



# CITY COUNCIL AGENDA

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NOTICE IS GIVEN THAT THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS, WILL MEET IN A REGULAR SCHEDULED MEETING AT 5:30 P.M. ON TUESDAY, DECEMBER 18, 2018, 601 SOUTH FIRST STREET, FOR THE PUPOSE OF CONSIDERING AND TAKING OFFICIAL ACTION ON THE FOLLOWING ITEMS:

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**1. CALL TO ORDER:**

**2. INVOCATION:**

**3. CONSENT AGENDA:** All consent agenda items listed are considered to be a routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda. Information concerning consent agenda items is available for public review.

a. **APPROVAL OF THE MINUTES:** Approval of the minutes of the council meeting held on November 13, 2018.

b. **BILLS FOR OCTOBER AND NOVEMBER 2018:** Approval of the bills paid by the City of Lamesa for the month of October and November, 2018.

**c. RE-APPOINTMENTS TO BOARDS:**

- **RE-APPOINTMENT – ZONING BOARD OF ADJUSTMENT:** Consider re-appointing John Hegi to the Zoning Board of Adjustment for a 2-year term ending on December 31, 2020.
- **RE-APPOINTMENT – ZONING BOARD OF ADJUSTMENT:** Consider re-appointing Richard Leonard to the Zoning Board of Adjustment for a 2-year term ending on December 31, 2020.
- **RE-APPOINTMENT – ZONING BOARD OF ADJUSTMENT:** Consider re-appointing Scott Seymour as an Alternate Member to the Zoning Board of Adjustment for a 2-year term ending on December 31, 2020.
- **APPOINTMENT – ZONING BOARD OF ADJUSTMENT:** Consider appointing Kim Bairrington to the Zoning Board of Adjustment for a 2-year term ending on December 31, 2020. Kim Bairrington has served recently as an alternate for this board.
- **RE-APPOINTMENT – ZONING BOARD OF ADJUSTMENT:** Consider re-appointing Jenkin Ortiz to the Zoning Board of Adjustment for a 2-year term ending on December 31, 2020.
- **RE-APPOINTMENT – ZONING BOARD OF ADJUSTMENT:** Consider re-appointing Bob Henderson to the Zoning Board of Adjustment for a 2-year term ending on December 31, 2020.
- **RE-APPOINTMENT – ELECTRICAL BOARD MEMBER:** Consider re-appointing Mike Johnson to the Electrical Board, for a two (2) year term ending on December 2020. *(Mr. Johnson's term expired December 2018 Mr. Johnson has agreed to serve.)*
- **RE-APPOINTMENT – ELECTRICAL BOARD MEMBER:** Consider re-appointing Hector Cantu to the Electrical Board, for a two (2) year term ending on December 2020. *(Mr. Cantu's term expired December 2018. Mr. Cantu has agreed to serve.)*

- **RE-APPOINTMENT – ELECTRICAL BOARD MEMBER:** Consider re-appointing Ken Wiley to the Electrical Board, for a two (2) year term ending on December 2020. *(Mr. Wiley's term expired December 2018. Mr. Wiley has agreed to serve.)*
  - **RE-APPOINTMENT – ELECTRICAL BOARD MEMBER:** Consider re-appointing Robert Borella to the Electrical Board, for a two (2) year term ending on December 2020. *(Mr. Borella's term expired December 2018. Mr. Borella has agreed to serve.)*
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  - **RE-APPOINTMENT – PLUMBING APPEALS AND ADVISORY BOARD MEMBER:** Consider re-appointing Ricky Perez to the Plumbing Board, for a four (4) year term ending on December 2022. *(Mr. Perez term expired December 2018. Mr. Perez has agreed to serve.)*
  - **RE-APPOINTMENT – LAMESA ECONOMIC DEVELOPMENT CORPORATION MEMBER:** Consider re-appointing Bryan Nowlin to the Lamesa Economic Development Corporation, for a two (2) year term ending on December 2020. *(Mr. Nowlin's term expires December 2018. Mr. Nowlin has agreed to serve.)*
  - **RE-APPOINTMENT – LAMESA ECONOMIC ALLIANCE PROJECT MEMBER:** Consider re-appointing Bryan Nowlin to the Lamesa Economic Alliance Project for a two (2) year term ending on December 2020. *(Mr. Nowlin's term expires December 2018. Mr. Nowlin has agreed to serve.)*
  - **RE-APPOINTMENT – LAMESA-DAWSON COUNTY MUSEUM ASSOCIATION MEMBER:** Consider re-appointing Arthur Pedroza to the Lamesa-Dawson County Museum Association Board, for a three (3) year term ending on December 2021. *(Mr. Pedroza's term expires December 2018. Mr. Pedroza has agreed to serve.)*
  - **RE-APPOINTMENT – West Texas Opportunities, Inc:** Consider re-appointing Marie Briseno to West Texas Opportunities, Inc., for a three (5) year term ending on December 2023. *(Marie. Briseno term expires December 2018. Marie Briseno has agreed to serve.)*
  - **LIVESTOCK PERMIT RENEWALS:** Consider renewal of livestock permits for calendar year 2019.
    - **Landfill Tract:** (Landfill property) for keeping 9 calves and 3 cows upon application of Sam Leal
    - **1006 South East 8<sup>th</sup> Street:** for keeping 4 horses and 1 donkey upon application of Steve Alexander
    - **1708 South 8<sup>th</sup>:** for keeping 6 goats or sheep and 3 cows upon application of Keith Carter
4. **LEDC/LEAP QUARTERLY REPORT:** City Council to hear from LEDC/LEAP Executive Director Sean Overeynder regarding LEDC/LEAP Quarterly Report/Year in Review. *(LEDC/LEAP Director)*
  5. **REQUEST BY COALITION AGAINST BIGGER TRUCKS(CABT):** City Council to approve truck size and weight increases in Permian Basin.
  6. **PUBLIC HEARING REGARDING 2019 TxCDBG APPLICATION:** The public hearing is in regard to the submission of an application to the Texas Department of Agriculture for a Texas Community Development Block Grant Program (TxCDBG) grant. The purpose of this meeting is to allow citizens an opportunity to discuss the citizens' participation plan, the development of local housing and community development needs, the amount of TxCDBG funding available, all eligible TxCDBG activities and the use of past TxCDBG funds. The City encourages citizens to participate in the development of this TxCDBG application and to make their views known at this public hearing.

7. **AWARD REDISTRICTING SERVICES CONTRACT:** City Council to award Redistricting Services contract. *(City Manager)*
8. **AWARD CONTRACT FOR ADA RESTROOM RENOVATION AT CITY HALL:** Council to award contract for ADA restroom renovation. *(City Manager)*
9. **OPEN REQUESTS FOR PROPOSAL FOR JANITORIAL SERVICES CONTRACT FOR CITY HALL AND POLICE DEPARTMENT AND AWARD CONTRACT:** City Council to award contract for janitorial services for City Hall and Police Department. *(City Manager)*
10. **OPEN REQUESTS FOR PROPOSAL FOR CITY DEPOSITORY AND AWARD CONTRACT:** City Council to open requests for proposal for city depository and award contract. *(Finance Director)*
11. **OPEN REQUESTS FOR QUALIFICATIONS FOR LEGAL SERVICES FOR CHARTER COMMISSION AND AWARD CONTRACT:** City Council to open Requests for Qualifications for professional Legal Services for the facilitation of the City of Lamesa's Citizen Charter Commission and award contract. *(City Manager)*
12. **BUDGET AMENDMENT II:** Consider amending Ordinance O-20-17 on First reading with respect to October 1, 2017. *(City Manager & Finance Director)*
13. **LISD REQUEST FOR CITY TO VACATE LAND:** City Council to consider passing an Ordinance on First reading that the dedicated public right-of -ways, alleys, roadways and streets described in Exhibit "A" in the body of this Ordinance are no longer needed for the right-of-way purposes and for the public use and it would be beneficial for the public interest to close such dedicated public right-of-way, alleys, roadways and streets and for public use. *(City Manager)*
14. **APPROVAL OF ENGINEERING SERVICES FOR CITY OF LAMESA 2019 WASTEWATER TREATMENT PLANT PERMIT RENEWAL:** City Council to consider approving a contract with Parkhill, Smith and Cooper to develop and submit the City's 2019 Wastewater Permit Renewal to TCEQ.
15. **UTILITIES DIRECTOR REPORT:** Utilities Director to report on the city's recent events.
16. **FINANCIAL REPORT:** Finance Director to report on the city's finances. *(Financial Director)*
17. **CITY MANAGER REPORT:** City Manager to report on current activities and answer questions from the City Council.
  - a. City Hall Closed for Christmas – December 24 & 25, 2018 (Closed on Monday and Tuesday)
  - b. City Hall Closed for New Year's Day – December 31, 2018 and January 1, 2019 (Closed on Monday and Tuesday)
18. **MAYORS REPORT:** Mayor to report on current activities.
19. **CLOSED SESSION:** Consider convening into closed Executive Session with the City Council of the City of Lamesa, Texas for the following:

**SEC. 551.072. DELIBERATION REGARDING REAL PROPERTY; CLOSED MEETING.** A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.



- a. To discuss the acquisition of real property from the City of Lamesa by the Lamesa Economic Development Corporation and/or the Lamesa Economic Alliance Project for its fair market value.

**SEC. 551.087. DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS; CLOSED MEETING.** This chapter does not require a governmental body to conduct an open meeting:

- a. To discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or
- b. To deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).

**20.ADJOURNMENT:** *The next regularly scheduled meetings of the City Council of the City of Lamesa will be JANUARY 15, 2019 at 5:30 P.M.*



Open Meetings Information

CLOSED MEETINGS

The City Council reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development).

PUBLIC PARTICIPATION

The meeting will be held pursuant to the provisions of the Texas Open Meetings Act (Govt. Code, Chapter 551). Discussion and actions are limited to the agenda items listed above. Persons desiring to address the City Council or express their opinion about a particular item on this agenda should notify the City Secretary before the meeting. Persons desiring to present other business or discuss matters not on this agenda should submit a request in writing to the City Secretary by the end of business hours on the Wednesday before the next meeting in order to be considered for inclusion on that agenda.

MEETING ACCESSIBILITY

Upon request, auxiliary aids and services will be provided to an individual with a disability in order to allow them to effectively participate in the city council meeting. Those requesting auxiliary aids or services should notify the contact person listed below at least twenty-four hours prior to the meeting by mail, telephone or RELAY Texas (1-800-735-2989)

Contact: Betty Conde at 806-872-4322

601 South First Street, Lamesa, Texas 79331

Telephone - (806) 872-4322

Fax - (806) 872-4338

CERTIFICATION OF NOTICE



I certify this agenda was posted at the City Hall, 601 South First Street, Lamesa, Texas at 4:45 p.m., December 15, 2017 in accordance with Chapter 551.041 of the Government Code.

Betty Conde, City Secretary

# **City Council Agenda**

*City of Lamesa, Texas*

**DATE OF MEETING: DECEMBER 18, 2018**

**AGENDA ITEMS: 1 & 2**

1. **CALL TO ORDER:** *Announcement by the Mayor.* "This meeting is being held in accordance with the provisions of the Texas Open Meetings Act (Govt. Code, Chapter 551). Discussion and actions are limited to the agenda items as posted. Persons desiring to address the City Council or express their opinion about a particular item on this agenda should complete a request at this time. Persons desiring to present other business or discuss matters not on this agenda should submit a request in writing to the City Secretary in order to be considered for inclusion on the agenda of the next meeting. A quorum being present as evidenced by the presence of \_\_\_ members of the City Council, this meeting is hereby called to order."

The following members are present:

JOSH STEVENS	Mayor
BRANT STEWART	Council Member – District 1/Mayor Pro-tem
MARIE A. BRISENO	Council Member – District 2
RICK MORENO	Council Member – District 3
JASON MORENO	Mayor Pro-tem/ - District 4
BOBBY G. GONZALES	Council Member – District 5
DOUG MORRIS	Council Member – District 6

City Staff members present at the meeting:

SHAWNA D. BURKHART	City Manager
BETTY CONDE	City Secretary
RUSSELL CASSELBERRY	City Attorney

Members of the press present at the meeting:

Members of the public present at the meeting:

**INVOCATION:**

**AND PLEDGE OF ALLEGIANCE.**



# City Council Agenda

## City of Lamesa, Texas

**DATE OF MEETING: DECEMBER 18, 2018**

**AGENDA ITEM: 3**

**SUBJECT: CONSENT AGENDA ITEMS**  
**PROCEEDING: Approval**  
**SUBMITTED BY: City Staff**

### SUMMARY STATEMENT

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  - **Landfill Tract:** (Landfill property) for keeping 9 calves and 3 cows upon application of Sam Leal
  - **1006 South East 8<sup>th</sup> Street:** for keeping 4 horses and 1 donkey upon application of Steven Alexander
  - **1708 South 8<sup>th</sup>:** for keeping 6 goats or sheep and 3 cows upon application of Keith Carter

**COUNCIL ACTION**

**DISCUSSION** \_\_\_\_\_

Motion by Council Member \_\_\_\_\_ to approve Item 3 a, b, c and d. Motion seconded by Council Member \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

**VOTING:**            "AYE" \_\_\_\_\_            "NAY" \_\_\_\_\_            "ABSTAIN" \_\_\_\_\_

**CITY MANAGER'S MEMORANDUM**

These items are considered non-controversial but do require formal council approval. If a council member objects to a consent item, it is removed from the list and separate action is taken on the item(s). If a council member questions a consent item, but not so strongly as to require that it be removed from the list, his/her "no" vote or abstention can be entered in the minutes when the consent vote is taken.  
**Recommend approval.**

THE STATE OF TEXAS }  
COUNTY OF DAWSON }  
CITY OF LAMESA }

**MINUTES OF THE CITY COUNCIL REGULARLY CALLED MEETING:**

**November 13, 2018**

On this the 13<sup>th</sup> day of November, 2018 at 5:30 P.M., there came on and was held a regularly called meeting of the City Council of the City of Lamesa, Dawson County, Texas. Notice of such meeting having been posted at the City Hall at 601 South First Street in the City of Lamesa, Texas in accordance with the provisions of the Texas Open Meetings Act (Texas Govt. Code, Chapter 551). The following items were listed on the notice and the following proceedings were had, viz.:

CALL TO ORDER: Mayor Stevens announced that the meeting was being held in accordance with the provisions of the Texas Open Meetings Act (Texas Govt. Code, Chapter 551), and that discussion and actions are limited to the agenda items as posted. A quorum being present as evidenced by the presence 6~~2~~ City Council Members were present:

LEFT@ 6:15	JOSH STEVENS	MAYOR
	BRANT STEWART	COUNCIL MEMBER-DISTRICT 1
	MARIE BRISENO	MAYOR PRO-TEM
	RICK MORENO	COUNCIL MEMBER – DISTRICT 2
	JASON MORENO	COUNCIL MEMBER– DISTRICT 3
LEFT@ 6:15	BOBBY G. GONZALES	COUNCIL MEMBER – DISTRICT 4
(ABSENT)	DOUG MORRIS	COUNCIL MEMBER – DISTRICT 5
		COUNCIL MEMBER- DISTRICT 6

City staff members present at the meeting:

SHAWNA D. BURKHART	CITY MANAGER
BETTY CONDE	CITY SECRETARY
RUSSELL CASSELBERRY	CITY ATTORNEY

Members of the press present at the meeting:

Herrel Hallmark

Members of the public present at the meeting:

Victor Dimas	Holly Holder	Dionicio Grza Jr
Dale Alwan	Wayne Chapman	Cris Norris
Robert Ramirez	Irma Ramirez	

**INVOCATION:** Josh Stevens

**CONSENT AGENDA:** All consent agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda. Information concerning consent agenda items is available for public review.

a) **APPROVAL OF THE MINUTES:** Approval of the minutes of the council meeting held on October 16, 2018.

b) **PROCLAMATION:** Observing November-12<sup>th</sup>, 2018 as "Veteran's Day".

Motion by Council Member Gonzales to approve Item 3a and b. Motion seconded by Council Member Briseno and upon being put to a vote the motion passed.

VOTING:                      "AYE" 6                      "NAY"                      "ABSTAIN"

**AWARD EMPLOYEE HEALTH INSURANCE:** City Council to discuss and consider awarding bid for the FY 2018/2019 City's health insurance to TMLIEBP, as recommended by City's Health Insurance consultant.

Motion by Council Member Gonzales to approve the health insurance FY 2018/2019 City's Health Insurance bid as recommended by Cris Norris. Motion seconded by Council Member Sewart and upon being put to a vote the motion passed.

VOTING:                      "AYE" 6                      "NAY"                      "ABSTAIN"

**LEDC/LEAP QUARTERLY REPORT:** City Council to hear from LEDC/LEAP Executive Director Sean Overeynder regarding LEDC/LEAP Quarterly Report.

***Cancelled agenda # 5 and moved to December agenda.***

***Agenda # 14 Lease on Toro Greenmaster was moved up to#5.***

***City Council member Bobby Gonzales and the Mayor will leave early to attend LEDC/LEAP meeting.***

**CONSIDER/DISCUSS/APPROVE AWARD OF PROFESSIONAL SERVICE CONTRACT TO GRANT MANAGEMENT FIRM FOR APPLICATION PREPARATION AND GENERAL ADMINISTRATION OF A 2019/2020 TxCDBG Grant:** City Council to consider passing a Resolution to Award of Professional Service Contract to Grant Management Firm for Application Preparation and General Administration of a 2019/2020 Tx CDBG Grant.

Motion by Council Member Jason Moreno to pass a Resolution awarding of Professional Service Contract Management Firm for Application Preparation and General



Administration of a 2019/2020 TxCDBG Grant. Motion seconded by Council Member Rick Moreno and upon being put to a vote the motion passed.

**VOTING:**                    "AYE" 4                    "NAY"                    "ABSTAIN"

**Note: Mayor and City Council member Bobby Gonzales left at 6:15pm to attend LEDC/LEAP meeting.**

**ADOPT CITY FINANCIAL POLICY:** City Council to consider passing a resolution approving the City's Financial Policy for Fiscal Year 2018-2019.

Motion by Council Member Jason Moreno to pass a resolution approving the City's Financial Policy for Fiscal Year 2018-2019. Motion seconded by Council Member Rick Moreno and upon being put to a vote the motion passed.

**VOTING:**                    "AYE" 4                    "NAY"                    "ABSTAIN"

**Note: Mayor and City Council member Bobby Gonzales left at 6:15pm to attend LEDC/LEAP meeting.**

**OPEN REQUEST FOR QUALIFICATIONS FOR REDISTRICTING SERVICES AND AWARD CONTRACT:** City Council to open Requests for Qualifications for Redistricting Services and award contract.

Motion by Council Member Gonzales to consider to open Request for Qualification for Redistricting Services and award contract. Motion seconded by Council Member Briseno and upon being put to a vote the motion passed.

**VOTING:**                    "AYE" 3                    "NAY" 3                    "ABSTAIN"

**Note: Agenda #8 was moved to #6 due to Councilmember Bobby Gonzales and Mayor left at 6:15 to attend LEDC/LEAP meeting.**

**OPEN BIDS FOR ADA RESTROOM RENOVATION AT CITY HALL AND AWARD CONTRACT:** City Council to open bids for ADA restroom renovation and award contract.

**Moved to December Agenda to Award Bid to Enrique Moreno.**

**Note: Mayor and City Council member left at 6:15 pm to attend LEDC/LEAP meeting.**

**CALL FOR REQUESTS FOR QUALIFICATIONS FOR LEGAL SERVICES FOR CHARTER COMMISSION:** City Council to call for Requests for Qualification for professional Legal Services for the facilitation of the City of Lamesa's Citizen Charter Commission.

Motion by Council Member Jason Moreno to call for Requests for Qualification for professional Legal Services for the facilitation of the City of Lamesa's Citizen Charter Commission. Motion seconded by Council Member Rick Moreno and upon being put to a vote the motion passed.

**VOTING:** "AYE" 4 "NAY" "ABSTAIN"

**Note: Mayor and City Council member Bobby Gonzales left at 6:15pm to attend LEDC/LEAP meeting.**

**CALL FOR BIDS FOR JANITORIAL SERVICES (CITY HALL & POLICE DEPARTMENT):** City Council to call for bids for janitorial services for City Hall and the Police Department.

Motion by Council Member Jason Moreno to call for bids for janitorial services for City Hall and the Police Department. Motion seconded by Council Member Rick Moreno and upon being put to a vote the motion passed.

**VOTING:** "AYE" 4 "NAY" "ABSTAIN"

**Note: Mayor and City Council member Bobby Gonzales left at 6:15pm to attend LEDC/LEAP meeting.**

**CALL FOR BIDS CITY DEPOSITORY:** City Council to call for bids for City Depository.

Motion by Council Member Jason Moreno to call for bids for City Depository. Motion seconded by Council Member Rick Moreno and upon being put to a vote the motion passed.

**VOTING:** "AYE" 4 "NAY" "ABSTAIN"

**Note: Mayor and City Council member Bobby Gonzales left at 6:15pm to attend LEDC/LEAP meeting.**

**ACCEPTANCE OF 2018 TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT:** City Council to accept the 2018 Texas Community Development Block Grant of \$291,540 for water infrastructure improvements.

Motion by Council Member Jason Moreno to accept the 2018 Texas Community Development Block Grant of \$291,540 for water infrastructure improvements. Motion seconded by Council Member Rick Moreno and upon being put to a vote the motion passed.

**VOTING:**                      "AYE" 4                      "NAY"                      "ABSTAIN"

**Note: Mayor and City Council member Bobby Gonzales left at 6:15pm to attend LEDC/LEAP meeting.**

**LEASE OF TORO GREENMASTER TRIFLEX FOR LAMESA MUNICIPAL GOLF COURSE:** City Council to consider a resolution approving a lease of a Toro Greenmaster Triflex for the Lamesa Municipal Golf Course (Buyboard). (*Golf Course Superintendent*)

Motion by Council Member Stewart to consider a resolution approving a lease of a Toro Greenmaster Triflex for the Lamesa Municipal Golf Course. Motion seconded by Council Member Gonzales and upon being put to a vote the motion passed.

**VOTING:**                      "AYE" 6                      "NAY"                      "ABSTAIN"

**Moved up to agenda item #5**

**CITY STAFF REPORTS:**

- c) **PARKS, STREETS, SANITATION/LANDFILL REPORT:** Director to report on the city's recent events.
- d) **UTILITIES DIRECTOR REPORT:** Utilities Director to report on the city's recent events.

**CITY MANAGER REPORT:** City Manager to report on current activities and answer questions from the City Council.

- e) City Hall Closed for Thanksgiving – November 22 & 23 2018
- f) City Hall Christmas Open House – December 7, 2018 from 11 a.m. to 4 p.m.
- g) City Hall Closed for Christmas – December 24 & 25, 2018
- h) City Hall Closed for New Year's Day – January 1, 2019
- i) PFIA Training (Denton, TX) – December 11-13, 2018



**ADJOURNMENT:** *The next regularly scheduled meetings of the City Council of the City of Lamesa will be December 18, 2018 at 5:30 P.M.*

Pursuant to the provisions of the Texas Open Meetings Act, the City Council certifies that the items above are a full record of the subject matter of each deliberation and indicates each vote, order, decision or other action taken by the City Council of the City of Lamesa, Texas at the meeting held on the date indicated above. Ratified and approved at the regularly called meeting of the City Council of the City of Lamesa, Texas held on November 13, 2018.

ATTEST:

APPROVED:

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Betty Conde  
City Secretary

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Josh Stevens  
Mayor

POST DATE TRAN # REFERENCE PACKET=====DESCRIPTION===== VEND INV/JE # NOTE =====AMOUNT===== =====BALANCE=====

1001 CASH IN BANK

BEGINNING BALANCE

10/01/18	10/01	A13906	CHK: 197036	14869	DAWSON CO. LIBRARY	1611		630.00CR	630.00CR
10/01/18	10/01	A13907	CHK: 197037	14869	HENRY NORRIS AGENCY, . IN	3190		1,041.66CR	1,671.66CR
10/01/18	10/01	A13908	CHK: 197038	14869	SOUTH PLAINS PUBLIC HEAL	3730		2,455.22CR	4,126.88CR
10/01/18	10/01	A13909	CHK: 197039	14869	VOLUNTEER FIRE DEPARTMEN	4090		400.00CR	4,526.88CR
10/01/18	10/01	A13910	CHK: 197040	14869	DUYCK LARRY	5777		200.00CR	4,726.88CR
10/01/18	10/01	A13911	CHK: 197041	14869	DALE ALWAN	5983		200.00CR	4,926.88CR
10/01/18	10/01	A13912	CHK: 197042	14869	BOB THOMAS	5984		200.00CR	5,126.88CR
10/01/18	10/01	A13913	CHK: 197043	14869	JASON WILEY	6025		200.00CR	5,326.88CR
10/01/18	10/01	A13914	CHK: 197044	14869	MICKEY FLANAGAN	6333		200.00CR	5,526.88CR
10/01/18	10/01	A13915	CHK: 197045	14869	CORBIN SAENZ	6350		200.00CR	5,726.88CR
10/01/18	10/01	A13916	CHK: 197046	14869	STEVE ALEXANDER	6356		200.00CR	5,926.88CR
10/01/18	10/01	A13917	CHK: 197047	14869	JEREMY DAWSON	6457		200.00CR	6,126.88CR
10/01/18	10/01	A13918	CHK: 197048	14869	ERNESTO ENRIQUEZ	6532		200.00CR	6,326.88CR
10/01/18	10/01	A13919	CHK: 197049	14869	MARK DAILY	6533		200.00CR	6,526.88CR
10/01/18	10/01	A13920	CHK: 197050	14869	FRANCISCO VARGAS SANCHEZ	6549		200.00CR	6,726.88CR
10/01/18	10/01	A13921	CHK: 197051	14869	ASHTIN SUFIENTES	6564		200.00CR	6,926.88CR
10/01/18	10/01	A13922	CHK: 197052	14869	ALEJANDRO ESPARZA	6568		200.00CR	7,126.88CR
10/01/18	10/01	A13923	CHK: 197053	14872	DAWSON COUNTY APPRAISAL	1605		14,738.65CR	21,865.53CR
10/01/18	10/01	A13924	CHK: 197054	14872	DAWSON CO. WELFARE ASSOC	1610		188.00CR	22,053.53CR
10/01/18	10/05	B60361	Misc 000001	09650	METER POSTAGE		JE# 024342	500.00CR	22,553.53CR
10/01/18	11/14	B60655	Misc 000023	09698	ETS PROCESSING FEES		JE# 024479	70.42CR	22,623.95CR
10/01/18	11/14	B60656	Misc 000024	09698	ETS PROCESSING FEE		JE# 024480	230.48CR	22,854.43CR
10/01/18	11/14	B60657	Misc 000025	09698	ETS PROCESSING FEES		JE# 024481	752.23CR	23,606.66CR
10/02/18	10/02	A13943	CHK: 197055	14878	ADVANCED ANALYSIS, INC	1022		395.00CR	24,001.66CR
10/02/18	10/02	A13944	CHK: 197056	14878	LYNTEGAR ELECTRIC COOPER	2728		217.78CR	24,219.44CR
10/02/18	10/02	A13945	CHK: 197057	14878	SOUTH PLAINS COMMUNICATI	3729		1,469.00CR	25,688.44CR
10/02/18	10/02	A13946	CHK: 197058	14878	UNIFIRST HOLDINGS, INC	4079		38.70CR	25,727.14CR
10/02/18	10/02	A13947	CHK: 197059	14878	WINDSTREAM COMMUNICATION	4460		591.11CR	26,318.25CR
10/02/18	10/02	A13948	CHK: 197060	14878	FRANKLIN & SON, INC.	5840		610.72CR	26,928.97CR
10/02/18	10/02	A13949	CHK: 197061	14878	PNC EQUIPMENT FINANCE,LL	5960		584.29CR	27,513.26CR
10/02/18	10/02	A13950	CHK: 197062	14878	LYNN ROSS GANNAWAY & CRA	6194		916.25CR	28,429.51CR
10/02/18	10/02	A13951	CHK: 197063	14878	INDUSTRIAL DISPOSAL SUPP	6371		307.61CR	28,737.12CR
10/02/18	10/02	A13952	CHK: 197064	14878	KANDACE SCOTT	6498		150.00CR	28,887.12CR
10/02/18	10/02	A13953	CHK: 197065	14878	DE LAGE LANDEN PUBLIC FI	6511		1,152.96CR	30,040.08CR
10/02/18	10/02	A13954	CHK: 197066	14878	KUBOTA LEASING	6643		1,207.62CR	31,247.70CR
10/02/18	10/02	A13955	CHK: 197067	14877	MARIE BRISENO	1296		639.18CR	31,886.88CR
10/02/18	10/02	A13956	CHK: 197068	14877	CONSOLIDATED SPECIAL FUN	1517		12,900.00CR	44,786.88CR
10/02/18	10/02	A13957	CHK: 197069	14877	UNITED FUND	4081		102.00CR	44,888.88CR
10/02/18	10/02	A13958	CHK: 197070	14877	TMCCP	4670		315.00CR	45,203.88CR
10/02/18	10/02	A13959	CHK: 197071	14877	DALE ALWAN	5983		66.49CR	45,270.37CR
10/02/18	10/02	A13960	CHK: 197072	14877	TOMMY ARGUIJO	5988		64.31CR	45,334.68CR
10/02/18	10/02	A13961	CHK: 197073	14877	SHAWNA BURKHART	6184		639.18CR	45,973.86CR
10/02/18	10/02	A13962	CHK: 197074	14877	SARAH CISNEROS	6683		16.10CR	45,989.96CR

POST	DATE	TRAN #	REFERENCE	PACKET=====	DESCRIPTION=====	VEND	INV/JE #	NOTE	=====AMOUNT=====	=====BALANCE=====
1001			CASH IN BANK							
* ( CONTINUED ) *										
10/02/18	10/02	A13963	CHK: 197075	14877	JASON MORENO		6684		639.18CR	46,629.14CR
10/02/18	10/02	A13964	CHK: 000000	14875	INTERNAL REVENUE SERVICE		5832		32,728.35CR	79,357.49CR
10/02/18	10/02	A13965	CHK: 197076	14875	CAPROCK FEDERAL CREDIT U		1390		22,755.83CR	102,113.32CR
10/02/18	10/02	A13966	CHK: 197077	14875	PAYROLL FUND		3270		71,644.93CR	173,758.25CR
10/02/18	10/02	A13967	CHK: 197078	14875	TX CHILD SUPPORT SDU		5634		211.38CR	173,969.63CR
10/02/18	10/02	A13968	CHK: 197079	14875	TX CHILD SUPPORT SDU		5829		115.38CR	174,085.01CR
10/02/18	10/02	A13969	CHK: 197080	14875	TEXAS CHILD SUPPORT DISB		5859		500.90CR	174,585.91CR
10/02/18	10/02	A13970	CHK: 197081	14875	TX CHILD SUPPORT SDU		5882		276.92CR	174,862.83CR
10/02/18	10/02	A13971	CHK: 197082	14875	JAE FITNESS		6023		129.43CR	174,992.26CR
10/02/18	10/02	A13972	CHK: 197083	14875	TEXAS CHILD SUPPORT DISB		6566		207.69CR	175,199.95CR
10/02/18	10/02	A13973	CHK: 197084	14875	TEXAS CHILD SUPPORT DISB		6589		269.08CR	175,469.03CR
10/02/18	10/02	A13974	CHK: 197085	14875	TEXAS CHILD SUPPORT DISB		6590		228.00CR	175,697.03CR
10/02/18	10/02	A13975	CHK: 197086	14875	TX CHILD SUPPORT SDU		6680		196.15CR	175,893.18CR
10/04/18	10/04	A14256	CHK: 197087	14901	SPAG		5597		579.67CR	176,472.85CR
10/04/18	10/04	A14257	CHK: 197088	14901	IMPERATIVE INFORMATION G		6224		830.00CR	177,302.85CR
10/04/18	10/04	A14258	CHK: 197089	14901	BASELINE		6270		199.00CR	177,501.85CR
10/04/18	10/04	A14259	CHK: 197090	14901	WEST TEXAS GRAPHICS		6315		56.00CR	177,557.85CR
10/04/18	10/04	A14260	CHK: 197091	14901	ROSALIO MARTINEZ		6612		810.00CR	178,367.85CR
10/04/18	10/04	A14261	CHK: 197092	14902	ADVANCED ANALYSIS, INC		1022		575.00CR	178,942.85CR
10/04/18	10/04	A14262	CHK: 197093	14902	AUTOMOTIVE TECHNOLOGY		1139		95.89CR	179,038.74CR
10/04/18	10/04	A14263	CHK: 197094	14902	DPC INDUSTRIES INC		1570		2,132.55CR	181,171.29CR
10/04/18	10/04	A14264	CHK: 197095	14902	DACO		1580		4,702.46CR	185,873.75CR
10/04/18	10/04	A14265	CHK: 197096	14902	FARMERS MACHINE SHOP		1800		17.50CR	185,891.25CR
10/04/18	10/04	A14266	CHK: 197097	14902	GIBBS PRINTING		2030		264.82CR	186,156.07CR
10/04/18	10/04	A14267	CHK: 197098	14902	LAMESA BEARING, INC.		2480		122.19CR	186,278.26CR
10/04/18	10/04	A14268	CHK: 197099	14902	LAMESA MAILING & PACKING		2588		132.25CR	186,410.51CR
10/04/18	10/04	A14269	CHK: 197100	14902	HENRY NORRIS AGENCY, IN		3190		81.00CR	186,491.51CR
10/04/18	10/04	A14270	CHK: 197101	14902	PARKHILL, SMITH & COOPER,		3263		4,900.34CR	191,391.85CR
10/04/18	10/04	A14271	CHK: 197102	14902	PAYTON PLUMBING INC		3286		193.20CR	191,585.05CR
10/04/18	10/04	A14272	CHK: 197103	14902	SHARE CORPORATION		3705		322.42CR	191,907.47CR
10/04/18	10/04	A14273	CHK: 197104	14902	STANDARD INSURANCE CO		3782		1,050.32CR	192,957.79CR
10/04/18	10/04	A14274	CHK: 197105	14902	WALMART COMMUNITY/GEGRB		4110		93.39CR	193,051.18CR
10/04/18	10/04	A14275	CHK: 197106	14902	WASTE SYSTEMS		4124		2,048.07CR	195,099.25CR
10/04/18	10/04	A14276	CHK: 197107	14902	SALAZAR JANITORIAL SERVI		4610		900.00CR	195,999.25CR
10/04/18	10/04	A14277	CHK: 197108	14902	AMERICAN EXPRESS		4880		352.09CR	196,351.34CR
10/04/18	10/04	A14278	CHK: 197109	14902	CREATIVE INKS		5035		532.74CR	196,884.08CR
10/04/18	10/04	A14279	CHK: 197110	14902	TML TEXAS MUNICIAL LEAGU		5120		2,047.00CR	198,931.08CR
10/04/18	10/04	A14280	CHK: 197111	14902	STANDARD COFFEE SERVICE		5275		159.84CR	199,090.92CR
10/04/18	10/04	A14281	CHK: 197112	14902	SKTR, INC.		5798		1,968.80CR	201,059.72CR
10/04/18	10/04	A14282	CHK: 197113	14902	ADVANCED AUTO REPAIR		6075		1,109.02CR	202,168.74CR
10/04/18	10/04	A14283	CHK: 197114	14902	PUBLIC AGENCY TRAINING C		6156		975.00CR	203,143.74CR
10/04/18	10/04	A14284	CHK: 197115	14902	O'ROURKE PETROLEUM		6284		408.70CR	203,552.44CR
10/04/18	10/04	A14285	CHK: 197116	14902	AMAZON		6305		396.48CR	203,948.92CR
10/04/18	10/04	A14286	CHK: 197117	14902	INDUSTRIAL DISPOSAL SUPP		6371		307.61CR	204,256.53CR
10/04/18	10/04	A14287	CHK: 197118	14902	DE LAGE LANDEN PUBLIC FI		6511		1,152.96CR	205,409.49CR
10/04/18	10/04	A14288	CHK: 197119	14902	ROSALIO MARTINEZ		6612		835.00CR	206,244.49CR
10/04/18	10/04	A14289	CHK: 197120	14902	CLARITIVE COMMUNICATIONS		6654		3,185.80CR	209,430.29CR

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1001			CASH IN BANK							
* ( CONTINUED ) *										
10/05/18	10/05	A14296	CHK: 197122	14908	OGEDA, ERNEST		5617		111.00CR	209,541.29CR
10/05/18	10/05	A14297	CHK: 197123	14908	SYLVIA I ORTIZ DAWSON CO		6133		15.00CR	209,556.29CR
10/08/18	10/08	A14326	CHK: 197132	14915	B & J WELDING SUPPLY		1180		266.81CR	209,823.10CR
10/08/18	10/08	A14327	CHK: 197133	14915	BIG COUNTRY BG		1226		197.20CR	210,020.30CR
10/08/18	10/08	A14328	CHK: 197134	14915	DAVIS FURNITURE COMPANY		1600		807.50CR	210,827.80CR
10/08/18	10/08	A14330	CHK: 197136	14915	GEBO'S DISTRIBUTING CO.,		2000		1,256.99CR	212,084.79CR
10/08/18	10/08	A14333	CHK: 197139	14915	HIGGINBOTHAM'S GENERAL O		2180		876.17CR	212,960.96CR
10/08/18	10/08	A14335	CHK: 197141	14915	DAVID HOGG BODY SHOP		2220		100.00CR	213,060.96CR
10/08/18	10/08	A14336	CHK: 197142	14915	HELENA AGRI-ENTERPRISES,		2260		408.95CR	213,469.91CR
10/08/18	10/08	A14337	CHK: 197143	14915	TYLER TECHNOLOGIES, INC.		2310		455.50CR	213,925.41CR
10/08/18	10/08	A14338	CHK: 197144	14915	LAMESA TIRE & BATTERY		2645		1,578.00CR	215,503.41CR
10/08/18	10/08	A14340	CHK: 197146	14915	LEATHERWOOD PLUMBING		2683		742.30CR	216,245.71CR
10/08/18	10/08	A14341	CHK: 197147	14915	LUBBOCK GRADER BLADE, IN		2706		238.00CR	216,483.71CR
10/08/18	10/08	A14342	CHK: 197148	14915	MAYFIELD PAPER COMPANY		2957		295.38CR	216,779.09CR
10/08/18	10/08	A14343	CHK: 197149	14915	AMERICAN EXPRESS		4880		7,564.91CR	224,344.00CR
10/08/18	10/08	A14346	CHK: 197152	14915	LOWE'S		4970		547.97CR	224,891.97CR
10/08/18	10/08	A14347	CHK: 197153	14915	TASCOSA OFFICE MACHINES		5115		2,158.44CR	227,050.41CR
10/08/18	10/08	A14349	CHK: 197155	14915	TEXASDATAVAULT		5607		1,725.00CR	228,775.41CR
10/08/18	10/08	A14350	CHK: 197156	14915	NAPA AUTO PARTS		5833		1,541.23CR	230,316.64CR
10/08/18	10/08	A14352	CHK: 197158	14915	JOHN DEERE FINANCIAL		5861		13.92CR	230,330.56CR
10/08/18	10/08	A14353	CHK: 197159	14915	PATHMARK TRAFFIC PRODUCT		5864		348.80CR	230,679.36CR
10/08/18	10/08	A14354	CHK: 197160	14915	LAMESA RECYCLING		5869		286.06CR	230,965.42CR
10/08/18	10/08	A14355	CHK: 197161	14915	ALIMED, INC.		6080		147.74CR	231,113.16CR
10/08/18	10/08	A14356	CHK: 197162	14915	RELIANT ENERGY		6316		31,907.30CR	263,020.46CR
10/08/18	10/08	A14358	CHK: 197164	14915	BLUETARP FINANCIAL, INC.		6434		1,169.98CR	264,190.44CR
10/08/18	10/08	A14359	CHK: 197124	14914	DAWSON CO FARM BUREAU		1		350.00CR	264,540.44CR
10/08/18	10/08	A14360	CHK: 197125	14914	TERESA YBANEZ		1		50.00CR	264,590.44CR
10/08/18	10/08	A14361	CHK: 197126	14914	JEREMY JAQUEZ		1		275.00CR	264,865.44CR
10/08/18	10/08	A14362	CHK: 197127	14914	STEPHANIE ORTIZ		1		50.00CR	264,915.44CR
10/08/18	10/08	A14363	CHK: 197128	14914	VANESSA BANUELOS		1		50.00CR	264,965.44CR
10/08/18	10/08	A14364	CHK: 197129	14914	DUYCK LARRY		5777		279.84CR	265,245.28CR
10/08/18	10/08	A14365	CHK: 197130	14914	JAE FITNESS		6023		225.00CR	265,470.28CR
10/08/18	10/08	A14366	CHK: 197131	14914	PENGUIN MANAGEMENT, INC.		6226		1,548.00CR	267,018.28CR
10/11/18	10/11	A14409	CHK: 197171	14931	ADVANCED ANALYSIS, INC		1022		180.00CR	267,198.28CR
10/11/18	10/11	A14410	CHK: 197172	14931	BRUCKNER'S TRUCK SALES,		1340		615.09CR	267,813.37CR
10/11/18	10/11	A14411	CHK: 197173	14931	CANADIAN RIVER MUNICIPAL		1385		7,456.55CR	275,269.92CR
10/11/18	10/11	A14412	CHK: 197174	14931	CLATBORNE'S THRIFTWAY		1480		351.49CR	275,621.41CR
10/11/18	10/11	A14413	CHK: 197175	14931	LAMESA BUTANE COMPANY		2500		424.69CR	276,046.10CR
10/11/18	10/11	A14414	CHK: 197176	14931	LAMESA PRESS REPORTER		2590		1,612.45CR	277,658.55CR
10/11/18	10/11	A14415	CHK: 197177	14931	S & C OIL COMPANY, INC.		3575		195.51CR	277,854.06CR
10/11/18	10/11	A14416	CHK: 197178	14931	K W SHARP INC		3703		1,190.00CR	279,044.06CR
10/11/18	10/11	A14417	CHK: 197179	14931	WASTE SYSTEMS		4124		1,237.71CR	280,281.77CR
10/11/18	10/11	A14418	CHK: 197180	14931	GEMPLER'S		5080		114.31CR	280,396.08CR
10/11/18	10/11	A14419	CHK: 197181	14931	USABLUEBOOK		5100		372.32CR	280,768.40CR
10/11/18	10/11	A14420	CHK: 197182	14931	GREAT AMERICA FINANCIAL		5734		195.60CR	280,964.00CR
10/11/18	10/11	A14421	CHK: 197183	14931	AMBRIZ GLASS MIRROR		5797		987.32CR	281,951.32CR
10/11/18	10/11	A14422	CHK: 197184	14931	GONZALES WELDING		6254		360.00CR	282,311.32CR

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1001			CASH IN BANK							
										* ( CONTINUED ) *
10/11/18	10/11	A14423	CHK: 197185	14931	NUTRIEN AG SOLUTIONS, IN	6659			628,14CR	282,939,46CR
10/11/18	10/11	A14424	CHK: 197165	14930	WINDSTREAM COMMUNICATION	4460			64,17CR	283,003,63CR
10/11/18	10/11	A14425	CHK: 197166	14930	CREATIVE INKS	5035			62,96CR	283,066,59CR
10/11/18	10/11	A14426	CHK: 197167	14930	MANDRY TECHNOLOGY SOLUTI	5160			8,555,00CR	291,621,59CR
10/11/18	10/11	A14427	CHK: 197168	14930	UTILITY SERVICE CO., INC	5824			20,468,17CR	312,089,76CR
10/11/18	10/11	A14428	CHK: 197169	14930	STATE COMPTROLLER	6241			4,410,84CR	316,500,60CR
10/11/18	10/11	A14429	CHK: 197170	14936	STATE COMPTROLLER	6241			62,50CR	316,563,10CR
10/11/18	10/11	A14430	CHK: 197186	14937	MARK JOSEPH SOLESBEE	1			234,00CR	316,797,10CR
10/11/18	10/11	A14431	CHK: 197187	14937	TOMMY ARGUIJO	5988			350,00CR	317,147,10CR
10/11/18	10/11	A14432	CHK: 197188	14937	KELLY BRADLEY	6170			350,00CR	317,497,10CR
10/12/18	11/13	B60637	Misc 000020	09697	METER POSTAGE		JE# 024475		500,00CR	317,997,10CR
10/15/18	10/15	A14434	CHK: 197191	14942	SEDONA OIL & GAS CORP	1			150,00CR	318,147,10CR
10/15/18	10/15	A14435	CHK: 197189	14939	LAMESA CHAMBER OF COMMER	1457			3,270,00CR	321,417,10CR
10/15/18	10/15	A14436	CHK: 197190	14941	CITY OF LUBBOCK	1470			9,178,84CR	330,595,94CR
10/15/18	11/14	B60662	Misc 000030	09698	TO CORRECT LNB ERROR/PAYROLL		JE# 024486		162,33CR	330,758,27CR
10/16/18	10/16	A14440	CHK: 000000	14944	INTERNAL REVENUE SERVICE	5832			31,293,63CR	362,051,90CR
10/16/18	10/16	A14441	CHK: 197192	14944	CAPROCK FEDERAL CREDIT U	1390			22,975,84CR	385,027,74CR
10/16/18	10/16	A14442	CHK: 197193	14944	PAYROLL FUND	3270			67,412,88CR	452,440,62CR
10/16/18	10/16	A14443	CHK: 197194	14944	TX CHILD SUPPORT SDU	5634			211,38CR	452,652,00CR
10/16/18	10/16	A14444	CHK: 197195	14944	TX CHILD SUPPORT SDU	5829			115,38CR	452,767,38CR
10/16/18	10/16	A14445	CHK: 197196	14944	TEXAS CHILD SUPPORT DISB	5859			500,90CR	453,268,28CR
10/16/18	10/16	A14446	CHK: 197197	14944	TX CHILD SUPPORT SDU	5882			276,92CR	453,545,20CR
10/16/18	10/16	A14447	CHK: 197198	14944	JAE FITNESS	6023			129,43CR	453,674,63CR
10/16/18	10/16	A14448	CHK: 197199	14944	TEXAS CHILD SUPPORT DISB	6566			207,69CR	453,882,32CR
10/16/18	10/16	A14449	CHK: 197200	14944	TEXAS CHILD SUPPORT DISB	6589			269,08CR	454,151,40CR
10/16/18	10/16	A14450	CHK: 197201	14944	TEXAS CHILD SUPPORT DISB	6590			228,00CR	454,379,40CR
10/16/18	10/16	A14451	CHK: 197202	14944	TX CHILD SUPPORT SDU	6680			196,15CR	454,575,55CR
10/17/18	10/17	A14454	CHK: 197204	14950	WTG FUELS, INC.	6220			6,228,03CR	460,803,58CR
10/17/18	10/17	A14456	CHK: 000000	14951	INTERNAL REVENUE SERVICE	5832			259,35CR	461,062,93CR
10/17/18	10/17	A14457	CHK: 197203	14951	PAYROLL FUND	3270			820,00CR	461,882,93CR
10/19/18	10/19	A14459	CHK: 197206	14954	LAMESA ECONOMIC DEVELOPM	2555			28,315,91CR	490,198,84CR
10/19/18	10/19	A14460	CHK: 197207	14954	WINDSTREAM COMMUNICATION	4460			69,41CR	490,268,25CR
10/19/18	10/19	A14461	CHK: 197208	14954	TREVINO SANDY	5385			572,59CR	490,840,84CR
10/19/18	10/19	A14462	CHK: 197209	14954	AFFIRMED FIRST AID & SAF	5613			150,54CR	490,991,38CR
10/19/18	10/19	A14463	CHK: 197210	14954	LAMESA ECONOMIC ALLIANCE	5942			28,315,91CR	519,307,29CR
10/19/18	10/19	A14464	CHK: 197211	14954	VERIZON WIRELESS	5969			1,436,01CR	520,743,30CR
10/19/18	10/19	A14466	CHK: 197213	14954	JOSHUA GUTIERREZ	6010			10,68CR	520,753,98CR
10/19/18	10/19	A14467	CHK: 197214	14954	ASHTIN SUFIENTES	6564			41,11CR	520,795,09CR
10/19/18	10/19	A14468	CHK: 197215	14954	ROSALIO MARTINEZ	6612			700,00CR	521,495,09CR
10/19/18	10/19	A14469	CHK: 197216	14956	TRELETTA WRIGHT	1			250,00CR	521,745,09CR
10/22/18	10/22	A14482	CHK: 197217	14957	ADVANCED ANALYSIS, INC	1022			400,00CR	522,145,09CR
10/22/18	10/22	A14483	CHK: 197218	14957	TMCCP	4670			100,00CR	522,245,09CR
10/22/18	10/22	A14484	CHK: 197219	14957	BETTY CONDE	6542			822,49CR	523,067,58CR
10/23/18	10/23	A14501	CHK: 197228	14963	ALERT-ALL CORP.	6237			2,522,00CR	525,589,58CR
10/23/18	10/23	A14502	CHK: 197220	14964	BROCK VETERINARY CLINIC,	1302			30,00CR	525,619,58CR
10/23/18	10/23	A14503	CHK: 197221	14964	DPC INDUSTRIES INC	1570			230,00CR	525,849,58CR
10/23/18	10/23	A14504	CHK: 197222	14964	GT DISTRIBUTORS INC	1963			352,80CR	526,202,38CR

POST	DATE	TRAN #	REFERENCE	PACKET=====	DESCRIPTION=====	VEND	INV/JE #	NOTE	=====AMOUNT=====	=====BALANCE=====
1001			CASH IN BANK							
* ( CONTINUED ) *										
10/23/18	10/23	A14505	CHK: 197223	14964	WARREN CAT		4122		2,800.21CR	529,002.59CR
10/23/18	10/23	A14506	CHK: 197224	14964	LYNN ROSS GANNAWAY & CRA		6194		916.25CR	529,918.84CR
10/23/18	10/23	A14507	CHK: 197225	14964	DUININCK, INC.		6432		1,557.40CR	531,476.24CR
10/23/18	10/23	A14508	CHK: 197226	14964	GENE MESSER FORD		6665		2,040.90CR	533,517.14CR
10/23/18	10/23	A14509	CHK: 197227	14964	SIEGELS UNIFORM		6682		2,590.00CR	536,107.14CR
10/23/18	10/23	A14510	CHK: 197229	14965	KIMBERLY ALLISON		1		150.00CR	536,257.14CR
10/23/18	10/23	A14511	CHK: 197230	14965	NTS COMMUNICATIONS		3135		775.67CR	537,032.81CR
10/23/18	10/23	A14512	CHK: 197231	14965	UNIFIRST HOLDINGS, INC		4079		38.70CR	537,071.51CR
10/23/18	10/23	A14513	CHK: 197232	14965	WINDSTREAM COMMUNICATION		4460		99.63CR	537,171.14CR
10/23/18	10/23	A14514	CHK: 197233	14965	ROBERT RAMIREZ		5370		27.37CR	537,198.51CR
10/23/18	10/23	A14515	CHK: 197234	14965	MICHAEL LOPEZ		6441		709.87CR	537,908.38CR
10/23/18	10/23	A14516	CHK: 197235	14965	DE LAGE LANDEN PUBLIC FI		6511		1,152.96CR	539,061.34CR
10/23/18	10/23	A14517	CHK: 197236	14965	ROSALIO MARTINEZ		6612		1,050.00CR	540,111.34CR
10/24/18	10/24	U27313	CHECK 197239	18276	REFUND: ROBINSON, EDWARD M				30.47CR	540,141.81CR
10/24/18	10/24	U27313	CHECK 197240	18276	REFUND: LEE, ALANAH R				42.38CR	540,184.19CR
10/24/18	10/24	U27313	CHECK 197241	18276	REFUND: GUZMAN, CYRUS S				5.71CR	540,189.90CR
10/24/18	10/24	U27313	CHECK 197242	18276	REFUND: VAUGHAN, SHELBY				51.31CR	540,241.21CR
10/24/18	10/24	U27313	CHECK 197243	18276	REFUND: BANUELOS, DESTINY A				90.05CR	540,331.26CR
10/24/18	10/24	U27313	CHECK 197244	18276	REFUND: GUERRA, JESSICA				14.64CR	540,345.90CR
10/24/18	10/24	U27313	CHECK 197245	18276	REFUND: GUERRA, JULIE				5.71CR	540,351.61CR
10/24/18	10/24	U27313	CHECK 197246	18276	REFUND: LAMESA NAILS				59.25CR	540,410.86CR
10/24/18	10/24	U27313	CHECK 197247	18276	REFUND: INCREASE CAPITAL, LLC				100.00CR	540,510.86CR
10/24/18	10/24	U27313	CHECK 197248	18276	REFUND: KAMOSS, KERRY				81.12CR	540,591.98CR
10/24/18	10/24	U27313	CHECK 197249	18276	REFUND: NICHOLS, AUTUMN P				60.26CR	540,652.24CR
10/24/18	10/24	U27313	CHECK 197250	18276	REFUND: FURLOW, BOBBY MACK				60.26CR	540,712.50CR
10/24/18	10/24	U27313	CHECK 197251	18276	REFUND: JONES MC CALL				61.54CR	540,774.04CR
10/24/18	10/24	U27313	CHECK 197252	18276	REFUND: GAZCON, PEDRO				47.41CR	540,821.45CR
10/24/18	10/24	U27313	CHECK 197253	18276	REFUND: ROCHA, FELIX				78.14CR	540,899.59CR
10/24/18	10/24	U27313	CHECK 197254	18276	REFUND: ESPARZA, ERNESTO				56.36CR	540,955.95CR
10/24/18	10/24	U27313	CHECK 197255	18276	REFUND: SAN JUAN COMPRESSTON				47.98CR	541,003.93CR
10/24/18	10/24	U27313	CHECK 197256	18276	REFUND: MITCHELL, SHELIA				38.10CR	541,042.03CR
10/24/18	10/24	U27313	CHECK 197257	18276	REFUND: COOPER, RHONDA S				48.34CR	541,090.37CR
10/24/18	10/24	U27313	CHECK 197258	18276	REFUND: HERNANDEZ, ELVIRA A				51.31CR	541,141.68CR
10/24/18	10/24	A14519	CHK: 197238	14974	ATMOS ENERGY		1730		1,209.99CR	542,351.67CR
10/24/18	10/24	A14520	CHK: 197237	14972	KANDACE SCOTT		6498		150.00CR	542,501.67CR
10/25/18	10/25	A14533	CHK: 197259	14975	CLIFF COKER		1		50.00CR	542,551.67CR
10/25/18	10/25	A14534	CHK: 197260	14975	POSTMASTER		3390		1,500.00CR	544,051.67CR
10/25/18	10/25	A14535	CHK: 197261	14975	STATE COMPTROLLER		3789		388.00CR	544,439.67CR
10/26/18	10/26	A14539	CHK: 197262	14979	BOBBY G GONZALES		2070		590.65CR	545,030.32CR
10/26/18	10/26	A14540	CHK: 197263	14981	GT DISTRIBUTORS INC		1963		1,128.90CR	546,159.22CR
10/29/18	10/29	A14544	CHK: 197264	14984	BOBBY G GONZALES		2070		590.65CR	546,749.87CR
10/29/18	10/29	A14545	CHK: 197265	14984	MEDICAL ARTS HOSPITAL		2971		192.00CR	546,941.87CR
10/29/18	10/29	A14546	CHK: 197266	14984	CHAPMAN, WAYNE		5150		283.27CR	547,225.14CR
10/30/18	10/30	B60524	Misc 000007	09686	LIABILITY TSF G/F TO RISK MGMT		JE# 024438		6,483.08CR	553,708.22CR
10/30/18	10/30	B60529	Misc 000011	09687	HEALTH INS. TSF. - G/F		JE# 024443		30,573.08CR	584,281.30CR
10/30/18	10/30	B60534	Misc 000016	09688	WORKER COMP TSF TO RISK MGMT		JE# 024448		6,448.42CR	590,729.72CR
10/30/18	10/30	A14547	CHK: 000000	14986	INTERNAL REVENUE SERVICE		5832		32,830.78CR	623,560.50CR



POST	DATE	TRAN #	REFERENCE	PACKET=====	DESCRIPTION=====	VEND	INV/JE #	NOTE	=====AMOUNT=====	=====BALANCE=====
1001			CASH IN BANK							
* ( CONTINUED ) *										
10/30/18	10/30	A14548	CHK: 197267	14986	CAPROCK FEDERAL CREDIT U	1390			23,028.83CR	646,589.33CR
10/30/18	10/30	A14549	CHK: 197268	14986	PAYROLL FUND	3270			70,472.01CR	717,061.34CR
10/30/18	10/30	A14550	CHK: 197269	14986	TX CHILD SUPPORT SDU	5634			211.38CR	717,272.72CR
10/30/18	10/30	A14551	CHK: 197270	14986	TX CHILD SUPPORT SDU	5829			115.38CR	717,388.10CR
10/30/18	10/30	A14552	CHK: 197271	14986	TEXAS CHILD SUPPORT DISB	5859			500.90CR	717,889.00CR
10/30/18	10/30	A14553	CHK: 197272	14986	TX CHILD SUPPORT SDU	5882			276.92CR	718,165.92CR
10/30/18	10/30	A14554	CHK: 197273	14986	JAE FITNESS	6023			129.43CR	718,295.35CR
10/30/18	10/30	A14555	CHK: 197274	14986	TEXAS CHILD SUPPORT DISB	6566			207.69CR	718,503.04CR
10/30/18	10/30	A14556	CHK: 197275	14986	TX CHILD SUPPORT SDU	6680			196.15CR	718,699.19CR
10/30/18	11/13	B60638	Misc 000021	09697	METER POSTAGE		JE# 024476		500.00CR	719,199.19CR
10/30/18	11/14	B60661	Misc 000029	09698	RETURNED DRAFT-		JE# 024485		132.49CR	719,331.68CR
10/30/18	11/14	B60665	Misc 000032	09700	EOM CREDIT CARD ADJUSTMENT		JE# 024489		25.00CR	719,356.68CR
10/30/18	11/16	B60682	Deposit 000033	09701	SALES & USE TAX - ACH DEBIT		JE# 024491		10,402.30CR	729,758.98CR
10/31/18	10/31	A14579	CHK: 197296	14995	FULBRIGHT & CASSELBERRY	2090			2,210.20CR	731,969.18CR
10/31/18	10/31	A14580	CHK: 197297	14995	PAYROLL FUND	3270			459.00CR	732,428.18CR
10/31/18	10/31	A14581	CHK: 197298	14995	SENIOR CITIZENS	3675			3,750.00CR	736,178.18CR
10/31/18	10/31	A14582	CHK: 197291	14991	ADVANCED ANALYSIS, INC	1022			355.00CR	736,533.18CR
10/31/18	10/31	A14583	CHK: 197292	14991	LAMESA TIRE & BATTERY	2645			898.90CR	737,432.08CR
10/31/18	10/31	A14584	CHK: 197293	14991	PNC EQUIPMENT FINANCE,LL	5960			584.29CR	738,016.37CR
10/31/18	10/31	A14585	CHK: 197294	14991	ALERT-ALL CORP.	6237			2,173.50CR	740,189.87CR
10/31/18	10/31	A14586	CHK: 197295	14991	CITY OF LAMESA/ USDA FAC	6687			40,500.00CR	780,689.87CR
10/31/18	10/31	A14587	CHK: 197277	14996	AFAC INSURANCE	1020			5,423.58CR	786,113.45CR
10/31/18	10/31	A14588	CHK: 197278	14996	CAPROCK FEDERAL CREDIT U	1390			115.44CR	786,228.89CR
10/31/18	10/31	A14589	CHK: 197279	14996	TEXAS MUNICIPAL RETIREME	3973			45,828.87CR	832,057.76CR
10/31/18	10/31	A14598	CHK: 197288	14996	LEGAL SHIELD	5900			983.08CR	833,040.84CR
10/31/18	10/31	A14599	CHK: 197289	14996	NEW YORK LIFE	5921			641.07CR	833,681.91CR
10/31/18	10/31	A14600	CHK: 197290	14996	GUARDIAN-APPLETON	6141			534.51CR	834,216.42CR
10/31/18	10/31	A14601	CHK: 197276	14990	LAMESA TIRE & BATTERY	2645			1,975.00CR	836,191.42CR
10/31/18	10/31	A14602	CHK: 000000	14988	INTERNAL REVENUE SERVICE	5832			109.12CR	836,300.54CR
10/31/18	10/31	A14612	CHK: 197302	14998	LAMESA MAILING & PACKING	2588			29.75CR	836,330.29CR
10/31/18	10/31	A14613	CHK: 197303	14998	TEXAS COMMISSION ON ENVI	3977			3,066.46CR	839,396.75CR
10/31/18	10/31	A14614	CHK: 197304	14998	UNIFIRST HOLDINGS, INC	4079			38.70CR	839,435.45CR
10/31/18	10/31	A14615	CHK: 197305	14998	NORTHLAND COMMUNICATIONS	5800			80.64CR	839,516.09CR
10/31/18	10/31	A14616	CHK: 197306	14998	WEST TEXAS GRAPHICS	6315			108.00CR	839,624.09CR
10/31/18	10/31	A14617	CHK: 197307	14998	KUBOTA LEASING	6643			1,207.62CR	840,831.71CR
10/31/18	10/31	A14618	CHK: 197301	15002	WASTE SYSTEMS	4124			579.76CR	841,411.47CR
10/31/18	10/31	A14619	CHK: 197299	15000	QUILL CORPORATION	3430			508.87CR	841,920.34CR
10/31/18	10/31	A14620	CHK: 197300	15000	DELL MARKETING LP	4660			219.42CR	842,139.76CR
10/31/18	11/14	B60658	Misc 000026	09698	BANK ACH FEES		JE# 024482		0.40CR	842,140.16CR
10/31/18	11/14	B60659	Misc 000027	09698	BANK ACH FEES		JE# 024483		20.00CR	842,160.16CR
10/31/18	11/14	B60660	Misc 000028	09698	BANK ACH FEES		JE# 024484		57.70CR	842,217.86CR
10/31/18	11/14	B60663	Misc 000031	09698	TO RECORD RETURNED CHECKS		JE# 024487		1,040.48CR	843,258.34CR
10/31/18	11/16	B60694	Misc 000034	09702	GOV. TAX TSF TO STATE AGENCY		JE# 024494		1,842.86CR	845,101.20CR
10/31/18	11/16	B60699	Misc 000039	09703	TO RECORD DUE TO/FROM		JE# 024499		75.01CR	845,176.21CR
10/31/18	11/16	B60700	Misc 000040	09703	TO RECORD DUE TO/FROM		JE# 024500		100.01CR	845,276.22CR
=====										
			OCTOBER ACTIVITY	DB:		0.00	CR:	845,276.22CR	845,276.22CR	

SELECTION CRITERIA

FISCAL YEAR: Oct-2017 / Sep-2018  
FUND: Include: 01  
PERIOD TO USE: Oct-2018 THRU Oct-2018  
TRANSACTIONS: CREDIT

