LAMESATEXAS
TRADE CORRIDOR CROSSING

CITY COUNCIL AGENDA

NOTICE IS GIVEN THAT THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS, WILL MEET IN A REGULAR CALLED MEETING AT 5:30 P.M. ON TUESDAY, MARCH 16, 2021, 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 meeting held on February 23, 2021 and March 2, 2021.
   b. **BILLS FOR FEBRUARY 2021:** Approval of the bills paid by the City of Lamesa for the month of February, 2021.
4. **PRESENTATION FROM ONCOR REGARDING THE OUTAGES IN FEBRUARY:** City Council to hear presentation for Oncor regarding the outages in February during the ice storm and what transpired. (*Kristy Tyra)*
5. **ONCOR ELECTRIC DELIVERY- 2021 MEMBERSHIP ASSESSEMENT:** Consider passing a Resolution authorizing continued participation with the Steering Committee of Cities served by Oncor; and authorizing the payment of six cents per capita to the Steering Committee to fund regulatory and legal proceedings and activities related to Oncor Electric Delivery Company, LLC. *(City Manager)*
6. **OPEN BIDS FOR OIL, GAS, LEASE:** City Council to consider opening bids for the oil, gas lease. (*City Manager & City Attorney)*
7. **AWARD BIDS - CITY OF LAMESA WATER SYSTEM IMPROVEMENTS USDA LOAN #5 FOR CONTRACTS 1, 2 AND 3:** City Council to consider awarding bids for the City of Lamesa Water System Improvements USDA Loan #5 for contracts 1, 2 and 3 and authorizing Parkhill, Smith & Cooper, City Engineers, to implement such construction bid process and authorizing the City Manager to act on all matters and execute any requires documents pertaining to such construction bid process. *(City Manager & Finance Director).*

8. **AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF LAMESA, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2021"; PROVIDING FOR THE PAYMENT OF SAID CERTIFICATES BY THE LEVY OF AN AD VALOREM TAX UPON ALL TAXABLE PROPERTY WITHIN THE CITY AND FURTHER SECURING SAID CERTIFICATES BY A FIRST AND PRIOR LIEN ON AND PLEDGE OF THE NET REVENUES OF THE SYSTEM; PROVIDING THE TERMS AND CONDITIONS OF SAID CERTIFICATES AND RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE ISSUANCE, PAYMENT, SECURITY, SALE, AND DELIVERY OF SAID CERTIFICATES; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND AN ESCROW AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE:** City Council to consider approving an ordinance authorizing the issuance of "City of Lamesa Certificates of Obligations Series 2021"; providing for payment of said certificates by a first and prior lien on and pledge of the net revenues of the system; providing terms and conditions of said certificates and resolving other matters incident and relating to the issuance, payment, security sale, and delivery of said certificates; authorizing the execution of paying agent/registrar agreement and escrow agreement; and providing for an effective date. (*City Manager & Finance Director)*

9. **"CONSIDER/DISCUSS/APPROVE A RESOLUTION ADOPTING NECESSARY CIVIL RIGHTS AND FAIR HOUSING POLICIES FOR THE TEXAS DEPARTMENT OF AGRICULTURE TxCDBG GRANT #7220259 AND DOWNTOWN REVITALIZATION PROGRAM GRANT #7220182:** City Council to consider approving a resolution adopting necessary Civil Rights and Fair Housing policies for the Texas Department of Agriculture TxCDBG Grant #7220259 and Downtown Revitalization Program Grant #7220182. (*City Manager & Finance Director)*

10. **"CONSIDER AND TAKE NECESSARY ACTION TO ADOPT A RESOLUTION DESIGNATING AUTHORIZED SIGNATORIES FOR THE TEXAS DEPARTMENT OF AGRICULTURE TxCDBG GRANT #7220259 DOWNTOWN REVITALIZATION PROGRAM GRANT #7220182:** City Council to consider adopting a resolution designating authorized signatories for the Texas Department of Agriculture TxCDBG Grant #7220259 Downtown Revitalization Program Grant #7220182. (*City Manager & Finance Director)*

11. **CREATION OF BANK ACCOUNT FOR LAMESA DOWNTOWN REVITALIZATION PROGRAM:** City Council to approve a resolution to open a bank account for the Lamesa Downtown Revitalization Program Grant # 7220182 and designating the authorized signatories. The approved signatories on each account will include Sean Overeynder, City Manager, Josh Stevens, Mayor, Josh Peterson, Police Chief and Betty Conde, City Secretary. *(City Manager and Finance Director)*

12. **DISCUSSION AND ACTION REGARDING A PRESENTATION FOR A TPWD LOCAL PARKS GRANT APPLICATION AND PROJECT:** City Council to consider taking action regarding a TPWD application. *(City Manager)*

13. **DISCUSS/CONSIDER/APPROVE: KEEP LAMESA BEAUTIFUL - KEEP TEXAS BEAUTIFUL AFFILIATE:** City Council to hear presentation from Permian Basin Regional Planning Commission in partnership with Keep Texas Beautiful Affiliate. *(Todd Mist rot and Hridoy Haq, Regional Services)*

14. **AN ORDINANCE DECLARING AN UNOPPOSED CANDIDATE IN THE FEBRUARY 27, 2021, SPECIAL ELECTION, ELECTED TO OFFICE; CANCELING THE ELECTION IN DISTRICT THREE (3), PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE:** Consider passing an ordinance on second reading declaring the unopposed candidate for the 2021, Special Election, to be held on February 27, 2021. Council Member District 3, Gloria Villalobos Rodriguez, elected to office. *(City Secretary)*

15. **OATH OF OFFICE - NEWLY ELECTED COUNCIL MEMBERS**: The city attorney to administer the oath of office to the elected Council Member at the February 27, 2021 City Special Election. *(City Attorney)*

16. **AN ORDINANCE DECLARING UNOPPOSED CANDIDATES IN THE MAY 1, 2021, GENERAL ELECTION, ELECTED TO OFFICE; CANCELING THE ELECTION IN DISTRICT FOUR (4), AND DISTRICT FIVE (5) PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE:** Consider passing an ordinance on second reading declaring the unopposed candidate for the 2021, General Election, to be held on May 1, 2021. Council Member District 4, Dore Evan Rodriguez, Council Member District 5, Bobby Gonzales elected to office. *(City Secretary)*

17. **RESOLUTION APPOINTING ELECTION OFFICIALS FOR THE CITY OF LAMESA GENERAL ELECTION TO BE HELD ON MAY 1, 2021:** Consider passing resolution appointing a presiding judge and alternate judge for the 2021 City General Election and a presiding judge for the Early Voting Ballot Board; clerks for early balloting; and to provide for compensation of services for the 2021 City Elections to be held on May 1, 2021. *(City Secretary)*

18. **AN ORDINANCE DESIGNATING A GEOGRAPHIC AREA WITHIN THE CITY OF LAMESA;DAWSON COUNTY, TEXAS, AS A REINVESTMENT ZONE PURSUANT TO CHAPTER 312 OF THE TEXAS TAX CODE, ADOPTING PROVISIOANS RELATED THERTO, AND PROVIDING FOR SEVERABILITY:** City Council to consider passing an Ordinance on second reading designating a geographic area within the City of Lamesa, Dawson County, Texas, as a Reinvestment Zone pursuant to Chapter 312 of the Texas Tax Code; adopting provisions related thereto and providing severability. *(City Manager& City Attorney)*

19. **AN ORDINANCE AMENDING CHAPTER 4 ENTITLED "BUSINESS REGULATIONS" OF THE CODE OF ORDINANCES OF THE CITY OF LAMESA, TEXAS, TO AMEND ARTICLE 4.02 FROM "AMUSEMENT CENTERS" TO "GAME ROOMS":** City Council to consider approving an Ordinance on second reading amending Chapter 4 entitled "Business Regulations", of the Code of Ordinances of the City of Lamesa to amend Article 4.02 from "Amusement Centers" to "Game Rooms". (*City Manager*)

20. **BUDGET AMENDMENT I:** City Council to consider amending Ordinance O-20-20 on second reading with respect to the budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021. *(Texas Communities Trust Properties) (City Manager & Finance Director)*

21. **BUDGET AMENDMENT II:** City Council to consider amending Ordinance O-20-20 on second reading with respect to the budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021. *(Part-time Code Enforcement) (EDC Director)*

22. **BUDGET AMENDMENT III:** City Council to consider amending Ordinance O-20-20 on second reading with respect to the budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021. *(Demolition of commercial structures). (EDC Director)*

23. **BUDGET AMENDMENT IV:** City Council to consider amending Ordinance O-20-20 on second reading with respect to the budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021. *(*Agreement with Kimley Horn for engineering services). *(EDC Director)*

24. **BUDGET AMENDMENT V:** City Council to consider amending Ordinance O-20-20 on first reading with respect to the budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021.). *(Texas Communities Trust Properties) (City Manager & Finance Director)*

25. **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS, AUTHORIZING THE CONVEYANCE OF VARIOUS PARCELS OF REAL PROPERTY HELD IN TRUST BY THE CITY OF LAMESA AND AUTHORIZING THE MAYOR OF THE CITY TO EXECUTE TAX DEEDS AND TO TAKE SUCH ACTIONS REQUIRED TO EFFECT THE CONVEYANCE OF SUCH REAL PROPERTY:** City Council to consider passing a Resolution authorizing the conveyance of various parcels of real property held in trust by the City of Lamesa and authorizing the Mayor of the City to execute tax deeds and to take such actions required to effect the conveyance of such real property. *(City Manager)*

26. **BUDGET AMENDMENT VI:** City Council to consider amending Ordinance O-20-20 on first reading with respect to the budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021.). *(Texas Communities Trust Properties) (City Manager & Finance Director)*

27. **A RESOLUTION OF THE CITY COUNCIL OF CITY OF LAMESA, TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE COMMUNITY DEVELOPMENT FUND; AND AUTHORIZING THE MAYOR TO ACT AS THE CITY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM:** City Council to adopt a Resolution authorizing submission of a TxCDBG program application on behalf of the City with the Texas Department of Agriculture for the Community Development Fund; and authorizing the mayor to act as the City's executive officer and authorized representative in all matters pertaining to the City's participationin the Community Development Block Grant Program. *(City Manager)*

28. **A RESOLUTION OF THE CITY COUNCIL OF CITY OF LAMESA, TEXAS, AUTHORIZING THE SUBMISSION OF AN ECONOMIC DEVELOPMENT ADMINISTRATION APPLICATION TO THE ECONOMIC DEVELOPMENT ADMINISTRATION; AND AUTHORIZING THE MAYOR TO ACT AS THE CITY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE ECONOMIC DEVELOPMENT ADMINISTRATION GRANT PROGRAM:** City Council to consider authorizing the submission of an Economic Development Administration application to the Economic Development Administration; and authorizing the mayor to act as the City's executive officer and authorized representative in all matters pertaining to the City's participation in the Economic Development Administration Grant Program.*(City Manager)*

29. **APPROVAL OF AGREEMENT FOR MONITORING WELLS TO BE PLACED CITY RIGHT OF WAY:** City Council to consider authorizing Ranger Environmental to work on behalf of TCEQ to place two monitoring wells in the City between N. 10th St and N. 12th Street (Johnson' s 66 Station, 1102 North Dallas Ave) "Island in between North Lynn and North Dallas" and Southeast corner of property at 1100 Seminole Road (Swift Shop Store). *(City Inspector)*

30. **APPROVAL OF AGREEMENT FOR MONITORING WELL TO BE PLACED CITY RIGHT OF WAY:** City Council to consider authorizing Nutrien Ag Solutions, Inc to work on behalf of TCEQ to place a monitoring well in the City on the north side of Chicago Drive between 20th and 21st street just north of the alley.*(City Manager)*

31. **REQUEST FOR SPECIFIC USE PERMIT:** City Council to consider approving an Ordinance on second reading approving a specific use permit at 1001 N. Ave Q for placement of a 2020 Teladega Double wide Manufactured Home as her primary residence for the following property: All of Lots One (1), of the Don Shoemaker Addition to the Town of Lamesa, Dawson County, Texas. *(City Inspector)*

32. **PUBLIC HEARING - NUISANCE PROPERTY REMOVAL OR DEMOLITION:** Public hearing to determine whether buildings located at the following location:

    LEGAL DESCRIPTION: The East Half (E/2) of Lots One and Two (I & 2), Block One (1), Braswell Replat to the City of Lamesa, Dawson County, Texas

    SITUS: 804 S 8th Street, Lamesa, Texas 79331
    PARCEL ID: R1476

    are vacant and dangerous and constitute a public nuisance within the terms of the Building Ordinance of the City of Lamesa; and if such buildings are found to be so dilapidated, damaged or decayed as to be beyond repair, to consider passing resolution ordering the demolition of said buildings. *(City Inspector)*

33. **NUISANCE PROPERTY REMOVAL OR DEMOLITION:** Consider passing a resolution finding the structure located on the above property to be uninhabitable, deteriorated, dangerous, and a substandard structure, which constitutes a public nuisance within the terms of the Substandard Building Ordinance of the City of Lamesa and ordering the removal or demolition of such substandard structure. *(City Inspector)*

LEGAL DESCRIPTION: The East Half (E/2) of Lots One and Two (I & 2), Block One (1), Braswell Replat to the City of Lamesa, Dawson County, Texas

SITUS: 804 S 8th Street, Lamesa, Texas 79331
PARCEL ID: R1476

34. **APPROVAL FOR DEMOLITION**: City Council to approve the following trust properties within the City Limits of Lamesa, Texas ready for demolition. (City Inspector)

- Legal Description: Lot Five (5), in Block (2), of the W.W. Boatwright Addition to the town of Lamesa, Dawson County, Texas 79331

Site: **404 N. Ave Q, Lamesa, TX 79331**

- Legal Description: East Half (E/2) OF Lot Eleven (11) and the East Half (E/2) of the South Half (S/2) OF Lot Twelve (12), in Block Two (2), of the Compton Addition, to the City of Lamesa, Dawson County, Texas

Site:805 NE 4th St, Lamesa, TX 79331

- Legal Description: The North Fifty Feet (N/50') only, the parcel being 50' X 110', out of a certain lot, tract or parcel of land lying and situated in Dawson County, Texas, more particularly described as follows:
- Beginning at the Southwest corner of Lot Eight (8) in Block Four (4), of the Hollis Addition for the place of beginning;
- Thence, East along the South line of Block Four (4) of the Hollis Addition for One Hundred and Ten Feet (110') to the Northeast corner of this tract;
- Thence, South Two Hundred feet (200') to the Southeast corner of this tract; Thence, West One Hundred and Ten feet (110') to the Southwest corner of this tract;
- ThenceNorth Two Hundred Feet (200') to the place of beginning.

