



# Lavon Economic Development Corporation Meeting Agenda

P.O. Box 340 - 120 School Rd.  
Lavon, TX 75166 Ph. (214) 934-7190

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**Lavon City Hall  
120 School Rd  
Lavon, Texas**

**June 13, 2016**

**7:00 PM**

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## **NOTICE OF ATTENDANCE**

**NOTICE** is hereby given that members of the Lavon City Council, Lavon Planning and Zoning Commission, Tax Increment Financing Zone # 1 Board, and/or the Parks & Recreation and Infrastructure Facilities Commission may be in attendance at the Lavon Economic Development Corporation Board Meeting on June 13, 2016 at 7:00PM held at the Lavon City Hall.

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- I. Presiding Officer to call the Economic Development Corporation Board meeting to order and announce that a quorum is present.**
- II. Presiding Officer to lead the Economic Development Corporation Board and visitors in the pledge of allegiance.**
- III. Invocation**
- IV. Items of interest and communications.**  
Members of the Economic Development Corporation Board have the opportunity to notify others of community events, functions and other activities.
- V. Consent Agenda**  
Approval of the May 24, 2016 Economic Development Board meeting minutes\*
- VI. Public Recognition**  
None
- VII. Public Comments**  
Citizens of Lavon, who wish to address the Economic Development Corporation Board, may discuss matters not on the agenda and who have not previously expressed to the Board a desire to discuss such matters. The only response from the Board can be to request these items to be placed on a future agenda for action. There is a 3-minute time limit per person.



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## VIII. Items for discussion

- A. The Economic Development Corporation Board to have a discussion updating prospect and prospect activity. (Mundo)
- B. The Economic Development Corporation Board to discuss board member and city training that needs to be completed this year. (Wright)
- C. The Economic Development Corporation Board to discuss social media and what we want to do with it. (Catravas/Mundo)
- D. The Economic Development Corporation Board to discuss the Pretreatment Study and information presented to City Council. (Mundo)
- E. The Economic Development Corporation Board to discuss updates to the Sports Complex from the meeting on June 2. (Catravas)
- F. The Economic Development Corporation Board to discuss April financials. (Sargent)

## IX. Items for consideration and action

- A. The Economic Development Corporation Board to consider and act on approving funding in the amount of \$2000.00 to be matched by the City of Lavon for assistance to the Planning and Zoning Commission in drafting a zoning ordinance and amendments to the Comprehensive Plan. (Wright/Mundo)
- B. The Economic Development Corporation Board to consider and on approving the Hold Harmless Agreement/Indemnification agreement required by Collin County in connection with the monument sign at SH205 and CR483. (Mundo)
- C. The Economic Development Corporation Board to consider and act on approving a contractor for construction of the Lavon Monument Sign. (Wright/Mundo)

## X. Setting future meetings and agendas

The Economic Development Corporation Board members and staff may request items be placed on a future agenda or request a special meeting be called. Each request that passes by a majority vote will be placed on the schedule by the Board Secretary.

## XI. Board President to adjourn the Economic Development Corporation Board meeting

### Notes to the Agenda:

- 1. Items marked with an \* are consent items considered to be non-controversial and will be voted on in one motion unless a Board member asks for separate discussion.
- 2. The Board may vote and/or act upon each of the items listed in this Agenda except for discussion items.
- 3. The Board reserves the right to recess into executive session under Sections 551.071 – 551.088 of the Texas Government Code (Texas Open Meetings Act) concerning any of the items listed on this Agenda, whenever it is considered necessary and legally justified under the Open Meetings Act.



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4. Persons with disabilities who plan to attend this meeting and who may need assistance should contact the City Secretary at (972) 843-4220 ext. 1#, two working days prior to the meeting so that appropriate arrangements can be made.

This is to certify that I, Micki Hollien, posted this Agenda on the glass of the front door of City Hall at 120 School Road, facing the outside, the city's website at [www.cityoflavon.org](http://www.cityoflavon.org), the Lavon EDC website at [www.lavonedc.com](http://www.lavonedc.com) and on the city's bulletin board on or before 7:00PM on June 10, 2016

Micki Hollien Administrative Assistant:

Micki Hollien

POSTED THIS 10 DAY OF June, 2016, AT 12:00 ~~AM~~ P.M.

