

AGENDA FEBRUARY 21, 2023 LAVON CITY COUNCIL CITY HALL, 120 SCHOOL ROAD, LAVON, TEXAS REGULAR MEETING 6:30 PM

Please note the early starting time.

- 1. PRESIDING OFFICER TO CALL THE MEETING TO ORDER AND ANNOUNCE THAT A OUORUM IS PRESENT
- 2. PLEDGE OF ALLEGIANCE AND INVOCATION
- 3. ITEMS OF INTEREST/COMMUNICATIONS

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

4. CITIZENS COMMENTS

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

5. 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 February 7, 2023 meeting.
- **B.** Approve Ordinance No. <u>2023-02-03</u> amending Chapter 4 "Building Regulations" of the Code of Ordinances by adding Article 4.10 "Unattended Donation/Collection Boxes"; providing a penalty clause for each offense.
- C. Approve Resolution No. <u>2023-02-04</u> authorizing continued participation with the Atmos Cities Steering Committee; and authorizing the payment of five cents per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation.

6. ITEMS FOR CONSIDERATION

- **A.** Discussion and action regarding the Fire Department and Public Works Facilities Expansion Construction Project (CIP-9) to approve the ranking of proposals as recommended by the Selection Review Committee and approve Resolution No. **2023-02-05** authorizing the City Manager to negotiate and execute a contract with the highest-ranking selected firm, subject to legal review and approval.
- **B.** Public hearing, discussion, and action regarding the need to continue, abolish, or modify the City of Lavon Juvenile Curfew Ordinance No. <u>2020-03-02</u> that established a curfew for minors and parental responsibility.
 - 1) Report regarding effects of the juvenile curfew ordinance on the community and on problems the ordinance was intended to remedy.
 - 2) **PUBLIC HEARING** to receive comments regarding continuation of the juvenile curfew.
 - 3) Discussion and action regarding the proposed continuation of the juvenile curfew and accompanying Ordinance No. <u>2023-02-06.</u>

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- **C.** Public hearing, discussion, and action regarding renewal of approval of the adopted Tax Abatement Policy including guidelines, criteria, and procedures.
 - 1) Presentation of proposed renewal of the tax abatement policy.
 - 2) **PUBLIC HEARING** to receive comments regarding the proposed renewal.
 - 3) Discussion and action regarding the proposed renewal and accompanying Resolution No. <u>2023-02-06</u>.
- **D.** Presentation and discussion of the 2022 Lavon Economic Development Corporation Annual Report, 2023 Strategic Plan, and upcoming projects including the 619 Main project.
- E. Discussion and action regarding the first of two readings of Resolution No. <u>2023-02-07</u> authorizing the Lavon Economic Development Corporation to expend funds for the Business Improvement Loan/Grant Project, such project not to exceed \$30,000.00; and providing an effective date.
- **F.** Public hearing, discussion, and action regarding changing the street name and assigning a new street name for a portion of Lake Road, (Formerly CR 486) as provided herein; providing for the posting of signs.
 - 1) Presentation of proposed renewal of the proposed change.
 - 2) **PUBLIC HEARING** to receive comments regarding the proposed change.
 - 3) Discussion and action regarding the proposed change and accompanying Ordinance No. <u>2023-02-07</u>.
- G. Discussion and action regarding Board and Commission appointments Board of Adjustment.
- **H.** Discussion and action regarding orders and regulations, programming, city facilities and operations related to COVID-19.
- **I.** Discussion and action regarding a Resolution approving and authorizing the Mayor to execute a Fire/EMS Agreement with the Elevon Municipal Utility District for the Elevon Addition, Section 1.

7. DEPARTMENT REPORTS

Members may receive and discuss the reports.

- A. Police Services Service, activity, programs, and administration report
- **B.** Fire Services Service, activity, programs, and administration report
- C. Public Works Services utilities, capital projects, public works, and street maintenance report
- **D.** Administration Services Building Permits; CWD Service; Collin County Tax Collection; Sales Tax; TxDOT Projects Report; finance reports, and administration and staff reports.

8. EXECUTIVE SESSION

In accordance with Texas Government Code, Chapter 551, Subchapter D, the City Council may recess into Executive Session (closed meeting) 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 this chapter for 1) the provision of municipal services in an unincorporated area and 2) contract negotiation for the Fire Department and Public Works Facilities Expansion Construction Project.

9. RECONVENE INTO REGULAR SESSION

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

10. SET FUTURE MEETINGS AND AGENDA

Requests may be made for items to be placed on a future agenda or for a special meeting.

February 28, 2023 – Planning and Zoning Training – 6:30 pm

March 7, 2023 – Regular Meeting

Lavon City Hall will provide reasonable accommodations for persons attending meetings. Please contact the City Secretary at 972-843-4220 no later than 48 hours prior to a meeting if you require special assistance | WiFi password: Guest2014

11. PRESIDING OFFICER TO ADJOURN THE MEETING

- 1. Notice is hereby given that members of the City Council, Economic Development Corporation Board, Planning and Zoning Commission, and Parks and Recreation Board may attend the meeting.
- 2. The body reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551, including §551.071 (private consultation with the attorney for the City); §551.072 (discussing purchase, exchange, lease or value of real property); §551.074 (discussing personnel or to hear complaints against personnel); and §551.087 (discussing economic development negotiations). Any decision held on such matters will be taken or conducted in Open Session following the conclusion of the Executive Session.

This is to certify that this Agenda was duly posted on the City's website at www.cityoflavon.com and at City Hall and on or before 6:00 PM on February 17, 2023.

/Rae Norton	U /	
Rae Norton, City So	ecretary	



MINUTES FEBRUARY 7, 2023 LAVON CITY COUNCIL CITY HALL, 120 SCHOOL ROAD, LAVON, TEXAS REGULAR MEETING 7:00 PM

ATTENDING: VICKI SANSON, MAYOR

JOHN KELL, PLACE 1 MIKE COOK, PLACE 2

KAY WRIGHT, PLACE 3, MAYOR PRO TEM

TED DILL, PLACE 4

LINDSEY HEDGE, PLACE 5

- 1. MAYOR SANSON CALLED THE MEETING TO ORDER AT 7:00 P.M. AND ANNOUNCED A QUORUM PRESENT.
- 2. MAYOR SANSON LED THE RECITATION OF THE PLEDGE OF ALLEGIANCE AND DELIVERED THE INVOCATION.
- 3. PROCLAMATION AND PRESENTATION

Mayor Sanson presented proclamations in honor of Black History Month and Heart Health Month.

- 4. ITEMS OF INTEREST/COMMUNICATIONS
 - CISD Education Foundation Fundraiser and Steak Dinner February 24, 2023.
 - Bunny Street Vendor Fair and Breakfast with the Bunny April 1, 2023

5. CITIZENS COMMENTS

There were no citizen comments.

6. CONSENT AGENDA

- A. Approve the minutes of the January 17, 2023, meeting.
- B. Approve Resolution No. <u>2023-02-01</u> approving and authorizing the Mayor to execute Change Order No. 1 to the construction contract with Summit Solutions Inc. for the City of Lavon North Lift Station (CIP-38) Construction Project in an amount of zero dollars (\$0) to clarify contract terms; and providing an effective date.
- C. Approve Resolution No. <u>2023-02-02</u> designating authorized signatories for all Independent Financial depository accounts.
- D. Approve Resolution No. <u>2023-02-03</u> approving and authorizing the Mayor to execute the construction contract for Texas Department of Agriculture TxCDBG #CDV21-0092 Street Improvements subject to final review and approval of the city attorney.

MOTION: APPROVE THE CONSENT AGENDA.

MOTION MADE: KELL SECONDED: COOK

APPROVED: UNANIMOUS

7. ITEMS FOR CONSIDERATION

A. Discussion, and action Ordinance No. <u>2023-02-01</u> authorizing redemption of a portion of City of Lavon, Texas Special Assessment Revenue Bonds, Series 2019 (Lakepointe Public Improvement District Improvement Area #1 Project).

Bond Counsel Cooper Anderson, McCall, Parker& Horton, LLP, provided details regarding the redemption of bonds.

MOTION: APPROVE ORDINANCE NO. <u>2023-02-01</u> AUTHORIZING REDEMPTION OF A PORTION OF CITY OF LAVON, TEXAS SPECIAL ASSESSMENT REVENUE BONDS, SERIES 2019 (LAKEPOINTE PUBLIC IMPROVEMENT DISTRICT IMPROVEMENT AREA #1 PROJECT).

MOTION MADE: DILL SECONDED: WRIGHT APPROVED: UNANIMOUS

B. Discussion, and action regarding the preliminary plat of the Hillstead parcHAUS Addition, consisting of 273 residential structures on a single lot on 35.201 acres of land, situated in the William Howard Survey, A-370, Tract 26 northwest of the intersection of CR 483 and CR 484, in the extraterritorial jurisdiction of the City of Lavon, Collin County, TX (CCAD Property ID 2832663), requested by Southland Consulting Engineers.

City Manager Kim Dobbs provided information regarding the preliminary plat for the property located outside the city limits. Jorge Gonzalez, Southland Consulting Engineers, and Thomas Hill, Provident Realty, presented details regarding the proposed development. Ms. Dobbs provided a report from the Planning & Zoning Commission recommending approval.

MOTION: APPROVE THE PRELIMINARY PLAT OF THE HILLSTEAD PARCHAUS ADDITION, CONSISTING OF 273 RESIDENTIAL STRUCTURES ON A SINGLE LOT ON 35.201 ACRES OF LAND, SITUATED IN THE WILLIAM HOWARD SURVEY, A-370, TRACT 26 NORTHWEST OF THE INTERSECTION OF CR 483 AND CR 484, IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF LAVON, COLLIN COUNTY, TX. SUBJECT TO FINAL APPROVAL OF THE CIVIL PLANS AND CITY ENGINEER REQUIREMENTS

MOTION MADE: WRIGHT SECONDED: HEDGE

APPROVED: UNANIMOUS

C. Public hearing, discussion, and action regarding a proposed amendment of Chapter 9 "Planning and Development Regulations," Article 9.02 "Subdivision Ordinance," Division 1 "General," Section 9.02.003 (g) (2) "Adequate Public Facilities," to reference Article 9.01 "General Provisions", Section 9.01.001 "Public Works Construction," and of Section 9.02.08 "Bonds and Insurance," (a) "Warranty Bond," to change the reference from general law to home rule municipality.

PRESENTATION of request.

Ms. Dobbs provided information regarding the proposed amendment and a report from the Planning & Zoning Commission recommending approval.

PUBLIC HEARING to receive comments regarding the request.

Mayor Sanson opened the public hearing at 7:26 p.m. and invited comments for or against the proposed amendment. There being no comments, Mayor Sanson closed the public hearing at 7:26 p.m.

Discussion and action regarding the proposed amendment.

MOTION: APPROVE ORDINANCE NO. <u>2023-02-02</u> AMENDING CHAPTER 9 "PLANNING AND DEVELOPMENT REGULATIONS," ARTICLE 9.02 "SUBDIVISION ORDINANCE," DIVISION 1 "GENERAL," SECTION 9.02.003 (G) (2) "ADEQUATE PUBLIC FACILITIES," TO REFERENCE ARTICLE 9.01 "GENERAL PROVISIONS", SECTION 9.01.001 "PUBLIC WORKS CONSTRUCTION," AND OF SECTION 9.02.08 "BONDS AND INSURANCE," (A)

"WARRANTY BOND," TO CHANGE THE REFERENCE FROM GENERAL LAW TO HOME RULE MUNICIPALITY.

MOTION MADE: WRIGHT SECONDED: KELL

APPROVED: UNANIMOUS

D. Public Hearing, discussion, and action regarding the need to continue, abolish, or modify the City of Lavon Juvenile Curfew Ordinance No. <u>2020-03-02</u> that established a curfew for minors and parental responsibility.

Chief Jones provided a report regarding effects of the juvenile curfew ordinance noting that ten (10) warnings and eight (8) citations have been given since the 2020 ordinance had been approved. Ms. Dobbs noted that this was the first of two required public hearings to be held.

PUBLIC HEARING to receive comments regarding the continuation of the juvenile curfew.

Mayor Sanson opened the public hearing at 7:30 p.m. and invited comments for or against the proposed ordinance. Kamil Kell, 155 Cypress Grove, requested the times of the curfew, age of juvenile and types of offenses. Police Sergeant Vargas stated that the times are from 11p.m.-6a.m., the age is under 17 and that offenses could range from being at parks to loitering at businesses. There being no further comments, Mayor Sanson closed the public hearing at 7:34 p.m.

Discussion and action regarding the proposed request.

Council directed staff to schedule the second public hearing on February 21, 2023, with action on the item.

E. Discussion and action regarding working with the Greater Texoma Utility Authority to seek funding through Texas Water Development Board programs for sanitary sewer system improvements.

Ms. Dobbs and City Engineer Mark Hill provided information regarding the proposed activity.

MOTION: AUTHORIZE THE STAFF TO WORK WITH THE GREATER TEXOMA UTILITY AUTHORITY TO SEEK FUNDING FOR WASTEWATER SYSTEM IMPROVEMENTS THROUGH TEXAS WATER DEVELOPMENT BOARD PROGRAMS.

MOTION MADE: DILL SECONDED: WRIGHT APPROVED: UNANIMOUS

F. Discussion regarding Ordinance No. <u>2023-02-03</u> amending Chapter 4 "Building Regulations" of the Code of Ordinances by adding Article 4.10 "Unattended Donation/Collection Boxes"; providing a penalty clause for each offense.

Ms. Dobbs provided information regarding the proposed ordinance and the city attorney's advice. Council directed staff to include the ordinance on the February 21, 2023 agenda for action.

G. Discussion and action regarding Ordinance No. <u>2023-02-04</u> amending the fee schedule approved and adopted by Ordinance No. <u>2022-08-09</u> for the fiscal year October 1, 2022, through September 30, 2023, to add fees related to unattended donation boxes/collection boxes; and providing an effective date.

Ms. Dobbs provided information regarding proposed amendment to the fee schedule.

MOTION: APPROVE ORDINANCE NO. <u>2023-02-04</u> AMENDING THE FEE SCHEDULE APPROVED AND ADOPTED BY ORDINANCE NO. <u>2022-08-09</u> FOR THE FISCAL YEAR OCTOBER 1, 2022, THROUGH SEPTEMBER 30, 2023, TO ADD FEES RELATED TO UNATTENDED DONATION BOXES/COLLECTION BOXES; AND PROVIDING AN EFFECTIVE DATE.

MOTION MADE: WRIGHT SECONDED: HEDGE

APPROVED: UNANIMOUS

H. Discussion and action regarding Ordinance No. 2023-02-05 amending Article 11.02, "Operation of Vehicles," Division 2, "Speed Limits," Sec. 11.02.031, "Prima Facie Speed Limits; Posting of Signs," Subsection (B), "Prima Facie Speed Limits" of the City's Code of Ordinances reducing speed limits on residential roads to 25 miles per hour; establishing the maximum prima facie reasonable and prudent speed; providing for the incorporation of premises; providing a savings and repealer clause; providing a severability clause; providing a penalty clause; providing for publication and an effective date.

Ms. Dobbs and Police Chief Jones provided detailed information regarding state law provisions and the proposed ordinance.

MOTION: APPROVE ORDINANCE NO. 2023-02-05 AMENDING ARTICLE 11.02, "OPERATION OF VEHICLES," DIVISION 2, "SPEED LIMITS," SEC. 11.02.031, "PRIMA FACIE SPEED LIMITS; POSTING OF SIGNS," SUBSECTION (B), "PRIMA FACIE SPEED LIMITS" OF THE CITY'S CODE OF ORDINANCES REDUCING SPEED LIMITS ON RESIDENTIAL ROADS TO 25 MILES PER HOUR; ESTABLISHING THE MAXIMUM PRIMA FACIE REASONABLE AND PRUDENT SPEED; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING A SAVINGS AND REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

MOTION MADE: HEDGE SECONDED: KELL

APPROVED: UNANIMOUS

I. Discussion and action regarding Board and Commission appointments – Parks and Recreation Board and Board of Adjustment.

MOTION: APPOINT VICTORIA HARTMAN AND KAMIL KELL TO SEAT 1 AND SEAT 2 RESPECTIVELY OF THE PARKS AND RECREATION BOARD AND DAVID ROSENQUIST AND PERRY ELLIOTT TO ALTERNATE 1 AND ALTERNATE 2 RESPECTIVELY OF THE BOARD OF ADJUSTMENT.

MOTION MADE: WRIGHT SECONDED: DILL APPROVED: 4-0

FOR: COOK, WRIGHT, DILL, HEDGE

ABSTAINING: KELL

J. Discussion regarding the street naming update project involving Lake Road in the vicinity of the intersection with SH 78 and FM 6.

Ms. Dobbs provided information regarding the project and the City Council directed staff to work with Collin County addressing to obtain approval of the proposed name and limits.

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

There was no discussion.

L. Discussion and action regarding Resolution No. <u>2023-02-04</u> approving and authorizing the Mayor to execute a Public Safety Agreement with the Elevon Municipal Utility District for the Elevon Addition, Section 1.

There was no action on this item.

8. EXECUTIVE SESSION

There was no executive session.

9. RECONVENE INTO REGULAR SESSION

10	SET	FUTURE	MEETING	CS AND	ACENDA
IV.	ועוכו			T17 A 111	ACTIVITION

February 21, 2023- Regular Meeting to start at 6:30 pm

February 28, 2023 – Training-Planning and Zoning Commission and Board of Adjustment

March 7, 2023 – potential hold – Strategic Plan work session

12. MAYOR SANSON ADJOURNED THE CITY COUNCIL MEETING AT 8:19 P.M.

DULY PASSED and APPROVED by the City Council of Lavon, Texas, on this 21st day of February 2023.

	Vicki Sanson, Mayor	
ATTEST:		
Rae Norton, City Secretary		



CITY OF LAVON Agenda Brief

MEETING: <u>February 21, 2023</u> ITEM: <u>5 - B</u>

Item:

CONSENT AGENDA

Approve Ordinance No. <u>2023-02-03</u> amending Chapter 4 "Building Regulations" of the Code of Ordinances by adding Article 4.10 "Unattended Donation/Collection Boxes"; providing a penalty clause for each offense.

Background:

Having received complaints from commercial property owners regarding Unattended Donation Bins (UDBs) being placed on their property without prior knowledge or consent, the city staff sought direction from the City Council regarding the regulation of such activities. On January 17, 2023, the City Council directed staff to prepare an ordinance to prohibit the placement of UDBs in the City.

Upon subsequent consultation, the City Attorney advised against a total prohibition due to a District Court case involving similar action by the City of Arlington:

On September 9, 2022, a U.S. District Court issued an opinion on *National Federation of the Blind of Texas, Inc. v. City of Arlington* regarding an unattended donation bin ordinance. The Arlington ordinance had many similarities to the staff-drafted ordinance prohibiting the bins. The Plaintiff was unsuccessful on two claims, however, the claim that the Plaintiff was successful on was a claim regarding banning UDBs in certain zoning districts. Arlington banned UDBs in approximately 37% of all non-residentially zoned land in the City, and all residential districts. The Court ruled that the ban on UDBs in certain zoning districts burdened substantially more speech than is necessary to achieve the City's legitimate goals. The City was ordered to not enforce the zoning district ban, which was severable from the Ordinance.

Staff worked with the City Attorney to draft an ordinance to regulate the placement of the bins that provides for permits and specific regulations regarding location, size, placement, and number of bins.

Financial Implication:

Funding for code enforcement has been provided in the Budget.

Staff Notes:

Approval is recommended.

Attachments: Proposed Ordinance

CITY OF LAVON, TEXAS

ORDINANCE NO. 2023-02-03

Regulating Unattended Donation/Collection Boxes

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS AMENDING CHAPTER 4 "BUILDING REGULATIONS" OF THE CODE OF ORDINANCES BY ADDING ARTICLE 4.10 "UNATTENDED DONATION/COLLECTION BOXES"; PROVIDING A PENALTY CLAUSE FOR EACH OFFENSE; PROVIDING SAVINGS, REPEALING AND SEVERABILITY CLAUSES; PROVING FOR PUBLICATION; PROVIDING FOR AN EFFECTIVE DATE AND DELAYED ENFORCEMENT FOR EXISTING OPERATORS AND OWNERS; AND FINDING AND DETERMINING THE MEETING AT WHICH THIS ORDINANCE IS ADOPTED TO BE OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City of Lavon (hereinafter referred to as "City") is a Home Rule municipality organized under the Constitution and laws of the state of Texas; and

WHEREAS, the City Council of the of the City (the "City Council") desires to adopt regulations regarding unattended donation or collection boxes ("UDBs") located within the City, including regulations for the placement, operation, and use of UDBs to control negative externalities resulting from the use of said boxes, including the accumulation of used, broken, or soiled items that constitute trash, rubbish, or junk; broken, unsightly, or dangerous boxes; hazards to pedestrians, motor vehicle users, and others due to the placement of such boxes; and negative impacts on property values and the health, safety, and welfare of the community; and

WHEREAS, the City Council finds that the orderly and uniform regulation of UDBs is a substantial factor in guiding the attractive and aesthetic development of properties in accordance with the comprehensive plan, thereby avoiding detrimental impacts of UDBs on the appearance of the City; and

WHEREAS, the City has minimum parking requirements to ensure adequate parking for uses in the various zoning districts, and the City has a legitimate governmental interest in maintaining sufficient parking spaces; and

WHEREAS, the City Council desires to ensure that parking lots within the City, and other areas where UDBs may be located, are safe for donors, with sufficient visibility, separation from traffic, and standard maintenance procedures to reduce dangers for donors; and

WHEREAS, this Ordinance regulates the time, place, and manner of the placement of UDBs in the City, does not regulate the content, topic, subject matter, or viewpoint of any UDBs or donations to such UDBs, and does not have a content-based purpose or justification; and

WHEREAS, these regulations are narrowly tailored to serve a significant government interest to promote the health, safety, and welfare of individuals making donations in these UDBs, and to reduce crime in the City, and such interest would be achieved less effectively without these regulations; and

WHEREAS, the regulations for where these UDBs may be placed under this Ordinance are narrowly tailored to serve the significant governmental interest described in the preceding recital; and

WHEREAS, this Ordinance shall not be interpreted in a manner inconsistent with the First Amendment of the United States Constitution; and

WHEREAS, these regulations ensure the protection of property values, the preservation of the character of the various neighborhoods, the creation of an attractive and harmonious community, and protection against interference with the historic character of designated areas,; and

WHEREAS, these regulations do not entirely eliminate all of the harms that may be created by the installation of UDBs, but strike an appropriate balance that preserves ample channels of communication for UDB operators, while still reducing and mitigating the extent of the harms caused by the UDBs; and

WHEREAS, having considered the proposed amendments and the appropriateness of the amendments, the City Council does hereby find that the amendments described herein are for the benefit of the health, safety, and welfare of the citizens of the City.

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

SECTION 1. INCORPORATION OF PREMISES. The above and foregoing premises are (i) true and correct and are incorporated herein and made a part hereof for all purposes, and (ii) legislative findings of the City Council.

SECTION 2. FINDINGS. After due deliberations and consideration, the City Council has concluded that the adoption of this Ordinance is in the best interests of the City and of the public health, safety, and welfare.

SECTION 3. AMENDMENT. Chapter 4 "Building Regulations" of the City's Code of Ordinances is hereby amended to add Article 4.10 "Unattended Donation/Collection Boxes" to read entirely as follows:

Article 4.10 – UNATTENDED DONATION/COLLECTION BOXES

4.10.001. Purpose. The purpose of these regulations is to promote the health, safety, and welfare of the public by providing minimum standards for the operation of unattended donation/collection boxes (UDB). A UDB shall be considered an accessory use of the property on which the UDB is located.

4.10.002. Definitions.

- 1. "Director" means the City Manager and his or her designee.
- 2. "Donated Material" means salvageable personal property, such as clothing, books, textiles, shoes, and other salvageable household items that are collected for periodic transport off-site for processing and redistribution.
- 3. "Principal Building" means the main building on the Property where the UDB is or is proposed to be placed, constituting the main use for zoning of the Property.
- 4. "Property" means the real property on which a UDB is or is proposed to be placed.
- 5. "Property Owner" means the owner of the Property, or its authorized agent or representative.
- 6. "Unattended Donation/Collection Box" or "UDB" means any donation and/or collection box located on a Property outside of the Principal Building that accepts Donated Material that is unstaffed and has no employee or representative of the UDB Operator present to accept donations.
- 7. "UDB Operator" means a person or entity that utilizes and/or maintains a UDB to solicit donations or collections of Donated Material in compliance with a UDB Permit.

8. "UDB Permit" means the city's permit required for placement, operation, or maintenance of a UDB as described in this article.

4.10.003. Permit required.

- 1. It shall be unlawful to place, operate, maintain, or allow a UDB on any real property unless the UBD Operator first obtains an annually renewable UDB Permit from the city. A separate application and UDB Permit shall be required for each UDB.
- 2. The UDB Permit applicant shall be the UDB Operator, and the UDB Permit may not be transferred, conveyed, or otherwise assigned to another person or entity.
- 3. Decisions regarding UDB Permit applications shall be made by the Director, who shall be considered the investigating official acting for the city.
- 4. All permitted UDBs will be issued a permit sticker that must be displayed on the UDB at all times.

4.10.004. Application Requirements.

Applicants for a UDB Permit shall file a written, sworn application with the city on a form provided by the city. All applications shall include:

- 1. A signed agreement stating that the Property Owner and UDB Operator will abide by the processes and requirements of this article;
- 2. A non-refundable application fee established in the City's Fee Schedule;
- 3. A signed authorization from the Property Owner to allow placement of the UDB;
- 4. A signed acknowledgement of responsibility by the Property Owner and the UDB Operator;
- 5. Proof of general liability insurance in a form acceptable to the city of at least \$1,000,000 covering the applicant's UDB and naming the city as an additional insured, and such other additional insurance as the city may require;
- 6. For nonprofit UDB Operators, evidence that the nonprofit is recognized by the Internal Revenue Service as such, or for for-profit UDB Operators, proof of an active business tax certificate;
- 7. Proof of an active business tax certificate for the primary business on the Property;
- 8. The name, address, email, website (if available), and telephone number of the UDB Operator and Property Owner, including 24-hour contact information;
- 9. Photographs of the Property and adjacent properties;

10. A site plan containing:

- a. Location and dimensions of the Property boundaries;
- b. Location of all buildings on the Property;
- c. Proposed UDB location;
- d. Distance between the proposed UDB, Property lines, and buildings, including the Principal Building:
- e. Location and dimensions of all existing and proposed driveways, garages, carports, parking spaces, maneuvering aisles, pavement, and striping/marking; and
- f. And other site information as may be requested by the Director.

- 11. Elevations showing the appearance, materials, and dimensions of the UDB, including the information required in this Section to be placed on the UDB Permit sticker.
- 12. A description and/or diagram of the proposed locking mechanism of the UDB.
- 13. A maintenance plan (including graffiti removal, pick-up schedule, and plans for litter and trash removal on and around the UDB) that is sufficient to prevent/eliminate concerns related to public health, safety, and welfare.
- 14. Any other reasonable information regarding time, place, and manner of the UDB operation, placement, and/or maintenance that the Director requires to evaluate the proposal consistent with the requirements of this Section.

4.10.005. Permit expiration and renewal

- 1. Unless renewed as described herein, each UDB Permit shall expire and become null and void annually on the anniversary of its date of issuance.
- 2. A UDB Operator may apply for UDB Permit renewal by submitting an application to the city at least one (1) month prior to the expiration of the active UDB Permit on a form provided by the city. Except as otherwise provided below, all application information, agreements, consents, authorizations, certifications, and acknowledgements required for the original application shall be in effect for the renewal term, unless otherwise revoked by the Property Owner or UDB Operator, replaced with updated documentation, required below, or new application materials are otherwise required by the city. All renewal applications shall be filed with the city and shall include:
 - a. Photographs of the existing UDB;
 - b. A non-refundable application renewal fee established in the City's Fee Schedule; and
 - c. Proof of continued general liability insurance in a form acceptable to the city of at least \$1,000,000 covering the applicant's UDB and naming the city as an additional insured, and such other additional insurance as the city may require.

4.10.006. Permit approval.

The Director shall either approve or deny an application for a new UDB Permit, or renewal of a UDB Permit, within thirty (30) days of receipt of a complete application and payment of the applicable fee, however, failure of city staff to approve in such time does not grant automatic approval. The Director shall not issue a UDB Permit or renewal unless, in addition to other requirements of the city, each of the following is true:

- 1. The applicant has submitted a complete and accurate application accompanied by the applicable fee:
- 2. There are no pending citations, unpaid fines, or unresolved violations or complaints related to any UDB managed by the proposed UDB Operator;
- 3. All existing unpermitted UDBs that are managed by the proposed UDB Operator have been removed;
- 4. Any verified nuisance on the Property has been abated, and any case of a complaint to the city regarding nuisances on the Property has been closed; and
- 5. The application is consistent with all requirements of this article.

