018-19<br>AMENDED #2<br>BUDGET | 2018-19 PROP<br>AMENDED #3<br>BUDGET | 2018-19<br>PROJECTED | 2019-20<br>PROPOSED |
|--------------|---------------------------------------------|-------------------|-------------------|-------------------------------|---------------------------------|--------------------------------------|----------------------|---------------------|
|              | consolidated Fire Marshal budget            |                   |                   |                               |                                 |                                      |                      |                     |
|              | <b>Fire Marshal</b>                         |                   |                   |                               |                                 |                                      |                      |                     |
|              | 42-5010 · Comp/IT Items/Printer             | 4,513             | 1,600             | 200                           | -                               | -                                    | -                    | -                   |
|              | 42-6002 · Equipment Maint Rep               | 1,104             | 1,000             | 800                           | -                               | -                                    | -                    | -                   |
|              | 42-6010 · Fuel                              | 5,429             | 2,500             | 2,400                         | -                               | -                                    | -                    | -                   |
|              | 42-6101 · Fire Marshal Dues & Fees          | 594               | 585               | 700                           | -                               | -                                    | -                    | -                   |
|              | 42-6145 · Office Furniture - FD             | 500               | 250               | -                             | -                               | -                                    | -                    | -                   |
|              | 42-6147 · Postage - FD                      | 49                | 25                | 50                            | -                               | -                                    | -                    | -                   |
|              | 42-6205 · Payroll                           | 61,800            | 64,101            | 65,331                        | -                               | -                                    | -                    | -                   |
|              | 42- FICA                                    | -                 | -                 | 4,051                         | -                               | -                                    | -                    | -                   |
|              | 42- Medicare                                | -                 | -                 | 947                           | -                               | -                                    | -                    | -                   |
|              | 42 - Retirement                             | -                 | -                 | 4,098                         | -                               | -                                    | -                    | -                   |
|              | 42-6206 · Health Insurance                  | 7,536             | 8,501             | 8,600                         | -                               | -                                    | -                    | -                   |
|              | 42-6208 · Graphics/Uniforms                 | -                 | 500               | 350                           | -                               | -                                    | -                    | -                   |
|              | 42-6209 · Mobile Technology                 | 702               | 900               | 1,200                         | -                               | -                                    | -                    | -                   |
|              | 42-6250 · Office Supplies - FD              | -                 | 300               | 200                           | -                               | -                                    | -                    | -                   |
|              | 42-6261 - Travel/ Conf / Meals              | -                 | 500               | 700                           | -                               | -                                    | -                    | -                   |
|              | <b>Total Fire Marshal</b>                   | <b>82,226</b>     | <b>80,762</b>     | <b>89,627</b>                 | <b>-</b>                        | <b>-</b>                             | <b>-</b>             | <b>-</b>            |
|              | <b>Fire Capital Outlay</b>                  |                   |                   |                               |                                 |                                      | -                    | -                   |
|              | 50-8009 · Fire 2013 Spartan fy23            | 22,502            | 22,502            | 22,501                        | 22,501                          | 22,501                               | 22,501               | 22,501              |
|              | 50-8020 · Fire Marshal SUV fy21             | 12,803            | 12,803            | 12,803                        | 12,803                          | 12,803                               | 12,803               | 12,803              |
|              | 50-8113 - FD furnishings and EOC technology | -                 | 19,500            | 11,800                        | 28,000                          | 28,000                               | 28,000               | 28,000              |
|              | 50-8117 - Fire Quick Response fy21          | -                 | -                 | 19,862                        | 29,862                          | 29,862                               | 29,862               | 29,862              |
|              | 50-8118 - FD-EOC-PD Signage                 | -                 | -                 | 5,000                         | -                               | -                                    | -                    | 1,000               |
|              | 50-8119 Fire Radios                         | -                 | -                 | 9,337                         | 9,337                           | 9,337                                | 9,337                | 9,337               |
|              | <b>Total Fire Capital Outlay</b>            | <b>35,305</b>     | <b>54,805</b>     | <b>81,303</b>                 | <b>102,503</b>                  | <b>102,503</b>                       | <b>102,503</b>       | <b>103,503</b>      |
|              | <b>Total Fire Services</b>                  | <b>166,959</b>    | <b>222,085</b>    | <b>266,743</b>                | <b>291,312</b>                  | <b>295,915</b>                       | <b>279,612</b>       | <b>273,782</b>      |

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| GENERAL FUND |                                                      | 2016-17<br>ACTUAL | 2017-18<br>ACTUAL | 2018-19<br>ORIGINAL<br>BUDGET | 2018-19<br>AMENDED #2<br>BUDGET | 2018-19 PROP<br>AMENDED #3<br>BUDGET | 2018-19<br>PROJECTED | 2019-20<br>PROPOSED |
|--------------|------------------------------------------------------|-------------------|-------------------|-------------------------------|---------------------------------|--------------------------------------|----------------------|---------------------|
|              | <b>Police Services</b>                               |                   |                   |                               |                                 |                                      |                      |                     |
|              | <b>Police Operations</b>                             |                   |                   |                               |                                 |                                      |                      |                     |
|              | 40-6015 · Audio Visual                               | 1,490             | 2,200             | 2,300                         | 2,300                           | 2,300                                | 2,000                | 2,500               |
|              | 40-6018 · Protective Gear (formerly Body Armor - PD) | 600               | 690               | 1,500                         | 1,500                           | 1,500                                | 1,200                | 500                 |
|              | 40-6019 · Ballistic Helmet - PD                      | 5,070             | 420               | -                             | -                               | -                                    | -                    | -                   |
|              | 40-6021 · Mobile Technology                          | 9,270             | 11,600            | 9,600                         | 9,600                           | 9,600                                | 9,000                | 9,600               |
|              | 40-6050 · Child Abuse Interlocal                     | 1,500             | 1,500             | 1,500                         | 1,500                           | 1,500                                | 1,500                | 1,500               |
|              | 40-6055 · Cleaning                                   | 4,150             | 4,200             | 4,200                         | 4,200                           | 4,200                                | 4,200                | 4,800               |
|              | 40-6061 · Computers                                  | 9,500             | 15,600            | 4,000                         | 4,000                           | 4,000                                | 3,000                | 6,400               |
|              | 40-6070 · Crime Prevention                           | 1,554             | 1,800             | 1,800                         | 1,800                           | 1,800                                | 1,800                | 1,800               |
|              | 40-6071 · Database Services                          | 350               | 2,500             | 2,600                         | 2,600                           | 2,600                                | 2,500                | 2,500               |
|              | 40-6072 · Dispatch                                   | 24,998            | 40,132            | 43,298                        | 43,298                          | 43,298                               | 43,298               | 45,000              |
|              | 40-6102 · Dues & Fees                                | 619               | 500               | 700                           | 700                             | 700                                  | 600                  | 700                 |
|              | 40-6140 · Emergency Equipment                        | 3,114             | 3,500             | 4,000                         | 4,000                           | 4,000                                | 3,500                | 4,000               |
|              | 40-6141 · Explorer Post Program                      | 1,000             | 1,500             | 2,500                         | 2,500                           | 2,500                                | 1,100                | 2,500               |
|              | 40-6143 · Health Insurance                           | 50,757            | 60,225            | 77,400                        | 77,400                          | 77,400                               | 77,400               | 85,000              |
|              | 40-6146 · Travel / Meals                             | 350               | 300               | 500                           | 500                             | 500                                  | 100                  | 500                 |
|              | 40-6150 · Inmate Boarding                            | 418               | 1,000             | 1,500                         | 1,500                           | 1,500                                | 1,000                | 1,500               |
|              | 40-6252 · Office Equipment                           | 550               | 1,235             | 1,000                         | 1,000                           | 1,000                                | 800                  | 1,500               |
|              | 40-6253 · Office Supplies                            | 2,272             | 2,000             | 3,000                         | 3,000                           | 3,000                                | 3,000                | 3,000               |
|              | 40-6255 · Patrol Rifle / Firearms                    | 475               | -                 | 600                           | 600                             | 600                                  | 600                  | -                   |
|              | 40-6300 · Payroll                                    | 441,310           | 467,158           | 524,280                       | 524,280                         | 524,280                              | 515,386              | 530,737             |
|              | 40- FICA                                             | -                 | -                 | 32,505                        | 32,505                          | 32,505                               | 31,954               | 32,906              |
|              | 40- Medicare                                         | -                 | -                 | 7,602                         | 7,602                           | 7,602                                | 7,473                | 7,696               |
|              | 40- Retirement                                       | -                 | -                 | 32,885                        | 32,885                          | 32,885                               | 32,328               | 41,397              |
|              | 40-6350 · Police Equipment Mtn.                      | 400               | 1,000             | 2,500                         | 2,500                           | 2,500                                | 2,100                | 2,350               |
|              | 40-6400 · Postal Fees                                | 635               | 725               | 750                           | 750                             | 750                                  | 750                  | 750                 |
|              | 40-6451 · Radio                                      | -                 | 300               | 5,000                         | 10,000                          | -                                    | -                    | 3,000               |
|              | 40-6452 · School Resource Exp                        | 150               | -                 | -                             | -                               | -                                    | -                    | -                   |
|              | 40-6453 · Report Mgt System                          | 3,300             | 3,300             | 3,500                         | 3,500                           | 3,500                                | 3,450                | 3,500               |
|              | 40-6501 · Software                                   | 2,500             | 1,300             | 1,500                         | 1,500                           | 1,500                                | 1,300                | 1,500               |
|              | 40-6502 · Tazers (3)                                 | -                 | -                 | 500                           | 500                             | 500                                  | 500                  | 5,000               |
|              | 40-6650 · TLETS Management                           | 9,500             | 9,600             | 10,000                        | 10,000                          | 10,000                               | 10,000               | 10,000              |
|              | 40-6801 · Training                                   | 3,900             | 3,500             | 5,000                         | 5,000                           | 5,000                                | 4,000                | 5,000               |
|              | 40-6850 · Uniform                                    | 3,500             | 3,000             | 4,000                         | 4,000                           | 4,000                                | 4,000                | 4,500               |
|              | 40-6900 · Vehicle Cleaning                           | 500               | 500               | 500                           | 500                             | 500                                  | 300                  | 600                 |
|              | 40-6903 · Vehicle Fuel                               | 17,500            | 21,000            | 23,000                        | 23,000                          | 23,000                               | 20,000               | 23,000              |
|              | 40-6904 · Vehicle Mtn.                               | 10,000            | 7,000             | 8,000                         | 8,000                           | 10,000                               | 10,000               | 12,000              |
|              | 40-6950 · Vests                                      | 2,750             | 2,150             | 3,000                         | 3,000                           | 3,000                                | 2,600                | 3,000               |
|              | 40-7025 · Electric                                   | 4,546             | 3,825             | 4,000                         | 4,000                           | 5,000                                | 5,000                | 4,000               |
|              | 40-7027 · Telephone                                  | 6,829             | 6,000             | 6,000                         | 6,000                           | 6,000                                | 6,000                | 6,000               |
|              | 40-7028 · Water                                      | 376               | 400               | 400                           | 400                             | 400                                  | 400                  | 400                 |
|              | 50-8305 · Law Enforcement Liability                  | 7,102             | 7,400             | 7,500                         | 7,500                           | 7,500                                | 7,500                | 7,900               |
|              | <b>Total Police Operations</b>                       | <b>632,833</b>    | <b>689,060</b>    | <b>844,421</b>                | <b>849,421</b>                  | <b>842,421</b>                       | <b>821,639</b>       | <b>878,536</b>      |
|              | <b>Police Capital Outlay</b>                         |                   |                   |                               |                                 |                                      |                      |                     |
|              | 50-8108 - Police Vehicles Total                      | 34,733            | 53,603            | 58,000                        | 58,000                          | 58,000                               | 54,452               | 54,452              |
|              | 50-8109 - Police Radios                              | -                 | -                 | 17,725                        | 17,725                          | 17,725                               | 17,725               | 17,725              |
|              | 50-8112 - Police remodel                             | -                 | 5,800             | 7,800                         | 5,800                           | 5,800                                | 5,009                | 500                 |
|              | <b>Total Police Capital Outlay</b>                   | <b>34,733</b>     | <b>53,603</b>     | <b>83,525</b>                 | <b>81,525</b>                   | <b>81,525</b>                        | <b>77,186</b>        | <b>72,677</b>       |
|              | <b>Total Police Services</b>                         | <b>667,566</b>    | <b>742,663</b>    | <b>927,946</b>                | <b>930,946</b>                  | <b>923,946</b>                       | <b>898,824</b>       | <b>951,213</b>      |

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| GENERAL FUND |                                      | 2016-17<br>ACTUAL | 2017-18<br>ACTUAL | 2018-19<br>ORIGINAL<br>BUDGET | 2018-19<br>AMENDED #2<br>BUDGET | 2018-19 PROP<br>AMENDED #3<br>BUDGET | 2018-19<br>PROJECTED | 2019-20<br>PROPOSED |
|--------------|--------------------------------------|-------------------|-------------------|-------------------------------|---------------------------------|--------------------------------------|----------------------|---------------------|
|              | <b>Public Works Services</b>         |                   |                   |                               |                                 |                                      |                      |                     |
|              | <b>Public Works Operations</b>       |                   |                   |                               |                                 |                                      |                      |                     |
|              | 40-5980 · Audio Visual               | 300               | -                 | -                             | -                               | -                                    | -                    | -                   |
|              | 40-5985 - Eagle Pond Imp             | 1,000             |                   |                               |                                 |                                      | -                    | -                   |
|              | 40-6022 · Cell Phone                 | 1,805             | 2,000             | 2,000                         | 2,000                           | 2,000                                | 2,000                | 2,000               |
|              | 40-6104 · Code Enforcement           | 1,000             | 500               | 1,000                         | 1,000                           | 1,000                                | 1,000                | 1,000               |
|              | 40-6105 · Food Service Inspector     | 2,500             | 2,750             | 2,750                         | 2,750                           | 2,750                                | 2,750                | 2,750               |
|              | 40-6106 · Computer/Comp Equip        | 2,000             | -                 | -                             | -                               | -                                    | -                    | -                   |
|              | 40-6151 · Insurance Claims           | (14,273)          |                   | -                             | -                               | 1,833                                | 1,833                | -                   |
|              | 40-6155 · Grounds Mtn                | 11,999            | 12,500            | 12,500                        | 17,000                          | 17,000                               | 17,000               | 17,000              |
|              | 40-6156 · Heavy Equipment Mtn        | 7,000             | 5,381             | 7,000                         | 7,000                           | 7,000                                | 7,000                | 7,000               |
|              | 40-6260 · Health Insurance           | 19,242            | 24,294            | 25,800                        | 25,800                          | 25,800                               | 25,800               | 25,500              |
|              | 40-6265 · Meals & Travel             | 500               | 388               | 1,000                         | 1,000                           | 1,000                                | 1,000                | 1,000               |
|              | 40-6267 · MS4 Supplies               | 2,000             | 800               | 1,000                         | 1,000                           | 1,000                                | 1,000                | 1,000               |
|              | 40-6270 · PW Office Supplies         | 1,000             | 447               | 500                           | 500                             | 500                                  | 500                  | 500                 |
|              | 40-6302 · Payroll                    | 97,352            | 109,031           | 115,048                       | 115,048                         | 115,048                              | 108,436              | 122,276             |
|              | 40-6306 · Payroll - Part Time        | -                 | -                 | 2,000                         | 2,000                           | 2,000                                | 2,000                | 2,000               |
|              | 40- FICA                             | -                 | -                 | 7,257                         | 7,257                           | 7,257                                | 6,847                | 7,705               |
|              | 40- Medicare                         | -                 | -                 | 134                           | 134                             | 134                                  | 128                  | 141                 |
|              | 40- Retirement                       | -                 | -                 | 7,216                         | 7,216                           | 7,216                                | 6,802                | 9,538               |
|              | 40-6545 · Postage                    | 83                | -                 | 500                           | 500                             | 500                                  | 500                  | 500                 |
|              | 40-6550 · Signage                    | 9,027             | 6,200             | 5,000                         | 5,000                           | 5,000                                | 4,000                | 4,000               |
|              | 40-6700 - State OSSF Fees            | 300               | -                 | 300                           | 300                             | 300                                  | 300                  | 300                 |
|              | 40-6701 · Street Lights              | 42,060            | 43,739            | 46,000                        | 46,000                          | 46,000                               | 46,000               | 48,000              |
|              | 40-6703 · Street Repair/Maint        | 4,915             | 29,814            | 14,500                        | 14,500                          | 14,500                               | 14,500               | 10,000              |
|              | 40-6749 · Mosquito Spraying          | 11,550            | 9,620             | 12,000                        | 12,000                          | 12,000                               | 12,000               | 12,000              |
|              | 40-6750 · Tools                      | 4,152             | 4,344             | 3,500                         | 3,500                           | 3,500                                | 3,500                | 3,500               |
|              | 40-6751 - Operational Supplies       | -                 | -                 | 3,000                         | 3,000                           | 3,000                                | 3,000                | 3,000               |
|              | 40-6802 · Training                   | 3,195             | 4,656             | 7,000                         | 7,000                           | 1,500                                | 1,500                | 3,000               |
|              | 40-6851 · Uniform                    | 1,632             | 1,849             | 4,100                         | 4,100                           | 4,100                                | 4,100                | 4,100               |
|              | 40-6901 · PW Facility Rental         | 7,800             | 7,800             | -                             | -                               | -                                    | -                    | -                   |
|              | 40-6905 · Vehicle Fuel               | 4,170             | 4,308             | 6,000                         | 6,000                           | 6,000                                | 6,000                | 7,000               |
|              | 40-6906 · Vehicle Mtn.               | 3,327             | 2,500             | 4,000                         | 4,000                           | 4,000                                | 4,000                | 4,000               |
|              | 40-6911 - Boom Lift/ Rentals         | -                 | 500               | 750                           | 750                             | 750                                  | -                    | -                   |
|              | 40-6912 - Fire Extinguishers         | 300               |                   | -                             | -                               | -                                    | -                    | -                   |
|              | 40-6914 · Lightbars                  | 2,600             | 500               | -                             | 2,500                           | 2,728                                | 2,728                | 2,728               |
|              | <b>Total Public Works Operations</b> | <b>228,536</b>    | <b>273,922</b>    | <b>291,856</b>                | <b>298,856</b>                  | <b>295,417</b>                       | <b>286,224</b>       | <b>301,537</b>      |
|              | <b>Public Works Capital Outlay</b>   |                   |                   |                               |                                 |                                      |                      |                     |
|              | 40-6908 · Mower-Batwing fy19         | 4,963             | 4,963             | 4,963                         | 4,963                           | 4,963                                | 4,963                | 4,963               |
|              | 50-8014 - PW Truck fy19              | 6,400             | 6,338             | 6,338                         | 6,338                           | 6,338                                | 6,338                | 6,338               |
|              | 50-8015 · Tractor (2016) fy21        | 8,685             | 8,685             | 8,685                         | 8,685                           | 8,685                                | 8,685                | 8,685               |
|              | 50-8021 - PW Truck                   | -                 | 10,000            | 10,000                        | 10,000                          | 10,000                               | 9,464                | 9,464               |
|              | 50-8114 - PW Bldg & Equip Shelter    | -                 | 59,500            | 1,500                         | 1,500                           | 1,500                                | 1,500                | 1,500               |
|              | 50- CAP IMP PROJECTS RESERVE         | -                 | -                 | -                             | -                               | -                                    | -                    | 79,836              |
|              | <b>Total Capital Outlay</b>          | <b>20,048</b>     | <b>89,486</b>     | <b>31,486</b>                 | <b>31,486</b>                   | <b>31,486</b>                        | <b>30,950</b>        | <b>110,786</b>      |
|              | <b>Total Public Works Services</b>   | <b>248,584</b>    | <b>363,407</b>    | <b>323,342</b>                | <b>330,342</b>                  | <b>326,903</b>                       | <b>317,174</b>       | <b>412,323</b>      |

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| GENERAL FUND |                                                               | 2016-17<br>ACTUAL | 2017-18<br>ACTUAL | 2018-19<br>ORIGINAL<br>BUDGET | 2018-19<br>AMENDED #2<br>BUDGET | 2018-19 PROP<br>AMENDED #3<br>BUDGET | 2018-19<br>PROJECTED | 2019-20<br>PROPOSED |
|--------------|---------------------------------------------------------------|-------------------|-------------------|-------------------------------|---------------------------------|--------------------------------------|----------------------|---------------------|
|              | Other Expenses                                                |                   |                   |                               |                                 |                                      |                      |                     |
|              | Multi-Year Commitments - moved to departmental Capital Outlay |                   |                   |                               |                                 |                                      |                      |                     |
|              |                                                               |                   |                   |                               |                                 |                                      |                      |                     |
|              | Facilities - Multi-Department                                 |                   |                   |                               |                                 |                                      |                      |                     |
|              | 50-8011 · Copier Mtn Contract                                 | 3,693             | 4,786             | 5,500                         | 5,500                           | 5,500                                | 5,500                | 5,750               |
|              | 50-8013 · Office Mach Contract                                | 1,122             | 2,024             | 2,500                         | 2,500                           | 2,750                                | 2,750                | 3,000               |
|              | 50-8100 · Bldg Mtn. - City Hall                               | 11,697            | 9,675             | 10,000                        | 10,000                          | 10,000                               | 10,000               | 10,000              |
|              | 50-8101 · Bldg Mtn - PD/FD                                    | 10,923            | 8,200             | 10,000                        | 10,000                          | 10,000                               | 10,000               | 10,000              |
|              | 50-8115 · Bldg Mtn - PW                                       | -                 | -                 | 2,000                         | 2,000                           | 2,000                                | 2,000                | 2,000               |
|              | 50-8116 · Demolition - Forder                                 | -                 | -                 | 9,000                         | 4,000                           | 4,000                                | 1,000                | 4,000               |
|              | <b>Total Facilities</b>                                       | <b>27,436</b>     | <b>24,685</b>     | <b>39,000</b>                 | <b>34,000</b>                   | <b>34,250</b>                        | <b>31,250</b>        | <b>34,750</b>       |
|              |                                                               |                   |                   |                               |                                 |                                      |                      |                     |
|              | Fund Transfer                                                 |                   |                   |                               |                                 |                                      |                      |                     |
|              | 50-8200 · Transfer to TIF                                     | 111,655           | 133,500           | 155,000                       | -                               | -                                    | -                    | -                   |
|              | 50-8204 · Street Rep Transfer                                 | 35,000            | 48,909            | -                             | -                               | -                                    | -                    | -                   |
|              | 50-8207 · Phase 2 Radio Upgrd                                 | 20,000            | 20,000            | -                             | -                               | -                                    | -                    | -                   |
|              | 50-8208 · Open Space Grant Match                              | 28,500            | -                 | -                             | -                               | -                                    | -                    | -                   |
|              | <b>Total Fund Transfer</b>                                    | <b>195,155</b>    | <b>202,409</b>    | <b>155,000</b>                | <b>-</b>                        | <b>-</b>                             | <b>-</b>             | <b>-</b>            |
|              |                                                               |                   |                   |                               |                                 |                                      |                      |                     |
|              | Insurance                                                     |                   |                   |                               |                                 |                                      |                      |                     |
|              | 50-8300 · Auto Liability                                      | 7,425             | 5,617             | 6,448                         | 6,448                           | 6,448                                | 6,448                | 7,093               |
|              | 50-8301 · Auto Phys. Damage                                   | 2,537             | 3,163             | 4,382                         | 4,382                           | 4,382                                | 4,382                | 4,820               |
|              | 50-8302 · Errors & Omissions                                  | 1,596             | 1,951             | 1,954                         | 1,954                           | 1,954                                | 1,954                | 2,149               |
|              | 50-8303 · General Liability                                   | 770               | 987               | 1,048                         | 1,048                           | 1,048                                | 1,048                | 1,153               |
|              | 50-8306 · Mobile Equipment                                    | 282               | 715               | 862                           | 862                             | 862                                  | 862                  | 948                 |
|              | 50-8307 · Real & Personal Property                            | 2,975             | 5,502             | 15,000                        | 15,000                          | 15,000                               | 15,000               | 16,500              |
|              | 50-8308 · Workers Compensation                                | 18,061            | 21,368            | 24,000                        | 24,000                          | 24,000                               | 24,000               | 26,400              |
|              | <b>Total Insurance</b>                                        | <b>33,646</b>     | <b>39,303</b>     | <b>53,695</b>                 | <b>53,695</b>                   | <b>53,695</b>                        | <b>53,694</b>        | <b>59,063</b>       |

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| GENERAL FUND |                                         | 2016-17<br>ACTUAL | 2017-18<br>ACTUAL | 2018-19<br>ORIGINAL<br>BUDGET | 2018-19<br>AMENDED #2<br>BUDGET | 2018-19 PROP<br>AMENDED #3<br>BUDGET | 2018-19<br>PROJECTED | 2019-20<br>PROPOSED |
|--------------|-----------------------------------------|-------------------|-------------------|-------------------------------|---------------------------------|--------------------------------------|----------------------|---------------------|
|              | <b>Outsourcing</b>                      |                   |                   |                               |                                 |                                      |                      |                     |
|              | 40-6051 · Building Inspector            | 37,846            | 37,500            | 30,000                        | 45,000                          | 45,000                               | 45,000               | 70,000              |
|              | 50-8400 · Ambulance Service             | 13,522            | 13,846            | 15,000                        | 15,000                          | 15,000                               | 15,000               | 17,500              |
|              | 50-8401 · Animal Control                | 6,250             | 6,250             | 6,250                         | 6,250                           | 6,250                                | 6,250                | 6,250               |
|              | 50-8402 · Auditor                       | 12,478            | 14,364            | 15,000                        | 13,000                          | 13,000                               | 12,000               | 12,500              |
|              | 50-8403 · Central Appr District         | 7,576             | 8,456             | 9,085                         | 9,085                           | 9,423                                | 9,423                | 11,250              |
|              | 50-8404 · City Attorney                 | 34,500            | 40,000            | 40,000                        | 40,000                          | 40,000                               | 40,000               | 40,000              |
|              | 50-8405 · City Engineer                 | 5,052             | 13,500            | 15,000                        | 15,000                          | 15,000                               | 15,000               | 15,000              |
|              | 50-8406 · Fidelity Bonding              | 200               | 200               | 200                           | 200                             | 200                                  | 200                  | 200                 |
|              | 50-8407 · Information Tech              | 18,712            | 23,750            | 22,000                        | 30,000                          | 34,000                               | 34,000               | 39,500              |
|              | 50-8408 · Tax Assessor/Collector        | 1,300             | 1,500             | 1,750                         | 1,750                           | 1,750                                | 1,750                | 2,000               |
|              | 50-8409 · TIFF Administration           | 4,000             | 11,200            | 4,000                         | 4,000                           | 4,000                                | 4,000                | 4,000               |
|              | 50-8412 · MS4 Execution                 | 13,223            | 2,386             | 4,500                         | 27,500                          | 27,500                               | 27,500               | 27,500              |
|              | 50-8414 · Consulting/Prof Serv          | 3,540             | 10,000            | 7,500                         | 7,500                           | 18,000                               | 18,000               | 18,000              |
|              | 50-8415 · Codification                  | 5,375             | 4,290             | 1,000                         | 1,120                           | 1,120                                | 1,120                | 2,750               |
|              | 50-8416 · Drainage / Prelim Eng         | 5,000             | 4,000             | 10,000                        | 10,000                          | 16,000                               | 16,000               | 10,000              |
|              | 50-8417 · Infrastructure Inspection     | -                 | -                 | 25,000                        | 25,000                          | 25,000                               | 25,000               | 35,000              |
|              | 50-8418 · Fire Inspection Services      | -                 | -                 | -                             | 3,000                           | 3,000                                | 3,000                | 3,000               |
|              | 50-9410 · Shredding Services            | 1,269             | 1,600             | 1,500                         | 1,500                           | 1,500                                | 1,500                | 1,500               |
|              | <b>Total Outsourcing</b>                | <b>131,996</b>    | <b>155,342</b>    | <b>207,785</b>                | <b>254,905</b>                  | <b>275,743</b>                       | <b>274,743</b>       | <b>315,950</b>      |
|              | <b>Payroll Taxes</b>                    |                   |                   |                               |                                 |                                      |                      |                     |
|              | 50-8500 · FICA                          | 52,237            | 56,452            | -                             | -                               | -                                    | -                    | -                   |
|              | 50-8501 · Medicare                      | 12,222            | 13,203            | -                             | -                               | -                                    | -                    | -                   |
|              | 50-8502 · Retirement-City Portion       | 45,204            | 52,378            | -                             | -                               | -                                    | -                    | -                   |
|              | 50-8503 · SUTA                          | 3,185             | 3,500             | -                             | -                               | -                                    | -                    | -                   |
|              | <b>Total Payroll Taxes</b>              | <b>112,847</b>    | <b>125,533</b>    | <b>-</b>                      | <b>-</b>                        | <b>-</b>                             | <b>-</b>             | <b>-</b>            |
|              | <b>Total General Fund Expenditures</b>  | <b>1,960,084</b>  | <b>2,294,041</b>  | <b>2,439,517</b>              | <b>2,381,907</b>                | <b>2,380,708</b>                     | <b>2,318,479</b>     | <b>2,545,313</b>    |
|              | <b>ENDING RESOURCES (Net Rev (Exp))</b> | <b>353,065</b>    | <b>517,261</b>    | <b>439,890</b>                | <b>358,933</b>                  | <b>473,605</b>                       | <b>524,653</b>       | <b>594,923</b>      |
|              |                                         |                   |                   | <b>18%</b>                    | <b>15%</b>                      | <b>20%</b>                           | <b>23%</b>           | <b>23%</b>          |

DRAFT

\* per draft budget

# NOTICE OF 2019 TAX YEAR PROPOSED PROPERTY TAX RATE FOR CITY OF LAVON

\* 478957  
A tax rate of ~~\$0.530573~~ per \$100 valuation has been proposed for adoption by the governing body of City of Lavon. This rate exceeds the lower of the effective or rollback tax rate, and state law requires that two public hearings be held by the governing body before adopting the proposed tax rate.

The governing body of City of Lavon proposes to use revenue attributable to the tax rate increase for the purpose of operating, maintenance and capital costs.

|                           |                                 |
|---------------------------|---------------------------------|
| PROPOSED TAX RATE         | <del>\$0.530573</del> per \$100 |
| PRECEDING YEAR'S TAX RATE | \$0.455700 per \$100            |
| EFFECTIVE TAX RATE        | \$0.530573 per \$100            |
| ROLLBACK TAX RATE         | \$0.478958 per \$100            |

0.478957 \*

The effective tax rate is the total tax rate needed to raise the same amount of property tax revenue for City of Lavon from the same properties in both the 2018 tax year and the 2019 tax year.

The rollback tax rate is the highest tax rate that City of Lavon may adopt before voters are entitled to petition for an election to limit the rate that may be approved to the rollback rate.

YOUR TAXES OWED UNDER ANY OF THE ABOVE RATES CAN BE CALCULATED AS  
FOLLOWS:

$$\text{property tax amount} = (\text{rate}) \times (\text{taxable value of your property}) / 100$$

For assistance or detailed information about tax calculations, please contact:

Kenneth L. Maun  
Tax Assessor-Collector  
2300 Bloomdale Road  
McKinney, TX 75071  
972-547-5020  
kmaun@collincountytexas.gov  
www.cityoflavon.com

You are urged to attend and express your views at the following public hearings on the proposed tax rate:

First Hearing: September 3, 2019 at 7:00 pm at Lavon City Hall, 120 School Rd., Lavon, TX.

Second Hearing: September 10, 2019 at 7:00 pm at Lavon City Hall, 120 School Rd., Lavon, TX.

**City of Lavon, Texas**  
**Summary of Financing Scenarios and Tax Impact Analysis**

| Scenario | Term    | Proceeds | Net Total<br>Debt Service | Average Annual<br>Debt Service<br>(FY2021 and After) | Maximum<br>Projected<br>I&S<br>Tax Rate |
|----------|---------|----------|---------------------------|------------------------------------------------------|-----------------------------------------|
| 1        | 10 Year | \$2.5mm  | \$2,959,400               | \$295,940                                            | \$0.0849                                |
| 2        | 12 Year | \$2.5mm  | \$3,076,000               | \$256,333                                            | \$0.0748                                |
| 3        | 15 Year | \$2.5mm  | \$3,269,800               | \$217,987                                            | \$0.0634                                |
| 4        | 20 Year | \$2.5mm  | \$3,631,800               | \$181,590                                            | \$0.0525                                |
| 5        | 10 Year | \$3mm    | \$3,568,400               | \$356,840                                            | \$0.1023                                |
| 6        | 12 Year | \$3mm    | \$3,698,400               | \$308,200                                            | \$0.0893                                |
| 7        | 15 Year | \$3mm    | \$3,933,400               | \$262,227                                            | \$0.0765                                |
| 8        | 20 Year | \$3mm    | \$4,331,200               | \$216,560                                            | \$0.0638                                |

**City of Lavon**  
**Street Improvements**  
**Moore Lane - Lake Rd. to Main Street**  
**Estimate of Probable Cost-2-course surface**  
**7/16/2019**

| Item                                            | Quantity | Unit | Unit Cost   | Total                |
|-------------------------------------------------|----------|------|-------------|----------------------|
| Mobilization                                    | 1        | LS   | \$ 9,000.00 | \$ 9,000.00          |
| Pulverize, Mix & Compact Base (24 lbs / cement) | 5,339    | SY   | \$15.00     | \$ 80,085.00         |
| Two Course Aggregate Surface                    | 5,334    | SY   | \$4.00      | \$ 21,336.00         |
| Prime Coat                                      | 5,334    | SY   | \$1.25      | \$ 6,667.50          |
| Additional Base Material                        | 222      | SY   | \$18.00     | \$ 4,000.00          |
| Asphalt Driveway Repair                         | 104      | SY   | \$30.00     | \$ 3,113.33          |
| Culverts (Dwy & Rdwy)                           | 50       | LF   | \$60.00     | \$ 3,000.00          |
| Culvert replacement w/ headwalls                | 1        | LS   | \$25,000.00 | \$ 25,000.00         |
| Regrade Roadside Ditch Install Hydromulch       | 4,000    | LF   | \$5.50      | \$ 22,000.00         |
| Traffic Control                                 | 1        | LS   | \$3,500.00  | \$ 3,500.00          |
| SWPPP                                           | 1        | LS   | \$3,500.00  | \$ 3,500.00          |
| Erosion Control (SF, RB, SCE, etc.)             | 1        | LS   | \$2,500.00  | \$ 2,500.00          |
| <b>Subtotal</b>                                 |          |      |             | <b>\$ 183,701.83</b> |
| Engineering Design Services                     |          |      |             | \$ 25,800.00         |
| Surveying Services                              |          |      |             | \$ 4,600.00          |
| <b>TOTAL</b>                                    |          |      |             | <b>\$ 214,101.83</b> |

**Project Description**

This project includes pulverizing, mixing and compacting the existing pavement and base material along Moore Ln. from the intersection of Lake Rd. to the intersection of Main St. (SH 78). The proposed width of the roadway will be 24' wide of 2 course aggregate surface installed over a full depth reconstructed base w/ cement additive.

**City of Lavon**  
**Street Improvements**  
**Moore Lane - Lake Rd. to Main Street**  
**Estimate of Probable Cost-Asphalt Surface**  
**7/16/2019**

| Item                                            | Quantity | Unit | Unit Cost   | Total                |
|-------------------------------------------------|----------|------|-------------|----------------------|
| Mobilization                                    | 1        | LS   | \$9,000     | \$ 9,000.00          |
| Pulverize, Mix & Compact Base (24 lbs / cement) | 5,339    | SY   | \$15        | \$ 80,085.00         |
| 2" Type D HMA                                   | 587      | TON  | \$135       | \$ 79,245.00         |
| Prime Coat                                      | 5,334    | SY   | \$1.25      | \$ 6,667.50          |
| Additional Base Material                        | 889      | SY   | \$18        | \$ 16,000.00         |
| Asphalt Driveway Repair                         | 104      | SY   | \$30        | \$ 3,113.33          |
| Culverts (Dwy & Rdwy)                           | 50       | LF   | \$60        | \$ 3,000.00          |
| Culvert replacement w/ headwalls                | 1        | LS   | \$25,000.00 | \$ 25,000.00         |
| Regrade Roadside Ditch Install Hydromulch       | 4,000    | LF   | \$6         | \$ 22,000.00         |
| Traffic Control                                 | 1        | LS   | \$3,500     | \$ 3,500.00          |
| SWPPP                                           | 1        | LS   | \$3,500     | \$ 3,500.00          |
| Erosion Control (SF, RB, SCE, etc.)             | 1        | LS   | \$2,500     | \$ 2,500.00          |
| <b>Subtotal</b>                                 |          |      |             | <b>\$ 253,610.83</b> |
| Engineering Design Services                     |          |      |             | \$ 35,600.00         |
| Surveying Services                              |          |      |             | \$ 6,400.00          |
| <b>TOTAL</b>                                    |          |      |             | <b>\$ 295,610.83</b> |

**Project Description**

This project includes pulverizing, mixing and compacting the existing pavement and base material along Moore Ln. from the intersection of Lake Rd. to the intersection of Main St. (SH 78). The proposed width of the roadway will be 24' wide of 2" Type D HMA installed over a reconstructed base.

**City of Lavon**  
**Street Improvements**  
**Lake Road - Meadow View Dr. to SH 78**  
**Estimate of Probable Cost - 2 Course (24')**  
**7/16/2019**

| Item                                                       | Quantity | Unit | Unit Cost    | Total                |
|------------------------------------------------------------|----------|------|--------------|----------------------|
| Mobilization                                               | 1        | LS   | \$ 55,000.00 | \$ 55,000.00         |
| Pulverize, Mix & Compact Base (24 lbs / cement)            | 13,439   | SY   | \$15.00      | \$ 201,585.00        |
| Two Course Aggregate Surface                               | 12,400   | SY   | \$4.00       | \$ 49,600.00         |
| Additional Base Material                                   | 2,583    | SY   | \$18.00      | \$ 46,500.00         |
| Intersection Construction                                  | 114      | SY   | \$40.00      | \$ 4,560.00          |
| Concrete Driveway Repair                                   | 117      | SY   | \$63.00      | \$ 7,371.00          |
| RCP Culverts (Dwy & Rdwy)                                  | 240      | LF   | \$40.00      | \$ 9,600.00          |
| Regrade Roadside Ditch Install Hydromulch                  | 4,650    | LF   | \$5.50       | \$ 25,575.00         |
| Traffic Control                                            | 1        | LS   | \$3,000.00   | \$ 3,000.00          |
| SWPPP                                                      | 1        | LS   | \$3,500.00   | \$ 3,500.00          |
| Develop & Install Erosion Control Plan (SF, RB, SCE, etc.) | 1        | LS   | \$12,000.00  | \$ 12,000.00         |
| <b>Subtotal</b>                                            |          |      |              | <b>\$ 418,291.00</b> |
| Engineering Services                                       |          |      |              | \$ 46,100.00         |
| Surveying Services                                         |          |      |              | \$ 6,300.00          |
| <b>TOTAL</b>                                               |          |      |              | <b>\$ 470,691.00</b> |

**Project Description**

This project includes pulverizing, mixing and compacting the existing pavement and base material. Then repaving the street with 6" 4,000 PSI Concrete, 24' wide w/ditch along Lake Rd from Meadow View to SH 78

**City of Lavon**  
**Street Improvements**  
**Lake Road - Meadow View Dr. to SH 78**  
**Estimate of Probable Cost - 24' Concrete**  
**7/16/2019**

| Item                                                       | Quantity | Unit | Unit Cost    | Total                  |
|------------------------------------------------------------|----------|------|--------------|------------------------|
| Mobilization                                               | 1        | LS   | \$ 55,000.00 | \$ 55,000.00           |
| Pulverize, Mix & Compact Base                              | 13,433   | SY   | \$15.00      | \$ 201,495.00          |
| 6" 4,000 PSI Concrete with #3's @ 18 OC                    | 12,400   | SY   | \$55.00      | \$ 682,000.00          |
| Additional Base Material                                   | 2,583    | SY   | \$18.00      | \$ 46,500.00           |
| Concrete Intersection Construction                         | 114      | SY   | \$63.00      | \$ 7,182.00            |
| Concrete Driveway Repair                                   | 117      | SY   | \$63.00      | \$ 7,371.00            |
| RCP Culverts (Dwy & Rdwy)                                  | 240      | LF   | \$40.00      | \$ 9,600.00            |
| Regrade Roadside Ditch Install Hydromulch                  | 4,650    | LF   | \$5.50       | \$ 25,575.00           |
| Traffic Control                                            | 1        | LS   | \$3,000.00   | \$ 3,000.00            |
| SWPPP                                                      | 1        | LS   | \$3,500.00   | \$ 3,500.00            |
| Develop & Install Erosion Control Plan (SF, RB, SCE, etc.) | 1        | LS   | \$12,000.00  | \$ 12,000.00           |
| <b>Subtotal</b>                                            |          |      |              | <b>\$ 1,053,223.00</b> |
| Engineering Services                                       |          |      |              | \$ 115,900.00          |
| Surveying Services                                         |          |      |              | \$ 15,800.00           |
| <b>TOTAL</b>                                               |          |      |              | <b>\$ 1,184,923.00</b> |

**Project Description**

This project includes pulverizing, mixing and compacting the existing pavement and base material. Then repaving the street with 6" 4,000 PSI Concrete, 24' wide w/ditch along Lake Rd from Meadow View to SH 78

**City of Lavon**  
**Street Improvements**  
**Lake Road - Meadow View Dr. to SH 78**  
**Estimate of Probable Cost - 30' Concrete**  
**7/16/2019**

| Item                                                       | Quantity | Unit | Unit Cost    | Total                  |
|------------------------------------------------------------|----------|------|--------------|------------------------|
| Mobilization                                               | 1        | LS   | \$ 55,000.00 | \$ 55,000.00           |
| Pulverize, Mix & Compact Base                              | 16,533   | SY   | \$15.00      | \$ 247,995.00          |
| 6" 4,000 PSI Concrete with #3's @ 18 OC                    | 15,500   | SY   | \$55.00      | \$ 852,500.00          |
| Additional Base Material                                   | 2,583    | SY   | \$18.00      | \$ 46,500.00           |
| Concrete Intersection Construction                         | 114      | SY   | \$63.00      | \$ 7,182.00            |
| Concrete Driveway Repair                                   | 117      | SY   | \$63.00      | \$ 7,371.00            |
| RCP Culverts (Dwy & Rdwy)                                  | 240      | LF   | \$40.00      | \$ 9,600.00            |
| Regrade Roadside Ditch Install Hydromulch                  | 4,650    | LF   | \$5.50       | \$ 25,575.00           |
| Traffic Control                                            | 1        | LS   | \$3,000.00   | \$ 3,000.00            |
| SWPPP                                                      | 1        | LS   | \$3,500.00   | \$ 3,500.00            |
| Develop & Install Erosion Control Plan (SF, RB, SCE, etc.) | 1        | LS   | \$12,000.00  | \$ 12,000.00           |
| <b>Subtotal</b>                                            |          |      |              | <b>\$ 1,270,223.00</b> |
| Engineering Services                                       |          |      |              | \$ 139,800.00          |
| Surveying Services                                         |          |      |              | \$ 19,100.00           |
| <b>TOTAL</b>                                               |          |      |              | <b>\$ 1,429,123.00</b> |

**Project Description**

This project includes pulverizing, mixing and compacting the existing pavement and base material. Then repaving the street with 6" 4,000 PSI Concrete, 30' wide w/ditch along Lake Rd from Meadow View to SH 78

**City of Lavon**  
**Drainage Improvements**  
**Wolf Run Court**  
**Estimate of Probable Cost - Ditch Strip**  
**7/16/2019**

| <b>Item</b>                                     | <b>Quantity</b> | <b>Unit</b> | <b>Unit Cost</b> | <b>Total</b>        |
|-------------------------------------------------|-----------------|-------------|------------------|---------------------|
| Mobilization                                    | 1               | LS          | \$5,000          | \$ 5,000.00         |
| Design and Implement Traffic Control Plan       | 1               | LS          | \$12,000         | \$ 12,000.00        |
| Implement Erosion Control Plan                  | 1               | LS          | \$5,000          | \$ 5,000.00         |
| Provide and Install 4" Concrete strip (2' WIDE) | 3,200           | SF          | \$15             | \$ 48,000.00        |
| <b>Subtotal</b>                                 |                 |             |                  | <b>\$ 70,000.00</b> |
| Engineering Services                            |                 |             |                  | \$ 9,800.00         |
| Surveying Services                              |                 |             |                  | \$ 2,100.00         |
| <b>TOTAL</b>                                    |                 |             |                  | <b>\$ 81,900.00</b> |

**Project Description**

This project estimates the construction of a 2' wide concrete strip between driveways from the intersection of Wolf Run Ct. and Main St. along both sides of Wolf Run Ct. for the entirety of the street.

**City of Lavon**  
**Street Improvements**  
**CR 484 - End Concrete to Crestridge**  
**Estimate of Probable Cost-2-course surface**  
**7/16/2019**

| Item                                            | Quantity | Unit | Unit Cost   | Total                |
|-------------------------------------------------|----------|------|-------------|----------------------|
| Mobilization                                    | 1        | LS   | \$ 9,000.00 | \$ 9,000.00          |
| Pulverize, Mix & Compact Base (24 lbs / cement) | 8,005    | SY   | \$15.00     | \$ 120,075.00        |
| Two Course Aggregate Surface                    | 8,000    | SY   | \$4.00      | \$ 32,000.00         |
| Prime Coat                                      | 8,000    | SY   | \$1.25      | \$ 10,000.00         |
| Additional Base Material                        | 333      | SY   | \$18.00     | \$ 6,000.00          |
| Concrete Intersection Construction              | 150      | SY   | \$63.00     | \$ 9,450.00          |
| Asphalt Driveway Repair                         | 97       | SY   | \$30.00     | \$ 2,906.67          |
| Concrete Driveway Repair                        | 104      | SY   | \$55.00     | \$ 5,707.78          |
| Culverts (Dwy & Rdwy)                           | 200      | LF   | \$60.00     | \$ 12,000.00         |
| Regrade Roadside Ditch Install Hydromulch       | 6,000    | LF   | \$5.50      | \$ 33,000.00         |
| Traffic Control                                 | 1        | LS   | \$10,000.00 | \$ 10,000.00         |
| SWPPP                                           | 1        | LS   | \$3,500.00  | \$ 3,500.00          |
| Erosion Control (SF, RB, SCE, etc.)             | 1        | LS   | \$2,500.00  | \$ 2,500.00          |
| <b>Subtotal</b>                                 |          |      |             | <b>\$ 256,139.44</b> |
| Engineering Design Services                     |          |      |             | \$ 35,900.00         |
| Surveying Services                              |          |      |             | \$ 6,500.00          |
| <b>TOTAL</b>                                    |          |      |             | <b>\$ 298,539.44</b> |

**Project Description**

This project includes pulverizing, mixing and compacting the existing pavement and base material along CR 484 from the end of the concrete section to the Crestridge Meadows development. The proposed width of the roadway will be 24' wide of 2 course aggregate surface installed over a full depth reconstructed base w/ cement additive.

**City of Lavon**  
**Street Improvements**  
**CR 484 - End Concrete to Crestridge**  
**Estimate of Probable Cost-Asphalt surface**  
**7/16/2019**

| Item                                            | Quantity | Unit | Unit Cost   | Total         |
|-------------------------------------------------|----------|------|-------------|---------------|
| Mobilization                                    | 1        | LS   | \$ 9,000.00 | \$ 9,000.00   |
| Pulverize, Mix & Compact Base (24 lbs / cement) | 8,005    | SY   | \$15.00     | \$ 120,075.00 |
| 2" Type D HMA                                   | 880      | TON  | \$135       | \$ 118,800.00 |
| Prime Coat                                      | 8,000    | SY   | \$1.25      | \$ 10,000.00  |
| Additional Base Material                        | 333      | SY   | \$18.00     | \$ 6,000.00   |
| Concrete Intersection Construction              | 150      | SY   | \$63.00     | \$ 9,450.00   |
| Asphalt Driveway Repair                         | 97       | SY   | \$30.00     | \$ 2,906.67   |
| Concrete Driveway Repair                        | 104      | SY   | \$55.00     | \$ 5,707.78   |
| Culverts (Dwy & Rdwy)                           | 200      | LF   | \$60.00     | \$ 12,000.00  |
| Regrade Roadside Ditch Install Hydromulch       | 6,000    | LF   | \$5.50      | \$ 33,000.00  |
| Traffic Control                                 | 1        | LS   | \$10,000.00 | \$ 10,000.00  |
| SWPPP                                           | 1        | LS   | \$3,500.00  | \$ 3,500.00   |
| Erosion Control (SF, RB, SCE, etc.)             | 1        | LS   | \$2,500.00  | \$ 2,500.00   |

**Subtotal**
**\$ 342,939.44**

Engineering Design Services
 \$ 48,100.00

Surveying Services
 \$ 8,600.00

**TOTAL**
**\$ 399,639.44**

**Project Description**

This project includes pulverizing, mixing and compacting the existing pavement and base material along CR 484 from the end of the concrete section to the Crestridge Meadows development. The proposed width of the roadway will be 24' wide of 2" Type D HMA installed over a reconstructed base.

**City of Lavon**  
**Street Improvements**  
**CR 484 - End Concrete to Crestridge**  
**Estimate of Probable Cost-24' Concrete surface**  
**7/16/2019**

| Item                                            | Quantity | Unit | Unit Cost   | Total         |
|-------------------------------------------------|----------|------|-------------|---------------|
| Mobilization                                    | 1        | LS   | \$ 9,000.00 | \$ 9,000.00   |
| Pulverize, Mix & Compact Base (24 lbs / cement) | 8,005    | SY   | \$15.00     | \$ 120,075.00 |
| 6" 4,000 PSI Concrete with #3's @ 18 OC         | 8,000    | SY   | \$55.00     | \$ 440,000.00 |
| Additional Base Material                        | 333      | SY   | \$18.00     | \$ 6,000.00   |
| Concrete Intersection Construction              | 150      | SY   | \$63.00     | \$ 9,450.00   |
| Asphalt Driveway Repair                         | 97       | SY   | \$30.00     | \$ 2,906.67   |
| Concrete Driveway Repair                        | 104      | SY   | \$55.00     | \$ 5,707.78   |
| Culverts (Dwy & Rdwy)                           | 200      | LF   | \$60.00     | \$ 12,000.00  |
| Regrade Roadside Ditch Install Hydromulch       | 6,000    | LF   | \$5.50      | \$ 33,000.00  |
| Traffic Control                                 | 1        | LS   | \$10,000.00 | \$ 10,000.00  |
| SWPPP                                           | 1        | LS   | \$3,500.00  | \$ 3,500.00   |
| Erosion Control (SF, RB, SCE, etc.)             | 1        | LS   | \$2,500.00  | \$ 2,500.00   |

**Subtotal**
**\$ 654,139.44**

Engineering Design Services \$ 91,600.00  
 Surveying Services \$ 16,400.00

**TOTAL**
**\$ 762,139.44**

**Project Description**

This project includes pulverizing, mixing and compacting the existing pavement and base material along CR 484 from the end of the concrete section to the Crestridge Meadows development. The proposed width of the roadway will be 24' wide of 6" 4,000 PSI Concrete, w/ditch over a reconstructed base.

**CITY OF LAVON  
APPROVED FEE SCHEDULE  
FISCAL YEAR 2019-20**

adopted 9/18/2018, amended 05/21/2019, 6/4/2019

8/20/2019

| ITEM                                                                      | CURRENT FEE               | PROPOSED FEE              |
|---------------------------------------------------------------------------|---------------------------|---------------------------|
| <b>ADMINISTRATIVE</b>                                                     |                           |                           |
| Copies / Black & White                                                    | \$0.10 / side             | \$0.10 / side             |
| Copies / Color                                                            | \$2.00 / side             | \$2.00 / side             |
| Copy of Audio CD                                                          | \$1.00 / CD               | \$1.00 / CD               |
| Research / compilation                                                    | per state law             | per state law             |
| Items larger than 11" x 17"                                               | cost + labor              | cost + labor              |
| Outsource copies                                                          | cost + labor              | cost + labor              |
| Pass-thru billing admin fee                                               | 10%                       | 10%                       |
| NSF Check Fee                                                             | \$35.00/incident          | \$35.00/incident          |
| <b>COMMUNITY CENTER, GYM, PAVILION</b>                                    |                           |                           |
| Rental Deposit                                                            | \$50.00                   | \$100.00                  |
| Community Center - resident                                               | \$25.00/hour              | \$45.00/hour              |
| Community Center - non-resident                                           | \$35.00/hour              | \$60.00/hour              |
| Gym - resident                                                            | \$25.00/hour              | \$45.00/hour              |
| Gym - non-resident                                                        | \$35.00/hour              | \$60.00/hour              |
| Gym - resident with Floor Cover                                           | \$0.00                    | \$80.00/hour              |
| Gym - non-resident with Floor Cover                                       | \$0.00                    | \$100.00/hour             |
| Pavilion - resident                                                       | \$25.00/hour              | \$35.00/hour              |
| Pavilion - non-resident                                                   | \$35.00/hour              | \$50.00/hour              |
| <b>UTILITY SERVICES</b>                                                   |                           |                           |
| <b>GENERAL</b>                                                            |                           |                           |
| Late Fee - Residential Services                                           | \$10.00 minimum           | \$10.00 minimum           |
| Late Fee - Commercial Services                                            | 10% overdue balance       | 10% overdue balance       |
| Account Creation Admin Service Fee per utility                            | \$50.00/service           | \$50.00/service           |
| Deferred Payment Plan Fee                                                 | \$25.00                   | \$25.00                   |
| Per state law, sales tax charged for utility services                     |                           |                           |
| <b>GARBAGE COLLECTION SERVICES</b>                                        |                           |                           |
| <b>Residential</b>                                                        |                           |                           |
| Residential Curbside Garbage / Recycling                                  | \$24.25/month             | \$24.25/month             |
| Sr Citizen Garbage / Recycling (age 60+)                                  | \$22.03/month             | \$22.03/month             |
| Extra polycart                                                            | \$7.00/month each         | \$7.00/month each         |
| Residential drop off at CWD transfer station                              | per CWD calculation       | per CWD calculation       |
| Unusual accumulation                                                      | calculated per situation  | calculated per situation  |
| <b>Commercial</b>                                                         |                           |                           |
| Calculated specifically per size of container and frequency of collection |                           |                           |
| Container - 2 cubic yard                                                  | \$0.00                    | \$73.34                   |
| Container - 3 cubic yard                                                  | \$96.24                   | \$108.38                  |
| Container - 4 cubic yard                                                  | \$113.17                  | \$125.28                  |
| Container - 6 cubic yard                                                  | \$147.04                  | \$159.56                  |
| Container - 8 cubic yard                                                  | \$196.01                  | \$190.88                  |
| Recycling                                                                 | \$13.00                   | \$21.62                   |
| Unusual accumulation                                                      | calculated per situation  | calculated per situation  |
| Collection more frequent than weekly                                      | calculated per situation  | calculated per situation  |
| <b>SANITARY SEWER SERVICES</b>                                            |                           |                           |
| Residential                                                               | \$45.00/month             | \$55.00/month             |
| Commercial - based upon water usage (living unit equivalent or LUE)       | Min \$45 or LUE           | Min \$55 or LUE           |
| Commercial - flat rate - if does not provide water cons info              | \$500.00/month            | \$500.00/month            |
| After Hours Reconnect Fee                                                 | \$150.00                  | \$150.00                  |
| Sewer Tap Fee - Residential                                               | \$3,200.00                | \$3,200.00                |
| Sewer Tap Fee - Commercial 4"-6"                                          | \$3,200.00                | \$3,200.00                |
| Sewer Tap Fee - Commercial Greater than 6"                                | as determined             | as determined             |
| Reconnect Fee - Sewer                                                     | \$75.00                   | \$75.00                   |
| <b>SEPTIC SERVICES (OSSF)</b>                                             |                           |                           |
| OSSF application                                                          | \$400.00                  | \$400.00                  |
| Complaint Confirmation Inspection                                         | \$65.00                   | \$65.00                   |
| Follow-Up Inspection                                                      | \$100.00                  | \$100.00                  |
| LPD application                                                           | \$400.00                  | \$400.00                  |
| Re-Submittal Fee                                                          | \$100.00                  | \$100.00                  |
| Septic System Modification                                                | \$200.00                  | \$200.00                  |
| <b>WATER</b> See Bear Creek Special Utility District for rate information |                           |                           |
| <b>LAND USE SERVICES</b>                                                  |                           |                           |
| Zoning Application                                                        | \$300.00 + 10.00/acre+adv | \$300.00 + 10.00/acre+adv |
| Appeal, Variance, and Adjustment                                          | \$100.00 + cost           | \$100.00 + cost           |
| Conditional or Special Use Permit                                         | \$100.00 + advertising    | \$100.00 + advertising    |

**CITY OF LAVON**  
**APPROVED FEE SCHEDULE**  
**FISCAL YEAR 2019-20**

adopted 9/18/2018, amended 05/21/2019, 6/4/2019

8/20/2019

| ITEM                                                                                    | CURRENT FEE                                                | PROPOSED FEE                                               |
|-----------------------------------------------------------------------------------------|------------------------------------------------------------|------------------------------------------------------------|
| Preliminary Plat Application                                                            | \$500.00 + \$5.00/lot                                      | \$500.00 + \$5.00/lot                                      |
| Final Plat Application                                                                  | \$500.00 + \$5.00/lot                                      | \$500.00 + \$5.00/lot                                      |
| Replat                                                                                  | \$325.00 + \$5.00/lot                                      | \$325.00 + \$5.00/lot                                      |
| Site Plan                                                                               | \$200.00                                                   | \$200.00                                                   |
| Landscape Plan                                                                          | \$200.00                                                   | \$200.00                                                   |
| Filing Fee - County                                                                     | Actual                                                     | Actual                                                     |
| Beer and Wine Permit Application (Off-premise Only) Non-refundable, initial application | \$100.00                                                   | \$100.00                                                   |
| Beer and Wine Retailers Permit (Off-premise Only)                                       | \$60.00                                                    | \$60.00                                                    |
| Public Infrastructure Inspection                                                        | 4% of cost                                                 | 4% of cost                                                 |
| Engineer Review                                                                         | Cost + 10% admin fee                                       | Cost + 10% admin fee                                       |
| Construction Plans                                                                      | \$100.00 + cost                                            | \$100.00 + cost                                            |
| Land Use Application Admin Fee                                                          | 10%                                                        | 10%                                                        |
| Sexually oriented business - license application fee                                    | \$500                                                      | \$500                                                      |
| Sexually oriented business - application processing fee                                 | \$60.00                                                    | \$60.00                                                    |
| Sexually oriented business - replacement card or on-site card                           | \$35.00                                                    | \$35.00                                                    |
| Sexually oriented business reinstatement fee in lieu of suspension                      | \$500                                                      | \$500                                                      |
| <b>MISCELLANEOUS</b>                                                                    |                                                            |                                                            |
| Garage Sale Permit (no inspection)                                                      | \$1.00                                                     | \$1.00                                                     |
| Non-Specified Improvements                                                              | \$50.00 + cost                                             | \$50.00 + cost                                             |
| Street Closure - Commercial                                                             | \$50.00 plus cost                                          | \$50.00 plus cost                                          |
| Street Closure - neighborhood                                                           | \$1.00                                                     | \$1.00                                                     |
| Street Closure - Government Sponsored                                                   | No Fee                                                     | No Fee                                                     |
| Parade Permit - Commercial                                                              | \$50.00 + police cost                                      | \$50.00 + police cost                                      |
| Parade Permit - Neighborhood                                                            | \$1.00                                                     | \$1.00                                                     |
| Parade Permit - Government Sponsored                                                    | No Fee                                                     | No Fee                                                     |
| Request for Special Session Council or P&Z                                              | \$200.00                                                   | \$200.00                                                   |
| Permit Extensions - 1st request                                                         | No Fee                                                     | No Fee                                                     |
| Permit Extensions - 2nd or more request                                                 | 20% of permit fee                                          | 20% of permit fee                                          |
| Special Use Permit (other)                                                              | \$100.00 + inspections, advertising                        | \$100.00 + inspections, advertising                        |
| <b>BUILDING PERMIT &amp; INSPECTION SERVICES</b>                                        |                                                            |                                                            |
| <b>Building Value Table per ICC Building Valuation Data (BVT)</b>                       |                                                            |                                                            |
| \$1.00 - \$5,000.00                                                                     | \$200.00                                                   | \$200.00                                                   |
| \$5,000.01 - \$25,000.00                                                                | \$200.00 for 1st \$5,000 & \$14.00 for each add. \$1,000   | \$200.00 for 1st \$5,000 & \$14.00 for each add. \$1,000   |
| \$25,000.01 - \$50,000.00                                                               | \$440.00 for 1st \$2,500 & \$10.10 for each add. \$1,000   | \$440.00 for 1st \$2,500 & \$10.10 for each add. \$1,000   |
| \$50,000.01 - \$100,000.00                                                              | \$652.50 for 1st \$50,000 & \$7.00 for each add. \$1,000   | \$652.50 for 1st \$50,000 & \$7.00 for each add. \$1,000   |
| \$100,000.01 - \$500,000.00                                                             | \$944.00 for 1st \$100,000 & \$5.60 for each add. \$1,000  | \$944.00 for 1st \$100,000 & \$5.60 for each add. \$1,000  |
| \$500,000.01 - \$1,000,000.00                                                           | \$3,234 for 1st \$500,000 & \$4.75 for each add. \$1,000   | \$3,234 for 1st \$500,000 & \$4.75 for each add. \$1,000   |
| \$1,000,000.01 and up                                                                   | \$5,608 for 1st \$1,000,000 & \$3.65 for each add. \$1,000 | \$5,608 for 1st \$1,000,000 & \$3.65 for each add. \$1,000 |
| <b>RESIDENTIAL</b>                                                                      |                                                            |                                                            |
| Residential Building Permit                                                             | \$1.03 /square foot under roof                             | \$1.03 /square foot under roof                             |
| Inspection Outside Normal Business Hours                                                | \$75.00/hour                                               | \$75.00/hour                                               |
| Outside Review                                                                          | Cost of review                                             | Cost of review                                             |
| Second and subsequent Plan Review                                                       | \$75.00/hour                                               | \$75.00/hour                                               |
| Plan Substitution                                                                       | per case                                                   | per case                                                   |
| Reinspection                                                                            | \$75.00/hour                                               | \$75.00/hour                                               |
| Shell Only Building under 150 sq. ft.                                                   | \$150.00                                                   | \$150.00                                                   |
| Shell Only Building (150 sq. ft. or larger <i>not attached to a res dwelling</i> )      | 80% of BVT                                                 | 80% of BVT                                                 |
| Remodel - <i>Residential Dwelling</i>                                                   | \$1.03 /square foot under roof                             | greater of \$1.03 /square ft under roof or \$200           |
| Attached Accessory Use                                                                  | \$1.03 /square foot under roof                             | greater of \$0.50/sq ft or 150                             |
| Certificate of Occupancy - Residential                                                  | \$50.00                                                    | \$50.00                                                    |
| Temporary CO - Residential                                                              | \$50.00                                                    | \$50.00                                                    |
| Inspection for which no fee is listed                                                   | \$75.00/hour                                               | \$75.00/hour                                               |
| <b>COMMERCIAL</b>                                                                       |                                                            |                                                            |
| Commercial Building Permit                                                              | Per BVT                                                    | Per BVT                                                    |
| Shell Only Building under 150 sq. ft.                                                   | \$200.00                                                   | \$200.00                                                   |
| Remodel - <i>Commercial</i>                                                             | BVT                                                        | BVT                                                        |
| Temporary CO - Commercial                                                               | \$100.00                                                   | \$100.00                                                   |
| Certificate of Occupancy - Commercial                                                   | \$100.00                                                   | \$100.00                                                   |
| Exterior Lighting Structures                                                            | \$50.00/structure                                          | \$50.00/structure                                          |
| Finish Out - Commercial; separate permit for each                                       | \$350 plus 20% of BVT                                      | \$350 plus 20% of BVT                                      |
| Parking Lots                                                                            | \$200.00 / 10,000 sq. ft.                                  | \$200.00 / 10,000 sq. ft.                                  |

**CITY OF LAVON**  
**APPROVED FEE SCHEDULE**  
**FISCAL YEAR 2019-20**

adopted 9/18/2018, amended 05/21/2019, 6/4/2019

8/20/2019

| ITEM                                                                    | CURRENT FEE              | PROPOSED FEE             |
|-------------------------------------------------------------------------|--------------------------|--------------------------|
| <b>FENCES</b>                                                           |                          |                          |
| Fence (new, replacement, or repair greater than 10') - First 100 feet   | \$50.00                  | \$50.00                  |
| Fence (new or replacement) over 100 feet                                | \$0.50/lin foot over 100 | \$0.50/lin foot over 100 |
| Minor Fence Repair less than 10' total                                  | No Fee                   | No Fee                   |
| Fence Variance                                                          | 0                        | \$100.00                 |
| <b>SIGNS</b>                                                            |                          |                          |
| Signs                                                                   | \$125.00                 | \$125.00                 |
| Signs (electrical)                                                      | \$250.00                 | \$250.00                 |
| Sign (temporary)                                                        | \$50.00                  | \$50.00                  |
| Sign Variance                                                           | \$0.00                   | \$100.00                 |
| <b>GENERAL</b>                                                          |                          |                          |
| Working without Permit - Investigation Fee                              | Cost of review           | Cost of review           |
| Prebuilt under 100 sq ft                                                | \$50.00                  | \$50.00                  |
| Building Demolition                                                     | \$75.00                  | \$75.00                  |
| Annual Contractor Registration (excludes plumbers and electricians)     | \$50.00                  | \$50.00                  |
| Annual - Electrical                                                     | \$75.00                  | \$75.00                  |
| Flatwork                                                                | \$100.00                 | \$100.00                 |
| Mechanical                                                              | \$75.00                  | \$75.00                  |
| Moving a building                                                       | \$100 + any inspection   | \$100 + any inspection   |
| Plumbing                                                                | \$75.00                  | \$75.00                  |
| Repair of Facilities                                                    | Calculated               | 0                        |
| Retaining Wall                                                          | \$200.00 + cost          | \$200.00 + cost          |
| Right of Way Excavation/Work Permit unless superceding agrmnt in place  | \$50.00 + cost           | \$50.00 + cost           |
| Roofing w/deck replacement                                              | \$100.00                 | \$100.00                 |
| Roofing w/out deck replacement                                          | No fee                   | \$100.00                 |
| <b>POOLS, SPAS, IRRIGATION</b>                                          |                          |                          |
| Above Ground Pool - Seasonal                                            | \$1.00                   | \$1.00                   |
| Above Ground Pool                                                       | \$50.00                  | \$50.00                  |
| In-Ground Swimming Pool                                                 | \$400.00                 | \$400.00                 |
| Spa                                                                     | \$100.00                 | \$100.00                 |
| OSSF modification and review                                            | \$200.00                 | \$200.00                 |
| Sprinkler System                                                        | \$150.00                 | \$150.00                 |
| <b>CODE ENFORCEMENT</b>                                                 |                          |                          |
| Administrative Fee                                                      | \$0.00                   | \$300.00                 |
| <b>HEALTH SERVICES</b>                                                  |                          |                          |
| Health Inspection Registration                                          | \$300.00/year            | \$300.00/year            |
| Health Inspection Registration Late Fee                                 | \$25.00/week after Jan 1 | \$25.00/week after Jan 1 |
| Certified Food Handler / Manager Registration                           | \$10.00/year             | \$10.00/year             |
| Complaint confirmation inspection                                       | \$65.00                  | \$65.00                  |
| Health Re-inspections                                                   | \$50.00                  | \$50.00                  |
| Temporary Food Sales                                                    | \$100.00                 | \$100.00                 |
| Temporary Food Sales for a single event                                 | \$100.00                 | \$50/day                 |
| <b>FIRE INSPECTION AND PERMITS</b>                                      |                          |                          |
| Accident Reports                                                        | \$10.00                  | \$10.00                  |
| After Hours Inspections (outside normal business hours) Minimum 2 hours | \$75.00/hour             | \$75.00/hour             |
| Aircraft refueling vehicles (annual)                                    | \$50.00                  | \$50.00                  |
| Asbestos removal (per job)                                              | \$50.00                  | \$50.00                  |
| Assembly (parties with 100 or more guests including weddings)           | \$25.00                  | \$25.00                  |
| Assembly Cooking, Exhibitor Operational permit                          | \$50.00                  | \$50.00                  |
| Automobile wrecking yard (annual)                                       | \$250.00                 | \$250.00                 |
| Burn permit, only issued as per ordinance (90 days), 2+ Acres only      | \$25.00                  | \$25.00                  |
| Candles and open flames in assembly areas (annual)                      | \$50.00                  | \$50.00                  |
| Carnivals and fairs (for profit)                                        | \$150.00                 | \$150.00                 |
| Cellulose nitrate storage (annual)                                      | \$50.00                  | \$50.00                  |
| Combustible fiber storage (annual)                                      | \$50.00                  | \$50.00                  |
| Combustible/Flammable material storage (annual)                         | \$50.00                  | \$50.00                  |
| Commercial fire alarm installation permit (per building)                |                          |                          |
| Less than 20 devices                                                    | \$50.00                  | \$50.00                  |
| 20+ devices                                                             | \$200.00                 | \$200.00                 |
| Commercial limited access security gates and perimeter fencing(1 time)  | \$50.00                  | \$50.00                  |
| Commercial rubbish handling business operation (annual)                 | \$50.00                  | \$50.00                  |
| Compressed gasses storage, use or resale (annual)                       | \$50.00                  | \$50.00                  |

**CITY OF LAVON**  
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**FISCAL YEAR 2019-20**

adopted 9/18/2018, amended 05/21/2019, 6/4/2019

8/20/2019

| ITEM                                                                                                                                                                                            | CURRENT FEE                                           | PROPOSED FEE                                          |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|-------------------------------------------------------|
| Cryogenics (annual)                                                                                                                                                                             | \$50.00                                               | \$50.00                                               |
| Dry cleaning plants (annual)                                                                                                                                                                    | \$150.00                                              | \$150.00                                              |
| Dust-producing operations (annual)                                                                                                                                                              | \$50.00                                               | \$50.00                                               |
| Explosives and blasting agents (per job)                                                                                                                                                        | \$150.00                                              | \$150.00                                              |
| Fireworks event permit per event (fee maybe waived - non-profit group w proper                                                                                                                  | \$500.00                                              | \$500.00                                              |
| Fire sprinkler overhead permit (suppression system)(per sq. ft. of building area)                                                                                                               |                                                       |                                                       |
| Building size                                                                                                                                                                                   |                                                       |                                                       |
| 0-5999 sq ft                                                                                                                                                                                    | \$250.00                                              | \$250.00                                              |
| 6,000-300,000 sq ft                                                                                                                                                                             | \$500.00                                              | \$500.00                                              |
| (includes three inspections: visual, hydrostatic test, flush)                                                                                                                                   |                                                       |                                                       |
| Re-inspection fee for commercial fire sprinkler                                                                                                                                                 | \$250.00                                              | \$250.00                                              |
| *No Charge for residential sprinkler inspection (R-13D) at closing                                                                                                                              | \$0.00                                                | \$0.00                                                |
| Fire sprinkler underground permit (inc 3 insp: visual, hydrostatic test, flush)                                                                                                                 | \$250.00                                              | \$250.00                                              |
| FM, FD/PD Fire Watch/Standby - no equipment Minimum 2 hours                                                                                                                                     | \$50.00/hour                                          | \$50.00/hour                                          |
| FM, FD/PD Fire Watch/Standby - with equipment                                                                                                                                                   | per contract agreement or as approved by Fire Marshal | per contract agreement or as approved by Fire Marshal |
| Fruit ripening (annual)                                                                                                                                                                         | \$50.00                                               | \$50.00                                               |
| Hazardous production materials (annual)                                                                                                                                                         | \$50.00                                               | \$50.00                                               |
| High-piled combustible storage, per building (annual)                                                                                                                                           | \$50.00                                               | \$50.00                                               |
| Liquid or gas fueled vehicles or equipment in assembly building (annual or event)                                                                                                               | \$50.00                                               | \$50.00                                               |
| Lumber yard (annual)                                                                                                                                                                            | \$50.00                                               | \$50.00                                               |
| Magnesium working (annual)                                                                                                                                                                      | \$50.00                                               | \$50.00                                               |
| Mobile Food prep w propane or other cooking gas usage (Commercial/Annual)                                                                                                                       | \$50.00                                               | \$50.00                                               |
| Organic coatings                                                                                                                                                                                | \$50.00                                               | \$50.00                                               |
| Ovens, industrial baking and drying (annual)                                                                                                                                                    | \$50.00                                               | \$50.00                                               |
| Paint booth (annual)                                                                                                                                                                            | \$100.00                                              | \$100.00                                              |
| Plan Checking and/or Inspections by Outside Consultants                                                                                                                                         | actual cost + 10% admin                               | actual cost + 10% admin                               |
| Radioactive material (annual)                                                                                                                                                                   | \$50.00                                               | \$50.00                                               |
| Rental Home inspection, as required                                                                                                                                                             | \$200.00                                              | \$200.00                                              |
| Reinspection Fees per 2018 IFC Section 113.6 - Minimum 2 hours                                                                                                                                  | \$75.00/hour                                          | \$75.00/hour                                          |
| Residential-Home Health Care/Day Care (annual)                                                                                                                                                  | \$50.00                                               | \$50.00                                               |
| Dipping metals (annual)                                                                                                                                                                         | \$100.00                                              | \$100.00                                              |
| Security Gates (Fire access way only) construction permit (per job)                                                                                                                             | \$50.00                                               | \$50.00                                               |
| Temporary structure, per tent (ALL tents and temporary membrane structures)                                                                                                                     | \$50.00                                               | \$50.00                                               |
| Tire storage (annual), Commercial Sales                                                                                                                                                         | \$250.00                                              | \$250.00                                              |
| Underground/aboveground storage tanks>100 lbs capacity                                                                                                                                          | \$100.00                                              | \$100.00                                              |
| (Commercial--includes flammable and combustible liquid storage and liquefied petroleum gas, per tank)                                                                                           |                                                       |                                                       |
| Vent-A-Hood, Class I or Class II Hoods (Commercial cooking only)                                                                                                                                | \$50.00                                               | \$50.00                                               |
| Welding and cutting operations (annual fixed occupancy or per job)                                                                                                                              | \$50.00                                               | \$50.00                                               |
| Woodworking operations (Commercial) Permit (annual)                                                                                                                                             | \$100.00                                              | \$100.00                                              |
| Life Safety Plan Reviews - Commercial Buildings                                                                                                                                                 |                                                       |                                                       |
| Building size: 0-5999 (per sq ft.)                                                                                                                                                              | \$0.10                                                | \$0.10                                                |
| Building size: 6000 and larger (per sq ft)                                                                                                                                                      | \$0.15                                                | \$0.15                                                |
| Family home or Foster Family                                                                                                                                                                    | No Charge (1 per year)                                | No Charge (1 per year)                                |
| Annual Fire Alarm Permit Fees                                                                                                                                                                   |                                                       |                                                       |
| Fire alarm permit fee (commercial, multi-occupancy buildings)                                                                                                                                   | \$50.00                                               | \$50.00                                               |
| Other alarms permit fee (All alarm systems that are not burglar alarms, inc but not limited to, panic, fire, and EMS alarms for commercial prop, inc multi-occupancy bldgs, such as apartments) | \$50.00                                               | \$50.00                                               |
| No permit required for personal alarms or medical alarms used at a residential                                                                                                                  | \$0.00                                                | \$0.00                                                |
| False alarm notification fee                                                                                                                                                                    | \$50.00                                               | \$50.00                                               |
| Service Fee - After two (2) false alarms in the 12-mo period immediately preceding any false alarm, the permit holder shall be assessed for each occurrence                                     | \$50.00                                               | \$50.00                                               |
| <b>FILM FRIENDLY SERVICES</b>                                                                                                                                                                   |                                                       |                                                       |
| Total or disruptive use - regular operating hours                                                                                                                                               | \$500.00 / day                                        | \$500.00 / day                                        |
| Partial, non-disruptive use                                                                                                                                                                     | \$250.00 / day                                        | \$250.00 / day                                        |
| Total closure or obstruction                                                                                                                                                                    | \$50 per block, per day                               | \$50 per block, per day                               |
| Partial closure or obstruction                                                                                                                                                                  | \$25 per block, per day                               | \$25 per block, per day                               |
| Use of City parking lots & areas and City streets                                                                                                                                               | \$50 per block or lot/day                             | \$50 per block or lot/day                             |



**MINUTES**  
**AUGUST 6, 2019**  
**LAVON CITY COUNCIL**  
**CITY HALL, 120 SCHOOL ROAD, LAVON, TEXAS**  
**WORK SESSION 6:00 P.M.**  
**REGULAR MEETING 7:00 P.M.**

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ATTENDING: VICKI SANSON, MAYOR  
JOHN KELL, PLACE 1  
KAY WRIGHT, MAYOR PRO TEM, PLACE 3  
TED DILL, PLACE 4  
MINDI SERKLAND, PLACE 5  
ABSENT: MIKE COOK, PL 2

1. **MAYOR SANSON CALLED THE MEETING TO ORDER AT 6:00 P.M. AND ANNOUNCED A QUORUM PRESENT.**
2. **MAYOR SANSON LED THE RECITATION OF THE PLEDGE OF ALLEGIANCE AND MS. WRIGHT DELIVERED THE INVOCATION.**
3. **BUDGET WORK SESSION**

**Discussion regarding the financial status for current Fiscal Year (FY) 2018-19, budget amendment, budget calendar, anticipated commitments, departmental service levels, fee schedule, and projected needs and requests for FY 2019-20.**

City Administrator Kim Dobbs reviewed budget projections and factors to be considered in the preparation of the FY 19-20 budget. The certified values and area entity tax rates and exemptions were reviewed. Ms. Dobbs explained the Capital Improvements that have been identified and advised that the City's financial advisor would be present at the second meeting in August to discuss funding options for specific capital projects identified by the staff. The Council reviewed proposed rental rates and discussed use of the gym by for profit entities. The Council directed the staff to continue to rent the gym to for profit businesses and charge rental fees. Mayor Sanson closed the work session with a brief recess at 6:50 p.m. and reconvened the session at 7:00 p.m.

