



AGENDA
JUNE 20, 2023
LAVON CITY COUNCIL
CITY HALL, 120 SCHOOL ROAD, LAVON, TEXAS
REGULAR MEETING
6:30 PM

- 1. PRESIDING OFFICER TO CALL THE MEETING TO ORDER AND ANNOUNCE THAT A QUORUM 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. PRESENTATION**

Atmos Energy Corporation, Mid-Tex Division to present a donation to the Lavon Fire Department.
- 6. CONSENT AGENDA**
Consent items are considered routine or non-controversial and will be voted on in one motion unless a separate discussion is requested by a member.
 - A.** Approve the minutes of the June 6, 2023 meeting.
 - B.** Approve Resolution No. 2023-06-05 approving application for a grant for the purchase of ballistic shields; and providing for an effective date.
- 7. ITEMS FOR CONSIDERATION**
 - A.** Discussion and action regarding Ordinance No. 2023-06-03 granting to Atmos Energy Corporation, a Texas and Virginia Corporation, its successors and assigns, a franchise to construct, maintain, and operate pipelines and equipment in the City of Lavon, Collin County, Texas, for the transportation, delivery, sale and distribution of gas in, out and through said city for all the Public Rights-of-Ways; and providing that such fee shall be in lieu of other fees and charges, excepting ad valorem taxes; repealing all previous gas franchise ordinances; providing for a term and effective date; providing for written acceptance of this franchise; providing that the meeting at which this ordinance is passed is open to the public; providing for severability; and ordaining other provisions related to the subject matter hereof.
 - B.** Discussion and action regarding Ordinance No. 2023-06-04 amending Ordinance No. 2022-09-02, that approved and adopted a budget for the City for the fiscal year October 1, 2022 through September 30, 2023 to amend adopted revenues and expenditures of the budget; and declaring an effective date.
 - C.** Discussion and action regarding Ordinance No. 2023-06-05 amending the Fee Schedule adopted by Ordinance No. 2022-08-09, for the Fiscal Year October 1, 2022, through September 30, 2023, as amended, to set fees for: commercial garbage collection services; extra polycarts; sanitary sewer tap fee for multi-family living units; registration renewal, inspection, and certificate of occupancy for residential rental properties; habitual criminal and/or nuisance property per Section 4.09.009 of the Code of Ordinances; and to clarify the sanitary sewer video inspection fee; and providing an effective date.
 - D.** Discussion and action regarding Resolution No. 2023-06-07 approving an amendment to the professional services agreement with Caperton Construction Inspections adopted by Resolution No. 2018-08-02 to adjust the rates for professional services for plan review and building inspections.

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: Select Guest Portal

- E. Discussion and action regarding Resolution No. **2023-06-08** designating certain officials as being responsible for, acting for and on behalf of the City in dealing with Collin County, herein referred to as the “County”, for the purpose of participating in the Collin County Parks & Open Space Project Funding Assistance Program, hereinafter referred to as the “Program”; certifying that the City is eligible to receive program assistance; certifying that the City matching share is readily available; and dedicating the proposed project for public recreational uses
- F. Discussion and action regarding Resolution No. **2023-06-09** selecting Atlas Municipal Services, LLC for the negotiation and award of a professional services agreement, subject to City Attorney approval, for professional building inspection and plan review services; and providing an effective date.
- G. Discussion and action regarding authority and management of the City’s On-Site Sewage Facility (OSSF) Program.
- H. Discussion and action regarding Board and Commission appointments – Lavon Economic Development Corporation Board of Directors and Lavon Volunteer Fire Department Board of Directors.

8. 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. Capital Improvements Plan (CIP) - quarterly report
- E. Administration Services – Building Permits; CWD Service; Collin County Tax Collection; Sales Tax; TxDOT Projects Report; finance reports, and administration and staff report

9. EXECUTIVE SESSION

In accordance with the 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 the provision of municipal services in an unincorporated area and pursuant to Section 551.072 to deliberate the purchase, exchange, lease, or value of real property.

10. RECONVENE INTO REGULAR SESSION

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

11. SET FUTURE MEETINGS AND AGENDA

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

- July 4, 2023 – Cancel Regular Meeting
- July 11, 2023 – Budget Work Session
- July 18, 2023 – Regular Meeting

12. PRESIDING OFFICER TO ADJOURN THE MEETING

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 June 16, 2023.

/ Rae Norton/

Rae Norton, City Secretary

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.



**MINUTES
JUNE 6, 2023
LAVON CITY COUNCIL
CITY HALL, 120 SCHOOL ROAD, LAVON, TEXAS
REGULAR MEETING
6:30 P.M.**

ATTENDING: VICKI SANSON, MAYOR
MIKE COOK, PLACE 2
KAY WRIGHT, PLACE 3, MAYOR PRO TEM
TED DILL, PLACE 4
LINDSEY HEDGE, PLACE 5

ABSENT: JOHN KELL, PLACE 1

1. MAYOR SANSON CALLED THE MEETING TO ORDER AT 6:30 P.M. AND ANNOUNCED A QUORUM PRESENT.

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

3. ITEMS OF INTEREST/COMMUNICATIONS

- Camp 911-June 7, 2023
- Babysitter Training- June 13 & 14, 2023
- See the LEDC Advertisement in The Wylie News In & Around Town promoting Gig City
- As of June 3, 528 subscribers are enrolled in Notify Me

4. CITIZENS COMMENTS

There were no citizen comments.

5. PROCLAMATION

Mayor Sanson presented a proclamation in honor of Juneteenth.

6. CONSENT AGENDA

- A. Approve the minutes of the May 16, 2023, meeting.**
- B. Approve the minutes of the May 23, 2023, meeting.**
- C. Approve Resolution No. 2023-06-01 establishing that regular meetings of the City Council shall be held on the first and third Tuesday of each month at 6:30 p.m.**
- D. Approve Resolution No. 2023-06-04 authorizing the Mayor to execute a Cooperative Purchasing Agreement with Texas SmartBuy Membership Program and providing for an effective date.**
- E. Approve Ordinance No. 2023-06-01 amending Article 11.03 "Parking" of the Code of Ordinances to provide for "Special Weekend Parking Permits for Presidents Blvd."; repealing and replacing Ordinance No. 2023-04-01; providing for savings and severability clauses; providing for publication; and providing for an effective date of this Ordinance.**
- F. Approve Ordinance No. 2023-06-02 amending Chapter 4 "Building Regulations," Article 4.08 "Residential Rental Property Registration and Inspection" of the Code of Ordinances to amend Section 4.08.004 "General Requirements"; providing for savings and severability clauses; providing for publication; and providing for an effective date of this ordinance.**

MOTION: APPROVE THE CONSENT AGENDA.

MOTION MADE: COOK

SECONDED: HEDGE
APPROVED: UNANIMOUS (Absent: Kell)

7. ITEMS FOR CONSIDERATION

- A. Discussion, and action Resolution No. 2023-06-02 of the City of Lavon, Texas determining the costs of certain authorized improvements to be financed by the Trails Of Lavon Public Improvement District; Approving A Preliminary Service Plan And Assessment Plan, Including Proposed Assessment Roll; Calling A Regular Meeting And Noticing A Public Hearing For July 18, 2023 To Consider An Ordinance Levying Assessments On Property Located Within The Trails Of Lavon Public Improvement District; Directing The Filing Of The Proposed Assessment Roll With The City secretary to make available for public inspection; directing city staff to publish and mail notice of said public hearing; and resolving other matters incident and related thereto.**

Zack Little, P3 Works, PID Administrator and Bond Counsel Cooper Anderson, McCall, Parker & Horton, LLP provided information regarding the proposed resolution noting that a public hearing regarding the levy of assessments is proposed to be conducted on July 18, 2023.

MOTION: APPROVE RESOLUTION NO. 2023-06-02 OF THE CITY OF LAVON, TEXAS DETERMINING THE COSTS OF CERTAIN AUTHORIZED IMPROVEMENTS TO BE FINANCED BY THE TRAILS OF LAVON PUBLIC IMPROVEMENT DISTRICT; APPROVING A PRELIMINARY SERVICE PLAN AND ASSESSMENT PLAN, INCLUDING PROPOSED ASSESSMENT ROLL; CALLING A REGULAR MEETING AND NOTICING A PUBLIC HEARING FOR JULY 18, 2023 TO CONSIDER AN ORDINANCE LEVYING ASSESSMENTS ON PROPERTY LOCATED WITHIN THE TRAILS OF LAVON PUBLIC IMPROVEMENT DISTRICT; DIRECTING THE FILING OF THE PROPOSED ASSESSMENT ROLL WITH THE CITY SECRETARY TO MAKE AVAILABLE FOR PUBLIC INSPECTION; DIRECTING CITY STAFF TO PUBLISH AND MAIL NOTICE OF SAID PUBLIC HEARING; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED THERETO.

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

- B. Discussion, and action regarding applications for the Trails of Lavon Phase 1 Amenity Center site plan and landscape plan, located on Lot 1X HOA, Block DD, on 1.210 acres of land out of the S. Roberts Survey, A-773 and the D. Anglin Survey A-2, at 731 River Lane, adjacent to Celestial Trail, Cedar Avenue, and River Lane, City of Lavon, Collin County, TX.**

City Manager Kim Dobbs provided information regarding the proposed amenity center site plan and landscape plan and provided a report from the Planning & Zoning Commission recommending approval subject to the City Engineer's approval. City Engineer Mark Hill noted that all comments had been addressed to his satisfaction. Cody Johnson, Landscape Architect was present representing the applicant.

MOTION: APPROVE THE TRAILS OF LAVON PHASE 1 AMENITY CENTER SITE PLAN AND LANDSCAPE PLAN, LOCATED ON LOT 1X HOA, BLOCK DD, ON 1.210 ACRES OF LAND OUT OF THE S. ROBERTS SURVEY, A-773 AND THE D. ANGLIN SURVEY A-2, AT 731 RIVER LANE, ADJACENT TO CELESTIAL TRAIL, CEDAR AVENUE, AND RIVER LANE, CITY OF LAVON, COLLIN COUNTY, TX

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

- C. Public hearing, discussion, and action regarding the application of Barnett Signs for variances to Article 4.05 SIGNS of the Code of Ordinances to Section 4.05.008 Approved Signs and Standards (b)(3) Wall Signs to 1) permit three wall signs which is two signs more than**

permitted and to 2) allow approximately 62.11 square feet in total wall sign area that is 26.11 square feet greater than permitted for Taco Bell on Lot 1, Block A of the SMI Addition, Phase 1 at 891 S. SH 78, northeast of the intersection of SH 78 and Burleson Dr., Lavon, Collin County, Texas (CCAD Property ID 2872466).

PRESENTATION of proposed application.

Ms. Dobbs provided location information. Mike Stansberry, Director of Development for SMI Industries presented the application.

PUBLIC HEARING to receive comments regarding the proposed application.

Mayor Sanson opened the public hearing at 6:50 p.m. and invited comments for or against the proposed application. There being no comments, Mayor Sanson closed the public hearing at 6:51 p.m.

Discussion and action regarding the proposed application.

MOTION: APPROVE THE APPLICATION FOR VARIANCES TO ARTICLE 4.05 SIGNS OF THE CODE OF ORDINANCES TO SECTION 4.05.008 APPROVED SIGNS AND STANDARDS (B)(3) WALL SIGNS TO 1) PERMIT THREE WALL SIGNS WHICH IS TWO SIGNS MORE THAN PERMITTED AND TO 2) ALLOW APPROXIMATELY 62.11 SQUARE FEET IN TOTAL WALL SIGN AREA THAT IS 26.11 SQUARE FEET GREATER THAN PERMITTED FOR TACO BELL ON LOT 1, BLOCK A OF THE SMI ADDITION, PHASE 1 AT 891 S. SH 78, NORTHEAST OF THE INTERSECTION OF SH 78 AND BURLESON DR., LAVON, COLLIN COUNTY, TEXAS.

MOTION MADE: DILL

SECONDED: COOK

APPROVED: UNANIMOUS (Absent: Kell)

D. Receive presentation, discussion, and action regarding Resolution No. 2023-06-03 approving an amendment to the contract with Community Waste Disposal (CWD) for the collection, hauling and disposal of municipal solid waste to approve a market adjustment to rates.

Nicole Roemer, Municipal Director, Community Waste Disposal, provided the annual review and information regarding the proposed CPI market adjustment to the rates that CWD charges the city. Ms. Roemer presented a recycling award to the City.

MOTION: APPROVE RESOLUTION NO. 2023-06-03 APPROVING AN AMENDMENT TO THE CONTRACT WITH COMMUNITY WASTE DISPOSAL (CWD) FOR THE COLLECTION, HAULING AND DISPOSAL OF MUNICIPAL SOLID WASTE TO APPROVE A MARKET ADJUSTMENT TO RATES.

MOTION MADE: COOK

SECONDED: DILL

APPROVED: UNANIMOUS (Absent: Kell)

E. Discussion and action regarding the provision of expanded interim office space for the Police Department.

Ms. Dobbs and Police Chief Mike Jones presented information regarding the proposed interim office space, noting that the space should serve the needs of the Police Department for 5-10 years and the building can be re-purposed to house Fire and Public Works if needed when the current Police Department Offices are renovated.

MOTION: AUTHORIZE THE STAFF TO ORDER FOR PURCHASE THE PALOMAR MODULAR BUILDING FOR INTERIM USE AND PREPARE A BUDGET AMENDMENT TO ALLOCATE FUNDING IN THE CAPITAL IMPROVEMENTS PLAN IN AN AMOUNT OF \$309,000.

MOTION MADE: WRIGHT

SECONDED: HEDGE

APPROVED: UNANIMOUS (Absent: Kell)

8. EXECUTIVE SESSION

At 7:25 p.m. in accordance with Texas Government Code, Chapter 551, Subchapter D, the Mayor recessed 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 the provision of municipal services in an unincorporated area and pursuant to Section 551.072 to deliberate the purchase, exchange, lease, or value of real property

9. RECONVENE INTO REGULAR SESSION

In accordance with Texas Government Code, Section 551.001, et seq., Mayor Sanson reconvened the meeting at 7:38 p.m. and stated that no action was taken in executive session.

10. SET FUTURE MEETINGS AND AGENDA

June 20, 2023- Regular Meeting

July 4, 2023 – Cancel Regular Meeting

The City Council discussed possible meeting dates for a July Saturday budget work session. Ms. Hedge noted she would be absent on June 20.

12. MAYOR SANSON ADJOURNED THE CITY COUNCIL MEETING AT 7:41 P.M.

DULY PASSED and APPROVED by the City Council of Lavon, Texas, on this 20st day of June 2023.

Vicki Sanson, Mayor

ATTEST:

Rae Norton, City Secretary



CITY OF LAVON Agenda Brief

MEETING: June 20, 2023

ITEM: 6 - B

Item:

CONSENT AGENDA

Approve Resolution No. 2023-06-05 approving application for a grant for the purchase of ballistic shields; and providing for an effective date.

Background:

The Bullet-Resistant Shield Program will provide funding for ballistic shields to be placed in patrol vehicles. These devices would provide for a swifter and safer response to active shooters, allowing officers to carry the shield into areas where they would be exposed to gunfire.

Financial Implication:

If awarded, the City will receive \$25,670.84 for the operation of the program. The grant requires no matching funds.

Staff Notes:

Approval is recommended.

Attachments: 1) Proposed Resolution
2) Program Information Sheet

CITY OF LAVON, TEXAS
RESOLUTION NO. 2023-06-05

Bullet-Resistant Shield Grant

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVON,
TEXAS APPROVING APPLICATION FOR A GRANT FOR THE PURCHASE
OF BALLISTIC SHIELDS; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City Council for the City of Lavon finds it in the best interest of the citizens of Lavon and the surrounding communities, for the Bullet-Resistant Shield Program to be operated for the fiscal year 2022-23; and

WHEREAS, the City Council for the City of Lavon finds no matching funds are required for this grant program; and

WHEREAS, in the event of loss or misuse of the Office of the Governor funds, the City Council for the City of Lavon assures that the funds will be returned to the Office of the Governor in full; and

WHEREAS, the City Council for the City of Lavon designates J. Michael Jones, Chief of Police, as the grantee's authorized official, who is given the power to apply for, accept, reject, alter, or terminate the grant on behalf of the City of Lavon, the applicant agency.

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

SECTION 1. The recitals set forth above in this Resolution are true and correct and are hereby adopted as findings of the City Council and are incorporated into the body of this Resolution as if fully set forth herein.

SECTION 2. The City Council approves the submission of the grant application for the Bullet-Resistant Shield Program to the Office of the Governor.

SECTION 3. 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 20th day of June 2023.

Vicki Sanson, Mayor

ATTEST:

Rae Norton, City Secretary



Office of the Governor, Public Safety Office Criminal Justice Division Funding Announcement: ***Bullet-Resistant Shield Grant Program, FY2023***

Purpose

The purpose of this announcement is to solicit applications from law enforcement agencies to equip peace officers with bullet-resistant shields.

Available Funding

State funds for these projects are authorized by a Budget Execution Order proposed by the Legislative Budget Board and ratified by Governor Abbott on June 28, 2022, pursuant to Texas Government Code, Section 317.002 and Section 317.005(b). All awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law. The Public Safety Office (PSO) expects to make available \$50M for FY2023.

Eligible Organizations

Applications may be submitted by independent school districts, institutions of higher education, units of local government, the Texas Department of Public Safety and other educational institutions that operate law enforcement agencies employing peace officers under Article 2.12, Texas Code of Criminal Procedure.

All applications submitted by local law enforcement agencies/offices must be submitted by a unit of government affiliated with the agency, including an authorizing resolution from that unit of government. For example, police departments must apply under their municipal government, and community supervision and corrections departments, district attorneys, and judicial districts must apply through their affiliated county government (or one of the counties, in the case of agencies that serve more than one county).

Application Process

Applicants must access the PSO's eGrants grant management website at <https://eGrants.gov.texas.gov> to register and apply for funding. For more instructions and information, see *eGrants User Guide to Creating an Application*, available [here](#).



CITY OF LAVON

Agenda Brief

MEETING: June 20, 2023

ITEM: 7 - A

Item:

Discussion and action regarding Ordinance No. **2023-06-03** granting to Atmos Energy Corporation, a Texas and Virginia Corporation, its successors and assigns, a franchise to construct, maintain, and operate pipelines and equipment in the City of Lavon, Collin County, Texas, for the transportation, delivery, sale and distribution of gas in, out and through said city for all the Public Rights-of-Ways; and providing that such fee shall be in lieu of other fees and charges, excepting ad valorem taxes; repealing all previous gas franchise ordinances; providing for a term and effective date; providing for written acceptance of this franchise; providing that the meeting at which this ordinance is passed is open to the public; providing for severability; and ordaining other provisions related to the subject matter hereof.

Background:

In 1998, the City of Lavon and Lone Star Gas Company (Atmos Energy Corporation) entered into a franchise agreement that expires in June 2023.

The proposed agreement generally updates and extends the agreement for twenty years.

Financial Implications:

The proposed agreement is fair and competitive.

Staff Notes:

Approval is recommended subject to the City Attorney's final review and approval.

Attachments: Proposed Ordinance / Agreement

CITY OF LAVON, TEXAS
ORDINANCE NO. 2023-06-03

Atmos Energy Corporation – Gas Franchise

AN ORDINANCE GRANTING TO ATMOS ENERGY CORPORATION, A TEXAS AND VIRGINIA CORPORATION, ITS SUCCESSORS AND ASSIGNS, A FRANCHISE TO CONSTRUCT, MAINTAIN, AND OPERATE PIPELINES AND EQUIPMENT IN THE CITY OF LAVON, COLLIN COUNTY, TEXAS, FOR THE TRANSPORTATION, DELIVERY, SALE, AND DISTRIBUTION OF GAS IN, OUT OF, AND THROUGH SAID CITY FOR ALL PURPOSES; PROVIDING FOR THE PAYMENT OF A FEE OR CHARGE FOR THE USE OF THE PUBLIC RIGHTS-OF-WAYS; AND PROVIDING THAT SUCH FEE SHALL BE IN LIEU OF OTHER FEES AND CHARGES, EXCEPTING AD VALOREM TAXES; REPEALING ALL PREVIOUS GAS FRANCHISE ORDINANCES; PROVIDING FOR A TERM AND EFFECTIVE DATE; PROVIDING FOR WRITTEN ACCEPTANCE OF THIS FRANCHISE; PROVIDING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC; PROVIDING FOR SEVERABILITY; AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF.

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

SECTION 1. GRANT OF AUTHORITY: The City of Lavon, Texas, hereinafter called “City,” hereby grants to Atmos Energy Corporation, Mid-Tex Division, hereinafter called "Atmos Energy," its successors and assigns, consent to use and occupy the present and future streets, alleys, highways, public utility easements, public ways and other public places (“Public Rights-of-Way”), for the purpose of laying, maintaining, constructing, protecting, operating, and replacing therein and thereon pipelines and all other appurtenant equipment (the “System”) to deliver, transport, and distribute gas in, out of, and through City for persons, firms, and corporations, including all the general public, and to sell gas to persons, firms, and corporations, including all the general public, within the City corporate limits, as such limits may be amended from time to time during the term of this franchise, said consent being granted for a term ending December 31, 2048.

SECTION 2. CONSTRUCTION, MAINTENANCE, OPERATION & RELOCATION OF ATMOS ENERGY FACILITIES:

- A. Atmos Energy shall lay, maintain, construct, operate, and replace its pipes, mains, laterals, and other equipment so as to comply with the ordinances, rules, and regulations of the City that are not in conflict with this ordinance, and so as to minimize interference with traffic, place or cause to be placed appropriate barriers to mark excavations or obstructions, and restore to approximate original

condition all Public Rights-of-Way that it may disturb at its cost. Atmos shall repair any defects in restoration related to its activity in the Public Rights-of-Way for a period of one (1) year. Public Rights-of-Way shall not be encumbered longer than necessary to execute the work. In determining the location of the facilities of the City and other users of Public Right-of-Way within City, City shall minimize interference with then existing facilities of Atmos Energy and shall require other users of Public Rights-of-Way to minimize interference with existing facilities of Atmos Energy. The location of all mains, pipes, laterals and other appurtenant equipment shall be fixed under the supervision of the City Engineer or designee. In the event of a conflict between the location of the proposed facilities of Atmos Energy and the location of the existing facilities of City or other users of Public Rights-of-Way within Public Rights-of-Way that cannot otherwise be resolved, City or an authorized agent of City shall resolve the conflict and determine the location of the respective facilities within the Public Rights-of-Way. Unless otherwise specifically addressed in this Ordinance, City shall retain all of the powers of regulation of its streets and alleys given to it either by the Constitution of this State, by general law, or Charter.

Atmos Energy or contractors working on behalf of Atmos Energy shall not be required to pay for street cutting, street excavation or other special permits related to excavations in Public Rights-of-Way in connection with Atmos Energy's operations in Public Rights-of-Way. City shall provide Atmos Energy with its annual capital improvements plan as well as any updates or changes as soon as the plan, update, or change becomes available. City shall notify Atmos Energy as soon as reasonably possible of any projects that will affect Atmos Energy's facilities located in the Public Rights-of-Way. When required by City to remove or relocate its mains, laterals, and/or other facilities lying within Public Rights-of-Way, Atmos Energy shall do so as soon as practically possible with respect to the scope of the project. Unless otherwise agreed, Atmos Energy shall not be required to remove or relocate its facilities in less than thirty (30) days from the time notice is given to Atmos Energy by City.

- B. If City, in constructing its sewers, drainage, water lines, streets, or utilities, should request that Atmos Energy remove or relocate its mains, laterals, and other facilities lying within Public Rights-of-Way, Atmos Energy shall do so at its own expense for facilities that are in conflict, unless such work is for the primary purpose of beautification or to accommodate a private developer. Facilities are deemed to be in conflict to the extent that the proposed City facilities are determined by Atmos Energy to be inconsistent with gas distribution industry standard safe operating practices for

existing facilities. Atmos Energy shall not be required to relocate facilities to a depth of greater than four (4) feet unless otherwise agreed to by City and Atmos Energy.

When Atmos Energy is required by City to remove or relocate its mains, laterals, and other facilities lying within Public Rights-of-Way to accommodate a request by City, and costs of utility removals or relocations are eligible under federal, state, county, local or other programs for reimbursement of costs and expenses incurred by Atmos Energy as a result of such removal or relocation, and such reimbursement is required to be handled through City, Atmos Energy costs and expenses shall be included in any application by City for reimbursement if Atmos Energy submits its cost and expense documentation to City prior to the filing of the application. City shall provide reasonable written notice to Atmos Energy of the deadline for Atmos Energy to submit documentation of the costs and expenses of such relocation to City. Upon receipt of reimbursement from a federal or state agency, the City shall remit to Atmos Energy, within thirty (30) days of receipt, its portion related to the relocation or removal of its facilities.

If Atmos Energy is required by City to remove or relocate its mains, laterals, or other facilities lying within Public Rights-of-Way for any reason other than the construction or reconstruction of sewers, drainage, water lines, streets or utilities by City, Atmos Energy shall be entitled to reimbursement from City or others of the cost and expense of such removal or relocation.

- C. When Atmos Energy is required to remove or relocate its mains, laterals or other facilities to accommodate construction by City without reimbursement from City, Atmos Energy shall have the right to seek recovery of relocation costs as provided for in applicable state and/or federal law. Nothing herein shall be construed to prohibit, alter, or modify in any way the right of Atmos Energy to seek or recover a surcharge from customers for the cost of relocation pursuant to applicable state and/or federal law. City shall not oppose recovery of relocation costs when Company is required by City to perform relocation. City shall not require that Company document request for reimbursement as a pre-condition to recovery of such relocation costs. Notwithstanding any provision of this agreement, the City shall have the right to participate and challenge any other capital costs or expenses of the Company and request full documentation to the full extent provided by state law.
- D. If City abandons any Public Rights-of-Way in which Atmos Energy has facilities, such abandonment shall be conditioned on Atmos Energy's right to maintain its use of the former Public

Right-of-Way and on the obligation of the party to whom the Public Right-of-Way is abandoned to reimburse Atmos Energy for all removal or relocation expenses if Atmos Energy agrees to the removal or relocation of its facilities following abandonment of the Public Right-of-Way. If the party to whom the Public Right-of-Way is abandoned requests Atmos Energy to remove or relocate its facilities and Atmos Energy agrees to such removal or relocation, such removal or relocation shall be done within a reasonable time at the expense of the party requesting the removal or relocation. If relocation cannot practically be made to another Public Right-of-Way, the expense of any right-of-way acquisition shall be considered a relocation expense to be reimbursed by the party requesting the relocation.

SECTION 3. INDEMNITY & INSURANCE: Atmos Energy shall fully indemnify and save harmless the City from any and all damage, loss, action or cause of action arising in whole or in part from Atmos Energy's exercise of any of its rights, privileges, franchises and obligations hereunder, except to the extent arising out of the City's negligent or intentional acts or omissions. In the event of joint and concurrent negligence or fault of both Atmos Energy and the City, responsibility and indemnity, if any, shall be apportioned comparatively in accordance with the laws of the State of Texas without, however, waiving any governmental immunity available to the City under Texas law and without waiving any of the defenses of the parties under Texas law. It is understood that it is not the intention of the parties hereto to create liability for the benefit of third parties, but that this section shall be solely for the benefit of the parties hereto and shall not create or grant any rights, contractual or otherwise, to any person or entity.

