



AGENDA
JANUARY 7, 2020
LAVON CITY COUNCIL
CITY HALL, 120 SCHOOL ROAD, LAVON, TEXAS
REGULAR MEETING
7:00 PM

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

Martin Luther King, Jr. Day – January 20, 2020

4. CITIZENS COMMENTS

Citizens may provide comments (3-minute time limit/person). The response regarding items that are not on the agenda may be to request the items to be placed on a future agenda or referred 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 December 3, 2019 meeting.
- B.** Approve the minutes of the December 19, 2019 meeting.
- C.** Accept the Heritage Public Improvement District #1 Assessment Report Summary dated 11/30/2019 and authorize the payment of invoices.

7. ITEMS FOR CONSIDERATION

- A.** Public hearing, discussion and action regarding the application of Chris Harp Construction, LLC for a conditional use permit (CUP) to construct a Temporary Concrete Batch Plant in Traditions at Grand Heritage, Phase 2, on 30.485 acres described as A0002 Drury Anglin Survey, (CCAD Property ID 1250096), south of the intersection of Geren and Windmill, Lavon, TX.
 - 1) Presentation of request.
 - 2) **PUBLIC HEARING** to receive comments regarding the request.
 - 3) Discussion and action regarding the request and accompanying ordinance.
- B.** Discussion and action regarding Resolution No. **2020-01-01** approving the renewal of the Interlocal Cooperation Agreement with Collin County for fire inspection and fire plan review services and replacing the contract amendment for the same approved by Resolution No. **2019-10-01**.
- C.** Discussion and action regarding Resolution No. **2020-01-02** authorizing the Mayor to execute a professional services agreement with Lee Engineering for professional traffic engineering services associated with preparation of details related to Thoroughfare Plan cross-sections to support the Thoroughfare Map in an amount not to exceed \$9,000.00.
- D.** Discussion and action regarding Task Order #3 with Freeman-Millican, Inc. for professional engineering services relating to the preparation of a capital improvement plan in an amount not to exceed \$9,100.00.

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- E. Discussion and action regarding Ordinance No. **2020-01-02** amending Chapter 6, “Fire Prevention and Protection”, of the City of Lavon Code of Ordinances by amending Article 6.02.003 “Membership and Appointment” to amend requirements relating to organizational structure and appointment of members; providing for severability, savings and repealing clauses; and providing for an effective date of the ordinance.
- F. Discussion and action regarding Resolution No. **2020-01-03** amending the Bylaws of the Lavon Volunteer Fire Department regarding membership, qualifications, and duties of officers; and providing for an effective date.
- G. Discussion and action regarding Resolution No. **2020-01-04** authorizing the Mayor to execute a development agreement with MA Partners, LLC to set forth and coordinate the process and time periods for submission of Developer’s Response and consideration of the Preliminary Plat for the Abston Hills Addition.
- H. Discussion and action regarding the process, needs, elements, priorities, projects and estimated costs related to a Capital Improvement Program (CIP).
- I. Discussion and action regarding board and commission appointments – Lavon Economic Development Corporation Board of Directors.

8. EXECUTIVE SESSION

In accordance with Texas Government Code, Chapter 551, Subchapter D, the City Council may recess into Executive Session (closed meeting) to discuss the following items pursuant to: Section 551.071 (2) Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act regarding the provision of sanitary sewer service.

9. RECONVENE INTO REGULAR SESSION

Consider and take any action necessary as a result of executive session.

10. 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.

Jan 21 – Regular Meeting

11. PRESIDING OFFICER TO ADJOURN THE CITY COUNCIL MEETING

- 1. Notice is hereby given that members of the Lavon Economic Development Corporation Board, Lavon Planning and Zoning Commission, Parks and Recreation Board, and Reinvestment Zone #1 (TIF) Board of Directors may be in attendance at the Lavon City Council Meeting.
- 2. The Council may vote and/or act upon each of the items listed in this Agenda except for discussion items.
- 3. 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 and at City Hall and on or before 6:00 PM on January 3, 2020.



 Kim Dobbs, City Administrator/City Secretary

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PROCLAMATION

City of Lavon, Texas

Dr. Martin Luther King Jr. Day 2020

WHEREAS, Dr. Martin Luther King Jr. devoted his life to advancing equality, social justice, and opportunity for all, and challenged all Americans to participate in the never-ending work of building a more perfect union; and

WHEREAS, twenty-five years ago in 1994, the United States Congress designated the Martin Luther King Jr. holiday as a national day of volunteer service, and since that time millions of Americans have been inspired by the life and work of Dr. Martin Luther King Jr. to serve their neighbors and communities; and

WHEREAS, each of us can and must contribute to making our communities better with increased opportunity for all our citizens,

WHEREAS, we embrace Dr. King's words, "Everybody can be great, because everybody can serve."

NOW, THEREFORE, I, Vicki Sanson, Mayor of the City of Lavon, proclaim January 20, 2020 as

Martin Luther King Jr. Day

a Day of Service in the City of Lavon and call upon the residents of the City of Lavon to pay tribute to the life and works of Dr. Martin Luther King Jr. through participation in community service projects on Martin Luther King Jr. Day and throughout the year.

IN WITNESS WHEREOF, I have hereunto set my hand and have caused the Seal of the City of Lavon, Texas, to be affixed this 7th day of January 2020.

Vicki Sanson, Mayor



**MINUTES
DECEMBER 3, 2019
LAVON CITY COUNCIL
REGULAR MEETING-EXECUTIVE SESSION
CITY HALL, 120 SCHOOL ROAD, LAVON, TEXAS
7:00 P.M.**

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, PLACE 2

1. **MAYOR SANSON CALLED THE MEETING TO ORDER AT 7:00 P.M. AND ANNOUNCED A QUORUM PRESENT.**

2. **MAYOR SANSON LED THE RECITATION OF THE PLEDGE OF ALLEGIANCE AND MR. DILL DELIVERED THE INVOCATION.**

3. **CITIZENS COMMENTS**

There were no citizens comments.

4. **ITEMS OF INTEREST/COMMUNICATIONS**

- December 6, 2019 – City of Lavon Christmas Tree Lighting 6pm
- December 17, 2019 – City Council Meeting Cancelled

5. **CONSENT AGENDA**

A. Approve the minutes of the November 19, 2019 meeting.

MOTION: APPROVE THE CONSENT AGENDA.

MOTION MADE: SERKLAND

SECONDED: DILL

APPROVED: UNANIMOUS

Absent: Cook

6. **ITEMS FOR CONSIDERATION**

A. Discussion and action regarding acceptance of the Lavon Farms Addition.

City Administrator Kim Dobbs reviewed exhibits including the concept plan, location and punch list, including the City Engineer's notes, for the development. David Tipton, Construction Manager, Tesch Development, stated that nearly all punch list items would be completed within 7-10 days. Ms. Dobbs acknowledged correspondence from Tesch Development committing to resolve all outstanding issues prior to approval of any building permit applications.

MOTION: ACCEPT THE PUBLIC INFRASTRUCTURE FOR THE LAVON FARMS ADDITION.

MOTION MADE: KELL

SECONDED: SERKLAND

APPROVED: UNANIMOUS

Absent: Cook

B. Public hearing, discussion and action regarding the Site Plan and Landscape Plan for the Bear Creek Amenity Center Facility on Lot 1X, Block A of the Bear Creek Amenity Center and Bridge Addition, located on the east side of Presidents Blvd. in the vicinity of the 800 block,

southeast of the intersection of Presidents Blvd. and Hoover Ave., City of Lavon, Collin County Texas.

Presentation of request.

Ms. Dobbs provided information regarding the proposed site plan and landscape plan and advised that the applicant had satisfied the comments provided by the development review committee (DRC). Citing proximity of the elementary school, Ms. Serkland asked if pool access would be strictly restricted. Jim Douglas, President, Douglas Properties advised that access would be restricted by locked gates and code-compliant fencing. Mr. Dill asked if the existing basketball court and playground area would be affected and Mr. Douglas replied that no changes were planned for existing facilities. Police Chief Mike Jones inquired about access to the restroom facilities and Mr. Douglas explained access would be located within the fenced pool area and only accessible to those with pool access during open hours of operation.

PUBLIC HEARING to receive comments regarding the request.

Mayor Sanson opened the public hearing at 7:12 p.m. and invited comments in favor of or opposition to the request.

- Mr. Douglas spoke in favor of the request on behalf of developer Bloomfield Homes and advised that the developer intended to maintain as much of the natural tree line as possible.
- Fire Chief Danny Anthony asked if a lifeguard would be on duty and Mr. Douglas advised that he did not know.

There being no further comments Mayor Sanson closed the public hearing at 7:13 p.m.

Discussion and action regarding the request and accompanying Ordinance.

Ms. Dobbs provided a report that the Planning and Zoning Commission recommended approval of the applications subject to the addition of bicycle racks.

MOTION: APPROVE THE SITE PLAN AND LANDSCAPE PLAN FOR THE BEAR CREEK AMENITY CENTER FACILITY ON LOT 1X, BLOCK A OF THE BEAR CREEK AMENITY CENTER AND BRIDGE ADDITION, LOCATED ON THE EAST SIDE OF PRESIDENTS BLVD. IN THE VICINITY OF THE 800 BLOCK, SOUTHEAST OF THE INTERSECTION OF PRESIDENTS BLVD. AND HOOVER AVE., CITY OF LAVON, COLLIN COUNTY, TEXAS SUBJECT TO THE ADDITION OF A BICYCLE RACK AND CITY ENGINEER APPROVAL OF ENGINEERING.

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

C. Discussion and action regarding the preliminary plat of the Abston Hills addition on 111.053 acres of land situated in the Samuel M. Rainer Survey, Abstract No. 740 (portions of CCAD Property IDs 1290347 and 2121783), consisting of 511 residential lots and 11 HOA open space lots located south of FM 6 and east of and adjacent to the LakePointe addition, Lavon extraterritorial jurisdiction, Collin County, Texas.

Ms. Dobbs provided information regarding the preliminary plat application and reported from the Planning and Zoning Commission that on November 26, 2019 the Commission voted unanimously to recommended denial of the preliminary plat.

Ms. Dobbs referenced the staff-prepared Agenda Brief in the meeting packet including a statement from the City Engineer that the application was substantially incomplete. Noting a full review of all required items is needed to ensure technical compliance, not just a review limited to select items in isolation, Ms. Dobbs explained that the Agenda Brief outlined a list of the items needed to form a complete application and also identified a number of deficiencies in the items that were submitted including references to specific city code provisions related to the requirements.

Ms. Dobbs acknowledged applicant Allen Jones, MA Development and City Engineer Mark Hill, both available to answer questions.

Ms. Dobbs advised that with respect to the review of a preliminary plat, recently enacted Texas HB 3167 now requires the City Council 1) to approve, approve with conditions or deny an application within 30 days and if the application is denied the applicant is to be provided with a list of reasons for the denial and 2) that if the City Council fails to act within 30 days, the preliminary plat is considered approved.

MOTION: DENY THE PRELIMINARY PLAT OF THE ABSTON HILLS ADDITION FOR THE REASONS IN THE DECEMBER 3, 2019 AGENDA BRIEF STAFF REPORT CONTAINED IN THE MEETING PACKET AS STATED BY THE CITY ENGINEER:

- A. THE APPLICANT SUBMITTED A SUBSTANTIALLY INCOMPLETE PACKET (ART. 9.02.001, SECTION 4, 4.02) AND FAILED TO SUBMIT SEVERAL ITEMS, WHICH ARE REQUIRED BY CITY CODE AND NECESSARY FOR THE CITY'S ENGINEER TO BE ABLE TO PROVIDE SUBSTANTIVE COMMENTS.**
- B. A TRAFFIC IMPACT ANALYSIS (TIA) HAS NOT BEEN PROVIDED AS REQUIRED. (Art. 9.02.001, Section 3, 3.08(3)(b))**
- C. A DETAILED ENGINEERING STUDY FOR DETERMINATION OF BASE FLOOD ELEVATION HAS NOT BEEN PROVIDED AS REQUIRED. (Art. 4.04.005(c)) AND AS STATED BY THE CITY STAFF:**
 - 1. THE \$500 DEPOSIT FOR ENGINEER REVIEW COSTS WAS NOT PROVIDED WITH THE APPLICATION FEE. (Art. 9.02.001, Section 4, 4.03; Ord. No. 2019-09-07; Plat Application note *D)**
 - 2. THE CORPORATE LIMITS OF THE CITY WERE NOT PROVIDED. (Art. 9.02.001, Section 4, 4.03(a)(2))**
 - 3. THE JURISDICTION LINES WERE NOT PROVIDED FOR THE AREA DESCRIBED IN A PETITION FOR CONSENT TO INCLUDE LAND IN A MUNICIPAL UTILITY DISTRICT, SIGNED BY THE OWNER AND DATED AUGUST 14, 2019 THAT APPEARS TO INCLUDE THE PRELIMINARY PLAT AREA. (Art. 9.02.001, Section 4, 4.03(a)(2))**
 - 4. THE CORRECT INTERLOCAL BOUNDARY AGREEMENT BOUNDARY WAS NOT PROVIDED. (Art. 9.02.001, Section 4, 4.03(a)(2))**
 - 5. THE DEDICATION STATEMENT INCORRECTLY IDENTIFIED THE DEVELOPMENT AS AN ADDITION TO THE CITY OF LAVON. (Art 9.02.001, Section 4, 4.03(b)(5))**
 - 6. THE DEDICATION STATEMENT INCORRECTLY DEDICATED PUBLIC INFRASTRUCTURE AND EASEMENTS TO THE CITY OF LAVON. (Art 9.02.001, Section 4, 4.03(b)(5))**
 - 7. THE DEDICATION STATEMENT DID NOT PROVIDE THE CORRECT OWNER'S NAME. (Art 9.02.001, Section 4, 4.03(b)(5))**
 - 8. THE DEVELOPER DID NOT REQUEST OR PARTICIPATE IN A PRE-APPLICATION CONFERENCE WITH CITY STAFF OR THE STAFF'S DULY AUTHORIZED REPRESENTATIVE PRIOR TO APPLICATION. (Art. 9.02.001, Section 4, 4.01)**
 - 9. THE DEVELOPMENT IS LOCATED WITHIN THE CERTIFICATED AREA OF THE BEAR CREEK SPECIAL UTILITY DISTRICT (SUD) FOR WATER SERVICE. WITH REGARD TO WATER SERVICE, VERIFICATION AND AN INITIAL DEMONSTRATION WAS NOT PROVIDED THAT ADEQUATE PUBLIC FACILITIES NECESSARY TO SUPPORT AND SERVE THE DEVELOPMENT EXIST OR PROVISION HAS BEEN MADE FOR THE FACILITIES. (Art 9.02.001, Section 3, 3.07(2)(a); Section 3, 3.07(3)(c); Section 3, 3.07(4)(a); Section 3, 3.07(5)(a))**
 - 10. WITH REGARD TO SANITARY SEWER SERVICE, VERIFICATION AND AN INITIAL DEMONSTRATION WAS NOT PROVIDED THAT ADEQUATE PUBLIC FACILITIES NECESSARY TO SUPPORT AND SERVE THE DEVELOPMENT EXIST**

OR PROVISION HAS BEEN MADE FOR THE FACILITIES. (Art 9.02.001, Section 3, 3.07(2)(a); Section 3, 3.07(3)(c); Section 3, 3.07(4)(b); Section 3, 3.07(5)(a))

- 11. WITH REGARD TO DRAINAGE, VERIFICATION AND AN INITIAL DEMONSTRATION WAS NOT PROVIDED THAT ADEQUATE PUBLIC FACILITIES NECESSARY TO SUPPORT AND SERVE THE DEVELOPMENT EXIST OR PROVISION HAS BEEN MADE FOR THE FACILITIES. (Art. 9.02.001, Section 3, 3.07(2)(a); Section 3, 3.07(3)(c); Section 3, 3.07(4)(d), Section 3, 3.07(5)(a); Section 3, 3.08; Section 3, 3.08(7); Section 3, 3.08(8))**
- 12. WITH REGARD TO ACCESS TO EXISTING ROADWAYS AND INTERSECTIONS, VERIFICATION WAS NOT PROVIDED TO DEMONSTRATE THAT ADEQUATE PUBLIC FACILITIES NECESSARY TO SUPPORT AND SERVE THE DEVELOPMENT EXIST OR PROVISION HAS BEEN MADE FOR THE FACILITIES. (Art. 9.02.001, Section 3, 3.07(2)(a); Section 3, 3.07(3)(c); Section 3, 3.07(4)(c); Section 3, 3.07(5)(a); Section 3, 3.07(6); Section 3, 3.08(1); Section 3, 3.08(2); Section 3, 3.08(3)(d))**
- 13. ADEQUATE TURNAROUNDS AND EASEMENTS WERE NOT PROVIDED FOR STREETS THAT EXTEND TO THE BOUNDARY OF THE PROPOSED DEVELOPMENT AND THAT WERE NOT CONNECTED TO EXISTING STREET EXTENSIONS. (Art. 9.02.001, Section 3, 3.08(2)(a); Section 3, 3.08(3)(e); Section 3, 3.08(5))**
- 14. A STATEMENT THAT THE DEVELOPMENT WILL BE CONSTRUCTED AS A SINGLE PHASE WAS NOT PROVIDED. (Art 9.02.001, Section 4, 4.02(f)(1)) AND FURTHER THAT UPON RECEIPT OF A COMPLETE APPLICATION FROM THE APPLICANT, THE AUTHORITY TO TAKE ACTION TO APPROVE, APPROVE WITH CONDITIONS OR DENY THE RESUBMITTED APPLICATION FOR A PRELIMINARY PLAT BE DELEGATED TO THE CITY ADMINISTRATOR, WHICH ACTION SHALL BE BASED UPON COMMENTS FROM THE CITY ENGINEER. THE CITY ADMINISTRATOR SHALL TAKE SUCH ACTION WITHIN 15 DAYS OF THE RESUBMITTAL, BUT THE CITY ADMINISTRATOR MAY DECLINE TO TAKE SUCH ACTION AND BRING IT BACK TO THE COMMISSION FOR ACTION IF THERE IS REASONABLE TIME TO CONFIRM A QUORUM AND LAWFULLY POST AN AGENDA AFTER THE CITY ENGINEER HAS COMPLETED THE REVIEW.**

MOTION MADE: SERKLAND
SECONDED: DILL
DENIED: UNANIMOUS
Absent: Cook

- D. Public hearing, discussion and action regarding Ordinance No. 2019-12-01 amending Section 9.0.001 Public Works Construction, Section (a)(2) of the Code of Ordinances to refine and clarify the Standard Construction Details adopted by Ordinance No. 2018-05-01 and subsequently amended, providing a repealer clause; providing a savings clause; providing a severability clause; providing for a penalty of fine not to exceed the sum of two thousand dollars (\$2000.00); and providing for an effective date.**

Presentation of request.

Ms. Dobbs reported that although not required by law, the public hearing was scheduled to provide developers an opportunity to ask questions or make comments.