ACCOUNT SELECTION

ACCOUNT RANGE: 1001 THRU 1001  
DEPARTMENT RANGE: - THRU -  
ACTIVE FUNDS ONLY: NO  
ACTIVE ACCOUNT ONLY: NO  
INCLUDE RESTRICTED ACCOUNTS: NO  
DIGIT SELECTION:

PRINT OPTIONS DETAIL

OMIT ACCOUNTS WITH NO ACTIVITY: NO  
PRINT ENCUMBRANCES: NO  
PRINT VENDOR NAME: NO  
PRINT PROJECTS: NO  
PRINT MONTHLY TOTALS: YES  
PRINT GRAND TOTALS: NO  
PRINT: INVOICE #  
PAGE BREAK BY: NONE

\*\*\* END OF REPORT \*\*\*

POST	DATE	TRAN #	REFERENCE	PACKET=====	DESCRIPTION=====	VEND	INV/JE #	NOTE	=====AMOUNT=====	=====BALANCE=====
1001			CASH IN BANK							
B E G I N N I N G    B A L A N C E										
11/01/18	11/01	A14621	CHK: 197308	15005	DAWSON CO. LIBRARY	1611			630.00CR	630.00CR
11/01/18	11/01	A14622	CHK: 197309	15005	HENRY NORRIS AGENCY, . IN	3190			1,041.66CR	1,671.66CR
11/01/18	11/01	A14623	CHK: 197310	15005	SOUTH PLAINS PUBLIC HEAL	3730			2,455.22CR	4,126.88CR
11/01/18	11/01	A14624	CHK: 197311	15005	VOLUNTEER FIRE DEPARTMEN	4090			400.00CR	4,526.88CR
11/01/18	11/01	A14625	CHK: 197312	15005	DUYCK LARRY	5777			200.00CR	4,726.88CR
11/01/18	11/01	A14626	CHK: 197313	15005	DALE ALWAN	5983			200.00CR	4,926.88CR
11/01/18	11/01	A14627	CHK: 197314	15005	BOB THOMAS	5984			200.00CR	5,126.88CR
11/01/18	11/01	A14628	CHK: 197315	15005	JASON WILEY	6025			200.00CR	5,326.88CR
11/01/18	11/01	A14629	CHK: 197316	15005	MICKEY FLANAGAN	6333			200.00CR	5,526.88CR
11/01/18	11/01	A14630	CHK: 197317	15005	CORBIN SAENZ	6350			200.00CR	5,726.88CR
11/01/18	11/01	A14631	CHK: 197318	15005	STEVE ALEXANDER	6356			200.00CR	5,926.88CR
11/01/18	11/01	A14632	CHK: 197319	15005	JEROMY DAWSON	6457			200.00CR	6,126.88CR
11/01/18	11/01	A14633	CHK: 197320	15005	ERNESTO ENRIQUEZ	6532			200.00CR	6,326.88CR
11/01/18	11/01	A14634	CHK: 197321	15005	MARK DAILY	6533			200.00CR	6,526.88CR
11/01/18	11/01	A14635	CHK: 197322	15005	FRANCISCO VARGAS SANCHEZ	6549			200.00CR	6,726.88CR
11/01/18	11/01	A14636	CHK: 197323	15005	ASHTIN SUFIENTES	6564			200.00CR	6,926.88CR
11/01/18	11/01	A14637	CHK: 197324	15005	ALEJANDRO ESPARZA	6568			200.00CR	7,126.88CR
11/01/18	11/01	A14638	CHK: 197325	15006	LAMESA AIRPORT BOARD	1013			14,872.85CR	21,999.73CR
11/01/18	11/01	A14639	CHK: 197326	15006	ADVANCED ANALYSIS, INC	1022			355.00CR	22,354.73CR
11/01/18	11/01	A14640	CHK: 197327	15006	SOUTH PLAINS COMMUNICATI	3729			1,803.50CR	24,158.23CR
11/01/18	11/01	A14641	CHK: 197328	15006	WINDSTREAM COMMUNICATION	4460			592.23CR	24,750.46CR
11/01/18	11/01	A14642	CHK: 197329	15006	RELIANT ENERGY	6316			31,248.99CR	55,999.45CR
11/01/18	11/01	A14644	CHK: 197331	15007	DATA FLOW	1587			1,520.93CR	57,520.38CR
11/02/18	11/02	A14671	CHK: 197348	15014	TIFFANY BRANSON	1			50.00CR	57,570.38CR
11/02/18	11/02	A14672	CHK: 197349	15014	NATALIE HILBURN	1			50.00CR	57,620.38CR
11/02/18	11/02	A14673	CHK: 197350	15014	DANIEL PARRAS	1			50.00CR	57,670.38CR
11/02/18	11/02	A14674	CHK: 197351	15014	YOLANDA BROWN	1			300.00CR	57,970.38CR
11/02/18	11/02	A14675	CHK: 197352	15014	BRITTANY RODRIGUEZ	1			50.00CR	58,020.38CR
11/02/18	11/02	A14676	CHK: 197353	15014	CONSOLIDATED SPECIAL FUN	1517			12,900.00CR	70,920.38CR
11/02/18	11/02	A14677	CHK: 197354	15014	RAMIREZ, IRMA	5830			356.43CR	71,276.81CR
11/02/18	11/02	A14678	CHK: 197332	15017	LAMESA BEARING, INC.	2480			121.20CR	71,398.01CR
11/02/18	11/02	A14679	CHK: 197333	15017	LYNTEGAR ELECTRIC COOPER	2728			276.51CR	71,674.52CR
11/02/18	11/02	A14680	CHK: 197334	15017	MORRISON SUPPLY CO	3085			1,526.00CR	73,200.52CR
11/02/18	11/02	A14681	CHK: 197335	15017	S & C OIL COMPANY, INC.	3575			96.43CR	73,296.95CR
11/02/18	11/02	A14682	CHK: 197336	15017	K W SHARP INC	3703			817.00CR	74,113.95CR
11/02/18	11/02	A14683	CHK: 197337	15017	STANDARD INSURANCE CO	3782			1,050.32CR	75,164.27CR
11/02/18	11/02	A14684	CHK: 197338	15017	AMERICAN EXPRESS	4880			7,466.83CR	82,631.10CR
11/02/18	11/02	A14687	CHK: 197341	15017	STANDARD COFFEE SERVICE	5275			177.79CR	82,808.89CR
11/02/18	11/02	A14688	CHK: 197342	15017	FRANKLIN & SON, INC.	5840			301.36CR	83,110.25CR
11/02/18	11/02	A14689	CHK: 197343	15017	SIERRA SPRINGS	6114			70.01CR	83,180.26CR
11/02/18	11/02	A14690	CHK: 197344	15017	SMITH FANS INC,	6248			6,250.00CR	89,430.26CR
11/02/18	11/02	A14691	CHK: 197345	15017	GONZALES WELDING	6254			360.00CR	89,790.26CR
11/02/18	11/02	A14692	CHK: 197346	15017	ONE STOP AUTOMOTIVE	6442			300.00CR	90,090.26CR

POST	DATE	TRAN #	REFERENCE	PACKET=====	DESCRIPTION=====	VEND	INV/JE #	NOTE	=====AMOUNT=====	=====BALANCE=====
1001			CASH IN BANK							* ( CONTINUED ) *
11/02/18	11/02	A14693	CHK: 197347	15017	ETC LITE, LLC		6633		210,00CR	90,300,26CR
11/05/18	11/05	U27348	CHECK 197355	18345	REFUND: ELMORE, KAREN				164,57CR	90,464,83CR
11/06/18	11/06	A14981	CHK: 197404	15038	TMCCP		4670		980,00CR	91,444,83CR
11/06/18	11/06	A14982	CHK: 197405	15038	SYLVIA I ORTIZ DAWSON CO		6133		15,00CR	91,459,83CR
11/06/18	11/06	A14983	CHK: 197406	15038	SHAWNA BURKHART		6184		67,58CR	91,527,41CR
11/06/18	11/06	A14984	CHK: 197407	15038	KANDACE SCOTT		6498		150,00CR	91,677,41CR
11/06/18	11/06	A14985	CHK: 197408	15038	ROSALIO MARTINEZ		6612		3,625,00CR	95,302,41CR
11/06/18	11/06	A14986	CHK: 197356	15039	AFA INC dba AAA FIRE		1009		175,00CR	95,477,41CR
11/06/18	11/06	A14987	CHK: 197357	15039	ADVANCED ANALYSIS, INC		1022		975,00CR	96,452,41CR
11/06/18	11/06	A14988	CHK: 197358	15039	ALL-AMERICAN PUMP & MACH		1048		2,589,32CR	99,041,73CR
11/06/18	11/06	A14989	CHK: 197359	15039	BROCK VETERINARY CLINIC,		1302		50,00CR	99,091,73CR
11/06/18	11/06	A14990	CHK: 197360	15039	CANADIAN RIVER MUNICIPAL		1385		63,299,13CR	162,390,86CR
11/06/18	11/06	A14991	CHK: 197361	15039	CLAIBORNE'S THRIFTWAY		1480		59,58CR	162,450,44CR
11/06/18	11/06	A14992	CHK: 197362	15039	DET'CO INDUSTRIES INC		1633		1,190,58CR	163,641,02CR
11/06/18	11/06	A14993	CHK: 197363	15039	DITCH WITCH SOUTHWEST		1663		48,64CR	163,689,66CR
11/06/18	11/06	A14994	CHK: 197364	15039	GOLDSTAR PRODUCTS INC		2083		983,80CR	164,673,46CR
11/06/18	11/06	A14995	CHK: 197365	15039	TYLER TECHNOLOGIES, INC.		2310		905,65CR	165,579,11CR
11/06/18	11/06	A14996	CHK: 197366	15039	LAMESA PRESS REPORTER		2590		590,70CR	166,169,81CR
11/06/18	11/06	A14997	CHK: 197367	15039	LEATHERWOOD PLUMBING		2683		316,93CR	166,486,74CR
11/06/18	11/06	A14998	CHK: 197368	15039	PARKHILL, SMITH & COOPER,		3263		13,332,56CR	179,819,30CR
11/06/18	11/06	A14999	CHK: 197369	15039	PAYTON PLUMBING INC		3286		9,980,33CR	189,799,63CR
11/06/18	11/06	A15000	CHK: 197370	15039	PRECISION HYDRAULIC TECH		3396		98,16CR	189,897,79CR
11/06/18	11/06	A15001	CHK: 197371	15039	K W SHARP INC		3703		18,523,62CR	208,421,41CR
11/06/18	11/06	A15003	CHK: 197373	15039	TERRY COUNTY TRACTOR CO.		3880		235,53CR	208,656,94CR
11/06/18	11/06	A15004	CHK: 197374	15039	TEXAS COMMISSION ON ENVI		3977		14,242,44CR	222,899,38CR
11/06/18	11/06	A15005	CHK: 197375	15039	WASTE SYSTEMS		4124		235,68CR	223,135,06CR
11/06/18	11/06	A15006	CHK: 197376	15039	WATERMASTER IRRIGATION		4129		249,16CR	223,384,22CR
11/06/18	11/06	A15007	CHK: 197377	15039	SALAZAR JANITORIAL SERVI		4610		900,00CR	224,284,22CR
11/06/18	11/06	A15008	CHK: 197378	15039	CREATIVE INKS		5035		27,98CR	224,312,20CR
11/06/18	11/06	A15009	CHK: 197379	15039	LUBBOCK TRUCK SALES, INC		5085		688,96CR	225,001,16CR
11/06/18	11/06	A15010	CHK: 197380	15039	USABLUEBOOK		5100		70,01CR	225,071,17CR
11/06/18	11/06	A15011	CHK: 197381	15039	LOWER COLORADO RIVER AUT		5145		224,68CR	225,295,85CR
11/06/18	11/06	A15012	CHK: 197382	15039	MANDRY TECHNOLOGY SOLUTI		5160		2,337,89CR	227,633,74CR
11/06/18	11/06	A15013	CHK: 197383	15039	PBRPC		5525		1,884,40CR	229,518,14CR
11/06/18	11/06	A15014	CHK: 197384	15039	WEATHERMAN CONST. & OVER		5624		3,385,00CR	232,903,14CR
11/06/18	11/06	A15015	CHK: 197385	15039	COTTON COUNTRY ELECTRIC		5650		422,44CR	233,325,58CR
11/06/18	11/06	A15016	CHK: 197386	15039	WILLIAMS ELECTRIC		5768		483,00CR	233,808,58CR
11/06/18	11/06	A15017	CHK: 197387	15039	FRANKLIN & SON, INC.		5840		39,00CR	233,847,58CR
11/06/18	11/06	A15018	CHK: 197388	15039	LAMESA RECYCLING		5869		30,05CR	233,877,63CR
11/06/18	11/06	A15019	CHK: 197389	15039	MAIL FINANCE		5892		339,09CR	234,216,72CR
11/06/18	11/06	A15020	CHK: 197390	15039	LONGLEY DIESEL & EQUIPME		6039		692,48CR	234,909,20CR
11/06/18	11/06	A15021	CHK: 197391	15039	SUMMIT TRUCK GROUP		6252		107,86CR	235,017,06CR
11/06/18	11/06	A15022	CHK: 197392	15039	CAPROCK IRRIGATION LLC		6297		27,40CR	235,044,46CR
11/06/18	11/06	A15023	CHK: 197393	15039	WEST TEXAS GRAPHICS		6315		32,00CR	235,076,46CR
11/06/18	11/06	A15024	CHK: 197394	15039	SIGN DESIGN		6334		619,93CR	235,696,39CR
11/06/18	11/06	A15025	CHK: 197395	15039	ADAMS PAINT CO.		6336		176,54CR	235,872,93CR
11/06/18	11/06	A15026	CHK: 197396	15039	TCF EQUIPMENT FINANCE		6448		3,005,13CR	238,878,06CR

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1001			CASH IN BANK							
* ( CONTINUED ) *										
11/06/18	11/06	A15027	CHK: 197397	15039	PRECISION CALIBRATION ME	6485			2,865.56CR	241,743.62CR
11/06/18	11/06	A15028	CHK: 197398	15039	DE LAGE LANDEN PUBLIC FI	6511			1,152.96CR	242,896.58CR
11/06/18	11/06	A15029	CHK: 197399	15039	SEMINOLE BUTANE CO., INC	6539			20,535.21CR	263,431.79CR
11/06/18	11/06	A15030	CHK: 197400	15039	CANON FINANCIAL SERVICES	6580			566.00CR	263,997.79CR
11/06/18	11/06	A15031	CHK: 197401	15039	CLARITIVE COMMUNICATIONS	6654			3,210.10CR	267,207.89CR
11/06/18	11/06	A15033	CHK: 197403	15039	BARBARA'S CUSTOM WINDOW	6686			425.00CR	267,632.89CR
11/06/18	11/06	A15036	CHK: 197411	15046	PARKHILL,SMITH & COOPER,	3263			1,982.86CR	269,615.75CR
11/06/18	11/06	A15037	CHK: 197409	15048	TML-IEBP	3843			36,969.82CR	306,585.57CR
11/06/18	11/06	A15038	CHK: 197410	15048	BENMARK SUPPLY CO., INC.	5250			1,203.00CR	307,788.57CR
11/09/18	11/09	A15096	CHK: 197412	15057	ADVANCED ANALYSIS, INC	1022			605.00CR	308,393.57CR
11/09/18	11/09	A15097	CHK: 197413	15057	DPC INDUSTRIES INC	1570			2,059.66CR	310,453.23CR
11/09/18	11/09	A15098	CHK: 197414	15057	DACO	1580			499.50CR	310,952.73CR
11/09/18	11/09	A15099	CHK: 197415	15057	DAVIS FURNITURE COMPANY	1600			961.68CR	311,914.41CR
11/09/18	11/09	A15101	CHK: 197417	15057	GEBO'S DISTRIBUTING CO.,	2000			1,980.10CR	313,894.51CR
11/09/18	11/09	A15104	CHK: 197420	15057	GIBBS PRINTING	2030			232.43CR	314,126.94CR
11/09/18	11/09	A15105	CHK: 197421	15057	HIGGINBOTHAM'S GENERAL O	2180			1,289.48CR	315,416.42CR
11/09/18	11/09	A15106	CHK: 197422	15057	MAYFIELD PAPER COMPANY	2957			3,417.77CR	318,834.19CR
11/09/18	11/09	A15107	CHK: 197423	15057	MEDICAL ARTS HOSPITAL	2971			192.00CR	319,026.19CR
11/09/18	11/09	A15108	CHK: 197424	15057	PRECISION HYDRAULIC TECH	3396			2,865.56CR	321,891.75CR
11/09/18	11/09	A15109	CHK: 197425	15057	K W SHARP INC	3703			39,726.72CR	361,618.47CR
11/09/18	11/09	A15110	CHK: 197426	15057	WASTE SYSTEMS	4124			174.67CR	361,793.14CR
11/09/18	11/09	A15111	CHK: 197427	15057	WINDSTREAM COMMUNICATION	4460			61.33CR	361,854.47CR
11/09/18	11/09	A15112	CHK: 197428	15057	CREATIVE INKS	5035			53.96CR	361,908.43CR
11/09/18	11/09	A15113	CHK: 197429	15057	USABLUEBOOK	5100			331.65CR	362,240.08CR
11/09/18	11/09	A15114	CHK: 197430	15057	TASCOSA OFFICE MACHINES	5115			2,921.60CR	365,161.68CR
11/09/18	11/09	A15117	CHK: 197433	15057	O'REILLY AUTOMOTIVE, INC	5618			72.88CR	365,234.56CR
11/09/18	11/09	A15118	CHK: 197434	15057	ELECTION SYSTEMS & SOFTW	5628			317.49CR	365,552.05CR
11/09/18	11/09	A15119	CHK: 197435	15057	GREAT AMERICA FINANCIAL	5734			195.60CR	365,747.65CR
11/09/18	11/09	A15120	CHK: 197436	15057	NAPA AUTO PARTS	5833			1,512.03CR	367,259.68CR
11/09/18	11/09	A15123	CHK: 197439	15057	JOHN DEERE FINANCIAL	5861			245.41CR	367,505.09CR
11/09/18	11/09	A15124	CHK: 197440	15057	LEADS ONLINE LLC	5918			1,758.00CR	369,263.09CR
11/09/18	11/09	A15125	CHK: 197441	15057	LABORLAWCENTER, INC.	6154			1,133.82CR	370,396.91CR
11/09/18	11/09	A15126	CHK: 197442	15057	IMPERATIVE INFORMATION G	6224			525.00CR	370,921.91CR
11/09/18	11/09	A15127	CHK: 197443	15057	COSTCO	6265			1,050.39CR	371,972.30CR
11/09/18	11/13	A15128	CHK: 197444	15056	GARZA, DIONICIO JR	1969			232.33CR	372,204.63CR
11/09/18	11/13	A15129	CHK: 197445	15056	DAVID HUCKERT	6182			400.00CR	372,604.63CR
11/09/18	11/13	A15130	CHK: 197446	15056	ROSALIO MARTINEZ	6612			350.00CR	372,954.63CR
11/09/18	11/13	A15131	CHK: 197447	15056	AREA WIDE INSPECTIONS	6653			172.50CR	373,127.13CR
11/13/18	11/13	A15132	CHK: 000000	15075	INTERNAL REVENUE SERVICE	5832			32,367.11CR	405,494.24CR
11/13/18	11/13	A15133	CHK: 197448	15075	CAPROCK FEDERAL CREDIT U	1390			23,045.45CR	428,539.69CR
11/13/18	11/13	A15134	CHK: 197449	15075	PAYROLL FUND	3270			69,710.54CR	498,250.23CR
11/13/18	11/13	A15135	CHK: 197450	15075	TX CHILD SUPPORT SDU	5634			211.38CR	498,461.61CR
11/13/18	11/13	A15136	CHK: 197451	15075	TX CHILD SUPPORT SDU	5829			115.38CR	498,576.99CR
11/13/18	11/13	A15137	CHK: 197452	15075	TEXAS CHILD SUPPORT DISB	5859			500.90CR	499,077.89CR
11/13/18	11/13	A15138	CHK: 197453	15075	TX CHILD SUPPORT SDU	5882			276.92CR	499,354.81CR
11/13/18	11/13	A15139	CHK: 197454	15075	JAE FITNESS	6023			129.43CR	499,484.24CR
11/13/18	11/13	A15140	CHK: 197455	15075	TEXAS CHILD SUPPORT DISB	6451			222.00CR	499,706.24CR

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1001			CASH IN BANK							
* ( CONTINUED ) *										
11/13/18	11/13	A15141	CHK: 197456	15075	TEXAS CHILD SUPPORT DISB	6501			372,12CR	500,078,36CR
11/13/18	11/13	A15142	CHK: 197457	15075	TEXAS CHILD SUPPORT DISB	6566			207,69CR	500,286,05CR
11/13/18	11/13	A15143	CHK: 197458	15075	TX CHILD SUPPORT SDU	6680			196,15CR	500,482,20CR
11/14/18	11/14	A15167	CHK: 197459	15077	BRANDT TAYLOR	1			300,00CR	500,782,20CR
11/14/18	11/14	A15168	CHK: 197460	15079	AUTOMOTIVE TECHNOLOGY	1139			667,80CR	501,450,00CR
11/14/18	11/14	A15169	CHK: 197461	15079	B & J WELDING SUPPLY	1180			243,73CR	501,693,73CR
11/14/18	11/14	A15170	CHK: 197462	15079	LAMESA STEAM LAUNDRY	2640			93,00CR	501,786,73CR
11/14/18	11/14	A15171	CHK: 197463	15079	K W SHARP INC	3703			280,90CR	502,067,63CR
11/14/18	11/14	A15172	CHK: 197464	15079	TERRY COUNTY TRACTOR CO.	3880			149,13CR	502,216,76CR
11/14/18	11/14	A15173	CHK: 197465	15079	WATERMASTER IRRIGATION	4129			238,12CR	502,454,88CR
11/14/18	11/14	A15174	CHK: 197466	15079	CREATIVE INKS	5035			150,00CR	502,604,88CR
11/14/18	11/14	A15191	CHK: 197467	15079	CLEAR-VU AUTO GLASS	5658			229,99CR	502,834,87CR
11/14/18	11/14	A15176	CHK: 197468	15079	TRUCK TOWN	6069			1,123,75CR	503,958,62CR
11/14/18	11/14	A15177	CHK: 197469	15079	KWIK KAR OIL & LUBE	6691			100,15CR	504,058,77CR
11/15/18	11/15	A15186	CHK: 197471	15084	JESUS IGLESIAS	1			50,00CR	504,108,77CR
11/15/18	11/15	A15187	CHK: 197472	15084	NANCY ESTRADA	1			50,00CR	504,158,77CR
11/15/18	11/15	A15188	CHK: 197473	15084	GARZA, DIONICIO JR	1969			64,74CR	504,223,51CR
11/15/18	11/15	A15189	CHK: 197474	15084	LAMESA PRESS REPORTER	2590			75,00CR	504,298,51CR
11/15/18	11/15	A15190	CHK: 197475	15084	RUBIO, FABIAN	5860			700,00CR	504,998,51CR
11/15/18	11/15	A15191	CHK: 197476	15084	JAE FITNESS	6023			225,00CR	505,223,51CR
11/15/18	11/15	A15192	CHK: 197477	15084	MICHAEL LOPEZ	6441			160,78CR	505,384,29CR
11/15/18	11/15	A15193	CHK: 197478	15084	JOHNNY SHOOK	6449			201,00CR	505,585,29CR
11/15/18	11/15	A15194	CHK: 197479	15084	MCDONALDS	6692			32,48CR	505,617,77CR
11/15/18	11/15	A15195	CHK: 197480	15084	SAMUEL HERNANDEZ	6694			400,00CR	506,017,77CR
11/15/18	11/15	A15196	CHK: 197470	15083	LAMESA CHAMBER OF COMMER	1457			3,270,00CR	509,287,77CR
11/16/18	11/16	A15223	CHK: 197498	15090	ADVANCED ANALYSTS, INC	1022			220,00CR	509,507,77CR
11/16/18	11/16	A15224	CHK: 197499	15090	CANADIAN RIVER MUNICIPAL	1385			63,056,36CR	572,564,13CR
11/16/18	11/16	A15225	CHK: 197500	15090	GARZA, DIONICIO JR	1969			219,18CR	572,783,31CR
11/16/18	11/16	A15226	CHK: 197501	15090	TEXAS COMMISSION ON ENVI	3977			10,860,85CR	583,644,16CR
11/16/18	11/16	A15227	CHK: 197502	15090	WINDSTREAM COMMUNICATION	4460			69,41CR	583,713,57CR
11/16/18	11/16	A15228	CHK: 197503	15090	KNIGHTS OF COLUMBUS	5285			1,200,00CR	584,913,57CR
11/16/18	11/16	A15229	CHK: 197504	15090	GONZALES WELDING	6254			240,00CR	585,153,57CR
11/16/18	11/16	A15230	CHK: 197505	15090	TCF EQUIPMENT FINANCE	6448			1,602,93CR	586,756,50CR
11/16/18	11/16	A15231	CHK: 197481	15091	BRUCKNER'S TRUCK SALES,	1340			48,98CR	586,805,48CR
11/16/18	11/16	A15232	CHK: 197482	15091	CANADIAN RIVER MUNICIPAL	1385			7,081,90CR	593,887,38CR
11/16/18	11/16	A15233	CHK: 197483	15091	CHEVRON AND TEXACO BUSIN	1462			305,30CR	594,192,68CR
11/16/18	11/16	A15234	CHK: 197484	15091	DPC INDUSTRIES INC	1570			2,122,55CR	596,315,23CR
11/16/18	11/16	A15235	CHK: 197485	15091	GALLS/QUARTERMASTER	1967			445,50CR	596,760,73CR
11/16/18	11/16	A15236	CHK: 197486	15091	LAMESA BUTANE COMPANY	2500			402,88CR	597,163,61CR
11/16/18	11/16	A15237	CHK: 197487	15091	MARGIE'S FLOWERS	2900			70,00CR	597,233,61CR
11/16/18	11/16	A15238	CHK: 197488	15091	PROFESSIONAL TURF PRODUC	3413			214,96CR	597,448,57CR
11/16/18	11/16	A15239	CHK: 197489	15091	UNIFIRST HOLDINGS, INC	4079			38,70CR	597,487,27CR
11/16/18	11/16	A15240	CHK: 197490	15091	WARREN CAT	4122			5,148,10CR	602,635,37CR
11/16/18	11/16	A15241	CHK: 197491	15091	LOWE'S	4970			3,921,05CR	606,556,42CR
11/16/18	11/16	A15242	CHK: 197492	15091	CREATIVE INKS	5035			39,98CR	606,596,40CR
11/16/18	11/16	A15243	CHK: 197493	15091	SHELL FLEET PLUS	5055			77,41CR	606,673,81CR
11/16/18	11/16	A15244	CHK: 197494	15091	MANDRY TECHNOLOGY SOLUTI	5160			205,67CR	606,879,48CR



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1001			CASH IN BANK							
* ( CONTINUED ) *										
11/16/18	11/16	A15245	CHK: 197495	15091	CATHERINE M LANHAM, PH.D	5821			250.00CR	607,129.48CR
11/16/18	11/16	A15246	CHK: 197496	15091	UNITED LABORATORIES	6077			3,908.65CR	611,038.13CR
11/16/18	11/16	A15247	CHK: 197497	15091	BLUETARP FINANCIAL, INC.	6434			39.99CR	611,078.12CR
11/19/18	11/27	A15272	CHK: 197506	15098	TREVINO SANDY	5385			718.00CR	611,796.12CR
11/19/18	11/27	A15273	CHK: 197507	15098	WTG FUELS, INC.	6220			7,182.33CR	618,978.45CR
11/19/18	11/27	A15274	CHK: 197508	15098	PROSPERITY BANK	6518			45,629.86CR	664,608.31CR
11/19/18	11/27	A15275	CHK: 197509	15098	BETTY CONDE	6542			718.00CR	665,326.31CR
11/26/18	11/26	U27409	CHECK 197510	18385	REFUND: HICKS, JESSICA				45.33CR	665,371.64CR
11/26/18	11/26	U27409	CHECK 197511	18385	REFUND: GUZMAN, SELENA A				55.73CR	665,427.37CR
11/26/18	11/26	U27409	CHECK 197512	18385	REFUND: TAFOYA, NATHAN J				68.28CR	665,495.65CR
11/26/18	11/26	U27409	CHECK 197513	18385	REFUND: RAMOS, PRISCILLA				94.24CR	665,589.89CR
11/26/18	11/26	U27409	CHECK 197514	18385	REFUND: CAVAZOS, DAVID				53.52CR	665,643.41CR
11/26/18	11/26	U27409	CHECK 197515	18385	REFUND: MARROQUIN, SANJUANA				19.74CR	665,663.15CR
11/26/18	11/26	U27409	CHECK 197516	18385	REFUND: MARTINEZ, DAVID L				82.70CR	665,745.85CR
11/26/18	11/26	U27409	CHECK 197517	18385	REFUND: ANDERSON, DICKY				29.75CR	665,775.60CR
11/26/18	11/26	U27409	CHECK 197518	18385	REFUND: LEDBETTER, CHRISTEEN				79.14CR	665,854.74CR
11/26/18	11/26	U27409	CHECK 197519	18385	REFUND: HART, DAVID				13.50CR	665,868.24CR
11/26/18	11/26	U27409	CHECK 197520	18385	REFUND: LEONARD, BETTY B				25.82CR	665,894.06CR
11/27/18	11/27	A15258	CHK: 000000	15103	INTERNAL REVENUE SERVICE	5832			32,189.60CR	698,083.66CR
11/27/18	11/27	A15259	CHK: 197521	15103	CAPROCK FEDERAL CREDIT U	1390			24,341.59CR	722,425.25CR
11/27/18	11/27	A15260	CHK: 197522	15103	PAYROLL FUND	3270			67,520.97CR	789,946.22CR
11/27/18	11/27	A15261	CHK: 197523	15103	TX CHILD SUPPORT SDU	5634			211.38CR	790,157.60CR
11/27/18	11/27	A15262	CHK: 197524	15103	TX CHILD SUPPORT SDU	5829			115.38CR	790,272.98CR
11/27/18	11/27	A15263	CHK: 197525	15103	TEXAS CHILD SUPPORT DISB	5859			500.90CR	790,773.88CR
11/27/18	11/27	A15264	CHK: 197526	15103	TX CHILD SUPPORT SDU	5882			276.92CR	791,050.80CR
11/27/18	11/27	A15265	CHK: 197527	15103	JAE FITNESS	6023			129.43CR	791,180.23CR
11/27/18	11/27	A15266	CHK: 197528	15103	TEXAS CHILD SUPPORT DISB	6451			222.00CR	791,402.23CR
11/27/18	11/27	A15267	CHK: 197529	15103	TEXAS CHILD SUPPORT DISB	6501			372.12CR	791,774.35CR
11/27/18	11/27	A15268	CHK: 197530	15103	TEXAS CHILD SUPPORT DISB	6566			116.14CR	791,890.49CR
11/27/18	11/27	A15269	CHK: 197531	15103	TX CHILD SUPPORT SDU	6680			196.15CR	792,086.64CR
11/27/18	11/27	A15276	CHK: 197532	15107	PAYROLL FUND	3270			67,358.64CR	859,445.28CR
11/29/18	11/29	A15292	CHK: 000000	15120	INTERNAL REVENUE SERVICE	5832			801.01CR	860,246.29CR
11/29/18	11/29	A15293	CHK: 197533	15120	PAYROLL FUND	3270			2,456.45CR	862,702.74CR
11/30/18	11/30	A15294	CHK: 000000	15123	INTERNAL REVENUE SERVICE	5832			109.12CR	862,811.86CR
11/30/18	11/30	B60772	Misc 000004	09722	LIABILITY TSF G/F TO RISK MGMT	JE# 024544			6,483.08CR	869,294.94CR
11/30/18	11/30	A15320	CHK: 197568	15126	FULBRIGHT & CASSELBERRY	2090			2,210.20CR	871,505.14CR
11/30/18	11/30	A15321	CHK: 197569	15126	PAYROLL FUND	3270			459.00CR	871,964.14CR
11/30/18	11/30	A15322	CHK: 197570	15126	SENIOR CITIZENS	3675			3,750.00CR	875,714.14CR
11/30/18	11/30	A15323	CHK: 197534	15109	TERRY HARRIS	1			128.75CR	875,842.89CR
11/30/18	11/30	A15324	CHK: 197535	15109	ADVANCED ANALYSIS, INC	1022			840.00CR	876,682.89CR
11/30/18	11/30	A15325	CHK: 197536	15109	BIG COUNTRY BG	1226			430.50CR	877,113.39CR
11/30/18	11/30	A15326	CHK: 197537	15109	LAMESA CHAMBER OF COMMER	1457			2,475.00CR	879,588.39CR
11/30/18	11/30	A15327	CHK: 197538	15109	DACO	1580			205.28CR	879,793.67CR
11/30/18	11/30	A15328	CHK: 197539	15109	GARZA, DIONICIO JR	1969			46.71CR	879,840.38CR
11/30/18	11/30	A15329	CHK: 197540	15109	TYLER TECHNOLOGIES, INC.	2310			455.50CR	880,295.88CR
11/30/18	11/30	A15330	CHK: 197541	15109	LAMESA ECONOMIC DEVELOPM	2555			35,488.91CR	915,784.79CR
11/30/18	11/30	A15331	CHK: 197542	15109	MORRISON SUPPLY CO	3085			110.00CR	915,894.79CR

POST	DATE	TRAN #	REFERENCE	PACKET=====	DESCRIPTION=====	VEND	INV/JE #	NOTE	=====AMOUNT=====	=====BALANCE=====
1001			CASH IN BANK							
* ( CONTINUED ) *										
11/30/18	11/30	A15332	CHK: 197543	15109	NTS COMMUNICATIONS		3135		773.36CR	916,668.15CR
11/30/18	11/30	A15333	CHK: 197544	15109	K W SHARP INC		3703		151.85CR	916,820.00CR
11/30/18	11/30	A15334	CHK: 197545	15109	TML INTERGOVERN RISK POO		3845	231,699.44CR	1,148,519.44CR	
11/30/18	11/30	A15335	CHK: 197546	15109	UNIFIRST HOLDINGS, INC		4079	38.70CR	1,148,558.14CR	
11/30/18	11/30	A15336	CHK: 197547	15109	WINDSTREAM COMMUNICATION		4460	692.94CR	1,149,251.08CR	
11/30/18	11/30	A15337	CHK: 197548	15109	STANDARD COFFEE SERVICE		5275	418.60CR	1,149,669.68CR	
11/30/18	11/30	A15338	CHK: 197549	15109	NORTHERN SAFETY CO., INC		5475	149.00CR	1,149,818.68CR	
11/30/18	11/30	A15339	CHK: 197550	15109	AUSTIN TURF & TRACTOR		5685	217.99CR	1,150,036.67CR	
11/30/18	11/30	A15340	CHK: 197551	15109	LAMESA MASONRY-CONCRETE		5784	1,850.00CR	1,151,886.67CR	
11/30/18	11/30	A15341	CHK: 197552	15109	NORTHLAND COMMUNICATIONS		5800	80.64CR	1,151,967.31CR	
11/30/18	11/30	A15342	CHK: 197553	15109	LAMESA ECONOMIC ALLIANCE		5942	35,488.91CR	1,187,456.22CR	
11/30/18	11/30	A15343	CHK: 197554	15109	NORTH CEDAR OUTLET		5974	249.74CR	1,187,705.96CR	
11/30/18	11/30	A15344	CHK: 197555	15109	TOMMY ARGUIJO		5988	34.60CR	1,187,740.56CR	
11/30/18	11/30	A15345	CHK: 197556	15109	GONZALES WELDING		6254	480.00CR	1,188,220.56CR	
11/30/18	11/30	A15346	CHK: 197557	15109	DAVIS CHIROPRACTIC		6300	100.00CR	1,188,320.56CR	
11/30/18	11/30	A15347	CHK: 197558	15109	WEST TEXAS GRAPHICS		6315	108.00CR	1,188,428.56CR	
11/30/18	11/30	A15348	CHK: 197559	15109	SIERRA IRRIGATION SUPPLY		6421	200.40CR	1,188,628.96CR	
11/30/18	11/30	A15349	CHK: 197560	15109	BLUETARP FINANCIAL, INC.		6434	16.12CR	1,188,645.08CR	
11/30/18	11/30	A15350	CHK: 197561	15109	TCF EQUIPMENT FINANCE		6448	918.68CR	1,189,563.76CR	
11/30/18	11/30	A15351	CHK: 197562	15109	CANON FINANCIAL SERVICES		6580	622.60CR	1,190,186.36CR	
11/30/18	11/30	A15352	CHK: 197563	15109	KUBOTA LEASING		6643	1,207.62CR	1,191,393.98CR	
11/30/18	11/30	A15353	CHK: 197564	15109	CLARITIVE COMMUNICATIONS		6654	3,210.90CR	1,194,604.88CR	
11/30/18	11/30	A15355	CHK: 197566	15109	LUBBOCK SIGHT, SOUND, AN		6685	199.00CR	1,194,803.88CR	
11/30/18	11/30	A15356	CHK: 197567	15109	RANDALL DAVIS		6696	82.48CR	1,194,886.36CR	
11/30/18	11/30	A15357	CHK: 197571	15114	CAIN ELECTRICAL SUPPLY		1383	1,215.00CR	1,196,101.36CR	
11/30/18	11/30	A15358	CHK: 197572	15114	DATA FLOW		1587	288.33CR	1,196,389.69CR	
11/30/18	11/30	A15359	CHK: 197573	15114	K W SHARP INC		3703	24,875.00CR	1,221,264.69CR	
11/30/18	11/30	A15360	CHK: 197574	15114	WASTE SYSTEMS		4124	359.53CR	1,221,624.22CR	
11/30/18	11/30	A15361	CHK: 197575	15114	BLUETARP FINANCIAL, INC.		6434	411.09CR	1,222,035.31CR	
11/30/18	11/30	A15362	CHK: 197576	15114	LUBBOCK SIGHT, SOUND, AN		6685	4,370.00CR	1,226,405.31CR	
11/30/18	11/30	A15363	CHK: 197577	15127	AFLAC INSURANCE		1020	4,891.49CR	1,231,296.80CR	
11/30/18	11/30	A15364	CHK: 197578	15127	CAPROCK FEDERAL CREDIT U		1390	115.44CR	1,231,412.24CR	
11/30/18	11/30	A15365	CHK: 197579	15127	TEXAS MUNICIPAL RETIREME		3973	31,147.98CR	1,262,560.22CR	
11/30/18	11/30	A15371	CHK: 197585	15127	MY BOOT STORE		5710	20.00CR	1,262,580.22CR	
11/30/18	11/30	A15372	CHK: 197586	15127	LEGAL SHIELD		5900	737.03CR	1,263,317.25CR	
11/30/18	11/30	A15373	CHK: 197587	15127	NEW YORK LIFE		5921	465.11CR	1,263,782.36CR	
11/30/18	11/30	A15374	CHK: 197588	15127	GUARDIAN-APPLETON		6141	356.34CR	1,264,138.70CR	
11/30/18	11/30	B60825	Misc 000010	09724	WORKER COMP TSF TO RISK MGMT	JE#	024552	6,448.42CR	1,270,587.12CR	
11/30/18	11/30	A15376	CHK: 197589	15129	ROSALIO MARTINEZ		6612	1,250.00CR	1,271,837.12CR	
11/30/18	11/30	A15377	CHK: 197590	15129	JESUS REYNA		6698	750.00CR	1,272,587.12CR	
11/30/18	11/30	B60832	Misc 000015	09725	HEALTH INS. TSF. - G/F	JE#	024557	30,573.08CR	1,303,160.20CR	
11/30/18	12/12	B60923	Misc 000019	09731	SALES & USE TAX - ACH DEBIT	JE#	024577	10,421.82CR	1,313,582.02CR	
11/30/18	12/12	B60927	Misc 000020	09732	GOV. TAX TSF TO STATE AGENCY	JE#	024580	1,623.06CR	1,315,205.08CR	
11/30/18	12/13	B60943	Misc 000025	09733	TO RECORD DUE TO/FROM	JE#	024585	66.87CR	1,315,271.95CR	
11/30/18	12/13	B60944	Misc 000026	09733	TO RECORD DUE TO/FROM	JE#	024586	89.16CR	1,315,361.11CR	
===== NOVEMBER ACTIVITY DB:						0.00	CR:	1,315,361.11CR	1,315,361.11CR	

SELECTION CRITERIA

FISCAL YEAR: Oct-2017 / Sep-2018  
FUND: Include: 01  
PERIOD TO USE: Nov-2018 THRU Nov-2018  
TRANSACTIONS: CREDIT

ACCOUNT SELECTION

ACCOUNT RANGE: 1001 THRU 1001  
DEPARTMENT RANGE: - THRU -  
ACTIVE FUNDS ONLY: NO  
ACTIVE ACCOUNT ONLY: NO  
INCLUDE RESTRICTED ACCOUNTS: NO  
DIGIT SELECTION:

PRINT OPTIONS DETAIL

OMIT ACCOUNTS WITH NO ACTIVITY: NO  
PRINT ENCUMBRANCES: NO  
PRINT VENDOR NAME: NO  
PRINT PROJECTS: NO  
PRINT MONTHLY TOTALS: YES  
PRINT GRAND TOTALS: NO  
PRINT: INVOICE #  
PAGE BREAK BY: FUND

\*\*\* END OF REPORT \*\*\*

# APPLICATION FOR LIVESTOCK ZONE PERMIT

TO THE CITY COUNCIL  
CITY OF LAMESA, TEXAS

The undersigned petitions the City Council of the City of Lamesa to zone the property described below, which property is within the city limits of the City of Lamesa, as a "LIVESTOCK ZONE". The purpose of this petition is to permit the keeping of livestock in this zone.

APPLICANT: Keith Carter  
ADDRESS: 1708 S. 8th  
CITY/STATE/ZIP: Lamesa, TX 79331  
TELEPHONE NO.: 806-872-7811

Description of the property to be placed in the 'LIVESTOCK ZONE' is as follows:

STREET ADDRESS: 1708 S 8th  
LEGAL DESCRIPTION: LOT \_\_\_\_\_ BLOCK \_\_\_\_\_ ADDN. \_\_\_\_\_  
KIND OF LIVESTOCK: sheep or Goats NUMBER: 6  
KIND OF LIVESTOCK: Cattle NUMBER: 3  
FACILITIES FOR KEEPING LIVESTOCK: None yet

18,000 SQ FT.  
15,000 SQ FT  
33,000 (175)  
200 x 200 (75)  
\$ 410,000

SIZE: \_\_\_\_\_ EXISTING? \_\_\_\_\_ TO BE BUILT?

\*\* \*\* \*\* \*\* \*\*

COMMENTS: \_\_\_\_\_

Inspections Department \_\_\_\_\_ Health Department \_\_\_\_\_ Date \_\_\_\_\_

APPROVED – DISAPPROVED by the CITY COUNCIL, Minutes Book No. \_\_\_\_\_

Page \_\_\_\_\_, Date \_\_\_\_\_.

\_\_\_\_\_  
Betty Conde, City Secretary  
City of Lamesa, Texas

# APPLICATION FOR LIVESTOCK ZONE PERMIT

TO THE CITY COUNCIL  
CITY OF LAMESA, TEXAS

The undersigned petitions the City Council of the City of Lamesa to zone the property described below, which property is within the city limits of the City of Lamesa, as a "LIVESTOCK ZONE". The purpose of this petition is to permit the keeping of livestock in this zone.

APPLICANT: Steve Alexander  
ADDRESS: 1407 N 6<sup>th</sup>  
CITY/STATE/ZIP: Lamesa, TX 79331  
TELEPHONE NO.: 556-5227

Description of the property to be placed in the "LIVESTOCK ZONE" is as follows:

STREET ADDRESS: 1006 SE 8<sup>th</sup>  
LEGAL DESCRIPTION: LOT \_\_\_\_\_ BLOCK \_\_\_\_\_ ADDN. \_\_\_\_\_  
KIND OF LIVESTOCK: Horses NUMBER: 4  
KIND OF LIVESTOCK: Donkey NUMBER: 1  
FACILITIES FOR KEEPING LIVESTOCK: 5 stables and pens

2000.00 SQ. FT.  
500 SQ. FT.  
50' x 50'

SIZE: 4 1/2 acres EXISTING?  TO BE BUILT? \_\_\_\_\_

\*\* \*\* \*\* \*\* \*\*

COMMENTS: \_\_\_\_\_

Michael Lopez Victoria Bara 11-26-18  
Inspections Department Health Department Date

APPROVED - DISAPPROVED by the CITY COUNCIL, Minutes Book No. \_\_\_\_\_

Page \_\_\_\_\_, Date \_\_\_\_\_.

\_\_\_\_\_  
Betty Conde, City Secretary  
City of Lamesa, Texas



# APPLICATION FOR LIVESTOCK ZONE PERMIT

TO THE CITY COUNCIL  
CITY OF LAMESA, TEXAS

The undersigned petitions the City Council of the City of Lamesa to zone the property described below, which property is within the city limits of the City of Lamesa, as a "LIVESTOCK ZONE". The purpose of this petition is to permit the keeping of livestock in this zone.

APPLICANT: Servando "Sam" Leal

ADDRESS: PO Box 1409

CITY/STATE/ZIP: Lamesa Tx 79331

TELEPHONE NO.: 806-269-0091 or 806-269-0085

Description of the property to be placed in the 'LIVESTOCK ZONE' is as follows:

STREET ADDRESS: \_\_\_\_\_

LEGAL DESCRIPTION: LOT \_\_\_\_\_ BLOCK \_\_\_\_\_ ADDN. \_\_\_\_\_

KIND OF LIVESTOCK: Cows NUMBER: 3

6000 sq ft.

KIND OF LIVESTOCK: calves NUMBER: 9

78' x 78'

FACILITIES FOR KEEPING LIVESTOCK: \_\_\_\_\_

SIZE: \_\_\_\_\_ EXISTING? \_\_\_\_\_ TO BE BUILT? \_\_\_\_\_

\*\* \*\* \*\* \*\* \*\*

COMMENTS: \_\_\_\_\_

Michael Lopez  
Inspections Department

Victoria Balca  
Health Department

11-26-18  
Date

APPROVED – DISAPPROVED by the CITY COUNCIL, Minutes Book No. \_\_\_\_\_

Page \_\_\_\_\_, Date \_\_\_\_\_.

\_\_\_\_\_  
Betty Conde, City Secretary  
City of Lamesa, Texas

# ***City Council Agenda***

***City of Lamesa, Texas***

**DATE OF MEETING: DECEMBER 18, 2018**

**AGENDA ITEM: 4**

**SUBJECT: LEDC/LEAP QUARTERLY REPORT**  
**SUBMITTED BY: LEDC/LEAP Director**  
**EXHIBITS: LEDC/LEAP Report**

## **SUMMARY STATEMENT**

City Council to hear from Sean Overeynder regarding LEDC/LEAP Quarterly Report. (LEDC/LEAP Director)

## **COUNCIL ACTION**

No City Council action required.

## **CITY MANAGER'S MEMORANDUM**

LEDC/LEAP Director will provide report at City Council meeting.

**City Council Agenda**  
*City of Lamesa, Texas*

**DATE OF MEETING: DECEMBER 18, 2018**

**AGENDA ITEM:5**

**SUBJECT: REQUEST BY COALITION AGAINST BIGGER TRUCKS(CABT)**

**PROCEEDING: Action**

**SUBMITTED BY: City Staff**

**SUMMARY STATEMENT**

City Council to approve truck size and weight increases in the Permian Basin.

**COUNCIL ACTION**

**DISCUSSION** \_\_\_\_\_

Motion by Council Member \_\_\_\_\_ to approve truck size and weight increases in the Permian Basin. Motion seconded by Council Member \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

**VOTING:** "AYE" \_\_\_\_\_ "NAY" \_\_\_\_\_ "ABSTAIN" \_\_\_\_\_

**CITY MANAGER'S MEMORANDUM**

**Recommend approval.**



## National Organizations Opposing Truck Size & Weight Increases

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National Troopers Coalition  
National Sheriffs' Association  
International Association of Chiefs of Police  
National Association of Police Organizations  
National Association of Emergency Medical Technicians  
AAA  
National Association of Counties  
National League of Cities  
National Association of Towns and Townships  
National Association of County Engineers  
American Public Works Association  
International City/County Management Association  
U.S. Conference of Mayors  
General Federation of Women's Clubs  
Owner-Operator Independent Drivers Association  
International Brotherhood of Teamsters  
SMART Transportation Division  
Truck Safety Coalition  
Citizens for Reliable and Safe Highways  
Road Safe America  
Brain Injury Association of America  
Parents Against Tired Truckers  
American Short Line and Regional Railroad Association  
Railway Supply Institute  
Association of American Railroads

# Heavier Trucks Endanger Texas Motorists and Damage Infrastructure

Prepared by CABT, November 2018

Proponents of heavier trucks are likely to introduce bills in the Texas Legislature for the 2019 session to raise the maximum legal weight of trucks from the current limit of 80,000 pounds up to as much as 100,000 pounds—an increase of 10 tons. Many law enforcement professionals and local elected officials throughout Texas, and their respective statewide associations, are opposed to allowing heavier trucks for three compelling reasons: these trucks endanger motorists, damage roads and bridges, and cost taxpayers money.

This proposal to increase truck weights by 25 percent will be pushed by a coordinated and well-funded organization of oil, shale and natural gas industry groups. Since these heavier trucks cannot run on Interstates, they will run on a wide variety of state and local roads. This proposed increase will be the second attempt in two years to increase truck weights. This piecemeal approach could ultimately lead to a statewide increase in truck weights, affecting every corner of Texas.

Congress has consistently rejected similar proposals because of concerns for public safety and infrastructure damage. In 2016, the U.S. Department of Transportation (USDOT) issued a report recommending against any increases in the weight of trucks. That report found that heavier trucks had serious safety problems and would impose additional costs to our highway infrastructure.<sup>1</sup>

## Heavier Trucks Have Dramatically Higher Crash Rates

Trucks are an important part of Texas' economy, but bigger trucks are simply unsafe. Allowing trucks to haul even heavier loads only increases the dangers to residents. USDOT found in its 2016 report to Congress that heavier trucks had anywhere from 47 percent to 400 percent higher crash rates in limited state testing.<sup>2</sup>

Large-truck crash rates at the current weights in Texas have risen in recent years. Overall, there were 16,124 large-truck crashes in Texas in 2017—that is 7 percent higher than the previous year.<sup>3</sup> Heavier trucks would make a bad situation worse.

## The Problems with Heavier Trucks

**More severe crashes.** The severity of a crash is determined by the velocity and mass of a vehicle. If its weight increases, so does the potential severity of a crash.<sup>4</sup> Any increase in crash severity increases the likelihood of injuries becoming more serious or resulting in fatalities.

**More likely to roll over.** Heavier trucks tend to have a higher center of gravity because the additional

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<sup>1</sup>USDOT; 2016. *Comprehensive Truck Size and Weight Limits Study, Final Report to Congress*

<sup>2</sup> *Ibid.*

<sup>3</sup> Federal Motor Carrier Safety Administration, 2017

<sup>4</sup> Op. Cit. 2016 USDOT

weight is oftentimes stacked vertically. Raising the center of gravity increases the risk of rollovers.<sup>5</sup>

**Increased wear and tear.** Increasing the weight of trucks causes additional wear and tear on key safety components. The 2016 USDOT study found that trucks weighing over 80,000 pounds had higher overall out-of-service (OOS) rates and **18 percent higher brake violation rates** compared to those at or below 80,000 pounds.<sup>6</sup> This is especially important because a 2016 study by the Insurance Institute for Highway Safety found that trucks with any out-of-service violation are **362 percent more likely to be involved in a crash.**<sup>7</sup>

### **Heavier Trucks Would Cause Significant Infrastructure Damage to Texas Roads and Bridges**

Currently, road damage from oil and gas operations in Texas is estimated at \$1.5 to \$2 billion each year—this *does not include routine damage to roads and bridges from stress by heavy trucks in other industries.*<sup>8</sup>

There were 25,649 Texas bridges rated in fair/poor condition in 2017—that is over 47 percent of bridges statewide.<sup>9</sup> Many of these bridges could not accommodate these much heavier trucks.<sup>10</sup> These bridges would need to be reinforced or replaced, costing Texas taxpayers millions of dollars more.

Heavier trucks will directly impact these costs, pushing them significantly higher and leaving Texas taxpayers to pay the bill.

### **Heavier Trucks Would Threaten Local Texas Communities**

Approving these up to 100,000-pound trucks would mean more dangerous and damaging trucks running on local roads through Texas towns and communities where people live and work. And local roads are more vulnerable to the damage caused by the bigger trucks because they typically are older, built to a lower standard and in worse condition.

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<sup>5</sup>USDOT; 2000.*Comprehensive Truck Size and Weight Study*

<sup>6</sup>USDOT; 2016.*Comprehensive Truck Size and Weight Limits Study, Final Report to Congress*

<sup>7</sup> Insurance Institute for Highway Safety; 2016.*Crash Risk Factors for Interstate Large Trucks in North Carolina*

<sup>8</sup> TAMEST Shale Task Force: *Environmental and Community Impacts of Shale Development in Texas*, June 2017

<sup>9</sup> Federal Highway Administration, 2017

<sup>10</sup>Op. Cit. USDOT 2016.



## Heavier Trucks Endanger Motorists and Damage Infrastructure

Prepared by CABT, January 2018

Certain business interests have lobbied Congress for years to raise federal truck weight limits from 80,000 pounds to 91,000 pounds. Congress has consistently rejected these proposals because of concerns for public safety and infrastructure damage. In 2015, the House voted on a bipartisan basis to maintain the federal limits.<sup>1</sup> Heavier-truck proponents are yet again lobbying for the identical 91,000-pound heavier-truck configuration, but now for multiple states over at least 10 years. Their proposal has been slightly modified but their objective remains the same: nationwide operation of heavier trucks.

In 2016, the U.S. Department of Transportation (USDOT) delivered its three-year Comprehensive Truck Size and Weight Limits Study Report requested by Congress. That report found that heavier trucks had serious safety problems and would impose additional costs to our highway infrastructure. The Department recommended that Congress not approve any heavier trucks.<sup>2</sup>

### Heavier Trucks Have Dramatically Higher Crash Rates

The 2016 USDOT study found that heavier trucks with six axles—both 91,000-pound and 97,000-pound configurations—had higher crash rates in the three states where there was sufficient data<sup>3</sup>:

Washington	-	<b>47 percent higher</b> crash rates for six-axle trucks up to 91,000 pounds
Idaho	-	<b>99 percent higher</b> crash rates for six-axle trucks up to 97,000 pounds
Michigan	-	<b>400 percent higher</b> crash rates for six-axle trucks up to 97,000 pounds

### The Problems with Heavier Trucks

**More severe crashes.** The severity of a crash is determined by the velocity and mass of a vehicle. If its weight increases, so does the potential severity of a crash.<sup>4</sup> Any increase in crash severity increases the likelihood of injuries becoming more serious, or resulting in fatalities.

**More likely to roll over.** Heavier trucks tend to have a higher center of gravity because the additional weight is oftentimes stacked vertically. Raising the center of gravity increases the risk of rollovers.<sup>5</sup>

**Increased wear and tear.** Increasing the weight of trucks causes additional wear and tear on key safety components. The 2016 USDOT study found that trucks weighing over 80,000 pounds had higher overall out-of-service (OOS) rates and **18 percent higher brake violation rates** compared to those at or below 80,000 pounds.<sup>6</sup> This is especially important because a 2016 study by the Insurance Institute for Highway Safety found that trucks with any out-of-service violation are **362 percent more likely to be involved in a crash**<sup>7</sup>.

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<sup>1</sup> On Nov. 3, 2015, an amendment offered by Rep. Reid Ribble (R-Wis.) to the Transportation Reauthorization Act was defeated on a bipartisan vote, 236 to 187

<sup>2</sup> USDOT; 2016. *Comprehensive Truck Size and Weight Limits Study, Final Report to Congress*

<sup>3</sup> Ibid.

<sup>4</sup> Ibid.

<sup>5</sup> USDOT; 2000. *Comprehensive Truck Size and Weight Study*

<sup>6</sup> USDOT; 2016. *Comprehensive Truck Size and Weight Limits Study, Final Report to Congress*

<sup>7</sup> Insurance Institute for Highway Safety; 2016. *Crash Risk Factors for Interstate Large Trucks in North Carolina*

### **Heavier Trucks Would Cause Significant Infrastructure Damage**

USDOT found in its 2016 study that thousands of Interstate and other National Highway System bridges could not accommodate heavier trucks<sup>8</sup>. These bridges would need to be reinforced or replaced, costing billions of dollars. USDOT estimates the 91,000-pound, six-axle configuration would negatively affect more than 4,800 bridges, costing \$1.1 billion.

### **Patchwork Exceptions Undermine Enforcement and Compliance**

Some bigger-truck proponents have sought to remove the federal weight limits for individual states. USDOT has criticized this kind of piecemeal approach for our Interstate Highway System, finding that it makes enforcement and compliance more difficult, contributes little to productivity, and may have unintended consequences for safety and highway infrastructure.<sup>9</sup> USDOT explained that bigger-truck pilot programs “would involve conducting experiments with vehicles that were not known to be safe.”<sup>10</sup>

### **“Pilot Programs” for Heavier Trucks Means Experimenting with Motorists**

“Pilot programs” for heavier trucks are also unworkable because of the uncertainty of their safety and infrastructure outcomes. These so-called “pilot programs” amount to little more than experimenting with heavier trucks on public roads and bridges with other motorists. The information they seek is the number of crashes, injuries and fatalities caused by heavier trucks, and the damage caused to the nation’s bridges over which they would run. As discussed below, USDOT has recommended better ways of obtaining this information without further endangering motorists or damaging our infrastructure.

### **A Safe Alternative**

If proponents are serious about collecting more comprehensive information about the impacts of heavier trucks, they should support the comprehensive research plans initiated by USDOT and the Transportation Research Board.<sup>11</sup> Improving the collection of crash and travel data in the states where heavier trucks already operate is the logical next step as opposed to expanding the operation of more dangerous trucks. Specific recommendations include the following:

- Reinststitute the collection of higher-quality, impartial data nationwide (i.e., TIFA and VIUS), including vehicle miles traveled (VMT), and implement a uniform crash report form that accurately collects the number of trailers and axles, truck weight and length, and road type where the crash occurred.
- Collect and analyze on the impacts of bigger-truck operations on local roads and bridges.
- Conduct off-road operational tests of bigger-truck configurations, fully evaluating vehicle dynamics in real-world conditions.

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<sup>8</sup> USDOT; 2016. *Comprehensive Truck Size and Weight Limits Study, Final Report to Congress*

<sup>9</sup> USDOT; 2004. *Western Uniformity Scenario Analysis: A Regional Truck Size and Weight Scenario Requested by the Western Governors' Association*

<sup>10</sup> *Ibid.*

<sup>11</sup> On July 27, 2017, the U.S. Senate Committee on Appropriations released its Transportation, Housing and Urban Development appropriations report that indicated comprehensive research plans were underway by USDOT and the Transportation Research Board.

# Longer Double-Trailer Trucks Endanger Motorists and Damage Infrastructure

Prepared by CABT, January 2018

A few large trucking companies are pushing Congress to force states to allow longer double-trailer trucks, or “Double 33s.” These longer double-trailer trucks would replace not only today’s shorter, 28-foot double-trailer trucks, but also many 53-foot single-trailer trucks that commonly operate on the road today. Longer double-trailer trucks would add new dangers for motorists and damage our infrastructure.

Double 33s are 91 feet in length—that is 10 feet longer than the current doubles they are intended to replace and 17 feet longer than current single-trailer trucks. Congress in 2015 rejected these longer double-trailer trucks,<sup>1</sup> and USDOT in its 2016 Comprehensive Truck Size and Weight Limits Study, recommended that Congress not approve these or any other longer or heavier trucks.<sup>2</sup>

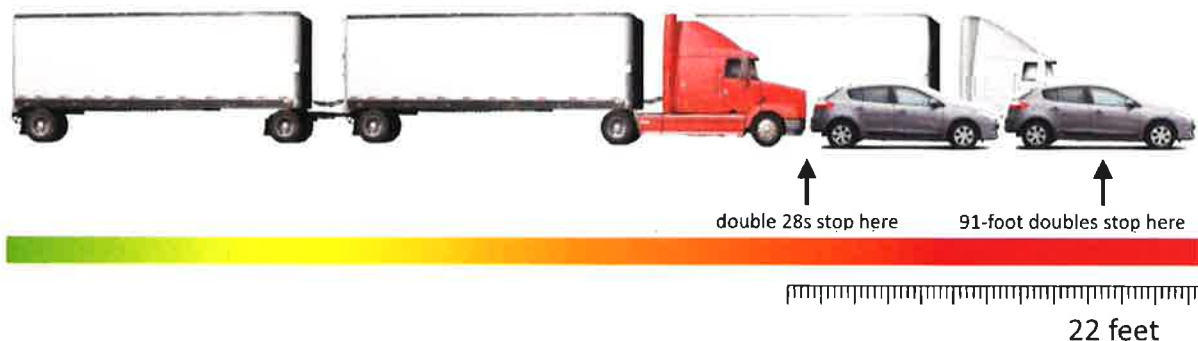
## Double 33s Would Replace Single-Trailer Trucks

Double-trailer trucks represent a relatively small percentage of trucks operating on our roads today. The majority of combination trucks in operation are 53-foot single-trailer trucks. If Congress requires states to allow the longer doubles, today’s truck traffic would change dramatically. Since Double 33s have 24 percent more capacity than 53-foot trailers, market forces would push companies currently operating single-trailer trucks to replace their fleets with Double 33s. According to a 2015 analysis, this would incur a massive shift from single-trailer trucks to Double 33s, resulting in approximately **42 to 101 billion additional miles of double-trailer truck travel on our nation’s highways.**<sup>3</sup>

## Longer Double-Trailer Trucks Would Add New Dangers to the Highways

An influx of double-trailer trucks on the highway would have severe safety implications for motorists. Studies have consistently shown that multi-trailer trucks—doubles and triple-trailer trucks—are more dangerous than single-trailer trucks. A 2013 Marshall University-led study<sup>4</sup> found that double-trailer trucks have an **11 percent higher fatality rate** than single-trailer trucks. This finding is consistent with findings made by USDOT in a 2000 study.<sup>5</sup> Below are several reasons these trucks are more dangerous:

**1. Longer stopping distances.** Double 33s take 252 feet to stop—that is 17 feet longer stopping distance than today’s single-trailer trucks and 22 feet longer than today’s twin-trailer trucks.<sup>6</sup>



<sup>1</sup> On Nov. 10, 2015, the Senate rejected increasing the length of double-trailer trucks as part of the surface transportation reauthorization bill on a 56-31 floor vote; and on Nov. 18, 2015, the U.S. Senate rejected increasing the length of double-trailer trucks on the omnibus spending bill on a voice vote.

