



Work Session & Regular Council Meeting

Tuesday July 20, 2021

7:00PM at City Hall

1. Call to Order and Declaration of Quorum

a. Time _____

2. Invocation

3. Pledge of Allegiance to the United States of America

4. Greeting of Visitors

5. Items of Community Interest

6. Public comment

Citizens are invited to address the City Council with public comments. Comments regarding items for which notice has not been given will be limited to three minutes, prior to discussion of agenda items, and Council responses shall be in accordance with Sec. 551.042 of the Texas Government Code. Comments regarding an item on the agenda may be given before or during discussion of that item. Comments that incite a breach of the peace are prohibited.

7. Approval of previous meeting's minutes, or notes - July 13, 2021 Minutes

8. Reports:

- a. City Secretary Report - Streamline street repair
- b. City Clerk Report
- c. Council Representative to Community ISD
- d. City Code Inspector - Yes
- e. Mayor's Report - "CARES ACT" American Rescue Plan Act Coronavirus Local Fiscal Recovery: Application update
- f. Budget Report

9. Work Session - No vote

Review and discuss agenda items.

Input from staff or counsel; only as requested by Mayor / Council or if asked to be recognized for points of order.

- a. Review - Ray Smith, CPA Report: Finance report and update on Audit
- b. Review - Impact Fees: The Nuts and bolts of Impact Fees
 - 1. Origin of Impact Fees
 - 2. Geographic Application Fees
 - 3. Use of vs Prohibited use of
- c. Review - Lavon PD June Report.

10. Business Session

- a. Discuss/Take Action: Ray Smith, CPA Report - Finance report and update on Audit
- b. Discuss/Take Action: Impact Fees - The Nuts and bolts of Impact Fees
 - 1. Origin of Impact Fees
 - 2. Geographic Application Fees
 - 3. Use of vs Prohibited use of

Agenda documents and supporting material from the preceding Work Session agenda

Input from staff or counsel; only as requested by Mayor / Council or if asked to be recognized for points of order.

11. Future Agenda Items

Future agenda items shall be designated by the Mayor. In addition, a motion and a second from any two Councilpersons shall be sufficient to add an agenda item for a future meeting. Staff and counsel shall have prior consent of the Mayor to add an agenda item for a future meeting.

12. Executive Session: Time _____

Pursuant to the provisions of Chapter 551, Texas Government Code, Vernon's Texas Codes Annotated, the Town Council may hold a closed meeting. Government code 551.071-Confidential legal advice regarding any of the agenda items on the open session agenda, and as follows:

13. Regular Session: Reconvene from Executive Session: Time _____

14. If required, act on items reviewed in Executive Session.

15. Adjournment / Closing: Time _____

I, Judy Hill, City Secretary, certify that the Agenda of the City of Nevada Council Regular Meeting to be held on July 20, 2021 was posted at City Hall on July 16, 2021.

NOTE: The City of Nevada, Texas, City Council meets regularly on the first and third Tuesday of each month at 7:00 P.M. The Council adheres to the printed Agenda for official action. Any individuals desiring official action on a matter should submit a request for the item to be considered for inclusion on a future Agenda to the office of the City Secretary not later than fourteen (14) days prior to the Council Meeting.



TX

CPA FINANCIAL REPORT

	A	B	C	D	E	F	G	L	M	N	O	R
1				City of Nevada - General Fund								
2				2020-2021 Actual vs. Budget Financial Report								
3				For the nine months ended June 30, 2021								
5					June 2021 Actuals		Current YTD Actuals		Budget		% of Budget	
6				Revenue								
7				City Sales Taxes	7,806		68,045		90,000		75.61%	
8				Franchise Fees								
9				Electric Franchise Fee			49,432		60,000		82.39%	
10				Gas Franchise Fee			3,148		4,000		78.71%	
11				Telephone Franchise Fee			779		1,000		77.9%	
12				Trash Service Franchise Fee			3,908		4,000		97.7%	
13				Franchise Fees - Other								
14				Total Franchise Fees			57,267		69,000		83.0%	
15				Other Revenue								
16				Interest Income			53		-		100.0%	
17				Miscellaneous Income			25				100.0%	
18				Property Taxes								
19				General Property Taxes	908		221,970		214,038		103.71%	
20				Total Property Taxes	908		221,970		214,038		103.71%	
21				Total Revenue from Administration	8,714		347,360		373,038		93.12%	
22												
23				Permit Fees								
24				Building Permit Fees	2,815		15,548		33,000		47.12%	
25				Health/Food Permit Fees					500		0.0%	
26				Subdivision/Development Fees			110,398		3,000		3,679.92%	
27				Septic Permit Fees			570		6,200		9.19%	
28				Permit Fees - Other			1,710		2,500		68.4%	
29				Total Permit Fees	2,815		128,226		45,200		283.69%	
30												
31				Code and Traffic Enforcement								
32				Property Code Enforcement			-		-		0.0%	
33				Traffic Violations			-		-		0.0%	
34				Total Code and Traffic Enforcement			-		-		0.0%	
35												
36				Total Revenue from City Services	2,815		128,226		45,200		283.69%	
37												
38				Total Revenue	11,529		475,586		418,238		113.71%	