PUBLIC HEARING to receive comments regarding the request.

Mayor Sanson opened the public hearing at 7:34 p.m. and invited comments in favor of or in opposition to the request. There being no comments Mayor Sanson closed the public hearing at 7:35 p.m.

Discussion and action regarding the request and accompanying Ordinance.

Mark Hill, Freeman Millican, Inc. noted the changes to the document. Mr. Hill pointed out the significant changes were DSPV 1 #4 Changed to 7" and DSPV 4 changed to 5ft sidewalks. Mr. Hill felt these changes will give more consistency to the expectations put on developers. Mr. Kell asked

how this would affect current or past development and Mr. Hill stated that the changes become effective on the approval date and are not retroactive. Mr. Hill noted that a few typos were in need of correction.

MOTION: APPROVE ORDINANCE 2019-12-01 AMENDING SECTION 9.0.001 PUBLIC WORKS CONSTRUCTION, SECTION (a)(2) OF THE CODE OF ORDINANCES TO REFINE AND CLARIFY THE STANDARD CONSTRUCTION DETAILS ADOPTED BY ORDINANCE NO. 2018-05-01 AND SUBSEQUENTLY AMEND, PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2000.00); AND PROVIDING FOR AN EFFECTIVE DATE WITH THE RECOMMENDED CHANGES.

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

- E. Discussion and action regarding Resolution No. 2019-12-01 approving and authorizing the Mayor to execute a Change Order to the construction contract with Heritage Constructors, Inc. for the City of Lavon Bear Creek Wastewater Treatment Plant, Phase 3 Expansion in an amount not to exceed \$75,000.00 for maintenance involving the chlorine contact basin; and providing an effective date.**

Ms. Dobbs explained that needed repairs to the chlorine contact basin had been identified and while Heritage Constructors, Inc. is on site working on the Wastewater Treatment Plant, Phase 3 Expansion, it could be the most efficient and cost-effective solution to employ a change order to have the additional repairs done. Ms. Dobbs advised that the current contract with Heritage Constructors, Inc. is for \$2,192,134 and a change order of up to \$75,000.00 to the contract for the additional work represents less than 3.5 % of the original contract, which is less than 25% that is allowed by state law.

MOTION: APPROVE RESOLUTION NO. 2019-12-01 APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A CHANGE ORDER TO THE CONSTRUCTION CONTRACT WITH HERITAGE CONSTRUCTORS, INC. FOR THE CITY OF LAVON BEAR CREEK WASTEWATER TREATMENT PLAT, PHASE 3 EXPANSION IN AN AMOUNT NOT TO EXCEED \$75,000.00 FOR MAINTENANCE INVOLVING THE CHLORINE CONTRACT BASIN; AND PROVIDING AN EFFECTIVE DATE.

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

- F. Discussion and action regarding board and commission appointments – Parks and Recreation Board.**

Ms. Dobbs stated that Joe Serpette approached her at the last council meeting and volunteered to serve in the alternate position on the Parks and Recreation Board. Mr. Kell and Ms. Wright spoke in support of the appointment of Mr. Serpette.

MOTION: APPOINT JOE SERPETTE TO THE ALTERNATE POSITION ON THE PARKS AND RECREATION BOARD FOR A TERM ENDING ON JANUARY 1, 2022.

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

7. WORK SESSION-Capital Improvement Projects (CIP) Presentation

Ms. Dobbs recapped that during the budget preparation process the staff identified and the City Council expressed support for certain capital projects. Mr. Hill noted that the recent Community Vision

Assessment (CVA) and Strategic Plan identified capital improvement planning as a two-year goal and priority. Mr. Hill presented information about what a capital improvements plan (CIP) is, what it includes and a preliminary exhibit of potential projects. The City Council asked that an item for further discussion be included on the January 7 agenda if possible.

8. STAFF REPORTS

Ms. Dobbs noted that department reports are regularly provided at the second meeting of each month and the meeting packet was prepared prior to the end of the month; however, the item was included in case there were any reports to be made.

- A. Police Services** – Police Chief Mike Jones will provide reports at the January 21st meeting.
- B. Fire Services** – Fire Chief Danny Anthony provided the LVFD call report which included 32 calls. Chief Anthony stated that the Cascade system is installed and running and training has started on the system. Chief Anthony announced that after several months working with the Insurance Service Office (ISO) on an update to the rate for the City of Lavon, an official improved rating is expected soon that may improve insurance rates for Lavon residents.
- C. Public Works** – Mr. Mancias will provide reports at the January 21st meeting.
- D. Administration** – Ms. Dobbs offered to answer questions.

9. EXECUTIVE SESSION

At 8:43 p.m., in accordance with the Texas Government Code, Annotated, Subchapter 551, Mayor Sanson recessed the meeting to go into executive session (closed meeting) to discuss the following item pursuant to Section 551.072 to deliberate the purchase, exchange, lease or value of real property re: purchase of sanitary sewer line easements.

10. RECONVENE FROM EXECUTIVE SESSION

In accordance with Texas Government Code, Section 551.071, et seq., Mayor Sanson reconvened the meeting at 8:50 p.m. and stated no action was taken in executive session.

11. CITY COUNCIL TO SET FUTURE MEETINGS AND AGENDAS.

- December 17, 2019 cancel meeting - City awards Banquet
- January 7, 2020 Regular Meeting at 7:00 p.m.

9. MAYOR SANSON ADJOURNED THE CITY COUNCIL MEETING AT 8:51 P.M.

DULY PASSED and APPROVED by the City Council of Lavon, Texas, on this 7th day of January 2020.

Vicki Sanson
Mayor

ATTEST:

Kim Dobbs
City Administrator/City Secretary



**MINUTES
DECEMBER 19, 2019
LAVON CITY COUNCIL
SPECIAL MEETING
CITY HALL, 120 SCHOOL ROAD, LAVON, TEXAS
6:45 P.M.**

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

1. **MAYOR SANSON CALLED THE MEETING TO ORDER AT 6:45 P.M. AND ANNOUNCED A QUORUM OF FOUR MEMBERS WAS PRESENT.**
2. **MAYOR SANSON LED THE RECITATION OF THE PLEDGE OF ALLEGIANCE AND MS. WRIGHT DELIVERED THE INVOCATION.**
3. **ITEMS FOR CONSIDERATION**

A. Discussion action regarding Ordinance No. 2019-12-02 to increase the rate of deposits to the Texas Municipal Retirement System by the employees of the City of Lavon.

City Administrator Kim Dobbs advised that this ordinance is required to make increase to the rate of deposits that the City Council approved during the budget process. Mayor Sanson invited comments from citizens and there were none.

MOTION: APPROVE ORDINANCE NO. 2019-12-02 TO INCREASE THE RATE OF DEPOSITS TO THE TEXAS MUNICIPAL RETIREMENT SYSTEM BY THE EMPLOYEES OF THE CITY OF LAVON.

MOTION MADE: WRIGHT
SECONDED: DILL
APPROVED: UNANIMOUS (Absent: Kell)

4. **MAYOR SANSON ADJOURNED THE CITY COUNCIL MEETING AT 6:47 P.M.**

DULY PASSED and APPROVED by the City Council of Lavon, Texas, on this 7th day of January 2020

Vicki Sanson
Mayor

ATTEST:

Kim Dobbs
City Administrator/City Secretary

OATH

STATE OF TEXAS:

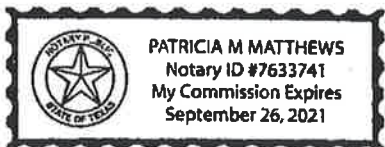
COUNTY OF COLLIN

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 10th DAY OF December, 2019

(SEAL)




NOTARY PUBLIC, STATE OF TEXAS

My commission expires 9/26/21

RECEIVED
DEC 10 2019
CITY OF LAVON



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

**HERITAGE PUBLIC IMPROVEMENT DISTRICT #1
ASSESSMENT REPORT SUMMARY
11/30/19**

Total Receivables As of	11/30/19	\$ 706,540.81	pg 2
Cash Balance As of	10/31/19	\$ 18,592.07	pg 3
November Receipts		\$ 24,629.39	pg 3
November Disbursements		\$ (11,316.00)	pg 3
December Disbursements:			
1 Wire Transfer		\$ (25,000.00)	pg 6
4 Invoices to be paid at a later date			
Cash Balance as of	12/1/19	\$ 6,905.46	pg 4

CURRENT COLLECTIONS & 4 YEAR HISTORICAL DATA						
Year	Collections 11/30/19	Adjustments 11/30/19	Reserve Uncollectibles	Collections 9/1/14 - 11/30/19	Receivables 11/30/19	Percent Collected
2019	19,176.19			20,661.15	700,939.25	2.86
2018	2,277.20			718,178.33	5,598.23	99.23
2017	810.27			665,813.23	3.33	99.99
2016				599,562.45		100.00
2015				599,562.45		100.00

Last Year's Percentage of Collections as of 11/30/18 2.24%

CURRENT CERTIFIED LEVY & 4 YEAR HISTORICAL DATA							
Year	Assessment Rates			Class 3	Original	Adjustments	Assessment
	Platted	Class 1	Class 2		Levy		Levy
2019	2006	675.89	810.27		416,477.35		416,477.35
	2008	663.13	794.96	397.48	180,923.05		180,923.05
	2016	690.00			66,240.00		66,240.00
	2018	690.00			57,960.00		57,960.00
					<u>721,600.40</u>		<u>721,600.40</u>
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	690.00			69,552.00	(11,592.00)	57,960.00
					<u>735,368.56</u>		<u>723,776.56</u>
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
					<u>598,886.56</u>		<u>665,816.56</u>
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
					<u>599,562.45</u>		<u>599,562.45</u>
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
					<u>600,372.72</u>		<u>599,562.45</u>

*Note: Class 2 2018 was entered as \$828 per lot in error. Was corrected to Class 1 2018 at \$690 per lot on 10/31/19 report.
(Levy Calculated by Lot Size)

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CITY OF LAVON

**HERITAGE PUBLIC IMPROVEMENT DISTRICT #1
ASSESSMENT REPORT
11/30/19**

Receivables at 8/31/19	\$	18,125.76	\$	6,533.76
Prior Year Adjustments	\$	(11,592.00)		

2019 Assessment Levy	\$	721,600.40	\$	721,600.40
	\$	-		

Collections From: 9/1/19 - 11/30/19

2019	\$	20,661.15
2018	\$	(562.38)
2017	\$	1,486.16
2016	\$	8.42

(\$ 21,593.35)

TOTAL RECEIVABLE AS OF	11/30/19	\$	706,540.81	=====
------------------------	----------	----	------------	-------

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CITY OF LAVON

**HERITAGE PUBLIC IMPROVEMENT DISTRICT #1
11/30/19**

	<u>Month of</u> <u>11/30/19</u>	<u>Fiscal to Date</u> <u>10/1/19-11/30/19</u>
Cash Balance as of 10/31/19	\$ 18,592.07	\$ 15,307.71
 Receipts Deposited in the Assessment Acct (UTS):		
Current/Prior Assessments	22,263.66	16,472.55
Penalty & Interest	776.82	1,690.12
Atty's Fee-Del Coll	771.87	1,733.59
Overpayment Refunds		
Adjustment Refunds		11,316.00
NSF Fees Paid		
Court Filing Fees	580.04	1,120.40
Title Search Fee	162.00	311.00
Constable Fee	75.00	288.00
Notice to Purchaser		
Escrow		
Assessment Fees Pd in Full		
Stale Dated Checks		
Reimb Bank Charges		
Bank Interest		
	<hr/>	<hr/>
TOTAL RECEIPTS:	\$ 24,629.39	\$ 32,931.66
 Disbursements Issued from the Assessment Acct (UTS):		
Transfer/Debt Service		5,000.00
Overpayment Refunds		17.91
Adjustment Refunds	11,316.00	11,316.00
Cashed Stale Dated Checks		
	<hr/>	<hr/>
TOTAL DISBURSEMENTS:	(\$ 11,316.00)	(\$ 16,333.91)
 Cash Balance As of 11/30/19	 \$ 31,905.46 =====	 \$ 31,905.46 =====

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CITY OF LAVON

**HERITAGE PUBLIC IMPROVEMENT DISTRICT #1
11/30/19**

Cash Balance As of 11/30/19 \$ 31,905.46

Disbursements For December 2019:

<u>Check #</u>	<u>Payee</u>	<u>Description</u>	<u>Amount</u>
W/T	Debt Service Fund on 12/18/18	Transfer of Funds	25,000.00

Total Disbursements: (\$ 25,000.00)

Cash Balance As of 12/1/19 \$ 6,905.46
=====

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

<u>Payee</u>	<u>Description</u>	<u>Amount</u>
MuniCap, Inc	Professional Fees (Invoice #112019-134)	\$ 2,062.50
MuniCap, Inc	Professional Fees (Invoice #112019-355)	\$ 4,952.20
Ted A. Cox	Atty's Fee - Delinquent Coll	\$ 836.04
Mike Arterburn, A/C	December Fee	\$ 1,020.60
	Total	\$ 8,871.34

ok to pay

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CITY OF LAVON

**HERITAGE PUBLIC IMPROVEMENT DISTRICT #1
11/30/19**

CURRENT COLLECTIONS & HISTORICAL DATA

<u>Year</u>	<u>Collections</u> <u>11/30/19</u>	<u>Adjustments</u> <u>11/30/19</u>	<u>Reserve</u> <u>Uncollectibles</u>	<u>Collections</u> <u>9/1/07- 11/30/19</u>	<u>Receivables</u> <u>11/30/19</u>	<u>Percent</u> <u>Collected</u>
2019	19,176.19			20,661.15	700,939.25	2.86
2018	2,277.20			718,178.33	5,598.23	99.23
2017	810.27			665,813.23	3.33	99.99
2016				599,562.45		100.00
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

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DEC 10 2019
CITY OF LAVON

**HERITAGE PUBLIC IMPROVEMENT DISTRICT #1
11/30/19**

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 Levy</u>	<u>Adjustments</u>	<u>Assessment Levy</u>	<u>SR/KR Rolls</u>
2019	2006	675.89			273,059.56		273,059.56	
			810.27		143,417.79		143,417.79	
	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			66,240.00		66,240.00	
	2018	690.00			57,960.00		57,960.00	
					<u>721,600.40</u>		<u>721,600.40</u>	

(Levy Calculated by Lot Size)

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CITY OF LAVON

**HERITAGE PUBLIC IMPROVEMENT DISTRICT #1
11/30/19**

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 Levy</u>	<u>Adjustments</u>	<u>Assessment Levy</u>	<u>SR/KR 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	690.00			66,930.00		66,930.00	
	*2018	690.00			69,552.00	(11,592.00)	57,960.00	0-1
					<u>735,368.56</u>		<u>723,776.56</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>598,886.56</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)

*Note: Class 2 2018 was entered as \$828.00 per lot in error.
Was corrected to Class 1 2018 at \$690.00 per lot on 10/31/19 report.

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**HERITAGE PUBLIC IMPROVEMENT DISTRICT #1
11/30/19**

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

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**HERITAGE PUBLIC IMPROVEMENT DISTRICT #1
11/30/19**

Installment Plans

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

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

INVOICE

Invoice Date 11/15/2019 Invoice # 112019-134

Balance Due \$2,062.50

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

Remit check to:

or

Wire Instructions:

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

*Our banking info has changed:
 Fulton Bank, N.A.
 9151 Baltimore National Pike
 Ellicott City, MD 21042
 (410) 418-8500*

*ABA Routing No.: 031 301 422
 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
 11/15/2019

Invoice #
 112019-134

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

Terms Net 30 Client # 1657

Item	DATE	Description	Hrs	Amount
Vice Pres (JDA)	10/1/2019	Continue work on updating disclosure packets for all lot types.	1.5	337.50
Vice Pres (JDA)	10/2/2019	Forward assessment roll to tax collector upon request. Discussion with tax collector regarding changes to 2019-20 assessment roll.	0.75	168.75
Manager (JJ)	10/9/2019	Perform quarterly account reconciliation reviews.	0.25	50.00
Vice Pres (JDA)	10/17/2019	Reconcile trust accounts for September activity.	0.25	56.25
Sr Assoc (MP)	10/22/2019	Work on bond redemption calculation related to assessment prepayments.	0.5	87.50
Sr Assoc (MP)	10/23/2019	Continue working on bond redemption calculation. Revise calculation.	2.5	437.50
Vice Pres (JDA)	10/23/2019	Respond to homeowner inquiry about prepaying assessment balance.	0.5	112.50
Sr Assoc (MP)	10/24/2019	Continue working on bond redemption calculation and letter. Forward for review.	1	175.00
Sr VP (AY)	10/24/2019	Meeting with tax collector regarding collection process and improvements.	1.5	375.00
Sr Assoc (JLA)	10/29/2019	Assist with identification and provision of material information related to on-going compliance.	0.5	87.50
Sr Assoc (MP)	10/30/2019	Work on revisions to bond redemption calculation and letter per comments from associate.	1	175.00
Subtotal Fees:				2,062.50

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 CITY OF LAVON

EIN: 03-0461891. Overdue accounts are subject to 1% monthly finance charge.

Total \$2,062.50

November 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 \$2,062.50 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

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DEC 10 2019
CITY OF LAVON

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

INVOICE

Invoice Date 11/19/2019 Invoice # 112019-355

Balance Due

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

Remit check to:
 MuniCap, Inc.
 8630 M Guilford Road #263
 Columbia, MD 21046

or Wire Instructions:

Our banking info has changed:
 Fulton Bank, N.A.
 9151 Baltimore National Plke
 Ellicott City, MD 21042
 (410) 418-8500
 ABA Routing No.: 031 301 422
 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 11/19/2019

Invoice # 112019-355

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

Terms Net 30 Client # 1657

Item	DATE	Description	Hrs	Amount
Vice Pres (JDA)	9/1/2019	Continue work on annual SAP update.	2.25	506.25
Sr VP (AY)	9/3/2019	Discussion with developer regarding lot reclassifications. Assist associate with SAP updates.	1	250.00
Vice Pres (JDA)	9/3/2019	Continue work on annual SAP update.	2.75	618.75
Sr VP (AY)	9/5/2019	Assist associates with SAP updates. Review drafts and provide comments.	0.5	125.00
Vice Pres (JDA)	9/5/2019	Continue work on annual SAP update.	2.75	618.75
Sr Assoc (MP)	9/9/2019	Work on service and assessment plan update. Forward for review.	0.75	131.25
Vice Pres (JDA)	9/10/2019	Continue work on annual SAP update.	1.25	281.25
Sr VP (AY)	9/10/2019	Assist associates with SAP update related matters.	0.75	187.50
Vice Pres (JDA)	9/11/2019	Respond to and discuss general inquiry about prepayments with property owner.	0.5	112.50
Sr Assoc (MS)	9/11/2019	Review documents and contact associate in regard to upcoming debt service due in October 2019. Contact trustee in regard to upcoming debt service due in October 2019.	0.5	87.50
Assoc (KB)	9/17/2019	Process administrative invoices and certificates authorizing payment and forward for approval, as required by Trust Indenture.	0.25	37.50
Sr Assoc (MP)	9/17/2019	Attend PID education presentation for ReMax.	0.5	87.50
Vice Pres (JDA)	9/17/2019	Attend and present realtor educational PID seminar. Prepare presentation and meeting notes for city council presentation. Attend city council meeting and present annual SAP update.	4	900.00
Vice Pres (JDA)	9/18/2019	Draft letter of acknowledgement of reduction of assessments and forward to city for review.	0.75	168.75
Vice Pres (JDA)	9/19/2019	Reconcile trust accounts for July and August activity. Revise letter of reduction of assessments and forward to city staff for review.	1	225.00
Sr VP (AY)	9/19/2019	Assist associates with developer confirmation and refund related matters.	1	250.00
Vice Pres (JDA)	9/20/2019	Reconcile trust accounts for July and August activity. Revise letter of reduction of assessments and forward to city staff for review.	0.5	112.50
Sr Assoc (JLA)	9/24/2019	Assist with identification and provision of material information related to on-going compliance.		

