



MINUTES
SEPTEMBER 21, 2021
LAVON CITY COUNCIL
REGULAR MEETING
CITY HALL, 120 SCHOOL ROAD, LAVON, TEXAS
6:00 P.M.

ATTENDING: VICKI SANSON, MAYOR
JOHN KELL, PLACE 1
KAY WRIGHT, MAYOR PRO TEM, PLACE 3
MINDI SERKLAND, PLACE 5

ABSENT: MIKE COOK, PLACE 2
TED DILL, PLACE 4

1. MAYOR SANSON CALLED THE MEETING TO ORDER AT 6:01 P.M. AND ANNOUNCED A QUORUM PRESENT.

2. EXECUTIVE SESSION

At 6:02 p.m., in accordance with the Texas Government Code, Annotated, Subchapter 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 including (i) for the provision of municipal services in an unincorporated area; (ii) Elevon Development Agreement; (iii) Trails of Lavon Development Agreement.

3. RECONVENE INTO REGULAR SESSION

In accordance with Texas Government Code, Section 551.001, et seq., Mayor Sanson reconvened the meeting at 6:51 p.m. and stated that no action was taken in executive session.

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

5. PROCLAMATIONS

Mayor Sanson and the City Council presented Proclamations to the Lavon Police Department for 2021 National Night Out and to the Lavon Fire Department for 2021 Fire Prevention Week.

6. CITIZENS COMMENTS

There were no citizens comments.

7. ITEMS OF INTEREST/COMMUNICATIONS

- NTFB "Spread the Hope" Peanut Butter Drive September 1-30, 2021
- National Night Out – Tuesday, October 5, 2021 6:30p.m.-8:30p.m.
- X-Treme Green – Saturday, October 9, 2021 from 8a.m.- 3:00p.m.

8. CONSENT AGENDA

A. Approve the minutes of the September 7, 2021 meeting.

B. Approve Ordinance No. 2021-09-06 authorizing and allowing, under the Act governing the Texas Municipal Retirement System, "Updated Service Credits" in said system on an annual basis for service performed by qualifying members of such system who at the effective date of the allowance are members of the City of Lavon; providing for increases prior and current service annuities for retirees and beneficiaries of deceased retirees of the City; and establishing and effective date.

- C. Discussion and action regarding Ordinance No. 2021-09-07 amending Ordinance No. 2020-09-02, as amended, that approved and adopted a Budget for the city for the fiscal year October 1, 2020 through September 30, 2021 to amend adopted revenues and expenditures of the budget; and declaring an effective date.
- D. Approve Resolution No. 2021-09-05 approving and authorizing the Mayor to execute an Assessment Collection Services Agreement with Collin County, Texas for the LakePointe Public Improvement District Improvement Area #2 and Improvement Area #3, Lavon, Texas.
- E. Approve Resolution No. 2021-09-06 approving and authorizing the Mayor to execute Amendment No.1 to Professional Services Agreement with Kimley-Horn to include services related to an update to the Future Land Use Plan and Thoroughfare Plan.
- F. Approve Resolution No. 2021-09-17 approving and authorizing the Mayor to execute a Chapter 380 Agreement with TSHH, LLC for an economic development grant program related to building materials for construction projects for a term of ten years.

MOTION: APPROVE THE CONSENT AGENDA.

MOTION MADE: WRIGHT

SECONDED: KELL

APPROVED: UNANIMOUS (Absent: Cook, Dill)

9. ITEMS FOR CONSIDERATION

- A. Discussion, and action regarding Resolution No. 2021-09-07 approving and authorizing the Mayor to execute a Development Agreement with the owners/developer of the Elevon project, which agreement anticipates, among other things, creation of a Public Improvement District under Chapter 372 of the Texas Local Government Code, creation of a Tax Increment Reinvestment Zone under Chapter 311 of the Texas Tax Code, establishment of land use development design regulations and providing terms for annexation; being approximately 1268.695 acres of land situated in the Samuel M. Ranier Survey, Abstract No. 740, the Drury Anglin Survey, Abstract No. 2, and the James. P. Davis Survey, Abstract No. 249 and generally located southeast of the intersection of SH 78 and FM 6 and within the extraterritorial jurisdiction and/or corporate limits of the City of Lavon, Texas.