Site: South Boston Avenue

Legal Description: The South Fifty-five Feet (S/55') of Lot Six (6), in Block Thirteen (13), of the College Addition,
to the City of Lamesa, Dawson County, Texas (R1750)

Site: 303 South Avenue N, Lamesa, TX 79331

Legal Description: Lots Nine (9) and Ten (10), in Block Five (5), of the College Addition, to the City of Lamesa,
Dawson County, Texas (R1677)

Site:1506 S 2nd St, Lamesa, TX 79331

Legal Description: Lot 5 Block18 College Addition, to the City of Lamesa, Texas (1795)

Site:1107 S. 3rd , Lamesa, TX 79331

Legal Description:300 X 300 x 424.26 of SW Pt of Lot J-K-L Block 4 E C Adams, to the City of Lamesa, Texas 79331) (899)

Site: N Ave S (Adjacent to Golf Course)

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

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

37. **MAYORS REPORT**: Mayor to report on current activities and to answer questions from City Council.

38. **EXECUTIVE SESSION:** Consider convening into closed Executive Session with the City Council of the City of Lamesa, Texas for the following:

    SEC. 551.087. DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS; CLOSED MEETING. To discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or

    No action will be taken in closed session.

39. **ADJOURNMENT:** ***The next regularly scheduled meetings of the City Council of the City of Lamesa will be April 20, 2021 at 5:30 P.M.***

Open Meetings Information

CLOSED MEETINGS

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

PUBLIC PARTICIPATION

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

MEETING ACCESSIBILITY

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

Contact: Betty Conde at 806-872-4322

601 South First Street, Lamesa, Texas 79331
Telephone - (806) 872-4322
Fax - (806) 872-4338

CERTIFICATION OF NOTICE

LAMESATEXAS
TRADE CORRIDOR CROSSING

I certify this agenda was posted at the City Hall, 601 South First Street, Lamesa, Texas at **4:45 p.m., March 12, 2021** in accordance with Chapter 551.041 of the Government Code.

Betty Conde, City Secretary

City Council Agenda
City of Lamesa, Texas

DATE OF MEETING: MARCH 16, 2021 **AGENDA ITEMS: 1 & 2**

1. **CALL TO ORDER**: *Announcement* - "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
FRED VERA	Council Member – District 2
VACANT	Council Member – District 3
DORE EVAN RODRIQUEZ	Council Member – District 4/MAYOR PRO-TEM
BOBBY G. GONZALES	Council Member – District 5
DOUG MORRIS	Council Member – District 6

   City Staff members present at the meeting:

SEAN OVEREYNDER	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: MARCH 16, 2021 **AGENDA ITEM: 3**

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

SUMMARY STATEMENT

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

a. **APPROVAL OF THE MINUTES:** Approval of the minutes of the council meeting held on February 23, 2021 and March 2, 2021.

b. **BILLS FOR FEBRUARY 2021:** Approval of the bills paid by the City of Lamesa for the month of February, 2021.

Motion by Council Member _____ to approve items 3a and b. Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

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

CITY MANAGER'S MEMORANDUM

These items are considered non-controversial but do require formal council approval. If a council member objects to a consent item, it is removed from the list and separate action is taken on the item(s). If a council member questions a consent item, but not so strongly as to require that it be removed form 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 SPECIAL CALLED MEETING:

FEBRUARY 23, 2021

On this the 16th day of February 2021, at 5:30 P.M., there came on and was held a special called meeting of the City Council of the City of Lamesa, Dawson County, Texas. Notice of such meeting having been posted at the City Hall at 601 South First Street in the City of Lamesa, Texas in accordance with the provisions of the Texas Open Meetings Act (Texas Govt. Code, Chapter 551). The following items were listed on the notice and the following proceedings were had, viz.:

CALL TO ORDER: Mayor 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 City Council Members were present:

JOSH STEVENS	Mayor
BRANT STEWART	Council Member – District 1
FRED VERA	Council Member – District 2
VACANT	Council Member – District 3
DORE EVAN RODRIQUEZ	Council Member - District 4/MAYOR PRO-TEM ABSENT
BOBBY G. GONZALES	Council Member – District 5
DOUG MORRIS	Council Member – District 6 ABSENT

City staff members present at the meeting:

SEAN OVERYNDER	CITY MANAGER
BETTY CONDE	CITY SECRETARY
RUSSELL CASSELBERRY	CITY ATTORNEY

Members of the press present at the meeting:

Members of the public present at the meeting:

Joey Rivas	Scott Leonard	Morgan Vermillion
Wayne Chapman	Sandy Trevino	Lee Peterson
Karen Mize	Daniel Meistrell	Larry Duyck
Josh Peterson	Ernest Ojeda	

INVOCATION: Josh Stevens

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

a. **APPROVAL OF THE MINUTES:** Approval of the minutes of the City Council regularly scheduled meeting held on December 15, 2020 and Special called meeting on December 28, 2020.

b. **BILLS FOR DECEMBER 2020:** Approval of the bills paid by the City of Lamesa for the months of December, 2020.

c. **APPOINTMENT TO BOARDS:**

- **APPOINTMENT - PLANNING AND ZONING COMMISSION**: Consider appointing Kendall Meeks to Planning and Zoning Commission for a 3-year term ending in December 31, 2023.
- **APPOINTMENT - PLANNING AND ZONING COMMISSION**: Consider appointing Matthew Hernandez to Planning and Zoning Commission for a 3-year term ending in December 31, 2023.
- **APPOINTMENT - PLANNING AND ZONING COMMISSION**: Consider appointing Bob Henderson to Planning and Zoning Commission for a 3-year term ending in December 31, 2023.
- **APPOINTMENT - PLANNING AND ZONING COMMISSION**: Consider appointing Jenkin Ortiz to Planning and Zoning Commission for a 3-year term ending in December 31, 2023.
- **APPOINTMENT – ZONING BOARD OF ADJUSTMENT**- Consider appointing Kendall Meeks to Zoning Board of Adjustment for a 2-year term ending in December 31, 2022.
- **APPOINTMENT – ZONING BOARD OF ADJUSTMENT**- Consider appointing Matthew Hernandez to Zoning Board of Adjustment for a 2-year term ending in December 31, 2022.
- **APPOINTMENT – ZONING BOARD OF ADJUSTMENT**- Consider appointing Bob Henderson to Zoning Board of Adjustment for a 2-year term ending in December 31, 2022.
- **APPOINTMENT – ZONING BOARD OF ADJUSTMENT**- Consider appointing Jenkin Ortiz to Zoning Board of Adjustment for a 2-year term ending in December 31, 2022.

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

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

CONSIDERATION AND APPROVAL OF A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS RESCHEDULING THE SALE FROM FEBRUARY 16, 2021 TO MARCH 16, 2021 OF OBLIGATIONS TO BE ISSUED AND DESIGNATED AS "CITY OF LAMESA, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2021"; AND RESOLVING OTHER MATTERS IN CONNECTION THEREWITH: City Council to consider approving a resolution by the City Council of the City of Lamesa, Texas rescheduling the sale from February 16, 2021 to March 16, 2021 of Obligations to be issued and designated as "City of Lamesa, Texas Combination and Tax and Revenue Certificates of Obligation, Series 2021", and resolving other matters in connection thereof .*(City Manager & Finance Director)*

Motion by Council Member Vera move to adopt a rescheduling resolution. Motion seconded by Council Member Stewart and upon being put to a vote the motion passed.

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

RACIAL PROFILING REPORT: Presentation of the annual racial profiling report from the Police Department.

Josh Peterson presented the Racial profiling report with attached report.

WATER DEPARTMENT SCADA SYSTEM: City Council to consider declaring Odessa Pumps and High Tide Technology to be an acceptable alternative for USDA Project. *(City Manager)*

Motion by Council Member Stewart to declaring Odessa Pumps and High Tide Technology to be an acceptable alternative for USDA Project. Motion seconded by Council Member Gonzales and upon being put to a vote the motion passed.

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

CALL FOR BIDS – OIL, GAS LEASE: Consider calling and advertising for sealed bids for an oil, gas lease. *(City Manager & City Attorney)*

Motion by Council Member Gonzales to authorize a call for bids for an oil, gas lease. Motion seconded by Council Member Stewart and upon being put to a vote the motion passed.

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

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS, AUTHORIZING THE CONVEYANCE OF VARIOUS PARCELS OF REAL PROPERTY HELD IN TRUST BY THE CITY OF LAMESA AND AUTHORIZING THE MAYOR OF THE CITY TO EXECUTE TAX DEEDS AND TO TAKE SUCH ACTIONS REQUIRED TO EFFECT THE CONVEYANCE OF SUCH REAL PROPERTY: City Council to consider passing a Resolution authorizing the conveyance of various parcels of real property held in trust by the City of Lamesa and authorizing the Mayor of the City to execute tax deeds and to take such actions required to effect the conveyance of such real property. *(City Manager)*

Motion by Council Member Stewart to authorize the conveyance of various parcels of real property held in trust by the City of Lamesa and authorizing the Mayor of the City to execute tax deeds and to take such actions required to effect the conveyance of such real property. Motion seconded by Council Member Vera and upon being put to a vote the motion passed

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

CITY STAFF REPORTS:

a. **PARKS, STREETS, SANITATION/LANDFILL REPORT:** Director to report on the city's recent events.

b. **UTILITIES DIRECTOR REPORT:** Utilities Director to report on the city's recent events:

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

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

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

EXECUTIVE SESSION: Consider convening into closed Executive Session with the City Council of the City of Lamesa, Texas for the following:

> **SEC. 551.087. DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS; CLOSED MEETING.** To discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or

No action will be taken in closed session. The Council will reconvene into open session after the completion of the executive session.

Motion by Council Member Stewart to enter into executive session. Motion seconded by Council Member Gonzales and upon being put to a vote the motion passed.

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

ACTION: City Council to consider taking action regarding economic development negotiations.

Motion by Council Member Gonzales to move the City sponsor the EDA Grant for the extension of the wastewater services to the southern part of Lamesa, Texas and authorizing the Mayor of the City to execute all necessary documents. Motion seconded by Council Member Stewart and upon being put to a vote the motion passed.

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

ADJOURNMENT: ADJOURNMENT: ***The next regularly scheduled meetings of the City Council of the City of Lamesa will be March 16, 2021 at 5:30 P.M.***

ATTEST:

_____
Betty Conde
City Secretary

APPROVED:

_____
Josh Stevens
Mayor

THE STATE OF TEXAS }{

COUNTY OF DAWSON }{

CITY OF LAMESA }{

MINUTES OF THE CITY COUNCIL SPECIAL CALLED MEETING:

MARCH 2, 2021

On this the 2nd day of March 2021, at 5:30 P.M., there came on and was held a special called meeting of the City Council of the City of Lamesa, Dawson County, Texas. Notice of such meeting having been posted at the City Hall at 601 South First Street in the City of Lamesa, Texas in accordance with the provisions of the Texas Open Meetings Act (Texas Govt. Code, Chapter 551). The following items were listed on the notice and the following proceedings were had, viz.:

CALL TO ORDER: Mayor 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 City Council Members were present:

JOSH STEVENS	Mayor
BRANT STEWART	Council Member – District 1
FRED VERA	Council Member – District 2
VACANT	Council Member – District 3
DORE EVAN RODRIQUEZ	Council Member - District 4/MAYOR PRO-TEM ABSENT
BOBBY G. GONZALES	Council Member – District 5
DOUG MORRIS	Council Member – District 6

City staff members present at the meeting:

SEAN OVERYNDER	CITY MANAGER
BETTY CONDE	CITY SECRETARY
RUSSELL CASSELBERRY	CITY ATTORNEY ABSENT

Members of the press present at the meeting:

Mary Elizabeth

Members of the public present at the meeting:

Wayne Chapman	Tom Kleppe	Randall Middleton
Jonathan Ziegner	Leonard Nail	Irma Ramirez

OPEN BIDS - WATER SYSTEM IMPROVEMENT PROJECTS: City Council to open bids for the construction of the City of Lamesa, Texas Water System Improvement projects to be reviewed by City Staff and City Engineer. *(City Manager, Finance Director and Mr. Holly Holder, City Engineer (Parkhill Smith & Cooper)].*

Attached are the bid are the names of the contractors and the bid totals.