# LAVON

EDC



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# **Lavon Economic Development Corporation JOINT Meeting with P&Z Minutes May 24, 2016**

## **I. MEETING CALLED TO ORDER AT 7:17pm BY LAVON ECONOMIC DEVELOPMENT CORPORATION BOARD PRESIDENT**

*Members Present:*

Place One	Kay Wright
Place Three	Bill Sargent
Place Four	Jimmie Catravas
Place Five	Leticia Harrison
Place Six	Linda Jangula
Place seven	David Piekarski

Liaison: Vicki Sanson

*Admin Staff  
Executive Director:*

Micki Hollien  
Pam Mundo

*Members Absent:* Place Two

Chris Kane

*Visitors:*

Gene Jangula, EDC  
Dave Rosenquist, P&Z  
Gary Meeks, P&Z  
Don Mauzy, P&Z  
Sue Johnson, P&Z  
Charles Smith, P&Z (guest)

Quorum is present

## **II. LAVON ECONOMIC DEVELOPMENT CORPORATION BOARD PRESIDENT WRIGHT LED THE ECONOMIC DEVELOPMENT CORPORATION IN THE PLEDGE OF ALLEGIANCE**

## **III. LAVON ECONOMIC DEVELOPMENT CORPORATION BOARD PRESIDENT WRIGHT LED THE LAVON ECONOMIC DEVELOPMENT CORPORATION IN THE INVOCATION**



# **Lavon Economic Development Corporation JOINT Meeting with P&Z Minutes May 24, 2016**

## **IV. ITEMS OF INTEREST AND COMMUNICATION**

*Monthly Business Card Exchange will continue on third Tues of each month at 7:30am in Lavon Community Center*

## **V. CONSENT AGENDA**

None

## **VI. PUBLIC RECOGNITION - None**

## **VII. PUBLIC COMMENTS - None**

## **VIII. ITEMS FOR DISCUSSION**

**The Economic Development Corporation Board to meet with the Lavon Planning and Zoning Commission to discuss the purpose and future mission of the EDC and our relationship with the P&Z**

*The Lavon Economic Development Corporation asked the Planning & Zoning Commission to consider their recommendation as to where they want a business park of up to 100 acres.*

*The business park is needed for job creating businesses that will attract new residents and create noon time traffic that will support new retail.*

## **IX. ITEMS FOR CONSIDERATION AND ACTION**

None

## **X. SETTING FUTURE MEETINGS AND AGENDAS**

**Economic Development Corporation Board members and staff may request items to be placed on a future agenda or request a special meeting be called. Each request that passes by a majority vote will be placed on the schedule by the Board Secretary.**



**Lavon Economic Development  
Corporation JOINT Meeting  
with P&Z Minutes  
May 24, 2016**

***BOARD PRESIDENT TO ADJOURN ECONOMIC DEVELOPMENT  
CORPORATION BOARD MEETING AT 9:03pm***

Duly passed and approved on this \_\_\_ day of \_\_\_\_\_, 2016

Attest:

\_\_\_\_\_  
Kay Wright, Board President

\_\_\_\_\_  
Jimmie Catravas, Secretary

# LAVON

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**Agenda Item - The Economic Development Corporation to discuss social media and what we want to do with it.**

Background- See the Lavon EDC website at [www.lavonedc.com](http://www.lavonedc.com) Look under news where Pam Mundo, Executive Director and Jimmie Catravas has been actively adding news to keep the web site relevant and to encourage others to seek information from the web site.

The Lavon EDC has an electronic presence with the web site, the YouTube account for video presentation and a twitter account. Since Facebook is now so actively used, it may be desirable to reach more residents and prospects by having a Facebook account.

We can obtain an add on to the web site for \$63.25 plus two hours of design work at \$130 per hour to allow for a news article on the web site to also be posted on Facebook and Twitter at the same time.

Does the Board want to have a Facebook page?

Does the Board desire to have one posting for all venues or to post individually on the web site, Facebook, Twitter and You Tube.

See <http://goo.gl/3M03A2> for the handling of negative feedback.