Atmos Energy shall, at its sole cost and expense, obtain, maintain, and provide, throughout the term of this franchise agreement, insurance or provide self-insurance against all claims for injuries to person or damages to property that may arise from or in connection with the exercise of the rights, privileges and authority granted hereunder to Atmos Energy, its agents, representatives or employees in accordance with the following minimum coverage:

- A. Commercial general or excess liability on an occurrence or claims made form with minimum limits of five million dollars (\$5,000,000.00) per occurrence and ten million dollars (\$10,000,000.00) aggregate. To the extent that coverage is maintained on a claims made form, the minimum limits are ten million dollars (\$10,000,000.00) per occurrence and twenty million dollars (\$20,000,000.00) aggregate. This coverage shall include the following:
 - a. Products/completed operations to be maintained for two (2) years;
 - b. Personal and advertising injury;

- c. Contractual liability; and,
 - d. Explosion, collapse, or underground hazards
- B. Automobile liability coverage with a minimum policy limit of one million dollars (\$1,000,000.00) combined single limit. This coverage shall include all owned, hired and non-owned automobiles.
- C. Workers' compensation and employers' liability coverage. Statutory coverage limits for Coverage A and five hundred thousand dollars (\$500,000.00) Coverage B employers' liability is required.
- D. Atmos Energy will provide the necessary proof of insurance within thirty (30) days of the effective date of this franchise. Atmos Energy will not be required to furnish separate proof when applying for permits. Atmos Energy will provide thirty (30) days advance written notice to City of cancellation or material change to the insurance policies.

SECTION 4. NON-EXCLUSIVE FRANCHISE: The rights, privileges, and franchises granted by this Ordinance are not to be considered exclusive, and City hereby expressly reserves the right to grant, at any time, like privileges, rights, and franchises as it may see fit to any other person or corporation for the purpose of transporting, delivering, distributing, or selling gas to and for City and the inhabitants thereof.

SECTION 5. PAYMENTS TO CITY:

- A. Atmos Energy, its successors and assigns, agrees to pay and City agrees to accept, on or before the 15th day of July, 2023, and on or before the same day of each succeeding year during the term of this franchise the last payment being made on the 15th day of July, 2048, a sum of money which shall be equivalent to five percent (5%) of the Gross Revenues, as defined in 5.B. below, received by Atmos Energy during the preceding calendar year.
- B. "Gross Revenues" shall mean:
 - (1) all revenues received by Atmos Energy from the sale of gas to all classes of customers within the City;
 - (2) all revenues received by Atmos Energy from the transportation of gas through the System of Atmos Energy within the City to customers located within the City;

- (3) the value of gas transported by Atmos Energy for transport customers through the System of Atmos Energy within the City ("Third Party Sales"), with the value of such gas to be established by utilizing Atmos Energy's monthly weighted average cost of gas charged to industrial customers in the Mid-Tex division, as reasonably near the time as the transportation service is performed; and
- (4) "Gross Revenues" shall also include fees collected pursuant to this agreement and the following "miscellaneous charges": State gross receipts, charges to connect, disconnect, or reconnect gas and charges to handle returned checks from consumers within the City.
- (5) "Gross Revenues" shall not include:
 - (a) revenues billed but not ultimately collected or received by Atmos Energy;
 - (b) contributions in aid of construction;
 - (c) the revenue of any affiliate or subsidiary of Atmos Energy;
 - (d) sales tax paid to the City;
 - (e) interest or investment income earned by Atmos Energy;
 - (f) monies received from the lease or sale of real or personal property, provided, however, that this exclusion does not apply to the lease of facilities within the City's right of way; and
 - (g) any revenues to the value of gas sold or transported to another gas utility not affiliated with Atmos Energy that resells the gas to customers within the City.

- C. The initial payment for the rights and privileges herein provided shall be for the privilege period January 1 through December 31, 2023, and each succeeding payment shall be for the privilege period of the calendar year in which the payment is made.

It is also expressly agreed that the aforesaid payments shall be in lieu of any and all other and additional occupation taxes, easement, franchise taxes or charges (whether levied as an ad valorem, special, or other character of tax or charge), municipal license, permit, and inspection fees, bonds, street taxes, and street or alley rentals or charges, and all other and additional municipal taxes, charges, levies, fees, and rentals of whatsoever kind and character that City may now impose or hereafter levy and collect from Atmos Energy or Atmos Energy's agents, excepting only the usual

general or special ad valorem taxes that City is authorized to levy and impose upon real and personal property. If the City does not have the legal power to agree that the payment of the foregoing sums of money shall be in lieu of taxes, licenses, fees, street or alley rentals or charges, easement or franchise taxes or charges aforesaid, then City agrees that it will apply so much of said sums of money paid as may be necessary to satisfy Atmos Energy's obligations, if any, to pay any such taxes, licenses, charges, fees, rentals, easement or franchise taxes or charges aforesaid.

D. Effect of Other Municipal Franchise Ordinance Fees Accepted and Paid by Atmos Energy.

If Atmos Energy should at any time after the effective date of this Ordinance agree to a new municipal franchise ordinance, or renew an existing municipal franchise ordinance, with another municipality in Atmos Energy's Mid-Tex Division, which municipal franchise ordinance determines the franchise fee owed to that municipality for the use of its public rights-of-way in a manner that, if applied to the City, would result in a franchise fee greater than the amount otherwise due City under this Ordinance, then the franchise fee to be paid by Atmos Energy to City pursuant to this Ordinance may, at the election of the City, be increased so that the amount due and to be paid is equal to the amount that would be due and payable to City were the franchise fee provisions of that other franchise ordinance applied to City. The City acknowledges that the exercise of this right is conditioned upon the City's acceptance of all terms and conditions of the other municipal franchise *in toto*. The City may request waiver of certain terms and Company may grant, in its sole reasonable discretion, such waiver. Such waiver shall not be withheld except for good cause. Requesting such waiver shall not bind the City to a decision to accept or reject any franchise ordinance terms.

E. Atmos Energy Franchise Fee Recovery Tariff

- (1) Atmos Energy may file with the City a tariff or tariff amendment(s) to provide for the recovery of the franchise fees under this agreement.
- (2) City agrees that (i) as regulatory authority, it will adopt and approve the ordinance, rates or tariff which provide for 100% recovery of such franchise fees as part of Atmos Energy's rates; (ii) if the City intervenes in any regulatory proceeding before a federal or state agency in which the recovery of Atmos Energy's franchise fees is an issue, the City will take an affirmative position supporting 100% recovery of such franchise fees by Atmos Energy and; (iii) in the event of an appeal of any such regulatory proceeding in which the City has

intervened, the City will take an affirmative position in any such appeals in support of the 100% recovery of such franchise fees by Atmos Energy.

- (3) City agrees that it will take no action, nor cause any other person or entity to take any action, to prohibit the recovery of such franchise fees by Atmos Energy.
- F. Lease of Facilities Within City's Rights-of-Way. Atmos Energy shall have the right to lease, license or otherwise grant to a party other than Atmos Energy the use of its facilities within the City's public rights-of-way provided: (i) Atmos Energy first notifies the City of the name of the lessee, licensee or user; the type of service(s) intended to be provided through the facilities; and the name and telephone number of a contact person associated with such lessee, licensee or user and (ii) Atmos Energy makes the franchise fee payment due on the revenues from such lease pursuant to Section 5 of this Ordinance. This authority to lease facilities within City's Rights-of-Way shall not affect any such lessee, licensee or user's obligation, if any, to pay franchise fees.
- G. City shall give Company notice of annexations and disannexations of territory by the City, which notice shall include a map and addresses, if known. Upon receipt of said notice, Company shall promptly initiate a process to reclassify affected customers into the city limits no later than sixty (60) days after receipt of notice from the City. The annexed areas added to the city limits will be included in future franchise fee payments in accordance with the sales tax effective date of the annexation if notice was timely received from City. Upon request from City, Company will provide documentation to verify that affected customers were appropriately reclassified and included for purposes of calculating franchise fee payments. In no event shall the Company be required to add premises for the purposes of calculating franchise payment prior to the earliest date that the same premises are added for purposes of collecting sales tax.
- H. If Atmos Energy fails to pay when due any payment provided for in this Section, Company shall pay such amount plus interest consistent with the rate for customer deposits under Texas Utilities Code Section 183.003 from such due date until payment is received by City.

SECTION 6. ACCEPTANCE OF FRANCHISE: In order to accept this franchise, Atmos Energy must file with the City Secretary its written acceptance of this franchise ordinance within sixty (60) days after its final passage and approval by City. If such written acceptance of this franchise ordinance is not filed by Atmos Energy, the franchise ordinance shall be rendered null and void.

SECTION 7. PARAGRAPH HEADINGS. CONSTRUCTION: The paragraph headings contained in this ordinance are for convenience only and shall in no way enlarge or limit the scope or meaning of the various and several paragraphs hereof. Both parties have participated in the preparation of this ordinance and this ordinance shall not be construed either more or less strongly against or for either party.

SECTION 8. BOOKS AND RECORDS: Atmos Energy agrees that at the time of each annual payment, Atmos Energy shall also submit to the City a statement showing its Gross Revenues for the preceding calendar year. City may, if it sees fit, upon reasonable notice to the Atmos Energy, have the books and records of Atmos Energy examined by a representative of said City to ascertain the correctness of the reports agreed to be filed herein. Atmos Energy shall make available, during normal working hours and upon reasonable notice, such personnel and records as City may in its reasonable discretion request in order to complete such audit, and shall make no charge to the City therefor. Atmos Energy shall assist City in its review by providing all requested information no later than fifteen business (15) days after receipt of a request. The cost of the audit shall be borne by City unless the audit discloses that the Atmos Energy has underpaid the franchise fee by 10% or more, in which case the reasonable costs of the audit shall be immediately reimbursed to the City by Atmos Energy. If such an examination reveals that Atmos Energy has underpaid City, then upon receipt of written notification from City regarding the existence of such underpayment, Atmos Energy shall undertake a review of City's claim and if said underpayment is confirmed, remit the amount of underpayment to City, including any interest calculated in accordance with Section 5.H. Should Atmos Energy determine through examination of its books and records that City has been overpaid, upon receipt of written notification from Atmos Energy regarding the existence of such overpayment, City shall review Atmos Energy's claim and if said overpayment is confirmed, remit the amount of overpayment to Atmos Energy including any interest calculated in accordance with Section 5.H. If Atmos Energy provides confidential or proprietary information to the City, Atmos Energy shall be solely responsible for identifying such information with markings calculated to bring the City's attention to the proprietary or confidential nature of the information. The City agrees to maintain the confidentiality of any non-public information obtained from Atmos Energy so designated to the extent allowed by law. City shall not be liable to Atmos Energy for the release of any information the City is required to release by law. If the City receives a request under the Texas Public Information Act that includes Atmos Energy's proprietary or confidential information, City will notify the Texas Attorney General of the proprietary or confidential nature of the document(s). The City also will provide Atmos Energy with a copy of this notification, and thereafter Atmos Energy is responsible for establishing that an exception under the Texas Public Information Act allows the City to withhold the information.

SECTION 9. TERMINATION:

A. Right to Terminate.

In addition to any rights set out elsewhere in this Ordinance, City reserves the right to terminate the franchise and all rights and privileges pertaining thereto, in the event that Atmos Energy violates any material provision of the franchise.

B. Procedures for Termination.

- (1) City may, at any time, terminate this franchise for a continuing material violation by Atmos Energy of any of the substantial terms hereof. In such event, City shall give to Atmos Energy written notice, specifying all grounds on which termination or forfeiture is claimed, by registered mail, addressed and delivered to Company at the address set forth in Section 14 hereof. Atmos Energy shall have sixty (60) days after the receipt of such notice within which to cease such violation and comply with the terms and provisions hereof. In the event Atmos Energy fails to cease such violation or otherwise comply with the terms hereof, then Atmos Energy's franchise is subject to termination under the following provisions. Provided, however, that if Atmos Energy commences work or other efforts to cure such violations within thirty (30) days after receipt of written notice and shall thereafter prosecute such curative work with reasonable diligence until such curative work is completed, then such violations shall cease to exist, and the franchise will not be terminated.
- (2) Termination shall be declared only by written decision of the City Council after an appropriate public proceeding whereby Atmos Energy is afforded the full opportunity to be heard and to respond to any such notice of violation or failure to comply. Atmos Energy shall be provided at least fifteen business (15) days prior written notice of any public hearing concerning the termination of the franchise. In addition, ten (10) days' notice by publication shall be given of the date, time and place of any public hearing to interested members of the public.
- (3) City, after full public hearing, and upon finding material violation or failure to comply, may terminate the Franchise or excuse the violation or failure to comply, upon a showing by Atmos Energy of mitigating circumstances or upon a showing of good cause of said violation or failure to comply as may be determined by the City Council.
- (4) Nothing herein stated shall preclude Atmos Energy from appealing the final decision of the City Council to a court or regulatory authority having jurisdiction.
- (5) Nothing herein stated shall prevent City from seeking to compel compliance by suit in any court of competent jurisdiction if Atmos Energy fails to comply with the terms of this Franchise

after due notice and the providing of adequate time for Atmos Energy to comply with said terms.

SECTION 10. NO THIRD-PARTY BENEFICIARIES: This franchise is made for the exclusive benefit of the City and Atmos Energy, and nothing herein is intended to, or shall confer any right, claim, or benefit in favor of any third party.

SECTION 11. SUCCESSORS AND ASSIGNS: No assignment or transfer of this franchise shall be made, in whole or in part, without approval of the City Council of the City, in accordance with Section 13.02.C of the City Charter. The City may withhold such approval for good cause, such as (1) the failure of the proposed assignee or transferee to agree to comply with all provisions of this Ordinance and such additional conditions as the Council may prescribe in order to remedy existing conditions of non-compliance, or (2) Assignee is materially weaker than Atmos Energy. For the purpose of this section, “materially weaker” means that the long term unsecured debt rating of the Assignee is less than investment grade as rated by both S&P and Moody’s. If the Assignee is materially weaker, the City may request additional documents and information reasonably related to the transaction and the legal, financial, and technical qualifications of the Assignee. City agrees that said approval shall not be unreasonably withheld or delayed. Upon approval, the rights, privileges, and franchise herein granted to Company shall extend to and include its successors and assigns. The terms, conditions, provisions, requirements and agreements contained in this franchise shall be binding upon the successors and assigns of the Company. This franchise is made for the exclusive benefit of the City and Atmos Energy, and nothing herein is intended to, or shall confer any right, claim, or benefit in favor of any third party.

SECTION 12. COMPLIANCE WITH LAWS, CHARTER AND ORDINANCES: This franchise is granted subject to the laws of the United States of America and its regulatory agencies and commissions and the laws of the State of Texas, the City Charter, as amended, and all other generally applicable ordinances of the City, not inconsistent herewith, including, but not limited to, ordinances regulating the use of Public Rights-of-Way, as amended.

SECTION 13. NO WAIVER: Either City or Atmos Energy shall have the right to waive any requirement contained in this Ordinance, which is intended for the waiving party's benefit, but, except as otherwise provided herein, such waiver shall be effective only if in writing executed by the party for whose benefit such requirement is intended. No waiver of any breach or violation of any term of this Ordinance

shall be deemed or construed to constitute a waiver of any other breach or violation, whether concurrent or subsequent, and whether of the same or a different type of breach or violation.

SECTION 14. NOTICES: Any notices required or desired to be given from one party to the other party to this Ordinance shall be in writing and shall be given and shall be deemed to have been served and received if: (1) delivered in person to the address set forth below; (2) deposited in an official depository under the regular care and custody of the United States Postal Service located within the confines of the United States of America and sent by certified mail, return receipt requested, and addressed to such party at the address hereinafter specified; or (3) delivered to such party by courier receipted delivery. Either party may designate another address within the confines of the continental United States of America for notice, but until written notice of such change is actually received by the other party, the last address of such party designated for notice shall remain such party's address for notice.

To City of Lavon:

Attn: City Lavon

120 School Road

Lavon, TX 75166

With a copy to:

Messer, Fort, & McDonald P.L.L.C.

Attn: Julie Fort

6371 Preston Rd., Ste. 200

Frisco, Texas 75034

To Atmos Energy:

Att: Manager of Public Affairs

Atmos Energy Corp.,

Mid-Tex Division

1310 Highway 66

Garland, Texas 75040

SECTION 15. RENEGOTIATION: If either City or Atmos Energy requests renegotiation of any term of this franchise, Company and City agree to renegotiate in good faith revisions to any and all terms

of this franchise. If the parties cannot come to agreement upon any provisions being renegotiated, then the existing provisions of this Ordinance will continue in effect for the remaining term of the franchise.

SECTION 16. PREVIOUS ORDINANCES: When this franchise becomes effective, all gas franchise ordinances and parts of franchise ordinances applicable to Atmos Energy or its predecessors in interest granted by the City, are hereby repealed.

SECTION 17. 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 18. EFFECTIVE DATE: If Atmos Energy accepts this Ordinance, it becomes effective as of June 8, 2023.

PASSED AND APPROVED on this the _____ day of _____, 2023.

ATTEST:

Rae L. Norton, City Secretary

Vicki Sanson, Mayor
City of Lavon, Texas

STATE OF TEXAS §
COUNTY OF COLLIN §
CITY OF LAVON §

I, Rae L. Norton, City Secretary of the City of Lavon, Collin County, Texas, do hereby certify that the above and foregoing is a true and correct copy of an ordinance passed by the City Council of the City of Lavon, Texas, at a _____ session, held on the _____ day of _____, 2023, as it appears of record in the Minutes in Book _____, page _____.

WITNESS MY HAND AND SEAL OF SAID CITY, this the ____ day of _____,
2023.

Rae L. Norton, City Secretary
City of Lavon, Texas



CITY OF LAVON

Agenda Brief

MEETING: June 20, 2023

ITEM: 7 - B

Item:

Discussion and action regarding Ordinance No. **2023-06-04** amending Ordinance No. **2022-09-02**, that approved and adopted a budget for the City for the fiscal year October 1, 2022 through September 30, 2023 to amend adopted revenues and expenditures of the budget; and declaring an effective date.

Background:

Upon completion of the annual audit, the staff has prepared a budget amendment to provide for expenditures that were budgeted but not accomplished in FY 2021-22 as well as to provide for interfund transfers that were not able to be completed prior to the audit. The amendment includes unbudgeted expenditure items that have been previously approved by the City Council as well. The annual budget is approved at the fund level and the proposed amendment maintains revenues and expenditures within the approved fund levels.

For purposes of transparency, the amendment does not include adjustments for revenues and expenditures that are simply over or under budgeted levels. A subsequent amendment to reconcile minor differences may be prepared for the Council's future consideration.

Financial Implications:

The proposed amendment represents and allocates funding appropriately.

Staff Notes:

Approval is recommended.

Attachments: 1) Proposed Ordinance

CITY OF LAVON, TEXAS
ORDINANCE NO. 2023-06-04

Budget Amendment #2 - Fiscal Year 2022-2023

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS AMENDING ORDINANCE NO. 2022-08-06, THAT APPROVED AND ADOPTED A BUDGET FOR THE CITY FOR THE FISCAL YEAR OCTOBER 1, 2022 THROUGH SEPTEMBER 30, 2023 TO AMEND ADOPTED REVENUES AND EXPENDITURES OF THE BUDGET TO RECONCILE THE TRANSITION TO AN UPDATED CHART OF ACCOUNTS; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Lavon, Texas has adopted and approved a budget of the expenditures and revenues of all City Departments, Divisions and Offices for the Fiscal Year 2022-23; and

WHEREAS, pursuant to the Home Rule Charter of the City, the laws of the State of Texas and Section 102.010 of the Local Government Code, the City Council has determined that it will be beneficial and advantageous to the citizens of Lavon to amend the City's 2022-23 fiscal year budget, as amended and as set forth herein for municipal purposes; and

WHEREAS, the City Council upon full consideration of the matter, has determined that the amendment to the budget hereinafter set forth is proper and should be adopted.

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

Section 1. That the chart of accounts, revenues and appropriations as designated for the payment of expenses for the operation of the City government, hereinafter itemized by a true and correct copy of the Budget Document hereto attached as **Exhibit A**, are hereby approved.

Section 2. That the expenditures during the fiscal year shall be made in accordance with the budget approved by this ordinance, unless otherwise authorized by a duly enacted ordinance of the City, said budget document being on file for public inspection in the office of the City Secretary.

Section 3. That the necessity for making and approving a budget for the fiscal year, as required by the laws of the State of Texas, requires that this ordinance shall take effect immediately from and after its passage, as the law in such case provides.

Section 4. It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required by law.

DULY PASSED and APPROVED by the City Council of the City of Lavon, Texas, on the 20th day of June 2023.

Vicki Sanson, Mayor

ATTEST:

Rae Norton, City Secretary

ORDINANCE NO. 2023-06-04

EXHIBIT A

City of Lavon

FY23 Budget Amendment

6/20/2023

NOTE: The amendment summary does not reflect beginning resources/other resource sources.
No budgets were approved or are amended to have a deficit balance.

		Budget As Adopted 8/5/2022	Budget As Amended 12/20/2022	Budget Amendment Proposed	Changes
General Fund	Revenues	5,060,233	5,060,233	5,580,237	520,004
	Expense	5,885,618	5,885,618	6,334,123	448,505
Interest & Sinking Fund	Revenues	1,183,601	1,183,601	1,298,601	115,000
	Expense	1,125,151	1,125,151	1,125,151	-
Street Funds	Revenues	252,864	252,864	252,864	-
	Expense	799,634	799,634	799,634	-
Utilities Fund	Revenues	1,880,120	2,815,620	2,815,620	-
	Expense	1,044,000	5,783,000	6,398,000	615,000
Sewer Tap Fund	Revenues	935,500	-	-	-
	Expense	4,739,000	-	-	-
	Total Revenues	9,312,318	9,312,318	9,947,322	635,004
	Total Expenses	13,593,403	13,593,403	14,656,908	1,063,505

City of Lavon

Budget Amendment Detail

6/20/2023

	Budget	Proposed Amendment	Change
General Fund			
Other Funding	2,393,227	2,393,227	
Revenue	5,060,233	5,580,237	520,004
Expenses	5,885,618	6,334,123	448,505
Ending Resources	1,567,842	1,639,341	
Interest & Sinking			
Beginning Resources	84,922	84,922	
Revenue	1,183,601	1,298,601	115,000
Expenses	1,125,151	1,125,151	-
Ending Resources	143,372	258,372	
Streets - Tax Funded			
Beginning Resources	481,240	481,240	
Revenue	250,000	250,000	-
Expenses	450,000	450,000	-
Ending Resources	281,240	281,240	
Streets - Fee Funded			
Beginning Resources	400,570	400,570	
Revenue	2,864	2,864	-
Expenses	349,634	349,634	-
Ending Resources	53,800	53,800	
Utilities			
Beginning Resources	6,305,158	6,305,158	
Revenue	2,815,620	2,815,620	-
Expenses	5,783,000	6,398,000	615,000
Ending Resources	3,337,778	2,722,778	
Total Beginning Resources	9,665,117	9,665,117	-
Total Revenues	9,312,318	9,947,322	635,004
Total Expenses	13,593,403	14,656,908	1,063,505
Total End Resources	5,384,032	4,955,531	-

City of Lavon

General Fund Summary

6/20/2023

Budget	Proposed Amendment	Change
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REVENUES

Total Taxes	2,515,233	2,515,233	-
Total Transfers	752,000	1,272,004	520,004
Total Other General Government	500	500	-
Administration	39,000	39,000	-
Municipal Court	2,000	2,000	-
Police	55,000	55,000	-
Fire	24,000	24,000	-
Parks & Rec	1,500	1,500	-
Development Services	1,671,000	1,671,000	-
Total Revenues	5,060,233	5,580,237	520,004

EXPENDITURES

OPERATIONS

Administration	812,654	845,654	33,000
Non-Departmental	196,727	196,727	-
Municipal Court	106,620	106,620	-
Police	2,072,732	2,079,732	7,000
Fire	1,179,128	1,256,628	77,500
Parks & Rec	27,500	27,500	-
Development Services	245,000	245,000	-
Public Works	846,257	846,257	-
Total Operations Expenditures	5,486,618	5,604,118	117,500

CAPITAL

Administration Capital Outlay	5,000	5,000	-
Police Capital Outlay	3,000	205,005	202,005
Fire Capital Outlay	215,000	215,000	-
Public Works Capital Outlay	176,000	305,000	129,000
Total Capital Outlay	399,000	730,005	331,005

Total Expenditures	5,885,618	6,334,123	448,505
Change in Financial Position	(825,385)	(753,886)	71,499

General Fund		ADOPTED/ AMENDED 2022-23	Proposed Amendment	Change	Notes
ESTIMATED BEGINNING RESOURCES					
	Estimated Beginning Resources	2,318,227	2,318,227	-	
	Bond Proceeds for Professional Serv	75,000	75,000	-	
REVENUES					
Taxes					
10-00-4001	Property Taxes	1,830,233	1,830,233	-	
10-00-4040	Sales & Use Tax	500,000	500,000	-	
10-00-4045	Mixed Beverage Sales Tax	-	-	-	
10-00-4060	Franchise Fees	185,000	185,000	-	
	Total Taxes	2,515,233	2,515,233	-	
Transfers In					
10-00-4801	Transfer from Utility Fund - Sewer	608,000	1,128,004	520,004	FY22 rollover
10-00-4802	Transfer from Utility Fund - Solid Waste	144,000	144,000	-	
	Total Transfers	752,000	1,272,004	520,004	
Other General Government					
10-00-4500	Interest Income	-	-	-	
10-00-4690	Sale of Property	500	500	-	
10-00-4799	Miscellaneous Revenue	-	-	-	
	Total Other General Government	500	500	-	
Administration					
10-10-4101	PID Administrative Services	33,000	33,000	-	
10-10-4405	Building Rent - LEDC	6,000	6,000	-	
	Total Administration	39,000	39,000	-	
Municipal Court					
10-25-4215	Court Fees	2,000	2,000	-	
	Total Municipal Court	2,000	2,000	-	
Police Department					
10-45-4240	Police - Fines/Fees	50,000	50,000	-	
10-45-4245	Police - Warrant Fees/Fines	5,000	5,000	-	
	Total Police Department	55,000	55,000	-	
Fire Department					
10-55-4160	Fire Service Contract	24,000	24,000	-	
10-55-4650	Developer Contributions	-	-	-	
	Total Fire Department	24,000	24,000	-	
Parks & Rec Department					
10-65-4130	Facility Rental	1,500	1,500	-	
	Total Parks & Rec Department	1,500	1,500	-	
Development Services					
10-75-4305	General Permits	210,000	210,000	-	
10-75-4310	Land Use Application Fees	80,000	80,000	-	
10-75-4315	New Building Permits	850,000	850,000	-	
10-75-4325	Food Service Inspection Permits	5,500	5,500	-	
10-75-4350	OSSF Permits	500	500	-	
10-75-4355	Infrastructure Inspection Fees	525,000	525,000	-	
	Total Development Services	1,671,000	1,671,000	-	
Total General Fund Revenues		5,060,233	5,580,237	520,004	
Total Source of Funds		7,453,460	7,973,464	520,004	

