



CITY COUNCIL AGENDA

NOTICE IS GIVEN THAT THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS, WILL MEET IN A REGULARLY SCHEDULED MEETING AT 5:30 P.M. ON TUESDAY, SEPTEMBER 15, 2015, 601 SOUTH FIRST STREET, FOR THE PURPOSE OF CONSIDERING AND TAKING OFFICIAL ACTION ON THE FOLLOWING ITEMS:

1. **CALL TO ORDER:**
2. **INVOCATION:**
3. **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 the consent agenda items is available for public review.
 - (a) **APPROVAL OF THE MINUTES:** Approval of the minutes of the council meeting held on September 1, 2015.
 - (b) **BILLS FOR AUGUST 2015:** Approval of the bills paid by the City of Lamesa for the months of August, 2015.
4. **PROCLAMATION – LAMESA HIGH SCHOOL “CLASS OF 1984 DAY”:**
5. **FINANCIAL REPORT:** Director of Finance Wayne Chapman, to report on the city's finances.
6. **ISO RATING FOR BUILDING INSPECTIONS DEPARTMENT:** Discussion of new ISO rating for Building Code Enforcement.
7. **ONCOR STREET LIGHT AUDIT OF THE NUMBER OF STREET LIGHTS AND TYPE OF STREET LIGHTS AND RELATED SETTLEMENT AND RELEASE AGREEMENT –** Consider passing a resolution accepting and authorizing the Mayor to sign the Settlement and Release Agreement with Oncor regarding a one-time credit of \$34,667.80 based on the results of the Oncor Street Light Audit 2015.
8. **APPOINTMENT – LAMESA MUNICIPAL AIRPORT BOARD MEMBER TO FILL EXPIRED TERM OF DON CHILES:** Consider appointing one (1) member to the Lamesa Municipal Airport Board, to fill the expired term of Don Chiles, for a one (1) year term ending on December 2016. *(Mr. Don Chiles has been recommended by the Lamesa Municipal Airport Board to be reappointed to the board. Mr. Don Chiles has agreed to serve).*

9. **APPOINTMENT – LAMESA MUNICIPAL AIRPORT BOARD MEMBER TO FILL EXPIRED TERM OF MIKE HUGHES:** Consider appointing one (1) member to the Lamesa Municipal Airport Board, to fill the expired term of Mike Hughes, for a two (2) year term ending on December 2017. *(Mr. Mike Hughes has been recommended by the Lamesa Municipal Airport Board to be reappointed to the board. Mr. Mike Hughes has agreed to serve).*
10. **APPOINTMENT – LAMESA MUNICIPAL AIRPORT BOARD MEMBER TO FILL EXPIRED TERM OF HAROLD HOLLADAY:** Consider appointing one (1) member to the Lamesa Municipal Airport Board, to fill the expired term of Harold Holladay, for a three (3) year term ending on December 2018. *(Mr. Harold Holladay has been recommended by the Lamesa Municipal Airport Board to be reappointed to the board. Mr. Harold Holladay has agreed to serve).*
11. **APPROVAL OF APPLICATION FOR FISCAL YEAR 2016 TxDOT AIRPORT RAMP GRANT:** Consider passing a resolution approving the 2016 TxDOT Airport Ramp Grant (\$50,000) providing State financial assistance exclusively for annual routine maintenance projects authorizing the Mayor to act as the City's Chief Executive Officer and authorizing City Manager Shawna D. Burkhart as the authorized representative in all matters pertaining to said grant application (State portion - \$25,000, City portion - \$12,500 and County portion - \$12,500).
12. **BUDGET AMENDMENT II:** Consider amending Ordinance No.O-18-14 on second reading with respect to October 1, 2014 fiscal year budget.
13. **PUBLIC HEARING ON REQUEST FOR ZONE CHANGE – 308 SOUTH HOUSTON:** Public hearing to consider the petition of Craig Woodward, 308 South Houston to change the zoning district from: R-1 Single Family Residential to zoning district C-1 Local Retail for rental property for commercial use of the following property: North ½ of Lots 10, 11 & 12, Block 37 of Original Town of Lamesa, Dawson County, Texas.
14. **REQUEST FOR ZONE CHANGE – 308 SOUTH HOUSTON:** Consider passing an Ordinance on first reading changing the zoning of 308 South Houston from: R-1 Single Family Residential to zoning district C-1 Local Retail for rental property for commercial use of the following property: North ½ of Lots 10, 11 & 12, Block 37 of Original Town of Lamesa, Dawson County, Texas.
15. **PUBLIC HEARING ON REQUEST FOR ZONE CHANGE – 306 to 312 NE 2nd STREET:** Public hearing to consider the petition of King Gin Co. Charlie King, 306 to 312 NE 2nd Street to change the zoning district from R-1 Single Family Residential to zoning district I-1 Light Industry for truck parking for the following property: Lots 3, 4, 5, 6 of the Tidwell Addition to the City of Lamesa, Dawson County, Texas.

16. **REQUEST FOR ZONE CHANGE – 306 to 312 NE 2nd STREET:** Consider passing an Ordinance on first reading changing the zoning of 306 to 312 NE 2nd Street from R-1 Single Family Residential to zoning district I-1 Light Industry for truck parking for the following property: Lots 3, 4, 5, 6 of the Tidwell Addition to the City of Lamesa, Dawson County, Texas.
17. **PUBLIC HEARING ON REQUEST FOR VARIANCE – 1211 NORTH 7TH STREET:** Public hearing to consider the petition of Pam Koehler, 1211 North 7th Street for a variance to the zoning ordinances allowing the placement of a manufactured home (2004 Clayton Pinehurst manufactured home – 52' x32') on the following property currently zoned R-1: Lots 1-3 and West 40 of Lot 4 Block 2 of the JH Barron Addition to the City of Lamesa, Dawson County, Texas.
18. **REQUEST FOR VARIANCE– 1211 NORTH 7TH STREET:** Consider passing on Ordinance on first reading granting a zoning variance for 1211 North 7th Street allowing placement of a manufactured home (2004 Clayton Pinehurst manufactured home – 52' x32') on the following property: Lots 1-3 and West 40 of Lot 4 Block 2 of the JH Barron Addition to the City of Lamesa, Dawson County, Texas.
19. **TAX ABATEMENT WITH BNB LAMESA SOLAR LLC:** Consider passing a resolution entering into a Tax Abatement Agreement with BNB Lamesa Solar LLC.
20. **CONSIDER APPROVAL OF 2015 - 2016 LEDC & LEAP BUDGETS:** Consider approval of the LEDC and LEAP proposed Annual Budgets for Fiscal Year 2015 - 2016 beginning on October 1, 2015.
21. **PUBLIC HEARING - FISCAL YEAR 2015-2016 BUDGET:** Convene a 2nd public hearing, in accordance with State Law (Government Code, Chapter 102), to hear a report from the City Manager and to hear comments from the public regarding the proposed Annual Budget for Fiscal Year 2015-2016 beginning on October 1, 2015.
THE PROPOSED BUDGET WILL RAISE MORE REVENUE FROM PROPERTY TAXES THAN LAST YEAR'S BUDGET BY AN AMOUNT OF \$91,715 WHICH IS A 4.95615 PERCENT INCREASE FROM LAST YEAR'S BUDGET.
22. **FISCAL YEAR OCTOBER 2015-2016 BUDGET - ADOPTION:** Consider passing an ordinance on second reading providing funds for the Fiscal Year beginning October 1, 2015, and ending September 30, 2016, by approving the budget for said period and appropriating and setting aside the necessary funds out of the General Fund, Water/Wastewater and Solid Waste funds for the maintenance and operation of the various departments and for various activities and improvements to the City.
THE PROPOSED BUDGET WILL RAISE MORE REVENUE FROM PROPERTY TAXES THAN LAST YEAR'S BUDGET BY AN AMOUNT OF \$91,715 WHICH IS A 4.95615 PERCENT INCREASE FROM LAST YEAR'S BUDGET.

23. **AD VALOREM TAX RATE – 2015 (DEBT SERVICE TAX RATE):** Consider establishing an ad valorem tax rate for Fiscal Year 2015-2016 by passing on second reading an ordinance establishing the ad valorem tax rate which will raise the amount of revenue required to pay Debt Service at a rate of \$.031522 per hundred dollar assessed valuation for Fiscal Year beginning October 1, 2015 and ending September 30, 2016. ***THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 2.17 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$15.70 {(Section 26.05(b)1(A&B) OF THE PROPERTY TAX CODE}.***
24. **AD VALOREM TAX RATE – 2015 (MAINTENANCE AND OPERATION TAX RATE):** Consider establishing an ad valorem tax rate for Fiscal Year 2015-2016 by passing on second reading an ordinance establishing the ad valorem tax rate which will raise the amount of revenue needed to fund Maintenance and Operation expenditures at a rate of \$.708478 for Fiscal Year beginning October 1, 2015 and ending September 30, 2016. ***THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 2.17 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$15.70 {(Section 26.05(b)1(A&B) OF THE PROPERTY TAX CODE}.***
25. **AD VALOREM TAX RATE – 2015:** Consider establishing an ad valorem tax rate for Fiscal Year 2015-2016 by passing on second reading an ordinance establishing the ad valorem tax rate of \$.740000 per hundred dollar assessed valuation for the Fiscal Year beginning October 1, 2015 and ending September 30, 2016, and adopting the provisions of Section 31.05 of the State Property Tax Code to provide for discounts under certain conditions. ***THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 2.17 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$15.70 {(Section 26.05(b)1(A&B) OF THE PROPERTY TAX CODE}.***
26. **AUTHORIZE WARRANTS - GENERAL OPERATIONS:** Consider passing resolution authorizing the issuance of interest bearing warrants, payable from the anticipated collections of the current fiscal year, not to exceed five hundred thousand dollars (\$500,000.00), to be used where funds are necessary and needed to meet current expenses of the city for the current fiscal year.


27. **DISCUSSION OF TEXAS MUNICIPAL RETIREMENT SYSTEM DEPOSIT ADJUSTMENTS FOR EMPLOYEES HIRED BETWEEN THE DATES OF APRIL 2012 TO CURRENT.** Discussion only.
28. **DISCUSSION OF BY-PASS OF ELEVATED WATER TOWER AT THE TDCJ PRISON FACILITY.** Discussion only.
29. **EXECUTIVE SESSION:** Council to convene in closed executive session regarding review of City Secretary applications in accordance with the provisions of the Texas Open Meetings Act (Chapter 551.074 Government Code) to consider personnel matters. No action will be taken in closed session. The Council will reconvene into open session after the completion of the executive session.
30. **ADJOURNMENT:**

① ① **Open Meetings Information** ① ①

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/City Manager 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: Shawna Burkhart at 806-872-4321

✉ 601 South First Street, Lamesa, Texas 79331

☎ **Telephone** - (806) 872-4321

☎ **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., September 11th, 2015** in accordance with Chapter 551.041 of the Government Code.

Shawna D. Burkhart, City Manager

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: SEPTEMBER 15, 2015

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:

DAVE NIX	Mayor
JOSH STEVENS	Council Member – District 1
MARIE A. BRISENO	Mayor Pro-tem/Council Member – District 2
FABIAN RUBIO	Council Member – District 3
BOBBY G. GONZALES	Council Member - District 4
FRED VERA	Council Member – District 5
CHANCE BRITT	Council Member – District 6

City Staff members present at the meeting:

SHAWNA D. BURKHART	City Manager
VACANT	City Secretary
RUSSELL CASSELBERRY	Attorney

Members of the press present at the meeting:

Members of the public present at the meeting:

2. **INVOCATION:**
AND PLEDGE OF ALLEGIANCE.



City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: SEPTEMBER 15, 2015

AGENDA ITEM: 3

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

SUMMARY STATEMENT

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 September 1, 2015.
- b. **BILL FOR AUGUST 2015:** Approval of the bills paid by the City of Lamesa for the month of August, 2015.

COUNCIL ACTION

Motion by Council Member _____ to approve Item 3a & b. 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 X
COUNTY OF DAWSON X
CITY OF LAMESA X

**MINUTES OF THE CITY COUNCIL SPECIAL CALLED MEETING:
SEPTEMBER 1, 2015**

On this the 1st day of September, 2015, at 5:30 P.M. there came on and was held a special 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 Nix 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 7 the Council Members were present:

DAVE NIX	MAYOR
MARIE BRISENO	COUNCIL MEMBER – DISTRICT 2
JOSH STEVENS	MAYOR PRO-TEM /COUNCIL MEMBER – DISTRICT 1
FABIAN RUBIO	COUNCIL MEMBER – DISTRICT 3
BOBBY G. GONZALES	COUNCIL MEMBER – DISTRICT 4
FRED VERA	COUNCIL MEMBER – DISTRICT 5
CHANCE BRITT	COUNCIL MEMBER – DISTRICT 6

City staff members present at the meeting:

SHAWNA D. BURKHART	CITY MANAGER
VACANT	CITY SECRETARY
RUSSELL CASSELBERRY	CITY ATTORNEY

Members of the public present at the meeting:

Regina Crutcher	Dale Alwan	Victor Dimas	Sylvia Dimas
Tele Gonzales	Chris Norris	Wayne Chapman	Tommy Arguijo
Irma Ramirez	Robert Ramirez	Sandy Trevino	Melba Rush
Lenda Vogler			

Invocation was given by Council Member Chance Britt

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 with correction of the council meeting held on August 25, 2015.

Motion by Council Member Britt approve item 3a. Motion seconded by Council Member Stevens and upon being put to a vote the motion passed.

VOTING: "AYE" 7 "NAY" 0 "ABSTAIN" 0

REPORT BY MUNICIPAL GOLF BOARD REGARDING MANAGEMENT, MAINTENANCE AND BEAUTIFICATION OF THE MUNICIPAL GOLF COURSE: Under Section 1.09.036 of the Code of Ordinance, the municipal golf board shall function as an advisory board only and in this capacity shall advise the city council from time to time concerning the management, maintenance and beautification of the golf course. Report requested by Councilman Gonzales.

City Council Member Josh Stevens requested this item be tabled at this time, since President Ronnie Angeley has just been elected to office. City Council agreed to pass on this item.

APPOINTMENT- MUNICIPAL GOLF BOARD MEMBER TO FILL UNEXPIRED TERM OF ABARISTO OGEDA: Consider passing a resolution appointing one (1) member to the Municipal Golf Board, to fill the unexpired term of Abaristo Ogeda, for a partial one (1) year term ending on December 31, 2015

Motion by Council Member Gonzales to approve Mario Dimas to fill the unexpired term of Abaristo Ogeda (term ending December 2015). Motion seconded by Council Member Stevens and upon being put to a vote the motion passed.

VOTING: "AYE" 7 "NAY" 0 "ABSTAIN" 0

INDEPENDENT AUDITOR – LETTER OF AGREEMENT: Consider appointing an independent auditor for Fiscal Year 2014-2015, and to authorize the Mayor to enter into a letter of engagement to provide for an audit of the books of the City in accordance with the provisions of the City Charter.

Motion by Council Member Vera to approve appointing Davis Kinard & Co. PC as the independent auditor for Fiscal Year 2014-2015 and authorize the Mayor to enter into the letter of engagement to provide for an audit of the books of the City in accordance with the provisions of the City Charter. Motion seconded by Council Member Gonzales and upon being put to a vote the motion passed.

VOTING: "AYE" 7 "NAY" 0 "ABSTAIN" 0

PERSONNEL POLICY AMENDMENT: Consider passing a resolution approving amendments to the Personnel Policy of the City of Lamesa.

Motion by Council Member Stevens approve the Personnel Policy Amendment as presented. Motion seconded by Council Member Vera and upon being put to a vote the motion passed.

VOTING: "AYE" 6 "NAY" 0 "ABSTAIN" 1

INVESTMENT POLICY: Consider passing a resolution approving the investment policy for all City funds for Fiscal Year 2015-2016 as required by state law.

Motion by Council Member Rubio pass a resolution approving the City's Investment Policy for FY 2015-2016 as required by State Law. Motion seconded by Council Member Britt and upon being put to a vote the motion passed.

VOTING: "AYE" 7 "NAY" 0 "ABSTAIN" 0

Res. No. R-20-15

Ord. Book No. 11

Pages 330-339

PUBLIC HEARING - FISCAL YEAR 2015-2016 BUDGET: 1st Public Hearing, in accordance with State Law (Local Government Code, Chapter 102), to hear a report from the City Manager and to hear comments from the public regarding the proposed Annual Budget for Fiscal Year 2015-2016 beginning on October 1, 2015. ***THE PROPOSED BUDGET WILL RAISE MORE REVENUE FROM PROPERTY TAXES THAN LAST YEAR'S BUDGET BY AN AMOUNT OF \$91,715 WHICH IS A 4.95615 PERCENT INCREASE FROM LAST YEAR'S BUDGET.***

City Manager Shawna Burkhart gave a brief overview of the proposed city budget for fiscal year 2015-2016. Mayor Nix announced the opening of a public hearing on the proposed budget for Fiscal Year 2015-2016. Councilman Vera, Mayor Nix, Councilman Britt and Councilwoman Briseno spoke. There being no other person wishing to speak, the public hearing was closed.

AD VALOREM TAX RATE – 2015: 2nd Public Hearing on a proposed hearing on a proposed property tax rate of 0.740000 for 2015. This tax rate will raise \$ 1,948,672 which is \$91,715 more than taxes imposed last year.

Mayor Nix announced the opening of a public hearing on a proposed hearing on a proposed property tax rate of 0.740000 for 2015. This tax rate will raise \$ 1,948,672 which is \$91,715 more than taxes imposed last year. There being no person wishing to speak, the public hearing was closed.

FISCAL YEAR OCTOBER 2015-2016 BUDGET – ADOPTION: Consider passing an ordinance on first reading adopting the proposed Annual Budget for Fiscal Year 2015-2016 beginning on October 1, 2015. ***THE PROPOSED BUDGET WILL RAISE MORE REVENUE FROM PROPERTY TAXES THAN LAST YEAR'S BUDGET BY AN AMOUNT OF \$91,715 WHICH IS A 4.95615 PERCENT INCREASE FROM LAST YEAR'S BUDGET.***

Motion by Council Member Britt to pass an ordinance on first reading Consider passing an ordinance on first reading adopting the proposed Annual Budget for Fiscal Year 2015-2016 beginning on October 1, 2015. Motion seconded by Council Member Stevens and upon being put to a vote the motion passed.

RECORD VOTE REQUIRED: VOTE BY SHOW OF HANDS

VOTING	"AYE"	"NAY"	"ABSTAIN"
Dave Nix	<u>X</u>	_____	_____
Josh Stevens	<u>X</u>	_____	_____
Marie A. Briseno	_____	<u>X</u>	_____
Fabian Rubio	<u>X</u>	_____	_____
Bobby Gonzales	_____	<u>X</u>	_____
Fred Vera	_____	<u>X</u>	_____
Chance Britt	<u>X</u>	_____	_____

Ord. No. O-14-15

Ord. Book No. 11

Pages 340-341

RATIFY 2014-2015 BUDGET PROPERTY TAX INCREASE: Consider ratifying the property tax increase reflected in the Fiscal Year 2015-2016 budget that raises more property taxes than the Fiscal Year 2014-2015. **THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 2.17 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$15.70 {(Section 26.05(b)1(A&B) OF THE PROPERTY TAX CODE}.**

Motion by Council Member Stevens to ratify the property tax increase reflected in the Fiscal Year 2015-2016 budget which raises more property taxes (based on a tax rate of .740000 than the Fiscal Year 2014-2015 (based on a tax rate of .724300). Motion seconded by Council Member Britt and upon being put to a vote the motion passed.

VOTING: "AYE" 4 "NAY" 3 "ABSTAIN" 0

AD VALOREM TAX RATE – 2015 (DEBT SERVICE TAX RATE): Consider establishing an ad valorem tax rate for Fiscal Year 2015-2016 by passing on first reading an ordinance establishing the ad valorem tax rate which will raise the amount of revenue required to pay Debt Service at a rate of \$.031522 per hundred dollar assessed valuation for Fiscal Year beginning October 1, 2015 and ending September 30, 2016. **THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 2.17 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$15.70 {(Section 26.05(b)1(A&B) OF THE PROPERTY TAX CODE}.**

Motion by Council Member Stevens; **"I MOVE THAT THE CITY ESTABLISH THE AD VALOREM TAX RATE WHICH WILL RAISE THE AMOUNT OF REVENUE REQUIRED TO PAY DEBT SERVICE AT A RATE OF \$.031522 PER HUNDRED DOLLAR ASSESSED VALUATION FOR FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016.**

Motion seconded by Council Member Rubio and upon being put to a vote the motion passed.

RECORD VOTE REQUIRED: VOTE BY SHOW OF HANDS

VOTING	"AYE"	"NAY"	"ABSTAIN"
Dave Nix	<u>X</u>	<u> </u>	<u> </u>
Josh Stevens	<u>X</u>	<u> </u>	<u> </u>
Marie A. Briseno	<u> </u>	<u>X</u>	<u> </u>
Fabian Rubio	<u>X</u>	<u> </u>	<u> </u>
Bobby Gonzales	<u> </u>	<u>X</u>	<u> </u>
Fred Vera	<u> </u>	<u>X</u>	<u> </u>
Chance Britt	<u>X</u>	<u> </u>	<u> </u>

Ord. No. O-15-15

Ord. Book No. 11

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AD VALOREM TAX RATE – 2015 (MAINTENANCE AND OPERATIONS TAX RATE): Consider establishing an ad valorem tax rate by passing on first reading an ordinance establishing the ad valorem tax rate which will raise the amount of revenue required to fund Maintenance and Operation expenditures at a rate of \$.708478 for Fiscal Year beginning October 1, 2015 and ending September 30, 2016. ***THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 2.17 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$15.70 {(Section 26.05(b)1(A&B) OF THE PROPERTY TAX CODE)}.***

Motion by Council Member Britt; **"I MOVE THAT THE CITY ESTABLISH THE AD VALOREM TAX RATE WHICH WILL RAISE THE AMOUNT OF REVENUE REQUIRED TO FUND MAINTENANCE AND OPERATION EXPENDITURES AT A RATE OF \$.708478 PER HUNDRED DOLLAR ASSESSED VALUATION FOR FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016.**

Motion seconded by Council Member Rubio and upon being put to a vote the motion passed.

RECORD VOTE REQUIRED: VOTE BY SHOW OF HANDS

VOTING	"AYE"	"NAY"	"ABSTAIN"
Dave Nix	<u>X</u>	<u> </u>	<u> </u>
Josh Stevens	<u>X</u>	<u> </u>	<u> </u>
Marie A. Briseno	<u> </u>	<u>X</u>	<u> </u>
Fabian Rubio	<u>X</u>	<u> </u>	<u> </u>
Bobby Gonzales	<u> </u>	<u>X</u>	<u> </u>
Fred Vera	<u> </u>	<u>X</u>	<u> </u>
Chance Britt	<u>X</u>	<u> </u>	<u> </u>

Ord. No. O-16-15

Ord. Book No. 11

Pages 343

AD VALOREM TAX RATE – 2015: Consider establishing an ad valorem tax rate by passing on first reading an ordinance establishing the ad valorem tax rate of \$0.740000 per hundred dollar assessed valuation for the Fiscal Year beginning October 1, 2015 and ending September 30, 2016, and adopting the provisions of Section 31.05 of the State Property Tax Code to provide for discounts under certain conditions. ***THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 2.17 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$15.70 {(Section 26.05(b)1(A&B) OF THE PROPERTY TAX CODE}.***

Motion by Council Member Rubio; ***"I MOVE THAT THE PROPERTY TAX RATE BE INCREASED BY THE ADOPTION OF A TAX RATE OF \$0.740000, WHICH IS EFFECTIVELY A 4.939 PERCENT INCREASE IN THE TAX RATE."***

Motion seconded by Council Member Britt and upon being put to a vote the motion passed.

RECORD VOTE REQUIRED: VOTE BY SHOW OF HANDS

VOTING	"AYE"	"NAY"	"ABSTAIN"
Dave Nix	<u>X</u>	<u> </u>	<u> </u>
Josh Stevens	<u>X</u>	<u> </u>	<u> </u>
Marie A. Briseno	<u> </u>	<u>X</u>	<u> </u>
Fabian Rubio	<u>X</u>	<u> </u>	<u> </u>
Bobby Gonzales	<u> </u>	<u>X</u>	<u> </u>
Fred Vera	<u> </u>	<u>X</u>	<u> </u>
Chance Britt	<u>X</u>	<u> </u>	<u> </u>

Ord. No. O-17-15

Ord. Book No. 11

Pages 344-345

ADJOURNMENT: Mayor Nix announced that the next regular meeting of the City Council of the City of Lamesa, Texas would be held on September 15, 2015. 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, SEPTEMBER 9, 2015 in order to be included on the agenda. There being no other business, the meeting was adjourned.

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 special called meeting of the City Council of the City of Lamesa, Texas held on August 25, 2015.

ATTEST:

APPROVED:

Shawna D. Burkhart
City Manager

Dave Nix
Mayor

FUND : 01 -GENERAL FUND

PERIOD TO USE: Aug-2015 THRU Aug-2015

DEPT : N/A

ACCOUNTS: 1001 THRU 1001

POST	DATE	TRAN #	REFERENCE	PACKET=====	DESCRIPTION=====	VEND	INV/JE #	NOTE	=====AMOUNT=====	=====BALANCE=====
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1001	CASH IN BANK									
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8/03/15	8/03	A87889	CHK: 000000	10843	INTERNAL REVENUE SERVICE	5832			342.45CR	342.45CR
8/03/15	8/03	A87890	CHK: 186175	10843	PAYROLL FUND	3270			1,519.58CR	1,862.03CR
8/03/15	8/03	A87891	CHK: 186176	10845	DAWSON CO. LIBRARY	1611			630.00CR	2,492.03CR
8/03/15	8/03	A87892	CHK: 186177	10845	HENRY NORRIS AGENCY	3190			920.00CR	3,412.03CR
8/03/15	8/03	A87893	CHK: 186178	10845	SOUTH PLAINS PUBLIC HEAL	3730			2,455.22CR	5,867.25CR
8/03/15	8/03	A87894	CHK: 186179	10845	VOLUNTEER FIRE DEPARTMEN	4090			400.00CR	6,267.25CR
8/03/15	8/03	A87895	CHK: 186180	10845	DUYCK LARRY	5777			200.00CR	6,467.25CR
8/03/15	8/03	A87896	CHK: 186181	10845	HERNANDEZ, PATRICIO F	5804			200.00CR	6,667.25CR
8/03/15	8/03	A87897	CHK: 186182	10845	DALE ALWAN	5983			200.00CR	6,867.25CR
8/03/15	8/03	A87898	CHK: 186183	10845	BOB THOMAS	5984			200.00CR	7,067.25CR
8/03/15	9/01	B48622	Misc 000064	07921	RECLASSIFY JOSE BARRON R/T CK		JE# 019501		91.69CR	7,158.94CR
8/04/15	8/05	A88173	CHK: 186184	10853	ALL-AMERICAN PUMP & MACH	1048			1,240.00CR	8,398.94CR
8/04/15	8/05	A88174	CHK: 186185	10853	BROCK VETERINARY CLINIC	1302			428.71CR	8,827.65CR
8/04/15	8/05	A88175	CHK: 186186	10853	CAIN ELECTRICAL SUPPLY	1383			730.27CR	9,557.92CR
8/04/15	8/05	A88176	CHK: 186187	10853	CANADIAN RIVER MUNICIPAL	1385			76,083.69CR	85,641.61CR
8/04/15	8/05	A88177	CHK: 186188	10853	COPE SAND & GRAVEL	1520			1,073.00CR	86,714.61CR
8/04/15	8/05	A88178	CHK: 186189	10853	DPC INDUSTRIES INC	1570			1,533.36CR	88,247.97CR
8/04/15	8/05	A88179	CHK: 186190	10853	BOBBY G GONZALES	2070			627.28CR	88,875.25CR
8/04/15	8/05	A88180	CHK: 186191	10853	TYLER TECHNOLOGIES	2310			455.50CR	89,330.75CR
8/04/15	8/05	A88181	CHK: 186192	10853	LAMESA BEARING, INC.	2480			166.95CR	89,497.70CR
8/04/15	8/05	A88182	CHK: 186193	10853	LYNTEGAR ELECTRIC COOP	2728			592.07CR	90,089.77CR
8/04/15	8/05	A88183	CHK: 186194	10853	MESA IRRIGATION COMPANY	2980			163.60CR	90,253.37CR
8/04/15	8/05	A88184	CHK: 186195	10853	PROFESSIONAL TURF PRODUC	3413			121.20CR	90,374.57CR
8/04/15	8/05	A88185	CHK: 186196	10853	STANDARD INSURANCE CO	3782			882.30CR	91,256.87CR
8/04/15	8/05	A88186	CHK: 186197	10853	VERA, FERNANDO	4085			627.28CR	91,884.15CR
8/04/15	8/05	A88187	CHK: 186198	10853	WHITE'S 7 TIL 11	4185			104.73CR	91,988.88CR
8/04/15	8/05	A88188	CHK: 186199	10853	WINDSTREAM COMMUNICATION	4460			1,764.64CR	93,753.52CR
8/04/15	8/05	A88190	CHK: 186201	10853	SALAZAR JANITORIAL SERVI	4610			900.00CR	94,653.52CR
8/04/15	8/05	A88191	CHK: 186202	10853	OUTSOURCE LEASE INC	4745			2,427.82CR	97,081.34CR
8/04/15	8/05	A88192	CHK: 186203	10853	CREATIVE INKS	5035			620.30CR	97,701.64CR
8/04/15	8/05	A88193	CHK: 186204	10853	TEXAS REVENUE RECOVERY A	5350			325.00CR	98,026.64CR
8/04/15	8/05	A88196	CHK: 186207	10853	ANGEL ACOSTA'S CONCRETE	5640			13,935.00CR	111,961.64CR
8/04/15	8/05	A88197	CHK: 186208	10853	SPIKE DYKES	5651			1,363.17CR	113,324.81CR
8/04/15	8/05	A88198	CHK: 186209	10853	PRINTING BY PAUL	5659			96.75CR	113,421.56CR
8/04/15	8/05	A88199	CHK: 186210	10853	NORTHLAND COMMUNICATIONS	5800			73.12CR	113,494.68CR
8/04/15	8/05	A88200	CHK: 186211	10853	JOHN DEERE FINANCIAL	5861			73.02CR	113,567.70CR
8/04/15	8/05	A88201	CHK: 186212	10853	THOMSON REUTERS	5871			303.16CR	113,870.86CR
8/04/15	8/05	A88202	CHK: 186213	10853	GDF SUEZ ENERGY RESOURCE	5905			56.40CR	113,927.26CR
8/04/15	8/05	A88203	CHK: 186214	10853	CITY OF ABILENE, TEXAS	5953			185.00CR	114,112.26CR
8/04/15	8/05	A88204	CHK: 186215	10853	PNC EQUIPMENT FINANCE,LL	5960			285.77CR	114,398.03CR
8/04/15	8/05	A88205	CHK: 186216	10853	NORTH CEDAR OUTLET	5974			309.38CR	114,707.41CR
8/04/15	8/05	A88206	CHK: 186217	10853	LYNN ROSS GANNAWAY & CRA	6194			1,351.25CR	116,058.66CR
8/05/15	8/05	A88207	CHK: 186218	10854	MELISSA CASAREZ	1			125.00CR	116,183.66CR

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D E T A I L L I S T I N G

PAGE: 2

FUND : 01 -GENERAL FUND

PERIOD TO USE: Aug-2015 THRU Aug-2015

DEPT : N/A

ACCOUNTS: 1001 THRU 1001

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1001 CASH IN BANK

* (CONTINUED) *

8/05/15	8/05	A88208	CHK: 186219	10854	MICHAEL NEALE	1			125.00CR	116,308.66CR
8/05/15	8/05	A88209	CHK: 186220	10854	JO TERRY CONTRERAS	1			125.00CR	116,433.66CR
8/05/15	8/05	A88210	CHK: 186221	10854	CLIFFORD COKER	1			125.00CR	116,558.66CR
8/05/15	8/05	A88211	CHK: 186222	10854	CRYSTAL E. DIMAS	1			125.00CR	116,683.66CR
8/05/15	8/05	A88212	CHK: 186223	10854	JOE MANUEL LOPEZ	1			125.00CR	116,808.66CR
8/05/15	8/05	A88213	CHK: 186224	10854	MARIA ISABELL SALAZAR	1			125.00CR	116,933.66CR
8/05/15	8/05	A88214	CHK: 186225	10854	ELISHA YOUNG	1			125.00CR	117,058.66CR
8/05/15	8/05	A88215	CHK: 186226	10854	TREVINO SANDY	5385			148.00CR	117,206.66CR
8/05/15	8/05	A88216	CHK: 186227	10854	DALE ALWAN	5983			128.80CR	117,335.46CR
8/05/15	8/05	A88217	CHK: 186228	10854	JUAN CUELLAR	6086			750.00CR	118,085.46CR
8/05/15	8/05	A88218	CHK: 186229	10854	ERICA UBEDA	6140			640.00CR	118,725.46CR
8/06/15	8/06	A88219	CHK: 186230	10855	HOME DEPOT	6203			11,046.74CR	129,772.20CR
8/10/15	8/10	A88221	CHK: 186231	10858	CITY OF LAMESA HEALTH IN	5790			50,000.00CR	179,772.20CR
8/10/15	8/10	A88254	CHK: 186232	10860	ADVANCED ANALYSTS & LAB	1022			447.00CR	180,219.20CR
8/10/15	8/10	A88255	CHK: 186233	10860	CALIFORNIA CONTRACTORS	1383A			599.10CR	180,818.30CR
8/10/15	8/10	A88256	CHK: 186234	10860	LAMESA CHAMBER OF COMMER	1457			2,475.00CR	183,293.30CR
8/10/15	8/10	A88257	CHK: 186235	10860	THE COUNTRY STORE	1540			75.60CR	183,368.90CR
8/10/15	8/10	A88258	CHK: 186236	10860	DACO	1580			1,709.99CR	185,078.89CR
8/10/15	8/10	A88259	CHK: 186237	10860	DETCO INDUSTRIES INC	1633			384.34CR	185,463.23CR
8/10/15	8/10	A88260	CHK: 186238	10860	FARMERS MACHINE SHOP	1800			15.00CR	185,478.23CR
8/10/15	8/10	A88261	CHK: 186239	10860	LAMESA PRESS REPORTER	2590			129.45CR	185,607.68CR
8/10/15	8/10	A88262	CHK: 186240	10860	PARKHILL, SMITH & COOPER	3263			2,719.21CR	188,326.89CR
8/10/15	8/10	A88263	CHK: 186241	10860	WALMART COMMUNITY/GEGRB	4110			968.22CR	189,295.11CR
8/10/15	8/10	A88265	CHK: 186243	10860	M & M EXTERMINATORS	4470			900.00CR	190,195.11CR
8/10/15	8/10	A88266	CHK: 186244	10860	DELL MARKETING LP	4660			435.92CR	190,631.03CR
8/10/15	8/10	A88267	CHK: 186245	10860	CREATIVE INKS	5035			140.00CR	190,771.03CR
8/10/15	8/10	A88268	CHK: 186246	10860	ASSOCIATION OF HISPANIC	5060			90.00CR	190,861.03CR
8/10/15	8/10	A88269	CHK: 186247	10860	MANDRY TECHNOLOGY SOLUTI	5160			350.00CR	191,211.03CR
8/10/15	8/10	A88270	CHK: 186248	10860	SPIKE DYKES	5651			1,693.86CR	192,904.89CR
8/10/15	8/10	A88271	CHK: 186249	10860	ROADMASTER DIESEL SERVIC	5728			816.18CR	193,721.07CR
8/10/15	8/10	A88272	CHK: 186250	10860	GARLAND BEATTY TOWING &	5764			140.00CR	193,861.07CR
8/10/15	8/10	A88273	CHK: 186251	10860	NAPA AUTO PARTS	5833			915.63CR	194,776.70CR
8/10/15	8/10	A88275	CHK: 186253	10860	SIERRA SPRINGS	6114			104.32CR	194,881.02CR
8/10/15	8/10	A88276	CHK: 186254	10860	GOLDEN WEST INDUSTRIAL S	6124			347.44CR	195,228.46CR
8/10/15	8/10	A88277	CHK: 186255	10860	WESTERN HOTEL SUPPLY/TID	6204			559.57CR	195,788.03CR
8/10/15	8/10	A88278	CHK: 186256	10860	APPLIED CONCEPTS, INC.	6205			3,250.00CR	199,038.03CR
8/10/15	8/10	A88279	CHK: 186257	10860	DEFENDER SUPPLY	6206			37,422.60CR	236,460.63CR
8/11/15	8/11	A88307	CHK: 000000	10862	INTERNAL REVENUE SERVICE	5832			37,852.62CR	274,313.25CR
8/11/15	8/11	A88308	CHK: 186283	10862	CAPROCK FEDERAL CREDIT U	1390			20,363.43CR	294,676.68CR
8/11/15	8/11	A88309	CHK: 186284	10862	PAYROLL FUND	3270			79,311.24CR	373,987.92CR
8/11/15	8/11	A88310	CHK: 186285	10862	RAMOS, ANGELA F.	4940			102.93CR	374,090.85CR
8/11/15	8/11	A88311	CHK: 186286	10862	TX CHILD SUPPORT SDU	5634			334.15CR	374,425.00CR
8/11/15	8/11	A88312	CHK: 186287	10862	TEXAS CHILD SUPPORT DISB	5811			184.62CR	374,609.62CR
8/11/15	8/11	A88313	CHK: 186288	10862	TX CHILD SUPPORT SDU	5829			115.38CR	374,725.00CR
8/11/15	8/11	A88314	CHK: 186289	10862	TEXAS CHILD SUPPORT DISB	5859			500.90CR	375,225.90CR
8/11/15	8/11	A88315	CHK: 186290	10862	TX CHILD SUPPORT SDU	5882			276.92CR	375,502.82CR
8/11/15	8/11	A88316	CHK: 186291	10862	AIRMEDCARE NETWORK	5975			33.00CR	375,535.82CR

