



**MINUTES  
AUGUST 20, 2019  
LAVON CITY COUNCIL  
CITY HALL, 120 SCHOOL ROAD, LAVON, TEXAS  
WORK SESSION 6:00 P.M.  
REGULAR MEETING 7:00 PM**

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ATTENDING: VICKI SANSON, MAYOR  
JOHN KELL, PLACE 1  
MIKE COOK, PLACE 2 arrived at 6:21 p.m.  
KAY WRIGHT, MAYOR PRO TEM, PLACE 3  
TED DILL, PLACE 4  
MINDI SERKLAND, PLACE 5

1. **MAYOR SANSON CALLED THE MEETING TO ORDER AT 6:02 P.M. AND ANNOUNCED A QUORUM PRESENT.**
2. **MAYOR SANSON LED THE RECITATION OF THE PLEDGE OF ALLEGIANCE AND TED DILL DELIVERED THE INVOCATION.**
3. **BUDGET WORK SESSION**

City Administrator Kim Dobbs reviewed the Truth in Taxation Law Requirements to the City Council and identified the proposed tax rate of 0.478957 used in the preparation of the draft general fund budget. Ms. Dobbs explained that a proposed tax rate equal to or less than the lower of the effective rate or rollback rate does not require public hearings and is not subject to a rollback election. Department directors presented information and took questions from council members regarding specific department requests. The council directed the staff to include the departmental enhancement requests in the 2019-2020 budget. The requests included the addition of two police officers, a police vehicle, body cameras and storage, a fire cascade system, expansion of the emergency response system and fire department radios, repairs to the gym in city hall, a mower and trailer.

Mayor Sanson recessed the meeting at 7:24 p.m. and reconvened the meeting at 7:33 p.m.

4. **CITIZENS COMMENTS**

Ivone Bender, 626 Langdon St, asked if the new Traditions neighborhood would be included in the PID. Ms. Dobbs explained that Traditions Phase 2 is not a part of the Heritage PID and offered to meet with Ms. Bender to further discuss any questions.

5. **ITEMS OF INTEREST/COMMUNICATIONS**

- September 7    Envision Lavon at Lavon City Hall 1pm-5pm
- October 1        National Night Out
- October 26      Fall Festival and Trick or Treat Street
- November 16    LEDC Small Business Bazaar

6. **CONSENT AGENDA**

- A. **Approve the minutes of the August 6, 2019 meeting.**
- B. **Accept the Heritage Public Improvement District #1 Assessment Report Summary dated 7/31/2019 and authorize the payment of invoices included therein.**
- C. **Approve Resolution No. 2019-08-05 amending Resolution No. 2019-08-02 authorizing the Mayor to execute an updated Interlocal Agreement with Collin County for Child Abuse, Investigation Services and Law Enforcement Services.**

- D. Approve Resolution No. 2019-08-06 authorizing the Mayor to execute a contract with Collin County Elections Administrator for Election Services related to the City's November 5, 2019 General Election.**

Ms. Dobbs recommended and the City Council agreed to remove item D from the consent agenda to be addressed at a future date.

**MOTION: APPROVE ITEMS A, B AND C OF THE CONSENT AGENDA.**

MOTION MADE: SERKLAND

SECONDED: KELL

APPROVED: UNANIMOUS

## **7. ITEMS FOR CONSIDERATION**

- A. Discussion and action regarding Resolution No. 2019-08-07 authorizing the Mayor to Negotiate and Execute an Agreement regarding Conveyance of Right of Redemption and Waiver of Agricultural Valuation – LakePointe Public Improvement District.**

Ms. Dobbs introduced city attorney Nicole Smith, Messer, Fort & McDonald, who offered to answer questions regarding the matter. Ms. Dobbs explained that as a part of the development agreement the owner of the LakePointe development project agreed to convey all rights to redeem any portion of the property, which is assessed property and has an agricultural use valuation, following a tax sale and execute a waiver of agricultural use valuation.