General Fund	ADOPTED/ AMENDED 2022-23	Proposed Amendment	Change	Notes
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EXPENDITURES

Administration Services

10-10-5000	Salaries & Wages	397,925	397,925	-	
10-10-5025	Health Insurance	49,500	49,500	-	
10-10-5030	Payroll Taxes	30,441	30,441	-	
10-10-5035	Retirement	73,616	73,616	-	
10-10-5040	TWC	1,300	1,300	-	
10-10-5045	Workers Comp	1,631	1,631	-	
10-10-5100	Office Supplies	8,500	8,500	-	
10-10-5101	Council Supplies	1,500	1,500	-	
10-10-5107	Community Event Supplies	7,500	7,500	-	
10-10-5190	Office Furniture & Equipment - not cap	6,000	6,000	-	
10-10-5200	Phone, Internet	4,500	4,500	-	
10-10-5210	Electricity	8,500	8,500	-	
10-10-5220	Natural Gas	7,500	7,500	-	
10-10-5230	Water	1,000	1,000	-	
10-10-5401	Attorney	45,000	45,000	-	
10-10-5410	Auditor	16,000	16,000	-	
10-10-5425	Tax Assessor/Collector	2,500	2,500	-	
10-10-5430	Central Appraisal District	19,741	19,741	-	
10-10-5440	Professional Services - Other	5,000	38,000	33,000	individually approved in FY23
10-10-5510	Advertising	18,000	18,000	-	
10-10-5520	SAAS Contracts (software/app service)	25,000	25,000	-	
10-10-5540	Cleaning Service	7,500	7,500	-	
10-10-5545	Election Services	8,000	8,000	-	
10-10-5560	Contract Labor	1,000	1,000	-	
10-10-5589	Sales Tax Incentive Rebate	45,000	45,000	-	
10-10-5700	Dues & Fees	6,000	6,000	-	
10-10-5720	Employee Travel	2,500	2,500	-	
10-10-5725	Employee Training	8,500	8,500	-	
10-10-5730	Staff Development	3,500	3,500	-	
	Total Administration Operations	812,654	845,654	33,000	

Admin Capital Outlay

10-10-9103	Improvements	5,000	5,000	-	
	Total Admin Capital Outlay	5,000	5,000	-	
	Total Admin Services	817,654	850,654	33,000	

Non-Departmental

10-15-5100	Office Supplies	8,000	8,000	-	
10-15-5305	Building Maintenance	42,500	42,500	-	
10-15-5310	Grounds Maintenance	-	-	-	
10-15-5440	Professional Services - Other	67,500	67,500	-	
10-15-5460	Insurance - Management Liability	3,317	3,317	-	
10-15-5470	Insurance - Facilities	15,362	15,362	-	
10-15-5475	Insurance - Vehicles & Equipment	14,048	14,048	-	
10-15-5525	Technology Services Contract	40,000	40,000	-	
10-15-5601	Office Equipment Leases	6,000	6,000	-	
	Total Non-Departmental	196,727	196,727	-	

General Fund		ADOPTED/ AMENDED 2022-23	Proposed Amendment	Change	Notes
Municipal Court Services					
10-25-5000	Salaries & Wages	63,227	63,227	-	
10-25-5025	Health Insurance	9,900	9,900	-	
10-25-5030	Payroll Taxes	4,837	4,837	-	
10-25-5035	Retirement	11,697	11,697	-	
10-25-5040	TWC	450	450	-	
10-25-5045	Workers Comp	259	259	-	
10-25-5100	Office Supplies	2,000	2,000	-	
10-25-5402	Judge	12,000	12,000	-	
10-25-5403	Prosecutor	-	-	-	
10-25-5515	Credit Card Contract	1,000	1,000	-	
10-25-5546	Jury Service	250	250	-	
10-25-5725	Employee Training	1,000	1,000	-	
	Total Municipal Court	106,620	106,620	-	
Police Services					
10-45-5000	Salaries & Wages	1,149,800	1,149,800	-	
10-45-5025	Health Insurance	154,752	154,752	-	
10-45-5030	Payroll Taxes	87,960	87,960	-	
10-45-5035	Retirement	212,713	212,713	-	
10-45-5040	TWC	5,000	5,000	-	
10-45-5045	Workers Comp	59,907	59,907	-	
10-45-5100	Office Supplies	4,750	4,750	-	
10-45-5103	Community Policing Supplies	11,000	11,000	-	
10-45-5105	Child Abuse Interlocal - Supplies	1,500	1,500	-	
10-45-5125	Operating Supplies	8,500	8,500	-	
10-45-5155	Uniforms	17,000	17,000	-	
10-45-5160	Personal Protection Equipment	7,500	7,500	-	
10-45-5190	Office Furniture & Equipment - not cap	13,000	20,000	7,000	individually approved in FY23
10-45-5195	Tools & Equipment - not capitalized	48,900	48,900	-	
10-45-5200	Phone, Internet	49,500	49,500	-	
10-45-5210	Electricity	12,000	12,000	-	
10-45-5230	Water	1,000	1,000	-	
10-45-5240	Fuel	45,000	45,000	-	
10-45-5315	Vehicle Maintenance	31,500	31,500	-	
10-45-5325	Equipment Maintenance	5,000	5,000	-	
10-45-5465	Insurance - Law Enforcement Liability	10,492	10,492	-	
10-45-5520	SAAS Contracts (software/app service)	27,500	27,500	-	
10-45-5530	Medical Services	1,500	1,500	-	
10-45-5540	Cleaning Service	7,000	7,000	-	
10-45-5548	Dispatch Service	73,708	73,708	-	
10-45-5551	Inmate Boarding Contract	12,000	12,000	-	
10-45-5552	Animal Control Service	6,250	6,250	-	
10-45-5700	Dues & Fees	1,000	1,000	-	
10-45-5720	Employee Travel	1,000	1,000	-	
10-45-5725	Employee Training	6,000	6,000	-	
	Total Police Operations	2,072,732	2,079,732	7,000	
	Police Capital Outlay				
10-45-9102	Remodel	3,000	3,000	-	
10-45-9220	Vehicle	-	202,005	202,005	FY22 rollover
	Total Police Capital Outlay	3,000	205,005	202,005	
	Total Police Services	2,075,732	2,284,737	209,005	

General Fund		ADOPTED/ AMENDED 2022-23	Proposed Amendment	Change	Notes
Fire Services					
10-55-5000	Salaries & Wages	556,210	556,210	-	
10-55-5025	Health Insurance	77,376	77,376	-	
10-55-5030	Payroll Taxes	42,550	42,550	-	
10-55-5035	Retirement	102,899	102,899	-	
10-55-5040	TWC	1,500	1,500	-	
10-55-5045	Workers Comp	37,683	37,683	-	
10-55-5100	Office Supplies	3,875	3,875	-	
10-55-5125	Operating Supplies	10,000	10,000	-	
10-55-5155	Uniforms	12,500	12,500	-	
10-55-5160	Personal Protection Equipment	20,000	97,500	77,500	FY22 rollover
10-55-5195	Tools & Equipment - not capitalized	31,000	31,000	-	
10-55-5200	Phone, Internet	19,500	19,500	-	
10-55-5210	Electricity	15,000	15,000	-	
10-55-5212	Electricity - Storm Sirens	-	-	-	
10-55-5220	Natural Gas	3,000	3,000	-	
10-55-5230	Water	3,500	3,500	-	
10-55-5240	Fuel	20,000	20,000	-	
10-55-5315	Vehicle Maintenance	-	-	-	
10-55-5316	Apparatus Maintenance	42,500	42,500	-	
10-55-5325	Equipment Maintenance	5,000	5,000	-	
10-55-5330	Storm Siren O&M	1,500	1,500	-	
10-55-5520	SAAS Contracts (software/app service)	20,000	20,000	-	
10-55-5530	Medical Services	3,000	3,000	-	
10-55-5536	Ambulance Service	45,635	45,635	-	
10-55-5540	Cleaning Service	3,900	3,900	-	
10-55-5547	Fire Marshal Contract	4,500	4,500	-	
10-55-5549	Fire Alarm Monitoring Service	1,000	1,000	-	
10-55-5560	Contract Labor	80,000	80,000	-	
10-55-5700	Dues & Fees	5,500	5,500	-	
10-55-5720	Employee Travel	10,000	10,000	-	
10-55-5725	Employee Training	-	-	-	
	Total Fire Operations	1,179,128	1,256,628	77,500	
Fire Capital Outlay					
10-55-9103	Improvements	2,500	2,500	-	
10-55-9104	Furnishings	12,500	12,500	-	
10-55-9226	Fire Apparatus	200,000	200,000	-	
	Total Fire Capital Outlay	215,000	215,000	-	
	Total Fire Services	1,394,128	1,471,628	77,500	
Parks & Rec Department					
10-65-5310	Grounds Maintenance	27,500	27,500	-	
	Total Parks & Rec Department	27,500	27,500	-	
Development Services					
10-75-5570	Inspector Services	245,000	245,000	-	
	Total Development Services	245,000	245,000	-	

General Fund		ADOPTED/ AMENDED 2022-23	Proposed Amendment	Change	Notes
Public Works Services					
10-80-5000	Salaries & Wages	291,370	291,370	-	
10-80-5025	Health Insurance	48,360	48,360	-	
10-80-5030	Payroll Taxes	22,290	22,290	-	
10-80-5035	Retirement	53,903	53,903	-	
10-80-5040	TWC	2,273	2,273	-	
10-80-5045	Workers Comp	17,686	17,686	-	
10-80-5100	Office Supplies	575	575	-	
10-80-5102	MS-4 Educational Supplies	1,000	1,000	-	
10-80-5125	Operating Supplies	4,500	4,500	-	
10-80-5155	Uniforms	5,000	5,000	-	
10-80-5195	Tools & Equipment - not capitalized	6,000	6,000	-	
10-80-5200	Phone, Internet	2,400	2,400	-	
10-80-5211	Electricity - Street Lights	90,000	90,000	-	
10-80-5230	Water	1,000	1,000	-	
10-80-5240	Fuel	14,000	14,000	-	
10-80-5305	Building Maintenance	22,500	22,500	-	
10-80-5310	Grounds Maintenance	18,000	18,000	-	
10-80-5315	Vehicle Maintenance	7,000	7,000	-	
10-80-5325	Equipment Maintenance	10,000	10,000	-	
10-80-5335	Streets/Sidewalks Maintenance	30,000	30,000	-	
10-80-5340	Sign Maintenance	11,600	11,600	-	
10-80-5355	Drainage Maintenance	30,000	30,000	-	
10-80-5385	Mosquito Control	12,000	12,000	-	
10-80-5395	Septic System Maintenance	300	300	-	
10-80-5415	Engineer	42,000	42,000	-	
10-80-5530	Medical Services	1,000	1,000	-	
10-80-5565	Code Enforcement Services	10,000	10,000	-	
10-80-5570	Inspection Services	87,000	87,000	-	
10-80-5720	Employee Travel	1,000	1,000	-	
10-80-5725	Employee Training	3,500	3,500	-	
	Total Public Works Operations	846,257	846,257	-	
	Public Works Capital Outlay				
10-80-9103	Improvements	-	23,000	23,000	individually approved in FY23
10-80-9220	Vehicle	6,000	112,000	106,000	FY22 rollover
10-80-9221	Equipment	18,000	18,000	-	
10-80-9222	Heavy Equipment	150,000	150,000	-	
10-80-9401	CIP Prep & Admin	2,000	2,000	-	
	Total Capital Outlay	176,000	305,000	129,000	
	Total Public Works Services	1,022,257	1,151,257	129,000	
Total General Fund Expenditures		5,885,618	6,334,123	448,505	
Change in Financial Position		(825,385)	(753,886)	71,499	
ESTIMATED ENDING RESOURCES (Net)		1,567,842	1,639,341		

DEBT SERVICE (I&S) FUND	ADOPTED/ AMENDED 2022-23	Proposed Amendment	Change	Notes
ESTIMATED BEGINNING RESOURCES	84,922	84,922	-	
REVENUE				
50-00-4005 Property Taxes - I&S	1,108,601	1,108,601	-	
50-00-4517 Interest - IB I&S	-	-	-	
50-00-4801 Transfer from Utility Fund - Sewer	75,000	-	(75,000)	
50-00-4804 Transfer from Utility Fund - I&S	-	190,000	190,000	FY22 rollover
Total Revenues	1,183,601	1,298,601	115,000	
EXPENDITURES				
50-10-5790 Debt Administration	15,000	15,000	-	
50-10-5820 2020 GO Ref Bonds Principal	470,000	470,000	-	
50-10-5821 2020 GO Ref Bonds Interest	24,100	24,100	-	
50-10-5822 2020 CO Principal	105,000	105,000	-	
50-10-5823 2020 CO Interest	488,550	488,550	-	
50-55-5690 2013 Fire Truck Lease	22,501	22,501	-	
Total Expenditures	1,125,151	1,125,151	-	
ESTIMATED ENDING RESOURCES (Net)	143,372	258,372	115,000	

STREET FUND Maintenance/Construction	ADOPTED/ AMENDED 2022-23	Proposed Amendment	Change	Notes
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Funded by Street Maintenance Sales Tax

ESTIMATED BEGINNING RESOURCES	481,240	481,240	-
Street Repair Fund Revenue			
17-00-4041 Sales Tax - Dedicated Streets	250,000	250,000	-
Total Street Repair Fund Revenue	250,000	250,000	-
Street Repair Fund Expenditure			
17-80-5335 Street Maintenance	450,000	450,000	-
Total Street Repair Expenditure	450,000	450,000	-
ESTIMATED ENDING RESOURCES (Net)	281,240	281,240	-

Funded by Annexation Fees

ESTIMATED BEGINNING RESOURCES	400,570	400,570	-
Street Repair Revenue			
23-80-4210 Capital Recovery Fees - Lavon Farms	2,864	2,864	-
31-80-4210 Annexation Fees - Trails of Lavon		-	-
32-80-4210 Annexation Fees - Elevon			-
Total Street Repair Revenue	2,864	2,864	-
Street Repair Fund Expenditure			-
23-80-5336 Street Maint - Lavon Farms Regional	199,634	199,634	-
Other Street Maintenance	150,000	150,000	-
Total Street Repair Expenditure	349,634	349,634	-
ESTIMATED ENDING RESOURCES (Net)	53,800	53,800	

UTILITY FUND		ADOPTED/ AMENDED 2022-23	Proposed Amendment	Change	Notes
ESTIMATED BEGINNING RESOURCES/TRANSFERS IN		6,305,158	6,305,158	-	
UTILITY FUND REVENUE					
Administration					
20-00-4520	Interest - IB Utility	12,500	12,500	-	
20-00-4521	Interest - IB Sewer Tap	500	500	-	
20-10-4130	Facility Rental	-	-	-	
20-10-4240	Police - Fines/Fees	-	-	-	
20-85-4202	Administration Fee	25,000	25,000	-	
20-85-4299	Late Fees	12,500	12,500	-	
Total Administration		50,500	50,500	-	
Sanitary Sewer					
20-85-4110	Sewer Charges	1,093,920	1,093,920	-	
20-85-4230	Sewer Tap Fee	900,000	900,000	-	
20-85-4231	Bear Creek Trunk Recovery Fee	35,000	35,000	-	
20-85-4330	Online Permit Pmts	-	-	-	
Total Sanitary Sewer		2,028,920	2,028,920	-	
Solid Waste					
20-86-4115	Solid Waste Income	736,200	736,200	-	
Total Solid Waste		736,200	736,200	-	
Total Revenue		2,815,620	2,815,620	-	
UTILITY FUND EXPENDITURES					
Sanitary Sewer					
20-85-4231	Bear Creek Trunk Recovery Fee	20,000	20,000	-	
20-85-5210	Electricity	64,000	64,000	-	
20-85-5390	Sewer System Maintenance	40,000	40,000	-	
20-85-5590	NTMWD O&M Contract	540,000	540,000	-	
20-85-5801	Transfer to General Fund	608,000	1,108,000	500,000	FY22 rollover
20-85-5804	Transfer to Debt Service	75,000	190,000	115,000	FY22 rollover
20-85-9422	Elevon WWTP Construction	-	3,000,000	3,000,000	GL correction
20-85-9423	Sewer System Improvements	275,000	275,000	-	
not set up	WWTP Ph 3 Expansion	300,000	300,000	-	
not set up	Lavon-North WWTP Construction	3,000,000	-	(3,000,000)	GL correction
Total Sanitary Sewer		4,922,000	5,537,000	615,000	
Solid Waste					
20-86-5100	Office Supplies	8,500	8,500	-	
20-86-5104	Billing Supplies	3,000	3,000	-	
20-86-5190	Office Furniture & Equipment	500	500	-	
20-86-5515	Credit Card Contract	3,500	3,500	-	
20-86-5520	SAAS Contracts	3,500	3,500	-	
20-86-5595	Solid Waste Contract	650,000	650,000	-	
20-86-5785	Sales Tax	48,000	48,000	-	
20-86-5802	Transfer to General Fund	144,000	144,000	-	
Total Solid Waste		861,000	861,000	-	
Total Expenditure		5,783,000	6,398,000	615,000	
Change in Financial Position		(2,967,380)	(3,582,380)	(615,000)	
ESTIMATED ENDING RESOURCES (Net)		3,337,778	2,722,778		

ECONOMIC DEVELOPMENT CORPORATION FUND		ADOPTED/ AMENDED 2022-23	Proposed Amendment	Change	Notes
ESTIMATED BEGINNING RESOURCES					
	Estimated Beginning Resources	150,000	163,650	13,650	
EXPENDITURES					
Promotional					
6-2	Promo Carryover 2012-22	17,500	15,000	(2,500)	
6-3	Aerial Map & Brochures	7,500	8,000	500	
6-4	Advertising	4,000	6,000	2,000	
				-	
				-	
				-	
				-	



CITY OF LAVON Agenda Brief

MEETING: June 20, 2023

ITEM: 7 - C

Item:

Discussion and action regarding Ordinance No. 2023-06-05 amending the fee schedule approved and adopted by Ordinance No. 2022-08-09 for the fiscal year October 1, 2022, through September 30, 2023, to amend and set fees for the registration and inspection of residential rental properties as provided in Ordinance No. 2022-04-07; and providing an effective date.

Background:

The city staff determined a need to amend, clarify, and add fees related to the Fee Schedule as follows:

BUILDING PERMIT & INSPECTION SERVICES - RESIDENTIAL

- 1) Clarify the fee for the annual renewal of registration of residential rental properties after the initial registration.
- 2) Provide for a fee for the city inspection of residential rental properties.
- 3) Provide for a fee for the residential rental property certificate of occupancy.
- 4) Relocate the fee for sanitary sewer video inspection to Sanitary Sewer Services Fees so that it is clear that the fee applies to residential and commercial properties

SANITARY SEWER SERVICES

- 1) Provide for a sanitary sewer fee for multifamily units in addition to single family units.

MISCELLANEOUS

- 1) Provide for a fee for properties determined to be habitually nuisance or criminal properties.

GARBAGE COLLECTION SERVICES

- 1) Increase the rates for additional polycarts and for commercial garbage collection to correspond to the recent CWD rate adjustment.

Financial Implications:

The proposed fees are intended to offset costs associated with provision of the associated services.

Staff Notes:

Approval is recommended.

Attachments: Proposed Ordinance

CITY OF LAVON, TEXAS
ORDINANCE NO. 2023-06-05

5th Amendment to Fee Schedule – Fiscal Year 2022-23

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS AMENDING THE FEE SCHEDULE ADOPTED BY ORDINANCE NO. 2022-08-09, FOR THE FISCAL YEAR OCTOBER 1, 2022, THROUGH SEPTEMBER 30, 2023, AS AMENDED, TO SET FEES FOR: COMMERCIAL GARBAGE COLLECTION SERVICES; EXTRA POLYCARTS; SANITARY SEWER TAP FEE FOR MULTI-FAMILY LIVING UNITS; REGISTRATION RENEWAL, INSPECTION, AND CERTIFICATE OF OCCUPANCY FOR RESIDENTIAL RENTAL PROPERTIES; HABITUAL CRIMINAL AND/OR NUISANCE PROPERTY PER SECTION 4.09.009 OF THE CODE OF ORDINANCES; AND TO CLARIFY THE SANITARY SEWER VIDEO INSPECTION FEE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lavon is a Home Rule municipality organized under the Constitution and laws of the State of Texas and the City Council has authority to establish fees relating to City applications, permits and services; and

WHEREAS, the City Council finds it is in the best interest of the residents of the City to make changes to the fee schedule to directly reflect the cost of certain services.

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

SECTION 1. That the Fee Schedule for fiscal year October 1, 2022 through September 30, 2023 be amended, as shown in “Exhibit A” attached hereto.

SECTION 2. That this ordinance shall take effect immediately from and after its passage, as the law in such cases provides.

DULY PASSED and APPROVED by the City Council of the City of Lavon, Texas, on the 20th day of June 2023.

Vicki Sanson
Mayor

ATTEST:

Rae Norton
City Secretary

ORDINANCE NO. 2023-06-05**EXHIBIT A****FEE SCHEDULE**

	CURRENT	PROPOSED
BUILDING PERMIT & INSPECTION SERVICES -RESIDENTIAL		
Residential Rental Property <i>Registration - Annual Inspection Renewal</i>	\$75.00	\$75.00
Residential Rental Property City Inspection Fee	\$0	\$75.00
Residential Rental Property Certificate of Occupancy	\$0	\$25.00
Sanitary Sewer Video Inspection	\$150.00	\$150.00
SANITARY SEWER SERVICES		
Sewer Tap Fee – Multi-family per unit	\$0	\$3,600.00
Sanitary Sewer Video Inspection	\$150.00	\$150.00
MISCELLANEOUS		
Habitual Nuisance/Criminal Property Fee - Annual	\$0	\$2,500.00
GARBAGE COLLECTION SERVICES		
Residential		
Extra polycart	\$7.00	\$9.00
Commercial		
Calculated per size of container and frequency of collection		
Container – 2 cubic yard 1weekly	\$73.34	\$82.50
Container – 3 cubic yard weekly	\$108.38	\$121.90
Container – 4 cubic yard weekly	\$125.28	\$140.88
Container – 6 cubic yard weekly	\$159.56	\$179.44
Container – 8 cubic yard weekly	\$190.88	\$214.64
Container – 2 cubic yard 2x per week	\$146.68	\$157.69
Container – 3 cubic yard 2x per week	\$190.10	\$232.16
Container – 4 cubic yard 2x per week	\$217.25	\$264.99
Container – 6 cubic yard 2x per week	\$268.97	\$327.09
Container – 8 cubic yard 2x per week	\$324.70	\$395.24
Container – 2 cubic yard 3x per week		\$219.92
Container – 3 cubic yard 3x per week		\$321.19
Container – 4 cubic yard 3x per week		\$372.25
Container – 6 cubic yard 3x per week		\$458.81
Container – 8 cubic yare 3 x per week		\$556.23
Special Services (casters, enclosures, and locks) per pickup	\$31.57	\$38.00
Extra recycling polycart	\$7.00	\$9.00



CITY OF LAVON

Agenda Brief

MEETING: June 20, 2023

ITEM: 7 - D

Item:

Discussion and action regarding Resolution No. 2023-06-07 approving an amendment to the professional services agreement with Caperton Construction Inspections adopted by Resolution No. 2018-08-02 to adjust the rates for professional services for plan review and building inspections.

Background:

In August 2018, the City contracted with Caperton Construction Inspection (CCI) for professional services relating to plan review and building inspections. The arrangement works well for the City and could not be easily replaced.

CCI has requested an increase in the rate that the City pays for Residential Plan Review and Inspection Services. The current charge from CCI for Residential Building Inspections and Plan Review is \$480.00. CCI has requested an increase of \$100.00 for a rate of \$580.00.

The volume of building permits and the general costs of doing business have increased exponentially over the last three years. Since 2018, there has been one rate adjustment in November 2020 from \$400 to \$480.

Financial Implication:

The proposed rate increase is fair and representative of market rates. During the budget process, the building permit fees that the City charges to applicants will be reviewed to ensure that they adequately cover the plan review and inspection costs.

Staff Notes:

Approval is recommended.

Attachments: Proposed Resolution

CITY OF LAVON, TEXAS
RESOLUTION NO. 2023-06-07

Amend PSA – Caperton Construction Inspections Rates

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

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

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

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

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

SECTION 1. That the City Council does hereby approve an amendment to the professional services agreement with Caperton Construction Inspections adopted by Resolution No. 2018-08-02 to adjust the rates for professional services for plan review and building inspections, as provided in Exhibit “A”, attached hereto and incorporated herein.

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 20th day of June 2023.

Vicki Sanson, Mayor

ATTEST:

Rae Norton, City Secretary

CITY OF LAVON, TEXAS
RESOLUTION NO. 2023-06-07

EXHIBIT A
AMENDMENT TO RATES

CCI
Caperton Construction Inspections
LIST OF SERVICES FOR LAVON

Current Rate Structure

Building Inspections include:

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

Agreed upon total fee per new home \$580 (formerly \$480.00)

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

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

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

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

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

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



CITY OF LAVON Agenda Brief

MEETING: June 20, 2023

ITEM: 7 - E

Item:

Discussion and action regarding Resolution No. **2023-06-08** designating certain officials as being responsible for, acting for and on behalf of the City in dealing with Collin County, herein referred to as the “County”, for the purpose of participating in the Collin County Parks & Open Space Project Funding Assistance Program, hereinafter referred to as the “Program”; certifying that the City is eligible to receive program assistance; certifying that the City matching share is readily available; and dedicating the proposed project for public recreational uses.

Background:

Collin County residents voted in favor of bond funding for parks and open spaces throughout the county. Through an application process, the county provides financial assistance to cities and non-profit organizations for eligible projects.

Excerpt from the Collin County website:

Collin County > Parks & Open Space > Project Funding Assistance Program

The Program has been in place since 1999 when Collin County citizens approved a \$5.75 million bond proposition for Parks and Open Space. In 2001, those funds were used to create the Strategic Plan and assisted with the advancement of 33 projects for 25 different entities over a 3-year period. In 2003, the citizens approved an \$11 million bond proposition for Parks and Open Space that allowed an already successful program to expand. These funds supported the development of 45 projects for 29 different entities over a 5-year period. In 2007, the citizens approved a \$17 million bond proposition for Parks and Open Space of which these funds assisted with 95 projects for 28 different entities over a 7-year period.

In 2018, Collin County Citizens approved a \$10 million bond proposition for Parks and Open Space. Over a 5-year (2019-2023) period, Collin County will make these funds accessible to eligible applicants within the county through an application process.

