



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 29, 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.
 - a. **APPROVAL OF THE MINUTES:** Approval of the minutes of the council meetings held on August 22nd, 2017.
4. **AMENDING CHAPTER 1 GENERAL PROVISIONS, ARTICLE 1.08, OF THE CODE OF ORDINANCES OF THE CITY OF LAMESA, TEXAS, ENTITLED "PARKS AND RECREATION" REGARDING CLOSING HOURS FOR PARK AREAS, BALL PARKS AND TENNIS COURTS:** City Council to consider passing an Ordinance on Second reading amending Chapter 1 General Provisions, Article 1.08, of the Code of Ordinances of the City of Lamesa, Texas, entitled "Parks and Recreation" regarding Closing Hours for Park Areas, Ball Parks and Tennis Courts.
5. **AMENDING CHAPTER 3 BUILDING REGULATIONS, ARTICLE 3.04.044 OF THE CODE OF ORDINANCES OF THE CITY OF LAMESA, TEXAS, ENTITLED "STRUCTURAL STANDARDS CODE" REQUIRING MANUFACTURED CARPORTS TO BE PROPERLY ANCHORED:** City Council to consider amending on Second reading Chapter 3 Building Regulations, Article 3.04.044 of the Code of Ordinances of the City of Lamesa, Texas, entitled "Structural Standards Code" requiring manufactured carports to be properly anchored. *(City Manager)*
6. **APPROVING AGREEMENT BETWEEN TXDOT AND CITY FOR MAINTENANCE, CONTROL, SUPERVISION AND REGULATION OF CERTAIN STATE HIGHWAYS AND/OR PORTIONS OF STATE HIGHWAYS IN THE CITY OF LAMESA:** City Council to consider passing an Ordinance on Second reading approving an agreement between the State of Texas and the City of Lamesa for the maintenance, control supervision and regulation of certain state highways and/or portions of state highways in the City of Lamesa and providing for the execution of said agreement; and declaring an emergency. *(City Manager)*

7. **FISCAL YEAR OCTOBER 2017-2018 BUDGET - ADOPTION:** Consider passing an ordinance on Second reading with record vote in accordance with State Law (Local Government Code, Chapter 102, Section 102.007) providing funds for the Fiscal Year beginning October 1, 2017, and ending September 30, 2018, by approving the budget for said period and appropriating and setting aside the necessary funds out of the General Fund, Water/Wastewater, Solid Waste funds for the maintenance and operation of the various departments and for various activities and improvements to the City.

THIS BUDGET WILL RAISE MORE REVENUE FROM PROPERTY TAXES THAN LAST YEAR'S BUDGET BY AN AMOUNT OF \$29,768, WHICH IS A 1.35 PERCENT INCREASE FROM LAST YEAR'S BUDGET. THE PROPERTY TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR IS \$597.

8. **CANVASS CITY'S 2017 SPECIAL ELECTION RETURNS AND DECLARING WINNER OF SPECIAL ELECTION – DISTRICT 3:** Canvass of votes and tabulation of the returns for the August 19, 2017 City Special Election – District 3; and declaring winner.
9. **CERTIFICATE OF ELECTION AND OATH OF OFFICE - NEWLY ELECTED COUNCIL MEMBER:** Deliver Certificate of Election and administer Oath of Office to the newly-elected Council Member from the August 19, 2017 City Special Election – District 3. (*City Attorney*)

A. Rick Moreno – District 3

10. **2nd PUBLIC HEARING - AD VALOREM TAX RATE – FY 2017/2018:** 2nd Public Hearing on a proposed property tax rate of \$.817521 for 2017. This tax rate will raise \$2,231,135 which is \$17,602 more than taxes imposed last year.

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 1.42 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$-9.59 {Section 26.05(b)1(A&B) OF THE PROPERTY TAX CODE}.

11. **APPROVAL OF FY 2017/2018 LEDC/LEAP BUDGET:** City Council to consider approving FY 2017/2018 LEDC and LEAP annual budgets.

- 12. APPROVAL OF REQUEST BY TEXAS DEPARTMENT OF CRIMINAL JUSTICE TO ADVERTISE "HIRING CORRECTIONAL OFFICERS" FOR THE SMITH UNIT ON THE CITY SOFTBALL FIELD FENCE AND ON THE LYNN ST. WATER TOWER FENCE UNTIL SEPTEMBER 30, 2017:** City Council to consider approval of request by Texas Department of Criminal Justice to advertise "Hiring Correctional Officers" for the Smith Unit on the City Softball Field fence and the Lynn Street Water Tower fence until September 30, 2017.
- 13. INTERLOCAL AGREEMENT WITH LAMESA ISD FOR SEWER LINE REPLACEMENT:** City Council to consider approving an Interlocal Agreement with Lamesa ISD for replacement of the School's sewer service line in TxDOT right-of way and authorizing the City Manager to execute the agreement.
- 14. CITY MANAGER REPORT:** City Manager to report on current activities and answer questions from the City Council.
- 15. MAYORS REPORT:** Mayor to report on future plans and goals.
- 16. EXECUTIVE SESSION:** Council to consider convening into closed executive session regarding Deliberation Regarding Personnel Matters with the provisions of the Texas Open Meetings Act (Chapter 551.074, Texas Government Code). No action will be taken in closed session. The Council will reconvene into open session after the completion of the executive session.
- a. Discuss City Operations with City Manager**
- 17. ADJOURNMENT:** *The next regularly scheduled meetings of the City Council of the City of Lamesa will be September 5, 2017 at 5:30 P.M.*

Upcoming Meetings

- **Sept. 5, 2017 City Council Meeting -**
 - Ratify Proposed Tax Increase Reflected In the FY 2017/2018 Adopted Budget with record vote.
 - 1st Reading to Adopt Tax Ordinances (M&O, I&S, Combined Tax Rate) with record vote.
- **Sept. 12, 2017 City Council Meeting -**
 - 2nd Reading to Adopt Tax Ordinances (M&O, I&S, Combined Tax Rate) with record vote.
 - Authorize Warrants for FY 2017/2018
- **Sept. 19, 2017 City Council Meeting -**

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 25th, 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 29, 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
BETTY CONDE	City Secretary
RUSSELL CASSELBERRY	Attorney

Members of the press present at the meeting:

Members of the public present at the meeting:

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



City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: AUGUST 29, 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 August 22nd, 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:

August 22, 2017

On this the 22th day of August, 2017, at 5:30 P.M., there came on and was held an 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
BRANT STEWART	COUNCIL MEMBER – DISTRICT 1
MARIE BRISENO	COUNCIL MEMBER – DISTRICT 2
FRED VERA	COUNCIL MEMBER – DISTRICT 5
VACANT	COUNCIL MEMBER – DISTRICT 3
BOBBY G. GONZALES	MAYOR PRO-TEM/COUNCIL MEMBER – DISTRICT 4
DOUGLAS MORRIS	COUNCIL MEMBER – DISTRICT 6

City staff members present at the meeting:

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

Members of the public present at the meeting:

Russell Skiles	Larry Duyck	Sandy Johnson
Wayne Chapman	Robert Ramirez	Irma Ramirez
Rick Moreno	Chief Alwan	Cris Norris
Raymond Garcia	Victor Dimas	Joe Gomez
Victor Dimas	Sylvia Dimas	Matthew Tanner
Cary White	Mike Lopez	David Burkhart
Joe Vera	Nathan Tafoya	

INVOCATION: Councilman Morris 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 meeting held on August 3, 2017 and August 8, 2017.
- b. **BILL FOR JULY 2017:** Approval of the bills paid by the City of Lamesa for the month of July 2017.

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

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

CERTIFICATION OF DIRECTOR AND OATH OF OFFICE – NEWLY APPOINTED CRMWA BOARD MEMBER: Administered Oath of Office to Mr. Cris Norris, the new CRMWA Board Member and Mayor signed Certification of Director.

BUDGET AMENDMENT VII: 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 Briseno and upon being put to a vote the motion passed.

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

REQUEST FOR ZONE CHANGE – 100 N. 7TH STREET: City Council to consider approving an Ordinance on second 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.

Motion by Council Member Stewart to approve an Ordinance on second 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. Motion seconded by Council Member Morris and upon being put to a vote the motion passed.

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

APPROVE POLICY FOR USE OF HANGARS AT THE LAMESA MUNICIPAL

AIRPORT: City Council to consider approving recommendations from the Lamesa Municipal Airport Board to create a Hangar Use Policy to comply with the rules and regulations adopted by the Federal Aviation Administration ("FAA") in airport facilities designated for aeronautical use and shall be effective July 30, 2017.

Motion by Council Member Morris to approve recommendations from the Lamesa Municipal Airport Board to create a Hangar Use Policy to comply with the rules and regulations adopted by the Federal Aviation Administration ("FAA") in airport facilities designated for aeronautical use and shall be effective July 30, 2017. Motion seconded by Council Member Gonzales and upon being put to a vote the motion passed

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

E9-1-1 INTERLOCAL AGREEMENT WITH PERMIAN BASIN REGIONAL PLANNING

COMMISSION: Consider approving Interlocal Agreement for E9-1-1 Public Safety Answering Point Services between the City of Lamesa and the Permian Basin Regional Planning Commission.

Motion by Council Member Gonzales to approve Interlocal Agreement for E9-1-1 Public Safety Answering Point Services between the City of Lamesa and the Permian Basin Regional Planning Commission. Motion seconded by Council Member Stewart and upon being put to a vote the motion passed.

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

REVIEW RECOMMENDATIONS FROM LEAGUES FOR PROPOSED CHANGES TO CITY'S SOFTBALL CONTRACT & POLICY: City Council to review and consider recommendations from leagues regarding proposed changes to the City's Softball Contract and Policy resulting from previously held Ad-hoc meetings with Softball representatives and interested parties; and give City staff direction.

City Council gave staff direction to revise the City's policy accordingly. No action taken.

AMENDING CHAPTER 1 GENERAL PROVISIONS, ARTICLE 1.08, OF THE CODE OF ORDINANCES OF THE CITY OF LAMESA, TEXAS, ENTITLED "PARKS AND RECREATION" REGARDING CLOSING HOURS FOR PARK AREAS, BALL PARKS AND TENNIS COURTS: City Council to consider passing an Ordinance on First reading amending Chapter 1 General Provisions, Article 1.08, of the Code of Ordinances of the City of Lamesa, Texas, entitled "Parks and Recreation" regarding Closing Hours for Park Areas, Ball Parks and Tennis Courts.