	A	B	C	D	E	F	G	L	M	N	O	R
1				City of Nevada - General Fund								
2				2020-2021 Actual vs. Budget Financial Report								
3				For the nine months ended June 30, 2021								
5						June 2021 Actuals	Current YTD Actuals			Budget		% of Budget
40				Expenses								
41				City Administration Expenses								
42				City Council Expenses								
43				Consultant Fees			-			-		0.0%
44				Council Meeting Supplies			-			-		0.0%
45				Dues and Memberships			591			600		98.5%
46				Election Fees and Supplies		150	1,650			6,000		27.5%
47				Legal Services			-			-		0.0%
48				Training/Seminars			-			-		0.0%
49				Total City Council Expenses		150	2,241			6,600		33.96%
51				City Government Expenses								
52				Accounting Services		4,232	11,549			-		100.0%
53				Advertising & Notices			-			500		0.0%
54				Animal Control			2,344			4,000		58.6%
55				Bond(s)			-			-		0.0%
56				Central Appraisal Dist budget			1,455			1,500		97.0%
57				City Property Maintenance		370	6,105			5,000		122.1%
58				Contingency			-			1,225		0.0%
59				Contracted Services			-			2,000		0.0%
60				Dues and Subscriptions			-			3,000		0.0%
61				Electricity		863	7,027			10,000		70.27%
62				Equipment and Furniture		71	572			750		76.27%
63				Financial Audit			-			7,500		0.0%
64				Insurance			1,607			3,500		45.91%
65				Internet			-			800		0.0%
66				Legal Fees			36,815			30,000		122.72%
67				Legal Notices			1,493			1,000		149.3%
68				Mileage			-			-		0.0%
69				NSF Return Check			350			-		100.0%
70				Office Supplies		58	708			1,500		47.19%
71				Postage			18			500		3.6%
72				Property Tax Collection Fees			555			1,500		37.0%
73				Software/Cloud Services		37	3,728			5,000		74.56%
74				Technical/Legal Books			-			1,500		0.0%
75				Telephone		218	1,070			2,000		53.48%
76				Training/Seminars			-			-		0.0%
77				Travel & Lodging Expenses			-			-		0.0%
78				Water		32	288			350		82.27%
79				Website			-			500		0.0%
80				Total City Government Expenses		5,880	75,683			83,625		90.5%

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1				City of Nevada - General Fund								
2				2020-2021 Actual vs. Budget Financial Report								
3				For the nine months ended June 30, 2021								
5						June 2021 Actuals	Current YTD Actuals		Budget		% of Budget	
82				Payroll Expenses								
83				Salaries		8,804	82,740		95,760		86.4%	
84				Payroll Taxes		655	6,144		8,000		76.8%	
85				Unemployment Taxes			324		800		40.5%	
86				Employee Health Insurance		706	5,150		20,000		25.75%	
87				Payroll Processing Fees		115	1,308		1,000		130.77%	
88				Total Payroll Expenses		10,280	95,666		125,560		76.19%	
89												
90				Public Safety								
91				Ambulance Service		2,674	13,369		12,000		111.41%	
92				Fire Department Service			30,000		30,000		100.0%	
93				Police Services			106,250		150,000		73.8%	
94				Total Public Safety		2,674	149,619		192,000		77.93%	
95												
96				Streets and Roads								
97				Ditch and culvert upkeep			-		5,000		0.0%	
98				Signs			-		4,000		0.0%	
99				Street Repairs		112	44,882		60,000		74.8%	
100				Trim bushes/trees			-		12,500		0.0%	
101				Total Streets and Roads		112	44,882		81,500		55.07%	
102												
103				Inspections and P&D Expenses								
104				Building Inspections		314	18,261		10,000		182.61%	
105				Health/Food Inspections		600	900		2,000		45.0%	
106				Subdivision/Dev. Inspections			-		-		0.0%	
107				Planning and Development			29,500		20,000		147.5%	
108				Engineering Fees			24,971		25,000		99.88%	
109				Other Inspections		3,443	9,100		5,000		182.0%	
110				Total Inspections/P&D Expenses		4,357	82,732		62,000		133.44%	
111												
112				Municipal Court & Code Enforcement								
113				Clean up of Properties			-		3,000		0.0%	
114				Code Enforcement - Other		211	1,635		2,500		65.4%	
115				Judge Fees			-		3,000		0.0%	
116				Contract Fees			-		1,000		0.0%	
117				Deputy/Police Services			-		3,000		0.0%	
118				City Attorney Fees			-		8,000		0.0%	
119				Mileage Reimbursement			-		515		0.0%	
120				Total Municipal Court Code Enf Exp		211	1,635		21,015		7.78%	
121												
122				Total City Expenses		23,664	452,457		572,300		79.06%	

	A	B	C	D	E	F	G	L	M	N	O	R
1				City of Nevada - General Fund								
2				2020-2021 Actual vs. Budget Financial Report								
3				For the nine months ended June 30, 2021								
5					June 2021 Actuals		Current YTD Actuals		Budget		% of Budget	
123												
124				Total City Revenue	11,529		475,586		418,238		113.71%	
125				Transfer from fund balance	12,135		(23,129)		154,062		-15.01%	
126				Budget Balance	-		(0)		-		100.0%	

	A	B	C	D	E	F	G	L	M	N	O	R
1				City of Nevada - Economic Development Corporation								
2				2020-2021 Actual vs. Budget Financial Report								
3				For the nine months ended June 30, 2021								
4												
5					June 2021 Actuals		Current FYD Actuals		Budget		% of Budget	
6				Revenue								
7				City Sales Taxes	3,903		34,024		-		100.0%	
8				Other Revenue								
9				Interest Income			16		-		100.0%	
10				Total Revenue from Administration	3,903		34,040		-		100.0%	
11												
12												
13				Total EDC Revenue	3,903		34,040		-		100.0%	
14				Transfer from fund balance			-				0.0%	
15				Budget Balance	3,903		34,040		-		100.0%	

	A	B	C	D	E	F	G	H	I	J
1		City of Nevada Bank Balance Report As of June 30, 2021								
2										
3										
4										
5										
6		Bank Account Balances				General Fund		EDC Fund		Road Dev Account
7										
8		As of June 30, 2021				\$975,238		\$182,235		\$2,852
9		Pending Sales Tax Transfer - FY 2020				-\$50,357		\$50,357		
10		Pending Sales Tax Transfer - FY 2021				-\$34,024		\$34,024		
11		Working Balance				\$890,857		\$266,616		\$2,852

IMPACT FEES

The Nuts and Bolts of

IMPACT FEES

A. Origin of Impact Fees

The authority of local governments to adopt impact fees originated in 1987. During the 70th Legislature, Regular Session, the Legislature adopted S.B. 336, which was included in Vernon's Texas Civil Statutes as Article 1269j-4.11. These provisions were later codified as Chapter 395, Texas Local Government Code, and have been amended numerous times since then. Prior to the adoption of these statutory provisions, similar exactions whereby municipalities attempted to "make growth pay for itself" were imposed under the names of "capital recovery fees," "community impact fees," or "escrow fees." However, with the adoption of S.B. 336, governmental entities may only enact and impose impact fees in accordance with these statutory provisions. Also, § 395.074 provides that any impact fee in place on June 20, 1987, must be replaced by an impact fee adopted under Chapter 395, and such replacement had to be accomplished on or before June 20, 1990.

