



CITY COUNCIL AGENDA

NOTICE IS GIVEN THAT THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS, WILL MEET IN A REGULARLY SCHEDULED MEETING AT 5:30 P.M. ON TUESDAY, AUGUST 8, 2017, 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.

APPROVAL OF THE MINUTES: Approval of the minutes of the council meetings held on July 17th, 2017 and July 18th, 2017.

4) **PROCLAMATION FOR "NATIONAL HEALTH WEEK" – SOUTH PLAINS RURAL HEALTH SERVICE:** City Council to issue a proclamation declaring August 13-19th, 2017 as "National Health Week."

5) **LEDC/LEAP QUARTERLY REPORT:** City Council to hear from Nathan Tafoya regarding LEDC/LEAP Quarterly Report.

6) **APPOINTMENT – CANADIAN RIVER MUNICIPAL WATER AUTHORITY BOARD MEMBER:** City Council to consider a resolution appointing Cris Norris as a Board Member to the Canadian River Municipal Water Authority, for a two (2) year term ending on July 2019. *(Mr. Dale Newberry's term expired July 2017. Mr. Norris has agreed to serve.)*

7) **CERTIFICATION OF DIRECTOR AND OATH OF OFFICE – NEWLY APPOINTED CRMWA BOARD MEMBER:** Administer Oath of Office to the new CRMWA Board Member and Mayor to sign Certification of Director. *(City Attorney)*

8) **REQUEST FOR ZONE CHANGE FOR MANUFACTURED HOMES:** Consider passing an Ordinance on second reading to change the zoning designation of the following described property from a District R-1 to a District M-1 (area between 1100-1200 Block of North 5th, North 6th and North 7th Streets and 600-700 Block of N. Avenue K) to-wit:

All of Lots 4 through 8, inclusive, in Block 1; all of Lots 1 through 12, inclusive, in Block 2; all of Lots 1 through 12, inclusive, in Block 3; and all of Lots 7 through 12, inclusive, in Block 4, of the Barron Addition to the Town of Lamesa, Dawson County, Texas;

upon the recommendation of the Planning and Zoning Commission. *(Building Official)*

9) **RESOLUTION TO JOIN STATE OF TEXAS CO-OP PROGRAM:** City Council to consider passing a resolution authorizing participation in the Cooperative Purchasing Program of the Texas Comptroller of Public Accounts pursuant to §271.081 of the Local Government Code. *(City Manager & Finance Director)*

- 10)REQUEST TO REFUND WILTON AND WEAVER FOUNDATION DONATIONS FOR BOYS & GIRLS CLUB LAKE PROJECT:** City Council to consider refunding donations of the Wilton and Weaver Foundations to the Wilton Foundation for the construction of the Boys and Girls Lake Club Project. *(Mayor and City Manager)*
- 11)APPROVAL OF 1ST PAYMENT TO MANDRY FOR TECHNOLOGY PROJECT:** City Council to consider approving the 1st payment to Mandry to initiate the ordering of new equipment for the recently awarded Technology Project. *(City Manager)*
- 12)REPAIR OF 2010 FREIGHTLINER CHALLENGER GARBAGE TRUCK:** City Council hear an update regarding cost of repairs to the 2010 Freightliner Challenger Garbage Truck and authorize related expenditures. *(City Manager, Finance Director and Director of Sanitation/Landfill)*
- 13)BUDGET AMENDMENT VII:** City Council to consider amending Ordinance O-18-16 on first reading with respect to October 1, 2016 fiscal year budget. *(City Manager)*
- 14)PUBLIC HEARING ON REQUEST FOR ZONE CHANGE – 100 N. 7TH STREET:** Public hearing regarding a zone change for the following property:

A 7.246 ACRE TRACT MORE FULLY DESCRIBED AS ALL OF LOT 5 AND THE WEST PART OF LOT 6, LAMESA INDUSTRIAL PARK, AN ADDITION TO THE CITY OF LAMESA OUT OF SECTION. 71, BLOCK 35, T-6-N, T. & P. RY. CO. SURVEY, DAWSON COUNTY, TEXAS, AND PART OF THE EAST 1/2 OF THAT PART OF THE SOUTH PLAINS AND LAMESA RAILROAD RIGHT-OF-WAY LYING WESTERLY OF SAID LOTS, AS SHOWN ON THE SURVEY ATTACHED,

from Zoning District I-2 HEAVY INDUSTRY to Zoning District R-3 MULTI FAMILY RESIDENTIAL for apartments located at 100 N. 7th Street, Lamesa, Texas upon recommendation of the Planning and Zoning Commission in **CASE NO. PZ 16-2**, recommending that the petition of DANNY GREEN, PO BOX 25, SUNDOWN, TEXAS 79372 AND SALEM CLARK DEVELOPMENT (SUCCESSOR IN INTEREST TO STATE STREET DEVELOPMENT AND THE LAMESA FAM, LP) to change the zoning of the property to permit the building of apartments be granted.

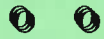
- 15)REQUEST FOR ZONE CHANGE – 100 N. 7TH STREET:** City Council to consider approving an Ordinance on first reading approving a zone change for the following property:

A 7.246 ACRE TRACT MORE FULLY DESCRIBED AS ALL OF LOT 5 AND THE WEST PART OF LOT 6, LAMESA INDUSTRIAL PARK, AN ADDITION TO THE CITY OF LAMESA OUT OF SECTION. 71, BLOCK 35, T-6-N, T. & P. RY. CO. SURVEY, DAWSON COUNTY, TEXAS, AND PART OF THE EAST 1/2 OF THAT PART OF THE SOUTH PLAINS AND LAMESA RAILROAD RIGHT-OF-WAY LYING WESTERLY OF SAID LOTS, AS SHOWN ON THE SURVEY ATTACHED,

from Zoning District I-2 HEAVY INDUSTRY to Zoning District R-3 MULTI FAMILY RESIDENTIAL for apartments on such property located at 100 N. 7th Street, Lamesa, Texas upon recommendation of the Planning and Zoning Commission. *(City Manager and Building Official)*

- 16)PURCHASE ROOFING REPAIR SERVICES:** City Council to consider awarding repairs of roofing to multiple vendors for designated City-owned buildings through TIPS/TAPS (similar to Buyboard), a state purchasing cooperative, as recommended by 4T Partnership (a TML partner). *(City Manager & Scott Franklin, 4T Partnership/TML Partnership)*

- 17)CALL FOR BID – GENERAL CONTRACTOR FOR HAIL DAMAGE REPAIR ON CITY BUILDINGS:** City Council to consider call for bids for repairs of roofing on City-owned buildings. *(City Manager & Scott Franklin, 4T Partnership/TML Partnership)*
- 18)TELECOMMUNICATIONS SERVICES AGREEMENT (CLARATIVE COMMUNICATIONS / AT&T):** City Council to consider entering into a 36 month Telecommunications Services Agreement with Clarative Communications, LLC to provide designated telecommunications services, including Private IP, Data Center Services, Internet, and Private Line Services provided by AT&T at favorable pricing and award contract. *(City Manager)*
- 19)EMPLOYEE ASSISTANCE PROGRAM (EAP) AGREEMENT WITH TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER:** City Council to consider approving an agreement with Texas Tech University Health Sciences Center to provide an Employee Assistance Program (EAP) to benefit City employees and volunteer firefighters. *(Human Resources Director)*
- 20)CRMWA REFUNDING OF CONTRACT REVENUE BONDS, SERIES 2009:** City Council to consider and take action approving a resolution authorizing refunding of Canadian River Municipal Water Authority Contract Revenue Bonds, Series 2009 (Conjunctive Use Groundwater Supply Project). *(Mayor and City Manager)*
- 21)PRESENTATION TO GOVERNING BODY OF THE CITY'S 2017 CERTIFIED APPRAISAL ROLL, EFFECTIVE TAX RATE AND ROLLBACK TAX RATE CALCULATIONS:** City Manager to present to City Council the City's 2017 Certified Appraisal Roll, the Effective Tax Rate and the Rollback Tax Rate Calculations as certified by the Dawson County Central Appraisal District, Chief Appraiser Norma Brock. *(City Manager)*
- 22)AD VALOREM TAX RATE – 2017:** City Council to discuss and set the proposed tax rate, consider voting to holding two (2) public hearings on a proposal to increase the total tax revenues of the City of Lamesa from properties on the tax roll and take a record vote on the following dates:
- Proposed 1st Public Hearing: Tuesday, August 22nd, 2017, 5:30 p.m. at City Hall, 601 S. 1ST Street, Lamesa, TX.
 - Proposed 2nd Public Hearing – Tuesday, August 29th, 2017, 5:30 p.m. at City Hall, 601 S. 1ST Street, Lamesa, TX.
- 23)FY 2017/2018 BUDGET DISCUSSION / WORKSHOP:** Council to meet with city staff to discuss and make changes to the 2017 – 2018 Proposed Operating Budget.
- a) General Fund Proposed Budget *(Department Heads and City Manager)*
 - b) Water/Wastewater Utility Fund Proposed Budget *(Department Heads and City Manager)*
 - c) Solid Waste Fund Proposed Budget *(Department Heads and City Manager)*
 - d) All Other Funds Proposed Budgets *(Department Heads and City Manager)*
 - e) Other Fees *(Department Heads and City Manager)*
 - f) Capital Needs *(Department Heads and City Manager)*
- 24)CITY MANAGER REPORT:** City Manager to report on current activities and answer questions from the City Council.
- 25)MAYORS REPORT:** Mayor to report on future plans and goals.
- 26)ADJOURNMENT:** *The next regularly scheduled meetings of the City Council of the City of Lamesa will be August 22nd, 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: Betty Conde at 806-872-4322

✉ 601 South First Street, Lamesa, Texas 79331

☎ **Telephone - (806) 872-4322**

☎ **Fax - (806) 872-4338**

CERTIFICATION OF NOTICE



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

Betty Conde, City Secretary

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: AUGUST 8, 2017

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
VACANT	Council Member – District 3
BOBBY G. GONZALES	Mayor Pro-tem/Council Member – District 4
FRED VERA	Council Member – District 5
DOUGLAS MORRIS	Council Member – District 6

City Staff members present at the meeting:

SHAWNA D. BURKHART	City Manager
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: AUGUST 8, 2017

AGENDA ITEM: 3

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

SUMMARY STATEMENT

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

- a. **APPROVAL OF THE MINUTES:** Approval of the minutes of the council meetings held on July 17th, 2017 and July 18th, 2017.

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.**

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

MINUTES OF THE CITY COUNCIL REGULARLY SCHEDULED MEETING:

July 17, 2017

On this the 17th day of June, 2017, at 5:30 P.M., there came on and was held a Regularly Scheduled meeting of the City Council of the City of Lamesa, Dawson County, Texas. Notice of such meeting having been posted at the City Hall at 601 South First Street in the City of Lamesa, Texas in accordance with the provisions of the Texas Open Meetings Act (Texas Govt. Code, Chapter 551). The following items were listed on the notice and the following proceedings were had, viz.:

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

JOSH STEVENS
MARIE BRISENO
BRANT STEWART
BOBBY G. GONZALES

VACANT
FRED VERA
DOUGLAS MORRIS

MAYOR
COUNCIL MEMBER – DISTRICT 2
COUNCIL MEMBER – DISTRICT 1
MAYOR PRO TEM/COUNCIL MEMBER
– DISTRICT 4
COUNCIL MEMBER – DISTRICT 3
COUNCIL MEMBER – DISTRICT 5
COUNCIL MEMBER – DISTRICT 6

City staff members present at the meeting:

SHAWNA D. BURKHART
RUSSELL CASSELBERRY
IRMA RAMIREZ

CITY MANAGER
CITY ATTORNEY
HUMAN RESOURCES

Members of the public present at the meeting:

Sandy Trevino
Dale Alwan
David Burkhart

Mike Lopez
Harrel Hallmark
Victor Dimas

Robert Ramirez
Dionicio Garza Jr.
Sylvia Dimas

Irma Ramirez

INVOCATION: Councilmember Gonzales provided the invocation.

RENEWAL OF ATMOS FRANCHISE AGREEMENT: City Council considered approving an Ordinance on second reading for the renewal of the Atmos Franchise Agreement and authorizing the Mayor to execute all necessary documents.

Motion by Council Member Gonzales to approve an Ordinance on second reading for the renewal of the Atmos Franchise Agreement and authorizing the Mayor to execute all necessary documents. Motion seconded by Council Member Briseno and upon being put to a vote the motion passed.

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

TECHNOLOGY PROJECT: City Council reviewed all informal bids and awarded Emergency Purchase of technology upgrades of City technology infrastructure, servers, computers and phone system to Mandry Technology Solutions.

Motion by Council Member Vera to award Emergency Purchase of technology upgrades of City technology infrastructure, servers, computers and phone system. Motion seconded by Council Member Gonzales and upon being put to a vote the motion passed.

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

BUDGET AMENDMENT V: City Council to consider amending Ordinance O-18-16 on second reading with respect to October 1, 2016 fiscal year budget.

Motion by Council Member Vera to amend Ordinance O-18-16 on second reading with respect to October 1, 2016 fiscal year budget. Motion seconded by Council Member Stewart and upon being put to a vote the motion passed.

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

BUDGET AMENDMENT VI: City Council to consider amending Ordinance O-18-16 on first reading with respect to October 1, 2016 fiscal year budget.

Motion by Council Member Stewart to amend Ordinance O-18-16 on first reading with respect to October 1, 2016 fiscal year budget. Motion seconded by Council Member Gonzales and upon being put to a vote the motion passed.

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

MAYORS REPORT: Mayor reported on future plans and goals.

BUDGET WORK SESSION I: Council to meet with city staff to discuss and set priorities for the 2017 – 2018 operating budget.

- a. General Fund Proposed Budget (Department Heads and City Manager)
- b. Water/Wastewater Utility Fund Proposed Budget (Department Heads and City Manager)
- c. Solid Waste Fund Proposed Budget (Department Heads and City Manager)
- d. All Other Funds Proposed Budgets (Department Heads and City Manager)
- e. Other Fees (Department Heads and City Manager)
- f. Capital Needs (Department Heads and City Manager)

ADJOURNMENT: The next regularly scheduled meeting of the City Council of the City of Lamesa will be July 18, 2017 at 5:30 P.M.

Pursuant to the provisions of the Texas Open Meetings Act, the City Council certifies that the items above are a full record of the subject matter of each deliberation and indicates each vote, order, decision or other action taken by the City Council of the City of Lamesa, Texas at the meeting held on the date indicated above. Ratified and approved at the regularly called meeting of the City Council of the City of Lamesa, Texas held on August 8, 2017.

ATTEST:

APPROVED:

Betty Conde
City Manager

Josh Stevens
Mayor

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

MINUTES OF THE CITY COUNCIL REGULARLY SCHEDULED MEETING:

July 18, 2017

On this the 18th day of June, 2017, at 5:30 P.M., there came on and was held a Regularly Scheduled meeting of the City Council of the City of Lamesa, Dawson County, Texas. Notice of such meeting having been posted at the City Hall at 601 South First Street in the City of Lamesa, Texas in accordance with the provisions of the Texas Open Meetings Act (Texas Govt. Code, Chapter 551). The following items were listed on the notice and the following proceedings were had, viz.:

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

JOSH STEVENS	MAYOR
MARIE BRISENO	COUNCIL MEMBER – DISTRICT 2
BRANT STEWART	COUNCIL MEMBER – DISTRICT 1
BOBBY G. GONZALES	MAYOR PRO TEM/COUNCIL MEMBER – DISTRICT 4
VACANT	COUNCIL MEMBER – DISTRICT 3
FRED VERA	COUNCIL MEMBER – DISTRICT 5
DOUGLAS MORRIS	COUNCIL MEMBER – DISTRICT 6

City staff members present at the meeting:

SHAWNA D. BURKHART	CITY MANAGER
RUSSELL CASSELBERRY	CITY ATTORNEY
IRMA RAMIREZ	HUMAN RESOURCES

Members of the public present at the meeting:

Sandy Trevino	Mike Lopez	Robert Ramirez	Irma Ramirez
Dale Alwan	Harrel Hallmark	Dionicio Garza Jr.	Holly Holder
David Burkhart	Victor Dimas	Sylvia Dimas	Bob Forman
Martha Forma	Cary White	Valentin Gomez	Joey Rivas
Ray Garcia	Steven Carden	Ashtin Sifuentes	Cris Norris
Samuel Sifuentes	Randy Ortiz	Kevin Escobar	

INVOCATION: Councilmember Stewart provided the invocation.

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

- a. **APPROVAL OF THE MINUTES:** Approval of the minutes of the council meetings held on June 20, 2017, June 26, 2017 and June 27, 2017.
- b. **BILLS FOR JUNE 2017:** Approval of the bills paid by the City of Lamesa for the months of June, 2017.

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

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

APPOINTMENT – CANADIAN RIVER MUNICIPAL WATER AUTHORITY BOARD MEMBER: Consider appointing Dave Nix as a Board Member to the Canadian River Municipal Water Authority, for a two (2) year term ending on July 2019. *(Mr. Dale Newberry's term expired July 2017. Mr. Nix has agreed to serve.)*

Mr. Nix declined to serve. City Council passed on this agenda item.

APPOINTMENT – CITY SECRETARY/CITY TREASURER: Consider and approve the appointment of Betty Conde as the City Secretary / City Treasurer for the City of Lamesa.

Motion by Council Member Morris to appoint Betty Conde as City Secretary/City Treasurer of the City of Lamesa. Motion seconded by Council Member Stewart and upon being put to a vote the motion passed.

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

CHANGES TO 2017 SPECIAL ELECTION CALENDAR: City staff to provide City Council with a revised 2017 Special Election Calendar.

City Manager presented 2017 Special Election Calendar updates to City Council.

PRIORITY POWER MANAGEMENT: Consider current market pricing analysis for renewal extension terms for the City of Lamesa and award contract (Load Zone pricing).

Motion by Council Member Vera to award contract for renewal extension terms for the City of Lamesa to Reliant for 2020 year term beginning in Calendar Year 2024. Motion seconded by Council Member Gonzales and upon being put to a vote the motion passed.

VOTING: "AYE" 5 "NAY" 1 "ABSTAIN" 0

APPROVAL OF SOFTBALL FIELD CONTRACT: City Council to consider approval of a Softball Field Contract.

The following citizens spoke on this agenda item: Steven Carden, Ray Garcia, Cary White, Randy Ortiz and Samuel Sifuentes.

City Council passed on this agenda item.

BUDGET AMENDMENT VI: City Council to consider amending Ordinance O-18-16 on second reading with respect to October 1, 2016 fiscal year budget.

Motion by Council Member Gonzales to amend Ordinance O-18-16 on second reading with respect to October 1, 2016 fiscal year budget. Motion seconded by Council Member Stewart and upon being put to a vote the motion passed.

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

APPOINTMENTS OF CITIZENS TO CHARTER REVIEW COMMITTEE: City Council to consider appointing one citizen per City Councilmember District to the Charter Review Committee that will assess and make recommendations for changes to the City Charter to be put forward during the May 2018 General Election.

Motion by Council Member Morris to appoint the following citizens: Mike Roy (Dist. 6), Brian Nowlin (Dist. 1), Joe Vera (Dist. 5), Robin Wiley (Mayor), Gloria Tejeda (Dist.4), Gabriel Estrada (Dist. 3), Johnny Martin (Dist. 2). to the Charter Review Committee that will assess and make recommendations for changes to the City Charter to be put forward during the May 2018 General Election. Motion seconded by Council Member Stewart and upon being put to a vote the motion passed.

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

LISD SCHOOL RESOURCE OFFICER SERVICE AGREEMENT: Consider passing a resolution approving a Service Agreement for LISD School Resource Officer between the City of Lamesa and the Lamesa Independent School District.

Motion by Council Member Gonzales to pass a resolution to approve a Service Agreement for LISD School Resource Officer between the City of Lamesa and the Lamesa Independent School District. Motion seconded by Council Member Briseno and upon being put to a vote the motion passed.

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

PUBLIC HEARING ON MANUFACTURED HOME ZONING DESIGNATION: Public hearing to determine whether to change the zoning designation of the following described property from District R-1 to District M-1 (area between 1100-1200 Block of North 5th, North 6th and North 7th Streets and 600-700 Block of N. Ave K) to-wit:

All of Lots 4 through 8, inclusive, in Block 1, and all of Lots 1 through 12, inclusive, in Block 2, all of Lots 1-12, inclusive, in Block 3, and all of Lots 7 through 12, inclusive, in Block 4, of the Barron Addition of the Town of Lamesa, Dawson County, Texas.

The City of Lamesa intends to change the zoning from zoning district R-1 to zoning district M-1 to allow for manufactured homes to be placed in the areas within the above described property that comply with City ordinances and to permit any use of the property permitted in the above listed areas zoned R-1, R-2 and R-3 in the City of Lamesa.

REQUEST FOR ZONE CHANGE FOR MANUFACTURED HOMES: Consider passing an Ordinance on first reading to change the zoning designation of the following described property from District R-1 to District M-1 (area between 1100-1200 Block of North 5th, North 6th and North 7th Streets and 600-700 Block of N. Ave K) to-wit:

All of Lots 4 through 8, inclusive, in Block 1, and all of Lots 1 through 12, inclusive, in Block 2, all of Lots 1-12, inclusive, in Block 3, and all of Lots 7 through 12, inclusive, in Block 4, of the Barron Addition of the Town of Lamesa, Dawson County, Texas.

Motion by Council Member Stewart to pass an Ordinance on first reading to change the zoning designation of the following described property from District R-1 to District M-1 (area between 1100-1200 Block of North 5th, North 6th and North 7th Streets and 600-700 Block of N. Ave K). Motion seconded by Council Member Morris and upon being put to a vote the motion passed.

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

INVESTMENT REPORT: Finance Director to report on the city's investments for the third quarter of FY 2016-2017.

FINANCIAL REPORT: Finance Director to report on the city's finances.

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

- CRMWA Water Opportunity
-

MAYORS REPORT: Mayor reported on future plans and goals.

BUDGET WORK SESSION I: Council to meet with city staff to discuss and set priorities for the 2017 – 2018 operating budget.

- c. General Fund Proposed Budget (Department Heads and City Manager)
- d. Water/Wastewater Utility Fund Proposed Budget (Department Heads and City Manager)
- e. Solid Waste Fund Proposed Budget (Department Heads and City Manager)
- f. All Other Funds Proposed Budgets (Department Heads and City Manager)
- g. Other Fees (Department Heads and City Manager)
- h. Capital Needs (Department Heads and City Manager)

ADJOURNMENT: The next regularly scheduled meeting of the City Council of the City of Lamesa will be August 8, 2017 at 5:30 P.M.

Pursuant to the provisions of the Texas Open Meetings Act, the City Council certifies that the items above are a full record of the subject matter of each deliberation and indicates each vote, order, decision or other action taken by the City Council of the City of Lamesa, Texas at the meeting held on the date indicated above. Ratified and approved at the regularly called meeting of the City Council of the City of Lamesa, Texas held on August 8, 2017.

ATTEST:

APPROVED:

Betty Conde
City Manager

Josh Stevens
Mayor

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: AUGUST 8, 2017

AGENDA ITEM: 4

SUBJECT: PROCLAMATION FOR "NATIONAL HEALTH WEEK" – SOUTH PLAINS RURAL HEALTH SERVICE.