Motion by Council Member Vera to pass an Ordinance on First reading amending Chapter 1 General Provisions, Article 1.08, of the Code of Ordinances of the City of Lamesa, Texas, entitled "Parks and Recreation" regarding Closing Hours for Park Areas, Ball Parks and Tennis Courts. Motion seconded by Council Member Morris and upon being put to a vote the motion passed.

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

AMENDING CHAPTER 3 BUILDING REGULATIONS, ARTICLE 3.04.044 OF THE CODE OF ORDINANCES OF THE CITY OF LAMESA, TEXAS, ENTITLED "STRUCTURAL STANDARDS CODE" REQUIRING MANUFACTURED CARPORTS TO BE PROPERLY ANCHORED: City Council to consider amending an Ordinance on First reading for Chapter 3 Building Regulations, Article 3.04.044 of the Code of Ordinances of the City of Lamesa, Texas, entitled "Structural Standards Code" requiring manufactured carports to be properly anchored.

Motion by Council Member Stewart to amend an Ordinance on First reading for Chapter 3 Building Regulations, Article 3.04.044 of the Code of Ordinances of the City of Lamesa, Texas, entitled "Structural Standards Code" requiring manufactured carports to be properly anchored. Motion seconded by Council Member Gonzales and upon being put to a vote the motion passed.

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

APPROVING AGREEMENT BETWEEN TXDOT AND CITY FOR MAINTENANCE, CONTROL, SUPERVISION AND REGULATION OF CERTAIN STATE HIGHWAYS AND/OR PORTIONS OF STATE HIGHWAYS IN THE CITY OF LAMESA: City Council to consider passing an Ordinance on First reading approving an agreement between the State of Texas and the City of Lamesa for the maintenance, control supervision and regulation of certain state highways and/or portions of state highways in the City of Lamesa and providing for the execution of said agreement; and declaring an emergency.

Motion by Council Member Stewart to pass and Ordinance on First reading approving an agreement between the State of Texas and the City of Lamesa for the maintenance, control supervision and regulation of certain state highways and/or portions of state highways in the City of Lamesa and providing for the execution of said agreement; and declaring an emergency. Motion seconded by Council Member Gonzales and upon being put to a vote the motion passed.

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

PUBLIC HEARING - FISCAL YEAR 2016-2017 ANNUAL BUDGET: Convene a public hearing, in accordance with State Law (Local Government Code, Chapter 102, Section 102.006), to hear a report from the City Manager and to hear comments from the public regarding the proposed Annual Budget for Fiscal Year 2017-2018 beginning on October 1, 2017 and ending September 30, 2018.

THIS PROPOSED BUDGET WILL RAISE MORE TOTAL PROPERTY TAXES THAN LAST YEAR'S BUDGET BY \$29,768 OR 1.35% AND OF THAT AMOUNT, \$597 IS TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR.

City Manager Shawna Burkhart gave a brief overview of the proposed city budget for fiscal year 2017-2018. Mayor Stevens announced the opening of a public hearing on the proposed budget for Fiscal Year 2017-2018. Citizens Bobby Lee and Sandy Johnson spoke. There being no other person wishing to speak, the public hearing was closed.

FISCAL YEAR OCTOBER 2017-2018 BUDGET - ADOPTION: Consider passing an ordinance on First reading with record vote in accordance with State Law (Local Government Code, Chapter 102, Section 102.007) providing funds for the Fiscal Year beginning October 1, 2017, and ending September 30, 2018, by approving the budget for said period and appropriating and setting aside the necessary funds out of the General Fund, Water/Wastewater, Solid Waste funds for the maintenance and operation of the various departments and for various activities and improvements to the City.

THIS BUDGET WILL RAISE MORE REVENUE FROM PROPERTY TAXES THAN LAST YEAR'S BUDGET BY AN AMOUNT OF \$29,768 WHICH IS A 1.35 PERCENT INCREASE FROM LAST YEAR'S BUDGET. THE PROPERTY TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR IS \$597.

Motion by Council Member Morris to pass an ordinance on First reading Consider passing an ordinance on first reading adopting the proposed Annual Budget for Fiscal Year 2017-2018 beginning on October 1, 2017. Motion seconded by Council Member Stewart and upon being put to a vote the motion passed.

RECORD VOTE REQUIRED: VOTE BY SHOW OF HANDS

VOTING	"AYE"	"NAY"	"ABSTAIN"
Josh Stevens	X	_____	_____
Brant Stewart	X	_____	_____
Marie Briseno	X	_____	_____
Vacant	_____	_____	_____
Bobby G. Gonzales	X	_____	_____
Fred Vera	X	_____	_____
Doug Morris	X	_____	_____

1ST PUBLIC HEARING - AD VALOREM TAX RATE – 2017: 1ST Public Hearing on a proposed property tax rate of \$.817521 for 2017. This tax rate will raise \$2,231,135 which is \$17,602 more than taxes imposed last year.

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 1.42 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$-9.59 {Section 26.05(b)1(A&B) OF THE PROPERTY TAX CODE}.

Mayor Stevens announced the opening of a public hearing on a proposed hearing on a proposed property tax rate of 0.817521 for 2017. This tax rate will raise \$ 2,231,135 which is \$17,602 more than taxes imposed last year.

Mayor Stevens announced the opening of a public hearing on the Proposed Property Tax Rate for Fiscal Year 2017-2018. City Manager Shawna Burkhart gave a brief overview of the Proposed Property Tax Rate for Fiscal Year 2017-2018. There being no other person wishing to speak, the public hearing was closed.

CITY STAFF REPORTS:

PARKS, STREETS, SANITATION/LANDFILL REPORT: Director reported on the city's recent events.

UTILITIES DIRECTOR REPORT: Utilities Director reported on the city's recent events.

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

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

- Update regarding Oncor Rate Case Settlement – Oncor abandoned its tentative deal with Warren Buffett's Berkshire Hathaway to purchase Oncor and instead accepted an offer From Sempra Energy.

MAYORS REPORT: Mayor to report on future plans and goals. The Mayor stated that the City will need to look at purchasing a new fire truck next year to replace the 1987 E-One Pumper that is now completely out of service.

ADJOURNMENT: The next regularly scheduled meetings of the City Council of the City of Lamesa will be August 29th, 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 29, 2017.

ATTEST:

Betty Conde
City Secretary

APPROVED:

Josh Stevens
Mayor

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: AUGUST 29, 2017

AGENDA ITEM: 4

SUBJECT: AMENDING CHAPTER 1 GENERAL PROVISIONS, ARTICLE 1.08, OF THE CODE OF ORDINANCES OF THE CITY OF LAMESA, TEXAS, ENTITLED "PARKS AND RECREATION" REGARDING CLOSING HOURS FOR PARK AREAS, BALL PARKS AND TENNIS COURTS

PROCEEDING: Ordinance, Second Reading

SUBMITTED BY: City Staff

EXHIBITS Ordinance

AUTHORITY: City Charter, City Code of Ordinances, Texas Government Code

SUMMARY STATEMENT

City Council to consider passing an Ordinance on Second reading amending Chapter 1 General Provisions, Article 1.08, of the Code of Ordinances of the City of Lamesa, Texas, entitled "Parks and Recreation" regarding Closing Hours for Park Areas, Ball Parks and Tennis Courts.

COUNCIL ACTION

DISCUSSION _____

Motion by Council Member _____ to pass an Ordinance on Second reading amending Chapter 1 General Provisions, Article 1.08, of the Code of Ordinances of the City of Lamesa, Texas, entitled "Parks and Recreation" regarding Closing Hours for Park Areas, Ball Parks and Tennis Courts.

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

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

CITY MANAGER'S MEMORANDUM

It is not my recommendation to change the closing hours for all park areas and ball parks due to the close proximity of the softball field to a residential neighborhood.

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF LAMESA, TEXAS,
AMENDING CHAPTER 1, ARTICLE 1.08, OF THE CODE OF
ORDINANCES OF THE CITY OF LAMESA, TEXAS,
ENTITLED "PARKS AND RECREATION" REGARDING
CLOSING HOURS OF PARK AREAS, BALL PARKS AND
TENNIS COURTS**

On the 29th 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 (Texas 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, Chapter 1, Article 1.08 of the Code of Ordinances of the City of Lamesa, Texas, should be amended to provide for the change in closing hours of Park Areas, Ball Parks and Tennis Courts.

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

SECTION 1. That Chapter 1, Article 1.08.003 (a) of the Code of Ordinances of the City of Lamesa, Texas, be, and is hereby, amended to read as follows:

§ 1.08.003 Opening and closing hours for park areas, ball parks and tennis courts

- (a) Opening and closing hours. All park areas, ball parks and tennis courts in the city shall be open for public use between the hours of 6 a.m. and 12 o'clock Midnight each day of the week.

SECTION 2. That Chapter 1, Article 1.08.003 (b) of the Code of Ordinances of the City of Lamesa, Texas, be, and is hereby, amended to read as follows:

§ 1.08.003 Opening and closing hours for park areas, ball parks and tennis courts

- (b) Penalty. Entry upon the premises of any park area, ball park or tennis court by any person at any hour other than those prescribed above shall constitute a misdemeanor and any person who is found in any park area, ball park or tennis court after 12 o'clock Midnight and before 6:00 a.m. the following morning shall be guilty of a misdemeanor, and upon conviction thereof in the municipal court shall be subject to a fine not to exceed two hundred dollars (\$200.00).

SECTION 3. The effective date of this Ordinance shall be September 8, 2017.

SECTION 4. The City Secretary is hereby authorized and directed to publish the descriptive caption of this ordinance in the manner and for the length of time prescribed by Article IV, Section 24 of the City Charter and state law.

Upon being put to a vote, the foregoing ordinance was Passed, on First Reading, on the 22nd day of August, 2017; and

Upon being put to a vote, the foregoing ordinance was Passed, on Second Reading, on the 29th day of September, 2017.

ATTEST:

APPROVED:

Betty Conde, City Secretary

Josh Stevens, Mayor

Sec. 1.08.003 Opening and closing hours for park areas, ball parks and tennis courts

(a) Opening and closing hours. All park areas, ball parks and tennis courts in the city shall be open for public use between the hours of 6:00 a.m. and 11:00 p.m. each day of the week.