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D E T A I L L I S T I N G

PAGE: 3

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ACCOUNTS: 1001 THRU 1001

POST	DATE	TRAN #	REFERENCE	PACKET=====DESCRIPTION=====	VEND	INV/JE #	NOTE	=====AMOUNT=====	=====BALANCE=====
1001			CASH IN BANK						
* (CONTINUED) *									
8/11/15	8/11	A88317	CHK: 186292	10862 TX CHILD SUPPORT SDU	5982			113.08CR	375,648.90CR
8/11/15	8/11	A88318	CHK: 186293	10862 JAE FITNESS	6023			191.94CR	375,840.84CR
8/11/15	8/11	A88319	CHK: 186294	10862 TEXAS CHILD SUPPORT DISB	6036			230.77CR	376,071.61CR
8/11/15	8/11	A88320	CHK: 186295	10862 TX CHILD SUPPORT SDU	6053			115.38CR	376,186.99CR
8/11/15	8/11	A88321	CHK: 186296	10862 TX CHILD SUPPORT SDU	6059			46.15CR	376,233.14CR
8/11/15	8/11	A88322	CHK: 186297	10862 TX CHILD SUPPORT SDU	6061			76.15CR	376,309.29CR
8/11/15	8/11	A88323	CHK: 186298	10862 TEXAS CHILD SUPPORT SDU	6135			207.23CR	376,516.52CR
8/11/15	8/11	A88324	CHK: 186299	10862 TX CHILD SUPPORT SDU	6145			252.92CR	376,769.44CR
8/11/15	8/11	A88325	CHK: 186300	10864 KAYLA JIMENEZ	1			50.00CR	376,819.44CR
8/11/15	8/11	A88326	CHK: 186301	10864 ROSALIA DE LA ROSA	1			125.00CR	376,944.44CR
8/11/15	8/11	A88327	CHK: 186302	10864 RUBY GAITAN	1			125.00CR	377,069.44CR
8/11/15	8/11	A88328	CHK: 186303	10864 DOLORES RAMOS	1			125.00CR	377,194.44CR
8/11/15	8/11	A88329	CHK: 186304	10864 FERRARA FIRE APPARATUS,	1861A			1,503.38CR	378,697.82CR
8/11/15	8/11	A88330	CHK: 186305	10864 MAYFIELD PAPER COMPANY	2957			2,266.39CR	380,964.21CR
8/11/15	8/11	A88331	CHK: 186306	10864 CHAPMAN, WAYNE	5150			120.00CR	381,084.21CR
8/11/15	8/11	A88332	CHK: 186307	10864 DUYCK LARRY	5777			177.55CR	381,261.76CR
8/11/15	8/11	A88333	CHK: 186308	10864 RAMIREZ, IRMA	5830			475.53CR	381,737.29CR
8/11/15	8/11	A88334	CHK: 186309	10864 LAMESA COMMUNITY PLAYERS	5934			3,000.00CR	384,737.29CR
8/11/15	8/11	A88335	CHK: 186310	10864 TOMMY ARGUIJO	5988			52.50CR	384,789.79CR
8/11/15	8/11	A88336	CHK: 186311	10864 JUAN CUELLAR	6086			1,150.00CR	385,939.79CR
8/11/15	8/11	A88337	CHK: 186312	10864 DAVID S YOUNG	6121			585.71CR	386,525.50CR
8/11/15	8/11	A88338	CHK: 186313	10864 ERICA UBEDA	6140			175.00CR	386,700.50CR
8/11/15	8/12	A88339	CHK: 186258	10865 CROP PRODUCTION SERVICES	1018			410.00CR	387,110.50CR
8/11/15	8/12	A88340	CHK: 186259	10865 BRUCKNER'S TRUCK SALES,	1340			547.69CR	387,658.19CR
8/11/15	8/12	A88341	CHK: 186260	10865 LAMESA BUTANE COMPANY	2500			130.35CR	387,788.54CR
8/11/15	8/12	A88342	CHK: 186261	10865 LAMESA ECONOMIC DEVELOPM	2555			600.00CR	388,388.54CR
8/11/15	8/12	A88343	CHK: 186262	10865 LESLIE'S POOL SUPPLY INC	2701			1,381.24CR	389,769.78CR
8/11/15	8/12	A88344	CHK: 186263	10865 PAYTON PLUMBING INC	3286			1,229.85CR	390,999.63CR
8/11/15	8/12	A88345	CHK: 186264	10865 PROFESSIONAL TURF PRODUC	3413			189.39CR	391,189.02CR
8/11/15	8/12	A88346	CHK: 186265	10865 SHARE CORPORATION	3705			1,106.22CR	392,295.24CR
8/11/15	8/12	A88347	CHK: 186266	10865 SOUTH PLAINS COMMUNICATI	3729			1,074.50CR	393,369.74CR
8/11/15	8/12	A88348	CHK: 186267	10865 TEXAS COMMISSION ON ENVI	3977			3,882.73CR	397,252.47CR
8/11/15	8/12	A88349	CHK: 186268	10865 WINDSTREAM COMMUNICATION	4460			58.85CR	397,311.32CR
8/11/15	8/12	A88350	CHK: 186269	10865 LOWER COLORADO RIVER AUT	5145			207.70CR	397,519.02CR
8/11/15	8/12	A88351	CHK: 186270	10865 MANDRY TECHNOLOGY SOLUTI	5160			417.50CR	397,936.52CR
8/11/15	8/12	A88352	CHK: 186271	10865 STANDARD COFFEE SERVICE	5275			231.33CR	398,167.85CR
8/11/15	8/12	A88353	CHK: 186272	10865 TEXASDATAVAULT	5607			1,725.00CR	399,892.85CR
8/11/15	8/12	A88354	CHK: 186273	10865 UNIVAR USA INC	5611			150.00CR	400,042.85CR
8/11/15	8/12	A88355	CHK: 186274	10865 AUSTIN TURF & TRACTOR	5685			1,389.15CR	401,432.00CR
8/11/15	8/12	A88356	CHK: 186275	10865 GREAT AMERICA FINANCIAL	5734			551.30CR	401,983.30CR
8/11/15	8/12	A88357	CHK: 186276	10865 HORNING'S GOLF PRODUCTS,	5897			1,056.11CR	403,039.41CR
8/11/15	8/12	A88358	CHK: 186277	10865 LION APPAREL, INC.	5914			52.75CR	403,092.16CR
8/11/15	8/12	A88359	CHK: 186278	10865 PNC EQUIPMENT FINANCE,LL	5960			805.70CR	403,897.86CR
8/11/15	8/12	A88360	CHK: 186279	10865 SOLENIS	6073			1,526.46CR	405,424.32CR
8/11/15	8/12	A88361	CHK: 186280	10865 SIERRA SPRINGS	6114			79.70CR	405,504.02CR
8/11/15	8/12	A88362	CHK: 186281	10865 MASK LANDSCAPE ARCHITECT	6207			14,572.00CR	420,076.02CR
8/11/15	8/12	A88363	CHK: 186282	10865 LUBBOCK AREA FIRE CONFER	6208			100.00CR	420,176.02CR

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D E T A I L L I S T I N G

PAGE: 4

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ACCOUNTS: 1001 THRU 1001

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1001 CASH IN BANK

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8/12/15	8/12	A88366	CHK: 186314	10868	ROADMASTER DIESEL SERVIC	5728			811.18CR	420,987.20CR
8/12/15	8/17	B48432	Misc 000001	07896	METER POSTAGE		JE# 019422		500.00CR	421,487.20CR
8/13/15	8/13	A88401	CHK: 186315	10870	ST MARGARET MARY CHURCH	1			50.00CR	421,537.20CR
8/13/15	8/13	A88402	CHK: 186316	10870	MARY ANN ORTIZ	1			200.00CR	421,737.20CR
8/13/15	8/13	A88403	CHK: 186317	10870	RAQUEL ALANIZ	1			50.00CR	421,787.20CR
8/13/15	8/13	A88404	CHK: 186318	10870	CITY OF LAMESA HEALTH IN	5790			50,000.00CR	471,787.20CR
8/13/15	8/13	A88405	CHK: 186319	10870	STATEWIDE ELEVATOR INSPE	5935			265.23CR	472,052.43CR
8/13/15	8/13	A88406	CHK: 186320	10870	SYLVIA I ORTIZ DAWSON CO	6133			60.00CR	472,112.43CR
8/13/15	8/13	A88407	CHK: 186321	10870	ERICA UBEDA	6140			250.00CR	472,362.43CR
8/13/15	8/13	A88408	CHK: 186322	10870	MIGUEL GARCIA	6212			550.00CR	472,912.43CR
8/13/15	8/13	A88409	CHK: 186323	10870	JEANETTE PARRISH	6213			150.00CR	473,062.43CR
8/13/15	8/13	A88410	CHK: 186324	10871	LOST TEXAN CAFE	1			75.00CR	473,137.43CR
8/13/15	8/13	A88411	CHK: 186325	10871	ADVANCED ANALYSIS & LAB	1022			873.00CR	474,010.43CR
8/13/15	8/13	A88412	CHK: 186326	10871	CHEVRON AND TEXACO BUSIN	1462			231.77CR	474,242.20CR
8/13/15	8/13	A88413	CHK: 186327	10871	CITY OF LUBBOCK	1470			16,195.79CR	490,437.99CR
8/13/15	8/13	A88414	CHK: 186328	10871	DAVIS FURNITURE COMPANY	1600			1,463.33CR	491,901.32CR
8/13/15	8/13	A88417	CHK: 186331	10871	GIBBS PRINTING	2030			52.46CR	491,953.78CR
8/13/15	8/13	A88418	CHK: 186332	10871	HIGGINBOTHAM'S GENERAL O	2180			1,779.10CR	493,732.88CR
8/13/15	8/13	A88420	CHK: 186334	10871	LAMESA MAILING & PACKING	2588			59.24CR	493,792.12CR
8/13/15	8/13	A88421	CHK: 186335	10871	LAMESA PRESS REPORTER	2590			260.50CR	494,052.62CR
8/13/15	8/13	A88422	CHK: 186336	10871	PARKHILL,SMITH & COOPER	3263			1,905.67CR	495,958.29CR
8/13/15	8/13	A88423	CHK: 186337	10871	PROFESSIONAL TURF PRODUC	3413			217.53CR	496,175.82CR
8/13/15	8/13	A88424	CHK: 186338	10871	QUILL CORPORATION	3430			375.44CR	496,551.26CR
8/13/15	8/13	A88425	CHK: 186339	10871	DELL MARKETING LP	4660			823.91CR	497,375.17CR
8/13/15	8/13	A88426	CHK: 186340	10871	LUBBOCK TRUCK SALES, INC	5085			179.05CR	497,554.22CR
8/13/15	8/13	A88427	CHK: 186341	10871	SIGNS ON THE GO	5135			1,900.00CR	499,454.22CR
8/13/15	8/13	A88428	CHK: 186342	10871	STATE RUBBER & ENVIRONME	5315			1,402.50CR	500,856.72CR
8/13/15	8/13	A88429	CHK: 186343	10871	AUTOZONE, INC.	5593			3.23CR	500,859.95CR
8/13/15	8/13	A88430	CHK: 186344	10871	TEXAS DEPARTMENT OF LICE	5602			20.00CR	500,879.95CR
8/13/15	8/13	A88431	CHK: 186345	10871	O'REILLY AUTOMOTIVE, INC	5618			295.79CR	501,175.74CR
8/13/15	8/13	A88432	CHK: 186346	10871	ROADMASTER DIESEL SERVIC	5728			240.00CR	501,415.74CR
8/13/15	8/13	A88433	CHK: 186347	10871	WYLIE & SON, INC.	5842			4.38CR	501,420.12CR
8/13/15	8/13	A88434	CHK: 186348	10871	ADVANCED BUSINESS SOLUTI	5870			161.50CR	501,581.62CR
8/13/15	8/13	A88435	CHK: 186349	10871	NORTH CEDAR OUTLET	5974			63.98CR	501,645.60CR
8/13/15	8/13	A88436	CHK: 186350	10871	ALL-STATE DISTRIBUTORS,	6098			60.12CR	501,705.72CR
8/13/15	8/13	A88437	CHK: 186351	10871	UNIQUE PAVING MATERIALS	6211			3,198.15CR	504,903.87CR
8/14/15	8/14	A88439	CHK: 186352	10872	JOHN RAMIREZ JR	1			50.00CR	504,953.87CR
8/17/15	8/17	A88440	CHK: 186353	10874	LAMESA CHAMBER OF COMMER	1457			3,270.00CR	508,223.87CR
8/18/15	8/18	A88445	CHK: 186354	10879	ENRIQUETA BROWN	1			350.00CR	508,573.87CR
8/18/15	8/18	A88450	CHK: 186359	10879	ATMOS ENERGY	1730			980.43CR	509,554.30CR
8/18/15	8/18	A88452	CHK: 186361	10879	NTS COMMUNICATIONS	3135			313.64CR	509,867.94CR
8/18/15	8/18	A88454	CHK: 186363	10879	STANDARD COFFEE SERVICE	5275			121.37CR	509,989.31CR
8/18/15	8/18	A88455	CHK: 186364	10879	TEXAS MUNICIPAL COURTS A	5425			60.00CR	510,049.31CR
8/18/15	8/18	A88456	CHK: 186365	10879	VERIZON WIRELESS	5969			1,311.52CR	511,360.83CR
8/18/15	8/18	A88458	CHK: 186367	10879	DALE ALWAN	5983			1,715.20CR	513,076.03CR
8/18/15	8/18	A88459	CHK: 186368	10879	TOMMY ARGUIJO	5988			20.68CR	513,096.71CR
8/18/15	8/18	A88460	CHK: 186369	10879	RHONDA HILDRETH	6088			200.00CR	513,296.71CR

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PERIOD TO USE: Aug-2015 THRU Aug-2015

ACCOUNTS: 1001 THRU 1001

* (CONTINUED) *

8/18/15	8/18	A88461	CHK: 186370	10879	DAVID S YOUNG	6121		13.99CR	513,310.70CR
8/18/15	8/18	A88462	CHK: 186371	10879	ERICA UBEDA	6140		350.00CR	513,660.70CR
8/18/15	8/18	A88463	CHK: 186372	10879	DAVID MORALES PEREZ	6215		100.00CR	513,760.70CR
8/18/15	8/18	A88482	CHK: 186373	10880	AUTOMATED CONTROLS	1140		321.25CR	514,081.95CR
8/18/15	8/18	A88483	CHK: 186374	10880	B & J WELDING SUPPLY	1180		357.48CR	514,439.43CR
8/18/15	8/18	A88484	CHK: 186375	10880	REID BETHEL TIRE CO	1224		1,161.89CR	515,601.32CR
8/18/15	8/18	A88485	CHK: 186376	10880	CLAIBORNE'S THRIFTWAY	1480		2,509.88CR	518,111.20CR
8/18/15	8/18	A88486	CHK: 186377	10880	LAMESA TIRE & BATTERY	2645		1,196.00CR	519,307.20CR
8/18/15	8/18	A88487	CHK: 186378	10880	PROFESSIONAL TURF PRODUCE	3413		190.22CR	519,497.42CR
8/18/15	8/18	A88488	CHK: 186379	10880	S & C OIL COMPANY, INC.	3575		175.68CR	519,673.10CR
8/18/15	8/18	A88489	CHK: 186380	10880	WINDSTREAM COMMUNICATION	4460		71.81CR	519,744.91CR
8/18/15	8/18	A88490	CHK: 186381	10880	CREATIVE INKS	5035		389.75CR	520,134.66CR
8/18/15	8/18	A88491	CHK: 186382	10880	TASCOSA OFFICE MACHINES	5115		1,865.88CR	522,000.54CR
8/18/15	8/18	A88493	CHK: 186384	10880	AMBRIZ GLASS MIRROR	5797		109.05CR	522,109.59CR
8/18/15	8/18	A88494	CHK: 186385	10880	SKTR, INC.	5798		4,579.00CR	526,688.59CR
8/18/15	8/18	A88495	CHK: 186386	10880	THOMSON REUTERS	5871		303.16CR	526,991.75CR
8/18/15	8/18	A88496	CHK: 186387	10880	AGRICREDIT ACCEPTANCE LL	5958		885.58CR	527,877.33CR
8/18/15	8/18	A88497	CHK: 186388	10880	R&R PRODUCTS, INC.	6005		103.65CR	527,980.98CR
8/18/15	8/18	A88498	CHK: 186389	10880	MUNICIPAL SERVICES BUREAU	6197		18.13CR	527,999.11CR
8/18/15	8/18	A88499	CHK: 186390	10882	JOSE CASTILLO	6216		434.86CR	528,433.97CR
8/19/15	8/19	A88501	CHK: 186391	10884	DALE ALWAN	5983		191.45CR	528,625.42CR
8/19/15	8/19	A88502	CHK: 186392	10884	ARMADILLO CAMERA	6217		1,523.75CR	530,149.17CR
8/19/15	8/19	A88509	CHK: 186393	10887	AMERICAN EXPRESS	4880		7,553.19CR	537,702.36CR
8/19/15	8/19	A88511	CHK: 186395	10887	GE GOVERNMENT FINANCE INC	5180		48,200.00CR	585,902.36CR
8/19/15	8/19	A88512	CHK: 186396	10887	UTILITY SERVICE CO., INC	5824		43,601.68CR	629,504.04CR
8/19/15	8/19	A88513	CHK: 186397	10887	PATHMARK TRAFFIC PRODUCT	5864		759.60CR	630,263.64CR
8/19/15	8/19	A88514	CHK: 186398	10887	WESTERN HOTEL SUPPLY/TID	6204		599.70CR	630,863.34CR
8/19/15	8/19	A88515	CHK: 186399	10888	LAMESA AIRPORT BOARD	1013		17,994.95CR	648,858.29CR
8/19/15	8/19	A88516	CHK: 186400	10888	JW & T INC.	6192		29,917.05CR	678,775.34CR
8/19/15	8/19	A88517	CHK: 186401	10889	UNIVERSITY STUDIES HRD	6218		1,299.00CR	680,074.34CR
8/19/15	8/19	A88518	CHK: 186402	10890	GDF SUEZ ENERGY RESOURCE	5905		36,690.12CR	716,764.46CR
8/20/15	8/20	A88520	CHK: 186404	10891	SMITH, WAYNE	5912		65.44CR	716,829.90CR
8/20/15	8/20	A88521	CHK: 186405	10891	DALE ALWAN	5983		75.90CR	716,905.80CR
8/20/15	8/20	A88522	CHK: 186406	10891	ERICA UBEDA	6140		330.00CR	717,235.80CR
8/20/15	8/20	A88523	CHK: 186407	10891	MIGUEL GARCIA	6212		150.00CR	717,385.80CR
8/20/15	8/20	A88530	CHK: 186408	10893	MONICA SOTO	1		125.00CR	717,510.80CR
8									

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D E T A I L L I S T I N G

PAGE: 6

FUND : 01 -GENERAL FUND

PERIOD TO USE: Aug-2015 THRU Aug-2015

DEPT : N/A

ACCOUNTS: 1001 THRU 1001

POST	DATE	TRAN #	REFERENCE	PACKET=====	DESCRIPTION=====	VEND	INV/JE #	NOTE	=====AMOUNT=====	=====BALANCE=====
1001			CASH IN BANK							
										* (CONTINUED) *
8/25/15	8/25	A88544	CHK: 186418	10899	TX CHILD SUPPORT SDU	5829			115.38CR	887,895.79CR
8/25/15	8/25	A88545	CHK: 186419	10899	TEXAS CHILD SUPPORT DISB	5859			500.90CR	888,396.69CR
8/25/15	8/25	A88546	CHK: 186420	10899	TX CHILD SUPPORT SDU	5882			276.92CR	888,673.61CR
8/25/15	8/25	A88547	CHK: 186421	10899	AIRMEDCARE NETWORK	5975			33.00CR	888,706.61CR
8/25/15	8/25	A88548	CHK: 186422	10899	TX CHILD SUPPORT SDU	5982			113.08CR	888,819.69CR
8/25/15	8/25	A88549	CHK: 186423	10899	JAE FITNESS	6023			191.94CR	889,011.63CR
8/25/15	8/25	A88550	CHK: 186424	10899	TEXAS CHILD SUPPORT DISB	6036			230.77CR	889,242.40CR
8/25/15	8/25	A88551	CHK: 186425	10899	TX CHILD SUPPORT SDU	6059			46.15CR	889,288.55CR
8/25/15	8/25	A88552	CHK: 186426	10899	TX CHILD SUPPORT SDU	6061			76.15CR	889,364.70CR
8/25/15	8/25	A88553	CHK: 186427	10899	TEXAS CHILD SUPPORT SDU	6135			207.23CR	889,571.93CR
8/25/15	8/25	A88554	CHK: 186428	10899	TX CHILD SUPPORT SDU	6145			252.92CR	889,824.85CR
8/25/15	8/25	A88555	CHK: 186429	10901	GARZA, DIONICIO JR	1969			65.18CR	889,890.03CR
8/25/15	8/25	A88556	CHK: 186430	10901	ERICA UBEDA	6140			225.00CR	890,115.03CR
8/25/15	8/25	A88557	CHK: 186431	10901	DAVID HUCKERT	6182			600.00CR	890,715.03CR
8/25/15	8/25	A88558	CHK: 186432	10903	STATE COMPTROLLER	3789			106.76CR	890,821.79CR
8/25/15	8/26	U23788	CHECK 186433	14054	REFUND: RANK, MARVYL A				26.29CR	890,848.08CR
8/25/15	8/26	U23788	CHECK 186434	14054	REFUND: RUBIO, ERENDIRA				77.90CR	890,925.98CR
8/25/15	8/26	U23788	CHECK 186435	14054	REFUND: AGUILAR, DANIEL				53.94CR	890,979.92CR
8/25/15	8/26	U23788	CHECK 186436	14054	REFUND: SOLIS, SAMANTHA				72.38CR	891,052.30CR
8/25/15	8/26	U23789	CHECK 186437	14107	REFUND: DELGADO, RITA VELA				2.10CR	891,054.40CR
8/25/15	8/26	U23789	CHECK 186438	14107	REFUND: BRYAN, KERRY				0.51CR	891,054.91CR
8/25/15	8/26	U23789	CHECK 186439	14107	REFUND: SALDANA, SONIA M				53.94CR	891,108.85CR
8/25/15	8/26	U23789	CHECK 186440	14107	REFUND: HERNANDEZ, ADAM				20.77CR	891,129.62CR
8/25/15	8/26	U23789	CHECK 186441	14107	REFUND: TREVINO, RICHARD				72.38CR	891,202.00CR
8/25/15	8/26	U23789	CHECK 186442	14107	REFUND: BRACKEN, DENNIS				77.90CR	891,279.90CR
8/25/15	8/26	U23789	CHECK 186443	14107	REFUND: WAKEFIELD, JUANITA I				30.42CR	891,310.32CR
8/25/15	8/26	U23789	CHECK 186444	14107	REFUND: MITCHELL, SARA				58.98CR	891,369.30CR
8/25/15	8/26	U23789	CHECK 186445	14107	REFUND: TEXAS PRIDE TRUCKING				56.05CR	891,425.35CR
8/25/15	8/26	U23789	CHECK 186446	14107	REFUND: MILLER, CHARLOTTE				51.89CR	891,477.24CR
8/25/15	8/26	U23789	CHECK 186447	14107	REFUND: ESCOBAR, EUSTACIO				37.80CR	891,515.04CR
8/26/15	8/26	A88559	CHK: 186448	10906	J & L EQUIPMENT/ODESSA P	2322			1,807.50CR	893,322.54CR
8/27/15	8/27	A88560	CHK: 186449	10909	JUAN CUELLAR	6086			600.00CR	893,922.54CR
8/27/15	8/27	A88561	CHK: 186450	10909	SUSANA CARDONA	6174			36.04CR	893,958.58CR
8/27/15	8/27	A88562	CHK: 186451	10909	WTG FUELS, INC.	6220			941.86CR	894,900.44CR
8/27/15	8/27	A88563	CHK: 186452	10910	JEANETTE PARRISH	6213			150.00CR	895,050.44CR
8/27/15	8/27	A88564	CHK: 186453	10911	LAMESA NATIONAL BANK	2630			149,778.75CR	1,044,829.19CR
8/27/15	8/27	A88565	CHK: 186454	10911	BB&T GOVERNMENTAL FINANC	6001			9,174.99CR	1,054,004.18CR
8/28/15	8/28	A88566	CHK: 000000	10912	INTERNAL REVENUE SERVICE	5832			25.00CR	1,054,029.18CR
8/28/15	8/28	A88567	CHK: 186455	10912	PAYROLL FUND	3270			335.00CR	1,054,364.18CR
8/28/15	8/28	A88568	CHK: 186456	10914	JOSHUA GUTIERREZ	6010			420.00CR	1,054,784.18CR
8/28/15	8/28	A88569	CHK: 186457	10914	KELLY BRADLEY	6170			420.00CR	1,055,204.18CR
8/28/15	8/28	A88570	CHK: 000000	10907	INTERNAL REVENUE SERVICE	5832			146.94CR	1,055,351.12CR
8/28/15	8/28	A88592	CHK: 186461	10915	AFLAC INSURANCE	1020			3,656.38CR	1,059,007.50CR
8/28/15	8/28	A88593	CHK: 186462	10915	CAPROCK FEDERAL CREDIT U	1390			275.00CR	1,059,282.50CR
8/28/15	8/28	A88594	CHK: 186463	10915	TEXAS MUNICIPAL RETIREME	3973			25,693.17CR	1,084,975.67CR
8/28/15	8/28	A88600	CHK: 186469	10915	LEGAL SHIELD	5900			388.50CR	1,085,364.17CR
8/28/15	8/28	A88601	CHK: 186470	10915	NEW YORK LIFE	5921			567.40CR	1,085,931.57CR

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D E T A I L L I S T I N G

PAGE: 7

FUND : 01 -GENERAL FUND

PERIOD TO USE: Aug-2015 THRU Aug-2015

DEPT : N/A

ACCOUNTS: 1001 THRU 1001

POST	DATE	TRAN #	REFERENCE	PACKET=====	DESCRIPTION=====	VEND	INV/JE #	NOTE	=====AMOUNT=====	=====BALANCE=====
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1001 CASH IN BANK

* (CONTINUED) *

8/28/15	8/28	A88602	CHK: 186471	10915	GUARDIAN-APPLETON	6141			639.22CR	1,086,570.79CR
8/30/15	9/07	B48635	Misc 000004	07926	LIABILITY TSF G/F TO RISK MGMT	JE# 019508			5,938.75CR	1,092,509.54CR
8/30/15	9/07	B48640	Misc 000008	07927	WORKER COMP TSF TO RISK MGMT	JE# 019513			5,724.08CR	1,098,233.62CR
8/30/15	9/07	B48645	Misc 000013	07928	HEALTH INS. TSF. - G/F	JE# 019518			29,244.00CR	1,127,477.62CR
8/30/15	9/07	B48656	Misc 000019	07931	TO MOVE GOV. TAX TO STATE AGCY	JE# 019529			4,418.74CR	1,131,896.36CR
8/31/15	8/31	A88603	CHK: 186472	10916	FULBRIGHT & CASSELBERRY	2090			2,145.83CR	1,134,042.19CR
8/31/15	8/31	A88604	CHK: 186473	10916	SENIOR CITIZENS	3675			3,750.00CR	1,137,792.19CR
8/31/15	8/31	A88605	CHK: 186474	10917	KNIGHTS OF COLUMBUS	5285			3,827.00CR	1,141,619.19CR
8/31/15	8/31	A88606	CHK: 186475	10917	STAHL, TERRI	5940			58.65CR	1,141,677.84CR
8/31/15	8/31	A88607	CHK: 186476	10917	SYLVIA I ORTIZ DAWSON CO	6133			37.50CR	1,141,715.34CR
8/31/15	8/31	A88608	CHK: 186477	10917	ERICA UBEDA	6140			250.00CR	1,141,965.34CR
8/31/15	8/31	A88611	CHK: 186478	10826	ALAMO AREA REGIONAL LAW	01			250.00CR	1,142,215.34CR
8/31/15	8/31	U23802	CHECK 186479	14165	REFUND: VILLALOBOS, MARGIE				97.00CR	1,142,312.34CR
8/31/15	8/31	U23804	CHECK 186480	14167	REFUND: LUCIO, JOSE DANIEL				5.00CR	1,142,317.34CR
8/31/15	8/31	A88614	CHK: 186481	10923	VICTOR O SCHINNERER & CO	4715			400.00CR	1,142,717.34CR
=====				AUGUST ACTIVITY	DB:	0.00	CR:	1,142,717.34CR	1,142,717.34CR	

SELECTION CRITERIA

FISCAL YEAR: Oct-2014 / Sep-2015
FUND: Include: 01
PERIOD TO USE: Aug-2015 THRU Aug-2015
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 ***

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: SEPTEMBER 15, 2015

AGENDA ITEM: 4

SUBJECT: PROCLAMATION – LAMESA HIGH SCHOOL “CLASS OF 1984 DAY”
SUBMITTED BY: City Staff

SUMMARY STATEMENT

The proclamation is requested by the class representatives of the Lamesa High School – Class of 1984 to honor their contributions and service to Lamesa and all the other communities where they may live. The Class of 1984 will be holding their class reunion in Lamesa on Saturday, October 3rd, 2015.

COUNCIL ACTION

No City Council action required.

A PROCLAMATION

WHEREAS, High Schools across the great state of Texas are wonderful places of learning – they are places where people get to know each other, listen to/respect each other and work together to benefit both the school and the community at large; and

WHEREAS, Lamesa High School graduates are some of the best in our wonderful state, as they possess both a spirit of servant leadership and a love for their country, state, and fellow man and woman; and

WHEREAS, The Class of 1984 of Lamesa High School has sent into the world alumni that possess all of these attributes and more, and have entered into the workforce to positively impact their country, state, and fellow man and woman; and

WHEREAS, for 31 years, these same graduates have fostered a love of their hometown and have helped to shape countless lives through their raising of their own families, voluntary community involvement in the places where they live, and diligent work through their jobs that add to the local economies; and

WHEREAS, many of the Class of 1984 graduates will be gathering together in Lamesa on Saturday, October 3rd to fellowship with and encourage each other on their life's journey, while also rekindling their love of their school and our hometown.

NOW, THEREFORE BE IT RESOLVED, I, Dave Nix, Mayor of the City of Lamesa, Texas, do hereby proclaim Saturday, October 3rd, 2015 as:

“LAMESA HIGH SCHOOL – CLASS OF 1984 DAY”

In Lamesa, Texas and I encourage all citizens to recognize the “Class of 1984 of Lamesa High School” on this occasion, and we join them in celebrating their impact upon their families as well as their country, state, and fellow man and woman.

GIVEN UNDER MY HAND and seal of the City of Lamesa, this 15th day of September, 2015.

Dave Nix, Mayor



City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: SEPTEMBER 15, 2015

AGENDA ITEM: 5

SUBJECT: FINANCIAL REPORT
SUBMITTED BY: Wayne Chapman, Finance Director
EXHIBITS: Financial Reports

SUMMARY STATEMENT

Financial reports for August 2015 for City Council review and discussion.

COUNCIL ACTION

No City Council action required.

CITY MANAGER'S MEMORANDUM

Wayne Chapman, Finance Director, will present an overview of the City's financial report

Financials will be at each Council Member's place on the dias.

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: SEPTEMBER 15, 2015

AGENDA ITEM: 6

SUBJECT: ISO RATING FOR BUILDING INSPECTIONS DEPARTMENT
SUBMITTED BY: Wayne Smith, Building Inspector
EXHIBITS: ISO Letter of Rating

SUMMARY STATEMENT

The Insurance Services Office, Inc. (ISO) is an insurer-supported organization with the primary mission of providing advisory insurance underwriting and rating information to insurers. The ISO rating program provides rating credits to individual property insurance policies in recognition of community efforts to mitigate property damage due to natural disasters. The ISO program has notified the City of Lamesa that it will apply credits to new construction within Lamesa that has been issued a Certificate of Occupancy in the year 2015 and forward. The lower the City's ISO score the better the insurance rates for new construction within Lamesa. Prior to 2015, the City's ISO score was 99, which reflected no definitive Building Inspection program within the City of Lamesa. As reflected in the attached letter dated August 27, 2015, the City of Lamesa Building Inspections Department has earned a Building Code Effectiveness Grading Classification of 6 for 1 and 2 family residential property and a 5 for commercial and industrial property.

COUNCIL ACTION

No City Council action required.

CITY MANAGER'S MEMORANDUM

Wayne Smith, Building Inspector, will present an overview of the City's most recent ISO rating.



1000 BISHOPS GATE BLVD., SUITE 300 MT. LAUREL, NJ 08054 (856) 787-0412 (800) 444-4554

August 27, 2015

Mr. Calvin W. Smith, Building Official
Lamesa
601 S. 1st Street
Lamesa, TX 73991

RE: Building Code Effectiveness Grading Schedule Results
Lamesa, Dawson County, TX

Dear Mr. Smith:

We wish to thank you for the cooperation given to our representative, Daniel Cortez, during our recent survey. We have completed our analysis of the building codes adopted by your community and the efforts put forth to properly enforce those codes. The resulting Building Code Effectiveness Grading Classification is 6 for 1 and 2 family residential property and 5 for commercial and industrial property.

The Insurance Services Office, Inc. (ISO) is an insurer-supported organization with the primary mission of providing advisory insurance underwriting and rating information to insurers. There is no requirement that insurers use our advisory material. Insurers may have adopted, or may be in the process of adopting, an ISO insurance rating program that will provide rating credits to individual property insurance policies in recognition of community efforts to mitigate property damage due to natural disasters. These insurers may use the Building Code Effectiveness Grading Classification we have recently developed for your community as a basis for the credits used. While individual insurers may use different credits or different effective dates, the ISO program will apply credits to new construction within Lamesa that has been issued a Certificate of Occupancy in the year 2015 and forward.

We will email our report which provides additional information about our classification process and how we have graded various aspects of your community's building codes and their enforcement.

We want to highlight the fact that the Building Code Effectiveness Grading Schedule is an insurance underwriting and information tool; it is not intended to analyze all aspects of a comprehensive building code enforcement program nor is it for purposes of determining compliance with any state or local law or for making property/casualty loss prevention and life safety recommendations.

If you have any questions about the Classification that was developed, please let us know. Additionally, if you are planning on any future changes in your building codes or their enforcement, please advise us as these changes may affect our analysis and your community's grading classification.