Any person denied a permit shall have the right to appeal such action. In such case, the procedure shall be the same as in revocation.

4.10.007. Location.

1. No UDB shall be located within 1,000 feet of any other UDB or on any Property where another UDB is located. The Property must be platted. In the case of a shopping center or office

- development that consists of multiple platted lots, the Director shall treat the shopping center or office development as if it is one contiguous lot.
- 2. A UDB is only permitted on a Property that also contains a Principal Building that is occupied and/or contains at least one operating business.
- 3. UDBs are prohibited within any required building setback, landscaping, buffer yard, city easements, rights-of-way or within thirty (30) feet of a right-of-way, floodplain, driveway, parking spaces, fire lanes, or within ten (10) feet of any property line.
- 4. UDBs shall not block or impede access to:
 - a. Required parking or driveways;
 - b. Pedestrian routes;
 - c. Emergency vehicle routes;
 - d. Building ingress and egress;
 - e. Required handicapped accessibility routes;
 - f. Required easements;
 - g. Trash enclosure areas or access to trash bins/trash enclosures;
 - h. Traffic (including traffic flow) nor visually impair any motor vehicle operation within a parking lot, driveway, or street; or
 - i. Functioning exhaust, ventilation, or fire extinguishing systems.
- 5. The UDB must be visible from inside the Principal Building and be no more than ten (10) feet from a continually operating light source of at least one (1) foot candle.
- 6. The UDB must be placed on an improved surface.
- 7. At least one (1) stacking or parking space shall be required for use of persons accessing the UDB.

4.10.008. Physical Attributes.

UDBs shall:

- 1. Be fabricated of durable and waterproof materials;
- 2. Be placed on a durable pad site with a metal tray capable of catching any leaked or seeping materials:
- 3. Not exceed 175 cubic feet in size or six feet, six inches in height.
- 4. Not be electrically or hydraulically powered or otherwise mechanized;
- 5. Not be a fixture of the Property or considered an improvement to real property;
- 6. Have one color that is not high-intensity or fluorescent, including associated signage;
- 7. Be screened according to the following requirements:
 - a. Each UDB shall be screened from the view of the public on three (3) sides, or if located on a corner of a lot, on a minimum of two (2) sides whereby the screening blocks the view from the adjacent streets;
 - b. Minimum screening shall consist of a six-foot (6) wood fence, or comparable materials upon prior approval of the Director;
 - c. All screening should be conducted to prevent the storage or placement of donations outside the UDB, with the screening fence itself being no more than two (2) feet from the screened UDB; and
 - d. Screening shall be maintained in vertical and good condition, with no rotted or missing slats or
- 8. Have the following information conspicuously displayed on at least two-inch type visible from the front of the UDB:
 - a. The name, address, 24-hour telephone number, and, if applicable, the internet web address and email address of the Property Owner and UDB Operator;
 - b. Address and parcel number of the Property;
 - c. Instructions on the process to register a complaint regarding the UDB to the city code enforcement division:
 - d. The type of material that may be deposited;

- e. A notice stating that no material shall be left outside the UDB;
- f. The pickup schedule for the UDB; and
- g. The UDB Permit medallion sticker from the city.
- 9. All signage shall comply with any and all applicable sign regulations in the City's Code of Ordinances.
- 10. Comply with any required disclosures under State law in accordance with such laws.

4.10.009. Maintenance.

- 1. The UDB area, outside of the UDB, shall be free of any Donated Material, litter, debris, or other materials within thirty (30) feet of the UDB.
- 2. UDBs shall be maintained and in good working order. Items to be repaired, removed, and/or abated include, but are not limited to, graffiti, removed or damaged signs and notifications, peeling paint, rust, and broken collection operating mechanisms.
- 3. UDBs cannot be used for the collection of solid waste or any hazardous materials.
- 4. The Property Owner and UDB Operator shall be responsible for abating and removing all litter, debris, or other materials in violation of this article in the area surrounding the UDB within twenty-four (24) hours of written or verbal notice from the Director. If the materials in violation are not removed, the City may remove all items found outside the UDB.

4.10.010. Enforcement and Compliance.

- 1. Whenever the Director determines that a UDB with a valid UDB Permit does not conform to any requirement in this article, the Director shall promptly notify the Property Owner and UDB Operator through electronic mail of the violation. The violation must be abated, and proof of abatement must be submitted to the city within ten (10) days after receipt of such notification. If the UDB remains in violation after such ten (10) day period, the UDB shall be removed, and the UDB Permit revoked.
- 2. If a UDB does not have a current, valid UDB Permit, then the UDB shall be removed and impounded by the City within 24 hours after the Property Owner or UDB Operator is notified of the violation.
- 3. The Property Owner shall have the right to rescind consent for a UDB on the Property, provided written notice of the rescission is provided to the UDB Operator and the city, and the UDB shall be removed from the Property within 24 hours of such rescission.
- 4. Each day that a violation of a requirement of this article is not abated constitutes a new and separate offense.
- 5. Any UDB impounded by the city shall be released to the Property Owner upon payment of all applicable impoundment and storage fees. Storage fees will be established in the City's Fee Schedule. If an impounded UDB is not claimed within thirty (30) days of impoundment by the City, the City may dispose of the UDB.
- 6. The Property Owner and UDB Operator are jointly and severally liable and responsible for all fees, citations, and compliance with these regulations.
- 7. All notices for unpermitted UDBs shall be in writing and personally delivered to the Property Owner and UDB Operator or sent by United States mail, postage paid, and addressed to the Property Owner at their last known address as it appears on the UDB itself. If the city cannot reasonably determine the name and/or address of the unpermitted UDB Operator, placing the written notice on the UDB itself constitutes sufficient notice.

4.10.011. Revocation of permit.

1. Any UDB Permit issued hereunder may be revoked by the Director if the UDB Permit holder has received three (3) notices of violation for violations of this article within a twelve (12) month time period, has knowingly made a false material statement in the application, or otherwise becomes

- disqualified for the issuance of a UDB Permit under the terms of this article. The UDB shall be immediately removed upon permit denial, suspension, or revocation.
- 2. Notices for revoking a UDB Permit under this Section shall be given to the UDB Permit holder in writing, with the reasons for the revocation specified in the notice, served either by personal service or by certified United States mail to their last known address.
- 3. The UDB Operator shall have ten (10) days from the date of a notice of revocation in which to file a written notice with the Director of their appeal from the revocation order. The Director shall provide for a hearing on the appeal not later than thirty (30) days after the notice of the appeal is filed. An appeal hearing shall be to the City Council, whose decision shall be final and binding.
- 4. Any appeal of revocation pursuant to this Section shall stay the revocation until said revocation is finalized.
- 5. If the revocation is affirmed, the UDB Operator shall remove said UDB no later than 24 hours after said decision. Upon expiration of such 24-hour period, the UDB shall have a non-compliant status and be subject to immediate impoundment by the city without further notice.
- 6. In the event the UDB Permit of any UDB Operator is revoked by the Director, no additional UDB Permit shall be issued to such person or entity within one (1) year of the date such UDB Permit was revoked.
- 7. In the event that any UDB Operator has two (2) or more UDB Permits revoked within a twelve (12) month period, then all UDB Permits issued to such person or entity shall be revoked, and all UDBs operated by such person or entity shall be removed.

4.10.012. Penalty.

Any person that violates this Article shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined a sum not exceeding \$500. Each continuing day's violation shall constitute a separate offense. A culpable mental state is not required for the commission of an offense under this article, and none shall be pleaded or proven in the prosecution of a violation of this article. The penalty provisions imposed under this Article shall not preclude the city from filing suit to enjoin the violation. The city retains all legal rights and remedies available to it pursuant to local, state, and federal law.

SECTION 4. SAVINGS/REPEALING CLAUSE. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict, but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 5. SEVERABILITY. Should any section, subsection, sentence, clause, or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional or invalid.

SECTION 6. PENALTY. Any person, firm, corporation, or entity violating this Ordinance, as it exists or may be amended, shall be subject to the penalty provision described in added Section 4.10.012. Nothing in this article shall limit the remedies available to the City in seeking to enforce the provisions of this article or other law, and all remedies shall be cumulative and not exclusive.

SECTION 7. PUBLICATION AND EFFECTIVE DATE. This Ordinance shall become effective immediately upon its adoption and its publication as required by law.

SECTION 8. EXISTING UDBs. The City Council hereby orders staff to provide written notice of this Ordinance to all owners and operators of UDBs in place on the effective date of this Ordinance, and owners of real property having such UDBs. Such owners and operators shall thereafter be given a period of ninety (90) days to bring any existing UDBs into compliance with this Ordinance.

SECTION 9. OPEN MEETING. That it is hereby found and determined that the meeting at which this Ordinance was passed was open to the public as required by law and that public notice of the time, place, and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

DULY PASSED and APPI day of February 2023.	ROVED by the City Council of the City of Lavon, Texas, on the 21st
	Vicki Sanson
	Mayor
ATTEST:	
Rae Norton	
City Secretary	
City Secretary	



CITY OF LAVON Agenda Brief

MEETING: February 21, 2023 ITEM: 5-C

Item:

CONSENT AGENDA

Approve Resolution No. <u>2022-02-21</u> authorizing continued participation with the Atmos Cities Steering Committee; and authorizing the payment of five cents per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation.

Background Information:

Atmos is a monopoly provider of natural gas. Because Atmos has no competitors, regulation of the rates that it charges its customers is the only way that cities can ensure that natural gas rates are fair. Working as a coalition to review the rates charged by Atmos allows cities to accomplish more collectively than each city could do acting alone. Cities have more than 100 years of experience in regulating natural gas rates in Texas.

In March 2018, the City Council authorized participation with the Atmos Cities Steering Committee (ACSC). Atmos Cities Steering Committee (ACSC) is the largest coalition of cities served by Atmos Mid-Tex. There are 184 ACSC member cities, which represent more than 60 percent of the total load served by Atmos-Mid Tex. ACSC protects the authority of municipalities over the monopoly natural gas provider and defends the interests of residential and small commercial customers within the cities. Although many of the activities undertaken by ACSC are connected to rate cases (and therefore expenses are reimbursed by the utility), ACSC also undertakes additional activities on behalf of municipalities for which it needs funding support from its members.

Based upon the population-based assessment protocol previously adopted by the Steering Committee, the assessment for 2022 has been set at a per capita rate of \$0.05, which has been the same rate for the last four years.

Financial Implication:

The cost for the City of Lavon to continue membership is \$267.10 which has been provided for in the FY 22-23 annual budget.

Staff Notes:

Approval is recommended.

Attachments: Proposed Resolution and supporting documents

CITY OF LAVON, TEXAS

RESOLUTION NO. 2023-02-04

Participation in Atmos Cities Steering Committee

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS AUTHORIZING THE MAYOR TO CONTINUE A PARTICIPATION AGREEMENT IN THE ATMOS CITIES STEERING COMMITTEE; AND AUTHORIZE A PAYMENT OF FIVE CENTS PER CAPITA TO THE ATMOS CITIES STEERING COMMITTEE TO FUND REGULATORY AND RELATED ACTIVITIES RELATED TO ATMOS ENERGY CORPORATION AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Lavon is a regulatory authority under the Gas Utility Regulatory Act (GURA) and has exclusive original jurisdiction over the rates and services of Atmos Energy Corporation, Mid-Tex Division (Atmos) within the municipal boundaries of the city; and

WHEREAS, the Atmos Cities Steering Committee (ACSC) has historically intervened in Atmos rate proceedings and gas utility related rulemakings to protect the interests of municipalities and gas customers residing within municipal boundaries; and

WHEREAS, ACSC is participating in Railroad Commission dockets and projects, as well as court proceedings and legislative activities, affecting gas utility rates; and

WHEREAS, the City is a member of ACSC; and

WHEREAS, in order for ACSC to continue its participation in these activities which affects the provision of gas utility service and the rates to be charged, it must assess its members for such costs;

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

- **SECTION 1.** That the City is authorized to continue its membership with the Atmos Cities Steering Committee to protect the interests of the City of Lavon and protect the interests of the customers of Atmos Energy Corporation, Mid-Tex Division residing and conducting business within the City limits.
- **SECTION 2.** The City is further authorized to pay its 2023 assessment to the ACSC in the amount of five cents (\$0.05) per capita.

SECTION 3. A copy of this Resolution and approved assessment fee payable to "*Atmos Cities Steering Committee*" shall be sent to:

Brandi Stigler

Atmos Cities Steering Committee c/o Arlington City Attorney's Office, Mail Stop 63-0300 101 S. Mesquite St., Suite 300 Arlington, Texas 76010

DULY PASSED AND APPROVED by the City Council of the City of Lavon, Texas on the 21st day of February, 2023.

	Vicki Sanson	
	Mayor	
ATTEST:		
Rae Norton	_	
City Secretary		

ACSC Master List of Members (184 Total)

1. Abilene 63. Fairview 125. Northlake 2. Addison 64. Farmers Branch 126. Oak Leaf Albany 65. Farmersville 127. Ovilla 4. Allen 66. Fate 128. Palestine 5. Alvarado 67. Flower Mound 129. Pantego 6. Angus 68. Forest Hill 130. Paris 7. Anna 69. Forney 131. Parker 8. Archer City 70. Fort Worth 132. Pecan Hill 9. Argyle 71. Frisco 133. Petrolia 10. Arlington 72. Frost 134. Plano 11. Aubrey 73. Gainesville 135. Ponder 12. Azle 74. Garland 136. Pottsboro 13. Bedford 75. Garrett 137. Prosper 14. Bellmead 76. Georgetown 138. Quitman 77. Glenn Heights 139. Red Oak 15. Belton 78. Grand Prairie 16. Benbrook 140. Reno (Parker County) 79. Grapevine 17. Beverly Hills 141. Rhome 18. Blossom 80. Groesbeck 142. Richardson 19. Blue Ridge 81. Gunter 143. Richland 20. Bowie 82. Haltom City 144. Richland Hills 21. Boyd 83. Harker Heights 145. River Oaks 22. Bridgeport 84. Haskell 146. Roanoke 85. Haslet 23. Brownwood 147. Robinson 24. Bryan 86. Hewitt 148. Rockwall 25. Buffalo 87. Highland Park 149. Roscoe 26. Burkburnett 88. Highland Village 150. Rowlett 89. Honey Grove 151. Royse City 27. Burleson 28. Caddo Mills 90. Hurst 152. Sachse 29. Canton 91. Hutchison 153. Saginaw 154. Sansom Park 30. Carrollton 92. Hutto 93. Iowa Park 155. Seagoville 31. Cedar Hill 32. Celeste 94. Irving 156. Seymour 33. Celina 95. Justin 157. Sherman 34. Centerville 96. Kaufman 158. Snyder 35. Cisco 97. Keene 159. Southlake 160. Springtown 36. Clarksville 98. Keller 37. Cleburne 161. Stamford 99. Kemp 38. Clyde 100. Kennedale 162. Stephenville 39. College Station 101. Kerens 163. Sulphur Springs 40. Colleyville 102. Kerrville 164. Sweetwater 41. Colorado City 103. Killeen 165. Temple 42. Comanche 104. Krum 166. Terrell 43. Commerce 105. Lakeside 167. The Colony 44. Coolidge 168. Trophy Club 106. Lake Dallas 45. Coppell 169. Tyler 107. Lake Worth 46. Corinth 170. University Park 108. Lancaster 47. Crandall 109. Lavon 171. Venus 48. Cross Roads 110. Lewisville 172. Vernon 173. Waco 49. Crowley 111. Little Elm 50. Dalworthington Gardens 112. Little River 174. Watauga 51. Denison 175. Waxahachie 113. Lorena 52. Denton 114. Madisonville 176. Westlake 53. DeSoto 177. Westover Hills 115. Malakoff 54. Draper 116. Mansfield 178. Westworth Village 55. Duncanville 117. McKinney 179. Whitesboro 180. White Settlement 56. Early 118. Melissa 57. Eastland 119. Mesquite 181. Wichita Falls 58. Edgecliff Village 120. Midlothian 182. Wilmer

124. North Richland Hills

183. Woodway

184. Wylie

121. Murphy

122. Newark

123. Nocona

59. Emory

60. Ennis

61. Euless

62. Everman

2022 ACSC



2022 YEAR IN REVIEW ISSUE

This past year was a busy one for ACSC. This annual review highlights the significant events of 2022 that impacted ACSC and what's on the horizon next year.



ACSC Welcomes New 2022 Members

The Atmos Cities Steering Committee welcomed several new members to the coalition in 2022, including Archer City, Belton and Seymour. ACSC, an organization of more than 180 cities in north and central Texas with nearly 1.2 million residential customers, is one of the state's most important municipal coalitions active at the Texas Railroad Commission in ratemaking matters. Membership is determined by passage of a resolution by each governing body.

RRC Amends Gas Facilities Rules

On November 1, the Texas Railroad Commission updated rules relating to the designation of natural gas facilities as critical during emergencies.

Initially proposed last year by the Railroad Commission as part of its implementation of Senate Bill 3 and House Bill 3648 from the 87th Texas Legislature, the rules specify how the agency designates certain gas facilities as critical," which is particularly important when it comes to the power grid. This is because natural gas suppliers fuel many electric generators and failures by the gas industry have been identified as major contributing factors behind last year's rolling outages.

The Railroad Commission initially adopted the rules in November 2021, but then re-opened the rulemaking process soon afterwards there-after in response to additional staff and stakeholder input. On November 1, 2022 the three-member panel adopted new changes, many of them technical in nature. The rules took effect on November 21.

The Details

Some of the adopted changes incorporate suggestions from the Atmos Cities Steering Committee. For instance, the agency agreed to further clarify the process that gas facilities must follow when requesting critical designations, as per an ACSC suggestion. The agency also agreed to clarify how the agency makes such designations, as per an ACSC suggestion. Some of the other changes include the following:

- The Commission adopted amendments to provide more certainty regarding the definition of "energy emergency." In specific terms, the Commission adopted amendments to define an event with "potential to result in firm load shed" as when the reliability coordinator of a power region in Texas issues an Energy Emergency Alert Level 1 or 2.
- The Commission adopted amendments to the list of critical gas suppliers to exclude gas wells producing an average

- of 250 Mcf of natural gas per day or less and oil leases producing an average of 500 Mcf of natural gas per day or less.
- The Commission adopted amendments clarifying that certain facilities designated as critical may request an
 exception unless the facility is included on the electricity supply chain map. The amendments likewise clarify
 acceptable reasons for requesting an exception.

More Information

More information about the rule designated as 16 TAC § 3.65 can be found at the Railroad Commission website.

Railroad Commission Sets Emergency Gas Curtailment Rules

In response to the massive gas supply failures during Winter Storm Uri, the Texas Railroad Commission on April 12 updated its rules governing emergency service priorities.

As a result of the action, gas suppliers will have to follow new rules during those emergency situations when they lack sufficient supply to serve all customers. The Atmos Cities Steering Committee earlier expressed general support for a draft of the new rules.

In specific terms, the agency reset its 1970s-era "Order 489" that relates to gas deliveries during "curtailment events;" i.e., when gas utilities lack sufficient supply to serve all customers. The new action amends a section of the Texas Administrative Code (16 TAC § 7.455) relating to curtailment standards and likewise repeals a

section of the Texas Administrative Code (16 TAC § 7.305) relating to the commission's existing curtailment program.

Prioritizing Human-Needs Customers

Of particular importance, the rules set forth various service priorities for gas suppliers that find themselves unable to meet all their firm delivery obligations. The rules name human-needs customers — such as residences, hospitals, water and wastewater facilities, and emergency responder facilities — as the top priority for gas service, as well as electric generation facilities. It then sets forth other customer categories, in priority-order of service. The agency's three commissioners adopted the new rules after only a brief discussion, and they took effect on September 1.

Lawmakers Begin Filing Energy-Related Bills in Advance of 88th Legislature

The next Regular Session of the Texas Legislature — the 88th — convenes on January 10. Some of the bills filed so far would affect gas utility customers, including residential customers living within cities served by the Atmos Cities Steering Committee. However, given that Texas hasn't suffered a repeat energy crisis like the one brought on by Winter Storm Uri, don't expect to see a flood of energy-related bills similar to what the legislature experienced in 2021.

Two bills of interest we've seen filed so far are House Bills 697 and 743, by Reps. Justin Holland and Jay Dean respectively. Under HB 697 home sellers would be required to reveal the sort of gas piping installed at their residence. The disclosure holds importance for customer safety given that older iron pipes have been associated with various fatal accidents. Under House Bill 743, cities and counties would be prohibited from adopting ordinances that restrict the use of gas appliances in residential or commercial buildings. The issue has been pressed in recent years by gas utilities as they have witnessed a reduction in the use of gas appliances nationwide for environmental reasons.

Railroad Commission Oks Securitization Financing Order

On February 8, the Texas Railroad Commission approved a \$3.4 billion financing order to pay natural gas costs from Winter Storm Uri.

Under the regulatory action, ratepayers will end up paying potentially for decades for fuel they consumed during the weeklong storm. The Railroad Commission had given its initial OK in November 2021, and the February action pushed the process forward by directing a separate agency known as the Texas Public Finance Authority to issue the bonds.

Atmos, CenterPoint, Texas Gas Service and 8 other gas utilities applied for financial recovery under the debt financing deal, which utilities promote as a method to help their customers avoid rate shock. Under ordinary circumstances, the cost of natural gas consumed by utility customers would have flowed directly into monthly bills. During last year's Winter Storm Uri, however, gas prices spiked to intolerable levels and so gas utilities instead set aside those fuel costs as "regulatory assets" to deal with later. The new bond financing allows utilities to receive reimbursements for these expenses. The downside for ratepayers, however, is that they will have to pay off the bonds over many years and with interest. The size of the resulting bill charges remains unclear.

UTILITIES PARTICIPATING IN PROGRAM

Under the financing order, Atmos Energy can receive reimbursements under the bond financing arrangement for approximately \$2 billion in fuel costs, CenterPoint can receive approximately \$1.1 billion and TGS can receive \$197.3 million. Other utilities to receive recovery include Bluebonnet, Corix, EPCOR, SiEnergy, UniGas, TGS West Texas Service Area and CoServ.

The bond financing process (known as "securitization") received authorization in 2021 by the Texas Legislature, under House Bill 1520. By law, gas distribution utilities such as Atmos, CenterPoint and TGS cannot profit from the sale of the gas commodity, but instead must pass those costs directly to end users without markups.

UTILITY	STIPULATED MAXIMUM REGULATORY ASSET AMOUNT
Atmos	\$2,021,888,534
Bluebonnet	\$1,962,731
CenterPoint	\$1,099,929,626
Corix	\$294,407
EPCOR	\$11,296,221
SiEnergy	\$18,795,497
TGS	\$197,342,375
UniGas	\$32,431,370
TGS WTSA	\$59,663,320
CoServ	\$67,224,791

Atmos Reports More Financial Gains

Atmos Energy announced consolidated net income of \$774.4 million for the year ending September 30, 2022. In a Nov. 10 call with financial analysts, the company also said its capital expenditures totaled \$2.4 billion for the year, with capital expenditures expected to approximate \$2.7 billion in fiscal 2023.

Due to the availability of interim rate mechanisms (such as the Gas Reliability Infrastructure Program in Texas that allows the utility to promptly implement rate increases), Atmos said that 90 percent of its annual capital expenditures begin to earn financial returns within six months.

Atmos noted that average residential monthly customer bills were \$68 in the 2022 fiscal year, will rise to an estimated \$79 in fiscal 2023, and rise to an estimated \$91 in 2027. Meanwhile, the portion of customer bills associated with pass-through gas costs will decline — from about 50 percent in 2023, to 35 percent in 2027.

In addition to the effect of rate increases, some of the company's revenue growth has been driven by a growth in the number of its customers. Atmos noted that it added 62,000 customers in Texas during the 2022 fiscal year, including 50 new industrial customers. It estimated that it will add 120 industrial customers over the next three years.

The company said that 2022 marked the 20th consecutive year for earnings per share growth, and 39th consecutive year of dividend increases.

During the earnings call, Atmos also revealed other details regarding its financial performance:

Results for the Fiscal Year Ending September 30, 2022.

Consolidated operating income increased \$16 million to \$921 million for the year ending September 30, compared to \$905 million during the previous year. Refunds of excess deferred income taxes reduced operating income by \$111.8 million, although that was substantially offset by a corresponding decrease in income tax expenses. Excluding the impact of these refunds, operating income increased \$127.8 million because of rate increases, customer growth in distribution operations and other factors.

Distribution operating income decreased \$14 million to \$604.5 million for the year ending September 30, as compared with \$618.5 million during the corresponding prior-year period. Refunds of excess deferred taxes re-duced operating income by \$98.5 million year over year, while a \$149.9 million increase in rates, customer growth of \$15.2 million and other factors drove up revenues.

Pipeline and storage operating income increased \$29.9 million to \$316.4 million for the year ending September 30, as compared with \$286.5 million during the prior year. Key operating drivers for this segment include a \$70.4 million increase from GRIP filings approved in fiscal 2021 and 2022.

Capital expenditures increased \$474.9 million to \$2.4 billion for the year ending September 30, compared with \$2 billion during the prior year.

2022 Atmos RRM and GRIP Orders

Two of the most significant rate-setting mechanisms employed by the Atmos gas utility are the Gas Reliability Infrastructure Program (GRIP) and the Rate Review Mechanism (RRM). The first, GRIP, was created by the Texas Legislature; the other, the RRM, does not exist in statute but rather is the result of various covenants reached between the Atmos utility and participating member governments of the Atmos Cities Steering Committee.

Both GRIP and the RRM permit Atmos to hike rates on an annual basis. However, under GRIP, Atmos can effectuate these hikes without any contemporaneous and substantive regulatory review. This means that under GRIP, Atmos (or any other utility that employs it) can increase rates without consideration of offsetting savings, without consideration of revenue levels — without even consideration of the prudence of their underlying investments.

The RRM, by contrast, requires utilities to submit their rate requests to regulatory scrutiny, sets forth various deadlines for expedited reviews of those rate requests, and allows for examination of various mitigating factors that can limit rate hikes and potentially save money for Texas gas consumers. While outcomes may vary from year to year, on balance the RRM process consistently provides better long-term outcomes for ratepayers than GRIP.

Atmos, which serves about 2 million customers in north, central and west Texas, employs the RRM only in areas falling within the boundaries of ACSC cities. It employs GRIP in those sections of its service territory lying outside the territorial boundaries of ACSC cities and within some non-ACSC cites. Under GRIP, utilities can hike rates once per year for six years before submitting to a more thorough rate case at the Texas Railroad Commission.

Just below we summarize 2022 rate increases for Atmos customers under both mechanisms.

Atmos Mid-Tex RRM

On April 1, 2022, Atmos filed a rate request under the Rate Review Mechanism process claiming that it was entitled to additional system-wide revenues of \$141.3 million for its Mid-Tex service territory, based on a 2021 test year. Under a 2022 settlement, that amount will be reduced to \$115 million, \$83.26 million of which would be applicable to ACSC members. ACSC's consultants concluded that the system-wide deficiency under the RRM regime should be \$95.8 million instead of the claimed \$141.3 million. The effective date for the new

rates was October 1, 2022. The impact of the settlement on average residential rates is an increase of \$4.60 monthly, or 6.7 percent. The increase for average commercial usage will be \$14.34 or 4.3 percent.

Atmos West Texas RRM

On April 1, 2022, Atmos filed a rate request under the Rate Review Mechanism process claiming it was entitled to addition-al revenues of \$8.77 million for 71 ACSC cities within the company's West Texas service territory, based on a 2021 test year. Under a 2022 settlement, that amount will be reduced to \$6.72 million. The impact of this increase to an average residential customer's bill is approximately \$3.36 per month. Comparison of these new rates to rates in effect for areas not under the RRM process reveals that settling cities will maintain an economic monthly rate advantage over Lubbock, and West Texas service territory environs.

Mid-Tex GRIP

On Feb. 25, 2022, Atmos filed for a GRIP increase for the unincorporated areas of its Mid-Tex Division, which has approximately 2,747,558 customers, of which 83, 056 were subject to the new GRIP order. The GRIP filing is the fourth since the company's most recent rate case in 2018. Under a June 7, 2022, GRIP order, the approved revenue requirement increase in the West Texas service area is \$128,361,676, of which \$5,645,756 is to be recovered from customers subject to the order. The GRIP filing will result in an increased residential customer charge of

\$5.15 per month. More information can be found on the Railroad Commission website, under Case No. 00008887.