(b) Penalty. Entry upon the premises of any park area, ball park or tennis court by any person at any hour other than those prescribed above shall constitute a misdemeanor and any person who is found in any park area, ball park or tennis court after 11:00 p.m. shall be guilty of a misdemeanor, and upon conviction thereof in the municipal court shall be subject to a fine not to exceed two hundred dollars (\$200.00).

(c) Exclusions. The provisions of this section do not apply to the following:

(1) Bona fide users of the travel trailer park located within Forrest Park for overnight camping within the designated camping area.

(2) Special events within any park area, ball park, or tennis court authorized by the city manager upon recommendation by the park board for which a special permit has been issued by the city manager.

(3) Continuous travel upon designated streets through any park.

(1998 Code, sec. 76.002)

Sec. 1.08.004 Prohibited acts in parks

It shall be unlawful for any person to commit any of the following acts within the parks of the city:

(1) To allow livestock to graze in the city parks.

(2) To play golf in or adjacent to picnic areas in parks.

(3) To ride horses or other livestock in the parks, except in roadways and bridle paths or as a part of an organized festival or celebration approved by the mayor of the city.

(4) To play ball in picnic areas.

(5) To litter the park.

(6) To deface trees or property situated in parks.

(7) To display a gun or guns in parks.

(8) To possess intoxicating liquors of any kind.

(9) To operate a motor vehicle at a speed in excess of twenty (20) miles per hour, except on Houston Avenue.

(10) To drive or operate any motor-propelled vehicle within any city park except upon designated roads and parking areas.

(1998 Code, sec. 76.003)

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: AUGUST 29, 2017

AGENDA ITEM: 5

SUBJECT: AMENDING CHAPTER 3 BUILDING REGULATIONS, ARTICLE 3.04.044 OF THE CODE OF ORDINANCES OF THE CITY OF LAMESA, TEXAS, ENTITLED "STRUCTURAL STANDARDS CODE" REQUIRING MANUFACTURED CARPORTS TO BE PROPERLY ANCHORED

PROCEEDING: Ordinance, Second Reading

SUBMITTED BY: City Staff

EXHIBITS: Ordinance

AUTHORITY: City Charter, City Code of Ordinances, Texas Government Code

SUMMARY STATEMENT

City Council to consider amending on Second reading Chapter 3 Building Regulations, Article 3.04.044 of the Code of Ordinances of the City of Lamesa, Texas, entitled "Structural Standards Code" requiring manufactured carports to be properly anchored. *(City Manager)*

COUNCIL ACTION

DISCUSSION _____

Motion by Council Member _____ to amend on Second reading Chapter 3 Building Regulations, Article 3.04.044 of the Code of Ordinances of the City of Lamesa, Texas, entitled "Structural Standards Code" requiring manufactured carports to be properly anchored. 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
CHAPTER 3, ARTICLE 3.04.044 OF THE CODE OF ORDINANCES
OF THE CITY OF LAMESA, TEXAS, ENTITLED "STRUCTURAL
STANDARDS CODE" REQUIRING MANUFACTURED CARPORTS
TO BE PROPERLY ANCHORED**

On the 29th 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 (Texas 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, Chapter 3, Article 3.04.044 of the Code of Ordinances of the City of Lamesa, Texas, should be amended to require manufactured carports to be properly anchored.

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

SECTION 1. That Chapter 3, Article 3.04.044 of the Code of Ordinances of the City of Lamesa, Texas, be, and is hereby, amended by adding the following Section 3.04.044 (16):

(16) Anchors for manufactured carports. Every manufactured carport shall be affixed to the ground with no less than six (6) J-bolts of at least seven (7) inches in length and ½" inch in diameter encased in at least twelve (12) inches of concrete below ground. Installation of manufactured carports on a pre-existing concrete slab must be anchored and bolted to existing concrete with 6 inch expansion anchor in ½" inch diameter, 3 on each side at ground level.

SECTION 2. The effective date of this Ordinance shall be September 8, 2017.

SECTION 3. The City Secretary is hereby authorized and directed to publish the descriptive caption of this ordinance in the manner and for the length of time prescribed by Article IV, Section 24 of the City Charter and state law.

Upon being put to a vote, the foregoing ordinance was Passed, on First Reading, on the 22nd day of August, 2017; and upon being put to a vote, the foregoing ordinance was Passed, on Second Reading on the 29th day of August, 2017.

ATTEST:

APPROVED:

Betty Conde, City Secretary

Josh Stevens, Mayor

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: AUGUST 29, 2017

AGENDA ITEM: 6

SUBJECT: APPROVING AGREEMENT BETWEEN TXDOT AND CITY FOR MAINTENANCE, CONTROL, SUPERVISION AND REGULATION OF CERTAIN STATE HIGHWAYS AND/OR PORTIONS OF STATE HIGHWAYS IN THE CITY OF LAMESA

PROCEEDING: Ordinance, Second Reading

SUBMITTED BY: City Staff

EXHIBITS Ordinance

AUTHORITY: City Charter, City Code of Ordinances, Texas Government Code

SUMMARY STATEMENT

City Council to consider passing an Ordinance on Second reading approving an agreement between the State of Texas and the City of Lamesa for the maintenance, control supervision and regulation of certain state highways and/or portions of state highways in the City of Lamesa and providing for the execution of said agreement; and declaring an emergency. *(City Manager)*

COUNCIL ACTION

DISCUSSION _____

Motion by Council Member _____ to pass and Ordinance on Second reading approving an agreement between the State of Texas and the City of Lamesa for the maintenance, control supervision and regulation of certain state highways and/or portions of state highways in the City of Lamesa and providing for the execution of said agreement; and declaring an emergency. 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 APPROVING THE AGREEMENT DATED AUGUST 29TH, 2017 BETWEEN THE STATE OF TEXAS AND THE CITY OF LAMESA FOR THE MAINTENANCE, CONTROL, SUPERVISION AND REGULATION OF CERTAIN STATE HIGHWAYS AND/OR PORTIONS OF STATE HIGHWAYS IN THE CITY OF LAMESA AND PROVIDING FOR THE EXECUTION OF SAID AGREEMENT; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAMESA

On the 29th 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:

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

SECTION 1. That the agreement dated August 29th, 2017, between the State of Texas and the City of Lamesa for the maintenance, control, supervision and regulation of certain State Highways and/or portion of State Highways in the City of Lamesa and the same is, hereby approved; and that Josh Stevens, Mayor, is hereby authorized to execute said agreement on behalf of the City of Lamesa and to transmit the same to the State of Texas for appropriate action.

SECTION 2. The fact that the work contemplated under the above-mentioned agreement is needed, creates an emergency which for the immediate preservation of the public peace, health, safety and general welfare requires that this Ordinance take effect immediately from and after its passage and it is accordingly so ordained.

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 22, 2017 by a majority vote; and on August 29th, 2017, there was held at the regular meeting place, City Hall, an open meeting of the City Council of the City of Lamesa, Texas held pursuant to the provisions of the Texas Open Meetings Act (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:

Betty Conde, City Secretary

APPROVED:

Josh Stevens, Mayor

APPROVED AS TO FORM:

Russell Casselberry, City Attorney

STATE OF TEXAS §

COUNTY OF TRAVIS §

I, _____, the duly appointed, qualified and acting
city secretary of the City of _____ Lamesa _____, Texas, hereby certify that the
foregoing pages constitute a true and correct copy of an ordinance duly passed by the City Council at a meeting held
on _____, A.D., 20____, at _____ o'clock ☐ a.m. ☐ p.m.

To certify which, witness my hand and seal of the City of _____ Lamesa _____,
Texas, this due _____ day of _____, 20____, at _____ Lamesa _____, Texas.

City Secretary of the City of

Lamesa _____, Texas



MUNICIPAL MAINTENANCE AGREEMENT

Form 1038
(Rev. 03/12)
Page 1 of 6

STATE OF TEXAS §

COUNTY OF TRAVIS §

THIS AGREEMENT made this _____ day of _____, 20____, by and between the State of Texas, hereinafter referred to as the "State," party of the first part, and the City of _____ Lamesa _____ (population _____ 9422 _____, 2010, latest Federal Census) acting by and through its duly authorized officers, hereinafter called the "City," party of the second part.

WITNESSETH

WHEREAS, Chapter 311 of the Transportation Code gives the City exclusive dominion, control, and jurisdiction over and under the public streets within its corporate limits and authorizes the City to enter agreements with the State to fix responsibilities for maintenance, control, supervision, and regulation of State highways within and through its corporate limits; and

WHEREAS, Section 221.002 of the Transportation Code authorizes the State, at its discretion, to enter agreements with cities to fix responsibilities for maintenance, control, supervision, and regulation of State highways within and through the corporate limits of such cities; and

WHEREAS, the Executive Director, acting for and in behalf of the Texas Transportation Commission, has made it known to the City that the State will assist the City in the maintenance and operation of State highways within such City, conditioned that the City will enter into agreements with the State for the purpose of determining the responsibilities of the parties thereto; and

WHEREAS, the City has requested the State to assist in the maintenance and operation of State highways within such City:

AGREEMENT

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto to be by them respectively kept and performed, it is agreed as follows:

For this agreement, the use of the words "State Highway" shall be construed to mean all numbered highways that are part of the State's Highway System.

COVERAGE

1. This agreement is intended to cover and provide for State participation in the maintenance and operation of the following classifications of State Highways within the City:
 - A. Non-Controlled Access highways or portions thereof which are described and/or graphically shown as "State Maintained and Operated" highways in Exhibit "A," which is attached hereto and made a part hereof.
 - B. All State highways or portions thereof which have been designated by the Texas Transportation Commission or maintained and operated as Controlled Access Highways and which are described and/or graphically shown in Exhibit "B," which is attached hereto and made a part hereof.
2. In the event that the present system of State highways within the City is changed by cancellation, modified routing, or new routes, the State will terminate maintenance and operation and this agreement will become null and void on those portions of the highways which are no longer on the State Highway System; and the full effect and all conditions of this agreement will apply to the changed highways or new highways on the State Highway System within the City; and they shall be classified as "State Maintained and Operated" under paragraph 1 above, unless the execution of a new agreement on the changed or new portions of the highways is requested by either the City or the State.
3. Exhibits that are a part of this agreement may be changed with both parties' written concurrence. Additional exhibits may also be added with both parties' written concurrence.