SUBMITTED BY: City Staff

SUMMARY STATEMENT

The proclamation is requested by Community Health Centers. Community Health Centers have provided high-quality, affordable, comprehensive primary and preventative health care in our nation's underserved communities, delivering value to and having a significant impact on, America's health care system. Health Centers reduce overall costs of care by managing chronic conditions and keeping patients out of costlier health care settings, like hospital emergency rooms. Because of the outstanding contributions to countless communities they have helped, the week of August 13-19, 2017 shall be "National Health Center Week" in the City of Lamesa.

COUNCIL ACTION

No City Council action required.

National Health Center Week, 2017

A Proclamation

Whereas: For over 50 years, Community Health Centers have provided high-quality, affordable, comprehensive primary and preventive health care in our nation's undeserved communities, delivering value to, and having a significant impact on, America's health care system.

Whereas: As the country's largest primary care network, Health Centers now serve as the health care home for over 25 million Americans in over 10,000 delivery sites across the nation. One in every 13 people in the United States gets in a community health center.

Whereas: Health Centers are a critical element of the health system, serving both rural and urban populations, and often providing the only accessible and dependable source of primary care in their communities. Nationwide, Health Centers serve one in every six residents of rural areas.

Whereas: Every day, Health Centers are developing new approaches to integrating a wide range of services beyond primary care, including oral health, vision, behavioral health, and pharmacy services, to meet the needs and challenges of their community

Whereas: Health Centers are locally owned and operated small businesses that serve as critical economic engines, helping to power local economics by generating billions of dollars in combined economic impact in some of the country's most economically deprived communities.

Whereas: Health Centers nationally employ nearly 190,000 people, including physicians, nurse practitioners, physician assistants, and certified nurse midwives who work as part of multi-disciplinary clinical teams designed to treat the whole patient.

Whereas: Health Centers reduce overall costs of care by managing chronic conditions and keeping patients out of costlier health care setting, like hospital emergency rooms.

Whereas: National Health Center Week offers the opportunity to recognize America's Health Centers, their dedicated staff, board members, and all those responsible for their continued success and growth since the first health centers opened their doors more than 50 years ago. During this National Health Center Week, we celebrate the legacy of America's Health Centers and their vital role in shaping the future of America's health care system.

NOW, THEREFORE, I _____, Mayor of the City of Lamesa, Texas, do hereby proclaim August 13-19, 2017, as:

National Health Center Week

in Lamesa, Texas, and I encourage all citizens to recognize the ways in which the Health Centers are empowering healthier communities by delivering high quality, cost effective health care.

Given Under My Hand and seal of the City of Lamesa, this 8th day of August, 2017



Josh Stevens, Mayor

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: AUGUST 8, 2017

AGENDA ITEM: 5

SUBJECT: LEDC/LEAP QUARTERLY REPORT
PROCEEDING: Report
SUBMITTED BY: City Staff
EXHIBITS:

SUMMARY STATEMENT

City Council to hear from Nathan Tafoya regarding LEDC/LEAP Quarterly Report.

COUNCIL ACTION

No Council action required.

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: AUGUST 8, 2017

AGENDA ITEM: 6

**SUBJECT: APPOINTMENT - CANADIAN RIVER MUNICIPAL AUTHORITY
BOARD MEMBER**

PROCEEDING: Approval

SUBMITTED BY: City Staff

SUMMARY STATEMENT

City Council to consider appointing Cris Norris as a Board Member to the Canadian River Municipal Water Authority, for a two (2) year term ending on July 2019. *(Mr. Dale Newberry's term expired July 2017. Mr. Norris has agreed to serve.)*

DISCUSSION _____

Motion by Council Member _____ to approve a resolution appointing Mr. Cris Norris as a Board Member to the Canadian River Municipal Water Authority, for a two (2) year term ending on July 2019. 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 APPOINTING A BOARD MEMBER TO THE
CANADIAN RIVER MUNICIPAL WATER AUTHORITY FOR
TWO YEAR TERM ENDING JULY 2019.**

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

ON THIS, the day of August 8, 2017, City Council of City of Lamesa, Texas met in regular session with 6 members present, when among other business transacted, the following action was taken:

The Mayor introduced the following resolution:

WHEREAS, the City Council of this City heretofore elected Cris Norris as a member of the Board of Directors of the CANADIAN RIVER MUNICIPAL WATER AUTHORITY for the term ending July, 2019, pursuant to the provisions of Chapter 243 of the Laws passed by Regular Session of the Texas Legislature in 1953, as amended, and,

WHEREAS, Such office has now become vacant by reason of the retirement of Mr. Dale Newberry, and

WHEREAS, in the performance of its duty to do so under said Law, this City Council desires to officially elect a person to fill the vacancy occasioned as aforesaid, therefore,

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

1. That Cris Norris, a qualified voter and a property-owning taxpayer of the City of Lamesa who is not a member of the governing body or an employee of said City, be and is hereby elected to the Board of Directors of the **CANADIAN RIVER MUNICIPAL WATER AUTHORITY** for the term beginning August 8, 2017 and ending July 31, 2019.
2. The director elected as aforesaid shall be certified to the Board of Directors of the **CANADIAN RIVER MUNICIPAL WATER AUTHORITY** by the Mayor of this City and shall otherwise qualify in the manner prescribed by the above-mentioned law relating to said Authority.

The above resolution having been read, the motion of Council Member _____ for its passage was duly seconded _____. Thereupon, the Mayor put the motion to vote by the City Council and the motion carried by the following vote.

AYE _____
NO _____

The Mayor declared the motion carried and the resolution adopted.
PASSED AND APPROVED, This the 8th day of August, 2017.

SIGNED:

Josh Stevens, Mayor:
City of Lamesa, Texas

ATTEST:

Betty Conde, City Secretary
City of Lamesa, Texas

THE STATE OF TEXAS

CITY OF LAMESA

COUNTY OF DAWSON

I, the undersigned, City Council of the City of Lamesa, Texas, DO HEREBY CERTIFY that the above and foregoing is true and correct copy of a resolution of the City of Lamesa of said City passed and adopted on the 8th day of August, 2017, as same appears of record in Book _____, Page _____ et seq., of the Minutes of said City.

WITNESS MY HAND AND SEAL OF THE CITY OF LAMESA, TEXAS, this the 8th day of August, 2017.

SIGNED:

Betty Conde, City Secretary
City of Lamesa, Texas

**RESOLUTION OF THE CITY _____ OF
THE CITY OF _____, TEXAS**

THE STATE OF TEXAS
CITY OF _____
COUNTY OF _____

ON THIS, the _____ day of _____, 20____, the City _____ of the City of _____, Texas, met in regular session with _____ members present, when among other business transacted, the following action was taken:

The Mayor introduced the following resolution:

WHEREAS, the City _____ of this City heretofore elected _____ of the Board of Directors of the **CANADIAN RIVER MUNICIPAL WATER AUTHORITY** for the term ending _____, pursuant to the provisions of Chapter 243 of the Laws passed by the Regular Session of the Texas Legislature in 1953, as amended, and,

WHEREAS, Such office has now become vacant by reason of _____, and

WHEREAS, in the performance of its duty to do so under said Law, this City _____ desires to officially elect a person qualified to fill the vacancy occasioned as aforesaid, therefore,

BE IT RESOLVED BY THE CITY _____ OF THE CITY OF _____, TEXAS:

1. That _____, a qualified voter and a property owning taxpayer of the City of _____ who is not a member of the governing body or an employee of said City, be and is hereby elected to the Board of Directors of the **CANADIAN RIVER MUNICIPAL WATER AUTHORITY** for the term beginning _____, 20____ and ending _____, 20____.

2. The director elected as a foresaid shall be certified to the Board of Directors of the **CANADIAN RIVER MUNICIPAL WATER AUTHORITY** by the Mayor of this City and shall otherwise qualify in the manner prescribed by the above mentioned law relating to said Authority.

The above resolution having been read, the motion of _____ for its passage was duly seconded _____ . Thereupon, the Mayor put the motion to vote by the City _____ and the motion carried by the following vote:

AYE _____
NO _____

The Mayor declared the motion carried and the resolution adopted.

PASSED AND APPROVED, this the _____ day of _____, 20____.

Signed: _____

Mayor: City of _____, Texas

ATTEST:

City of _____, City of _____

THE STATE OF TEXAS

CITY OF _____

COUNTY OF _____

I, the undersigned, City _____ of the City of _____, Texas, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of a resolution of the City of _____ of said City passed and adopted on the _____ day of _____, 20____, as same appears of record in Book _____, Page _____ et seq., of the Minutes of said City.

WITNESS MY HAND AND SEAL OF THE CITY OF _____, TEXAS, this the _____ day of _____, 20____.

Signed: _____

Secretary, City of _____, Texas

(Seal)

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: AUGUST 8, 2017

AGENDA ITEM: 7

**SUBJECT: CERTIFICATE OF DIRECTOR AND OATH OF OFFICE –
NEWLY APPOINTED CRMWA BOARD MEMBER**

**PROCEEDING: State Law; Election Code Ch. 67.016, 67.016(f) and 145.003,
City Charter; Article IV, Section 8**

SUBMITTED BY: City Staff

SUMMARY STATEMENT

Execute Certificate of Director and administer Oath of Office to the newly appointed CRMWA Board Member. *(City Attorney)*

OATH OF OFFICE

I, _____ DO SOLEMNLY SWEAR THAT I HAVE NOT DIRECTLY OR INDIRECTLY PAID, OFFERED, PROMISED TO PAY, CONTRIBUTED, OR PROMISED TO CONTRIBUTE ANY MONEY OR THING OF VALUE, OR PROMISED ANY PUBLIC OFFICE OR EMPLOYMENT FOR THE GIVING OR WITHHOLDING OF A VOTE AT THE ELECTION AT WHICH I WAS ELECTED OR AS A REWARD TO SECURE MY APPOINTMENT OR CONFIRMATION, WHICHEVER THE CASE MAYBE, SO HELP ME GOD.

CITY MANAGER'S MEMORANDUM

The newly appointed CRMWA board member will be sworn in by the City Attorney, Russell Casselberry.

STATEMENT OF ELECTED/APPOINTED OFFICER

(Pursuant to Tex. Const. art. XVI, §1(b), amended 2001)

I, _____, do solemnly swear (or affirm),
that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to
contribute any money or thing of value, or promised any public office or employment for the giving
or withholding of a vote at the election at which I was elected or as a reward to secure my
appointment or confirmation, whichever the case may be, so help me God.

Affiant's Signature

Position to Which Elected/Appointed

City and/or County

SWORN TO and subscribed before me by affiant on this _____ day of
_____, _____.

Signature of Person Authorized to Administer Oaths/Affidavits

Printed Name

Title

(Seal)

CERTIFICATION OF DIRECTOR

THE STATE OF TEXAS

CITY OF _____

COUNTY OF _____

I, _____, Mayor of the City of _____, Texas,
DO HEREBY CERTIFY THAT _____, a qualified voter and
property owing taxpayer of the City of _____, Texas, and who is not a
member of the governing body or an employee of such city, has been elected to the Board of
Directors of the CANADIAN RIVER MUNICIPAL WATER AUTHORITY to serve to the date
when his successor is elected or appointed and qualified, pursuant to resolution duly passed and
adopted by the City _____ of said City on the _____ day of
_____ 2016.

IN WITNESS WHEREOF, I have hereunto set my hand officially and affixed the seal of
the City of _____, Texas, this the _____ day of _____ 2016.

Signed: _____

Mayor, City of: _____

(CITY SEAL)

ATTEST:

In the name and by the authority of

The State of Texas

OATH OF OFFICE

I, _____, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of _____ of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

Affiant

SWORN TO and subscribed before me by affiant on this _____ day of _____, _____.

Signature of Person Administering Oath

(Seal)

Printed Name

Title

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: AUGUST 8, 2017

AGENDA ITEM: 8

SUBJECT: REQUEST FOR ZONE CHANGE FOR MANUFACTURED HOMES
PROCEEDING: Approval
SUBMITTED BY: City Staff
EXHIBITS: Ordinance, Second Reading
AUTHORITY: City Charter, City Code, Texas Government Code

SUMMARY STATEMENT

City Council to consider passing an Ordinance on first reading to change the zoning designation of the following described property from District R-1 to District M-1 (area between 1100-1200 Block of North 5th, North 6th and North 7th Streets and 600-700 Block of N. Ave K) to-wit:

All of Lots 4 through 8, inclusive, in Block 1, and all of Lots 1 through 12, inclusive, in Block 2, all of Lots 1 through 12, inclusive, in Block 3, and all of Lots 7 through 12, inclusive, in Block 4, of the Barron Addition of the Town of Lamesa, Dawson County, Texas

upon the recommendation of the Planning and Zoning Commission. *(Building Official)*

COUNCIL ACTION

DISCUSSION _____

Motion by Council Member _____ to pass an Ordinance on first reading to change the zoning designation of the following described property from District R-1 to District M-1 (area between 1100-1200 Block of North 5th, North 6th and North 7th Streets and 600-700 Block of N. Ave K) to-wit:

All of Lots 4 through 8, inclusive, in Block 1, and all of Lots 1 through 12, inclusive, in Block 2, all of Lots 1 through 12, inclusive, in Block 3, and all of Lots 7 through 12, inclusive, in Block 4, of the Barron Addition of the Town of Lamesa, Dawson County, Texas.

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

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

CITY MANAGER'S MEMORANDUM

See attached P&Z minutes of June 22, 2017 meeting. P&Z public hearing was held on June 22, 2017 meeting. **Recommend approval.**

ORDINANCE NO.: _____

AN ORDINANCE GRANTING A ZONE CHANGE FOR ALL OF LOTS 4 THROUGH 8, INCLUSIVE, IN BLOCK 1; ALL OF LOTS 1 THROUGH 12, INCLUSIVE, IN BLOCK 2; ALL OF LOTS 1 THROUGH 12, INCLUSIVE, IN BLOCK 3; AND ALL OF LOTS 7 THROUGH 12, INCLUSIVE, IN BLOCK 4, OF THE BARRON ADDITION TO THE TOWN OF LAMESA, DAWSON COUNTY, TEXAS, FROM DISTRICT R-1 TO DISTRICT M-1 UPON RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION.

On the this 18th day of July, 2017, there came on and was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas, held pursuant to the provisions of the Texas Open Meetings Act, and there being a quorum present and acting throughout the meeting, the following ordinance was formally submitted by motion and duly seconded for the consideration and action of the meeting, to wit:

WHEREAS, the Code of Ordinances of the City of Lamesa provides that the zoning districts of said city may be changed upon application and upon recommendation of the Planning and Zoning Commission of the City; and

WHEREAS, an application has been made to change the zoning of the following described property located in Lamesa, Texas, from a District R-1 to a District M-1, to-wit:

All of Lots 4 through 8, inclusive, in Block 1; all of Lots 1 through 12, inclusive, in Block 2; all of Lots 1-12, inclusive, in Block 3; and all of Lots 7 through 12, inclusive, in Block 4, of the Barron Addition to the Town of Lamesa, Dawson County, Texas; and

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

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

WHEREAS, a public hearing, where all interested persons were provided with an opportunity to be heard on the proposed zone change, was held at City Hall, 601 South First Street, in the City of Lamesa, Texas, on July 18, 2017, which date is not less than fifteen days prior to the publication of a notice of such hearing in the Lamesa Press-Reporter, a newspaper of general circulation in the City of Lamesa, Texas;

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

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

SECTION ONE: That the request to change the zoning of the following described property located between 1100-1200 Block of North 5th, North 6th and North 7th Streets and 600-700 Block of N. Ave K, Lamesa, Texas, from a District R-1 to a District M-1, to-wit:

All of Lots 4 through 8, inclusive, in Block 1; and all of Lots 1 through 12, inclusive, in Block 2, all of Lots 1-12, inclusive, in Block 3; and all of Lots 7 through 12, inclusive, in Block 4, of the Barron Addition to the Town of Lamesa, Dawson County, Texas;

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

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

SECTION THREE: The 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 applicable state law and the City Charter.

Upon being put to a vote, the foregoing ordinance was Passed, on Second Reading on the 8th day of August, 2017, by a majority vote.

ATTEST:

APPROVED:

Shawna D. Burkhart, City Manager

Josh Stevens, Mayor

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: AUGUST 8, 2017

AGENDA ITEM: 9

SUBJECT: **RESOLUTION TO JOIN STATE OF TEXAS CO-OP PROGRAM**
PROCEEDING: Resolution
SUBMITTED BY: City Staff
EXHIBITS: Cooperative Purchasing Program Information
AUTHORITY: City Charter, City Code of Ordinances, §271.081 - 271.083 of the
Local Government Code and 34 TAC §20.85

SUMMARY STATEMENT

City Council to consider passing a resolution authorizing participation in the Cooperative Purchasing Program of the Texas Comptroller of Public Accounts pursuant to §271.081 of the Local Government Code. *(City Manager and Finance Director)*

COUNCIL ACTION

DISCUSSION _____

Motion by Council Member _____ to authorize a resolution of participation in the Cooperative Purchasing Program of the Texas Comptroller of Public Accounts pursuant to §271.081 of the Local Government Code. 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 AUTHORIZING PARTICIPATION OF THE
CITY OF LAMESA IN THE TEXAS COMPTROLLER OF
PUBLIC ACCOUNTS COOPERATIVE PURCHASING
PROGRAM.**

State of Texas
County of Dawson

WHEREAS, the Texas Comptroller of Public Accounts is authorized to provide purchasing services for local governments pursuant to §§ 271.082 and 271.083 of the Local Government Code; and

WHEREAS, the City Council of the City of Lamesa is a: municipality. Defined as an entity qualified to participate in the cooperative purchasing program of the Texas Comptroller of Public Accounts pursuant to §271.081 of the Local Government Code; and

WHEREAS, in accordance with the requirements of 34 TAC §20.85 Administrative Rules, the Agent(s) of Record, Shawna D. Burkhart, City Manager and Wayne Chapman, Finance Director are authorized to execute any and all documents for purchases pertaining to its participation in the Texas Comptroller of Public Accounts Cooperative Purchasing Program; and

WHEREAS, the City of Lamesa acknowledges its obligation to pay participation fees by the Texas Comptroller of Public Accounts.

NOW, THEREFORE BE IT RESOLVED, that request be made to the Texas Comptroller of Public Accounts to approve the City of Lamesa for participation in the Texas Comptroller of Public Accounts Cooperative Purchasing Program.

Adopted this 8th day of August, 2017 by the City of Lamesa.

ATTEST:

APPROVED:

Betty Conde, City Secretary

Josh Stevens, Mayor

Shawna D. Burkhart, City Manager
Agent of Record



RESOLUTION

State of Texas

County of _____

Whereas, the Texas Comptroller of Public Accounts is authorized to provide purchasing services for local governments pursuant to §§ 271.082 and 271.083 of the Local Government Code;

and **WHEREAS**, the _____
(e.g., Commissioner's Court, City Council, School Board, Board of Directors)

of _____, is a: (Check one of the following.)
(Name of Qualified Entity)

- | | |
|--|---|
| <input type="radio"/> County | <input type="radio"/> Independent School District |
| <input type="radio"/> Municipality | <input type="radio"/> Junior College District |
| <input type="radio"/> Political Subdivision (Special Districts, Other) | <input type="radio"/> Mental Health and Mental Retardation Community Center |
| <input type="radio"/> Assistance Organization | <input type="radio"/> Texas Rising Star Provider
(certified by the Texas Workforce Commission) |

defined as an entity qualified to participate in the Cooperative Purchasing Program of the Texas Comptroller of Public Accounts pursuant to § 271.081 of the Local Government Code; and

WHEREAS, in accordance with the requirements of 34 TAC §20.85 administrative rules, the Agent(s) of Record,

(Name of Person) (Title)

(and _____)
(Name of Person) (Title) is/are authorized to execute

any and all documentation for _____ pertaining to its participation in the Texas Comptroller of Public Accounts Cooperative Purchasing Program; and

WHEREAS, _____ acknowledges its obligation to pay participation fees
established (Entity Name)

by the Texas Comptroller of Public Accounts.

NOW, THEREFORE BE IT RESOLVED, that request be made to the Texas Comptroller of Public Accounts to approve

_____ for participation in the Texas Comptroller of Public Accounts Cooperative Purchasing Program.
(Entity Name)

Adopted this _____ day of _____, by _____
(Entity Name)

By: _____
(Signature of Chair)

(Signature of Agent of Record)

(Printed Name)

(Name/Title of Agent of Record)

(Title of Chair)

(Signature of Agent of Record)

(Name/Title of Agent of Record)



State of Texas CO-OP Program

What is the State of Texas CO-OP Program?

Created by legislation in 1979, the Texas Comptroller of Public Accounts (CPA) State of Texas CO-OP Program offers members a unique opportunity to make the most of their purchasing dollars and efforts by using the State of Texas volume buying power.

Who can join?

- Local governments
- MHMR community centers
- Assistance organizations
- Texas Rising Star Providers (certified by the Texas Workforce Commission)

Sections 271.081-271.083, Local Government Code, and Sections 2155.202 and 2175.001(1), Government Code, provide the legal authority for the CO-OP Program:

Why should you join the State of Texas CO-OP?

- **Get Best Value for Your Purchases** – Our purchasers competitively bid and award hundreds of contracts in accordance with state purchasing statutes and competitive bidding requirements. You reap the savings for your organization and ultimately for the citizens of Texas.
- **Save Valuable Time and Effort** – No bidding, just order from hundreds of established state contracts.
- **Search Thousands of Vendors** – Looking for something not on one of our negotiated contracts? Use our Centralized Master Bidder's List to identify vendors from our database of over 12,000 companies (including HUB).
<https://mycpa.cpa.state.tx.us/tpasscmlsearch/index.jsp>
- **Post Bid and Award Notices on the Electronic State Business Daily** – As a CO-OP member, set up FREE password access to the Electronic State Business Daily (ESBD) where you can post your entity's solicitations to increase vendor participation and provide public notice of awards. <http://esbd.cpa.state.tx.us/>
- **Save Money on Travel** – Qualified CO-OP members may use the State Travel Management Program for discounted rates on rental cars and over 1,000 hotels.

If you have any questions or need more information about our program please feel free to e-mail coop@cpa.texas.gov or call (512) 463-3368.