**MOTION: APPROVE RESOLUTION NO. 2019-08-07 AUTHORIZING THE MAYOR TO NEGOTIATE AND EXECUTE AN AGREEMENT REGARDING CONVEYANCE OF RIGHT OF REDEMPTION AND WAIVER OF AGRICULTURAL VALUATION – LAKEPOINTE PUBLIC IMPROVEMENT DISTRICT.**

MOTION MADE: DILL

SECONDED: WRIGHT

APPROVED: UNANIMOUS

- B. Discussion and action regarding Resolution No. 2019-08-08 authorizing the Mayor to Negotiate and Execute a Pro-Rata Reimbursement Agreement for Sanitary Sewer Improvements – LakePointe Public Improvement District.**

Ms. Dobbs explained that pursuant to the development agreement with LakePointe Development, the developer agreed to construct a sanitary sewer main sufficiently sized to serve more customers than those in the developer's project. In return, the city committed to assist in the reimbursement process for the developer for the proportionate share of the sanitary sewer main in excess of what is required to serve the LakePointe project.

**MOTION: APPROVE RESOLUTION NO. 2019-08-08 AUTHORIZING THE MAYOR TO NEGOTIATE AND EXECUTE A PRO-RATA REIMBURSEMENT AGREEMENT FOR SANITARY SEWER IMPROVEMENTS – LAKEPOINTE PUBLIC IMPROVEMENT DISTRICT.**

MOTION MADE: WRIGHT

SECONDED: SERKLAND

APPROVED: UNANIMOUS

- C. Discussion and action regarding Ordinance No. 2019-08-02 Accepting And Approving A Service And Assessment Plan And Assessment Rolls For The Lakepointe Public Improvement District; Making A Finding Of Special Benefit To The Property In The District; Levying Special Assessments Against Property Within The District And Establishing A Lien On Such Property; Providing For The Method Of Assessment And The Payment Of The Assessments In Accordance With Chapter 372, Texas Local Government Code, As Amended, Providing Penalties And Interest On Delinquent Assessments, Providing Fort Severability, And Providing An Effective Date.**

Mary Petty, P3 Works and Nicole Smith, Messer, Fort & McDonald advised the Council that this item will be tabled until the August 22, 2019 Special Meeting. No action was taken.

- D. Discussion and action regarding Ordinance No. 2019-08-03 Authorizing The Issuance Of The “City Of Lavon, Texas, Special Assessment Revenue Bonds, Series 2019 (Lakepointe Public Improvement District Improvement Area #1 Project)”, Approving And Authorizing An Indenture Of Trust, A Bond Purchase Agreement, A Limited Offering Memorandum, A Continuing Disclosure Agreement; A Construction, Funding And Acquisition Agreement, An Agriculture Valuation Waiver And Redemption Agreement And Other Agreements And Documents In Connection Therewith; Making Findings With Respect To The Issuance Of Such Bonds; And Providing An Effective Date.**

Ms. Dobbs introduced the city’s Financial Advisor Jason Hughes, Hilltop Securities and Tripp Davenport, FMS Bonds, the city’s underwriter to explain the sale of Special Assessment Revenue Bonds. Mr. Hughes detailed the process in which the bonds were offered for the Improvement Area #1 and the Major Improvement Area. Mr. Davenport congratulated the city council on a very successful process and recapped the sale. Mr. Davenport noted that investors were very high on the City of Lavon and that the team of qualified consultants working on the City’s behalf possibly played a role in that confidence.

**MOTION: APPROVE ORDINANCE NO. 2019-08-03 AUTHORIZING THE ISSUANCE OF THE “CITY OF LAVON, TEXAS, SPECIAL ASSESSMENT REVENUE BONDS, SERIES 2019 (LAKEPOINTE PUBLIC IMPROVEMENT DISTRICT IMPROVEMENT AREA #1 PROJECT)”, APPROVING AND AUTHORIZING AN INDENTURE OF TRUST, A BOND PURCHASE AGREEMENT, A LIMITED OFFERING MEMORANDUM, A CONTINUED DISCLOSURE AGREEMENT; A CONSTRUCTION, FUNDING AND ACQUISITION AGREEMENT, AN AGRICULTURE VALUATION WAIVER AND REDEMPTION AGREEMENT AND OTHER AGREEMENTS AND DOCUMENTS IN CONNECTION THEREWITH; MAKING FINDINGS WITH RESPECT TO THE ISSUANCE OF SUCH BONDS; AND PROVIDING AN EFFECTIVE DATE.**