GENERAL CONDITIONS

1. The City authorizes the State to maintain and operate the State highways covered by this agreement in the manner set out herein.
2. This agreement is between the State and the City only. No person or entity may claim third party beneficiary status under this contract or any of its provisions, nor may any non-party sue for personal injuries or property damage under this contract.
3. This agreement is for the purpose of defining the authority and responsibility of both parties for maintenance and operation of State highways through the City. This agreement shall supplement any special agreements between the State and the City for the maintenance, operation, and/or construction of the State highways covered herein, and this agreement shall supersede any existing Municipal Maintenance Agreements.
4. Traffic regulations, including speed limits, will be established only after traffic and engineering studies have been completed by the State and/or City and approved by the State.
5. The State will erect and maintain all traffic signs and associated pavement markings necessary to regulate, warn, and guide traffic on State highways within the State right-of-way except as mentioned in this paragraph and elsewhere in this agreement. At the intersections of off-system approaches to State highways, the City shall install and maintain all stop signs, yield signs, and one-way signs and any necessary stop or yield bars and pedestrian crosswalks outside the main lanes or outside the frontage roads, if such exist. The City shall install and maintain all street name signs except for those mounted on State maintained traffic signal poles or arms or special advance street name signs on State right-of-way. All new signs installed by the City on State right-of-way shall meet or exceed the latest State breakaway standards and be in accordance with the *Texas Manual on Uniform Traffic Control Devices*, latest edition and revision. All existing signs shall be upgraded on a maintenance replacement basis to meet these requirements.
6. Subject to approval by the State, any State highway lighting system may be installed by the City provided the City shall pay or otherwise provide for all cost of installation, maintenance, and operation except in those installations specifically covered by separate agreements between the City and State.

7. The City shall enforce the State laws governing the movement of loads which exceed the legal limits for weight, length, height, or width as prescribed by Chapters 621, 622, and 623 of the Transportation Code for public highways outside corporate limits of cities. The City shall also, by ordinance/resolution and enforcement, prescribe and enforce lower weight limits when mutually agreed by the City and the State that such restrictions are needed to avoid damage to the highway and/or for traffic safety.
8. The City shall prevent future encroachments within the right-of-way of the State highways and assist in removal of any present encroachments when requested by the State except where specifically authorized by separate agreement; and prohibit the planting of trees or shrubbery or the creation or construction of any other obstruction within the right-of-way without prior approval in writing from the State.
9. Traffic control devices such as signs, traffic signals, and pavement markings, with respect to type of device, points of installation and necessity, will be determined by traffic and engineering studies. The City shall not install, maintain, or permit the installation of any type of traffic control device which will affect or influence the use of State highways unless approved in writing by the State. Traffic control devices installed prior to the date of this agreement are hereby made subject to the terms of this agreement and the City agrees to the removal of such devices which affect or influence the use of State highways unless their continued use is approved in writing by the State. It is understood that basic approval for future installations of traffic control signals by the State or as a joint project with the City, will be indicated by the proper City official's signature on the title sheet of the plans. Both parties should retain a copy of the signed title sheet or a letter signed by both parties acknowledging which signalized intersections are covered by this agreement. Any special requirements not covered within this agreement will be covered under a separate agreement.
10. New construction of sidewalks, ramps or other accessibility related items shall comply with current ADA standards. The city is responsible for the maintenance of these items.
11. If the City has a driveway permit process that has been submitted to and approved by the State, the City will issue permits for access driveways on State highway routes and will assure the grantee's conformance, for proper installation and maintenance of access driveway facilities, with either a Local Access Management Plan that the City has adopted by ordinance and submitted to the State or, if the City has not adopted by ordinance and submitted to the State a Local Access Management Plan, the State's "Regulations for Access Driveways to State Highways" and the State's Access Management Manual. If the City does not have an approved city-wide driveway permit process, the State will issue access driveway permits on State highway routes in accordance with the City's Local Access Management Plan, adopted by city ordinance and submitted to the State or, if the City has not adopted by ordinance and submitted a Local Access Management Plan, the State's "Regulations for Access Driveways to State Highways" and the State's Access Management Manual.
12. The use of unused right-of-way and areas beneath structures will be determined by a separate agreement

NON-CONTROLLED ACCESS HIGHWAYS

The following specific conditions and responsibilities shall be applicable to non-controlled access State highways in addition to the "General Conditions" contained herein above. Non-controlled access State highways or portions thereof covered by this section are those listed and/or graphically shown in Exhibit "A."

State's Responsibilities (Non-Controlled Access)

1. Maintain the traveled surface and foundation beneath such traveled surface necessary for the proper support of same under vehicular loads encountered and maintain the shoulders.
2. Assist in mowing and litter pickup to supplement City resources when requested by the City and if State resources are available.
3. Assist in sweeping and otherwise cleaning the pavement to supplement City resources when requested by the City and if State resources are available.

4. Assist in snow and ice control to supplement City resources when requested by the City and if State resources are available.
5. Maintain drainage facilities within the limits of the right-of-way and State drainage easements. This does not relieve the City of its responsibility for drainage of the State highway facility within its corporate limits.
6. Install, maintain, and operate, when required, normal regulatory, warning and guide signs and normal markings (except as provided under "General Conditions" in paragraph 5). In cities with less than 50,000 population, this also includes school safety devices, school crosswalks, and crosswalks installed in conjunction with pedestrian signal heads. This does not include other pedestrian crosswalks. Any other traffic striping desired by the City may be placed and maintained by the City subject to written State approval.
7. Install, operate, and maintain traffic signals in cities with less than 50,000 population.
8. In cities equal to or greater than 50,000 population, the State may provide for installation of traffic signals when the installation is financed in whole or in part with federal-aid funds if the City agrees to enter into an agreement setting forth the responsibilities of each party.

City's Responsibilities (Non-Controlled Access)

1. Prohibit angle parking, except upon written approval by the State after traffic and engineering studies have been conducted to determine if the State highway is of sufficient width to permit angle parking without interfering with the free and safe movement of traffic.
2. Install and maintain all parking restriction signs, pedestrian crosswalks [except as provided in paragraph 6 under "State's Responsibilities (Non-Controlled Access)"], parking stripes and special guide signs when agreed to in writing by the State. Cities greater than or equal to 50,000 population will also install, operate, and maintain all school safety devices and school crosswalks.
3. Signing and marking of intersecting city streets with State highways will be the full responsibility of the City (except as provided under "General Conditions" in paragraph 5).
4. Require installations, repairs, removals or adjustments of publicly or privately owned utilities or services to be performed in accordance with Texas Department of Transportation specifications and subject to approval of the State in writing.
5. Retain all functions and responsibilities for maintenance and operations which are not specifically described as the responsibility of the State. The assistance by the State in maintenance of drainage facilities does not relieve the City of its responsibility for drainage of the State highway facility within its corporate limits except where participation by the State is specifically covered in a separate agreement between the City and the State.
6. Install, maintain, and operate all traffic signals in cities equal to or greater than 50,000 population. Any variations will be handled by a separate agreement.
7. Perform mowing and litter pickup.
8. Sweep and otherwise clean the pavement.
9. Perform snow and ice control.

CONTROLLED ACCESS HIGHWAYS

The following specific conditions and responsibilities shall be applicable to controlled access highways in addition to the "General Conditions" contained herein above. Controlled access State highways or portions thereof covered by this section are those listed and/or graphically shown in Exhibit "B."

State's Responsibilities (Controlled Access)

1. Maintain the traveled surface of the through lanes, ramps, and frontage roads and foundations beneath such traveled surface necessary for the proper support of same under vehicular loads encountered.
2. Mow and clean up litter within the outermost curbs of the frontage roads or the entire right-of-way width where no frontage roads exist and assist in performing these operations between the right-of-way line and the outermost curb or crown line of the frontage roads in undeveloped areas.
3. Sweep and otherwise clean the through lanes, ramps, separation structures or roadways and frontage roads.
4. Remove snow and control ice on the through lanes and ramps and assist in these operations as the availability of equipment and labor will allow on the frontage roads and grade separation structures or roadways.
5. Except as provided under "General Conditions" in paragraph 5, the State will install and maintain all normal markings and signs, including sign operation if applicable, on the main lanes and frontage roads. This includes school safety devices, school crosswalks and crosswalks installed on frontage roads in conjunction with pedestrian signal heads. It does not include other pedestrian crosswalks.
6. Install, operate and maintain traffic signals at ramps and frontage road intersections unless covered by a separate agreement.
7. Maintain all drainage facilities within the limits of the right-of-way and State drainage easements. This does not relieve the City of its responsibility for drainage of the highway facility within its corporate limits.

City's Responsibilities (Controlled Access)

1. Prohibit, by ordinance or resolution and through enforcement, all parking on frontage roads except when parallel parking on one side is approved by the State in writing. Prohibit all parking on main lanes and ramps and at such other places where such restriction is necessary for satisfactory operation of traffic, by passing and enforcing ordinances/resolutions and taking other appropriate action in addition to full compliance with current laws on parking.
2. When considered necessary and desirable by both the City and the State, the City shall pass and enforce an ordinance/resolution providing for one-way traffic on the frontage roads except as may be otherwise agreed to by separate agreements with the State.
3. Secure or cause to be secured the approval of the State before any utility installation, repair, removal or adjustment is undertaken, crossing over or under the highway facility or entering the right-of-way. In the event of an emergency, it being evident that immediate action is necessary for protection of the public and to minimize property damage and loss of investment, the City, without the necessity of approval by the State, may at its own responsibility and risk make necessary emergency utility repairs, notifying the State of this action as soon as practical.
4. Pass necessary ordinances/resolutions and retain its responsibility for enforcing the control of access to the expressway/freeway facility.
5. Install and maintain all parking restriction signs, pedestrian crosswalks (except as mentioned above in paragraph 5 under "State's Responsibilities") and parking stripes when agreed to by the State in writing. Signing and marking of intersecting city streets to State highways shall be the full responsibility of the City (except as discussed under "General Conditions" in paragraph 5).