State of Texas CO-OP Program

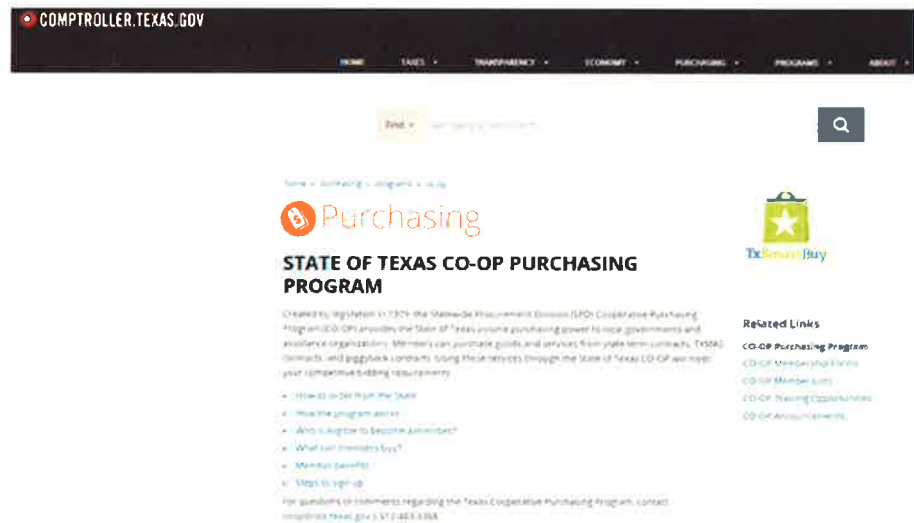
Accessing the State of Texas CO-OP on the Internet

Go to the State of Texas CO-OP web site: <https://www.comptroller.texas.gov/purchasing/programs/co-op/>

- **CO-OP Forms Library:** This is the complete CO-OP forms library, to include the application, name change form, purchase order forms, and school bus specifications.
- **Term Contracts:** All CPA term contracts have been competitively bid, saving you valuable time. This is a complete numeric listing of all of the current CPA term contracts. To access the contract, click on the contract number. To use state term contracts please follow the ordering instructions on the contract. The state's online ordering system, TxSmartBuy will generate a state purchase order on your behalf, forwarding a copy to you and to the vendor. The vendor will then ship the merchandise and invoice your entity directly. CPA has awarded term contracts for many commodities and services, including:

- Vehicles
- Office Supplies
- Procurement Card Services
- Appliances
- Road and Highway Equipment
- Police Equipment
- Pharmaceuticals
- Cleaning Supplies
- Food

- **TXMAS Information:** This is a complete listing of the Texas Multiple Award Schedules (TXMAS). TXMAS contracts feature the most favored customer pricing and the possibility of negotiation. TXMAS can be used as alternative volume contracts if you cannot find the items you need on the CPA term contracts.
- **Managed Contracts:** Managed term contracts are established by CPA or the Council on Competitive Government (CCG) for unique items and allow you to order directly from the awarded contractor.
- **CMBL Search:** This feature enables you to access the state Centralized Master Bidders List (CMBL) to create a bid list by product/service code. You may narrow the search by entering a county, city or zip code. This is a vendor list only. You should use this only as a vendor resource. You will need to follow your local bid requirements to purchase from these vendors.
- **State Travel Management Program:** Texas Government Code, Sections 2171.001-2171.055 extend the state travel management contracts to certain members of the State of Texas CO-OP program. Eligible entities include Municipalities, Counties, School Districts, Public Junior and Community Colleges, and Emergency Communication Districts, hospital districts and transit/transportation districts.





State of Texas CO-OP Program

State of Texas CO-OP Application

Name of Authorized Individual

(NOTE: This person is authorized to sign for purchases and will receive all correspondence from CPA. Additional authorized signers or Agents of Record may be listed on the resolution with the signatures documented at the bottom of the resolution.)

Organization/Qualified Entity Name

Address

City, State, Zip Code

Email Address (More than one may be listed.)

Phone Number

Fax Number

The annual membership fee for participation in the State of Texas CO-OP is: **\$100.00 – FEE IS NON-REFUNDABLE**

Please make checks payable to:

Texas Comptroller of Public Accounts

Please mail to:

**Texas Comptroller of Public Accounts
P.O. Box 13186
Austin, TX 78711**

**PLEASE RETURN THIS FORM WITH PAYMENT
AND ALL REQUIRED DOCUMENTS AND SIGNATURES**

Questions? Contact the CO-OP at (512) 463-3368 or at coop@cpa.texas.gov.



State of Texas CO-OP Program

Documents required for proof of eligibility

Submit all documentation required as proof of eligibility at the time you apply for membership in the State of Texas CO-OP. All documentation must be on file at the State of Texas CO-OP BEFORE a determination of eligibility can be made.

Local Governments

County, Independent School District, Municipality, Jr. College District, Volunteer Fire Department

Documents required:

- ✓ Board approved resolution

MHMR Community Centers

Documents required:

- ✓ Board approved resolution

Special Districts or Other Legally Constituted Political Subdivisions of the State

Documents required:

- ✓ Board approved resolution
- ✓ Documentation evidencing creation of entity including statutory citation.
This can be in the form of:
 - a. Legislation in which the entity was created by name
 - b. A resolution passed by a city or a county stating that there is a need for the entity to exist and actually creating the entity

Assistance Organizations

Non-profit organizations that receive state funds and provide educational, health, or human services or provide assistance to homeless individuals

Documents required:

- ✓ Board approved resolution
- ✓ Articles of Incorporation and Certificate of Incorporation. A letter from the Secretary of State with the entity's charter number evidencing that the entity filed for incorporation will be accepted in lieu of a Certificate of Incorporation. **The State of Texas CO-OP cannot accept by-laws in lieu of Articles of Incorporation**
- ✓ Current contract or grant from a State agency to prove State funding. This document must show beginning and end dates for the current State of Texas Fiscal Year, and these dates must be valid at the time the application is reviewed.

Texas Rising Star Providers

Childcare providers certified as Texas Rising Star Providers by Texas Workforce Commission

Documents required:

- ✓ Board Approved Resolution

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: AUGUST 8, 2017

AGENDA ITEM: 10

**SUBJECT: REQUEST TO REFUND WILTON AND WEAVER FOUNDATION
DONATIONS FOR BOYS AND GIRLS CLUB LAKE PROJECT**

PROCEEDING: Action

SUBMITTED BY: City Staff

EXHIBITS: Letter from the Wilton Foundation

SUMMARY STATEMENT

City Council to consider refunding donations of the Wilton and Weaver Foundations to the Wilton Foundation for the construction of the Boys and Girls Club Lake Project. *(Mayor and City Manager)*

COUNCIL ACTION

DISCUSSION _____

Motion by Council Member _____ to refund donations made by the Wilton and Weaver Foundations to the Wilton Foundation for construction of the Boys and Girls Club Lake Project. Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

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

CITY MANAGER'S MEMORANDUM

Based on bids received at the May 23rd, 2017 City Council Meeting, the City Council made the decision to not award the bids based on budgetary constraints and released the bonds to the bidder's. It is the recommendation of the Boys and Girls Club Lake Project Committee to allow this project to be built under the oversight of the Wilton Foundation and donated in its entirety to the City of Lamesa Parks and Recreation Department for use by all Lamesa residents. The committee believes that the cost was partially driven by the fact that this was a City project.

THE WILTON FOUNDATION



PO BOX 790, LAMESA, TEXAS 79331
806 872-5426

July 13, 2017

Mr. Elwood Freeman, Chairman
The William M Weaver Foundation
PO Drawer 301
Lamesa TX 79331

Mr. Scott Miers, President
Kiwanis Club of Lamesa
PO Box 1032
Lamesa TX 79331

Shawna Burkhardt, City Manager
City of Lamesa
601 S 1st
Lamesa TX 79331

Dear Stakeholders in the Lamesa Boys & Girls Club Lake Project:

As you are all aware, the recent bidding process for the lake project yielded disappointing results. The bids received far exceeded the available budget.

While this is disappointing news, we are still keenly interested in seeing the project completed. In an effort to discover how we might be able to move forward, we have arranged to discuss the project with JWT Construction Inc (JWT) in Seminole and Rose Plumbing of Lamesa. Our conversation focused on their ability to design and build the desired components included in the current construction phase. We did not limit them to exact design, but rather granted them latitude in suggesting less expensive techniques to provide the same end results. The meeting results were quite positive. The parties have provided an initial verbal estimate of \$350,000.

To proceed, JWT would need to provide drawings of the proposed construction items and we would need to engage an architect to provide plans suitable for approval by the City inspector.

Mr Elwood Freeman
Mr. Scott Miers
Ms. Shawna Burkhart
July 12, 2017

Proposal for your consideration:

In order to move forward, The Wilton Foundation (Wilton) proposes to engage JWT as General Contractor on the project. The Wilton Foundation would act as the project owner, complete the project on City property, and then transfer ownership to the City. Here is an outline of the process we would follow:

1. All funds previously provided by the William M Weaver Foundation and/or Wilton would be transferred from the City of Lamesa to Wilton.
2. Wilton will obtain the final drawings and a final price from JWT.
3. Wilton will obtain plans from an architect.
4. All parties will be advised of the final drawings and price before proceeding.
5. Any future distributions for the project from William M Weaver Foundation and Kiwanis Club of Lamesa will be directed towards Wilton. Wilton is a 501(c)(3) charity.

Funding:

We currently have \$327,705.25 available.

- \$19,153.25 held by the City of Lamesa.
- \$273,552.00 remaining commitment from William M Weaver Foundation.
- \$35,000.00 remaining commitment from Kiwanis Club of Lamesa.

With an initial price estimate of \$350,000, we are still short of funds to complete the project. Please note that the final price could be higher once JWT is able to complete final drawings. Before proceeding, we are asking each of the stakeholders whether they have interest in continuing and whether they are willing to provide additional funds, if needed. I am guessing that we could need an additional \$50,000. Wilton is ready and willing to provide some additional funds.

As noted, the purpose of this letter is to advise you of the project status, propose an alternative for moving forward, and seek your financial support for additional funds. Will you please reply to us and let us know your interest and commitment?

Sincerely



Scott L Leonard, Trustee
The Wilton Foundation



R Dale Newberry, Trustee
The Wilton Foundation

William M Weaver Foundation

c/o Elwood Freeman

P O Drawer 301

Lamesa, Texas 79331

July 31, 2017

Shawna Burkhart, City Manager
City of Lamesa
601 South 1st Street
Lamesa, Texas 79331

Dear Mrs. Burkhart,

It is our Board's desire for the City of Lamesa to transfer any and all of the funds granted from the William M Weaver Foundation that were designated for the Lamesa Boys and Girls Club lake project to the Wilton Foundation.

We have verified The Wilton Foundation is a qualifying 501(c) (3) organization and will assume the obligation to continue this project.

Sincerely.

A handwritten signature in cursive script, appearing to read "Elwood Freeman", written in dark ink.

Elwood Freeman

B&G Lake Project

Revenue				
	17-40536	Weaver Foundation	\$ 14,572.00	
	17-40537	Wilton Foundation	<u>\$ 50,659.00</u>	\$ 65,231.00
Expenses (17-5411936)				
			\$ 14,572.00	
			\$ 5,930.00	
			\$ 18,098.00	
			<u>\$ 4,443.25</u>	<u>\$ 43,043.25</u>
Net				<u><u>\$ 22,187.75</u></u>

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: AUGUST 8, 2017

AGENDA ITEM: 11

SUBJECT: APPROVAL OF 1ST PAYMENT TO MANDRY FOR TECHNOLOGY PROJECT
PROCEEDING: Action
SUBMITTED BY: City Staff
EXHIBITS:

SUMMARY STATEMENT

City Council to consider approving the 1st payment to Mandry to initiate the ordering of new equipment for the recently awarded Technology Project. (*City Manager*)

COUNCIL ACTION

DISCUSSION _____

Motion by Council Member _____ to approve the 1st payment to Mandry to initiate the ordering of new equipment for the recently awarded Technology Project. Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

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

CITY MANAGER'S MEMORANDUM

Mandry requires the 1st half of the project cost prior to ordering equipment. This item is included in the 1st Reading of Budget Amendment VII on this agenda. The 2nd Reading of Budget Amendment VII will be on the August 22, 2017 City Council Meeting Agenda.
Recommend approval.



Invoice

Date	Invoice #
7/18/2017	21180

Bill To
CITY OF LAMESA 601 SOUTH 1ST LAMESA, TX 79331

Make Payment To
MANDRY TECHNOLOGY SOLUTIONS, LLC 4521 98TH STREET LUBBOCK, TX 79424

			P.O. No.		Due Date
			Infrastructure Upgrades		7/18/2017
Item	Description	Qty	Rate	Serviced	Amount
HARDWARE SUMMARY					
Hardware	Dell Business-Class Management Server	1	6,275.33		6,275.33
Hardware	Dell Business-Class Host Server	2	6,294.00		12,588.00
Hardware	Dell Business-Class SAN	1	19,579.59		19,579.59
Hardware	APC 1500VA Rack/Tower UPS	2	1,430.89		2,861.78
Professi...	Professional Services	1	17,290.00		17,290.00
NETWORK EQUIPMENT SUMMARY					
Hardware	Cisco Business Firewall	4	853.79		3,415.16
Hardware	Cisco 3 year SmartNet Firewall Warranty	4	379.43		1,517.72
Hardware	Cisco 48-Port POE Switch	1	4,628.77		4,628.77
Hardware	Cisco 3 year SmartNet Switch Warranty	1	1,322.29		1,322.29
Hardware	Cisco 24-Port POE Switch	1	2,252.10		2,252.10
Hardware	Cisco 3 year SmartNet Switch Warranty	1	640.00		640.00
Hardware	High Speed WIC	1	678.57		678.57
Hardware	Copper SFP Modules	2	120.00		240.00
Professi...	Professional Services	1	5,400.00		5,400.00
PC SUMMARY					
Hardware	Dell Rugged Laptop- i5 Processor, MS Office, 16GB Memory, Windows 10 Pro, 14" Screen, 3 Year Warranty	4	2,796.60		11,186.40
Hardware	Dell Business Mini Tower Desktop	52	1,128.13		58,662.76
Hardware	Dell 24" Monitor	52	211.70		11,008.40
Hardware	Microsoft Surface Pro 4	4	1,898.63		7,594.52
Hardware	Microsoft Surface Pro 4 Type Cover- Black	4	176.41		705.64
Professi...	Professional Services	1	11,320.00		11,320.00
WIRELESS SUMMARY					
Due Upon Receipt.		Subtotal			
Phone #	Fax #	E-mail	Sales Tax (8.25%)		
806-791-3661	806-687-8304	rsugg@mandrytechnology.com	Payments/Credits		
Overdue accounts are subject to a 1.5% service charge per month.		Balance Due			



Invoice

Date	Invoice #
7/18/2017	21180

Bill To
CITY OF LAMESA 601 SOUTH 1ST LAMESA, TX 79331

Make Payment To
MANDRY TECHNOLOGY SOLUTIONS, LLC 4521 98TH STREET LUBBOCK, TX 79424

			P.O. No.		Due Date
			Infrastructure Upgrades		7/18/2017
Item	Description	Qty	Rate	Serviced	Amount
Hardware	Xirrus XR-620 Access Point	5	491.07		2,455.35
Software	Xirrus Application Control License (2 per AP)	10	21.36		213.60
Software	Xirrus 802.11ac License (2 per AP)	10	42.70		427.00
Software	Xirrus 3 year Cloud License (2 per AP)	10	111.03		1,110.30
Hardware	Xirrus Hardened XR Access Point	2	1,191.39		2,382.78
Hardware	Xirrus Antenna	4	69.87		279.48
Hardware	Xirrus 10' Antenna Cable	8	87.34		698.72
Software	Xirrus Application Control License (2 per AP)	4	21.36		85.44
Software	Xirrus 3 year Cloud License (2 per AP)	4	111.03		444.12
Professi...	Professional Services	1	2,565.00		2,565.00
SOFTWARE SUMMARY					
Software	Microsoft Windows Server 2016 (Sold per core- 8 core minimum)	8	106.51		852.08
Software	Microsoft Exchange Server 2016	1	751.88		751.88
Software	Microsoft Exchange Server 2016 User CAL	75	93.31		6,998.25
Software	3 year UCC SSL Exchange Certificate	1	578.53		578.53
Software	Microsoft Office 2016 Download	4	299.96		1,199.84
Software	Vmware vSphere Essentials to Essentials Plus Upgrade	1	5,487.17		5,487.17
Software	Vmware 3 year vSphere Essentials Plus Upgrade Support	1	3,291.43		3,291.43
Software	Happy Software (not supplied by Mandry Technology)	1	8,244.00		8,244.00
Professi...	Professional Services	1	14,585.00		14,585.00
PHONE SYSTEM SUMMARY					
Software	ShoreTel Connect Small Business Edition 100 HW Bundle	1	2,495.00		2,495.00
Software	ShoreTel Connect Small Business Edition 100 SW Bundle	1	5,500.00		5,500.00
Hardware	ShoreTel Voice Switch ST50A	1	2,000.00		2,000.00
Due Upon Receipt.				Subtotal	
Phone #	Fax #	E-mail	Sales Tax (8.25%)		
806-791-3661	806-687-8304	rsugg@mandrytechnology.com	Payments/Credits		
Overdue accounts are subject to a 1.5% service charge per month.				Balance Due	



Invoice

Date	Invoice #
7/18/2017	21180

Bill To
CITY OF LAMESA 601 SOUTH 1ST LAMESA, TX 79331

Make Payment To
MANDRY TECHNOLOGY SOLUTIONS, LLC 4521 98TH STREET LUBBOCK, TX 79424

			P.O. No.		Due Date
			Infrastructure Upgrades		7/18/2017
Item	Description	Qty	Rate	Serviced	Amount
Hardware	ShoreTel Voice Switch ST1D	1	3,000.00		3,000.00
Hardware	ShoreTel IP230g Phone- Black	60	329.00		19,740.00
Software	ShoreTel Connect ONSITE Essentials License Bundle	10	199.00		1,990.00
Software	ShoreTel 3 years Partner Support- No Phones	1	3,149.62		3,149.62
Professi...	Professional Services	1	14,585.00		14,585.00
Travel M...	Travel Expense & Mileage	1	830.80		830.80
Shipping...	Shipping, Freight, and Handling	1	2,293.84		2,293.84
THANK YOU FOR YOUR BUSINESS!!					
PLEASE REMIT 50% DOWN PAYMENT, \$143,700.63. THANK YOU, RACHEL					
Due Upon Receipt.			Subtotal		
Phone #	Fax #	E-mail	Sales Tax (8.25%)		
806-791-3661	806-687-8304	rsugg@mandrytechnology.com	Payments/Credits		
<i>Overdue accounts are subject to a 1.5% service charge per month.</i>			Balance Due		
			\$287,401.26		
			\$0.00		
			\$0.00		
			\$287,401.26		

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: AUGUST 8, 2017

AGENDA ITEM: 12

SUBJECT: REPAIR OF 2010 FREIGHTLINER CHALLENGER GARBAGE TRUCK
PROCEEDING: Action
SUBMITTED BY: City Staff
EXHIBITS:

SUMMARY STATEMENT

City Council hear an update regarding cost of repairs to the 2010 Freightliner Challenger Garbage Truck and authorize related expenditures. *(City Manager, Finance Director and Director of Sanitation/Landfill)*

COUNCIL ACTION

DISCUSSION _____

Motion by Council Member _____ to authorize related expenditures based on City Council's recommendation to _____. 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 Council Agenda

City of Lamesa, Texas

DATE OF MEETING: AUGUST 8, 2017

AGENDA ITEM: 13

SUBJECT: **BUDGET AMENDMENT VII**
PROCEEDING: Ordinance, Second Reading
SUBMITTED BY: City Staff
EXHIBITS: Ordinance

SUMMARY STATEMENT

City Council to consider amending Ordinance O-18-16 on first reading with respect to October 1, 2016 fiscal year budget. (*City Manager*)

DISCUSSION _____

Motion by Council Member _____ to amend Ordinance O-18-16 on second reading with respect to October 1, 2016 fiscal year budget. Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

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

CITY MANAGER'S MEMORANDUM

Recommend approval.

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF LAMESA, TEXAS, AMENDING
ORDINANCE NO. 0-18-16 TO APPROPRIATE FUNDS IN THE CITY
OF LAMESA BUDGET FOR FISCAL YEAR 2016-2017.**

On the 8th day of August, 2017, there came on and was held at the City Hall of the City of Lamesa, Texas, an open meeting of the City Council of the City of Lamesa, Texas, held pursuant to the provisions of the Texas Open Meetings Act (Government Code, Chapter 551). There being a quorum present and acting throughout the meeting, the following ordinance was formally submitted by motion and duly seconded for the consideration and action of the meeting, to-wit:

WHEREAS, the City Council desires to amend Ordinance No. 0-18-16 to make certain revisions to the 2016-2017 Budget of the City of Lamesa to authorize and appropriate funds as listed below; and

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

SECTION 1. That the City of Lamesa 2016-2017 Budget contained in Ordinance No. 0-18-16 be, and same is hereby, amended to change the amount appropriated by the following:

	<u>Revenues</u>	<u>Expenditures</u>
General Fund (1)	\$ 117,843.51	\$ 117,843.51
Utility Fund (2)	\$ 117,843.51	\$ 117,843.51
Solid Waste Fund (3)	\$ 81,714.24	\$ 81,714.24
Special Revenue Fund (7)	\$ 54,348.76	\$ 54,348.76

SECTION 2. Effective date: That this Ordinance shall become effective as of this September 1, 2017.

SECTION 3. The City Secretary is hereby authorized and directed to cause publication of this Ordinance as provided by law.

Upon being put to a vote, the foregoing ordinance was Passed, on First Reading on August 8th, 2017 by a majority vote; and on August 22nd, 2017, there will be held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas held pursuant to the provisions of the Texas Open Meetings Act (Government. Code, Chapter 551); there being a quorum present and acting throughout the meeting, the foregoing ordinance was formally submitted by motion and duly seconded for the consideration and action of the meeting, and upon being put to a vote, the foregoing ordinance was Passed on Second Reading by a majority vote and ordered to be spread upon the minutes of the City Council of the City of Lamesa, Texas and recorded in the ordinance book thereafter.

ATTEST:

Shawna D. Burkhart
City Manager

APPROVED:

Josh Stevens
Mayor

CITY OF LAMESA
BUDGET AMENDMENT 2017-07 FOR FY 2016/2017

GENERAL FUND (1)

This budget amendment reflects the use of Fund Balance in the General Fund to pay the 41% of the total cost of the Technology Upgrade awarded to Mandry Technologies.

Increase Revenues – Fund Balance	\$ 117,843.51
Increase Expenses - (01-5011-957) – Communications Equipment	\$ 117,843.51

UTILITY FUND (2)

This budget amendment reflects the use of Fund Balance in the Utility Fund to pay the 41% of the total cost of the Technology Upgrade awarded to Mandry Technologies.

Increase Revenues – Fund Balance	\$ 117,843.51
Increase Expenses - (02-5112-957) – Communications Equipment	\$ 117,843.51

SOLID WASTE ENTERPRISE FUND (3)

This budget amendment reflects the use of Fund Balance in the Solid Waste Enterprise Fund to pay the 18% of the total cost of the Technology Upgrade awarded to Mandry Technologies.

Increase Revenues – Fund Balance	\$ 51,714.24
Increase Expenses - (03-5211-957) – Communications Equipment	\$ 51,714.24

This budget amendment reflects incremental of funds required to repair the 2010 Freightliner Garbage Truck.

Increase Revenues – Fund Balance	\$ 40,000.00
Increase Expenses - (03-5211-505) – Heavy Equipment & Machinery	\$ 40,000.00

SPECIAL REVENUE FUND (17)

This budget amendment reflects reimbursement of the Boys and Girls Lake Club Project donation made by the Wilton Foundation back to the respective entity.