<sup>2</sup> USDOT; 2016. *Comprehensive Truck Size and Weight Limits Study, Final Report to Congress.*

<sup>3</sup> Mingo, Roger D., and Mark L. Burton, Mark L.; 2015. *Mandated Twin 33 Trailers Produce Costly Shifts in Freight Movement.*

<sup>4</sup> Marshall University, 2013. *An Analysis of Truck Size and Weight: Phase I – Safety.*

<sup>5</sup> USDOT; 2000. *Comprehensive Truck Size and Weight Study.*

<sup>6</sup> USDOT; 2015. *Comprehensive Truck Size and Weight Limits Study, Highway Safety and Truck Crash Comparative Analysis Technical Report.*

**2. Increased rollover propensity and rearward amplification.** Double 33s experience increased rollover vulnerability, poorer stability and compromised avoidance maneuver compared to single-trailer trucks.<sup>7</sup>

**3. More wear and tear.** Double-trailer configurations have 58 percent higher out-of-service violation rates than single-trailer trucks.<sup>8</sup> This is especially important because a 2016 study by the Insurance Institute for Highway Safety (IIHS) found that trucks with any out-of-service violation are 362 percent more likely to be involved in a crash.<sup>9</sup>

### **Double 33s Would Cause Significant Infrastructure Damage**

According to its 2016 USDOT study, Double 33s would increase pavement damage by 1.8 percent to 2.7 percent,<sup>10</sup> which translates to **\$1.2 to \$1.8 billion in estimated pavement damage every year.**<sup>11</sup>

Also, USDOT found that nearly 2,500 Interstate and other National Highway System bridges would need to be strengthened or reinforced to handle the longer double-trailer trucks, costing taxpayers up to **\$1.1 billion.**<sup>12</sup> The study accounts for only 20 percent of bridges—the other 80 percent of bridges on state and local roads would be more vulnerable to the longer trucks.

### **Many Trucking Companies Oppose Double 33s**

The Truckload Carriers Association (TCA), representing over 700 trucking companies, strongly opposes longer double-trailer trucks. In fact, TCA wrote to Members of Congress in 2015 to express their concerns over increasing the length of double-trailer trucks, stating that these trucks would increase costs of delivering freight, decrease fuel efficiency, incur additional expenses to train or retrain drivers, increase the potential for driver injuries while coupling and decoupling trailers, and exacerbate truck parking problems.<sup>13</sup>

### **The Double 33s Mandate Would Override State Laws**

This legislation would preempt state laws and require every state to allow longer double-trailer trucks on their roads, even if they determined that their roadways were not capable of safely accommodating the longer trucks or that they would damage their pavement and bridges.

### **Double 33s Are Heavier Than Today's Twin 28s**

According to USDOT, Double 33s will, on average, be over four tons heavier than today's Twin 28s.<sup>14</sup> This is based on the fact that these longer double-trailer trucks will add 24 percent more trailer capacity. Longer stopping distances, increased crash severity and increased pavement damage of Double 33s are all negative impacts attributed to the additional weight of Double 33s.

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<sup>7</sup> Ibid.

<sup>8</sup> Ibid.

<sup>9</sup> Insurance Institute for Highway Safety; 2016. *Crash Risk Factors for Interstate Large Trucks in North Carolina*.

<sup>10</sup> USDOT; 2015. *Comprehensive Truck Size and Weight Limits Study, Volume 1: Technical Reports Summary*.

<sup>11</sup> R.D. Mingo and Associates; 2015. Analysis of 2012 FHWA Highway Statistics and selected Cost Allocation studies.

<sup>12</sup> Ibid.

<sup>13</sup> Truckload Carriers Association; October 20, 2015. Letter to House Transportation and Infrastructure Committee Chairman Bill Shuster and Ranking Member Peter DeFazio.

<sup>14</sup> USDOT; 2016. *Comprehensive Truck Size and Weight Limits Study, Final Report to Congress*.

## Texas by the Numbers

There are 25,649 bridges that are in poor/fair condition according to 2017 Federal Highway Administration data—that is over 47 percent of bridges statewide.

Currently, road damage from oil and gas operations *alone* has caused an estimated \$1.5 to \$2 billion in *additional* damage each year, according to the TAMEST Shale Task Force.

There were 16,124 large-truck crashes in Texas in 2017, according to the Federal Motor Carrier Safety Administration. This crash rate is 7% higher than the previous year.





# CITY OF LAMESA

December 18, 2018

The Honorable Ted Cruz  
United States Senate  
404 Russell Senate Office Building  
Washington DC 20510-4304

Dear Senator Cruz,

Our City is very concerned about likely legislation to increase commercial truck weights and size. While Congress has repeatedly rejected any of these increases over the past several years, proponents are likely to push for these increases with renewed fervor during the upcoming infrastructure debate.

While most of the debate will circle around interstates and the National Highway System, we know that trucks ultimately find their way on to our local roads and bridges. These trucks create a strain on our infrastructure, ultimately causing serious safety issues and serious funding issues.

Large trucks accelerate the deterioration of the nation's highways and local roads and bridges, putting further pressure on federal, State and local governments to find funds to repair these essential roadways. Lamesa is a historic city and our streets are very narrow and not built for heavy trucks. We have significant problems on N. 4th St. and N. 22nd St., especially at our intersections. Heavier trucks would compound the problem and since these are State maintained, we depend on them to repair damaged pavement. The problem is, due to our unique issues, the State has been hampered in widening these streets due to the cost to relocate businesses.

Efforts to increase weight as well as length on the Federal system are just too costly and dangerous. Heavier trucks will result in more severe crashes, they are more likely to roll over and the heavier weight increases the wear and tear on equipment, especially brakes and tires.

We urge you to oppose any attempts to increase commercial truck weights/length in any future debate on infrastructure. We are attaching a resolution passed by our City Council for your consideration.

If you have any questions, please feel free to contact us.

Respectfully,

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Mayor Josh Stevens

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Councilmember Brant Stewart

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Councilmember Marie Briseno

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Councilmember Rick Moreno

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Councilmember Jason Moreno

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Councilmember Bobby G. Gonzales

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Councilmember Doug Morris



# CITY OF LAMESA

December 18, 2018

The Honorable John Cornyn  
United States Senate  
517 Hart Senate Office Building,  
Washington DC 20510-4302

Dear Senator Cornyn,

Our City is very concerned about likely legislation to increase commercial truck weights and size. While Congress has repeatedly rejected any of these increases over the past several years, proponents are likely to push for these increases with renewed fervor during the upcoming infrastructure debate.

While most of the debate will circle around interstates and the National Highway System, we know that trucks ultimately find their way on to our local roads and bridges. These trucks create a strain on our infrastructure, ultimately causing serious safety issues and serious funding issues.

Large trucks accelerate the deterioration of the nation's highways and local roads and bridges, putting further pressure on federal, State and local governments to find funds to repair these essential roadways. Lamesa is a historic city and our streets are very narrow and not built for heavy trucks. We have significant problems on N. 4th St. and N. 22nd St., especially at our intersections. Heavier trucks would compound the problem and since these are State maintained, we depend on them to repair damaged pavement. The problem is, due to our unique issues, the State has been hampered in widening these streets due to the cost to relocate businesses.

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Respectfully,

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Mayor Josh Stevens

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Councilmember Brant Stewart



Councilmember Marie Briseno

Councilmember Rick Moreno

Councilmember Jason Moreno

Councilmember Bobby G. Gonzales

Councilmember Doug Morris



# CITY OF LAMESA

December 18, 2018

The Honorable Jodey Arrington  
United States House of  
Representatives  
1029 Longworth House Office Building  
Washington, DC 20515

Dear Representative Arrington,

Our City is very concerned about likely legislation to increase commercial truck weights and size. While Congress has repeatedly rejected any of these increases over the past several years, proponents are likely to push for these increases with renewed fervor during the upcoming infrastructure debate.

While most of the debate will circle around interstates and the National Highway System, we know that trucks ultimately find their way on to our local roads and bridges. These trucks create a strain on our infrastructure, ultimately causing serious safety issues and serious funding issues.

Large trucks accelerate the deterioration of the nation's highways and local roads and bridges, putting further pressure on federal, State and local governments to find funds to repair these essential roadways. Lamesa is a historic city and our streets are very narrow and not built for heavy trucks. We have significant problems on N. 4th St. and N. 22nd St., especially at our intersections. Heavier trucks would compound the problem and since these are State maintained, we depend on them to repair damaged pavement. The problem is, due to our unique issues, the State has been hampered in widening these streets due to the cost to relocate businesses.

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Respectfully,

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Councilmember Brant Stewart

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Councilmember Rick Moreno

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Councilmember Jason Moreno

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Councilmember Bobby G. Gonzales

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Councilmember Doug Morris



# CITY OF LAMESA

December 18, 2018

The Honorable Charles Perry  
Texas State Senate  
11003 Quaker Ave. # 101  
Lubbock, Texas 79424

Dear Senator Perry,

Our City is very concerned about likely legislation to increase commercial truck weights and size. While Congress has repeatedly rejected any of these increases over the past several years, proponents are likely to push for these increases with renewed fervor during the upcoming infrastructure debate.

While most of the debate will circle around interstates and the National Highway System, we know that trucks ultimately find their way on to our local roads and bridges. These trucks create a strain on our infrastructure, ultimately causing serious safety issues and serious funding issues.

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We urge you to oppose any attempts to increase commercial truck weights/length in any future debate on infrastructure. We are attaching a resolution passed by our City Council for your consideration.

If you have any questions, please feel free to contact us.

Respectfully,

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Mayor Josh Stevens

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Councilmember Brant Stewart

Councilmember Marie Briseno

Councilmember Rick Moreno

Councilmember Jason Moreno

Councilmember Bobby G. Gonzales

Councilmember Doug Morris



# CITY OF LAMESA

December 18, 2018

The Honorable Tom Craddick  
Texas State Representative  
500 West Texas Suite 880  
Midland, Texas 79701

Dear Representative Craddick,

Our City is very concerned about likely legislation to increase commercial truck weights and size. While Congress has repeatedly rejected any of these increases over the past several years, proponents are likely to push for these increases with renewed fervor during the upcoming infrastructure debate.

While most of the debate will circle around interstates and the National Highway System, we know that trucks ultimately find their way on to our local roads and bridges. These trucks create a strain on our infrastructure, ultimately causing serious safety issues and serious funding issues.

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Mayor Josh Stevens

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Councilmember Brant Stewart

Councilmember Marie Briseno

Councilmember Rick Moreno

Councilmember Jason Moreno

Councilmember Bobby G. Gonzales

Councilmember Doug Morris

# **City Council Agenda**

*City of Lamesa, Texas*

**DATE OF MEETING: DECEMBER 18, 2018**

**AGENDA ITEM: 6**

**SUBJECT: PUBLIC HEARING REGARDING 2019 TxCDBG APPLICATION**

**PROCEEDING: Public Hearing**  
**SUBMITTED BY: City Staff**

### **SUMMARY STATEMENT**

The public hearing is in regard to the submission of an application to the Texas Department of Agriculture for a Texas Community Development Block Grant Program (TxCDBG) grant. The purpose of this meeting is to allow citizens an opportunity to discuss the citizens' participation plan, the development of local housing and community development needs, the amount of TxCDBG funding available, all eligible TxCDBG activities and the use of past TxCDBG funds. The City encourages citizens to participate in the development of this TxCDBG application and to make their views known at this public hearing.

### **PUBLIC HEARING**

The Mayor will ask if anyone wishes to speak in regard to the submission of an application to the Texas Department of Agriculture for a Texas Community Development Block Grant Program.

The following persons spoke:

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December 7, 2018

Shawna Burkhart, City Manager  
City Hall  
601 S. 1<sup>st</sup>  
Lamesa, Texas 79331

Dear Ms. Burkhart:

A necessary step for you to be eligible to apply for Texas Community Development Block Grant Program funds is compliance with citizen participation requirements outlined in the Texas Community Development Block Grant Program Procedures Manual. Enclosed you will find checklists and documentation to make it easier for you to track the process. They are as follows:

1. Citizen Participation Requirements – Checklist (Page 1)
  - Section A: City Responsibilities *prior* to Public Hearing
  - Section B: City Responsibilities *after* the Public Hearing that need to be mailed  
to our office within seven (7) days of the Public Hearing
2. Citizen Participation Requirements: Needed materials for Public hearing (see attached Provisions, Page 5)
3. Community Development Needs Form (Page 12). Please make copies of this form and distribute to each person attending the public hearing. After the public hearing, please mail the responses to me. We will compile the data and include it your application.

If at any time you have questions, please feel free to call me. **ALSO, IF ANY ITEM IS NOT COMPLETED AS INSTRUCTED PLEASE LET ME KNOW IMMEDIATELY AS WE MAY HAVE TIME TO RESCHEDULE. CHECK THE CITY'S ADVERTISEMENT IN THE NEWSPAPER FOR INCLUSION AND ACCURACY.**

We appreciate this opportunity to be of service to you and thank you for your assistance.

Sincerely,

*Kay Howard*

Kay Howard,  
President

City/County: Lamesa/Dawson County.

CITIZEN PARTICIPATION REQUIREMENTS – CHECKLIST

**Section A:** City Responsibilities *prior* to the Public Hearing

\_\_\_\_\_ Publish newspaper advertisements on date indicated in local newspaper (1) Public Hearing (A & J Howco will submit advertisement. Please check the newspaper for advertisement on the publication date).

\_\_\_\_\_ Post enclosed Public Hearing Notices in English and Spanish at the City Hall and/or Courthouse.

\_\_\_\_\_ Post copies of enclosed Public Hearing Notice in Laundromats, churches, community facilities, etc., in low/moderate income areas.

**Section B:** City Responsibilities *after* the Public Hearing that need to be mailed to our office within seven (7) days of the Public Hearing.

\_\_\_\_\_ Newspaper advertisement, along with Publisher's Affidavit of public hearing and Public Notice.

\_\_\_\_\_ List of organizations, churches, etc., to whom Public Notice was furnished.

\_\_\_\_\_ Attendance sheet and signed copy of the minutes of Public Hearing.

\_\_\_\_\_ Community Development Needs Assessment Forms.

MAILING INFORMATION:

**A & J Howco Services, Inc.**

**P. O. Box 64780**

**Lubbock, Texas 79464**

**TO BE POSTED ON FRONT DOOR**

TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

PUBLIC HEARING NOTICE

The City will conduct a public hearing concerning the Texas Community Development Block Grant Program. This hearing will be held to discuss the current plans to file an application for grant funds. Persons with disabilities who wish to attend this meeting should contact City Hall for assistance. Individuals who require auxiliary aids or services for this meeting should contact City Hall at least two days before the meeting so that appropriate arrangements can be made. If anyone interested in attending the public hearing requires a translator, please contact City Hall. *Para residentes necesitados de interpretes, favor de comunicarse con la municipalidad antes de las audiencia publica.* The public hearing will be held as follows:

**PUBLIC HEARING**

DATE: DECEMBER 18, 2018 TIME: 5:30 P.M.

PLACE: CITY HALL

ADDRESS: 601 S. 1<sup>st</sup>, LAMESA, TEXAS

## **TO BE POSTED ON FRONT DOOR**

### **PROGRAMA DE SUBVENCIÓN DE DESARROLLO TEXAS COMUNITARIO**

#### **PUBLIC HEARING NOTICE**

La ciudad llevará a cabo una audiencia pública sobre el programa Texas comunidad desarrollo Block Grant. Esta audiencia se celebrará para discutir los planes actuales para presentar una solicitud de fondos. Las personas con discapacidad que deseen asistir a esta reunión deberán contactar Ayuntamiento para asistencia. Las personas que requieren ayudas auxiliares y servicios para esta reunión deben contactar Ayuntamiento por lo menos dos días antes de la reunión para que se pueden hacer arreglos apropiados. Si alguien está interesado en asistir a la audiencia pública requiere un traductor, póngase en contacto con el Ayuntamiento. Para residentes necesitados de interpretes, favor de comunicarse con la municipalidad antes de las audiencia publica. La audiencia pública se realizará de la siguiente manera:

#### **AVISO DE AUDIENCIAL PUBLICA**

FECHA: 18 DE DICIEMBRE 2018 HORA: 5:30 PM

LUGAR: CITY HALL,

DIRECCIÓN: 601 S. 1<sup>ST</sup>, LAMESA TEXAS

CITY/COUNTY: LAMESA/DAWSONCOUNTY

CITIZEN PARTICIPATION REQUIREMENTS – NEEDED MATERIALS  
FOR PUBLIC HEARING

- Attendance list, Page 6
- Copy of minutes, Page 7
- Community Needs Assessment Form, Page 13
- Citizen Participation Plan; Make copies as needed for distribution to citizens that attend the hearing, Page 13

*(Please insure that the items listed above are at the Public Hearing.)*

**CITY OF LAMESA**  
**ATTENDANCE LIST**  
**PUBLIC HEARING**

DECEMBER 18, 2018 AT 5:30 P.M.

<b>NAME</b>	<b>ADDRESS</b>	<b>TELEPHONE NUMBER</b>

## PUBLIC HEARING

Welcome to a public hearing to be held as required by State law in order to submit an application for a Texas Community Development Block Grant Program. Please be sure to sign the attendance list, including your name, address, and telephone number. Also, be sure that you have received the TxCDBG Program Information Packet. This will provide you with some helpful summary information about the program. It contains information on who can apply for the funds and activities for which the funds are eligible.

We encourage your participation and, specifically, participation by persons of low and moderate income that reside in slum or blighted areas. Comments will be appreciated from persons who reside in areas in which TxCDBG funds are to be used. We hold the public hearing to obtain citizens' views and respond to questions and proposals at all stages of the community development program.

The purpose of this hearing is to discuss with you the housing and community development needs, the amount of TxCDBG funding available, eligible TxCDBG activities, and the use of past TxCDBG contract funds. Also, if requested, we will provide technical assistance to groups' representative of low and moderate income persons to develop proposals for use of TxCDBG funds.

Prior to submission of an application, a public notice will be published in the local newspaper. The public notice outlines the proposed project, the amount of funds being requested, the estimated amount of funds proposed for activities that will benefit low/moderate income persons, and the plans to minimize displacement as a result of activities assisted with TxCDBG funds, if applicable.

The goal of the Texas Community Development Block Grant Program is to develop viable communities by providing decent housing and a suitable living environment and by expanding economic opportunities, principally for persons of low and moderate income.

The three objectives of the Texas Community Development Block Grant Program are:

<b>OBJECTIVES</b>	<b>OUTCOME 1 Accessibility</b>	<b>OUTCOME 2 Affordability</b>	<b>OUTCOME 3 Sustainability</b>
<b>OBJECTIVE #1 Suitable Living Environment</b>	<b>Enhance Suitable Living Environment Through Improved/New Accessibility (SL-1)</b>	<b>Enhance Suitable Living Environment Through Improved/New Affordability (SL-2)</b>	<b>Enhance Suitable Living Environment Through Improved/New Sustainability (SL-3)</b>
<b>OBJECTIVE #2 Decent Housing</b>	<b>Create Decent Housing with Improved/New Availability (DH-1)</b>	<b>Create Decent Housing with Improved/New Affordability (DH-2)</b>	<b>Create Decent Housing with Improved/New Sustainability (DH-3)</b>
<b>OBJECTIVE #3 Economic Opportunity</b>	<b>Provide Economic Opportunity Through Improved/New Accessibility (EO-1)</b>	<b>Provide Economic Opportunity Through Improved/New Affordability (EO-2)</b>	<b>Provide Economic Opportunity Through Improved/New Sustainability (EO-3)</b>

In terms of eligible activities, all proposed activities must meet at least one of the three national program objectives which are a part of the Federal Housing and Community Development Act, which was passed by Congress in 1974, and initially authorized the monies for this program.

The three national program objectives are:

- 1] Benefit low- and moderate-income persons. (At least fifty-one percent (51%) of the identified beneficiaries must have a family income of less than 80% of the area median income.)
- 2] Aid in the prevention of elimination of slums and blight.
- 3] Meet other community development needs of particular urgency which represent an immediate threat to the health and safety of residents of the community.

There are certain activities that this money may not be used for. In general, any type of activity not described or referred to in the Federal Housing and Community Development Act of 1974 is ineligible for consideration for funding. Specific activities ineligible under the Texas Community Development Block Grant Program include the following:

- A] Construction of buildings and facilities used for the general conduct of government, such as city halls and courthouses. One exception is improvements made to these buildings solely to provide complete access for handicapped individuals, which is an eligible TxCDBG activity.
- B] New housing construction except in cases of replacement housing when individuals are displaced by TxCDBG funded activities.
- C] The financing of political activities.
- D] Purchase of construction equipment.
- E] Income payments, such as housing allowances.
- F] Most operation and maintenance expenses.



Funds are available for the following categories:

Community Development Fund primarily covers housing and public facilities/service projects and represent the major portion of the funding available under the Texas Community Development Block Grant Program. Award of funding under Community Development Supplemental Fund will come after the applications to the CD fund have been ranked for both program years. Additional funding will be based on the highest regional score of the applicant plus ten points from the state.

Planning and Capacity Building Fund is used to assist eligible cities and counties in conducting planning activities that assess local needs, develop strategies to address local needs, build or improve local capacity, or include other needed planning elements.

Disaster Relief/Urgent Need Fund is available as needed for eligible activities in relief of disaster situations where either the Governor has proclaimed a state disaster declaration or has requested a federal disaster declaration. Depending on the nature and extent of the damage caused by the natural disaster, priority for the use of TxCDBG funds is the restoration of basic human needs such as water and sewer facilities and housing. Urgent Need assistance is available for projects that include activities to address water or sewer urgent needs that have resulted in either death, illness or pose an imminent threat to life or health within the affected applicant's jurisdiction.

Housing Infrastructure Funds are not available. This fund has been combined into other funding categories.

Housing Rehabilitation Funds are not available as a separate fund. Entities may apply for housing under the Community Development Fund. Funds from CD may be used to assist eligible cities and counties to provide loan or forgivable loan assistance for the rehabilitation of existing owner-occupied and renter-occupied housing units and in strictly limited circumstances the construction of new housing that is accessible to persons with disabilities.

TxCDBG Step Funds will be available for grants on a direct award basis to cities and counties to provide grant assistance to cities and communities recognizing the need and willingness to solve water and sewer problems through Small Towns Environment Program (STEP) self-help techniques.

The Texas Capital Fund (TCF) was created to improve the Texas economy. The TCF encourages business development, retention, or expansion by providing infrastructure and real estate development funds to qualified applicants (non-entitlement cities/counties). Funds are awarded for the express purpose of creating new permanent jobs or retaining existing permanent jobs, primarily for low and moderate-income persons.

The Colonia Fund is a category that is available to eligible county applicants for projects in severely distressed unincorporated areas, which meet the definition as a "colonia" under this fund. The fund includes four (4) areas of funding. Funding is available for construction and planning. Two other areas are self-help centers and special EDAP program.

The Community Enhancement Fund is to provide a source of funds not available through other TxCDBG programs that is designed to stimulate a community's economic development efforts and improve self-sufficiency. Eligible projects may be for public health, community centers, workforce development, public safety, and ones which utilize renewable energy such as wind power or solar panels to help rural communities reduce energy costs.

I call your attention to the pages in the packet we provided you entitled, "Eligible Activities" (page A-1 to A-4). This lists the eligible and ineligible activities under the different types of improvement projects. As you can see, there are specific activities which can and cannot be done. I might also add, in addition to these traditional public work projects, these funds can be used for park and recreation improvements and storm drainage improvements.

The way Community Development Fund program works is that once the application has been developed, written, and submitted, the application will be scored. Based on that numerical score, a ranking of projects within this region will occur. Based on the amount of funds allocated to this region, the numerical scores will produce a rank order, and from that rank order the State will develop the ranking order list and fund the most highly ranked projects until the funds have been exhausted. At this time regional allotments are not available. When the allotment is for this region becomes available, it will be posted.

The scoring system used is two steps. First, the Regional Review Committee (which is made up of 12 local elected officials appointed by the Governor from this region) scores selection factors related to project design. Secondly, the State scores the application related to community distress, benefits to low/moderate income persons, project impact, and local match. The sum of the two scores results in the total score and it is that score that is used to rank the project.

Our past TxCDBG contract funds have been used for \_\_\_\_\_

CITY/COUNTY OF LAMESA/DAWSON COUNTY

A. COMMUNITY NEEDS ASSESSMENT  
ELIGIBLE ACTIVITIES

Citizens' ideas and opinions are a vital part of the information needed in selecting projects to be funded from such sources as Community Development funds. Please indicate below the way(s) in which you think the money should be spent.

Please put the following projects in numerical order according to what you believe are the City's priority needs.

- \_\_\_\_\_ Water System Improvements
- \_\_\_\_\_ Sewer System Improvements
- \_\_\_\_\_ Housing Rehabilitation
- \_\_\_\_\_ Road/Street Improvements
- \_\_\_\_\_ Handicapped Accessibility Projects for Public Buildings
- \_\_\_\_\_ Drainage Improvements
- \_\_\_\_\_ Fire Protection Facilities
- \_\_\_\_\_ Community/Senior/Social Service Centers
- \_\_\_\_\_ Demolition and Clearance
- \_\_\_\_\_ Solid Waste Disposal/Landfills

Please provide your name and date of submission. Please also check the appropriate block below.

Minority       Yes       No

Disabled       Yes       No

\_\_\_\_\_  
Name

\_\_\_\_\_  
Date

THE CITY OF LAMESA  
CITIZEN PARTICIPATION PLAN  
TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

*Note to Grant Recipients regarding Limited English Proficiency (LEP) requirements:*

In accordance with federal law, if there is a significant number of the population who are non-English speaking residents and are affected by the TxCDBG project, such citizens should have 'meaningful access' to all aspects of the TxCDBG project. To provide 'meaningful access', Grant Recipients may need to provide interpreter services at public hearings or provide non-English written materials that are routinely provided in English. Examples of such vital documents include application, complaint procedures, complaint procedures, answers to complaints, notices, notices of rights and disciplinary action, and any additional documents that contain information that is critical for obtaining federal services and/or benefits, or is required by law. For more information, see LEP.gov

#### COMPLAINT PROCEDURES

These complaint procedures comply with the requirements of the Texas Department of Agriculture's Texas Community Development Block Grant (TxCDBG) Program and Local Government Requirements found in 24 CFR §5130.486 (Code of Federal Regulations). Citizens can obtain a copy of these procedures at the City of Lamesa, 601 S. 1st St., Lamesa, Texas 79331 or may call 806-872-2124, during regular business hours.

Below are the formal complaint and grievance procedures regarding the services provided under the TxCDBG project.

A person who has a complaint or grievance about any services or activities with respect to the TxCDBG project, whether it is a proposed, ongoing, or completed TxCDBG project, may during regular business hours submit such complaint or grievance, in writing to the City Administrator, at the City of Lamesa, 601 S. 1<sup>st</sup> St., Lamesa, Texas 79331 or may call 806-872-2124, during regular business hours.

1. A copy of the complaint or grievance shall be transmitted by the City Administrator to the entity that is the subject of the complaint or grievance and to the City Attorney within five (5) working days after the date of the complaint or grievance was received.
2. The City Administrator shall complete an investigation of the complaint or grievance, if practicable, and provide a timely written answer to person who made the complaint or grievance within ten (10) days.

3. If the investigation cannot be completed within ten (10) working days per 3 above, the person who made the grievance or complaint shall be notified, in writing, within fifteen (15) days where practicable after receipt of the original complaint or grievance and shall detail when the investigation should be completed.
4. If necessary, the grievance and a written copy of the subsequent investigation shall be forwarded to the TxCDBG for their further review and comment.
5. If appropriate, provide copies of grievance procedures and responses to grievances in both English and Spanish, or other appropriate language.

#### TECHNICAL ASSISTANCE

When requested, the City shall provide technical assistance to groups that are representative of persons of low- and moderate-income in developing proposals for the use of TxCDBG funds. The City, based upon the specific needs of the community's residents at the time of the request, shall determine the level and type of assistance.

#### PUBLIC HEARING PROVISIONS

For each public hearing scheduled and conducted by the City, the following public hearing provisions shall be observed:

1. Public notice of all hearings must be published at least seventy-two (72) hours prior to the scheduled hearing. The public notice must be published in a local newspaper. Each public notice must include the date, time, location, and topics to be considered at the public hearing. A published newspaper article can also be used to meet this requirement so long as it meets all content and timing requirements. Notices should also be prominently posted in public buildings and distributed to local Public Housing Authorities and other interested community groups.
2. When a significant number of non-English speaking residents are a part of the potential service area of the TxCDBG project, vital documents such as notices should be published in the predominant language of these non-English speaking citizens.
3. Each public hearing shall be held at a time and location convenient to potential or actual beneficiaries and will include accommodation for persons with disabilities. Persons with disabilities must be able to attend the hearings and the City must make arrangements for individuals who require auxiliary aids or services if contacted at least two days prior to the hearing.
4. A public hearing held prior to the submission of a TxCDBG application must be held after 5:00 PM on a weekday or at a convenient time on a Saturday or Sunday.

5. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter should be present to accommodate the needs of the non-English speaking residents.

The City shall comply with the following citizen participation requirements for the preparation and submission of an application for a TxCDBG project:

1. At a minimum, the City shall hold at least one (1) public hearing to prior to submitting the application to the Texas Department of Agriculture.
2. The City shall retain documentation of the hearing notice(s), a listing of persons attending the hearing(s), minutes of the hearing(s), and any other records concerning the proposed use of funds for three (3) years from closeout of the grant to the state. Such records shall be made available to the public in accordance with Chapter 552, Texas Government Code.
3. The public hearing shall include a discussion with citizens as outlined in the applicable TxCDBG application manual to include, but is not limited to, the development of housing and community development needs, the amount of funding available, all eligible activities under the TxCDBG program, and the use of past TxCDBG contract funds, if applicable. Citizens, with particular emphasis on persons of low- and moderate-income who are residents of slum and blight areas, shall be encouraged to submit their views and proposals regarding community development and housing needs. Citizens shall be made aware of the location where they may submit their views and proposals should they be unable to attend the public hearing.
4. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter should be present to accommodate the needs of the non-English speaking residents.

The City must comply with the following citizen participation requirements in the event that the City receives funds from the TxCDBG program: mayor pro-term

1. The City shall also hold a public hearing concerning any substantial change, as determined by TxCDBG, proposed to be made in the use of TxCDBG funds from one eligible activity to another again using the preceding notice requirements.
2. Upon completion of the TxCDBG project, the City shall hold a public hearing and review its program performance including the actual use of the TxCDBG funds.
3. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, for either a public hearing concerning substantial change to the TxCDBG project or for the closeout of the TxCDBG project, publish notice in both English and Spanish, or other appropriate language and provide an interpreter at the hearing to accommodate the needs of the non-English speaking residents.

4. The City shall retain documentation of the TxCDBG project, including hearing notice(s), a listing of persons attending the hearing(s), minutes of the hearing(s), and any other records concerning the actual use of funds for a period of three (3) years from closeout of the grant to the state. Such records shall be made available to the public in accordance with Chapter 552, Texas Government Code.

\_\_\_\_\_  
Josh Stevens, Mayor

\_\_\_\_\_  
Date

# MUESTRAS

LA CIUDAD DE LAMESA  
PLAN DE PARTICIPACIÓN CIUDADANA  
PROGRAMA DE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

*Nota a los receptores de subvención en relación a requisitos de Dominio Limitado del Inglés:*

De acuerdo con la ley federal hay un número significativo de población que son residentes y que no hablan inglés y son afectados por el proyecto TxCDBG, estos ciudadanos deben tener "acceso significativo" a todos los aspectos del proyecto TxCDBG . Para proporcionar "acceso significativo", receptores de la subvención pueden ser utilizados para proporcionar servicios de interpretación en las audiencias públicas o proporcionar materiales no escritos en inglés que se proporcionan de manera rutinaria en Inglés. Ejemplos de tales documentos vitales incluyen la aplicación, los procedimientos de quejas, procedimientos de queja, las respuestas a las quejas, avisos, avisos de derechos y las medidas disciplinarias, y los documentos adicionales que contienen información que es fundamental para la obtención de los servicios y/o beneficios federales, o es requerido por ley. Para obtener más información, consulte LEP.gov.

## PROCEDIMIENTOS DE QUEJA

Estos procedimientos cumplen con los requisitos del Texas › desarrollo comunitario Block Grant (TxCDBG) programa Departamento de agricultura de Texas y requisitos del Gobierno Local se encuentran en 24 CFR §5130.486 (código de regulaciones federales). Los ciudadanos pueden obtener una copia de estos procedimientos en la ciudad de Lamesa, 601 S. 1st St., Lamesa, Texas 79331 o pueden llamar a 806-872-2124, durante las horas regulares de negocio.

A continuación se presentan los procedimientos formales de quejas y quejas relativas a los servicios prestados en el marco del proyecto TxCDBG.

Una persona que tiene una queja o reclamo sobre los servicios o actividades con respecto al proyecto de TxCDBG, si es un proyecto de TxCDBG propuesto, actual o completo, puede presentar durante las horas regulares de negocio dicha denuncia o querrela, por escrito al administrador de la ciudad, en la ciudad de Lamesa, 601 S. 1<sup>st</sup> St., Lamesa, Texas 79331 o puede llamar 806-872-2124, durante las horas regulares de negocio.

1. una copia de la denuncia o queja se transmitirán por el administrador de la ciudad a la entidad que es objeto de la denuncia o querrela y el fiscal de la ciudad dentro de 5 cinco días de trabajo después de la fecha de la denuncia o queja fue recibida.
2. el administrador de la ciudad se completa una investigación de la queja o reclamo, si es posible y proporcionar una respuesta por escrito oportunamente a la persona que hizo la queja o reclamo dentro de los diez 10 días.



3. Si la investigación no puede ser completada dentro de los diez (10) días hábiles anteriormente, la persona que hizo la queja o denuncia será notificada, por escrito, dentro de los quince (15) días cuando sea posible después de la entrega de la queja original o quejas y detallará cuando se deba completar la investigación.

4. Si es necesario, la queja y una copia escrita de la investigación posterior se remitirán a la TxCDBG para su posterior revisión y comentarios.

5. Se proporcionará copias de los procedimientos de queja y las respuestas a las quejas, tanto en Inglés y Español, u otro lenguaje apropiado.

### ASISTENCIA TÉCNICA

Cuando lo solicite, la Ciudad proporcionará asistencia técnica a los grupos que son representantes de las personas de bajos y moderados ingresos en el desarrollo de propuestas para el uso de los fondos TxCDBG. La Ciudad, en base a las necesidades específicas de los residentes de la comunidad en el momento de la solicitud, deberá determinar el nivel y tipo de asistencia.

### DISPOSICIONES AUDIENCIA PÚBLICA

Para cada audiencia pública programada y llevada a cabo por la Ciudad, se observarán las disposiciones siguientes de audiencias públicas:

1. Aviso público de todas las audiencias deberá publicarse al menos setenta y dos (72) horas antes de la audiencia programada. El aviso público deberá publicarse en un periódico local. Cada aviso público debe incluir la fecha, hora, lugar y temas a considerar en la audiencia pública. Un artículo periodístico publicado también puede utilizarse para cumplir con este requisito, siempre y cuando cumpla con todos los requisitos de contenido y temporización. Los avisos también deben ser un lugar prominente en los edificios públicos y se distribuyen a las autoridades locales de vivienda pública y otros grupos interesados de la comunidad.
2. Cuando se tenga un número significativo de residentes que no hablan inglés serán una parte de la zona de servicio potencial del proyecto TxCDBG, documentos vitales como las comunicaciones deben ser publicados en el idioma predominante de estos ciudadanos que no hablan inglés.
3. Cada audiencia pública se llevará a cabo en un momento y lugar conveniente para los beneficiarios potenciales o reales e incluirá alojamiento para personas con discapacidad. Las personas con discapacidad deben poder asistir a las audiencias y la Ciudad debe hacer los arreglos para las personas que requieren ayudas o servicios auxiliares en caso de necesitarlo por lo menos dos días antes de la audiencia será pública.

4. Una audiencia pública celebrada antes de la presentación de una solicitud TxCDBG debe hacerse después de las 5:00 pm en un día de semana o en un momento conveniente en sábado o domingo.
5. Cuando un número significativo de residentes que no hablan inglés se registra para participar en una audiencia pública, un intérprete debe estar presente para dar cabida a las necesidades de los residentes que no hablan inglés.

La Ciudad deberá cumplir con los siguientes requisitos de participación ciudadana para la elaboración y presentación de una solicitud para un proyecto TxCDBG:

1. Como mínimo, la Ciudad deberá tener por lo menos un (1) audiencia pública antes de presentar la solicitud al Departamento de Agricultura de Texas.
2. La Ciudad conservará la documentación de la convocatoria(s) audiencia, un listado de las personas que asistieron a la audiencia(s) , acta de la vista(s), y cualquier otra documentación relativa a la propuesta de utilizar los fondos para tres (3) años a partir de la liquidación de la subvención para el Estado . Dichos registros se pondrán a disposición del público, de conformidad con el Capítulo 552, Código de Gobierno de Texas.
3. La audiencia pública deberá incluir una discusión con los ciudadanos como se indica en el manual correspondiente de aplicación TxCDBG, pero no se limita a, el desarrollo de las necesidades de vivienda y desarrollo comunitario, la cantidad de fondos disponibles, todas las actividades elegibles bajo el programa TxCDBG y el uso de fondos últimos contratos TxCDBG, en su caso. Los ciudadanos, con especial énfasis en las personas de bajos y moderados ingresos que son residentes de las zonas de tugurios y tizón, se fomentará a presentar sus opiniones y propuestas sobre el desarrollo de la comunidad y las necesidades de vivienda. Los ciudadanos deben ser conscientes de la ubicación en la que podrán presentar sus puntos de vista y propuestas en caso de que no pueda asistir a la audiencia pública.
4. Cuando un número significativo de residentes que no hablan inglés se registra para participar en una audiencia pública, un intérprete debe estar presente para dar cabida a las necesidades de los residentes que no hablan inglés.

La Ciudad debe cumplir con los siguientes requisitos de participación ciudadana en el caso de que la Ciudad recibe fondos del programa TxCDBG:

1. La Ciudad celebrará una audiencia pública sobre cualquier cambio sustancial, según lo determinado por TxCDBG, se propuso que se hará con el uso de fondos TxCDBG de una actividad elegible a otro utilizando de nuevo los requisitos de notificación

2. Una vez finalizado el proyecto TxCDBG, la Ciudad celebrará una audiencia pública y revisará el desempeño del programa incluyendo el uso real de los fondos TxCDBG.
3. Cuando un número significativo de residentes que no hablan inglés se puede registra para participar en una audiencia pública, ya sea para una audiencia pública sobre el cambio sustancial del proyecto TxCDBG o para la liquidación del proyecto TxCDBG, publicará un aviso en Inglés y Español u otro idioma apropiado y se proporcionará un intérprete en la audiencia para dar cabida a las necesidades de los residentes.
4. La Ciudad conservará la documentación del proyecto TxCDBG, incluyendo aviso de audiencia(s), un listado de las personas que asistieron a la audiencia(s), acta de la vista(s), y cualquier otro registro concerniente al uso real de los fondos por un período de a tres (3) años a partir de la liquidación del proyecto al estado.

Dichos registros se pondrán a disposición del público, de conformidad con el Capítulo 552, Código de Gobierno de

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Josh Stevens, Alcalde

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Fecha

MEMO

DATE: December 7, 2018  
TO: Housing Authority of Lamesa  
601 S. 1<sup>st</sup> Street  
Lamesa, TX 79331  
FROM: Kay Howard

For your information enclosed is the notice of a Public Hearing for the City of Lamesa.

**PUBLIC NOTICE**

**CITY OF LAMESA**

**TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

**The City of Lamesa will hold a public hearing at 5:30 PM on December 18th at City Hall, 601 S. 1<sup>st</sup> Street, Lamesa, Texas** in regard to the submission of an application to the Texas Department of Agriculture for a Texas Community Development Block Grant Program (TxCDBG) grant. The purpose of this meeting is to allow citizens an opportunity to discuss the citizens' participation plan, the development of local housing and community development needs, the amount of TxCDBG funding available, all eligible TxCDBG activities and the use of past TxCDBG funds. The City encourages citizens to participate in the development of this TxCDBG application and to make their views known at this public hearing. Citizens unable to attend this meeting may submit their views and proposals to Betty Conde, City Secretary at the City Hall. Persons with disabilities who wish to attend this meeting should contact City Hall for assistance. Individuals who require auxiliary aids or services for this meeting should contact City Hall at least two days before the meeting so that appropriate arrangements can be made. **For further information, contact, Betty Conde, City Secretary at the City Hall, (806) 872-2124.**

## **NOTICIA PÚBLICA**

### **CIUDAD DE LAMESA**

#### **PROGRAMA DE BECAS DE BLOQUE DE DESARROLLO COMUNITARIO DE TEXAS**

La Ciudad de Lamesa llevará a cabo una audiencia pública a las 5:30 PM el 18 de Diciembre en el Ayuntamiento, 601 S. 1st Street, Lamesa, Texas, en relación con la presentación de una solicitud al Departamento de Agricultura de Texas para un Bloque de Desarrollo Comunitario de Texas Programa de becas (TxCDBG). El propósito de esta reunión es permitir a los ciudadanos la oportunidad de hablar sobre el plan de participación de los ciudadanos, el desarrollo de las necesidades locales de vivienda y desarrollo comunitario, la cantidad de fondos TxCDBG disponibles, todas las actividades elegibles de TxCDBG y el uso de los fondos anteriores de TxCDBG. La Ciudad alienta a los ciudadanos a participar en el desarrollo de esta aplicación TxCDBG y a dar a conocer sus opiniones en esta audiencia pública. Los ciudadanos que no puedan asistir a esta reunión pueden enviar sus opiniones y propuestas a Betty Conde, secretario de la ciudad en el Ayuntamiento. Las personas con discapacidades que deseen asistir a esta reunión deben comunicarse con el Ayuntamiento para obtener ayuda. Las personas que requieran ayudas o servicios auxiliares para esta reunión deben comunicarse con el Ayuntamiento al menos dos días antes de la reunión para que se puedan hacer los arreglos apropiados. Para más información, comuníquese con Betty Conde, Secretario de la ciudad en el ayuntamiento, (806) 872-2124.

MEMO

DATE: December 7, 2018  
TO: West Texas Opportunities, Inc.  
603 N. 4th  
Lamesa, TX 79331  
FROM: Kay Howard

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**PUBLIC NOTICE**

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MEMO

DATE: December 7, 2018

TO: MHMR Dawson Mental Health Clinic  
211 N. Main Ave.  
Lamesa, TX 79331

FROM: Kay Howard

For your information enclosed is the notice of a Public Hearing for the City of Lamesa.

**PUBLIC NOTICE**

**CITY OF LAMESA**

**TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

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## **NOTICIA PÚBLICA**

### **CIUDAD DE LAMESA**

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MEMO

DATE: December 7, 2018

TO: Lamesa Primary Care Clinic  
1502 N. Ave. K  
Lamesa, TX 79331

FROM: Kay Howard

For your information enclosed is the notice of a Public Hearing for the City of Lamesa.

**PUBLIC NOTICE**

**CITY OF LAMESA**

**TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

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## **NOTICIA PÚBLICA**

### **CIUDAD DE LAMESA**

#### **PROGRAMA DE BECAS DE BLOQUE DE DESARROLLO COMUNITARIO DE TEXAS**

La Ciudad de Lamesa llevará a cabo una audiencia pública a las 5:30 PM el 18 de Diciembre en el Ayuntamiento, 601 S. 1st Street, Lamesa, Texas, en relación con la presentación de una solicitud al Departamento de Agricultura de Texas para un Bloque de Desarrollo Comunitario de Texas Programa de becas (TxCDBG). El propósito de esta reunión es permitir a los ciudadanos la oportunidad de hablar sobre el plan de participación de los ciudadanos, el desarrollo de las necesidades locales de vivienda y desarrollo comunitario, la cantidad de fondos TxCDBG disponibles, todas las actividades elegibles de TxCDBG y el uso de los fondos anteriores de TxCDBG. La Ciudad alienta a los ciudadanos a participar en el desarrollo de esta aplicación TxCDBG y a dar a conocer sus opiniones en esta audiencia pública. Los ciudadanos que no puedan asistir a esta reunión pueden enviar sus opiniones y propuestas a Betty Conde, secretario de la ciudad en el Ayuntamiento. Las personas con discapacidades que deseen asistir a esta reunión deben comunicarse con el Ayuntamiento para obtener ayuda. Las personas que requieran ayudas o servicios auxiliares para esta reunión deben comunicarse con el Ayuntamiento al menos dos días antes de la reunión para que se puedan hacer los arreglos apropiados. Para más información, comuníquese con Betty Conde, Secretario de la ciudad en el ayuntamiento, (806) 872-2124.

MEMO

DATE: December 7, 2018

TO: Dawson County Department of Health  
503 S. 1<sup>st</sup> Street  
Lamesa, TX 79331

FROM: Kay Howard

For your information enclosed is the notice of a Public Hearing for the City of Lamesa.

**PUBLIC NOTICE**

**CITY OF LAMESA**

**TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

**The City of Lamesa will hold a public hearing at 5:30 PM on December 18th at City Hall, 601 S. 1<sup>st</sup> Street, Lamesa, Texas** in regard to the submission of an application to the Texas Department of Agriculture for a Texas Community Development Block Grant Program (TxCDBG) grant. The purpose of this meeting is to allow citizens an opportunity to discuss the citizens' participation plan, the development of local housing and community development needs, the amount of TxCDBG funding available, all eligible TxCDBG activities and the use of past TxCDBG funds. The City encourages citizens to participate in the development of this TxCDBG application and to make their views known at this public hearing. Citizens unable to attend this meeting may submit their views and proposals to Betty Conde, City Secretary at the City Hall. Persons with disabilities who wish to attend this meeting should contact City Hall for assistance. Individuals who require auxiliary aids or services for this meeting should contact City Hall at least two days before the meeting so that appropriate arrangements can be made. **For further information, contact, Betty Conde, City Secretary at the City Hall, (806) 872-2124.**

## **NOTICIA PÚBLICA**

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MEMO

DATE: December 7, 2018  
TO: Medical Arts Hospital  
2200 N. Bryan Ave  
Lamesa, TX 79331  
FROM: Kay Howard

For your information enclosed is the notice of a Public Hearing for the City of Lamesa.

**PUBLIC NOTICE**

**CITY OF LAMESA**

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**City Council Agenda**  
*City of Lamesa, Texas*

**DATE OF MEETING: DECEMBER 18, 2018**

**AGENDA ITEM:7**

**SUBJECT: AWARD REDISTRICTING SERVICES CONTRACT**

PROCEEDING: Action  
SUBMITTED BY: City Staff

**SUMMARY STATEMENT**

City Council to award Redistricting Services contract. *(City Manager)*

**COUNCIL ACTION**

DISCUSSION \_\_\_\_\_

Motion by Council Member \_\_\_\_\_ to award Redistricting Services contract. Motion seconded by Council Member \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

VOTING: "AYE" \_\_\_\_\_ "NAY" \_\_\_\_\_ "ABSTAIN" \_\_\_\_\_

**CITY MANAGER'S MEMORANDUM**

**Recommend approval.**



Redistricting Services

November 13, 2018

<u>Name of Bidder</u>	<u>Bid Amount</u>
1. UNDERWOOD	\$ 22,500 <sup>00</sup>
2. ROLANDO RIOS	\$ 25,000 <sup>00</sup>
3. ALLISON, BASS & MAGEE	\$ 12,000 <sup>00</sup> - 15,000 <sup>00</sup>
4.	
5.	

October 30, 2018

Via Federal Express

Ms. Shawna D. Burkhart  
City Manager  
601 S. 1<sup>st</sup> Street  
Lamesa, Texas 79331

***RE: RFQ for Professional Services (Redistricting)***

Dear Ms. Burkhart:

This is in response to the Request for Qualification, Professional Services (Redistricting). In this regard, I am enclosing an original and seven (7) copies of the following documents:

1. Presentation for 2020 Redistricting Counsel
2. Qualifications
3. Proposed Redistricting Contract.

Our firm was the Redistricting Counsel for the City of Lamesa during the 2000 and the 2010 Redistricting Cycles; we would be honored to do it this cycle.

Thank you for your attention to this matter; my cell number is 210-413-7347 in case there are any questions concerning this matter.

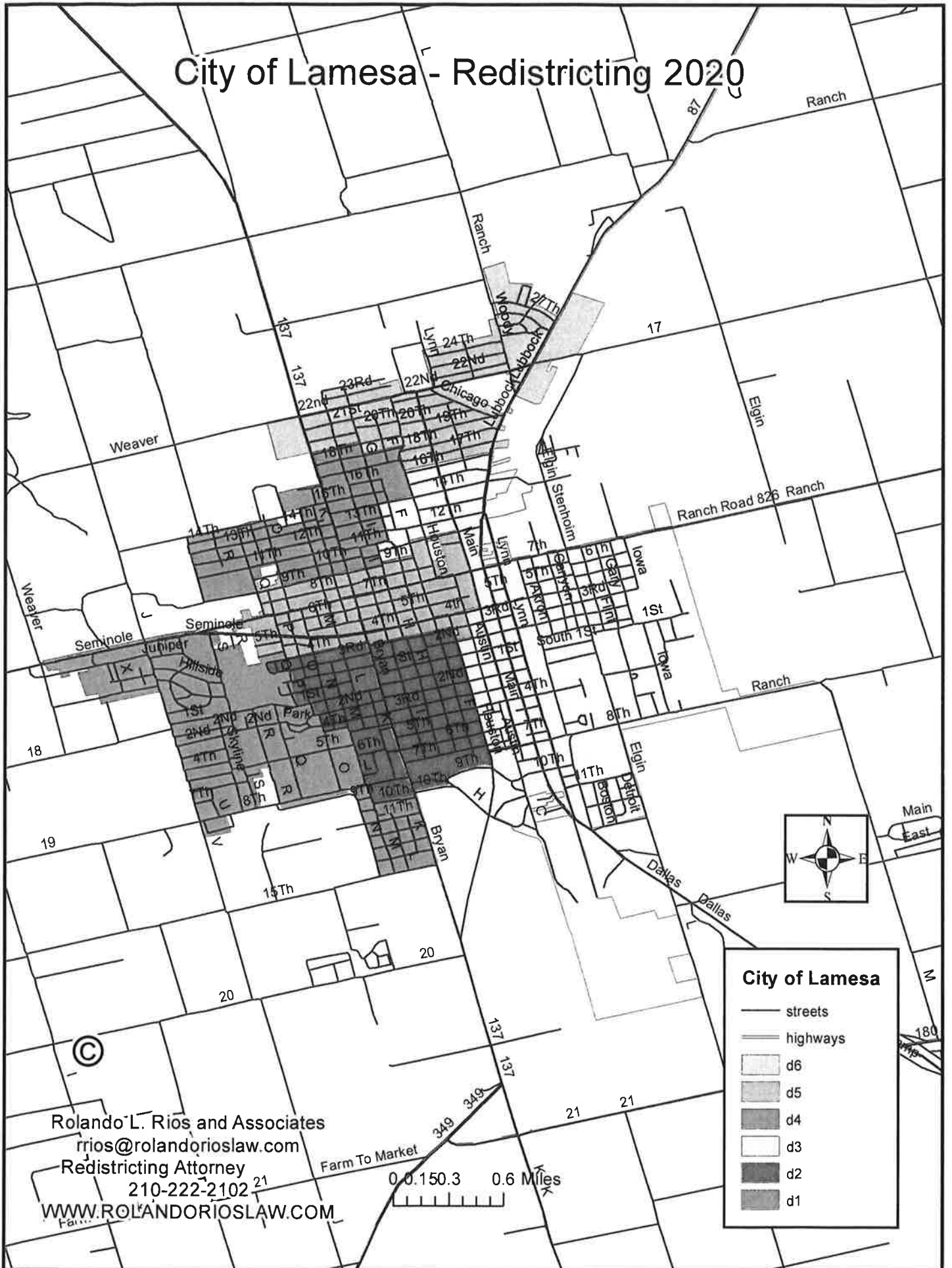
Best Regards,

**Rolando L. Rios**

Rolando L. Rios  
Attorney at Law

CC: File

# City of Lamesa - Redistricting 2020



Rolando L. Rios and Associates  
 rrios@rolandorioslaw.com  
 Redistricting Attorney  
 210-222-2102  
 WWW.ROLANDORIOSLAW.COM

**City of Lamesa**

- streets
- highways
- d6
- d5
- d4
- d3
- d2
- d1

- Redistricting is done once every 10 years
- The Rios Firm has redistricted the City of Lamesa in 2000 and 2010 and over 100 other jurisdictions.
- Why Redistrict:
  - **Because it is the law – one person one vote rule**
  - Census count determines **political power and allocation of money**
  - Texas gained 4 congressional districts in 2010
  - Other states could lose congressional districts
  - Allocation of municipal resources
  - Federal funding is based on population
    - grants for various social programs are largely allocated based on census data

# 2020 United States Census starts now!

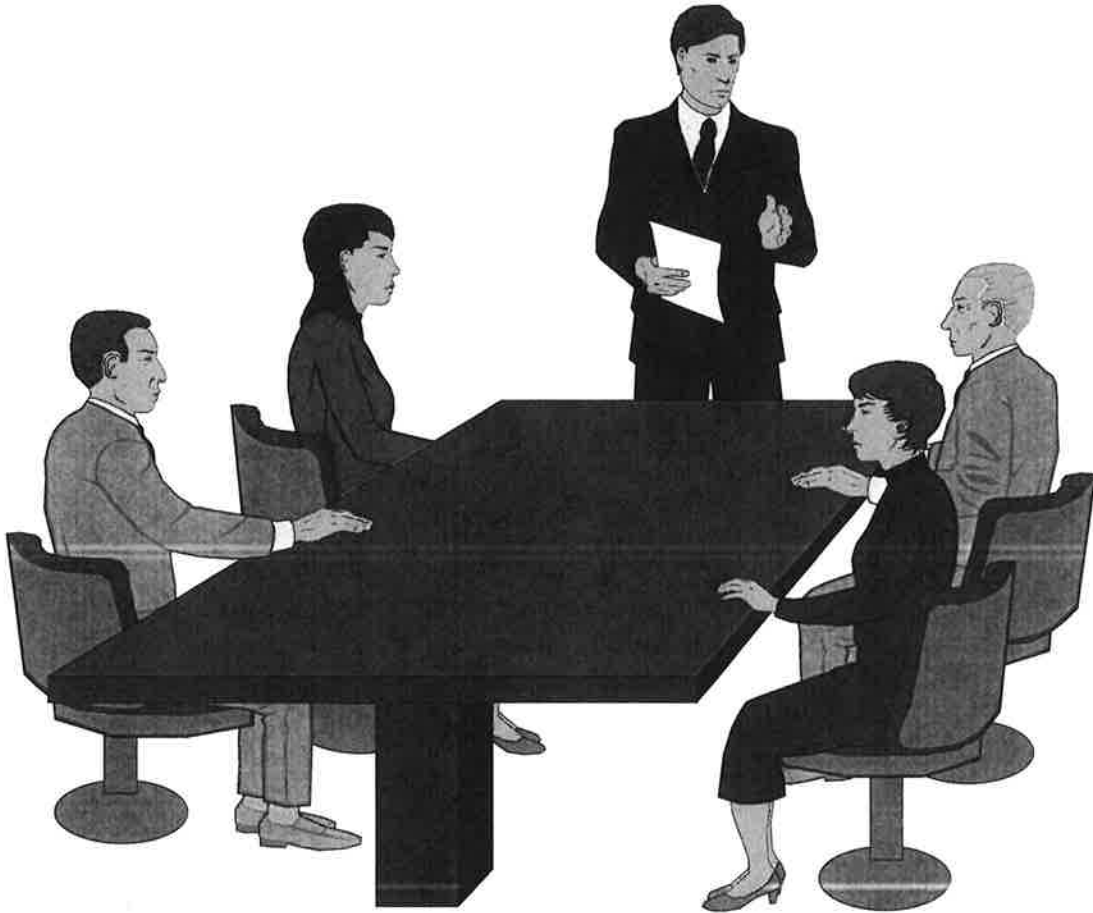
- Once every 10 years
- Counting starts 2018 with shape files and address lists being updated by the US Census Bureau

**REDISTRICTING:  
This is not the way to do it**



## **2020 Redistricting Process**

# *Rules of the game:*



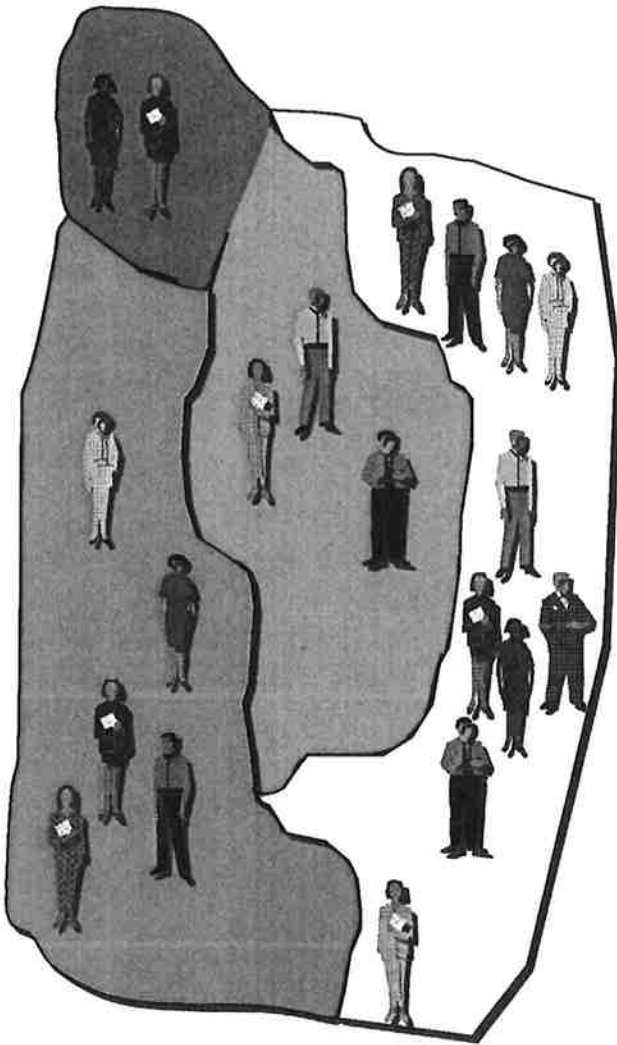
1. Equal protection clause – 14<sup>th</sup> Amendment – equal population – 10% Rule
2. Federal Voting Rights Act – Section 2 – no retrogression or discrimination against racial/ethnic minorities

# THREE STEP PROCESS

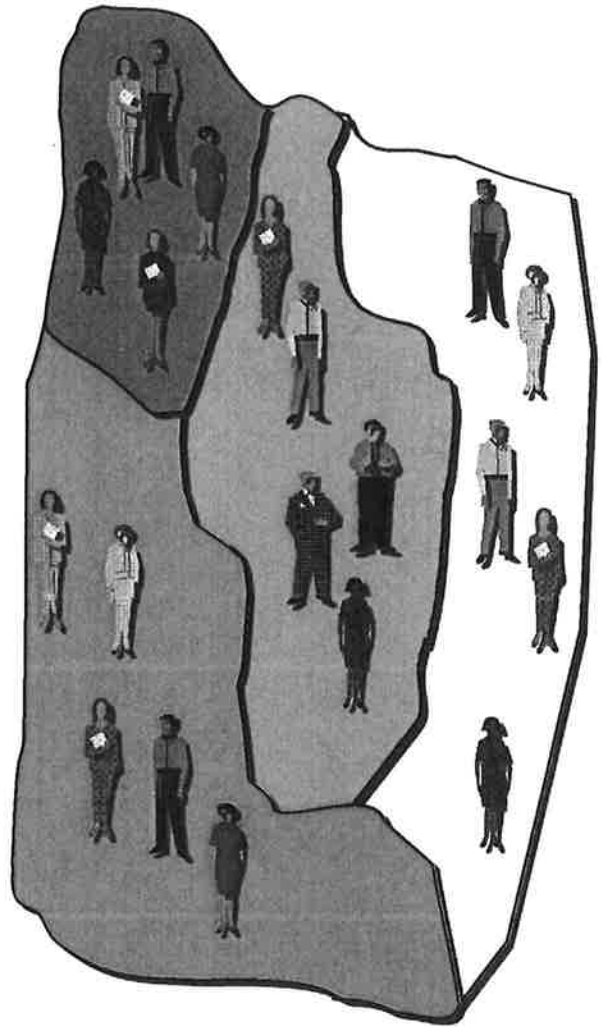
- 1. Analysis of Existing Single Member Districts using the latest census data. Consideration given to:
  - Voting precincts
  - Constable and JP Precincts
  - Commissioner Precincts
- 2. Population Estimates for each of the above based on estimated growth and plan on potential changes
- 3. Download 2020 Census Data – shape files and data by census tract, block group and block
  - Meet with elected officials and plan potential changes
  - Present plans for elected official's consideration and adoption.



wrong



correct



**ROLANDO L. RIOS AND ASSOCIATES, PLLC**

LIST OF TEXAS CLIENTS WHO RECEIVED REDISTRICTING SERVICES IN 2000 AND 2010

REDISTRICTING CYCLES

(partial list)

	<b>CITIES</b>	<b>COUNTIES</b>	<b>School / College</b>	<b>School / College</b>
1	San Antonio	Dallas	Dallas ISD	Regan ISD
2	Big Springs	Burleson	Alamo Comm. College Dist.	Riviera ISD
3	Boerne	Cameron	Amarillo Comm. College Dist.	Roscoe ISD
4	Brownsville	Crockett	Amherst ISD	Rotan ISD
5	Crosbyton	Duval	Anson ISD	San Angelo ISD
6	Dallas	Ector	Ballinger ISD	Regan ISD
7	Devine	Fannin	Big Springs ISD	Riviera ISD
8	Jourdanton	Gregg	Comal ISD	San Antonio ISD
9	Karnes	Hays	D' Hanis ISD	San Marcos ISD
10	Kenedy	Hidalgo	Dallas ISD	Seminole ISD
11	Lamesa	Irion	Dawson ISD	Somerset ISD
12	Lubbock	Kimble	Dumas ISD	Sonora ISD
13	Lytle	Kleberg	East Central ISD	South San ISD
14	Marque	LaSalle	Eden ISD	South Texas Comm. College
15	McAllen	Maverick	Fort Davis ISD	Stamford ISD
16	Midland	Newton	Sterling ISD	Stockdale ISD
17	Muleshoe	Real	Elgin ISD	San Antonio ISD
18	Natalia	Red River	George West ISD	Victoria College District
19	New Braunfels	Reeves	Goliad ISD	Victoria ISD
20	Pleasanton	Refugio	Harlandale ISD	Ysleta ISD
21	Rosenburg	Travis	Haskell Consolidation ISD	Kerrville ISD
22	San Angelo	Uvalde	Hereford ISD	United ISD
23	San Antonio	Ward	Houston Comm. College Dist.	Seguin ISD
24	San Marcos	Webb	Houston ISD	Regan ISD
25	Sterling	Willacy	Jourdanton ISD	Riviera ISD
26	Victoria	Zapata	Kenedy ISD	Roscoe ISD
27	Winters	Zavala	Lamesa ISD	Rotan ISD
28	Baytown	Terry	Lulling ISD	San Angelo ISD
29	<b>Water Districts</b>	Milam	Lytle ISD	Regan ISD
30	Edwards AA	Dimmitt	Mason ISD	Riviera ISD
31	Bexar Met	Frio	Nueces ISD	San Antonio ISD
32	County Line SUD	Pecos	Pettus ISD	San Marcos ISD
33	Uvalde Water Dist	Val Verde	Lulling ISD	Seminole ISD
34	Orange UWD	Sutton	Lytle ISD	Somerset ISD
35		Edwards	Abernathy ISD	Sonora ISD
36		Jim Wells		South San ISD
37		Bastrop		South Texas Comm. College
38				Stamford ISD
39				
40				

# ROLANDO L. RIOS & ASSOCIATES, PLLC

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## ROLANDO L. RIOS Qualifications

### Bar Admissions:

United States Supreme Court, 1988  
Western District of Texas, 1980  
Southern District of Texas, 1980  
Eastern District of Texas, 1985  
Northern District of Texas, 1985  
State of Texas, 1980

### Education:

J.D., Georgetown University, 1979  
B.A., St. Mary's University, 1968  
(Mathematics and Physics)

### Summary:

Rolando Rios has concentrated his career principally on federal and state election law, equal protection, redistricting and governmental affairs. This has involved work at all levels from small school and water districts up to a jurisdiction the size of the State of Texas. He has handled election contests, recounts and a broad range of litigation and administrative hearings at the federal and state levels.