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 CITY OF LAVON

Total

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

INVOICE

Invoice Date 11/19/2019
Invoice # 112019-355

Balance Due \$4,952.20

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

Remit check to:

or

Wire Instructions:

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

Our banking info has changed:
Fulton Bank, N.A.
 9151 Baltimore National Plke
 Ellicott City, MD 21042
 (410) 418-8500

 ABA Routing No.: 031 301 422
 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
 11/19/2019

Invoice #
 112019-355

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

Terms Net 30
Client # 1657

Item	DATE	Description	Hrs	Amount
Vice Pres (JDA)	9/30/2019	Continue to update homebuyer disclosure packets and projected schedules of annual installments with 2019-20 approved budget amounts.	0.5	112.50
		Subtotal Fees:		4,900.00
Mileage	9/17/2019	Travel to and from ReMax-Collin County PID education presentation. (MP)	2	1.16
Mileage	9/17/2019	Travel to and from City council meeting. (JDA)	88	51.04
		Subtotal Expenses:		52.20

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 CITY OF LAVON

EIN: 03-0461891. Overdue accounts are subject to 1% monthly finance charge.

Total \$4,952.20

November 19, 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 \$4,952.20 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

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CITY OF LAVON



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

December 1, 2019

City of Lavon
Heritage PID # 1

Ted Cox Invoice

November 2019 Delinquent Collections	\$ 771.87
November 2019 Expenses/Fees	<u>\$ 64.17</u>
Total	\$ 836.04

Payable to:

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

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DEC 1 11 2019
CITY OF LAVON

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

November 21, 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 (November 2019)\$64.17

TOTAL DUE THIS INVOICE\$64.17

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DEC 1 11 2019
CITY OF LAVON

MONTH OF NOVEMBER 2019

<u>DISTRICT</u>	<u>COPIES</u>	<u>POSTAGE</u>	<u>DEED FEES</u>	<u>LEXIS NEXIS RESEARCH FEES</u>	<u>OTHER EXPENSES</u>	<u>TOTAL</u>
Chambers PID #2						
Chambers PID #3						
Denton County	\$6.20			\$5.56		\$11.76
CNP UD	\$2.00	\$1.65		\$5.56	\$355.75 (court costs - Atlantis Sea Account)	\$364.96
El Dorado UD	\$11.60	\$16.35	\$138.00	\$18.36		\$184.31
Encanto Real	\$6.40	\$7.90	\$115.00	\$5.56	\$75.00 (constable fee)	\$209.86
Fort Bend MUD #145						
Galveston MUD #14	\$3.30	\$0.55		\$5.56		\$9.41
Galveston MUD #15	\$4.20	\$1.65		\$5.56		\$11.41
Heritage PID	\$4.00	\$35.65		\$24.52		\$64.17
HC MUD #5	\$5.00	\$1.10	\$117.00	\$28.52	\$3.00 (courthouse parking)	\$154.62
HC UD #16	\$8.80	\$11.30		\$35.10		\$55.20
HC MUD #104	\$8.70	\$0.55	\$117.00	\$5.56		\$131.81
HC MUD #200	\$4.00	\$7.35				\$11.35
HC MUD #211	\$10.90	\$1.10	\$234.00 (two properties)			\$246.00
HC MUD #233						
HC MUD #238	\$2.10	\$0.55				\$2.65
HC MUD #257	\$2.00	\$7.35				\$9.35
HC MUD #304	\$5.00	\$14.65	\$91.00			\$110.65
HC MUD #316	\$18.00	\$0.55	\$463.00 (four properties)			\$481.55



 RECEIVED
 DEC 11 2019
 CITY OF LAVON

Mike Arterburn, Tax A/C

Invoice

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

Date	Invoice #
12/1/2019	11448

Bill To
Heritage PID 1

Item	Description	Amount
Monthly Fee	December Assessor-Collector Fee	1,020.60
		RECEIVED DEC 1 0 2019 CITY OF LAVON
Total		\$1,020.60
Payments/Credits		\$0.00
Balance Due		\$1,020.60



MESSER * ROCKEFELLER * FORT
THE MUNICIPAL LAW FIRM

**6371 Preston Road, Suite 200
 Frisco, TX 75034
 972.668.6400**

Invoice submitted to:

Kim Dobbs
 City Administrator
 City of Lavon
 P. O. Box 340
 Lavon, TX 75166

December 16, 2019

In Reference To: Grand Heritage PID

Invoice #10980

Professional Services

		<u>Hrs/Rate</u>	<u>Amount</u>
<u>November 2019</u>			
11/6/2019	HLS Review email and attachment from Kim Dobbs regarding question on Prepayment Bond Redemption Letter from Municap (.4)	0.40 75.00/hr	30.00
11/12/2019	HLS Review multiple emails and attachments discussing bond redemption and annual Service and Assessment Plan updates (.8)	0.80 75.00/hr	60.00
11/13/2019	HLS Review multiple emails and attachments from Kim Dobbs regarding copies of annual Service and Assessment updates (1.0)	1.00 75.00/hr	75.00
11/15/2019	JYF Call with Kim, Mary and Jason (1.0)	1.00 160.00/hr	160.00
	HLS Review email and attachment from Kim Dobbs regarding copy of Ordinance 2006-06-11 approving Service and Assessment Plan (.4)	0.40 75.00/hr	30.00
SUBTOTAL:		[3.60	355.00]
For professional services rendered		3.60	\$355.00
Previous balance			\$105.00
4/16/2019	Payment - Thank You. Check No. 8648		(\$105.00)
Total payments and adjustments			(\$105.00)

RECEIVED
DEC 18 2019
CITY OF LAVON

Kim Dobbs

Balance due

Amount

\$355.00

*ok to pay
kgd*

Kim Dobbs

From: Joshua Arendt <joshua.arendt@municap.com>
Sent: Wednesday, December 11, 2019 1:36 PM
To: Utility Tax Service LLC
Cc: Kim Dobbs; TXPID; Abdi Yassin; Keenan Rice
Subject: Heritage PID - Outstanding Invoices
Attachments: Heritage PID #1.pdf

Good Afternoon JoAnn,

Please see attached for a certificate for payment of all outstanding invoices for services provided for the Heritage PID by MuniCap.

Moving forward, we will no longer be the active administrator for this district so we wanted to forward all invoices outstanding to be included in the next monthly report submitted to the city for approval.

If you have any questions, please let me know.

Thanks,

MUNICAP, INC. | — PUBLIC FINANCE —
JOSH ARENDT | VICE PRESIDENT
600 E. John Carpenter Freeway, Suite 333 | Irving, TX 75062
OFFICE: (469) 490-2800 | DIRECT: (469) 490-2803
www.municap.com

RECEIVED
DEC 11 2019
CITY OF LAVON

December 16, 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 **\$10,488.45 to MuniCap, Inc.**, from the Administrative Expense Fund created pursuant to the Trust Indenture. These invoices are for administrative services provided by MuniCap for the City, and the nature of these services is more fully described in the attached invoices.

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

RECEIVED
DEC 11 2019
CITY OF LAVON

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

INVOICE

Invoice Date 5/12/2015
Invoice # 052015-145

Balance Due \$1,942.50

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

Remit check to:
 MuniCap, Inc.
 8630 M Guilford Road #263
 Columbia, MD 21046

or **Wire Instructions:**

Our banking info has changed:
Fulton Bank, N.A.
 9151 Baltimore National Pike
 Ellicott City, MD 21042
 (410) 418-8500

 ABA Routing No.: 031 301 422
 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
5/12/2015

Invoice #
052015-145

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

Terms Net 30
Client # 1657

Project		Heritage PID #1		
Item	DATE	Description	Hrs	Amount
Vice Pres (AY)	4/1/2015	Parcel research to update assessment roll.	1	200.00
Vice Pres (AY)	4/2/2015	Continue parcel research for annual SAP update.	1.25	250.00
Vice Pres (AY)	4/3/2015	Continue parcel research.	1.75	350.00
Vice Pres (AY)	4/7/2015	Continue parcel research.	0.5	100.00
Sr Assoc (AN)	4/8/2015	Discuss administrative task timeline with associate. Review bond documents. Update administrative task timeline.	0.5	75.00
Vice Pres (AY)	4/10/2015	Continue parcel research for annual SAP update.	1	200.00
Assoc (MV)	4/13/2015	Process administrative invoice and certificate authorizing payment and forward for approval, as required by Trust Indenture.	0.25	33.75
Vice Pres (AY)	4/15/2015	Continue parcel research.	1.25	250.00
Vice Pres (AY)	4/21/2015	Continue parcel research for annual SAP update.	0.5	100.00
Vice Pres (AY)	4/23/2015	Continue parcel research for annual SAP update.	0.75	150.00
Vice Pres (AY)	4/24/2015	Continue parcel research for annual SAP update.	1	200.00
Assoc (MV)	4/24/2015	Update account reconciliation for the month of March 2015.	0.25	33.75
Subtotal Fees:				1,942.50
EIN: 03-0461891. Overdue accounts are subject to 1% monthly finance charge.			Total	\$1,942.50

RECEIVED
 DEC 11 2019
 CITY OF LAVON

ok to pay

Billing Inquiries? Call (443) 539-4104

There is no record that this invoice was received by the city. legal

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

INVOICE

Invoice Date 6/7/2018
Invoice # 062018-127

Balance Due \$831.25

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

Remit check to:
 MuniCap, Inc.
 8630 M Guilford Road #263
 Columbia, MD 21046

or **Wire Instructions:**

Our banking info has changed:
Fulton Bank, N.A.
 9151 Baltimore National Pike
 Ellicott City, MD 21042
 (410) 418-8500

 ABA Routing No.: 031 301 422
 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
6/7/2018

Invoice #
062018-127

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

Terms Net 30
Client # 1657

Item	DATE	Description	Hrs	Amount
Sr Assoc (JDA)	5/1/2018	Reconcile trust accounts for February and March activity.	0.5	87.50
Assoc (MV)	5/5/2018	Process administrative invoices and certificates authorizing payment and forward for approval, as required by Trust Indenture.	0.25	37.50
Sr Assoc (JDA)	5/7/2018	Respond to homeowner inquiry about PID annual installments.	0.5	87.50
Sr Assoc (JDA)	5/9/2018	Review prepayment history of parcel and forward information to homeowner.	0.5	87.50
Sr Assoc (JDA)	5/14/2018	Forward PID notice to realtor upon request.	0.25	43.75
Sr Assoc (MS)	5/14/2018	Prepare account statements for updating account reconciliation and file.	0.25	43.75
Sr Assoc (JDA)	5/17/2018	Reconcile trust accounts for April activity.	0.25	43.75
Sr Assoc (JDA)	5/30/2018	Review Traditions West Plat lot detail. Discussion with mortgage company about annual installments.	0.75	131.25
Assoc (DW)	5/30/2018	Create PID documents for website.	1	150.00
Assoc (JAC)	5/31/2018	Assist with identification and provision of material information related to on-going compliance.	0.5	75.00
Sr Assoc (JDA)	5/31/2018	Work on PID FAQ document.	0.25	43.75
Subtotal Fees:				831.25

RECEIVED
 DEC 11 2018
 CITY OF LAVON

EIN: 03-0461891. Overdue accounts are subject to 1% monthly finance charge. **Total** \$831.25

DO NOT PAY
 Kog

AY

Billing Inquiries? Call (443) 539-4104

Auth 8/2018

paid 12-19-2019

Kim Dobbs

From: Evans, Beverly <Beverly.Evans@bnymellon.com>
Sent: Thursday, December 19, 2019 7:48 AM
To: Kim Dobbs
Subject: RE: Municap Invoices

Kim,

I did some searching but did not find where we cut this check back in August 2018. I do not know what happened I may have overlooked the submission for that invoice. There are no outstanding checks for them either. I have submitted this for payment today. Sorry for the error.

Thank You,
Bev Evans
Have a Great Day



Associate Client Service Manager/Trustee
BNY Mellon Corporate Trust-Global Client Solutions
2001 Bryan Street 10th Floor
Dallas, TX 75201
Phone: 214-580-1226
Fax: 214-468-6321

Email: beverly.evans@bnymellon.com



From: Kim Dobbs <kim.dobbs@cityoflavon.org>
Sent: Wednesday, December 18, 2019 2:21 PM
To: Evans, Beverly <Beverly.Evans@bnymellon.com>
Subject: RE: Municap Invoices

Beverly,
Thank you for looking for the outstanding amounts and providing the reports that you provided.

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

INVOICE

Invoice Date 11/19/2019
Invoice # 112019-355

Balance Due

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

Our banking info has changed:
Fulton Bank, N.A.
 9151 Baltimore National Pike
 Ellicott City, MD 21042
 (410) 418-8500

 ABA Routing No.: 031 301 422
 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
 11/19/2019

Invoice #
 112019-355

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

Terms Net 30
Client # 1657

Project		Heritage PID #1		
Item	DATE	Description	Hrs	Amount
Vice Pres (JDA)	9/1/2019	Continue work on annual SAP update.	2.25	506.25
Sr VP (AY)	9/3/2019	Discussion with developer regarding lot reclassifications. Assist associate with SAP updates.	1	250.00
Vice Pres (JDA)	9/3/2019	Continue work on annual SAP update.	2.75	618.75
Sr VP (AY)	9/5/2019	Assist associates with SAP updates. Review drafts and provide comments.	0.5	125.00
Vice Pres (JDA)	9/5/2019	Continue work on annual SAP update.	2.75	618.75
Sr Assoc (MP)	9/9/2019	Work on service and assessment plan update. Forward for review.	0.75	131.25
Vice Pres (JDA)	9/10/2019	Continue work on annual SAP update.	1.25	281.25
Sr VP (AY)	9/10/2019	Assist associates with SAP update related matters.	0.75	187.50
Vice Pres (JDA)	9/11/2019	Respond to and discuss general inquiry about prepayments with property owner.	0.5	112.50
Sr Assoc (MS)	9/11/2019	Review documents and contact associate in regard to upcoming debt service due in October 2019. Contact trustee in regard to upcoming debt service due in October 2019.	0.5	87.50
Assoc (KB)	9/17/2019	Process administrative invoices and certificates authorizing payment and forward for approval, as required by Trust Indenture.	0.25	37.50
Sr Assoc (MP)	9/17/2019	Attend PID education presentation for ReMax.	0.5	87.50
Vice Pres (JDA)	9/17/2019	Attend and present realtor educational PID seminar. Prepare presentation and meeting notes for city council presentation. Attend city council meeting and present annual SAP update.	4	900.00
Vice Pres (JDA)	9/18/2019	Draft letter of acknowledgement of reduction of assessments and forward to city for review.	0.75	168.75
Vice Pres (JDA)	9/19/2019	Reconcile trust accounts for July and August activity. Revise letter of reduction of assessments and forward to city staff for review.		225.00
Sr VP (AY)	9/19/2019	Assist associates with developer confirmation and refund related matters.		250.00
Vice Pres (JDA)	9/20/2019	Reconcile trust accounts for July and August activity. Revise letter of reduction of assessments and forward to city staff for review.	0.5	112.50
Sr Assoc (JLA)	9/24/2019	Assist with identification and provision of material information related to on-going compliance.	0.5	87.50

Total

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

INVOICE

Invoice Date 11/19/2019
Invoice # 112019-355

Balance Due \$4,952.20

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

Our banking info has changed:
Fulton Bank, N.A.
 9151 Baltimore National Pike
 Ellicott City, MD 21042
 (410) 418-8500

 ABA Routing No.: 031 301 422
 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 11/19/2019
Invoice # 112019-355

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

Terms Net 30
Client # 1657

Project		Heritage PID #1	Hrs	Amount
Item	DATE	Description	Hrs	Amount
Vice Pres (JDA)	9/30/2019	Continue to update homebuyer disclosure packets and projected schedules of annual installments with 2019-20 approved budget amounts.	0.5	112.50
Subtotal Fees:				4,900.00
Mileage	9/17/2019	Travel to and from ReMax-Collin County PID education presentation. (MP)	2	1.16
Mileage	9/17/2019	Travel to and from City council meeting. (JDA)	88	51.04
Subtotal Expenses:				52.20

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 CITY OF LAVON

EIN: 03-0461891. Overdue accounts are subject to 1% monthly finance charge.

Total \$4,952.20

DO NOT PAY
 DUPLICATE
 kg

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

INVOICE

Invoice Date 11/15/2019
Invoice # 112019-134

Balance Due \$2,062.50

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

Our banking info has changed:
Fulton Bank, N.A.
 9151 Baltimore National Pike
 Ellicott City, MD 21042
 (410) 418-8500

 ABA Routing No.: 031 301 422
 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 11/15/2019
Invoice # 112019-134

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

Terms Client #
 Net 30 1657

Project		Heritage PID #1		
Item	DATE	Description	Hrs	Amount
Vice Pres (JDA)	10/1/2019	Continue work on updating disclosure packets for all lot types.	1.5	337.50
Vice Pres (JDA)	10/2/2019	Forward assessment roll to tax collector upon request. Discussion with tax collector regarding changes to 2019-20 assessment roll.	0.75	168.75
Manager (JJ)	10/9/2019	Perform quarterly account reconciliation reviews.	0.25	50.00
Vice Pres (JDA)	10/17/2019	Reconcile trust accounts for September activity.	0.25	56.25
Sr Assoc (MP)	10/22/2019	Work on bond redemption calculation related to assessment prepayments.	0.5	87.50
Sr Assoc (MP)	10/23/2019	Continue working on bond redemption calculation. Revise calculation.	2.5	437.50
Vice Pres (JDA)	10/23/2019	Respond to homeowner inquiry about prepaying assessment balance.	0.5	112.50
Sr Assoc (MP)	10/24/2019	Continue working on bond redemption calculation and letter. Forward for review.	1	175.00
Sr VP (AY)	10/24/2019	Meeting with tax collector regarding collection process and improvements.	1.5	375.00
Sr Assoc (JLA)	10/29/2019	Assist with identification and provision of material information related to on-going compliance.	0.5	87.50
Sr Assoc (MP)	10/30/2019	Work on revisions to bond redemption calculation and letter per comments from associate.	1	175.00
Subtotal Fees:				2,062.50

EIN: 03-0461891. Overdue accounts are subject to 1% monthly finance charge.