Increase Revenues – (17-40537) – Boys and Girls Lake Project (Wilton Foundation)	\$ 22,187.75
Increase Expenses - (17-5411-936) – Boys and Girls Lake Project - Construction	\$ 22,187.75

This budget amendment reflects receipt of the 2017 TxDOT Airport Ramp Grant used for maintenance of Airport grounds and facilities.

Increase Revenues – (17-40500) – TxDOT Ramp Grant	\$ 32,161.01
Increase Expenses - (17-5411-900) – TxDOT Ramp Grant Expenditures	\$ 32,161.01

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: AUGUST 8, 2017

AGENDA ITEM: 14

SUBJECT: **PUBLIC HEARING ON REQUEST FOR ZONE CHANGE**
PROCEEDING: Public Hearing
SUBMITTED BY: City Staff
EXHIBITS: Minutes from March 24, 2016 and September 6, 2016
P&Z meeting
AUTHORITY: City Charter, City Code, Texas Government Code

SUMMARY STATEMENT

Public hearing to determine whether to change the zoning designation of the following described property:

A 7.246 ACRE TRACT MORE FULLY DESCRIBED AS ALL OF LOT 5 AND THE WEST PART OF LOT 6, LAMESA INDUSTRIAL PARK, AN ADDITION TO THE CITY OF LAMESA OUT OF SECTION. 71, BLOCK 35, T-6-N, T. & P. RY. CO. SURVEY, DAWSON COUNTY, TEXAS, AND PART OF THE EAST 1/2 OF THAT PART OF THE SOUTH PLAINS AND LAMESA RAILROAD RIGHT-OF-WAY LYING WESTERLY OF SAID LOTS;

located at 100 NORTH 7TH STREET, from Zoning District I-2 HEAVY INDUSTRY to Zoning District R-3 MULTI FAMILY RESIDENTIAL for apartments. A more accurate description of said property and a plat of the property is available for inspection at City Hall, 601 South 1st Street.

The hearing is to consider recommendation of the Planning and Zoning Commission in **CASE NO. PZ 16-2**, recommending that the petition of DANNY GREEN, PO BOX 25, SUNDOWN, TEXAS 79372 AND SALEM CLARK DEVELOPMENT (SUCCESSOR IN INTEREST TO STATE STREET DEVELOPMENT AND THE LAMESA FAM, LP) to change the zoning of the property to permit the building of apartments be granted.

PUBLIC HEARING

The Mayor will ask if anyone wishes to speak regarding the request for changing the zoning designation from Zoning District I-2 HEAVY INDUSTRIAL to Zoning District R-3 MULTI-FAMILY RESIDENTIAL located at 100 NORTH 7TH STREET, LAMESA, TX.

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 June 22, 2017 meeting. P&Z public hearing was held on June 22, 2017 meeting.

APPLICATION FOR ZONE CHANGE

Date: 2-28-17

City Planning & Zoning Commission
City of Lamesa
City Secretary
601 South First Street
Lamesa, Texas 79331

Council Members:

You are respectfully requested to recommend to the City Council of the City of Lamesa that the hereinafter described tracts of land be changed by ordinance from the existing zoning district to zoning districts indicated as follows:

Lot 5, Block 35, Addition Lamesa Industrial Park
Address North East 7th Street
From Heavy Ind I - 2 District to Multifamily R - 3 District

Present use of property: _____
Storage of trucks and related equipment

Desired use to be made of property?: _____
To build a new 80 unit apartment community

Are there deed restrictions pertaining to intended use of property?


Signature

☐ Yes

No ☒

306 Eighth Place
Address

Sundown, Texas 79372
City, State Zip

806-777-2157
Telephone Number

Date received: _____ By _____

Note: A fee of \$50.00, to publish and mail all notices, is filed with this application.

Effective August 1, 2014 a legal description of the property listed above must accompany this application.

APPLICATION FOR ZONE CHANGE

Date: 2-28-17

City Planning & Zoning Commission
City of Lamesa
City Secretary
601 South First Street
Lamesa, Texas 79331

Council Members:

You are respectfully requested to recommend to the City Council of the City of Lamesa that the hereinafter described tracts of land be changed by ordinance from the existing zoning district to zoning districts indicated as follows:

Lot 5, Block 35, Addition Lamesa Industrial Park
Address Noth East 7th Street
From Heavy Ind I-2 District to Multifamily R-3 District

Present use of property: _____
Storage of trucks and related equipment

Desired use to be made of property?: _____
To build a new 80 unit apartment community

Are there deed restrictions pertaining to intended use of property?

☐ Yes

No ☒


Signature

7801 Jack Finney Blvd #101
Address

Greenville, TX 75402
City, State Zip

903-456-0411
Telephone Number

Date received: _____ By _____

Note: A fee of \$50.00, to publish and mail all notices, is filed with this application.

Effective August 1, 2014 a legal description of the property listed above must accompany this application.



CITY OF LAMESA

601 SOUTH 1ST STREET LAMESA, TEXAS 79331 TEL. 806-872-2124 FAX 806-872-4338

NOTICE CITY COUNCIL PUBLIC HEARING CITY OF LAMESA, TEXAS NOTICE TO PROPERTY OWNERS

NOTICE is hereby given to all interested persons that the City Council of the City of Lamesa, Texas will hold a public hearing on AUGUST 8, 2017, at 5:30 PM in the City Hall, 601 South First Street, Lamesa, Texas.

AT WHICH TIME AND PLACE the City Council will consider the recommendation of the Planning and Zoning Commission to change the zoning for the following described property:

A 7.246 ACRE TRACT MOREFULLY DESCRIBED AS ALL OF LOT 5 AND THE WEST PART OF LOT 6, LAMESA INDUSTRIAL PARK, AN ADDITION TO THE CITY OF LAMESA OUT OF SECTION. 71, BLOCK 35, T-6-N, T. & P. RY. CO. SURVEY, DAWSON COUNTY, TEXAS, AND PART OF THE EAST 1/2 OF THAT PART OF THE SOUTH PLAINS AND LAMESA RAILROAD RIGHT-OF-WAY LYING WESTERLY OF SAID LOTS;

located at 100 NORTH 7TH STREET, from Zoning District I-2 HEAVY INDUSTRY to Zoning District R-3 MULTI FAMILY RESIDENTIAL for apartments. A more accurate description of said property and a plat of the property is available for inspection at City Hall, 601 South 1st Street.

The hearing is to consider recommendation of the Planning and Zoning Commission in **CASE NO. PZ 16-2**, recommending that the petition of DANNY GREEN, PO BOX 25, SUNDOWN, TEXAS 79372 AND SALEM CLARK DEVELOPMENT (SUCCESSOR IN INTEREST TO STATE STREET DEVELOPMENT AND THE LAMESA FAM, LP) to change the zoning of the property to permit the building of apartments be granted.

You are hereby invited to attend such public hearing and voice any comments you may have regarding such proposed zone change. If for any reason you are unable to attend the public hearing, you may return this form to the Building Official, City of Lamesa, 601 South First Street, Lamesa, Texas 79331 with your comments as stated below, and your wishes will be made known to the members of the City Council.

REPLY

I am (in favor) (opposed to) the zone change as requested by Case Number PZ 16-2.
My reason and comments are as follows:

SIGNATURE: _____

DATE: _____

NAME:

ADDRESS:



CITY OF LAMESA

601 SOUTH 1ST STREET LAMESA, TEXAS 79331 TEL. 806-872-2124 FAX 806-872-4338

NOTICE CITY COUNCIL PUBLIC HEARING CITY OF LAMESA, TEXAS NOTICE TO PROPERTY OWNERS

NOTICE is hereby given to all interested persons that the City Council of the City of Lamesa, Texas will hold a public hearing on AUGUST 8, 2017, at 5:30 PM in the City Hall, 601 South First Street, Lamesa, Texas.

AT WHICH TIME AND PLACE the City Council will consider the recommendation of the Planning and Zoning Commission to change the zoning for the following described property:

A 7.246 ACRE TRACT MOREFULLY DESCRIBED AS ALL OF LOT 5 AND THE WEST PART OF LOT 6, LAMESA INDUSTRIAL PARK, AN ADDITION TO THE CITY OF LAMESA OUT OF SECTION. 71, BLOCK 35, T-6-N, T. & P. RY. CO. SURVEY, DAWSON COUNTY, TEXAS, AND PART OF THE EAST 1/2 OF THAT PART OF THE SOUTH PLAINS AND LAMESA RAILROAD RIGHT-OF-WAY LYING WESTERLY OF SAID LOTS;

located at 100 NORTH 7TH STREET, from Zoning District I-2 HEAVY INDUSTRY to Zoning District R-3 MULTI FAMILY RESIDENTIAL for apartments. A more accurate description of said property and a plat of the property is available for inspection at City Hall, 601 South 1st Street.

The hearing is to consider recommendation of the Planning and Zoning Commission in **CASE NO. PZ 16-2**, recommending that the petition of DANNY GREEN, PO BOX 25, SUNDOWN, TEXAS 79372 AND SALEM CLARK DEVELOPMENT (SUCCESSOR IN INTEREST TO STATE STREET DEVELOPMENT AND THE LAMESA FAM, LP) to change the zoning of the property to permit the building of apartments be granted.

You are hereby invited to attend such public hearing and voice any comments you may have regarding such proposed zone change. If for any reason you are unable to attend the public hearing, you may return this form to the Building Official, City of Lamesa, 601 South First Street, Lamesa, Texas 79331 with your comments as stated below, and your wishes will be made known to the members of the City Council.

REPLY

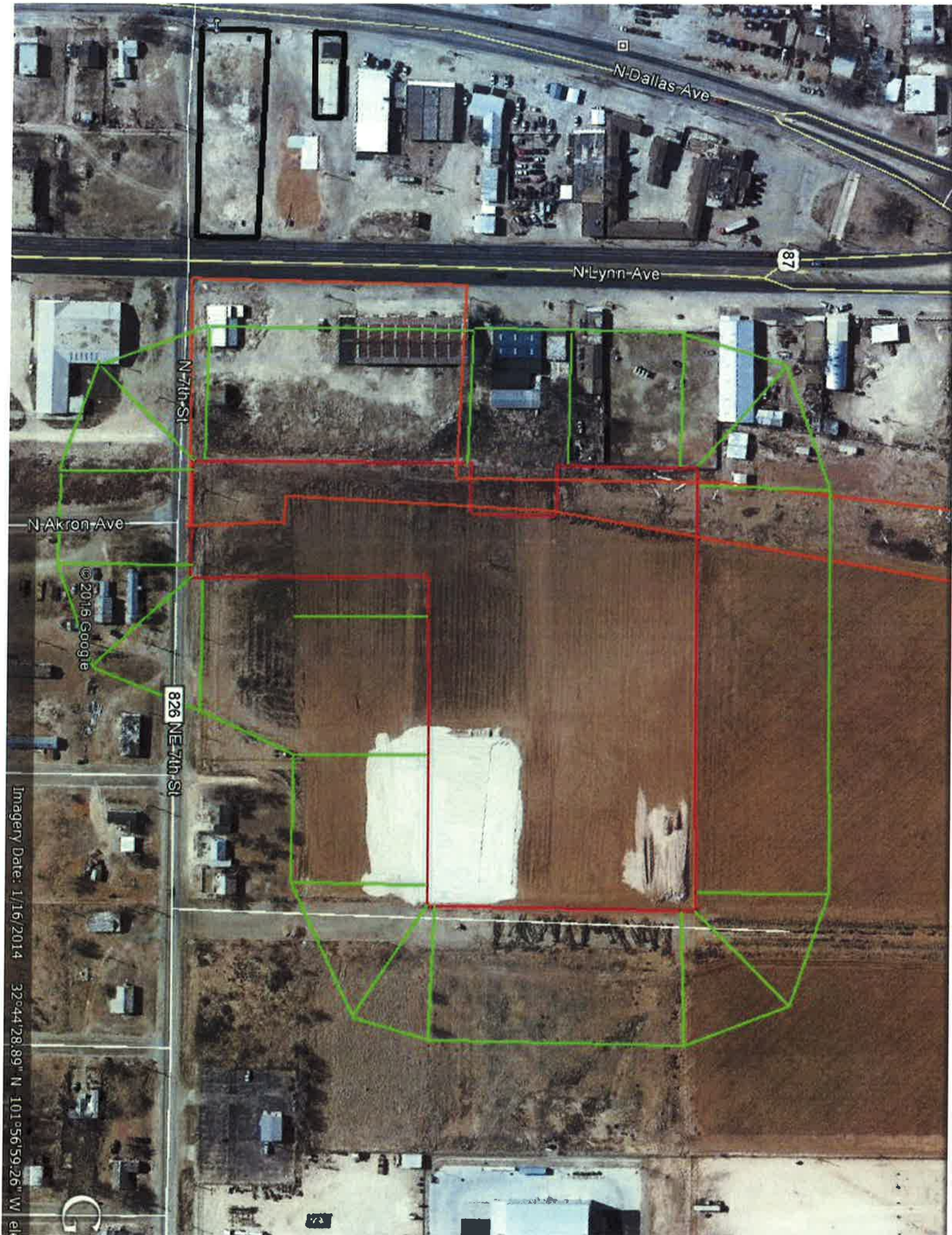
I am (in favor) (opposed to) the zone change as requested by Case Number PZ 16-2.
My reason and comments are as follows:

SIGNATURE: _____

DATE: _____

NAME:

ADDRESS:



N-Dallas-Ave

N-Lynn-Ave

87

N-7th-St

N-Akron-Ave

© 2016 Google

826 NE 7th St

Imagery Date: 1/16/2014 32°44'28.89" N 101°56'59.26" W

SALEM | CLARK

ADDENDUM TO APPLICATION FOR REZONING

Pursuant to Texas Department of Housing and Community Affairs Multifamily Rule §2306.6705(5)(C); Salem Clark Development and SCF Lamesa 17, LP agree to hold the City of Lamesa political subdivision and all other parties harmless in the event the appropriate zoning is denied in relation to the proposed Westwind of Lamesa Development.

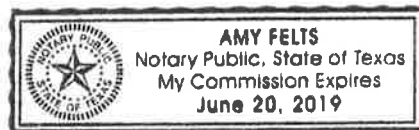

Kelly Garrett

State of Texas

County of Hunt

Before me, Amy Felts, on this day personally appeared Kelly Garrett, known to me (or proved to me on the oath of _____ or through TX DL (description of identity card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed. Given under my hand and seal of office this 24 day of February, 2017.

(Seal)




Notary Public Signature

City of Lamesa
City Secretary
601 South First Street
Lamesa, Texas 79331

204 DE 7th

Council Members:

You are respectfully requested to recommend to the City Council of the City of Lamesa that the hereinafter described tracts of land be changed by ordinance from the existing zoning district to zoning districts indicated as follows:

Lot 5, Block 35, Addition Lamesa Industrial Park
Address See attached survey
From X I-2 District to R-3 District

Present use of property: Vacant

Desired use to be made of property?: Apartments

Are there deed restrictions pertaining to intended use of property?

 Yes

No X

Jelly Sandoz
Signature

7801 Jack Finney Blvd., #101
Address

Greenville, TX 75402
City, State Zip

903.450.1520 X 3
Telephone Number

Date received: 2/26/16 By Jda Rodriguez

Note: A fee of \$50.00, to publish and mail all notices, is filed with this application.

Effective August 1, 2014 a legal description of the property listed above must accompany this application.



CITY OF LAMESA

601 SOUTH 1ST STREET LAMESA, TEXAS 79331 TEL. 806-872-2124 FAX 806-872-4338

NOTICE PUBLIC HEARING CITY OF LAMESA, TEXAS PLANNING AND ZONING COMMISSION

NOTICE is hereby given to all interested persons that the Planning and Zoning Commission of the City of Lamesa, Texas will hold a public hearing on MARCH 24, 2016, at 4:00 PM in the City Hall, 601 South First Street, Lamesa, Texas.

AT WHICH TIME AND PLACE all interested persons will be given an opportunity to be heard after which hearing the Planning and Zoning Commission will make a determination in the following case:

CASE NO. PZ 16-2: To consider the petition of DANNY GREEN PO BOX 25 SUNDOWN, TEXAS 79372 AND STATE STREET DEVELOPMENT AND THF LAMESA FAM, LP to change the zone of the following property:

A 7.246 ACRE TRACT MOREFULLY DESCRIBED AS ALL OF LOT 5 AND THE WEST PART OF LOT 6, LAMESA INDUSTRIAL PARK, AN ADDITION TO THE CITY OF LAMESA OUT OF SEC. 71, BLK 35, T-6-N, T&P RAILROAD COMPANY SURVEY, DAWSON COUNTY, TEXAS AND PART OF THE EAST 1/2 OF THAT PART OF THE SOUTH PLAINS AND LAMESA RAILROAD RIGHT-OF-WAY LYING WESTERLY OF SAID LOTS. A MORE ACCURATE DESCRIPTION OF SAID PROPERTY AND A PLAT OF THE PROPERTY IS AVAILABLE FOR INSPECTION AT 601 SOUTH 1ST STREET INSPECTIONS DEPARTMENT.

located at 100 NORTH 7TH STREET from zoning district I-2 HEAVY INDUSTRY to zoning district R-3 MULTI FAMILY RESIDENTIAL for APARTMENTS.

FOR THE CITY OF LAMESA;

Wayne Smith
Chief Inspector

Publication Dates:

MARCH 6, 2016

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

MINUTES

On March 24, 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:

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

Also Meeting:

Wayne Smith

Chief Inspector

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

1. CALL TO ORDER:

2. 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 **December 21, 2015**.

A motion to approve the minutes as read was made by Richard Leonard and seconded by Sam Adams.

VOTING: "AYE" 5 "NAY" 0 "ABSTAIN" 0

3. CASE NO. PZ 16-2: To consider the petition of DANNY GREEN PO BOX 25 SUNDOWN, TEXAS 79372 AND STATE STREET DEVELOPMENT AND THE LAMESA FAM, LP to change the zone of the following property:

A 7.246 ACRE TRACT MOREFULLY DESCRIBED AS ALL OF LOT 5 AND THE WEST PART OF LOT 6, LAMESA INDUSTRIAL PARK, AN ADDITION TO THE CITY OF LAMESA OUT OF SEC. 71, BLK 35, T-6-N, T&P RAILROAD COMPANY SURVEY, DAWSON COUNTY, TEXAS AND PART OF THE EAST 1/2 OF THAT PART OF THE SOUTH PLAINS AND LAMESA RAILROAD RIGHT-OF-WAY LYING WESTERLY OF SAID LOTS. A MORE ACCURATE DESCRIPTION OF SAID PROPERTY AND A PLAT OF THE PROPERTY IS AVAILABLE FOR INSPECTION AT 601 SOUTH 1ST STREET INSPECTIONS DEPARTMENT.

located at 100 NORTH 7TH STREET from zoning district I-2 HEAVY INDUSTRY to zoning district R-3 MULTI FAMILY RESIDENTIAL for APARTMENTS.

Discussion: 16 letters were mailed to surrounding property owners, no letters were returned. Bill Smyrl was in attendance to represent State Street Development. Mr. Smyrl spoke about the proposed apartment project and submitted preliminary plans for the project. This application was brought to the board but will be shelved until the project has been funded and is ready to proceed, this is to prevent the property from being rezoned and the project not proceeding. Tim Hastings was in attendance to address concerns he had pertaining to the rezoning. Mr. Hastings stated he was not given notice of the public hearing: Mr. Hastings property is not incorporated in the city limits and was not notified because of that, Mr Hastings also questioned the flood zone of the property: the property is listed as Zone X on the FEMA flood plain map. Mr. Hastings made several statements concerning the possible issues that may arise from a multi family property. The board expressed a desire to revisit this case since it was not requiring immediate action.

Motion by Gary Culp to table the application of Danny Green and State Street Development. The motion was seconded by Richard Leonard. Upon being put to a vote the motion passed.

VOTING: "AYE" 5 "NAY" 0 "ABSTAIN" 0

4. Discuss and make recommendation on Planned Development District Zoning.

Discussion: Information was provided to the board concerning adding a PD District to the City's Zoning Districts. Questions were asked concerning how this district would be administered and under what circumstances a property would be zoned as a PD District.

Motion by Richard Leonard to recommend approval of the addition of a PD Zone to the zoning districts. The motion was seconded by Gary Culp. Upon being put to a vote the motion passed.

VOTING: "AYE" 5 "NAY" 0 "ABSTAIN" 0

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

ATTEST:

APPROVED:


Chief Inspector


Chairman



CITY OF LAMESA

601 SOUTH 1ST STREET LAMESA, TEXAS 79331 TEL. 806-872-2124 FAX 806-872-4338

CITY OF LAMESA, TEXAS CITY COUNCIL PUBLIC HEARING NOTICE TO PROPERTY OWNERS

NOTICE is hereby given to all interested persons that the City Council of the City of Lamesa, Texas will hold a public hearing on SEPTEMBER 6, 2016, at 5:30 P.M. in the City Hall, 601 South First Street, Lamesa, Texas.

AT WHICH TIME the City Council will consider a change in zoning district for the following described property, such property being within 200 feet of property listed by the tax office as belonging to you:

A 7.246 ACRE TRACT MOREFULLY DESCRIBED AS ALL OF LOT 5 AND THE WEST PART OF LOT 6, LAMESA INDUSTRIAL PARK, AN ADDITION TO THE CITY OF LAMESA OUT OF SEC. 71, BLK 35, T-6-N, T&P RAILROAD COMPANY SURVEY, DAWSON COUNTY, TEXAS AND PART OF THE EAST 1/2 OF THAT PART OF THE SOUTH PLAINS AND LAMESA RAILROAD RIGHT-OF-WAY LYING WESTERLY OF SAID LOTS. A MORE ACCURATE DESCRIPTION OF SAID PROPERTY AND A PLAT OF THE PROPERTY IS AVAILABLE FOR INSPECTION AT 601 SOUTH 1ST STREET INSPECTIONS DEPARTMENT.

That DANNY GREEN PO BOX 25 SUNDOWN, TEXAS 79372 AND STATE STREET DEVELOPMENT AND THF LAMESA FAM, LP requested that the zoning district of the property described above, located at 100 NORTH 7TH STREET, be changed from I-2 HEAVY INDUSTRY to R-3 MULTI FAMILY RESIDENTIAL for use as APARTMENTS.

You are hereby invited to attend such public hearing and voice any comments you may have regarding such proposed zone change. If for any reason you are unable to attend the public hearing, you may return this form to the Building Official, City of Lamesa, 601 South First Street, Lamesa, Texas 79331 with your comments as stated below, and your wishes will be made known to the members of the City Council.

REPLY

I am (in favor) (opposed to) the zone change as requested by Case Number: PZ 16-2 My reason and comments are as follows:

SIGNATURE:_____ **DATE:**_____

NAME:
ADDRESS:

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

MINUTES

On August 2, 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
	Ray Stephens	Member
ABSENT-----	Larry Allison	Member
	Sam Adams	Member
	Richard Leonard	Member
ABSENT-----	Jinkin Ortiz	Alternate Member
ABSENT-----	Barney Blount	Alternate Member

Also Meeting:

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

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

1. CALL TO ORDER:

2. 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 **MAY 26, 2016**.