### Presidential Appointment:

In 1995 Mr. Rios was appointed to the Presidential Commission on Gulf War Veterans' Illnesses.

### Community Service/Awards/Certificates:

Rolando Rios is a decorated and disabled Viet Nam Veteran. In 1995 he was appointed by President Clinton to serve on the Presidential Advisory Committee on Gulf War Veterans' illnesses.

The Rios Firm is state certified as minority and disabled veteran owned. (certifications available upon request)

Mexican American Legal Defense and Educational Fund (MALDEF), 1993 Legal Services Award.

League of United Latin American Citizens (LULAC), National Presidents Award.

Mexican American Bar Association (MABA), Outstanding Legal Contribution Award.

Mr. Rios has been involved in federal litigation and local governmental issues for more than twenty (25) years. He is the former General Counsel for the Southwest Voters Registration and Education Project (SWVEP). He has provided legal services to more than 250 jurisdictions in the Southwestern United States including challenging over 200 at-large election systems. (List is available)

Latest case includes the Congressional Redistricting Case *Perez v. State of Texas*, SA – 11-CV-360-OLG\_JES\_XR (2018) presently being argued before the US Supreme Court. Reported cases in which he was lead counsel include *LULAC v. Perry*, 126 S. Ct. 2594 (2006) successfully argued before the United States Supreme Court.

Other reported cases in which Mr. Rios was lead counsel include: *League of United Latin American Citizens (LULAC) v. Midland Independent School District*, 648 F. Supp. 596 (W.D. Tex. 1986); *Campos v. City of Baytown*, 840 F. 2d 1240 (5<sup>th</sup>. Cir.1988); *LULAC v. Clements*, 999 F.2d 831 (5<sup>th</sup> Cir. 1993); *Houston Lawyers' Association v. Attorney General of Texas*, 115 L. Ed. 2d 379 (1991). Because of his experience in redistricting, constitutional issues and governmental entities, he was called to testify before Congress (House and Senate) on the extension of the Federal Voting Rights Act and he has provided testimony on governmental issues in both houses of the Texas Legislature.

Adjunct Professor, University of Texas at San Antonio (UTSA), Senior Seminar on Jurisprudence

Past clients include:

- City of San Antonio
- Dallas Independent School District
- Dallas County
- Houston Independent School District
- Houston Community College District
- Alamo Community College District
- South Texas Community College District
- San Antonio Independent School District
- Hidalgo County
- Cameron County
- San Antonio Water Systems
- County Line Water Corporation
- Texas Association of Hispanic County Judges and County Commissioners

*A more extensive list is available upon request*

# ROLANDO L. RIOS & ASSOCIATES, PLLC

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## REDISTRICTING LEGAL SERVICES RETAINER AGREEMENT

This agreement is to confirm the terms of the negotiations between Rolando L. Rios & Associates, PLLC (the Firm) and **the City of Lamesa** (the Jurisdiction) for the purpose of providing redistricting services.

### I. SERVICES

1. Data assembly, including identification of existing political boundaries, voting places, residence of incumbents
2. Preparation of an initial analysis of existing political boundary demographics to determine constitutional and statutory compliance following the release of 2020 U.S. Census data.
3. Coordinate with the City Council or any appointed Citizens Committee in the formation of suitable plan or plans to achieve demographic balance between the city wards while complying with the federal Voting Rights Act of 1965.
4. Harmonize resulting city ward boundaries with Dawson County election precincts to the maximum extent practicable to avoid unnecessary duplication of scarce public resources regarding the administration of elections.
5. Prepare and assist in the presentation of one or more suitable plan or plans in public hearings that may be required by law or recommended as necessary for public information of new political boundaries and polling places.
6. Draft, provide and properly document all necessary correspondence, resolutions, decrees, orders or findings necessary to carry into effect any redistricting plan approved by the City Council of Lamesa, Texas, including the provision of both hard copy and digital files necessary for proper implementation and administration of elections subsequent to the adoption of a redistricting plan for the City of Lamesa.
7. Minimize the Undercount: Coordinate with the United States Census Bureau to ensure that the census shape files accurately reflect the city limits including all annexation. Every person in the city should be counted.
8. Early Estimate of Population Disparity: Analysis of the existing commissioner precincts to determine potential changes using census and voter registration updates. This process will take place in **2019-20**
9. Redistricting Plans: Prepare redistricting plans using the latest population data for the commissioners' consideration and selection. This process will occur as the latest population data becomes available. This will occur **2020-21**

Rolando L. Rios & Associates  
2020 Redistricting  
rrios@rolandorioslaw.com  
210-222-2102

[HTTPS://WWW.FACEBOOK.COM//ROLANDORIOSLAW](https://www.facebook.com//rolandorioslaw)

10. Federal and State Approval: Analyze plan for compliance with Section 2 of the Federal Voting Rights act and submit new shape files to the Texas Secretary of State.

**2. FEE STRUCTURE**

With a population of approximately **9,461** (latest estimate) the Jurisdiction agrees to pay **\$ 21,000.00** as total fee for redistricting services plus costs not to exceed **\$4,000.00**. Said project is to use the latest census data available. The fee will be paid as follows:

- a.) **\$ 7,000.00** retainer within 30 days of execution of this agreement;
- b.) **\$ 7,000.00** upon preparation of analysis indicating which commissioner precincts will be affected by the redistricting; should redistricting not be required by law and the City of Lamesa decides not to redistrict, **no further charges will be incurred.**
- c.) **\$ 7,000.00** upon approval of the redistricting plan adopted by **the City of Lamesa** City Council and submission to the State of Texas;
- d.) Should the jurisdiction decide to have more than one public hearing, the fee will be **\$1,000** per hearing plus costs;
- e.) Costs and expenses will be billed as incurred.

**3. SCOPE OF ATTORNEY-CLIENT RELATIONSHIP:** This Retainer Agreement establishes a limited attorney-client relationship only between the Firm and the Jurisdiction. The relationship exists only as to the services described above. The Retainer Agreement does not impose any duty upon the Firm to provide advice or work to the Jurisdiction regarding legal matters absent a request for such advice or work from the Jurisdiction regarding legal matters. If a lawsuit or other adversarial matter is brought against the Jurisdiction and/or any elected official or employee of the Jurisdiction, the Firm may require the execution of one or more separate Letters of Engagement prior to undertaking an attorney-client relationship in the matter. Fees for any engagement for services described in paragraph 3 will be also fixed at \$195 per hour for attorney time and \$75 per hour for paralegal fees.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**ROLANDO L. RIOS & Associates, PLLC**

**City of Lamesa**

by: \_\_\_\_\_  
Rolando L. Rios  
Title: Owner

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

# UNDERWOOD

**LUBBOCK OFFICE**  
1111 West Loop 289  
Lubbock, TX 79416  
Telephone: (806) 793-1711  
[Matthew.Wade@uwlaw.com](mailto:Matthew.Wade@uwlaw.com)

[WWW.UWLAW.COM](http://WWW.UWLAW.COM)

**AMARILLO OFFICE**  
500 S. Taylor Suite 1200  
Amarillo, TX 79101  
Telephone: (806) 376-5613  
[Slater.Elza@uwlaw.com](mailto:Slater.Elza@uwlaw.com)

**PAMPA OFFICE**  
120 W. Kingsmill Ave. #505  
Pampa, TX 79065  
Telephone: (806) 669-6851  
[Bryan.Guymon@uwlaw.com](mailto:Bryan.Guymon@uwlaw.com)

**FORT WORTH OFFICE**  
1008 Macon Street, Suite 101  
Fort Worth, TX 76102  
Telephone: (817) 885-7529

November 9, 2018

City of Lamesa  
Attention: City Secretary's Office  
601 South First Street  
Lamesa, Texas 79331

**RE: Qualification Statement and Proposal of the Underwood Law Firm for the Professional Services, City RFQ- Professional Services (Redistricting)**

Thank you for giving the Underwood Law Firm the opportunity to submit this proposal to the City of Lamesa. Please find below Underwood Law Firm's response to your Request for Proposal for Professional Services (Redistricting) for the City of Lamesa.

Underwood Law Firm, P.C., has been providing legal services to the people of Texas since 1912. With a solid foundation in the longstanding traditions of excellence and commitment to the highest ethical standards, Underwood is a respected legal provider in the region and the state. We enjoy the confidence of some of the largest employers in the South Plains and Texas Panhandle and the respect of distinguished firms and leaders throughout Texas.

Underwood Law Firm's timeless values and standards will continue to be the benchmark by which we measure our success: integrity in all things, service to our community, and a keen responsibility to our clients and colleagues. We believe that our experience representing municipalities, economic development corporations, school districts and numerous other local governmental entities throughout the Texas Panhandle, South Plains and West Texas would provide a significant benefit to the City of Lamesa.

**I. Legal Services Provided/Redistricting Experience**

The Underwood Law Firm acts as the general counsel for a large number of school districts and municipalities throughout the Panhandle, South Plains and West Texas areas. In 2011, Underwood Law Firm represented 23 clients in their redistricting projects, including the following cities and school districts:

- City of Littlefield
- City of Muleshoe
- City of Post
- Big Spring ISD
- Crosbyton ISD
- Dimmitt ISD
- Floydada ISD
- Hereford ISD
- Kress ISD
- Lamesa ISD
- Levelland ISD
- Littlefield ISD
- Lockney ISD
- Lorenzo ISD
- Plains ISD
- Plainview ISD
- Ralls ISD
- Reagan County ISD
- Slaton ISD
- Spur ISD
- Stanton ISD
- Tahoka ISD
- Tulia ISD

This effort was overseen by Ann Manning, a Shareholder in the Lubbock Office, and was accomplished with the assistance of David Backus, Slater Elza and numerous other Underwood Law Firm attorneys and staff.

## **II. Services Provided**

The services provided include working with the client from the very beginning stages to finalizing the proposal and submission to the Department of Justice. These efforts include gathering initial information from the client, working with the demographer in collating and reviewing information, and meeting with City Council members and client contacts to discuss options and finalize the proposal to the Department of Justice. Underwood Law Firm would be responsible for drafting all documents required by the client for presentation at Council meetings for discussion with the public. Underwood Law Firm would maintain constant contact with the client throughout the entire project and be readily available to answer questions and discuss concerns.

Underwood would seek to work with Matthew Crawford, GISP, as the demographer. His contact information is as follows:

Matthew Crawford, GISP  
 Geospatial Specialist  
[matthewallancrawford@gmail.com](mailto:matthewallancrawford@gmail.com)

## **III. Proposed Underwood Team**

Attached hereto are the résumés and/or biographies for each attorney for the proposed legal team that would be working with the City of Lamesa.



#### **IV. Accessibility and Responsiveness/Office Locations**

Because Underwood is comprised of a large number of attorneys who provide a broad spectrum of legal services, the Firm prides itself on its ability to provide legal services in a timely manner and on short notice. The age of technology allows our attorneys and their support personnel to be available by cell phone or e-mail at any time should an emergency arise or if someone with the city just has a question that needs to be answered. If, for some reason, the appointed legal counsel cannot be reached, the city can be assured that one of the other Underwood attorneys will be able to assist with any legal issue.

Ann Manning, David Backus and Matt Wade office in Lubbock at 1111 West Loop 289. These offices are located in the Region 17 ESC building just north of 19<sup>th</sup> Street and West Loop 289. Due to the location of this office, normal drive time to Lamesa is approximately one and the Lubbock attorneys would need approximately 2 1/2 hours lead time to attend an ad hoc meeting (subject to any previously scheduled meetings or engagements).

In the event the designated lead counsel cannot make a meeting in Lamesa, any of the other attorneys are completely capable of attending with enough lead time (about 4 ½ hours for the Amarillo attorneys). As evidenced by the client lists previously mentioned, it is very common for the Firm's attorneys to travel all over the South Plains, West Texas and Panhandle region to attend council meetings and meet the client's needs.

#### **V. Communications with the Client**

In providing the legal services outlined in this proposal, we prefer to communicate with our clients by live interactive communication. Communicating in-person or by telephone is the most effective way of responding and understanding the client's concerns. Of course, we routinely use e-mail communication if the client prefers. When asked, communication can be by way of progress reports on ongoing contract negotiations or by a written legal opinion. Basically, the attorneys would communicate with the city in a manner in which the city desires at any given time. The Firm believes that an attorney's role is one to advise when the city wishes to be advised and to stay silent on matters that are not legal issues. With our vast experience with the Open Meetings Act, we would be in a position to help the city assure that its actions comply with the Act and that all agendas and meetings are in compliance.

Of course, all of the offices and attorneys have the capability to communicate by e-mail, telephone (land line) and cell phone. Additionally, the offices in Lubbock and Amarillo have video conference capabilities as well.

#### **VI. Proposed Fee Structure**

In 2011, the average time spent for each client was approximately 90 hours. The Firm's hourly rates would be \$250 for shareholders and \$200 for associates, which would result in an average cost of \$20,000 per client for legal services. In addition to legal fees, there would be expenses of approximately \$2,500 which would cover the cost of demographer services and other expenses, including copying and maps.

## **VII. The Underwood Law Firm – Expertise in Representing Municipalities**

Guiding city officials and staff through the complex legal and business issues facing smaller towns, larger cities and everything in between is the primary responsibility of Underwood's Municipal Law Group. This experienced group serves as city attorney for a number of communities across the South Plains, the Panhandle and West Texas.

Underwood's Municipal Law Group provides communities with high quality, responsive, and efficient legal services. While the Group is happy to designate a lead attorney for the benefit of the client, the Group uses a team approach that allows multiple tasks to be handled simultaneously and a municipal attorney to always be available to assist clients when emergencies inevitably arise. Members within the Municipal Law Group work closely with one another and with the Firm's other areas of practice, such as the Litigation, General Business, Real Estate, and Public Finance Groups, to meet the needs of our clients.

For several years Underwood's Municipal Law Group has hosted and presented a municipal law seminar made available not only to our municipal clients but to any city in the Panhandle, South Plains or West Texas regions. Additionally, members of the Group have spoken at and provided presentations to the Texas Municipal League, the Texas City Attorneys Association, the Texas Municipal Clerk's Association and the Texas Public Power Association.

Underwood's Municipal Law Group consists of Slater Elza, Matt Wade, and Bryan Guymon. The Underwood Law Firm currently serves as the city attorney or regularly works with the following municipalities:

- City of Amarillo
- City of Amherst
- City of Bovina
- City of Clarendon
- City of Crosbyton
- City of Dickens
- City of Dimmitt
- City of Earth
- City of Friona
- City of Levelland
- City of Littlefield
- City of Lubbock
- City of Morton
- City of Muleshoe
- City of Petersburg
- City of Plainview
- City of Post
- City of Ralls
- City of Snyder
- City of Sudan
- City of Tye
- City of Wellman
- City of Wheeler
- City of Whiteface

We routinely work with other cities on an as needed basis.

As outlined above, the Municipal Law Group regularly advises municipal clients in all areas of municipal practice including areas such as annexation, zoning, and eminent domain/condemnation; land use and development; construction projects; contracts and inter-local

agreements; economic development; municipal court prosecution and operations; ordinance drafting; employment matters; compliance with open meeting and open record laws; elections; water, sewer, wastewater, and electric utilities; franchises; general litigation; and ethics.

## CONCLUSION

Underwood Law Firm would like to thank the City of Lamesa for allowing us to submit this response to your Request for Qualifications. We believe that our experience representing various cities and other local governmental entities throughout the Texas Panhandle and South Plains would provide a significant benefit to the City of Lamesa.

Please do not hesitate to contact any member of the Underwood Team if you have questions and you are encouraged to visit our website for more information.

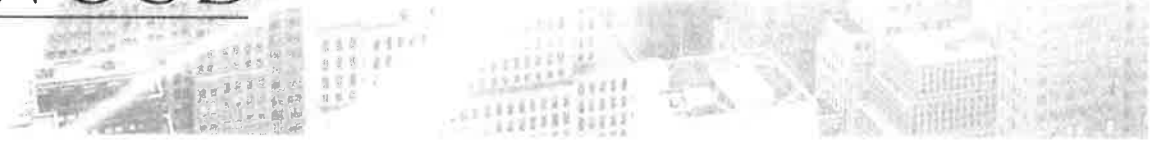
The Underwood Law Firm

A handwritten signature in cursive script that reads "Matthew L. Wade".

Matthew L. Wade

*Enclosures: Résumés/Biographies*

# UNDERWOOD



## Ann Manning

Shareholder

### Profile

Ann Manning is the managing shareholder of the Underwood Law Firm's Lubbock office. She is Board Certified in Labor and Employment Law by the Texas Board of Legal Specialization. Her primary concentration is in education, employment and health law including civil litigation in these areas. She has been the president of the Texas Council of School Attorneys and was on the Board of Directors of the School Law Section of the Texas State Bar.

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Texas, 79416

### Practice Areas

- Employment
- Healthcare
- Litigation
- Municipal
- Public Education

### Bar/Court Admissions

- State Bar of Texas, 1984
- U.S. District Court, Northern, Western, Eastern and Southern Districts of Texas

- U.S. Court of Appeals, Fifth Circuit Court
- U.S. Supreme Court

## Education

- Texas Tech University School of Law
  - J.D., 1984, Associate Editor – Law Review
- Texas Tech University
  - BS., Bachelor of Science in Education, 1970

## Affiliations

- Texas Council of School Attorneys, Chairperson, 1995-1996, First Vice Chairperson and President Elect, 1994-1995, Second Vice Chairperson, 1993-1994, Board of Directors, 1991-1997
- National Association of School Attorneys
- State Bar of Texas, Member, School Law Section, Board of Directors, 2004 – 2007, Member, Labor and Employment Law Section
- Lubbock Area Bar Association
- Texas Judicial Council, Governor’s Appointment, 1999 – 2007
- TEA Certified Provider of Continuing Education for School Boards
- TEA Certified Provider of Continuing Professional Education for Educators
- Selected to the “Texas Super Lawyers” list 2012-2017 for School and Education-law
- Designated as “Top Attorney in Texas,” Texas Monthly 2013 for Labor and Employment Law
- Designated as “Top Rated Lawyer” for Labor and Employment Law 2015, “Top Rated Lawyer” for Texas Women Leaders 2015, and “America’s Most Honored Professionals, “Top 10%” 2015 by Martindale Hubbell



# UNDERWOOD



## David Backus

Shareholder

### Profile

David Backus' practice is comprised chiefly of public school and regional education service center education law. Prior to assuming his duties with the Underwood Law Firm, David served as general counsel for the Region 17 Education Service Center in Lubbock, senior attorney for the Texas Association of School Boards' Legal Services Division in Austin, and staff counsel and lobbyist for the Texas Association of School Administrators in Austin. He is chair of the Board of Directors of the Texas Council of School Attorneys and a past editorial board member of the Texas School Administrators Legal Digest. When he is not advising or defending school districts and education service centers, David is assisting families to finalize the legal portion of their adoption process. An adoptive father of four, he considers this a special part of his practice. David was privileged to serve his country for ten years as an officer in the United States Marine Corps.

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### Practice Areas

- Public Education
- Construction
- Employment

## Bar/Court Admissions

- State Bar of Texas, 1988
- United States District Court, Northern District of Texas
- United States Court of Appeals, Fifth Circuit

## Education

- Texas Tech University School of Law
  - J.D., 1988
- Southwestern University
  - B.A., 1985

## Affiliations

- Texas Association of School Boards, Council of School Attorneys chair
- Texas Association of School Boards, Legal Assistance Fund, Board Member
- State Bar of Texas, Council of School Law Attorneys, Vice-Chair
- State Bar of Texas School Law Section, Member
- Texas Bar Foundation, Fellow
- TEA Certified provider of Continuing Education for School Boards
- TEA Certified Provider of Continuing Professional Education for Educators
- Legal Assistance Fund, Board Member
- Council of School Attorneys, Chair

## Military Service

- United States Marine Corps
  - 1985-1994

# UNDERWOOD



## Matthew L. Wade

Shareholder

### Profile

Matt Wade is a Lubbock native and began his legal career in 1995 by joining the law firm of Olson & Olson in Houston, Texas as an associate. While an associate at Olson & Olson, Matt primarily focused on municipal law, representing a number of cities in the Houston area. In 1997, Matt returned to his home town of Lubbock, accepting a position of assistant city attorney with the City of Lubbock. Except for a short time as an assistant district attorney with the Lubbock County Criminal District Attorney's office, Matt's legal career has centered on representing municipalities and other governmental entities both as in-house and outside legal counsel. Matt has represented and advised governmental entities in everything from eminent domain matters, civil rights litigation, drafting ordinances, utility matters and on open records and open meetings matters. In 2004, after the City of Lubbock's Charter was amended, Matt was hired as the general counsel for the City of Lubbock's municipally owned electric utility, Lubbock Power & Light representing LP&L in all legal matters affecting the municipal utility. Matt held this position until he left in 2013 when he re-entered private law practice.

Matt is a former president of the Lubbock County Young Lawyers Association and currently

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serves as a director with the Lubbock Area Bar Association.

## Practice Areas

- Business and Corporate
- Litigation
- Municipal

## Bar/Court Admissions

- State Bar of Texas, 1995
- U.S. Court of Appeals, Fifth Circuit
- U.S. District Court, Northern and Southern Districts of Texas

## Education

- Texas Tech University School of Law
  - J.D., 1995
- Texas A&M University
  - B.A., 1992

## Affiliations

- Texas City Attorneys Association
- Texas Bar Foundation, Fellow
- Texas Aggie Bar Foundation
- Executive Board for the South Plains Council of the Boy Scouts of America
- Lubbock Area Bar Association, Secretary
- South Plains Council of Boy Scouts, 2017 President

## Publications

### Publications

- "So you want to Demolish that Substandard Building?" – Underwood Law Firm Municipal Law Seminar, Lubbock, Texas, May 20, 2015
- "Legislative Updates: New Texas Law affecting Municipalities"- Underwood Law Firm Municipal Law Seminar, Lubbock, Texas, May 20, 2015
- "City Council Governance Training", Texas Municipal Clerks Association, Lubbock, Texas, June 15, 2016
- "New Light from Multiple Sources- NLRB, U.S. Supreme Court, Texas Supreme Court and

Fifth Circuit Court of Appeals"- Underwood Law Firm Employment Law Seminar, Lubbock, Texas, September 15, 2016

- "Annexation- What are the Options?"- Underwood Law Firm Municipal Law Seminar, Lubbock, Texas, April 7, 2017
- "Zoning-Lessons Learned"- Underwood Law Firm Municipal Law Seminar, Lubbock, Texas, April 7, 2017

# UNDERWOOD



## Slater Elza

Shareholder

### Profile

Slater Elza's practice focuses on representing governmental entities, including municipalities, economic development corporations, independent school districts, and hospital districts. Slater serves as general counsel to many municipalities in West Texas and the Texas Panhandle. He also maintains a civil litigation practice, representing businesses and employers throughout the Texas Panhandle and South Plains. As a litigator, Slater has tried over 125 matters through verdict in state court, federal court and arbitrations.

Slater's non-governmental clients include an international producer and marketer of food, agricultural products and services, various nationally recognized insurance companies, and many other regional employers and businesses. Understanding his clients is very important to Slater as he considers himself more than legal counsel – he solves problems. In addition, Slater has on several occasions offered clients alternative billing solutions to ease the burden of paying large legal fees.

He serves as a Vice President of Publications for the Texas Association of Defense Counsel, a

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79105

statewide organization of personal injury defense, civil trial and commercial litigation attorneys, and is a former treasurer and current director for the Amarillo Area Bar Association. He was recently elected as a board member for the Texas City Attorneys Association and is a former regional chairman for the Texas Supreme Court's Committee on the Unauthorized Practice of Law. Slater has previously been named a "Texas Rising Star" by Texas Lawyer in 2005 – 2011.

## Practice Areas

- Litigation
- Municipal
- Public Education

## Bar/Court Admissions

- State Bar of Texas, 1997
- U.S. Court of Appeals, Fifth Circuit
- U.S. District Court, Northern District of Texas

## Education

- Texas Tech University School of Law
  - J.D., 1997; Phi Delta Phi, honorary academic fraternity
- Texas Tech University
  - B.S., 1993, with honors

## Affiliations

- Texas Association of Defense Counsel, Executive Secretary
- Texas City Attorney's Association, Board of Directors
- March of Dimes, Amarillo Council President; Member of West Texas Regional Market Board
- Amarillo Community Center, Past President
- Defense Research Institute (DRI) – Governmental Liability Committee and School and Education Law Committee
- Texas Municipal League Legislative Committee on Utilities and Transportation; 2016 – Present

RATED BY  
**Super Lawyers**  
Slater C. Elza

# UNDERWOOD



## Bryan Guymon

Shareholder

### Profile

Bryan J. Guymon was born in Sitka, Alaska, grew up in Providence, Utah, and moved to Texas as fast as he could. He completed his undergraduate work at Utah State University, where he graduated cum laude with Bachelor of Art degrees in History and International Studies with a minor in Russian. In 2006, Bryan and his family moved to Lubbock, Texas to attend Texas Tech University School of Law where he graduated cum laude with his Doctor of Jurisprudence and Master of Science in Personal Financial Planning degrees. After graduation, Bryan and his family moved to Pampa, Texas to join the Underwood office in Pampa. He is thrilled to be living and working in the Texas Panhandle.

Bryan enjoys golfing, fly fishing, camping and especially spending time with his wife Janelle and five children, Joshua, Grace, Hannah, Henry, and Jeremiah.

In addition to his focus areas of municipal law and immigration law, being in the Pampa office with Ken Fields allows Bryan the opportunity to focus on municipal law and immigration law as well as to maintain a broad-based general practice of law.

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## Practice Areas

- Municipal
- Family
- Immigration

## Bar/Court Admissions

- State Bar of Texas, 2009

## Education

- Texas Tech University School of Law
  - J.D., cum laude, 2009
- Texas Tech University Graduate School
  - M.S., Personal Financial Planning, cum laude, 2009
- Utah State University
  - B.A., History and International Studies, Minor in Russian, cum laude, 2006

## Affiliations

- American Immigration Lawyers Association
- Fellow of the Texas Bar Foundation - 2016-2017
- Pampa Lions Club, President
- Greater Pampa Area Chamber of Commerce Goldcoats
- Fairview Cemetery Association, Board Member
- Pampa Youth & Community Center, Board Member
- Clarendon College Pampa Center Foundation, Board member
- Texas Tech University School of Law
  - Texas Bank Lawyer-Editorial Board
  - Certificate of Excellence in Legal Research
  - Estate Planning & Community Property Law Journal Vol. 1-Comment Editor
  - Immigration Law Students Association-Founder

## Experience

- Over seven years as a licensed attorney.
- Assisted three municipalities through the charter amendment process, with all proposed amendments having been approved by voters.
- Successfully helped clients obtain employed-based and family-based immigration benefits.

## Publications

- “Working I-9 to 5: Ensuring a Legal Workforce” – Underwood Law Firm Employment Law Seminar, Amarillo, Texas - May 6, 2014
- “Dangerous Buildings after Stewart v. City of Dallas” – Underwood Law Firm, Municipal Law Seminar, Garden & Arts Center, Lubbock, Texas, September 5, 2012
- Texas Municipal Clerks Association (“TMCA”) South Plains Chapter Meeting., October 26, 2011
- Basics of Estate Planning, Accolade Homecare and Hospice: Parkinson’s Support Group, Pampa, Texas, July 14, 2011
- I-9 Compliance and Audits for Employers, Hereford Economic Development Corporation and Deaf Smith County Chamber of Commerce Lunch and Learn Series, May 3, 2011

## Publications

- Drafting a Peddler/Itinerant Merchant Ordinance; Co-author with Slater Elza and Audie Sciumbato, presented by Slater Elza at the 2012 Texas City Attorneys Association’s annual conference, Corpus Christi, Texas (June 6 – June 8), available at <http://www.texascityattorneys.org/2012speakerpapers/summerconference/DraftingAPeddler-ItinerantMerchantOrdinance.pdf>
- Nuisances: Code Enforcement, Co-author with Slater Elza and Alicia Currin-Moore, presented by Slater Elza at the 2010 Texas City Attorneys Association’s annual conference, Corpus Christi, Texas (June 9 – June 11), *available at* <http://www.texascityattorneys.org/2010speakerpapers/NuisanceEnforcement.pdf>
- Immigration Law: 2008 and 2009 Fifth Circuit Case Law, Charles A. Mallard, Nicholas Nevarez, Jr., and Bryan J. Guymon, 42 Texas Tech Law Review 791, Spring 2010.
- Arturo Torres and Bryan J. Guymon, *The Bar Examination and Admission to the Bar: An Annotated Bibliography of Articles, 1998-2007*, 77 Bar Examiner 23 (No. 1, February 2008)
- The Fundamentals Of Texas Estate Planning
- Choosing The Right Law Firm to Represent Your Municipality
- 2018 Municipal Law Seminar
- USCIS Expects Hike in H-2B Petitions in Second Half of 2018 Fiscal Year
- President Trump's to increase the number of Form I-9 audits in 2018
- New Hotel Tax Reporting Requirement
- Mandatory Eminent Domain Reporting
- Pampa Attorney Elected Fellow by the Texas Bar Foundation
- 2017 Municipal Law Seminar
- Successful Seminar for City Officials
- New Shareholders – Bryan Guymon and Jennie Knapp
- Pampa's Up & Coming - Bryan J. Guymon
- 2014 Municipal Law Seminar
- Immigration Update - H-1B Filing Deadline Fast Approaching
- Updated Form I-9, Employment Eligibility Verification



- Bryan Guymon to Present at Pampa Chamber of Commerce Meeting
- Tax Law Seminar - Pampa, Texas
- Underwood Attorneys and Staff Honored by Legal Aid of Northwest Texas
- 2012 Friona Cheeseburger Festival
- Bryan Guymon Attends the Stewart Case Workshop Presented by the Texas Municipal League
- Underwood Attorneys Help Host Texas Municipal League Meeting
- E-Verify Self-Check is Now Available Nationwide
- Underwood Attorneys Present at TMCA South Plains Chapter Meeting
- USCIS Proposes Significant Improvements to EB-5 Visa Processing
- USCIS Introduces New "I-9 Central" Website
- DREAM Act Reintroduced into U.S. Senate
- Multiple-Party Accounts Basics: Payable on Death Accounts

# UNDERWOOD



## Fred Stormer

Shareholder

### Profile

Fred Stormer is the chair of the Public Education Law Section of the Underwood Law Firm. He serves as general counsel for a number of West Texas independent school districts and also works with community colleges. Fred advises clients on employment law matters, elections, procurement, federal and state civil rights, construction issues and public finance. He earned his Bachelor of Science degree from Texas Tech and was an adult probation officer in Lubbock for six years before returning to Texas Tech for law school. Fred is the immediate past Chair of the Executive Committee for the School Law Section of the State Bar of Texas and is an active member of the Council of School Attorneys and the Texas Association of Community College Attorneys. He is a frequent presenter on general public education law issues at state and regional levels, and is a TEA certified provider of continuing education training for school boards.

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P.O. Box 9158, Amarillo, Texas,  
79105

### Practice Areas

- Construction
- Public Education

- Litigation
- Public Finance
- Renewable Energy
- Chapter 313 Texas Economic Development Act Agreements

## Bar/Court Admissions

- State Bar of Texas, 1999
- U.S. District Court, Northern District of Texas, 1999

## Education

- Texas Tech University School of Law
  - J.D., summa cum laude, Order of the Coif, 1999
- Texas Tech University
  - B.S., cum laude, 1990

## Affiliations

- NSBA Council of School Attorneys
- Texas Council of School Attorneys, Board of Directors 2007 and 2008
- Texas Association of Community College Attorneys, Planning Committee Member 2011-present
- Texas Bar Foundation
- Named "Texas Rising Star" by Texas Lawyer, 2006 and 2007
- State Bar of Texas, School Law Section, Chair, 2016-present, and Member of Executive Committee, 2009 – present
- TEA Certified Provider of Continuing Education for School Boards
- TEA Certified Provider of Continuing Professional Education for Educators
- University of Texas School Law CLE Planning Board



**ALLISON, BASS & MAGEE, L.L.P.**

*Attorneys at Law*

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**RESPONSE TO RFQ FOR**  
**REDISTRICTING SERVICES FOR CITY OF LAMESA, TEXAS**

Introduction:

Allison, Bass & Magee, LLP is a full-service law firm with offices in Austin, Texas. However, our clients are counties, cities, school districts and special districts (hospital, water, etc.) statewide. In the area of local redistricting, there is perhaps no other Texas law firm with more experience than Allison, Bass & Magee. Over the last five decades, lawyers of this firm have been involved in perhaps more local level redistricting efforts than any other lawyers in the state of Texas.

Over the years, lawyers in the firm have represented hundreds of local jurisdictions through the complex thicket of redistricting, including Dawson County. A current firm resume is attached for reference.

1. Key Personnel:

James P. Allison, our founder, served on the staff of then State Senator Barbara Jordan when Texas was brought under the requirements of the Civil Rights Act, and was involved in the redistricting of the State of Texas at that time.

Robert T. Bass, our senior partner, was involved in extensive litigation in defense of Texas counties in the Texas panhandle in 1978, as reflected in the case of *Posada v. Lamb County*, 716 F.2d 1066 (5<sup>th</sup> Cir. 1983), and has managed the firm's redistricting efforts from 1990 to the present.

Mr. Allison and Mr. Bass were involved in the 1990 State redistricting effort. See *Terrazas v. State*, 789 F.Supp. 828 (W.D. Tex. 1992). Mr. Bass has supervised redistricting efforts of the firm for local governments in 1990, when the firm represented approximately 36 counties in their redistricting, in 2000 when the number of counties increased to approximately 54 governmental entities, and 2010, when the total number of redistricting clients topped 130 separate entities.

J. Eric Magee was personally responsible for redistricting 31 Texas counties in the 2010 redistricting cycle.

2. Former Clients:

In 2010, the following counties, cities, school districts or other special districts were represented by Allison, Bass & Magee in redistricting efforts:

Anderson County, Angelina County, Aransas County, Armstrong County, Austin County, Blanco County, Borden County, Bowie County, Brady ISD, Burleson County, Burnet County,

Castro County, Chambers County, Cherokee County, City of Alpine, City of Beeville, City of Big Spring, City of Brownfield, City of Burkburnett, City of Floydada, City of Gilmer, City of McCamey, City of Palestine, City of Paris, City of Stamford, City of Sterling City, City of Tulia, City of Victoria, City of Wichita Falls, Cochran County, Coke County, Coleman County, Collingsworth County, Colorado County, Comanche County, Concho County, Cottle County, Crane County, Culberson County, Dawson County, DeWitt County, Dickens County, Donley County, Eastland County, Edwards County, Fannin County, Floyd County, DAWSON County, Gaines County, Garza County, Glasscock County, Guadalupe County, Guadalupe County Groundwater District, Hale County, Hall County, Hardeman County, Hardin County, Harley County, Hemphill County, Henderson County, Hockley County, Hood County, Houston County, Howard County, Hunt County, Irion County, Jack County, Jeff Davis County, Jefferson County, Jim Wells County, Jones County, King County, Kinney County, Knox County, Lamar County, Lampasas County, Lee County, Leon County, Limestone County, Lipscomb County, Madison County, Marion County, Martin County, Mason County, Matagorda County, McCulloch County, Medina County, Mills County, Montague County, Moore County, Morris County, Newton County, Oldham County, Paris ISD, Pecan Valley Water District, Polk County, Presidio County, Rains County, Real County, Refugio County, Rocksprings ISD, Rockwall County, Sabine County, San Patricio County, Scurry County, Shelby County, Sherman County, Stephens County, Sterling City ISD, Sterling County, Terrell County ISD, Terrell County, Terry County, Texarkana College, Titus County, Tom Green County, Trinity Bay Conservation District, Upshur County, Van Zandt County, Victoria County, Victoria College, City of Victoria, Washington County, Wheeler County, Wichita Falls ISD, City of Wichita Falls, Wichita County, Wise County, Wood County, Yoakum County, and Young County.

Feel free to Contact any of these entities, but the following are perhaps the most applicable:

Anderson County. 2000 and 2010. Robert Johnston at [rjohnston@co.anderson.tx.us](mailto:rjohnston@co.anderson.tx.us)

Burnet County. 2000 and 2010. County Judge James Oakley at [countyjudge@burnetcountytexas.org](mailto:countyjudge@burnetcountytexas.org).

Chambers County. 2000 and 2010. County Judge Jimmy Sylvia at [jsylvia@co.chambers.tx.us](mailto:jsylvia@co.chambers.tx.us) and County Clerk, Heather Hawthorne, [hhawthorne@co.chambers.tx.us](mailto:hhawthorne@co.chambers.tx.us)

City of Big Spring. 2010. Todd Darden, City Manager: [tdarden@mybigspring.com](mailto:tdarden@mybigspring.com)

City of Paris. 2000 and 2010. John Godwin, City Manager: [jgodwin@paristexas.gov](mailto:jgodwin@paristexas.gov)

City of Victoria. 2010. Charmelle Garrett, City Manager: [citymanager@victoriatx.org](mailto:citymanager@victoriatx.org)

City of Wichita Falls. 2010. Darron Leiker, City Manager: [Darron.leiker@wichitafallstx.gov](mailto:Darron.leiker@wichitafallstx.gov)

### 3. Redistricting Technology:

In 2020, the firm will once again use products by ESRI, specifically the newly released ARCPPro software and the redistricting application, AutoBound. We used earlier versions of this software engine/application with great success in 2010 and will be using the same, but updated, software in 2020. We have maintained appropriate licenses for both software packages and will use the 2020 versions in the Lamesa project.

ArcGIS Pro is the premier professional desktop GIS application from ESRI. With ArcGIS Pro, you can visualize, edit, and analyze your geographic data in both 2D and 3D. After you create projects, maps, layers, tools, and more, ArcGIS Pro has several options for sharing your work with others. We anticipate being able to upload maps and data to Google Maps, and to have enhanced integration between boundary changes and voter location in 2020, which hopefully will allow us to update voter registration rolls immediately with boundary revisions.

AutoBound is the premier redistricting application developed by Citygate GIS. The first version of AutoBound was released in 1994. AutoBound was the primary redistricting application used in over 30 states for creating the 2000 Congressional and Legislative districts. Our experience with AutoBound in 2010 was very positive.

### 4. Licensure:

The firm will use licensed attorneys for all drafting, review and implementation of redistricting plans. The firm will use a qualified GIS technician holding appropriate certifications in the ESRI GISPro software to handle file administration, and the production of all working proposal and final maps, data analysis and address matching.

### 5. Budget

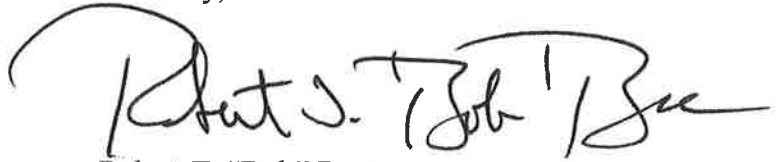
Based upon our experience with populations of similar size and complexity, we reasonably believe our fee will not exceed **\$15,000.00**. This estimated fee is based upon reasonable projections of the number of meetings by either the City Council or Citizens Committee that legal counsel would be required to attend, and the drafting of approximately 5 alternative plans for consideration. Should we be hired by Dawson County, we could reduce your fee to \$12,000.00.

We are prepared to conduct the redistricting effort for your city, including attending meetings of the City Council or any Citizens Committee, preparation of alternative plans, including maps, data and supporting documentation, preparation of all required legal documents (subject to review by your legal staff), public notices and press releases (again, subject to Lamesa review), for an hourly rate of \$240.00 per hour for legal services (discounted to \$120.00 for travel), \$100.00 per hour for paralegal services, and all out of pocket expenses, to include cost of publication of required public notices, travel fuel/auto use cost, lodging (will be avoided if possible), cost of reproduction of maps, etc. Billing will be submitted monthly. Our estimate is based upon the attached budget projection. Our billing may be somewhat lower or higher depending upon the identified variables contained within the budget. We are in agreement with your contract requirements, including Form 1295 and HB 89 compliance, and will execute such upon award.

6. Closing

We are appreciative of the opportunity to make this proposal to the City of Lamesa. In any outcome, we wish you success.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert T. Bass". The signature is fluid and cursive, with a large initial "R" and "B".

Robert T. "Bob" Bass  
Partner,  
Allison, Bass & Magee, LLP

# ALLISON, BASS & Magee, L.L.P.

*Attorneys at Law*

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J. ERIC MAGEE  
[e.magee@allison-bass.com](mailto:e.magee@allison-bass.com)

**ALLISON, BASS & MAGEE, L.L.P.** is a full-service law firm, offering legal representation in many areas. The firm has developed an extensive practice in civil law. It is the firm's objective to provide a full range of quality legal services to its clients at reasonable cost.

Allison, Bass & Magee's practice is primarily in the area of local government representation and civil litigation defense. The firm provides representation in all areas of litigation, including tort claims, worker's compensation, civil rights, voting rights and employment law. The firm also consults with local governments and provides legislative support and representation before administrative, federal and state agencies. The firm has extensive experience in environmental and natural resources issues; including matters before the TCEQ and state and federal courts.

The following biographies are provided as an introduction to the firm's attorneys. All of the attorneys have experience in the representation of local governments. Allison, Bass & Magee, LLP serves as General Counsel for the County Judges and Commissioners Association of Texas and as litigation counsel to the Texas Association of Counties. The firm's attorneys have over one hundred years combined experience in governmental matters.

**JAMES P. ALLISON** was born in Paris, Texas, on January 16, 1947. He received his Bachelor's Degree in 1967 and Master's Degree in 1968 in government from East Texas State University. In 1971, Allison received his Doctor of Jurisprudence Degree from the University of Texas School of Law. In 1972, he was elected County Attorney of Delta County, Texas, and served in this capacity until 1979. In 1979, Attorney General Mark White appointed Allison to serve as Chief of the County and Local Government Section in the Office of the Attorney General. Allison returned to private practice in Austin, Texas in 1983 and serves as the Senior Partner in the law firm of Allison, Bass, and Magee LLP. He is licensed to appear in state courts, all federal district courts in Texas, the fifth and eleventh circuit Courts of Appeals, and the U. S. Supreme Court. He regularly lectures at seminars for local government officials at the LBJ School of Public Affairs and the V. G. Young Institute of County Government. Allison currently serves as General Counsel of the County Judges and Commissioners Association of Texas. His father was a County Commissioner in Delta County, Texas.

**ROBERT T. (BOB) BASS** was born in Hale Center, Texas, on September 3, 1949. He received his Bachelor's Degree in 1973 from Baylor University in history and education with a minor in political science. Bass worked as a legislative aide to a State Senator during the 63rd Legislative session, then resumed studies at Baylor School of Law, where he received his Doctor of Jurisprudence Degree in 1976. Bass served as Assistant District Attorney in Tarrant County before returning home to Hale County to assume the position of County Attorney in 1977. In 1980 Bass entered the private practice of law with the firm White, Self & Bass, P.C. in Plainview and continued representation of counties, school districts and cities in the Texas Panhandle. He is licensed to appear in state courts, all federal district courts in Texas, the Fifth Circuit Court of



Appeals, and the United States Supreme Court. Bass joined Allison & Associates in February 1990, and was named a partner of the firm, Allison, Bass & Associates, L.L.P. in January 1997, now Allison, Bass & Magee, L.L.P. He is responsible for supervision of firm litigation. A frequent lecturer on topics of interest to local government officials, Bass is a member of the State Bar of Texas and a licensed pilot.

**J. ERIC MAGEE** was born in Tyler, Texas, on November 22, 1972. He received his Bachelor's Degree in 1994 from the University of Texas at Austin in Government. In 1998, Magee received his Doctor of Jurisprudence from St. Mary's University School of Law. He then served as an attorney at the Texas Department of Insurance in the Financial Counsel Section. After leaving the Texas Department of Insurance, Magee served as an Assistant Attorney General for three and one-half years in the Law Enforcement Defense Division. Magee joined Allison, Bass & Associates in September of 2006 and was named a partner of the present firm, Allison, Bass & Magee, L.L.P. in January 2014. He is licensed to appear in state courts, all federal district courts in Texas and the Fifth Circuit Court of Appeals. He also is a lecturer on topics of interest to local governmental officials. Magee is a member of the State Bar of Texas.

**PHILIP B. ARNOLD** was born in Little Rock, Arkansas on September 26, 1981. He graduated from Tulane University in 2003, and obtained his law degree from St. Mary's University School of Law in 2007. Philip has served as a landman in south Texas, and as a staff attorney with the Bexar County Civil Court's Administration. He joined the Transportation Division of the Office of the Texas Attorney General in 2008. During his tenure with the Attorney General, Mr. Arnold worked in the area of eminent domain with the Texas Department of Transportation, and has handled state administrative hearings before the State Office of Administrative Hearings in a broad category of proceedings. He joined the law firm of Allison, Bass & Magee in June of 2016. He is admitted to appear in all state courts and is a member of the State Bar of Texas and Austin Bar Association.

Estimated Budget for  
Sugar Land Reapportionment

Estimate only, based on our  
experience in similar projects

Cost Estimate		City of Lamesa				
Travel						
	Trips	Units per:	Rate @.56	Rate \$120	Total Cost Per	Total Travel
	3	672	\$ 376.32	\$ 1,440.00	\$ 1,816.32	\$ 5,448.96
Meetings	3	2		\$240.00	\$480.00	\$1,440.00
Plan Drafting/map and Data	3	6	30	\$ 240.00	\$ 1,440.00	\$ 4,320.00
Advertising	2	1			\$ 750.00	\$ 1,500.00
Other Legal		6		\$ 240.00		\$ 1,440.00
Staff Support		8		\$ 100.00		\$ 800.00
Estimated Total						\$ 14,948.96

Note: Travel is based on a 12 hour per round trip estimate.  
 Each meeting is based on a 2.0 hour estimate.  
 Each alternative plan is based on a 5 hour estimate.  
 Each newspaper notice cost is an estimate.  
 Other legal includes drafting required Orders, etc. Orders, etc.

**City Council Agenda**  
*City of Lamesa, Texas*

**DATE OF MEETING: DECEMBER 18, 2018**

**AGENDA ITEM:8**

**SUBJECT: AWARD CONTRACT FOR ADA RESTROOM RENOVATION AT CITY HALL**

**PROCEEDING: Action**

**SUBMITTED BY: City Staff**

**SUMMARY STATEMENT**

City Council to award contract for ADA restroom renovation. (*City Manager*)

**COUNCIL ACTION**

**DISCUSSION** \_\_\_\_\_

Motion by Council Member \_\_\_\_\_ to award contract for ADA restroom renovation. Motion seconded by Council Member \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

**VOTING:** "AYE" \_\_\_\_\_ "NAY" \_\_\_\_\_ "ABSTAIN" \_\_\_\_\_

**CITY MANAGER'S MEMORANDUM**

**Recommend approval.**

Enrique Moreno Jr.

802 North Bryan Ave.

Lamesa, Tx.79331

(806) 239-7452

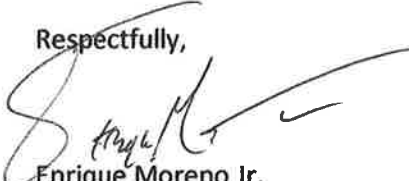
Mrs. Shawna Burkart,

November 16, 2018

RE: Bid for ADA Restrooms

I am extending the estimate deadline for an additional fifteen days from November 7, 2018 to December 22, 2018. Thank you for the opportunity to serve you.

Respectfully,



Enrique Moreno Jr.

**Enrique Moreno Jr.**

**802 N Bryan**

**Lamesa, Tx 79331**

**Home: 806-872-7441**

**Cell: 806-239-7452**

**Bidding Scope Form**

**Date Submitted: November 7, 2018**

**Project Name: Lamesa City Hall ADA Restrooms Bid Date 11/7/18**

**Location: Lamesa City Hall, 601 South 1st Lamesa , Tx 79331**

**Section Bidding: ADA Restrooms Estimator: Rick Moreno**

**To: Shawna Burkhart, City Manager**

**I, Enrique Moreno Jr., submit this proposal to do the following work to be included in the above named project.**

**Scope: Construction of new ADA compliant restrooms according to provided architectural prints.**

**Includes: All material, labor, equipment and required inspections needed to complete above mentioned project.**

**Excludes: Any item not addressed on provided prints.**

**XX Our best and final bid on this work is \$ 45,552.56**

**This offer will remain good for 30 days from bid date listed above.**

**Breakdown: construction cost: \$35868.00; B/I: \$717.36; O/P: \$5380.20;  
Contingency: \$3587.00**

**Payment terms to be negotiated.**

# **City Council Agenda**

*City of Lamesa, Texas*

**DATE OF MEETING: DECEMBER 18, 2018**

**AGENDA ITEM:9**

**SUBJECT:**

**OPEN REQUESTS FOR PROPOSAL FOR JANITORIAL SERVICES CONTRACT FOR CITY HALL AND POLICE DEPARTMENT AND AWARD CONTRACT**

**PROCEEDING:** Action

**SUBMITTED BY:** City Staff

## **SUMMARY STATEMENT**

City Council to award contract for janitorial services for City Hall and Police Department. (*City Manager*)

## **COUNCIL ACTION**

**DISCUSSION** \_\_\_\_\_

Motion by Council Member \_\_\_\_\_ to award contract for janitorial services for City Hall and Police Department. Motion seconded by Council Member \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

**VOTING:** "AYE" \_\_\_\_\_ "NAY" \_\_\_\_\_ "ABSTAIN" \_\_\_\_\_

## **CITY MANAGER'S MEMORANDUM**

**Recommend approval.**

**CITY OF LAMESA**  
**NOTICE TO BIDDERS**

Sealed bids addressed to the mayor and City Council of the City of Lamesa, Texas will be received at the office of Sandy Trevino, Purchasing Agent, 601 South 1<sup>st</sup> Street, Lamesa, Texas 79331 until 2 p.m. December 14<sup>th</sup>, 2018 for providing Janitorial Services for City Hall (1<sup>st</sup> floor), Police Department (basement level). Bid forms are available at City Hall, 601 South 1<sup>st</sup> Street.

The owner reserves the right to reject any and all bids and to waive formalities. In case of ambiguity or lack of clearness instating the prices in the bid, the Owner reserves the right to consider the most advantageous construction thereof, or to reject the bid.

The bids will be opened at 5:30 p.m., Tuesday, December 18<sup>th</sup>, 2018 and read in open meeting. The City Council reserves the right to accept the bid most advantageous to the City.

ATTEST:

SIGNED:

Betty Conde, City Secretary

Josh Stevens, Mayor

Publish Dates: November 18<sup>th</sup>, 2018

November 25<sup>th</sup>, 2018

December 2<sup>nd</sup>, 2018

# EXHIBIT A

## CITY OF LAMESA JANITORIAL CONTRACT CITY HALL

### JANITORIAL SERVICES WORK OUTLINE:

#### A. DAILY SERVICES:

1. The contractor shall empty and return to their appropriate location all wastebaskets, cigarette ash receptacles and other trash containers. The contractor shall collect all trash in a leak proof container and keep trash in another container for one day in the janitorial room. Then dispose that container of trash the next day.
2. Replace all soiled, torn, or wet trash receptacle liners with new liners. Plastic liners must be correctly sized for the receptacle. Clean and deodorize the interior and exterior of all soiled containers.
3. Clean, disinfect, and polish drinking fountain.
4. Sweep and mop all hard surface floors.
5. Vacuum all carpeted areas in the building. This will include but not limited to entry mats, hallways and offices. Vacuuming will include moving chairs and trashcans and returning them to their original location upon completion.
6. Spot clean all carpets and entry mats to remove daily stains, spills or foreign matter (grease, gum, ink, etc) use appropriate sport remover or equipment.
7. Restroom Cleaning:
  - a. Restrooms require cleaning every day.
  - b. Clean disinfect and deodorize toilet room floors.
  - c. Clean, disinfect and deodorize all plumbing fixtures, toilets, and urinal stall partitions.
  - d. Clean, disinfect and deodorize all dispensers, mirrors and counter.
  - e. Clean, disinfect and deodorize all restroom entry area walls and doors.
  - f. Maintain adequate supplies of toilet paper, toilet and urinal deodorizers and room deodorizers, paper towels and soap in restrooms.
8. Clean all interior office windows.



9. Break Room:
  - a. Clean, disinfect, and deodorize sinks, counter tops and surrounding areas in the break room.
  - b. Clean table surfaces. Use only non-abrasive cleaners.
  - c. Clean coffee area and coffee pots.
  - d. Clean the exterior surface of all the vending machines.
10. All collected waste shall be taken to the dumpster. Make sure all waste is in the dumpster not on the ground.

**B. Weekly Service:**

1. Sand in ashtrays at all entrances should be kept clean and changed on a regular basis.
2. Check the condition of vacuum bag. Clean or replace vacuum bag.
3. Dust all wall surfaces.

**C. Monthly Service:**

1. Clean baseboards with a neutral cleaner.
2. Clean all carpet protectors (chair desk mats) with a neutral detergent.
3. Dust and/or clean air vent grills (both ceiling and wall).
4. Clean janitorial storage room.
5. Clean all exterior office windows.
6. Clean all doors and door glass all entry door way.
7. Wax floors in restrooms, hallways and basement.

- D.** Report maintenance problems or any other problems to the Purchasing Agent, Sandy Trevino.

\_\_\_\_\_  
CONTRACTOR

\_\_\_\_\_  
DATE

**CITY OF LAMESA  
JANITORIAL DUTIES  
POLICE DEPARTMENT**

**GENERAL REQUIREMENTS:** The contractor must provide a list of personnel that will be working and they must be at least 18 years old. The contractor must provide list of personnel to Sandy Trevino, Purchasing Agent.

**SUBCONTRACT:** Contractor shall not have the right to subcontract or transfer the janitorial service to another contractor.

**NON-PERFORMANCE:** Substandard service or quality will be grounds for termination of the contract.

**JANITORIAL SERVICES WORK OUTLINE:** The entrance area to the elevator on the first floor, the lobby once you exit downstairs and all offices, training room, stairs, stairways and halls.

**D. DAILY SERVICES:**

1. The contractor shall empty and return to their appropriate location all wastebaskets, cigarette ash receptacles and other trash containers. The contractor shall collect all trash in a leak proof container and keep trash in another container for one day in the janitorial room. Then dispose that container of trash the next day.
2. Replace all soiled, torn, or wet trash receptacle liners with new liners. Plastic liners must be correctly sized for the receptacle. Clean and deodorize the interior and exterior of all soiled containers.
3. Clean, disinfect, and polish drinking fountain.
4. The hard surface floors shall be dust mopped every day. Mop and buff floors twice a week.
5. Vacuum all carpeted areas in the building. This will include but not limited to entry mats, hallways and offices. Vacuuming will include moving chairs and trashcans and returning them to their original location upon completion.
6. Spot clean all carpets and entry mats to remove daily stains, spills or foreign matter (grease, gum, ink, etc) use appropriate spot remover or equipment.
7. Restroom Cleaning:
  - a. Restrooms require cleaning every day.
  - b. Clean disinfect and deodorize toilet room floors.
  - c. Clean, disinfect and deodorize all plumbing fixtures, toilets, and urinal stall partitions.

- d. Clean, disinfect and deodorize all dispensers, mirrors and counter.
  - e. Clean, disinfect and deodorize all restroom entry area walls and doors.
  - f. Maintain adequate supplies of toilet paper, toilet and urinal deodorizers and room deodorizers, paper towels and soap in restrooms.
8. The shower room shall be considered restroom and cleaned as outlined above.
9. Clean all interior office windows.
- 10. Break Room:**
- a. Clean, disinfect, and deodorize sinks, counter tops and surrounding areas in the break room.
  - b. Clean table surfaces. Use only non-abrasive cleaners.
  - c. Clean coffee area and coffee pots.
11. Clean and disinfect elevator floor, doors, walls, ceiling panels and selector panel.
12. Vacuum all stair and stairwells.
13. All collected waste shall be taken to the dumpster. Make sure all waste is in the dumpster not on the ground.
14. Empty the trash containers outside the building.

**E. Weekly Service:**

- 1. Sand in ashtrays at all entrances should be kept clean and changed on a regular basis.
- 2. Check the condition of vacuum bag. Clean or replace vacuum bag.
- 3. Dust all walls surfaces.
- 4. Remove all traffic marks from hard surface floor.

**F. Monthly Service:**

- 1. Clean baseboards with a neutral cleaner.
- 2. Clean all carpet protectors (chair desk mats) with a neutral detergent.
- 3. Dust and/or clean air vent grills (both ceiling and wall).
- 4. Clean janitorial storage room.
- 5. Clean all interior office windows.
- 6. Clean all doors and door glass all entry door way.
- 7. Wax floors in restrooms, hallways and basement.

**G. Twice Year Service:**

- 1. Strip and wax all hard surface floors.

H. Report maintenance problems or any other problems to the Purchasing Agent, Sandy Trevino.

\_\_\_\_\_  
CONTRACTOR

\_\_\_\_\_  
DATE

# **City Council Agenda**

*City of Lamesa, Texas*

**DATE OF MEETING: DECEMBER 18, 2018**

**AGENDA ITEM:10**

**SUBJECT: OPEN REQUESTS FOR PROPOSAL FOR CITY DEPOSITORY AND AWARD CONTRACT**

**PROCEEDING: Action**

**SUBMITTED BY: City Staff**

### **SUMMARY STATEMENT**

City Council to open requests for proposal for city depository and award contract. *(Finance Director)*

### **COUNCIL ACTION**

**DISCUSSION** \_\_\_\_\_

Motion by Council Member \_\_\_\_\_ to open requests for proposal for city depository and award contract. Motion seconded by Council Member \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

**VOTING:** "AYE" \_\_\_\_\_ "NAY" \_\_\_\_\_ "ABSTAIN" \_\_\_\_\_

### **CITY MANAGER'S MEMORANDUM**

**Recommend approval.**

## **NOTICE TO BIDDERS FOR CITY DEPOSITORY**

### **NOTICE TO ALL BANKING CORPORATIONS, ASSOCIATES OR INDIVIDUAL BANKERS DOING BUSINESS IN THE CITY OF LAMESA:**

The City Treasurer of the City of Lamesa, Texas, subject to the provisions of Chapter 105, Local Government Code, as amended, will receive applications from all interested banking institutions within the City of Lamesa to serve as prime depository of the City of Lamesa for a period of three years from January 1, 2019 through December 2021. Any such applications shall be delivered to the office of Betty Conde, City Treasurer/City Secretary, at City Hall, 601 South First Street, Lamesa, Texas, 79331, prior to 2 p.m., December 14, 2018. The City Council shall consider the selection of the depository at the next regular scheduled meeting of the City Council on December 18, 2018 at 5:30 p.m. at City Hall Council Chambers.

The Bank selected as City Depository shall keep such records and make such reports to the City Council, and do and perform such other duties as may be required by Chapter 105, Local Government Code, as amended, Chapter 2257 Government Code, as amended, and as may be required by the City Council and the Investment Policy of the City of Lamesa.

All deposits shall be protected as provided by Chapter 2257 Government Code, as amended, and the Investment Policy of the City of Lamesa.

The City of Lamesa reserves the right to open new accounts or close any accounts in order to properly control and operate the funds of the City.

The City Council of the City of Lamesa reserves the right to accept or reject any or all bids, to waive formalities, and to accept the bid the City considers most advantageous.

## CITY DEPOSITORY

### Checklist

- 1. Advertise for bids – date of publication: November 18, 2018**
  - a. Reference: LGC 105.012
    - i. Must advertise at least 21 days prior to deadline for receiving applications.
  
- 2. Send bids to local banking institutions: November 21, 2018**
  - a. Lamesa National Bank
  - b. First National Bank
  - c. First National Bank of O'donnell
  - d. Caprock Federal Credit Union
  
- 3. Deadline for receiving bids: 2 p.m., December 14, 2018**
  - a. Reference: LGC 105.012
    - i. Must be at least 21 days after advertisement.
  
- 4. Period for reviewing bids: 5:30 p.m., December 18, 2018**
  - a. Reference: LGC 105.014
  
- 5. Date of City Council Action: 5:30 p.m., December 18, 2018**
  - a. Reference: LGC 105.015 Selection by City Council
  - b. Reference: LGC 105.016 Designation of Depository by City Council (Resolution)
  
- 6. Execution of contract: January 1, 2019**
  - a. Reference: LGC 105.015 By City Treasurer

**7. Date for qualification as depository: December 26, 2018**

a. Reference: LGC 105.031

i. Must qualify at least 5 days before commencement of contract.

b. Reference: GC 2257

i. Provides terms for providing collateral for public funds.

**8. Beginning date of contract: January 1, 2019**

**9. Ending date of contract: December 31, 2021**

a. Reference: LGC 105.017

i. State law allows up to 5 years, but City Charter limits contract term to a maximum of \_\_\_\_ years.