MOTION MADE: WRIGHT  
SECONDED: KELL  
APPROVED: UNANIMOUS

- E. Discussion and action regarding Ordinance No. 2019-08-04 Authorizing The Issuance Of The “City Of Lavon, Texas, Special Assessment Revenue Bonds, Series 2019 (Lakepointe Improvement District Major Improvement Area Project)”; Approving And Authorizing An Indenture Of Trust, A Bond Purchase Agreement, A Limited Offering Memorandum, A Continuing Disclosure Agreement; A Construction, Funding And Acquisition Agreement, An Agriculture Valuation Waiver And Redemption Agreement And Other Agreements And Documents In Connection Therewith; Making Findings With Respect To The Issuance Of Such Bonds; And Providing An Effective Date.**

**MOTION: APPROVE ORDINANCE NO. 2019-08-04 AUTHORIZING THE ISSUANCE OF THE “CITY OF LAVON, TEXAS, SPECIAL ASSESSMENT REVENUE BONDS, SERIES 2019 (LAKEPOINTE IMPROVEMENT DISTRICT MAJOR IMPROVEMENT AREA PROJECT)”; APPROVING AND AUTHORIZING AN INDENTURE OF TRUST, A BOND PURCHASE AGREEMENT, A LIMITED OFFERING MEMORANDUM, A CONTINUING DISCLOSURE AGREEMENT; A CONSTRUCTION, FUNDING AND ACQUISITION AGREEMENT, AN AGRICULTURE VALUATION WAIVER AND REDEMPTION AGREEMENT AND OTHER AGREEMENTS AND DOCUMENTS IN CONNECTION THEREWITH; MAKING FINDINGS WITH RESPECT TO THE ISSUANCE OF SUCH BONDS; AND PROVIDING AN EFFECTIVE DATE.**

MOTION MADE: SERKLAND  
SECONDED: DILL  
APPROVED: UNANIMOUS

**F. Public hearing, discussion and action regarding an ordinance of the City of Lavon, Texas Enacting Amendments to The City's Subdivision Ordinance; Providing for Compliance with New State Legislation Affecting Procedures for Approving Plats, Replats And Related Site Plans; Providing A Conflict Clause; Providing A Severance Clause; And Setting An Effective Date.**

**Presentation of request.**

Ms. Dobbs provided information regarding the updated legislative actions and advised that the Planning and Zoning Commission conducted a special meeting on August 13, 2019 to receive comments and consider the proposed regulations. Ms. Dobbs explained that the proposed ordinance has been prepared by the city attorney to ensure that the City would be in compliance with legislation that goes into effect on September 1, 2019. Ms. Dobbs reported that the Planning and Zoning Commission unanimously recommended approval.

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

Mayor Sanson opened the public hearing at 8:00 p.m. and invited comments in favor of or opposition to the request. There being no comments, Mayor Sanson closed the public hearing at 8:01 p.m.

**Discussion and action regarding the request and accompanying Ordinance No. 2019-08-05.**

**MOTION: APPROVE ORDINANCE NO. 2019-08-05 ENACTING AMENDMENTS TO THE CITY'S SUBDIVISION ORDINANCE; PROVIDING FOR COMPLIANCE WITH NEW STATE LEGISLATION AFFECTING PROCEDURES FOR APPROVING PLATS, REPLATS AND RELATED SITE PLANS; PROVIDING A CONFLICT CLAUSE; PROVIDING A SEVERANCE CLAUSE; AND SETTING AN EFFECTIVE DATE.**

MOTION: WRIGHT  
SECONDED: KELL  
APPROVED: UNANIMOUS

**G. Public hearing, discussion and action regarding an ordinance of the City of Lavon, Texas, Enacting Amendments to The City's Zoning Ordinance And Building Code Regulations; Providing For Compliance With New State Laws Affecting Materials Used In The Construction Or Renovation Of Residential And Commercial Buildings, Rules And Proceedings Before The Zoning Board Of Adjustment; Providing For Appeals; Providing Related Directives To The City Administrator; Providing A Conflict/Savings Clause; And Setting An Effective Date.**

**Presentation of request.**

Ms. Dobbs provided information regarding the building materials listed in the International Building Code and stated that per recent state law the City cannot be more stringent than the code. It was noted that the Planning and Zoning Commission conducted a special meeting on August 13, 2019 to receive comments and consider the proposed regulations. Again, Ms. Dobbs explained that the proposed ordinance has been prepared by the city attorney to ensure that the City would be in compliance with legislation that goes into effect on September 1, 2019. Ms. Dobbs reported that the Planning and Zoning Commission unanimously recommended approval.