TERMINATION

All obligations of the State created herein to maintain and operate the State highways covered by this agreement shall terminate if and when such highways cease to be officially on the State highway system; and further, should either party fail to properly fulfill its obligations as herein outlined, the other party may terminate this agreement upon 30 days written notice. Upon termination, all maintenance and operation duties on non-controlled access State highways shall revert to City responsibilities, in accordance with Chapter 311 of the Texas Transportation Code. The State shall retain all maintenance responsibilities on controlled access State highways in accordance with the provisions of Chapter 203 of the Texas Transportation Code and 23 United States Code Section 116.

Said State assumption of maintenance and operations shall be effective the date of execution of this agreement by the Texas Department of Transportation.

IN WITNESS WHEREOF, the parties have hereunto affixed their signatures, the City of Lamesa

on the _____ day of _____, 20____, and the Texas Department of Transportation, on the _____ day of _____, 20____.

ATTEST:

CITY OF LAMESA
BY _____
(Title of Signing Official)

THE STATE OF TEXAS

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

BY _____
(District Engineer)
Lubbock District - LBB - 5 District

The Texas Department of Transportation maintains the information collected through this form. With few exceptions, you are entitled on request to be informed about the information that we collect about you. Under Sections 552.021 and 552.023 of the Government Code, you also are entitled to receive and review this information. Under Section 559.004 of the Government Code, you are also entitled to have us correct information about you that is incorrect. For more information, call 512/416-3048.

NOTE: To be executed in duplicate and supported by Municipal Maintenance Ordinance/Resolution and City Secretary Certificate.

Exhibit "A"

Non-Controlled Access Highways

US 87 (Lynn Avenue)

North City Limit to South City Limit

US 180 (Seminole Road)

West City Limit to US 87

SH 137 (Bryan Avenue)

North City Limit to South City Limit

BU 87 (Dallas Avenue)

US 87 to South City Limit

FM 179 (Woody Road)

North City Limit to South City Limit

FM 826 (NE 7th Street)

US 87 to East City Limit

FM 827 (SE 8th Street)

US 87 to East City Limit

FM 2592 (N 22nd Street)

SH 137 to East City Limit

Exhibit "B"

Controlled Access Highways

(None)

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: AUGUST 29, 2017

AGENDA ITEM: 7

SUBJECT: FISCAL YEAR OCTOBER 2017-2018 BUDGET - ADOPTION
PROCEEDING: Ordinance; Second reading
SUBMITTED BY: City Staff
EXHIBITS: Ordinance
AUTHORITY: State Law; Local Government Code, Chapter 102, Section 102.007

SUMMARY STATEMENT

Consider passing an ordinance on Second reading with record vote in accordance with State Law (Local Government Code, Chapter 102, Section 102.007) providing funds for the Fiscal Year beginning October 1, 2017, and ending September 30, 2018, by approving the budget for said period and appropriating and setting aside the necessary funds out of the General Fund, Water/Wastewater, Solid Waste funds for the maintenance and operation of the various departments and for various activities and improvements to the City.

THIS BUDGET WILL RAISE MORE REVENUE FROM PROPERTY TAXES THAN LAST YEAR'S BUDGET BY AN AMOUNT OF \$29,768, WHICH IS A 1.35 PERCENT INCREASE FROM LAST YEAR'S BUDGET. THE PROPERTY TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR IS \$597.

COUNCIL ACTION

DISCUSSION: _____

Motion by Council Member _____ to adopt on Second reading the Proposed 2017-2018 Annual Budget, including the following statement (to be read aloud):

THIS BUDGET WILL RAISE MORE REVENUE FROM PROPERTY TAXES THAN LAST YEAR'S BUDGET BY AN AMOUNT OF \$29,768, WHICH IS A 1.35 PERCENT INCREASE FROM LAST YEAR'S BUDGET. THE PROPERTY TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR IS \$597.

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

RECORD VOTE REQUIRED: VOTE BY SHOW OF HANDS

VOTING	"AYE"	"NAY"	"ABSTAIN"
Josh Stevens	_____	_____	_____
Brant Stewart	_____	_____	_____
Marie A. Briseno	_____	_____	_____
Vacant	_____	_____	_____
Bobby Gonzales	_____	_____	_____
Fred Vera	_____	_____	_____
Doug Morris	_____	_____	_____

CITY MANAGER’S MEMORANDUM
Recommend approval.

ORDINANCE NO: _____

AN ORDINANCE ADOPTING AND APPROVING A BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2017 AND ENDING SEPTEMBER 30, 2018 AND MAKING APPROPRIATIONS FOR EACH DEPARTMENT, PROJECT, AND ACCOUNT; APPROVING REVISED BUDGET FIGURES FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2017; PROVIDING FOR NECESSARY TRANSFERS OF FUNDS BETWEEN ACCOUNTS AND DEPARTMENTS, IF REQUIRED; AND PROVIDING A SAVINGS CLAUSE.

On the this 22nd day of August, 2017, there came on and was held at the regular called meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas, held pursuant to the provisions of the Texas Open Meetings Act, 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, a budget for the Fiscal Year beginning October 1, 2017, and ending September 30, 2018, has been prepared by the City Manager; and

WHEREAS, the City Manager, on July 28, 2017, filed a proposed budget with the City Secretary for the Fiscal Year beginning October 1, 2017; and

WHEREAS, the City Secretary did post notice that said proposed budget had been filed and was available for public inspection; and

WHEREAS, the City Council did hold two public hearing on August 22nd, 2017, and August 29th, 2017, regarding the proposed property ad valorem tax rate at \$0.817521.

WHEREAS, On August 22nd, 2017, the City Council held a public hearing and adopted the 2017-18 Budget Ordinance on 1st reading for the upcoming Fiscal Year. On August 29th, 2017, City Council will consider passing the Budget Ordinance on 2nd and final reading. It is determined the proposed budget for Fiscal Year 2017-2018 to be appropriate and correct in all respects and that all requirements of the law have been satisfied; and

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

SECTION 1. Subject to the applicable provisions of the State Law and the City Charter, the budget for the Fiscal Year beginning October 1, 2017, and ending September 30, 2018, as filed and submitted by the City Manager, and adjusted by the City Council, containing estimates of resources and revenues for the year from all of the various sources provided by the city, and the projects, operations, activities and purchases proposed to be undertaken during the year, together with the estimated costs thereof, and estimated amounts of all other proposed expenditures, is hereby approved and adopted.

SECTION 2. (A) There is hereby appropriated from the funds indicated and for such purposes and other expenditures proposed in such budget, not to exceed for all

such purposes for any department, the total amount of the estimated costs of the projects, operations, activities, purchases and other expenditures proposed for such department; and

(B) The City Manager is hereby authorized to approve the transfer of allocated amounts between classifications, departments, and unappropriated surpluses if such transfers do not significantly change the work program contemplated in the approved budget.

SECTION 3. THE BUDGET WILL RAISE MORE REVENUE FROM PROPERTY TAXES THAN LAST YEAR'S BUDGET BY AN AMOUNT OF \$29,768 WHICH IS A 1.35 PERCENT INCREASE FROM LAST YEAR'S BUDGET. THE PROPERTY TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR IS \$597.

SECTION 4. The amounts set out under the headings "Revised or Estimated 2016-2017" shall be, and are hereby, authorized and approved as revised budget amounts for the Fiscal Year ending on September 30, 2017.

SECTION 5. The Investment Plan for the City has been reviewed and is approved for the Fiscal Year beginning October 1, 2017, and ending September 30, 2018.

SECTION 6. That should any section, paragraph, sentence, clause, phrase or word of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of this ordinance shall not be affected thereby.

SECTION 7. All ordinances and resolutions, or parts of ordinances and resolutions, in conflict with this Ordinance are hereby repealed, and are no longer in force or effect.

SECTION 8. This ordinance shall become effective upon adoption of its second and final reading by the City Council of the City of Lamesa, Texas and the effective date of the ordinance and all rates and appropriations contained herein shall be October 1, 2017.

Upon being put to a vote, the foregoing ordinance was Passed, on Second Reading on the 29th day of August, 2017, by a majority vote.

ATTEST:

APPROVED:

Betty Conde
City Secretary

Josh Stevens
Mayor

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: AUGUST 29, 2017

AGENDA ITEM: 8

**SUBJECT: CANVASS CITY'S 2017 SPECIAL ELECTION RETURNS AND
DECLARING WINNER OF SPECIAL ELECTION – DISTRICT 3**

PROCEEDING: Resolution

SUBMITTED BY: City Staff

EXHIBITS: Election returns; resolution

AUTHORITY: State Law; Election Code Section 67.002 and Section 201.001

SUMMARY STATEMENT

Canvass of votes and tabulation of the returns for the August 19, 2017 City Special Election – District 3; and declaring winner.

COUNCIL ACTION

The council tabulated the returns from the August 29, 2017 City Special Election – District 3, and the following votes were cast.

	<u>Early Voting</u>	<u>Regular Voting</u>	<u>Total Votes</u>	<u>% of Total Votes</u>
<u>Council Member District 3</u>				
Rick Moreno	67	9	76	76
Cindy Sweet	1	6	7	7
Jaime Garcia	1	2	3	3
Joe Rivas – Write-In Candidate	13	1	14	14
Total Votes in District 3	100			
Registered Voters in District 3	<u>937</u>			

Motion by Council Member _____ to pass a resolution canvassing the returns of the August 19, 2017 City of Lamesa Special Election – District 3. 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 TABULATION OF THE VOTES AND A RESOLUTION
AND ORDER CANVASSING THE RETURNS AND
DECLARING THE RESULTS OF THE AUGUST 19, 2017
CITY SPECIAL ELECTION.**

On this the 29th 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 (Govt. Code, Chapter 551); there being a quorum present and acting throughout the meeting, the following resolution was formally submitted by motion and duly seconded for the consideration and action of the meeting, to wit:

There came on to be considered the returns of the Special Election – District 3 held on the 19th day of August, 2017, for the purpose of electing the hereinafter named officials, and it appearing from said returns, duly and legally made, that there were cast at said election 100 valid and legal votes, that each of the candidates in said election received the following votes:

	<u>Early Voting</u>	<u>Regular Voting</u>	<u>Total Votes</u>	<u>% of Total Votes</u>
<u>Council Member District 3</u>				
Rick Moreno	67	9	76	76
Cindy Sweet	1	6	7	7
Jaime Garcia	1	2	3	3
Joe Rivas – Write-In Candidate	13	1	14	14
Total Votes in District 3	100			
Registered Voters in District 3	<u>937</u>			

This tabulation was made in accordance with the Texas Election Code, from sealed returns presented to the Mayor Pro-tem by the Presiding Judges at the close of the Special Election held on August 19, 2017. Said sealed documents were opened at the above named meeting at the time designated for the official canvass and tabulation in the presence of the public. From this tabulation, the official Order Declaring the Result of the Election is to be made.