Interest Rates on Deposits

Demand Deposit Accounts \_\_\_\_\_

Open Savings Account \_\_\_\_\_

Fixed Maturities and/or C.D.'s under \$100,000:

Thirty (30) Days \_\_\_\_\_

Ninety (90) Days \_\_\_\_\_

One Hundred Eighty (180) Days \_\_\_\_\_

One (1) Year \_\_\_\_\_

Compounded How Often? \_\_\_\_\_

When Is Interest Paid? \_\_\_\_\_

Fixed Maturities and/or C.D.'s \$100,000 and over

Thirty (30) Days \_\_\_\_\_

Sixty (60) Days \_\_\_\_\_

Ninety (90) Days \_\_\_\_\_

One Hundred Eighty (180) Days \_\_\_\_\_

One (1) Year \_\_\_\_\_

Charges, if any, for handling checks and deposits \_\_\_\_\_

Charges, if any, for handling temporary overdrafts \_\_\_\_\_

Rate of interest to be charged on loans, and maximum loan limit \_\_\_\_\_

Rate of interest to be charged on Warrants \_\_\_\_\_

In addition to the normal services and supplies furnished by the depository banking institution, most of the following services are standard and common to depository contracts. The City of Lamesa requests that these services be furnished, at no charge, as a part of this proposal. Please delete those services which you cannot offer. Add any additional services or concessions which you may want to offer to the City of Lamesa and make any comments as further consideration in selecting the City's depository:

- Furnish checks and deposit slips for all accounts
- Foreign and domestic exchange
- Paying agent for bonds
- Bond and coupon service
- Wire transfer service
- Safe deposit boxes
- Coin wrappers
- Night depository service, including bags and keys
- Traveler's and cashier's checks
- Daily balance on each account
- Detailed monthly statement of outstanding certificates of deposit as of last business day
- Detailed monthly statement of other outstanding investments as of last business day
- Delivery of monthly bank statements
- Purchase of treasury bills on the open market as directed by City
- Furnish stop payments on checks
- Any additional comments and/or services you may have to offer:

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PLEASE SUBMIT YOUR BID ON THIS FORM.

NAME OF INSTITUTION \_\_\_\_\_

BY \_\_\_\_\_

TITLE \_\_\_\_\_

DATE \_\_\_\_\_

THE STATE OF TEXAS }  
COUNTY OF DAWSON }

**CERTIFICATE OF ACKNOWLEDGEMENT**

Pursuant to the requirement of Section 2256.005(k) of the Government Code of the State of Texas, I hereby acknowledge that:

1. I have received and thoroughly reviewed the Investment Policy of the City of Lamesa, Texas; and
2. that the institution which I represent has implemented reasonable procedures and controls in an effort to preclude imprudent investment activities arising out of investment transactions conducted between the City of Lamesa, Texas and this institution.

Signature

\_\_\_\_\_

Registered Principal of

\_\_\_\_\_

**SUBSCRIBED AND SWORN TO BEFORE ME** by the said  
\_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

Notary Public in and for the State of Texas

# INVESTMENT POLICY

**SECTION 6.00. Investments**

- 6.1. In General.
- 6.2. Investment Authorities
- 6.3. Investment Policy
- 6.4. Investment Plan

**References**

*City Charter* - Depository, Art. IV, Sec. 22. The city council is authorized to select a depository for city funds in accordance with Chapter 3 of Title 47 of the Revised Statutes of 1925, as amended (Local Government Code, Chapter 105) and to follow all the terms and provisions of same.

*State Law* - Public Funds Investment Act, Government Code, Chapter 2256; Depositories for Municipal Funds, Local Government Code, Chapter 105.

*Library Reference* - Municipal Law & Practice (Singer), Sec. 308, The City Depository.

**6.1. In General.**

**A. Purpose.** This policy is intended to cover all aspects of public fund investments under the authority of the City of Lamesa. It is enacted to guide the implementation and compliance with the Public Funds Investment Act, Government Code, Chapter 2256, as amended.

**B. Objective.** It is the policy of the City of Lamesa to invest public funds in a manner which will provide the highest investment return with the maximum security while meeting the daily cash flow demands on the city and conforming to all state statutes governing the investment of public funds.

**C. Basis and Authority for Investment Policy.** This policy is enacted to implement the stated purpose of Public Funds Investment Act, Government Code, Chapter 2256, as amended.

**D. Applicability of Investment Policy.** The provisions of this chapter shall apply to all financial assets of the City of Lamesa, Texas except for its deferred compensation plan which is separately administered by the ICMA Retirement Corporation. The investments of all of the city's funds shall be placed in a pooled fund group in order to maximize the investment potential of the city's investments. Funds included in the pooled fund group are:

**(1) Governmental Funds**

**(a) General Fund (01)**

General Fund Capital Reserve Account

General Fund Investments

2014A Debt Service/Tax Notes

**(b) Special Revenue Funds**

(1) Hotel-Motel Occupancy Tax Fund (12)

(2) Housing Assistance Program Fund (08)

(3) Community Development Grant Fund (15)

- (4) Special Revenue Fund (17)
- (2) **Proprietary Funds**
- (a) **Enterprise Funds**
- (1) **Water and Wastewater Enterprise Fund (02)**  
 Water & Wastewater Capital Reserve Account
- Water Tower Reserve
  - 2013 Debt Service/Tax Notes
  - 2014A Debt Service/Tax Notes
- Water & Wastewater Debt Service Account USDA  
 Treatment Plant Debt Service Reserve C/O Series 2006  
 Capital Improvement Project-Water Elevated Tanks  
 Customer's Deposits Account
- (2) **Solid Waste Management Enterprise Fund (03)**  
 Solid Waste Post Closure Reserve Account  
 Solid Waste Equipment Reserve Account
- (3) **Municipal Golf Course**
- (b) **Internal Service Fund**
- (1) **Risk Management Fund (21)**  
 Risk Management & Safety Account  
 Self-Funded Employee Medical Benefits Account
- (3) **Trust and Agency Funds**
- (a) **Expendable Trust Funds**
- (1) **Forfeited Property Expendable Trust Fund (24)**  
 General Account  
 Special Account
- (b) **Agency Funds**
- (1) **State Agency Fund (05)**

**E. Standard of Care.**

- (1) **Prudence.** The standard of prudence to be used by the investment officers so named in this policy shall be the "prudent person" standard and shall be applied in the context of managing an overall portfolio. Said officers acting in accordance with written procedures and the investment policy and exercising due care shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.
- (2) **Investment Objectives.** Investment of funds shall be governed by the following investment objectives, in order of priority:

- (a) Preservation and safety of principal.
- (b) Liquidity
- (c) Yield

(3) **Determination of Standard.** In determining whether an investment officer has exercised prudence with respect to an investment decision, the determination shall be made taking into consideration:

- (a) the investment of all funds, or funds under the city's control, over which the officer had responsibility rather than a consideration as to the prudence of a single investment; and
- (b) whether the investment decision was consistent with the provisions of this policy.

F. **Annual Policy Review and Approval by City Council.** The city council of the City of Lamesa shall review and approve this investment policy and investment strategies not less than annually. Said review may be included within the financial policy statement or annual budget as approved by the city council.

G. **Definitions.**

**Amortization.** To liquidate (a debt) by installment payments.

**Accretion.** Growth or increase in size by gradual external addition.

**Book Value.** The face or par value of an investment plus accrued interest or minus amortization or plus the accretion.

**Certificate of Deposit (CD).** A time deposit with a specific maturity evidenced by a certificate.

**Collateral.** Securities, evidence of deposit or other property which a borrower pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposits of public moneys.

**Demand Deposit.** A deposit of funds that may be withdrawn on the demand of the depositor, (city checking account).

**Funds.** Public funds in the custody of the city that:

- (a) are not required by law to be deposited in the state treasury; and
- (b) the city has authority to invest.

**Liquidity.** A liquid asset is one that can be converted easily and rapidly into cash without a substantial loss of value. In the money market, a security is said to be liquid if the spread between bid and asked prices is narrow and reasonable size can be done at those quotes..

**Market Value.** The price at which a security is trading and could presumably be purchased or sold.

**Maturity.** The date upon which the principal or stated value of an investment becomes due and payable.

**Pooled Fund Group.** An internally created fund of the city in which one or more institutional accounts of the city are invested.

**Prudent Person Rule.** An investment standard that requires investments to be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

**Public Funds Investment Act.** Shall refer to the Texas Public Funds Investment Act codified as Chapter 2256 of the Government Code of Texas.

**Rate of return.** The yield obtainable on a security based on its purchase price or its current market price. This may be the amortized yield to maturity on a bond the current income return.

**Safety.** Refers to the ability if the issuer to redeem the instrument at maturity. U.S. Government guaranteed obligations are considered risk free and all other instruments are evaluated against this standard.

**Time Deposit.** A deposit of funds subject to a contract between the depositor and the depository under which the depositor may not withdraw any of the funds by check or by another manner until the expiration of a certain period following written notice of the depositor's intent to withdraw the funds.

**Treasury Bills.** A non-interest bearing discount security issued by the U.S. Treasury to finance the national debt. Most bills are issued to mature in three months, six months, or one year.

**Treasury Bond.** Long-term U.S. Treasury securities having initial maturities of more than ten years.

**Treasury Notes.** A non-interest bearing discount security issued by the U.S. Treasury to finance the national debt. Most bills are issued to mature in three months, six months, or one year.

**Yield.** The rate of annual income return on an investment, expressed as a percentage.

(a) Income yield is obtained by dividing the current dollar income by the current market price for the security.

(b) Net yield or yield to maturity is the current income yield minus any premium above par or plus any discount from par in purchase price, with the adjustment spread over the period from the date of purchase to the date of maturity of the bond.

**Treasury Bill.** A U.S. government short-term security sold to the public each week, maturing in 91 to 182 days.



## 6.2. Investment Authorities.

- A. Delegation of Authority.** Authority to manage the City of Lamesa's investment program is derived from the authority granted by the city council in this policy and the Public Funds Investment Act. The investment officials of the city shall be the investment officer, director of finance and the city treasurer. Management responsibility for the investment program is hereby delegated to the investment officer who shall institute written procedures for the operation of the investment program consistent with this investment policy. The director of finance and the city treasurer are designated as subordinate investment officials. The investment officer shall establish a system of controls to regulate the activities of subordinate investment officials.
- B. Limitation of Authority.** A person may not deposit, withdraw, invest, transfer, or manage in any other manner funds of the city without the express written authority of the city council, city manager, or director of finance of the city. No person may engage in investment transactions except as provided under the terms of this policy and the procedures established by the investment officer
- C. Investment Officer.** The City Manager of the City of Lamesa, and his or her successor, shall be and is hereby designated as the investment officer of the City of Lamesa for the purposes of this policy and the Public Funds Investment Act and shall be responsible for the performance of such obligations and duties as provided in this policy and state law.
- D. Director of Finance/Assistant Finance Director.** The Director of Finance/Assistant Finance Director of the City of Lamesa, and his or her successor, shall be and is hereby designated as the chief financial officer of the City of Lamesa for the purposes of this policy and the Public Funds Investment Act and shall be responsible for the performance of such obligations and duties as provided in this policy and state law.
- E. City Treasurer.** The City Treasurer of the City of Lamesa, and his or her successor, shall serve as deputy investment officer with the authority to act in the absence of the investment officer, and shall be responsible for the performance of such obligations and duties as provided in this policy and state law.
- F. Ethics and Conflict of Interest.**
- (1) In General.** Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.
- (2) Disclosure of Material Financial Interests.** Investment officials, as designated under the provisions of this policy, shall disclose, by filing a statement, to the city council any personal business relationship or material financial interests in financial institutions that conduct business within the city or with an entity seeking to sell an investment to the city, and they shall further disclose any large personal financial/investment positions that could be related to the performance of the city, particularly with regard to the time of purchases and sales.

**(3) Disclosure of Relationship.** Any investment official, as designated under the provisions of this policy, who is related within the second degree of consanguinity, as determined under Chapter 573 of the Government Code of Texas, to an individual seeking to sell an investment to the city shall file a statement disclosing that relationship.

**(4) Statement to be Filed.** A statement required under this section must be filed with the Texas Ethics Commission and the City Council of the City of Lamesa, Texas.

**G. Limitation of Investment Officer's Liability.** The investment officials of the city, including the investment officer, director of finance/assistant finance director and the city treasurer, shall not be held responsible for any loss of city funds through the negligence, failure, or wrongful act of a financial institution providing investment services to the city. This section does not release said officers from responsibility for a loss resulting from the official misconduct of said officers, including a misappropriation of the funds, or from responsibility for the funds until an investment is made.

**H. Training.** The investment officials of the city, including the investment officer, director of finance, assistant finance director and the city treasurer, shall attend such training as may be required by the Public Funds Investment Act. Said officials shall also attend such training in investment controls, security risks, strategy risks and market risks as necessary for the prudent management of the city's investments.

### **6.3. Investment Policy.**

**A. Objective.** The primary objectives, in priority order, of the City of Lamesa's investment activities shall be:

**(1) Preservation and Safety of Principal.** Safety of principal is the foremost objective of the investment program. Investments of the City of Lamesa shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio.

**(2) Liquidity.** The city's investment portfolio will remain sufficiently liquid to enable the city to meet all operating requirements which might be reasonably anticipated.

**(3) Yield or Return on Investments.** The city's investment portfolio shall be designed with the objective of attaining a rate of return throughout the budgetary and economic cycles, commensurate with the city's investment risk constraints and the cash flow characteristics of the portfolio.

**B. Pooled Fund Group.** A pooled fund group shall be created from the, governmental, proprietary, and trust and agency funds of the city. All funds of the city covered by this policy shall be invested in the pooled fund group.

**C. Authorized and Suitable Investment Securities.**

**(1) Authorized Securities and Investments.** The following are authorized investments under this policy:

- (a) **Certificate of Deposit.** A certificate of deposit is an authorized deposit under this policy if it is guaranteed or insured by the Federal Deposit Insurance Corporation or its successor; and secured by obligations that are secured in any other manner and amount provided by law for deposits of the city.
  - (b) **Time Deposits.** City funds not immediately required to pay obligations of the city may be invested in time deposits or interest bearing demand accounts with the city's depository, as provided in the depository contract, at a legal interest rate under federal law.
  - (c) **Public Funds Investment Pool.** Eligible public funds investment pools as defined by the Public Funds Investment Act, Chapter 2256 of the Texas Government Code, which meet criteria outlined in Sections 2256.016 and 2256.019 of the Texas Government Code upon approval by the City Council.
  - (d) **Obligations of the United States of America, its agencies, and instrumentalities** (i.e. Treasury Bills).
- (2) **Unauthorized Securities.** Any security designated, as an unauthorized investment under the provisions of the Public Funds Investment Act is not authorized under this policy:
  - (3) **Maximum Allowable Maturity.** To the extent possible, the city will attempt to match its investment with anticipated cash flow requirements. Unless matched to a specific cash flow, the city will not directly invest in certificates of deposit or securities maturing more than one year from the date of purchase. Reserve funds may be invested in certificates of deposit or securities exceeding one year if the maturity of such investments are made to coincide as nearly as practicable with the expected use of the funds. The maximum weighted average maturity of six (6) months.
  - (4) **Collateralization.** Collateralization will be required on all certificates of deposit. Collateral will always be held by an independent third party with whom the city has a custodial agreement. A clearly marked evidence of ownership shall be supplied to the city and retained. The right to collateral substitution is granted.

**D. Selection and Purchase of Investment Securities.**

- (1) **Authorized Financial Dealers and Institutions.** The City shall invest funds only with the following types of qualified financial institutions:
  - (a) **City Depository.** The city may invest funds with a financial institution qualified as a depository for the City of Lamesa. All financial institutions that desire to provide investment services to the city shall qualify as a depository under the provisions of Chapter 105 of the Local Government Code of Texas.
  - (b) **Public Funds Investment Pools.** The City may invest in eligible public funds investment pools as defined by the Public Funds Investment Act, Chapter 2256 of the Texas Government Code, which meet criteria outlined in Section 2256.016 and 2256.019 of the Texas Government Code. The City Council shall authorize participation in a public funds investment pool by resolution. An investment pool must furnish to the City's investment officer or other authorized

representative, an offering circular or similar disclosure instrument that contains information required by Government Code 2256.016 (b).

**(c) Other Financial Institutions.** The city may invest funds with any financial institution that is guaranteed or insured by the Federal Deposit Insurance Corporation or its successor, (i.e. Certificate of Deposits).

- (2) Selection and Compliance of Brokers/Dealers - Certification Process.** The selection process for institutions authorized to provide investment services to the city shall comply with the provisions of Chapter 105 of the Local Government Code of Texas and Chapter 2256 of the Government Code of Texas.
- (3) Diversification Requirements.** The purpose of diversification of the city's investments shall be to reduce overall portfolio risks while attaining market average rates of return. The investments of the city may be invested in a single financial institution, provided that the investment portfolio is not concentrated in a single security type or specific maturity sector.

**E. Internal Control, Evaluation and Reporting.**

- (1) Internal Control/Compliance Audit.** The city, in conjunction with its annual financial audit, shall perform a compliance audit of management controls on investments and adherence to the city's investment policy.
- (2) Quarterly Reporting Requirements.** The investment officer is charged with the responsibility of preparing and presenting quarterly reports to the city council. The report shall include all funds covered by this policy for the preceding reporting period and shall:
  - (a)** describe in detail the investment position of the city on the date of the report;
  - (b)** be prepared jointly by all investment officers of the city;
  - (c)** be signed by each investment officer of the city;
  - (d)** contain a summary statement of the pooled fund group that states the:
    - (i)** beginning market value for the reporting period;
    - (ii)** additions and changes to the market value;
    - (iii)** ending market value for the period;
  - (e)** state the book value and the market value of each separately invested asset at the beginning and end of the reporting period by the type of asset and fund type invested;
  - (f)** state the maturity date of each separately invested asset that has a maturity date;

- (g) state the account or pooled fund group for which the investment was acquired;
- (h) state the compliance of the investment portfolio as it relates to;
  - (i) the investment strategy expressed in the city's investment policy; and
  - (ii) to relevant provisions of the Public Funds Investment Act.

#### 6.4. Annual Investment Plan

- A. **Applicability of Investment Plan.** This investment plan shall be effective from the date of adoption through Fiscal Year 2018-2019 ending on September 30, 2019. The investment policy shall apply in all matters pertaining to said plan. This investment plan is intended to satisfy the "separate written investment strategy" requirements of Section 2256.005 (d) of the Public Funds Investment Act.
- B. **Selection of Authorized Financial Institutions.**
  - (1) **Authorized Financial Institutions.** The city may invest funds with any financial institution that is guaranteed or insured by the Federal Deposit Insurance Corporation or its successor, (i.e. Certificates of Deposits). A financial institution providing investment services to the city must qualify as a depository under the provisions of Chapter 105 of the Local Government Code of Texas.
  - (2) **Investment Duties of Depository.** The depository chosen by the City of Lamesa for the five year period beginning on January 1, 2019 and ending on December 31, 2021 shall be the designated financial institution authorized to provide investment services to the city during the period covered by this plan.
- C. **Suitability of Investments.** This plan is intended to be non-speculative with the objective of preserving the safety of principal with sufficiently liquid, and attaining a satisfactory rate of return. Only investments allowed by the investment policy shall be deemed suitable during the term of this plan.
- D. **Safety of Principal.** Safety of principal is the foremost objective of this plan. Investments of the City of Lamesa shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. Collateralization will be required on all certificates of deposit. Collateral will always be held by an independent third party with whom the city has a custodial agreement. A clearly marked evidence of ownership shall be supplied to the city and retained. The right to collateral substitution is granted
- E. **Liquidity.** The city's investment portfolio will remain sufficiently liquid to enable the city to meet all operating requirements which might be reasonably anticipated. Time deposits will be utilized to satisfy this requirement.
- F. **Investment Marketability Requirements.** No marketable investment will be held by the city. Only time deposits and certificates of deposit issued by the depository will be utilized.

- G. Diversification.** The city's portfolio will be held by a single institution, the city's depository. The funds of the city may be invested in time deposits or certificates of deposit according to the anticipated need for such funds.
- H. Yield Objectives.** The city's investment portfolio shall be designed with the objective of attaining a rate of return throughout the budgetary and economic cycles, commensurate with the city's investment risk constraints and the cash flow characteristics of the portfolio.
- I. Maturity Requirements and Restrictions.** The time deposits of the city will structured in a manner to be available as needed to meet all operating requirements which might be reasonably anticipated

# STATUTES

LOCAL GOVERNMENT CODE

TITLE 4. FINANCES

SUBTITLE A. MUNICIPAL FINANCES

CHAPTER 105. DEPOSITORIES FOR MUNICIPAL FUNDS

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 105.001. DEFINITIONS. In this chapter:

(1) "Bank" means a state bank or a national bank that has its main office or a branch office in this state.

(2) "Credit union" means a state credit union or federal credit union domiciled in this state.

(3) "Demand deposit" means a deposit of funds that may be withdrawn on the demand of the depositor.

(4) "Depository" means the bank, credit union, or savings association selected by the municipality to provide depository services.

(5) "Time deposit" means a deposit of funds subject to a contract between the depositor and the depository under which the depositor may not withdraw any of the funds by check or by another manner until the expiration of a certain period following written notice of the depositor's intent to withdraw the funds.

(6) "Depository services" means the receipt and disbursement of funds by a depository in accordance with the terms of a depository services contract.

(7) "Depository services contract" means a contract executed by a municipality and a depository containing terms and conditions relating to the depository services to be provided by the depository.

(8) "Designated officer" means the treasurer of a municipality or other officer of the municipality so designated by the governing body of a municipality.

(9) "Federal credit union" means a credit union organized under the Federal Credit Union Act (12 U.S.C. Section 1751 et seq.).



(10) "Federal savings association" means a savings and loan association or a savings bank organized under federal law.

(11) "National bank" means a banking corporation organized under the provisions of 12 U.S.C. Section 21.

(12) "Savings association" means a savings association or savings bank organized under the laws of this state, another state, or federal law that has its main office or a branch office in this state.

Text of subsec. (13) as amended by Acts 1999, 76th Leg., ch. 62,  
Sec. 7.79

(13) "State bank" has the meaning assigned by Section 31.002(a), Finance Code.

Text of subsec. (13) as amended by Acts 1999, 76th Leg., ch. 344,  
Sec. 5.008

(13) "State bank" means a bank organized under the laws of this state or another state.

(14) "State credit union" means a credit union organized under Subtitle D, Title 3, Finance Code.

(15) "State savings association" means any savings and loan association or savings bank organized under the laws of this state.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1993, 73rd Leg., ch. 234, Sec. 1, eff. Sept. 1, 1993; Acts 1995, 74th Leg., ch. 914, Sec. 9, eff. Sept. 1, 1995; Acts 1999, 76th Leg., ch. 62, Sec. 7.79, eff. Sept. 1, 1999; Acts 1999, 76th Leg., ch. 344, Sec. 5.008, eff. Sept. 1, 1999.

Sec. 105.002. FUNDS AFFECTED. This chapter applies to the funds, including school funds, of any municipality or any department or agency of the municipality.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1993, 73rd Leg., ch. 234, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER B. ESTABLISHMENT OF DEPOSITORY

Sec. 105.011. DEPOSITORY AUTHORIZED. (a) Before awarding a depository services contract to a depository, the governing body of a municipality shall receive applications for the performance of depository services from one or more banks, credit unions, or savings associations.

(b) The governing body may consider the application of a bank, credit union, or savings association that is not doing business within the municipality if:

(1) the bank, credit union, or savings association maintains a place of business within the state and offers within the state the services required by the depository services contract; and

(2) the governing body, prior to giving the notice required by Section 105.012, has adopted a written policy expressly permitting the consideration of applications received by the municipality from a bank, credit union, or savings association that is not doing business within the municipality, after taking into consideration what is in the best interest of the municipality in establishing a depository.

(c) The designated officer shall request, receive, and review applications for the performance of depository services. The designated officer shall present the specifications of each application to the governing body who will then select a depository.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1989, 71st Leg., ch. 1, Sec. 14(a), eff. Aug. 28, 1989; Acts 1993, 73rd Leg., ch. 234, Sec. 1, eff. Sept. 1, 1993.

Sec. 105.012. NOTICE. (a) The designated officer shall give notice to banks, credit unions, and savings associations requesting the submission of applications for the performance of depository services.

(b) The notice must contain:

- (1) the name and address of the designated officer receiving the applications;
- (2) the date and time the applications are to be received by the designated officer; and
- (3) the date, time, and place the governing body of the municipality will consider the selection of one or more depositories.

(c) Notice of the request shall be published at least once no later than 21 days prior to the deadline for receipt of applications for depository services contracts (i) in a newspaper of general circulation in the municipality and (ii) in a financial publication of general circulation published within this state; provided, that the notice required by clause (ii) shall not be required if the governing body has not adopted the written policy described in Section 105.011.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1993, 73rd Leg., ch. 234, Sec. 1, eff. Sept. 1, 1993.

Sec. 105.013. APPLICATION. The designated officer may not consider an application if it is received after the date specified in the notice for receiving applications by the designated officer.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1993, 73rd Leg., ch. 234, Sec. 1, eff. Sept. 1, 1993.

Sec. 105.014. REVIEW OF APPLICATIONS. In reviewing the applications, the designated officer shall consider the terms and conditions for the performance of depository services, including the type and cost of services to be provided to the municipality, consistent with any policy guidelines adopted by the governing body regarding the selection of one or more depositories.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1993, 73rd Leg., ch. 234, Sec. 1, eff. Sept. 1, 1993.

Sec. 105.015. SELECTION OF DEPOSITORY. (a) The governing body of a municipality may authorize the designated officer to

execute on the municipality's behalf one or more depository services contracts.

(b) The governing body may reject any of the applications and readvertise if all applications are rejected.

(c) The conflict of interests provisions of Section 131.903 apply to the selection of the depositories.

Added by Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Renumbered from Sec. 105.014 and amended by Acts 1993, 73rd Leg., ch. 234, Sec. 1, eff. Sept. 1, 1993. Amended by Acts 1993, 73rd Leg., ch. 268, Sec. 25, eff. Sept. 1, 1993.

Sec. 105.016. DESIGNATION OF DEPOSITORY. (a) The governing body shall designate, by an order recorded in its minutes, the bank, credit union, or savings association to serve as a depository for the municipality's funds.

(b) If a bank, credit union, or savings association selected as a municipal depository does not provide security by the deadline prescribed by Section 105.031, the selection of the bank, credit union, or savings association as a depository is void, and the governing body may consider the application it deems to be the next most advantageous depository services application.

Added by Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Renumbered from Sec. 105.015 and amended by Acts 1993, 73rd Leg., ch. 234, Sec. 1, eff. Sept. 1, 1993.

Sec. 105.017. TERM OF DEPOSITORY CONTRACT. A municipality may approve, execute, and deliver any depository services contract whose term does not exceed five years. The depository services contract may only contain terms and conditions approved by the governing body of the municipality.

Added by Acts 1993, 73rd Leg., ch. 234, Sec. 1, eff. Sept. 1, 1993.

Sec. 105.018. ADDITIONAL SERVICES. In addition to depository services, a municipality may contract with financial institutions, including banks, credit unions, and savings associations, for

additional financial services under a separate contract if the governing body of the municipality determines that additional financial services are necessary in the administration, collection, investment, and transfer of municipal funds.

Added by Acts 1993, 73rd Leg., ch. 234, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER C. SECURITY FOR FUNDS HELD BY DEPOSITORY

Sec. 105.031. QUALIFICATION AS DEPOSITORY. (a) The bank or savings association, to qualify as a municipal depository, must, not later than five days before the commencement of the term of the depository services contract, provide security for the municipal funds to be deposited in accordance with the terms of the depository services contract.

(b) Chapter 2257, Government Code governs the type, level, substitution, possession, release, and method of valuation of the security necessary to secure the deposit of municipal funds.

(c) Repealed by Acts 2001, 77th Leg., ch. 402, Sec. 20(a), eff. Sept. 1, 2001.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1993, 73rd Leg., ch. 234, Sec. 1, eff. Sept. 1, 1993; Acts 1995, 74th Leg., ch. 76, Sec. 5.95(12), eff. Sept. 1, 1995; Acts 2001, 77th Leg., ch. 402, Sec. 20(a), eff. Sept. 1, 2001.

Sec. 105.033. SURETY BOND. (a) One or more bonds issued and executed by one or more solvent surety companies authorized to do business in this state, payable to the municipality and filed with the secretary and the designated officer of the municipality, qualify as security under this subchapter if the bonds are approved by the governing body.

(b) After the governing body approves a surety bond, it shall be filed with the secretary and the designated officer of the municipality.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1993, 73rd Leg., ch. 234, Sec. 1, eff. Sept. 1, 1993.

Sec. 105.034. CONDITIONS TO ACTING AS DEPOSITORY. (a) The depository shall:

(1) keep the municipal funds covered by the depository services contract;

(2) perform all duties and obligations imposed on the depository by law and under the depository services contract;

(3) pay on presentation all checks drawn and properly payable on a demand deposit account with the depository;

(4) pay all transfers properly payable as directed by a designated officer;

(5) provide and maintain security at the level required by the provisions of Chapter 2257, Government Code; and

(6) account for the municipal funds as required by law.

(b) Any suit brought in connection with a depository services contract must be tried in the county in which the city hall of the municipality is located.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1993, 73rd Leg., ch. 234, Sec. 1, eff. Sept. 1, 1993; Acts 1995, 74th Leg., ch. 76, Sec. 5.95(12), eff. Sept. 1, 1995.

#### SUBCHAPTER D. MAINTENANCE AND MODIFICATION OF SECURITY

Sec. 105.051. MAINTENANCE OF SECURITY. (a) A depository services contract shall contain terms and conditions relating to the possession, substitution, or release of security, including:

(1) requiring the depository to execute a new bond or pledge additional securities for the deposit of municipal funds;

(2) substituting one security for another;

(3) releasing securities pledged by a depository in excess of the amount required by this chapter;

(4) the time period in which such addition, substitution, or release of security by a depository may occur; and

(5) other matters relating to the possession, substitution, or release of security the municipality considers necessary for its protection.

(b) If a depository fails for any reason to comply with the requirements governing the possession, substitution, or release of security, the governing body may select a new depository in the manner provided in this chapter.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1993, 73rd Leg., ch. 234, Sec. 1, eff. Sept. 1, 1993.

Sec. 105.053. SOLVENCY OF SURETY COMPANY AND ADEQUACY OF SECURITIES. At any time the governing body of the municipality considers it necessary for the protection of the municipality, the governing body may direct the designated officer to investigate the solvency of a surety company that issues a bond on behalf of a municipal depository or investigate the value of securities pledged by a depository to secure municipal funds.

Added by Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Renumbered from Sec. 105.056 and amended by Acts 1993, 73rd Leg., ch. 234, Sec. 1, eff. Sept. 1, 1993.

Sec. 105.054. SURRENDER OF INTEREST ON SECURITIES. Except as provided for in the collateral policies of the municipality adopted in accordance with Chapter 2257, Government Code, on request of a municipal depository, the municipality shall surrender, when due, interest coupons or other evidence of interest on securities deposited by the depository with the governing body if the securities remaining pledged by the depository are adequate to meet the requirements of this chapter and of the governing body.

Added by Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Renumbered from Sec. 105.057 and amended by Acts 1993, 73rd Leg., ch. 234, Sec. 1, eff. Sept. 1, 1993. Amended by Acts 1995, 74th Leg., ch. 76, Sec. 5.95(12), eff. Sept. 1, 1995.

#### SUBCHAPTER E. DEPOSITORY ACCOUNTS

Sec. 105.071. CHARACTER AND AMOUNT OF DEPOSITS. (a) The governing body of the municipality may determine and designate in

the depository services contract the character and amount of municipal funds that will be demand deposits. However, the municipality has the right to maintain other investments of municipal funds in accordance with the investment policy adopted by the municipality.

(b) The designated officer may contract with a depository for interest on time deposits, including, without limitation, certificates of deposit, at any legal rate under federal or state law, rule, or regulation.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1993, 73rd Leg., ch. 234, Sec. 1, eff. Sept. 1, 1993.

Sec. 105.072. INVESTMENTS. The provisions of Chapter 810, Acts of the 66th Legislature, Regular Session, 1979 (Article 4413 (34c), Vernon's Texas Civil Statutes), and Subchapter A, Chapter 2256, Government Code shall govern the investment of municipal funds.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1993, 73rd Leg., ch. 234, Sec. 1, eff. Sept. 1, 1993; Acts 1995, 74th Leg., ch. 76, Sec. 5.95(11), eff. Sept. 1, 1995.

Sec. 105.073. DEPOSIT OF FUNDS. Not later than 60 days from the date the governing body of the municipality designates a depository in accordance with the provisions of Section 105.016, the designated officer of the municipality shall transfer to the depository all the municipal funds covered by the depository services contract under the control of the designated officer. The designated officer of the municipality shall as soon as practicable also deposit in the depository to the credit of the municipality any money covered by the depository services contract received after the depository is designated.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1993, 73rd Leg., ch. 234, Sec. 1, eff. Sept. 1, 1993.



Sec. 105.074. PAYMENT OF FUNDS. (a) The funds of the municipality may be paid out of a depository only at the direction of a designated officer.

(b) Except as provided in Subsection (g), a designated officer may draw a check on a depository only on a warrant signed by the mayor and attested by the secretary of the municipality.

(c) If there is sufficient money in a fund in a depository against which the proper authority has drawn a warrant, the designated officer on presentation of the warrant shall draw a check on the depository in favor of the legal holder of the warrant, retain the warrant, and charge the warrant against the fund on which it is drawn. The designated officer may not draw a warrant on a fund in a depository unless the fund has sufficient money to pay the warrant.

(d) A designated officer may not draw a check on any funds designated in the depository services contract as time deposits until notice has been given and the notice period has expired under the terms of the contract with the depository.

(e) The mayor and secretary of the municipality may not draw a warrant on a special fund in a depository or under the control of the designated officer that was created to pay the bonded indebtedness of the municipality other than to pay the principal of or interest on the indebtedness or to invest the fund as provided by law.

(f) The designated officer may not pay or draw a check to pay money out of a special fund that was created to pay the bonded indebtedness of the municipality other than to pay the principal of or interest on the indebtedness or to invest the fund as provided by law.

(g) Notwithstanding the provisions of Subsections (b) through (f), the governing body of a municipality may adopt procedures:

(1) governing the method by which the designated officer is authorized to direct payments from the funds of the municipality on deposit with a depository;

(2) governing the method of payment of obligations of the municipality, including payment by check, draft, wire transfer, or other method of payment mutually acceptable to the municipality and the depository; and

(3) the governing body determines are necessary to ensure the safety and integrity of the payment process.

(h) If a municipality adopts procedures in accordance with Subsection (g), a copy of the adopted procedures shall be filed with the depository. The designated officer and the depository shall agree upon record-keeping safeguards and other measures necessary to ensure the safety and integrity of the payment process. The safeguards must be approved by the governing body of the municipality if the governing body finds that the safeguards are consistent with and do not contravene the procedures adopted under Subsection (g).

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1993, 73rd Leg., ch. 234, Sec. 1, eff. Sept. 1, 1993.

Sec. 105.075. CHECKS PAYABLE AT DEPOSITORY. Checks drawn by the treasurer of the municipality against municipal funds on deposit are payable by the depository at its place of business in the municipality.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1993, 73rd Leg., ch. 234, Sec. 1, eff. Sept. 1, 1993.

Sec. 105.076. DEBTS PAYABLE OTHER THAN AT MUNICIPAL TREASURY. The governing body of the municipality may direct the designated officer to withdraw from a depository and deposit money sufficient to pay a bond, coupon, or other indebtedness of the municipality at a place other than at the municipal treasury if by its terms the indebtedness is payable on maturity or upon redemption prior to maturity at the other location.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1993, 73rd Leg., ch. 234, Sec. 1, eff. Sept. 1, 1993.

#### SUBCHAPTER F. LIABILITY AND REPORT OF DESIGNATED OFFICER

Sec. 105.091. LIABILITY OF DESIGNATED OFFICER. (a) The designated officer is not responsible for any loss of municipal

funds through the negligence, failure, or wrongful act of a depository. This subsection does not release the designated officer from responsibility for a loss resulting from the official misconduct of the designated officer, including a misappropriation of the funds, or from responsibility for the funds until a depository is selected and the funds are deposited.

(b) A designated officer who diverts money from an interest and sinking fund or who applies money in that fund for a purpose other than as permitted by Section 105.074(f) is:

(1) subject to a penalty of not less than \$500 or more than \$1,000; and

(2) liable for the amount of money that is diverted.

(c) The state is entitled to recover a penalty imposed under Subsection (b)(1). The amount of diverted money that is recovered under Subsection (b)(2) shall be paid into the municipal treasury to the credit of the fund from which it was diverted.

(d) The attorney general or the district attorney of the district in which the designated officer resides, or the county attorney in a county that is not served by a district attorney, may institute suit against the designated officer and the sureties on the designated officer's official bond to recover the amounts described by Subsection (b).

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1993, 73rd Leg., ch. 234, Sec. 1, eff. Sept. 1, 1993; Acts 1999, 76th Leg., ch. 227, Sec. 6, eff. Sept. 1, 1999.

Sec. 105.092. REPORT BY DESIGNATED OFFICER. In conjunction with the publication of the annual financial statement of the municipality, the designated officer shall prepare a report which shall describe in summary form:

(1) the amount of receipts and expenditures of the municipal treasury;

(2) the amount of money on hand in each fund;

(3) the amount of bonds becoming due for redemption that require action;

(4) the amount of interest to be paid during the next fiscal year; and

(5) any other information required by law to be reported by the designated officer.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1993, 73rd Leg., ch. 234, Sec. 1, eff. Sept. 1, 1993.

## GOVERNMENT CODE

## TITLE 10. GENERAL GOVERNMENT

## SUBTITLE F. STATE AND LOCAL CONTRACTS AND FUND MANAGEMENT

## CHAPTER 2257. COLLATERAL FOR PUBLIC FUNDS

## SUBCHAPTER A. GENERAL PROVISIONS

Sec. 2257.001. SHORT TITLE. This chapter may be cited as the Public Funds Collateral Act.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 2257.002. DEFINITIONS. In this chapter:

(1) "Bank holding company" has the meaning assigned by Section 31.002(a), Finance Code.

(2) "Control" has the meaning assigned by Section 31.002(a), Finance Code.

(3) "Deposit of public funds" means public funds of a public entity that:

(A) the comptroller does not manage under Chapter 404;  
and

(B) are held as a demand or time deposit by a depository institution expressly authorized by law to accept a public entity's demand or time deposit.

(4) "Eligible security" means:

(A) a surety bond;

(B) an investment security;

(C) an ownership or beneficial interest in an investment security, other than an option contract to purchase or sell an investment security;

(D) a fixed-rate collateralized mortgage obligation that has an expected weighted average life of 10 years or less and does not constitute a high-risk mortgage security;

(E) a floating-rate collateralized mortgage obligation that does not constitute a high-risk mortgage security; or

(F) a letter of credit issued by a federal home loan bank.

(5) "Investment security" means:

(A) an obligation that in the opinion of the attorney general of the United States is a general obligation of the United States and backed by its full faith and credit;

(B) a general or special obligation issued by a public agency that is payable from taxes, revenues, or a combination of taxes and revenues; or

(C) a security in which a public entity may invest under Subchapter A, Chapter 2256.

(6) "Permitted institution" means:

(A) a Federal Reserve Bank;

(B) a clearing corporation, as defined by Section 8.102, Business & Commerce Code;

(C) a bank eligible to be a custodian under Section 2257.041; or

(D) a state or nationally chartered bank that is controlled by a bank holding company that controls a bank eligible to be a custodian under Section 2257.041.

(7) "Public agency" means a state or a political or governmental entity, agency, instrumentality, or subdivision of a state, including a municipality, an institution of higher education, as defined by Section 61.003, Education Code, a junior college, a district created under Article XVI, Section 59, of the Texas Constitution, and a public hospital.

(8) "Public entity" means a public agency in this state, but does not include an institution of higher education, as defined by Section 61.003, Education Code.

(9) "State agency" means a public entity that:

(A) has authority that is not limited to a geographic portion of the state; and

(B) was created by the constitution or a statute.

(10) "Trust receipt" means evidence of receipt, identification, and recording, including:

(A) a physical controlled trust receipt; or

(B) a written or electronically transmitted advice of transaction.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.  
Amended by Acts 1995, 74th Leg., ch. 76, Sec. 5.48(a), eff. Sept. 1, 1995; Acts 1995, 74th Leg., ch. 914, Sec. 5, eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 254, Sec. 1, eff. Sept. 1, 1997; Acts 1997, 75th Leg., ch. 891, Sec. 3.22(4), eff. Sept. 1, 1997; Acts 1997, 75th Leg., ch. 1423, Sec. 8.70, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 62, Sec. 7.63, eff. Sept. 1, 1999.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 783 (H.B. 2103), Sec. 1, eff. June 17, 2011.

Sec. 2257.0025. HIGH-RISK MORTGAGE SECURITY. (a) For purposes of this chapter, a fixed-rate collateralized mortgage obligation is a high-risk mortgage security if the security:

(1) has an average life sensitivity with a weighted average life that:

(A) extends by more than four years, assuming an immediate and sustained parallel shift in the yield curve of plus 300 basis points; or

(B) shortens by more than six years, assuming an immediate and sustained parallel shift in the yield curve of minus 300 basis points; and

(2) is price sensitive; that is, the estimated change in the price of the mortgage derivative product is more than 17 percent, because of an immediate and sustained parallel shift in the yield curve of plus or minus 300 basis points.

(b) For purposes of this chapter, a floating-rate collateralized mortgage obligation is a high-risk mortgage security if the security:

(1) bears an interest rate that is equal to the contractual cap on the instrument; or

(2) is price sensitive; that is, the estimated change in the price of the mortgage derivative product is more than 17 percent, because of an immediate and sustained parallel shift in the yield curve of plus or minus 300 basis points.

Added by Acts 1997, 75th Leg., ch. 254, Sec. 2, eff. Sept. 1, 1997.

Sec. 2257.003. CHAPTER NOT APPLICABLE TO DEFERRED COMPENSATION PLANS. This chapter does not apply to funds that a public entity maintains or administers under a deferred compensation plan, the federal income tax treatment of which is governed by Section 401(k) or 457 of the Internal Revenue Code of 1986 (26 U.S.C. Sections 401(k) and 457).

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 2257.004. CONFLICT WITH OTHER LAW. This chapter prevails over any other law relating to security for a deposit of public funds to the extent of any conflict.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 2257.005. CONTRACT GOVERNS LEGAL ACTION. A legal action brought by or against a public entity that arises out of or in connection with the duties of a depository, custodian, or permitted institution under this chapter must be brought and maintained as provided by the contract with the public entity.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

#### SUBCHAPTER B. DEPOSITORY; SECURITY FOR DEPOSIT OF PUBLIC FUNDS

Sec. 2257.021. COLLATERAL REQUIRED. A deposit of public funds shall be secured by eligible security to the extent and in the manner required by this chapter.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 2257.022. AMOUNT OF COLLATERAL. (a) Except as provided by Subsection (b), the total value of eligible security to secure a deposit of public funds must be in an amount not less than the amount of the deposit of public funds:

- (1) increased by the amount of any accrued interest; and
- (2) reduced to the extent that the United States or an instrumentality of the United States insures the deposit.



(b) The total value of eligible security described by Section 45.201(4)(D), Education Code, to secure a deposit of public funds of a school district must be in an amount not less than 110 percent of the amount of the deposit as determined under Subsection (a). The total market value of the eligible security must be reported at least once each month to the school district.

(c) The value of a surety bond is its face value.

(d) The value of an investment security is its market value.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.  
Amended by Acts 2003, 78th Leg., ch. 201, Sec. 46, eff. Sept. 1, 2003.

Sec. 2257.023. COLLATERAL POLICY. (a) In accordance with a written policy approved by the governing body of the public entity, a public entity shall determine if an investment security is eligible to secure deposits of public funds.

(b) The written policy may include:

(1) the security of the institution that obtains or holds an investment security;

(2) the substitution or release of an investment security;  
and

(3) the method by which an investment security used to secure a deposit of public funds is valued.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 2257.024. CONTRACT FOR SECURING DEPOSIT OF PUBLIC FUNDS.

(a) A public entity may contract with a bank that has its main office or a branch office in this state to secure a deposit of public funds.

(b) The contract may contain a term or condition relating to an investment security used as security for a deposit of public funds, including a term or condition relating to the:

(1) possession of the collateral;

(2) substitution or release of an investment security;

(3) ownership of the investment securities of the bank used to secure a deposit of public funds; and

(4) method by which an investment security used to secure a deposit of public funds is valued.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.  
Amended by Acts 1999, 76th Leg., ch. 344, Sec. 5.006, eff. Sept. 1, 1999.

Sec. 2257.025. RECORDS OF DEPOSITORY. (a) A public entity's depository shall maintain a separate, accurate, and complete record relating to a pledged investment security, a deposit of public funds, and a transaction related to a pledged investment security.

(b) The comptroller or the public entity may examine and verify at any reasonable time a pledged investment security or a record a depository maintains under this section.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.  
Amended by Acts 1997, 75th Leg., ch. 891, Sec. 3.16, eff. Sept. 1, 1997.

Sec. 2257.026. CHANGE IN AMOUNT OR ACTIVITY OF DEPOSITS OF PUBLIC FUNDS. A public entity shall inform the depository for the public entity's deposit of public funds of a significant change in the amount or activity of those deposits within a reasonable time before the change occurs.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

#### SUBCHAPTER C. CUSTODIAN; PERMITTED INSTITUTION

Sec. 2257.041. DEPOSIT OF SECURITIES WITH CUSTODIAN. (a) In addition to other authority granted by law, a depository for a public entity other than a state agency may deposit with a custodian a security pledged to secure a deposit of public funds.

(b) At the request of the public entity, a depository for a public entity other than a state agency shall deposit with a custodian a security pledged to secure a deposit of public funds.

(c) A depository for a state agency shall deposit with a custodian a security pledged to secure a deposit of public funds.

The custodian and the state agency shall agree in writing on the terms and conditions for securing a deposit of public funds.

(d) A custodian must be approved by the public entity and be:

(1) a state or national bank that:

(A) is designated by the comptroller as a state depository;

(B) has its main office or a branch office in this state; and

(C) has a capital stock and permanent surplus of \$5 million or more;

(2) the Texas Treasury Safekeeping Trust Company;

(3) a Federal Reserve Bank or a branch of a Federal Reserve Bank;

(4) a federal home loan bank; or

(5) a financial institution authorized to exercise fiduciary powers that is designated by the comptroller as a custodian pursuant to Section 404.031(e).

(e) A custodian holds in trust the securities to secure the deposit of public funds of the public entity in the depository pledging the securities.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Amended by Acts 1995, 74th Leg., ch. 1010, Sec. 1, eff. June 17,

1995; Acts 1997, 75th Leg., ch. 891, Sec. 3.17, eff. Sept. 1, 1997;

Acts 1999, 76th Leg., ch. 344, Sec. 5.007, eff. Sept. 1, 1999.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 486 (S.B. 638), Sec. 3, eff. September 1, 2009.

Sec. 2257.042. DEPOSIT OF SECURITIES WITH PERMITTED INSTITUTION. (a) A custodian may deposit with a permitted institution an investment security the custodian holds under Section 2257.041.

(b) If a deposit is made under Subsection (a):

(1) the permitted institution shall hold the investment security to secure funds the public entity deposits in the depository that pledges the investment security;

(2) the trust receipt the custodian issues under Section 2257.045 shall show that the custodian has deposited the security in a permitted institution; and

(3) the permitted institution, on receipt of the investment security, shall immediately issue to the custodian an advice of transaction or other document that is evidence that the custodian deposited the security in the permitted institution.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 2257.043. DEPOSITORY AS CUSTODIAN OR PERMITTED INSTITUTION. (a) A public entity other than a state agency may prohibit a depository or an entity of which the depository is a branch from being the custodian of or permitted institution for a security the depository pledges to secure a deposit of public funds.

(b) A depository or an entity of which the depository is a branch may not be the custodian of or permitted institution for a security the depository pledges to secure a deposit of public funds by a state agency.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 2257.044. CUSTODIAN AS BAILEE. (a) A custodian under this chapter or a custodian of a security pledged to an institution of higher education, as defined by Section 61.003, Education Code, whether acting alone or through a permitted institution, is for all purposes the bailee or agent of the public entity or institution depositing the public funds with the depository.

(b) To the extent of any conflict, Subsection (a) prevails over Chapter 8 or 9, Business & Commerce Code.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 2257.045. RECEIPT OF SECURITY BY CUSTODIAN. (a) On receipt of an investment security, a custodian shall immediately identify on its books and records, by book entry or another method, the pledge of the security to the public entity.

(b) For a deposit of public funds under Subchapter F, the custodian shall issue and deliver to the comptroller a trust receipt for the pledged security.

(c) For any other deposit of public funds under this chapter, at the written direction of the appropriate public entity officer, the custodian shall:

(1) issue and deliver to the appropriate public entity officer a trust receipt for the pledged security; or

(2) issue and deliver a trust receipt for the pledged security to the public entity's depository and instruct the depository to deliver the trust receipt to the public entity officer immediately.

(d) The custodian shall issue and deliver the trust receipt as soon as practicable on the same business day on which the investment security is received.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 434 (S.B. 581), Sec. 1, eff. June 14, 2013.

Sec. 2257.046. BOOKS AND RECORDS OF CUSTODIAN; INSPECTION.

(a) A public entity's custodian shall maintain a separate, accurate, and complete record relating to each pledged investment security and each transaction relating to a pledged investment security.

(b) The comptroller or the public entity may examine and verify at any reasonable time a pledged investment security or a record a custodian maintains under this section. The public entity or its agent may inspect at any time an investment security evidenced by a trust receipt.

(c) The public entity's custodian shall file a collateral report with the comptroller in the manner and on the dates prescribed by the comptroller.

(d) At the request of the appropriate public entity officer, the public entity's custodian shall provide a current list of all pledged investment securities. The list must include, for each pledged investment security:

(1) the name of the public entity;

(2) the date the security was pledged to secure the public entity's deposit;

(3) the Committee on Uniform Security Identification Procedures (CUSIP) number of the security;

(4) the face value and maturity date of the security; and

(5) the confirmation number on the trust receipt issued by the custodian.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Amended by Acts 1997, 75th Leg., ch. 891, Sec. 3.18, eff. Sept. 1, 1997.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 434 (S.B. 581), Sec. 2, eff. June 14, 2013.

Sec. 2257.047. BOOKS AND RECORDS OF PERMITTED INSTITUTION. (a) A permitted institution may apply book entry procedures when an investment security held by a custodian is deposited under Section 2257.042.

(b) A permitted institution's records must at all times state the name of the custodian that deposits an investment security in the permitted institution.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 2257.048. ATTACHMENT AND PERFECTION OF SECURITY INTEREST. (a) A security interest that arises out of a depository's pledge of a security to secure a deposit of public funds by a public entity or an institution of higher education, as defined by Section 61.003, Education Code, is created, attaches, and is perfected for all purposes under state law from the time that the custodian identifies the pledge of the security on the custodian's books and records and issues the trust receipt.

(b) A security interest in a pledged security remains perfected in the hands of a subsequent custodian or permitted institution.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

#### SUBCHAPTER D. AUDITS AND EXAMINATIONS; PENALTIES

Sec. 2257.061. AUDITS AND EXAMINATIONS. As part of an audit or regulatory examination of a public entity's depository or custodian, the auditor or examiner shall:

- (1) examine and verify pledged investment securities and records maintained under Section 2257.025 or 2257.046; and
- (2) report any significant or material noncompliance with this chapter to the comptroller.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.  
Amended by Acts 1997, 75th Leg., ch. 891, Sec. 3.19, eff. Sept. 1, 1997.

Sec. 2257.062. PENALTIES. (a) The comptroller may revoke a depository's designation as a state depository for one year if, after notice and a hearing, the comptroller makes a written finding that the depository, while acting as either a depository or a custodian:

- (1) did not maintain reasonable compliance with this chapter; and
- (2) failed to remedy a violation of this chapter within a reasonable time after receiving written notice of the violation.

(b) The comptroller may permanently revoke a depository's designation as a state depository if the comptroller makes a written finding that the depository:

- (1) has not maintained reasonable compliance with this chapter; and
- (2) has acted in bad faith by not remedying a violation of this chapter.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.  
Amended by Acts 1997, 75th Leg., ch. 891, Sec. 3.19, eff. Sept. 1, 1997.

Sec. 2257.063. MITIGATING CIRCUMSTANCES. (a) The comptroller shall consider the total circumstances relating to the performance of a depository or custodian when the comptroller makes a finding required by Section 2257.062, including the extent to which the noncompliance is minor, isolated, temporary, or nonrecurrent.

(b) The comptroller may not find that a depository or custodian did not maintain reasonable compliance with this chapter if the noncompliance results from the public entity's failure to comply with Section 2257.026.

(c) This section does not relieve a depository or custodian of the obligation to secure a deposit of public funds with eligible security in the amount and manner required by this chapter within a reasonable time after the public entity deposits the deposit of public funds with the depository.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.  
Amended by Acts 1997, 75th Leg., ch. 891, Sec. 3.19, eff. Sept. 1, 1997.

Sec. 2257.064. REINSTATEMENT. The comptroller may reinstate a depository's designation as a state depository if:

(1) the comptroller determines that the depository has remedied all violations of this chapter; and

(2) the depository assures the comptroller to the comptroller's satisfaction that the depository will maintain reasonable compliance with this chapter.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.  
Amended by Acts 1997, 75th Leg., ch. 891, Sec. 3.19, eff. Sept. 1, 1997.

#### SUBCHAPTER E. EXEMPT INSTITUTIONS

Sec. 2257.081. DEFINITION. In this subchapter, "exempt institution" means:

(1) a public retirement system, as defined by Section 802.001; or

(2) the permanent school fund, as described by Section 43.001, Education Code.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.  
Amended by Acts 1997, 75th Leg., ch. 165, Sec. 6.31, eff. Sept. 1, 1997.



Sec. 2257.082. FUNDS OF EXEMPT INSTITUTION. An exempt institution is not required to have its funds fully insured or collateralized at all times if:

(1) the funds are held by:

(A) a custodian of the institution's assets under a trust agreement; or

(B) a person in connection with a transaction related to an investment; and

(2) the governing body of the institution, in exercising its fiduciary responsibility, determines that the institution is adequately protected by using a trust agreement, special deposit, surety bond, substantial deposit insurance, or other method an exempt institution commonly uses to protect itself from liability.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 2257.083. INVESTMENT; SELECTION OF DEPOSITORY. This chapter does not:

(1) prohibit an exempt institution from prudently investing in a certificate of deposit; or

(2) restrict the selection of a depository by the governing body of an exempt institution in accordance with its fiduciary duty.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

#### SUBCHAPTER F. POOLED COLLATERAL TO SECURE

##### DEPOSITS OF CERTAIN PUBLIC FUNDS

Sec. 2257.101. DEFINITION. In this subchapter, "participating institution" means a financial institution that holds one or more deposits of public funds and that participates in the pooled collateral program under this subchapter.

Added by Acts 2009, 81st Leg., R.S., Ch. 486 (S.B. 638), Sec. 1, eff. September 1, 2009.

Sec. 2257.102. POOLED COLLATERAL PROGRAM. (a) As an alternative to collateralization under Subchapter B, the comptroller

by rule shall establish a program for centralized pooled collateralization of deposits of public funds and for monitoring collateral maintained by participating institutions. The rules must provide that deposits of public funds of a county are not eligible for collateralization under the program. The comptroller shall provide for a separate collateral pool for any single participating institution's deposits of public funds.

(b) Under the pooled collateral program, the collateral of a participating institution pledged for a public deposit may not be combined with, cross-collateralized with, aggregated with, or pledged to another participating institution's collateral pools for pledging purposes.

(c) A participating institution may pledge its pooled securities to more than one participating depositor under contract with that participating institution.

(d) The pooled collateral program must provide for:

(1) participation in the program by a participating institution and each affected public entity to be voluntary;

(2) uniform procedures for processing all collateral transactions that are subject to an approved security agreement described by Section 2257.103; and

(3) the pledging of a participating institution's collateral securities using a single custodial account instead of an account for each depositor of public funds.

Added by Acts 2009, 81st Leg., R.S., Ch. 486 (S.B. 638), Sec. 1, eff. September 1, 2009.

Sec. 2257.103. PARTICIPATION IN POOLED COLLATERAL PROGRAM. A financial institution may participate in the pooled collateral program only if:

(1) the institution has entered into a binding collateral security agreement with a public agency for a deposit of public funds and the agreement permits the institution's participation in the program;

(2) the comptroller has approved the institution's participation in the program; and

(3) the comptroller has approved or provided the collateral security agreement form used.

Added by Acts 2009, 81st Leg., R.S., Ch. 486 (S.B. 638), Sec. 1, eff. September 1, 2009.

Sec. 2257.104. COLLATERAL REQUIRED; CUSTODIAN TRUSTEE. (a) Each participating institution shall secure its deposits of public funds with eligible securities the total value of which equals at least 102 percent of the amount of the deposits of public funds covered by a security agreement described by Section 2257.103 and deposited with the participating institution, reduced to the extent that the United States or an instrumentality of the United States insures the deposits. For purposes of determining whether collateral is sufficient to secure a deposit of public funds, Section 2257.022 (b) does not apply to a deposit of public funds held by the participating institution and collateralized under this subchapter.

(b) A participating institution shall provide for the collateral securities to be held by a custodian trustee, on behalf of the participating institution, in trust for the benefit of the pooled collateral program. A custodian trustee must qualify as a custodian under Section 2257.041.

(c) The comptroller by rule shall regulate a custodian trustee under the pooled collateral program in the manner provided by Subchapter C to the extent practicable. The rules must ensure that a custodian trustee depository does not own, is not owned by, and is independent of the financial institution or institutions for which it holds the securities in trust, except that the rules must allow the following to be a custodian trustee:

- (1) a federal reserve bank;
- (2) a banker's bank, as defined by Section 34.105, Finance Code; and
- (3) a federal home loan bank.

Added by Acts 2009, 81st Leg., R.S., Ch. 486 (S.B. 638), Sec. 1, eff. September 1, 2009.

Sec. 2257.105. MONITORING COLLATERAL. (a) Each participating institution shall file the following reports with the comptroller electronically and as prescribed by rules of the comptroller:

(1) a daily report of the aggregate ledger balance of deposits of public agencies participating in the pooled collateral program that are held by the institution, with each public entity's funds held itemized;

(2) a weekly summary report of the total market value of securities held by a custodian trustee on behalf of the participating institution;

(3) a monthly report listing the collateral securities held by a custodian trustee on behalf of the participating institution; together with the value of the securities; and

(4) as applicable, a participating institution's annual report that includes the participating institution's financial statements.

(b) The comptroller shall provide the participating institution an acknowledgment of each report received.

(c) The comptroller shall provide a daily report of the market value of the securities held in each pool.

(d) The comptroller shall post each report on the comptroller's Internet website.

Added by Acts 2009, 81st Leg., R.S., Ch. 486 (S.B. 638), Sec. 1, eff. September 1, 2009.

Sec. 2257.106. ANNUAL ASSESSMENT. (a) Once each state fiscal year, the comptroller shall impose against each participating institution an assessment in an amount sufficient to pay the costs of administering this subchapter. The amount of an assessment must be based on factors that include the number of public entity accounts a participating institution maintains, the number of transactions a participating institution conducts, and the aggregate average weekly deposit amounts during that state fiscal year of each participating institution's deposits of public funds collateralized under this subchapter. The comptroller by rule shall establish the formula for determining the amount of the assessments imposed under this subsection.

(b) The comptroller shall provide to each participating institution a notice of the amount of the assessment against the institution.

(c) A participating institution shall remit to the comptroller the amount assessed against it under this section not later than the 45th day after the date the institution receives the notice under Subsection (b).

(d) Money remitted to the comptroller under this section may be appropriated only for the purposes of administering this subchapter.

Added by Acts 2009, 81st Leg., R.S., Ch. 486 (S.B. 638), Sec. 1, eff. September 1, 2009.

Sec. 2257.107. PENALTY FOR REPORTING VIOLATION. The comptroller may impose an administrative penalty against a participating institution that does not timely file a report required by Section 2257.105.

Added by Acts 2009, 81st Leg., R.S., Ch. 486 (S.B. 638), Sec. 1, eff. September 1, 2009.

Sec. 2257.108. NOTICE OF COLLATERAL VIOLATION; ADMINISTRATIVE PENALTY. (a) The comptroller may issue a notice to a participating institution that the institution appears to be in violation of collateral requirements under Section 2257.104 and rules of the comptroller.

(b) The comptroller may impose an administrative penalty against a participating institution that does not maintain collateral in an amount and in the manner required by Section 2257.104 and rules of the comptroller if the participating institution has not remedied the violation before the third business day after the date a notice is issued under Subsection (a).

Added by Acts 2009, 81st Leg., R.S., Ch. 486 (S.B. 638), Sec. 1, eff. September 1, 2009.

Sec. 2257.109. PENALTY FOR FAILURE TO PAY ASSESSMENT. The comptroller may impose an administrative penalty against a

participating institution that does not pay an assessment against it in the time provided by Section 2257.106(c).

Added by Acts 2009, 81st Leg., R.S., Ch. 486 (S.B. 638), Sec. 1, eff. September 1, 2009.

Sec. 2257.110. PENALTY AMOUNT; PENALTIES NOT EXCLUSIVE. (a) The comptroller by rule shall adopt a formula for determining the amount of a penalty under this subchapter. For each violation and for each day of a continuing violation, a penalty must be at least \$100 per day and not more than \$1,000 per day. The penalty must be based on factors that include:

- (1) the aggregate average weekly deposit amounts during the state fiscal year of the institution's deposits of public funds;
- (2) the number of violations by the institution during the state fiscal year;
- (3) the number of days of a continuing violation; and
- (4) the average asset base of the institution as reported on the institution's year-end report of condition.

(b) The penalties provided by Sections 2257.107-2257.109 are in addition to those provided by Subchapter D or other law.

Added by Acts 2009, 81st Leg., R.S., Ch. 486 (S.B. 638), Sec. 1, eff. September 1, 2009.

Sec. 2257.111. PENALTY PROCEEDING CONTESTED CASE. A proceeding to impose a penalty under Section 2257.107, 2257.108, or 2257.109 is a contested case under Chapter 2001.

Added by Acts 2009, 81st Leg., R.S., Ch. 486 (S.B. 638), Sec. 1, eff. September 1, 2009.

Sec. 2257.112. SUIT TO COLLECT PENALTY. The attorney general may sue to collect a penalty imposed under Section 2257.107, 2257.108, or 2257.109.

Added by Acts 2009, 81st Leg., R.S., Ch. 486 (S.B. 638), Sec. 1, eff. September 1, 2009.

Sec. 2257.113. ENFORCEMENT STAYED PENDING REVIEW. Enforcement of a penalty imposed under Section 2257.107, 2257.108, or 2257.109 may be stayed during the time the order is under judicial review if the participating institution pays the penalty to the clerk of the court or files a supersedeas bond with the court in the amount of the penalty. A participating institution that cannot afford to pay the penalty or file the bond may stay the enforcement by filing an affidavit in the manner required by the Texas Rules of Civil Procedure for a party who cannot afford to file security for costs, subject to the right of the comptroller to contest the affidavit as provided by those rules.