ADJOURNMENT: ADJOURNMENT: ***The next regularly scheduled meetings of the City Council of the City of Lamesa will be March 16, 2021 at 5:30 P.M.***

ATTEST:

Betty Conde
City Secretary

APPROVED:

Josh Stevens
Mayor

FUND : 01 -GENERAL FUND PERIOD TO USE: Feb-2021 THRU Feb-2021
DEPT : N/A ACCOUNTS: 1001 THRU 1001

POST	DATE	TRAN #	REFERENCE	PACKET	DESCRIPTION	VEND	INV/JE #	NOTE	AMOUNT	BALANCE
1001			CASH IN BANK							
					BEGINNING BALANCE					
2/01/21	2/02	A32519	CHK: 204451	17728	DAWSON CO. LIBRARY	1611			630.00CR	630.00CR
2/01/21	2/02	A32520	CHK: 204452	17728	HENRY NORRIS AGENCY,. IN	3190			1,041.66CR	1,671.66CR
2/01/21	2/02	A32521	CHK: 204453	17728	SOUTH PLAINS PUBLIC HEAL	3730			2,455.22CR	4,126.88CR
2/01/21	2/02	A32522	CHK: 204454	17728	VOLUNTEER FIRE DEPARTMEN	4090			400.00CR	4,526.88CR
2/01/21	2/02	A32523	CHK: 204455	17728	DUYCK LARRY	5777			200.00CR	4,726.88CR
2/01/21	2/02	A32524	CHK: 204456	17728	JASON WILEY	6025			200.00CR	4,926.88CR
2/01/21	2/02	A32525	CHK: 204457	17728	STEVE ALEXANDER	6356			200.00CR	5,126.88CR
2/01/21	2/02	A32526	CHK: 204458	17728	ASHTIN SUFIENTES	6564			200.00CR	5,326.88CR
2/01/21	2/02	A32527	CHK: 204459	17728	RANDALL DAVIS	6696			200.00CR	5,526.88CR
2/01/21	2/02	A32528	CHK: 204460	17728	SANTOS TORRES	6755			200.00CR	5,726.88CR
2/01/21	2/02	A32529	CHK: 204461	17728	JEFFREY TVEIT	6873			200.00CR	5,926.88CR
2/01/21	2/02	A32530	CHK: 204462	17728	MICHAEL THORTON	6934			200.00CR	6,126.88CR
2/01/21	2/02	A32531	CHK: 204463	17728	SAMUEL SANCHEZ	6948			200.00CR	6,326.88CR
2/01/21	2/02	A32532	CHK: 204464	17728	JOSEPH HOOD	6955			200.00CR	6,526.88CR
2/01/21	2/02	A32533	CHK: 204465	17728	MATTHEW BENOIT	6957			200.00CR	6,726.88CR
2/01/21	2/02	A32534	CHK: 204466	17728	GEORGE MIZE	6968			200.00CR	6,926.88CR
2/01/21	3/04	U29916	CHECK 204686	21288	REFUND: MARTINEZ, JOE LOUIS				67.05CR	6,993.93CR
2/01/21	3/04	U29916	CHECK 204687	21288	REFUND: SAVAGE, RAYMOND				15.28CR	7,009.21CR
2/01/21	3/04	U29916	CHECK 204688	21288	REFUND: ORNELAS, MONICA				53.90CR	7,063.11CR
2/01/21	3/04	U29916	CHECK 204689	21288	REFUND: MITCHELL, DAWN				53.90CR	7,117.01CR
2/01/21	3/04	U29916	CHECK 204690	21288	REFUND: TORRES, FRANK				20.97CR	7,137.98CR
2/01/21	3/04	U29916	CHECK 204691	21288	REFUND: JEFFCOAT, EDDIE				40.12CR	7,178.10CR
2/01/21	3/04	U29916	CHECK 204692	21288	REFUND: QUINTANILLA, TAMBRA J				14.46CR	7,192.56CR
2/01/21	3/04	U29916	CHECK 204693	21288	REFUND: MIDDLETON, BLAINE				10.21CR	7,202.77CR
2/01/21	3/04	U29916	CHECK 204694	21288	REFUND: SMITH, WAYNE				36.83CR	7,239.60CR
2/01/21	3/04	U29916	CHECK 204695	21288	REFUND: J&C PLUS FIVE, LLC				65.95CR	7,305.55CR
2/01/21	3/04	U29916	CHECK 204696	21288	REFUND: SUTTON, AMBER				37.51CR	7,343.06CR
2/01/21	3/04	U29916	CHECK 204697	21288	REFUND: CHAPLIN, TIM				13.78CR	7,356.84CR
2/01/21	3/04	U29916	CHECK 204698	21288	REFUND: ZUBIA, MARY				26.95CR	7,383.79CR
2/01/21	3/04	U29916	CHECK 204699	21288	REFUND: PADILLA, JR SILVESTER				73.65CR	7,457.44CR
2/01/21	3/04	U29916	CHECK 204700	21288	REFUND: DRIVER PIPELINE CO, IN				2,034.44CR	9,491.88CR
2/01/21	3/04	U29916	CHECK 204701	21288	REFUND: MOORE, BRANNON				98.44CR	9,590.32CR
2/02/21	1/31	A32516	CHK: 204430	17722	FULBRIGHT & CASSELBERRY	2090			2,210.20CR	11,800.52CR
2/02/21	1/31	A32517	CHK: 204431	17722	PAYROLL FUND	3270			314.00CR	12,114.52CR
2/02/21	1/31	A32518	CHK: 204432	17722	SENIOR CITIZENS	3675			3,750.00CR	15,864.52CR
2/02/21	2/02	A32535	CHK: 000000	17732	INTERNAL REVENUE SERVICE	5832			30,634.77CR	46,499.29CR
2/02/21	2/02	A32536	CHK: 204467	17732	CAPROCK FEDERAL CREDIT U	1390			19,883.91CR	66,383.20CR
2/02/21	2/02	A32537	CHK: 204468	17732	PAYROLL FUND	3270			84,761.45CR	151,144.65CR
2/02/21	2/02	A32538	CHK: 204469	17732	TX CHILD SUPPORT SDU	5634			211.38CR	151,356.03CR
2/02/21	2/02	A32539	CHK: 204470	17732	TX CHILD SUPPORT SDU	5882			276.92CR	151,632.95CR
2/02/21	2/02	A32540	CHK: 204471	17732	AIRMEDCARE NETWORK	5975			1,875.00CR	153,507.95CR
2/02/21	2/02	A32541	CHK: 204472	17732	JAE FITNESS	6023			134.05CR	153,642.00CR
2/02/21	2/02	A32542	CHK: 204473	17732	TX CHILD SUPPORT SDU	6680			196.15CR	153,838.15CR

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POST	DATE	TRAN #	REFERENCE	PACKET	DESCRIPTION	VEND	INV/JE #	NOTE	AMOUNT	BALANCE
1001			CASH IN BANK		* (CONTINUED) *					
2/02/21	2/02	A32543	CHK: 204474	17732	TX CHILD SUPPORT SDU	6899			219.04CR	154,057.19CR
2/02/21	2/02	A32544	CHK: 204475	17732	TX CHILD SUPPORT SDU	6905			271.09CR	154,328.28CR
2/04/21	2/04	A32767	CHK: 204476	17735	HIEN LAI	1			50.00CR	154,378.28CR
2/04/21	2/04	A32768	CHK: 204477	17735	LAMESA CHAMBER OF COMMER	1457			2,150.00CR	156,528.28CR
2/04/21	2/04	A32769	CHK: 204478	17735	FULBRIGHT & CASSELBERRY	2090			90.00CR	156,618.28CR
2/04/21	2/04	A32770	CHK: 204479	17735	MANDRY TECHNOLOGY SOLUTI	5160			7,657.00CR	164,275.28CR
2/04/21	2/04	A32772	CHK: 204481	17735	FIRST FINANCIAL BANK	6719			28,307.84CR	192,583.12CR
2/04/21	2/04	A32773	CHK: 204482	17735	CITIZENS BANK OF LAS CRU	6724			20,531.14CR	213,114.26CR
2/04/21	2/04	A32774	CHK: 204483	17731	AUTOMOTIVE TECHNOLOGY	1139			249.00CR	213,363.26CR
2/04/21	2/04	A32775	CHK: 204484	17731	B & J WELDING SUPPLY	1180			194.16CR	213,557.42CR
2/04/21	2/04	A32776	CHK: 204485	17731	DPC INDUSTRIES INC	1570			2,206.79CR	215,764.21CR
2/04/21	2/04	A32777	CHK: 204486	17731	DITCH WITCH SOUTHWEST	1663			62.90CR	215,827.11CR
2/04/21	2/04	A32778	CHK: 204487	17731	GIBBS PRINTING	2030			857.42CR	216,684.53CR
2/04/21	2/04	A32782	CHK: 204491	17731	LAMESA BEARING, INC.	2480			289.50CR	216,974.03CR
2/04/21	2/04	A32783	CHK: 204492	17731	LAMESA BUTANE COMPANY	2500			630.00CR	217,604.03CR
2/04/21	2/04	A32784	CHK: 204493	17731	LYNTEGAR ELECTRIC COOPER	2728			86.12CR	217,690.15CR
2/04/21	2/04	A32785	CHK: 204494	17731	PARKHILL,SMITH & COOPER,	3263			8,681.63CR	226,371.78CR
2/04/21	2/04	A32786	CHK: 204495	17731	PAYTON PLUMBING INC	3286			23.00CR	226,394.78CR
2/04/21	2/04	A32787	CHK: 204496	17731	PRECISION HYDRAULIC TECH	3396			1,131.67CR	227,526.45CR
2/04/21	2/04	A32788	CHK: 204497	17731	STANDARD INSURANCE CO	3782			953.77CR	228,480.22CR
2/04/21	2/04	A32789	CHK: 204498	17731	TML-IEBP	3843			48,335.64CR	276,815.86CR
2/04/21	2/04	A32790	CHK: 204499	17731	WINDSTREAM COMMUNICATION	4460			581.73CR	277,397.59CR
2/04/21	2/04	A32791	CHK: 204500	17731	SKTR, INC.	5798			189.00CR	277,586.59CR
2/04/21	2/04	A32792	CHK: 204501	17731	TWILIGHT ELECTRIC	5884			148.99CR	277,735.58CR
2/04/21	2/04	A32793	CHK: 204502	17731	ADVANCED AUTO REPAIR	6075			1,688.14CR	279,423.72CR
2/04/21	2/04	A32794	CHK: 204503	17731	IMPERATIVE INFORMATION G	6224			235.00CR	279,658.72CR
2/04/21	2/04	A32795	CHK: 204504	17731	DAVIS CHIROPRACTIC	6300			1,040.00CR	280,698.72CR
2/04/21	2/04	A32796	CHK: 204505	17731	TCF EQUIPMENT FINANCE	6448			668.68CR	281,367.40CR
2/04/21	2/04	A32797	CHK: 204506	17731	DE LAGE LANDEN PUBLIC FI	6511			1,152.96CR	282,520.36CR
2/04/21	2/04	A32798	CHK: 204507	17731	ETC LITE, LLC	6633			210.00CR	282,730.36CR
2/04/21	2/04	A32799	CHK: 204508	17731	KUBOTA TRACTOR CORP	6643			1,207.62CR	283,937.98CR
2/04/21	2/04	A32800	CHK: 204509	17731	NORMAN GARZA	6729			1,300.00CR	285,237.98CR
2/04/21	2/04	A32801	CHK: 204510	17731	LORI VITOLAS dba WEST TE	6851			50.00CR	285,287.98CR
2/04/21	2/04	A32802	CHK: 204511	17731	VEXUS FIBER	6874			85.27CR	285,373.25CR
2/09/21	2/09	A32874	CHK: 204523	17744	AT & T MOBILITY	0885			74.00CR	285,447.25CR
2/09/21	2/09	A32875	CHK: 204524	17744	CLAIBORNE'S THRIFTWAY	1480			335.64CR	285,782.89CR
2/09/21	2/09	A32876	CHK: 204525	17744	DACO	1580			430.50CR	286,213.39CR
2/09/21	2/09	A32877	CHK: 204526	17744	DAVIS FURNITURE COMPANY	1600			1,096.37CR	287,309.76CR
2/09/21	2/09	A32879	CHK: 204528	17744	HIGGINBOTHAM'S GENERAL O	2180			1,583.16CR	288,892.92CR
2/09/21	2/09	A32881	CHK: 204530	17744	HELENA AGRI-ENTERPRISES,	2260			148.13CR	289,041.05CR
2/09/21	2/09	A32882	CHK: 204531	17744	LAMESA PRESS REPORTER, I	2590			523.80CR	289,564.85CR
2/09/21	2/09	A32883	CHK: 204532	17744	LAMESA TIRE & BATTERY. I	2645			8,734.00CR	298,298.85CR
2/09/21	2/09	A32886	CHK: 204535	17744	SOUTH PLAINS COMMUNICATI	3729			100.00CR	298,398.85CR
2/09/21	2/09	A32887	CHK: 204536	17744	STATE RUBBER & ENVIRONME	5315			1,275.00CR	299,673.85CR
2/09/21	2/09	A32888	CHK: 204537	17744	AUTOZONE, INC.	5593			455.91CR	300,129.76CR
2/09/21	2/09	A32889	CHK: 204538	17744	CATHERINE M LANHAM, PH.D	5821			275.00CR	300,404.76CR
2/09/21	2/09	A32890	CHK: 204539	17744	NAPA AUTO PARTS	5833			1,432.15CR	301,836.91CR