Sincerely,

Mary Lucidi

Building Code Technical Analyst

Enclosure

cc: Mr. Wayne Chapman, City Manager

Lamesa

601 S. 1st Street

Lamesa, TX 79331

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: SEPTEMBER 15, 2015

AGENDA ITEM: 7

SUBJECT: ONCOR STREET LIGHT AUDIT OF THE NUMBER OF STREET LIGHTS AND TYPE OF STREET LIGHTS AND RELATED SETTLEMENT AND RELEASE AGREEMENT

PROCEEDING: Resolution

SUBMITTED BY: Shawna Burkhardt, City Manager and Jim Clement, Oncor Area Manager

EXHIBITS: Oncor Settlement and Release Agreement and Oncor Street Light Audit Summary 2015

AUTHORITY: Code of Ordinances

SUMMARY STATEMENT

Oncor has performed a street light audit of the number of street lights and type of street lights within the City of Lamesa. Oncor provides these unmetered lights for which the City is the end-user. For an undetermined period of time, Oncor states that their bills have been inaccurate with respect to the number and/or type and/or size of street lights for which the City is the end-user. The overbilling of street light numbers has resulted in the City paying excess charges not only for transmission and distribution service, but also for energy. Oncor wishes to resolve all disputes and claim through the proposed Settlement and Release agreement with a payment to the City of Lamesa of \$34,667.80. Oncor has provided the City with the attached results of the 2015 Street Light Audit.

COUNCIL ACTION

DISCUSSION: _____

Motion by Council Member _____ to _____ Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

VOTING: "AYE" _____ "NAY" _____ "ABSTAIN" _____

CITY MANAGER'S MEMORANDUM

City staff recommends approval of the proposed Settlement and Release Agreement. Oncor stated that if the error was in the City's favor Oncor paid back to Calendar Year 2008. If the error was in Oncor's favor, Oncor only went back 6 months in their calculations.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS, ACCEPTING A SETTLEMENT OFFER FROM ONCOR ELECTRIC DELIVERY COMPANY, LLC, AND AUTHORIZING THE MAYOR OF THE CITY TO EXECUTE A SETTLEMENT AND RELEASE AGREEMENT.

On this the 15th day of September, 2015, there came on and was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas, held pursuant to the provisions of the Texas Open Meetings Act, and there being a quorum present and acting throughout the meeting, the following resolution was formally submitted by motion and duly seconded for the consideration and action of the meeting, to-wit:

WHEREAS, a dispute exists between the City of Lamesa and Oncor Electric Delivery Company, LLC, ("Oncor") regarding amounts billed to the City of Lamesa for electrical service for streetlights; and

WHEREAS, Oncor and the City wish to compromise and settle all disputes and claims related to, or arising from, to such amounts billed to the City; and

WHEREAS, it is in the public interest that the City and Oncor settle such dispute.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lamesa, Texas, that:

The City of Lamesa, Texas, hereby accept the offer of settlement made by Oncor Electric Delivery Company, LLC, and enter into the Settlement and Release Agreement attached to this resolution as Exhibit A; and

That the Mayor of the City of Lamesa be, and he is hereby, authorized to execute such Settlement and Release Agreement on behalf of the City of Lamesa.

Upon being put to a vote, the resolution was Passed, Approved, and Adopted this 15th day of September, 2015 by a majority vote and ordered to be spread upon the minutes of the City Council of the City of Lamesa, Texas, and recorded in the resolution book thereafter.

ATTEST:

APPROVED:

Shawna D. Burkhart
City Manager

Dave Nix
Mayor

SETTLEMENT AND RELEASE AGREEMENT

This Settlement and Release Agreement (the “Agreement”) is made and entered into as of August 20, 2015 (the “Effective Date”) by and between Oncor Electric Delivery Company LLC (“Oncor”) and the City of Lamesa, Texas (the “City”).

WHEREAS, Oncor and the City agree that Oncor and its predecessors in interest have been billing – either directly to the City prior to the start of retail competition in January 2002 or to retail electric providers serving the City since the start of retail competition in January 2002 – for providing service to unmetered street lights (the “Street Lights”) for which the City is the end-use customer; and

WHEREAS, Oncor and the City agree that Oncor’s billings have, for an undetermined period of time, been inaccurate with respect to the number and/or type and/or size of Street Lights for which the City is the end-use customer; and

WHEREAS Oncor and the City recognize that the information is not readily available to determine the exact number, type and size of streetlights provided by Oncor during the past; and

WHEREAS the overbilling of street light numbers has resulted in City paying excess charges not only for transmission and distribution service, but also for energy; and

WHEREAS, Oncor and the City wish to avoid the expense of proceedings at either the Public Utility Commission of Texas or state district court; and

WHEREAS, Oncor wishes to avoid the expense Oncor would incur if it were required to cancel/rebill prior bills or invoices to the City or to the City’s retail electric provider(s).

NOW, THEREFORE, in order to fully and finally resolve all disputes and claims arising out of or related to the billings by Oncor, Oncor’s predecessors in interest, the City’s retail electric providers, and the affiliated companies of each, for electricity consumed by the Street Lights, and for the mutual covenants set forth in this Agreement, the adequacy and sufficiency of which is acknowledged, Oncor and the City agree as follows:

1. PAYMENT TO THE CITY

No later than 30 days after the latest signature date set below, Oncor will pay the City the sum of \$34,667.80.

2. RELEASE OF ONCOR AND ITS AFFILIATES, AND OF RETAIL ELECTRIC PROVIDERS WHO PROVIDED STREET LIGHT SERVICE TO THE CITY

The City, on behalf of itself and its successors and assigns and any and all persons, entities or municipalities claiming by, through or under them, hereby **RELEASES, DISCHARGES AND ACQUITS**, forever and for all purposes, Oncor, its predecessors in interest, and each of their respective agents, employees, officers, directors, shareholders, partners, insurers, attorneys, legal representatives, successors, and assigns, as well as all affiliated companies, including TXU Energy Company LLC and its subsidiaries, as well as all retail electric providers from whom the City has taken retail electric service, for Street Lights from and against any and all liability which they now have, have had, or may have, and all past, present and future actions, causes of action, claims, demands, damages, costs, expenses, compensation, losses, and fees of any kind or nature whatsoever, whether known or unknown, fixed or contingent, in law or in equity, whether asserted or unasserted, whether now existing or accruing in the future, arising out of or related to the calculation, reporting, billing or invoicing of charges to the City for electric service for Street Lights through August 20, 2015.

3. AGREEMENT AS TO ACCURACY OF CURRENT STREET LIGHT BILLING INFORMATION

City does not dispute and agrees not to dispute that the current Street Light billing information being used by Oncor for the City's Street Lights, including but not limited to the number, types and sizes of Street Lights, as detailed on Attachment A, is accurate as of August 20, 2015.

4. WARRANTY AS TO AUTHORITY

Oncor and the City each warrant that the person executing this Agreement on their behalf has the authority to bind the entity for whom such person signs this Agreement.

5. MISCELLANEOUS PROVISIONS

A. The parties acknowledge and agree that the terms of this Agreement are all contractual and not mere recitals.

B. The parties acknowledge that they have read this Agreement in its entirety, understand its terms, and that this Agreement is entered into voluntarily, without duress, and with full knowledge of its legal significance.

C. This Agreement may not be modified in any manner, nor may any rights provided for herein be waived, except in an instrument in writing signed by each party.

D. This Agreement shall be construed in accordance with the laws of the State of Texas.

E. This Agreement, and any amendment hereto, may be executed in one or more counterparts. All of such counterparts shall constitute one and the same agreement. The parties expressly agree that any counterparts signed and delivered by electronic copy or facsimile shall be deemed original document and shall legally bind the parties to the same extent as originals.

IN WITNESS THEREOF, each party, by its duly authorized representative, has executed this Agreement as of the applicable date set forth below, and by such execution, giving the Agreement full force and effect as of the Effective Date.

ONCOR ELECTRIC DELIVERY COMPANY LLC

By: _____

Its: Vice President

STATE OF TEXAS §

COUNTY OF DALLAS §

This instrument was acknowledged before me on the ____ day of _____, 2015,
by _____, of Oncor Electric Delivery Company LLC, on behalf of said entity.

Notary Public, State of Texas

THE CITY OF _____, TEXAS

By: _____

Its: _____

STATE OF TEXAS §

COUNTY OF _____ §

This instrument was acknowledged before me on the ____ day of _____,
2015, by _____, on behalf of the City of _____, Texas.

Notary Public, State of Texas

ATTACHMENT A

CITY OF LAMESA STREET LIGHTING BILLING TABLE AS OF AUGUST 20, 2015

Account	Description		Count	Last Run	Wattage	Type	Schedule
7247255	LAMESA, CITY OF - ICL	(100,HP,A)	298	08/20/2015	100	HP	A
9957399	LAMESA, CITY OF - ICL	(100,HP,B)	3	08/20/2015	100	HP	B
4427431	LAMESA, CITY OF - ICL	(175,MV,A)	178	08/20/2015	175	MV	A
1209757	LAMESA, CITY OF - ICL	(175,MV,B)	3	08/20/2015	175	MV	B
7247286	LAMESA, CITY OF - ICL	(200,HP,A)	162	08/20/2015	200	HP	A
7247317	LAMESA, CITY OF - ICL	(200,HP,B)	49	08/20/2015	200	HP	B
4427369	LAMESA, CITY OF - ICL	(400,MV,A)	35	08/20/2015	400	MV	A
4427400	LAMESA, CITY OF - ICL	(400,MV,B)	16	08/20/2015	400	MV	B



City of Lamesa - Oncor Streetlight Audit Summary 2015

Inventory Counts				
Pre-Survey Light Total	Lights Surveyed	Lights Correct	Total Errors	Post-Survey Light Total
753	753	673	80	744*
(07/17/15)	100.00%	89.38%	10.62%	(08/20/15)

*The two additional lights are part of WR #3292366

Audit Findings				
Record Errors	Wattage	Removes	New Adds to Existing Premises	New Adds, Not in Billing System
80	61	17	2	8
100.00%	76.25%	21.25%	2.50%	

Settlement Calculations						
Adds - Lights in Field		Removes - Light not in Field		Net	Unit Settlement	Extended Amount
1	100-HP,A	0	100-HP,A	-1	\$75.86	(\$75.86)
1	175-MV,A	8	175-MV,A	7	\$1,326.50	\$9,285.50
7	200-HP,A	3	200-HP,A	-4	\$92.87	(\$371.48)
1	400-HP,A	0	400-HP,A	-1	\$130.14	(\$130.14)
0	400-MV,A	6	400-MV,A	6	\$1,983.90	\$11,903.40
10		17		7		\$20,611.43

Wattage Correction Changes	\$14,056.37
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Total Settlement to be Paid	\$34,667.80
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Oncor Audit Results - Inventory Corrections

2015

City of Lamesa

Line #	GLN	Qty	Original Light Type	Action Taken	Correct Qty	Correct Light Type	Audit Time Stamp	Record Notes	Unit Settlement
Lights Added to Existing Premises									
1	2399226-3578366	0	No Light	LAS A^Add	1	200 HP	7/21/2015 4:33:42 PM	ADD 200 HP	
2	2399041-3578323	0	No Light	LAS A^Add	1	200 HP	7/21/2015 4:32:27 PM	ADD 200 HP	
		0			2				

Line #	GLN	Qty	Original Light Type	Action Taken	Correct Qty	Correct Light Type	Audit Time Stamp	Record Notes	Unit Settlement
Lights Removed									
1	2397298-3580497	1	175 MV	LAS A^Remove	0	No Light	7/21/2015 6:38:19 PM	REMOVED 175 MV	
2	2399224-3578370	1	175 MV	LAS A^Remove	0	No Light	7/21/2015 6:36:40 PM	REMOVED 175 MV	
3	2399538-3577139	1	175 MV	LAS A^Remove	0	No Light	7/21/2015 6:29:38 PM	REMOVED 175 MV	
4	2402823-3572151	1	175 MV	LAS A^Remove	0	No Light	7/21/2015 6:28:47 PM	REMOVED 175 MV	
5	2401140-3572429	1	175 MV	LAS A^Remove	0	No Light	7/21/2015 10:58:23 AM	REMOVED 175 MV	
6	2397848-3580608	1	175 MV	LAS A^Remove	0	No Light	7/21/2015 6:37:26 PM	REMOVED 175 MV	
7	2398583-3569166	1	175 MV	LAS A^Remove	0	No Light	7/20/2015 11:40:55 AM	REMOVED 175 MV	
8	2398832-3580984	1	175 MV	LAS A^Remove	0	No Light	7/21/2015 5:45:19 PM	REMOVED 175 MV	
9	2398051-3578043	1	200 HP	LAS A^Remove	0	No Light	7/21/2015 4:27:59 PM	REMOVED 200 HP	
10	2401912-3572243	1	200 HP	LAS A^Remove	0	No Light	7/21/2015 12:15:32 PM	REMOVED 200 HP	
11	2397555-3576215	1	200 HP	LAS A^Remove	0	No Light	7/20/2015 6:21:42 PM	REMOVED 200 HP	
12	2400498-3579385	1	400 MV	LAS A^Remove	0	No Light	7/21/2015 6:18:14 PM	REMOVED 400 MV	
13	2398786-3577772	1	400 MV	LAS A^Remove	0	No Light	7/21/2015 4:54:55 PM	REMOVED 400 MV	
14	2401738-3572971	1	400 MV	LAS A^Remove	0	No Light	7/21/2015 12:13:17 PM	REMOVED 400 MV	
15	2398100-3574505	1	400 MV	LAS A^Remove	0	No Light	7/20/2015 8:27:22 PM	REMOVED 400 MV	
16	2397132-3578238	1	400 MV	LAS A^Remove	0	No Light	7/20/2015 6:10:30 PM	REMOVED 400 MV	
17	2399995-3573833	1	400 MV	LAS A^Remove	0	No Light	7/21/2015 10:30:58 AM	REMOVED 400 MV	
		17			0				

Oncor Audit Results - Inventory Corrections

2015

Line #	GLN	Qty	Original Light Type	Action Taken	Correct Qty	Correct Light Type	Audit Time Stamp	Record Notes	Unit Settlement
Wattage Change									
1	2401120-3579897	1	100 HP	LAS	1	175 MV	7/21/2015 5:37:01 PM	100 HP TO 175 MV	(\$194.20)
2	2403631-3575818	1	100 HP	LAS	1	175 MV	7/21/2015 2:32:47 PM	100 HP TO 175 MV	(\$194.20)
3	2401611-3571279	1	100 HP	LAS	1	175 MV	7/21/2015 11:16:04 AM	100 HP TO 175 MV	(\$194.20)
4	2400095-3571443	1	100 HP	LAS	1	175 MV	7/21/2015 10:17:41 AM	100 HP TO 175 MV	(\$194.20)
5	2400618-3570439	1	100 HP	LAS	1	175 MV	7/20/2015 8:10:05 PM	100 HP TO 175 MV	(\$194.20)
6	2396095-3573806	1	100 HP	LAS	1	175 MV	7/20/2015 4:38:53 PM	100 HP TO 175 MV	(\$194.20)
7	2398417-3571544	1	100 HP	LAS	1	175 MV	7/20/2015 11:51:33 AM	100 HP TO 175 MV	(\$194.20)
8	2400570-3579096	1	100 HP	LAS	1	200 HP	7/21/2015 6:19:30 PM	100 HP TO 200 HP	(\$347.20)
9	2398602-3578347	1	100 HP	LAS	1	200 HP	7/21/2015 6:03:43 PM	100 HP TO 200 HP	(\$347.20)
10	2403711-3573915	1	100 HP	LAS	1	200 HP	7/21/2015 2:24:45 PM	100 HP TO 200 HP	(\$347.20)
11	2399560-3573658	1	100 HP	LAS	1	200 HP	7/21/2015 10:26:28 AM	100 HP TO 200 HP	(\$347.20)
12	2399272-3573184	1	100 HP	LAS	1	200 HP	7/21/2015 10:11:22 AM	100 HP TO 200 HP	(\$347.20)
13	2397902-3572854	1	100 HP	LAS	1	200 HP	7/20/2015 4:19:43 PM	100 HP TO 200 HP	(\$347.20)
14	2397661-3571721	1	100 HP	LAS	1	200 HP	7/20/2015 11:46:36 AM	100 HP TO 200 HP	(\$347.20)
15	2403040-3575676	1	175 MV	LAS	1	100 HP	7/21/2015 2:06:36 PM	175 MV TO 100 HP	\$200.20
16	2398193-3579177	1	175 MV	LAS	1	100 HP	7/21/2015 6:00:42 PM	175 MV TO 100 HP	\$200.20
17	2403790-3576557	1	175 MV	LAS	1	100 HP	7/21/2015 3:02:09 PM	175 MV TO 100 HP	\$200.20
18	2404032-3575514	1	175 MV	LAS	1	100 HP	7/21/2015 3:00:20 PM	175 MV TO 100 HP	\$200.20
19	2403753-3575126	1	175 MV	LAS	1	100 HP	7/21/2015 2:56:28 PM	175 MV TO 100 HP	\$200.20
20	2402720-3575602	1	175 MV	LAS	1	100 HP	7/21/2015 2:02:03 PM	175 MV TO 100 HP	\$200.20
21	2403901-3568905	1	175 MV	LAS	1	100 HP	7/21/2015 1:45:16 PM	175 MV TO 100 HP	\$200.20
22	2401758-3571286	1	175 MV	LAS	1	100 HP	7/21/2015 11:18:10 AM	175 MV TO 100 HP	\$200.20
23	2401742-3570735	1	175 MV	LAS	1	100 HP	7/21/2015 11:14:32 AM	175 MV TO 100 HP	\$200.20
24	2400010-3571792	1	175 MV	LAS	1	100 HP	7/21/2015 10:20:02 AM	175 MV TO 100 HP	\$200.20
25	2400179-3571095	1	175 MV	LAS	1	100 HP	7/21/2015 10:16:18 AM	175 MV TO 100 HP	\$200.20
26	2399176-3568250	1	175 MV	LAS	1	100 HP	7/20/2015 11:30:01 AM	175 MV TO 100 HP	\$200.20
27	2396558-3574923	1	175 MV	LAS	1	100 HP	7/20/2015 5:45:16 PM	175 MV TO 100 HP	\$200.20
28	2396740-3574122	1	175 MV	LAS	1	100 HP	7/20/2015 5:32:56 PM	175 MV TO 100 HP	\$200.20
29	2397061-3572643	1	175 MV	LAS	1	100 HP	7/20/2015 4:14:53 PM	175 MV TO 100 HP	\$200.20

Lamesa_Inventory

Oncor Audit Results - Inventory Corrections

2015

30	2394203-3569788	1	175 MV	LAS	A^Edit	1	100 HP	7/20/2015 12:50:52 PM	175 MV TO 100 HP	\$200.20
31	2398363-3571887	1	175 MV	LAS	A^Edit	1	100 HP	7/20/2015 11:49:07 AM	175 MV TO 100 HP	\$200.20
32	2399007-3568947	1	175 MV	LAS	A^Edit	1	100 HP	7/20/2015 11:36:47 AM	175 MV TO 100 HP	\$200.20
33	2398655-3568863	1	175 MV	LAS	A^Edit	1	100 HP	7/20/2015 11:35:42 AM	175 MV TO 100 HP	\$200.20
34	2404245-3574630	1	175 MV	LAS	A^Edit	1	200 HP	7/21/2015 2:58:48 PM	175 MV TO 200 HP	(\$153.01)
35	2401321-3573348	1	175 MV	LAS	A^Edit	1	200 HP	7/21/2015 11:23:07 AM	175 MV TO 200 HP	(\$153.01)
36	2394550-3569370	1	175 MV	LAS	A^Edit	1	200 HP	7/20/2015 12:46:50 PM	175 MV TO 200 HP	(\$153.01)
37	2398015-3579916	1	200 HP	LAS	A^Edit	1	100 HP	7/21/2015 5:57:34 PM	200 HP TO 100 HP	\$359.43
38	2398178-3572919	1	200 HP	LAS	A^Edit	1	100 HP	7/20/2015 4:24:38 PM	200 HP TO 100 HP	\$359.43
39	2395006-3569478	1	200 HP	LAS	A^Edit	1	100 HP	7/20/2015 12:45:03 PM	200 HP TO 100 HP	\$359.43
40	2400265-3575784	1	200 HP	LAS	A^Edit	1	175 MV	7/21/2015 4:15:24 PM	200 HP TO 175 MV	\$159.23
41	2397898-3578007	2	400 MV	LAS	A^Edit	2	200 HP	7/21/2015 4:26:32 PM	400 MV (2) TO 200 HP (2)	\$996.34
42	2401218-3579526	1	400 MV	LAS	A^Edit	1	100 HP	7/21/2015 5:29:59 PM	400 MV TO 100 HP	\$1,098.67
43	2400762-3575595	1	400 MV	LAS	A^Edit	1	100 HP	7/21/2015 4:12:59 PM	400 MV TO 100 HP	\$1,098.67
44	2401354-3574876	1	400 MV	LAS	A^Edit	1	100 HP	7/21/2015 12:28:12 PM	400 MV TO 100 HP	\$1,098.67
45	2401048-3570528	1	400 MV	LAS	A^Edit	1	100 HP	7/20/2015 8:03:53 PM	400 MV TO 100 HP	\$1,098.67
46	2404500-3575304	1	400 MV	LAS	A^Edit	1	175 MV	7/21/2015 3:08:39 PM	400 MV TO 175 MV	\$898.48
47	2398865-3578281	1	400 MV	LAS	A^Edit	1	200 HP	7/21/2015 4:31:03 PM	400 MV TO 200 HP	\$498.17
48	2400188-3573397	1	400 MV	LAS	A^Edit	1	200 HP	7/21/2015 10:34:39 AM	400 MV TO 200 HP	\$498.17
49	2398335-3580725	1	400 MV	LAS	A^Edit	1	200 HP	7/21/2015 5:52:36 PM	400 MV TO 200 HP	\$498.17
50	2401043-3577504	1	400 MV	LAS	A^Edit	1	200 HP	7/21/2015 3:44:25 PM	400 MV TO 200 HP	\$498.17
51	2403066-3569486	1	400 MV	LAS	A^Edit	1	200 HP	7/21/2015 1:40:25 PM	400 MV TO 200 HP	\$498.17
52	2402895-3569821	1	400 MV	LAS	A^Edit	1	200 HP	7/21/2015 1:37:27 PM	400 MV TO 200 HP	\$498.17
53	2402971-3569878	1	400 MV	LAS	A^Edit	1	200 HP	7/21/2015 1:34:50 PM	400 MV TO 200 HP	\$498.17
54	2401975-3572311	1	400 MV	LAS	A^Edit	1	200 HP	7/21/2015 12:23:33 PM	400 MV TO 200 HP	\$498.17
55	2401194-3572916	1	400 MV	LAS	A^Edit	1	200 HP	7/21/2015 10:55:07 AM	400 MV TO 200 HP	\$498.17
56	2397999-3574925	1	400 MV	LAS	A^Edit	1	200 HP	7/20/2015 8:28:39 PM	400 MV TO 200 HP	\$498.17
57	2398425-3572977	1	400 MV	LAS	A^Edit	1	200 HP	7/20/2015 7:50:47 PM	400 MV TO 200 HP	\$498.17
58	2397142-3578561	1	400 MV	LAS	A^Edit	1	200 HP	7/20/2015 6:07:12 PM	400 MV TO 200 HP	\$498.17
59	2395958-3572419	1	400 MV	LAS	A^Edit	1	200 HP	7/20/2015 3:58:21 PM	400 MV TO 200 HP	\$498.17
60	2394234-3574508	1	400 MV	LAS	A^Edit	1	200 HP	7/20/2015 1:01:09 PM	400 MV TO 200 HP	\$498.17
		61				61				\$14,056.37

Oncor Audit Results - New Adds

2015

Line #	Lat	Log	Location	Qty	Owner	Light Type	Description	Audit Time Stamp
New Lights Added, Not in Billing System								
1	32.7370585779086	-101.950607372273	522-598 U.S. 87, Lamesa, TX 79331, USA	1	Oncor	100-HP	1ST STREET LIGHT E OF N DALLAS AVE, N SIDE OF NE 4TH ST. WOOD POLE. OPEN-BOTTOM STREET LIGHT FIXTURE. OH FEED.	7/21/2015 11:36:44 AM
2	32.7392544368493	-101.943526339819	710-798 Northeast 5th Street, Lamesa, TX 79331, USA	1	Oncor	175-MV	SE CORNER OF N FLINT AVE AND NE 5TH ST. NEEDS REPAIR TICKET FOR BROKEN GLASS.	7/21/2015 2:47:04 PM
3	32.7295556847482	-101.95983417063	209 South Bryan Avenue, Lamesa, TX 79331, USA	1	Oncor	200-HP	SW CORNER OF S 2ND ST. AND BRIAN AVE. WOOD POLE. COBRA STREETLIGHT FIXTURE. OH FEED.	7/20/2015 7:52:48 PM
4	32.741300077316	-101.963446140289	1207 North Bryan Avenue, Lamesa, TX 79331, USA	1	Oncor	200-HP	SW CORNER OF N 11TH ST. AND N BRIAN AVE. WOOD POLE. COBRA STREETLIGHT FIXTURE. OH FEED.	7/20/2015 6:18:04 PM
5	32.7322271749904	-101.968724727631	1700-1798 North 4th Street, Lamesa, TX 79331, USA	1	Oncor	200-HP	2ND STREET LIGHT W OF N AVE P, N SIDE OF N 4TH ST.	7/20/2015 4:37:21 PM
6	32.7374435703898	-101.962308883667	1006-1098 North 7th Street, Lamesa, TX 79331, USA	1	Oncor	200-HP	NW CORNER OF N BRIAN AVE AND N 7TH ST.	7/20/2015 6:26:25 PM
7	32.7437124069219	-101.963968205819	1001-1011 North 14th Street, Lamesa, TX 79331, USA	1	Oncor	200-HP	SE CORNER OF BRIAN AVE AND N 14TH ST. WOOD POLE. COBRA STREETLIGHT FIXTURE. OH FEED.	7/20/2015 8:35:12 PM

Oncor Audit Results - New Adds

2015

8	32.7266855487293	-101.947889328003	South 7th Street, Lamesa, TX 79331, USA	1	Oncor	400-HP	SE CORNER OF S DALLAS AVE AND S 7TH ST.	7/21/2015 12:22:00 PM
				8				

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: SEPTEMBER 15, 2015

AGENDA ITEM: 8

SUBJECT: **APPOINTMENT – LAMESA MUNICIPAL AIRPORT BOARD MEMBER TO FILL EXPIRED TERM OF DON CHILES**

PROCEEDING: Approval

SUBMITTED BY: Recommendation of the Lamesa Municipal Airport Board and City Staff

AUTHORITY: *Code of Ordinances, Section 1.10.031-33, Municipal Airports Act, Article 46d-14 and Local Government Code, Section 241.031*

SUMMARY STATEMENT

Consider appointing one (1) member to the Lamesa Municipal Airport Board, to fill the expired term of Don Chiles, for a one (1) year term ending on December 2016. *(Mr. Don Chiles has been recommended by the Lamesa Municipal Airport Board to be reappointed to the board. Mr. Don Chiles has agreed to serve). "The city airport board shall be composed of six (6) members, three (3) to be appointed by the city council and three (3) members to be appointed by the commissioners court of the county."*

COUNCIL ACTION

Motion by Council Member _____ to approve _____ to fill the expired term of Don Chiles (term ending December 2016). Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

VOTING: "AYE" _____ "NAY" _____ "ABSTAIN" _____

CITY MANAGER'S MEMORANDUM

The Lamesa Municipal Airport Board Member selected will serve a term ending December 2016. The Lamesa Municipal Airport Board requested to stagger the terms of the board members so that only one City and County board member expires each year. City staff recommends approval of this item.

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: SEPTEMBER 15, 2015

AGENDA ITEM: 9

SUBJECT: **APPOINTMENT – LAMESA MUNICIPAL AIRPORT BOARD MEMBER TO FILL EXPIRED TERM OF MIKE HUGHES**

PROCEEDING: Approval

SUBMITTED BY: Recommendation of the Lamesa Municipal Airport Board and City Staff

AUTHORITY: Code of Ordinances, Section 1.10.031-33, Municipal Airports Act, Article 46d-14 and Local Government Code, Section 241.031

SUMMARY STATEMENT

Consider appointing one (1) member to the Lamesa Municipal Airport Board, to fill the expired term of Mike Hughes, for a two (2) year term ending on December 2017. *(Mr. Mike Hughes has been recommended by the Lamesa Municipal Airport Board to be reappointed to the board. Mr. Mike Hughes has agreed to serve). "The city airport board shall be composed of six (6) members, three (3) to be appointed by the city council and three (3) members to be appointed by the commissioners court of the county."*

COUNCIL ACTION

Motion by Council Member _____ to approve _____ to fill the expired term of Mike Hughes (term ending December 2017). Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

VOTING: "AYE" _____ "NAY" _____ "ABSTAIN" _____

CITY MANAGER'S MEMORANDUM

The Lamesa Municipal Airport Board Member selected will serve a term ending December 2016. The Lamesa Municipal Airport Board requested to stagger the terms of the board members so that only one City and County board member expires each year. City staff recommends approval of this item.

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: SEPTEMBER 15, 2015

AGENDA ITEM: 10

SUBJECT: **APPOINTMENT – LAMESA MUNICIPAL AIRPORT BOARD MEMBER TO FILL EXPIRED TERM OF HAROLD HOLLADAY**
PROCEEDING: Approval
SUBMITTED BY: Recommendation of the Lamesa Municipal Airport Board and City Staff
AUTHORITY: Code of Ordinances, Section 1.10.031-33, Municipal Airports Act, Article 46d-14 and Local Government Code, Section 241.031

SUMMARY STATEMENT

Consider appointing one (1) member to the Lamesa Municipal Airport Board, to fill the expired term of Harold Holladay, for a three (3) year term ending on December 2018. *(Mr. Harold Holladay has been recommended by the Lamesa Municipal Airport Board to be reappointed to the board. Mr. Harold Holladay has agreed to serve). "The city airport board shall be composed of six (6) members, three (3) to be appointed by the city council and three (3) members to be appointed by the commissioners court of the county."*

COUNCIL ACTION

Motion by Council Member _____ to approve _____ to fill the expired term of Harold Holladay (term ending December 2018). Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

VOTING: "AYE" _____ "NAY" _____ "ABSTAIN" _____

CITY MANAGER'S MEMORANDUM

The Lamesa Municipal Airport Board Member selected will serve a term ending December 2016. The Lamesa Municipal Airport Board requested to stagger the terms of the board members so that only one City and County board member expires each year. City staff recommends approval of this item.

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: SEPTEMBER 15, 2015

AGENDA ITEM: 11

SUBJECT: **APPROVAL OF APPLICATION FOR FISCAL YEAR 2016
TxDOT AIRPORT RAMP GRANT:**

PROCEEDING: Approval

SUBMITTED BY: Lamesa Municipal Airport Board, John Farris, Lamesa Municipal
Airport Board Secretary/Treasurer

EXHIBITS: ~~Ordinance~~ TxDOT Grant for Routine Airport Maintenance Program
Document – M1605LAME

AUTHORITY: *Municipal Airports Act, Article 46d-14 and Local Government
Code, Section 241.031 and City Charter*

SUMMARY STATEMENT

TxDOT's Routine Airport Maintenance Program is granted solely and exclusively for airport maintenance and other incidental items as approved by the State. State financial assistance will be for fifty percent (50%) of the eligible project costs or \$50,000, whichever is less, per fiscal year and subject to availability of state appropriations. The following is a list of eligible expenses: services/purchase materials for routine maintenance/improvement of airport pavements, signage drainage, AWOS systems, approach aids, lighting systems, utility infrastructure, fencing, herbicide/application, sponsor owned and operated fuel systems, hangars, terminal buildings and security systems; professional services for environmental compliance, approved project design and special projects to be determined and added by amendment.

COUNCIL ACTION

Motion by Council Member _____ to pass a resolution to submit an application for FY 2016 TxDOT Routine Airport Maintenance Grant with a 50% grant match to be equally funded by the City of Lamesa and Dawson County. Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

VOTING: "AYE" _____ "NAY" _____ "ABSTAIN" _____

CITY MANAGER'S MEMORANDUM

City staff recommends approval of this item.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS, APPROVING AN APPLICATION FOR A FISCAL YEAR 2016 TXDOT GENERAL ROUTINE AIRPORT MAINTENANCE PROGRAM GRANT AND AUTHORIZING THE MAYOR TO ACT AS THE CITY'S AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO SAID GRANT APPLICATION.

On this the 15th day of September, 2015, there came on and was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas, held pursuant to the provisions of the Texas Open Meetings Act (Texas Govt. Code, Chapter 551); there being a quorum present and acting throughout the meeting, the following resolution was formally submitted by motion and duly seconded for the consideration and action of the meeting, to wit:

WHEREAS, the City Council of the City of Lamesa, wishes to apply for a Fiscal Year 2016 TxDOT General Routine Airport Maintenance Program grant; and

WHEREAS, the City of Lamesa and Dawson County will match an equal amount of funds with respect to the General Routine Airport Maintenance Program; and

WHEREAS, the City Council wishes to authorize the City Manager to execute the grant application as herein described.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS:

That the City of Lamesa apply for the Fiscal Year 2016 TxDOT General Routine Airport Maintenance Program (RAMP) grant; and

That Shawna D. Burkhart, the City Manager of the City of Lamesa be, and she is hereby, authorized to execute such application on behalf of the City of Lamesa.

Upon being put to a vote, the resolution was Passed, Approved, and Adopted this 15th day of September, 2015, by a majority vote and ordered to be spread upon the minutes of the Council of the City of Lamesa, Texas, and recorded in the resolution book thereafter.

ATTEST:

APPROVED:

Shawna D. Burkhart
City Manager

Dave Nix
Mayor

**TEXAS DEPARTMENT OF TRANSPORTATION
GRANT FOR ROUTINE AIRPORT MAINTENANCE PROGRAM**

(State Assisted Airport Routine Maintenance)

TxDOT CSJ No.: M1605LAME

Part I - Identification of the Project

TO: The City of Lamesa and Dawson County, Texas

FROM: The State of Texas, acting through the Texas Department of Transportation

This Grant is made between the Texas Department of Transportation, (hereinafter referred to as the "State"), on behalf of the State of Texas, and the City of Lamesa and Dawson County, Texas, (hereinafter referred to as the "Sponsor").

This Grant Agreement is entered into between the State and Sponsor shown above, under the authority granted and in compliance with the provisions of the Transportation Code Chapter 21.

The project is for **airport maintenance** at the Lamesa Municipal Airport.

Part II - Offer of Financial Assistance

1. For the purposes of this Grant, the annual routine maintenance project cost, Amount A, is estimated as found on Attachment A, Scope of Services, attached hereto and made a part of this grant agreement.

State financial assistance granted will be used solely and exclusively for airport maintenance and other incidental items as approved by the State. Actual work to be performed under this agreement is found on Attachment A, Scope of Services. State financial assistance, Amount B, will be for fifty percent (50%) of the eligible project costs for this project or \$50,000.00, whichever is less, per fiscal year and subject to availability of state appropriations.

Scope of Services, Attachment A, of this Grant, may be amended, subject to availability of state funds, to include additional approved airport maintenance work. Scope amendments require submittal of an Amended Scope of Services, Attachment A.

Services will not be accomplished by the State until receipt of Sponsor's share of project costs.

Only work items as described in Attachment A, Scope of Services of this Grant are reimbursable under this grant.

Work shall be accomplished by August 31, 2016, unless otherwise approved by the State.

2. The State shall determine fair and eligible project costs for work scope. Sponsor's share of estimated project costs, Amount C, shall be as found on Attachment A and any amendments.

It is mutually understood and agreed that if, during the term of this agreement, the State determines that there is an overrun in the estimated annual routine maintenance costs, the State may increase the grant to cover the amount of the overrun within the above stated percentages and subject to the maximum amount of state funding.

The State will not authorize expenditures in excess of the dollar amounts identified in this Agreement and any amendments, without the consent of the Sponsor.

3. Sponsor, by accepting this Grant certifies and, upon request, shall furnish proof to the State that it has sufficient funds to meet its share of the costs. The Sponsor grants to the State the right to audit any books and records of the Sponsor to verify expended funds.