The Collin County Parks Foundation Advisory Board administers the Project Funding Assistance Program. This is a reimbursement program. Applicants must have at minimum dollar for dollar in matching funds, comprised of direct cash or in-kind services, for the project being proposed.

Proposed project goals must be similar to and support or advance the mission published in the Collin County Parks and Open Space Strategic Plan (October 2001).

During the City's work on the Parks and Recreation Master Plan, Comprehensive Plan, and Strategic Plan and subsequently on the Capital Improvements Plan (CIP), prioritizing development of parks and trail improvements were highly prioritized. The Collin County Open Spaces Grant Program was noted as a potential funding source to help the City achieve its parks and recreation goals.

The application deadline is July 10, 2023. As part of the application process, the City is required to submit a resolution of support for the application. A resolution has been prepared and is submitted for City Council consideration.

Financial Implication:

Funding for the required financial match may be obtained from the Series 2020 Certificates of Obligation proceeds as allocated in the Capital Improvements Plan (CIP) for Parks and Trails Improvements in FY 2022-23.

Staff Notes:

Approval is recommended.

Attachments:

- 1) Resolution
- 2) Project information
- 3) Collin County Parks and Open Space Strategic Plan - Executive Summary

CITY OF LAVON, TEXAS
RESOLUTION NO. 2023-06-08

Collin County Parks and Open Space Project Funding Assistance

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS DESIGNATING CERTAIN OFFICIALS AS BEING RESPONSIBLE FOR, ACTING FOR AND ON BEHALF OF THE CITY IN DEALING WITH COLLIN COUNTY, HEREIN REFERRED TO AS THE “COUNTY”, FOR THE PURPOSE OF PARTICIPATING IN THE COLLIN COUNTY PARKS & OPEN SPACE PROJECT FUNDING ASSISTANCE PROGRAM, HEREINAFTER REFERRED TO AS THE “PROGRAM”; CERTIFYING THAT THE CITY IS ELIGIBLE TO RECEIVE PROGRAM ASSISTANCE; CERTIFYING THAT THE CITY MATCHING SHARE IS READILY AVAILABLE; AND DEDICATING THE PROPOSED PROJECT FOR PUBLIC RECREATIONAL USE.

WHEREAS, the City Council recognizes the importance of the preservation of open spaces and the need for and benefit of developing parks and open space throughout the City of Lavon as well as making critical connections to regional systems; and

WHEREAS, the City of Lavon is fully eligible to receive financial assistance under the Program; and

WHEREAS, the City Council desires to authorize an official to represent and act for the City of Lavon in relation to the Program; and

WHEREAS, the City Council has considered and determined that it is in the best interests of the citizens of the City of Lavon to submit an application for project funding assistance.

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

SECTION 1. The City Council hereby certifies that the City is eligible to receive assistance under the program and that notice of the application has been appropriately posted.

SECTION 2. The City Council hereby certifies that the matching share for this application is readily available at this time.

SECTION 3. The City Council hereby designates, authorizes, and directs the City Manager to make application and act for the City of Lavon in dealing with Collin County for the purpose of participating in the Program for the site improvement, acquisition and installation of park and trail facilities.

SECTION 4. The City of Lavon dedicates the improvements as identified in the application for public recreational use and commits to maintaining the property and improvements.

SECTION 5. 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 20th day of June 2023.

Vicki Sanson
Mayor

ATTEST:

Rae Norton
City Secretary

From: [Dawn Redwine](#)
To: [Tracy Homfeld](#)
Subject: 2018 5th Series Parks and Open Space Bond Program
Date: Friday, April 14, 2023 8:40:49 AM

Dear Community Leader,

You have an opportunity to benefit your community by participating in the 2018 5th Series of the Parks and Open Space Bond Program.

Collin County is full of beauty, resources, great citizens and leaders. Collin County citizens and leaders created a Parks and Open Space Program several years ago to benefit the county. An initial bond program provided funds to acquire unique natural lands and to develop recreational facilities.

In 2018, the \$10 million Parks and Open Space Bond Program was approved by the citizens of Collin County and approximately \$2 million a year, from 2019-2022, has been shared with communities and qualifying non-profit organizations. Typically, funds have been provided to acquire new park sites, add bike/hiking trails to the existing regional trail network, and construct recreational facilities in undeveloped community park sites.

The Collin County Parks Foundation Advisory Board is now accepting applications through **4:00 p.m. on July 10, 2023** to be reviewed for 2023 funding of approximately \$2 million.

The Board is hopeful that you will submit a project(s) that is in line with the Parks and Open Space Strategic Plan and that would benefit your community.

You can find the application and all related information on the Project Funding Assistance Program webpage [HERE](#).

If you have further questions, please reach out to either myself at the information below, or Tracy Homfeld at THomfeld@co.collin.tx.us.

Thank you kindly,

Dawn Redwine
Office Administrator
Collin County Engineering
dredwine@co.collin.tx.us
972-548-3727

Executive Summary



Executive Summary

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Executive Summary

Introduction

The residents, businesses, and governments within Collin County face a future of population growth that is challenging all aspects of the area's quality of life. The county is on the northern edge of a wave of growth that is remaking the rural and agricultural landscape into a suburban landscape of residential and commercial developments. The population, at about 497,000 in the year 2000, is projected to reach nearly 1.3 million by 2025. The county is also distinguished as being the fastest growing county in Texas between 1990 and 2000, and the 11th fastest growing county nationwide during this same time period.¹

The 7,400+ acres of existing county and municipally-owned parks and open spaces, while extensive, are not sufficient to meet the recreational needs of the projected 2025 population. Instead, **it is projected that a total of 9,600 acres of new parks, open space, and recreational facilities will be needed by 2025 just to maintain the same level of parks and open space currently enjoyed by the county's existing population** (for a total of 17,000 existing plus new acres).

To put the parkland need in perspective, nearly 6,000 lane miles (length of road facility multiplied by number of lanes) of new roads and highways are proposed by the Collin County Thoroughfare Plan in anticipation of the projected population growth. Assuming a cost of

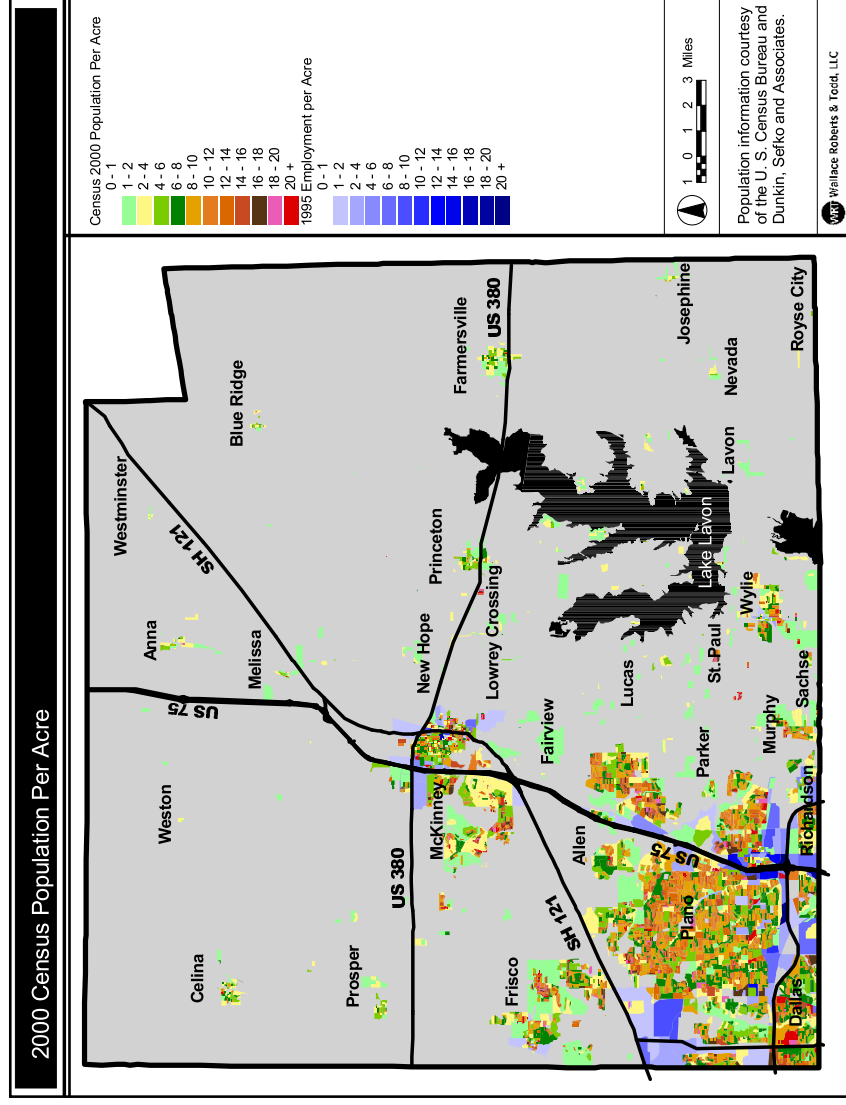
“Too many community leaders feel they must choose between economic growth and open space protection. But no such choice is necessary. Open space protection is good for a community's health, stability, beauty, and quality of life. It is also good for the bottom line.”^{2,14}

\$500,000 per lane mile for illustrative purposes, implementation of the Thoroughfare Plan would cost nearly \$ 3 billion dollars in 2001 dollars, exclusive of land costs. Water, sewer, stormwater, and other necessary infrastructure items face similar expansion needs and costs.

A coordinated parks and open space system is a necessary element for the future of Collin County. According to John Crompton, of Texas A & M University:

“Evidence is mounting that quality of life is the primary factor in choosing where to locate a business and that access to parks and recreational opportunities is central to quality of life. This is especially true of high tech, research and development industries,

Map ES.1



and corporate headquarters. *Communities with excellent park systems have a distinct advantage when it comes to luring these companies.*"²

Because of the tax revenue implications that come with corporate choices, the financial and political commitments needed to develop the County's Thoroughfare Plan, schools, and water and sewer systems will also be needed to develop a parks and open space system that meets the needs of existing and future residents of Collin County. Without such a commitment, the governments of Collin County and the land and property development sectors may be hard pressed in attracting new businesses, and retaining existing businesses.

The development of a coordinated parks and open space system in Collin County, in addition to needing long term political and financial commitments from the public sector, will also need the private sector, non-profits, special interest groups, utility providers, and individual citizens to make similar long term commitments. The parks and open space system, after all, will be one of the primary factors that determines what it will be like to live and work in Collin County over the next 24 years. ***The parks and open space system, and hence the quality of life, will only be as good as the corporate and citizen commitment to the system.***

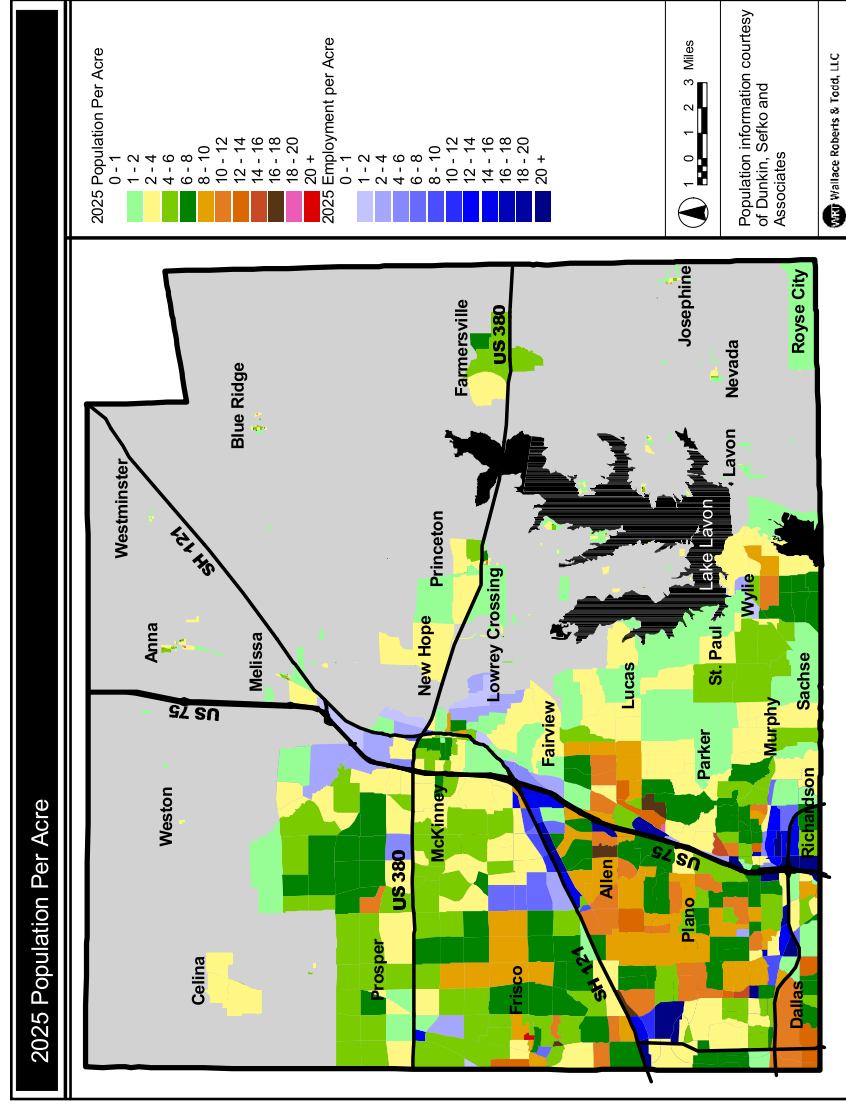
The phenomenal population growth in the county – about a 1,200% increase between 1960 and 2000 – is resulting in ranches, farms, grasslands and tree groves being replaced by single-family homes, shopping centers, and office parks. While growth and change are necessary

"Parks and open spaces are equally as productive contributors to a local economy as roads, utilities and other infrastructure elements. The cost of investing in these elements is justified by the economic value that derives from their availability."¹⁵

components of life, preserving those historic, cultural and natural elements that make Collin County unique becomes more and more difficult as existing resources are destroyed to make way for new development. The county, for example, was once primarily composed of woodlands hugging the creeks, and Blackland prairie throughout the rest of the county: very little of the native prairie remains in Collin County.

From a cost standpoint, the rapid development in the southwestern part of the county will continue to escalate land prices. Therefore, early, aggressive land acquisition now will provide the best dollar value while also ensuring that the parks and open space system will be available for the burgeoning population.

Map ES.2



The local government's role in the development of the county is critical to the county's future. However, the implementation of the parks and open space system should not be the sole responsibility of the public sector – private corporations, non-profits, citizens, and special interest groups need to significantly participate in the development of a coordinated and integrated system. The combined efforts are particularly needed in Collin County because of its rapid growth – growth that is making it difficult for the public sector to provide and maintain needed infrastructure in a timely, cost-effective manner.

Finally, not only must the County and its cities and towns provide the infrastructure necessary to support development, they must also protect the health, safety and welfare of their residents. The provision of infrastructure such as roads, water service, sewer service, and parklands shapes how the county is developed. Land development and open space policies also set the stage for the types and nature of development that will occur within the county. In its provision of services and regulation of development, the public sector must always remember the needs for fiscal responsibility and respect of individual property rights.

What is the Strategic Plan?

The Strategic Plan is a guidebook for adding new parks and open space resources to the existing system so that current and future generations of Collin County residents can continue to experience the quality of life that makes the county such a great place to live. The recommendations within the Strategic Plan are intended to work with the cities that have park system plans, such as Allen, Dallas, Frisco, McKinney, Plano, Richardson, and Wylie, as well as those smaller communities that do not have park system plans, such as Josephine, Melissa, and Celina. The Plan encourages coordination and cooperation between all levels of government, as well as the partnering with private, non-profit, religious and citizen resources wherever possible.

Since parks and open space systems require, collectively, large amounts of land, acquisition of land for parks and open spaces should be a high priority, and will likely never be as inexpensive as it is today. The Strategic Plan identifies where growth is expected to occur, and proposes the generalized locations of future major parks and trails throughout the County. The proposals within this Strategic Plan are intended to work in conjunction with existing and future municipal level parks and open space planning and development.

Specific locations of future parks and open space, therefore, should be planned with local municipal representatives, or at the county level, with respect to resources in need of protection or with landowners interested in dedicating their land to parks and open space use.

The Strategic Plan also contains an outline of the vision for an integrated system of parks and open space throughout the county. Although the current population of Collin County is less than 50% of that anticipated by 2025, ***the actions of the existing population will determine the quality of life that future residents of the county will experience.*** Action today can allow the parks and open space systems to shape future development, rather than become a system based upon land that remains after an area is developed. Since the provision of public infrastructure at such a rapid pace can be difficult, it is recommended that as many resources as possible be brought together to address infrastructure issues. The marshalling of public, private, non-profit, corporate and citizen resources towards the acquisition and development of parks and open space will be necessary in order for the citizens of Collin County to maintain a high quality of life in the face of such rapid growth and development.

Why are Parks and Open Space Important?

Parks and open space are important because they provide space for play, for relaxation, for environmental protection, for education, and for exercise. They address the active recreational demands of the population by including areas for various activities including baseball, softball, soccer, skateboarding and cycling. They also address the passive recreational demands of the population by including areas for walking, nature watching, and natural, historic, and cultural resource protection. They provide focal points for the communities, as town squares, neighborhood parks, tennis complexes, walking trails, and native prairie remnants.

Parks are generally more developed facilities that are intended for intense use by people. A park might contain, for example, ball fields, playgrounds, swimming pools and recreation centers. Open space, on the other hand, generally includes larger areas of land that are intended to be the places where users can get in touch with the natural resources of the community – and that provide the habitat needed to support the plant and animal communities that once thrived throughout Collin County. Examples of what might be contained in an open space facility include hiking, bicycle, and equestrian

trails, protected woodland, wetland and prairie areas, and perhaps environmental education centers.

Parks and open space can also protect Collin County's future by acting as buffers and filters for water that flows into Lake Lavon, a major source of drinking water for county residents. Protecting the lake and its tributaries from siltation and pollution normally associated with development will help maintain the long term viability of the lake as a drinking water source and recreational area.

What is the parks and open space system like now?

The existing system of County and municipally owned parks and open spaces in Collin County encompasses roughly 7,411 acres and 112 miles of trails. This system collectively serves a countywide population of approximately 496,806,³ with an overall level of service of 14.9 acres of parks and open space per 1000 people. An additional 2,834 acres of open space, 443 acres of which have been improved into 16 parks, are provided by the U.S. Army Corps of Engineers around Lake Lavon.

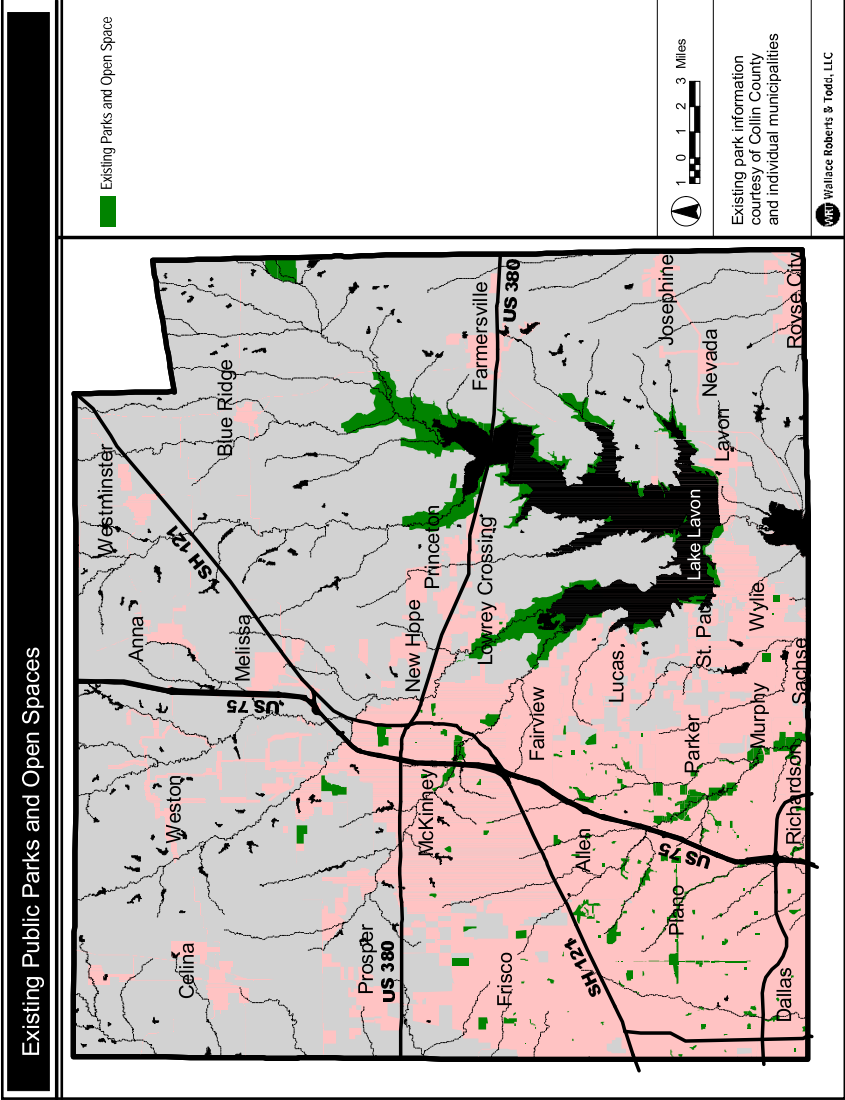
A wide range of park types and facilities are provided, including active and passive parks as well as sports complexes and natural areas. Approximately 89 percent of the County and municipal park and open space area is municipal parkland, with the largest percentage of the acreage being located in the southwest corner of the county where the majority of the county's population resides. The six major cities, Allen, Frisco, McKinney,

“The real estate market consistently demonstrates that many people are willing to pay a larger amount for a property located close to parks and open space areas than for a home that does not offer this amenity.”¹⁶

Plano, Richardson and Wylie, currently provide approximately 6,664 acres of parkland serving a population of 391,923.⁴

The balance of parks and open space resources are distributed in outlying communities such as Josephine, Farmersville, and Melissa, or in unincorporated areas. While many of the smaller towns and cities face similar fiscal challenges as the larger cities, they do so without the benefit of extensive full time staff. This lack of staff impacts all aspects of the provision of public infrastructure, including the planning, implementation and maintenance of parks and open space resources.

Map ES.3



What can the parks and open space system be like in 2025?

The parks and open space system within Collin County, whether publicly or privately provided, will need to provide land and facilities for a population that will approach 1,286,900.⁵

To meet the needs of this anticipated population, the Collin County Parks Foundation, Workshop Committee members, and stakeholders, established the following guiding principles as a conceptual framework for the future parks and open space system in Collin County:

1. the parks and open space system should be diverse in its recreational opportunities and accessible for all citizens of the county as it continues to grow and urbanize;
2. the parks and open space system should be an interconnected, multifunctional system that protects important natural, cultural, and visual resources while providing appropriate opportunities for recreation;
3. the parks and open space system should help to define community form and preserve community character;
4. the parks and open space system should reflect sustainable financial, cultural, and environmental objectives that promote the conservation of natural and human resources for current and future citizens;
5. the parks and open space system should reflect the coordinated planning and conceptualization of the park and open space system at a countywide scale, with implementation at the local community scale;
6. the parks and open space system should include public/private coordination, cooperation, and partnering where possible to obtain key aspects of the plan and the communities' desires;
7. the parks and open space system should be responsive to the needs of developing communities as they plan and manage their individual parks system plans.

Strategic Plan Recommendations

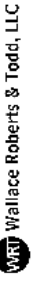
Of the "big 6" six cities of Allen, Frisco, McKinney, Plano, Richardson, and Wylie, the cities of Allen, Frisco, McKinney and Wylie, without action, will face an estimated parkland deficit of from 3,774 to 5,037 acres. This deficit for the cities within the "big 6" is based upon the application of their individual parkland standards to the anticipated population growth.

Countywide, a total of from 7,055 to 9,615 additional acres of parks and open space, including the parkland needed by the "big 6," are recommended to meet the needs of the projected 2025 population. The estimated parkland need for those areas of the county outside of the "big 6" and Dallas is based upon the Strategic Plan proposed countywide standard of 18 acres of parkland per 1,000 people. This proposed countywide standard was derived from a comparison of local and national standards, and is intended to be a guide for future parks and open space planning, rather than an absolute acreage requirement.

The estimated 2025 countywide parkland need of from 7,055 to 9,615 acres takes into account the existing park and open space resources provided by municipal and county governments. Therefore, the 7,055 to 9,615 acre range represents new parkland that may need to be added to the existing 7,411 acres of parks and open space by 2025. Table ES-A illustrates the ratio of existing and proposed parkland to existing and projected populations. ***As the table indicates, even with a combined maximum total of approximately 17,000 acres of parks and open space, the projected growth of the population to 1,286,900 by 2025 will likely result in a reduction in the parks and open space level of service from existing levels.***

Most of the identified parks and open space needs are anticipated to occur in existing municipalities, or in areas that are within the extra-territorial jurisdictions (ETJ) of the municipalities. Thus, most of the burden of meeting the anticipated recreational needs of the 2025 population will likely fall to municipalities as they annex rapidly growing areas within their ETJs.

To accomplish the continued development of a parks and open space system for the burgeoning population, it is recommended that an average of 400 acres of greenways, parkland and open space be acquired every year for the next 24 years. This land should primarily be acquired in areas that are now experiencing the population boom, or will soon be experiencing the growth. Land should also be acquired, however, in communities that have a



What will it cost?

The recommendations of the Strategic Plan are to be used as a guide for public officials and staff, private developers, non-profits, corporations and citizens in their endeavors to create a parks and open space system that protects the quality of life within Collin County. As such, the cost estimates included within the Strategic Plan are to be used as a general guide in setting aside funds for future parks and open space acquisition and development. The actual costs will vary as a result of a variety of factors, including changing land prices, changing recreational demands, the comprehensiveness of facilities provided, and the parks and recreational facility development standards utilized by implementing organizations. Thus, each political unit within Collin County must individually determine what their role will be in the provision parks and open space to their constituents.

For the purposes of this Strategic Plan, the parkland need and cost considerations have been divided into four geographic areas: 1) the "big 6" communities (which include Allen, Frisco, McKinney, Plano, Richardson, and Wylie), 2) the City of Dallas, 3) municipal areas not including the "big 6" or Dallas, and 4) unincorporated areas. A further division, 5), is provided for three specific major facilities being considered by County officials. These divisions were undertaken to provide a better basis for estimating current and future parkland resources and needs.

