



**AGENDA**  
**NOVEMBER 17, 2020**  
**LAVON CITY COUNCIL**  
**6:00 PM**  
**REGULAR MEETING**  
**TELEPHONIC MEETING**

**DIAL IN TO PARTICIPATE: (425) 436-6349**  
or (844) 854-2222; enter **ACCESS CODE: 856485**

In accordance with the orders of the Office of the Governor, the meeting will be conducted by telephone conference in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19). There will be no physical location for the meeting. The meeting agenda and packet are posted online at [www.cityoflavon.com](http://www.cityoflavon.com).

The public will be permitted to offer public comments telephonically as provided by the agenda and as permitted by the presiding officer during the meeting. A recording of the telephonic meeting will be made and will be available to the public in accordance with the Open Meetings Act upon written request.

- 1. PRESIDING OFFICER TO CALL THE MEETING TO ORDER AND ANNOUNCE THAT A QUORUM IS PRESENT**
- 2. INVOCATION**
- 3. ISSUANCE OF OATH OF OFFICE TO THREE NEWLY ELECTED CITY COUNCIL MEMBERS**
- 4. 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 an agreement for the provision of sanitary sewer service in an unincorporated area.
- 5. RECONVENE INTO REGULAR SESSION**

Consider and take any action necessary as a result of executive session.
- 6. CITIZENS COMMENTS**

*Citizens may provide comments (3-minute time limit/person). The City Council response regarding items that are not on the agenda may be to request items be placed on a future agenda or referred to city staff.*
- 7. ITEMS OF INTEREST/COMMUNICATIONS**

*Members may identify community events, functions, and other activities.*
- 8. 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 November 3, 2020 meeting.
- 9. ITEMS FOR CONSIDERATION**
  - A.** Discussion and action regarding Resolution No. **2020-11-04** approving and authorizing the Mayor to execute a Wastewater Service and Development Agreement with MA Partners, LLC for approximately 291.068 acres of property situated in the extraterritorial jurisdiction of the City of Lavon and City of Nevada.

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- B. Discussion and action regarding Resolution No. 2020-11-05 adopting a Tax Abatement Policy including guidelines, criteria, and procedures.
- C. Discussion and action regarding Resolution No. 2020-11-06 approving and authorizing the mayor to execute an amendment to the professional services agreement with Caperton Construction Inspections adopted by Resolution No. 2018-08-02 to adjust the fee for professional services for plan review and building inspections.
- D. Discussion and action regarding the appointment of a deputy city attorney to serve as the Municipal Court Prosecutor.
- E. Discussion and action to nominate and appoint a Mayor Pro-Tempore for a term that expires in November 2021.
- F. Discussion and action regarding possible application to the Texas Department of Agriculture for a 2021-22 Texas Community Development Block Grant (TxCDBG) and appointment of a Selection Review Committee to perform procurement of professional services and engineering services related thereto.
- G. Discussion and action regarding orders and regulations, programming, city facilities and operations related to COVID-19.

**10. DEPARTMENT REPORTS**

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

- A. Police Services – Reports for traffic stops, calls for service, call breakout and consolidated activity.
- B. Fire Services – LFD service and equipment report.
- C. Public Works Services – 1) General utilities, public works, street maintenance report including projects, mowing and trash collection; 2) code enforcement report; and 3) capital improvements project report.
- D. Administration Services – 1) Building Permits Report; 2) CWD Recycling Report; 3) Collin County Tax Collection Report; 4) Sales Tax Report; 5) LOGIC and TexStar Newsletters; 6) TxDOT SH 205 Report; and 7) general staff report.

**11. 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.*

December 1 – Regular Meeting

**12. 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](http://www.cityoflavon.com) and at City Hall and on or before 6:00 PM on November 13, 2020.

  
 \_\_\_\_\_  
 Rae Norton, City Secretary

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# CITY OF LAVON

## Agenda Brief

MEETING: November 17, 2020

ITEM: 3

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**Item:**

ISSUANCE OF OATH OF OFFICE TO THREE NEWLY ELECTED CITY COUNCIL MEMBERS

**Background:**

On August 4, 2020, the City Council approved a resolution calling the General Election on November 3, 2020 for the election of City Council Members in Places 1, 3, and 5. The following residents filled for applications on the ballot:

<u>Office</u>	<u>Name</u>	<u>Date of Application</u>
City Council Member Place 1	John Kell	07-20-2020
City Council Member Place 3	Kay Wright	08-05-2020
City Council Member Place 5	Mindi Serkland	08-05-2020

No other applications for ballots were received. The state law provides that if a candidate is unopposed, the candidate may be certified as elected and the election may be cancelled. On September 1, 2020, the City Council approved Resolution No. **2020-09-02** declaring the candidates elected and cancelling the election. State law further provides that the candidate(s) may be sworn in and assume the duties of the position once the regular canvassing period would have taken place.

***Code Excerpts:***

**Texas Election Code**

**§ 2.052. CERTIFICATION OF UNOPPOSED STATUS.** (a) The authority responsible for having the official ballot prepared shall certify in writing that a candidate is unopposed for election to an office if, were the election held, only the votes cast for that candidate in the election for that office may be counted.

(b) The certification shall be delivered to the governing body of the political subdivision as soon as possible after the filing deadlines for placement on the ballot and list of write-in candidates.

**§ 2.053. ACTION ON CERTIFICATION.** (a) On receipt of the certification, the governing body of the political subdivision by order or ordinance may declare each unopposed candidate elected to the office.

(b) If a declaration is made under Subsection (a), the election is not held. A copy of the order or ordinance shall be posted on Election Day at each polling place that would have been used in the election.

(c) A certificate of election shall be issued to each candidate in the same manner and at the same time as provided for a candidate elected at the election. The candidate must qualify for the office in the same manner as provided for a candidate elected at the election.

**Attachments:** Resolution No. 2020-09-02  
Certificates of Election

**CITY OF LAVON**  
**RESOLUTION NO. 2020-09-02**

Cancel November 3, 2020 General Election

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS DECLARING ELECTED TO THE OFFICES OF CITY COUNCIL PLACE 1, CITY COUNCIL PLACE 3, AND CITY COUNCIL PLACE 5 THE UNOPPOSED CANDIDATES FOR ELECTION TO THOSE OFFICES; PROVIDING THAT SUCH ELECTION SHALL BE EFFECTIVE AS OF NOVEMBER 3, 2020, AND THAT SUCH CANDIDATES SHALL TAKE THEIR OFFICE AS PROVIDED FOR BY LAW; PROVIDING THAT THE NOVEMBER 3, 2020 GENERAL ELECTION SHALL NOT BE HELD; PROVIDING THAT A COPY OF THIS RESOLUTION SHALL BE POSTED ON ELECTION DAY AT THE POLLING PLACE THAT WOULD HAVE BEEN USED IN THE ELECTION; PROVIDING AN EFFECTIVE DATE.**

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

**Section 1.** The City of Lavon hereby cancels the election scheduled to be held on November 3, 2019, in accordance with Section 2.053(a) of the Texas Election Code. As provided in the Certification of Unopposed Status, attached hereto as "Exhibit A", the following candidates have been certified as unopposed and are hereby elected as follows:

Council Member Place 1	John Kell
Council Member Place 3	Kay Wright
Council Member Place 5	Mindi Serkland

**Section 2.** Such election shall be effective as of November 3, 2020. The elected candidates shall take their office in accordance with law, and a certificate of election shall be issued to each candidate in the same manner as provided for a candidate elected at a general election.

**Section 3.** The November 3, 2020 General Election shall not be held.

**Section 4.** A true and correct copy of this Resolution shall be posted on November 3, 2020 by the City Secretary at the polling place that would have been used in the general election.

**Section 5.** This Resolution shall be in full force and effect from and after its passage.

**DULY PASSED AND APPROVED** by the City Council of the City of Lavon, Texas on the 1<sup>st</sup> day of September 2020.

  
Vicki Sanson, Mayor

ATTEST:

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



**EXHIBIT A  
CITY OF LAVON, TEXAS  
2020 GENERAL ELECTION**

**CERTIFICATION OF UNOPPOSED STATUS**

1. On August 4, 2020 the City Council of the City of Lavon, Texas adopted Resolution No. **2020-08-01** calling an election to be held on November 3, 2020 for the purpose of electing three (3) Council Members for Places 1, 3 and 5, all for two (2) year terms each.

2. As set forth in the Resolution and in accordance with Section 143.007 of the Texas Election Code (the "Code"), persons desiring to have their name placed on the election ballot were required to file with the City Secretary the person's sworn application not earlier than July 18, 2020 and no later than 5:00 P.M. on August 17, 2020. During that period, the only applications for a place on the ballot filed with the City were from the following persons:

<u>Council Member Place 1</u>	-	John Kell
<u>Council Member Place 3</u>	-	Kay Wright
<u>Council Member Place 5</u>	-	Mindi Serkland

3. In addition to persons desiring to have their name placed on the ballot, persons desiring to declare themselves as a write-in candidate were required to file with the City Secretary a declaration of such candidacy on or before 5:00 P.M. on August 21, 2020. No such declarations were filed.

4. Only one (1) candidate's name would appear on the ballot for each position.

5. No proposition is to appear on the November 3, 2020 election ballot.

**THEREFORE**, pursuant to the above and in accordance with Section 2.052 of the Code, I do hereby certify to the City Council of the City of Lavon, Texas that the following persons are unopposed for election to the office of:

Council Member Place 1  
JOHN KELL

Council Member Place 3  
KAY WRIGHT

Council Member Place 5  
MINDI SERKLAND

SIGNED this the 24<sup>th</sup> day of August 2020



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



In the name and by the authority of

## The State of Texas

THIS IS TO CERTIFY that at a City Council meeting held on  
the 17<sup>th</sup> day of November, 2020

**JOHN KELL**

was duly appointed

**CITY OF LAVON**

**CITY COUNCIL MEMBER, PLACE 1**

In testimony whereof, I have hereunto signed  
my name and caused the Seal of the City of  
Lavon to be affixed at the City of Lavon, this  
the 17<sup>th</sup> day of November 2020.

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Signature of Presiding Officer



In the name and by the authority of

## The State of Texas

THIS IS TO CERTIFY that at a City Council meeting held on  
the 17<sup>th</sup> day of November, 2020

**KAY WRIGHT**

was duly appointed

**CITY OF LAVON**

**CITY COUNCIL MEMBER, PLACE 3**

In testimony whereof, I have hereunto signed  
my name and caused the Seal of the City of  
Lavon to be affixed at the City of Lavon, this  
the 17<sup>th</sup> day of November 2020.

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Signature of Presiding Officer



In the name and by the authority of

## The State of Texas

THIS IS TO CERTIFY that at a City Council meeting held on  
the 17<sup>th</sup> day of November, 2020

**MINDI SERKLAND**

was duly appointed

**CITY OF LAVON**

**CITY COUNCIL MEMBER, PLACE 5**

In testimony whereof, I have hereunto signed  
my name and caused the Seal of the City of  
Lavon to be affixed at the City of Lavon, this  
the 17<sup>th</sup> day of November 2020.

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Signature of Presiding Officer



**MINUTES  
NOVEMBER 3, 2020  
LAVON CITY COUNCIL  
REGULAR MEETING  
TELEPHONIC MEETING  
CITY HALL, 120 SCHOOL ROAD, LAVON, TEXAS  
6:00 P.M.**

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The meeting was conducted telephonically in accordance with the orders of the Office of the Governor in order to advance the public health goal of limiting face-to-face meetings to slow the spread of the Coronavirus (COVID-19). The meeting agenda and packet were posted on the city website prior to the meeting.

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

**1. MAYOR SANSON CALLED THE MEETING TO ORDER AT 6:00 P.M., TOOK ROLL AND CONFIRMED A QUORUM PRESENT.**

**2. MAYOR SANSON OBSERVED A MOMENT OF SILENCE.**

**3. CITIZENS COMMENT**

There were no citizen comments.

**4. ITEMS OF INTEREST/COMMUNICATIONS**

- LEDC \$20 Coupon promotion will run from November 15, 2020 to December 15, 2020.
- NCTCOG Cease the Grease Holiday Grease Roundup - November 23-January 4 at City Hall.

**5. PROCLAMATION**

Mayor Sanson presented a proclamation honoring the observance of Veterans Day on November 11, 2020.

**6. CONSENT AGENDA**

- A. Approve the minutes of the October 20, 2020 meeting.**
- B. Approve Ordinance No. 2020-11-01 approving the 2020 Tax Roll Summary for the City of Lavon as submitted by the Collin County Tax Assessor Collector's Office.**
- C. Approve Resolution No. 2020-11-01 approving and authorizing the Mayor to execute a Product License and Service Agreement with Intellichoice, Inc. DBA eForce for a police records management system for \$36,854.00; and providing an effective date.**
- D. Grant a fifteen-foot water line easement to Bear Creek Special Utility District on 5.1 acres of city-owned property abutting and south of McClendon Rd., CCAD Property ID 1250005, Lavon, Texas.**

**MOTION: APPROVE THE CONSENT AGENDA.**

MOTION MADE: WRIGHT

SECONDED: SERKLAND

APPROVED: UNANIMOUS

**7. ITEMS FOR CONSIDERATION**

- A. Discussion and action regarding the final plat of the RaceTrac Addition on 5.899 acres of land consisting of two lots at 1000 SH 78 (also referred to as 9930 SH 78), out of the WAS Bohannan Survey, Abstract No. 121, CCAD Property IDs 2675083, 2593398, 2133957, 2664025 and a portion of 2664090, southwest of the intersection of SH 78 and SH 205, City of Lavon, Texas, requested by RaceTrac Petroleum.**

City Administrator Kim Dobbs provided a report from the Planning and Zoning Commission and information regarding the plat and introduced Andrew Malzer, Engineering Project Manager, RaceTrac who answered questions regarding the application.

**MOTION: APPROVE THE FINAL PLAT OF THE RACETRAC ADDITION ON 5.899 ACRES OF LAND CONSISTING OF TWO LOTS AT 1000 SH 78 (ALSO REFERRED TO AS 9930 SH 78), OUT OF THE WAS BOHANNAN SURVEY, ABSTRACT NO. 121, CCAD PROPERTY IDS 2675083, 2593398, 2133957, 2664025 AND A PORTION OF 2664090, SOUTHWEST OF THE INTERSECTION OF SH 78 AND SH 205, CITY OF LAVON, TEXAS, REQUESTED BY RACETRAC PETROLEUM.**

MOTION MADE: WRIGHT  
SECONDED: DILL  
APPROVED: UNANIMOUS

- B. Discussion and action regarding the final plat of the LakePointe Addition, Phase 2A for 181 residential lots and 5 open space tracts on 57.456 acres of land, a part of a 200.9089 acre tract described in Document No. 20180821001049570 in the DRCCT and situated in the Samuel M. Rainer Survey, Abstract No. 740, (CCAD Property ID 2663916), southeast of the intersection of SH 78 and FM 6, Lavon, Collin County, Texas.**

Ms. Dobbs provided a report from the Planning and Zoning Commission regarding the final plat of the LakePointe Addition, Phase 2A. Ms. Dobbs introduced Steve Lenart, Lenart Development Company who answered questions.

**MOTION: APPROVE THE FINAL PLAT OF THE LAKEPOINTE ADDITION, PHASE 2A FOR 181 RESIDENTIAL LOTS AND 5 OPEN SPACE TRACTS ON 57.456 ACRES OF LAND, A PART OF A 200.9089 ACRE TRACT DESCRIBED IN DOCUMENT NO. 20180821001049570 IN THE DRCCT AND SITUATED IN THE SAMUEL M. RAINER SURVEY, ABSTRACT NO. 740, (CCAD PROPERTY ID 2663916), SOUTHEAST OF THE INTERSECTION OF SH 78 AND FM 6, LAVON, COLLIN COUNTY, TEXAS.**

MOTION MADE: KELL  
SECONDED: COOK  
APPROVED: UNANIMOUS

- C. Discussion and action regarding the final plat of the LakePointe Addition, Phase 2B for 79 residential lots and 2 open space tracts on 17.487 acres of land, a part of a 200.9089 acre tract described in Document No. 20180821001049570 in the DRCCT and situated in the Samuel M. Rainer Survey, Abstract No. 740, (CCAD Property ID 2663916), southeast of the intersection of SH 78 and FM 6, Lavon, Collin County, Texas.**

Ms. Dobbs reviewed the recommendation of the Planning and Zoning Commission regarding the final plat of the LakePointe Addition, Phase 2B.

**MOTION: APPROVE THE FINAL PLAT OF THE LAKEPOINTE ADDITION, PHASE 2B FOR 79 RESIDENTIAL LOTS AND 2 OPEN SPACE TRACTS ON 17.487 ACRES OF LAND, A PART OF A 200.9089 ACRE TRACT DESCRIBED IN DOCUMENT NO. 20180821001049570 IN THE DRCCT AND SITUATED IN THE SAMUEL M. RAINER SURVEY, ABSTRACT NO. 740, (CCAD PROPERTY ID 2663916), SOUTHEAST OF THE INTERSECTION OF SH 78 AND FM 6, LAVON, COLLIN COUNTY, TEXAS.**

MOTION MADE: WRIGHT  
SECONDED: KELL  
APPROVED: UNANIMOUS

- D. Public hearing, discussion and action regarding Ordinance No. 2020-11-02 amending Chapter 9, Exhibit A, Section 5.05 of the City of Lavon's Code of Ordinances to specify five foot (5') as the minimum sidewalk width.**

**Presentation of Request.**

Ms. Dobbs provided information regarding the current regulations and proposed amendment.

**PUBLIC HEARING to receive comments regarding the request.**

Mayor Sanson opened the public hearing at 6:23 p.m. and invited comments in favor or opposition of the request, there being no comments, Mayor Sanson closed the public hearing at 6:23 p.m.

**Discussion and action regarding the request.**

Ms. Dobbs reviewed the recommendation of the Planning and Zoning Commission to approve the amendment of the minimum width of sidewalks to five feet (5').

**MOTION: APPROVE ORDINANCE NO. 2020-11-02 AMENDING CHAPTER 9, EXHIBIT A, SECTION 5.05 OF THE CITY OF LAVON'S CODE OF ORDINANCES TO SPECIFY FIVE FOOT (5') AS THE MINIMUM SIDEWALK WIDTH.**

MOTION MADE: WRIGHT  
SECONDED: DILL  
APPROVED: UNANIMOUS

- E. Discussion and action regarding the award of the construction contract for the City of Lavon Wolf Run Ditch Improvements (CIP-8) Construction Project and Resolution No. 2020-11-02 approving and authorizing the Mayor to execute a construction contract with GRod Construction, LLC in the amount of \$66,646.00 and 45 days; and providing an effective date.**

Ms. Dobbs introduced City Engineer Mark Hill, Freeman Millican, LLC. who gave updates regarding the competitive bids for the Wolf Run Ditch Improvement Project, which is CIP-8 Project. He noted that five (5) bids were received, and this construction project involves the installation of concrete maintenance strips along the flowline of the bar ditches to assist with future ditch maintenance.

**MOTION: AWARD THE CONSTRUCTION CONTRACT FOR THE CITY OF LAVON WOLF RUN DITCH IMPROVEMENTS (CIP-8) CONSTRUCTION PROJECT AND RESOLUTION NO. 2020-11-02 APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A CONSTRUCTION CONTRACT WITH GROD CONSTRUCTION, LLC IN THE AMOUNT OF \$66,646.00 AND 45 DAYS; AND PROVIDING AN EFFECTIVE DATE.**

MOTION MADE: KELL  
SECONDED: COOK  
APPROVED: UNANIMOUS

- F. Discussion and action regarding the award of the construction contract for the City of Lavon Lake Shadow Drainage (CIP-13) Construction Project and Resolution No. 2020-11-03 approving and authorizing the Mayor to execute a construction contract with GRod Construction LLC in the amount of \$ 47,788.00 and 30 days; and providing an effective date.**

Mr. Hill, Freeman Millican, LLC. provided information regarding the competitive bids for the Lake Shadow Drainage Project which is CIP-3 Project. He noted that six (6) bids were received, and this construction project involves installing new 18" storm sewer to supplement the current drainage area on Lake Shadow Dr. and includes the culvert underneath the adjacent private road.

**MOTION: AWARD THE CONSTRUCTION CONTRACT FOR THE CITY OF LAVON LAKE SHADOW DRAINAGE (CIP-13) CONSTRUCTION PROJECT AND RESOLUTION NO. 2020-11-03 APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A CONSTRUCTION CONTRACT WITH GROD CONSTRUCTION LLC IN THE AMOUNT OF \$ 47,788.00 AND 30 DAYS; AND PROVIDING AN EFFECTIVE DATE.**

MOTION MADE: WRIGHT  
SECONDED: DILL

APPROVED UNANIMOUS

- G. Discussion and action regarding approval of Task Order #6 with Freeman-Millican, Inc. pursuant to Resolution No. 2018-06-01 for professional engineering services for the preparation and submission of the application for renewal of the Texas Pollutant Discharge Elimination System (TPDES) permit for the Bear Creek Wastewater Treatment Plant, not to exceed \$9,400.00.

Ms. Dobbs provided information regarding the Texas Commission on Environmental Quality (TCEQ) Renewal Notice for the Texas Pollutant Discharge Elimination System (TPDES) permit for the Bear Creek Wastewater Treatment Plant. She noted the City’s permit will expire on October 1, 2021 and recommended that Freeman-Millican, Inc. prepare and submit the renewal application.

**MOTION: APPROVE TASK ORDER #6 WITH FREEMAN-MILLICAN, INC. PURSUANT TO RESOLUTION NO. 2018-06-01 FOR PROFESSIONAL ENGINEERING SERVICES FOR THE PREPARATION AND SUBMISSION OF THE APPLICATION FOR RENEWAL OF THE TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM (TPDES) PERMIT FOR THE BEAR CREEK WASTEWATER TREATMENT PLANT, NOT TO EXCEED \$9,400.00.**

MOTION: WRIGHT  
 SECONDED: COOK  
 APPROVED: UNANIMOUS

- H. Discussion and action regarding orders and regulations, programming, city facilities and operations related to COVID-19.

Ms. Dobbs reviewed GA Order-30 and reported that the City Attorney is continuing to monitor the changes and keeping City Hall updated.

**8. CITY COUNCIL TO SET FUTURE MEETINGS AND AGENDAS.**

- November 17, 2020 Regular City Council Meeting 6:00 p.m.

**9. MAYOR SANSON ADJOURNED THE CITY COUNCIL MEETING AT 6:48 P.M.**

**DULY PASSED and APPROVED** by the City Council of Lavon, Texas, on this 17<sup>th</sup> day of November 2020.

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Vicki Sanson  
 Mayor

**ATTEST:**

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Rae Norton  
 City Secretary



# CITY OF LAVON

## Agenda Brief

**MEETING:** November 17, 2020

**ITEM:** 9 - A

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**Item:**

Discussion and action regarding Resolution No. 2020-11-04 approving and authorizing the Mayor to execute a Wastewater Service and Development Agreement with MA Partners, LLC for approximately 291.068 acres of property situated in the extraterritorial jurisdiction of the City of Lavon and City of Nevada.

**Background:**

MA Partners, LLC is developing an estimated 1,500 acres primarily in the extraterritorial jurisdiction (ETJ) and ultimate municipal boundary of the City of Lavon. In May 2020, the owner of the property, petitioned for the creation of four Municipal Utility Districts (Abston Hills MUD 1A-1D) that are pending before the Texas Commission on Environmental Quality (TCEQ).

In June 2020, the City approved the preliminary plat for Abston Hills, subsequently re-titled Elavon, Phase 1A consisting of 113.172 acres. The final plat for Elavon, Phase 1A is scheduled for consideration by the Planning and Zoning Commission on November 24, 2020.

On November 13, 2020, the developer submitted a preliminary plat for Elavon, Phase 2B.

An outstanding item relating to the development of the property is the timing and provision of sanitary sewer service. The developer has submitted to TCEQ an application for a discharge permit for a wastewater treatment plant to serve all or a portion of the property. For the developer to be able to proceed with the development of Elavon, Phase 1A and Phase 2B as well as property in the City of Nevada's ETJ prior to construction of a wastewater treatment plant, the developer and city staff have prepared a Wastewater Service and Development Agreement. The Texas Local Government Code provides authority for the City to enter into an agreement such as what is proposed.

***Code Excerpts:***

**Texas Local Government Code**

Sec. 212.171. APPLICABILITY. This subchapter does not apply to land located in the extraterritorial jurisdiction of a municipality with a population of 1.9 million or more.

Added by Acts 2003, 78th Leg., ch. 522, Sec. 1, eff. June 20, 2003.

Sec. 212.172. DEVELOPMENT AGREEMENT. (a) In this subchapter, "extraterritorial jurisdiction" means a municipality's extraterritorial jurisdiction as determined under Chapter 42.

(b) The governing body of a municipality may make a written contract with an owner of land that is located in the extraterritorial jurisdiction of the municipality to:

(1) guarantee the continuation of the extraterritorial status of the land and its immunity from annexation by the municipality;

(2) extend the municipality's planning authority over the land by providing for a development plan to be prepared by the landowner and approved by the municipality under which certain general uses and development of the land are authorized;

(3) authorize enforcement by the municipality of certain municipal land use and development regulations in the same manner the regulations are enforced within the municipality's boundaries;

(4) authorize enforcement by the municipality of land use and development regulations other than those that apply within the municipality's boundaries, as may be agreed to by the landowner and the municipality;

(5) provide for infrastructure for the land, including:

(A) streets and roads;

(B) street and road drainage;

(C) land drainage; and

(D) water, wastewater, and other utility systems;

(6) authorize enforcement of environmental regulations;

(7) provide for the annexation of the land as a whole or in parts and to provide for the terms of annexation, if annexation is agreed to by the parties;

(8) specify the uses and development of the land before and after annexation, if annexation is agreed to by the parties; or

(9) include other lawful terms and considerations the parties consider appropriate.

(c) An agreement under this subchapter must:

(1) be in writing;

(2) contain an adequate legal description of the land;

(3) be approved by the governing body of the municipality and the landowner; and

(4) be recorded in the real property records of each county in which any part of the land that is subject to the agreement is located.

(d) The total duration of the contract and any successive renewals or extensions may not exceed 45 years.

(e) A municipality in an affected county, as defined by Section 16.341, Water Code, may not enter into an agreement under this subchapter that is inconsistent with the model rules adopted under Section 16.343, Water Code.

(f) The agreement between the governing body of the municipality and the landowner is binding on the municipality and the landowner and on their respective successors and assigns for the term of the agreement. The agreement is not binding on, and does not create any encumbrance to title as to, any end-buyer of a fully developed and improved lot within the development, except for land use and development regulations that may apply to a specific lot.

(g) An agreement under this subchapter constitutes a permit under Chapter 245.

(h) An agreement between a municipality and a landowner entered into prior to the effective date of this section and that complies with this section is validated.

The proposed agreement sets out terms for the provision of wastewater treatment services and a Strategic Partnership Agreement.