Upon execution of this Agreement and written demand by the State, the Sponsor's financial obligation (Amount C) shall be due in cash and payable in full to the State. State may request the Sponsor's financial obligation in partial payments. Should the Sponsor fail to pay their obligation, either in whole or in part, within 30 days of written demand, the State may exercise its rights under Paragraph V-3. Likewise, should the State be unwilling or unable to pay its obligation in a timely manner, the failure to pay shall be considered a breach and the Sponsor may exercise any rights and remedies it has at law or equity.

The State shall reimburse or credit the Sponsor, at the financial closure of the project, any excess funds provided by the Sponsor which exceed Sponsor's share (Amount C).

4. The Sponsor specifically agrees that it shall pay any project costs which exceed the amount of financial participation agreed to by the State. It is further agreed that the Sponsor will reimburse the State for any payment or payments made by the State which are in excess of the percentage of financial assistance (Amount B) as stated in Paragraph II-1.
5. Scope of Services may be accomplished by State contracts or through local contracts of the Sponsor as determined appropriate by the State. All locally contracted work must be approved by the State for scope and reasonable cost. Reimbursement requests for locally contracted work shall be submitted on forms provided by the State and shall include copies of the invoices for materials or services. Payment shall be made for no more than 50% of allowable charges.

The State will not participate in funding for force account work conducted by the Sponsor.

6. This Grant shall terminate upon completion of the scope of services.

Part III - Sponsor Responsibilities

1. In accepting this Grant, if applicable, the Sponsor guarantees that:
 - a. it will, in the operation of the facility, comply with all applicable state and federal laws, rules, regulations, procedures, covenants and assurances required by the State in connection with this Grant; and
 - b. the Airport or navigational facility which is the subject of this Grant shall be controlled by the Sponsor for a period of at least 20 years; and
 - c. consistent with safety and security requirements, it shall make the airport or air navigational facility available to all types, kinds and classes of aeronautical use without discrimination between such types, kinds and classes and shall provide adequate public access during the period of this Grant; and
 - d. it shall not grant or permit anyone to exercise an exclusive right for the conduct of aeronautical activity on or about an airport landing area. Aeronautical activities include, but are not limited to scheduled airline flights, charter flights, flight instruction, aircraft sales, rental and repair, sale of aviation petroleum products and aerial applications. The landing area consists of runways or landing strips, taxiways, parking aprons, roads, airport lighting and navigational aids; and
 - e. it shall not enter into any agreement nor permit any aircraft to gain direct ground access to the sponsor's airport from private property adjacent to or in the immediate area of the airport. Further, Sponsor shall not allow aircraft direct ground access to private property. Sponsor shall be subject to this prohibition, commonly known as a "through-the-fence operation," unless an exception is granted in writing by the State due to extreme circumstances; and
 - f. it shall not permit non-aeronautical use of airport facilities without prior approval of the State; and
 - g. the Sponsor shall submit to the State annual statements of airport revenues and expenses when requested; and
 - h. all fees collected for the use of the airport shall be reasonable and nondiscriminatory. The proceeds from such fees shall be used solely for the development, operation and maintenance of the airport or navigational facility; and

- i. an Airport Fund shall be established by resolution, order or ordinance in the treasury of the Sponsor, or evidence of the prior creation of an existing airport fund or a properly executed copy of the resolution, order, or ordinance creating such a fund, shall be submitted to the State. The fund may be an account as part of another fund, but must be accounted for in such a manner that all revenues, expenses, retained earnings, and balances in the account are discernible from other types of moneys identified in the fund as a whole. All fees, charges, rents, and money from any source derived from airport operations must be deposited in the Airport Fund and shall not be diverted to the general revenue fund or any other revenue fund of the Sponsor. All expenditures from the Airport Fund shall be solely for airport purposes. Sponsor shall be ineligible for a subsequent grant or loan by the State unless, prior to such subsequent approval of a grant or loan, Sponsor has complied with the requirements of this subparagraph; and
 - j. the Sponsor shall operate runway lighting at least at low intensity from sunset to sunrise; and
 - k. insofar as it is reasonable and within its power, Sponsor shall adopt and enforce zoning regulations to restrict the height of structures and use of land adjacent to or in the immediate vicinity of the airport to heights and activities compatible with normal airport operations as provided in Tex. Loc. Govt. Code Ann. Sections 241.001 et seq. (Vernon and Vernon Supp.). Sponsor shall also acquire and retain aviation easements or other property interests in or rights to use of land or airspace, unless sponsor can show that acquisition and retention of such interest will be impractical or will result in undue hardship to Sponsor. Sponsor shall be ineligible for a subsequent grant or loan by the State unless Sponsor has, prior to subsequent approval of a grant or loan, adopted and passed an airport hazard zoning ordinance or order approved by the State.
2. The Sponsor, to the extent of its legal authority to do so, shall save harmless the State, the State's agents, employees or contractors from all claims and liability due to activities of the Sponsor, the Sponsor's agents or employees performed under this agreement. The Sponsor, to the extent of its legal authority to do so, shall also save harmless the State, the State's agents, employees or contractors from any and all expenses, including attorney fees which might be incurred by the State in litigation or otherwise resisting claim or liabilities which might be imposed on the State as the result of those activities by the Sponsor, the Sponsor's agents or employees.
3. The Sponsor's acceptance of this Offer and ratification and adoption of this Grant shall be evidenced by execution of this Grant by the Sponsor. The Grant shall comprise a contract, constituting the obligations and rights of the State of Texas and the Sponsor with respect to the accomplishment of the project and the operation and maintenance of the airport.

If it becomes unreasonable or impractical to complete the project, the State may void this agreement and release the Sponsor from any further obligation of project costs.

4. Upon entering into this Grant, Sponsor agrees to name an individual, as the Sponsor's Authorized Representative, who shall be the State's contact with regard to this project. The Representative shall receive all correspondence and documents associated with this grant and shall make or shall acquire approvals and disapprovals for this grant as required on behalf of the Sponsor, and coordinate schedule for work items as required.
5. By the acceptance of grant funds for the maintenance of eligible airport buildings, the Sponsor certifies that the buildings are owned by the Sponsor. The buildings may be leased but if the lease agreement specifies that the lessee is responsible for the upkeep and repairs of the building no state funds shall be used for that purpose.
6. Sponsor shall request reimbursement of eligible project costs on forms provided by the State. All reimbursement requests are required to include a copy of the invoices for the materials or services. The reimbursement request will be submitted no more than once a month.
7. The Sponsor's acceptance of this Agreement shall comprise a Grant Agreement, as provided by the Transportation Code, Chapter 21, constituting the contractual obligations and rights of the State of Texas and the Sponsor with respect to the accomplishment of the airport maintenance and compliance with the assurances and conditions as provided. Such Grant Agreement shall become effective upon the State's written Notice to Proceed issued following execution of this agreement.

PART IV - Nomination of the Agent

1. The Sponsor designates the State as the party to receive and disburse all funds used, or to be used, in payment of the costs of the project, or in reimbursement to either of the parties for costs incurred.
2. The State shall, for all purposes in connection with the project identified above, be the Agent of the Sponsor. The Sponsor grants the State a power of attorney to act as its agent to perform the following services:
 - a. accept, receive, and deposit with the State any and all project funds granted, allowed, and paid or made available by the Sponsor, the State of Texas, or any other entity;
 - b. enter into contracts as necessary for execution of scope of services;
 - c. if State enters into a contract as Agent: exercise supervision and direction of the project work as the State reasonably finds appropriate. Where there is an irreconcilable conflict or difference of opinion, judgment, order or direction

between the State and the Sponsor or any service provider, the State shall issue a written order which shall prevail and be controlling;

- d. receive, review, approve and pay invoices and payment requests for services and materials supplied in accordance with the State approved contracts;
- e. obtain an audit as may be required by state regulations; the State Auditor may conduct an audit or investigation of any entity receiving funds from TxDOT directly under this contract or indirectly through a subcontract under this contract. Acceptance of funds directly under this contract or indirectly through a subcontract under this contract acts as acceptance of the authority of the State Auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.
- f. reimburse sponsor for approved contract maintenance costs no more than once a month.

PART V - Recitals

- 1. This Grant is executed for the sole benefit of the contracting parties and is not intended or executed for the direct or incidental benefit of any third party.
- 2. It is the intent of this grant to not supplant local funds normally utilized for airport maintenance, and that any state financial assistance offered under this grant be in addition to those local funds normally dedicated for airport maintenance.
- 3. This Grant is subject to the applicable provisions of the Transportation Code, Chapters 21 and 22, and the Airport Zoning Act, Tex. Loc. Govt. Code Ann. Sections 241.001 et seq. (Vernon and Vernon Supp.). Failure to comply with the terms of this Grant or with the rules and statutes shall be considered a breach of this contract and will allow the State to pursue the remedies for breach as stated below.
 - a. Of primary importance to the State is compliance with the terms and conditions of this Grant. If, however, after all reasonable attempts to require compliance have failed, the State finds that the Sponsor is unwilling and/or unable to comply with any of the terms of this Grant, the State, may pursue any of the following remedies: (1) require a refund of any financial assistance money expended pursuant to this Grant, (2) deny Sponsor's future requests for aid, (3) request the Attorney General to bring suit seeking reimbursement of any financial assistance money expended on the project pursuant to this Grant, provided however, these remedies shall not limit the State's authority to enforce its rules, regulations or orders as otherwise provided by law, (4) declare this Grant null and void, or (5)

any other remedy available at law or in equity.

- b. Venue for resolution by a court of competent jurisdiction of any dispute arising under the terms of this Grant, or for enforcement of any of the provisions of this Grant, is specifically set by Grant of the parties in Travis County, Texas.
- 4. The State reserves the right to amend or withdraw this Grant at any time prior to acceptance by the Sponsor. The acceptance period cannot be greater than 30 days after issuance unless extended by the State.
- 5. This Grant constitutes the full and total understanding of the parties concerning their rights and responsibilities in regard to this project and shall not be modified, amended, rescinded or revoked unless such modification, amendment, rescission or revocation is agreed to by both parties in writing and executed by both parties.
- 6. All commitments by the Sponsor and the State are subject to constitutional and statutory limitations and restrictions binding upon the Sponsor and the State (including Sections 5 and 7 of Article 11 of the Texas Constitution, if applicable) and to the availability of funds which lawfully may be applied.

Part VI - Acceptances

Sponsor

The City of Lamesa, Texas, does ratify and adopt all statements, representations, warranties, covenants, agreements, and all terms and conditions of this Grant.

Executed this _____ day of _____, 20__.

The City of Lamesa, Texas

Sponsor

Witness Signature

Sponsor Signature

Witness Title

Sponsor Title

Certificate of Attorney

I, _____, acting as attorney for City of Lamesa, Texas, do certify that I have fully examined the Grant and the proceedings taken by the Sponsor relating to the acceptance of the Grant, and find that the manner of acceptance and execution of the Grant by the Sponsor, is in accordance with the laws of the State of Texas.

Dated at _____, Texas, this _____ day of _____, 20__.

Witness Signature

Attorney's Signature

Witness Title

Part VI - Acceptances

Sponsor

Dawson County, Texas, does ratify and adopt all statements, representations, warranties, covenants, agreements, and all terms and conditions of this Grant.

Executed this _____ day of _____, 20____.

Dawson County, Texas

Sponsor

Witness Signature

Sponsor Signature

Witness Title

Sponsor Title

Certificate of Attorney

I, _____, acting as attorney for Dawson County, Texas, do certify that I have fully examined the Grant and the proceedings taken by the Sponsor relating to the acceptance of the Grant, and find that the manner of acceptance and execution of the Grant by the Sponsor, is in accordance with the laws of the State of Texas.

Dated at _____, Texas, this _____ day of _____, 20____.

Witness Signature

Attorney's Signature

Witness Title

Acceptance of the State

Executed by and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs and grants heretofore approved and authorized by the Texas Transportation Commission.

STATE OF TEXAS
TEXAS DEPARTMENT OF TRANSPORTATION

By: _____

Date: _____

**Attachment A
Scope of Services
TxDOT CSJ No.:M1605LAME**

Eligible Scope Item:	Estimated Costs Amount A	State Share Amount B	Sponsor Share Amount C
GENERAL MAINTENANCE	\$50,000.00	\$25,000.00	\$25,000.00
Special Project	\$0.00	\$0.00	\$0.00
Special Project	\$0.00	\$0.00	\$0.00
Special Project	\$0.00	\$0.00	\$0.00
Special Project	\$0.00	\$0.00	\$0.00
Special Project	\$0.00	\$0.00	\$0.00
TOTAL	\$50,000.00	\$25,000.00	\$25,000.00

Accepted by: The City of Lamesa, Texas

Accepted by: Dawson County, Texas

Signature

Signature

Title: _____

Title: _____

Date: _____

Date: _____

Notes: (explanations of any specifications or variances as needed for above scope items)_____

GENERAL MAINTENANCE: As needed, Sponsor may contract for services/purchase materials for routine maintenance/improvement of airport pavements, signage, drainage, AWOS systems, approach aids, lighting systems, utility infrastructure, fencing, herbicide/application, sponsor owned and operated fuel systems, hangars, terminal buildings and security systems; professional services for environmental compliance, approved project design. Special projects to be determined and added by amendment.

Only work items as described in Attachment A, Scope of Services of this Grant are reimbursable under this grant.

CERTIFICATION OF AIRPORT FUND

TxDOT CSJ No.: M1605LAME

The City of Lamesa and Dawson County do certify that an Airport Fund has been established for the Sponsor, and that all fees, charges, rents, and money from any source derived from airport operations will be deposited for the benefit of the Airport Fund and will not be diverted for other general revenue fund expenditures or any other special fund of the Sponsor and that all expenditures from the Fund will be solely for airport purposes. The fund may be an account as part of another fund, but must be accounted for in such a manner that all revenues, expenses, retained earnings, and balances in the account are discernible from other types of moneys identified in the fund as a whole.

Accepted by: The City of Lamesa, Texas
(Sponsor)

Accepted by: Dawson County, Texas
(Sponsor)

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

Certification of State Single Audit Requirements

We, _____, and _____ do certify that the
(Designated Representative) (Designated Representative)

City of Lamesa and Dawson County will comply with all requirements of the State of Texas Single Audit Act if the City of Lamesa and Dawson County spends or receives more than the threshold amount in any grant funding sources during the most recently audited fiscal year. And in following those requirements, the City of Lamesa and Dawson County will submit the report to the audit division of the Texas Department of Transportation. If your entity did not meet the threshold in grant receivables or expenditures, please submit a letter indicating that your entity is not required to have a State Single Audit performed for the most recently audited fiscal year.

Signature

Signature

Title

Title

Date

Date

DESIGNATION OF SPONSOR'S AUTHORIZED REPRESENTATIVE

TxDOT CSJ Number: M1605LAME

The City of Lamesa and Dawson County designate _____
(Name, Title)

as the Sponsor's authorized representative, who shall receive all correspondence and documents associated with this grant and who shall make or shall acquire approvals and disapprovals for this grant as required on behalf of the Sponsor.

Accepted by: The City of Lamesa, Texas
(Sponsor)

Accepted by: Dawson County, Texas
(Sponsor)

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

DESIGNATED REPRESENTATIVE

Mailing Address: _____

Overnight Mailing Address: _____

Telephone/Fax Number: _____

Email address: _____

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: SEPTEMBER 15, 2015

AGENDA ITEM: 12

SUBJECT: **BUDGET AMENDMENT II**
PROCEEDING: Ordinance, 2nd and Final Reading
SUBMITTED BY: City Staff
EXHIBITS: Ordinance
AUTHORITY: City Charter

SUMMARY STATEMENT

Consider amending Ordinance No. O-18-14 on first reading with respect to October 1, 2014 and ending September 30, 2015 fiscal year budget to appropriate funds for;

	<u>Revenues</u>	<u>Expenditures</u>
Forfeiture Fund (Fund 24)	\$5,000	\$5,000

COUNCIL ACTION

DISCUSSION: _____

Motion by Council Member _____ to _____.

Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

VOTING: "AYE" _____ "NAY" _____ "ABSTAIN" _____

CITY MANAGER'S MEMORANDUM

Recommend passage on 2nd and Final reading.

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF LAMESA, TEXAS, AMENDING
ORDINANCE NO. 0-18-14 TO APPROPRIATE FUNDS IN THE CITY
OF LAMESA BUDGET FOR FISCAL YEAR 2014-2015.**

On the 25th day of August, 2015, 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. 0-18-14 to make certain revisions to the 2014-2015 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 2014-2015 Budget contained in Ordinance No. 0-18-14 be, and same is hereby, amended to change the amount appropriated for;

	<u>Revenues</u>	<u>Expenditures</u>
Forfeiture Fund (Fund 24)	\$5,000	\$5,000

SECTION 2. Effective date: That this Ordinance shall become effective as of this September 24, 2015.

SECTION 4. 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 August 25, 2015 by a majority vote; and then on September 15, 2015, there came on and was held at the regular meeting place, the City Hall, 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 foregoing ordinance was formally submitted by motion and duly seconded for the consideration and action of the meeting, and upon being put to a vote, the foregoing ordinance was Passed on Second and Final Reading and Adopted this September 15, 2015 by a majority vote and ordered to be spread upon the minutes of the City Council of the City of Lamesa, Texas and recorded in the ordinance book thereafter.

ATTEST:

Shawna D. Burkhart
City Manager

APPROVED:

Dave Nix
Mayor

**CITY OF LAMESA
BUDGET AMENDMENT 2015-02 FOR FY 2014/2015**

FORFEITURE FUND (FUND 24)

The City Police Department has received forfeiture funds totaling \$27,777.36 to date. The budget amendment will allow for the purchase of cameras and lenses for crime scene processing and field kits for latent print processing. In addition, physical fitness equipment will be purchased for officer training and conditioning. All proposed expenditures are allowable expenses as defined in Chapter 59 of the Texas Code of Criminal Procedure.

Increase Revenues (Fund 24 Fund Balance)	\$ 5,000.00
Increase Expenditures (24-5501201 – Police Equipment)	\$ 5,000.00

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: SEPTEMBER 15, 2015

AGENDA ITEM: 13

SUBJECT: PUBLIC HEARING ON REQUEST FOR ZONE CHANGE – 308 SOUTH HOUSTON

PROCEEDING: Public Hearing

SUBMITTED BY: Wayne Smith, Building Inspector

AUTHORITY: City Charter, City Code, Texas Government Code

SUMMARY STATEMENT

Public hearing to consider the petition of Craig Woodward, 308 South Houston to change the zoning district from: R-1 Single Family Residential to zoning district C-1 Local Retail for rental property for commercial use of the following property:

North ½ of Lots 10, 11 & 12, Block 37 of Original Town of Lamesa, Dawson County, Texas.

PUBLIC HEARING

The Mayor will ask if anyone wishes to speak regarding said property located at 308 South Houston:

The following persons spoke:

Following the public comments the Mayor will close the public hearing.

CITY MANAGER'S MEMORANDUM

See attached P&Z final report, P&Z public hearing was held on August 27th, 2015.

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: SEPTEMBER 15, 2015

AGENDA ITEM: 14

SUBJECT: **REQUEST FOR ZONE CHANGE – 308 SOUTH HOUSTON**
PROCEEDING: Ordinance
SUBMITTED BY: Wayne Smith
EXHIBITS: P&Z Minutes and Map of Location
AUTHORITY: City Charter, City Code and Texas Government Code

SUMMARY STATEMENT

Consider passing an Ordinance on first reading changing the zoning of 308 South Houston from: R-1 Single Family Residential to zoning district C-1 Local Retail for rental property for commercial use of the following property:

North ½ of Lots 10, 11 & 12, Block 37 of Original Town of Lamesa, Dawson County, Texas.

COUNCIL ACTION

Motion by Council Member _____ to approve an Ordinance on first reading changing the zoning of 308 South Houston from R-1 Single Family Residential to zoning district C-1 Local Retail for rental property for commercial use. Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

VOTING: "AYE" _____ "NAY" _____ "ABSTAIN" _____

CITY MANAGER'S MEMORANDUM

The P & Z Commission met on August 27th, 2015. All notices and publications have been posted to comply with city codes for holding this public hearing and possible action by City Council.

ORDINANCE NO.: _____

AN ORDINANCE GRANTING A ZONE CHANGE FOR A TRACT OF LAND DESCRIBED AS THE NORTH ONE-HALF OF LOTS 10, 11 AND 12, BLOCK 37, OF THE ORIGINAL TOWN OF LAMESA, DAWSON COUNTY, TEXAS, FROM DISTRICT R-1 (SINGLE-FAMILY RESIDENTIAL) TO DISTRICT C-1 (LOCAL RETAIL) UPON RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION.

On the this 15th day of September, 2015, there came on and was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas, held pursuant to the provisions of the Texas Open Meetings Act, and 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 Code of Ordinances of the City of Lamesa provides that the zoning districts of said city may be changed upon application of the property owner and upon recommendation of the Planning and Zoning Commission of the City; and

WHEREAS, an application has been made to change the zoning of the following described property located at 308 South Houston Avenue, Lamesa, Texas, from a District R-1 (Single-family Residential) to a District C-1 (Local Retail), to-wit:

All of the North One-half of Lots 10, 11 and 12, Block 37, of the Original Town of Lamesa, Dawson County, Texas; and

WHEREAS, said property is located within the city limits of the City of Lamesa, Texas, and is within a district zoned as R-1 (Single-family residential); and

WHEREAS, the Planning and Zoning Commission of the City of Lamesa, Texas, after hearing such application and the arguments for and against the same, has voted to recommend to the City Council of the City of Lamesa, Texas, that such request for a change in the zoning of such property be granted; and

WHEREAS, a public hearing, where all interested persons were provided with an opportunity to be heard on the proposed zone change, was held at City Hall, 601 South First Street, in the City of Lamesa, Texas, on September 15, 2015, which date is not less than fifteen days prior to the publication of a notice of such hearing in the Lamesa Press-Reporter, a newspaper of general circulation in the City of Lamesa, Texas;

WHEREAS, after such hearing, the City Council of the City of Lamesa, Texas, finds that the recommendation of the Planning and Zoning Commission of the City of Lamesa, Texas, should be accepted and such zone change granted.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS:

SECTION ONE: That the request to change the zoning of the following described property located at 308 South Houston Avenue, Lamesa, Texas, from a District R-1 (Single-family Residential) to a District C-1 (Local Retail), to-wit:

All of the North One-half of Lots 10, 11 and 12, Block 37, of the Original Town of Lamesa, Dawson County, Texas;

be, and the same is hereby, **Granted**.

SECTION TWO: The provisions of this ordinance are to be cumulative and shall constitute an amendment to the zoning ordinance of the City of Lamesa, Texas, only as it applies to the hereinabove described property.

SECTION THREE: The descriptive caption of this ordinance shall be published in the manner and for the length of time prescribed by Article IV, Section 24 of the City Charter.

Upon being put to a vote, the foregoing ordinance was Passed, on First Reading on the 15th day of September, 2015, by a majority vote.

ATTEST:

APPROVED:

Shawna D. Burkhart
City Manager

Dave Nix
Mayor

S-1st St

1st

Danny Weatherman

S-3rd St

City Hall

S Houston Ave

Water Department

S Austin Ave

308 S Houston

S Avenue F

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Google

1991

Imagery Date: 1/16/2014 32°43'49.46"N 101°57'14.08"W elev 2976 ft eye alt 4108

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

MINUTES

On August 27, 2015 there came on and was held a meeting of the Planning and Zoning Commission of the City of Lamesa, Texas, with the following members present:

	John Hegi	Member
	Gary Culp	Member
ABSENT-----	Bob Henderson	Member
ABSENT-----	Ray Stephens	Member
	Larry Allison	Member
	Sam Adams	Member
	Richard Leonard	Member
ABSENT-----	Jinkin Ortiz	Alternate Member
	Barney Blount	Alternate Member

Also Meeting:

Wayne Smith	Chief Inspector
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A quorum being present and acting throughout the meeting, the following among other proceedings were held.

1. CALL TO ORDER:

2. A quorum being present and acting throughout the meeting, the following cases were considered:

APPROVAL OF THE MINUTES: Consider all matters incidental and related to ratify and approve the minutes of the Planning and Zoning commission concerning each of the matters listed on the agenda of the regular meeting of the Planning and Zoning Commission of the City of Lamesa, Texas held on **July 30, 2015**.

Larry Allison was noted as absent at the previous meeting and was present. A motion to approve the minutes as amended was made by GARY CULP and seconded by Richard Leonard.

VOTING: "AYE" 6 "NAY" 0 "ABSTAIN" 0

3. CASE NO. PZ 15-9: To consider the petition of CRAIG WOODWARD 2310 CR U LAMESA, TEXAS 79331 to change the zone of the following property:

**NORTH 1/2 OF LOTS 10, 11, & 12 BLOCK 37 ORIGINAL
TOWN ADDITION TO the City of Lamesa, Dawson
County, Texas**

located at 304 SOUTH HOUSTON (TO BE CHANGED TO 308 SOUTH HOUSTON)
from zoning district R-1 SINGLE FAMILY RESIDENTIAL to zoning district C-1 LOCAL
RETAIL for RENTAL PROPERTY FOR COMMERCIAL USE.

Discussion: The application of Craig Woodward was presented. The use of the property is undetermined but will be a commercial use, possibly a pipe storage yard. Twelve letters were sent to surrounding property owners, no response was returned. This property is contiguous to other commercial and industrial zoned property. A motion to recommend approval of the application was made by Gary Culp and seconded by Richard Leonard. Upon being put to a vote the motion passed.

VOTING: "AYE" 6 "NAY" 0 "ABSTAIN" 0

4. CASE NO. PZ 15-10: To consider the petition of KING GIN CO. CHARLIE KING, PO BOX 1272 LAMESA, TEXAS 79331 to change the zone of the following property:

**LOTS 3, 4, 5, 6 BLOCK 3 OF THE TIDWELL ADDITION TO
the City of Lamesa, Dawson County, Texas**

located at 306-312 NE 2ND from zoning district R-1 SINGLE FAMLY RESIDENTIAL to zoning district I-1 LIGHT INDUSTRY for TRUCK PARKING.

Discussion: The application of Charlie King was presented. The property will be used for oil field truck parking. Ten letters were sent to surrounding property owners, no response was returned. This property is contiguous to another I-2 zoned property. A motion to recommend approval of the application was made by Richard Leonard and seconded by Larry Allison. Upon being put to a vote the motion passed.

VOTING: "AYE" 6 "NAY" 0 "ABSTAIN" 0

5. CASE NO. PZ 15-11: To consider the petition of PAM KOEHLER 401 N 15TH LAMESA, TEXAS 79331 to change the zone of the following property:

**LOTS 1-3 AND WEST 40 OF LOT 4 BLOCK 2 OF THE JH
BARRON ADDITION TO the City of Lamesa, Dawson
County, Texas**

located at 1211 NORTH 7TH from zoning district R-1 SINGLE FAMILY RESIDENTIAL to zoning district R-1 SINGLE FAMILY RESIDENTIAL WITH A ZONING VARIANCE FOR PLACEMENT OF A MANUFACTURED HOME for PLACEMENT OF 2004 CLAYTON PINEHURST MANUFACTURED HOME (52' X 32').

Discussion: The application of Pam Koehler was presented. Mrs. Koehler requests a zoning variance for placement of a 2004 Clayton Pinehurst home on the property at 1211 N 7th. Fifteen letters were sent to surrounding property owners, two letters in favor of the variance were returned. This property has had a manufactured home on it in the past and has several other manufactured homes in the immediate area. A motion by Barney Blount to recommend approval of the application was made, Gary Culp seconded the motion and upon being put to a vote the motion passed.

VOTING: "AYE" 6 "NAY" 0 "ABSTAIN" 0

6. CASE NO. PZ 15-12: To consider the petition of LEONARD HERNANDEZ, MATTHEW HERNANDEZ, & ANGELICA VARGAS 302 SE 1ST LAMESA, TEXAS 79331 to change the zone of the following property:

**LOTS 1-6 BLOCK 3 & 6 OF THE MCSPADDEN ADDITION
TO the City of Lamesa, Dawson County, Texas**

located at 301-311 SE 1ST & 302-312 SE 2ND from zoning district I2 HEAVY INDUSTRY to zoning district I1 LIGHT INDUSTRY for PLACEMENT OF MANUFACTURED HOMES, BUILDING OF RESIDENTIAL HOUSING AND COMMERCIAL USE.

Discussion: Application of Leonard Hernandez, Matthew Hernandez, and Angelica Vargas was presented. Applicants request to change the zone of the property in order to use the property for residential and commercial use. Applicant states 2 manufactured homes to be placed on the property and a hair salon and possibly a tortilla factory. The current I-2 zoning prohibits residential use. This property is bordered by I-2 property on three sides and R-1 property to the North. Twelve letters were mailed to surrounding property owners, four letters were returned in favor of. A motion to recommend approval of the zone change was made by Sam Adams and seconded by Richard Leonard. Upon being put to a vote the motion passed.

VOTING: "AYE" 6 "NAY" 0 "ABSTAIN" 0

7. CASE NO. PZ 15-13: To consider the petition of GERARDO MARES 507 NORTH 4TH LAMESA, TEXAS 79331 to change the zone of the following property:

**LOTS 4, 5, & 6 BLOCK 6 OF THE SA JACKSON
ADDITION TO the City of Lamesa, Dawson County,
Texas**

located at 502-506 SE 3RD from zoning district I-2 HEAVY INDUSTRY to zoning district C-1 LOCAL RETAIL for MANUFACTURED HOME PARK.

Discussion: The application of Gerardo Mares was presented. Applicant requests a zone change for a manufactured home park at this location. Mr. Mares states he plans to have 3-4 manufactured homes on the property. the board asked if we have

ordinances to support the installation of a manufactured home park; the city has created a Manufactured home park zone but has not adopted ordinances pertaining to them. The board asked if an ordinance pertaining to manufactured home parks could be adopted before a recommendation is made for this application. Mr. Mares agreed to wait for this process. A motion to table the application was made by Richard Leonard and seconded by Larry Allison. Upon being put to a vote the motion passed. The Inspections Department will have a sample ordinance for review at the next meeting.

VOTING: "AYE" 6 "NAY" 0 "ABSTAIN" 0

8. ADJOURNMENT: There being no other business the meeting was adjourned

ATTEST:

APPROVED:

Chief Inspector

Chairman

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: SEPTEMBER 15, 2015

AGENDA ITEM: 15

SUBJECT: PUBLIC HEARING ON REQUEST FOR ZONE CHANGE – 306 to 312 NE 2nd STREET

PROCEEDING: Public Hearing

SUBMITTED BY: Wayne Smith, Building Inspector

AUTHORITY: City Charter, City Code, Texas Government Code

SUMMARY STATEMENT

Public hearing to consider the petition of King Gin Co. Charlie King, 306 to 312 NE 2nd Street to change the zoning district from R-1 Single Family Residential to zoning district I-1 Light Industry for truck parking for the following property:

Lots 3, 4, 5, 6 of the Tidwell Addition to the City of Lamesa, Dawson County, Texas.

PUBLIC HEARING

The Mayor will ask if anyone wishes to speak regarding said property located at 306 to 312 NE 2nd Street:

The following persons spoke:

_____	_____
_____	_____
_____	_____

Following the public comments the Mayor will close the public hearing.

CITY MANAGER'S MEMORANDUM

See attached P&Z final report, P&Z public hearing was held on August 27th, 2015.

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: SEPTEMBER 15, 2015

AGENDA ITEM: 16

SUBJECT: **REQUEST FOR ZONE CHANGE – 306 to 312 NE 2ND STREET**
PROCEEDING: Ordinance
SUBMITTED BY: Wayne Smith
EXHIBITS: P&Z Minutes and Map of Location
AUTHORITY: City Charter, City Code and Texas Government Code

SUMMARY STATEMENT

Consider passing an Ordinance on first reading changing the zoning of 306 to 312 NE 2nd Street from R-1 Single Family Residential to zoning district I-1 Light Industry for truck parking for the following property:

Lots 3, 4, 5, 6 of the Tidwell Addition to the City of Lamesa, Dawson County, Texas.

COUNCIL ACTION

Motion by Council Member _____ to approve an Ordinance on first reading changing the zoning of 306 to 312 NE 2nd Street from R-1 Single Family Residential to zoning district I-1 Light Industry for truck parking. Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

VOTING: "AYE" _____ "NAY" _____ "ABSTAIN" _____

CITY MANAGER'S MEMORANDUM

The P & Z Commission met on August 27th, 2015. All notices and publications have been posted to comply with city codes for holding this public hearing and possible action by City Council.

ORDINANCE NO.: _____

AN ORDINANCE GRANTING A ZONE CHANGE FOR A TRACT OF LAND DESCRIBED AS LOTS 3, 4, 5, AND 6, OF THE TIDWELL ADDITION TO THE TOWN OF LAMESA, DAWSON COUNTY, TEXAS, FROM DISTRICT R-1 (SINGLE-FAMILY RESIDENTIAL) TO DISTRICT I-1 (LIGHT INDUSTRY) UPON RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION.

On the this 15th day of September, 2015, there came on and was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas, held pursuant to the provisions of the Texas Open Meetings Act, and 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 Code of Ordinances of the City of Lamesa provides that the zoning districts of said city may be changed upon application of the property owner and upon recommendation of the Planning and Zoning Commission of the City; and

WHEREAS, an application has been made to change the zoning of the following described property located at 306 through 312 Northeast 2nd Street, Lamesa, Texas, from a District R-1 (Single-family Residential) to a District I-1 (Light Industry), to-wit:

All of Lots 3, 4, 5 and 6, of the Tidwell Addition to the Town of Lamesa, Dawson County, Texas; and

WHEREAS, said property is located within the city limits of the City of Lamesa, Texas, and is within a district zoned as R-1 (Single-family residential); and

WHEREAS, the Planning and Zoning Commission of the City of Lamesa, Texas, after hearing such application and the arguments for and against the same, has voted to recommend to the City Council of the City of Lamesa, Texas, that such request for a change in the zoning of such property be granted; and

WHEREAS, a public hearing, where all interested persons were provided with an opportunity to be heard on the proposed zone change, was held at City Hall, 601 South First Street, in the City of Lamesa, Texas, on September 15, 2015, which date is not less than fifteen days prior to the publication of a notice of such hearing in the Lamesa Press-Reporter, a newspaper of general circulation in the City of Lamesa, Texas;

WHEREAS, after such hearing, the City Council of the City of Lamesa, Texas, finds that the recommendation of the Planning and Zoning Commission of the City of Lamesa, Texas, should be accepted and such zone change granted.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS:

SECTION ONE: That the request to change the zoning of the following described property located at 306 through 312 Northeast 2nd Street, Lamesa, Texas, from a District R-1 (Single-family Residential) to a District I-1 (Light Industry), to-wit:

All of Lots 3, 4, 5 and 6, of the Tidwell Addition to the Town of Lamesa,
Dawson County, Texas;

be, and the same is hereby, **Granted**.

SECTION TWO: The provisions of this ordinance are to be cumulative and shall constitute an amendment to the zoning ordinance of the City of Lamesa, Texas, only as it applies to the hereinabove described property.

SECTION THREE: The descriptive caption of this ordinance shall be published in the manner and for the length of time prescribed by Article IV, Section 24 of the City Charter.

Upon being put to a vote, the foregoing ordinance was Passed, on First Reading on the 15th day of September, 2015, by a majority vote.

ATTEST:

APPROVED:

Shawna D. Burkhart
City Manager

Dave Nix
Mayor



N Akron Ave

Stripes

N Boston Ave

NE 3rd St

306-312 NE 2nd

NE 2nd St

© 2015 Google

Skate Park

Google

Imagery Date: 1/16/2014 32°44'09.18" N 101°56'52.52" W elev 2994 ft eye alt 3988

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

MINUTES

On August 27, 2015 there came on and was held a meeting of the Planning and Zoning Commission of the City of Lamesa, Texas, with the following members present:

	John Hegi	Member
	Gary Culp	Member
ABSENT-----	Bob Henderson	Member
ABSENT-----	Ray Stephens	Member
	Larry Allison	Member
	Sam Adams	Member
	Richard Leonard	Member
ABSENT-----	Jinkin Ortiz	Alternate Member
	Barney Blount	Alternate Member

Also Meeting:

Wayne Smith	Chief Inspector
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A quorum being present and acting throughout the meeting, the following among other proceedings were held.