The costs for the anticipated parkland and recreational facilities are based upon needs identified in the four areas listed above. The parkland and recreational facility needs for the "big 6" and the City of Dallas reflect the application of their respective adopted parkland and recreational facility standards to their projected 2025 populations. The parkland and recreational facility needs for unincorporated areas and the municipalities without adopted parkland and recreational facility standards reflect the application of the proposed countywide parkland and recreational facility standards to their projected 2025 populations. The estimated costs for each of the four areas are illustrated in Table ES-B, and are explained below:

- 1) The "big 6" communities, which include Allen, Frisco, McKinney, Plano, Richardson, and Wylie, have an estimated year 2000 population of approximately 392,000 persons. This population is expected to increase to a 2025 population of approximately 935,200.⁸ These six municipal areas, projected to experience the bulk of the growth over the next 24 years, are estimated to require an additional

3,774 to 5,037 acres of parks and open space by 2025. This need is primarily focused in the communities of Allen, Frisco, McKinney and Wylie. The estimated average annual cost range to provide the recommended facilities is from \$23.2 to \$37.7 million per year in 2001 dollars.

- 2) The City of Dallas, which is considered to be completely built-out, is projected to maintain its year 2000 population of approximately 45,000 persons through the year 2025.⁹ The part of Dallas in Collin County, however, faces an estimated existing parkland deficit of approximately 414 acres. The estimated average annual cost range to provide the recommended facilities is from \$31 thousand to \$2.3 million per year in 2001 dollars.

- 3) Municipal areas not including the "big 6" and Dallas, have an estimated 2000 population of 31,800 persons, and are projected to grow to a 2025 population of approximately 160,200.¹⁰ These municipal areas include: Anna, Blue Ridge, Celina, Fairview, Farmersville, Josephine, Lavon, Lowry Crossing, Lucas, Melissa, Murphy, Nevada, New Hope, Parker, Princeton, Prosper, Royse City, Sachse, St. Paul, Westminister, and Weston. These municipalities will require from 2,311 to 2,872 additional acres of parks and open space by 2025. The estimated average annual cost range to provide the recommended facilities is from \$6.3 to \$11.1 million per year in 2001 dollars.

- 4) Unincorporated areas have an estimated 2000 population of approximately 32,200 persons, and are projected to grow to a 2025 population of approximately 109,100.¹¹ These unincorporated areas, under the primary authority of Collin County, will need from 970 to 1,292 additional acres of parks and open space by 2025. The estimated average annual cost range to provide the recommended facilities is from \$4 to \$6.8 million per year in 2001 dollars.

- 5) Major facilities under consideration by Collin County include a large sports facility, an environmental youth camp, and a new agricultural exhibition facility at the Collin County Youth Park. These facilities will likely have costs shared with municipalities, non-profits and private developers, and are estimated to have an additional one-time cost of \$188.4 million.

If the total estimated collective capital expenditures were spread evenly

Table ES-B

Estimated Annual Average Costs by Community

Area	Estimated Year 2000 Population*	Projected Year 2025 Population*	Minimum Parkland Surplus/(Deficit)	Minimum Estimated Annual Capital Cost in 2001 Dollars	Maximum Parkland Surplus/(Deficit)	Maximum Estimated Annual Capital Cost in 2001 Dollars
1 The Big 6						
Allen	43,300	130,000	(598.6)	\$ 2,630,046	(601.4)	\$ 4,028,252
Frisco	32,650	220,000	(1,684.8)	\$ 7,403,147	(1,709.7)	\$ 11,451,784
McKinney	50,200	271,800	(2,853.5)	\$ 12,538,361	(3,053.1)	\$ 20,450,046
Plano	231,650	260,000	1,180.1	\$ -	321.4	\$ -
Richardson	20,873	20,873	322.2	\$ -	265.9	\$ -
Wylie	13,250	32,500	(139.9)	\$ 614,615	(260.0)	\$ 1,741,513
Big 6 Subtotal	391,923	935,173	(3,774.5)	\$ 23,186,169	(5,036.9)	\$ 37,671,595
2 Dallas						
Dallas	45,155	45,155	-	\$ -	(413.7)	\$ 2,301,582
Dallas Subtotal	45,155	45,155	-	\$ 30,863	(413.7)	\$ 2,301,582
3 Smaller Municipalities						
Anna	1,225	4,148	(52.6)	\$ 144,944	(74.7)	\$ 289,992
Blue Ridge	672	2,276	(28.9)	\$ 79,538	(41.0)	\$ 159,166
Celina	1,950	21,000	(342.9)	\$ 944,639	(378.0)	\$ 1,467,431
Fairview	2,644	8,954	(113.6)	\$ 312,896	(161.2)	\$ 625,793
Farmersville	3,118	10,559	(133.9)	\$ 368,980	(190.1)	\$ 737,986
Josephine	575	1,947	(24.1)	\$ 66,312	(31.5)	\$ 122,286
Lavon	387	1,311	(16.6)	\$ 45,819	(23.6)	\$ 91,617
Lowry Crossing	1,229	4,162	(52.8)	\$ 145,440	(74.9)	\$ 290,769
Lucas	3,500	11,900	(151.2)	\$ 416,534	(207.2)	\$ 804,370
Melissa	1,350	4,572	(58.0)	\$ 159,771	(82.3)	\$ 319,496
Murphy	3,150	21,500	(330.3)	\$ 909,928	(387.0)	\$ 1,502,370
Nevada	563	1,907	(24.2)	\$ 66,645	(34.3)	\$ 133,156
New Hope	662	2,242	(28.4)	\$ 78,348	(40.4)	\$ 156,837
Parker	1,900	20,500	(334.8)	\$ 922,325	(369.0)	\$ 1,432,492
Princeton	3,477	11,774	(149.3)	\$ 411,426	(211.9)	\$ 822,616
Prosper	1,850	20,000	(326.7)	\$ 900,011	(360.0)	\$ 1,397,554
Royse City	188	188	-	\$ -	(3.4)	\$ 13,199
Sachse	1,660	5,621	(71.3)	\$ 196,416	(101.2)	\$ 392,868
St. Paul	630	2,133	(27.1)	\$ 74,530	(38.4)	\$ 149,072
Westminster	390	1,321	(16.8)	\$ 46,166	(23.8)	\$ 92,394
Weston	635	2,150	(27.3)	\$ 75,125	(38.7)	\$ 150,237
Smaller Municipalities Subtotal	31,755	160,165	(2,310.8)	\$ 6,365,793	(2,872.6)	\$ 11,151,701
4 Unincorporated Areas						
Unincorporated Areas	32,209	109,071	(970.2)	\$ 3,979,180	(1,292.3)	\$ 6,832,510
Unincorporated Area Subtotal	32,209	109,071	(970.2)	\$ 3,979,180	(1,292.3)	\$ 6,832,510
1 through 4 Subtotal						
				\$ 33,562,005		\$ 57,957,388
5 County Special Facilities						
Special Facilities	countywide	countywide	as needed	\$ 7,848,958	as needed	\$ 7,848,958
Special Facilities Subtotal				\$ 7,848,958		\$ 7,848,958
Total	501,042	1,249,564	(7,055.4)	\$ 41,410,963	(9,615.5)	\$ 65,806,347

* Population information a combination of data from the Census 2000 and the Collin County - Population and Employment Forecasts: 2025, prepared by Dunkin, Seifko and Associates, Inc., March 1, 2001



throughout the Plan's 24-year implementation period, the total annual capital cost for the implementation of the estimated municipal and unincorporated parks and open space needs would range from approximately \$33.6 to \$65.8 million in 2001 dollars. This amount does not include any allowance for debt financing. This is equal to an expenditure of from \$68 to \$132 per year, in 2001 dollars, or from 19 to 36 cents per day, for each of the county's existing residents.¹² Within this context, such an expenditure would appear to be a sound investment in the community's livability. If the costs are allocated across the projected 1,286,900 residents anticipated by 2025, the annual per person cost range drops from \$26 to \$51 per year, or from 7 to 14 cents per day.

It should be noted that these figures represent a general cost estimate. They are not intended to represent the financial obligation of any one governmental or private entity. Instead, the cost is intended to represent the estimated combined financial efforts of all of the municipalities, Collin County, non-profits, private citizens, developers, and private corporations. Wherever possible, much of the financing should come from sources outside the local government structure, such as through more interactive relationships between the public and private sectors.

Collectively, the parks, open space and recreational needs for the projected 2025 population in Collin County will be as important to the future development of the county as the new roads, water and sanitary sewer facilities needed to accommodate the County's projected growth. Like the "quality of life" enhancing improvements to the road system, the parks and open space system should be implemented over time, and therefore, cooperative long-term funding and implementation strategies should be developed and employed by the municipalities and Collin County.

The development of new parks, recreation and open space resources will require a corresponding expansion in the ongoing financial commitment to operations and maintenance. A parks system that is poorly maintained becomes a liability to a community rather than an asset. The generally high quality development that is being built throughout Collin County indicates that adequate funding will be necessary for operations and maintenance. This is vital in order to maintain the high "quality of life" which draws new residents and businesses to the county. Like the assignment of capital costs, the commitment to operations and maintenance activities should be spread across the municipalities, Collin County, non-profits, private citizens, developers, and private corporations. Wherever possible, much of the financing should come from sources outside the local government structure, including more

interactive relationships between the public and private sectors.

Regarding the fiscal impact of the Strategic Plan, it should be noted that if the land were developed by the private sector rather than being made part of the parks and open space system, there would still be a public cost implication, i.e., the capital and operating costs required to provide the necessary infrastructure and services to support urban development, as well as the added congestion, air and water pollution associated with urban development. Additionally, studies around the United States have shown that passive parks and open space systems can increase the value of adjacent residential properties, and thus can increase the property tax income from such properties.¹³

How can the Plan be implemented?

Undertaking the land acquisition and improvements program, and providing the funds to adequately operate and maintain the parks system, will require proactive cooperation between the development community, citizens, private corporations, non-profits, land trusts, municipalities and Collin County. All of these entities should explore new strategies and techniques that maximize the leverage and impact of the public monetary commitment to the parks and open space system.

It is highly recommended that immediate action be taken to enact a number of approaches designed to put in place the means by which future parks and open space needs can be met. Using a diversity of implementation techniques and funding sources will broaden the financial and legislative resources

"The use most often competing for potential park land or open space is residential development, and governments often lose money on such development -- that is, it costs more to provide schools, streets and other services than is returned in new taxes. Thus, in many instances, placing the land in recreation use may prevent a drain on the community's finances while engineering a long-term rise in surrounding property values."¹⁸

available to implementing entities. This approach will provide some protection from changing funding and legal environments. As noted in the following discussions regarding individual measures, some techniques will contribute only incrementally to building the implementation approach, while others represent revisions to existing practices, or entirely new practices.

The preservation and expansion of parks and open space in Collin County will most efficiently occur through a cooperative partnership between the County, the municipalities, the development community, private corporations, non-profit organizations, and private landowners. The governments in Collin County, due to limited regulatory power and financial resources, will need the continued input, assistance and cooperation from the citizens of Collin County to ensure that public funds are available and are leveraged to provide maximum benefit and value.

Implementation Recommendations

There are a number of priority recommendations, presented below, which should guide the initial actions of the County, the municipalities, non-profits, private sector, and citizen interests in moving forward with implementation of the Parks and Open Space Strategic Plan for Collin County:

1. Establish a focused, coordinated dialogue between the County, the municipalities, non-profits, the private sector and citizens, designed to specifically advocate the acquisition and development of parks and open space resources;
2. Focus short-term efforts on land acquisition, particularly in areas where new development threatens resources or may inhibit future development of parks and open space facilities;
3. Short-term parkland facility improvements should target those neighborhoods and communities most in need of additional recreational amenities – communities where imminent development may prohibit the acquisition of parkland in the near future, or where valuable natural, cultural or historic resources are threatened by imminent development;
4. Collin County should develop a detailed, financially feasible five-year action program that maximizes the expansion of parks and open space resources for every county dollar expended, whether through direct action, partnering with municipalities, or with other interests. This action program should be ready for implementation

by 2002.

5. Every County-level expenditure that results in land acquisition should be reviewed for its potential to include joint-use as park or open space facilities. A thorough evaluation should be made of the extent to which existing publicly owned land might be dedicated and improved as parkland, in an effort to meet some of the municipal and county recreational facility and open space needs. Similarly, the potential for joint-use of public and private school facilities, as well as other community organizations' facilities, should be examined and defined. The role of non-profit land trusts and privately owned land and facilities should also be assessed.
6. A detailed package of regulatory recommendations should be prepared by Collin County by the end of 2002. In addition to identifying the State-limited regulatory role that is available to the County, the package should also recommend regulatory strategies that should be employed by municipalities in order to support the general development of an integrated and coordinated countywide parks and open space system. This package should address issues such as: parks and open space dedication and/or in lieu fees, floodplain dedication, sensitive lands performance standards, use of flexible development controls such as conservation development and conservation easements, density credit mechanisms, and transfer/purchase of development rights. Due consideration should be given within these recommendations to the role of, and potential credit given to, private recreational amenities in future developments.
7. Approaches to financing the acquisition and improvement of parks and open space should be a necessary part of Collin County and the municipalities' overall provision of service to existing and future residents of the county. Financing and acquisition should employ as many methods as possible to maximize the leverage of public funds with other public, non-profit and private sources of funding.

Summary

In the end, the collective parks and open space system within Collin County will only reflect the commitment, creativity, and hard work of the residents, corporations, non-profits, special interests groups, and elected officials. The residents of Collin County, now numbering around 500,000, represent less than 50% of the anticipated 2025 population, yet the decisions and actions of the current population will have the greatest impact on the future quality of life for the nearly 800,000 new residents anticipated by 2025.

EXECUTIVE SUMMARY ENDNOTES

¹ Collin County—Population and Employment Forecasts: 2025 (Dallas: Dunkin, Sefko and Associates, Inc., March 1, 2001) and the 2000 Census.

² Statement from article by Michael Barrette, "Parks and the City," Planning, August 2001, p. 8.

³ Collin County—Population and Employment Forecasts: 2025 (Dallas: Dunkin, Sefko and Associates, Inc., March 1, 2001)

⁴ The populations of Allen, Frisco, McKinney, Plano and Wylie are as estimated by Dunkin, Sefko and Associates, and only include the populations located within Collin County. The population information for Richardson is from the 2000 Census, and is only for the population located in Collin County.

⁵ Collin County—Population and Employment Forecasts: 2025 (Dallas: Dunkin, Sefko and Associates, Inc., March 1, 2001)

⁶ List derived from a survey distributed at a public meeting held on January 23, 2001, at the Collin County Courthouse.

⁷ Ibid.

⁸ Collin County—Population and Employment Forecasts: 2025 (Dallas: Dunkin, Sefko and Associates, Inc., March 1, 2001), and the Census 2000 (U. S. Census Bureau, 2001)

⁹ Collin County—Population and Employment Forecasts: 2025 (Dallas: Dunkin, Sefko and Associates, Inc., March 1, 2001) – population assumption made by DSA

¹⁰ Collin County – Population and Employment Forecasts: 2025 (Dallas: Dunkin, Sefko and Associates, Inc., March 1, 2001), and the Census 2000 (U. S. Census Bureau, 2001)

¹¹ Ibid.

¹² Total Cost estimated to range from \$805,488,125 to \$1,579,352,328 in 2001 dollars, and includes parkland need for the "big 6", Dallas, the smaller municipalities and unincorporated areas. Population used for the calculation is the 2000 population of 496,806, as estimated by Dunkin, Sefko and Associates, March 1, 2001

¹³ Fausold, C.J., and R.J. Lilieholm. 1999. The Economic Value of Open Space: A Review and Synthesis. *Env. Mgmt.* 23(3):307-320.

¹⁴ Rogers, Will. 1999. in the Introduction to *The economic benefits of parks and open space by Steve Lerner and William Poole*. San Francisco: Trust for Public Land.

¹⁵ Crompton, John L. 2000. The Impact of Parks and Open Space on Property Values and the Property Tax Base. Ashburn, VA: National Recreation & Park Association.

¹⁶ Ibid.

¹⁷ Ibid.

¹⁸ Outdoor Recreation Resources Review Commission. 1962. *Outdoor recreation for America*. Washington, DC: Superintendent of Documents.



CITY OF LAVON

Agenda Brief

MEETING: June 20, 2023

ITEM: 7 - F

Item:

Discussion and action regarding Resolution No. **2023-06-09** selecting Atlas Municipal Services, LLC for the negotiation and award of a professional services agreement, subject to City Attorney approval, for professional building inspection and plan review services; and providing an effective date.

Background:

With the increase in volume in residential building permits and inspections, CCI, the City's contract building inspection service provider suggested that the City engage Atlas Municipal Services to assist in managing the workload, with particular emphasis on commercial and non-single-family construction.

Financial Implication:

The building permit fee structure will be monitored to ensure that fees cover the costs of plan review and inspections.

Staff Notes:

Approval is recommended subject to the City Attorney's final review and approval.

Attachments: 1) Proposed Resolution
2) DRAFT Agreement Form

CITY OF LAVON, TEXAS
RESOLUTION NO. 2023-06-09

Professional Services – Atlas Municipal Services Plan Review and Inspection

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS SELECTING ATLAS MUNICIPAL SERVICES, LLC FOR THE NEGOTIATION AND AWARD OF A PROFESSIONAL SERVICES AGREEMENT, SUBJECT TO CITY ATTORNEY APPROVAL, FOR PROFESSIONAL BUILDING INSPECTION AND PLAN REVIEW SERVICES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to meet the growing demand for professional plan review and building inspection services it has become necessary to expand the available resources for provision of such services, particularly for commercial and non-single-family projects; and

WHEREAS, the City Council has considered and determined that it is in the best interests of the citizens of the City of Lavon to engage Atlas Municipal Services, LLC to provide building inspection and plan review services.

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

SECTION 1. That Atlas Municipal Services LLC be selected for the negotiation and award of a professional services agreement, subject to City Attorney approval, for provision of professional plan review and building inspection services.

SECTION 2. That any and all contracts or commitments made with the above-named service provider are dependent on the successful negotiation of a contract with the service provider

SECTION 3. 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 20th day of June 2023.

Vicki Sanson, Mayor

ATTEST:

Rae Norton, City Secretary

CONSULTING AGREEMENT

THIS CONSULTING AGREEMENT (the "Agreement") is dated this ____ day of June, 2023.

CLIENT

City of Lavon
120 School Rd P.O.Box 340 Lavon, TX
75166
(the "Client")

CONSULTANT

Atlas Municipal Services, LLC
10259 Winterhaven Ln Aubrey, TX 76227
(the "Consultant")

BACKGROUND

- A. The Client is of the opinion that the Consultant has the necessary qualifications, experience and abilities to provide consulting services to the Client.
- B. The Consultant is agreeable to providing such consulting services to the Client on the terms and conditions set out in this Agreement.

IN CONSIDERATION OF the matters described above and of the mutual benefits and obligations set forth in this Agreement, the receipt and sufficiency of which consideration is hereby acknowledged, the Client and the Consultant (individually the "Party" and collectively the "Parties" to this Agreement) agree as follows:

SERVICES PROVIDED

1. The Client hereby agrees to engage the Consultant to provide the Client with the following consulting services (the "Services"):
 - Inspections and Plan Review.
2. The Services will also include any other consulting tasks which the Parties may agree on. The Consultant hereby agrees to provide such Services to the Client.

TERM OF AGREEMENT

3. The term of this Agreement (the "Term") will begin on the date of this Agreement and will remain in full force and effect indefinitely until terminated as provided in this Agreement.
4. In the event that either Party wishes to terminate this Agreement, that Party will be required to provide 90 days' written notice to the other Party.
5. In the event that either Party breaches a material provision under this Agreement, the non-

defaulting Party may terminate this Agreement immediately and require the defaulting Party to indemnify the non-defaulting Party against all reasonable damages.

6. This Agreement may be terminated at any time by mutual agreement of the Parties.
7. Except as otherwise provided in this Agreement, the obligations of the Consultant will end upon the termination of this Agreement.

PERFORMANCE

8. The Parties agree to do everything necessary to ensure that the terms of this Agreement take effect.

CURRENCY

9. Except as otherwise provided in this Agreement, all monetary amounts referred to in this Agreement are in USD (US Dollars).

COMPENSATION

10. The Consultant will charge the Client for the Services as follows (the "Compensation"):
 - Per Exhibit A.
11. Invoices submitted by the Consultant to the Client are due within 30 days of receipt.
12. In the event that this Agreement is terminated by the Client prior to completion of the Services but where the Services have been partially performed, the Consultant will be entitled to pro rata payment of the Compensation to the date of termination provided that there has been no breach of contract on the part of the Consultant.
13. The Consultant will not be reimbursed for any expenses incurred in connection with providing the Services of this Agreement.

INTEREST ON LATE PAYMENTS

14. Interest payable on any overdue amounts under this Agreement is charged at a rate of 1.50% per annum or at the maximum rate enforceable under applicable legislation, whichever is lower.

CONFIDENTIALITY

15. Confidential information (the "Confidential Information") refers to any data or information relating to the business of the Client which would reasonably be considered to be proprietary to the Client including, but not limited to, accounting records, business processes, and client records and that is not generally known in the industry of the Client and where the release of that Confidential Information could reasonably be expected to cause harm to the Client.
16. The Consultant agrees that they will not disclose, divulge, reveal, report or use, for any purpose,

any Confidential Information which the Consultant has obtained, except as authorized by the Client or as required by law. The obligations of confidentiality will apply during the Term and will survive indefinitely upon termination of this Agreement.

17. All written and oral information and material disclosed or provided by the Client to the Consultant under this Agreement is Confidential Information regardless of whether it was provided before or after the date of this Agreement or how it was provided to the Consultant.

OWNERSHIP OF INTELLECTUAL PROPERTY

18. All intellectual property and related material (the "Intellectual Property") that is developed or produced under this Agreement, will be the property of the Consultant. The Client is granted a non-exclusive limited-use license of this Intellectual Property.
19. Title, copyright, intellectual property rights and distribution rights of the Intellectual Property remain exclusively with the Consultant.

RETURN OF PROPERTY

20. Upon the expiration or termination of this Agreement, the Consultant will return to the Client any property, documentation, records, or Confidential Information which is the property of the Client.

CAPACITY/INDEPENDENT CONTRACTOR

21. In providing the Services under this Agreement it is expressly agreed that the Consultant is acting as an independent contractor and not as an employee. The Consultant and the Client acknowledge that this Agreement does not create a partnership or joint venture between them, and is exclusively a contract for service. The Client is not required to pay, or make any contributions to, any social security, local, state or federal tax, unemployment compensation, workers' compensation, insurance premium, profit-sharing, pension or any other employee benefit for the Consultant during the Term. The Consultant is responsible for paying, and complying with reporting requirements for, all local, state and federal taxes related to payments made to the Consultant under this Agreement.

RIGHT OF SUBSTITUTION

22. Except as otherwise provided in this Agreement, the Consultant may, at the Consultant's absolute discretion, engage a third party sub-contractor to perform some or all of the obligations of the Consultant under this Agreement and the Client will not hire or engage any third parties to assist with the provision of the Services.
23. In the event that the Consultant hires a sub-contractor:
- the Consultant will pay the sub-contractor for its services and the Compensation will remain payable by the Client to the Consultant.
 - for the purposes of the indemnification clause of this Agreement, the sub-contractor is

an agent of the Consultant.

AUTONOMY

- 24.** Except as otherwise provided in this Agreement, the Consultant will have full control over working time, methods, and decision making in relation to provision of the Services in accordance with the Agreement. The Consultant will work autonomously and not at the direction of the Client. However, the Consultant will be responsive to the reasonable needs and concerns of the Client.

EQUIPMENT

- 25.** Except as otherwise provided in this Agreement, the Consultant will provide at the Consultant's own expense, any and all equipment, software, materials and any other supplies necessary to deliver the Services in accordance with the Agreement.

NO EXCLUSIVITY

- 26.** The Parties acknowledge that this Agreement is non-exclusive and that either Party will be free, during and after the Term, to engage or contract with third parties for the provision of services similar to the Services.

NOTICE

- 27.** All notices, requests, demands or other communications required or permitted by the terms of this Agreement will be given in writing and delivered to the Parties at the following addresses:

a. City of Lavon
120 School Rd., P.O. Box 340 Lavon, TX 75166

b. Atlas Municipal Services, LLC
10259 Winterhaven Ln Aubrey, TX 76227

or to such other address as either Party may from time to time notify the other, and will be deemed to be properly delivered (a) immediately upon being served personally, (b) two days after being deposited with the postal service if served by registered mail, or (c) the following day after being deposited with an overnight courier.

INDEMNIFICATION

- 28.** Except to the extent paid in settlement from any applicable insurance policies, and to the extent permitted by applicable law, each Party agrees to indemnify and hold harmless the other Party, and its respective directors, shareholders, affiliates, officers, agents, employees, and permitted successors and assigns against any and all claims, losses, damages, liabilities, penalties, punitive damages, expenses, reasonable legal fees and costs of any kind or amount whatsoever, which result from or arise out of any act or omission of the indemnifying party, its

respective directors, shareholders, affiliates, officers, agents, employees, and permitted successors and assigns that occurs in connection with this Agreement. This indemnification will survive the termination of this Agreement.

MODIFICATION OF AGREEMENT

29. Any amendment or modification of this Agreement or additional obligation assumed by either Party in connection with this Agreement will only be binding if evidenced in writing signed by each Party or an authorized representative of each Party.

TIME OF THE ESSENCE

30. Time is of the essence in this Agreement. No extension or variation of this Agreement will operate as a waiver of this provision.

ASSIGNMENT

31. The Consultant will not voluntarily, or by operation of law, assign or otherwise transfer its obligations under this Agreement without the prior written consent of the Client.

ENTIRE AGREEMENT

32. It is agreed that there is no representation, warranty, collateral agreement or condition affecting this Agreement except as expressly provided in this Agreement.

ENUREMENT

33. This Agreement will enure to the benefit of and be binding on the Parties and their respective heirs, executors, administrators and permitted successors and assigns.

TITLES/HEADINGS

34. Headings are inserted for the convenience of the Parties only and are not to be considered when interpreting this Agreement.

GENDER

35. Words in the singular mean and include the plural and vice versa. Words in the masculine mean and include the feminine and vice versa.

GOVERNING LAW

36. This Agreement will be governed by and construed in accordance with the laws of the State of Texas.

SEVERABILITY

37. In the event that any of the provisions of this Agreement are held to be invalid or unenforceable

in whole or in part, all other provisions will nevertheless continue to be valid and enforceable with the invalid or unenforceable parts severed from the remainder of this Agreement.