**4. CITIZENS COMMENTS**

Holly Meier, spoke regarding property at 1154 Rolling Meadow that belongs to her father, Vernon Meier, who she said is experiencing issues with storm water run off and standing water in his backyard and provided photographs. Ms. Meier inquired regarding plans for the adjacent property as well as the LakePointe Development. City staff offered contact Ms. Meier to provide developer contact information.

Joshua Murray, 1762 Lake Rd, commended City Administration for recognizing the need for Capital Improvements and added that the initial plan for City Hall use was 10 years and that renovations are needed.

**5. ITEMS OF INTEREST/COMMUNICATIONS**

- August 12 NeSmith Elementary Ribbon Cutting for the new wing at 5:45p.m.
- August 10 Back to School Bash at Community Independent School District 4 p.m.
- August 15 Elected Officials to greet students returning to school.
- August 16 O'Reilly's Ribbon Cutting 4 p.m.
- August 17 Bayside Nutrition Grand Opening All Day.
- August 31 Candy Noble to tour EOC 9 a.m.

**6. CONSENT AGENDA**

**A. Approve the minutes of the July16, 2019 meeting.**

**B. Approve Resolution No. 2019-08-01 calling a General Election for the purpose of electing the Mayor and two (2) Council Members, one (1) for Place, 2, one (1) for place 4 to be held jointly**

with other political subdivisions and administered by the Collin County Elections Administrator on Tuesday, November 5, 2019 and providing for an Effective Date.

- C. Approve Resolution No. 2019-08-02 authorizing the Mayor to execute an Interlocal Agreement with Collin County for Child Abuse, Investigation Services and Law Enforcement Services.

**MOTION: APPROVE THE CONSENT AGENDA.**

MOTION MADE: KELL

SECONDED: DILL

APPROVED: UNANIMOUS

Absent: Cook

## **7. ITEMS FOR CONSIDERATION**

- A. Discussion and action regarding Resolution No. 2019-08-03 approving the form and authorizing the distribution of a Preliminary Limited Offering Memorandum for “City of Lavon, Texas, Special Assessment Revenue Bonds, Series 2019 (Lakepointe Public Improvement District Improvement Area #1 Project)” and for “City of Lavon, Texas Special Assessment Revenue Bonds, Series 2019 (Lakepointe Public Improvement District Major Improvement Area Project)”; approving landowner agreements for the Lakepointe Public Improvement District; and resolving other matters incident and related thereto.

PID Administrator Mary Petty, P3 Works, LLC, reviewed the process and provided information regarding the Resolution. The city’s bond counsel Greg Schaecher and underwriter Tripp Davenport were available to answer questions.

**MOTION: APPROVE RESOLUTION NO. 2019-08-03 APPROVING THE FORM AND AUTHORIZING THE DISTRIBUTION OF A PRELIMINARY LIMITED OFFERING MEMORANDUM FOR “CITY OF LAVON, TEXAS, SPECIAL ASSESSMENT REVENUE BONDS, SERIES 2019 (LAKEPOINTE PUBLIC IMPROVEMENT DISTRICT IMPROVEMENT AREA #1 PROJECT)” AND FOR “CITY OF LAVON, TEXAS SPECIAL ASSESSMENT REVENUE BONDS, SERIES 2019 (LAKEPOINTE PUBLIC IMPROVEMENT DISTRICT MAJOR IMPROVEMENT AREA AND RESOLVING OTHER MATTERS INCIDENT AND RELATED THERETO.**

MOTION MADE: SERKLAND

SECONDED: WRIGHT

APPROVED: UNANIMOUS

Absent: Cook

- B. Discussion and action regarding Resolution No. 2019-08-01 granting to SiEnergy, L.P. a franchise to furnish and supply gas to the general public in the City of Lavon, Collin County, Texas, and to transport, deliver, sell and distribute gas in and out of and through said municipality for all purposes; providing for the payment of a fee or charge for the use of streets, alleys, and public ways; and providing a severability clause, a penalty clause, and an effective date.

Daniel Pope, Vice President SiEnergy L.P., presented a slide show introducing the company and services they provide and introduced David Oliva, Head of Business Operations for North Texas Si Energy L.P. Mr. Dill asked if the service would be to new homes or be retrofitted for current homes and Mr. Pope explained that the service would be offered to new developments due to the difficulty of the conversion challenges. Ms. Mundo, Lavon EDC, stated that competition was good and she would like to see an extension to the Lavon Business Park. Rick Mann, 8311 PR 5397, asked if gas companies are regulated then how could this company offer competition to the other companies in the area. Mr. Pope and Mr. Oliva explained that the rates are close to the same, but what is offered to the developer in terms of infrastructure could potentially affect the home price.

**MOTION: APPROVE RESOLUTION NO. 2019-08-01 GRANTING TO SIENERGY, L.P. A FRANCHISE TO FURNISH AND SUPPLY GAS TO THE GENERAL PUBLIC IN AND OUT OF AND THROUGH SAID MUNICIPALITY FOR ALL PURPOSES; PROVIDING FOR**

**THE PAYMENT OF A FEE OR CHARGE FOR THE USE OF STREETS, ALLEYS, AND PUBLIC WAYS; AND PROVIDING A SEVERABILITY CLAUSE, A PENALTY CLAUSE, AND AN EFFECTIVE DATE.**

MOTION MADE: KELL  
SECONDED: WRIGHT  
APPROVED: UNANIMOUS  
Absent: Cook

- C. Discussion and action regarding Resolution No. 2019-08-04 authorizing the Mayor to execute a Municipal Services Agreement with Lavon 678 Development, L.L.C., for the purpose of offering municipal services for property consisting of 59.273 acres described as Samuel M. Rainer Survey, Abstract No. 740, Tract 59 (CCAD Property ID 2152129), southwest of the intersection of SH 78 and FM 6, Collin County, Texas and the portion of Lake Road, also referred to as CR 486, and the right-of-way adjacent to and abutting the property to be annexed into the corporate limits of the City of Lavon, Texas; calling for two public hearings.**

Ms. Dobbs reviewed the petition for voluntary annexation of the remainder of the unincorporated portion of the property and the written municipal service agreement. Ms. Dobbs introduced design engineer Brian Klein, Ion Design Group, LLC who confirmed that the landowner agreed to and executed a Municipal Services Agreement that sets out the provisions of municipal services to the annexed area.

**MOTION: APPROVE RESOLUTION NO. 2019-08-04 AS REVISED, AUTHORIZING THE MAYOR TO EXECUTE A MUNICIPAL SERVICES AGREEMENT WITH LAVON 678 DEVELOPMENT, LL.C. FOR THE PURPOSE OF OFFERING MUNICIPAL SERVICES FOR PROPERTY CONSISTING OF 59.273 ACRES DESCRIBED AS SAMUEL M. RAINER SURVEY, ABSTRACT NO. 740 TRACT 59 (CCAD PROPERTY ID 2152129), SOUTHWEST OF THE INTERSECTION OF SH 78 AND FM 6, COLLIN COUNTY, TEXAS AND THE PORTION OF LAKE ROAD, ALSO REFERRED TO AS CR 486, AND THE RIGHT-OF-WAY ADJACENT TO AND ABUTTING THE PROPERTY TO BE ANNEXED INTO THE CORPORATE LIMITS OF THE CITY OF LAVON, TEXAS; CALLING FOR TWO PUBLIC HEARINGS.**

MOTION MADE: WRIGHT  
SECONDED: DILL  
APPROVED: UNANIMOUS  
Absent: Cook

- D. Discussion and action regarding the goods in transit and freeport tax exemption.**

Ms. Dobbs explained that at their June 10, 2019 meeting, the Lavon Economic Development Corporation (LEDC) Board of Directors discussed economic development tools including the Freeport Goods tax exemption. The Board of Directors indicated a desire to ask the City Council to exempt freeport goods from ad valorem taxes. Ms. Dobbs provided background regarding the history of the exemption and the permanence of the freeport tax exemption. Ms. Mundo noted the benefits to bringing in businesses to the area. The Council directed Ms. Dobbs to work with the City Attorney to draft the appropriate documents to grant or continue to grant the exemption.

- E. Discussion and action regarding the effective and rollback tax rates. If proposed tax rate will exceed the lower of the effective or rollback tax rate, act and schedule public hearings.**

Ms. Dobbs presented information relating to the effective and rollback tax rates as set out in the Truth in Taxation laws. The Collin County Tax Assessor Collector's Office calculates and provides the effective and roll back rates to the City. Ms. Dobbs noted that by definition, the effective rate is the rate that generates the same revenues as last year's tax rate for properties taxed in both years and that the rollback rate provides an 8% increase over the effective tax rate in maintenance & operations (M&O) from the prior year. Ms. Dobbs explained that the County Tax Office and she were still in the process of reviewing the calculation worksheets to confirm the roll back rate and that the effective rate calculation had been confirmed at 0.530573. In order to meet the scheduling requirements of the Tax

Office, Collin County asked that the City Council identify the maximum tax rate that would be proposed for notice and public hearings if appropriate. In the absence of a confirmed roll back rate the consensus of the Council was to propose the effective rate to provide the same level of revenue as the prior year.

Ms. Dobbs confirmed that the City Council can amend change the proposed tax rate to a rate that is less than but not more than the identified proposed rate between now and adoption. The rates will be further discussed and considered at the budget work session on August 20, 2019.

**MOTION: SPECIFY A MAXIMUM PROPOSED TAX RATE EQUIVALENT TO THE EFFECTIVE TAX RATE OF 0.530573 AND SET PUBLIC HEARINGS ON SEPTEMBER 3, 2019 AND SEPTEMBER 10, 2019 IN ACCORDANCE WITH STATE LAW**

MOTION MADE: SERKLAND

SECONDED: WRIGHT

APPROVED: UNANIMOUS

Absent: Cook

## **8. EXECUTIVE SESSION**

At 8:35 p.m., in accordance with the Texas Governmental Code, Annotated, Subchapter 551, Mayor Sanson recessed the meeting to go into executive session (closed meeting) to discuss the following items.

- a) Section 551.074 – Personnel matters to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee; or hear a complaint or charge against an officer or employee – City Administrator/ City Secretary.

## **9. RECONVENE FROM EXECUTIVE SESSION**

In accordance with Texas Government Code, Section 551.001, et seq., Mayor Sanson reconvened the meeting at 9:33 p.m. and stated that no action was taken in executive session.

## **10. CITY COUNCIL TO SET FUTURE MEETINGS AND AGENDAS.**

- August 17, 2019 PlanLavon! City Council and Staff Retreat – 9 a.m. – 2 p.m.
- August 20, 2019 Regular Meeting – 6:00 p.m. budget work session
- September 3, 2019 Regular Meeting – 6:00 p.m. budget work session
- September 7, 2019 PlanLavon! Public Design Studio – for public to provide input and feedback 1:00 p.m. – 5:00 p.m.

## **11. MAYOR SANSON ADJOURNED THE CITY COUNCIL MEETING AT 9:39 P.M.**

**DULY PASSED and APPROVED** by the City Council of Lavon, Texas, on this 20<sup>th</sup> day of August 2019.

---

Vicki Sanson  
Mayor

**ATTEST:**

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Kim Dobbs  
City Administrator/City Secretary

## OATH

STATE OF TEXAS:

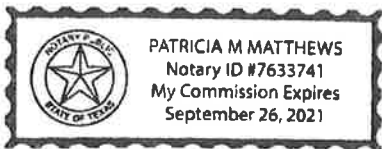
COUNTY OF COLLIN

I, Mike Arterburn, being duly sworn state that I am the Assessor-Collector for the mentioned District and that the foregoing report reflects a true and correct accounting of all taxes collected during the month stated herein.

  
Mike Arterburn, RTA

SWORN TO AND SUBSCRIBED BEFORE ME, THIS 7<sup>th</sup> DAY OF August, 2019

(SEAL)



  
NOTARY PUBLIC, STATE OF TEXAS

My commission expires 9/26/21



11500 Northwest Freeway | Suite 150 | Houston, Texas 77092 | Voice: 713-688-3855 | Fax: 713-688-3931

## HERITAGE PUBLIC IMPROVEMENT DISTRICT #1 ASSESSMENT REPORT SUMMARY 7/31/19

|                                       |         |                |      |
|---------------------------------------|---------|----------------|------|
| Total Receivables As of               | 7/31/19 | \$ 33,377.33   | pg 2 |
| Cash Balance As of                    | 6/30/19 | \$ 19,886.25   | pg 3 |
| July Receipts                         |         | \$ 26,894.45   | pg 3 |
| July Disbursements                    |         | \$ (10,016.56) | pg 3 |
| <b>August Disbursements:</b>          |         |                |      |
| 1 Wire Transfer & 1 Check             |         | \$ (25,184.34) | pg 4 |
| 3 Invoices to be paid at a later date |         |                |      |
| Cash Balance as of                    | 8/1/19  | \$ 11,579.80   | pg 4 |

### CURRENT COLLECTIONS & 4 YEAR HISTORICAL DATA

| Year | Collections<br>7/31/19 | Adjustments<br>7/31/19 | Reserve<br>Uncollectibles | Collections<br>9/1/14 - 7/31/19 | Receivables<br>7/31/19 | Percent<br>Collected |
|------|------------------------|------------------------|---------------------------|---------------------------------|------------------------|----------------------|
| 2018 | 18,623.24              |                        |                           | 703,554.04                      | 31,814.52              | 95.67                |
| 2017 | 663.13                 |                        |                           | 664,262.17                      | 1,554.39               | 99.77                |
| 2016 |                        |                        |                           | 599,554.03                      | 8.42                   | 99.99                |
| 2015 |                        |                        |                           | 599,562.45                      |                        | 100.00               |
| 2014 |                        |                        |                           | 600,372.72                      |                        | 100.00               |

Last Year's Percentage of Collections as of 7/31/18 95.13%

### CURRENT CERTIFIED LEVY & 4 YEAR HISTORICAL DATA

| Assessment Rates |         |         |         | Original |            |             | Assessment |
|------------------|---------|---------|---------|----------|------------|-------------|------------|
| Year             | Platted | Class 1 | Class 2 | Class 3  | Levy       | Adjustments | Levy       |
| 2018             | 2006    | 675.89  | 810.27  |          | 417,963.51 |             | 417,963.51 |
|                  | 2008    | 663.13  | 794.96  | 397.48   | 180,923.05 |             | 180,923.05 |
|                  | 2016    | 690.00  |         |          | 66,930.00  |             | 66,930.00  |
|                  | 2018    |         | 828.00  |          | 69,552.00  |             | 69,552.00  |
|                  |         |         |         |          | 735,368.56 |             | 735,368.56 |
| 2017             | 2006    | 675.89  | 810.27  |          | 417,963.51 |             | 417,963.51 |
|                  | 2008    | 663.13  | 794.96  | 397.48   | 180,923.05 |             | 180,923.05 |
|                  | 2016    | 690.00  |         |          | -          | 66,930.00   | 66,930.00  |
|                  |         |         |         |          | 598,886.56 |             | 665,816.56 |
| 2016             | 2006    | 675.89  | 810.27  |          | 418,639.40 |             | 418,639.40 |
|                  | 2008    | 663.13  | 794.96  | 397.48   | 180,923.05 |             | 180,923.05 |
|                  |         |         |         |          | 599,562.45 |             | 599,562.45 |
| 2015             | 2006    | 675.89  | 810.27  |          | 419,449.67 |             | 418,639.40 |
|                  | 2008    | 663.13  | 794.96  | 397.48   | 180,923.05 | (810.27)    | 180,923.05 |
|                  |         |         |         |          | 600,372.72 |             | 599,562.45 |
| 2014             | 2006    | 675.89  | 810.27  |          | 419,449.67 |             | 419,449.67 |
|                  | 2008    | 663.13  | 794.96  | 397.48   | 180,923.05 |             | 180,923.05 |
|                  |         |         |         |          | 600,372.72 |             | 600,372.72 |

(Levy Calculated by Lot Size)

# HERITAGE PUBLIC IMPROVEMENT DISTRICT #1

## ASSESSMENT REPORT

### 7/31/19

|                        |    |           |    |           |
|------------------------|----|-----------|----|-----------|
| Receivables at 8/31/18 | \$ | 22,542.85 | \$ | 22,542.85 |
| Prior Year Adjustments | \$ | -         |    |           |

|                      |    |            |    |            |
|----------------------|----|------------|----|------------|
| 2018 Assessment Levy | \$ | 735,368.56 | \$ | 735,368.56 |
|                      | \$ | -          |    |            |

Collections From: 9/1/18 - 7/31/19

|      |    |            |
|------|----|------------|
| 2018 | \$ | 703,554.04 |
| 2017 | \$ | 18,803.19  |
| 2016 | \$ | 2,176.85   |

( \$ 724,534.08 )

|                        |  |         |    |           |
|------------------------|--|---------|----|-----------|
| TOTAL RECEIVABLE AS OF |  | 7/31/19 | \$ | 33,377.33 |
|                        |  |         |    | =====     |

**HERITAGE PUBLIC IMPROVEMENT DISTRICT #1**  
**7/31/19**

|                                                             | <b>Month of</b><br><b><u>7/31/19</u></b> | <b>Fiscal to Date</b><br><b><u>10/1/18-7/31/19</u></b> |
|-------------------------------------------------------------|------------------------------------------|--------------------------------------------------------|
| Cash Balance as of      6/30/19                             | \$    19,886.25                          | \$    15,937.53                                        |
| <b>Receipts</b> Deposited in the Assessment Acct (UTS):     |                                          |                                                        |
| Current/Prior Assessments                                   | 19,286.37                                | 720,787.64                                             |
| Penalty & Interest                                          | 3,429.95                                 | 14,015.98                                              |
| Atty's Fee-Del Coll                                         | 3,993.79                                 | 8,060.95                                               |
| Overpayment Refunds                                         | 184.34                                   | 1,541.93                                               |
| NSF Fees Paid                                               |                                          | 60.00                                                  |
| Court Filing Fees                                           |                                          | 2,523.13                                               |
| Title Search Fee                                            |                                          | 764.36                                                 |
| Constable Fee                                               |                                          | 280.00                                                 |
| Notice to Purchaser                                         |                                          | 20.00                                                  |
| Escrow                                                      |                                          |                                                        |
| Assessment Fees Pd in Full                                  |                                          | 23,871.30                                              |
| Stale Dated Checks                                          |                                          | 675.89                                                 |
| Reimb Bank Charges                                          |                                          | 256.90                                                 |
| Bank Interest                                               |                                          |                                                        |
| <b>TOTAL RECEIPTS:</b>                                      | <b>\$    26,894.45</b>                   | <b>\$    772,858.08</b>                                |
| <b>Disbursements</b> Issued from the Assessment Acct (UTS): |                                          |                                                        |
| Transfer/Debt Service                                       | 10,000.00                                | 750,000.00                                             |
| Overpayment Refunds                                         | 16.56                                    | 1,355.58                                               |
| Cashed Stale Dated Checks                                   |                                          | 675.89                                                 |
| <b>TOTAL DISBURSEMENTS:</b>                                 | <b>( \$    10,016.56 )</b>               | <b>( \$    752,031.47 )</b>                            |
| <b>Cash Balance As of      7/31/19</b>                      | <b>\$    36,764.14</b><br><b>=====</b>   | <b>\$    36,764.14</b><br><b>=====</b>                 |

**HERITAGE PUBLIC IMPROVEMENT DISTRICT #1  
7/31/19**

**Cash Balance As of 7/31/19** **\$ 36,764.14**

**Disbursements For August 2019:**

| <u>Check #</u>       | <u>Payee</u>                 | <u>Description</u> | <u>Amount</u>    |
|----------------------|------------------------------|--------------------|------------------|
| W/T                  | Debt Service Fund on 8/14/19 | Transfer of Funds  | 25,000.00        |
| 1004                 | PennyMac                     | Overpayment Refund | 184.34           |
| Total Disbursements: |                              |                    | ( \$ 25,184.34 ) |

**Cash Balance As of 8/1/19** **\$ 11,579.80**  
=====

**Invoices to be Approved & Paid at a Later Date for August 2019:**

| <u>Payee</u>        | <u>Description</u>                      | <u>Amount</u>      |
|---------------------|-----------------------------------------|--------------------|
| MuniCap, Inc        | Professional Fees (Invoice #072019-149) | \$ 2,043.75        |
| Ted A. Cox          | Atty's Fee - Delinquent Coll            | \$ 4,080.14        |
| Mike Arterburn, A/C | August Fee                              | \$ 1,020.60        |
| <b>Total</b>        |                                         | <b>\$ 7,144.49</b> |

**HERITAGE PUBLIC IMPROVEMENT DISTRICT #1**  
**7/31/19**

**CURRENT COLLECTIONS & HISTORICAL DATA**

| <u>Year</u> | <u>Collections</u><br><u>7/31/19</u> | <u>Adjustments</u><br><u>7/31/19</u> | <u>Reserve</u><br><u>Uncollectibles</u> | <u>Collections</u><br><u>9/1/07- 7/31/19</u> | <u>Receivables</u><br><u>7/31/19</u> | <u>Percent</u><br><u>Collected</u> |
|-------------|--------------------------------------|--------------------------------------|-----------------------------------------|----------------------------------------------|--------------------------------------|------------------------------------|
| 2018        | 18,623.24                            |                                      |                                         | 703,554.04                                   | 31,814.52                            | 95.67                              |
| 2017        | 663.13                               |                                      |                                         | 664,262.17                                   | 1,554.39                             | 99.77                              |
| 2016        |                                      |                                      |                                         | 599,554.03                                   | 8.42                                 | 99.99                              |
| 2015        |                                      |                                      |                                         | 599,562.45                                   |                                      | 100.00                             |
| 2014        |                                      |                                      |                                         | 600,372.72                                   |                                      | 100.00                             |
| 2013        |                                      |                                      |                                         | 616,722.00                                   |                                      | 100.00                             |
| 2012        |                                      |                                      |                                         | 616,722.00                                   |                                      | 100.00                             |
| 2011        |                                      |                                      |                                         | 617,412.00                                   |                                      | 100.00                             |
| 2010        |                                      |                                      |                                         | 618,102.00                                   |                                      | 100.00                             |
| 2009        |                                      |                                      |                                         | 618,102.00                                   |                                      | 100.00                             |
| 2008        |                                      |                                      |                                         | 441,835.00                                   |                                      | 100.00                             |
| 2007        |                                      |                                      |                                         | 431,388.00                                   |                                      | 100.00                             |

**HERITAGE PUBLIC IMPROVEMENT DISTRICT #1**  
**7/31/19**

**CURRENT CERTIFIED LEVY & HISTORICAL DATA**

| <u>Year</u> | <u>Replatted</u> | <u>Class 1</u> | <u>Class 2</u> | <u>Class 3</u> | <u>Original<br/>Levy</u> | <u>Adjustments</u> | <u>Assessment<br/>Levy</u> | <u>SR/KR<br/>Rolls</u> |
|-------------|------------------|----------------|----------------|----------------|--------------------------|--------------------|----------------------------|------------------------|
| 2018        | 2006             | 675.89         |                |                | 273,735.45               |                    | 273,735.45                 |                        |
|             |                  |                | 810.27         |                | 144,228.06               |                    | 144,228.06                 |                        |
|             | 2008             | 663.13         |                |                | 69,628.65                |                    | 69,628.65                  |                        |
|             |                  |                | 794.96         |                | 85,855.68                |                    | 85,855.68                  |                        |
|             |                  |                |                | 397.48         | 25,438.72                |                    | 25,438.72                  |                        |
|             | 2016             | 690            |                |                | 66,930.00                |                    | 66,930.00                  |                        |
|             | 2018             |                | 828.00         |                | 69,552.00                |                    | 69,552.00                  |                        |
|             |                  |                |                |                | <u>735,368.56</u>        |                    | <u>735,368.56</u>          |                        |
| 2017        | 2006             | 675.89         |                |                | 273,735.45               | -                  | 273,735.45                 | 1-0                    |
|             |                  |                | 810.27         |                | 144,228.06               |                    | 144,228.06                 |                        |
|             | 2008             | 663.13         |                |                | 69,628.65                |                    | 69,628.65                  |                        |
|             |                  |                | 794.96         |                | 85,855.68                |                    | 85,855.68                  |                        |
|             |                  |                |                | 397.48         | 25,438.72                |                    | 25,438.72                  |                        |
|             | 2016             | 690.00         |                |                | -                        | 66,930.00          | 66,930.00                  |                        |
|             |                  |                |                |                | <u>2,069,623.68</u>      |                    | <u>665,816.56</u>          |                        |
| 2016        | 2006             | 675.89         |                |                | 274,411.34               |                    | 274,411.34                 |                        |
|             |                  |                | 810.27         |                | 144,228.06               |                    | 144,228.06                 |                        |
|             | 2008             | 663.13         |                |                | 69,628.65                |                    | 69,628.65                  |                        |
|             |                  |                | 794.96         |                | 85,855.68                |                    | 85,855.68                  |                        |
|             |                  |                |                | 397.48         | 25,438.72                |                    | 25,438.72                  |                        |
|             |                  |                |                |                | <u>599,562.45</u>        |                    | <u>599,562.45</u>          |                        |
| 2015        | 2006             | 675.89         |                |                | 274,411.34               |                    | 274,411.34                 |                        |
|             |                  |                | 810.27         |                | 145,038.33               | (810.27)           | 144,228.06                 | 0-1                    |
|             | 2008             | 663.13         |                |                | 69,628.65                |                    | 69,628.65                  |                        |
|             |                  |                | 794.96         |                | 85,855.68                |                    | 85,855.68                  |                        |
|             |                  |                |                | 397.48         | 25,438.72                |                    | 25,438.72                  |                        |
|             |                  |                |                |                | <u>600,372.72</u>        |                    | <u>599,562.45</u>          |                        |
| 2014        | 2006             | 675.89         |                |                | 274,411.34               |                    | 274,411.34                 |                        |
|             |                  |                | 810.27         |                | 145,038.33               |                    | 145,038.33                 |                        |
|             | 2008             | 663.13         |                |                | 69,628.65                |                    | 69,628.65                  |                        |
|             |                  |                | 794.96         |                | 85,855.68                |                    | 85,855.68                  |                        |
|             |                  |                |                | 397.48         | 25,438.72                |                    | 25,438.72                  |                        |
|             |                  |                |                |                | <u>600,372.72</u>        |                    | <u>600,372.72</u>          |                        |
|             |                  | <u>Class 1</u> | <u>Class 2</u> | <u>Class 3</u> |                          |                    |                            |                        |
| 2013        |                  | 690.00         | 828.00         | 414.00         | 616,722.00               |                    | 616,722.00                 |                        |
| 2012        |                  | 690.00         | 828.00         | 414.00         | 616,722.00               |                    | 616,722.00                 |                        |
| 2011        |                  | 690.00         | 828.00         | 414.00         | 618,102.00               | (690.00)           | 617,412.00                 | 0-1                    |
| 2010        |                  | 690.00         | 828.00         | 414.00         | 618,102.00               |                    | 618,102.00                 |                        |
| 2009        |                  | 690.00         | 828.00         | 414.00         | 615,894.00               | 2,208.00           | 618,102.00                 | 2-1                    |
| 2008        |                  | 690.00         | 828.00         |                | 431,388.00               | 10,447.00          | 441,835.00                 | 1-0                    |
| 2007        |                  | 690.00         | 828.00         |                | 431,388.00               |                    | 431,388.00                 |                        |

(Levy Calculated by Lot Size)

**HERITAGE PUBLIC IMPROVEMENT DISTRICT #1**  
**7/31/19**

**Accounts Paid in Full:**

**\$ 12,103.00** 2008 Reported as other fees collected on 12/08 report. Transferred to 2008  
**ID #2612590** Assessments on 3/09 report. Account paid in full.  
**Account #R-9032-00M-0120-1** (Per SR #1 increased 08 base on 3/09)

**\$ 9,228.19** 2011 Received funds in the amount \$9,228.19 on 10/11 report. Applied as follows:  
**ID #2610999** (Base \$690.00 + \$8,538.19 as other fees & applied as full payment for  
**Account # R-9095-00B-0150-1**

**\$ 9,658.04** 2014 Received funds in the amount of \$10,468.31 on 1/15 report. Applied as follows:  
**ID #2612671** (Base \$810.27 + \$9,658.04 as other fees & applied as full payment for  
**Account # R-9032-00A-0790-1**

**\$ 7,590.18** 2016 Received funds in the amount of \$7,590.18 on 3/17 report. Applied as follows:  
**ID #2611110** \$7,590.18 as other fees & applied as full payment for **Account # R-9095-00G-0120-1**

**\$ 8,654.82** 2018 Received funds in the amount of \$8,654.82 on 12/18 report. Applied as follows:  
**ID #2612674** \$8,654.82 as other fees & applied as full payment for **Account # R-9032-00A-0820-1**

**\$ 6,336.15** 2018 Received funds in the amount of \$6,336.15 on 1/19 report. Applied as follows:  
**ID #2610992** \$6,336.15 as other fees & applied as full payment for **Account # R-9095-00B-0080-1**

**\$ 8,880.33** 2018 Received funds in the amount of \$8,880.33 on 1/19 report. Applied as follows:  
**ID #2743500** \$8,880.33 as other fees & applied as full payment for **Account # R-11082-00F-0060-1**

# HERITAGE PUBLIC IMPROVEMENT DISTRICT #1

## 7/31/19

**Notes:**

### Installment Plans

| <u>Year(s)</u> | <u>Name/Account Number</u>                 | <u>Payment<br/>Schedule</u> | <u>Current<br/>Yes/No</u> |
|----------------|--------------------------------------------|-----------------------------|---------------------------|
| 2018           | Lisa Kennelly<br>R-9095-00J-0140-1         | 4/19 - 3/20<br>12 Months    | Yes                       |
| 2018           | Dana Lewis<br>R-11413-00C-0030-1           | 3/19-2/20<br>12 Months      | Yes                       |
| 2018           | Chris & Krista Adkins<br>R-9635-00N-0280-1 | 8/19 - 7/20<br>12 Months    | 1st Pmt Due<br>8/19       |
| 2018           | Shadia & Ali Kilwa<br>R-11413-00B-0290-1   | 8/19 - 7/20<br>12 Months    | 1st Pmt Due<br>8/19       |
| 2018           | Jose & Flor Carrasco<br>R-9032-00C-0320-1  | 8/19 - 7/20<br>12 Months    | 1st Pmt Due<br>8/19       |

CENTRAL BANK

1004

35-0107/1130

CHECK AMOUNT

HERITAGE PID 1 TAX ACCOUNT  
11500 NORTHWEST FWY STE 150  
HOUSTON, TX 77092

8/1/2019

PAY TO THE ORDER OF PennyMac

\$\*\*184.34

One Hundred Eighty-Four and 34/100\*\*\*\*\*

DOLLARS

3 Signatures Required

PennyMac  
PO Box 514387  
Los Angeles, CA 90051-4387

MEMO

AUTHORIZED SIGNATURE

⑈001004⑈ ⑆113001077⑆ ⑈3342691⑈

HERITAGE PID 1 TAX ACCOUNT

PennyMac

2018 Overpayment Refund  
acct #R-9635-00N-0100-1

8/1/2019

1004

184.34

Heritage PID #1

184.34

HERITAGE PID 1 TAX ACCOUNT

PennyMac

2018 Overpayment Refund  
acct #R-9635-00N-0100-1

8/1/2019

1004

184.34

Heritage PID #1

184.34



11500 Northwest Freeway I Suite 150 I Houston, Texas 77092 I Voice: 713-688-3855 I Fax: 713-688-3931

## Heritage PID #1 Overpayment Refund Invoice

**Year**  
**2018**

Overpayment Refund \$ 184.34  
Account R-9635-00N-0100-1  
Original Payment: 7/9/19  
Deposit #1981

Check #1004  
Paid 8/1/19

Payable To:  
PennyMac  
PO Box 514387  
Los Angeles, CA 90051-4387

**PennyMac**<sup>®</sup>

PennyMac Loan Services LLC  
P.O. Box 514387 Los Angeles, CA 90051-4387

ESCROW DISBURSEMENT CLG  
BANK OF AMERICA  
PENNYMAC LOAN SERVICES  
TT5 417 420850001  
8021375526

CHECK NO.  
0004062119

MO/DAY/YR  
06/27/2019

**PAY** Six Hundred, Sixty-Three and 13/100ths Dollars

**TO THE  
ORDER OF**

HERITAGE PID 1 U  
TAX COLLECTOR  
11500 NW FREEWAY #465  
HOUSTON, TX 77092

**FOR PAYMENT OF TAXES**

AMOUNT

\$663.13

VOID IF NOT CASHED WITHIN 180 DAYS

AUTHORIZED SIGNATURE

⑈0004062119⑈ ⑆122000661⑆ 1235983224⑈

R963500N01001

**Disbursement Check Voucher**

**PAYEE NAME & ADDRESS** HERITAGE PID 1 U  
TAX COLLECTOR  
11500 NW FREEWAY #465  
HOUSTON, TX 77092

**CHECK NUMBER:** 0004062266  
**CHECK DATE:** 06/27/2019  
**PAYEE CODE:** 420850001  
**PAGE:** 1 of 1

⑈ 719119  
Dep. 1981

OR 184.34

pd \$946.94

Group: TT5

| LOAN NUM.        | REF ID               | NAME      | TRAN DETAILS | DUE DATE | AMOUNT DUE |
|------------------|----------------------|-----------|--------------|----------|------------|
| PROPERTY ADDRESS | COMMENTS             |           |              |          |            |
| 8021375526       | 424 Jackson Ln       | BM STUBER | 601          |          | 275.86     |
|                  | Acct # R963500N01001 |           |              |          |            |

# INVOICE

**MuniCap, Inc.**  
8965 Guilford Road  
Suite 210  
Columbia, MD 21046

**Invoice Date** 7/15/2019  
**Invoice #** 072019-149

**Balance Due** \$2,043.75

Remit check to:

or

Wire Instructions:

Bill To:

**CITY OF LAVON, TEXAS**  
c/o Utility Tax Services  
- VIA EMAIL TO -  
utilitytaxservice@sbcglobal.net

MuniCap, Inc.  
8630 M Guilford Road #263  
Columbia, MD 21046

The Columbia Bank  
9151 Baltimore National Pike  
Ellicott City, MD 21042  
(410) 418-8500

ABA Routing No.: 055 002 338  
To the account of: MuniCap, Inc.  
Account No.: 00 082 362 31

Project Heritage PID #1 1657

PLEASE DETACH AND RETURN TOP PORTION WITH PAYMENT

**Invoice Date**  
7/15/2019

**Invoice #**  
072019-149

**MuniCap, Inc.**  
8965 Guilford Road  
Suite 210  
Columbia, MD 21046

**Terms** Net 30  
**Client #** 1657

| Project Heritage PID #1                                                     |           |                                                                                                                                                                                                      | Terms Client # |                   |
|-----------------------------------------------------------------------------|-----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-------------------|
|                                                                             |           |                                                                                                                                                                                                      | Net 30         | 1657              |
| Item                                                                        | DATE      | Description                                                                                                                                                                                          | Hrs            | Amount            |
| Sr Assoc (MP)                                                               | 6/3/2019  | Respond to PID inquiry from homeowner.                                                                                                                                                               | 0.25           | 43.75             |
| Sr VP (AY)                                                                  | 6/3/2019  | Respond to inquiry regarding delinquencies and credit implications.                                                                                                                                  | 0.25           | 62.50             |
| Manager (DH)                                                                | 6/6/2019  | Review account reconciliation through 4/30/19.                                                                                                                                                       | 0.5            | 100.00            |
| Sr Assoc (MP)                                                               | 6/10/2019 | Respond to inquiry from property owner. Discuss billing process. Provide PID assessment information packet with detailed explanations.                                                               | 0.5            | 87.50             |
| Sr VP (AY)                                                                  | 6/11/2019 | Review plats and discuss lot type classifications with associates.                                                                                                                                   | 0.5            | 125.00            |
| Manager (JDA)                                                               | 6/11/2019 | Review general prepayment inquiry. Follow up with city staff about land use class questions. Review plat information and conduct parcel research.                                                    | 2.5            | 500.00            |
| Assoc (MRW)                                                                 | 6/12/2019 | Download and save trust account statements to the network.                                                                                                                                           | 0.25           | 37.50             |
| Manager (JDA)                                                               | 6/12/2019 | Review general prepayment inquiry. Follow up with city staff about land use class questions. Review plat information and conduct parcel research.                                                    | 0.75           | 150.00            |
| Assoc (KB)                                                                  | 6/13/2019 | Process administrative invoices and certificates authorizing payment and forward for approval, as required by Trust Indenture.                                                                       | 0.25           | 37.50             |
| Manager (JDA)                                                               | 6/13/2019 | Reconcile trust accounts for May activity.                                                                                                                                                           | 0.25           | 50.00             |
| Manager (JDA)                                                               | 6/18/2019 | Prepare timeline for drafts and annual service plan update presentation meeting.                                                                                                                     | 0.5            | 100.00            |
| Assoc (MRW)                                                                 | 6/19/2019 | Update active parcel list for 2019-2020 service and assessment plan update.                                                                                                                          | 2.25           | 337.50            |
| Sr Assoc (MP)                                                               | 6/20/2019 | Respond to three inquiries from property owner. Provide assessment balance and PID assessment disclosure packet. Provide information regarding original assessment levy. Follow up call with emails. | 1              | 175.00            |
| Assoc (DW)                                                                  | 6/24/2019 | Update service and assessment plan budget for 2019-20. Review service and assessment plan tables and calculations.                                                                                   | 1              | 150.00            |
| Sr Assoc (JLA)                                                              | 6/25/2019 | Assist with identification and provision of material information related to on-going compliance.                                                                                                     | 0.5            | 87.50             |
| Subtotal Fees:                                                              |           |                                                                                                                                                                                                      |                | 2,043.75          |
| EIN: 03-0461891. Overdue accounts are subject to 1% monthly finance charge. |           |                                                                                                                                                                                                      | <b>Total</b>   | <b>\$2,043.75</b> |

AY

Billing Inquiries? Call (443) 539-4104

SP-B

July 15, 2019

Beverly Evans  
BNY Mellon  
Corporate Trust  
2001 Bryan St., 10th Floor  
Dallas, Texas 75201

**RE: City of Lavon, Texas, Special Assessment Revenue Bonds, Series 2013  
Heritage Public Improvement District No. 1**

Dear Ms. Evans,

Pursuant to the Trust Indenture between the City of Lavon, Texas and The Bank of New York Mellon Trust Company, N.A., as Trustee, providing for the issuance of \$8,065,000 of the City of Lavon, Texas Special Assessment Revenue Bonds (Heritage PID #1 Project), please pay the enclosed invoice in the total amount of \$2,043.75 to MuniCap, Inc., from the Administrative Expense Fund created pursuant to the Trust Indenture. This invoice is for administrative services provided by MuniCap for the City, and the nature of these services is more fully described in the attached invoice.

Please mail the check to MuniCap at the following address:

8630 M Guilford Road  
#263  
Columbia, MD 21046

The undersigned person is an Authorized Representative of the City as provided for in the Trust Indenture.

Please do not hesitate to call me with any questions regarding this matter.

Very truly yours,

City of Lavon, Texas

By: \_\_\_\_\_  
*Authorized Representative*

Enclosure



11500 Northwest Freeway | Suite 150 | Houston, Texas 77092 | Voice 713-688-3855 | Fax 713-688-3931

August 1, 2019

City of Lavon  
Heritage PID # 1

## Ted Cox Invoice

|                                            |                 |
|--------------------------------------------|-----------------|
| July 2019 Delinquent Collections           | \$ 3,993.79     |
| Postage/Copy/Online Database Search Fees / |                 |
| Constable Fees/Deed Searches (May 2019)    | \$ <u>86.35</u> |

**Total \$ 4,080.14**

Check #  
Paid 8/1/19

Payable to:

Ted A. Cox, P.C.  
2855 Mangum, Suite 100  
Houston, Texas 77092

**TED A. COX, P.C.**  
Attorney at Law  
2855 Mangum, Suite 100  
Houston, Texas 77092  
(713) 956-9400 Office  
(713) 956-8485 Telefax

July 25, 2019

Utility Tax Service, LLC  
11500 Northwest Freeway, #465  
Houston, TX 77092

RE: Heritage P.I.D. #1 - Collections

Expenses/Fees:

Postage/Copy/Online Database Search Fees/Constable Fees/Deed Searches (July 2019) .....\$86.35

TOTAL DUE THIS INVOICE .....\$86.35

MONTH OF JULY 2019

| <u>DISTRICT</u>    | <u>COPIES</u> | <u>POSTAGE</u> | <u>DEED FEES</u> | <u>LEXIS NEXIS<br/>RESEARCH FEES</u> | <u>OTHER EXPENSES</u>           | <u>TOTAL</u> |
|--------------------|---------------|----------------|------------------|--------------------------------------|---------------------------------|--------------|
| Chambers PID #2    |               |                |                  |                                      |                                 |              |
| Chambers PID #3    |               |                |                  |                                      |                                 |              |
| Denton County      | \$7.00        | \$17.60        |                  |                                      |                                 | \$24.60      |
| CNP UD             | \$7.80        | \$25.90        |                  | \$8.34                               |                                 | \$42.04      |
| El Dorado UD       | \$20.50       | \$35.60        |                  | \$3.50                               | \$125.00 (Constable-Fearington) | \$184.60     |
| Encanto Real       | \$5.80        | \$7.55         |                  |                                      |                                 | \$13.35      |
| Fort Bend MUD #145 | \$5.40        | \$1.65         |                  |                                      |                                 | \$7.05       |
| Galveston MUD #14  | \$4.40        | \$4.95         |                  |                                      |                                 | \$9.35       |
| Galveston MUD #15  | \$6.60        | \$12.85        |                  |                                      |                                 | \$19.45      |
| Heritage PID       | \$33.60       | \$35.75        |                  |                                      | \$17.00 (Certified Deeds)       | \$86.35      |
| HC MUD #5          | \$30.70       | \$31.35        |                  | \$3.50                               |                                 | \$65.55      |
| HC UD #16          | \$42.90       | \$49.35        |                  |                                      | \$263.00 (Two Constable Fees)   | \$355.25     |
| HC MUD #104        | \$7.50        | \$13.95        |                  |                                      |                                 | \$21.45      |
| HC MUD #200        | \$10.20       | \$16.15        |                  |                                      | \$133.25 (Constable Fee)        | \$159.60     |
| HC MUD #211        | \$9.00        | \$9.75         |                  | \$5.56                               |                                 | \$24.31      |
| HC MUD #233        |               |                |                  |                                      |                                 |              |
| HC MUD #238        | \$11.60       | \$18.21        |                  |                                      |                                 | \$29.81      |
| HC MUD #257        | \$6.20        | \$21.48        |                  |                                      |                                 | \$27.68      |
| HC MUD #304        | \$12.20       | \$17.90        |                  | \$13.90                              | \$80.00 (Constable Fee)         | \$124.00     |
| HC MUD #316        | \$3.10        | \$8.90         |                  | \$17.40                              |                                 | \$29.40      |

%Utility Tax Service, LLC  
11500 NW Freeway, Ste 150  
Houston, TX 77092

|          |           |
|----------|-----------|
| Date     | Invoice # |
| 8/1/2019 | 10228     |

|                |
|----------------|
| Bill To        |
| Heritage PID 1 |

64



## **CITY OF LAVON CITY COUNCIL Agenda Brief**

**MEETING:** August 20, 2019

**ITEM:** 6 - C

---

**Item:**

**Consent Agenda**

- C. Approve Resolution No. 2019-08-05 amending Resolution No. 2019-08-02 authorizing the Mayor to execute an updated Interlocal Agreement with Collin County for Child Abuse, Investigation Services and Law Enforcement Services.

**Background:**

The City of Lavon presently contracts with Collin County for the provision of law enforcement services for where the victim is less than 17 years of age. The proposed agreement continues the service agreement for four more years.

On August 6, 2019, the City Council of the City of Lavon approved Resolution No. 2019-08-02 to authorize the Mayor to execute an Interlocal Agreement with Collin County for Child Abuse, Investigation Services and Law Enforcement Services. Subsequently on August 13, 2019, Collin County provided an amended updated Agreement.

**Financial Implication:**

The proposed rate is unchanged from the current rate of \$1500 per year. The funds are provided for in the Police Department operation budget.

**Attachments:** Resolution and Agreement  
Communication from Collin County

**CITY OF LAVON, TEXAS**  
**RESOLUTION NO. 2019-08-05**

Updated ILA – Collin County Child Abuse Law Enforcement Services

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS AMENDING RESOLUTION NO. 2019-08-02 AUTHORIZING THE MAYOR TO EXECUTE AN UPDATED INTERLOCAL AN INTERLOCAL AGREEMENT WITH COLLIN COUNTY FOR CHILD ABUSE, INVESTIGATION SERVICES AND LAW ENFORCEMENT SERVICES; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on August 6, 2019, the City Council of the City of Lavon approved Resolution No. 2019-08-02 authorizing the Mayor to execute an Interlocal Agreement with Collin County for Child Abuse, Investigation Services and Law Enforcement Services; and

**WHEREAS**, on August 13, 2019, Collin County provided an amended updated Agreement.

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

**SECTION 1.** That the City Council does hereby authorize the Mayor to execute an Interlocal Agreement with Collin County for Child Abuse, Investigation Services and Law Enforcement Services, which is attached hereto and labeled “Exhibit A”;

**SECTION 2.** That this resolution shall take effect from and after the date of its passage.

**DULY PASSED and APPROVED** by the City Council of the City of Lavon, Texas, on the 20<sup>th</sup> day of August 2019.

\_\_\_\_\_  
Vicki Sanson, Mayor

**ATTEST:**

\_\_\_\_\_  
Kim Dobbs  
City Administrator / City Secretary

**CITY OF LAVON, TEXAS**  
**RESOLUTION NO. 2019-08-05**  
**EXHIBIT A**

**INTERLOCAL AGREEMENT:  
CHILD ABUSE, INVESTIGATION SERVICES, LAW ENFORCEMENT SERVICES**

THIS AGREEMENT is entered into on October 1, 2019, by and between the City of Lavon (the “City”) and the Collin County, a political subdivision of the State of Texas (the “County”).

**Recitals**

**WHEREAS**, County performs law enforcement functions within Collin County.

**WHEREAS**, the City desires to obtain certain law enforcement services from the County that the City is authorized to provide.

**WHEREAS**, the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code authorizes units of local government to contact with one or more units of local government to perform government functions and services; and

**NOW, THEREFORE**, in consideration of the mutual promises and benefits contained herein, and for other valuable consideration, the receipt and sufficiency of which are hereby acknowledged the Parties agree as follows:

**Article I  
Definitions**

**1.01 Law Enforcement Services**

The term “Law Enforcement Services” means all services necessary for the County to provide the reporting, investigating and filing charges for special crimes.

**1.02 Special Crimes**

The term “Special Crimes” means criminal offenses, relating directly or indirectly, whereby the victim is less than 17 years of age and the crime is determined to be a State Jail Felony or above. Lower offenses may be worked with the approval of both parties.

**Article II  
Term**

**2.01 Term**

The term of this Agreement shall commence on October 1, 2019, and shall continue in full force and effective thru September 30, 2023.

**2.02 Termination**

Either party may terminate this Agreement by giving ninety (90) days written notice to the other party.

The parties agree that this Agreement will terminate immediately should the City not have an operating Police Force.

**Article III  
Services and Service Fees**

### **3.01 Services**

The County agrees to provide all law enforcement services relating to Special Crimes as described in Paragraph 1.02 of this Agreement. City shall pay for Sexual Assault Exams (Normally, these Fees are reimbursed to the City, by the State of Texas) if required in addition to the Fees annotated in section 5.01: Law Enforcement Service Charge. Additional unusual investigative fees, upon City approval in each case, may be charged if required for prosecution.

### **3.02 Manner of Providing Services**

The Law Enforcement Services shall be provided by the County in the same manner and within the same response times as such services are provided by the County within its jurisdiction.

### **3.03 Use of Additional Personnel**

The County may utilize the services of individuals whose duties and responsibilities are related to detection, investigation and/or prosecution of violations associated with offenses described in paragraph 1.02 of this Agreement.

## **Article IV Exclusivity of Service**

The parties agree that the County may contract to perform services similar or identical to those specified in this Agreement for such additional governmental or public entities as the County, in its sole discretion, sees fit.

## **Article V Compensation**

### **5.01 Law Enforcement Service Charge**

The payment is based upon the population estimates of the City and that population is based on the most recently published figures obtained from the North Central Texas Council of Governments. Law Enforcement Fees may be adjusted within the Four (4) year period as needed, if deemed necessary due to population increase. On an annual basis, the City will pay \$1,500.00 to the County for providing the above mentioned services. The City will continue payment for any and all charges for services not described in this Agreement. County will invoice City each year for total amount due.

## **Article VI Notices**

**6.01** Unless otherwise specified, all communications provided for in this Agreement shall be in writing and shall be deemed delivered whether actually received or not forty-eight (48) hours after deposit in the United States mail, first class, registered or certified, return receipt requested, with proper postage prepaid or immediately when delivered in person.

**6.02** All communications provided for in this Agreement shall be addressed as follows:

if to the County, Copy to:  
County Purchasing Agent  
Purchasing Department  
2300 Bloomdale Road, Suite 3160  
McKinney, TX 75071

if to the City, to:  
Mayor, City of Lavon  
120 School Road  
P.O. Box 340  
Lavon , TX 75009

Or, to such person at such other address as may from time to time be specified in a notice given as provided in this Section 6.

## **Article VII Miscellaneous**

### **7.01 Civil Liability**

Any civil liability relating to the furnishing of services under this Agreement shall be the responsibility of the City. The parties agree that the County shall be acting as agent for the City in performing the services contemplated by this Agreement.

The City shall hold the County free and harmless from any obligation, costs, claims, judgments, attorneys' fees, attachments, and other such liabilities arising from or growing out of the services rendered to the City pursuant to the terms of this Agreement or in any way connected with the rendering of said services, except when the same shall arise because of the willful misconduct or culpable negligence of the County, and the County is adjudged to be guilty of willful misconduct or culpable negligence by a court of competent jurisdiction.

### **7.02 Amendment**

This Agreement shall not be amended or modified other than in a written agreement signed by the parties.

### **7.03 Controlling Law**

This Agreement shall be deemed to be made under, governed by, and construed in accordance with, the laws of the State of Texas.

### **7.04 Captions**

The headings to the various sections of this Agreement have been inserted for convenient reference only and shall not modify, define, limit, or expand the express provision of this Agreement.

### **7.05 Counterparts**

This Agreement may be executed in counterparts, each of which, when taken separately, shall be deemed an original.

### **7.06 Exclusive Right to Enforce this Agreement**

The County and the City have the exclusive right to bring suit to enforce this Agreement, and no other party may bring suit, as a third-party beneficiary or otherwise, to enforce this Agreement.

### **7.07 Expenses for Enforcement**

In the event either Party hereto is required to employ an attorney to enforce the provisions of this Agreement or is required to commence legal proceedings to enforce the provisions hereof, the prevailing Party shall be entitled to recover from the other, reasonable attorney's fees and court costs incurred in connection with such enforcement, including collection.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

“COUNTY”

COLLIN COUNTY, TEXAS

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

“CITY”

CITY OF LAVON, TEXAS

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

Title: County Judge

Date: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

## Kim Dobbs

---

**From:** Brooke Scullin <bscullin@co.collin.tx.us>  
**Sent:** Tuesday, August 13, 2019 9:28 AM  
**To:** Kim Dobbs  
**Subject:** RE: Child Abuse Task Force Agreement

Kim,

Yes ma'am. I have listed them below:

- Article V Compensation, 5.01 states that fees may be adjusted within the five (5) year period as needed. It should say **Four (4)**, not Five (5).
- Article VI Notices, 6.02 makes reference to Section 9. It was should be Section **6**.

Thank you,

*Brooke Scullin*

Buyer Assistant  
Collin County Purchasing  
2300 Bloomdale Road, Suite 3160  
McKinney, TX 75071  
972-548-4130

**From:** Kim Dobbs [mailto:kim.dobbs@cityoflavon.org]  
**Sent:** Tuesday, August 13, 2019 9:07 AM  
**To:** Brooke Scullin <bscullin@co.collin.tx.us>  
**Subject:** RE: Child Abuse Task Force Agreement

\*\*\*\*\* **WARNING:** External Email. Do not click links or open attachments that are unsafe. \*\*\*\*\*

Brooke,  
The Council approved the agreement last week.  
Can you please identify where the change is?  
Thanks,  
Kim

**Kim Dobbs**  
City Administrator / City Secretary  
City of Lavon  
972-843-4220

**From:** Brooke Scullin <[bscullin@co.collin.tx.us](mailto:bscullin@co.collin.tx.us)>  
**Sent:** Monday, August 12, 2019 10:24 AM

**To:** Kim Dobbs <[kim.dobbs@cityoflavon.org](mailto:kim.dobbs@cityoflavon.org)>

**Subject:** Child Abuse Task Force Agreement

If you haven't already executed, we caught a mistake. Please see revised attachment.

Thank you,

Brooke Scullin

Buyer Assistant

Collin County Purchasing

2300 Bloomdale Road, Suite 3160

McKinney, TX 75071

972-548-4130





## **CITY OF LAVON CITY COUNCIL Agenda Brief**

**MEETING:** August 20, 2019

**ITEM:** 6 - D

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**Item:**

**Consent Agenda**

- D. Approve Resolution No. 2019-08-06 authorizing the Mayor to execute a contract with the Collin County Elections Administrator for Election Services related to the City's November 5, 2019 General Election.

**Background:**

The office of the Collin County Elections Administrator owns and leases equipment that complies with the requirement that each polling location have at least one voting system accessible to individuals with disabilities in a manner that provides the same opportunity for access and participation (including privacy and independence) as for other voters.

Contracting with the Collin County Elections Administrator enables the City to share the costs of the election with other jurisdictions that may also be holding elections, reducing the costs to the City.

**Financial Impact:**

The anticipated costs are included in the annual operating budget. The supporting information provided with the contract includes an invoice for a \$5639.02. Funding is provided for in the budget.

**Attachments:**

Resolution No. 2019-08-06  
Proposed Contract with Collin County Elections Administrator  
Election Calendar

**CITY OF LAVON, TEXAS**  
**RESOLUTION NO. 2019-08-06**

Contract for Election Services November 5, 2019

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVON,  
TEXAS AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT  
WITH THE COLLIN COUNTY ELECTIONS ADMINISTRATOR FOR  
ELECTION SERVICES RELATED TO THE NOVEMBER 5, 2019  
GENERAL ELECTION; AND PROVIDING AN EFFECTIVE DATE.**

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

**SECTION 1.** The City Council does hereby authorize the Mayor to execute a contract with the Collin County Elections Administrator for Election Services related to the November 5, 2019 General Election, such Contract attached hereto as Exhibit "A".

**SECTION 2.** That this resolution shall take effect from and after the date of its passage.

**DULY PASSED AND APPROVED** by the City Council of the City of Lavon, Texas on the 20<sup>th</sup> day of August 2018.

\_\_\_\_\_  
Vicki Sanson, Mayor

ATTEST:

\_\_\_\_\_  
Kim Dobbs  
City Administrator / City Secretary

**CITY OF LAVON, TEXAS**  
**RESOLUTION NO. 2019-08-06**

**EXHIBIT A**

**CONTRACT**

**November 5, 2019**  
**General Election**  
**Contract for Election Services**  
**City of Lavon**

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**November 5, 2019**  
**General Election**

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**THE STATE OF TEXAS  
COUNTY OF COLLIN  
CITY OF LAVON**

**§**

**CONTRACT FOR  
ELECTION SERVICES**

**BY THE TERMS OF THIS CONTRACT** made and entered into by and between the CITY OF LAVON, hereinafter referred to as the "City" and BRUCE SHERBET, Elections Administrator of Collin County, Texas, hereinafter referred to as "Contracting Officer," pursuant to the authority in Subchapter D, Section 31.092, of Chapter 31, of the Texas Election Code, agree to the following particulars in regard to coordination, supervision and running of the City's November 5, 2019 General Election.

**THIS AGREEMENT** is entered into in consideration of the mutual covenants and promises hereinafter set out. IT IS AGREED AS FOLLOWS:

**I. DUTIES AND SERVICES OF CONTRACTING OFFICER.** The Contracting Officer shall be responsible for performing the following duties and shall furnish the following services and equipment:

A. The Contracting Officer shall arrange for appointment, notification (including writ of election), training and compensation of all presiding judges, alternate judges, the judge of the Central Counting Station and judge of the Early Voting Ballot Board.

a. The Contracting Officer shall be responsible for notification of each Election Day and Early Voting presiding judge and alternate judge of his or her appointment. The presiding election judge of each polling place, will use his/her discretion to determine when additional manpower is needed during peak voting hours. The Contracting Officer will determine the number of clerks to work in the Central Counting Station and the number of clerks to work on the Ballot Board. Election judges shall be secured by the Contracting Officer.

b. Election judges shall attend the Contracting Officer's school of instruction (Elections Seminar). Notification of the class dates, times and location will be sent to all jurisdictions.

- c. Election judges shall be responsible for picking up from and returning election supplies to the county election warehouse located at 2010 Redbud Blvd., Suite 102, McKinney. Compensation for this pickup and delivery of supplies will be \$25.00.
- d. The Contracting Officer shall compensate each election judge and worker. Each judge shall receive \$12.00 per hour for services rendered. Each alternate judge and clerk shall receive \$10.00 per hour for services rendered. Overtime will be paid to each person working over 40 hours per week.

B. The Contracting Officer shall procure, prepare, and distribute voting machines, election kits and election supplies.

- a. The Contracting Officer shall secure election kits which include the legal documentation required to hold an election and all supplies including locks, pens, magic markers, etc.
- b. The Contracting Officer shall secure all tables, chairs, and legal documentation required to run the Central Counting Station.
- c. The Contracting Officer shall provide all lists of registered voters required for use on Election Day and for the early voting period required by law.
- d. The Contracting Officer shall procure and arrange for the distribution of all election equipment and supplies required to hold an election.
  - 1. Equipment includes the rental of voting machines, ADA compliance headphone and keypad (1 per site), transfer cases, voting signs and transfer cabinets.
  - 2. Supplies include paper ballots, sample ballots, forms, provisional supplies, security seals, pens, tape, markers, etc.

C. The Contracting Officer, Bruce Sherbet, shall be appointed the Early Voting Clerk by the City.

a. The Contracting Officer shall supervise and conduct Early Voting by mail and in person and shall secure personnel to serve as Early Voting Deputies.

b. Early Voting by personal appearance for the City's November 5, 2019, General Election shall be conducted during the time period and at the locations listed in Exhibit "A", attached and incorporated by reference into this contract.

c. All applications for an Early Voting mail ballot shall be received and processed by the Collin County Elections Administration Office, 2010 Redbud Blvd., Suite 102, McKinney, Texas 75069.

1. Application for mail ballots erroneously mailed to the City shall immediately be faxed to the Contracting Officer for timely processing. The original application shall then be forwarded to the Contracting Officer for proper retention.

2. All Federal Post Card Applicants (FPCA) will be sent a mail ballot. No postage is required.

d. All Early Voting ballots (those cast by mail and those cast by personal appearance) shall be prepared for count by the Early Voting Ballot Board in accordance with Section 87.000 of the Texas Election Code. The presiding judge of this Board shall be appointed by the Contracting Officer.

D. The Contracting Officer shall arrange for the use of all Election Day Vote Centers. The City shall assume the responsibility of remitting the cost of all employee services required to provide access, provide security or provide custodial services for the polling locations. The Election Day Vote Centers are listed in Exhibit "B", attached and incorporated by reference into this contract.

E. The Contracting Officer shall be responsible for establishing and operating the Central Counting Station to receive and tabulate the voted ballots in accordance with Section 127.001 of the Election Code and of this agreement. Counting Station Manager and Central Count Judge shall be Bruce Sherbet. The Tabulation Supervisor shall be Patty Seals.

- a. The tabulation supervisor shall prepare, test and run the county's tabulation system in accordance with statutory requirements and county policies, under the auspices of the Contracting Officer.
- b. The Public Logic and Accuracy Test of the electronic voting system shall be conducted.
- c. Election night reports will be available to the City at the Central Counting Station on election night. Provisional ballots will be tabulated after election night in accordance with law.
- d. The Contracting Officer shall prepare the unofficial canvass report after all precincts have been counted, and will provide a copy of the unofficial canvass to the City as soon as possible after all returns have been tallied.
- e. The Contracting Officer shall be appointed the custodian of the voted ballots and shall retain all election material for a period of 22 months.
  1. Pending no litigation and as prescribed by law, the voted ballots shall be shredded 22 months after the election.
  2. The City can obtain the list of registered voters from the Elections Administration Office after this retention period. Pending no litigation and if the City does not request the lists, the Contracting Officer shall destroy them.

**II. DUTIES AND SERVICES OF THE CITY.** The City shall assume the following responsibilities:

A. The City shall prepare the election orders, resolutions, notices, official canvass and other pertinent documents for adoption by the appropriate office or body. The City assumes the responsibility of posting all notices and likewise promoting the schedules for Early Voting and Election Day.

B. The City shall provide the Contracting Officer with an updated map and street index of their jurisdiction in an electronic (shape file preferred) or printed format as soon as possible but no later than Friday, September 6, 2019.

C. The City shall procure and provide the Contracting Officer with the ballot layout and Spanish interpretation in an electronic format.

**a. The City shall deliver to the Contracting Officer as soon as possible, but no later than 12:00 PM Thursday, August 22, 2019, the official wording for the City's November 5, 2019, General Election.**

b. The City shall approve, the "blue line" ballot format prior to printing.

D. The City shall post the publication of election notice by the proper methods with the proper media.

E. The City shall compensate the Contracting Officer for any additional verified cost incurred in the process of running this election or for a manual count this election may require, consistent with charges and hourly rates shown on Exhibit "C" for required services.