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1001			CASH IN BANK		* (CONTINUED) *					
2/09/21	2/09	A32892	CHK: 204541	17744	FRANKLIN & SON, INC.	5840			405.74CR	302,242.65CR
2/09/21	2/09	A32893	CHK: 204542	17744	PATHMARK TRAFFIC PRODUCT	5864			635.00CR	302,877.65CR
2/09/21	2/09	A32894	CHK: 204543	17744	LAMESA RECYCLING	5869			49.32CR	302,926.97CR
2/09/21	2/09	A32895	CHK: 204544	17744	ADVANCED AUTO REPAIR	6075			380.07CR	303,307.04CR
2/09/21	2/09	A32896	CHK: 204545	17744	SIERRA SPRINGS	6114			124.50CR	303,431.54CR
2/09/21	2/09	A32897	CHK: 204546	17744	CAPROCK IRRIGATION LLC	6297			46.40CR	303,477.94CR
2/09/21	2/09	A32898	CHK: 204547	17744	KWIK KAR OIL & LUBE	6691			87.70CR	303,565.64CR
2/09/21	2/09	A32899	CHK: 204548	17744	CI BRANDING/ CREATIVE IN	6708			200.00CR	303,765.64CR
2/09/21	2/09	A32900	CHK: 204549	17744	TIFCO INDUSTRIES, INC.	6783			1,105.10CR	304,870.74CR
2/09/21	2/09	A32901	CHK: 204550	17744	COAST TO COAST SOLUTIONS	6907			1,985.49CR	306,856.23CR
2/09/21	2/09	A32902	CHK: 204551	17744	MODERN MARKETING	6942			345.99CR	307,202.22CR
2/09/21	2/09	A32903	CHK: 204512	17745	DAWSON COUNTY CLERK	1230			780.00CR	307,982.22CR
2/09/21	2/09	A32904	CHK: 204513	17745	CONSOLIDATED SPECIAL FUN	1517			37,900.00CR	345,882.22CR
2/09/21	2/09	A32905	CHK: 204514	17745	DAVID HUCKERT	6182			200.00CR	346,082.22CR
2/09/21	2/09	A32906	CHK: 204515	17745	TEXAS A&M AGRI LIFE EXTE	6291			25.00CR	346,107.22CR
2/09/21	2/09	A32907	CHK: 204516	17745	DAVIS CHIROPRACTIC	6300			65.00CR	346,172.22CR
2/09/21	2/09	A32908	CHK: 204517	17745	RELIANT ENERGY	6316			28,877.23CR	375,049.45CR
2/09/21	2/09	A32910	CHK: 204519	17745	NELSON SCIENTIFIC dba AQ	6882			278.50CR	375,327.95CR
2/09/21	2/09	A32911	CHK: 204520	17745	KIXN RADIO STATION	6972			534.06CR	375,862.01CR
2/09/21	2/09	A32912	CHK: 204521	17745	SMALL TOWN PRODUCTIONS,	6976			1,100.00CR	376,962.01CR
2/09/21	2/09	A32913	CHK: 204522	17757	TEXAS A&M AGRI LIFE EXTE	6291			25.00CR	376,987.01CR
2/11/21	2/11	A32939	CHK: 204561	17767	BROCK VETERINARY CLINIC,	1302			90.00CR	377,077.01CR
2/11/21	2/11	A32940	CHK: 204562	17767	BRUCKNER'S TRUCK SALES,	1340			651.84CR	377,728.85CR
2/11/21	2/11	A32941	CHK: 204563	17767	GEBO'S DISTRIBUTING CO.,	2000			2,123.24CR	379,852.09CR
2/11/21	2/11	A32943	CHK: 204565	17767	LAMESA MAILING & PACKING	2588			248.99CR	380,101.08CR
2/11/21	2/11	A32944	CHK: 204566	17767	LAMESA TIRE & BATTERY. I	2645			428.50CR	380,529.58CR
2/11/21	2/11	A32945	CHK: 204567	17767	MAYFIELD PAPER COMPANY,	2957			782.25CR	381,311.83CR
2/11/21	2/11	A32946	CHK: 204568	17767	PARKHILL,SMITH & COOPER,	3263			5,265.00CR	386,576.83CR
2/11/21	2/11	A32947	CHK: 204569	17767	S & C OIL COMPANY, INC.	3575			46.52CR	386,623.35CR
2/11/21	2/11	A32948	CHK: 204570	17767	SOUTH PLAINS COMMUNICATI	3729			1,248.55CR	387,871.90CR
2/11/21	2/11	A32949	CHK: 204571	17767	SHELL FLEET PLUS	5055			54.23CR	387,926.13CR
2/11/21	2/11	A32950	CHK: 204572	17767	TASCOSA OFFICE MACHINES,	5115			12,573.71CR	400,499.84CR
2/11/21	2/11	A32953	CHK: 204575	17767	LOWER COLORADO RIVER AUT	5145			775.19CR	401,275.03CR
2/11/21	2/11	A32954	CHK: 204576	17767	O'REILLY AUTOMOTIVE, INC	5618			328.23CR	401,603.26CR
2/11/21	2/11	A32955	CHK: 204577	17767	GREAT AMERICA FINANCIAL	5734			195.60CR	401,798.86CR
2/11/21	2/11	A32956	CHK: 204578	17767	GRAINGER	5898			179.40CR	401,978.26CR
2/11/21	2/11	A32957	CHK: 204579	17767	VERIZON WIRELESS	5969			2,143.66CR	404,121.92CR
2/11/21	2/11	A32959	CHK: 204581	17767	MANUEL VASQUEZ	6057			100.22CR	404,222.14CR
2/11/21	2/11	A32960	CHK: 204582	17767	MCCREARY, VESELKA, BRAGG	6774			39.03CR	404,261.17CR
2/11/21	2/11	A32961	CHK: 204583	17767	HARRELL'S LLC	6793			576.52CR	404,837.69CR
2/11/21	2/11	A32962	CHK: 204584	17767	COAST TO COAST SOLUTIONS	6907			1,178.02CR	406,015.71CR
2/11/21	2/11	A32963	CHK: 204585	17767	DYNAMIC OUTDOOR MEDIA	6973			735.00CR	406,750.71CR
2/11/21	2/11	A32964	CHK: 204586	17767	PAT MCCARTHY PRODUCTIONS	6977			1,495.00CR	408,245.71CR
2/11/21	2/11	A32965	CHK: 204552	17769	CANADIAN RIVER MUNICIPAL	1385			62,928.86CR	471,174.57CR
2/11/21	2/11	A32966	CHK: 204553	17769	LAMESA CHAMBER OF COMMER	1457			500.00CR	471,674.57CR
2/11/21	2/11	A32967	CHK: 204554	17769	UNIFIRST HOLDINGS, INC	4079			51.76CR	471,726.33CR
2/11/21	2/11	A32968	CHK: 204555	17769	WINDSTREAM COMMUNICATION	4460			62.47CR	471,788.80CR

FUND : 01 -GENERAL FUND PERIOD TO USE: Feb-2021 THRU Feb-2021

DEPT : N/A ACCOUNTS: 1001 THRU 1001

1001 CASH IN BANK * (CONTINUED) *

POST	DATE	TRAN #	REFERENCE	PACKET	DESCRIPTION	VEND	INV/JE #	NOTE	AMOUNT	BALANCE
2/11/21	2/11	A32969	CHK: 204556	17769	LEVI ROBERTS	6104			617.68CR	472,406.48CR
2/11/21	2/11	A32970	CHK: 204557	17769	J ROD MUSIC EVENTS	6604			2,000.00CR	474,406.48CR
2/11/21	2/11	A32971	CHK: 204558	17769	VEXUS FIBER	6874			722.43CR	475,128.91CR
2/11/21	2/11	A32972	CHK: 204559	17769	JACOB GONZALES	6978			500.00CR	475,628.91CR
2/11/21	2/11	A32973	CHK: 204560	17769	THOMAS THEOBALD dba FLIP	6979			2,500.00CR	478,128.91CR
2/15/21	2/15	A32977	CHK: 204587	17773	LAMESA CHAMBER OF COMMER	1457			3,270.00CR	481,398.91CR
2/16/21	2/16	A32985	CHK: 204596	17775	AMERICAN EXPRESS	4880			2,218.44CR	483,617.35CR
2/16/21	2/16	A32987	CHK: 204598	17775	WTG FUELS, INC.	6220			16,335.79CR	499,953.14CR
2/16/21	2/16	A32989	CHK: 204600	17775	TEXAS COMMUNITIES GROUP	6603			1,135.05CR	501,088.19CR
2/16/21	2/16	A32990	CHK: 204601	17776	AMERICAN EXPRESS	4880			1,007.92CR	502,096.11CR
2/16/21	2/16	A32991	CHK: 000000	17777	INTERNAL REVENUE SERVICE	5832			30,445.74CR	532,541.85CR
2/16/21	2/16	A32992	CHK: 204588	17777	CAPROCK FEDERAL CREDIT U	1390			18,915.83CR	551,457.68CR
2/16/21	2/16	A32993	CHK: 204589	17777	PAYROLL FUND	3270			88,431.57CR	639,889.25CR
2/16/21	2/16	A32994	CHK: 204590	17777	TX CHILD SUPPORT SDU	5634			211.38CR	640,100.63CR
2/16/21	2/16	A32995	CHK: 204591	17777	TX CHILD SUPPORT SDU	5882			276.92CR	640,377.55CR
2/16/21	2/16	A32996	CHK: 204592	17777	JAE FITNESS	6023			134.05CR	640,511.60CR
2/16/21	2/16	A32997	CHK: 204593	17777	TX CHILD SUPPORT SDU	6680			196.15CR	640,707.75CR
2/16/21	2/16	A32998	CHK: 204594	17777	TX CHILD SUPPORT SDU	6899			219.04CR	640,926.79CR
2/16/21	2/16	A32999	CHK: 204595	17777	TX CHILD SUPPORT SDU	6905			271.09CR	641,197.88CR
2/17/21	2/17	A33000	CHK: 204602	17780	UTILITY CONTRACTORS OF A	6982			108,830.10CR	750,027.98CR
2/19/21	2/19	A33001	CHK: 204603	17781	UTILITY CONTRACTORS OF A	6982			186,247.50CR	936,275.48CR
2/25/21	2/25	A33037	CHK: 204604	17782	ADVANCED ANALYSIS, INC	1022			1,130.00CR	937,405.48CR
2/25/21	2/25	A33038	CHK: 204605	17782	DPC INDUSTRIES INC	1570			300.00CR	937,705.48CR
2/25/21	2/25	A33039	CHK: 204606	17782	ATMOS ENERGY CORPORATION	1730			500.36CR	938,205.84CR
2/25/21	2/25	A33040	CHK: 204607	17782	TYLER TECHNOLOGIES, INC.	2310			2,017.80CR	940,223.64CR
2/25/21	2/25	A33041	CHK: 204608	17782	LAMESA ECONOMIC DEVELOPM	2555			30,681.36CR	970,905.00CR
2/25/21	2/25	A33042	CHK: 204609	17782	MEDICAL ARTS HOSPITAL	2971			212.00CR	971,117.00CR
2/25/21	2/25	A33043	CHK: 204610	17782	MORRISON SUPPLY CO	3085			62.59CR	971,179.59CR
2/25/21	2/25	A33044	CHK: 204611	17782	HENRY NORRIS AGENCY,. IN	3190			324.00CR	971,503.59CR
2/25/21	2/25	A33045	CHK: 204612	17782	UNIFIRST HOLDINGS, INC	4079			51.76CR	971,555.35CR
2/25/21	2/25	A33046	CHK: 204613	17782	WALMART COMMUNITY/GECRB	4110			231.86CR	971,787.21CR
2/25/21	2/25	A33047	CHK: 204614	17782	WARREN CAT	4122			310.91CR	972,098.12CR
2/25/21	2/25	A33048	CHK: 204615	17782	WINDSTREAM COMMUNICATION	4460			96.05CR	972,194.17CR
2/25/21	2/25	A33049	CHK: 204616	17782	MANDRY TECHNOLOGY SOLUTI	5160			5,562.30CR	977,756.47CR
2/25/21	2/25	A33052	CHK: 204619	17782	NORTHERN SAFETY CO., INC	5475			464.58CR	978,221.05CR
2/25/21	2/25	A33053	CHK: 204620	17782	OGEDA, ERNEST	5617			106.34CR	978,327.39CR
2/25/21	2/25	A33054	CHK: 204621	17782	LAMESA ECONOMIC ALLIANCE	5942			30,681.36CR	1,009,008.75CR
2/25/21	2/25	A33055	CHK: 204622	17782	FIRST CLASS AWARDS	6000			129.00CR	1,009,137.75CR
2/25/21	2/25	A33056	CHK: 204623	17782	SIERRA SPRINGS	6114			151.15CR	1,009,288.90CR
2/25/21	2/25	A33057	CHK: 204624	17782	ABCO FIRE PROTECTION, IN	6160			300.00CR	1,009,588.90CR
2/25/21	2/25	A33058	CHK: 204625	17782	DAVIS CHIROPRACTIC	6300			205.00CR	1,009,793.90CR
2/25/21	2/25	A33059	CHK: 204626	17782	MID AMERICAN RESEARCH CH	6344			780.67CR	1,010,574.57CR
2/25/21	2/25	A33060	CHK: 204627	17782	TCF EQUIPMENT FINANCE	6448			1,602.93CR	1,012,177.50CR
2/25/21	2/25	A33061	CHK: 204628	17782	CANON FINANCIAL SERVICES	6580			566.00CR	1,012,743.50CR
2/25/21	2/25	A33062	CHK: 204629	17782	ETC LITE, LLC	6633			240.00CR	1,012,983.50CR
2/25/21	2/25	A33063	CHK: 204630	17782	ID CARD GROUP	6647			244.99CR	1,013,228.49CR
2/25/21	2/25	A33064	CHK: 204631	17782	ELOY OLVERA	6673			4,800.00CR	1,018,028.49CR