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

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

3. CASE NO. PZ 16-2: To consider the petition of DANNY GREEN PO BOX 25 SUNDOWN, TEXAS 79372 AND STATE STREET DEVELOPMENT AND THE LAMESA FAM, LP to change the zone of the following property:

A 7.246 ACRE TRACT MOREFULLY DESCRIBED AS ALL OF LOT 5 AND THE WEST PART OF LOT 6, LAMESA INDUSTRIAL PARK, AN ADDITION TO THE CITY OF LAMESA OUT OF SEC. 71, BLK 35, T-6-N, T&P RAILROAD COMPANY SURVEY, DAWSON COUNTY, TEXAS AND PART OF THE EAST 1/2 OF THAT PART OF

THE SOUTH PLAINS AND LAMESA RAILROAD RIGHT-OF-WAY LYING WESTERLY OF SAID LOTS. A MORE ACCURATE DESCRIPTION OF SAID PROPERTY AND A PLAT OF THE PROPERTY IS AVAILABLE FOR INSPECTION AT 601 SOUTH 1ST STREET INSPECTIONS DEPARTMENT.

located at 100 NORTH 7TH STREET from zoning district I-2 HEAVY INDUSTRY to zoning district R-3 MULTI FAMILY RESIDENTIAL for APARTMENTS.

Discussion: This case was previously discussed by the board and tabled on March 24, 2016 until more information was available concerning the issuance of the tax credits needed to move forward. 14 letters were sent to surrounding property owners including one to Tim Hastings who owns an adjacent property that is outside the city limits. No letters were returned and only Bill Smyrl and Mark Mayfield were present to represent the use of the property. Discussion was held concerning the use of the as work force housing. Maps were presented and property lines discussed concerning the property. The tax credits were issued for the project but are currently being appealed to the State agency with a ruling expected on August 25th. The request for zone change is being presented for recommendation of the Planning and Zoning board but will be held for council consideration until after the appeal is decided and will be placed on council agenda for the August 30th.

A motion was made by Gary Culp to recommend approval to the City Council for a zone change for the property located at 100 North 7th Street from I-2 to R-3 for use as a workforce housing. The motion was seconded by Bob Henderson. Upon being put to a vote the motion passed.

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

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

ATTEST:

Chief Inspector

APPROVED:

Chairman

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: AUGUST 8, 2017

AGENDA ITEM: 15

SUBJECT: **REQUEST FOR ZONE CHANGE – 100 N. 7TH STREET**
PROCEEDING: Approval
SUBMITTED BY: City Staff
EXHIBITS: Ordinance, First Reading
AUTHORITY: City Charter, City Code, Texas Government Code

SUMMARY STATEMENT

City Council to consider approving an Ordinance on first reading approving a zone change for the following property:

A 7.246 ACRE TRACT MORE FULLY DESCRIBED AS ALL OF LOT 5 AND THE WEST PART OF LOT 6, LAMESA INDUSTRIAL PARK, AN ADDITION TO THE CITY OF LAMESA OUT OF SECTION. 71, BLOCK 35, T-6-N, T. & P. RY. CO. SURVEY, DAWSON COUNTY, TEXAS, AND PART OF THE EAST 1/2 OF THAT PART OF THE SOUTH PLAINS AND LAMESA RAILROAD RIGHT-OF-WAY LYING WESTERLY OF SAID LOTS, AS SHOWN ON THE SURVEY ATTACHED,

from Zoning District I-2 HEAVY INDUSTRY to Zoning District R-3 MULTI FAMILY RESIDENTIAL for apartments on such property located at 100 N. 7th Street, Lamesa, Texas upon recommendation of the Planning and Zoning Commission. *(City Manager and Building Official)*

COUNCIL ACTION

DISCUSSION _____

Motion by Council Member _____ to pass an Ordinance on first reading to change the zoning designation of the following described property from Zoning District I-2 HEAVY INDUSTRY to Zoning District R-3 MULTI FAMILY RESIDENTIAL for apartments on such property located at 100 N. 7th Street, Lamesa, Texas upon recommendation of the Planning and Zoning Commission to-wit:

A 7.246 ACRE TRACT MOREFULLY DESCRIBED AS ALL OF LOT 5 AND THE WEST PART OF LOT 6, LAMESA INDUSTRIAL PARK, AN ADDITION TO THE CITY OF LAMESA OUT OF SECTION. 71, BLOCK 35, T-6-N, T. & P. RY. CO. SURVEY, DAWSON COUNTY, TEXAS, AND PART OF THE EAST 1/2 OF THAT PART OF THE SOUTH PLAINS AND LAMESA RAILROAD RIGHT-OF-WAY LYING WESTERLY OF SAID LOTS AS SHOWN ON THE SURVEY ATTACHED

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

VOTING:

"AYE" _____

"NAY" _____

"ABSTAIN" _____

CITY MANAGER'S MEMORANDUM

Recommend approval.

AN ORDINANCE GRANTING A ZONE CHANGE FOR A 7.246 ACRE TRACT MORE FULLY DESCRIBED AS ALL OF LOT 5 AND THE WEST PART OF LOT 6, LAMESA INDUSTRIAL PARK, AN ADDITION TO THE CITY OF LAMESA, OUT OF SECTION. 71, BLOCK 35, T-6-N, T. & P. RY. CO. SURVEY, DAWSON COUNTY, TEXAS, AND PART OF THE EAST 1/2 OF THAT PART OF THE SOUTH PLAINS AND LAMESA RAILROAD RIGHT-OF-WAY LYING WESTERLY OF SAID LOTS, AS SHOWN ON THE SURVEY ATTACHED, FROM DISTRICT R-1 TO DISTRICT M-1 UPON RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION.

On the this 8th day of August, 2017, there came on and was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas, held pursuant to the provisions of the Texas Open Meetings Act, and there being a quorum present and acting throughout the meeting, the following ordinance was formally submitted by motion and duly seconded for the consideration and action of the meeting, to wit:

WHEREAS, the Code of Ordinances of the City of Lamesa provides that the zoning districts of said city may be changed upon application and upon recommendation of the Planning and Zoning Commission of the City; and

WHEREAS, an application has been made to change the zoning of the following described property located in Lamesa, Texas, from a District I-2 to a District R-3 to permit the building of apartments, to-wit:

ALL OF LOT 5 AND THE WEST PART OF LOT 6, LAMESA INDUSTRIAL PARK, AN ADDITION TO THE CITY OF LAMESA, OUT OF SECTION. 71, BLOCK 35, T-6-N, T. & P. RY. CO. SURVEY, DAWSON COUNTY, TEXAS, AND PART OF THE EAST 1/2 OF THAT PART OF THE SOUTH PLAINS AND LAMESA RAILROAD RIGHT-OF-WAY LYING WESTERLY OF SAID LOTS, AS SHOWN ON THE SURVEY ATTACHED; and

WHEREAS, said property is located within the city limits of the City of Lamesa, Texas, and is within a district zoned as I-2 (Heavy Industry); and

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

WHEREAS, a public hearing, where all interested persons were provided with an opportunity to be heard on the proposed zone change, was held at City Hall, 601 South First Street, in the City of Lamesa, Texas, on August 8, 2017, which date is not less than fifteen days prior to the publication of a notice of such hearing in the Lamesa Press-Reporter, a newspaper of general circulation in the City of Lamesa, Texas;

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

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

SECTION ONE: That the request to change the zoning of the following described property located at 100 N. 7th Street, Lamesa, Texas, from a District I-2 to a District R-3, to-wit:

ALL OF LOT 5 AND THE WEST PART OF LOT 6, LAMESA INDUSTRIAL PARK, AN ADDITION TO THE CITY OF LAMESA, OUT OF SECTION. 71, BLOCK 35, T-6-N, T. & P. RY. CO. SURVEY, DAWSON COUNTY, TEXAS, AND PART OF THE EAST 1/2 OF THAT PART OF THE SOUTH PLAINS AND LAMESA RAILROAD RIGHT-OF-WAY LYING WESTERLY OF SAID LOTS, AS SHOWN ON THE SURVEY ATTACHED,

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

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

SECTION THREE: The 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 applicable state law and the City Charter.

Upon being put to a vote, the foregoing ordinance was Passed, on First Reading on the 8th day of August, 2017, by a majority vote.

ATTEST:

APPROVED:

Betty Conde, City Secretary

Josh Stevens, Mayor

APPLICATION FOR ZONE CHANGE

Date: 2-28-17

**City Planning & Zoning Commission
City of Lamesa
City Secretary
601 South First Street
Lamesa, Texas 79331**

Council Members:


You are respectfully requested to recommend to the City Council of the City of Lamesa that the hereinafter described tracts of land be changed by ordinance from the existing zoning district to zoning districts indicated as follows:

Lot 5, **Block 35**, **Addition** Lamesa Industrial Park
Address North East 7th Street
From Heavy Ind 1 - 2 **District to** Multifamily R - 3 **District**

Present use of property: _____
Storage of trucks and related equipment

Desired use to be made of property?:
To build a new 80 unit apartment community

Are there deed restrictions pertaining to intended use of property?

 ☐ Yes ☒ No

Signature _____

306 Eighth Place
Address

Sundown, Texas 79372

City, State Zip

806-777-2157

Telephone Number

Date received: _____ By _____

Note: A fee of \$50.00, to publish and mail all notices, is filed with this application.

Effective August 1, 2014 a legal description of the property listed above must accompany this application.

APPLICATION FOR ZONE CHANGE

Date: 2-28-17

City Planning & Zoning Commission
City of Lamesa
City Secretary
601 South First Street
Lamesa, Texas 79331

Council Members:

You are respectfully requested to recommend to the City Council of the City of Lamesa that the hereinafter described tracts of land be changed by ordinance from the existing zoning district to zoning districts indicated as follows:

Lot 5, Block 35, Addition Lamesa Industrial Park
Address Noth East 7th Street
From Heavy Ind I-2 District to Multifamily R-3 District

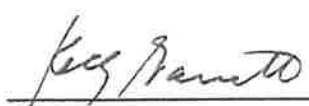
Present use of property: _____
Storage of trucks and related equipment

Desired use to be made of property?: _____
To build a new 80 unit apartment community

Are there deed restrictions pertaining to intended use of property?

☐ Yes

No ☒


Signature

7801 Jack Finney Blvd #101

Address

Greenville, TX 75402

City, State Zip

903-456-0411

Telephone Number

Date received: _____ By _____

Note: A fee of \$50.00, to publish and mail all notices, is filed with this application.

Effective August 1, 2014 a legal description of the property listed above must accompany this application.



CITY OF LAMESA

601 SOUTH 1ST STREET LAMESA, TEXAS 79331 TEL. 806-872-2124 FAX 806-872-4338

NOTICE CITY COUNCIL PUBLIC HEARING CITY OF LAMESA, TEXAS NOTICE TO PROPERTY OWNERS

NOTICE is hereby given to all interested persons that the City Council of the City of Lamesa, Texas will hold a public hearing on AUGUST 8, 2017, at 5:30 PM in the City Hall, 601 South First Street, Lamesa, Texas.

AT WHICH TIME AND PLACE the City Council will consider the recommendation of the Planning and Zoning Commission to change the zoning for the following described property:

A 7.246 ACRE TRACT MOREFULLY DESCRIBED AS ALL OF LOT 5 AND THE WEST PART OF LOT 6, LAMESA INDUSTRIAL PARK, AN ADDITION TO THE CITY OF LAMESA OUT OF SECTION. 71, BLOCK 35, T-6-N, T. & P. RY. CO. SURVEY, DAWSON COUNTY, TEXAS, AND PART OF THE EAST 1/2 OF THAT PART OF THE SOUTH PLAINS AND LAMESA RAILROAD RIGHT-OF-WAY LYING WESTERLY OF SAID LOTS;

located at 100 NORTH 7TH STREET, from Zoning District I-2 HEAVY INDUSTRY to Zoning District R-3 MULTI FAMILY RESIDENTIAL for apartments. A more accurate description of said property and a plat of the property is available for inspection at City Hall, 601 South 1st Street.

The hearing is to consider recommendation of the Planning and Zoning Commission in **CASE NO. PZ 16-2**, recommending that the petition of DANNY GREEN, PO BOX 25, SUNDOWN, TEXAS 79372 AND SALEM CLARK DEVELOPMENT (SUCCESSOR IN INTEREST TO STATE STREET DEVELOPMENT AND THE LAMESA FAM, LP) to change the zoning of the property to permit the building of apartments be granted.

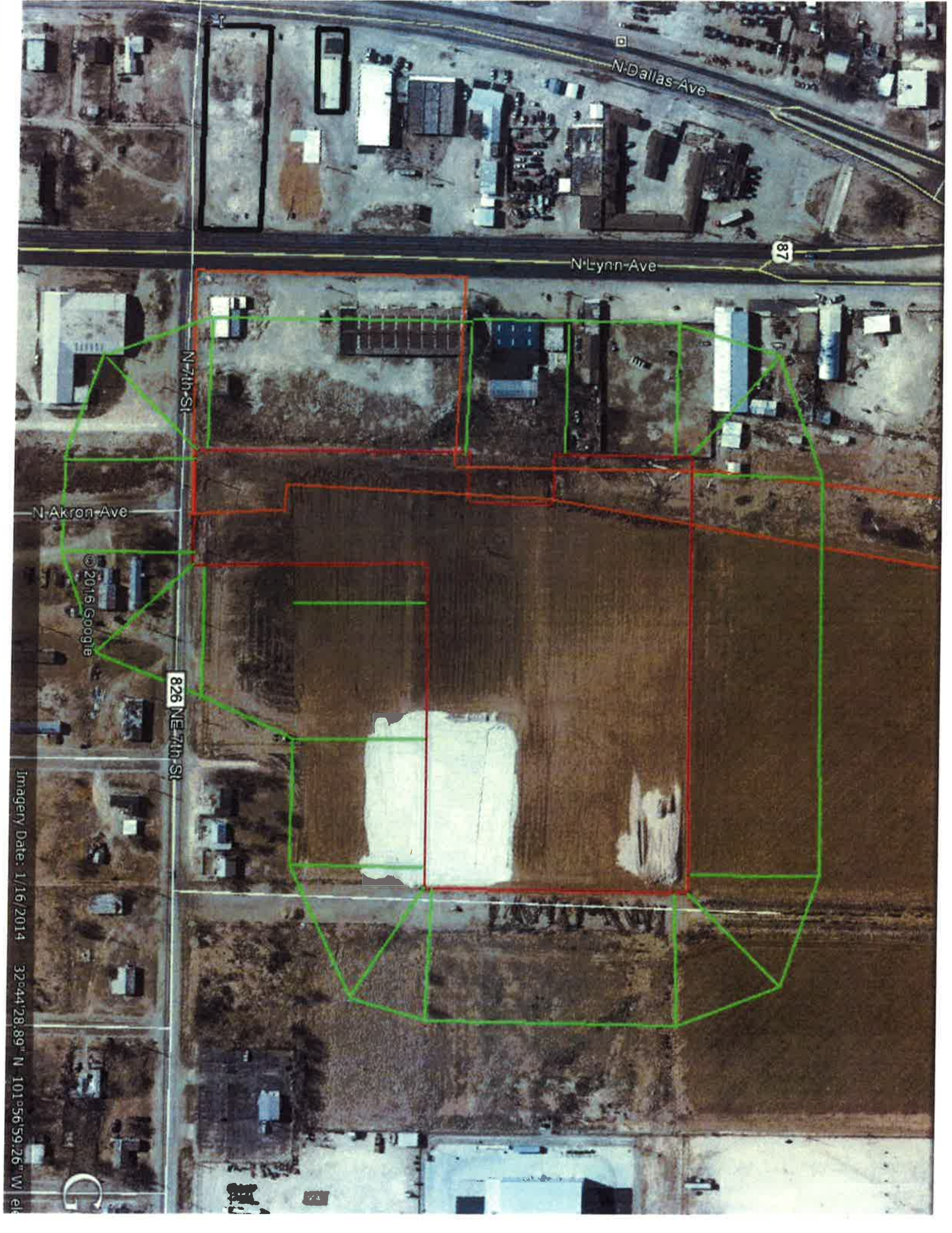
You are hereby invited to attend such public hearing and voice any comments you may have regarding such proposed zone change. If for any reason you are unable to attend the public hearing, you may return this form to the Building Official, City of Lamesa, 601 South First Street, Lamesa, Texas 79331 with your comments as stated below, and your wishes will be made known to the members of the City Council.

REPLY

I am (in favor) (opposed to) the zone change as requested by Case Number PZ 16-2.
My reason and comments are as follows:

SIGNATURE: _____ **DATE:** _____

NAME:
ADDRESS:



N-Dallas-Ave

87

N-Lynn-Ave

N-7th-St

N-Akron-Ave

© 2016 Google

826 NE 7th St

Imagery Date: 1/16/2014

32°44'28.89" N 101°56'59.26" W

SALEM CLARK

ADDENDUM TO APPLICATION FOR REZONING

Pursuant to Texas Department of Housing and Community Affairs Multifamily Rule §2306.6705(5)(C); Salem Clark Development and SCF Lamesa 17, LP agree to hold the City of Lamesa political subdivision and all other parties harmless in the event the appropriate zoning is denied in relation to the proposed Westwind of Lamesa Development.

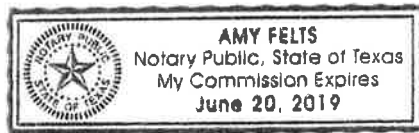

Kelly Garrett

State of Texas

County of Hunt

Before me, Amy Felts, on this day personally appeared Kelly Garrett, known to me (or proved to me on the oath of _____ or through TX DL (description of identity card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed. Given under my hand and seal of office this 24 day of February, 2017.

(Seal)




Notary Public Signature

City of Lamesa
City Secretary
601 South First Street
Lamesa, Texas 79331

204 DE 745

Council Members:

You are respectfully requested to recommend to the City Council of the City of Lamesa that the hereinafter described tracts of land be changed by ordinance from the existing zoning district to zoning districts indicated as follows:

Lot 5, Block 35, Addition Lamesa Industrial Park
Address See attached survey
From X I-2 District to R-3 District

Present use of property: Vacant

Desired use to be made of property?: Apartments

Are there deed restrictions pertaining to intended use of property?

 Yes

No X

Jeff Sandoz
Signature

7801 Jack Finney Blvd., #101
Address

Greenville, TX 75402
City, State Zip

903.450.1520 X 3
Telephone Number

Date received: 2/26/16 By Ada Rodriguez

Note: A fee of \$50.00, to publish and mail all notices, is filed with this application.

Effective August 1, 2014 a legal description of the property listed above must accompany this application.



CITY OF LAMESA

601 SOUTH 1ST STREET LAMESA, TEXAS 79331 TEL. 806-872-2124 FAX 806-872-4338

NOTICE PUBLIC HEARING CITY OF LAMESA, TEXAS PLANNING AND ZONING COMMISSION

NOTICE is hereby given to all interested persons that the Planning and Zoning Commission of the City of Lamesa, Texas will hold a public hearing on MARCH 24, 2016, at 4:00 PM in the City Hall, 601 South First Street, Lamesa, Texas.

AT WHICH TIME AND PLACE all interested persons will be given an opportunity to be heard after which hearing the Planning and Zoning Commission will make a determination in the following case:

CASE NO. PZ 16-2: To consider the petition of DANNY GREEN PO BOX 25 SUNDOWN, TEXAS 79372 AND STATE STREET DEVELOPMENT AND THE LAMESA FAM, LP to change the zone of the following property:

A 7.246 ACRE TRACT MOREFULLY DESCRIBED AS ALL OF LOT 5 AND THE WEST PART OF LOT 6, LAMESA INDUSTRIAL PARK, AN ADDITION TO THE CITY OF LAMESA OUT OF SEC. 71, BLK 35, T-6-N, T&P RAILROAD COMPANY SURVEY, DAWSON COUNTY, TEXAS AND PART OF THE EAST 1/2 OF THAT PART OF THE SOUTH PLAINS AND LAMESA RAILROAD RIGHT-OF-WAY LYING WESTERLY OF SAID LOTS. A MORE ACCURATE DESCRIPTION OF SAID PROPERTY AND A PLAT OF THE PROPERTY IS AVAILABLE FOR INSPECTION AT 601 SOUTH 1ST STREET INSPECTIONS DEPARTMENT.

located at 100 NORTH 7TH STREET from zoning district I-2 HEAVY INDUSTRY to zoning district R-3 MULTI FAMILY RESIDENTIAL for APARTMENTS.

FOR THE CITY OF LAMESA;

Wayne Smith
Chief Inspector

Publication Dates:

MARCH 6, 2016

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

MINUTES

On March 24, 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:

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

Also Meeting:

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

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

1. CALL TO ORDER:

2. 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 **December 21, 2015**.

A motion to approve the minutes as read was made by Richard Leonard and seconded by Sam Adams.

VOTING: "AYE" 5 "NAY" 0 "ABSTAIN" 0

3. CASE NO. PZ 16-2: To consider the petition of DANNY GREEN PO BOX 25 SUNDOWN, TEXAS 79372 AND STATE STREET DEVELOPMENT AND THE LAMESA FAM, LP to change the zone of the following property:

A 7.246 ACRE TRACT MOREFULLY DESCRIBED AS ALL OF LOT 5 AND THE WEST PART OF LOT 6, LAMESA INDUSTRIAL PARK, AN ADDITION TO THE CITY OF LAMESA OUT OF SEC. 71, BLK 35, T-6-N, T&P RAILROAD COMPANY SURVEY, DAWSON COUNTY, TEXAS AND PART OF THE EAST 1/2 OF THAT PART OF THE SOUTH PLAINS AND LAMESA RAILROAD RIGHT-OF-WAY LYING WESTERLY OF SAID LOTS. A MORE ACCURATE DESCRIPTION OF SAID PROPERTY AND A PLAT OF THE PROPERTY IS AVAILABLE FOR INSPECTION AT 601 SOUTH 1ST STREET INSPECTIONS DEPARTMENT.

located at 100 NORTH 7TH STREET from zoning district I-2 HEAVY INDUSTRY to zoning district R-3 MULTI FAMILY RESIDENTIAL for APARTMENTS.

Discussion: 16 letters were mailed to surrounding property owners, no letters were returned. Bill Smyrl was in attendance to represent State Street Development. Mr. Smyrl spoke about the proposed apartment project and submitted preliminary plans for the project. This application was brought to the board but will be shelved until the project has been funded and is ready to proceed, this is to prevent the property from being rezoned and the project not proceeding. Tim Hastings was in attendance to address concerns he had pertaining to the rezoning. Mr. Hastings stated he was not given notice of the public hearing: Mr. Hastings property is not incorporated in the city limits and was not notified because of that, Mr Hastings also questioned the flood zone of the property: the property is listed as Zone X on the FEMA flood plain map. Mr. Hastings made several statements concerning the possible issues that may arise from a multi family property. The board expressed a desire to revisit this case since it was not requiring immediate action.

Motion by Gary Culp to table the application of Danny Green and State Street Development. The motion was seconded by Richard Leonard. Upon being put to a vote the motion passed.

VOTING: "AYE" 5 "NAY" 0 "ABSTAIN" 0

4. Discuss and make recommendation on Planned Development District Zoning.

Discussion: Information was provided to the board concerning adding a PD District to the City's Zoning Districts. Questions were asked concerning how this district would be administered and under what circumstances a property would be zoned as a PD District.