B. Geographic Application of Fees

Covered political subdivisions may impose impact fees on land within their corporate boundaries or extraterritorial jurisdiction ("ETJ") by complying with the chapter, but fees may not be imposed in the ETJ for roadway facilities. (Tex. Local Gov't Code § 395.011(b) (West 2005). However, a city may contract to provide capital improvements, except roadway facilities, to an area outside its city limits and ETJ, and may charge an impact fee under the contract, but if an impact fee is charged in that area the city must comply with Chapter 395. (Tex. Local Gov't Code § 395.011(c) (West 2005).

1. Use of Impact Fees

The guiding principle of impact fees is that growth should pay for itself. Rather than burdening existing citizens and taxpayers with the cost of infrastructure needed to serve new development, the developers will pay for a share of that cost.

Impact fees can only be used for purposes specified in Chapter 395. These purposes are capital improvement costs "necessitated by and attributable to" new development in order to generate revenue for funding or recouping the costs of capital improvements or facility expansions necessitated by and attributable to the new development. Tex. Local Gov't Code § 395.001(4) (West 2005). The defined terms in Chapter 395 are very important, and must be closely examined in order to determine the validity of the proposed use of the impact fee funds.

Impact fees by any other names may still be impact fees, and are still covered by Chapter 395. *Black v. City of Killeen*, 78 S.W.3d 686, 697-698 (Tex. App.—Austin, 2002, review denied). However, a fee assessed by local ordinance is not an impact fee merely because it is greater than the actual cost associated with the service for which it is assessed. And, unless the revenues generated from the city's water and sewer tap fees are actually used for capital improvements, they also are not impact fees. *Id.*

"Amortized charges", "lump-sum charges", "capital recovery fees", "contributions in aid of construction", and any other fee that functions like an impact fee is considered to be an impact fee. Tex. Local Gov't Code § 395.001(4) (West 2005).

However, “impact fee” does not include:

- (i) dedication of land for public parks or payment in lieu of the dedication to serve park needs;
- (ii) dedication of right-of-way or easements or construction or dedication of on-site or off-site water distribution, wastewater collection or drainage facilities, or streets, sidewalks, or curbs if the dedication or construction is required by a valid ordinance and is necessitated by and attributable to the new development;
- (iii) lot or acreage fees to be placed in trust funds for the purpose of reimbursing developers for oversizing or constructing water or sewer mains or lines; or
- (iv) other pro rata fees for reimbursement of water or sewer main or lines extended by the political subdivision.

Specific items are payable by revenues obtained from the impact fee. The costs of constructing capital improvements or facility expansions are, of course, eligible to be paid from the impact fee. These costs include, and are limited to, the construction contract price, surveying and engineering fees, land acquisition costs (including land purchases, court awards and costs, attorneys’ fees, and expert witness fees), and fees actually paid or contracted to be paid to an independent qualified engineer or financial consultant preparing or updating the capital improvements plan who is not an employee of the political subdivision. Tex. Local Gov’t Code § 395.012(a) (West 2005).

Projected interest charges and other finance costs may also be included in determining the amount of impact fees only if the impact fees are actually used to pay the principal and interest on bonds, notes, or other obligations of the political subdivision to finance the capital improvements or facility expansions identified in the capital improvements plan. Tex. Local Gov’t Code § 395.012(b) (West 2005). A specific exemption to the requirement that the engineer must not be employed by the political subdivision is provided for the Edwards Underground Water District or a river authority that is authorized by state law to charge fees that function as impact fees. Tex. Local Gov’t Code § 395.012(c) (West 2005).

C. Prohibited Uses of Impact Fees

As a general rule, the key words to keep in mind when determining whether a proposed use of impact fees is allowed are: “capital improvements,” “new,” and “capital improvements plan.” Chapter 395 specifically identifies prohibited uses of impact fee revenues:

- (i) construction, acquisition, or expansion of public facilities or assets other than capital improvements or facility expansion identified in the capital improvements plan;
- (ii) repair, operation, or maintenance of existing or new capital improvements or facility expansions;
- (iii) upgrading, updating, expanding, or replacing existing capital improvements to serve existing development in order to meet stricter safety, efficiency, environmental, or regulatory standards;
- (iv) upgrading, updating, expanding, or replacing existing capital improvements to provide better service to existing development;
- (v) administrative and operating costs of the political subdivision (except for the Edwards Underground Water District or a river authority that is authorized to charge fees that function as impact fees); and
- (vi) principal payments, interest, or other finance charges on bonds or other indebtedness (except as provided in § 395.012).

TIMELINE AND TASKS FOR IMPACT FEE ADOPTION

THE TASKS BELOW ARE TAKEN FROM THE “NUTS AND BOLTS” PAPER PREPARED IN NOVEMBER OF 2015. THE ESTIMATED TIMES FOR EACH TASK ARE HEAVILY DEPENDENT ON MEETING SCHEDULES, AND THE EXTENT OF EXISTING REQUIRED INFORMATION FOR THE LAND USE ASSUMPTIONS. AS THERE IS NOT AS YET A STARTING DATE, THE TIME PERIODS BELOW ARE ESTIMATES OF WEEKS OR MEETINGS NECESSARY TO ACHIEVE EACH STEP.

