



# CITY COUNCIL AGENDA

---

NOTICE IS GIVEN THAT THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS, WILL MEET IN A REGULAR SCHEDULED MEETING AT 5:30 P.M. ON TUESDAY, DECEMBER 20, 2016, 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 consent agenda items is available for public review.
  - a. **BILLS FOR NOVEMBER 2016:** Approval of the bills paid by the City of Lamesa for the months of November, 2016.
4. **PUBLIC HEARING ON REQUEST FOR SPECIFIC USE PERMIT – 502 SE 12<sup>TH</sup> STREET:** Public hearing to consider the petition of Delia Collins, 502 SE 12<sup>TH</sup> Street to change the zoning designation from: R-1 Single Family Residential to zoning district R-1 Single Family Residential with a Specific Use Permit for placement of a manufactured home for the following property: LOT 16 BLOCK 7 OF THE HOLLIS ADDITION TO THE CITY OF LAMESA, DAWSON COUNTY, TEXAS
5. **REQUEST FOR SPECIFIC USE PERMIT – 502 SE 12<sup>TH</sup> STREET:** Consider passing an Ordinance on first reading granting a specific use permit allowing placement of a manufactured home for the following property: LOT 16 BLOCK 7 OF THE HOLLIS ADDITION TO THE CITY OF LAMESA, DAWSON COUNTY, TEXAS (502 SE 12<sup>th</sup> Street).
6. **AWARD ADMINISTRATIVE SERVICES FOR 2016 CDBG GRANT:** Consider passing a resolution to award Administrative Services for 2016 CDBG Grant to Howco Services, Inc.– 2,830 linear feet of water improvements on N. 3<sup>rd</sup> St. from N. Hartford Avenue to Boston Avenue, on N. 1<sup>st</sup> St. from a point between Canyon Avenue and Boston Avenue to Detroit Avenue, and on Detroit Ave. from point between Detroit Avenue and Elgin Avenue.
7. **OPEN BIDS FOR ONE-TIME SALE OF CALICHE FROM LANDFILL:** City Council to open bids and provide bids for review by City staff for one-time sale of 60,000 cubic yards' caliche from City landfill.
8. **OPEN REQUEST FOR QUALIFICATION ON ENGINEERING AND ADMINISTRATIVE SERVICES FOR 2017/2018 CDBG GRANT:** Open Request for Qualification for Engineering and Administrative Services for 2017/2018 CDBG Grant for water system improvement activities associated to the Texas Community Development Block Grant Program. and direct City staff and Administrative Committee to score submittals for award on October 18, 2017 City Council meeting.

- 9. 2016 TXCDBG SIGNATURE AUTHORIZATION:** Consider passing a resolution approving authorized signatories for contractual documents and documents for requesting funds pertaining to the Texas Community Development block Grant Program (TxCDBG) Contract Number 7216280.
- 10. 2016 TXCDBG CIVIL RIGHTS, FAIR HOUSING AND CODE OF CONDUCT POLICY:** Consider passing a resolution regarding Civil Rights, Fair Housing, and to establish a Code of conduct Policy for the Texas Community Development Block Grant (TxCDBG) PROGRAM from TDA.
- 11. 2016 TXCDBG FAIR HOUSING PROCLAMATION:** Proclamation of December as Fair Housing Month.
- 12. DISCUSSION OF USE OF EXTRATERRITORIAL JURISDICTION BY THE CITY OF LAMESA AND THE EXTENT OF USE:** City Council to discuss the use of extraterritorial-jurisdiction and the extent of use.
- 13. 2017 LIVESTOCK PERMIT RENEWALS:** Consider renewal of livestock permits.
- **Landfill Tract:** (Landfill property) for keeping 23 calves upon application of Sam Leal
  - **1006 South East 8<sup>th</sup> Street:** for keeping 6 horses, 1 donkey, and 1 cow upon application of Steven Alexander
  - **1708 South 8<sup>th</sup>:** for keeping 6 goats or 3 calves upon application of Keith Carter
  - **1712 South 5<sup>th</sup> Street:** for keeping 2 horses and 5 show pigs (temporary) upon application of Cody Swafford.
- 14. UTILITIES DIRECTOR REPORT:** Utilities Director to report on the city's recent events
- 15. FINANCIAL REPORT:** Finance Director to report on the city's finances.
- 16. CITY MANAGER REPORT:** City Manager to report on current activities and answer questions from the City Council.
- a. City Hall Closed for Christmas – December 25 & 26, 2016 (holiday falls on weekend, Monday closed)
  - b. City Hall Closed for New Year's Day – January 2, 2017 (holiday falls on weekend, Monday closed)
- 17. MAYORS REPORT:** Mayor to report on current activities and to answer questions from City Council.
- a. Report on Boys and Girls Club Lake Project
- 18. EXECUTIVE SESSION:** Council to consider convening into closed executive session under Sec. 551.074, Texas Government Code: "Personnel Matters; CLOSED MEETING. (a) This chapter does not require a governmental body to conduct an open meeting: (1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee."
- a. Implementation of new Fair Labor Standards Act ruling (effective December 1, 2016) resulting in compensation changes for City Secretary & City Housing Authority Director/Purchasing Agent.

**19.OPEN SESSION:** Reconvene into open session to consider and discuss taking action regarding items discussed in Closed Session.

**20.ADJOURNMENT:** *The next regularly scheduled meetings of the City Council of the City of Lamesa will be JANUARY 17, 2017 at 5:30 P.M.*

ⓘ ⓘ **Open Meetings Information** ⓘ ⓘ

**CLOSED MEETINGS**

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

**PUBLIC PARTICIPATION**

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

**MEETING ACCESSIBILITY**

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

**Contact: Norma Garcia at 806-872-4322**

✉ 601 South First Street, Lamesa, Texas 79331

☎ **Telephone - (806) 872-4322**

📠 **Fax - (806) 872-4338**

**CERTIFICATION OF NOTICE**



I certify this agenda was posted at the City Hall, 601 South First Street, Lamesa, Texas at **4:45 p.m., December 16, 2016** in accordance with Chapter 551.041 of the Government Code.

Norma Garcia, City Secretary

# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: DECEMBER 20, 2016**

**AGENDA ITEMS: 1 & 2**

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

The following members are present:

JOSH STEVENS	Mayor
BRANT STEWART	Council Member – District 1
MARIE A. BRISENO	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	Mayor Pro-tem/Council Member – District 6

City Staff members present at the meeting:

SHAWNA D. BURKHART	City Manager
NORMA GARCIA	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: DECEMBER 20, 2016**

**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. **BILL FOR NOVEMBER 2016:** Approval of the bills paid by the City of Lamesa for the month of November, 2016.

### **COUNCIL ACTION**

DISCUSSION \_\_\_\_\_

Motion by Council Member \_\_\_\_\_ to approve Item 3a. 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.**

12-15-2016 4:06 PM		D E T A I L L I S T I N G				PAGE: 1	
FUND : 01 -GENERAL FUND						PERIOD TO USE: Nov-2016 THRU Nov-2016	
DEPT : N/A						ACCOUNTS: 1001 THRU 1001	
POST	DATE	TRAN #	REFERENCE	PACKET=====DESCRIPTION=====	VEND	INV/JE #	NOTE =====AMOUNT=====BALANCE=====
<hr/>							
1001		CASH IN BANK					
<hr/>							
B E G I N N I N G B A L A N C E							
<hr/>							
11/01/16	11/01	A98194	CHK: 190595	12388 DAWSON CO. LIBRARY	1611		630.00CR 630.00CR
11/01/16	11/01	A98195	CHK: 190596	12388 HENRY NORRIS AGENCY	3190		1,041.66CR 1,671.66CR
11/01/16	11/01	A98196	CHK: 190597	12388 SOUTH PLAINS PUBLIC HEAL	3730		2,455.22CR 4,126.88CR
11/01/16	11/01	A98197	CHK: 190598	12388 VOLUNTEER FIRE DEPARTMEN	4090		400.00CR 4,526.88CR
11/01/16	11/01	A98198	CHK: 190599	12388 DUYCK LARRY	5777		200.00CR 4,726.88CR
11/01/16	11/01	A98199	CHK: 190600	12388 HERNANDEZ, PATRICIO F	5804		200.00CR 4,926.88CR
11/01/16	11/01	A98200	CHK: 190601	12388 DALE ALWAN	5983		200.00CR 5,126.88CR
11/01/16	11/01	A98201	CHK: 190602	12388 BOB THOMAS	5984		200.00CR 5,326.88CR
11/01/16	11/01	A98202	CHK: 190603	12388 JASON WILEY	6025		200.00CR 5,526.88CR
11/01/16	11/01	A98203	CHK: 190604	12388 ISAAC LISCANO	6107		200.00CR 5,726.88CR
11/01/16	11/01	A98204	CHK: 190605	12388 MICKEY FLANAGAN	6333		200.00CR 5,926.88CR
11/01/16	11/01	A98205	CHK: 190606	12388 CORBIN SAENZ	6350		200.00CR 6,126.88CR
11/01/16	11/01	A98206	CHK: 190607	12388 STEVE ALEXANDER	6356		200.00CR 6,326.88CR
11/01/16	11/01	A98207	CHK: 190608	12388 JUAN DIAZ	6357		200.00CR 6,526.88CR
11/01/16	11/01	A98208	CHK: 000000	12386 INTERNAL REVENUE SERVICE	5832		35.78CR 6,562.66CR
11/01/16	11/01	A98209	CHK: 190609	12386 PAYROLL FUND	3270		146.02CR 6,708.68CR
11/01/16	11/01	A98210	CHK: 000000	12381 INTERNAL REVENUE SERVICE	5832		33,162.61CR 39,871.29CR
11/01/16	11/01	A98211	CHK: 190583	12381 CAPROCK FEDERAL CREDIT U	1390		16,490.88CR 56,362.17CR
11/01/16	11/01	A98212	CHK: 190584	12381 PAYROLL FUND	3270		68,749.45CR 125,111.62CR
11/01/16	11/01	A98213	CHK: 190585	12381 TX CHILD SUPPORT SDU	5634		334.15CR 125,445.77CR
11/01/16	11/01	A98214	CHK: 190586	12381 TEXAS CHILD SUPPORT DISB	5811		184.62CR 125,630.39CR
11/01/16	11/01	A98215	CHK: 190587	12381 TX CHILD SUPPORT SDU	5829		115.38CR 125,745.77CR
11/01/16	11/01	A98216	CHK: 190588	12381 TEXAS CHILD SUPPORT DISB	5859		500.90CR 126,246.67CR
11/01/16	11/01	A98217	CHK: 190589	12381 TX CHILD SUPPORT SDU	5882		276.92CR 126,523.59CR
11/01/16	11/01	A98218	CHK: 190590	12381 TX CHILD SUPPORT SDU	5982		113.08CR 126,636.67CR
11/01/16	11/01	A98219	CHK: 190591	12381 JAE FITNESS	6023		143.47CR 126,780.14CR
11/01/16	11/01	A98220	CHK: 190592	12381 TX CHILD SUPPORT SDU	6059		46.15CR 126,826.29CR
11/01/16	11/01	A98221	CHK: 190593	12381 TG	6222		113.12CR 126,939.41CR
11/01/16	11/01	A98222	CHK: 190594	12381 TEXAS CHILD SUPPORT DISB	6380		265.38CR 127,204.79CR
11/01/16	11/01	A98322	CHK: 190613	12383 BRYAN YBANEZ	1		50.00CR 127,254.79CR
11/01/16	11/01	A98323	CHK: 190614	12383 LAMESA COTTON CLASSING	1		200.00CR 127,454.79CR
11/01/16	11/01	A98324	CHK: 190615	12383 KIMBERLY VIDAL	1		50.00CR 127,504.79CR
11/01/16	11/01	A98325	CHK: 190616	12383 GARZA, DIONICIO JR	1969		106.73CR 127,611.52CR
11/01/16	11/01	A98326	CHK: 190617	12383 STAHL, TERRI	5940		81.00CR 127,692.52CR
11/01/16	11/01	A98327	CHK: 190618	12383 RACHEL ROBLES	6346		38.73CR 127,731.25CR
11/01/16	11/01	A98328	CHK: 190619	12383 OFFICE OF THE SECRETARY	6407		310.00CR 128,041.25CR
11/01/16	11/01	A98329	CHK: 190620	12383 LAMESA DONUT SHOP	6408		22.50CR 128,063.75CR
11/01/16	11/01	A98332	CHK: 190610	12389 DLL FINANCE LLC	5958		885.58CR 128,949.33CR
11/01/16	11/01	A98333	CHK: 190611	12389 THE PIT STOP AUTO DETAIL	6132		95.00CR 129,044.33CR
11/01/16	11/01	A98334	CHK: 190612	12389 PENGUIN MANAGEMENT, INC.	6226		1,128.00CR 130,172.33CR
11/01/16	11/01	A98336	CHK: 190621	12393 NORTH CEDAR OUTLET	5974		270.54CR 130,442.87CR
11/02/16	11/02	A98436	CHK: 190622	12398 PAYROLL FUND	3270		52.80CR 130,495.67CR
11/02/16	11/21	B53283	Misc 000001	08580 METER POSTAGE		JE# 021383	500.00CR 130,995.67CR

12-15-2016 4:06 PM

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

PAGE: 2

FUND : 01 -GENERAL FUND

PERIOD TO USE: Nov-2016 THRU Nov-2016

DEPT : N/A

ACCOUNTS: 1001

THRU 1001

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

1001 CASH IN BANK

\* ( CONTINUED ) \*

11/03/16	11/03	A98485	CHK: 190624	12407	ALL-AMERICAN PUMP & MACH	1048			2,702.01CR	133,697.68CR
11/03/16	11/03	A98486	CHK: 190625	12407	AUTOMOTIVE TECHNOLOGY	1139			576.00CR	134,273.68CR
11/03/16	11/03	A98487	CHK: 190626	12407	BROCK VETERINARY CLINIC	1302			368.85CR	134,642.53CR
11/03/16	11/03	A98488	CHK: 190627	12407	DATA FLOW	1587			233.02CR	134,875.55CR
11/03/16	11/03	A98489	CHK: 190628	12407	ATMOS ENERGY	1730			118.86CR	134,994.41CR
11/03/16	11/03	A98490	CHK: 190629	12407	GIBBS PRINTING	2030			106.50CR	135,100.91CR
11/03/16	11/03	A98491	CHK: 190630	12407	FULBRIGHT & CASSELBERRY	2090			90.00CR	135,190.91CR
11/03/16	11/03	A98492	CHK: 190631	12407	TYLER TECHNOLOGIES	2310			827.53CR	136,018.44CR
11/03/16	11/03	A98493	CHK: 190632	12407	LAMESA BEARING, INC.	2480			39.95CR	136,058.39CR
11/03/16	11/03	A98494	CHK: 190633	12407	LAMESA MAILING & PACKING	2588			79.29CR	136,137.68CR
11/03/16	11/03	A98495	CHK: 190634	12407	LAMESA PRESS REPORTER	2590			1,233.60CR	137,371.28CR
11/03/16	11/03	A98497	CHK: 190636	12407	LEATHERWOOD PLUMBING	2683			242.99CR	137,614.27CR
11/03/16	11/03	A98498	CHK: 190637	12407	LYNTEGAR ELECTRIC COOP	2728			266.52CR	137,880.79CR
11/03/16	11/03	A98499	CHK: 190638	12407	NIX IMPLEMENT	3180			4.75CR	137,885.54CR
11/03/16	11/03	A98500	CHK: 190639	12407	PAYTON PLUMBING INC	3286			90.00CR	137,975.54CR
11/03/16	11/03	A98501	CHK: 190640	12407	PROFESSIONAL TURF PRODUC	3413			142.09CR	138,117.63CR
11/03/16	11/03	A98502	CHK: 190641	12407	RICK'S BODY & PAINT	3507			295.00CR	138,412.63CR
11/03/16	11/03	A98503	CHK: 190642	12407	STANDARD INSURANCE CO	3782			829.71CR	139,242.34CR
11/03/16	11/03	A98504	CHK: 190643	12407	SALAZAR JANITORIAL SERVI	4610			900.00CR	140,142.34CR
11/03/16	11/03	A98505	CHK: 190644	12407	TEXAS BOLL WEEVIL ERADIC	4725			9.90CR	140,152.24CR
11/03/16	11/03	A98506	CHK: 190645	12407	CREATIVE INKS	5035			30.00CR	140,182.24CR
11/03/16	11/03	A98507	CHK: 190646	12407	SPIKE DYKES	5651			269.14CR	140,451.38CR
11/03/16	11/03	A98508	CHK: 190647	12407	GREAT AMERICA FINANCIAL	5734			384.30CR	140,835.68CR
11/03/16	11/03	A98509	CHK: 190648	12407	NORTHLAND COMMUNICATIONS	5800			82.64CR	140,918.32CR
11/03/16	11/03	A98510	CHK: 190649	12407	CLARKE MOSQUITO CONTROL	5809			2,480.41CR	143,398.73CR
11/03/16	11/03	A98511	CHK: 190650	12407	JOHN DEERE FINANCIAL	5861			46.47CR	143,445.20CR
11/03/16	11/03	A98512	CHK: 190651	12407	DUCK'S SALES & SERVICE	5878			940.00CR	144,385.20CR
11/03/16	11/03	A98513	CHK: 190652	12407	GRAINGER	5898			1,188.30CR	145,573.50CR
11/03/16	11/03	A98514	CHK: 190653	12407	PNC EQUIPMENT FINANCE,LL	5960			1,430.28CR	147,003.78CR
11/03/16	11/03	A98515	CHK: 190654	12407	UNITED LABORATORIES	6077			1,441.65CR	148,445.43CR
11/03/16	11/03	A98516	CHK: 190655	12407	IMPERATIVE INFORMATION G	6224			564.00CR	149,009.43CR
11/03/16	11/03	A98517	CHK: 190656	12407	GONZALES WELDING	6254			300.00CR	149,309.43CR
11/03/16	11/03	A98518	CHK: 190657	12407	DAVIS CHIROPRACTIC	6300			85.00CR	149,394.43CR
11/03/16	11/03	A98519	CHK: 190658	12407	ODESSA PUMPS	6378			3,420.00CR	152,814.43CR
11/03/16	11/03	A98520	CHK: 190659	12407	GREEN PRO	6404			3,285.25CR	156,099.68CR
11/03/16	11/03	A98521	CHK: 190660	12407	ROBERT SHERWOOD	6405			710.00CR	156,809.68CR
11/03/16	11/03	A98522	CHK: 190623	12405	CHAPMAN, WAYNE	5150			184.80CR	156,994.48CR
11/04/16	11/04	A98546	CHK: 190663	12420	AUTOMATED CONTROLS	1140			355.39CR	157,349.87CR
11/04/16	11/04	A98547	CHK: 190664	12420	B & J WELDING SUPPLY	1180			176.20CR	157,526.07CR
11/04/16	11/04	A98548	CHK: 190665	12420	CAIN ELECTRICAL SUPPLY	1383			541.52CR	158,067.59CR
11/04/16	11/04	A98549	CHK: 190666	12420	DACO	1580			429.00CR	158,496.59CR
11/04/16	11/04	A98550	CHK: 190667	12420	DAVIS FURNITURE COMPANY	1600			727.52CR	159,224.11CR
11/04/16	11/04	A98552	CHK: 190669	12420	FARMERS MACHINE SHOP	1800			669.61CR	159,893.72CR
11/04/16	11/04	A98553	CHK: 190670	12420	HELENA CHEMICAL COMPANY	2260			436.80CR	160,330.52CR
11/04/16	11/04	A98554	CHK: 190671	12420	LAMESA STEAM LAUNDRY	2640			72.00CR	160,402.52CR
11/04/16	11/04	A98555	CHK: 190672	12420	LUBBOCK GRADER BLADE, IN	2706			245.30CR	160,647.82CR
11/04/16	11/04	A98556	CHK: 190673	12420	PARKHILL,SMITH & COOPER	3263			4,826.62CR	165,474.44CR

12-15-2016 4:06 PM  
FUND : 01 -GENERAL FUND  
DEPT : N/A

DETAIL LISTING

PAGE: 3

PERIOD TO USE: Nov-2016 THRU Nov-2016

ACCOUNTS: 1001 THRU 1001

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

1001 CASH IN BANK

\* ( CONTINUED ) \*

11/04/16	11/04	A98557	CHK: 190674	12420	WHITE'S 7 TIL 11	4185		94.18CR	165,568.62CR
11/04/16	11/04	A98558	CHK: 190675	12420	LUBBOCK TRUCK SALES, INC	5085		52.48CR	165,621.10CR
11/04/16	11/04	A98559	CHK: 190676	12420	ROADMASTER DIESEL SERVIC	5728		2,902.73CR	168,523.83CR
11/04/16	11/04	A98560	CHK: 190677	12420	NAPA AUTO PARTS	5833		2,984.92CR	171,508.75CR
11/04/16	11/04	A98563	CHK: 190680	12420	WYLIE & SON, INC.	5842		103.75CR	171,612.50CR
11/04/16	11/04	A98564	CHK: 190681	12420	TRUCK TOWN	6069		66.54CR	171,679.04CR
11/04/16	11/04	A98565	CHK: 190682	12420	DAVIS CHIROPRACTIC	6300		85.00CR	171,764.04CR
11/04/16	11/04	A98566	CHK: 190661	12421	LAMESA AIRPORT BOARD	1013		10,000.00CR	181,764.04CR
11/04/16	11/04	A98567	CHK: 190662	12421	ROBERT RAMIREZ	5370		420.00CR	182,184.04CR
11/04/16	11/04	A98568	CHK: 000000	12422	INTERNAL REVENUE SERVICE	5832		1,581.64CR	183,765.68CR
11/04/16	11/04	A98569	CHK: 190683	12422	PAYROLL FUND	3270		3,192.58CR	186,958.26CR
11/08/16	11/08	A98590	CHK: 190684	12426	ALEX JIMENEZ	1		100.00CR	187,058.26CR
11/08/16	11/08	A98591	CHK: 190685	12426	DIMAS, LETICIA	1650		67.94CR	187,126.20CR
11/08/16	11/08	A98592	CHK: 190686	12426	SPIKE DYKES	5651		200.00CR	187,326.20CR
11/08/16	11/08	A98593	CHK: 190687	12426	ERICA UBEDA	6140		850.00CR	188,176.20CR
11/08/16	11/08	A98594	CHK: 190688	12426	JEANETTE PARRISH	6213		150.00CR	188,326.20CR
11/08/16	11/08	A98634	CHK: 190689	12432	CROP PRODUCTION SERVICES	1018		374.00CR	188,700.20CR
11/08/16	11/08	A98635	CHK: 190690	12432	ADVANCED ANALYSIS, INC	1022		1,411.00CR	190,111.20CR
11/08/16	11/08	A98636	CHK: 190692	12432	CLAIBORNE'S THRIFTWAY	1480		773.51CR	190,884.71CR
11/08/16	11/08	A98638	CHK: 190693	12432	THE COUNTRY STORE	1540		56.70CR	190,941.41CR
11/08/16	11/08	A98639	CHK: 190694	12432	LAMESA PRESS REPORTER	2590		120.00CR	191,061.41CR
11/08/16	11/08	A98640	CHK: 190695	12432	MEDICAL ARTS HOSPITAL	2971		288.00CR	191,349.41CR
11/08/16	11/08	A98641	CHK: 190696	12432	MORRISON SUPPLY CO	3085		850.00CR	192,199.41CR
11/08/16	11/08	A98642	CHK: 190697	12432	S & C OIL COMPANY, INC.	3575		234.27CR	192,433.68CR
11/08/16	11/08	A98643	CHK: 190698	12432	WESTERN INDUSTRIAL SUPPL	4240		198.64CR	192,632.32CR
11/08/16	11/08	A98644	CHK: 190699	12432	TEXAS MUNICIPAL HUMAN RE	5025		90.00CR	192,722.32CR
11/08/16	11/08	A98645	CHK: 190700	12432	LOWER COLORADO RIVER AUT	5145		246.19CR	192,968.51CR
11/08/16	11/08	A98646	CHK: 190701	12432	AUTOZONE, INC.	5593		5.78CR	192,974.29CR
11/08/16	11/08	A98647	CHK: 190702	12432	AUSTIN TURE & TRACTOR	5685		214.35CR	193,188.64CR
11/08/16	11/08	A98648	CHK: 190703	12432	GREAT AMERICA FINANCIAL	5734		285.72CR	193,474.36CR
11/08/16	11/08	A98649	CHK: 190704	12432	FRANKLIN & SON, INC.	5840		173.50CR	193,647.86CR
11/08/16	11/08	A98650	CHK: 190705	12432	LAMESA RECYCLING	5869		628.46CR	194,276.32CR
11/08/16	11/08	A98651	CHK: 190706	12432	THOMSON REUTERS	5871		286.00CR	194,562.32CR
11/08/16	11/08	A98652	CHK: 190707	12432	MORRIS PUBLISHING GROUP	5890		520.00CR	195,082.32CR
11/08/16	11/08	A98653	CHK: 190708	12432	F & F TECHNIQUES	5893		1,800.00CR	196,882.32CR
11/08/16	11/08	A98654	CHK: 190709	12432	KELLY-MOORE PAINT COMPAN	5933		178.14CR	197,060.46CR
11/08/16	11/08	A98655	CHK: 190710	12432	OCCUPATIONAL HEALTH CENT	6051		20.00CR	197,080.46CR
11/08/16	11/08	A98656	CHK: 190711	12432	ALERT-ALL CORP.	6237		200.00CR	197,280.46CR
11/08/16	11/08	A98657	CHK: 190712	12432	ROBERT SHERWOOD	6405		495.00CR	197,775.46CR
11/10/16	11/10	A98687	CHK: 190718	12449	ADVANCED ANALYSIS, INC	1022		285.00CR	198,060.46CR
11/10/16	11/10	A98688	CHK: 190719	12449	ALL-AMERICAN PUMP & MACH	1048		1,579.98CR	199,640.44CR
11/10/16	11/10	A98689	CHK: 190720	12449	CATERPILLAR FINANCIAL SE	1453		24,472.75CR	224,113.19CR
11/10/16	11/10	A98690	CHK: 190721	12449	COPE SAND & GRAVEL	1520		100.00CR	224,213.19CR
11/10/16	11/10	A98691	CHK: 190722	12449	DPC INDUSTRIES INC	1570		1,550.85CR	225,764.04CR
11/10/16	11/10	A98692	CHK: 190723	12449	GT DISTRIBUTORS INC	1963		2,194.39CR	227,958.43CR
11/10/16	11/10	A98693	CHK: 190724	12449	GEBO'S DISTRIBUTING	2000		1,726.81CR	229,685.24CR
11/10/16	11/10	A98696	CHK: 190727	12449	HIGGINBOTHAM'S GENERAL O	2180		1,245.61CR	230,930.85CR