1. CALL TO ORDER:

2. A quorum being present and acting throughout the meeting, the following cases were considered:

APPROVAL OF THE MINUTES: Consider all matters incidental and related to ratify and approve the minutes of the Planning and Zoning commission concerning each of the matters listed on the agenda of the regular meeting of the Planning and Zoning Commission of the City of Lamesa, Texas held on **July 30, 2015**.

Larry Allison was noted as absent at the previous meeting and was present. A motion to approve the minutes as amended was made by GARY CULP and seconded by Richard Leonard.

VOTING: "AYE" 6 "NAY" 0 "ABSTAIN" 0

3. CASE NO. PZ 15-9: To consider the petition of CRAIG WOODWARD 2310 CR U LAMESA, TEXAS 79331 to change the zone of the following property:

**NORTH 1/2 OF LOTS 10, 11, & 12 BLOCK 37 ORIGINAL
TOWN ADDITION TO the City of Lamesa, Dawson
County, Texas**

located at 304 SOUTH HOUSTON (TO BE CHANGED TO 308 SOUTH HOUSTON)
from zoning district R-1 SINGLE FAMILY RESIDENTIAL to zoning district C-1 LOCAL
RETAIL for RENTAL PROPERTY FOR COMMERCIAL USE.

Discussion: The application of Craig Woodward was presented. The use of the property
is undetermined but will be a commercial use, possibly a pipe storage yard. Twelve
letters were sent to surrounding property owners, no response was returned. This
property is contiguous to other commercial and industrial zoned property. A motion to
recommend approval of the application was made by Gary Culp and seconded by
Richard Leonard. Upon being put to a vote the motion passed.

VOTING: "AYE" 6 "NAY" 0 "ABSTAIN" 0

4. CASE NO. PZ 15-10: To consider the petition of KING GIN CO. CHARLIE KING, PO
BOX 1272 LAMESA, TEXAS 79331 to change the zone of the following property:

**LOTS 3, 4, 5, 6 BLOCK 3 OF THE TIDWELL ADDITION TO
the City of Lamesa, Dawson County, Texas**

located at 306-312 NE 2ND from zoning district R-1 SINGLE FAMLY RESIDENTIAL to
zoning district I-1 LIGHT INDUSTRY for TRUCK PARKING.

Discussion: The application of Charlie King was presented. The property will be used for
oil field truck parking. Ten letters were sent to surrounding property owners, no
response was returned. This property is contiguous to another I-2 zoned property. A
motion to recommend approval of the application was made by Richard Leonard and
seconded by Larry Allison. Upon being put to a vote the motion passed.

VOTING: "AYE" 6 "NAY" 0 "ABSTAIN" 0

5. CASE NO. PZ 15-11: To consider the petition of PAM KOEHLER 401 N 15TH
LAMESA, TEXAS 79331 to change the zone of the following property:

**LOTS 1-3 AND WEST 40 OF LOT 4 BLOCK 2 OF THE JH
BARRON ADDITION TO the City of Lamesa, Dawson
County, Texas**

located at 1211 NORTH 7TH from zoning district R-1 SINGLE FAMILY RESIDENTIAL
to zoning district R-1 SINGLE FAMILY RESIDENTIAL WITH A ZONING VARIANCE
FOR PLACEMENT OF A MANUFACTURED HOME for PLACEMENT OF 2004
CLAYTON PINEHURST MANUFACTURED HOME (52' X 32').

Discussion: The application of Pam Koehler was presented. Mrs. Koehler requests a zoning variance for placement of a 2004 Clayton Pinehurst home on the property at 1211 N 7th. Fifteen letters were sent to surrounding property owners, two letters in favor of the variance were returned. This property has had a manufactured home on it in the past and has several other manufactured homes in the immediate area. A motion by Barney Blount to recommend approval of the application was made, Gary Culp seconded the motion and upon being put to a vote the motion passed.

VOTING: "AYE" 6 "NAY" 0 "ABSTAIN" 0

6. CASE NO. PZ 15-12: To consider the petition of LEONARD HERNANDEZ, MATTHEW HERNANDEZ, & ANGELICA VARGAS 302 SE 1ST LAMESA, TEXAS 79331 to change the zone of the following property:

**LOTS 1-6 BLOCK 3 & 6 OF THE MCSPADDEN ADDITION
TO the City of Lamesa, Dawson County, Texas**

located at 301-311 SE 1ST & 302-312 SE 2ND from zoning district I2 HEAVY INDUSTRY to zoning district I1 LIGHT INDUSTRY for PLACEMENT OF MANUFACTURED HOMES, BUILDING OF RESIDENTIAL HOUSING AND COMMERCIAL USE.

Discussion: Application of Leonard Hernandez, Matthew Hernandez, and Angelica Vargas was presented. Applicants request to change the zone of the property in order to use the property for residential and commercial use. Applicant states 2 manufactured homes to be placed on the property and a hair salon and possibly a tortilla factory. The current I-2 zoning prohibits residential use. This property is bordered by I-2 property on three sides and R-1 property to the North. Twelve letters were mailed to surrounding property owners, four letters were returned in favor of. A motion to recommend approval of the zone change was made by Sam Adams and seconded by Richard Leonard. Upon being put to a vote the motion passed.

VOTING: "AYE" 6 "NAY" 0 "ABSTAIN" 0

7. CASE NO. PZ 15-13: To consider the petition of GERARDO MARES 507 NORTH 4TH LAMESA, TEXAS 79331 to change the zone of the following property:

**LOTS 4, 5, & 6 BLOCK 6 OF THE SA JACKSON
ADDITION TO the City of Lamesa, Dawson County,
Texas**

located at 502-506 SE 3RD from zoning district I-2 HEAVY INDUSTRY to zoning district C-1 LOCAL RETAIL for MANUFACTURED HOME PARK.

Discussion: The application of Gerardo Mares was presented. Applicant requests a zone change for a manufactured home park at this location. Mr. Mares states he plans to have 3-4 manufactured homes on the property. the board asked if we have

ordinances to support the installation of a manufactured home park; the city has created a Manufactured home park zone but has not adopted ordinances pertaining to them. The board asked if an ordinance pertaining to manufactured home parks could be adopted before a recommendation is made for this application. Mr. Mares agreed to wait for this process. A motion to table the application was made by Richard Leonard and seconded by Larry Allison. Upon being put to a vote the motion passed. The Inspections Department will have a sample ordinance for review at the next meeting.

VOTING: "AYE" 6 "NAY" 0 "ABSTAIN" 0

8. ADJOURNMENT: There being no other business the meeting was adjourned

ATTEST:

APPROVED:

Chief Inspector

Chairman

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: SEPTEMBER 15, 2015

AGENDA ITEM: 17

**SUBJECT: PUBLIC HEARING ON REQUEST FOR VARIANCE – 1211
NORTH 7TH STREET**

PROCEEDING: Public Hearing

SUBMITTED BY: Wayne Smith, Building Inspector

AUTHORITY: City Charter, City Code, Texas Government Code

SUMMARY STATEMENT

Public hearing to consider the petition of Pam Koehler, 1211 North 7th Street for a variance to the zoning ordinances allowing the placement of a manufactured home (2004 Clayton Pinehurst manufactured home – 52' x32') on the following property currently zoned R-1:

Lots 1-3 and West 40 of Lot 4 Block 2 of the JH Barron Addition to the City of Lamesa, Dawson County, Texas.

PUBLIC HEARING

The Mayor will ask if anyone wishes to speak regarding said property located at 1211 North 7th Street:

The following persons spoke:

_____	_____
_____	_____
_____	_____

Following the public comments the Mayor will close the public hearing.

CITY MANAGER'S MEMORANDUM

See attached P&Z final report, P&Z public hearing was held on August 27th, 2015.

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: SEPTEMBER 15, 2015

AGENDA ITEM: 18

SUBJECT: **REQUEST FOR VARIANCE – 1211 NORTH 7TH STREET**
PROCEEDING: Ordinance
SUBMITTED BY: Wayne Smith
EXHIBITS: P&Z Minutes and Map of Location
AUTHORITY: City Charter, Texas Government Code

SUMMARY STATEMENT

Consider passing an Ordinance on first reading granting a variance to the zoning ordinances for 1211 North 7th Street allowing for 1211 North 7th Street allowing the placement of a manufactured home (2004 Clayton Pinehurst manufactured home – 52' x 32') for the following property:

Lots 1-3 and West 40 of Lot 4 Block 2 of the JH Barron Addition to the City of Lamesa, Dawson County, Texas.

COUNCIL ACTION

Motion by Council Member _____ to approve an Ordinance on first reading granting a variance to the zoning ordinances for 1211 North 7th Street allowing for 1211 North 7th Street allowing the placement of a manufactured home (2004 Clayton Pinehurst manufactured home – 52' x 32'). Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

VOTING: "AYE" _____ "NAY" _____ "ABSTAIN" _____

CITY MANAGER'S MEMORANDUM

The P & Z Commission met on August 27th, 2015. All notices and publications have been posted to comply with city codes for holding this public hearing and possible action by City Council.

ORDINANCE NO.: _____

AN ORDINANCE GRANTING A VARIANCE FOR A TRACT OF LAND DESCRIBED AS LOTS 1, 2 AND 3, AND THE WEST 40 FEET OF LOT 4, BLOCK 2, OF THE JH BARRON ADDITION TO TOWN OF LAMESA, DAWSON COUNTY, TEXAS, TO ALLOW PLACEMENT OF A MANUFACTURED HOME AT 1211 NORTH 7TH STREET, LAMESA, DAWSON COUNTY, TEXAS, UPON RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION.

On the this 15th day of September, 2015, there came on and was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas, held pursuant to the provisions of the Texas Open Meetings Act, and 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 Code of Ordinances of the City of Lamesa provides that the zoning districts of said city may be changed or variances granted upon application of the property owner and upon recommendation of the Planning and Zoning Commission of the City; and

WHEREAS, an application has been made for a variance for the following described property located at 1211 North 7th Street, Lamesa, Texas, to allow the placement of a manufactured home in a District R-1 (Single-family Residential), to-wit:

All of Lots 1, 2, and 3, and the West 40 feet of Lot 4, Block 2, of the JH Barron Addition to the Town of Lamesa, Dawson County, Texas; and

WHEREAS, said property is located within the city limits of the City of Lamesa, Texas, and is within a district zoned as R-1 (Single-family residential); and

WHEREAS, the Planning and Zoning Commission of the City of Lamesa, Texas, after hearing such application and the arguments for and against the same, has voted to recommend to the City Council of the City of Lamesa, Texas, that such request for a variance to the zoning of such property be granted; and

WHEREAS, a public hearing, where all interested persons were provided with an opportunity to be heard on the proposed zone change, was held at City Hall, 601 South First Street, in the City of Lamesa, Texas, on September 15, 2015, which date is not less than fifteen days prior to the publication of a notice of such hearing in the Lamesa Press-Reporter, a newspaper of general circulation in the City of Lamesa, Texas;

WHEREAS, after such hearing, the City Council of the City of Lamesa, Texas, finds that the recommendation of the Planning and Zoning Commission of the City of Lamesa, Texas, should be accepted and such variance granted.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS:

SECTION ONE: That the request for a variance to the zoning of the following described property located at 1211 North 7th Street, Lamesa, Texas, zoned as a District R-1 (Single-family Residential), to-wit:

All of Lots 1, 2, and 3, and the West 40 feet of Lot 4, Block 2, of the JH Barron Addition to the Town of Lamesa, Dawson County, Texas;

be, and the same is hereby, **Granted**.

SECTION TWO: The provisions of this ordinance are to be cumulative and shall constitute an amendment to the zoning ordinance of the City of Lamesa, Texas, only as it applies to the hereinabove described property.

SECTION THREE: The descriptive caption of this ordinance shall be published in the manner and for the length of time prescribed by Article IV, Section 24 of the City Charter.

Upon being put to a vote, the foregoing ordinance was Passed, on First Reading on the 15th day of September, 2015, by a majority vote.

ATTEST:

APPROVED:

Shawna D. Burkhart
City Manager

Dave Nix
Mayor



N 8th St

N 7th St

First Assembly of God

Payton Plumbing

137

N 11th St

Google

© 2015 Google

Imagery Date: 1/16/2014 32°44'13.19" N 101°57'47.07" W elev 2994 ft eye alt 4140

N Avenue L

N Avenue K

1211 N 7th

1991

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

MINUTES

On August 27, 2015 there came on and was held a meeting of the Planning and Zoning Commission of the City of Lamesa, Texas, with the following members present:

	John Hegi	Member
	Gary Culp	Member
ABSENT-----	Bob Henderson	Member
ABSENT-----	Ray Stephens	Member
	Larry Allison	Member
	Sam Adams	Member
	Richard Leonard	Member
ABSENT-----	Jinkin Ortiz	Alternate Member
	Barney Blount	Alternate Member

Also Meeting:

Wayne Smith	Chief Inspector
-------------	-----------------

A quorum being present and acting throughout the meeting, the following among other proceedings were held.

1. CALL TO ORDER:

2. A quorum being present and acting throughout the meeting, the following cases were considered:

APPROVAL OF THE MINUTES: Consider all matters incidental and related to ratify and approve the minutes of the Planning and Zoning commission concerning each of the matters listed on the agenda of the regular meeting of the Planning and Zoning Commission of the City of Lamesa, Texas held on **July 30, 2015**.

Larry Allison was noted as absent at the previous meeting and was present. A motion to approve the minutes as amended was made by GARY CULP and seconded by Richard Leonard.

VOTING: "AYE" 6 "NAY" 0 "ABSTAIN" 0

3. CASE NO. PZ 15-9: To consider the petition of CRAIG WOODWARD 2310 CR U LAMESA, TEXAS 79331 to change the zone of the following property:

**NORTH 1/2 OF LOTS 10, 11, & 12 BLOCK 37 ORIGINAL
TOWN ADDITION TO the City of Lamesa, Dawson
County, Texas**

located at 304 SOUTH HOUSTON (TO BE CHANGED TO 308 SOUTH HOUSTON)
from zoning district R-1 SINGLE FAMILY RESIDENTIAL to zoning district C-1 LOCAL
RETAIL for RENTAL PROPERTY FOR COMMERCIAL USE.

Discussion: The application of Craig Woodward was presented. The use of the property
is undetermined but will be a commercial use, possibly a pipe storage yard. Twelve
letters were sent to surrounding property owners, no response was returned. This
property is contiguous to other commercial and industrial zoned property. A motion to
recommend approval of the application was made by Gary Culp and seconded by
Richard Leonard. Upon being put to a vote the motion passed.

VOTING: "AYE" 6 "NAY" 0 "ABSTAIN" 0

4. CASE NO. PZ 15-10: To consider the petition of KING GIN CO. CHARLIE KING, PO
BOX 1272 LAMESA, TEXAS 79331 to change the zone of the following property:

**LOTS 3, 4, 5, 6 BLOCK 3 OF THE TIDWELL ADDITION TO
the City of Lamesa, Dawson County, Texas**

located at 306-312 NE 2ND from zoning district R-1 SINGLE FAMLY RESIDENTIAL to
zoning district I-1 LIGHT INDUSTRY for TRUCK PARKING.

Discussion: The application of Charlie King was presented. The property will be used for
oil field truck parking. Ten letters were sent to surrounding property owners, no
response was returned. This property is contiguous to another I-2 zoned property. A
motion to recommend approval of the application was made by Richard Leonard and
seconded by Larry Allison. Upon being put to a vote the motion passed.

VOTING: "AYE" 6 "NAY" 0 "ABSTAIN" 0

5. CASE NO. PZ 15-11: To consider the petition of PAM KOEHLER 401 N 15TH
LAMESA, TEXAS 79331 to change the zone of the following property:

**LOTS 1-3 AND WEST 40 OF LOT 4 BLOCK 2 OF THE JH
BARRON ADDITION TO the City of Lamesa, Dawson
County, Texas**

located at 1211 NORTH 7TH from zoning district R-1 SINGLE FAMILY RESIDENTIAL
to zoning district R-1 SINGLE FAMILY RESIDENTIAL WITH A ZONING VARIANCE
FOR PLACEMENT OF A MANUFACTURED HOME for PLACEMENT OF 2004
CLAYTON PINEHURST MANUFACTURED HOME (52' X 32').

Discussion: The application of Pam Koehler was presented. Mrs. Koehler requests a zoning variance for placement of a 2004 Clayton Pinehurst home on the property at 1211 N 7th. Fifteen letters were sent to surrounding property owners, two letters in favor of the variance were returned. This property has had a manufactured home on it in the past and has several other manufactured homes in the immediate area. A motion by Barney Blount to recommend approval of the application was made, Gary Culp seconded the motion and upon being put to a vote the motion passed.

VOTING: "AYE" 6 "NAY" 0 "ABSTAIN" 0

6. CASE NO. PZ 15-12: To consider the petition of LEONARD HERNANDEZ, MATTHEW HERNANDEZ, & ANGELICA VARGAS 302 SE 1ST LAMESA, TEXAS 79331 to change the zone of the following property:

**LOTS 1-6 BLOCK 3 & 6 OF THE MCSPADDEN ADDITION
TO the City of Lamesa, Dawson County, Texas**

located at 301-311 SE 1ST & 302-312 SE 2ND from zoning district I2 HEAVY INDUSTRY to zoning district I1 LIGHT INDUSTRY for PLACEMENT OF MANUFACTURED HOMES, BUILDING OF RESIDENTIAL HOUSING AND COMMERCIAL USE.

Discussion: Application of Leonard Hernandez, Matthew Hernandez, and Angelica Vargus was presented. Applicants request to change the zone of the property in order to use the property for residential and commercial use. Applicant states 2 manufactured homes to be placed on the property and a hair salon and possibly a tortilla factory. The current I-2 zoning prohibits residential use. This property is bordered by I-2 property on three sides and R-1 property to the North. Twelve letters were mailed to surrounding property owners, four letters were returned in favor of. A motion to recommend approval of the zone change was made by Sam Adams and seconded by Richard Leonard. Upon being put to a vote the motion passed.

VOTING: "AYE" 6 "NAY" 0 "ABSTAIN" 0

7. CASE NO. PZ 15-13: To consider the petition of GERARDO MARES 507 NORTH 4TH LAMESA, TEXAS 79331 to change the zone of the following property:

**LOTS 4, 5, & 6 BLOCK 6 OF THE SA JACKSON
ADDITION TO the City of Lamesa, Dawson County,
Texas**

located at 502-506 SE 3RD from zoning district I-2 HEAVY INDUSTRY to zoning district C-1 LOCAL RETAIL for MANUFACTURED HOME PARK.

Discussion: The application of Gerardo Mares was presented. Applicant requests a zone change for a manufactured home park at this location. Mr. Mares states he plans to have 3-4 manufactured homes on the property. the board asked if we have

ordinances to support the installation of a manufactured home park; the city has created a Manufactured home park zone but has not adopted ordinances pertaining to them. The board asked if an ordinance pertaining to manufactured home parks could be adopted before a recommendation is made for this application. Mr. Mares agreed to wait for this process. A motion to table the application was made by Richard Leonard and seconded by Larry Allison. Upon being put to a vote the motion passed. The Inspections Department will have a sample ordinance for review at the next meeting.

VOTING: "AYE" 6 "NAY" 0 "ABSTAIN" 0

8. ADJOURNMENT: There being no other business the meeting was adjourned

ATTEST:

APPROVED:

Chief Inspector

Chairman

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: SEPTEMBER 15, 2015

AGENDA ITEM: 19

SUBJECT: TAX ABATEMENT WITH BNB LAMESA SOLAR LLC
PROCEEDING: Resolution
SUBMITTED BY: City Attorney
EXHIBITS: Resolution R-16-14, Ordinance O-03-15, Notice of Public Hearing (12/16/14), Chapter 312 of Texas Tax Code
AUTHORITY: Chapter 312 of Texas Tax Code

SUMMARY STATEMENT

BNB Lamesa Solar LLC has applied for a 10 year tax abatement on the property that is owned by the LEDC and the City Council previously designated the LEDC property Lamesa Solar Reinvestment Zone. *Chapter 312 of the Texas Tax Code 312.002 (b) states "the governing body of a taxing unit may not enter into a tax abatement under this chapter unless it finds that the terms of the agreement and the property subject to the agreement meet the applicable guidelines and criteria adopted by the governing body under this section."*

COUNCIL ACTION

DISCUSSION

Motion by Council Member _____ to _____. Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

VOTING: "AYE" _____ "NAY" _____ "ABSTAIN" _____

CITY MANAGER'S MEMORANDUM

City Staff recommends approval of the tax abatement with BNB Lamesa Solar LLC. This will provide a long term revenue stream for LEDC.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS, APPROVING AN AGREEMENT WITH BNB LAMESA SOLAR, LLC, FOR TAX ABATEMENT FOR PROPERTY IN THE LAMESA SOLAR REINVESTMENT ZONE AND AUTHORIZING THE MAYOR OF THE CITY OF LAMESA TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY

On this the 15th day of September, 2015, there came on and was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas, held pursuant to the provisions of the Texas Open Meetings Act; (Texas Government Code Chapter 551); there being a quorum present and acting throughout the meeting, the following resolution was formally submitted by motion and duly seconded for the consideration and action of the meeting to wit:

WHEREAS, the City of Lamesa has established guidelines and criteria governing tax abatement agreements and has elected to become eligible to participate in tax abatement; and

WHEREAS, BNB Lamesa Solar, LLC, has made application to the City of Lamesa for tax abatement for property located in the Lamesa Solar Reinvestment Zone; and

WHEREAS, the City Council of the City of Lamesa finds that the terms of the tax abatement agreement as proposed and the property subject to the agreement meet the applicable guidelines and criteria adopted by the City of Lamesa for tax abatement; and

WHEREAS, the City of Lamesa finds that it is in the best interest of the City and its citizens that the City of Lamesa enter into such agreement for tax abatement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAMESA:

That the City of Lamesa enter into a Tax Abatement Agreement with BNB Lamesa Solar, LLC, for tax abatement for property located within the Lamesa Solar Reinvestment Zone upon the terms set out in the copy of such tax abatement agreement attached to this resolution; and

That the Mayor of the City of Lamesa be, and he is hereby, authorized to execute such Tax Abatement Agreement on behalf of the City of Lamesa.

Upon being put to a vote, the resolution was Passed, Approved, and Adopted this 15th day of September, 2015 by a majority vote and ordered to be spread upon the

minutes of the City Council of the City of Lamesa, Texas, and recorded in the resolution book thereafter.

ATTEST:

Shawna D. Burkhart
City Manager

APPROVED:

Dave Nix
Mayor

Tax Abatement Agreement Between City of Lamesa, Texas, and BNB Lamesa Solar LLC

State of Texas)

)

County of Dawson)

This Tax Abatement Agreement (“the Agreement”) is made and entered into by and between the City of Lamesa, Texas, (“City”), acting through its duly authorized officers, and BNB Lamesa Solar LLC (“Owner”), owner of Eligible Property (as hereinafter defined) to be located on the tract of land comprising the Lamesa Solar Reinvestment Zone and specifically described in Exhibit A to this Agreement, and becomes effective as set forth in Section XVII hereof.

I. Authorization

This Agreement is authorized by the City Council of the City of Lamesa, Texas, acting generally under Chapter 312 of the Texas Tax Code, as amended and under the City of Lamesa Guidelines and Criteria for Granting Tax Abatements in Reinvestment Zones (the “Guidelines”).

II. Definitions

As used in this Agreement, the following terms shall have the meaning set forth below:

A. “Abatement” means the full or partial exemption from ad valorem taxes on property in a Reinvestment Zone.

B. “Calendar Year” means each year beginning on January 1 and ending on December 31.

C. “Certificate” means a letter, provided by Owner to the City, certifying that Owner has completed construction of the solar power project described herein, outlining the Improvements included in the project, and stating the overall Solar Module Nameplate Capacity of the project. Upon receipt of a Certificate, the City may inspect the property within the Reinvestment Zone in accordance with this Agreement to determine that the Improvements are in place as certified.

D. “Certified Appraised Value” means the appraised value, for property tax purposes, of the property within the Reinvestment Zone as certified by the Dawson County Appraisal District for each taxable year.

E. “Eligible Property” means property eligible for Abatement under the Guidelines, including: new, expanded or modernized buildings and structures; fixed machinery and equipment; Site improvements; related fixed improvements; other tangible items necessary to the operation and administration of the project or facility; and all other real and tangible personal property permitted by Chapter 312 of the Texas Tax Code and the Guidelines. Taxes on Real Property may be abated only to the extent the property’s value for a given year exceeds its value

for the year in which the Agreement is executed. Tangible personal property located on the Real Property at any time before the period covered by the Agreement is not eligible for Abatement. Tangible personal property eligible for Abatement shall not include inventory or supplies.

F. "Improvements" means Eligible Property meeting the definition for Improvements provided by Chapter 1 of the Texas Tax Code and includes, but is not limited to, any building, structure, or fixture erected or affixed to the land.

G. "Real Property" means Eligible Property meeting the description for real property provided by Chapter 1 of the Texas Tax Code.

H. "Reinvestment Zone" means the reinvestment zone, as that term is defined in Chapter 312 of the Texas Tax Code, created by the City Council of the City of Lamesa by Ordinance No. O-03-15 duly passed by the City Council of the City of Lamesa on January 20, 2015, and on February 17, 2015, and included as Exhibit B to this Agreement.

I. "Site" means all of or the portion of the Reinvestment Zone on which Owner makes the Improvements for which the Abatement is granted hereunder.

J. "Solar Module Nameplate Capacity" means the total generating capacity measured in Megawatts (AC) stated by the manufacturer for all solar modules to be constructed as Improvements by Owner hereunder.

III. Improvements in Reinvestment Zone

Conditioned upon Owner obtaining successful financing to purchase and operate the Improvements, Owner agrees to make the following Improvements in consideration for the Abatement set forth in Paragraph IV of this Agreement:

A. Owner intends to construct Improvements on the Site consisting of a solar powered electric generation facility consisting of PV panels producing approximately one hundred and fifty (150) megawatts AC to two hundred (200) megawatts AC of Solar Module Nameplate Capacity.

B. Improvements also shall include but not be limited to any and all other property in the Reinvestment Zone meeting the definition of Eligible Property that is used to produce solar-generated electricity and perform other functions related to the production, distribution and transmission of electric power. City agrees that the solar modules/panels, racking and mounting structures, inverter boxes, meteorological equipment, roads, electrical collection systems, operations and maintenance facilities, transmission lines, substations, and other related materials affixed to the land are fixtures that will constitute Improvements under this Agreement.

IV. Term and Portion of Tax Abatement; Taxability of Property

A. The City and Owner specifically agree and acknowledge that the property in the Reinvestment Zone shall be taxable in the following ways before and during the term of the Agreement:

1. Property not eligible for Abatement, if any, shall be fully taxable;
2. The Certified Appraised Value of property existing in the Reinvestment Zone prior to execution of this Agreement shall be fully taxable for the full term of this Agreement;
3. 100% of property taxes levied on the Certified Appraised Value of real and personal property located in the Reinvestment Zone are payable prior to commencement of the abatement periods designated in Paragraph IV(B) below;
4. 100% of City property taxes on the Certified Appraised Value of Eligible Property shall be abated as provided for by Paragraph IV(B) below; and
5. 100% of the Certified Appraised Value of Eligible Property existing in the Reinvestment Zone shall be fully taxable after expiration of the abatement period(s) applicable to that property as designated in Paragraph IV(B).

B. The City and Owner specifically agree and acknowledge that this Agreement shall provide for Abatement, under the conditions set forth herein, of all City ad valorem property taxes as follows:

1. Beginning on the Effective Date and ending upon the conclusion of ten full calendar years thereafter, Abatement is granted as of January 1 of each tax year as follows:
 - a. 100% of property taxes on the Certified Appraised Value of all Improvements described in the Certificate (and actually in place in the Reinvestment Zone) are abated; and
 - b. 100% of property taxes on the Certified Appraised Value of any and all otherwise taxable personal property owned by Owner and brought onto the Reinvestment Zone after this Agreement is executed are abated.
2. The base year value for the proposed Improvements is zero.

C. A portion or all of the Improvements may be eligible for complete or partial exemption from ad valorem taxes as a result of existing law or future legislation.

This Agreement is not to be construed as evidence that no such exemptions shall apply to the Improvements.

V. Representations

The City and Owner make the following representations:

A. Owner represents and agrees that (i) Owner will have a taxable interest with respect to Improvements to be placed on the property; (ii) consideration of the proposed

Improvements will be performed by the Owner and/or their contractors or subcontractors, (iii) Owner's use of the property in the Reinvestment Zone is limited to that which is consistent with the general purpose of encouraging development or redevelopment of the area during the period of the Abatement, and (iv) all representations made in the Application for Abatement are true and correct to the best of Owner's knowledge.

B. The City represents that (i) the Reinvestment Zone and this Agreement have been created by the City and that the City is authorized to enter into this Agreement and to provide the tax abatement set forth in this Agreement; (iii) that the property within Reinvestment Zone is located within the legal boundaries of the City and (iv) the City has made and will continue to make all required filings with the Office of the Comptroller of Public Accounts and other governmental entities concerning the Reinvestment Zone and this Agreement.

VI. Access to and Inspection of the Property by District Employees

A. Owner shall allow the City's employees access to the Improvements for the purposes of inspecting any Improvements erected to ensure that the same are conforming to the minimum specifications of Paragraph III of this Agreement and to ensure that all terms and conditions of this Agreement are being met. All such inspections shall be made only after giving Owner twenty-four (24) hours notice and shall be conducted in such a manner as to avoid any unreasonable interference with the construction and/or operation of the Improvements. All such inspections shall be made with one (1) or more representatives of Owner in accordance with all applicable safety standards.

B. Owner shall, within ninety (90) days preceding each April 15, also certify annually to the City its compliance with this Agreement by providing written testament to the same to the City Manager of the City of Lamesa.

VII. Default, Remedies and Limitation of Liability

A. The City may declare a default if Owner breaches any material term or condition of this Agreement. If the City declares a default of this Agreement, this Agreement shall terminate, after notice and opportunity to cure as provided for below, or the City may modify the Agreement upon mutual agreement with Owner. If Owner believes that such termination was improper, Owner may file suit for injunctive relief in the proper court challenging such termination and no such termination shall occur until a final non-appealable order or judgment has been obtained confirming such termination. The City shall not declare a default, and no default will be deemed to have occurred, when the circumstances giving rise to such declaration are the result of "force majeure," "Force majeure" means any contingency or cause beyond the reasonable control of Owner including, without limitation, acts of God or the public enemy, war, riot, civil commotion, insurrection, governmental or de facto governmental action (unless caused by acts or omissions of Owner), fires, explosions or floods, tornadoes, and strikes.

B. The City shall notify Owner of any default in writing in the manner prescribed herein. The notice shall specify the basis for the declaration of default, and Owner shall have sixty (60) days from the date of such notice to cure any default, except that where fulfillment of any obligation requires activity over a period of time, performance shall be commenced within

sixty (60) days after the receipt of notice, and such performance shall be diligently continued until the default is cured. The City shall also provide the same default notice and opportunity to cure to any party providing financing of the Improvements for the benefit of Owner, provided that Owner first provides the City the identity of the party providing such financing, together with the address to which the default notice should be sent.

C. As required by Section 312.205 of the Texas Tax Code, if Owner fails to make the Improvements as provided for by this Agreement, the City shall be entitled to cancel or modify the Agreement and recapture property tax revenue lost as a result of the Agreement, subject to the above provisions regarding notice and right to cure.

D. By and provided that all conditions precedent set forth in this Agreement have been fulfilled, City and Owner have agreed under Chapter 312 of the Texas Tax Code that Owner will make the improvements and take other actions specified in this Agreement in exchange for Abatement from the City on those Improvements. Cancellation or modification of the Agreement and recapture of property taxes, as appropriate, along with any reasonably incurred costs and fees, shall be the City's sole remedy in the event Owner fails to make the specified Improvements or take other action required by this Agreement.

E. Any notice of default under this Agreement shall be sent to Owner in the manner provided for in this Agreement and shall prominently state the following at the top of the notice:

NOTICE OF DEFAULT UNDER TAX ABATEMENT AGREEMENT

YOU ARE HEREBY NOTIFIED OF THE FOLLOWING DEFAULT UNDER YOUR TAX ABATEMENT AGREEMENT WITH THE DISTRICT. FAILURE TO CURE THIS DEFAULT WITHIN SIXTY DAYS OF NOTICE OR OTHERWISE CURE THE DEFAULT AS PROVIDED BY THE AGREEMENT SHALL RESULT IN TERMINATION OF THE TAX ABATEMENT AGREEMENT AND, IF THE DEFAULT INVOLVES FAILURE TO MAKE IMPROVEMENTS UNDER THE AGREEMENT, RECAPTURE OF TAXES ABATED PURSUANT TO THAT AGREEMENT.

VIII. Compliance with State and Local Regulations

Nothing in this Agreement shall be construed to alter or affect the obligations of Owner to comply with any order, rule, statute or regulation of the City or the State of Texas.

IX. Assignment of Agreement

This Agreement may be assigned, in whole or in part, by Owner, including but not limited to collateral assignments of the Agreement to any party providing financing to the Owner or an affiliate of Owner or to a new owner or new lessee provided that the Owner first shall provide written notice of such assignment to the City. Upon such assignment Owner shall remain liable to the City for all outstanding taxes and other obligations accrued under this Agreement prior to the date of such assignment and the Owner's assignor shall be liable to the City for all outstanding taxes and other obligations accruing after the date of the assignment.

X. Notice

All notices shall be in writing and mailed by certified or registered mail. Any notice or other communication shall be deemed to be received three (3) days after the date of deposit in the United States mail. Unless otherwise provided in this Agreement, all notices shall be mailed to the following addresses:

To the Owner: BNB Lamesa Solar LLC
One East Uwchlan Avenue
Suite 403
Exton, PA 19341

To the City: City Manager
City of Lamesa
601 South 1st Street
Lamesa, TX 79331

Any party may designate a different address by giving the other party ten (10) days written notice in the manner prescribed above.

A notice of default under this Agreement shall not be considered to have been received unless the City has received written confirmation that the party to whom the notice was addressed or his agent received such notice, including a certificate of receipt from the Post Office or other form of written confirmation.

XI. Severability

In the event any section or other part of this Agreement is held invalid, illegal, factually insufficient, or unconstitutional, the balance of this Agreement shall stand, shall be enforceable and shall be read as if the parties intended at all times to delete said invalid section or other part. In the event that (i) the term of the Abatement with respect to any property is longer than allowed by law, or (ii) the Abatement applies to a broader classification of property than is allowed by law, then the Abatement shall be valid with respect to the classification of property not deemed overbroad, and for the portion of the term of the Abatement not deemed excessive. Any provision required by the Texas Tax Code to be contained herein that does not appear herein is incorporated herein by reference.

XII. Applicable Law

This Agreement shall be construed under the laws of the State of Texas.

XIII. Amendment

Except as otherwise provided, this Agreement may be modified by the parties hereto upon mutual consent to include other provisions which could have originally been included in this Agreement or to delete provisions that were not originally necessary to this Agreement pursuant to the procedures set forth in Chapter 312 of the Texas Tax Code.

XIV. Guidelines and Criteria

To the extent this Agreement modifies any requirement or procedure set forth in the Guidelines, the Guidelines are deemed amended for purposes of this Agreement only.

XV. Entire Agreement

This Agreement contains the entire and integrated Tax Abatement Agreement between the City and Owner, and supersedes any and all other negotiations and agreements, whether written or oral, between the parties. This Agreement has not been executed by either the Owner or the City in reliance upon any representation or promise except those contained herein.

XVI. Effective Date

This Agreement shall become effective on January 1st of the Calendar Year immediately following the Calendar Year in which the Owner provides the Certificate to the City. At Owner's option, however, this Agreement shall become effective on January 1st of the first Calendar Year following the Calendar Year in which installation of the Improvements at the Site commences (the "1st Abatement Year"). Exercise of said option by Owner shall only be effective if Owner delivers a written option exercise notice to the City before January 31st of the 1st Abatement Year. At any time after delivery of said notice, the City may inspect the property within the Reinvestment Zone to determine that the value of the Improvements that are in place and subject to abatement pursuant to this Agreement. Owner's obligation to make the first payment to the City as set forth in Section IV D above shall likewise accrue during the 1st Abatement Year.

IN TESTIMONY OF WHICH, THIS AGREEMENT has been executed by the City as authorized by the City Council of the City of Lamesa, Texas, on the _____ day of _____, 2015, and by the Owner on the _____ day of _____, 2015.