ASSUMPTIONS MADE ARE :

- 1. P&Z WOULD BE APPOINTED AS THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE (THE “COMMITTEE”), THAT IT WOULD MEET NO FEWER TIMES THAN TWICE A MONTH**
- 2. STAFF AND THE CITY ENGINEERS OFFICES CAN PROVIDE EXISTING REQUIRED INFORMATION TO THE COMMITTEE QUICKLY, AND REQUIRED INFORMATION NOT CURRENTLY AVAILABLE CAN BE DEVELOPED IN A REASONABLE PERIOD OF TIME TO ALLOW THE LAND USE ASSUMPTIONS TO BE COMPLETED.**
- 3. THE PROCESS WILL BE SIGNIFICANTLY CHANGED IN TIME ALLOCATIONS IF THE GOAL IS ONLY ONE TYPE OF IMPACT FEE (SUCH AS ROADS), AS OPPOSED TO THE FAR GREATER DEMANDS OF A COMPREHENSIVE IMPACT FEE FOR ROADS, WATER, STORM WATER, ETC.**

THE TIMELINE ESTIMATES ARE SHOWN BELOW AS WEEKS ESTIMATED FOR A SINGLE FEE, SUCH AS ROADS. AND THE AGGREGATE TOTAL, ALL IN BLUE INK.

D. Implementation Process

The procedural requirements for adopting an impact fee are detailed, and need to be followed to the letter.

1. Approval by Municipality

The process to be used by a municipality is set out in Subchapter C of Chapter 395. In most cases, a city will hire a consultant to help in the process because of the very technical aspects of the information required to be obtained and developed.

The two most important documents upon which the impact fee must be based are the land use assumptions and the capital improvements plan. These form the basis for the impact fee ordinance. A political subdivision may not place a moratorium on new development for the purpose of awaiting the completion of all or any part of the process of developing, adopting, or updating the land use assumptions, the capital improvements plan, or the impact fee. Tex. Local Gov't Code § 395.076 (West 2005). However, moratoria for non-impact fee matters are permissible, such as moratorium on zoning ordinance is being amended.

a. ***Capital Improvements Advisory Committee***
CITY COUNCIL- APPOINT COMMITTEE-INCLUDING ETJ REP—TWO WEEKS—

The city must first appoint a capital improvements advisory committee that must have at least five members. Tex. Local Gov't Code § 395.058 (West 2005). Many cities use their Planning and Zoning Commission as the committee, but if the service area includes all or part of the city's ETJ, at least one member of the advisory committee must represent that area. One member of the committee must be a representative of the real estate, development, or building industry. *Id.*

The role of the advisory committee is to advise and assist in the preparation of the land use assumptions that will, in turn, be used in the preparation of the capital improvements plan. The production of semi-annual reports and updates to the impact fee program are the responsibility of the advisory committee.

b. ***Land Use Assumptions***
ONE MEETING EVERY TWO WEEKS OF THE COMMITTEE ON EACH OF (i) thru(iv), AT A MINIMUM. IF THE COMMITTEE CAN REVIEW THE EXISTING CONDITIONS IN (i), MORE WILL BE REQUIRED IF THERE IS A COMPREHENSIVE IMPACT FEE DESIRED. IF NOT, THEN A MINIMUM OF 10 WEEKS, (AGGREGATE OF 12 WEEKS)

The advisory committee will help determine the scope of the impact fee ordinance, and must be guided by the statutory provisions identifying acceptable and prohibited expenditures of impact fee revenues.¹⁰ The committee then prepares the land use assumptions and the capital improvements plan.

The land use assumptions are a "description of the service area and projections of changes in land uses, densities, and population in the service area over at least a 10-year period." Tex. Local Gov't Code § 395.001(5) (West 2005).

The types of analyses undertaken may include the following:

- (i) analysis of existing conditions – population, density, zoning classifications, and other land use analyses;
- (ii) determination of service area – for water and wastewater facilities, this is usually the entire city and its ETJ; for roadway facilities, the service area is limited to city limits, not exceeding six miles; for stormwater, drainage, and flood control facilities, the area is limited to all or part of the land within the city limits or its ETJ actually served by these facilities;
- (iii) projection of 10-year growth patterns – involves a review of land use data, zoning classifications, density calculations, projected growth, population trends, employment projects, and the like;
- (iv) "build-out" growth projections – based on the holding capacity of the land area of the city, anticipated land use types, densities, and ultimate populations.

Once the land use assumptions are developed, the city must hold a public hearing, taking care to follow the statutory notice and publication requirements. (The city may consolidate this public hearing with the hearing required prior to adoption of the capital improvements plan.) Tex. Local Gov't Code §§ 395.042, 395.043, 395.044 (West 2005).

c. ***Capital Improvements Plan***
THIS PORTION OF THE PLAN IS DEPENDENT ON THE CITY ENGINEER'S SCHEDULE, AS THIS IS THE PORTION THE LAW REQUIRES THE ENGINEER TO CREATE. WHAT KIND OF IMPACT FEE IS DESIRED, AND HOW WELL THE LAND USE ASSUMPTIONS ARE LAID

OUT BY THE COMMITTEE WOULD ALSO AFFECT THE TIMELINE. I WILL BE TALKING TO JOHN MONDAY THE 13TH, AND WILL SEE WHAT HE THINKS ON TIME FOR THIS PART OF THE PROJECT. IT WOULD HELP HIM TO KNOW IF THIS WILL JUST BE ROADS, OR WATER, OR DRAINAGE, OR EVERYTHING. THREE MONTHS, PLUS ANOTHER MONTH FOR COUNCIL REVIEW, TWO MORE WEEKS FOR THE REQUIRED PUBLIC HEARING.. (EARLY ESTIMATE-18 WEEKS, AGGREGATE 30 WEEKS).