F. The City shall pay the Contracting Officer 90% of the City's share of the cost to run the said election prior to Friday, September 27, 2019. The Contracting Officer shall place the funds in a "contract fund" as prescribed by Section 31.100 of the Texas Election Code. The Deposit should be delivered within the mandatory time frame to:

**Collin County Treasury  
2300 Bloomdale Rd. #3138  
McKinney, Texas 75071**

Made payable to: "Collin County Treasury" with the note "for election services" included with check documentation.

G. The City shall pay the City's share of the cost of conducting said election, less partial payment, including the 10% administrative fee, pursuant to the Texas Election Code, Section 31.100, within 30 days from the date of final billing.

**III. COST OF SERVICES.** See Exhibit "C."

**IV. GENERAL PROVISIONS.**

A. Nothing contained in this contract shall authorize or permit a change in the officer with whom or the place at which any document or record relating to the City's November 5, 2019, General Election is to be filed or the place at which any function is to be carried out, or any nontransferable functions specified under Section 31.096 of the Texas Election Code.

B. Upon request, the Contracting Officer will provide copies of all invoices and other charges received in the process of running said election for the City.

C. If the City cancels their election pursuant to Section 2.053 of the Texas Election Code, the Contracting Officer shall be paid a contract preparation fee of \$75. An entity canceling an election will not be liable for any further costs incurred by the Contracting Officer in conducting the November 5, 2019, General Election. All actual shared cost incurred in the conduct of the election will be divided by the actual number of entities contracting with the Contracting Officer **and** holding a November 5, 2019, General Election.

D. The Contracting Officer shall file copies of this contract with the County Judge and the County Auditor of Collin County, Texas.

WITNESS BY MY HAND THIS THE \_\_\_\_ DAY OF \_\_\_\_\_ 2019.

\_\_\_\_\_  
Bruce Sherbet  
Elections Administrator  
Collin County, Texas

WITNESS BY MY HAND THIS THE \_\_\_\_ DAY OF \_\_\_\_\_ 2019.

By: \_\_\_\_\_  
Vicki Sanson, Mayor  
City of Lavon

Attest: \_\_\_\_\_  
Kim Dobbs, City Secretary  
City of Lavon

SUMMARY OF COSTS FOR CITY OF LAVON

|                            |            |
|----------------------------|------------|
| SUPPLY COST                | \$160.60   |
| EQUIPMENT RENTAL COST      | \$1,444.00 |
| EARLY VOTING               | \$2,675.60 |
| ELECTION DAY               | \$306.50   |
| ADMINISTRATIVE EXPENSES    | \$7.50     |
| TAB/PROG/CENTRALIZED COSTS | \$532.18   |
|                            |            |
| Total                      | \$5,126.38 |
| 10% Administrative Fee     | \$512.64   |
|                            |            |
| Grand Total                | \$5,639.02 |

# City of Lavon Calendar

## General Election

### November 5, 2019

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|                |                                                                                                    |
|----------------|----------------------------------------------------------------------------------------------------|
| <u>June 20</u> | Deadline to Post Notice of Candidate Filing Deadline                                               |
| <u>July 20</u> | First Day to File for a Place on the General Election Ballot                                       |
| <u>Aug 6</u>   | Order the General Election                                                                         |
| <u>Aug 6</u>   | Order Designating Election Precincts and Polling Places                                            |
| <u>Aug 7</u>   | Post Notice of Election – General                                                                  |
| <u>Aug 16</u>  | Post Notice to Draw for Order of Names on Ballot                                                   |
| <u>Aug 19</u>  | Last Day to File for a Place on the General Election Ballot (5 PM)                                 |
| <u>Aug 20</u>  | Election Contract with Collin County, Appointment of Election Judges                               |
| <u>Aug 20</u>  | Draw for Order of Names on Ballot                                                                  |
| <u>Aug 23</u>  | Last Day to File a Declaration of Write-In Candidacy – General                                     |
| <u>Sep 6</u>   | Send Notice of Election to County Election Office / Voter Registrar                                |
| <u>Sep 17</u>  | Order Designating Election Precincts and Polling Places<br>Order Publication of Notice of Election |
| <u>Sep 20</u>  | Post and Send Notice of Election to paper to publish between 10/7-27                               |
| <u>Oct 9</u>   | Publish Notice of Election                                                                         |
| <u>Oct 21</u>  | First Day of Early Voting                                                                          |
| <u>Nov 1</u>   | Last Day of Early Voting                                                                           |
| <u>Nov 5</u>   | Election Day (7am-7pm)                                                                             |
| <u>Nov 19</u>  | Canvas the Results of the Election (last day possible)                                             |
| <u>Nov 19</u>  | Administer Oaths of Office                                                                         |



## **CITY OF LAVON CITY COUNCIL Agenda Brief**

**MEETING:** August 20, 2019

**ITEM:** 7-A

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**Items:**

Discussion and action regarding Resolution No. **2019-08-07** authorizing the Mayor to Negotiate and Execute an Agreement Regarding Conveyance of Right of Redemption and Waiver of Agricultural Valuation – LakePointe Public Improvement District.

**Background:**

Pursuant to the Development Agreement with the owner of the LakePointe development project, the owner agreed to convey all rights to redeem any portion of the property, which is assessed property and has an agricultural use valuation, following a tax sale and execute a waiver of agricultural use valuation.

The City's consulting team and city attorney have reviewed the agreement and approval is recommended.

**Attachments:** Resolution and Agreement

**CITY OF LAVON, TEXAS**  
**RESOLUTION NO. 2019-08-07**

LakePointe PID – Conveyance of Right of Redemption and Waiver of Ag Value

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVON,  
TEXAS AUTHORIZING THE MAYOR TO NEGOTIATE AND EXECUTE  
AN AGREEMENT REGARDING CONVEYANCE OF RIGHT OF  
REDEMPTION AND WAIVER OF AGRICULTURAL VALUATION –  
LAKEPOINTE PUBLIC IMPROVEMENT DISTRICT.**

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

**SECTION 1.** The City Council does hereby authorize the Mayor to authorizing the Mayor to Negotiate and Execute an Agreement Regarding Conveyance of Right of Redemption and Waiver of Agricultural Valuation – LakePointe Public Improvement District, such Agreement attached hereto as Exhibit “A”.

**SECTION 2.** That this resolution shall take effect from and after the date of its passage.

**DULY PASSED AND APPROVED** by the City Council of the City of Lavon, Texas on the 20<sup>th</sup> day of August 2019.

\_\_\_\_\_  
Vicki Sanson, Mayor

ATTEST:

\_\_\_\_\_  
Kim Dobbs  
City Administrator / City Secretary

**CITY OF LAVON, TEXAS**  
**RESOLUTION NO. 2019-08-07**

**EXHIBIT A**

**AGREEMENT**

# **AGREEMENT REGARDING CONVEYANCE OF RIGHT OF REDEMPTION AND WAIVER OF AGRICULTURAL VALUATION**

## **LAKEPOINTE PID**

THIS AGREEMENT REGARDING CONVEYANCE OF RIGHT OF REDEMPTION AND WAIVER OF AGRICULTURAL VALUATION—LAKEPOINTE PID (“Agreement”), dated as of August 20, 2019 (the Effective Date”), by and among LDC LAVON, LLC, a Texas limited liability company, and its successors and assigns (“Landowner”), the CITY OF LAVON, TEXAS (the “City”), acting by and through its duly authorized representative, and WILMINGTON TRUST, NATIONAL ASSOCIATION and any successor thereto (“Trustee”). Capitalized terms not defined herein have the meaning ascribed to them in the Construction Funding Agreement (defined below).

## **RECITALS**

A. WHEREAS, on March 19, 2019, the City Council authorized the formation of LakePointe Public Improvement District pursuant to Resolution No. 2019-03-04, as amended by Resolution No. 2019-07-04 adopted by the City Council on July 16, 2019 (the “District”) on the District Property in accordance with Chapter 372 of the Texas Local Government Code, as amended. The “Property” or the “District Property” shall mean any or all of that certain Major Improvement Area of the District containing approximately 119.612 acres of land located in Collin County, Texas and more particularly described on **Exhibit “A”** attached hereto;

B. WHEREAS, Landowner intends to develop the Property as a residential development and proposes to construct certain Authorized Improvements to serve the Property and transfer certain of those improvements to the City in accordance with the terms and provisions of the LakePointe Public Improvement District Major Improvement Area Projects Construction, Funding, and Acquisition Agreement, dated as of August 20, 2019, between the Landowner and the City (the “Construction Funding Agreement”);

C. WHEREAS, the City has adopted an Assessment Ordinance on August 20, 2019, a Service and Assessment Plan, and has levied assessments (the “Major Improvement Assessments”) on all or a portion of the District Property (“Assessed Property”) and, the City will issue the Bonds, subject to the Indenture, for payment of costs associated with construction and/or acquisition of the Major Improvement Area Projects;

D. WHEREAS, as a condition precedent to the City’s performance of its obligations under the Construction Funding Agreement, Landowner has agreed to (a) convey to the Trustee all rights to redeem any portion of the Property, which is Assessed Property and that has an agricultural use valuation, following a tax sale, and (b) execute and deliver into escrow with the Trustee a waiver of agricultural use valuation as described in Section 2 hereof; and

E. WHEREAS, Wilmington Trust, National Association is the trustee under the Indenture,

NOW, THEREFORE, in consideration of the premises set forth above, and for other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the Parties hereto hereby agree as follows:

## SECTION 1. CONVEYANCE OF RIGHT OF REDEMPTION.

Landowner has GRANTED, BARGAINED, SOLD, and CONVEYED, and by these presents does hereby GRANT, BARGAIN, SELL, and CONVEY, unto the Trustee all rights that Landowner and its successors and assigns now have or in the future may have in equity, or under common law, statutory law, the Constitution of the State of Texas or otherwise to redeem, repurchase or reacquire those portions of the Property that are Assessed Property and are designated and claimed for agricultural use as described in Section 23.41 of the Texas Tax Code (the “Non-Redeemable Property”) following a foreclosure of a tax lien or sale, transfer or conveyance in connection with a tax sale, including, without limitation, any and all rights arising under Section 34.21 of the Texas Tax Code, as amended (“Tax Redemption Rights”).

TO HAVE AND TO HOLD the Tax Redemption Rights in the Non-Redeemable Property belonging in any way to Landowner, unto the Trustee, its successors and assigns, forever, subject to the restrictions and reservations set forth herein, so that neither Landowner nor Landowner’s successors and assigns, nor any other person claiming by, through or under Landowner, shall at any time hereafter have, claim or demand any right, title, or interest in and to the Tax Redemption Rights in the Non-Redeemable Property or any part thereof, except as expressly provided in this Agreement.

(a) Restrictions and Reservations.

IT IS EXPRESSLY UNDERSTOOD AND AGREED that if all or a portion of the Non-Redeemable Property ceases to be Assessed Property, as shown on the Assessment Roll maintained by the City, then the owner of such land shall have the right to assume ownership of the Tax Redemption Rights for said portion of the Non-Redeemable Property. Upon written request by an owner of land that is Non-Redeemable Property that has ceased to be Assessed Property, the City and the Trustee, following receipt of written direction from the City, shall execute a Release of Redemption Agreement, in the form attached hereto as **Exhibit “E.”**

(b) Restriction Against Redemption of Non-Redeemable Property.

In the event that a court of competent jurisdiction enters a final judgment that the foregoing conveyance of Tax Redemption Rights is not effective, the Landowner hereby absolutely, unconditionally and irrevocably waives, releases, relinquishes and surrenders, on behalf of itself and its successors and assigns, and agrees not to assert or exercise any and all Tax Redemption Rights it now has or in the future may have in equity, pursuant to statute, the Constitution of the State of Texas or otherwise to redeem, repurchase or reacquire any portion of the Property that is Non-Redeemable Property following a sale for failing to pay the Major Improvement Assessments levied under the Assessment Ordinance, a foreclosure of a tax lien or sale, transfer or conveyance in connection with a tax sale, including, without limitation, any and all rights arising under Section 34.21 of the Texas Tax Code, as amended.

## **SECTION 2. DEPOSIT OF FUNDS WITH TRUSTEE/WAIVER OF AGRICULTURAL USE VALUATION.**

(a) Developer Property Tax Fund. Concurrently with the closing on the Bonds for the Property, the Landowner will deposit \$5,000.00 with the Trustee in the Developer Property Tax Fund pursuant to the Indenture (“Developer Property Tax Fund”) which is estimated to be two years of ad valorem taxes levied by all taxing units on the portion of the Property subject to agricultural valuation for the calendar years 2018 and 2019. Trustee is instructed to hold the Developer Property Tax Fund in cash until such time it receives further instruction from the City to either (i) return the funds to the Landowner; or (ii) deliver the funds to the City if, and only if, the Agricultural Use Waiver is released to the City under Section 2(b) below; provided however, if on the eighth anniversary of the execution of this Agreement (the “Anniversary Date”), the Trustee has not received instruction from the City, then it shall return such funds to the Landowner within thirty (30) days of the Anniversary Date and this Agreement shall terminate subject to the return of the Agricultural Use Waiver as described in Section 2(b) below.

(b) Delivery of Agricultural Use Waiver Into Escrow. Concurrently with the execution and delivery of this Agreement and the deposit of the Developer Property Tax Fund, Landowner has delivered or will promptly deliver to the Trustee five (5) originals of an executed waiver of agricultural use valuation (the “Agricultural Use Waiver”) waiving any agricultural use valuation and any right to special appraisal arising based on agricultural use with respect to Non-Redeemable Property. Such Agricultural Use Waiver shall be in the form thereof attached hereto as **Exhibit “B”** and made a part hereof for all purposes.

(c) Authorization to File Agricultural Use Waiver.

(i) Prior to the Trustee taking any action described in subsection 2(c)(ii) below, the Trustee shall pay past due or delinquent taxes using funds in the Developer Property Tax Account of the Administrative Fund held under the Indenture. If the funds in the applicable Developer Property Tax Fund are not sufficient to pay all past due ad valorem taxes, including any accrued interest and penalties, then the Trustee shall notify the Landowner and City Bank (as lender on the development loan relating to the Assessed Property), and any successor to City Bank (the “Lender”) of such deficiency and provide the Landowner and the Lender thirty (30) days to deliver to the Trustee the requisite amount of funds to pay all past due taxes and restore the applicable Developer Property Tax Fund.

(ii) In the event that any taxes secured by a lien against any portion of the Non-Redeemable Property have not been paid by March 1st following the year for which such taxes are levied, the Trustee shall provide the Lender notice of the deficiency and provide the Lender ten (10) days to cure said deficiency. If the Lender fails to cure the deficiency, Trustee shall (unless otherwise instructed by holders of not less than twenty percent (20%) of the Bonds, as defined in the Financing Agreement, secured by the applicable Indenture then outstanding) and the Landowner hereby irrevocably authorizes the Trustee to, release the Agricultural Use Waiver from escrow and deliver same to the Collin County Tax Assessor/Collector or its successor. The Trustee shall, and the Landowner further authorizes the Trustee to, attach to the Agricultural Use

Waiver a description of that portion of the Non-Redeemable Property for which taxes are delinquent; provided, the Trustee shall verify with the City the descriptions of the Non-Redeemable Property to be attached to such waiver. In the event that the Trustee receives notice that delinquent taxes and all penalties and interest have been paid prior to Trustee's transmittal of the Agricultural Use Waiver to the Collin County Tax Assessor/Collector or its successor, then Trustee shall not transmit the Waiver of Agricultural Use to the Collin County Tax Assessor/Collector and such waiver shall be returned to escrow. In the event that the number of Agricultural Use Waivers held by Trustee is less than two (2) and some portion of the Property is Non-Redeemable Property, the Landowner agrees to promptly execute and deliver to the Trustee, to be held in and released from escrow as provided herein, another Agricultural Use Waiver for use with any remaining Non-Redeemable Property owned by the Landowner; provided, however, the Trustee shall deliver to the Collin County Tax Assessor/Collector or its successor an Agricultural Use Waiver with respect to the remaining Non-Redeemable Property owned by the Landowner, if the Landowner does not execute and deliver to the Trustee such additional Agricultural Waivers within thirty (30) days of a written request by the Trustee. Notwithstanding anything to the contrary contained herein, the Lender is under no obligation to cure any deficiency.

(iii) Except as provided in Section 2(c)(iv), in the event that any Assessments levied by the City pursuant to the Assessment Ordinance that are secured by a lien against any portion of the Non-Redeemable Property have not been paid by March 1st following the year for which such Assessments are levied (or ten (10) days before such Assessments become delinquent, if earlier), the Trustee shall provide the Lender notice of the failure to pay Assessments and provide the Lender ten (10) days to cure such failure. If the Lender fails to cure, the Trustee shall (unless otherwise instructed by holders of not less than twenty percent (20%) of the Bonds secured by the Indenture then outstanding) and the Landowner hereby irrevocably authorizes the Trustee to, release the Agricultural Use Waiver from escrow and deliver same to the Collin County Tax Assessor/Collector or its successor. The Trustee shall, and the Landowner further authorizes the Trustee to, attach to the Agricultural Use Waiver a description of that portion of the Non-Redeemable Property for which Assessments are delinquent. In the event that the number of Agricultural Use Waivers held by Trustee is less than two (2) and some portion of the Property is Non-Redeemable, the Landowner agrees to promptly execute and deliver to the Trustee, to be held in and released from escrow as provided herein, another Agricultural Use Waiver for use with any remaining Non-Redeemable Property owned by the Landowner; provided, however, the Trustee shall deliver to the Collin County Tax Assessor/Collector or its successor an Agricultural Use Waiver with respect to the remaining Non-Redeemable Property owned by the Landowner, if the Landowner does not execute and deliver to the Trustee such additional Agricultural Waivers within thirty (30) days of a written request by the Trustee. Notwithstanding anything to the contrary contained herein, the Lender is under no obligation to cure the failure to pay.

(iv) If, by case law, statute or an opinion of the Attorney General of the State of Texas it is determined that Tax Redemption Rights do not apply to the Assessments levied in the District, then Section 2(c)(iii) shall immediately become non-operative and non-effective upon Trustee's receipt of written notice of such decision, statute or opinion.

### **SECTION 3. REPRESENTATIONS AND WARRANTIES.**

The Landowner hereby represents and warrants to the City as follows:

(a) The Landowner represents and warrants that it is a limited liability company duly organized and validly existing under the laws of the State of Texas, is qualified to do business in and is in good standing under the laws of the State of Texas, is in compliance with the laws of the State of Texas, and has the power and authority to own its properties and assets and to carry on its business as now being conducted and as now contemplated.

(b) The Landowner represents and warrants that it has the power and authority to enter into this Agreement, and has taken all action necessary to cause this Agreement to be executed and delivered, and this Agreement has been duly and validly executed and delivered on behalf of the Landowner.

(c) The Landowner represents and warrants that this Agreement is a valid and enforceable obligation of the Landowner and is enforceable against the Landowner in accordance with its terms, subject to bankruptcy, insolvency, reorganization, or other similar laws affecting the enforcement of creditors' rights in general and by general equity principles.

### **SECTION 4. DEFAULT AND REMEDIES.**

In the event that the Landowner shall violate, or indicate that the Landowner intends to violate, any of the terms and provisions set forth in this Agreement, in addition to any other remedies available at law or in equity, the Trustee shall have the right to sue for and obtain a prohibitive or mandatory injunction or any other equitable remedy to prevent the breach of, or to enforce the observance of, the terms of this Agreement. The foregoing remedies shall be cumulative with, in addition to, and non-exclusive of one another, and the exercise of any one remedy shall not bar the exercise of any other remedy. In the event of any legal action commenced by the Trustee to enforce the obligations of the Landowner hereunder, the Trustee shall be entitled to recover its reasonable attorney's fees and costs. The Trustee shall provide thirty (30) days' notice to the Lender prior to taking any enforcement action. Notwithstanding anything to the contrary set forth in this Agreement, the obligations of Landowner under this Agreement shall be several, not joint.

### **SECTION 5. MISCELLANEOUS.**

(a) Term of Agreement. This Agreement shall continue in full force and effect until the earlier of: (i) the date the Trustee receives instruction from the City under Section 2(a)-(b) to return of monies in the Developer Property Tax Fund and the Agricultural Use Waiver to the Landowner and (ii) no obligations remain outstanding under the Indenture.

(b) Covenants Run with the Land; Transfers of the Property. This Agreement shall be recorded in the deed records of Collin County, Texas, and shall run with the land and the ownership of any Non-Redeemable Property, act as an appurtenant burden on the Non-Redeemable Property and shall be binding upon the Non- Redeemable Property and all owners, tenants, subtenants, licensees, assignees and occupants thereof and any other party having any interest therein. Upon the acquisition by any party of any interest in the Non-Redeemable Property, (a) such party shall automatically and without further action by such party or any other party be deemed to have assumed and agreed to be bound by this Agreement from and after the date of such transfer, and (b) the Landowner shall be released of liability with respect to the transferred interest in the Non-Redeemable Property from and after the date of such transfer, but not prior thereto. Without limiting the foregoing, any party who acquires a fee interest in any portion of the Non-Redeemable Property (“Subsequent Owner”) shall, and hereby shall be deemed to have agreed to, (i) execute and record in the Real Property Records of Collin County, Texas, promptly following the recording of the conveyance instrument, an agreement in the form attached hereto as **Exhibit “C”** (the “Acknowledgment and Agreement”) to acknowledge that such party is subject to the terms of this Agreement, expressly agreeing to comply with the terms and provisions of this Agreement applicable to the portion of the Non-Redeemable Property acquired by such party, and waiving such party’s right to redeem such portion of the Non-Redeemable Property, and (ii) execute and deliver to the Trustee, concurrently with the recording of the Acknowledgment and Agreement, five (5) Agricultural Use Waivers in the form attached hereto as **Exhibit “B”** for that portion of the Non-Redeemable Property acquired by such party. In the event that the number of Agricultural Use Waivers signed by a Subsequent Owner that are held by Trustee is less than two (2) and some portion of the Property owned by the Subsequent Owner is Non-Redeemable Property, such Subsequent Owner agrees to promptly execute and deliver to the Trustee, to be held in and released from escrow as provided herein, another Agricultural Use Waiver for use with any remaining Non-Redeemable Property owned by such Subsequent Owner; provided, however, the Trustee shall deliver to the Collin County Tax Assessor/Collector or its successor an Agricultural Use Waiver with respect to the remaining Non-Redeemable Property owned by a Subsequent Owner that has not paid taxes or Assessments as required by this Agreement, if said Subsequent Owner does not execute and deliver to the Trustee such additional Agricultural Waivers within thirty (30) days of a written request by the Trustee.

(c) Release of Obligations and Notice of Termination. Upon termination of this Agreement pursuant to Section 5(a), the Trustee shall record the Release of Obligations and Notice of Termination of this Agreement in the form attached hereto as **Exhibit “D”** in the deed records of Collin County, Texas.

(d) **INDEMNIFICATION.** LANDOWNER AND SUBSEQUENT OWNERS, SEVERALLY SHALL, TO THE FULLEST EXTENT PERMITTED BY LAW, DEFEND, INDEMNIFY AND HOLD HARMLESS TRUSTEE AND EACH DIRECTOR, OFFICER, EMPLOYEE, ATTORNEY, AGENT AND AFFILIATE OF TRUSTEE AND CITY (COLLECTIVELY, THE “INDEMNIFIED PARTIES”) AGAINST ANY AND ALL

**ACTIONS, CLAIMS (WHETHER OR NOT VALID), LOSSES, DAMAGES, LIABILITIES, COSTS AND EXPENSES OF ANY KIND OR NATURE WHATSOEVER (INCLUDING WITHOUT LIMITATION REASONABLE ATTORNEYS' FEES, COSTS AND EXPENSES) INCURRED BY OR ASSERTED AGAINST ANY OF THE INDEMNIFIED PARTIES AS A RESULT OF OR ARISING FROM OR IN ANY WAY RELATING TO ANY CLAIM, DEMAND, SUIT, ACTION OR PROCEEDING BY ANY PERSON, INCLUDING WITHOUT LIMITATION SUCH LANDOWNER, ASSERTING A CLAIM FOR ANY LEGAL OR EQUITABLE REMEDY AGAINST ANY PERSON ARISING FROM OR IN CONNECTION WITH THE NEGOTIATING, EXECUTION, PERFORMANCE OR FAILURE OF PERFORMANCE OF THIS AGREEMENT BY LANDOWNER OR SUCH SUBSEQUENT OWNER, AS APPLICABLE, WHETHER OR NOT ANY SUCH INDEMNIFIED PARTY IS A PARTY TO ANY SUCH SUIT, ACTION OR PROCEEDING; PROVIDED, HOWEVER, THAT NO INDEMNIFIED PARTY SHALL HAVE THE RIGHT TO BE INDEMNIFIED HEREUNDER FOR ANY LIABILITY FINALLY DETERMINED BY A COURT OF COMPETENT JURISDICTION, SUBJECT TO NO FURTHER APPEAL, TO HAVE RESULTED SOLELY FROM THE GROSS NEGLIGENCE OR WILLFUL MISCONDUCT OF SUCH INDEMNIFIED PARTY. IT BEING THE EXPRESSED INTENTION OF THE PARTIES THAT THE INDEMNIFIED PARTIES ARE TO BE HELD HARMLESS AND INDEMNIFIED FOR THEIR OWN NEGLIGENCE.**

(e) Trustee's Fees. The Trustee shall not charge a fee for the performance of services hereunder.

(f) Material Agreement. The Developer acknowledges that the agreements and obligations of the Parties set forth herein are a material inducement to the City's entering into the Construction Funding Agreement, that the Developer is represented by counsel of its own choice with respect to this Agreement, and that the Developer is entering into this Agreement freely and voluntarily and not acting under coercion or duress.

(g) Binding Effect. This Agreement shall be binding upon the Landowner and its successors, receivers, trustees, and assigns and shall inure to the benefit of the City, the Trustee and the successors and assigns of the City and Trustee.

(h) Amendments. This Agreement may be modified or amended only by a written agreement executed by the Trustee, the City, and each owner of the portion of the Non-Redeemable Property to be affected by such amendment and recorded in the Official Public Records of Collin County, Texas.

(i) Severability; No Waiver. If any provision of this Agreement is held invalid or unenforceable, no other provision of this Agreement will be affected by such holding and all other provisions of this Agreement will continue in full force and effect. Any failure by a Party to insist upon strict performance by the other Party of any material provision of this Agreement will not be deemed a waiver of such requirement or of any other provision, and such Party may

(j) Notices. Any notice, communication or disbursement required to be given or made hereunder shall be in writing and shall be given or made by facsimile, hand delivery, overnight courier, or by United States mail, certified or registered mail, return receipt requested, postage prepaid, at the address set forth below or at such other address as may be specified in writing by any Party hereto to the other parties hereto.

Attn: Kim Dobbs, City Administrator  
City of Lavon  
P.O. Box 340  
120 School Road  
Lavon, Texas 75009  
E-mail: [kim.dobbs@cityoflavon.org](mailto:kim.dobbs@cityoflavon.org)  
TEL: (972) 843-4220  
FAX: (972) 843-0397

Attn: Julie Fort  
Messer, Fort & McDonald, PLLC  
6371 Preston Rd., Ste. 200  
Frisco, Texas 75034  
E-mail: [julie@txmunicipallaw.com](mailto:julie@txmunicipallaw.com)  
TEL: (972) 668-6400  
FAX: (972) 668-6414

LDC Lavon, LLC  
Attn: Steve Lenart  
520 Central Parkway East, Suite 104  
Plano, Texas 75074  
Email: [steve@lenartdevelopment.com](mailto:steve@lenartdevelopment.com)

**Miklos Cinclair, PLLC**  
**Attn: Robert Miklos**  
**1800 Valley View Lane, Suite 360**  
**Farmers Branch, Texas 75234**  
**E-mail: [Robert@M-CLegal.com](mailto:Robert@M-CLegal.com)**

**Wilmington Trust, National Association  
Attn: Dayna L. Smith  
15950 North Dallas Parkway, Suite 550  
Dallas, TX 75248  
TEL: 972-383-3154**

(j) Third Party Beneficiaries. The provisions of this Agreement are and will be for the benefit of the Parties, the Trustee and the holders of the Bonds only and are not for the benefit of any other third party and, accordingly, no other third party shall have the right to enforce the provisions of this Agreement.

(k) Counterparts. This Agreement may be executed in any number of counterparts and by different parties hereto on separate counterparts, each of which when so executed and delivered shall be an original, but all of which shall together constitute one and the same instrument.

*[Signature Pages Follow]*

IN WITNESS WHEREOF, the Parties to this Agreement have caused this Agreement to be executed by their duly authorized representatives on dates set forth in the acknowledgements below, to be effective as of the day and year first above written.

**CITY OF LAVON, TEXAS**

By: \_\_\_\_\_  
Vicki Sanson, Mayor

ATTEST:

By: \_\_\_\_\_  
Kim Dobbs, City Administrator

**THE STATE OF TEXAS   §**

**COUNTY OF COLLIN   §**

This instrument was acknowledged before me on \_\_\_\_\_, 2019, by Vicki Sanson, Mayor, on behalf of said City of Lavon, Texas.

\_\_\_\_\_  
Notary Public, State of Texas

**LDC LAVON, LLC,  
a Texas limited liability company**

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

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**THE STATE OF TEXAS   §**

**COUNTY OF COLLIN   §**

THIS INSTRUMENT is acknowledged before me on \_\_\_\_\_, 2019, by  
\_\_\_\_\_, \_\_\_\_\_ of LDC Lavon, LLC, a Texas limited liability company, on  
behalf of said limited liability company.

\_\_\_\_\_  
Notary Public, State of Texas

**WILMINGTON TRUST, NATIONAL  
ASSOCIATION**

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

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**THE STATE OF TEXAS   §**

**COUNTY OF DALLAS   §**

This instrument was acknowledged before me on \_\_\_\_\_, 2019, by Dayna Smith, Vice President on behalf of Wilmington Trust, National Association.

\_\_\_\_\_  
Notary Public, State of Texas

**Exhibit "A"**

**Description of Major Improvement Area District Property**

**PROPERTY METES AND BOUNDS DESCRIPTION**

119.612 Acres of Land

LEGAL DESCRIPTION

Lakepoint Phase II North & Phase III

WHEREAS, LDC LAVON, LLC., is the owner of a tract of land situated in the Samuel M. Ranier Survey, Abstract Number 740, in the City of Lavon, Collin County, Texas, being part of a 200.9089 acre tract of land described in Document No. 20180821001049570, in the Deed Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING, at a ½ inch iron rod found at the most easterly southeast corner of said 200.9089 acre tract;

THENCE, North 88°51'38" West, along a south line of said 200.9089 acre tract, for a distance of 871.25 feet, to a ½ inch iron rod found at an interior ell corner of said 200.9089 acre tract;

THENCE, North 01°09'20" East, for a distance of 59.54 feet, to a point;

THENCE, North 07°55'56" West, for a distance of 108.68 feet, to a point on a non-tangent curve to the left, having a radius of 650.00 feet, a central angle of 02°37'39";

THENCE, along said curve to the left for an arc distance of 29.81 feet (Chord Bearing North 67°51'51" East – 29.81 feet), to a point;

THENCE, North 23°26'58" West, for a distance of 170.00 feet, to a point on a curve to the right, having a radius of 480.00 feet, a central angle of 24°35'24";

THENCE, along said curve to the right for an arc distance of 206.01 feet (Chord Bearing South 78°50'44" West – 204.43 feet), to a point at the point of tangency;

THENCE, North 88°51'33" West, for a distance of 406.13 feet, to a point at the point of curvature of a curve to the right, having a radius of 975.00 feet, a central angle of 32°34'29";

THENCE, with said curve to the right for an arc distance of 554.32 feet (Chord Bearing North 72°34'19" West – 546.89 feet), to a point at the point of tangency;

THENCE, North 56°17'04" West, for a distance of 103.06 feet, to a point in the east line of said Highway 78 (120' R.O.W.) and the west line of said 200.9089 acre tract, being on a curve to the left, having a radius of 5729.58 feet, a central angle of 10°36'49";

THENCE, continuing along said east and west lines and with said curve to the left for an arc distance of 1061.36 feet (Chord Bearing North 27°17'01" East – 1059.84 feet), to a point;

THENCE, South 88°51'33" East, departing said east and west lines, for a distance of 167.59 feet, to a point;

THENCE, North 33°46'44" East, for a distance of 344.38 feet, to a point;

THENCE, South 88°51'33" East, for a distance of 624.63 feet, to a point;

THENCE, North 01°01'15" East, for a distance of 9.75 feet, to a point;

THENCE, South 88°58'45" East, for a distance of 120.00 feet, to a point;

THENCE, South 01°01'15" West, for a distance of 300.00 feet, to a point;

THENCE, South 88°51'33" East, for a distance of 579.95 feet, to a point in the east line of said 200.9089 acre tract;

THENCE, South 01°00'58" West, along the east line of said 200.9089 acre tract, for a distance of 1449.67 feet, to the POINT OF BEGINNING and containing 62.157 acres of land.

#### LEGAL DESCRIPTION

##### Lakepointe Phase II (South)

WHEREAS, LDC LAVON, LLC., is the owner of a tract of land situated in the Samuel M. Ranier Survey, Abstract Number 740, in the City of Lavon, Collin County, Texas, being part of a 200.9089 acre tract of land described in Document No. 20180821001049570, in the Deed Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING, at a ½ inch iron rod found at the southeast corner of said 200.9089 acre tract, also being in the north line of a tract of land described in a deed to Northeast Texas Rural Rail Transportation District, recorded in Volume 5585, Page 2680, in said Deed Records;

THENCE, South 72°03'07" West, along the south line of said 200.9089 acre and the north line of said Northeast Texas Rural Rail Transportation District, for a distance of 1656.82 feet, to a ½ inch iron rod found at the most southerly southwest corner of said 200.9089 acre tract;

THENCE, North 23°30'56" West, departing said north line and along the west line of said 200.9089 acre tract, for a distance of 173.19 feet, to a ½ inch iron rod found;

THENCE, North 01°53'11" West, continuing along said west line, for a distance of 530.40 feet, to a ½ inch iron rod found;

THENCE, South 84°43'14" West, continuing along said west line, for a distance of 236.18 feet, to a ½ inch iron rod found;

THENCE, North  $06^{\circ}53'43''$  West, continuing along said west line, for a distance of 748.23 feet, to a  $\frac{1}{2}$  inch iron rod found;

THENCE, South  $89^{\circ}16'47''$  East, continuing along said west line, at 64.98 feet passing a  $\frac{1}{2}$  inch iron rod found at an interior ell corner of said 200.9089 acre tract and continuing for a total distance of 244.07 feet, to a point being on a non-tangent curve to the left, having a radius of 50.00 feet, a central angle of  $160^{\circ}28'31''$ ;

THENCE, continuing along said curve to the left for an arc distance of 140.04 feet (Chord Bearing South  $45^{\circ}16'41''$  East – 98.55 feet), to a point on a curve to the right, having a radius of 1200.00 feet, a central angle of  $08^{\circ}36'23''$ ;

THENCE, continuing along said curve to the right for an arc distance of 180.25 feet (Chord Bearing South  $74^{\circ}47'36''$  East – 180.08 feet), to a point at the point of reverse curvature of a curve to the left, having a radius of 2695.00 feet, a central angle of  $04^{\circ}09'55''$ ;

THENCE, continuing along said curve to the left for an arc distance of 195.92 feet (Chord Bearing South  $72^{\circ}34'22''$  East – 195.88 feet), to a point on a non-tangent curve to the left, having a radius of 1800.00 feet, a central angle of  $03^{\circ}50'16''$ ;

THENCE, continuing along said curve to the left for an arc distance of 120.57 feet (Chord Bearing South  $09^{\circ}44'11''$  West – 120.55 feet), to a point on a curve to the left, having a radius of 2815.00 feet, a central angle of  $13^{\circ}57'50''$ ;

THENCE, continuing along said curve to the left for an arc distance of 686.07 feet (Chord Bearing South  $81^{\circ}52'38''$  East – 648.37 feet), to a point at the point of tangency;

THENCE, South  $88^{\circ}51'33''$  East, for a distance of 365.96 feet, to a point;

THENCE, North  $01^{\circ}08'27''$  East, for a distance of 120.00 feet, to a point;

THENCE, South  $88^{\circ}51'33''$  East, for a distance of 7.65 feet, to a point;

THENCE, North  $01^{\circ}08'27''$  East, for a distance of 340.00 feet, to a point;

THENCE, North  $88^{\circ}51'33''$  West, for a distance of 7.73 feet, to a point;

THENCE, North  $01^{\circ}08'27''$  East, for a distance of 120.00 feet, to a point;

THENCE, North  $88^{\circ}51'33''$  West, for a distance of 365.88 feet, to a point of curvature of a curve to the right, having a radius of 2235.00 feet, a central angle of  $13^{\circ}05'30''$ ;

THENCE, along said curve to the right for an arc distance of 510.69 feet (Chord Bearing North  $82^{\circ}18'48''$  West – 509.58 feet), to a point;

THENCE, North  $14^{\circ}52'24''$  East, for a distance of 680.06 feet, to a point on a curve to the left, having a radius of 1550.00 feet, a central angle of  $12^{\circ}48'41''$ ;

THENCE, along said curve to the left for an arc distance of 347.70 feet (Chord Bearing South  $82^{\circ}27'13''$  East – 346.98 feet), to a point at the point of tangency;

THENCE, South  $88^{\circ}51'33''$  East, for a distance of 546.28 feet, to a point;

THENCE, North  $01^{\circ}09'20''$  East, for a distance of 10.00 feet, to a point;

THENCE, South  $88^{\circ}51'33''$  East, for a distance of 120.00 feet, to a point in the east line of said 200.9089 acre tract;

THENCE, South  $01^{\circ}09'20''$  West, along the east line of said 200.9089 acre tract, for a distance of 1762.46 feet, to the POINT OF BEGINNING and containing 57.455 acres of land.

## EXHIBIT B

### WAIVER OF SPECIAL APPRAISAL

THE STATE OF TEXAS                   §  
                                                  §       KNOW EVERYONE BY THESE PRESENTS:  
COUNTY OF COLLIN                   §

THAT this Waiver of Special Appraisal (this "Waiver") is made and entered into as of the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, for the benefit of the City of Lavon, Texas (the "City") and the Trustee (as defined below), by LDC Lavon, LLC, a Texas limited liability company ("Landowner"), owner of the property described on Schedule 1 hereto (the "Property"), which Property is located within LakePointe Public Improvement District (the "District"), a public improvement district of the City, pursuant to Texas Tax Code Ann. §23.20.

### RECITALS

A. The City has the right to levy special assessments on land located within the District pursuant to a separate ordinance enacted by the City Council of the City, which assessments are intended to provide for the financing of certain improvements for the benefit of the District.

B. The purpose of the City in selling its special assessment revenue bonds is to provide, among other things, financing for certain improvements to serve the District (the "Facilities").

C. Trustee is the trustee described in that certain LakePointe Public Improvement District Major Improvement Area Projects Construction, Funding, and Acquisition Agreement having an effective date of August 20, 2019, by and between Landowner and the City.

D. In furtherance of this purpose, the City has agreed to reimburse Landowner for payments made for certain Authorized Improvements pursuant to that certain Indenture of Trust dated as of September 1, 2019, between the City and the Trustee.

E. Landowner acknowledges that the election by Landowner to claim agricultural use exemptions or valuations arising under Section 23.41, et. seq., of the Texas Tax Code, as amended (collectively, the "Exemptions"), but not including any residential homestead exemption, for the Property would be detrimental to the property valuation base and may significantly impair the ability of the City to meet its debt obligations for its special assessment revenue bonds.

F. Landowner further acknowledges that the exercise of the right to redemption after a tax sale pursuant to Section 34.21 of the Texas Tax Code may impair the City's ability to meet its debt obligations for its special assessment revenue bonds.

### WAIVER

Section 1. Waiver of Exemptions. Landowner, on behalf of itself, its successors and assigns, (i) irrevocably waives its right to claim any of the Exemptions with respect to the Property for a period of thirty (30) years beginning on the date this Waiver is received by the Collin County Tax Assessor/Collector (the "Waiver Period"); (ii) authorizes the City and/or the Trustee to file this Waiver with the Chief Appraiser of the Collin County Appraisal District, or its successors, in accordance with the terms of the Agreement Regarding Conveyance of Right of Redemption and Waiver of Agricultural Valuation-LakePointe PID having an effective date of August 20, 2019; and (iii) covenants that it will not, during the Waiver Period, if applicable, make any claim for a special appraisal except on written authorization of the Trustee. Landowner acknowledges that it may have the right under Article 8 of the Texas Constitution to assert some or all of the Exemptions which it is waiving herein, and agrees that it shall be estopped from claiming such Exemptions at any time during the Waiver Period, if applicable, provided, however, it is expressly acknowledged and agreed by Landowner that mechanisms for single family residences now available or to be made available by any change in Texas laws for the reduction of ad valorem tax liability or of valuation for the purposes of ad valorem taxes or other assessments with respect to real property, such as exemptions for homesteads, disabled veterans, and elderly homesteads, are not included in the definition of Exemptions and are expressly allowed, to the extent such exemptions would be otherwise available, with respect to the Property.

Section 2. Disclosures of Lienholders. Landowner represents and warrants that City Bank is the lienholder on the Property.

Section 3. Covenants to Run with Land. The terms and provisions hereof shall be deemed to be restrictive covenants encumbering and running with the Property and shall be binding upon the Landowner and its successors and assigns. In particular, each successive purchaser of the Property shall, upon purchase thereof (or such portion thereof) be deemed to have waived its right to claims of the Exemptions with respect to the Property (or such portions thereof) at any time during the Waiver Period, if applicable.

Section 4. Enforceability. The covenants and restrictions binding the Property hereunder shall be enforceable only by the City, the Trustee and their respective successors and assigns. This Waiver is for the sole benefit of the parties hereto, and of the Trustee, and no other third party is intended to be a beneficiary of this Waiver.

Section 5. Termination. This Waiver shall continue in full force and effect until the earlier to occur of the following: (i) the expiration of the Waiver Period; or (ii) such time as the Trustee approves a revocation in writing.

Section 6. Severability. Every provision of this Waiver is intended to be severable. In the event any term or provision hereof is declared to be illegal or invalid for any reason whatsoever by a court of competent jurisdiction, such illegality or invalidity shall not affect the balance of the terms and provisions hereof, which terms and provisions shall remain binding and enforceable to the maximum extent permitted by law, it being the intent of the parties hereto to give full force and effect to the agreements made hereunder to the maximum extent permitted by law.

Section 7. Headings. The Section headings are included in this Waiver for convenience of reference only, and shall not be deemed to affect the substantive provisions of this Waiver.

Section 8. Remedies. If Landowner breaches its obligations hereunder, the Trustee or the City (on behalf of the Trustee), in addition to all other remedies set forth herein or otherwise available at law or in equity, shall be entitled to recover from Landowner the amount of assessments that would have been due to the City had Landowner complied with this Waiver. Such payment will be due and payable, and will incur penalties and charges under the same terms as if the payment had been an assessment obligation of Landowner to City.

EXECUTED to be effective as of the date first above written.

**LDC LAVON, LLC,**  
**a Texas limited liability company**

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

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**THE STATE OF TEXAS   §**

**COUNTY OF DALLAS   §**

THIS INSTRUMENT is acknowledged before me on \_\_\_\_\_, 2019, by \_\_\_\_\_, \_\_\_\_\_ of LDC Lavon, LLC, a Texas limited liability company, on behalf of said limited liability company.

\_\_\_\_\_  
Notary Public, State of Texas

CONSENT OF LIENHOLDER

\_\_\_\_\_ (“Lienholder”), being a lienholder on the Property, hereby consents to this Waiver of Special Appraisal (the “Waiver”) and accepts and agrees to the terms and provisions of this Waiver; provided that Lienholder is provided notice and an opportunity to cure pursuant to Section \_\_ of the Agreement Regarding Conveyance of Right of Redemption and Waiver of Agricultural Valuation.

LIENHOLDER:

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

Name: \_\_\_\_\_

Title: \_\_\_\_\_

THE STATE OF \_\_\_\_\_ §

COUNTY OF \_\_\_\_\_ §

This instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by \_\_\_\_\_, the \_\_\_\_\_ of \_\_\_\_\_, on behalf of said entity.

\_\_\_\_\_

Notary Public, State of

\_\_\_\_\_

After recording, return to:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## EXHIBIT "C"

### ACKNOWLEDGMENT OF ASSUMPTION AND CONVEYANCE OF RIGHT OF REDEMPTION

This Acknowledgment of Assumption and Conveyance of Right of Redemption (this "Acknowledgment and Agreement") is entered into effective \_\_\_\_\_, 20\_\_ by \_\_\_\_\_, a \_\_\_\_\_ (whether one or more, the "Buyer") in favor of the City of Lavon, Texas and the Trustee, as such term is defined in the Redemption Agreement (defined below).

#### RECITALS

A. WHEREAS, Buyer has purchased and acquired certain land described on **Exhibit A** attached hereto (the "Property"); and

B. WHEREAS, the Property is subject to that certain Agreement Regarding Conveyance of Right of Redemption and Wavier of Agricultural Valuation—LakePointe PID, dated on or about August 20, 2019 (the "Redemption Agreement"); and

C. WHEREAS, pursuant to the requirements of the Redemption Agreement, it is a condition to the acquisition of the Property that the Buyer execute this Acknowledgment and Agreement and record same in the Real Property Records of Collin County, Texas; and

D. WHEREAS, the purchase price paid by Buyer for the Property was calculated and determined, in part, based upon the benefits and restrictions applicable to the Property and arising in connection with the Redemption Agreement and the other agreements executed in connection therewith and the requirement that Buyer execute this Acknowledgment and Agreement.

NOW, THEREFORE, in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Buyer hereby represents, warrants and agrees as follows:

1. Buyer acknowledges that the Redemption Agreement continues to affect the Property, and that Buyer has assumed, and Buyer hereby does assume and agree to perform, the obligations of the Landowner (as such term is defined in the Redemption Agreement) under the Redemption Agreement with respect to the Property.

2. Buyer hereby grants, sells, conveys and assigns to the Trustee all rights Buyer and its successors and assigns now have or in the future may have in equity, pursuant to statute, the Constitution of the State of Texas or otherwise to redeem, repurchase or reacquire, following any foreclosure of a tax lien or sale, transfer or conveyance in connection with a tax sale, any portion

of the Property that constitutes Exempt Property (as defined in the Redemption Agreement), including, without limitation, any and all rights arising under Section 34.21 of the Texas Tax Code, as amended but excluding any redemption rights arising out of the homestead status of the Property. In the event that the foregoing conveyance is not effective, Buyer hereby absolutely, unconditionally and irrevocably waives, releases, relinquishes and surrenders forever, on behalf of itself and its successors and assigns, and agrees not to assert or exercise any and all rights it now has or in the future may have in equity, pursuant to statute, the Constitution of the State of Texas or otherwise to redeem, repurchase or reacquire, following any foreclosure of a tax lien or sale, transfer or conveyance in connection with a tax sale, any portion of the Property that constitutes Exempt Property, including, without limitation, any and all rights arising under Section 34.21 of the Texas Tax Code, as amended.

3. Concurrently with the execution and delivery of this Acknowledgment and Agreement, Buyer has executed and has delivered (or will promptly deliver) to the Trustee to be held in escrow a Waiver of Special Appraisal in the form attached as **Exhibit B** to the Redemption Agreement waiving any agricultural use valuation and any right to special appraisal arising based on agricultural use with respect to the Property. Such agreement shall be held in, and released from, escrow in accordance with the provisions of the Redemption Agreement.

EXECUTED to be effective as of the date first above written.

**BUYER:**

\_\_\_\_\_  
THE STATE OF TEXAS       §  
                                          §  
COUNTY OF \_\_\_\_\_ §

This document was acknowledged before me on \_\_\_\_\_, 20\_\_, by \_\_\_\_\_, the \_\_\_\_\_ of \_\_\_\_\_, a \_\_\_\_\_, on behalf of said entity.

\_\_\_\_\_  
Notary Public in and for the State of TEXAS

\* Attach description of the Property as **Exhibit A** prior to recording.

**EXHIBIT "D"**

**RELEASE OF OBLIGATIONS AND NOTICE OF TERMINATION**

THE STATE OF TEXAS                   §  
                                                  §       KNOW EVERYONE BY THESE PRESENTS:  
COUNTY OF COLLIN                   §

All rights and obligations under that certain "Agreement Regarding Conveyance of Right of Redemption and Waiver of Agricultural Valuation-LakePointe PID" having an effective date of August 20, 2019 (the "*Agreement*") recorded in the real property records of Collin County, Texas, on \_\_\_\_\_, 2019 at Instrument # \_\_\_\_\_ ARE HEREBY RELEASED and NOTICE IS HEREBY GIVEN of the termination of the Agreement in accordance with its terms.

## EXHIBIT "E"

### RELEASE OF REDEMPTION AGREEMENT

THE STATE OF TEXAS           §  
                                                  §           KNOW EVERYONE BY THESE PRESENTS:  
COUNTY OF \_\_\_\_\_ §

WHEREAS, the land described in the attached Exhibit "A" ("Property") is located within the LakePointe Public Improvement District ("District");

WHEREAS, \_\_\_\_\_ is the owner of the Property ("Owner");

WHEREAS, the Property is subject to the terms of the Agreement Regarding Conveyance of Right of Redemption And Waiver of Agricultural Valuation – LakePointe Public Improvement District with an effective date of August 20, 2019, and recorded in Document No. \_\_\_\_\_, Official Public Records of Collin County, Texas ("Redemption Agreement");

WHEREAS, the City of Lavon and the Trustee are parties to the Redemption Agreement;

WHEREAS, pursuant to the Redemption Agreement certain rights to redeem the Property under the Texas Tax Code (as described in the Redemption Agreement) were conveyed to the Trustee (defined below);

WHEREAS, Wilmington Trust, National Association, is the Trustee, as defined in the Redemption Agreement;

WHEREAS, pursuant to Section 2 of the Redemption Agreement, the Trustee is authorized to deliver a Waiver of Agricultural Use to the appropriate Tax Assessor/Collector office in the event that delinquent taxes or Special Assessments are owed on the Property;

WHEREAS, pursuant to Section 2 of the Redemption Agreement, the City and the Trustee are authorized to release property from the terms of the Redemption Agreement; and

WHEREAS, the City and the Trustee have determined that the Property should be released from the terms of the Redemption Agreement;

NOW, THEREFORE, for and in consideration of the above stated premises, and for other good and valuable consideration, the receipt and sufficiency of all of which are hereby acknowledged by the City of Lavon and the Trustee, the City of Lavon and the Trustee do hereby forever release and discharge the Property from all terms, restrictions, covenants and conditions of the Redemption Agreement in its entirety, and release any and all rights that the City of Lavon

and the Trustee had, have or may have by virtue of the Redemption Agreement. In no event shall this release have any impact on land within the District other than the Property described in the attached Exhibit "A".

Trustee has GRANTED, BARGAINED, SOLD, and CONVEYED, and by these presents does hereby GRANT, BARGAIN, SELL, and CONVEY, unto Owner all rights that Trustee and its successors and assigns now have or in the future may have in equity, or under common law, statutory law, the Constitution of the State of Texas or otherwise in the "Tax Redemption Rights," as defined in the Redemption Agreement with respect to the Property described in the attached Exhibit "A".

TO HAVE AND TO HOLD the Tax Redemption Rights in the Property, described in the attached Exhibit "A", belonging in any way to Trustee, unto the Owner, its successors and assigns, forever, and Trustee does hereby bind itself and its respective successors and assigns, to WARRANT AND FOREVER DEFEND all and singular, the Tax Redemption Rights in the Property, described in the attached Exhibit "A", unto the Owner, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof by, through, or under Trustee, but not otherwise.

[SIGNATURE PAGE FOLLOWS]

WITNESS THE EXECUTION HEREOF this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

City of Lavon

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

THE STATE OF TEXAS       §  
                                          §  
COUNTY OF COLLIN       §

          This instrument was acknowledged before me on \_\_\_\_\_, 20\_\_, by  
\_\_\_\_\_, the \_\_\_\_\_ of the City of Lavon, Texas, a Type a  
general law city, on behalf of said city.

\_\_\_\_\_  
Notary Public, State of Texas

WITNESS THE EXECUTION HEREOF this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Trustee

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

THE STATE OF \_\_\_\_\_ §  
COUNTY OF \_\_\_\_\_ §

This instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_,  
20\_\_, by \_\_\_\_\_, the \_\_\_\_\_ of \_\_\_\_\_,  
on behalf of said entity.

\_\_\_\_\_

Notary Public, State of \_\_\_\_\_

\* Attached description of the Land as **Exhibit A** prior to recording.

After Recording Mail to:





## **CITY OF LAVON CITY COUNCIL Agenda Brief**

**MEETING: August 20, 2019**

**ITEM: 7-B**

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### **Items:**

Discussion and action regarding Resolution No. **2019-08-08** authorizing the Mayor to Negotiate and Execute a Pro-Rata Reimbursement Agreement for Sanitary Sewer Improvements – LakePointe Public Improvement District.

### **Background:**

Pursuant to the Development Agreement with the owner of the LakePointe development project, the developer will construct a sanitary sewer main to connect to the City's sanitary sewer system to serve the property. It is anticipated that the sanitary sewer main to be constructed will be sufficiently sized to serve more customers than those in the developer's project. The Development Agreement contemplates a reimbursement agreement for the City to collect and remit reimbursement for the proportionate share of the sanitary sewer main that is in excess of the construction required to serve the LakePointe project.

The City's consulting team and city attorney have reviewed the agreement and approval is recommended, subject to the final review and approval of the city attorney.

**Attachments:** Resolution and Agreement

**CITY OF LAVON, TEXAS**  
**RESOLUTION NO. 2019-08-08**

LakePointe PID – Pro-Rata Reimbursement Agreement

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS AUTHORIZING THE MAYOR TO NEGOTIATE AND EXECUTE A PRO-RATA REIMBURSEMENT AGREEMENT FOR SANITARY SEWER IMPROVEMENTS – LAKEPOINTE PUBLIC IMPROVEMENT DISTRICT.**

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

**SECTION 1.** The City Council does hereby authorize the Mayor to authorizing the Mayor to Negotiate and Execute a Pro-Rata Reimbursement Agreement for Sanitary Sewer Improvements – LakePointe Public Improvement District., such Agreement attached hereto as Exhibit “A”.

**SECTION 2.** That this resolution shall take effect from and after the date of its passage.

**DULY PASSED AND APPROVED** by the City Council of the City of Lavon, Texas on the 20<sup>th</sup> day of August 2019.

---

Vicki Sanson, Mayor

ATTEST:

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Kim Dobbs  
City Administrator / City Secretary

**CITY OF LAVON, TEXAS**  
**RESOLUTION NO. 2019-08-08**

**EXHIBIT A**

**AGREEMENT**

**PRO-RATA REIMBURSEMENT AGREEMENT**  
**FOR SANITARY SEWER IMPROVEMENTS**

THIS PRO-RATA REIMBURSEMENT AGREEMENT FOR SANITARY SEWER IMPROVEMENTS (herein this "AGREEMENT"), is made and entered into this 20<sup>th</sup> day of August, 2019, and between the City of Lavon, Texas, a Type A General Law municipality incorporated under the laws of the State of Texas (herein "CITY") and Lavon LakePointe Development, LLC, a Texas limited liability company and the developer of certain property described below and located in the CITY (hereinafter referred to as "DEVELOPER").

**WHEREAS**, DEVELOPER proposes to construct a sanitary sewer main to certain undeveloped property, more fully described in Exhibit "A" attached hereto and incorporated herein for all purposes (the "PROPERTY"), connecting to an existing sanitary sewer main owned by the CITY to serve the PROPERTY; and

**WHEREAS**, CITY desires to set forth the manner in which DEVELOPER may obtain reimbursement of actual construction costs, including, but not limited to: (1) the costs incurred by or on behalf of the DEVELOPER (either directly or through affiliates) for the design, planning, financing, administration/management, acquisition, installation, construction, SWPPP, erosion control, and/or implementation of the MAIN; (2) the fees paid for obtaining permits, licenses, or other governmental approvals; (3) construction management fees, if the DEVELOPER is serving as the construction manager but not the general contractor; (4) the costs incurred by or on behalf of the DEVELOPER for external professional costs, such as engineering, geotechnical, surveying, land planning, architectural landscapers, appraisals, legal, accounting, and similar professional services; (5) all labor, bonds, and materials, including equipment and fixtures, by contractors, builders, and materialmen in connection with the acquisition, construction, or implementation of the MAIN; (6) all related permitting and public approval expenses, architectural, engineering, and consulting fees, taxes, and governmental fees and charges (hereinafter referred to as "CONSTRUCTION COSTS" or individually as a "CONSTRUCTION COST") for that proportionate share of the sanitary sewer main (or any segment, section, or portion thereof) which is in excess of DEVELOPER's proportionate share of 52% of portion north of Lavon Farms Sewer and 15% of portion south of Lavon Farms Sewer and north of Crestridge Meadows, generally located outside the PROPERTY for which service is proposed or lying along one or more sides of a tract of land other than the PROPERTY for which this extension is made, referred hereafter as offsite.

**NOW, THEREFORE**, for and in consideration of the premises and the consideration herein recited, the receipt of which is expressly acknowledged by DEVELOPER, the parties hereby mutually agree as follows:

**I.**

The DEVELOPER shall construct the sanitary sewer main (hereafter referred to as "MAIN") at its own expense from the point of the connection to the existing sanitary sewer system to the tract of land to be developed. Attached and marked as Exhibit "B" is a drawing showing the route of the proposed MAIN with reference points relating to the approved engineering plans. Exhibit "B" to which further reference is made herein shall be a part of this AGREEMENT for all purposes. As consideration for the DEVELOPER'S construction of the MAIN and the development of the PROPERTY, the DEVELOPER expressly reserves all of its share of the MAIN necessary to serve the PROPERTY, and such reservation shall have priority to

any person, firm, corporation, or OTHER PROPERTY OWNER which benefits or may in the future benefit from any portion of the MAIN.

## II.

By the execution of this AGREEMENT, it is expressly understood that the CITY does not assume any obligations which may arise under any terms of an agreement previously entered into or which may in the future be entered into by the DEVELOPER with a third party for the construction of the subject MAIN.

## III.

The subject MAIN shall upon completion of all or any segment, section, or portion thereof become the property of the CITY and subject to its jurisdiction and control.

## IV.

The CITY, in consideration of the DEVELOPER constructing the MAIN at its own expense, agrees to reimburse the DEVELOPER from pro rata funds as may be collected pursuant to the provisions of this AGREEMENT and that certain Development Agreement, by and between the CITY, LDC Lavon, LLC, a Texas limited liability company, and the DEVELOPER, dated as of March 19, 2019 and recorded under Instrument No. 20190507000511340 in the real property records of Collin County, Texas, as may be amended (the "DEVELOPMENT AGREEMENT"), a sum equal to but not exceeding the actual CONSTRUCTION COSTS of the offsite portion of the MAIN (or any segment, section, or portion thereof). The estimated total CONSTRUCTION COSTS eligible for pro-rata reimbursement is \_\_\$1,576,100.00\_\_.

The DEVELOPER, upon completion of the MAIN construction (or any segment, section, or portion thereof), will furnish the CITY a certified itemized list of quantities, materials and any related CONSTRUCTION COSTS to the DEVELOPER. Such itemized list, after audit and approval by the CITY, which approval shall occur within ten (10) days upon receipt thereof, will determine the actual total CONSTRUCTION COSTS eligible for reimbursement by pro rata fees to the DEVELOPER. If the CITY disapproves the CONSTRUCTION COSTS, the CITY shall provide written notice to the DEVELOPER specifying the reasons for such disapproval. If the CONSTRUCTION COSTS are approved only in part, the CITY shall process the approval of such partial work for payment in the manner provided herein. Any denial may be appealed to the City Council of the CITY by the DEVELOPER in writing within thirty (30) days of being denied by the CITY. Denial by the City Council shall be attempted to be resolved by half-day mediation between the CITY and the DEVELOPER in the event an agreement is not otherwise reached by the parties, with the mediator's fee being paid by DEVELOPER.

## V.

The DEVELOPER agrees to obtain and make available any necessary easements, permits and right of way, together with necessary working space as required to construct the subject MAIN wherever the MAIN crosses private property, subject to the terms and provisions agreed to by the CITY and the DEVELOPER in the DEVELOPMENT AGREEMENT. The CITY grants the DEVELOPER permission to construct the subject MAIN wherever this MAIN crosses or parallels any public utility easement, street or property owned or controlled by the CITY.

## VI.

The MAIN shall be designed by the CITY Engineer and installed in accordance with current CITY ordinances, standards and specifications. The City Engineer or his/her representative will determine that subject MAIN is constructed in accordance with approved engineering plans and specifications and upon

Pro-Rata Reimbursement Agreement

completion and acceptance of the MAIN shall become the property of the CITY and an integral part of the CITY's system and subject to maintenance, jurisdiction and control of the CITY. If, for any reason, this MAIN should be commenced but not completed, that portion having been constructed shall become the property of the CITY and subject to maintenance, jurisdiction and control of the CITY.

#### VII.

No ad valorem tax, revenue or income is or shall ever be encumbered by the terms of this AGREEMENT, and no appropriation by the CITY is required therefrom when this AGREEMENT is authorized and executed. Further, this AGREEMENT shall in no manner be construed to create a debt against the CITY or charge against any of its revenues from whatever source derived.

#### VIII.

Should any provision of this AGREEMENT be declared illegal by a court of competent jurisdiction, the other and remaining provisions of this AGREEMENT shall not in any way be affected and all provisions of this AGREEMENT which are not declared to be illegal shall be binding upon the CITY and DEVELOPER; DEVELOPER agrees that in the event that a court determines all or a portion of this AGREEMENT is unenforceable, the DEVELOPER shall have the option to discontinue further work on the subject MAIN and if the MAIN has not been completed, refuse to make any further expenditures in the way of furnishing labor, materials and supplies. It is specifically agreed, however, that the portion of this MAIN which may have been constructed shall become the property of the CITY for all purposes and DEVELOPER shall be reimbursed as provided herein for any completed and accepted segment, section, or portion of the MAIN. The CITY shall not be liable for any costs expended by DEVELOPER prior to the court's decision. Should DEVELOPER continue work after such court decision, DEVELOPER does so at DEVELOPER'S own risk, cost and expense unless CITY and DEVELOPER agree otherwise in writing.

#### IX.

**THE DEVELOPER ON BEHALF OF ITSELF, ITS CONTRACTORS, AND ITS AGENTS, COVENANTS AND AGREES TO HOLD HARMLESS AND INDEMNIFY THE CITY FROM AND AGAINST ANY AND ALL CLAIMS FOR PERSONAL INJURY (INCLUDING DEATH) OR PROPERTY DAMAGE WHICH MAY ARISE FROM THE MAIN CONSTRUCTION OPERATIONS PERFORMED UNDER THE TERMS OF THIS AGREEMENT; AND THE DEVELOPER ALSO AGREES AND DOES HEREBY AGREE TO INDEMNIFY AND SAVE THE CITY HARMLESS FROM ANY AND ALL CLAIMS GROWING OUT OF THE LAWFUL DEMANDS OF CONTRACTORS, SUBCONTRACTORS, LABORERS, WORKMEN, MECHANICS, MATERIAL, PERSONS, AND SUPPLIERS INCURRED IN THE PERFORMANCE OF THIS AGREEMENT. THE DEVELOPER WILL FURNISH TO THE CITY SATISFACTORY EVIDENCE OF THE DISCHARGE OF SUCH CLAIMS PRIOR TO RECEIVING ANY REIMBURSEMENT PAYMENT FROM THE CITY. NOTWITHSTANDING THE FOREGOING, NO INDEMNIFICATION IS GIVEN HEREUNDER FOR ANY ACTION, DAMAGE, CLAIM, LOSS OR EXPENSE DETERMINED BY A COURT OF COMPETENT JURISDICTION TO BE DIRECTLY ATTRIBUTABLE TO THE WILLFUL MISCONDUCT OR GROSS NEGLIGENCE OF THE CITY.**

#### X.

In accordance with this AGREEMENT, the DEVELOPMENT AGREEMENT, CITY Ordinance No. 2019-06-05, as such may be amended, and the Texas Local Government Code, the City agrees to collect from

each person, firm, corporation, or OTHER PROPERTY OWNER (as such term is defined in the DEVELOPMENT AGREEMENT) making a connection to the offsite portion of the MAIN constructed under this AGREEMENT as shown on Exhibit "B" the sums authorized by CITY ordinance for tapping into the sewer MAIN by any of the intervening property seeking connection which abuts the offsite MAIN as shown on Exhibit "B".

For a period of ten (10) years after dedication to and acceptance by the CITY of the complete MAIN, the DEVELOPER shall receive reimbursement from the proceeds of the pro rata fees collected pursuant to this AGREEMENT, the DEVELOPMENT AGREEMENT, and the action of the City Council of the CITY, such reimbursement not to exceed an amount equal to the total CONSTRUCTION COSTS of the extensions as stated in Paragraph IV herein. Payment shall be from the pro rata fee account. The CITY shall make reimbursements to the DEVELOPER for the OTHER PROPERTY OWNER's pro rata share of the MAIN in the manner and at the time required by CITY Ordinance No. 2019-06-05.

From all pro rata fee reimbursed to the DEVELOPER, the CITY shall deduct two percent (2%) of the amount collected plus \$100.00 as a collection fee. These funds shall be deposited into the CITY sewer fund for expenditure.

## **XI.**

This AGREEMENT shall be binding upon and inure to the benefit of the successors and assigns of the parties hereto. Any receivables due under this AGREEMENT may be assigned by the DEVELOPER without the consent of, but upon written notice to the CITY pursuant to Paragraph XII of this AGREEMENT, however CITY shall in no event be required to divide and send payments to more than two (2) parties. The obligations, requirements, or covenants of this AGREEMENT shall be able to be assigned in the same manner as set forth in Section 11.01 of the DEVELOPMENT AGREEMENT.

## **XII.**

Any notice, payment or instrument required or permitted by this AGREEMENT to be given or delivered to any party shall be deemed to have been received when personally delivered or transmitted by telecopy or facsimile transmission (which shall be immediately confirmed by telephone and shall be followed by mailing an original of the same within 24 hours after such transmission) or 72 hours following deposit of the same in any United States Post Office, registered or certified mail, postage prepaid, addressed as follows:

To the City:                      City of Lavon, Texas  
                                         Attn: City Administrator  
                                         P.O. Box 340  
                                         Lavon, Texas 75166

With a copy to:                Messer, Rockefeller & Fort, PLLC  
                                         Attn: Julie Fort  
                                         6371 Preston Road, Suite 200  
                                         Frisco, Texas 75034

To the Developer: Lavon LakePointe Development, LLC  
Attn: Steve Lenart  
520 Central Parkway East, Suite 104  
Plano, Texas 75074

With a copy to: Miklos Cinclair, PLLC  
Attn: Robert Miklos  
1800 Valley View Lane, Suite 360  
Farmers Branch, Texas 75234

Any party may change its address or addresses for delivery of notice by delivering written notice of such change of address to the other party.

### **XIII.**

Upon receipt of pro rata fees collected in connection with the MAIN constructed as set forth herein, and if the CITY is unable to locate the DEVELOPER following reasonable attempts, the CITY shall retain the funds in the pro rata account. Fees that remain unclaimed ten (10) years following the date of acceptance of the MAIN shall be returned to the depositor of the fee. If such depositor cannot be located, the pro rata fees and accrued interest shall be transferred to the CITY sewer fund for expenditure.

