



**MINUTES  
MARCH 19, 2019  
LAVON CITY COUNCIL  
REGULAR MEETING – EXECUTIVE SESSION  
CITY HALL, 120 SCHOOL ROAD, LAVON, TEXAS  
6:00 P.M.**

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ATTENDING: VICKI SANSON, MAYOR  
JOHN KELL, PLACE 1  
KAY WRIGHT, MAYOR PRO TEM, PLACE 3  
TED DILL, PLACE 4 (arrived at 6:18 P.M.)  
MINDI SERKLAND, PLACE 5  
ABSENT: MIKE COOK, PLACE 2

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

**2. EXECUTIVE SESSION**

At 6:01 p.m., in accordance with the Texas Government Code, Annotated, Subchapter 551, Mayor Sanson recessed the meeting to go into executive session (closed meeting) to discuss the following items.

- a) Section 551.071: Consultation with City 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: (i) LakePointe Development Agreement.
- b) Section 551.087: Deliberation Regarding Economic Development Negotiations; Closed Meeting (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Section 551.087(1).
- c) Section 551.074 - Personnel matters to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee – Fire Chief

**3. RECONVENE FROM EXECUTIVE SESSION**

In accordance with Texas Government Code, Section 551.001, et seq., Mayor Sanson reconvened the meeting at 7:03 p.m. and stated that no action was taken in executive session.

**4. MAYOR SANSON LED THE RECITATION OF THE PLEDGE OF ALLEGIANCE AND MS. WRIGHT DELIVERED THE INVOCATION.**

**5. PRESENTATIONS**

- A. Mayor Sanson presented members of the Lavon Economic Development Corporation with a Certificate of Achievement for Economic Excellence awarded by the Texas Economic Development Council.
- B. Mayor Sanson presented a proclamation in honor of former United States Representative Ralph Hall for his outstanding contributions and dedicated service to our city and country. The Honorable Brett Hall, State District Judge for the 382<sup>nd</sup> District Court received the proclamation on behalf of the Hall family.

**6. CITIZENS COMMENTS**

Mindi Serkland thanked the members of the Lavon VFD and Police Department for their help after her home was struck by lightning during the recent storms.

**7. ITEMS OF INTEREST/COMMUNICATIONS**

- April 13, 2019 - LEDC Small Business Bazaar from 10am-3pm.
- April 20, 2019 - Spring Fling-Breakfast with the Bunny 9:30am-11 am
- April 27, 2019 - X-treme Green Household Hazardous Waste Collection & Clean up 8am-5pm

**8. CONSENT AGENDA**

- A. Approve the minutes of the March 5, 2019 meeting.**
- B. Approve Resolution No. 2019-03-02 authorizing continued participation with the Atmos Cities Steering Committee; and authorizing the payment of five cents per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation.**
- C. Accept the Heritage Public Improvement District #1 Assessment Report Summary dated 2/28/2019 and authorize the payment of invoices included therein.**

**MOTION: APPROVE THE CONSENT AGENDA.**

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

**9. ITEMS FOR CONSIDERATION**

- A. Discussion and action regarding the confirmation of the appointment of Fire Chief.**

Ms. Dobbs provided an update regarding the provision of fire inspection duties by the Collin County Fire Marshal pursuant to the interlocal agreement and regarding the process to hire a fire chief. Ms. Dobbs explained that the fire chief position had been advertised, applications screened and interviews conducted. Ms. Dobbs stated that from a highly qualified field of candidates, the interview panel selected Assistant Fire Chief Danny Anthony because of the combination of experience, support, professional education and long-term vision. Ms. Dobbs recognized Assistant Chief Anthony and explained he would begin his employment on April 1, 2019 subject to the City Council's confirmation.