## **Financial Impact**

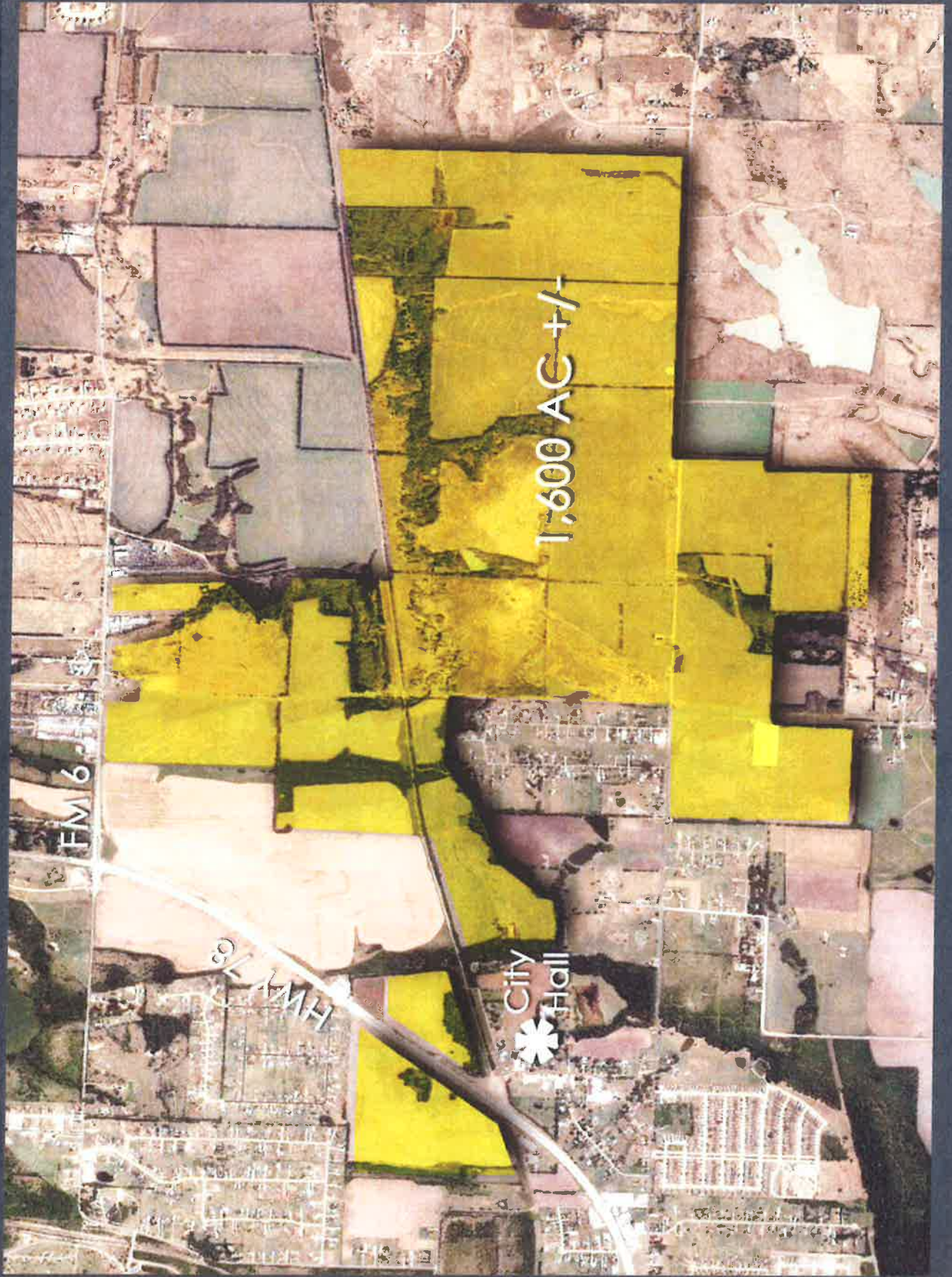
As is customary for development within the City, the developer will install infrastructure in accordance with the City standards and dedicate to the City the public infrastructure necessary for the provision of wastewater treatment services to the property. The addition of customers to the City system increases the likelihood of achieving greater economy of scale which may benefit City resident customers.

### ***Staff Notes:***

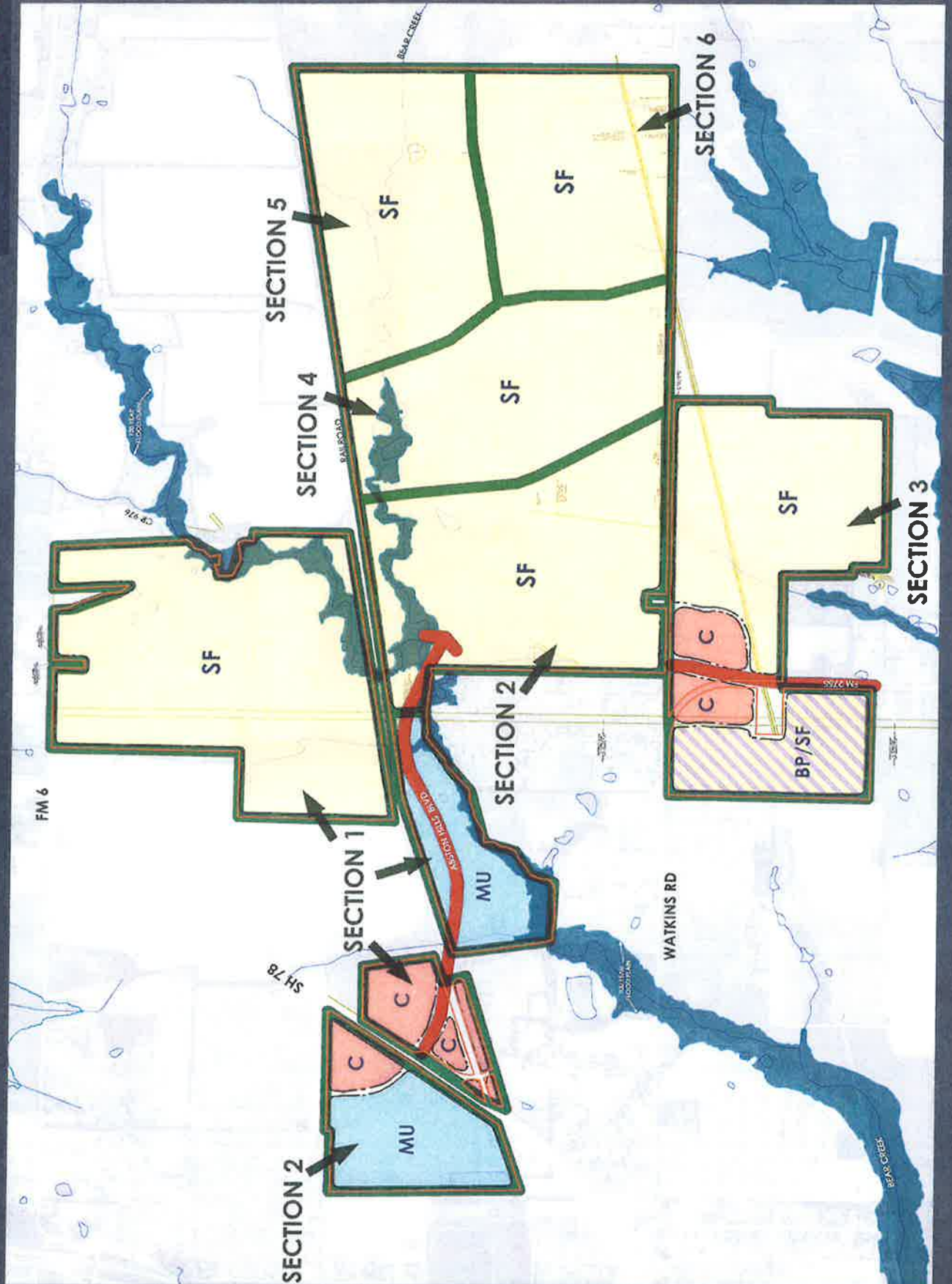
The City Attorney and City Engineer participated in the preparation of and have reviewed the agreement. Approval is recommended.

**Attachments:**            Location Exhibits  
                                 Proposed Final Plat – Elavon, Phase 1A  
                                 Proposed Preliminary Plat – Elavon, Phase 2B  
                                 Resolution and proposed engagement

# ABSTON HILLS-COMMUNITY LOCATION



# CONCEPT PLAN

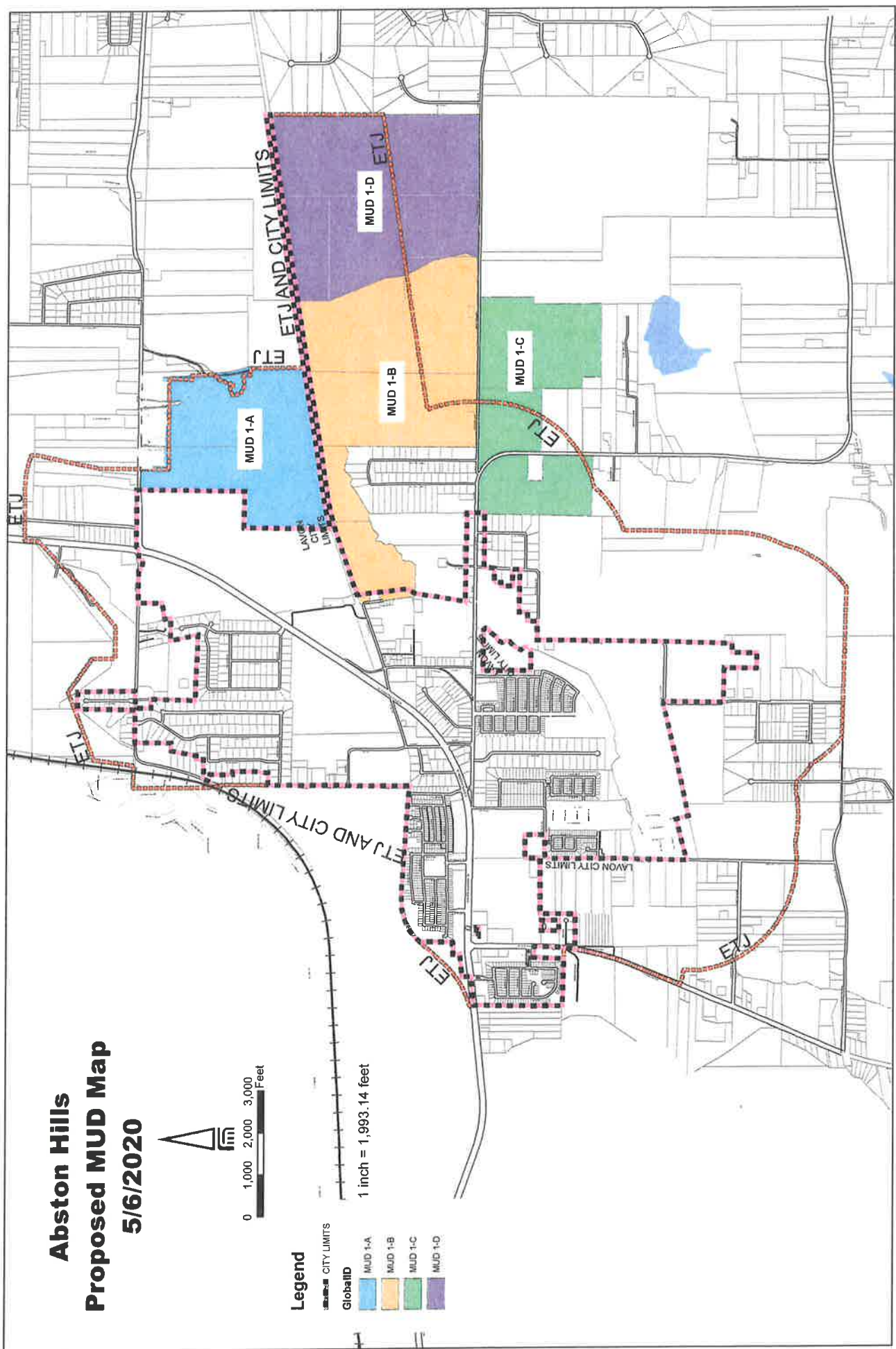


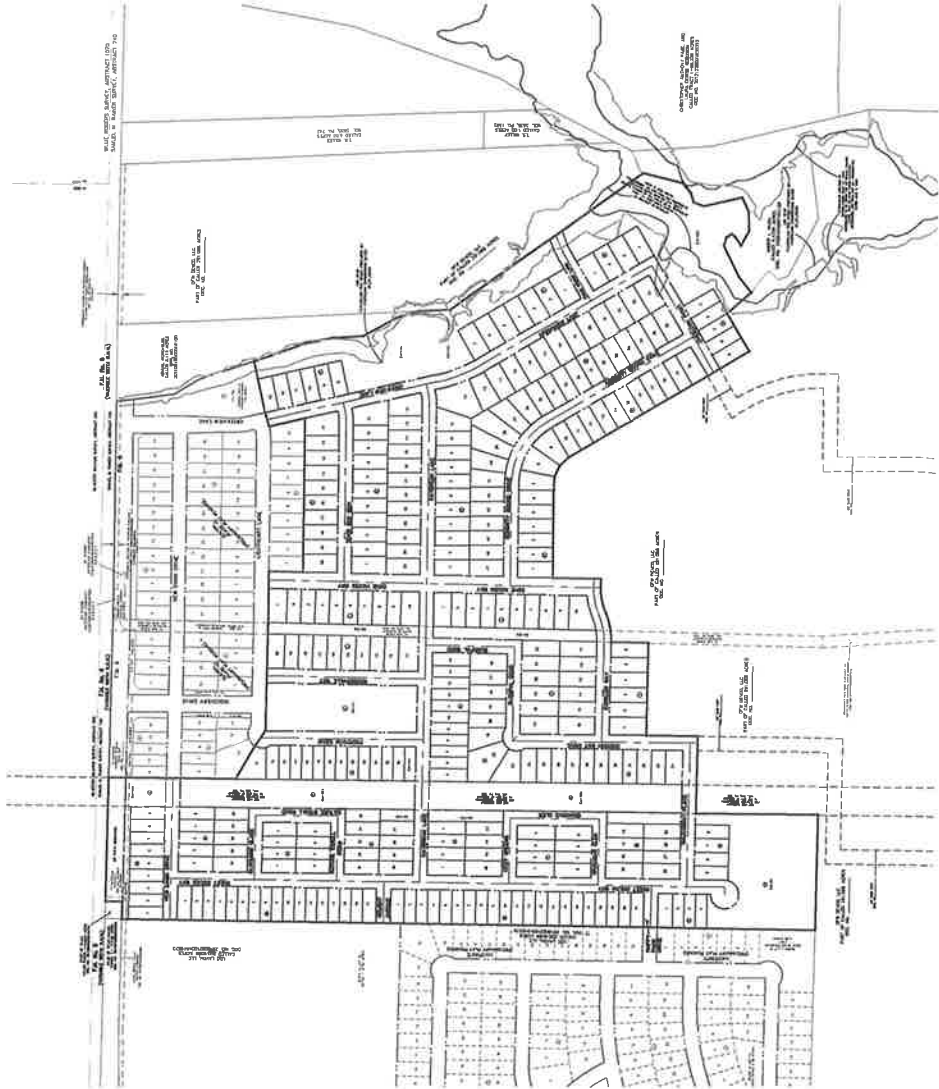
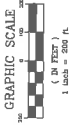
# Abston Hills Proposed MUD Map 5/6/2020



1 inch = 1,993.14 feet

- Legend**
- CITY LIMITS
  - GlobalID**
  - MUD 1-A
  - MUD 1-B
  - MUD 1-C
  - MUD 1-D





- NOTES:**
- 1.) FLOOD STATEMENT, ACCORDING TO COMMUNITY PANEL NO. 488038488, DATED JUNE 6, 2009 OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM MAP, A FLOOD ZONE MAP, SHOWS THE SUBJECT TRACT AS BEING IN FLOOD ZONE X1 (AREAS DETERMINED TO BE WITHIN THE 1% ANNUAL CHANCE FLOOD (100-YEAR FLOOD), WITH THE FLOOD ELEVATIONS DETERMINED).
  - 2.) THE BASIS OF BEARING IS BASED ON THE COORDINATE SYSTEM (NORTH CENTRAL ZONE 4202 STATE PLANE COORDINATES, NAD83).
  - 3.) THE SUBJECT TRACT HAS FRONTAGE TO FARM-TO-MARKET ROAD NO. 8 VIA PHASE 1C FINAL PLAT.
  - 4.) SURVEY ABSTRACT LINES SHOWN HEREON ARE APPROXIMATE.
  - 5.) CITY ETJ LINES SHOWN HEREON ARE APPROXIMATE.
  - 6.) ALL LOTS SHOWN HEREON LE WITHIN COMMUNITY INDEPENDENT SCHOOL DISTRICT BOUNDARY.
  - 7.) DIMENSIONS ARE ONE-HALF INCH IRON ROD WITH YELLOW CAP STAMPED "JB" SET UNLESS OTHERWISE NOTED.

# UNAPPROVED

## FINAL PLAT ELAVON, PHASE 1A

319 RESIDENTIAL LOTS  
 PART OF ARSTON HILLS  
 MUNICIPAL UTILITY DISTRICT NO. 1-A

BEING 80.566 ACRES OUT OF  
 THE SAMUEL W. RANNEY SURVEY, ABSTRACT NO. 740,  
 CITY OF LAVON ETJ,  
 COLLIN COUNTY, TEXAS

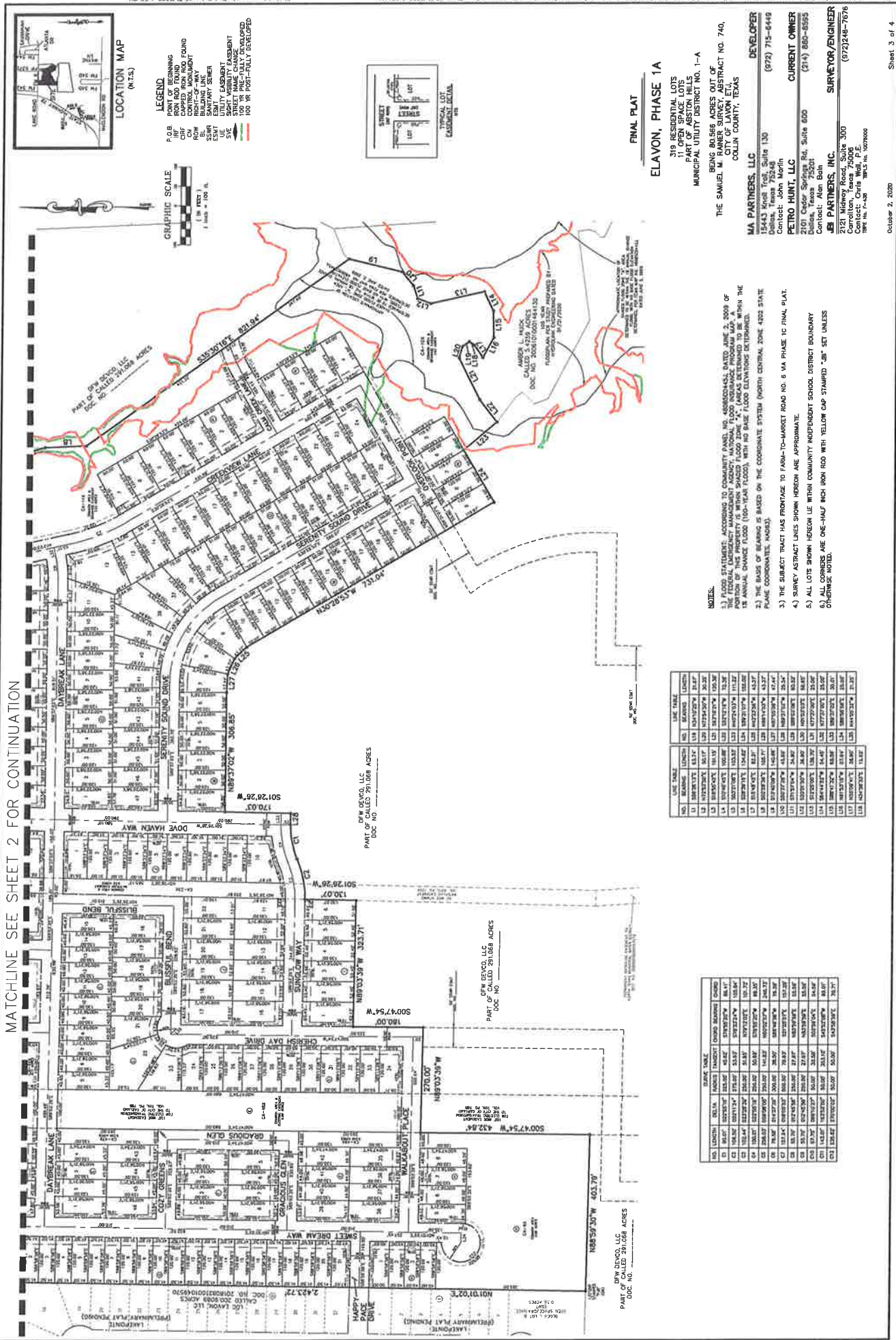
MA PARTNERS, LLC		DEVELOPER	
19443 Knoll Trail, Suite 130	Dallas, Texas 75248	(972) 715-6448	
Contact: John Martin			
PETRO HUNT, LLC		CURRENT OWNER	
2101 Cedar Springs Rd., Suite 600	Dallas, Texas 75201	(214) 680-8585	
Contact: Alan Bohn			
JBI PARTNERS, INC.		SURVEYOR/ENGINEER	
2121 Midway Road, Suite 300	Correllton, Texas 75009	(972) 248-7676	
Contact: Chris Wick, P.E.			
SPE No. 1-2-21 1843-PL-1600000			

October 2, 2020

Sheet 1 of 4



MATCHLINE SEE SHEET 2 FOR CONTINUATION



**FINAL PLAT**  
**ELAVON, PHASE 1A**

319 RESIDENTIAL LOTS  
 100' WIDE EASEMENT  
 PART OF ABSTON HILLS  
 MUNICIPAL UTILITY DISTRICT NO. 1-A  
 BEING BOLSEE ACRES OUT OF  
 THE SAMUEL M. RANER SURVEY, ABSTRACT NO. 740,  
 CITY OF LAMON, ETU,  
 COLLIN COUNTY, TEXAS

**DEVELOPER**  
 MA PARTNERS, LLC  
 12443 Kroll Trail, Suite 130  
 Dallas, Texas 75248  
 (972) 715-6448

**CURRENT OWNER**  
 PETRO HUNT, LLC  
 2101 Cedar Springs Road, Suite 600  
 Dallas, Texas 75201  
 (214) 880-8555

**SURVEYOR/ENGINEER**  
 JBI PARTNERS, INC.  
 2121 Midway Road, Suite 300  
 Carrollton, Texas 75006  
 (972) 314-7676  
 License No. 11-438    State No. 1029000

- NOTES:**
- 1) FLOOD STATEMENT: ACCORDING TO COMMUNITY PANEL NO. 488600048, DATED JUNE 2, 2009 OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM MAP A, THE ANNUAL CHANCE FLOOD (100-YEAR FLOOD) WITH AN 8% BULGE FLOOD ELEVATION ESTIMATED.
  - 2) THE BASES OF BEARINGS IS BASED ON THE COORDINATE SYSTEM (NORTH CENTRAL ZONE 4923 STATE PLANE COORDINATE, NAD83).
  - 3) THE SUBJECT TRACT HAS FRONTAGE TO FARM-TO-MARKET ROAD NO. 6 VIA PHASE 1C FINAL PLAT.
  - 4) SURVEY ATRACT LINES SHOWN HEREON ARE APPROXIMATE.
  - 5) ALL LOTS SHOWN HEREON LE WITHIN COMMUNITY INDEPENDENT SCHOOL DISTRICT BOUNDARY OTHERWISE NOTED.

LINE TABLE	NO.	BEARING	LENGTH	AREA	LINE TABLE	NO.	BEARING	LENGTH	AREA
1	S 89° 51' 15" E	151.37	1.94	0.00000000	11	S 89° 51' 15" E	151.37	1.94	0.00000000
2	S 89° 51' 15" E	151.37	1.94	0.00000000	12	S 89° 51' 15" E	151.37	1.94	0.00000000
3	S 89° 51' 15" E	151.37	1.94	0.00000000	13	S 89° 51' 15" E	151.37	1.94	0.00000000
4	S 89° 51' 15" E	151.37	1.94	0.00000000	14	S 89° 51' 15" E	151.37	1.94	0.00000000
5	S 89° 51' 15" E	151.37	1.94	0.00000000	15	S 89° 51' 15" E	151.37	1.94	0.00000000
6	S 89° 51' 15" E	151.37	1.94	0.00000000	16	S 89° 51' 15" E	151.37	1.94	0.00000000
7	S 89° 51' 15" E	151.37	1.94	0.00000000	17	S 89° 51' 15" E	151.37	1.94	0.00000000
8	S 89° 51' 15" E	151.37	1.94	0.00000000	18	S 89° 51' 15" E	151.37	1.94	0.00000000
9	S 89° 51' 15" E	151.37	1.94	0.00000000	19	S 89° 51' 15" E	151.37	1.94	0.00000000
10	S 89° 51' 15" E	151.37	1.94	0.00000000	20	S 89° 51' 15" E	151.37	1.94	0.00000000

LINE TABLE	NO.	BEARING	LENGTH	AREA	LINE TABLE	NO.	BEARING	LENGTH	AREA
21	S 89° 51' 15" E	151.37	1.94	0.00000000	31	S 89° 51' 15" E	151.37	1.94	0.00000000
22	S 89° 51' 15" E	151.37	1.94	0.00000000	32	S 89° 51' 15" E	151.37	1.94	0.00000000
23	S 89° 51' 15" E	151.37	1.94	0.00000000	33	S 89° 51' 15" E	151.37	1.94	0.00000000
24	S 89° 51' 15" E	151.37	1.94	0.00000000	34	S 89° 51' 15" E	151.37	1.94	0.00000000
25	S 89° 51' 15" E	151.37	1.94	0.00000000	35	S 89° 51' 15" E	151.37	1.94	0.00000000
26	S 89° 51' 15" E	151.37	1.94	0.00000000	36	S 89° 51' 15" E	151.37	1.94	0.00000000
27	S 89° 51' 15" E	151.37	1.94	0.00000000	37	S 89° 51' 15" E	151.37	1.94	0.00000000
28	S 89° 51' 15" E	151.37	1.94	0.00000000	38	S 89° 51' 15" E	151.37	1.94	0.00000000
29	S 89° 51' 15" E	151.37	1.94	0.00000000	39	S 89° 51' 15" E	151.37	1.94	0.00000000
30	S 89° 51' 15" E	151.37	1.94	0.00000000	40	S 89° 51' 15" E	151.37	1.94	0.00000000



**UNAPPROVED**

**PRELIMINARY PLAT**  
**ELEVON PHASE 2B**  
 91 RESIDENTIAL LOTS  
 3 COMMON AREAS  
 64 TOTAL

BEING 15.194 ACRES OUT OF  
 THE SAMUEL M. RAINIER SURVEY, ABSTRACT NO. 740,  
 CITY OF LAVON, ET AL,  
 COLLIN COUNTY, TEXAS

MA PARTNERS, LLC  
 15443 Knoll Trail, Suite 130  
 Dallas, Texas 75248  
 DEVELOPER (972) 715-6449

PETRO HORTI, LLC  
 101 Cedar Springs Rd., Suite 600  
 Dallas, Texas 75248  
 CURRENT OWNER (214) 860-8525

JBI PARTNERS, INC.  
 2121 Military Road, Suite 300  
 Carrollton, Texas 75006  
 SURVIVOR/ENGINEER (972) 448-7979

Contract: Chris Wald, P.E.  
 Date of Plat: 11/20/2020

November 15, 2020 Sheet 1 of 3



- LEGEND**
- P.O.B. POINT OF BEGINNING
  - IRF IRON ROD FOUND
  - CR CONTROL POINT
  - ROW RIGHT-OF-WAY
  - SRB SURVEY REBOUND
  - LSB LUBRICANT SERVICE
  - UTILITY EASEMENT
  - SVC SURVEY VARIATION
  - 100 TR. POST-FULLY DEVELOPED
  - APPROXIMATE CITY LIMITS

NO.	BEARING	LENGTH
11	S87°57'17.78" E	88.87
12	S87°57'17.78" E	13.52
13	S88°17'47.98" E	18.82
14	N88°27'34.79" E	80.87
15	N88°27'34.79" E	21.52
16	S87°57'17.78" E	13.52
17	S87°57'17.78" E	13.52
18	S87°57'17.78" E	13.52

NO.	BEARING	LENGTH	BEARING	LENGTH	BEARING	LENGTH
C1	N42.8641° E	162.9237	S60.97° E	248.37	S47°27'00" E	186.97
C2	S88.841° E	287.9237	S1.507° E	83.07	S48°11'45" E	83.07
C3	S92.32° E	123.5427	S60.97° E	248.37	S60°25'00" E	70.87
C4	N38.897° E	100.9507	S60.97° E	248.37	S67°22'00" E	70.87