The capital improvements plan ("CIP") must be prepared as directed by the statute, as follows:

- (i) it must be prepared by a qualified professional engineer;
- (ii) it must describe existing capital improvements within the service area and the costs to upgrade, update, improve, expand, or replace the improvements to meet existing needs and usage and stricter safety, efficiency, environmental, or regulatory standards;
- (iii) it must analyze the total capacity and current levels of usage and commitments for usage of capacity of the existing capital improvements;
- (iv) it must describe the capital improvements or facility expansions and their costs necessitated by and attributable to the new development based on approved land use assumptions;
- (v) it must contain a table establishing the specific level or quantity of use by service unit for each category of improvements, and must show the ratio of a service unit to various types of land uses, including residential, commercial, and industrial;
- (vi) it must show the total number of projected service units necessitated by and attributable to the new development;
- (vii) it must identify the projected demand for capital improvements required by the new service units projected over not longer than 10 years, and
- (viii) it must include a plan for awarding credits for ad valorem taxes and utility service revenues generated by the new service units that is used for the payment of improvements included in the CIP, or a credit equal to 50% of the total projected cost of implementing the CIP.

A public hearing must be held prior to adopting the CIP; again, specific notice and hearing requirements must be adhered to. Tex. Local Gov't Code § 395.049 (West 2005).

d. Impact Fee Ordinance

DEVELOPING THE ORDINANCE CAN OCCUR DURING EACH STAGE OF THE PROCESS. ALLOW 30 DAYS AFTER THE PUBLIC HEARING ON THE LAND USE ASSUMPTIONS AND THE CAPITAL IMPROVEMENTS PLAN. (FOUR WEEKS, AGGREGATE 34 WEEKS)

The city must adopt an impact fee ordinance within 30 days of the hearing on the CIP, and the ordinance cannot be adopted as an emergency measure. Tex. Local Gov't Code § 395.051 (West 2005).

The ordinance should include provisions for the administration of the impact fees, the time of assessment of the fees, the time of collection of the fees, for offsets and credits of impact fees, a schedule of maximum fees and actual fees to be collected, an accounting system for funds collected, and refund provisions.

Impact fees are calculated by dividing the total cost of facilities required to serve new development by the total number of new service units expected.

The maximum amount of the fee per service unit may not exceed the amount determined by:

(i) subtracting the amount determined in the plan for awarding credits for ad valorem taxes and utility service revenues generated by the new service units that is used for the payment of improvements included in the CIP, or a credit equal to 50% of the total projected cost of implementing the CIP, from (ii) the capital improvements or facility expansions and their costs necessitated by and attributable to the new development based on approved land use assumptions, and (iii) dividing that amount by the total number of projected service units. Tex. Local Gov't Code § 395.015 (West 2005)

e. Fee Assessment and Collection

"Fee assessment" means a determination of the amount of the impact fee in effect on the relevant date, and is the maximum amount that can be charged per service unit of the development. The city does not need to take any action to "assess" the fee. Tex. Local Gov't Code § 395.016(f) (West 2005). The time at which the fees may be assessed depends on when the fees were adopted and the land is platted. For fees adopted after June 20, 1987, and for land platted after that date, the fee may be assessed before or at the time of recordation of the subdivision plat or other plat under Local Government Code Chapter 212. Tex. Local Gov't Code § 395.016(d) (West 2005). If new development is to occur without platting, the city may assess the fee at any time during the development and building process. Tex. Local Gov't Code § 395.016(e) (West 2005).

After the fee is assessed, it cannot be increased against a tract for any reason, unless the number of service units increases. Tex. Local Gov't Code § 395.017 (West 2005).

Political subdivisions and other governmental entities may pay impact fees. Tex. Local Gov't Code § 395.022(a) (West Supp. 2013). A school district is not required to pay an impact fee under Chapter 395 unless its board of trustees enters into an agreement to pay the fees, under terms the board of trustees considers advisable. Tex. Local Gov't Code § 395.022(b) (West Supp. 2013).

The impact fee may be collected at different times. If the city has water and wastewater capacity available, the fees are to be collected at the time of issuance of a building permit. Also, if such capacity is available and the platted land is outside the city limits, the city may shall collect the fee at the time application is made for an individual meter connection to the city's system. For political subdivisions that do not issue building permits in the area where the fee applies, the fee shall be collected at the time an application is filed for an individual meter connection. Tex. Local Gov't Code § 395.016(d) (West 2005). If development is to occur without platting, the fee may be collected at either the time of connection to the system or at the time the political subdivision issues a building permit or certificate of occupancy. Tex. Local Gov't Code § 395.016(e) (West 2005).

A political subdivision and the owner of land that has a recorded plat may enter into an agreement providing for the time and method of payment of the impact fees. Tex. Local Gov't Code § 395.018 (West 2005).

f. Post-Adoption Requirements

The advisory committee is required to file semi-annual reports with respect to the progress of the CIP and any perceived inequities in implementing the plan or imposing the fee. Tex. Local Gov't Code § 395.058(c)(4) (West 2005). In addition, the advisory committee is to advise the political subdivision of the need to update or revise the land use assumptions, CIP, and impact fee. Tex. Local Gov't Code § 395.058(c)(5) (West 2005).

The governing body is under a continuing duty to update the land use assumptions and CIP at least every five years, beginning on the date that the CIP is adopted. Tex. Local Gov't Code § 395.052 (West 2005). Public hearings on the updated assumption and CIP are required. Tex. Local Gov't Code § 395.054 (West 2005). If the governing body determines after the public hearing that no changes are needed, it must give notice of that determination. If any person files a written request that the land use assumptions, CIP, or impact fee be updated, the governing body must perform the update.

g. Refunds and Exemptions

Refunds of paid impact fees are required in certain instances. If existing facilities are available and service is denied, or if the political subdivision has failed to commence construction within two years, or if service is not available within a reasonable period of time considering the type of capital improvement or facility expansion to be constructed (not to exceed five years), the property owner may request a the political subdivision is required to provide the refund. Tex. Local Gov't Code § 395.025(a) (West 2005).