12-15-2016 4:06 PM

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

PAGE: 4

FUND : 01 -GENERAL FUND

PERIOD TO USE: Nov-2016 THRU Nov-2016

DEPT : N/A

ACCOUNTS: 1001 THRU 1001

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

1001 CASH IN BANK

\* ( CONTINUED ) \*

11/10/16	11/10	A98698	CHK: 190729	12449	MAYFIELD PAPER COMPANY	2957			1,688.41CR	232,619.26CR
11/10/16	11/10	A98700	CHK: 190731	12449	MEDICAL ARTS HOSPITAL	2971			310.00CR	232,929.26CR
11/10/16	11/10	A98701	CHK: 190732	12449	SOUTH PLAINS COMMUNICATI	3729			45.00CR	232,974.26CR
11/10/16	11/10	A98702	CHK: 190733	12449	TEXAS MUNICIPAL LEAGUE	3970			2,669.00CR	235,643.26CR
11/10/16	11/10	A98703	CHK: 190734	12449	WINDSTREAM COMMUNICATION	4460			61.87CR	235,705.13CR
11/10/16	11/10	A98704	CHK: 190735	12449	CREATIVE INKS	5035			177.50CR	235,882.63CR
11/10/16	11/10	A98705	CHK: 190736	12449	USABLUEBOOK	5100			1,314.34CR	237,196.97CR
11/10/16	11/10	A98706	CHK: 190737	12449	TASCOSA OFFICE MACHINES	5115			2,816.79CR	240,013.76CR
11/10/16	11/10	A98709	CHK: 190740	12449	TEXASDATAVAULT	5607			1,725.00CR	241,738.76CR
11/10/16	11/10	A98710	CHK: 190741	12449	SIERRA SPRINGS	6114			118.92CR	241,857.68CR
11/10/16	11/10	A98711	CHK: 190742	12449	ALERT-ALL CORP.	6237			2,702.12CR	244,559.80CR
11/10/16	11/10	A98712	CHK: 190743	12449	SMITH FANS INC,	6248			6,250.00CR	250,809.80CR
11/10/16	11/10	A98713	CHK: 190744	12449	WEST TEXAS GRAPHICS	6315			1,640.00CR	252,449.80CR
11/10/16	11/10	A98715	CHK: 190746	12449	NATIONAL TOOL & SAFETY	6352			319.60CR	252,769.40CR
11/10/16	11/10	A98716	CHK: 190747	12449	SPECTRUM SCOREBOARD	6386			4,662.00CR	257,431.40CR
11/10/16	11/10	A98717	CHK: 190748	12449	LUBBOCK SHRM CHAPTER #18	6415			45.00CR	257,476.40CR
11/10/16	11/10	A98718	CHK: 190713	12447	LAMESA CHAMBER OF COMMER	1457			2,475.00CR	259,951.40CR
11/10/16	11/10	A98719	CHK: 190714	12447	POSTMASTER	3390			1,500.00CR	261,451.40CR
11/10/16	11/10	A98720	CHK: 190715	12447	IDA RODRIGUEZ	6319			852.00CR	262,303.40CR
11/10/16	11/10	A98721	CHK: 190716	12447	K & H AUTOMOTIVE LLC	6413			1,368.19CR	263,671.59CR
11/10/16	11/10	A98722	CHK: 190717	12447	ELIAS CORTEZ	6414			43.71CR	263,715.30CR
11/10/16	11/10	A98724	CHK: 190749	12453	AMERICAN EXPRESS	4880			7,614.04CR	271,329.34CR
11/14/16	11/14	A98774	CHK: 190754	12457	CAIN ELECTRICAL SUPPLY	1383			673.96CR	272,003.30CR
11/14/16	11/14	A98775	CHK: 190755	12457	CANADIAN RIVER MUNICIPAL	1385			86,127.93CR	358,131.23CR
11/14/16	11/14	A98776	CHK: 190756	12457	DPC INDUSTRIES INC	1570			390.00CR	358,521.23CR
11/14/16	11/14	A98777	CHK: 190757	12457	MIDLAND REPORTER-TELEGRA	3025			700.00CR	359,221.23CR
11/14/16	11/14	A98778	CHK: 190758	12457	QUILL CORPORATION	3430			516.47CR	359,737.70CR
11/14/16	11/14	A98780	CHK: 190760	12457	SHARE CORPORATION	3705			1,232.02CR	360,969.72CR
11/14/16	11/14	A98781	CHK: 190761	12457	SOUTH PLAINS COMMUNICATI	3729			948.00CR	361,917.72CR
11/14/16	11/14	A98782	CHK: 190762	12457	WASTE SYSTEMS	4124			227.30CR	362,145.02CR
11/14/16	11/14	A98783	CHK: 190763	12457	WATERMASTER IRRIGATION	4129			209.82CR	362,354.84CR
11/14/16	11/14	A98784	CHK: 190764	12457	AMERICAN EXPRESS	4880			7,614.04CR	369,968.88CR
11/14/16	11/14	A98788	CHK: 190768	12457	MANDRY TECHNOLOGY SOLUTI	5160			5,959.27CR	375,928.15CR
11/14/16	11/14	A98789	CHK: 190769	12457	STANDARD COFFEE SERVICE	5275			315.51CR	376,243.66CR
11/14/16	11/14	A98790	CHK: 190770	12457	PBRPC	5525			90.00CR	376,333.66CR
11/14/16	11/14	A98791	CHK: 190771	12457	SPAG	5597			579.67CR	376,913.33CR
11/14/16	11/14	A98792	CHK: 190772	12457	ELECTION SYSTEMS & SOFTW	5628			402.14CR	377,315.47CR
11/14/16	11/14	A98793	CHK: 190773	12457	SKTR, INC.	5798			1,272.90CR	378,588.37CR
11/14/16	11/14	A98794	CHK: 190774	12457	LEADS ONLINE LLC	5918			1,758.00CR	380,346.37CR
11/14/16	11/14	A98795	CHK: 190775	12457	VERIZON WIRELESS	5969			1,608.52CR	381,954.89CR
11/14/16	11/14	A98797	CHK: 190777	12457	THE PIT STOP AUTO DETAIL	6132			45.00CR	381,999.89CR
11/14/16	11/14	A98798	CHK: 190778	12457	SUMMIT TRUCK GROUP	6252			37.60CR	382,037.49CR
11/14/16	11/14	A98799	CHK: 190779	12457	O'ROURKE PETROLEUM	6284			3,274.90CR	385,312.39CR
11/14/16	11/14	A98800	CHK: 190780	12457	MARK CHANDLER	6411			309.40CR	385,621.79CR
11/14/16	11/14	A98802	CHK: 190781	12463	GARZA, DIONICIO JR	1969			25.00CR	385,646.79CR
11/14/16	11/14	A98803	CHK: 190782	12463	TMCCP	4670			1,245.00CR	386,891.79CR
11/14/16	11/14	A98804	CHK: 190783	12463	TEXAS MUNICIPAL CLERKS C	5065			100.00CR	386,991.79CR

12-15-2016 4:06 PM  
FUND : 01 -GENERAL FUND  
DEPT : N/A

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

PAGE: 5

PERIOD TO USE: Nov-2016 THRU Nov-2016

ACCOUNTS: 1001 THRU 1001

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

1001 CASH IN BANK

\* ( CONTINUED ) \*

11/14/16	11/14	A98805	CHK: 190784	12463	TML TEXAS MUNICIAL LEAGU	5120			1,944.00CR	388,935.79CR
11/14/16	11/14	A98806	CHK: 190785	12463	PBRPC	5525			1,884.40CR	390,820.19CR
11/14/16	11/14	A98807	CHK: 190786	12463	OGEDA, ERNEST	5617			40.68CR	390,860.87CR
11/14/16	11/14	A98808	CHK: 190787	12463	ERICA UBEDA	6140			450.00CR	391,310.87CR
11/15/16	11/15	A98809	CHK: 000000	12465	INTERNAL REVENUE SERVICE	5832			33,784.73CR	425,095.60CR
11/15/16	11/15	A98810	CHK: 190789	12465	CAPROCK FEDERAL CREDIT U	1390			16,949.82CR	442,045.42CR
11/15/16	11/15	A98811	CHK: 190790	12465	PAYROLL FUND	3270			69,594.84CR	511,640.26CR
11/15/16	11/15	A98812	CHK: 190791	12465	TX CHILD SUPPORT SDU	5634			334.15CR	511,974.41CR
11/15/16	11/15	A98813	CHK: 190792	12465	TEXAS CHILD SUPPORT DISB	5811			184.62CR	512,159.03CR
11/15/16	11/15	A98814	CHK: 190793	12465	TX CHILD SUPPORT SDU	5829			115.38CR	512,274.41CR
11/15/16	11/15	A98815	CHK: 190794	12465	TEXAS CHILD SUPPORT DISB	5859			500.90CR	512,775.31CR
11/15/16	11/15	A98816	CHK: 190795	12465	TX CHILD SUPPORT SDU	5882			276.92CR	513,052.23CR
11/15/16	11/15	A98817	CHK: 190796	12465	TX CHILD SUPPORT SDU	5982			113.08CR	513,165.31CR
11/15/16	11/15	A98818	CHK: 190797	12465	JAE FITNESS	6023			143.47CR	513,308.78CR
11/15/16	11/15	A98819	CHK: 190798	12465	TX CHILD SUPPORT SDU	6059			46.15CR	513,354.93CR
11/15/16	11/15	A98820	CHK: 190799	12465	TG	6222			113.12CR	513,468.05CR
11/15/16	11/15	A98821	CHK: 190800	12465	TEXAS CHILD SUPPORT DISB	6380			265.38CR	513,733.43CR
11/15/16	11/15	A98822	CHK: 190801	12465	TEXAS CHILD SUPPORT DISB	6409			41.54CR	513,774.97CR
11/15/16	11/15	A98823	CHK: 190788	12468	LAMESA CHAMBER OF COMMER	1457			3,270.00CR	517,044.97CR
11/16/16	11/16	A98824	CHK: 190802	12470	WINDSTREAM COMMUNICATION	4460			72.61CR	517,117.58CR
11/16/16	11/16	A98825	CHK: 190803	12470	CITY OF LAMESA HEALTH IN	5790			55,000.00CR	572,117.58CR
11/16/16	11/16	A98826	CHK: 190804	12471	WINDSTREAM COMMUNICATION	6389			61.87CR	572,179.45CR
11/17/16	11/17	A98828	CHK: 190805	12474	CHRISTINA TARIN	1			150.00CR	572,329.45CR
11/17/16	11/17	A98829	CHK: 190806	12474	LUCY ANN VALERO	1			50.00CR	572,379.45CR
11/17/16	11/17	A98830	CHK: 190807	12474	NORMA GARCIA	6274			47.63CR	572,427.08CR
11/21/16	11/21	U25117	CHECK 190808	15688	REFUND: SALINAS, DAVID				5.41CR	572,432.49CR
11/21/16	11/21	U25117	CHECK 190809	15688	REFUND: SEDONA OIL& GAS CORP				150.00CR	572,582.49CR
11/21/16	11/21	U25117	CHECK 190810	15688	REFUND: ALVARADO, GUSTAVO O				55.27CR	572,637.76CR
11/21/16	11/21	U25117	CHECK 190811	15688	REFUND: EDWARDS, ORA D				1.79CR	572,639.55CR
11/21/16	11/21	U25117	CHECK 190812	15688	REFUND: ROOSTER RICH, LC				28.37CR	572,667.92CR
11/21/16	11/21	U25117	CHECK 190813	15688	REFUND: MEJIA, ESTELA H				20.67CR	572,688.59CR
11/21/16	11/21	U25117	CHECK 190814	15688	REFUND: GARZA, AMANDA				19.70CR	572,708.29CR
11/21/16	11/21	U25117	CHECK 190815	15688	REFUND: COBOS, ANDREA				11.37CR	572,719.66CR
11/21/16	11/21	U25117	CHECK 190816	15688	REFUND: SCHNEIDER, SARAH J				9.61CR	572,729.27CR
11/21/16	11/21	U25117	CHECK 190817	15688	REFUND: ARELLANO, MARIA				35.42CR	572,764.69CR
11/21/16	11/21	U25117	CHECK 190818	15688	REFUND: HOWELL, JUDITH				39.12CR	572,803.81CR
11/21/16	11/21	U25117	CHECK 190819	15688	REFUND: RITCHEY, DAVID T				27.48CR	572,831.29CR
11/21/16	11/21	U25117	CHECK 190820	15688	REFUND: WHIPPLE, SHELBY				33.35CR	572,864.64CR
11/21/16	11/21	U25117	CHECK 190821	15688	REFUND: DELGADO, ROSE H				11.22CR	572,875.86CR
11/21/16	11/21	A98847	CHK: 190822	12476	LAMESA PRESS REPORTER	2590			335.00CR	573,210.86CR
11/21/16	11/21	A98848	CHK: 190823	12476	JEANETTE PARRISH	6213			150.00CR	573,360.86CR
11/21/16	11/21	A98849	CHK: 190824	12476	RELIANT ENERGY	6316			32,449.52CR	605,810.38CR
11/28/16	11/28	A98859	CHK: 190826	12481	PAMELA CUMMINGS	1			200.00CR	606,010.38CR
11/28/16	11/28	A98860	CHK: 190827	12481	FATIMA ARGUELLES	1			50.00CR	606,060.38CR
11/28/16	11/28	A98861	CHK: 190828	12481	LAMESA ECONOMIC DEVELOPM	2555			24,263.21CR	630,323.59CR
11/28/16	11/28	A98862	CHK: 190829	12481	NTS COMMUNICATIONS	3135			823.70CR	631,147.29CR
11/28/16	11/28	A98864	CHK: 190831	12481	PAYTON PLUMBING INC	3286			300.00CR	631,447.29CR

12-15-2016 4:06 PM				D E T A I L L I S T I N G				PAGE: 6		
FUND : 01 -GENERAL FUND								PERIOD TO USE: Nov-2016 THRU Nov-2016		
DEPT : N/A								ACCOUNTS: 1001 THRU 1001		
POST	DATE	TRAN #	REFERENCE	PACKET=====	DESCRIPTION=====	VEND	INV/JE #	NOTE	=====AMOUNT=====	=====BALANCE=====
1001 CASH IN BANK								* ( CONTINUED ) *		
11/28/16	11/28	A98865	CHK: 190832	12481	ROSE PLUMBING & SEPTIC	3560			225.00CR	631,672.29CR
11/28/16	11/28	A98866	CHK: 190833	12481	STEVENS, JOSH	5750			193.68CR	631,865.97CR
11/28/16	11/28	A98867	CHK: 190834	12481	STAHL,TERRI	5940			280.00CR	632,145.97CR
11/28/16	11/28	A98868	CHK: 190835	12481	LAMESA ECONOMIC ALLIANCE	5942			24,263.21CR	656,409.18CR
11/28/16	11/28	A98869	CHK: 190836	12481	TOMMY ARGUIJO	5988			19.68CR	656,428.86CR
11/28/16	11/28	A98870	CHK: 190837	12481	NORMA GARCIA	6274			641.80CR	657,070.66CR
11/28/16	11/28	A98875	CHK: 000000	12492	INTERNAL REVENUE SERVICE	5832			33,881.15CR	690,951.81CR
11/28/16	11/28	A98876	CHK: 190838	12492	CAPROCK FEDERAL CREDIT U	1390			16,688.35CR	707,640.16CR
11/28/16	11/28	A98877	CHK: 190839	12492	PAYROLL FUND	3270			70,080.44CR	777,720.60CR
11/28/16	11/28	A98878	CHK: 190840	12492	TX CHILD SUPPORT SDU	5634			334.15CR	778,054.75CR
11/28/16	11/28	A98879	CHK: 190841	12492	TEXAS CHILD SUPPORT DISB	5811			184.62CR	778,239.37CR
11/28/16	11/28	A98880	CHK: 190842	12492	TX CHILD SUPPORT SDU	5829			115.38CR	778,354.75CR
11/28/16	11/28	A98881	CHK: 190843	12492	TEXAS CHILD SUPPORT DISB	5859			500.90CR	778,855.65CR
11/28/16	11/28	A98882	CHK: 190844	12492	TX CHILD SUPPORT SDU	5882			276.92CR	779,132.57CR
11/28/16	11/28	A98883	CHK: 190845	12492	TX CHILD SUPPORT SDU	5982			113.08CR	779,245.65CR
11/28/16	11/28	A98884	CHK: 190846	12492	JAE FITNESS	6023			143.47CR	779,389.12CR
11/28/16	11/28	A98885	CHK: 190847	12492	TX CHILD SUPPORT SDU	6059			46.15CR	779,435.27CR
11/28/16	11/28	A98886	CHK: 190848	12492	TG	6222			113.12CR	779,548.39CR
11/28/16	11/28	A98887	CHK: 190849	12492	TEXAS CHILD SUPPORT DISB	6380			265.38CR	779,813.77CR
11/28/16	11/28	A98888	CHK: 190850	12492	TEXAS CHILD SUPPORT DISB	6409			41.54CR	779,855.31CR
11/28/16	11/28	A98889	CHK: 190851	12496	FULBRIGHT & CASSELBERRY	2090			2,145.83CR	782,001.14CR
11/28/16	11/28	A98890	CHK: 190852	12496	PAYROLL FUND	3270			380.50CR	782,381.64CR
11/28/16	11/28	A98891	CHK: 190853	12496	SENIOR CITIZENS	3675			3,750.00CR	786,131.64CR
11/28/16	11/28	A98892	CHK: 000000	12494	INTERNAL REVENUE SERVICE	5832			129.12CR	786,260.76CR
11/28/16	11/28	A98920	CHK: 190854	12497	AFLAC INSURANCE	1020			5,791.06CR	792,051.82CR
11/28/16	11/28	A98922	CHK: 190856	12497	CAPROCK FEDERAL CREDIT U	1390			173.94CR	792,225.76CR
11/28/16	11/28	A98923	CHK: 190857	12497	TEXAS MUNICIPAL RETIREME	3973			40,263.65CR	832,489.41CR
11/28/16	11/28	A98933	CHK: 190867	12497	MY BOOT STORE	5710			50.00CR	832,539.41CR
11/28/16	11/28	A98934	CHK: 190868	12497	LEGAL SHIELD	5900			751.10CR	833,290.51CR
11/28/16	11/28	A98935	CHK: 190869	12497	NEW YORK LIFE	5921			851.10CR	834,141.61CR
11/28/16	11/28	A98936	CHK: 190870	12497	GUARDIAN-APPLETON	6141			758.61CR	834,900.22CR
11/28/16	11/28	A98937	CHK: 190871	12497	CITY OF LAMESA FSA	6308			2,199.24CR	837,099.46CR
11/29/16	11/29	A98938	CHK: 190872	12498	WTG FUELS, INC.	6220			14,591.04CR	851,690.50CR
11/29/16	12/03	B53510	Misc 000003	08603	METER POSTAGE		JE# 021440		500.00CR	852,190.50CR
11/30/16	12/10	B53557	Misc 000005	08616	HEALTH INS. TSF. - G/F		JE# 021470		27,636.92CR	879,827.42CR
11/30/16	12/10	B53562	Misc 000010	08617	LIABILITY TSF G/F TO RISK MGMT		JE# 021475		6,213.08CR	886,040.50CR
11/30/16	12/10	B53567	Misc 000015	08618	WORKER COMP TSF TO RISK MGMT		JE# 021480		6,302.67CR	892,343.17CR
11/30/16	12/14	B53609	Misc 000019	08620	TRNSF FINES TO STATE AGENCY		JE# 021489		1,751.39CR	894,094.56CR
=====				NOVEMBER ACTIVITY DB:		0.00	CR:	894,094.56CR	894,094.56CR	

## SELECTION CRITERIA

---

FISCAL YEAR: Oct-2015 / Sep-2016  
FUND: Include: 01  
PERIOD TO USE: Nov-2016 THRU Nov-2016  
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: DECEMBER 20, 2016**

**AGENDA ITEM: 4**

**SUBJECT: PUBLIC HEARING ON REQUEST FOR SPECIFIC USE PERMIT –  
502 SE 12<sup>TH</sup> STREET**  
**PROCEEDING: Public Hearing**  
**SUBMITTED BY: City Staff**  
**EXHIBITS: Minutes from October 27, 2016, P&Z meeting**  
**AUTHORITY: City Charter, City Code, Texas Government Code**

### **SUMMARY STATEMENT**

Public hearing to consider the petition of Delia Collins, 502 SE 12<sup>TH</sup> Street to change the zoning designation from: R-1 Single Family Residential to zoning district R-1 Single Family Residential with a Specific Use Permit for placement of a manufactured home for the following property:

LOT 16 BLOCK 7 OF THE HOLLIS ADDITION TO THE CITY OF LAMESA, DAWSON COUNTY, TEXAS (502 SE 12<sup>th</sup>).

### **PUBLIC HEARING**

The Mayor will ask if anyone wishes to speak regarding the request for Specific Use Permit at 502 SE 12<sup>th</sup> Street.

The following persons spoke:

_____	_____
_____	_____
_____	_____

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

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

See attached P&Z minutes of October 27, 2016, meeting. P&Z public hearing was held on October 27, 2016.



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

**MINUTES**

On October 27, 2016, 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
	Bob Henderson	Member
ABSENT-----	Ray Stephens	Member
ABSENT-----	Larry Allison	Member
ABSENT-----	Sam Adams	Member
	Richard Leonard	Member
	Jinkin Ortiz	Alternate Member
	Barney Blount	Alternate Member

Also Meeting:

Ida Rodriguez	Inspections Department
---------------	------------------------

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

**1. CALL TO ORDER:**

**2. 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 **September 22, 2016**.

A motion to approve the minutes as read was made by RICHARD LEONARD and seconded by JOHN HEGI.

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

**3. CASE NO. PZ 16-8:** To consider the petition of Delia Collins, 521 CHAPEL CREEK, LAKE DALLAS, TEXAS 75065 to change the zone of the following property:

**LOT 16 BLOCK 7 OF THE HOLLIS ADDITION the City of Lamesa,  
Dawson County, Texas**

located at 502 SE 12TH STREET from zoning district R-1 SINGLE FAMILY RESIDENTIAL to zoning district R-1 SINGLE FAMILY RESIDENTIAL WITH A SPECIFIC USE PERMIT FOR PLACEMENT OF A MANUFACTURED HOME.