# LAVON

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**NORTH TEXAS MUNICIPAL  
WATER DISTRICT**

*Regional Service Through Unity*

May 13, 2016

Mr. Sonny Mancias  
City of Lavon  
120 School Road  
Lavon, TX 75166

RE: TECHNICALY BASED LOCAL LIMIT STUDY FINAL PACKAGE

Dear Mr. Mancias:

The North Texas Municipal Water District (NTMWD) has completed the Technically Based Local Limits (TBLL) study for the City of Lavon as outlined in the September 4, 2015 memorandum. This submittal includes the final data package for the TBLL study of the Bear Creek WWTP.

The enclosed binders include the TBLL study data reports, tabulations of the data collected, calculations of the TBLLs, and summary of the study process and how the limits are calculated. Please review the enclosed documents and the NTMWD will set up a meeting in a few weeks to discuss the data and answer any questions the City may have regarding this report.

If you have any questions or need further information, please contact my office at 469-626-4603.

Sincerely,

BROOKE M. NOACK  
Environmental Program Manager

Sincerely,

ELIZABETH TURNER  
Environmental Services Officer

ET/BMN  
Enclosures

**CITY OF LAVON, TEXAS  
TECHNICALLY BASED LOCAL LIMITS  
DEVELOPMENT**

**STUDY PERFORMED FOR CITY OF LAVON  
BY  
NORTH TEXAS MUNICIPAL WATER DISTRICT**



**TPDES Permit No. WQ0014577001**

**EPA ID No. TX0127345**

**May 2016**

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## I. Summary

The purpose of developing technically based local limits (TBLL) for pollutants of concern from discharge by industries is twofold:

- To ensure that pollutants will not interfere with the operations of the POTW, including sludge disposal; and
- To prevent the pass through of pollutants so that exceedances of state water quality standards do not occur.

At the same time, the local limits should not be so restrictive as to unduly burden contributing industries by setting limits that are not achievable by best available technology. Because of these two goals, EPA allows the permittee considerable latitude in developing local limits on a site-specific basis.

TCEQ has adopted stream standards that are protective of the receiving stream for various pollutants. By determining the dilution that would occur at the mixing zone, the concentration allowable in the effluent is calculated. By considering removal through the WWTP, the influent loading can be calculated. This process determines the maximum concentration of a pollutant allowable to prevent pass through.

Inhibition is also considered and calculated for each pollutant to provide the maximum allowable concentration of a pollutant to prevent interference. The lower of these two values determines the actual maximum headworks loading allowed.

In an effort to allow for variability of the POTW's data without the necessity of revising local limits, a safety factor has been utilized. The EPA generally recommends a 10 percent safety factor (Local Limit Development Guidance, July 2004). This will give the final recommended local limits that protect the WWTP, protect the environment and are not unnecessarily burdensome to industries. These steps were followed to perform the initial calculations of the local limits for the Bear Creek WWTP.

The local limits conform to EPA guidance, are fair to all industries affected, and protect both the POTW and the environment.

## II. References

Four sources were primarily utilized in the development of these limits:

- U.S. EPA Office of Water, Permit Writer's Guide to Water Quality-Based Permitting for Toxic Pollutant, Washington, D.C. (July 1987).

- U.S. EPA Office of Water Enforcement and Permits, Guidance Manual on the Development and Implementation of Local Discharge Limitations Under the Pretreatment Program, Washington, D.C. (Dec. 1987).
- U.S. EPA Office of Wastewater Management, Local Limits Development Guidance and Appendices, Washington, D.C. (July 2004).
- U.S. EPA Office of Water Enforcement and Permits, PRELIM Version 4.0 User's Guide, Washington, D.C. (May, 1991).
- U.S. EPA, Region VI, Derivation of Permit Limits for Toxics from Acute and Chronic Criteria (Nov. 1988).
- U.S. EPA, Region VI, Technically Based Local Limits Development Guidance (Revised Oct. 1993).

### III. Plant Processes

#### BEAR CREEK WASTEWATER TREATMENT PLANT

The Bear Creek WWTP is currently operating with a permitted annual average design flow of 0.25 MGD.