FUND : 01 -GENERAL FUND PERIOD TO USE: Feb-2021 THRU Feb-2021
DEPT : N/A ACCOUNTS: 1001 THRU 1001

POST	DATE	TRAN #	REFERENCE	PACKET	DESCRIPTION	VEND	INV/JE #	NOTE	AMOUNT	BALANCE
1001			CASH IN BANK		* (CONTINUED) *					
2/25/21	2/25	A33065	CHK: 204632	17782	TIFCO INDUSTRIES, INC.	6783			243.59CR	1,018,272.08CR
2/25/21	2/25	A33066	CHK: 204633	17782	ENER-TEL SERVICES	6785			86.62CR	1,018,358.70CR
2/25/21	2/25	A33067	CHK: 204634	17782	MATTHEW BUSKE	6962			570.49CR	1,018,929.19CR
2/25/21	2/25	A33068	CHK: 204635	17782	EXTREME PYROTECHNICS, LL	6980			2,500.00CR	1,021,429.19CR
2/25/21	2/25	A33069	CHK: 204636	17782	PREMIER WATERWORKS,INC	6983			240.00CR	1,021,669.19CR
2/25/21	2/25	A33070	CHK: 204656	17795	FULBRIGHT & CASSELBERRY	2090			2,210.20CR	1,023,879.39CR
2/25/21	2/25	A33071	CHK: 204657	17795	PAYROLL FUND	3270			314.00CR	1,024,193.39CR
2/25/21	2/25	A33072	CHK: 204658	17795	SENIOR CITIZENS	3675			3,750.00CR	1,027,943.39CR
2/25/21	2/25	A33073	CHK: 204659	17795	PATHFINDER INDUSTRIES LL	6940			10,416.67CR	1,038,360.06CR
2/25/21	2/25	A33074	CHK: 204637	17788	CRAMER COMPUTER SUPPLIES	1587			1,644.81CR	1,040,004.87CR
2/25/21	2/25	A33075	CHK: 204638	17788	WASTE SYSTEMS	4124			860.00CR	1,040,864.87CR
2/25/21	2/25	A33076	CHK: 204639	17788	ADVANCED BUSINESS SOLUTI	5870			574.00CR	1,041,438.87CR
2/25/21	2/25	A33077	CHK: 204640	17788	SMITH FANS INC,	6248			6,250.00CR	1,047,688.87CR
2/25/21	2/25	A33078	CHK: 204641	17788	NATIONAL INDUSTRIAL & SA	6251			287.52CR	1,047,976.39CR
2/25/21	2/25	A33079	CHK: 204642	17788	UVEON TECHNOLOGIES LLC	6418			4,750.00CR	1,052,726.39CR
2/25/21	2/25	A33080	CHK: 204643	17788	METAL MART	6964			304.44CR	1,053,030.83CR
2/25/21	2/25	A33081	CHK: 204644	17794	AFLAC INSURANCE	1020			3,805.44CR	1,056,836.27CR
2/25/21	2/25	A33082	CHK: 204645	17794	CAPROCK FEDERAL CREDIT U	1390			115.44CR	1,056,951.71CR
2/25/21	2/25	A33083	CHK: 204646	17794	TEXAS MUNICIPAL RETIREME	3973			33,547.74CR	1,090,499.45CR
2/25/21	2/25	A33089	CHK: 204652	17794	LEGAL SHIELD	5900			306.76CR	1,090,806.21CR
2/25/21	2/25	A33090	CHK: 204653	17794	NEW YORK LIFE	5921			271.92CR	1,091,078.13CR
2/25/21	2/25	A33091	CHK: 204654	17794	GUARDIAN-APPLETON	6141			346.84CR	1,091,424.97CR
2/25/21	2/25	A33092	CHK: 204655	17794	CAVENDER'S BOOT STORE,LT	6892			50.00CR	1,091,474.97CR
2/25/21	2/25	A33093	CHK: 000000	17783	INTERNAL REVENUE SERVICE	5832			162.62CR	1,091,637.59CR
2/28/21	3/02	B68328	Deposit 000014	10842	WORKER COMP TSF TO RISK MGMT		JE# 027534		6,777.17CR	1,098,414.76CR
2/28/21	3/02	B68345	Deposit 000019	10843	HEALTH INS. TSF. - G/F		JE# 027540		33,574.92CR	1,131,989.68CR
2/28/21	3/02	B68351	Misc 000024	10844	LIABILITY TSF G/F TO RISK MGMT		JE# 027546		6,094.75CR	1,138,084.43CR
2/28/21	3/12	B68406	Misc 000031	10853	COURT TRANSFER TO STATE AGCY.		JE# 027571		3,200.74CR	1,141,285.17CR
2/28/21	3/12	B68407	Misc 000032	10854	TO RECORD DUE TO/FROMS		JE# 027572		163.34CR	1,141,448.51CR
2/28/21	3/12	B68407	Misc 000032	10854	TO RECORD DUE TO/FROMS		JE# 027572		135.12CR	1,141,583.63CR
2/28/21	3/12	B68407	Misc 000032	10854	TO RECORD DUE TO/FROMS		JE# 027572		163.15CR	1,141,746.78CR
2/28/21	3/12	B68407	Misc 000032	10854	TO RECORD DUE TO/FROMS		JE# 027572		3.25CR	1,141,750.03CR
			==========		FEBRUARY ACTIVITY DB:	0.00	CR: 1,141,750.03CR		1,141,750.03CR	

SELECTION CRITERIA

FISCAL YEAR: Oct-2020 / Sep-2021
FUND: Include: 01
PERIOD TO USE: Feb-2021 THRU Feb-2021
TRANSACTIONS: CREDIT

ACCOUNT SELECTION

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

PRINT OPTIONS DETAIL

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

*** END OF REPORT ***

City Council Agenda
City of Lamesa, Texas

DATE OF MEETING: MARCH 16, 2021 **AGENDA ITEM: 4**

SUBJECT: **PRESENTATION FROM ONCOR REGARDING THE OUTAGES IN FEBRUARY**

PROCEEDING:

SUBMITTED BY: City Staff

EXHIBITS:

SUMMARY STATEMENT

City Council to hear presentation for Oncor regarding the outages in February during the ice storm and what transpired. (*Kristy Tyra)*

COUNCIL ACTION

DISCUSSION _____

CITY MANAGER'S MEMORANDUM

Recommend approval.

City Council Agenda
City of Lamesa, Texas

DATE OF MEETING: MARCH 16, 2021 **AGENDA ITEM: 5**

SUBJECT: **ONCOR ELECTRIC DELIVERY- 2021 MEMBERSHIP ASSESSMENT**

PROCEEDING:

SUBMITTED BY: City Staff

EXHIBITS: Resolution

SUMMARY STATEMENT

Consider passing a Resolution authorizing continued participation with the Steering Committee of Cities served by Oncor; and authorizing the payment of six cents per capita to the Steering Committee to fund regulatory and legal proceedings and activities related to Oncor Electric Delivery Company, LLC. *(City Manager)*

COUNCIL ACTION

DISCUSSION _____

Motion by Council Member _____ to authorize continued participation with the Steering Committee of Cities served by Oncor and authorizing the payment of six cents per capita to the Steering Committee to fund regulatory and legal proceedings and activities related to Oncor Electric Delivery Company, LLC. Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

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

CITY MANAGER'S MEMORANDUM

Recommend approval.

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING CONTINUED PARTICIPATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR; AND AUTHORIZING THE PAYMENT OF SIX CENTS PER CAPITA TO THE STEERING COMMITTEE TO FUND REGULATORY AND LEGAL PROCEEDINGS AND ACTIVITIES RELATED TO ONCOR ELECTRIC DELIVERY COMPANY, LLC.

WHEREAS, the City of _____ is a regulatory authority under the Public Utility Regulatory Act (PURA) and has exclusive original jurisdiction over the rates and services of Oncor Electric Delivery Company, LLC (Oncor) within the municipal boundaries of the city; and

WHEREAS, the Steering Committee of Cities Served By Oncor (Steering Committee) has historically intervened in Oncor rate proceedings and electric utility related rulemakings to protect the interests of municipalities and electric customers residing within municipal boundaries; and

WHEREAS, the Steering Committee is participating in Public Utility Commission dockets and projects, as well as court proceedings, and legislative activity, affecting transmission and distribution utility rates; and

WHEREAS, the City is a member of the Steering Committee; and

WHEREAS, the Steering Committee functions under the direction of an Executive Committee which sets an annual budget and directs interventions before state and federal agencies, courts and legislatures, subject to the right of any member to request and cause its party status to be withdrawn from such activities; and

WHEREAS, the Steering Committee at its December 2020 meeting set a budget for 2021 that compels an assessment of six cents ($0.06) per capita; and

WHEREAS, in order for the Steering Committee to continue its participation in these activities which affects the provision of electric utility service and the rates to be charged, it must assess its members for such costs.

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

I.

That the City is authorized to continue its membership with the Steering Committee of Cities Served by Oncor to protect the interests of the City of _____ and protect the interests of the customers of Oncor Electric Delivery Company, LLC residing and conducting business within the City limits.

II.

The City is further authorized to pay its assessment to the Steering Committee of six cents ($0.06) per capita based on the population figures for the City shown in the latest TML Directory of City Officials.

III.

A copy of this Resolution and the assessment payment check made payable to *"Steering Committee of Cities Served by Oncor"* shall be sent to Brandi Stigler, Steering Committee of Cities Served by Oncor, c/o City Attorney's Office, Mail Stop 63-0300, 101 S. Mesquite St., Suite 300, Arlington, Texas 76010.

PRESENTED AND PASSED on this the _____ day of _____, 2021, by a vote of _____ ayes and _____ nays at a regular meeting of the City Council of the City of _____, Texas.

_____
Signature
Mayor

ATTEST:

_____
Signature
City Secretary

APPROVED AS TO FORM:

_____
Signature
City Attorney

STAFF REPORT ON ASSESSMENT RESOLUTION
FOR STEERING COMMITTEE OF CITIES SERVED BY ONCOR

Purpose of the Resolution

The City of _____ is a member of a 162-member city coalition known as the Steering Committee of Cities Served by Oncor (Steering Committee). The resolution approves the assessment of a six cent ($0.06) per capita fee to fund the activities of the Steering Committee.

Why this Resolution is Necessary

The Steering Committee undertakes activities on behalf of municipalities for which it needs funding support from its members. Municipalities have original jurisdiction over the electric distribution rates and services within the city. The Steering Committee has been in existence since the late 1980s. It took on a formal structure in the early 1990s. Empowered by city resolutions and funded by per capita assessments, the Steering Committee has been the primary public interest advocate before the Public Utility Commission, ERCOT, the courts, and the Legislature on electric utility regulation matters for over three decades.

The Steering Committee is actively involved in rate cases, appeals, rulemakings, and legislative efforts impacting the rates charged by Oncor Electric Delivery Company, LLC within the City. Steering Committee representation is also strong at ERCOT. It is possible that additional efforts will be necessary on new issues that arise during the year, and it is important that the Steering Committee be able to fund its participation on behalf of its member cities. A per capita assessment has historically been used, and is a fair method for the members to bear the burdens associated with the benefits received from that membership.

Explanation of "Be It Resolved" Paragraphs

I. The City is currently a member of the Steering Committee; this paragraph authorizes the continuation of the City's membership.

II. This paragraph authorizes payment of the City's assessment to the Steering Committee in the amount of seven cents ($0.06) per capita, based on the population figure for the City as shown in the latest TML Directory of City Officials.

III. This paragraph requires payment of the 2021 assessment be made and a copy of the resolution be sent to the Steering Committee.

Payment of Assessment

A copy of the resolution should be mailed with payment of the fee to Brandi Stigler, Steering Committee of Cities Served by Oncor, c/o City Attorney's Office, Mail Stop 63-0300, 101 S. Mesquite St., Suite 300, Arlington, Texas 76010. Checks should be made payable to: *Steering Committee of Cities Served by Oncor*.

2020 OCSC NEWSLETTER

Steering Committee of Cities Served by Oncor



2020 YEAR IN REVIEW ISSUE

This past year was a busy one for OCSC. This annual review highlights the significant events of 2020 that impacted OCSC and what's on the horizon next year.

OCSC Has a Productive 2020

This past year was another active year for the Steering Committee of Cities Served by Oncor (OCSC). On behalf of its member cities and their residents, OCSC participated in numerous proceedings before the Public Utility Commission of Texas (PUC) and the Texas Legislature. This Year in Review highlights the significant events in 2020 that impacted OCSC and previews what is on the horizon for the coming year. Looking ahead, 2021 will likely be another busy year for OCSC at the PUC, the Electric Reliability Council of Texas, the Texas Legislature, and the courts.



Oncor DCRF Settles; Approved by PUC

In early April 2020, electric utilities filed applications with the Public Utility Commission (PUC or Commission) to amend their Distribution Cost Recovery Factors (DCRFs). Utilities file DCRF proceedings to update the DCRF Rider in their tariff to include additional distribution invested capital placed in service since their last full base rate case.

Oncor Electric Delivery Company, LLC (Oncor or Company) filed an Application to Amend its DCRF on April 3, 2020, seeking to increase Oncor's total distribution rates by $75,889,531 annually (an approximately $0.88 increase to the average residential customer's bill). This is Oncor's third DCRF filing. OCSC intervened in the proceeding, hired consultants to review the filing, conducted discovery, and negotiated with the Company. Ultimately, the parties settled, resolving all issues in the docket. Under the settlement, Oncor reduced its request by $6 million to a total DCRF annual revenue requirement increase of $69.9 million.

On July 31, 2020 the Commission approved the settlement. The agreed rates for Oncor's DCRF became effective September 1, 2020.

PUC Approves Oncor EECRF

Oncor made its annual Energy Efficiency Cost Recovery Factor (EECRF) filing on May 29, 2020, to adjust its rates during the following year to reflect changes in program costs and performance bonuses. EECRF filings also true-up any prior energy efficiency costs over- or under-collected, pursuant to the Public Utility Regulatory Act (PURA) and PUC rules. Because EECRF proceedings are limited in scope and review, they proceed on an expedited schedule.

OCSC intervened, hired a consultant to review the filing, conducted discovery, and discussed the filing with the Company. Ultimately, OCSC confirmed that the Company's request was reasonable. Therefore, OCSC agreed to the Company's requested EECRF increase as filed.

Pursuant to the agreement, Oncor will collect $64,782,106 in 2021, consisting of the following components: (1) $51,620,521 in energy efficiency program costs projected to be incurred in 2021; (2) $14,249,500 for its 2019 performance bonus; (3) allocation of $1,833,844 for the over-recovery of costs in 2019; (4) $735,989 in estimated expenses relating to the Commission's EM&V costs; and (5) $9,940 in rate case expenses from 2019.

At the September 10, 2020 open meeting, the PUC approved the settlement agreement. The settlement's rates will go into effect on March 1, 2021.