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

Mayor Sanson opened the public hearing at 8:10 p.m. and invited comments in favor of or opposition to the request. There being no comments, Mayor Sanson closed the public hearing at 8:10 p.m.

**Discussion and action regarding the request and accompanying Ordinance No. 2019-08-06.**

**MOTION: APPROVE ORDINANCE NO. 2019-08-06 ENACTING AMENDMENTS TO THE CITY'S ZONING ORDINANCE AND BUILDING CODE REGULATIONS; PROVIDING FOR COMPLIANCE WITH NEW STATE LAWS AFFECTING MATERIALS USED IN THE CONSTRUCTION OR RENOVATION OF RESIDENTIAL AND COMMERCIAL BUILDINGS, RULES AND PROCEEDINGS BEFORE THE ZONING BOARD OF ADJUSTMENT; PROVIDING FOR APPEALS; PROVIDING RELATED DIRECTIVES TO**

**THE CITY ADMINISTRATOR; PROVIDING A CONFLICT/SAVINGS CLAUSE; AND SETTING AN EFFECTIVE DATE.**

MOTION MADE: SERKLAND  
SECONDED: COOK  
APPROVED: UNANIMOUS

- H. Discussion and action regarding Ordinance No. 2019-08-07 amending Ordinance No. 2018-09-02, as amended, that approved and adopted a budget for the City for the Fiscal Year October 1, 2018 through September 30, 2019 to amend adopted revenues and expenditures of the budget; and declaring an effective date.**

Ms. Dobbs provided information regarding the proposed budget amendment.

**MOTION: APPROVE ORDINANCE NO. 2019-08-07 AMENDING ORDINANCE NO. 2018-09-02 AS AMENDED, THAT APPROVED AND ADOPTED A BUDGET FOR THE CITY FOR THE FISCAL YEAR OCTOBER 1, 2018 THROUGH SEPTEMBER 30, 2019 TO AMEND ADOPTED REVENUES AND EXPENDITURES OF THE BUDGET; AND DECLARING AN EFFECTIVE DATE.**

MOTION MADE: DILL  
SECONDED: KELL  
APPROVED: UNANIMOUS

**8. 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 consolidated activity, crime prevention and community relations officer’s report.
- B. Fire Services** –Fire Chief Danny Anthony provided the LVFD call report which indicated 21 calls for the month of July 2019. Chief Anthony reported that the firefighters attended the Back to School Bash at Community High School and have begun booking birthday parties at the fire station. Chief Anthony informed the Council that the brush truck had been delivered and graphics will be added.
- C. Public Works** – Mr. 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 recent drainage work done in the HOA area at Traditions at Grand Heritage.
- D. Administration** – Ms. Dobbs referred to and answered questions regarding the reports provided in the meeting packet including the Financial Outlook; Building Permits Report; CWD Recycling Reports; Collin County Monthly Tax Collection Report; Sales Tax Report; TexStar Newsletter; Investment Report, Election information and SH 205 Update. Ms. Dobbs noted specifically that the City Council was being presented with the quarterly investment report.


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

- August 31, 2019 LVFD Truck Roll In and Coffee with Candy Noble 9 a.m.
- September 3, 2019 City Council meeting and public hearing on tax rate 6 p.m.
- September 7, 2019 Envision Lavon! Engagement Day-public input and feedback 1 p.m.-5p.m.
- September 10, 2019 Special City Council meeting and public hearing on the tax rate at 7 p.m.
- September 17, 2019 City Council Meeting.

**10. MAYOR SANSON ADJOURNED THE CITY COUNCIL MEETING AT 8:29 P.M.**

**DULY PASSED and APPROVED** by the City Council of Lavon, Texas, on this 3<sup>rd</sup> day of September 2019.

  
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Vicki Sanson  
Mayor

**ATTEST:**  
  
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Kim Dobbs  
City Administrator/City Secretary