**MOTION: CONFIRM THE APPOINTMENT OF DANNY ANTHONY AS FIRE CHIEF.**

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

- B. Discussion and action regarding Resolution No. 2019-03-03 approving a development agreement with the owner/developer of the LakePointe Development (Lenart) project, which agreement anticipates, among other things, creation of a Public Improvement District under Chapter 372 of the Texas Local Government Code, establishment of land use development design regulations and providing terms for annexation; being an approximately 200-acre tract of land situated in the Samuel M. Rainer Survey, Abstract No. 470 and generally located southeast of the intersection of SH 78 and FM 6 and predominately within the extraterritorial jurisdiction and/or corporate limits of City of Lavon, Texas.**

Steve Lenart, Lenart Development Company LLC, detailed the changes to the design guidelines made in response to feedback and negotiations. Ms. Dobbs explained that the finalized Development Agreement will have the design regulations incorporated into the document. The Mayor acknowledged the work of the city's team of professionals consisting of the City Attorney, Public Improvement District and Service and Assessment Plan Consultant, Bond Counsel, Financial Advisor, City Engineer and City Administrator who worked through numerous issues to prepare a development agreement for the project. Ms. Dobbs suggested that the agreement was in near-final form and if the City Council wished to conditionally approve the proposed document, the consulting team would finalize the outstanding minor matters prior to execution.

**MOTION: APPROVE RESOLUTION NO. 2019-03-03 APPROVING A DEVELOPMENT AGREEMENT WITH THE OWNER/DEVELOPER OF THE LAKEPOINTE DEVELOPMENT (LENART) PROJECT, WHICH AGREEMENT ANTICIPATES AMONTH OTHER THINGS, CREATION OF A PUBLIC IMPROVEMENT DISTRICT UNDER CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE, ESTABLISHMENT OF LAND USE DEVELOPMENT DESIGN REGULATIONS AND PROVIDING TERMS FOR ANNEXATION; BEING AN APPROXIMATELY 200-ACRE TRACT OF LAND SITUATED IN THE SAMUEL M. RAINER SURVEY, ABSTRACT NO. 470 AND GENERALLY LOCATED WOUTHEAST OF THE INTERSECTION OF SH 78 AND FM 6 AND PREDOMINATELY WITHIN THE EXTRATERRITORIAL JURISDICTION AND/OR CORPORATE LIMITS OF CITY OF LAVON, TEXAS SUBJECT TO THE FINAL APPROVAL OF THE CITY ADMINISTRATOR, CITY ATTORNEY, BOND COUNSEL AND PROFESSIONAL CONSULTANTS.**

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

- C. Conduct a public hearing that was opened on February 19, 2019, March 5, 2019 and continued to March 19, 2019 to consider testimony and act on a resolution creating the LakePointe Development (Lenart) Public Improvement District/PID in accordance with Chapter 372 of the Texas Local Government Code; being an approximately 173.037-acre tract of land situated in the Samuel M. Rainer Survey, Abstract No. 470 and generally located southeast of the intersection of SH 78 and FM 6 and predominately within the extraterritorial jurisdiction and/or corporate limits of City of Lavon, Texas.**

**Presentation of request.**

Mary Petty, P3Works LLC presented slides regarding the PID and explained how the PID is utilized. In her presentation Ms. Petty included an overview of the project and the developers' requests.

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

Mayor Sanson reopened the public hearing at 7:31 p.m. and invited comments in favor of or opposition to the creation of the proposed PID. There being no comments the Public Hearing was closed at 7:31 p.m.

**Discussion and action regarding the request.**

Mr. Kell thanked Ms. Petty and stated that her work on the presentation had made the PID policy much easier to understand.

