



**MINUTES
MAY 19, 2020
LAVON CITY COUNCIL
EXECUTIVE SESSION - REGULAR MEETING
TELEPHONIC MEETING
CITY HALL, 120 SCHOOL ROAD, LAVON, TEXAS
7:00 P.M.**

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

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

1. MAYOR SANSON CALLED THE MEETING TO ORDER AT 7:01 P.M., TOOK ROLL AND CONFIRMED A QUORUM PRESENT.

2. EXECUTIVE SESSION

At 7:03 p.m., in accordance with Texas Government Code, Chapter 551, Subchapter D, the City Council recessed into Executive Session (closed meeting) to discuss the following items pursuant to Section 551.071; under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas.

- 1) Section 551.071 Consultation with Attorney regarding the (i) Abston Hills Development and (ii) Grand Heritage Development.

3. RECONVENE FROM EXECUTIVE SESSION

In accordance with Texas Government Code, Section 551.001, et seq., Mayor Sanson reconvened the meeting at 7:22 p.m. and stated that no action was taken in executive session.

4. MAYOR SANSON OBSERVED A MOMENT OF SILENCE

5. CITIZENS COMMENTS

Stuart Bender, 626 Langdon, offered comments regarding the condition of the trees in the Tradition II development that are directly behind the homes on Langdon.

6. ITEMS OF INTEREST/COMMUNICATIONS

- CISD Graduation Friday, May 29 at 8pm at the CISD Athletic Stadium.
- Kay Wright expressed appreciation to Domino's for providing pizza to the CISD Bus Drivers that have been delivering food to the students at home.
- Mayor Sanson noted that sign-ups for online agenda notifications have reached 383.

7. CONSENT AGENDA

- A. Approve the minutes of the May 5, 2020 meeting.**
- B. Accept the Heritage Public Improvement District #1 Assessment Report Summary dated 4/30/2020 and authorize the payment of all invoices for the Public Improvement District #1.**
- C. Ratify and authorize the Mayor's and/or City Administrator's execution of preparation documents relating to General Obligation Refunding Bonds, Series 2020 and Combination Tax and Revenue Certificates of Obligation, Series 2020.**

MOTION: APPROVE THE CONSENT AGENDA.

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

8. ITEMS FOR CONSIDERATION

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

City Administrator Kim Dobbs provided information regarding the most recent Governor's Orders (GA-21) in relation to the expanded reopening of services as part of the safe, strategic plan to Open Texas. Ms. Dobbs noted that the city attorney advised that we are aligned with the State Orders. Ms. Dobbs sought clarification regarding purchasing PPE items and COVID-19 related items that were not in the budget to ready for reopening City Hall to the public. The Council directed administration to make the purchases and take actions necessary to keep employees and the public safe and healthy.

B. Discussion and action regarding Resolution No. 2020-05-08 authorizing the Mayor to execute an Interlocal Cooperation Agreement with Collin County for Municipal Direct Expense Funding under the County's Emergency Program for Direct Costs Expended By Municipalities Located in Collin County to Address and Respond to COVID-19.

Ms. Dobbs provided information regarding funds from the federal Coronavirus Aid, Relief and Economic Security (CARES) Act. Ms. Dobbs added that funding for cities was allocated per capita and each city will be required to enter into a standard interlocal cooperation agreement with Collin County in order to access the funding.

MOTION: APPROVE RESOLUTION NO. 2020-05-08 AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL COOPERATION AGREEMENT WITH COLLIN COUNTY FOR MUNICIPAL DIRECT EXPENSE FUNDING UNDER THE COUNTY'S EMERGENCY PROGRAM FOR DIRECT COSTS EXPENDED BY MUNICIPALITIES LOCATED IN COLLIN COUNTY TO ADDRESS AND RESPOND TO COVID-19.

MOTION MADE: KELL
SECONDED: DILL
APPROVED: UNANIMOUS (Absent: Cook)

C. Discussion and action regarding the first reading of Resolution No. 2020-05-09 authorizing the Lavon Economic Development Corporation (LEDC) to expend funds for projects Shop Lavon and Building Improvement/Loan Grant Program, such projects not to exceed \$30,000.00 respectively; and providing an effective date.

Ms. Dobbs introduced Pam Mundo, Mundo & Associates and Executive Director of the LEDC who explained that the LEDC proposes to fund both the "Shop Lavon" and the Building Improvement/Loan Grant Program projects as caring responses to the residents of Lavon within the city limits as well as helping the businesses within the city limits that have been affected by COVID-19. Ms. Dobbs noted that state law provides for two readings of the Resolution.