Funds collected but not spent within 10 years after payment must be refunded. Tex. Local Gov't Code § 395.025(c) (West 2005). All refunds must bear interest from date of collection to date of refund at the statutory rate, and shall be made to the record owner of the property at the time the refund is paid. Tex. Local Gov't Code § 395.025(d) and (e) (West 2005).

Fees may be waived or reduced for any service unit that would qualify as affordable housing under 42 U.S.C. Section 12745, as amended, once the service unit is constructed. However, if the affordable housing is not constructed, the political subdivision may reverse its decision to waive or reduce the fee, and may assess the fee at any time during the development approval or building process, or even after the process. Tex. Local Gov't Code §395.016(g) (West 2005).

LAVON PD JUNE REPORT



LAVON POLICE

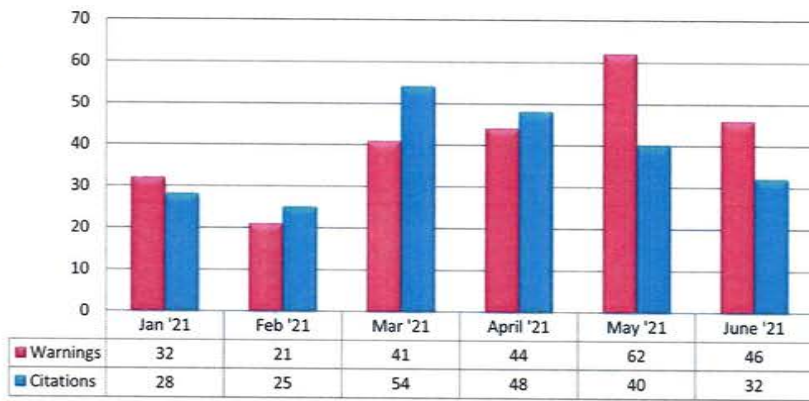
501B Lincoln Ave
P.O. Box 340
Lavon, Texas 75166
(972)-843-4219



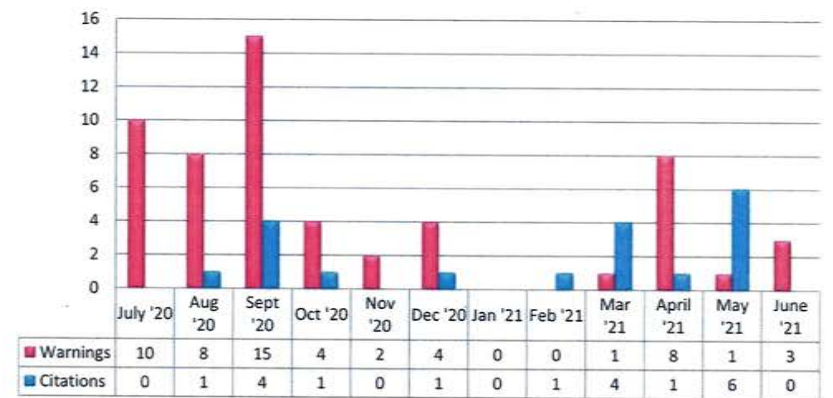
LAVON & NEVADA

June 2021
Activity Report

Lavon Traffic

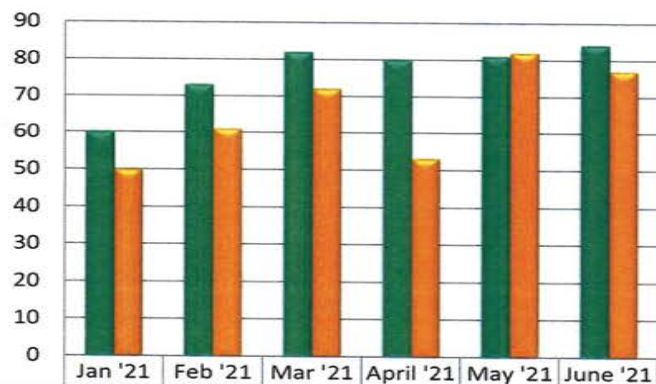


Nevada Traffic



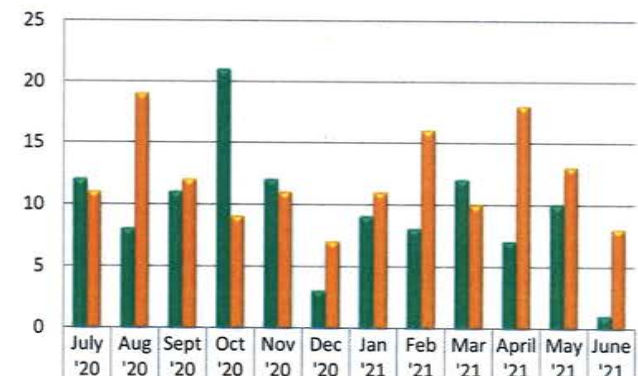
This data shows the number of Traffic Contacts made within the City of Nevada. A traffic stop may contain more than one "traffic contact", such as a driver may be issued 1 citation and 1 warning in 1 stop, resulting in 2 "traffic contacts".

Lavon Calls



General Calls	60	73	82	80	81	84
LE Calls	50	61	72	53	82	77

Nevada Calls



General Calls	12	8	11	21	12	3	9	8	12	7	10	1
LE Calls	11	19	12	9	11	7	11	16	10	18	13	8

This data shows the number of Calls for Service conducted within the City of Nevada. A call for service may be dispatched or self-initiated by an officer. General Calls and Law Enforcement (LE) Calls are explained in the next slide.

General Calls versus Law Enforcement Calls

General Calls – Typically a non-priority call that presents little to no danger to the responding officer and could be handled by another City Services department, County Services department or a professional in another field who is specially trained to handle certain types of situations.