The Bear Creek WWTP is owned by the City of Lavon and operated by North Texas Municipal Water District (NTMWD) and serves the City of Lavon, Texas. Permitted parameters (daily average concentration limits) in TPDES Permit No. WQ0014577001 are identified as follows:

Effluent Characteristic	Discharge Limitation (mg/L)
Flow, MGD	Report
CBOD (5-day)	5
TSS	5
NH <sub>3</sub> -N	2
Chlorine Residual	>1.0 and <4.0
pH	6.0-9.0 SU
Dissolved Oxygen	>4.0
E. Coli	126 CFU or MPN/100mL

The WWTP is a conventional activated sludge process operating in plug flow mode with tertiary filtration. The influent passes through a bar screen where it is co-mingled with the return activated sludge from the clarifier and flows to the aeration basin. Mixed liquor from the aeration basin is transported to the clarifier for separation of solids. Decant from the clarifier flows to the disinfection tank where it is chlorinated and then pumped into the tertiary filtration system for additional removal of suspended solids before the effluent is discharged. The waste

activated sludge from the clarifier is pumped to the digesters where the sludge is stabilized and is wet hauled by truck to NTMWD Rowlett Creek WWTP. Currently the actual annual average flow is 0.161 MGD (calculated for the period from May 2015 to April 2016). *See* Appendix I.

#### **IV. Stream Standards**

##### **BEAR CREEK WWTP**

The Bear Creek WWTP services the City of Lavon, Texas. Effluent from the Bear Creek WWTP is discharged to Bear Creek and then to Lake Ray Hubbard, Section 0820 of the Trinity River Basin. The Bear Creek plant does not currently receive any wastewater from industries considered significant. However, the City of Lavon requested the services of NTMWD to conduct a TBLL study for the City as they have a potential SIU interested in relocating to the City.

The TexTox values were calculated using the Bear Creek Stream Standards at the point of discharge. Bear Creek has been classified as an intermittent stream with perennial pools. Therefore, both acute and chronic standards apply. The Commission, based on the receiving water and wastewater treatment plant data collected by NTMWD has calculated the chemical specific limits for the Bear Creek WWTP that are based on aquatic life and human health criteria. *See* Appendix II. Also, the Commission has numeric maximum limits specified in the Hazardous Metals Rules (30 TEX. ADMIN. CODE §§ 319.22 and 319.23) that apply to all surface waters in the state. Where a 30 TEX. ADMIN. CODE Chapter 319 limit was more stringent than the TexTox aquatic life or human health limits, that limit was used as the stream standard in the TBLL calculations. The most stringent limits from the TexTox values, TPDES permit limits, or Chapter 319 hazardous metals were used to calculate the allowable headworks loadings for the WWTP. *See* Appendix III.

#### **V. Sampling and Analyses**

The samples were collected and analyzed according to procedures in 40 C.F.R. Parts 136 and 403. A 24-hour composite sample was collected from the influent of the Bear Creek WWTP to assist in identifying the pollutants of concern. The sample was analyzed for EPA's priority pollutants and the toxic pollutants listed in the Texas Surface Water Quality Standards (30 TEX. ADMIN. CODE Ch. 307). The analytical report for the influent scan is attached in Appendix IV.

The EPA Region 6 TBLL Guidance states, "a pollutant of concern is any pollutant found at or above 0.1 mg/L and any other pollutant the POTW and/or State may designate to be of concern." Additionally, the EPA Local Limits Development Guidance (July 2004) lists the following pollutants of concern for all POTWs: Arsenic, Cadmium, Chromium, Copper, Cyanide, Lead, Mercury, Nickel, Silver, Zinc, Molybdenum, Selenium, 5-day Biochemical Oxygen Demand,



Total Suspended Solids, and Ammonia (for plants that accept non-domestic sources of ammonia).

The influent pollutant sampling was conducted on January 18-20, 2016. Based on the results of the sampling, pollutants detected at or above 0.1 mg/L in the analyses for Bear Creek WWTP included: Fluoride and Nitrate as N. The fluoride level is typical of wastewater and well below the EPA maximum contaminant level or 4 ppm or secondary standard of 2 ppm. Therefore, fluoride will not be included in the study. The only limits for Molybdenum are sludge criteria for land application which do not apply as the sludge is transported to the Rowlett Creek WWTP for treatment and is ultimately disposed in a municipal solid waste landfill. Therefore, molybdenum will not be included in the study. The nitrate levels are typical of wastewater and well below the EPA maximum contaminant level of 10 ppm. Therefore, nitrate will not be included in the study.