City Administrator Kim Dobbs provided information regarding the background and location of the proposed development. Mary Petty, P3 Works, provided information regarding the deal points of the development agreement including specific information related to public improvement district (PID) and tax increment reinvestment zone (TIRZ) provisions. Ms. Dobbs reviewed the proposed design standards.

MOTION: APPROVE RESOLUTION NO. 2021-09-07 APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A DEVELOPMENT AGREEMENT WITH THE OWNERS/DEVELOPER OF THE ELEVON PROJECT, WHICH AGREEMENT ANTICIPATES, AMONG OTHER THINGS, CREATION OF A PUBLIC IMPROVEMENT DISTRICT UNDER CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE, CREATION OF A TAX INCREMENT REINVESTMENT ZONE UNDER CHAPTER 311 OF THE TEXAS TAX CODE, ESTABLISHMENT OF LAND USE DEVELOPMENT DESIGN REGULATIONS AND PROVIDING TERMS FOR ANNEXATION; BEING APPROXIMATELY 1268.695 ACRES OF LAND SITUATED IN THE SAMUEL M. RANIER SURVEY, ABSTRACT NO. 740, THE DRURY ANGLIN SURVEY, ABSTRACT NO. 2, AND THE JAMES. P. DAVIS SURVEY, ABSTRACT NO. 249 AND GENERALLY LOCATED SOUTHEAST OF THE INTERSECTION OF SH 78 AND FM 6 AND WITHIN THE EXTRATERRITORIAL JURISDICTION AND/OR CORPORATE LIMITS OF THE CITY OF LAVON, TEXAS.

MOTION MADE: SERKLAND

SECONDED: KELL

APPROVED: UNANIMOUS (Absent: Cook, Dill)

- B. Discussion and action regarding Resolution No. 2021-09-08 setting a public hearing under Sec. 372.009 of the Texas Local Government Code for the creation of the Elevon Public Improvement District within the extraterritorial jurisdiction of the City of Lavon, Texas; and authorizing the issuance of notice by the City Secretary of Lavon, Texas regarding the public hearing. The property, Elevon Addition, is approximately 982.719 acres of land situated in the Samuel M. Ranier Survey, Abstract No. 740, the Drury Anglin Survey, Abstract No. 2, and the James. P. Davis Survey, Abstract No. 249 and generally located southeast of the intersection of SH 78 and FM 6 and within the extraterritorial jurisdiction and/or corporate limits of the City of Lavon, Texas.**

Ms. Petty provided information regarding the PID petition, call for a public hearing and creation process. It was noted that assessments are only levied on properties within the PID.

MOTION: APPROVE RESOLUTION NO. 2021-09-08 SETTING A PUBLIC HEARING UNDER SEC. 372.009 OF THE TEXAS LOCAL GOVERNMENT CODE FOR THE CREATION OF THE ELEVON PUBLIC IMPROVEMENT DISTRICT WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF LAVON, TEXAS; AND AUTHORIZING THE ISSUANCE OF NOTICE BY THE CITY SECRETARY OF LAVON, TEXAS REGARDING THE PUBLIC HEARING. THE PROPERTY, ELEVON ADDITION, IS APPROXIMATELY 982.719 ACRES OF LAND SITUATED IN THE SAMUEL M. RANIER SURVEY, ABSTRACT NO. 740, THE DRURY ANGLIN SURVEY, ABSTRACT NO. 2, AND THE JAMES. P. DAVIS SURVEY, ABSTRACT NO. 249 AND GENERALLY LOCATED SOUTHEAST OF THE INTERSECTION OF SH 78 AND FM 6 AND WITHIN THE EXTRATERRITORIAL JURISDICTION AND/OR CORPORATE LIMITS OF THE CITY OF LAVON, TEXAS.

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

- C. Discussion and action regarding Resolution No. 2021-09-09 , setting a public hearing under Section 311.003 of the Texas Tax Code for the creation of a Tax Increment Reinvestment Zone containing approximately 1292.19 acres of land generally located east of Highway 78 and being wholly located within the corporate limits and extraterritorial jurisdiction of the City of Lavon, Texas; authorizing the issuance of notice by the City Secretary of the City of Lavon, Texas, regarding the public hearing; and directing the City of Lavon, Texas to prepare a Preliminary Reinvestment Zone Financing Plan.**

Ms. Petty provided detailed information regarding the TIRZ provisions, creation process, timelines and impacts to the City.