** A law enforcement officer should always be available to anyone responding to these calls, should the situation escalate beyond the responding person's capability.*

Law Enforcement (LE) Calls – Typically a priority call that has the potential to present an increased amount of danger to the responding officer and/or the public. These calls are generally either crimes being committed, about to be committed, or have already been committed. They also generally include an offense report being taken.

In some instances, another City Services department, County Services department or a professional in another field who is specially trained to handle certain types of situations can be useful to assist, but should not respond alone to the initial call.

** Crimes that have been committed and are a delay in reporting or present a low amount of danger (walk in to the Police Department) could be handled by a desk officer or a member of the Police Volunteer Support Unit.*

Traditionally General Calls

Abandoned Vehicle

Animal Problem – Animal Ordinance

Animal Problem – Other Animal Calls

Fire Alarm

Assist Other Agency (AOA) Fire

Assist Other Agency (AOA) Medical

Assist Citizen

Assist Motorist

Construction Noise

Fireworks Complaint

Loud Music

Noise Complaint

Parking Complaint

Moving the Speed Trailer

Traffic Hazard

Welfare Check

Civil Problem

Juvenile Problem

Mental Health

Ordinance Violation

Lost Property

Public Service

Traffic Control

Traffic Hazard

Traditionally Law Enforcement Related Calls

911 Hang-up

Burglary Alarm

Other Alarm (Audible alarm heard in the area)

Simple Assault

Burglary

Burglary, Forced Entry Non-residence

Burglary, Forced Entry Residence

Assist Other Agency (AOA) Law Enforcement (LE)

Firearm Complaint

Narcotic Investigation

Non-Family Disturbance

Unsecure Building

Criminal Mischief

Damaged Property, Vehicle

Family Violence / Domestic Disturbance

Driving While Intoxicated

Fraud, Illegal Use Credit Cards

Fraud Impersonation

Juvenile Problem – Curfew

Juvenile Problem – Runaway

Obstruct Police – False Police Report

Sexual Assault – Strong Arm

Suspicious Activity

Suspicious Person

Suspicious Vehicle

Theft

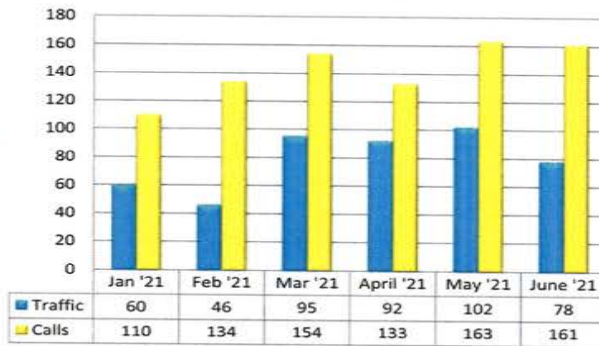
Traffic Accident

(Injury, Private Property Damage, Vehicle Damage)

Traffic Problem

(Dangerous Driver, Reckless Driver, Traffic Offense)

Lavon Activity

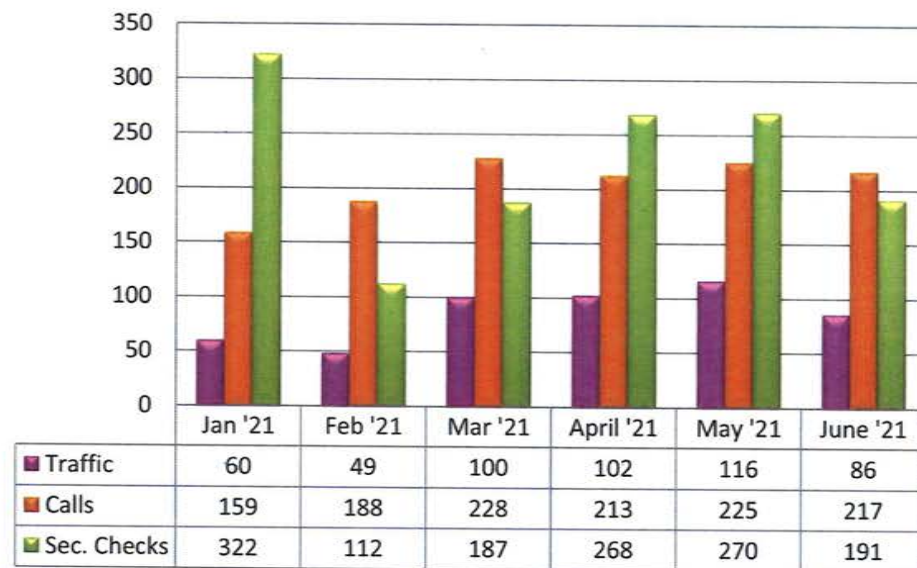


Nevada Activity



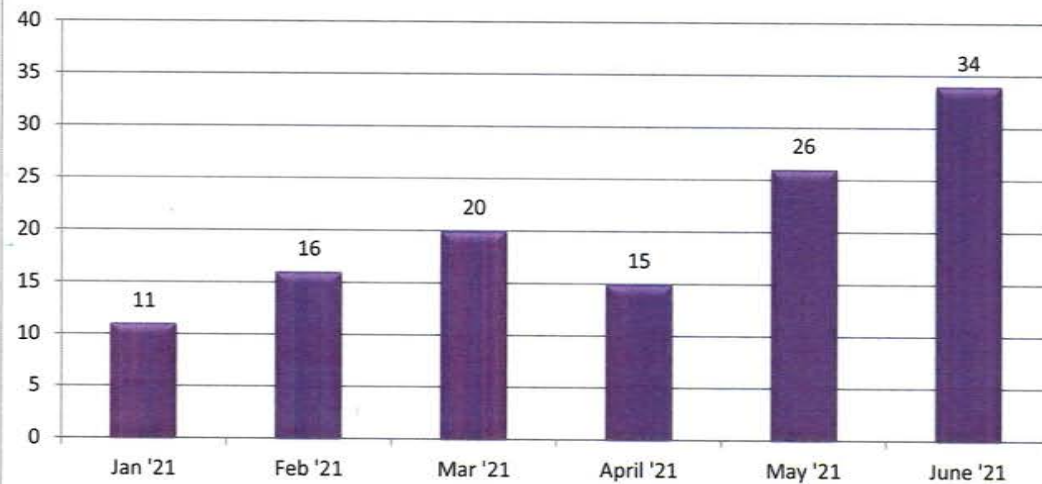
This data shows the total number of both Traffic Contacts and total Calls for Service conducted within the City of Nevada. The purpose of this graph is to give a visual comparison of total activity month to month.