MOTION: APPROVE THE FIRST READING OF RESOLUTION NO. 2020-05-09 AUTHORIZING THE LAVON ECONOMIC DEVELOPMENT CORPORATION TO EXPEND FUNDS FOR PROJECTS SHOP LAVON AND BUILDING IMPROVEMENT/LOAN GRANT PROGRAM, SUCH PROJECTS NOT TO EXCEED \$30,000.00 RESPECTIVELY; AND PROVIDING AN EFFECTIVE DATE.

MOTION MADE: WRIGHT
SECONDED: SERKLAND
APPROVED: UNANIMOUS (Absent: Cook)

D. Discussion and action regarding Resolution No. 2020-05-10 authorizing the Mayor to execute a Letter Agreement Mutually Terminating an Amended and Restated Master Development Agreement between the City of Lavon, Texas and World Land Developers, L.P. and authorizing

payments as set forth therein; approving termination of the City of Lavon, Texas and Collin County, Texas Agreement to Participate in Reinvestment Zone Number One, City of Lavon; and providing for an effective date.

Ms. Dobbs reviewed steps recently undertaken with World Land Developers relating to the Heritage Public Improvement District No. 1 (Residential), Heritage Public Improvement District No. 2 (Commercial), and Lavon Tax Reinvestment Zone No. 1 (TIF). Financial Advisor Jason Hughes, Public Improvement District (PID) Administrator Mary Petty, Bond Counsel Greg Schaecher and City Attorney Jon Lawson were available to answer questions.

MOTION: APPROVE RESOLUTION NO. 2020-05-10 AUTHORIZING THE MAYOR TO EXECUTE A LETTER AGREEMENT MUTUALLY TERMINATING AN AMENDED AND RESTATED MASTER DEVELOPMENT AGREEMENT BETWEEN THE CITY OF LAVON, TEXAS AND WORLD LAND DEVELOPERS, L.P. AND AUTHORIZING PAYMENTS AS SET FORTH THEREIN; APPROVING TERMINATION OF THE CITY OF LAVON, TEXAS AND COLLIN COUNTY, TEXAS AGREEMENT TO PARTICIPATE IN REINVESTMENT ZONE NUMBER ONE, CITY OF LAVON; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION MADE: SERKLAND
SECONDED: WRIGHT
APPROVED: UNANIMOUS (Absent: Cook)

- E. Discussion and action regarding Resolution No. 2020-05-11 approving the Public Improvement District (PID) Reimbursement Agreement – Heritage Public Improvement District No. 1 (Residential) Project with Bloomfield Homes, L.P. and assignment of reimbursement rights relating to Heritage Public Improvement District No. 1 (Residential); authorizing and directing the Mayor of the City to execute the PID Reimbursement Agreement – Heritage Public Improvement District No. 1 (Residential) Project and the Assignment of Reimbursement Rights Relating to Heritage Public Improvement District No. 1 (Residential); and providing an effective date.**

Ms. Dobbs and Ms. Petty outlined that in coordination with and as a condition of the termination of the Amended and Restated Master development Agreement with World Land, certain provisions have been made to provide for PID reimbursement and the assignment of reimbursement rights related to the agreement.

MOTION: APPROVE RESOLUTION NO. 2020-05-11 APPROVING THE PUBLIC IMPROVEMENT DISTRICT (PID) REIMBURSEMENT AGREEMENT – HERITAGE PUBLIC IMPROVEMENT DISTRICT NO. 1 (RESIDENTIAL) PROJECT WITH BLOOMFIELD HOMES, L.P. AND ASSIGNMENT OF REIMBURSEMENT RIGHTS RELATING TO HERITAGE PUBLIC IMPROVEMENT DISTRICT NO. 1 (RESIDENTIAL); AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY TO EXECUTE THE PID REIMBURSEMENT AGREEMENT – HERITAGE PUBLIC IMPROVEMENT DISTRICT NO. 1 (RESIDENTIAL) PROJECT AND THE ASSIGNMENT OF REIMBURSEMENT RIGHTS RELATING TO HERITAGE PUBLIC IMPROVEMENT DISTRICT NO. 1 (RESIDENTIAL); AND PROVIDING AN EFFECTIVE DATE.

MOTION MADE: DILL
SECONDED: KELL
APPROVED: UNANIMOUS (Absent: Cook)

- F. Public Hearing, discussion and action regarding assessments for Zone 2, 3 and 4 of Heritage Public Improvement District No. 1 (Residential) within the City of Lavon, Texas and Ordinance No. 2020-05-03 accepting and approving an amended and restated service and assessment plan and assessment rolls for the Heritage Public Improvement District No. 1 (Residential); 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 for severability, and providing an effective date.