WAIVER

- 38.** The waiver by either Party of a breach, default, delay or omission of any of the provisions of this Agreement by the other Party will not be construed as a waiver of any subsequent breach of the same or other provisions. the Parties have duly affixed their signatures under hand and seal on this _____ day of ____
-

City of Lavon

Per: _____

Officer's Name: _____

Atlas Municipal Services, LLC

Per: _____

Officer's Name: _____

EXHIBIT “A”

Commercial Plan Review & Inspections	
Project Valuation	Fee
\$1.00 to \$5,000	\$150.00
\$5,000.01 to \$25,000.00	\$150.00 for the first \$10,000.00 plus \$10.00 for each additional \$1,000.00; or fraction thereof, to and including \$25,000
\$25,000.01 to \$50,000.00	\$350.00 for the first \$25,000.00 plus \$8.00 for each additional \$1,000.00; or fraction thereof, to and including \$50,000
\$50,000.01 to \$100,000.00	\$550.00 for the first \$50,000.00 plus \$5.00 for each additional \$1,000.00; or fraction thereof, to and including \$100,000
\$100,000.01 to \$500,000.00	\$800.00 for the first \$100,000.00 plus \$4.00 for each additional \$1,000.00; or fraction thereof, to and including \$500,000
\$500,000.01 to \$1,000,000.00	\$2400.00 for the first \$500,000.00 plus \$3.00 for each additional \$1,000.00; or fraction thereof, to and including \$1,000,000
\$1,000,000.01 and up	\$3900.00 for the first \$1,000,000.00 plus \$2.00 for each additional \$1,000.00; or fraction thereof



CITY OF LAVON Agenda Brief

MEETING: June 20, 2023

ITEM: 7 - G

Item:

Discussion and action regarding authority and management of the City's On-Site Sewage Facility (OSSF) Program.

Background:

In May 2023, the city staff and designated representative (DR) met with staff from the Texas Commission on Environmental Quality (TCEQ) to review administration of the OSSF program and related permitting, complaint processes, and maintenance reporting requirements.

The City currently contracts with a Health Inspector who also serves as the DR and handles new permits as well as complaints. The DR has informed the City that they would like the City to find another provider of DR services as they are phasing DR services out of the services they provide.

In exploring options, the City staff found that many Collin County cities have interlocal agreements with Collin County for the County to manage the program. By agreement, Collin County would become the point of contact for all items relating to OSSF's, including all reporting.

Entity	Requires Maintenance Contract	Minimum Lot size	Permitting/Reporting
City of Lavon	No	1/2 acre	Yes - through City of Lavon Permitting
Collin County	Residential: Yes (Inspection 3x's yr.) Commercial: Yes Annual BOD Testing (Biological Oxygen Demand)	1 acre/1.5 acre Existing OSSF and platted lots would be grandfathered.	Yes - through Collin County Development Services

Information relating to the current practice is attached. City staff estimates that there are presently approximately three hundred (300) properties served by OSSFs of which at least half are believed to have maintenance contracts.

Financial Implications:

Alternatives include finding an alternative DR service provider or hiring additional staff to obtain the DR license and/or manage the administration of the program.

Transferring responsibility to the County is anticipated to result in cost savings to the City.

Staff Notes:

If the City Council directs, the city staff will work with Collin County and TCEQ to prepare an appropriate interlocal agreement.

Attachments: Information re OSSF

THE STATE OF TEXAS

COUNTY OF COLLIN

Subject: Resolution, Rules for On-Site Sewage Facilities – Development Services

On **March 11, 2008**, the Commissioners Court of Collin County, Texas, met in **regular session** with the following members present and participating, to wit:

Keith Self
Phyllis Cole
Jerry Hoagland
Joe Jaynes
Jack Hatchell

County Judge, Presiding
Commissioner, Precinct 1
Commissioner, Precinct 2
Commissioner, Precinct 3
Commissioner, Precinct 4

During such session the court considered a request for approval of the attached resolution adopting the rules of Collin County, Texas for On-Site Sewage Facilities.

Thereupon, a motion was made, second and carried with a majority vote of the court for approval of the attached resolution adopting the rules of Collin County, Texas for On-Site Sewage Facilities. Same is hereby approved in accordance with the attached documentation.



Keith Self, County Judge



Phyllis Cole, Commissioner, Pct. 1

~ No Vote ~

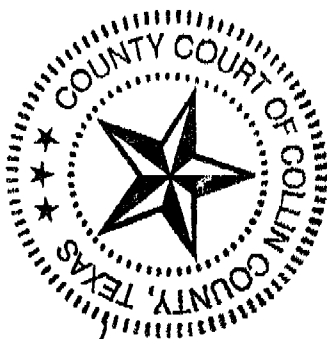
Jerry Hoagland, Commissioner, Pct. 2



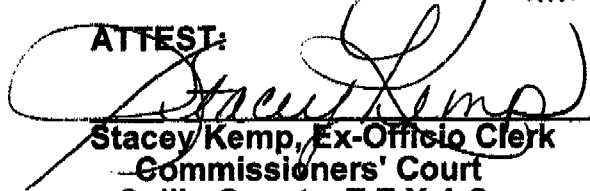
Joe Jaynes, Commissioner, Pct. 3



Jack Hatchell, Commissioner, Pct. 4



ATTEST:



Stacey Kemp, Ex-Officio Clerk
Commissioners' Court
Collin County, TEXAS

**ORDER ADOPTING RULES OF COLLIN COUNTY, TEXAS
FOR ON-SITE SEWAGE FACILITIES
PREAMBLE**

WHEREAS, the Texas Commission on Environmental Quality has established Rules for on-site sewage facilities to provide the citizens of this State with adequate public health protection and a minimum of environmental pollution; and

WHEREAS, the Legislature has enacted legislation, codified as Texas Health and Safety Code, Chapter 366, which authorizes a local government to regulate the use of on-site sewage facilities in its jurisdiction in order to abate or prevent pollution or injury to public health arising out of the use of on-site sewage facilities; and

WHEREAS, due notice was given of a public meeting to determine whether the Commissioners Court of Collin County, Texas should enact an order controlling or prohibiting the installation or use of on-site sewage facilities in the County of Collin, Texas; and

WHEREAS, the Commissioners Court of Collin County, Texas finds that the use of on-site sewage facilities in Collin County, Texas is causing or may cause pollution, and is injuring or may injure the public health; and

WHEREAS, the Commissioners Court of Collin County, Texas has considered the matter and deems it appropriate to enact an Order adopting Rules regulating on-site sewage facilities to abate or prevent pollution, or injury to public health in Collin County, Texas.

NOW, THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF COLLIN COUNTY, TEXAS:

SECTION 1. THAT the matters and facts recited in the preamble hereof are hereby found and determined to be true and correct;

SECTION 2. THAT the use of on-site sewage facilities in Collin County, Texas is causing or may cause pollution or is injuring or may injure the public health;

SECTION 3. THAT an Order for Collin County, Texas be adopted entitled "On-Site Sewage Facilities", which shall read as follows:

AN ORDER ENTITLED ON-SITE SEWAGE FACILITIES

SECTION 4. CONFLICTS.

This Order repeals and replaces any other On-site Sewage Facility order for Collin County.

SECTION 5. CHAPTER 366.

The County of Collin, Texas clearly understands that there are technical criteria, legal requirements, and administrative procedures and duties associated with regulating on-site sewage facilities, and will fully enforce Chapter 366 of the Texas Health and Safety Code (H&SC) and Chapters 7 and 37 of the Texas Water Code (TWC), and associated rules referenced in Section 8 of this Order.

SECTION 6. AREA OF JURISDICTION.

(A) The Rules shall apply to all the area lying in Collin County, Texas, except for the area regulated under an existing Rule and the areas within incorporated cities.

(B) (OPTIONAL) These Rules shall apply to those incorporated cities or towns that have executed intergovernmental contracts with Collin County, Texas.

SECTION 7. ON-SITE SEWAGE FACILITY RULES.

Any permit issued for an on-site sewage facility within the jurisdictional area of Collin County, Texas must comply with the Rules adopted in Section 8 of this Order.

SECTION 8. ON-SITE SEWAGE FACILITY RULES ADOPTED.

The Rules, Title 30 Texas Administrative Code (TAC) Chapter 285 and Chapter 30, attached hereto, promulgated by the Texas Commission on Environmental Quality for on-site sewage facilities are hereby adopted, and all officials and employees of Collin County, Texas having duties under said Rules are authorized to perform such duties as are required of them under said Rules.

SECTION 9. INCORPORATION BY REFERENCE.

The Rules, 30 TAC Chapters 30 and 285 and all future amendments and revisions thereto are incorporated by reference and are thus made a part of these Rules. A copy of the current Rules are attached to these Rules as Appendix I.

SECTION 10. AMENDMENTS. (OPTIONAL)

The County of Collin, Texas wishing to adopt more stringent Rules for its On-Site Sewage Facility Order understands that the more stringent conflicting local Rule shall take precedence over the corresponding Texas Commission on Environmental Quality requirement. Listed below are the more stringent Rules adopted by Collin County, Texas:

- (a) Platted or unplatted subdivisions of land served by a public water supply, but utilizing on-site sewage facility methods for sewage disposal, platted or subdivided after the effective date of the original order (Court Order # 83-194-4-4, effective April 4th, 1983) shall provide for individual lots having a USEABLE surface area of at least one (1) acre.
- (b) Platted or unplatted subdivisions of land served by individual water systems and utilizing on-site sewage facility methods for sewage disposal, platted or subdivided after the effective date of the original order (Court Order # 97-812-11-24, effective November 24th, 1997) shall provide for individual lots having a USEABLE surface area of at least one and one half (1.5) acres.
- (c) Either a registered professional sanitarian (with a current site-evaluator's certification) or registered professional engineer shall perform all site evaluations and complete any OSSF designs, as-builts or system certifications.
- (d) All OSSF systems in Collin County's jurisdiction shall be subject to Licensing Requirements regardless of lot size.
- (e) Maintenance inspections shall be performed ever four months, with no fewer than 120 days and no more than 130 days between inspections.
- (f) All surface irrigation spray heads shall be subsurface (pop-up) heads.
- (g) Any/all required OSSF maintenance must be performed by an appropriately licensed OSSF Professional – home/property owner maintenance allowed only if the owner has a minimum of Class D Wastewater License and proof of training by an appropriately licensed OSSF Professional. Any home/property owner that will be maintaining their own system must submit an annual letter stating intent to maintain their own system for the year to Collin County Development Services, along with copies of current WWD (or higher) license and training certification. Additionally, homeowners maintaining their own systems must perform all required testing and submit reports to Collin County Development Services 3 times a year as required by TCEQ and Collin County OSSF regulations.
- (h) Annual BOD testing required for any non-residential OSSF (or any residential OSSF that also receives wastewater from a non-residential source/use). BOD test results must be submitted to Collin County.
- (i) In addition to the required, weather resistant tag on the OSSF, Maintenance Providers must submit written notification (door hanger, mailed letter or email) to the OSSF owner within 7 days of routine maintenance visit or visit in response to a complaint. The notification must include the date and time of the visit, the nature of the visit, the findings of the visit and (if applicable) the date and time of any necessary follow-up visits related to complaints.

SECTION 10 or 11. DUTIES AND POWERS.

The OSSF Inspector of Collin County, Texas, must be certified by the Texas Commission on Environmental Quality before assuming the duties and responsibilities.

SECTION 11 or 12. COLLECTION OF FEES.

All fees collected for permits and/or inspections shall be made payable to Collin County, Texas.

SECTION 12 or 13. APPEALS.

Persons aggrieved by an action or decision of the designated representative may appeal such action or decision to the Commissioners Court of Collin County, Texas.

SECTION 13 or 14. PENALTIES.

This Order adopts and incorporates all applicable penalty provisions related to on-site sewage facilities, which includes, but is not limited to, those found in Chapters 341 and 366 of the Texas Health and Safety Code, Chapters 7, 26, and 37 of the Texas Water Code and 30 TAC Chapters 30 and 285.

SECTION 14 or 15. SEVERABILITY

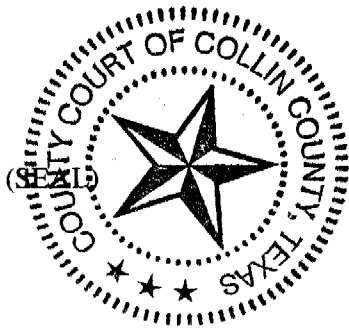
It is hereby declared to be the intention of the Commissioners Court of Collin County, Texas, that the phrases, clauses, sentences, paragraphs, and sections of this Order are severable, and if any phrase, clause, sentence, paragraph, or section of this Order should be declared unconstitutional by the valid judgement or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Order, since the same would have been enacted by the Commissioners Court without incorporation in this Order of such unconstitutional phrases, clause, sentence, paragraph, or section.

SECTION 15 or 16. EFFECTIVE DATE.

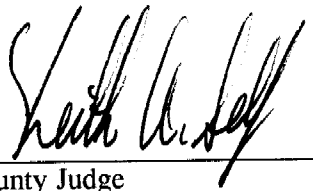
This Order shall be in full force and effect from and after its date of approval as required by law and upon the approval of the Texas Commission on Environmental Quality.

AND IT IS SO ORDERED:


PASSED AND APPROVED THIS 11th DATE OF MARCH, 2008.



APPROVED:


County Judge

ATTEST:


County Clerk



CITY OF LAVON

Agenda Brief

MEETING: June 20, 2023

ITEM: 7 - H

Item:

Discussion and action regarding Board and Commission appointments – Lavon Economic Development Corporation Board of Directors and Lavon Volunteer Fire Department Board of Directors.

Background:

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

The two-year terms of Places 2, 4, and 6 of the Lavon Economic Development Corporation are scheduled to expire in July. The Directors presently serving in these places have expressed a willingness to be reappointed should that be the desire of the City Council.

The two-year term of Seat 2 of the Lavon Volunteer Fire Department Board of Directors is scheduled to expire in June.

Attachments:

- 1) Spreadsheet – Boards & Commissions
- 2) Volunteer Applications available upon request

City of Lavon Boards & Commissions

June 2023

Place	Elected / Appointed	Name	Term Expires	Appointment Notes
City Council Members				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 Development Corp Board 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 & Zoning Commission				5 members, residency req
Seat 1	5/3/2022	Jeffrey Cox	6/1/2025	
Seat 2	7/19/2016	Deborah Nabors	6/1/2024	
Seat 3	6/1/2021	Brad Tiegs	6/1/2025	
Seat 4	5/3/2022	Travis Jacob	6/1/2024	
Seat 5, Chair	8/16/2011	David Rosenquist	6/1/2025	
	ex officio	Vicki Sanson		

Parks & Recreation Board				5 members; residency req
Seat 1	5/2/2023	Tracy Filo	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	

LVFD Board of Directors				3 members
Seat 1	6/19/2018	Mindi Serkland	6/19/2024	
Seat 2	6/19/2018	Mike Jones	6/19/2023	
Seat 3	5/3/2022	Kay Wright	6/19/2024	

Boards that meet Ad Hoc:

Board of Adjustment				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	2/21/2023	Karen Jacob	1/17/2024	<i>formerly Kristin Moore</i>
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: June 20, 2023

ITEM: 8

Item:

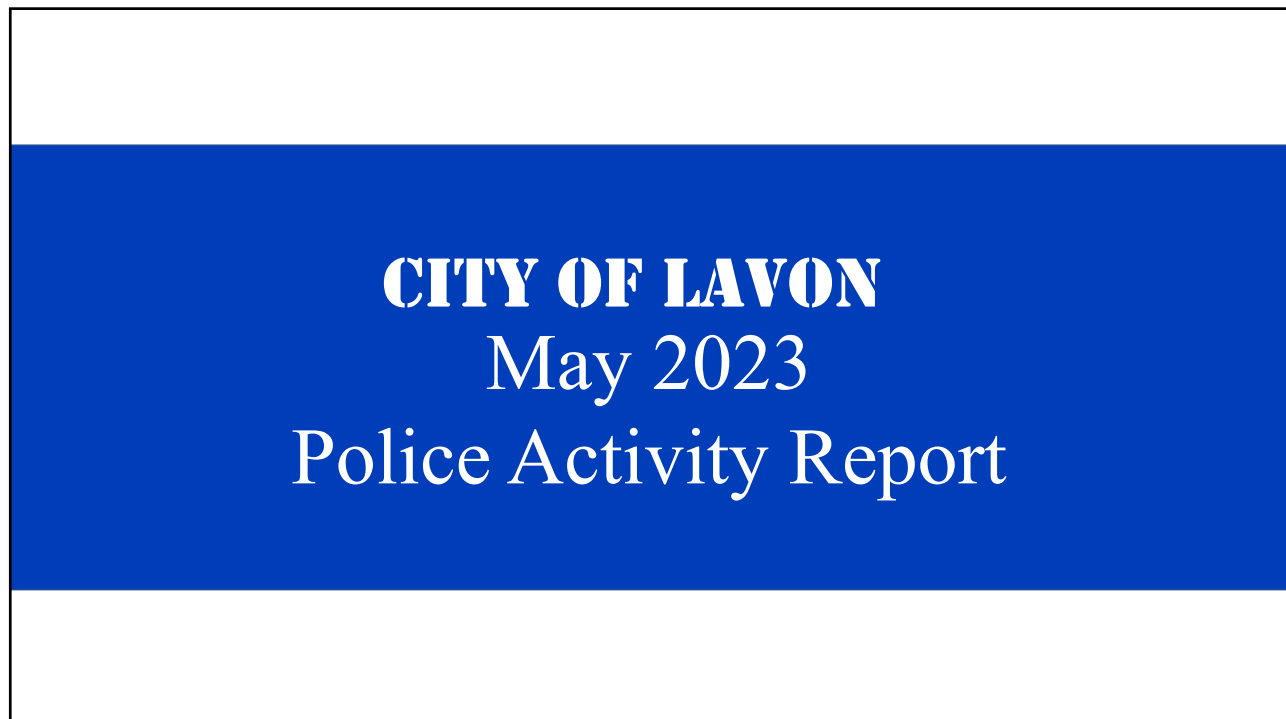
DEPARTMENT REPORTS

Members may receive and discuss the reports.

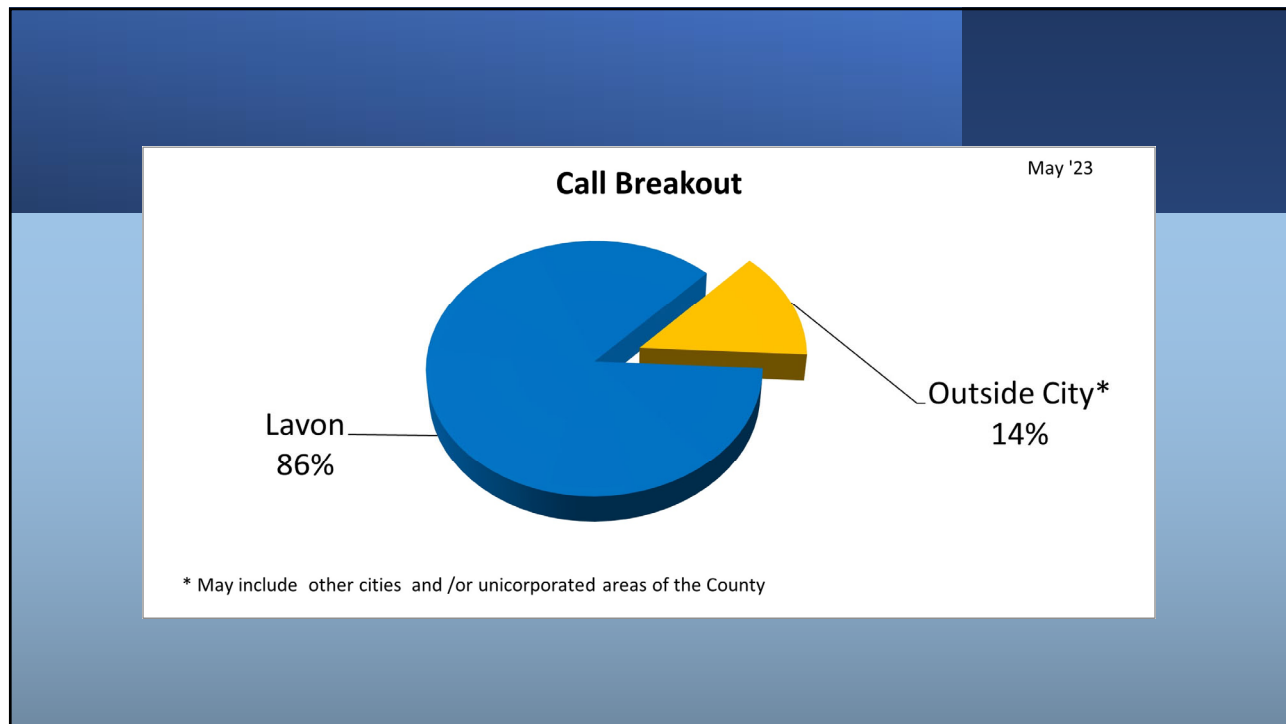
- A.** Police Services – Service, activity, programs, and administration report
- B.** Fire Services – Service, activity, programs, and administration report
- C.** Public Works Services – utilities, capital projects, public works, and street maintenance report
- D.** Capital Improvements Plan (CIP)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