NO.	BEARING	LENGTH	BEARING	LENGTH	BEARING	LENGTH		
A-15	S60.97° E	118	A-16	S60.97° E	118	A-17	S60.97° E	118
A-18	S60.97° E	118	A-19	S60.97° E	118	A-20	S60.97° E	118
A-21	S60.97° E	118	A-22	S60.97° E	118	A-23	S60.97° E	118
A-24	S60.97° E	118	A-25	S60.97° E	118	A-26	S60.97° E	118
A-27	S60.97° E	118	A-28	S60.97° E	118	A-29	S60.97° E	118
A-30	S60.97° E	118	A-31	S60.97° E	118	A-32	S60.97° E	118
A-33	S60.97° E	118	A-34	S60.97° E	118	A-35	S60.97° E	118
A-36	S60.97° E	118	A-37	S60.97° E	118	A-38	S60.97° E	118
A-39	S60.97° E	118	A-40	S60.97° E	118	A-41	S60.97° E	118
A-42	S60.97° E	118	A-43	S60.97° E	118	A-44	S60.97° E	118
A-45	S60.97° E	118	A-46	S60.97° E	118	A-47	S60.97° E	118
A-48	S60.97° E	118	A-49	S60.97° E	118	A-50	S60.97° E	118

NO.	BEARING	LENGTH	BEARING	LENGTH	BEARING	LENGTH		
B-1	S60.97° E	118	B-2	S60.97° E	118	B-3	S60.97° E	118
B-4	S60.97° E	118	B-5	S60.97° E	118	B-6	S60.97° E	118
B-7	S60.97° E	118	B-8	S60.97° E	118	B-9	S60.97° E	118
B-10	S60.97° E	118	B-11	S60.97° E	118	B-12	S60.97° E	118
B-13	S60.97° E	118	B-14	S60.97° E	118	B-15	S60.97° E	118
B-16	S60.97° E	118	B-17	S60.97° E	118	B-18	S60.97° E	118
B-19	S60.97° E	118	B-20	S60.97° E	118	B-21	S60.97° E	118
B-22	S60.97° E	118	B-23	S60.97° E	118	B-24	S60.97° E	118
B-25	S60.97° E	118	B-26	S60.97° E	118	B-27	S60.97° E	118
B-28	S60.97° E	118	B-29	S60.97° E	118	B-30	S60.97° E	118
B-31	S60.97° E	118	B-32	S60.97° E	118	B-33	S60.97° E	118
B-34	S60.97° E	118	B-35	S60.97° E	118	B-36	S60.97° E	118
B-37	S60.97° E	118	B-38	S60.97° E	118	B-39	S60.97° E	118
B-40	S60.97° E	118	B-41	S60.97° E	118	B-42	S60.97° E	118
B-43	S60.97° E	118	B-44	S60.97° E	118	B-45	S60.97° E	118
B-46	S60.97° E	118	B-47	S60.97° E	118	B-48	S60.97° E	118
B-49	S60.97° E	118	B-50	S60.97° E	118	B-51	S60.97° E	118
B-52	S60.97° E	118	B-53	S60.97° E	118	B-54	S60.97° E	118
B-55	S60.97° E	118	B-56	S60.97° E	118	B-57	S60.97° E	118
B-58	S60.97° E	118	B-59	S60.97° E	118	B-60	S60.97° E	118
B-61	S60.97° E	118	B-62	S60.97° E	118	B-63	S60.97° E	118
B-64	S60.97° E	118	B-65	S60.97° E	118	B-66	S60.97° E	118
B-67	S60.97° E	118	B-68	S60.97° E	118	B-69	S60.97° E	118
B-70	S60.97° E	118	B-71	S60.97° E	118	B-72	S60.97° E	118
B-73	S60.97° E	118	B-74	S60.97° E	118	B-75	S60.97° E	118
B-76	S60.97° E	118	B-77	S60.97° E	118	B-78	S60.97° E	118
B-79	S60.97° E	118	B-80	S60.97° E	118	B-81	S60.97° E	118
B-82	S60.97° E	118	B-83	S60.97° E	118	B-84	S60.97° E	118
B-85	S60.97° E	118	B-86	S60.97° E	118	B-87	S60.97° E	118
B-88	S60.97° E	118	B-89	S60.97° E	118	B-90	S60.97° E	118
B-91	S60.97° E	118	B-92	S60.97° E	118	B-93	S60.97° E	118
B-94	S60.97° E	118	B-95	S60.97° E	118	B-96	S60.97° E	118
B-97	S60.97° E	118	B-98	S60.97° E	118	B-99	S60.97° E	118
B-100	S60.97° E	118	B-101	S60.97° E	118	B-102	S60.97° E	118
B-103	S60.97° E	118	B-104	S60.97° E	118	B-105	S60.97° E	118
B-106	S60.97° E	118	B-107	S60.97° E	118	B-108	S60.97° E	118
B-109	S60.97° E	118	B-110	S60.97° E	118	B-111	S60.97° E	118
B-112	S60.97° E	118	B-113	S60.97° E	118	B-114	S60.97° E	118
B-115	S60.97° E	118	B-116	S60.97° E	118	B-117	S60.97° E	118
B-118	S60.97° E	118	B-119	S60.97° E	118	B-120	S60.97° E	118
B-121	S60.97° E	118	B-122	S60.97° E	118	B-123	S60.97° E	118
B-124	S60.97° E	118	B-125	S60.97° E	118	B-126	S60.97° E	118
B-127	S60.97° E	118	B-128	S60.97° E	118	B-129	S60.97° E	118
B-130	S60.97° E	118	B-131	S60.97° E	118	B-132	S60.97° E	118
B-133	S60.97° E	118	B-134	S60.97° E	118	B-135	S60.97° E	118
B-136	S60.97° E	118	B-137	S60.97° E	118	B-138	S60.97° E	118
B-139	S60.97° E	118	B-140	S60.97° E	118	B-141	S60.97° E	118
B-142	S60.97° E	118	B-143	S60.97° E	118	B-144	S60.97° E	118
B-145	S60.97° E	118	B-146	S60.97° E	118	B-147	S60.97° E	118
B-148	S60.97° E	118	B-149	S60.97° E	118	B-150	S60.97° E	118
B-151	S60.97° E	118	B-152	S60.97° E	118	B-153	S60.97° E	118
B-154	S60.97° E	118	B-155	S60.97° E	118	B-156	S60.97° E	118
B-157	S60.97° E	118	B-158	S60.97° E	118	B-159	S60.97° E	118
B-160	S60.97° E	118	B-161	S60.97° E	118	B-162	S60.97° E	118
B-163	S60.97° E	118	B-164	S60.97° E	118	B-165	S60.97° E	118
B-166	S60.97° E	118	B-167	S60.97° E	118	B-168	S60.97° E	118
B-169	S60.97° E	118	B-170	S60.97° E	118	B-171	S60.97° E	118
B-172	S60.97° E	118	B-173	S60.97° E	118	B-174	S60.97° E	118
B-175	S60.97° E	118	B-176	S60.97° E	118	B-177	S60.97° E	118
B-178	S60.97° E	118	B-179	S60.97° E	118	B-180	S60.97° E	118
B-181	S60.97° E	118	B-182	S60.97° E	118	B-183	S60.97° E	118
B-184	S60.97° E	118	B-185	S60.97° E	118	B-186	S60.97° E	118
B-187	S60.97° E	118	B-188	S60.97° E	118	B-189	S60.97° E	118
B-190	S60.97° E	118	B-191	S60.97° E	118	B-192	S60.97° E	118
B-193	S60.97° E	118	B-194	S60.97° E	118	B-195	S60.97° E	118
B-196	S60.97° E	118	B-197	S60.97° E	118	B-198	S60.97° E	118
B-199	S60.97° E	118	B-200	S60.97° E	118	B-201	S60.97° E	118
B-202	S60.97° E	118	B-203	S60.97° E	118	B-204	S60.97° E	118
B-205	S60.97° E	118	B-206	S60.97° E	118	B-207	S60.97° E	118
B-208	S60.97° E	118	B-209	S60.97° E	118	B-210	S60.97° E	118
B-211	S60.97° E	118	B-212	S60.97° E	118	B-213	S60.97° E	118
B-214	S60.97° E	118	B-215	S60.97° E	118	B-216	S60.97° E	118
B-217	S60.97° E	118	B-218	S60.97° E	118	B-219	S60.97° E	118
B-220	S60.97° E	118	B-221	S60.97° E	118	B-222	S60.97° E	118
B-223	S60.97° E	118	B-224	S60.97° E	118	B-225	S60.97° E	118
B-226	S60.97° E	118	B-227	S60.97° E	118	B-228	S60.97° E	118
B-229	S60.97° E	118	B-230	S60.97° E	118	B-231	S60.97° E	118
B-232	S60.97° E	118	B-233	S60.97° E	118	B-234	S60.97° E	118
B-235	S60.97° E	118	B-236	S60.97° E	118	B-237	S60.97° E	118
B-238	S60.97° E	118	B-239	S60.97° E	118	B-240	S60.97° E	118
B-241	S60.97° E	118	B-242	S60.97° E	118	B-243	S60.97° E	118
B-244	S60.97° E	118	B-245	S60.97° E	118	B-246	S60.97° E	118
B-247	S60.97° E	118	B-248	S60.97° E	118	B-249	S60.97° E	118
B-250	S60.97° E	118	B-251	S60.97° E	118	B-252	S60.97° E	118
B-253	S60.97° E	118	B-254	S60.97° E	118	B-255	S60.97° E	118
B-256	S60.97° E	118	B-257	S60.97° E	118	B-258	S60.97° E	118
B-259	S60.97° E	118	B-260	S60.97° E	118	B-261	S60.97° E	118
B-262	S60.97° E	118	B-263	S60.97° E	118	B-264	S60.97° E	118
B-265	S60.97° E	118	B-266	S60.97° E	118	B-267	S60.97° E	118
B-268	S60.97° E	118	B-269	S60.97° E	118	B-270	S60.97° E	118
B-271	S60.97° E	118	B-272	S60.97° E	118	B-273	S60.97° E	118
B-274	S60.97° E	118	B-275	S60.97° E	118	B-276	S60.97° E	118
B-277	S60.97° E	118	B-278	S60.97° E	118	B-279	S60.97° E	118
B-280	S60.97° E	118	B-281	S60.97° E	118	B-282	S60.97° E	118
B-283	S60.97° E	118	B-284	S60.97° E	118	B-285	S60.97° E	118
B-286	S60.97° E	118	B-287	S60.97° E	118	B-288	S60.97° E	118
B-289	S60.97° E	118	B-290	S60.97° E	118	B-291	S60.97° E	118
B-292	S60.97° E	118	B-293	S60.97° E	118	B-294	S60.97° E	118
B-295	S60.97° E	118	B-296	S60.97° E	118	B-297	S60.97° E	118
B-298	S60.97° E	118	B-299	S60.97° E	118	B-300	S60.97° E	118
B-301	S60.97° E	118	B-302	S60.97° E	118	B-303	S60.97° E	118
B-304	S60.97° E	118	B-305	S60.97° E	118	B-306	S60.97° E	118
B-307	S60.97° E	118	B-308	S60.97° E	118	B-309	S60.97° E	118
B-310	S60.97° E	118	B-311	S60.97° E	118	B-3		





**CITY OF LAVON, TEXAS**

**RESOLUTION NO. 2020-11-04**

MA Partners - Wastewater Service and Development Agreement

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A WASTEWATER SERVICE AND DEVELOPMENT AGREEMENT WITH MA PARTNERS, LLC FOR APPROXIMATELY 291.068 ACRES OF PROPERTY SITUATED IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF LAVON AND CITY OF NEVADA.**

**WHEREAS**, the parties have the authority to enter into this Agreement pursuant to Section 212.171 *et seq.* of the Texas Local Government Code; and

**WHEREAS**, the parties intend that this Agreement be a development agreement as provided for by Section 212.172 of the Texas Local Government Code; and

**WHEREAS**, the City Council finds that approving the Wastewater Service and Development Agreement serves the best interest of the City and the public health, safety, and welfare of the City.

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

**SECTION 1.** The findings set forth in the recitals of this Resolution are found to be true and correct.

**SECTION 2.** The City Council hereby approves and authorizes the Mayor to execute a Wastewater Service and Development Agreement with MA Partners, LLC for approximately 291.068 acres of property situated in the extraterritorial jurisdiction of the City of Lavon and City of Nevada, attached hereto as Exhibit "A"

**SECTION 3.** This Resolution shall become effective from and after its date of passage in accordance with law.

**DULY PASSED AND APPROVED** by the City Council of the City of Lavon, Texas on the 17<sup>th</sup> day of November 2020.

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

**ATTEST:**

\_\_\_\_\_  
Rae Norton, City Secretary

**CITY OF LAVON, TEXAS**  
**RESOLUTION NO. 2020-11-04**

**EXHIBIT A**

Wastewater Service and Development Agreement

**Agreement briefing and negotiation to be discussed in Executive Session.**



## CITY OF LAVON Agenda Brief

**MEETING:** November 17, 2020

**ITEM:** 9 – B

---

**Item:**

Discussion and action regarding Resolution No. 2020-11-05 adopting a Tax Abatement Policy including guidelines, criteria, and procedures.

**Background:**

The Board of Directors of the Lavon Economic Development Corporation (LEDC) have developed and recommend for approval a policy for consideration of tax abatement on a case by case basis. The LEDC advises that having tax abatement as a potential economic development tool is important to the ability to attract quality new investment and non-residential development to the City. As written, the policy does not ensure, guarantee, or imply approval.

A sample Application is provided for information purposes.

**Financial Implication:**

There are no direct financial implications related to the adoption of the policy. In accordance with the proposed policy, each request for economic assistance would be evaluated independently with a cost analysis and feasibility study to determine the viability of the proposal.

***Staff Notes:***

The City Attorney and staff made minor revisions to the proposed policy that was sent forward by the LEDC. Approval is recommended.

**Attachments:** Resolution and proposed policy documents

**CITY OF LAVON, TEXAS**  
**RESOLUTION NO. 2020-11-05**

Tax Abatement Policy

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
LAVON, TEXAS ADOPTING A TAX ABATEMENT POLICY  
INCLUDING GUIDELINES, CRITERIA, AND PROCEDURES.**

**WHEREAS**, the Board of Directors of the Lavon Economic Development Corporation (LEDC) has developed and advanced a proposed policy for the consideration of tax abatement as an economic development incentive; and

**WHEREAS**, the City Council has authority under state law to approve the policy and guidelines herein; and

**WHEREAS**, the City Council finds that adoption of the Tax Abatement Policy serves the best interest of the City and the public health, safety, and welfare of the City.

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

**SECTION 1.** That the City Council does hereby approve the Tax Abatement Policy including guidelines, criteria, and procedures, attached hereto and labeled “**Exhibit A**”;

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

**DULY PASSED AND APPROVED** by the City Council of the City of Lavon, Texas on the 17<sup>th</sup> day of November 2020.

---

Vicki Sanson  
Mayor

ATTEST:

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Rae Norton  
City Secretary

**CITY OF LAVON, TEXAS**  
**RESOLUTION NO. 2020-11-05**

**EXHIBIT A**

## **Lavon Economic Development Corporation Briefing**

### **Tax Abatement Guidelines, Criteria, Procedures and Application**

#### **Background**

One of the important roles of the Lavon Economic Development Corporation (LEDC) is to advise the City Council on ways to attract new investment and new development. In 2013, the LEDC developed a list of Economic Development Incentives that the City may utilize to attract new investment and new development. This list of Incentives is on the LEDC web site.

Under tax abatement on this list of Economic Development Incentives it says, "The Lavon City Council may consider abating the real estate and /or personal property tax for development projects for up to 10 years."

The opportunities are available now to consider working with the City Council to establish the Tax Abatement Policy which is an initial step to utilizing Tax Abatement as an economic development tool attracting new development. It is important to have a policy and administrative procedure ready for when the opportunities come. Often you will lose a candidate for new investments, before they come to the City, if they do not see the policy available on the city web site. A policy is not a right to receive a tax abatement. A policy with guidelines and administrative procedure just sets the framework for a reasonable process and decision making.

The tax abatement policy does not mean that any project may obtain tax abatement. The policy sets the framework for establishing the ability to consider tax abatement. A tax abatement agreement and the establishment of a reinvestment zone are steps required before any such grant of tax abatement may be considered. Also often required is an economic impact study.

The economic impact of commercial and industrial development is significant. New manufacturers and new commercial development may bring significant new taxable improvements and buildings. These investments also bring new employees with new residents and new spending. It is said that one dollar of a new manufacturer's investment brings \$9 additional dollars as that investment moves throughout the City. Each economic impact study should reveal the economic impact of the new investment.

#### **State Authorization**

The Texas Tax Code Chapter 312 Property Redevelopment and Tax Abatement Act authorizes cities to participate in tax abatement but only after the City Council has established guidelines and criteria for governing tax abatement agreements. These guidelines are effective for two years and then must be re-examined. Glenn Hegar, Texas Comptroller states in a publication on tax abatement that tax abatements can benefit communities in that they increase local property tax revenue by attracting new development and the new development will boost sales

tax as well with new employees and new families moving to the city. Generally, this new development will continue after the 10-year period and continue to grow and provide jobs and new investment. The tax abatement is also a flexible economic development tool that requires performance to obtain and does not require initial EDC or City dollars into the venture.

An amendment to this legislation occurred in this past Legislative Session, HB 3143, which requires a public hearing to be held by the City Council prior to adoption of the guidelines.

### **Competing Communities**

Lavon competes for new investment and new jobs with nearby communities and the larger communities of Collin County. Examples of some of the tax abatement policies include:

Collin County - Collin County has stated they offer no tax abatements in order to keep their tax rate as low as possible.

Wylie - Has listed 5 separate reinvestment zones with ordinances on their web site but no tax abatement guidelines on the web site. I have asked their Executive Director of their Economic Development Corporation and their tax abatement policy was adopted in 2007 and would need to be updated since you must update every 2 years. Minimum investment was \$500,000.

Farmersville - This City has established zone areas and a tax abatement policy with a minimum investment of \$500,000. The City Secretary sent me the policy; it is not on their web site.

Plano - This City has a policy and complete administrative package on their web site with an application form and procedure no specific minimum investment is listed.

McKinney – This City has a policy stated on its web site that they do not do tax abatements but do offer 380 agreements for the reduction of taxes based on performance

Royse City – This City has no policy and they have not done tax abatement.

Fate - This City has no policy and they have not done tax abatement.

Rockwall - This City has no current policy of incentive agreements with tax abatement, they utilized their land in their industrial park as an incentive.

### **Task Ahead**

The Lavon Economic Development Corporation should consider tax abatement as an economic development tool to be cautiously utilized in competitive situations and recommend to the Lavon City Council a set of policy guidelines and criteria for offering tax abatement. A draft of guidelines and the administrative process for the Lavon EDC recommendation to City Council follow this background discussion with the Lavon EDC

## **Tax Abatement Policy**

### **City of Lavon**

**Effective** \_\_\_\_\_

#### **General Purpose**

The City of Lavon (the "City") is actively working to attract quality new investment and new development within its city limits. The purpose of attracting new investment and new development is to improve the quality of life for Lavon's citizens, providing new services, opportunities, and new jobs for residents. Therefore, the City of Lavon is interested in establishing a policy providing for the case by case consideration of the provision of tax abatement as an effort to attract new investment and new development that will provide new services and new jobs for residents.

The City of Lavon will consider providing tax abatement in accordance with the procedures and criteria outlined in this policy. Nothing herein shall imply or suggest that the City of Lavon is obligated to provide tax abatement to any applicant. All applications will be considered on a case-by-case basis.

#### **Criteria**

A tax abatement provided through the City of Lavon shall have as its basis the creation of new dollars of investment and new jobs into the City. To qualify for a tax abatement incentive the minimum value of new real estate or personal property shall be \$10,000,000. The new investment dollars shall be measurable, and reportable and binding upon the recipient of the tax abatement as set forth in an agreement between the City and recipient.

Any person, profit making organization, or corporation seeking a tax abatement to create a new location, expansion or improvement within the city limits of the City of Lavon shall comply with all of the established procedures. Nothing within the procedures shall imply or suggest that Lavon is under any obligation to provide any incentive to an applicant.

#### **Tax Abatement Categories**

Tax abatement incentives may be offered in two categories 1) real property and/or 2) business personal property. Real property abatement will be offered to applicants that pursue the construction of new or expanded facilities in which to house the applicable project. The abatement will apply to the assessed value of improvements made. Business personal property abatements will be offered to applicants that pursue the purchase or long-term lease on existing

facilities. The abatement will apply to the assessed value of “newly created” personal business property brought into the City of Lavon.

Existing real property value or existing business personal property value shall not be subject to a tax abatement incentive. Assessed value as used in this Policy Statement shall mean the taxable value of improvements to real property and business personal property as determined by the Collin County Appraisal District.

The City Administrator shall determine, following assessment of the Application and narrative response, if the application has satisfied the criteria. Additional consideration shall be given to a project or applicant that furthers the goals and objectives of the City or meets or complements a need identified by the City.

Once a determination has been made that a project is eligible for tax abatement, the City Council will determine the percentage of abatement and terms of the abatement based upon information provided in the Application and narrative response.

#### **Tax Abatement Agreement Terms**

At a minimum, all tax abatement agreements shall include or consider the following provisions:

1. No Business shall be relocated from another Reinvestment Zone in the City of Lavon.
2. Right of inspection to the premises must be provided to ensure compliance with the agreement.
3. The City’s right of recapture of previously abated taxes if applicant fails to pay taxes for the assessed value for the Real Property and/or Business Personal Property.
4. The value of all Real Property improvements and Business Personal Property will be the assessed value as determined by the Collin County Appraisal District.
5. The term of a tax abatement agreement may not exceed ten (10) years as required by law.
6. The right to terminate a tax abatement agreement in the event of a material breach of the agreement.
7. Written annual certification by the Chief Financial Officer, President and/or other City approved designated officer of the entity receiving the incentive that it has complied with the terms and conditions of the incentive agreement.

## **TAX ABATEMENT POLICY**

### **ADMINISTRATIVE GUIDELINES**

#### **Application Requirements**

- A. Applicant shall complete the attached "Application for Tax Abatement" (Application)
- B. Applicant shall provide a plat showing the precise location of the property to which the tax abatement applies, all roadways within 500 feet of the site and all existing land uses and zoning within 500 feet of the site, and the current general address of the property.
- C. Twenty-one (21) days prior to the required public hearing, the applicant must provide a metes and bounds property description and a current general address of the property.
- D. Applicant shall complete all forms and information identified in the Application including item B above and submit these items to the City of Lavon, P.O. Box 340, 120 School Road, Lavon, TX 75166 (kim.dobbs@cityoflavon.org). Applicant shall also submit a copy of the Application and Plat to the Lavon Economic Development Corporation. P.O. Box 340, 120 School Road, Lavon, TX 75166 (info@lavonedc.com).
- E. Any information provided by applicant on the Application may be subject to release to the public pursuant to the Texas Public Information Act. It is the responsibility of the applicant to clearly identify information it wishes to protect from release that is considered proprietary or confidential. The City will notify the applicant if a request is made for information indicated as confidential by the applicant so that the applicant may request to the Texas Attorney General its right for information to be withheld from release.
- F. Certain information provided to the City in connection with an Application may be confidential and not subject to public disclosure until the incentive agreement is executed. The City of Lavon will respond to requests for disclosure as required by law and will assert exceptions on its behalf to disclosure as it deems relevant. The City will make reasonable attempts to notify the applicant of the request so it may assert its own objections to the Attorney General.

#### **Application Review Process**

1. All information in the application packaged will be reviewed for completeness and accuracy. Additional information may be requested as needed.
2. The City Administrator may use City personnel and third parties to assist in the Application review process.
3. The City Administrator will determine whether he/she will recommend proposed tax abatement to the applicant subject to final Council approval. The proposed incentive recommendation by the City Administrator does not bind the City Council to grant a tax abatement. The conditional recommendation is offered and subject to the City Council's approval.

4. Upon receipt of the proposed offer to be recommended to the City Council, the applicant will have ninety (90) days to accept, decline or request an extension of the proposed offer. All responses and requests shall be made in writing to the City Administrator.
5. Upon written acceptance by the applicant of the proposed offer, the recommendation of the City Administrator with all relevant materials will be forwarded to the City Council.
6. The City Council of Lavon may consider a resolution calling a public hearing to consider establishment of a Reinvestment Zone. Notice of a public hearing shall be posted in a newspaper of general circulation and such notice shall be delivered to every other taxing unit that has jurisdiction over the property.
7. The City Council of Lavon may hold the public hearing and determine whether the project is feasible and practical and would be of benefit for the land to be included in the Zone and for the City after the expiration of the tax abatement agreement.
8. The City Council of Lavon may consider adoption of a resolution approving the terms and conditions of a contract between the City and the applicant governing the provision of the tax abatement.
9. If the tax abatement agreement is approved, the City of Lavon will send copies of the agreement to the Office of the Governor Economic Development and the Office of the Comptroller.
10. Property taxes are assessed on January 1 of each year. It is the obligation of the applicant to ensure that all final approvals for the tax abatement agreement have occurred by December 31<sup>st</sup> of the year prior to the year the improvements are assessed. No tax abatement can be given for improvements that are on the Tax Assessor's Roll before the tax abatement is effective. The applicant should be aware that because of mandatory publication requirements, compliance with the governing body's calendar, and other matters, the process for obtaining approval for a tax abatement with the City Council of the City of Lavon may take as long as six (6) weeks. It is the applicant's responsibility to ensure the follow up on these items, agreements and approvals are made.

#### **Modification of Tax Abatement Agreements**

Any requests by the applicant to modify the terms of the agreement subsequent to City Council action shall be accompanied by the payment of a non-refundable, modification processing fee in the amount of One Thousand Dollars (\$1,000) plus associated third party and administrative costs.

City of Lavon

Application for Tax Abatement

Project Information

1. Name of Company Applying \_\_\_\_\_

Name of Company Representative for this Application \_\_\_\_\_

Title of Company Representative \_\_\_\_\_

Mailing Address \_\_\_\_\_

City, State, Zip Code \_\_\_\_\_

Office Telephone Number \_\_\_\_\_

Mobile Telephone Number \_\_\_\_\_

Email Address of Representative \_\_\_\_\_

Company Web Site Address \_\_\_\_\_

2. Property Owner of Site \_\_\_\_\_

Property Owner Representative for this Application \_\_\_\_\_

Title of Property Owner Representative \_\_\_\_\_

Mailing Address \_\_\_\_\_

City, State, Zip Code \_\_\_\_\_

Office Telephone Number \_\_\_\_\_

Mobile Telephone Number \_\_\_\_\_

Email Address of Property Owner Representative \_\_\_\_\_

Property Owner Web Site Address \_\_\_\_\_

3. Tenant's Representative for this Application \_\_\_\_\_

Title of Tenant Representative \_\_\_\_\_

Mailing Address \_\_\_\_\_

City, State, Zip Code \_\_\_\_\_

Office Telephone Number \_\_\_\_\_

Mobile Telephone Number \_\_\_\_\_

Email Address of Tenant Representative \_\_\_\_\_

4. Property Address of Project Site and/or location description \_\_\_\_\_

5. Site Size \_\_\_\_\_ and attached Legal Description (Metes and Bounds) to this application

6. Selection Location Criteria of Project Site (check all that apply)

\_\_\_\_\_ City of Lavon

\_\_\_\_\_ Community Independent School District

\_\_\_\_\_ Collin County

\_\_\_\_\_ Bear Creek Special Utility District

\_\_\_\_\_ Other Public District (specify) \_\_\_\_\_

7. Applicant Company \_\_\_\_\_ nonprofit company; \_\_\_\_\_ for profit company

8. Applicant Company Business Organization (select one) Sole Proprietor \_\_\_\_\_; Partnership \_\_\_\_\_  
Corporation \_\_\_\_\_; If Corporation, Type of Corporation \_\_\_\_\_

9. Date of Startup of Applicant Parent Company \_\_\_\_\_. Attached to this application the publicly registered organizational documents including the State of Incorporation and By-Laws.