West Texas GRIP

On Feb. 25, 2022, Atmos filed for a GRIP increase for the unincorporated areas of its West Texas Division, which has approximately 314,896 customers. However, 22,532 customers were subject to the new GRIP order. The GRIP filing is the fourth since the company's most recent rate case, in 2018. The Texas Railroad Commission approved the GRIP adjustment on June 7, 2022. Under it, the approved revenue requirement increase in the West Texas service area is \$14,686,365, of which \$1,221,084 is to be recovered from customers subject to the order. The GRIP filing will result in an increase in the residential customer charge of \$3.20 per month, bringing the total customer charge to \$27.99. More information can be found on the Railroad Commission website, under Case No. 00008885.

Expected 2023 RRM, GRIP and DARR Activities

- Atmos anticipates making a GRIP filing for its Texas Pipeline division in February 2023, with new rates anticipated for the third quarter of 2023.
- Atmos anticipates making a Dallas Annual Rate Review ("DARR") filing in January 2023, with new rates anticipated for the fourth fiscal quarter of 2023.
- Atmos anticipates making Rate Review Mechanism ("RRM") filings for Mid-Tex and West Texas Cities in April 2023, with new rates anticipated for the first fiscal quarter of 2024

2023 ACSC Meetings
March 9
June 8—Zoom only
September 7
December 7—Zoom only

2023 Officers

Chair—Jennifer Richie (Waco)
Vice Chair—Meg Jakubik (Bedford)
Secretary—Lupe Orozco (Keller)
Treasurer—David Johnson (Arlington)

For more questions or concerns regarding any ACSC matter or communication, please contact the following representative, who will be happy to provide assistance:



Thomas L. Brocato (512) 322-5857 tbrocato@lglawfirm.com Jamie Mauldin (512) 322-5890 jmauldin@lglawfirm.com



CITY OF LAVON Agenda Brief

MEETING: <u>February 21, 2023</u> ITEM: <u>6 - A</u>

Item:

Discussion and action regarding the Fire Department and Public Works Facilities Expansion Construction Project (CIP-9) to approve the ranking of proposals as recommended by the Selection Review Committee and approve Resolution No. <u>2023-02-05</u> authorizing the City Manager to negotiate and execute a contract with the highest-ranking selected firm, subject to legal review and approval.

Background:

In December 2022, the initial invitation for competitive sealed proposals for the construction project to expand the Fire Department and Public Works facilities (CIP-9) did not result in the submittal of any proposals. Subsequently, AGCM, Eikon Architecture and the city staff refined the invitation and focused promotional efforts to secure competitive proposals.

On January 4, 2023, the invitation was reissued and on February 8, 2023, six (6) qualified and competitive proposals were received and opened.

Experience was verified, references were checked, and the City's Selection Review Committee met twice to discuss the process, evaluate the proposals and prepare a recommendation for the City Council's consideration.

The attached memorandum identifies the three highest scoring proposals:

- 1.Mart Inc.
- 2.Fransen Pittman
- 3.AUI Partners

The Selection Review committee respectfully recommends that the City Council

Financial Implication:

Generally, the funding for the project has been approved in the CIP budget. The project budget will be refined during the negotiation and award process. If needed, a budget amendment may be returned to the City Council to provide funding at an appropriate level.

Staff Notes:

Approval of the ranking of proposals and Resolution No. $\underline{2023-02-05}$ is recommended.

1) Proposed Resolution **Attachments:**

- 2) Memo from AGCM 3) Project Milestone Schedule

CITY OF LAVON, TEXAS

RESOLUTION NO. 2023-02-05

Fire Department and Public Works Facilities Expansion Construction Contract

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A CONTRACT WITH THE HIGHEST-RANKING SELECTED FIRM FOR THE FIRE DEPARTMENT AND PUBLIC WORKS FACILITIES EXPANSION CONSTRUCTION PROJECT (CIP-9), SUBJECT TO LEGAL REVIEW AND APPROVAL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council identified and approved the Fire Department and Public Works Facilities Expansion Construction Project (CIP-9) during the 2022-23 capital improvement plan development and budget process; and

WHEREAS, the City Council has reviewed the Selection Review Committee recommendation and determined that it is necessary and in the best interests of the City of Lavon to authorize the City Manager to negotiate and execute a contract with the firm that provided the highest-ranking proposal subject to legal review and approval.

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

SECTION 1. The City Council does hereby authorize the City Manager to negotiate and execute a contract with the highest-ranking selected firm for the Fire Department and Public Works Facilities Expansion Construction Project (CIP-9), subject to legal review and approval and in the event that a contract cannot be negotiated with the #1 selected proposal, then negotiations will cease with the highest ranked and move to the next highest ranked proposed until an acceptable contract is negotiated and executed.

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 21st day of February 2023.

	Vicki Sanson	
ATTEST:	Mayor	
	_	
Rae Norton		
City Secretary		



DALLAS 5606 SMU Blvd Suite #600752 Dallas, TX 75360 (210) 542-3066

www.agcm.com

Memo Date: February 16, 2023

From: Ryan Rosborough

To: Ms. Kim Dobbs

Subject: Contractor Evaluations, City of Lavon

Notes:

On January 4th, 2023, Eikon Consulting Group released bid documents for the Lavon Fire Station and Public Works Addition/Renovations. The City had previously approved the use of Competitive Sealed Proposal Method of procurement in accordance with Texas Government Code Chapter 2269. The following Scoring Criteria was to be utilized for this Competitive Sealed Proposal process:

- 40% = Price
- 15% = Company Experience and Qualifications
- 20% = Key Personnel Experience and Qualifications
- 15% = Past Performance
- 10% = Key Subcontractors

These construction documents were posted in plan rooms (Civcast), available from Eikon Consulting, and advertised in the Wylie News two times prior to the bid due date.

Prior to bidding, one addendum was released as below:

1. Addendum #1 was issued on February 1, 2023

On February 8th, 2023 at 2pm, bids were received and responses opened from (6) potential General Contractors. Selection Committee Members were: Mike Cook (Lavon appointed rep), Mindi Serkland (Lavon appointed rep), Dwayne McNeil and Richard King (Eikon) and Ryan Rosborough and Garrett Martin (AG|CM). Contractors who submitted included: Tegrity Construction, Hawk Builders, Mart Inc, AUI Partners, MDI General Contractors, and Fransen Pittman.

In review of the six potential contractors, the selection committee rated the contractors based on the previously adopted scoring criteria.



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On February 16th, 2023, the selection committee finalized the ranking of the proposing General Contractors, with the top (3) ranked, and their respective scoring, as follows:

- 1. Mart Inc.
- 2. Fransen Pittman
- 3. AUI Partners

Based on the above rankings, the selection committee recommends the City Council elect to adopt the above rankings and allow negotiation to begin with the #1 ranked General Contractor, Mart Inc. We recommend authority be given to the City Manager to negotiate and execute said contract. In the event that a contract can not be negotiated with the #1 selected, then negotiations will cease with the highest ranked and move to the next highest ranked proposed until an acceptable contract is negotiated and executed.

Respectfully Submitted,

Ryan K. Rosborough, CCM

Regional Vice President – North Texas Region

AG|CM, Inc.



5606 SMU Blvd Suite #600752 Dallas, TX 75360 (210) 542-3066

www.agcm.com

City of Lavon Public Works and Fire Station Addition Milestone Schedule 12-16-22

Complete CSP Documents/Issue For Bid – January 4, 2023

Advertisement #1 – January 11, 2023

Advertisement #2 – January 18, 2023

Prebid Conference – January 23, 2023, 2:00

Questions Due – January 26, 2023

Final Addendum Issued – February 1, 2023

Bids Due/Open Bids – February 8, 2023

Complete Evaluations/Ranking –February 16, 2023

Council Approval of Ranking/Contract – February 21, 2023

Complete Negotiations/Contract Execution – March 3, 2023

Issue NTP – March 6, 2023

Substantial Completion of Construction - January 5, 2024



CITY OF LAVON Agenda Brief

MEETING: <u>February 21, 2023</u> ITEM: <u>6 – B</u>

Item:

Public hearing, discussion, and action regarding the need to continue, abolish, or modify the City of Lavon Juvenile Curfew Ordinance No. <u>2020-03-02</u> that established a curfew for minors and parental responsibility.

- 1) Report regarding effects of the juvenile curfew ordinance on the community and on problems the ordinance was intended to remedy.
- 2) **PUBLIC HEARING** to receive comments regarding continuation of the juvenile curfew.
- 3) Discussion and action regarding the proposed continuation of the juvenile curfew and accompanying Ordinance No. <u>2023-02-06</u>.

Background:

In March of 2020, the City Council adopted Ordinance No. <u>2020-03-02</u> to update and renew the juvenile curfew allowed by state law. The law provides that the ordinance expires if not continued within three years. This is the required second public hearing regarding the ordinance.

Code Excerpts:

TEXAS LOCAL GOVERNMENT CODE

370.002 REVIEW OF JUVENILE CURFEW ORDER OR ORDINANCE

Sec. 370.002. (a) Before the third anniversary of the date of adoption of a juvenile curfew ordinance by a general-law municipality or a home-rule municipality or an order of a county commissioners court, and every third year thereafter, the governing body of the general-law municipality or home-rule municipality or the commissioners court of the county shall:

- (1) review the ordinance or order's effects on the community and on problems the ordinance or order was intended to remedy;
- (2) conduct public hearings on the need to continue the ordinance or order; and
- (3) abolish, continue, or modify the ordinance or order.
- (b) Failure to act in accordance with Subsections (a)(1)-(3) shall cause the ordinance or order to expire.

Law enforcement officers generally report that the proposed ordinance provides an important tool. The Police Department reports that warnings are employed to gain voluntary compliance.

As set forth in the state law, two public hearings are required to gather public input on the proposed curfew prior to Council action. The first public hearing was conducted on February 7th.

Financial Implications:

There is no proposed change in policy or procedure that results in a financial impact.

Staff Notes:

Approval is recommended.

Attachments: Proposed Ordinance Ordinance No. <u>2020-03-02</u>

CITY OF LAVON, TEXAS

ORDINANCE NO. 2023-02-06

Continuation of Juvenile Curfew

AN ORDINANCE OF THE CITY OF LAVON, TEXAS, PURSUANT TO SECTION 341.904 OF THE TEXAS LOCAL GOVERNMENT CODE, RE-ESTABLISHING A JUVENILE CURFEW FOR MINORS AND PARENTAL RESPONSIBILITY; SETTING THE HOURS OF CURFEW FOR MINORS; PROVIDING FOR AFFIRMATIVE DEFENSES TO PROSECUTION; PROVIDING A PENALTY NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Lavon (the "City Council") has deliberated the issues regarding the activity and safety of minors in the City of Lavon during curfew hours defined herein; and

WHEREAS, the City Council has considered the effect that a curfew might have on the community and on problems such as criminal activity and mischief caused by minors during the curfew hours that this ordinance is intended to remedy; and

WHEREAS, the City Council finds that renewal of this Juvenile Curfew Ordinance is in the best interest of the City and that this ordinance will promote and provide for the health, safety, and welfare of the City.

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

SECTION 1. All matters stated in the preamble are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

SECTION 2. The Code of Ordinances of the City of Lavon is hereby amended to renew and establish the Juvenile Curfew as previously codified in Chapter 8 Offenses and Additional Provisions, Division 2. Curfew attached hereto as Exhibit "A".

SECTION 3. Severability Clause.

It is hereby declared by the City Council that if any of the sections, paragraphs, sentences, clauses, phrases, words, or provisions of this ordinance should be declared unconstitutional or otherwise invalid for any reason, such event shall not affect any remaining sections, paragraphs, sentences, clauses, phrases, words, or provisions of this ordinance.

SECTION 4. Cumulative Clause.

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

SECTION 5. Public Meeting.

It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required by law.

SECTION 6.	Effective Date	١.

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

DULY PASSED AND APPROVED by the City Council of the City of Lavon, Texas, this 21st day of February 2023.

	Vicki Sanson	
	Mayor	
ATTEST:		
D. N. M.		
Rae Norton		
City Secretary		

ORDINANCE NO. 2023-02-06

EXHIBIT A

Division 2. Curfew

Sec. 8.02.031 Definitions

All definitions contained within this division are for the purpose of this division only and shall have no impact on any other rule, law or ordinance unless referenced directly within said rule, law or ordinance.

Adult means any person seventeen years of age or older.

<u>Business operator</u> means any employee, individual, firm, associate, partnership or corporation engaged in or responsible for operating, conducting business or managing any business or establishment.

<u>Curfew or curfew hours</u> means those hours between 11:00 p.m. and 6:00 a.m. inclusive.

<u>Emergency</u> means an unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, but is not limited to, a fire, a natural disaster, an automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life.

<u>Establishment</u> means any privately owned place of business operated for a profit to which the public is invited, including but not limited to any place of amusement or entertainment.

Guardian means:

- (1) A person who is the natural guardian of the minor;
- (2) A person who, under court order, is the guardian of the person of a minor; or
- (3) A public or private agency with whom a minor has been placed by a court.

<u>Minor</u> means any person less than seventeen (17) years of age who has not had the disabilities of minority removed in accordance with chapter 31 of the Texas Family Code or who is not legally married at the time.

<u>Operator</u> means any individual, employee, firm, association, partnership, or corporation engaged in, operating, managing or conducting any establishment. The term includes the members or partners of an association or partnership and the officers of a corporation.

Parent means a person who is:

- (1) A natural parent, adoptive parent, or step-parent of another person;
- (2) A person being at least 18 years of age and having written authorization from a parent or guardian to provide for the care and custody of a minor.

<u>Public place</u> means any place to which the public or a substantial group of the public has access and includes, but is not limited to, streets, highways, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities, and shops.

<u>Remain</u> means to linger, stay or fail to leave premises when requested to do so by a peace officer or the owner, operator, or other person in control of the premises.

<u>Serious bodily injury</u> means bodily injury that creates a substantial risk of death, serious permanent disfigurement or protracted loss or impairment of the function of any bodily member or organ.

(Ordinance 2016-08-01, sec. 2, adopted 8/2/16)

Sec. 8.02.032 Offenses

- (a) <u>Violation by minor</u>. A minor commits an offense if the minor remains in any public place or on the premises of any establishment within the city during curfew hours.
- (b) <u>Violation by parent or guardian</u>. A parent or guardian of a minor commits an offense if the parent or guardian knowingly permits, or by insufficient control allows, the minor to remain in any public place or on the premises of any establishment within the city during curfew hours.
- (c) Contributing to the neglect or delinquency of minor. A parent, guardian or other person having the care, custody or control of a minor commits an offense if, by any act or omission, or by lack of supervision and control over such minor, such person encourages, contributes toward, causes or tends to cause the minor to become neglected or delinquent.
- (d) <u>Violation by owner, operator or employee of establishment</u>. The owner, operator, or any employee of an establishment commits an offense if such person knowingly allows a minor to remain upon the premises of the establishment during curfew hours.

(Ordinance 2016-08-01, sec. 3, adopted 8/2/16)

Sec. 8.02.033 Penalty

- (a) A person who violates section 8.02.032(a) of this article is guilty of a misdemeanor, and upon conviction in the municipal court of the city shall be deemed guilty of a class C misdemeanor punishable by a fine of not more than two hundred fifty dollars (\$250.00) for each offense. Each day or part of day during which the violation is committed, continued, or permitted shall be considered a separate offense.
- (b) Each minor upon the premises of any establishment constitutes a separate violation under section 8.02.032 of this article and shall result in a separate fine.
- (c) Any child taken into custody for a violation of this article shall be held in accordance with article 45.059, Texas Code of Criminal Procedure.

- (d) When required by section 51.08 of the Texas Family Code, as amended, the municipal court of the city shall waive original jurisdiction over a minor who violates section 8.02.032(a) and shall refer the minor to a juvenile court.
- (e) Any person who violates <u>section 8.02.032(b)</u> to (d) of this article is guilty of a misdemeanor, and upon conviction in the municipal court of the city shall be deemed guilty of a class C misdemeanor punishable by a fine of not more than five hundred dollars (\$500.00) for each offense. Each day or part of day during which the violation is committed, continued, or permitted shall be considered a separate offense.

(Ordinance 2016-08-01, sec. 4, adopted 8/2/16)

Sec. 8.02.034 Affirmative defenses

- (a) It is an affirmative defense to prosecution under <u>section 8.02.032(a)</u>, (b), and (c) of this article that:
- (1) The minor was accompanied by his/her parent or legal guardian;
- (2) The minor was accompanied by an adult approved by the minor's parent;
- (3) The minor was attending, going to or returning from, without stop or detour and using the most direct route, any school, religious or other activity supervised by adults and sanctioned by a government, civic or church entity that takes responsibility for the minor;
- (4) The minor was on an emergency errand;
- (5) The minor was engaged in lawful employment activity or going to or returning from, without stop or detour and using the most direct route, any lawful employment; or
- (6) The minor is married or had been married or had disabilities or minority removed in accordance with Texas Family Code chapter 31.
- (b) It is an affirmative defense to prosecution under section 8.02.032(d) of this article that:
- (1) The business operator notified the police department that the minor was present during curfew hours and refused to leave;
- (2) The business operator was unaware of the presence of the minor and assisted the police in identifying the minor; or

(3) The minor is an employee of the establishment, is actually engaged in duties related to that employment and is receiving payment for the activity.

(Ordinance 2016-08-01, sec. 5, adopted 8/2/16)

Sec. 8.02.035 Review of regulations

Before the third anniversary of the date of adoption of this article and every third year thereafter, the city council shall review the effects of this article on the community and determine whether to abolish, continue or modify this article. Two public hearings shall be conducted to consider public comments. (Ordinance 2016-08-01, sec. 6, adopted 8/2/16)

CITY OF LAVON, TEXAS

ORDINANCE NO. 2020-03-02

Juvenile Curfew

AN ORDINANCE OF THE CITY OF LAVON, TEXAS, RENEWING AND ESTABLISHING, AS PREVIOUSLY ESTABLISHED BY ORDINANCE NO. 2016-08-01, A CURFEW FOR MINORS AND PARENTAL RESPONSIBILITY; SETTING THE HOURS OF CURFEW FOR MINORS; PROVIDING FOR AFFIRMATIVE DEFENSES TO PROSECUTION; PROVIDING A PENALTY NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Lavon (the "City Council") has deliberated the issues regarding the activity and safety of minors in the City of Lavon during curfew hours defined herein; and

WHEREAS, the City Council has considered the effect that a curfew might have on the community and on problems such as criminal activity and mischief caused by minors during the curfew hours that this ordinance is intended to remedy; and

WHEREAS, the City Council finds that adoption of this Juvenile Curfew Ordinance is in the best interest of the City and that this ordinance will promote and provide for the health, safety and welfare of the City.

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

SECTION 1. All matters stated in the preamble are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

SECTION 2. The Code of Ordinances of the City of Lavon is hereby amended to renew and establish the Juvenile Curfew as previously codified in Chapter 8 Offenses and Additional Provisions, Division 2. Curfew attached hereto as Exhibit "A".

SECTION 3. Severability Clause.

It is hereby declared by the City Council that if any of the sections, paragraphs, sentences, clauses, phrases, words, or provisions of this ordinance should be declared unconstitutional or otherwise invalid for any reason, such event shall not affect any remaining sections, paragraphs, sentences, clauses, phrases, words, or provisions of this ordinance.

SECTION 4. Cumulative Clause.

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

SECTION 5. Public Meeting.

It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required by law.

SECTION 6. Effective Date.

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

DULY PASSED AND APPROVED by the City Council of the City of Lavon, Texas, this 17th day of March 2020.

Vicki Sanson, Mayor

ATTEST:

Kim Dobbs

City Administrator/City Secretary

ORDINANCE NO. 2020-03-02

EXHIBIT A

Division 2. Curfew

Sec. 8.02.031 Definitions

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Adult means any person seventeen years of age or older.

<u>Business operator</u> means any employee, individual, firm, associate, partnership or corporation engaged in or responsible for operating, conducting business or managing any business or establishment.

<u>Curfew or curfew hours</u> means those hours between 11:00 p.m. and 6:00 a.m. inclusive.

<u>Emergency</u> means an unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, but is not limited to, a fire, a natural disaster, an automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life.

<u>Establishment</u> means any privately owned place of business operated for a profit to which the public is invited, including but not limited to any place of amusement or entertainment.

Guardian means:

- (1) A person who is the natural guardian of the minor;
- (2) A person who, under court order, is the guardian of the person of a minor; or
- (3) A public or private agency with whom a minor has been placed by a court.

<u>Minor</u> means any person less than seventeen (17) years of age who has not had the disabilities of minority removed in accordance with chapter 31 of the Texas Family Code or who is not legally married at the time.

<u>Operator</u> means any individual, employee, firm, association, partnership, or corporation engaged in, operating, managing or conducting any establishment. The term includes the members or partners of an association or partnership and the officers of a corporation.

Parent means a person who is:

- A natural parent, adoptive parent, or step-parent of another person;
- (2) A person being at least 18 years of age and having written authorization from a parent or guardian to provide for the care and custody of a minor.

<u>Public place</u> means any place to which the public or a substantial group of the public has access and includes, but is not limited to, streets, highways, and the common areas of schools, hospitals, apartment

houses, office buildings, transport facilities, and shops.

<u>Remain</u> means to linger, stay or fail to leave premises when requested to do so by a peace officer or the owner, operator, or other person in control of the premises.

<u>Serious bodily injury</u> means bodily injury that creates a substantial risk of death, serious permanent disfigurement or protracted loss or impairment of the function of any bodily member or organ.

(Ordinance 2016-08-01, sec. 2, adopted 8/2/16)

Sec. 8.02.032 Offenses

- (a) <u>Violation by minor</u>. A minor commits an offense if the minor remains in any public place or on the premises of any establishment within the city during curfew hours.
- (b) <u>Violation by parent or guardian</u>. A parent or guardian of a minor commits an offense if the parent or guardian knowingly permits, or by insufficient control allows, the minor to remain in any public place or on the premises of any establishment within the city during curfew hours.
- (c) Contributing to the neglect or delinquency of minor. A parent, guardian or other person having the care, custody or control of a minor commits an offense if, by any act or omission, or by lack of supervision and control over such minor, such person encourages, contributes toward, causes or tends to cause the minor to become neglected or delinquent.
- (d) <u>Violation by owner, operator or employee of establishment</u>. The owner, operator, or any employee of an establishment commits an offense if such person knowingly allows a minor to remain upon the premises of the establishment during curfew hours.

(Ordinance 2016-08-01, sec. 3, adopted 8/2/16)

Sec. 8.02.033 Penalty

(a) A person who violates section 8.02.032(a) of this article is guilty of a misdemeanor, and upon conviction in the municipal court of the city shall be deemed guilty of a class C misdemeanor punishable by a fine of not more than two hundred fifty dollars (\$250.00) for each offense. Each day or part of day during which the violation is committed, continued, or permitted shall be considered a separate offense.

- (b) Each minor upon the premises of any establishment constitutes a separate violation under section 8.02.032 of this article and shall result in a separate fine.
- (c) Any child taken into custody for a violation of this article shall be held in accordance with article 45.059, Texas Code of Criminal Procedure.
- (d) When required by section 51.08 of the Texas Family Code, as amended, the municipal court of the city shall waive original jurisdiction over a minor who violates section 8.02.032(a) and shall refer the minor to a juvenile court.
- (e) Any person who violates section 8.02.032(b) to (d) of this article is guilty of a misdemeanor, and upon conviction in the municipal court of the city shall be deemed guilty of a class C misdemeanor punishable by a fine of not more than five hundred dollars (\$500.00) for each offense. Each day or part of day during which the violation is committed, continued, or permitted shall be considered a separate offense.

(Ordinance 2016-08-01, sec. 4, adopted 8/2/16)

Sec. 8.02.034 Affirmative defenses

- (a) It is an affirmative defense to prosecution under section 8.02.032(a), (b), and (c) of this article that:
- (1) The minor was accompanied by his/her parent or legal guardian;
- (2) The minor was accompanied by an adult approved by the minor's parent;
- (3) The minor was attending, going to or returning from, without stop or detour and using the most direct route, any school, religious or other activity supervised by adults and sanctioned by a government, civic or church entity that takes responsibility for the minor:
- (4) The minor was on an emergency errand;
- (5) The minor was engaged in lawful employment activity or going to or returning from, without stop or detour and using the most direct route, any lawful employment; or

- (6) The minor is married or had been married or had disabilities or minority removed in accordance with Texas Family Code chapter 31.
- (b) It is an affirmative defense to prosecution under <u>section 8.02.032(d)</u> of this article that:
- (1) The business operator notified the police department that the minor was present during curfew hours and refused to leave;
- (2) The business operator was unaware of the presence of the minor and assisted the police in identifying the minor; or
- (3) The minor is an employee of the establishment, is actually engaged in duties related to that employment and is receiving payment for the activity.

(Ordinance 2016-08-01, sec. 5, adopted 8/2/16)

Sec. 8.02.035 Review of regulations

Before the third anniversary of the date of adoption of this article and every third year thereafter, the city council shall review the effects of this article on the community and determine whether to abolish, continue or modify this article. Two public hearings shall be conducted to consider public comments. (Ordinance 2016-08-01, sec. 6, adopted 8/2/16)



CITY OF LAVON Agenda Brief

MEETING: <u>February 21, 2023</u> ITEM: <u>6 - C</u>

Item:

Public hearing, discussion, and action regarding renewal of approval of the adopted Tax Abatement Policy including guidelines, criteria, and procedures.

- 1) Presentation of proposed renewal of the tax abatement policy.
- 2) **PUBLIC HEARING** to receive comments regarding the proposed renewal.
- 3) Discussion and action regarding the proposed renewal and accompanying Resolution No. <u>2023-02-06</u>.

Background:

In November 2020, the City Council adopted a Tax Abatement Policy to assist in economic development recruitment efforts. The policy was developed and recommended by the Board of Directors of the Lavon Economic Development Corporation (LEDC) The policy provides for consideration of tax abatement on a case-by-case basis.

The LEDC has advised 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 of tax abatement.

State law requires that the Tax Abatement Policy be renewed at regular intervals.

On February 13, 2023, the Board of Directors of the LEDC voted to recommend that the City Council renew the Tax Abatement Policy in its current form as adopted by Resolution No. **2020-11-05**.

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:

Approval is recommended.

Attachments: Proposed Resolution and policy documents

CITY OF LAVON, TEXAS

RESOLUTION NO. 2022-02-06

Renewal of Tax Abatement Policy

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

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

WHEREAS, the City of Lavon is a home rule municipality and the City Council has authority under state law and the charter to approve the policy and guidelines herein; and

WHEREAS, in November 2020, the City Council approved Resolution No. <u>2020-11-05</u> approving a Tax Abatement Policy; 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 renews approval of 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 21st day of February 2023.

	Vicki Sanson	
	Mayor	
ATTEST:		
Rae Norton	-	
City Secretary		

CITY OF LAVON, TEXAS RESOLUTION NO. 2022-02-06 EXHIBIT A

Tax Abatement Policy

Guidelines, Criteria, Procedures and Application prepared by the Lavon Economic Development Corporation

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:

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

<u>Wylie -</u> 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.

<u>Farmersville -</u> 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.

<u>Plano -</u> 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.

<u>McKinney</u> – 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.

<u>Fate -</u> This City has no policy and they have not done tax abatement.

<u>Rockwall -</u> 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.

City of Lavon

Tax Abatement Policy

Effective November 17, 2020

Adopted by Resolution No. <u>2020-11-05</u>

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 \$5,000,000. 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 31st 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
	Mohile Telenhone Number

E	mail Address of Tenant Representative			
4.	Property Address of Project Site and/or location description			
- 5.	Site Sizeand 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			
Cor	poration; 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, product and services, number of employees and annual revenue and growth of last 3 years. Limit the description to 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?yesno			
15.	Describe the need of public improvements (water, sanitary sewer, roadways) and estimated costs of each			
	improvement individually for the project site			
	etteched no more than two (9 v 11) nagges as is necessary			
1.0	_attached no more than two (8 x 11) pages as is necessary.			
	Describe the proposed type of project occupancyowner occupied;tenant leasing			
17.	Describe the requested tax abatement by real and personal property, amount of abatement and years of abatement			

18.	Specify other economic assistance or incentive requested
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 v 11 nage) 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.

<u>Certification of No Undocumented Workers</u>

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.

1,	, hereby certify on	20 that
Government code		
Signature		
Name		
Title		
Company		
I certify that I have read the City of Lavon Policy Stat Application is, to the best of my knowledge and beli Date		nation provided in thi
Signature		
Name		
Title		
Company		



CITY OF LAVON Agenda Brief

MEETING: <u>February 21, 2023</u> ITEM: <u>6 - D</u>

Item:

Presentation and discussion of the 2022 Lavon Economic Development Corporation Annual Report, 2023 Strategic Plan, and upcoming projects including the 619 Main project.