Total ~~\$2,062.50~~

DO NOT PAY

AY

Billing Inquiries? Call (443) 539-4104

SP-E

DUPLICATE

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

INVOICE

Invoice Date 12/16/2019
Invoice # 122019-123

Balance Due \$700.00

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

Remit check to:
 MuniCap, Inc.
 8630 M Guilford Road #263
 Columbia, MD 21046

or **Wire Instructions:**

Our banking info has changed:
Fulton Bank, N.A.
 9151 Baltimore National Plke
 Ellicott City, MD 21042
 (410) 418-8500

 ABA Routing No.: 031 301 422
 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
12/16/2019

Invoice #
122019-123

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

Terms Net 30
Client # 1657

Item	DATE	Description	Hrs	Amount
Vice Pres (JDA)	11/4/2019	Coordinate homeowner refunds with tax collector and forward updates to city.	0.75	168.75
Sr Assoc (MP)	11/6/2019	Finalize redemption letter of instructions and forward to city for authorization.	0.5	87.50
Vice Pres (JDA)	11/11/2019	Follow up with tax collector regarding refund process to property owners.	0.25	56.25
Assoc (KB)	11/12/2019	Process administrative invoices and certificates authorizing payment and forward for approval, as required by Trust Indenture.	0.25	37.50
Sr Assoc (MS)	11/12/2019	Prepare account statements for updating account reconciliation and file.	0.25	43.75
Sr VP (AY)	11/13/2019	Review prior assessment rolls and assist associate with inquiry.	0.25	62.50
Sr Assoc (MP)	11/14/2019	Respond to inquiry from property owner regarding PID. Discuss assessment payment options.	0.25	43.75
Vice Pres (JDA)	11/22/2019	Forward disclosure packet and projected schedule of annual installments to homeowner upon request.	0.25	56.25
Vice Pres (JDA)	11/25/2019	Reconcile trust accounts for October activity.	0.25	56.25
Sr Assoc (JLA)	11/26/2019	Assist with identification and provision of material information related to on-going compliance.	0.5	87.50
Subtotal Fees:				700.00

RECEIVED
 DEC 11 2019
 CITY OF LAVON

EIN: 03-0461891. Overdue accounts are subject to 1% monthly finance charge.

Total **\$700.00**

ok



CITY OF LAVON

Agenda Brief

MEETING: January 7, 2020

ITEM: 7 - A

Item:

Public hearing, discussion and action regarding the application of Chris Harp Construction, LLC for a conditional use permit (CUP) to construct a Temporary Concrete Batch Plant in Traditions at Grand Heritage, Phase 2, on 30.485 acres described as A0002 Drury Anglin Survey, (CCAD Property ID 1250096), south of the intersection of Geren and Windmill, Lavon, TX.

- 1) Presentation of request.
- 2) **PUBLIC HEARING** to receive comments regarding the request.
- 3) Discussion and action regarding the request and Ordinance No. 2020-01-01.

Background:

In conjunction with the development of the Traditions at Grand Heritage, Phase 2 addition and in accordance with Ordinance No. 2018-08-04 (PD – Traditions at Grand Heritage, Phase 2), Chris Harp Construction, LLC has submitted an application for a conditional use permit (CUP) for a temporary batch plant for construction of the development's streets and infrastructure.

Requisite notice was published in the newspaper and on the website and mailed notices were provided to the owners of property located within 200 feet of the proposed site. No indication of opposition was received.

Code Excerpt

CITY OF LAVON – CODE OF ORDINANCES
Ordinance No. 2018-08-04

Section 3. Permitted and Conditional Uses. The PD-SF District is hereby created for approximately 30.485 acres of land, described in the attached Exhibit "A" and depicted in Exhibit "B" located south of the intersection of Windmill, Geren and CR 484, (CCAD ID#1250096), providing for the permitted and conditional uses in the Single-Family-4 (SF-4) District.

CITY OF LAVON – CODE OF ORDINANCES
Section 9.1.5.4 SINGLE FAMILY – 4 DISTRICT (SF-4)

C) Conditional Uses.

- 7) Temporary concrete batch plants limited to no more than six (6) months however the limit on the temporary permit may be extended one (1) additional (6) six month period, by the Building Official as necessary to complete construction for the project

under which the temporary permit was granted; the location of the batch plant is subject to the approval of the Building Official.

A resident did inquire about the noise during the hours of plant operation and expressed concern about the noise associated with trucks staging for work. The code requirements are as follows:

Code Excerpt

CITY OF LAVON – CODE OF ORDINANCES

Sec. 8.03.005 Times for operation of equipment restricted

Except as provided in [Section 8.03.007](#), it shall be unlawful for any person or business to operate, cause to be operated, or allow to be operated equipment or heavy equipment within five hundred feet (500') of an inhabited residential structure between the hours of eight (8) p.m. and seven (7) a.m.

Sec. 8.03.006 Times for performing construction activities restricted

(a) Except as provided in [Section 8.03.007](#), it shall be unlawful for any person or business to perform, cause to be performed, or allow to be performed any construction activity that causes loud noise within five hundred feet (500') of an inhabited residential structure between the hours of eight (8) p.m. and seven (7) a.m.

(b) Construction activity that causes loud noise shall include but not be limited to:

- (1) Hammering;
- (2) Sawing;
- (3) Operation of backhoes, loaders, tractors or compressors; or
- (4) Any other activity that would disturb the peace and tranquility of the community.

Violation of the above ordinance has a penalty of \$2,000.00

The CUP application was received on December 5, 2019. A special meeting of the Planning and Zoning Commission was scheduled for January 7, 2019 as the regular December meeting was cancelled for the Christmas holiday.

Staff Notes:

Approval is recommended.

Attachments:

1. Proposed Ordinance
2. Application for Conditional Use Permit
3. Location Exhibits
4. TCEQ Determination
5. Neighbor Notice

CITY OF LAVON, TEXAS
ORDINANCE NO. 2020-01-01

Conditional Use Permit – Temporary Concrete Batch Plant

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS, AMENDING THE CODE OF ORDINANCES TO GRANT A CONDITIONAL USE PERMIT FOR CONSTRUCTION OF A TEMPORARY CONCRETE BATCH PLANT; PROVIDING SEVERABILITY AND CUMULATIVE CLAUSES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lavon recognizes the need for ongoing development of the City, and that because of such development, an amendment of the zoning ordinance may occasionally be required; and

WHEREAS, the City of Lavon has received an application from Chris Harp Construction LLC for a Conditional Use Permit (CUP) to construct a Temporary Concrete Batch Plant in Traditions at Grand Heritage, Phase 2, a 30.485 acres described as A0002 Drury Anglin Survey located south of the intersection of Geren and Windmill, Lavon, Collin County, Texas; and

WHEREAS, the Planning and Zoning Commission and the governing body of the City of Lavon, Texas, in compliance with the laws of the State of Texas and the ordinances of the City of Lavon, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the City of Lavon Code of Ordinances be amended as follows:

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

SECTION 1. Findings.

It is hereby officially determined that the findings and recitations contained above in the preamble of this ordinance are true and correct and are incorporated herein by reference.

SECTION 2. Authorization.

- A. The City of Lavon Code of Ordinances, Zoning Code, as heretofore amended, and the same is hereby amended so as grant a Conditional Use Permit on the property described herein to permit construction of a temporary concrete batch plant for the purpose of constructing infrastructure within the development and constructing, repairing, or reconstructing public infrastructure within the vicinity of the development as approved by the Director of Public Works.

- B. That the time period for the Conditional Use Permit shall be the earlier of eighteen (18) months from the effective date or the City's final acceptance of the improvements.
- C. That the applicant shall proactively maintain dust control related to batch plant operations at all times.
- D. That the plant hour of operations shall be limited to 7:00 a.m. to 8:00 p.m. seven days per week.

SECTION 3. Severability Clause.

It is hereby declared by the City Council 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 4. Cumulative Clause.

This ordinance shall be cumulative of all provisions of ordinances of the City except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 5. Public Meeting.

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.

SECTION 6. Effective Date.

This ordinance shall be in full force and effect immediately upon its passage and approval by the City Council.

DULY PASSED and APPROVED by the City Council of the City of Lavon, Texas, on the 7th day of January 2020.

Vicki Sanson
Mayor

ATTEST:

Kim Dobbs
City Administrator/City Secretary



CITY OF LAVON
 120 School Road, P.O. Box 340, Lavon, TX 75166
 (972) 843-4220
cityhall@cityoflavon.org

APPLICATION FOR CONDITIONAL USE PERMIT (CUP)

CHRIS HARP CONSTRUCTION, LLC 12-5-19
 Applicant Name Date

AARON HARP 469-344-7686
 Representative, Agent or Owner Phone

CHRIS HARP CONSTRUCTION, LLC AARON@CHRISHARPCONSTRUCTION.COM
 Company Email address

P.O. BOX 640 NEVADA, TX 75173
 Street City, State, Zip

TRADITIONS AT GRAND HERITAGE 2 - FM 2255 & CR 484
 Address and Location of Property

TRADITIONS AT GRAND HERITAGE, PH 2
 Legal Description of Property

Existing Zoning: RESIDENTIAL

REASON FOR REQUEST (Include the type of conditional use requested, dimensions, materials and elevations. Attach a separate sheet if necessary and include supporting documentation.)

ERECT & OPERATE A TEMPORARY PORTABLE CONCRETE BATH PLANT TO CONSTRUCT STREET IMPROVEMENTS

Signature of Applicant or Representative: James C. Bennett FOR AARON HARP

For Office Use Only

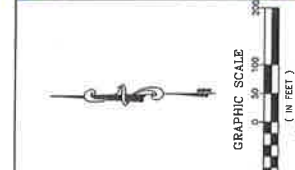
Date Received: _____ Date Paid: _____ Fee Paid: _____

Next P & Z Meeting: _____ Next City Council Meeting: _____

RECEIVED
 DEC 05 2019
 CITY OF LAVON



VICINITY MAP
N.T.S.



GRAPHIC SCALE
1" = 50' 0"

- NOTES:
- LOT CORNERS SHALL BE MARKED BY 1/2" IRON RODS WITH PLASTIC CAPS STAMPED "USA INC.", UNLESS NOTED OTHERWISE.
 - THE FOLLOWING COMMON AREA LOTS SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION:
COMMON AREA 1X, BLOCK A
 - SELLING A PORTION OF THIS SUBDIVISION BY NOTES AND DEEDS IS A VIOLATION OF CITY ORDINANCE AND STATE LAW AND IS HEREBY FORBIDDEN. THE BUYER SHALL BE RESPONSIBLE FOR OBTAINING PERMITS TO FINES AND WITHDRAWING OF UTILITIES AND BUILDING PERMITS.
 - RECORDS ARE BASED ON THE METERS, LINE AND "TRIMMINGS" AT GRAND HERITAGE AS RECORDED IN VOLUME 2017, PAGE 900 OF THE OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS AND SUBSEQUENT RECORDS.
 - ZONED PD 99 - TRADITIONS PHASE 2 ORDINANCE #2016-09-04
 - ALL INTERIOR LOTS SHALL HAVE A 3.5 FOOT DRAINAGE EASEMENT TO THE STREET. THE DRAINAGE EASEMENT SHALL BE 5 FEET WIDE FOR MAINTAINING POSITIVE DRAINAGE FROM WITHIN THE LOT TO THE STREET. THE DRAINAGE EASEMENT SHALL BE 5 FEET WIDE TO THE HOA AND CITY MAY BE THE RIGHT BUT NOT THE OBLIGATION TO THE RESPECTIVE LOT OWNER WITHIN ALL DRAINAGE EASEMENTS.
 - ALL LOTS WITH RETAINING WALL SHALL HAVE A 5 FOOT WALL MAINTENANCE EASEMENT ON EITHER SIDE OF LOT LINE WITH THE RETAINING WALL.
 - ALL WATER SYSTEMS, PIPES AND CONNECTIONS TO BEA READER SPECIAL UTILITY DISTRICT (RESIDUAL) AND THAT CONSTRUCTION RELATED TO WATER SERVICE SHALL BE DONE PER RECORD'S SPECIFICATIONS AND GENERAL NOTES.
 - THE DRAINAGE EASEMENT SHALL NOT BE IN ANY CASE GRADING PLANS BOTTOM OF FENCE AT FLOW AREA SHALL BE 3" ABOVE PROPOSED GROUND.
 - THE HOA SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF AND REPAIRS TO ALL INTERIOR DRAINAGE DITCHES LOCATED WITHIN LOT 11, BLOCK C.
 - THE PROPOSED 10' DRAINAGE EASEMENT ALONG THE BACK OF BLOCK C LOTS 1 THRU 10 SHALL BE MAINTAINED BY THE HOMEOWNERS AND THE HOA.

Block	Area	Square Footage	Block Area	Block Square Footage
1	1	8775.00	1	8775.00
2	2	8775.00	2	8775.00
3	3	8775.00	3	8775.00
4	4	8775.00	4	8775.00
5	5	8775.00	5	8775.00
6	6	8775.00	6	8775.00
7	7	8775.00	7	8775.00
8	8	8775.00	8	8775.00
9	9	8775.00	9	8775.00
10	10	8775.00	10	8775.00
11	11	8775.00	11	8775.00
12	12	8775.00	12	8775.00
13	13	8775.00	13	8775.00
14	14	8775.00	14	8775.00
15	15	8775.00	15	8775.00
16	16	8775.00	16	8775.00
17	17	8775.00	17	8775.00
18	18	8775.00	18	8775.00
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45	45	8775.00	45	8775.00
46	46	8775.00	46	8775.00
47	47	8775.00	47	8775.00
48	48	8775.00	48	8775.00
49	49	8775.00	49	8775.00
50	50	8775.00	50	8775.00

Line #	Quantity	Length	Area	Volume
1	1.00	10.00	10.00	10.00
2	1.00	10.00	10.00	10.00
3	1.00	10.00	10.00	10.00
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5	1.00	10.00	10.00	10.00
6	1.00	10.00	10.00	10.00
7	1.00	10.00	10.00	10.00
8	1.00	10.00	10.00	10.00
9	1.00	10.00	10.00	10.00
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36	1.00	10.00	10.00	10.00
37	1.00	10.00	10.00	10.00
38	1.00	10.00	10.00	10.00
39	1.00	10.00	10.00	10.00
40	1.00	10.00	10.00	10.00
41	1.00	10.00	10.00	10.00
42	1.00	10.00	10.00	10.00
43	1.00	10.00	10.00	10.00
44	1.00	10.00	10.00	10.00
45	1.00	10.00	10.00	10.00
46	1.00	10.00	10.00	10.00
47	1.00	10.00	10.00	10.00
48	1.00	10.00	10.00	10.00
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Line #	Quantity	Length	Area	Volume
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37	1.00	10.00	10.00	10.00
38	1.00	10.00	10.00	10.00
39	1.00	10.00	10.00	10.00
40	1.00	10.00	10.00	10.00
41	1.00	10.00	10.00	10.00
42	1.00	10.00	10.00	10.00
43	1.00	10.00	10.00	10.00
44	1.00	10.00	10.00	10.00
45	1.00	10.00	10.00	10.00
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48	1.00	10.00	10.00	10.00
49	1.00	10.00	10.00	10.00
50	1.00	10.00	10.00	10.00

Line #	Quantity	Length	Area	Volume
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11	1.00	10.00	10.00	10.00
12	1.00	10.00	10.00	10.00
13	1.00	10.00	10.00	10.00
14	1.00	10.00	10.00	10.00
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21	1.00	10.00	10.00	10.00
22	1.00	10.00	10.00	10.00
23	1.00	10.00	10.00	10.00
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25	1.00	10.00	10.00	10.00
26	1.00	10.00	10.00	10.00
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28	1.00	10.00	10.00	10.00
29	1.00	10.00	10.00	10.00
30	1.00	10.00	10.00	10.00
31	1.00	10.00	10.00	10.00
32	1.00	10.00	10.00	10.00
33	1.00	10.00	10.00	10.00
34	1.00	10.00	10.00	10.00
35	1.00	10.00	10.00	10.00
36	1.00	10.00	10.00	10.00
37	1.00	10.00	10.00	10.00
38	1.00	10.00	10.00	10.00
39	1.00	10.00	10.00	10.00
40	1.00	10.00	10.00	10.00
41	1.00	10.00	10.00	10.00
42	1.00	10.00	10.00	10.00
43	1.00	10.00	10.00	10.00
44	1.00	10.00	10.00	10.00