**EXECUTED** effective the 20th day of August, 2019.

*signatures on following page*

**CITY OF LAVON, TEXAS**

By: \_\_\_\_\_  
Vicki Sanson, Mayor

ATTEST:

\_\_\_\_\_  
Kim Dobbs, City Administrator

**DEVELOPER**

Lavon LakePointe Development, LLC,  
a Texas limited liability company

By: \_\_\_\_\_  
Name: Steven H. Lenart  
Its: Manager

## **EXHIBIT A**

### **Property Metes and Bounds**

#### **LEGAL DESCRIPTION**

200.9089 Acres – Collin County

BEING a tract of land situated in the Samuel M. Ranier Survey, Abstract Number 470, in the City of Lavon, Collin County, Texas, being part of a tract of land described in a deed to Meredith M. Roark and Margaret M. Arnold, recorded in Document No. 2010526000533270, in the Deed Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod found at the southeast corner of said Roark and Arnold tract, being the southwest corner of a called 140.22 acre tract of land described in a deed to Petro Hunt, LLC, as recorded in Document No. 20070208000186500, in said Deed Records, also being in the north line of a tract of land described in a deed to Northeast Texas Rural Rail Transportation District, recorded in Volume 5585, Page 2680, in said Deed Records;

THENCE South 72 degrees 03 minutes 07 seconds West, with the south line of said Roark and Arnold tract and the north line of said Northeast Texas Rural Rail Transportation District tract, a distance of 1,656.82 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the southwest corner of said Roark and Arnold tract, being southeast corner of a 0.478 acre tract of land described in a deed to North Texas Municipal Water District, recorded in Document No. 20121116001469900, in said Deed Records;

THENCE North 23 degrees 30 minutes 56 seconds West, departing the north line of said Northeast Texas Rural Rail Transportation District tract, with the west line of said Roark and Arnold tract, and with the east lines of said 0.478 acre tract and a called 0.91 acre tract described in a deed to Mary Evans, recorded in Document No. 200804070014460, in said Deed Records, a distance of 173.19 feet to a 1/2-inch iron rod found;

THENCE North 01 degree 53 minutes 11 seconds West, continuing with the west line of said Roark and Arnold tract, and with the east lines of said 0.91 acre tract and a called 2.062 acre tract of land described in a deed to Connie S. Miller, recorded in Volume 4001, Page 947, in said Deed Records, a distance of 530.40 feet to a 1/2-inch iron rod found at the northeast corner of said 2.062 acre tract;

THENCE South 84 degrees 43 minutes 14 seconds West, continuing with the west line of said Roark and Arnold tract and with the north line of said 2.062 acre tract, a distance of 236.18 feet to a 1/2-inch iron rod found at the northwest corner of said 2.062 acre tract, being in the east line of a tract of land described as Tract Two in a deed to 78 Straddle, LP, recorded in Volume 5571, Page 3351, in said Deed Records, also being the approximate center of Bois D'Arc Lane (no recording information found);

THENCE North 06 degrees 53 minutes 43 seconds West, continuing with the west line of said Roark and Arnold tract, with the east lines of said Tract Two and a tract of land described as Tract No. 2 in a deed to DPB Investments, LP, recorded in Document No. 20110606000576510, in said Deed Records, and along said Bois D'Arc Lane, a distance of 748.23 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the northeast corner of said Tract No. 2, being in the south line of a called 2.25 acre tract of land described in a deed to MJKMart, LLC, recorded in Document No. 20120906001115340, in said Deed Records;

Pro-Rata Reimbursement Agreement

THENCE South 89 degrees 16 minutes 47 seconds East, continuing with the west line of said Roark and Arnold tract and with the south line of said 2.25 acre tract, a distance of 64.98 feet to a 1/2-inch iron rod found at the southeast corner of said 2.25 acre tract;

THENCE North 11 degrees 02 minutes 32 seconds West, continuing with the west line of said Roark and Arnold tract and with the east line of said 2.25 acre tract, a distance of 490.85 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the north corner of said 2.25 acre tract, being in the east line of State Highway 78 (variable width right-of-way);

THENCE North 33 degrees 42 minutes 56 seconds East, continuing with the west line of said Roark and Arnold tract and with the east line of said State Highway 78, a distance of 1,298.45 feet to a 5/8-inch iron rod with TxDOT Aluminum cap found on a non-tangent curve to the left, having a radius of 5,729.57 feet and a central angle of 17 degrees 07 minutes 34 seconds;

THENCE continuing with the west line of said Roark and Arnold tract and the east line of said State Highway 78, and with said curve to the left, an arc distance of 1,712.61 feet (Chord Bearing North 25 degrees 17 minutes 32 seconds East – 1,706.24 feet), to a 5/8-inch iron rod with TxDOT Aluminum cap found;

THENCE North 19 degrees 58 minutes 32 seconds East, continuing with the west line of said Roark and Arnold tract and the east line of said State Highway 78, a distance of 419.76 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING";

THENCE North 54 degrees 55 minutes 30 seconds East, continuing with the east line of said State Highway 78, a distance of 87.34 feet to a 5/8-inch iron rod with TxDOT Aluminum cap found in the south line of FM 6 (variable width right-of-way);

THENCE North 89 degrees 32 minutes 36 seconds East, with the south line of said FM 6, a distance of 931.18 feet to a 5/8-inch iron rod with TxDOT Aluminum cap found;

THENCE South 89 degrees 00 minutes 51 seconds East, continuing with the south line of said FM 6, a distance of 376.39 feet to a 5/8-inch iron rod with TxDOT Aluminum cap found in the east line of said Roark and Arnold tract, being in the west line of called 59.757 acre tract described in a deed to Petro Hunt LLC, records in Document No. 20070208000183240, in said Deed Records;

THENCE South 01 degree 00 minutes 58 seconds West, departing the south line of said FM 6, with the east line of said Roark and Arnold tract, and with the west line of said 59.757 acre tract, a distance of 2,424.12 feet to the southwest corner of said 59.757 acre tract, being in the north line of the aforementioned 140.22 acre tract;

THENCE North 88 degrees 51 minutes 38 seconds West, continuing with the east line of said Roark and Arnold tract and with the north line said 140.22 acre tract, a distance of 871.25 feet to a 1/2-inch iron rod found at the northwest corner of said 140.22 acre tract;

THENCE South 01 degree 09 minutes 20 seconds West, continuing with the east line of said Roark and Arnold tract and with the west line said 140.22 acre tract, a distance of 2,042.77 feet to the POINT OF BEGINNING and containing 200.9089 acres of land.

**EXHIBIT B**  
**Sanitary Sewer Main**

# CITY OF LAVON BEAR CREEK TRUNK SEWER

FOR BIDDING



**MAYOR**  
Vicki Sanson

**COUNCIL MEMBERS**

John Kell  
Mike Cook  
Kay Wright  
Mindl Serkland  
Ted Dill

**CITY ADMINISTRATOR**  
Kim Dobbs

**DIRECTOR OF PUBLIC WORKS**  
Sonny Mancas



ENGINEERS - ARCHITECTS - PLANNERS  
12160 N. ABRAMS RD, SUITE 508 DALLAS, TX 75243 PH 214.503.0655  
WWW.FTM-DALLAS.COM TEXAS ENGINEERING FIRM REGISTRATION F-2827

FMI PROJECT NO. 19009

DESIGN ONLY  
FOR REVIEW ONLY  
This document has been prepared for review only and shall not be used for construction. It is the responsibility of the user to ensure that the document has been prepared under the supervision of a duly licensed professional engineer.

AUGUST 12, 2019



LOCATION MAP  
1"=1000'

## Sheet List Table

| Sheet Number | Sheet Title         |
|--------------|---------------------|
| G1.0         | COVER SHEET         |
| G2.0         | GENERAL NOTES       |
| C1.0         | STA 0+00 TO 10+00   |
| C2.0         | STA 10+00 TO 20+00  |
| C3.0         | STA 20+00 TO 30+00  |
| C4.0         | STA 30+00 TO 40+00  |
| C5.0         | STA 40+00 TO 50+00  |
| C6.0         | STA 50+00 TO 60+00  |
| C7.0         | STA 60+00 TO 70+00  |
| C8.0         | STA 70+00 TO 80+00  |
| C9.0         | STA 80+00 TO 90     |
| C10.0        | STA 90+00 TO 100+00 |
| D1.0         | CIVIL DETAILS       |
| D2.0         | CIVIL DETAILS       |





## **CITY OF LAVON CITY COUNCIL Agenda Brief**

**MEETING: August 20, 2019**

**ITEM: 7 - C**

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### **Items:**

Discussion and action regarding Ordinance No. **2019-08-02** Accepting And Approving A Service And Assessment Plan And Assessment Rolls For The Lakepointe Public Improvement District; Making A Finding Of Special Benefit To The Property In The District; Levying Special Assessments Against Property Within The District And Establishing A Lien On Such Property; Providing for The Method Of Assessment And The Payment Of The Assessments In Accordance With Chapter 372, Texas Local Government Code, As Amended, Providing Penalties And Interest On Delinquent Assessments, Providing For Severability, And Providing An Effective Date.

### **Background:**

The City Council authorized the creation of the LakePointe Public Improvement District on March 19, 2019. The regulatory steps have been completed to provide for the approval of the Service and Assessment Plan (SAP) and Assessment Roll, which have been available for inspection in the City Secretary's Office since July 16, 2019. Approval of the ordinance will authorize the levy of assessments on the property. The assessments are only levied on the residential property in the LakePointe development project.

The City's bond counsel, city attorney and consulting team have reviewed the proposed ordinance and approval is recommended.

**Attachments:**        Proposed Ordinance

**CITY OF LAVON, TEXAS**

**ORDINANCE NO. 2019-08-02**

LakePointe PID – Accepting SAP and Levying Assessment

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS ACCEPTING AND APPROVING A SERVICE AND ASSESSMENT PLAN AND ASSESSMENT ROLLS FOR THE LAKEPOINTE PUBLIC IMPROVEMENT DISTRICT; MAKING A FINDING OF SPECIAL BENEFIT TO THE PROPERTY IN THE DISTRICT; LEVYING SPECIAL ASSESSMENTS AGAINST PROPERTY WITHIN THE DISTRICT AND ESTABLISHING A LIEN ON SUCH PROPERTY; PROVIDING FOR THE METHOD OF ASSESSMENT AND THE PAYMENT OF THE ASSESSMENTS IN ACCORDANCE WITH CHAPTER 372, TEXAS LOCAL GOVERNMENT CODE, AS AMENDED, PROVIDING PENALTIES AND INTEREST ON DELINQUENT ASSESSMENTS, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Lavon, Texas (the "City") is authorized by Chapter 372, Texas Local Government Code, as amended (the "PID Act") to create a public improvement district and to levy special assessments against property within the district to pay the costs of public improvement projects that confer a special benefit on property within the district;

**WHEREAS**, on or before January 14, 2019, there was submitted to and filed with the City Secretary of the City pursuant to the PID Act that certain "Petition for the Creation of a Public Improvement District Within the City of Lavon, Texas, for the LakePointe Development" (the "Petition") requesting the establishment of a public improvement district covering approximately 173.037 acres described in the Petition, and to be known as "LakePointe Public Improvement District" (the "District");

**WHEREAS**, the City Council of the City (the "City Council") received the Petition and determined that it satisfied the requirements of the PID Act;

**WHEREAS**, after providing the notices required by the PID Act and by the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended (the "Open Meetings Act"), on February 2, 2019 the City Council opened, conducted and continued a public hearing, on March 5, 2019 the City Council reopened, conducted and continued the public hearing, and on March 19, 2019 the City Council reopened, conducted and closed the public hearing, to determine the advisability of creating and establishing the District and undertaking the public improvement projects described in the Petition;

**WHEREAS**, all owners of property located within the District and all other interested persons were given the opportunity at such public hearing to speak for or against the creation of the District and the proposed public improvements;

**WHEREAS**, the City Council made findings based on the information contained in the Petition presented to the City Council and the comments received at the public hearing;

**WHEREAS**, the City Council adopted Resolution No. 2019-03-04 on March 19, 2019 (the "Original Authorization Resolution"), authorizing the creation of the District and ordering public improvements to be made for the benefit of such District; and

**WHEREAS**, on July 16, 2019, the City Council approved Resolution No. 2019-07-03 amending the Original Authorization Resolution (as amended, the "Authorization Resolution") regarding the estimated costs of authorized improvements to be assessed against the property in the District; and

**WHEREAS**, the City published the Authorization Resolution as required by law; and

**WHEREAS**, no written protests regarding the creation of the District from any owners of record of property within the District were filed with the City Secretary; and

**WHEREAS**, on July 16, 2019, the City Council adopted a resolution determining total costs of certain authorized public improvements, approving a preliminary service and assessment plan, including proposed assessment rolls, and directing the publication and mailing of notice of a public hearing (the "Assessment Hearing") to consider an ordinance levying assessments on property within the District (the "Assessments"); and

**WHEREAS**, the City Secretary filed the proposed Assessment Rolls (defined below) and made the same available for public inspection; and

**WHEREAS**, the City Secretary, pursuant to Section 372.016(c) of the PID Act, mailed the notice of the Assessment Hearing to the last known address of the owners of the property liable for the Assessments; and

**WHEREAS**, the City Secretary, pursuant to Section 372.016(b) of the PID Act, published notice of the Assessment Hearing on July 24, 2019 in the *Wylie News*, a newspaper of general circulation in the City; and

**WHEREAS**, the City Council convened the Assessment Hearing on August 20, 2019, at which all persons who appeared, or requested to appear, in person or by their attorney, were given the opportunity to contend for or contest the Assessment Rolls, and the proposed Assessments, and to offer testimony pertinent to any issue presented on the amount of the Assessments, the allocation of the Actual Costs of the authorized public improvements to be undertaken for the benefit of property within the District (the "Authorized Improvements"), the purposes of the Assessments, the special benefits of the Assessments, and the penalties and interest on annual installments and on delinquent annual installments of the Assessments; and

**WHEREAS**, the owners of 100% of the property subject to the proposed assessment within the District (the "Landowners") had actual knowledge of the Assessment Hearing to be held on August 20, 2019, and support the creation of the District and the levy of assessments against the property in accordance with the Service and Assessment Plan to finance the Authorized Improvements for benefit of the property within the District; and

**WHEREAS**, the City Council finds and determines that the Assessment Rolls and the LakePointe Public Improvement District Service and Assessment Plan dated August 20, 2019 (the "Service and Assessment Plan"), attached as **Exhibit A** and incorporated as a part of this Ordinance for all purposes, should be approved and that the Assessments should be levied as provided in this Ordinance and the Service and Assessment Plan, including the Assessment Rolls attached thereto as Exhibit F-1 and Exhibit G-1 (the "Assessment Rolls"); and

**WHEREAS**, the City Council further finds that there were no objections or evidence submitted to the City Secretary in opposition to the Service and Assessment Plan, the allocation of the Actual Costs of the Authorized Improvements as described in the Service and Assessment Plan, the Assessment Rolls, and the levy of the Assessments; and

**WHEREAS**, at the Assessment Hearing, the Landowners, or their representatives, who are the persons to be assessed pursuant to this Ordinance, have indicated their approval and acceptance of the levy of the Assessments against their property located within the District; and

**WHEREAS**, the City Council closed the hearing, and, after considering all written and documentary evidence presented at the hearing, including all written comments and statements filed with the City, determined to proceed with the adoption of this Ordinance in conformity with the requirements of the PID Act;

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

**Section 1.**      **Terms.**

Terms not otherwise defined herein are defined in the Service and Assessment Plan.

**Section 2.**      **Findings.**

The City Council hereby finds, determines, and ordains, as follows:

(a) The recitals set forth in the WHEREAS clauses of this Ordinance are true and correct and are hereby incorporated by reference and made a part of this Ordinance for all purposes as if the same were restated in full in this Section and constitute findings of the City Council acting in its discretionary, legislative capacity;

(b) All actions of the City in connection with the creation and establishment of the District and the approval of this Ordinance: (i) have been taken and performed in compliance with the PID Act and all other applicable laws, policies, and procedures; (ii) have been taken and performed in a regular, proper and valid manners; and (iii) are approved and ratified;

(c) The apportionment of the Actual Costs of the Authorized Improvements, including specifically the Improvement Area #1 Improvements and the Major Improvements (as reflected in the Service and Assessment Plan, and the Annual Collection Costs pursuant to the Service and Assessment Plan) is fair and reasonable, reflects an accurate presentation of the special benefit each assessed Parcel will receive from the construction of the Authorized Improvements identified in the Service and Assessment Plan, and is hereby approved;

(d) The Service and Assessment Plan covers a period of at least five years and defines the annual indebtedness and projected costs for the Authorized Improvements;

(e) The Service and Assessment Plan apportions the Actual Cost(s) of the Authorized Improvements to be assessed against the property in the District and such apportionment is made on the basis of special benefits accruing to the property because of the Authorized Improvements;

(f) All of the Improvement Area #1 Assessed Property being assessed in the amounts shown on the Improvement Area #1 Assessment Roll will be benefited by the Improvement Area #1 Projects proposed to be constructed as described in the Service and Assessment Plan, and each assessed Parcel of Improvement Area #1 Assessed Property will receive special benefits equal to or greater than the total amount assessed for the Improvement Area #1 Projects;

(g) All of the Major Improvement Area Assessed Property being assessed in the amounts shown on the Major Improvement Area Assessment Roll will be benefited by the Major Improvement Area Projects proposed to be constructed as described in the Service and Assessment Plan, and each assessed Parcel of Major Improvement Area Assessed Property will receive special benefits equal to or greater than the total amount assessed for the Major Improvement Area Projects;

(h) The method of apportionment of the Actual Costs of the Authorized Improvements and Annual Collection Costs set forth in the Service and Assessment Plan results in imposing equal shares of the Actual Costs of the Authorized Improvements and Annual Collection Costs on property similarly benefited, and results in a reasonable classification and formula for the apportionment of the Actual Costs;

(i) The Service and Assessment Plan has been prepared on behalf of, presented to, and reviewed by the City Council and should be approved as the service plan and assessment plan for the District for all purposes as described in Sections 372.013 and 372.014 of the PID Act;

(j) The Assessment Rolls should be approved as the Assessment Rolls for the District;

(k) The provisions of the Service and Assessment Plan relating to due and delinquency dates for the Assessments, interest on Annual Installments, interest and penalties on delinquent Assessments and delinquent Annual Installments, and procedures in connection with the imposition and collection of Assessments should be approved and will expedite collection of the Assessments in a timely manner in order to provide the services and improvements needed and required for the area within the District; and

(l) A written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public for the time required by law preceding this meeting, as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended, and this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter hereof has been discussed, considered, and formally acted upon.

**Section 3. Service and Assessment Plan.**

The Service and Assessment Plan is hereby accepted and approved pursuant to Sections 372.013 and 372.014 of the PID Act as the service plan and the assessment plan relating to the Authorized Improvements for the District. The Service and Assessment Plan shall be updated by the City Council no less frequently than annually as required by the PID Act and more frequently as may be required by the Service and Assessment Plan including upon the issuance of PID Bonds.

**Section 4. Assessment Rolls.**

The Assessment Rolls are hereby accepted and approved pursuant to Section 372.016 of the PID Act as the Assessment Rolls of the District for all purposes.

**Section 5. Levy and Payment of Assessments for Costs of the Authorized Improvements.**

(a) The City Council hereby levies the Assessments on each Parcel of property (excluding Non-Benefitted Property) located within the District, as shown and described in the Service and Assessment Plan and the Assessment Rolls, in the respective amounts shown in the Service and Assessment Plan as a special assessment as set forth in the Assessment Rolls. The amount of the Annual Installments shall be reviewed and determined annually by the City Council following the City Council's annual review of the Service and Assessment Plan for the District. Pursuant to Section 372.015(d), the amount of assessment for each property owner may be adjusted following the annual review of the Service and Assessment Plan.

(b) The levy of the Assessments shall be effective on the date of execution of this Ordinance levying Assessments and strictly in accordance with the terms of the Service and Assessment Plan and the PID Act.

(c) The collection of the Assessments shall be as described in the Service and Assessment Plan and the PID Act.

(d) Each Assessment may be prepaid in whole or in part at any time without penalty or may be paid in Annual Installments pursuant to the terms of the Service and Assessment Plan.

(e) Each Assessment shall bear interest at the rate or rates specified in the Service and Assessment Plan.

(f) Each Annual Installment shall be collected each year in the manner set forth in the Service and Assessment Plan.

(g) The Annual Collection Costs for Assessed Property shall be calculated pursuant to the terms of the Service and Assessment Plan.

**Section 6. Method of Assessment.**

The method of apportioning the Actual Costs of the Authorized Improvements and Annual Collection Costs are set forth in the Service and Assessment Plan.

**Section 7. Penalties and Interest on Delinquent Assessments.**

Delinquent Assessments shall be subject to the penalties, interest, procedures, and foreclosure sales set forth in the Service and Assessment Plan and as allowed by law.

**Section 8. Prepayments of Assessments.**

As provided in the Service and Assessment Plan, the owner of any Assessed Property may prepay the Assessments levied by this Ordinance.

**Section 9. Lien Priority.**

(a) The Assessments and Annual Installments levied and assessed against the property within the District as provided in this Ordinance and the Service and Assessment Plan, together with reasonable attorney's fees and costs of collection, if incurred, are, pursuant to the PID Act, a lien upon each tract of property within the District against which the same are levied and assessed, and a personal liability and charge against the owners of such lot, including the successors and assigns, whether such owners be named herein or not, and said liens shall be and constitute the first enforceable lien and claim against the lot on which such assessments are levied, and shall be a first and paramount lien thereon, superior to all other liens and claims except state, county, school district and municipal ad valorem taxes.

(b) The City Council and the Landowners intend for the obligations, covenants and burdens on the Assessed Property, including without limitation such Landowners' obligations related to payment of the Assessments and the Annual Installments thereof, to constitute covenants that shall run with the land. The Assessments and the Annual Installments thereof which are levied hereby shall be binding upon the assessed parties, as the owners of Assessed Property, and their respective transferees, legal representatives, heirs, devisees, successors and assigns, regardless of whether such owners are named, in the same manner and for the same period as such parties would be personally liable for the payment of ad valorem taxes under applicable law. The Assessments shall have lien priority as specified in the Service and Assessment Plan and the PID Act.

**Section 10. Applicability of Tax Code.**

To the extent not inconsistent with this Ordinance, and not inconsistent with the PID Act or the other laws governing public improvement districts, the provisions of the Texas Tax Code, as amended, governing enforcement of ad valorem tax liens (other than with respect to property subject to agriculture use valuation, including redemption rights following a tax sale) shall be applicable to the imposition and collection of Assessments by the City, and the Texas Tax Code shall otherwise be applicable to the extent provided by the PID Act.

**Section 11. Filing in Land Records.**

The City Secretary is directed to cause a copy of this Ordinance, including the Service and Assessment Plan and/or the Assessment Rolls, to be recorded in the real property records of Collin County, Texas. The City Secretary is further directed to similarly file each Annual Service Plan Update approved by the City Council.

**Section 12. Severability.**

If any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this Ordinance or the application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council that no portion hereof, or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness, or invalidity or any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

**Section 13. Effective Date.**

This Ordinance shall take effect, and the levy of the Assessments, and the provisions and terms of the Service and Assessment Plan shall be and become effective upon passage and execution hereof.

*(Execution page follows.)*

**PASSED AND APPROVED** on this the 20th day of August, 2019.

**CITY OF LAVON, TEXAS**

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Vicki Sanson, Mayor

**ATTEST:**

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Kim Dobbs, City Administrator

[SEAL]

**EXHIBIT A**

**Service and Assessment Plan**

# LakePointe Public Improvement District

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## PRELIMINARY SERVICE AND ASSESSMENT PLAN

AUGUST 20, 2019

VERSION 6.2



AUSTIN, TX | KELLER, TX

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## INTRODUCTION

Capitalized terms used in this Service and Assessment Plan shall have the meanings given to them in **Section I** unless otherwise defined in this Service and Assessment Plan or unless the context in which a term is used clearly requires a different meaning. Unless otherwise defined, a reference to a “Section” or an “Exhibit” shall be a reference to a Section of this Service and Assessment Plan or an Exhibit attached to and made a part of this Service and Assessment Plan for all purposes.

On March 19, 2019, the City Council of the City of Lavon, Texas passed and approved Resolution No. 2019-03-04 authorizing the establishment of the LakePointe Public Improvement District in accordance with Chapter 372, Texas Local Government Code, and on July 16, 2019 the City Council passed and approved Resolution No. 2019-07-03 amending Resolution No. 2019-03-04, which authorization was effective upon publication as required by the PID Act. The purpose of the District is to finance the Actual Costs of Authorized Improvements that confer a special benefit on approximately 173.037 acres located within the corporate limits of the City, as described by metes and bounds on **Exhibit A-1** and depicted on **Exhibit B-1**.

The PID Act requires a service plan covering a period of at least five years and defining the annual indebtedness and projected cost of the Authorized Improvements. The Service Plan is contained in **Section IV**.

The PID Act requires that the Service Plan include an Assessment Plan that assesses the Actual Costs of the Authorized Improvements against the District based on the special benefits conferred on the District by the Authorized Improvements. The Assessment Plan is contained in **Section V**.

The PID Act requires an Assessment Roll that states the assessment against each parcel determined by the method chosen by the City Council. The Assessment against each Parcel must be sufficient to pay the share of the Actual Costs of the Authorized Improvements apportioned to the Parcel and cannot exceed the special benefit conferred on the Parcel by such Authorized Improvements. The Assessment Roll for Improvement Area #1 is included as **Exhibit F-1**. The Assessment Roll for the Major Improvement Area is included as **Exhibit G-1**.

## SECTION I: DEFINITIONS

**“Actual Costs”** mean with respect to Authorized Improvements, the Owner’s demonstrated, reasonable, allocable, and allowable costs of constructing such Authorized Improvements, as specified in a payment request in a form that has been reviewed and approved by the City. Actual Costs may include: (1) the costs incurred by or on behalf of the Owner (either directly or through affiliates) for the design, planning, financing, administration/management, acquisition, installation, construction and/or implementation of such Authorized Improvements; (2) the fees paid for obtaining permits, licenses, or other governmental approvals for such Authorized Improvements; (3) construction management fees of up to 4% of costs, if the Owner is serving as the construction manager but not the general contractor; (4) the costs incurred by or on behalf of the Owner for external professional costs, such as engineering, geotechnical, surveying, land planning, architectural landscapers, appraisals, legal, accounting, and similar professional services; (5) all labor, bonds, and materials, including equipment and fixtures, by contractors, builders, and materialmen in connection with the acquisition, construction, or implementation of the Authorized Improvements; (6) all related permitting and public approval expenses, architectural, engineering, and consulting fees, taxes, and governmental fees and charges.

**“Additional Interest”** means the amount collected by application of the Additional Interest Rate.

**“Additional Interest Rate”** means the 0.50% additional interest rate charged on Assessments pursuant to Section 372.018 of the PID Act.

**“Administrator”** means an employee or designee of the City who shall have the responsibilities provided in this Service and Assessment Plan, the Indenture, or any other agreement or document approved by the City related to the duties and responsibilities of the administration of the District. The initial Administrator is P3Works, LLC.

**“Annual Collection Costs”** mean the actual or budgeted costs and expenses related to the creation and operation of the District and the construction of the Authorized Improvements, including, but not limited to, costs and expenses for: (1) the Administrator; (2) City staff; (3) legal counsel, engineers, accountants, financial advisors, and other consultants engaged by the City; (4) calculating, collecting, and maintaining records with respect to Assessments and Annual Installments; (5) preparing and maintaining records with respect to Assessment Rolls and Annual Service Plan Updates; (6) paying and redeeming PID Bonds; (7) investing or depositing Assessments and Annual Installments; (8) complying with this Service and Assessment Plan, the Indentures, and the PID Act with respect to the PID Bonds, including continuing disclosure requirements; (9) the paying agent/registrar and Bond Trustee in connection with PID Bonds, including their respective legal counsel; and (10) administering the construction of the

Authorized Improvements. Annual Collection Costs collected but not expended in any year shall be carried forward and applied to reduce Annual Collection Costs for subsequent years.

**“Annual Installment”** means the annual installment payment on the Assessment as calculated by the Administrator and approved by the City Council, that includes: (1) principal; (2) interest; (3) Annual Collection Costs; and (4) Additional Interest.

**“Annual Service Plan Update”** means an update to this Service and Assessment Plan prepared no less frequently than annually by the Administrator and approved by the City Council.

**“Assessed Property”** means any Parcel within the District against which an Assessment is levied.

**“Assessment”** means an assessment levied against a Parcel within the District and imposed pursuant to an Assessment Ordinance and the provisions of this Service and Assessment Plan, as shown on an Assessment Roll, subject to reallocation upon the subdivision of such Parcel or reduction according to the provisions herein and in the PID Act.

**“Assessment Ordinance”** means an ordinance adopted by the City Council in accordance with the PID Act that levies an Assessment.

**“Assessment Plan”** assesses the Actual Costs of the Authorized Improvements against the District based on the special benefits conferred on the District by the Authorized Improvements, more specifically described in **Section V**.

**“Assessment Roll”** means the Improvement Area #1 Assessment Roll, and/or the Major Improvement Area Assessment Roll, or any other Assessment Roll in an amendment or supplement to this Service and Assessment Plan.

**“Authorized Improvements”** means public improvements of which estimated costs are shown on **Exhibit C**, depicted on **Exhibit H-1** and **Exhibit H-2**, and described in **Section III** as authorized by Section 372.003 of the PID Act.

**“Bond Trustee”** means a trustee (or successor trustee) under the applicable Indenture.

**“City”** means the City of Lavon, Texas.

**“City Council”** means the governing body of the City.

**“County”** means Collin County, Texas.

**“Delinquent Collection Costs”** mean costs related to the foreclosure on Assessed Property and the costs of collection of delinquent Assessments, delinquent Annual Installments, or any other delinquent amounts due under this Service and Assessment Plan including penalties and reasonable attorney’s fees actually paid, but excluding amounts representing interest and penalty interest.

**“District”** means the LakePointe Public Improvement District containing approximately 173.037 acres located within the corporate limits of the City, and more specifically described in **Exhibit A-1** and depicted on **Exhibit B-1**.

**“District Formation and Bond Issuance Costs”** means the costs and expenses associated with forming the District and costs of issuing a particular series of PID Bonds, including but not limited to issuer fees, attorney fees, financial advisory fees, consultant fees, appraisal fees, printing costs, publication costs, City costs, fees charged by the Texas Attorney General, and any other cost or expense directly associated with the issuance of PID Bonds, including debt service reserve fund, capitalized interest and underwriter’s discount.

**“Improvement Area #1”** means approximately 53.425 acres located within the District, more specifically described in **Exhibit A-2** and depicted on **Exhibit B-2**.

**“Improvement Area #1 Annual Installment”** means the Annual Installment of the Improvement Area #1 Assessment as calculated by the Administrator and approved by the City Council, that includes: (1) principal; (2) interest; (3) Annual Collection Costs; and (4) Additional Interest.

**“Improvement Area #1 Assessed Property”** means any Parcel within Improvement Area #1 against which an Improvement Area #1 Assessment is levied.

**“Improvement Area #1 Assessment”** means an Assessment levied against a Parcel within Improvement Area #1 and imposed pursuant to an Assessment Ordinance and the provisions herein, as shown on the Improvement Area #1 Assessment Roll, subject to reallocation upon the subdivision of such Parcel or reduction according to the provisions herein and in the PID Act.

**“Improvement Area #1 Assessment Roll”** means the Assessment Roll for the Improvement Area #1 Assessed Property within the District, as updated, modified or amended from time to time in accordance with the procedures set forth herein and in the PID Act, including any Annual Service Plan Updates. The Improvement Area #1 Assessment Roll is included in this Service and Assessment Plan as **Exhibit F-1**.

**“Improvement Area #1 Bonds”** means those certain “City of Lavon, Texas Special Assessment Revenue Bonds, Series 2019 (LakePointe Public Improvement District Improvement Area #1 Project)” that are secured by Improvement Area #1 Assessments.

**“Improvement Area #1 Improvements”** means the Authorized Improvements which only benefit the Improvement Area #1 Assessed Property and are described in **Section III.A**, shown on **Exhibit C**, and depicted on **Exhibit H-1**.

**“Improvement Area #1 Initial Parcel”** means all Assessed Property located within Improvement Area #1, against which the entire Improvement Area #1 Assessment is levied, as shown on the Improvement Area #1 Assessment Roll.

**“Improvement Area #1 Projects”** means collectively: (1) the pro rata portion of the Major Improvements allocable to Improvement Area #1; (2) the Improvement Area #1 Improvements; and (3) Improvement Area #1’s pro rata share of District Formation and Bond Issuance Costs.

**“Indenture”** means an Indenture of Trust entered into in connection with the issuance of each series of PID Bonds, as amended from time to time, between the City and a Bond Trustee setting forth terms and conditions related to a series of PID Bonds.

**“Lot”** means for any portion of the District for which a final subdivision plat has been recorded in the official public records of the County, a tract of land described by “lot” in such final and recorded subdivision plat.

**“Lot Type”** means a classification of final building Lots with similar characteristics (e.g. commercial, light industrial, multi-family, single family residential, etc.), as determined by the Administrator and confirmed by the City Council. In the case of single-family residential Lots, the Lot Type shall be further defined by classifying the residential Lots by the estimated final average home value of the Lot as of the date of the recorded subdivision plat as determined by the Administrator and confirmed by the City Council.

**“Major Improvement Area”** means approximately 119.612 acres located within the District, and more specifically described in **Exhibit A-3** and depicted on **Exhibit B-3**.

**“Major Improvement Area Annual Installment”** means the Annual Installment of the Major Improvement Area Assessment as calculated by the Administrator and approved by the City Council, that includes: (1) principal; (2) interest; (3) Annual Collection Costs; and (4) Additional Interest.

**“Major Improvement Area Assessed Property”** means any Parcel within the Major Improvement Area against which an Assessment is levied.

**“Major Improvement Area Assessment”** means an assessment levied against a Parcel within the Major Improvement Area and imposed pursuant to an Assessment Ordinance and the provisions herein, as shown on the Major Improvement Area Assessment Roll, subject to reallocation upon the subdivision of such Parcel or reduction according to the provisions herein and in the PID Act.

**“Major Improvement Area Assessment Roll”** means the Assessment Roll for the Major Improvement Area Assessed Property within the District, as updated, modified or amended from time to time in accordance with the procedures set forth herein and in the PID Act, including any Annual Service Plan Updates. The Major Improvement Area Assessment Roll is included in this Service and Assessment Plan as **Exhibit G-1**.

**“Major Improvement Area Bonds”** means those certain “City of Lavon, Texas Special Assessment Revenue Bonds, Series 2019 (LakePointe Public Improvement District Major Improvement Area Project)” that are secured by Major Improvement Area Assessments.

**“Major Improvement Area Initial Parcel”** means the all Assessed Property located within the Major Improvement Area, which is more particularly described by metes and bounds on **Exhibit A-3**, against which the entire Major Improvement Area Assessment is levied as shown on Major Improvement Area Assessment Roll.

**“Major Improvement Area Projects”** means collectively: (1) the pro rata portion of the Major Improvements allocable to the Major Improvement Area; and (2) the Major Improvement Area share of the District Formation and Bond Issuance Costs.

**“Major Improvements”** means those Authorized Improvements that confer special benefit to all the Assessed Property within the District, and as further described in **Section III.B.** and depicted on **Exhibit H-2**.

**“Maximum Assessment”** means, for each lot type, the highest practical amount that results in an equivalent tax rate of \$3.09 per \$100 of estimated buildout value for each new Lot Type, taking into consideration the tax rate of all taxing entities, as shown on **Exhibit I**. The Maximum Assessment shall only be calculated upon the filing of a final plat with the City.

**“Non-Benefitted Property”** means Parcels within the boundaries of the District that accrue no special benefit from the Authorized Improvements as determined by the City Council. Property is identified as Non-Benefitted Property at the time the Assessments are (1) imposed or (2) reallocated pursuant to a subdivision of a Parcel that is not assessed.

**“Owner”** means LDC Lavon, LLC, a Texas limited liability company, Lavon LakePointe Development, LLC, a Texas limited liability company, and any successor owner of property in the District or any portion thereof.

**“Parcel”** or **“Parcels”** means a specific property within the District identified by either a tax map identification number assigned by the Collin Central Appraisal District for real property tax purpose, by metes and bounds description, or by lot and block number in a final subdivision plat recorded in the official public records of the County, or by any other means determined by the City.

**“PID Act”** means Chapter 372, Texas Local Government Code, as amended.

**“PID Bonds”** means any bonds issued by the City in one or more series and secured in whole or in part by Assessments.

**“Prepayment”** means the payment of all or a portion of an Assessment before the due date thereof. Amounts received at the time of a Prepayment which represent a payment of principal,

interest, or penalties on a delinquent installment of an Assessment are not to be considered a Prepayment, but rather are to be treated as the payment of the regularly scheduled Assessment.

**“Prepayment Costs”** means interest, including Additional Interest and penalty interest, and Annual Collection Costs to the date of Prepayment.

**“Service and Assessment Plan”** means this LakePointe Public Improvement District Service and Assessment Plan as updated, amended, or supplemented from time to time.

**“Service Plan”** covers a period of at least five years and defines the annual indebtedness and projected costs of the Authorized Improvements.

**“Water Improvements”** means the water facility improvements depicted on **Exhibit H-3-A** and **Exhibit H-3-B** that will serve the District, the cost of which is not reimbursable to the Developer through PID Bond proceeds. The Water Improvements will be owned by the Bear Creek Special Utility District.

## SECTION II: THE DISTRICT

The District includes approximately 173.037 contiguous acres located within the corporate limits of the City, as more particularly described by metes and bounds on **Exhibit A-1** and depicted on **Exhibit B-1**. Development of the District is anticipated to include approximately 700 single-family homes.

Improvement Area #1 includes approximately 53.425 contiguous acres located within the corporate limits of the City, as more particularly described by metes and bounds on **Exhibit A-2** and depicted on **Exhibit B-2**. Development of Improvement Area #1 is anticipated to include approximately 223 single-family homes.

The Major Improvement Area includes approximately 119.612 non-contiguous acres located within the corporate limits of the City, as more particularly described by metes and bounds on **Exhibit A-3** and depicted on **Exhibit B-3**. Development of the Major Improvement Area is anticipated to include approximately 477 single-family homes.

### SECTION III: AUTHORIZED IMPROVEMENTS

The City Council, based on information provided by the Owner and its engineer and reviewed by the City staff and by third-party consultants retained by the City, has determined that the costs described below are costs of Authorized Improvements, as defined by the PID Act, that confer a special benefit on the Assessed Property. Allocation of the Authorized Improvements is shown on **Exhibit C**.

#### **A. Improvement Area #1 Improvements**

All Improvement Area #1 Improvements will be designed and constructed in accordance with City standards and specifications and will be owned and operated by the City.

- *Sewer*

Improvements including trench excavation and embedment, trench safety, PVC piping, ductile iron encasement, boring, manholes, service connections, testing, related earthwork, excavation, and erosion control all necessary appurtenances required to provide wastewater service to all Lots within Improvement Area #1.

- *Storm Sewer*

Improvements including earthen channels, swales, curb and drop inlets, RCP piping and boxes, headwalls, concrete flumes, rock rip rap, concrete outfalls, and testing as well as all related earthwork, excavation, and erosion control necessary to provide storm drainage for all Lots in Improvement Area #1.

- *Pavement*

Improvements including subgrade stabilization (including lime treatment and compaction), concrete and reinforcing steel for roadways, testing, handicapped ramps, sidewalks, and streetlights. All related earthwork, excavation, erosion control, retaining walls, intersections, signage, lighting and re-vegetation of all disturbed areas within the right-of-way are included. The street improvements will provide street access to each Lot within the Improvement Area #1.

- *Engineering, Design, Fees, and Construction Management*

Improvements including a 4% construction management fee, and engineering and design (inclusive of any revisions that may be necessary for final approval by the City engineer) of the final construction plans necessary for construction of the Authorized Improvements in Improvement Area #1. Once the final plans are approved, the project engineer shall stamp and mark the plans ready for construction, and ready to be

submitted to duly authorized contractors for bids for the construction of such Authorized Improvements.

## **B. Major Improvements**

All Major Improvements will be designed and constructed in accordance with City standards and specifications and will be owned and operated by the City.

### ▪ *Right of Way*

Within the dedicated streets, all related earthwork, excavation, erosion control, retaining walls, intersections, signage, lighting, sod and irrigation, and re-vegetation of all disturbed areas within the right-of-way are included.

### ▪ *Sewer*

Improvements including trench excavation and embedment, trench safety, PVC piping, ductile iron encasement, boring, manholes, service connections, testing, related earthwork, excavation, erosion control, and all necessary appurtenances required to provide wastewater service to all Lots within the District.

### ▪ *Storm Sewer*

Improvements including earthen channels, swales, curb and drop inlets, RCP piping and boxes, headwalls, concrete flumes, rock rip rap, concrete outfalls, and testing as well as all related earthwork, excavation, erosion control, and all necessary appurtenances to provide storm drainage for all Lots in the District.

### ▪ *Pavement*

Improvements including subgrade stabilization (including lime treatment and compaction), concrete and reinforcing steel for roadways, testing, handicapped ramps, and streetlights. The pavement improvements will provide street access to each Lot within the District.

### ▪ *Engineering, Design, Fees, and Construction Management*

Improvements including a 4% construction management fee, and engineering and design (inclusive of any revisions that may be necessary for final approval by the City engineer) of the final construction plans necessary for construction of the Authorized Improvements constituting Major Improvements. Once the final plans are approved, the project engineer shall stamp and mark the plans ready for construction, and ready to be submitted to duly authorized contractors for bids for the construction of such Authorized Improvements.

- *Hardscape and Landscape*

Improvements consist of installation of landscaping, including irrigation, in open spaces, entryway monuments and signs, establishment and improvement of lakes, park and open space.

- *PID Creation Cost*

Includes legal fees, PID consultant fees, engineering fees and reimbursement of City consulting fees.

### **C. District Formation and Bond Issuance Costs**

- *First Year Annual Collection Costs*

Includes first year District administration reserves, and costs and expenses directly associated with forming the District.

- *Debt Service Reserve Fund*

Equals the amount required under an Indenture in connection with the issuance of a particular series of PID Bonds.

- *Capitalized Interest*

Equals the amount required under an Indenture in connection with the issuance of a particular series of PID Bonds.

- *Underwriter's Discount*

Equals a percentage of the par amount of a particular series of PID Bonds plus a fee for underwriter's counsel.

- *Cost of Issuance*

Includes costs of issuing a particular series of PID Bonds, including but not limited to issuer fees, attorney fees, financial advisory fees, consultant fees, appraisal fees, printing costs, publication costs, City costs, fees charged by the Texas Attorney General, and any other cost or expense directly associated with the issuance of PID Bonds.

## **SECTION IV: SERVICE PLAN**

The PID Act requires the Service Plan to cover a period of at least five years. The Service Plan is required to define the annual projected costs and indebtedness for the Authorized Improvements undertaken within the District during the five-year period. The Service Plan must

be reviewed and updated at least annually and approved by the City Council. **Exhibit D** summarizes the Service Plan for the District.

**Exhibit E** summarizes the sources and uses of funds required to construct the Authorized Improvements and pay the District Formation and Bond Issuance Costs. The sources and uses of funds shown on **Exhibit E** shall be updated each year in the Annual Service Plan Update to reflect any budget revisions and Actual Costs.

## SECTION V: ASSESSMENT PLAN

The PID Act allows the City Council to apportion the costs of the Authorized Improvements to the Assessed Property based on the special benefit received from the Authorized Improvements. The PID Act provides that such costs may be apportioned: (1) equally per front foot or square foot; (2) according to the value of property as determined by the City Council, with or without regard to improvements constructed on the property; or (3) in any other manner approved by the City Council that results in imposing equal shares of such costs on property similarly benefited. The PID Act further provides that the governing body may establish by ordinance or order reasonable classifications and formulas for the apportionment of the cost between the City and the area to be assessed and the methods of assessing the special benefits for various classes of improvements.

The determination by the City Council of the assessment methodologies set forth below is the result of the discretionary exercise by the City Council of its legislative authority and governmental powers and is conclusive and binding on the Owner and all future Owners and developers of the Assessed Property.

### **A. Assessment Methodology for Improvement Area #1**

The City Council, acting in its legislative capacity based on information provided by the Owner and its engineer and reviewed by the City staff and by third-party consultants retained by the City, has determined that the costs of the Improvement Area #1 Projects shall be allocated to the Improvement Area #1 Assessed Property by spreading the entire Improvement Area #1 Assessment across all Improvement Area #1 Assessed Property based on the ratio of the estimated build out value of each Parcel designated as Improvement Area #1 Assessed Property to the estimated build out value for all Improvement Area #1 Assessed Property. Currently, the Improvement Area #1 Initial Parcel is the only Parcel within Improvement Area #1, and as such, the Improvement Area #1 Initial Parcel is allocated 100% of the Improvement Area #1 Projects.

## **B. Assessment Methodology for the Major Improvement Area**

The City Council, acting in its legislative capacity based on information provided by the Owner and its engineer and reviewed by the City staff and by third-party consultants retained by the City, has determined that the costs of the Major Improvement Area Projects shall be allocated to the Major Improvement Area Assessed Property by spreading the entire Major Improvement Area Assessment across all Major Improvement Area Assessed Property based on the ratio of the estimated build out value of each Parcel designated as Major Improvement Area Assessed Property to the estimated build out value for all Major Improvement Area Assessed Property. Currently the Major Improvement Area Initial Parcel is the only Parcel within the Major Improvement Area, and as such, the Major Improvement Area Initial Parcel is allocated 100% of the Major Improvement Area Projects.

## **C. Assessments**

The Improvement Area #1 Assessment will be levied on the Improvement Area #1 Initial Parcel in the amount shown on the Improvement Area #1 Assessment Roll, attached hereto as **Exhibit F-1**. The projected Improvement Area #1 Annual Installments are shown on **Exhibit F-2**. Upon division or subdivision of the Improvement Area #1 Initial Parcel, Improvement Area #1 Assessment will be reallocated pursuant to **Section VI**.

The Major Improvement Area Assessment will be levied on the Major Improvement Area Initial Parcel in the amount shown on the Major Improvement Area Assessment Roll, attached hereto as **Exhibit G-1**. The projected Major Improvement Area Annual Installments are shown on **Exhibit G-2**. Upon division or subdivision of the Major Improvement Area Initial Parcel, the Major Improvement Area Assessment will be reallocated pursuant to **Section VI**.

## **D. Findings of Special Benefit**

The City Council, acting in its legislative capacity based on information provided by the Owner and its engineer and reviewed by the City staff and by third-party consultants retained by the City, has found and determined:

- *Improvement Area #1*
  - The costs of the Improvement Area #1 Projects equal \$7,516,510 as shown on **Exhibit C**; and
  - The Improvement Area #1 Assessed Property receives special benefit from the Improvement Area #1 Projects equal to or greater than the Actual Cost of the Improvement Area #1 Projects; and
  - The Improvement Area #1 Initial Parcel will be allocated 100% of the Improvement Area #1 Assessment levied for the Improvement Area #1 Projects, which equals

\$5,585,000 as shown on the Improvement Area #1 Assessment Roll attached hereto as **Exhibit F-1**;

- The special benefit (  $\geq \$7,516,510$ ) received by the Improvement Area #1 Initial Parcel from the Improvement Area #1 Projects is equal to or greater than the amount of the Improvement Area #1 Assessment (\$5,585,000) levied on the Improvement Area #1 Initial Parcel for the Improvement Area #1 Projects; and
  - At the time the City Council approved the Service and Assessment Plan, LDC Lavon, LLC owned 100% of the Improvement Area #1 Initial Parcel. LDC Lavon, LLC acknowledged that the Improvement Area #1 Projects confer a special benefit on the Improvement Area #1 Initial Parcel and consented to the imposition of the Improvement Area #1 Assessment to pay for the Actual Costs associated therewith. LDC Lavon, LLC ratified, confirmed, accepted, agreed to, and approved: (1) the determinations and findings by the City Council as to the special benefits described herein and the Assessment Ordinance; (2) the Service and Assessment Plan and the Assessment Ordinance, and (3) the levying of the Improvement Area #1 Assessment on the Improvement Area #1 Initial Parcel.
- *Major Improvement Area*
- The costs of the Major Improvement Area Projects equal \$2,698,762, as shown on **Exhibit C**; and
  - The Major Improvement Area Assessed Property receives special benefit from the Major Improvement Area Projects equal to or greater than the Actual Cost of the Major Improvement Area Projects; and
  - The Major Improvement Area Initial Parcel will be allocated 100% of the Major Improvement Area Assessment levied for the Major Improvement Area Projects, which equal \$2,695,000 as shown on the Major Improvement Area Assessment Roll attached hereto as **Exhibit G-1**;
  - The special benefit (  $\geq \$2,698,762$ ) received by the Major Improvement Area Initial Parcel from the Major Improvement Area Projects is greater than or equal to the amount of the Major Improvement Area Assessment (\$2,695,000) levied on the Major Improvement Area Initial Parcel for the Major Improvement Area Projects; and
  - At the time the City Council approved the Service and Assessment Plan, LDC Lavon, LLC owned 100% of the Major Improvement Area Initial Parcel. LDC Lavon, LLC acknowledged that the Major Improvement Area Projects confer a special benefit on the Major Improvement Area Initial Parcel and consented to the imposition of

the Major Improvement Area Assessments to pay for the Actual Costs associated therewith. LDC Lavon, LLC has ratified, confirmed, accepted, agreed to, and approved: (1) the determinations and findings by the City Council as to the special benefits described herein and the Assessment Ordinance; (2) the Service and Assessment Plan and the Assessment Ordinance, and (3) the levying of Major Improvement Area Assessment on the Major Improvement Area Initial Parcel.

#### **E. Annual Collection Costs**

The Annual Collection Costs shall be paid for annually by each Parcel pro rata based on the ratio of the amount of outstanding Assessment remaining on the Parcel to the total outstanding Assessment. The Annual Collection Costs shall be collected as part of and in the same manner as Annual Installments in the amounts shown on the Assessment Roll, which may be revised based on actual costs incurred in Annual Service Plan Updates.

#### **F. Additional Interest**

The interest rate on Assessments levied on the Assessed Property may exceed the interest rate on the PID Bonds by the Additional Interest Rate. Additional Interest shall be collected as part of each Annual Installment and shall be deposited into a reserve account or accounts and segregated from other funds of the City, pursuant to the Indenture.

### **SECTION VI: TERMS OF THE ASSESSMENTS**

#### **A. Reallocation of Assessments**

##### *1. Upon Division Prior to Recording of Subdivision Plat*

Upon the division of any Assessed Property (without the recording of subdivision plat), the Administrator shall reallocate the Assessment for the Assessed Property prior to the division among the newly divided Assessed Properties according to the following formula:

$$A = B \times (C \div D)$$

Where the terms have the following meanings:

A = the Assessment for the newly divided Assessed Property

B = the Assessment for the Assessed Property prior to division

C = the estimated buildout value of the newly divided Assessed Property

D = the sum of the estimated buildout value for all of the newly divided Assessed Properties

The calculation of the buildout value of an Assessed Property shall be performed by the Administrator and confirmed by the City Council based on information from the Owner, homebuilders, market studies, appraisals, official public records of the County, and any other relevant information regarding the Assessed Property. The calculation as confirmed by the City Council shall be conclusive.

The sum of the Assessments for all newly divided Assessed Properties shall equal the Assessment for the Assessed Property prior to subdivision. The calculation shall be made separately for each newly divided Assessed Property. The reallocation of an Assessment for an Assessed Property that is a homestead under Texas law may not exceed the Assessment prior to the reallocation. Any reallocation pursuant to this section shall be reflected in the next Annual Service Plan Update and approved by the City Council.

## *2. Upon Subdivision by a Recorded Subdivision Plat*

Upon the subdivision of any Assessed Property based on a recorded subdivision plat, the Administrator shall reallocate the Assessment for the Assessed Property prior to the subdivision among the new subdivided Lots based on buildout value according to the following formula:

$$A = [B \times (C \div D)]/E$$

Where the terms have the following meanings:

A = the Assessment for the newly subdivided Lot

B = the Assessment for the Parcel prior to subdivision

C = the sum of the estimated average buildout value of all newly subdivided Lots with same Lot Type

D = the sum of the estimated average buildout value for all of the newly subdivided Lots excluding Non-Benefitted Property

E = the number of Lots with same Lot Type

Prior to the recording of a subdivision plat, the Owner shall provide the City an estimated buildout value as of the date of the recorded subdivision plat for each Lot created by the recorded subdivision plat considering factors such as density, lot size, proximity to amenities, view premiums, location, market conditions, historical sales, discussions with homebuilders, and any other factors that may impact value. The calculation of the estimated average buildout value for a Lot shall be performed by the Administrator and confirmed by the City Council based on information provided by the Owner, homebuilders, third party consultants, and/or the official public records of the County regarding the Lot.

The sum of the Assessments for all newly subdivided Lots shall not exceed the Assessment for the portion of the Assessed Property subdivided prior to subdivision. The calculation shall be made separately for each newly subdivided Assessed Property. The reallocation of an Assessment for an Assessed Property that is a homestead under Texas law may not exceed the Assessment prior to the reallocation. Any reallocation pursuant to this section shall be reflected in the next Annual Service Plan Update and approved by the City Council.

### *3. Upon Consolidation*

If two or more Lots or Parcels are consolidated, the Administrator shall allocate the Assessments against the Lots or Parcels before the consolidation to the consolidated Lot or Parcel, which allocation shall be reflected in the next Annual Service Plan Update and approved by the City Council.

## **B. Mandatory Prepayment of Assessments**

### *1. Transfer to exempt person or entity*

If an Assessed Property or portion thereof is transferred to a person or entity that is exempt from payment of the Assessment, the Owner transferring the Assessed Property shall pay to the City the full amount of the Assessment, plus Prepayment Costs and Delinquent Collection Costs, prior to the transfer. If the Owner of an Assessed Property causes the Assessed Property or a portion thereof to become Non-Benefited Property, the Owner causing the change in status shall pay to the City the full amount of the Assessment, plus Prepayment Costs and Delinquent Collection Costs, prior to the change in status.

### *2. Maximum Assessment exceeded at plat*

Prior to the City approving a final subdivision plat, the Administrator will certify that such plat will not result in the Assessment per Lot for any Lot Type to exceed the Maximum Assessment. If the Administrator determines that the resulting Assessment per Lot for any Lot Type will exceed the Maximum Assessment, then (1) the Assessment applicable to each Lot Type shall each be reduced to the Maximum Assessment, and (2) the person or entity filing the plat shall pay to the City the amount the Assessment was reduced, plus Prepayment Costs and Delinquent Collection Costs, if any, prior to the City approving the final plat.

### **C. Reduction of Assessments**

If as a result of cost savings or an Authorized Improvement not being constructed, the Actual Costs of completed Authorized Improvements are less than the Assessments, the City Council shall reduce each Assessment levied to pay the costs of such Authorized Improvements on a pro-rata basis such that the sum of the resulting reduced Assessments for all Assessed Properties equals the reduced Actual Costs. Excess PID Bond proceeds shall be applied to redeem outstanding PID Bonds. The Assessments shall not, however, be reduced to an amount less than the outstanding PID Bonds payable out of such Assessments.

The Administrator shall update (and submit to the City Council for review and approval as part of the next Annual Service Plan Update) the Assessment Roll and corresponding Annual Installments to reflect the reduced Assessments.

### **D. Prepayment of Assessments**

The Owner of the Assessed Property may pay, at any time, all or any part of an Assessment in accordance with the PID Act. Prepayment Costs, if any, may be paid from the Additional Interest. If an Annual Installment has been billed prior to the Prepayment, the Annual Installment shall be due and payable and shall be credited against the Prepayment.

If an Assessment is paid in full, with interest (including penalty interest): (1) the Administrator shall cause the Assessment to be reduced to zero and the Assessment Roll to be revised accordingly; (2) the Administrator shall cause the revised Assessment Roll to be approved by the City Council as part of the next Annual Service Plan Update; (3) the obligation to pay the Assessment and corresponding Annual Installments shall terminate; and (4) the City shall provide the Owner with a recordable "Notice of PID Assessment Termination," a form of which is attached hereto as **Exhibit J**.

If an Assessment is paid in part, with interest (including penalty interest): (1) the Administrator shall cause the Assessment to be reduced and the Assessment Roll revised accordingly; (2) the Administrator shall cause the revised Assessment Roll to be approved by the City Council as part of the next Annual Service Plan Update; and (3) the obligation to pay the Assessment and corresponding Annual Installments shall be reduced.

### **E. Payment of Assessment in Annual Installments**

**Exhibit F-2** shows the estimated Annual Installments for Improvement Area #1, and **Exhibit G-2** shows the estimated Annual Installments for the Major Improvement Area. Assessments that are not paid in full shall be due and payable in Annual Installments. Annual Installments are subject to adjustment in each Annual Service Plan Update.

If any Parcel shown on the Assessment Roll is assigned multiple tax identification numbers, the Annual Installment shall be allocated pro rata based on the acreage of the property as shown by Collin Central Appraisal District for each tax identification number.

The Administrator shall prepare and submit to the City Council for its review and approval an Annual Service Plan Update to allow for the billing and collection of Annual Installments. Each Annual Service Plan Update shall include updated Assessment Rolls and updated calculations of Annual Installments. The Annual Collection Costs shall be paid for by each Parcel pro rata based on the ratio of the amount of outstanding Assessment remaining on the Parcel to the total outstanding Assessment. Annual Installments shall be reduced by any credits applied under an applicable Indenture, such as capitalized interest, interest earnings on account balances, and any other funds available to the Bond Trustee for such purposes. Annual Installments shall be collected by the City in the same manner and at the same time as ad valorem taxes. Annual Installments shall be subject to the penalties, procedures, and foreclosure sale in case of delinquencies as set forth in the PID Act and in the same manner as ad valorem taxes for the City. The City Council may provide for other means of collecting Annual Installments. Assessments shall have the lien priority specified in the PID Act.

Sales of the Assessed Property for nonpayment of Annual Installments shall be subject to the lien for the remaining unpaid Annual Installments against the Assessed Property, and the Assessed Property may again be sold at a judicial foreclosure sale if the purchaser fails to timely pay the non-delinquent Annual Installments as they become due and payable.

The City reserves the right to refund PID Bonds in accordance with the PID Act. In the event of a refunding, the Administrator shall recalculate the Annual Installments so that total Annual Installments will be sufficient to pay the refunding bonds, and the refunding bonds shall constitute "PID Bonds."

Each Annual Installment of an Assessment, including interest on the unpaid principal of the Assessment, shall be updated annually. Each Annual Installment shall be due when billed and shall be delinquent if not paid prior to February 1 of the following year. The initial Annual Installments relating to the PID Bonds shall be due when billed and shall be delinquent if not paid prior to February 1, 2020.

## SECTION VII: ASSESSMENT ROLL

The Improvement Area #1 Assessment Roll is attached as **Exhibit F-1**. The Administrator shall prepare and submit to the City Council for review and approval proposed revisions to the Improvement Area #1 Assessment Roll and Improvement Area #1 Annual Installments for each Parcel as part of each Annual Service Plan Update.

The Major Improvement Area Assessment Roll is attached as **Exhibit G-1**. The Administrator shall prepare and submit to the City Council for review and approval proposed revisions to the Major Improvement Area Assessment Roll and Major Improvement Area Annual Installments for each Parcel as part of each Annual Service Plan Update.

## SECTION VIII: ADDITIONAL PROVISIONS

### A. Calculation Errors

If the Owner of a Parcel claims that an error has been made in any calculation required by this Service and Assessment Plan, including, but not limited to, any calculation made as part of any Annual Service Plan Update, the Owner's sole and exclusive remedy shall be to submit a written notice of error to the Administrator by December 1<sup>st</sup> of each year following City Council approval of the calculation; otherwise, the Owner shall be deemed to have unconditionally approved and accepted the calculation. Upon receipt of a written notice of error from an Owner the Administrator shall provide a written response to the City Council and the Owner within 30 days of such referral. The City Council shall consider the Owner's notice of error and the Administrator's response at a public meeting, and within 30 days after closing such meeting, the City Council shall make a final determination as to whether an error has been made. If the City Council determines that an error has been made, the City Council shall take such corrective action as is authorized by the PID Act, this Service and Assessment Plan, the Assessment Ordinance, the Indenture, or is otherwise authorized by the discretionary power of the City Council. The determination by the City Council as to whether an error has been made, and any corrective action taken by the City Council, shall be final and binding on the Owner and the Administrator.

### B. Amendments

Amendments to this Service and Assessment Plan must be made by the City Council in accordance with the PID Act. To the extent permitted by the PID Act, this Service and Assessment Plan may be amended without notice to Owners of the Assessed Property: (1) to correct mistakes and clerical errors; (2) to clarify ambiguities; and (3) to provide procedures to collect Assessments, Annual Installments, and other charges imposed by this Service and Assessment Plan.

### **C. Administration and Interpretation**

The Administrator shall: (1) perform the obligations of the Administrator as set forth in this Service and Assessment Plan; (2) administer the District for and on behalf of and at the direction of the City Council; and (3) interpret the provisions of this Service and Assessment Plan. Interpretations of this Service and Assessment Plan by the Administrator shall be in writing and shall be appealable to the City Council by Owners or developers adversely affected by the interpretation. Appeals shall be decided by the City Council after holding a public meeting at which all interested parties have an opportunity to be heard. Decisions by the City Council shall be final and binding on the Owners and developers and their successors and assigns.

### **D. Severability**

If any provision of this Service and Assessment Plan is determined by a governmental agency or court to be unenforceable, the unenforceable provision shall be deleted and, to the maximum extent possible, shall be rewritten to be enforceable. Every effort shall be made to enforce the remaining provisions.

## EXHIBITS

The following Exhibits are attached to and made a part of this Service and Assessment Plan for all purposes:

|                     |                                              |
|---------------------|----------------------------------------------|
| <b>Exhibit A-1</b>  | District Legal Description                   |
| <b>Exhibit A-2</b>  | Improvement Area #1 Legal Description        |
| <b>Exhibit A-3</b>  | Major Improvement Area Legal Description     |
| <b>Exhibit B-1</b>  | Map of the District                          |
| <b>Exhibit B-2</b>  | Map of Improvement Area #1                   |
| <b>Exhibit B-3</b>  | Map of Major Improvement Area                |
| <b>Exhibit C</b>    | Allocation of Authorized Improvements        |
| <b>Exhibit D</b>    | Service Plan                                 |
| <b>Exhibit E</b>    | Sources and Uses of Funds                    |
| <b>Exhibit F-1</b>  | Improvement Area #1 Assessment Roll          |
| <b>Exhibit F-2</b>  | Improvement Area #1 Annual Installments      |
| <b>Exhibit G-1</b>  | Major Improvement Area Assessment Roll       |
| <b>Exhibit G-2</b>  | Major Improvement Area Annual Installments   |
| <b>Exhibit H-1</b>  | Maps of Improvement Area #1 Improvements     |
| <b>Exhibit H-2</b>  | Maps of Major Improvements                   |
| <b>Exhibit H-3A</b> | Map of Water Improvements 1                  |
| <b>Exhibit H-3B</b> | Map of Water Improvements 2                  |
| <b>Exhibit I</b>    | Maximum Assessment and Tax Rate Equivalent   |
| <b>Exhibit J</b>    | Form of Notice of PID Assessment Termination |

## EXHIBIT A-1 – DISTRICT LEGAL DESCRIPTION

### LEGAL DESCRIPTION

BEING a tract of land situated in the Samuel M. Ranier Survey, Abstract Number 470, in the City of Lavon, Collin County, Texas, being part of a tract of land described in a deed to Meredith M. Roark and Margaret M. Arnold, recorded in Document No. 2010526000533270, in the Deed Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod found at the southeast corner of said Roark and Arnold tract, being the southwest corner of a called 140.22 acre tract of land described in a deed to Petro Hunt, LLC, as recorded in Document No. 20070208000186500, in said Deed Records, also being in the north line of a tract of land described in a deed to Northeast Texas Rural Rail Transportation District, recorded in Volume 5585, Page 2680, in said Deed Records;

THENCE South 72 degrees 03 minutes 07 seconds West, with the south line of said Roark and Arnold tract and the north line of said Northeast Texas Rural Rail Transportation District tract, a distance of 1,656.82 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the southwest corner of said Roark and Arnold tract, being southeast corner of a 0.478 acre tract of land described in a deed to North Texas Municipal Water District, recorded in Document No. 20121116001469900, in said Deed Records;

THENCE North 23 degrees 30 minutes 56 seconds West, departing the north line of said Northeast Texas Rural Rail Transportation District tract, with the west line of said Roark and Arnold tract, and with the east lines of said 0.478 acre tract and a called 0.91 acre tract described in a deed to Mary Evans, recorded in Document No. 200804070014460, in said Deed Records, a distance of 173.19 feet to a 1/2-inch iron rod found;

THENCE North 01 degree 53 minutes 11 seconds West, continuing with the west line of said Roark and Arnold tract, and with the east lines of said 0.91 acre tract and a called 2.062 acre tract of land described in a deed to Connie S. Miller, recorded in Volume 4001, Page 947, in said Deed Records, a distance of 530.40 feet to a 1/2-inch iron rod found at the northeast corner of said 2.062 acre tract;

THENCE South 84 degrees 43 minutes 14 seconds West, continuing with the west line of said Roark and Arnold tract and with the north line of said 2.062 acre tract, a distance of 236.18 feet to a 1/2-inch iron rod found at the northwest corner of said 2.062 acre tract, being in the east line of a tract of land described as Tract Two in a deed to 78 Straddle, LP, recorded in Volume 5571, Page 3351, in said Deed Records, also being the approximate center of Bois D'Arc Lane (no recording information found);

THENCE North 06 degrees 53 minutes 43 seconds West, continuing with the west line of said Roark and Arnold tract, with the east lines of said Tract Two and a tract of land described as Tract No. 2 in a deed to DPB Investments, LP, recorded in Document No. 20110606000576510, in said Deed Records, and along said Bois D'Arc Lane, a distance of 748.23 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the northeast corner of said Tract No. 2, being in the south line of a called 2.25 acre tract of land described in a deed to MJKMart, LLC, recorded in Document No. 20120906001115340, in said Deed Records;

THENCE South 89 degrees 16 minutes 47 seconds East, continuing with the west line of said Roark and Arnold tract and with the south line of said 2.25 acre tract, a distance of 64.98 feet to a 1/2-inch iron rod found at the southeast corner of said 2.25 acre tract;

THENCE North 11 degrees 02 minutes 32 seconds West, continuing with the west line of said Roark and Arnold tract and with the east line of said 2.25 acre tract, a distance of 490.85 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the north corner of said 2.25 acre tract, being in the east line of State Highway 78 (variable width right-of-way);

THENCE North 33 degrees 42 minutes 56 seconds East, continuing with the west line of said Roark and Arnold tract and with the east line of said State Highway 78, a distance of 1,298.45 feet to a 5/8-inch iron rod with TxDOT Aluminum cap found on a non-tangent curve to the left, having a radius of 5,729.57 feet and a central angle of 11 degrees 53 minutes 10 seconds;

THENCE continuing with the west line of said Roark and Arnold tract and the east line of said State Highway 78, and with said curve to the left, an arc distance of 1,188.61 feet (Chord Bearing North 27 degrees 54 minutes 44 seconds East – 1,186.48 feet);

THENCE, South 88 degrees 51 minutes 28 seconds East, departing said east and west lines, for a distance of 167.90 feet;

THENCE, North 33 degrees 46 minutes 49 seconds East, for a distance of 344.38 feet;

THENCE, South 88 degrees 51 minutes 28 seconds East, for a distance of 625.77 feet;

THENCE, North 01 degrees 01 minutes 20 seconds East, for a distance of 9.75 feet;

THENCE, South 88 degrees 58 minutes 40 seconds East, for a distance of 118.86 feet;

THENCE, South 01 degrees 01 minutes 20 seconds West, for a distance of 300.00 feet;

THENCE, South 88 degrees 51 minutes 28 seconds East, for a distance of 580.12 feet, in the east line of said Roark and Arnold tract, being in the west line of called 59.757 acre tract described in a deed to Petro Hunt LLC, records in Document No. 20070208000183240, in said Deed Records;

THENCE South 01 degree 00 minutes 58 seconds West, with the east line of said Roark and Arnold tract, and with the west line of said 59.757 acre tract, a distance of 1,450.63 feet to the southwest corner of said 59.757 acre tract, being in the north line of the aforementioned 140.22 acre tract;

THENCE North 88 degrees 51 minutes 38 seconds West, continuing with the east line of said Roark and Arnold tract and with the north line said 140.22 acre tract, a distance of 871.25 feet to a 1/2-inch iron rod found at the northwest corner of said 140.22 acre tract;

THENCE South 01 degree 09 minutes 20 seconds West, continuing with the east line of said Roark and Arnold tract and with the west line said 140.22 acre tract, a distance of 2,042.77 feet to the POINT OF BEGINNING and containing 173.037 acres of land.

## EXHIBIT A-2 – IMPROVEMENT AREA #1 LEGAL DESCRIPTION

### IMPROVEMENT AREA # 1 LEGAL DESCRIPTION - Lakepointe Phase I

WHEREAS, LDC LAVON, LLC., is the owner of a tract of land situated in the Samuel M. Ranier Survey, Abstract Number 740, in the City of Lavon, Collin County, Texas, being part of a 200.9089 acre tract of land described in Document No. 20180821001049570, in the Deed Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING, at a ½ inch iron rod found at the northerly corner of MJKART tract, as described in Doc. No. 20120906001115340 in said Deed Records, and being in the east line of said Highway 78 (120' R.O.W.) same being in the west line of said 200.9089 acre tract;

THENCE, North 33°42'56" East, along the east line of said Highway 78 and the west line of said 200.9089 acre tract, for a distance of 1289.45 feet, to a 5/8 inch iron found with a Txdot Aluminum cap at the point of curvature of a curve to the left, having a radius of 5729.58, a central angle of 01°15'53"; THENCE, continuing along said east and west lines and with curve to the left for an arc distance of 126.48 feet (Chord Bearing North 33°13'22" East – 126.48 feet), to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.",

THENCE, South 56°17'04" East, departing said lines, for a distance of 103.06 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", at the point of curvature of a curve to the left, having a radius of 975.00 feet, a central angle of 32°34'29";

THENCE, continuing along said curve to the left for an arc distance of 554.32 feet (Chord Bearing South 72°34'19" East – 546.89 feet), to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", at the point of tangency;

THENCE, South 88°51'33" East, for a distance of 406.13 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", at the point of curvature of a curve to the left for an arc distance of 480.00 feet, a central angle of 24°35'24";

THENCE, continuing along said curve to the left for an arc distance of 206.01 feet (Chord Bearing North 78°50'44" East – 204.43 feet), to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, South 23°26'58" East, for a distance of 170.00 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", on a non-tangent curve to the right, having a radius of 650.00 feet, a central angle of 02°37'39";

THENCE, continuing along said curve to the right for an arc distance of 29.81 feet (Chord Bearing South 67°51'51" West – 29.81 feet), to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, South 07°55'56" East, for a distance of 108.68 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.",

THENCE, South 01°09'20" West, at 59.54 feet, passing a ½ inch iron rod found at an ell corner in the east line of said 200.9089 acre tract, for a total distance of 339.85 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 88°51'33" West, departing said east line, for a distance of 120.00 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, South 01°09'20" West, for a distance of 10.00 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 88°51'33" West, for a distance of 546.28 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", at the point of curvature of a curve to the right, having a radius of 1550.00 feet, a central angle of 12°48'41";

THENCE, along said curve to the right for an arc distance of 347.70 feet (Chord Bearing North 82°27'13" West – 346.98), to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, South 14°52'24" West, for a distance of 680.06 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", on a non-tangent curve to the left having a radius of 2235.00 feet, a central angle of 13°05'30";

THENCE, along said curve to the left for an arc distance of 510.69 feet (Chord Bearing South 82°18'48" East – 509.58 feet), to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", at the point of tangency;

THENCE, South 88°51'33" East, for a distance of 365.88 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, South 01°08'27" West, for a distance of 120.00 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, South 88°51'33" East, for a distance of 7.73 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, South 01°08'27" West, for a distance of 340.00 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 88°51'33" West, for a distance of 7.65 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, South 01°08'27" West, for a distance of 120.00 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 88°51'33" West, for a distance of 365.96 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", at the point of curvature of a curve to the right, having a radius of 2815.00 feet, a central angle of 13°57'50";

THENCE, continuing along said curve to the right for an arc distance of 686.07 feet (Chord Bearing North 81°52'38" West – 648.37 feet), to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", on a non-tangent curve to the right, having a radius of 1800.00 feet, a central angle of 03°50'16";

THENCE, continuing along said curve to the right for an arc distance of 120.57 feet (Chord Bearing North 09°44'11" East – 120.55 feet), to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", on a non-tangent curve to the right, having a radius of 2695.00 feet, a central angle of 04°09'55";

THENCE, continuing along said curve to the right for an arc distance of 195.92 feet (Chord Bearing North 72°34'22" West – 195.88 feet), to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", at the point of reverse curvature of a curve to the left, having a radius of 1200.00 feet, a central angle of 08°36'23";

THENCE, continuing along said curve to the left for an arc distance of 180.25 feet (Chord Bearing North 74°47'36" West – 180.08 feet), to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", on a non-tangent curve to the right, having a radius of 50.00 feet, a central angle of 160°28'31";

THENCE, continuing along said curve to the right for an arc distance of 140.04 feet (Chord Bearing North 45°16'41" West – 98.55 feet), to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 89°16'47" West, for a distance of 179.09 feet, to a ½ inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", in the west line of said 200.9089 acre tract;

THENCE, North 11°02'32" West, along the west line of said 200.9089 acre tract, for a distance of 490.85 feet, to the POINT OF BEGINNING and containing 53.425 acres of land.