PUC Takes Emergency Action to Combat the Impact of COVID-19

On March 16, 2020, the PUC held an emergency open meeting to adopt measures to address the threats presented by the coronavirus disease (COVID-19). The commissioners designated the COVID-19 threat as a public emergency, giving the PUC the authority to suspend the rules for different filing requirements and deadlines. The agency announced that its staff would be telecommuting, suspended its filing requirements for hard copies, and took its open meetings virtual, allowing the public to participate telephonically. As of the end of 2020, most of staff is still telecommuting, the PUC is contemplating permanent changes to filing requirements, and its open meetings are still being conducted virtually via online streaming.

On, March 26, 2020, the PUC exercised its emergency authority to issue three orders, detailed below:

Exceptions to PUC Rules and Requirement for REPs to Offer DPPs

The first Order provided exceptions to existing PUC rules for electric, water, and sewer utilities, prohibiting the assessment of late fees and disconnection of customers when they cannot pay their utility bills, and required electric utilities to provide eligible customers with deferred payment plans (DPPs).

Accounting Order, Establishing a Regulatory Asset

The Commission also approved an accounting order, authorizing an accounting mechanism and subsequent process through which regulated utilities may seek future recovery of expenses resulting from the effects of COVID-19. These expenses, considered "regulatory assets" can include non-payment of customer bills, as well as other costs, such as the cost to have facilities cleaned and disinfected. In future proceedings, the Commission will consider whether each utility's request for recovery of these regulatory assets is reasonable and necessary. The Commission will also consider other issues at a future proceeding, such as the appropriate period of recovery for approved amounts.

The COVID-19 Electricity Relief Program

The third Order established the COVID-19 Electricity Relief Program (ERP), which is a mechanism that was designed to protect Texas citizens impacted by COVID 19 and provide certainty to the electric utilities and retail electric providers for recovery of unpaid utility bills.

The ERP helped customers that have been impacted by COVID-19 pay their past-due electric bills, and prevented utilities from disconnecting such customers. The ERP applied only to residential customers and only to those areas of the state with retail electric deregulation.

The ERP was originally scheduled to end July 17, but at its July 2 open meeting, the PUC directed Commission Staff to draft an order to continue the ERP until August 31.

The ERP is funded by a special charge of 0.033 cents per kilowatt hour added to electricity bills. That works out to about 40 cents for residential customers who use 1,200 kilowatt hours of electricity per month. According to the PUC, the program was "intended to help unemployed customers . . . by providing protection from disconnections for non-payment and offering bill payment assistance."

Nearly 595,000 were shielded from utility disconnections because of the program. Since March, it provided more than $30 million in assistance for bills.

On October 1, 2020, the ERP ended, exposing protected residents to the potential for disconnections and late fees from utilities.

At the August 27, 2020 open meeting, the Commission issued an order requiring Retail Electric Providers and Transmission and Distribution Utilities to file a final ERP report to the Commission on or before January 15, 2021.

WETT STM Settlement Approved by PUC

On February 24, 2020, Wind Energy Transmission Texas, LLC (WETT), AxInfra US LP (AxInfra), Hotspur HoldCo 1 LLC (Hotspur 1), Hotspur HoldCo 2 LLC (Hotspur 2), and 730 Hotspur, LLC (730 Hotspur) (together Applicants) filed an application with the Public Utility Commission for approval of a sales transaction (STM) that would result in the transfer of ownership and control of WETT to AxInfra, an investment fund managed by Axium Infrastructure US, Inc. (Axium US) (Docket No. 50584).

OCSC intervened in the proceeding, because the proceeding impacts service in OCSC's member cities. Rates for all transmission providers are socialized (meaning that ratepayers will pay a portion of all transmission rates approved for all transmission providers). Additionally, the bankruptcy of Energy Future Holdings Corp., and three previous Oncor STMs, teach the importance of corporate structure, debt levels, and ring fencing in protecting consumers.

Under the application, AxInfra will ultimately control WETT. 730 Hotspur will acquire a non-controlling minority interest in Hotspur SPC, an Axium subsidiary that will have an upstream, indirect ownership interest in WETT.

The participating parties (the Applicant, TIEC, OCSC, and Commission Staff) filed a unanimous Stipulation, avoiding the June hearing on the merits.

In prior cases involving change of ownership—most notably the Oncor STMs involving Hunt and NextEra—there were serious debates over whether an application had to demonstrate meaningful savings or other benefits to customers to establish a public interest finding. WETT alleged modest savings in administrative costs by proposing a reduction in the size of its Board of Directors from five to three members—a mistake in governance that would nullify insignificant savings. The Stipulation corrects that mistake by requiring a five-member Board with two independent directors.

Other major concessions made by the Applicants to win the support of the parties include:

1. Dividend Restriction — WETT will not pay dividends, except for contractual tax payments, at any time that WETT's debt rating is below (BBB) or the equivalent with any one of the credit agencies rating WETT unless approved by the two disinterested board members of WETT Holdings;

2. Goodwill, Transaction & Transition Costs — WETT will not seek to include any transaction acquisition premium or Goodwill, transaction or transition costs in rates;

3. Capital Expenditures — Company will maintain capital expenditures consistent with the existing five-year plan; and

4. Stand Alone Credit — Owners agree to obtain stand-alone credit rating from at least one of Moody's, Fitch, or Standard & Poor's by the earlier of: (a) WETT's next base rate case, or (b) December 31, 2022.

On July 24, 2020 the Commission approved the Stipulation and issued its Final Order, finding that the transaction is in the public interest.

PUC Compares Electricity Utility Distribution Spending and Reliability

Each year, the Public Utility Commission releases a report tracking the reliability-related spending of investor-owned electric utilities (IOUs) providing distribution service across the state of Texas. This year's report covers the ten-year period from 2010-2019, providing data on (1) distribution system spending; (2) all investor-owned electric distribution utilities serving customers in Texas; (3) variations in spending and reliability data in graphical format; and (4) outage comparisons between utilities. Outage comparisons use the System Average Interruption Duration Index (SAIDI) and System Average Interruption Frequency Index (SAIFI) calculations to show the duration and frequency of interruptions.

Oncor's data is affected by its acquisition of Sharyland's distribution system in December 2016. Oncor is tracking SAIDI and SAIFI separately for the former Sharyland territory for ten years, whereas, starting in 2017, the vegetation management data is combined.

The size and operating environments of the IOUs in Texas are very diverse, which can make comparisons between IOUs misleading without careful consideration of these differences. Because of the range in IOU size, climate, topography, and other factors, an apples to apples comparison of IOU spending is not necessarily appropriate.

However, by comparing the cost per customer for each of the categories of IOU spending, we have some standards to gauge Oncor's spending.

In 2019, Oncor spent more than ever before on capital additions (around $900 million) and Operations and Maintenance (O&M) (around $250 million). Oncor's capital additions and O&M spending has climbed about 10-20% each year over the past 10 years.

Oncor's vegetation management (VM) spending rose slightly in 2019 compared to the previous two years, and is slightly above average for the past seven years. However, a large percentage of its VM spending is attributable to storms.

Oncor's SAIDI and SAIFI data reflects a rise in duration and frequency of interruptions in service that are attributable to major events. Further, over the last ten years, Oncor's percentage of SAIDI and SAIFI attributable to major events is much higher than other utilities.

Compared to other Texas Utilities, Oncor's SAIDI and SAIFI in roughly average.

The Commission's report can be found at:

http://interchange.puc.texas.gov/Documents/46735_26_1089530.PDF



2021 Legislative Session on the Horizon

The gavel drops, opening the 87th Texas Legislative Session on January 12, 2021. This session is sure to look different than years past. There will likely be occupancy limits and other limitations on how committee meetings will take place. Additionally, this session will be one of the toughest legislative sessions in recent years since members will have to address billions of dollars in shortfalls to the state budget, redraw the state's political maps, and navigate issues like health care and public education that have been a focus during the pandemic.

Since Lawmakers began prefiling bills on Monday, November 9, 2020, over 750 bills have already been filed in the House and over 200 bills have been filed in the Senate – including a dozen or so relating to energy and ratepayer issues. We have our eye on many of these bills, and will keep you apprised as they move through the legislative process.

Below, we listed several bills on our watch list, and explain briefly their purpose. However, keep in mind that inclusion on this list implies neither our support nor opposition. **We highlight these bills for informational purposes only.**

- **House Bill 427**, by state Rep. Ken King, would impose an additional $200 fee for the registration of electric vehicles as well as a $100 fee for the registration of hybrid vehicles.
- **House Bill 433**, also by state Rep. King, would impose a 1-cent per-kilowatt-hour tax on each kilowatt of electricity generated in Texas from any source other than natural gas.
- **House Resolution 9**, by state Rep. Richard Raymond, would direct the Texas Legislature to urge the U.S. Congress to order a cost-benefit analysis regarding the risks of climate change nationwide. The analysis should include a discussion of appropriate measures to address those risks.
- **House Bill 685**, by state Rep. Gary VanDeaver, would create a critical care program for veterinarians that depend upon electricity to maintain critical medical equipment for animals under their care. The Public Utility Commission would create disconnection protections for such veterinarian customers.
- **Senate Bill 170**, by state Sen. Cesar Blanco, calls for a study of the feasibility of expanding the state's renewable energy goals such that half the state's installed generating capacity by 2030 will come from renewable sources, and 100 percent of it would come from renewable sources by 2050.
- **Senate Bill 182**, by state Sen. Charles Schwertner, requires the Public Utility Commission to conduct a five-year look-back analysis of rates charged by municipal electric utilities. If the municipal rates are 10 percent higher than the five-year average of competitive rates paid in a similarly situated area with electric competition, then the municipal utility must transition to deregulation within one year.

We will provide updates as the as the 87th Legislature kicks off at the beginning of 2021.

Public Utility Commission Prepares for 2021 Legislative Session

The Public Utility Commission (PUC) has acknowledged that this is not the year for utility issues to take center stage at the Legislative Session, so it seems their expectations are low for any significant changes in 2021. In the PUC's Biennial Report to the 87th Legislature (filed on December 10, 2020 in Docket No. 50475), the PUC provides a report on significant actions taken over the past two years, describes emerging issues, and summarizes its recommendations to the Legislature for potential water, electric, and telecommunications legislation. Based on this report and comments made by the Commissioners at the open meeting on December 17, 2020, the PUC recommends legislation on the following:

- Sale of Electricity at Charging Stations: As the cost of electric vehicles has dropped, more consumers have purchased them, with sales rates doubling year-over-year. With increased adoption of electric vehicles over fuel-based vehicles, there is a growing need for public-use charging stations to be located off of highways and in places such as large retail shopping centers or garages near office buildings. The sale of electricity through these charging stations could potentially bring the companies owning them under the definition of an "electric utility." The PUC proposes that the Legislature clarify that the use of an electric vehicle charging station is not an electric utility or a retail electric provider.

- Filing Fees: The Commission is requesting the statutory authority to charge fees to certain parties that make paper filings with the PUC at a level not to exceed the costs incurred by the agency.

We will provide updates on how the 87th Legislature acts on the PUC's recommendations in 2021.



2021 OCSC Meetings

March 4
May 6
August 12
December 9

2021 OCSC Officers

Paige Mims—Chair
Don Knight—Vice Chair
Adrienne Lothery—Secretary

Lloyd Gosselink
ATTORNEYS AT LAW

For more questions or concerns regarding any OCSC matter or communication, please contact the following representative, who will be happy to provide assistance:

Thomas L. Brocato
Attorney

Direct :(512) 322-5857
Email: tbrocato@lglawfirm.com

City Council Agenda
City of Lamesa, Texas

DATE OF MEETING: MARCH 16, 2020 **AGENDA ITEM: 6**

SUBJECT: **OPEN AND AWARD BIDS – OIL, GAS LEASE:**
PROCEEDING: Call for bids
SUBMITTED BY: City Staff
EXHIBITS:
AUTHORITY:

SUMMARY STATEMENT

Consider opening and awarding bids for oil and gas lease on the following described property:

All of the North 200 acres of the West one-half of Section 19, Block 35, T-5-N, T & P Railway Company Survey in Dawson County, Texas.