MOTION: APPROVE RESOLUTION NO. 2021-09-09 , SETTING A PUBLIC HEARING UNDER SECTION 311.003 OF THE TEXAS TAX CODE FOR THE CREATION OF A TAX INCREMENT REINVESTMENT ZONE CONTAINING APPROXIMATELY 1292.19 ACRES OF LAND GENERALLY LOCATED EAST OF HIGHWAY 78 AND BEING WHOLLY LOCATED WITHIN THE CORPORATE LIMITS AND EXTRATERRITORIAL JURISDICTION OF THE CITY OF LAVON, TEXAS; AUTHORIZING THE ISSUANCE OF NOTICE BY THE CITY SECRETARY OF THE CITY OF LAVON, TEXAS, REGARDING THE PUBLIC HEARING; AND DIRECTING THE CITY OF LAVON, TEXAS TO PREPARE A PRELIMINARY REINVESTMENT ZONE FINANCING PLAN.

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

- D. Discussion and action regarding Resolution No. 2021-09-10 approving and authorizing the Mayor to execute a professional services agreement with P3 Works LLC for the provision of public improvement district administration and service and assessment plan and tax increment**

reinvestment zone (TIRZ) creation and administration consultant services for the Elevon development project; and providing an effective date.

Ms. Dobbs provided information regarding the proposed Professional Services Agreement with P3 Works for PID/TIRZ administration and consultation services.

MOTION: APPROVE RESOLUTION NO. 2021-09-10 APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH P3 WORKS LLC FOR THE PROVISION OF PUBLIC IMPROVEMENT DISTRICT ADMINISTRATION AND SERVICE AND ASSESSMENT PLAN AND TAX INCREMENT REINVESTMENT ZONE (TIRZ) CREATION AND ADMINISTRATION CONSULTANT SERVICES FOR THE ELEVON DEVELOPMENT PROJECT; AND PROVIDING AN EFFECTIVE DATE.

MOTION MADE: SERKLAND

SECONDED: KELL

APPROVED: UNANIMOUS (Absent: Cook, Dill)

- E. Discussion and action regarding Resolution No. 2021-09-11 approving and authorizing the Mayor to execute a Development Agreement with the owners/developer of the Trails of Lavon 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 approximately 205.503 acres of land situated in the S. Roberts Survey, Abstract No. 773 and the D. Anglin Survey, Abstract No. 2, Collin County and generally located east and southwest of the intersection of CR 485 and CR 484, northeast of the intersection of CR 484 and CR 483 within the extraterritorial jurisdiction of City of Lavon, Texas.**

Ms. Dobbs provided information regarding the background and location of the proposed development. Ms. Petty provided information regarding the deal points of the development agreement including specific information related to a public improvement district (PID). Ms. Dobbs reviewed the proposed design standards. Lucas Tribble, Meritage Homes, presented details about the development.

MOTION: APPROVE RESOLUTION NO. 2021-09-11 APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A DEVELOPMENT AGREEMENT WITH THE OWNERS/DEVELOPER OF THE TRAILS OF LAVON 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 APPROXIMATELY 205.503 ACRES OF LAND SITUATED IN THE S. ROBERTS SURVEY, ABSTRACT NO. 773 AND THE D. ANGLIN SURVEY, ABSTRACT NO. 2, COLLIN COUNTY AND GENERALLY LOCATED EAST AND SOUTHWEST OF THE INTERSECTION OF CR 485 AND CR 484, NORTHEAST OF THE INTERSECTION OF CR 484 AND CR 483 WITHIN THE EXTRATERRITORIAL JURISDICTION OF CITY OF LAVON, TEXAS.

MOTION MADE: KELL

SECONDED: WRIGHT

APPROVED: UNANIMOUS (Absent: Cook, Dill)

- F. Discussion and action regarding Resolution No. 2021-09-12 accepting a petition to create a Public Improvement District, calling for a public hearing and directing the statutory notices to be given. The property, Trails of Lavon Addition, is approximately ±190.774 acres of land situated in the S. Roberts Survey, Abstract No. 773 and the D. Anglin Survey, Abstract No. 2, Collin County and generally located east and southwest of the intersection of CR 485 and CR 484, northeast of the intersection of CR 484 and CR 483 within the extraterritorial jurisdiction of City of Lavon, Texas.**

Ms. Petty provided information regarding the PID petition, call for a public hearing and creation process. It was noted that assessments are only levied on properties within the PID..