LPD Activity

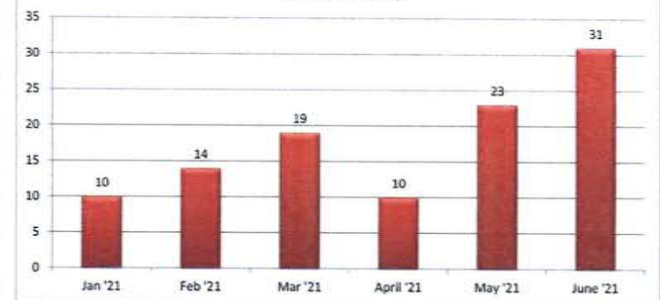


This data shows the total activity for the Lavon Police Department and includes Traffic Contacts, Calls for Service and Security Checks which are conducted in the City of Lavon, the City of Nevada and backing up the Collin County Sheriff's Office. The purpose of this graph is to give a visual comparison of total activity month to month.

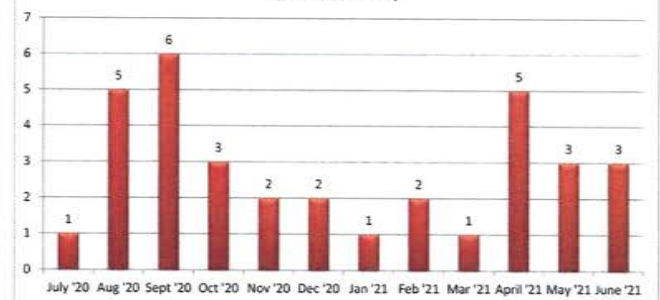
LPD Criminal Offenses
(excludes "C" Traffic)



Lavon Criminal Offenses
(excludes "C" Traffic)



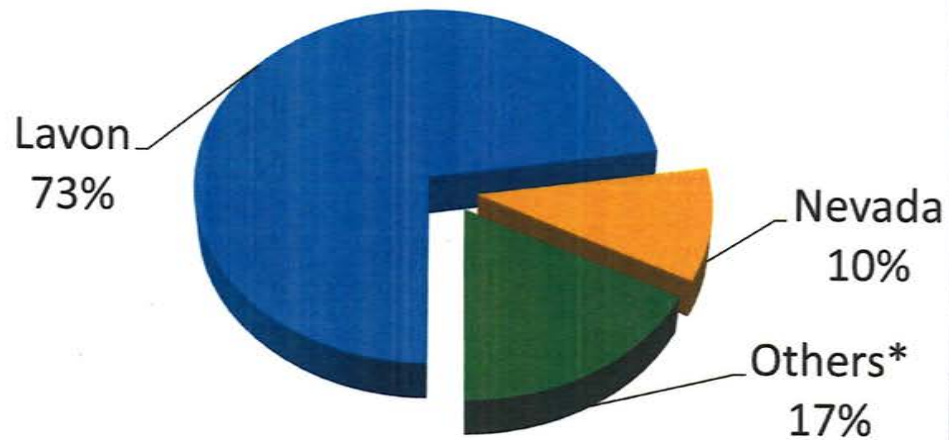
Nevada Criminal Offenses
(excludes "C" Traffic)



This data shows the total criminal cases that resulted from a Call for Service within the City of Nevada.

NOTE: There was an error in the algorithm for calculating prior Criminal Offense Reports. It is now fixed and the correct numbers are reflected here.

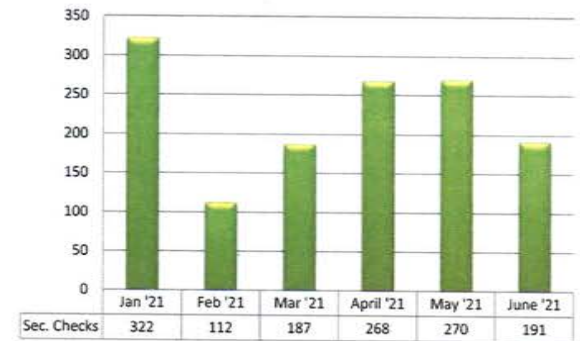
LPD Call Breakout



* May include other cities and /or unincorporated areas of the County

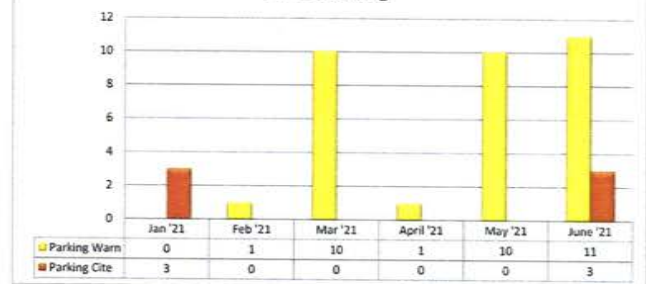
The LPD Call Breakout graph gives a visual of how LPD officers' time is spent based on Calls for Service.

LPD Security Checks



Security Checks are conducted in the Cities of Lavon & Nevada

LPD Parking



Parking violations are only issued within the City Limits of Lavon