Background:

In 2004, the voters of the City of Lavon voted to create the Lavon Economic Development Corporation (LEDC), a Type B corporation established pursuant to the Texas Local Government Code. The Development Corporation Act of 1979 gives cities the ability to finance new and expanded business enterprises in their local communities through economic development corporations (EDCs). Chapters 501, 504 and 505 of the Local Government Code outline the characteristics of Type A and Type B EDCs, authorize cities to adopt a sales tax to fund the corporations and define projects EDCs are allowed to undertake.

The LEDC was one of 72 corporations statewide to be recognized with a 2022 Texas Economic Development Council Economic Excellence Award for Work Completed in 2021.

Each year, the LEDC prepares and presents an Annual Report and Strategic Plan.

Year In Review Report



We Cultivate Investment and Growth













2022 EXCELLENCE IN ECONOMIC DEVELOPMENT AWARDS

AWARD FOR BUSINESS RETENTION AND EXPANSION



2022 EXCELLENCE
IN ECONOMIC
DEVELOPMENT
AWARDS

AWARD FOR RESILIENCY, RECOVERY AND MITIGATION



GROWTH

24%GROWTH IN POPULATION

2022 June the City Declared Population 6,200 "Lavon Is Now A Home Ruled City"





20% GROWTH IN BUILDING PERMITS

2022 - 371 Lavon Building Permits Used 2021 - 309 Lavon Building Permits Used



- 1,057 Lots Single Family Residential Lots with Homes Under Construction
- 6,920 Lots Single Family Residential Lots In Development Stages
- 1,077 Units Zoned Multi-Family Units
- 424 Acres Zoned Commercial Acreage

34% Growth In Sales Tax Revenues
Lavon Total Revenues From Sales Tax
2022 - \$1,103,138
2021 - \$825,948





47% Growth In Property Tax Revenues

2022 - \$719,282,958 2021 - \$489,384,778

Lavon EDC Strategic Plan Report



ATTRACT COMMERCIAL DEVELOPMENT BY EXPANDING THE PROPERTY AND SALES TAX BASE BY 12%.

- √ Lavon Net Taxable Property Tax Grew By 47%!
- ✓ Lavon Sales Tax Grew By 34%.
- ✓ LEDC Invested In a 619 Main Street Development.



With the purpose of stimulating "Main Street" development, the Lavon Economic Development Corporation completed the zoning, site planning and building design plus obtained a building permit for the 619 Main Street project. Construction of this 6,000 square foot two story, mixed use development is expected in 2023 with a project value of around \$2,700,000.

Goal #2

SUPPORT THE LOCAL ECONOMIC BASE AND ENTREPRENEURS.



DEVELOP THE "BRAND" LAVON ON SOCIAL MEDIA AND DEVELOPMENT MARKETING EVENTS.

SPRING COUPON FOR LOCAL BUSINESS PROMOTION





HOLIDAY COUPON FOR SHOP LAVON





LAVON BUSINESS DIRECTORY



MARCH TRADE SHOW @ ICSC (INTERNATIONAL COUNCIL OR SHOPPING CENTERS)







OCTOBER RED NEW COLLIN COUNTY SUMMIT





NOVEMBER NTCAR TRADE SHOW (NORTH TEXAS COMMERCIAL ASSOCIATION OF REALTORS)



AUGUST BACK TO SCHOOL BASH



DALLAS MORNING NEWS BOOM TOWN ARTICLE



CONTINUED MARKETING THROUGH LAVON EDC FACEBOOK PAGE









AND LAVON EDC WEB SITE & VIDEO









CONTINUE QUALITY MANAGEMENT TOOLS OF THE LAVON ECONOMIC DEVELOPMENT CORPORATION

LAVON EDC - ONE OF ONLY 72 TEXAS CITIES TO RECEIVE THE ECONOMIC EXCELLENCE AWARD, IN 2022, FOR WORK COMPLETED IN 2021. THIS IS THE 5TH TEDC ECONOMIC EXCELLENCE AWARD LAVON EDC HAS ACHIEVED. AND.....





LAVON EDC RECEIVED TWO EXCELLENCE AWARDS INTERNATIONAL ECONOMIC DEVELOPEMENT COUNCIL LAVON EDC'S SHOP LAVON COUPON PROMOTIONS.



2022 EXCELLENCE IN ECONOMIC DEVELOPMENT AWARDS

AWARD FOR BUSINESS **RETENTION AND EXPANSION**



2022 EXCELLENCE IN ECONOMIC DEVELOPMENT AWARDS

AWARD FOR RESILIENCY, **RECOVERY AND MITIGATION**





LAVON ECONOMIC DEVELOPMENT CORPORATION MEETS REGULARLY, 2ND MONDAY OF EACH MONTH. YOUR IDEAS AND YOUR INVESTMENT IN LAVON IS WELCOMED!





Strategic Plan

2023



Strategic Plan Mission

"We Cultivate Investment and Growth"







Strategic Goals

- Attract Commercial Development, Expanding the Property and Sales Tax Base for Lavon by 12%.
- Support the Local Economic Base and Entrepreneurs.
- Develop the brand "LAVON" through Social Media and Land Development Marketing Events.
- Continue quality management tools for the Lavon Economic Development Corporation.





Goal 1

Attract Commercial Development Expanding the Property and Sales Tax Base by 12%

Strategies

- Attract development partners in build-tosuite and speculative buildings within LakePointe, Grand Heritage, Lake Breeze, Elevon and other developments.
- Work cooperatively with Elevon developer to create a job creating center, within the City, as the Elevon Business Park.
- Build opportunities for creating a diverse workforce where medical services, advanced manufacturing and higher technology jobs balance out the range of retail employment opportunities
- Work regionally to collaborate on solving regional development issues including workforce availability.











Goal 2

Support the Local Economic Base and Entrepreneurs

Strategies

- Continue and promote use of the LEDC building improvement loan/grant program.
- Continue the effective Small Business Coupon Promotion, Business Promotions for local micro-business opportunities and similar efforts
- Encourage small business development providing retail and service sector brick and mortar options for shopping close to home.
- Consider LEDC development to demonstrate key visions of the City including the construction of 619 Main St. Mixed Use Building

- - Work with Community ISD in promoting and encouraging area businesses to utilize graduates of the CTE (career and technology education) programs.
 - Encourage the construction and manufacturing businesses along SH 205 to participate with the Lavon Economic Development Corporation to find ways of collaboration and shared opportunities.









Goal 3

Develop the Brand "LAVON" through Social Media & Development Marketing Events

Strategies

- Continue to actively maintain the Lavon EDC Web Page, Facebook Page, Linkedin and other social media.
- Continue to develop opportunities to market Lavon through video including Film Friendly
- Expand the marketing through other digital tools.
- Actively market Lavon's available retail and commercial properties using the Web Page and social media as well as video marketing tools.
- Attend a minimum of two regional marketing events, annually, to update the real estate industry of Lavon's opportunities.









Goal 4

Continue Quality Management Tools for the Lavon Economic Development Corporation

Strategies

- Continue training of the Board of Directors and the Executive Director to achieve excellence.
- Actively promote the Lavon incentive tools including the building improvement loan/grant program
- Continue the use of a professional and IEDC certified economic developer as the Lavon Board's Executive Director.
- Continue the LEDC policy to meet monthly or as more as necessary.
- Annually review policies of the LEDC and update as necessary.
- Seek out opportunities for recognition of the LEDC success including the TEDC Economic Excellence Award and the International Economic Development Council Awards.







CITY OF LAVON Agenda Brief

MEETING: <u>February 21, 2023</u> ITEM: <u>6 - E</u>

Item:

Discussion and action regarding the first of two readings of Resolution No. <u>2023-02-07</u> authorizing the Lavon Economic Development Corporation to expend funds for the Business Improvement Loan/Grant Project, such project not to exceed \$30,000.00; and providing an effective date.

Background:

On January 9, 2023, the Board of Directors of the Lavon Economic Development Corporation (LEDC) conducted a public hearing and voted unanimously to continue and fund with the Business Improvement Loan/Grant Project that was initially authorized in 2020. In 2020, the project was authorized to provide loans/grants in a total amount not to exceed \$30,000.00 Within the project, each individual loan/grant was limited to \$9,500.00.

The Business Improvement Loan/Grant Project consists of the use of sales and use tax proceeds within the Lavon EDC annual budget to develop and/or fund the eligible costs of one or more project(s) to assist in the promotion of new and expanded business development in Lavon, including the building improvement loan/grant to be offered to Lavon businesses. The project may include costs for the acquisition of buildings, equipment, facilities, and improvements, and related necessary costs for the design, construction, renovation, equipping, improving, maintenance, and operation of the land, buildings, equipment, facilities, and improvements.

Public Notice regarding the proposed project was published in the February 15, 2023 edition of The Wylie News.

The Local Government Code provides that a Type B economic development corporation may undertake a project with the City Council's approval.

Code Excerpt:

TEXAS LOCAL GOVERNMENT CODE

Sec. 505.158. PROJECTS RELATED TO BUSINESS DEVELOPMENT IN CERTAIN SMALL MUNICIPALITIES.

- (a) For a Type B corporation authorized to be created by a municipality with a population of 20,000 or less, "project" also includes the land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements found by the corporation's board of directors to promote new or expanded business development.
- (b) A Type B corporation may not undertake a project authorized by this section that requires an expenditure of more than \$10,000 until the governing body of the corporation's authorizing

municipality adopts a resolution authorizing the project after giving the resolution at least two separate readings.

Financial Implications:

The LEDC has appropriated funds for the project in the Annual Budget. If approved and appropriate, a proposed budget amendment will be prepared.

Staff Notes:

This is the first of two required readings. The item will be scheduled for second reading on the March 7, 2023 agenda.

Attachments: 1) Project Information

2) Proposed Resolution

CITY OF LAVON, TEXAS RESOLUTION NO. 2023-02-07

LEDC – Business Improvement Loan/Grant Project

City Secretary

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS AUTHORIZING THE LAVON ECONOMIC DEVELOPMENT CORPORATION TO EXPEND FUNDS FOR THE BUSINESS IMPROVEMENT LOAN/GRANT PROJECT, SUCH PROJECT NOT TO EXCEED \$30,000.00; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on January 9, 2023 the Board of Directors of the Lavon Economic Development Corporation (LEDC) conducted a public hearing and voted to proceed with the Business Improvement Loan/Grant Project; and

WHEREAS, the Texas Local Government Code, Section 505.158 establishes the authority for the LEDC to undertake certain projects with the City Council of the City of Lavon's approval; and

WHEREAS, the project may include costs for the acquisition of buildings, equipment, facilities, and improvements, and related necessary costs for the design, construction, renovation, equipping, improving, maintenance, and operation of the land, buildings, equipment, facilities, and improvements; and

WHEREAS this project assists in the promotion of new and expanded business development in Lavon and the City Council finds that approving the Project 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 of the City of Lavon does hereby approve and authorize the Lavon Economic Development Corporation to expend funds for the Business Improvement Loan/Grant Project, such project not to exceed \$30,000.00.

SECTION 2. That this resolution shall take effect from and after the date of the second reading.

RST READING:	<u>February 21, 2023</u>
CCOND READING:	
DULY PASSEDday of	AND APPROVED by the City Council of the City of Lavon, Texas on the 2023.
	Vicki Sanson
ATTEST:	Mayor
Rae Norton	

The



Business Improvement Loan/Grant Agreement



<u>Purpose</u>

Lavon City Council organized, in 2004, the Lavon Economic Development Corporation (LEDC) as a Type B Economic Development Corporation. Lavon voters approved the creation of the LEDC and authorized the use of $\frac{1}{2}$ cent of the sales tax revenues to foster growth and development within the City.

The State of Texas Local Government Code, Title 12, Subtitle C1, Chapter 505.158, Type B Corporations in a municipality with a population of 20,000 or less may conduct a project to include "land, buildings, equipment, facilities, expenditures, targeted infrastructure and improvements found by the corporation's board of director to promote new or expanded business development." To foster growth and development within Lavon, the LEDC is actively marketing Lavon to attract new business and to assist the existing businesses to grow and thrive.

The LEDC's purpose is to enhance the economic vitality of the City by encouraging safe and visually appealing business buildings and business sites. To this end, the LEDC is establishing a business improvement loan/grant. The Business Improvement Loan/Grant is to be sponsored, funded and monitored by the LEDC Board of Directors who may amend, adjust, or eliminate the project at any time. The goal is to assist the existing Lavon small businesses, to assist new businesses to come to Lavon to fill existing or proposed retail spaces, to add jobs, and to generate new property tax revenue and sale tax revenue.

Applicant for Building Improvement Loan/Grant

For purposes of this loan/grant, an applicant shall be a <u>for-profit</u>, <u>retail small business</u>, with \$2 million or less in annual sales, 20 or fewer employees, located within or to be located with the city limits of Lavon, within a retail zoned area. The applicant must be current on all ad valorem and sales taxes. An applicant may also be the <u>owner of a retail zoned building</u> within the city limits of Lavon, current on ad valorem and sales taxes and said building shall be no larger than 15,000 square feet and building site no larger than 3 acres.

Qualifying Loan/Grant Award & Terms

A loan may be provided for a successfully approved application. The loan shall be for no more than 50% of the proposed building improvement project cost. The loan cannot exceed \$9,500. The minimum loan to be considered shall be \$2,500. The applicant must match the approved loan amount. The project must be completed within 1 year of the loan award. Upon completion of the project, the loan may be forgiven and transformed into a grant if the project is successfully completed and all construction related bills paid before the end of the 12-month period. If the project is not completed within 12 months of the loan awarded date, then the loan principal and



interest shall be due within an additional 12 months. The loan principal and interest shall be paid monthly starting at the 13th month of the loan. A simple compounded monthly interest rate of 3% shall be applied to the loan starting at the 13th month of the loan. At the start of a project, the loan shall be issued in two phases with 50% of the loan provided at loan award. Remainder of the loan provided when the project demonstrates that all materials are ordered. Loan/grant award decisions of Lavon Economic Development Corporation Board of Directors are final.

Eligible Projects

The eligible building and building site project improvements shall be limited to:

- Rehabilitate, restore or enhance the façade, side and rear of a retail building including; Structural improvements to the façade; Painting of the façade, brick, stone or masonry installations; Door, window, storefront system/trim replacement or repair; Removal of exterior finishes, signs or façade materials; Awning installations; LEDC approved exterior lighting added to the façade exterior
- Retail signs on the façade of buildings excluding box signs
- Monument signs not exceeding 8 feet in height
- Parking lots paving and striping
- Sidewalk installations and patio installations
- Landscaping and lighting
- Air conditioning replacements or installations
- Grease traps required of the Plumbing Code
- Kitchen hoods required of the Fire Code
- Professional fees of an architect or engineer
- Interior finish out of a medical office or restaurant
- City Permit Fees

<u>Application Fee and Additional Information Required</u>

Applicant shall complete the official LEDC Building Improvement Loan/Grant application, sign and approve the loan/grant agreement, submit a \$50 application fee and submit the following required documents with the application:

- 1. Proof of ownership and/or right of occupancy such as a deed/lease
- 2. If the applicant does not own the property the applicant shall provide proof that the improvements are allowed and authorized by the Owner of the property
- 3. Photograph of existing conditions
- 4. Renderings, elevations, drawings of proposed improvements
- 5. Two detailed cost estimates from 2 separate contractors/suppliers of all proposed improvements



- 6. Proof of the required 50% cash match being available. If a loan is required to matched the required 50% LEDC building improvement loan/grant the applicant shall provide a copy of the bank application and notice from the bank that the funds are available as needed.
- 7. In-kind contributions may not be used as cash matches to the loan/grant.

Application and Approval Process

- 1. Applications shall be applied to the LEDC via email at info@lavonedc.com or by mail at: LEDC, P.O. Box 340, 120 School Road, Lavon, TX 75166.
- 2. Applications shall be received no later than <u>noon</u> on the first Monday of each month to be considered at the LEDC regular meeting which is second Monday of each month at 7:00 p.m. If not received by noon on the first Monday, the application will be considered at the monthly meeting following the current month.
- 3. Incomplete applications shall not be considered and will be returned to the applicant.
- 4. Application form and the agreement shall be on line under small business on the Lavon EDC website: www.lavonedc.com
- 5. All required attachments shall be provided.
- 6. The application will be considered and must be approved by the LEDC Board of Directors.
- 7. Application approval notice, shall be provided in writing. If an LEDC loan/grant award has certain provisions, conditions or other requirements of the LEDC, said provisions, conditions or other requirements shall be provided in writing.

Funding of the Loan/Grant

- 1. The loan shall be issued in two phases with 50% of the authorized loan provided upon loan agreement signed and agreed to and the remainder of the loan provided when the applicant demonstrated that all materials have been ordered. Funding authorization, for 50% of the loan, shall take place at the LEDC Board meeting where the Board's letter is considered, approved and acted upon.
- 2. The applicant shall be obligated to complete the improvements in accordance with the application within 12 months of the LEDC loan award. No modifications of the improvements shall be permitted without prior LEDC approval. Failure to obtain such written approval prior to making any modifications shall render the applicant ineligible to receive the business improvement loan, or if funds were dispensed, ineligible for the loan to convert to a grant.
- 3. The applicant shall be responsible for all City permits.
- 4. All improvements, as presented in the application, must be completed in their entirety. Failure to complete all of the stated improvements shall render the applicant ineligible to receive the grant funding.
- 5. Upon approval of the loan and during the construction of the improvements, a representative of



- the LEDC shall have the right, at reasonable times, to have access to and inspect the work in progress.
- 6. The applicant shall not begin any improvements, related to the business improvement loan, prior to receiving the written approval of the loan approval and funding from the LEDC.
- 7. The applicant shall agree to remain in business and to not sell or assign such business or building to another person or entity for a period of twelve (12) months from the date of the approval of the grant.
- 8. Approval of the application and funding of the loan shall be with the understanding and with a written loan agreement.
- 9. Upon written notification to the LEDC, by the applicant, that a project has been completed, an inspection by an LEDC representative shall be made to confirm that such project has been completed in accordance with the application, written agreement, plans submitted with the application and any approved modification thereto. Such notification shall include, but not be limited to documentation of paid receipts for materials, labor, permits, inspection reports, or any other item that the LEDC may reasonably deem necessary for determining the project's completion.
- 10. Within thirty-one (31) days following the inspection required above, and confirmation of completion of the project in accordance with the application and any approved modifications thereto, the LEDC shall consider a letter of approval and the transformation of the loan to a grant. A copy of such letter shall also be provided to the applicant.
- 11. Within fifteen (15) days following an LEDC inspection and the presentation of the receipts by the applicant, a determination is made by the LEDC's representative that the project has not been completed in accordance with the application or any approved modification thereof, the LEDC shall issue a letter to the applicant indicating all areas of non-compliance. The applicant shall then have sixty (60) days from the date of the LEDC letter, to make the modifications necessary to bring the project into compliance. Failure to complete such modifications within said sixty (60) day period shall be deemed a default of the applicant's obligations under the loan/grant.
- 12. Available funding; the LEDC shall determine an annual budget for this project to fund the loan/grant program. Loan/grant applications received after the available funds have been exhausted may be considered the following fiscal year. The LEDC retains sole discretion to accept or reject applications received after the available funding has been exhausted.
- 13. Payments due by the applicant/owner shall be paid in full within thirty (30) days after the date of written notification by the LEDC that the applicant/owner is in default of any of the funding requirement set forth herein. The form of such payment shall be a cashier's check or money order, made payable to the Lavon Economic Development Corporation.
- 14. The Laws of the State of Texas shall govern the interpretation, validity, performance and enforcement of this Business Improvement Loan/Grant and venue for any lawsuit or other



proceeding involving this program shall be in Collin County, Texas

15. If any provision of this business improvement loan/grant is held to be invalid or unenforceable, the validity and enforceability of the remaining provisions shall not be affected.

The undersigned acknowledges and agrees to abide by and be subject to the terms and conditions of the Lavon Economic Development Corporation Business Improvement Loan/Grant as described herein.

Applicant	
Address	
Email Address	
Telephone Number	
Signature	Date
PROPERTY OWNER:	
Name	
Address	
Email Address	
Telephone Number	
Signature	Date



Lavon Economic Development Corporation Business Improvement Loan/Grant Application

Date of Application:	, 2020	
APPLICANT	INFORM	ATION
Name of Applicant		
Applicant Contact Email		
Applicant Telephone Number		
Business Name		
Address of the Business Improvement		
City	State	ZIP CODE
BUSINESS OWNER (if different than above)		
Name of Business Owner		
Business Owner Email		
Business Owner Telephone Number		
Business Address of Business Owner		
City	State	ZIP CODE
PROPERTY OWNER (if different than above)		
Name of Property Owner		
Property Owner Email		
Property Owner Telephone Number		
Business Property Address		
City	State	ZIPCODE

Describe the proposed business improvements:
1. Provide Proof of ownership or right of occupancy such as a deed/lease.
2. Provide written authorization that the applicant is allowed to make improvements and is authorized by the owner of the property.
3. Provide photographs of existing conditions.
4. Provide renderings, elevations, drawings of proposed improvements.
5. Provide two detailed cost estimates from 2 separate contractors/suppliers of all proposed improvements.
6. Provide proof that the applicant has the required 50% cash match. If a loan is required to match the required 50% LEDC building improvement loan/grant, the applicant shall provide a copy of the bank application and notice from the bank that the funds are available as needed.
I (we) hereby certify that, to the best of our knowledge the above information is accurate as provided:
APPLICANT NAME (please print carefully):
SignatureDate
BUILDING OWNER APPROVAL OF APPLICATION NAME (please print carefully):
SignatureDate



CITY OF LAVON Agenda Brief

MEETING: February 21, 2023 ITEM: 6 - F

Item:

Public hearing, discussion, and action regarding changing the street name and assigning a new street name for a portion of Lake Road, (Formerly CR 486) as provided herein; providing for the posting of signs.

- 1) Presentation of proposed renewal of the proposed change.
- 2) **PUBLIC HEARING** to receive comments regarding the proposed change.
- 3) Discussion and action regarding the proposed change and accompanying Ordinance No. 2023-02-07.

Background:

Redundant intersection names and confusing street-naming references affect public safety response and driver convenience. The current city street network contains two intersections where separate geographic locations have the same cross-street names: Lake Road and SH 78, the north being near the funeral home and the south being near Domino's shopping center, the Exxon, and the dentist office.

In October, the City Council adopted the first phase of a street naming update project. At that time, Lake Road was excluded from the program to provide additional time for coordination with the Collin County GIS and 9-1-1 Rural Addressing Office. As was done in the first phase, extensive consideration has been given to street naming changes that affect occupied property addresses and every effort to avoid any disruption has been made.

On February 7, 2023, the city staff presented information regarding the intersections of SH 78 and Lake Road and the City Council provided direction regarding 1) the limits of the portions of Lake Rd. west of the SH 78 intersection to be renamed and 2) the proposed name. The consensus of the City Council was to change the name of that portion of Lake Road to "Gage Road" in honor of Kay Gage, a Lavon resident and member of Lavon's first elected City Council.

For 9-1-1 dispatch purposes, Collin County GIS determined that the limits of the name change would be from the intersection of Lake Road at SH 78 westward to the curve south. Per the Collin County GIS determination, eleven property owners and/or residents that reside outside the corporate limits of the city were identified that will be affected:

1492 Lake	1641 Lake	1495 Lake	1545 Lake
1591 Lake	1609 Lake	1625 Lake	1645 Lake
1672 Lake	1762 Lake	2343 Lake	

The name change will not be effective until approval of the Collin County Commissioners Court.

Financial Consideration:

Costs associated with updating street names includes the purchase of street signs, mailing notifications, and map updates.

Staff Notes:

Approval is recommended.

Attachments: Proposed Ordinance



CITY OF LAVON, TEXAS ORDINANCE NO. 2023-02-07

Rename a portion of Lake Road, (formerly referred to as CR 486)

AN ORDINANCE OF THE CITY OF LAVON, TEXAS, CHANGING THE STREET NAME AND ASSIGNING A NEW STREET NAME FOR A PORTION OF LAKE ROAD, (FORMERLY CR 486) AS PROVIDED HEREIN; PROVIDING FOR THE POSTING OF SIGNS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the lack of clear unique street name references adversely affects public safety response and driver convenience; and

WHEREAS, within the City of Lavon there now exists two different intersections referred to as SH 78 and Lake Road; and

WHEREAS, the City Council of the City of Lavon has determined that renaming of a portion of Lake Road will provide greater ease of use and less confusion for the general public and public safety personnel; and

WHEREAS, the City Council of the City of Lavon finds and determines that renaming a portion of Lake Road as provided herein is in the best interests of the citizens of the City of Lavon and the property owners and residents of the area;

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

- **Section 1.** That certain street name change and assignment is approved as follows and as illustrated in **Exhibit A** attached hereto and incorporated herein.
 - 1) Change and assign the name "Gage Road" to the portion of Lake Road, (formerly referred to as CR 486) from the intersection of SH 78 west to the curve heading south as directed by Collin County GIS.
- **Section 2.** That the City Manager or their designee is hereby authorized to post the appropriate street name signs, reflective of changes made herein.
- **Section 3.** That this Ordinance shall be in full force and effect from and after its date of passage by the City Council of the City of Lavon and the Commissioners Court of Collin County, in accordance with law, and it is so ordained.

DULY	Y PASSED and A	APPROVED by	the City Cou	uncil of the	City of Lavo	on, Texas,	on the
21st day of February	y 2023.						

ATTEST:	Vicki Sanson, Mayor	
	_	
Rae Norton, City Secretary	_	

CITY OF LAVON, TEXAS ORDINANCE NO. 2023-02-07

EXHIBIT A



1) Change and assign the name "Gage Road" to the portion of Lake Road, (formerly referred to as CR 486) from the intersection of SH 78 west to the curve heading south.



CITY OF LAVON Agenda Brief

MEETING: February 21, 2023 ITEM: 6 - G

Item:

Discussion and action regarding Board and Commission appointments -Board of Adjustment.

Background:

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

With the hire of the new Utility Billing Clerk, an opening has been created on the Board of Adjustment.

Attachments: 1) Spreadsheet – Boards & Commissions

2) Volunteer Applications available upon request

$City\ of\ Lavon\ Boards\ \&\ Commissions$

February 2023

	Elected /	T	Term	
Place	Appointed	Name	Expires	Appointment Notes
I lace	Аррописа	Name	Expires	Appointment Notes
City Council Me				Elected
Mayor	6/19/2018	Vicki Sanson	11/2023	
Place One	6/19/2018	John Kell	11/2024	
Place Two	11/7/2017	Mike Cook	11/2023	
Place Three	11/21/2016	Kay Wright	11/2024	
Place Four	1/15/2019	Ted Dill	11/2023	
Place Five	11/7/2022	Lindsey Hedge	11/2024	
Economic Develo	pment Corp B	oard of Dir - Type B		7 members; 4 CC/staff; county resident
Place 1, Chair	3/1/2009	Kay Wright	7/15/2024	
Place 2	7/17/2018	Manzelle Williams	7/15/2023	
Place 3	9/19/2017	Vicki Sanson	7/15/2024	
Place 4	7/16/2019	Rachel Dumas	7/15/2023	
Place 5	9/17/2019	Joe Serpette	7/15/2024	
Place 6	7/18/2017	John Kell	7/15/2023	
Place 7	5/4/2021	Jordan Williams	7/15/2024	
Planning & Zoni	ng Commission	1		5 members, residency req
Seat 1	5/3/2022	Jeffrey Cox	6/1/2023	
Seat 2	7/19/2016	Deborah Nabors	6/1/2024	
Seat 3	6/1/2021	Brad Tiegs	6/1/2023	
Seat 4	5/3/2022	Travis Jacob	6/1/2024	
Seat 5, Chair	8/16/2011	David Rosenquist	6/1/2023	
/	ex officio	Vicki Sanson	6/1/2023	
		Vieni Sunson	1 0:3:20	
Parks & Recreat	ion Board			5 members; residency req
Seat 1	2/7/2023	Victoria Hartman	1/1/2025	
Seat 2	2/7/2023	Kamil Kell	1/1/2024	
Seat 3	1/17/2023	Julie Franco	1/1/2025	
Seat 4	3/17/2020	Jennifer White	1/1/2024	
Seat 5	2/2/2021	Joe Serpette	1/1/2025	
Alternate	5/3/2022	Mike Cook	1/1/2024	
riternate	3/3/2022	Wine Cook	17172021	
LVFD Board of l	Directors			3 members
Seat 1	6/19/2018	Mindi Serkland	6/19/2024	3 memoers
Seat 2	6/19/2018	Mike Jones	6/19/2023	
Seat 3	5/3/2022	Kay Wright	6/19/2024	
Beat 5	3/3/2022	Kuy Wiight	0/15/2021	
Boards that meet	t Ad Hoc:			
Board of Adjusts	ment			5 members and 2 alternate members
Seat 1	1/17/2023	Rachel Blakey	1/17/2025	
G + 2	4 /4 = /2 0 2 2		4/4=/0004	

Board of Adjust	tment	5 members and 2 alternate members		
Seat 1	1/17/2023	Rachel Blakey	1/17/2025	
Seat 2	1/17/2023	Rachel Dumas	1/17/2024	
Seat 3	1/17/2023	John Franco	1/17/2025	
Seat 4			1/17/2024	formerly Kristin Moore
Seat 5	1/17/2023	Mindi Serkland	1/17/2025	
Alternate -1	2/7/2023	David Rosenquist	1/17/2024	
Alternate -2	2/7/2023	Perry Elliott	1/17/2025	

IFC Building Board of Appeals			6 members
Chairperson	3/1/2022	Mayor	
Seat 1	3/1/2022	City Council - Place 1	
Seat 2	3/1/2022	City Council - Place 2	
Seat 3	3/1/2022	City Council - Place 3	
Seat 4	3/1/2022	City Council - Place 4	
Seat 5	3/1/2022	City Council - Place 5	



CITY OF LAVON Agenda Brief

MEETING:	February 21, 2023	ITEM:	7

Item:

DEPARTMENT REPORTS

Members may receive and discuss the reports.