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

That at the Special Election held in the City of Lamesa, Texas, on the 19th day of August, 2017, which election was duly called and notice of such election being given in accordance with law, Rick Moreno received 76 votes, same being a majority of the votes cast at said election for the candidates for the office of City Council Member, District Three, and was duly elected as City Council Member, District Three, for the City of Lamesa, Dawson County, Texas;

Upon being put to a vote, the resolution was Passed, Approved, and Adopted this 29th day of August, 2017, by a majority vote and ordered to be spread upon the minutes of the Council of the City of Lamesa, Texas, and recorded in the resolution book thereafter.

ATTEST:

APPROVED:

Betty Conde
City Secretary

Josh Stevens
Mayor

UNOFFICIAL CANVASS
2017 SPECIAL ELECTION
CITY OF LAMESA, TEXAS

District 3

Enrique "Rick" Moreno		
Early Voting	Regular Voting	Total Votes
67	9	76
<i>% of total votes</i>		76.0%

Cindy Sweet		
Early Voting	Regular Voting	Total Votes
1	6	7
<i>% of total votes</i>		7.0%

Jaime Garcia		
Early Voting	Regular Voting	Total Votes
1	2	3
<i>% of total votes</i>		3.0%

Joey Rivas - Write In Candidate		
Early Voting	Regular Voting	Total Votes
13	1	14
		14%

Registered voters in District 3

937

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: AUGUST 29, 2017

AGENDA ITEM: 9

SUBJECT: CERTIFICATE OF ELECTION AND OATH OF OFFICE -
NEWLY ELECTED COUNCIL 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

Deliver Certificate of Election and administer Oath of Office to the newly-elected Council Member from the August 19, 2017 City Special Election – District 3. *(City Attorney)*

A. Rick Moreno – District 3

OATH OF OFFICE

I, RICK MORENO, DO SOLEMNLY SWEAR THAT I WILL FAITHFULLY EXECUTE THE DUTIES OF THE OFFICE OF COUNCIL MEMBER OF THE CITY OF LAMESA 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 THIS STATE. SO HELP ME GOD.

CITY MANAGER'S MEMORANDUM

The Council Members for District 3 will be sworn in.

STATEMENT OF ELECTED/APPOINTED OFFICER

I, **Rick Moreno** 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 may be, so help me God.

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING STATEMENT AND THAT THE FACTS STATED THEREIN ARE TRUE.

Officer's Signature

Date August 29, 2017

Council Member-District 3

Position to Which Elected/Appointed

City of Lamesa, Dawson County, Texas

City/County

In the name and by the authority of

The State of Texas

OATH OF OFFICE

I, **Rick Moreno**, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of **Council Member for District 3** of the City of Lamesa, 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.

SWORN TO and Subscribed before me by affiant on this 29th as of August, 2017.

Signature of Person Administering Oath

Printed Name

Title



In the name and by the authority of

The State of Texas

THIS IS TO CERTIFY, that at a Special Election held on

19th day of August, 2017

Rick Moreno

was duly elected

City Council Member District 3

of the City of Lamesa

In testimony whereof, I have hereunto signed my name and caused the Seal of the City of Lamesa to be affixed at the City of Lamesa, this the 29th day of August, 2017.



Signature of Presiding Officer of
Canvassing Authority

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: AUGUST 29, 2017

AGENDA ITEM: 10

SUBJECT: 2nd PUBLIC HEARING - AD VALOREM TAX RATE – 2017
PROCEEDING: 2nd Public Hearing
SUBMITTED BY: City Staff
EXHIBITS:
AUTHORITY: City Charter – Article V, Taxes and Taxation
State Law; Property Tax Code, Sec.26.05 and 31.05

SUMMARY STATEMENT

2nd Public Hearing on a proposed property tax rate of \$.817521 for 2017. This tax rate will raise \$2,231,135, which is \$17,602 more than taxes imposed last year.

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 1.42 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$-9.59 {Section 26.05(b)1(A&B) OF THE PROPERTY TAX CODE}.

1st PUBLIC HEARING

Following the report from the City Manager, the Mayor will ask if anyone wishes to speak regarding the Proposed Tax Rate for 2017.

The following persons spoke:

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

NOTICE OF 2017 TAX YEAR PROPOSED PROPERTY TAX RATE FOR CITY OF LAMESA

A tax rate of \$0.817521 per \$100 valuation has been proposed for adoption by the governing body of City of Lamesa. This rate exceeds the lower of the effective or rollback tax rate, and state law requires that two public hearings be held by the governing body before adopting the proposed tax rate.

The governing body of City of Lamesa proposes to use revenue attributable to the tax rate increase for the purpose of .

PROPOSED TAX RATE	\$0.817521 per \$100
PRECEDING YEAR'S TAX RATE	\$0.827521 per \$100
EFFECTIVE TAX RATE	\$0.805895 per \$100
ROLLBACK TAX RATE	\$0.868554 per \$100

The effective tax rate is the total tax rate needed to raise the same amount of property tax revenue for City of Lamesa from the same properties in both the 2016 tax year and the 2017 tax year.

The rollback tax rate is the highest tax rate that City of Lamesa may adopt before voters are entitled to petition for an election to limit the rate that may be approved to the rollback rate.

**YOUR TAXES OWED UNDER ANY OF THE ABOVE RATES CAN BE CALCULATED AS
FOLLOWS:**

$$\text{property tax amount} = (\text{rate}) \times (\text{taxable value of your property}) / 100$$

For assistance or detailed information about tax calculations, please contact:

Dawson County Central Appraisal District
City of Lamesa Tax Assessor-Collector
1806 Lubbock Hwy. Lamesa, Texas 79331
806-872-7060
dcad1@windstream.net
<http://www.dawsoncad.org>

You are urged to attend and express your views at the following public hearings on the proposed tax rate:

First Hearing: August 22, 2017 at 5:30 pm at Lamesa City Hall, 601 S. 1st St., Lamesa Texas 79331.

Second Hearing: August 29, 2017 at 5:30 pm at Lamesa City Hall, 601 S. 1st St., Lamesa Texas 79331.

2016 Rates

\$100,000 Home

Tax Rate	0.827521	
Debt Rate	<u>0.031330</u>	
Current Year M&O	0.796191	796.19

2017 Rates

Proposed Tax Rate	0.817521	
Debt Rate	<u>0.030918</u>	
Current M&O	0.786603	<u>786.60</u>

Net Change-9.59

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: AUGUST 29, 2017

AGENDA ITEM: 11

SUBJECT: APPROVAL OF FY 2017/2018 LEDC/LEAP BUDGET
PROCEEDING: LEDC & LEAP Budget Approval for FY 2017-2018
SUBMITTED BY: City Staff

SUMMARY STATEMENT

City Council to consider approving FY 2017/2018 LEDC and LEAP Annual Budgets.

COUNCIL ACTION

DISCUSSION: _____

Motion by Council Member _____ to approve FY 2017/2018 LEDC and LEAP Annual Budgets. Motion by Council Member _____ to approve FY 2017/2018 LEDC and LEAP Annual Budgets. Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

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

CITY MANAGER'S MEMORANDUM

Recommend approval.

LAMESA ECONOMIC DEVELOPMENT CORPORATION					
LEDG (FY16-17) - APPROVED					
OPERATING AND ECONOMIC DEVELOPMENT BUDGET FOR FISCAL YEAR OCTOBER 1, 2017 TO SEPTEMBER 30, 2018					
Code	Budget Item	Actual OCT 15-SEPT 16	BUDGETED OCT 16-SEPT 17	Y-T-D ACTUAL 7/10/2017	PROPOSED FY17-18
REVENUES					
40101	Sales Tax	246,767	220,000	188,531	220,000
40501	Interest Income (LNB)	18,934	19,000	13,282	19,000
40503	Int. Income (Tx Mfg)	0	1,000	0	1,000
40504	Rent (Boll Weevil Eradication)	24,000	24,000	12,000	0
40507	Administrative Services (Type B)	0	6,000	0	6,000
40510	Farm Lease Cash Lease	426	200	0	200
40512	Farm Lease Cash Lease #5637	0	0	700	
40904	MISCELLANEOUS REVENUES	0	5,000	0	5,000
40905	Sale of Property	0	0	0	0
40908	Southern Power Renewable (BNB)	50,288	47900	0	47900
TOTAL REVENUES		340,415	323,100	214,513	299,100
OPERATIONS					
EXPENDITURES					
100 PERSONNEL SERVICES					
5611101	Salaries	72,790	65,800	53,889	73,955
5611102	Longevity	24	144	50	144
5611104	Vacation Leave	3,045	2,800	3,727	3,662
5611105	Sick Leave	1,245	1,400	2,478	1,583
5611107	Social Security	5,666	5,355	4,542	6,069
5611108	Retirement	3,233	7,200	2,369	4,000
5611109	Worker's Comp	0	360	0	360
5611110	Unemployment Tax	171	550	9	550
5611111	Health & Accident Insurance	7,800	31,520	6,480	8,640
100 TOTAL		93,974	115,129	73,544	98,963
200 SUPPLIES & MAT.					
5611201	Office Supplies	722	1,800	591	1,800
5611204	Minor Tools & Instruments	266	900	280	900
5611207	Food/Meeting Supplies	460	1,200	336	1,200
5611209	Miscellaneous Services	97	1,000	0	1,000
5611210	Computer Supplies	3,302	2,400	244	2,400
200 TOTAL		4,847	7,300	1,451	7,300
400 BUILDING MAINTENANCE					
5611400	Property Maintenance	600	500	850	1,500
5611401	Boll Weevil Building	856	2,000	891	2,000
5611402	Building-Square (Austin St. Downtov	0	1,500	0	1,500
5611404	Chamber of Commerce	0	1,000	0	1,000
400 TOTAL		1,456	5,000	1,741	6,000
500 COMPUTER MAINTENANCE					
5611501	Website (InMotion Hosting)	872	800	375	500
500 TOTAL		872	800	375	500
600 MISCELLANEOUS SERVICES					
5611601	Telephone	712	1,200	477	1,200
5611602	Insurance and Bonds	0	1,800	0	1,800