Mustang Ct

Windmill

Geren Dr



Google Earth

484

© 2018 Google

Zoning Map

Traditions at Grand Heritage Phase 2

City of Lavon

Zoning Map
SEPTEMBER 2019



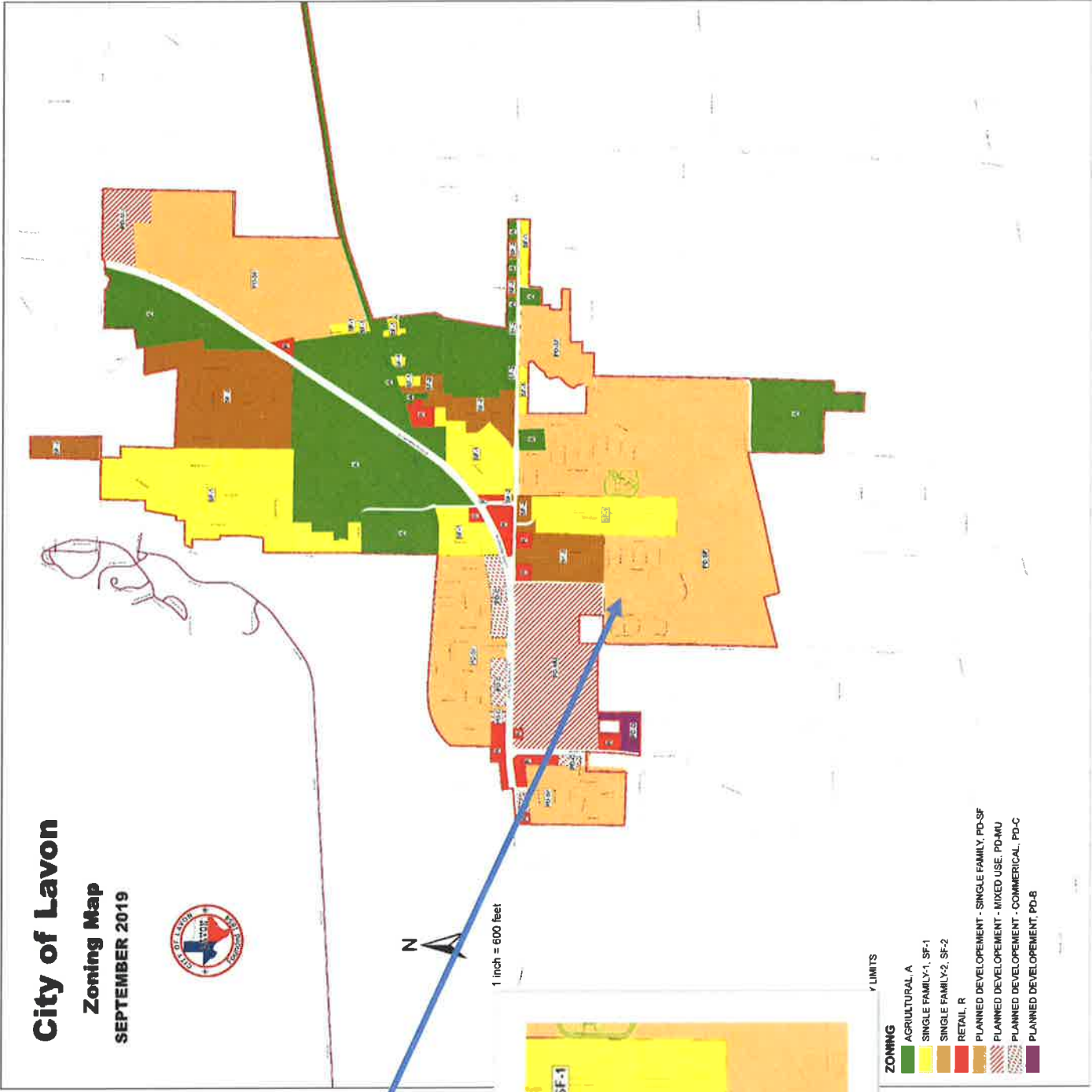
1 inch = 600 feet



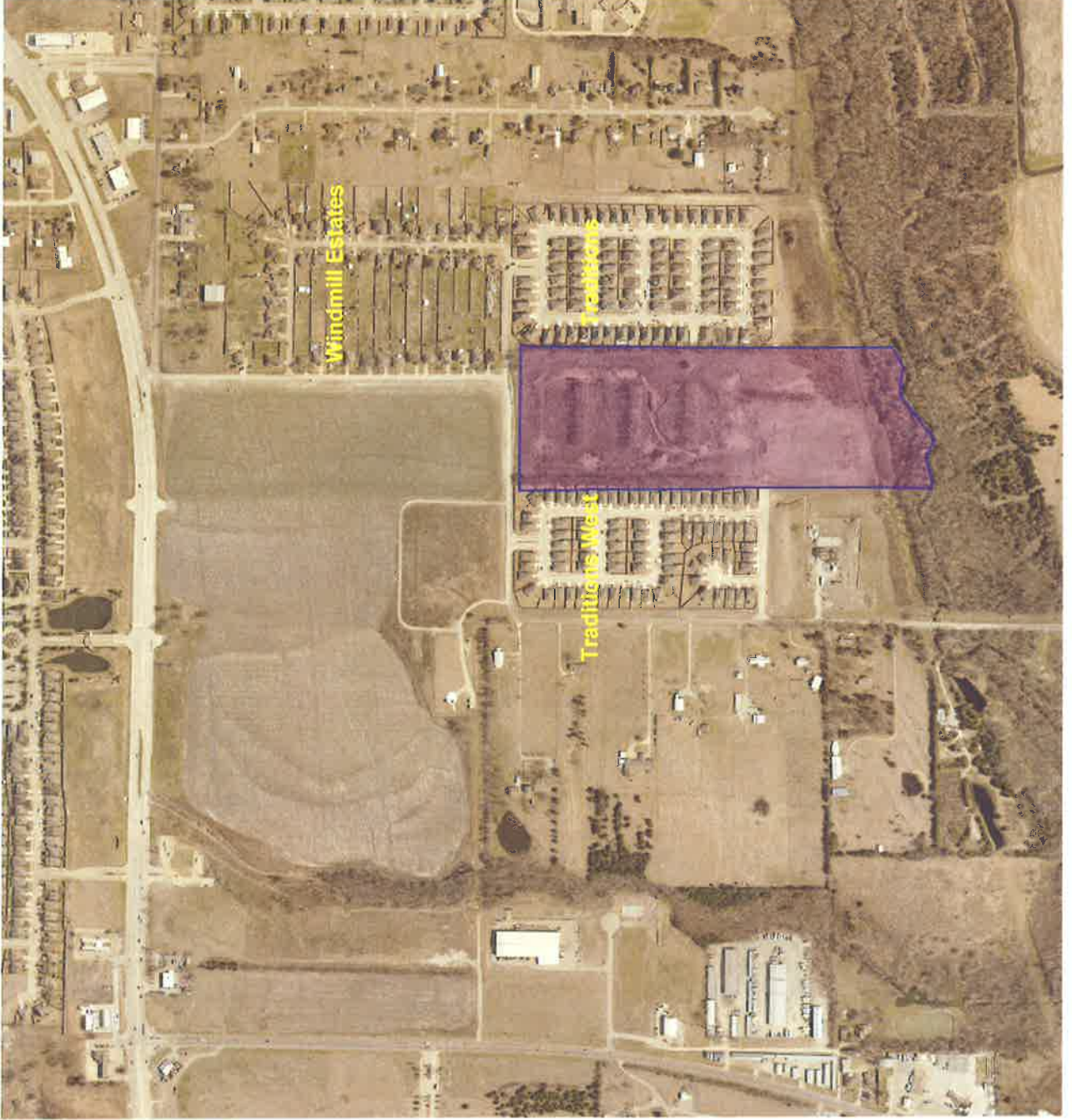
ZONING

- AGRICULTURAL A
- SINGLE FAMILY-1, SF-1
- SINGLE FAMILY-2, SF-2
- RETAIL, R
- PLANNED DEVELOPMENT - SINGLE FAMILY, PD-SF
- PLANNED DEVELOPMENT - MIXED USE, PD-MU
- PLANNED DEVELOPMENT - COMMERCIAL, PD-C
- PLANNED DEVELOPMENT, PD-B

LIMITS



Traditions at Grand Heritage Phase 2 – Location Exhibit



Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

December 17, 2019

Mr. Aaron Harp, Jr. Estimator
Chris Harp Construction, LLC
17388 County Rd. 543
Nevada, Texas 75173-8042

Re: Relocation Request for a Concrete Batch Plant; Standard Permit Registration No. 139362;
Approximately south of the intersection of CR 484 and Geren Dr (Traditions at Grand
Heritage Ph 2), Lavon, Collin County, Texas;
TCEQ ID Nos.: RN109133710, CN605125335

Dear Mr. Harp:

This is in response to your relocation application concerning the proposed construction of the above listed concrete batch plant at the above listed location. Based on the information presented, the TCEQ DFW Regional Office Air Program has determined that the proposed authorization can be granted as of the date of this letter to construct and operate the concrete batch plant referenced above at the proposed site, since it is located in or contiguous to the right-of-way of a public works project.

The TCEQ DFW Regional Office understands that the concrete batch plant will remain at this site until the completion of the project. This authorization is contingent upon continued compliance with the conditions listed in the Standard Permit for Concrete Batch Plants and with all representations made in your relocation request. Any changes to the representations must have prior written approval from a delegated representative of the executive director.

In addition, you are reminded that all future applications for relocation must be submitted at least 12 business days prior to your estimated move date as required by the Standard Permit for Concrete Batch Plants and written authorization must be obtained prior to locating onsite. Failure to do so may result in denial of your relocation request or formal Enforcement action.

After completion of construction or modification, start-up notification is required in accordance with 30 TAC 116.115(b)(2)(B)(i). Enclosed is a notification form for you to complete and send in prior to your construction or site move.

RECEIVED

DEC 27 2019

CITY OF LAVON

Mr. Aaron Harp, Jr. Estimator
Page 2
December 17, 2019

You are reminded that regardless of whether a permit is required, these facilities must be in compliance with all regulations of the TCEQ and the U.S. Environmental Protection Agency at all times. If you need further information or have any questions, please contact Ms. Archer Chattin at 817-588-5839.

Sincerely,



Jaret Wessel, Air Section Manager
Dallas-Fort Worth Region Office
Texas Commission on Environmental Quality

JAW/AEC/lp

Enclosure: *Updated Information for the Movement of a Portable Facility*



**CITY OF LAVON, TEXAS
NOTICE OF PUBLIC HEARINGS BEFORE THE
PLANNING AND ZONING COMMISSION
AND THE CITY COUNCIL**

Notice is hereby given that the Planning and Zoning Commission will hold a public hearing at a special meeting starting at 6:30 PM, Tuesday, January 7, 2020 at Lavon City Hall, 120 School Rd.

Further notice is given that that the City Council will hold a public hearing at a meeting starting at 7:00 PM, Tuesday, January 7, 2020 at Lavon City Hall Lavon City Hall.

Request: At such times and places, the Commission and the Council will hear and consider applications of Chris Harp Construction, LLC for a conditional use permit (CUP) to construct a Temporary Concrete Batch Plant in Traditions at Grand Heritage, Phase 2.

Property Description: Traditions at Grand Heritage, Phase 2 (30.485 acres)
CCAD Property ID 1250096, Lavon, Collin County, Texas.
south of the intersection of Geren and Windmill,

Information regarding the request may be obtained at cityhall@cityoflavon.org or at 972-843-4220. You are receiving this notice because the subject property is located within 200 feet of your property. The public hearing may be continued should an applicant so request. Interested citizens are invited to attend the public hearing and participate in the same.

Optional: The following may be filled out and returned to Lavon City Hall before the hearing date.

Check one: I am in favor of the request. I am opposed to the request.

Reasons: (attach separate sheet(s) as needed)

Signature: _____

Name (printed): _____

Address: _____

Phone/Email Address (optional): _____

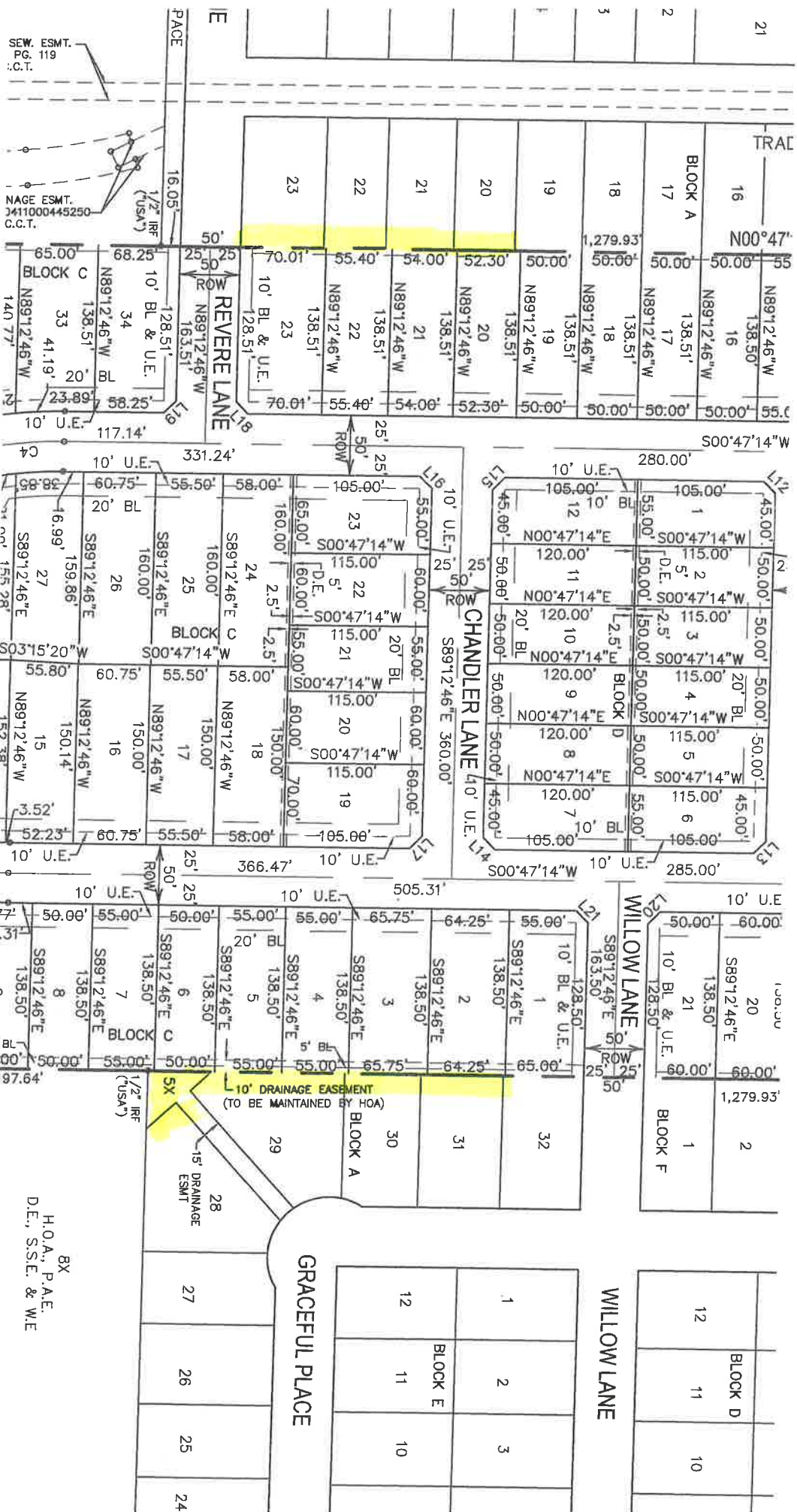
You may return this form to: **City of Lavon**
 P.O. Box 340
 Lavon, Texas 75166
 or email CityHall@cityoflavon.org

CUP Letters for Traditions Phase II Batch Plant

Name	Mailing Address	City	State	Zip	Physical Add	City	State	Zip	Abstract Lot
Grand Heritage HOA	200 Grand Heritage Blvd	Lavon	TX,	75166	Trad. At GH HOA	Lavon	TX,	75166	Trad. @ GH Blk X, Lot 5
Quinton & Tatyana Weidman	584 Graceful PL	Lavon	TX,	75166	Same	Lavon	TX,	75166	Trad. @ GH Blk A, Lot 28
Shawn Anderson	685 Weston Way	Lavon	TX,	75166	Same	Lavon	TX,	75166	Trad. @ GH Blk A, Lot 29
Denise Delle	673 Weston Way	Lavon	TX,	75166	Same	Lavon	TX,	75166	Trad. @ GH Blk A, Lot 30
Joshua & Lesley Stancil	661 Weston Way	Lavon	TX,	75166	Same	Lavon	TX,	75166	Trad. @ GH Blk A, Lot 31
Kongchay & Mary Ramos Siharath	698 Langdon St.	Lavon	TX,	75166	Same	Lavon	TX,	75166	Trad. @ GH West Blk A, Lot 23
Lyron & Darlene Jones	686 Langdon St.	Lavon	TX,	75166	Same	Lavon	TX,	75166	Trad. @ GH West Blk A, Lot 22
Terry Gene Farrell & Therolan L Wren	674 Langdon St.	Lavon	TX,	75166	Same	Lavon	TX,	75166	Trad. @ GH West Blk A, Lot 21
James & Loraine Berry	662 Langdon St.	Lavon	TX,	75166	Same	Lavon	TX,	75166	Trad. @ GH West Blk A, Lot 20

SEW. ESMT.
PG. 119
C.C.T.

NAGE ESMT.
J411000445250
C.C.T.



HOA, P.A.E.
D.E., S.S.E. & W.E.

GRACEFUL PLACE

WILLOW LANE



CITY OF LAVON

Agenda Brief

MEETING: January 7, 2020

ITEM: 7 - B

Item:

Discussion and action regarding Resolution No. 2020-01-01 approving the renewal of the Interlocal Cooperation Agreement with Collin County for fire inspection and fire plan review services and replacing the contract amendment for the same approved by Resolution No. 2019-10-01.

Background:

In February 2019, the City contracted with the Collin County Fire Marshal for the provision of fire inspection and fire plan review services for commercial buildings and subdivisions. The Collin County Fire Marshal's Office has provided exceptional services for a very fair contract price.

In September 2019, Collin County forwarded an amendment to extend the Contract. On October 15, 2019 the City Council unanimously approved Resolution No. 2019-10-01 approving the amendment. In December, Collin County contacted city staff to advise that rather than the amendment previously provided, the County requested a renewal document.

The service, commitment and costs of the original agreement remain unchanged. The proposed renewal extends the agreement for twelve months, which is the same extension period as previously approved.

Financial Impact

Funding for the cost associated with the services has been allocated in the approved budget.

Staff Notes:

Approval is recommended.

- Attachments:**
- 1) Resolution and proposed renewal
 - 2) Resolution No. 2019-10-01
 - 3) Correspondence with Collin County

CITY OF LAVON, TEXAS
RESOLUTION NO. 2020-01-01

Interlocal Cooperation Agreement – Fire Inspection and Plan Review Services

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS APPROVING THE RENEWAL OF THE INTERLOCAL COOPERATION AGREEMENT WITH COLLIN COUNTY FOR FIRE INSPECTION AND FIRE PLAN REVIEW SERVICES AND REPLACING THE CONTRACT AMENDMENT FOR THE SAME APPROVED BY RESOLUTION NO. 2019-10-01.

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

SECTION 1. The City Council does hereby approve the renewal of the Interlocal Cooperation Agreement with Collin County for fire inspection and fire plan review services and replacing the contract amendment for the same approved by Resolution No. 2019-10-01 and 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 7th day of January 2020.

Vicki Sanson
Mayor

ATTEST:

Kim Dobbs
City Administrator/City Secretary

CITY OF LAVON, TEXAS
RESOLUTION NO. 2020-01-01

EXHIBIT A

RENEWAL OF INTERLOCAL COOPERATION AGREEMENT



COLLIN COUNTY

Office of the Purchasing Agent
2300 Bloomdale Road
Suite 3160
McKinney, Texas 75071
www.collincountytx.gov

12/12/2019

City of Lavon
Attn: City Administrator
120 School Rd.
P.O. Box 340
Lavon, Texas 75166

Re: Contract Name: Fire Inspection and Fire Plan Review Services, 2019-151
Contract Start Date: October 1, 2018
Agreement Renewal Period: October 1, 2019 – September 30, 2020 renewal 1 of 4

Dear Mayor:

The aforementioned contract between Collin County and the City will expire on September 30, 2019. The Collin County Purchasing Department is requesting that the City extend this contract for an additional twelve (12) month period to include terms, conditions and pricing set forth in the original award.

If you are interested in extending the current contract, please complete the form below and return by December 17, 2019.

Should you have any questions, please feel free to contact me at kgardner@co.collin.tx.us

Sincerely,

Kenny Gardner
Sr. Buyer
Collin County Purchasing Dept.