- A. Police Services Service, activity, programs, and administration report
- **B.** Fire Services Service, activity, programs, and administration report
- **C.** Public Works Services utilities, capital projects, public works, and street maintenance report
- **D.** Administration Services Building Permits; CWD Service; Collin County Tax Collection; Sales Tax; TxDOT Projects Report; finance report, and administration and staff reports.

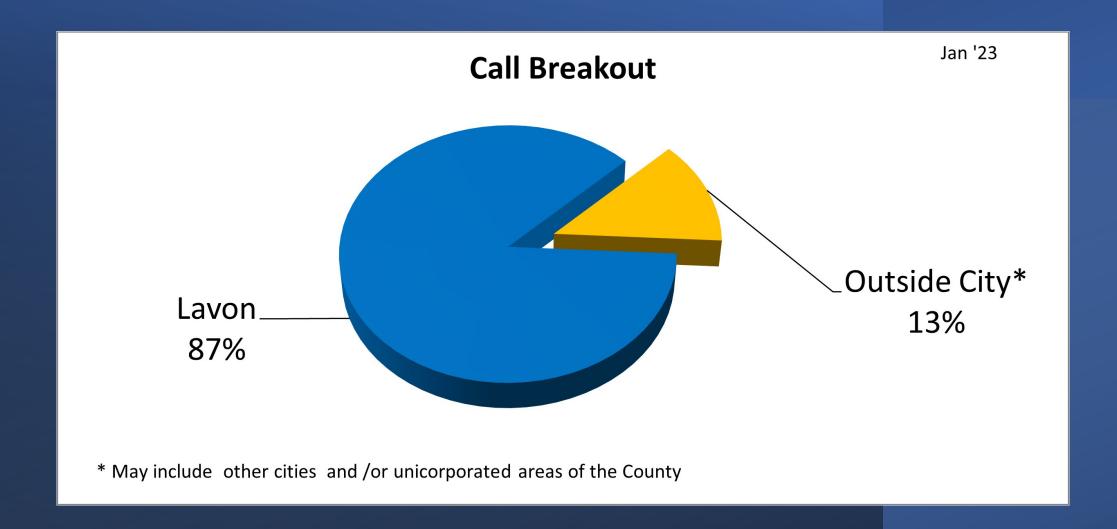


LAVON POLICE

501B Lincoln Ave P.O. Box 340 Lavon, Texas 75166 (972)-843-4219

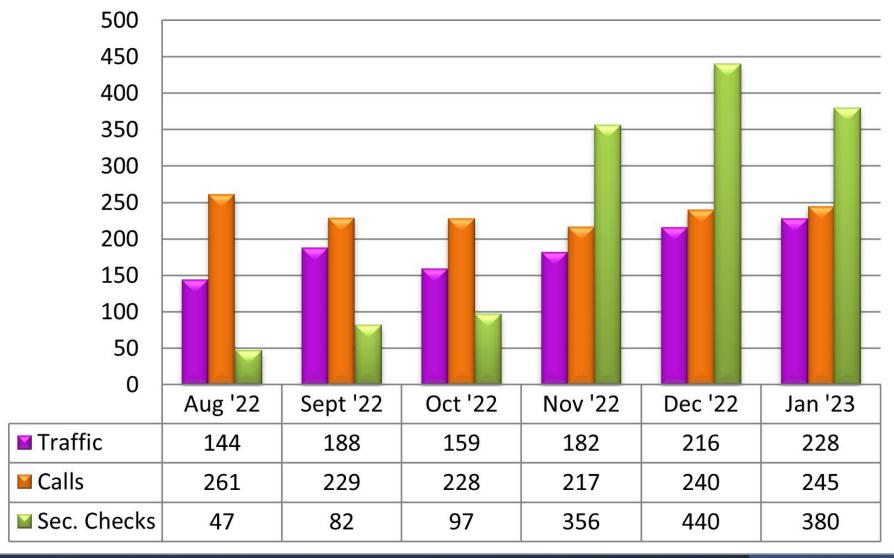


CITY OF LAVON January 2023 Police Activity Report

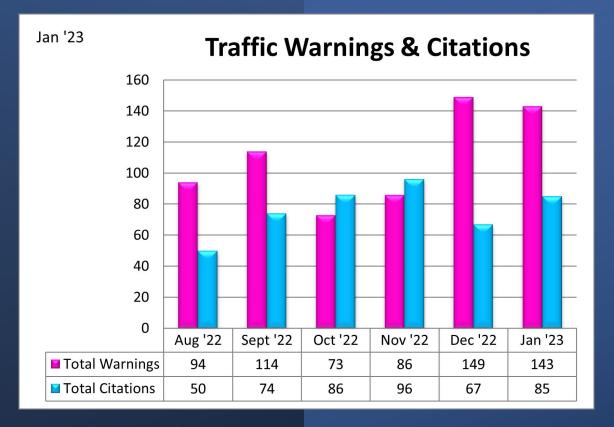


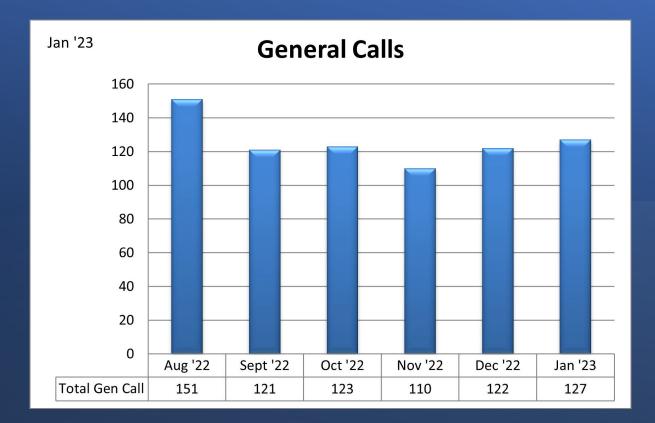
Jan '23

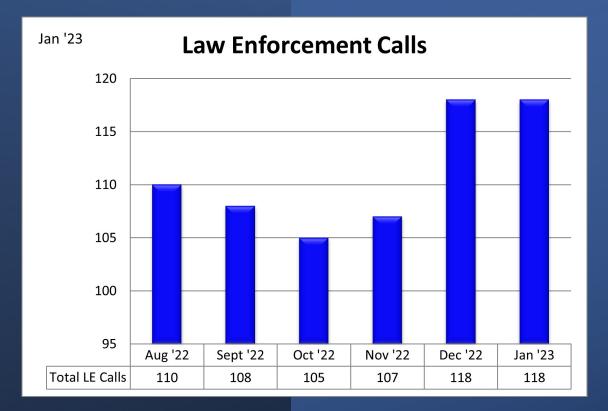
Activity Levels

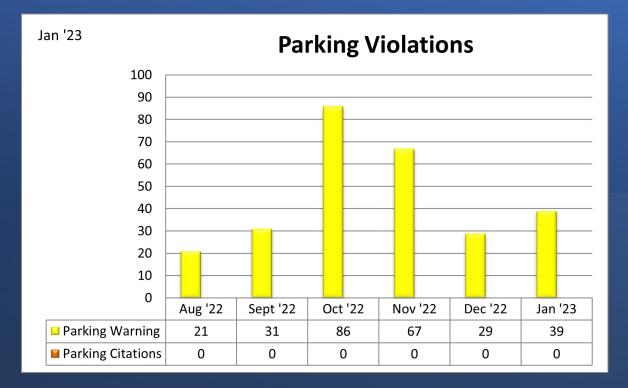






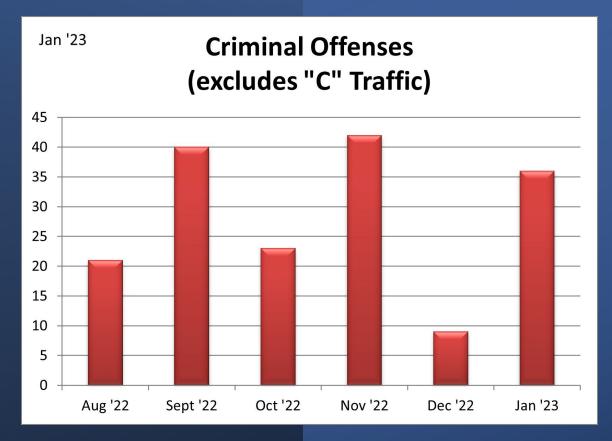












Week Ending	1/1/23	1/8/23	1/15/23	1/22/23	1/29/23	2/5/23	2/12/23	2/19/23	2/26/23	3/5/23	3/12/23	3/19/23	3/26/23	Total
Total	5	12	17	10	8	13								65



CITY OF LAVON BUILDING PERMITS CALENDAR YEAR 2021-2022

PERMITS	January-2023	Calendar Year 2023	Permit Valuations	January-2022	Calendar Year 2022	Permit Valuations	
PERIVITS	NUMBER	NUMBER	Permit Fee's	NUMBER	NUMBER	Permit Fee's	
COMMERCIAL	6	6	\$250.00	1	1	\$0.00	
SINGLE FAMILY	0	0	\$0.00	43	43	\$157,827.43	
POOLS	0	0	\$0.00	0	0	\$0.00	
OTHERS	39	39	\$5,275.00	45	45	\$6,191.95	
TOTAL			\$5,525.00			\$164,019.38	











Community Waste Disposal Monthly Report to the City of Lavon

Nicole Roemer Municipal Director



January 2023 1 of 5



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.

	Jan-2023	Dec-2022	Nov-2022	Oct-2022	Sep-2022	Aug-2022	Jul-2022	Jun-2022	May-2022	Apr-2022	Mar-2022	Feb-2022
Homes	2,216	2,215	2,189	2,157	2,157	2,082	2,082	1,970	1,970	1,922	1,910	1,901
Resi Rcy Tonnage	33.25	45.59	39.83	24.87	37.57	39.03	44.59	66.54	33.93	19.67	38.82	29.27
Pounds / Home / Month	30.01	41.16	36.39	23.06	34.84	37.49	42.83	67.55	34.45	20.47	40.65	30.79



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.

** Service inquiries related to the three storm days in February, and potential subsequent collection days, were not recorded as grievances, as these were non-ordinary operating circumstances for CWD. **

	Jan-2023	Dec-2022	Nov-2022	Oct-2022	Sep-2022	Aug-2022	Jul-2022	Jun-2022	May-2022	Apr-2022	Mar-2022	Feb-2022
Service Opportunities	19,190	19,181	18,956	18,679	18,679	18,030	18,030	17,060	17,060	16,644	16,540	16,462
Service Inquiries	11	25	20	30	27	17	13	17	11	15	11	6
Per 1,000 Service Opps	0.57	1.30	1.06	1.61	1.45	0.94	0.72	1.00	0.64	0.90	0.67	0.36



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 01/01/2023 - 01/31/2023

Date	Account	Address	Service Type	Service Code
01/04/2023	105627-1001	212-TALLGRASS-DR	RESI-BULK	RESI R/L BULK
01/06/2023	105627-633	516 ARTHUR DR	RESI-BULK	RESI R/L BULK
01/12/2023	105627-742	572 LANGDON ST	RESI-BULK	RESI R/L BULK
01/19/2023	105627-742	572 LANGDON ST	RESI-BULK	RESI R/L BULK
01/26/2023	105627-610	616 CROCKETT DR	RESI-BULK	RESI R/L BULK
01/26/2023	105627-717	711 DEVONSHIRE DR	RESI-BULK	RESI R/L BULK
				Total RESI-BULK: 6
01/20/2023	105627-975	739 WATER VIEW DR	RESI-RECYCLE	SERVICE RCYCART

01/05/2023	105627-1004	406 JACKSON LN	RESI-TRASH	SERVICE TRASH CART
01/11/2023	105627-699	311 COYOTE CREEK	RESI-TRASH	SERVICE TRASH CART
01/12/2023	105627-989	337 BROOKSTONE DR	RESI-TRASH	SERVICE TRASH CART
01/18/2023	105627-445	894 BOWIE	RESI-TRASH	SERVICE TRASH CART

Total Inquiries: 11

Kenneth L. Maun
Tax Assessor Collector
Collin County
2300 Bloomdale Rd
P.O. Box 8046
McKinney, Texas 75070
972- 547-5020
Metro 424-1460 Ext.5020
Fax 972-547-5040

February 10, 2023

Mayor Vicki Sanson City of Lavon P. O. Box 340 Lavon, Texas 75166

Dear Mayor Sanson,

Enclosed is the Monthly Collection Report for: The City of Lavon tax collections for the month were: January 2023 590,490.34

Sincerely,

Kenneth L. Maun Tax Assessor Collector

Attachment

cc:

Kim Dobbs, City Administrator/City Secretary

KM:jd

Page 1

Kenneth L Maun Tax Assessor/Collector Collin County P O Box 8046 McKinney Tx 75070

Monthly Collection Status Report January 2023

City of Lavon #18

	Collections Month of January	Cumulative Total 10/1/22 thru 1/31/23	% of Collections
Current Tax Year Collections	# E		
Base M&O	368,116.64	1,624,212.22	90.00
Base I&S	222,147.53	980,166.10	
Late Renditon Penalty	290.62	411.80	
P&I M&O	550.41	550.41	
P&I I&S	0.00	0.00	
P&I I&S Bond	0.00	0.00	
Attorney Fee	0.00		
		0.00	
Other	0.00	0.00	
Subtotal	591,105.20	2,605,340.53	90.03
Delinquent TaxYears Collections			
Base M&O	(333.65)	2,996.20	
Base I&S	(281.21)	2,347.68	
Late Rendition Penalty	0.00	0.00	
P&I M&O	0.00	850.79	
P&I I&S	0.00	656.88	
P&I I&S Bond	0.00	0.00	
Attorney Fee	0.00		
Other		1,553.45	
Other	0.00	0.00	
Subtotal	(614.86)	8,405.00	0.29
Combined Current & Delinquent:			
Base M&O	367,782.99	1,627,208.42	
Base I&S	221,866.32	982,513.78	
Late Rendition Penalty	290.62		
		411.80	
P&I M&O	550.41	1,401.20	
P&I I&S	0.00	656.88	
P&I I&S Bond			
Attorney Fee Other	0.00 0.00	1,553.45 0.00	
		- Comment of the comm	
Total Collections	590,490.34	2,613,745.53	90.32
Original 2022 Tax Levy		2,893,823.94	100.00

Page 2

Kenneth L Maun Tax Assessor/Collector Collin County P O Box 8046 McKinney Tx 75070

Cumulative Comparative Collection Status Report January 2023

City of Lavon #18

	Collections thru			
	January 2023	% Collections	January 2022 %	Collection
Current Tax Year Collections				
Base M&O	2,604,378.32	90.00%	2,061,133.42	91.48
Late Renditon Penalty	411.80		254.99	
P&I M&O	550.41		0.00	
Attorney Fee	0.00		0.00	
Other	0.00		0.00	
Subtotal	2,605,340.53	90.03%	2,061,388.41	91.49
Delinquent Tax Years Collections				
Base M&O	5,343.88		(259.23)	
Late Renditon Penalty	0.00		0.00	
P&I M&O	1,507.67		0.99	
Attorney Fee	1,553.45		1.03	
Other Fees	0.00		0.00	
Subtotal	8,405.00	0.29%	(257.21)	-0.01
Combined Current & Delinquent:				
Base M&O	2,609,722.20		2,060,874.19	
P&I M&O	2,058.08		0.99	
Late Rendition Penalty	411.80		254.99	
Attorney Fee	1,553.45		1.03	
Other	0.00		0.00	
Total Collections	2,613,745.53	90.32%	2,061,131.20	91.48
Adjusted 2021 Tax Levy			2,253,084.52	100.00
			2,200,004.02	100.00
Original 2022 Tax Levy	2,893,823.94	100.00%		

Page 3

Kenneth L Maun Tax Assessor/Collector Collin County P O Box 8046 McKinney Tx 75070

Levy Outstanding Status Report January 2023

City of Lavon #18

	Current Tax Year	Delinquent Tax Years
Current Month:		
Tax Levy Remaining as of 12/31/22	1,011,128.77	2,690.65
Base M&O Collections	590,264.17	(614.86)
Supplement/Adjustments	(1,524.39)	(3,627.20)
Write-Off	0.00	0.00
Remaining Levy as of 1/31/23	419,340.21	(321.69)
Cumulative (From 10/01/22 thru 1/31/23)		
Original 2022 Tax Levy (as of 10/01/22)	2,893,823.94	8,974.13
Base M&O Collections	2,604,378.32	5,343.88
Supplement/Adjustments	129,894.59	(3,951.94)
Write-Off	0.00	0.00
Remaining Levy as of 1/31/23	419,340.21	(321.69)

Janu	thly Distribution Report eary 2023	
Janu	ary 2023	
City		
	of Lavon #18	
	Distribution Month of January	Distribution 10/1/22 thru 1/31/23
Weekly Remittances:		
Week Ending 1/6/23	270,754.02	330,233.34
Week Ending 1/13/23	87,738.42	156,561.38
Week Ending 1/20/23	113,768.78	208,658.55
Week Ending 1/27/23	86,969.84	1,651,308.99
Week Ending 1/31/23	31,244.75	265,240.57
Total Weekly Remittances	590,475.81	2,612,002.83
Overpayment from Prior Month	0.00	168.66
Excess Refund Remittance Repaid to Entity	0.00	0.00
Commission Paid Delinquent Attorney	0.00	1,553.45
Entity Collection Fee	0.00	0.00
Judgement Interest	0.00	0.00
5% CAD Rendition Penalty	14.53	20.59
Total Disbursements	590,490.34	2,613,745.53
Carryover to Next Month	0.00	0.00
	Week Ending 1/6/23 Week Ending 1/20/23 Week Ending 1/27/23 Week Ending 1/31/23 Total Weekly Remittances Overpayment from Prior Month Excess Refund Remittance Repaid to Entity Commission Paid Delinquent Attorney Entity Collection Fee Judgement Interest 5% CAD Rendition Penalty Total Disbursements	Week Inding 1/6/23 270,754.02 Week Ending 1/13/23 87,738.42 Week Ending 1/20/23 113,768.78 Week Ending 1/27/23 86,969.84 Week Ending 1/31/23 31,244.75 Total Weekly Remittances 590,475.81 Overpayment from Prior Month 0.00 Excess Refund Remittance Repaid to Entity 0.00 Commission Paid Delinquent Attorney 0.00 Judgement Interest 0.00 5% CAD Rendition Penalty 14.53



1700 Redbud Boulevard, Suite 300 | McKinney, Texas 75069

February 3, 2023

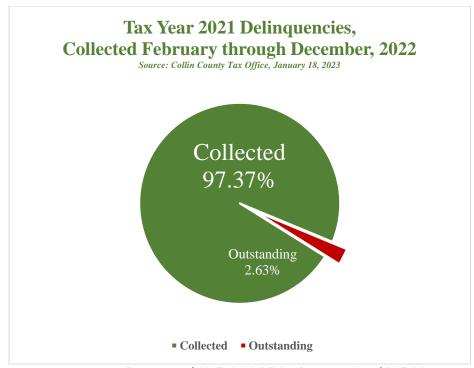
Kim Dobbs City Administrator The City of Lavon PO Box 340 Lavon, TX 75166 Via eMail: kim.dobbs@cityoflavon.org

RE: Delinquent Tax Collections, 4th Quarter 2022

Dear Kim,

Thank you for letting us help the City of Lavon collect its delinquent property taxes this last quarter. This memorandum provides you with information about changes in your delinquent tax roll made during the October, through December, 2022 time period. This information is based on data provided to us by the Collin County Tax Office on January 18, 2023, and other internal account data maintained by our office.

DELINQUENT 2021 TAXES: FEBRUARY THROUGH DECEMBER, 2022 COLLECTIONS



Base Levy Collected: \$30,573.33 / Still Outstanding \$825.88

TAX YEAR 2020 AND PRIOR COLLECTIONS: JULY THROUGH DECEMBER, 2022

Since July 1, 2022, 13 of your delinquent accounts now have a \$0.00 balance as of December 31, 2022, representing a decrease of \$10,083.14 in base tax levy due; they are broken out for you by tax account categories and amounts (base taxes only):

NOTES	Count	Sum
Exempt Property	3	\$28.26
Real Property-	5	\$7,939.51
Real Property-CYO	4	\$1,967.33
SOL	1	\$148.04
	13	\$10,083.14

And as of February 3, 2023 we are prosecuting on your behalf 1 account in lawsuit. All of these services are being provided for you at no cost to the City of Lavon.

Please let us know if you have any questions about this data, or if you need additional details. You may call me directly at (214) 544-4061. It is an honor to serve you and the City of Lavon.

Sincerely yours,

Tracy A. Pounders

Director, Tax Collection Section

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.

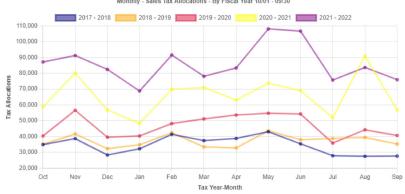
 $\ensuremath{^{*}\text{Excludes}}$ any sales tax retained by the municipality and not remitted to the Comptroller.

- View Grid Based on Calendar Year
- View Grid With All Years

Download to Excel

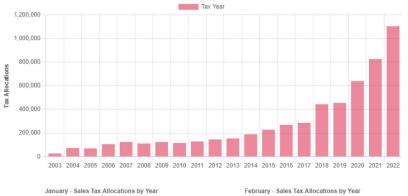
change	Fiscal Year I	End	09/30/2024	<u> </u>	Submit								
Year	October	Novembe	r December	January	February	March	April	May	June	July	August	September	Total
2023	\$102,983	\$109,154	\$93,701	\$100,881	\$109,816	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$516,536
2022	\$75,699	\$83,649	\$75,926	\$87,161	\$91,220	\$82,408	\$68,743	\$91,544	\$78,074	\$83,361	\$108,100	\$106,687	\$1,032,574
2021	\$52,096	\$90,909	\$56,718	\$58,898	\$80,039	\$56,878	\$48,350	\$69,834	\$70,944	\$63,068	\$73,676	\$68,987	\$790,396
2020	\$35,846	\$44,260	\$40,667	\$40,349	\$56,602	\$39,533	\$40,351	\$48,207	\$51,191	\$53,631	\$54,745	\$54,314	\$559,696
2019	\$38,730	\$39,419	\$35,260	\$35,116	\$41,596	\$32,296	\$34,749	\$42,410	\$33,403	\$32,771	\$43,642	\$37,975	\$447,367
2018	\$27,837	\$27,458	\$27,603	\$34,883	\$38,663	\$28,296	\$32,210	\$41,357	\$37,397	\$38,763	\$43,030	\$35,374	\$412,870
2017	\$22,849	\$24,877	\$22,304	\$23,334	\$28,270	\$17,054	\$17,410	\$22,051	\$21,074	\$23,146	\$25,990	\$25,733	\$274,094
2016	\$18,554	\$24,151	\$17,624	\$16,738	\$23,265	\$18,517	\$17,691	\$24,381	\$25,242	\$24,250	\$25,789	\$22,468	\$258,670
2015	\$16,213	\$17,336	\$16,025	\$15,458	\$20,264	\$16,418	\$15,845	\$20,890	\$16,999	\$18,497	\$23,514	\$20,100	\$217,559
2014	\$12,032	\$14,975	\$11,935	\$11,898	\$19,981	\$12,109	\$11,920	\$21,846	\$14,703	\$14,625	\$18,397	\$14,846	\$179,266
2013	\$11,166	\$15,054	\$12,518	\$10,998	\$14,996	\$8,945	\$11,649	\$14,195	\$13,186	\$13,097	\$14,801	\$13,139	\$153,743
2012	\$9,075	\$15,224	\$9,414	\$10,525	\$12,667	\$8,695	\$11,343	\$13,292	\$12,186	\$12,749	\$13,134	\$11,847	\$140,152
2011	\$8,990	\$10,146	\$10,217	\$8,568	\$12,089	\$7,877	\$8,777	\$13,275	\$11,177	\$9,920	\$13,226	\$10,718	\$124,980
2010	\$11,983	\$12,813	\$9,335	\$8,985	\$9,570	\$8,152	\$7,584	\$10,791	\$10,820	\$10,174	\$12,293	\$8,167	\$120,668
2009	\$10,655	\$14,185	\$10,830	\$7,074	\$12,022	\$7,044	\$7,416	\$13,001	\$9,537	\$9,769	\$10,693	\$13,639	\$125,864
2008	\$9,001	\$13,869	\$10,505	\$6,439	\$15,097	\$6,019	\$3,917	\$10,012	\$5,481	\$7,609	\$13,184	\$7,853	\$108,986
2007	\$10,725	\$14,759	\$7,398	\$6,567	\$11,434	\$7,902	\$8,989	\$13,114	\$8,797	\$7,037	\$16,120	\$10,821	\$123,662
2006	\$8,371	\$10,348	\$7,185	\$6,940	\$10,522	\$7,581	\$4,398	\$10,629	\$8,192	\$7,183	\$10,029	\$6,573	\$97,950
2005	\$5,168	\$5,637	\$4,324	\$3,686	\$4,729	\$3,046	\$3,680	\$5,722	\$5,214	\$3,911	\$6,051	\$7,280	\$58,448
2004	\$3,584	\$3,394	\$3,786	\$3,514	\$6,693	\$3,724	\$4,356	\$5,415	\$15,931	\$4,471	\$8,017	\$4,952	\$67,838

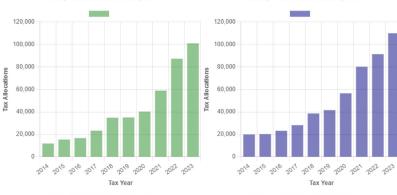


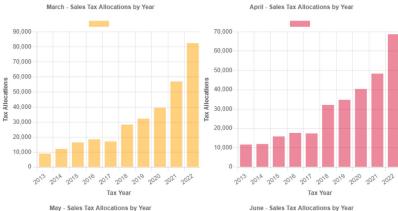


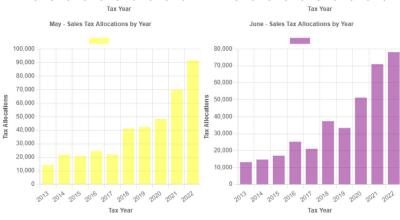
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Yearly - Sales Tax Allocations - Past 20 Years

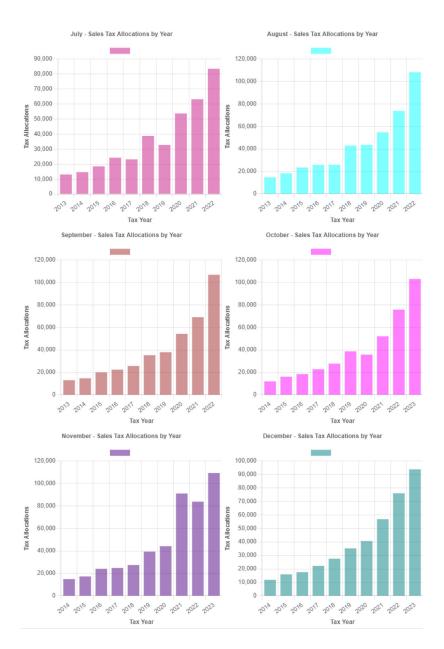








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SH 205 Widening Project Lavon

Project: Widening from 2 lane rural highway to 4 lane divided (Ultimate 6 lane)

Location: North of John King Blvd (Rockwall County line) to SH 78 in Lavon – 2.673 miles

CCSJ: 0451-03-013

Duration: 18 months

Project Cost: \$31,480,213

Let Date: 06-29-2022

Contractor: Sterling Delaware Holding Company

Preconstruction Conference – October 20, 2022

Project Start: Official start - November 1, 2022

Construction start – Jan. 11, 2023 once NTMWD clears

Additional: 1. This is part 1 of a 3-part project to widen SH 205 from Lavon to Terrell

2. The contractor is preparing for a lane shift on the south side of the project by

the end of the February.