COUNCIL ACTION

DISCUSSION:

_____

Motion by Council Member _____ to award _____for the oil and gas lease. Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

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

BID TABULATION

MARCH 16, 2021

OIL, GAS AND MINERAL LEASE

	Per Acre	Other
Name _____	**$**	**$**
Name _____	**$**	**$**
Name _____	**$**	**$**

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: MARCH 16, 2021 **AGENDA ITEM: 7**

SUBJECT: **AWARD BIDS /CITY OF LAMESA WATER SYSTEM IMPROVEMENTS USDA LOAN #5 FOR CONTRACTS 1, 2 AND 3**

PROCEEDING:

SUBMITTED BY: City Staff

EXHIBITS:

AUTHORITY:

SUMMARY STATEMENT

City Council to consider awarding bid for water system improvements and authorizing Parkhill, Smith & Cooper, City Engineers, to implement such construction bid process and authorizing the City Manager to act on all matters and execute any requires documents pertaining to such construction bid process. *(City Manager & Finance Director)*

COUNCIL ACTION

Motion by Council Member _____to award_____for water system improvements and authorizing Parkhill, Smith & Cooper, City Engineers, to implement such construction bid process and authorizing the City Manager to act on all matters and execute any requires documents pertaining to such construction bid process. Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

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

CITY MANAGER'S MEMORANDUM

Recommend approval

City Council Agenda
City of Lamesa, Texas

DATE OF MEETING: MARCH 16, 2021 **AGENDA ITEM: 8**

SUBJECT **AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF LAMESA, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2021"; PROVIDING FOR THE PAYMENT OF SAID CERTIFICATES BY THE LEVY OF AN AD VALOREM TAX UPON ALL TAXABLE PROPERTY WITHIN THE CITY AND FURTHER SECURING SAID CERTIFICATES BY A FIRST AND PRIOR LIEN ON AND PLEDGE OF THE NET REVENUES OF THE SYSTEM; PROVIDING THE TERMS AND CONDITIONS OF SAID CERTIFICATES AND RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE ISSUANCE, PAYMENT, SECURITY, SALE, AND DELIVERY OF SAID CERTIFICATES; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND AN ESCROW AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE:**

PROCEEDING:

SUBMITTED BY: City Staff

EXHIBITS: Ordinance

AUTHORITY:

SUMMARY STATEMENT

City Council to consider adopting an Ordinance authorizing the issuance of "City of Lamesa, Texas Combination Tax and Revenue Certificates of Obligation, Series 2021". *(City Manager & Finance Director)*

COUNCIL ACTION

Motion by Council Member _____ move that the City Council adopt an Ordinance authorizing the issuance of "City of Lamesa, Texas Combination Tax and Revenue Certificates of Obligation, Series 2021". Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

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

DRAFT

AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF LAMESA, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2021"; PROVIDING FOR THE PAYMENT OF SAID CERTIFICATES BY THE LEVY OF AN AD VALOREM TAX UPON ALL TAXABLE PROPERTY WITHIN THE CITY AND FURTHER SECURING SAID CERTIFICATES BY A FIRST AND PRIOR LIEN ON AND PLEDGE OF THE NET REVENUES OF THE SYSTEM; PROVIDING THE TERMS AND CONDITIONS OF SAID CERTIFICATES AND RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE ISSUANCE, PAYMENT, SECURITY, SALE, AND DELIVERY OF SAID CERTIFICATES; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND AN ESCROW AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council (the *City Council*) of the City of Lamesa, Texas (the *City*) has caused notice to be given of its intention to issue certificates of obligation in the maximum principal amount of $7,035,000 for the purpose of paying contractual obligations of the City to be incurred for making permanent public improvements and for other public purposes, to-wit: (1) designing, acquiring, constructing, purchasing, renovating, enlarging, and improving the City's combined utility system, (2) the purchase of materials, supplies, equipment, landscaping, land, and rights-of-way for authorized needs and purposes relating to the combined utility system improvements, and (3) the payment of professional services related to the design, permitting, construction, project management, and financing of the aforementioned projects. This notice has been posted on the City's website, if available, and duly published in a newspaper hereby found and determined to be of general circulation in the City, once a week for two (2) consecutive weeks, the date of the first publication of such notice being not less than forty-six (46) days prior to the tentative date stated therein for the passage of the ordinance authorizing the issuance of such certificates of obligation; and

WHEREAS, in accordance with the provisions of Section 271.049, as amended, Texas Government Code, the City confirms that notice of the City's intention to issue certificates of obligation was approved by resolution at a public meeting and stated (1) the then-current principal of all outstanding debt of the City; (2) the then-current combined principal and interest required to pay all outstanding debt obligations of the City on time and in full, based on the City's expectations relative to the interest due on any variable rate debt obligations, as applicable (4) the maximum principal amount of the certificates of obligation to be authorized; (5) the estimated combined principal and interest required to pay the certificates of obligation in full; (6) the estimated interest rate for the certificates of obligation or that the maximum interest rate for the certificates of obligation may not exceed the maximum legal interest rate; and (7) the maximum maturity date of the certificates of obligation; and

WHEREAS, no petition protesting the issuance of the certificates of obligation described in this notice, signed by at least 5% of the qualified electors of the City, has been presented to or

filed with the City Secretary prior to the date tentatively set in such notice for the passage of this ordinance; and

WHEREAS, the United States of America has agreed to purchase the certificates of obligation thereby making a loan to the City at an interest rate that is substantially below the current market rate for similar forms of indebtedness which will enable the City to complete the proposed improvements and extensions to the System at a significant financial savings to the City and such savings are in the best interests of the residents of the City; and

WHEREAS, the City Council hereby finds and determines that certificates of obligation in the principal amount of $7,035,000 described in such notice should be issued and sold at this time; now, therefore,

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

SECTION 1. Authorization - Designation - Principal Amount - Purpose. The certificates of obligation of the City shall be and are hereby authorized to be issued in the aggregate principal amount of SEVEN MILLION THIRTY FIVE THOUSAND AND NO/100 DOLLARS ($7,035,000), to be designated and bear the title of "CITY OF LAMESA, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2021" (the *Certificates*), for the purpose of paying contractual obligations of the City to be incurred for making permanent public improvements and for other public purposes, to-wit: (1) designing, acquiring, constructing, purchasing, renovating, enlarging, and improving the City's combined utility system, (2) the purchase of materials, supplies, equipment, landscaping, land, and rights-of-way for authorized needs and purposes relating to the combined utility system improvements, and (3) the payment of professional services related to the design, permitting, construction, project management, and financing of the aforementioned projects, pursuant to the authority conferred by and in conformity with the laws of the State of Texas, particularly Chapter 1502, as amended, Texas Government Code, the Certificate of Obligation Act of 1971, as amended, Texas Local Government Code Section 271.041 through Section 271.06,4 and the City's Home Rule Charter.

SECTION 2. Fully Registered Obligations - Authorized Denominations - Stated Maturities - Interest Rates – Certificate Date. The Certificates are issuable in fully registered form only; shall be dated February 1, 2021 (the *Certificate Date*); and shall be issued in denominations of $100,000 or any integral multiple of $1,000 in excess thereof (within a Stated Maturity). The Certificates shall become due and payable on February 1 in each of the years and in principal amounts (the *Stated Maturities*) and bear interest on the unpaid principal amounts from the Closing Date, or from the most recent Interest Payment Date (hereinafter defined) to which interest has been paid or duly provided for, to the earlier of redemption or Stated Maturity, at the per annum rates, while Outstanding, in accordance with the following schedule:

Years of Stated Maturity	Principal Amounts ($)	Interest Rates (%)
2022		
2023		
2024		

Years of Stated Maturity	Principal Amounts ($)	Interest Rates (%)
2025		
2026		
2027		
2028		
2029		
2030		
2031		
2032		
2033		
2034		
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2058		
2059		
2060		

Years of Stated Maturity	Principal Amounts ($)	Interest Rates (%)
2061		

SECTION 3. Payment of Certificates - Paying Agent/Registrar. The principal of, premium, if any, and interest on the Certificates, due and payable by reason of Stated Maturity, redemption, or otherwise, shall be payable in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts, and such payment of principal of and interest on the Certificates shall be without exchange or collection charges to the Holder (as hereinafter defined) of the Certificates.

The Certificates shall bear interest on the unpaid principal amount thereof at the per annum rates shown above in Section 2, at the lesser of (1) the rate of 3.125% per annum or (2) the rate offered by the initial purchaser at the time of the first installment delivery of the Certificates, computed on the basis of a 365-day year, and interest thereon shall be payable semi-annually on February 1 and August 1 of each year (the *Interest Payment Date*), commencing February 1, 2022, while the Certificates are Outstanding.

Each of the Certificates shall bear interest on the unpaid principal amount, to the earlier of redemption or Stated Maturity, while Outstanding, from the date of its delivery to the initial purchaser (which date shall be the registration date noted on the Initial Certificate in the Registration Certificate of the Paying Agent/Registrar to appear thereon) or from the latest Interest Payment Date that interest thereon has been paid that precedes the registration date appearing on each Certificate in the Registration Certificate of the Paying Agent/Registrar (see Section 8C hereof), unless the registration date appearing thereon is an Interest Payment Date for which interest is being paid, in which case such Certificate shall bear interest from the registration date appearing thereon, at the per annum rate specified in Section 2 for the Stated Maturity of such Certificate.

The selection and appointment of Lamesa National Bank, Lamesa, Texas (the *Paying Agent/Registrar*), to serve as the initial Paying Agent/Registrar for the Certificates is hereby approved and confirmed, and the City agrees and covenants to cause to be kept and maintained at the corporate trust office of the Paying Agent/Registrar books and records (the *Security Register*) for the registration, payment and transfer of the Certificates, all as provided herein, in accordance with the terms and provisions of a Paying Agent/Registrar Agreement, attached, in substantially final form, as Exhibit A hereto, and such reasonable rules and regulations as the Paying Agent/Registrar and City may prescribe. The City covenants to maintain and provide a Paying Agent/Registrar at all times while the Certificates are Outstanding, and any successor Paying Agent/Registrar shall be (i) a national or state banking institution or (ii) an association or a corporation organized and doing business under the laws of the United States of America or of any state, authorized under such laws to exercise trust powers. Such Paying Agent/Registrar shall be subject to supervision or examination by federal or state authority and authorized by law to serve as a Paying Agent/Registrar.

The City reserves the right to appoint a successor Paying Agent/Registrar upon providing the previous Paying Agent/Registrar with a certified copy of a resolution or ordinance terminating such agency. Additionally, the City agrees to promptly cause a written notice of this substitution

to be sent to each Holder of the Certificates by United States mail, first-class postage prepaid, which notice shall also give the address of the new Paying Agent/Registrar.

Principal of, premium, if any, and interest on the Certificates, due and payable by reason of Stated Maturity, redemption, or otherwise, shall be payable only to the registered owner of the Certificates appearing on the Security Register (the *Holder* or *Holders*) maintained on behalf of the City by the Paying Agent/Registrar as hereinafter provided (i) on the Record Date (hereinafter defined) for purposes of payment of interest thereon, (ii) on the date of surrender of the Certificates for purposes of receiving payment of principal thereof upon redemption of the Certificates or at the Certificates' Stated Maturity, and (iii) on any other date for any other purpose. The City and the Paying Agent/Registrar, and any agent of either, shall treat the Holder as the owner of a Certificate for purposes of receiving payment and all other purposes whatsoever, and neither the City nor the Paying Agent/Registrar, or any agent of either, shall be affected by notice to the contrary.

Subject to the provisions of Section 46 hereof, principal of and premium, if any, on the Certificates shall be payable only upon presentation and surrender of the Certificates to the Paying Agent/Registrar at its corporate trust office; provided, however, with respect to the principal payments prior to the final Stated Maturity, the Certificates need not be surrendered to the Paying Agent/Registrar, who will merely document this payment on an internal ledger maintained by the Paying Agent/Registrar. Interest on the Certificates shall be paid to the Holder whose name appears in the Security Register at the close of business on the fifteenth day of the month next preceding an Interest Payment Date for the Certificates (the *Record Date*) and shall be paid (i) by check sent on or prior to the appropriate date of payment by United States mail, first-class postage prepaid, by the Paying Agent/Registrar, to the address of the Holder appearing in the Security Register or (ii) by such other method, acceptable to the Paying Agent/Registrar, requested in writing by the Holder at the Holder's risk and expense.

Notwithstanding the above, for so long as the Certificates are held by the United States of America, the City shall make payments directly to the Holder's local servicing office currently located in Fort Stockton, Texas and not through the Paying Agent/Registrar.

If the date for the payment of the principal of, premium, if any, or interest on the Certificates shall be a Saturday, Sunday, a legal holiday, or a day on which banking institutions in the city where the corporate trust office of the Paying Agent/Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not such a day. The payment on such date shall have the same force and effect as if made on the original date any such payment on the Certificates was due.

In the event of a non-payment of interest on a scheduled payment date, and for thirty (30) days thereafter, a new record date for such interest payment (a *Special Record Date*) will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the City. Notice of the Special Record Date and of the scheduled payment date of the past due interest (the *Special Payment Date* - which shall be fifteen (15) days after the Special Record Date) shall be sent at least five (5) business days prior to the Special Record Date by United States mail, first-class postage prepaid, to the address of each Holder of a Certificate

appearing on the Security Register at the close of business on the last business day next preceding the date of mailing of such notice.

SECTION 4. Redemption.

A. Optional Redemption. The Certificates having Stated Maturities on and after February 1, 2023 shall be subject to redemption prior to Stated Maturity, at the option of the City, on February 1, 2024, or on any date thereafter, as a whole or in part, in principal amounts of $1,000 or any integral multiple thereof (and if within a Stated Maturity selected at random and by lot by the Paying Agent/Registrar), at the redemption price of par plus accrued interest to the date of redemption.

PROVIDED, HOWEVER, that Certificates owned and held by the United States of America shall be subject to early redemption on any date, in whole or in part, in inverse order of Stated Maturity, at the redemption price of par and accrued interest to the date of redemption.

B. Exercise of Redemption Option. At least forty-five (45) days prior to a date set for the redemption of Certificates, the City shall notify the Paying Agent/Registrar and the Purchasers directly (hereinafter defined) of its decision to exercise the right to redeem Certificates, the principal amount of each Stated Maturity to be redeemed, and the date set for the redemption thereof. The decision of the City to exercise the right to redeem Certificates shall be entered in the minutes of the governing body of the City.

C. Selection of Certificates for Redemption. If less than all Outstanding Certificates of the same Stated Maturity are to be redeemed on a redemption date, the Paying Agent/Registrar shall select at random and by lot the Certificates to be redeemed, provided that if less than the entire principal amount of a Certificate is to be redeemed, the Paying Agent/Registrar shall treat such Certificate then subject to redemption as representing the number of Certificates Outstanding which is obtained by dividing the principal amount of such Certificate by $1,000.

D. Notice of Redemption. Not less than (i) forty-five (45) days while the Purchasers are the Holders of the Certificates and (ii) not less thirty (30) days when the Purchasers are not the Holders, prior to a redemption date for the Certificates, a notice of redemption shall be sent by United States mail, first-class postage prepaid, in the name of the City and at the City's expense, by the Paying Agent/Registrar to each Holder of a Certificate to be redeemed, in whole or in part, at the address of the Holder appearing on the Security Register at the close of business on the business day next preceding the date of mailing such notice, and any notice of redemption so mailed shall be conclusively presumed to have been duly given irrespective of whether received by the Holder. This notice may also be published once in a financial publication, journal, or reporter of general circulation among securities dealers in the City of New York, New York (including, but not limited to, *The Bond Buyer* and *The Wall Street Journal*), or in the State of Texas (including, but not limited to, *The Texas Bond Reporter*). Additionally, this notice may also be sent by the City to any registered securities depository and to any national information service that disseminates redemption notices.