Please check one:

Yes I agree to extend the contract with Collin County at the prices established in the original solicitation.

No I cannot extend the contract.

Signature: _____

Print Name & Title: _____

Date: _____

If your address has changed from above please state new address below:

Street Address: _____

City, State, Zip Code: _____

**INTERLOCAL COOPERATION AGREEMENT
FOR
FIRE INSPECTION AND FIRE PLAN REVIEW SERVICES
FOR COMMERCIAL BUILDINGS AND SUBDIVISIONS**

WHEREAS, the Interlocal Cooperation Act, Title 7, Chapter 791, of the Texas Government Code (the "Act"), and the Constitution of the State of Texas, Article III, Section 64(b) (the "Constitution") specifically authorize counties and other political subdivisions comprised or located within the county, to contract with one another for the performance of governmental functions and/or services required or authorized by the Constitution, or the laws of this State, under the terms and conditions prescribed in the Act; and

WHEREAS, the functions and/or services contemplated to be performed by Collin County, Texas, as set out herein, are governmental functions and/or services contemplated by the terms of the Act and are functions and/or services which each of the parties hereto have independent authority to pursue, notwithstanding this Agreement; and

WHEREAS, both the County and the political subdivision named herein as the City of Lavon, Texas, are desirous of entering into this Interlocal Cooperation Agreement, as is evidenced by the resolutions or orders of their respective governing bodies approving this Agreement which are attached hereto and made a part hereof.

NOW, THEREFORE, THIS AGREEMENT is hereby made and entered into by and between Collin County, Texas, and the City of Lavon, Texas, a political subdivision of the State of Texas, which is wholly or partially located within Collin County, Texas. Consideration for this Agreement consists of the mutual covenants contained herein, as well as any monetary consideration, which may be stated herein. This agreement is as follows, to wit:

1. SERVICES: As requested by the political subdivision named herein, Collin County, Texas, acting by and through its duly authorized agents and employees, agrees to provide the political subdivision with the following described governmental functions and/or services:

FIRE INSPECTIONS AND FIRE PLAN REVIEW IN ACCORDANCE WITH THE CITY'S ADOPTED INTERNATIONAL FIRE CODE and the laws and regulations of the City of Lavon pertaining to fire prevention and fire protection, including all amendments approved by the City Council of the City of Lavon, Texas.

2. NON-EXCLUSIVITY OF SERVICE PROVISIONS: The parties agree that the County may contract to perform services similar or identical to those specified on this Agreement for such additional governmental or public entities as the County, in its sole discretion sees fit.

3. COMPENSATION: As consideration for the above-described governmental functions and/or services, the City of Lavon agrees to make payment to Collin County, Texas in the amount of Twenty-Eight Hundred Thirty-five Dollars (\$2835.00) per year for each year of the term of this Agreement including renewal terms. See Exhibit "A" for cost itemization. The City's

payment shall be made in quarterly installments to the County in advance, due and payable on the first day of each quarter during the term of this Agreement, including any renewal terms, with the first payment due and payable within ten (10) days from the Effective Date of this Agreement. Such quarters begin on October 1, January 1, April 1, and July 1 of each year hereunder. The City will make all billing and collections from inspection recipients for services provided by Collin County.

4. **TERM:** This Agreement shall be effective from and after the passage of enabling resolutions or orders by the governing bodies of the parties hereto and the execution hereof by each of the authorized representatives of the political subdivision who are parties hereto and shall remain in effect in full force and effect through September 30, 2019. At the County's option, and with approval by the Municipality, the Agreement may be renewed for four (4) additional one (1) year periods.

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

6. **AMENDMENT:** This Agreement shall not be amended or modified other than in written agreement signed by the parties.

7. **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. Venue shall be in Collin County, Texas.

8. **NOTICES:** Unless otherwise specified, all communications provided for in this Agreement shall be in writing and shall be deemed delivered, whether actually received or not, seventy-two (72) hours after deposit in the United States mail or immediately when delivered in person.

All communication provided for in this Agreement shall be addressed as followed:

COLLIN COUNTY:

Collin County Fire Marshal
4690 Community Blvd, Suite 200
McKinney, Texas 75071

CITY:

City Administrator
City of Lavon
120 School Rd.
Lavon, TX 75166

Notwithstanding the foregoing, it is understood that each party paying for the performance of governmental functions or services must make those payments from current revenues available to the paying party. In the event of a non-appropriation by the paying party, the performing party

shall be relieved of its responsibilities hereunder as of the first day of the fiscal year of such non-appropriation. All payments must be in an amount that fairly compensates the performing party for the services or functions performed under this agreement.

Approved and effective this 26th day of February, 2019

CITY OF LAVON



By: Vicki Sanson

Title: MAYOR

Date: Feb 5, 2019

COURT ORDER:

COLLIN COUNTY, TEXAS



By: Chris Hill

Title: COUNTY JUDGE

Date: 26 FEB, 2019



Kim Dobbs

From: Kenneth Gardner <kgardner@co.collin.tx.us>
Sent: Thursday, December 12, 2019 9:28 AM
To: Kim Dobbs
Subject: 2019-151 - Interlocal Agreement - Fire Inspections and Plan Review Services - Lavon
Attachments: FY20 Renewal Letter.pdf; ILA Fire Inspection an Fire Plan Review 10-2019.pdf

Good Morning Kim,

Per our phone conversation, the previous (attached) amendment that the City of Lavon signed to renew the Interlocal Agreement 2019-151 between Collin County and the City of Lavon for Fire Inspeicton and Plan Review Services was rejected and we need to make the appropriate correction. This rejection was simply due to the fact that an amendment suggested that there may be changes to the Interlocal Agreement. That is not the case, the County is simply requesting to renew the agreement as it was originally awarded for an additional twelve (12) months and utilize Renewal one (1) of four (4) as also outlined in the original agreement.

I have attached the appropriate renewal form that will be taken before Collin County Commissioners' Court in place of the previously signed amendment for approval once the City has signed and returned the renewal form to me.

If you should have any questions please feel free to reach out to me.

Kenny Gardner

Sr. Buyer
Collin County Purchasing
2300 Bloomdale Rd, Ste 3160
McKinney, TX 75071
kgardner@co.collin.tx.us
972-548-4124

CITY OF LAVON, TEXAS
RESOLUTION NO. 2019-10-01

ILA - Collin County Fire Marshal Services

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A ONE-YEAR EXTENSION OF THE INTERLOCAL COOPERATION AGREEMENT WITH COLLIN COUNTY FOR FIRE INSPECTION AND FIRE PLAN REVIEW SERVICES FOR COMMERCIAL BUILDINGS AND SUBDIVISIONS.

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 one-year extension of the Interlocal Cooperation Agreement with Collin County for fire inspection and fire plan review services.

SECTION 2. 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 15th day of October 2019.



Vicki Sanson
Mayor

ATTEST:



Kim Dobbs
City Administrator/City Secretary



**CITY OF LAVON, TEXAS
RESOLUTION NO. 2019-10-01**

EXHIBIT A

**EXTENSION - INTERLOCAL COOPERATION
AGREEMENT COLLIN COUNTY**



Contract Amendment One (1)

Office of the Purchasing Agent
Collin County Administration Building
2300 Bloomdale Rd, Ste 3160
McKinney, TX 75071
972-548-4165

Vendor: City of Lavon
City Manager
P.O. Box 340
Lavon, TX 75166

Effective Date 10/1/2019
Contract No. 2019-151

Contract Interlocal Agreement: Fire Inspection and Fire Plan Review

Awarded by Court Order No.: 2019-158-02-25
Amendment No.: 1 Court Order No.: _____

YOU ARE DIRECTED TO MAKE THE FOLLOWING AMENDMENT TO THIS CONTRACT

Amend Section 4 Term to read as follows:

4 This Agreement shall be effective from and after the passage of enabling resolutions or order by the governing bodies of the parties hereto and the execution hereof by each of the authorized representatives of the political subdivision who are parties hereto and shall remain in effect in full force and effect through September 30, 2020. At the County's option, and with approval by the Municipality, the Agreement may be renewed for three (3) additional one (1) year periods.

Except as provided herein, all terms and conditions of the contract remain in full force and effect and may only be modified in writing signed by both parties.

ACCEPTED BY:

Vicki Sanson (Print Name)

City of Lavon
Mayor
P.O. Box 340
Lavon, TX 75166

Vicki Sanson
SIGNATURE

TITLE: Mayor
DATE: 10-15-2019

ACCEPTED AND AUTHORIZED BY
AUTHORITY OF COLLIN COUNTY
COMMISSIONERS' COURT

Collin County Administration Building
2300 Bloomdale Rd, Ste 3160
McKinney, Texas 75071

Michalyn Rains, CPPO, CPPB
Purchasing Agent
DATE: _____



**INTERLOCAL COOPERATION AGREEMENT
FOR
FIRE INSPECTION AND FIRE PLAN REVIEW SERVICES
FOR COMMERCIAL BUILDINGS AND SUBDIVISIONS**

WHEREAS, the Interlocal Cooperation Act, Title 7, Chapter 791, of the Texas Government Code (the "Act"), and the Constitution of the State of Texas, Article III, Section 64(b) (the "Constitution") specifically authorize counties and other political subdivisions comprised or located within the county, to contract with one another for the performance of governmental functions and/or services required or authorized by the Constitution, or the laws of this State, under the terms and conditions prescribed in the Act; and

WHEREAS, the functions and/or services contemplated to be performed by Collin County, Texas, as set out herein, are governmental functions and/or services contemplated by the terms of the Act and are functions and/or services which each of the parties hereto have independent authority to pursue, notwithstanding this Agreement; and

WHEREAS, both the County and the political subdivision named herein as the City of Lavon, Texas, are desirous of entering into this Interlocal Cooperation Agreement, as is evidenced by the resolutions or orders of their respective governing bodies approving this Agreement which are attached hereto and made a part hereof.

NOW, THEREFORE, THIS AGREEMENT is hereby made and entered into by and between Collin County, Texas, and the City of Lavon, Texas, a political subdivision of the State of Texas, which is wholly or partially located within Collin County, Texas. Consideration for this Agreement consists of the mutual covenants contained herein, as well as any monetary consideration, which may be stated herein. This agreement is as follows, to wit:

1. SERVICES: As requested by the political subdivision named herein, Collin County, Texas, acting by and through its duly authorized agents and employees, agrees to provide the political subdivision with the following described governmental functions and/or services:

FIRE INSPECTIONS AND FIRE PLAN REVIEW IN ACCORDANCE WITH THE CITY'S ADOPTED INTERNATIONAL FIRE CODE and the laws and regulations of the City of Lavon pertaining to fire prevention and fire protection, including all amendments approved by the City Council of the City of Lavon, Texas.

2. NON-EXCLUSIVITY OF SERVICE PROVISIONS: The parties agree that the County may contract to perform services similar or identical to those specified on this Agreement for such additional governmental or public entities as the County, in its sole discretion sees fit.

3. COMPENSATION: As consideration for the above-described governmental functions and/or services, the City of Lavon agrees to make payment to Collin County, Texas in the amount of Twenty-Eight Hundred Thirty-five Dollars (\$2835.00) per year for each year of the term of this Agreement including renewal terms. See Exhibit "A" for cost itemization. The City's

payment shall be made in quarterly installments to the County in advance, due and payable on the first day of each quarter during the term of this Agreement, including any renewal terms, with the first payment due and payable within ten (10) days from the Effective Date of this Agreement. Such quarters begin on October 1, January 1, April 1, and July 1 of each year hereunder. The City will make all billing and collections from inspection recipients for services provided by Collin County.

4. **TERM:** This Agreement shall be effective from and after the passage of enabling resolutions or orders by the governing bodies of the parties hereto and the execution hereof by each of the authorized representatives of the political subdivision who are parties hereto and shall remain in effect in full force and effect through September 30, 2019. At the County's option, and with approval by the Municipality, the Agreement may be renewed for four (4) additional one (1) year periods.

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

6. **AMENDMENT:** This Agreement shall not be amended or modified other than in written agreement signed by the parties.

7. **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. Venue shall be in Collin County, Texas.

8. **NOTICES:** Unless otherwise specified, all communications provided for in this Agreement shall be in writing and shall be deemed delivered, whether actually received or not, seventy-two (72) hours after deposit in the United States mail or immediately when delivered in person.

All communication provided for in this Agreement shall be addressed as followed:

COLLIN COUNTY:

Collin County Fire Marshal
4690 Community Blvd, Suite 200
McKinney, Texas 75071

CITY:

City Administrator
City of Lavon
120 School Rd.
Lavon, TX 75166

Notwithstanding the foregoing, it is understood that each party paying for the performance of governmental functions or services must make those payments from current revenues available to the paying party. In the event of a non-appropriation by the paying party, the performing party

shall be relieved of its responsibilities hereunder as of the first day of the fiscal year of such non-appropriation. All payments must be in an amount that fairly compensates the performing party for the services or functions performed under this agreement.

Approved and effective this 26th day of February, 2019

CITY OF LAVON

Vicki Sanson

By: Vicki Sanson

Title: MAYOR

Date: Feb 5, 2019

COURT ORDER:

COLLIN COUNTY, TEXAS

Chris Hill

By: Chris Hill

Title: COUNTY JUDGE

Date: 26 FEB, 2019



EXHIBIT "A"

Annual Fire Inspection per location = \$25.00 each **\$ 875.00**
(35 locations currently exist)

Certificate of Occupancy = \$95.00 each **\$ 760.00**
(8 Certificate of Occupancies anticipated)

Plan Review = \$100 each **\$ 1200.00**
(12 Plan Reviews anticipated)

TOTAL ESTIMATED COST FOR **=====**
COUNTY FIRE MARSHAL SERVICE **\$ 2835.00**

Kim Dobbs

From: Kenneth Gardner <kgardner@co.collin.tx.us>
Sent: Monday, September 16, 2019 4:53 PM
To: Kim Dobbs
Cc: Jason Browning
Subject: 2019-151 - Collin County Interlocal Agreement - Lavon Fire Inspection and Fire Plan Review
Attachments: 2019-151 Amendment 1.pdf; 2019-151 Interlocal Agreement.pdf

Hi Kim,

Please see attached Contract Amendment for 2019-151 - Interlocal Agreement between Collin County and the City of Lavon for Fire Inspection and Fire Plan Review Services for Commercial Buildings and Subdivisions. Would you please help us in getting this reviewed and signed? Once signed please return to me and I will get this on Commissioners' Court for approval and signed by our Purchasing Agent.

Please let me know if you have any questions.

Kenny Gardner

Sr. Buyer
Collin County Purchasing
2300 Bloomdale Rd, Ste 3160
McKinney, TX 75071
kgardner@co.collin.tx.us
972-548-4124



CITY OF LAVON

Agenda Brief

MEETING: January 7, 2020

ITEM: 7-C

Item:

Discussion and action regarding Resolution No. **2020-01-02** authorizing the Mayor to execute a professional services agreement with Lee Engineering for professional traffic engineering services associated with preparation of details related to Thoroughfare Plan cross-sections to support the Thoroughfare Map in an amount not to exceed \$9,000.00.

Background:

In January 2018, the City Council engaged Jody Short, Lee Engineering to prepare an update to the 2005 Thoroughfare System Map. In 2018 and 2019, Mr. Short worked with the city staff and city engineer to address circumstances and external implications affecting the Thoroughfare Map. In July 2019, the City Council extended the engagement and on November 19, 2019, the City Council approved the updated Thoroughfare Plan Map.

In the adopted Community Vision Assessment and Strategic Plan (CVA), one of the Key Priorities (page 31 of the CVA) is to “*Create and Adopt Comprehensive Plan Updates (Short-term): Master Thoroughfare Plan with Cross-Sections and Standards*”.

Lee Engineering provided a proposal and scope of services for the update with cross-sections and related details.

Financial Impact

Funding for the cost associated with the services has been allocated in the approved budget.

Staff Notes:

Approval is recommended.

Attachments:

- 1) Resolution and proposed engagement
- 2) Updated Thoroughfare Plan Map

CITY OF LAVON, TEXAS
RESOLUTION NO. 2020-01-02

Professional Services Agreement - Lee Engineering

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH LEE ENGINEERING FOR PROFESSIONAL TRAFFIC ENGINEERING SERVICES ASSOCIATED WITH PREPARATION OF DETAILS RELATED TO THOROUGHFARE PLAN CROSS-SECTIONS TO SUPPORT THE THOROUGHFARE MAP IN AN AMOUNT NOT TO EXCEED \$9,000.00.

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 Pro Tem to Execute a Professional Services Agreement with Lee Engineering for professional traffic engineering services associated with preparation of details related to Thoroughfare Plan cross-sections to support the Thoroughfare Map in an amount not to exceed \$9,000.00 and 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 7th day of January 2020.

Vicki Sanson
Mayor

ATTEST:

Kim Dobbs
City Administrator/City Secretary

CITY OF LAVON, TEXAS
RESOLUTION NO. 2020-01-02

EXHIBIT A

PROFESSIONAL SERVICES AGREEMENT



ARIZONA
TEXAS
NEW MEXICO
OKLAHOMA

December 9, 2019

Ms. Kim Dobbs
City Administrator | City Secretary
City of Lavon
P.O. Box 340
Lavon, TX 75166

Re: City of Lavon Thoroughfare Plan

Dear Ms. Dobbs:

Lee Engineering is pleased to submit this proposal to provide professional traffic engineering services for the City of Lavon. It is our understanding that the City of Lavon would like to develop details related to Thoroughfare Plan cross-sections to support the newly adopted Thoroughfare Plan Map. If accepted, this letter will be an agreement between the City of Lavon (CITY) and Lee Engineering, LLC (LEE) to provide the services outlined in the Scope of Services below.

SCOPE OF SERVICES

TASK 1 - THOROUGHFARE PLAN DETAILS

The following steps will be completed in developing cross-section details:

- Review existing thoroughfare design standards.
- Review comprehensive plan document sections related to transportation.
- Review existing functional classification system and functional classifications used in the 2019 Thoroughfare Plan map.
- Review cross-section needs with city engineer, city staff, and comprehensive planning team.
- Develop alternate cross-sections for each functional classification that provide for vehicular, pedestrian and bicycle traffic. Alternate cross-sections will allow design flexibility to meet the needs of specific areas as they develop.
- Develop typical intersection treatments including major intersections and roundabouts to illustrate expanded rights of way.
- Develop guidance on use of alternate cross-sections.
- Identify design standard modifications needed to support the 2019 Thoroughfare Plan.

Document efforts in a brief letter report and provide graphics of cross-sections and typical intersections.

TASK 2 - ADDITIONAL SERVICES AND MEETINGS


LEE will be available to participate in any additional meetings with City staff, as needed. Any meetings or any other work not included in Task 1 will be performed as additional services and will be billed on an hourly basis according to our attached standard hourly rates.