Added by Acts 2009, 81st Leg., R.S., Ch. 486 (S.B. 638), Sec. 1, eff. September 1, 2009.

Sec. 2257.114. USE OF COLLECTED PENALTIES. Money collected as penalties under this subchapter may be appropriated only for the purposes of administering this subchapter.

Added by Acts 2009, 81st Leg., R.S., Ch. 486 (S.B. 638), Sec. 1, eff. September 1, 2009.

## GOVERNMENT CODE

## TITLE 10. GENERAL GOVERNMENT

## SUBTITLE F. STATE AND LOCAL CONTRACTS AND FUND MANAGEMENT

## CHAPTER 2256. PUBLIC FUNDS INVESTMENT

## SUBCHAPTER A. AUTHORIZED INVESTMENTS FOR GOVERNMENTAL ENTITIES

Sec. 2256.001. SHORT TITLE. This chapter may be cited as the Public Funds Investment Act.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995.

Sec. 2256.002. DEFINITIONS. In this chapter:

(1) "Bond proceeds" means the proceeds from the sale of bonds, notes, and other obligations issued by an entity, and reserves and funds maintained by an entity for debt service purposes.

(2) "Book value" means the original acquisition cost of an investment plus or minus the accrued amortization or accretion.

(3) "Funds" means public funds in the custody of a state agency or local government that:

(A) are not required by law to be deposited in the state treasury; and

(B) the investing entity has authority to invest.

(4) "Institution of higher education" has the meaning assigned by Section 61.003, Education Code.

(5) "Investing entity" and "entity" mean an entity subject to this chapter and described by Section 2256.003.

(6) "Investment pool" means an entity created under this code to invest public funds jointly on behalf of the entities that participate in the pool and whose investment objectives in order of priority are:

(A) preservation and safety of principal;

(B) liquidity; and

(C) yield.



(7) "Local government" means a municipality, a county, a school district, a district or authority created under Section 52(b)(1) or (2), Article III, or Section 59, Article XVI, Texas Constitution, a fresh water supply district, a hospital district, and any political subdivision, authority, public corporation, body politic, or instrumentality of the State of Texas, and any nonprofit corporation acting on behalf of any of those entities.

(8) "Market value" means the current face or par value of an investment multiplied by the net selling price of the security as quoted by a recognized market pricing source quoted on the valuation date.

(9) "Pooled fund group" means an internally created fund of an investing entity in which one or more institutional accounts of the investing entity are invested.

(10) "Qualified representative" means a person who holds a position with a business organization, who is authorized to act on behalf of the business organization, and who is one of the following:

(A) for a business organization doing business that is regulated by or registered with a securities commission, a person who is registered under the rules of the National Association of Securities Dealers;

(B) for a state or federal bank, a savings bank, or a state or federal credit union, a member of the loan committee for the bank or branch of the bank or a person authorized by corporate resolution to act on behalf of and bind the banking institution;

(C) for an investment pool, the person authorized by the elected official or board with authority to administer the activities of the investment pool to sign the written instrument on behalf of the investment pool; or

(D) for an investment management firm registered under the Investment Advisers Act of 1940 (15 U.S.C. Section 80b-1 et seq.) or, if not subject to registration under that Act, registered with the State Securities Board, a person who is an officer or principal of the investment management firm.

(11) "School district" means a public school district.

(12) "Separately invested asset" means an account or fund of a state agency or local government that is not invested in a pooled fund group.

(13) "State agency" means an office, department, commission, board, or other agency that is part of any branch of state government, an institution of higher education, and any nonprofit corporation acting on behalf of any of those entities.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 1421, Sec. 1, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 1454, Sec. 1, eff. Sept. 1, 1999.

Sec. 2256.003. AUTHORITY TO INVEST FUNDS; ENTITIES SUBJECT TO THIS CHAPTER. (a) Each governing body of the following entities may purchase, sell, and invest its funds and funds under its control in investments authorized under this subchapter in compliance with investment policies approved by the governing body and according to the standard of care prescribed by Section 2256.006:

- (1) a local government;
- (2) a state agency;
- (3) a nonprofit corporation acting on behalf of a local government or a state agency; or
- (4) an investment pool acting on behalf of two or more local governments, state agencies, or a combination of those entities.

(b) In the exercise of its powers under Subsection (a), the governing body of an investing entity may contract with an investment management firm registered under the Investment Advisers Act of 1940 (15 U.S.C. Section 80b-1 et seq.) or with the State Securities Board to provide for the investment and management of its public funds or other funds under its control. A contract made under authority of this subsection may not be for a term longer than two years. A renewal or extension of the contract must be made by the governing body of the investing entity by order, ordinance, or resolution.

(c) This chapter does not prohibit an investing entity or investment officer from using the entity's employees or the services of a contractor of the entity to aid the investment officer in the execution of the officer's duties under this chapter.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995; Acts 1999, 76th Leg., ch. 1454, Sec. 2, eff. Sept. 1, 1999.

Sec. 2256.004. APPLICABILITY. (a) This subchapter does not apply to:

- (1) a public retirement system as defined by Section 802.001;
- (2) state funds invested as authorized by Section 404.024;
- (3) an institution of higher education having total endowments of at least \$150 million in book value on September 1, 2017;
- (4) funds invested by the Veterans' Land Board as authorized by Chapter 161, 162, or 164, Natural Resources Code;
- (5) registry funds deposited with the county or district clerk under Chapter 117, Local Government Code; or
- (6) a deferred compensation plan that qualifies under either Section 401(k) or 457 of the Internal Revenue Code of 1986 (26 U.S.C. Section 1 et seq.), as amended.

(b) This subchapter does not apply to an investment donated to an investing entity for a particular purpose or under terms of use specified by the donor.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 505, Sec. 24, eff. Sept. 1, 1997; Acts 1997, 75th Leg., ch. 1421, Sec. 2, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 62, Sec. 8.21, eff. Sept. 1, 1999; Acts 1999, 76th Leg., ch. 1454, Sec. 3, eff. Sept. 1, 1999.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 773 (H.B. 1003), Sec. 1, eff. June 14, 2017.

Sec. 2256.005. INVESTMENT POLICIES; INVESTMENT STRATEGIES; INVESTMENT OFFICER. (a) The governing body of an investing entity shall adopt by rule, order, ordinance, or resolution, as appropriate, a written investment policy regarding the investment of its funds and funds under its control.

(b) The investment policies must:

- (1) be written;
- (2) primarily emphasize safety of principal and liquidity;

(3) address investment diversification, yield, and maturity and the quality and capability of investment management; and

(4) include:

(A) a list of the types of authorized investments in which the investing entity's funds may be invested;

(B) the maximum allowable stated maturity of any individual investment owned by the entity;

(C) for pooled fund groups, the maximum dollar-weighted average maturity allowed based on the stated maturity date for the portfolio;

(D) methods to monitor the market price of investments acquired with public funds;

(E) a requirement for settlement of all transactions, except investment pool funds and mutual funds, on a delivery versus payment basis; and

(F) procedures to monitor rating changes in investments acquired with public funds and the liquidation of such investments consistent with the provisions of Section 2256.021.

(c) The investment policies may provide that bids for certificates of deposit be solicited:

(1) orally;

(2) in writing;

(3) electronically; or

(4) in any combination of those methods.

(d) As an integral part of an investment policy, the governing body shall adopt a separate written investment strategy for each of the funds or group of funds under its control. Each investment strategy must describe the investment objectives for the particular fund using the following priorities in order of importance:

(1) understanding of the suitability of the investment to the financial requirements of the entity;

(2) preservation and safety of principal;

(3) liquidity;

(4) marketability of the investment if the need arises to liquidate the investment before maturity;

(5) diversification of the investment portfolio; and

(6) yield.

(e) The governing body of an investing entity shall review its investment policy and investment strategies not less than annually. The governing body shall adopt a written instrument by rule, order, ordinance, or resolution stating that it has reviewed the investment policy and investment strategies and that the written instrument so adopted shall record any changes made to either the investment policy or investment strategies.

(f) Each investing entity shall designate, by rule, order, ordinance, or resolution, as appropriate, one or more officers or employees of the state agency, local government, or investment pool as investment officer to be responsible for the investment of its funds consistent with the investment policy adopted by the entity. If the governing body of an investing entity has contracted with another investing entity to invest its funds, the investment officer of the other investing entity is considered to be the investment officer of the first investing entity for purposes of this chapter. Authority granted to a person to invest an entity's funds is effective until rescinded by the investing entity, until the expiration of the officer's term or the termination of the person's employment by the investing entity, or if an investment management firm, until the expiration of the contract with the investing entity. In the administration of the duties of an investment officer, the person designated as investment officer shall exercise the judgment and care, under prevailing circumstances, that a prudent person would exercise in the management of the person's own affairs, but the governing body of the investing entity retains ultimate responsibility as fiduciaries of the assets of the entity. Unless authorized by law, a person may not deposit, withdraw, transfer, or manage in any other manner the funds of the investing entity.

(g) Subsection (f) does not apply to a state agency, local government, or investment pool for which an officer of the entity is assigned by law the function of investing its funds.

Text of subsec. (h) as amended by Acts 1997, 75th Leg., ch. 685, Sec.

(h) An officer or employee of a commission created under Chapter 391, Local Government Code, is ineligible to be an investment officer for the commission under Subsection (f) if the officer or employee is an investment officer designated under Subsection (f) for another local government.

Text of subsec. (h) as amended by Acts 1997, 75th Leg., ch. 1421,  
Sec. 3

(h) An officer or employee of a commission created under Chapter 391, Local Government Code, is ineligible to be designated as an investment officer under Subsection (f) for any investing entity other than for that commission.

(i) An investment officer of an entity who has a personal business relationship with a business organization offering to engage in an investment transaction with the entity shall file a statement disclosing that personal business interest. An investment officer who is related within the second degree by affinity or consanguinity, as determined under Chapter 573, to an individual seeking to sell an investment to the investment officer's entity shall file a statement disclosing that relationship. A statement required under this subsection must be filed with the Texas Ethics Commission and the governing body of the entity. For purposes of this subsection, an investment officer has a personal business relationship with a business organization if:

(1) the investment officer owns 10 percent or more of the voting stock or shares of the business organization or owns \$5,000 or more of the fair market value of the business organization;

(2) funds received by the investment officer from the business organization exceed 10 percent of the investment officer's gross income for the previous year; or

(3) the investment officer has acquired from the business organization during the previous year investments with a book value of \$2,500 or more for the personal account of the investment officer.

(j) The governing body of an investing entity may specify in its investment policy that any investment authorized by this chapter is not suitable.

(k) A written copy of the investment policy shall be presented to any business organization offering to engage in an investment transaction with an investing entity. For purposes of this subsection and Subsection (1), "business organization" means an investment pool or investment management firm under contract with an investing entity to invest or manage the entity's investment portfolio that has accepted authority granted by the entity under the contract to exercise investment discretion in regard to the investing entity's funds. Nothing in this subsection relieves the investing entity of the responsibility for monitoring the investments made by the investing entity to determine that they are in compliance with the investment policy. The qualified representative of the business organization offering to engage in an investment transaction with an investing entity shall execute a written instrument in a form acceptable to the investing entity and the business organization substantially to the effect that the business organization has:

(1) received and reviewed the investment policy of the entity; and

(2) acknowledged that the business organization has implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the entity and the organization that are not authorized by the entity's investment policy, except to the extent that this authorization:

(A) is dependent on an analysis of the makeup of the entity's entire portfolio;

(B) requires an interpretation of subjective investment standards; or

(C) relates to investment transactions of the entity that are not made through accounts or other contractual arrangements over which the business organization has accepted discretionary investment authority.

(l) The investment officer of an entity may not acquire or otherwise obtain any authorized investment described in the investment policy of the investing entity from a business organization that has not delivered to the entity the instrument required by Subsection (k).

(m) An investing entity other than a state agency, in conjunction with its annual financial audit, shall perform a

compliance audit of management controls on investments and adherence to the entity's established investment policies.

(n) Except as provided by Subsection (o), at least once every two years a state agency shall arrange for a compliance audit of management controls on investments and adherence to the agency's established investment policies. The compliance audit shall be performed by the agency's internal auditor or by a private auditor employed in the manner provided by Section 321.020. Not later than January 1 of each even-numbered year a state agency shall report the results of the most recent audit performed under this subsection to the state auditor. Subject to a risk assessment and to the legislative audit committee's approval of including a review by the state auditor in the audit plan under Section 321.013, the state auditor may review information provided under this section. If review by the state auditor is approved by the legislative audit committee, the state auditor may, based on its review, require a state agency to also report to the state auditor other information the state auditor determines necessary to assess compliance with laws and policies applicable to state agency investments. A report under this subsection shall be prepared in a manner the state auditor prescribes.

(o) The audit requirements of Subsection (n) do not apply to assets of a state agency that are invested by the comptroller under Section 404.024.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 685, Sec. 1, eff. Sept. 1, 1997; Acts 1997, 75th Leg., ch. 1421, Sec. 3, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 1454, Sec. 4, eff. Sept. 1, 1999; Acts 2003, 78th Leg., ch. 785, Sec. 41, eff. Sept. 1, 2003.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 1004 (H.B. 2226), Sec. 1, eff. June 17, 2011.

Acts 2017, 85th Leg., R.S., Ch. 149 (H.B. 1701), Sec. 1, eff. September 1, 2017.

Sec. 2256.006. STANDARD OF CARE. (a) Investments shall be made with judgment and care, under prevailing circumstances, that a



person of prudence, discretion, and intelligence would exercise in the management of the person's own affairs, not for speculation, but for investment, considering the probable safety of capital and the probable income to be derived. Investment of funds shall be governed by the following investment objectives, in order of priority:

- (1) preservation and safety of principal;
- (2) liquidity; and
- (3) yield.

(b) In determining whether an investment officer has exercised prudence with respect to an investment decision, the determination shall be made taking into consideration:

- (1) the investment of all funds, or funds under the entity's control, over which the officer had responsibility rather than a consideration as to the prudence of a single investment; and
- (2) whether the investment decision was consistent with the written investment policy of the entity.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995.

Sec. 2256.007. INVESTMENT TRAINING; STATE AGENCY BOARD MEMBERS AND OFFICERS. (a) Each member of the governing board of a state agency and its investment officer shall attend at least one training session relating to the person's responsibilities under this chapter within six months after taking office or assuming duties.

(b) The Texas Higher Education Coordinating Board shall provide the training under this section.

(c) Training under this section must include education in investment controls, security risks, strategy risks, market risks, diversification of investment portfolio, and compliance with this chapter.

(d) An investment officer shall attend a training session not less than once each state fiscal biennium and may receive training from any independent source approved by the governing body of the state agency. The investment officer shall prepare a report on this subchapter and deliver the report to the governing body of the state agency not later than the 180th day after the last day of each regular session of the legislature.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 73, Sec. 1, eff. May 9, 1997; Acts 1997, 75th Leg., ch. 1421, Sec. 4, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 1454, Sec. 5, eff. Sept. 1, 1999.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 1004 (H.B. 2226), Sec. 2, eff. June 17, 2011.

Sec. 2256.008. INVESTMENT TRAINING; LOCAL GOVERNMENTS.

(a) Except as provided by Subsections (a-1), (b), (b-1), (e), and (f), the treasurer, the chief financial officer if the treasurer is not the chief financial officer, and the investment officer of a local government shall:

(1) attend at least one training session from an independent source approved by the governing body of the local government or a designated investment committee advising the investment officer as provided for in the investment policy of the local government and containing at least 10 hours of instruction relating to the treasurer's or officer's responsibilities under this subchapter within 12 months after taking office or assuming duties; and

(2) attend an investment training session not less than once in a two-year period that begins on the first day of that local government's fiscal year and consists of the two consecutive fiscal years after that date, and receive not less than 10 hours of instruction relating to investment responsibilities under this subchapter from an independent source approved by the governing body of the local government or a designated investment committee advising the investment officer as provided for in the investment policy of the local government.

(a-1) In addition to the requirements of Subsection (a)(1), the treasurer, or the chief financial officer if the treasurer is not the chief financial officer, and the investment officer of a school district or a municipality shall attend an investment training session not less than once in a two-year period that begins on the first day of the school district's or municipality's fiscal year and consists of the two consecutive fiscal years after that date, and receive not less than eight hours of instruction relating to

investment responsibilities under this subchapter from an independent source approved by the governing body of the school district or municipality, or by a designated investment committee advising the investment officer as provided for in the investment policy of the school district or municipality.

(b) An investing entity created under authority of Section 52(b), Article III, or Section 59, Article XVI, Texas Constitution, that has contracted with an investment management firm under Section 2256.003(b) and has fewer than five full-time employees or an investing entity that has contracted with another investing entity to invest the entity's funds may satisfy the training requirement provided by Subsection (a)(2) by having an officer of the governing body attend four hours of appropriate instruction in a two-year period that begins on the first day of that local government's fiscal year and consists of the two consecutive fiscal years after that date. The treasurer or chief financial officer of an investing entity created under authority of Section 52(b), Article III, or Section 59, Article XVI, Texas Constitution, and that has fewer than five full-time employees is not required to attend training required by this section unless the person is also the investment officer of the entity.

(b-1) A housing authority created under Chapter 392, Local Government Code, may satisfy the training requirement provided by Subsection (a)(2) by requiring the following person to attend, in each two-year period that begins on the first day of that housing authority's fiscal year and consists of the two consecutive fiscal years after that date, at least five hours of appropriate instruction:

(1) the treasurer, or the chief financial officer if the treasurer is not the chief financial officer, or the investment officer; or

(2) if the authority does not have an officer described by Subdivision (1), another officer of the authority.

(c) Training under this section must include education in investment controls, security risks, strategy risks, market risks, diversification of investment portfolio, and compliance with this chapter.

(d) Not later than December 31 each year, each individual, association, business, organization, governmental entity, or other person that provides training under this section shall report to the comptroller a list of the governmental entities for which the person provided required training under this section during that calendar year. An individual's reporting requirements under this subsection are satisfied by a report of the individual's employer or the sponsoring or organizing entity of a training program or seminar.

(e) This section does not apply to a district governed by Chapter 36 or 49, Water Code.

(f) Subsection (a)(2) does not apply to an officer of a municipality or housing authority if the municipality or housing authority:

(1) does not invest municipal or housing authority funds, as applicable; or

(2) only deposits those funds in:

(A) interest-bearing deposit accounts; or

(B) certificates of deposit as authorized by Section 2256.010.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 1421, Sec. 5, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 1454, Sec. 6, eff. Sept. 1, 1999; Acts 2001, 77th Leg., ch. 69, Sec. 4, eff. May 14, 2001.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 1004 (H.B. 2226), Sec. 3, eff. June 17, 2011.

Acts 2015, 84th Leg., R.S., Ch. 222 (H.B. 1148), Sec. 1, eff. September 1, 2015.

Acts 2015, 84th Leg., R.S., Ch. 1248 (H.B. 870), Sec. 1, eff. September 1, 2015.

Acts 2017, 85th Leg., R.S., Ch. 324 (S.B. 1488), Sec. 8.015, eff. September 1, 2017.

Acts 2017, 85th Leg., R.S., Ch. 1000 (H.B. 1238), Sec. 1, eff. September 1, 2017.

Acts 2017, 85th Leg., R.S., Ch. 1000 (H.B. 1238), Sec. 2, eff. September 1, 2017.

Sec. 2256.009. AUTHORIZED INVESTMENTS: OBLIGATIONS OF, OR GUARANTEED BY GOVERNMENTAL ENTITIES. (a) Except as provided by Subsection (b), the following are authorized investments under this subchapter:

(1) obligations, including letters of credit, of the United States or its agencies and instrumentalities, including the Federal Home Loan Banks;

(2) direct obligations of this state or its agencies and instrumentalities;

(3) collateralized mortgage obligations directly issued by a federal agency or instrumentality of the United States, the underlying security for which is guaranteed by an agency or instrumentality of the United States;

(4) other obligations, the principal and interest of which are unconditionally guaranteed or insured by, or backed by the full faith and credit of, this state or the United States or their respective agencies and instrumentalities, including obligations that are fully guaranteed or insured by the Federal Deposit Insurance Corporation or by the explicit full faith and credit of the United States;

(5) obligations of states, agencies, counties, cities, and other political subdivisions of any state rated as to investment quality by a nationally recognized investment rating firm not less than A or its equivalent;

(6) bonds issued, assumed, or guaranteed by the State of Israel;

(7) interest-bearing banking deposits that are guaranteed or insured by:

(A) the Federal Deposit Insurance Corporation or its successor; or

(B) the National Credit Union Share Insurance Fund or its successor; and

(8) interest-bearing banking deposits other than those described by Subdivision (7) if:

(A) the funds invested in the banking deposits are invested through:

(i) a broker with a main office or branch office in this state that the investing entity selects from a list the

governing body or designated investment committee of the entity adopts as required by Section 2256.025; or

(ii) a depository institution with a main office or branch office in this state that the investing entity selects;

(B) the broker or depository institution selected as described by Paragraph (A) arranges for the deposit of the funds in the banking deposits in one or more federally insured depository institutions, regardless of where located, for the investing entity's account;

(C) the full amount of the principal and accrued interest of the banking deposits is insured by the United States or an instrumentality of the United States; and

(D) the investing entity appoints as the entity's custodian of the banking deposits issued for the entity's account:

(i) the depository institution selected as described by Paragraph (A);

(ii) an entity described by Section 2257.041(d);

or

(iii) a clearing broker dealer registered with the Securities and Exchange Commission and operating under Securities and Exchange Commission Rule 15c3-3 (17 C.F.R. Section 240.15c3-3).

(b) The following are not authorized investments under this section:

(1) obligations whose payment represents the coupon payments on the outstanding principal balance of the underlying mortgage-backed security collateral and pays no principal;

(2) obligations whose payment represents the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest;

(3) collateralized mortgage obligations that have a stated final maturity date of greater than 10 years; and

(4) collateralized mortgage obligations the interest rate of which is determined by an index that adjusts opposite to the changes in a market index.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995; Acts 1999, 76th Leg., ch. 1454, Sec. 7, eff. Sept. 1, 1999; Acts 2001, 77th Leg., ch. 558, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 1004 (H.B. 2226), Sec. 4, eff. June 17, 2011.

Acts 2017, 85th Leg., R.S., Ch. 773 (H.B. 1003), Sec. 2, eff. June 14, 2017.

Acts 2017, 85th Leg., R.S., Ch. 863 (H.B. 2647), Sec. 1, eff. June 15, 2017.

Acts 2017, 85th Leg., R.S., Ch. 874 (H.B. 2928), Sec. 1, eff. September 1, 2017.

Sec. 2256.010. AUTHORIZED INVESTMENTS: CERTIFICATES OF DEPOSIT AND SHARE CERTIFICATES. (a) A certificate of deposit or share certificate is an authorized investment under this subchapter if the certificate is issued by a depository institution that has its main office or a branch office in this state and is:

(1) guaranteed or insured by the Federal Deposit Insurance Corporation or its successor or the National Credit Union Share Insurance Fund or its successor;

(2) secured by obligations that are described by Section 2256.009(a), including mortgage backed securities directly issued by a federal agency or instrumentality that have a market value of not less than the principal amount of the certificates, but excluding those mortgage backed securities of the nature described by Section 2256.009(b); or

(3) secured in accordance with Chapter 2257 or in any other manner and amount provided by law for deposits of the investing entity.

(b) In addition to the authority to invest funds in certificates of deposit under Subsection (a), an investment in certificates of deposit made in accordance with the following conditions is an authorized investment under this subchapter:

(1) the funds are invested by an investing entity through:

(A) a broker that has its main office or a branch office in this state and is selected from a list adopted by the investing entity as required by Section 2256.025; or

(B) a depository institution that has its main office or a branch office in this state and that is selected by the investing entity;

(2) the broker or the depository institution selected by the investing entity under Subdivision (1) arranges for the deposit of the funds in certificates of deposit in one or more federally insured depository institutions, wherever located, for the account of the investing entity;

(3) the full amount of the principal and accrued interest of each of the certificates of deposit is insured by the United States or an instrumentality of the United States; and

(4) the investing entity appoints the depository institution selected by the investing entity under Subdivision (1), an entity described by Section 2257.041(d), or a clearing broker-dealer registered with the Securities and Exchange Commission and operating pursuant to Securities and Exchange Commission Rule 15c3-3 (17 C.F.R. Section 240.15c3-3) as custodian for the investing entity with respect to the certificates of deposit issued for the account of the investing entity.

Amended by Acts 1995, 74th Leg., ch. 32, Sec. 1, eff. April 28, 1995; Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 1421, Sec. 6, eff. Sept. 1, 1997.

Amended by:

Acts 2005, 79th Leg., Ch. 128 (H.B. 256), Sec. 1, eff. September 1, 2005.

Acts 2011, 82nd Leg., R.S., Ch. 1004 (H.B. 2226), Sec. 5, eff. June 17, 2011.

Acts 2017, 85th Leg., R.S., Ch. 874 (H.B. 2928), Sec. 2, eff. September 1, 2017.

Sec. 2256.011. AUTHORIZED INVESTMENTS: REPURCHASE AGREEMENTS.

(a) A fully collateralized repurchase agreement is an authorized investment under this subchapter if the repurchase agreement:

- (1) has a defined termination date;
- (2) is secured by a combination of cash and obligations described by Section 2256.009(a)(1); and
- (3) requires the securities being purchased by the entity or cash held by the entity to be pledged to the entity, held in the entity's name, and deposited at the time the investment is made with



the entity or with a third party selected and approved by the entity;  
and

(4) is placed through a primary government securities dealer, as defined by the Federal Reserve, or a financial institution doing business in this state.

(b) In this section, "repurchase agreement" means a simultaneous agreement to buy, hold for a specified time, and sell back at a future date obligations described by Section 2256.009(a)(1), at a market value at the time the funds are disbursed of not less than the principal amount of the funds disbursed. The term includes a direct security repurchase agreement and a reverse security repurchase agreement.

(c) Notwithstanding any other law, the term of any reverse security repurchase agreement may not exceed 90 days after the date the reverse security repurchase agreement is delivered.

(d) Money received by an entity under the terms of a reverse security repurchase agreement shall be used to acquire additional authorized investments, but the term of the authorized investments acquired must mature not later than the expiration date stated in the reverse security repurchase agreement.

(e) Section 1371.059(c) applies to the execution of a repurchase agreement by an investing entity.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 1004 (H.B. 2226), Sec. 6, eff. June 17, 2011.

Acts 2017, 85th Leg., R.S., Ch. 773 (H.B. 1003), Sec. 3, eff. June 14, 2017.

Sec. 2256.0115. AUTHORIZED INVESTMENTS: SECURITIES LENDING PROGRAM. (a) A securities lending program is an authorized investment under this subchapter if it meets the conditions provided by this section.

(b) To qualify as an authorized investment under this subchapter:

(1) the value of securities loaned under the program must be not less than 100 percent collateralized, including accrued income;

(2) a loan made under the program must allow for termination at any time;

(3) a loan made under the program must be secured by:

(A) pledged securities described by Section 2256.009;

(B) pledged irrevocable letters of credit issued by a bank that is:

(i) organized and existing under the laws of the United States or any other state; and

(ii) continuously rated by at least one nationally recognized investment rating firm at not less than A or its equivalent; or

(C) cash invested in accordance with Section:

(i) 2256.009;

(ii) 2256.013;

(iii) 2256.014; or

(iv) 2256.016;

(4) the terms of a loan made under the program must require that the securities being held as collateral be:

(A) pledged to the investing entity;

(B) held in the investing entity's name; and

(C) deposited at the time the investment is made with the entity or with a third party selected by or approved by the investing entity;

(5) a loan made under the program must be placed through:

(A) a primary government securities dealer, as defined by 5 C.F.R. Section 6801.102(f), as that regulation existed on September 1, 2003; or

(B) a financial institution doing business in this state; and

(6) an agreement to lend securities that is executed under this section must have a term of one year or less.

Added by Acts 2003, 78th Leg., ch. 1227, Sec. 1, eff. Sept. 1, 2003.

## Sec. 2256.012. AUTHORIZED INVESTMENTS: BANKER'S ACCEPTANCES.

A bankers' acceptance is an authorized investment under this subchapter if the bankers' acceptance:

(1) has a stated maturity of 270 days or fewer from the date of its issuance;

(2) will be, in accordance with its terms, liquidated in full at maturity;

(3) is eligible for collateral for borrowing from a Federal Reserve Bank; and

(4) is accepted by a bank organized and existing under the laws of the United States or any state, if the short-term obligations of the bank, or of a bank holding company of which the bank is the largest subsidiary, are rated not less than A-1 or P-1 or an equivalent rating by at least one nationally recognized credit rating agency.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995.

## Sec. 2256.013. AUTHORIZED INVESTMENTS: COMMERCIAL PAPER.

Commercial paper is an authorized investment under this subchapter if the commercial paper:

(1) has a stated maturity of 270 days or fewer from the date of its issuance; and

(2) is rated not less than A-1 or P-1 or an equivalent rating by at least:

(A) two nationally recognized credit rating agencies;  
or

(B) one nationally recognized credit rating agency and is fully secured by an irrevocable letter of credit issued by a bank organized and existing under the laws of the United States or any state.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995.

## Sec. 2256.014. AUTHORIZED INVESTMENTS: MUTUAL FUNDS.

(a) A no-load money market mutual fund is an authorized investment under this subchapter if the mutual fund:

(1) is registered with and regulated by the Securities and Exchange Commission;

(2) provides the investing entity with a prospectus and other information required by the Securities Exchange Act of 1934 (15 U.S.C. Section 78a et seq.) or the Investment Company Act of 1940 (15 U.S.C. Section 80a-1 et seq.); and

(3) complies with federal Securities and Exchange Commission Rule 2a-7 (17 C.F.R. Section 270.2a-7), promulgated under the Investment Company Act of 1940 (15 U.S.C. Section 80a-1 et seq.).

(b) In addition to a no-load money market mutual fund permitted as an authorized investment in Subsection (a), a no-load mutual fund is an authorized investment under this subchapter if the mutual fund:

(1) is registered with the Securities and Exchange Commission;

(2) has an average weighted maturity of less than two years; and

(3) either:

(A) has a duration of one year or more and is invested exclusively in obligations approved by this subchapter; or

(B) has a duration of less than one year and the investment portfolio is limited to investment grade securities, excluding asset-backed securities.

(c) An entity is not authorized by this section to:

(1) invest in the aggregate more than 15 percent of its monthly average fund balance, excluding bond proceeds and reserves and other funds held for debt service, in mutual funds described in Subsection (b);

(2) invest any portion of bond proceeds, reserves and funds held for debt service, in mutual funds described in Subsection (b); or

(3) invest its funds or funds under its control, including bond proceeds and reserves and other funds held for debt service, in any one mutual fund described in Subsection (a) or (b) in an amount that exceeds 10 percent of the total assets of the mutual fund.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 1421, Sec. 7, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 1454, Sec. 8, eff. Sept. 1, 1999.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 773 (H.B. 1003), Sec. 4, eff. June 14, 2017.

Sec. 2256.015. AUTHORIZED INVESTMENTS: GUARANTEED INVESTMENT CONTRACTS. (a) A guaranteed investment contract is an authorized investment for bond proceeds under this subchapter if the guaranteed investment contract:

- (1) has a defined termination date;
- (2) is secured by obligations described by Section 2256.009(a)(1), excluding those obligations described by Section 2256.009(b), in an amount at least equal to the amount of bond proceeds invested under the contract; and
- (3) is pledged to the entity and deposited with the entity or with a third party selected and approved by the entity.

(b) Bond proceeds, other than bond proceeds representing reserves and funds maintained for debt service purposes, may not be invested under this subchapter in a guaranteed investment contract with a term of longer than five years from the date of issuance of the bonds.

(c) To be eligible as an authorized investment:

- (1) the governing body of the entity must specifically authorize guaranteed investment contracts as an eligible investment in the order, ordinance, or resolution authorizing the issuance of bonds;
- (2) the entity must receive bids from at least three separate providers with no material financial interest in the bonds from which proceeds were received;
- (3) the entity must purchase the highest yielding guaranteed investment contract for which a qualifying bid is received;
- (4) the price of the guaranteed investment contract must take into account the reasonably expected drawdown schedule for the bond proceeds to be invested; and
- (5) the provider must certify the administrative costs reasonably expected to be paid to third parties in connection with the guaranteed investment contract.

(d) Section 1371.059(c) applies to the execution of a guaranteed investment contract by an investing entity.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 1421, Sec. 8, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 1454, Sec. 9, 10, eff. Sept. 1, 1999.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 773 (H.B. 1003), Sec. 5, eff. June 14, 2017.

Sec. 2256.016. AUTHORIZED INVESTMENTS: INVESTMENT POOLS. (a) An entity may invest its funds and funds under its control through an eligible investment pool if the governing body of the entity by rule, order, ordinance, or resolution, as appropriate, authorizes investment in the particular pool. An investment pool shall invest the funds it receives from entities in authorized investments permitted by this subchapter. An investment pool may invest its funds in money market mutual funds to the extent permitted by and consistent with this subchapter and the investment policies and objectives adopted by the investment pool.

(b) To be eligible to receive funds from and invest funds on behalf of an entity under this chapter, an investment pool must furnish to the investment officer or other authorized representative of the entity an offering circular or other similar disclosure instrument that contains, at a minimum, the following information:

(1) the types of investments in which money is allowed to be invested;

(2) the maximum average dollar-weighted maturity allowed, based on the stated maturity date, of the pool;

(3) the maximum stated maturity date any investment security within the portfolio has;

(4) the objectives of the pool;

(5) the size of the pool;

(6) the names of the members of the advisory board of the pool and the dates their terms expire;

(7) the custodian bank that will safekeep the pool's assets;

(8) whether the intent of the pool is to maintain a net asset value of one dollar and the risk of market price fluctuation;

(9) whether the only source of payment is the assets of the pool at market value or whether there is a secondary source of payment, such as insurance or guarantees, and a description of the secondary source of payment;

(10) the name and address of the independent auditor of the pool;

(11) the requirements to be satisfied for an entity to deposit funds in and withdraw funds from the pool and any deadlines or other operating policies required for the entity to invest funds in and withdraw funds from the pool;

(12) the performance history of the pool, including yield, average dollar-weighted maturities, and expense ratios; and

(13) the pool's policy regarding holding deposits in cash.

(c) To maintain eligibility to receive funds from and invest funds on behalf of an entity under this chapter, an investment pool must furnish to the investment officer or other authorized representative of the entity:

(1) investment transaction confirmations; and

(2) a monthly report that contains, at a minimum, the following information:

(A) the types and percentage breakdown of securities in which the pool is invested;

(B) the current average dollar-weighted maturity, based on the stated maturity date, of the pool;

(C) the current percentage of the pool's portfolio in investments that have stated maturities of more than one year;

(D) the book value versus the market value of the pool's portfolio, using amortized cost valuation;

(E) the size of the pool;

(F) the number of participants in the pool;

(G) the custodian bank that is safekeeping the assets of the pool;

(H) a listing of daily transaction activity of the entity participating in the pool;

(I) the yield and expense ratio of the pool, including a statement regarding how yield is calculated;

- (J) the portfolio managers of the pool; and
- (K) any changes or addenda to the offering circular.

(d) An entity by contract may delegate to an investment pool the authority to hold legal title as custodian of investments purchased with its local funds.

(e) In this section, "yield" shall be calculated in accordance with regulations governing the registration of open-end management investment companies under the Investment Company Act of 1940, as promulgated from time to time by the federal Securities and Exchange Commission.

(f) To be eligible to receive funds from and invest funds on behalf of an entity under this chapter, a public funds investment pool that uses amortized cost or fair value accounting must mark its portfolio to market daily, and, to the extent reasonably possible, stabilize at a \$1.00 net asset value, when rounded and expressed to two decimal places. If the ratio of the market value of the portfolio divided by the book value of the portfolio is less than 0.995 or greater than 1.005, the governing body of the public funds investment pool shall take action as the body determines necessary to eliminate or reduce to the extent reasonably practicable any dilution or unfair result to existing participants, including a sale of portfolio holdings to attempt to maintain the ratio between 0.995 and 1.005. In addition to the requirements of its investment policy and any other forms of reporting, a public funds investment pool that uses amortized cost shall report yield to its investors in accordance with regulations of the federal Securities and Exchange Commission applicable to reporting by money market funds.

(g) To be eligible to receive funds from and invest funds on behalf of an entity under this chapter, a public funds investment pool must have an advisory board composed:

(1) equally of participants in the pool and other persons who do not have a business relationship with the pool and are qualified to advise the pool, for a public funds investment pool created under Chapter 791 and managed by a state agency; or

(2) of participants in the pool and other persons who do not have a business relationship with the pool and are qualified to advise the pool, for other investment pools.



(h) To maintain eligibility to receive funds from and invest funds on behalf of an entity under this chapter, an investment pool must be continuously rated no lower than AAA or AAA-m or at an equivalent rating by at least one nationally recognized rating service.

(i) If the investment pool operates an Internet website, the information in a disclosure instrument or report described in Subsections (b), (c)(2), and (f) must be posted on the website.

(j) To maintain eligibility to receive funds from and invest funds on behalf of an entity under this chapter, an investment pool must make available to the entity an annual audited financial statement of the investment pool in which the entity has funds invested.

(k) If an investment pool offers fee breakpoints based on fund balances invested, the investment pool in advertising investment rates must include either all levels of return based on the breakpoints provided or state the lowest possible level of return based on the smallest level of funds invested.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 1421, Sec. 9, eff. Sept. 1, 1997.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 1004 (H.B. 2226), Sec. 7, eff. June 17, 2011.

Acts 2017, 85th Leg., R.S., Ch. 773 (H.B. 1003), Sec. 6, eff. June 14, 2017.

Sec. 2256.017. EXISTING INVESTMENTS. Except as provided by Chapter 2270, an entity is not required to liquidate investments that were authorized investments at the time of purchase.

Added by Acts 1995, 74th Leg., ch. 76, Sec. 5.46(a), eff. Sept. 1, 1995; Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995.

Amended by Acts 1997, 75th Leg., ch. 1421, Sec. 10, eff. Sept. 1, 1997.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 96 (S.B. 253), Sec. 2, eff. May 23, 2017.

Sec. 2256.019. RATING OF CERTAIN INVESTMENT POOLS. A public funds investment pool must be continuously rated no lower than AAA or AAA-m or at an equivalent rating by at least one nationally recognized rating service.

Added by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995.  
Amended by Acts 1997, 75th Leg., ch. 1421, Sec. 11, eff. Sept. 1, 1997.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 1004 (H.B. 2226), Sec. 8, eff. June 17, 2011.

Sec. 2256.020. AUTHORIZED INVESTMENTS: INSTITUTIONS OF HIGHER EDUCATION. In addition to the authorized investments permitted by this subchapter, an institution of higher education may purchase, sell, and invest its funds and funds under its control in the following:

(1) cash management and fixed income funds sponsored by organizations exempt from federal income taxation under Section 501 (f), Internal Revenue Code of 1986 (26 U.S.C. Section 501(f));

(2) negotiable certificates of deposit issued by a bank that has a certificate of deposit rating of at least 1 or the equivalent by a nationally recognized credit rating agency or that is associated with a holding company having a commercial paper rating of at least A-1, P-1, or the equivalent by a nationally recognized credit rating agency; and

(3) corporate bonds, debentures, or similar debt obligations rated by a nationally recognized investment rating firm in one of the two highest long-term rating categories, without regard to gradations within those categories.

Added by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995.

Sec. 2256.0201. AUTHORIZED INVESTMENTS; MUNICIPAL UTILITY.

(a) A municipality that owns a municipal electric utility that is engaged in the distribution and sale of electric energy or natural gas to the public may enter into a hedging contract and related

security and insurance agreements in relation to fuel oil, natural gas, coal, nuclear fuel, and electric energy to protect against loss due to price fluctuations. A hedging transaction must comply with the regulations of the Commodity Futures Trading Commission and the Securities and Exchange Commission. If there is a conflict between the municipal charter of the municipality and this chapter, this chapter prevails.

(b) A payment by a municipally owned electric or gas utility under a hedging contract or related agreement in relation to fuel supplies or fuel reserves is a fuel expense, and the utility may credit any amounts it receives under the contract or agreement against fuel expenses.

(c) The governing body of a municipally owned electric or gas utility or the body vested with power to manage and operate the municipally owned electric or gas utility may set policy regarding hedging transactions.

(d) In this section, "hedging" means the buying and selling of fuel oil, natural gas, coal, nuclear fuel, and electric energy futures or options or similar contracts on those commodities and related transportation costs as a protection against loss due to price fluctuation.

Added by Acts 1999, 76th Leg., ch. 405, Sec. 48, eff. Sept. 1, 1999.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 7 (S.B. 495), Sec. 1, eff. April 13, 2007.

Sec. 2256.0202. AUTHORIZED INVESTMENTS: MUNICIPAL FUNDS FROM MANAGEMENT AND DEVELOPMENT OF MINERAL RIGHTS. (a) In addition to other investments authorized under this subchapter, a municipality may invest funds received by the municipality from a lease or contract for the management and development of land owned by the municipality and leased for oil, gas, or other mineral development in any investment authorized to be made by a trustee under Subtitle B, Title 9, Property Code (Texas Trust Code).

(b) Funds invested by a municipality under this section shall be segregated and accounted for separately from other funds of the municipality.

Added by Acts 2009, 81st Leg., R.S., Ch. 1371 (S.B. 894), Sec. 1, eff. September 1, 2009.

Sec. 2256.0203. AUTHORIZED INVESTMENTS: PORTS AND NAVIGATION DISTRICTS. (a) In this section, "district" means a navigation district organized under Section 52, Article III, or Section 59, Article XVI, Texas Constitution.

(b) In addition to the authorized investments permitted by this subchapter, a port or district may purchase, sell, and invest its funds and funds under its control in negotiable certificates of deposit issued by a bank that has a certificate of deposit rating of at least 1 or the equivalent by a nationally recognized credit rating agency or that is associated with a holding company having a commercial paper rating of at least A-1, P-1, or the equivalent by a nationally recognized credit rating agency.

Added by Acts 2011, 82nd Leg., R.S., Ch. 804 (H.B. 2346), Sec. 1, eff. September 1, 2011.

Sec. 2256.0204. AUTHORIZED INVESTMENTS: INDEPENDENT SCHOOL DISTRICTS. (a) In this section, "corporate bond" means a senior secured debt obligation issued by a domestic business entity and rated not lower than "AA-" or the equivalent by a nationally recognized investment rating firm. The term does not include a debt obligation that:

(1) on conversion, would result in the holder becoming a stockholder or shareholder in the entity, or any affiliate or subsidiary of the entity, that issued the debt obligation; or

(2) is an unsecured debt obligation.

(b) This section applies only to an independent school district that qualifies as an issuer as defined by Section 1371.001.

(c) In addition to authorized investments permitted by this subchapter, an independent school district subject to this section may purchase, sell, and invest its funds and funds under its control in corporate bonds that, at the time of purchase, are rated by a nationally recognized investment rating firm "AA-" or the equivalent

and have a stated final maturity that is not later than the third anniversary of the date the corporate bonds were purchased.

(d) An independent school district subject to this section is not authorized by this section to:

(1) invest in the aggregate more than 15 percent of its monthly average fund balance, excluding bond proceeds, reserves, and other funds held for the payment of debt service, in corporate bonds; or

(2) invest more than 25 percent of the funds invested in corporate bonds in any one domestic business entity, including subsidiaries and affiliates of the entity.

(e) An independent school district subject to this section may purchase, sell, and invest its funds and funds under its control in corporate bonds if the governing body of the district:

(1) amends its investment policy to authorize corporate bonds as an eligible investment;

(2) adopts procedures to provide for:

(A) monitoring rating changes in corporate bonds acquired with public funds; and

(B) liquidating the investment in corporate bonds; and

(3) identifies the funds eligible to be invested in corporate bonds.

(f) The investment officer of an independent school district, acting on behalf of the district, shall sell corporate bonds in which the district has invested its funds not later than the seventh day after the date a nationally recognized investment rating firm:

(1) issues a release that places the corporate bonds or the domestic business entity that issued the corporate bonds on negative credit watch or the equivalent, if the corporate bonds are rated "AA-" or the equivalent at the time the release is issued; or

(2) changes the rating on the corporate bonds to a rating lower than "AA-" or the equivalent.

(g) Corporate bonds are not an eligible investment for a public funds investment pool.

Added by Acts 2011, 82nd Leg., R.S., Ch. 1347 (S.B. 1543), Sec. 1, eff. June 17, 2011.

## Sec. 2256.0205. AUTHORIZED INVESTMENTS; DECOMMISSIONING TRUST.

(a) In this section:

(1) "Decommissioning trust" means a trust created to provide the Nuclear Regulatory Commission assurance that funds will be available for decommissioning purposes as required under 10 C.F.R. Part 50 or other similar regulation.

(2) "Funds" includes any money held in a decommissioning trust regardless of whether the money is considered to be public funds under this subchapter.

(b) In addition to other investments authorized under this subchapter, a municipality that owns a municipal electric utility that is engaged in the distribution and sale of electric energy or natural gas to the public may invest funds held in a decommissioning trust in any investment authorized by Subtitle B, Title 9, Property Code.

Added by Acts 2005, 79th Leg., Ch. 121 (S.B. 1464), Sec. 1, eff. September 1, 2005.

Text of section as added by Acts 2017, 85th Leg., R.S., Ch. 773  
(H.B. 1003), Sec. 7

For text of section as added by Acts 2017, 85th Leg., R.S., Ch. 344  
(H.B. 1472), Sec. 1, see other Sec. 2256.0206.

## Sec. 2256.0206. AUTHORIZED INVESTMENTS: HEDGING TRANSACTIONS.

(a) In this section:

(1) "Eligible entity" means a political subdivision that has:

(A) a principal amount of at least \$250 million in:

(i) outstanding long-term indebtedness;

(ii) long-term indebtedness proposed to be issued;

or

(iii) a combination of outstanding long-term indebtedness and long-term indebtedness proposed to be issued; and

(B) outstanding long-term indebtedness that is rated in one of the four highest rating categories for long-term debt instruments by a nationally recognized rating agency for municipal securities, without regard to the effect of any credit agreement or

other form of credit enhancement entered into in connection with the obligation.

(2) "Eligible project" has the meaning assigned by Section 1371.001.

(3) "Hedging" means acting to protect against economic loss due to price fluctuation of a commodity or related investment by entering into an offsetting position or using a financial agreement or producer price agreement in a correlated security, index, or other commodity.

(b) This section prevails to the extent of any conflict between this section and:

(1) another law; or

(2) an eligible entity's municipal charter, if applicable.

(c) The governing body of an eligible entity shall establish the entity's policy regarding hedging transactions.

(d) An eligible entity may enter into hedging transactions, including hedging contracts, and related security, credit, and insurance agreements in connection with commodities used by an eligible entity in the entity's general operations, with the acquisition or construction of a capital project, or with an eligible project. A hedging transaction must comply with the regulations of the federal Commodity Futures Trading Commission and the federal Securities and Exchange Commission.

(e) An eligible entity may pledge as security for and to the payment of a hedging contract or a security, credit, or insurance agreement any general or special revenues or funds the entity is authorized by law to pledge to the payment of any other obligation.

(f) Section 1371.059(c) applies to the execution by an eligible entity of a hedging contract and any related security, credit, or insurance agreement.

(g) An eligible entity may credit any amount the entity receives under a hedging contract against expenses associated with a commodity purchase.

(h) An eligible entity's cost of or payment under a hedging contract or agreement may be considered:

(1) an operation and maintenance expense of the eligible entity;

(2) an acquisition expense of the eligible entity;

- (3) a project cost of an eligible project; or
- (4) a construction expense of the eligible entity.

Added by Acts 2017, 85th Leg., R.S., Ch. 773 (H.B. 1003), Sec. 7, eff. June 14, 2017.

Text of section as added by Acts 2017, 85th Leg., R.S., Ch. 344 (H.B. 1472), Sec. 1

For text of section as added by Acts 2017, 85th Leg., R.S., Ch. 773 (H.B. 1003), Sec. 7, see other Sec. 2256.0206.

Sec. 2256.0206. AUTHORIZED INVESTMENTS: PUBLIC JUNIOR COLLEGE DISTRICT FUNDS FROM MANAGEMENT AND DEVELOPMENT OF MINERAL RIGHTS.

(a) In addition to other investments authorized under this subchapter, the governing board of a public junior college district may invest funds received by the district from a lease or contract for the management and development of land owned by the district and leased for oil, gas, or other mineral development in any investment authorized to be made by a trustee under Subtitle B, Title 9, Property Code (Texas Trust Code).

(b) Funds invested by the governing board of a public junior college district under this section shall be segregated and accounted for separately from other funds of the district.

Added by Acts 2017, 85th Leg., R.S., Ch. 344 (H.B. 1472), Sec. 1, eff. September 1, 2017.

Sec. 2256.021. EFFECT OF LOSS OF REQUIRED RATING. An investment that requires a minimum rating under this subchapter does not qualify as an authorized investment during the period the investment does not have the minimum rating. An entity shall take all prudent measures that are consistent with its investment policy to liquidate an investment that does not have the minimum rating.

Added by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995.

Sec. 2256.022. EXPANSION OF INVESTMENT AUTHORITY. Expansion of investment authority granted by this chapter shall require a risk



assessment by the state auditor or performed at the direction of the state auditor, subject to the legislative audit committee's approval of including the review in the audit plan under Section 321.013.

Added by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995.  
Amended by Acts 2003, 78th Leg., ch. 785, Sec. 42, eff. Sept. 1, 2003.

Sec. 2256.023. INTERNAL MANAGEMENT REPORTS. (a) Not less than quarterly, the investment officer shall prepare and submit to the governing body of the entity a written report of investment transactions for all funds covered by this chapter for the preceding reporting period.

(b) The report must:

- (1) describe in detail the investment position of the entity on the date of the report;
- (2) be prepared jointly by all investment officers of the entity;
- (3) be signed by each investment officer of the entity;
- (4) contain a summary statement of each pooled fund group that states the:
  - (A) beginning market value for the reporting period;
  - (B) ending market value for the period; and
  - (C) fully accrued interest for the reporting period;
- (5) state the book value and market value of each separately invested asset at the end of the reporting period by the type of asset and fund type invested;
- (6) state the maturity date of each separately invested asset that has a maturity date;
- (7) state the account or fund or pooled group fund in the state agency or local government for which each individual investment was acquired; and
- (8) state the compliance of the investment portfolio of the state agency or local government as it relates to:
  - (A) the investment strategy expressed in the agency's or local government's investment policy; and
  - (B) relevant provisions of this chapter.

(c) The report shall be presented not less than quarterly to the governing body and the chief executive officer of the entity within a reasonable time after the end of the period.

(d) If an entity invests in other than money market mutual funds, investment pools or accounts offered by its depository bank in the form of certificates of deposit, or money market accounts or similar accounts, the reports prepared by the investment officers under this section shall be formally reviewed at least annually by an independent auditor, and the result of the review shall be reported to the governing body by that auditor.

Added by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995.  
Amended by Acts 1997, 75th Leg., ch. 1421, Sec. 12, eff. Sept. 1, 1997.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 1004 (H.B. 2226), Sec. 9, eff. June 17, 2011.

Sec. 2256.024. SUBCHAPTER CUMULATIVE. (a) The authority granted by this subchapter is in addition to that granted by other law. Except as provided by Subsection (b) and Section 2256.017, this subchapter does not:

(1) prohibit an investment specifically authorized by other law; or

(2) authorize an investment specifically prohibited by other law.

(b) Except with respect to those investing entities described in Subsection (c), a security described in Section 2256.009(b) is not an authorized investment for a state agency, a local government, or another investing entity, notwithstanding any other provision of this chapter or other law to the contrary.

(c) Mortgage pass-through certificates and individual mortgage loans that may constitute an investment described in Section 2256.009 (b) are authorized investments with respect to the housing bond programs operated by:

(1) the Texas Department of Housing and Community Affairs or a nonprofit corporation created to act on its behalf;

(2) an entity created under Chapter 392, Local Government Code; or

(3) an entity created under Chapter 394, Local Government Code.

Added by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 96 (S.B. 253), Sec. 3, eff. May 23, 2017.

Sec. 2256.025. SELECTION OF AUTHORIZED BROKERS. The governing body of an entity subject to this subchapter or the designated investment committee of the entity shall, at least annually, review, revise, and adopt a list of qualified brokers that are authorized to engage in investment transactions with the entity.

Added by Acts 1997, 75th Leg., ch. 1421, Sec. 13, eff. Sept. 1, 1997.

Sec. 2256.026. STATUTORY COMPLIANCE. All investments made by entities must comply with this subchapter and all federal, state, and local statutes, rules, or regulations.

Added by Acts 1997, 75th Leg., ch. 1421, Sec. 13, eff. Sept. 1, 1997.

#### SUBCHAPTER B. MISCELLANEOUS PROVISIONS

Sec. 2256.051. ELECTRONIC FUNDS TRANSFER. Any local government may use electronic means to transfer or invest all funds collected or controlled by the local government.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995.

Sec. 2256.052. PRIVATE AUDITOR. Notwithstanding any other law, a state agency shall employ a private auditor if authorized by the legislative audit committee either on the committee's initiative or on request of the governing body of the agency.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995.

Sec. 2256.053. PAYMENT FOR SECURITIES PURCHASED BY STATE. The comptroller or the disbursing officer of an agency that has the power to invest assets directly may pay for authorized securities purchased from or through a member in good standing of the National Association of Securities Dealers or from or through a national or state bank on receiving an invoice from the seller of the securities showing that the securities have been purchased by the board or agency and that the amount to be paid for the securities is just, due, and unpaid. A purchase of securities may not be made at a price that exceeds the existing market value of the securities.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 1423, Sec. 8.67, eff. Sept. 1, 1997.

Sec. 2256.054. DELIVERY OF SECURITIES PURCHASED BY STATE. A security purchased under this chapter may be delivered to the comptroller, a bank, or the board or agency investing its funds. The delivery shall be made under normal and recognized practices in the securities and banking industries, including the book entry procedure of the Federal Reserve Bank.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 1423, Sec. 8.68, eff. Sept. 1, 1997.

Sec. 2256.055. DEPOSIT OF SECURITIES PURCHASED BY STATE. At the direction of the comptroller or the agency, a security purchased under this chapter may be deposited in trust with a bank or federal reserve bank or branch designated by the comptroller, whether in or outside the state. The deposit shall be held in the entity's name as evidenced by a trust receipt of the bank with which the securities are deposited.

Amended by Acts 1995, 74th Leg., ch. 402, Sec. 1, eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 1423, Sec. 8.69, eff. Sept. 1, 1997.

**City Council Agenda**  
*City of Lamesa, Texas*

**DATE OF MEETING: DECEMBER 18, 2018**

**AGENDA ITEM:11**

**SUBJECT: OPEN REQUESTS FOR QUALIFICATIONS FOR LEGAL SERVICES FOR CHARTER COMMISSION AND AWARD CONTRACT**

**PROCEEDING: Action**  
**SUBMITTED BY: City Staff**

**SUMMARY STATEMENT**

City Council to open Requests for Qualifications for professional Legal Services for the facilitation of the City of Lamesa's Citizen Charter Commission and award contract. *(City Manager)*

**DISCUSSION** \_\_\_\_\_

Motion by Council Member \_\_\_\_\_ to open Requests for Qualifications for professional Legal Services for the facilitation of the City of Lamesa's Citizen Charter Commission and award contract.  
Motion seconded by Council Member \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

**VOTING:** "AYE" \_\_\_\_\_ "NAY" \_\_\_\_\_ "ABSTAIN" \_\_\_\_\_

**CITY MANAGER'S MEMORANDUM**

**Recommend approval.**

**CITY OF LAMESA**  
**REQUEST FOR PROPOSALS**  
**ATTORNEY SERVICES FOR CITY CHARTER REVIEW**

The City of Lamesa is soliciting sealed proposals from law firms to provide attorney services for a City Charter Review with citizen commission and City Council, consultation/research regarding proposed charter amendments, and development of amendments and preparation of ballot. In order to be considered, proposals must address the request for information included in the attached document. Information regarding rates and fees must be submitted on the sheet included in the RFP.

Any questions regarding this RFP should be addressed to Shawna D. Burkhart, City Manager, (806) 872-4321. In order to be considered, proposals must be received no later than **2 p.m. on Friday, December 14<sup>th</sup>, 2018** and must be sealed and addressed to:

Sandy Trevino, Purchasing Agent

City of Lamesa

601 S. 1<sup>st</sup>

Lamesa, TX 79331

The scope of services for which fees and rates are requested is divided into three component parts:

**1. General Representation**

- a. Attendance of all City Charter Commission meeting and designated City Council meetings regarding the proposed amendment(s) to the City Charter.
- b. Consultation with City staff via telephone during normal business hours.
- c. Research, preparation and review of relevant changes in the law that should be addressed, and recommendation for changes to the Charter
- d. Research, preparation and review issues of concern to the Charter Review Commission.

**2. Development of Charter Amendments**

- a. Assist City Secretary in preparation of proposed amendment(s) and in meeting all requirements necessary for a Charter election.
- b. Preparation of election ballot and advertisement of Charter election.

**Statement of Qualifications**

Please attach responses to the following request for information:

1. Name of firm and year organized (include address and telephone number).
2. Attach a list of Principals in the firm; include a biographical sketch of each. Include education, years of legal experience, years of municipal legal experience, and any areas of specialty within municipal law.
3. Provide the name of the principal in the firm who will have responsibility for City of Lamesa Charter Review.
4. Provide a list of current municipal clients and phone number that have requested similar services in the past.

**Fees and Rates**

Hourly Fee \_\_\_\_\_

Travel / Per diem \_\_\_\_\_

**Project Timeline**

Start date estimated as January 1 , 2019

Estimated ending date of \_\_\_\_\_.

Issuance of this RFP does not commit the City of Lamesa to award a contract, to pay any costs incurred in preparation of a response to this Request, or to procure or contract for services. The City of Lamesa reserves the right to reject any and all submissions and re-issue an RFP.

**City Council Agenda**  
*City of Lamesa, Texas*

**DATE OF MEETING: DECEMBER 18, 2018**

**AGENDA ITEM: 12**

**SUBJECT: BUDGET AMENDMENT II**

**PROCEEDING: Ordinance, 1<sup>st</sup> Reading**

**SUBMITTED BY: City Staff**

**SUMMARY STATEMENT**

Consider amending Ordinance O-20-17 on First reading with respect to October 1, 2017. *(City Manager & Finance Director)*

**COUNCIL ACTION**

**DISCUSSION** \_\_\_\_\_

Motion by Council Member \_\_\_\_\_ to consider amending Ordinance No.O-20-17 on First reading with respect to October 1, 2017. Motion seconded by Council Member \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

**VOTING:** "AYE" \_\_\_\_\_ "NAY" \_\_\_\_\_ "ABSTAIN" \_\_\_\_\_

**CITY MANAGER'S MEMORANDUM**

**Recommend approval.**



**ORDINANCE NO. O**

**AN ORDINANCE OF THE CITY OF LAMESA, TEXAS, AMENDING  
ORDINANCE NO. 0-14-18 TO APPROPRIATE FUNDS IN THE CITY  
OF LAMESA BUDGET FOR FISCAL YEAR 2018-2019.**

On the 18th day of December, 2018, there came on and was held at the City Hall of the City of Lamesa, Texas, an open meeting of the City Council of the City of Lamesa, Texas, held pursuant to the provisions of the Texas Open Meetings Act (Government Code, Chapter 551). There being a quorum present and acting throughout the meeting, the following ordinance was formally submitted by motion and duly seconded for the consideration and action of the meeting, to-wit:

**WHEREAS**, the City Council desires to amend Ordinance No. 0-14-18 to make certain revisions to the 2018-2019 Budget of the City of Lamesa to authorize and appropriate funds as listed below; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS:**

**SECTION 1.** That the City of Lamesa 2018-2019 Budget contained in Ordinance No. 0-14-18 be, and same is hereby, amended to change the amount appropriated by the following:

	<u>Revenues</u>	<u>Expenditures</u>
General Fund (1)	\$ 74,686.54	\$75,153.12
TXCDBG Fund (10)	\$291,540.00	\$291,540.00
<u>Special Revenue Fund (17)</u>	<u>\$85,339.43</u>	<u>\$85,339.43</u>
<b>TOTAL</b>	<b>\$451,565.97</b>	<b>\$452,032.55</b>

**SECTION 2.** Effective date: That this Ordinance shall become effective as of this January 25<sup>th</sup>, 2019.

**SECTION 3.** The City Secretary is hereby authorized and directed to cause publication of this Ordinance as provided by law.

Upon being put to a vote, the foregoing ordinance was Passed, on First Reading on December 18<sup>th</sup>, 2018 by a majority vote; and on January 15<sup>th</sup>, 2018, there was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, upon the minutes of the City Council of the City of Lamesa, Texas and recorded in the ordinance book thereafter.

ATTEST:

APPROVED:

\_\_\_\_\_  
Betty Conde  
City Secretary

\_\_\_\_\_  
Josh Stevens  
Mayor

**CITY OF LAMESA**  
**BUDGET AMENDMENT 2019-02 FOR FY 2018/2019**

**GENERAL FUND (1)**

This budget amendment reflects \$20,130.00 of ductwork repairs to City Hall. The contract was awarded to Armstrong Plumbing during FY2017/2018, but was unspent due to delays related to roofing of City Hall and was added to fund balance at the end of the fiscal year.

Increase Revenues – Restricted Fund Balance	\$ 20,130.00
Increase Expenses - (01-5022-401) – Buildings & Structure	\$ 20,130.00

This budget amendment reflects \$49,600 of City Hall roof replacement. Savings from the September 2016 hail storm event was able to be used at the approval of TMLIRP to be used to replace the roof at City Hall. This project was originally approved during FY2017/2018 and went unspent due to construction delays.

Increase Revenues – Restricted Fund Balance	\$49,600.00
Increase Expenditures – (01-5022-401) – Buildings & Structure	\$49,600.00

This budget transfer reflects the receipt of donation of funds for Jacob kits to be distributed to Dawson County schools.

Decrease Revenues (General Fund Balance)	\$466.58
Increase Revenues (17-40125 – Miscellaneous Revenues)	\$466.58
Increase Expenditures (17-5411-986 – Weaver Grants)	\$466.58

This budget amendment reflects a purchase of radios for the School Resource Officers. This reflects a pass thru of funds from LISD for the purchase of the radios.

Increase Revenues (01-40904 – Miscellaneous Revenues)	\$5,423.12
Increase Expenditures (01-5063507 – Communications)	\$5,423.12

### **TXCDBG FUND (10)**

This budget amendment reflects the \$291,540.00 2018 TXCDBG award for water infrastructure improvements.