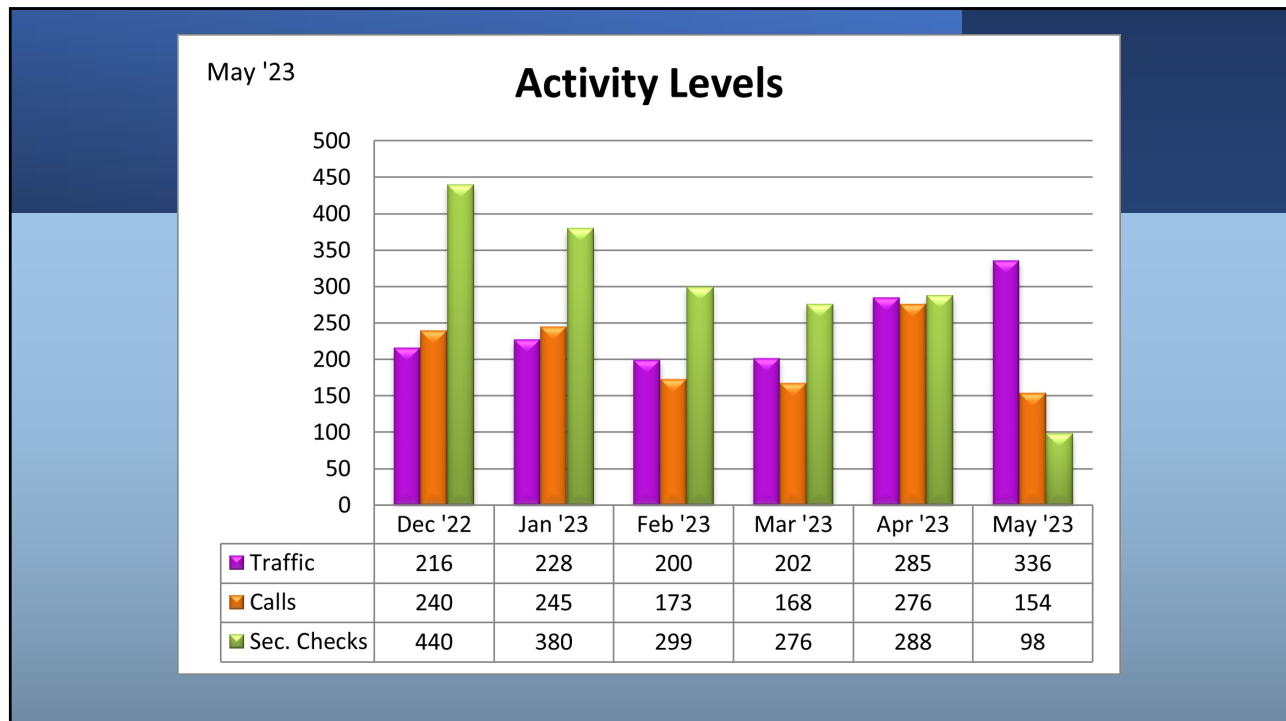
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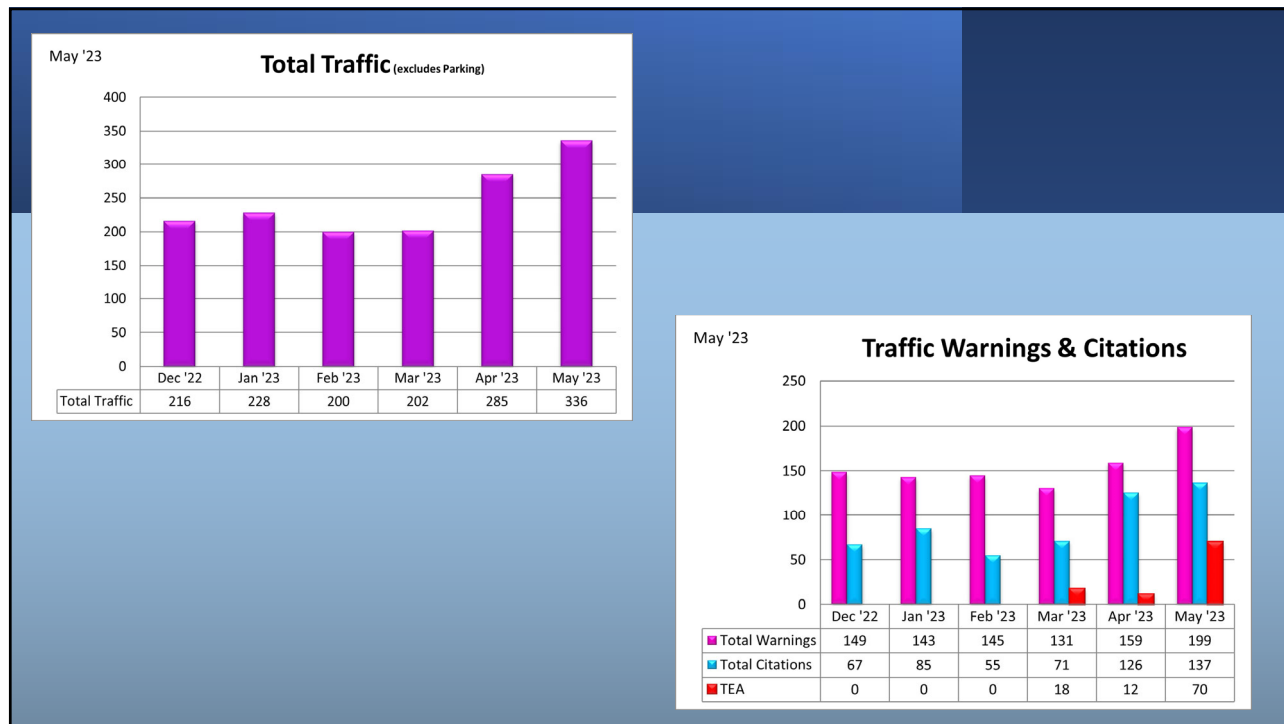
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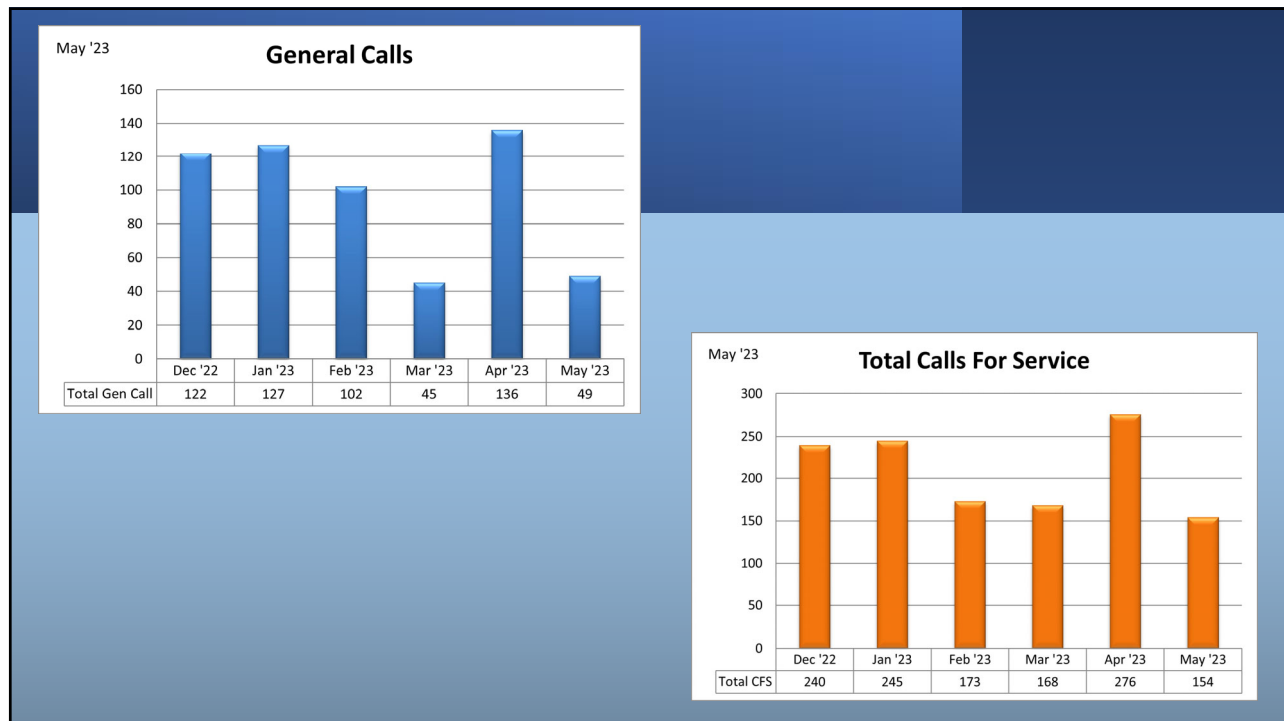
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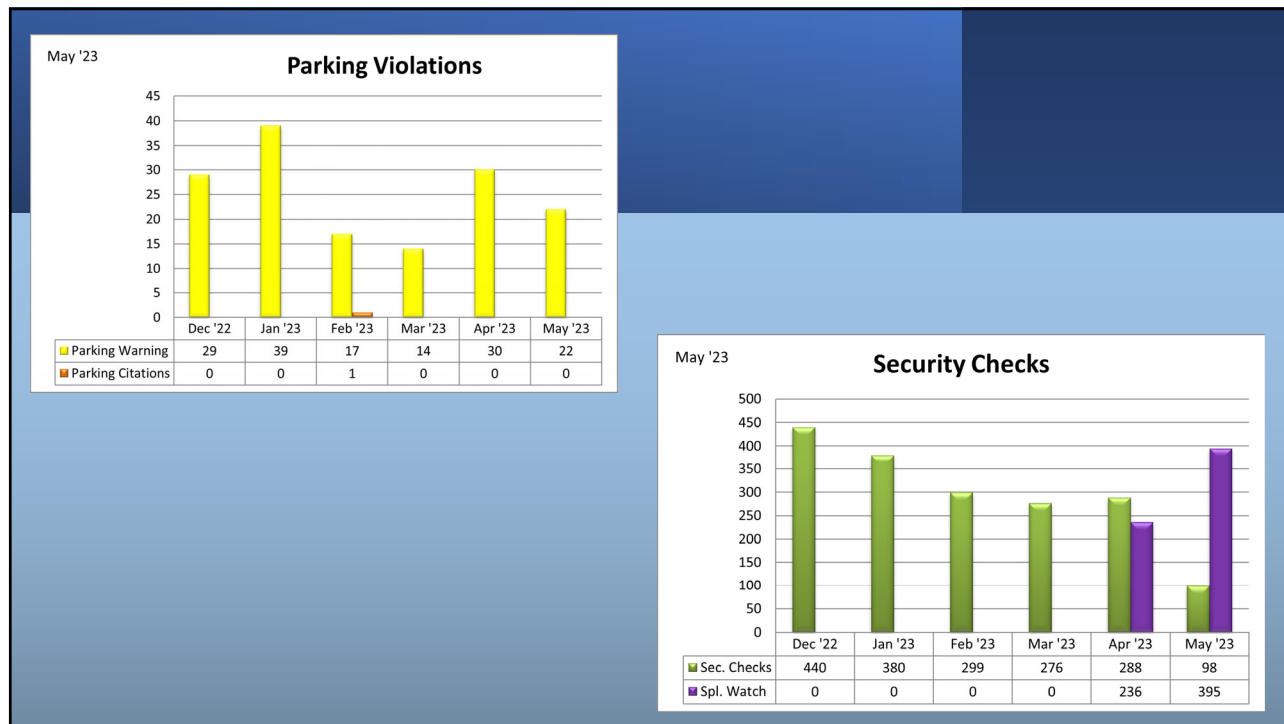
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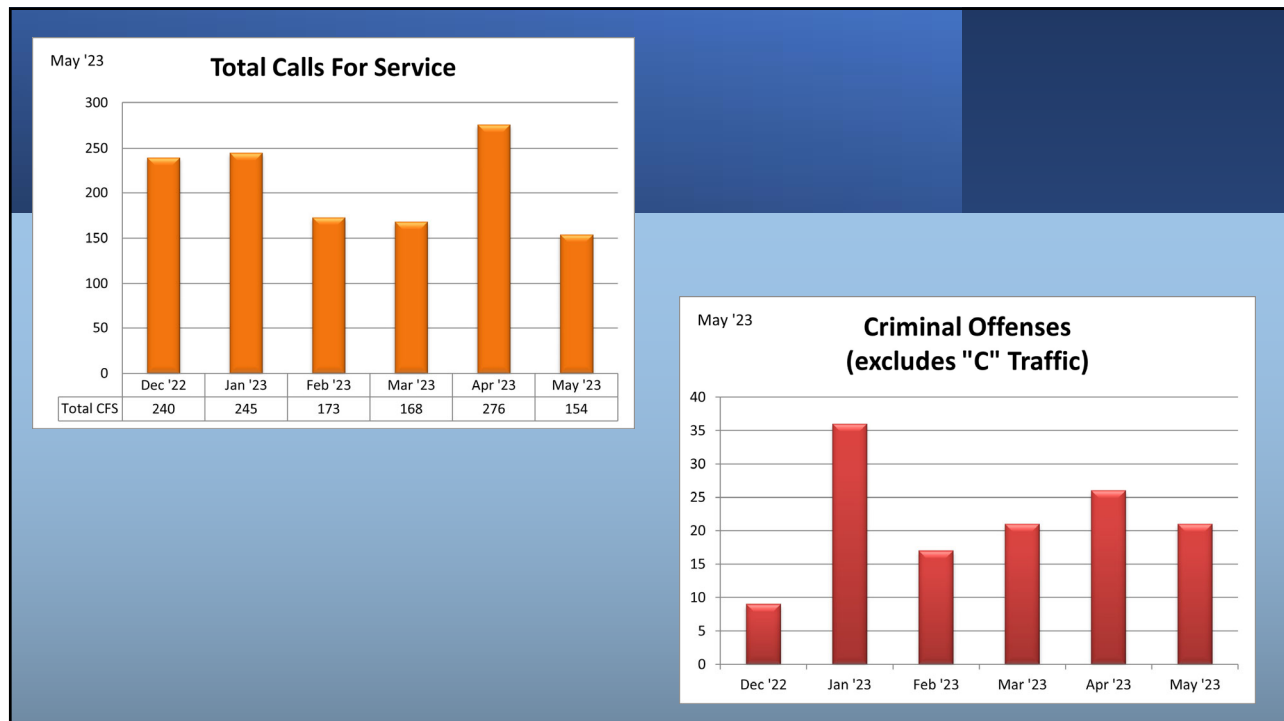
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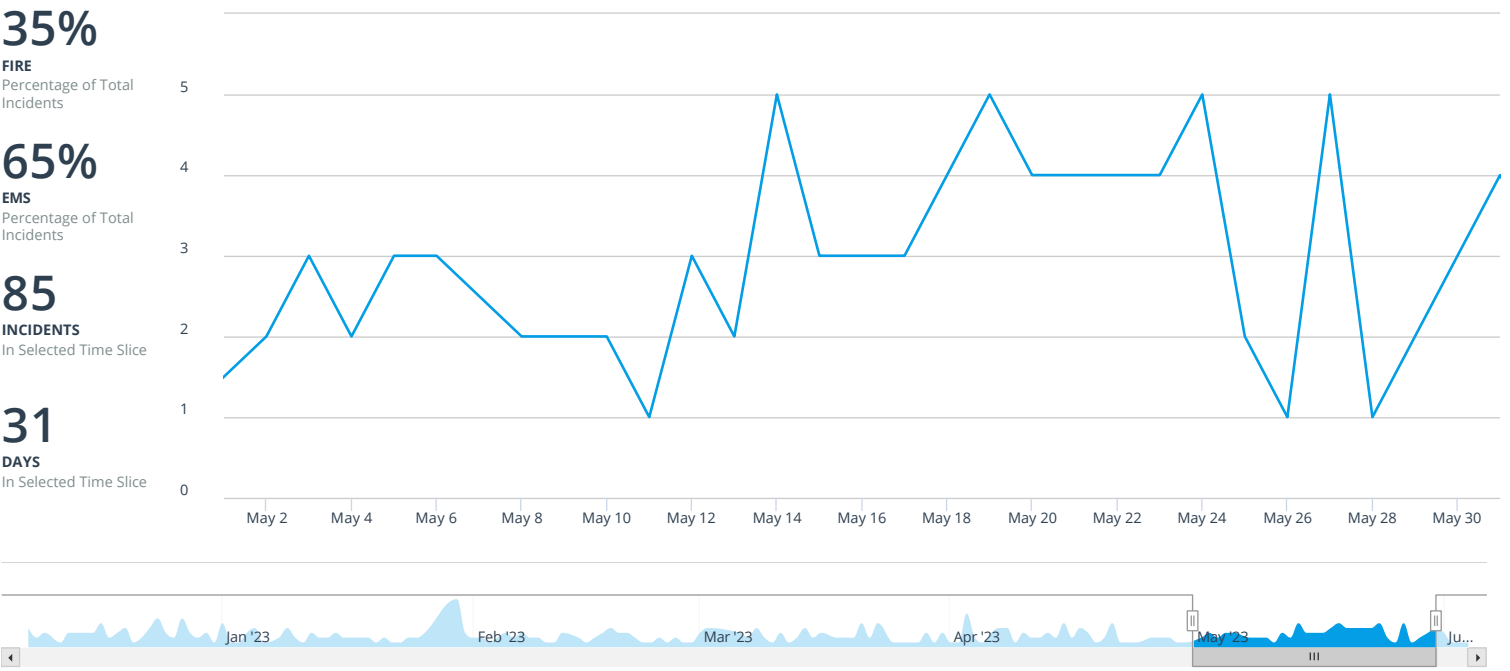
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8

Previous Month ▾

May 1, 2023 - May 31, 2023 ▾



Counts % Rows % Columns % All

Week Ending	5/7/23	5/14/23	5/21/23	5/28/23	6/4/23	6/11/23	6/18/23	6/25/23	7/2/23	7/9/23	7/16/23	7/23/23	7/30/23	Total
(11) Structure Fire		2			1									3
(12) Fire in mobile property used as a fixed structure		1												1
(13) Mobile property (vehicle) fire				1										1
(14) Natural vegetation fire				2										2
(32) Emergency medical service (EMS) incident	10	9	19	13	4									55
(34) Search for lost person			1											1
(41) Combustible/f... spills & leaks	1													1
(51) Person in distress					2									2
(55) Public service assistance			2	2										4
(56) Unauthorized burning				1										1
(61) Dispatched and canceled en route	2	1	1	1	1									6
(63) Controlled burning			1											1
(65) Steam, other gas mistaken for smoke				1										1
(70) False alarm and false call, other			1											1

Week Ending	5/7/23	5/14/23	5/21/23	5/28/23	6/4/23	6/11/23	6/18/23	6/25/23	7/2/23	7/9/23	7/16/23	7/23/23	7/30/23	Total
(73) System or detector malfunction		1												1
(74) Unintentional system/detect... operation (no fire)				1	1									2
(90) Special type of incident, other			1											1
UNK		1												1
Total	13	15	26	22	9									85

CITY OF LAVON
BUILDING PERMITS
CALENDAR YEAR 2022-2023

PERMITS	May-2023	Calendar Year 2023	Permit Valuations	May-2022	Calendar Year 2022	Permit Valuations
	NUMBER	NUMBER	Permit Fee's	NUMBER	NUMBER	Permit Fee's
COMMERCIAL	7	28	\$82,929.95	6	27	\$1,200.00
SINGLE FAMILY	20	70	\$280,866.56	43	210	\$770,170.57
POOLS	1	1	\$400.00	3	5	\$2,000.00
OTHERS	19	184	\$24,304.50	67	375	\$43,497.53
TOTAL			\$388,501.01			\$816,868.10



Community Waste Disposal Monthly Report to the City of Lavon

Nicole Roemer *Municipal Director*





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.

	May-2023	Apr-2023	Mar-2023	Feb-2023	Jan-2023	Dec-2022	Nov-2022	Oct-2022	Sep-2022	Aug-2022	Jul-2022	Jun-2022
Homes	2,668	2,376	2,303	2,303	2,216	2,215	2,189	2,157	2,157	2,082	2,082	1,970
Resi Rcy Tonnage	58.34	34.51	53.40	45.41	33.25	45.59	39.83	24.87	37.57	39.03	44.59	66.54
Pounds / Home / Month	43.73	29.05	46.37	39.44	30.01	41.16	36.39	23.06	34.84	37.49	42.83	67.55



Municipal Service Inquiries

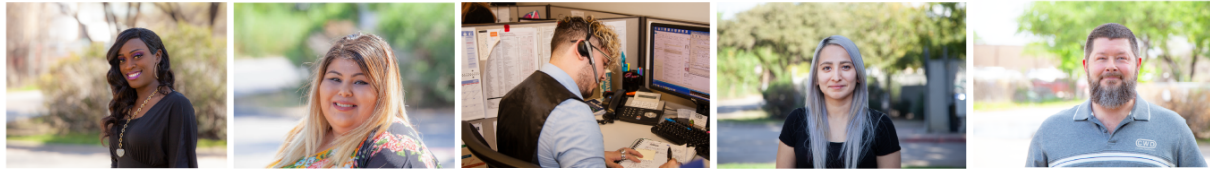


Residential Solid Waste Services

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

	May-2023	Apr-2023	Mar-2023	Feb-2023	Jan-2023	Dec-2022	Nov-2022	Oct-2022	Sep-2022	Aug-2022	Jul-2022	Jun-2022
Service Opportunities	21,987	20,576	19,943	19,943	19,190	19,181	18,956	18,679	18,679	18,030	18,030	17,060
Service Inquiries	31	36	33	16	11	25	20	30	27	17	13	17
Per 1,000 Service Opps	1.41	1.75	1.65	0.80	0.57	1.30	1.06	1.61	1.45	0.94	0.72	1.00

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 05/01/2023 - 05/31/2023

Date	Account	Address	Service Type	Service Code
05/10/2023	105627-1210	327 MCCLENDON RD		
05/10/2023	105627-1265	325 MCCLENDON RD		
05/24/2023	105627-1317	440 WOLF RUN CT		
				Total : 3
05/04/2023	105627-064	600 LINCOLN AVE	RESI-BULK	RESI R/L BULK
05/11/2023	105627-1185	709 HUNTER TRACE LN	RESI-BULK	RESI R/L BULK
05/11/2023	105627-1075	228 AUTUMN HILL BLUFF, WEST	RESI-BULK	RESI R/L BULK
05/11/2023	105627-1104	466 WINTERWOOD DR	RESI-BULK	RESI R/L BULK
05/12/2023	105627-1066	964 AUSTIN LN	RESI-BULK	RESI R/L BULK
05/19/2023	105627-515	633 AUSTIN LN	RESI-BULK	RESI R/L BULK
05/26/2023	105627-1018	510 GRANT LN	RESI-BULK	SERVICE TRASH CART
				Total RESI-BULK: 7
05/04/2023	105627-1206	544 LINCOLN AVE	RESI-RECYCLE	SERVICE RCYCART
05/04/2023	105627-1207	DO NOT USE DUP ACCT	RESI-RECYCLE	SERVICE RCYCART
05/04/2023	105627-915	272 TALLGRASS DRIVE	RESI-RECYCLE	SERVICE RCYCART
05/05/2023	105627-942	507 AVERY POINTE	RESI-RECYCLE	SERVICE RCYCART
05/10/2023	105627-915	272 TALLGRASS DRIVE	RESI-RECYCLE	SERVICE RCYCART
05/10/2023	105627-761	246 SUNSHINE LN	RESI-RECYCLE	SERVICE RCYCART
05/25/2023	105627-510	632 BONHAM	RESI-RECYCLE	SERVICE RCYCART

					Total RESI-RECYCLE: 7
05/03/2023	105627-876	498 LAKE RD	RESI-TRASH	SERVICE TRASH CART	
05/04/2023	105627-1208	275 BRAVES WAY	RESI-TRASH	SERVICE TRASH CART	
05/10/2023	105627-1259	513 MAIN ST	RESI-TRASH	SERVICE TRASH CART	
05/10/2023	105627-410	552 WILLOW LN	RESI-TRASH	SERVICE TRASH CART	
05/10/2023	105627-1268	365 ORBIT DR	RESI-TRASH	SERVICE TRASH CART	
05/11/2023	105627-1006	343 WINTERWOOD DR	RESI-TRASH	SERVICE TRASH CART	
05/11/2023	105627-1089	1073 MERCURY DR	RESI-TRASH	SERVICE TRASH CART	
05/17/2023	105627-1259	513 MAIN ST	RESI-TRASH	SERVICE TRASH CART	
05/18/2023	105627-1303	457 JACKSON LN	RESI-TRASH	SERVICE TRASH CART	
05/18/2023	105627-002	336 FORDER CT	RESI-TRASH	SERVICE TRASH CART	
05/25/2023	105627-1330	573 STANTON LN	RESI-TRASH	SERVICE TRASH CART	
05/26/2023	105627-876	498 LAKE RD	RESI-TRASH	SERVICE TRASH CART	
05/26/2023	105627-1333	785 LAKERIDGE DR	RESI-TRASH	SERVICE TRASH CART	
					Total RESI-TRASH: 13
05/04/2023	105627-1205	1149 MEADOWHILL DR	RESI-YARD	RESI YARD WASTE	
05/17/2023	105627-1300	628 COLT DR	RESI-YARD	RESI YARD WASTE	
					Total RESI-YARD: 2
					Total Inquiries: 32

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

June 12, 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:

May 2023
12,407.06

Sincerely,



Kenneth L. Maun
Tax Assessor Collector

Attachment

cc: Kim Dobbs, City Manager

KM:jd

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

Monthly Collection Status Report
May 2023

City of Lavon #18

	Collections Month of May	Cumulative Total 10/1/22 thru 5/31/23	% of Collections
Current Tax Year Collections			
Base M&O	3,813.75	1,869,644.51	103.60%
Base I&S	2,301.51	1,128,277.50	
Late Rendition Penalty	4.06	515.30	
P&I M&O	107.49	2,566.55	
P&I I&S	64.57	1,544.70	
P&I I&S Bond	0.00	0.00	
Attorney Fee	10.10	39.30	
Other	0.00	0.00	
Subtotal	<u>6,301.48</u>	<u>3,002,587.86</u>	103.76%
Delinquent TaxYears Collections			
Base M&O	3,503.49	4,876.84	
Base I&S	2,612.19	3,705.79	
Late Rendition Penalty	0.00	0.00	
P&I M&O	0.00	884.97	
P&I I&S	0.00	685.94	
P&I I&S Bond	0.00	0.00	
Attorney Fee	0.00	1,615.12	
Other	0.00	0.00	
Subtotal	<u>6,115.68</u>	<u>11,768.66</u>	0.41%
Combined Current & Delinquent:			
Base M&O	7,317.24	1,874,521.35	
Base I&S	4,913.70	1,131,983.29	
Late Rendition Penalty	4.06	515.30	
P&I M&O	107.49	3,451.52	
P&I I&S	64.57	2,230.64	
P&I I&S Bond			
Attorney Fee	10.10	1,654.42	
Other	0.00	0.00	
Total Collections	<u><u>12,417.16</u></u>	<u><u>3,014,356.52</u></u>	104.17%
Original 2022 Tax Levy		<u><u>2,893,823.94</u></u>	100.00%

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

Cumulative Comparative Collection Status Report
May 2023

City of Lavon #18

	Collections thru May 2023		Collections thru May 2022	
		% Collections		% Collections
Current Tax Year Collections				
Base M&O	2,997,922.01	103.60%	2,239,338.10	99.39%
Late Rendition Penalty	515.30		327.17	
P&I M&O	4,111.25		2,163.74	
Attorney Fee	39.30		20.98	
Other	0.00		0.00	
Subtotal	3,002,587.86	103.76%	2,241,849.99	99.50%
Delinquent Tax Years Collections				
Base M&O	8,582.63		10,703.72	
Late Rendition Penalty	0.00		0.00	
P&I M&O	1,570.91		878.15	
Attorney Fee	1,615.12		3.59	
Other Fees	0.00		0.00	
Subtotal	11,768.66	0.41%	11,585.46	0.51%
Combined Current & Delinquent:				
Base M&O	3,006,504.64		2,250,041.82	
P&I M&O	5,682.16		3,041.89	
Late Rendition Penalty	515.30		327.17	
Attorney Fee	1,654.42		24.57	
Other	0.00		0.00	
Total Collections	3,014,356.52	104.17%	2,253,435.45	100.02%
Adjusted 2021 Tax Levy			2,253,084.52	100.00%
Original 2022 Tax Levy	2,893,823.94	100.00%		

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

Levy Outstanding Status Report
 May 2023

City of Lavon #18

	Current Tax Year	Delinquent Tax Years
Current Month:		
Tax Levy Remaining as of 4/30/23	31,667.59	18,694.25
Base M&O Collections	6,115.26	6,115.68
Supplement/Adjustments	(381.40)	(211.72)
Write-Off	0.00	0.00
Remaining Levy as of 5/31/23	<u>25,170.93</u>	<u>12,366.85</u>
Cumulative (From 10/01/22 thru 5/31/23)		
Original 2022 Tax Levy (as of 10/01/22)	2,893,823.94	8,974.13
Base M&O Collections	2,997,922.01	8,582.63
Supplement/Adjustments	129,269.00	11,975.35
Write-Off	0.00	0.00
Remaining Levy as of 5/31/23	<u>25,170.93</u>	<u>12,366.85</u>

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

Monthly Distribution Report
May 2023

City of Lavon #18

	Distribution Month of May	Distribution 10/1/22 thru 5/31/23
Weekly Remittances:		
Week Ending 5/5/23	1,307.58	348,531.19
Week Ending 5/12/23	6,187.51	259,263.87
Week Ending 5/19/23	2,108.02	402,428.79
Week Ending 5/26/23	2,001.93	1,728,350.59
Week Ending 5/31/23	801.82	273,933.23
Total Weekly Remittances	<u>12,406.86</u>	<u>3,012,507.67</u>
Overpayment from Prior Month	0.00	168.66
Excess Refund Remittance Repaid to Entity	0.00	0.00
Commission Paid Delinquent Attorney	10.10	1,654.42
Entity Collection Fee	0.00	0.00
Judgement Interest	0.00	0.00
5% CAD Rendition Penalty	0.20	25.77
Total Disbursements	<u>12,417.16</u>	<u>3,014,356.52</u>
Carryover to Next Month	0.00	0.00

2833 - Lavon, City of (General Obligation Debt)
Report - Lavon, City of (General Obligation Debt) / Sales Tax Data

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

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

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

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

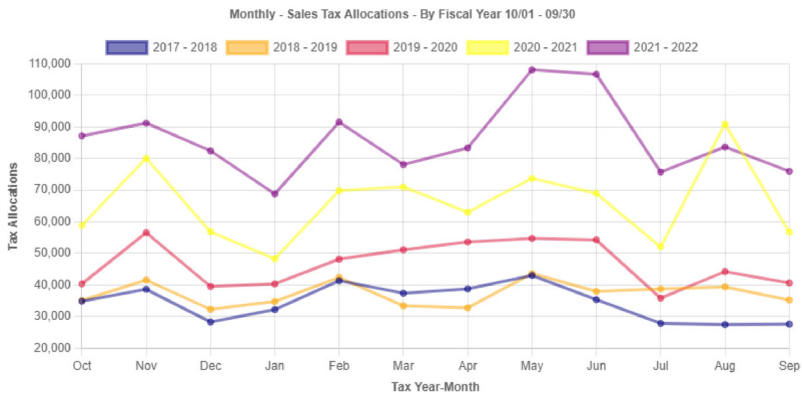
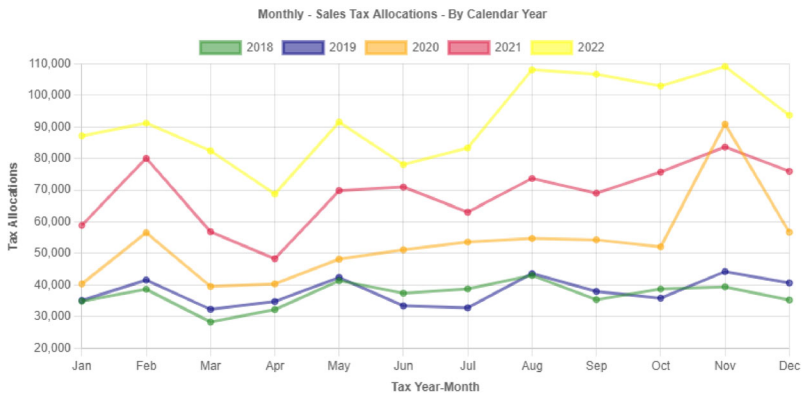
Download to Excel