FEE AND SCHEDULE

LEE will perform the work included above in Task 1 on an hourly basis for a fee not to exceed \$6,500 and provide cross-section details within thirty (20) working days. Any meetings or additional work included in Task 2 or any additional services beyond the Scope of this project will be performed on an hourly basis for a fee not to exceed \$3,000 without prior authorization and according to the attached terms and conditions dated July 18, 2019.

If you have any questions, please contact me at (972) 248-3006. We appreciate the opportunity to submit this proposal and look forward to working with you on this project. We can begin work upon receipt of a signed copy of this letter.

Sincerely,


Joseph T. Short, P.E., PTOE
President

Accepted:

City of Lavon

Date

Lee Engineering
Terms and Conditions
July 18, 2019

Additional services as authorized by you will be performed at the following rates:

Principal	\$275.00 per hour
Senior Project Manager	\$220.00 per hour
Project Manager	\$175.00 per hour
Senior Program Manager	\$220.00 per hour
Program Manager	\$175.00 per hour
Senior Engineer	\$160.00 per hour
Project Engineer	\$140.00 per hour
Sr. Engineering Designer	\$120.00 per hour
Engineering Designer	\$105.00 per hour
Senior ITS System Designer	\$175.00 per hour
ITS System Designer	\$130.00 per hour
Senior Technician	\$120.00 per hour
Technician	\$ 75.00 per hour
Data Collector	\$ 50.00 per hour
Admin Assistant/Accountant	\$ 75.00 per hour
Technical Writer	\$ 50.00 per hour
Secretarial	\$ 50.00 per hour
Intern	\$ 45.00 per hour
Highway travel	IRS Allowable Rate
Meals, lodging, air fares	out-of-pocket costs
Other Direct Expenses	at cost

TERMS AND CONDITIONS:

1. Invoices will be submitted monthly.
2. Invoices are due and payable when received.
3. Interest at the rate of 1.5% per month will be applied to invoices not paid within 30 days of initial billing date.
4. We reserve the right to cease work on delinquent accounts.
5. We reserve the right to bill for expenses related to delays caused by contracting party.
6. Contracting party is responsible for paying all fees and expenses associated with all activities related to an engagement. Credit will be given for payments received directly from clients of the contracting party or from others.
7. The retainer fee will be credited against fee with the final invoice.
8. In addition to invoices rendered and interest thereon, contracting party agrees to pay any and all legal fees and costs incurred in collecting overdue accounts.
9. Rates are subject to change annually. Work performed in subsequent years will be charged at the adjusted rates.
10. Draft reports are for review purposes only and are not to be released to any entity that is not party to this agreement.
11. Extra copies of reports will be billed at \$10.00 per copy.
12. All contracts shall be subject to the laws of the State of Texas.



CITY OF LAVON Agenda Brief

MEETING: January 7, 2020

ITEM: 7 - D

Item:

Discussion and action regarding Task Order #3 with Freeman-Millican, Inc. for professional engineering services relating to the preparation of a five-year capital improvement plan in an amount not to exceed \$9,100.00

Background:

In July 2017, the City Council retained Freeman-Millican Inc. to perform professional engineering services, to serve as the City's professional engineering representative and to provide professional engineering consultation and advice in connection with subdivision and development plat and plan review and general engineering consultation and project design. The 2017 professional services agreement provides for additional services to be engaged pursuant to separate task orders.

During the fiscal year 2019-20 budget process, the city staff and city engineer presented information identifying and outlining the need for certain capital projects. While some projects are relatively apparent, a detailed capital improvement program (CIP) organizes the priorities, implications and resources to effectively manage long-term and short-term capital needs. A CIP is a critical planning tool for the effective management of forecasting revenues and expenditures.

Citizen input and feedback during Community Vision Assessment and Strategic Plan (CVA) process specifically emphasized maintenance of current city infrastructure and planning for future infrastructure as recurrent themes. In the CVA, the second Strategic Plan Two-Year Goal (pages 13 and 14 of the CVA) is "*Research pricing and prepare a scope for a Capital Improvements Program (CIP).*" Freeman-Millican Inc. has submitted a proposed task order that supports the stated goal and provides a scope for the preparation of a CIP.

Financial Impact

Funding for the cost associated with the engineering services has been approved in the annual budget. Because a CIP is a fluid and dynamic tool, managing the CIP is an ongoing commitment, not a one-time undertaking.

Staff Notes:

Approval is recommended.

Attachments: 1) Task Order #3

TASK ORDER No. 3

This Task Order is made part of and governed by the terms and provisions of the Agreement between Owner and Engineer for Professional Services, dated June 5, 2018 ("Agreement"), by and between the City of Lavon ("OWNER") and Freeman-Millican, Inc. ("ENGINEER"). All capitalized terms used but not otherwise defined herein shall have the meanings given to them in the Agreement.

PROJECT: LAVON CAPITAL IMPROVEMENT PLAN (CIP) 2020-2025

SCOPE OF SERVICES:

1. Coordinate with City Staff to identify projects associated with the CIP. This includes Administration, Public Works, Fire and Police.
2. Present potential projects to City Council for input and discussion.
3. Coordinate with City Staff and City Council on prioritization parameters to be used for determining timelines and annual funding requirements.
4. Identify funding options available. This could include local, State and Federal programs. Local funding would include specific department/fund applicable to project.
5. Prepare a recommend a CIP to City Council. CIP will generally consist of the following:
 - a. Summary table of selected projects by fiscal year. Summary table includes project name, general project description, priority, funding source, Strategic Plan initiative.
 - b. Detailed descriptions of projects. Includes project location, prioritization details, responsible department, estimated project cost by fiscal year, and other information, as necessary.
 - c. Maps of CIP identifying year of proposed project.
6. Address comments from City Council and prepare Final CIP for City Council adoption.

PAYMENT BASIS:

Compensation for professional services outlined above shall be on a lump sum basis. These services will be provided for a lump sum amount of \$9,100.00.

Invoices for the work performed shall be submitted on a monthly basis by FMI. Invoices are due and payable on receipt.

APPROVAL/ACCEPTANCE

Acceptance of the terms of this Task Order is acknowledged by the following signatures of the authorized representatives of the parties to the Agreement. This Task Order consists of this document and any supplemental pages attached and referenced hereto.

ENGINEER: Freeman-Millican, Inc.

OWNER: City of Lavon

By: Mark D. Hill, P.E. By: _____

Name: Mark D. Hill, P.E. Name: Vicki Sanson

Title: Project Manager Title: Mayor

Date: 02 JAN 20 Date: _____



CITY OF LAVON Agenda Brief

MEETING: January 7, 2020

ITEM: 7 – E

Item:

Discussion and action regarding Ordinance No. 2020-01-02 amending Chapter 6, “Fire Prevention and Protection”, of the City of Lavon Code of Ordinances by amending Article 6.02.003 “Membership and Appointment” to amend requirements relating to organizational structure and appointment of members; providing for severability, savings and repealing clauses; and providing for an effective date of the ordinance.

Background:

To provide for a structure that enables the fire department to perform at its highest possible level, changes to the Code of Ordinances that provide for certain organizational and membership requirements are proposed. The changes are presented below:

**Fire Dept Ordinance
Amend Code of Ordinances 6.02.003**

(a) The members of the fire department shall consist of a chief of the fire department, who shall be appointed by the city administrator and confirmed by a majority of the city council; an assistant fire chief ~~and a captain, each~~ recommended by the fire chief and appointed by the city administrator; and such other officers, firefighters, employees and volunteers as the city council may from time to time determine.

(b) ~~The members of the fire department may elect their officers by a two-third majority vote of all members, including but not limited to, a lieutenant, two (2) members-at-large, secretary and treasurer~~ fire chief, with the city administrator’s concurrence, may identify an organizational structure and appoint volunteer command and administrative officers in accordance with the organizational structure.

Financial Implication:

There is no financial implication.

Staff Notes:

Approval is recommended.

Attachments: Proposed Ordinance

CITY OF LAVON, TEXAS
ORDINANCE NO. 2020-01-02

Fire Department Organization and Membership - Amending

AN ORDINANCE OF THE CITY OF LAVON, TEXAS, AMENDING CHAPTER 6, "FIRE PREVENTION AND PROTECTION", OF THE CITY OF LAVON CODE OF ORDINANCES BY AMENDING ARTICLE 6.02.003 "MEMBERSHIP AND APPOINTMENT" TO AMEND REQUIREMENTS RELATING TO MEMBERSHIP AND APPOINTMENT OF MEMBERS; PROVIDING FOR SEVERABILITY, SAVINGS AND REPEALING CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE OF THE ORDINANCE.

WHEREAS, the City Council of the City of Lavon, Texas ("City Council") desires to clarify and refine the command structure and membership requirements of the fire department; and

WHEREAS, the City Council has determined the following amendment would be in the best interest of the safety, health and general welfare of its citizens.

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

Section 1. RECITALS.

The City Council hereby finds that the statements set forth in the recitals of this Ordinance are true and correct, and the City Council hereby incorporates such recitals as part of this Ordinance.

Section 2. AMENDMENT.

The Code of Ordinances of the City of Lavon, Texas is hereby amended as follows:

Section 6.02.003(a) The members of the fire department shall consist of a chief of the fire department, who shall be appointed by the city administrator and confirmed by a majority of the city council; an assistant fire chief, recommended by the fire chief and appointed by the city administrator; and such other officers, firefighters, employees and volunteers as the city council may from time to time determine.

Section 6.02.003(b) The fire chief, with the city administrator's concurrence, may identify an organizational structure and appoint volunteer command and administrative officers in accordance with the organizational structure.

Section 3. SAVINGS/REPEALING CLAUSE.

This ordinance shall be cumulative of all provisions of state or federal law and all ordinances of the City of Lavon, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such other ordinances, in which event the conflicting provisions of such ordinances are hereby repealed to the extent of such conflict.

Section 4. SEVERABILITY.

In the event any clause, phrase, provision, sentence, or any part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provisions hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Lavon, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 5. OPEN MEETING.

It is hereby officially found and determined that all notice required by law has been given and notice of this Ordinance was posted and the Ordinance passed in accordance with the Open Meeting Act.

Section 6. EFFECTIVE DATE.

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

DULY PASSED and APPROVED by the City Council of the City of Lavon, Texas, on the 7th day of January 2020.

Vicki Sanson
Mayor

ATTEST:

Kim Dobbs
City Administrator/City Secretary



CITY OF LAVON

Agenda Brief

MEETING: January 7, 2020

ITEM: 7 – F

Item:

Discussion and action regarding Resolution No. 2020-01-03 amending Chapter 6, “Fire Prevention and Protection”, of the City of Lavon Code of Ordinances by amending Article 6.02.003 “Membership and Appointment” to amend requirements relating to organizational structure and appointment of members; providing for severability, savings and repealing clauses; and providing for an effective date of the ordinance.

Background:

To provide for a structure that enables the fire department to perform at its highest possible level, changes to the bylaws that provide for certain organizational and membership requirements are proposed. The changes are presented below:

Amend Bylaws as adopted by Resolution No. 2018-07-03

ARTICLE III

Volunteer Fire Department Membership

Section 1: No activity of the Members shall discriminate on the basis of race, sex, age, creed, color or religion. ~~Any resident citizen of the City or the department’s adjacent Mutual Aid areas, who has attained the age of 18 years may apply.~~ Applicants must be at least 18 years of age, pass a criminal history and background check, and be found in good standing in the community. Possessing a valid State of Texas driver’s license and clean driving record with not more than two moving violations are also requirements. Final approval is contingent on an interview and consideration of past experience.

Section 2.2: Each new Member shall be held as a “probationary member” for a period of 180~~120~~ days.

Section 3: Any Member may be terminated from this department for any reason or no reason consistent with an “At Will” status. As circumstances warrant, or if otherwise required by law, the City Administrator, or his or her designee, or the Fire Chief may initiate disciplinary action by providing the Member with a signed complaint, or complaints may prompt an internal investigation and report to be provided to the Member, pursuant to Chapter 614 of the Texas Government Code. Probationary Members may be expelled with or without cause during their probationary period, at the discretion of the Fire Chief.

ARTICLE VII

Command Officer(s) and Volunteer Fire Department Member qualifications

Section 1: Command Officer (minimum) Qualifications

~~Volunteer Captain~~ ~~————— SMMFA FF1 or TCFP FF1 Certification~~

~~————— EMR/ECA Certification~~

~~————— 2 years Fire and EMS experience~~

~~————— NIMS 100/700/800~~

~~————— CTBS Certificate~~

Section 2: Volunteer Member (minimum) Qualifications

Section 2: Volunteer Member (minimum) Qualifications

Volunteer Members--

Ability to lift 50lbs from a standing position

EMS Certification or completion of EMS certification program within 6 months of membership, preferred

NIMS 100/800 within 60 days of membership

CTBS Certificate within 6 months of membership

~~Appointment of Command Officer positions of this organization shall be made biennially, in September, by way of unanimous decision of both the City Administrator and Fire Chief, with approval by City Council at a regular or special called meeting. The Fire Chief shall be nominated by the City Administrator, with confirmation by City Council.~~

ARTICLE VIII

Duties of the Fire Department Command Officers

Section 4: The ~~Captain~~ command officers shall assist the Fire Chief and Assistant Fire Chief in carrying out their duties and to perform the duties of Assistant Fire Chief in his/her absence. ~~He/she~~ They will perform any other duties that may be assigned. ~~He/she~~ They shall also inspect all equipment and apparatus, and report all findings and problems found to the proper authorities. ~~He/she~~ They shall have the authority to correct problems found with approval of the Fire Chief.

ARTICLE IX

Duties of Volunteer Members of the Fire Department

Section 7: In order that this department may function efficiently, the following rules and regulations shall be observed, and it shall be the duty of all active Members to know them:

1. It shall be the first duty of all Members to give strict obedience to the lawful orders of their elected and appointed the Fire Chief and Command Officers.

Financial Implications

There are no financial implications.

Staff Notes:

Approval is recommended.

Attachments: Proposed Resolution

CITY OF LAVON, TEXAS
RESOLUTION NO. 2020-01-03

Amending Bylaws of the Lavon Volunteer Fire Department

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS AMENDING THE BYLAWS OF THE LAVON VOLUNTEER FIRE DEPARTMENT REGARDING MEMBERSHIP, QUALIFICATIONS, AND DUTIES OF OFFICERS; AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. The City Council has reviewed and desires to amend the Bylaws of the Lavon Volunteer Fire Department as follows:

1. ARTICLE III “Volunteer Fire Department Membership”, Section 1 shall be amended as follows:

Section 1: No activity of the Members shall discriminate on the basis of race, sex, age, creed, color or religion. Applicants must be at least 18 years of age, pass a criminal history and background check, and be found in good standing in the community. Possessing a valid State of Texas driver’s license and clean driving record with not more than two moving violations are also requirements. Final approval is contingent on an interview and consideration of experience.

2. ARTICLE III “Volunteer Fire Department Membership”, Section 2.2 shall be amended as follows:

Section 2.2: Each new Member shall be held as a “probationary member” for a period of 180 days.

3. ARTICLE III “Volunteer Fire Department Membership”, Section 3 shall be amended as follows:

Section 3: Any Member may be terminated from this department for any reason or no reason consistent with an “At Will” status. As circumstances warrant, or if otherwise required by law, the City Administrator, or his or her designee, or the Fire Chief may initiate disciplinary action by providing the Member with a signed complaint, or complaints may prompt an internal investigation and report to be provided to the Member, pursuant to Chapter 614 of the Texas Government Code. Probationary Members may be expelled with or without cause during their probationary period, at the discretion of the Fire Chief.

4. ARTICLE VII “Command Officer(s) and Volunteer Fire Department Member qualifications”
Section 1: Command Officer Minimum Qualifications shall be amended by the deletion of the Volunteer Captain Qualifications.

5. ARTICLE VII "Command Officer(s) and Volunteer Fire Department Member qualifications"
Section 2: Volunteer Member Minimum Qualifications shall be amended as follows:

Volunteer Members-- Ability to lift 50lbs from a standing position
EMS Certification or completion of EMS certification program
within 6 months of membership, preferred
NIMS 100/800 within 60 days of membership
CTBS Certificate within 6 months of membership

The last paragraph of Section 2 shall be deleted.

6. ARTICLE VIII "Duties of the Fire Department Command Officers" Section 4 shall be amended as follows:

Section 4: The command officers shall assist the Fire Chief and Assistant Fire Chief in carrying out their duties and to perform the duties of Assistant Fire Chief in his/her absence. They will perform any other duties that may be assigned. They shall also inspect all equipment and apparatus, and report all findings and problems found to the proper authorities. They shall have the authority to correct problems found with approval of the Fire Chief.

7. ARTICLE IX "Duties of Volunteer Members of the Fire Department" Section 7 shall be amended as follows:

Section 7: In order that this department may function efficiently, the following rules and regulations shall be observed, and it shall be the duty of all active Members to know them:

1. It shall be the first duty of all Members to give strict obedience to the lawful orders of the Fire Chief and Command Officers.

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 7th day of January 2020.

Vicki Sanson
Mayor

ATTEST:

Kim Dobbs
City Administrator/City Secretary



CITY OF LAVON Agenda Brief

MEETING: January 7, 2020

ITEM: 7 - G

Item:

Discussion and action regarding Resolution No. 2020-01-04 authorizing the Mayor to execute a development agreement with MA Partners, LLC to set forth and coordinate the process and time periods for submission of Developer's Response and consideration of the Preliminary Plat for the Abston Hills Addition.

Background:

On December 3, 2019, the City Council denied the November 13, 2019 application of Abston Hills for a preliminary plat. A detailed list of the reasons for the denial of the preliminary plat was provided to the applicant as prescribed by state law. On December 4, 2019, the city engineer and staff met with the applicant to discuss the application process and subdivision code requirements. During the course of the meeting, there was discussion of how to best comply with the requirements of state law to the benefit of both the applicant and the City.

The proposed agreement provides a framework for the submission of the developer responses and the city's review of such responses. The proposed agreement is consistent with HB 3167 and with the city's Subdivision Code.

Staff Notes:

The city attorney and developer attorney are working on the enclosed draft. If the attorneys are unable to resolve all points, consideration the item may be deferred.

Attachments:

1. Resolution and proposed draft agreement
2. Location Exhibits

CITY OF LAVON, TEXAS
RESOLUTION NO. 2020-01-04

Development Agreement – Abston Hills Preliminary Plat Process

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS AUTHORIZING THE MAYOR TO EXECUTE A DEVELOPMENT AGREEMENT WITH MA PARTNERS, LLC TO SET FORTH AND COORDINATE THE PROCESS AND TIME PERIODS FOR SUBMISSION OF DEVELOPER’S RESPONSE AND CONSIDERATION OF THE PRELIMINARY PLAT FOR THE ABSTON HILLS ADDITION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. The City Council has reviewed and desires to authorize the Mayor to execute the Development 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 7th day of January 2020.