ATTEST/SEAL:

CITY OF LAMESA, TEXAS

By: _____
Dave Nix, Mayor

BNB LAMESA SOLAR LLC

By: BNB Renewable Energy Holdings LLC

+ -

By: _____
Name: Jonathan Butcher
Title: Managing Member

TAX CODE

TITLE 3. LOCAL TAXATION

SUBTITLE B. SPECIAL PROPERTY TAX PROVISIONS

CHAPTER 312. PROPERTY REDEVELOPMENT AND TAX ABATEMENT ACT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 312.001. SHORT TITLE. This chapter may be cited as the Property Redevelopment and Tax Abatement Act.

Added by Acts 1987, 70th Leg., ch. 191, Sec. 1, eff. Sept. 1, 1987.

Sec. 312.002. ELIGIBILITY OF TAXING UNIT TO PARTICIPATE IN TAX ABATEMENT. (a) A taxing unit may not enter into a tax abatement agreement under this chapter and the governing body of a municipality or county may not designate an area as a reinvestment zone unless the governing body has established guidelines and criteria governing tax abatement agreements by the taxing unit and a resolution stating that the taxing unit elects to become eligible to participate in tax abatement. The guidelines applicable to property other than property described by Section 312.211(a) must provide for the availability of tax abatement for both new facilities and structures and for the expansion or modernization of existing facilities and structures.

* (b) The governing body of a taxing unit may not enter into a tax abatement agreement under this chapter unless it finds that the terms of the agreement and the property subject to the agreement meet the applicable guidelines and criteria adopted by the governing body under this section.

(c) The guidelines and criteria adopted under this section are effective for two years from the date adopted. During that period, the guidelines and criteria may be amended or repealed only by a vote of three-fourths of the members of the governing body.

(d) The adoption of the guidelines and criteria by the governing body of a taxing unit does not:

(1) limit the discretion of the governing body to decide whether to enter into a specific tax abatement agreement;

(2) limit the discretion of the governing body to delegate to its employees the authority to determine whether or not the governing body should consider a particular application or request for tax abatement; or

(3) create any property, contract, or other legal right in any person to have the governing body consider or grant a specific application or request for tax abatement.

(e) The guidelines and criteria adopted by the commissioners court of a county may include a requirement that an application or request for tax abatement submitted to the county under this chapter must be accompanied by a reasonable application fee not to exceed \$1,000.

(f) On or after September 1, 2001, a school district may not enter into a tax abatement agreement under this chapter.

(g) "Taxing unit" has the meaning assigned by Section 1.04, except that for a tax abatement agreement executed on or after September 1, 2001, the term does not include a school district that is subject to Chapter 42, Education Code, and that is organized primarily to provide general elementary and secondary public education.

Added by Acts 1989, 71st Leg., ch. 2, Sec. 14.07(a), eff. Aug. 28, 1989. Amended by Acts 1989, 71st Leg., ch. 1137, Sec. 1, eff. Sept. 1, 1989; Acts 1991, 72nd Leg., ch. 20, Sec. 22, eff. Aug. 26, 1991; Acts 1991, 72nd Leg., ch. 391, Sec. 26, eff. Aug. 26, 1991; Acts 1991, 72nd Leg., ch. 836, Sec. 9.2, eff. Aug. 26, 1991; Acts 1993, 73rd Leg., ch. 347, Sec. 4.13(2), eff. May 31, 1993; Acts 1997, 75th Leg., ch. 855, Sec. 9, eff. Sept. 1, 1997; Acts 1997, 75th Leg., ch. 1333, Sec. 1, eff. Sept. 1, 1997; Acts 2001, 77th Leg., ch. 1029, Sec. 3, eff. June 15, 2001; Acts 2001, 77th Leg., ch. 1145, Sec. 1, eff. June 15, 2001; Acts 2003, 78th Leg., ch. 1275, Sec. 2(124), eff. Sept. 1, 2003.

Sec. 312.0025. DESIGNATION OF REINVESTMENT ZONE BY SCHOOL DISTRICT. (a) Notwithstanding any other provision of this chapter to the contrary, the governing body of a school district, in the manner required for official action and for purposes of Subchapter B or C, Chapter 313, may designate an area entirely within the

territory of the school district as a reinvestment zone if the governing body finds that, as a result of the designation and the granting of a limitation on appraised value under Subchapter B or C, Chapter 313, for property located in the reinvestment zone, the designation is reasonably likely to:

(1) contribute to the expansion of primary employment in the reinvestment zone; or

(2) attract major investment in the reinvestment zone that would:

(A) be a benefit to property in the reinvestment zone and to the school district; and

(B) contribute to the economic development of the region of this state in which the school district is located.

(b) The governing body of the school district may seek the recommendation of the commissioners court of each county and the governing body of each municipality that has territory in the school district before designating an area as a reinvestment zone under Subsection (a).

Added by Acts 2001, 77th Leg., ch. 1505, Sec. 4, eff. Jan. 1, 2002.

Sec. 312.003. CONFIDENTIALITY OF PROPRIETARY INFORMATION.

Information that is provided to a taxing unit in connection with an application or request for tax abatement under this chapter and that describes the specific processes or business activities to be conducted or the equipment or other property to be located on the property for which tax abatement is sought is confidential and not subject to public disclosure until the tax abatement agreement is executed. That information in the custody of a taxing unit after the agreement is executed is not confidential under this section.

Added by Acts 1989, 71st Leg., ch. 1137, Sec. 2, eff. Sept. 1, 1989.

Sec. 312.004. TAXING UNIT WITH TAX RATE SET BY COMMISSIONERS

COURT. (a) The commissioners court of a county that enters into a tax abatement agreement for the county may enter into a tax abatement agreement applicable to the same property on behalf of a taxing unit other than the county if by statute the ad valorem tax rate of the

other taxing unit is approved by the commissioners court or the commissioners court is expressly required by statute to levy the ad valorem taxes of the other taxing unit. The tax abatement agreement entered into on behalf of the other taxing unit is not required to contain the same terms as the tax abatement agreement entered into on behalf of the county.

(b) This section does not apply to a taxing unit because the county tax assessor-collector is required by law to assess or collect the taxing unit's ad valorem taxes.

Added by Acts 1989, 71st Leg., ch. 1137, Sec. 3, eff. Sept. 1, 1989.
Amended by Acts 1999, 76th Leg., ch. 1039, Sec. 1, eff. Sept. 1, 1999.

Sec. 312.005. STATE ADMINISTRATION. (a) The comptroller shall maintain a central registry of reinvestment zones designated under this chapter and of ad valorem tax abatement agreements executed under this chapter. The chief appraiser of each appraisal district that appraises property for a taxing unit that has designated a reinvestment zone or executed a tax abatement agreement under this chapter shall deliver to the comptroller before July 1 of the year following the year in which the zone is designated or the agreement is executed a report providing the following information:

(1) for a reinvestment zone, a general description of the zone, including its size, the types of property located in it, its duration, and the guidelines and criteria established for the reinvestment zone under Section 312.002, including subsequent amendments and modifications of the guidelines or criteria;

(2) a copy of each tax abatement agreement to which a taxing unit that participates in the appraisal district is a party; and

(3) any other information required by the comptroller to administer this section and Subchapter F, Chapter 111.

(b) The comptroller may provide assistance to a taxing unit on request of its governing body or the presiding officer of its governing body relating to the administration of this chapter. The Texas Department of Commerce and the comptroller may provide technical assistance to a local governing body regarding the

designation of reinvestment zones, the adoption of tax abatement guidelines, and the execution of tax abatement agreements.

(c) Not later than December 31 of each even-numbered year, the comptroller shall submit a report to the legislature and to the governor on reinvestment zones designated under this chapter and on tax abatement agreements adopted under this chapter, including a summary of the information reported under this section.

Added by Acts 1989, 71st Leg., ch. 1137, Sec. 4, eff. Sept. 1, 1989.
Amended by Acts 1991, 72nd Leg., 2nd C.S., ch. 6, Sec. 59, eff. Sept. 1, 1991; Acts 1995, 74th Leg., ch. 995, Sec. 2, eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 1382, Sec. 1, eff. Sept. 1, 1997; Acts 2001, 77th Leg., ch. 268, Sec. 4, eff. Sept. 1, 2001; Acts 2001, 77th Leg., ch. 1029, Sec. 2, eff. June 15, 2001.

Sec. 312.006. EXPIRATION DATE. If not continued in effect, this chapter expires September 1, 2019.

Added by Acts 1989, 71st Leg., ch. 1137, Sec. 5, eff. Sept. 1, 1989.
Amended by Acts 1991, 72nd Leg., 1st C.S., ch. 17, Sec. 2.16, eff. Nov. 12, 1991; Acts 1995, 74th Leg., ch. 995, Sec. 4, eff. Aug. 31, 1995; Acts 2001, 77th Leg., ch. 1029, Sec. 1, eff. June 15, 2001; Acts 2001, 77th Leg., ch. 1505, Sec. 5, eff. Sept. 1, 2001.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 610 (H.B. 773), Sec. 1, eff. June 19, 2009.

Sec. 312.007. DEFERRAL OF COMMENCEMENT OF ABATEMENT PERIOD.

(a) In this section, "abatement period" means the period during which all or a portion of the value of real property or tangible personal property that is the subject of a tax abatement agreement is exempt from taxation.

(b) Notwithstanding any other provision of this chapter, the governing body of the taxing unit granting the abatement and the owner of the property that is the subject of the agreement may agree to defer the commencement of the abatement period until a date that is subsequent to the date the agreement is entered into, except that the duration of an abatement period may not exceed 10 years.

Added by Acts 2009, 81st Leg., R.S., Ch. 1195 (H.B. 3896), Sec. 2, eff. June 19, 2009.

Added by Acts 2009, 81st Leg., R.S., Ch. 1225 (S.B. 1458), Sec. 2, eff. June 19, 2009.

SUBCHAPTER B. TAX ABATEMENT IN MUNICIPAL REINVESTMENT ZONE

Sec. 312.201. DESIGNATION OF REINVESTMENT ZONE. (a) The governing body of a municipality by ordinance may designate as a reinvestment zone an area, or real or personal property the use of which is directly related to outdoor advertising, in the taxing jurisdiction or extraterritorial jurisdiction of the municipality that the governing body finds satisfies the requirements of Section 312.202.

(b) The ordinance must describe the boundaries of the zone and the eligibility of the zone for residential tax abatement or commercial-industrial tax abatement or tax increment financing as provided for in Chapter 311.

(c) Area of a reinvestment zone designated for residential tax abatement or commercial-industrial tax abatement may be included in an overlapping or coincidental residential or commercial-industrial zone. In that event, the zone in which the property is considered to be located for purposes of executing an agreement under Section 312.204 or 312.211 is determined by the comprehensive zoning ordinance, if any, of the municipality.

(d) The governing body may not adopt an ordinance designating an area as a reinvestment zone until the governing body has held a public hearing on the designation and has found that the improvements sought are feasible and practical and would be a benefit to the land to be included in the zone and to the municipality after the expiration of an agreement entered into under Section 312.204 or 312.211, as applicable. At the hearing, interested persons are entitled to speak and present evidence for or against the designation. Not later than the seventh day before the date of the hearing, notice of the hearing must be:

(1) published in a newspaper having general circulation in the municipality; and

(2) delivered in writing to the presiding officer of the governing body of each taxing unit that includes in its boundaries real property that is to be included in the proposed reinvestment zone.

(e) A notice made under Subsection (d)(2) is presumed delivered when placed in the mail postage paid and properly addressed to the appropriate presiding officer. A notice properly addressed and sent by registered or certified mail for which a return receipt is received by the sender is considered to have been delivered to the addressee.

Added by Acts 1987, 70th Leg., ch. 191, Sec. 1, eff. Sept. 1, 1987.
Amended by Acts 1989, 71st Leg., ch. 2, Sec. 14.08(a), eff. Aug. 28, 1989; Acts 1997, 75th Leg., ch. 855, Sec. 10, eff. Sept. 1, 1997; Acts 1997, 75th Leg., ch. 1333, Sec. 2, eff. Sept. 1, 1997.

Sec. 312.2011. ENTERPRISE ZONE. Designation of an area as an enterprise zone under Chapter 2303, Government Code constitutes designation of the area as a reinvestment zone under this subchapter without further hearing or other procedural requirements other than those provided by Chapter 2303, Government Code.

Added by Acts 1989, 71st Leg., ch. 1106, Sec. 28, eff. Aug. 28, 1989.
Amended by Acts 1995, 74th Leg., ch. 76, Sec. 5.95(22), eff. Sept. 1, 1995.

Sec. 312.202. CRITERIA FOR REINVESTMENT ZONE. (a) To be designated as a reinvestment zone under this subchapter, an area must:

(1) substantially arrest or impair the sound growth of the municipality creating the zone, retard the provision of housing accommodations, or constitute an economic or social liability and be a menace to the public health, safety, morals, or welfare in its present condition and use because of the presence of:

(A) a substantial number of substandard, slum, deteriorated, or deteriorating structures;

(B) the predominance of defective or inadequate sidewalks or streets;

(C) faulty size, adequacy, accessibility, or usefulness of lots;

(D) unsanitary or unsafe conditions;

(E) the deterioration of site or other improvements;

(F) tax or special assessment delinquency exceeding the fair value of the land;

(G) defective or unusual conditions of title;

(H) conditions that endanger life or property by fire or other cause; or

(I) any combination of these factors;

(2) be predominantly open and, because of obsolete platting, deterioration of structures or site improvements, or other factors, substantially impair or arrest the sound growth of the municipality;

(3) be in a federally assisted new community located in a home-rule municipality or in an area immediately adjacent to a federally assisted new community located in a home-rule municipality;

(4) be located entirely in an area that meets the requirements for federal assistance under Section 119 of the Housing and Community Development Act of 1974 (42 U.S.C. Section 5318);

(5) encompass signs, billboards, or other outdoor advertising structures designated by the governing body of the municipality for relocation, reconstruction, or removal for the purpose of enhancing the physical environment of the municipality, which the legislature declares to be a public purpose; or

(6) be reasonably likely as a result of the designation to contribute to the retention or expansion of primary employment or to attract major investment in the zone that would be a benefit to the property and that would contribute to the economic development of the municipality.

(b) For purposes of this section, a federally assisted new community is a federally assisted area:

(1) that has received or will receive assistance in the form of loan guarantees under Title X of the National Housing Act (12 U.S.C. Section 1749aa et seq.); and

(2) a portion of which has received grants under Section 107 of the Housing and Community Development Act of 1974 (42 U.S.C.

Section 5307) made pursuant to the authority created by that section for grants in behalf of new communities assisted under Title VII of the Housing and Urban Development Act of 1970 or Title IV of the Housing and Urban Development Act of 1968 or in behalf of new community projects assisted under Title X of the National Housing Act (12 U.S.C. Section 1749aa et seq.).

Added by Acts 1987, 70th Leg., ch. 191, Sec. 1, eff. Sept. 1, 1987.
Amended by Acts 1989, 71st Leg., ch. 2, Sec. 14.09(a), eff. Aug. 28, 1989; Acts 1989, 71st Leg., ch. 1106, Sec. 29, eff. Aug. 28, 1989.

Sec. 312.203. EXPIRATION OF REINVESTMENT ZONE. The designation of a reinvestment zone for residential or commercial-industrial tax abatement expires five years after the date of the designation and may be renewed for periods not to exceed five years, except that a reinvestment zone that is a state enterprise zone is designated for the same period as a state enterprise zone as provided by Chapter 2303, Government Code. The expiration of the designation does not affect an existing tax abatement agreement made under this subchapter.

Added by Acts 1987, 70th Leg., ch. 191, Sec. 1, eff. Sept. 1, 1987.
Amended by Acts 1995, 74th Leg., ch. 985, Sec. 12, eff. Sept. 1, 1995.

Sec. 312.204. MUNICIPAL TAX ABATEMENT AGREEMENT.

(a) The governing body of a municipality eligible to enter into tax abatement agreements under Section 312.002 may agree in writing with the owner of taxable real property that is located in a reinvestment zone, but that is not in an improvement project financed by tax increment bonds, to exempt from taxation a portion of the value of the real property or of tangible personal property located on the real property, or both, for a period not to exceed 10 years, on the condition that the owner of the property make specific improvements or repairs to the property. The governing body of an eligible municipality may agree in writing with the owner of a leasehold interest in tax-exempt real property that is located in a reinvestment zone, but that is not in an improvement project financed

by tax increment bonds, to exempt a portion of the value of property subject to ad valorem taxation, including the leasehold interest, improvements, or tangible personal property located on the real property, for a period not to exceed 10 years, on the condition that the owner of the leasehold interest make specific improvements or repairs to the real property. A tax abatement agreement under this section is subject to the rights of holders of outstanding bonds of the municipality. An agreement exempting taxable real property or leasehold interests or improvements on tax-exempt real property may provide for the exemption of such taxable interests in each year covered by the agreement only to the extent its value for that year exceeds its value for the year in which the agreement is executed. An agreement exempting tangible personal property located on taxable or tax-exempt real property may provide for the exemption of tangible personal property located on the real property in each year covered by the agreement other than tangible personal property that was located on the real property at any time before the period covered by the agreement with the municipality, including inventory and supplies. In a municipality that has a comprehensive zoning ordinance, an improvement, repair, development, or redevelopment taking place under an agreement under this section must conform to the comprehensive zoning ordinance.

(b) The agreements made with the owners of property in a reinvestment zone must contain identical terms for the portion of the value of the property that is to be exempt and the duration of the exemption. For purposes of this subsection, if agreements made with the owners of property in a reinvestment zone before September 1, 1989, exceed 10 years in duration, agreements made with owners of property in the zone on or after that date must have a duration of 10 years.

(c) The property subject to an agreement made under this section may be located in the extraterritorial jurisdiction of the municipality. In that event, the agreement applies to taxes of the municipality if the municipality annexes the property during the period specified in the agreement.

(d) Except as otherwise provided by this subsection, property that is in a reinvestment zone and that is owned or leased by a person who is a member of the governing body of the municipality or a

member of a zoning or planning board or commission of the municipality is excluded from property tax abatement or tax increment financing. Property that is subject to a tax abatement agreement in effect when the person becomes a member of the governing body or of the zoning or planning board or commission does not cease to be eligible for property tax abatement under that agreement because of the person's membership on the governing body, board, or commission. Property that is subject to tax increment financing when the person becomes a member of the governing body or of the zoning or planning board or commission does not become ineligible for tax increment financing in the same reinvestment zone because of the person's membership on the governing body, board, or commission.

(e) The governing body of a municipality eligible to enter into tax abatement agreements under Section 312.002 may agree in writing with the owner or lessee of real property that is located in a reinvestment zone to exempt from taxation for a period not to exceed 10 years a portion of the value of the real property or of personal property, or both, located within the zone and owned or leased by a certificated air carrier, on the condition that the certificated air carrier make specific real property improvements or lease for a term of 10 years or more real property improvements located within the reinvestment zone. An agreement may provide for the exemption of the real property in each year covered by the agreement to the extent its value for that year exceeds its value for the year in which the agreement is executed. An agreement may provide for the exemption of the personal property owned or leased by a certificated air carrier located within the reinvestment zone in each year covered by the agreement other than specific personal property that was located within the reinvestment zone at any time before the period covered by the agreement with the municipality.

(f) The agreements made with owners of property in an enterprise zone that is also designated as a reinvestment zone are not required to contain identical terms for the portion of the value of property that is to be exempt and the duration of the agreement.

(g) Notwithstanding the other provisions of this chapter, the governing body of a municipality eligible to enter into tax abatement agreements under Section 312.002 may agree in writing with the owner of real property that is located in a reinvestment zone to exempt

from taxation for a period not to exceed five years a portion of the value of the real property or of tangible personal property located on the real property, or both, that is used to provide housing for military personnel employed at a military facility located in or near the municipality. An agreement may provide for the exemption of the real property in each year covered by the agreement only to the extent its value for that year exceeds its value for the year in which the agreement is executed. An agreement may provide for the exemption of tangible personal property located on the real property in each year covered by the agreement other than tangible personal property that was located on the real property at any time before the period covered by the agreement with the municipality and other than inventory or supplies. The governing body of the municipality may adopt guidelines and criteria for tax abatement agreements entered into under this subsection that are different from the guidelines and criteria that apply to tax abatement agreements entered into under another provision of this section. Tax abatement agreements entered into under this subsection are not required to contain identical terms for the portion of the value of the property that is to be exempt or for the duration of the exemption as tax abatement agreements entered into with the owners of property in the reinvestment zone under another provision of this section.

(h) The Texas Department of Economic Development or its successor may recommend that a taxing unit enter into a tax abatement agreement with a person under this chapter. In determining whether to enter into a tax abatement agreement under this section, the governing body of a municipality shall consider any recommendation made by the Texas Department of Economic Development or its successor.

Added by Acts 1987, 70th Leg., ch. 191, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1989, 71st Leg., ch. 2, Sec. 14.10(a), eff. Aug. 28, 1989; Acts 1989, 71st Leg., ch. 486, Sec. 1, eff. June 14, 1989; Acts 1989, 71st Leg., ch. 1137, Sec. 6, 7, eff. Sept. 1, 1989; Acts 1995, 74th Leg., ch. 985, Sec. 13, eff. Sept. 1, 1995; Acts 2001, 77th Leg., ch. 560, Sec. 1, eff. Sept. 1, 2001; Acts 2001, 77th Leg., ch. 640, Sec. 1, eff. June 13, 2001; Acts 2001, 77th Leg., ch. 765, Sec. 2, eff. Sept. 1, 2001; Acts 2001, 77th Leg., ch. 1016, Sec. 1, eff. Sept. 1, 2001; Acts 2001, 77th Leg., ch. 1258, Sec. 1,

eff. June 15, 2001; Acts 2003, 78th Leg., ch. 149, Sec. 18, eff. May 27, 2003; Acts 2003, 78th Leg., ch. 978, Sec. 5, eff. Sept. 1, 2003. Amended by:

Acts 2005, 79th Leg., Ch. 412 (S.B. 1652), Sec. 16, eff. September 1, 2005.

Acts 2005, 79th Leg., Ch. 728 (H.B. 2018), Sec. 23.001(82), eff. September 1, 2005.

Sec. 312.2041. NOTICE OF TAX ABATEMENT AGREEMENT TO OTHER TAXING UNITS. (a) Not later than the seventh day before the date on which a municipality enters into an agreement under Section 312.204 or 312.211, the governing body of the municipality or a designated officer or employee of the municipality shall deliver to the presiding officer of the governing body of each other taxing unit in which the property to be subject to the agreement is located a written notice that the municipality intends to enter into the agreement. The notice must include a copy of the proposed agreement.

(b) A notice is presumed delivered when placed in the mail postage paid and properly addressed to the appropriate presiding officer. A notice properly addressed and sent by registered or certified mail for which a return receipt is received by the sender is considered to have been delivered to the addressee.

(c) Failure to deliver the notice does not affect the validity of the agreement.

Added by Acts 1989, 71st Leg., ch. 2, Sec. 14.11(a), eff. Aug. 28, 1989. Amended by Acts 1989, 71st Leg., ch. 1137, Sec. 8, eff. Sept. 1, 1989; Acts 1997, 75th Leg., ch. 855, Sec. 11, eff. Sept. 1, 1997; Acts 1997, 75th Leg., ch. 1333, Sec. 3, eff. Sept. 1, 1997.

Sec. 312.205. SPECIFIC TERMS OF TAX ABATEMENT AGREEMENT. (a) An agreement made under Section 312.204 or 312.211 must:

(1) list the kind, number, and location of all proposed improvements of the property;

(2) provide access to and authorize inspection of the property by municipal employees to ensure that the improvements or repairs are made according to the specifications and conditions of the agreement;

(3) limit the uses of the property consistent with the general purpose of encouraging development or redevelopment of the zone during the period that property tax exemptions are in effect;

(4) provide for recapturing property tax revenue lost as a result of the agreement if the owner of the property fails to make the improvements or repairs as provided by the agreement;

(5) contain each term agreed to by the owner of the property;

(6) require the owner of the property to certify annually to the governing body of each taxing unit that the owner is in compliance with each applicable term of the agreement; and

(7) provide that the governing body of the municipality may cancel or modify the agreement if the property owner fails to comply with the agreement.

(b) An agreement made under Section 312.204 or 312.211 may include, at the option of the governing body of the municipality, provisions for:

(1) improvements or repairs by the municipality to streets, sidewalks, and utility services or facilities associated with the property, except that the agreement may not provide for lower charges or rates than are made for other services or properties of a similar character;

(2) an economic feasibility study, including a detailed list of estimated improvement costs, a description of the methods of financing all estimated costs, and the time when related costs or monetary obligations are to be incurred;

(3) a map showing existing uses and conditions of real property in the reinvestment zone;

(4) a map showing proposed improvements and uses in the reinvestment zone;

(5) proposed changes of zoning ordinances, the master plan, the map, building codes, and city ordinances; and

(6) the recapture of all or a portion of property tax revenue lost as a result of the agreement if the owner of the property fails to create all or a portion of the number of new jobs provided by the agreement, if the appraised value of the property subject to the agreement does not attain a value specified in the agreement, or if the owner fails to meet any other performance

criteria provided by the agreement, and payment of a penalty or interest, or both, on that recaptured property tax revenue.

Added by Acts 1987, 70th Leg., ch. 191, Sec. 1, eff. Sept. 1, 1987.
Amended by Acts 1995, 74th Leg., ch. 995, Sec. 3, eff. Sept. 1, 1995;
Acts 1997, 75th Leg., ch. 855, Sec. 12, eff. Sept. 1, 1997; Acts
1997, 75th Leg., ch. 1333, Sec. 4, eff. Sept. 1, 1997; Acts 2001,
77th Leg., ch. 740, Sec. 1, eff. June 13, 2001.

Sec. 312.206. TAX ABATEMENT BY OTHER TAXING UNITS. (a) If property taxes on property located in the taxing jurisdiction of a municipality are abated under an agreement made under Section 312.204 or 312.211, the governing body of each other taxing unit eligible to enter into tax abatement agreements under Section 312.002 in which the property is located may execute a written tax abatement agreement with the owner of the property. The agreement is not required to contain terms identical to those contained in the agreement with the municipality. The execution, duration, and other terms of an agreement made under this section are governed by the provisions of Sections 312.204, 312.205, and 312.211 applicable to a municipality. If the governing body of the taxing unit by official action at any time before the execution of the municipal agreement expresses an intent to be bound by the terms of the municipal agreement if the municipality enters into an agreement under Section 312.204 or 312.211 with the owner relating to the property, the terms of the municipal agreement regarding the share of the property to be exempt in each year of the municipal agreement apply to the taxation of the property by the taxing unit.

(b) If property taxes on property located in the taxing jurisdiction of a municipality are abated under an agreement made by the municipality before September 1, 1989, the terms of the agreement with the municipality regarding the share of the property that is to be exempt in each year of the agreement apply to the taxation of the property by every other taxing unit, other than a county or school district, in which the property is located. If the agreement was made before September 1, 1987, the terms regarding the share of the property to be exempt in each year of the agreement also apply to the taxation of the property by a county or school district.

(c) If the governing body of a municipality designates a reinvestment zone that includes property in the extraterritorial jurisdiction of the municipality, the governing body of a taxing unit eligible to enter into tax abatement agreements under Section 312.002 in which the property is located may execute a written agreement with the owner of the property to exempt from its property taxes all or part of the value of the property in the same manner and subject to the same restrictions as provided by Section 312.204 or 312.211 for a municipality. The taxing unit may execute an agreement even if the municipality does not execute an agreement for the property, and the terms of the agreement are not required to be identical to the terms of a municipal agreement. However, if the governing body of another eligible taxing unit has previously executed an agreement to exempt all or part of the value of the property and that agreement is still in effect, the terms of the subsequent agreement relating to the share of the property that is to be exempt in each year that the existing agreement remains in effect must be identical to those of the existing agreement.

(d) If property taxes are abated on property in the extraterritorial jurisdiction of a municipality due to an agreement with a county or school district made before September 1, 1989, the terms of the agreement with the county or school district relating to the share of the property that is to be exempt in each year of the agreement apply to the taxation of the property by every other taxing unit, other than a municipality, school district, or county, in which the property is located.

(e) If property taxes on property located in an enterprise zone are abated under this chapter, the governing body of each taxing jurisdiction may execute a written agreement with the owner of the property not later than the 90th day after the date the municipal or county agreement is executed, whichever is later. The agreement may, but is not required to, contain terms that are identical to those contained in the agreement with the municipality, county, or both, whichever applies, and the only terms of the agreement that may vary are the portion of the property that is to be exempt from taxation under the agreement and the duration of the agreement.

Added by Acts 1987, 70th Leg., ch. 191, Sec. 1, eff. Sept. 1, 1987.

Amended by Acts 1989, 71st Leg., ch. 2, Sec. 14.10(b), eff. Aug. 28,

1989; Acts 1989, 71st Leg., ch. 1137, Sec. 9, eff. Sept. 1, 1989; Acts 1995, 74th Leg., ch. 985, Sec. 14, eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 855, Sec. 13, eff. Sept. 1, 1997; Acts 1997, 75th Leg., ch. 1333, Sec. 5, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 1039, Sec. 2, eff. Sept. 1, 1999; Acts 2001, 77th Leg., ch. 765, Sec. 1, eff. Sept. 1, 2001.

Sec. 312.207. APPROVAL BY GOVERNING BODY. (a) To be effective, an agreement made under this subchapter must be approved by the affirmative vote of a majority of the members of the governing body of the municipality or other taxing unit at a regularly scheduled meeting of the governing body.

(b) On approval by the governing body, an agreement may be executed in the same manner as other contracts made by the municipality or other taxing unit.

Added by Acts 1987, 70th Leg., ch. 191, Sec. 1, eff. Sept. 1, 1987.

Sec. 312.208. MODIFICATION OR TERMINATION OF AGREEMENT. (a) At any time before the expiration of an agreement made under this subchapter, the agreement may be modified by the parties to the agreement to include other provisions that could have been included in the original agreement or to delete provisions that were not necessary to the original agreement. The modification must be made by the same procedure by which the original agreement was approved and executed. The original agreement may not be modified to extend beyond 10 years from the date of the original agreement.

(b) An agreement made under this subchapter may be terminated by the mutual consent of the parties in the same manner that the agreement was approved and executed.

Added by Acts 1987, 70th Leg., ch. 191, Sec. 1, eff. Sept. 1, 1987.

Amended by Acts 1989, 71st Leg., ch. 1137, Sec. 10, eff. Sept. 1, 1989.

Sec. 312.209. APPLICATION OF NONSEVERABILITY PROVISION. Section 2, Article 5, Chapter 221, Acts of the 69th Legislature, Regular Session, 1985, applies to the provisions of this subchapter

that are derived from amendments to the Property Redevelopment and Tax Abatement Act made by Chapter 221, Acts of the 69th Legislature, Regular Session, 1985.

Added by Acts 1987, 70th Leg., ch. 191, Sec. 1, eff. Sept. 1, 1987.

Sec. 312.210. AGREEMENT BY TAXING UNITS RELATING TO PROPERTY IN CERTAIN SCHOOL DISTRICTS. (a) This section applies only to a tax abatement agreement applicable to property located in a reinvestment zone with respect to which a municipality, county, and junior college district have entered into a joint agreement to offer tax abatements exempting from taxation a specified portion of the value of the property in the reinvestment zone.

(b) A tax abatement agreement with the owner of real property or tangible personal property that is located in the reinvestment zone described by Subsection (a) and in a school district that has a wealth per student that does not exceed the equalized wealth level must exempt from taxation:

(1) the portion of the value of the property in the amount specified in the joint agreement among the municipality, county, and junior college district; and

(2) an amount equal to 10 percent of the maximum portion of the value of the property that may under Section 312.204(a) be otherwise exempted from taxation.

(c) In this section, "wealth per student" and "equalized wealth level" have the meanings assigned those terms by Section 41.001, Education Code.

Added by Acts 1995, 74th Leg., ch. 1053, Sec. 1, eff. June 17, 1995.
Amended by Acts 1997, 75th Leg., ch. 165, Sec. 6.84, eff. Sept. 1, 1997; Acts 2001, 77th Leg., ch. 640, Sec. 2, eff. June 13, 2001.

Sec. 312.211. AGREEMENT BY MUNICIPALITY RELATING TO PROPERTY SUBJECT TO VOLUNTARY CLEANUP AGREEMENT. (a) This section applies only to:

(1) real property:

(A) that is located in a reinvestment zone;

(B) that is not in an improvement project financed by tax increment bonds; and

(C) that is the subject of a voluntary cleanup agreement under Section 361.606, Health and Safety Code; and

(2) tangible personal property located on the real property.

(b) The governing body of a municipality eligible to enter into a tax abatement agreement under Section 312.002 may agree in writing with the owner of property described by Subsection (a) to exempt from taxation a portion of the value of the property for a period not to exceed four years. The agreement takes effect on January 1 of the next tax year after the date the owner receives a certificate of completion for the property under Section 361.609, Health and Safety Code. The agreement may exempt from taxation:

(1) not more than 100 percent of the value of the property in the first year covered by the agreement;

(2) not more than 75 percent of the value of the property in the second year covered by the agreement;

(3) not more than 50 percent of the value of the property in the third year covered by the agreement; and

(4) not more than 25 percent of the value of the property in the fourth year covered by the agreement.

(c) A property owner may not receive a tax abatement under this section for the first tax year covered by the agreement unless the property owner includes with the application for an exemption under Section 11.28 filed with the chief appraiser of the appraisal district in which the property has situs a copy of the certificate of completion for the property.

(d) A property owner who files a copy of the certificate of completion for property for the first tax year covered by the agreement is not required to refile the certificate in a subsequent tax year to receive a tax abatement under this section for the property for that tax year.

(e) The chief appraiser shall accept a certificate of completion filed under Subsection (c) as conclusive evidence of the facts stated in the certificate.

(f) The governing body of the municipality may cancel or modify the agreement if:

(1) the use of the land is changed from the use specified in the certificate of completion; and

(2) the governing body determines that the new use may result in an increased risk to human health or the environment.

(g) A municipality may enter into a tax abatement agreement covering property described by Subsection (a) under this section or under Section 312.204, but not under both sections. Section 312.204 applies to an agreement entered into under this section except as otherwise provided by this section.

(h) A school district may not enter into a tax abatement agreement under this section.

Added by Acts 1997, 75th Leg., ch. 855, Sec. 8, eff. Sept. 1, 1997; Acts 1997, 75th Leg., ch. 1333, Sec. 6, eff. Sept. 1, 1997. Amended by Acts 2001, 77th Leg., ch. 483, Sec. 6, eff. Sept. 1, 2001.

SUBCHAPTER C. TAX ABATEMENT IN COUNTY REINVESTMENT ZONE

Sec. 312.401. DESIGNATION OF REINVESTMENT ZONE. (a) The commissioners court of a county eligible to do so under Section 312.002 by order may designate as a reinvestment zone an area of the county that does not include area in the taxing jurisdiction of a municipality.

(b) The commissioners court may not designate an area as a reinvestment zone until it holds a public hearing on the designation and finds that the designation would contribute to the retention or expansion of primary employment or would attract major investment in the zone that would be a benefit to the property to be included in the zone and would contribute to the economic development of the county. At the hearing, interested persons are entitled to speak and present evidence for or against the designation. Notice of the hearing must be given in the same manner as provided for notice of a hearing to be held by a municipality under Section 312.201.

(c) The designation of a reinvestment zone under this section expires five years after the date of the designation and may be renewed for periods not to exceed five years. The expiration of the designation does not affect existing agreements made under this subchapter.

(d) Property may be located both in a reinvestment zone designated by a county under this subchapter and in a reinvestment zone designated by a municipality under Subchapter B.

Added by Acts 1987, 70th Leg., ch. 191, Sec. 1, eff. Sept. 1, 1987.
Amended by Acts 1989, 71st Leg., ch. 2, Sec. 14.12(a), eff. Aug. 28, 1989.

Sec. 312.4011. ENTERPRISE ZONE. Designation of an area as an enterprise zone under Chapter 2303, Government Code constitutes designation of the area as a reinvestment zone under this subchapter without further hearing or other procedural requirements other than those provided by Chapter 2303, Government Code.

Added by Acts 1989, 71st Leg., ch. 1106, Sec. 30, eff. Aug. 28, 1989.
Amended by Acts 1995, 74th Leg., ch. 76, Sec. 5.95(22), eff. Sept. 1, 1995.