10. Last Audit date \_\_\_\_\_; attach last 3 years of annual audit, profit and loss statement and balance sheet

11. Applicant Company primary NAICS Industry Code \_\_\_\_\_; proposed Expansion/Relocation primary NAICS Industry Code \_\_\_\_\_

12. Attach an Applicant Parent Company description including headquarters location, years in business, products and services, number of employees and annual revenue and growth of last 3 years. Limit the description to no more than two (8 x 11 pages).

13. Describe the Development, Expansion and/or Relocation project including building size and site acreage needs, estimated startup date, number of employees at startup, in 3 years and in 5 years, type of products produced and estimate annual revenue at initial year and 3 and 5 years. Limit the description to no more than two (8 x 11 pages).

14. Is selected site zoning in need of change or adjustment? \_\_\_\_\_yes \_\_\_\_\_no

15. Describe the need of public improvements (water, sanitary sewer, roadways) and estimated costs of each improvement individually for the project site \_\_\_\_\_

\_\_\_\_\_ attached no more than two (8 x 11) pages as is necessary.

16. Describe the proposed type of project occupancy \_\_\_\_\_owner occupied; \_\_\_\_\_tenant leasing

17. Describe the requested tax abatement by real and personal property, amount of abatement and years of abatement

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18. Specify other economic assistance or incentive requested \_\_\_\_\_

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19. Describe the necessity of requesting property tax abatement from the standpoint of competition, financial risk and market dynamics. \_\_\_\_\_

\_\_\_\_\_ attach no more than one (8 x 11 page) as necessary.

**Community Economic Impact**

1. Describe the overall economic impact on the City of Lavon (total sales generated, total revenue generated, value of increase real property and increase personal property improvements, total employment created; all by the initial year, in 3 years and in 5 years. Limit this description to no more than 2 (8 x 11) pages.
2. What is the annual value of sales subject to sales tax in the initial year, in 3 years and in 5 years?
3. Estimate the annual number of hotel rooms and nights generated by the project.

**Employment Impact**

1. Provide the total number of full-time equivalents (FTE) employed by the applicant company at the startup of the project and then at 3 years and at 5 years. Provide FTE employed by contract at the startup of the project and then at 3 years and at 5 years.
2. Project the total number of full-time equivalents employed in years 10, 20 and 30 employed by the applicant company and then by contract for 10, 20 and 30 years.
3. What is the median annual salary of company's FTE's (at occupancy) by category:
  - Executive
  - Professional
  - Managerial
  - Technical
  - General Production
  - Laborers
  - Total FTE's
4. Project annual payroll at occupancy, in 3 years and in 5 years.

**Certification of No Undocumented Workers**

Chapter 2264 of the Texas Government Code requires that each business that submits an application to receive a public subsidy include in the application a statement certifying that the business, or a branch, division or

department of the business, does not and will not knowingly employ an undocumented worker. An undocumented worker means an individual who, at the time of employment, is not lawfully admitted for permanent residence to the United States or authorized under the law to be employed in that manner in the United States. If after receiving a public subsidy, the business, or a branch, division, or department of the business, is convicted of a violation under 8 U.S.C. Section 1324 a (f), the business shall repay the amount of the public subsidy with interest, at the rate and according to the other terms provided by an agreement under Section 2264.053, not later than the 120 days after the date the public agency, state or local taxing jurisdiction, or economic development department notifies the business of the violations.

I, \_\_\_\_\_, hereby certify on \_\_\_\_\_ 20\_\_ that \_\_\_\_\_ is in compliance with Chapter 2264 of the Texas Government code

Signature \_\_\_\_\_

Name \_\_\_\_\_

Title \_\_\_\_\_

Company \_\_\_\_\_

I certify that I have read the City of Lavon Policy Statement for Tax Abatement and the information provided in this Application is, to the best of my knowledge and belief, true and correct.

Date \_\_\_\_\_

Signature \_\_\_\_\_

Name \_\_\_\_\_

Title \_\_\_\_\_

Company \_\_\_\_\_



## CITY OF LAVON Agenda Brief

**MEETING:** November 17, 2020

**ITEM:** 9 – C

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**Item:**

Discussion and action regarding Resolution No. 2020-11-06 approving and authorizing the mayor to execute an amendment to the professional services agreement with Caperton Construction Inspections adopted by Resolution No. 2018-08-02 to adjust the fee for professional services for plan review and building inspections.

**Background:**

In August 2018, the City contracted with Caperton Construction Inspection (CCI) for professional services relating to plan review and building inspections. The arrangement has worked very well for the City. CCI is responsive and there have been no complaints from builders or customers regarding the service provided. The administration of the program has gone very smoothly since the change to CCI.

CCI has requested an increase in the fee that the City pays for Residential Plan Review and Inspection Services. The original and current charge from CCI for Residential Building Inspections and Plan Review is \$400.00 for plan review and thirteen inspections. CCI has requested an increase of \$80.00 for a fee of \$480.00.

**Financial Implication:**

The increase in the fee may be absorbed in the current building permit fee structure. No corresponding increase in building permit fees is recommended and the budget impact is negligible.

**Staff Notes:**

The staff reviewed similar fee arrangements and the request in fee increase is reasonable and fair. Approval is recommended.

**Attachments:** Resolution and amended fee schedule  
Original Agreement

**CITY OF LAVON, TEXAS**  
**RESOLUTION NO. 2020-11-06**

Amend PSA – Caperton Construction Inspections

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH CAPERTON CONSTRUCTION INSPECTIONS ADOPTED BY RESOLUTION NO. 2018-08-02 TO ADJUST THE FEE FOR PROFESSIONAL SERVICES FOR PLAN REVIEW AND BUILDING INSPECTIONS.**

**WHEREAS**, in 2018, the City contracted with Caperton Construction Inspection for professional services relating to plan review and building inspections; and

**WHEREAS**, Caperton Construction Inspections has requested an increase in the fee that the City pays for Residential Plan Review and Inspection Services; and

**WHEREAS**, the City Council finds that adoption of the proposed amendment serves the best interest of the City and the public health, safety, and welfare of the City.

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

**SECTION 1.** That the City Council does hereby approve and authorize the Mayor to execute an amendment to the professional services agreement with Caperton Construction Inspections adopted by Resolution No. 2018-08-02 to adjust the fee for professional services for plan review and building inspections, as provided in 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 17<sup>th</sup> day of November 2020.

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

ATTEST:

\_\_\_\_\_  
Rae Norton, City Secretary

CITY OF LAVON, TEXAS  
RESOLUTION NO. 2020-11-06

EXHIBIT A

AMENDMENT TO FEE

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CCI  
**Caperton Construction Inspections**

LIST OF SERVICES FOR LAVON

**Building Inspections** – Perform all necessary inspections for compliance to adopted construction codes including building, plumbing, gas, mechanical, electrical, energy and zoning codes. Inspections would be performed generally within one working day of the request.

**Plan Review** – Perform plan examination on plans submitted for residential or commercial construction within the City. Plans would be checked for compliance with adopted construction and zoning codes. Residential plan review would generally be completed within 2 days of receipt of complete construction drawings. Commercial plan review would generally be completed within 5 days of receipt of complete construction drawings.

**Administration** including code review, recommending local amendments to address local conditions, documentation, permit tracking, inspection tracking, codes and ordinance interpretations. **Note:** historically I have not, or plan to, charge for my time with administrative actions, questions, interpretations or conversations or meetings with contractors or the general public.

***Current Rate Structure***

***Building Inspections include:***

- Residential Plan Review
- Electrical T-Pole
- Plumbing Rough-in
- Foundation
- Framing
- Plumbing Top out
- Gas Piping and Test (when installed)
- Mechanical
- Electrical Rough-in
- Insulation/Energy
- Driveway/Flat work
- Permanent Electrical Meter Release
- Final/C.O.

**Agreed upon total fee per new home ..... \$480.00 ~~\$400.00~~**

This cost does not include Re-Inspections.

Other Inspections .....\$40.00 each inspection

- Re-inspections
- Fence
- Water Heater Change out
- Gas Test
- Mechanical Change out (A/C unit)
- Residential Additions
- Accessory Buildings

In Ground Pools .....\$40.00 each inspection

- Plan Review
- Plumbing Rough-in (P-Trap)
- Belly Steel
- Electrical Grounding
- Electrical Wiring to Pool Light
- Deck Steel
- Final

Residential Plan Review .....\$40.00 each residence

Commercial Plan Review .....\$50.00 per hour

## **PROFESSIONAL SERVICE AGREEMENT**

This is a **PROFESSIONAL SERVICES AGREEMENT** (this "Agreement") between the CITY of LAVON, Texas ("CITY") and Wes Caperton ("Caperton") on behalf of Caperton Construction Inspections ("CAPERTON AND CCI") (each individually a "party" or collectively the "parties"). The parties hereby agree that CAPERTON AND CCI shall provide professional services to CITY in accordance with the terms and conditions set forth below.

**NOW, THEREFORE**, the parties agree as follows:

**1. Scope of Services**

CAPERTON AND CCI shall provide inspection services to CITY. In particular, CAPERTON AND CCI will conduct Residential and Commercial Building plan reviews, Residential and Commercial Building inspections, and any other services listed in Exhibit A, attached hereto and incorporated herein for all purposes. CAPERTON AND CCI shall be available to consult with the officers of CITY and its administrative staff concerning matters pertaining to the Services to be rendered by the CAPERTON AND CCI.

**2. Compensation**

CITY will pay CAPERTON AND CCI in accordance with Exhibit A to this contract which is attached and incorporated as if fully set forth herein. CITY shall promptly review and approve the CAPERTON AND CAPERTON AND CCI's statements of services and make payment within thirty (30) days of submission of the statement. The CITY shall not be liable for any additional expenses of CAPERTON AND CCI not specified by this Agreement unless the CITY first approves such expenses in writing.

**3. Term, Termination, and Cancellation**

This Agreement shall remain in effect from August 1, 2018 through July 31, 2019. Either party may terminate this Agreement by providing no less than thirty (30) days' written notice. At the time of such notice of termination, CAPERTON AND CCI shall complete all work in progress as if such notice of termination had not been given. The services should continue during the thirty (30) day notice period unless CAPERTON AND CCI and CITY agree to end the contract or any specific tasks sooner. If the parties elect to continue this contract at the end of the terms such terms as stated herein shall remain in effect from year to year, subject to the budgetary approval of the CITY.

In the event no funds or insufficient funds are appropriated by the CITY in any fiscal period for any payments due hereunder, CITY will notify CAPERTON AND CCI of such occurrence and this Agreement shall terminate on the last day of the fiscal period for which appropriations were received without penalty or expense to the CITY of any kind

whatsoever, except as to the portions of the payments herein agreed upon for which funds shall have been appropriated.

**4. Working Arrangements**

CITY will make a representative reasonably available to work with and answer questions relating to CAPERTON AND CCI's inspections in order to ensure a timely and complete product.

**5. Independent Contractor; Representations**

CAPERTON AND CCI agree that at all times during this assignment CAPERTON shall be considered an independent contractor of CITY. CAPERTON AND CCI shall be free from CITY's direction and control. CAPERTON AND CCI shall be exclusively responsible for the payment of any and all employment and other tax obligations arising out of payments from CITY. In addition, CAPERTON AND CCI acknowledge CAPERTON is entitled to no benefits available to CITY employees, including but not limited to worker's compensation or unemployment compensation. CAPERTON AND CCI also acknowledges that he is not employed by CITY in any other capacity and that he shall not hold any other position with CITY during the term of this Agreement. CAPERTON AND CCI acknowledges that the doctrine of *respondeat superior* shall not apply as between the CITY, its officers, agents, servants and employees, and CAPERTON AND CCI, its officers, agents, employees, servants, consultants and subcontractors.

CAPERTON AND CCI represent and warrants that he possesses the requisite experience and expertise to perform this obligation hereunder in accordance with the highest professional standards. In the event CAPERTON becomes sick, disabled, incapacitated or is otherwise unable to perform his/her assigned duties, CITY may, in its sole discretion, terminate this Agreement, suspend this Agreement, or take any other steps it deems appropriate.

**6. Confidential Information**

During the term of this Agreement and for a period of one year thereafter, CAPERTON AND CCI shall keep CITY'S information strictly confidential by using the same care and discretion that would be common in the industry, except where such disclosure is required by law.

**7. Intellectual Property**

All materials developed by CAPERTON AND CAPERTON AND CCI for CITY will belong exclusively to CITY, and will be deemed to have been developed and created by CAPERTON AND CAPERTON AND CCI for CITY as "work for hire". CAPERTON AND CAPERTON AND CCI will execute any and all documents necessary to assign and

transfer to CITY all intellectual property and other rights in materials and information created for CITY pursuant to this Agreement.

**8. Conflict of Interest and Commitment**

During the term of this Agreement CAPERTON AND CCI agree that he shall avoid any conflict of interest, including but not limited to any situations in which financial or other personal considerations directly or significantly affect, or have the appearance of directly or significantly affecting his professional duties in carrying out his responsibilities under this Agreement.

**9. Insurance**

CAPERTON AND CCI shall provide the CITY with certificate(s) of insurance documenting policies of the following minimum coverage limits that are to be in effect prior to commencement of any work pursuant to this Agreement:

9.1 Coverage and Limits

- (a) Professional Liability  
\$1,000,000 Each Occurrence  
\$1,000,000 Aggregate

Professional Liability coverage may be provided through an endorsement to the Commercial General Liability (CGL) policy, or a separate policy specific to Professional E&O. Either is acceptable if coverage meets all other requirements. Coverage shall be claims-made and maintained for the duration of the contract. An annual certificate of insurance shall be submitted to the CITY to evidence coverage.

- (b) Automobile Liability  
\$500,000 Each accident on a combined single limit basis or  
\$250,000 Bodily injury per person  
\$500,000 Bodily injury per occurrence  
\$100,000 Property damage

Coverage shall be on any vehicle used by CAPERTON AND CCI, its employees, agents, representatives in the course of the providing services under this Agreement. "Any vehicle" shall be any vehicle owned, hired and non-owned.

- (c) Statutory Worker's Compensation and Employers' Liability Insurance requirements per the amount required by statute or an acceptable Waiver provided in accordance with state law and city requirements. CITY agrees to waive this requirement upon receipt of sufficient documentation from the CAPERTON AND CCI certifying that CAPERTON AND CCI is not required to maintain the requisite coverage in accordance with the statute.

9.2 Certificates.

Certificates of Insurance evidencing that the CAPERTON AND CCI has obtained all required insurance shall be delivered to the CITY prior to CAPERTON AND CCI proceeding with any work pursuant to this Agreement. All policies except Workers' Compensation and Professional Liability shall be endorsed to name the CITY as an additional insured thereon, as its interests may appear. All policies shall contain a Waiver of Subrogation for the benefit of the CITY of Lavon. The term CITY shall include its employees, officers, officials, agent, and volunteers in respect to the contracted services. Any failure on the part of the CITY to request required insurance documentation shall not constitute a waiver of the insurance requirement. A minimum of thirty (30) days' notice of cancellation or reduction in limits of coverage shall be provided to the CITY. Ten (10) days' notice shall be acceptable in the event of non-payment of premium. Such terms shall be endorsed onto CAPERTON AND CCI's insurance policies. Notice shall be sent to the City Administrator at the address listed in Section 10.

**10. Notices**

All notices, demands and other communications required or permitted hereunder or in connection herewith shall be in writing and shall be deemed to have been duly given and delivered (including by receipt verified facsimile transmission) or mailed in the Continental United States by first class mail, postage prepaid, to a party at the following address, or to such other address as such party may hereafter specify by notice:

If to CITY:

CITY OF LAVON  
Attn: City Administrator  
P.O. Box 340  
Lavon, TX 75166  
972-853-0027 (Fax)

If to CAPERTON AND CCI:

Wes Caperton  
14534 Tamerisk Lane  
Farmers Branch, TX 75234

**11. Compliance with Laws, Ordinances, Rules and Regulations**

CAPERTON AND CCI agrees to comply with all applicable federal, state and local laws, ordinances, rules and regulations. If the CITY notifies CAPERTON AND CCI of any

violation of such laws, ordinances, rules or regulations, CAPERTON AND CCI shall immediately desist from and correct the violation.

**12. Governmental Powers; Immunity**

It is understood and agreed that by execution of this Agreement, the CITY does not waive or surrender any of its governmental powers or immunity.

**13. Entire Agreement**

This Agreement and the documents incorporated by reference in this Agreement set forth the entire understanding between the parties hereto regarding the subject matter hereof and may not be amended except by an instrument in writing signed by both parties.

**14. No Waiver**

Neither the failure nor delay by either party to exercise any right, remedy, power or privilege under the Agreement shall operate or be construed as a waiver thereof, nor shall any single or partial exercise of any right, remedy, power or privilege, nor shall any waiver with respect to any occurrence be construed as a waiver with respect to any other occurrence. No waiver of any right, remedy, power or privilege under this Agreement will be effective unless in writing signed by the party to be charged thereby.

**15. Venue**

The venue of any challenge to the validity of this Agreement and/or dispute over the terms and payment of monies referenced in this Agreement shall be in Collin County, Texas.

**16. Review of Counsel**

The parties acknowledge that each party and its counsel, if any, have reviewed and revised this Agreement and that the normal rules of construction to the effect that any ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this Agreement or exhibits hereto.

**17. Amendments / Modifications / Extensions**

No extension, modification or amendment of this Agreement shall be binding upon a party hereto unless such extension, modification, or amendment is set forth in a written instrument, which is executed by an authorized representative and delivered on behalf of such party.

**18. Counterparts**

This Agreement may be executed in one or more counterparts and each counterpart shall, for all purposes, be deemed an original, but all such counterparts shall together constitute one and the same instrument.

**19. Warranty of Services**

CAPERION AND CCI warrants that its services will be of a professional quality and conform to generally prevailing industry standards. CITY must give written notice of any breach of this warranty within thirty (30) days from the date that the services are completed. In such event, at CAPERTON AND CCI's option, CAPERTON AND CCI shall either (a) use commercially reasonable efforts to re-perform the services in a manner that conforms to the warranty, or (b) refund the fees paid by the CITY to CAPERTON AND CCI for the nonconforming services.

**20. Informal Dispute Resolution**

Except in the event of termination pursuant to Section 3, if either CITY or CAPERTON AND CCI has a claim, dispute, or other matter in question for breach of duty, obligations, services rendered or any warranty that arises under this Agreement, the parties shall first attempt to resolve the matter through this dispute resolution process. The disputing party shall notify the other party in writing as soon as practicable after discovering the claim, dispute, or breach. The notice shall state the nature of the dispute and list the party's specific reasons for such dispute. Within ten (10) business days of receipt of the notice, both parties shall commence the resolution process and make a good faith effort, either through email, mail, phone conference, in person meetings, or other reasonable means to resolve any claim, dispute, breach or other matter in question that may arise out of, or in connection with this Agreement. If the parties fail to resolve the dispute within sixty (60) days of the date of receipt of the notice of the dispute, then the parties may submit the matter to non-binding mediation in Collin County, Texas, upon written consent of authorized representatives of both parties in accordance with the Industry Arbitration Rules of the American Arbitration Association or other applicable rules governing mediation then in effect. The mediator shall be agreed to by the parties. Each party shall be liable for its own expenses, including attorney's fees; however, the parties shall share equally in the costs of the mediation. If the parties cannot resolve the dispute through mediation, then either party shall have the right to exercise any and all remedies available under law regarding the dispute. Notwithstanding the fact that the parties may be attempting to resolve a dispute in accordance with this informal dispute resolution process, the parties agree to continue without delay all of their respective duties and obligations under this Agreement not affected by the dispute. Either party may, before or during the exercise of the informal dispute resolution process set forth herein, apply to a court having jurisdiction for a temporary restraining order or preliminary injunction where such relief is necessary to protect its interests.

**21. Severability**

If any provision of this Agreement is held to be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired.

This Agreement may be signed in two or more counterparts, each of which shall be deemed an original, and all of which taken together shall constitute one and the same Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their respective duly authorized representatives as of the day and year first above written.

CAPERTON AND CCI

  
WES CAPERTON

CITY OF LAVON, TEXAS

  
VICKI SANSON, MAYOR

Attest:

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

Name: 

Title: 

Attest:

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

Name: 

Title: 



**Exhibit "A"**

**CCI**  
**Caperton Construction Inspections**

**LIST OF SERVICES FOR LAVON**

**Building Inspections** – Perform all necessary inspections for compliance to adopted construction codes including building, plumbing, gas, mechanical, electrical, energy and zoning codes. Inspections would be performed generally within one working day of the request.

**Plan Review** – Perform plan examination on plans submitted for residential or commercial construction within the City. Plans would be checked for compliance with adopted construction and zoning codes. Residential plan review would generally be completed within 2 days of receipt of complete construction drawings. Commercial plan review would generally be completed within 5 days of receipt of complete construction drawings.

**Administration** including code review, recommending local amendments to address local conditions, documentation, permit tracking, inspection tracking, codes and ordinance interpretations. **Note:** historically I have not, or plan to, charge for my time with administrative actions, questions, interpretations or conversations or meetings with contractors or the general public.

***Current Rate Structure***

***Building Inspections include:***

- Residential Plan Review
- Electrical T-Pole
- Plumbing Rough-in
- Foundation
- Framing
- Plumbing Top out
- Gas Piping and Test (when installed)
- Mechanical
- Electrical Rough-in
- Insulation/Energy
- Driveway/Flat work
- Permanent Electrical Meter Release
- Final/C.O.

Agreed upon total fee per new home ..... \$400.00.

This cost does not include Re-Inspections.

Other Inspections .....\$40.00 each inspection

- Re-inspections
- Fence
- Water Heater Change out
- Gas Test
- Mechanical Change out (A/C unit)
- Residential Additions
- Accessory Buildings

In Ground Pools .....\$40.00 each inspection

- Plan Review
- Plumbing Rough-in (P-Trap)
- Belly Steel
- Electrical Grounding
- Electrical Wiring to Pool Light
- Deck Steel
- Final

Residential Plan Review .....\$40.00 each residence

Commercial Plan Review .....\$50.00 per hour



## CITY OF LAVON Agenda Brief

**MEETING:** November 17, 2020

**ITEM:** 9 - D

---

**Item:**

Discussion and action regarding the appointment of a deputy city attorney to serve as the Municipal Court Prosecutor.

**Background:**

A municipal court requires—at a minimum—a judge, prosecutor, and court clerk. The City of Lavon Municipal Court consists of the Municipal Court Judge, Associate Municipal Court Judge, Prosecutor, Municipal Court Clerk and a Bailiff.

From a Texas Municipal League article:

*State law requires that all prosecutions in a municipal court shall be conducted by the city attorney or by a deputy city attorney. TEX. CODE CRIM. PRO. art. 45.201(a). Thus, each municipal court must have a prosecutor who has been appointed by the city. The prosecutor does not have to be the city attorney, or from the same firm as the city's attorney, but must be appointed as a deputy city attorney in order to prosecute. Nothing in state law governs the appointment or removal of a municipal prosecutor...*

Matt Garcia, who has served as the City of Lavon Municipal Court Prosecutor for twenty-two years is retiring. Mr. Garcia has recommended an experienced colleague, Scott McMichael, to replace him.

**Financial Implication:**

The Municipal Court Prosecutor is not an employee of the City and is paid per the hour. There is no financial implication as no change in fee structure is requested or recommended for the service that is funded in Account 10-24-5303 in the Municipal Court annual budget.

**Staff Notes:**

Approval of the appointment of Scott McMichael is recommended.

**Attachments:** Scott McMichael Qualifications

# SCOTT McMICHAEL

## LICENSES

State Bar of Texas, 1993  
United States District Court (Northern District of Texas), 1997

## EXPERIENCE

### **Law Office of Scott McMichael, Dallas, Texas**

*Solo Practitioner, September 2006 to present*

- \* Legal practice focused primarily on family law issues (CPS, divorce, child custody and support, child advocacy, abandoned children).

### **Office of the Attorney General of Texas, Child Support Division, Dallas, Texas**

*Assistant Attorney General, 1999 to 2006*

- \* High-volume legal practice focused on establishing paternity of children, establishing court orders for medical and child support, and enforcing support obligations through litigation and administrative proceedings.

### **West Texas Legal Services, Inc., Wichita Falls, Texas**

*Managing Attorney, 1997 to 1999*

- \* High-volume legal practice serving the low-income community of northern Texas, primarily in litigation of family law, tenant law, and Social Security issues.
- \* Supervised office staff of five persons to promote community visibility, to ensure effective representation of clients, and to fully comply with federal, state, and company regulations.

### **West Texas Legal Services, Inc., Odessa, Texas**

*Staff Attorney, 1993 to 1997*

- \* High-volume legal practice serving the low-income community of western Texas, primarily in litigation of family law, tenant law, and Social Security issues, as well as small-estate planning.

## EDUCATION

**Juris Doctorate**, The University of Texas School of Law, Austin, Texas, 1993

- \* Vice-President, International Law Society
- \* Executive Director, Lawyer-to-Lawyer Network
- \* Director, Guanajuato (Mexico) Exchange Program

**Bachelor of Arts, Dual Major in Political Science (with Emphasis on International Relations) and Spanish with a Minor in History, Texas Christian University, Fort Worth, Texas, 1989**

- \* Phi Beta Kappa
- \* Pi Sigma Alpha (Political Science Honorary)
- \* Phi Alpha Theta (History Honorary)
- \* Sigma Delta Pi (Spanish Honorary)
- \* Service Committee, Alpha Phi Omega

**LANGUAGES**

Spanish (fluent)  
French (working knowledge)



## CITY OF LAVON Agenda Brief

MEETING: November 17, 2020

ITEM: 9 – E

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**Item:**

Discussion and action to nominate and appoint a Mayor Pro-Tempore for a term that expires in November 2021.

**Background:**

The Mayor Pro Tempore (or Mayor Pro Tem) is elected annually by the City Council after the general election. Had it not been canceled, the general election would have been conducted on November 3, 2020.

*Code Excerpt:*

**Texas Local Government Code, Section 22.037 (b)**

Sec. 22.037. MAYOR AS PRESIDING OFFICER; PRESIDENT PRO TEMPORE. (a) The mayor shall preside at all meetings of the governing body of the municipality and, except in elections, may vote only if there is a tie.

(b) At each new governing body's first meeting or as soon as practicable, the governing body shall elect one alderman to serve as president pro tempore for a term of one year.

City Councilmember Kay Wright, Place 3 served as the Mayor Pro Tem for the term expiring in November 2020.



# CITY OF LAVON

## Agenda Brief

**MEETING:** November 17, 2020

**ITEM:** 9 – F

---

**Item:**

Discussion and action regarding possible application to the Texas Department of Agriculture for a 2021-22 Texas Community Development Block Grant (TxCDBG) and appointment of a Selection Review Committee to perform procurement of professional services and engineering services related thereto.

**Background:**

Through the Capital Improvements Program process and in reviewing the infrastructure needs of the City, the Texas Department of Agriculture - Texas Community Development Block Grant (TxCDBG) program was identified as a potential funding source. The grant application is a competitive process with specific scoring criteria and there are no guarantees of an award. A CDBG application that the City submitted in 2017 was not awarded due to the competitive income level component.

The local CDBG program is administered by the North Central Texas Council of Governments (NCTCOG). A Unified Scoring System developed in July 2020 by the Texas Department of Agriculture determined statewide objectives for the 2021-2022 program. Two criteria were adopted: match based on population and awards during the last three funding cycles, both of which appear favorable for a City of Lavon application. Each Council of Governments set scoring based on project priorities with NCTCOG's First Priority group consisting of water/wastewater; septic tanks, water/wastewater yard lines; roads/streets; drainage.

Because of the specialized knowledge associated with navigating the grant application and administration process, typically a City obtains professional services for grant administration and engineering, both of which are reimbursable under the grant guidelines. To initiate the process, the City Council can authorize staff to proceed and appoint a Selection Review Committee to select grant administration and engineering professional services.

**Financial Implication:**

Because the fees are paid from grant proceeds, there is no direct administrative or engineering cost to the City to pursue the grant. Proceeds from the Series 2020 Certificates of Obligation could be used as matching funds.