**MOTION: APPROVE THE CREATION OF THE PUBLIC IMPROVEMENT DISTRICT (PID) IN ACCORDANCE WITH CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE; BEING AN APPROXIMATELY 173.037-ACRE TRACT OF LAND SITUATED IN THE SAMUEL M. RAINER SURVEY, ABSTRACT NO. 470 AND GENERALLY LOCATED SOUTHEAST OF THE INTERSECTION OF SH 78 AMD FM 6 AND PREDOMINATELY WITHIN THE EXTRATERRITORIAL JURISDICTION AND/OR CORPORATE LIMITS OF CITY OF LAVON, TEXAS.**

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

- D. Discussion and action regarding acceptance of the public infrastructure for the 7-11 Addition, Lavon, Texas.**

Ms. Dobbs provided information regarding the recently completed construction of the public infrastructure associated with the addition. In conjunction with the development, the developer

constructed and agreed to dedicate public infrastructure consisting of sanitary sewer infrastructure, sidewalk, and a shared drainage facility. The infrastructure is located in dedicated municipal easements or public right of way. The developer has provided as-built record drawings, an affidavit of value for the improvements and a maintenance bond security for the infrastructure that is acceptable to the City Engineer. Mr. Kell asked if all ramps meet ADA specifications. City Engineer Mark Hill, Freeman-Millican, informed the council that TXDOT build the ramps to ADA specification.

**MOTION: ACCEPT THE PUBLIC INFRASTRUCTURE FOR THE 7-ELEVEN ADDITION, LAVON TEXAS.**

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

**E. Discussion and action regarding a proposed water line easement on city-owned property located south of the intersection of Presidents and Hoover in the Bear Creek Amenity Center and Bridge Addition, Lavon, Texas.**

Ms. Dobbs advised that during the preparation of the Bear Creek Amenity Center and Bridge Addition it was determined that the placement of the water line to serve future development would be placed within the City right of way necessitating a water line easement to provide for the installation of the water line. Ms. Dobbs also stated that there is no cost to the City associated with the provision of the requested easement. Mr. Hill confirmed he reviewed the proposed easement and approval was recommended.

**MOTION: APPROVE THE PROPOSED WATER LINE EASEMENT ON CITY-OWNED PROPERTY LOCATED SOUTH OF THE INTERSECTION OF PRESIDENTS AND HOOVER IN THE BEAR CREEK AMENITY CENTER AND BRIDGE ADDITION, LAVON, TEXAS.**

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

**10. STAFF REPORTS**

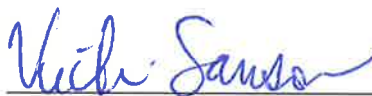
- A. Police Services** – Police Chief Mike Jones provided information and referenced the provided reports regarding traffic stops, calls for service and call breakout information and monthly reserve participation.
- B. Fire Services** – Assistant Fire Chief Danny Anthony provided the LVFD call report, membership and equipment report, ERS update and updated the LVFD call report to reflect 18 calls. Mr. Anthony stated that the brush truck is waiting on graphics and informed the council that the repurposed squad should be complete in mid-April. Ms. Serkland asked what type of calls the LVFD were receiving and Mr. Anthony explained most of the calls were automobile accidents and medical service calls. Ms. Wright stated that she was very pleased to see everything going smoothly.
- C. Public Works** – Director of Public Works Sonny Mancias provided a report regarding general public works and street maintenance including mowing and trash collection and the sewer plant expansion. Mr. Mancias also informed the council of the status of Crestridge Meadows and Lavon Farms developments. Mr. Mancias informed the council that he has retained bids for minor street repairs programmed in the near future.
- D. Administration** – Ms. Dobbs directed the Council to reports provided in the meeting packet regarding the Financial Outlooks; Building Permits Report; CWD Recycling Reports; Collin County Monthly Tax Collection Report, Sales Tax Report, TexSTAR Newsletter and the TxDOT SH 205 Status Report.

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

- April 2, 2019 Regular Meeting at 7p.m.

**12. MAYOR SANSON ADJOURNED THE CITY COUNCIL MEETING AT 7:56 P.M.**

**DULY PASSED and APPROVED** by the City Council of Lavon, Texas, on this 2<sup>nd</sup> day of April 2019



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Vicki Sanson  
Mayor

**ATTEST:**



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Kim Dobbs  
City Administrator/City Secretary