## EXHIBIT A-3 – MAJOR IMPROVEMENT AREA LEGAL DESCRIPTION

### MAJOR IMPROVEMENTS AREA LEGAL DESCRIPTION Lakepointe Phase II (North) & Phase III

WHEREAS, LDC LAVON, LLC., is the owner of a tract of land situated in the Samuel M. Ranier Survey, Abstract Number 740, in the City of Lavon, Collin County, Texas, being part of a 200.9089 acre tract of land described in Document No. 20180821001049570, in the Deed Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING, at a ½ inch iron rod found at the most easterly southeast corner of said 200.9089 acre tract; THENCE, North 88°51'38" West, along a south line of said 200.9089 acre tract, for a distance of 871.25 feet, to a ½ inch iron rod found at an interior ell corner of said 200.9089 acre tract; THENCE, North 01°09'20" East, for a distance of 59.54 feet, to a point; THENCE, North 07°55'56" West, for a distance of 108.68 feet, to a point on a non-tangent curve to the left, having a radius of 650.00 feet, a central angle of 02°37'39"; THENCE, along said curve to the left for an arc distance of 29.81 feet (Chord Bearing North 67°51'51" East – 29.81 feet), to a point; THENCE, North 23°26'58" West, for a distance of 170.00 feet, to a point on a curve to the right, having a radius of 480.00 feet, a central angle of 24°35'24"; THENCE, along said curve to the right for an arc distance of 206.01 feet (Chord Bearing South 78°50'44" West – 204.43 feet), to a point at the point of tangency;

THENCE, North 88°51'33" West, for a distance of 406.13 feet, to a point at the point of curvature of a curve to the right, having a radius of 975.00 feet, a central angle of 32°34'29";

THENCE, with said curve to the right for an arc distance of 554.32 feet (Chord Bearing North 72°34'19" West – 546.89 feet), to a point at the point of tangency;

THENCE, North 56°17'04" West, for a distance of 103.06 feet, to a point in the east line of said Highway 78 (120' R.O.W.) and the west line of said 200.9089 acre tract, being on a curve to the left, having a radius of 5729.58 feet, a central angle of 10°36'49";

THENCE, continuing along said east and west lines and with said curve to the left for an arc distance of 1061.36 feet (Chord Bearing North 27°17'01" East – 1059.84 feet), to a point;

THENCE, South 88°51'33" East, departing said east and west lines, for a distance of 168.46 feet, to a point;

THENCE, North 33°46'44" East, for a distance of 344.38 feet, to a point;

THENCE, South 88°51'33" East, for a distance of 624.63 feet, to a point;

THENCE, North 01°01'15" East, for a distance of 9.75 feet, to a point;

THENCE, South 88°58'45" East, for a distance of 120.00 feet, to a point;

THENCE, South 01°01'15" West, for a distance of 300.00 feet, to a point;

THENCE, South 88°51'33" East, for a distance of 579.95 feet, to a point in the east line of said 200.9089 acre tract;

THENCE, South 01°00'58" West, along the east line of said 200.9089 acre tract, for a distance of 1449.67 feet, to the POINT OF BEGINNING and containing 62.157 acres of land.

LEGAL DESCRIPTION  
Lakepointe Phase II (South)

WHEREAS, LDC LAVON, LLC., is the owner of a tract of land situated in the Samuel M. Ranier Survey, Abstract Number 740, in the City of Lavon, Collin County, Texas, being part of a 200.9089 acre tract of land described in Document No. 20180821001049570, in the Deed Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING, at a ½ inch iron rod found at the southeast corner of said 200.9089 acre tract, also being in the north line of a tract of land described in a deed to Northeast Texas Rural Rail Transportation District, recorded in Volume 5585, Page 2680, in said Deed Records;

THENCE, South 72°03'07" West, along the south line of said 200.9089 acre and the north line of said Northeast Texas Rural Rail Transportation District, for a distance of 1656.82 feet, to a ½ inch iron rod found at the most southerly southwest corner of said 200.9089 acre tract;

THENCE, North 23°30'56" West, departing said north line and along the west line of said 200.9089 acre tract, for a distance of 173.19 feet, to a ½ inch iron rod found;

THENCE, North 01°53'11" West, continuing along said west line, for a distance of 530.40 feet, to a ½ inch iron rod found;

THENCE, South 84°43'14" West, continuing along said west line, for a distance of 236.18 feet, to a ½ inch iron rod found;

THENCE, North 06°53'43" West, continuing along said west line, for a distance of 748.23 feet, to a ½ inch iron rod found;

THENCE, South 89°16'47" East, continuing along said west line, at 64.98 feet passing a ½ inch iron rod found at an interior ell corner of said 200.9089 acre tract and continuing for a total distance of 244.07 feet, to a point being on a non-tangent curve to the left, having a radius of 50.00 feet, a central angle of 160°28'31";

THENCE, continuing along said curve to the left for an arc distance of 140.04 feet (Chord Bearing South 45°16'41" East – 98.55 feet), to a point on a curve to the right, having a radius of 1200.00 feet, a central angle of 08°36'23";

THENCE, continuing along said curve to the right for an arc distance of 180.25 feet (Chord Bearing South 74°47'36" East – 180.08 feet), to a point at the point of reverse curvature of a curve to the left, having a radius of 2695.00 feet, a central angle of 04°09'55";

THENCE, continuing along said curve to the left for an arc distance of 195.92 feet (Chord Bearing South 72°34'22" East – 195.88 feet), to a point on a non-tangent curve to the left, having a radius of 1800.00 feet, a central angle of 03°50'16";

THENCE, continuing along said curve to the left for an arc distance of 120.57 feet (Chord Bearing South 09°44'11" West – 120.55 feet), to a point on a curve to the left, having a radius of 2815.00 feet, a central angle of 13°57'50";

THENCE, continuing along said curve to the left for an arc distance of 686.07 feet (Chord Bearing South 81°52'38" East – 648.37 feet), to a point at the point of tangency;

THENCE, South 88°51'33" East, for a distance of 365.96 feet, to a point;

THENCE, North 01°08'27" East, for a distance of 120.00 feet, to a point;

THENCE, South 88°51'33" East, for a distance of 7.65 feet, to a point;

THENCE, North 01°08'27" East, for a distance of 340.00 feet, to a point;

THENCE, North 88°51'33" West, for a distance of 7.73 feet, to a point;

THENCE, North 01°08'27" East, for a distance of 120.00 feet, to a point;

THENCE, North 88°51'33" West, for a distance of 365.88 feet, to a point of curvature of a curve to the right, having a radius of 2235.00 feet, a central angle of 13°05'30";

THENCE, along said curve to the right for an arc distance of 510.69 feet (Chord Bearing North 82°18'48" West – 509.58 feet), to a point;

THENCE, North 14°52'24" East, for a distance of 680.06 feet, to a point on a curve to the left, having a radius of 1550.00 feet, a central angle of 12°48'41";

THENCE, along said curve to the left for an arc distance of 347.70 feet (Chord Bearing South 82°27'13" East – 346.98 feet), to a point at the point of tangency;

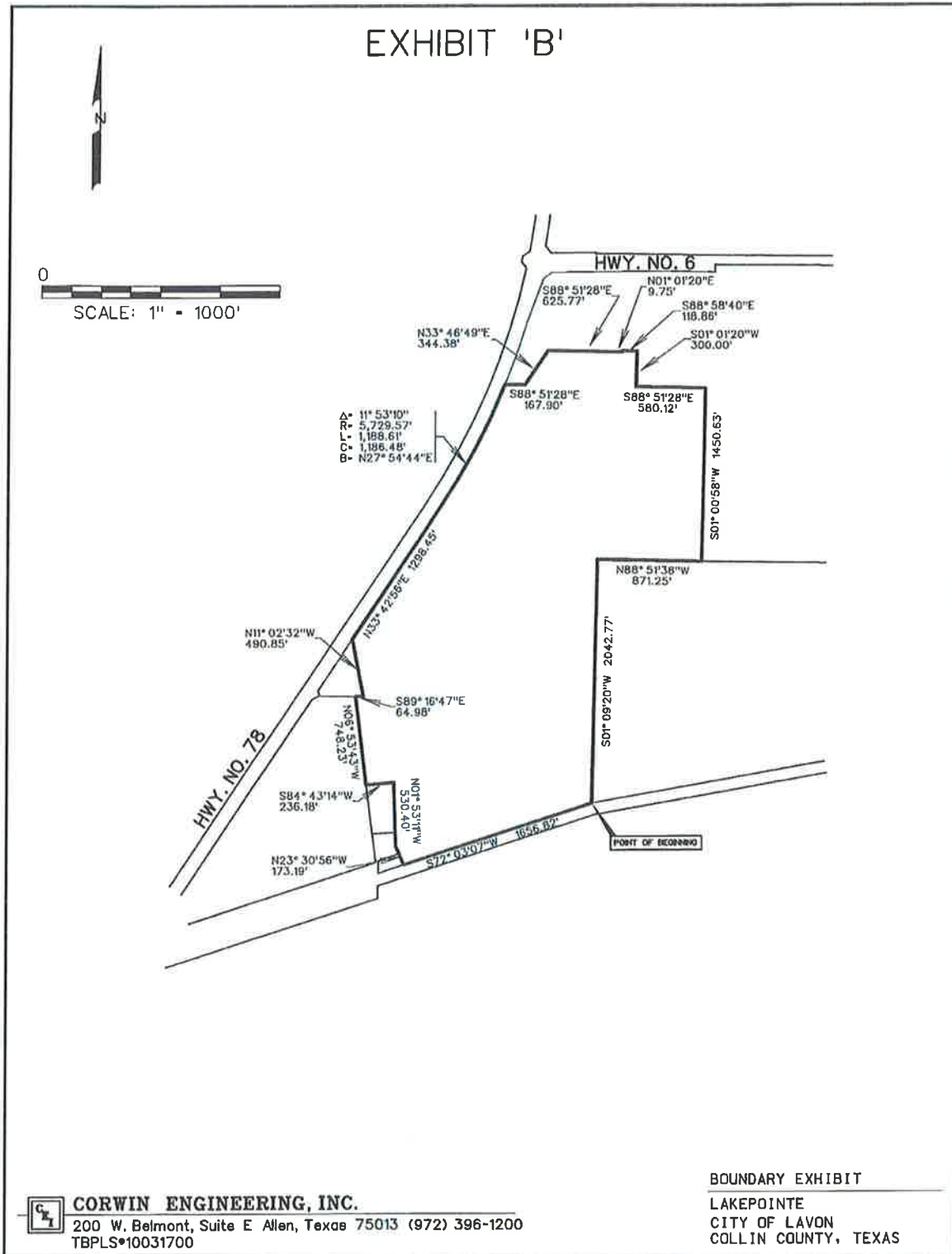
THENCE, South 88°51'33" East, for a distance of 546.28 feet, to a point;

THENCE, North 01°09'20" East, for a distance of 10.00 feet, to a point;

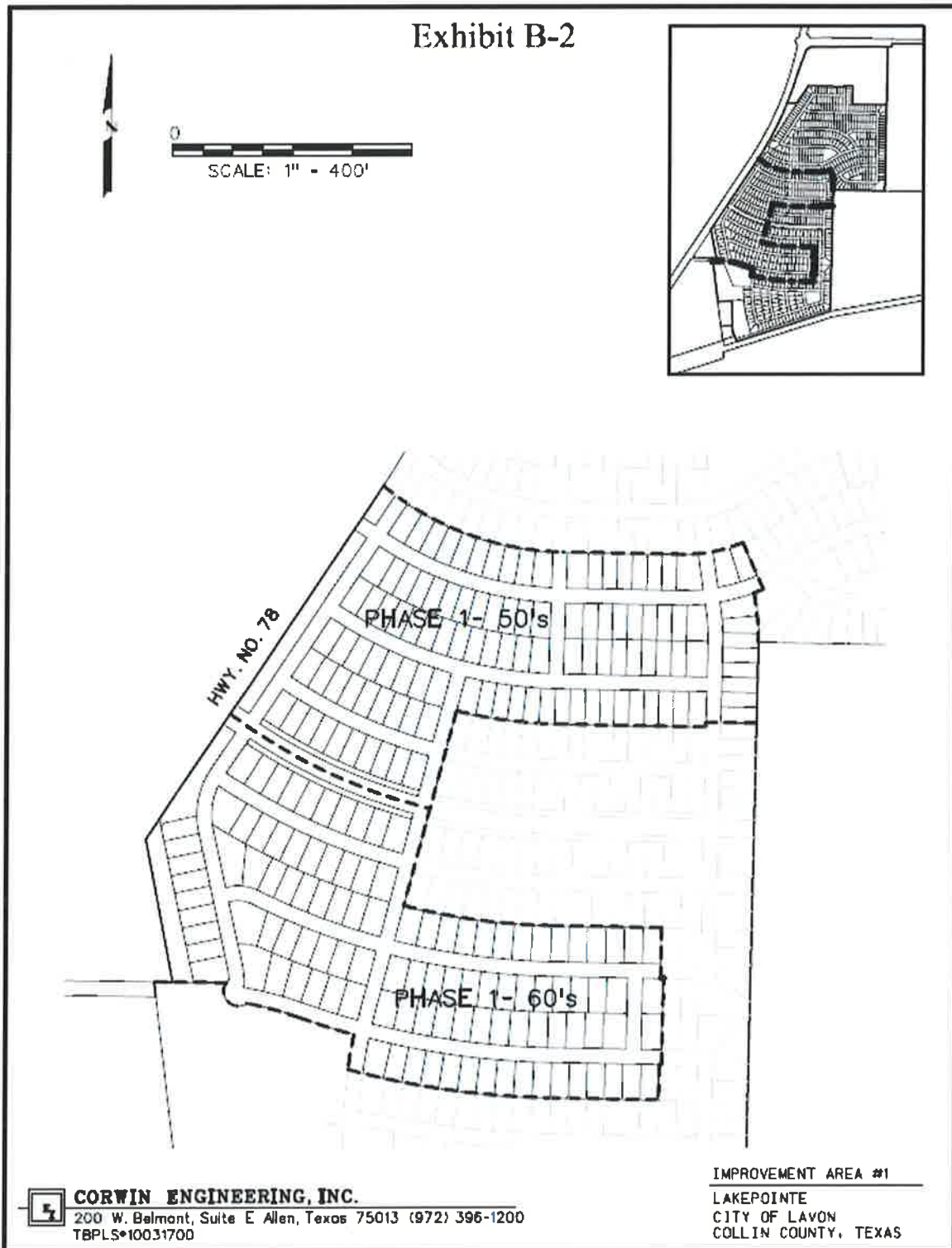
THENCE, South 88°51'33" East, for a distance of 120.00 feet, to a point in the east line of said 200.9089 acre tract;

THENCE, South 01°09'20" West, along the east line of said 200.9089 acre tract, for a distance of 1762.46 feet, to the POINT OF BEGINNING and containing 57.455 acres of land.

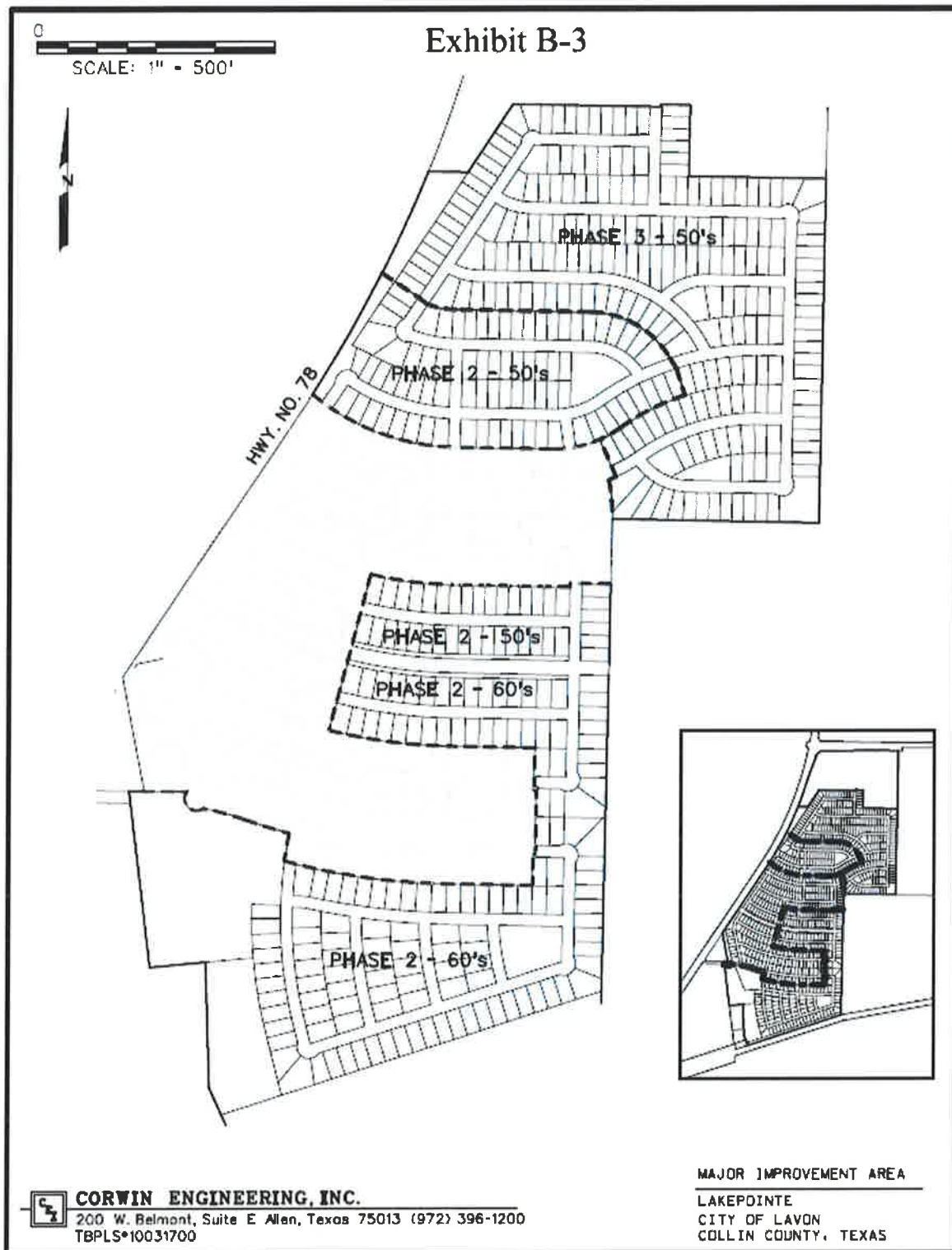
## EXHIBIT B-1 – MAP OF THE DISTRICT



## EXHIBIT B-2 – MAP OF IMPROVEMENT AREA #1



## EXHIBIT B-3 – MAP OF MAJOR IMPROVEMENT AREA



## EXHIBIT C – ALLOCATION OF AUTHORIZED IMPROVEMENTS

|                                                       | Total Costs          |  | Improvement Area #1 |                     | Major Improvement Area |                     |
|-------------------------------------------------------|----------------------|--|---------------------|---------------------|------------------------|---------------------|
|                                                       |                      |  | %                   | Cost                | %                      | Cost                |
| <i>Improvement Area #1 Improvements</i>               |                      |  |                     |                     |                        |                     |
| Sewer                                                 | \$ 538,770           |  | 100.00%             | \$ 538,770          | 0.00%                  | \$ -                |
| Storm Sewer                                           | 1,224,000            |  | 100.00%             | 1,224,000           | 0.00%                  | -                   |
| Pavement                                              | 1,761,738            |  | 100.00%             | 1,761,738           | 0.00%                  | -                   |
| Engineering, Design, Fees and Construction Management | 1,250,054            |  | 100.00%             | 1,250,054           | 0.00%                  | -                   |
|                                                       | <u>\$ 4,774,562</u>  |  |                     | <u>\$ 4,774,562</u> |                        | <u>\$ -</u>         |
| <i>Major Improvements<sup>1</sup></i>                 |                      |  |                     |                     |                        |                     |
| Right of Way <sup>2</sup>                             | \$ 479,955           |  | 100.00%             | \$ 479,955          | 0.00%                  | \$ -                |
| Sewer <sup>3</sup>                                    | 1,038,148            |  | 32.22%              | 334,516             | 67.78%                 | 703,632             |
| Storm Sewer                                           | 30,000               |  | 32.22%              | 9,667               | 67.78%                 | 20,333              |
| Pavement                                              | 632,350              |  | 32.22%              | 203,758             | 67.78%                 | 428,592             |
| Engineering, Design, Fees and Construction Management | 216,457              |  | 32.22%              | 69,748              | 67.78%                 | 146,709             |
| Hardscape and Landscape                               | 621,000              |  | 32.22%              | 200,101             | 67.78%                 | 420,899             |
| PID Creation Cost                                     | 485,000              |  | 32.22%              | 156,278             | 67.78%                 | 328,722             |
|                                                       | <u>\$ 3,502,910</u>  |  |                     | <u>\$ 1,454,023</u> |                        | <u>\$ 2,048,887</u> |
| <i>District Formation and Bond Issuance Costs</i>     |                      |  |                     |                     |                        |                     |
| 1st Year Collection Costs                             | \$ 60,000            |  |                     | \$ 30,000           |                        | \$ 30,000           |
| Debt Service Reserve Fund                             | 587,663              |  |                     | 392,250             |                        | 195,413             |
| Capitalized Interest                                  | 462,138              |  |                     | 307,175             |                        | 154,963             |
| Underwriter Discount                                  | 248,400              |  |                     | 167,550             |                        | 80,850              |
| Cost of Issuance                                      | 579,600              |  |                     | 390,950             |                        | 188,650             |
|                                                       | <u>\$ 1,937,800</u>  |  |                     | <u>\$ 1,287,925</u> |                        | <u>\$ 649,875</u>   |
| <b>Total</b>                                          | <b>\$ 10,215,272</b> |  |                     | <b>\$ 7,516,510</b> |                        | <b>\$ 2,698,762</b> |

Notes:

<sup>1</sup>Major Improvements are allocated to each Improvement Area based on that Improvement Area's pro rata share of the total buildout value.

<sup>2</sup>Right of Way cost in Improvement Area #1 per Appraisal of Real Property LakePointe Public Improvement District East side of SH-78, south of FM-6.

<sup>3</sup>The Bear Creek Trunk Sewer is oversized to provide sewer to property outside of the District, and the oversized portion is not allocated to Assessed Property. Per the Developer, of the entire cost of the sewer, only \$1,038,148 benefits the District and is considered an Authorized Improvement Cost.

## EXHIBIT D – SERVICE PLAN

| Improvement Area #1                                 |                              |                  |                   |                   |                   |
|-----------------------------------------------------|------------------------------|------------------|-------------------|-------------------|-------------------|
| Installments Due                                    | 1/31/2020                    | 1/31/2021        | 1/31/2022         | 1/31/2023         | 1/31/2024         |
| <i>Improvement Area #1 Bonds</i>                    |                              |                  |                   |                   |                   |
| Principal                                           | \$ -                         | \$ 85,000        | \$ 85,000         | \$ 90,000         | \$ 95,000         |
| Interest                                            | 315,708                      | 307,175          | 302,500           | 297,825           | 292,875           |
| Capitalized Interest                                | (315,708)                    | -                | -                 | -                 | -                 |
| Total Debt Service on IA #1 Bonds                   | (1)                          | \$ 392,175       | \$ 387,500        | \$ 387,825        | \$ 387,875        |
| Annual Collection Costs                             | (2)                          | \$ 30,600        | \$ 31,212         | \$ 31,836         | \$ 32,473         |
| Additional Interest Reserve                         | (3)                          | \$ 27,925        | \$ 27,925         | \$ 27,500         | \$ 27,075         |
| <b>Total Improvement Area #1 Annual Installment</b> | <b>(4) = (1) + (2) + (3)</b> | <b>\$ 58,525</b> | <b>\$ 451,312</b> | <b>\$ 446,836</b> | <b>\$ 447,373</b> |
|                                                     |                              |                  |                   |                   | <b>\$ 447,622</b> |

| Major Improvement Area                          |                              |                  |                   |                   |                   |
|-------------------------------------------------|------------------------------|------------------|-------------------|-------------------|-------------------|
| Installments Due                                | 1/31/2020                    | 1/31/2021        | 1/31/2022         | 1/31/2023         | 1/31/2024         |
| <i>Major Improvement Area Bonds</i>             |                              |                  |                   |                   |                   |
| Principal                                       | \$ -                         | \$ 40,000        | \$ 40,000         | \$ 40,000         | \$ 45,000         |
| Interest                                        | 154,963                      | 154,963          | 152,663           | 150,363           | 148,063           |
| Capitalized Interest                            | (154,963)                    | -                | -                 | -                 | -                 |
| Total Debt Service on MIA Bonds                 | (1)                          | \$ 194,963       | \$ 192,663        | \$ 190,363        | \$ 193,063        |
| Annual Collection Costs                         | (2)                          | \$ 30,600        | \$ 31,212         | \$ 31,836         | \$ 32,473         |
| Additional Interest Reserve                     | (3)                          | \$ 13,475        | \$ 13,475         | \$ 13,275         | \$ 13,075         |
| <b>Total Major Improvement Area Installment</b> | <b>(4) = (1) + (2) + (3)</b> | <b>\$ 44,075</b> | <b>\$ 239,650</b> | <b>\$ 237,774</b> | <b>\$ 235,910</b> |
|                                                 |                              |                  |                   |                   | <b>\$ 239,060</b> |

## EXHIBIT E – SOURCES AND USES OF FUNDS

|                                                            | Improvement Area #1 | Major Improvement Area |
|------------------------------------------------------------|---------------------|------------------------|
| Sources of Funds                                           |                     |                        |
| Bond Par Amount                                            | \$ 5,585,000        | \$ 2,695,000           |
| Owner Contribution <sup>1</sup>                            | 1,931,510           | 3,762                  |
| Owner Construction Completion Advance <sup>2</sup>         | 1,665,000           | -                      |
| Developer Water Improvement Cash Contribution <sup>1</sup> | -                   | 1,741,518              |
| <b>Total Sources</b>                                       | <b>\$ 9,181,510</b> | <b>\$ 4,440,280</b>    |
| Uses of Funds                                              |                     |                        |
| Deposit to Project Fund                                    | \$ 4,297,075        | \$ 2,045,125           |
| Deposit to Landowner Improvement Account                   | 3,596,510           | 3,762                  |
|                                                            | <b>\$ 7,893,585</b> | <b>\$ 2,048,887</b>    |
| Developer Water Improvement Fund                           | \$ -                | \$ 1,741,518           |
|                                                            | <b>\$ -</b>         | <b>\$ 1,741,518</b>    |
| <i>District Formation and Bond Issuance Costs</i>          |                     |                        |
| 1st Year Annual Collection Costs                           | \$ 30,000           | \$ 30,000              |
| Debt Service Reserve Fund                                  | 392,250             | 195,413                |
| Capitalized Interest                                       | 307,175             | 154,963                |
| Underwriter Discount                                       | 167,550             | 80,850                 |
| Cost of Issuance                                           | 390,950             | 188,650                |
|                                                            | <b>\$ 1,287,925</b> | <b>\$ 649,875</b>      |
| <b>Total Uses</b>                                          | <b>\$ 9,181,510</b> | <b>\$ 4,440,280</b>    |

*Notes:*

<sup>1</sup>Not reimbursable to Owner

<sup>2</sup> Pursuant to the Development Agreement dated XXX and Construction Funding Agreement

## EXHIBIT F-1 – IMPROVEMENT AREA #1 ASSESSMENT ROLL

| Parcel ID | Property Description               | Outstanding Assessment | Annual Installment Due 1/31/20 |
|-----------|------------------------------------|------------------------|--------------------------------|
| 2663916*  | Improvement Area #1 Initial Parcel | \$ 5,585,000.00        | \$ 58,525.00                   |
|           | <b>Total</b>                       | <b>\$ 5,585,000.00</b> | <b>\$ 58,525.00</b>            |

\* 53.425 acres of Parcel ID 2663916 is the Improvement Area #1 Initial Parcel

## EXHIBIT F-2 – IMPROVEMENT AREA #1 ANNUAL INSTALLMENTS

| Installments Due | Principal              | Interest               | Additional Interest Reserve | Capitalized Interest   | Reserve Fund Release   | Annual Collection Costs | Total Installment       |
|------------------|------------------------|------------------------|-----------------------------|------------------------|------------------------|-------------------------|-------------------------|
| 1/31/2020        | \$ -                   | \$ 315,707.64          | \$ 27,925.00                | \$ (315,707.64)        | \$ -                   | \$ 30,600.00            | \$ 58,525.00            |
| 1/31/2021        | \$ 85,000.00           | \$ 307,175.00          | \$ 27,925.00                | \$ -                   | \$ -                   | \$ 31,212.00            | \$ 451,312.00           |
| 1/31/2022        | \$ 85,000.00           | \$ 302,500.00          | \$ 27,500.00                | \$ -                   | \$ -                   | \$ 31,836.24            | \$ 446,836.24           |
| 1/31/2023        | \$ 90,000.00           | \$ 297,825.00          | \$ 27,075.00                | \$ -                   | \$ -                   | \$ 32,472.96            | \$ 447,372.96           |
| 1/31/2024        | \$ 95,000.00           | \$ 292,875.00          | \$ 26,625.00                | \$ -                   | \$ -                   | \$ 33,122.42            | \$ 447,622.42           |
| 1/31/2025        | \$ 100,000.00          | \$ 287,650.00          | \$ 26,150.00                | \$ -                   | \$ -                   | \$ 33,784.87            | \$ 447,584.87           |
| 1/31/2026        | \$ 105,000.00          | \$ 282,150.00          | \$ 25,650.00                | \$ -                   | \$ -                   | \$ 34,460.57            | \$ 447,260.57           |
| 1/31/2027        | \$ 115,000.00          | \$ 276,375.00          | \$ 25,125.00                | \$ -                   | \$ -                   | \$ 35,149.78            | \$ 451,649.78           |
| 1/31/2028        | \$ 120,000.00          | \$ 270,050.00          | \$ 24,550.00                | \$ -                   | \$ -                   | \$ 35,852.78            | \$ 450,452.78           |
| 1/31/2029        | \$ 125,000.00          | \$ 263,450.00          | \$ 23,950.00                | \$ -                   | \$ -                   | \$ 36,569.83            | \$ 448,969.83           |
| 1/31/2030        | \$ 130,000.00          | \$ 256,575.00          | \$ 23,325.00                | \$ -                   | \$ -                   | \$ 37,301.23            | \$ 447,201.23           |
| 1/31/2031        | \$ 140,000.00          | \$ 249,425.00          | \$ 22,675.00                | \$ -                   | \$ -                   | \$ 38,047.25            | \$ 450,147.25           |
| 1/31/2032        | \$ 145,000.00          | \$ 241,725.00          | \$ 21,975.00                | \$ -                   | \$ -                   | \$ 38,808.20            | \$ 447,508.20           |
| 1/31/2033        | \$ 155,000.00          | \$ 233,750.00          | \$ 21,250.00                | \$ -                   | \$ -                   | \$ 39,584.36            | \$ 449,584.36           |
| 1/31/2034        | \$ 165,000.00          | \$ 225,225.00          | \$ 20,475.00                | \$ -                   | \$ -                   | \$ 40,376.05            | \$ 451,076.05           |
| 1/31/2035        | \$ 175,000.00          | \$ 216,150.00          | \$ 19,650.00                | \$ -                   | \$ -                   | \$ 41,183.57            | \$ 451,983.57           |
| 1/31/2036        | \$ 185,000.00          | \$ 206,525.00          | \$ 18,775.00                | \$ -                   | \$ -                   | \$ 42,007.24            | \$ 452,307.24           |
| 1/31/2037        | \$ 195,000.00          | \$ 196,350.00          | \$ 17,850.00                | \$ -                   | \$ -                   | \$ 42,847.39            | \$ 452,047.39           |
| 1/31/2038        | \$ 205,000.00          | \$ 185,625.00          | \$ 16,875.00                | \$ -                   | \$ -                   | \$ 43,704.34            | \$ 451,204.34           |
| 1/31/2039        | \$ 215,000.00          | \$ 174,350.00          | \$ 15,850.00                | \$ -                   | \$ -                   | \$ 44,578.42            | \$ 449,778.42           |
| 1/31/2040        | \$ 225,000.00          | \$ 162,525.00          | \$ 14,775.00                | \$ -                   | \$ -                   | \$ 45,469.99            | \$ 447,769.99           |
| 1/31/2041        | \$ 240,000.00          | \$ 150,150.00          | \$ 13,650.00                | \$ -                   | \$ -                   | \$ 46,379.39            | \$ 450,179.39           |
| 1/31/2042        | \$ 255,000.00          | \$ 136,950.00          | \$ 12,450.00                | \$ -                   | \$ -                   | \$ 47,306.98            | \$ 451,706.98           |
| 1/31/2043        | \$ 270,000.00          | \$ 122,925.00          | \$ 11,175.00                | \$ -                   | \$ -                   | \$ 48,253.12            | \$ 452,353.12           |
| 1/31/2044        | \$ 285,000.00          | \$ 108,075.00          | \$ 9,825.00                 | \$ -                   | \$ -                   | \$ 49,218.18            | \$ 452,118.18           |
| 1/31/2045        | \$ 300,000.00          | \$ 92,400.00           | \$ 8,400.00                 | \$ -                   | \$ -                   | \$ 50,202.54            | \$ 451,002.54           |
| 1/31/2046        | \$ 315,000.00          | \$ 75,900.00           | \$ 6,900.00                 | \$ -                   | \$ -                   | \$ 51,206.59            | \$ 449,006.59           |
| 1/31/2047        | \$ 335,000.00          | \$ 58,575.00           | \$ 5,325.00                 | \$ -                   | \$ -                   | \$ 52,230.73            | \$ 451,130.73           |
| 1/31/2048        | \$ 355,000.00          | \$ 40,150.00           | \$ 3,650.00                 | \$ -                   | \$ -                   | \$ 53,275.34            | \$ 452,075.34           |
| 1/31/2049        | \$ 375,000.00          | \$ 20,625.00           | \$ 1,875.00                 | \$ -                   | \$ (392,250.00)        | \$ 54,340.85            | \$ 59,590.85            |
| <b>Total</b>     | <b>\$ 5,585,000.00</b> | <b>\$ 6,049,732.64</b> | <b>\$ 549,200.00</b>        | <b>\$ (315,707.64)</b> | <b>\$ (392,250.00)</b> | <b>\$ 1,241,383.22</b>  | <b>\$ 12,717,358.22</b> |

Note: The figures shown above are estimates only and subject to change in annual service plan updates. Changes in administrative expenses, reserve fund requirements, interest earnings, or other available offsets could increase or decrease the amounts shown.

## EXHIBIT G-1 – MAJOR IMPROVEMENT AREA ASSESSMENT ROLL

| Parcel ID | Property Description                  | Outstanding Assessment | Annual Installment Due 1/31/20 |
|-----------|---------------------------------------|------------------------|--------------------------------|
| 2663916*  | Major Improvement Area Initial Parcel | \$ 2,695,000.00        | \$ 44,075.00                   |
|           | <b>Total</b>                          | <b>\$ 2,695,000.00</b> | <b>\$ 44,075.00</b>            |

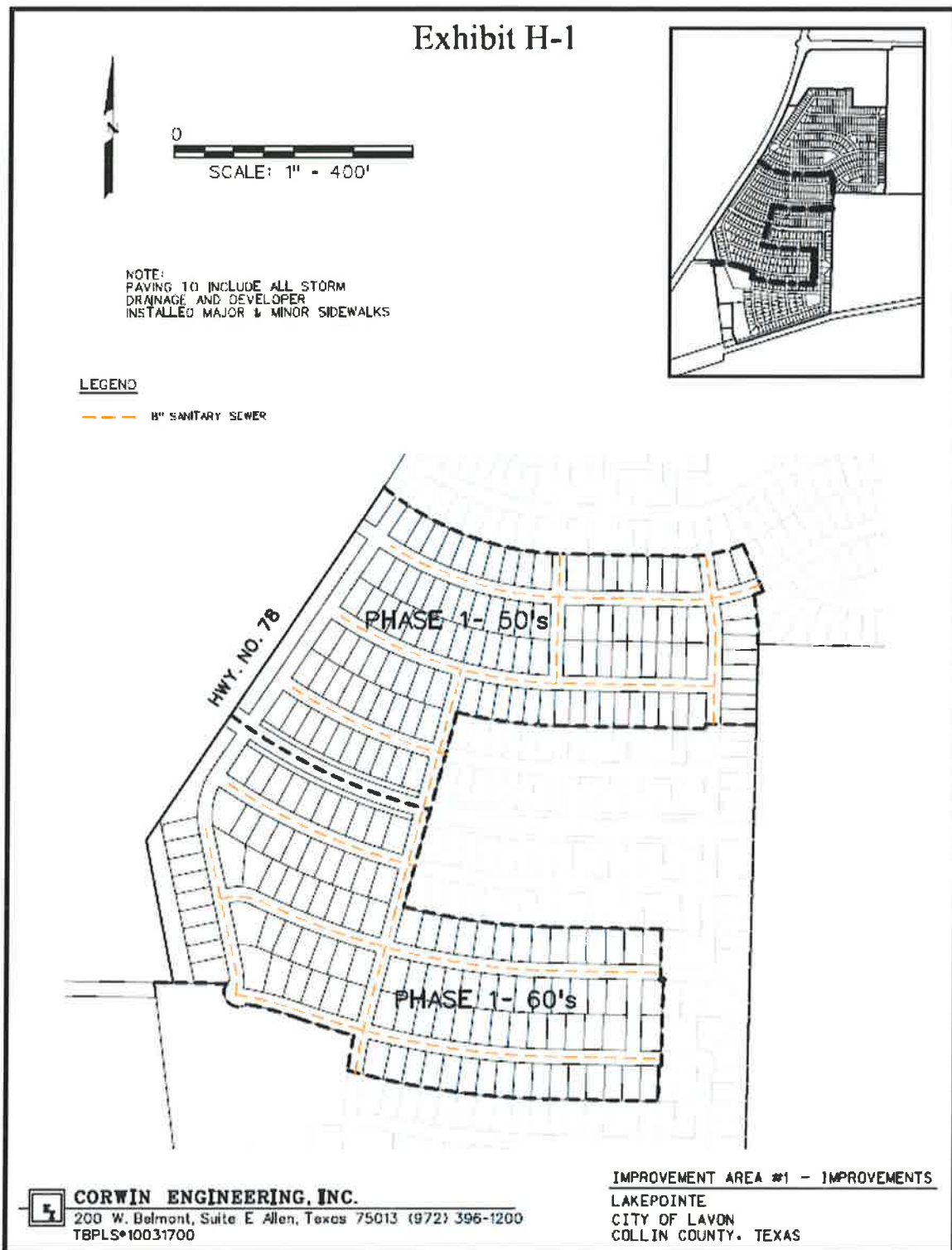
\* 119.612 acres of Parcel ID 2663916 is the Major Improvement Area Initial Parcel.

## EXHIBIT G-2 – MAJOR IMPROVEMENT AREA ANNUAL INSTALLMENTS

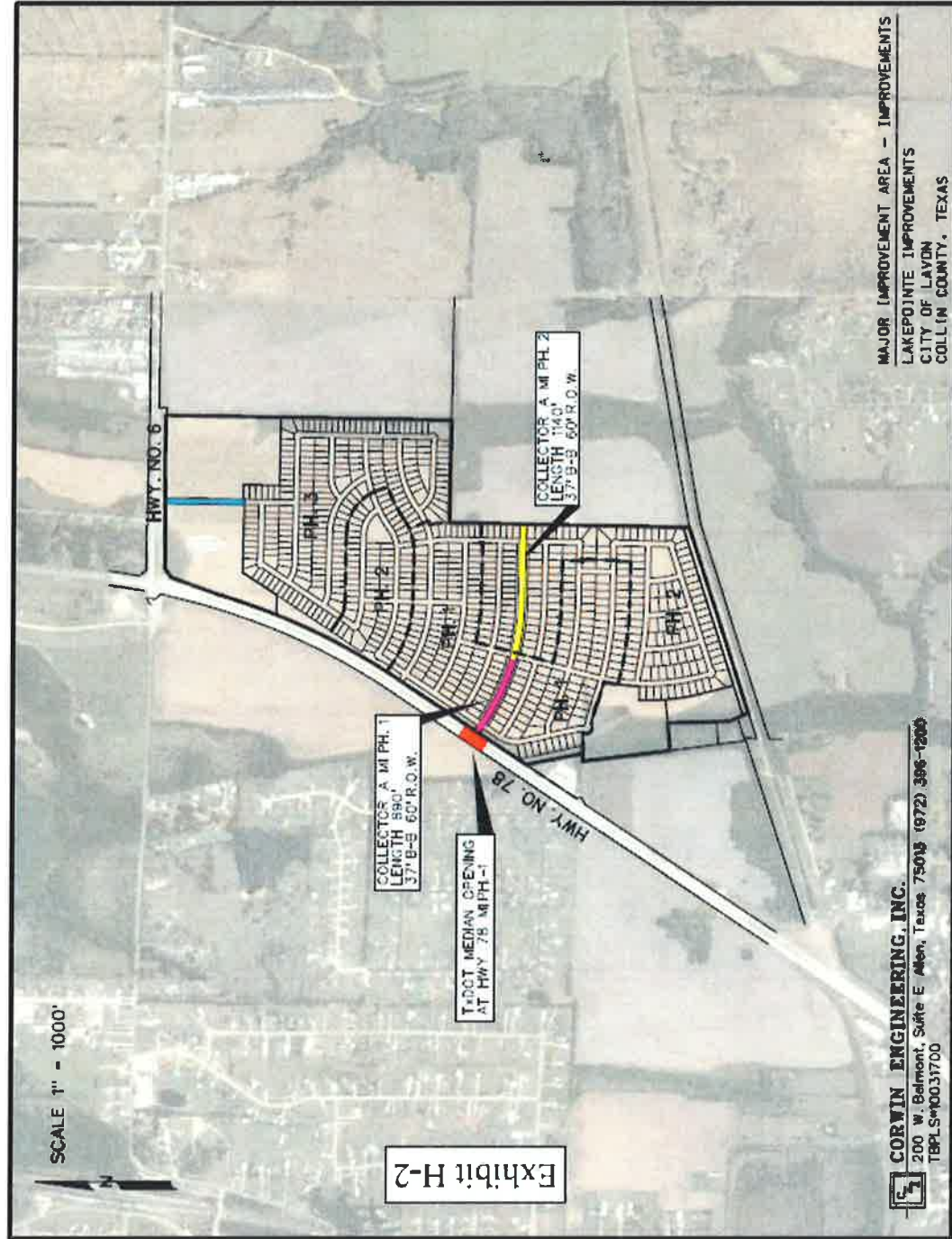
| Installments Due | Principal              | Interest               | Additional Interest Reserve | Capitalized Interest   | Reserve Fund Release   | Annual Collection Costs | Total Installment      |
|------------------|------------------------|------------------------|-----------------------------|------------------------|------------------------|-------------------------|------------------------|
| 1/31/2020        | \$ -                   | \$ 154,962.50          | \$ 13,475.00                | \$ (154,962.50)        | -                      | \$ 30,600.00            | \$ 44,075.00           |
| 1/31/2021        | \$ 40,000.00           | \$ 154,962.50          | \$ 13,475.00                | -                      | -                      | \$ 31,212.00            | \$ 239,649.50          |
| 1/31/2022        | \$ 40,000.00           | \$ 152,662.50          | \$ 13,275.00                | -                      | -                      | \$ 31,836.24            | \$ 237,773.74          |
| 1/31/2023        | \$ 40,000.00           | \$ 150,362.50          | \$ 13,075.00                | -                      | -                      | \$ 32,472.96            | \$ 235,910.46          |
| 1/31/2024        | \$ 45,000.00           | \$ 148,062.50          | \$ 12,875.00                | -                      | -                      | \$ 33,122.42            | \$ 239,059.92          |
| 1/31/2025        | \$ 45,000.00           | \$ 145,475.00          | \$ 12,650.00                | -                      | -                      | \$ 33,784.87            | \$ 236,909.87          |
| 1/31/2026        | \$ 50,000.00           | \$ 142,887.50          | \$ 12,425.00                | -                      | -                      | \$ 34,460.57            | \$ 239,773.07          |
| 1/31/2027        | \$ 55,000.00           | \$ 140,012.50          | \$ 12,175.00                | -                      | -                      | \$ 35,149.78            | \$ 242,337.28          |
| 1/31/2028        | \$ 55,000.00           | \$ 136,850.00          | \$ 11,900.00                | -                      | -                      | \$ 35,852.78            | \$ 239,602.78          |
| 1/31/2029        | \$ 60,000.00           | \$ 133,687.50          | \$ 11,625.00                | -                      | -                      | \$ 36,569.83            | \$ 241,882.33          |
| 1/31/2030        | \$ 60,000.00           | \$ 130,237.50          | \$ 11,325.00                | -                      | -                      | \$ 37,301.23            | \$ 238,863.73          |
| 1/31/2031        | \$ 65,000.00           | \$ 126,787.50          | \$ 11,025.00                | -                      | -                      | \$ 38,047.25            | \$ 240,859.75          |
| 1/31/2032        | \$ 70,000.00           | \$ 123,050.00          | \$ 10,700.00                | -                      | -                      | \$ 38,808.20            | \$ 242,558.20          |
| 1/31/2033        | \$ 75,000.00           | \$ 119,025.00          | \$ 10,350.00                | -                      | -                      | \$ 39,584.36            | \$ 243,959.36          |
| 1/31/2034        | \$ 80,000.00           | \$ 114,712.50          | \$ 9,975.00                 | -                      | -                      | \$ 40,376.05            | \$ 245,063.55          |
| 1/31/2035        | \$ 85,000.00           | \$ 110,112.50          | \$ 9,575.00                 | -                      | -                      | \$ 41,183.57            | \$ 245,871.07          |
| 1/31/2036        | \$ 90,000.00           | \$ 105,225.00          | \$ 9,150.00                 | -                      | -                      | \$ 42,007.24            | \$ 246,382.24          |
| 1/31/2037        | \$ 95,000.00           | \$ 100,050.00          | \$ 8,700.00                 | -                      | -                      | \$ 42,847.39            | \$ 246,597.39          |
| 1/31/2038        | \$ 100,000.00          | \$ 94,587.50           | \$ 8,225.00                 | -                      | -                      | \$ 43,704.34            | \$ 246,516.84          |
| 1/31/2039        | \$ 105,000.00          | \$ 88,837.50           | \$ 7,725.00                 | -                      | -                      | \$ 44,578.42            | \$ 246,140.92          |
| 1/31/2040        | \$ 110,000.00          | \$ 82,800.00           | \$ 7,200.00                 | -                      | -                      | \$ 45,469.99            | \$ 245,469.99          |
| 1/31/2041        | \$ 115,000.00          | \$ 76,475.00           | \$ 6,650.00                 | -                      | -                      | \$ 46,379.39            | \$ 244,504.39          |
| 1/31/2042        | \$ 125,000.00          | \$ 69,862.50           | \$ 6,075.00                 | -                      | -                      | \$ 47,306.98            | \$ 248,244.48          |
| 1/31/2043        | \$ 130,000.00          | \$ 62,675.00           | \$ 5,450.00                 | -                      | -                      | \$ 48,253.12            | \$ 246,378.12          |
| 1/31/2044        | \$ 140,000.00          | \$ 55,200.00           | \$ 4,800.00                 | -                      | -                      | \$ 49,218.18            | \$ 249,218.18          |
| 1/31/2045        | \$ 145,000.00          | \$ 47,150.00           | \$ 4,100.00                 | -                      | -                      | \$ 50,202.54            | \$ 246,452.54          |
| 1/31/2046        | \$ 155,000.00          | \$ 38,812.50           | \$ 3,375.00                 | -                      | -                      | \$ 51,206.59            | \$ 248,394.09          |
| 1/31/2047        | \$ 165,000.00          | \$ 29,900.00           | \$ 2,600.00                 | -                      | -                      | \$ 52,230.73            | \$ 249,730.73          |
| 1/31/2048        | \$ 175,000.00          | \$ 20,412.50           | \$ 1,775.00                 | -                      | -                      | \$ 53,275.34            | \$ 250,462.84          |
| 1/31/2049        | \$ 180,000.00          | \$ 10,350.00           | \$ 900.00                   | -                      | \$ (195,412.50)        | \$ 54,340.85            | \$ 50,178.35           |
| <b>Total</b>     | <b>\$ 2,695,000.00</b> | <b>\$ 3,066,187.50</b> | <b>\$ 266,625.00</b>        | <b>\$ (154,962.50)</b> | <b>\$ (195,412.50)</b> | <b>\$ 1,241,383.22</b>  | <b>\$ 6,918,820.72</b> |

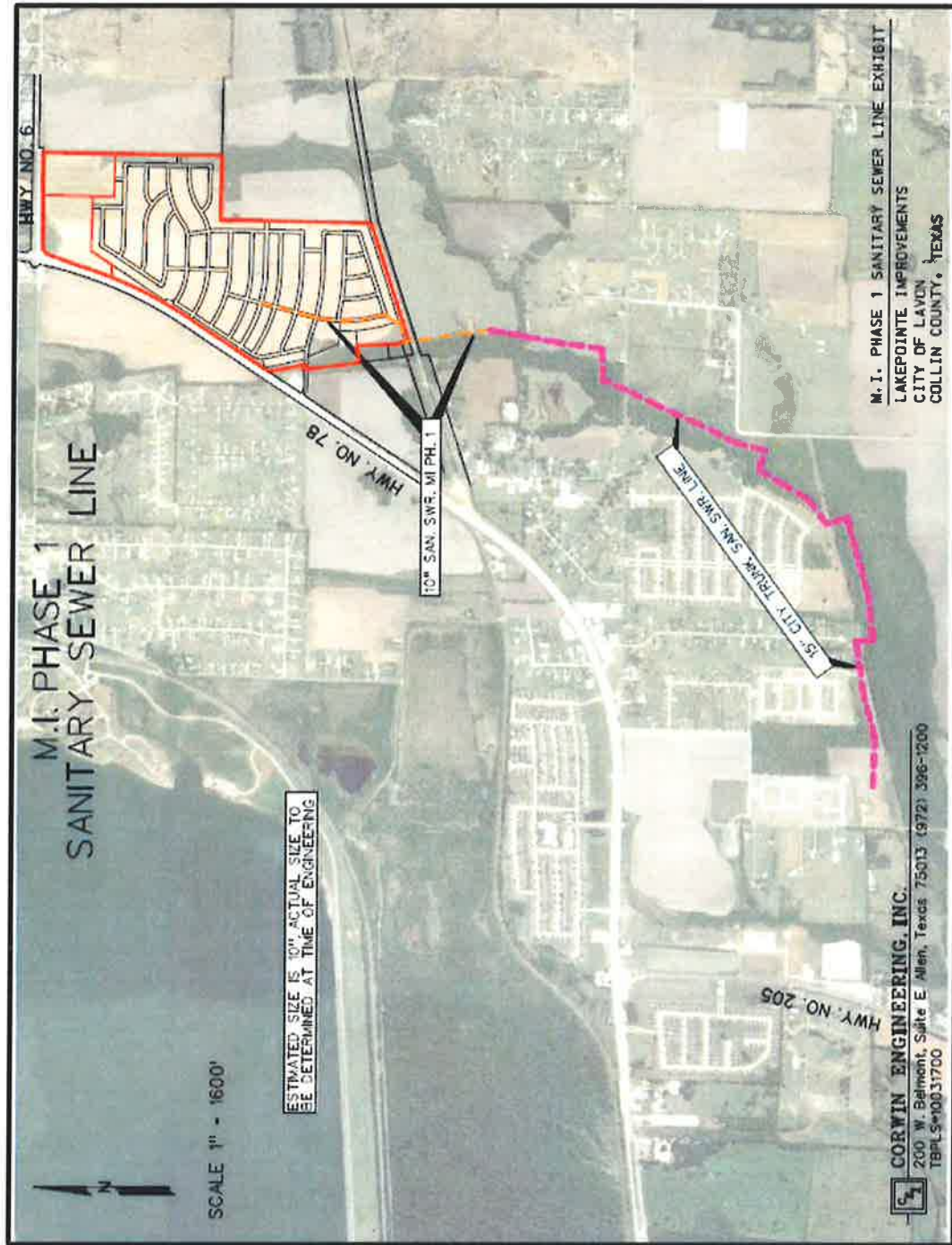
Note: The figures shown above are estimates only and subject to change in annual service plan updates. Changes in administrative expenses, reserve fund requirements, interest earnings, or other available offsets could increase or decrease the amounts shown.

## EXHIBIT H-1 – MAPS OF IMPROVEMENT AREA #1 IMPROVEMENTS

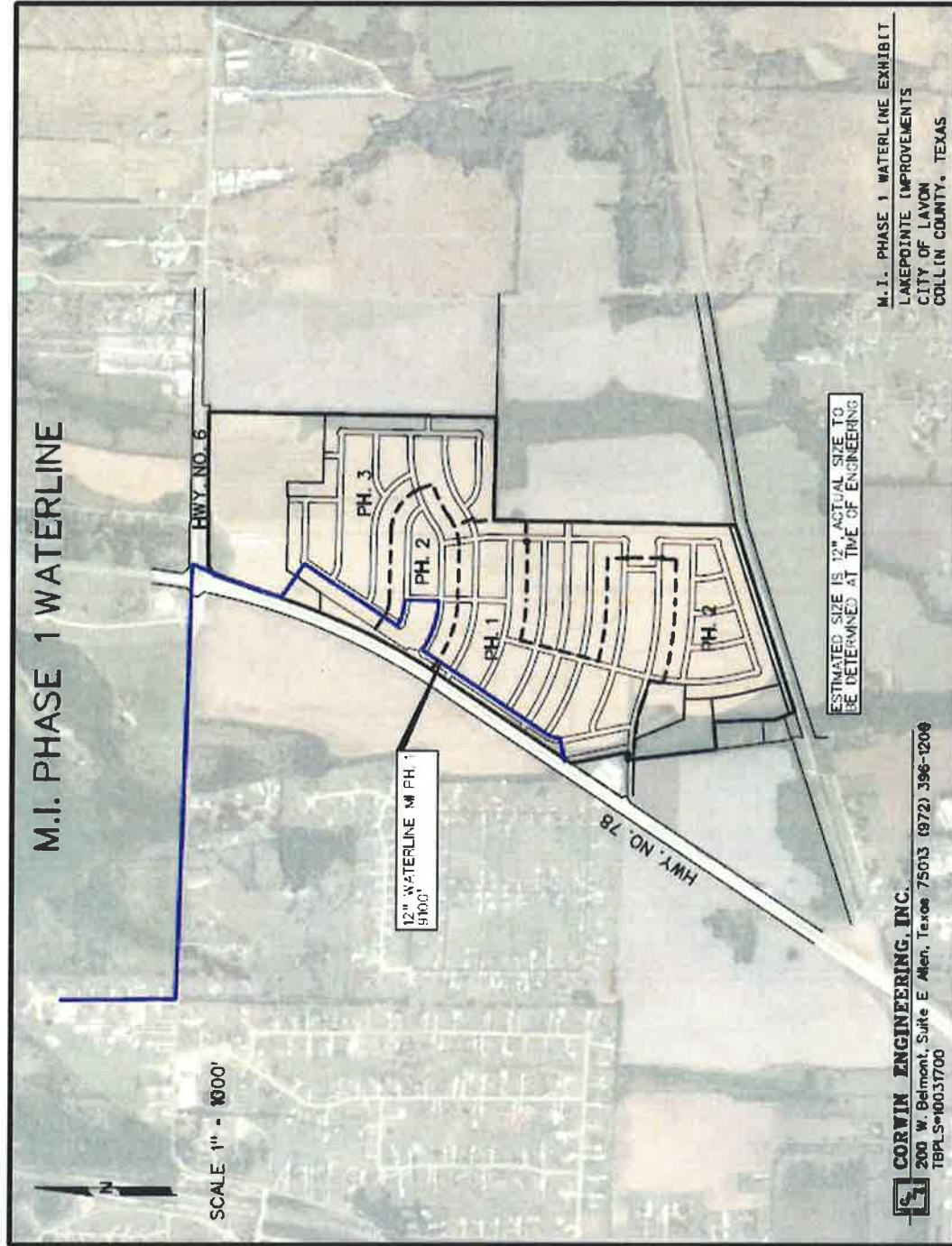


## EXHIBIT H-2 – MAPS OF MAJOR IMPROVEMENTS

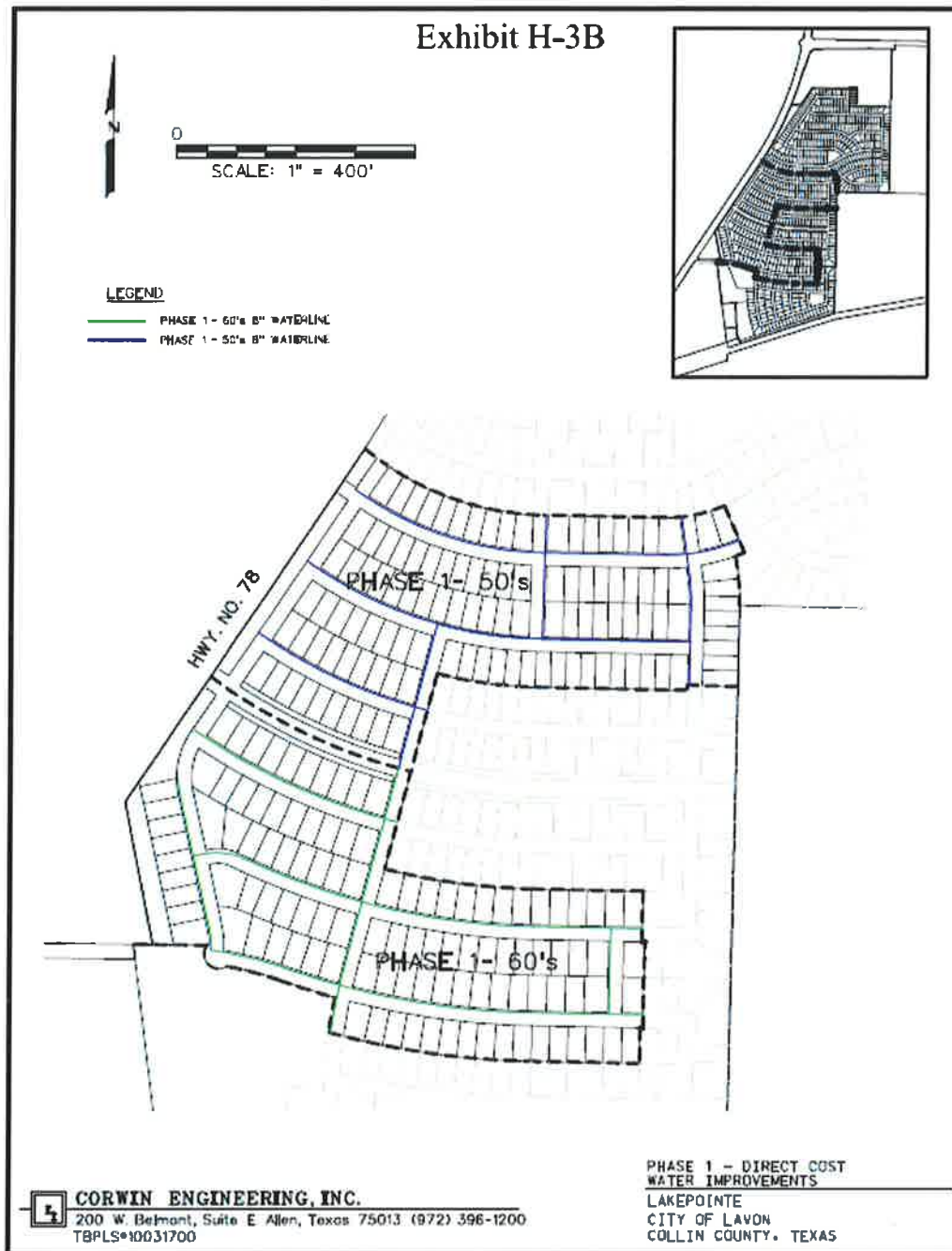




# EXHIBIT H-3A – MAP OF WATER IMPROVEMENTS 1



## EXHIBIT H-3B – MAP OF WATER IMPROVEMENTS 2



## EXHIBIT I – MAXIMUM ASSESSMENT AND TAX RATE EQUIVALENT

| Assessments            |                    |                                    |                      |              | Maximum Assessment Per Lot  |                       | Average Annual Installment  |                       | Average Annual Installment Per Lot |                       |                             |                       |                              |                             |
|------------------------|--------------------|------------------------------------|----------------------|--------------|-----------------------------|-----------------------|-----------------------------|-----------------------|------------------------------------|-----------------------|-----------------------------|-----------------------|------------------------------|-----------------------------|
| Lot Type               | Units <sup>1</sup> | Estimated AV Per Unit <sup>1</sup> | Total Assessed Value | % Allocation | Major Improvement Area Bond | Improvement Area Bond | Major Improvement Area Bond | Improvement Area Bond | Major Improvement Area Bond        | Improvement Area Bond | Major Improvement Area Bond | Improvement Area Bond | MIA Bond Equivalent Tax Rate | IA Bond Equivalent Tax Rate |
| Improvement Area #1    |                    |                                    |                      |              |                             |                       |                             |                       |                                    |                       |                             |                       |                              |                             |
| 50'                    | 114                | \$ 275,000                         | \$ 31,350,000        | 15.77%       | \$ -                        | \$ 2,733,642          | \$ -                        | \$ 23,979.31          | \$ -                               | \$ 220,117            | \$ -                        | \$ 1,930.85           | \$ -                         | \$ 0.7021                   |
| 60'                    | 109                | 300,000                            | 32,700,000           | 16.45%       | -                           | 2,851,358             | -                           | 26,159.25             | -                                  | 229,595               | -                           | 2,106.38              | -                            | 0.7021                      |
| Subtotal               | 223                |                                    | \$ 64,050,000        | 32.22%       | \$ -                        | \$ 5,585,000          |                             |                       | \$ -                               | \$ 449,712            |                             |                       | \$ -                         | \$ 0.7021                   |
| Major Improvement Area |                    |                                    |                      |              |                             |                       |                             |                       |                                    |                       |                             |                       |                              |                             |
| 50'                    | 335                | \$ 275,000                         | \$ 92,125,000        | 46.35%       | \$ 1,842,842                | \$ -                  | \$ 5,501.02                 | \$ -                  | \$ 166,666                         | \$ -                  | \$ 497.51                   | \$ -                  | \$ 0.1809                    | \$ -                        |
| 60'                    | 142                | 300,000                            | 42,600,000           | 21.43%       | 852,158                     | -                     | 6,001.11                    | -                     | 77,069                             | -                     | 542.74                      | -                     | 0.1809                       | -                           |
| Subtotal               | 477                |                                    | \$134,725,000        | 67.78%       | \$ 2,695,000                | \$ -                  |                             |                       | \$ 243,735                         | \$ -                  |                             |                       | \$ 0.1809                    | \$ -                        |
|                        |                    |                                    |                      |              |                             |                       |                             |                       |                                    |                       |                             |                       |                              |                             |
| Total                  | 700                |                                    | \$198,775,000        |              | \$ 2,695,000                | \$ 5,585,000          |                             |                       | \$ 243,735                         | \$ 449,712            |                             |                       |                              |                             |

Note:

<sup>1</sup>As reported by the Owner.

**EXHIBIT J – FORM OF NOTICE OF PID ASSESSMENT TERMINATION**



P3Works, LLC  
350 Rufe Snow Drive, Suite 200  
Keller, TX 76248

[Date]  
Collin County Clerk's Office  
Honorable [County Clerk]  
Collin County Administration Building  
2300 Bloomdale Rd  
Suite 2106  
McKinney, TX 75071

**Re: City of Lavon Lien Release documents for filing**

Dear Ms./Mr. [County Clerk],

Enclosed is a lien release that the City of Lavon is requesting to be filed in your office. Lien release for [insert legal description]. Recording Numbers: [Plat]. Please forward copies of the filed documents to my attention:

City of Lavon  
Attn: [City Secretary]  
PO Box 340  
120 School Road  
Lavon, TX 75166

Please contact me if you have any questions or need additional information.

Sincerely,  
[Signature]

P3Works, LLC  
(817) 393-0353  
Admin@P3-Works.com  
www.P3-Works.com

**AFTER RECORDING RETURN TO:**

[City Secretary Name]  
[City Secretary Address]

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

**FULL RELEASE OF PUBLIC IMPROVEMENT DISTRICT LIEN**

|                  |   |                                |
|------------------|---|--------------------------------|
| STATE OF TEXAS   | § |                                |
|                  | § | NOW ALL MEN BY THESE PRESENTS: |
| COUNTY OF COLLIN | § |                                |

**THIS FULL RELEASE OF PUBLIC IMPROVEMENT DISTRICT LIEN** (this "Full Release") is executed and delivered as of the Effective Date by the City of Lavon, Texas, a Texas home rule municipality.

**RECITALS**

**WHEREAS**, the governing body (hereinafter referred to as the "City Council") of the City of Lavon, Texas (hereinafter referred to as the "City"), is authorized by Chapter 372, Texas Local Government Code, as amended (hereinafter referred to as the "Act"), to create public improvement districts within the corporate limits and of the City; and

**WHEREAS**, on or about March 19, 2019, the City Council for the City, approved Resolution No. 2019-03-04, creating the LakePointe Public Improvement District; and

**WHEREAS**, the LakePointe Public Improvement District consists of approximately 173.037 contiguous acres within the and corporate limits of the City; and

**WHEREAS**, on or about \_\_\_\_\_, the City Council, approved Ordinance No. \_\_\_\_\_, (hereinafter referred to as the "Assessment Ordinance") approving a service and assessment plan and assessment roll for the Property within the LakePointe Public Improvement District; and

**WHEREAS**, the Assessment Ordinance imposed an assessment (the "Lien") in the amount of [amount] (hereinafter referred to as the "Lien Amount") for the following property:

[legal description], a subdivision in Collin County, Texas, according to the map or plat of record in Document/Instrument No. \_\_\_\_\_ of the Plat Records of Collin County, Texas (hereinafter referred to as the "Property"); and

**WHEREAS**, the property owners of the Property have paid unto the City the Lien Amount.

**RELEASE**

**NOW THEREFORE**, the City, the owner and holder of the Lien, Instrument No. \_\_\_\_\_, in the Real Property Records of Collin County, Texas, in the amount of the Lien Amount against the Property releases and discharges, and by these presents does hereby release and discharge, the above-described Property from said Lien held by the undersigned securing said indebtedness.

**EXECUTED** to be **EFFECTIVE** this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**CITY OF LAVON, TEXAS,**  
A Texas general law municipality,

By: \_\_\_\_\_  
[Manager Name], City Administrator

**ATTEST:**

[Secretary Name], City Secretary

**STATE OF TEXAS** §  
§  
**COUNTY OF COLLIN** §

This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by [City Manager], City Administrator for the City of Lavon, Texas, a Texas general law municipality, on behalf of said municipality.

Notary Public, State of Texas



## **CITY OF LAVON CITY COUNCIL Agenda Brief**

**MEETING: August 20, 2019**

**ITEM: 7- D**

---

**Items:**

Discussion and action regarding Ordinance No. **2019-08-03** Authorizing The Issuance Of The "City Of Lavon, Texas, Special Assessment Revenue Bonds, Series 2019 (Lakepointe Public Improvement District Improvement Area #1 Project)"; Approving And Authorizing An Indenture Of Trust, A Bond Purchase Agreement, A Limited Offering Memorandum, A Continuing Disclosure Agreement; A Construction, Funding And Acquisition Agreement And Other Agreements And Documents In Connection Therewith; Making Findings With Respect To The Issuance Of Such Bonds; And Providing An Effective Date.

**Background:**

The City Council authorized the creation of the LakePointe Public Improvement District on March 19, 2019. The regulatory steps have been completed to provide for the sale of special assessment revenue bonds that will be repaid through special assessments against the benefited properties.

The City's bond counsel, financial advisor, city attorney and consulting team have reviewed the proposed issuance and ordinance and approval is recommended.

The attachments to the ordinance are voluminous and may be downloaded on the City's website.

**Attachments:**        Proposed Ordinance



## CITY OF LAVON

Due to the volume of the documents, the attachments have not been printed for distribution in the packet.

The attachments may be downloaded in their entirety at [www.cityoflavon.org](http://www.cityoflavon.org).

If you wish to obtain a printed copy of the attachments, please contact Kim Dobbs at [kim.dobbs@cityoflavon.org](mailto:kim.dobbs@cityoflavon.org) or 972-843-4220.