***Staff Notes:***

In 2016, the appointed Selection Review Committee consisted of the Mayor, Mayor Pro Tem, and City Administrator.

Appointment of a Selection Review Committee and approval of authority to proceed is recommended.

**Attachments:** CDBG Information from Texas Department of Agriculture



## TEXAS DEPARTMENT OF AGRICULTURE COMMISSIONER SID MILLER

### **Community Development Block Grant (CDBG) Program for Rural Texas**

The primary objective of the Community Development Block Grant program is to develop viable communities by providing decent housing and suitable living environments, and expanding economic opportunities principally for persons of low- to moderate-income.

**Eligible Applicants:** Non-entitlement cities and counties whose populations are less than 50,000 and 200,000 respectively, and that are not designated as eligible for the entitlement portion of the federal Community Development Block Grant Program (CDBG).

### **Community Development Fund**

**Application Deadline: February 2021**

**Max Award: \$275,000 - \$800,000  
(varies by region)**

The Community Development Fund is the largest fund category in the TxCDBG Program. This fund is available through a competition in each of the 24 state planning regions. Although most funds are used for Public Facilities (water/wastewater infrastructure, street and drainage improvements and housing activities), there are numerous other activities for which these funds may be used.

### **Texas Capital Fund**

Supports rural business development, retention, and expansion.

#### **Infrastructure / Real Estate Development Programs**

**Applications due February, May, August & November 2019**

**Max Award: \$1,000,000**

Provides grants or zero-interest loans for infrastructure and building improvements to create or retain permanent jobs.

#### **Main Street / Downtown Revitalization Programs**

**Application Deadline: October 2019**

**Max Award: \$350,000**

Provides grant funds for public infrastructure to eliminate deteriorated conditions and foster economic development in historic main street areas and rural downtown areas.

### **Fire, Ambulance, and Service Truck (FAST) Fund**

**Application Deadline: June 2019**

**Max Award: \$500,000**

Provides funds for eligible vehicles to provide emergency response and special services to LMI rural communities.



## TEXAS DEPARTMENT OF AGRICULTURE COMMISSIONER SID MILLER

### Community Development Block Grant (CDBG) Program for Rural Texas (cont.)

#### Planning and Capacity Building Fund

**Application Deadline: March 2019**

**Max Award: \$55,000**

An annual competitive grant program for local public facility and housing planning activities. Localities apply for financial assistance to prepare a “comprehensive plan” or any of its components.

#### Disaster Relief Fund

**Application Deadline: 1 Year from Event**

**Max Award: \$350,000**

The Disaster Relief Fund addresses emergency situations that have received an official state or federal disaster declaration. Funds can be used to restore infrastructure damaged by natural disasters to pre-disaster condition in design, function, and capacity. In a drought situation, the DR fund may also be used to install new facilities that resolve a primary drinking water supply shortage.

#### Colonia Funds

Funds available to eligible county applicants for projects in severely distressed unincorporated areas. The term “colonia” generally means an identifiable unincorporated community that is within 150 miles of the border between the United States and Mexico.

##### Colonia Planning Fund

**Application Deadline: August 2019**

**Max Award: \$100,000**

Assistance for the completion of planning activities to prepare colonia areas for water, sewer and housing improvements.

##### Colonia Construction Fund

**Application Deadline: August 2019**

**Max Award: \$500,000**

Assistance to fund water and wastewater improvements, housing rehabilitation, and other improvements in colonia areas.

##### Colonia Economically Distressed Areas Program

**Application Deadline: As Needed**

**Max Award: \$1,000,000**

Assistance to colonia areas to connect to a water and sewer system project funded by other state and federal funds.



Grants & Services > Rural Economic Development > Rural Community Development Block Grant (CDBG) > About

## About Rural Texas CDBG

### Funding Source

Every year, the US Department of Housing and Urban Development provides federal Community Development Block Grant funds directly to states, which, in turn, provide the funds to small, rural cities with populations less than 50,000, and to counties that have a non-metropolitan population under 200,000 and are not eligible for direct funding from HUD. These small communities are called "non-entitlement" areas because they must apply for CDBG dollars through the Texas CDBG program. Larger cities, such as Dallas, Houston and others, receive CDBG monies directly from HUD, and are called "entitlement" areas.

### History

The CDBG program is governed by Title I of the Housing and Community Development Act of 1974 (the Act) and Federal regulations at 24 CFR 570, Subpart I. The introduction of the CDBG program in 1974 signaled a move away from individual categorized federal development assistance programs towards the block grant model, which gives communities broad latitude in using funds for a variety of development activities. The Omnibus Budget Reconciliation Act of 1981 authorized states to administer the CDBG programs.

### CDBG Objectives

The primary objective of the Community Development Block Grant program is to develop viable communities by providing decent housing and suitable living environments, and expanding economic opportunities principally for persons of low- to moderate-income.

To achieve these goals, the CDBG regulations outline the eligible activities and the National Objectives that each activity must meet. As a recipient of CDBG funds, the state is charged with ensuring that these HUD requirements are met. Specifically, the state is responsible for assuring the US Department of Housing and Urban Development that each project it funds meets one of three National Objectives: Benefit low- and moderate income persons; Aid in the prevention or elimination of slums or blight; or meet a need having a particular urgency, which represents an immediate threat to the health and safety of residents.

In line with the federal objectives, the state administers its CDBG programs according to the following goals: Improve public facilities to meet basic human needs, principally for low- and moderate-income persons. Improve housing conditions, principally for persons of low- and moderate-income. Expand economic opportunities by creating or retaining jobs, principally for low- and moderate-income persons. Provide assistance and public facilities to eliminate conditions hazardous to the public health and of an emergency nature.

### Primary Beneficiaries

All projects funded through the CDBG program typically meet the first national objective (benefit low- and moderate-income persons) by benefiting at least 51 percent low- to moderate-income persons, which are defined as those who earn equal to or less than 80 percent of the area median family income figure (where the area is a metropolitan statistical area or a non-metropolitan county) or Earn equal to or less than less than 80 percent of the statewide non-metropolitan median family income figure, as defined under the US Department of Housing and Urban Development Section 8 Housing Assistance Program. For income eligibility in your area, please review the most recent Income Limits document.

Some projects funded through the CDBG program may meet the second national objective of aiding in the prevention or elimination of slum or blight while the remainder of CDBG projects will fall under the third national objective. The third national objective includes activities designed to meet community development needs having a particular urgency, which the CDBG Program applies to Disaster Relief and Urgent Need Fund projects.

### Program Administration

The state of Texas administers its CDBG programs in accordance to funding rules and regulations set by HUD. Each year, it submits an Action Plan for the next fiscal year. The Action Plan describes the methods that will be used for distributing funds among the various CDBG programs, including award amounts per program, application selection process, etc. Once HUD approves the Action Plan it becomes codified into the Texas Administrative Code.

The TxCDBG program then makes applications available in accordance with each program's funding cycle. Applications received for competitive funding programs are reviewed and scored using program-specific criteria and processes.

Once awards are made from the CDBG program, contracts are executed between the department and the city or county officials, and the grantee begins the implementation of their proposed project. To guide grantees in the implementation of their projects, the grantees follow the CDBG Project Implementation Manual. The Manual describes the methods a CDBG grant recipient uses to administer the CDBG contract, and includes relevant forms. This document covers the post award process.

### Regional Review Committees (Composition Role)

Each of Texas' 24 regional councils, known as [Council of Governments](#), has its own Regional Review Committee (RRC). Each RRC is comprised of 12 local elected officials, appointed at the pleasure of the Governor. The role of each Regional Review Committee is to participate in the process for determining regional scoring priorities for projects funded through the Texas CDBG's Community Development Fund, and is responsible for developing the objective scoring criteria.



**TEXAS DEPARTMENT OF AGRICULTURE**  
**COMMISSIONER SID MILLER**

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Pre-Qualified Professional Services

**Pre-Qualified Professional Administrative Services**

The Texas Department of Agriculture (TDA) is implementing a two-phase process to pre-qualify a pool of grant administrators. Local governments may solicit proposals from this pool for preparation of an application to the Texas Community Development Block Grant (TxCDBG) program, and subsequent administration services if a grant is awarded. In Phase One, TDA requests pre-qualification applications from interested individuals and firms to be pre-qualified for grant writing and administrative services to assist communities in proposed projects to be financed with certain categories of TxCDBG funding. Administrators approved through this RFQ process will be eligible to provide services to communities receiving grant funds. Pre-qualification of a grant administrator indicates that the application was complete and timely, and does not include an evaluation of the quality of services offered by the administrator.

Phase Two is the final grant administrator selection process. Participation in the Phase Two streamlined request for proposals (RFP) process will be limited to only those administrators that have submitted a complete application in response to Phase One and that have been approved by TDA. Any resulting contracts for grant administrative services between a local government and a grant administrator may not exceed a total of \$50,000. Actual budgets and tasks may be negotiated after the grant administrator has been selected by a participating local government.

Instructions for Communities:

[TxCDBG Implementation Manual, Chapter 5: Procurement](#)

[Streamlined Procurement using Pre-Qualified List \(Webinar Recording\)](#)

Phase 2 Solicitation Forms:

[Request for Project-Specific Proposal Forms A506 \(Word Format\)](#)

[Response from Service Provider Form A507 \(Word Format\)](#)

[Evaluation of Proposals Form A508 \(Word Format\)](#)

**Pre-Qualified Administrators (Approved Vendor List)**

<b>2020 Pre-Qualified Administrative Services for TxCDBG</b> Original RFQ documentation may be found <a href="#">HERE</a> 2020 Application for Pre-Qualification (Vendor Use Only)					
Firm Name	Application	Contact Information	Small Business	Woman Owned	Minority Owned
Ark-Tex Council of Governments	<a href="#">Click HERE</a>	Toni Lindsey <a href="mailto:tlyndsey@atcog.org">tlyndsey@atcog.org</a>			
Asi Grant Consulting	<a href="#">Click HERE</a>	Candy Hobbs <a href="mailto:candyhobbs@gmail.com">candyhobbs@gmail.com</a>	X	X	X
Blais & Associates, Inc.	<a href="#">Click HERE</a>	Niel Blais <a href="mailto:nblais@blaisassoc.com">nblais@blaisassoc.com</a>	X	X	
Business Services Company	<a href="#">Click HERE</a>	Cartos Mondragon <a href="mailto:CDRAGON2010@gmail.com">CDRAGON2010@gmail.com</a>	X		X
Community Development Management Co. Inc.	<a href="#">Click HERE</a>	Rudy Ruiz <a href="mailto:rudy@ccaustin.com">rudy@ccaustin.com</a>	X		X
Concho Valley Council of Governments	<a href="#">Click HERE</a>	Erin Hernandez <a href="mailto:erin.hernandez@cvcog.com">erin.hernandez@cvcog.com</a>			
D. Austin Colina & Associates	<a href="#">Click HERE</a>	Daniel Colina <a href="mailto:daustincolina@gmail.com">daustincolina@gmail.com</a>	X		X
David J Waxman, Inc.	<a href="#">Click HERE</a>	David Waxman <a href="mailto:davidjwaxman@sbcglobal.net">davidjwaxman@sbcglobal.net</a>	X	X	
Esser & Company Consulting, LLC	<a href="#">Click HERE</a>	Carl Esser <a href="mailto:carl.esser@hotmail.com">carl.esser@hotmail.com</a>			
Grant Development Services, Inc.	<a href="#">Click HERE</a>	Gandolf Burrus <a href="mailto:gburrus@texasgrants.us">gburrus@texasgrants.us</a>	X		
GrantWorks, Inc.	<a href="#">Click HERE</a>	Mirenda Harris <a href="mailto:grantworks@grantworks.net">grantworks@grantworks.net</a>	X		
Hanson Professional Services, Inc.	<a href="#">Click HERE</a>	Anna Aldridge <a href="mailto:aaldrige@hanson-inc.com">aaldrige@hanson-inc.com</a>			
JET Development, LLC	<a href="#">Click HERE</a>	Janay Tieken <a href="mailto:janay@jetdevelopmentllc.com">janay@jetdevelopmentllc.com</a>	X	X	
KBB Consulting, LLC	<a href="#">Click HERE</a>	Kathy Boyles <a href="mailto:kathyboyles@gmail.com">kathyboyles@gmail.com</a>	X	X	
KBSR, LLC	<a href="#">Click HERE</a>	Katy Setters <a href="mailto:katy@kbsrllc.com">katy@kbsrllc.com</a>	X	X	X
Langford Community Management Service, Inc.	<a href="#">Click HERE</a>	Judy Langford <a href="mailto:Judy@LCMSinc.com">Judy@LCMSinc.com</a>	X	X	
Marbek Services, LLC	<a href="#">Click HERE</a>	Rebecca L Brewster <a href="mailto:brewster@valornet.com">brewster@valornet.com</a>	X	X	
Middle Rio Grande Development Council	<a href="#">Click HERE</a>	Nick Gallegos <a href="mailto:nick.gallegos@mrghdc.org">nick.gallegos@mrghdc.org</a>			
Panhandle Regional Planning Commission	<a href="#">Click HERE</a>	Dustin Meyer <a href="mailto:dmeyer@theprpc.org">dmeyer@theprpc.org</a>			
Provision Specialized Resources, LLC	<a href="#">Click HERE</a>	Alice Ashley <a href="mailto:aliceashley@provisionsr.com">aliceashley@provisionsr.com</a>	X	X	
Public Management, Inc.	<a href="#">Click HERE</a>	Patrick Wiltshire <a href="mailto:pwiltshire@publicmgt.com">pwiltshire@publicmgt.com</a>	X		
Raymond K. Yann & Associates, LLC	<a href="#">Click HERE</a>	Raymond K Yann <a href="mailto:rvann@rkvtxas.com">rvann@rkvtxas.com</a>	X		
Resource Management & Consulting Co.	<a href="#">Click HERE</a>	Charles Edwards <a href="mailto:charles@grant-consultant.com">charles@grant-consultant.com</a>	X	X	
Resource Mobility Associates, Inc.	<a href="#">Click HERE</a>	Francisco Briones <a href="mailto:rma495@yahoo.com">rma495@yahoo.com</a>	X		X
Rhonda G Stastny	<a href="#">Click HERE</a>	Rhonda G Stastny <a href="mailto:rhondags77@gmail.com">rhondags77@gmail.com</a>	X	X	
Ricardo Gomez & Associates	<a href="#">Click HERE</a>	Ricardo Gomez <a href="mailto:RGinArroyoCity@aol.com">RGinArroyoCity@aol.com</a>	X		X
South Plains Association of Governments	<a href="#">Click HERE</a>	Kelly Davila <a href="mailto:kdavila@spag.org">kdavila@spag.org</a>			
The Goodman Corporation	<a href="#">Click HERE</a>	Greg Goodman <a href="mailto:ggoodman@thegoodmancorp.com">ggoodman@thegoodmancorp.com</a>	X		
TJKM Transportation Consulting	<a href="#">Click HERE</a>	Aldo Fritz <a href="mailto:afritz@tjkm.com">afritz@tjkm.com</a>	X		X
Traylor & Associates, Inc.	<a href="#">Click HERE</a>	Gary R Traylor <a href="mailto:gary.traylor@grtraylor.com">gary.traylor@grtraylor.com</a>	X		

## Pre-Qualified Planning Service Providers (Approved Vendor List)

2020 Pre-Qualified Planning Service Providers for TxCDBG					
Original RFQ documentation may be found <a href="#">HERE</a>					
2020 Application for Pre-Qualification (Vendor Use Only)					
Firm Name	Application	Contact Information	Small Business	Woman Owned	Minority Owned
Asi' Grant Consulting	<a href="#">Click HERE</a>	Candy Hobbs <a href="mailto:candyhobbs@gmail.com">candyhobbs@gmail.com</a>	X	X	X
D. Austin Colina & Associates	<a href="#">Click HERE</a>	Daniel Colina <a href="mailto:daustincolina@gmail.com">daustincolina@gmail.com</a>	X		X
Esser & Company Consulting, LLC	<a href="#">Click HERE</a>	Carl Esser <a href="mailto:carl.esser@hotmail.com">carl.esser@hotmail.com</a>			
GrantWorks, Inc.	<a href="#">Click HERE</a>	Mirenda Harris <a href="mailto:grantworks@grantworks.net">grantworks@grantworks.net</a>	X		
Hayter Engineering, Inc.	<a href="#">Click HERE</a>	Michael Donnan <a href="mailto:mdonnan@haytereng.com">mdonnan@haytereng.com</a>	X		
Langford Community Management Service, Inc.	<a href="#">Click HERE</a>	Judy Langford <a href="mailto:Judy@LCMSinc.com">Judy@LCMSinc.com</a>	X	X	
Mundo and Associates, Inc.	<a href="#">Click HERE</a>	Pamela Mundo <a href="mailto:pmundo@mundoandassociates.com">pmundo@mundoandassociates.com</a>	X	X	
Panhandle Regional Planning Commission	<a href="#">Click HERE</a>	Dustin Meyer <a href="mailto:dmeyer@theprpc.org">dmeyer@theprpc.org</a>			
Public Management, Inc.	<a href="#">Click HERE</a>	Patrick Wiltshire <a href="mailto:pwiltshire@publicmgt.com">pwiltshire@publicmgt.com</a>	X		
Ricardo Gomez & Associates	<a href="#">Click HERE</a>	Ricardo Gomez <a href="mailto:RGainArroyoCity@aol.com">RGainArroyoCity@aol.com</a>	X		X
South Plains Association of Governments	<a href="#">Click HERE</a>	Kelly Davila <a href="mailto:kdavila@spag.org">kdavila@spag.org</a>			
The Goodman Corporation	<a href="#">Click HERE</a>	Greg Goodman <a href="mailto:ggoodman@thegoodmancorp.com">ggoodman@thegoodmancorp.com</a>	X		
TJKM Transportation Consultants	<a href="#">Click HERE</a>	Aldo Fritz <a href="mailto:afritz@tjkm.com">afritz@tjkm.com</a>	X		X
Traylor & Associates, Inc.	<a href="#">Click HERE</a>	Gary R Traylor <a href="mailto:gary.traylor@grtraylor.com">gary.traylor@grtraylor.com</a>	X		

## Current Opportunities Available

### 2020 RFQ & Application to Prequalify Grant Administrators - Now Available!

TDA is pleased to announce the Application to pre-qualify grant administrators in 2020. This is a two phase procurement process to pre-qualify grant administrators. Administrators that provide grant writing services and/or administration services for the TxCDBG Program are invited to submit applications. Local governments shall solicit proposals from this pool for preparation of an application to the TxCDBG program, and a subsequent administration services is grant is awarded. This streamlined procurement process is for administrative services contracts up to \$50,000.

[Request for Qualifications Application to Prequalify Grant Administrators](#)  
[Application to Prequalify Grant Administrators](#)

TDA's response to written inquiries regarding the 2020 RFQ and Application to Prequalify Grant Administrators can be found [HERE](#).

### 2020 RFQ & Application to Prequalify Planning Services Providers - Now Available!

TDA is pleased to announce that a new process has been developed to prequalify planning services providers for TxCDBG planning-related programs in 2020. This is a two phase procurement process to pre-qualify planning services providers. Individuals or firms that provide planning services for the TxCDBG Program are invited to submit applications. Local governments shall solicit proposals from this pool for preparation of an application to the TxCDBG program, and a subsequent planning services is grant is awarded. This streamlined procurement process is for planning services contracts up to \$50,000.

[Request for Qualifications Application to Prequalify Planning Services Providers](#)  
[Application to Prequalify Planning Services Providers](#)

TDA's response to written inquiries regarding the 2020 RFQ and Application to Prequalify Planning Services Providers can be found [HERE](#).

## Certified Administrators

All individuals that are responsible for administration of a TxCDBG grant contract must attend CDBG training annually. Once training is completed, the individual will be required to pass an online test. The Certified Administrator List will be posted at the below link. This requirement applies to the point of contact for administrative requirements of the grant, whether a third party administrator procured by a community, an employee of a Council of Government serving as a subrecipient to the community, or an employee of a self-administering community.

To become certified, please click [HERE](#).

A list of 2019-2020 TxCDBG Certified Administrators can be found [HERE](#).



# CITY OF LAVON

## Agenda Brief

**MEETING:** November 17, 2020

**ITEM:** 9 – G

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**Item:**

Discussion and action regarding orders and regulations, programming, city facilities and operations related to COVID-19.

**Background:**

This standing item is continued on the agenda to allow for the City Council to discuss and act without delay on updates relating to COVID-19 orders and regulations.

**REGULATORY UPDATE**

On November 6, 2020, Governor Abbott extended the disaster declaration for another 30 days. This proclamation extends the open meetings exception provisions.

The [TML Coronavirus Update #149](#) provides a review of the pre-filing of bills for the 2021 legislative session related to Coronavirus that could potentially affect cities.

On November 10, 2020, Governor Abbott issued a press release regarding the distribution of COVID-19 treatments, consisting of medicines and vaccines. The release referenced a Texas Department of State Health Services Vaccine Distribution Plan and Immunization Program.

This link to the Office of Governor’s website provides information regarding orders, proclamation, press releases and updates: <https://gov.texas.gov/coronavirus-executive-orders> .

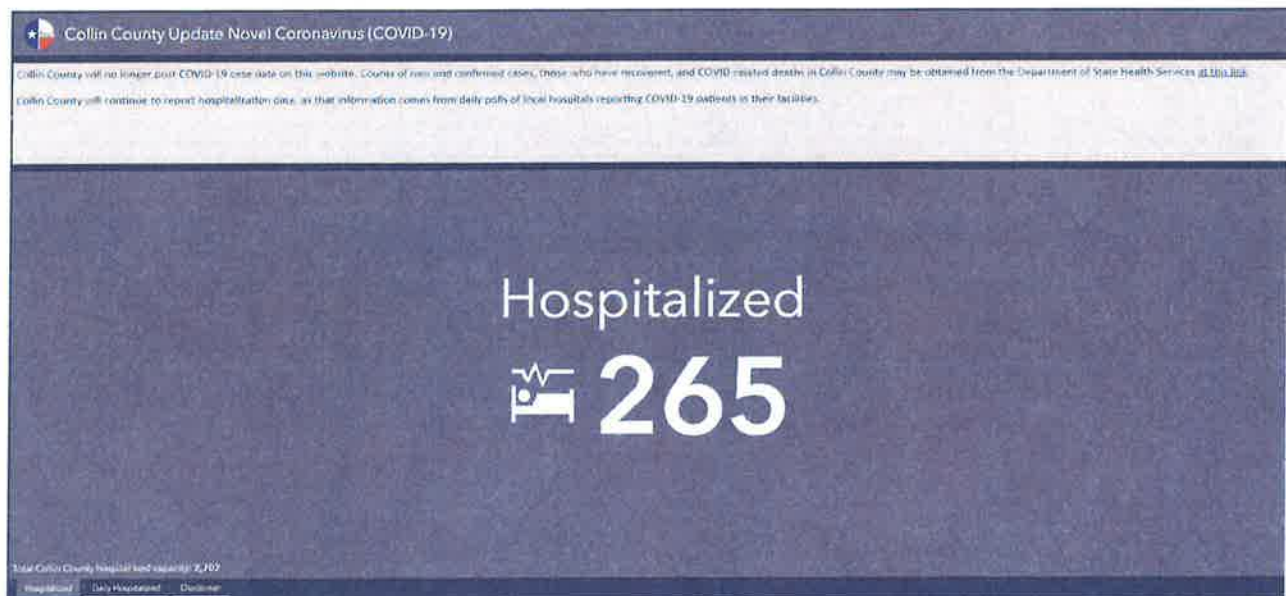
The Governor’s Office website contains a TDEM [link to testing locations](#) that indicates at this time the closest testing sites to Lavon are in Wylie and Rockwall.

The City Attorney continues to monitor the Orders and commentaries to ensure that the City regulations in the form of Ordinance No. 2020-04-01 and Ordinance No. 2020-04-05 are sufficient and appropriate. The severability clauses in the city’s ordinances contemplate provisions that may be precluded by updated Orders and Proclamations.

**CASE REPORT UPDATE**

According to [www.CommunityImpact.com](http://www.CommunityImpact.com) , *Collin County Commissioners voted 3-2 on Nov. 9 to change the Collin County Coronavirus dashboard and remove most of the data; only the information regarding hospitalizations will be left, along with some links to state COVID-19 data. The hospitalization data provided on the dashboard is received by the county locally, and it would not be provided at the state level. For that reason, a motion was made to leave the hospitalization data in place.*

On November 13, 2020, the [Collin County COVID-19 Dashboard](#) posted:



Compared to the October 30, 2020 Dashboard posting:



## OPERATIONS UPDATE

City Hall and the Police Department continue regular operations while the buildings remain closed for public entry.

From October 13, 2020 through October 30, 2020, City Hall was opened to the public as an early voting location for the November 3, 2020 election. City Hall will be an Election Day

polling place on November 3. City administrative offices remain closed to the public with appointments available as needed.

As previously directed by the City Council and as allowed by the Public Utilities Commission, the Utility Billing Department is preparing notices for customers with delinquent accounts to notify them that disconnections will resume in January. The notice will offer customers the opportunity to contact Utility Billing to discuss their account status. This direction may be revisited pending national Coronavirus initiatives and mandates.

COVID-19 revenues and expenditures are being monitored and planning for fund utilization is ongoing.

### **PROGRAMS UPDATE**

The Lavon Economic Development Corporation is conducting a second \$20 Coupon Program for Lavon residents/businesses and will be providing the coupons to the residents in the utility bills mailed in November. For customers who receive e-bills, the coupons will be directly mailed. The coupons are expected to be valid from mid-November to mid-December.

The City of Lavon Website COVID-19 page provides a quick link and can be found on the top bar of the city website and here <https://cityoflavon.com/covid-19/>.

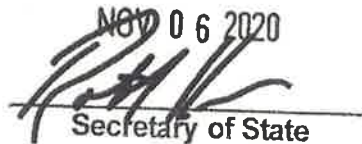
**Attachments:** Governor Abbott – November 6, 2020 Proclamation  
Governor Abbott – November 10, 2020 Press Release



GOVERNOR GREG ABBOTT

November 6, 2020

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
8:00AM O'CLOCK

NOV 06 2020  
  
Secretary of State

The Honorable Ruth R. Hughs  
Secretary of State  
State Capitol Room 1E.8  
Austin, Texas 78701

Dear Secretary Hughs:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

A proclamation renewing the declaration stating that the novel coronavirus (COVID-19) poses an imminent threat of disaster for all counties in Texas.

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,

  
Gregory S. Davidson  
Executive Clerk to the Governor

GSD/gsd

Attachment

# PROCLAMATION

BY THE

## Governor of the State of Texas

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**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on March 13, 2020, certifying under Section 418.014 of the Texas Government Code that the novel coronavirus (COVID-19) poses an imminent threat of disaster for all counties in the State of Texas; and

WHEREAS, in each subsequent month effective through today, I have issued proclamations renewing the disaster declaration for all Texas counties; and

WHEREAS, the Commissioner of the Texas Department of State Health Services, Dr. John Hellerstedt, has determined that COVID-19 represents a public health disaster within the meaning of Chapter 81 of the Texas Health and Safety Code; and

WHEREAS, I have issued executive orders and suspensions of Texas laws in response to COVID-19, aimed at protecting the health and safety of Texans and ensuring an effective response to this disaster; and

WHEREAS, a state of disaster continues to exist in all counties due to COVID-19;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby renew the disaster proclamation for all counties in Texas.

Pursuant to Section 418.017, I authorize the use of all available resources of state government and of political subdivisions that are reasonably necessary to cope with this disaster.

Pursuant to Section 418.016, any regulatory statute prescribing the procedures for conduct of state business or any order or rule of a state agency that would in any way prevent, hinder, or delay necessary action in coping with this disaster shall be suspended upon written approval of the Office of the Governor. However, to the extent that the enforcement of any state statute or administrative rule regarding contracting or procurement would impede any state agency's emergency response that is necessary to cope with this declared disaster, I hereby suspend such statutes and rules for the duration of this declared disaster for that limited purpose.