All lanes will be open to traffic for most of the project. There might be some flagging operations done between 9 a.m. to 3 p.m.

Info: TxDOT Public Information Office 214-320-4483



Monthly Financial Report As of 12/31/22

	Budget	YTD	Remaining	% Budget
General Fund				
Other Funding	2,393,227	2,393,227		
Revenue	5,060,233	2,259,385	2,800,848	44.65%
Expenses	5,885,618	1,278,891	4,606,726	21.73%
Ending Resources	1,567,842	3,373,720		
Interest & Sinking				
Beginning Resources	84,922	84,922		
Revenue	1,183,601	872,078	311,524	73.68%
Expenses	1,125,151	-	1,125,151	0.00%
Ending Resources	143,372	957,000		
Streets - Tax Funded				
Beginning Resources	481,240	481,240		
Revenue	250,000	76,460	173,540	30.58%
Expenses	450,000	-	450,000	0.00%
Ending Resources	281,240	557,700		
Streets - Fee Funded				
Beginning Resources	400,570	400,570		
Revenue	2,864	-	2,864	0.00%
Expenses	349,634	-	349,634	0.00%
Ending Resources	53,800	400,570		
Utilities				
Beginning Resources	6,305,158	2,730,158		
Revenue	2,815,620	1,205,315	1,610,305	42.81%
Expenses	5,783,000	1,018,649	4,764,351	17.61%
Ending Resources	3,337,778	2,916,824		
Total Beginning Resources	9,665,117	6,090,117	4 000 001	47.000/
Total Revenues	9,312,318	4,413,237	4,899,081	47.39%
Total Expenses	13,593,403	2,297,541	11,295,862	16.90%
Total End Resources	5,384,032	8,205,813		

General Fund Summary As of 12/31/22

	Budget	YTD	Remaining	% Budget
REVENUES				
Total Taxes	2,515,233	1,413,413	1,101,820	56%
Total Transfers	752,000	520,004	231,996	69%
Total Other General Government	500	80,930	(80,430)	16186%
Administration	39,000	6,000	33,000	15%
Municipal Court	2,000	891	1,109	45%
Police	55,000	18,038	36,962	33%
Fire	24,000	17,352	6,648	72%
Parks & Rec	1,500	-	1,500	0%
Development Services	1,671,000	202,758	1,468,242	12%
Total Revenues	5,060,233	2,259,385	2,800,848	45%
EXPENDITURES				
OPERATIONS				
Administration	812,654	224,479	588,175	28%
Non-Departmental	196,727	61,493	135,234	31%
Municipal Court	106,620	28,157	78,463	26%
Police	2,072,732	438,016	1,634,716	21%
Fire	1,179,128	184,933	994,195	16%
Parks & Rec	27,500	1,012	26,488	4%
Development Services	245,000	77,224	167,776	32%
Public Works	846,257	211,575	634,682	25%
Total Operations Expenditures	5,486,618	1,226,889	4,259,728	22%
CAPITAL				
Administration Capital Outlay	5,000	-	5,000	0%
Police Capital Outlay	3,000	-	3,000	0%
Fire Capital Outlay	215,000	160	214,840	0%
Public Works Capital Outlay	176,000	51,842	124,158	29%
Total Capital Outlay	399,000	52,002	346,998	13%
Total Expenditures	5,885,618	1,278,891	4,606,726	22%

General Fund	i	ADOPTED/ AMENDED 2022-23	YTD 12/2022	REMAINING BUDGET	% of BUDGET
FOTIMATED	PEOININA PEOOUPOEO				_
ESTIMATED	BEGINNING RESOURCES Estimated Beginning Resources	2,318,227	2,318,227		100.00%
	Bond Proceeds for Professional Serv	75,000	75,000	-	100.00%
REVENUES					
Taxes					
10-00-4001	Property Taxes	1,830,233	1,251,601	578,632	68.38%
10-00-4040	Sales & Use Tax	500,000	152,919	347,081	30.58%
10-00-4045	Mixed Beverage Sales Tax	-	103	(103)	NA
10-00-4060	Franchise Fees	185,000	8,790	176,210	4.75%
	Total Taxes	2,515,233	1,413,413	1,101,820	56.19%
Transfers In					
10-00-4801	Transfer from Utility Fund - Sewer	608,000	520,004	87,996	85.53%
10-00-4802	Transfer from Utility Fund - Solid Waste	144,000	-	144,000	0.00%
	Total Transfers	752,000	520,004	231,996	69.15%
	al Government		E 40E	(5.405)	NIA
10-00-4500	Interest Income	-	5,435	(5,435)	NA
10-00-4690	Sale of Property	500	15 75 480	485	3.00%
10-00-4799	Miscellaneous Revenue	-	75,480	(75,480)	NA
Administratio	Total Other General Government	500	80,930	(80,430)	16185.95%
Administration 10-10-4101	PID Administrative Services	33,000		33,000	0.00%
10-10-4101	Building Rent - LEDC	6,000	6,000	33,000	100.00%
10-10-4403	Total Administration	39,000	6,000	33,000	15.38%
Municipal Co		33,000	0,000	33,000	13.30 /0
10-25-4215	Court Fees	2,000	891	1,109	44.54%
10 20 42 10	Total Municipal Court	2,000	891	1,109	44.54%
Police Depart	-	2,000	001	1,100	44.0470
10-45-4240	Police - Fines/Fees	50,000	17,950	32,050	35.90%
10-45-4245	Police - Warrant Fees/Fines	5,000	88	4,912	1.76%
	Total Police Department	55,000	18,038	36,962	32.80%
Fire Departm	•	,	12,000	,	0=10070
10-55-4160	Fire Service Contract	24,000	17,352	6,648	72.30%
10-55-4650	Developer Contributions	- -	, -	-	NA
	Total Fire Department	24,000	17,352	6,648	72.30%
Parks & Rec	Department				
10-65-4130	Facility Rental	1,500	-	1,500	0.00%
	Total Parks & Rec Department	1,500	-	1,500	0.00%
Development	Services				
10-75-4305	General Permits	210,000	45,385	164,615	21.61%
10-75-4310	Land Use Application Fees	80,000	-	80,000	0.00%
10-75-4315	New Building Permits	850,000	155,227	694,773	18.26%
10-75-4325	Food Service Inspection Permits	5,500	1,745	3,755	31.73%
10-75-4350	OSSF Permits	500	400	100	80.00%
10-75-4355	Infrastructure Inspection Fees	525,000	-	525,000	0.00%
	Total Development Services	1,671,000	202,758	1,468,242	12.13%
Total General	I Fund Revenues	5,060,233	2,259,385	2,800,848	44.65%

General Fund	1	ADOPTED/ AMENDED 2022-23	YTD 12/2022	REMAINING BUDGET	% of BUDGET
Total Source	of Funds	7,453,460	4,652,612	2,800,848	62.42%
EXPENDITUR	RES				
Administration	on Services				
10-10-5000	Salaries & Wages	397,925	104,781	293,144	26%
10-10-5025	Health Insurance	49,500	9,229	40,271	19%
10-10-5030	Payroll Taxes	30,441	7,938	22,503	26%
10-10-5035	Retirement	73,616	18,672	54,944	25%
10-10-5040	TWC	1,300	6	1,294	0%
10-10-5045	Workers Comp	1,631	33,820	(32,189)	2074%
10-10-5100	Office Supplies	8,500	1,483	7,017	17%
10-10-5101	Council Supplies	1,500	343	1,157	23%
10-10-5107	Community Event Supplies	7,500	9,411	(1,911)	125%
10-10-5190	Office Furniture & Equipment - not cap	6,000	-	6,000	0%
10-10-5200	Phone, Internet	4,500	376	4,124	8%
10-10-5210	Electricity	8,500	1,497	7,003	18%
10-10-5220	Natural Gas	7,500	1,215	6,285	16%
10-10-5230	Water	1,000	266	734	27%
10-10-5401	Attorney	45,000	12,789	32,211	28%
10-10-5410	Auditor	16,000	2,252	13,749	14%
10-10-5425	Tax Assessor/Collector	2,500	6	2,494	0%
10-10-5430	Central Appraisal District	19,741	5,016	14,725	25%
10-10-5440	Professional Services - Other	5,000	-	5,000	0%
10-10-5510	Advertising	18,000	9,070	8,930	50%
10-10-5520	SAAS Contracts (software/app service)	25,000	108	24,892	0%
10-10-5540	Cleaning Service	7,500	1,500	6,000	20%
10-10-5545	Election Services	8,000	750	7,250	9%
10-10-5560	Contract Labor	1,000	-	1,000	0%
10-10-5589	Sales Tax Incentive Rebate	45,000	-	45,000	0%
10-10-5700	Dues & Fees	6,000	1,527	4,473	25%
10-10-5720	Employee Travel	2,500	1,868	632	75%
10-10-5725	Employee Training	8,500	560	7,940	7%
10-10-5730	Staff Development	3,500	-	3,500	0%
	Total Administration Operations	812,654	224,479	588,175	28%
Admin Capita	al Outlay				
10-10-9103	Improvements	5,000	-	5,000	0%
	Total Admin Capital Outlay	5,000	-	5,000	0%
	Total Admin Services	817,654	224,479	593,175	27%
Non-Departm					
10-15-5100	Office Supplies	8,000	2,784	5,216	35%
10-15-5305	Building Maintenance	42,500	1,412	41,088	3%
10-15-5310	Grounds Maintenance	-	415	(415)	NA
10-15-5440	Professional Services - Other	67,500	23,273	44,227	34%
10-15-5460	Insurance - Management Liability	3,317	3,054	263	92%
10-15-5470	Insurance - Facilities	15,362	15,055	307	98%
10-15-5475	Insurance - Vehicles & Equipment	14,048	13,767	281	98%
10-15-5525	Technology Services Contract	40,000	1,268	38,732	3%
10-15-5601	Office Equipment Leases	6,000	465	5,535	8%
	Total Non-Departmental	196,727	61,493	135,234	31%
Municipal Co	ourt Services				

		ADOPTED/			
General Fund		ADOPTED/ AMENDED	YTD	REMAINING	% of
Jeneral i uliu		2022-23	12/2022	BUDGET	BUDGET
10-25-5000	Salaries & Wages	63,227	19,085	44,142	30%
10-25-5025	Health Insurance	9,900	2,250	7,650	23%
10-25-5030	Payroll Taxes	4,837	1,460	3,377	30%
10-25-5035	Retirement	11,697	2,774	8,923	24%
10-25-5040	TWC	450	4	446	1%
10-25-5045	Workers Comp	259	<u>-</u>	259	0%
10-25-5100	Office Supplies	2,000	410	1,590	21%
10-25-5402	Judge	12,000	825	11,175	7%
10-25-5403	Prosecutor	-,000	1,350	(1,350)	NA
10-25-5515	Credit Card Contract	1,000	-	1,000	0%
10-25-5546	Jury Service	250	_	250	0%
10-25-5725	Employee Training	1,000	_	1,000	0%
10 20 0120	Total Municipal Court	106,620	28,157	78,463	26%
Police Service		100,020	20,101	70,400	2070
10-45-5000	Salaries & Wages	1,149,800	259,196	890,604	23%
10-45-5025	Health Insurance	154,752	27,892	126,860	18%
10-45-5030	Payroll Taxes	87,960	19,618	68,342	22%
10-45-5035	Retirement	212,713	44,851	167,862	21%
10-45-5040	TWC	5,000	10	4,990	0%
10-45-5045	Workers Comp	59,907	-	59,907	0%
10-45-5100	Office Supplies	4,750	1,430	3,320	30%
10-45-5103	Community Policing Supplies	11,000	2,208	8,792	20%
10-45-5105	Child Abuse Interlocal - Supplies	1,500	-,200	1,500	0%
10-45-5125	Operating Supplies	8,500	596	7,904	7%
10-45-5155	Uniforms	17,000	1,959	15,041	12%
10-45-5160	Personal Protection Equipment	7,500	-	7,500	0%
10-45-5190	Office Furniture & Equipment - not cap	13,000	95	12,905	1%
10-45-5195	Tools & Equipment - not capitalized	48,900	2,801	46,099	6%
10-45-5200	Phone, Internet	49,500	1,796	47,704	4%
10-45-5210	Electricity	12,000	1,623	10,377	14%
10-45-5230	Water	1,000	166	834	17%
10-45-5240	Fuel	45,000	8,980	36,020	20%
10-45-5315	Vehicle Maintenance	31,500	8,803	22,697	28%
10-45-5325	Equipment Maintenance	5,000	124	4,876	2%
10-45-5465	Insurance - Law Enforcement Liability	10,492	10,282	210	98%
10-45-5520	SAAS Contracts (software/app service)	27,500	21,508	5,992	78%
10-45-5530	Medical Services	1,500	,555	1,500	0%
10-45-5540	Cleaning Service	7,000	1,491	5,509	21%
10-45-5548	Dispatch Service	73,708	17,698	56,010	24%
10-45-5551	Inmate Boarding Contract	12,000	1,778	10,222	15%
10-45-5552	Animal Control Service	6,250	1,563	4,688	25%
10-45-5700	Dues & Fees	1,000	-	1,000	0%
10-45-5720	Employee Travel	1,000	400	600	40%
10-45-5725	Employee Training	6,000	1,151	4,849	19%
	Total Police Operations	2,072,732	438,016	1,634,716	21%
	Police Capital Outlay	2,012,102	100,010	1,001,110	2170
10-45-9102	Remodel	3,000	-	3,000	0%
	Total Police Capital Outlay	3,000	_	3,000	0%
	Total Police Services	2,075,732	438,016	1,637,716	21%
Fire Services		,, 	,	, , 	
10-55-5000	Salaries & Wages	556,210	76,910	479,300	14%
	~	, - · -	-,	- /	

General Fund		ADOPTED/ AMENDED	YTD 12/2022	REMAINING BUDGET	% of BUDGET
		2022-23			
10-55-5025	Health Insurance	77,376	9,013	68,363	12%
10-55-5030	Payroll Taxes	42,550	5,761	36,789	14%
10-55-5035	Retirement	102,899	13,705	89,194	13%
10-55-5040	TWC	1,500	-	1,500	0%
10-55-5045	Workers Comp	37,683	-	37,683	0%
10-55-5100	Office Supplies	3,875	508	3,367	13%
10-55-5125	Operating Supplies	10,000	1,113	8,887	11%
10-55-5155	Uniforms	12,500	2,991	9,509	24%
10-55-5160	Personal Protection Equipment	20,000	13,832	6,168	69%
10-55-5195	Tools & Equipment - not capitalized	31,000	2,653	28,347	9%
10-55-5200	Phone, Internet	19,500	809	18,691	4%
10-55-5210	Electricity	15,000	2,011	12,989	13%
10-55-5212	Electricity - Storm Sirens	-	-	-	NA
10-55-5220	Natural Gas	3,000	810	2,190	27%
10-55-5230	Water	3,500	228	3,272	7%
10-55-5240	Fuel	20,000	4,522	15,478	23%
10-55-5315	Vehicle Maintenance	-	33	(33)	NA
10-55-5316	Apparatus Maintenance	42,500	5,281	37,219	12%
10-55-5325	Equipment Maintenance	5,000	468	4,532	9%
10-55-5330	Storm Siren O&M	1,500	31	1,469	2%
10-55-5520	SAAS Contracts (software/app service)	20,000	15,462	4,538	77%
10-55-5530	Medical Services	3,000	299	2,701	10%
10-55-5536	Ambulance Service	45,635	4,410	41,225	10%
10-55-5540	Cleaning Service	3,900	771	3,129	20%
10-55-5547	Fire Marshal Contract	4,500	709	3,791	16%
10-55-5549	Fire Alarm Monitoring Service	1,000	-	1,000	0%
10-55-5560	Contract Labor	80,000	19,625	60,375	25%
10-55-5700	Dues & Fees	5,500	1,066	4,434	19%
10-55-5720	Employee Travel	10,000	2,209	7,791	22%
10-55-5725	Employee Training	-	(296)	296	NA
10 00 0120	Total Fire Operations	1,179,128	184,933	994,195	16%
Fire Capital O		1,170,120	101,000	001,100	1070
10-55-9103	Improvements	2,500	_	2,500	0%
10-55-9104	Furnishings	12,500	160	12,340	1%
10-55-9226	Fire Apparatus	200,000	-	200,000	0%
10-33-3220	Total Fire Capital Outlay	215,000	160	214,840	0%
	Total Fire Services	1,394,128	185, 093	1,209,035	13%
Parks & Rec I		1,394,120	105,095	1,209,033	13/0
10-65-5310	Grounds Maintenance	27,500	1,012	26,488	4%
10-03-3310		27,500	1,012 1,012	26,488	4 70 4%
Davalanment	Total Parks & Rec Department	21,500	1,012	20,400	4 70
Development		045 000	77.004	467 776	200/
10-75-5570	Inspector Services	245,000	77,224	167,776	32%
Desir Per Maratas	Total Development Services	245,000	77,224	167,776	32%
Public Works		004.070	70.077	047.000	050/
10-80-5000	Salaries & Wages	291,370	73,677	217,693	25%
10-80-5025	Health Insurance	48,360	10,841	37,519	22%
10-80-5030	Payroll Taxes	22,290	5,633	16,657	25%
10-80-5035	Retirement	53,903	10,706	43,198	20%
10-80-5040	TWC	2,273	10	2,263	0%
10-80-5045	Workers Comp	17,686	-	17,686	0%
10-80-5100	Office Supplies	575	54	521	9%

General Fund		ADOPTED/ AMENDED 2022-23	YTD 12/2022	REMAINING BUDGET	% of BUDGET
10-80-5102	MS-4 Educational Supplies	1,000	-	1,000	0%
10-80-5125	Operating Supplies	4,500	327	4,173	7%
10-80-5155	Uniforms	5,000	1,222	3,779	24%
10-80-5195	Tools & Equipment - not capitalized	6,000	139	5,861	2%
10-80-5200	Phone, Internet	2,400	891	1,509	37%
10-80-5211	Electricity - Street Lights	90,000	13,088	76,913	15%
10-80-5230	Water	1,000	138	862	14%
10-80-5240	Fuel	14,000	1,650	12,350	12%
10-80-5305	Building Maintenance	22,500	2,089	20,411	9%
10-80-5310	Grounds Maintenance	18,000	3,079	14,921	17%
10-80-5315	Vehicle Maintenance	7,000	283	6,717	4%
10-80-5325	Equipment Maintenance	10,000	319	9,681	3%
10-80-5335	Streets/Sidewalks Maintenance	30,000	5,197	24,803	17%
10-80-5340	Sign Maintenance	11,600	480	11,120	4%
10-80-5355	Drainage Maintenance	30,000	-	30,000	0%
10-80-5385	Mosquito Control	12,000	2,220	9,780	19%
10-80-5395	Septic System Maintenance	300	-	300	0%
10-80-5415	Engineer	42,000	25,938	16,063	62%
10-80-5530	Medical Services	1,000	45	955	5%
10-80-5565	Code Enforcement Services	10,000	-	10,000	0%
10-80-5570	Inspection Services	87,000	53,298	33,703	61%
10-80-5720	Employee Travel	1,000	190	810	19%
10-80-5725	Employee Training	3,500	64	3,436	2%
	Total Public Works Operations	846,257	211,575	634,682	25%
	Public Works Capital Outlay				
10-80-9220	Vehicle	6,000	51,842	(45,842)	864%
10-80-9221	Equipment	18,000	-	18,000	0%
10-80-9222	Heavy Equipment	150,000	-	150,000	0%
10-80-9401	CIP Prep & Admin	2,000	-	2,000	0%
	Total Capital Outlay	176,000	51,842	124,158	29%
	Total Public Works Services	1,022,257	263,417	758,840	26%
	Fund Expenditures NDING RESOURCES (Net)	5,885,618 1,567,842 27%	1,278,891 3,373,720 3	4,606,726 (1,805,878)	22%
		1,471,404 96,438	319,723 3,053,997		

DEBT SERVICE (I&S) FUND	ADOPTED/ AMENDED 2022-23	YTD 12/2022	REMAINING BUDGET	% OF BUDGET
ESTIMATED BEGINNING RESOURCES	84,922	84,922	-	100%
REVENUE				
50-00-4005 Property Taxes - I&S	1,108,601	755,983	352,618	68%
50-00-4517 Interest - IB I&S	, . -	1,095	(1,095)	NA
50-00-4801 Transfer from Utility Fund - Sewer	75,000	· <u>-</u>	75,000	0%
50-00-4804 Transfer from Utility Fund - I&S	· <u>-</u>	115,000	(115,000)	NA
Total Revenues	1,183,601	872,078	311,524	
EXPENDITURES				
50-10-5790 Debt Administration	15,000	-	15,000	0%
50-10-5820 2020 GO Ref Bonds Principal	470,000	_	470,000	0%
50-10-5821 2020 GO Ref Bonds Interest	24,100	_	24,100	0%
50-10-5822 2020 CO Principal	105,000	_	105,000	0%
50-10-5823 2020 CO Interest	488,550	_	488,550	0%
50-55-5690 2013 Fire Truck Lease	22,501	_	22,501	0%
Total Expenditures	1,125,151	-	1,125,151	
ESTIMATED ENDING RESOURCES (Net)	143,372	957,000		

STREET FL	JND Maintenance/Construction	ADOPTED/ AMENDED 2022-23	YTD 12/2022	REMAINING BUDGET	% OF BUDGET			
Funded by Street Maintenance Sales Tax								
	D BEGINNING RESOURCES	481,240	481,240	-	100%			
	Street Repair Fund Revenue							
17-00-4041	Sales Tax - Dedicated Streets	250,000	76,460	173,540	31%			
	Total Street Repair Fund Revenue	250,000	76,460	173,540				
	Street Repair Fund Expenditure							
17-80-5335	Street Maintenance	450,000	-	450,000	0%			
	Total Street Repair Expenditure	450,000	-	450,000	0%			
ESTIMATE	D ENDING RESOURCES (Net)	281,240	557,700					
	by Annexation Fees D BEGINNING RESOURCES	400,570	400,570	<u>-</u>	100%			
	Street Repair Revenue							
23-80-4210	Capital Recovery Fees - Lavon Farms	2,864	_	2,864	0%			
	Annexation Fees - Trails of Lavon	,	-	-	NA			
32-80-4210	Annexation Fees - Elevon		-	-	NA			
	Total Street Repair Revenue	2,864	-	2,864				
	Street Repair Fund Expenditure							
23-80-5336	Street Maint - Lavon Farms Regional	199,634	-	199,634	0%			
	Other Street Maintenance	150,000	-	150,000	0%			
	Total Street Repair Expenditure	349,634	-	349,634				
ESTIMATE	D ENDING RESOURCES (Net)	53,800	400,570					

	UTILITY FUND	ADOPTED/ AMENDED 2022-23	YTD 12/2022	REMAINING BUDGET	% OF BUDGET
ESTIMATED	BEGINNING RESOURCES/TRANSFERS IN	6,305,158	2,730,158	3,575,000	43%
	ID REVENUE				
Administration		40.500	200	44.540	00/
20-00-4520	Interest - IB Utility	12,500	990	11,510	8%
20-00-4521	Interest - IB Sewer Tap	500	2,601	(2,101)	520%
20-10-4130	Facility Rental	_	100	(100)	NA
20-10-4240	Police - Fines/Fees	-	3,776	(3,776)	NA 470/
20-85-4202	Administration Fee	25,000	11,750	13,250	47%
20-85-4299 Total Admini	Late Fees istration	12,500 50,500	9,808 29,025	2,692 21,475	78% 57%
				,	
Sanitary Sev		4.000.555	07.1	0.40	
20-85-4110	Sewer Charges	1,093,920	274,506	819,414	25%
20-85-4230	Sewer Tap Fee	900,000	704,400	195,600	78%
20-85-4231	Bear Creek Trunk	35,000	-	35,000	0%
20-85-4330	Online Permit Pmts	-	1,470	(1,470)	NA
Total Sanita	ry Sewer	2,028,920	980,376	1,048,544	48%
Solid Waste					
20-86-4115	Solid Waste Income	736,200	195,914	540,286	27%
Total Solid V	Vaste	736,200	195,914	540,286	27%
Total Reveni	ue	2,815,620	1,205,315	1,610,305	43%
	ID EXPENDITURES				
Sanitary Sev					
20-85-4231	Bear Creek Trunk Recovery Fee	20,000	-	20,000	0%
20-85-5210	Electricity	64,000	19,534	44,466	31%
20-85-5390	Sewer System Maintenance	40,000	21,497	18,504	54%
20-85-5590	NTMWD O&M Contract	540,000	185,588	354,412	34%
20-85-5801	Transfer to General Fund	608,000	500,000	108,000	82%
20-85-5804	Transfer to Debt Service	75,000	115,000	(40,000)	153%
20-85-9422	Elevon WWTP Construction	-	4,563	(4,563)	NA
20-85-9423	Sewer System Improvements	275,000	-	275,000	0%
not set up	WWTP Ph 3 Expansion	300,000	-	300,000	0%
not set up	Lavon-North WWTP Construction	3,000,000	-	3,000,000	0%
Total Sanitai	ry Sewer	4,922,000	846,182	4,075,819	17%
Solid Waste					
20-86-5100	Office Supplies	8,500	4,840	3,660	57%
20-86-5104	Billing Supplies	3,000	552	2,448	18%
20-86-5190	Office Furniture & Equipment	500	-	500	0%
20-86-5515	Credit Card Contract	3,500	542	2,958	15%
20-86-5520	SAAS Contracts	3,500	-	3,500	0%
20-86-5595	Solid Waste Contract	650,000	151,516	498,484	23%
20-86-5785	Sales Tax	48,000	15,018	32,982	31%
20-86-5802	Transfer to General Fund	144,000	-	144,000	0%
Total Solid V	Vaste	861,000	172,468	688,532	20%
Total Expend	diture	5,783,000	1,018,649	4,764,351	18%
ESTIMATED	ENDING RESOURCES (Net)	3,337,778	2,916,824		

Monthly Financial Report As of 1/31/23

	Budget	YTD	Remaining	% Budget
General Fund				
Other Funding	2,393,227	2,393,227		
Revenue	5,060,233	2,677,192	2,383,041	52.91%
Expenses	5,885,618	1,650,004	4,235,613	28.03%
Ending Resources	1,567,842	3,420,415		
Interest & Sinking				
Beginning Resources	84,922	84,922		
Revenue	1,183,601	1,083,246	100,355	91.52%
Expenses	1,125,151	1,341,101	(215,950)	119.19%
Ending Resources	143,372	(172,934)		
Streets - Tax Funded				
Beginning Resources	481,240	481,240		
Revenue	250,000	76,460	173,540	30.58%
Expenses	450,000	-	450,000	0.00%
Ending Resources	281,240	557,700	,	
Streets - Fee Funded				
Beginning Resources	400,570	400,570		
Revenue	2,864	-	2,864	0.00%
Expenses	349,634	-	349,634	0.00%
Ending Resources	53,800	400,570		
Utilities				
Beginning Resources	6,305,158	2,730,158		
Revenue	2,815,620	1,426,768	1,388,852	50.67%
Expenses	5,783,000	1,084,855	4,698,145	18.76%
Ending Resources	3,337,778	3,072,071		
Total Beginning Resources	9,665,117	6,090,117	4.040.073	50 50 0′
Total Revenues	9,312,318	5,263,666	4,048,652	56.52%
Total Expenses	13,593,403	4,075,961	9,517,442	29.98%
Total End Resources	5,384,032	7,277,822		