Change Fiscal Year End

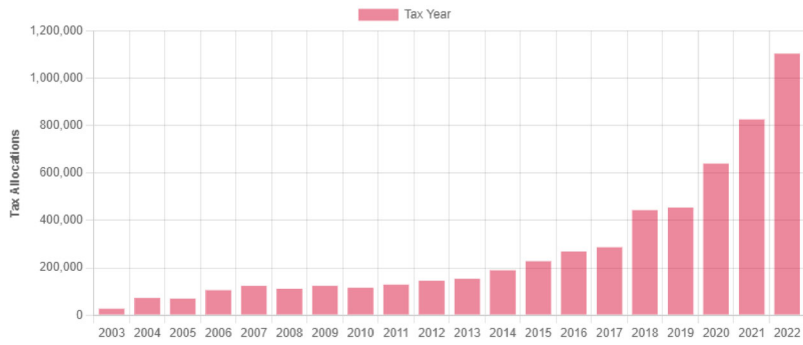
09/30/2024

Submit

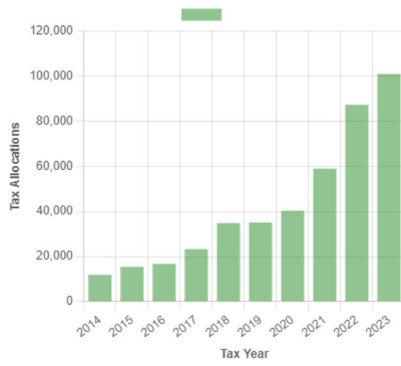
Year	October	November	December	January	February	March	April	May	June	July	August	September	Total
2023	\$102,983	\$109,154	\$93,701	\$100,881	\$109,816	\$99,622	\$91,542	\$115,892	\$109,339	\$0	\$0	\$0	\$932,931
2022	\$75,699	\$83,649	\$75,926	\$87,161	\$91,220	\$82,408	\$68,743	\$91,544	\$78,074	\$83,361	\$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



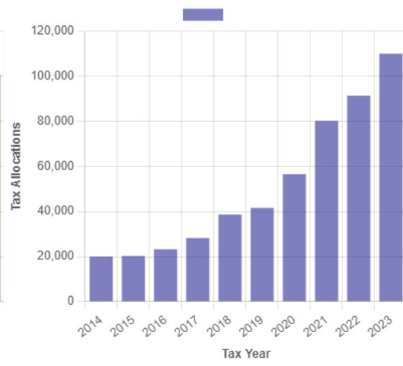
Yearly - Sales Tax Allocations - Past 20 Years



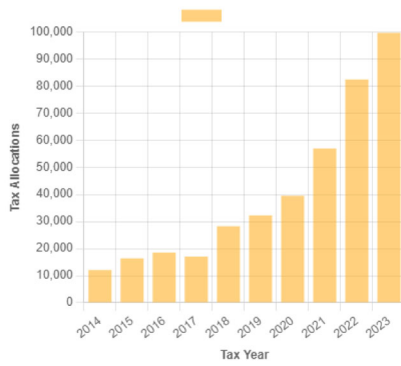
January - Sales Tax Allocations by Year



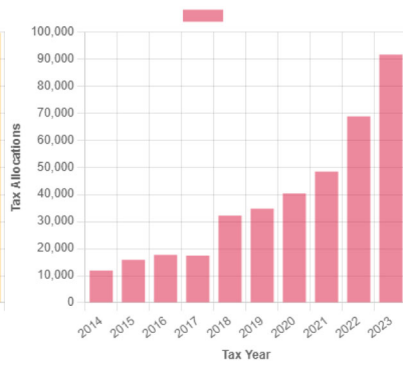
February - Sales Tax Allocations by Year



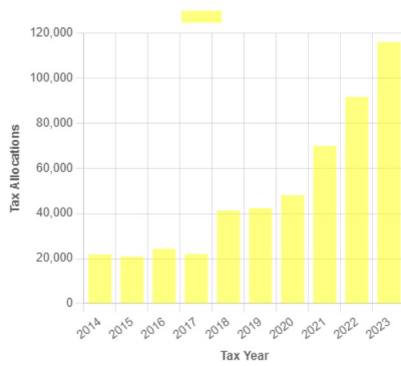
March - Sales Tax Allocations by Year



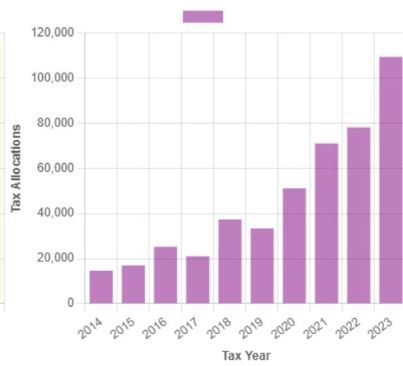
April - Sales Tax Allocations by Year



May - Sales Tax Allocations by Year



June - Sales Tax Allocations by Year





City of Lavon

Monthly Financial Report

As of 5/31/23

	Budget	YTD	Remaining	% Budget
General Fund				
Other Funding	2,393,227	2,393,227		
Revenue	5,060,233	4,164,441	895,792	82.30%
Expenses	5,885,618	3,506,793	2,378,825	59.58%
Ending Resources	1,567,842	3,050,875		
Interest & Sinking				
Beginning Resources	84,922	84,922		
Revenue	1,183,601	1,263,246	(79,645)	106.73%
Expenses	1,125,151	860,201	264,950	76.45%
Ending Resources	143,372	487,967		
Streets - Tax Funded				
Beginning Resources	481,240	481,240		
Revenue	250,000	205,901	44,099	82.36%
Expenses	450,000	-	450,000	0.00%
Ending Resources	281,240	687,141		
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	6,305,158		
Revenue	2,815,620	3,092,897	(277,277)	109.85%
Expenses	5,783,000	1,467,051	4,315,949	25.37%
Ending Resources	3,337,778	7,931,003		
 Total Beginning Resources	 9,665,117	 9,665,117		
Total Revenues	9,312,318	8,726,486	585,833	93.71%
Total Expenses	13,593,403	5,834,046	7,759,357	42.92%
Total End Resources	5,384,032	12,557,556		

City of Lavon

General Fund Summary

As of 5/31/23

	Budget	YTD	Remaining	% Budget
REVENUES				
Total Taxes	2,515,233	2,478,955	36,278	99%
Total Transfers	752,000	520,004	231,996	69%
Total Other General Government	500	130,788	(130,288)	26158%
Administration	39,000	9,000	30,000	23%
Municipal Court	2,000	2,091	(91)	105%
Police	55,000	62,801	(7,801)	114%
Fire	24,000	106,742	(82,742)	445%
Parks & Rec	1,500	105	1,395	7%
Development Services	1,671,000	853,956	817,045	51%
Total Revenues	5,060,233	4,164,441	895,792	82%
EXPENDITURES				
OPERATIONS				
Administration	812,654	573,875	238,779	71%
Non-Departmental	196,727	148,382	48,345	75%
Municipal Court	106,620	66,415	40,204	62%
Police	2,072,732	1,178,836	893,896	57%
Fire	1,179,128	670,701	508,426	57%
Parks & Rec	27,500	5,599	21,901	20%
Development Services	245,000	159,437	85,563	65%
Public Works	846,257	527,198	319,059	62%
Total Operations Expenditures	5,486,618	3,330,445	2,156,173	61%
CAPITAL				
Administration Capital Outlay	5,000	-	5,000	0%
Police Capital Outlay	3,000	713	2,287	24%
Fire Capital Outlay	215,000	23,929	191,071	11%
Public Works Capital Outlay	176,000	151,707	24,293	86%
Total Capital Outlay	399,000	176,349	222,651	44%
Total Expenditures	5,885,618	3,506,793	2,378,825	60%

General Fund		ADOPTED/ AMENDED 2022-23	YTD 05/2023	REMAINING BUDGET	% of BUDGET
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	1,877,555	(47,322)	102.59%
10-00-4040	Sales & Use Tax	500,000	411,796	88,204	82.36%
10-00-4045	Mixed Beverage Sales Tax	-	855	(855)	NA
10-00-4060	Franchise Fees	185,000	188,750	(3,750)	102.03%
	Total Taxes	2,515,233	2,478,955	36,278	98.56%
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%
Other General Government					
10-00-4500	Interest Income	-	34,919	(34,919)	NA
10-00-4690	Sale of Property	500	180	320	36.00%
10-00-4799	Miscellaneous Revenue	-	95,689	(95,689)	NA
	Total Other General Government	500	130,788	(130,288)	26157.60%
Administration					
10-10-4101	PID Administrative Services	33,000	3,000	30,000	9.09%
10-10-4405	Building Rent - LEDC	6,000	6,000	-	100.00%
	Total Administration	39,000	9,000	30,000	23.08%
Municipal Court					
10-25-4215	Court Fees	2,000	2,091	(91)	104.54%
	Total Municipal Court	2,000	2,091	(91)	104.54%
Police Department					
10-45-4240	Police - Fines/Fees	50,000	61,795	(11,795)	123.59%
10-45-4245	Police - Warrant Fees/Fines	5,000	1,006	3,994	20.12%
	Total Police Department	55,000	62,801	(7,801)	114.18%
Fire Department					
10-55-4160	Fire Service Contract	24,000	106,742	(82,742)	444.76%
10-55-4650	Developer Contributions	-	-	-	NA
	Total Fire Department	24,000	106,742	(82,742)	444.76%
Parks & Rec Department					
10-65-4130	Facility Rental	1,500	105	1,395	7.00%
	Total Parks & Rec Department	1,500	105	1,395	7.00%
Development Services					
10-75-4305	General Permits	210,000	180,702	29,298	86.05%
10-75-4310	Land Use Application Fees	80,000	21,491	58,509	26.86%
10-75-4315	New Building Permits	850,000	442,677	407,323	52.08%
10-75-4325	Food Service Inspection Permits	5,500	4,303	1,197	78.24%
10-75-4350	OSSF Permits	500	400	100	80.00%
10-75-4355	Infrastructure Inspection Fees	525,000	204,382	320,618	38.93%
	Total Development Services	1,671,000	853,956	817,045	51.10%
Total General Fund Revenues		5,060,233	4,164,441	895,792	82.30%
Total Source of Funds		7,453,460	6,557,668	895,792	87.98%

General Fund		ADOPTED/ AMENDED 2022-23	YTD 05/2023	REMAINING BUDGET	% of BUDGET
EXPENDITURES					
Administration Services					
10-10-5000	Salaries & Wages	397,925	270,102	127,823	68%
10-10-5025	Health Insurance	49,500	24,423	25,077	49%
10-10-5030	Payroll Taxes	30,441	20,450	9,991	67%
10-10-5035	Retirement	73,616	49,620	23,996	67%
10-10-5040	TWC	1,300	57	1,243	4%
10-10-5045	Workers Comp	1,631	33,820	(32,189)	2074%
10-10-5100	Office Supplies	8,500	2,818	5,682	33%
10-10-5101	Council Supplies	1,500	558	942	37%
10-10-5107	Community Event Supplies	7,500	8,744	(1,244)	117%
10-10-5190	Office Furniture & Equipment - not cap	6,000	1,756	4,244	29%
10-10-5200	Phone, Internet	4,500	2,351	2,149	52%
10-10-5210	Electricity	8,500	2,874	5,626	34%
10-10-5220	Natural Gas	7,500	4,507	2,993	60%
10-10-5230	Water	1,000	525	475	53%
10-10-5401	Attorney	45,000	35,536	9,464	79%
10-10-5410	Auditor	16,000	14,252	1,749	89%
10-10-5425	Tax Assessor/Collector	2,500	33	2,467	1%
10-10-5430	Central Appraisal District	19,741	15,048	4,693	76%
10-10-5440	Professional Services - Other	5,000	16,008	(11,008)	320%
10-10-5510	Advertising	18,000	14,190	3,810	79%
10-10-5520	SAAS Contracts (software/app service)	25,000	11,284	13,716	45%
10-10-5540	Cleaning Service	7,500	3,500	4,000	47%
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	4,728	1,272	79%
10-10-5720	Employee Travel	2,500	3,086	(586)	123%
10-10-5725	Employee Training	8,500	1,744	6,756	21%
10-10-5730	Staff Development	3,500	752	2,748	21%
	Total Administration Operations	812,654	573,875	238,779	71%
Admin Capital Outlay					
10-10-9103	Improvements	5,000	-	5,000	0%
	Total Admin Capital Outlay	5,000	-	5,000	0%
	Total Admin Services	817,654	573,875	243,779	70%
Non-Departmental					
10-15-5100	Office Supplies	8,000	6,865	1,135	86%
10-15-5305	Building Maintenance	42,500	14,069	28,431	33%
10-15-5310	Grounds Maintenance	-	-	-	NA
10-15-5440	Professional Services - Other	67,500	72,972	(5,472)	108%
10-15-5460	Insurance - Management Liability	3,317	3,248	69	98%
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	19,174	20,826	48%
10-15-5601	Office Equipment Leases	6,000	3,232	2,768	54%
	Total Non-Departmental	196,727	148,382	48,345	75%

General Fund		ADOPTED/ AMENDED 2022-23	YTD 05/2023	REMAINING BUDGET	% of BUDGET
Municipal Court Services					
10-25-5000	Salaries & Wages	63,227	43,330	19,897	69%
10-25-5025	Health Insurance	9,900	5,981	3,919	60%
10-25-5030	Payroll Taxes	4,837	3,315	1,522	69%
10-25-5035	Retirement	11,697	6,903	4,794	59%
10-25-5040	TWC	450	15	435	3%
10-25-5045	Workers Comp	259	-	259	0%
10-25-5100	Office Supplies	2,000	1,247	753	62%
10-25-5402	Judge	12,000	2,213	9,788	18%
10-25-5403	Prosecutor	-	3,263	(3,263)	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	150	850	15%
	Total Municipal Court	106,620	66,415	40,204	62%
Police Services					
10-45-5000	Salaries & Wages	1,149,800	716,893	432,908	62%
10-45-5025	Health Insurance	154,752	77,825	76,927	50%
10-45-5030	Payroll Taxes	87,960	54,131	33,829	62%
10-45-5035	Retirement	212,713	126,061	86,652	59%
10-45-5040	TWC	5,000	176	4,824	4%
10-45-5045	Workers Comp	59,907	-	59,907	0%
10-45-5100	Office Supplies	4,750	4,018	732	85%
10-45-5103	Community Policing Supplies	11,000	2,505	8,495	23%
10-45-5105	Child Abuse Interlocal - Supplies	1,500	1,500	-	100%
10-45-5125	Operating Supplies	8,500	1,083	7,417	13%
10-45-5155	Uniforms	17,000	5,284	11,716	31%
10-45-5160	Personal Protection Equipment	7,500	-	7,500	0%
10-45-5190	Office Furniture & Equipment - not cap	13,000	8,242	4,758	63%
10-45-5195	Tools & Equipment - not capitalized	48,900	6,763	42,137	14%
10-45-5200	Phone, Internet	49,500	10,437	39,063	21%
10-45-5210	Electricity	12,000	4,216	7,784	35%
10-45-5230	Water	1,000	430	570	43%
10-45-5240	Fuel	45,000	26,446	18,554	59%
10-45-5315	Vehicle Maintenance	31,500	21,732	9,768	69%
10-45-5325	Equipment Maintenance	5,000	828	4,172	17%
10-45-5465	Insurance - Law Enforcement Liability	10,492	10,282	210	98%
10-45-5520	SAAS Contracts (software/app service)	27,500	29,977	(2,477)	109%
10-45-5530	Medical Services	1,500	45	1,455	3%
10-45-5540	Cleaning Service	7,000	3,736	3,264	53%
10-45-5548	Dispatch Service	73,708	53,094	20,614	72%
10-45-5551	Inmate Boarding Contract	12,000	3,653	8,347	30%
10-45-5552	Animal Control Service	6,250	4,688	1,563	75%
10-45-5700	Dues & Fees	1,000	628	372	63%
10-45-5720	Employee Travel	1,000	1,096	(96)	110%
10-45-5725	Employee Training	6,000	3,068	2,932	51%
	Total Police Operations	2,072,732	1,178,836	893,896	57%
	Police Capital Outlay				
10-45-9102	Remodel	3,000	713	2,287	24%
	Total Police Capital Outlay	3,000	713	2,287	24%
	Total Police Services	2,075,732	1,179,549	896,183	57%

General Fund		ADOPTED/ AMENDED 2022-23	YTD 05/2023	REMAINING BUDGET	% of BUDGET
Fire Services					
10-55-5000	Salaries & Wages	556,210	279,403	276,807	50%
10-55-5025	Health Insurance	77,376	47,531	29,845	61%
10-55-5030	Payroll Taxes	42,550	21,046	21,504	49%
10-55-5035	Retirement	102,899	51,612	51,287	50%
10-55-5040	TWC	1,500	72	1,428	5%
10-55-5045	Workers Comp	37,683	-	37,683	0%
10-55-5100	Office Supplies	3,875	1,886	1,989	49%
10-55-5125	Operating Supplies	10,000	9,064	936	91%
10-55-5155	Uniforms	12,500	7,365	5,135	59%
10-55-5160	Personal Protection Equipment	20,000	53,483	(33,483)	267%
10-55-5195	Tools & Equipment - not capitalized	31,000	14,972	16,028	48%
10-55-5200	Phone, Internet	19,500	12,253	7,247	63%
10-55-5210	Electricity	15,000	6,853	8,147	46%
10-55-5212	Electricity - Storm Sirens	-	-	-	NA
10-55-5220	Natural Gas	3,000	2,511	489	84%
10-55-5230	Water	3,500	609	2,891	17%
10-55-5240	Fuel	20,000	9,158	10,842	46%
10-55-5315	Vehicle Maintenance	-	2,344	(2,344)	NA
10-55-5316	Apparatus Maintenance	42,500	51,489	(8,989)	121%
10-55-5325	Equipment Maintenance	5,000	2,456	2,544	49%
10-55-5330	Storm Siren O&M	1,500	82	1,418	5%
10-55-5520	SAAS Contracts (software/app service)	20,000	17,997	2,003	90%
10-55-5530	Medical Services	3,000	6,319	(3,319)	211%
10-55-5536	Ambulance Service	45,635	10,290	35,345	23%
10-55-5540	Cleaning Service	3,900	2,296	1,604	59%
10-55-5547	Fire Marshal Contract	4,500	2,126	2,374	47%
10-55-5549	Fire Alarm Monitoring Service	1,000	-	1,000	0%
10-55-5560	Contract Labor	80,000	50,300	29,700	63%
10-55-5700	Dues & Fees	5,500	3,666	1,834	67%
10-55-5720	Employee Travel	10,000	3,516	6,484	35%
10-55-5725	Employee Training	-	-	-	NA
	Total Fire Operations	1,179,128	670,701	508,426	57%
Fire Capital Outlay					
10-55-9103	Improvements	2,500	116	2,384	5%
10-55-9104	Furnishings	12,500	160	12,340	1%
10-55-9226	Fire Apparatus	200,000	23,653	176,347	12%
	Total Fire Capital Outlay	215,000	23,929	191,071	11%
	Total Fire Services	1,394,128	694,630	699,498	50%
Parks & Rec Department					
10-65-5310	Grounds Maintenance	27,500	5,599	21,901	20%
	Total Parks & Rec Department	27,500	5,599	21,901	20%
Development Services					
10-75-5570	Inspector Services	245,000	159,437	85,563	65%
	Total Development Services	245,000	159,437	85,563	65%

General Fund		ADOPTED/ AMENDED 2022-23	YTD 05/2023	REMAINING BUDGET	% of BUDGET
Public Works Services					
10-80-5000	Salaries & Wages	291,370	194,453	96,917	67%
10-80-5025	Health Insurance	48,360	28,703	19,657	59%
10-80-5030	Payroll Taxes	22,290	14,868	7,422	67%
10-80-5035	Retirement	53,903	33,315	20,588	62%
10-80-5040	TWC	2,273	55	2,218	2%
10-80-5045	Workers Comp	17,686	-	17,686	0%
10-80-5100	Office Supplies	575	257	318	45%
10-80-5102	MS-4 Educational Supplies	1,000	-	1,000	0%
10-80-5125	Operating Supplies	4,500	722	3,778	16%
10-80-5155	Uniforms	5,000	2,850	2,150	57%
10-80-5195	Tools & Equipment - not capitalized	6,000	394	5,606	7%
10-80-5200	Phone, Internet	2,400	2,384	16	99%
10-80-5211	Electricity - Street Lights	90,000	44,595	45,405	50%
10-80-5230	Water	1,000	1,437	(437)	144%
10-80-5240	Fuel	14,000	5,876	8,124	42%
10-80-5305	Building Maintenance	22,500	2,184	20,316	10%
10-80-5310	Grounds Maintenance	18,000	7,684	10,316	43%
10-80-5315	Vehicle Maintenance	7,000	2,615	4,385	37%
10-80-5325	Equipment Maintenance	10,000	677	9,323	7%
10-80-5335	Streets/Sidewalks Maintenance	30,000	14,358	15,642	48%
10-80-5340	Sign Maintenance	11,600	4,913	6,687	42%
10-80-5355	Drainage Maintenance	30,000	-	30,000	0%
10-80-5385	Mosquito Control	12,000	7,215	4,785	60%
10-80-5395	Septic System Maintenance	300	-	300	0%
10-80-5415	Engineer	42,000	39,875	2,125	95%
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	117,033	(30,033)	135%
10-80-5720	Employee Travel	1,000	190	810	19%
10-80-5725	Employee Training	3,500	499	3,001	14%
	Total Public Works Operations	846,257	527,198	319,059	62%
	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	106,799	43,201	71%
10-80-9401	CIP Prep & Admin	2,000	(6,933)	8,933	-347%
	Total Capital Outlay	176,000	151,707	24,293	86%
	Total Public Works Services	1,022,257	678,905	343,352	66%
Total General Fund Expenditures		5,885,618	3,506,793	2,378,825	60%
Change in Financial Position		(825,385)	657,648		
ESTIMATED ENDING RESOURCES (Net)		1,567,842	3,050,875	(1,483,033)	
	27%		1		
	1,471,404		876,698		
	96,438		2,174,177		

DEBT SERVICE (I&S) FUND	ADOPTED/ AMENDED 2022-23	YTD 05/2023	REMAINING BUDGET	% OF BUDGET
ESTIMATED BEGINNING RESOURCES	84,922	84,922	-	100%
REVENUE				
50-00-4005 Property Taxes - I&S	1,108,601	1,133,649	(25,048)	102%
50-00-4517 Interest - IB I&S	-	14,597	(14,597)	NA
50-00-4801 Transfer from Utility Fund - Sewer	75,000	-	75,000	0%
50-00-4804 Transfer from Utility Fund - I&S	-	115,000	(115,000)	NA
Total Revenues	1,183,601	1,263,246	(79,645)	
EXPENDITURES				
50-10-5790 Debt Administration	15,000	3,500	11,500	23%
50-10-5820 2020 GO Ref Bonds Principal	470,000	470,000	-	100%
50-10-5821 2020 GO Ref Bonds Interest	24,100	14,400	9,700	60%
50-10-5822 2020 CO Principal	105,000	105,000	-	100%
50-10-5823 2020 CO Interest	488,550	244,800	243,750	50%
50-55-5690 2013 Fire Truck Lease	22,501	22,501	(0)	100%
Total Expenditures	1,125,151	860,201	264,950	
ESTIMATED ENDING RESOURCES (Net)	143,372	487,967		

STREET FUND	Maintenance/Construction	ADOPTED/ AMENDED 2022-23	YTD 05/2023	REMAINING BUDGET	% OF BUDGET
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Funded by Street Maintenance Sales Tax

ESTIMATED BEGINNING RESOURCES	481,240	481,240	-	100%
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Street Repair Fund Revenue

17-00-4041 Sales Tax - Dedicated Streets	250,000	205,901	44,099	82%
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Total Street Repair Fund Revenue	250,000	205,901	44,099	
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Street Repair Fund Expenditure

17-80-5335 Street Maintenance	450,000	-	450,000	0%
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Total Street Repair Expenditure	450,000	-	450,000	0%
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ESTIMATED ENDING RESOURCES (Net)	281,240	687,141		
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Funded by Annexation Fees

ESTIMATED BEGINNING RESOURCES	400,570	400,570	-	100%
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Street Repair Revenue

23-80-4210 Capital Recovery Fees - Lavon Farms	2,864	-	2,864	0%
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31-80-4210 Annexation Fees - Trails of Lavon		-	-	NA
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32-80-4210 Annexation Fees - Elevon		-	-	NA
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Total Street Repair Revenue	2,864	-	2,864	
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Street Repair Fund Expenditure

23-80-5336 Street Maint - Lavon Farms Regional	199,634	-	199,634	0%
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Other Street Maintenance - no GL accounts assigned	150,000	-	150,000	0%
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Total Street Repair Expenditure	349,634	-	349,634	
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ESTIMATED ENDING RESOURCES (Net)	53,800	400,570		
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UTILITY FUND		ADOPTED/ AMENDED 2022-23	YTD 05/2023	REMAINING BUDGET	% OF BUDGET
ESTIMATED BEGINNING RESOURCES/TRANSFERS IN		6,305,158	6,305,158	-	100%
UTILITY FUND REVENUE					
Administration					
20-00-4520	Interest - IB Utility	12,500	9,829	2,671	79%
20-00-4521	Interest - IB Sewer Tap	500	10,894	(10,394)	2179%
20-10-4130	Facility Rental	-	200	(200)	NA
20-10-4240	Police - Fines/Fees	-	9,870	(9,870)	NA
20-85-4202	Administration Fee	25,000	38,150	(13,150)	153%
20-85-4299	Late Fees	12,500	24,483	(11,983)	196%
Total Administration		50,500	93,426	(42,926)	185%
Sanitary Sewer					
20-85-4110	Sewer Charges	1,093,920	805,746	288,174	74%
20-85-4230	Sewer Tap Fee	900,000	1,477,891	(577,891)	164%
20-85-4231	Bear Creek Trunk Recovery Fee	35,000	136,898	(101,898)	391%
20-85-4330	Online Permit Pmts	-	6,004	(6,004)	NA
Total Sanitary Sewer		2,028,920	2,426,539	(397,619)	120%
Solid Waste					
20-86-4115	Solid Waste Income	736,200	572,931	163,269	78%
Total Solid Waste		736,200	572,931	163,269	78%
Total Revenue		2,815,620	3,092,897	(277,277)	110%
UTILITY FUND EXPENDITURES					
Sanitary Sewer					
20-85-4231	Bear Creek Trunk Recovery Fee	20,000		20,000	0%
20-85-5210	Electricity	64,000	54,798	9,202	86%
20-85-5390	Sewer System Maintenance	40,000	22,766	17,234	57%
20-85-5590	NTMWD O&M Contract	540,000	404,768	135,232	75%
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	-	(36,158)	36,158	NA
20-85-9423	Sewer System Improvements	275,000	98	274,902	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 Sanitary Sewer		4,922,000	1,061,272	3,860,728	22%
Solid Waste					
20-86-5100	Office Supplies	8,500	6,013	2,487	71%
20-86-5104	Billing Supplies	3,000	5,042	(2,042)	168%
20-86-5190	Office Furniture & Equipment	500	-	500	0%
20-86-5515	Credit Card Contract	3,500	1,892	1,608	54%
20-86-5520	SAAS Contracts	3,500	593	2,907	17%
20-86-5595	Solid Waste Contract	650,000	356,159	293,841	55%
20-86-5785	Sales Tax	48,000	36,080	11,920	75%
20-86-5802	Transfer to General Fund	144,000	-	144,000	0%
Total Solid Waste		861,000	405,779	455,221	47%
Total Expenditure		5,783,000	1,467,051	4,315,949	25%
Change in Financial Position		(2,967,380)	1,625,845		
ESTIMATED ENDING RESOURCES (Net)		3,337,778	7,931,003		