The following pollutants have been determined as pollutants of concern for the Bear Creek WWTP TBL study: Arsenic, Cadmium, Chromium, Copper, Cyanide, Lead, Mercury, Nickel, Selenium, Silver, Zinc, 5-day Biochemical Oxygen Demand, and Total Suspended Solids. Chlorine Residual, pH, Dissolved Oxygen, and Ammonia. The pollutants listed above will be sampled at the WWTP influent and effluent and the domestic/commercial locations for the study. Since the sludge is disposed at a landfill, molybdenum will not be evaluated for purposes of this study. Additionally, there are no criteria to develop a headworks loading for molybdenum since the only applicable criteria are found in 40 CFR Part 503 for land application of sludge.

The following pollutants were identified as pollutants of concern:

- Total Arsenic
- Total Cadmium
- Total Chromium
- Total Copper
- Total Lead
- Total Nickel
- Total Selenium
- Total Silver
- Total Zinc
- Total Cyanide
- Total Mercury
- Total Ammonia
- Total Suspended Solids (TSS)
- Biochemical Oxygen Demand (5-day) (BOD)

The influent and effluent of the Bear Creek WWTP, and two sample points in the collection system known to only receive domestic/commercial loadings were sampled for ten (10) consecutive days for the pollutants of concern. The samples collected at each location were twenty-four (24) hour composite samples except for Total Cyanide which was collected as a grab sample. A grab sample of the Bear Creek WWTP waste activated sludge was collected during the study. A Toxicity Characteristic Leaching Procedure ("TCLP") was performed on the waste activated sludge sample as ultimately the solids will be wet hauled for treatment at the Rowlett Creek Regional WWTP and will eventually be disposed of in a landfill. *See Appendix V.*

The analytical reports including the Chain-Of-Custody information of the ten day sampling of the Bear Creek WWTP will be maintained in the records as long as the local limits derived from the sampling are in effect. Copies of these reports are included as Appendix XII. The WWTP influent, effluent, and removal efficiency data is tabulated in tables in Appendix VI. The unregulated domestic/commercial measurements are shown in Appendix VII. Both collection system sample site analytical results were averaged for use in calculating the domestic/commercial pollutant loading contributions. *See Appendix VII.*

## **VI. Contributing Industries**

There are currently no SIUs discharging to the Bear Creek WWTP. At the present time, there is no industrial flow and the addition of one significant industrial user will significantly impact the calculated limits. Based on this scenario that the flow and potential number of industries may be variable, the limits were calculated using three different projected industrial flows.

## **VII. Calculation of Local Limits**

TCEQ provided effluent limits for the Bear Creek WWTP as explained under Stream Standards, above (see Derivation of Permit Limits). TCEQ calculated the TexTox limits using both aquatic life and human health criteria. The most stringent limits from the calculated TexTox limits, the Hazardous Metals Rule limits, or the Bear Creek WWTP TPDES permit were used as the effluent limit (CCRIT (Critical Concentration)) in units of milligrams per liter (mg/L) as shown in Appendix II. The TPDES permit limits were used for the conventional pollutants for the Bear Creek WWTP.

Pollutant removals across the Bear Creek WWTP (RPOTW) for chromium, copper, mercury, nickel, silver, and zinc were the mean removal efficiencies calculated based on the data. Pollutant removals across the WWTP for arsenic and lead were the average daily removal efficiencies with the non-detect data pairs removed from the calculations. For the remainder of the parameters, EPA Local Limits Development Guidance (July 2004) literature values were used for cadmium, selenium, and cyanide because a majority of the influent and effluent data were below the laboratory sample reporting limit. The removal efficiencies across the Bear

Creek WWTP were calculated for each pollutant. *See* Appendix VI. Finally, the allowable influent load to prevent violation of stream standards (LINP) was calculated using the actual average flow at the Bear Creek WWTP for the last twelve months. The flow data for the WWTP is tabulated and attached. Due to the fact that the TBLL study is being conducted to potentially allow an industrial user to connect to the system, the projected flow for this potential user is taken into account in the calculations. Essentially, by adding the industrial user, the WWTP flow will increase by the amount the industrial user discharges per day. *See* Appendix VIII.