Discussion: 23 letters were sent to surrounding property owners. Two letters in favor of the zone change and three letters with no response were received and read by the board. The board found no issues with this application, Ms. Collins had several family members, friends and neighbors attend in her absence in show of support of her request.

A motion was made by Richard Leonard to recommend approval of a Specific use permit at 502 SE 12<sup>th</sup> Street for a placement of a manufactured home. The motion was seconded by Bob Henderson. Upon being put to a vote the motion passed.

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

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

**ATTEST:**

\_\_\_\_\_  
**Inspections Department**

**APPROVED:**

\_\_\_\_\_  
**Chairman**

# **City Council Agenda**

## **City of Lamesa, Texas**

**DATE OF MEETING: DECEMBER 20, 2016**

**AGENDA ITEM: 5**

**SUBJECT: REQUEST FOR SPECIFIC USE PERMIT – 502 SE 12TH**  
**PROCEEDING: Ordinance First Reading**  
**SUBMITTED BY: City Staff**  
**EXHIBITS: Minutes from October 27, 2016, P&Z meeting**  
**AUTHORITY: City Charter, City Code, Texas Government Code**

### **SUMMARY STATEMENT**

Consider passing on Ordinance on first reading granting a specific use permit allowing the placement of a manufactured home for the following property:

LOT 16 BLOCK 7 OF THE HOLLIS ADDITION TO THE CITY OF LAMESA, DAWSON COUNTY, TEXAS (502 SE 12<sup>th</sup>).

### **COUNCIL ACTION**

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

Motion by Council Member \_\_\_\_\_ to consider passing an Ordinance on first reading granting Specific Use Permit allowing the placement of a manufactured home for the following property:

LOT 16 BLOCK 7 OF THE HOLLIS ADDITION TO THE CITY OF LAMESA, DAWSON COUNTY, TEXAS (502 SE 12<sup>th</sup>).

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 Thursday, October 27, 2016. All notices and publications have been properly posted to comply with city codes for holding these public hearings and possible action by city council. **Recommend approval.**

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

**MINUTES**

On October 27, 2016, 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
	Bob Henderson	Member
ABSENT-----	Ray Stephens	Member
ABSENT-----	Larry Allison	Member
ABSENT-----	Sam Adams	Member
	Richard Leonard	Member
	Jinkin Ortiz	Alternate Member
	Barney Blount	Alternate Member

Also Meeting:

Ida Rodriguez	Inspections Department
---------------	------------------------

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

**1. CALL TO ORDER:**

**2. 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 **September 22, 2016**.

A motion to approve the minutes as read was made by RICHARD LEONARD and seconded by JOHN HEGI.

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

**3. CASE NO. PZ 16-8:** To consider the petition of Delia Collins, 521 CHAPEL CREEK, LAKE DALLAS, TEXAS 75065 to change the zone of the following property:

**LOT 16 BLOCK 7 OF THE HOLLIS ADDITION the City of Lamesa,  
Dawson County, Texas**

located at 502 SE 12TH STREET from zoning district R-1 SINGLE FAMILY RESIDENTIAL to zoning district R-1 SINGLE FAMILY RESIDENTIAL WITH A SPECIFIC USE PERMIT FOR PLACEMENT OF A MANUFACTURED HOME.

Discussion: 23 letters were sent to surrounding property owners. Two letters in favor of the zone change and three letters with no response were received and read by the board. The board found no issues with this application, Ms. Collins had several family members, friends and neighbors attend in her absence in show of support of her request.

A motion was made by Richard Leonard to recommend approval of a Specific use permit at 502 SE 12<sup>th</sup> Street for a placement of a manufactured home. The motion was seconded by Bob Henderson. Upon being put to a vote the motion passed.

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

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

**ATTEST:**

\_\_\_\_\_  
**Inspections Department**

**APPROVED:**

\_\_\_\_\_  
**Chairman**



**ORDINANCE NO.**

**AN ORDINANCE GRANTING A SPECIFIC USE PERMIT TO ALLOW  
PLACEMENT OF A MANUFACTURED HOME ON LOT 16, BLOCK 7, OF  
THE HOLLIS ADDITION TO THE TOWN OF LAMESA, DAWSON  
COUNTY, TEXAS, LOCATED AT 502 SE 12TH, LAMESA, TEXAS, UPON  
RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION.**

On the this 20th day of December, 2016, 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 at the meeting, to wit:

**WHEREAS**, the Code of Ordinances of the City of Lamesa provides that specific use permits may be granted for the use of property not otherwise allowed in certain zoning districts of the City 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 specific use permit to allow placement of a manufactured home on the following described property, to-wit:

Lot 16, Block 7, of the Hollis 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, located at 502 SE 12<sup>th</sup> and is located 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 specific use permit for the placement of a 2014 Manufactured Home on such property be granted; and

**WHEREAS**, a public hearing where all interested persons were provided with an opportunity to be heard on the request for a specific use permit was held at City Hall, 601 South First Street, in the City of Lamesa, Texas, on December 20, 2016, 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 use for which such specific use permit is sought will not be injurious to the neighborhood or otherwise detrimental to the public interest and welfare and will be in harmony with the general purpose of the Zoning Ordinances of the City of Lamesa, Texas, and that the recommendation of the Planning and Zoning Commission of the City of Lamesa, Texas, should be accepted.

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

**SECTION ONE:** The request for a specific use permit to allow the placement of a 2014 Manufactured Home, on the following described property located at 502 SE 12th Street, Lamesa, Texas, to-wit:

Lot 16, Block 7, of the Hollis Addition to the Town of Lamesa, Dawson  
County, Texas;

be, and is hereby, **GRANTED.**

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

**SECTION THREE:** 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.

**SECTION FOUR:** The City Secretary is hereby authorized and directed to publish the descriptive caption of this ordinance in the manner and for the length of time prescribed by Article IV, Section 24 of the City Charter and state law.

Upon being put to a vote, the foregoing ordinance was Passed, on First Reading on the 20th day of December, 2016; and

Upon being put to a vote, the foregoing ordinance was Passed, on Second Reading on the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Norma Garcia  
City Secretary

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

# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: DECEMBER 20, 2016**

**AGENDA ITEM: 6**

**SUBJECT: AWARD ADMINISTRATIVE SERVICES FOR 2016 CDBG GRANT**  
**PROCEEDING: Resolution**  
**SUBMITTED BY: City staff**  
**EXHIBITS: Resolution**  
**AUTHORITY:**

### **SUMMARY STATEMENT**

City Council to consider passing a resolution to award Administrative Services for 2016 CDBG Grant to Howco Services, Inc.– 2,830 linear feet of water improvements on N. 3<sup>rd</sup> St. from N. Hartford Avenue to Boston Avenue, on N. 1<sup>st</sup> St. from a point between Canyon Avenue and Boston Avenue to Detroit Avenue, and on Detroit Ave. from point between Detroit Avenue and Elgin Avenue.

### **COUNCIL ACTION**

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

Motion by Council Member \_\_\_\_\_ to approve a resolution awarding Administrative Services for 2016 CDBG Grant to Howco Service, Inc.– 2,830 linear feet of water improvements on N. 3<sup>rd</sup> St. from N. Hartford Avenue to Boston Avenue, on N. 1<sup>st</sup> St. from a point between Canyon Avenue and Boston Avenue to Detroit Avenue, and on Detroit Ave. from point between Detroit Avenue and Elgin Avenue. Motion seconded by Council Member \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

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

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

**Recommend approval.**

## **RESOLUTION**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAMESA AUTHORIZING THE MAYOR OF THE CITY OF LAMESA TO ENTER INTO AGREEMENT FOR GRANT MANAGEMENT SERVICES FOR THE #7216280 TxCDBG GRANT- WATER FACILITY IMPROVEMENTS PROJECT.**

WHEREAS, the City Council of the City of Lamesa has been awarded a #7216280 TxCDBG Grant for a Water Facility Improvements Project; and

WHEREAS, an agreement for grant management services needs to be entered into for the continuance of this water facility improvements project;

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

That the Mayor be authorized to sign a contract with A & J Howco Services, Inc. of Lubbock, Texas for grant management services for the City of Lamesa, Texas for the #7216280 TxCDBG Grant – Water Facility Improvements Project.

**PASSED AND APPROVED THIS 20<sup>TH</sup> DAY OF DECEMBER, 2016.**

---

Josh Stevens, Mayor

ATTEST:

---

Norma Garcia, City Secretary

# ***City Council Agenda***

***City of Lamesa, Texas***

**DATE OF MEETING: DECEMBER 20, 2016**

**AGENDA ITEM: 7**

SUBJECT: **OPEN BIDS FOR ONE-TIME SALE OF CALICHE FROM LANDFILL**  
PROCEEDING: Discussion  
SUBMITTED BY: City Staff  
EXHIBIT: Bids

## **SUMMARY STATEMENT**

City Council to open bids and provide bids for review by City Council and City staff.

## **COUNCIL ACTION**

NAME OF ENTITY	CITY AMOUNT	EDC AMOUNT	TOTAL AMOUNT

**Discussion** \_\_\_\_\_

Motion by Council Member \_\_\_\_\_ for City Council to open bids and provide bids for review by City Council and City staff. Motion seconded by Council Member \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

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

## **CITY MANAGER'S MEMORANDUM**

**Recommend approval.**



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

The City of Lamesa is soliciting sealed bid proposals for sale of a minimum of 60,000 cubic yards of soil (caliche) meeting the specified requirements up to a maximum of 85,000 cubic yards, including excavation and grading to City Engineer's specifications (see attached specifications). Bid opening will be at Lamesa City Hall at 5:30 p.m. on Tuesday, December 20, 2016.

Minimum bid threshold is set at \$1.50 per cubic yard up to 85,000 cubic yards. Any soil over 85,000 cubic yards may be purchased at \$2.00 per cubic yard.

Successful bidder is required to provide the following prior to initiation of the project. These items include, but are not limited to:

- Copy of Bidder's liability insurance policy with a minimum limit of \$1,000,000, to include City of Lamesa as an additional insured.
- Proof of Bidder's Workers Compensation insurance coverage.
- Fencing of work site and construction entrance as approved by Public Works Director and City Engineer.
- Topsoil will be stripped and stored onsite and the cost for this is incidental to the price for soil that is purchased.
- Use of Bidder's equipment and manpower for all of the proposed project.

**Note:**

- **The City of Lamesa provides no guarantees on the quality or grade of caliche.**

Sealed proposals addressed to the Mayor and City Council of the City of Lamesa, Texas will be received at the

office of Shawna Burkhart, City Manager, 601 South 1<sup>st</sup> Street, Lamesa, Texas 79331 until **4:00 p.m., Monday, December 19, 2016.**

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

The Bids will be opened at **5:30 p.m., Tuesday, December 20, 2016** and read in open meeting. The City Council reserves the right to accept the bid most advantageous to the City.

ATTEST:  
Norma Garcia  
City Secretary

SIGNED:  
Josh Stevens  
Mayor

=====  
*Proposed Publish Dates:*  
*November 27, 2016*  
*December 4, 2016*

# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: DECEMBER 20, 2016**

**AGENDA ITEM: 8**

---

**SUBJECT: OPEN REQUEST FOR QUALIFICATION ON ENGINEERING  
AND ADMINSTRATIVE SERVICES FOR 2017/2018 CDBG  
GRANT**

**PROCEEDING:**

**SUBMITTED BY: City staff**

**AUTHORITY:**

### **SUMMARY STATEMENT**

Open Request for Qualification for Engineering and Administrative Services for 2017/2018 CDBG Grant for water system improvement activities associated to the Texas Community Development Block Grant Program and direct City staff and Administrative Committee to score submittals for award on October 18, 2017 City Council meeting.

### **COUNCIL ACTION**

No City Council action required.

**COMBINED  
PROCUREMENT OF ENGINEERING & ADMINISTRATION/PROFESSIONAL  
SERVICES  
Pre-Award and Post-Award**

**PUBLIC NOTICE**

The City of Lamesa seeks to develop an application to the Texas Department of Agriculture for the 2017/2018 Community Development Fund for water system improvement activities associated to the Texas Community Development Block Grant Program. Accordingly, the City is separately soliciting (A) proposals from Administrative Consultants for Application Preparation and Project Administration and (B) qualifications from Texas-Registered Engineers to provide engineering services associated to Application Preparation and Project Implementation. Firms and/or individuals should have past experience with federally funded programs. Please submit a proposal of services and/or a statement of qualifications to:

Shawna Burkhart, City Manager  
City of Lamesa  
601 S. First  
Lamesa, TX 79331

Submittals for these services shall be at the City no later than 4:00 p.m. on November 29, 2016, which is at least ten (10) days after this publication and contact dates of RFP/Q. The same firm will not be awarded contracts to provide both services. The City reserves the right to negotiate with any and all individuals or firms that submit proposals, as per the Texas Professional Services Procurement Act and the Uniform Grant and Contract Management Standards. Section 3 Residents and Business Concerns, Minority Business Enterprises, Small Business Enterprises and Women Business Enterprises are encouraged to submit proposals.

The City of Lamesa is an Affirmative Action/Equal Opportunity Employer

# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: DECEMBER 20, 2016**

**AGENDA ITEM: 9**

SUBJECT: **2016 TXCDBG SIGNATURE AUTHORIZATION**  
PROCEEDING: Resolution  
SUBMITTED BY: City Staff  
EXHIBITS: Resolution  
AUTHORITY:

### **SUMMARY STATEMENT**

Consider passing a resolution approving authorized signatories for contractual documents and documents for requesting funds pertaining to the Texas Community Development block Grant Program (TxCDBG) Contract Number 7216280.

### **COUNCIL ACTION**

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

Motion by Council Member \_\_\_\_\_ to pass a resolution approving authorized signatories for contractual documents and documents for requesting funds pertaining to the Texas Community Development block Grant Program (TxCDBG) Contract Number 7216280. Motion seconded by Council Member \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

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

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

**Recommend approval.**

**RESOLUTION NO.**

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS, DESIGNATING AUTHORIZED SIGNATORIES FOR CONTRACTUAL DOCUMENTS AND DOCUMENTS FOR REQUESTING FUNDS PERTAINING TO THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (TxCDBG) CONTRACT NUMBER 7216280

**WHEREAS**, the City of Lamesa, Texas has received a 2016 Texas Community Development Block Grant award to provide water improvements, and;

**WHEREAS**, it is necessary to appoint persons to execute contractual documents and documents for requesting funds from the Texas Department of Agriculture, and;

**WHEREAS**, an original signed copy of the TxCDBG *Depository/Authorized Signatories Designation Form (Form A202)* is to be submitted with a copy of this Resolution, and;

**WHEREAS**, the City of Lamesa, Texas acknowledges that in the event that an authorized signatory of the City changes (elections, illness, resignations, etc.), the City must provide TxCDBG with the following:

- a resolution stating who the new authorized signatory is (not required if this original resolution names only the title and not the name of the signatory); and
- a revised TxCDBG *Depository/ Authorized Signatories Designation Form (Form A202)*.

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

The Mayor and Mayor Pro-Tem be authorized to execute contractual documents between the Texas Department of Agriculture and the City for the 2016 Texas Community Development Block Grant Program.

The Mayor, Mayor Pro-Tem, City Manager, Finance Director, and City Secretary, and Administrative Assistant be authorized to execute the *State of Texas Purchase Voucher and Request for Payment Form* documents required for requesting funds approved in the 2016 Texas Community Development Block Grant Program.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS on DECEMBER 20, 2016.

---

Josh Stevens, Mayor

Attest:

---

Norma Garcia, City Secretary

# **Depository/Authorized Signatories Designation Form**

Grant Recipient City of Lamesa

TxCDBG Contract No. 7216280

The individuals listed below are designated by resolution as authorized signatories for contractual documents.

Josh Stevens	Chance Britt
(Name)	(Name)
Mayor	Mayor Pro-Tem
(Title)	(Title)
(Signature)	(Signature)

In addition to the individuals listed above, the individuals listed below are designated by resolution as authorized signatories for the *Request for Payment Form* (Form A203)—(At least two (2) signatories required).

Shawna Burkhart	Norma Garcia
(Name)	(Name)
City Manager	City Secretary
(Title)	(Title)
(Signature)	(Signature)
Wayne Chapman	Terri Stahl
(Name)	(Name)
Finance Director	Administrative Assistant
(Title)	(Title)
(Signature)	(Signature)

**NOTE:** A copy of a Resolution passed by the city council or county commissioner's court authorizing the signatories must be submitted along with this form. Grant Recipients are strongly encouraged to use the sample resolution provided.

# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: DECEMBER 20, 2016**

**AGENDA ITEM: 10**

**SUBJECT: 2016 TXCDBG CIVIL RIGHTS, FAIR HOUSING AND CODE OF CONDUCT POLICY**

**PROCEEDING: Resolution**

**SUBMITTED BY: City Staff**

**EXHIBITS: Resolution**

### **SUMMARY STATEMENT**

Consider passing a resolution regarding Civil Rights, Fair Housing, and to establish a Code of conduct Policy for the Texas Community Development Block Grant (TxCDBG) PROGRAM from TDA.

### **COUNCIL ACTION**

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

Motion by Council Member \_\_\_\_\_ to pass a resolution for Civil Rights, Fair Housing, and to establish a Code of conduct Policy for the Texas Community Development Block Grant (TxCDBG) PROGRAM from TDA. Motion seconded by Council Member \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

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

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

**Recommend approval.**



**RESOLUTION No. \_\_\_\_\_**  
**Regarding Civil Rights, Fair Housing and**  
**Code of Conduct Policy**

**The City of Lamesa, Texas**

**Whereas**, the City of Lamesa, Texas, (hereinafter referred to as "City of Lamesa") has been awarded TxCDBG funding through a TxCDBG Grant from the Texas Department of Agriculture (hereinafter referred to as "TDA");

**Whereas**, the City of Lamesa, in accordance with Section 109 of the Title I of the Housing and Community Development Act. (24 CFR 6); the Age Discrimination Act of 1975 (42 U.S.C. 6101-6107); and Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and for construction contracts greater than \$10,000, must take actions to ensure that no person or group is denied benefits such as employment, training, housing, and contracts generated by the CDBG activity, on the basis of race, color, religion, sex, national origin, age, or disability;

**Whereas**, the City of Lamesa, in consideration for the receipt and acceptance of federal funding, agrees to comply with all federal rules and regulations including those rules and regulations governing citizen participation and civil rights protections;

**Whereas**, the City of Lamesa, in accordance with Section 3 of the Housing and Urban Development Act of 1968, as amended, and 24 CFR Part 135, is required, to the greatest extent feasible, to provide training and employment opportunities to lower income residents and contract opportunities to businesses in the TxCDBG project area;

**Whereas**, the City of Lamesa, in accordance with Section 104(1) of the Housing and Community Development Act, as amended, and State's certification requirements at 24 CFR 91.325(b)(6), must adopt an excessive force policy that prohibits the use of excessive force against non-violent civil rights demonstrations;

**Whereas**, the City of Lamesa, in accordance with Section 504 of the Rehabilitation Act of 1973, does not discriminate on the basis of disability and agrees to ensure that qualified individuals with disabilities have access to programs and activities that receive federal funds; and

**Whereas**, the City of Lamesa, in accordance with Section 808(e)(5) of the Fair Housing Act (42 USC 3608(e)(5)) that requires HUD programs and activities be administered in a manner affirmatively to further the policies of the Fair Housing Act, agrees to conduct at least one activity during the contract period of the TxCDBG contract, to affirmatively further fair housing;

**WHEREAS**, The City of Lamesa, Texas, needs to establish a Code of Conduct Policy for the Texas Community Development Block Grant (TxCDBG) PROGRAM from TDA, in keeping with policy and procedures consistent with HUD and applicable state statutes governing Conflict of Interest regulations found at the Texas Government Code Chapter 573, Texas Local Government Code Chapter 171, 24 CFR 570.489(h), and 2 CFR 200.318;

**WHEREAS**, the City of Lamesa, Texas has determined that it is in order to set forth certain requirements and procedures, for the procurement of supplies, equipment, construction services and professional services for the Texas Community Development Block Grant (TxCDBG) Program;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS**, that the CITY OF LAMESA ADOPTS THE FOLLOWING:

1. Citizen Participation Plan and Grievance Procedures (Form A1013);
2. Section 3 Policy (Form A1002);
3. Excessive Force Policy (Form A1003);
4. Section 504 Policy and Grievance Procedures (Form A1004);
5. Fair Housing Policy (Exhibit 1015).
6. Fair Housing Proclamation (Exhibit A1007).
7. Code of Conduct Policy

**Passed and approved this 20<sup>th</sup> day of December, 2016.**

---

Josh Stevens, Mayor

Attest:

---

Norma Garcia, City Secretary

**RESOLUCIÓN no. \_\_\_\_**  
**Con respecto a los derechos civiles, Feria de vivienda y**  
**Código de conducta política**

**La ciudad de Lamesa, Texas**

**Mientras que**, la ciudad de Lamesa, Texas, (en lo sucesivo, la "Ciudad de Lamesa") ha sido galardonado con TxCDBG financiación a través de un TxCDBG Grant del Departamento de agricultura de Texas (en adelante "TDA");

**Considerando que**, la ciudad de Lamesa, conformidad con la sección 109 del título I de la ley de desarrollo comunitario y vivienda. (24 CFR 6); la ley de discriminación de edad de 1975 (42 U.S.C. 6101-6107); y la sección 504 de la ley de rehabilitación de 1973 (29 U.S.C. 794) y contratos de construcción superior a \$10.000, debe tomar medidas para garantizar que ninguna persona o grupo es negado beneficios como empleo, formación, vivienda y contratos generados por la actividad CDBG, sobre la base de raza, color, religión, sexo, origen nacional, edad o discapacidad;

**Considerando que**, la ciudad de Lamesa, en consideración para la recepción y aceptación de fondos federales, se compromete a cumplir con todas las normas federales y reglamentos incluyendo aquellas reglas y reglamentos de participación ciudadana y la protección de los derechos civiles;

**Mientras que**, la ciudad de Lamesa, conformidad con el artículo 3 de la ley de vivienda y desarrollo urbano de 1968, como enmendada y 24 CFR parte 135, se requiere, en la mayor medida posible, para proporcionar oportunidades de formación y empleo para bajar los residentes de ingreso y contrato de oportunidades de negocios en el área del proyecto TxCDBG;

**Considerando que**, la ciudad de Lamesa, según 104(1) de la sección de vivienda y ley de desarrollo de comunidad, enmendado, y requisitos para la certificación del estado en 24 CFR 91.325(b)(6), deben adoptar una política de fuerza excesiva que prohíbe el uso de fuerza excesiva contra manifestaciones derechos civiles no violentas;

**Mientras que**, la ciudad de Lamesa, según la sección 504 de la Rehabilitation Act de 1973, no discrimina por motivos de discapacidad y se compromete a asegurar que personas calificadas con discapacidades tengan acceso a programas y actividades que reciben fondos federales; y

**Considerando que** ciudad de Lamesa, conformidad con la sección 808(e)(5) de la ley de vivienda justa (42 3608(e)(5)) USC que requiere programas de HUD y actividades administrar en forma afirmativamente a más de las políticas de la ley de vivienda equitativa, conviene realizar al menos una actividad durante el período del contrato del contrato TxCDBG, afirmativamente para equidad de vivienda;

**Mientras que** la ciudad de Lamesa, Texas, necesita establecer un código de conducta política para el Texas comunidad desarrollo Block Grant (TxCDBG) programa de TDA, en consonancia con la política y procedimientos consistentes con HUD y los estatutos estatales que rigen el conflicto de intereses normativa encontró en el gobierno de Texas Código capítulo 573, Texas Local gobierno código capítulo 171, 24 CFR 570.489(h) y 2 CFR 200.318;

**Mientras que** la ciudad de Lamesa, Texas ha determinado que es con el fin de establece ciertos requisitos y procedimientos, para la adquisición de suministros, equipos, servicios de construcción y servicios profesionales para el programa de Texas › desarrollo comunitario Block Grant (TxCDBG);

Ahora, por lo tanto, sea resuelto por el Ayuntamiento de la ciudad de LAMESA, TEXAS, que la ciudad de LAMESA adopta la siguiente:

1. Plan de participación ciudadana y procedimientos de reclamación (forma A1013);
2. Política de la sección 3 (forma A1002);
3. Excesivo de la fuerza política (forma A1003);
4. Sección 504 de la política y procedimientos de reclamación (forma A1004);
5. Feria de la política de vivienda (exposición 1015).
6. Feria de vivienda proclamación (exposición A1007).
7. Código de conducta política

**Pasado y aprobado este día 20 de Diciembre de 2016.**

---

Josh Stevens, Alcalde

Atestiguar:

---

Norma Garcia, Secretario de la ciudad

# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: DECEMBER 20, 2016**

**AGENDA ITEM: 11**

---

**SUBJECT: 2016 TXCDBG FAIR HOUSING PROCLAMATION**  
**SUBMITTED BY: City Staff**

### **SUMMARY STATEMENT**

The proclamation is requested by TXCDBG Fair Housing.