5611603	Special Services: Audit=6,850, LACC=8,040, Legal=12,000, Strategic Plan=12,500	31,264	33,000	33,537	33,000
5611604	Travel	7,689	8,000	7,398	8,000
5611605	Schools and Training	2,126	4,500	991	4,500
5611606	Promotional: Images Ad \$10,000/Trade & Industry Ad \$5,000/Promotion Materials \$10,000/ = \$25,000	6,495	36,000	9,750	36,000
5611609	Legal Notices	0	1,000	0	1,000
5611610	Rent and Lease of Property (C.C.)	5,515	6,000	4,500	6,000
5611611	TDCJ Incentive/water-sewer	0	0	0	0
5611612	Employee Reimb't (Car & Phone)	0	4,320	0	4,320
5611616	Administrative Services (City)	9,100	8,640	6,300	8,640
5611620	Christmas Bonus	88	100	88	100
600	TOTAL	62,989	104,560	63,041	104,560
TOTAL EXPENDITURES - OPERATIONS		164,138	232,789	140,152	217,323
ECONOMIC DEVELOPMENT					
700	SUNDRY CHARGES				
5611701	Dues: (REAP, Highgrd., TEDC, MOTRAN, W.T. WIND, Class4 Wind, Ports-To-Plains)	9,131	6000	6,003	6000
5611706	Property Taxes	0	0	232	500
700	TOTAL	9,131	6,000	6,235	6,500
800	DEBT SERVICE - Incentives				
5611800	Incentive Programs	0	50,000	0	50,000
5611810	Grants: Lamesa Cotton Growes (Classing Office & Prison Tower Maint.)	274,869	155,698	132,683	150,000
5611820	Loans	0	50,000	0	0
5611830	Façade Improvement Program	0	0	0	0
800	TOTAL	274,869	255,698	132,683	200,000
900	CAPITAL OUTLAY				
5611910	Land Purchased	0	40,000	61,406	40,000
5611920	N. 4th Street Property	0		0	
5611951	Furniture, Fixtures & Office	0	1000	0	1000
900	TOTAL	0	41,000	61,406	41,000
TOTAL EXPENDITURES - Economic Development		284,000	302,698	200,324	247,500
		Actual	BUDGETED	Y-T-D ACTUAL	PROPOSED
		OCT 15-SEPT 16	OCT 16-SEPT 17	7/10/2017	FY17-18
GRAND TOTAL REVENUE		340,415	323,100	214,513	299,100
Allocated Reserve		-	-	-	-
TOTAL FUNDS AVAILABLE		340,415	323,100	214,513	299,100
Operations Expenditures		-164,138	-232,789	-140,152	-217,323
Economic Development Expenditures		-284,000	-302,698	-200,324	-247,500
GRAND TOTAL EXPENDITURES		-448,138	-535,487	-340,476	-464,823
REVENUES OVER/UNDER EXPENSES		-107,723	-212,387	-125,963	-165,723

LAMESA ECONOMIC ALLIANCE PROJECT					
LEAP (FY 17-18) - APPROVED					
OPERATING AND ECONOMIC DEVELOPMENT BUDGET FOR FISCAL YEAR OCTOBER 1, 2016 TO SEPTEMBER 30, 2017					
Code	Budget Item	Actual OCT 15-SEPT 16	BUDGETED OCT 16-SEPT 17	Y-T-D ACTUAL 7/10/2017	PROPOSED FY17-18
REVENUES					
40101	Tax Revenue - Sales Tax	246,767	220,000	188,531	220,000
40102	Interest Income	0	0	0	0
40501	Interest Income (LNB)	5,653	1,500	4,601	6,000
40904	MISCELLANEOUS REVENUES	987	0	0	0
TOTAL REVENUES		253,407	221,500	193,132	226,000
OPERATIONS					
EXPENDITURES					
100	PERSONNEL SERVICES	0	0	0	0
100	TOTAL	0	0	0	0
200	SUPPLIES & MAT.				
5811201	Office Supplies	0	400	0	0
5811204	Small Tools & Instruments	0	100	0	0
5811207	Food/Meeting Supplies	0	300	0	0
5811209	Miscellaneous Services	0	400	0	0
5811210	Computer Supplies	0	400	0	0
200	TOTAL	0	1,600	0	0
400	BUILDING MAINTENANCE				
5811404	Chamber of Commerce	0	1,000	0	0
400	TOTAL	0	1,000	0	0
500	COMPUTER MAINTENANCE				
5811601	Website (InMotion)	0	0	0	0
500	TOTAL	0	0	0	0
600	MISCELLANEOUS SERVICES				
5811601	Telephone	0	0	0	0
5811602	Insurance and Bonds	0	0	0	0
5811603	Special Services (Audit & LEDC): (Audit = 1,760, Legal = 0.00)	0	1,760	1,000	5,000
5811604	Travel Expenses	0	5,000	0	0
5811605	Schools and Training	0	5,000	0	0
5811606	Promotional	0	2,500	0	2,500
5811609	Legal Notices	0	300	0	300
5811616	Administrative Services (City)	0	0	0	0
5811617	Administrative Services (LEDC)	0	6,000	0	6,000
600	TOTAL	0	20,560	1,000	13,800
OPERATIONS					
TOTAL EXPENDITURES - OPERATIONS					
		0	23,160	1,000	13,800
ECONOMIC DEVELOPMENT					
700	SUNDRY CHARGES				
5811701	Dues (P to P, Highgrd., TEDC.)	0	3,035	0	0
700	TOTAL	0	3,035	0	0

800	DEBT SERVICE (INCENTIVE PROGRAMS)				
5811800	Incentive Programs	15,000	70,000	6,712	50,000
5811810	Grants	13,591	157,073	0	157,073
5811820	Loans	157,073	50,000	0	50,000
5811830	Façade Improvement Program			28,288	50,000
5811840	Demolition			0	40,000
800	TOTAL	185,664	277,073	35,000	347,073
900	CAPITAL OUTLAY				
5811910	Land Purchase	0	0	0	0
5811951	Furniture, Fixtures & Office	0	1,000	0	1,000
900	TOTAL	0	1,000	0	1,000
Economic Development					
TOTAL EXPENDITURES - Economic Development		185,664	281,108	35,000	348,073
GRAND TOTAL REVENUE		253,407	221,500	193,132	226,000
Allocated Reserve:		-	-	-	-
TOTAL FUNDS AVAILABLE		253,407	221,500	193,132	226,000
Operations Expenditures		0	-23,160	-1,000	-13,800
Economic Development Expenditures		-185,664	-281,108	-35,000	-348,073
GRAND TOTAL EXPENDITURES		-185,664	-304,268	-36,000	-361,873
REVENUES OVER/UNDER EXPENSES		67,743	-82,768	157,132	-135,873

LEDC - Projected 09/30/18

Beginning Balance - 10/01/17		2,076,082
Revenues	299,100	
Expenses	<u>464,823</u>	
Revenues Over/Under Expenses		<u>(165,723)</u>
Total Fund Balance		<u><u>1,910,359</u></u>

LEAP - Projected 09/30/18

Beginning Balance - 10/01/17		758,005
Revenues	226,000	
Expenses	<u>361,873</u>	
Revenues Over/Under Expenses		<u>(135,873)</u>
Total Fund Balance		<u><u>622,132</u></u>

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: AUGUST 29, 2017

AGENDA ITEM: 12

SUBJECT: APPROVAL OF REQUEST BY TEXAS DEPARTMENT OF CRIMINAL JUSTICE TO ADVERTISE "HIRING CORRECTIONAL OFFICERS" FOR THE SMITH UNIT ON THE CITY SOFTBALL FIELD FENCE AND ON THE LYNN ST. WATER TOWER FENCE UNTIL SEPTEMBER 30, 2017

PROCEEDING: Action

SUBMITTED BY: City Staff

EXHIBITS: TDCJ Recruitment Flyer

SUMMARY STATEMENT

City Council to consider approval of request by Texas Department of Criminal Justice to advertise "Hiring Correctional Officers" for the Smith Unit on the City Softball Field fence and the Lynn Street Water Tower fence until September 30, 2017.

COUNCIL ACTION

DISCUSSION _____

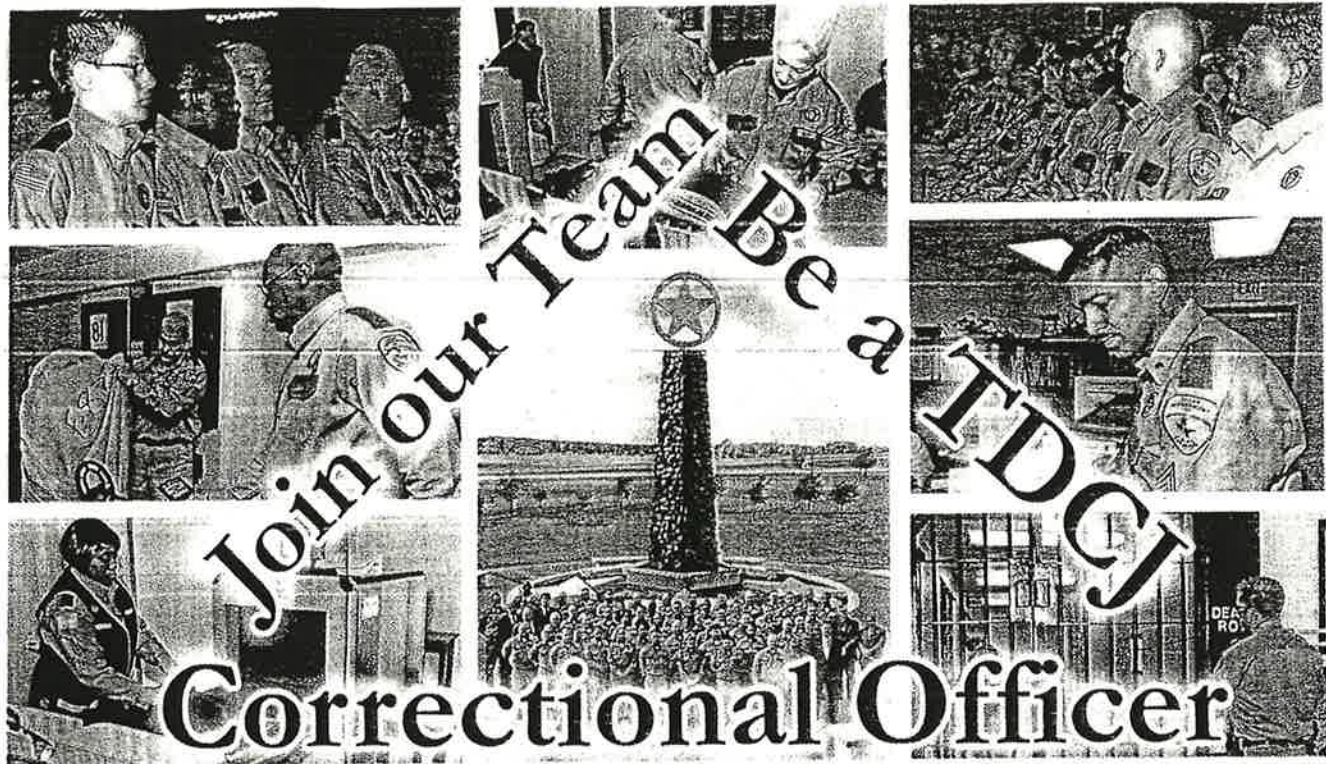
Motion by Council Member _____ to approve request by Texas Department of Criminal Justice to advertise "Hiring Correctional Officers" for the Smith Unit on the City Softball Field fence and the Lynn Street Water Tower fence until September 30, 2017. Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