Motion by Richard Leonard to recommend approval of the addition of a PD Zone to the zoning districts. The motion was seconded by Gary Culp. Upon being put to a vote the motion passed.


VOTING: "AYE" 5 "NAY" 0 "ABSTAIN" 0

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

ATTEST:

APPROVED:


Chief Inspector


Chairman



CITY OF LAMESA

601 SOUTH 1ST STREET LAMESA, TEXAS 79331 TEL. 806-872-2124 FAX 806-872-4338

CITY OF LAMESA, TEXAS CITY COUNCIL PUBLIC HEARING NOTICE TO PROPERTY OWNERS

NOTICE is hereby given to all interested persons that the City Council of the City of Lamesa, Texas will hold a public hearing on SEPTEMBER 6, 2016, at 5:30 P.M. in the City Hall, 601 South First Street, Lamesa, Texas.

AT WHICH TIME the City Council will consider a change in zoning district for the following described property, such property being within 200 feet of property listed by the tax office as belonging to you:

A 7.246 ACRE TRACT MOREFULLY DESCRIBED AS ALL OF LOT 5 AND THE WEST PART OF LOT 6, LAMESA INDUSTRIAL PARK, AN ADDITION TO THE CITY OF LAMESA OUT OF SEC. 71, BLK 35, T-6-N, T&P RAILROAD COMPANY SURVEY, DAWSON COUNTY, TEXAS AND PART OF THE EAST 1/2 OF THAT PART OF THE SOUTH PLAINS AND LAMESA RAILROAD RIGHT-OF-WAY LYING WESTERLY OF SAID LOTS. A MORE ACCURATE DESCRIPTION OF SAID PROPERTY AND A PLAT OF THE PROPERTY IS AVAILABLE FOR INSPECTION AT 601 SOUTH 1ST STREET INSPECTIONS DEPARTMENT.

That DANNY GREEN PO BOX 25 SUNDOWN, TEXAS 79372 AND STATE STREET DEVELOPMENT AND THF LAMESA FAM, LP requested that the zoning district of the property described above, located at 100 NORTH 7TH STREET, be changed from I-2 HEAVY INDUSTRY to R-3 MULTI FAMILY RESIDENTIAL for use as APARTMENTS.

You are hereby invited to attend such public hearing and voice any comments you may have regarding such proposed zone change. If for any reason you are unable to attend the public hearing, you may return this form to the Building Official, City of Lamesa, 601 South First Street, Lamesa, Texas 79331 with your comments as stated below, and your wishes will be made known to the members of the City Council.

REPLY

I am (in favor) (opposed to) the zone change as requested by Case Number: PZ 16-2 My reason and comments are as follows:

SIGNATURE: _____ **DATE:** _____

NAME:
ADDRESS:

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

MINUTES

On August 2, 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
	Ray Stephens	Member
ABSENT-----	Larry Allison	Member
	Sam Adams	Member
	Richard Leonard	Member
ABSENT-----	Jinkin Ortiz	Alternate Member
ABSENT-----	Barney Blount	Alternate Member

Also Meeting:

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

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

1. CALL TO ORDER:

2. 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 **MAY 26, 2016**.

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

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

3. CASE NO. PZ 16-2: To consider the petition of DANNY GREEN PO BOX 25 SUNDOWN, TEXAS 79372 AND STATE STREET DEVELOPMENT AND THE LAMESA FAM, LP to change the zone of the following property:

A 7.246 ACRE TRACT MOREFULLY DESCRIBED AS ALL OF LOT 5 AND THE WEST PART OF LOT 6, LAMESA INDUSTRIAL PARK, AN ADDITION TO THE CITY OF LAMESA OUT OF SEC. 71, BLK 35, T-6-N, T&P RAILROAD COMPANY SURVEY, DAWSON COUNTY, TEXAS AND PART OF THE EAST 1/2 OF THAT PART OF

THE SOUTH PLAINS AND LAMESA RAILROAD RIGHT-OF-WAY LYING WESTERLY OF SAID LOTS. A MORE ACCURATE DESCRIPTION OF SAID PROPERTY AND A PLAT OF THE PROPERTY IS AVAILABLE FOR INSPECTION AT 601 SOUTH 1ST STREET INSPECTIONS DEPARTMENT.

located at 100 NORTH 7TH STREET from zoning district I-2 HEAVY INDUSTRY to zoning district R-3 MULTI FAMILY RESIDENTIAL for APARTMENTS.

Discussion: This case was previously discussed by the board and tabled on March 24, 2016 until more information was available concerning the issuance of the tax credits needed to move forward. 14 letters were sent to surrounding property owners including one to Tim Hastings who owns an adjacent property that is outside the city limits. No letters were returned and only Bill Smyrl and Mark Mayfield were present to represent the use of the property. Discussion was held concerning the use of the as work force housing. Maps were presented and property lines discussed concerning the property. The tax credits were issued for the project but are currently being appealed to the State agency with a ruling expected on August 25th. The request for zone change is being presented for recommendation of the Planning and Zoning board but will be held for council consideration until after the appeal is decided and will be placed on council agenda for the August 30th.

A motion was made by Gary Culp to recommend approval to the City Council for a zone change for the property located at 100 North 7th Street from I-2 to R-3 for use as a workforce housing. The motion was seconded by Bob Henderson. Upon being put to a vote the motion passed.

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

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

ATTEST:

Chief Inspector

APPROVED:

Chairman

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: AUGUST 8, 2017

AGENDA ITEM: 16

SUBJECT: **PURCHASE ROOFING REPAIR SERVICES**
PROCEEDING: Action
SUBMITTED BY: City Staff
EXHIBITS: Project Summary

SUMMARY STATEMENT

City Council to consider awarding repairs of roofing to multiple vendors for designated City-owned buildings through TIPS/TAPS (similar to Buyboard), a state purchasing cooperative, as recommended by 4T Partnership (a TML partner). (*City Manager & Scott Franklin, 4T Partnership/TML Partnership*)

COUNCIL ACTION

DISCUSSION _____

Motion by Council Member _____ to approve awarding repairs of roofing to _____ on designated City-owned buildings through TIPS/TAPS (similar to Buyboard), a state purchasing cooperative, as recommended by 4T Partnership (a TML partner). Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

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

CITY MANAGER'S MEMORANDUM

Recommend approval.

	TIPS/TAPS CONTRACTS		City of Lamesa	Shawna Burkhart							
TMLIRP Claim#	TMMLIRP ID	CITY	PROJECT:	SUB-Contractor	ASSEMBLY	PRODUCT	INSULATION	Size (SQR FT)	TIPS Contract \$	TML ADJ	NOTES:
	TIPS/TAPS										
	#9	TIPS/TAPS #3	806 South Main- Garage	Pending	TIPS/TAPS			8313.00	Pending	\$ 29,345.67	
	#17	TIPS/TAPS #3	810 South Main- Vehical Shop	VERIFIED	TIPS/TAPS			4992.00	\$ 26,200.00	\$ 26,440.60	
	#18	TIPS/TAPS #3	302 South Austin Water DEPT	Pending	TIPS/TAPS			6268.00	Pending	\$ 22,511.76	
	#8	TIPS/TAPS #1	1709 Bryan AVE Fire Station	VERIFIED	TIPS/TAPS			4400.00	\$ 28,450.00	\$ 21,472.07	PENDING PO
	#53	TIPS/TAPS #4	201 South Avenue S Pro Shop	VERIFIED	TIPS/TAPS			2236.00	\$ 11,800.00	\$ 12,079.51	
	#45	TIPS/TAPS #3	1008 South Dallas-Storage A	Pending	TIPS/TAPS			2755.00		\$ 12,784.13	
	#44	TIPS/TAPS #3	312 South Austin AVE-Storage	Pending	TIPS/TAPS			2125.00		\$ 10,704.37	
	#10	TIPS/TAPS #3	805 South AVE F-Shops/Office	Pending	TIPS/TAPS			3284.00		\$ 11,594.92	
	#48	TIPS/TAPS #4	Landfill-Equipment Storage	VERIFIED	TIPS/TAPS			1866.00	\$ 11,300.00	\$ 9,194.86	
	#0	TIPS/TAPS #2	City Offices	VERIFIED	Submitted				\$ 61,612.42		PENDING PO
	#15		Building @ Sewer Plant	VERIFIED	TIPS/TAPS				\$ 7,750.00	\$ 4,919.25	
	#28		Lift Station/PumpControls	VERIFIED	TIPS/TAPS				\$ 6,155.00	\$ 2,588.09	
	#49		Animal Control Bldg.	VERIFIED	TIPS/TAPS				\$ 6,270.00	\$ 2,718.50	
	#11		Municipal Court/Fence/Gate	Pending					Pending	\$ 3,752.64	
	#2		Pump BLDG / Fence Gates					468.00		\$ 1,642.40	
	#9		Garage					8350.00		\$ 29,345.67	
	#10		Shop Office (Parks					3360.00		\$ 11,594.92	
	#18		Water Dept					6300.00		\$ 22,511.76	
	#80		Storage BLDG					238.00		\$ 788.36	
	#82		Generator 200k & Shelter					280.00		\$ 945.34	
			Package Price for group	Verified	TIPS/TAPS				\$ 61,800.00		

	#20	TIPS/TAPS #3	Water Plant-1500 N. 14th	Pending	R&R BUR		875.00		\$	4,740.37
Total								\$	221,337.42	\$ 241,675.19

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: AUGUST 8, 2017

AGENDA ITEM: 17

SUBJECT: **CALL FOR BID – GENERAL CONTRACTOR FOR HAIL
DAMAGE REPAIR ON CITY BUILDINGS**

PROCEEDING: Action

SUBMITTED BY: City Staff

EXHIBITS: Project Summary

SUMMARY STATEMENT

City Council to consider call for bids for repairs of roofing on City-owned buildings. (*City Manager & Scott Franklin, 4T Partnership/TML Partnership*)

COUNCIL ACTION

DISCUSSION _____

Motion by Council Member _____ to approve a call for bids for repairs of roofing on City-owned buildings. 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 Council Agenda

City of Lamesa, Texas

DATE OF MEETING: AUGUST 8, 2017

AGENDA ITEM: 18

SUBJECT: TELECOMMUNICATIONS SERVICES AGREEMENT
(CLARATIVE COMMUNICATIONS / AT&T)
PROCEEDING: Action
SUBMITTED BY: City Staff
EXHIBITS: Agreement

SUMMARY STATEMENT

City Council to consider entering into a 36 month Telecommunications Services Agreement with Clarative Communications, LLC to provide designated telecommunications services, including Private IP, Data Center Services, Internet, and Private Line Services provided by AT&T at favorable pricing and award contract. *(City Manager)*

COUNCIL ACTION

DISCUSSION _____

Motion by Council Member _____ to approve consider entering into a 36 month Telecommunications Services Agreement with Clarative Communications, LLC to provide designated telecommunications services, including Private IP, Data Center Services, Internet, and Private Line Services provided by AT&T at favorable pricing and award contract. Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

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

CITY MANAGER'S MEMORANDUM

Recommend approval.

TELECOMMUNICATIONS SERVICES AGREEMENT

This agreement, together with any attachments or schedules (the "Agreement") is entered into between Claritive Communications, LLC, a Texas limited liability company, 4521 98th Street, Lubbock, Texas 79424 ("Claritive") and City of Lamesa, 601 South 1st, Lamesa, Texas 79331 ("COL"), for and in consideration of the following mutual covenants and conditions.

1. RECITALS

1.1 Claritive has entered into an agreement with AT&T, Inc. ("AT&T"), which enables Claritive to provide designated telecommunications services, including Private IP, Data Center Services, Internet and Private Line Services provided by AT&T ("AT&T Services") at favorable pricing.

1.2 AT&T will warrant and provide support for all AT&T Services purchased under this Agreement.

1.3 Claritive is further qualified to provide consultation services to end users of AT&T Services and to provide installation of customer equipment necessary to utilize AT&T Services, if such services are requested by the end user or by COL ("Non-AT&T Services").

2. AGREEMENT

2.1 Term. The initial term of this Agreement is 36 months, automatically renewing every 36 months on the Agreement anniversary date, unless and until canceled in writing not less than sixty (60) days prior to the Agreement anniversary date. Claritive will provide written notice to Client of any increases in prices or other changes to the term of this Agreement thirty (30) days prior to the anniversary date at which time Client will have fifteen (15) days to notify Claritive of its intent to cancel this Agreement. If Claritive fails to perform, Client shall give written notice to Claritive of the failure to perform and Claritive shall have sixty (60) days to cure such failure to perform and if Claritive has not cured the failure to perform, Client may terminate this Agreement at the end of such sixty (60) day cure period.

Anything to the contrary herein notwithstanding, if AT&T for any reason ceases or refuses to provide the AT&T Services in accordance with its agreement with Claritive, this Agreement will terminate as of the date of AT&T's default which results in the failure to provide any of the AT&T Services subject to this Agreement.

2.2.1 Rates. COL can utilize AT&T Services available under this agreement according to the pricing schedules attached to this Agreement at Exhibit "A" and incorporated herein for all purposes. Claritive's charges for non-AT&T Services shall be at its then current standard rate.

2.2.2 Time for Payment. COL acknowledges that billings are done on a monthly basis and that Claritive must pay AT&T on all AT&T Services within thirty (30) days of the date of the invoice from AT&T to Claritive. Accordingly, COL agrees to pay to Claritive all sums owing to Claritive under this Agreement within fifteen (15) days after COL receipt of the invoice.

2.2.3 Additional Charges. If at any point AT&T Services ordered or cancelled by COL (or COL failure to timely pay) cause Claritive to incur additional service or installation fees or charges not specified by this Agreement, Claritive may pass the charges actually incurred by Claritive with AT&T, arising due to the actions of COL to COL, in its next monthly invoice.

2.2.4 Installation/Cancellation Changes. COL can order new circuits as necessary and all circuits will fall under the same total time frame within this contract. Early termination of any circuit by COL will not offset the obligation to payment to Claritive for the balance of the circuit. A circuit can be moved to another location of an affected customer without termination charges. COL will be notified of any applicable telco installation charges for any circuits, within the first 30 following the circuit order. COL may cancel the circuit order if the installation charges are not agreed upon by COL. All circuits will continue beyond their stated term on a month-to-month basis unless a termination notice is sent at least 30 days before the circuit is intended to be terminated.

2.2.5 Non-AT&T Late Changes. For Non-AT&T Services provided to COL, will pay interest at the rate of 12% per annum on all sums not paid within thirty (30) days of the date of the invoice for such services.

2.3 Service Standards, Availability and Credits.

2.3.1 AT&T Services. It is understood that COL is to make all warranty claims and requests for support to Claritive who will then promptly notify AT&T. COL agrees that its warranties and any credits for outage etc. for AT&T Service are limited to those paid by AT&T for such claims. Claritive, provided AT&T agrees to satisfactorily compensate Claritive, may agree to support the AT&T warranties. Claritive specifically disclaims any warranties, express or implied of any of and Claritive will not be responsible for any AT&T provided services unless Claritive has expressly undertaken to warrant and support such services.

2.3.2 Non-AT&T Services. Claritive warrants that all Non-AT&T Services provided hereunder will be provided to COL in accordance with prevailing telecommunications industry standards and in accordance with the technical specifications set forth in Bellcore Publication TR-NWT-000499, and/or any amendments or modifications thereto. Claritive will charge \$50 per router/month for monitoring all circuits in the network. Claritive will use reasonable efforts under the circumstances to remedy any delays, interruptions, omissions, mistakes, accidents or errors in service.

2.4 Special Covenant. Does not apply.

2.5 Disputes. Should COL, dispute any of the monthly charges on its monthly invoice, it shall notify Claritive as soon as possible, and in no event later than one-hundred and twenty (120) days after invoice date, of the disputed charges. Said notice shall set forth in writing all details concerning the disputed charges. Any portion of the invoice not under dispute shall be paid according to the terms thereof. Each party shall use its respective best reasonable efforts to resolve any dispute as expeditiously as possible. After resolution of the dispute, the disputed portion of said invoice found owing shall be paid immediately. Notwithstanding the foregoing, COL may not dispute any of the standard rates for AT&T Services and agrees to timely submit all portions of the charges for the AT&T Services which are consistent with the pricing on Schedule "A".

2.6.1 AT&T Services. All warranties, if any, related to the AT&T Services are provided solely by AT&T. COL will contact Claritive with any support or warranty claim related to AT&T Services. Claritive will promptly contact AT&T for support and warranty claims. Claritive agrees to assist COL as necessary, in the documentation and presentation of any such warranty claims to AT&T.

2.6.2 Non-AT&T Services. Claritive warrants that the equipment and technical specifications it uses are suitable for the use intended, and COL warrants and represents that it is fully authorized to contract for the services specified in this Agreement.

CLARITIVE MAKES NO OTHER WARRANTIES, EITHER EXPRESS OR IMPLIED, AND HEREBY EXPRESSLY DISCLAIMS ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE

2.7 Damages

Neither COL nor Claritive shall be liable to the other for any consequential, indirect, special, or incidental damages whatsoever, including, without limitation, any loss of revenue, goodwill, or profits or claims by third parties, or otherwise, in connection with or related to any of the services and/or facilities provided pursuant to this Agreement.

2.8 Indemnity

COL, agrees to indemnify, defend and save harmless Claritive for any liability incurred or threatened to be incurred by Claritive to any third party as a result of the negligent conduct, willful acts or omissions, of COL, its agents, servants, employees, or any other parties over whom COL exercises control. Such indemnification shall include, without limitation, any liability incurred or threatened to be incurred by Claritive as a result of any claim, demand, action, lawsuit, or proceeding brought about by COL'S acts or omissions in connection with the transmission or republication of any material which is found to be defamatory in nature or involves the unauthorized use or infringement of a trademark, trade name, service mark, patent

rights, or similar data or information transmitted by COL over Claritive's network. Likewise, Claritive agrees to indemnify, defend and save harmless COL for any liability incurred or threatened to be incurred by COL to any third party as a result of the negligent conduct, willful acts or omissions, of Claritive, its agents, servants, employees, or any other parties over whom Claritive exercises control. Such indemnification shall include, without limitation, any liability incurred or threatened to be incurred by COL as a result of any claim, demand, action, lawsuit, or proceeding brought about by Claritive's acts or omissions in connection with the transmission or republication of any material which is found to be defamatory in nature or involves the unauthorized use or infringement of a trademark, trade name, service mark, patent rights, or similar data or information transmitted by Claritive over Claritive's network

2.9 Force Majeure

If the performance of the respective obligations of COL and/or Claritive shall be prevented or interfered with by reason of any fire, flood, epidemic, earthquake, or any other act of God, explosion, strike or other disputes, riot or civil disturbance, war (whether declared or undeclared), armed conflict, any municipal ordinance, or state or federal law, governmental order or regulation, or order of any Court of competent jurisdiction, or other similar forces not within the control of COL or Claritive as the case may be, then Claritive and/or COL, shall not be liable to the other for its failure to perform such obligations hereunder.

2.10 Assignment

This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns. Claritive shall not assign, sublet, delegate, or transfer any of its rights or obligations hereunder without the prior written consent of COL, said consent not to be unreasonably withheld or delayed.

3. MISCELLANEOUS

3.1 Confidentiality. The parties understand and agree that the terms and conditions of this Agreement and all documents referenced herein are confidential as between the parties and shall not be disclosed to any party other than the directors, officers, and employees of the parties or agents of the parties who have specifically agreed to nondisclosure of the terms and conditions hereof; provided that the terms and conditions of this Agreement may be disclosed to a third party not identified above if such disclosure is mandated by a final and unappealable order of a governmental entity in the exercise of its lawful jurisdiction and the non-disclosing party has, prior to the entry of such order, been given notice and full opportunity to contest the rendition of said order. Violation by either party or its agents of the foregoing provision shall entitle the other party, at its option, to immediately discontinue providing services and/or facilities to the disclosing party. The remedies stated in this paragraph are, as elsewhere in this Agreement, in addition to, and not exclusive of, all other remedies available at law or in equity.

3.2 Illegality. If any term or provision of this Agreement shall be found to be illegal or unenforceable, then, notwithstanding such illegality or unenforceability, this Agreement shall remain in full force and effect and such term or provision shall be deemed to be deleted. In

addition, this Agreement shall be terminated upon the determination of a governmental entity having jurisdiction over the services and/or facilities provided pursuant to this Agreement that the relationship of the parties, services and/or facilities provided hereunder are contrary to existing law.

3.3 Waiver. No term or provision of this Agreement shall be deemed waived, and no breach or default shall be deemed excused unless such waiver or consent shall be in writing and signed by the party claimed to have waived or consented. No consent by any party to, or waiver of, a breach or default by the other, whether express or implied, shall constitute a consent to, waiver of, or excuse for, any different or subsequent breach or default.

3.4 Notice. All notices required by this Agreement shall be in writing (which may be by facsimile), and shall be presumed to have been delivered when actually received, or upon the expiration of five (5) days following the date of deposit in a regularly maintained receptacle for United States mail, postage fully prepaid, and sent, via overnight, express, registered, or certified mail, return receipt requested, and addressed to the applicable party at its address set forth below or at such other address as such party may have previously specified by notice delivered in accordance with this paragraph and actually received by the addressee:

If to COL: City of Lamesa
601 South 1st
Lamesa, Texas 79331

If to Claritive: Claritive Communications, LLC
4521 98th Street
Lubbock, Texas 79424
Attn: Thomas Mandry

3.5 Insolvency or Bankruptcy. In the event a petition for bankruptcy is filed on by a party, at its insistence or against its will, or if a party shall otherwise be adjudicated to be insolvent, or if a party shall make an assignment for the benefit of creditors, or otherwise take advantage of any act or law for the relief of debtors, such action shall be deemed a breach of this Agreement, and the non-breaching party, at its option and in its sole discretion, may cancel this Agreement and demand full payment for all charges owing it.

3.6 Entire Agreement. This Agreement contains the entire agreement and understanding of the parties hereto and supersedes all prior statements, representations, understandings, or agreements of the parties with respect to the subject matter contained herein.

3.7 Amendment. This Agreement shall not be amended, changed, modified, terminated or discharged in whole or in part, except by an instrument in writing duly executed by COL and Claritive, or their respective heirs or assigns.

3.8 Construction. Should an occasion arise in which interpretation of this Agreement becomes necessary, such construction or interpretation shall not presume that the terms hereof be more strictly construed against one party by reason of any rule of construction or authorship.

This Agreement is not intended to be, and shall not be construed to create a partnership, agency, or joint venture between the parties, or result in a joint communications offering to the customers of either COL or Claritive; provided, however, that, for the purpose of ordering telephone or other telecommunications services and/or facilities, Claritive may act as agent of COL should the parties so agree in writing.

3.9 Remedies. The remedies provided for in this Agreement are in addition to any other remedies available at law or in equity, by statute, or otherwise.

3.10 Attorney's Fees. Should it become necessary for either party to retain the services of an attorney to enforce its rights hereunder (including in-house counsel), and should any lawsuit be necessary to enforce said rights, then the prevailing party shall be entitled to receive reasonable attorney's fees from the other party.

3.11 Headings. The headings included herein are for convenience only and are not intended to, nor do they, constitute a portion of this Agreement and shall not be used in any construction hereof.

3.12 Duplicate Originals. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original. It shall not be necessary in making proof of this Agreement to produce or account for more than one of such counterparts.