Vicki Sanson
Mayor

ATTEST:

Kim Dobbs
City Administrator/City Secretary

CITY OF LAVON, TEXAS
RESOLUTION NO. 2020-01-04

EXHIBIT A

DEVELOPMENT AGREEMENT

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT (the “Agreement”) is made and entered into by and between the **City of Lavon**, Texas (“City”) acting by and through **MA Partners, LLC**, a Texas limited liability corporation (“Developer”). Developer and the City are sometimes collectively referred to herein as the “Parties” and individually as a “Party”.

WHEREAS, on November 13, 2019 the Developer submitted an application for the preliminary plat of the Abston Hills addition attached hereto and incorporated herein by reference as **Exhibit A** (the “Preliminary Plat”) on approximately 110.053 acres of real property in the Samuel M. Rainer Survey, Abstract No. 740, more particularly described by metes and bounds on **Exhibit B** attached hereto and incorporated herein by reference (the “Property”); and

WHEREAS, the Property is located in the extraterritorial jurisdiction (“ETJ”) of the City; and

WHEREAS, the City has authority for the review and approval of platting for property within the City’s ETJ pursuant to an agreement with Collin County, Texas; and

WHEREAS, at a meeting on December 3, 2019, the City Council of the City (“City Council”) approved a motion to deny the Preliminary Plat; and

WHEREAS, in accordance with Section 212.0091 of the Texas Local Government Code, the City provided Developer with the letter attached as **Exhibit C** (“Disapproval Letter”) that states the conditions for disapproval; and

WHEREAS, pursuant to Section 212.0093 the Developer may submit a written response to the Disapproval Letter (“Response”) and the City may not establish a deadline for the Developer to submit a Response; and

WHEREAS, the City did not request this Agreement, and Developer enters it voluntarily and acknowledges the City is in compliance with Section 212.0097; and

WHEREAS, the Parties desire to set forth a process to coordinate the process and time periods for submission of Developer’s Response and ~~approval-consideration~~ of the Preliminary Plat;

NOW THEREFORE, for and in consideration of the mutual covenants, conditions and agreements contained in this Agreement, and other good and valuable consideration, the Parties agree as follows:

1. Review of Draft Response. Developer may submit one or more drafts of the Response for informal review and comments from City staff (“Draft Response”) prior to a formal submission of the Response under Section 212.0095 of the Texas Local Government Code. The City shall respond with written comments to Developer’s submission of each Draft Response or shall notify the Developer if a specified amount of additional time is needed to review the Draft Response within ~~fifteen ten~~ (15/10) business days of receipt of the submittal. In order to be considered a

Draft Response, documents submitted to the City by Developer must be labeled “**DRAFT**” in bold and all-caps. Developer may, in its sole discretion, submit ~~multiple up to three concurrent~~ Draft Responses before submitting an Official Response (defined below).

2. Review and Approval of Official Response. In order to be considered a response under Section 212.0095 of the Texas Local Government Code, Developer shall include a cover letter that indicates “**212.0095 Response**” in bold along with its Response submission (“**Official Response**”). ~~The Official Response shall not contain substantive changes to the Preliminary Plat, other than those required to correct items in the Disapproval Letter. Upon receipt of an Official Response from the Developer, the city administrator, who has been delegated the authority to take action to approve, approve with conditions or deny the resubmitted application for a preliminary plat, which action shall be based upon comments from the city engineer, shall take such action within fifteen (15) business days of the City’s receipt of an Official Response (“Approval Period”). The city administrator may decline to take such action and bring it back to the Planning and Zoning Commission and City Council for action if there is reasonable time to confirm a quorum and lawfully post an agenda after the city engineer has completed the review. the City Council shall consider the Official Response at a public meeting and determine whether to approve or disapprove the Preliminary Plat not later than the twelfth (12) business day after the City’s receipt of an Official Response (“Approval Period”).~~ If the City does not disapprove or conditionally approve the Preliminary Plat within the Approval Period, it shall be deemed unconditionally approved. The City may only disapprove or conditionally approve the Official Response in accordance with the requirements of Section 212.0095(b). If the City conditionally approves ~~or disapproves~~ the Official Response, the Developer may submit new Draft Responses in accordance with Section 1 of this Agreement and/ or new Official Responses until all conditions in the ~~conditional approval~~~~Disapproval Letter~~ are addressed. ~~If the City disapproves the Preliminary Plat, the action will be the final action on the Preliminary Plat application, but Developer may submit a new application for the preliminary plat.~~ Except as otherwise expressly provided herein, the provisions of Subchapter A, Chapter 212 of the Texas Local Government Code shall apply.

3. Form and Delivery of Notice. Any notice, submittal, 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 72 hours following deposit of the same in any United States Post Office, registered or certified mail, postage prepaid, addressed as follows:

CITY:

Kim Dobbs, City ~~Manager~~Administrator
City of Lavon
P.O. Box 340
Lavon, TX 75166
Kim.dobbs@cityoflavon.org kdobbs@cityoflavon.org

Copy to:

Julie Fort

Messer, Rockefeller & Fort
6351-6371 Preston Road, Suite 200350
Frisco TX 75034
julie@txmunicipallaw.com

DEVELOPER:

John Marlin
MA Partners, LLC
15443 Knoll Trail, Suite 130
Dallas TX 75248
jmarlin@madev.com

Copy to:

Art Anderson, Winstead PC
500 Winstead Building
2728 N. Harwood St.
Dallas, Texas 75201
aanderson@winstead.com

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.

4. Entire Agreement; Conflicts. This Agreement constitutes the entire agreement between the Parties with respect to the subject matter hereof and supersedes all prior agreements, whether oral or written, covering the same subject matter.

5. Enforcement. This Agreement may be enforced by Developer or City by any proceeding at law or in equity. Failure to do so shall not be deemed a waiver to enforce the Agreement thereafter.

6. Provisions Severable. If any provision contained in this Agreement is held unconstitutional, invalid or unenforceable, then the remaining provisions shall be deemed severable and shall remain in full force and effect.

7. Captions. Captions and headings used in this Agreement are for reference purposes only and shall not be deemed a part of this Agreement.

8. Amendment or Termination of Agreement. This Agreement cannot be modified, amended or terminated without the written consent of all Parties.

9. Governing Law and Venue. This Agreement is entered into pursuant to, and is to be construed and enforced in accordance with, the laws of the State of Texas, and all obligations of the Parties are performable in Collin County, Texas. Exclusive venue for any action related to, arising out of, or brought in connection with this Agreement shall be in Collin County, Texas.

10. Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original and constitute one and the same instrument.

11. Term. This Agreement shall automatically terminate on December 31, 2020. If the Preliminary Plat has not been approved or approved with conditions on or before December 31, 2020, then after termination of this Agreement, the Developer may submit an Official Response and the City shall take action during the Approval Period. If the City action after termination of this Agreement is disapproval the application for Preliminary Plat shall be deemed denied, however Developer shall be eligible to file a new application for a preliminary plat.

12. Recitals Incorporated. The recitals contained in this Agreement: (a) are true and correct as of the effective date; (b) form the basis upon which the Parties negotiated and entered into this Agreement; and (c) reflect the final intent of the Parties with regard to the subject matter of this Agreement. In the event it becomes necessary to interpret any provision of this Agreement, the intent of the Parties, as evidenced by the recitals, shall be taken into consideration and, to the maximum extent possible, given full effect. The Parties have relied upon the recitals as part of the consideration for entering into this Agreement and, but for the intent of the Parties reflected by the recitals, would not have entered into this Agreement.

[Signatures appear on the next page.]

DRAFT

IN WITNESS WHEREOF, the Parties have signed and executed this Agreement effective as of this _____ day of January _____ 2020_____.

CITY OF LAVON

_____,
a _____

By: _____

Printed Name: _____

Title: _____

ATTEST:

By: _____
Kim Dobbs, City Administrator/ City Secretary

Approved as to Form and Legality:

By: _____
Julie Fort, City Attorney

State of Texas §
County of Collin §

This instrument was acknowledged before me on the _____ day of _____, 20____,
by _____, _____ of the City of Lavon, Texas, on behalf of said municipality.

By: _____
Notary Public, State of Texas

State of Texas §
County of _____ §

This instrument was acknowledged before me on the _____ day of _____, 20____,
by _____, _____, on behalf of _____, a
_____.

By: _____
Notary Public, State of Texas

EXHIBIT A

Preliminary Plat

(see attached)

DRAFT

EXHIBIT B

Property Description

DRAFT

EXHIBIT C

Disapproval Letter

(see attached)

DRAFT



CITY OF LAVON

Agenda Brief

MEETING: January 7, 2020

ITEM: 7 – H

Item:

Discussion and action regarding the process, needs, elements, priorities, projects and estimated costs related to a Capital Improvement Program (CIP).

Background:

On December 3, 2019, the City Council conducted a work session to discuss in general terms a capital improvements program (CIP). The following provide a recap of recent discussions of the importance of a CIP:

Community Vision Assessment

In the Community Engagement Feedback Takeaways, a key feedback takeaway from the planning process includes *City Services & Infrastructure... ” prioritize improvements to the city’s streets, mobility, and drainage infrastructure and would like to see an increased investment in parks, community facilities, and code enforcement. ”* (CVA, p.9)

2019-21 Strategic Plan

The **Core Purpose** includes a purpose statement, “*Serve as stewards of planning, infrastructure, and investment*” (CVA, p.11). The second **Core Value** identifies “*Safety – We believe that providing a safe community, with high quality infrastructure and services, is one of the primary purposes of our city government and maintaining safety as a strength of Lavon is extremely important* (CVA, p. 11). Among **Two-Year Goals**, the second goal is, “*Research Pricing and Prepare a Scope for a Capital improvements Program (CIP).*” (CVA, p.13) The specific **Goal 2** description states that a “*CIP can include items such as:*

- *Infrastructure (including Drainage and Storm Sewer, Sidewalks, and Trails.*
- *Streets/ Mobility*
- *City Facilities & Amenities (Including Parks)*” (CVA, 14)

At the conclusion of the December 3, 2019 work session, the City Council directed that further discussion of and action regarding the CIP be scheduled for the first meeting in January.

Attachments: Presentation from December 3, 2019 City Council Meeting

CITY OF LAVON COMMUNITY VISION

CAPITAL IMPROVEMENTS PLAN



December 3, 2019

2019-2021 Strategic Plan

TWO-YEAR GOALS



GOAL 2:

Research Pricing and Prepare a Scope for a Capital Improvements Plan (CIP)

As Lavon continues to grow, *major improvements* and additional *amenities* need to be *planned for and purchased*. Throughout the Lavon 2019 Community Survey, Envision Lavon, stakeholder interviews, and other feedback sources, numerous areas were identified as needing upgrades, including roadways, utilities and parks and community facilities. Identifying *funding strategies* will be crucial to the CIP's success.

With a CIP, the City will be able to *identify and prioritize* the necessary improvements and purchases that will improve the quality of life in Lavon and maintain the safe community. A CIP can include items such as:

- Infrastructure (including Drainage and Storm Sewer, Sidewalks, and Trails)
- Streets/Mobility
- City Facilities & Amenities (Including Parks)

Accomplishing two-year goals has been identified as one of the **KEY PRIORITIES**

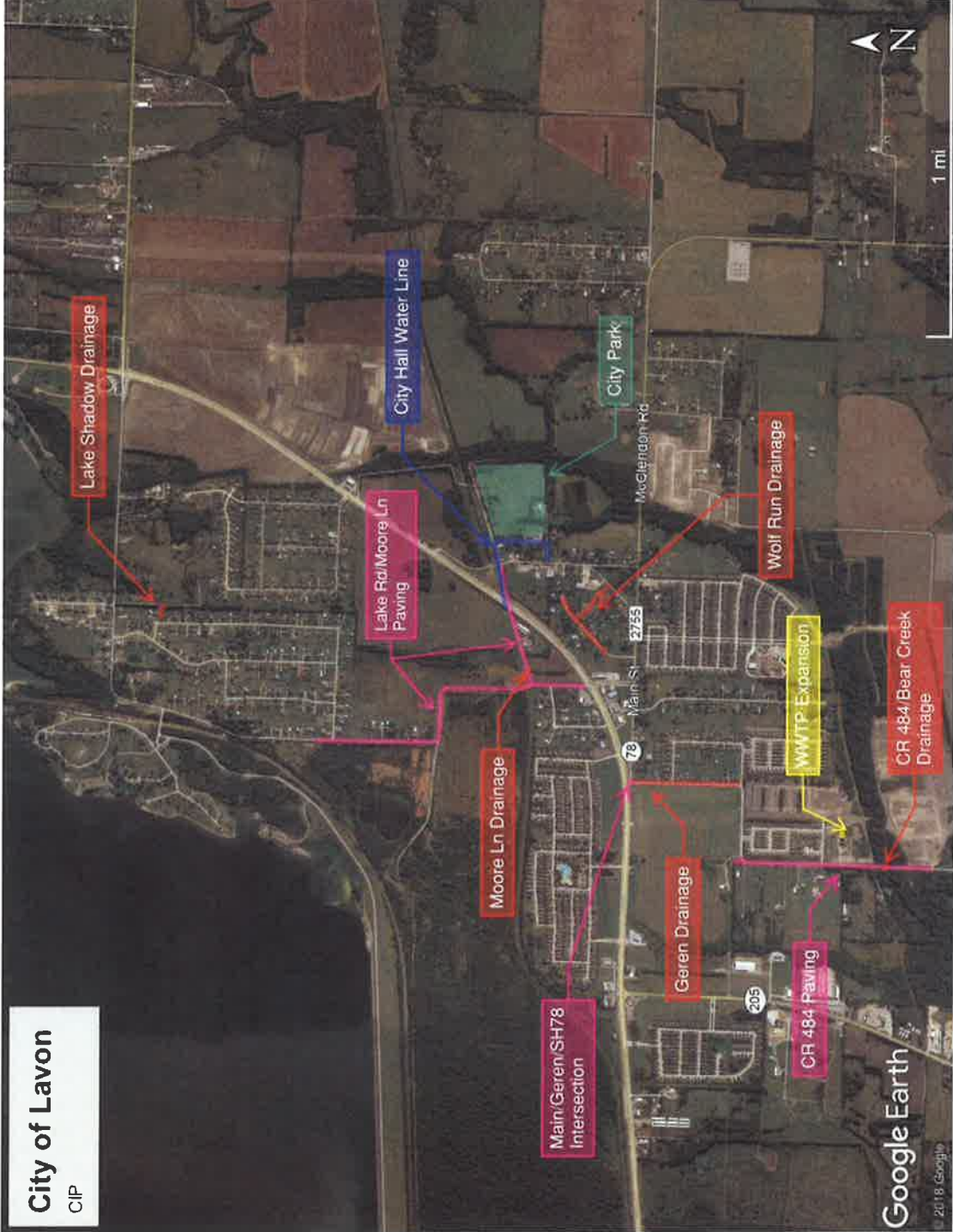
CAPITAL IMPROVEMENTS PLAN



Components of a CIP include:

- Identification
 - Projects
 - Amenities
- Prioritization
- Budget/Financing Plan
- Timeline
- Process (Management, Design, Construction, Acquisition, Finance, Communication)

REMEMBER - The CIP is a **DYNAMIC** document that is a **CRITICAL** management tool for the City.





CITY OF LAVON

Agenda Brief

MEETING: January 7, 2020

ITEM: 7 - I

Item:

Discussion and action regarding board and commission appointments – Lavon Economic Development Corporation Board of Directors.

Background:

In addition to the elected City Council, several appointed boards and commissions provide invaluable contributions to the City through their service. The members of these boards are appointed by the City Council for specific terms of service.

An opening exists on the Lavon Economic Development Corporation Board of Directors.

Attachments: Spreadsheet – Boards & Commissions

City of Lavon Boards & Commissions

January 2020

Place	Elected / Appointed	Name	Term Expires	Appointment Notes
City Council Members				Elected
Mayor	6/19/2018	Vicki Sanson	11/2021	
Place One	6/19/2018	John Kell	11/2020	
Place Two	11/7/2017	Mike Cook	11/2021	
Place Three	11/21/2016	Kay Wright	11/2020	
Place Four	1/15/2019	Ted Dill	11/2021	
Place Five	11/21/2016	Mindi Serkland	11/2020	
Economic Development Corp Board of Directors				7 members; 4 CC/staff; county resident
Place 1, Chair	3/1/2009	Kay Wright	7/15/2020	
Place 2	7/17/2018	Manzelle Williams	7/15/2021	
Place 3	9/19/2017	Vicki Sanson	7/15/2020	
Place 4	7/16/2019	Rachel Dumas	7/15/2021	
Place 5	9/17/2019	Joe Serpette	7/15/2020	
Place 6	7/18/2017	John Kell	7/15/2021	
Place 7			7/15/2020	<i>formerly D. Piekarski</i>
Planning & Zoning Commission				5 members, residency req
Seat 1	1/17/2017	Brad Tiegs	6/1/2021	
Seat 2	7/19/2016	Deborah Nabors	6/1/2020	
Seat 3	9/6/2016	Cynthia Coker	6/1/2021	
Seat 4	7/16/2019	Michael Smith	6/1/2020	
Seat 5, Chair	8/16/2011	David Rosenquist	6/1/2021	
	ex officio	Vicki Sanson	6/1/2021	<i>Council Liaison</i>
Parks & Recreation Board				5 members, CC liaison; residency req
Seat 1	4/17/2012	Mike Gulino	1/1/2021	
Seat 2	1/16/2018	Kelly Turk	1/1/2022	<i>desires reappointment</i>
Seat 3	7/16/2019	Leon Marshall	1/1/2021	
Seat 4, Chair	4/17/2012	Bradley Tiegs	1/1/2022	<i>desires reappointment</i>
Seat 5 - Council	11/6/2018	Mindi Serkland	1/1/2021	<i>Council Liaison</i>
Alternate	12/3/2019	Joe Serpette	1/1/2022	
TIF (TIRZ #1)				5 members, Mayor appt; Council consent
Seat 1	11/19/2019	John Kell	11/2020	
Seat 2	11/19/2019	Mike Cook	11/2021	
Seat 3	11/19/2019	Kay Wright	11/2020	
Seat 4	11/19/2019	Ted Dill	11/2021	
Seat 5	11/19/2019	Mindi Serkland	11/2020	
IFC Building Board of Appeals				8 members
Seat 1	9/18/2018	Joe Wetzal	9/1/2020	
Seat 2	9/18/2018	Tom Paroski	9/1/2021	
Seat 3	9/18/2018	Jeff Donaldson	9/1/2020	
Seat 4	9/18/2018	Paul Slay	9/1/2021	
Seat 5	9/18/2018	Derek Hanson	9/1/2020	
Seat 6	9/18/2018	Micki Hollien	9/1/2021	
Seat 7	9/18/2018	Richard Hollien	9/1/2020	
Seat 8, Chair	7/16/2019	Jason Browning	---	Fire Marshal - Ex Officio
LVFD Board of Directors				3 members
Seat 1	6/19/2018	Mindi Serkland	6/19/2020	
Seat 2	6/19/2018	Mike Jones	6/19/2021	
Seat 3	6/19/2018	Kelly Turk	6/19/2020	