Similarly, in Appendix IX, the inhibition level (CCRIT) and corresponding unit process removal efficiency (IREM) is the Prelim default value, unless specified otherwise. Finally, the lower of the inhibition loadings (LINI) and the pass through loadings (LINP) are used in Appendix X as the maximum allowable headwork's loading (LALL).

The domestic/commercial loading was calculated in Appendix X using the average domestic/unregulated commercial flow with consideration of the addition of the potential industrial user. The domestic/unregulated commercial average pollutant concentrations for the ten-day study period were calculated using the average of both domestic/commercial sample sites. The domestic/unregulated commercial flow was calculated for the WWTP in Appendix VIII using the actual average flow of the WWTP for the last twelve months and the estimated industrial flow. Utilizing the uniform concentration method for industrial contributions, the maximum industrial contribution limit (MAIL) for the Bear Creek WWTP is calculated in Appendix X.

The EPA Local Limits Development Guidance (July 2004) states that a POTW that anticipates a significant amount of growth in the future can consider holding in reserve a portion of its MAHL for this growth. The TBLL study is being conducted in consideration of the addition of potential industrial users to the City of Lavon system. For these reasons, a growth/expansion allowance is may be applied to the MAIL in the form of additional flow from future industrial users. The calculations include different scenarios based on the potential volume of flow contributed from future industrial users.

## **VIII. Discussion of Local Limits**

Since the waste activated sludge is wet hauled to the Rowlett Creek Regional WWTP for further processing and ultimately disposed in a municipal solid waste landfill, there are no inhibition limits for this type of disposal.

A safety factor of 10% was applied to all Maximum Allowable Headwork Loading calculations. At a minimum, EPA generally recommends a 10% safety factor. The main purpose of a safety factor is to address data uncertainties that may affect the ability of the POTW to calculate accurate local limits.

The service area for the Bear Creek WWTP is projected to add a significant industrial user in the

near future. For this reason, in the calculations were performed with different flow scenarios from 10,000 gpd to 25,000 gpd for significant industrial user. Due to the fact that there are not currently any industrial users in the service area, if in the future one industry opens a facility in the service area, the TBLLs will be impacted. For example, if the potential industry has a flow of 10,000 gpd, that will increase the total plant flow by approximately 10%. The NTMWD has utilized the various flow scenarios to ensure adding this additional flow will ensure that the TBLLs are protective of the Bear Creek WWTP.

The calculated TBLLs for the Bear Creek WWTP study for Ammonia, Biochemical Oxygen Demand (BOD), and Total Suspended Solids (TSS) are variable depending on the projected flow from the potential industrial user. The City of Lavon will need to be diligent in determining potential concentrations of Ammonia, BOD, and TSS from the industrial users as high concentrations may impact the WWTP operations. Using Best Professional Judgment (BPJ) the City could hold the new industries to background concentrations which would be equivalent to the Domestic/Commercial pollutant measurements which are shown in Appendix VII.

#### **IX. Determination of Local Limits**

The EPA Local Limits Development Guidance (July 2004) states that most local limits will be implemented as daily maximums based upon two main factors: 1) the short-term nature of the event the local limit is protecting against; and 2) the infrequency of IU sampling. All pollutant maximum allowable headworks loadings (MAHL), are based on the water quality criteria. The EPA Guidance recommends that the local limit should be considered a daily maximum because the MAHL calculation using water quality criteria is based on the receiving stream's 7Q2 flow, which is a short-term phenomenon. The EPA Guidance also states that another short-term condition that leads to a daily maximum limit is biological inhibition for both secondary and tertiary treatment, both of which have short residence times.

Utilizing the uniform concentration method for industrial contributions, the technically based Daily Maximum Local Limits were determined. The following tables summarize the local limits for the different flow scenarios for the City of Lavon. Table 1 shows the resulting local limits for an industry contributing 25,000 gpd. Table 2 shows the resulting local limits for an industry contributing 15,000 gpd. Table 3 shows the resulting local limits for an industry contributing 10,000 gpd.