Sec. 312.402. COUNTY TAX ABATEMENT AGREEMENT. (a) The commissioners court may execute a tax abatement agreement with the owner of taxable real property located in a reinvestment zone designated under this subchapter or with the owner of tangible personal property located on real property in a reinvestment zone to exempt from taxation all or a portion of the value of the real property, all or a portion of the value of the tangible personal property located on the real property, or all or a portion of the value of both.

(a-1) The commissioners court may execute a tax abatement agreement with the owner of a leasehold interest in tax-exempt real property located in a reinvestment zone designated under this subchapter to exempt all or a portion of the value of the leasehold interest in the real property. The court may execute a tax abatement agreement with the owner of tangible personal property or an improvement located on tax-exempt real property that is located in a designated reinvestment zone to exempt all or a portion of the value of the tangible personal property or improvement located on the real property.

(a-2) The execution, duration, and other terms of an agreement entered into under this section are governed by the provisions of Sections 312.204, 312.205, and 312.211 applicable to a municipality. Section 312.2041 applies to an agreement entered into under this section in the same manner as that section applies to an agreement entered into under Section 312.204 or 312.211.

(a-3) The commissioners court may execute a tax abatement agreement with a lessee of taxable real property located in a reinvestment zone designated under this subchapter to exempt from taxation all or a portion of the value of the fixtures, improvements, or other real property owned by the lessee and located on the property that is subject to the lease, all or a portion of the value of tangible personal property owned by the lessee and located on the real property that is the subject of the lease, or all or a portion of the value of both the fixtures, improvements, or other real property and the tangible personal property described by this subsection.

(b) A tax abatement agreement made by a county has the same effect on the school districts and other taxing units in which the property subject to the agreement is located as is provided by Sections 312.206(a) and (b) for an agreement made by a municipality to abate taxes on property located in the taxing jurisdiction of the municipality.

(c) If on or after September 1, 1989, property subject to an agreement with a county under this section is annexed by a municipality during the existence of the agreement, the terms of the county agreement regarding the share of the property to be exempt in each year of the agreement apply to the taxation of the property by the municipality if before the annexation the governing body of the municipality by official action expresses an intent to enter into an agreement with the owner of the property to abate taxes on the property if it is annexed or to be bound by the terms of the county agreement after annexation, even if that official action of the governing body of the municipality expressing that intent occurs before September 1, 1989.

(d) Except as otherwise provided by this subsection, property that is located in a reinvestment zone designated by a county under this subchapter and that is owned or leased by a person who is a

member of the commissioners court may not be subject to a tax abatement agreement made under this section. Property that is subject to a tax abatement agreement under this section in effect when the person becomes a member of the commissioners court does not cease to be eligible for property tax abatement under that agreement because of the person's membership on the commissioners court.

(e) An agreement made under this section by a county or other taxing unit may be modified or terminated in the same manner and subject to the same limitations as provided by Section 312.208 for an agreement made under Subchapter B.

(f) The Texas Department of Economic Development or its successor may recommend that a taxing unit enter into a tax abatement agreement with a person under this chapter. In determining whether to enter into a tax abatement agreement under this section, the commissioners court of a county shall consider any recommendation made by the Texas Department of Economic Development or its successor.

Added by Acts 1987, 70th Leg., ch. 191, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1989, 71st Leg., ch. 2, Sec. 14.12(b), eff. Aug. 28, 1989; Acts 1989, 71st Leg., ch. 1137, Sec. 11, eff. Sept. 1, 1989; Acts 1997, 75th Leg., ch. 855, Sec. 14, eff. Sept. 1, 1997; Acts 1997, 75th Leg., ch. 1333, Sec. 7, eff. Sept. 1, 1997; Acts 2001, 77th Leg., ch. 640, Sec. 3, eff. June 13, 2001; Acts 2001, 77th Leg., ch. 1016, Sec. 2, eff. Sept. 1, 2001; Acts 2003, 78th Leg., ch. 978, Sec. 6, eff. Sept. 1, 2003.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1195 (H.B. 3896), Sec. 3, eff. June 19, 2009.

Acts 2009, 81st Leg., R.S., Ch. 1225 (S.B. 1458), Sec. 3, eff. June 19, 2009.

Sec. 312.403. TAX ABATEMENT AGREEMENT FOR NUCLEAR ELECTRIC POWER GENERATION FACILITY IN COUNTY REINVESTMENT ZONE. (a) In this section, "nuclear electric power generation" has the meaning assigned by Section 313.024(e).

(b) An agreement made under this subchapter with the owner of property that is a nuclear electric power generation facility may

include a provision that defers the effective date of the agreement to a later date agreed to by the taxing unit and the owner of the property, but not later than the seventh anniversary of the date the agreement is made.

(c) If the effective date of an agreement is deferred under Subsection (b), the agreement may have a term ending not later than 10 years after the effective date of the agreement, notwithstanding Sections 312.204 and 312.208.

Added by Acts 2007, 80th Leg., R.S., Ch. 1262 (H.B. 2994), Sec. 1, eff. June 15, 2007.

RESOLUTION NO. R-16-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS DECLARING THAT THE CITY ELECTS TO BECOME EIGIBLE TO PARTICIPATE IN OFFERING TAX ABATEMENT UNDER THE PROPERTY REDEVELOPMENT AND TAX ABATEMENT ACT AS AMENDED AND OTHER ECONOMIC DEVELOPMENT INCENTIVES AND ADOPTING A POLICY STATEMENT ON ECONOMIC DEVELOPMENT INCENTIVES ESTABLISHING OBJECTIVE AND SUBJECTIVE CRITERIA AND GUIDELINES FOR EVALUATING INCENTIVE APPLICATIONS.

WHEREAS, the City Council desires to promote economic development within the City of Lamesa and its extraterritorial jurisdiction; and

WHEREAS, the creation of certain reinvestment and tax abatement zones within the City and its extraterritorial jurisdiction will likely contribute to the economic development of Lamesa by encouraging major investment and the creation of jobs; and

WHEREAS, the Property Redevelopment and Tax Abatement Act (Chapter 312, Texas Tax Code, as amended) allows cities to establish their own local guidelines and criteria for the creation of reinvestment zones and tax abatement agreement;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF LAMESA, TEXAS:

Section 1: That the City of Lamesa does hereby elect to become eligible to participate in tax abatement as authorized under the Property Redevelopment and Tax Abatement Act as amended and other Economic Development Incentives and adopting a policy statement on economic development incentives establishing objective and subjective criteria and guidelines for evaluating incentive applications.

PASSED AND APPROVED this 18th day of November, 2014.

ATTEST

APPROVED:

Maria Hatchett
City Secretary

Dave Nix
Mayor

Exhibit A

Statement of Policy and Guidelines and Criteria Governing Economic Development Incentives and Tax Abatement Agreements for The City of Lamesa, Texas

Policy

The City of Lamesa is committed to the promotion of quality development in all parts of the City and area of its extraterritorial jurisdiction and to an ongoing improvement in the quality of life for its citizens. Insofar as these objectives are generally served by the enhancement and expansion of the local economy, the City of Lamesa will give consideration to providing incentives as a stimulation for economic development in Lamesa. It is the policy of the City of Lamesa that said consideration will be provided in accordance with the guidelines, procedures and criteria outlined in this document. However, nothing herein shall imply or suggest that the City of Lamesa is under obligation to provide any incentive to any applicant. All applicants shall be considered by the City on a case-by-case basis.

I. Abatement Application Procedure

- (a) Who may apply. Any present or potential owner or Lessee of taxable property in the City of Lamesa (the "City") may submit an application for tax abatement conforming to the requirements herein.
- (b) Eligible Property. Abatement may be granted for the following property: new expanded or modernized buildings and structures, fixed machinery and equipment; site improvements; other tangible items necessary to the operation and administration of the project or facility; and all other real and tangible personal property permitted by Chapter 312 of the Texas Tax Code. Taxes on real property may be abated only to the extent the property's value for a given year exceeds its value for the year in which the agreement is executed. Tangible personal property located on the real property at any time before the period covered by the agreement is not eligible for abatement. Tangible personal property eligible for abatement shall not include inventory or supplies.

Property in a reinvestment zone that is owned or leased by a member of the Lamesa City Council is excluded from property tax abatement.

- (c) Application Provisions the application shall consist of a completed City Tax Abatement Application Form, which shall contain the following:
 - (1) information showing how the project meets the requirements of the criteria outlined in Section II below;
 - (2) a map and description of the property;
 - (3) a time schedule for completing the planned improvements;
 - (4) the estimated taxable value or range of values of the project or facility; and
 - (5) basic financial information about the applicant sufficient to enable evaluation of the application's financial capacity.
- (d) Procedure for Consideration of Application. The procedure for consideration by the City of a Tax Abatement Application is as follows:
 - (1) An applicant may request a Tax Abatement Application from the City Secretary;
 - (2) After an applicant completes the Tax Abatement Application, the application shall be filed with the City Secretary; and
 - (3) The City Council shall issue a determination at any time before the expiration of forty-five (45) days from the date of receipt of the application regarding how to proceed with the application. The City Council shall choose either to deny the application, consider the application, or consider

the application on an expedited basis.

- (a) *Denial of Application.* If the City Council chooses to deny the application, it shall make a finding by majority vote at a regularly scheduled meeting that, after balancing the criteria described below in Section II, it is the judgment of the City Council that the application should be denied.
- (b) *Consideration of Application.* If the City Council determines that the application should be further considered, the City Council must hold a public hearing to obtain public input on the application. Not later than the seventh (7th) day before the date of the hearing, notice of the hearing must be: (1) delivered in writing to the presiding officer of each taxing unit that includes in its boundaries real property that is to be included in the proposed reinvestment zone, and (2) published in a newspaper of general circulation in Dawson County. At the hearing, the City Council evaluates the application against the criteria in Section II and decides by majority vote whether to designate the property for which the abatement is sought as a reinvestment zone. If the reinvestment zone is designated, the City Council shall pass an order to that effect. An order designating an area as a reinvestment zone is valid for five years from the date of designation. Once the area is designated as a reinvestment zone, the City Council may then arrange to consider for approval of the tax abatement agreement between the applicant and the City at its next regularly scheduled or specially called meeting. At least seven days prior to entering into a tax abatement agreement, the City must give written notice of its intent to do so to the presiding officer of each taxing unit that includes in its boundaries real property that is to be included in the proposed reinvestment zone, along with a copy of the proposed tax abatement agreement. At the regularly scheduled or specially called meeting, the City Council may finally vote by simple majority to enter into the tax abatement agreement, or to decline. An approved tax abatement agreement may be executed in the same manner as other contracts made by the City. A tax abatement agreement that is declined by the City Council may be amended and resubmitted.
- (c) *Expedited consideration of application.* If the City Council determines that the application should receive expedited consideration, the City Council may combine the steps described in the preceding paragraph into a single, regularly scheduled or specially called meeting of the City Council, provided the City meets the procedural prerequisites for each step.
- (e) *Confidentiality.* As required by Chapter 312.003 of the Texas Tax Code, information that is provided to the City in connection with an application or request for tax abatement under this chapter and that describes the specific processes or business activities to be conducted or the equipment or other property to be located on the property for which tax abatement is sought is confidential and not subject to public disclosure until the tax abatement agreement executed.
- (f) *Effect of error or variance with application procedure.* Except where not allowed by state law, the City may waive application procedures or grant procedural variances as they deem appropriate.

II. Criteria for Designating a Reinvestment Zone and Evaluating Tax Abatement Agreement

- (a) Minimum requirements. To be designated a reinvestment zone, City Council must find by majority vote that the designation would contribute to the retention or expansion of primary employment or would attract major investment in the zone that would be a benefit to the property and that would contribute to the economic development of the City.
- (b) Criteria. In determining whether to designate a reinvestment zone and whether to enter into a tax abatement agreement, the City Council shall consider the following factors, among others determined appropriate by the City Council:
 - (1) the current value of land and existing improvements, if any;
 - (2) the type, value, and purpose of proposed improvements, if any;
 - (3) the productive life of proposed improvements, if any;
 - (4) the impact of proposed improvements and any other proposed expenditures on existing jobs;
 - (5) the number and type of new jobs, if any, to be created by proposed improvements and expenditures;
 - (6) any costs to be incurred by the City, if any, to provide facilities or services directly resulting from the new improvements;
 - (7) the types and values of public improvements, if any, to be made by applicant seeking abatement;
 - (8) an estimate of the amount of ad valorem property taxes to be paid to the City after expiration of the abatement agreement;
 - (9) the impact on the business opportunities of existing businesses and the attraction of new businesses to the area, if any;
 - (10) the overall compatibility with the zoning ordinances and comprehensive plan, if any, for the area and
 - (11) whether the applicant's proposed facility or improvement or modernization is an industry which is new to the City;
 - (12) the impact upon the City's infrastructure including the use of City Services.

III. Format for Tax Abatement Agreement

- (a) Required Provisions. If the City Council designates a reinvestment zone, it may consider and execute a tax abatement agreement with the owner or potential owner or Lessee of the designated property as outlined above. Any tax abatement agreement shall include at least the following provisions:
 - (1) the kind, number and location of all proposed improvements of the property;
 - (2) provisions allowing for reasonable access to the property for initial and intermittent inspection purposes by City employees or designated representatives to ensure improvements are made in compliance with the agreement;
 - (3) provisions limiting the use of the property consistent with the general purpose of encouraging development or redevelopment of the area during the period of the abatement;
 - (4) provisions for recapturing property tax revenue lost as a result of the agreement if the owner of the property fails to make the improvements or repairs as provided in the agreement;
 - (5) each term agreed to by the recipient of the abatement;
 - (6) a requirement that the abatement recipient certify its compliance with the agreement annually to each taxing unit that is party to the agreement; and

- (7) provisions allowing the City to cancel or modify the agreement if the recipient fails to comply with the agreement.
- (b) Optional Provisions. The tax abatement agreement may also contain any or all of the following items, in addition to any others deemed appropriate by the contracting parties;
 - (1) the estimated taxable value or range of values for which taxes are to be abated;
 - (2) the percent of value to be abated each year;
 - (3) the commencement and termination dates of the abatement;
 - (4) the proposed use of the property;
 - (5) a time schedule, map, and property description;
 - (6) contractual obligations in the event of default or violation of terms or conditions;
 - (7) the size of investment and number of temporary and permanent jobs involved, if any;
 - (8) provisions for dispute resolution.
- (c) Duration and portion of abatement. A tax abatement agreement granted by the City Council shall be up to, but not exceeding, ten (10) years in duration and up to, but not exceeding, 100 percent (100%) of ad valorem property taxes. At any time before the expiration of the agreement, the parties may agree to modify the agreement or to delete the provisions that were not necessary to the original agreement. The same procedural prerequisites for approval of the original agreement apply to modification of the agreement.
- (d) Time Limit. Such Agreement shall be executed within 30 days after the passage of the resolution approving the agreement, unless the City and the applicant agree otherwise.

IV. General Provisions

These guidelines and criteria in no way require the City to enter into any specific tax abatement agreement. The City maintains the discretion to reject any application for tax abatement as it deems appropriate.

V. Sunset and Amendment of Guidelines and Criteria

These guidelines and criteria are effective upon the date of their adoption and will remain in force for two years, unless extended by a three-fourths vote of the City Council.

NOTICE OF PUBLIC HEARING

CITY OF LAMESA, TEXAS

DECEMBER 16, 2014

NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS, WILL MEET ON TUESDAY, DECEMBER 16, 2014, AT 5:30 P.M., AT A REGULARLY SCHEDULED COUNCIL MEETING, AT CITY HALL, 601 SOUTH 1ST STREET, LAMESA, TEXAS, TO CONSIDER DESIGNATION OF THE FOLLOWING DESCRIBED REAL PROPERTY LOCATED WITHIN THE LIMITS OF THE CITY OF LAMESA AS A REINVESTMENT ZONE.

SUCH HEARING IS TO DETERMINE WHETHER THE IMPROVEMENTS SOUGHT ARE FEASIBLE AND PRACTICAL AND WOULD BE A BENEFIT TO THE LAND TO BE INCLUDED IN THE ZONE AND TO THE MUNICIPALITY AFTER THE EXPIRATION OF AN AGREEMENT ENTERED INTO UNDER SECTION 312.204 OR 312.211 OF THE TEXAS TAX CODE, AS APPLICABLE, AND WHETHER THE AREA IN THE ZONE IS REASONABLY LIKELY AS A RESULT OF THE DESIGNATION TO CONTRIBUTE TO THE RETENTION OR EXPANSION OF PRIMARY EMPLOYMENT OR TO ATTRACT MAJOR INVESTMENT IN THE ZONE THAT WILL BE A BENEFIT TO THE PROPERTY AND THAT WILL CONTRIBUTE TO THE ECONOMIC DEVELOPMENT OF THE MUNICIPALITY.

AT THE HEARING, INTERESTED PERSONS ARE ENTITLED TO SPEAK AND PRESENT EVIDENCE FOR OR AGAINST THE DESIGNATION.

A MAP OF THE PROPOSED REINVESTMENT ZONE IS AVAILABLE FOR VIEWING PRIOR TO THE PUBLIC HEARING AT THE LAMESA CITY HALL, IN THE CITY SECRETARY'S OFFICE, 601 SOUTH 1ST STREET, LAMESA, TEXAS.

DESCRIPTION OF PROPOSED REINVESTMENT ZONE

TRACT ONE: All of the Northeast One-fourth (NE/4) of Section Eight (8), Block Thirty-five (35), T-5-N, T. & P. Ry. Co. Survey, in Dawson County, Texas;

SAVE AND EXCEPT a tract 210 feet by 210 feet out of the Northeast corner described by metes and bounds in Warranty Deed dated September 9, 1924, T. A. Miller to T. J. Farrow, recorded in Volume 34, Page 82, of the Deed Records of Dawson County, Texas; and

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at (806) 872-4322 or FAX (806) 872-4341 for further information.

TRACT TWO: All of that 6.5 acre tract out of Section Five (5), Block Thirty-five (35), T-5-N, Certificate No. 2462, described by metes and bounds as follows:

BEGINNING at the Northeast corner of Section 8 and the Southeast corner of Section 5, for the Southeast corner of this tract;

THENCE N.14°45'W.34.5 varas to a point in the center of the Lamesa and Big Spring Road;

THENCE S.75°51'W.950 varas to a point in said road;

THENCE S.14°45'E.44.4 varas to a 1" iron pipe set in the center of the North line of said Section 8 and in the center of the South line of said Section 5;

THENCE N.75°15'E. 950 varas to the PLACE OF BEGINNING, containing 6.5 acres of land;

SAVE AND EXCEPT that 2.0504 acre tract described in that Right-of-way Deed from Annie Miller, et al, to the State of Texas dated August 16, 1949, recorded in Volume 101, Page 483, of the Deed Records of Dawson County, Texas;

SUBJECT TO that 210' X 210' tract conveyed to T. J. Farrow by Deed dated September 26, 1924, recorded in Volume 34, Page 82, of the Deed Records of Dawson County, Texas;

FURTHER SAVE AND EXCEPT a 2.48 tract of land situated in a portion of that certain 6.5 acre tract of land out of Section 5, Block 35, T-5-N, T. & P. Ry. Co. Survey, in Dawson County, Texas, as described in Deed from Margie Miller Lawrence to the City of Lamesa dated August 27, 1999, and recorded in Volume 493, Page 607, of the Deed Records of Dawson County, Texas, and a portion of the NE/4 of Section 8, Block 35, T-5-N, T. & P. Ry. Co. Survey, in Dawson County, Texas, as described in Deed from Margie Miller Lawrence to the City of Lamesa dated January 23, 1998, and recorded in Volume 483, Page 663, of the Deed Records of Dawson County, Texas, said 2.48 acre tract being more particularly described as follows:

BEGINNING at a point on the line between said Sections 5 and 8 from which a railroad spike found for the common West corner of said Sections 5 and 8 bears S.75°15'00"W.2634.45 feet;

THENCE N.15°05'20"W.122 feet to a point in the Southerly right-of-way line of Farm Road 827, for the Northwest corner of this tract;

THENCE N.75°45'00"E., along said Southerly right-of-way line, 360.00 feet for the Northeast corner of this tract;

THENCE S.15°05'20"E., at 118.86 feet pass the South line of said Section 5 and the North line of said Section 8, in all 300.00 feet to a 5/8" iron rod with cap marked "RPLS1690" set for the Southeast corner of this tract;

THENCE S.75°45'00"W.360.00 feet for the Southwest corner of this tract;

THENCE N.15°05'20"W. to the PLACE OF BEGINNING;

FURTHER SAVE AND EXCEPT a 0.578 acre tract of land situated in a portion of that certain 6.5 acre tract of land out of Section 5, Block 35, T-5-N, T. & P. Ry. Co. Survey, in Dawson County, Texas, as described in deed from Margie Miller Lawrence to the Lamesa Economic Development Corporation dated August 27, 1999, and recorded in Volume 493, Page 607, of the Deed Records of Dawson County, Texas, and a portion of the NE/4 of Section 8, Block 35, T-5-N, T. & P. Ry. Co. Survey, in Dawson County, Texas, as described in deed from Margie Miller Lawrence to the Lamesa Economic Development Corporation dated January 30, 1998, and recorded in Volume 483, Page 663, of the Deed Records of Dawson County, Texas, said 0.578 acre tract being more particularly described as follows:

BEGINNING at a ½" iron rod with cap marked "NEWTON SURVEYING" set in the Southerly right-of-way line of State F.M. Highway 827 (V. 101, P. 483, Deed Records), for the Northwest corner of this tract, from which the Southwest corner of the SE/4 of said Section 5, and the Northwest corner of the NE/4 of said Section 8 bears S.12°58'47"E. 79.60 feet and S.77°21'33"W. 282.00 feet (bearings compared to the Texas Coordinate System of 1983, North Central Zone, distances are true at an averaged surface elevation);

THENCE N.77°51'35"E. along said Southerly right-of-way line of State F.M. Highway 827, a distance of 168.00 feet to a ½" iron rod with cap marked "NEWTON SURVEYING" set for the Northeast corner of this tract;

THENCE S.12°58'47"E. at 78.14 feet pass the South line of said Section 5 and the North line of said Section 8, in all 150.00 feet to a ½" iron rod with cap marked "NEWTON SURVEYING" set for the Southeast corner of this tract;

THENCE S.77°51'35"W. 168.00 feet to a ½" iron rod with cap marked "NEWTON SURVEYING" set for the Southwest corner of this tract;

THENCE N.12°58'47"W. at 70.40 feet pass the North line of said Section 8 and the South line of said Section 5, in all 150.00 feet to the PLACE OF BEGINNING.

ORDINANCE NO. O-03-15**AN ORDINANCE DESIGNATING A GEOGRAPHIC AREA WITHIN THE CITY OF LAMESA, DAWSON COUNTY, TEXAS, AS A REINVESTMENT ZONE PURSUANT TO CHAPTER 312 OF THE TEXAS TAX CODE; ADOPTING PROVISIONS RELATED THERETO; AND PROVIDING FOR SEVERABILITY**

On the this 20th day of January, 2015, there came on and was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas, held pursuant to the provisions of the Texas Open Meetings Act, and there being a quorum present and acting throughout the meeting, the following ordinance was formally submitted by motion and duly seconded for consideration and action of the meeting, to-wit:

Whereas, pursuant to Chapter 312 of the Texas Tax Code, the City of Lamesa, Texas, may designate a geographic area within the City as a reinvestment zone if the area satisfies the requirements of certain provisions of the Act; and

Whereas, the City of Lamesa wishes to designate that property located in the City of Lamesa, Dawson County, Texas, described on Exhibit A and having the boundaries as shown on the map in Exhibit B, both attached to this Ordinance, as a Reinvestment Zone under the City of Lamesa Guidelines and Criteria for Granting Tax Abatements, having determined that the designation will contribute to the retention or expansion of primary employment and will attract major investment in the zone that will benefit the zone and will contribute to the economic development of the City of Lamesa; and

Whereas, the City of Lamesa declares eligible for property tax abatement all eligible property for commercial-industrial development located in the Reinvestment Zone as authorized by the City of Lamesa Guidelines and Criteria for Granting Tax Abatements in Reinvestment Zones and Chapter 312 of the Texas Code.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS:

Section 1. That the ordinance shall be known as a Reinvestment Zone Ordinance of the City of Lamesa, Texas; and shall designate such zone as the "Lamesa Solar Reinvestment Zone."

Section 2. That the City of Lamesa hereby designates that property located in the City of Lamesa, Dawson County, Texas, described on Exhibit A and having the boundaries as shown on the map on Exhibit B, both attached to this Ordinance, as a Reinvestment Zone under the City of Lamesa Guidelines and Criteria for Granting Tax Abatements.

Section 3. That the City of Lamesa hereby declares eligible for property tax abatement all eligible property for commercial-industrial development, now or thereafter located in the Reinvestment Zone as authorized by the City of Lamesa Guidelines and Criteria for Granting Tax Abatements in Reinvestment Zones and Chapter 312 of the Texas Tax Code.

Section 4. Severability. If any provision, section, subsection, sentence, clause or phrase of this Ordinance, or the application of same to any person to set circumstances, is for any reason held to be unconstitutional, void or invalid, the validity of the remaining provisions of this Ordinance or their application to other persons or set of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or regulations connected herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any portion hereof, and all provisions of this Ordinance are declared severable for that purpose.

Section 5. That this ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

Upon being put to a vote, the foregoing ordinance was Passed, on First Reading on the 20th day of January, 2015, by a majority vote; and then on the 17th day of February, 2015, there came on and was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas, held pursuant to the provisions of the Texas Open Meetings Act, and there being a quorum present and acting throughout the meeting, the foregoing ordinance was formally submitted by motion and duly seconded for the consideration and action of the meeting, and upon being put to a vote, the foregoing ordinance was Passed on Second and Final Reading and Adopted this 17th day of February, 2015, by a majority vote and ordered to be spread upon the minutes of the City Council of the City of Lamesa, Texas and recorded in the ordinance book thereafter.

ATTEST:

APPROVED:



Maria Hatchett
City Secretary



Dave Nix
Mayor

** ** ** ** ** ** ** ** ** ** ** **

RESOLUTION NO.: R-05-15

WEST 40' OF LOT ONE (1), BLOCK ONE (1), BLACKBURN ADDITION OF LAMESA DAWSON COUNTY, TEXAS; SPECIFYING THE TERMS AND CONDITIONS OF SUCH SALE OF SUCH PROPERTY; AND AUTHORIZING THE CITY SECRETARY OF THE CITY OF LAMESA TO ADVERTISE THE PROPERTY FOR SALE IN ACCORDANCE WITH SECTION 253.001 OF THE GOVERNMENT CODE OF THE STATE OF TEXAS.

WHEREAS, it appearing to the City Council of the City of Lamesa, Texas that the City of Lamesa, Texas is the owner of:

West 40' of Lot One (1), Block One (1), Blackburn Addition, Lamesa, Dawson County, Texas;

and that it is in the best interest of the City of Lamesa, Texas that the City divest itself of title to such property, and that such property should be sold to the highest bidder for cash in accordance with law, therefore

BE IT RESOLVED that the City of Lamesa, Texas, sell and convey the herein above described property; and

BE IT FURTHER RESOLVED that such sale and conveyance by made to the highest bidder for cash on the following terms and conditions, to-wit:

- (1) Such sale shall be subject to all existing and valid restrictions, mineral reservations and easements, if any, of record in the Office of the Clerk of Dawson County, Texas or actually visible on the ground.
- (2) The City of Lamesa shall not be required to accept any bid or offer or be required to consummate any sale, and may reject any or all bids.
- (3) The sale and conveyance shall be without warranty of title and the City of Lamesa shall not be required to furnish any purchaser an owner's policy of title insurance or an abstract of title.

EXHIBIT A

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TRACT ONE: All of the Northeast One-fourth (NE/4) of Section Eight (8), Block Thirty-five (35), T-5-N, T. & P. Ry. Co. Survey, in Dawson County, Texas;

SAVE AND EXCEPT a tract 210 feet by 210 feet out of the Northeast corner described by metes and bounds in Warranty Deed dated September 9, 1924, T. A. Miller to T. J. Farrow, recorded in Volume 34, Page 82, of the Deed Records of Dawson County, Texas; and

TRACT TWO: All of that 6.5 acre tract out of Section Five (5), Block Thirty-five (35), T-5-N, Certificate No. 2462, described by metes and bounds as follows:

BEGINNING at the Northeast corner of Section 8 and the Southeast corner of Section 5, for the Southeast corner of this tract;

THENCE N.14°45'W.34.5 varas to a point in the center of the Lamesa and Big Spring Road;

THENCE S.75°51'W.950 varas to a point in said road;

THENCE S.14°45'E.44.4 varas to a 1" iron pipe set in the center of the North line of said Section 8 and in the center of the South line of said Section 5;

THENCE N.75°15'E. 950 varas to the PLACE OF BEGINNING, containing 6.5 acres of land;

SAVE AND EXCEPT that 2.0504 acre tract described in that Right-of-way Deed from Annie Miller, et al, to the State of Texas dated August 16, 1949, recorded in Volume 101, Page 483, of the Deed Records of Dawson County, Texas;

SUBJECT TO that 210' X 210' tract conveyed to T. J. Farrow by Deed dated September 26, 1924, recorded in Volume 34, Page 82, of the Deed Records of Dawson County, Texas;

FURTHER SAVE AND EXCEPT a 2.48 tract of land situated in a portion of that certain 6.5 acre tract of land out of Section 5, Block 35, T-5-N, T. & P. Ry. Co. Survey, in Dawson County, Texas, as described in Deed from Margie Miller Lawrence to the City of Lamesa dated August 27, 1999, and recorded in Volume 493, Page 607, of the Deed Records of Dawson County, Texas, and a portion of the NE/4 of Section 8, Block 35, T-5-N, T. & P. Ry. Co. Survey, in Dawson County, Texas, as described in Deed from Margie Miller Lawrence to the City of Lamesa dated January 23, 1998, and recorded in Volume 483, Page 663, of the Deed Records of Dawson County, Texas, said 2.48 acre tract being more particularly described as follows:

BEGINNING at a point on the line between said Sections 5 and 8 from which a railroad spike found for the common West corner of said Sections 5 and 8 bears S.75°15'00"W.2634.45 feet;

260 b

THENCE N.15°05'20"W.122 feet to a point in the Southerly right-of-way line of Farm Road 827, for the Northwest corner of this tract;

THENCE N.75°45'00"E., along said Southerly right-of-way line, 360.00 feet for the Northeast corner of this tract;

THENCE S.15°05'20"E., at 118.86 feet pass the South line of said Section 5 and the North line of said Section 8, in all 300.00 feet to a 5/8" iron rod with cap marked "RPLS1690" set for the Southeast corner of this tract;

THENCE S.75°45'00"W.360.00 feet for the Southwest corner of this tract;

THENCE N.15°05'20"W. to the PLACE OF BEGINNING;

FURTHER SAVE AND EXCEPT a 0.578 acre tract of land situated in a portion of that certain 6.5 acre tract of land out of Section 5, Block 35, T-5-N, T. & P. Ry. Co. Survey, in Dawson County, Texas, as described in deed from Margie Miller Lawrence to the Lamesa Economic Development Corporation dated August 27, 1999, and recorded in Volume 493, Page 607, of the Deed Records of Dawson County, Texas, and a portion of the NE/4 of Section 8, Block 35, T-5-N, T. & P. Ry. Co. Survey, in Dawson County, Texas, as described in deed from Margie Miller Lawrence to the Lamesa Economic Development Corporation dated January 30, 1998, and recorded in Volume 483, Page 663, of the Deed Records of Dawson County, Texas, said 0.578 acre tract being more particularly described as follows:

BEGINNING at a 1/2" iron rod with cap marked "NEWTON SURVEYING" set in the Southerly right-of-way line of State F.M. Highway 827 (V. 101, P. 483, Deed Records), for the Northwest corner of this tract, from which the Southwest corner of the SE/4 of said Section 5, and the Northwest corner of the NE/4 of said Section 8 bears S.12°58'47"E. 79.60 feet and S.77°21'33"W. 282.00 feet (bearings compared to the Texas Coordinate System of 1983, North Central Zone, distances are true at an averaged surface elevation);

THENCE N.77°51'35"E. along said Southerly right-of-way line of State F.M. Highway 827, a distance of 168.00 feet to a 1/2" iron rod with cap marked "NEWTON SURVEYING" set for the Northeast corner of this tract;

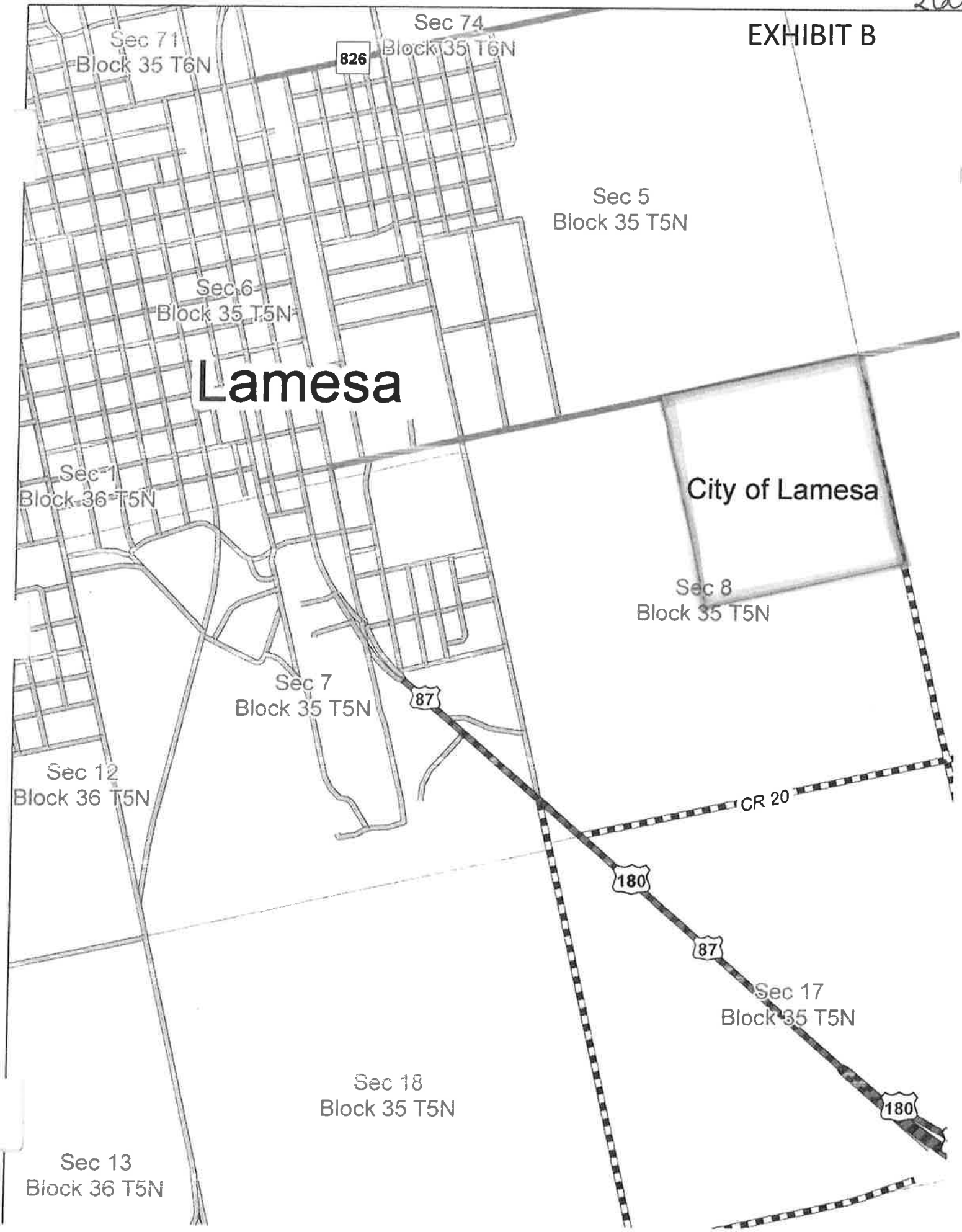
THENCE S.12°58'47"E. at 78.14 feet pass the South line of said Section 5 and the North line of said Section 8, in all 150.00 feet to a 1/2" iron rod with cap marked "NEWTON SURVEYING" set for the Southeast corner of this tract;

THENCE S.77°51'35"W. 168.00 feet to a 1/2" iron rod with cap marked "NEWTON SURVEYING" set for the Southwest corner of this tract;

THENCE N.12°58'47"W. at 70.40 feet pass the North line of said Section 8 and the South line of said Section 5, in all 150.00 feet to the PLACE OF BEGINNING.