3.13 Governing Law. This Agreement is executed in Lubbock, Texas, and shall be governed by the laws of the State of Texas, with venue at Lubbock, Texas.

EXECUTED this 22nd day of June, 2017.

City of Lamesa

By: _____
Authorized Employee

CLARITIVE COMMUNICATIONS, LLC

By: _____
Authorized Employee



City of Lamesa

Claritive Communications
806-791-3661
tmandry@mandrytechnology.com
www.mandrytechnology.com

EXHIBIT A



6/23/2017

AT&T Internet+ IP Flex Options					
Site	Address	Transport	Port	Install	Monthly Total
Lamesa	601 S 1st St	Fiber	50MB	\$0.00	\$2,605.31
***Includes Fiber Internet + AT&T SIP, 23 concurrent calls, 6000 minutes Long Distance, Managed Cisco Router					

*** Applicable taxes are not included in this quote ***

*** 3 Year Agreement. ***

*** No circuit installation charges. ***

Quote Good for 30 Days

*** Construction Charges may apply if facilities (fiber, equipment, cabling, etc) do not exist and are needed to provision these services. ***

***30 day disconnect is usually required on existing circuits which may create 1 month of double billing with existing circuits.

City of Lamesa authorized signature

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: AUGUST 8, 2017

AGENDA ITEM: 19

**SUBJECT: EMPLOYEE ASSISTANCE PROGRAM (EAP) AGREEMENT
WITH TEXAS TECH UNIVERSITY HEALTH SCIENCES
CENTER**

PROCEEDING: Action

SUBMITTED BY: Irma Ramirez, Personnel Director

EXHIBITS: Texas Tech University Health Sciences Center - EAP Contract

SUMMARY STATEMENT

Consider approving an agreement with Texas Tech University Health Sciences Center to provide an Employee Assistance Program (EAP) to benefit City employees and volunteer firefighters. This is a renewal of an existing contract. *(Human Resources Director)*

COUNCIL ACTION

DISCUSSION _____

Motion by Council Member _____ to consider approving an agreement with Texas Tech University Health Sciences Center to provide an Employee Assistance Program (EAP) to benefit City employees and volunteer firefighters. This is a renewal of an existing contract. Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

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

CITY MANAGER'S MEMORANDUM

Irma Ramirez, Personnel Director will provide an overview of the program's design with City Council. **Recommend approval.**

PROFESSIONAL SERVICES AGREEMENT

Services (Non-Medical) Provided by TTUHSC

THIS PROFESSIONAL SERVICES AGREEMENT, (Agreement), is made and entered into by and between TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER (TTUHSC), a public institution of higher education in the State of Texas, on behalf of its School of Medicine, Department of Psychiatry, Lubbock campus, and CITY OF LAMESA (Other Party).

Both TTUHSC and Other Party are also referred to herein as "Party," or collectively as "Parties."

WITNESSETH:

WHEREAS, Other Party desires to obtain certain professional services; and

WHEREAS, TTUHSC represents that it employs professionals with the necessary qualifications and knowledge who will be assigned to perform the services;

NOW THEREFORE, for the consideration herein expressed, TTUHSC and Other Party hereby agree as follows.

ARTICLE I RESPONSIBILITIES

A. TTUHSC will provide the following services (Services):

1. Initial assessment, short term counseling, and referral interviews up to a maximum of eight (8) sessions per covered individual per contract year (September – August). Any immediate family member of the covered individual is also eligible for these services, within the maximum of eight (8) sessions. Immediate family member is defined as spouse, child, parents, siblings, or any other dependent living in the same household with the covered individual. These services will be provided at the EAP offices (1A300) in the Texas Tech University Health Sciences Center and will be available on the days when TTUHSC is open (i.e., excludes weekends and holidays). Should a covered individual seek and obtain treatment and/or counseling beyond the maximum of eight (8) sessions from any other source recommended by TTUHSC, Other Party is responsible to inform the individual that it is his/her responsibility to pay all costs for additional treatment and/or counseling.
2. A 24-hour crisis line which can be utilized by any covered individual or an immediate family member of a covered individual.
3. Intervention and crisis counseling, including critical incident stress de-briefing sessions, when requested by the Other Party. These services will be provided in a timely manner as often as needed at the location agreed upon by TTUHSC and the Other Party.
4. Orientations regarding the assistance and services available to covered individuals, when requested by the Other Party. These services will be provided at the location agreed upon by TTUHSC and the Other Party.
5. Wellness presentations (e.g., stress management, effective communication, and healthy



relationships), when requested by the Other Party. These presentations will be provided at the time and location agreed upon by TTUHSC and the Other Party.

6. Supervisor training on the role of supervisors within the Employee Assistance Program (i.e., formal and informal supervisor referrals to EAP), when requested by the Other Party. These trainings will take place at the time and location agreed upon by TTUHSC and the Other Party.
7. Consultations with supervisors, managers, and administrators, when requested by the Other Party.
8. Quarterly and annual utilization reports for management review. To protect the confidentiality of employees and their dependents who receive assistance through the EAP, TTUHSC will not include names and other information in the utilization reports that may identify specific individuals who have used the services.

B. Other Party will:

1. Designate someone to work with EAP management (i.e., EAP Director and/or a designee of the Director) to publicize EAP services, plan health promotion activities, and evaluate services.

ARTICLE II COMPENSATION

- A. Other Party agrees to pay TTUHSC \$22.40 per covered individual per 12-month period. This rate shall be based on the total number of individuals covered by this Agreement, which is 83 as of date of execution of this agreement. The total payment for this number of individuals for the 12-month period is \$1,859.20.
- B. TTUHSC will invoice quarterly (\$464.80 each installment). Payment shall be remitted within 30 days of invoice date.

ARTICLE III TERM AND TERMINATION

- A. The term of this Agreement shall commence on September 1, 2017, and terminate on August 31, 2018.
- B. Either Party may terminate this Agreement at any time, with or without cause, by giving the other Party thirty (30) days written notice. This Agreement may be terminated immediately by TTUHSC upon written notice to Other Party for nonpayment.
- C. Either Party may terminate this Agreement by written notice to the other Party, and may regard the other Party as in default of this Agreement, if the other Party becomes insolvent, makes a general assignment for the benefit of creditors, suffers or permits the appointment of a receiver for its business or assets, becomes subject to any proceeding under any bankruptcy or insolvency laws, whether domestic or foreign, or has wound up or liquidated, voluntarily or otherwise.



- D. Neither Party hereto shall be liable for delays to perform due to causes beyond its reasonable control including, but not limited to, acts of God, strikes, epidemics, wars, riots, flood, fire, sabotage, or any other circumstances of like character. In the event of such delay, the period of service hereunder shall be extended for a period equal to the time lost by reasons of delay, and services omitted (or portions thereof) shall be performed during such extension.
- E. In the event this Agreement is terminated in accordance with this Article, then within thirty (30) days after the effective date of such termination, TTUHSC shall submit TTUHSC's termination statement for Services rendered to the date of termination, and Other Party shall pay TTUHSC for such Services within thirty (30) days of receipt of TTUHSC's termination statement.
- F. The termination or expiration of this Agreement shall not relieve either Party of any obligation pursuant to this Agreement which arose on or before the date of termination.

ARTICLE IV INSURANCE

- A. TTUHSC state employees are subject to Texas Civil Practice and Remedies Code, Chapter 104, State Liability for Conduct of Public Servants, under which state employees acting and the course and scope of their employment are entitled to protection from the state with limits as set forth in §104.003.
- B. Other Party shall maintain, during the term of this Agreement and any extensions thereof, professional and general liability insurance, evidence of which shall be available upon request, and shall immediately notify TTUHSC of any changes to or events affecting the status of the insurance.

ARTICLE V COMPLIANCE

- A. The Parties acknowledge that each is subject to applicable federal and state laws and regulations, and policies and requirements of various accrediting organizations. Accordingly, each Party will enforce compliance with all applicable laws, regulations, and requirements, and will make available such information and records as may be reasonably requested in writing by the other Party to facilitate its compliance, except for records which are confidential and privileged by law. Each Party shall have or designate a Compliance Officer with whom compliance issues shall be coordinated.
- B. Other Party represents and warrants that neither Other Party or any employees or agents who provide items or Services under this Agreement are excluded, suspended or debarred from participation in any federal or state health care program or federally funded contracts. TTUHSC may conduct searches of Other Party's name against various federal and state sanction and exclusion databases, including, but not limited to the HHS OIG List of Excluded Individuals/Entities (LEIE), the GSA Excluded Parties List System (EPLS) and the Texas HHSC Exclusion List. Other Party agrees to immediately inform TTUHSC as soon as it is aware that it or any of its employees, agents or contractors providing items or services under the Agreement are subject to the imposition of any such sanctions or exclusion. This Agreement shall be subject to immediate termination by TTUHSC in the event Other Party, or any of its employees, agents or contractors, is listed on any federal or state sanction/exclusion list as being subject to sanctions or



exclusion.

ARTICLE VI
GENERAL PROVISIONS

- A. Independent Contractor. Nothing in this Agreement is intended nor shall be construed to create an employer/employee relationship between the contracting Parties. The sole interest and responsibility of the Parties is to ensure that the services covered by this Agreement shall be performed and rendered in a competent, efficient, and satisfactory manner.
- B. Severability. If any term or provision of this Agreement is held to be invalid for any reason, the invalidity of that section shall not affect the validity of any other section of this Agreement provided that any invalid provisions are not material to the overall purpose and operation of this Agreement. The remaining provisions of this Agreement shall remain in full force and shall in no way be affected, impaired, or invalidated.
- C. Notices. All notices, requests and communications required or permitted hereunder shall be in writing and shall be sufficiently given and deemed to have been received upon personal delivery or delivery by overnight courier or, if mailed, upon the first to occur of actual receipt or seventy-two (72) hours after being placed in the United States mail, postage prepaid, registered or certified mail, receipt requested, addressed to the Parties at the addresses set forth below:

If to TTUHSC: Texas Tech University Health Sciences Center
Employee Assistance Program
Department of Psychiatry
3601 4th Street – STOP 8119
Lubbock, TX 79430-8119

If to Other Party: City of Lamesa
Attn: Irma Ramirez, Personnel Director
601 South 1st Street
Lamesa, TX 79331

Notice of a change in address of one of the Parties shall be given in writing to the other Party as provided above, but shall be effective only upon actual receipt.

- D. Binding Effect; No Third Party Beneficiary. This Agreement shall be binding upon and inure to the benefit of the Parties hereto, their successors and permitted assigns. Nothing in this Agreement is intended, nor shall be deemed, to confer any benefits on any third party, including, without limitation any patients of the Other Party, nor shall such person or entity have any right to seek, enforce or recover any right or remedy with respect hereto.
- E. Entire Agreement. This Agreement contains the entire agreement of the Parties concerning the subject matter described herein and there are no other promises or conditions in any other agreement whether oral or written concerning the subject matter described herein. This Agreement supersedes any prior written or oral agreements between the Parties concerning the subject matter described herein.
- F. Amendment. This Agreement and each of its provisions shall be binding upon the Parties and may



not be waived, modified, amended or altered except by in writing signed by the Parties.

- G. Assignment. Neither Party may assign this Agreement, in whole or in part, without the prior written consent of the other Party.
- H. Governing Law; Venue. This Agreement shall be governed by and construed and enforced in accordance with the laws of the State of Texas. Venue will be in accordance with the Texas Civil Practices and Remedies Code and any amendments thereto.
- I. Use of Name. Neither Party to this Agreement shall use the name or indicia of the other Party, nor of any of a Party's employees, in any manner of publicity, advertising, or news releases without prior written approval of the other Party.
- J. Warranty of Authority. The person(s) executing this Agreement on behalf of the Parties, or representing themselves as executing this Agreement on behalf of a Party, warrant and guarantee that each has been duly authorized by the appropriate Party to execute this Agreement on behalf of the Party and to validly and legally bind the Party to all of its terms, performances, and provisions.

ARTICLE VIII E-SIGNATURES

This Agreement may be executed in two or more counterparts, each of which shall be deemed to be an original as against any party whose signature appears thereon, but all of which together shall constitute but one and the same instrument. Signatures to this Agreement transmitted by facsimile, by electronic mail in "portable document format" (".pdf"), or by any other electronic means which preserves the original graphic and pictorial appearance of the Agreement, shall have the same effect as physical delivery of the paper document bearing the original signature.

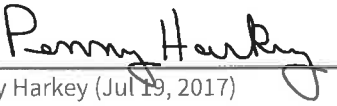
[Signature page follows.]



IN WITNESS WHEREOF, the undersigned Parties bind themselves to the faithful performance of this Agreement.

TEXAS TECH UNIVERSITY
HEALTH SCIENCES CENTER

CITY OF LAMESA


Penny Harkey (Jul 19, 2017)

Signature

Signature

Penny Harkey
Printed Name

Printed Name

Vice President and Chief Financial Officer
Title

Title

Jul 19, 2017
Date

Date



City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: AUGUST 8, 2017

AGENDA ITEM: 20

SUBJECT: CRMWA REFUNDING OF CONTRACT REVENUE BOND,
SERIES 2009
PROCEEDING: Resolution
SUBMITTED BY: City Staff
EXHIBITS: Documentation from Bickerstaff Heath Delgado Acosta LLP (Law
firm representing CRMWA)

SUMMARY STATEMENT

City Council to consider and take action approving a resolution authorizing refunding of Canadian River Municipal Water Authority Contract Revenue Bonds, Series 2009 (Conjunctive Use Groundwater Supply Project). *(Mayor and City Manager)*

COUNCIL ACTION

DISCUSSION _____

Motion by Council Member _____ to approve a resolution authorizing refunding of Canadian River Municipal Water Authority Contract Revenue Bonds, Series 2009 (Conjunctive Use Groundwater Supply Project). 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 BY THE CITY OF LAMESA, TEXAS, AUTHORIZING REFUNDING OF CANADIAN RIVER MUNICIPAL WATER AUTHORITY CONTRACT REVENUE BONDS, SERIES 2009 (CONJUNCTIVE USE GROUNDWATER SUPPLY PROJECT)

WHEREAS, the City of Lamesa, Texas (the "City") has entered into that certain Agreement for the Purchase and Acquisition of Conjunctive Use Groundwater Supply (the "Agreement") entered into as of May 15, 1996, as amended, with the Canadian River Municipal Water Authority (the "Authority"); and

WHEREAS, the Authority has entered similar agreements with each of the other cities that are members of the Authority (the "Member Cities"); and

WHEREAS, the Authority issued and has outstanding its Canadian River Municipal Water Authority Contract Revenue Bonds, Series 2009 (Conjunctive Use Groundwater Supply Project); Canadian River Municipal Water Authority Contract Revenue Refunding Bonds, Series 2010 (Conjunctive Use Groundwater Supply Project); Canadian River Municipal Water Authority Subordinate Lien Contract Revenue Bonds, Series 2011 (Conjunctive Use Groundwater Supply Project); Canadian River Municipal Water Authority Subordinate Line Contract Revenue Refunding Bonds, Series 2012 (Conjunctive Use Groundwater Supply Project); and Canadian River Municipal Water Authority Subordinate Lien Contract Revenue Refunding Bonds, Series 2014 (Conjunctive Use Groundwater Supply Project); and

WHEREAS, at the present time the Authority desires to issue refunding bonds to refund all or a part of the outstanding Canadian River Municipal Water Authority Contract Revenue Bonds, Series 2009 (Conjunctive Use Groundwater Supply Project) (the "Series 2009 Bonds") if market conditions justify refunding all, or a part of, the Series 2009 Bonds; and

WHEREAS, the Agreement provides for certain notice requirements before the Authority may issue Additional Bonds, as defined in the Agreement; and

WHEREAS, the refunding bonds are Additional Bonds under the Agreement; and

WHEREAS, the timing constraints of getting the governing bodies of all Member Cities of the Authority to meet and approve refunding bonds may prevent the Authority from issuing refunding bonds in a timely manner to provide savings to the Member Cities; and

WHEREAS, if the market is such that the Series 2009 Bonds can be refunded, it is in the best interest of the City to waive certain notice requirements under the Agreement and consent to the issuance of the bonds to permit the Authority to refund all or a part of

the outstanding Series 2009 Bonds if a present value savings of at least 6.50% can be achieved; and

WHEREAS, if the market conditions justify the refunding of the Series 2009 Bonds, then the Authority desires to issue refunding bonds in a principal amount not to exceed \$15,500,000 to refund all or a part of the outstanding Series 2009 Bonds; and

WHEREAS the City agrees to the Authority's issuance of bonds as subordinate lien bonds to eliminate the need of a reserve fund;

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

SECTION 1. Should market conditions justify the refunding of the Series 2009 Bonds, the City waives the notice requirements of Section 4.1(a) of the Agreement, and consents to the issuance of the Canadian River Municipal Water Authority Subordinate Lien Contract Revenue Refunding Bonds, Series 2017 in a principal amount not to exceed \$15,500,000 to refund all or a part of the outstanding Series 2009 Bonds, subject to the requirement that the refunding bonds for the Series 2009 Bonds provide a present value debt service savings of at least 6.50%.

SECTION 2. That the City Secretary be and is hereby authorized to deliver certified copies of this Resolution and minutes pertaining to its adoption to the Authority in such numbers as may be requested for the Authority's records and proceedings.

[The remainder of this page intentionally left blank.]

PASSED, APPROVED AND ENACTED this the _____ day of _____, 2017.

Mayor, City of Lamesa, Texas

ATTEST:

City Secretary
City of Lamesa, Texas

[City Seal]



July 25, 2017

VIA FEDERAL EXPRESS
(806) 872-4321

Ms. Shawna Burkhardt
City Manager
City of Lamesa
601 S. 1st St.
Lamesa, Texas 79331

Re: Canadian River Municipal Water Authority Subordinate Lien Contract Revenue
Refunding Bonds, Series 2017 (Conjunctive Use Groundwater Supply Project)

Dear Ms. Burkhardt:

As you may be aware, the Canadian River Municipal Water Authority (the "Authority") is considering the refunding of certain bonds previously issued for the Conjunctive Use Groundwater Supply Project. At the quarterly meeting last week, the Board of Directors authorized the staff at the Authority to look at the possible refunding of two prior bond issues (the 2009 Series Bonds described below and the 2011 Series Bonds). At this time the Authority is considering refunding only the 2009 Series Bonds based on some feedback they received. As a member of the Authority, the City has entered into a Conjunctive Use Groundwater Supply Project Contract with the Authority and the revenues paid by the City under the contract are pledged to pay the bonds. The contract also requires that prior to refunding the bonds, the Authority must obtain each Member City's consent and waiver as to certain notice requirements in the contract. I have enclosed a resolution that sets out the City's consent and waiver for consideration by the City Council at the next opportunity. As further background for the requested action, I am including the following information.

The revenues paid by the City under the Conjunctive Use Groundwater Supply Project Contract between the City and the Authority secure the debt service on certain obligations of the Authority, including the outstanding Canadian River Municipal Water Authority Contract Revenue Bonds, Series 2009 (Conjunctive Use Groundwater Supply Project) (the "Series 2009 Bonds"). At the Authority's regular meeting on July 12, 2017, Erick Macha with FirstSouthwest, a Division of Hilltop Securities Inc., the Authority's financial advisor, identified potentially significant savings if some of these outstanding bonds are refunded and based on that presentation, the Board of Directors of the Authority initiated the process to refund the Series 2009 Bonds should appropriate interest rates continue to be favorable.

The contract with the Member Cities contains notice requirements that could delay the ability to refund the Series 2009 Bonds in question unless each of the Member Cities waives the notice requirements and consents to the issuance of the refunding bonds. The contract makes the notice requirements apply to all bonds, not just new money bonds. As it has in prior refunding transactions, as a prerequisite to refunding the bonds, the Authority is requesting that the Member Cities waive the notice requirements and express their consent to the refunding through the adoption of the enclosed resolution.

The Authority delegated the ability to trigger the refunding of the outstanding Series 2009 Bonds to the General Manager, if he is able to achieve a certain level of savings through the refunding of the Series 2009 Bonds depending on market conditions. The resolution which is presented for the City's consideration tracks those conditions. Accordingly, the City's resolution is effective only if the Authority can achieve, at a minimum, the present value savings of at least 6.50% of the refunded principal amount.

It may be that the market will prevent us from issuing the refunding bonds, but we want to be ready in the event the market holds. Upon receiving approval from each of the Member Cities, the General Manager will meet with the Finance Committee and advise them of the receipt of the required consent documentation and will determine whether to exercise the delegated authority to refund some, all or none of the Series 2009 Bonds. As we have done in prior refunding transactions of Authority bonds, the City will be provided with the results of the sale and how it reduces your payments.

I suggest the following agenda language for the resolution:

Consideration and possible action approving a resolution authorizing refunding of Canadian River Municipal Water Authority Contract Revenue Bonds, Series 2009 (Conjunctive Use Groundwater Supply Project)

I have enclosed the following documents:

- 5 copies Resolution Authorizing Refunding of Canadian River Municipal Water Authority Contract Revenue Bonds, Series 2009 (Conjunctive Use Groundwater Supply Project)
- 4 copies Certificate for Resolution (Please fill in meeting details on one copy – we will type up the rest.)
- 1 copy FirstSouthwest, a Division of Hilltop Securities Inc. Report: Bond Issue Proposed to be Refunded

Once the governing body of the City has approved the Resolution, please keep one for your records and return the remaining four executed originals to me with the accompanying

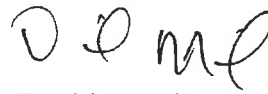
Ms. Shawna Burkhart
July 25, 2017
Page 3

Certificates for Resolution. A prepaid Federal Express envelope is enclosed for you to return the documents to me.

Should you need a copy of the Resolution in Word, please let me know.

Please let Kent Satterwhite and me know when the City has passed the Resolution. If you have any questions concerning this matter, please do not hesitate to call.

Very truly yours,

A handwritten signature in black ink, appearing to read 'D. Méndez', with a stylized flourish at the end.

David Méndez

DM:bm

Enclosures

cc: Kent Satterwhite
General Manager
Canadian River Municipal Water Authority

CERTIFICATE OF CITY SECRETARY

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

**§
§
§**

I, the undersigned City Secretary of said City, hereby certify as follows:

1. That on the ____ day of _____, 2017, a _____ meeting of the City Council of the City of Lamesa, Texas was held at the regular meeting place located at City Hall, 601 S. 1st St., Lamesa, Texas, the duly constituted members of the City Council being as follows:

Josh Stevens	Mayor
Douglas Morris	Council Member
Fred Vera	Council Member
Bobby G. Gonzales	Council Member
Marie A. Briseno	Council Member
Brant Stewart	Council Member
Vacant	Council Member

and all of said persons were present, except for the following: _____;
thus constituting a quorum. Whereupon, among other business, the following was
transacted at said meeting: a written Resolution entitled

A RESOLUTION BY THE CITY OF LAMESA, TEXAS, AUTHORIZING
REFUNDING OF CANADIAN RIVER MUNICIPAL WATER AUTHORITY
CONTRACT REVENUE BONDS, SERIES 2009 (CONJUNCTIVE USE
GROUNDWATER SUPPLY PROJECT)

was duly introduced for consideration of said City Council and read in full. It was then
duly moved and seconded that said Resolution be passed; and, after due discussion,
said motion, carrying with it the passage of said Resolution, prevailed and carried by the
following vote:

AYES: _____

NOES: _____

ABSTENTIONS: _____

2. A true, full and correct copy of the aforesaid Resolution passed at the
meeting described in the above and foregoing paragraph is attached to and follows this
Certificate; said Resolution has been duly recorded in the official minutes of said City

Council; the above and foregoing paragraph is a true, full and correct excerpt from said minutes of said meeting pertaining to the passage of said Resolution; the persons named in the above and foregoing paragraph, at the time of said meeting and the passage of said Resolution, were the duly chosen, qualified and acting officers and members of said City Council as indicated therein; each of said officers and members was duly and sufficiently notified officially and personally in advance, of the time, place and purpose of the aforesaid meeting and that said Resolution would be introduced and considered for passage at said meeting, and each of said members consented in advance to the holding of said meeting for such purpose; and said meeting was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

SIGNED AND SEALED this _____ day of _____, 2017.