### **COUNCIL ACTION**

No City Council action required.

# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: DECEMBER 20, 2016**

**AGENDA ITEM: 12**

**SUBJECT: DISCUSSION OF USE OF EXTRATERRITORIAL  
JURISDICTION BY THE CITY OF LAMESA AND THE EXTENT  
OF USE**

**SUBMITTED BY: City Staff**

**AUTHORITY: Texas Local Government Code, Chapters 42 & 43**

### **SUMMARY STATEMENT**

Discuss the use of extraterritorial-jurisdiction and the extent of use.

### **COUNCIL ACTION**

**Discussion:** \_\_\_\_\_

# MUNICIPAL REGULATION OF THE ETJ

Terrence S. Welch & Robert F. Brown  
Brown & Hofmeister, L.L.P.  
740 E. Campbell Road, Suite 800  
Richardson, Texas 75081  
(214) 747-6100  
(214) 747-6111 (Facsimile)  
[www.bhlaw.net](http://www.bhlaw.net)

A problematic issue for many municipalities is the extent to which a city may regulate the extraterritorial jurisdiction (ETJ) which (usually) surrounds it. While issues relating to the ETJ generally involve annexation disputes, the ETJ often poses land use problems for cities throughout Texas. The purpose of this paper is to address in a general manner annexation and the ETJ, and in particular, land use and related municipal regulations in the ETJ.

## **I. Introduction**

Prior to 1963, a Texas municipality could annex territory up to the corporate boundaries of another municipality. Since courts adhered to the “first in time, first in right” rule that the first to commence annexation or incorporation proceedings was entitled to complete and relate the whole action back to the date of the commencement of the actions, contests often resulted between an area attempting to incorporate and a city racing to annex that area prior to the initiation of incorporation proceedings. The Legislature, recognizing the havoc that was being created by such races, enacted the Municipal Annexation Act, Tex.Rev.Civ.Stat.Ann. art. 970a, in 1963. In addition to statutorily regulating annexation activities, the Municipal Annexation Act created the concept of extraterritorial jurisdiction. Since that time, disputes between municipalities and landowners regarding annexation and the ability of cities to regulate certain activities within the ETJ have become commonplace.

These disputes have churned significant activity in the Texas Legislature. In the 75th Session of the Texas Legislature, approximately 70 annexation or annexation-related bills were introduced. While no significant changes in the state’s annexation scheme were accomplished through the handful of bills that were passed in the 75th Legislative Session, the 76th Legislature dramatically altered the ability of municipalities to annex property. Senate Bill No. 89, which became effective September 1, 1999, has completely changed the annexation landscape.

## **II. The Municipal Annexation Act and the ETJ**

Chapters 42 and 43 of the Texas Local Government Code comprise the current version of the Municipal Annexation Act, originally enacted in 1963, which governs the ability of municipalities to annex property and which created the ETJ concept.<sup>1</sup> The policy purpose underlying ETJ is described in Section 42.001 of the Texas Local Government Code:

The legislature declares it the policy of the state to designate certain areas as the extraterritorial jurisdiction of municipalities to promote and protect the general health, safety, and welfare of persons residing in and adjacent to the municipalities.

Extraterritorial jurisdiction by statute is defined as “the unincorporated area that is contiguous to the corporate boundaries of the municipality. . . .”<sup>2</sup> The geographical extent of any municipality’s extraterritorial jurisdiction is contingent upon the number of inhabitants of the municipality:

---

<sup>1</sup> *City of Bridge City v. City of Port Arthur*, 792 S.W.2d 217, 230 (Tex.App.—Beaumont 1990, writ denied).

<sup>2</sup> Tex. Local Gov’t Code § 42.021.



<u>Number of Inhabitants</u>	<u>Extent of Extraterritorial Jurisdiction</u>
Fewer than 5,000	One-half Mile
5,000—24,999	One Mile
25,000—49,999	Two Miles
50,000—99,999	Three and one-half Miles
100,000 and over	Five Miles <sup>3</sup>

The operative language in Section 42.021 is “number of inhabitants” rather than “population”—a distinction of significance in Texas state law when viewed with reference to Chapter 311 of the Texas Government Code, the Code Construction Act. According to Section 311.002 of the Government Code, the Code Construction Act applies to any code enacted by the 60th or subsequent Legislature. The Local Government Code was enacted by the 71st Legislature in 1989. According to Section 311.005(3) of the Government Code, “population” means “the population shown by the most recent federal decennial census.” Therefore, when any state statute employs the term “population,” that refers to the population as of the most recent decennial census—currently, the 2000 federal decennial census. In contrast, the extent of a city’s extraterritorial jurisdiction is based upon the number of inhabitants (as determined by the city), not the city’s population according to the most recent decennial census. Further, the Attorney General’s Office determined in Letter Opinion No. LO94-033 (1994) that “a municipality may choose the method by which it will ascertain the boundaries of its extraterritorial jurisdiction. . . .” That opinion was in response to the question whether a city “may measure its extraterritorial jurisdiction by drawing a radius around the municipality on a map, or whether the municipality must ‘go into the field, . . . physically [measuring] the . . . radius.’” *Id.* Thus, a municipality may by ordinance or resolution determine the number of inhabitants within its corporate limits and determine how it will measure the extent of its ETJ.

#### **A. Mapping Municipal Boundaries and the ETJ**

As a threshold matter, before a municipality may consider the annexation of property into the city, it is imperative that the city accurately determine its corporate boundaries and the limits of its ETJ. Section 41.001 of the Texas Local Government Code requires that each city maintain an official map of its city limits which, after each annexation, is updated to show the newly annexed area, the date of annexation, the ordinance number, and a reference to the minutes or ordinance records in which the ordinance is recorded. Further, Section 41.001 of the Local Government Code requires that if a municipality’s ETJ is expanded or reduced, the official map must be revised to indicate the change in the city’s ETJ:

---

<sup>3</sup> *Id.*, § 42.021.

**§ 41.001 Map of Municipal Boundaries and Extraterritorial Jurisdiction**

(a) Each municipality shall prepare a map that shows the boundaries of the municipality and of its extraterritorial jurisdiction. A copy of the map shall be kept in the office of the secretary or clerk of the municipality. If the municipality has a municipal engineer, a copy of the map shall also be kept in the office of the engineer.

(b) If the municipality annexes territory, the map shall be immediately corrected to include the annexed territory. The map shall be annotated to indicate:

- (1) the date of annexation;
- (2) the number of the annexation ordinance, if any; and
- (3) a reference to the minutes or municipal ordinance records in which the ordinance is recorded in full.

(c) If the municipality's extraterritorial jurisdiction is expanded or reduced, the map shall be immediately corrected to indicate the change in the municipality's extraterritorial jurisdiction. The map shall be annotated to indicate:

- (1) the date the municipality's extraterritorial jurisdiction was changed;
- (2) the number of the ordinance or resolution, if any, by which the change was made; and
- (3) a reference to the minutes or municipal ordinance or resolution records in which the ordinance or resolution is recorded in full.

In a perfect world, all municipal incorporations would result in a survey that would be utilized in creating an official city map, which city map would have been checked for completeness and closure and recorded in the minutes of the municipality and the real property records of the county or counties in which the city lies. Additionally, in a perfect world, all annexations would have been precisely determined with field notes or other legal descriptions that would allow the official city map to be amended to reflect the new corporate city limits, as well as the extent of the city's newly expanded ETJ. Of course, very few cities operate in a perfect world and, as a result, many times uncertainty may exist as to the exact location of municipal boundaries and the exact extent of a municipality's ETJ.

**B. Reduction of the ETJ**

Section 42.023 of the Texas Local Government Code states that:

[t]he extraterritorial jurisdiction of a municipality may not be reduced unless the governing body of the municipality gives its written consent by ordinance or resolution, except in cases of judicial apportionment of overlapping extraterritorial jurisdiction under Section 42.901.

A city created out of the relinquishment of another city's ETJ had no ETJ of its own where its corporate boundaries adjoined the other city's ETJ.<sup>4</sup> In *City of Pasadena v. City of Houston*,<sup>5</sup> the Texas Supreme Court held that where a Houston ordinance purporting to annex property (which the City of Pasadena had subsequently annexed by later ordinances) was not completed within ninety days of the passage of the Municipal Annexation Act, the Houston ordinance was void, notwithstanding that the agreed judgment reached between Houston and Pasadena before passage of the Act that gave Houston exclusive jurisdiction to annex the property. Further, Texas case law consistently has held that an ordinance that attempts to annex territory within the ETJ or municipal boundaries of another city is void.<sup>6</sup> Indeed, the attempted annexation of land within another municipality's ETJ is unlawful, void and of no effect *ab initio*.<sup>7</sup>

### C. Expansion of the ETJ

Section 42.022 of the Texas Local Government Code addresses the expansion of the ETJ. Specifically, it states:

- (a) When a municipality annexes an area, the extraterritorial jurisdiction of the municipality expands with the annexation to comprise, consistent with Section 42.021, the area around the new municipal boundaries.
- (b) The extraterritorial jurisdiction of a municipality may expand beyond the distance limitations imposed by Section 42.021 to include an area contiguous to the otherwise existing extraterritorial jurisdiction of the municipality if the owners of the area request the expansion.
- (c) The expansion of the extraterritorial jurisdiction of a municipality through annexation, request, or increase in the number of inhabitants may not include any area in the existing extraterritorial jurisdiction of another municipality.

---

<sup>4</sup> *Bridge City*, 792 S.W.2d at 230.

<sup>5</sup> 442 S.W.2d 325, 329 (Tex. 1969).

<sup>6</sup> See *City of Waco v. City of McGregor*, 523 S.W.2d 649, 653 (Tex. 1975); *Village of Creedmoor v. Frost Nat'l Bank*, 808 S.W.2d 617, 620 (Tex.App.—Austin 1991, writ denied); *City of Bridge City*, 792 S.W.2d at 230; *Friendship Village v. State*, 738 S.W.2d 12, 14 (Tex.App.—Texarkana 1987, writ ref'd n.r.e.); *City of Houston v. Savely*, 708 S.W.2d 879, 887 (Tex.App.—Houston [1st Dist.] 1986, writ ref'd n.r.e.), *cert. denied*, 482 U.S. 928 (1987); *City of West Orange v. City of Orange*, 598 S.W.2d 387, 390 (Tex.Civ.App.—Beaumont 1980), *rev'd on other grounds*, 613 S.W.2d 236 (Tex. 1981); *City of Duncanville v. City of Woodland Hills*, 484 S.W.2d 111, 113 (Tex.Civ.App.—Waco 1972, writ ref'd n.r.e.).

<sup>7</sup> See, e.g., *Village of Creedmoor*, 808 S.W.2d at 621.

Tex. Local Gov't Code § 42.022. Thus, a municipality's ETJ may expand by only one of three methods: annexation, landowner request and increase in the number of inhabitants. Absent the foregoing, there is no valid expansion of a municipality's ETJ.<sup>8</sup>

#### **D. Overlapping ETJs**

The only method by which one municipality may have its ETJ overlap another municipality's ETJ is the case where the ETJs overlapped as a consequence of the adoption of the Municipal Annexation Act on August 23, 1963. In such cases, according to Section 42.901 of the Texas Local Government Code, the two municipalities (or more, if applicable) (1) may enter into a written agreement delineating the extent of each municipality's ETJ; or (2) seek a judicial declaration apportioning each municipality's ETJ. Thus, there rarely are situations where ETJs truly overlap; rather, there often are disputes about the specific limits and/or locations of various ETJs and "who got there first."

### **III. Municipal Regulations in the ETJ**

As a general rule, a municipality's ordinances and other regulations are valid and enforceable only within the municipality's corporate limits; however, where there is an express grant of authority either by the Texas Constitution or statute to municipalities to enact and enforce ordinances and regulations outside the corporate limits of a municipality, municipalities consequently may do so.<sup>9</sup>

Texas municipalities possess the authority to regulate in their ETJs pursuant to a number of express provisions of the Texas Local Government Code. Areas of regulation and an explanation of those areas are as follows.

#### **A. Subdivision Regulations**

While Texas municipalities do not possess the statutory authority to zone property in their extraterritorial jurisdictions, Section 212.003 of the Texas Local Government Code provides that a subdivision ordinance is applicable to a municipality's extraterritorial jurisdiction *if, and only if*, the municipality specifically has extended its subdivision regulations to the

---

<sup>8</sup> For a detailed discussion of the effect of annexation on extraterritorial jurisdiction in light of the 1999 amendments to the annexation statute, see Attorney General Opinion No. GA-0014 (January 22, 2003).

<sup>9</sup> See Op. Tex. Att'y Gen. LO97-055 (1997). In that opinion, the Attorney General's Office wrote as follows:

As a general rule, a city can exercise its powers only within the city's corporate limits unless power is expressly or impliedly extended by the Texas Constitution or by statute to apply to areas outside the limits. See *City of Austin v. Jamail*, 662 S.W.2d 779, 782 (Tex. App.—Austin 1983, writ dismissed w.o.j.); *City of West Lake Hills v. Westwood Legal Defense Fund*, 598 S.W.2d 681, 686 (Tex. Civ. App.—Waco 1980, no writ); *City of Sweetwater v. Hammer*, 259 S.W. 191, 195 (Tex. Civ. App.—Fort Worth 1923, writ dismissed); *Ex parte Ernest*, 136 S.W.2d 595, 597-98 (Tex. Crim. App. 1939); Attorney General Opinion JM-226 (1984) at 2. Extraterritorial power will be implied only when such power is reasonably incident to those powers expressly granted or is essential to the object and purposes of the city. *Jamail*, 662 S.W.2d at 782; *Westlake Hills*, 598 S.W.2d at 683. "[A]ny fair, reasonable, or substantial doubt as to the existence of a power will be resolved against the municipality." *Westlake Hills*, 598 S.W.2d at 683.

extraterritorial jurisdiction. Thus, subdivision regulations are *not* automatically applicable to a municipality's ETJ. Section 212.003 specifically provides as follows:

(a) The governing body of a municipality by ordinance may extend to the extraterritorial jurisdiction of the municipality the application of municipal ordinances adopted under Section 212.002 and other municipal ordinances relating to access to public roads. However, unless otherwise authorized by state law, in its extraterritorial jurisdiction a municipality shall not regulate:

(1) the use of any building or property for business, industrial, residential, or other purposes;

(2) the bulk, height, or number of buildings constructed on a particular tract of land;

(3) the size of a building that can be constructed on a particular tract of land, including without limitation any restriction on the ratio of building floor space to the land square footage; or

(4) the number of residential units that can be built per acre of land.

(b) A fine or criminal penalty prescribed by the ordinance does not apply to a violation in the extraterritorial jurisdiction.

(c) The municipality is entitled to appropriate injunctive relief in district court to enjoin a violation of municipal ordinances or codes applicable in the extraterritorial jurisdiction.

As noted earlier in this paper in the platting discussion, most Texas municipalities routinely extend the application of their subdivision regulations to their extraterritorial jurisdictions. The only case directly on point concluded that a municipality may require building permits for construction in its ETJ and enforce its construction-related ordinances in its ETJ.<sup>10</sup> Therefore, based upon the court's rationale in *City of Lucas*, a municipality (1) may enforce its subdivision ordinance in its ETJ, (2) may issue building permits for construction in its ETJ and further, (3) may enforce its construction-related ordinances (Uniform Building Code, Uniform Plumbing Code, Uniform Mechanical Code and Uniform Electrical Code) in its ETJ.

A municipality may regulate subdivisions and approve plats for tracts of land located outside its corporate limits and outside its extraterritorial jurisdiction *if* there is an interlocal agreement providing for such regulation and approval.<sup>11</sup> In the event a tract of land lies within the ETJ of more than one municipality, the municipality with the largest population has approval

---

<sup>10</sup> See *City of Lucas v. North Texas Municipal Water Dist.*, 724 S.W.2d 811 (Tex. App.—Dallas 1986, writ ref'd n.r.e.).

<sup>11</sup> Tex. Local Gov't Code § 242.001(e).

responsibility.<sup>12</sup> Nevertheless, the portion of the tract that lies in the ETJ of the smaller municipality must comply with the subdivision and platting regulations of that municipality while the portion of the tract the lies in the ETJ of the larger municipality must comply with the subdivision and platting regulations of that municipality. Thus, plat approval is the responsibility of the larger municipality even though the larger municipality only applies its regulations to that portion of the tract in its ETJ.

### **B. Subdivisions, House Bill 1445 and the ETJ**

House Bill 1445, as it is commonly known, was adopted by the 2001 session of the Legislature and provided for an agreement between a county and a municipality to regulate a subdivision in the ETJ of a municipality. Now codified in Chapter 242 of the Texas Local Government Code, H.B. 1445 required that a city and county (except for counties over 1.9 million and border counties) shall enter into a written agreement that identifies the governmental entity authorized to regulate subdivision plats and approve related permits in the extraterritorial jurisdiction.<sup>13</sup> For a municipality in existence on September 1, 2001, the municipality and county were required to enter into a written agreement on or before April 1, 2002.<sup>14</sup> For a municipality incorporated after September 1, 2001, the municipality and county shall enter into a written agreement no later than the 120th day after the date the municipality incorporates.<sup>15</sup>

Texas municipalities have four options under H.B. 1445: (1) the county will possess no authority over plats and all review will be done by the city; (2) the city possesses no authority over plats and all review will be done by the county; (3) the city and county will divide the ETJ geographically and each will delineate in which area it possesses authority over plats; and (4) the city and county jointly review plats under their respective authority, but there must be one filing fee, one office to file plats and one uniform and consistent set of plat regulations.

A municipality and a county may adopt the agreement by order, ordinance or resolution. A municipality must notify the county of any expansion or reduction in the municipality's extraterritorial jurisdiction and any expansion or reduction in a municipality's extraterritorial jurisdiction that affects property that is subject to a preliminary or final plat filed with the municipality or that was previously approved under the platting statute does not affect any rights accrued under Chapter 245 of the Texas Local Government Code, the Texas vested rights statute. The approval of the plat or any permit remains effective as provided by Chapter 245 regardless of the change in designation. An agreement may grant the authority to regulate subdivision plats and approve related permits in the extraterritorial jurisdiction of a municipality as follows:

- A municipality may be granted exclusive jurisdiction to regulate subdivision plats and approve related permits in the extraterritorial jurisdiction and may

---

<sup>12</sup> *Id.*, § 212.007(a).

<sup>13</sup> *See id.*, § 242.001(a).

<sup>14</sup> *Id.*, § 242.001(c).

<sup>15</sup> *Id.*

regulate subdivisions under Subchapter A of Chapter 212 and other statutes applicable to municipalities;

- A county may be granted exclusive jurisdiction to regulate subdivision plats and approve related permits in the extraterritorial jurisdiction and may regulate subdivisions under Sections 232.001-.005, Subchapter B or C, Chapter 232, and other statutes applicable to counties;
- A municipality and county may apportion the area within the extraterritorial jurisdiction of the municipality with the municipality regulating subdivision plats and approving related permits in the area assigned to the municipality and the county regulating subdivision plats and approving related permits in the area assigned to the county; or
- A municipality and a county may enter into an interlocal agreement that establishes one office that is authorized to accept plat applications for tracts of land located in the extraterritorial jurisdiction; collect municipal and county plat application fees in a lump-sum amount; and provide applicants one response indicating approval or denial of the plat application; and establishes a consolidated and consistent set of regulations related to plats and subdivisions of land as authorized by Chapter 212, Sections 232.001-232.005, Subchapters B and C, Chapter 232, and other statutes applicable to municipalities and counties that will be enforced in the extraterritorial jurisdiction.

A question that was frequently raised by local government officials under S.B. 1445 is what happens if a city did not enter into the required agreement? H.B. 1445 contained no penalty provision and, as a result, had no “real teeth” to encourage compliance. Legislation passed in the 78th Legislature addressed this issue.

### **C. H.B. 1204 - ETJ Agreements Between Cities and Counties**

This bill modified the provisions of Chapter 242 of the Texas Local Government Code (added by H.B. 1445, 2001 Session), which require a city and county to enter into an agreement specifying which entity will regulate subdivisions of property in the city’s ETJ. **The bill applies only to an agreement or subdivision plat that is filed on or after the bill’s effective date, which is immediate upon the governor’s signature, which was on June 20, 2003. A development agreement or subdivision plat that was filed before June 20, 2003, is governed by the prior law. This means that existing agreements developed during the past two years are grandfathered.** Specifically, the bill

1. Provides that the agreement requirement does not apply to land subject to a development agreement between a city and an owner of land in the city’s ETJ.
2. Provides that a city and a county may not both regulate subdivisions or “approve related permits” in the ETJ of a city after an agreement is executed.

3. Requires a city and county, on reaching an agreement, to certify that the agreement complies with the requirements of Chapter 242 of the Texas Local Government Code.
4. Provides that any expansion or reduction in a city's ETJ that affects property that is subject to a preliminary or final plat, a plat application, or an application for a related permit filed with the city or the county or that was previously approved does not affect any rights accrued under Chapter 245 of the Texas Local Government Code, the "permit vesting" or "vested rights" statute).
5. Provides that if the city and county enter into an agreement to establish one, joint office to regulate subdivision plats in the ETJ, the office must establish a single set of consolidated and consistent regulations related to plats, subdivision construction plans, and subdivisions of land.
6. Requires a city and a county that have not entered into an agreement by January 1, 2004 (in the case of a city with a population of 100,000 or more) or January 1, 2006 (in the case of a city with a population of 99,000 or less) to enter into arbitration.
7. Provides a method by which either an arbitrator or arbitration panel is chosen.
8. Limits the authority of the arbitrator or arbitration panel to issuing a decision relating only to the disputed issues regarding the authority of the county or city to regulate plats, subdivisions, or development plans.
9. Provides that each party is equally liable for the costs of arbitration.
10. Mandates that if the arbitrator or arbitration panel has not reached a decision in a 60-day period, the arbitrator or arbitration panel shall issue an interim decision regarding the regulation of plats and subdivisions and approval of related permits in the city's ETJ, which must provide for a single set of regulations and authorize a single entity to regulate plats and subdivisions until a final decision is reached.
11. Provides that if an agreement establishes a plan for future roads that conflicts with a proposal or plan for future roads adopted by a metropolitan planning organization, the proposal or plan of the metropolitan planning organization prevails.
12. Provides that in certain counties (a) a plat may not be filed with the county clerk without the approval of both the city and the county; (b) if city and county regulations conflict, the more stringent regulation prevails; and (c) if one entity requires a plat to be filed and the other does not, the entity that does not require a plat must certify that fact in writing to the subdivider.



13. Provides that property subject to pending approval of a preliminary or final plat application filed after September 1, 2002, that is released from a city's ETJ shall be subject only to county approval of the plat application and related permits.

#### **D. Annexation Agreements, House Bill 1197 and the ETJ**

##### **H.B. 1197 - ETJ Agreements with Landowners**

This bill, adopted by the Legislature in 2003, added Subchapter G, entitled "Agreement Governing Certain Land in a Municipality's Extraterritorial Jurisdiction," to Chapter 212 of the Texas Local Government Code, "Municipal Regulation of Subdivisions and Property Development." The bill allows a city council to enter into a written contract with an owner of land in the city's extraterritorial jurisdiction ("ETJ") to (1) guarantee the land's immunity from annexation for a period of up to fifteen years; (2) extend certain aspects of the city's land use and environmental authority over the land; (3) authorize enforcement of land use regulations other than those that apply within the city; (4) provide for infrastructure for the land; and (5) provide for the annexation of the land as a whole or in parts and to provide for the terms of annexation, if annexation is agreed to by the parties. The bill also validates an agreement entered into prior to the effective date of the bill, so long as the agreement complies with the bill's requirements.

Prior to HB 1197, there was no specific statutory authorization for a municipality to enter into an agreement with an owner of land in the municipality's ETJ to govern the future development of the land. H.B. 1197 authorizes the governing body of a municipality to make a written contract with an owner of land that is located in the ETJ of the municipality to authorize some other type of use.