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

CITY MANAGER'S MEMORANDUM

Recommend approval.

For more information, call 806-201-0307



Correctional Officer Screening

July 26 & August 24, 2017
Please arrive by 7:30 am

The Texas Department of Criminal Justice will be conducting pre-employment testing and interviews for Correctional Officer applicants in Lamesa, TX.

Smith Unit
1313 County Road 19
Lamesa, TX 79331 GPS -
1312 Ranch Road 827
S.E. 8th Street



**Attend a local
training academy!**

In Lamesa

Schedule Testing

www.tdcj.texas.gov

1. Select Employment.
2. Select Schedule CO Pre-Employment Testing.
3. Choose test location and date.
4. Download and complete the employment application forms.

Bring your completed application forms and all required documents to your scheduled appointment.

For more information, call
(936) 437-4098 or 1-877-WORK-4-TX

Military veterans are exempt from the CO pre-employment test. Follow the instructions above and report to your selected location. Upon arrival, you will be given an interview time.

Texas Department of Criminal Justice
An Equal Opportunity Employer

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: AUGUST 29, 2017

AGENDA ITEM: 13

**SUBJECT: INTERLOCAL AGREEMENT WITH LAMESA ISD FOR SEWER
LINE REPLACEMENT**

PROCEEDING: Action

SUBMITTED BY: City Staff

EXHIBITS: Interlocal Agreement

SUMMARY STATEMENT

Council to consider approving an Interlocal Agreement with Lamesa ISD for replacement of the School's sewer service line in TxDOT right-of way and authorizing the City Manager to execute the agreement.

COUNCIL ACTION

DISCUSSION _____

Motion by Council Member _____ to approve an Interlocal Agreement with Lamesa ISD for replacement of the School's sewer service line in TxDOT right-of way and authorizing the City Manager to execute the agreement. Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

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

CITY MANAGER'S MEMORANDUM

Recommend approval.

THE STATE OF TEXAS
COUNTY OF DAWSON

INTERLOCAL AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT THIS IS EVIDENCE IN WRITING of an interlocal agreement this day entered into by and between the CITY OF LAMESA, a municipal corporation organized and existing under and by virtue of the laws of the State of Texas, hereinafter called "City", and LAMESA INDEPENDENT SCHOOL DISTRICT, a political subdivision of the State of Texas, hereinafter called "School District".

WITNESSETH:

The School District is experiencing a problem with a portion of its sewer system which lies beneath Bryan Avenue near the intersection with South 1st Street which is also a state highway. If necessary, the School District has requested the assistance of the City in applying for a permit from The Texas Department of Transportation to allow the School to make the necessary repairs to its sewer system. It is in the best interest of the public health and welfare for the School District and the City to enter into this agreement. It is the intent of the parties hereto to comply with the provisions of the Interlocal Cooperation Act, further defined as Chapter 791 of the Local Government Code of the State of Texas which provides that the City and School District may contract with other local governments to provide governmental functions and services.

NOW THEREFORE, the City and School District, acting herein through their respective governing bodies, agree as follows:

1.

If needed, the City agrees to make, execute and deliver, as soon as reasonably possible, an application to The Texas Department of Transportation ("TxDot") for a permit to allow the School District to make repairs to its sewer line located in Bryan Avenue near the intersection with South 1st Street.

2.

If a TxDOT permit is necessary for the specified project, the City will coordinate efforts in drafting a Traffic Control Plan as required in the TxDOT permit application process,

3.

If a TxDOT permit is required, the School District shall pay all fees and costs charged by the City's Engineering Firm, Parkhill, Smith and Cooper, for preparing the plans for the repairs and Traffic Control Plan.

4.

If a TxDOT permit is not needed, the School District shall be responsible for all costs for traffic control during the repair process. The School District shall be responsible for any third party plumbing contractors and fees associated with traffic control.

5.

The City shall be responsible for making and paying for all repairs to the City's sewer main. The City shall track all expenses of the repair to the City's sewer main separate from the School District's fees associated with the City performing street opening, excavation of the proposed area, the School District's tap to the City sewer main, the cost of backfilling the affected area, which includes 12" lifts of compaction with concrete mixture and hot mix (asphalt). Additionally, the School District shall be responsible for, and shall pay, the costs associated with repairing Bryan Avenue after the sewer line repairs are made, excluding the repairs to the City's sewer main.

In the event that a City water main is damaged due to the School District's repair of its sewer line, the School District shall pay all associated costs related to the repair of the City water main, including water loss and the repair of to TxDOT right-of-way.

6.

It is agreed that the School District and the City each shall maintain liability insurance that will cover any claim, cause of action, or suit for damage to the maximum limits under the Texas Tort Claims Act as it now exists and as it may be amended from time to time.

It is specifically understood that any dispute over technical or policy issues relating to the terms of this agreement that may occur during the term of this agreement, shall be resolved by mutual consent of the City Manager of the City and the Superintendent of the School District. Any such resolution shall be committed to written form, distributed to the City Council of the City and the School Board of the School District, and included as an attachment to this agreement.

7.

This agreement shall terminate upon completion of the repairs to the sewer line and the restoration of Bryan Avenue. Upon termination, neither party hereto shall have any further obligation hereunder.

8.

It is specifically understood that in the event that any section, subsection, sentence, clause or phrase of this agreement is, for any reason, held to be invalid, such holding shall not affect the validity of the remaining portions of this agreement.

9.

The provisions of the agreement are to be cumulative and all other contracts, agreements, or parts of contracts or agreements, whether written or oral, governing or regulating the same subject matter as that covered herein are hereby expressly repealed.

10.

This agreement contains the entire agreement. There are no other agreements, oral or written, and the terms of this agreement can be amended only by written agreement signed and ratified by both parties or as otherwise provided herein.

THE CITY OF LAMESA, TEXAS

By: _____
Shawna Burkhart, City Manager

LAMESA INDEPENDENT SCHOOL DISTRICT

By: _____
Jim Knight, Superintendent

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: AUGUST 29, 2017

AGENDA ITEM: 14

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 29, 2017

AGENDA ITEM: 15

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 29, 2017

AGENDA ITEM: 16

SUBJECT: EXECUTIVE SESSION
PROCEEDING: Closed Session
SUBMITTED BY: City Council
AUTHORITY: Texas Open Meetings Act Chapter 551, Government Code

SUMMARY STATEMENT

Council to consider convening into closed executive session regarding Deliberation Regarding Personnel Matters with the provisions of the Texas Open Meetings Act (Chapter 551.074, Texas Government Code). No action will be taken in closed session. The Council will reconvene into open session after the completion of the executive session.

a. Discuss City Operations with City Manager

COUNCIL ACTION

DISCUSSION: _____

Motion by Council Member _____ to convene in closed executive session in accordance with the provisions of the Texas Open Meetings to discuss and consider personnel matters. Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

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

**CERTIFIED AGENDA: EXECUTIVE SESSION OF
THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS**

On this August 29th, 2017, at a special meeting of the City Council of the City of Lamesa, Texas the Council adjourned into a closed executive session; notice of said session having been given by a notice posted at the City Hall, 601 South First Street at least seventy-two hours in advance.

A. ANNOUNCEMENT BY PRESIDING OFFICER:

"The City Council will begin its executive session on August 29th, 2017, at _____ P.M."

The subject matter of each executive session deliberation is as follows:

Council to consider convening into closed executive session regarding Deliberation Regarding Personnel Matters with the provisions of the Texas Open Meetings Act (Chapter 551.074, Texas Government Code). No action will be taken in closed session. The Council will reconvene into open session after the completion of the executive session.

a. Discuss City Operations with City Manager

B. ANNOUNCEMENT BY PRESIDING OFFICER:

"The City Council has completed its executive session on August 29, 2017 at _____ P.M."

C. CERTIFICATION:

I hereby certify that this agenda of an executive session of the City Council of the City of Lamesa, Texas is a true and correct record of the proceedings pursuant Texas Open Meetings Act (Chapter 551, Government Code).

WITNESS my hand this August 29, 2017.

Josh Stevens, Mayor

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: AUGUST 29, 2017

AGENDA ITEM: 17

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

Upcoming Meetings

- **Sept. 5, 2017 City Council Meeting -**
 - Ratify Proposed Tax Increase Reflected In the FY 2017/2018 Adopted Budget with record vote.
 - 1st Reading to Adopt Tax Ordinances (M&O, I&S, Combined Tax Rate) with record vote.
- **Sept. 12, 2017 City Council Meeting -**
 - 2nd Reading to Adopt Tax Ordinances (M&O, I&S, Combined Tax Rate) with record vote.
 - Authorize Warrants for FY 2017/2018
- **Sept. 19, 2017 City Council Meeting -**