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.

ATTESTED BY:



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RUTH R. HUGHS  
Secretary of State

## Office of the Texas Governor | Greg Abbott

[Home](#) [Governor Abbott](#) [First Lady](#) [Initiatives](#) [News](#) [Organization](#)

[Home](#) [News](#) [State Of Texas Prepared To Swiftly Distribute COVID-19 Treatments Becoming Available \(\)](#)

# State Of Texas Prepared To Swiftly Distribute COVID-19 Treatments Becoming Available

November 10, 2020 | Austin, Texas | [Press Release](#)

Governor Greg Abbott today announced that the State of Texas has prepared allocation plans to swiftly distribute medicines and vaccines that are now becoming available to treat COVID-19.

Yesterday was the first day of what will be many announcements in the coming weeks about the availability of medicines and vaccines to combat COVID-19.

On Monday, the U.S. Food and Drug Administration (FDA) authorized the immediate use of the first medical treatment developed for people who contract COVID-19. An antibody drug by Eli Lilly & Co., called bamlanivimab, has been shown to improve the symptoms of people who contract the virus and prevent hospitalizations.

The FDA said the drug is authorized for patients at high risk of progressing to severe COVID-19, including people 65 and older, or who have certain pre-existing medical conditions.

Lilly is expected to immediately ship approximately 80,000 doses across the country, including Texas, at no cost to the states. Lilly should have up to one million doses by the end of the year.

Similar to the Lilly antibody treatment, Regeneron Pharmaceuticals Inc. also has requested FDA emergency use authorization of its own COVID-19 antibody medical treatment to treat patients before they become seriously ill and aid in reducing hospitalizations, with an announcement of the FDA's decision expected soon. This is the same antibody drug that President Donald Trump took to quickly recover from COVID-19 last month.

The federal government has agreed to buy hundreds of thousands of doses of the two new treatment drugs and will be in charge of allocating supplies to the states, which will in turn determine distribution to hospitals and healthcare facilities. It is likely that the doses will be allocated to states and U.S. territories based on their share of hospitalized and infected patients.

These medical treatments are in addition to the announcement yesterday by Pfizer that its COVID-19 vaccine candidate achieved incredible success in an early analysis — demonstrating over 90% efficacy in preventing COVID-19. It is expected to become available as soon as late November.

The State of Texas has already prepared to distribute the COVID-19 vaccines and medical treatments.

The Department of State Health Services (DSHS) has already developed a Vaccine Distribution Plan and is working with health care providers to enroll in their Immunization Program to be eligible to administer these vaccines once available. Over 2,500 providers have already enrolled in the program. DSHS formed an Expert Vaccine Allocation Panel to develop vaccine allocation strategies.

The Texas Division of Emergency Management (TDEM) is prepared to assist the swift distribution of COVID-19 vaccines and treatments. In late October, TDEM hosted the State of Texas COVID-19 Vaccine Virtual Tabletop Exercise - over 1,000 local, state, federal, and non-governmental organization partners came together to test the state's vaccine support plan, understand its operational procedures, and examine their roles and responsibilities.

"Swift distribution of vaccines and medical treatments will begin to heal those suffering from COVID-19, slow the spread of the virus, and aid in reducing hospitalizations of Texans," said Governor Abbott. "As we anticipate the arrival of COVID-19 vaccines and treatments, the State of Texas is prepared to quickly distribute those medicines to Texans who voluntarily choose to use them."

[Home](#)   [Governor Abbott](#)   [First Lady](#)   [Initiatives](#)   [News](#)   [Organization](#)   [Contact](#)

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**Office of the Texas Governor**

P.O. Box 12428  
Austin Texas 78711  
(512) 463-2000

- [Employment](#)
- [Where the Money Goes](#)
- [Site Policies](#)
- [TRAIL Search](#)
- [Accessibility](#)
- [Texas Veterans Portal](#)
- [Report Fraud](#)
- [Texas.gov](#)
- [Site Map](#)
- [RSS Feed](#)





## **CITY OF LAVON**

### **Agenda Brief**

**MEETING: November 17, 2020**

**ITEM: 10**

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**Item:**

#### **DEPARTMENT REPORTS**

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

- A.** Police Services – Reports for traffic stops, calls for service, call breakout and consolidated activity.
- B.** Fire Services – LFD service and equipment report.
- C.** Public Works Services – 1) General utilities, public works, street maintenance report including projects, mowing and trash collection; 2) code enforcement report; and 3) capital improvements project report.
- D.** Administration Services – 1) Building Permits Report; 2) CWD Recycling Report; 3) Collin County Tax Collection Report; 4) Sales Tax Report; 5) LOGIC and TexStar Newsletters; 6) TxDOT SH 205 Report; and 7) general staff report.

## Kim Dobbs

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**From:** Mike Jones  
**Sent:** Thursday, November 12, 2020 11:13 AM  
**To:** Kim Dobbs  
**Cc:** Rae Norton  
**Subject:** Staff Report

City Manager and City Council,

You will notice a change in the police reports you are seeing today. In the past we have reported agency wide activity only. Our new approach allows us to provide accurate reports on Lavon PD agency wide activity as well as specific information on activity that occurs inside the City Limits of Lavon. The first page of charts ("Lavon Activity", "Lavon Criminal Offenses", "Lavon Calls" and "Lavon Traffic") represent events that happened inside the City. The next two pages represent activity agency wide and should look familiar. We only looked back 6 months at the Lavon specific activity, however we likely will expand this to a longer period over time. The City of Nevada will be provided with a similar set of reports.

I hope you find this new information helpful and informative.  
Respectfully,

J. Michael Jones  
Chief of Police  
Lavon Police Department

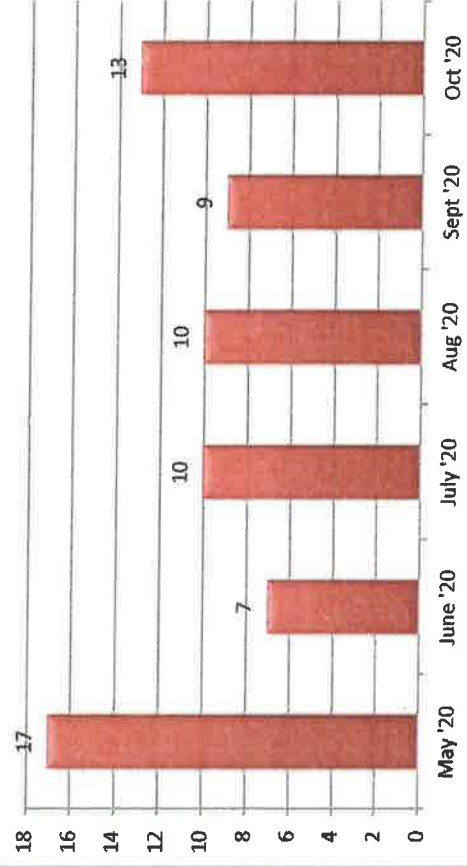
P.O.Box 340  
501-B Lincoln Ave.  
Lavon, Texas 75166

Dispatch 972-547-5350  
Admin/Records 972-843-4219

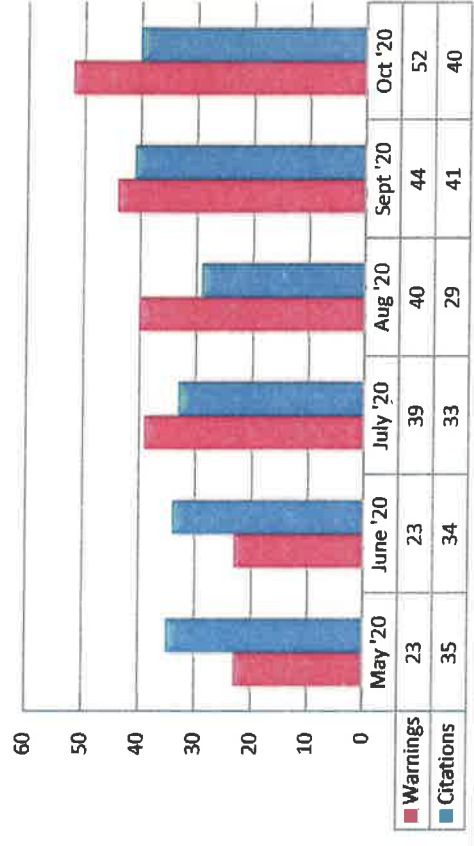
**IMPORTANT NOTICE.....**

This email account is the property of the City of Lavon, a local government entity. As such the information in any email and/or attachment sent or received via this email account **MAY** be subject to the open records laws of the State of Texas.

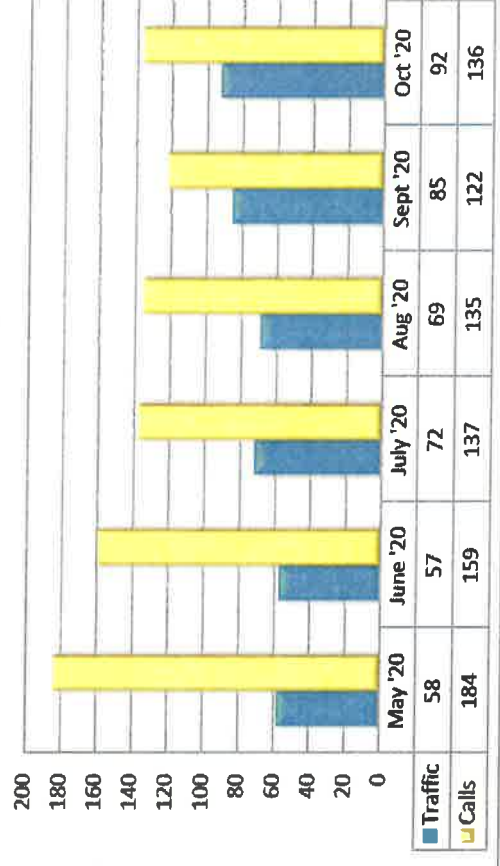
### Lavon Criminal Offenses (excludes "C" Traffic)



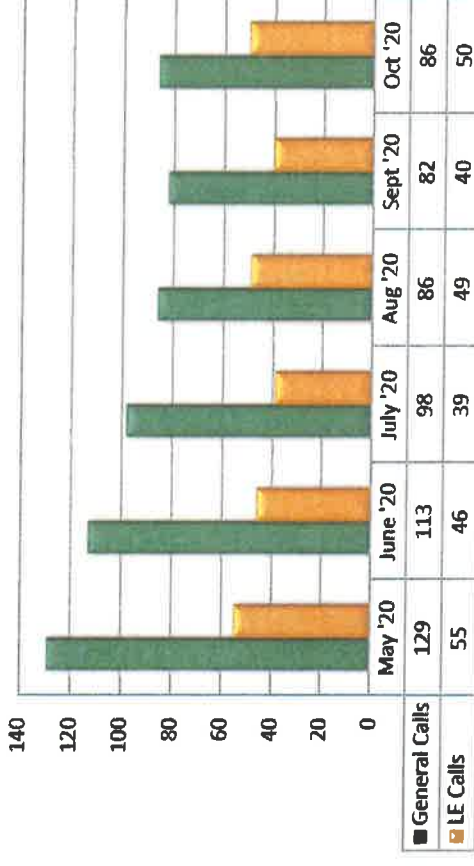
### Lavon Traffic



### Lavon Activity



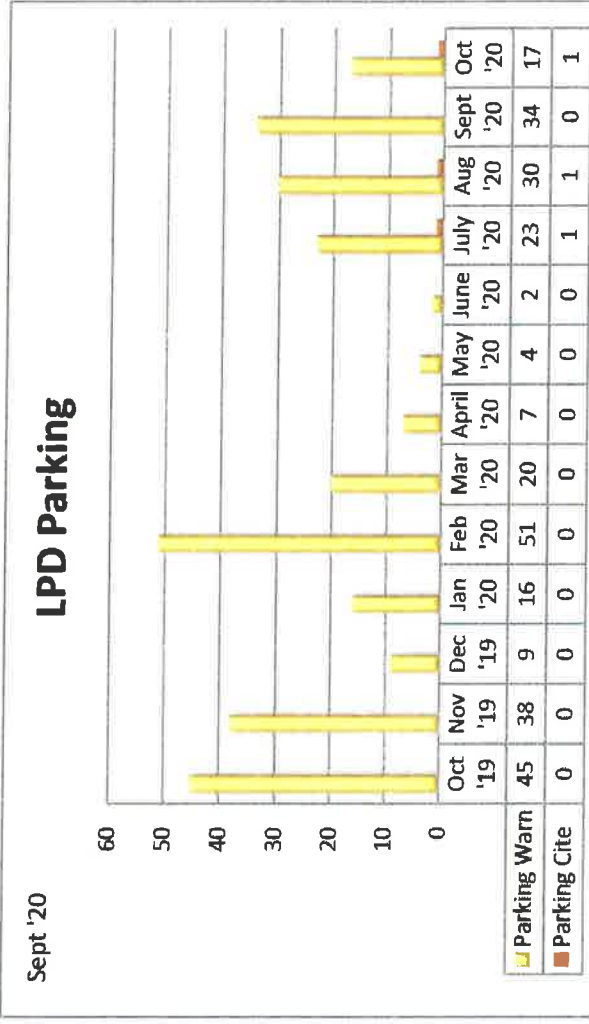
### Lavon Calls



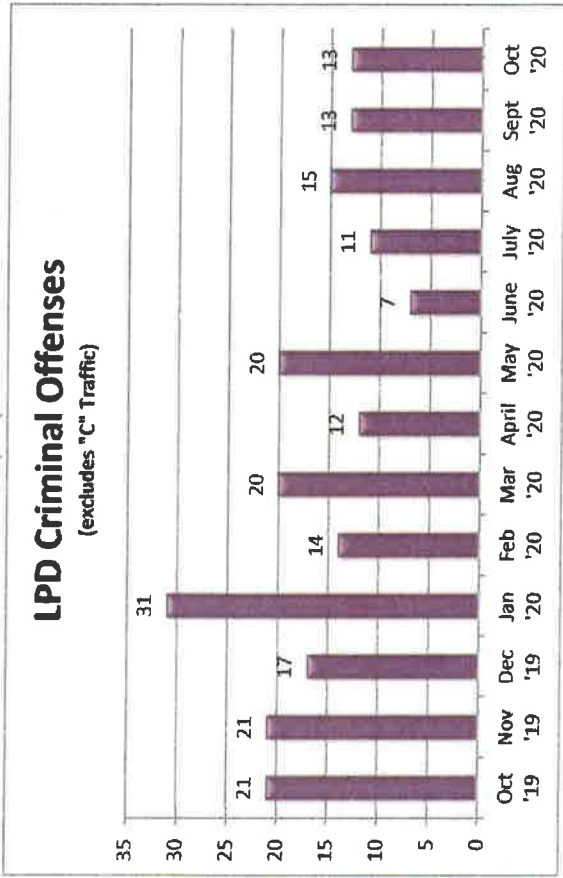
### LPD Security Checks



### LPD Parking

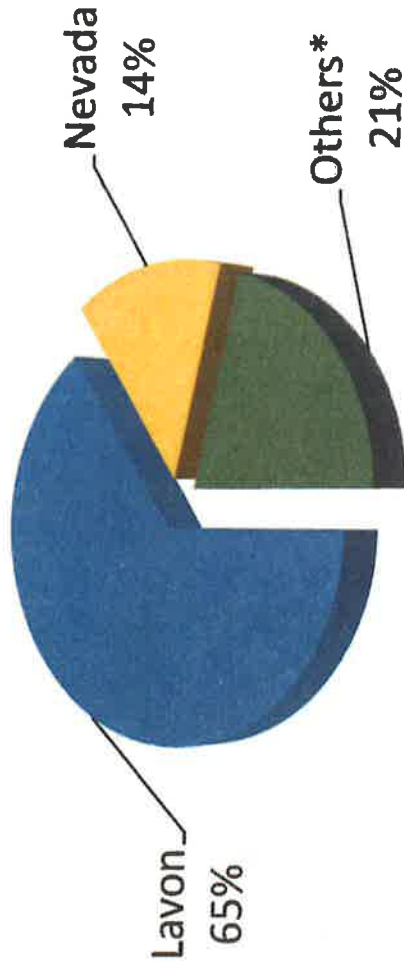


### LPD Criminal Offenses (excludes "C" Traffic)



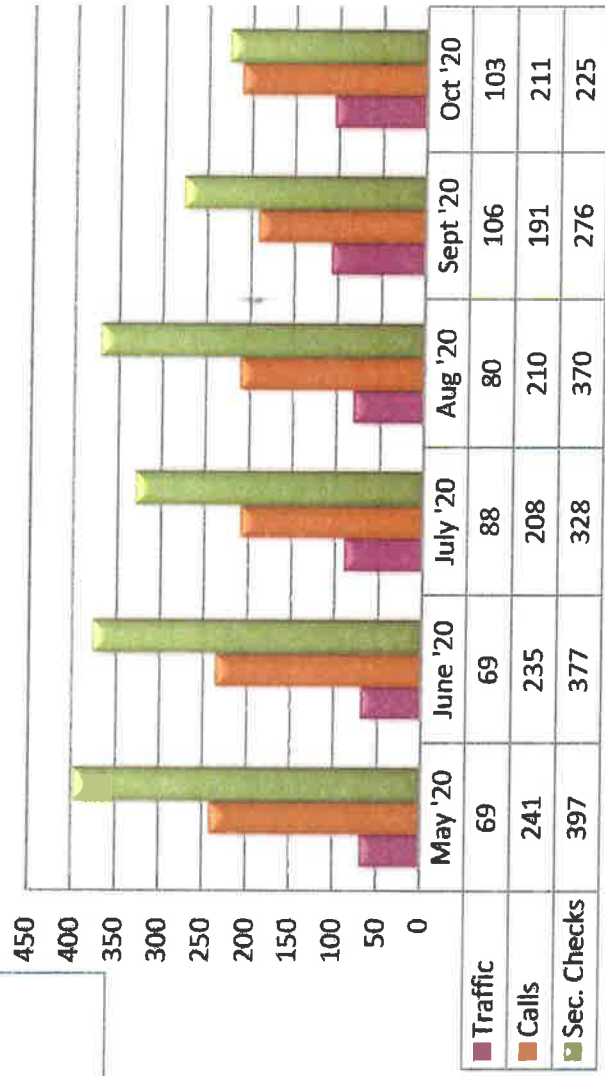
### LPD Call Breakout

Oct. '20

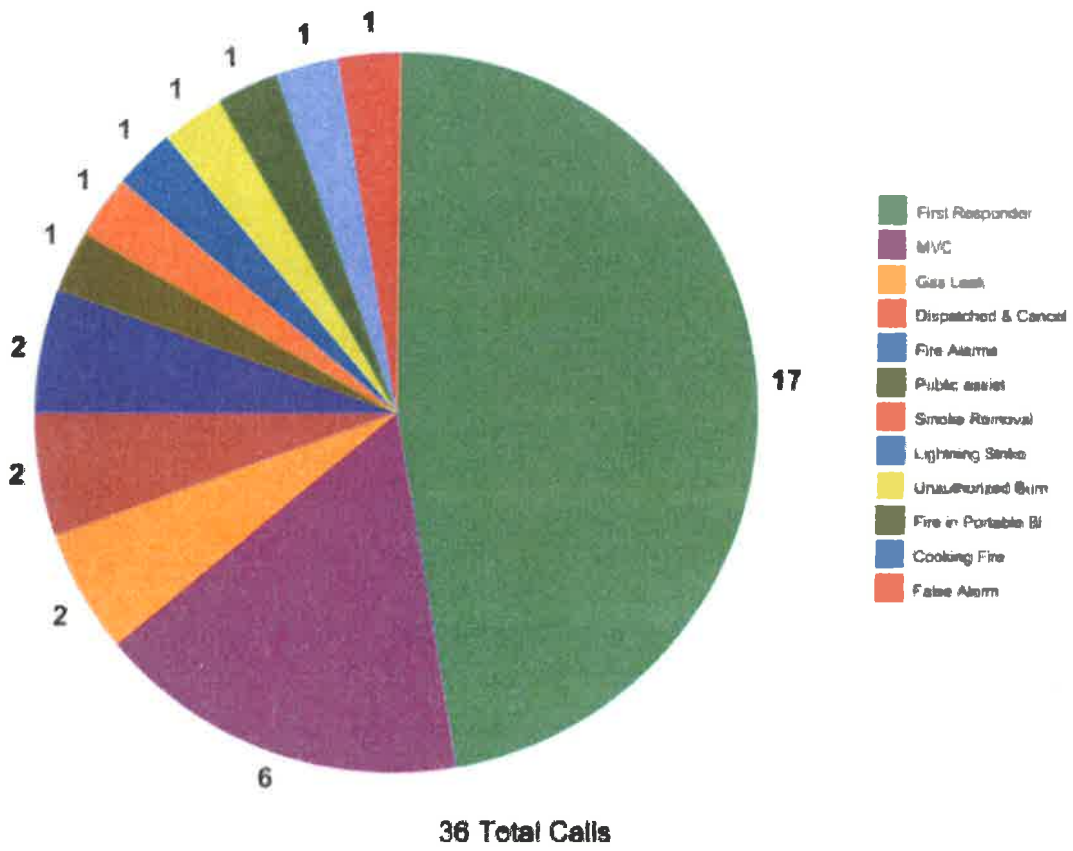


\* May include other cities and /or unincorporated areas of the County

### LPD Activity

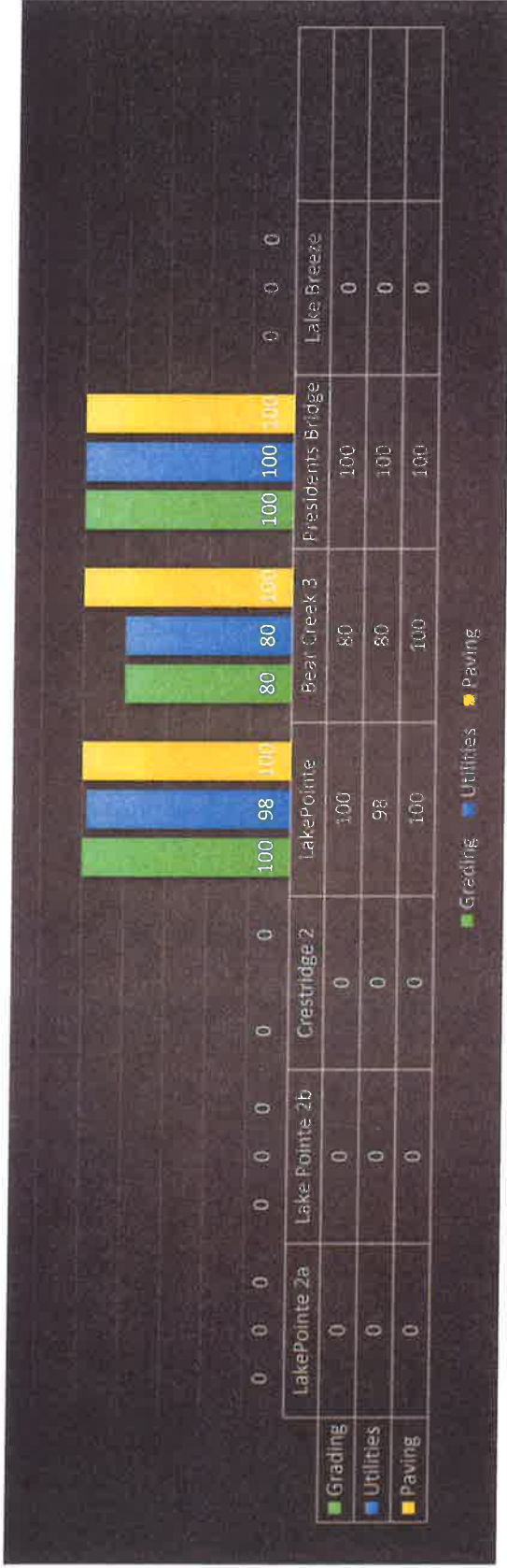


October Calls 2020



# Public Works Report

# November 2020



**Development Progress in percentages**

Development	Available Lots	Complete Lots
Lavon Farms-(Final Acceptance 12/3/2019)	93	44
Traditions Phase 2 (Final Acceptance 5/19/2020)	111	
Crestridge Phase 1 (Final Acceptance 9/15/2020)	140	
LakePointe-Phase 1 (Final Acceptance (7/2020)	222	1
Bear Creek Phase 3	161	
Crestridge Phase 2	111	
Lake Breeze		

**Capital Improvements in progress:**

Moore Ln	Lake Shadow Drainage	Wolf Run Drainage	City Hall Parking Lot
New Culvert-50%			
Road Rehab-10%			

**CITY OF LAVON  
BUILDING PERMITS  
CALENDAR YEAR 2019-2020**

PERMITS	October - 20	Calendar Year 2020		Permit Valuations		October - 19	Calendar Year 2019		Permit Valuations	
	NUMBER	NUMBER	NUMBER	Permit Fee's	Permit Fee's	NUMBER	NUMBER	NUMBER	Permit Fee's	Permit Fee's
COMMERCIAL	4	29	29	\$4,299.00		2	26		\$2,814.30	
SINGLE FAMILY	71	195	195	\$580,397.76		2	6		\$18,094.59	
POOLS	0	3	3	\$1,200.00		0	1		\$400.00	
OTHERS	16	203	203	\$32,093.64		6	135		\$17,253.77	
<b>TOTAL</b>	<b>91</b>	<b>430</b>	<b>430</b>	<b>\$617,990.40</b>		<b>10</b>	<b>168</b>		<b>\$38,562.66</b>	



# Community Waste Disposal Monthly Report to the City of Lavon

Nicole Roemer *Municipal Coordinator*





# Municipal Recycling Program



## Single Stream Recycling

Participation in the Residential Curbside Recycling Program continues to demonstrate that residents of the City of Lavon are dedicated to the preservation of the Texas environment for future generations.

The chart below details the statistics of the CWD Residential Curbside Recycling Program.

	Oct-2020	Sep-2020	Aug-2020	Jul-2020	Jun-2020	May-2020	Apr-2020	Mar-2020	Feb-2020	Jan-2020	Dec-2019	Nov-2019
<b>Homes</b>	1,475	1,458	1,458	1,457	1,457	1,447	1,449	1,447	1,454	1,450	1,449	1,449
<b>Resi Rey Tonnage</b>	14.92	32.15	24.46	27.62	27.22	20.61	27.64	25.07	23.83	24.46	20.40	25.61
<b>Pounds / Home / Month</b>	20.23	44.10	33.55	37.91	37.36	28.49	38.15	34.65	32.78	33.74	28.16	35.35



Community Waste Disposal.com  
est. 1991

# Municipal Service Inquiries



## Residential Solid Waste Services

The Solid Waste Industry has a standard service inquiry ratio of 1.0 inquiries per 1,000 service opportunities.

	Oct-2020	Sep-2020	Aug-2020	Jul-2020	Jun-2020	May-2020	Apr-2020	Mar-2020	Feb-2020	Jan-2020	Dec-2019	Nov-2019
<b>Service Opportunities</b>	12,773	12,626	12,626	12,617	12,617	12,531	12,548	12,531	12,591	12,557	12,548	12,548
<b>Service Inquiries</b>	2	4	1	5	3	5	3	0	4	1	1	3
<b>Per 1,000 Service Opps</b>	0.16	0.32	0.08	0.40	0.24	0.40	0.24	0.00	0.32	0.08	0.08	0.24



Community Waste Disposal.com  
Since 1982

# Customer Service Inquiries - Detail



## Good Service is Good Business

CWD's Customer Service Community is available to provide solutions via phone or online. Our efficient team is here to support the City of Lavon and we continually strive for top-notch performance to ensure residents receive the most value out of their waste and recycling services.

### City Account Grievances for the Period of 10/01/2020 - 10/31/2020

Date	Account	Address	Service Type	Service Code
10/14/2020	105627-089	553 ADAMS LN	RESI-RECYCLE	NOTE
				<b>Total RESI-RECYCLE: 1</b>
10/15/2020	105627-534	984 CORN SILK DR	RESI-TRASH	SERVICE TRASH CART
				<b>Total RESI-TRASH: 1</b>
				<b>Total Inquiries: 2</b>

**Report - Lavon, City of (General Obligation Debt) / Sales Tax Data**

The charts below contain sales tax revenue allocated each month by the Texas State Comptroller. Please contact and search the Texas Comptroller's website if you notice an incorrect amount.