MOTION: APPROVE RESOLUTION NO. 2021-09-12 ACCEPTING A PETITION TO CREATE A PUBLIC IMPROVEMENT DISTRICT, CALLING FOR A PUBLIC HEARING AND DIRECTING THE STATUTORY NOTICES TO BE GIVEN. THE PROPERTY, TRAILS OF LAVON ADDITION, IS APPROXIMATELY +190.774 ACRES OF LAND SITUATED IN THE S. ROBERTS SURVEY, ABSTRACT NO. 773 AND THE D. ANGLIN SURVEY, ABSTRACT NO. 2, COLLIN COUNTY AND GENERALLY LOCATED EAST AND SOUTHWEST OF THE INTERSECTION OF CR 485 AND CR 484, NORTHEAST OF THE INTERSECTION OF CR 484 AND CR 483 WITHIN THE EXTRATERRITORIAL JURISDICTION OF CITY OF LAVON, TEXAS.

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

- G. Discussion and action regarding Resolution No. 2021-09-13 accepting a Petition Requesting Annexation By Area Landowners and approving and authorizing the Mayor to execute a Municipal Services Agreement with the landowners for the purpose of offering municipal services for property described as 205.503 acres of land situated in the S. Roberts Survey, Abstract No. 773 and the D. Anglin Survey, Abstract No. 2, and the portions of County Road 485, County Road 484, and County Road 483, and adjacent right-of-way abutting the property, Collin County, Texas to be voluntarily annexed into the corporate limits of the City of Lavon, Texas; calling for a public hearing; and providing an effective date.**

Ms. Dobbs provided information regarding the proposed voluntary annexation, Municipal Services Agreement, and timeline. Mr. Tribble and David Aughinbaugh, Division Vice President, Meritage Homes, answered questions.

MOTION: APPROVE RESOLUTION NO. 2021-09-13 ACCEPTING A PETITION REQUESTING ANNEXATION BY AREA LANDOWNERS AND APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A MUNICIPAL SERVICES AGREEMENT WITH THE LANDOWNERS FOR THE PURPOSE OF OFFERING MUNICIPAL SERVICES FOR PROPERTY DESCRIBED AS 205.503 ACRES OF LAND SITUATED IN THE S. ROBERTS SURVEY, ABSTRACT NO. 773 AND THE D. ANGLIN SURVEY, ABSTRACT NO. 2, AND THE PORTIONS OF COUNTY ROAD 485, COUNTY ROAD 484, AND COUNTY ROAD 483, AND ADJACENT RIGHT-OF-WAY ABUTTING THE PROPERTY, COLLIN COUNTY, TEXAS TO BE VOLUNTARILY ANNEXED INTO THE CORPORATE LIMITS OF THE CITY OF LAVON, TEXAS; CALLING FOR A PUBLIC HEARING; AND PROVIDING AN EFFECTIVE DATE.

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

- H. Discussion and action Resolution No. 2021-09-14 approving and authorizing the Mayor to execute a professional services agreement with P3 Works LLC for the provision of public improvement district administration and service and assessment plan consultant services for the Trails of Lavon development project; and providing an effective date.**

Ms. Dobbs provided information regarding the proposed Professional Services Agreement with P3 Works for PID administration and consultation services.

MOTION: APPROVE RESOLUTION NO. 2021-09-14 APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH P3 WORKS LLC FOR THE PROVISION OF PUBLIC IMPROVEMENT DISTRICT ADMINISTRATION AND SERVICE AND ASSESSMENT PLAN CONSULTANT SERVICES FOR THE TRAILS OF LAVON DEVELOPMENT PROJECT; AND PROVIDING AN EFFECTIVE DATE.

MOTION MADE: KELL
SECONDED: WRIGHT

APPROVED: UNANIMOUS (Absent: Cook, Dill)

- I. Discussion and action regarding Resolution No. 2021-09-15 determining the costs of certain authorized improvements to be financed by the LakePointe Public Improvement District; approving a preliminary amended and restated Service Plan and Assessment Plan, including proposed Improvement Area #2 Assessment Roll; calling a meeting and noticing a public hearing for November 16, 2021 to consider an ordinance levying assessments on property located within the LakePointe Public Improvement District; directing the filing of the proposed Improvement Area #2 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.**

Ms. Petty provided information regarding the existing LakePointe PID, the pending phase for Improvement Area #2, and the scheduling of a public hearing.