**CITY OF LAVON, TEXAS**

**ORDINANCE NO. 2019-08-03**

**LakePointe PID Improvement Area #1 Bonds**

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE "CITY OF LAVON, TEXAS, SPECIAL ASSESSMENT REVENUE BONDS, SERIES 2019 (LAKEPOINTE PUBLIC IMPROVEMENT DISTRICT IMPROVEMENT AREA #1 PROJECT)"; APPROVING AND AUTHORIZING AN INDENTURE OF TRUST, A BOND PURCHASE AGREEMENT, A LIMITED OFFERING MEMORANDUM, A CONTINUING DISCLOSURE AGREEMENT; A CONSTRUCTION, FUNDING AND ACQUISITION AGREEMENT AND OTHER AGREEMENTS AND DOCUMENTS IN CONNECTION THEREWITH; MAKING FINDINGS WITH RESPECT TO THE ISSUANCE OF SUCH BONDS; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Lavon, Texas (the "City"), pursuant to and in accordance with the terms, provisions and requirements of the Public Improvement District Assessment Act, Subchapter A of Chapter 372, Texas Local Government Code, has previously established the "LakePointe Public Improvement District" (the "District"); and

WHEREAS, pursuant to the PID Act, the City Council of the City (the "Council") published notice of the assessment hearing in a newspaper of general circulation in the City, and held a public hearing on August 20, 2019, regarding the levy of special assessments within the District, and on such date, the Council adopted an ordinance levying such special assessments (the "Assessment Ordinance"); and

WHEREAS, in the Assessment Ordinance, the Council approved and accepted the Service and Assessment Plan (as defined in the Assessment Ordinance) relating to the District and levied the Assessments (as defined in the Indenture (defined below)) against the Improvement Area #1 Assessed Property (as defined in the Service and Assessment Plan); and

WHEREAS, the Council has found and determined that it is in the best interests of the City to issue its bonds to be designated "City of Lavon, Texas, Special Assessment Revenue Bonds, Series 2019 (LakePointe Public Improvement District Improvement Area #1 Project)" (the "Bonds"), such Bonds to be payable from and secured by the Pledged Revenues (as defined in the Indenture); and

WHEREAS, the City is authorized by the PID Act to issue the Bonds for the purpose of (i) paying the Improvement Area #1 Project Costs (as defined in the Indenture), (ii) paying interest on the Bonds during and after the period of acquisition and construction of the Improvement Area #1 Projects (as defined in the Indenture), (iii) funding a reserve fund for payment of principal and interest on the Bonds, (iv) paying a portion of the costs incidental to the organization of the District and (v) paying the costs of issuance of the Bonds; and

WHEREAS, the Council has found and determined to approve (i) the issuance of the Bonds to finance the Improvement Area #1 Projects, (ii) the form, terms and provisions of the Indenture securing the Bonds authorized hereby, (iii) the form, terms and provisions of a Bond

Purchase Agreement (defined below) between the City and the Underwriter (defined below), (iv) a Limited Offering Memorandum (defined below), (v) a Continuing Disclosure Agreement (defined below) and (vi) a Construction, Funding and Acquisition Agreement (defined below); and

WHEREAS, the meeting at which this Ordinance is considered is open to the public as required by law, and the public notice of the time, place and purpose of said meeting was given as required by Chapter 551, Texas Government Code, as amended;

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

Section 1. Findings. The findings and determinations set forth in the preamble hereof are hereby incorporated by reference for all purposes as if set forth in full herein.

Section 2. Approval of Issuance of Bonds and Indenture of Trust.

(a) The issuance of the Bonds in the principal amount of \$5,585,000 for the purpose of (i) paying a portion of the Improvement Area #1 Project Costs, (ii) paying a portion of the interest on the Bonds during and after the period of acquisition and construction of the Improvement Area #1 Projects, (iii) funding a reserve fund for payment of principal and interest on the Bonds, (iv) paying a portion of the costs incidental to the organization of the District, and (v) paying the costs of issuance of the Bonds, is hereby authorized and approved.

(b) The Bonds shall be issued and secured under that certain Indenture of Trust (the "Indenture"), dated as of September 1, 2019, between the City and Wilmington Trust, National Association, Dallas, Texas, as trustee (the "Trustee"), with such changes as may be necessary or desirable to carry out the intent of this Ordinance and as approved by the Mayor or Mayor Pro Tem of the City, such approval to be evidenced by the execution and delivery of the Indenture, which Indenture is hereby approved in substantially final form attached hereto as **Exhibit A** and incorporated herein as a part hereof for all purposes. The Mayor or Mayor Pro Tem of the City is hereby authorized and directed to execute the Indenture and the City Secretary is hereby authorized and directed to attest such signature of the Mayor or Mayor Pro Tem.

(c) The Bonds shall be dated, shall mature on the date or dates and in the principal amount or amounts, shall bear interest, shall be subject to redemption and shall have such other terms and provisions as set forth in the Indenture. The Bonds shall be in substantially the form set forth in the Indenture, with such insertions, omissions and modifications as may be required to conform the form of Bond to the actual terms of the Bonds. The Bonds shall be payable from and secured by the Pledged Revenues (as defined in the Indenture) and other assets of the Trust Estate (as defined in the Indenture) pledged to the Bonds, and shall never be payable from ad valorem taxes or any other funds or revenues of the City.

Section 3. Sale of Bonds; Approval of Bond Purchase Agreement. The Bonds shall be sold to FMSbonds, Inc. (the "Underwriter") at the price and on the terms and provisions set forth in that certain Bond Purchase Agreement (the "Bond Purchase Agreement"), dated the date hereof, between the City and the Underwriter, attached hereto as **Exhibit B** and incorporated

herein as a part hereof for all purposes, which terms of sale are declared to be in the best interest of the City. The form, terms and provisions of the Bond Purchase Agreement are hereby authorized and approved and the Mayor or Mayor Pro Tem of the City is hereby authorized and directed to execute and deliver the Bond Purchase Agreement. The Mayor's or Mayor Pro Tem's signature on the Bond Purchase Agreement may be attested by the City Secretary.

Section 4. Limited Offering Memorandum. The use and distribution of the Preliminary Limited Offering Memorandum dated August 8, 2019 in the offering of the Bonds is hereby ratified, approved and confirmed. The final Limited Offering Memorandum, with such appropriate variations from the Preliminary Limited Offering Memorandum as shall be approved by the Mayor or Mayor Pro Tem of the City and the Underwriter, may be used by the Underwriter in the offering and sale of the Bonds. The form and substance of the final Limited Offering Memorandum for the Bonds and any addenda, supplement or amendment thereto is hereby approved and adopted in all respects. The City Secretary is hereby authorized and directed to include and maintain a copy of the Preliminary Limited Offering Memorandum and the Limited Offering Memorandum and any addenda, supplement or amendment thereto thus approved among the permanent records of this meeting. The City deemed the Preliminary Limited Offering Memorandum final, within the meaning of Rule 15c2-12 issued by the United States Securities and Exchange Commission under the Securities Exchange Act of 1934 (the "Rule"), as of its date, except for the omission of information specified in Section (b)(1) of the Rule, as permitted by Section (b)(1) of the Rule. Notwithstanding the approval and delivery of such Preliminary Limited Offering Memorandum and Limited Offering Memorandum by the Council, the Council is not responsible for and proclaims no specific knowledge of the information contained in the Preliminary Limited Offering Memorandum and the Limited Offering Memorandum pertaining to the Improvement Area #1 Projects, the Developer, the Landowner, the Fee Developer or their financial ability, any builders, any landowners or the appraisal of the property in the District.

Section 5. Continuing Disclosure Agreement. The Continuing Disclosure Agreement of the Issuer (the "Continuing Disclosure Agreement") between the City, P3Works, LLC and HTS Continuing Disclosure Services, a division of Hilltop Securities Inc., is hereby authorized and approved in substantially final form attached hereto as **Exhibit C** and incorporated herein as a part hereof for all purposes, and the Mayor or Mayor Pro Tem of the City is hereby authorized and directed to execute and deliver such Continuing Disclosure Agreement with such changes as may be required to carry out the purpose of this Ordinance and approved by the Mayor or Mayor Pro Tem, such approval to be evidenced by the execution thereof.

Section 6. Construction, Funding and Acquisition Agreement. The LakePointe Public Improvement District Improvement Area #1 Projects Construction, Funding and Acquisition Agreement (the "Construction, Funding and Acquisition Agreement") between the City and Lavon LakePointe Development, LLC, is hereby authorized and approved in substantially final form attached hereto as **Exhibit D** and incorporated herein as a part hereof for all purposes, and the Mayor or Mayor Pro Tem of the City is hereby authorized and directed to execute and deliver such Construction, Funding and Acquisition Agreement with such changes as may be required to carry out the purpose of this Ordinance and approved by the Mayor or Mayor Pro Tem, such approval to be evidenced by the execution thereof.

Section 7. Additional Actions. The Mayor, the Mayor Pro Tem, the City Administrator and the City Secretary are hereby authorized and directed to take any and all

actions on behalf of the City necessary or desirable to carry out the intent and purposes of this Ordinance and to issue the Bonds in accordance with the terms of this Ordinance. The Mayor, the Mayor Pro Tem, the City Administrator and the City Secretary are hereby authorized and directed to execute and deliver any and all certificates, agreements, notices, instruction letters, requisitions and other documents which may be necessary or advisable in connection with the sale, issuance and delivery of the Bonds and the carrying out of the purposes and intent of this Ordinance.

Section 8. Severability. If any Section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such Section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

Section 9. Effective Date. This Ordinance is passed on one reading as authorized by Texas Government Code, Section 1201.028, and shall be effective immediately upon its passage and adoption.

**PASSED AND APPROVED** on this the 20th day of August, 2019.

**CITY OF LAVON, TEXAS**

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Vicki Sanson, Mayor

**ATTEST:**

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Kim Dobbs, City Administrator

[SEAL]

**EXHIBIT A**  
**INDENTURE OF TRUST**

**EXHIBIT B**  
**BOND PURCHASE AGREEMENT**

**EXHIBIT C**  
**CONTINUING DISCLOSURE AGREEMENT**

## **EXHIBIT D**

### **CONSTRUCTION, FUNDING AND AQUISITION AGREEMENT**



## **CITY OF LAVON CITY COUNCIL Agenda Brief**

**MEETING: August 20, 2019**

**ITEM: 7 - E**

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### **Items:**

Discussion and action regarding Ordinance No. 2019-08-04 Authorizing The Issuance Of The "City Of Lavon, Texas, Special Assessment Revenue Bonds, Series 2019 (Lakepointe Public Improvement District Major Improvement Area Project)"; Approving And Authorizing An Indenture Of Trust, A Bond Purchase Agreement, A Limited Offering Memorandum, A Continuing Disclosure Agreement; A Construction, Funding And Acquisition Agreement, An Agriculture Valuation Waiver And Redemption Agreement And Other Agreements And Documents In Connection Therewith; Making Findings With Respect To The Issuance Of Such Bonds; And Providing An Effective Date.

### **Background:**

The City Council authorized the creation of the LakePointe Public Improvement District on March 19, 2019. The regulatory steps have been completed to provide for the sale of special assessment revenue bonds that will be repaid through special assessments against the benefited properties.

The City's bond counsel, financial advisor, city attorney and consulting team have reviewed the proposed issuance and ordinance and approval is recommended.

The attachments to the ordinance are voluminous and may be downloaded on the City's website.

**Attachments:**        Proposed Ordinance



## CITY OF LAVON

Due to the volume of the documents, the attachments have not been printed for distribution in the packet.

The attachments may be downloaded in their entirety at [www.cityoflavon.org](http://www.cityoflavon.org).

If you wish to obtain a printed copy of the attachments, please contact Kim Dobbs at [kim.dobbs@cityoflavon.org](mailto:kim.dobbs@cityoflavon.org) or 972-843-4220.

**CITY OF LAVON, TEXAS**

**ORDINANCE NO. 2019-08-04**

**LakePointe PID Major Improvement Area Bonds**

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE "CITY OF LAVON, TEXAS, SPECIAL ASSESSMENT REVENUE BONDS, SERIES 2019 (LAKEPOINTE PUBLIC IMPROVEMENT DISTRICT MAJOR IMPROVEMENT AREA PROJECT)"; APPROVING AND AUTHORIZING AN INDENTURE OF TRUST, A BOND PURCHASE AGREEMENT, A LIMITED OFFERING MEMORANDUM, A CONTINUING DISCLOSURE AGREEMENT; A CONSTRUCTION, FUNDING AND ACQUISITION AGREEMENT, AN AGRICULTURE VALUATION WAIVER AND REDEMPTION AGREEMENT AND OTHER AGREEMENTS AND DOCUMENTS IN CONNECTION THEREWITH; MAKING FINDINGS WITH RESPECT TO THE ISSUANCE OF SUCH BONDS; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Lavon, Texas (the "City"), pursuant to and in accordance with the terms, provisions and requirements of the Public Improvement District Assessment Act, Subchapter A of Chapter 372, Texas Local Government Code, has previously established the "LakePointe Public Improvement District" (the "District"); and

WHEREAS, pursuant to the PID Act, the City Council of the City (the "Council") published notice of the assessment hearing in a newspaper of general circulation in the City, and held a public hearing on August 20, 2019, regarding the levy of special assessments within the District, and on such date, the Council adopted an ordinance levying such special assessments (the "Assessment Ordinance"); and

WHEREAS, in the Assessment Ordinance, the Council approved and accepted the Service and Assessment Plan (as defined in the Assessment Ordinance) relating to the District and levied the Assessments (as defined in the Indenture (defined below)) against the Major Improvement Area Assessed Property (as defined in the Service and Assessment Plan); and

WHEREAS, the Council has found and determined that it is in the best interests of the City to issue its bonds to be designated "City of Lavon, Texas, Special Assessment Revenue Bonds, Series 2019 (LakePointe Public Improvement District Major Improvement Area Project)" (the "Bonds"), such Bonds to be payable from and secured by the Pledged Revenues (as defined in the Indenture); and

WHEREAS, the City is authorized by the PID Act to issue the Bonds for the purpose of (i) paying the Major Improvement Area Project Costs (as defined in the Indenture), (ii) paying interest on the Bonds during and after the period of acquisition and construction of the Major Improvement Area Projects (as defined in the Indenture), (iii) funding a reserve fund for payment of principal and interest on the Bonds, (iv) paying a portion of the costs incidental to the organization of the District and (v) paying the costs of issuance of the Bonds; and

WHEREAS, the Council has found and determined to approve (i) the issuance of the Bonds to finance the Major Improvement Area Projects, (ii) the form, terms and provisions of

the Indenture securing the Bonds authorized hereby, (iii) the form, terms and provisions of a Bond Purchase Agreement (defined below) between the City and the Underwriter (defined below), (iv) a Limited Offering Memorandum (defined below), (v) a Continuing Disclosure Agreement (defined below), (vi) a Construction, Funding and Acquisition Agreement (defined below) and (vii) an Agriculture Valuation Waiver and Redemption Agreement (defined below); and

WHEREAS, the meeting at which this Ordinance is considered is open to the public as required by law, and the public notice of the time, place and purpose of said meeting was given as required by Chapter 551, Texas Government Code, as amended;

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

Section 1. Findings. The findings and determinations set forth in the preamble hereof are hereby incorporated by reference for all purposes as if set forth in full herein.

Section 2. Approval of Issuance of Bonds and Indenture of Trust.

(a) The issuance of the Bonds in the principal amount of \$2,695,000 for the purpose of (i) paying a portion of the Major Improvement Area Project Costs, (ii) paying a portion of the interest on the Bonds during and after the period of acquisition and construction of the Major Improvement Area Projects, (iii) funding a reserve fund for payment of principal and interest on the Bonds, (iv) paying a portion of the costs incidental to the organization of the District, and (v) paying the costs of issuance of the Bonds, is hereby authorized and approved.

(b) The Bonds shall be issued and secured under that certain Indenture of Trust (the "Indenture"), dated as of September 1, 2019, between the City and Wilmington Trust, National Association, Dallas, Texas, as trustee (the "Trustee"), with such changes as may be necessary or desirable to carry out the intent of this Ordinance and as approved by the Mayor or Mayor Pro Tem of the City, such approval to be evidenced by the execution and delivery of the Indenture, which Indenture is hereby approved in substantially final form attached hereto as **Exhibit A** and incorporated herein as a part hereof for all purposes. The Mayor or Mayor Pro Tem of the City is hereby authorized and directed to execute the Indenture and the City Secretary is hereby authorized and directed to attest such signature of the Mayor or Mayor Pro Tem.

(c) The Bonds shall be dated, shall mature on the date or dates and in the principal amount or amounts, shall bear interest, shall be subject to redemption and shall have such other terms and provisions as set forth in the Indenture. The Bonds shall be in substantially the form set forth in the Indenture, with such insertions, omissions and modifications as may be required to conform the form of Bond to the actual terms of the Bonds. The Bonds shall be payable from and secured by the Pledged Revenues (as defined in the Indenture) and other assets of the Trust Estate (as defined in the Indenture) pledged to the Bonds, and shall never be payable from ad valorem taxes or any other funds or revenues of the City.

Section 3. Sale of Bonds; Approval of Bond Purchase Agreement. The Bonds shall be sold to FMSbonds, Inc. (the "Underwriter") at the price and on the terms and provisions set

forth in that certain Bond Purchase Agreement (the "Bond Purchase Agreement"), dated the date hereof, between the City and the Underwriter, attached hereto as **Exhibit B** and incorporated herein as a part hereof for all purposes, which terms of sale are declared to be in the best interest of the City. The form, terms and provisions of the Bond Purchase Agreement are hereby authorized and approved and the Mayor or Mayor Pro Tem of the City is hereby authorized and directed to execute and deliver the Bond Purchase Agreement. The Mayor's or Mayor Pro Tem's signature on the Bond Purchase Agreement may be attested by the City Secretary.

Section 4. Limited Offering Memorandum. The use and distribution of the Preliminary Limited Offering Memorandum dated August 8, 2019 in the offering of the Bonds is hereby ratified, approved and confirmed. The final Limited Offering Memorandum, with such appropriate variations from the Preliminary Limited Offering Memorandum as shall be approved by the Mayor or Mayor Pro Tem of the City and the Underwriter, may be used by the Underwriter in the offering and sale of the Bonds. The form and substance of the final Limited Offering Memorandum for the Bonds and any addenda, supplement or amendment thereto is hereby approved and adopted in all respects. The City Secretary is hereby authorized and directed to include and maintain a copy of the Preliminary Limited Offering Memorandum and the Limited Offering Memorandum and any addenda, supplement or amendment thereto thus approved among the permanent records of this meeting. The City deemed the Preliminary Limited Offering Memorandum final, within the meaning of Rule 15c2-12 issued by the United States Securities and Exchange Commission under the Securities Exchange Act of 1934 (the "Rule"), as of its date, except for the omission of information specified in Section (b)(1) of the Rule, as permitted by Section (b)(1) of the Rule. Notwithstanding the approval and delivery of such Preliminary Limited Offering Memorandum and Limited Offering Memorandum by the Council, the Council is not responsible for and proclaims no specific knowledge of the information contained in the Preliminary Limited Offering Memorandum and the Limited Offering Memorandum pertaining to the Major Improvement Area Projects, the Developer, the Landowner, the Fee Developer or their financial ability, any builders, any landowners or the appraisal of the property in the District.

Section 5. Continuing Disclosure Agreement. The Continuing Disclosure Agreement of the Issuer (the "Continuing Disclosure Agreement") between the City, P3Works, LLC and HTS Continuing Disclosure Services, a division of Hilltop Securities Inc., is hereby authorized and approved in substantially final form attached hereto as **Exhibit C** and incorporated herein as a part hereof for all purposes, and the Mayor or Mayor Pro Tem of the City is hereby authorized and directed to execute and deliver such Continuing Disclosure Agreement with such changes as may be required to carry out the purpose of this Ordinance and approved by the Mayor or Mayor Pro Tem, such approval to be evidenced by the execution thereof.

Section 6. Construction, Funding and Acquisition Agreement. The LakePointe Public Improvement District Major Improvement Area Projects Construction, Funding and Acquisition Agreement (the "Construction, Funding and Acquisition Agreement") between the City and Lavon LakePointe Development, LLC, is hereby authorized and approved in substantially final form attached hereto as **Exhibit D** and incorporated herein as a part hereof for all purposes, and the Mayor or Mayor Pro Tem of the City is hereby authorized and directed to execute and deliver such Construction, Funding and Acquisition Agreement with such changes as may be required to carry out the purpose of this Ordinance and approved by the Mayor or Mayor Pro Tem, such approval to be evidenced by the execution thereof.

Section 7. Agriculture Valuation Waiver and Redemption Agreement. The Agreement Regarding Conveyance of Right of Redemption and Waiver of Agricultural Valuation—LakePointe PID (the "Agriculture Valuation Waiver and Redemption Agreement ") between the City and LDC Lavon, LLC, is hereby authorized and approved in substantially final form attached hereto as **Exhibit E** and incorporated herein as a part hereof for all purposes, and the Mayor or Mayor Pro Tem of the City is hereby authorized and directed to execute and deliver such Agriculture Valuation Waiver and Redemption Agreement with such changes as may be required to carry out the purpose of this Ordinance and approved by the Mayor or Mayor Pro Tem, such approval to be evidenced by the execution thereof.

Section 8. Additional Actions. The Mayor, the Mayor Pro Tem, the City Administrator and the City Secretary are hereby authorized and directed to take any and all actions on behalf of the City necessary or desirable to carry out the intent and purposes of this Ordinance and to issue the Bonds in accordance with the terms of this Ordinance. The Mayor, the Mayor Pro Tem, the City Administrator and the City Secretary are hereby authorized and directed to execute and deliver any and all certificates, agreements, notices, instruction letters, requisitions and other documents which may be necessary or advisable in connection with the sale, issuance and delivery of the Bonds and the carrying out of the purposes and intent of this Ordinance.

Section 9. Severability. If any Section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such Section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

Section 10. Effective Date. This Ordinance is passed on one reading as authorized by Texas Government Code, Section 1201.028, and shall be effective immediately upon its passage and adoption.

**PASSED AND APPROVED** on this the 20th day of August, 2019.

**CITY OF LAVON, TEXAS**

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Vicki Sanson, Mayor

**ATTEST:**

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Kim Dobbs, City Administrator

[SEAL]

## **EXHIBIT A**

### **INDENTURE OF TRUST**

## **EXHIBIT B**

### **BOND PURCHASE AGREEMENT**

## **EXHIBIT C**

### **CONTINUING DISCLOSURE AGREEMENT**

## **EXHIBIT D**

### **CONSTRUCTION, FUNDING AND AQUISITION AGREEMENT**

## **EXHIBIT E**

### **AGRICULTURE VALUATION WAIVER AND REDEMPTION AGREEMENT**





## **CITY OF LAVON CITY COUNCIL Agenda Brief**

**MEETING:** August 20, 2019

**ITEM:** 7 - F

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**Items:**

Public hearing, discussion and action regarding an ordinance of the City of Lavon, Texas Enacting Amendments to The City's Subdivision Ordinance; Providing for Compliance with New State Legislation Affecting Procedures for Approving Plats, Replats And Related Site Plans; Providing A Conflict Clause; Providing A Severance Clause; And Setting An Effective Date.

- 1) Presentation of request.
- 2) **PUBLIC HEARING** to receive comments regarding the request.
- 3) Discussion and action regarding the request and accompanying Ordinance No. 2019-08-05.

**Background:**

The 2019 Texas Legislature enacted HB 3167 that provides for revised procedures for the approval of subdivision plats, related site plans and replats. The legislation is commonly referred to as the "Shot Clock" provisions because it primarily affects the time frames for the review and approval or denial of specific development applications. The proposed ordinance has been prepared by the city attorney to enable the City to be in compliance with the legislation that goes into effect on September 1, 2019.

The Planning and Zoning Commission conducted a special meeting on August 13, 2019 to receive comments and consider the proposed regulations. At the meeting, no on provided comments for or against the proposed regulations during the public hearing.

**Planning and Zoning Commission Report**

**MOTION: RECOMMEND APPROVAL OF THE AMENDMENT TO THE SUBDIVISION REGULATIONS AS OUTLINED IN THE DRAFT ORDINANCE PROVIDED BY THE CITY ATTORNEY.**

**MOTION MADE: NABORS**

**SECONDED: TIEGS**

**APPROVED: UNANIMOUS (Absent Smith)**

**Attachments:** Proposed Ordinance  
Excerpt from City Attorney Presentation

**CITY OF LAVON, TEXAS**  
**ORDINANCE NO. 2019-08-05**

Subdivision Code Amendment - Implementation of HB 3167

**AN ORDINANCE OF THE CITY OF LAVON, TEXAS, ENACTING  
AMENDMENTS TO THE CITY'S SUBDIVISION ORDINANCE;  
PROVIDING FOR COMPLIANCE WITH NEW STATE  
LEGISLATION AFFECTING PROCEDURES FOR APPROVING  
PLATS, REPLATS AND RELATED SITE PLANS; PROVIDING A  
CONFLICT CLAUSE; PROVIDING A SEVERANCE CLAUSE;  
AND SETTING AN EFFECTIVE DATE**

WHEREAS, the 2019 Legislature enacted HB 3167, revising procedures for approval of subdivision plat and related site plans and affecting procedures for approval of replats; and

WHEREAS, HB 3167 has an effective date of September 1, 2019; and

WHEREAS, it is the intent of the City Council of the City of Lavon, Texas, to fully comply with the provisions of HB 3167, while maximizing the public health, safety and general welfare of its citizens; and

WHEREAS, HB 3167 did not amend laws affecting procedures for approval of zoning-related plans, plans required for approval of building permits, or procedures for determining the completeness of subdivision applications; and

WHEREAS, there is insufficient time before HB 3167 takes effect to amend specific provisions of the City's subdivision regulations that may conflict with the provisions of those laws; and

WHEREAS, the City Council finds that it is necessary to change certain procedures in the subdivision ordinance to comply with HB 3167 and;

WHEREAS, the City Council further finds that it is necessary to delegate certain responsibilities of the Planning and Zoning Commission under HB 3167 to administrative officials in order to assure compliance with the timelines in the statute, subject to a right of appeal to the Commission; and

WHEREAS, it is the intent of this Ordinance to supersede the procedures for approval of plats, replats and related site plans that conflict with the provisions of HB 3167; and

WHEREAS, HB 3167 and HB 3314 contain identical language with respect to procedures for approval of replats; and

WHEREAS, the City has given notice of the amendments to the subdivision regulations contained in this Ordinance in accordance with all provisions of state law and the City's ordinances; and

WHEREAS, a public hearing on this Ordinance before the City Council was convened on August 20, 2019, at which testimony was taken, and the hearing was closed on the date of the same; and

WHEREAS, the City Council finds that this Ordinance substantially advances the public health, safety and general welfare of the citizens of Lavon, Texas;

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

Section 1. Incorporation of Recitals. The foregoing recitals hereby are incorporated by reference and made a part hereof as if fully set forth.

Section 2. Definitions. The following definitions apply to the provisions of this Ordinance:

(a) "Planning commission" means the city authority responsible for approving plats, and includes the term "planning and zoning commission," where the city has combined the functions of a zoning commission and a planning commission pursuant to Tex. Loc. Gov't Code section 211.007.

(b) "Plat" means a preliminary plat, general plan (including a master plan or plat), final plat, and replat.

(c) "Subdivision application" means a request for approval of a plat or subdivision plan required to initiate the division or development of land pursuant to Tex. Loc. Gov't Code Ch. 212, Subchs. A or B.

(d) "Subdivision plan" means a subdivision development plan, subdivision plan, subdivision construction plan, land development application, site development plan or site plan required for approval of a plat, which is authorized under Tex. Loc. Gov't Code Ch. 212, Subchs. A or B. A subdivision plan excludes a zoning plan.

(e) "Subdivision Ordinance" or "Subdivision Regulations" means Ord. No. **2002-01-03**, as amended, prior to the effective date of this Ordinance.

(f) "Zoning plan" means a concept plan, site plan or similar document required to determine compliance with land use regulations which are authorized under Tex. Loc. Gov't Code, Ch. 211.

Section 3. Applicability.

(a) This Ordinance applies to the procedures for approval of plats and subdivision plans for the division or development of property pursuant to Tex. Loc. Gov't Code Ch. 212, Subchs. A or B.

(b) This Ordinance does not apply to the procedures for approval of zoning plans or plans required to accompany applications for building permits.

(c) This Ordinance does not apply to any plat or subdivision plan filed before September 1, 2019.

Section 4. Stages of Plat Approval. Notwithstanding any other provision of the Subdivision Ordinance to the contrary, the stages of plat approval shall be as follows:

(a) Except for minor plats, replats and amending plats, all applications for plat approval shall consist of an application for preliminary plat approval, followed by an application for final plat approval. Applications for preliminary plat approval and final plat approval shall not be submitted nor processed simultaneously. Each plat application shall require the approval of the planning and zoning commission and the city council, as hereinafter provided.

(b) Any procedure in the Subdivision Ordinance that provides for a shorter time for approval of a plat application than that required for approval of a preliminary or final plat application is superseded by the procedures of this Ordinance.

(c) Except as hereinafter provided, any appeal from a planning commission decision on a plat to the city council is superseded by the procedures of this Ordinance.

(d) Procedures for review of an application for completeness authorized by the Subdivision Ordinance or to be undertaken pursuant to Tex. Loc. Gov't Code sec 245.002(e) are superseded by the procedures in section 5 and 6 of this Ordinance, except as otherwise provided in section 7 of this Ordinance.

(e) A subdivision plan must be submitted for approval with an application for preliminary or final plat approval, unless approval of the subdivision plan is required prior to submittal of a plat application. Any procedure for approval of a subdivision plan before the commission or council approves or disapproves a plat application is superseded by the procedures of this Ordinance.

(f) Conditional approval of a preliminary plat application shall mean that each such condition must be satisfied prior to final plat approval. Such conditions are not subject to the procedures in Section 6 of this Ordinance.

(g) Because the technical requirements for submittal of a plat or subdivision plan application are essential for determining whether the application should be approved, conditionally approved, or disapproved, any deficiency in the submittal requirements for such application shall be grounds for disapproval of the application, unless the plat or subdivision plan application is to be reviewed under the alternative procedures in Section 7 of this Ordinance.

#### Section 5. Procedures for Approval of Plats and Subdivision Plans.

(a) Initial Approval by Commission. The planning commission shall approve, approve with conditions, or disapprove a preliminary plat, final plat or subdivision plan application within 30 days after the date the plat or subdivision plan application is filed. A plat or subdivision plan application is deemed approved by the commission unless it is conditionally approved or disapproved within that period in the manner provided in and documented pursuant to subsection (e).

(b) Initial Approval by Council. The City Council shall approve, approve with conditions, or disapprove a preliminary plat, final plat or subdivision plan application within 30 days after the date the commission approves the plat or subdivision plan application. A plat or subdivision plan application is deemed approved by the city council unless it is conditionally approved or disapproved within that period in the manner provided in documented pursuant to subsection (e).

(c) Extension by Agreement. The applicant may request in writing and the planning commission or the city council, as the case may be, may approve the request for an extension of the time for plat or subdivision plan approval required by subsections (a) or (b) for a period not to exceed 30 days. The written request must be made within 15 days of the date the application is filed and approved by the commission or council prior to the time for a decision on the application required by subsections (a) or (b).

(d) Limitation on Submittals. Following the filing of the plat or subdivision plan application, the applicant may not submit additional materials in support of the application during the initial 30-day period during which the commission or the council must decide the application, unless the applicant withdraws the original application and submits a new application with the additional materials. If an extension is sought and granted under subsection (c), the applicant may submit additional materials in support of the application no later than 15 days from the date the commission or council is scheduled to review the application without filing a new application.

(e) Documentation for Conditional Approval or Disapproval. The planning commission or the city council, as the case may be, shall provide the applicant a written statement of the conditions for the conditional approval or reasons for disapproval that clearly articulates each specific condition for the conditional approval or reason for disapproval. Each condition or reason specified in the written statement must be directly related to the requirements of the Subdivision Ordinance and include a citation to the applicable law, including a statute or municipal ordinance, that is the basis for the conditional approval or disapproval. The conditions or reasons cannot be arbitrary.

## Section 6. Post-Decision Procedures.

(a) **Applicant's Response.** After the conditional approval or disapproval of a plat or subdivision plan under section 5, the applicant may submit to the commission or the council, as the case may be, that conditionally approved or disapproved the plat or subdivision plan, a written response that satisfies each condition for the conditional approval or remedies each reason for disapproval provided. The commission or the council may not establish a deadline for an applicant to submit the response.

(b) **Reply to Applicant's Response.** The commission or council, as the case may be, that receives an applicant's response in accordance with subsection (a) shall determine whether to approve, conditionally approve or disapprove the applicant's previously conditionally approved or disapproved plat or subdivision plan not later than the 15th day after the date the response was submitted. The commission or council may further conditionally approve or disapprove the application for a specific condition or reason that is provided to the applicant in the manner prescribed in section 5(e) of this Ordinance. The commission or council must approve the plat or subdivision plan application if the response adequately addresses each condition of the conditional approval or each reason for the disapproval.

(c) **Delegation to Administrative Official.** The administrative official(s) designated by the Subdivision Ordinance for reviewing and evaluating plat and/or subdivision plan applications, or his delegee(s), hereby is delegated authority to reply to an applicant's response in the manner provided in section 5(e). The applicant may appeal the administrative official's decision within 15 days thereof to the planning commission or the city council, as the case may be, which shall hear the appeal at its next scheduled regular meeting. The applicant may also request a delay in the reply in order to have the response considered and decided by the planning commission or city council, as the case may be, at its next scheduled regular meeting.

(d) **Failure to Timely Reply.** If the response meets the criteria in subsection (a) and the administrative official, or the planning commission or city council, as the case may be, fails to act upon the response within the time provided in subsections (b) or (c), the plat or subdivision plan application shall be deemed approved.

(e) **New Application Required.** In the event that the administrative official, or the planning commission or city council, as the case may be, timely disapproves the plat or subdivision plan application, a new application shall be required.

Section 7. Alternative Review Procedures. In lieu of the procedures set forth in Sections 5 and 6, every applicant for approval of a plat or subdivision plat may elect in writing to follow the procedures in this section if the election is made at the time the application is first submitted for filing. Election under this section does not waive the procedures in sections 5 and 6 of this Ordinance, which shall commence as provided in subsection (c).

(a) Within 10 business days of the time the application is submitted for filing, the official(s) responsible for administering the Subdivision Ordinance or his designee shall make his determination whether the application meets the technical requirements for submittal. The official

or his designee shall notify the applicant in writing not later than the 10<sup>th</sup> business day after the application is submitted whether the application is complete or incomplete. If the application is incomplete, the notice shall specify the documents or information that are necessary to complete the application and also shall state that the application is subject to expiration, as provided in subsection (b).

(b) Following the receipt of written notice, the applicant shall have 45 days from the time the application was submitted for filing to submit the necessary documents or information to render the application complete. If the applicant fails to do so, the application shall expire on the 45<sup>th</sup> day after the application was submitted for filing. An applicant may request a conference with the administrative official to assist in completing the application. If the application expires, the applicant may submit a new plat or subdivision plan application without prejudice. If the new application is submitted within 10 days after the expiration of the original application, review fees will be waived.

(c) The procedures for review of an application for plat or subdivision plan approval in sections 5 and 6 of this ordinance shall commence on one of the following dates:

(1) The date of the notice required by subsection (a) if the application is determined to be complete.

(2) The date the applicant submits documents or information necessary to complete the application within the 45-day period specified in subsection (b).

(3) The date the applicant submits a new application in the event the original application has expired.

Section 8. Procedures for Approval of Replats. Notwithstanding any other provision of the Subdivision Ordinance to the contrary, the procedures for replats hereby are amended as follows:

(a) A replat of a subdivision or part of a subdivision may be recorded and is controlling over the preceding plat without vacation of the plat if the replat is (1) signed and acknowledged by only the owner of the property being replatted, (2) is approved by the planning commission and (3) does not attempt to amend or remove any covenants or restrictions. A public hearing is not required before approval of the plat.

(b) A replat without vacation of the preceding plat must conform to the requirements of Tex. Loc. Gov't Code section 212.015(a), in addition to the provisions of section 212.014, as amended. If such replat requires a variance or exception, a public hearing must be held by the planning commission or the city council. If such replat does not require a variance or exception, the city shall, not later than the 15<sup>th</sup> day after the date the replat is approved, provide written notice by mail of the approval of the replat to each owner of a lot in the original subdivision that is within 200 feet of the lots to be replatted according to the most recent municipal or country tax roll. The notice must include (1) the zoning designation of the property after the replat and (2) a telephone number and e-mail address an owner of a lot may use to contact the municipality about

the replat. This requirement does not apply to a proposed replat if the city holds a public hearing and gives notice of the hearing pursuant to Tex. Loc. Gov't Code section 212.015(b).

Section 9. Conflict Clause. To the extent any provisions of the Subdivision Ordinance are in conflict with this Ordinance, this Ordinance shall control.

Section 10. Savings Clause. It is hereby declared by the City Council of the City of Lavon that if any of the sections, paragraphs, sentences, clauses, phrases, words, or provisions of this ordinance should be declared unconstitutional or otherwise invalid for any reason, such event shall not affect any remaining sections, paragraphs, sentences, clauses, phrases, words, or provisions of this ordinance.

Section 11. Effective Date. This Ordinance shall take effect immediately upon its passage.

**DULY PASSED AND APPROVED** by the City Council of the City of Lavon, Texas, this 20<sup>th</sup> day of August 2019.

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Vicki Sanson, Mayor

**ATTEST:**

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Kim Dobbs, City Administrator/City Secretary

Excerpt

# 2019 Legislative Updates



1

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## House Bill 3167: the Development “Shot Clock” Bill

- Land Development Applications – Plats and related plans (construction plans, engineering plans); does not include zoning plans (concept plans)
- Deadline: city must take action within 30 days or application is automatically approved (even without compliance with city standards)
- 3 potential decisions
  - Approve
  - Approve with conditions (by a written statement with conditions that “clearly articulates each specific condition for the conditional approval or each reason for disapproval.” Each condition or reason must be “directly related to the requirement under the subdivision rules and must include a citation to the statute or ordinance that is the basis for the conditional approval or denial”)
  - Deny (see conditional approval written standard above)
- Response by applicant
  - Written Response
  - No deadline to respond
  - Once received, city has 15 days to address on an agenda or it is automatically approved
- City cannot require applicant to sign a waiver of the HB 3167 deadlines
- Applicant can choose an alternative procedure if the process allows for a “shorter approval period”
- Standard of judicial review: city has the burden to prove by “clear and convincing evidence” (not preponderance of the evidence) that the disapproval meets the requirements of the law, and a “deferential standard” may not be applied by the courts.

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## HB 3167 Options

1. Under strict HB 3167 standard, go straight to P & Z and City Council for decisions likely with minimized comments/ likely increase P & Z meeting and City Council meetings/ items likely cannot be tabled to consider because of mandated stringent time standard
2. Alternatively, pre-application conferences for applications to assure completeness of the application/ plan
  - Applicant requests in writing at initial filing
  - Alternative timeline to allow for communication
3. Potentially delegate more decision approval authority to staff
4. P & Z Commission meets twice monthly; appoint alternate members to insure can meet quorum requirements
5. Only allow submittals once per week to help uniformity in processing
6. Address city staffing: potentially hire more city staff to be able to process applications on legislatively compressed approval deadlines
7. Increase development fees and engineering costs to address increased burden imposed on city staff
8. Train city staff repeatedly on the new timelines

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## Issues

- Does the applicant get more than one resubmittal (i.e., five resubmittals, etc.) to “respond” to a reply by the city disapproving the plat, thus extending perpetually the process? Or, does the applicant get one resubmittal before the city disapproves the plat, thus triggering the necessity for a new application?
- Can staff approval be an alternative approval?

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## **CITY OF LAVON CITY COUNCIL Agenda Brief**

**MEETING: August 20, 2019**

**ITEM: 7 - G**

### **Items:**

G. Public hearing, discussion and action regarding an ordinance of the City of Lavon, Texas, Enacting Amendments to The City's Zoning Ordinance And Building Code Regulations; Providing For Compliance With New State Laws Affecting Materials Used In The Construction Or Renovation Of Residential And Commercial Buildings, Rules And Proceedings Before The Zoning Board Of Adjustment; Providing For Appeals; Providing Related Directives To The City Manager; Providing A Conflict/Savings Clause; And Setting An Effective Date.

- 1) Presentation of request.
- 2) **PUBLIC HEARING** to receive comments regarding the request.
- 3) Discussion and action regarding the request and accompanying Ordinance No. 2019-08-06.

### **Background:**

The 2019 Texas Legislature enacted HB 2439 that primarily limits the ability of the City to regulate building materials. The proposed ordinance has been prepared by the city attorney to enable the City to be in compliance with the legislation that goes into effect on September 1, 2019. Notice was published and the Planning and Zoning Commission conducted a special meeting on August 13, 2019 to receive comments and consider the proposed regulations. At the meeting, no on provided comments for or against the proposed regulations during the public hearing.

### **Planning and Zoning Commission Report**

**MOTION: RECOMMEND APPROVAL OF THE AMENDMENT TO THE ZONING ORDINANCE AND BUILDING REGULATIONS AS OUTLINED IN THE DRAFT ORDINANCE PROVIDED BY THE CITY ATTORNEY.**

**MOTION MADE: NABORS**

**SECONDED: COKER**

**APPROVED: UNANIMOUS (Absent Smith)**

**Attachments:** Proposed Ordinance  
Excerpt from City Attorney Presentation

**CITY OF LAVON, TEXAS**  
**ORDINANCE NO. 2019-08-06**

Amendment of Zoning Ord and Building Regs - Implementation of HB 2439 and HB 2497

**AN ORDINANCE OF THE CITY OF LAVON, TEXAS, ENACTING AMENDMENTS TO THE CITY'S ZONING ORDINANCE AND BUILDING CODE REGULATIONS; PROVIDING FOR COMPLIANCE WITH NEW STATE LAWS AFFECTING MATERIALS USED IN THE CONSTRUCTION OR RENOVATION OF RESIDENTIAL AND COMMERCIAL BUILDINGS, RULES AND PROCEEDINGS BEFORE THE ZONING BOARD OF ADJUSTMENT; PROVIDING FOR APPEALS; PROVIDING RELATED DIRECTIVES TO THE CITY MANAGER; PROVIDING A CONFLICT/SAVINGS CLAUSE; AND SETTING AN EFFECTIVE DATE.**

WHEREAS, the 2019 Legislature enacted HB 2439, prohibiting municipal regulation of materials used for construction and renovation of residential and commercial buildings in certain instances and subject to certain exceptions; and

WHEREAS, HB 2439 affects both the enactment of new regulations and the enforcement of existing regulations pertaining to materials for construction or alteration of residential and commercial buildings; and

WHEREAS, HB 2439 was signed by the Governor on June 14, 2019 and has an effective date of September 1, 2019; and

WHEREAS, the City Council finds that City regulations prescribing the types of materials, products or aesthetic methods used for the construction or alteration of residential and commercial buildings are essential for preserving the public health and safety of its citizens and substantially further the economic development and general welfare of the City; and

WHEREAS, the exemptions to the provisions of HB 2439 hereinafter provided by this Ordinance are in accordance with the purpose and content of such law; and

WHEREAS, there is insufficient time before HB 2439 takes effect to amend specific provisions of the City's zoning and building regulations that may conflict with the provisions of HB 2439; and

WHEREAS, it is the intent of this Ordinance to supersede enforcement of regulations prescribing the types of materials, products or aesthetic methods used for construction or renovation of residential and commercial buildings, in so far as they conflict with HB 2439; and

WHEREAS, it is the further intent of this Ordinance to provide procedures for appealing decisions of officials in the enforcement of regulations prescribing the types of materials, products and aesthetic methods used for construction or renovation of residential and commercial buildings; and

WHEREAS, it is the further intent of this Ordinance to provide information to citizens of the City, Texas, that are affected by HB 2439 concerning the prohibitions and limitations on enactment and enforcement of zoning and building regulations prescribing the types of materials, products and aesthetic methods used for construction or renovation of residential and commercial buildings; and

WHEREAS, the 2019 Legislature enacted HB 2497, which requires amendments to procedures applicable to the rules of and appellate procedures before the Zoning Board of Adjustment; and

WHEREAS, HB 2497 was signed by the Governor on June 10, 2019 and has an effective date of September 1, 2019; and

WHEREAS, it is the intent of the City Council of the City of Lavon, Texas (“City”), to fully comply with the provisions of HB 2439 and HB 2497, while maximizing the public health, safety and general welfare of its citizens; and

WHEREAS, it is the further intent of this Ordinance to amend provisions of the City’s Zoning Ordinance in order to implement such changes; and

WHEREAS, the City has given notice of the amendments to the zoning and building regulations contained in this Ordinance in accordance with all provisions of state law and the City’s ordinances; and

WHEREAS, a public hearing on the provisions of this Ordinance before the City’s Planning and Zoning Commission was conducted on August 13, 2019; and

WHEREAS, the City Council has received the report of the Commission recommending approval of this Ordinance; and

WHEREAS, a public hearing on the provisions of this Ordinance before the City Council was conducted on August 20, 2019; and

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

Section 1: Incorporation of Recitals. The foregoing recitals hereby are incorporated by reference and made a part hereof as if fully set forth.

Section 2. Definitions. The following definitions apply to the provisions of this ordinance:

(a) “National model code” means a publication that is developed, promulgated, and periodically updated at a national level by organizations consisting of industry and government fire and building safety officials through a legislative or consensus process and that is intended for consideration by units of government as local law. “National model code” includes the International Residential Code, the National Electrical Code and the International Building Code.

(b) “Residential building” means a building having the character of a one-family or two-family dwelling or a multiple single-family dwelling that is not more than three stories high with separate means of egress, including the accessory structures of the dwelling and that does not have the character of a facility used for the accommodation of transient guests or a structure in which medical, rehabilitative, or assisted living services are provided in connection with the occupancy of the structure.

(c) “Commercial building” means a building for the use or occupation of people for a public purpose or economic gain, or a residence if the building is a multi-family residence that is not defined as a residential building.

(d) “Building Code” means any of the following adopted by the City, as amended: the International Residential Code, the National Electrical Code; and the International Building Code.

Section 3. Prohibitions on Enforcement.

(a) Notwithstanding any other provision contained in the City’s ordinances, regulations or rules to the contrary, an official responsible for enforcement of the City’s Zoning Ordinance or Building Codes, as designated by city charter, ordinance or other authorization of the City, shall not:

(1) prohibit or limit, directly or indirectly, the use or installation of a building product or material in the construction, renovation, maintenance, or other alteration of a residential or commercial building if the building product or material is approved for use by a national model code published within the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the building; or

(2) enforce a standard for a building product, material, or aesthetic method in construction, renovation, maintenance, or other alteration of a residential or commercial building

if the standard is more stringent than a standard for the product, material, or aesthetic method under a national model code published within the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the building.

(b) An applicant who proposes to use a building material, product or aesthetic method in the construction or alteration of a residential or commercial building that is prohibited or limited by the City's adopted Zoning Ordinance or building codes, as amended, or that is less stringent than the standard established by such Ordinance or building codes, as amended, shall identify each provision in a national model code published within the last three code cycles that approves the use of such building material, product or aesthetic method, as a necessary requirement of the application.

(c) An applicant may agree in writing to employ a building material, product or aesthetic method for use in the construction or alternation of a residential or commercial building that otherwise cannot be enforced under subsection (a).

Section 4. Exemptions for ordinances, requirements and programs. The prohibitions in Section 3 do not apply to the following ordinances, requirements or programs of the City or State, and the officials responsible for enforcement of the City's Zoning Ordinance and Building Codes, as designated by city charter, ordinance or other authorization of the City, shall apply all regulations and standards prescribed by such enactments, requirements or programs, whether such ordinances, requirements or programs existing or hereafter adopted or established, to the fullest extent therein provided:

(a) a local amendment of a building code to conform to local concerns if the amendment does not conflict with Sections 3(a) or (b);

(b) a program established by a state agency that requires particular standards, incentives, or financing arrangements in order to comply with requirements of a state or federal funding source or housing program;

(c) a requirement for a building necessary to consider the building eligible for windstorm and hail insurance coverage under Chapter 2210, Texas Insurance Code;

(d) an ordinance or other regulation that regulates outdoor lighting that is adopted for the purpose of reducing light pollution and that: (1) is adopted by a governmental entity that is certified as a Dark Sky Community by the International Dark-Sky Association as part of the International Dark Sky Places Program; or (2) applies to outdoor lighting within five miles of the boundary of a military base in which an active training program is conducted;

(e) an ordinance that regulates outdoor lighting and is adopted under Subchapter B, Chapter 229, Texas Local Government Code, or under Subchapter B, Chapter 240, Texas Local Government Code; or

(f) installation of a fire sprinkler protection system under Tex. Occupation Code, section 1301.551(i), or under Tex. Health and Safety Code, section 775.045(a)(1).

Section 5. Exemptions for Buildings. The prohibitions in Section 3 do not apply to the following buildings, and the officials responsible for enforcement of the City's Zoning Ordinance and Building Codes, as designated by city charter, ordinance or other authorization of the City, shall apply all regulations and standards prescribed by those ordinances or codes to such buildings, whether such provisions are existing or hereafter adopted or established, to the fullest extent.

(a) a building located in a place or area designated for its historical, cultural, or architectural importance and significance by the City which were adopted by the City Council prior to April 1, 2019:

(b) a building located in a zoning district designated by the City Council after April 1, 2019 for its historical, cultural, or architectural importance and significance by the City, and for which the owner has voluntarily consented in writing to the application of the regulations or standards prohibited by Section 3, including the following zoning districts and any district that may hereafter be created by the City Council for its historical, cultural, or architectural importance and significance;

(c) a building located in a place or area designated for its historical, cultural, or architectural importance and significance that a municipality may regulate under Section 211.003(b), Texas Local Government Code, if the municipality (1) is a certified local government under the National Historic Preservation Act (54 U.S.C. Section 300101 et seq.); or (2) has an applicable landmark ordinance that meets the requirements under the certified local government program as determined by the Texas Historical Commission;

(d) a building located in an area designated as a historic district on the National Register of Historic Places;

(e) a building designated as a Recorded Texas Historic Landmark;

(f) a building designated as a State Archeological Landmark or State Antiquities Landmark;

(g) a building listed on the National Register of Historic Places or designated as a landmark by a governmental entity;

(h) a building located in a World Heritage Buffer Zone; and

(i) a building located in an area designated for development, restoration, or preservation in a main street city under the main street program established under Section 442.014, Texas Government Code.

Section 6. Appeal. An applicant, landowner or other aggrieved person may appeal the decision of an official responsible for enforcement of the City's Zoning Ordinance or Building Codes, as designated by city charter, ordinance or other authorization of the City, applying a regulation or standard to the construction, renovation, maintenance, or other alteration of a residential or commercial building, which application is asserted to be prohibited by Section 3, in the following manner:

(a) If the decision applies a requirement of a building code, to the Building Board of Appeals, or if there is no Building Board, to the Zoning Board of Adjustment; or

(b) if the decision applies a requirement of the zoning ordinance, to the Zoning Board of Adjustment.

The appeal shall identify the provision or provisions which the appellant alleges to have been applied in violation of Section 3. The appeal shall be filed, processed and decided in the manner provided for appeals by the appellate entity herein designated.

Section 7. Amendments to Zoning Board of Adjustment Procedures. Notwithstanding any other provision contained in the City's ordinances, regulations or rules to the contrary, the following provisions apply to the adoption of or amendment to rules of the Zoning Board of Adjustment and to appellate procedures before the Board.

(a) Rules of the Zoning Board of Adjustment adopted or amended on or after September 1, 2019, must be approved by the City Council.

(b) Appeals to the Board from the decision of an administrative official made on or after September 1, 2019, shall be governed by the following rules:

(1) an appeal of a decision by an administrative official that is not related to a specific application, address or project may be made by an aggrieved person or any officer, department, board, or bureau of the City affected by the decision.

(2) an appeal of a decision by an administrative official that is related to a specific application, address or project may be made by: the applicant; the owner or owner's representative of the property that is the subject of the decision; an aggrieved person who is the owner of property within 200 feet of the property that is the subject of the decision; or any officer, department, board, or bureau of the City affected by the decision.

Section 8. Conflict/Savings Clause. In the event of a conflict between the provisions of this Ordinance and any other regulation or rule prescribed by charter, another ordinance, resolution or authorization of the City, the provisions of this ordinance shall control. Notwithstanding the foregoing, all rights and remedies of the City are expressly saved as to any and all complaints, actions, claims, or lawsuits, which have been initiated or have arisen under or pursuant to such conflicting Ordinance, or portion thereof, on the date of adoption of this Ordinance shall continue to be governed by the provisions of that Ordinance and for that purpose the conflicting Ordinance shall remain in full force and effect..

Section 9. Effective Date. This Ordinance shall take effect immediately upon its passage. The applicability of an exemption specified by Sections 4 and 5 of this Ordinance that is hereafter adopted or established by ordinance shall take effect on the effective date of such ordinance.

**DULY PASSED AND APPROVED** by the City Council of the City of Lavon, Texas, this 20<sup>th</sup> day of August 2019.

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Vicki Sanson, Mayor

**ATTEST:**

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Kim Dobbs, City Administrator/City Secretary

Excerpt

# 2019 Legislative Updates



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## 86<sup>th</sup> Legislative Session

- Several laws have recently been adopted that significantly change and limit municipal regulation of development processes, land use, regulation of building standards and materials, building official decisions and appeals, local government meetings, and local government officials use of personal devices. Most of these laws become effective September 1, 2019; one became effective May 24, 2019 (annexation bill).
- Governor signed the bills June 14, 2019. Many of the bills require statutory notice and publication before P & Z Commissions and City Councils can address.
- Significant bills impactful to municipalities:
  - HB 2439 The Building Materials Bill
  - HB 3167 The Development Shot Clock Bill
  - HB 2497 The Board of Adjustment Bill
  - HB 347 The Annexation Bill
  - SB 1152 Elimination of Some Franchise Fees Bill
  - HB 2840 The Public Right To Speak At Meetings Bill
  - SB 944 The Personal Devices Bill

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## House Bill 2439: the Building Materials Bill

- Regulates building products, materials and methods: Cities cannot require specific materials in the construction, renovation, maintenance or alteration of a commercial or residential building if the product or material is an allowable use in the last three cycles of a national code [2012, 2015 and 2018 national codes (International Residential Code, International Building Code, etc.)] whether or not adopted by the city.
- Applies to most uses and structures: residential (including multi-family, accessory buildings) and commercial
- Applies to all stages: new construction and remodels
- Cities cannot have local amendments related to products, materials or aesthetic methods more stringent than national model codes [The House Research Organization bill analysis, 4/25/19, p. 5 states “the bill would allow builders to use any building material approved within the last three code cycles ... 2439 also could make it more difficult for local governments to preserve the aesthetic integrity of neighborhoods or commercial districts. Without locally specific restrictions on building materials, a property owner could build a house out of metal or cinder blocks, for example, which might not fit with the look of the rest of the neighborhood.” ]

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## House Bill 2439: the Building Materials Bill

### Exclusions: Bill does not apply to:

- (1) places or (2) areas designated for “historical, cultural or architectural importance and significance” before April 1, 2019:
  - Terms undefined by the Bill
  - Historical districts (whether designated by the state or nationally)
  - Most overlay zoning districts (including town center overlay districts)
  - Central business districts—review on a case-by-case basis
  - Planned development zoning—review on a case-by-case basis
  - Main Street exception—buildings located in main street areas if the city is a main street city
  - Cannot create new or expand existing historical, cultural or architectural zones without property owner consent
- Building eligible for windstorm or hail insurance coverage under Chapter 2210, Insurance Code
- Ordinances or regulations related to outdoor lighting for reducing light pollution

Enforcement: The Attorney General or an “aggrieved party” may seek injunctive relief and recover attorney’s fees

Effect: dilutes or negates local community standards. Bill 2439 removes City discretion to determine whether a specific material or product is appropriate for its community.

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## House Bill 2439: the Building Materials Bill

### **Allowable exterior wall covering – residential:**

- Hardboard siding (panel and lap siding) [R703.5]
- Horizontal aluminum [R]
- Insulated vinyl siding [R]
- Particleboard panels [R]
- Polypropylene siding [R]
- Steel [R]
- Vinyl siding [R703.11]
- Wood siding (rustic, shiplap, bevel, butt tip) [R]
- Wood structural siding (panel and lap siding) [R703.5]
- Brick, concrete, masonry or stone [R703.8 and R703.12]
- Fiber cement siding (panel and lap siding) [R703.10.1 and R703.10.2]

### **Allowable exterior wall covering – nonresidential:**

- Wood [BS1404.3]
- Masonry [BS1404.4]
- Metal [BS1404.5]
- Concrete [BS1404.6]
- Glass-unit masonry [BS1404.7]
- Plastics [BS1404.8]
- Vinyl siding [BS1404.9]
- Fiber-cement siding [BS1404.10]
- Exterior insulation and finish systems (EIFS) [BS1404.11]
- Polypropylene siding [BS1404.12]
- Foam plastic insulation [BS1404.13]

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## House Bill 2439: the Building Materials Bill

### **Allowable exterior roof covering – residential:**

- Wood shingles [R905.7]
- Wood shakes [R905.8]
- Asphalt shingles [R905.2]
- Clay and concrete tile [R905.3]
- Metal roof shingles [R905.4]
- Mineral-surfaced roll roofing [R905.5]
- Slate and slate-type shingles [R905.6]
- Built-up roofs [R905.9]
- Metal panels [R905.10]

### **Allowable roof covering – nonresidential:**

- Wood shingles [BS1507.8]
- Wood shakes [BS1507.9]
- Asphalt shingles [BS1507.2]
- Clay and concrete tile [BS1507.3]
- Metal roof panels [BS1507.4]
- Metal roof shingles [BS1507.5]
- Mineral-surfaced roll roofing [BS1507.6]
- Slate shingles [BS1507.7]
- Built-up roofs [BS1507.10]
- Modified bitumen roofing [BS1507.11]
- Thermoset single-ply roofing [BS1507.12]
- Thermoplastic single-ply roofing [BS1507.13]
- Sprayed polyurethane foam roofing [BS1507.14]
- Liquid-applied roofing [BS1507.15]
- Photovoltaic shingles [BS1507.17]
- Vegetative roofs, roof gardens and landscaped roofs [BS1507.16]

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## EXAMPLES OF LEGISLATIVELY PERMITTED MATERIALS

Metal Siding/ Metal Roof

vs

Brick Exterior/ Shingle Roof



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Metal Siding/ Metal Roof

vs

Brick Exterior/ Shingle Roof



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## Wood Siding/ Metal Roof vs Brick Exterior



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## Metal Multifamily Building



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## Metal Commercial Building



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## Maintenance Issues of Wood siding



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## Maintenance Issues of Vinyl siding



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## Legislatively allowable building materials: Wood Siding and Vegetative Roofing



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## HB 2439 Options

1. Increase architectural and setback standards to help ensure quality development (i.e., landscaping, buffer requirements, monotony rule, overhangs, trims, roof pitch)
2. Increase number of building materials required (i.e., require two types of building materials on each façade)
3. Incentivize HOA standards and deed restrictions (materials and architectural) through chapter 380 agreements
4. Utilize development agreements in the ETJ to include building material standards
5. Train city staff, city engineers, city planners, city managers, P & Z Commissions and City Council on 2439 standards

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## **CITY OF LAVON CITY COUNCIL Agenda Brief**

**MEETING:** August 20, 2019

**ITEM:** 7 - H

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**Item:**

Discussion and action regarding Ordinance No. 2019-08-07 amending Ordinance No. 2018-09-02, as amended, that approved and adopted a budget for the City for the Fiscal Year October 1, 2018 through September 30, 2019 to amend adopted revenues and expenditures of the budget; and declaring an effective date.

**Background:**

As the fiscal year draws to close, in order to appropriately allocate funds to cover expenditures, to provide for revenues received in excess of budgeted and to allow for budget variances, a proposed budget amendment is presented for the City Council's consideration. The amendment conforms to the balanced budget.

Approval is recommended.

If there are any questions regarding the proposed amendment, please contact Kim Dobbs at 972-843-4220 or [kim.dobbs@cityoflavon.org](mailto:kim.dobbs@cityoflavon.org).

**Attachments:** Proposed Ordinance

**CITY OF LAVON, TEXAS**  
**ORDINANCE NO. 2019-08-07**

Budget Amendment #3 Fiscal Year 2018-2019

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS AMENDING ORDINANCE NO. 2018-09-02, AS AMENDED, THAT APPROVED AND ADOPTED A BUDGET FOR THE CITY FOR THE FISCAL YEAR OCTOBER 1, 2018 THROUGH SEPTEMBER 30, 2019 TO AMEND ADOPTED REVENUES AND EXPENDITURES OF THE BUDGET; AND DECLARING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Lavon, Texas has adopted, amended and approved a budget of the expenditures and revenues of all City Departments, Divisions and Offices for the Fiscal Year 2018-2019; and

**WHEREAS**, the City Council of the City of Lavon, Texas has determined certain amendments need to be made to the budget for the City covering the fiscal year aforesaid;

**WHEREAS**, pursuant to the laws of the State of Texas and Section 102.010 of the Local Government Code, the City Council has determined that it will be beneficial and advantageous to the citizens of Lavon to amend the City's 2018-2019 fiscal year budget as set forth herein for municipal purposes; and

**WHEREAS**, the City Council upon full consideration of the matter, has determined that the amendment to the budget hereinafter set forth is proper and should be adopted.

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

**Section 1.** That the revenues and appropriations as designated for the payment of expenses for the operation of the City government, hereinafter itemized by a true and correct copy of the Budget Document hereto attached as Exhibit A, are hereby approved.

**Section 2.** That the expenditures during the fiscal year shall be made in accordance with the budget approved by this ordinance, unless otherwise authorized by a duly enacted ordinance of the City, said budget document being on file for public inspection in the office of the City Secretary.

**Section 3.** That the necessity for making and approving a budget for the fiscal year, as required by the laws of the State of Texas, requires that this ordinance shall take effect immediately from and after its passage, as the law in such case provides.

**Section 4.** It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required by law.

**DULY PASSED and APPROVED** by the City Council of the City of Lavon, Texas,  
on the 20<sup>th</sup> day of August 2019.