For example, the February allocations reflect December sales, collected in January and allocated in February.

\*Excludes any sales tax retained by the municipality and not remitted to the Comptroller.

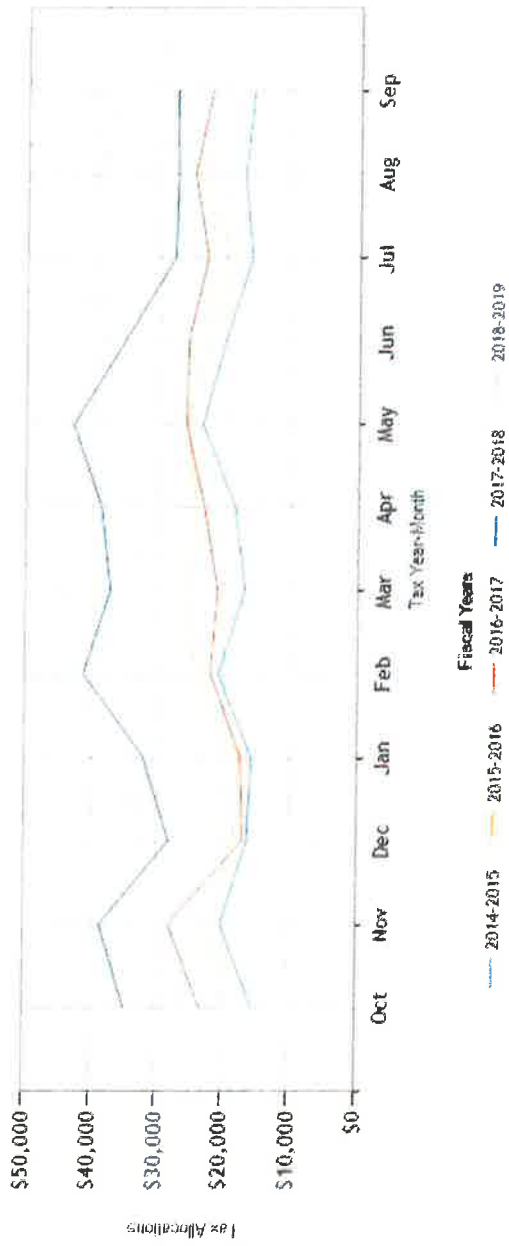
- [View Grid Based on Fiscal Year](#)
- [View Grid With All Years](#)

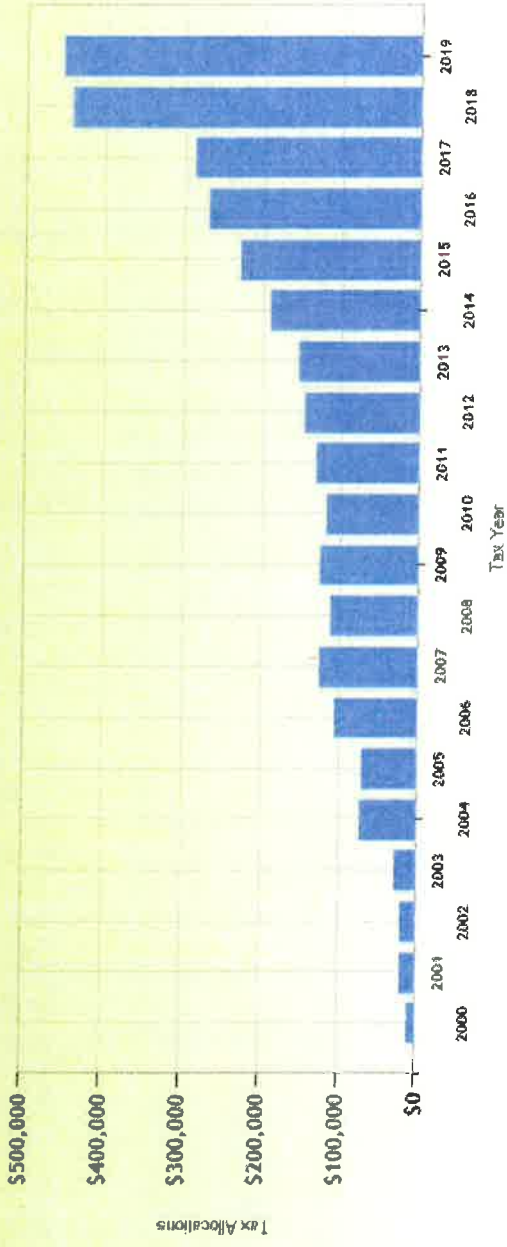
[Download to Excel](#)

**By Calendar Year**

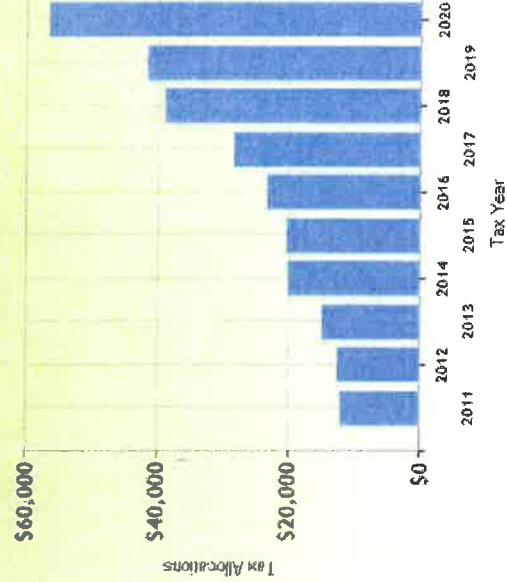
Year	January	February	March	April	May	June	July	August	September	October	November	December	Total
2020	\$40,349	\$56,602	\$39,533	\$40,351	\$48,207	\$51,191	\$53,631	\$54,745	\$54,314	\$52,096	\$90,909	\$0	\$581,927
2019	\$35,116	\$41,596	\$32,296	\$34,749	\$42,410	\$33,403	\$32,771	\$43,642	\$37,975	\$35,846	\$44,260	\$40,667	\$454,732
2018	\$34,883	\$38,663	\$28,296	\$32,210	\$41,357	\$37,397	\$38,763	\$43,030	\$35,374	\$38,730	\$39,419	\$35,260	\$443,381
2017	\$23,334	\$28,270	\$17,054	\$17,410	\$22,051	\$21,074	\$23,146	\$25,990	\$25,733	\$27,837	\$27,458	\$27,603	\$286,962
2016	\$16,738	\$23,265	\$18,517	\$17,691	\$24,381	\$25,242	\$24,250	\$25,789	\$22,468	\$22,849	\$24,877	\$22,304	\$268,372
2015	\$15,458	\$20,264	\$16,418	\$15,845	\$20,890	\$16,999	\$18,497	\$23,514	\$20,100	\$18,554	\$24,151	\$17,624	\$228,313
2014	\$11,898	\$19,981	\$12,109	\$11,920	\$21,846	\$14,703	\$14,625	\$18,397	\$14,846	\$16,213	\$17,336	\$16,025	\$189,898
2013	\$10,998	\$14,996	\$8,945	\$11,649	\$14,195	\$13,186	\$13,097	\$14,801	\$13,139	\$12,032	\$14,975	\$11,935	\$153,947
2012	\$10,525	\$12,667	\$8,695	\$11,343	\$13,292	\$12,186	\$12,749	\$13,134	\$11,847	\$11,166	\$15,054	\$12,518	\$145,177
2011	\$8,568	\$12,089	\$7,877	\$8,777	\$13,275	\$11,177	\$9,920	\$13,226	\$10,718	\$9,075	\$15,224	\$9,414	\$129,340

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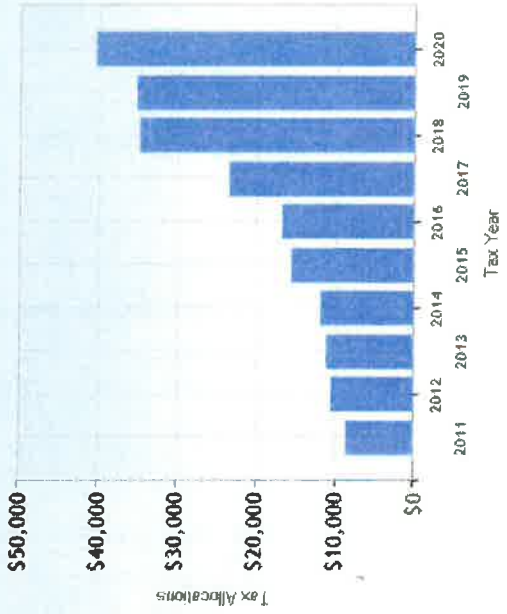




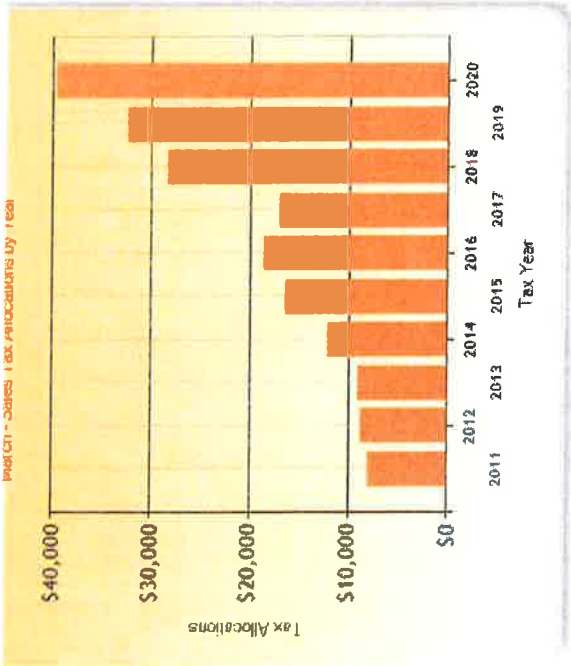
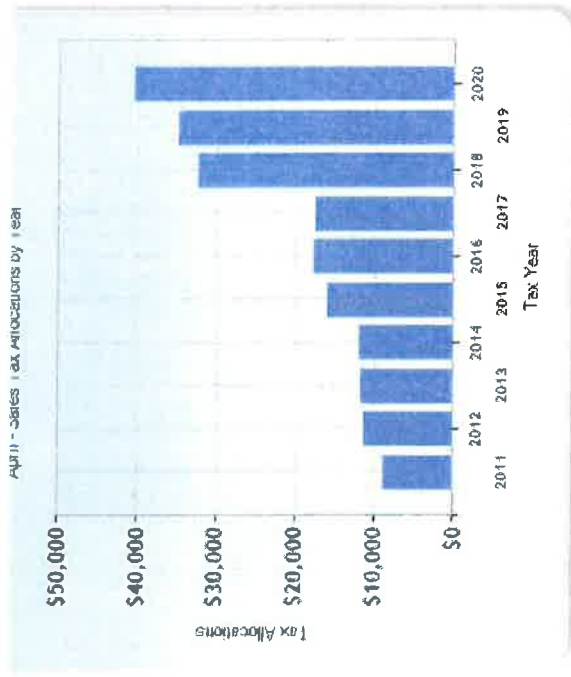
February - Sales Tax Allocations by Year



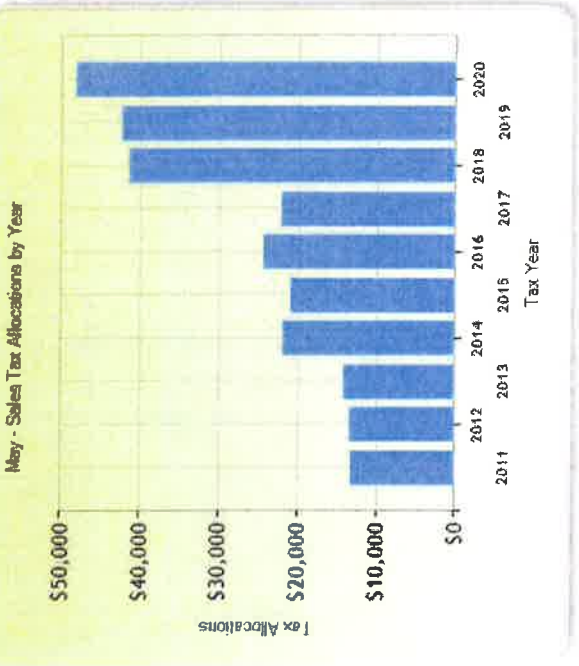
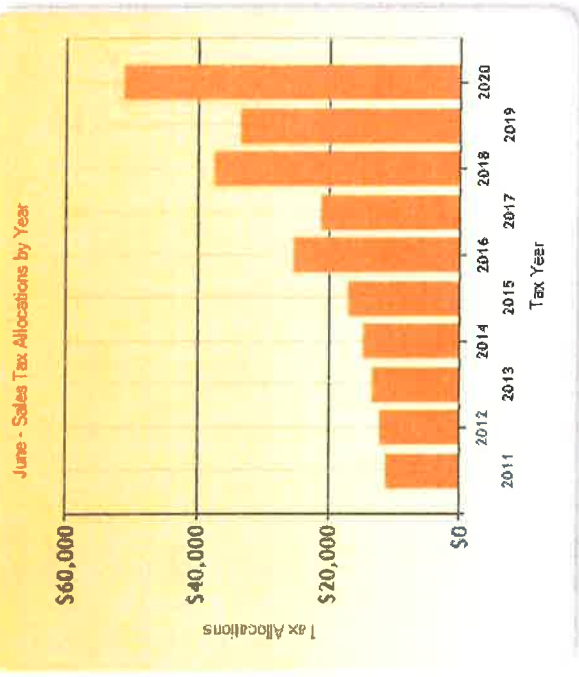
January - Sales Tax Allocations by Year



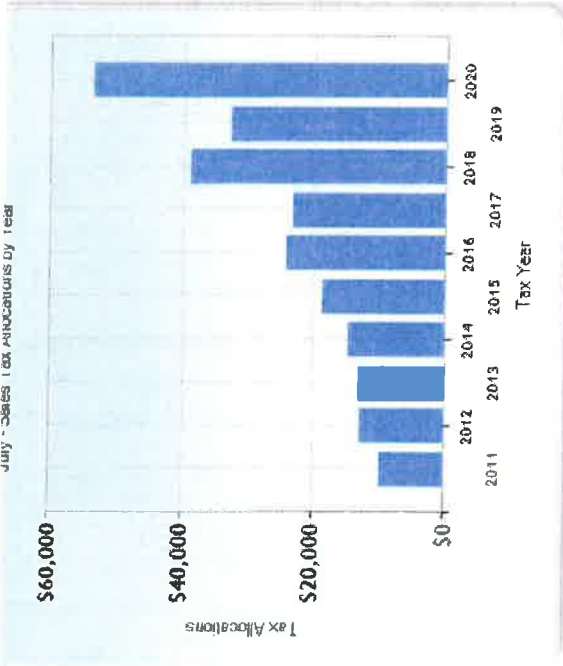
April - Sales Tax Allocations by Year



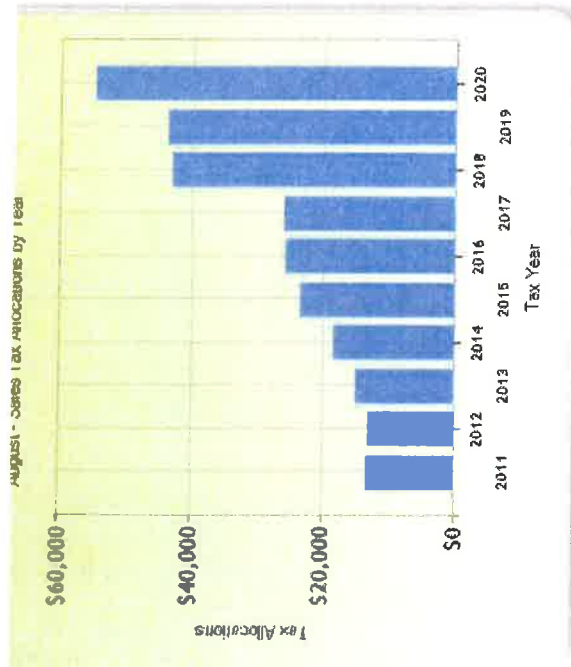
June - Sales Tax Allocations by Year



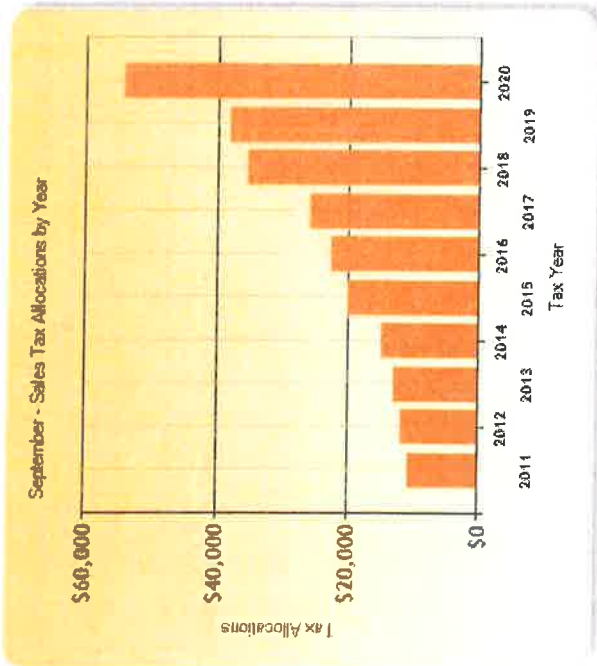
July - Sales Tax Allocations by Year



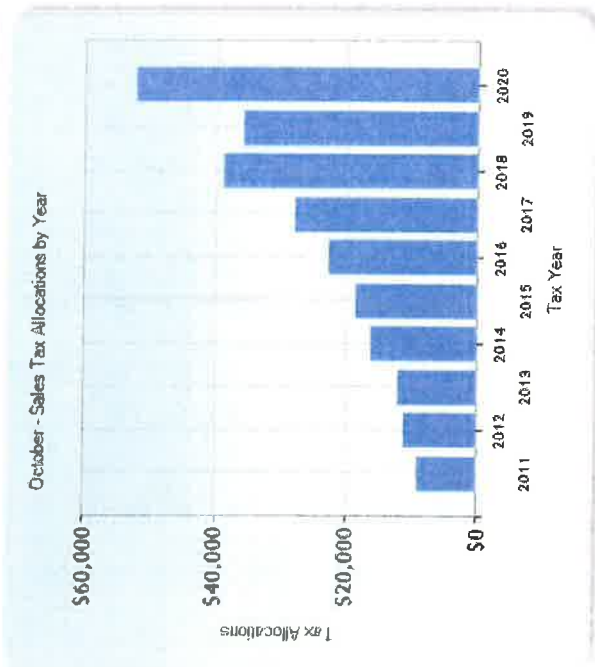
August - Sales Tax Allocations by Year

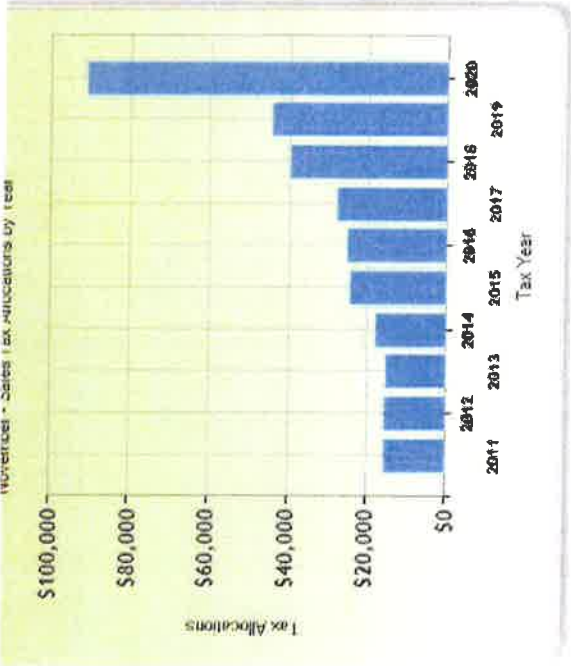
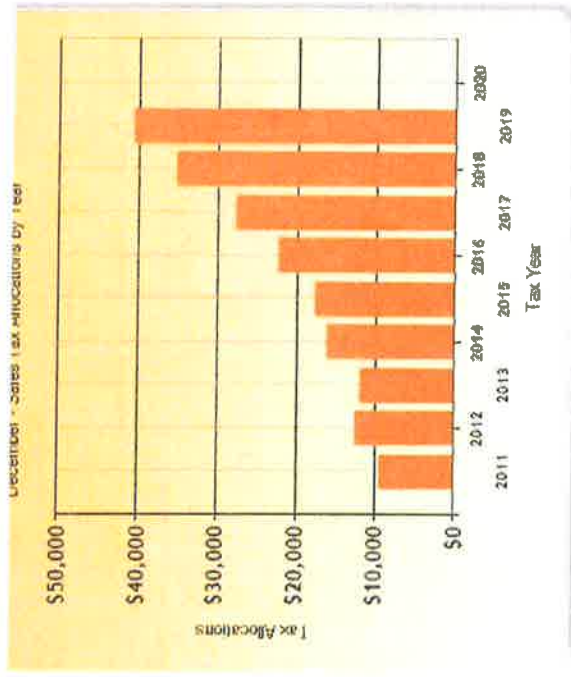


September - Sales Tax Allocations by Year



October - Sales Tax Allocations by Year







## PERFORMANCE

### As of October 31, 2020

Current Invested Balance	\$ 7,959,523,563.85
Weighted Average Maturity (1)	54 Days
Weighted Average Maturity(2)	77 Days
Net Asset Value	1.000203
Total Number of Participants	623
Management Fee on Invested Balance	0.0975%*
Interest Distributed	\$ 1,976,024.80
Management Fee Collected	\$ 671,022.36
% of Portfolio Invested Beyond 1 Year	0.00%
Standard & Poor's Current Rating	AAAm

### October Averages

Average Invested Balance	\$ 8,125,031,984.81
Average Monthly Yield, on a simple basis	0.1890%
Average Weighted Maturity (1)*	56 Days
Average Weighted Life (2)*	82 Days

#### Definition of Weighted Average Maturity (1) & (2)

(1) This weighted average maturity calculation uses the SEC Rule 2a-7 definition for stated maturity for any floating rate instrument held in the portfolio to determine the weighted average maturity for the pool. This Rule specifies that a variable rate instrument to be paid in 397 calendar days or less shall be deemed to have a maturity equal to the period remaining until the next readjustment of the interest rate.

(2) This weighted average maturity calculation uses the final maturity of any floating rate instruments held in the portfolio to calculate the weighted average maturity for the pool.

Rates reflect historical information and are not an indication of future performance.

## NEW PARTICIPANTS

We would like to welcome the following entities who joined the LOGIC program in October:

\* Denton County Fresh Water Supply District No. 10

\* West Harris County Regional Water Authority

## HOLIDAY REMINDER

In observance of the **Veterans Day holiday**, LOGIC will be closed **Wednesday, November 11, 2020**. All ACH transactions initiated on Tuesday, November 10th will settle on Thursday, November 12th.

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## ECONOMIC COMMENTARY

### Market review

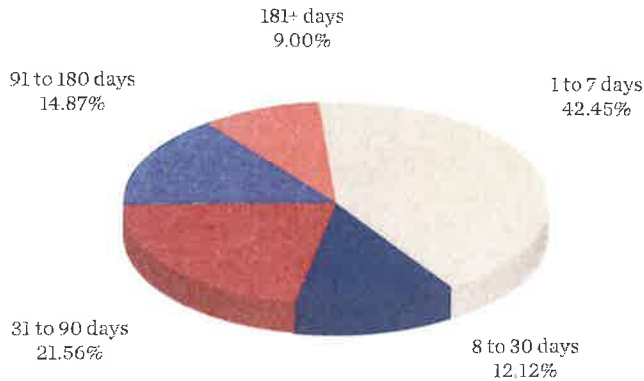
A resurgence of COVID-19 cases, ongoing fiscal stimulus negotiations, and the U.S. presidential election dominated headlines during the month of October. While this uncertainty caused some volatility out the curve, Treasury bill yields were relatively unchanged, with the three-month T-bill yield ending the month at 0.09% and the one-year T-bill yield ending at 0.12%.

The U.S. economy posted a sharp recovery in the third quarter with GDP surging 33.1% quarter over quarter (q/q) at a seasonally adjusted annual rate, driven by a resilient consumer and an unprecedented monetary-fiscal policy response. While it was the best quarterly GDP print on record, it followed the worst quarterly GDP print on record of -31.4% in the second quarter. Despite a solid bounce back, economic output is still about 3.5% below its 4Q2019 level. Looking ahead, the economic recovery should slow considerably, averaging 2-3% growth per quarter annualized in 4Q2020 and into 2021, and the stability of the recovery relies on additional fiscal stimulus from the government. Last week, durable goods orders had a solid increase of 1.9% month over month (m/m), personal income grew 0.9% in September and consumer spending rose 1.4%, driven by goods consumption.

Nonfarm payrolls increased by 661,000 in September, and the unemployment rate fell to 7.9%. Leisure and hospitality accounted for nearly half of the job gains, but government jobs declined by 216,000, including 34,000 temporary Census 2020 workers.