#### **E. Development Plats**

Sections 212.041-212.050 of the Texas Local Government Code provide authority for cities to require development plats in the ETJ. A development plat, however, should not be confused with a subdivision plat. The authority to regulate subdivisions is found in Subchapter A of Chapter 212 whereas the authority to regulate property development through the use of development plats is found in Subchapter B of Chapter 212 of the Texas Local Government Code. A city must choose by ordinance to be covered by Subchapter B (or the law codified by that subchapter)<sup>16</sup> and if a city so elects, any person who proposes development of a tract of land in the corporate limits or ETJ must prepare a development plat. "Development," for purposes of Subchapter B, means "the new construction or the enlargement of any exterior dimension of any building, structure or improvement."<sup>17</sup> While *City of Lucas*<sup>18</sup> clearly authorizes the issuance of building permits in the ETJ, Subchapter B expressly provides that it

---

<sup>16</sup> See *id.*, § 212.041.

<sup>17</sup> *Id.*, § 212.043(1).

<sup>18</sup> *City of Lucas v. North Texas Municipal Water Dist.*, 724 S.W.2d 811 (Tex. App.—Dallas 1986, writ ref'd n.r.e.).

“does not authorize a municipality to require municipal building permits or otherwise enforce the municipality’s building code in its extraterritorial jurisdiction.”<sup>19</sup>

## **F. Sign Regulations**

Chapter 216 of the Texas Local Government Code addresses, in part, the relocation, reconstruction or removal of a sign in the ETJ. Specifically, Section 216.003 authorizes a city to “require the relocation, reconstruction, or removal of any sign within its corporate limits or extraterritorial jurisdiction,” subject to the detailed regulatory scheme encompassed in Chapter 216 (creation of municipal sign control board, compensation requirements, exceptions and appeal provisions). It should be noted, however, municipal authority to require the relocation, reconstruction or removal of signs does not apply to on premises signs in the ETJ of municipalities in a county with a population of more than 2.4 million (Harris County) or of a county that borders a county with that population.<sup>20</sup>

A home-rule municipality has additional authority to regulate signs. Home rule cities may license, regulate, control or prohibit the erection of signs or billboards by charter or ordinance in compliance with Chapter 216 of the Local Government Code.<sup>21</sup> Cities may regulate the location, proximity, size, separation, setback and height provisions so long as the ordinance bears a reasonable relationship to the public health, safety or general welfare.<sup>22</sup>

A home-rule municipality may extend the provisions of its outdoor sign regulatory ordinance and enforce the ordinance within its ETJ. In lieu of regulatory ordinances, however, home-rule cities may allow the Texas Transportation Commission to regulate outdoor signs in the ETJ by filing a written notice with the Commission. If a municipality extends its outdoor sign ordinance within its ETJ, the municipal ordinance supersedes the regulations imposed by or adopted by the Commission.<sup>23</sup>

The foregoing authority granted to a home-rule municipality does not apply to (1) on premise signs in the ETJ of municipalities in county with a population of more than 2.4 million (Harris County) or a county that borders a county with that population; or (2) on premise signs in the ETJ of a municipality with a population of 1.5 million or more that are located in a county that is adjacent to the county in which the majority of the land of the municipality is located.<sup>24</sup>

---

<sup>19</sup> Tex. Local Gov’t Code § 212.049.

<sup>20</sup> *Id.*, § 216.0035.

<sup>21</sup> *Id.*, § 216.901.

<sup>22</sup> *Lubbock Poster Co. v. City of Lubbock*, 569 S.W.2d 935, 939 (Tex.Civ.App. Amarillo 1978, writ ref’d n.r.e.), cert. denied, 444 U.S. 833 (1979).

<sup>23</sup> See Tex. Local Gov’t Code § 216.902.

<sup>24</sup> *Id.*, § 216.902.

## **G. Industrial Districts and Planned Unit Development Districts**

Section 42.044 of the Texas Local Government Code authorizes a city to designate a part of its ETJ as an industrial district and treat that area in the manner considered to be in the best interest of the city, including making written contracts with the owner of the land regarding annexation and regulations. Chapter 42 of the Local Government Code also addresses planned unit development districts in the ETJ. The governing body of a municipality that has disannexed territory previously annexed for limited purposes may designate an area within its ETJ as a planned unit development district by written agreement with the owner of the land. The planned unit development district must contain no fewer than 250 acres.<sup>25</sup>

## **H. Impact Fees**

Impact fees, pursuant to Chapter 395 of the Texas Local Government Code, may be imposed in the ETJ; however, impact fees for roadway facilities may not be imposed in the ETJ. Section 395.001(9) of the Texas Local Government Code provides the following guidance regarding service areas for the various statutorily-authorized impact fees:

*Water and wastewater facilities.* Most cities in Texas have adopted the entire city and the city's ETJ as the service area and thus, impact fees are the same city-wide.

*Roadway facilities.* The service area is limited to an area within the corporate boundaries (*i.e.*, ETJ cannot be included) and not exceeding six miles.

*Storm water, drainage and flood control facilities.* The service area is limited to all or part of the land within the corporate limits of the city or its ETJ actually served by the storm water, drainage and flood control facilities designated in the Capital Improvements Plan and shall not extend across watershed boundaries.

## **I. Municipal Drainage Utility Systems**

According to Section 402.044(8) of the Texas Local Government Code, the boundaries of a municipal drainage system service area may extend into areas of the ETJ that contribute overland flow into the watershed of the municipality. Subchapter C of Chapter 402 of the Local Government Code addresses the procedures for creating such a drainage utility and the methods by which to fund such a utility.

## **IV. The 5,000 Foot "Nuisance Zone"**

In 1954 the Texas Court of Criminal Appeals held that when a state statute grants a city express authority to prohibit nuisances outside the city limits, that grant impliedly confers jurisdiction upon the municipal court for the prosecution of those offenses committed outside the city limits. *Treadgill v. State*<sup>26</sup> dealt with a Houston ordinance prohibiting the sale of fireworks

---

<sup>25</sup> See generally *id.*, § 42.046.

<sup>26</sup> 275 S.W.2d 658, 664 (Tex.Crim.App. 1954).

within 5,000 feet of the city limits. The fireworks ordinance was adopted pursuant to the predecessor statute to Section 217.042 of the Texas Local Government Code.<sup>27</sup> This statute allows a home-rule city to define and prohibit any nuisance within the limits of the city and within 5,000 feet of the city limits.<sup>28</sup> Attorney General John Cornyn extended the analysis of *Treadgill* to a Wylie ordinance that declared outdoor burning a nuisance and prohibited it within 5,000 feet of the city limits.<sup>29</sup> Based upon the analysis contained in the foregoing Attorney General opinion, one can conclude that any ordinance adopted by a home-rule municipality under the authority of Section 217.042 of the Local Government Code that defines and prohibits a nuisance within the city limits and extends that prohibition to that area within 5,000 feet of the city limits may be enforced in municipal court.

Examples of city ordinances routinely adopted pursuant to the express authority contained in § 217.042 of the Texas Local Government Code that could be or are considered to be in the nuisance category are:

- sale, storage or use of fireworks in the city or within 5,000 feet of the city limits;
- high weeds and grass;
- litter control and abatement;
- unwholesome matters (filth, decaying matters, garbage, hazardous materials and substances, etc.);
- mosquito control;
- rodent control; and
- junked and abandoned vehicles.

It should be noted, however, that the foregoing activities must be declared nuisances by ordinance *and* extend their application out 5,000 feet from the existing city limits. Thus, if a home-rule city desires to enforce these activities extraterritorially, city ordinances must be

---

<sup>27</sup> Section 217.042 of the Texas Local Government Code provides as follows:

- (a) The municipality may define and prohibit any nuisance within the limits of the municipality and within 5,000 feet outside the limits.
- (b) The municipality may enforce all ordinances necessary to prevent and summarily abate and remove a nuisance.

<sup>28</sup> Type A and Type B general law municipalities also may prohibit nuisances. Type A municipalities may abate and remove a nuisance, define and declare what constitutes a nuisance and punish by fine those persons responsible for the nuisance. Tex. Local Gov't Code § 217.002. Type B municipalities may prevent nuisances and have nuisances removed at the expense of the person who is responsible. Tex. Local Gov't Code § 217.022.

<sup>29</sup> See Op. Tex. Att'y Gen. No. JC-0025 (1999).

amended to reflect the extraterritorial application of the ordinances. Further, a home-rule city cannot simply declare all conduct a nuisance and extend such nuisance regulations 5,000 feet from the city's boundaries. A "nuisance" is anything that works injury, harm or prejudice to an individual or public, or which causes a well-founded apprehension of danger. A nuisance obstructs, impairs or destroys the reasonable, peaceful and comfortable use of property.<sup>30</sup>

## **V. The "SOB Zone"**

Chapter 243 of the Texas Local Government Code authorizes city and county regulation of sexually oriented businesses ("SOBs"). Most city ordinances that regulate SOBs provide distance requirements; that is, requirements that an SOB may not be located within a certain number of feet of a church, school, residentially-zoned area, day care center or other sexually oriented business.<sup>31</sup> In Texas Attorney General Opinion No. JC-0485 (2002), the question was presented whether a municipality may enforce its own SOB ordinance when the entity to be protected is outside the corporate limits of the municipality. At issue in this opinion was a church that, while located outside the corporate limits of San Antonio, was within 1,000 feet of an SOB located within the corporate limits of San Antonio. Since Section 243.003(b) of the Local Government Code specifically provides that "[a] regulation adopted by a municipality applies only inside the municipality's corporate limits," could the San Antonio SOB ordinance's distance requirements be enforced?

After discussion of case law from other states, the Attorney General concluded that even though Section 243.003 of the Local Government Code does not give extraterritorial effect to an SOB ordinance, Section 243.006(a)(2) of the Local Government Code nevertheless may apply.

A city may apply a municipal ordinance to prohibit a sexually oriented business within a specified distance of a school, church, or other entity covered by section 243.006(a)(2) of the Local Government Code even though that entity is not within the corporate limits of the city in question, so long as the sexually oriented business is within those limits. Such application does not violate the statutory requirement that the ordinance apply only in the city's corporate limits.<sup>32</sup>

---

<sup>30</sup> *Parker v. City of Fort Worth*, 281 S.W.2d 721, 723 (Tex.Civ.App.—Fort Worth 1955, no writ). See also Op.Tex.Att'y Gen. No. JM-226 (1984) (discussing what activities may constitute a nuisance per se or nuisance at common law).

<sup>31</sup> See Tex.Local Gov't Code § 243.006(a). Section 243.006(a) of the Texas Local Government Code provides as follows:

(a) The location of sexually oriented businesses may be:

(1) restricted to particular areas; or

(2) prohibited within a certain distance of a school, regular place of religious worship, residential neighborhood, or other specified land use the governing body of the municipality or county finds to be inconsistent with the operation of a sexually oriented business.

<sup>32</sup> Op.Tex.Att'y Gen. No. JC-0485 (2002) at 4.

Thus, the distance requirements contained in local SOB ordinances may be enforced, even if the underlying SOB ordinance has no extraterritorial effect.

## **VI. Conclusion**

The single most important issue for municipalities in regulating activities in the ETJ often tends to be enforcement issues, not whether activities are statutorily authorized to be regulated in the ETJ. Nevertheless, statutory authorization for municipal regulation in the ETJ tends to be “hit and miss” with no one source of such authority.

LOCAL GOVERNMENT CODE

TITLE 2. ORGANIZATION OF MUNICIPAL GOVERNMENT

SUBTITLE C. MUNICIPAL BOUNDARIES AND ANNEXATION

CHAPTER 42. EXTRATERRITORIAL JURISDICTION OF MUNICIPALITIES

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 42.001. PURPOSE OF EXTRATERRITORIAL JURISDICTION. The legislature declares it the policy of the state to designate certain areas as the extraterritorial jurisdiction of municipalities to promote and protect the general health, safety, and welfare of persons residing in and adjacent to the municipalities.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

SUBCHAPTER B. DETERMINATION OF EXTRATERRITORIAL JURISDICTION

Sec. 42.021. EXTENT OF EXTRATERRITORIAL JURISDICTION. (a) The extraterritorial jurisdiction of a municipality is the unincorporated area that is contiguous to the corporate boundaries of the municipality and that is located:

(1) within one-half mile of those boundaries, in the case of a municipality with fewer than 5,000 inhabitants;

(2) within one mile of those boundaries, in the case of a municipality with 5,000 to 24,999 inhabitants;

(3) within two miles of those boundaries, in the case of a municipality with 25,000 to 49,999 inhabitants;

(4) within 3-1/2 miles of those boundaries, in the case of a municipality with 50,000 to 99,999 inhabitants; or

(5) within five miles of those boundaries, in the case of a municipality with 100,000 or more inhabitants.

(b) Regardless of Subsection (a), the extraterritorial jurisdiction of a municipality is the unincorporated area that is contiguous to the corporate boundaries of the municipality and that is located:

(1) within five miles of those boundaries on a barrier island; or

(2) within one-half mile of those boundaries off a barrier island.

(c) Subsection (b) applies to a municipality that has:

(1) a population of 2,000 or more; and

(2) territory located:

(A) entirely on a barrier island in the Gulf of Mexico; and

(B) within 30 miles of an international border.

(d) Regardless of Subsection (a), the extraterritorial jurisdiction of a municipality is the unincorporated area that is contiguous to the corporate boundaries of the municipality and that is located within three miles of those boundaries if the municipality:

(1) has a population of not less than 20,000 or more than 29,000; and

(2) is located in a county that has a population of 45,000 or more and borders the Trinity River.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 761 (H.B. 3325), Sec. 1, eff. June 15, 2007.

Acts 2011, 82nd Leg., R.S., Ch. 215 (H.B. 91), Sec. 1, eff. September 1, 2011.

Acts 2011, 82nd Leg., R.S., Ch. 612 (S.B. 508), Sec. 1, eff. June 17, 2011.

Acts 2013, 83rd Leg., R.S., Ch. 161 (S.B. 1093), Sec. 22.001 (33), eff. September 1, 2013.

Sec. 42.022. EXPANSION OF EXTRATERRITORIAL JURISDICTION. (a) When a municipality annexes an area, the extraterritorial jurisdiction of the municipality expands with the annexation to comprise, consistent with Section 42.021, the area around the new municipal boundaries.

(b) The extraterritorial jurisdiction of a municipality may expand beyond the distance limitations imposed by Section 42.021 to



include an area contiguous to the otherwise existing extraterritorial jurisdiction of the municipality if the owners of the area request the expansion.

(c) The expansion of the extraterritorial jurisdiction of a municipality through annexation, request, or increase in the number of inhabitants may not include any area in the existing extraterritorial jurisdiction of another municipality, except as provided by Subsection (d).

(d) The extraterritorial jurisdiction of a municipality may be expanded through annexation to include area that on the date of annexation is located in the extraterritorial jurisdiction of another municipality if a written agreement between the municipalities in effect on the date of annexation allocates the area to the extraterritorial jurisdiction of the annexing municipality.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 337 (H.B. 2902), Sec. 1, eff. June 17, 2011.

Sec. 42.0225. EXTRATERRITORIAL JURISDICTION AROUND CERTAIN MUNICIPALLY OWNED PROPERTY. (a) This section applies only to an area owned by a municipality that is:

- (1) annexed by the municipality; and
- (2) not contiguous to other territory of the municipality.

(b) Notwithstanding Section 42.021, the annexation of an area described by Subsection (a) does not expand the extraterritorial jurisdiction of the municipality.

Added by Acts 1999, 76th Leg., ch. 1167, Sec. 1, eff. Sept. 1, 1999.

Sec. 42.023. REDUCTION OF EXTRATERRITORIAL JURISDICTION. The extraterritorial jurisdiction of a municipality may not be reduced unless the governing body of the municipality gives its written consent by ordinance or resolution, except:

- (1) in cases of judicial apportionment of overlapping extraterritorial jurisdictions under Section 42.901;

- (2) in accordance with an agreement under Section 42.022
- (d); or
- (3) as necessary to comply with Section 42.0235.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 337 (H.B. 2902), Sec. 2, eff. June 17, 2011.

Acts 2015, 84th Leg., R.S., Ch. 941 (H.B. 4059), Sec. 1, eff. June 18, 2015.

Sec. 42.0235. LIMITATION ON EXTRATERRITORIAL JURISDICTION OF CERTAIN MUNICIPALITIES. (a) Notwithstanding Section 42.021, the extraterritorial jurisdiction of a municipality with a population of more than 175,000 located in a county that contains an international border and borders the Gulf of Mexico terminates two miles from the extraterritorial jurisdiction of a neighboring municipality if extension of the extraterritorial jurisdiction beyond that limit would:

- (1) completely surround the corporate boundaries or extraterritorial jurisdiction of the neighboring municipality; and
- (2) limit the growth of the neighboring municipality by precluding the expansion of the neighboring municipality's extraterritorial jurisdiction.

(b) A municipality shall release extraterritorial jurisdiction as necessary to comply with Subsection (a).

(c) Notwithstanding any other law, a municipality that owns an electric system and that releases extraterritorial jurisdiction under Subsection (b) may provide electric service in the released area to the same extent that the service would have been provided if the municipality had annexed the area.

Added by Acts 2015, 84th Leg., R.S., Ch. 941 (H.B. 4059), Sec. 2, eff. June 18, 2015.

Sec. 42.024. TRANSFER OF EXTRATERRITORIAL JURISDICTION BETWEEN CERTAIN MUNICIPALITIES. (a) In this section:

(1) "Adopting municipality" means a home-rule municipality with a population of less than 25,000 that purchases and appropriates raw water for its water utility through a transbasin diversion permit from one or two river authorities in which the municipality has territory.

(2) "Releasing municipality" means a home-rule municipality with a population of more than 450,000 that owns an electric utility, that has a charter provision allowing for limited-purpose annexation, and that has annexed territory for a limited purpose.

(b) The governing body of an adopting municipality may by resolution include in its extraterritorial jurisdiction an area that is in the extraterritorial jurisdiction of a releasing municipality if:

(1) the releasing municipality does not provide water, sewer services, and electricity to the released area;

(2) the owners of a majority of the land within the released area request that the adopting municipality include in its extraterritorial jurisdiction the released area;

(3) the released area is:

(A) adjacent to the territory of the adopting municipality;

(B) wholly within a county in which both municipalities have territory; and

(C) located in one or more school districts, each of which has the majority of its territory outside the territory of the releasing municipality;

(4) the adopting municipality adopts ordinances or regulations within the released area for water quality standards relating to the control or abatement of water pollution that are in conformity with those of the Texas Natural Resource Conservation Commission applicable to the released area on January 1, 1995;

(5) the adopting municipality has adopted a service plan to provide water and sewer service to the area acceptable to the owners of a majority of the land within the released area; and

(6) the size of the released area does not exceed the difference between the total area within the extraterritorial jurisdiction of the adopting municipality, exclusive of the extraterritorial jurisdiction of the releasing municipality, on the

date the resolution was adopted under this subsection, as determined by Section 42.021, and the total area within the adopting municipality's extraterritorial jurisdiction on the date of the resolution.

(c)(1) The service plan under Subsection (b)(5) shall include an assessment of the availability and feasibility of participation in any regional facility permitted by the Texas Natural Resource Conservation Commission in which the releasing municipality is a participant and had plans to provide service to the released area. The plan for regional service shall include:

(A) proposed dates for providing sewer service through the regional facility;

(B) terms of financial participation to provide sewer service to the released area, including rates proposed for service sufficient to reimburse the regional participants over a reasonable time for any expenditures associated with that portion of the regional facility designed or constructed to serve the released area as of January 1, 1993; and

(C) participation by the adopting municipality in governance of the regional facility based on the percentage of land to be served by the regional facility in the released area compared to the total land area to be served by the regional facility.

(2) The adopting municipality shall deliver a copy of the service plan to the releasing municipality and any other participant in any regional facility described in this subsection at least 30 days before the resolution to assume extraterritorial jurisdiction. The releasing municipality and any other participant in any regional facility described in this subsection by resolution shall, within 30 days of delivery of the service plan, either accept that portion of the service plan related to participation by the adopting municipality in the regional facility or propose alternative terms of participation.

(3) If the adopting municipality, the releasing municipality, and any other participant in any regional facility described in this subsection fail to reach agreement on the service plan within 60 days after the service plan is delivered, any municipality that is a participant in the regional facility or any owner of land within the area to be released may appeal the matter to

the Texas Natural Resource Conservation Commission. The Texas Natural Resource Conservation Commission shall, in its resolution of any differences between proposals submitted for review in this subsection, use a cost-of-service allocation methodology which treats each service unit in the regional facility equally, with any variance in rates to be based only on differences in costs based on the time service is provided to an area served by the regional facility. The Texas Natural Resource Conservation Commission may allow the adopting municipality, the releasing municipality, or any other participant in any regional facility described in this subsection to withdraw from participation in the regional facility on a showing of undue financial hardship.

(4) A decision by the Texas Natural Resource Conservation Commission under this subsection is not subject to judicial review, and any costs associated with the commission's review shall be assessed to the parties to the decision in proportion to the percentage of land served by the regional facility subject to review in the jurisdiction of each party.

(5) The releasing municipality shall not, prior to January 1, 1997, discontinue or terminate any interlocal agreement, contract, or commitment relating to water or sewer service that it has as of January 1, 1995, with the adopting municipality without the consent of the adopting municipality.

(d) On the date the adopting municipality delivers a copy of the resolution under Subsection (b) to the municipal clerk of the releasing municipality, the released area shall be included in the extraterritorial jurisdiction of the adopting municipality and excluded from the extraterritorial jurisdiction of the releasing municipality.

(e) If any part of a tract of land, owned either in fee simple or under common control or undivided ownership, was or becomes split, before or after the dedication or deed of a portion of the land for a public purpose, between the extraterritorial jurisdiction of a releasing municipality and the jurisdiction of another municipality, or is land described in Subsection (b)(3)(C), the authority to act under Chapter 212 and the authority to regulate development and building with respect to the tract of land is, on the request of the owner to the municipality, with the municipality selected by the

owner of the tract of land. The municipality selected under this subsection may also provide or authorize another person or entity to provide municipal services to land subject to this subsection.

(f) Nothing in this section requires the releasing municipality to continue to participate in a regional wastewater treatment plant providing service, or to provide new services, to any territory within the released area.

(g) This section controls over any conflicting provision of this subchapter.

Added by Acts 1995, 74th Leg., ch. 766, Sec. 1, eff. Aug. 28, 1995.

Sec. 42.025. RELEASE OF EXTRATERRITORIAL JURISDICTION BY CERTAIN MUNICIPALITIES. (a) In this section, "eligible property" means any portion of a contiguous tract of land:

(1) that is located in the extraterritorial jurisdiction of a municipality within one-half mile of the territory of a proposed municipal airport;

(2) for which a contract for land acquisition services was awarded by the municipality; and

(3) that has not been acquired through the contract described by Subdivision (2) for the proposed municipal airport.

(b) The owner of eligible property may petition the municipality to release the property from the municipality's extraterritorial jurisdiction not later than June 1, 1996. The petition must be filed with the secretary or clerk of the municipality.

(c) Not later than the 10th day after the date the secretary or clerk receives a petition under Subsection (b), the municipality by resolution shall release the eligible property from the extraterritorial jurisdiction of the municipality.

(d) Eligible property that is released from the extraterritorial jurisdiction of a municipality under Subsection (c) may be included in the extraterritorial jurisdiction of another municipality if:

(1) any part of the other municipality is located in the same county as the property; and

(2) the other municipality and the owner agree to the inclusion of the property in the extraterritorial jurisdiction.

Added by Acts 1995, 74th Leg., ch. 788, Sec. 1, eff. June 16, 1995.  
Renumbered from Local Government Code Sec. 42.024 by Acts 1997, 75th Leg., ch. 165, Sec. 31.01(64), eff. Sept. 1, 1997.

Sec. 42.0251. RELEASE OF EXTRATERRITORIAL JURISDICTION BY CERTAIN GENERAL-LAW MUNICIPALITIES. (a) This section applies only to a general-law municipality:

- (1) that has a population of less than 3,000;
- (2) that is located in a county with a population of more than 500,000 that is adjacent to a county with a population of more than four million; and
- (3) in which at least two-thirds of the residents reside within a gated community.

(b) A municipality shall release an area from its extraterritorial jurisdiction not later than the 10th day after the date the municipality receives a petition requesting that the area be released that is signed by at least 80 percent of the owners of real property located in the area requesting release.