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Vicki Sanson, Mayor

**ATTEST:**

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Kim Dobbs, City Administrator/City Secretary

**CITY OF LAVON, TEXAS**  
**ORDINANCE NO. 2019-08-07**

**EXHIBIT A**

FY 18-19 Budget Amendment #3

**FY 2018-19 BUDGET  
AMENDMENT #3**

| 08-20-2019                           | YTD<br>08-15-2019 | APPROVED<br>BUDGET | PROPOSED<br>AMENDED | CHANGE   |
|--------------------------------------|-------------------|--------------------|---------------------|----------|
| <b>GENERAL FUND</b>                  |                   |                    |                     |          |
| <b>Taxes</b>                         |                   |                    |                     |          |
| 10-1600 · Franchise Tax              | 144,205           | 140,000            | 145,000             | 5,000    |
| 10-1601 · Property Tax               | 714,947           | 709,633            | 714,947             | 5,314    |
| 10-1602 · Sales & Use Tax            | 204,696           | 175,000            | 208,000             | 33,000   |
| <b>Transfers</b>                     |                   |                    |                     |          |
| 10-__ Transfer fr EDC for consultant | 0                 | 0                  | 3,000               | 3,000    |
| <b>Administration</b>                |                   |                    |                     |          |
| 10-1403 · Utility Late Fees          | 23,547            | 20,000             | 23,547              | 3,547    |
| <b>Operations Division</b>           |                   |                    |                     |          |
| <b>Revenue</b>                       |                   |                    |                     |          |
| 10-1501 · General Permit Fees        | 60,261            | 46,000             | 60,261              | 14,261   |
| 10-1506 · Sale of Property           | 4,824             | 2,000              | 4,824               | 2,824    |
| 10-1513 · Infrastructure Insp fees   | 212,618           | 166,000            | 212,618             | 46,618   |
| <b>Expenditures</b>                  |                   |                    |                     |          |
| <b>Admin</b>                         |                   |                    |                     |          |
| 30-6060 Computer Software            | 162               | 15,200             | 250                 | 14,950   |
| 30-6252 · Office Equipment           | 971               | 4,500              | 3,000               | 1,500    |
| <b>Fire</b>                          |                   |                    |                     |          |
| 40-6703 FD Dispatch                  | 14,188            | 11,778             | 14,188              | -2,410   |
| 40-6120 · Internet/Wifi/Sat - FD     | 1,892             | 1,750              | 2,492               | -742     |
| 40-6200 Safety/Fire Equip            | 6,590             | 9,980              | 7,500               | 2,480    |
| 40-6250 · Office Supplies - FD       | 1,465             | 1,200              | 2,000               | -800     |
| 40-7000 · Electric                   | 2,775             | 2,500              | 3,600               | -1,100   |
| 40-7003 Storm Siren                  | 7,331             | 5,300              | 7,331               | -2,031   |
| <b>Police</b>                        |                   |                    |                     |          |
| 40-6451 · Radio                      | 0                 | 10,000             | 0                   | 10,000   |
| 40-6904 · Vehicle Mtn.               | 9,112             | 8,000              | 10,000              | -2,000   |
| 40-7025 · Electric                   | 4,236             | 4,000              | 5,000               | -1,000   |
| <b>Public Works</b>                  |                   |                    |                     |          |
| 40-6151 · Insurance Claims           | 1,833             | 0                  | 1,833               | -1,833   |
| 40-6802 Training                     | 88                | 7,000              | 1,500               | 5,500    |
| 40-6914 · Lightbars                  | 2,728             | 2,500              | 2,728               | -228     |
| <b>Facilities-MultiDept</b>          |                   |                    |                     |          |
| 50-8013 Office Machine Contract      | 2,621             | 2,500              | 2,750               | -250     |
| <b>Outsourcing</b>                   |                   |                    |                     |          |
| 50-8403 · Central Appraisal District | 7,067             | 9,085              | 9,423               | -338     |
| 50-8407 Info Tech                    | 29,250            | 30,000             | 34,000              | -4,000   |
| 50-8414 · Consulting/Prof Services   | 3,275             | 7,500              | 18,000              | -10,500  |
| 50-8416 Drainage                     | 495               | 10,000             | 16,000              | -6,000   |
| <b>LEDC FUND</b>                     |                   |                    |                     |          |
| 4-1 Consulting-Other (CVA)           | 0                 | 0                  | 3,000               | 3,000    |
| 4-3 City Attorney                    | 194               | 5,800              | 2,800               | -3,000   |
| <b>DEBT SERVICE FUND</b>             |                   |                    |                     |          |
| 10-3750 · Property Tax I&S           | 743,999           | 738,254            | 743,999             | 5,745    |
| <b>SEWER TAP FUND</b>                |                   |                    |                     |          |
| 10-3404 · Sewer Tap Fees             | 35,200            | 32,000             | 41,600              | 9,600    |
| 10-3407 · Bear Creek Trunk Cap Rec   | 123,000           | 0                  | 123,000             | 123,000  |
| 90-8400 · Dev Reimb/Future Dev       | 27,270            | 100,000            | 30,000              | 70,000   |
| 90-8408 Transfer to GF for I&S       | 0                 | 0                  | 451,213             | -451,213 |
| <b>TIF FUND</b>                      |                   |                    |                     |          |
| 10-3951 · TIF Int City               | 13,263            | 0.00               | 15,000              | 15,000   |
| 10-3952 · TIF Int County             | 7,458             | 0.00               | 7,500               | 7,500    |
| 50-9052 · TIF Expenses               | 10,344            | 0.00               | 24,000              | -24,000  |
| <b>STREET MAINTENANCE FUND</b>       |                   |                    |                     |          |
| 10-3610 · Street Maint Sales Tax     | 102,419.01        | 65,000.00          | 105,000             | 40,000   |





## **CITY OF LAVON CITY COUNCIL Agenda Brief**

**MEETING: August 20, 2019**

**ITEM: 8**

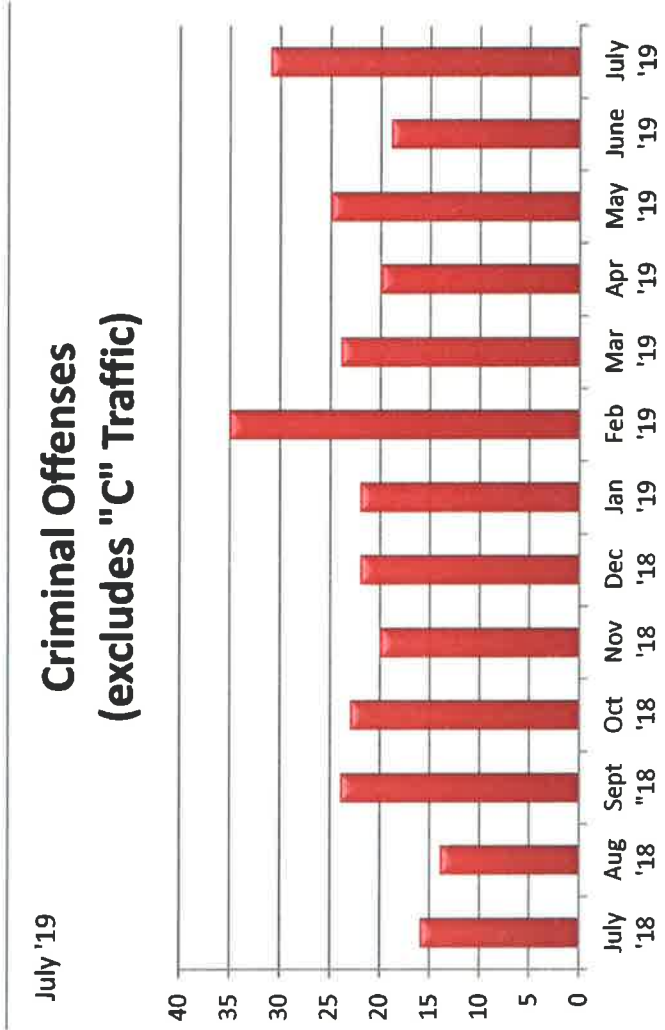
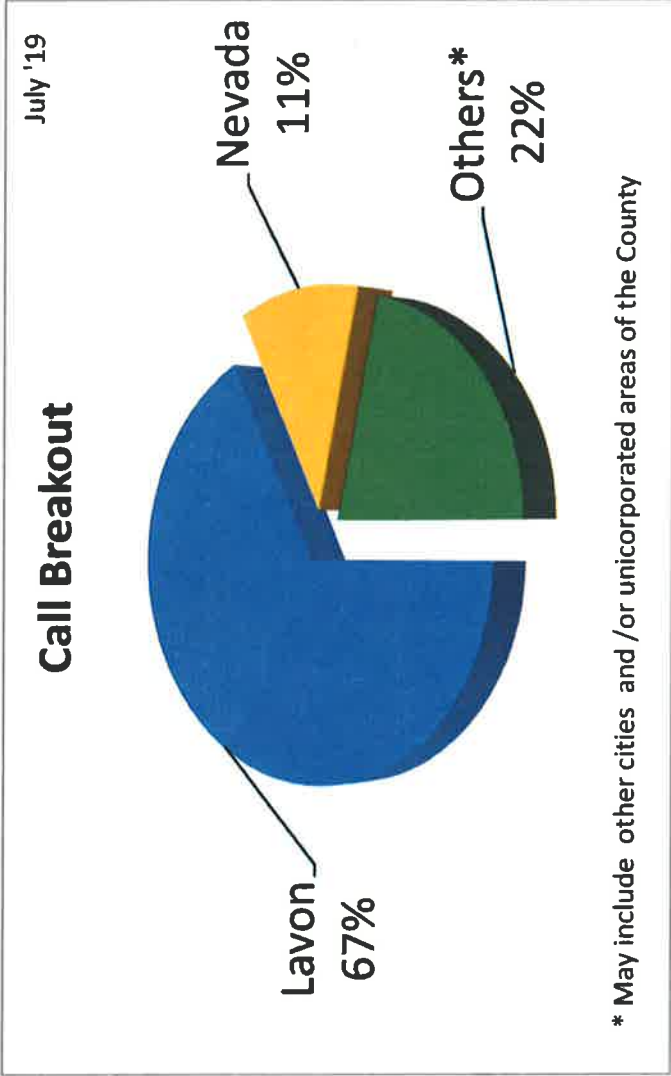
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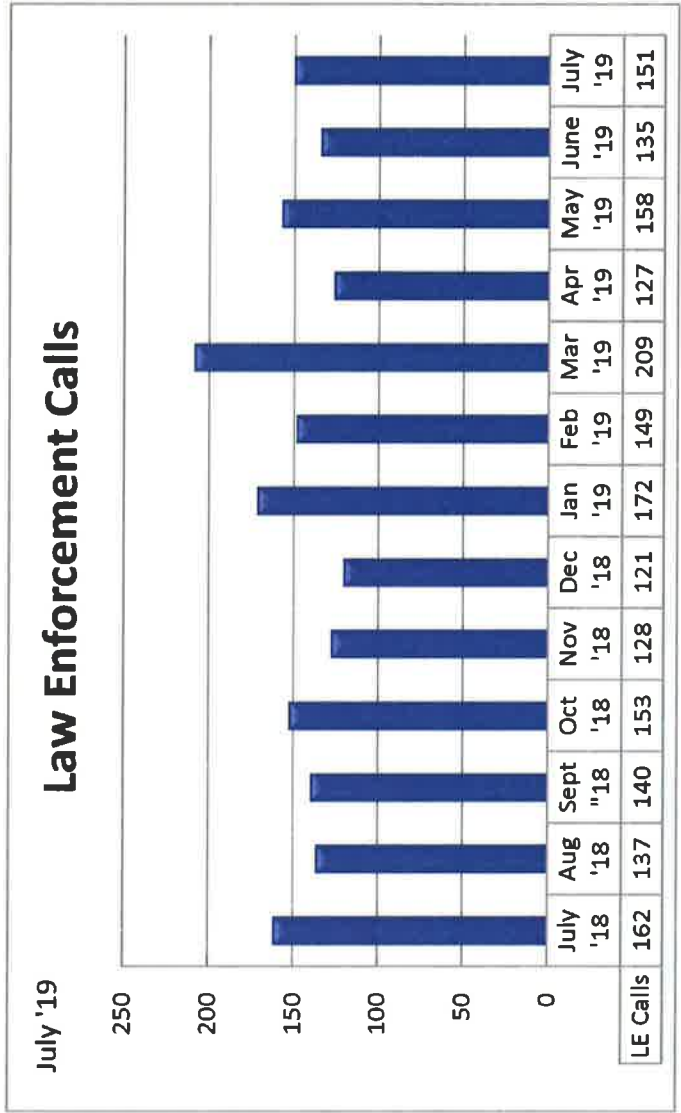
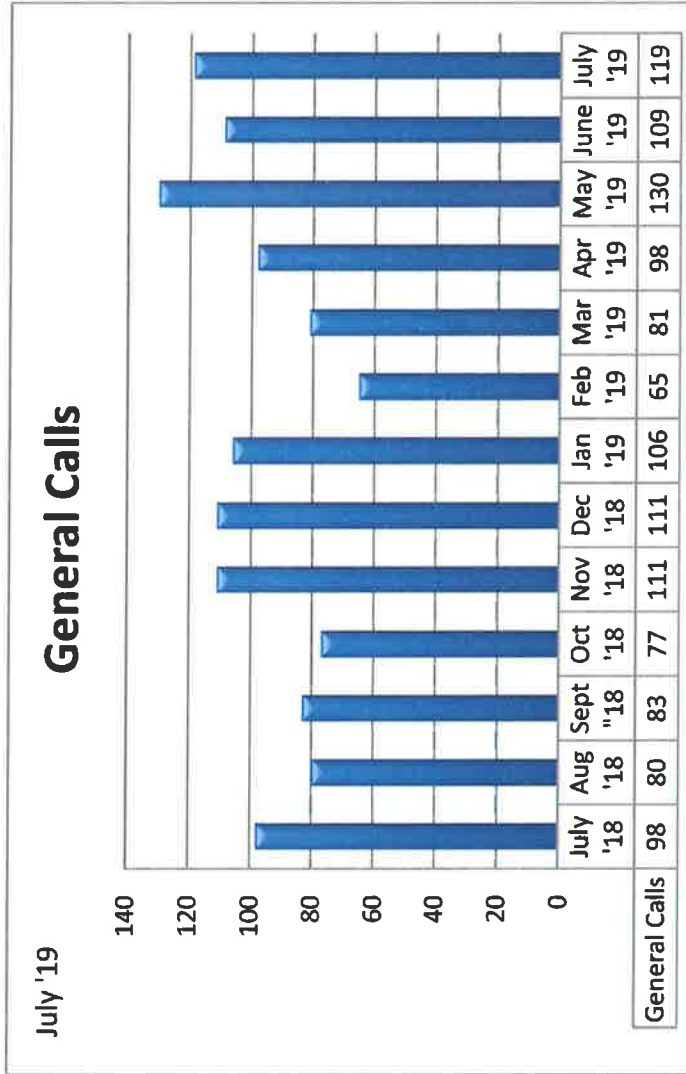
**Item:**

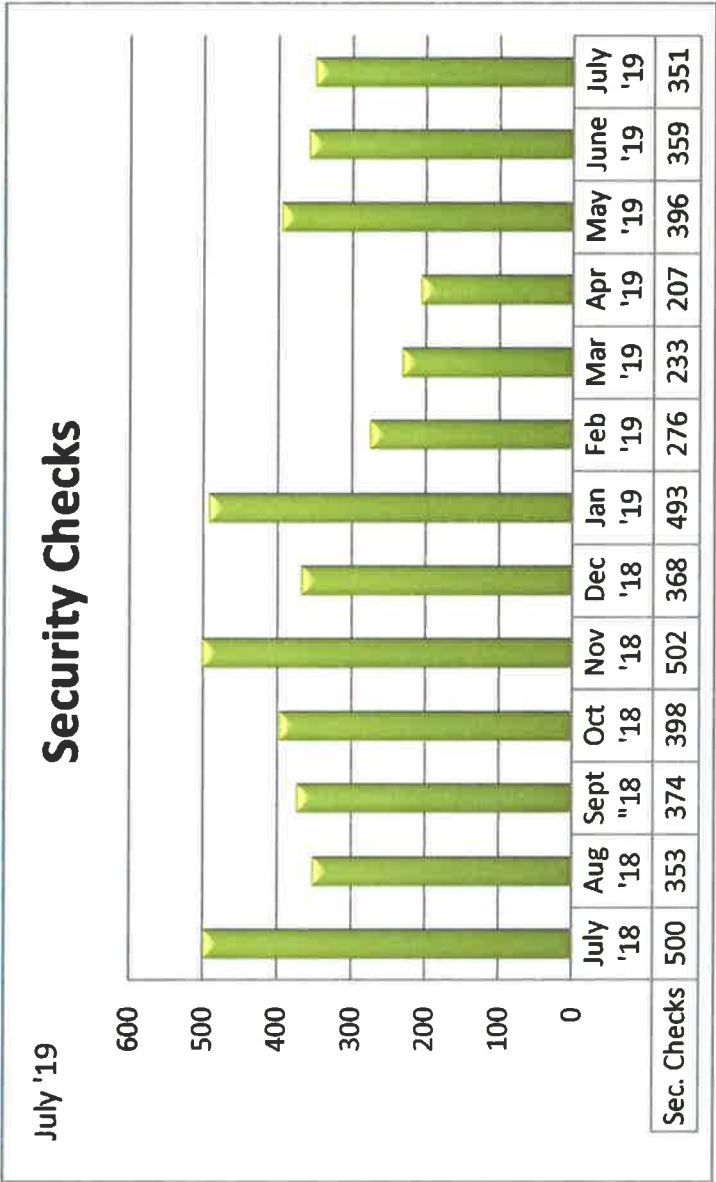
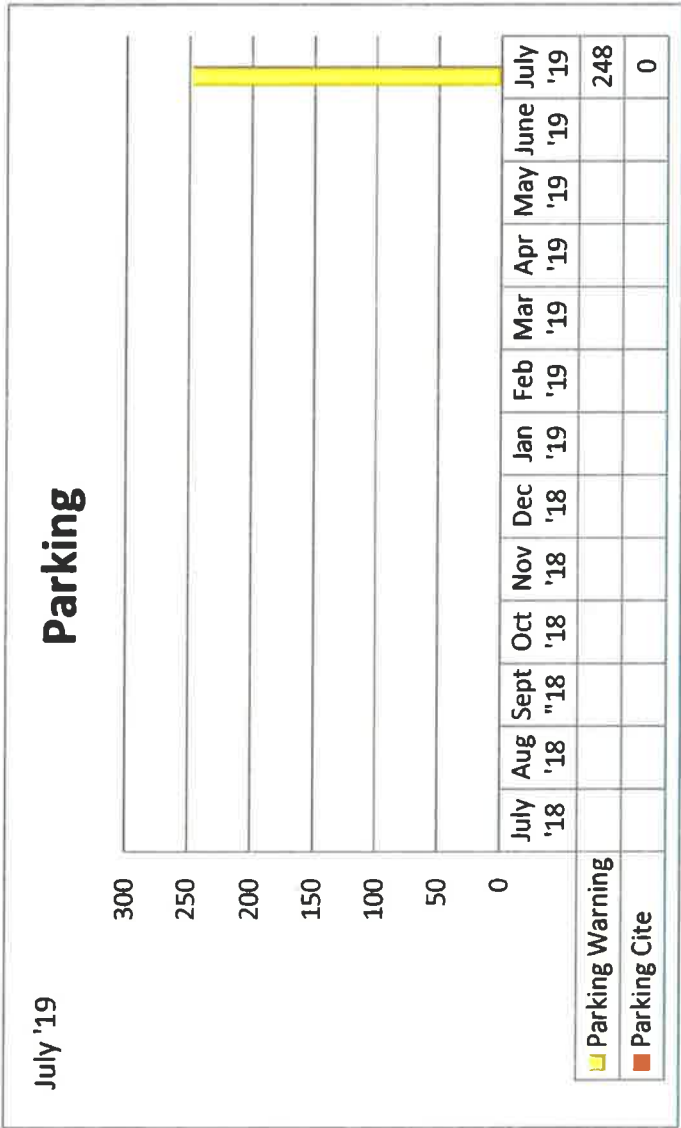
**DEPARTMENT REPORTS**

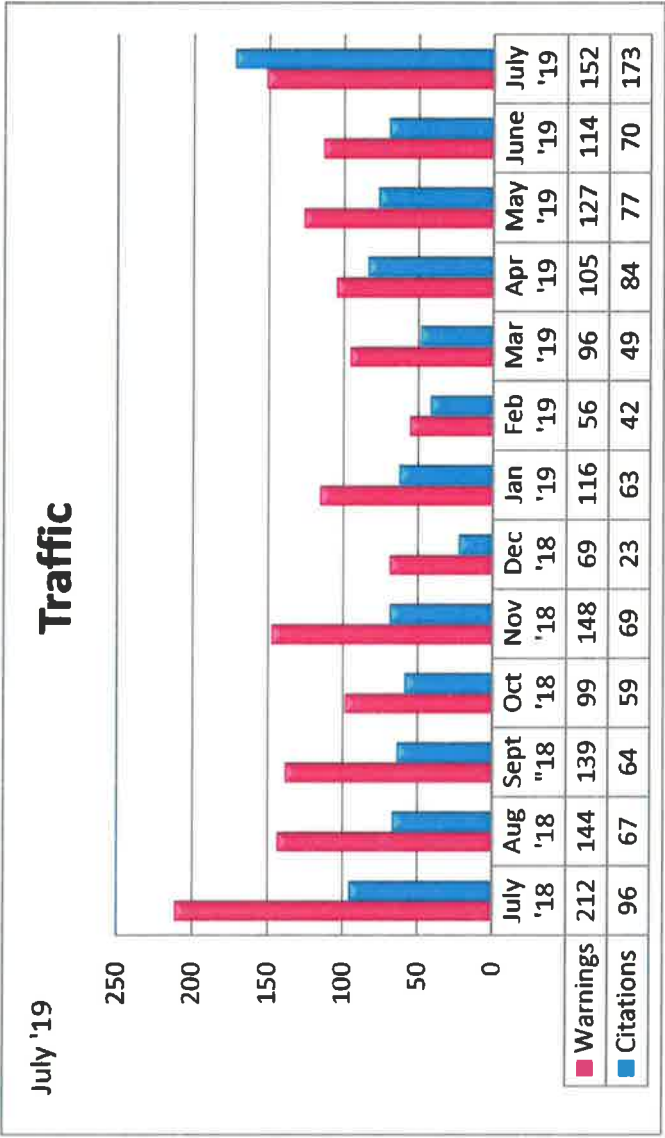
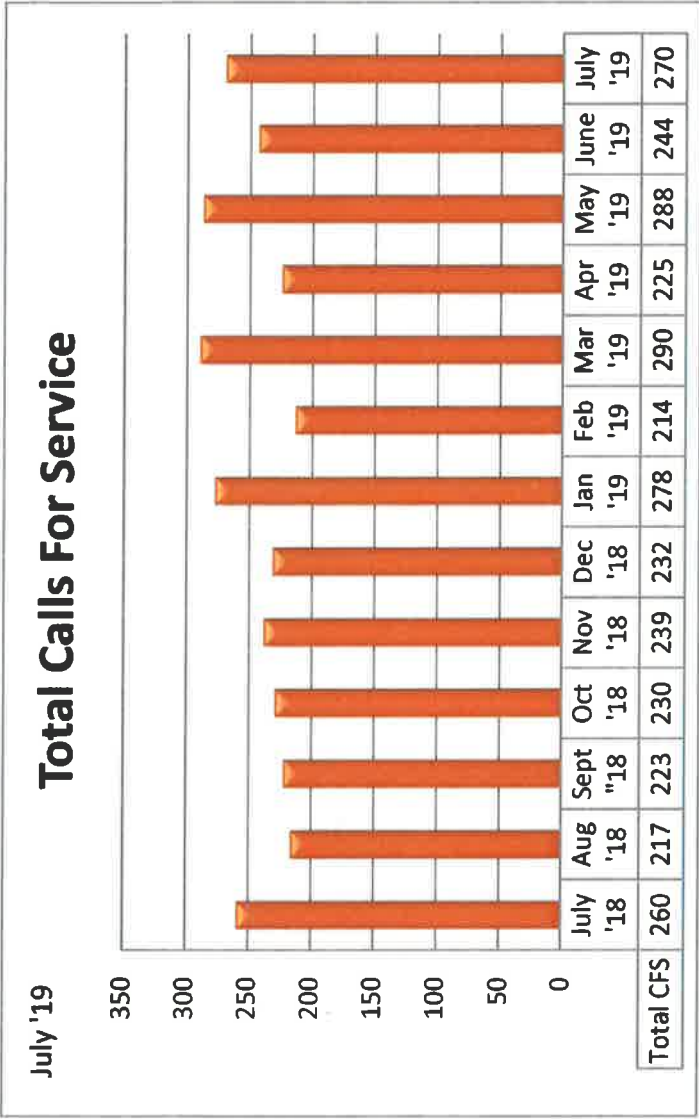
*The City Council may receive and discuss the reports.*

- A.** Police Services – 1) Reports for traffic stops, calls for service, call breakout and consolidated activity; and 2) crime prevention and community relations officer's report.
- B.** Fire Services – 1) LVFD service and equipment reports
- C.** Public Works Services – 1) General public works and street maintenance report including projects, mowing and trash collection; 2) code enforcement report; and 3) sanitary sewer system report.
- D.** Administration Services – 1) Financial Outlook; 2) Building Permits Report; 3) CWD Recycling Reports; 4) Collin County Tax Report; 5) Sales Tax Report; 6) Lavon Economic Development Corporation Board Report; 7) TexStar Newsletter; 8) Quarterly Investment Report; 9) Election information and 10) SH 205 Update.



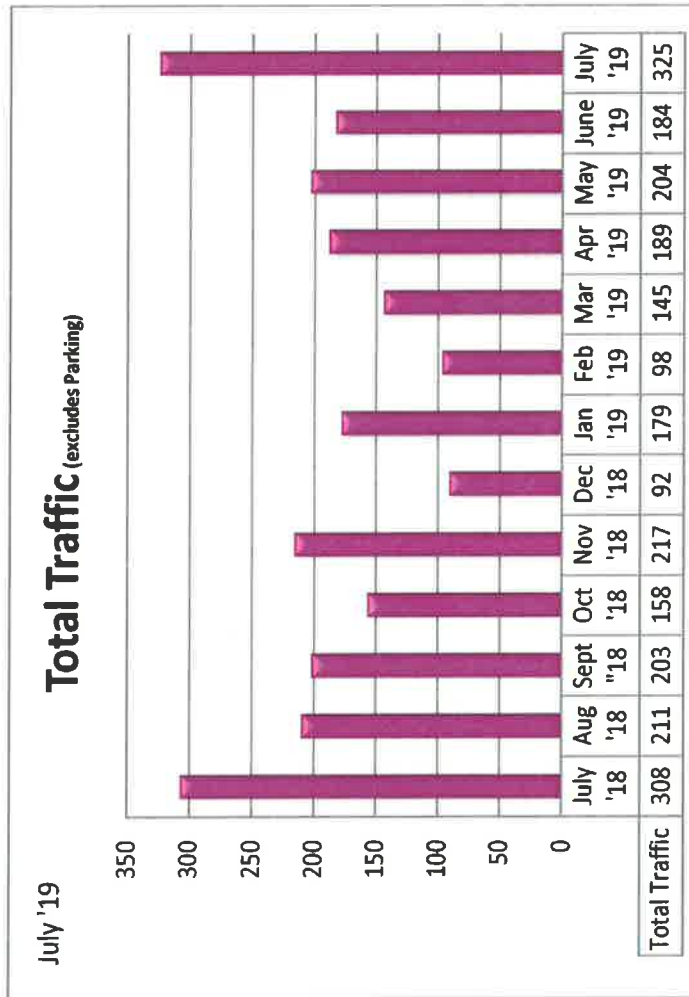








**LAVON POLICE DEPARTMENT**  
**Community Liaison Program Update**  
Community Liaison Officer Carissa Vargas-Flournoy  
1 August 2019



**Social Media -**

Official Department Social Media pages were launched on Facebook, Twitter & Instagram. A link to each page is below, along with data as of July 1, 2019.

**Facebook:** <http://www.facebook.com/lavonpolice> **Twitter:** <http://www.twitter.com/lavonpolice> **Instagram:** <http://www.instagram.com/lavonpolice>  
Page Likes: 1,054 (increase of 16) Page Followers: 66 (increase of 4) Page Followers: 231 (increase of 5)  
Most Popular Posts: 2,681 reached - July 4<sup>th</sup> Dog Hit by Car (fireworks) Most Recent Tweet: CISD Back to School  
CISD Back to School Drug Take Back

**Community Outreach & Upcoming Programs -**

**No community events held in July**

- July is spent beginning the heavy planning of National Night Out with citizens and preparing the supplies needed for the goodie bags LPD hands out to kids.
- Community education, including not leaving kids and pets in hot cars
- Preparing for fall community events
- Finalizing all budget year end expenses
- Managing social media posts, comments, and messages

**Saturday, August 10, 2019 - CISD Back to School Bash** - Set up a table at the back to school bash where we will hand out community education materials on car seat/booster seats, child fingerprint and DNA kits, tips on child safety when starting the school year, and the really fun part - putting police tattoos on the kids!

**Tuesday, October 1 - National Night Out 2019** - Lavon Police Department officially registered and planning is underway for National Night Out 2019! NNO will be on Tuesday, October 1<sup>st</sup> from 6:30pm - 8:30pm. Business sponsorships have extended for NNO and will run through July 31<sup>st</sup>.

**Important dates LPD will be participating in, or attending :**

Saturday, August 10, 2019 - CISD Back to School Bash  
Monday, September 9, 2019 - CISD Homecoming Parade & Festival  
Tuesday, October 1, 2019 - National Night Out  
Saturday, October 26, 2019 - National Drug Take Back

**Community Relation Highlights**

- 2019 Department pictures are being planned for August 28<sup>th</sup> and will be featured in the National Night Out brochures which will be in every NNO bag.
- I am still working with Twitter to regain access to the Lavon Police account, at this time the account has been frozen due to a validation process.

**Officers Down**

As of this report, Texas leads the Nation for In The Line Of Duty Deaths for 2019, with June being the highest month so far. We ask for continued prayers for our Brothers and Sisters in Blue, as well as their families.

## Kim Dobbs

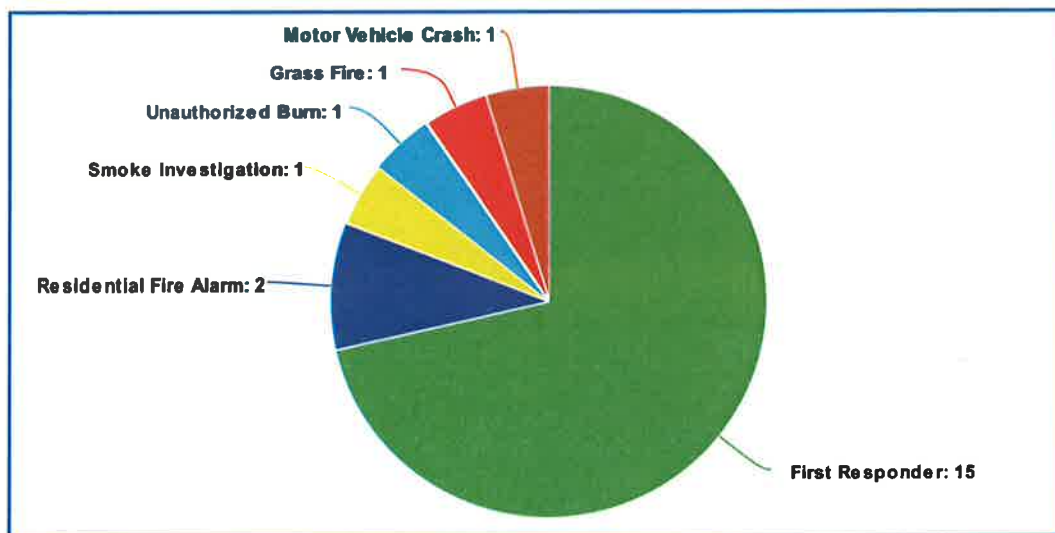
**From:** Danny Anthony <danny.anthony@lavonvfd.org>  
**Sent:** Friday, August 2, 2019 2:49 PM  
**To:** Kim Dobbs  
**Subject:** Fwd: July Call Volume Break down

Here are my July stats for the council meeting,  
Danny

----- Forwarded message -----

**From:** Hayden Patterson <[hayden.patterson@lavonvfd.org](mailto:hayden.patterson@lavonvfd.org)>  
**Date:** Fri, Aug 2, 2019 at 10:12 AM  
**Subject:** July Call Volume Break down  
**To:** Danny Anthony <[danny.anthony@lavonvfd.org](mailto:danny.anthony@lavonvfd.org)>

July Calls - 21 Total



■ First Responder ■ Residential Fire Alarm ■ Smoke Investigation  
■ Unauthorized Burn ■ Grass Fire ■ Motor Vehicle Crash

meta-chart.com

| Account                                 | Oct 2018 Actual | Nov 2018 Actual | Dec 2018 Actual | Jan 2019 Actual | Feb 2019 Actual | Mar 2019 Actual | Apr 2019 Actual | May 2019 Actual | June 2019 Actual | July 2019 Outlook | Aug 2019 Outlook | Sept 2019 Outlook | FY 2018-2019 TOTAL | FY 2018-2019 Budget |
|-----------------------------------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|------------------|-------------------|------------------|-------------------|--------------------|---------------------|
| Ordinary Income/Expense                 |                 |                 |                 |                 |                 |                 |                 |                 |                  |                   |                  |                   |                    |                     |
| Income                                  |                 |                 |                 |                 |                 |                 |                 |                 |                  |                   |                  |                   |                    |                     |
| Transfers to GF                         |                 |                 |                 |                 |                 |                 |                 |                 |                  |                   |                  |                   |                    |                     |
| 10 1200 Solid Waste Fund Transfer       | 14,333.00       | 14,333.00       | 14,333.00       | 14,333.00       | 14,333.00       | 14,333.00       | 14,333.00       | 14,333.00       | 14,333.00        | 14,333.00         | 14,333.00        | 14,337.00         | 172,000.00         | 172,000.00          |
| 10 1201 Sanitary Sewer Fund Trans       | 10,000.00       | 10,000.00       | 10,000.00       | 10,000.00       | 10,000.00       | 10,000.00       | 10,000.00       | 10,000.00       | 10,000.00        | 10,000.00         | 10,000.00        | 10,000.00         | 120,000.00         | 120,000.00          |
| 10 3675 LEDC I&S                        | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 0.00             | 13,066.00         | 13,066.00          | 13,066.00           |
| 10 3676 Reimbursement to GF from sew    | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 451,213.00       | 0.00              | 451,213.00         | 451,213.00          |
| 10 3680 Public Safety Radios            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 27,062.00        | 0.00              | 27,062.00          | 27,062.00           |
| Total Transfers                         | 24,333.00       | 24,333.00       | 24,333.00       | 24,333.00       | 24,333.00       | 24,333.00       | 24,333.00       | 24,333.00       | 24,333.00        | 24,333.00         | 502,008.00       | 37,403.00         | 763,341.00         | 763,341.00          |
| Judicial Branch                         |                 |                 |                 |                 |                 |                 |                 |                 |                  |                   |                  |                   |                    |                     |
| Court Fees                              | 200.00          | 190.00          | 210.00          | 90.00           | 60.00           | 70.00           | 250.00          | 330.00          | 340.00           | 180.00            | 540.00           | 540.00            | 3,000.00           | 3,000.00            |
| Total Judicial Branch                   | 200.00          | 190.00          | 210.00          | 90.00           | 60.00           | 70.00           | 250.00          | 330.00          | 340.00           | 180.00            | 540.00           | 540.00            | 3,000.00           | 3,000.00            |
| Legislative Branch                      |                 |                 |                 |                 |                 |                 |                 |                 |                  |                   |                  |                   |                    |                     |
| Administrative Fee                      | 1,050.00        | 1,300.00        | 1,800.00        | 1,571.28        | 900.00          | 1,350.00        | 1,850.00        | 1,700.00        | 1,750.00         | 2,400.00          | 764.37           | 764.37            | 17,000.00          | 17,000.00           |
| 10 1400 Banking Interest                | 315.64          | 207.65          | 386.10          | 471.01          | 434.67          | 432.55          | 341.52          | 271.69          | 224.01           | 837.59            | 837.59           | 837.60            | 5,597.62           | 6,428.00            |
| 10 1401 Late Fees                       | 2,367.30        | 2,075.85        | 2,127.08        | 2,203.88        | 2,721.23        | 2,697.53        | 3,021.25        | 1,919.67        | 2,201.34         | 2,211.78          | 1,700.00         | 1,700.00          | 26,946.91          | 20,000.00           |
| 10 1404 Photocopies                     | 0.50            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 0.00             | 0.00              | 0.50               | -                   |
| Community Center/Pavilion Ren           | 2,505.00        | 470.00          | 760.00          | 705.00          | 605.00          | 2,215.00        | 520.00          | 1,483.00        | 555.00           | 125.00            | 0.00             | 57.00             | 10,000.00          | 10,000.00           |
| 10 1410 Total Legislative Branch        | 6,238.44        | 4,053.50        | 4,873.16        | 4,951.15        | 4,660.90        | 6,695.08        | 5,732.77        | 5,374.36        | 4,730.35         | 5,574.37          | 3,301.96         | 3,358.97          | 59,545.03          | 53,428.00           |
| Operations Division                     |                 |                 |                 |                 |                 |                 |                 |                 |                  |                   |                  |                   |                    |                     |
| Food Service Inspection Permits         | 0.00            | 319.24          | 2,170.00        | 620.00          | 400.00          | 50.00           | 10.00           | 0.00            | 0.00             | 0.00              | 0.00             | 430.76            | 4,000.00           | 4,000.00            |
| 10 1500 General Permit Fees             | 5,465.00        | 12,280.74       | 8,308.25        | 6,974.40        | 3,642.90        | 2,396.55        | 6,445.50        | 5,640.50        | 2,494.95         | 4,365.28          | 0.00             | 0.00              | 56,016.07          | 46,000.00           |
| 10 1502 New Building Permit Fees        | 18,677.40       | 0.00            | 0.00            | 7,877.40        | 0.00            | 3,451.50        | 0.00            | 0.00            | 0.00             | 0.00              | 2,493.70         | 2,500.00          | 35,000.00          | 35,000.00           |
| 10 1503 OSSF Permit Fees                | 400.00          | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 400.00          | 0.00             | 0.00              | 0.00             | 0.00              | 800.00             | 500.00              |
| 10 1504 PD Fines / Fees                 | 5,143.96        | 3,235.41        | 2,495.18        | 5,077.07        | 4,937.99        | 5,497.41        | 6,623.32        | 5,344.68        | 6,212.57         | 4,319.10          | 8,056.85         | 8,056.86          | 65,000.00          | 65,000.00           |
| 10 1505 PD Warrant Fines / Fees         | 521.20          | 342.14          | 8.86            | 590.90          | 359.10          | 173.80          | 515.10          | 0.00            | 170.60           | 0.00              | 1,159.15         | 1,159.15          | 5,000.00           | 5,000.00            |
| 10 1506 Sale of Property                | 30.00           | 0.00            | 0.00            | 0.00            | 5.00            | 0.00            | 0.00            | 0.00            | 4,789.00         | 0.00              | 0.00             | 0.00              | 4,824.00           | 2,000.00            |
| 10 1508 PD Contract                     | 0.00            | 0.00            | 0.00            | 0.00            | 10,750.00       | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 10,750.00        | 21,500.00         | 64,500.00          | 64,500.00           |
| 10 1513 Infrastructure Inspection Fees  | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 79,769.96       | 0.00            | 61,362.13       | 71,455.51        | 0.00              | 0.00             | 0.00              | 212,817.60         | 166,000.00          |
| 10 1514 Building Rent - LEDC            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 2,000.00         | 0.00              | 0.00             | 0.00              | 2,000.00           | 2,000.00            |
| 10 1515 Fire Permit & Inspection Fees   | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 500.00           | 500.00            | 1,000.00           | 1,000.00            |
| Total Operations Division               | 30,237.16       | 16,177.53       | 12,982.29       | 21,139.77       | 20,094.99       | 91,369.22       | 24,343.92       | 72,747.31       | 87,122.63        | 8,686.38          | 22,955.70        | 34,146.77         | 442,009.67         | 391,000.00          |
| Prior Year Carryover                    |                 |                 |                 |                 |                 |                 |                 |                 |                  |                   |                  |                   |                    |                     |
| Unenc Funds                             | 485,438.00      | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 0.00             | 0.00              | 485,438.00         | 485,438.00          |
| 10 1570 Total Carryover                 | 485,438.00      | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 0.00             | 0.00              | 485,438.00         | 485,438.00          |
| Taxes                                   |                 |                 |                 |                 |                 |                 |                 |                 |                  |                   |                  |                   |                    |                     |
| Franchise Tax                           | 2,186.46        | 7,460.86        | 0.00            | 12.96           | 21,985.81       | 0.00            | 197.17          | 7,817.39        | 0.00             | 10,735.30         | 44,802.03        | 44,802.02         | 140,000.00         | 140,000.00          |
| 10 1600 Property Tax                    | 9,724.43        | 19,268.95       | 512,549.06      | 224,754.01      | 28,250.54       | 5,315.03        | 3,330.43        | 1,909.92        | 999.35           | 2,171.78          | 0.00             | 0.00              | 808,273.50         | 709,633.00          |
| 10 1601 Sales & Use Tax                 | 19,365.11       | 19,709.43       | 17,630.06       | 17,557.91       | 20,798.10       | 16,147.86       | 17,374.37       | 21,205.22       | 16,701.45        | 16,385.68         | 15,000.00        | 15,000.00         | 212,875.19         | 175,000.00          |
| 10 1602 Total Taxes                     | 31,275.00       | 46,439.24       | 530,179.12      | 242,324.68      | 71,034.45       | 21,462.89       | 20,901.97       | 30,932.53       | 17,700.80        | 29,292.76         | 59,802.03        | 59,802.02         | 1,161,148.69       | 1,024,633.00        |
| Total Income                            | 577,722.80      | 91,133.27       | 572,577.59      | 292,838.80      | 120,183.34      | 143,930.19      | 75,561.66       | 133,717.20      | 134,226.78       | 68,096.51         | 589,211.69       | 135,250.76        | 2,934,482.39       | 2,740,840.00        |
| Expense                                 |                 |                 |                 |                 |                 |                 |                 |                 |                  |                   |                  |                   |                    |                     |
| Judicial Branch                         |                 |                 |                 |                 |                 |                 |                 |                 |                  |                   |                  |                   |                    |                     |
| Credit Card Fees                        | 103.31          | 151.89          | 161.83          | 64.77           | 95.52           | 78.51           | 73.87           | 95.69           | 131.34           | 97.17             | 1,073.05         | 1,073.05          | 3,200.00           | 3,200.00            |
| 10 6001 Jury Panel                      | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 75.00            | 150.00            | 150.00             | 150.00              |
| 10 6006 Health Insurance                | 714.37          | 710.71          | 710.71          | 714.37          | 710.71          | 710.71          | 714.37          | 710.71          | 714.37           | 710.71            | 710.71           | 767.55            | 8,600.00           | 8,600.00            |
| 10 6250 Office Supplies                 | 66.47           | 87.62           | 15.99           | 71.60           | 203.08          | 97.07           | 7.98            | 111.43          | 48.92            | 77.30             | 356.27           | 356.27            | 1,500.00           | 1,500.00            |
| 10 6300 Payroll - Municipal Court Staff | 4,142.00        | 6,227.64        | 4,372.99        | 6,104.17        | 4,372.99        | 4,381.17        | 4,173.95        | 4,407.94        | 4,101.54         | 6,321.10          | 6,566.38         | 6,566.39          | 61,740.00          | 61,740.00           |
| 10 6302 Payroll - Judge                 | 225.00          | 300.00          | 0.00            | 225.00          | 262.50          | 412.50          | 600.00          | 325.00          | 225.00           | 225.00            | 400.00           | 400.00            | 3,500.00           | 3,500.00            |
| 10 6303 Payroll - Prosecutor            | 200.00          | 375.00          | 0.00            | 300.00          | 225.00          | 450.00          | 600.00          | 325.00          | 300.00           | 187.50            | 281.25           | 281.25            | 3,500.00           | 3,500.00            |
| 10 6400 Postal Fees                     | 0.00            | 56.70           | 0.00            | 50.00           | 0.00            | 27.50           | 0.00            | 27.50           | 0.00             | 55.00             | 116.65           | 116.65            | 450.00             | 450.00              |
| 10 6800 Training                        | 0.00            | 0.00            | 0.00            | 300.00          | 100.00          | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 100.00           | 500.00            | 1,000.00           | 1,000.00            |
| Total Judicial Branch                   | 5,451.15        | 7,909.56        | 5,263.26        | 7,829.91        | 5,969.80        | 6,157.46        | 6,170.17        | 5,876.27        | 5,521.17         | 7,673.78          | 9,679.31         | 10,136.16         | 83,640.00          | 83,640.00           |

| Account                               | Oct 2018 Actual | Nov 2018 Actual | Dec 2018 Actual | Jan 2019 Actual | Feb 2019 Actual | Mar 2019 Actual | Apr 2019 Actual | May 2019 Actual | June 2019 Actual | July 2019 Outlook | Aug 2019 Outlook | Sept 2019 Outlook | FY 2018-2019 TOTAL | FY 2018-2019 Budget |
|---------------------------------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|------------------|-------------------|------------------|-------------------|--------------------|---------------------|
| <b>Administration</b>                 |                 |                 |                 |                 |                 |                 |                 |                 |                  |                   |                  |                   |                    |                     |
| 30 6010 Advertising & Notices         | 1,532.66        | 169.66          | 0.00            | 257.99          | 492.30          | 75.00           | 75.00           | 717.36          | 1,450.54         | 288.10            | 1,220.70         | 1,220.69          | 7,500.00           | 7,500.00            |
| 30 6011 Automobile Allowance          | 200.00          | 200.00          | 200.00          | 300.00          | 100.00          | 200.00          | 200.00          | 200.00          | 200.00           | 200.00            | 200.00           | 200.00            | 2,400.00           | 2,400.00            |
| 30 6015 Building Supplies             | 268.82          | 21.96           | 272.03          | 113.51          | 32.19           | 120.88          | 138.06          | 26.16           | 75.76            | 274.89            | 327.35           | 327.35            | 2,000.00           | 2,000.00            |
| 30 6021 Cell Phone - Staff            | 36.84           | 37.10           | 36.84           | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 42.08            | 42.48             | 50.00            | 50.00             | 295.34             | 1,500.00            |
| 30 6060 Computer (Server/Software)    | 16.23           | 16.23           | 16.23           | 16.23           | 16.23           | 16.23           | 16.23           | 16.23           | 16.23            | 16.23             | 7,518.85         | 7,518.85          | 15,200.00          | 15,200.00           |
| 30 6065 Council Supplies              | 43.30           | 29.99           | 29.99           | 0.00            | 86.20           | 18.43           | 104.85          | 12.88           | 124.44           | 0.00              | 549.96           | 549.95            | 1,500.00           | 1,500.00            |
| 30 6070 Cleaning                      | 450.00          | 450.00          | 450.00          | 450.00          | 450.00          | 450.00          | 450.00          | 450.00          | 650.00           | 450.00            | 450.00           | 450.00            | 5,640.00           | 5,640.00            |
| 30 6080 CPA                           | 0.00            | 0.00            | 0.00            | 393.75          | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 0.00             | 0.00              | 1,000.00           | 1,000.00            |
| 30 6081 Drinking Water/Gatorade All   | 83.64           | 0.00            | 46.80           | 57.76           | 0.00            | 39.80           | 0.00            | 0.00            | 0.00             | 39.80             | 366.10           | 366.10            | 1,000.00           | 1,000.00            |
| 30 6100 Dues & Fees                   | 75.00           | 489.50          | 65.00           | 399.00          | 1,302.50        | -208.83         | 129.66          | 0.00            | 0.00             | 1,439.08          | 5,130.00         | 1,439.07          | 5,130.00           | 5,130.00            |
| 30 6101 Elections                     | 0.00            | 0.00            | 0.00            | 1,932.81        | 62.50           | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 5,504.69         | 0.00              | 7,500.00           | 7,500.00            |
| 30 6103 Health Insurance              | 2,210.91        | 2,196.27        | 2,196.27        | 2,210.91        | 2,196.27        | 2,196.27        | 2,210.91        | 2,196.27        | 2,210.91         | 2,196.27          | 2,196.27         | 10,182.17         | 34,400.00          | 34,400.00           |
| 30 6104 Community Events              | 440.86          | 814.42          | 1,714.06        | 49.95           | 7.57            | 1,544.60        | 485.45          | 182.33          | 282.19           | 0.00              | 0.00             | 506.12            | 6,000.00           | 6,000.00            |
| 30 6105 Mileage & Meals               | 133.00          | 24.79           | 0.00            | 133.00          | 0.00            | 55.74           | 47.31           | 63.80           | 107.54           | 93.08             | 233.59           | 233.58            | 1,000.00           | 1,000.00            |
| 30 6250 Office Supplies               | 339.86          | 240.92          | 182.09          | 158.34          | 224.99          | 213.42          | 254.16          | 77.16           | 143.93           | 301.78            | 681.67           | 681.66            | 3,500.00           | 3,500.00            |
| 30 6251 Office Furniture              | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 153.95           | 0.00              | 750.00             | 750.00              |
| 30 6252 Office Equipment              | 622.50          | 0.00            | 0.00            | 0.00            | 348.60          | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 1,764.45         | 1,764.45          | 4,500.00           | 4,500.00            |
| 30 6300 Payroll - Admin Staff         | 16,586.72       | 17,451.72       | 16,586.72       | 24,880.06       | 16,549.22       | 16,586.72       | 16,586.72       | 16,586.72       | 16,587.93        | 24,842.58         | 15,222.93        | 15,222.84         | 213,691.00         | 213,691.00          |
| 30 6324 Comm Center Events Coord      | 440.00          | 450.00          | 750.00          | 460.00          | 500.00          | 430.00          | 710.00          | 250.00          | 615.00           | 480.00            | 1,202.50         | 1,202.50          | 7,500.00           | 7,500.00            |
| 30 6400 Postal Fees                   | 0.00            | 0.00            | 0.00            | 3.52            | 0.00            | 0.00            | 0.00            | 75.00           | 0.00             | 0.00              | 85.74            | 85.74             | 250.00             | 250.00              |
| 30 6450 Sales Tax Rebate              | 0.00            | 0.00            | 0.00            | 9,828.51        | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 2,894.99          | 0.00             | 2,276.50          | 15,000.00          | 15,000.00           |
| 30 6500 Software                      | 0.00            | 0.00            | 650.00          | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 175.00           | 175.00            | 1,000.00           | 1,000.00            |
| 30 6800 Training                      | 385.78          | 0.00            | 30.00           | 15.00           | 0.00            | 30.00           | 45.00           | 0.00            | 60.00            | 115.00            | 909.61           | 909.61            | 2,500.00           | 2,500.00            |
| 30 7000 Electric                      | 552.54          | 412.22          | 326.14          | 297.30          | 333.46          | 368.02          | 300.33          | 372.97          | 486.07           | 563.68            | 488.63           | 488.64            | 5,000.00           | 5,000.00            |
| 30 7002 Natural Gas                   | 50.15           | 104.61          | 480.10          | 638.83          | 682.56          | 676.20          | 112.37          | 52.64           | 48.49            | 61.99             | 806.03           | 806.03            | 4,500.00           | 4,500.00            |
| 30 7003 Telephone                     | 512.97          | 532.17          | 512.97          | 514.26          | 525.05          | 423.45          | 420.11          | 183.92          | 183.92           | 183.92            | 986.46           | 986.46            | 6,200.00           | 6,200.00            |
| 30 7004 Water                         | 257.83          | 36.56           | 35.34           | 43.30           | 43.30           | 42.66           | 43.93           | 46.49           | 47.13            | 41.38             | 56.14            | 56.14             | 750.00             | 750.00              |
| Total Administration                  | 25,194.31       | 23,691.45       | 24,580.58       | 43,021.05       | 23,912.94       | 23,276.59       | 22,331.11       | 21,746.12       | 23,918.23        | 33,066.17         | 42,590.00        | 48,345.76         | 355,706.34         | 355,911.00          |
| <b>Operations Division</b>            |                 |                 |                 |                 |                 |                 |                 |                 |                  |                   |                  |                   |                    |                     |
| <b>Fire Capital Outlay</b>            |                 |                 |                 |                 |                 |                 |                 |                 |                  |                   |                  |                   |                    |                     |
| 50 8009 Fire Engine 2013 Spartan      | 0.00            | 0.00            | 0.00            | 22,501.41       | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 0.00             | 0.00              | 22,501.41          | 22,501.41           |
| 50 8113 FD Furnishings                | 6,712.76        | 8,951.06        | 5,040.00        | 94.46           | 0.00            | 930.00          | 0.00            | 71.89           | 2,574.00         | 0.00              | 3,625.83         | 1,516.86          | 5,000.00           | 5,000.00            |
| 50 8117 Fire Quick Response           | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 19,862.83        | 0.00              | 0.00             | 9,999.17          | 29,862.00          | 29,862.00           |
| 50 8118 FD-EOC-PD Sinage              | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 0.00             | 0.00              | 0.00               | 0.00                |
| 50 8119 Fire Radios                   | 2,531.10        | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 6,805.46         | 0.00              | 0.00             | 0.44              | 9,337.00           | 9,337.00            |
| 50 8020 Fire Marshal Vehicle          | 0.00            | 0.00            | 12,802.67       | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 0.00             | 0.33              | 12,803.00          | 12,803.00           |
| Total Fire Capital Outlay             | 9,243.86        | 8,951.06        | 17,842.67       | 22,585.87       | 0.00            | 930.00          | 0.00            | 71.89           | 29,242.29        | 0.00              | 3,625.83         | 9,999.94          | 102,503.41         | 102,503.00          |
| <b>Fire Operations</b>                |                 |                 |                 |                 |                 |                 |                 |                 |                  |                   |                  |                   |                    |                     |
| 40 5000 ALS medical Supplies          | 0.00            | 0.00            | 141.07          | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 227.16            | 290.88           | 290.88            | 950.00             | 950.00              |
| 40 5001 Apparatus Upgrades/Repairs    | 13.77           | 1,182.95        | 23.97           | 0.00            | 0.00            | 412.03          | 148.90          | 184.65          | 0.00             | 0.00              | 1,516.87         | 1,516.86          | 5,000.00           | 5,000.00            |
| 40 5002 Asset Tags/Metal              | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 150.00           | 150.00            | 300.00             | 300.00              |
| 40 5007 City Radio/Antenna/Install    | 0.00            | 0.00            | 17.75           | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 592.25           | 600.00            | 1,210.00           | 1,210.00            |
| 40 5008 Cleaning - FD                 | 350.00          | 350.00          | 350.00          | 175.00          | 175.00          | 175.00          | 0.00            | 0.00            | 0.00             | 0.00              | 25.00            | 0.00              | 1,600.00           | 1,600.00            |
| 40 5010 Computer/IT Items/Printer     | 36.92           | 0.00            | 643.15          | 76.62           | 0.00            | 0.00            | 2,400.00        | 333.29          | 315.55           | 193.80            | 2,675.34         | 2,675.33          | 9,350.00           | 9,350.00            |
| 40 6002 Equipment Maint and Repair    | 27.22           | 8.99            | 27.22           | 54.50           | 86.95           | 27.19           | 8.50            | 7.00            | 68.95            | 87.06             | 458.82           | 458.82            | 1,300.00           | 1,300.00            |
| 40 6010 Fuel                          | 142.10          | 178.25          | 86.24           | 96.83           | 75.00           | 280.84          | 181.73          | 424.21          | 485.71           | 390.49            | 774.30           | 774.30            | 3,900.00           | 3,900.00            |
| 40 6073 FD Dispatch                   | 1,227.50        | 2,319.50        | 0.00            | 3,547.00        | 0.00            | 0.00            | 3,547.00        | 0.00            | 0.00             | 3,547.00          | 0.00             | 0.00              | 14,168.00          | 11,778.00           |
| 40 6101 VFD Fire Marshal Dues & Fees  | 76.94           | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 183.00            | 695.03           | 895.03            | 2,050.00           | 2,050.00            |
| 40 6120 Internet/Wifi/Sat             | 164.18          | 201.10          | 203.92          | 203.92          | 203.92          | 203.92          | 147.66          | 206.09          | 206.09           | 151.11            | 210.00           | 210.00            | 2,311.91           | 1,750.00            |
| 40 6147 Postage                       | 0.00            | 39.76           | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 17.62             | 17.62            | 75.00             | 75.00              | 75.00               |
| 40 6148 PPE/Bunker gear               | 534.78          | 1,553.96        | 406.58          | 3,014.00        | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 131.92            | 4,779.38         | 4,779.38          | 15,200.00          | 15,200.00           |
| 40 6200 Safety Fire Equipment         | 331.14          | 2,512.56        | 593.00          | 808.07          | 41.86           | 0.00            | 343.98          | 68.55           | 0.00             | 1,900.78          | 1,695.03         | 1,695.03          | 9,980.00           | 9,980.00            |
| 40 6201 Fire Hose                     | 0.00            | 176.67          | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 1,223.33         | 0.00              | 1,400.00           | 1,400.00            |
| 40 6204 NFPA Pump/Ladder E2           | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 133.00            | 0.00             | 367.00            | 500.00             | 500.00              |
| 40 6205 Fire Chief                    | 4,960.30        | 5,135.30        | 4,960.30        | 7,440.45        | 2,480.15        | 0.00            | 3,548.07        | 4,730.76        | 4,730.76         | 7,098.14          | 8,208.89         | 8,208.88          | 61,500.00          | 61,500.00           |
| 40 6206 Health Insurance              | 714.37          | 710.71          | 710.71          | 714.37          | -663.18         | 0.00            | 3.66            | 663.18          | 761.90           | 710.71            | 1,436.79         | 1,436.78          | 7,200.00           | 7,200.00            |
| 40 6207 PT Personnel Stupend          | 0.00            | 0.00            | 1,575.00        | 1,950.00        | 2,100.00        | 2,700.00        | 4,650.00        | 1,725.00        | 1,725.00         | 1,725.00          | 3,450.00         | 3,450.00          | 25,050.00          | 25,050.00           |
| 40 6208 Graphics/Uniforms             | 0.00            | 0.00            | 654.43          | 0.00            | 0.00            | 0.00            | 0.00            | 1,098.00        | 85.96            | 0.00              | 0.00             | 11.61             | 1,850.00           | 1,850.00            |
| 40 6209 Mobile Technology             | 0.00            | 127.93          | 0.00            | 164.17          | 0.00            | 77.67           | 64.08           | 42.00           | 0.00             | 83.54             | 279.94           | 279.94            | 1,200.00           | 1,200.00            |
| 40 6210 Fire Services General         | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 236.25          | 0.00            | 0.00            | 150.99           | 23.04             | 294.86           | 294.86            | 1,000.00           | 1,000.00            |
| 40 6250 Office Supplies - FD          | 438.16          | 96.70           | 94.26           | 89.46           | 78.84           | 0.00            | 33.15           | 171.62          | 172.32           | 98.69             | 0.00             | 0.00              | 1,465.19           | 1,200.00            |
| 40 6261 Travel/Conferences/Meals - FD | 551.94          | 10.34           | 286.14          | 9.42            | 0.00            | 27.99           | 45.00           | 75.00           | 220.29           | 98.69             | 1,347.49         | 1,347.50          | 4,000.00           | 4,000.00            |
| 40 7000 Electric                      | 140.18          | 104.15          | 175.11          | 407.21          | 341.06          | 333.02          | 270.65          | 263.35          | 304.96           | 435.14            | 300.00           | 300.00            | 3,374.83           | 2,500.00            |
| 40 7001 Natural Gas                   | 46.32           | 46.32           | 57.14           | 55.75           | 33.16           | 70.51           | 47.76           | 46.32           | 47.09            | 47.73             | 250.95           | 250.95            | 1,000.00           | 1,000.00            |
| 40 7002 Water                         | 31.69           | 38.99           | 33.51           | 44.58           | 117.76          | 41.38           | 54.15           | 40.75           | 41.38            | 47.13             | 179.33           | 179.33            | 850.00             | 850.00              |

| Account                           | Oct 2018 Actual | Nov 2018 Actual | Dec 2018 Actual | Jan 2019 Actual | Feb 2019 Actual | Mar 2019 Actual | Apr 2019 Actual | May 2019 Actual | June 2019 Actual | July 2019 Outlook | Aug 2019 Outlook | Sept 2019 Outlook | FY 2018-2019 TOTAL | FY 2018-2019 Budget |
|-----------------------------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|------------------|-------------------|------------------|-------------------|--------------------|---------------------|
| 40 7003 Tornado Sirens            | 0.00            | 0.00            | 0.00            | 885.00          | 0.00            | 0.00            | 0.00            | 0.00            | 3,495.99         | 0.00              | 0.00             | 919.01            | 5,300.00           | 5,300.00            |
| 40 7005 EOC Fire Alarm Monitoring | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 300.00          | 0.00            | 0.00             | 0.00              | 220.00           | 200.00            | 720.00             | 720.00              |
| Total Fire Service                | 9,773.29        | 14,796.16       | 11,009.50       | 19,736.35       | 5,070.54        | 4,575.80        | 15,794.29       | 10,179.77       | 12,904.67        | 17,403.32         | 30,048.78        | 32,532.44         | 183,824.93         | 179,713.00          |
| Police Department                 |                 |                 |                 |                 |                 |                 |                 |                 |                  |                   |                  |                   |                    |                     |
| Police Capital Outlay             |                 |                 |                 |                 |                 |                 |                 |                 |                  |                   |                  |                   |                    |                     |
| 50 8108 Police Vehicles Total     | 4,377.42        | 0.00            | 4,377.42        | 0.00            | 0.00            | 36,451.42       | 4,377.42        | 0.00            | 0.00             | 4,377.42          | 0.00             | 4,038.90          | 58,000.00          | 58,000.00           |
| 50 8109 Police Radios             | 17,725.46       | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 0.00             | 0.00              | 17,725.46          | 17,725.00           |
| 50 8112 PD Remodel                | 0.00            | 4,970.00        | 26.70           | 0.00            | 11.99           | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 0.00             | 791.31            | 5,800.00           | 5,800.00            |
| Total PD Capital Outlay           | 22,102.88       | 4,970.00        | 4,404.12        | 0.00            | 11.99           | 36,451.42       | 4,377.42        | 0.00            | 0.00             | 4,377.42          | 0.00             | 4,830.21          | 81,525.46          | 81,525.00           |
| 40 8015 Audio Visual              | 0.00            | 9.99            | 0.00            | 0.00            | 91.67           | 0.00            | 616.22          | 780.66          | 0.00             | 0.00              | 400.72           | 400.72            | 2,300.00           | 2,300.00            |
| 40 8018 Protective Gear           | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 750.00           | 750.00            | 1,500.00           | 1,500.00            |
| 40 8021 Mobile Technology         | -98.55          | 1,484.16        | 33.98           | 1,480.60        | 29.99           | 906.18          | 749.95          | 289.70          | 739.50           | 764.93            | 1,604.78         | 1,604.78          | 9,600.00           | 9,600.00            |
| 40 8050 Child Abuse Interlocal    | 1,500.00        | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 0.00             | 0.00              | 1,500.00           | 1,500.00            |
| 40 8055 Cleaning                  | 350.00          | 350.00          | 350.00          | 350.00          | 350.00          | 350.00          | 350.00          | 350.00          | 350.00           | 350.00            | 350.00           | 350.00            | 4,200.00           | 4,200.00            |
| 40 8061 Computers                 | 249.95          | 0.00            | 994.23          | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 48.99            | 975.21            | 865.81           | 865.81            | 4,000.00           | 4,000.00            |
| 40 8070 Crime Prevention          | 0.00            | 0.00            | 252.94          | 35.00           | 13.52           | -360.00         | 0.00            | -360.00         | 103.36           | 695.80            | 529.69           | 529.69            | 1,800.00           | 1,800.00            |
| 40 8071 Database Services         | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 200.00          | 599.40           | 0.00              | 900.30           | 900.30            | 2,600.00           | 2,600.00            |
| 40 8072 Dispatch                  | 0.00            | 10,824.50       | 0.00            | 10,824.50       | 0.00            | 0.00            | 10,824.50       | 0.00            | 0.00             | 10,824.50         | 0.00             | 0.00              | 43,298.00          | 43,298.00           |
| 40 8102 Due & Fees                | 0.00            | 200.00          | 0.00            | 325.47          | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 87.27            | 87.26             | 700.00             | 700.00              |
| 40 8140 Emergency Equipment       | 10.67           | 36.00           | 10.47           | 0.00            | 0.00            | 955.95          | 540.00          | 0.00            | 11.99            | 0.00              | 1,216.96         | 1,216.96          | 4,000.00           | 4,000.00            |
| 40 8141 Explorer Post Program     | 0.00            | 99.96           | 90.00           | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 1,315.04         | 1,315.04          | 2,500.00           | 2,500.00            |
| 40 8143 Health Insurance          | 4,359.19        | 4,985.77        | 4,965.77        | 5,026.03        | 5,648.95        | 5,696.48        | 5,736.74        | 5,696.48        | 5,736.74         | 5,696.48          | 11,915.69        | 11,915.68         | 77,400.00          | 77,400.00           |
| 40 8146 Travel/Meals              | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 45.00             | 227.50           | 227.50            | 500.00             | 500.00              |
| 40 8150 Innate Boarding           | 0.00            | 0.00            | 0.00            | 0.00            | 188.94          | 188.97          | 0.00            | 0.00            | 377.88           | 632.25            | 55.98            | 55.98             | 1,500.00           | 1,500.00            |
| 40 8150 Missing Reqs              | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 0.00             | 0.00              | 0.00               | 0.00                |
| 40 8252 Office Equipment          | 0.00            | 0.00            | 0.00            | 0.00            | 195.00          | 0.00            | 0.00            | 0.00            | 0.00             | 195.00            | 305.00           | 305.00            | 1,000.00           | 1,000.00            |
| 40 8253 Office Supplies           | 156.40          | 94.63           | 60.82           | 358.09          | 243.23          | 360.84          | 82.76           | 75.52           | 157.63           | 157.33            | 626.38           | 626.37            | 3,000.00           | 3,000.00            |
| 40 8255 Patrol Rifle              | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 0.00             | 600.00            | 600.00             | 600.00              |
| Payroll - Police Services         | 38,117.94       | 38,239.55       | 36,027.64       | 59,419.73       | 38,380.35       | 39,360.34       | 38,363.59       | 39,360.35       | 39,360.36        | 59,040.51         | 43,441.83        | 43,441.81         | 512,534.00         | 512,534.00          |
| Police Equipment Mtn.             | 0.00            | 750.20          | 450.00          | 0.00            | 0.00            | 67.61           | 180.00          | 165.00          | 0.00             | 0.00              | 423.60           | 423.59            | 2,500.00           | 2,500.00            |
| 40 8400 Postal Fees               | 3.75            | 16.70           | 53.68           | 42.85           | 29.04           | 127.05          | 48.02           | 173.08          | 37.10            | 49.85             | 84.44            | 84.43             | 750.00             | 750.00              |
| 40 8451 Radio                     | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 5,000.00         | 5,000.00          | 10,000.00          | 10,000.00           |
| Report Management                 | 0.00            | 0.00            | 0.00            | 0.00            | 3,300.00        | 142.06          | 0.00            | 0.00            | 0.00             | 0.00              | 0.00             | 57.94             | 3,500.00           | 3,500.00            |
| 40 8452 School Resource Expenses  | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 0.00             | 0.00              | 0.00               | 0.00                |
| 40 8501 Software                  | 725.00          | 0.00            | 164.25          | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 0.00             | 0.00              | 1,500.00           | 1,500.00            |
| 40 8502 Tazers                    | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 481.50           | 0.00              | 0.00             | 18.50             | 500.00             | 500.00              |
| 40 8650 TLETS Management          | 9,600.00        | 0.00            | 0.00            | 0.00            | 0.00            | 400.00          | 0.00            | 0.00            | 0.00             | 0.00              | 0.00             | 0.00              | 10,000.00          | 10,000.00           |
| 40 8801 Training                  | 0.00            | 0.00            | 10.00           | 732.00          | 101.16          | 0.00            | 11.46           | 0.00            | 25.00            | 200.00            | 1,960.18         | 1,960.18          | 5,000.00           | 5,000.00            |
| 40 8850 Uniform                   | 0.00            | 110.90          | 1,050.26        | 1,167.89        | 0.00            | 0.00            | 0.00            | 406.47          | 110.95           | 922.48            | 115.53           | 115.54            | 4,000.00           | 4,000.00            |
| 40 8900 Vehicle Cleaning          | 35.00           | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 0.00             | 0.00              | 500.00             | 500.00              |
| 40 8903 Vehicle Fuel              | 1,929.31        | 1,696.29        | 1,375.67        | 1,594.62        | 1,529.05        | 1,654.00        | 1,942.87        | 2,389.04        | 1,831.81         | 2,324.01          | 196.50           | 196.50            | 5,000.00           | 5,000.00            |
| 40 8904 Vehicle Mtn.              | 2,428.13        | 189.75          | 303.65          | 1,102.38        | 464.44          | 740.95          | 1,305.43        | 709.61          | 546.95           | 1,320.52          | 2,366.66         | 2,366.67          | 23,000.00          | 23,000.00           |
| 40 8950 Vests                     | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 1,500.00         | 1,500.00          | 3,000.00           | 3,000.00            |
| 40 7025 Electric                  | 370.17          | 363.30          | 430.23          | 489.41          | 468.58          | 447.41          | 354.65          | 402.43          | 399.65           | 510.28            | 400.00           | 400.00            | 4,000.00           | 4,000.00            |
| 40 7027 Telephone                 | 468.49          | 468.49          | 468.49          | 468.44          | 468.44          | 468.44          | 577.02          | 494.98          | 491.43           | 494.98            | 567.17           | 567.18            | 6,000.00           | 6,000.00            |
| 40 7028 Water                     | 29.26           | 29.26           | 41.38           | 29.26           | 40.11           | 38.83           | 40.75           | 46.49           | 43.93            | 42.02             | 45.00            | 45.00             | 471.29             | 471.29              |
| 50 8305 Law Enforcement Liability | 537.50          | 537.50          | 537.50          | 537.50          | 537.50          | 537.50          | 537.50          | 537.50          | 537.50           | 537.50            | 537.50           | 1,587.50          | 7,500.00           | 7,500.00            |
| Total Police Department           | 58,772.21       | 60,526.95       | 47,618.83       | 84,005.89       | 53,059.99       | 52,813.61       | 63,261.46       | 51,729.78       | 52,027.67        | 85,798.63         | 77,819.53        | 78,466.64         | 766,901.19         | 764,892.00          |
| Public Works                      |                 |                 |                 |                 |                 |                 |                 |                 |                  |                   |                  |                   |                    |                     |
| Public Works Capital Outlay       |                 |                 |                 |                 |                 |                 |                 |                 |                  |                   |                  |                   |                    |                     |
| 40 8908 Tractor/Mower/Bush Hog    | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 4,962.56        | 0.00            | 0.00            | 0.00             | 0.00              | 0.00             | 0.44              | 4,963.00           | 4,963.00            |
| 50 8014 PW - 3/4 Dodge 2 of 4     | 0.00            | 0.00            | 8,338.00        | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 0.00             | 0.00              | 6,338.00           | 6,338.00            |
| 50 8015 Tractor                   | 0.00            | 0.00            | 8,685.00        | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 0.00             | 0.00              | 8,685.00           | 8,685.00            |
| 50 8021 PW Truck                  | 2,365.36        | 0.00            | 2,365.36        | 0.00            | 0.00            | 0.00            | 2,365.36        | 0.00            | 0.00             | 2,365.36          | 0.00             | 538.56            | 10,000.00          | 10,000.00           |
| 50 8114 PW Building/Shelter       | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 0.00             | 1,500.00          | 1,500.00           | 1,500.00            |
| Total PW Capital Outlay           | 2,365.36        | 0.00            | 17,388.36       | 0.00            | 0.00            | 4,962.56        | 0.00            | 0.00            | 0.00             | 2,365.36          | 0.00             | 2,039.00          | 31,486.00          | 31,486.00           |
| 40 5880 Audio Visual              | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 0.00             | 0.00              | 0.00               | -                   |
| 40 6022 Cell Phone - Staff        | 191.37          | 219.35          | 187.98          | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 168.32           | 140.86            | 546.06           | 546.06            | 2,000.00           | 2,000.00            |
| 40 6051 Building Inspector        | 1,920.00        | 2,120.00        | 3,880.00        | 3,090.00        | 5,900.00        | 5,620.00        | 4,640.00        | 0.00            | 1,520.00         | 4,610.00          | 4,380.00         | 4,380.00          | 45,000.00          | 45,000.00           |
| 40 6104 Code Enforcement          | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 25.00           | 0.00            | 0.00            | 0.00             | 0.00              | 487.50           | 487.50            | 1,000.00           | 1,000.00            |
| 40 6105 Food Service Inspector    | 600.00          | 100.00          | 150.00          | 0.00            | 0.00            | 300.00          | 950.00          | 0.00            | 0.00             | 0.00              | 650.00           | 0.00              | 2,750.00           | 2,750.00            |
| 40 6106 Computer Equip            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 0.00             | 0.00              | 0.00               | -                   |
| 40 6151 Insurance Claims          | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 1,003.38        | 0.00            | -2,316.73        | 3,316.73          | 0.00             | 0.00              | 2,003.38           | 2,003.38            |

| Account                       | Oct 2016 Actual | Nov 2018 Actual | Dec 2018 Actual | Jan 2019 Actual | Feb 2019 Actual | Mar 2019 Actual | Apr 2019 Actual | May 2019 Actual | June 2019 Actual | July 2019 Outlook | Aug 2019 Outlook | Sept 2019 Outlook | FY 2018-2019 TOTAL | FY 2018-2019 Budget |
|-------------------------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|------------------|-------------------|------------------|-------------------|--------------------|---------------------|
| 40 6155                       | 1,455.00        | 0.00            | 0.00            | 0.00            | 400.00          | 579.70          | 0.00            | 2,705.94        | 450.96           | 2,363.40          | 4,522.50         | 4,522.50          | 17,000.00          | 17,000.00           |
| 40 6156                       | 92.92           | 25.00           | 97.12           | 0.00            | 0.00            | 973.12          | 0.00            | 59.28           | 55.00            | 155.80            | 2,770.88         | 2,770.88          | 7,000.00           | 7,000.00            |
| 40 6260                       | 2,143.11        | 2,132.13        | 2,132.13        | 2,143.11        | 2,132.13        | 2,132.13        | 2,143.11        | 2,132.13        | 2,143.11         | 2,132.13          | 2,132.13         | 2,302.65          | 25,800.00          | 25,800.00           |
| 40 6265                       | 29.73           | 0.00            | 15.07           | 0.00            | 42.15           | 23.55           | 0.00            | 43.38           | 0.00             | 21.07             | 412.53           | 412.52            | 1,000.00           | 1,000.00            |
| 40 6267                       | 261.84          | 37.10           | 136.84          | 0.00            | 0.00            | 0.00            | 0.00            | 43.38           | 0.00             | 42.48             | 239.83           | 239.83            | 1,000.00           | 1,000.00            |
| 40 6270                       | 15.49           | 71.33           | 0.00            | 0.00            | 11.03           | 126.08          | 28.39           | 0.00            | 23.99            | 7.94              | 107.88           | 107.87            | 500.00             | 500.00              |
| 40 6302                       | 8,308.80        | 8,433.21        | 7,932.11        | 12,319.73       | 8,308.80        | 8,014.72        | 7,987.84        | 8,194.79        | 7,976.11         | 12,618.36         | 8,958.27         | 8,958.26          | 107,991.00         | 107,991.00          |
| 40 6306                       | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 1,000.00         | 1,000.00          | 2,000.00           | 2,000.00            |
| 40 6545                       | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 250.00           | 250.00            | 500.00             | 500.00              |
| 40 6550                       | 1,058.54        | 185.61          | 0.00            | 584.50          | 711.70          | 33.73           | 0.00            | 0.00            | 540.93           | 172.00            | 856.50           | 856.49            | 5,000.00           | 5,000.00            |
| 40 6701                       | 3,736.21        | 3,753.27        | 3,785.39        | 3,850.41        | 3,807.45        | 3,827.28        | 3,843.85        | 3,802.60        | 3,800.76         | 3,825.22          | 3,983.28         | 3,983.26          | 46,000.00          | 46,000.00           |
| 40 6703                       | 0.00            | 11,072.40       | 0.00            | 0.00            | 0.00            | 0.00            | 1,141.25        | 0.00            | 0.00             | 2,286.35          | 14,500.00        | 14,500.00         | 14,500.00          | 14,500.00           |
| 40 6749                       | 370.00          | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 1,480.00        | 1,480.00        | 1,850.00         | 1,480.00          | 1,480.00         | 3,860.00          | 12,000.00          | 12,000.00           |
| 40 6750                       | 64.38           | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 94.13             | 1,670.74         | 1,670.75          | 3,500.00           | 3,500.00            |
| 40 6751                       | 0.00            | 0.00            | 0.00            | 221.41          | 0.00            | 338.35          | 59.66           | 0.00            | 0.00             | 0.00              | 1,190.79         | 1,190.79          | 3,000.00           | 3,000.00            |
| 40 6802                       | 75.00           | 0.00            | 0.00            | 0.00            | 12.93           | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 3,456.03         | 3,456.04          | 7,000.00           | 7,000.00            |
| 40 6851                       | 202.56          | 101.28          | 101.28          | 101.28          | 202.56          | 101.28          | 202.56          | 202.56          | 406.26           | 187.80            | 1,145.29         | 1,145.29          | 4,100.00           | 4,100.00            |
| 40 6905                       | 504.52          | 219.65          | 178.61          | 158.17          | 198.07          | 203.26          | 539.07          | 482.08          | 510.40           | 1,057.80          | 974.18           | 974.19            | 6,000.00           | 6,000.00            |
| 40 6906                       | 0.00            | 98.52           | 204.91          | 645.26          | -7.59           | 0.00            | 0.00            | 120.00          | 80.57            | 785.09            | 1,036.62         | 1,036.62          | 4,000.00           | 4,000.00            |
| 40 6911                       | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 375.00           | 375.00            | 750.00             | 750.00              |
| 40 6914                       | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 0.00             | 2,500.00          | 2,500.00           | 2,500.00            |
| Total Public Works            | 21,029.47       | 28,568.85       | 18,802.44       | 23,113.87       | 21,619.23       | 22,268.20       | 23,998.11       | 22,262.76       | 17,251.76        | 33,010.81         | 45,212.36        | 47,026.52         | 324,194.38         | 322,191.00          |
| Other Expenses                |                 |                 |                 |                 |                 |                 |                 |                 |                  |                   |                  |                   |                    |                     |
| Administration Capital Outlay |                 |                 |                 |                 |                 |                 |                 |                 |                  |                   |                  |                   |                    |                     |
| 50 8150                       | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 750.00           | 750.00            | 1,500.00           | 1,500.00            |
| GH Improvements               | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 750.00           | 750.00            | 1,500.00           | 1,500.00            |
| Total Debt Service            |                 |                 |                 |                 |                 |                 |                 |                 |                  |                   |                  |                   |                    |                     |
| Facilities                    |                 |                 |                 |                 |                 |                 |                 |                 |                  |                   |                  |                   |                    |                     |
| 50 8011                       | 570.50          | 316.56          | 370.50          | 400.05          | 379.09          | 244.12          | 461.96          | 230.61          | 538.88           | 570.21            | 708.76           | 708.76            | 5,500.00           | 5,500.00            |
| 50 8013                       | 476.46          | 0.00            | 0.00            | 476.46          | 113.17          | 0.00            | 476.46          | 0.00            | 0.00             | 1,078.41          | 0.00             | 0.00              | 2,620.96           | 2,620.96            |
| 50 8100                       | 278.29          | 836.43          | 280.46          | 188.95          | 933.40          | 15.62           | 3,832.67        | 121.36          | 128.85           | 1,667.69          | 1,667.69         | 1,667.68          | 10,000.00          | 10,000.00           |
| 50 8101                       | 0.00            | 664.26          | 1,425.00        | 2,901.61        | 105.00          | 89.14           | 2,207.10        | 855.44          | 54.97            | 47.39             | 825.04           | 825.05            | 10,000.00          | 10,000.00           |
| 50 8115                       | 46.95           | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 976.53           | 976.52            | 2,000.00           | 2,000.00            |
| 50 8116                       | 1,372.20        | 1,817.25        | 2,075.96        | 3,967.07        | 1,530.66        | 348.88          | 6,978.19        | 1,207.41        | 722.70           | 1,744.61          | 4,178.02         | 4,000.00          | 4,000.00           | 4,000.00            |
| Total Facilities              |                 |                 |                 |                 |                 |                 |                 |                 |                  |                   |                  |                   |                    |                     |
| Fund Transfers                |                 |                 |                 |                 |                 |                 |                 |                 |                  |                   |                  |                   |                    |                     |
| 50 8200                       | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 187,732.90      | 0.00            | 0.00            | 0.00             | 0.00              | 0.00             | 0.00              | 187,732.90         | -                   |
| 50 8203                       | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 0.00             | 0.00              | 0.00               | -                   |
| 50 8204                       | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 0.00             | 0.00              | 0.00               | -                   |
| 50 8207                       | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 0.00             | 0.00              | 0.00               | -                   |
| Total Dedicated Funds         | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 187,732.90      | 0.00            | 0.00            | 0.00             | 0.00              | 0.00             | 0.00              | 187,732.90         | 0.00                |
| Insurance                     |                 |                 |                 |                 |                 |                 |                 |                 |                  |                   |                  |                   |                    |                     |
| 50 8300                       | 488.50          | 488.50          | 488.50          | 488.50          | 488.50          | 488.50          | 488.50          | 488.50          | 488.50           | 488.50            | 488.50           | 1,074.50          | 6,448.00           | 6,448.00            |
| Auto Liability                |                 |                 |                 |                 |                 |                 |                 |                 |                  |                   |                  |                   |                    |                     |