City Secretary
City of Lamesa, Texas

[CITY SEAL]

Information Related to Possible Refunding of the Series 2009 Bonds and Series 2011 Bonds

George Williford

Managing Director

214.953.8705

george.williford@hilltopsecurities.com

Erick Macha

Director

214.953.4033

erick.macha@hilltopsecurities.com



Canadian River Municipal Water Authority

PARAMETER BOND SALE

Parameter Bond Sale

□ **Board delegates final pricing authority to General Manager**

□ **Board establishes bond sale parameters:**

Section 1207 of the Government Code allows refunding bonds via a Parameter Sale

- ▶ Maximum Interest Rate
- ▶ Minimum Savings Threshold for Refunding
- ▶ Aggregate Principal Amount of Issue
- ▶ Final Maturity Date
- ▶ Expiration of Delegated Authority
 - 6 Months

□ **Pricing Officer(s) can only approve sale if Board parameters are met**

□ **Same procedure as 2010, 2012 and 2014 refunding issues**

Parameter Bond Sale

Reason for Parameter Bond Sale = FLEXIBILITY

Market Timing – Bond issue is in ‘Day-to-Day’ mode, meaning bonds can be priced at any time and in an interest rate environment that is advantageous rather than being locked into pricing on the date of a Board meeting.

Member City approvals prior to Finance Committee giving approval to proceed.



REFUND SERIES 2009 & SERIES 2011

Bond Issues Proposed to be Refunded

Contract Revenue Bonds, Series 2009

- Original Par Amount: \$21,105,000
- Aggregate Callable Principal Amount: \$13,575,000
- Principal Maturity Dates: 2020 through 2029
- Interest Rates: 4.00% - 5.00%
- Call Date: February 15, 2019 @ Par

Subordinate Lien Contract Revenue Bonds, Series 2011

- Original Par Amount: \$81,630,000
- Aggregate Callable Principal Amount: \$51,805,000
- Principal Maturity Dates: 2022 through 2031
- Interest Rates: 4.00% - 5.00%
- Call Date: February 15, 2021 @ Par

* Combined callable principal: \$65,380,000

Bond Issues Proposed to be Refunded

- Funds to refund Series 2009 will be placed in escrow, upon issuance, until the 2/15/2019 call date
 - ▶ Considered an Advanced Refunding
- Funds to refund Series 2011 will be placed in escrow, upon issuance, until the 2/15/2021 call date
 - ▶ Considered an Advanced Refunding

CANADIAN RIVER MUNICIPAL WATER AUTHORITY

T-Term Bond

Current Market – Series 2009 Refunding

Preliminary rates, subject to change.

Year	Existing Debt Service	Unrefunded Debt Service & DSRF Contribution	New Refunding Debt Service	Savings
2018	\$ 1,583,350	\$ 987,400	\$ 519,503	\$ 76,447
2019	1,585,350	989,400	520,950	75,000
2020	1,585,575	-	1,432,350	153,225
2021	1,583,575	-	1,429,450	154,125
2022	1,584,650	-	1,434,950	149,700
2023	1,584,150	-	1,433,375	150,775
2024	1,581,850	-	1,429,375	152,475
2025	1,581,866	-	1,427,750	154,116
2026	1,581,969	-	1,428,250	153,719
2027	1,582,881	-	1,430,625	152,256
2028	1,585,916	-	1,434,625	151,291
2029	2,704,513	1,617,806	937,875	148,832
	<u>\$ 20,125,644</u>	<u>\$ 3,594,606</u>	<u>\$ 14,859,078</u>	<u>\$ 1,671,960</u>

Refunded Bonds	Call Date 2/15/2019	Maturities 2020-2029	\$ 13,575,000
Net Present Value Savings			\$ 1,417,738
Percentage Present Value Savings of Refunded Bonds			10.444%

Current Market – Combined Series 2009 & Series 2011 (Maturities with 5% Rate Only)

Preliminary rates, subject to change.

Year	Refund Series 2009 Savings	Refund Series 2011 Savings	Total Savings
2018	\$ 80,984	\$ 130,546	\$ 211,531
2019	79,550	125,600	205,150
2020	162,675	125,600	288,275
2021	163,375	125,600	288,975
2022	163,650	248,550	412,200
2023	164,275	247,250	411,525
2024	165,475	248,500	413,975
2025	166,616	249,250	415,866
2026	165,719	244,625	410,344
2027	163,756	244,625	408,381
2028	162,291	249,000	411,291
2029	164,207	23,500	187,707
2030		247,750	247,750
2031		246,000	246,000
	<u>\$ 1,802,572</u>	<u>\$ 2,756,396</u>	<u>\$ 4,558,968</u>

Call Date	2/15/2019	2/15/2021
Refunded Principal	\$ 13,575,000	\$ 38,125,000
Net Present Value Savings	\$ 1,540,860	\$ 2,274,092
Percentage Present Value Savings of Refunded Bonds	11.3507%	5.9648%
		7.3790%

Combined 4.50% Minimum Present Value Savings

For illustration only, minimum subject to Board direction.

Year	Refund Series 2009 Savings	Refund Series 2011 Savings	Total Savings
2018	\$ 69,118	\$ 85,272	\$ 154,390
2019	67,650	80,200	147,850
2020	131,175	80,200	211,375
2021	132,675	80,200	212,875
2022	133,750	119,850	253,600
2023	130,400	122,375	252,775
2024	132,850	118,125	250,975
2025	130,366	118,750	249,116
2026	130,969	119,125	250,094
2027	135,381	119,250	254,631
2028	135,166	119,125	254,291
2029	133,457	11,500	144,957
2030		118,750	118,750
2031		123,000	123,000
	<u>\$ 1,462,955</u>	<u>\$ 1,415,722</u>	<u>\$ 2,878,678</u>

Call Date

2/15/2019

2/15/2021

Refunded Principal

\$ 13,575,000

\$ 38,125,000

\$ 51,700,000

Net Present Value Savings

\$

2,374,548

Percentage Present Value Savings of Refunded Bonds

4.5929%

Series 2009 6.50% Approximate Minimum

For illustration only, minimum subject to Board direction.

Year	Existing Debt Service	Unrefunded Debt Service & DSRF Contribution	New Refunding Debt Service	Savings
2018	\$ 1,583,350	\$ 987,400	\$ 538,201	\$ 57,749
2019	1,585,350	989,400	539,700	56,250
2020	1,585,575	-	1,485,400	100,175
2021	1,583,575	-	1,481,100	102,475
2022	1,584,650	-	1,480,300	104,350
2023	1,584,150	-	1,482,250	101,900
2024	1,581,850	-	1,481,375	100,475
2025	1,581,866	-	1,477,750	104,116
2026	1,581,969	-	1,481,125	100,844
2027	1,582,881	-	1,481,250	101,631
2028	1,585,916	-	1,483,000	102,916
2029	2,704,513	1,617,806	984,000	102,707
	<u>\$ 20,125,644</u>	<u>\$ 3,594,606</u>	<u>\$ 15,395,451</u>	<u>\$ 1,135,587</u>

Refunded Bonds

Call Date 2/15/2019

Maturities 2020-2029

\$ 13,575,000

Net Present Value Savings

\$ 932,501

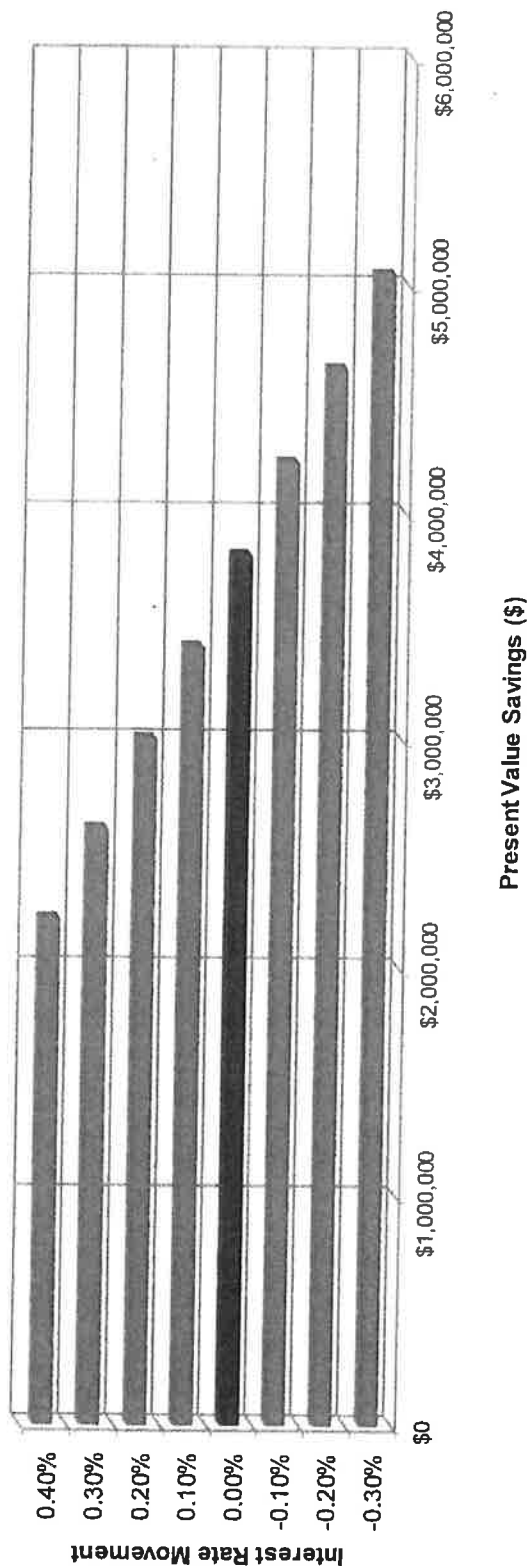
Percentage Present Value Savings of Refunded Bonds

6.869%

Savings Sensitivity of Combined

For illustration and discussion purposes only.

Interest Rate Change	Minimum Recommended PV							
	-0.30%	-0.20%	-0.10%	0.00%	0.10%	0.20%	0.30%	0.40%
PV Savings (\$)	5,052,521	4,636,464	4,223,441	3,814,952	3,410,206	3,008,512	2,610,886	2,216,722
PV Savings (%)	9.773%	8.968%	8.169%	7.379%	6.596%	5.819%	5.050%	4.288%



*Sensitivity of Series 2009 alone is approximately 0.57%

Breakeven Analysis re: Series 2011 (5% Maturities)

Year	Base Refund Series 2011 Savings	2018 Refunding Refund Series 2011 Savings	2019 Refunding Refund Series 2011 Savings
2018	\$ 130,546	\$ -	\$ -
2019	125,600	146,500	-
2020	125,600	146,500	169,750
2021	125,600	146,500	169,750
2022	248,550	303,750	376,000
2023	247,250	305,750	370,875
2024	248,500	305,000	372,750
2025	249,250	308,625	369,000
2026	244,625	306,625	369,625
2027	244,625	304,125	369,500
2028	249,000	306,000	373,500
2029	23,500	29,250	35,250
2030	247,750	307,125	371,625
2031	246,000	307,500	369,000
	<u>\$ 2,756,396</u>	<u>\$ 3,223,250</u>	<u>\$ 3,716,625</u>

Negative Arbitrage in Escrow

\$ 1,026,384

\$

616,158

Net Present Value Savings

\$ 2,274,092

\$

3,164,774

Percentage Present Value Savings of Refunded Bonds

5.9648%

7.0806%

8.3010%

Breakeven: Interest Rate Movement to Equal Base PV Savings

0.28%

0.63%

Preliminary Schedule of Events

July 12	Consideration of Resolution authorizing issuance and establishing parameters
July - August	Approvals by City Councils of Member Cities (hopefully last approval by 3rd Tuesday of August)
July 17	Information requested for preparation of Preliminary Official Statement
August 1	Receipt of information needed for Preliminary Official Statement Schedule calls with rating agencies
August 15	Draft Preliminary Official Statement circulated for review
August 21 - September 1	Meeting of Finance Committee based on approvals by member cities
August 21	Preliminary Official Statement and other information submitted to rating agencies
August 28 - September 8	Calls with rating agencies
September 14	Receipt of ratings
September 21	Pricing of issue by underwriters, overseen by FirstSouthwest; approval of sale (closing to occur approximately 30 days later)

****above schedule could be accelerated 1 to 2 weeks if final Member City approval no later than August 10.***

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: AUGUST 8, 2017

AGENDA ITEM: 21

**SUBJECT: PRESENTATION TO GOVERNING BODY OF THE CITY'S 2017
CERTIFIED APPRAISAL ROLL, EFFECTIVE TAX RATE AND
ROLLBACK TAX RATE CALCULATIONS**

PROCEEDING: Approval

SUBMITTED BY: City Staff

EXHIBITS: Certification of 2017 Appraisal Roll for the City of Lamesa

**AUTHORITY: *City Charter – Article V, Taxes and Taxation*
*State Law; Property Tax Code, Sec.26.04***

SUMMARY STATEMENT

City Manager to present to City Council the City's 2017 Certified Appraisal Roll, the Effective Tax Rate and the Rollback Tax Rate Calculations as certified by the Dawson County Central Appraisal District, Chief Appraiser Norma Brock. *(City Manager)*

EFFECTIVE TAX RATE WORKSHEET FOR 2017

Jurisdiction: 20 CITY OF LAMESA

1. 2016 Total Taxable Value	264,241,713
2. COUNTY, CITY, COLLEGE or SCHOOL DISTRICTS: 2016 Taxable value of over-65/Disabled Homesteads with tax Ceiling	0
3. Preliminary 2016 Adjusted tax value	264,241,713
4. 2016 Total Tax Rate	0.827521 / \$100
5. 2016 TAXABLE VALUE LOST BECAUSE COURT APPEALS OF ARB DECISIONS	
REDUCED APPRAISED VALUE.	
5A. 2016 Original ARB Value	0
5B. 2016 Values resulting from court decisions	0
5C. 2016 Value Loss	0
6. 2016 Taxable value, adjusted for court ordered reductions	264,241,713
7. 2016 Taxable value of property in Territory Deannexed After Jan 1, 2016	0
8. 2016 TAXABLE VALUE LOST BECAUSE PROPERTY FIRST QUALIFIED FOR EXEMPTION IN 2017.	
8A. Absolute Exemptions. Use 2016 Market Value	150,130
8B. Partial Exemptions. 2017 exemption amount or 2017 percent exemption times 2016 value.	148,970
8C. Value Loss	299,100
9. 2016 TAXABLE VALUE LOST BECAUSE PROPERTY FIRST QUALIFIED FOR AG-APPRAISAL, TIMBER, RECREATIONAL /SCENIC OR PUBLIC ACCESS AIRPORT SPECIAL APPRAISAL	
9A. 2016 Market Value	10,170
9B. 2017 Productivity Or Special Appraised Value	1,360
9C. Value Loss	8,810
10. Total Adjustments For Lost Value	307,910
11. 2016 Adjusted Taxable Value	263,933,803
12. 2016 Adjusted Taxes	2,184,107.65
13. Taxes Refunded For Years Preceding Tax Year 2016	14,711.89
14. Taxes in tax increment financing for tax year 2016	0.00
15. 2016 Adjusted taxes with refunds	2,198,819.54
16. TOTAL 2017 TAXABLE VALUE ON THE 2017 CERTIFIED APPRAISAL ROLL	
16A. Certified Values only	272,914,690
16B. Counties: railroad rolling stock	0
16C. Pollution Control Exemptions	0
16D. Tax Increment Financing	0
16E. Total 2017 value.	272,914,690
17. Total Value of properties under protest or not included in certified appraisal roll	
17A. 2017 Taxable Value of properties under protest.	0
17B. 2017 Value of properties not under protest or included on certified appraisal roll	0
17C. Total value under protest or not certified.	0
18. COUNTY, CITY, COLLEGE or SCHOOL DISTRICTS: 2017 Taxable Value or Over 65/Disabled with Ceiling or Other Units enter 0	0
19. 2017 Total Taxable Value	272,914,690
20. 2017 Total Taxable Value of properties annexed after Jan 2016	0
21. 2017 Total Taxable value of new improvements and new personal property	73,000
22. Total adjustments to 2017 taxable value	73,000
23. 2017 Adjusted Taxable value	272,841,690
24. 2017 Effective Tax Rate	0.805895 / \$100
25. Counties Only: Total of All 2017 Effective Tax Rate	/ \$100
2017 ROLLBACK TAX RATE WORKSHEET	
26. 2016 Maintenance And Operations Tax Rate	0.796191 / \$100
27. 2016 Adjusted Taxable Value	263,933,803
28. 2016 Maintenance And Operations Taxes	
28A. Multiply Line 26 by Line 27 and Divide By 100	2,101,417
28B. Additional Sales Tax	0
28C. Counties: state criminal justice mandate	0
28D. Transferring Function	0
28E. Taxes Refunded For Years Preceding 2016	14,712

EFFECTIVE TAX RATE WORKSHEET FOR 2017

Jurisdiction: 20 CITY OF LAMESA

28F. Enhanced indigent health expenditure	0
28G. Taxes in TIF	0
28H. Adjusted M&O Taxes	2,116,129
29. 2017 ADJUSTED TAXABLE VALUE	272,841,690
30. 2017 Effective Rollback Maintenance And Operations Rate	0.775588 / \$100
31. 2017 Rollback Maintenance And Operations Rate	0.837635 / \$100
32. Debt to be paid with 2017 property taxes and sales tax revenue	84,382.00
33. 2016 Certified excess debt collection	0.00
34. Adjusted 2017 debt	84,382.00
35. Certified 2017 anticipated collection Rate Percent	100 %
36. 2017 Debt adjusted for collection	84,382.00
37. 2017 Total taxable value	272,914,690
38. 2017 Debt Tax Rate	0.030918 / \$100
39. 2017 Rollback Tax Rate	0.868553 / \$100
40. Counties Only: 2017 Rollback tax rate	0 / \$100

ADDITIONAL SALES TAX WORKSHEET

41. Comptroller's Estimated Taxable Sales for four quarters if Unit adopted Late	0
42. Estimated sales tax revenue for previous 4 quarters.	0
43. 2017 Total Taxable value	272,914,690
44. Sales tax adjustment rate	0 / \$100
45. 2017 Effective Tax Rate, unadjusted For Sales Tax	0.805895 / \$100
46. 2017 Effective Tax Rate adjusted For Sales Tax	0.805895 / \$100
47. 2017 Rollback Tax Rate, unadjusted For Sales Tax	0.901284 / \$100
48. 2017 Rollback tax rate adjusted for sales tax	0.901284 / \$100

ADDITIONAL ROLLBACK PROTECTION FOR POLLUTION CONTROL

49. Certified expenses from TCEQ	0
50. 2017 Total Taxable value	272,914,690
51. Additional rate for For Pollution Control	0 / \$100
52. 2017 Rollback tax rate adjusted for Pollution Control	0.901284 / \$100

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: AUGUST 8, 2017

AGENDA ITEM: 22

Subject: AD VALOREM TAX RATE – 2017
Proceeding: Set Proposed Tax Rate & Vote to Hold Two (2) Public Hearings
Submitted by: City Staff
Authority: City Charter – Article V, Taxes and Taxation
State Law; Property Tax Code, Sec.26.06

SUMMARY STATEMENT

City council discuss and set the proposed tax rate and consider voting to hold two (2) public hearings on a proposal to increase the total tax revenues of the City of Lamesa from properties on the tax roll.
(by record vote)

COUNCIL ACTION

Discussion: _____

Motion by Council Member _____ to set the proposed tax rate at _____ and hold two (2) public hearings on a proposal to increase the total tax revenues of the City of Lamesa from properties on the tax roll on **August 22, 2017** at 5:30 p.m. and on **August 29, 2017** at 5:30 p.m.
Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

(VOTE BY SHOW OF HAND)



VOTING

“AYE”

“NAY”

“ABSTAIN”

Josh Stevens

Brant Stewart

Marie Briseno

Vacant

Bobby G. Gonzales

Fred Vera

Doug Morris

CITY MANAGER'S MEMORANDUM

Under Property Tax Code, it requires two public hearings if the proposed tax rate exceeds the effective tax rate, I recommend the following dates for our two public hearings; August 22, 2017 at 5:30 p.m. for 1st public hearing and 2nd public hearing on August 29, 2017 at 5:30 p.m. To adopt the tax rate, 1st reading of the tax ordinance will be September 5, 2017 and second reading will be on September 12, 2017. The tax rate must be officially adopted by September 23, 2017.

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: AUGUST 8, 2017

AGENDA ITEM: 23

Subject: **BUDGET WORK SESSION III**
Proceeding: Discussion and setting of priorities, no final action to be taken
Submitted by: City Staff

SUMMARY STATEMENT

Council to meet with city staff to discuss and set priorities for the 2017-2018 Proposed Operating Budget.

- a. General Fund Proposed Budget (*Department Heads and City Manager*)
- b. Water/Wastewater Utility Fund Proposed Budget (*Department Heads and City Manager*)
- c. Solid Waste Fund Proposed Budget (*Department Heads and City Manager*)
- d. All Other Funds Proposed Budgets (*Department Heads and City Manager*)
- e. Other Fees (*Department Heads and City Manager*)
- f. Capital Needs (*Department Heads and City Manager*)

COUNCIL ACTION

Discussion and setting of priorities only; no final action to be taken.

CITY MANAGER'S MEMORANDUM

The City Council and Staff will conduct a work session on the proposed City Budget for the Oct. 2017-2018 fiscal year. No action is required on this matter at this time.

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: AUGUST 8, 2017

AGENDA ITEM: 24

SUBJECT: CITY MANAGER REPORT

SUBMITTED BY: City Manager

SUMMARY STATEMENT

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

COUNCIL ACTION

No City Council action required.

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: AUGUST 8, 2017

AGENDA ITEM: 25

SUBJECT: MAYOR'S REPORT

SUBMITTED BY: Mayor

SUMMARY STATEMENT

Mayor to report on future goals and events.

COUNCIL ACTION

No City Council action required.

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: AUGUST 8, 2017

AGENDA ITEM: 26

ADJOURNMENT: Announcement by the Mayor - "The next regularly scheduled meeting of the City Council of the City of Lamesa will be **AUGUST 22ND, 2017** at 5:30 P.M."