Presentation of request.

Ms. Dobbs and Ms. Petty recapped discussions with the landowner, Bloomfield Homes, L.P., to amend the boundary of the Heritage Public Improvement District No. 1 (Residential) to add 87.56 acres to the PID. Ms. Dobbs noted that notices were mailed to all affected property owners. Additionally, information was provided to the Grand Heritage Homeowners' Association to aid in sharing the information and addressing any questions. Ms. Petty added that state law requires that the Service and Assessment Plan Statutes be reviewed annually and that the the revisions will make collection and review of assessments easier going forward.

PUBLIC HEARING to receive comments regarding the request and accompanying Ordinance.

Mayor Sanson opened the public hearing at 8:07 p.m. and invited comments regarding the request.

- Drew Slone, Winstead, P.C., 2728 Harwood, St. Dallas, legal counsel for Bloomfield Homes, stated for the record that they were in favor of the action.
- Joshua Murray, 1762 Lake Rd. suggested that moving forward the Council consider a limitation on the number of lots in PIDs allowed in the city.

There being no further comments Mayor Sanson closed the public hearing at 8:10 p.m.

Discussion and action.

MOTION: APPROVE ORDINANCE NO. 2020-05-03 ACCEPTING AND APPROVING AN AMENDED AND RESTATED SERVICE AND ASSESSMENT PLAN AND ASSESSMENT ROLLS FOR THE HERITAGE PUBLIC IMPROVEMENT DISTRICT NO. 1 (RESIDENTIAL); 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 FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE, SUBJECT TO CITY ATTORNEY AND BOND COUNSEL REVIEW AND APPROVAL.

MOTION MADE: WRIGHT
SECONDED: KELL
APPROVED: UNANIMOUS (Absent: Cook)

G. Discussion and action regarding acceptance of the public infrastructure for the Traditions at Grand Heritage, Phase 2 addition.

Ms. Dobbs added that the developer recently completed construction of the public infrastructure improvements and that action on this item was deferred from the May 5, 2020 City Council Meeting. Ms. Dobbs noted that the city engineer recommended approval.

MOTION: ACCEPT THE PUBLIC INFRASTRUCTURE FOR THE TRADITIONS AT GRAND HERITAGE, PHASE 2 ADDITION.

MOTION MADE: SERKLAND
SECONDED: WRIGHT
APPROVED: UNANIMOUS (Absent: Cook)

9. WORK SESSION:

Capital Improvements Plan (CIP) – Discussion regarding the process, needs, elements, priorities, and estimated costs of capital improvement programming.

City Engineer, Mark Hill, Freeman Millican, LLC., presented and answered questions regarding potential CIP projects and received direction from the City Council for the next steps in the Capital Improvements Plan. Ms. Dobbs noted that the City is scheduled to sell bonds to fund the CIP projects in early June.

10. DEPARTMENT REPORTS

- A. Police Services** – Police Chief Mike Jones presented reports regarding traffic stops, calls for service, call breakout information and community relations officer’s report.
- B. Fire Services** – Fire Chief Danny Anthony presented the LFD service and equipment report.
- C. Public Works** – Director of Public Works Sonny Mancias reviewed a report regarding general public works and street maintenance including mowing and trash collection and the sewer plant expansion and the status of the wastewater treatment plant expansion, Crestridge Meadows, Lavon Farms, Traditions Phase 2, Presidents Rd. Bridge and LakePointe developments construction.
- D. Administration** – Ms. Dobbs referenced and offered to answer questions regarding the reports provided in the meeting packet including the Building Permits Report; CWD Recycling Report, Collin County Tax Collection Reports; Preliminary Tax Value report; Sales Tax Report; TxDOT SH 205 Status Report; Atmos Press Release – Health Care Heroes of Safety; Quarterly Investment Report; TexStar Newsletter and general staff report. Ms. Dobbs announced that Director of Sonny Mancias had provided notice of his retirement and expressed appreciation for his service. The City Council expressed congratulations and gratitude.

11. CITY COUNCIL TO SET FUTURE MEETINGS AND AGENDAS.

- June 2, 2020 7 p.m. Regular Meeting

12. MAYOR SANSON ADJOURNED THE CITY COUNCIL MEETING AT 8:57 P.M.

DULY PASSED and APPROVED by the City Council of Lavon, Texas, on this 2nd day of June 2020.



Vicki Sanson
Mayor



ATTEST:



Kim Dobbs
City Administrator/City Secretary