Added by Acts 2011, 82nd Leg., R.S., Ch. 337 (H.B. 2902), Sec. 3, eff. June 17, 2011.

Sec. 42.026. LIMITATION ON EXTRATERRITORIAL JURISDICTION OF CERTAIN MUNICIPALITIES. (a) In this section, "navigable stream" has the meaning assigned by Section 21.001, Natural Resources Code.

(b) This section applies only to an area that is:

- (1) located in the extraterritorial jurisdiction of a home-rule municipality that has a population of 60,000 or less and is located in whole or in part in a county with a population of 240,000 or less;
- (2) located outside the county in which a majority of the land area of the municipality is located; and
- (3) separated from the municipality's corporate boundaries by a navigable stream.

(c) A municipality that, on August 31, 1999, includes that area in its extraterritorial jurisdiction shall, before January 1, 2000:

(1) adopt an ordinance removing that area from the municipality's extraterritorial jurisdiction; or

(2) enter into an agreement with a municipality located in the county in which that area is located to transfer that area to the extraterritorial jurisdiction of that municipality.

(d) If the municipality that is required to act under Subsection (c) does not do so as provided by that subsection, the area is automatically removed from the extraterritorial jurisdiction of that municipality on January 1, 2000.

(e) Section 42.021 does not apply to a transfer of extraterritorial jurisdiction under Subsection (c)(2).

Added by Acts 1999, 76th Leg., ch. 1494, Sec. 1, eff. Aug. 30, 1999.

#### SUBCHAPTER C. CREATION OR EXPANSION OF GOVERNMENTAL ENTITIES IN EXTRATERRITORIAL JURISDICTION

Sec. 42.041. ~~MUNICIPAL INCORPORATION IN EXTRATERRITORIAL JURISDICTION GENERALLY.~~ (a) A municipality may not be incorporated in the extraterritorial jurisdiction of an existing municipality unless the governing body of the existing municipality gives its written consent by ordinance or resolution.

(b) If the governing body of the existing municipality refuses to give its consent, a majority of the qualified voters of the area of the proposed municipality and the owners of at least 50 percent of the land in the proposed municipality may petition the governing body to annex the area. If the governing body fails or refuses to annex the area within six months after the date it receives the petition, that failure or refusal constitutes the governing body's consent to the incorporation of the proposed municipality.

(c) The consent to the incorporation of the proposed municipality is only an authorization to initiate incorporation proceedings as provided by law.

(d) If the consent to initiate incorporation proceedings is obtained, the incorporation must be initiated within six months after the date of the consent and must be finally completed within 18



months after the date of the consent. Failure to comply with either time requirement terminates the consent.

(e) This section applies only to the proposed municipality's area located in the extraterritorial jurisdiction of the existing municipality.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Amended by:

Acts 2005, 79th Leg., Ch. 287 (H.B. 585), Sec. 1, eff. June 16, 2005.

For expiration of Subsections (c) and (d), see Subsections (c) and (d).

Sec. 42.0411. MUNICIPAL INCORPORATION IN EXTRATERRITORIAL JURISDICTION OF CERTAIN MUNICIPALITIES. (a) This section applies only to:

(1) an area located north and east of Interstate Highway 10 that is included in the extraterritorial jurisdiction, or the limited-purpose annexation area, of a municipality with a population of one million or more that has operated under a three-year annexation plan similar to the municipal annexation plan described by Section 43.052 for at least 10 years; or

(2) an area located north and east of Interstate Highway 10:

(A) that is included in the extraterritorial jurisdiction, or the limited-purpose annexation area, of a municipality with a population of one million or more that has operated under a three-year annexation plan similar to the municipal annexation plan described by Section 43.052 for at least 10 years;

(B) that has not been included in the municipality's annexation plan described by Section 43.052 before the 180th day before the date consent for incorporation is requested under Section 42.041(a); and

(C) for which the municipality refused to give its consent to incorporation under Section 42.041(a).

(b) The residents of the area described by Subsection (a)(2) may initiate an attempt to incorporate as a municipality by filing a written petition signed by at least 10 percent of the registered

voters of the area of the proposed municipality with the county judge of the county in which the proposed municipality is located. The petition must request the county judge to order an election to determine whether the area of the proposed municipality will incorporate. An incorporation election under this section shall be conducted in the same manner as an incorporation election under Subchapter A, Chapter 8. The consent of the municipality that previously refused to give consent is not required for the incorporation.

(c) In this subsection, "deferred annexation area" means an area that has entered into an agreement with a municipality under which the municipality defers annexation of the area for at least 10 years. An area described by Subsection (a)(1) that is located within 1-1/2 miles of a municipality's deferred annexation area or adjacent to the corporate boundaries of the municipality may not be annexed for limited or full purposes during the period provided under the agreement. During the period provided under the agreement, the residents of the area may incorporate in accordance with the incorporation proceedings provided by law, except that the consent of the municipality is not required for the incorporation. This subsection expires on the later of:

- (1) September 1, 2009; or
- (2) the date that all areas entitled to incorporate under this subsection have incorporated.

(d) This subsection applies only to an area that is described by Subsection (a)(1) and removed from a municipality's annexation plan under Section 43.052(e) two times or more. The residents of the area and any adjacent territory that is located within the extraterritorial jurisdiction of the municipality or located within an area annexed for limited purposes by the municipality and that is adjacent to the corporate boundaries of the municipality may incorporate in accordance with the incorporation proceedings provided by law, except that the consent of the municipality is not required for the incorporation. This subsection expires on the later of:

- (1) September 1, 2009; or
- (2) the date that all areas entitled to incorporate under this subsection have incorporated.

Added by Acts 2005, 79th Leg., Ch. 287 (H.B. 585), Sec. 2, eff. June 16, 2005.

Sec. 42.042. CREATION OF POLITICAL SUBDIVISION TO SUPPLY WATER OR SEWER SERVICES, ROADWAYS, OR DRAINAGE FACILITIES IN EXTRATERRITORIAL JURISDICTION. (a) A political subdivision, one purpose of which is to supply fresh water for domestic or commercial use or to furnish sanitary sewer services, roadways, or drainage, may not be created in the extraterritorial jurisdiction of a municipality unless the governing body of the municipality gives its written consent by ordinance or resolution in accordance with this subsection and the Water Code. In giving its consent, the municipality may not place any conditions or other restrictions on the creation of the political subdivision other than those expressly permitted by Sections 54.016(e) and (i), Water Code.

(b) If the governing body fails or refuses to give its consent for the creation of the political subdivision on mutually agreeable terms within 90 days after the date it receives a written request for the consent, a majority of the qualified voters of the area of the proposed political subdivision and the owners of at least 50 percent of the land in the proposed political subdivision may petition the governing body to make available to the area the water, sanitary sewer services, or both that would be provided by the political subdivision.

(c) If, within 120 days after the date the governing body receives the petition, the governing body fails to make a contract with a majority of the qualified voters of the area of the proposed political subdivision and the owners of at least 50 percent of the land in the proposed political subdivision to provide the services, that failure constitutes the governing body's consent to the creation of the proposed political subdivision.

(d) The consent to the creation of the political subdivision is only an authorization to initiate proceedings to create the political subdivision as provided by law.

(e) Repealed by Acts 1997, 75th Leg., ch. 1070, Sec. 55, eff. Sept. 1, 1997.

(f) If the municipality fails or refuses to give its consent to the creation of the political subdivision or fails or refuses to

execute a contract providing for the water or sanitary sewer services requested within the time limits prescribed by this section, the applicant may petition the Texas Natural Resource Conservation Commission for the creation of the political subdivision or the inclusion of the land in a political subdivision. The commission shall allow creation of the political subdivision or inclusion of the land in a proposed political subdivision on finding that the municipality either does not have the reasonable ability to serve or has failed to make a legally binding commitment with sufficient funds available to provide water and wastewater service adequate to serve the proposed development at a reasonable cost to the landowner. The commitment must provide that construction of the facilities necessary to serve the land will begin within two years and will be substantially completed within 4-1/2 years after the date the petition was filed with the municipality.

(g) On an appeal taken to the district court from the Texas Natural Resource Conservation Commission's ruling, all parties to the commission hearing must be made parties to the appeal. The court shall hear the appeal within 120 days after the date the appeal is filed. If the case is continued or appealed to a higher court beyond the 120-day period, the court shall require the appealing party or party requesting the continuance to post a bond or other adequate security in the amount of damages that may be incurred by any party as a result of the appeal or delay from the commission action. The amount of the bond or other security shall be determined by the court after notice and hearing. On final disposition, a court may award damages, including any damages for delays, attorney's fees, and costs of court to the prevailing party.

(h) A municipality may not unilaterally extend the time limits prescribed by this section through the adoption of preapplication periods or by passage of any rules, resolutions, ordinances, or charter provisions. However, the municipality and the petitioner may jointly petition the Texas Natural Resource Conservation Commission to request an extension of the time limits.

(i) Repealed by Acts 1989, 71st Leg., ch. 1058, Sec. 1, eff. Sept. 1, 1989.

(j) The consent requirements of this section do not apply to the creation of a special utility district under Chapter 65, Water

Code. If a special utility district is to be converted to a district with taxing authority that provides utility services, this section applies to the conversion.

(k) This section, except Subsection (i), applies only to the proposed political subdivision's area located in the extraterritorial jurisdiction of the municipality.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1989, 71st Leg., ch. 1, Sec. 3(b), eff. Aug. 28, 1989; Acts 1989, 71st Leg., ch. 1058, Sec. 1, eff. Sept. 1, 1989; Acts 1995, 74th Leg., ch. 76, Sec. 11.254, eff. Sept. 1, 1995.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 1098 (H.B. 3378), Sec. 1, eff. June 15, 2007.

Sec. 42.0425. ADDITION OF LAND IN EXTRATERRITORIAL JURISDICTION OF MUNICIPALITY TO CERTAIN POLITICAL SUBDIVISIONS. (a) A political subdivision, one purpose of which is to supply fresh water for domestic or commercial use or to furnish sanitary sewer services, roadways, or drainage, may not add land that is located in the extraterritorial jurisdiction of a municipality unless the governing body of the municipality gives its written consent by ordinance or resolution in accordance with this section and the Water Code. In giving its consent, the municipality may not place any conditions or other restrictions on the expansion of the political subdivision other than those expressly permitted by Section 54.016(e), Water Code.

(b) The procedures under Section 42.042 governing a municipality's refusal to consent to the creation of a political subdivision apply to a municipality that refuses to consent to the addition of land to a political subdivision under this section.

(c) An owner of land in the area proposed to be added to the political subdivision may not unreasonably refuse to enter into a contract for water or sanitary sewer services with the municipality under Section 42.042(c).

(d) This section does not apply to a political subdivision created by Chapter 289, Acts of the 73rd Legislature, Regular Session, 1993.

Added by Acts 2007, 80th Leg., R.S., Ch. 703 (H.B. 2091), Sec. 2, eff. June 15, 2007.

Sec. 42.043. REQUIREMENTS APPLYING TO PETITION. (a) A petition under Section 42.041 or 42.042 must:

- (1) be written;
  - (2) request that the area be annexed or that the services be made available, as appropriate;
  - (3) be signed in ink or indelible pencil by the appropriate voters and landowners;
  - (4) be signed, in the case of a person signing as a voter, as the person's name appears on the most recent official list of registered voters;
  - (5) contain, in the case of a person signing as a voter, a note made by the person stating the person's residence address and the precinct number and voter registration number that appear on the person's voter registration certificate;
  - (6) contain, in the case of a person signing as a landowner, a note made by the person opposite the person's name stating the approximate total acreage that the person owns in the area to be annexed or serviced;
  - (7) describe the area to be annexed or serviced and have a plat of the area attached; and
  - (8) be presented to the secretary or clerk of the municipality.
- (b) The signatures to the petition need not be appended to one paper.
- (c) Before the petition is circulated among the voters and landowners, notice of the petition must be given by posting a copy of the petition for 10 days in three public places in the area to be annexed or serviced and by publishing the notice once, in a newspaper of general circulation serving the area, before the 15th day before the date the petition is first circulated. Proof of posting and publication must be made by attaching to the petition presented to the secretary or clerk:
- (1) the affidavit of any voter who signed the petition, stating the places and dates of the posting;

(2) the affidavit of the publisher of the newspaper in which the notice was published, stating the name of the newspaper and the issue and date of publication; and

(3) the affidavit of at least three voters who signed the petition, if there are that many, stating the total number of voters residing in the area and the approximate total acreage in the area.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 42.044. CREATION OF INDUSTRIAL DISTRICT IN EXTRATERRITORIAL JURISDICTION. (a) In this section, "industrial district" has the meaning customarily given to the term but also includes any area in which tourist-related businesses and facilities are located.

(b) The governing body of a municipality may designate any part of its extraterritorial jurisdiction as an industrial district and may treat the designated area in a manner considered by the governing body to be in the best interests of the municipality.

(c) The governing body may make written contracts with owners of land in the industrial district:

(1) to guarantee the continuation of the extraterritorial status of the district and its immunity from annexation by the municipality for a period not to exceed 15 years; and

(2) with other lawful terms and considerations that the parties agree to be reasonable, appropriate, and not unduly restrictive of business activities.

(d) The parties to a contract may renew or extend it for successive periods not to exceed 15 years each. In the event any owner of land in an industrial district is offered an opportunity to renew or extend a contract, then all owners of land in that industrial district must be offered an opportunity to renew or extend a contract subject to the provisions of Subsection (c).

(e) A municipality may provide for adequate fire-fighting services in the industrial district by:

(1) directly furnishing fire-fighting services that are to be paid for by the property owners of the district;

(2) contracting for fire-fighting services, whether or not all or a part of the services are to be paid for by the property owners of the district; or

(3) contracting with the property owners of the district to have them provide for their own fire-fighting services.

(f) A property owner who provides for his own fire-fighting services under this section may not be required to pay any part of the cost of the fire-fighting services provided by the municipality to other property owners in the district.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1993, 73rd Leg., ch. 975, Sec. 1, eff. Aug. 30, 1993.

Sec. 42.045. CREATION OF POLITICAL SUBDIVISION IN INDUSTRIAL DISTRICT. (a) A political subdivision, one purpose of which is to provide services of a governmental or proprietary nature, may not be created in an industrial district designated under Section 42.044 by a municipality unless the municipality gives its written consent by ordinance or resolution. The municipality shall give or deny consent within 60 days after the date the municipality receives a written request for consent. Failure to give or deny consent in the allotted period constitutes the municipality's consent to the initiation of the creation proceedings.

(b) If the consent is obtained, the creation proceedings must be initiated within six months after the date of the consent and must be finally completed within 18 months after the date of the consent. Failure to comply with either time requirement terminates the consent for the proceedings.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 42.046. DESIGNATION OF A PLANNED UNIT DEVELOPMENT DISTRICT IN EXTRATERRITORIAL JURISDICTION. (a) The governing body of a municipality that has disannexed territory previously annexed for limited purposes may designate an area within its extraterritorial jurisdiction as a planned unit development district by written agreement with the owner of the land under Subsection (b). The agreement shall be recorded in the deed records of the county or



counties in which the land is located. A planned unit development district designated under this section shall contain no less than 250 acres. If there are more than four owners of land to be designated as a single planned unit development, each owner shall appoint a single person to negotiate with the municipality and authorize that person to bind each owner for purposes of this section.

(b) An agreement governing the creation, development, and existence of a planned unit development district established under this section shall be between the governing body of the municipality and the owner of the land subject to the agreement. The agreement shall not be effective until signed by both parties and by any other person with an interest in the land, as that interest is evidenced by an instrument recorded in the deed records of the county or counties in which the land is located. The parties may agree:

(1) to guarantee continuation of the extraterritorial status of the planned unit development district and its immunity from annexation by the municipality for a period not to exceed 15 years after the effective date of the agreement;

(2) to authorize certain land uses and development within the planned unit development;

(3) to authorize enforcement by the municipality of certain municipal land use and development regulations within the planned unit development district, in the same manner such regulations are enforced within the municipality's boundaries, as may be agreed by the landowner and the municipality;

(4) to vary any watershed protection regulations;

(5) to authorize or restrict the creation of political subdivisions within the planned unit development district; and

(6) to such other terms and considerations the parties consider appropriate.

(c) The agreement between the governing body of the municipality and the owner of the land within the planned unit development district shall be binding upon all subsequent governing bodies of the municipality and subsequent owners of the land within the planned unit development district for the term of the agreement.

(d) An agreement or a decision made under this section and an action taken under the agreement by the parties to the agreement are

not subject to an approval or an appeal brought under Section 26.177, Water Code.

Added by Acts 1989, 71st Leg., ch. 822, Sec. 5, eff. Sept. 1, 1989.  
Amended by Acts 1991, 72nd Leg., ch. 891, Sec. 1, eff. June 8, 1991.

Sec. 42.047. CREATION OF A POLITICAL SUBDIVISION IN AN AREA PROPOSED FOR A PLANNED UNIT DEVELOPMENT DISTRICT. If the governing body of a municipality that has disannexed territory previously annexed for limited purposes refuses to designate a planned unit development district under Section 42.046 no later than 180 days after the date a request for the designation is filed with the municipality by the owner of the land to be included in the planned unit development district, the municipality shall be considered to have given the consent required by Section 42.041 to the incorporation of a proposed municipality including within its boundaries all or some of such land. If consent to incorporation is granted by this subsection, the consenting municipality waives all rights to challenge the proposed incorporation in any court.

Added by Acts 1989, 71st Leg., ch. 822, Sec. 5, eff. Sept. 1, 1989.

Sec. 42.049. AUTHORITY OF WELLS BRANCH MUNICIPAL UTILITY DISTRICT. (a) Wells Branch Municipal Utility district is authorized to contract with a municipality:

(1) to provide for payments to be made to the municipality for purposes that the governing body of the district determines will further regional cooperation between the district and the municipality; and

(2) to provide other lawful terms and considerations that the district and the municipality agree are reasonable and appropriate.

(b) A contract entered into under this section may be for a term that is mutually agreeable to the parties. The parties to such a contract may renew or extend the contract.

(c) A municipality may contract with the district to accomplish the purposes set forth in Subsection (a) of this section. In a contract entered into under this section, a municipality may agree

that the district will remain in existence and be exempt from annexation by the municipality for the term of the contract.

(d) A contract entered into under this section will be binding on all subsequent governing bodies of the district and of the municipality for the term of the contract.

(e) The district may make annual appropriations from its operations and maintenance tax or other revenues lawfully available to the district to make payments to a municipality under a contract entered into under this section.

Added by Acts 1999, 76th Leg., ch. 926, Sec. 4, eff. June 18, 1999.

#### SUBCHAPTER Z. MISCELLANEOUS PROVISIONS

Sec. 42.901. APPORTIONMENT OF EXTRATERRITORIAL JURISDICTIONS THAT OVERLAPPED ON AUGUST 23, 1963. (a) If, on August 23, 1963, the extraterritorial jurisdiction of a municipality overlapped the extraterritorial jurisdiction of one or more other municipalities, the governing bodies of the affected municipalities may apportion the overlapped area by a written agreement approved by an ordinance or a resolution adopted by the governing bodies.

(b) A municipality having a claim of extraterritorial jurisdiction to the overlapping area may bring an action as plaintiff in the district court of the judicial district in which the largest municipality having a claim to the area is located. The plaintiff municipality must name as a defendant each municipality having a claim of extraterritorial jurisdiction to the area and must request the court to apportion the area among the affected municipalities. In apportioning the area, the court shall consider population densities, patterns of growth, transportation, topography, and land use in the municipalities and the overlapping area. The area must be apportioned among the municipalities:

(1) so that each municipality's part is contiguous to the extraterritorial jurisdiction of the municipality or, if the extraterritorial jurisdiction of the municipality is totally overlapped, is contiguous to the boundaries of the municipality;

(2) so that each municipality's part is in a substantially compact shape; and

(3) in the same ratio, to one decimal, that the respective populations of the municipalities bear to each other, but with each municipality receiving at least one-tenth of the area.

(c) An apportionment under this section must consider existing property lines. A tract of land or adjoining tracts of land that were under one ownership on August 23, 1963, and that do not exceed 160 acres may not be apportioned so as to be in the extraterritorial jurisdiction of more than one municipality unless the landowner gives written consent to that apportionment.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 42.902. RESTRICTION AGAINST IMPOSING TAX IN EXTRATERRITORIAL JURISDICTION. The inclusion of an area in the extraterritorial jurisdiction of a municipality does not by itself authorize the municipality to impose a tax in the area.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 42.903. EXTRATERRITORIAL JURISDICTION OF CERTAIN TYPE B OR C GENERAL-LAW MUNICIPALITIES. (a) This section applies only to a Type B or C general-law municipality:

- (1) that has more than 200 inhabitants;
- (2) that is wholly surrounded, at the time of incorporation, by the extraterritorial jurisdiction of another municipality; and
- (3) part of which was located, at any time before incorporation, in an area annexed for limited purposes by another municipality.

(b) The governing body of the municipality by resolution or ordinance may adopt an extraterritorial jurisdiction for all or part of the unincorporated area contiguous to the corporate boundaries of the municipality and located within one mile of those boundaries. The authority granted by this section is subject to the limitation provided by Section 26.178, Water Code.

(c) Within 90 days after the date the municipality adopts the resolution or ordinance, an owner of real property in the extraterritorial jurisdiction may petition the municipality to

release the owner's property from the extraterritorial jurisdiction. On the presentation of the petition, the property:

(1) is automatically released from the extraterritorial jurisdiction of the municipality and becomes part of the extraterritorial jurisdiction or limited purpose area of the municipality whose jurisdiction surrounded, on May 31, 1989, the municipality from whose jurisdiction the property is released; and

(2) becomes subject to any existing zoning or other land use approval provisions that applied to the property before the property was included in the municipality's extraterritorial jurisdiction under Subsection (b).

(d) The municipality may exercise in its extraterritorial jurisdiction the powers granted under state law to other municipalities in their extraterritorial jurisdiction, including the power to ensure its water supply and to carry out other public purposes.

(e) To the extent of any conflict, this section controls over other laws relating to the creation of extraterritorial jurisdiction.

Added by Acts 1991, 72nd Leg., ch. 16, Sec. 13.01(a), eff. Aug. 26, 1991.

Sec. 42.904. EXTRATERRITORIAL JURISDICTION AND VOTING RIGHTS IN CERTAIN MUNICIPALITIES. (a) This section applies only to a municipality that has disannexed territory under Section 43.133 that it had previously annexed for limited purposes and that has extended rules to its extraterritorial jurisdiction under Section 212.003.

(b) The municipality shall allow all qualified voters residing in the municipality's extraterritorial jurisdiction to vote on any proposition that is submitted to the voters of the municipality and that involves:

(1) an adoption of or change to an ordinance or charter provision that would apply to the municipality's extraterritorial jurisdiction; or

(2) a nonbinding referendum that, if binding, would apply to the municipality's extraterritorial jurisdiction.

Added by Acts 1993, 73rd Leg., ch. 172, Sec. 1, eff. May 17, 1993.



# ***City Council Agenda***

***City of Lamesa, Texas***

**DATE OF MEETING: DECEMBER 20, 2016**

**AGENDA ITEM: 13**

SUBJECT: **2017 LIVESTOCK PERMIT RENEWALS**  
PROCEEDING: Approval or Denial  
SUBMITTED BY: See Attached Exhibits  
AUTHORITY:

## **SUMMARY STATEMENT**

Consider renewal of the following Livestock Permits for 2017:

- **Landfill Tract:** (Landfill property) for keeping 23 calves upon application of Sam Leal.
- **1006 South East 8<sup>th</sup> Street:** for keeping 6 horses, 1 donkey, and 1 cow upon application of Steven Alexander.
- **1708 South 8<sup>th</sup>:** for keeping 6 goats or 3 calves upon application of Keith Carter
- **1712 South 5<sup>th</sup>:** for keeping 2 horses and 5 show pigs (temporary) Cody Swafford.