## INFORMATION AT A GLANCE

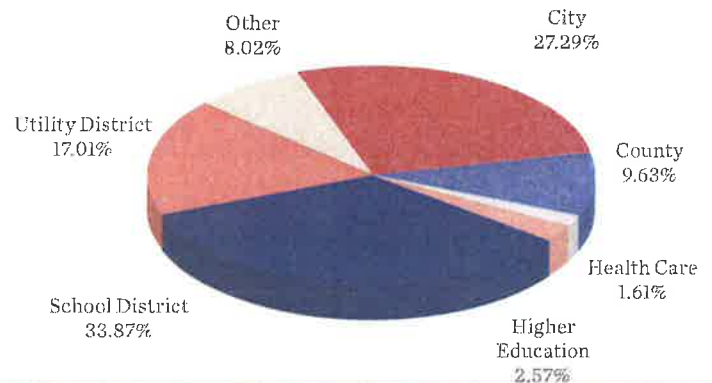
### PORTFOLIO BY TYPE OF INVESTMENT AS OF OCTOBER 31, 2020



### DISTRIBUTION OF PARTICIPANTS BY TYPE AS OF OCTOBER 31, 2020



### PORTFOLIO BY MATURITY AS OF OCTOBER 31, 2020



## HISTORICAL PROGRAM INFORMATION

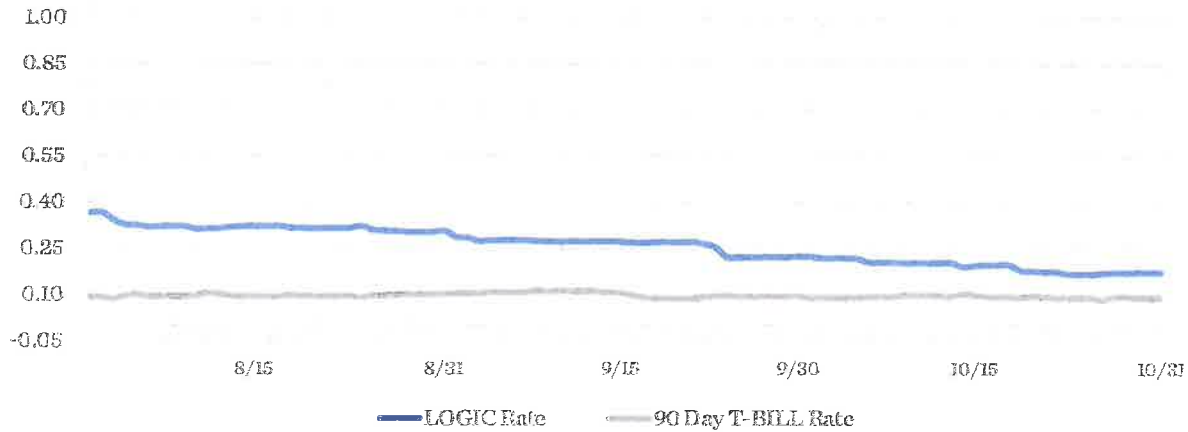
MONTH	AVERAGE RATE	BOOK VALUE	MARKET VALUE	NET ASSET VALUE	WAM (1)*	WAM (2)*	NUMBER OF PARTICIPANTS
Oct 20	0.1890%	\$7,959,523,563.85	\$7,961,188,256.84	1.000203	56	82	623
Sep 20	0.2565%	8,268,503,827.25	8,271,074,916.08	1.000310	54	84	621
Aug 20	0.3154%	8,405,288,928.66	8,408,588,276.78	1.000392	51	86	620
Jul 20	0.4203%	8,621,809,082.75	8,625,681,774.14	1.000431	50	87	618
Jun 20	0.6260%	8,844,621,700.82	8,849,637,611.25	1.000567	51	87	618
May 20	0.8116%	8,461,579,899.29	8,467,956,866.78	1.000753	54	85	617
Apr 20	1.0562%	7,819,410,022.25	7,824,353,033.69	1.000632	48	87	617
Mar 20	1.4261%	7,798,393,939.30	7,791,813,338.38	0.999156	35	85	614
Feb 20	1.7619%	8,313,346,145.46	8,315,578,458.07	1.000241	34	87	614
Jan 20	1.7978%	8,259,121,730.04	8,261,042,825.36	1.000174	40	85	613
Dec 19	1.8173%	7,423,771,572.94	7,424,486,642.57	1.000066	43	85	612
Nov 19	1.8429%	6,521,613,270.01	6,522,465,385.69	1.000101	45	87	610

## PORTFOLIO ASSET SUMMARY AS OF OCTOBER 31, 2020

	BOOK VALUE	MARKET VALUE
Uninvested Balance	\$ 19,202.50	\$ 19,202.50
Accrual of Interest Income	602,690.90	602,690.90
Interest and Management Fees Payable	(2,073,574.00)	(2,073,574.00)
Payable for Investment Purchased	0.00	0.00
Repurchase Agreement	670,714,999.93	670,714,999.93
Commercial Paper	7,190,293,855.62	7,191,958,270.51
Government Securities	99,966,388.90	99,966,667.00
<b>TOTAL</b>	<b>\$ 7,959,523,563.85</b>	<b>\$ 7,961,188,256.84</b>

Market value of collateral supporting the Repurchase Agreements is at least 102% of the Book Value. The portfolio is managed by J.P. Morgan Chase & Co. and the assets are safekept in a separate custodial account at the Federal Reserve Bank in the name of LOGIC. The only source of payment to the Participants are the assets of LOGIC. There is no secondary source of payment for the pool such as insurance or guarantee. Should you require a copy of the portfolio, please contact LOGIC Participant Services.

## LOGIC VERSUS 90-DAY TREASURY BILL



This material is for information purposes only. This information does not represent an offer to buy or sell a security. The above rate information is obtained from sources that are believed to be reliable; however, its accuracy or completeness may be subject to change. The LOGIC management fee may be waived in full or in part at the discretion of the LOGIC co-administrators and the LOGIC rate for the period shown reflects waiver of fees. This table represents historical investment performance/return to the customer, net of fees, and is not an indication of future performance. An investment in the security is not insured or guaranteed by the Federal Deposit Insurance Corporation or any other government agency. Although the issuer seeks to preserve the value of an investment of \$1.00 per share, it is possible to lose money by investing in the security. Information about these and other program details are in the fund's Information Statement which should be read carefully before investing. The yield on the 90-Day Treasury Bill ("T-Bill Yield") is shown for comparative purposes only. When comparing the investment returns of the LOGIC pool to the T-Bill Yield, you should know that the LOGIC pool consists of allocations of specific diversified securities as detailed in the respective Information Statements. The T-Bill Yield is taken from Bloomberg Finance L.P. and represents the daily closing yield on the then current 90-Day T-Bill. The LOGIC yield is calculated in accordance with regulations governing the registration of open-end management investment companies under the Investment Company Act of 1940 as promulgated from time to time by the federal Securities and Exchange Commission.

### DAILY SUMMARY FOR OCTOBER 2020

DATE	MNY MKT FUND EQUIV. [SEC Std.]	DAILY ALLOCATION FACTOR	INVESTED BALANCE	MARKET VALUE PER SHARE	WAM DAYS (1)*	WAL DAYS (2)*
10/1/2020	0.2194%	0.000006012	\$8,311,393,243.14	1.000308	53	81
10/2/2020	0.2158%	0.000005913	\$8,305,009,859.86	1.000295	54	83
10/3/2020	0.2158%	0.000005913	\$8,305,009,859.86	1.000295	54	83
10/4/2020	0.2158%	0.000005913	\$8,305,009,859.86	1.000295	54	83
10/5/2020	0.2136%	0.000005852	\$8,275,585,403.50	1.000260	58	87
10/6/2020	0.2016%	0.000005523	\$8,168,379,343.88	1.000262	59	87
10/7/2020	0.2026%	0.000005551	\$8,148,537,710.83	1.000261	59	87
10/8/2020	0.2019%	0.000005532	\$8,154,548,013.50	1.000258	58	86
10/9/2020	0.2008%	0.000005500	\$8,175,955,861.28	1.000243	55	83
10/10/2020	0.2008%	0.000005500	\$8,175,955,861.28	1.000243	55	83
10/11/2020	0.2008%	0.000005500	\$8,175,955,861.28	1.000243	55	83
10/12/2020	0.2008%	0.000005500	\$8,175,955,861.28	1.000243	55	83
10/13/2020	0.2008%	0.000005501	\$8,167,567,245.92	1.000253	56	82
10/14/2020	0.1879%	0.000005147	\$8,157,243,971.22	1.000250	56	83
10/15/2020	0.1927%	0.000005280	\$8,063,627,087.38	1.000246	58	85
10/16/2020	0.1944%	0.000005326	\$8,016,147,760.59	1.000233	56	83
10/17/2020	0.1944%	0.000005326	\$8,016,147,760.59	1.000233	56	83
10/18/2020	0.1944%	0.000005326	\$8,016,147,760.59	1.000233	56	83
10/19/2020	0.1748%	0.000004789	\$8,024,632,134.21	1.000239	56	82
10/20/2020	0.1750%	0.000004795	\$8,017,259,515.69	1.000239	56	82
10/21/2020	0.1720%	0.000004713	\$8,018,249,235.66	1.000238	56	82
10/22/2020	0.1720%	0.000004711	\$7,994,247,678.50	1.000235	57	81
10/23/2020	0.1647%	0.000004511	\$8,168,683,912.95	1.000217	54	78
10/24/2020	0.1647%	0.000004511	\$8,168,683,912.95	1.000217	54	78
10/25/2020	0.1647%	0.000004511	\$8,168,683,912.95	1.000217	54	78
10/26/2020	0.1674%	0.000004586	\$8,095,468,141.53	1.000225	54	77
10/27/2020	0.1691%	0.000004633	\$8,103,549,367.80	1.000221	55	77
10/28/2020	0.1688%	0.000004626	\$8,048,092,765.26	1.000221	55	77
10/29/2020	0.1701%	0.000004639	\$8,035,215,497.96	1.000215	55	78
10/30/2020	0.1701%	0.000004660	\$7,959,523,563.85	1.000203	54	77
10/31/2020	0.1701%	0.000004660	\$7,959,523,563.85	1.000203	54	77
<b>Average</b>	<b>0.1890%</b>	<b>0.000005177</b>	<b>\$8,125,031,984.81</b>		<b>56</b>	<b>82</b>



(continued from page 1)

Wages grew 0.1% m/m for all workers and were flat for production and non-supervisory workers. The economy has now regained 52% of the 22 million jobs lost between February and April. Although this jobs report demonstrated solid progress in a gradual recovery, the pace of progress has slowed considerably. There continue to be wide swaths of the U.S. economy, which simply cannot go back to normal in a worsening pandemic, including travel, leisure, entertainment, restaurants and bricks-and-mortar retailing. Inflation is gradually increasing but remains below the Fed’s 2% target with September headline and Core PCE at 1.4% and 1.5% year over year respectively. While low energy prices and slack in the economy continue to put downward pressure on inflation, price pressures appear stronger than what would have been expected in the wake of a downturn as severe as the 2020 recession.

The Federal Open Market Committee (FOMC) maintained the federal funds target rate at a range of 0.00%–0.25%. The Committee will also maintain its current pace of asset purchases of \$80 billion per month. It also further clarified conditions for adjusting policy rates relating to its new average inflation targeting framework: 1) inflation would need to run moderately above 2% for a period of time to compensate for periods of low inflation, and 2) longer-term inflation expectations would need to remain anchored at 2%. This means allowing inflation to run above 2% to make up for past short-falls, leaving rates close to zero for even longer than expected.

**Outlook**

All eyes are on the November U.S. election given the significant market and policy implications, as U.S. fiscal stimulus, taxation, regulation, and foreign affairs policies could shift. A “blue wave” or a Democratic sweep would bring higher corporate and individual taxes, but with fiscal stimulus frontloaded, it can positively boost the near-term growth outlook. A “red wave” or a Republican sweep suggests less fiscal stimulus in 2021 and less fiscal drag in 2022 with no new taxes and more market volatility due to less policy predictability. Finally, a divided government suggests less fiscal stimulus in 2021, stable inflation, elevated deficit and slower growth.

At this time, the election is too close to call as the results in a number of battleground states will take some time to be decided. However, the probability of a Democratic “blue wave” now appears to have declined as the probability for a divided government has increased.

This information is an excerpt from an economic report dated October 2020 provided to LOGIC by J.P. Morgan Asset Management, Inc., the investment manager of the LOGIC pool.

**LOGIC BOARD MEMBERS**

Philip G. Roberson	Arlington ISD	Governing Board President
Sandra Newby	Tarrant Regional Water District	Governing Board Vice President
Greg Jordan	City of Grapevine	Governing Board Secretary
Erik Felthous	North Texas Municipal Water Dist	Governing Board Treasurer
Cindy Demers	North Texas Tollway Authority	Governing Board Member
Rene Barajas	Northside ISD	Advisory Board Member
Eric Cannon	City of Allen/Qualified Non-Part.	Advisory Board Member

The material provided to LOGIC from J.P. Morgan Asset Management, Inc., the investment manager of the LOGIC pool, is for informational and educational purposes only, as of the date of writing and may change at any time based on market or other conditions and may not come to pass. While we believe the information presented is reliable, we cannot guarantee its accuracy. HilltopSecurities is a wholly owned subsidiary of Hilltop Holdings, Inc. (NYSE: HTH) located at 1201 Elm Street, Suite 3500, Dallas, Texas 75270, (214) 859-1800. Member NYSE/FINRA/SIPC. Past performance is no guarantee of future results. Investment Management Services are offered through J.P. Morgan Asset Management Inc. and/or its affiliates. Marketing and Enrollment duties are offered through HilltopSecurities and/or its affiliates. HilltopSecurities and J.P. Morgan Asset Management Inc. are separate entities.



## PERFORMANCE

### As of October 31, 2020

Current Invested Balance	\$9,083,922,054.96
Weighted Average Maturity (1)	39 Days
Weighted Average Maturity(2)	97 Days
Net Asset Value	1.000203
Total Number of Participants	933
Management Fee on Invested Balance	0.06%*
Interest Distributed	\$1,378,348.47
Management Fee Collected	\$471,691.86
% of Portfolio Invested Beyond 1 Year	7.22%
Standard & Poor's Current Rating	AAAm

Rates reflect historical information and are not an indication of future performance.

### October Averages

Average Invested Balance	\$9,281,363,172.03
Average Monthly Yield, on a simple basis	0.1150%
Average Weighted Maturity (1)*	42 Days
Average Weighted Life (2)*	100 Days

#### Definition of Weighted Average Maturity (1) & (2)

(1) This weighted average maturity calculation uses the SEC Rule 2a-7 definition for stated maturity for any floating rate instrument held in the portfolio to determine the weighted average maturity for the pool. This Rule specifies that a variable rate instruction to be paid in 397 calendar days or less shall be deemed to have a maturity equal to the period remaining until the next readjustment of the interest rate.  
 (2) This weighted average maturity calculation uses the final maturity of any floating rate instruments held in the portfolio to calculate the weighted average maturity for the pool.

The maximum management fee authorized for the TexSTAR Cash Reserve Fund is 12 basis points. This fee may be waived in full or in part in the discretion of the TexSTAR co-administrators at any time as provided for in the TexSTAR Information Statement.

## NEW PARTICIPANTS

We would like to welcome the following entities who joined the TexSTAR program in October:

- \* Oak Point Water Control and Improvement District No. 2

## HOLIDAY REMINDER

In observance of the **Veterans Day holiday, TexSTAR will be closed Wednesday, November 11, 2020.** All ACH transactions initiated on Tuesday, November 10th will settle on Thursday, November 12th.

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## ECONOMIC COMMENTARY

### Market review

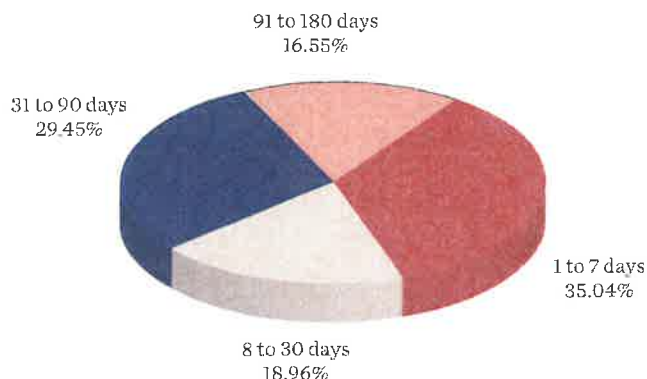
A resurgence of COVID-19 cases, ongoing fiscal stimulus negotiations, and the U.S. presidential election dominated headlines during the month of October. While this uncertainty caused some volatility out the curve, Treasury bill yields were relatively unchanged, with the three-month T-bill yield ending the month at 0.09% and the one-year T-bill yield ending at 0.12%.

The U.S. economy posted a sharp recovery in the third quarter with GDP surging 33.1% quarter over quarter (q/q) at a seasonally adjusted annual rate, driven by a resilient consumer and an unprecedented monetary-fiscal policy response. While it was the best quarterly GDP print on record, it followed the worst quarterly GDP print on record of -31.4% in the second quarter. Despite a solid bounce back, economic output is still about 3.5% below its 4Q2019 level. Looking ahead, the economic recovery should slow considerably, averaging 2-3% growth per quarter annualized in 4Q2020 and into 2021, and the stability of the recovery relies on additional fiscal stimulus from the government. Last week, durable goods orders had a solid increase of 1.9% month over month (m/m), personal income grew 0.9% in September and consumer spending rose 1.4%, driven by goods consumption.

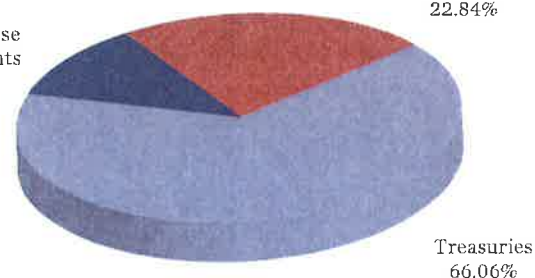
Nonfarm payrolls increased by 661,000 in September, and the unemployment rate fell to 7.9%. Leisure and hospitality accounted for nearly half of the job gains, but government jobs declined by 216,000, including 34,000 temporary Census 2020 workers.

## INFORMATION AT A GLANCE

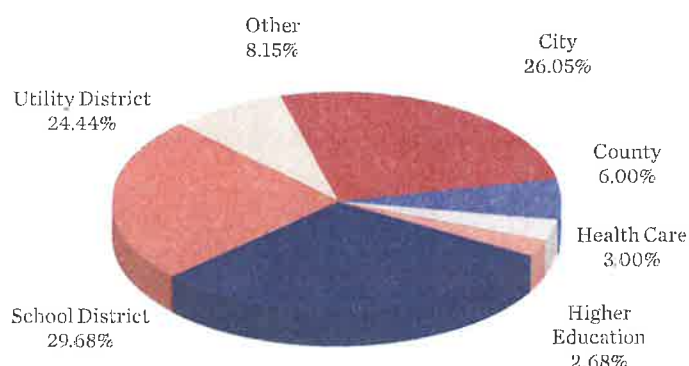
**PORTFOLIO BY  
TYPE OF INVESTMENT  
AS OF OCTOBER 31, 2020**



Repurchase  
Agreements  
11.10%



**PORTFOLIO BY  
MATURITY  
AS OF OCTOBER 31, 2020**



**DISTRIBUTION OF  
PARTICIPANTS BY TYPE  
AS OF OCTOBER 31, 2020**

## HISTORICAL PROGRAM INFORMATION

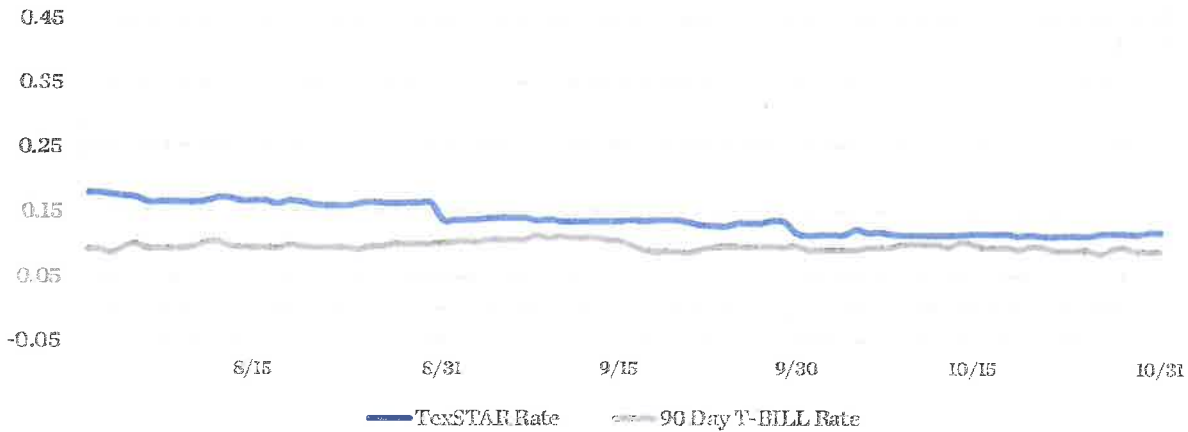
MONTH	AVERAGE RATE	BOOK VALUE	MARKET VALUE	NET ASSET VALUE	WAM (1)*	WAM (2)*	NUMBER OF PARTICIPANTS
Oct 20	0.1150%	\$9,083,922,054.96	\$9,085,783,748.92	1.000203	42	100	933
Sep 20	0.1339%	9,297,135,540.13	9,299,528,645.66	1.000257	39	101	932
Aug 20	0.1645%	9,465,008,033.71	9,466,814,693.25	1.000190	29	95	931
Jul 20	0.2003%	10,009,983,894.25	10,012,082,381.15	1.000209	27	101	930
Jun 20	0.1974%	9,671,601,669.74	9,674,049,521.47	1.000253	33	108	927
May 20	0.2444%	9,711,678,322.09	9,714,791,961.71	1.000320	29	103	924
Apr 20	0.4447%	9,402,508,666.82	9,406,011,209.34	1.000372	27	111	923
Mar 20	0.9570%	8,656,111,186.51	8,662,045,828.91	1.000685	27	108	922
Feb 20	1.5641%	9,669,676,298.74	9,671,875,580.06	1.000213	32	84	921
Jan 20	1.5514%	9,728,196,391.64	9,728,681,551.87	1.000027	33	96	920
Dec 19	1.5643%	8,550,355,101.35	8,550,086,726.49	0.999959	36	110	918
Nov 19	1.6177%	8,004,510,359.61	8,003,923,189.55	0.999918	30	109	917

## PORTFOLIO ASSET SUMMARY AS OF OCTOBER 31, 2020

	BOOK VALUE	MARKET VALUE
Uninvested Balance	\$ 257,542.56	\$ 257,542.56
Accrual of Interest Income	3,666,799.63	3,666,799.63
Interest and Management Fees Payable	(1,375,306.81)	(1,375,306.81)
Payable for Investment Purchased	(279,887,708.35)	(279,887,708.35)
Repurchase Agreement	1,038,849,999.95	1,038,849,999.95
Government Securities	8,322,410,727.98	8,324,272,421.94
<b>TOTAL</b>	<b>\$ 9,083,922,054.96</b>	<b>\$ 9,085,783,748.92</b>

Market value of collateral supporting the Repurchase Agreements is at least 102% of the Book Value. The portfolio is managed by J.P. Morgan Chase & Co. and the assets are safekept in a separate custodial account at the Federal Reserve Bank in the name of TexSTAR. The only source of payment to the Participants are the assets of TexSTAR. There is no secondary source of payment for the pool such as insurance or guarantee. Should you require a copy of the portfolio, please contact TexSTAR Participant Services.

# TEXSTAR VERSUS 90-DAY TREASURY BILL



This material is for information purposes only. This information does not represent an offer to buy or sell a security. The above rate information is obtained from sources that are believed to be reliable; however, its accuracy or completeness may be subject to change. The TexSTAR management fee may be waived in full or in part at the discretion of the TexSTAR co-administrators and the TexSTAR rate for the period shown reflects waiver of fees. This table represents historical investment performance/return to the customer, net of fees, and is not an indication of future performance. An investment in the security is not insured or guaranteed by the Federal Deposit Insurance Corporation or any other government agency. Although the issuer seeks to preserve the value of an investment of \$1.00 per share, it is possible to lose money by investing in the security. Information about these and other program details are in the fund's Information Statement which should be read carefully before investing. The yield on the 90-Day Treasury Bill ("T-Bill Yield") is shown for comparative purposes only. When comparing the investment returns of the TexSTAR pool to the T-Bill Yield, you should know that the TexSTAR pool consists of allocations of specific diversified securities as detailed in the respective Information Statements. The T-Bill Yield is taken from Bloomberg Finance L.P. and represents the daily closing yield on the then current 90-Day T-Bill. The TexSTAR yield is calculated in accordance with regulations governing the registration of open-end management investment companies under the Investment Company Act of 1940 as promulgated from time to time by the federal Securities and Exchange Commission.

## DAILY SUMMARY FOR OCTOBER 2020

DATE	MNY MKT FUND EQUIV. [SEC Std.]	DAILY ALLOCATION FACTOR	INVESTED BALANCE	MARKET VALUE PER SHARE	WAM DAYS (1)*	WAL DAYS (2)*
10/1/2020	0.1131%	0.000003099	\$9,392,238,658.62	1.000254	44	105
10/2/2020	0.1139%	0.000003120	\$9,432,740,053.71	1.000244	42	102
10/3/2020	0.1139%	0.000003120	\$9,432,740,053.71	1.000244	42	102
10/4/2020	0.1139%	0.000003120	\$9,432,740,053.71	1.000244	42	102
10/5/2020	0.1221%	0.000003346	\$9,379,396,782.89	1.000244	41	102
10/6/2020	0.1170%	0.000003206	\$9,450,899,439.13	1.000241	40	101
10/7/2020	0.1179%	0.000003229	\$9,450,050,133.57	1.000238	40	100
10/8/2020	0.1149%	0.000003147	\$9,328,116,150.55	1.000238	46	107
10/9/2020	0.1137%	0.000003116	\$9,319,292,524.95	1.000225	43	103
10/10/2020	0.1137%	0.000003116	\$9,319,292,524.95	1.000225	43	103
10/11/2020	0.1137%	0.000003116	\$9,319,292,524.95	1.000225	43	103
10/12/2020	0.1137%	0.000003116	\$9,319,292,524.95	1.000225	43	103
10/13/2020	0.1130%	0.000003097	\$9,279,678,475.21	1.000223	43	103
10/14/2020	0.1141%	0.000003125	\$9,306,637,478.92	1.000219	44	102
10/15/2020	0.1159%	0.000003175	\$9,303,667,956.92	1.000218	43	101
10/16/2020	0.1157%	0.000003170	\$9,262,411,869.37	1.000218	41	99
10/17/2020	0.1157%	0.000003170	\$9,262,411,869.37	1.000218	41	99
10/18/2020	0.1157%	0.000003170	\$9,262,411,869.37	1.000218	41	99
10/19/2020	0.1126%	0.000003086	\$9,281,061,769.76	1.000216	42	98
10/20/2020	0.1146%	0.000003141	\$9,278,064,210.07	1.000216	42	99
10/21/2020	0.1122%	0.000003073	\$9,258,658,579.10	1.000219	42	98
10/22/2020	0.1121%	0.000003070	\$9,203,148,686.31	1.000214	42	101
10/23/2020	0.1132%	0.000003102	\$9,224,691,997.14	1.000210	40	98
10/24/2020	0.1132%	0.000003102	\$9,224,691,997.14	1.000210	40	98
10/25/2020	0.1132%	0.000003102	\$9,224,691,997.14	1.000210	40	98
10/26/2020	0.1166%	0.000003194	\$9,172,412,986.67	1.000207	40	98
10/27/2020	0.1170%	0.000003205	\$9,150,285,949.51	1.000208	39	97
10/28/2020	0.1165%	0.000003191	\$9,146,135,188.61	1.000207	42	99
10/29/2020	0.1154%	0.000003161	\$9,137,259,896.62	1.000201	41	98
10/30/2020	0.1187%	0.000003251	\$9,083,922,054.96	1.000203	39	97
10/31/2020	0.1187%	0.000003251	\$9,083,922,054.96	1.000203	39	97
<b>Average</b>	<b>0.1150%</b>	<b>0.000003151</b>	<b>\$9,281,363,172.03</b>		<b>42</b>	<b>100</b>



(continued from page 1)

Wages grew 0.1% m/m for all workers and were flat for production and non-supervisory workers. The economy has now regained 52% of the 22 million jobs lost between February and April. Although this jobs report demonstrated solid progress in a gradual recovery, the pace of progress has slowed considerably. There continue to be wide swaths of the U.S. economy, which simply cannot go back to normal in a worsening pandemic, including travel, leisure, entertainment, restaurants and bricks-and-mortar retailing. Inflation is gradually increasing but remains below the Fed's 2% target with September headline and Core PCE at 1.4% and 1.5% year over year respectively. While low energy prices and slack in the economy continue to put downward pressure on inflation, price pressures appear stronger than what would have been expected in the wake of a downturn as severe as the 2020 recession.

The Federal Open Market Committee (FOMC) maintained the federal funds target rate at a range of 0.00%–0.25%. The Committee will also maintain its current pace of asset purchases of \$80 billion per month. It also further clarified conditions for adjusting policy rates relating to its new average inflation targeting framework: 1) inflation would need to run moderately above 2% for a period of time to compensate for periods of low inflation, and 2) longer-term inflation expectations would need to remain anchored at 2%. This means allowing inflation to run above 2% to make up for past short-falls, leaving rates close to zero for even longer than expected.

### Outlook

All eyes are on the November U.S. election given the significant market and policy implications, as U.S. fiscal stimulus, taxation, regulation, and foreign affairs policies could shift. A “blue wave” or a Democratic sweep would bring higher corporate and individual taxes, but with fiscal stimulus frontloaded, it can positively boost the near-term growth outlook. A “red wave” or a Republican sweep suggests less fiscal stimulus in 2021 and less fiscal drag in 2022 with no new taxes and more market volatility due to less policy predictability. Finally, a divided government suggests less fiscal stimulus in 2021, stable inflation, elevated deficit and slower growth.

At this time, the election is too close to call as the results in a number of battleground states will take some time to be decided. However, the probability of a Democratic “blue wave” now appears to have declined as the probability for a divided government has increased.

This information is an excerpt from an economic report dated October 2020 provided to TexSTAR by J.P. Morgan Asset Management, Inc., the investment manager of the TexSTAR pool.

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