Increase Revenues – (10-4112 2018 TXCDBG Grant)	\$291,540.00
Increase Expenditures – (10-6211-935 2018 TXCDGB Grant)	\$291,540.00

### **SPECIAL REVENUE FUND (17)**

This budget amendment reflects the receipt of \$15,000.00 in a Texas Forest Service Grant for personal protective equipment. There is a 10% match that will be made within budget.

Increase Revenues – (17-40545 – TX Forest Service Grant)	\$ 15,000.00
Increase Expenditures – (17-5411-992 – Forest Service Expenditures)	\$ 15,000.00

This budget amendment reflects receipt of \$4,872.85 in TxDOT RAMP Grant funds for maintenance at the Lamesa Municipal Airport.

Increase Revenues (17-40500 – TxDOT RAMP Grant)	\$4,872.85
Increase Expenditures (17-5411-900 – RAMP Grant Expenditures)	\$4,872.85

This budget amendment reflects the purchase 2006 Freightliner Fire Truck at the cost of \$65,000 from DACO. Weaver Foundation funds will be used for the purchase of the fire truck.

Increase Revenues – (17-40546 - Weaver Grants)	\$65,000.00
Increase Expenditures – (17-5411-986 - Weaver Grants)	\$65,000.00

**City Council Agenda**  
*City of Lamesa, Texas*

**DATE OF MEETING: DECEMBER 18, 2018**

**AGENDA ITEM: 13**

**LISD REQUEST FOR CITY TO VACATE LAND**

**SUBJECT:**  
**PROCEEDING:** Action  
**SUBMITTED BY:** City Staff  
**EXHIBITS:** Ordinance 1<sup>st</sup> Reading  
**AUTHORITY:**

**SUMMARY STATEMENT**

City Council to consider passing an Ordinance on First reading that the dedicated public right-of-ways, alleys, roadways and streets described in Exhibit "A" in the body of this Ordinance are no longer needed for the right-of-way purposes and for the public use and it would be beneficial for the public interest to close such dedicated public right-of-way, alleys, roadways and streets and for public use. *(City Manager)*

**COUNCIL ACTION**

**DISCUSSION:** \_\_\_\_\_

Motion by Council Member \_\_\_\_\_ to consider passing an Ordinance on First reading that the dedicated public right-of-ways, alleys, roadways and streets described in Exhibit "A" in the body of this Ordinance are no longer needed for the right-of-way purposes and for the public use and it would be beneficial for the public interest to close such dedicated public right-of-way, alleys, roadways and streets and for public use. Motion seconded by Council Member \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

**VOTING:** "AYE" \_\_\_\_\_ "NAY" \_\_\_\_\_ "ABSTAIN" \_\_\_\_\_

**CITY MANAGER'S MEMORANDUM**

**Recommend approval.**

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE ABANDONING AND CLOSING A TWENTY FOOT (20') ALLEYWAY FROM NORTH AVENUE G TO NORTH AVENUE F LOCATED BETWEEN NORTH 16TH STREET AND NORTH 17<sup>TH</sup> STREET; ABANDONING AND CLOSING A TWENTY FOOT (20') ALLEYWAY FROM NORTH AVENUE F TO HOUSTON STREET LOCATED BETWEEN NORTH 16TH STREET AND NORTH 17<sup>TH</sup> STREET; ABANDONING AND CLOSING A SEVENTY-FIVE AND ONE-HALF (75.5') FOOT WIDE ROADWAY THAT IS A PART OF NORTH AVENUE F FROM NORTH 16<sup>TH</sup> STREET TO NORTH 17<sup>TH</sup> STREET; ABANDONING AND CLOSING A SEVENTY-SIX AND ONE-HALF FOOT (76.5') WIDE ROADWAY THAT IS A PART OF NORTH AVENUE 16<sup>TH</sup> STREET FROM NORTH AVENUE G TO HOUSTON STREET; AND ADANDONING AND CLOSING A SIXTY FOOT (60') WIDE ROADWAY THAT IS A PART OF NORTH AVENUE F FROM NORTH 15<sup>TH</sup> STREET TO NORTH 16<sup>TH</sup> STREET; SAID ALLEYWAY AND STREET ABANDONMENTS AND CLOSINGS BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; DIRECTING THE CITY MANAGER TO CAUSE THE OFFICIAL MAPS OF THE CITY TO BE CHANGED ACCORDINGLY PURSUANT TO SECTION 311.008 OF THE TEXAS TRANSPORTATION CODE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION**

**WHEREAS**, according to the official plat of the City of Lamesa, Texas and the real property records of Dawson County, Texas, there exists a number of dedicated public rights-of-way, alleys or roadways on property (the "Public Rights-of-Way") owned by Lamesa Independent School District and where Lamesa High School is located; and

**WHEREAS**, these Public Rights-of-Way are not currently being used as alleys, streets or public right-of-way for the benefit of the citizens of the City of Lamesa, Texas; and

**WHEREAS**, the owner of the real property that abuts all sides of the Public Rights-of-Way, the Lamesa Independent School District, has requested the City of Lamesa to permanently close and abandon the Public Rights-of-Way referenced above with ownership, control, upkeep and repairs reverting to the Lamesa Independent School District to be used for their own purposes; and

**WHEREAS**, the City of Lamesa does not have any utilities in the Public Rights-of-Way and foresees no need to retain any easements or utility rights-of-way; and

**WHEREAS**, the City Council for the City of Lamesa, Texas under the constitution and laws of the State of Texas including, but not limited to, Texas Transportation Code Section 311.007, Texas Local Government Code Section 253.001 and Article III, Section 11 of the Lamesa City Charter, has exclusive control over its highways and streets including the authority to vacate, abandon, or close a street, roadway or alley; and

**WHEREAS**, the City Council of the City of Lamesa finds that the dedicated public rights-of-way, alleys, roadways and streets described in the body of this Ordinance are no longer needed for right-of-way purposes and for public use and it would be beneficial for the public interest to close such dedicated public rights-of-way, alleys, roadways and streets and for public use, as expressly provided herein;

**NOW THEREFORE, BE IT ORDAINED** by the City Council of the City of Lamesa, Texas:

SECTION 1. THAT the Public Rights-of-Way described in Exhibit "A", which is attached hereto and incorporated herein as though set forth fully herein, are hereby closed, vacated and abandoned for alley, roadway or street right of way purposes and for public use.

SECTION 2. THAT the City Manager is hereby authorized and directed to cause the official map of the City of Lamesa to reflect such closures and abandonments and execute any documents necessary to reflect the action taken by the City Council in this ordinance.

SECTION 3. THAT should any paragraph, section, sentence, phrase, clause or word of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of this Ordinance shall not be affected thereby.

SECTION 4. THAT nothing in this ordinance shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any condition, act or ordinance hereby repealed by this ordinance and such prior law is continued in effect for purposes of such pending matter.

SECTION 5. THAT this Ordinance shall take effect and shall be in full force from and after its adoption and publication as provided by law.

SECTION 6. THAT the City Secretary of the City of Lamesa is hereby authorized and directed to cause publication of the descriptive caption of this Ordinance as an alternative method provided by law.

Passed by the City Council on the first reading this \_\_\_\_ day of \_\_\_\_\_, 2018.

Passed by the City Council on the second reading this \_\_\_\_ day of \_\_\_\_\_, 2018.

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Josh Stevens, Mayor

ATTEST:

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Betty Conde, City Secretary

## EXHIBIT A

### Public Rights-of-Way being closed and abandoned

- 1) A twenty (20') foot wide alleyway, running east-west through Block 22, Rose Heights Addition to the City of Lamesa, Dawson County, Texas, as shown on the plat recorded in Plat Cabinet Slide 113, Plat Records, Dawson County, Texas.
- 2) A twenty (20') foot wide alleyway, running east-west through Block 23, Rose Heights Addition to the City of Lamesa, Dawson County, Texas, as shown on the plat recorded in Plat Cabinet Slide 113, Plat Records, Dawson County, Texas.
- 3) A seventy-five and one-half (75.5') foot wide roadway, running north-south between, and contiguous to, Blocks 22 and 23, Rose Heights Addition to the City of Lamesa, Dawson County, Texas, as shown on the plat recorded in Plat Cabinet Slide 113, Plat Records, Dawson County, Texas. The said roadway originally known as Travis Boulevard (now known as North Avenue F), with the section being abandoned being between North 15<sup>th</sup> Street (now known as North 17<sup>th</sup> Street) and North 14<sup>th</sup> Street (now known as North 16<sup>th</sup> Street).
- 4) A seventy-six and one-half (76.5') foot wide roadway, running east-west between, and contiguous to, Blocks 18, 20, 22 and 23, Rose Heights Addition to the City of Lamesa, Dawson County, Texas, as shown on the plat recorded in Plat Cabinet Slide 113, Plat Records, Dawson County, Texas. The said roadway originally known as North 14<sup>th</sup> Street (now known as North 16<sup>th</sup> Street), with the section being abandoned being between Wasson Street (now known as North Avenue G) and Houston Street.
- 5) A sixty (60') foot wide roadway, running north-south between, and contiguous to, Blocks 18 and 20, Rose Heights Addition to the City of Lamesa, Dawson County, Texas, as shown on the plat recorded in Plat Cabinet Slide 113, Plat Records, Dawson County, Texas. The said roadway originally known as Travis Boulevard (now known as North Avenue F), with the section being abandoned being between North 14<sup>th</sup> Street (now known as North 16<sup>th</sup> Street) and North 13<sup>th</sup> Street (now known as North 15<sup>th</sup> Street).



LAMESA INDEPENDENT SCHOOL DISTRICT

BOARD OF EDUCATION

Lamesa, Texas

Regular Meeting  
Central Office Board Room

November 15, 2018  
6:00 PM

AGENDA

I. PRELIMINARY BUSINESS

- A. Call to Order
- B. Invocation

II. ROUTINE DISTRICT OPERATIONS

- A. Consent Agenda
  - 1. Financial Report-Liz Poage
    - a. Ratification of Bills
    - b. Investment/Financial Reports
  - 2. Minutes
    - a. Approve minutes from October 18, 2018 Board Meeting

III. ADMINISTRATIVE REPORTS/PRESENTATIONS

- A. MVBA-Academic Scholarship Presentation-Monty Smitherman
- B. Principal Reports
  - 1. North Elementary-Jennifer Stewart
  - 2. South Elementary-Shelley Mann
- C. Chad Haskins-Curriculum and Instructional Technology
  - 1. Introductions of Campus Technology Leaders
- D. Chris Riggins-School Safety & Security
  - 1. STOP IT APP-Doug Morris-Bullying, Hazing, Violence and Inappropriate activity app
  - 2. SEE SOMETHING, SAY SOMETHING & DO SOMETHING
- E. Liz Poage-Introductions of LED presentations from RFP's
  - 1. Presentation by Aquila Environmental-LED lighting retrofit of LISD campuses
- F. Superintendent Report
  - 1. Solar II Termination Agreement
  - 2. School First Final Ratings still not released by TEA
  - 3. TAPR Reports for Accountability still not released by TEA

4. Board Members will distribute Extra Duty Stipend Checks Friday morning.

5. High School Band Uniforms and Middle School Lockers

#### IV. OTHER BOARD ACTION/NON-ACTION ITEMS

A. Consideration and possible action to appoint board members to audit committee

B. Consideration and possible action to approve Ordinance to abandon and close streets as outlined to allow for new CTE construction.

C. Deliberation and possible action to accomplish the following: (1) rank the design-build delivery method RFP proposals for possible Turf and Track Projects; (2) authorizes the superintendent, with the assistance of legal counsel, to negotiate a satisfactory contract with ranked design-build firms in accordance with the procedures set forth in Texas Government Code 2269.254

#### V. EXECUTIVE SESSION AS ALLOWED BY TEXAS OPEN MEETINGS ACT

A. Consider/Discuss Personnel-Texas Government Code, Section 551.074

B. Consider/Discuss the deployment or implementation of security personnel or devices-Texas Government Code, Section 551.076

C. Consider/Discuss purchase, exchange, lease, or value of real property-Texas Government Code, Section 551.072

D. Consider/Discuss Consultation with Attorney Concerning Personnel- Section 551.071

#### VI. ACTION AFTER RECONVENING IN OPEN SESSION (IF NEEDED)

#### VII. ADJOURNMENT

In accordance with the Texas Open Meetings Act (Subchapters D and E of Ch. 551, Tex. Gov't Code), the board may enter closed meeting to deliberate any subject authorized by Subchapter D that is listed on the agenda for this meeting. Any final action, decision, or vote on a subject deliberated in closed meeting will be taken in an open meeting held in compliance with the Texas Open Meetings Act.

On this November 12, 2018, this notice was posted at 5:00 p.m.

1) On the outside window of the Admin entrance & on the Lamesa ISD website @ <http://www.lamesaisd.org>

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Jim Knight, Superintendent (On behalf of Board of Trustees)

## Board Meeting Minutes of 11-15-2018

The Lamesa Board of Trustees met in a Regular Meeting on Thursday, November 15, 2018, in the Board Room.

Board Members present: President Kelli Merritt, Beverly Brewer, Sonya Raney, Ernest Ogeda, Don Bethel, Albert Martinez and Rebecca Gonzales.

The following Administrators were present: Superintendent Jim Knight, Chris Riggins, DeAnn Drake, Liz Poage, Jennifer Stewart, Shelley Mann, and Doug Morris.

Guest(s) in attendance: Chad Haskins, Noe Carrion, Sarah Clements, toddler Raelynn Clements, Becky Allison, Jay Stinson, Timothy Drew, Mario Dimas, Monty Smitherman, Ronn Mann, Ronnie Angeley, John Sledge and Mark Ball. Benjamin Hettick represented the Lamesa *Press Reporter*.

President Kelli Merritt called the meeting to order at 6:00 p.m.

Jim Knight gave the invocation.

Albert Martinez made the motion to approve all consent items. Ernest Ogeda seconded it. It passed by a vote of 7-0.

Chad Haskins, Associate Director of Curriculum and Instructional Technology introduced his Campus Technology Leaders. Becky Allison of South Elementary, Jay Stinson of North Elementary, Noe Carrion of Middle School, and Timothy Drew of High School. Mr. Haskins's team are looking for ways to improve the implementing of Technology Application to improve teacher knowledge.

Monty Smitherman of MBVA and his team collect delinquent taxes for other taxing entities and they held a charity golf tournament. Jim Knight, Mario Dimas, Ron Mann, and Ronnie Angeley represented Lamesa ISD and they won the tournament. Mr. Smitherman presented a check of \$750.00 to the team.

Shelley Mann Principal at South Elementary and Jennifer Stewart Principal at North Elementary gave a brief report of their campuses.

Assistant Superintendent Chris Riggins gave a brief discussion of school safety and security. Doug Morris Assistant Principal of High School gave a brief report of the STOP IT APP. He explained how the app is designed to help students with bullying, hazing, violence and inappropriate activity. Morris showed the members how the app works, and how discreet the app can be.

Liz Poage Chief Executive Officer stated LISD received RFP's for retrofitting of LED lighting. Poage introduced John Sledge of Aquila Environmental to give a brief overview of his company.

Superintendent Knight stated Solar II would like to terminate their agreement with LISD. School First Final Ratings and TAPR Reports for Accountability have still not been released by TEA. Board Members that are available will distribute Extra Duty Stipend Checks Friday morning. Knight added that he will bring the High School Band Uniforms and Middle School Band Lockers to next month's agenda for approval.

Albert Martinez made the motion to appoint Kelli Merritt, Ernest Ogeda, and Rebecca Gonzales to the Audit Committee. Don Bethel seconded it. It passed by a vote of 7-0. Don Bethel made the motion to cease nominations. Beverly Brewer seconded it. It passed by a vote of 7-0.

Don Bethel left the meeting at 7:50 p.m. He returned at 7:51 p.m. Rebecca Gonzales made the motion to approve the Ordinance to abandon and close streets as outlined to allow for new CTE construction. Ernest Ogeda seconded it. It passed by a vote of 7-0.

Rebecca Gonzales left the meeting at 8:22 p.m. She returned at 8:23 p.m. Ernest Ogeda left the meeting at 8:24 p.m. He returned at 8:26 p.m. Albert Martinez left the meeting at 8:28 p.m. He returned at 8:29 p.m. Rebecca Gonzales left the meeting at 8:31 p.m. She returned at 8:35 p.m.

Don Bethel made the motion to accomplish the rank of the design-build delivery method RFP proposals for possible Turf and Track Projects; authorize the superintendent, with the assistance of legal counsel, to negotiate a satisfactory contract with ranked design-build firms in accordance with the procedures set forth in Texas Government Code 2269.254. Ernest Ogeda seconded it. It passed by a vote of 7-0.

Rebecca Gonzales made the motion to adjourn. Don Bethel seconded it. It passed by a vote of 7-0.

Meeting was adjourned at 8:50 p.m.

# **City Council Agenda**

*City of Lamesa, Texas*

**DATE OF MEETING: DECEMBER 18, 2018**

**AGENDA ITEM:14**

**SUBJECT: APPROVAL OF ENGINEERING SERVICES FOR CITY OF LAMESA 2019 WASTEWATER TREATMENT PLANT PERMIT RENEWAL**

**PROCEEDING: Action**  
**SUBMITTED BY: City Staff**

### **SUMMARY STATEMENT**

City Council to consider approving a contract with Parkhill, Smith and Cooper to develop and submit the City's 2019 Wastewater Permit Renewal to TCEQ.

### **COUNCIL ACTION**

**DISCUSSION** \_\_\_\_\_

Motion by Council Member \_\_\_\_\_ to. approve a contract with Parkhill, Smith and Cooper to develop and submit the City's 2019 Wastewater Permit Renewal to TCEQ. Motion seconded by Council Member \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

**VOTING:** "AYE" \_\_\_\_\_ "NAY" \_\_\_\_\_ "ABSTAIN" \_\_\_\_\_

### **CITY MANAGER'S MEMORANDUM**

**Recommend approval.**

**Agreement for Professional Services**

Date	<u>12/3/2018</u>	<b>Office Location:</b>	
PSC Job No	<u>TBD</u>	Address	<u>4222 85th St.</u>
Project Manager	<u>Daniel Albus</u>		<u>Lubbock, TX 79423</u>
		Phone	<u>806.473.2200</u> Fax <u>806.473-3500</u>

**City of Lamesa**, hereinafter CLIENT, does hereby authorize **Parkhill, Smith & Cooper, Inc.**, hereinafter CONSULTANT, a corporation organized and existing under the laws of the State of Texas, to perform the services set forth below, SUBJECT TO THE TERMS AND CONDITIONS SET FORTH BELOW AND ON THE NEXT PAGE, **Standard Conditions**.

**A. Client Information**

Name City of Lamesa, TX  
 Address 601 S. 1<sup>st</sup> Street  
 City Lamesa State Texas Zip 79331-6247  
 Representative Shawna D. Burkhart Phone 806-872-2124  
 Owner of Property Involved City of Lamesa

**B. Project Description**

Project Name City of Lamesa 2019 WWTP Permit Renewal Client PO No. \_\_\_\_\_  
 Location City of Lamesa  
 Estimated Completion Date December 2019  
 Description of CONSULTANT'S Service or Scope of Work: Task 1: Prepare and submit a renewal of the water quality permit for the WWTP and prepare responses to inquiries; Task 2: Provide assistance & direction as necessary for testing and publishing tasks. See attached for breakdown.


Client will provide access to work site(s).

**E. Compensation**

- CONSULTANT'S total fee is estimated to be \$12,000. Actual fee shall not exceed such estimate by more than ten percent (10%) without the express written consent of CLIENT. Reimbursable expenses are not included in fee estimate.
- Basis of CONSULTANT'S fee (check one)
  - Lump Sum with Progress Payments (schedule attached)
  - Time and Materials in accordance with the Schedule of Charges dated January 2019
  - Other (description) Reimbursable expenses related to publishing and testing at a rate of 1.15.

**F.** CLIENT has read and understood the terms and conditions set forth in the **Standard Conditions** and agrees that such items are hereby incorporated into and made a part of this agreement.

**G.** Having read, understood and agreed to the foregoing, CLIENT and CONSULTANT, by and through their authorized representatives, have subscribed their names hereon effective the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

<b>Parkhill, Smith &amp; Cooper, Inc.</b>	<b>City of Lamesa</b>
Name <u></u>	Name <u>Shawna D. Burkhart</u>
Title <u>Principal</u>	Title <u>City Manager</u>
Date <u>12/3/2018</u>	Date _____

Agreement to be executed in duplicate

12/15

**CLIENT:** CITY OF LAMESA

**DATE:** \_\_\_\_\_

**STANDARD CONDITIONS: CLIENT and CONSULTANT (Parkhill, Smith & Cooper, Inc.) agree that the following Provisions shall be part of their Agreement.**

**ARTICLE 1. SERVICES**

**1.1 INVOICING**

Payments are due and payable pursuant to Texas Prompt Payment Act, Texas Government Code 2251.

**1.2 SERVICES DURING CONSTRUCTION**

The CONSULTANT shall not supervise, direct or have control over the Contractor's work nor have any responsibility for the construction means, methods, techniques, sequences or procedures selected by the Contractor nor for the Contractor's safety precautions or programs in connection with the Work. These rights and responsibilities are solely those of the Contractor. The CLIENT agrees that the general contractor shall be solely responsible for jobsite and worker safety and warrants that this intent shall be carried out in the CLIENT's contract with the General Contractor.

The CONSULTANT shall not be responsible for any acts or omissions of the Contractor, any subcontractor, any entity performing any portions of the Work or any agents or employees of any of them. The CONSULTANT does not guarantee the performance of the Contractor and shall not be responsible for the Contractor's failure to perform its Work in accordance with the Contract Documents or any applicable laws, codes, rules or regulations.

**1.3 ESTIMATES OR OPINIONS OF PROBABLE CONSTRUCTION COST**

In providing estimates or opinions of probable construction cost, the CLIENT understands that the CONSULTANT has no control over the cost or availability of labor, equipment or materials, or over market conditions or the Contractor's method of pricing, and that the CONSULTANT's estimates or opinions of probable construction costs are made on the basis of the CONSULTANT's professional judgment and experience. The CONSULTANT makes no warranty, express or implied, that the bids or the negotiated construction cost will not vary from the CONSULTANT's estimates or opinions of probable construction cost.

**1.4 HAZARDOUS MATERIALS**

As used in this Agreement, the term hazardous materials shall mean any substances, including without limitation asbestos, toxic or hazardous waste, PCBs, combustible gases and materials, petroleum or radioactive materials (as each of these is defined in applicable federal statutes) or any other substances under any conditions and in such quantities as would pose a substantial danger to persons or property exposed to such substances at or near the project site.

Both parties acknowledge that the CONSULTANT's scope of services does not include any services related to the presence of any hazardous or toxic materials. In the event the CONSULTANT or any other person or entity involved in the project encounters any hazardous or toxic materials, or should it become known to the CONSULTANT that such materials may be present on or about the jobsite or any adjacent areas that may affect the performance of the CONSULTANT's services, the CONSULTANT may, at its sole option and without liability for consequential or any other damages, suspend performance of its services under this Agreement until the CLIENT retains appropriate qualified consultants and/or contractors to identify and abate or remove the hazardous or toxic materials and warrants that the jobsite is in full compliance with all applicable laws and regulations.

**1.5 ACCESSIBILITY**

The CLIENT acknowledges that the requirements of the Americans with Disabilities Act (ADA), [Texas Accessibility Standards (TAS) for projects in the State of Texas.] and other federal, state and local accessibility laws, rules, codes, ordinances, and regulations will be subject to various and possibly contradictory interpretations. The CLIENT further acknowledges that the ADA is a Civil Rights law and not a building code, and does not have prescriptive language. The CONSULTANT, therefore, will use its reasonable professional efforts and judgment to interpret applicable accessibility requirements in effect as of the date of the execution of this Agreement, and as they apply to the Project. The CONSULTANT, however, cannot and does not warrant or guarantee that the CLIENT's Project will comply with all interpretations of the accessibility requirements and/or the requirements of other federal, state and local laws, rules, codes, ordinances and regulations as they apply to the Project.

All projects in the State of Texas must be submitted to the Texas Department of Licensing and Regulations (TDLR) – Elimination of Architectural Barriers (EAB) Division for plan review for compliance with TAS requirements. The CONSULTANT will include in the design of the Project all changes that are the result of the TDLR plan review. After construction of the project TDLR requires an inspection of the project for compliance confirmation. However, the CONSULTANT cannot and does not warrant or guarantee that different rules and or interpretation may be applied to the CLIENT's Project at the time of the final TDLR inspection. Compliance with changes required by the TDLR final inspection that were not mentioned in the TDLR plan review may be required.

**1.6 SERVICES BY CLIENT**

CLIENT will provide access to work site, obtain applicable permits, provide all legal services in connection with the project, and provide environmental impact reports and energy assessments unless specifically included in the Scope of Work. CLIENT shall pay the costs of checking and inspection fees, zoning application fees, soils engineering fees, testing fees, surveying fees, and all other fees, permits, bond premiums, and all other charges not specifically covered by the terms of this Agreement.

**1.7 OWNERSHIP OF DOCUMENTS**

All reports, drawings, specifications, computer files, field data, notes, data on any form of electronic media, and other documents prepared by the CONSULTANT as Instruments of Service shall remain the property of the CONSULTANT. The CONSULTANT shall retain a common law, statutory and other reserved rights, including copyrights.

The CONSULTANT grants to the CLIENT a nonexclusive license to reproduce the CONSULTANT's Instruments of Service solely for the purpose of constructing, using and maintaining the Project. The CLIENT shall not use the Instruments of Service for other projects without prior written agreement of the CONSULTANT.

The CLIENT shall not make any modification to the Instruments of Service without the prior written authorization of the CONSULTANT. The CLIENT agrees, to the fullest extent permitted by law, to indemnify and hold harmless the CONSULTANT against any damages, liabilities or costs, including reasonable attorney's fees and defense costs, arising from or allegedly arising from or in any way connected with the unauthorized reuse or modification of the Instruments of Service by the CLIENT or any person or entity that acquires or obtains the Instruments of Service from or through the CLIENT without the written authorization of the CONSULTANT.

#### 1.8 DELIVERY OF ELECTRONIC FILES

In accepting and utilizing any form of electronic media generated and furnished by the CONSULTANT, the CLIENT agrees that all such electronic files are Instruments of Service of the CONSULTANT. The CLIENT is aware that differences may exist between the electronic files delivered and the printed hard-copy Contract Documents. In the event of a conflict between the original signed Contract Documents prepared by the CONSULTANT and electronic files, the original signed and sealed hard-copy Contract Documents shall govern.

Electronic files created by the CONSULTANT through the application of software licensed for the sole and exclusive use by the CONSULTANT will be furnished to the CLIENT in read-only format. The CLIENT is responsible to obtain and maintain software licenses as appropriate for the use of electronic files provided by the CONSULTANT.

Under no circumstances shall delivery of electronic files for use by the CLIENT be deemed a sale by the CONSULTANT, and the CONSULTANT makes no warranties, either express or implied, of merchantability and fitness for any particular purpose. In no event shall the CONSULTANT be liable for indirect or consequential damages as a result of the CLIENT's use or reuse of the electronic files.

### ARTICLE 2. GENERAL PROVISIONS

#### 2.1 APPLICABLE LAW

This agreement shall be interpreted and enforced according to the laws of the State of Texas, unless agreed otherwise.

#### 2.2 PRECEDENCE OF CONDITIONS

Should any conflict exist between the terms herein and the terms of any purchase order or confirmation issued by CLIENT, the terms of these Standard Conditions shall prevail.

#### 2.3 ASSIGNMENT

Neither party to this Agreement shall transfer, sublet or assign any rights or duties under or interest in this Agreement, including but not limited to monies that are due or monies that may be due, without the prior written consent of the other party. Subcontracting to subconsultants, normally contemplated by the CONSULTANT as a generally accepted business practice, shall not be considered an assignment for purposes of this Agreement.

#### 2.4 AMENDMENTS

This agreement may be amended only by a written instrument, signed by both CLIENT and CONSULTANT, which expressly refers to this agreement.

#### 2.5 DELAYS

The CLIENT agrees that the CONSULTANT is not responsible for damages arising directly or indirectly from any delays for causes beyond the CONSULTANT'S control. For purposes of this Agreement, such causes include, but are not limited to, strikes or other labor disputes; severe weather disruptions or other natural disasters or acts of God; fires, riots, war or other emergencies; failure of any government agency to act in timely manner; failure of performance by the CLIENT or the CLIENT's contractors or consultants; or discovery of any hazardous substances or differing site conditions.

In addition, if the delays resulting from any such causes increase the cost or time required by the CONSULTANT to perform its services in an orderly and efficient manner, the CONSULTANT shall be entitled to a reasonable adjustment in schedule and compensation.

#### 2.6 INSURANCE

The CONSULTANT agrees to provide Professional Liability Insurance and General Liability Insurance during the scope of the services provided for this project and for a period of 3 years after the completion of services.

#### 2.7 MERGER: WAIVER: SURVIVAL

Except as set forth in AMENDMENT above, this agreement constitutes the entire and integrated agreement between the parties hereto and supersedes all prior negotiations, representations and/or agreements, written or oral. One or more waiver of any term, condition or other provision of this agreement by either party shall not be construed as a waiver of a subsequent breach of the same or any other provisions. If any term or provision of this Agreement is held to be invalid or unenforceable under any applicable statute or rule of law, such holding shall be applied only to the provision so held, and the remainder of this Agreement shall remain in full force and effect.



2.8 TERMINATION

In the event of termination of this Agreement by either party, the CLIENT shall within 15 calendar days of termination pay the CONSULTANT for all services rendered and all reimbursable costs incurred by the CONSULTANT up to the date of termination, in accordance with the payment provisions of this Agreement.

The CLIENT may terminate this Agreement for the CLIENT's convenience and without cause upon giving the CONSULTANT not less than seven calendar days' written notice.

Either party may terminate this Agreement for cause upon giving the other party not less than seven calendar days' written notice for any of the following reasons:

- Substantial failure by the other party to perform in accordance with the terms of this Agreement and through no fault of the terminating party;
- Assignment of this Agreement or transfer of the Project by either party to any other entity without the prior written consent of the other party;
- Suspension of the Project of the CONSULTANT's services by the CLIENT for more than 90 calendar days, consecutive or in aggregate;
- Material changes in the conditions under which this Agreement was entered into, the Scope of Services or the nature of the Project, and the failure of the parties to reach agreement on the compensation and schedule adjustments necessitated by such changes.

2.9 CONSEQUENTIAL DAMAGES

Notwithstanding any other provision of this Agreement, and to the fullest extent permitted by law, neither the CLIENT nor the CONSULTANT, their respective officers, directors, partners, employees, contractors or subconsultants shall be liable to the other or shall make any claim for any incidental, indirect or consequential damages arising out of or connected in any way to the project or this Agreement. This mutual waiver of consequential damages shall include, but is not limited to, loss of use, loss of profit, loss of business, loss of income, loss of reputation and any other consequential damages that either party may have incurred from any cause of action including negligence, strict liability, breach of contract and breach of strict or implied warranty. Both the CLIENT and the CONSULTANT shall require similar waivers of consequential damages protecting all the entities or persons named herein in all contracts and subcontracts with others involved in this project.

2.10 THIRD-PARTY BENEFICIARIES

Nothing contained in this Agreement shall create a contractual relationship with or a cause of action in favor of a third party against either the CLIENT or the CONSULTANT. The CONSULTANT'S services under this Agreement are being performed solely for the CLIENT'S benefit, and no other party or entity shall have any claim against the CONSULTANT because of this Agreement or the performance or nonperformance of services hereunder. The CLIENT and CONSULTANT agree to require a similar provision in all contracts with contractors, subcontractors, subconsultants, vendors and other entities involved in this Project to carry out the intent of this provision.

2.11 MAINTENANCE/WEAR AND TEAR

Both the CLIENT and CONSULTANT acknowledge that the CLIENT, and only the CLIENT, is responsible for maintenance, wear and tear on the project upon substantial completion. The CLIENT is responsible for providing routine inspections and maintenance of the project to maintain a safe and weather tight facility. Should the CLIENT fail to provide routine inspections and maintenance, and damage occur to the project, the CONSULTANT is not responsible for any such resultant damage.

ARTICLE 3. ALLOCATION OF RISK, WARRANTY

3.1 WARRANTY; STANDARD OF CARE

In providing services under this Agreement, the CONSULTANT shall perform in a manner consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing under similar circumstances at the same time and in the same or similar locality. The CONSULTANT makes no warranty, express or implied, as to its professional services rendered under this Agreement.

3.2 DISPUTE RESOLUTION

CONSULTANT and CLIENT agree to negotiate all disputes between them in good faith for a minimum of 30 days from the date of notice. Should such negotiations fail, the CONSULTANT and CLIENT agree that any dispute between their arising out of, or relating to, this Agreement shall be submitted to nonbinding mediation prior to exercising any other rights under law, unless the parties mutually agree otherwise.

3.3 BETTERMENT

If, due to an error or an omission by the CONSULTANT, any required item or component of the project is omitted from the Construction Documents, the CONSULTANT shall not be responsible for paying the cost to add such item or component to the extent that such item or component would have been otherwise necessary to the project or otherwise add value or betterment to the project.

\*\*\* END \*\*\*

PARKHILL, SMITH & COOPER, INC. (CONSULTANT)

CITY OF LAMESA

By   
Brian Stephens  
Sector Director/ Firm Principal

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

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

Date: 12/3/2018

Date: \_\_\_\_\_

## PROFESSIONAL ENGINEERING SERVICES

SCOPE: Assist the City of Lamesa with preparation and submission a renewal of the water quality permit for the WWTP.

### WQP-1: WATER QUALITY PERMIT RENEWAL WWTP ..... (\$9,000)

- Input client supplied data for testing, water quality records, and any other compliance procedures required by the current permit.
- Prepare the Administrative portion of the application
- Prepare the technical portion of the permit application
- Prepare any necessary maps, figures, or calculations necessary for renewal
- Input testing and water quality
- Compile final permit application and send to the client for submittal to TCEQ
- Review and provide comments at the TCEQ administrative review stage
- Review and provide comments at the TCEQ technical review stage
- Review and provide comments for the draft permit review stage

### REM-2: REIMBURSIBLE SERVICES ..... (\$3,000)

- Coordinate testing
  - Sample wastewater effluent
  - Coordinate testing with a TCEQ accredited lab
  - Coordinate additional testing required by TCEQ
  - Review and approve testing results and invoices
- Publishing requirements for 1<sup>st</sup> and 2<sup>nd</sup> notice
  - Coordinate publishing with the local newspaper
  - Prepare and submit TCEQ publishers documentation
  - Review and approve invoices

**Parkhill, Smith & Cooper, Inc.**  
**Hourly Rate Schedule**  
 January 1, 2019 through December 31, 2019

Client: City of Lamesa, TX

Project: City of Lamesa 2019 WWTP Permit Renewal

Agreement Date: \_\_\_\_\_

Location: Lubbock, TX

CLASSIFICATION	HOURLY RATE	CLASSIFICATION	HOURLY RATE	CLASSIFICATION	HOURLY RATE
<b>SUPPORT STAFF I</b>	\$52.00	<b>PROFESSIONAL LEVEL II</b>		<b>PROFESSIONAL LEVEL V</b>	
Engineering Student		Mechanical & Electrical	\$115.00	Mechanical & Electrical	\$198.00
Design Student		Civil & Structural	\$114.00	Civil & Structural	\$194.00
Landscape Architect Student		Architect	\$110.00	Architect	\$181.00
Interior Design Student		Architect Intern		Senior Architect	
		Landscape & Interior	\$102.00	Landscape & Interior	\$149.00
		Design Intern Landscape		Project Manager	
<b>SUPPORT STAFF II</b>	\$89.00	Architect Intern		Senior Landscape Architect	
Engineering Technician		Technologist		Senior Interior Designer	
Engineering Student		Resident Project Representative		Resident Project Representative	
Design Technician		Clerical Supervisor			
CADD				<b>PROFESSIONAL LEVEL VI</b>	
Survey Technician				Mechanical & Electrical	\$224.00
Administrative Assistant		<b>PROFESSIONAL LEVEL III</b>		Civil & Structural	\$215.00
Project Assistant		Mechanical & Electrical	\$137.00	Architect	\$203.00
Word Processor		Civil & Structural	\$134.00	Landscape & Interior	\$180.00
File Specialist		Architect	\$125.00	Studio Leader	
		Architect Intern		Senior Project Manager	
		Landscape & Interior	\$112.00	Senior Practice Leader	
<b>SUPPORT STAFF III</b>	\$98.00	Interior Design Intern		Surveyor	
Engineering Technician		Landscape Architect Intern		Resident Project Representative	
Design Technician		Technologist			
CADD		Resident Project Representative		<b>PROFESSIONAL LEVEL VII</b>	
Administrative Assistant				Mechanical & Electrical	\$241.00
Project Assistant				Civil & Structural	\$235.00
		<b>PROFESSIONAL LEVEL IV</b>		Architect	\$225.00
<b>PROFESSIONAL LEVEL I</b>		Mechanical & Electrical	\$162.00	Landscape & Interior	\$202.00
Mechanical & Electrical	\$101.00	Civil & Structural	\$159.00	Operations Director	
Civil & Structural	\$101.00	Architect	\$148.00	Sector Director	
Architect	\$101.00	Professional Architect			
Architect Intern		Project Architect			
Landscape & Interior	\$97.00	Landscape & Interior	\$123.00		
Interior Design Intern		Professional Landscape Architect			
Landscape Architect Intern		Professional Interior Designer			
Planner		Project Landscape Architect			
Survey Technician		Project Interior Designer			
Technologist		Technologist			
Resident Project Representative		Resident Project Representative			

**Expenses:** Reimbursement for expenses as listed, but not limited to, incurred in connection with services, will be at cost plus 15 percent for items such as:

1. Maps, photographs, postage, phone, reproductions, printing, equipment rental, and special supplies related to the services.
2. Consultants, soils engineers, surveyors, contractors, and other outside services.
3. Rented vehicles, local public transportation and taxis, road toll fees, travel, and subsistence.
4. Special or job-specific fees, insurance, permits, and licenses applicable to work services.
5. Mileage at IRS-approved rate.

Rate for professional staff for legal proceedings or as expert witnesses will be a rate one-and-a-half times these Hourly Rates. Excise and gross receipt taxes, if any, will be added as an expense.

Foregoing Schedule of Charges is incorporated into the Agreement for Services provided, effective January 1, 2019 through December 31, 2019.

After December 31, 2019, invoices will reflect the Schedule of Charges currently in effect.

# ***City Council Agenda***

***City of Lamesa, Texas***

**DATE OF MEETING: DECEMBER 18, 2018**

**AGENDA ITEM: 15**

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**SUBJECT: UTILITIES DIRECTOR REPORT**  
**SUBMITTED BY: UTILITIES DIRECTOR**

## **SUMMARY STATEMENT**

Utilities Director to report on the City's recent events.

## **COUNCIL ACTION**

No council action required.

# ***City Council Agenda***

***City of Lamesa, Texas***

**DATE OF MEETING: DECEMBER 18, 2018**

**AGENDA ITEM: 16**

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**SUBJECT: FINANCIAL REPORT**  
**SUBMITTED BY: Finance Director**  
**EXHIBITS: Financial Reports**

## **SUMMARY STATEMENT**

Financial reports for October and November 2018.

## **COUNCIL ACTION**

No City Council action required.

## **CITY MANAGER'S MEMORANDUM**

Wayne Chapman, Finance Director, will present an overview of the City's Financial reports.



## City of Lamesa Financial Statement Summary As of: October 2018

	Current	
	Month-to-Date	Year-to-Date
<b>General Fund (1)</b>		
Revenues	\$ 710,663.59	\$ 710,663.59
Expenditures	\$ 392,446.57	\$ 392,446.57
<b>Revenues Over/(Under) Expenditures</b>	<b><u>\$ 318,217.02</u></b>	<b><u>\$ 318,217.02</u></b>
<b>Water &amp; Wastewater Fund (2)</b>		
Revenues	\$ 380,166.79	\$ 380,166.79
Expenditures	\$ 283,068.58	\$ 283,068.58
<b>Revenues Over/(Under) Expenditures</b>	<b><u>\$ 97,098.21</u></b>	<b><u>\$ 97,098.21</u></b>
<b>Solid Waste Fund (3)</b>		
Revenues	\$ 157,390.86	\$ 157,390.86
Expenditures	\$ 141,339.14	\$ 141,339.14
<b>Revenues Over/(Under) Expenditures</b>	<b><u>\$ 16,051.72</u></b>	<b><u>\$ 16,051.72</u></b>
<b>Golf Course Fund (18)</b>		
Revenues	\$ 11,418.00	\$ 11,418.00
Expenditures	\$ 20,806.99	\$ 20,806.99
<b>Revenues Over/(Under) Expenditures</b>	<b><u>\$ (9,388.99)</u></b>	<b><u>\$ (9,388.99)</u></b>
<b>All Funds</b>		
Revenues	\$ 1,259,639.24	\$ 1,259,639.24
Expenditures	\$ 837,661.28	\$ 837,661.28
<b>Revenues Over/(Under) Expenditures</b>	<b><u>\$ 421,977.96</u></b>	<b><u>\$ 421,977.96</u></b>

CITY OF LAMESA  
FINANCIAL STATEMENT  
AS OF: OCTOBER 31ST, 2018

01 -GENERAL FUND  
FINANCIAL SUMMARY

08.33% OF YEAR COMP.

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
REVENUE SUMMARY						
01-TAXES		3,151,144.00	621,955.60	621,955.60	19.74	2,529,188.40
02-FRANCHISES AND STREET		508,500.00	25,647.35	25,647.35	5.04	482,852.65
03-PERMITS, LICENSES AND		27,000.00	1,738.06	1,738.06	6.44	25,261.94
04-FINES		56,100.00	4,104.70	4,104.70	7.32	51,995.30
05-RECREATIONAL AND RENTA		25,000.00	2,118.75	2,118.75	8.48	22,881.25
06-OTHER GOVERNMENTAL AGE		203,713.00	45,585.50	45,585.50	22.38	158,127.50
07-TRANSFERS		0.00	0.00	0.00	0.00	0.00
08-CHARGES FOR CURRENT SE		17,200.00	48.00	48.00	0.28	17,152.00
09-MISCELLANEOUS REVENUES		274,379.35	9,465.63	9,465.63	3.45	264,913.72
19-SOURCE (CHG TO 49XXX)		0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES		4,263,036.35	710,663.59	710,663.59	16.67	3,552,372.76

EXPENDITURE SUMMARY

GENERAL ADMIN SERVICES		253,633.76	24,127.62	24,127.62	9.51	229,506.14
FINANCIAL SERVICES		98,798.88	18,712.45	18,712.45	18.94	80,086.43
PERSONNEL/RISK MGT SERV		63,153.00	7,978.70	7,978.70	12.63	55,174.30
COMMUNITY DEVELOPMENT SER		1,000.00	73.18	73.18	7.32	926.82
HOUSING ASSISTANCE SERV		11,211.00	6,309.54	6,309.54	56.28	4,901.46
CITY COUNCIL		53,620.12	5,952.14	5,952.14	11.10	47,667.98
CITY HALL		108,375.00	17,144.84	17,144.84	15.82	91,230.16
INTERGOVERNMENTAL		95,052.00	1,554.49	1,554.49	1.64	93,497.51
MUNICIPAL COURT		124,212.00	11,239.05	11,239.05	9.05	112,972.95
VEHICLE REPAIR SERVICES		66,076.70	22,790.46	22,790.46	34.49	43,286.24
VEHICLE PREVENTIVE MNT		394.00	113.02	113.02	28.69	507.02
FIRE SERVICES		617,976.07	54,830.06	54,830.06	8.87	563,146.01
VOLUNTEER FIRE SERVICES		138,148.50	7,707.97	7,707.97	5.58	130,440.53
PD - GEN'L ADMIN SERV		210,444.00	18,568.97	18,568.97	8.82	191,875.03
COMMUNICATIONS SERVICES		205,381.00	15,344.77	15,344.77	7.47	190,036.23
GEN'L LAW ENFORCEMENT SER		959,540.83	90,347.75	90,347.75	9.42	869,193.08
CRIMINAL INVESTIGATIONS		172,910.00	17,150.59	17,150.59	9.92	155,759.41
JUVENILE SERVICES		0.00	0.00	0.00	0.00	0.00
ANIMAL CONTROL SERVICE		43,256.54	3,326.89	3,326.89	7.69	39,929.65
EMERGENCY MANAGEMENT SERV		21,400.00	60.68	60.68	0.28	21,339.32
NARCOTICS INTERDICTION		0.00	0.00	0.00	0.00	0.00
STREET MAINTENANCE SERV		323,664.20	24,488.94	24,488.94	7.57	299,175.26
STREET CONST/SEAL COAT		116,909.00	4,473.04	4,473.04	3.83	112,435.96
STREET CLEANING SERVICES		29,109.00	2,857.00	2,857.00	9.81	31,966.00
TRAFFIC SERVICES		169,201.00	537.32	537.32	0.32	168,663.68
INSPECTION SERVICES		154,172.00	14,313.30	14,313.30	9.28	139,858.70
PARK MAINTENANCE SERVICES		319,757.79	20,858.21	20,858.21	6.52	298,899.58
PARK IRRIGATION SERVICES		17,283.04	1,989.97	1,989.97	11.51	19,273.01
COMMUNITY BUILDING SERV		55,350.00	1,308.98	1,308.98	2.36	54,041.02
RECREATIONAL FACILITIES		232,069.90	7,528.01	7,528.01	3.24	224,541.89

CITY OF LAMESA  
FINANCIAL STATEMENT  
AS OF: OCTOBER 31ST, 2018

01 -GENERAL FUND  
FINANCIAL SUMMARY

08.33% OF YEAR COMP.

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
	SWIMMING POOL SERVICES	79,453.00	678.61	678.61	0.85	78,774.39
	TOTAL EXPENDITURES	4,741,552.33	392,446.57 ✓	392,446.57 ✓	8.28	4,349,105.76
	REVENUES OVER/(UNDER) EXPENDITURES	( 478,515.98)	318,217.02 ✓	318,217.02 ✓	66.50-	( 796,733.00)
	OTHER SOURCES (USES)	0.00	0.00	0.00	0.00	0.00
	REVENUES & OTHER SOURCES OVER (UNDER) EXPENDITURES & OTHER (USES)	( 478,515.98)	318,217.02	318,217.02	66.50-	( 796,733.00)



CITY OF LAMESA  
 FINANCIAL STATEMENT  
 AS OF: OCTOBER 31ST, 2018

02 -WATER & WASTEWATER ENTER.  
 FINANCIAL SUMMARY

08.33% OF YEAR COMP.

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<b>REVENUE SUMMARY</b>						
	11-OPERATING REVENUES	4,512,565.00	373,796.23	373,796.23	8.28	4,138,768.77
	12-NON-OPERATING REVENUES	229,829.47	6,370.56	6,370.56	2.77	223,458.91
	<b>TOTAL REVENUES</b>	<b>4,742,394.47</b>	<b>380,166.79</b> ✓	<b>380,166.79</b> ✓	<b>8.02</b>	<b>4,362,227.68</b>
<b>EXPENDITURE SUMMARY</b>						
	WATER PRODUCTION SERVICES	1,636,446.40	82,519.27	82,519.27	5.04	1,553,927.13
	WATER DIST/WASTEWATER SER	1,960,246.80	128,038.89	128,038.89	6.53	1,832,207.91
	WASTEWATER TREATMENT SERV	891,115.29	34,883.98	34,883.98	3.91	856,231.31
	ENGINEERING SERVICES	86,356.00	929.78	929.78	1.08	85,426.22
	TECHNICAL SERVICES	80,041.00	5,424.60	5,424.60	6.78	74,616.40
	UTILITY BILLING/COLLECT	325,124.00	31,272.06	31,272.06	9.62	293,851.94
	INSPECTION SERVICES	0.00	0.00	0.00	0.00	0.00
	<b>TOTAL EXPENDITURES</b>	<b>4,979,329.49</b>	<b>283,068.58</b> ✓	<b>283,068.58</b> ✓	<b>5.68</b>	<b>4,696,260.91</b>
	<b>REVENUES OVER/(UNDER) EXPENDITURES</b>	<b>( 236,935.02)</b>	<b>97,098.21</b> ✓	<b>97,098.21</b> ✓	<b>40.98-</b>	<b>( 334,033.23)</b>
	<b>OTHER SOURCES (USES)</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
	<b>REVENUES &amp; OTHER SOURCES OVER (UNDER) EXPENDITURES &amp; OTHER (USES)</b>	<b>( 236,935.02)</b>	<b>97,098.21</b>	<b>97,098.21</b>	<b>40.98-</b>	<b>( 334,033.23)</b>

CITY OF LAMESA  
 FINANCIAL STATEMENT  
 AS OF: OCTOBER 31ST, 2018

03 -SOLID WASTE ENTERPRISE  
 FINANCIAL SUMMARY

08.33% OF YEAR COMP.

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<b>REVENUE SUMMARY</b>						
05-RECREATIONAL AND RENTA		0.00	0.00	0.00	0.00	0.00
21-OPERATING REVENUES		1,811,862.00	156,681.06	156,681.06	8.65	1,655,180.94
22-NON-OPERATING REVENUES		82,378.59	709.80	709.80	0.86	81,668.79
<b>TOTAL REVENUES</b>		<b>1,894,240.59</b>	<b>157,390.86</b>	<b>157,390.86</b>	<b>8.31</b>	<b>1,736,849.73</b>
<b>EXPENDITURE SUMMARY</b>						
SOLID WASTE COLLECTION SV		975,640.81	81,034.27	81,034.27	8.31	894,606.54
SANITARY LANDFILL SERVICE		880,960.46	45,714.39	45,714.39	5.19	835,246.07
SPECIALIZED COLLECTION SV		146,900.00	8,762.01	8,762.01	5.96	138,137.99
ENVIRONMENTAL HEALTH SERV		88,889.00	5,828.47	5,828.47	6.56	83,060.53
<b>TOTAL EXPENDITURES</b>		<b>2,092,390.27</b>	<b>141,339.14</b>	<b>141,339.14</b>	<b>6.75</b>	<b>1,951,051.13</b>
<b>REVENUES OVER/(UNDER) EXPENDITURES</b>		<b>( 198,149.68)</b>	<b>16,051.72</b>	<b>16,051.72</b>	<b>8.10-</b>	<b>( 214,201.40)</b>
<b>OTHER SOURCES (USES)</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>REVENUES &amp; OTHER SOURCES OVER (UNDER) EXPENDITURES &amp; OTHER (USES)</b>		<b>( 198,149.68)</b>	<b>16,051.72</b>	<b>16,051.72</b>	<b>8.10-</b>	<b>( 214,201.40)</b>

CITY OF LAMESA  
 FINANCIAL STATEMENT  
 AS OF: OCTOBER 31ST, 2018

18 -MUNICIPAL GOLF COURSE  
 FINANCIAL SUMMARY

08.33% OF YEAR COMP.

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<b>REVENUE SUMMARY</b>						
	09-MISCELLANEOUS REVENUES	0.00	0.00	0.00	0.00	0.00
	31-FEES AND DUES	224,442.71	11,418.00	11,418.00	5.09	213,024.71
	<b>TOTAL REVENUES</b>	<b>224,442.71</b>	<b>11,418.00</b>	<b>11,418.00</b>	<b>5.09</b>	<b>213,024.71</b>
<b>EXPENDITURE SUMMARY</b>						
	MUNICIPAL GOLF COURSE	229,333.27	20,806.99	20,806.99	9.07	208,526.28
	<b>TOTAL EXPENDITURES</b>	<b>229,333.27</b>	<b>20,806.99</b>	<b>20,806.99</b>	<b>9.07</b>	<b>208,526.28</b>
	REVENUES OVER/ (UNDER) EXPENDITURES	( 4,890.56)	( 9,388.99)	9,388.99	191.98	4,498.43
	REVENUES & OTHER SOURCES OVER (UNDER) EXPENDITURES & OTHER (USES)	( 4,890.56)	( 9,388.99)	9,388.99	191.98	4,498.43



**City of Lamesa**  
**Balance Sheet Summary**  
**As of : October 2018**

**General Fund (1)**

Assets	\$	3,973,264.98
Liabilities	\$	626,029.39

**Water & Wastewater Fund (2)**

Assets	\$	17,037,789.65
Liabilities	\$	13,017,698.80

**Solid Waste Fund (3)**

Assets	\$	3,630,084.90
Liabilities	\$	1,164,809.53

**Golf Course Fund (18)**

Assets	\$	258,581.42
Liabilities	\$	257,011.28

01 -GENERAL FUND

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE
<b>ASSETS</b>		
*****		
01-1001	CASH IN BANK	1,498,684.47
01-1002	PETTY CASH	0.00
01-1003	RETURNED CHECKS	1,838.52
01-1004	TAXES RECEIVABLE-DELIQUENT	194,414.90
01-1005	TAXES RECEIVABLE CURRENT	74,644.74
01-1006	PROV. FOR UNCOLLECT TAXES	( 142,943.71)
01-1007	MISC ACCT. RECEIVABLE	2,942.65
01-1008	PROV. UNCOLLEC. ACCT/REC	( 184.11)
01-1009	PAVING LEIN RECEIVABLE	157,357.00
01-1010	UNCOLLECTABLE PAVING LEIN	( 100,387.00)
01-1011	A/R LUBBOCK TASK FORCE	0.00
01-1012	A/R TNRCC	0.00
01-1013	OFFICE SUPPLIES INVENTORY	2,805.49
01-1014	DUE FROM DAWSON COUNTY	0.40
01-1015	CASH IN BANK - PAYROLL	0.00
01-1016	DUE FROM DEBT SERVICE	0.00
01-1017	FUEL TAX C.D.	0.00
01-1018	DUE TO/FROM 1997 TAN	0.00
01-1019	DUE TO/FROM SOLID WASTE FUND	0.00
01-1020	DUE FROM INVESTMENT FUND	1,386,043.60
01-1021	CAPITAL EQUIPMENT RESERVE	0.00
01-1022	BUILDING & COMPUTER RESERVE	0.00
01-1023	DUE FROM FIRE DEPT. GRANTS	0.00
01-1024	DUE FROM JUSTICE GRANT	0.00
01-1025	DUE TO/ FROM STATE AGENCY	0.00
01-1026	DUE FROM OTHER GOVERNMENTS	0.00
01-1027	DUE TO/FROM CAPITAL PROJECT	0.00
01-1028	SALES TAX RECEIVABLE	6,643.04
01-1029	DUE TO/FROM DEBT SERVICE	0.00
01-1030	DUE FROM MOTEL TAX FUND	0.00
01-1031	DUE TO/FROM SPECIAL REV. FUND	0.00
01-1032	DUE FROM INVESTMENT-CIVIC CTR.	0.00
01-1033	ACCOUNTS RECEIVABLE	0.00
01-1034	SALES TAX REC./TX COMPTROLLER	278,570.22
01-1035	DUE FROM IMS FLEX ACCT.	6,919.54
01-1036	FRANCHISE TAX RECEIVABLE	80,806.95
01-1040	TAN I&S RESERVE	0.00
01-1044	CIP - F PARK LIGHT PROJECT	0.25
01-1045	CITY OF LAMESA - CFS FESTIVAL	4,869.11
01-1046	CRIME LINE	2,673.40
01-1050	DUE TO/FROM RISK MGMT & SAFE	0.00
01-1055	DUE FROM INVESTMENT FUND	0.00
01-1056	DUE FROM TEXstar POOL	500,000.00
01-1060	DUE FROM ECONOMIC DEVELO	31,357.53
01-1061	DUE FROM BUILDING SECURITY	0.00
01-1062	DUE FROM PEG FUND	0.00
01-1063	DUE FROM POLICE DONATION FUND	0.00
01-1064	DUE FROM TECHNOLOGY FUND	0.00
01-1065	DUE FROM ECONOMIC DEV./AUDITOR	( 13,792.01)

01 -GENERAL FUND

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE
01-1066	DUE FROM S.W.A.T FUND	0.00
01-1070	DUE FROM FORFEITED TRUST	0.00
01-1071	DUE FROM WWF-LAND PURCHASE	0.00
01-1072	DUE TO/FROM GOLF COURSE	0.00
01-1080	D.A.R.E.	0.00
01-1085	DUE FROM HOUSING AUTHORITY	0.00
01-1090	XFER FOR RETIREMENT/C.O.'	0.00
01-1095	DUE FROM LEAP	0.00
		3,973,264.98

TOTAL ASSETS

3,973,264.98 ✓

LIABILITIES

01-2013	PAVING LIEN REFUND PAYABLE	0.00
01-2014	SALES TAX PAYABLE	0.00
01-2015	VOUCHERS PAYABLE	238,806.69
01-2016	COMMUNITY BLDG.DEPOSITS	19,498.00
01-2017	REFUND OF CASH DEPOSITS	591.00
01-2018	WAGES PAYABLE	0.00
01-2019	GROUP INSURANCE PAYABLE	0.00
01-2020	WITHHOLDING TAX PAYABLE	0.00
01-2021	SOCIAL SECURITY PAYABLE	0.00
01-2022	T.M.R.S. PAYABLE	0.00
01-2023	AUTO ALLOWANCE PAYABLE	0.00
01-2024	BONDS	0.00
01-2025	DEDUCTIONS PAYABLE	0.00
01-2026	WORKERS COMPENSATION	( 25.00)
01-2027	AIRPORT	0.00
01-2028	OPTIONAL LIFE PAYABLE	5,373.68
01-2029	DUE TO SWMF	0.00
01-2030	GOVERNOR'S TAX PAYABLE	0.00
01-2031	TRANS. FOR RET.BONDS	0.00
01-2032	DUE TO STATE AGENCY	0.00
01-2033	C.D.B.G.	0.00
01-2034	DUE TO LAMESA HOUSING	0.00
01-2035	TRANS. FROM DEVELOP. FUND	0.00
01-2036	TEEN COURT ADMIN FEE	90.00
01-2037	DUE TO RISK MGT & SAFETY	0.00
01-2038	DUE TO/FROM WATER FUND	0.00
01-2039	WARRANTS PAYABLE	0.00
01-2040	UNITED FUND	120.00
01-2041	SALES TX DUE TO LEDC -TX COMPT	46,428.37
01-2042	DUE TO LEAP -SALES TAX	46,428.37
01-2043	TMRS EMPLOYEE BACK PAY	886.49
01-2044	FLEX SPENDING ACCT. (FSA)	( 725.20)
01-2045	PROV. FOR COMP.ABSENCES	( 0.13)
01-2048	1992 C O DEBT-PRINCIPAL	0.00
01-2049	1992 C.O. DEBT	0.00
01-2050	ICMA-RC PAYABLE	0.00
01-2051	COURT BONDS PAYABLE	500.00

01 -GENERAL FUND

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE
01-2052	COURT BUILDING SECURITY FUND	0.00
01-2053	COURT TECHNOLOGY FEE	0.00
01-2055	TAN I&S PRINCIPAL	0.00
01-2056	TAN I&S INTEREST	0.00
01-2057	NORTHLAND PEG FEES	742.74
01-2058	NTS PEG FEES	0.00
01-2070	GROUP INS. PRE-TAX	( 1,782.48)
01-2075	EMPLOYEE REIMB. SICK LEAVE	0.00
01-2080	DEFERRED REVENUE-PAVING	0.00
01-2081	DEFERRED REVENUE-TAXES	126,115.95
01-2082	DEFERRED REVENUE-MISC. POLICE	( 0.14)
01-2083	DEFERRED REVENUE REVITAL GRANT	0.00
01-2084	DEFERRED REVENUE- CIVIC CENTER	0.00
01-2085	AFLAC PRE-TAX	1,436.97
01-2086	DEFERRED REV.-POLICE DONATIONS	0.00
01-2087	DEFERRED REV.-COURTHOUSE PROJ.	0.00
01-2088	DEFERRED REVENUE-SWAT DONATION	0.00
01-2089	DEFERRED REVENUE/FIRE PROTECTI	0.00
01-2090	AFLAC POST TAX	636.94
01-2091	DEFERRED REV.-L.I.S.D. BUYMONE	3,786.50
01-2092	AIR MED CARE	0.00
01-2094	NEW YORK LIFE INS. PAYABLE	0.00
01-2095	VISION INS. PAYABLE	325.68
01-2096	EMPLOYEE LEGAL SERV. PAYABLE	181.30
01-2097	WORK BOOTS PAYABLE	( 1,545.66)
01-2098	DEFERRED REV. - SPORTS COMPLEX	56,970.00
01-2099	JAE FITNESS PAYABLE	( 745.03)
01-2150	ACCRUED PAYABLES	0.00
01-2160	ACCRUED PAYROLL LIABILITY	81,934.35
01-2999	PROFIT & LOSS	0.00
	TOTAL LIABILITIES	626,029.39
EQUITY		
=====		
01-3001	FUND BALANCE	2,727,486.37
01-3002	RESERVE-CAPITAL EQUIPMENT	0.00
01-3003	RESERVE-BUILDING & COMPUTER	0.00
01-3010	C.O. INTEREST	0.00
01-3011	C.O. PRINCIPAL	0.00
01-3012	TAN INTEREST	0.00
01-3013	TAN PRINCIPAL	0.00
01-3014	OTHER PRINCIPAL	0.00
01-3015	OTHER INTEREST	0.00
	TOTAL BEGINNING EQUITY	2,727,486.37
	TOTAL REVENUE	710,663.59
	TOTAL EXPENSES	392,446.57
	TOTAL REVENUE OVER/(UNDER) EXPENSES	318,217.02
	(WILL CLOSE TO FUND BAL.)	301,532.20
	TOTAL EQUITY & REV. OVER/(UNDER) EXP.	3,347,235.59
	TOTAL LIABILITIES, EQUITY & REV.OVER/(UNDER) EXP.	3,973,264.98
		=====

02 -WATER &amp; WASTEWATER ENTER.