## **COUNCIL ACTION**

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

Motion by Council Member \_\_\_\_\_ to renew 2017 Livestock Permits. Motion seconded by Council Member \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

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

## **CITY MANAGER'S MEMORANDUM**

City Inspector and County Health Officer have inspected all locations and have no problems with the issuance of livestock permits. **Recommend approval.**

**PERMIT NO. 01-2017**  
**CITY OF LAMESA**  
**LIVESTOCK ZONE PERMIT**

On the 20th day of December 2016, 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, a Livestock zone permit application was formally submitted by motion and duly seconded for the consideration and action of the meeting, to wit:

WHEREAS, Sam Leal has applied to the City Council of the City of Lamesa for a Livestock zone permit; and

WHEREAS, the city health department has inspected the tract and facilities or proposed facilities and has make recommendations as to the effect such zoning would have on the public health and public welfare and as to the condition of the facilities on the tract; and

WHEREAS, the City Council of the City of Lamesa has taking into consideration what is in the best interest of the public health and general welfare of the community and the recommendation of the city health department and determined; it is in the public interest and welfare that said Livestock permit be issued;

THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS, hereby approves the issuance of this Livestock zone permit to:

Name and address of applicant:	Sam Leal
Street location of Livestock zone tract:	Court C
Legal description of Livestock zone tract:	Landfill and Disposal Tracts
Kind & number of Livestock permitted:	23 Cattle
Special conditions applicable to permit:	None
Date of expiration of Livestock permit:	December 31, 2017

The issuance of this Livestock permit is subject to the applicant's compliance with Article 2.04 Livestock and Fowl of the Code of Ordinances of the City of Lamesa, Texas.

Upon being put to a vote, this Livestock zone permit was Approved this 20th day of December 2016 by a majority vote and ordered to be spread upon the minutes of the City Council of the City of Lamesa, Texas.



ATTEST:

Norma Garcia  
City Secretary

APPROVED:

Josh Stevens  
Mayor



**PERMIT NO. 02-2017**  
**CITY OF LAMESA**  
**LIVESTOCK ZONE PERMIT**

On the 20th day of December 2016, 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, a Livestock zone permit application was formally submitted by motion and duly seconded for the consideration and action of the meeting, to wit:

WHEREAS, Steven Alexander has applied to the City Council of the City of Lamesa for a Livestock zone permit; and

WHEREAS, the city health department has inspected the tract and facilities or proposed facilities and has make recommendations as to the effect such zoning would have on the public health and public welfare and as to the condition of the facilities on the tract; and

WHEREAS, the City Council of the City of Lamesa has taking into consideration what is in the best interest of the public health and general welfare of the community and the recommendation of the city health department and determined; it is in the public interest and welfare that said Livestock permit be issued;

THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS, hereby approves the issuance of this Livestock zone permit to:

Name and address of applicant:	Steven Alexander
Street location of Livestock zone tract:	1006 South East 8 <sup>th</sup> Street
Legal description of Livestock zone tract:	S ½ of Lot 3 Less 100' by 140' and S ½ of W ½ of Lot 4, Block 16, Penix Addition
Kind & number of Livestock permitted:	6 Horses, 1 Donkey, & 1 cow
Special conditions applicable to permit:	None
Date of expiration of Livestock permit:	December 31, 2017

The issuance of this Livestock permit is subject to the applicant's compliance with Article 2.04 Livestock and Fowl of the Code of Ordinances of the City of Lamesa, Texas.

Upon being put to a vote, this Livestock zone permit was Approved this 20th day of December 2016 by a majority vote and ordered to be spread upon the minutes of the City Council of the City of Lamesa, Texas.



ATTEST:

Norma Garcia  
City Secretary

APPROVED:

Josh Stevens  
Mayor

**PERMIT NO. 03-2017**  
**CITY OF LAMESA**  
**LIVESTOCK ZONE PERMIT**

On the 20th day of December 2016, there came on and was held at the regular meeting place, 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, a Livestock zone permit application was formally submitted by motion and duly seconded for the consideration and action of the meeting, to wit:

WHEREAS, Keith Carter has applied to the City Council of the City of Lamesa for a Livestock zone permit; and

WHEREAS, the city health department has inspected the tract and facilities or proposed facilities and has make recommendations as to the effect such zoning would have on the public health and public welfare and as to the condition of the facilities on the tract; and

WHEREAS, the City Council of the City of Lamesa has taking into consideration what is in the best interest of the public health and general welfare of the community and the recommendation of the city health department and determined; it is in the public interest and welfare that said Livestock permit be issued;

THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS, hereby approves the issuance of this Livestock zone permit to:

Name and address of applicant:	Keith Carter
Street location of Livestock zone tract:	1708 S. 8th Street
Legal description of Livestock zone tract:	Lot 7, Block 1, South Park Hts
Kind & number of Livestock permitted:	6 Goats or 3 Cows
Special conditions applicable to permit:	None
Date of expiration of Livestock permit:	December 31, 2017

The issuance of this Livestock permit is subject to the applicant's compliance with Section 2.04.041 of the Code of Ordinances of the City of Lamesa, Texas.

Upon being put to a vote, this Livestock zone permit was Approved this 20th day of December, 2017 by a majority vote and ordered to be spread upon the minutes of the City Council of the City of Lamesa, Texas.



ATTEST:

Norma Garcia  
City Secretary

APPROVED:

Josh Stevens  
Mayor

**PERMIT NO. 04-2017**  
**CITY OF LAMESA**  
**LIVESTOCK ZONE PERMIT**

On the 20th day of December 2016, there came on and was held at the regular meeting place, 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, a Livestock zone permit application was formally submitted by motion and duly seconded for the consideration and action of the meeting, to wit:

WHEREAS, Cody Swafford has applied to the City Council of the City of Lamesa for a Livestock zone permit; and

WHEREAS, the city health department has inspected the tract and facilities or proposed facilities and has make recommendations as to the effect such zoning would have on the public health and public welfare and as to the condition of the facilities on the tract; and

WHEREAS, the City Council of the City of Lamesa has taking into consideration what is in the best interest of the public health and general welfare of the community and the recommendation of the city health department and determined; it is in the public interest and welfare that said Livestock permit be issued;

THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS, hereby approves the issuance of this Livestock zone permit to:

Name and address of applicant:	Cody Swafford
Street location of Livestock zone tract:	1712 S. 5th Street
Legal description of Livestock zone tract:	Lot Track 2, Block 220, College Addition
Kind & number of Livestock permitted:	2 Horses or 5 Show Pigs
Special conditions applicable to permit:	None
Date of expiration of Livestock permit:	December 31, 2017

The issuance of this Livestock permit is subject to the applicant's compliance with Section 2.04.041 of the Code of Ordinances of the City of Lamesa, Texas.

Upon being put to a vote, this Livestock zone permit was Approved this 20th day of December, 2017 by a majority vote and ordered to be spread upon the minutes of the City Council of the City of Lamesa, Texas.



ATTEST:

Norma Garcia  
City Secretary

APPROVED:

Josh Stevens  
Mayor

# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: DECEMBER 20, 2016**

**AGENDA ITEM: 14**

---

**SUBJECT: UTILITIES DIRECTOR REPORT**

**PROCEEDING:**

**SUBMITTED BY: City Staff**

**EXHIBITS:**

**AUTHORITY:**

### **SUMMARY STATEMENT**

Utilities Director to report on the City's recent events.

### **COUNCIL ACTION**

No council action required.

# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: DECEMBER 20, 2016**

**AGENDA ITEM: 15**

**SUBJECT: FINANCIAL REPORT**  
**SUBMITTED BY: Finance Director**  
**EXHIBITS: Financial Reports**

### **SUMMARY STATEMENT**

Financial reports for November 2016 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 reports.



**City of Lamesa**  
**Financial Statement Summary**  
**As of: November 30th, 2016**

	Current	
	Month-to-Date	Year-to-Date
<b>General Fund (1)</b>		
Revenues	\$ 929,774.73	\$ 1,410,973.72
Expenditures	\$ 277,954.59	\$ 618,685.68
<b>Revenues Over/(Under) Expenditures</b>	<b>\$ 651,820.14</b>	<b>\$ 792,288.04</b>
<b>Water &amp; Wastewater Fund (2)</b>		
Revenues	\$ 384,429.45	\$ 699,377.45
Expenditures	\$ 342,424.57	\$ 647,642.37
<b>Revenues Over/(Under) Expenditures</b>	<b>\$ 42,004.88</b>	<b>\$ 51,735.08</b>
<b>Solid Waste Fund (3)</b>		
Revenues	\$ 168,386.96	\$ 336,583.86
Expenditures	\$ 137,204.03	\$ 273,913.01
<b>Revenues Over/(Under) Expenditures</b>	<b>\$ 31,182.93</b>	<b>\$ 62,670.85</b>
<b>Golf Course Fund (18)</b>		
Revenues	\$ 12,731.25	\$ 26,413.00
Expenditures	\$ 19,991.23	\$ 43,094.25
<b>Revenues Over/(Under) Expenditures</b>	<b>\$ (7,259.98)</b>	<b>\$ (16,681.25)</b>
<b>All Funds</b>		
Revenues	\$ 1,495,322.39	\$ 2,473,348.03
Expenditures	\$ 777,574.42	\$ 1,583,335.31
<b>Revenues Over/(Under) Expenditures</b>	<b>\$ 717,747.97</b>	<b>\$ 890,012.72</b>

C I T Y O F L A M E S A  
FINANCIAL STATEMENT  
AS OF: NOVEMBER 30TH, 2016

01 -GENERAL FUND  
FINANCIAL SUMMARY

16.67% OF YEAR COMP.

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
REVENUE SUMMARY						
01-TAXES		2,944,979.00	883,020.58	1,261,598.91	42.84	1,683,380.09
02-FRANCHISES AND STREET		571,809.00	24,193.25	51,879.42	9.07	519,929.58
03-PERMITS, LICENSES AND		38,300.00	8,322.04	20,957.27	54.72	17,342.73
04-FINES		80,000.00	3,392.84	7,674.99	9.59	72,325.01
05-RECREATIONAL AND RENTA		20,500.00	522.00	3,555.61	17.34	16,944.39
06-OTHER GOVERNMENTAL AGE		189,867.00	295.65	43,262.40	22.79	146,604.60
07-TRANSFERS		0.00	0.00	0.00	0.00	0.00
08-CHARGES FOR CURRENT SE		15,350.00	45.00	1,530.50	9.97	13,819.50
09-MISCELLANEOUS REVENUES		277,675.68	9,983.37	20,514.62	7.39	257,161.06
19-SOURCE (CHG TO 49XXX)		0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES		4,138,480.68	929,774.73	1,410,973.72	34.09	2,727,506.96

## EXPENDITURE SUMMARY

GENERAL ADMIN SERVICES	217,325.00	15,984.97	41,340.16	19.02	175,984.84
FINANCIAL SERVICES	89,490.00	8,127.75	11,834.49	13.22	77,655.51
PERSONNEL/RISK MGT SERV	60,055.00	3,458.71	9,467.94	15.77	50,587.06
COMMUNITY DEVELOPMENT SER	700.00	77.15	140.44	20.06	559.56
HOUSING ASSISTANCE SERV	14,948.00	3,369.94	11,145.77	74.56	26,093.77
CITY COUNCIL	58,302.00	2,089.48	7,216.31	12.38	51,085.69
CITY HALL	84,075.00	4,612.42	7,714.83	9.18	76,360.17
INTERGOVERNMENTAL	60,652.00	13,835.42	15,085.38	24.87	45,566.62
MUNICIPAL COURT	103,611.00	7,271.33	17,613.85	17.00	85,997.15
VEHICLE REPAIR SERVICES	35,686.00	1,372.54	3,203.28	8.98	32,482.72
VEHICLE PREVENTIVE MNT	2,180.00	57.45	175.38	8.04	2,355.38
FIRE SERVICES	599,158.00	41,400.17	118,590.30	19.79	480,567.70
VOLUNTEER FIRE SERVICES	137,814.00	3,404.55	19,402.17	14.08	118,411.83
PD - GEN'L ADMIN SERV	209,313.00	14,977.46	36,371.03	17.38	172,941.97
COMMUNICATIONS SERVICES	210,990.00	14,266.27	34,366.27	16.29	176,623.73
GEN'L LAW ENFORCEMENT SER	966,102.64	59,684.04	134,595.29	13.93	831,507.35
CRIMINAL INVESTIGATIONS	169,356.00	13,646.88	31,324.07	18.50	138,031.93
JUVENILE SERVICES	0.00	0.00	0.00	0.00	0.00
ANIMAL CONTROL SERVICE	31,489.00	289.99	2,158.06	6.85	29,330.94
EMERGENCY MANAGEMENT SERV	26,710.00	119.83	130.25	0.49	26,579.75
NARCOTICS INTERDICTION	0.00	0.00	0.00	0.00	0.00
STREET MAINTENANCE SERV	263,564.00	13,584.22	32,221.62	12.23	231,342.38
STREET CONST/SEAL COAT	119,032.00	100.00	238.50	0.20	118,793.50
STREET CLEANING SERVICES	95,623.00	2,768.57	5,024.85	5.25	90,598.15
TRAFFIC SERVICES	167,651.00	21,670.09	25,423.19	15.16	142,227.81
INSPECTION SERVICES	142,479.00	6,635.09	18,410.20	12.92	124,068.80
PARK MAINTENANCE SERVICES	270,404.00	17,916.63	39,873.83	14.75	230,530.17
PARK IRRIGATION SERVICES	12,333.00	1,010.01	1,499.86	12.16	10,833.14
COMMUNITY BUILDING SERV	42,429.00	2,332.85	3,739.95	8.81	38,689.05
RECREATIONAL FACILITIES	184,244.24	3,175.64	11,563.62	6.28	172,680.62

C I T Y O F L A M E S A  
FINANCIAL STATEMENT  
AS OF: NOVEMBER 30TH, 2016

01 -GENERAL FUND  
FINANCIAL SUMMARY

16.67% OF YEAR COMP.

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
	SWIMMING POOL SERVICES	76,553.00	830.04	1,457.09	1.90	75,095.91
	TOTAL EXPENDITURES	4,452,268.88	277,954.59	618,685.68	13.90	3,833,583.20
	REVENUES OVER/(UNDER) EXPENDITURES	( 313,788.20)	651,820.14	792,288.04	252.49-	( 1,106,076.24)
	OTHER SOURCES (USES)	0.00	0.00	0.00	0.00	0.00
	REVENUES & OTHER SOURCES OVER (UNDER) EXPENDITURES & OTHER (USES)	( 313,788.20)	651,820.14	792,288.04	252.49-	( 1,106,076.24)



C I T Y O F L A M E S A  
FINANCIAL STATEMENT  
AS OF: NOVEMBER 30TH, 2016

02 -WATER & WASTEWATER ENTER.  
FINANCIAL SUMMARY

16.67% OF YEAR COMP.

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
REVENUE SUMMARY						
	11-OPERATING REVENUES	4,008,106.00	384,299.45	696,697.50	17.38	3,311,408.50
	12-NON-OPERATING REVENUES	232,904.78	130.00	2,679.95	1.15	230,224.83
	TOTAL REVENUES	4,241,010.78	384,429.45	699,377.45	16.49	3,541,633.33
EXPENDITURE SUMMARY						
	WATER PRODUCTION SERVICES	1,477,001.00	97,328.87	217,396.87	14.72	1,259,604.13
	WATER DIST/WASTEWATER SER	1,741,435.78	144,012.16	256,523.95	14.73	1,484,911.83
	WASTEWATER TREATMENT SERV	850,477.00	49,342.74	85,027.32	10.00	765,449.68
	ENGINEERING SERVICES	81,236.00	5,345.75	12,785.27	15.74	68,450.73
	TECHNICAL SERVICES	75,080.00	7,972.40	14,760.22	19.66	60,319.78
	UTILITY BILLING/COLLECT	282,901.00	38,355.95	61,015.10	21.57	221,885.90
	INSPECTION SERVICES	4,875.00	66.70	133.64	2.74	4,741.36
	TOTAL EXPENDITURES	4,513,005.78	342,424.57	647,642.37	14.35	3,865,363.41
	REVENUES OVER/(UNDER) EXPENDITURES	( 271,995.00)	42,004.88	51,735.08	19.02-	( 323,730.08)
	OTHER SOURCES (USES)	0.00	0.00	0.00	0.00	0.00
	REVENUES & OTHER SOURCES OVER (UNDER) EXPENDITURES & OTHER (USES)	( 271,995.00)	42,004.88	51,735.08	19.02-	( 323,730.08)

C I T Y O F L A M E S A  
FINANCIAL STATEMENT  
AS OF: NOVEMBER 30TH, 2016

03 -SOLID WASTE ENTERPRISE  
FINANCIAL SUMMARY

16.67% OF YEAR COMP.

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
REVENUE SUMMARY						
05-RECREATIONAL AND RENTA		0.00	0.00	0.00	0.00	0.00
21-OPERATING REVENUES		1,869,148.00	162,941.96	321,764.92	17.21	1,547,383.08
22-NON-OPERATING REVENUES		79,000.00	5,445.00	14,818.94	18.76	64,181.06
TOTAL REVENUES		1,948,148.00	168,386.96	336,583.86	17.28	1,611,564.14
EXPENDITURE SUMMARY						
SOLID WASTE COLLECTION SV		912,466.00	70,652.13	158,776.79	17.40	753,689.21
SANITARY LANDFILL SERVICE		829,105.00	50,429.13	84,908.39	10.24	744,196.61
SPECIALIZED COLLECTION SV		123,592.00	7,813.89	18,467.01	14.94	105,124.99
ENVIRONMENTAL HEALTH SERV		126,788.00	8,308.88	11,760.82	9.28	115,027.18
TOTAL EXPENDITURES		1,991,951.00	137,204.03	273,913.01	13.75	1,718,037.99
REVENUES OVER/ (UNDER) EXPENDITURES	( 43,803.00)	31,182.93	62,670.85	143.07-	( 106,473.85)	
OTHER SOURCES (USES)						
		0.00	0.00	0.00	0.00	0.00
REVENUES & OTHER SOURCES OVER (UNDER) EXPENDITURES & OTHER (USES)	( 43,803.00)	31,182.93	62,670.85	143.07-	( 106,473.85)	

C I T Y O F L A M E S A  
FINANCIAL STATEMENT  
AS OF: NOVEMBER 30TH, 201618 -MUNICIPAL GOLF COURSE  
FINANCIAL SUMMARY

16.67% OF YEAR COMP.

ACCT#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
REVENUE SUMMARY						
09-MISCELLANEOUS REVENUES		0.00	0.00	0.00	0.00	0.00
31-FEES AND DUES		206,700.00	12,731.25	26,413.00	12.78	180,287.00
TOTAL REVENUES		206,700.00	12,731.25	26,413.00	12.78	180,287.00
EXPENDITURE SUMMARY						
MUNICIPAL GOLF COURSE		204,549.00	19,991.23	43,094.25	21.07	161,454.75
TOTAL EXPENDITURES		204,549.00	19,991.23	43,094.25	21.07	161,454.75
REVENUES OVER/(UNDER) EXPENDITURES		2,151.00	( 7,259.98)	( 16,681.25)	775.51-	18,832.25
REVENUES & OTHER SOURCES OVER (UNDER) EXPENDITURES & OTHER (USES)						
		2,151.00	( 7,259.98)	( 16,681.25)	775.51-	18,832.25



**City of Lamesa**  
**Balance Sheet Summary**  
**As of : November 30th, 2016**

**General Fund (1)**

Assets	\$	3,756,572.35
Liabilities	\$	789,386.35

**Water & Wastewater Fund (2)**

Assets	\$	17,286,776.30
Liabilities	\$	13,522,599.65

**Solid Waste Fund (3)**

Assets	\$	4,060,461.84
Liabilities	\$	1,667,212.08

**Golf Course Fund (18)**

Assets	\$	151,920.55
Liabilities	\$	139,549.32

## 01 -GENERAL FUND

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE
<b>ASSETS</b>		
01-1001	CASH IN BANK	2,272,704.86
01-1002	PETTY CASH	0.00
01-1003	RETURNED CHECKS	5,289.43
01-1004	TAXES RECEIVABLE-DELIQUENT	119,260.13
01-1005	TAXES RECEIVABLE CURRENT	74,644.74
01-1006	PROV. FOR UNCOLLECT TAXES	( 39,006.27)
01-1007	MISC ACCT. RECEIVABLE	2,448.30
01-1008	PROV. UNCOLLEC. ACCT/REC	( 184.11)
01-1009	PAVING LEIN RECEIVABLE	153,782.00
01-1010	UNCOLLECTABLE PAVING LEIN	( 69,202.00)
01-1011	A/R LUBBOCK TASK FORCE	0.00
01-1012	A/R TNRCC	0.00
01-1013	OFFICE SUPPLIES INVENTORY	18,414.91
01-1014	DUE FROM DAWSON COUNTY	0.40
01-1015	CASH IN BANK - PAYROLL	0.00
01-1016	DUE FROM DEBT SERVICE	0.00
01-1017	FUEL TAX C.D.	0.00
01-1018	DUE TO/FROM 1997 TAN	0.00
01-1019	DUE TO/FROM SOLID WASTE FUND	0.00
01-1020	DUE FROM INVESTMENT FUND	860,914.52
01-1021	CAPITAL EQUIPMENT RESERVE	0.00
01-1022	BUILDING & COMPUTER RESERVE	0.00
01-1023	DUE FROM FIRE DEPT. GRANTS	0.00
01-1024	DUE FROM JUSTICE GRANT	0.00
01-1025	DUE TO/ FROM STATE AGENCY	0.00
01-1026	DUE FROM OTHER GOVERNMENTS	32,500.00
01-1027	DUE TO/FROM CAPITAL PROJECT	0.00
01-1028	SALES TAX RECEIVABLE	6,723.78
01-1029	DUE TO/FROM DEBT SERVICE	0.00
01-1030	DUE FROM MOTEL TAX FUND	0.00
01-1031	DUE TO/FROM SPECIAL REV. FUND	0.00
01-1032	DUE FROM INVESTMENT-CIVIC CTR.	0.00
01-1033	ACCOUNTS RECEIVABLE	0.00
01-1034	SALES TAX REC./TX COMPTROLLER	266,864.00
01-1040	TAN I&S RESERVE	0.00
01-1044	CIP - F PARK LIGHT PROJECT	0.25
01-1045	CITY OF LAMESA - CFS FESTIVAL	8,083.56
01-1046	CRIME LINE	2,660.26
01-1050	DUE TO/FROM RISK MGMT & SAFE	0.00
01-1055	DUE FROM INVESTMENT FUND	0.00
01-1060	DUE FROM ECONOMIC DEVELO	40,673.59
01-1070	DUE FROM FORFEITED TRUST	0.00
01-1071	DUE FROM WWF-LAND PURCHASE	0.00
01-1072	DUE TO/FROM GOLF COURSE	0.00
01-1080	D.A.R.E.	0.00
01-1085	DUE FROM HOUSING AUTHORITY	0.00
01-1090	XFER FOR RETIREMENT/C.O.'	0.00
01-1095	DUE FROM LEAP	0.00
		3,756,572.35
TOTAL ASSETS		3,756,572.35

01 -GENERAL FUND

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE
<b>LIABILITIES</b>		
01-2013	PAVING LIEN REFUND PAYABLE	0.00
01-2014	SALES TAX PAYABLE	10,423.67
01-2015	VOUCHERS PAYABLE	323,732.97
01-2016	COMMUNITY BLDG.DEPOSITS	16,610.50
01-2017	REFUND OF CASH DEPOSITS	591.00
01-2018	WAGES PAYABLE	0.00
01-2019	GROUP INSURANCE PAYABLE	0.00
01-2020	WITHHOLDING TAX PAYABLE	4,036.34
01-2021	SOCIAL SECURITY PAYABLE	5,936.22
01-2022	T.M.R.S. PAYABLE	7,524.91
01-2023	AUTO ALLOWANCE PAYABLE	0.00
01-2024	BONDS	0.00
01-2025	DEDUCTIONS PAYABLE	5,384.77
01-2026	WORKERS COMPENSATION	0.00
01-2027	AIRPORT	0.00
01-2028	OPTIONAL LIFE PAYABLE	0.00
01-2029	DUE TO SWMF	0.00
01-2030	GOVERNOR'S TAX PAYABLE	0.00
01-2031	TRANS.FOR RET.BONDS	0.00
01-2032	DUE TO STATE AGENCY	0.00
01-2033	C.D.B.G.	0.00
01-2034	DUE TO LAMESA HOUSING	0.00
01-2035	TRANS. FROM DEVELOP. FUND	0.00
01-2036	TEEN COURT ADMIN FEE	160.00
01-2037	DUE TO RISK MGT & SAFETY	0.00
01-2038	DUE TO/FROM WATER FUND	0.00
01-2039	WARRANTS PAYABLE	0.00
01-2040	UNITED FUND	183.00
01-2041	SALES TX DUE TO LEDC -TX COMPT	44,477.00
01-2042	DUE TO LEAP -SALES TAX	44,477.00
01-2043	TMRS EMPLOYEE BACK PAY	886.49
01-2044	FLEX SPENDING ACCT. (FSA)	0.00
01-2045	PROV. FOR COMP.ABSENCES	0.13
01-2048	1992 C O DEBT-PRINCIPAL	0.00
01-2049	1992 C.O. DEBT	0.00
01-2050	TCMA-RC PAYABLE	0.00
01-2051	COURT BONDS PAYABLE	0.00
01-2052	COURT BUILDING SECURITY FUND	13,256.07
01-2053	COURT TECHNOLOGY FEE	5,923.57
01-2055	TAN I&S PRINCIPAL	0.00
01-2056	TAN I&S INTEREST	0.00
01-2070	GROUP INS. PRE-TAX	0.00
01-2075	EMPLOYEE REIMB. SICK LEAVE	0.00
01-2080	DEFERRED REVENUE-PAVING	0.00
01-2081	DEFERRED REVENUE-TAXES	154,898.62
01-2082	DEFERRED REVENUE-MISC. POLICE	0.14
01-2083	DEFERRED REVENUE REVITAL GRANT	0.00
01-2084	DEFERRED REVENUE- CIVIC CENTER	0.00
01-2085	AFLAC PRE-TAX	3,125.97

## 01 -GENERAL FUND

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE
01-2086	DEFERRED REV.-POLICE DONATIONS	1,811.89
01-2087	DEFERRED REV.-COURTHOUSE PROJ.	0.00
01-2088	DEFERRED REVENUE-SWAT DONATION	696.00
01-2089	DEFERRED REVENUE/FIRE PROTECTI	0.00
01-2090	AFLAC POST TAX	622.94
01-2091	DEFERRED REV.-L.I.S.D. BUYMONE	3,786.50
01-2092	AIR MED CARE	0.00
01-2094	NEW YORK LIFE INS. PAYABLE	( 595.10)
01-2095	VISION INS. PAYABLE	766.68
01-2096	EMPLOYEE LEGAL SERV. PAYABLE	181.30
01-2097	WORK BOOTS PAYABLE	( 1,545.66)
01-2098	DEFERRED REV. - SPORTS COMPLEX	84,580.00
01-2099	JAE FITNESS PAYABLE	( 745.03)
01-2150	ACCRUED PAYABLES	0.00
01-2160	ACCRUED PAYROLL LIABILITY	58,199.00
01-2999	PROFIT & LOSS	0.00
	TOTAL LIABILITIES	789,386.35
EQUITY		
01-3001	FUND BALANCE	1,988,510.02
01-3002	RESERVE-CAPITAL EQUIPMENT	0.00
01-3003	RESERVE-BUILDING & COMPUTER	0.00
01-3010	C.O. INTEREST	0.00
01-3011	C.O. PRINCIPAL	0.00
01-3012	TAN INTEREST	0.00
01-3013	TAN PRINCIPAL	0.00
01-3014	OTHER PRINCIPAL	0.00
01-3015	OTHER INTEREST	0.00
	TOTAL BEGINNING EQUITY	1,988,510.02
	TOTAL REVENUE	1,410,973.72
	TOTAL EXPENSES	618,685.68
	TOTAL REVENUE OVER/(UNDER) EXPENSES	792,288.04
	(WILL CLOSE TO FUND BAL.)	186,387.94
	TOTAL EQUITY & REV. OVER/(UNDER) EXP.	2,967,186.00
	TOTAL LIABILITIES, EQUITY & REV.OVER/(UNDER) EXP.	3,756,572.35

02 -WATER &amp; WASTEWATER ENTER.