210 c

EXHIBIT B



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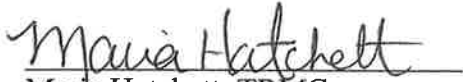
(4) Each bid shall be for cash and the city shall not be required to finance any part of the transaction.

BE IT FURTHER RESOLVED that Notice of such intended sale be published and advertised in a newspaper of general circulation in Dawson County, Texas on at least two (2) separate occasions in accordance with Section 253.001 of the Government Code of the State of Texas.

PASSED AND ADOPTED at a meeting of the City Council of the City of Lamesa, Texas on the 17th day of February, 2015.

ATTEST:

CITY OF LAMESA, TEXAS



Maria Hatchett, TRMC
City Secretary



Dave Nix
Mayor

** ** ** ** **

ORDINANCE NO. O-04-15

AN ORDINANCE AMENDING CHAPTER 3, ENTITLED "BUILDING REGULATIONS", ARTICLE 3.03 TECHNICAL AND CONSTRUCTION CODES AND STANDARDS, BY ADDING DIVISION 5. NATIONAL FIRE PROTECTION ASSOCIATION 1194, STANDARD FOR RECREATIONAL VEHICLE PARKS AND CAMPGROUNDS (2014 EDITION) OF THE CODE OF ORDINANCES OF THE CITY OF LAMESA, TEXAS.

On the 16th day of December, 2014, there came on and was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas, held pursuant to the provisions of the Texas Open Meetings Act (Govt. 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 of Lamesa, Dawson County, Texas has authority under Article IV, Section 23 of the City Charter directing the codification and maintenance of a code of ordinances for the city;

WHEREAS, the City Council of the City of Lamesa has caused its ordinances of a general and permanent nature to be compiled and revised and the same are embodied in a compilation and revision thereof known as the "Code of Ordinances of the City of Lamesa, Texas," and

WHEREAS, revisions to Chapter 3 entitled "Building Regulations", Article 3.03 Technical and Construction Codes and Standards, by adding Division 3, National Fire Protection Association 1194, Standard for Recreational Vehicle Parks and Campgrounds (2014 Edition) of the Code of Ordinances are proposed to be embodied in a compilation and revisions thereof known as the "Code of Ordinances of the City of Lamesa, Texas".

NOW, THEREFORE, BE IT ORDAINED BY the City Council of the City of Lamesa:

SECTION 1. That Chapter of the Code of Ordinances of the City of Lamesa, Texas is hereby and amended to read as follows:

"Exhibit A"

SECTION 2. The City Council has reviewed the attached (Exhibit "A") NFPA 1194, Standard for Recreational Vehicle Parks and Campgrounds – 2014 Edition.

SECTION 3. That this Ordinance adopted hereby, shall become effective February 27, 2015.

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: SEPTEMBER 15, 2015

AGENDA ITEM: 20

SUBJECT: CONSIDER APPROVAL OF 2015 - 2016 LEDC AND LEAP BUDGETS:

PROCEEDING: Approval

SUBMITTED BY: LEDC & LEAP Chairman, Scott Leonard

EXHIBITS: Budgets

AUTHORITY: LEDC & LEAP By-laws, Code of Ordinances

SUMMARY STATEMENT

Consider approval of the LEDC and LEAP proposed Annual Budgets for Fiscal Year 2015 - 2016 beginning on October 1, 2015.

COUNCIL ACTION

DISCUSSION: _____

Motion by Council Member _____ to _____ Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

VOTING: "AYE" _____ "NAY" _____ "ABSTAIN" _____

CITY MANAGER'S MEMORANDUM

The LEDC & LEAP budgets must be presented and approved by the Lamesa City Council.

LAMESA ECONOMIC ALLIANCE PROJECT					
LEAP					
OPERATING AND ECONOMIC DEVELOPMENT BUDGET FOR FISCAL YEAR OCTOBER 1, 2015 TO SEPTEMBER 30, 2016					
		APPROVED BUDGET	Y-T-D ACTUAL	Percent Used	PROPOSED
Code	Budget Item	OCT 14-SEPT 15	7/31/15		
REVENUES					
40101	Sales Tax	240,000	178,105	74%	240,000
40501	Interest Income (LNB)	1,500	3,252	217%	1,500
40904	MISCELLANEOUS REVENUES	0	0		0
TOTAL REVENUES		241,500	181,357	75%	241,500
OPERATIONS					
EXPENDITURES					
100	PERSONNEL SERVICES	0		-	
100	TOTAL	0		-	
200	SUPPLIES & MAT.				
5811201	Office Supplies	400	0	0%	400
5811204	Minor Tools & Instruments	100	0	0%	100
5811207	Food/Meeting Supplies	300	0	0%	300
5811209	Miscellaneous Services	400	0	0%	400
5811210	Computer Supplies	400	0	0%	400
200	TOTAL	1,600	0	0%	1,600
500	COMPUTER MAINTENANCE				
5811601	Website (Levelfield)	90	0	0%	90
500	TOTAL	90	0	0%	90
600	MISCELLANEOUS SERVICES				
5811601	Telephone	300	0	0%	300
5811602	Insurance and Bonds	120	0	0%	120
5811603	Special Services (Audit & LEDC): (Audit = 1,760, LEDC = 6,000, Legal = 0.00)	7,760	2,900	37%	7,760
5811604	Travel	10,000	0	0%	5,000
5811605	Schools and Training	10,000	0	0%	5,000
5811606	Promotional	2,500	0	0%	2,500
5811609	Legal Notices	300	0	0%	300
5811610	Rent and Lease of Property (C	600	0	0%	0
5811616	Administrative Services (City)	960	0	0%	960
5811617	Tax Payments	0	0		
600	TOTAL	32,540	2,900	9%	21,940
OPERATIONS					

TOTAL EXPENDITURES - OPERATIONS		34,230	2,900	8%	23,630
ECONOMIC DEVELOPMENT					
700	SUNDRY CHARGES				
5811701	Dues	3,035	3,035	100%	3,035
	(P to P, Highgrd., TEDC,)				
5811703	Claims & Damages	0	0		
700	TOTAL	3,035	3,035	100%	3,035
900	CAPITAL OUTLAY				
5811910	Land Purchase	0	0		0
5811951	Furniture, Fixtures & Office	1,000	0	0%	1,000
900	TOTAL	1,000	0	0%	1,000
400	BUILDING MAINTENANCE		0		
5811404	Chamber of Commerce	1,000	0	0%	1,000
400	TOTAL	1,000	0	0%	1,000
800	INCENTIVE PROGRAMS				
5811810	Grants	150,000	0	0%	150,000
5811820	Loans	50,000	67,955	136%	0
800	TOTAL	200,000	67,955	34%	150,000
GRAND TOTAL REVENUE		241,500	181,357		241,500
Allocated Reserve					
TOTAL FUNDS AVAILABLE					
Operations Expenditures		34,230	2,900		23,630
Economic Development Expenditures		205,035	70,990		155,035
GRAND TOTAL EXPENDITURES		239,265	73,890		178,665
REVENUES OVER/UNDER EXPENSES		2,235	107,467		62,835

LEDC - BUDGET PLANNING

LAMESA ECONOMIC DEVELOPMENT CORPORATION					
LEDC					
OPERATING AND ECONOMIC DEVELOPMENT BUDGET FOR FISCAL YEAR OCTOBER 1, 2015 TO SEPTEMBER 30, 2016					
Code	Budget Item	APPROVED BUDGET OCT 14-SEPT 15	Y-T-D ACTUAL 31-Jul-15	Percent Used	PROPOSED
REVENUES					
40101	Sales Tax	240,000	177,419	74%	240,000
40501	Interest Income (LNB)	23,000	15,410	67%	21,000
40503	Int. Income (Tx Mfg)	2,000	274	14%	1,000
40504	Rent (Boll Weevil Eradication)	24,000	22,000	92%	24,000
40510	Farm Lease Cash Lease	0	5,013	N/A	5,000
40511	Universal Oil Service - Lot Lease	9,600	0	0%	0
40507	Administrative Services (Type B)	6,000	0	0%	6,000
40904	MISCELLANEOUS REVENUES	40,000	7,000	18%	20,000
	Sale of Property	0	64,185	N/A	
TOTAL REVENUES		344,600	291,301	85%	317,000
OPERATIONS					
EXPENDITURES					
100	PERSONNEL SERVICES				
5611101	Salaries	60,000	23,994	40%	65,800
5611102	Longevity	144	0	0%	144
5611104	Vacation	2,772	269	10%	2,800
5611105	Sick Leave	2,772	0	0%	1,400
5611107	Social Security	4,945	1,841	37%	5,355
5611108	Retirement	7,200	431	6%	7,200
5611109	Worker's Comp	360	0	0%	360
5611110	Unemployment Tax	550	9	2%	550
5611111	Insurance	7,200	0	0%	7,200
100 TOTAL		85,943	26,544	31%	90,809
200	SUPPLIES & MAT.				
5611201	Office Supplies	3,600	950	26%	1,800
5611204	Minor Tools & Instruments	900	0	0%	900
5611207	Food/Meeting Supplies	2,700	25	1%	1,200
5611209	Miscellaneous Services	3,600	0	0%	3,600
5611210	Computer Supplies	3,600	2,536	70%	2,400
200 TOTAL		14,400	3,511	24%	9,900
500	COMPUTER MAINTENANCE				
5611501	Website (Levelfield)	1,000	0	0%	1,000
500 TOTAL		1,000	0	0%	1,000
600	MISCELLANEOUS SERVICES				
5611601	Telephone	2,700	529	20%	1,200
5611602	Insurance and Bonds	1,800	411	23%	1,800
5611603	Special Services: Audit=6,850, LACC=8,040, Legal=12,000, Strategic Plan=13,000	40,650	60,817	150%	40,000
5611604	Travel	12,000	4,494	37%	8,000
5611605	Schools and Training	4,500	2,500	56%	4,500

LEDC - BUDGET PLANNING

5611606	Promotional Images Ad \$10,000/Trade & Industry Ad \$5,000/Promotion Materials \$10,000/ = \$25,000	11,500	2,488	22%	6,000
5611609	Legal Notices	2,700	-1,249	-46%	1,000
5611610	Rent and Lease of Property (C.C.)	5,400	5,000	93%	6,000
5611611	TDCJ Incentive/water-sewer	0	59	N/A	0
5611612	Employee Reimb't (Car & Phone)	4,320	3,530	82%	4,320
5611616	Administrative Services (City)	8,640	50	1%	8,640
5611617	Tax Payments	0	0		0
5611620	Christmas Bonus	100	0	0%	100
600	TOTAL	94,310	78,629	83%	81,560
OPERATIONS					
TOTAL EXPENDITURES - OPERATIONS					
		195,653	108,684	56%	183,269
ECONOMIC DEVELOPMENT					
700	SUNDRY CHARGES				
5611701	Dues: (REAP, P to P, Highgrd., TEDC, MOTRAN, W.T. WIND, Class4 Wind)	6,000	5,416	90%	6,000
5611703	Claims & Damages	0	0		
5611706	Property Taxes	1,000	0	0%	0
700	TOTAL	7,000	5,416	77%	6,000
900	CAPITAL OUTLAY				
5611910	Land Purchase	0	10,000	N/A	0
5611920	N. 4th Street Property	15,000	0	0%	0
5611930	MPTX Project	15,000	0	0%	0
5611951	Furniture, Fixtures & Office	1,000	0	0%	1,000
900	TOTAL	31,000	10,000	32%	1,000
400	BUILDING MAINTENANCE				
5611401	Boll Weevil Building	2,000	0	0%	2,000
5611402	Austin St. Downtown	3,000	0	0%	1,500
5611404	Chamber of Commerce	1,000	0	0%	1,000
400	TOTAL	6,000	0	0%	4,500
800	INCENTIVE PROGRAMS				
5611810	Grants: (Texas Tech, Tank Main., LCGA, NAPA, DGE)	199,000	148,473	75%	213,000
5611820	Loans	50,000	50,000	100%	0
800	TOTAL	249,000	198,473	80%	213,000
OCT 14-SEPT 15					
GRAND TOTAL REVENUE		344,600			317,000
Allocated Reserve		194,000			91,000
TOTAL FUNDS AVAILABLE		538,600			408,000
Operations Expenditures		-195,653			-183,269
Economic Development Expenditures		-293,000			-224,500
GRAND TOTAL EXPENDITURES		-488,653			-407,769
REVENUES OVER/UNDER EXPENSES		49,947	0	0	231

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: SEPTEMBER 15, 2015

AGENDA ITEM: 21

SUBJECT: **PUBLIC HEARING - FISCAL YEAR 2015-2016 BUDGET**
PROCEEDING: 2nd Public Hearing
SUBMITTED BY: City Staff
EXHIBITS: Proposed Budget Document (under separate cover)
AUTHORITY: *Local Government Code, Chapter 102*

SUMMARY STATEMENT

Convene a public hearing, in accordance with State Law (Local Government Code, Chapter 102), to hear a report from the City Manager and to hear comments from the public regarding the proposed Annual Budget for Fiscal Year 2015-2016 beginning on October 1, 2015.

THE PROPOSED BUDGET WILL RAISE MORE REVENUE FROM PROPERTY TAXES THAN LAST YEAR'S BUDGET BY AN AMOUNT OF \$91,715 WHICH IS A 4.95615 PERCENT INCREASE FROM LAST YEAR'S BUDGET.

2nd PUBLIC HEARING

Following the report from the City Manager, the Mayor will ask if anyone wishes to speak regarding the proposed Annual Budget for Fiscal Year 2015-2016.

The following persons spoke:

_____	_____
_____	_____
_____	_____

Following the public comments the Mayor will close the public hearing.

CITY MANAGER'S MEMORANDUM

After any questions are answered, the public hearing can be closed (no action required) and the next item on the agenda considered (passage of the adopting ordinance).

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: SEPTEMBER 15, 2015

AGENDA ITEM: 22

SUBJECT: **FISCAL YEAR OCTOBER 2015-2016 BUDGET – ADOPTION:**
PROCEEDING: Ordinance; 2nd & Final reading
SUBMITTED BY: City Staff
EXHIBITS: Ordinance
AUTHORITY: *State Law; Local Government Code, Chapter 102*

SUMMARY STATEMENT

Consider passing an ordinance on 2nd and Final reading adopting the proposed Annual Budget for Fiscal Year 2015-2016 beginning on October 1, 2015.

THE PROPOSED BUDGET WILL RAISE MORE REVENUE FROM PROPERTY TAXES THAN LAST YEAR'S BUDGET BY AN AMOUNT OF \$91,715 WHICH IS A 4.95615 PERCENT INCREASE FROM LAST YEAR'S BUDGET.

COUNCIL ACTION

DISCUSSION: _____

Motion by Council Member _____ to _____. Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

RECORD VOTE REQUIRED: VOTE BY SHOW OF HANDS

VOTING	"AYE"	"NAY"	"ABSTAIN"
Dave Nix	_____	_____	_____
Josh Stevens	_____	_____	_____
Marie A. Briseno	_____	_____	_____
Fabian Rubio	_____	_____	_____
Bobby Gonzales	_____	_____	_____
Fred Vera	_____	_____	_____
Chance Britt	_____	_____	_____

CITY MANAGER'S MEMORANDUM

City staff recommends approval of the budget ordinance on 2nd and Final reading.

ORDINANCE NO: _____

AN ORDINANCE ADOPTING AND APPROVING A BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016 AND MAKING APPROPRIATIONS FOR EACH DEPARTMENT, PROJECT, AND ACCOUNT; APPROVING REVISED BUDGET FIGURES FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2015; PROVIDING FOR NECESSARY TRANSFERS OF FUNDS BETWEEN ACCOUNTS AND DEPARTMENTS, IF REQUIRED; AND PROVIDING A SAVINGS CLAUSE.

On the this 1st day of September, 2015, there came on and was held at the regular called meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas held pursuant to the provisions of the Texas Open Meetings Act 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, a budget for the Fiscal Year beginning October 1, 2015 and ending September 30, 2016, has been prepared by the city manager; and

WHEREAS, the city manager, on July 31, 2015, filed a proposed budget with the city secretary for the Fiscal Year beginning October 1, 2015; and

WHEREAS, the city secretary did post notice that said proposed budget had been filed and was available for public inspection; and

WHEREAS, the City Council did hold two public hearings on August 25, 2015 and September 1, 2015, regarding the proposed property ad valorem tax rate at 0.740000.

WHEREAS, On September 1, 2015, the City Council held a public hearing and adopted the 2015-16 Budget Ordinance on 1st reading for the upcoming Fiscal Year. On September 15, 2015, City Council will consider passing Budget Ordinance on 2nd and final reading. It is determined the proposed budget for Fiscal Year 2015-2016 to be appropriate and correct in all respects and that all requirements of the law have been satisfied; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lamesa:

SECTION 1. Subject to the applicable provisions of the State Law and the City Charter, the budget for the Fiscal Year beginning October 1, 2015 and ending September 30, 2016, as filed and submitted by the City Manager, and adjusted by the City Council, containing estimates of resources and revenues for the year from all of the various sources provided by the city, and the projects, operations, activities and purchases proposed to be undertaken during the year, together with the estimated costs thereof, and estimated amounts of all other proposed expenditures, is hereby approved and adopted.

SECTION 2. (A) There is hereby appropriated from the funds indicated and for such purposes and other expenditures proposed in such budget, not to exceed for all

such purposes for any department, the total amount of the estimated costs of the projects, operations, activities, purchases and other expenditures proposed for such department;

(B) The City Manager is hereby authorized to approve transfer of allocated amounts between classifications, departments, and unappropriated surpluses if such transfers do not significantly change the work program contemplated in the approved budget.

SECTION 3. THE PROPOSED BUDGET WILL RAISE MORE REVENUE FROM PROPERTY TAXES THAN LAST YEARS'S BUDGET BY AN AMOUNT OF \$91,715 WHICH IS A 4.95615 PERCENT INCREASE FROM LAST YEAR'S BUDGET.

SECTION 4. The amounts set out under the headings "Revised or Estimated 2014-15" be and are hereby authorized and approved as revised budget amounts for the Fiscal Year ended on September 30, 2015.

SECTION 5. The investment plan for the city has been reviewed and is approved for the Fiscal Year beginning October 1, 2015 and ending September 30, 2016.

SECTION 6. That should any section, paragraph, sentence, clause, phrase or word of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of this ordinance shall not be affected thereby.

SECTION 7. All ordinances and resolutions, or parts of ordinances and resolutions, in conflict with this Ordinance are hereby repealed, and are no longer in force or effect.

SECTION 8. This ordinance shall become effective upon adoption of its second and final reading by the City Council of the City of Lamesa, Texas and the effective date of the ordinance and all rates and appropriations contained herein shall be October 1, 2015.

Upon being put to a vote, the foregoing ordinance was Passed, on Second and Final Reading on the 15th day of September, 2015 by a majority vote.

ATTEST:

APPROVED:

Shawna D. Burkhart
City Manager

Dave Nix
Mayor

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: SEPTEMBER 15, 2015

AGENDA ITEM: 23

SUBJECT: **AD VALOREM TAX RATE – 2015 (DEBT SERVICE TAX RATE)**
PROCEEDING: Ordinance, 2nd & Final Reading
SUBMITTED BY: City Staff
EXHIBITS: Ordinance
AUTHORITY: *City Charter – Article V, Taxes and Taxation*
State Law; Property Tax Code, Sec.26.05 and 31.05

SUMMARY STATEMENT

Consider establishing an ad valorem tax rate for Fiscal Year 2015-2016 by passing on 2nd and Final reading an ordinance establishing the ad valorem tax rate which will raise the amount of revenue required to pay Debt Service at a rate of **\$.031522** per hundred dollar assessed valuation for Fiscal Year beginning October 1, 2015 and ending September 30, 2016.

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 2.17 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$15.70 {(Section 26.05(b)1(A&B) OF THE PROPERTY TAX CODE}.

COUNCIL ACTION

Motion by Council Member _____ must be stated as; **"I MOVE THAT THE CITY ESTABLISH THE AD VALOREM TAX RATE WHICH WILL RAISE THE AMOUNT OF REVENUE REQUIRED TO PAY DEBT SERVICE AT A RATE OF \$.031522 PER HUNDRED DOLLAR ASSESSED VALUATION FOR FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016.**

Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

RECORD VOTE REQUIRED: VOTE BY SHOW OF HANDS

VOTING	"AYE"	"NAY"	"ABSTAIN"
Dave Nix	_____	_____	_____
Josh Stevens	_____	_____	_____
Marie A. Briseno	_____	_____	_____
Fabian Rubio	_____	_____	_____
Bobby Gonzales	_____	_____	_____
Fred Vera	_____	_____	_____
Chance Britt	_____	_____	_____

CITY MANAGER'S MEMORANDUM

Recommend approval on 2nd and Final reading to set the Debt Service tax rate at \$0.031522 on the hundred dollars cash value.

ORDINANCE NO.: _____

AN ORDINANCE OF THE CITY OF LAMESA, TEXAS LEVYING AD VALOREM TAXES FOR FISCAL YEAR 2015-2016 AT \$0.31522 PER ONE HUNDRED DOLLARS ASSESSED VALUATION OF ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS TO PROVIDE REVENUES FOR INTEREST AND SINKING FUND REQUIREMENTS FOR DEBT SERVICE.

On this the 1st day of September, 2015, there came on and was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas held pursuant to the provisions of the Texas Open Meetings Act (Govt. 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 hereby finds that this ordinance implements the ad valorem tax revenue provisions of the Operating Budget of the City of Lamesa effective for the Fiscal Year 2015-2016 required to raise the amount of revenue to pay debt service.

WHEREAS, the City Council of the City of Lamesa, Texas finds that passing said ordinance setting said tax rate for debt service is in the public interest of all of the residents of the City of Lamesa, Texas.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS:

SECTION 1. There is hereby levied for the Fiscal Year 2015-2016 on all taxable property, real, personal and mixed, situated within the corporate limits of the City of Lamesa, Texas, and not exempt by the Constitution of the State and valid State laws, for interest and sinking fund requirements for debt service a tax of \$0.031522 on each one hundred dollars (\$100.00) of assessed value of taxable property.

SECTION 2 The effective date of this ordinance shall be October 1, 2015.

Upon being put to a vote, the foregoing ordinance was Passed, on Second and Final Reading on the 15th day of September, 2015 by a majority vote.

ATTEST:

APPROVED:

Shawna D. Burkhart
City Manager

Dave Nix
Mayor

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: SEPTEMBER 15, 2015

AGENDA ITEM: 24

SUBJECT: AD VALOREM TAX RATE – 2015 (MAINTENANCE AND OPERATIONS TAX RATE)
PROCEEDING: Ordinance, 2nd and Final Reading
SUBMITTED BY: City Staff
EXHIBITS: Ordinance
AUTHORITY: City Charter – Article V, Taxes and Taxation
State Law; Property Tax Code, Sec.26.05 and 31.05

SUMMARY STATEMENT

Consider establishing an ad valorem tax rate by passing on 2nd and Final reading an ordinance establishing the ad valorem tax rate which will raise the amount of revenue required to fund Maintenance and Operation expenditures at a rate of \$**.708478** for Fiscal Year beginning October 1, 2015 and ending September 30, 2016.

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 2.17 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$15.70 {(Section 26.05(b)1(A&B) OF THE PROPERTY TAX CODE}.

COUNCIL ACTION

Motion by Council Member _____ must be stated as; **"I MOVE THAT THE CITY ESTABLISH THE AD VALOREM TAX RATE WHICH WILL RAISE THE AMOUNT OF REVENUE REQUIRED TO FUND MAINTENANCE AND OPERATION EXPENDITURES AT A RATE OF \$**.708478** PER HUNDRED DOLLAR ASSESSED VALUATION FOR FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016.**

Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

RECORD VOTE REQUIRED: VOTE BY SHOW OF HANDS

VOTING	"AYE"	"NAY"	"ABSTAIN"
Dave Nix	_____	_____	_____
Josh Stevens	_____	_____	_____
Marie A. Briseno	_____	_____	_____
Fabian Rubio	_____	_____	_____
Bobby Gonzales	_____	_____	_____
Fred Vera	_____	_____	_____
Chance Britt	_____	_____	_____

CITY MANAGER'S MEMORANDUM

Recommend approval on 2nd and Final reading to set the Maintenance and Operations tax rate at \$0.708478 on the hundred dollars cash value.

ORDINANCE NO.: _____

AN ORDINANCE OF THE CITY OF LAMESA, TEXAS LEVYING AD VALOREM TAXES FOR FISCAL YEAR 2015-2016 AT \$0.708478 PER ONE HUNDRED DOLLARS ASSESSED VALUATION OF ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS TO PROVIDE THE REVENUE REQUIRED FOR MAINTENANCE AND OPERATION EXPENDITURES.

On this the 1st day of September, 2015, there came on and was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas held pursuant to the provisions of the Texas Open Meetings Act (Govt. 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 hereby finds that this ordinance implements the ad valorem tax revenue provisions of the Operating Budget of the City of Lamesa effective for the Fiscal Year 2015-2016 required to raise the amount of revenue required for maintenance and operation expenditures.

WHEREAS, the City Council of the City of Lamesa, Texas finds that passing said ordinance setting said tax rate for maintenance and operation expenditures is in the public interest of all of the residents of the City of Lamesa, Texas.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS:

SECTION 1. There is hereby levied for the Fiscal Year 2015-2016 on all taxable property, real, personal and mixed, situated within the corporate limits of the City of Lamesa, Texas, and not exempt by the Constitution of the State and valid State laws, for maintenance and operations expenditures a tax of \$0.708478 on each one hundred dollars (\$100.00) of assessed value of taxable property.

SECTION 2 The effective date of this ordinance shall be October 1, 2015.

Upon being put to a vote, the foregoing ordinance was Passed, on Second and Final Reading on the 15th day of September, 2015 by a majority vote.

ATTEST:

APPROVED:

Shawna D. Burkhart
City Manager

Dave Nix
Mayor

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: SEPTEMBER 15, 2015

AGENDA ITEM: 25

SUBJECT: **AD VALOREM TAX RATE – 2015**
PROCEEDING: Ordinance, 2nd and Final Reading
SUBMITTED BY: City Staff
EXHIBITS: Ordinance
AUTHORITY: *City Charter – Article V, Taxes and Taxation*
State Law; Property Tax Code, Sec.26.05 and 31.05

SUMMARY STATEMENT

AD VALOREM TAX RATE – 2015: Consider establishing an ad valorem tax rate by passing on 2nd and Final reading an ordinance establishing the ad valorem tax rate of **\$0.740000** per hundred dollar assessed valuation for the Fiscal Year beginning October 1, 2015 and ending September 30, 2016, and adopting the provisions of Section 31.05 of the State Property Tax Code to provide for discounts under certain conditions.

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 2.17 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$15.70 {(Section 26.05(b)1(A&B) OF THE PROPERTY TAX CODE}.

COUNCIL ACTION

(Legislature has specific instructions on how to read the motion, see below).

Motion by Council Member _____ must be stated as; **"I MOVE THAT THE PROPERTY TAX RATE BE INCREASED BY THE ADOPTION OF A TAX RATE OF \$0.740000, WHICH IS EFFECTIVELY A 4.939 PERCENT INCREASE IN THE TAX RATE."**

Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

RECORD VOTE REQUIRED: VOTE BY SHOW OF HANDS

VOTING	"AYE"	"NAY"	"ABSTAIN"
Dave Nix	_____	_____	_____
Josh Stevens	_____	_____	_____
Marie A. Briseno	_____	_____	_____
Fabian Rubio	_____	_____	_____
Bobby Gonzales	_____	_____	_____
Fred Vera	_____	_____	_____
Chance Britt	_____	_____	_____

CITY MANAGER'S MEMORANDUM

Recommend approval on 2nd and Final reading to set the tax rate at \$0.740000 on the hundred dollars cash value.

ORDINANCE NO.: _____

AN ORDINANCE OF THE CITY OF LAMESA, TEXAS LEVYING AD VALOREM TAXES FOR FISCAL YEAR 2015-2016 AT \$0.740000 PER ONE HUNDRED DOLLARS OF ASSESSED VALUATION OF ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS TO PROVIDE REVENUES FOR INTEREST AND SINKING FUND REQUIREMENTS FOR DEBT SERVICE AND MAINTENANCE AND OPERATIONS EXPENDITURES; PROVIDING DUE AND DELINQUENT DATES; PENALTIES AND INTEREST; PROVIDING NO HOMESTEAD EXEMPTION; REPEALING ALL ORDINANCES OF THE CITY IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

On this the 1st day of September, 2015, there came on and was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas held pursuant to the provisions of the Texas Open Meetings Act (Govt. 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 of the City of Lamesa, Texas finds that the taxes to be levied will exceed last year's property tax revenue and will require two public hearings and the publishing of public notices for a tax increase; and

WHEREAS, the City Council of the City of Lamesa, Texas finds that all prerequisites to the levying of a tax rate for the City of Lamesa for the Fiscal Year 2015-2016 as required by law have been complied with; and

WHEREAS, the City Council hereby finds that this ordinance implements the ad valorem tax revenue provisions of the Operating Budget of the City of Lamesa effective for the Fiscal Year 2015-2016 and further finds that this ordinance is not inconsistent or in conflict with said Operating Budget; and

WHEREAS, the City Council of the City of Lamesa, Texas finds that passing said ordinance setting the tax rate and providing for certain discounts would be in the public interest of the residents of the City of Lamesa, Texas.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS:

SECTION 1. There by and is hereby levied for the Fiscal Year 2015-2016 on all taxable property, real, personal and mixed, situated within the corporate limits of the City of Lamesa, Texas and not exempt by the Constitution of the State and valid State laws, a tax of seventy-four cents (\$0.740000) on each one hundred dollars (\$100.00) of assessed value of taxable property, and shall be apportioned and distributed as follows \$1,948,672 for the purpose of defraying the current expenses for maintenance and operations and debt service of the City.

SECTION 2. THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

SECTION 3. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 2.17 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$15.70.

SECTION 4. The provisions of Section 31.05 of the State Property Tax Code are hereby adopted and all taxpayers shall be allowed discounts on the following conditions:

- (a) Three (3) percent discount on ad valorem taxes due the City of Lamesa if such taxes are paid ninety (90) days before the date when they would otherwise become delinquent.
- (b) Two (2) percent discount on ad valorem taxes due the City of Lamesa if such taxes are paid sixty (60) days before the date when they would otherwise become delinquent.
- (c) One (1) percent discount on ad valorem taxes due the City of Lamesa if such taxes are paid thirty (30) days before the date when they would otherwise become delinquent.

SECTION 5. The effective date of this ordinance shall be October 1, 2015.

SECTION 6. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Lamesa, Texas hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

Upon being put to a vote, the foregoing ordinance was Passed, on Second and Final Reading on the 15th day of September, 2015 by a majority vote.

ATTEST:

APPROVED:

Shawna D. Burkhart
City Manager

Dave Nix
Mayor

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: SEPTEMBER 15, 2015

AGENDA ITEM: 26

SUBJECT: **AUTHORIZE WARRANTS – GENERAL OPERATIONS**
PROCEEDING: Resolution
SUBMITTED BY: City Staff
EXHIBITS: Resolution
AUTHORITY:

SUMMARY STATEMENT

Consider passing resolution authorizing the issuance of interest bearing warrants, payable from the anticipated collections of the current fiscal year, not to exceed five hundred thousand dollars (\$500,000.00), to be used where funds are necessary and needed to meet current expenses of the city for the current fiscal year.

COUNCIL ACTION

DISCUSSION: _____

Motion by Council Member _____ to _____. Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

VOTING: "AYE" _____ "NAY" _____ "ABSTAIN" _____

CITY MANAGER'S MEMORANDUM

This is the same amount requested in the last several years. City Staff recommends approval.

RESOLUTION NO.: _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS, AUTHORIZING THE ISSUANCE OF WARRANTS TO BE USED FOR DAILY OPERATIONS OF THE CITY OF LAMESA.

On this the 15th day of September 2015, there came on and was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas held pursuant to the provisions of the Texas Open Meetings Act; there being a quorum present and acting throughout the meeting, the following resolution was formally submitted by motion and duly seconded for the consideration and action of the meeting, to wit:

WHEREAS, the City Council of the City of Lamesa wishes to authorize the issuance of interest bearing warrants, payable from the anticipated collections of the current fiscal year, not to exceed five hundred thousand dollars (\$500,000.00), to be used where funds are necessary and needed to meet current expenses of the city for the current fiscal year; and

WHEREAS, said warrants are necessary for the continued operation of city departments; and

WHEREAS, it is in the public interest and welfare that said resolution be passed;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS, that Mayor and City Secretary be, and they are hereby authorized to issue warrants to the Lamesa National Bank not to exceed Five Hundred Thousand Dollars and no/100 (\$500,000.00), the money so obtained to be used for daily operations of the City of Lamesa to be paid by tax revenue.

BE IT FURTHER RESOLVED that a certified copy of this resolution be delivered to the Lamesa National Bank.

Upon being put to a vote, the resolution was Passed, Approved, and Adopted this 15th day of September, 2015 by a majority vote and ordered to be spread upon the minutes of the City Council of the City of Lamesa, Texas and recorded in the resolution book thereafter.

ATTEST:

APPROVED:

Shawna D. Burkhart
City Manager

Dave Nix
Mayor

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: SEPTEMBER 15, 2015

AGENDA ITEM: 27

**SUBJECT: DISCUSSION OF TEXAS MUNICIPAL RETIREMENT SYSTEM DEPOSIT
ADJUSTMENTS FOR EMPLOYEES HIRED BETWEEN THE DATES OF
APRIL 2012 TO CURRENT**

SUBMITTED BY: City Staff

SUMMARY STATEMENT

TMRS deductions were not made for the first three months after an employee new hire since April 2012. After review of the City's original TMRS documents, City's Personnel Policy Manual and individual employee payroll registers, required retirement funds should have been deposited. Corrective action will be reviewed and recommended by Davis Kinard & Co. PC. Any future action would be most likely included in trial balance adjustments by the auditors.

COUNCIL ACTION

No City Council action required.

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: SEPTEMBER 15, 2015

AGENDA ITEM: 28

**SUBJECT: DISCUSSION OF BY-PASS OF ELEVATED WATER TOWER AT THE
TDCJ PRISON FACILITY**

SUBMITTED BY: City Staff

SUMMARY STATEMENT

Discussion of recent by-pass of Elevated Water Tower at the TDCJ Prison facility.

COUNCIL ACTION

No City Council action required.

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: SEPTEMBER 15, 2015

AGENDA ITEM: 29

SUBJECT: **EXECUTIVE SESSION**
PROCEEDING: Closed Session
SUBMITTED BY: City Council
EXHIBITS:
AUTHORITY: Texas Open Meetings Act Chapter 551, Government Code

SUMMARY STATEMENT

Council to convene in closed executive session in accordance with the provisions of the Texas Open Meetings Act (Chapter 551.074, Government Code) to discuss and consider personnel matters regarding the review of City Secretary applications.

COUNCIL ACTION

DISCUSSION: _____

Motion by Council Member _____ to convene in closed executive session in accordance with the provisions of the Texas Open Meetings to discuss and consider personnel matters. 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 JULY 21, 2015, at a special 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 SEPTEMBER 15, 2015, at _____ P.M."

The subject matter of each executive session deliberation is as follows:

Consider meeting in closed executive session to discuss personnel matters regarding review of City Secretary applications (Section 551.074 Texas Government Code).

RECORD OF ACTION TAKEN: No action taken.

B. ANNOUNCEMENT BY PRESIDING OFFICER:

"The City Council has completed its executive session on SEPTEMBER 15, 2015 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 SEPTEMBER 15, 2015.

Dave Nix, Mayor

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: SEPTEMBER 15, 2015

AGENDA ITEM: 30

ADJOURNMENT: *Announcement* – “The next regular meeting of the City Council of the City of Lamesa, Texas will be held at 5:30 p.m., on **Tuesday, October 20, 2015** 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, October 14, 2015** in order to be included on the agenda. There being no other business, the meeting is hereby adjourned.”