MOTION: APPROVE RESOLUTION NO. 2021-09-15 DETERMINING THE COSTS OF CERTAIN AUTHORIZED IMPROVEMENTS TO BE FINANCED BY THE LAKEPOINTE PUBLIC IMPROVEMENT DISTRICT; APPROVING A PRELIMINARY AMENDED AND RESTATED SERVICE PLAN AND ASSESSMENT PLAN, INCLUDING PROPOSED IMPROVEMENT AREA #2 ASSESSMENT ROLL; CALLING A MEETING AND NOTICING A PUBLIC HEARING FOR NOVEMBER 16, 2021 TO CONSIDER AN ORDINANCE LEVYING ASSESSMENTS ON PROPERTY LOCATED WITHIN THE LAKEPOINTE PUBLIC IMPROVEMENT DISTRICT; DIRECTING THE FILING OF THE PROPOSED IMPROVEMENT AREA #2 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: KELL

SECONDED: WRIGHT

APPROVED: UNANIMOUS (Absent: Cook, Dill)

- J. Discussion and action regarding Resolution No. 2021-09-16 determining the costs of certain authorized improvements to be financed by the LakePointe Public Improvement District; approving a preliminary amended and restated Service Plan and Assessment Plan, including proposed Improvement Area #3 Assessment Roll; calling a meeting and noticing a public hearing for November 16, 2021 to consider an ordinance levying assessments on property located within the LakePointe Public Improvement District; directing the filing of the proposed Improvement Area #3 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.**

Ms. Petty provided information regarding the existing LakePointe PID, the pending phase for Improvement Area #3, and the scheduling of a public hearing.

MOTION: APPROVE RESOLUTION NO. 2021-09-16 DETERMINING THE COSTS OF CERTAIN AUTHORIZED IMPROVEMENTS TO BE FINANCED BY THE LAKEPOINTE PUBLIC IMPROVEMENT DISTRICT; APPROVING A PRELIMINARY AMENDED AND RESTATED SERVICE PLAN AND ASSESSMENT PLAN, INCLUDING PROPOSED IMPROVEMENT AREA #3 ASSESSMENT ROLL; CALLING A MEETING AND NOTICING A PUBLIC HEARING FOR NOVEMBER 16, 2021 TO CONSIDER AN ORDINANCE LEVYING ASSESSMENTS ON PROPERTY LOCATED WITHIN THE LAKEPOINTE PUBLIC IMPROVEMENT DISTRICT; DIRECTING THE FILING OF THE PROPOSED IMPROVEMENT AREA #3 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: WRIGHT

SECONDED: SERKLAND
APPROVED: UNANIMOUS (Absent: Cook, Dill)

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

Staff provided information regarding open facilities implementation, programming, and city programs.

10. STAFF REPORTS

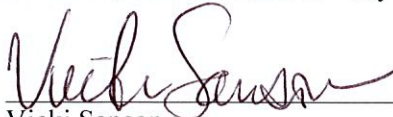
- A. Police Services** – Police Officer Carissa Vargas provided information and referenced the provided reports regarding traffic stops, calls for service and call breakout information, National Night Out, and other upcoming events including 1st Assembly Health Fair, National Drug Takeback, and Halloween activities.
- B. Fire Services** – Fire Chief Danny Anthony provided the LFD call report which indicated 51 calls, 24/7 coverage and answered questions.
- C. Public Works** – Mr. Carter provided general information regarding public works, street maintenance including mowing and trash collection, and code enforcement.
- D. Administration** – Ms. Dobbs directed the Council to reports in the meeting packet regarding the Building Permits Report; CWD Services; Collin County Monthly Tax Collection Report; Sales Tax Report; and general staff reports.

11. CITY COUNCIL TO SET FUTURE MEETINGS AND AGENDAS.

- October 5, 2021 Cancel Meeting-National Night Out
- October 9, 2021 X-Treme Green Event
- October 19, 2021 Regular Meeting.
- October 23, 2021 LPD Drug Takeback

12. MAYOR SANSON ADJOURNED THE CITY COUNCIL MEETING AT 8:06 P.M.

DULY PASSED and APPROVED by the City Council of Lavon, Texas, on this 19th day of October 2021.



Vicki Sanson
Mayor

ATTEST:



Rae Norton
City Secretary