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE
<b>ASSETS</b>		
02-1001	CASH IN BANK	896,312.65
02-1002	CASH IN DRAWER	0.00
02-1003	DUE FROM INVESTMENTS/WATER DEP	29,712.31
02-1004	CAPITAL EQUIPMENT RESERVE	449,219.93
02-1005	W.S.G. CHGS. RECEIVABLE	226,885.40
02-10051	REFUNDS PAYABLE	241.04
02-10052	UTILITY A/R SUSPENSE	0.00
02-10053	UNAPPLIED US REVENUE	( 14,866.31)
02-10054	US GL RECON REPORT	0.00
02-10059	UNBILLED REVENU RECEIVABLE	0.00
02-1006	PROV.FOR UNCOLLECT. ACCTS	( 43,882.52)
02-1007	INVENTORY SUPPLIES	153,064.04
02-1008	WW. TRMT PLNT .RES.INVESTMENTS	92,381.58
02-1009	UTILITY SYSTEM IMPROV RESERVE	0.00
02-1010	UNAMORTIZED TAN ISSUE COSTS	0.00
02-1011	AMORT.OF DISC. & PREMIUMS	0.00
02-1012	WATER SYSTEM LAND	33,460.47
02-1013	WATER RIGHTS PURCHASED	6,680,247.00
02-1014	WALKS, DRIVES & FENCES	10,223,647.26
02-1015	BUILDINGS	149,063.00
02-1016	WELLS & WELL HOUSES	0.00
02-1017	BOOSTER STAT. AND STORAGE	0.00
02-1018	WATER LINES,VALVES & FITT	0.00
02-1019	WATER TAPS AND METERS	6,816,494.00
02-1020	AUTOMOTIVE & MISC.EQUIP.	2,163,119.39
02-1021	FIRE HYDRANTS	0.00
02-1022	WATER SYST. DEPRECIATION	( 11,579,223.48)
02-1023	SEWER SYSTEM-LAND & LAGOO	95,540.50
02-1024	SEWAGE LIFT STATIONS	0.00
02-1025	DISPOSAL PLANT	0.00
02-1026	SEWER LINES	0.00
02-1027	SEWER SYS. DEPRECIATION	0.00
02-1028	DUE TO/FROM SOLID WASTE	0.00
02-1029	ELECTRICAL INVENTORY	0.00
02-1030	WW LIFTSTATION/LUBBOCK HWY.	482.23
02-1031	ACCOUNTS REC. - TRRA	0.00
02-1032	06 TAN ISSUANCE COSTS	27,120.24
02-1033	06 TAN AMORTIZATION	43,915.00
02-1035	DUE FROM TCDP GRANT	0.00
02-1036	DUE FROM INV. FUND-TX NOTE 06	18,286.33
02-1037	DUE TO INV. - WELLS &TOWER	394,442.38
02-1039	WATER TREATMENT PLANT	0.00
02-1040	WW TRMT PLANT RES.	0.00
02-1050	CASH IN BANK-TRMT PLANT	0.00
02-1060	CIP - NEW WATER WELL PROJECT	18,501.29
02-1065	CIP - LUBBOCK HWY LIFTSTATION	0.16
02-1070	CIP - ELEVATED STORAGE TANK	0.24
02-1075	CIP - WATER MAIN IMP, HWY 87	( 0.48)
02-1080	NET PENSION ASSET (LIABILITY)	( 30,921.00)



02 -WATER & WASTEWATER ENTER.

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE
02-1081	DEFERRED OUTFLOW-PENSTION CONTR	21,006.00
02-1082	DEFERRED OUTFLOW-PENSION INV E	173,541.00
02-1083	L.E.D.C. PRISON TOWER REC.	0.00
		17,037,789.65

TOTAL ASSETS

17,037,789.65 ✓

LIABILITIES

02-2010	DUE TO LAMESA EDC	0.00
02-2013		0.00
02-2025	REVENUE RECOVERY LIABILITY	( 236.77)
02-2026	REVENUE RECOVERY FEES	2,694.45
02-2027	UNDEPOSITED METER DEPOSIT	0.00
02-2028	WATER DEPOSITS	261,483.98
02-2029	T.M.R.S. PAYABLE	0.00
02-2030	F.I.C.A. PAYABLE	0.00
02-2031	VOUCHERS PAYABLE	0.00
02-2032	BONDS PAYABLE-PRISON	0.00
02-2033	CONTRIBUTED BY DEVELOPERS	255,845.00
02-2034	CONTRIBUTED BY U.S. GOV'T	236,875.39
02-2035	RES.RETIRE.OF BONDS & INT	0.00
02-2036	EARNED SURPLUS INVESTED	0.00
02-2037	EARNED SURPLUS UNAPPROPR.	0.00
02-2038	INT. ON B.F. INVESTMENT	0.00
02-2039	TRANS. FOR RET. OF BONDS	0.00
02-2040	OPERATING TRANSFER	0.00
02-2041	BOND INTEREST EXPENSE	0.00
02-2042	HANDLING FEES	0.00
02-2043	CAPITAL PROJECT FUNDS	440,420.21
02-2045	PROV.COMPENSATED ABSENCES	41,251.02
02-2046	DUE TO/FROM GENERAL FUND	0.00
02-2047	DUE TO SOLID WASTE	0.00
02-2048	DUE TO RISK MGT & SAFETY	0.00
02-2049	1992 C.O. DEBT NON CURRENT	0.00
02-2050	NOTE PAYABLE- 2006 TAX NOTES	0.00
02-2051	NOTE PAYABLE-CAT FINANCE	0.00
02-2052	LEASE PAYABLE-AAIG(NON-CURRENT	1,640,416.00
02-2053	NOTES PAYABLE-WSB (NONCURREN).	( 0.40)
02-2054	BONDS PAYABLE - USDA	4,331,000.00
02-2055	CONTRIBUTED CAPITAL-TCDP	864,400.00
02-2056	CONTRIBUTED CAPITAL-TDCJ	133,567.10
02-2057	DUE TO G/F - LAND PURCHASE	0.00
02-2058	DUE TO SWMF - LAND PURCHASE	75,000.00
02-2059	DUE TO CAP. PROJ.-LAND PURCHAS	0.00
02-2060	AFLAC PRE-TAX	0.00
02-2061	DUE TO/FROM GOLF COURSE FUND	0.00
02-2070	GROUP INS. PRE-TAX	0.00
02-2085	AFLAC PRE-TAX	0.00
02-2090	AFLAC POST TAX	0.00
02-2095	VISION INS. PAYABLE	0.42

## 02 -WATER &amp; WASTEWATER ENTER.

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE
02-2160	ACCRUED PAYROLL LIABILITY	31,603.93
02-2900	CURRENT PORTION 91 C.O.'S	0.00
02-2901	CURRENT PORTION - USDA	80,000.00
02-2902	CURRENT PORTION-2006 TAN	0.00
02-2903	CURRENT PORTION-CAT FINANCE	0.00
02-2904	LEASE PAYABLE-AAIG (CURRENT)	124,636.00
02-2905	NOTES PAYABLE-WSB (CURRENT)	( 0.33)
02-2906	NOTES PAYABLE-SOUTH PLAINS COM	0.00
02-2909	TAX NOTE 2013 - ST	0.00
02-2910	TAX NOTE 2013 L-T	210,000.00
02-2911	CURRENT PORTION COMP ABSE	11,634.80
02-2912	TAX NOTE 2013-A L-T	307,000.00
02-2913	TAX NOTE 2013A - S-T	0.00
02-2914	TAX NOTE 2014 L-T	103,535.00
02-2915	TAX NOTE 2014 S-T	12,080.00
02-2920	DEFERRED REV-LIFTSTATION PROJ.	0.00
02-2925	CONJ. USE SERIES 2011-NONCURRE	1,338,783.00
02-2926	CONJ USE SERIES 2011-CURRENT	78,536.00
02-2927	REFUNDING 2010 - NON CURRENT	40,718.00
02-2928	REFUNDING SERIES 2010-CURRENT	15,023.00
02-2929	RECLAMATION 2010 - NON CURRENT	0.00
02-2930	RECLAMATION 2010 - CURRENT	165,330.00
02-2931	GROUNDWATER 2009-NON CURRENT	302,845.00
02-2932	GROUNDWATER 2009 - CURRENT	20,846.00
02-2933	GROUNDWATER 2008 - NONCURRENT	0.00
02-2934	GROUNDWATER 2009 - CURRENT	0.00
02-2935	GROUNDWATER 2005-NONCURRENT	0.00
02-2936	GROUNDWATER 2005 - CURRENT	0.00
02-2937	GROUNDWATER 2012-NONCURRENT	868,538.00
02-2938	GROUNDWATER 2012-CURRENT	27,190.00
02-2939	2014 BOND (2005) ST	82,519.00
02-2940	2014 BOND (2005) LT	123,590.00
02-2941	2014 PREMIUM (2005)	18,159.00
02-2942	2014 BOND (2006) ST	49,554.00
02-2943	2014 BOND (2006) LT	527,462.00
02-2944	2014 PREMIUM (2006)	82,224.00
02-2945	2017 BACKHOE LOADER LT	71,077.00
02-2946	2017 BACKHOE LOADER ST	16,413.00
02-2950	DEFERRED OUTFLOW-PENSION	25,686.00
02-2999	PROFIT & LOSS	0.00
	TOTAL LIABILITIES	13,017,698.80
EQUITY		
02-3001	FUND BALANCE	3,045,164.79
02-3002	RESERVE-UTILITY SYSTEM IMPROV	0.00
02-3010	C.O. INTEREST	0.00
02-3012	TAN INTEREST	0.00
	TOTAL BEGINNING EQUITY	3,045,164.79

CITY OF LAMESA  
BALANCE SHEET  
AS OF: OCTOBER 31ST, 2018

02 -WATER & WASTEWATER ENTER.

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE
	TOTAL REVENUE	380,166.79
	TOTAL EXPENSES	283,068.58
	TOTAL REVENUE OVER/(UNDER) EXPENSES	97,098.21
	(WILL CLOSE TO FUND BAL.)	877,827.85
	TOTAL EQUITY & REV. OVER/(UNDER) EXP.	4,020,090.85
	TOTAL LIABILITIES, EQUITY & REV.OVER/(UNDER) EXP.	17,037,789.65

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03 -SOLID WASTE ENTERPRISE

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE
<b>ASSETS</b>		
=====		
03-1001	CASH IN BANK	899,825.00
03-1002	CASH IN BANK - DEBT SERVICE	0.00
03-1003	CASH IN BANK - CAPITAL RESERVE	0.00
03-1004	DUE FROM GENERAL FUND	0.00
03-1005	DUE FROM WASTEWATER	0.00
03-10059	UNBILLED REVENUE RECEIVABLE	98,852.45
03-1006	DUE FROM WWF- LAND PURCHASE	75,000.00
03-1007	DUE FROM INVESTMENTS-DEBT SERV	0.00
03-1008	DUE FROM INV.-CAPITAL RESERVE	119,683.58
03-1010	UNAMORTIZED TAN ISSUE COSTS	0.00
03-1011	GARBAGE CHG. RECEIVABLE	102,181.54
03-1012	UNCOLLECTIBLE GARB.CHGS.	( 31,288.41)
03-1013	GRANT PROCEEDS RECEIVABLE	0.00
03-1014	LAND	143,957.00
03-1015	BUILDINGS	2,386,652.61
03-1019	AUTOMOTIVE & MISC.EQUIP.	4,858,192.77
03-1020	DUE FROM INVESTMENT FUND	0.00
03-1021	CAPITAL EQUIPMENT RESERVE	45,983.19
03-1022	POST CLOSURE RESERVE	626,290.27
03-1023	ENVIROMENTAL OPER CENTER RES	0.00
03-1024	RESERVE FOR TAN I&S	0.00
03-1027	05 TAN ISSUANCE COSTS	0.00
03-1028	ACCUM. AMORT-ISSUANCE COSTS	( 0.27)
03-1030	CIP - NEW LANDFILL CELL #4	( 0.45)
03-1050	ACCUMULATED DEPRECIATION	( 5,786,120.38)
03-1080	NET PENSION ASSET (LIABILITY)	( 17,173.00)
03-1081	DEFERRED OUTFLOW-PENSION COMTR	11,667.00
03-1082	DEFERRED OUTFLOW-PENSION INV	96,382.00
		3,630,084.90
TOTAL ASSETS		3,630,084.90 ✓

<b>LIABILITIES</b>		
=====		
03-2010	DUE TO/FROM GENERAL FUND	0.00
03-2013		0.00
03-2020	DUE TO/FROM WASTE WATER	0.00
03-2021	POSTCLOSURE RESERVE	0.00
03-2022	DUE TO RISK MGT & SAFETY	0.00
03-2030	CONTRIBUTED CAPITAL - SCALE	41,191.00
03-2040	TAN INTEREST EXPENSE	0.00
03-2041	BOND INTEREST EXPENSE	0.00
03-2042	LOSS ON EQUIPMENT	0.00
03-2044	CUR.PROV FOR COMP.ABSENCE	5,864.47
03-2045	PROV-COMPENSATED ABSENCE	20,789.84
03-2049	1992 C.O. DEBT NON-CURRENT	0.00
03-2050	N/P - CATEPILLAR (DOZER)	( 0.25)
03-2051	EST.LIAB.LANDFILL CLOSURE	520,411.09
03-2052	OUTSOURCE LEASE-MAD VAC S-T	0.00

03 -SOLID WASTE ENTERPRISE

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE
03-2053	CATERPILLAR LEASE - S-T	0.15
03-2054	2005 TAX NOTE -CURRENT PORTION	0.00
03-2055	N/P CATERPILLAR (BULLDOZER)	0.31
03-2056	TAN I&S INTEREST	0.00
03-2060	AFLAC PRE-TAX	0.00
03-2065	N/P KSB - GARBAGE TRUCK	0.00
03-2070	GROUP INS. PRE-TAX	0.00
03-2085	AFLAC PRE-TAX	0.00
03-2090	AFLAC POST TAX	0.00
03-2095	VISION INS. PAYABLE	0.00
03-2096	N/P-CATERPILLAR 930H - LT	0.00
03-2097	N/P - CATERPILLAR 930H - ST	23,714.00
03-2098	N/P CATERPILLAR (BACKHOE) ST	0.00
03-2160	ACCRUED PAYROLL LIABILITY	15,013.54
03-2165	N/P MACK TRUCK W/ SIDELOAD -LT	0.00
03-2166	N/P MACK TRUCK W/ SIDELOAD -ST	0.00
03-2901	CURRENT PORTION 92 C.O.'S	0.00
03-2902	CURRENT PORTION-1997 TAN	0.00
03-2903	OUTSOURCE LEASE- MAD VAC L-T	0.00
03-2904	CATERPILLAR LEASE - L-T	0.00
03-2905	2005 TAX NOTE (LT)	0.00
03-2906	ST-CATERPILLAR LOADER 2015	11,122.00
03-2907	LT - CATERPILLAR LOADER 2015	112,540.00
03-2908	ST-CATERPILLAR BULL DOZER 2015	39,436.00
03-2909	LT-CATERPILLAR BULL DOZER 2015	82,154.00
03-2910	TAX NOTE 2012 - LT	145,700.00
03-2911	TAX NOTE 2012 - ST	0.00
03-2912	2016 MACK DUMP TRUCK - LT	89,703.00
03-2913	2016 MACK DUMP TRUCK - ST	42,905.00
03-2950	DEFERRED INFLOW-PENSTION	14,266.00
	TOTAL LIABILITIES	1,164,809.53

EQUITY

03-3001	FUND BALANCE	2,029,666.33
03-3002	INVESTMENT IN PROPERTY	0.00
03-3003	UNRESERVED FUND BALANCE	0.00
03-3004	POSTCLOSURE RESERVE	107,228.18
03-3005	RESERVE ENVIROMENTAL OPER CNTR	0.00
03-3010	C.O. INTEREST	0.00
03-3012	TAN INTEREST	0.00
	TOTAL BEGINNING EQUITY	2,136,894.51
	TOTAL REVENUE	157,390.86
	TOTAL EXPENSES	141,339.14
	TOTAL REVENUE OVER/(UNDER) EXPENSES	16,051.72
	(WILL CLOSE TO FUND BAL.)	312,329.14
	TOTAL EQUITY & REV.OVER/(UNDER) EXP.	2,465,275.37
	TOTAL LIABILITIES, EQUITY & REV.OVER/(UNDER) EXP.	3,630,084.90

18 -MUNICIPAL GOLF COURSE

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE
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ASSETS

18-1001	CASH	( 15,439.10)
18-1005	GOLF FEES RECEIVABLE	31,834.32
18-1006	ALLOWANCE FOR BAD DEBTS	( 25,136.20)
18-1020	LAND IMPROVEMENTS	79,362.32
18-1021	EQUIPMENT	316,363.08
18-1022	DEPRECIATION	( 165,019.00)
18-1023	BUILDINGS & IMPROVEMENTS	12,143.00
18-1028	SALES TAX RECEIVABLE	0.00
18-1030	DUE TO/FROM WATER FUND	0.00
18-1080	NET PENSION ASSET (LIABILITY)	( 4,625.00)
18-1081	DEFERRED OUTFLOW-PENSION CONTR	3,142.00
18-1082	DEFERRED OUTFLOW-PENSION INV.	25,956.00

258,581.42

TOTAL ASSETS

258,581.42 ✓

LIABILITIES

18-2010	DUE TO/FROM GENERAL FUND	0.00
18-2013	NOTES PAYABLE-OUTSORCE/CURR.	0.00
18-2014	SALES TAX PAYABLE	0.00
18-2015	NOTE PAYABLE-WELL FARGO-CURREN	0.00
18-2016	DUE TO RISK MGMT.	96,624.00
18-2017	NOTES PAYABLE	0.00
18-2018	NOTES PAYABLE - OUTSOURCE	0.00
18-2044	COMP. ABSENCES - CURRENT	2,762.21
18-2045	COMP. ABSENCES - LONG TERM	9,791.11
18-2160	ACCRUED PAYROLL LIABILITY	3,880.96
18-2902	RANGE BALL SERVER -ST PORTION	0.00
18-2903	PNC GOLF CAR LEASE - LT	72,524.00
18-2904	PNC GOLF CAR LEASE - ST	10,579.00
18-2906	RANGE BALL SERVER- LT PORTION	12,216.00
18-2907	TORO MOWER LT	44,792.00
18-2950	DEFERRED INFLOW-PENSION	3,842.00

257,011.28 ✓

TOTAL LIABILITIES

EQUITY

18-3001	FUND BALANCE	13,638.74
	TOTAL BEGINNING EQUITY	13,638.74

TOTAL REVENUE	11,418.00
TOTAL EXPENSES	20,806.99
TOTAL REVENUE OVER/(UNDER) EXPENSES	( 9,388.99)
(WILL CLOSE TO FUND BAL.)	( 2,679.61)

TOTAL EQUITY & REV. OVER/(UNDER) EXP. 1,570.14

TOTAL LIABILITIES, EQUITY & REV.OVER/(UNDER) EXP. 258,581.42



**City of Lamesa**  
**Financial Statement Summary**  
**As of: November 2018**

	Current	
	Month-to-Date	Year-to-Date
<b>General Fund (1)</b>		
Revenues	\$ 849,946.14	\$ 1,560,609.73
Expenditures	\$ 280,006.25	\$ 672,452.82
<b>Revenues Over/(Under) Expenditures</b>	<b><u>\$ 569,939.89</u></b>	<b><u>\$ 888,156.91</u></b>
<b>Water &amp; Wastewater Fund (2)</b>		
Revenues	\$ 385,515.43	\$ 765,682.22
Expenditures	\$ 430,506.33	\$ 716,906.27
<b>Revenues Over/(Under) Expenditures</b>	<b><u>\$ (44,990.90)</u></b>	<b><u>\$ 48,775.95</u></b>
<b>Solid Waste Fund (3)</b>		
Revenues	\$ 151,771.06	\$ 309,161.92
Expenditures	\$ 139,123.27	\$ 280,462.41
<b>Revenues Over/(Under) Expenditures</b>	<b><u>\$ 12,647.79</u></b>	<b><u>\$ 28,699.51</u></b>
<b>Golf Course Fund (18)</b>		
Revenues	\$ 10,408.75	\$ 21,826.75
Expenditures	\$ 18,104.59	\$ 38,911.58
<b>Revenues Over/(Under) Expenditures</b>	<b><u>\$ (7,695.84)</u></b>	<b><u>\$ (17,084.83)</u></b>
<b>All Funds</b>		
Revenues	\$ 1,397,641.38	\$ 2,657,280.62
Expenditures	\$ 867,740.44	\$ 1,708,733.08
<b>Revenues Over/(Under) Expenditures</b>	<b><u>\$ 529,900.94</u></b>	<b><u>\$ 948,547.54</u></b>

CITY OF LAMESA  
FINANCIAL STATEMENT  
AS OF: NOVEMBER 30TH, 2018

01 -GENERAL FUND  
FINANCIAL SUMMARY

16.67% OF YEAR COMP.

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
REVENUE SUMMARY						
01-TAXES		3,151,144.00	810,889.77	1,432,845.37	45.47	1,718,298.63
02-FRANCHISES AND STREET		508,500.00	22,162.82	47,810.17	9.40	460,689.83
03-PERMITS, LICENSES AND		27,000.00	1,373.56	3,111.62	11.52	23,888.38
04-FINES		56,100.00	3,380.93	7,485.63	13.34	48,614.37
05-RECREATIONAL AND RENTA		25,000.00	1,346.60	3,465.35	13.86	21,534.65
06-OTHER GOVERNMENTAL AGE		203,713.00	0.00	45,585.50	22.38	158,127.50
07-TRANSFERS		0.00	0.00	0.00	0.00	0.00
08-CHARGES FOR CURRENT SE		17,200.00	1,486.60	1,534.60	8.92	15,665.40
09-MISCELLANEOUS REVENUES		274,379.35	9,305.86	18,771.49	6.84	255,607.86
19-SOURCE (CHG TO 49XXX)		0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES		4,263,036.35	849,946.14	1,560,609.73	36.61	2,702,426.62

## EXPENDITURE SUMMARY

GENERAL ADMIN SERVICES	253,633.76	15,469.48	39,597.10	15.61	214,036.66
FINANCIAL SERVICES	98,798.88	366.70	19,079.15	19.31	79,719.73
PERSONNEL/RISK MGT SERV	63,153.00	6,208.39	14,187.09	22.46	48,965.91
COMMUNITY DEVELOPMENT SER	1,000.00	133.86	207.04	20.70	792.96
HOUSING ASSISTANCE SERV	11,211.00	4,220.71	10,530.25	93.93	680.75
CITY COUNCIL	53,620.12	2,827.89	8,780.03	16.37	44,840.09
CITY HALL	108,375.00	6,039.67	23,184.51	21.39	85,190.49
INTERGOVERNMENTAL	95,052.00	13,573.01	15,127.50	15.91	79,924.50
MUNICIPAL COURT	124,212.00	9,754.72	20,993.77	16.90	103,218.23
VEHICLE REPAIR SERVICES	66,076.70	3,997.41	26,787.87	40.54	39,288.83
VEHICLE PREVENTIVE MNT	394.00	( 113.02)	( 226.04)	57.37-	620.04
FIRE SERVICES	617,976.07	36,282.45	91,112.51	14.74	526,863.56
VOLUNTEER FIRE SERVICES	138,148.50	3,580.88	11,288.85	8.17	126,859.65
PD - GEN'L ADMIN SERV	210,444.00	14,570.89	33,139.86	15.75	177,304.14
COMMUNICATIONS SERVICES	205,381.00	12,315.05	27,659.82	13.47	177,721.18
GEN'L LAW ENFORCEMENT SER	959,540.83	59,959.50	150,307.25	15.66	809,233.58
CRIMINAL INVESTIGATIONS	172,910.00	11,143.98	28,294.57	16.36	144,615.43
JUVENILE SERVICES	0.00	0.00	0.00	0.00	0.00
ANIMAL CONTROL SERVICE	43,256.54	1,955.68	5,282.57	12.21	37,973.97
EMERGENCY MANAGEMENT SERV	21,400.00	239.07	299.75	1.40	21,100.25
NARCOTICS INTERDICTION	0.00	0.00	0.00	0.00	0.00
STREET MAINTENANCE SERV	323,664.20	16,613.38	41,102.32	12.70	282,561.88
STREET CONST/SEAL COAT	116,909.00	100.00	4,573.04	3.91	112,335.96
STREET CLEANING SERVICES	29,109.00	( 2,581.58)	( 5,438.58)	18.68-	34,547.58
TRAFFIC SERVICES	169,201.00	20,380.74	20,918.06	12.36	148,282.94
INSPECTION SERVICES	154,172.00	15,540.78	29,854.08	19.36	124,317.92
PARK MAINTENANCE SERVICES	319,757.79	15,603.77	36,461.98	11.40	283,295.81
PARK IRRIGATION SERVICES	17,283.04	( 1,528.78)	( 3,518.75)	20.36-	20,801.79
COMMUNITY BUILDING SERV	55,350.00	4,462.12	5,771.10	10.43	49,578.90
RECREATIONAL FACILITIES	232,069.90	7,856.22	15,384.23	6.63	216,685.67



CITY OF LAMESA  
 FINANCIAL STATEMENT  
 AS OF: NOVEMBER 30TH, 2018

01 -GENERAL FUND  
 FINANCIAL SUMMARY

16.67% OF YEAR COMP.

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
	SWIMMING POOL SERVICES	79,453.00	1,033.28	1,711.89	2.15	77,741.11
	TOTAL EXPENDITURES	4,741,552.33	280,006.25	672,452.82	14.18	4,069,099.51
	REVENUES OVER/(UNDER) EXPENDITURES	( 478,515.98)	569,939.89	888,156.91	185.61-	( 1,366,672.89)
	OTHER SOURCES (USES)	0.00	0.00	0.00	0.00	0.00
	REVENUES & OTHER SOURCES OVER (UNDER) EXPENDITURES & OTHER (USES)	( 478,515.98)	569,939.89	888,156.91	185.61-	( 1,366,672.89)

CITY OF LAMESA  
 FINANCIAL STATEMENT  
 AS OF: NOVEMBER 30TH, 2018

02 -WATER & WASTEWATER ENTER,  
 FINANCIAL SUMMARY

16.67% OF YEAR COMP.

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<b>REVENUE SUMMARY</b>						
	11-OPERATING REVENUES	4,512,565.00	385,485.43	759,281.66	16.83	3,753,283.34
	12-NON-OPERATING REVENUES	229,829.47	30.00	6,400.56	2.78	223,428.91
	<b>TOTAL REVENUES</b>	<b>4,742,394.47</b>	<b>385,515.43</b>	<b>765,682.22</b>	<b>16.15</b>	<b>3,976,712.25</b>
<b>EXPENDITURE SUMMARY</b>						
	WATER PRODUCTION SERVICES	1,636,446.40	84,666.98	167,186.25	10.22	1,469,260.15
	WATER DIST/WASTEWATER SER	1,960,246.80	212,525.79	343,472.05	17.52	1,616,774.75
	WASTEWATER TREATMENT SERV	891,115.29	84,149.85	119,457.82	13.41	771,657.47
	ENGINEERING SERVICES	86,356.00	1,029.27	1,959.05	2.27	84,396.95
	TECHNICAL SERVICES	80,041.00	4,398.45	9,823.05	12.27	70,217.95
	UTILITY BILLING/COLLECT	325,124.00	43,735.99	75,008.05	23.07	250,115.95
	INSPECTION SERVICES	0.00	0.00	0.00	0.00	0.00
	<b>TOTAL EXPENDITURES</b>	<b>4,979,329.49</b>	<b>430,506.33</b>	<b>716,906.27</b>	<b>14.40</b>	<b>4,262,423.22</b>
	<b>REVENUES OVER/(UNDER) EXPENDITURES</b>	<b>( 236,935.02)</b>	<b>( 44,990.90)</b>	<b>48,775.95</b>	<b>20.59-</b>	<b>( 285,710.97)</b>
	<b>OTHER SOURCES (USES)</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
	<b>REVENUES &amp; OTHER SOURCES OVER (UNDER) EXPENDITURES &amp; OTHER (USES)</b>	<b>( 236,935.02)</b>	<b>( 44,990.90)</b>	<b>48,775.95</b>	<b>20.59-</b>	<b>( 285,710.97)</b>

CITY OF LAMESA  
 FINANCIAL STATEMENT  
 AS OF: NOVEMBER 30TH, 2018

03 -SOLID WASTE ENTERPRISE  
 FINANCIAL SUMMARY

16.67% OF YEAR COMP.

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
<b>REVENUE SUMMARY</b>						
	05-RECREATIONAL AND RENTA	0.00	0.00	0.00	0.00	0.00
	21-OPERATING REVENUES	1,811,862.00	151,771.06	308,452.12	17.02	1,503,409.88
	22-NON-OPERATING REVENUES	82,378.59	0.00	709.80	0.86	81,668.79
	<b>TOTAL REVENUES</b>	<b>1,894,240.59</b>	<b>151,771.06</b>	<b>309,161.92</b>	<b>16.32</b>	<b>1,585,078.67</b>
<b>EXPENDITURE SUMMARY</b>						
	SOLID WASTE COLLECTION SV	975,640.81	60,162.86	141,197.13	14.47	834,443.68
	SANITARY LANDFILL SERVICE	880,960.46	65,510.60	111,224.99	12.63	769,735.47
	SPECIALIZED COLLECTION SV	146,900.00	7,621.34	16,383.35	11.15	130,516.65
	ENVIRONMENTAL HEALTH SERV	88,889.00	5,828.47	11,656.94	13.11	77,232.06
	<b>TOTAL EXPENDITURES</b>	<b>2,092,390.27</b>	<b>139,123.27</b>	<b>280,462.41</b>	<b>13.40</b>	<b>1,811,927.86</b>
	<b>REVENUES OVER/(UNDER) EXPENDITURES</b>	<b>( 198,149.68)</b>	<b>12,647.79</b>	<b>28,699.51</b>	<b>14.48-</b>	<b>( 226,849.19)</b>
	<b>OTHER SOURCES (USES)</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
	<b>REVENUES &amp; OTHER SOURCES OVER (UNDER) EXPENDITURES &amp; OTHER (USES)</b>	<b>( 198,149.68)</b>	<b>12,647.79</b>	<b>28,699.51</b>	<b>14.48-</b>	<b>( 226,849.19)</b>

CITY OF LAMESA  
 FINANCIAL STATEMENT  
 AS OF: NOVEMBER 30TH, 2018

18 -MUNICIPAL GOLF COURSE  
 FINANCIAL SUMMARY

16.67% OF YEAR COMP.

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
REVENUE SUMMARY						
	09-MISCELLANEOUS REVENUES	0.00	0.00	0.00	0.00	0.00
	31-FEES AND DUES	224,442.71	10,408.75	21,826.75	9.72	202,615.96
	TOTAL REVENUES	224,442.71	10,408.75	21,826.75	9.72	202,615.96
EXPENDITURE SUMMARY						
	MUNICIPAL GOLF COURSE	229,333.27	18,104.59	38,911.58	16.97	190,421.69
	TOTAL EXPENDITURES	229,333.27	18,104.59	38,911.58	16.97	190,421.69
	REVENUES OVER/(UNDER) EXPENDITURES	( 4,890.56)	( 7,695.84)	( 17,084.83)	349.34	12,194.27
	REVENUES & OTHER SOURCES OVER (UNDER) EXPENDITURES & OTHER (USES)	( 4,890.56)	( 7,695.84)	( 17,084.83)	349.34	12,194.27



**City of Lamesa**  
**Balance Sheet Summary**  
**As of : November 2018**

**General Fund (1)**

Assets	\$	4,502,864.68
Liabilities	\$	585,689.20

**Water & Wastewater Fund (2)**

Assets	\$	16,989,467.39
Liabilities	\$	13,017,698.80

**Solid Waste Fund (3)**

Assets	\$	3,642,732.69
Liabilities	\$	1,164,809.53

**Golf Course Fund (18)**

Assets	\$	250,885.58
Liabilities	\$	257,011.28

01 -GENERAL FUND

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE
<b>ASSETS</b>		
01-1001	CASH IN BANK	2,038,252.65
01-1002	PETTY CASH	0.00
01-1003	RETURNED CHECKS	1,096.19
01-1004	TAXES RECEIVABLE-DELIQUENT	194,414.90
01-1005	TAXES RECEIVABLE CURRENT	74,644.74
01-1006	PROV. FOR UNCOLLECT TAXES	( 142,943.71)
01-1007	MISC ACCT. RECEIVABLE	2,648.30
01-1008	PROV. UNCOLLEC. ACCT/REC	( 184.11)
01-1009	PAVING LEIN RECEIVABLE	157,357.00
01-1010	UNCOLLECTABLE PAVING LEIN	( 100,387.00)
01-1011	A/R LUBBOCK TASK FORCE	0.00
01-1012	A/R TNRCC	0.00
01-1013	OFFICE SUPPLIES INVENTORY	2,820.28
01-1014	DUE FROM DAWSON COUNTY	0.40
01-1015	CASH IN BANK - PAYROLL	( 162.33)
01-1016	DUE FROM DEBT SERVICE	0.00
01-1017	FUEL TAX C.D.	0.00
01-1018	DUE TO/FROM 1997 TAN	0.00
01-1019	DUE TO/FROM SOLID WASTE FUND	0.00
01-1020	DUE FROM INVESTMENT FUND	1,386,043.60
01-1021	CAPITAL EQUIPMENT RESERVE	0.00
01-1022	BUILDING & COMPUTER RESERVE	0.00
01-1023	DUE FROM FIRE DEPT. GRANTS	0.00
01-1024	DUE FROM JUSTICE GRANT	0.00
01-1025	DUE TO/ FROM STATE AGENCY	0.00
01-1026	DUE FROM OTHER GOVERNMENTS	0.00
01-1027	DUE TO/FROM CAPITAL PROJECT	0.00
01-1028	SALES TAX RECEIVABLE	7,117.48
01-1029	DUE TO/FROM DEBT SERVICE	0.00
01-1030	DUE FROM MOTEL TAX FUND	0.00
01-1031	DUE TO/FROM SPECIAL REV. FUND	0.00
01-1032	DUE FROM INVESTMENT-CIVIC CTR.	0.00
01-1033	ACCOUNTS RECEIVABLE	0.00
01-1034	SALES TAX REC./TX COMPTROLLER	278,570.22
01-1035	DUE FROM IMS FLEX ACCT.	6,919.54
01-1036	FRANCHISE TAX RECEIVABLE	80,806.95
01-1040	TAN I&S RESERVE	0.00
01-1044	CIP - F PARK LIGHT PROJECT	0.25
01-1045	CITY OF LAMESA - CFS FESTIVAL	4,869.11
01-1046	CRIME LINE	2,674.00
01-1050	DUE TO/FROM RISK MGMT & SAFE	0.00
01-1055	DUE FROM INVESTMENT FUND	0.00
01-1056	DUE FROM TEXstar POOL	500,000.00
01-1060	DUE FROM ECONOMIC DEVELO	22,098.23
01-1061	DUE FROM BUILDING SECURITY	0.00
01-1062	DUE FROM PEG FUND	0.00
01-1063	DUE FROM POLICE DONATION FUND	0.00
01-1064	DUE FROM TECHNOLOGY FUND	0.00
01-1065	DUE FROM ECONOMIC DEV./AUDITOR	( 13,792.01)

## 01 -GENERAL FUND

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE
01-1066	DUE FROM S.W.A.T FUND	0.00
01-1070	DUE FROM FORFEITED TRUST	0.00
01-1071	DUE FROM WWF-LAND PURCHASE	0.00
01-1072	DUE TO/FROM GOLF COURSE	0.00
01-1080	D.A.R.E.	0.00
01-1085	DUE FROM HOUSING AUTHORITY	0.00
01-1090	XFER FOR RETIREMENT/C.O.'	0.00
01-1095	DUE FROM LEAP	0.00
		4,502,864.68
TOTAL ASSETS		4,502,864.68

## LIABILITIES

01-2013	PAVING LIEN REFUND PAYABLE	0.00
01-2014	SALES TAX PAYABLE	0.00
01-2015	VOUCHERS PAYABLE	191,886.98
01-2016	COMMUNITY BLDG.DEPOSITS	19,348.00
01-2017	REFUND OF CASH DEPOSITS	591.00
01-2018	WAGES PAYABLE	0.00
01-2019	GROUP INSURANCE PAYABLE	0.00
01-2020	WITHHOLDING TAX PAYABLE	0.00
01-2021	SOCIAL SECURITY PAYABLE	0.00
01-2022	T.M.R.S. PAYABLE	0.00
01-2023	AUTO ALLOWANCE PAYABLE	0.00
01-2024	BONDS	0.00
01-2025	DEDUCTIONS PAYABLE	0.00
01-2026	WORKERS COMPENSATION	25.00
01-2027	AIRPORT	0.00
01-2028	OPTIONAL LIFE PAYABLE	5,934.50
01-2029	DUE TO SWMF	0.00
01-2030	GOVERNOR'S TAX PAYABLE	0.00
01-2031	TRANS.FOR RET.BONDS	0.00
01-2032	DUE TO STATE AGENCY	0.00
01-2033	C.D.B.G.	0.00
01-2034	DUE TO LAMESA HOUSING	0.00
01-2035	TRANS. FROM DEVELOP. FUND	0.00
01-2036	TEEN COURT ADMIN FEE	90.00
01-2037	DUE TO RISK MGT & SAFETY	0.00
01-2038	DUE TO/FROM WATER FUND	0.00
01-2039	WARRANTS PAYABLE	0.00
01-2040	UNITED FUND	173.00
01-2041	SALES TX DUE TO LEDC -TX COMPT	46,428.37
01-2042	DUE TO LEAP -SALES TAX	46,428.37
01-2043	TMRS EMPLOYEE BACK PAY	886.49
01-2044	FLEX SPENDING ACCT. (FSA)	2,364.20
01-2045	PROV. FOR COMP.ABSENCES	0.13
01-2048	1992 C O DEBT-PRINCIPAL	0.00
01-2049	1992 C.O. DEBT	0.00
01-2050	ICMA-RC PAYABLE	0.00
01-2051	COURT BONDS PAYABLE	500.00

01 -GENERAL FUND

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE
01-2052	COURT BUILDING SECURITY FUND	0.00
01-2053	COURT TECHNOLOGY FEE	0.00
01-2055	TAN I&S PRINCIPAL	0.00
01-2056	TAN I&S INTEREST	0.00
01-2057	NORTHLAND PEG FEES	742.74
01-2058	NTS PEG FEES	0.00
01-2070	GROUP INS. PRE-TAX	1,243.82
01-2075	EMPLOYEE REIMB. SICK LEAVE	0.00
01-2080	DEFERRED REVENUE-PAVING	0.00
01-2081	DEFERRED REVENUE-TAXES	126,115.95
01-2082	DEFERRED REVENUE-MISC. POLICE	( 0.14)
01-2083	DEFERRED REVENUE REVITAL GRANT	0.00
01-2084	DEFERRED REVENUE- CIVIC CENTER	0.00
01-2085	AFLAC PRE-TAX	1,436.97
01-2086	DEFERRED REV.-POLICE DONATIONS	0.00
01-2087	DEFERRED REV.-COURTHOUSE PROJ.	0.00
01-2088	DEFERRED REVENUE-SWAT DONATION	0.00
01-2089	DEFERRED REVENUE/FIRE PROTECTI	0.00
01-2090	AFLAC POST TAX	636.94
01-2091	DEFERRED REV.-L.I.S.D. BUYMONE	3,786.50
01-2092	AIR MED CARE	0.00
01-2094	NEW YORK LIFE INS. PAYABLE	0.00
01-2095	VISION INS. PAYABLE	325.68
01-2096	EMPLOYEE LEGAL SERV. PAYABLE	181.30
01-2097	WORK BOOTS PAYABLE	( 1,545.66)
01-2098	DEFERRED REV. - SPORTS COMPLEX	56,970.00
01-2099	JAE FITNESS PAYABLE	( 745.03)
01-2150	ACCRUED PAYABLES	0.00
01-2160	ACCRUED PAYROLL LIABILITY	81,934.35
01-2999	PROFIT & LOSS	0.00
	TOTAL LIABILITIES	585,689.20
EQUITY		
=====		
01-3001	FUND BALANCE	2,727,486.37
01-3002	RESERVE-CAPITAL EQUIPMENT	0.00
01-3003	RESERVE-BUILDING & COMPUTER	0.00
01-3010	C.O. INTEREST	0.00
01-3011	C.O. PRINCIPAL	0.00
01-3012	TAN INTEREST	0.00
01-3013	TAN PRINCIPAL	0.00
01-3014	OTHER PRINCIPAL	0.00
01-3015	OTHER INTEREST	0.00
	TOTAL BEGINNING EQUITY	2,727,486.37
	TOTAL REVENUE	1,560,609.73
	TOTAL EXPENSES	672,452.82
	TOTAL REVENUE OVER/(UNDER) EXPENSES	888,156.91
	(WILL CLOSE TO FUND BAL.)	301,532.20
	TOTAL EQUITY & REV. OVER/(UNDER) EXP.	3,917,175.48
	TOTAL LIABILITIES, EQUITY & REV.OVER/(UNDER) EXP.	4,502,864.68
		=====



02 -WATER &amp; WASTEWATER ENTER.

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE
<b>ASSETS</b>		
02-1001	CASH IN BANK	789,438.17
02-1002	CASH IN DRAWER	0.00
02-1003	DUE FROM INVESTMENTS/WATER DEP	29,712.31
02-1004	CAPITAL EQUIPMENT RESERVE	462,119.93
02-1005	W.S.G. CHGS. RECEIVABLE	246,622.40
02-10051	REFUNDS PAYABLE	241.04
02-10052	UTILITY A/R SUSPENSE	0.00
02-10053	UNAPPLIED US REVENUE	( 16,367.28)
02-10054	US GL RECON REPORT	0.00
02-10059	UNBILLED REVENUE RECEIVABLE	0.00
02-1006	PROV.FOR UNCOLLECT. ACCTS	( 43,882.52)
02-1007	INVENTORY SUPPLIES	180,480.23
02-1008	WW. TRMT PLNT .RES.INVESTMENTS	92,381.58
02-1009	UTILITY SYSTEM IMPROV RESERVE	0.00
02-1010	UNAMORTIZED TAN ISSUE COSTS	0.00
02-1011	AMORT.OF DISC. & PREMIUMS	0.00
02-1012	WATER SYSTEM LAND	33,460.47
02-1013	WATER RIGHTS PURCHASED	6,680,247.00
02-1014	WALKS, DRIVES & FENCES	10,223,647.26
02-1015	BUILDINGS	149,063.00
02-1016	WELLS & WELL HOUSES	0.00
02-1017	BOOSTER STAT. AND STORAGE	0.00
02-1018	WATER LINES, VALVES & FITT	0.00
02-1019	WATER TAPS AND METERS	6,816,494.00
02-1020	AUTOMOTIVE & MISC.EQUIP.	2,163,119.39
02-1021	FIRE HYDRANTS	0.00
02-1022	WATER SYST. DEPRECIATION	( 11,579,223.48)
02-1023	SEWER SYSTEM-LAND & LAGOON	95,540.50
02-1024	SEWAGE LIFT STATIONS	0.00
02-1025	DISPOSAL PLANT	0.00
02-1026	SEWER LINES	0.00
02-1027	SEWER SYS. DEPRECIATION	0.00
02-1028	DUE TO/FROM SOLID WASTE	0.00
02-1029	ELECTRICAL INVENTORY	0.00
02-1030	WW LIFTSTATION/LUBBOCK HWY.	482.23
02-1031	ACCOUNTS REC. - TRRA	0.00
02-1032	06 TAN ISSUANCE COSTS	27,120.24
02-1033	06 TAN AMORTIZATION	43,915.00
02-1035	DUE FROM TCDP GRANT	0.00
02-1036	DUE FROM INV. FUND-TX NOTE 06	18,286.33
02-1037	DUE TO INV. - WELLS & TOWER	394,442.38
02-1039	WATER TREATMENT PLANT	0.00
02-1040	WW TRMT PLANT RES.	0.00
02-1050	CASH IN BANK-TRMT PLANT	0.00
02-1060	CIP - NEW WATER WELL PROJECT	18,501.29
02-1065	CIP - LUBBOCK HWY LIFTSTATION	0.16
02-1070	CIP - ELEVATED STORAGE TANK	0.24
02-1075	CIP - WATER MAIN IMP, HWY 87	( 0.48)
02-1080	NET PENSION ASSET (LIABILITY)	( 30,921.00)

02 -WATER & WASTEWATER ENTER.

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE
02-1081	DEFERRED OUTFLOW-PENSION CONTR	21,006.00
02-1082	DEFERRED OUTFLOW-PENSION INV E	173,541.00
02-1083	L.E.D.C. PRISON TOWER REC.	0.00
		16,989,467.39
TOTAL ASSETS		16,989,467.39

LIABILITIES

02-2010	DUE TO LAMESA EDC	0.00
02-2013		0.00
02-2025	REVENUE RECOVERY LIABILITY	236.77
02-2026	REVENUE RECOVERY FEES	2,744.45
02-2027	UNDEPOSITED METER DEPOSIT	0.00
02-2028	WATER DEPOSITS	261,433.98
02-2029	T.M.R.S. PAYABLE	0.00
02-2030	F.I.C.A. PAYABLE	0.00
02-2031	VOUCHERS PAYABLE	0.00
02-2032	BONDS PAYABLE-PRISON	0.00
02-2033	CONTRIBUTED BY DEVELOPERS	255,845.00
02-2034	CONTRIBUTED BY U.S. GOV'T	236,875.39
02-2035	RES.RETIRE.OF BONDS & INT	0.00
02-2036	EARNED SURPLUS INVESTED	0.00
02-2037	EARNED SURPLUS UNAPPROPR.	0.00
02-2038	INT. ON B.F. INVESTMENT	0.00
02-2039	TRANS. FOR RET. OF BONDS	0.00
02-2040	OPERATING TRANSFER	0.00
02-2041	BOND INTEREST EXPENSE	0.00
02-2042	HANDLING FEES	0.00
02-2043	CAPITAL PROJECT FUNDS	440,420.21
02-2045	PROV.COMPENSATED ABSENCES	41,251.02
02-2046	DUE TO/FROM GENERAL FUND	0.00
02-2047	DUE TO SOLID WASTE	0.00
02-2048	DUE TO RISK MGT & SAFETY	0.00
02-2049	1992 C.O. DEBT NON CURRENT	0.00
02-2050	NOTE PAYABLE- 2006 TAX NOTES	0.00
02-2051	NOTE PAYABLE-CAT FINANCE	0.00
02-2052	LEASE PAYABLE-AAIG(NON-CURRENT	1,640,416.00
02-2053	NOTES PAYABLE-WSB (NONCURREN).	0.40
02-2054	BONDS PAYABLE - USDA	4,331,000.00
02-2055	CONTRIBUTED CAPITAL-TCDP	864,400.00
02-2056	CONTRIBUTED CAPITAL-TDCJ	133,567.10
02-2057	DUE TO G/F - LAND PURCHASE	0.00
02-2058	DUE TO SWMF - LAND PURCHASE	75,000.00
02-2059	DUE TO CAP. PROJ.-LAND PURCHAS	0.00
02-2060	AFLAC PRE-TAX	0.00
02-2061	DUE TO/FROM GOLF COURSE FUND	0.00
02-2070	GROUP INS. PRE-TAX	0.00
02-2085	AFLAC PRE-TAX	0.00
02-2090	AFLAC POST TAX	0.00
02-2095	VISION INS. PAYABLE	0.42

CITY OF LAMESA  
BALANCE SHEET  
AS OF: NOVEMBER 30TH, 2018

02 -WATER &amp; WASTEWATER ENTER.

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE
02-2160	ACCRUED PAYROLL LIABILITY	31,603.93
02-2900	CURRENT PORTION 91 C.O.'S	0.00
02-2901	CURRENT PORTION - USDA	80,000.00
02-2902	CURRENT PORTION-2006 TAN	0.00
02-2903	CURRENT PORTION-CAT FINANCE	0.00
02-2904	LEASE PAYABLE-AAIG (CURRENT)	124,636.00
02-2905	NOTES PAYABLE-WSB (CURRENT)	0.33
02-2906	NOTES PAYABLE-SOUTH PLAINS COM	0.00
02-2909	TAX NOTE 2013 - ST	0.00
02-2910	TAX NOTE 2013 L-T	210,000.00
02-2911	CURRENT PORTION COMP ABSE	11,634.80
02-2912	TAX NOTE 2013-A L-T	307,000.00
02-2913	TAX NOTE 2013A - S-T	0.00
02-2914	TAX NOTE 2014 L-T	103,535.00
02-2915	TAX NOTE 2014 S-T	12,080.00
02-2920	DEFERRED REV-LIFTSTATION PROJ.	0.00
02-2925	CONJ. USE SERIES 2011-NONCURRE	1,338,783.00
02-2926	CONJ USE SERIES 2011-CURRENT	78,536.00
02-2927	REFUNDING 2010 - NON CURRENT	40,718.00
02-2928	REFUNDING SERIES 2010-CURRENT	15,023.00
02-2929	RECLAMATION 2010 - NON CURRENT	0.00
02-2930	RECLAMATION 2010 - CURRENT	165,330.00
02-2931	GROUNDWATER 2009-NON CURRENT	302,845.00
02-2932	GROUNDWATER 2009 - CURRENT	20,846.00
02-2933	GROUNDWATER 2008 - NONCURRENT	0.00
02-2934	GROUNDWATER 2009 - CURRENT	0.00
02-2935	GROUNDWATER 2005-NONCURRENT	0.00
02-2936	GROUNDWATER 2005 - CURRENT	0.00
02-2937	GROUNDWATER 2012-NONCURRENT	868,538.00
02-2938	GROUNDWATER 2012-CURRENT	27,190.00
02-2939	2014 BOND (2005) ST	82,519.00
02-2940	2014 BOND (2005) LT	123,590.00
02-2941	2014 PREMIUM (2005)	18,159.00
02-2942	2014 BOND (2006) ST	49,554.00
02-2943	2014 BOND (2006) LT	527,462.00
02-2944	2014 PREMIUM (2006)	82,224.00
02-2945	2017 BACKHOE LOADER LT	71,077.00
02-2946	2017 BACKHOE LOADER ST	16,413.00
02-2950	DEFERRED OUTFLOW-PENSION	25,686.00
02-2999	PROFIT & LOSS	0.00
	TOTAL LIABILITIES	13,017,698.80
EQUITY		
02-3001	FUND BALANCE	3,045,164.79
02-3002	RESERVE-UTILITY SYSTEM IMPROV	0.00
02-3010	C.O. INTEREST	0.00
02-3012	TAN INTEREST	0.00
	TOTAL BEGINNING EQUITY	3,045,164.79

02 -WATER & WASTEWATER ENTER.

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE
	TOTAL REVENUE	765,682.22
	TOTAL EXPENSES	716,906.27
	TOTAL REVENUE OVER/(UNDER) EXPENSES	48,775.95
	(WILL CLOSE TO FUND BAL.)	877,827.85
	TOTAL EQUITY & REV. OVER/(UNDER) EXP.	3,971,768.59
	TOTAL LIABILITIES, EQUITY & REV.OVER/(UNDER) EXP.	<u>16,989,467.39</u>

## 03 -SOLID WASTE ENTERPRISE

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE
<b>ASSETS</b>		
*****		
03-1001	CASH IN BANK	908,027.13
03-1002	CASH IN BANK - DEBT SERVICE	0.00
03-1003	CASH IN BANK - CAPITAL RESERVE	0.00
03-1004	DUE FROM GENERAL FUND	0.00
03-1005	DUE FROM WASTEWATER	0.00
03-10059	UNBILLED REVENUE RECEIVABLE	98,852.45
03-1006	DUE FROM WWF- LAND PURCHASE	75,000.00
03-1007	DUE FROM INVESTMENTS-DEBT SERV	0.00
03-1008	DUE FROM INV.-CAPITAL RESERVE	119,683.58
03-1010	UNAMORTIZED TAN ISSUE COSTS	0.00
03-1011	GARBAGE CHG. RECEIVABLE	106,627.20
03-1012	UNCOLLECTIBLE GARB.CHGS.	( 31,288.41)
03-1013	GRANT PROCEEDS RECEIVABLE	0.00
03-1014	LAND	143,957.00
03-1015	BUILDINGS	2,386,652.61
03-1019	AUTOMOTIVE & MISC.EQUIP.	4,858,192.77
03-1020	DUE FROM INVESTMENT FUND	0.00
03-1021	CAPITAL EQUIPMENT RESERVE	45,983.19
03-1022	POST CLOSURE RESERVE	626,290.27
03-1023	ENVIRONMENTAL OPER CENTER RES	0.00
03-1024	RESERVE FOR TAN I&S	0.00
03-1027	05 TAN ISSUANCE COSTS	0.00
03-1028	ACCUM. AMORT-ISSUANCE COSTS	( 0.27)
03-1030	CIP - NEW LANDFILL CELL #4	( 0.45)
03-1050	ACCUMULATED DEPRECIATION	( 5,786,120.38)
03-1080	NET PENSION ASSET (LIABILITY)	( 17,173.00)
03-1081	DEFERRED OUTFLOW-PENSION CONTR	11,667.00
03-1082	DEFERRED OUTFLOW-PENSION INV	96,382.00
		3,642,732.69
TOTAL ASSETS		<u>3,642,732.69</u>

**LIABILITIES**

*****		
03-2010	DUE TO/FROM GENERAL FUND	0.00
03-2013		0.00
03-2020	DUE TO/FROM WASTE WATER	0.00
03-2021	POSTCLOSURE RESERVE	0.00
03-2022	DUE TO RISK MGT & SAFETY	0.00
03-2030	CONTRIBUTED CAPITAL - SCALE	41,191.00
03-2040	TAN INTEREST EXPENSE	0.00
03-2041	BOND INTEREST EXPENSE	0.00
03-2042	LOSS ON EQUIPMENT	0.00
03-2044	CUR.PROV FOR COMP.ABSENCE	5,864.47
03-2045	PROV-COMPENSATED ABSENCE	20,789.84
03-2049	1992 C.O. DEBT NON-CURRENT	0.00
03-2050	N/P - CATEPILLAR (DOZER)	( 0.25)
03-2051	EST.LIAB.LANDFILL CLOSURE	520,411.09
03-2052	OUTSOURCE LEASE-MAD VAC S-T	0.00

03 -SOLID WASTE ENTERPRISE

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE
03-2053	CATEPILLAR LEASE - S-T	0.15
03-2054	2005 TAX NOTE -CURRENT PORTION	0.00
03-2055	N/P CATERPILLAR (BULLDOZER)	0.31
03-2056	TAN I&S INTEREST	0.00
03-2060	AFLAC PRE-TAX	0.00
03-2065	N/P KSB - GARBAGE TRUCK	0.00
03-2070	GROUP INS. PRE-TAX	0.00
03-2085	AFLAC PRE-TAX	0.00
03-2090	AFLAC POST TAX	0.00
03-2095	VISION INS. PAYABLE	0.00
03-2096	N/P-CATERPILLAR 930H - LT	0.00
03-2097	N/P - CATERPILLAR 930H - ST	23,714.00
03-2098	N/P CATERPILLAR (BACKHOE) ST	0.00
03-2160	ACCRUED PAYROLL LIABILITY	15,013.54
03-2165	N/P MACK TRUCK W/ SIDELOAD -LT	0.00
03-2166	N/P MACK TRUCK W/ SIDELOAD -ST	0.00
03-2901	CURRENT PORTION 92 C.O.'S	0.00
03-2902	CURRENT PORTION-1997 TAN	0.00
03-2903	OUTSOURCE LEASE- MAD VAC L-T	0.00
03-2904	CATEPILLAR LEASE - L-T	0.00
03-2905	2005 TAX NOTE (LT)	0.00
03-2906	ST-CATERPILLAR LOADER 2015	11,122.00
03-2907	LT - CATERPILLAR LOADER 2015	112,540.00
03-2908	ST-CATERPILLAR BULL DOZER 2015	39,436.00
03-2909	LT-CATERPILLAR BULL DOZER 2015	82,154.00
03-2910	TAX NOTE 2012 - LT	145,700.00
03-2911	TAX NOTE 2012 - ST	0.00
03-2912	2016 MACK DUMP TRUCK - LT	89,703.00
03-2913	2016 MACK DUMP TRUCK - ST	42,905.00
03-2950	DEFERRED INFLOW-PENSION	14,266.00
	TOTAL LIABILITIES	1,164,809.53

EQUITY

03-3001	FUND BALANCE	2,029,666.33
03-3002	INVESTMENT IN PROPERTY	0.00
03-3003	UNRESERVED FUND BALANCE	0.00
03-3004	POSTCLOSURE RESERVE	107,228.18
03-3005	RESERVE ENVIROMENTAL OPER CNTR	0.00
03-3010	C.O. INTEREST	0.00
03-3012	TAN INTEREST	0.00
	TOTAL BEGINNING EQUITY	2,136,894.51
	TOTAL REVENUE	309,161.92
	TOTAL EXPENSES	280,462.41
	TOTAL REVENUE OVER/(UNDER) EXPENSES	28,699.51
	(WILL CLOSE TO FUND BAL.)	312,329.14
	TOTAL EQUITY & REV. OVER/(UNDER) EXP.	2,477,923.16
	TOTAL LIABILITIES, EQUITY & REV.OVER/(UNDER) EXP.	3,642,732.69

18 -MUNICIPAL GOLF COURSE

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE	
<b>ASSETS</b>			
*****			
18-1001	CASH	( 23,908.94)	
18-1005	GOLF FEES RECEIVABLE	32,608.32	
18-1006	ALLOWANCE FOR BAD DEBTS	( 25,136.20)	
18-1020	LAND IMPROVEMENTS	79,362.32	
18-1021	EQUIPMENT	316,363.08	
18-1022	DEPRECIATION	( 165,019.00)	
18-1023	BUILDINGS & IMPROVEMENTS	12,143.00	
18-1028	SALES TAX RECEIVABLE	0.00	
18-1030	DUE TO/FROM WATER FUND	0.00	
18-1080	NET PENSION ASSET (LIABILITY)	( 4,625.00)	
18-1081	DEFERRED OUTFLOW-PENSION CONTR	3,142.00	
18-1082	DEFERRED OUTFLOW-PENSION INV.	25,956.00	
			250,885.58
TOTAL ASSETS			250,885.58
			*****
<b>LIABILITIES</b>			
*****			
18-2010	DUE TO/FROM GENERAL FUND	0.00	
18-2013	NOTES PAYABLE-OUTSORCE/CURR.	0.00	
18-2014	SALES TAX PAYABLE	0.00	
18-2015	NOTE PAYABLE-WELL FARGO-CURREN	0.00	
18-2016	DUE TO RISK MGMT.	96,624.00	
18-2017	NOTES PAYABLE	0.00	
18-2018	NOTES PAYABLE - OUTSOURCE	0.00	
18-2044	COMP. ABSENCES - CURRENT	2,762.21	
18-2045	COMP. ABSENCES - LONG TERM	9,791.11	
18-2160	ACCRUED PAYROLL LIABILITY	3,880.96	
18-2902	RANGE BALL SERVER -ST PORTION	0.00	
18-2903	PNC GOLF CAR LEASE - LT	72,524.00	
18-2904	PNC GOLF CAR LEASE - ST	10,579.00	
18-2906	RANGE BALL SERVER- LT PORTION	12,216.00	
18-2907	TORO MOWER LT	44,792.00	
18-2950	DEFERRED INFLOW-PENSION	3,842.00	
	TOTAL LIABILITIES		257,011.28
<b>EQUITY</b>			
*****			
18-3001	FUND BALANCE	13,638.74	
	TOTAL BEGINNING EQUITY	13,638.74	
	TOTAL REVENUE	21,826.75	
	TOTAL EXPENSES	38,911.58	
	TOTAL REVENUE OVER/(UNDER) EXPENSES	( 17,084.83)	
	(WILL CLOSE TO FUND BAL.)	( 2,679.61)	
	TOTAL EQUITY & REV. OVER/(UNDER) EXP.	( 6,125.70)	
TOTAL LIABILITIES, EQUITY & REV.OVER/(UNDER) EXP.			250,885.58
			*****

# ***City Council Agenda***

***City of Lamesa, Texas***

**DATE OF MEETING: DECEMBER 18, 2018**

**AGENDA ITEM: 17**

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**SUBJECT: CITY MANAGER REPORT**  
**SUBMITTED BY: City Manager**

## **SUMMARY STATEMENT**

- a. City Hall Closed for Christmas – December 24<sup>th</sup> and 25<sup>th</sup>, 2018 (Closed Monday and Tuesday)
- b. City Hall Closed for New Year's Day – December 31, 2018 and January 1, 2019 (Closed Monday and Tuesday)

## **COUNCIL ACTION**

No City Council action required.



# ***City Council Agenda***

***City of Lamesa, Texas***

**DATE OF MEETING: DECEMBER 18, 2018**

**AGENDA ITEM:18**

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**SUBJECT: MAYORS REPORT**  
**SUBMITTED BY: Mayor**

## **SUMMARY STATEMENT**

Mayor to report on current activities

## **COUNCIL ACTION**

No City Council action required.

# City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: DECEMBER 18, 2018

AGENDA ITEM: 19

**CLOSED SESSION:**

SUBJECT:

SUBMITTED BY: City Manager

**SUMMARY STATEMENT**

Consider convening into closed Executive Session with the City Council of the City of Lamesa, Texas for the following:

**SEC. 551.072. DELIBERATION REGARDING REAL PROPERTY; CLOSED MEETING.**

A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

- b. To discuss the acquisition of real property from the City of Lamesa by the Lamesa Economic Development Corporation and/or the Lamesa Economic Alliance Project for its fair market value.

**SEC. 551.087. DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS; CLOSED MEETING.**

This chapter does not require a governmental body to conduct an open meeting:

- c. To discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or
- d. To deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).

**COUNCIL ACTION**

DISCUSSION: \_\_\_\_\_

Motion by Council Member \_\_\_\_\_ to convene in closed executive session. Motion seconded by Council Member \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

**VOTING:** "AYE" \_\_\_\_\_ "NAY" \_\_\_\_\_ "ABSTAIN" \_\_\_\_\_

**CERTIFIED AGENDA: EXECUTIVE SESSION OF**

**THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS**

On this day, December 18, 2018, at a regular meeting of the City Council of the City of Lamesa, Texas the Council adjourned into a closed executive session; notice of said session having been given by a notice posted at the City Hall, 601 South First Street at least seventy-two hours in advance.

**A. ANNOUNCEMENT BY PRESIDING OFFICER:**

"The City Council will begin its executive session on December 18, 2018, at \_\_\_\_\_ P.M."

The subject matter of each executive session deliberation is as follows:

**SEC. 551.072. DELIBERATION REGARDING REAL PROPERTY; CLOSED MEETING.**

A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

- c. To discuss the acquisition of real property from the City of Lamesa by the Lamesa Economic Development Corporation and/or the Lamesa Economic Alliance Project for its fair market value.

**SEC. 551.087. DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS; CLOSED MEETING.** This chapter does not require a governmental body to conduct an open meeting:

- e. To discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or
- f. To deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).

**B. ANNOUNCEMENT BY PRESIDING OFFICER:**

"The City Council has completed its executive session on December 18, 2018 at \_\_\_\_\_ P.M."

**C. CERTIFICATION:**

I hereby certify that this agenda of an executive session of the City Council of the City of Lamesa, Texas is a true and correct record of the proceedings pursuant Texas Open Meetings Act (Chapter 551, Government Code).

WITNESS my hand this \_\_\_\_\_, 2018.

\_\_\_\_\_  
Josh Stevens, Mayor

# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: DECEMBER 18, 2018**

**AGENDA ITEM: 20**

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**ADJOURNMENT:** *Announcement by the Mayor* – “The next regular meeting of the City Council of the City of Lamesa, Texas will be held at 5:30 p.m., on **TUESDAY, JANUARY 15, 2019** at City Hall, 601 South First Street. Persons desiring to present business to the City Council at that meeting are directed to submit a request in writing to the city secretary by **Wednesday, JANUARY 09, 2019**, in order to be included on the agenda. There being no other business, the meeting is hereby adjourned.”