General Fund Summary As of 1/31/23

	Budget	YTD	Remaining	% Budget
REVENUES				
Total Taxes	2,515,233	1,813,048	702,185	72%
Total Transfers	752,000	520,004	231,996	69%
Total Other General Government	500	84,224	(83,724)	16845%
Administration	39,000	6,000	33,000	15%
Municipal Court	2,000	891	1,109	45%
Police	55,000	18,977	36,023	35%
Fire	24,000	17,352	6,648	72%
Parks & Rec	1,500	-	1,500	0%
Development Services	1,671,000	216,697	1,454,303	13%
Total Revenues	5,060,233	2,677,192	2,383,041	53%
EXPENDITURES				
OPERATIONS				
Administration	812,654	307,287	505,367	38%
Non-Departmental	196,727	75,264	121,463	38%
Municipal Court	106,620	35,594	71,025	33%
Police	2,072,732	580,302	1,492,430	28%
Fire	1,179,128	238,185	940,943	20%
Parks & Rec	27,500	1,309	26,191	5%
Development Services	245,000	103,504	141,496	42%
Public Works	846,257	256,556	589,701	30%
Total Operations Expenditures	5,486,618	1,598,002	3,888,615	29%
CAPITAL				
Administration Capital Outlay	5,000	-	5,000	0%
Police Capital Outlay	3,000	-	3,000	0%
Fire Capital Outlay	215,000	160	214,840	0%
Public Works Capital Outlay	176,000	51,842	124,158	29%
Total Capital Outlay	399,000	52,002	346,998	13%
Total Expenditures	5,885,618	1,650,004	4,235,613	28%

		ADOPTED/	YTD	REMAINING	% of
General Fund	I	AMENDED 2022-23	01/2023	BUDGET	BUDGET
ESTIMATED	BEGINNING RESOURCES				
ESTIMATED	Estimated Beginning Resources	2,318,227	2,318,227	_	100.00%
	Bond Proceeds for Professional Serv	75,000	75,000	-	100.00%
REVENUES					
Taxes					
10-00-4001	Property Taxes	1,830,233	1,600,662	229,571	87.46%
10-00-4040	Sales & Use Tax	500,000	203,360	296,640	40.67%
10-00-4045	Mixed Beverage Sales Tax	-	230	(230)	NA
10-00-4060	Franchise Fees	185,000	8,797	176,203	4.75%
	Total Taxes	2,515,233	1,813,048	702,185	72.08%
Transfers In					
10-00-4801	Transfer from Utility Fund - Sewer	608,000	520,004	87,996	85.53%
10-00-4802	Transfer from Utility Fund - Solid Waste	144,000	-	144,000	0.00%
	Total Transfers	752,000	520,004	231,996	69.15%
	Il Government		0.504	(0.504)	
10-00-4500	Interest Income	-	8,564	(8,564)	NA
10-00-4690	Sale of Property	500	180	320	36.00%
10-00-4799	Miscellaneous Revenue	-	75,480	(75,480)	NA
	Total Other General Government	500	84,224	(83,724)	16844.71%
Administratio		00.000		00.000	0.000/
10-10-4101	PID Administrative Services	33,000	-	33,000	0.00%
10-10-4405	Building Rent - LEDC	6,000	6,000	-	100.00%
Manadain at Oa	Total Administration	39,000	6,000	33,000	15.38%
Municipal Co		2.000	004	1 100	44 540/
10-25-4215	Court Fees	2,000	891	1,109	44.54%
Police Depart	Total Municipal Court	2,000	891	1,109	44.54%
Police Depart 10-45-4240	Police - Fines/Fees	50,000	18,889	31,111	37.78%
10-45-4245	Police - Warrant Fees/Fines	5,000	10,009	4,912	1.76%
10-43-4243	Total Police Department	55,000	18,977	36,023	34.50%
Fire Departme	-	55,000	10,977	30,023	34.30 //
10-55-4160	Fire Service Contract	24,000	17,352	6,648	72.30%
10-55-4650	Developer Contributions	Z-1,000 -		-	NA
10-00-4000	Total Fire Department	24,000	17,352	6,648	72.30%
Parks & Rec I		24,000	11,002	0,040	. 2.00 / 0
10-65-4130	Facility Rental	1,500	_	1,500	0.00%
	Total Parks & Rec Department	1,500	-	1,500	0.00%
Development		-,		-,	
10-75-4305	General Permits	210,000	57,784	152,216	27.52%
10-75-4310	Land Use Application Fees	80,000	-	80,000	0.00%
10-75-4315	New Building Permits	850,000	155,227	694,773	18.26%
10-75-4325	Food Service Inspection Permits	5,500	3,285	2,215	59.73%
10-75-4350	OSSF Permits	500	400	100	80.00%
10-75-4355	Infrastructure Inspection Fees	525,000	-	525,000	0.00%
	Total Development Services	1,671,000	216,697	1,454,303	12.97%
Total General	I Fund Revenues	5,060,233	2,677,192	2,383,041	52.91%

_		ADOPTED/	YTD	REMAINING	% of
General Fund	3	AMENDED 2022-23	01/2023	BUDGET	BUDGET
Total Source	of Funds	7,453,460	5,070,419	2,383,041	68.03%
EXPENDITUR	RES				
Administration	on Services				
10-10-5000	Salaries & Wages	397,925	135,095	262,830	34%
10-10-5025	Health Insurance	49,500	11,757	37,743	24%
10-10-5030	Payroll Taxes	30,441	10,206	20,235	34%
10-10-5035	Retirement	73,616	24,347	49,269	33%
10-10-5040	TWC	1,300	33	1,267	3%
10-10-5045	Workers Comp	1,631	33,820	(32,189)	2074%
10-10-5100	Office Supplies	8,500	1,821	6,679	21%
10-10-5101	Council Supplies	1,500	446	1,054	30%
10-10-5107	Community Event Supplies	7,500	8,980	(1,480)	120%
10-10-5190	Office Furniture & Equipment - not cap	6,000	-	6,000	0%
10-10-5200	Phone, Internet	4,500	417	4,083	9%
10-10-5210	Electricity	8,500	1,808	6,692	21%
10-10-5220	Natural Gas	7,500	2,524	4,976	34%
10-10-5230	Water	1,000	314	686	31%
10-10-5401	Attorney	45,000	16,417	28,583	36%
10-10-5410	Auditor	16,000	2,252	13,749	14%
10-10-5425	Tax Assessor/Collector	2,500	33	2,467	1%
10-10-5430	Central Appraisal District	19,741	5,016	14,725	25%
10-10-5440	Professional Services - Other	5,000	3,638	1,363	73%
10-10-5510	Advertising	18,000	9,070	8,930	50%
10-10-5520	SAAS Contracts (software/app service)	25,000	146	24,854	1%
10-10-5540	Cleaning Service	7,500	1,900	5,600	25%
10-10-5545	Election Services	8,000	750	7,250	9%
10-10-5560	Contract Labor	1,000	_	1,000	0%
10-10-5589	Sales Tax Incentive Rebate	45,000	30,361	14,639	67%
10-10-5700	Dues & Fees	6,000	2,796	3,204	47%
10-10-5720	Employee Travel	2,500	2,441	59	98%
10-10-5725	Employee Training	8,500	903	7,598	11%
10-10-5730	Staff Development	3,500	-	3,500	0%
	Total Administration Operations	812,654	307,287	505,367	38%
Admin Capita		,	,	222,221	
10-10-9103	Improvements	5,000	_	5,000	0%
	Total Admin Capital Outlay	5,000	_	5,000	0%
	Total Admin Services	817,654	307,287	510,367	38%
Non-Departm		011,001		010,001	50,0
10-15-5100	Office Supplies	8,000	3,530	4,470	44%
10-15-5305	Building Maintenance	42,500	4,879	37,621	11%
10-15-5310	Grounds Maintenance	-	415	(415)	NA
10-15-5440	Professional Services - Other	67,500	31,873	35,627	47%
10-15-5460	Insurance - Management Liability	3,317	3,054	263	92%
10-15-5470	Insurance - Facilities	15,362	15,055	307	98%
10-15-5475	Insurance - Vehicles & Equipment	14,048	13,767	281	98%
10-15-5525	Technology Services Contract	40,000	1,268	38,732	3%
10-15-5601	Office Equipment Leases	6,000	1,424	4,576	24%
	Total Non-Departmental	196,727	75,264	121,463	38%
Municipal Co	ourt Services	,. = :	. 5,257	,-00	00 /0

General Fund ADOPTED/ AMENDED 91/2023 BUDGET	
2022-23 BUDGE	BUDGET
10-25-5000 Salaries & Wages 63,227 23,888 39,3	38%
10-25-5025 Health Insurance 9,900 2,882 7,0	
10-25-5030 Payroll Taxes 4,837 1,827 3,0	
10-25-5035 Retirement 11,697 3,536 8,10	
10-25-5040 TWC 450 8 4	
10-25-5045 Workers Comp 259 - 259	
10-25-5100 Office Supplies 2,000 453 1,5-	
10-25-5402 Judge 12,000 1,200 10,8	
10-25-5403 Prosecutor - 1,800 (1,800)	
10-25-5515 Credit Card Contract 1,000 - 1,00	,
10-25-5546 Jury Service 250 - 25	
10-25-5725 Employee Training 1,000 - 1,00	
Total Municipal Court 106,620 35,594 71,0	
Police Services	
10-45-5000 Salaries & Wages 1,149,800 338,605 811,15	95 29%
10-45-5025 Health Insurance 154,752 36,130 118,63	22 23%
10-45-5030 Payroll Taxes 87,960 25,622 62,33	38 29%
10-45-5035 Retirement 212,713 59,203 153,5	0 28%
10-45-5040 TWC 5,000 90 4,9	0 2%
10-45-5045 Workers Comp 59,907 - 59,90	0%
10-45-5100 Office Supplies 4,750 1,472 3,2	' 8 31%
10-45-5103 Community Policing Supplies 11,000 2,395 8,66)5 22%
10-45-5105 Child Abuse Interlocal - Supplies 1,500 1,500 -	100%
10-45-5125 Operating Supplies 8,500 779 7,72	21 9%
10-45-5155 Uniforms 17,000 2,382 14,6	8 14%
10-45-5160 Personal Protection Equipment 7,500 - 7,50	0%
10-45-5190 Office Furniture & Equipment - not cap 13,000 503 12,45	
10-45-5195 Tools & Equipment - not capitalized 48,900 3,042 45,88	6%
10-45-5200 Phone, Internet 49,500 2,352 47,14	18 5%
10-45-5210 Electricity 12,000 2,197 9,80	18%
10-45-5230 Water 1,000 214 78	36 21%
10-45-5240 Fuel 45,000 12,286 32,7	4 27%
10-45-5315 Vehicle Maintenance 31,500 10,123 21,3	7 32%
10-45-5325 Equipment Maintenance 5,000 263 4,73	37 5%
10-45-5465 Insurance - Law Enforcement Liability 10,492 10,282 2	0 98%
10-45-5520 SAAS Contracts (software/app service) 27,500 25,096 2,40	
10-45-5530 Medical Services 1,500 - 1,50	0%
10-45-5540 Cleaning Service 7,000 1,988 5,0	2 28%
10-45-5548 Dispatch Service 73,708 35,396 38,3	2 48%
10-45-5551 Inmate Boarding Contract 12,000 3,653 8,34	7 30%
10-45-5552 Animal Control Service 6,250 3,125 3,125	25 50%
10-45-5700 Dues & Fees 1,000 - 1,00	0%
10-45-5720 Employee Travel 1,000 453 5-	45%
10-45-5725 Employee Training 6,000 1,151 4,84	19%
Total Police Operations 2,072,732 580,302 1,492,43	30 28%
Police Capital Outlay	
10-45-9102 Remodel 3,000 - 3,00	
Total Police Capital Outlay 3,000 - 3,00	
Total Police Services 2,075,732 580,302 1,495,43	28%
Fire Services	
10-55-5000 Salaries & Wages 556,210 100,145 456,00	35 18%

General Fund		ADOPTED/ AMENDED 2022-23	YTD 01/2023	REMAINING BUDGET	% of BUDGET
10-55-5025	Health Insurance	77,376	11,542	65,834	15%
10-55-5030	Payroll Taxes	42,550	7,497	35,053	18%
10-55-5035	Retirement	102,899	18,055	84,844	18%
10-55-5040	TWC	1,500	23	1,477	2%
10-55-5045	Workers Comp	37,683	-	37,683	0%
10-55-5100	Office Supplies	3,875	640	3,235	17%
10-55-5125	Operating Supplies	10,000	1,810	8,190	18%
10-55-5155	Uniforms	12,500	3,232	9,268	26%
10-55-5160	Personal Protection Equipment	20,000	13,832	6,168	69%
10-55-5195	Tools & Equipment - not capitalized	31,000	6,473	24,527	21%
10-55-5200	Phone, Internet	19,500	1,079	18,421	6%
10-55-5210	Electricity	15,000	3,428	11,572	23%
10-55-5212	Electricity - Storm Sirens	-	_	-	NA
10-55-5220	Natural Gas	3,000	1,341	1,659	45%
10-55-5230	Water	3,500	298	3,202	9%
10-55-5240	Fuel	20,000	5,439	14,561	27%
10-55-5315	Vehicle Maintenance	-	434	(434)	NA
10-55-5316	Apparatus Maintenance	42,500	7,694	34,806	18%
10-55-5325	Equipment Maintenance	5,000	468	4,532	9%
10-55-5330	Storm Siren O&M	1,500	42	1,458	3%
10-55-5520	SAAS Contracts (software/app service)	20,000	15,462	4,538	77%
10-55-5530	Medical Services	3,000	299	2,701	10%
10-55-5536	Ambulance Service	45,635	5,880	39,755	13%
10-55-5540	Cleaning Service	3,900	1,028	2,872	26%
10-55-5547	Fire Marshal Contract	4,500	1,418	3,083	32%
10-55-5549	Fire Alarm Monitoring Service	1,000	-	1,000	0%
10-55-5560	Contract Labor	80,000	26,400	53,600	33%
10-55-5700	Dues & Fees	5,500	1,541	3,959	28%
10-55-5720	Employee Travel	10,000	3,359	6,641	34%
10-55-5725	Employee Training	-	(671)	671	NA
10 00 0120	Total Fire Operations	1,179,128	238,185	940,943	20%
Fire Capital O		1,110,120	200,100	0.10,0.10	2070
10-55-9103	Improvements	2,500	_	2,500	0%
10-55-9104	Furnishings	12,500	160	12,340	1%
10-55-9226	Fire Apparatus	200,000	-	200,000	0%
.0 00 0220	Total Fire Capital Outlay	215,000	160	214,840	0%
	Total Fire Services	1,394,128	238,345	1,155,783	17%
Parks & Rec D		.,,	_00,0.0	.,,	,0
10-65-5310	Grounds Maintenance	27,500	1,309	26,191	5%
10 00 0010	Total Parks & Rec Department	27,500	1,309	26,191	5%
Development			1,000	_0,.0.	5,6
10-75-5570	Inspector Services	245,000	103,504	141,496	42%
10 10 0010	Total Development Services	245,000	103,504	141,496	42%
Public Works	-	_ 10,000	,	,	/ 0
10-80-5000	Salaries & Wages	291,370	95,518	195,852	33%
10-80-5025	Health Insurance	48,360	14,023	34,337	29%
10-80-5030	Payroll Taxes	22,290	7,303	14,987	33%
10-80-5035	Retirement	53,903	14,794	39,109	27%
10-80-5040	TWC	2,273	32	2,241	1%
10-80-5045	Workers Comp	17,686	-	17,686	0%
10-80-5100	Office Supplies	575	54	521	9%
. 5 5 5 6 10 5		0.0	0 1	02 /	270

General Fund		ADOPTED/ AMENDED 2022-23	YTD 01/2023	REMAINING BUDGET	% of BUDGET
10-80-5102	MS-4 Educational Supplies	1,000	-	1,000	0%
10-80-5125	Operating Supplies	4,500	385	4,115	9%
10-80-5155	Uniforms	5,000	1,347	3,653	27%
10-80-5195	Tools & Equipment - not capitalized	6,000	139	5,861	2%
10-80-5200	Phone, Internet	2,400	1,188	1,212	49%
10-80-5211	Electricity - Street Lights	90,000	18,892	71,108	21%
10-80-5230	Water	1,000	178	822	18%
10-80-5240	Fuel	14,000	2,117	11,883	15%
10-80-5305	Building Maintenance	22,500	2,089	20,411	9%
10-80-5310	Grounds Maintenance	18,000	3,173	14,827	18%
10-80-5315	Vehicle Maintenance	7,000	1,574	5,426	22%
10-80-5325	Equipment Maintenance	10,000	319	9,681	3%
10-80-5335	Streets/Sidewalks Maintenance	30,000	5,197	24,803	17%
10-80-5340	Sign Maintenance	11,600	480	11,120	4%
10-80-5355	Drainage Maintenance	30,000	-	30,000	0%
10-80-5385	Mosquito Control	12,000	2,220	9,780	19%
10-80-5395	Septic System Maintenance	300	-	300	0%
10-80-5415	Engineer	42,000	30,828	11,173	73%
10-80-5530	Medical Services	1,000	45	955	5%
10-80-5565	Code Enforcement Services	10,000	-	10,000	0%
10-80-5570	Inspection Services	87,000	54,408	32,593	63%
10-80-5720	Employee Travel	1,000	190	810	19%
10-80-5725	Employee Training	3,500	64	3,436	2%
	Total Public Works Operations Public Works Capital Outlay	846,257	256,556	589,701	30%
10-80-9220	Vehicle	6,000	51,842	(45,842)	864%
10-80-9221	Equipment	18,000	-	18,000	0%
10-80-9222	Heavy Equipment	150,000	-	150,000	0%
10-80-9401	CIP Prep & Admin	2,000	-	2,000	0%
	Total Capital Outlay	176,000	51,842	124,158	29%
	Total Public Works Services	1,022,257	308,398	713,859	30%
	Fund Expenditures ENDING RESOURCES (Net)	5,885,618 1,567,842 27%	1,650,004 3,420,415 2	4,235,613 (1,852,572)	28%
		1,471,404 96,438	412,501 3,007,913		

DEBT SERVICE (I&S) FUND	ADOPTED/ AMENDED 2022-23	YTD 01/2023	REMAINING BUDGET	% OF BUDGET
ESTIMATED BEGINNING RESOURCES	84,922	84,922	-	100%
REVENUE 50-00-4005 Property Taxes - I&S 50-00-4517 Interest - IB I&S 50-00-4801 Transfer from Utility Fund - Sewer 50-00-4804 Transfer from Utility Fund - I&S Total Revenues	1,108,601 - 75,000 - 1,183,601	966,073 2,173 - 115,000 1,083,246	142,528 (2,173) 75,000 (115,000) 100,355	87% NA 0% NA
EXPENDITURES 50-10-5790 Debt Administration 50-10-5820 2020 GO Ref Bonds Principal 50-10-5821 2020 GO Ref Bonds Interest 50-10-5822 2020 CO Principal 50-10-5823 2020 CO Interest 50-55-5690 2013 Fire Truck Lease Total Expenditures	15,000 470,000 24,100 105,000 488,550 22,501 1,125,151	940,000 28,800 105,000 244,800 22,501 1,341,101	15,000 (470,000) (4,700) - 243,750 (0) (215,950)	0% 200% 120% 100% 50% 100%
ESTIMATED ENDING RESOURCES (Net)	143,372	(172,934)		

STREET FL	JND Maintenance/Construction	ADOPTED/ AMENDED 2022-23	YTD 01/2023	REMAINING BUDGET	% OF BUDGET
Funded	by Street Maintenance Sales	s Tax			
	D BEGINNING RESOURCES	481,240	481,240	-	100%
	Street Repair Fund Revenue				
17-00-4041	Sales Tax - Dedicated Streets	250,000	76,460	173,540	31%
	Total Street Repair Fund Revenue	250,000	76,460	173,540	
	Street Repair Fund Expenditure				
17-80-5335	Street Maintenance	450,000	-	450,000	0%
	Total Street Repair Expenditure	450,000	-	450,000	0%
ESTIMATE	D ENDING RESOURCES (Net)	281,240	557,700		
	by Annexation Fees D BEGINNING RESOURCES	400,570	400,570	-	100%
	Street Repair Revenue				
23-80-4210	Capital Recovery Fees - Lavon Farms	2,864	_	2,864	0%
	Annexation Fees - Trails of Lavon	_,~~.	-	_,==	NA
32-80-4210	Annexation Fees - Elevon		-	-	NA
	Total Street Repair Revenue	2,864	-	2,864	
	Street Repair Fund Expenditure				
23-80-5336	Street Maint - Lavon Farms Regional	199,634	-	199,634	0%
	Other Street Maintenance	150,000	-	150,000	0%
	Total Street Repair Expenditure	349,634	-	349,634	
ESTIMATE	D ENDING RESOURCES (Net)	53,800	400,570		

	UTILITY FUND	ADOPTED/ AMENDED 2022-23	YTD 01/2023	REMAINING BUDGET	% OF BUDGET
ESTIMATED	BEGINNING RESOURCES/TRANSFERS IN	6,305,158	2,730,158	3,575,000	43%
	ID REVENUE				
Administration		40.500	0.000	10.100	400/
20-00-4520	Interest - IB Utility	12,500	2,020	10,480	16%
20-00-4521	Interest - IB Sewer Tap	500	2,601	(2,101)	520%
20-10-4130	Facility Rental	_	200	(200)	NA
20-10-4240	Police - Fines/Fees	-	5,633	(5,633)	NA 0.40/
20-85-4202	Administration Fee	25,000	16,000	9,000	64%
20-85-4299 Total Admini	Late Fees istration	12,500 50,500	13,671 40,124	(1,171) 10,376	109% 79%
			,	,	
Sanitary Sev		4 0	a=a - : -		.
20-85-4110	Sewer Charges	1,093,920	372,812	721,108	34%
20-85-4230	Sewer Tap Fee	900,000	744,400	155,600	83%
20-85-4231	Bear Creek Trunk Recovery Fee	35,000	-	35,000	0%
20-85-4330	Online Permit Pmts	-	1,930	(1,930)	NA
Total Sanita	ry Sewer	2,028,920	1,119,142	909,778	55%
Solid Waste					
20-86-4115	Solid Waste Income	736,200	267,503	468,697	36%
Total Solid V	Vaste	736,200	267,503	468,697	36%
Total Reveni	ue	2,815,620	1,426,768	1,388,852	51%
	ID EXPENDITURES				
Sanitary Sev					
20-85-4231	Bear Creek Trunk Recovery Fee	20,000	-	20,000	0%
20-85-5210	Electricity	64,000	26,859	37,141	42%
20-85-5390	Sewer System Maintenance	40,000	22,407	17,594	56%
20-85-5590	NTMWD O&M Contract	540,000	229,424	310,576	42%
20-85-5801	Transfer to General Fund	608,000	500,000	108,000	82%
20-85-5804	Transfer to Debt Service	75,000	115,000	(40,000)	153%
20-85-9422	Elevon WWTP Construction	-	5,211	(5,211)	NA
20-85-9423	Sewer System Improvements	275,000	-	275,000	0%
not set up	WWTP Ph 3 Expansion	300,000	-	300,000	0%
not set up	Lavon-North WWTP Construction	3,000,000	-	3,000,000	0%
Total Sanitai	ry Sewer	4,922,000	898,901	4,023,099	18%
Solid Waste					
20-86-5100	Office Supplies	8,500	4,840	3,660	57%
20-86-5104	Billing Supplies	3,000	586	2,414	20%
20-86-5190	Office Furniture & Equipment	500	-	500	0%
20-86-5515	Credit Card Contract	3,500	833	2,667	24%
20-86-5520	SAAS Contracts	3,500	400	3,100	11%
20-86-5595	Solid Waste Contract	650,000	159,103	490,897	24%
20-86-5785	Sales Tax	48,000	20,192	27,808	42%
20-86-5802	Transfer to General Fund	144,000	-	144,000	0%
Total Solid V	Vaste	861,000	185,954	675,046	22%
Total Expend	diture	5,783,000	1,084,855	4,698,145	19%
ESTIMATED	ENDING RESOURCES (Net)	3,337,778	3,072,071		

Instructions for new file:

Clean out YTD numbers, but leave formulas in place.

Unhide all lines.

Change the dates on each page.

Run the Trial Balance report for the fund about to be entered, as excel.

Copy and paste special the numbers needed.

Hand-enter the salary and health insurance numbers. (health insurance is two lines combined into one.

Check the totals for accuracy.

Repeat with each fund.

Look over report for questions and completion.

Hide the unnecessary lines.

Report parameters:

Correct Fiscal Year
Correct Fund
Beginning Period - October
Ending Period - correct month
Skip Zero Balance Accounts - leave unchecked
Skip Accounts with No Activity in Range - leave unchecked
Format - EXCEL

Report manipulation needed:

Download.

Enable editing.

Unmerge all cells.

Properly widen all cells.

Delete beginning balances and transactions columns.

Ignore Assets, Liabilities, and Fund balance lines.

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2023



PERFORMANCE

As of January 31, 2023

Current Invested Balance \$10,451,037,339.95 Weighted Average Maturity (1) 6 Days Weighted Average Life (2) 40 Days Net Asset Value 0.999905 Total Number of Participants 1003 Management Fee on Invested Balance 0.06%* Interest Distributed \$36,668,512.50 Management Fee Collected \$510,187.16 % of Portfolio Invested Beyond 1 Year 2.73% Standard & Poor's Current Rating AAAm

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

January Averages

Average Invested Balance \$10,011,955,172.89 Average Monthly Yield, on a simple basis 4.2515%

Average Weighted Maturity (1) 6 Days

Average Weighted Life (2) 41 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 waved 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 January:

* Denton County Development District No. 4 * City of Levelland * City of Marfa Parks and Recreation Development Corp.

* West Jefferson County Municipal Water District

HOLIDAY REMINDER

In observance of Presidents Day, TexSTAR will be closed Monday, February 20, 2023. All ACH Transactions initiated on Friday, February 17th will settle on Tuesday, February 21st.