| Account                               | Oct 2018 Actual | Nov 2018 Actual | Dec 2018 Actual | Jan 2019 Actual | Feb 2019 Actual | Mar 2019 Actual | Apr 2019 Actual | May 2019 Actual | June 2019 Actual | July 2019 Outlook | Aug 2019 Outlook | Sept 2019 Outlook | FY 2018-2019 TOTAL | FY 2018-2019 Budget |
|---------------------------------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|------------------|-------------------|------------------|-------------------|--------------------|---------------------|
| 50 8301 Auto Phys. Damage             | 332.00          | 332.00          | 332.00          | 332.00          | 332.00          | 332.00          | 332.00          | 332.00          | 332.00           | 332.00            | 332.00           | 730.00            | 4,382.00           | 4,382.00            |
| 50 8302 Errors & Omissions            | 148.00          | 148.00          | 148.00          | 148.00          | 148.00          | 148.00          | 148.00          | 148.00          | 148.00           | 148.00            | 148.00           | 326.00            | 1,954.00           | 1,954.00            |
| 50 8303 General Liability             | 78.58           | 78.58           | 78.58           | 78.58           | 78.58           | 78.58           | 78.58           | 78.58           | 78.58            | 78.58             | 78.58            | 183.62            | 1,048.00           | 1,048.00            |
| 50 8306 Mobil Equipment               | 59.50           | 109.50          | 59.50           | 59.50           | 59.50           | 59.50           | 59.50           | 59.50           | 59.50            | 59.50             | 59.50            | 158.50            | 862.00             | 862.00              |
| 50 8307 Real & Personal Property      | 1,028.25        | 1,028.25        | 1,028.25        | 1,028.25        | 1,028.25        | 1,028.25        | 1,028.25        | 1,028.25        | 1,028.25         | 1,028.25          | 1,028.25         | 3,588.25          | 15,000.00          | 15,000.00           |
| 50 8308 Workers Compensation          | 1,853.42        | 1,853.42        | 4,026.42        | 2,447.42        | 1,853.42        | 1,853.42        | 1,853.42        | 1,853.42        | 1,853.42         | 1,853.42          | 1,349.40         | 1,349.40          | 24,000.00          | 24,000.00           |
| Total Insurance                       | 3,988.25        | 4,138.25        | 6,161.25        | 4,582.25        | 3,988.25        | 3,988.25        | 3,988.25        | 3,988.25        | 3,988.25         | 3,988.25          | 3,484.23         | 7,410.27          | 53,694.00          | 53,694.00           |
| Outsourcing                           |                 |                 |                 |                 |                 |                 |                 |                 |                  |                   |                  |                   |                    |                     |
| 50 8400 Ambulance Service             | 970.11          | 0.00            | 970.11          | 970.11          | 970.11          | 970.11          | 0.00            | 0.00            | 2,910.33         | 0.00              | 3,619.56         | 3,619.56          | 15,000.00          | 15,000.00           |
| 50 8401 Animal Control                | 0.00            | 0.00            | 1,562.50        | 1,562.50        | 0.00            | 0.00            | 1,562.50        | 0.00            | 0.00             | 1,562.50          | 0.00             | 0.00              | 6,250.00           | 6,250.00            |
| 50 8402 Auditor                       | 0.00            | 0.00            | 0.00            | 12,000.00       | 0.00            | 0.00            | -1,000.00       | 0.00            | 0.00             | 0.00              | 0.00             | 2,000.00          | 13,000.00          | 13,000.00           |
| 50 8403 Central Appraisal District    | 0.00            | 2,355.75        | 0.00            | 0.00            | 2,355.75        | 0.00            | 0.00            | 2,355.75        | 0.00             | 0.00              | 2,017.75         | 0.00              | 9,095.00           | 9,095.00            |
| 50 8404 City Civil Attorney           | 0.00            | 1,925.78        | 2,156.08        | 898.00          | 0.00            | 1,936.00        | 3,555.21        | 3,419.75        | 3,958.50         | 869.50            | 10,630.58        | 10,630.58         | 40,000.00          | 40,000.00           |
| 50 8405 City Engineer                 | -236.50         | -2,335.25       | 3,827.50        | -2,009.87       | 1,561.13        | -627.63         | 2,107.50        | -16.19          | 6,921.25         | 1,969.86          | 1,919.10         | 1,919.10          | 15,000.00          | 15,000.00           |
| 50 8406 Surety                        | 0.00            | 0.00            | 0.00            | 194.00          | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 0.00             | 6.00              | 200.00             | 200.00              |
| 50 8407 Information Technologies      | 2,184.16        | 3,283.08        | 2,257.16        | 2,577.05        | 4,795.37        | 2,640.53        | 2,724.95        | 3,523.44        | 2,644.77         | 2,609.03          | 375.23           | 375.23            | 30,000.00          | 30,000.00           |
| 50 8408 Tax Assessor & Collector      | 0.00            | 0.00            | 1,281.00        | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 0.00             | 469.00            | 1,750.00           | 1,750.00            |
| 50 8409 TIF Administrator             | 400.00          | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 1,250.00         | 1,250.00          | 4,000.00           | 4,000.00            |
| 50 8410 Shredding Services            | 117.40          | 0.00            | 283.48          | 117.91          | 116.88          | 115.33          | 121.09          | 121.63          | 122.71           | 122.17            | 130.70           | 130.70            | 1,500.00           | 1,500.00            |
| 50 8412 MS4 Execution                 | 0.00            | 225.18          | 0.00            | 0.00            | 0.00            | 1,015.20        | 2,838.43        | 507.60          | 0.00             | 9,068.54          | 6,922.53         | 6,922.52          | 27,500.00          | 27,500.00           |
| 50 8414 Consulting/Prof Service       | 0.00            | 0.00            | 0.00            | 1,200.00        | 0.00            | 0.00            | 575.00          | 0.00            | 0.00             | 1,500.00          | 0.00             | 4,225.00          | 7,500.00           | 7,500.00            |
| 50 8415 Codification                  | 1,120.00        | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00             | 0.00              | 0.00             | 0.00              | 1,120.00           | 1,120.00            |
| 50 8416 Drainage Project - Prelim Eng | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 495.00          | 0.00            | 0.00            | 0.00             | 0.00              | 5,000.00         | 4,505.00          | 10,000.00          | 10,000.00           |
| 50 8417 Infrastructure Inspection     | 0.00            | -1,121.00       | 1,979.00        | 1,633.50        | 3,905.00        | 2,640.00        | -3,085.50       | 78.00           | -77.00           | 7,950.00          | 5,549.00         | 5,549.00          | 25,000.00          | 25,000.00           |
| 50 8418 Fire Inspections Services     | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 708.75          | 0.00            | 0.00             | 708.75            | 0.00             | 1,582.50          | 3,000.00           | 3,000.00            |
| Total Outsourcing                     | 4,565.17        | 4,333.54        | 14,316.84       | 19,143.20       | 13,704.24       | 10,294.54       | 10,107.93       | 9,989.98        | 18,480.56        | 26,380.35         | 37,414.45        | 43,184.20         | 208,905.00         | 208,905.00          |
| Payroll Taxes                         |                 |                 |                 |                 |                 |                 |                 |                 |                  |                   |                  |                   |                    |                     |
| 50 8500 FICA                          | 4,252.05        | 4,613.00        | 4,223.61        | 6,761.52        | 4,353.41        | 4,212.90        | 4,438.28        | 4,498.11        | 4,487.44         | 6,764.51          | 3,933.59         | 3,933.58          | 56,452.00          | 56,452.00           |
| 50 8501 Medicare                      | 994.46          | 1,078.83        | 987.75          | 1,581.32        | 1,018.15        | 985.28          | 1,037.96        | 1,051.96        | 1,044.83         | 1,582.04          | 920.21           | 920.21            | 13,203.00          | 13,203.00           |
| 50 8502 Retirement - City Portion     | 4,055.60        | 4,324.83        | 3,972.66        | 6,919.01        | 4,611.23        | 4,457.57        | 4,802.76        | 4,768.84        | 4,753.37         | 7,156.30          | 1,377.92         | 1,377.91          | 52,378.00          | 52,378.00           |
| 50 8503 SUTA                          | 13.28           | 34.66           | 30.71           | 1,938.47        | 930.17          | 0.41            | 4.15            | 4.96            | 0.94             | 0.23              | 272.01           | 272.01            | 3,500.00           | 3,500.00            |
| Total Payroll Taxes                   | 9,315.39        | 10,051.32       | 9,214.73        | 17,198.32       | 10,912.96       | 9,656.16        | 10,083.15       | 10,323.87       | 10,266.58        | 15,503.08         | 6,503.73         | 6,503.71          | 125,533.00         | 125,533.00          |
| Total Expenses                        | 139,481.44      | 155,833.35      | 139,043.39      | 222,597.91      | 139,788.61      | 321,134.39      | 162,712.66      | 137,306.21      | 143,081.59       | 224,599.00        | 257,880.41       | 283,533.74        | 2,542,267.57       | 2,347,283.00        |
| Estimated Bank Balance                |                 |                 |                 |                 |                 |                 |                 |                 |                  | 197,562.18        | 629,093.46       | 380,610.48        |                    |                     |

**CITY OF LAVON**  
**BUILDING PERMITS**  
**CALENDAR YEAR 2018-2019**

| PERMITS       | July - 19 | Calendar Year<br>2019 | Permit Valuations  | July - 18 | Calendar Year<br>2018 | Permit Valuations   |
|---------------|-----------|-----------------------|--------------------|-----------|-----------------------|---------------------|
|               | NUMBER    | NUMBER                | Permit Fee's       | NUMBER    | NUMBER                | Permit Fee's        |
| COMMERCIAL    | 2         | 19                    | \$1,650.00         | 3         | 11                    | \$5,082.60          |
| SINGLE FAMILY | 0         | 4                     | \$11,328.90        | 11        | 60                    | \$160,697.65        |
| POOLS         | 0         | 1                     | \$400.00           | 1         | 4                     | \$1,250.00          |
| OTHERS        | 15        | 108                   | \$13,977.83        | 20        | 148                   | \$19,235.30         |
| <b>TOTAL</b>  | <b>17</b> | <b>132</b>            | <b>\$27,356.73</b> | <b>35</b> | <b>223</b>            | <b>\$186,265.55</b> |



Jul 2019

# Community Waste Disposal Monthly Report to the City of Lavon

Nicole Roemer *Municipal Coordinator*





# Municipal Recycling Program



## Single Stream Recycling

Participation in the Residential Curbside Recycling Program continues to demonstrate that residents of the City of Lavon are dedicated to the preservation of the Texas environment for future generations.

The chart below details the statistics of the CWD Residential Curbside Recycling Program.

|                       | Jul-19 | Jun-19 | May-19 | Apr-19 | Mar-19 | Feb-19 | Jan-19 | Dec-18 | Nov-18 | Oct-18 | Sep-18 | Aug-18 |
|-----------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| Homes                 | 1,445  | 1,445  | 1,440  | 1,438  | 1,432  | 1,425  | 1,416  | 1,405  | 1,399  | 1,393  | 1,385  | 1,385  |
| Resi Rcy Tonnage      | 32.12  | 26.27  | 31.12  | 29.45  | 24.06  | 25.40  | 29.36  | 32.17  | 20.22  | 27.36  | 18.54  | 12.32  |
| Pounds / Home / Month | 44.46  | 36.36  | 43.22  | 40.96  | 33.60  | 35.65  | 41.47  | 45.79  | 28.91  | 39.28  | 26.77  | 26.77  |



# Municipal Service Inquiries



## Residential Solid Waste Services

The Solid Waste Industry has a standard service inquiry ratio of 1.0 inquiries per 1,000 service opportunities.

|                        | Jul-19 | Jun-19 | May-19 | Apr-19 | Mar-19 | Feb-19 | Jan-19 | Dec-18 | Nov-18  | Oct-18 | Sep-18 | Aug-18 |
|------------------------|--------|--------|--------|--------|--------|--------|--------|--------|---------|--------|--------|--------|
| Service Opportunities  | 12,513 | 12,514 | 12,470 | 12,453 | 12,401 | 12,341 | 12,263 | 12,167 | 12,115  | 12,063 | 11,994 | 11,865 |
| Service Inquiries      | 0      | 3      | 4      | 2      | 1      | 0      | 3      | 1      | 1       | 2      | 1      | 17     |
| Per 1,000 Service Opps | 0.00   | 0.24   | 0.32   | 0.16   | 0.08   | 0.00   | 0.24   | 0.08   | 0.08254 | 0.17   | 0.08   | 1.43   |



# Customer Service Inquiries - Detail



## Good Service is Good Business

CWD's Customer Service Community is available to provide solutions via phone or online. Our efficient team is here to support the City of Lavon and we continually strive for top-notch performance to ensure residents receive the most value out of their waste and recycling services.

### City Account Complaints for the Period of 07/01/2019 - 07/31/2019

| Account                   | Address | Service Type | Service Code | Total | Grand Total |
|---------------------------|---------|--------------|--------------|-------|-------------|
| No Complaints this period |         |              |              |       |             |

**Kenneth L. Maun  
Tax Assessor Collector  
Collin County  
2300 Bloomdale Rd  
P.O. Box 8046  
McKinney, Texas 75070  
972- 547-5020  
Metro 424-1460 Ext.5020  
Fax 972-547-5040**

**August 12, 2019**

**Mayor Vicki Sanson  
City of Lavon  
P. O. Box 340  
Lavon, Texas 75166**

**Dear Mayor Sanson,**

**Enclosed is the Monthly Collection Report for:  
The City of Lavon tax collections for the month were:**

**July 2019  
\$4,781.24**

**Sincerely,**



**Kenneth L. Maun  
Tax Assessor Collector**

**Attachment**

**cc: Kim Dobbs, City Administrator/City Secretary**

**KM:kb**

Kenneth L Maun  
Tax Assessor/Collector  
Collin County  
P O Box 8046  
McKinney Tx 75070

Monthly Collection Status Report  
July 2019

City of Lavon #18

| Current Tax Year Collections    | Collections<br>Month of July | Cumulative Total<br>10/1/18 thru 7/31/19 | %<br>of Collections |
|---------------------------------|------------------------------|------------------------------------------|---------------------|
| Base M&O                        | \$2,244.39                   | \$704,084.28                             | 101.00%             |
| Base I&S                        | 2,368.01                     | \$742,879.92                             |                     |
| Late Rendition Penalty          | 0.00                         | \$98.82                                  |                     |
| P&I M&O                         | 104.33                       | \$690.86                                 |                     |
| P&I I&S                         | 110.08                       | \$728.29                                 |                     |
| P&I I&S Bond                    |                              |                                          |                     |
| Attorney Fee                    | 140.83                       | \$140.83                                 |                     |
| Other                           | 0.00                         | \$73.20                                  |                     |
| <b>Subtotal</b>                 | <b>\$4,967.64</b>            | <b>\$1,448,696.20</b>                    | <b>101.12%</b>      |
|                                 |                              |                                          |                     |
| Delinquent TaxYears Collections |                              |                                          |                     |
| Base M&O                        | -\$43.27                     | \$8,503.30                               |                     |
| Base I&S                        | -2.30                        | \$285.55                                 |                     |
| Late Rendition Penalty          | 0.00                         | \$59.69                                  |                     |
| P&I M&O                         | 0.00                         | \$1,913.76                               |                     |
| P&I I&S                         | 0.00                         | \$49.32                                  |                     |
| P&I I&S Bond                    |                              |                                          |                     |
| Attorney Fee                    | 0.00                         | \$294.76                                 |                     |
| Other                           | 0.00                         | 0.00                                     |                     |
| <b>Subtotal</b>                 | <b>-\$45.57</b>              | <b>\$11,106.38</b>                       | <b>0.78%</b>        |
|                                 |                              |                                          |                     |
| Combined Current & Delinquent:  |                              |                                          |                     |
| Base M&O                        | \$2,201.12                   | \$712,587.58                             |                     |
| Base I&S                        | \$2,365.71                   | \$743,165.47                             |                     |
| Late Rendition Penalty          | 0.00                         | 158.51                                   |                     |
| P&I M&O                         | 104.33                       | 2,604.62                                 |                     |
| P&I I&S                         | 110.08                       | 777.61                                   |                     |
| P&I I&S Bond                    |                              |                                          |                     |
| Attorney Fee                    | 140.83                       | 435.59                                   |                     |
| Other                           | 0.00                         | 73.20                                    |                     |
| <b>Total Collections</b>        | <b>\$4,922.07</b>            | <b>\$1,459,802.58</b>                    | <b>101.89%</b>      |
|                                 |                              |                                          |                     |
| Original 2018 Tax Levy          |                              | <b>\$1,432,697.93</b>                    | <b>100.00%</b>      |

Kenneth L Maun  
Tax Assessor/Collector  
Collin County  
P O Box 8046  
McKinney Tx 75070

Cumulative Comparative Collection Status Report  
July 2019

City of Lavon #18

|                                           | Collections thru<br>July 2019 |               | Collections thru<br>July 2018 |               |
|-------------------------------------------|-------------------------------|---------------|-------------------------------|---------------|
|                                           |                               | % Collections |                               | % Collections |
| <b>Current Tax Year Collections</b>       |                               |               |                               |               |
| Base M&O                                  | \$1,446,964.20                | 101.00%       | \$1,285,441.47                | 99.66%        |
| Late Rendition Penalty                    | 98.82                         |               | 137.86                        |               |
| P&I M&O                                   | 1,419.15                      |               | 2,307.92                      |               |
| Attorney Fee                              | 140.83                        |               | 180.86                        |               |
| Other                                     | 73.20                         |               | 0.00                          |               |
| Subtotal                                  | <u>\$1,448,696.20</u>         | 101.12%       | <u>\$1,288,068.11</u>         | 99.86%        |
| <b>Delinquent Tax Years Collections</b>   |                               |               |                               |               |
| Base M&O                                  | \$8,788.85                    |               | \$7,253.77                    |               |
| Late Rendition Penalty                    | 59.69                         |               | 0.00                          |               |
| P&I M&O                                   | 1,963.08                      |               | 3,892.86                      |               |
| Attorney Fee                              | 294.76                        |               | 1,771.16                      |               |
| Other Fees                                | 0.00                          |               | 0.00                          |               |
| Subtotal                                  | <u>\$11,106.38</u>            | 0.78%         | <u>\$12,917.79</u>            | 1.00%         |
| <b>Combined Current &amp; Delinquent:</b> |                               |               |                               |               |
| Base M&O                                  | \$1,455,753.05                |               | \$1,292,695.24                |               |
| P&I M&O                                   | 3,382.23                      |               | 6,200.78                      |               |
| Late Rendition Penalty                    | 158.51                        |               | 137.86                        |               |
| Attorney Fee                              | 435.59                        |               | 1,952.02                      |               |
| Other                                     | 73.20                         |               | 0.00                          |               |
| Total Collections                         | <u>\$1,459,802.58</u>         | 101.89%       | <u>\$1,300,985.90</u>         | 100.86%       |
| Adjusted 2017 Tax Levy                    |                               |               | <u>\$1,289,865.40</u>         | 100.00%       |
| Original 2018 Tax Levy                    | <u>\$1,432,697.93</u>         | 100.00%       |                               |               |

Kenneth L. Maun  
Tax Assessor/Collector  
Collin County  
P O Box 8046  
McKinney Tx 75070

Page 3

Levy Outstanding Status Report  
July 2019

City of Lavon #18

|                                         | Current Tax Year  | Delinquent Tax Years |
|-----------------------------------------|-------------------|----------------------|
| Current Month:                          |                   |                      |
| Tax Levy Remaining as of 6/28/19        | \$10,973.87       | 5,579.28             |
| Base M&O Collections                    | 4,612.40          | -45.57               |
| Supplement/Adjustments                  | -718.93           | -91.14               |
| Write-Off                               | 0.00              | 0.00                 |
| Remaining Levy as of 7/31/19            | <u>\$5,642.54</u> | <u>\$5,533.71</u>    |
| Cumulative (From 10/01/18 thru 7/31/19) |                   |                      |
| Original 2018 Tax Levy (as of 10/01/18) | \$1,432,697.93    | 8,660.76             |
| Base M&O Collections                    | 1,446,964.20      | 8,788.85             |
| Supplement/Adjustments                  | 19,908.81         | 5,661.80             |
| Write-Off                               | 0.00              | 0.00                 |
| Remaining Levy as of 7/31/19            | <u>\$5,642.54</u> | <u>\$5,533.71</u>    |

Kenneth L Maun  
Tax Assessor/Collector  
Collin County  
P O Box 8046  
McKinney Tx 75070

Monthly Distribution Report  
July 2019

City of Lavon #18

|                                     | Distribution<br>Month of July | Distribution<br>10/1/18 thru 7/31/19 |
|-------------------------------------|-------------------------------|--------------------------------------|
| Weekly Remittances:                 |                               |                                      |
| Week Ending 7/5/19                  | \$669.16                      | \$60,138.30                          |
| Week Ending 7/12/19                 | \$210.19                      | \$406,195.57                         |
| Week Ending 7/19/19                 | \$443.59                      | \$344,222.96                         |
| Week Ending 7/26/19                 | \$1,988.84                    | \$94,308.34                          |
| Week Ending 7/31/19                 | \$1,469.46                    | \$554,008.83                         |
| Total Weekly Remittances            | <u>\$4,781.24</u>             | <u>\$1,458,874.00</u>                |
| Overpayment from Prior Month        | \$0.00                        | \$485.06                             |
| Manual Adjustment Refund            | \$0.00                        | \$0.00                               |
| Commission Paid Delinquent Attorney | \$140.83                      | \$435.59                             |
| Entity Collection Fee               | \$0.00                        | \$0.00                               |
| Judgement Interest                  | \$0.00                        | \$0.00                               |
| 5% CAD Rendition Penalty            | \$0.00                        | \$7.93                               |
| <br>Total Disbursements             | <br><u><u>\$4,922.07</u></u>  | <br><u><u>\$1,459,802.58</u></u>     |
| <br>Carryover to Next Month         | <br>\$0.00                    | <br>\$0.00                           |

The charts below contain sales tax revenue allocated each month by the Texas State Comptroller. Please contact and search the Texas Comptroller's website if you notice an incorrect amount.

For example, the February allocations reflect December sales, collected in January and allocated in February.

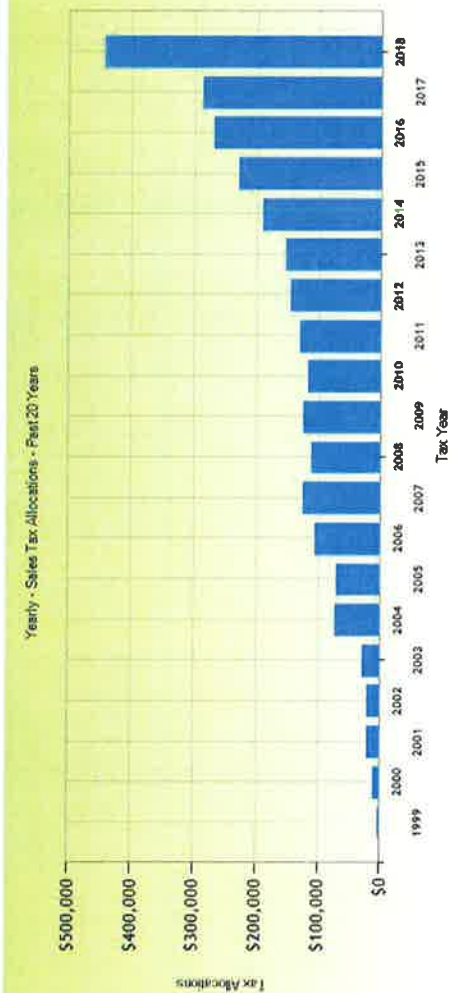
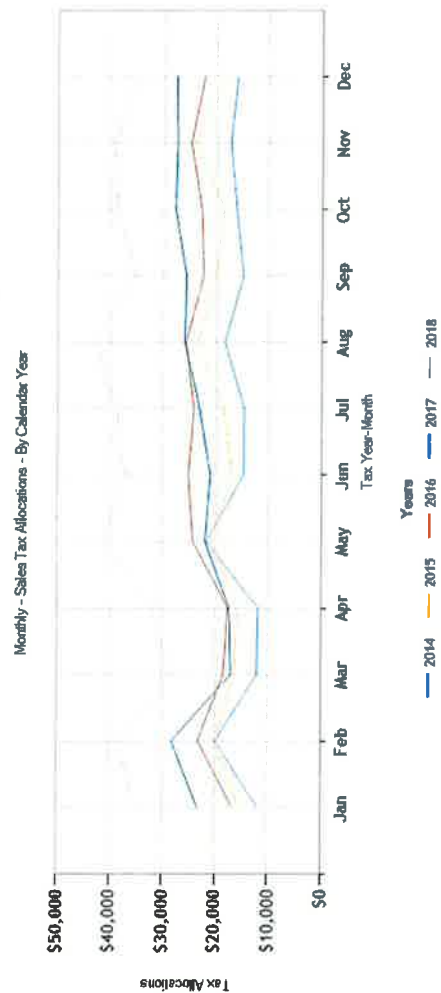
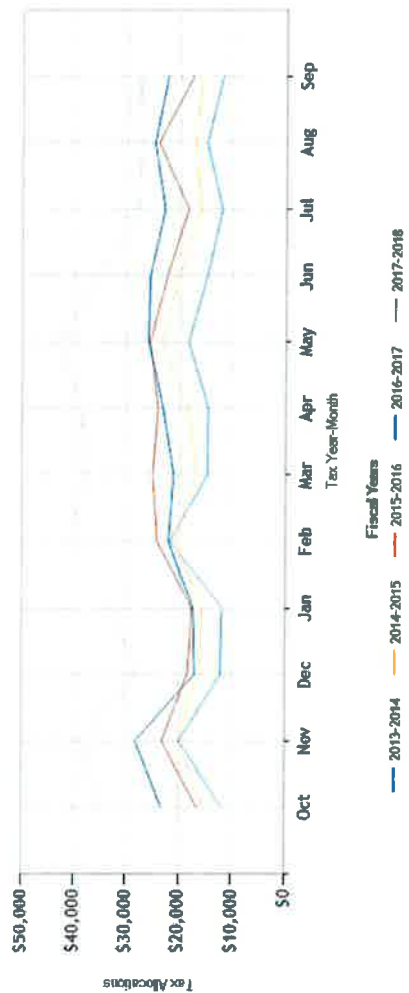
\*Excludes any sales tax retained by the municipality and not remitted to the Comptroller.

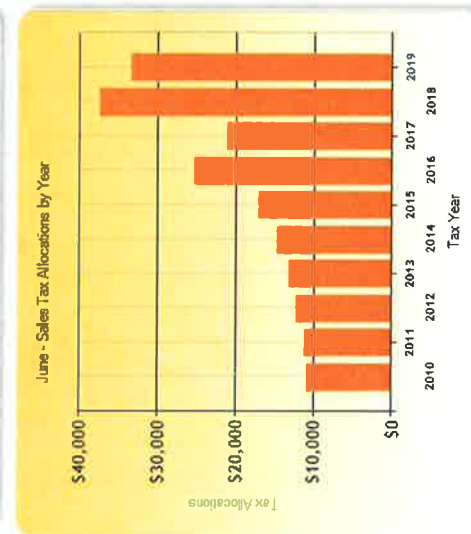
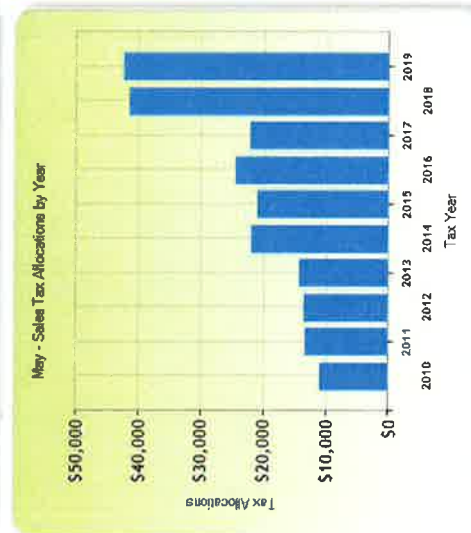
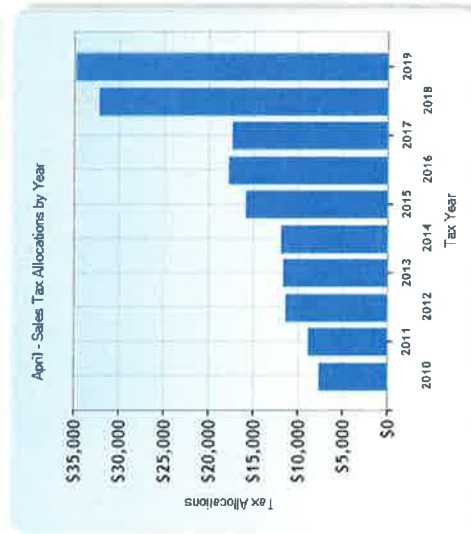
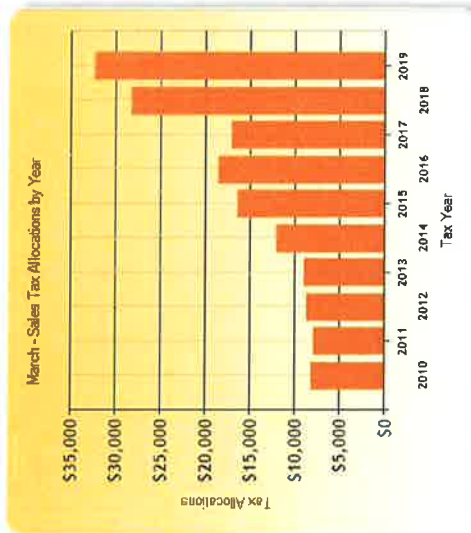
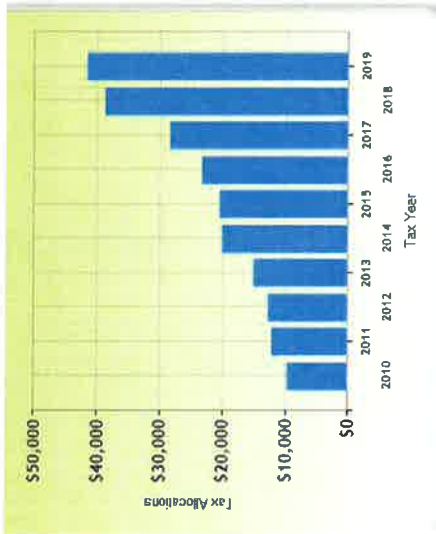
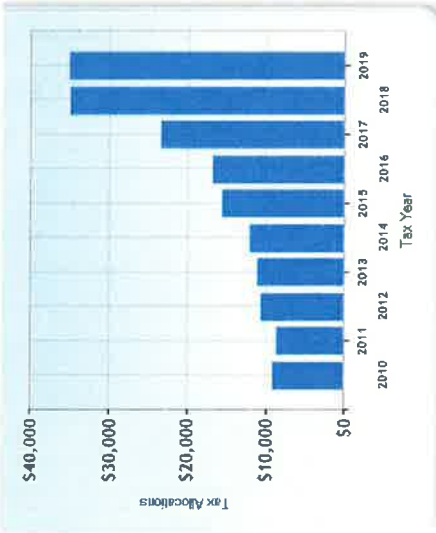
- [View Grid Based on Fiscal Year](#)
- [View Grid With All Years](#)

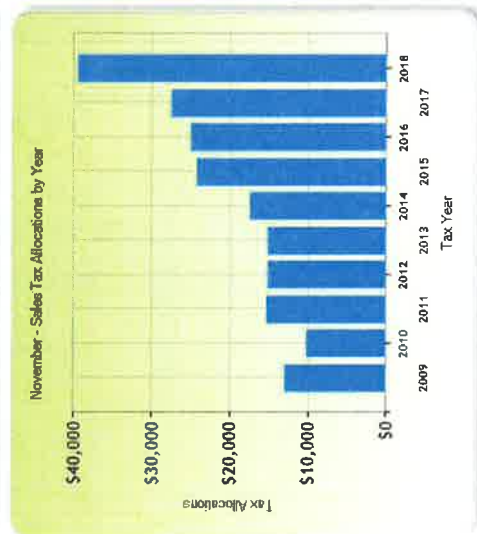
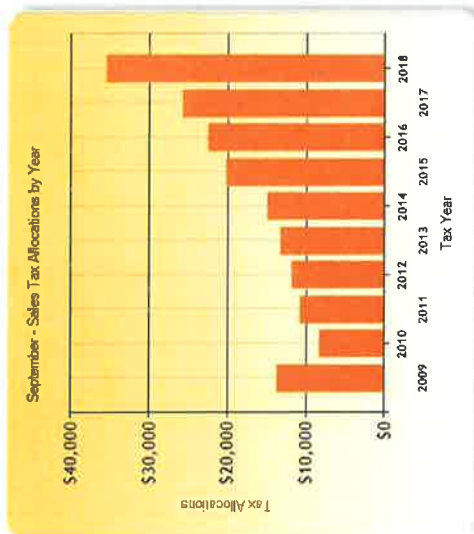
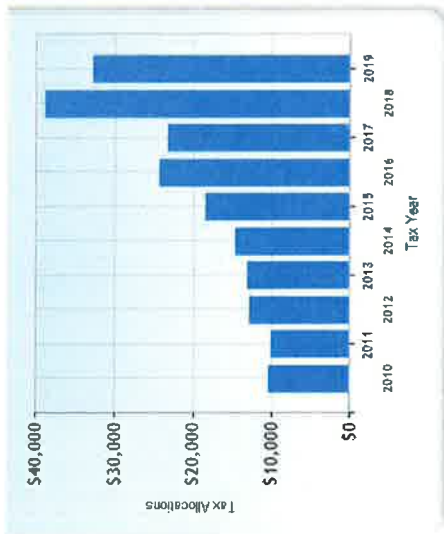
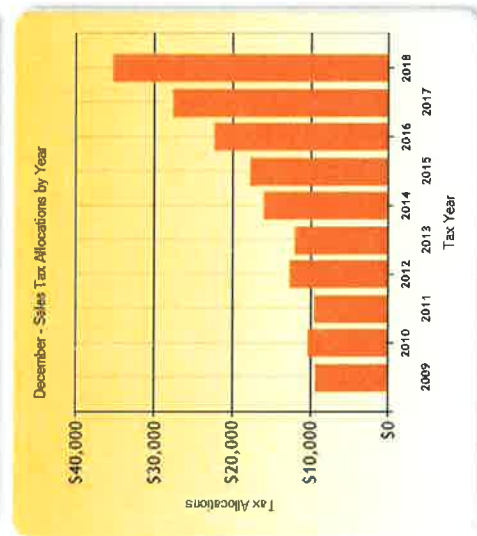
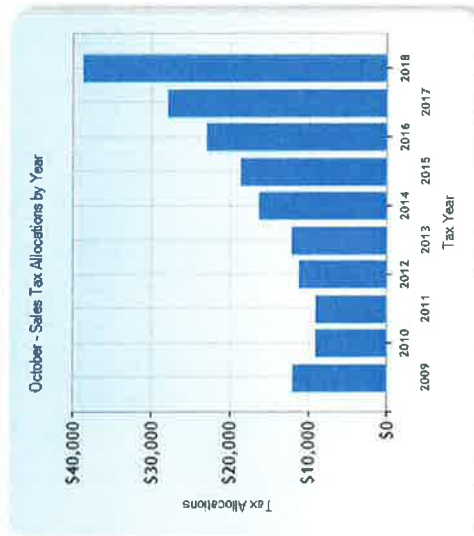
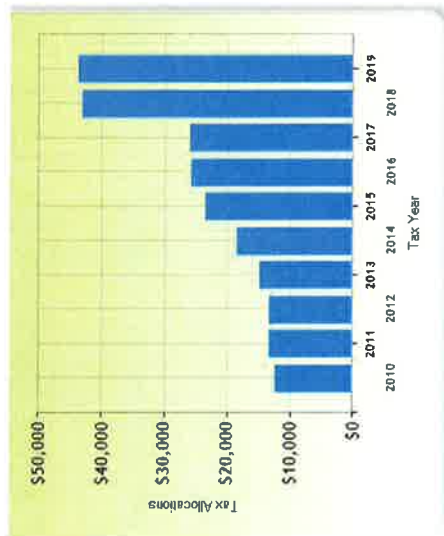
[Download to Excel](#)

By Calendar Year

| Year | January  | February | March    | April    | May      | June     | July     | August   | September | October  | November | December | Total     |
|------|----------|----------|----------|----------|----------|----------|----------|----------|-----------|----------|----------|----------|-----------|
| 1999 | \$0      | \$0      | \$0      | \$0      | \$0      | \$0      | \$0      | \$0      | \$0       | \$0      | \$0      | \$270    | \$270     |
| 2019 | \$35,116 | \$41,596 | \$32,296 | \$34,749 | \$42,410 | \$33,403 | \$32,771 | \$43,642 | \$0       | \$0      | \$0      | \$0      | \$295,983 |
| 2018 | \$34,883 | \$38,663 | \$28,296 | \$32,210 | \$41,357 | \$37,397 | \$38,763 | \$43,030 | \$35,374  | \$38,730 | \$39,419 | \$35,260 | \$443,381 |
| 2017 | \$23,334 | \$28,270 | \$17,054 | \$17,410 | \$22,051 | \$21,074 | \$23,146 | \$25,990 | \$25,733  | \$27,837 | \$27,458 | \$27,603 | \$286,962 |
| 2016 | \$16,738 | \$23,265 | \$18,517 | \$17,691 | \$24,381 | \$25,242 | \$24,250 | \$25,789 | \$22,468  | \$22,849 | \$24,877 | \$22,304 | \$268,372 |
| 2015 | \$15,458 | \$20,264 | \$16,418 | \$15,845 | \$20,890 | \$16,999 | \$18,497 | \$23,514 | \$20,100  | \$18,554 | \$24,151 | \$17,624 | \$228,313 |
| 2014 | \$11,898 | \$19,981 | \$12,109 | \$11,920 | \$21,846 | \$14,703 | \$14,625 | \$18,397 | \$14,846  | \$16,213 | \$17,336 | \$16,025 | \$189,898 |
| 2013 | \$10,998 | \$14,996 | \$8,945  | \$11,649 | \$14,195 | \$13,186 | \$13,097 | \$14,801 | \$13,139  | \$12,032 | \$14,975 | \$11,935 | \$153,947 |
| 2012 | \$10,525 | \$12,667 | \$8,695  | \$11,343 | \$13,292 | \$12,186 | \$12,749 | \$13,134 | \$11,847  | \$11,166 | \$15,054 | \$12,518 | \$145,177 |
| 2011 | \$8,568  | \$12,089 | \$7,877  | \$8,777  | \$13,275 | \$11,177 | \$9,920  | \$13,226 | \$10,718  | \$9,075  | \$15,224 | \$9,414  | \$129,340 |









## Monthly Newsletter - July 2019

### Performance

#### As of July 31, 2019

|                                       |                    |
|---------------------------------------|--------------------|
| Current Invested Balance              | \$8,182,604,967.44 |
| Weighted Average Maturity (1)         | 19 Days            |
| Weighted Average Maturity (2)         | 96 Days            |
| Net Asset Value                       | 0.999984           |
| Total Number of Participants          | 908                |
| Management Fee on Invested Balance    | 0.06%*             |
| Interest Distributed                  | \$16,816,969.14    |
| Management Fee Collected              | \$412,166.54       |
| % of Portfolio Invested Beyond 1 Year | 10.32%             |
| Standard & Poor's Current Rating      | AAAm               |

Rates reflect historical information and are not an indication of future performance.

#### July Averages

|                                          |                    |
|------------------------------------------|--------------------|
| Average Invested Balance                 | \$8,087,208,565.43 |
| Average Monthly Yield, on a simple basis | 2.3883%            |
| Average Weighted Average Maturity (1)*   | 13 Days            |
| Average Weighted Average Maturity (2)*   | 92 Days            |

#### Definition of Weighted Average Maturity (1) & (2)

(1) This weighted average maturity calculation uses the SEC Rule 2a-7 definition for stated maturity for any floating rate instrument held in the portfolio to determine the weighted average maturity for the pool. This Rule specifies that a variable rate instrument to be paid in 397 calendar days or less shall be deemed to have a maturity equal to the period remaining until the next readjustment of the interest rate.

(2) This weighted average maturity calculation uses the final maturity of any floating rate instruments held in the portfolio to calculate the weighted average maturity for the pool.

\* The maximum management fee authorized for the TexSTAR Cash Reserve Fund is 12 basis points. This fee may be waived in full or in part in the discretion of the TexSTAR co-administrators at any time as provided for in the TexSTAR Information Statement.

### New Participants

We would like to welcome the following entities who joined the TexSTAR program in July:

★ Harris County Municipal Utility District No. 163    ★ City of San Juan

### Holiday Reminder

In observance of **Labor Day**, TexSTAR will be closed on **Monday, September 2, 2019**. All ACH transactions initiated on Friday, August 30th, will settle on Tuesday, September 3rd. Please plan accordingly for your liquidity needs.

### Economic Commentary

Uncertainty regarding U.S. and China trade negotiations and expectations for a Federal Reserve rate cut at the end of the month were the major forces that drove markets. Early in the month, President Trump and President Xi of China agreed to a truce as the latest survey of businesses suggested growth momentum continued to slide. The weakness in global manufacturing continued unabated and the subdued inflation and softening inflation expectations prompted expectations of "insurance cuts" from the Fed. At its July 31 meeting, the Fed eased for the first time since December 2008 on the back of slowing business investment, a weak US manufacturing sector and downside risks related to depressed global growth and muted inflation. This was in contrast to still robust conditions in the labor market and strong consumption spending in the US. The 3-month Treasury bill yield declined 3 basis points (bps) to end the month at 2.06%. Then, on August 1st, the US-China trade war was escalated as President Trump lamented the outcome of a round of negotiations between top US and Chinese officials. In a series of tweets that sent the markets reeling, he said the US would place a 10% tariff on \$300bn of additional Chinese goods starting September 1st.

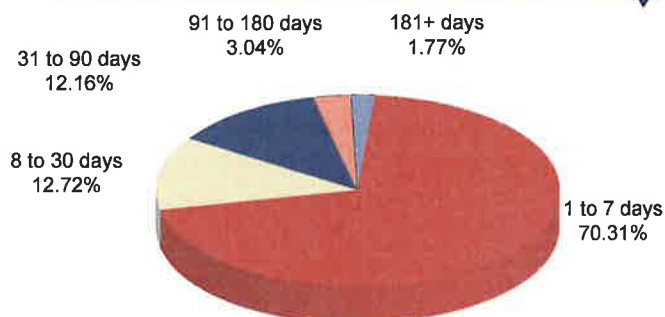
The domestic drivers of U.S. growth continue to remain intact and consumption will continue to be the bedrock of growth in the second half of 2019. The main factors driving the consumer include rising incomes, an elevated savings rates and strong employment growth and rising participation for price age workers. With the labor market still tight and layoffs still low, we would expect gradual wage growth to continue and job growth to slow as the year progresses. The trend pace of core CPI should remain supported around 2.0 – 2.25% as long as the labor market continues maintain its strength. At this point in time, the impacts of the trade war are expected to slow growth closer to trend, depress business investment and slow the manufacturing activity but have not yet meaningfully impacted labor markets or the service sector which has remained resilient. We expect the Fed to cut policy rates two additional times in 2019 in order to address the downside risks to US growth, rising trade tensions and a slowing U.S. manufacturing sector with risks to business investment. The case for the Fed to continue to ease policy further is also bolstered by low inflation that is below the Fed's 2% target.

This information is an excerpt from an economic report dated July 2019 provided to TexSTAR by JP Morgan Asset Management, Inc., the investment manager of the TexSTAR pool.

**For more information about TexSTAR, please visit our web site at [www.texstar.org](http://www.texstar.org).**

## Information at a Glance

### Portfolio by Type of Investment As of July 31, 2019

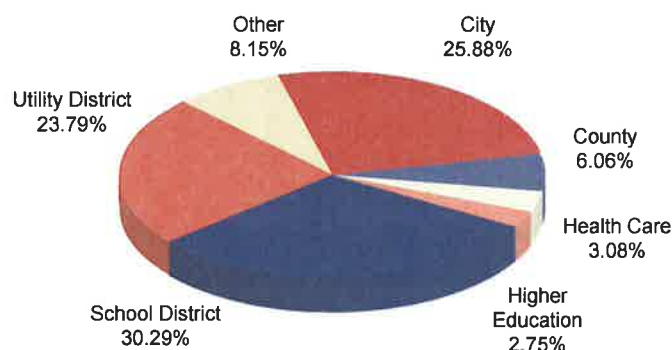


Repurchase  
Agreements  
45.75%

Treasuries  
15.37%

Agencies  
38.88%

### Portfolio by Maturity As of July 31, 2019



### Distribution of Participants by Type As of July 31, 2019

## Historical Program Information

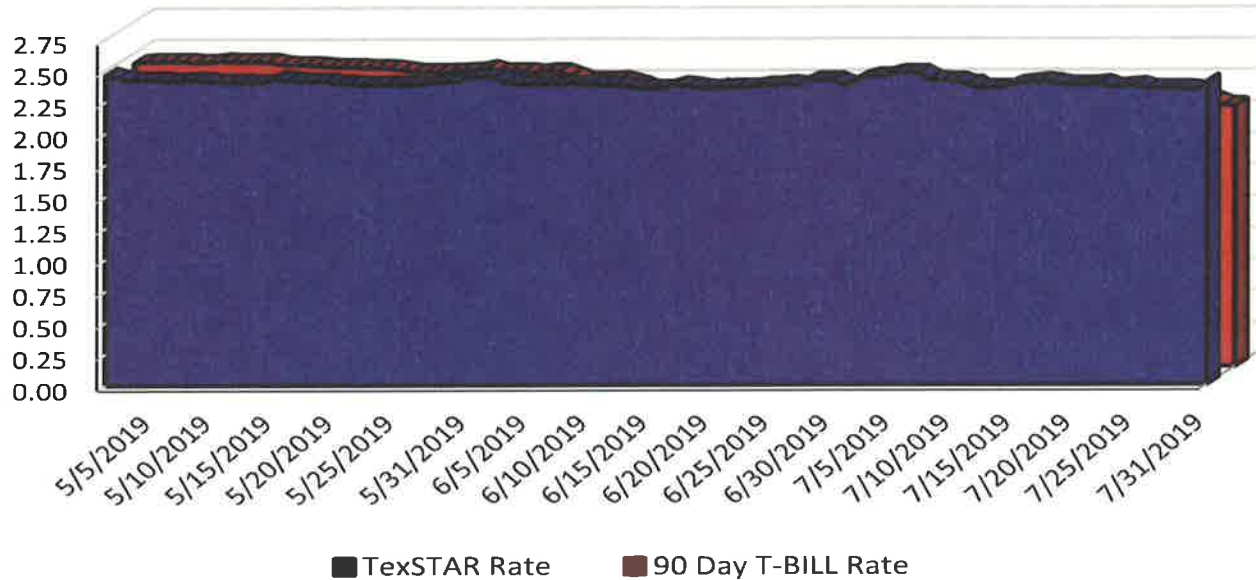
| Month  | Average Rate | Book Value         | Market Value       | Net Asset Value | WAM (1)* | WAM (2)* | Number of Participants |
|--------|--------------|--------------------|--------------------|-----------------|----------|----------|------------------------|
| Jul 19 | 2.3883%      | \$8,182,604,967.44 | \$8,182,476,436.15 | 0.999984        | 13       | 92       | 908                    |
| Jun 19 | 2.3790%      | 8,072,061,682.23   | 8,072,222,027.73   | 1.000019        | 19       | 103      | 906                    |
| May 19 | 2.4048%      | 8,251,300,232.20   | 8,251,929,597.00   | 1.000042        | 25       | 105      | 902                    |
| Apr 19 | 2.4243%      | 8,464,290,753.69   | 8,464,331,283.11   | 1.000004        | 26       | 101      | 895                    |
| Mar 19 | 2.4112%      | 8,378,300,782.34   | 8,378,032,817.90   | 0.999968        | 41       | 106      | 893                    |
| Feb 19 | 2.4001%      | 9,198,012,187.60   | 9,197,689,206.82   | 0.999964        | 45       | 99       | 891                    |
| Jan 19 | 2.3937%      | 8,624,044,987.80   | 8,623,938,284.28   | 0.999987        | 37       | 82       | 890                    |
| Dec 18 | 2.3069%      | 7,738,483,374.11   | 7,738,245,287.60   | 0.999940        | 40       | 95       | 888                    |
| Nov 18 | 2.2176%      | 6,683,233,268.87   | 6,682,898,473.43   | 0.999949        | 41       | 102      | 886                    |
| Oct 18 | 2.1615%      | 6,581,942,899.40   | 6,581,269,831.00   | 0.999897        | 41       | 101      | 884                    |
| Sep 18 | 1.9995%      | 6,458,418,968.50   | 6,458,002,746.78   | 0.999935        | 30       | 96       | 883                    |
| Aug 18 | 1.9225%      | 6,701,017,159.16   | 6,701,228,119.73   | 0.999971        | 24       | 91       | 879                    |

## Portfolio Asset Summary as of July 31, 2019

|                                      | Book Value                 | Market Value               |
|--------------------------------------|----------------------------|----------------------------|
| Uninvested Balance                   | \$ 2,554,649.67            | \$ 2,554,649.67            |
| Accrual of Interest Income           | 9,839,401.91               | 9,839,401.91               |
| Interest and Management Fees Payable | (16,873,777.29)            | (16,873,777.29)            |
| Payable for Investment Purchased     | 0.00                       | 0.00                       |
| Repurchase Agreement                 | 3,745,559,999.80           | 3,745,559,999.80           |
| Government Securities                | 4,441,524,693.35           | 4,441,396,162.06           |
| <b>Total</b>                         | <b>\$ 8,182,604,967.44</b> | <b>\$ 8,182,476,436.15</b> |

Market value of collateral supporting the Repurchase Agreements is at least 102% of the Book Value. The portfolio is managed by J.P. Morgan Chase & Co. and the assets are safekept in a separate custodial account at the Federal Reserve Bank in the name of TexSTAR. The only source of payment to the Participants are the assets of TexSTAR. There is no secondary source of payment for the pool such as insurance or guarantee. Should you require a copy of the portfolio, please contact TexSTAR Participant Services.

# TexSTAR versus 90-Day Treasury Bill



This material is for information purposes only. This information does not represent an offer to buy or sell a security. The above rate information is obtained from sources that are believed to be reliable; however, its accuracy or completeness may be subject to change. The TexSTAR management fee may be waived in full or in part at the discretion of the TexSTAR co-administrators and the TexSTAR rate for the period shown reflects waiver of fees. This table represents historical investment performance/return to the customer, net of fees, and is not an indication of future performance. An investment in the security is not insured or guaranteed by the Federal Deposit Insurance Corporation or any other government agency. Although the issuer seeks to preserve the value of an investment at \$1.00 per share, it is possible to lose money by investing in the security. Information about these and other program details are in the fund's Information Statement which should be read carefully before investing. The yield on the 90-Day Treasury Bill ("T-Bill Yield") is shown for comparative purposes only. When comparing the investment returns of the TexSTAR pool to the T-Bill Yield, you should know that the TexSTAR pool consist of allocations of specific diversified securities as detailed in the respective Information Statements. The T-Bill Yield is taken from Bloomberg Finance L.P. and represents the daily closing yield on the then current 90-day T-Bill. The TexSTAR yield is calculated in accordance with regulations governing the registration of open-end management investment companies under the Investment Company Act of 1940 as promulgated from time to time by the federal Securities and Exchange Commission.

## Daily Summary for July 2019

| Date      | Mny Mkt Fund<br>Equiv. [SEC Std.] | Daily Allocation<br>Factor | TexSTAR Invested<br>Balance | Market Value<br>Per Share | WAM<br>Days (1)* | WAM<br>Days (2)* |
|-----------|-----------------------------------|----------------------------|-----------------------------|---------------------------|------------------|------------------|
| 7/1/2019  | 2.3692%                           | 0.000064910                | \$8,207,820,290.06          | 1.000017                  | 14               | 95               |
| 7/2/2019  | 2.4173%                           | 0.000066227                | \$8,174,518,725.36          | 1.000013                  | 14               | 95               |
| 7/3/2019  | 2.4450%                           | 0.000066987                | \$8,128,794,455.35          | 1.000005                  | 13               | 94               |
| 7/4/2019  | 2.4450%                           | 0.000066987                | \$8,128,794,455.35          | 1.000005                  | 13               | 94               |
| 7/5/2019  | 2.4683%                           | 0.000067625                | \$8,140,636,638.99          | 1.000007                  | 12               | 92               |
| 7/6/2019  | 2.4683%                           | 0.000067625                | \$8,140,636,638.99          | 1.000007                  | 12               | 92               |
| 7/7/2019  | 2.4683%                           | 0.000067625                | \$8,140,636,638.99          | 1.000007                  | 12               | 92               |
| 7/8/2019  | 2.4156%                           | 0.000066180                | \$8,172,626,899.21          | 1.000003                  | 12               | 92               |
| 7/9/2019  | 2.4084%                           | 0.000065984                | \$8,091,452,861.93          | 1.000005                  | 13               | 92               |
| 7/10/2019 | 2.4077%                           | 0.000065964                | \$8,073,958,767.81          | 1.000010                  | 12               | 92               |
| 7/11/2019 | 2.3797%                           | 0.000065196                | \$7,997,599,358.83          | 1.000006                  | 12               | 93               |
| 7/12/2019 | 2.3507%                           | 0.000064402                | \$8,042,093,164.98          | 1.000007                  | 11               | 91               |
| 7/13/2019 | 2.3507%                           | 0.000064402                | \$8,042,093,164.98          | 1.000007                  | 11               | 91               |
| 7/14/2019 | 2.3507%                           | 0.000064402                | \$8,042,093,164.98          | 1.000007                  | 11               | 91               |
| 7/15/2019 | 2.3844%                           | 0.000065325                | \$8,000,697,235.02          | 1.000009                  | 11               | 91               |
| 7/16/2019 | 2.3939%                           | 0.000065586                | \$7,963,126,701.75          | 1.000006                  | 11               | 91               |
| 7/17/2019 | 2.4036%                           | 0.000065851                | \$8,000,225,700.60          | 0.999998                  | 10               | 90               |
| 7/18/2019 | 2.3952%                           | 0.000065623                | \$8,043,921,994.26          | 1.000000                  | 10               | 93               |
| 7/19/2019 | 2.3747%                           | 0.000065061                | \$8,014,709,679.23          | 0.999986                  | 13               | 92               |
| 7/20/2019 | 2.3747%                           | 0.000065061                | \$8,014,709,679.23          | 0.999986                  | 13               | 92               |
| 7/21/2019 | 2.3747%                           | 0.000065061                | \$8,014,709,679.23          | 0.999986                  | 13               | 92               |
| 7/22/2019 | 2.3886%                           | 0.000065441                | \$8,006,521,422.41          | 0.999978                  | 14               | 93               |
| 7/23/2019 | 2.3552%                           | 0.000064527                | \$7,984,585,352.66          | 0.999976                  | 13               | 89               |
| 7/24/2019 | 2.3621%                           | 0.000064715                | \$7,981,001,150.79          | 0.999983                  | 12               | 92               |
| 7/25/2019 | 2.3703%                           | 0.000064940                | \$7,985,464,146.55          | 0.999980                  | 13               | 90               |
| 7/26/2019 | 2.3467%                           | 0.000064294                | \$8,258,362,935.76          | 0.999974                  | 17               | 91               |
| 7/27/2019 | 2.3467%                           | 0.000064294                | \$8,258,362,935.76          | 0.999974                  | 17               | 91               |
| 7/28/2019 | 2.3467%                           | 0.000064294                | \$8,258,362,935.76          | 0.999974                  | 17               | 91               |
| 7/29/2019 | 2.3462%                           | 0.000064279                | \$8,114,628,718.10          | 0.999969                  | 17               | 92               |
| 7/30/2019 | 2.3338%                           | 0.000063941                | \$8,097,715,068.02          | 0.999995                  | 19               | 94               |
| 7/31/2019 | 2.3958%                           | 0.000065638                | \$8,182,604,967.44          | 0.999984                  | 19               | 96               |
| Average   | 2.3883%                           | 0.000065434                | \$8,087,208,565.43          |                           | 13               | 92               |



**TexSTAR Participant Services**  
**1201 Elm Street, Suite 3500**  
**Dallas, TX 75270**  
**1-800-839-7827**

### ***TexSTAR Board Members***

|                 |                                                 |                                   |
|-----------------|-------------------------------------------------|-----------------------------------|
| William Chapman | Central Texas Regional Mobility Authority       | Governing Board President         |
| Nell Lange      | City of Frisco                                  | Governing Board Vice President    |
| Eric Cannon     | City of Allen                                   | Governing Board Treasurer         |
| David Medanich  | Hilltop Securities                              | Governing Board Secretary         |
| Jennifer Novak  | J.P. Morgan Asset Management                    | Governing Board Asst. Sec./Treas. |
| Monte Mercer    | North Central TX Council of Government          | Advisory Board                    |
| Becky Brooks    | City of Grand Prairie                           | Advisory Board                    |
| Nicole Conley   | Austin ISD                                      | Advisory Board                    |
| David Pate      | Richardson ISD                                  | Advisory Board                    |
| James Mauldin   | University of North Texas System                | Advisory Board                    |
| Sandra Newby    | Tarrant Regional Water District/Non-Participant | Advisory Board                    |
| Ron Whitehead   | Qualified Non-Participant                       | Advisory Board                    |



**J.P.Morgan**  
Asset Management

The material provided to TexSTAR from J.P. Morgan Asset Management, Inc., the investment manager of the TexSTAR pool, is for informational and educational purposes only, as of the date of writing and may change at any time based on market or other conditions and may not come to pass. While we believe the information presented is reliable, we cannot guarantee its accuracy. HilltopSecurities is a wholly owned subsidiary of Hilltop Holdings, Inc. (NYSE: HTH) located at 1201 Elm Street, Suite 3500, Dallas, Texas 75270, (214) 859-1800. Member NYSE/FINRA/SIPC. Past performance is no guarantee of future results.

Investment Management Services are offered through J.P. Morgan Asset Management Inc. and/or its affiliates. Marketing and Enrollment duties are offered through HilltopSecurities and/or its affiliates. HilltopSecurities and J.P. Morgan Asset Management Inc. are separate entities.

**CITY OF LAVON  
QUARTERLY INVESTMENT REPORT  
THIRD QUARTER  
FY 2018-19**

This quarterly report is prepared in compliance with the City of Lavon Investment Policy and the Texas Public Funds Investment Act (TX Gov Code, Ch. 2256)

**Independent Bank**

|                   | TIFF Collin County<br>Apr-Jun | TIFF<br>Apr-Jun |
|-------------------|-------------------------------|-----------------|
| Beginning Balance | \$ 195                        | \$ 188,148      |
| Deposits          | \$ 72,869                     | \$ 8,629        |
| Withdrawals       | \$ 73,000                     | \$ 196,629      |
| Interest Earned   | \$ 48                         | \$ 206          |
| Ending Balance    | \$ 112                        | \$ 354          |

**TexStar Investment Pool**

|                   | TIFF Collin County<br>Apr-Jun | TIFF<br>Apr-Jun | Ser 2018 - Tax Note<br>Apr-Jun |
|-------------------|-------------------------------|-----------------|--------------------------------|
| Beginning Balance | \$ 416,678                    | \$ 746,070      | \$ 1,722,552                   |
| Deposits          | \$ 73,000                     | \$ 188,000      | \$ -                           |
| Withdrawals       | \$ -                          | \$ 8,629        | \$ 219,400                     |
| Interest Earned   | \$ 2,682                      | \$ 4,940        | \$ 9,889                       |
| Ending Balance    | \$ 492,360                    | \$ 930,382      | \$ 1,513,041                   |

**SUMMARY STATEMENT OF POSITION - 3rd QUARTER**

|                   |                     |
|-------------------|---------------------|
| Beginning Balance | \$ 3,073,643        |
| Deposits          | \$ 342,497          |
| Withdrawals       | \$ 497,657          |
| Interest Earned   | \$ 17,766           |
| Ending Balance    | <u>\$ 2,936,249</u> |

The figures included in this report represent the beginning balance at the beginning of the quarter; deposits, withdrawals and interest earned during the quarter and the ending balance at the end of the quarter for each investment account.

The Summary Statement of Position represents the total of all investment accounts for the quarter.

  
\_\_\_\_\_  
Accounting Administrator

7.26.19  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
City Administrator/City Secretary

07-26-2019  
\_\_\_\_\_  
Date

**CITY OF LAVON, TEXAS**  
**NOTICE OF GENERAL ELECTION**  
**(AVISO DE ELECCION GENERAL)**

To the registered voters of the City of Lavon, Texas (*a los votantes registrados del Ciudad de Lavon, Texas*):

A general election is hereby ordered to be held on November 5, 2019 for the purpose of electing the Mayor and two (2) Council Members one (1) for Place 2 and one (1) for Place 4.

*(Se ordena a las elecciones generales a que se celebren el 5 de noviembre de 2019 con el propósito de elegir al alcalde y a dos (2) miembros del Concejo).*

ELECTION DAY VOTING LOCATION (*DÍA DE LA ELECCIÓN lugar de votación*):

|                       |                       |                                                   |
|-----------------------|-----------------------|---------------------------------------------------|
| November 5, 2019      | 7:00 a.m. – 7:00 p.m. | Lavon City Hall, 120 School Road, Lavon, Texas    |
| 05 de noviembre, 2019 | 7:00 a.m. – 7:00 p.m. | Lavon Ayuntamiento, 120 School Road, Lavon, Texas |

Eligible City of Lavon registered voters (with an effective date of registration on or before November 5, 2019) may vote at any Collin County Voting Location. A list of Voting Locations can be downloaded at [www.cityoflavon.org](http://www.cityoflavon.org).

*(Ciudad elegibles de Lavon votantes registrados (con una fecha de vigencia de la inscripción en la tarde del 5 noviembre, 2019) pueden votar en cualquiera de las ubicaciones del Condado de Collin de voto. Una lista de los lugares de votación se puede descargar en [www.cityoflavon.org](http://www.cityoflavon.org)).*

EARLY VOTING BY PERSONAL APPEARANCE WILL BE CONDUCTED AS SHOWN BELOW:

*(La votación adelantada en persona se llevará a cabo como se muestra a continuación):*

Lavon City Hall, 120 School Road, Lavon, Texas  
*Lavon Ayuntamiento, 120 School Road, Lavon, Texas*

October 21 – November 1                      (*octubre 21 a noviembre 1*)

Specific dates and times to be posted.

Early Voting Polling Places for the election shall include all locations established by the Collin County Elections Department as Early Voting Polling Places as listed at [www.collincounty.gov/elections](http://www.collincounty.gov/elections)

Applications for ballot by mail shall be mailed to:

*(Las solicitudes para boletas que se votarán en ausencia por correo deberán enviarse a:)*

Bruce Sherbet, Elections Administrator  
Early Voting Clerk, Collin County  
2010 Redbud Blvd., Suite 102  
McKinney, TX 75069  
Fax: (972) 547-1914    E-mail: [election@collincountytx.gov](mailto:election@collincountytx.gov)

Applications for ballots by mail must be received by close of business on October 25, 2019. *(Las solicitudes para boletas que se votarán en ausencia por correo deberán recibirse para el fin de las horas de negocio octubre 25, 2019)*

So resolved by the City Council of the City of Lavon on August 6, 2019.

\_\_\_\_\_  
Vicki Sanson, Mayor  
*Firma del Alcalde*



**NOTICE OF DRAWING  
FOR PLACE ON NOVEMBER 5, 2019  
GENERAL ELECTION BALLOT  
AUGUST 20, 2019  
CITY HALL, 120 SCHOOL ROAD, LAVON, TEXAS  
10:00 P.M.**

Notice is hereby given of a drawing to determine the order in which the names of candidates are to be printed on the ballot for the City of Lavon General Election to be held on November 5, 2019 in the City of Lavon, Texas. The drawing will be conducted at 10:00 a.m. on Tuesday, August 20, 2019 at Lavon City Hall, 120 School Rd. Lavon, Texas.

***AVISO DEL SORTEO PARA UN LUGAR EN LA BOLETA***

*Se da aviso de un sorteo para determinar el orden en que los nombres de los candidatos deben ser impresos en la boleta electoral para la ciudad de Lavon general elección que se celebrará el 5 de noviembre de 2019 en la ciudad de Lavon, Texas. El sorteo se llevará a cabo a las 10:00 a.m. el 20 de agosto de 2019 en el Lavon City Hall, 120 School Rd. Lavon, Texas.*

Notice posted this 14<sup>th</sup> day of August 2019 before 6:00 p.m.

---

Kim Dobbs  
City Administrator / City Secretary

## SH 205 North

|                              |                                                                                     |                               |                 |
|------------------------------|-------------------------------------------------------------------------------------|-------------------------------|-----------------|
| CSJ:                         | 0451-03-013                                                                         | Schematic Approval:           | August 30, 2017 |
| Limits:                      | From North of John King Boulevard to SH 78                                          | Environmental Clearance:      | April 25, 2018  |
| Estimated construction cost: | \$29 million                                                                        | ROW Acquisition Complete:     | October 2019    |
| Project Description:         | Widen from 2-lane rural to 4-lane urban divided with allowance for ultimate 6 lanes | Utility Relocations Complete: | October 2020    |
| Firm & Key Contact:          | Halff Associates, Jeremy McGahan                                                    | 100% Plans to Austin:         | June 2020       |
| TxDOT Contact:               | Jennifer Vorster                                                                    | Ready to Let:                 | October 2020    |
| Funding:                     | \$28,654,950 CAT 2                                                                  | TxDOT Connect Let Date:       | December 2020   |

### Current Activity:

- **PS&E:** TxDOT developing PS&E in house. TxDOT has completed 60% design.
- **ROW:** There are 62 parcels for acquisition; 22 have been acquired; 28 are in negotiations; and 12 are in ED.