PARAMETERS		Bear Creek WWTP Proposed MAXIMUM LIMITS Mg/L
Arsenic	(Total)	0.57
Cadmium	(Total)	0.02
Chromium	(Total)	5.31
Copper	(Total)	0.57
Lead	(Total)	0.96
Mercury	(Total)	0.00079
Nickel	(Total)	1.37
Selenium	(Total)	0.07
Silver	(Total)	0.07
Zinc	(Total)	2.00
Cyanide	(Total)	0.89
NH <sub>3</sub> -N	-	27
BOD	-	1,300
TSS	-	250

Table 1. SIU Flow of 25,000 gallons per day

PARAMETERS		Bear Creek WWTP Proposed MAXIMUM LIMITS Mg/L
Arsenic	(Total)	0.90
Cadmium	(Total)	0.03
Chromium	(Total)	8.37
Copper	(Total)	0.82
Lead	(Total)	1.52
Mercury	(Total)	0.00124
Nickel	(Total)	2.16
Selenium	(Total)	0.11
Silver	(Total)	0.11
Zinc	(Total)	3.09
Cyanide	(Total)	1.39
NH <sub>3</sub> -N	-	27
BOD	-	1,900
TSS	-	250

Table 2. SIU Flow of 15,000 gallons per day

PARAMETERS		Bear Creek WWTP Proposed MAXIMUM LIMITS Mg/L
Arsenic	(Total)	1.31
Cadmium	(Total)	0.04
Chromium	(Total)	12.20
Copper	(Total)	1.13
Lead	(Total)	2.22
Mercury	(Total)	0.0018
Nickel	(Total)	3.14
Selenium	(Total)	0.15
Silver	(Total)	0.17
Zinc	(Total)	4.46
Cyanide	(Total)	2.03
NH <sub>3</sub> -N	-	27
BOD	-	2,600
TSS	-	250

Table 3. SIU Flow of 10,000 gallons per day

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STATE OF TEXAS           §  
  §  
COUNTY OF COLLIN       §

**HOLD HARMLESS AGREEMENT/INDEMNIFICATION AGREEMENT**

The undersigned, Lavon Economic Development Corporation, (hereinafter “Lavon EDC”) in consideration of the payment of \$1.00 and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, hereby executes in favor of Collin County, Texas, its officers, employees, agents and assigns (hereinafter collectively “Collin County”) , this Hold Harmless Agreement/Indemnification Agreement.

WITNESSETH:

WHEREAS, Lavon EDC is seeking to construct a concrete monument (hereinafter “Encroachment Structure”) in a location that constitutes an encroachment of a public easement held by Collin County, Texas; and

WHEREAS, Lavon EDC has agreed to hold Collin County harmless for any damages to said concrete monument that arise from any activity by Collin County or any licensed utility utilizing the public easement for the purpose of installing, removing, repairing or maintaining any improvements allowed with the public easement, and Lavon EDC, to the fullest extent allowed by law, has agreed to indemnify Collin County for any claims for such damages; and

WHEREAS, Lavon EDC has further agreed to repair any damages it has caused to any existing structure, improvement, and/or utility within the public easement held by Collin County, Texas; and

WHEREAS, Lavon EDC acknowledges that it is solely responsible for the Encroachment Structure, such responsibility including any and all claims or causes of action for damages or injuries arising as a result of Lavon EDC’s placement of the Encroachment Structure in the public easement;

NOW, THEREFORE, Lavon EDC agrees as follows:

1. Lavon EDC, the owner of the Encroachment Structure, hereby agrees that if Collin County or any licensed utility or independent contractor removes, damages or alters the Encroachment Structure, then Lavon EDC is fully responsible for repair and/or replacement of the Encroachment Structure. (\_\_\_\_\_ initial).
2. Lavon EDC agrees that if it causes damage to any existing structure, improvement, and/or utility within the public easement held by Collin County, Texas, Lavon EDC is fully responsible for repair and/or replacement of the existing improvement as deemed

necessary by Collin County and/or licensed utility company within ninety days of receipt of written notice by the County and/or licensed utility company. (\_\_\_\_\_ initial).