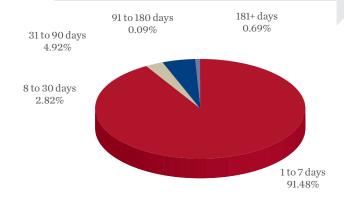
ECONOMIC COMMENTARY

Market review

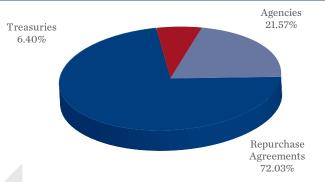
2023 began on a strong positive note, as broader Treasury yields rallied while front end rates remained elevated and credit spreads tightened. Investor sentiment improved, boosted by favorable economic data releases and Federal Reserve (Fed) commentary. Recent CPI and PCE readings indicated a deceleration in inflation, which led to growing market confidence the Fed's aggressive rate hikes are working and that the inflection in policy is near. Risk assets rallied throughout the month. On the growth front, the Bureau of Economic Analysis (BEA) reported that real GDP increased at a 2.9% seasonally adjusted annual rate (saar) in Q4 2022, modestly stronger than the 2.6% consensus expectation. While this reflects a slowdown from 3.2% growth in the third quarter, it concludes a year of 1.0% annual growth, even with the economy contracting for two consecutive quarters in the first half. That said, the details of the report were less favorable than expected, with a bigger inventory build in 4Q (\$130bn saar) but less growth in real final sales (1.4% saar). Spending was stronger in services than goods and reflected a strong start to the quarter with weakening momentum in December. Real final sales to private domestic purchases rose only 0.2% saar in 4Q, the weakest quarterly gain since the recovery began, illustrating softer demand. Meanwhile, the effects of higher rates continued to weigh on the economy, as December housing starts declined 1.4% to 1.382mn saar and housing permits declined 1.6% to 1.33mn saar. Overall, the six-month change through December saw declines of 23% and 39% saar in total starts and total permits respectively, with noticeable declines tied to both single-family and multifamily units. Furthermore, the Institute for Supply Management (ISM) manufacturing index fell by 1.0 pt to 47.4 in January, slightly below markets expectations. The underlying composition was weak, as the production, new orders and employment components all declined. Despite economic momentum slowing, the labor market remained resilient, as the Job Openings and Labor Turnover Survey (JOLTS) showed job openings increasing by 572k to 11.012 million in December. This was partly driven by strength in accommodation and food services (+409k) and retail trade (+134k), while the largest declines were in the information (-107k) and other services (-32k) sectors. (continued page 4)

INFORMATION AT A GLANCE

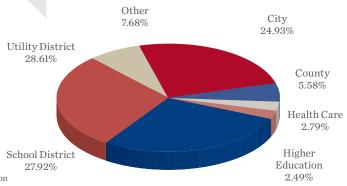
PORTFOLIO BY TYPE OF INVESTMENT AS OF JANUARY 31, 2023



DISTRIBUTION OF PARTICIPANTS BY TYPE AS OF JANUARY 31, 2023



PORTFOLIO BY MATURITY AS OF JANUARY 31, 2023(1)



(1) Portfolio by Maturity is calculated using WAM (1) definition for stated maturity. See page 1 for definition

HISTORICAL PROGRAM INFORMATION

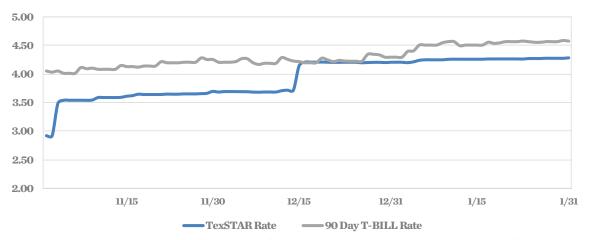
MONTH	AVERAGE RATE	BOOK VALUE	MARKET VALUE	NET ASSET VALUE	WAM (1)	WAL (2)	NUMBER OF PARTICIPANTS
Jan 23	4.2515%	\$10,451,037,339.95	\$10,450,044,625.54	0.999905	6	41	1003
Dec 22	3.9681%	9,016,826,910.67	9,015,709,981.89	0.999855	5	43	999
Nov 22	3.5588%	8,393,118,851.17	8,390,786,906.73	0.999722	6	47	998
Oct 22	2.8531%	8,388,414,626.87	8,384,901,873.82	0.999581	10	46	996
Sep 22	2.2941%	8,448,258,598.47	8,444,307,157.72	0.999510	16	43	994
Aug 22	1.9469%	8,988,292,520.61	8,983,610,837.50	0.999479	27	50	991
Jul 22	1.4010%	9,799,798,062.32	9,793,880,215.07	0.999396	34	49	990
Jun 22	0.9850%	9,799,299,684.61	9,793,062,348.93	0.999363	42	57	989
May 22	0.6459%	9,701,777,049.61	9,700,243,468.41	0.999841	43	61	988
Apr 22	0.3225%	8,985,925,505.16	8,984,338,322.90	0.999818	39	60	986
Mar 22	0.1070%	9,050,970,696.95	9,050,137,013.72	0.999907	27	38	981
Feb 22	0.0104%	9,779,113,455.23	9,778,353,196.78	0.999922	26	32	979

PORTFOLIO ASSET SUMMARY AS OF JANUARY 31, 2023

	BOOK VALUE		MARKET VALUE
Uninvested Balance	\$ 852.08	\$	852.08
Accrual of Interest Income	10,814,819.73		10,814,819.73
Interest and Management Fees Payable	(36,668,085.22)		(36,668,085.22)
Payable for Investment Purchased	(50,000,000.00)		(50,000,000.00)
Repurchase Agreement	7,581,901,999.76		7,581,901,999.76
Government Securities	2,944,987,753.60		2,943,995,039.19
TOTAL	\$ \$10,451,037,339.95	\$ 5	\$10,450,044,625.54

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 \$\frac{1}{2}\frac{1}{2}\frac{1}{2}\text{uld}\$ 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 issue 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 Treatill Yield's 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 JANUARY 2023

DATE	MNY MKT FUND EQUIV. [SEC Std.]	DAILY ALLOCATION FACTOR	INVESTED BALANCE	MARKET VALUE PER SHARE	WAM DAYS (1)	WAL DAYS (2)
1/1/2023	4.2031%	0.000115153	\$9,016,826,910.67	0.999855	4	42
1/2/2023	4.2031%	0.000115153	\$9,016,826,910.67	0.999855	4	42
1/3/2023	4.1959%	0.000114955	\$9,347,295,185.06	0.999874	4	41
1/4/2023	4.2092%	0.000115320	\$9,473,584,390.44	0.999854	5	40
1/5/2023	4.2357%	0.000116047	\$9,818,171,372.07	0.999845	6	41
1/6/2023	4.2450%	0.000116300	\$9,816,995,556.25	0.999846	6	41
1/7/2023	4.2450%	0.000116300	\$9,816,995,556.25	0.999846	6	41
1/8/2023	4.2450%	0.000116300	\$9,816,995,556.25	0.999846	6	41
1/9/2023	4.2453%	0.000116310	\$9,925,861,503.97	0.999856	6	41
1/10/2023	4.2535%	0.000116535	\$9,999,654,103.71	0.999888	5	41
1/11/2023	4.2557%	0.000116594	\$10,119,228,669.08	0.999902	5	40
1/12/2023	4.2549%	0.000116572	\$10,123,914,717.27	0.999916	5	40
1/13/2023	4.2551%	0.000116579	\$10,100,096,984.14	0.999932	5	39
1/14/2023	4.2551%	0.000116579	\$10,100,096,984.14	0.999932	5	39
1/15/2023	4.2551%	0.000116579	\$10,100,096,984.14	0.999932	5	39
1/16/2023	4.2551%	0.000116579	\$10,100,096,984.14	0.999932	5	39
1/17/2023	4.2594%	0.000116697	\$10,139,323,856.69	0.999934	6	41
1/18/2023	4.2596%	0.000116700	\$9,989,468,265.71	0.999920	7	43
1/19/2023	4.2599%	0.000116709	\$9,987,067,380.02	0.999920	7	43
1/20/2023	4.2597%	0.000116705	\$10,115,243,416.47	0.999920	7	43
1/21/2023	4.2597%	0.000116705	\$10,115,243,416.47	0.999920	7	43
1/22/2023	4.2597%	0.000116705	\$10,115,243,416.47	0.999920	7	43
1/23/2023	4.2583%	0.000116665	\$10,187,871,452.61	0.999915	7	43
1/24/2023	4.2661%	0.000116880	\$10,279,870,155.02	0.999922	7	42
1/25/2023	4.2671%	0.000116907	\$10,480,453,815.79	0.999919	7	41
1/26/2023	4.2725%	0.000117055	\$10,492,138,367.31	0.999906	7	41
1/27/2023	4.2714%	0.000117024	\$10,313,136,304.79	0.999904	7	41
1/28/2023	4.2714%	0.000117024	\$10,313,136,304.79	0.999904	7	41
1/29/2023	4.2714%	0.000117024	\$10,313,136,304.79	0.999904	7	41
1/30/2023	4.2710%	0.000117014	\$10,385,502,194.57	0.999893	6	41
1/31/2023	4.2786%	0.000117222	\$10,451,037,339.95	0.999905	6	40
Average	4.2515%	0.000116480	\$46,011,955,172.89		6	41



ECONOMIC COMMENTARY (cont.)

The job openings rate increased by 0.3% to 6.7%, and the quits rate was flat at 2.7%. Similarly, initial jobless claims data came in at very low levels, continuing to suggest labor market strength. During the week ending January 28th, initial claims declined from 186k to 183k. Inflation continued to show signs of moderating, as the December CPI report came in close to expectations with headline CPI falling by -0.1% month-over-month (m/m) and core CPI rising by 0.3% m/m. Falling energy prices (- 4.5% m/m) and moderation in food price increases (+ 0.3% m/m) helped lower inflation. However, inflation was also dragged lower by falling new and used vehicle prices, lower health insurance rates and lower airline fares, contributing to a third consecutive monthly decline in CPI ex food, energy, and shelter. The general decline in inflation was partly offset by a 0.8% increase in shelter which accounts for almost 33% of CPI. However, most of this increase was centered in owner's equivalent rent, which reflects a very lagged measurement of supply and demand conditions in the rental market. Similarly, the PCE price index rose 0.1% m/m in December (5.0% oya) while the core PCE price index increased 0.3% (4.4% oya).

In line with market expectations, the Federal Open Market Committee (FOMC) voted unanimously to raise the federal funds rate target range by 0.25% to 4.50%-4.75% at its February meeting. In the statement, the committee softened its tone on inflation, stating that inflation pressures have eased but remain elevated, and removed the Russia/Ukraine war and COVID-19 pandemic as contributing to higher prices. Elsewhere, the committee still sees "ongoing increases in the target range will be appropriate in order to attain a stance of monetary policy that is sufficiently restrictive." However, their new focus is now on the "extent" of increases, and not the "pace" in determining future hikes, suggesting the Fed may be close to being done. Chair Powell also noted if the economy performs as expected, that it would "not be appropriate to cut rates this year." At the press conference, Powell did not strike as hawkish a tone as the market expected. While his prepared comments asserted that high prices are still causing hardship and that the Fed's job was not done yet, he did not push back on the recent easing of financial conditions since December. Instead, he said they "haven't changed much" and that the committee is not focused "on short-term moves but on sustained changes to broader financial conditions."

Separately, the U.S. Treasury announced that it reached its debt limit on January 19th. Consequently, the Treasury will now utilize its cash balances and "extraordinary measures" to prevent the United States from defaulting on its payment obligations, something that has never happened in the past. The precise timing of the "X-Date," or the date at which the federal government cannot meet its obligations, is still unclear. Treasury Secretary Janet Yellen stated that "It is unlikely that cash and extraordinary measures will be exhausted before early June," while early market estimates for the X-Date window range from July through Early-November. It is important to note that prior debt limit episodes have never resulted in a default by the U.S. Treasury, but the uncertainty associated with the politics can induce both market volatility and client anxiety. If a political resolution is not reached in time, we believe the Treasury would take steps to prioritize the payment of principal and interest on U.S. Treasury securities over other required federal payments. If payment were ultimately delayed on a Treasury security, the technical default would be limited to the specific maturity date/coupon date (i.e., no cross defaults). It is still early days, but the debt limit will likely be in the headlines in the months ahead. The U.S. Treasury yield curve continued to invert between the three-month Treasury bill and 10-year note yields, ending the month at -115 basis points (bps) as front-end Treasury bill yields rose and longer Treasury yields declined. In the money market space, the three-month Treasury bill yield increased 29 bps on the month to 4.67%, while the six-month Treasury bill yields rose 6 bps to 4.83%. The 1-year T-bill and 2-year Treasury yields declined by 4 bps and 23 bps to 4.67% and 4.20%, respectively.

Outlook

The main message from the February FOMC meeting was that the Fed continues to focus on fighting inflation. Powell recognized the good news: a long-awaited disinflationary impulse in the goods sector has finally arrived, disinflation in the housing component is clearly in the ongoing despite being a lagged measure, and inflation expectations among the public and investors have fallen. This has all been achieved without an increase in the unemployment rate. That said, the committee still sees a greater risk in not doing enough to return inflation back to its 2% target; and while the disinflation process has begun, particularly in core goods and energy, it still feels like there is more work to do. This keeps the probability of recession sometime this year elevated. Market consensus that US inflation has rolled over and will likely continue to decline has been a key driver of yields and returns so far this year.







ECONOMIC COMMENTARY (cont.)

The market's attention has now shifted to the US Employment Cost Index (ECI), the broadest measure of labor costs, which is showing tentative signs that wage growth – although typically a stickier component of inflation – is slowing down. In 4Q 2022, US labor costs rose by 1%, the smallest increase since the fourth quarter 2021 (as of 31 January 2022). Slowing wage growth and the recent material slowdown in house price growth indicate that the aggressive hiking policy of the Fed is working and could potentially slow the pace of monetary policy tightening in the coming months. Already, the Fed increased the interest rate by just 25 bps on February 1, 2023, in contrast to the December hike of 50 bps. The January Jobs data, reported on February 3rd, came in significantly above expectations, with nonfarm payrolls surging by 517,000, well above the consensus view of 188K, with gains strongest in leisure and hospitality, healthcare and professional business services. The release shows a resilient labor market with strong momentum in filling job openings and contributing to the lowest unemployment rate we've seen since May 1969 at 3.4%. Still, even at these low levels of unemployment, tightness is not contributing to a rebound in wage inflation, with wage growth moderating to 0.3% for all workers. On a year-over-year basis, wage growth has now fallen to 4.4% after peaking at 5.9% in March of 2022.

The labor market is clearly still a bastion of strength in an economy with elevated recession risks. The Fed should be cheered by the continued strength in job growth without rising wage inflation, but continued labor market tightness may also give them confidence that they can keep policy tighter for longer. We still think it's an open question as to whether the Fed raises rates for a third time this year in May. With inflation coming down and aggregate demand cooling across the economy, the Fed would be wise to exercise patience and assess the lagged impact of the enormous monetary tightening already done. If subsequent jobs and inflation reports continue to reflect this cooling, hopes of a Fed pause after March may not be dashed.

 $This information is an excerpt from an economic report dated January 2023\ provided\ to\ TexSTAR by\ JP\ Morgan\ Asset\ Management,\ Inc.,\ the\ investment\ manager of\ the\ TexSTAR\ pool.$

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PERFORMANCE

As	of	Janu	ıarv	31.	2023
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January Averages

Current Invested Balance	\$10,833,655,695.67	Average Invested Balance	\$10,264,550,671.41
Weighted Average Maturity (1)	21 Days	Average Monthly Yield, on a simple basis	4.5538%
Weighted Average Life (2)	49 Days	Average Weighted Maturity (1)	18 Days
Net Asset Value	1.000171	Average Weighted Life (2)	52 Days
Total Number of Participants	660	Definition of Weighted Average Matu	rity(1)&(2)
Management Fee on Invested Balance	0.0975%*	(1) This weighted average maturity calculation uses the SEC Rule	
Interest Distributed	\$40,551,063.16	any floating rate instrument held in the portfolio to determine t pool. This Rule specifies that a variable rate instruction to be pair	
Management Fee Collected	\$850,122.12	deemed to have a maturity equal to the period remaining until the	next readjustment of the interest rate.
% of Portfolio Invested Beyond 1 Year	0.00%	(2) This weighted average maturity calculation uses the final mat held in the portfolio to calculate the weighted average maturity for	
Standard & Poor's Current Rating	AAAm	The maximum management fee authorized for the LOGIC Cash Ro	
Rates reflect historical information and are not an indication	of future performance.	may be waved in full or in part in the discretion of the LOGIC co-a for in the LOGIC Information Statement.	aministrators at any time as provided

NEW PARTICIPANTS

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

* City of Conroe

* Walden Pond Fresh Water Supply District

HOLIDAY REMINDER

In observance of Presidents Day, **LOGIC will be closed Monday**, **February 20**, **2023**. All ACH Transactions initiated on Friday, February 17th will settle on Tuesday, February 21st.

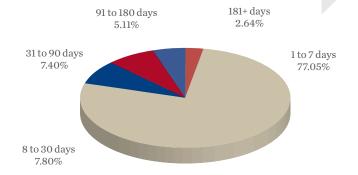
ECONOMIC COMMENTARY

Market review

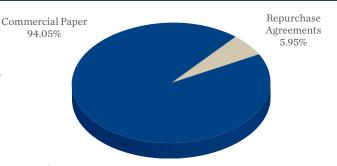
2023 began on a strong positive note, as broader Treasury yields rallied while front end rates remained elevated and credit spreads tightened. Investor sentiment improved, boosted by favorable economic data releases and Federal Reserve (Fed) commentary. Recent CPI and PCE readings indicated a deceleration in inflation, which led to growing market confidence the Fed's aggressive rate hikes are working and that the inflection in policy is near. Risk assets rallied throughout the month. On the growth front, the Bureau of Economic Analysis (BEA) reported that real GDP increased at a 2.9% seasonally adjusted annual rate (saar) in Q4 2022, modestly stronger than the 2.6% consensus expectation. While this reflects a slowdown from 3.2% growth in the third quarter, it concludes a year of 1.0% annual growth, even with the economy contracting for two consecutive quarters in the first half. That said, the details of the report were less favorable than expected, with a bigger inventory build in 4Q (\$130bn saar) but less growth in real final sales (1.4% saar). Spending was stronger in services than goods and reflected a strong start to the quarter with weakening momentum in December. Real final sales to private domestic purchases rose only 0.2% saar in 4Q, the weakest quarterly gain since the recovery began, illustrating softer demand. Meanwhile, the effects of higher rates continued to weigh on the economy, as December housing starts declined 1.4% to 1.382mn saar and housing permits declined 1.6% to 1.33mn saar. Overall, the six-month change through December saw declines of 23% and 39% saar in total starts and total permits respectively, with noticeable declines tied to both single-family and multifamily units. Furthermore, the Institute for Supply Management (ISM) manufacturing index fell by 1.0 pt to 47.4 in January, slightly below markets expectations. The underlying composition was weak, as the production, new orders and employment components all declined. Despite economic momentum slowing, the labor market remained resilient, as the Job Openings and Labor Turnover Survey (JOLTS) showed job openings increasing by 572k to 11.012 million in December. This was partly driven by strength in accommodation and food services (+409k) and retail trade (+134k), while the largest declines were in the information (-107k) and other services (-32k) sectors. (continued page 4)

INFORMATION AT A GLANCE

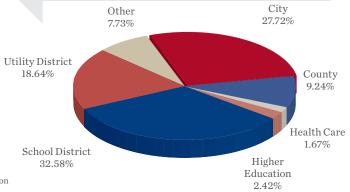
PORTFOLIO BY TYPE OF INVESTMENT AS OF JANUARY 31, 2023



DISTRIBUTION OF PARTICIPANTS BY TYPE AS OF JANUARY 31, 2023



PORTFOLIO BY MATURITY AS OF JANUARY 31, 2023(1)



(1) Portfolio by Maturity is calculated using WAM (1) definition for stated maturity. See page 1 for definition

HISTORICAL PROGRAM INFORMATION

MONTH	AVERAGE RATE	BOOK VALUE	MARKET VALUE	NET ASSET VALUE	WAM (1)	WAL (2)	NUMBER OF PARTICIPANTS
Jan 23	4.5538%	\$10,833,655,695.67	\$10,835,509,806.87	1.000171	18	52	660
Dec 22	4.3336%	9,528,526,006.65	9,528,907,852.14	0.999900	17	65	658
Nov 22	3.9291%	8,345,214,441.03	8,343,638,663.51	0.999811	18	74	655
Oct 22	3.1167%	8,083,887,078.79	8,080,398,646.01	0.999568	12	71	654
Sep 22	2.4756%	7,796,189,315.81	7,794,620,983.90	0.999709	19	63	654
Aug 22	2.1619%	7,856,146,571.21	7,854,354,137.26	0.999771	28	59	651
Jul 22	1.6538%	8,478,127,695.25	8,471,948,105.91	0.999271	32	60	650
Jun 22	1.1797%	8,721,672,395.06	8,716,103,357.27	0.999361	32	64	648
May 22	0.8113%	8,685,166,124.58	8,681,625,164.77	0.999592	33	71	646
Apr 22	0.4195%	8,897,334,914.79	8,892,557,915.08	0.999453	32	78	642
Mar 22	0.2493%	8,897,969,870.02	8,892,289,462.51	0.999361	33	85	642
Feb 22	0.1080%	9,035,128,918.52	9,032,526,039.85	0.999711	35	77	640

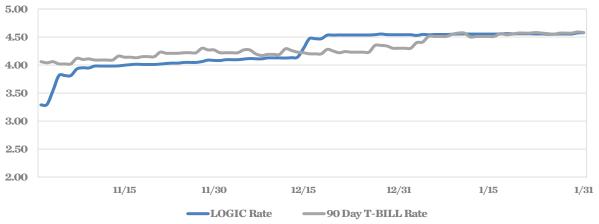
PORTFOLIO ASSET SUMMARY AS OF JANUARY 31, 2023

	BOOK VALUE	MARKET VALUE
Uninvested Balance	\$ 615.77	\$ 615.77
Accrual of Interest Income	16,035,184.08	16,035,184.08
Interest and Management Fees Payable	(40,527,037.62)	(40,527,037.62)
Payable for Investment Purchased	(99,377,972.00)	(99,377,972.00)
Repurchase Agreement	652,253,999.96	652,253,999.96
Commercial Paper	10,305,270,905.48	10,307,125,016.68
Government Securities	0.00	0.00

TOTAL \$ 10,833,655,695.67 \$ 10,835,509,806.87

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

LOGIC VERSUS 90-DAY TREASURY BILL



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DAILY SUMMARY FOR JANUARY 2023

DATE	MNY MKT FUND EQUIV. [SEC Std.]	DAILY ALLOCATION FACTOR	INVESTED BALANCE	MARKET VALUE PER SHARE	WAM DAYS (1)	WAL DAYS (2)
1/1/2023	4.5424%	0.000124448	\$9,528,526,006.65	0.999900	16	55
1/2/2023	4.5424%	0.000124448	\$9,528,526,006.65	0.999900	16	55
1/3/2023	4.5301%	0.000124112	\$9,659,150,731.04	1.000121	16	55
1/4/2023	4.5475%	0.000124588	\$9,793,664,042.75	1.000127	19	57
1/5/2023	4.5417%	0.000124431	\$10,061,758,045.57	1.000117	19	59
1/6/2023	4.5467%	0.000124568	\$10,086,571,933.69	0.999973	18	55
1/7/2023	4.5467%	0.000124568	\$10,086,571,933.69	0.999973	18	55
1/8/2023	4.5467%	0.000124568	\$10,086,571,933.69	0.999973	18	55
1/9/2023	4.5513%	0.000124692	\$10,130,723,741.47	1.000126	19	55
1/10/2023	4.5553%	0.000124804	\$10,157,254,038.92	1.000128	18	55
1/11/2023	4.5562%	0.000124827	\$10,194,153,218.53	1.000135	18	55
1/12/2023	4.5546%	0.000124784	\$10,294,123,020.68	1.000145	18	54
1/13/2023	4.5542%	0.000124772	\$10,310,919,439.70	0.999948	19	53
1/14/2023	4.5542%	0.000124772	\$10,310,919,439.70	0.999948	19	53
1/15/2023	4.5542%	0.000124772	\$10,310,919,439.70	0.999948	19	53
1/16/2023	4.5542%	0.000124772	\$10,310,919,439.70	0.999948	19	53
1/17/2023	4.5565%	0.000124836	\$10,282,432,679.66	1.000165	19	53
1/18/2023	4.5619%	0.000124984	\$10,300,210,630.52	1.000163	20	53
1/19/2023	4.5587%	0.000124897	\$10,347,197,727.28	1.000173	19	52
1/20/2023	4.5592%	0.000124910	\$10,341,744,161.46	1.000033	18	50
1/21/2023	4.5592%	0.000124910	\$10,341,744,161.46	1.000033	18	50
1/22/2023	4.5592%	0.000124910	\$10,341,744,161.46	1.000033	18	50
1/23/2023	4.5556%	0.000124810	\$10,387,017,361.63	1.000182	18	49
1/24/2023	4.5569%	0.000124847	\$10,413,509,279.47	1.000178	17	49
1/25/2023	4.5509%	0.000124682	\$10,486,170,657.86	1.000177	17	48
1/26/2023	4.5515%	0.000124698	\$10,588,336,525.29	1.000175	17	47
1/27/2023	4.5553%	0.000124804	\$10,663,919,906.62	1.000024	17	46
1/28/2023	4.5553%	0.000124804	\$10,663,919,906.62	1.000024	17	46
1/29/2023	4.5553%	0.000124804	\$10,663,919,906.62	1.000024	17	46
1/30/2023	4.5747%	0.000125334	\$10,694,275,640.06	1.000170	21	49
1/31/2023	4.5785%	0.000125437	\$10,833,655,695.67	1.000171	21	49
Average	4.5538%	0.000124761	\$10,264,550,671.41		18	52



The job openings rate increased by 0.3% to 6.7%, and the quits rate was flat at 2.7%. Similarly, initial jobless claims data came in at very low levels, continuing to suggest labor market strength. During the week ending January 28th, initial claims declined from 186k to 183k. Inflation continued to show signs of moderating, as the December CPI report came in close to expectations with headline CPI falling by -0.1% month-over-month (m/m) and core CPI rising by 0.3% m/m. Falling energy prices (- 4.5% m/m) and moderation in food price increases (+ 0.3% m/m) helped lower inflation. However, inflation was also dragged lower by falling new and used vehicle prices, lower health insurance rates and lower airline fares, contributing to a third consecutive monthly decline in CPI ex food, energy, and shelter. The general decline in inflation was partly offset by a 0.8% increase in shelter which accounts for almost 33% of CPI. However, most of this increase was centered in owner's equivalent rent, which reflects a very lagged measurement of supply and demand conditions in the rental market. Similarly, the PCE price index rose 0.1% m/m in December (5.0% oya) while the core PCE price index increased 0.3% (4.4% oya).

In line with market expectations, the Federal Open Market Committee (FOMC) voted unanimously to raise the federal funds rate target range by 0.25% to 4.50%-4.75% at its February meeting. In the statement, the committee softened its tone on inflation, stating that inflation pressures have eased but remain elevated, and removed the Russia/Ukraine war and COVID-19 pandemic as contributing to higher prices. Elsewhere, the committee still sees "ongoing increases in the target range will be appropriate in order to attain a stance of monetary policy that is sufficiently restrictive." However, their new focus is now on the "extent" of increases, and not the "pace" in determining future hikes, suggesting the Fed may be close to being done. Chair Powell also noted if the economy performs as expected, that it would "not be appropriate to cut rates this year." At the press conference, Powell did not strike as hawkish a tone as the market expected. While his prepared comments asserted that high prices are still causing hardship and that the Fed's job was not done yet, he did not push back on the recent easing of financial conditions since December. Instead, he said they "haven't changed much" and that the committee is not focused "on short-term moves but on sustained changes to broader financial conditions."

Separately, the U.S. Treasury announced that it reached its debt limit on January 19th. Consequently, the Treasury will now utilize its cash balances and "extraordinary measures" to prevent the United States from defaulting on its payment obligations, something that has never happened in the past. The precise timing of the "X-Date," or the date at which the federal government cannot meet its obligations, is still unclear. Treasury Secretary Janet Yellen stated that "It is unlikely that cash and extraordinary measures will be exhausted before early June," while early market estimates for the X-Date window range from July through Early-November. It is important to note that prior debt limit episodes have never resulted in a default by the U.S. Treasury, but the uncertainty associated with the politics can induce both market volatility and client anxiety. If a political resolution is not reached in time, we believe the Treasury would take steps to prioritize the payment of principal and interest on U.S. Treasury securities over other required federal payments. If payment were ultimately delayed on a Treasury security, the technical default would be limited to the specific maturity date/coupon date (i.e., no cross defaults). It is still early days, but the debt limit will likely be in the headlines in the months ahead. The U.S. Treasury yield curve continued to invert between the three-month Treasury bill and 10-year note yields, ending the month at -115 basis points (bps) as front-end Treasury bill yields rose and longer Treasury yields declined. In the money market space, the three-month Treasury bill yield increased 29 bps on the month to 4.67%, while the six-month Treasury bill yields rose 6 bps to 4.83%. The 1-year T-bill and 2-year Treasury yields declined by 4 bps and 23 bps to 4.67% and 4.20%, respectively.

Outlook

The main message from the February FOMC meeting was that the Fed continues to focus on fighting inflation. Powell recognized the good news: a long-awaited disinflationary impulse in the goods sector has finally arrived, disinflation in the housing component is clearly in the ongoing despite being a lagged measure, and inflation expectations among the public and investors have fallen. This has all been achieved without an increase in the unemployment rate. That said, the committee still sees a greater risk in not doing enough to return inflation back to its 2% target; and while the disinflation process has begun, particularly in core goods and energy, it still feels like there is more work to do. This keeps the probability of recession sometime this year elevated. Market consensus that US inflation has rolled over and will likely continue to decline has been a key driver of yields and returns so far this year.







ECONOMIC COMMENTARY (cont.)

The market's attention has now shifted to the US Employment Cost Index (ECI), the broadest measure of labor costs, which is showing tentative signs that wage growth – although typically a stickier component of inflation – is slowing down. In 4Q 2022, US labor costs rose by 1%, the smallest increase since the fourth quarter 2021 (as of 31 January 2022). Slowing wage growth and the recent material slowdown in house price growth indicate that the aggressive hiking policy of the Fed is working and could potentially slow the pace of monetary policy tightening in the coming months. Already, the Fed increased the interest rate by just 25 bps on February 1, 2023, in contrast to the December hike of 50 bps. The January Jobs data, reported on February 3rd, came in significantly above expectations, with nonfarm payrolls surging by 517,000, well above the consensus view of 188K, with gains strongest in leisure and hospitality, healthcare and professional business services. The release shows a resilient labor market with strong momentum in filling job openings and contributing to the lowest unemployment rate we've seen since May 1969 at 3.4%. Still, even at these low levels of unemployment, tightness is not contributing to a rebound in wage inflation, with wage growth moderating to 0.3% for all workers. On a year-over-year basis, wage growth has now fallen to 4.4% after peaking at 5.9% in March of 2022.

The labor market is clearly still a bastion of strength in an economy with elevated recession risks. The Fed should be cheered by the continued strength in job growth without rising wage inflation, but continued labor market tightness may also give them confidence that they can keep policy tighter for longer. We still think it's an open question as to whether the Fed raises rates for a third time this year in May. With inflation coming down and aggregate demand cooling across the economy, the Fed would be wise to exercise patience and assess the lagged impact of the enormous monetary tightening already done. If subsequent jobs and inflation reports continue to reflect this cooling, hopes of a Fed pause after March may not be dashed.

 $This information is an excerpt from an economic report dated January 2023\ provided\ to\ LOGIC\ by\ JP\ Morgan\ Asset\ Management,\ Inc.,\ the\ investment\ manager\ of\ the\ LOGIC\ pool.$

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