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE
<b>ASSETS</b>		
02-1001	CASH IN BANK	28,638.22
02-1002	CASH IN DRAWER	0.00
02-1003	DUE FROM INVESTMENTS/WATER DEP	29,110.05
02-1004	CAPITAL EQUIPMENT RESERVE	157,451.45
02-1005	W.S.G. CHGS. RECEIVABLE	188,058.35
02-10051	REFUNDS PAYABLE	( 363.44)
02-10052	UTILITY A/R SUSPENSE	0.00
02-10053	UNAPPLIED US REVENUE	( 12,940.24)
02-10054	US GL RECON REPORT	0.00
02-1006	PROV.FOR UNCOLLECT. ACCTS	( 12,350.21)
02-1007	INVENTORY SUPPLIES	145,479.36
02-1008	WW. TRMT PLNT .RES.INVESTMENTS	90,509.10
02-1009	UTILITY SYSTEM IMPROV RESERVE	0.00
02-1010	UNAMORTIZED TAN ISSUE COSTS	0.00
02-1011	AMORT.OF DISC. & PREMIUMS	0.00
02-1012	WATER SYSTEM LAND	33,460.47
02-1013	WATER RIGHTS PURCHASED	6,680,247.00
02-1014	WALKS, DRIVES & FENCES	13,972.20
02-1015	BUILDINGS	222,962.45
02-1016	WELLS & WELL HOUSES	760,944.63
02-1017	BOOSTER STAT. AND STORAGE	2,291,808.72
02-1018	WATER LINES,VALVES & FITT	3,159,210.19
02-1019	WATER TAPS AND METERS	2,254,225.62
02-1020	AUTOMOTIVE & MISC.EQUIP.	2,018,493.59
02-1021	FIRE HYDRANTS	67,134.14
02-1022	WATER SYST. DEPRECIATION	( 9,462,727.00)
02-1023	SEWER SYSTEM-LAND & LAGOO	95,540.50
02-1024	SEWAGE LIFT STATIONS	672,855.55
02-1025	DISPOSAL PLANT	359,628.45
02-1026	SEWER LINES	1,114,377.03
02-1027	SEWER SYS. DEPRECIATION	( 1,246,569.00)
02-1028	DUE TO/FROM SOLID WASTE	0.00
02-1029	ELECTRICAL INVENTORY	0.00
02-1030	WW LIFTSTATION/LUBBOCK HWY.	472.44
02-1031	ACCOUNTS REC. - TRRA	0.00
02-1032	06 TAN ISSUANCE COSTS	54,238.24
02-1033	06 TAN AMORTIZATION	53,673.00
02-1035	DUE FROM TCDP GRANT	0.00
02-1036	DUE FROM INV. FUND-TX NOTE 06	17,915.69
02-1037	DUE TO INVESTMENT - WTR. TOWER	386,447.54
02-1039	WATER TREATMENT PLANT	6,826,216.77
02-1040	WW TRMT PLANT RES.	0.00
02-1050	CASH IN BANK-TRMT PLANT	701.75
02-1060	CIP - NEW WATER WELL PROJECT	( 0.23)
02-1065	CIP - LUBBOCK HWY LIFTSTATION	0.16
02-1070	CIP - ELEVATED STORAGE TANK	0.24
02-1075	CIP - WATER MAIN IMP, HWY 87	( 0.48)
02-1080	NET PENSION ASSET (LIABILITY)	223,003.00
02-1081	DEFERRED OUTFLOW-PENSION CONTR	17,900.00



02 -WATER &amp; WASTEWATER ENTER.

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE
02-1082	DEFERRED OUTFLOW-PENSION INV E	34,160.00
02-1083	L.E.D.C. PRISON TOWER REC.	22,891.00
		17,286,776.30

TOTAL ASSETS

17,286,776.30

## LIABILITIES

02-2010	DUE TO LAMESA EDC	0.00
02-2013		0.00
02-2025	REVENUE RECOVERY LIABILITY	( 236.77)
02-2026	REVENUE RECOVERY FEES	1,569.45
02-2027	UNDEPOSITED METER DEPOSIT	0.00
02-2028	WATER DEPOSITS	251,568.98
02-2029	T.M.R.S. PAYABLE	0.00
02-2030	F.I.C.A. PAYABLE	753.00
02-2031	VOUCHERS PAYABLE	0.00
02-2032	BONDS PAYABLE-PRISON	0.00
02-2033	CONTRIBUTED BY DEVELOPERS	255,845.00
02-2034	CONTRIBUTED BY U.S. GOV'T	236,875.39
02-2035	RES.RETIRE.OF BONDS & INT	0.00
02-2036	EARNED SURPLUS INVESTED	0.00
02-2037	EARNED SURPLUS UNAPPROPR.	0.00
02-2038	INT. ON B.F. INVESTMENT	0.00
02-2039	TRANS. FOR RET. OF BONDS	0.00
02-2040	OPERATING TRANSFER	0.00
02-2041	BOND INTEREST EXPENSE	0.00
02-2042	HANDLING FEES	0.00
02-2043	CAPITAL PROJECT FUNDS	440,420.21
02-2045	PROV.COMPENSATED ABSENCES	41,251.02
02-2046	DUE TO/FROM GENERAL FUND	0.00
02-2047	DUE TO SOLID WASTE	0.00
02-2048	DUE TO RISK MGT & SAFETY	0.00
02-2049	1992 C.O. DEBT NON CURRENT	0.00
02-2050	NOTE PAYABLE- 2006 TAX NOTES	0.00
02-2051	NOTE PAYABLE-CAT FINANCE	0.00
02-2052	LEASE PAYABLE-AAIG (NON-CURRENT	397,598.78
02-2053	NOTES PAYABLE-WSB (NONCURREN).	( 0.40)
02-2054	BONDS PAYABLE - USDA	4,488,000.00
02-2055	CONTRIBUTED CAPITAL-TCDP	864,400.00
02-2056	CONTRIBUTED CAPITAL-TDCJ	133,567.10
02-2057	DUE TO G/F - LAND PURCHASE	0.00
02-2058	DUE TO SWMF - LAND PURCHASE	75,000.00
02-2059	DUE TO CAP. PROJ.-LAND PURCHAS	0.00
02-2060	AFLAC PRE-TAX	0.00
02-2061	DUE TO/FROM GOLF COURSE FUND	0.00
02-2070	GROUP INS. PRE-TAX	0.00
02-2085	AFLAC PRE-TAX	0.00
02-2090	AFLAC POST TAX	0.00
02-2095	VISION INS. PAYABLE	0.42
02-2160	ACCRUED PAYROLL LIABILITY	19,383.00

## 02 -WATER &amp; WASTEWATER ENTER.

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE
02-2900	CURRENT PORTION 91 C.O.'S	0.00
02-2901	CURRENT PORTION - USDA	73,000.00
02-2902	CURRENT PORTION-2006 TAN	0.00
02-2903	CURRENT PORTION-CAT FINANCE	0.00
02-2904	LEASE PAYABLE-AAIG (CURRENT)	171,470.00
02-2905	NOTES PAYABLE-WSB (CURRENT)	0.33)
02-2906	NOTES PAYABLE-SOUTH PLAINS COM	0.00
02-2909	TAX NOTE 2013 - ST	99,000.00
02-2910	TAX NOTE 2013 L-T	413,000.00
02-2911	CURRENT PORTION COMP ABSE	11,634.80
02-2912	TAX NOTE 2013-A L-T	603,000.00
02-2913	TAX NOTE 2013A - S-T	144,000.00
02-2914	TAX NOTE 2014 L-T	253,775.00
02-2915	TAX NOTE 2014 S-T	79,380.00
02-2920	DEFERRED REV-LIFTSTATION PROJ.	0.00
02-2925	CONJ. USE SERIES 2011-NONCURRE	1,492,586.00
02-2926	CONJ USE SERIES 2011-CURRENT	71,703.00
02-2927	REFUNDING 2010 - NON CURRENT	70,239.00
02-2928	REFUNDING SERIES 2010-CURRENT	14,118.00
02-2929	RECLAMATION 2010 - NON CURRENT	249,491.00
02-2930	RECLAMATION 2010 - CURRENT	81,917.00
02-2931	GROUNDWATER 2009-NON CURRENT	343,701.00
02-2932	GROUNDWATER 2009 - CURRENT	19,248.00
02-2933	GROUNDWATER 2008 - NONCURRENT	0.00
02-2934	GROUNDWATER 2009 - CURRENT	19,883.00
02-2935	GROUNDWATER 2005-NONCURRENT	0.00
02-2936	GROUNDWATER 2005 - CURRENT	0.00
02-2937	GROUNDWATER 2012-NONCURRENT	921,851.00
02-2938	GROUNDWATER 2012-CURRENT	25,113.00
02-2939	2014 BOND (2005) ST	76,139.00
02-2940	2014 BOND (2005) LT	284,934.00
02-2941	2014 PREMIUM (2005)	36,319.00
02-2942	2014 BOND (2006) ST	27,010.00
02-2943	2014 BOND (2006) LT	624,402.00
02-2944	2014 PREMIUM (2006)	100,496.00
02-2950	DEFERRED OUTFLOW-PENSION	9,195.00
02-2999	PROFIT & LOSS	0.00
	TOTAL LIABILITIES	13,522,599.65
EQUITY		
02-3001	FUND BALANCE	3,721,140.53
02-3002	RESERVE-UTILITY SYSTEM IMPROV	0.00
02-3010	C.O. INTEREST	0.00
02-3012	TAN INTEREST	0.00
	TOTAL BEGINNING EQUITY	3,721,140.53

02 -WATER &amp; WASTEWATER ENTER.

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE
<hr/>		
	TOTAL REVENUE	699,377.45
	TOTAL EXPENSES	647,642.37
	TOTAL REVENUE OVER/(UNDER) EXPENSES	51,735.08
	(WILL CLOSE TO FUND BAL.)	( 8,698.96)
	TOTAL EQUITY & REV. OVER/(UNDER) EXP.	3,764,176.65
	TOTAL LIABILITIES, EQUITY & REV.OVER/(UNDER) EXP.	17,286,776.30
		<hr/>

## 03 -SOLID WASTE ENTERPRISE

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE
<b>ASSETS</b>		
03-1001	CASH IN BANK	669,767.40
03-1002	CASH IN BANK - DEBT SERVICE	0.00
03-1003	CASH IN BANK - CAPITAL RESERVE	0.00
03-1004	DUE FROM GENERAL FUND	0.00
03-1005	DUE FROM WASTEWATER	0.00
03-1006	DUE FROM WWF- LAND PURCHASE	75,000.00
03-1007	DUE FROM INVESTMENTS-DEBT SERV	0.00
03-1008	DUE FROM INV.-CAPITAL RESERVE	117,257.73
03-1010	UNAMORTIZED TAN ISSUE COSTS	0.00
03-1011	GARBAGE CHG. RECEIVABLE	92,313.10
03-1012	UNCOLLECTIBLE GARB.CHGS.	( 9,862.99)
03-1013	GRANT PROCEEDS RECEIVABLE	0.00
03-1014	LAND	143,957.00
03-1015	BUILDINGS	2,349,264.61
03-1019	AUTOMOTIVE & MISC.EQUIP.	4,554,156.77
03-1020	DUE FROM INVESTMENT FUND	0.00
03-1021	CAPITAL EQUIPMENT RESERVE	45,051.17
03-1022	POST CLOSURE RESERVE	613,596.15
03-1023	ENVIROMENTAL OPER CENTER RES	0.00
03-1024	RESERVE FOR TAN I&S	0.00
03-1027	05 TAN ISSUANCE COSTS	0.00
03-1028	ACCUM. AMORT-ISSUANCE COSTS	( 0.27)
03-1030	CIP - NEW LANDFILL CELL #4	( 0.45)
03-1050	ACCUMULATED DEPRECIATION	( 4,727,457.38)
03-1080	NET PENSION ASSET (LIABILITY)	111,410.00
03-1081	DEFERRED OUTFLOW-PENSION CONTR	8,943.00
03-1082	DEFERRED OUTFLOW-PENSION INV	17,066.00
		4,060,461.84
TOTAL ASSETS		4,060,461.84

## LIABILITIES

03-2010	DUE TO/FROM GENERAL FUND	0.00
03-2013		0.00
03-2020	DUE TO/FROM WASTE WATER	0.00
03-2021	POSTCLOSURE RESERVE	0.00
03-2022	DUE TO RISK MGT & SAFETY	0.00
03-2030	CONTRIBUTED CAPITAL - SCALE	41,191.00
03-2040	TAN INTEREST EXPENSE	0.00
03-2041	BOND INTEREST EXPENSE	0.00
03-2042	LOSS ON EQUIPMENT	0.00
03-2044	CUR.PROV FOR COMP.ABSENCE	5,864.47
03-2045	PROV-COMPENSATED ABSENCE	20,789.84
03-2049	1992 C.O. DEBT NON-CURRENT	0.00
03-2050	N/P - CATEPILLAR (DOZER)	( 0.25)
03-2051	EST.LIAB.LANDFILL CLOSURE	493,535.18
03-2052	OUTSOURCE LEASE-MAD VAC S-T	0.00
03-2053	CATEPILLAR LEASE - S-T	0.15

## BALANCE SHEET

AS OF: NOVEMBER 30TH, 2016

## 03 -SOLID WASTE ENTERPRISE

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE
03-2054	2005 TAX NOTE -CURRENT PORTION	0.00
03-2055	N/P CATERPILLAR (BULLDOZER)	0.31
03-2056	TAN I&S INTEREST	0.00
03-2060	AFLAC PRE-TAX	0.00
03-2065	N/P KSB - GARBAGE TRUCK	0.00
03-2070	GROUP INS. PRE-TAX	0.00
03-2085	AFLAC PRE-TAX	0.00
03-2090	AFLAC POST TAX	0.00
03-2095	VISION INS. PAYABLE	0.00
03-2096	N/P-CATERPILLAR 930H - LT	46,693.00
03-2097	N/P - CATERPILLAR 930H - ST	22,266.00
03-2098	N/P CATERPILLAR (BACKHOE) ST	0.00
03-2160	ACCURED PAYROLL LIABILITY	11,339.00
03-2165	N/P MACK TRUCK W/ SIDELOAD -LT	41,166.00
03-2166	N/P MACK TRUCK W/ SIDELOAD -ST	39,586.00
03-2901	CURRENT PORTION 92 C.O.'S	25,867.00
03-2902	CURRENT PORTION-1997 TAN	26,900.00
03-2903	OUTSOURCE LEASE- MAD VAC L-T	0.00
03-2904	CATERPILLAR LEASE - L-T	0.00
03-2905	2005 TAX NOTE (LT)	0.00
03-2906	ST-CATERPILLAR LOADER 2015	14,525.00
03-2907	LT - CATERPILLAR LOADER 2015	130,585.00
03-2908	ST-CATERPILLAR BULL DOZER 2015	42,779.00
03-2909	LT-CATERPILLAR BULL DOZER 2015	155,133.00
03-2910	TAX NOTE 2012 - LT	413,900.00
03-2911	TAX NOTE 2012 - ST	130,500.00
03-2950	DEFERRED INFLOW-PENSION	4,593.00
	TOTAL LIABILITIES	1,667,212.08
EQUITY		
03-3001	FUND BALANCE	2,034,191.13
03-3002	INVESTMENT IN PROPERTY	0.00
03-3003	UNRESERVED FUND BALANCE	0.00
03-3004	POSTCLOSURE RESERVE	107,228.18
03-3005	RESERVE ENVIROMENTAL OPER CNTR	0.00
03-3010	C.O. INTEREST	0.00
03-3012	TAN INTEREST	0.00
	TOTAL BEGINNING EQUITY	2,141,419.31
TOTAL REVENUE		
		336,583.86
TOTAL EXPENSES		
		273,913.01
	TOTAL REVENUE OVER/(UNDER) EXPENSES	62,670.85
	(WILL CLOSE TO FUND BAL.)	189,159.60
TOTAL EQUITY & REV. OVER/(UNDER) EXP.		
		2,393,249.76
TOTAL LIABILITIES, EQUITY & REV.OVER/(UNDER) EXP.		
		4,060,461.84

## 18 -MUNICIPAL GOLF COURSE

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE	
<b>ASSETS</b>			
18-1001	CASH	( 57,629.05)	
18-1005	GOLF FEES RECEIVABLE	26,304.20	
18-1020	LAND IMPROVEMENTS	79,362.32	
18-1021	EQUIPMENT	169,603.08	
18-1022	DEPRECIATION	( 120,174.00)	
18-1023	BUILDINGS & IMPROVEMENTS	12,143.00	
18-1028	SALES TAX RECEIVABLE	0.00	
18-1030	DUE TO/FROM WATER FUND	0.00	
18-1080	NET PENSION ASSET (LIABILITY)	34,304.00	
18-1081	DEFERRED OUTFLOW-PENSION CONTR	2,753.00	
18-1082	DEFERRED OUTFLOW-PENSION INV.	5,254.00	
		151,920.55	
TOTAL ASSETS			151,920.55
<b>LIABILITIES</b>			
18-2010	DUE TO/FROM GENERAL FUND	0.00	
18-2013	NOTES PAYABLE-OUTSORCE/CURR.	0.00	
18-2014	SALES TAX PAYABLE	0.00	
18-2015	NOTE PAYABLE-WELL FARGO-CURREN	0.00	
18-2016	DUE TO RISK MGMT.	96,624.00	
18-2017	NOTES PAYABLE	0.00	
18-2018	NOTES PAYABLE - OUTSOURCE	0.00	
18-2044	COMP. ABSENCES - CURRENT	2,762.21	
18-2045	COMP. ABSENCES - LONG TERM	9,791.11	
18-2160	ACCRUED PAYROLL LIABILITY	3,268.00	
18-2902	RANGE BALL SERVER -ST PORTION	9,575.00	
18-2903	PNC GOLF CAR LEASE - LT	6,447.00	
18-2904	PNC GOLF CAR LEASE - ST	9,668.00	
18-2906	RANGE BALL SERVER- LT PORTION	0.00	
18-2950	DEFERRED INFLOW-PENSION	1,414.00	
	TOTAL LIABILITIES	139,549.32	
<b>EQUITY</b>			
18-3001	FUND BALANCE	29,052.48	
	TOTAL BEGINNING EQUITY	29,052.48	
	TOTAL REVENUE	26,413.00	
	TOTAL EXPENSES	43,094.25	
	TOTAL REVENUE OVER/(UNDER) EXPENSES	( 16,681.25)	
	TOTAL EQUITY & REV. OVER/(UNDER) EXP.	12,371.23	
	TOTAL LIABILITIES, EQUITY & REV.OVER/(UNDER) EXP.		151,920.55

# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: DECEMBER 20, 2016**

**AGENDA ITEM: 16**

---

**SUBJECT: CITY MANAGER REPORT**

**SUBMITTED BY: City Manager**

### **SUMMARY STATEMENT**

- a) City Hall Closed for Christmas – December 25 & 26, 2016 (holiday falls on weekend, Monday closed)
- b) City Hall Closed for New Year's Day – January 2, 2017 (holiday falls on weekend, Monday closed)

### **COUNCIL ACTION**

No City Council action required.

# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: DECEMBER 20, 2016**

**AGENDA ITEM:17**

---

**SUBJECT: MAYORS REPORT**  
**SUBMITTED BY: Mayor**

### **SUMMARY STATEMENT**

Mayor to report on current activities and to answer questions from City Council.

- a. Report on Boys and Girls Club Lake Project

### **COUNCIL ACTION**

No City Council action required.



# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: DECEMBER 20, 2016**

**AGENDA ITEM: 18**

**SUBJECT: EXECUTIVE SESSION**

**SUBMITTED BY: City Manager**

### **SUMMARY STATEMENT**

Council to consider convening into closed executive session under Sec. 551.074, Texas Government Code: "Personnel Matters; CLOSED MEETING. (a) This chapter does not require a governmental body to conduct an open meeting: (1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee."

- Implementation of new Fair Labor Standards Act ruling (effective December 1, 2016) resulting in compensation changes for City Secretary & City Housing Authority Director/Purchasing Agent.

### **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" \_\_\_\_\_

# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: DECEMBER 20, 2016**

**AGENDA ITEM: 19**

---

**SUBJECT: OPEN SESSION**

**SUBMITTED BY: City Manager**

### **SUMMARY STATEMENT**

Reconvene into open session to consider and discuss taking action regarding items discussed in Closed Session.

### **COUNCIL ACTION**

City Council action if desired and/or or give City staff direction.

# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: DECEMBER 20, 2016**

**AGENDA ITEM: 20**

**ADJOURNMENT:** *Announcement by the Mayor* – “The next regular meeting of the City Council of the City of Lamesa, Texas will be held at 5:30 p.m., on **TUESDAY, JANUARY 17, 2017** at City Hall, 601 South First Street. Persons desiring to present business to the City Council at that meeting are directed to submit a request in writing to the city secretary by **Wednesday, JANUARY 13, 2017**, in order to be included on the agenda. There being no other business, the meeting is hereby adjourned.”