3. Lavon EDC hereby agrees that to the fullest extent allowed by law, it shall indemnify, defend and hold harmless Collin County, any licensed utility company or independent contractors, and any of their officers, employees and agents in both their official and individual capacity, from any and all liability, claims, damages, expenses including attorneys' fees and litigation costs, resulting from or arising out of the removal or alteration of any existing permitted encroachment structure that exists in or around any public easement, deemed necessary by Collin County or licensed utility for the purpose of installing, removing, repairing or maintaining any improvements allowed within the public easement. Lavon EDC acknowledges that specific consideration has been given for this indemnity provision. Lavon EDC further warrants that this indemnity obligation is lawful and binding and that it has taken such action as is necessary to ensure that such obligation does not constitute an illegal debt under applicable law. (\_\_\_\_\_ initial).
4. Lavon EDC hereby agrees that it is solely responsible for the Encroachment Structure, including the selection of the location within the public easement where it will be placed, such responsibility including and extending to any and all claims or causes of action for damages or injuries arising as a result of Lavon EDC's placement of the Encroachment Structure in the public easement. In addition, to the fullest extent allowed by law, Lavon EDC shall indemnify, defend and hold harmless Collin County, any licensed utility company or independent contractors, and any of their officers, employees and agents in both their official and individual capacity, from any and all liability, claims, damages, expenses including attorneys' fees and litigation costs, resulting from or arising out of the placement of the Encroachment structure in the
5. Lavon EDC affirms and represents that the person executing this Hold Harmless Agreement/Indemnification Agreement on its behalf has been fully authorized to do so by all necessary action of its governing board.

IN WITNESS THEREOF, Lavon EDC hereby agrees and accepts the terms hereof on this \_\_\_ day of \_\_\_\_\_, 2016.

“Lavon EDC”

**LAVON ECONOMIC DEVELOPMENT CORPORATION**

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF COLLIN

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2016, by \_\_\_\_\_, for and on behalf of Lavon Economic Development Corporation.

S E A L

\_\_\_\_\_  
Notary Signature

\_\_\_\_\_  
Printed Name

# LAVON

EDC



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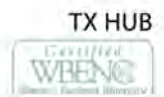
## **City of Lavon Gateway Monument Construction Cost Proposal status as of June 9, 2016**

- As of May 6, 2016, the below-listed Contractors were contacted and emailed Gateway Monument Request-for-Construction Cost Proposal packets.
- From May 6 to June 9, 2016, each Contractor was contacted by telephone as well as by e-mail at least two times.
- As of June 9, 2016, Construction Cost Proposals have been received from the Contractors as shown.

- **Infinity Lawnscape – Duffy McKenzie / Richard Lough .....\$32,740.00**  
2520 King Arthur Blvd. – Suite 200; Lewisville, TX 75056 / 214 – 864 - 6991  
[Duffy.Mckenzie@infinitylawnscape.com](mailto:Duffy.Mckenzie@infinitylawnscape.com)  
(The Bentley Farms entry sign contractor)
- Republic Stone Co. – Tom James .....declined due to TxDOT involvement and requirements  
10833 State Highway 205; Lavon, TX 75166; / 972 – 843 - 4434  
[tjames@republicstone.com](mailto:tjames@republicstone.com)  
(Formerly Pearson Stone Co.)
- **Weisz Selection – Jason Weisz.....\$20,000.00**  
PO Box 176; Weston, TX 75097 / 972 – 838 – 4205  
[info@weiszselection.com](mailto:info@weiszselection.com)  
(The Creekview subdivision entry sign contractor in Princeton)
- Palomo Masonry – Karlo Palomo.....no response  
426 Bell Drive; Wylie, TX 75098 / 469 – 471 -4815  
[info@palomomasonrytx.com](mailto:info@palomomasonrytx.com)  
(Initial interested contractor)
- **Triad Construction - Tom Spalding.....\$16,300.00**  
1214 County Road 2405; Tool, TX 75143 / 903 – 275 - 6213  
[tommytriad.ts@gmail.com](mailto:tommytriad.ts@gmail.com)  
(Kemp, TX gateway monument contractor)

Mundo and Associates, Inc. recommends the Construction Cost Proposal received from Triad Construction, in the amount of \$16,300.00 be Accepted and Executed.

A photo of a recent Triad Construction monument project is shown on the following sheet.





Constructed by Triad Construction; Tool, TX

Note that the area landscaping was constructed by TxDOT as part of a highway landscaping project after the Gateway Monument had been constructed by the Kemp EDC.