All notices of redemption shall (i) specify the date of redemption for the Certificates, (ii) identify the Certificates to be redeemed and, in the case of a portion of the principal amount to

be redeemed, the principal amount thereof to be redeemed, (iii) state the redemption price, (iv) state that the Certificates, or the portion of the principal amount thereof to be redeemed, shall become due and payable on the redemption date specified, and the interest thereon, or on the portion of the principal amount thereof to be redeemed, shall cease to accrue from and after the redemption date, and (v) specify that payment of the redemption price for the Certificates, or the principal amount thereof to be redeemed, shall be made at the corporate trust office of the Paying Agent/Registrar only upon presentation and surrender thereof by the Holder.

If a Certificate is subject by its terms to redemption and has been called for redemption and notice of redemption thereof has been duly given or waived as herein provided, such Certificate (or the principal amount thereof to be redeemed) so called for redemption shall become due and payable, and if money sufficient for the payment of such Certificates (or of the principal amount thereof to be redeemed) at the then applicable redemption price is held for the purpose of such payment by the Paying Agent/Registrar, then on the redemption date designated in such notice, interest on the Certificates (or the principal amount thereof to be redeemed) called for redemption shall cease to accrue and such Certificates shall not be deemed to be Outstanding in accordance with the provisions of this Ordinance.

E. Transfer/Exchange of Certificates. Neither the City nor the Paying Agent/Registrar shall be required (1) to transfer or exchange any Certificate during a period beginning forty-five (45) days prior to the date fixed for redemption of the Certificates or (2) to transfer or exchange any Certificate selected for redemption, provided, however, such limitation of transfer shall not be applicable to an exchange by the Holder of the unredeemed balance of a Certificate which is subject to redemption in part.

SECTION 5. Execution - Registration. The Certificates shall be executed on behalf of the City by its Mayor or Mayor Pro Tem under its seal reproduced or impressed thereon and attested by its City Secretary. The signature of either of said officers on the Certificates may be manual or facsimile. Certificates bearing the manual or facsimile signatures of individuals who were, at the time of the Certificate Date, the proper officers of the City shall bind the City, notwithstanding that such individuals or either of them shall cease to hold such offices prior to the delivery of the Certificates to the Purchasers (hereinafter defined), all as authorized and provided in Chapters 1201 and 1206, as amended, Texas Government Code.

No Certificate shall be entitled to any right or benefit under this Ordinance, or be valid or obligatory for any purpose, unless there appears on such Certificate either a certificate of registration substantially in the form provided in Section 8C, executed by the Comptroller of Public Accounts of the State of Texas or his duly authorized agent by manual signature, or a certificate of registration substantially in the form provided in Section 8D, executed by the Paying Agent/Registrar by manual signature, and either such certificate upon any Certificate shall be conclusive evidence, and the only evidence, that such Certificate has been duly certified or registered and delivered.

Notwithstanding the above and foregoing paragraph, the Initial Certificates authorized for delivery to the initial purchasers in Section 7 hereof shall have printed thereon both Certificates of Registration appearing in Section 8C and 8D hereof, and both such certifications shall be required to be manually executed in connection with the delivery of the Initial Certificates to the initial

purchaser and both such certificates appearing on such Initial Certificates, duly signed, shall be conclusive evidence that such Initial Certificates have been duly certified, registered and delivered.

SECTION 6. Registration - Transfer - Exchange of Certificates - Predecessor Certificates. The Paying Agent/Registrar shall obtain, record, and maintain in the Security Register the name and address of every owner of the Certificates, or if appropriate, the nominee thereof. Certificates in aggregate denominations of $1,000 or more may, in accordance with its terms and the terms hereof, be transferred or exchanged for Certificates of other authorized denominations upon the Security Register by the Holder, in person or by his duly authorized agent, upon surrender of such Certificate to the Paying Agent/Registrar for cancellation, accompanied by a written instrument of transfer or request for exchange duly executed by the Holder or by his duly authorized agent, in form satisfactory to the Paying Agent/Registrar.

Upon surrender for transfer of any Certificate at the corporate trust office of the Paying Agent/Registrar, the City shall execute and the Paying Agent/Registrar shall register and deliver, in the name of the designated transferee or transferees, one or more new Certificates of authorized denomination and having the same Stated Maturity and of a like interest rate and aggregate principal amount as the Certificate or Certificates surrendered for transfer.

At the option of the Holder, Certificates may be exchanged for other Certificates of authorized denominations and having the same Stated Maturity, bearing the same rate of interest and of like aggregate principal amount as the Certificates surrendered for exchange upon surrender of the Certificates to be exchanged at the corporate trust office of the Paying Agent/Registrar. Whenever any Certificates are so surrendered for exchange, the City shall execute, and the Paying Agent/Registrar shall register and deliver, the Certificates to the Holder requesting the exchange.

All Certificates issued upon any transfer or exchange of Certificates shall be delivered at the corporate trust office of the Paying Agent/Registrar, or be sent by registered mail to the Holder at his request, risk, and expense, and upon the delivery thereof, the same shall be the valid and binding obligations of the City, evidencing the same obligation to pay, and entitled to the same benefits under this Ordinance, as the Certificates surrendered upon such transfer or exchange.

All transfers or exchanges of Certificates pursuant to this Section shall be made without expense or service charge to the Holder, except as otherwise herein provided, and except that the Paying Agent/Registrar shall require payment, to the extent permitted by law, by the Holder requesting such transfer or exchange of any tax or other governmental charges required to be paid with respect to such transfer or exchange.

Certificates canceled by reason of an exchange or transfer pursuant to the provisions hereof are hereby defined to be Predecessor Certificates, evidencing all or a portion, as the case may be, of the same debt evidenced by the new Certificate or Certificates registered and delivered in the exchange or transfer therefor. Additionally, the term Predecessor Certificates shall include any Certificate registered and delivered pursuant to Section 26 in lieu of a mutilated, lost, destroyed, or stolen Certificate which shall be deemed to evidence the same obligation as the mutilated, lost, destroyed, or stolen Certificate.

SECTION 7. Initial Certificate. The Certificates herein authorized shall be issued initially either (i) as a single fully registered Certificate in the total principal amount of $7,035,000 with principal installments to become due and payable as provided in Section 2 and numbered T-1, or (ii) as one (1) fully registered Certificate for each year of Stated Maturity in the applicable principal amount and denomination and to be numbered consecutively from T-1 and upward (the *Initial Certificate*) and, in either case, the Initial Certificate shall be registered in the name of the Purchasers or the designee thereof. The Initial Certificate shall be the Certificates submitted to the Office of the Attorney General of the State of Texas for approval, certified and registered by the Office of the Comptroller of Public Accounts of the State of Texas and delivered to the Purchasers. Any time after the delivery of the Initial Certificate to the Purchasers, the Paying Agent/Registrar, upon written instructions from the Purchasers or their designee, shall cancel the Initial Certificate delivered hereunder and exchange therefor definitive Certificates of authorized denominations, Stated Maturities, principal amounts and bearing applicable interest rates for transfer and delivery to the Holders named at the addresses identified therefor; all pursuant to and in accordance with such written instructions from the Purchasers, or the designee thereof, and such other information and documentation as the Paying Agent/Registrar may reasonably require. It is anticipated that the definitive Certificates will be delivered in installments as recognized in the provisions of Section 47 of this Ordinance. As installment deliveries of the Certificates are made to the Purchasers, the Escrow Agent, pursuant to written instructions from the City, or the designee thereof, and in accordance with the Escrow Agreement shall cancel Initial Certificate and deliver in exchange therefor definitive Certificates of like principal amount and maturity, in authorized denominations and bearing applicable interest rates to the Purchasers, all pursuant to and in accordance with the Escrow Agreement, written instructions from the Purchasers and the City, or the designees thereof, and such other information and documentation as the Escrow Agent may reasonably require.

SECTION 8. Forms.

A. Forms Generally. The Certificates, the Registration Certificate of the Comptroller of Public Accounts of the State of Texas, the Registration Certificate of the Paying Agent/Registrar, and the form of Assignment, Ledger, Prepayment Ledger, and Principal Advancement Ledger, to be printed on each of the Certificates shall be substantially in the forms set forth in this Section with such appropriate insertions, omissions, substitutions, and other variations as are permitted or required by this Ordinance and may have such letters, numbers, or other marks of identification (including insurance legends in the event the Certificates, or any Stated Maturities thereof, are insured and identifying numbers and letters of the Committee on Uniform Securities Identification Procedures of the American Bankers Association) and such legends and endorsements (including any reproduction of an opinion of Bond Counsel (hereinafter referenced)) thereon as may, consistent herewith, be established by the City or determined by the officers executing the Certificates as evidenced by their execution thereof. Any portion of the text of any Certificate may be set forth on the reverse thereof, with an appropriate reference thereto on the face of the Certificate.

The definitive Certificates shall be printed, lithographed, or engraved, produced by any combination of these methods, or produced in any other similar manner, all as determined by the officers executing the Certificates as evidenced by their execution thereof, but the Initial

Certificate submitted to the Attorney General of Texas may be typewritten or photocopied or otherwise reproduced.

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B. Form of Definitive Certificate.*

REGISTERED
NO. _____

REGISTERED
PRINCIPAL AMOUNT
$_____

United States of America
State of Texas
County of Dawson
CITY OF LAMESA, TEXAS
COMBINATION TAX AND REVENUE
CERTIFICATES OF OBLIGATION, SERIES 2021

Certificate Date:	Interest Rate:	Stated Maturity:	CUSIP No.
February 1, 2021			

REGISTERED OWNER: _____

PRINCIPAL AMOUNT: _____

The City of Lamesa, Texas (the *City*), a body corporate and municipal corporation in the County of Dawson, State of Texas, for value received, acknowledges itself indebted to and hereby promises to pay to the order of the Registered Owner specified above, or the registered assigns thereof, on the Stated Maturity date specified above, the Principal Amount specified above (or so much thereof as shall not have been paid upon prior redemption) and to pay interest on the unpaid Principal Amount hereof (computed on the basis of a 365-day year) from the Registration Date noted on the Registration Certificate of the Paying Agent/Registrar while this Certificate is held by the initial purchaser, otherwise, from the interest payment date next preceding the Registration Date noted on the Registration Certificate of the Paying Agent/Registrar [unless this Certificate bears a Registration Date as of an interest payment date, in which case it shall bear interest from such date and except for the initial interest payment when this Certificate shall bear interest from its date of delivery (or the date of delivery of its Predecessor Certificate)], at the per annum rate specified above; such interest being payable semiannually on February 1 and August 1 of each year (each, an *Interest Payment Date*), commencing February 1, 2022.

Subject to the provisions of Section 46 of the Ordinance, principal of this Certificate shall be payable to the Registered Owner hereof (the *Holder*), upon presentation and surrender (provided, however, with respect to principal payments prior to the final Stated Maturity, the Certificates need not be surrendered to the Paying Agent/Registrar, who will merely document this payment on an internal ledger maintained by the Paying Agent/Registrar), at the corporate trust office of the Paying Agent/Registrar executing the registration certificate appearing hereon or a successor thereof. Interest shall be payable to the Holder of this Certificate (or one or more Predecessor Certificates, as defined in the Ordinance hereinafter referenced) whose name appears on the Security Register maintained by the Paying Agent/Registrar at the close of business on the Record Date, which is the fifteenth day of the month next preceding each Interest Payment Date. All payments of principal of and interest on this Certificate shall be in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public

and private debts. Interest shall be paid by the Paying Agent/Registrar by check sent on the appropriate date of payment by United States mail, first-class postage prepaid, to the Holder hereof at the address appearing in the Security Register or by such other method, acceptable to the Paying Agent/Registrar, requested by the Holder hereof at the Holder's risk and expense.

Notwithstanding the above, for so long as the Certificates are held by the United States of America, the City shall make payments directly to the Holder's local servicing office currently located in Fort Stockton, Texas and not through the Paying Agent/Registrar.

This Certificate is one of the series specified in its title issued in the aggregate principal amount of $7,035,000 (the *Certificates*) pursuant to an Ordinance adopted by the governing body of the City (the *Ordinance*), for the purpose of paying contractual obligations of the City to be incurred for making permanent public improvements and for other public purposes, to-wit: (1) designing, acquiring, constructing, purchasing, renovating, enlarging, and improving the City's combined utility system, (2) the purchase of materials, supplies, equipment, landscaping, land, and rights-of-way for authorized needs and purposes relating to the combined utility system improvements, and (3) the payment of professional services related to the design, permitting, construction, project management, and financing of the aforementioned projects, under and in strict conformity with the laws of the State of Texas, particularly Chapter 1502, as amended, Texas Government Code, the Certificate of Obligation Act of 1971, as amended, Texas Local Government Code, Section 271.041 through 271.064, and the City's Home Rule Charter.

The Certificates stated to mature on and after February 1, 2023 may be redeemed prior to their Stated Maturities, at the option of the City, on February 1, 2022, on any date thereafter, in whole or in part in principal amounts of $1,000 or any integral multiple thereof (and if within a Stated Maturity selected at random and by lot by the Paying Agent/Registrar) at the redemption price of par plus accrued interest to the date of redemption; provided, however, that at least thirty (30) days prior written notice (and while the Purchasers are the Holder, the City must directly provide 45 days advance notice of any redemption to the Purchasers) shall be sent to the Holder of the Certificates to be redeemed by United States mail, first-class postage prepaid, and subject to the terms and provisions relating thereto contained in the Ordinance. If this Certificate is subject to redemption prior to Stated Maturity and is in a denomination in excess of $1,000, or any integral multiple thereof may be redeemed, and, if less than all of the principal sum hereof is to be redeemed, there shall be issued, without charge therefor, to the Holder hereof, upon the surrender of this Certificate to the Paying Agent/Registrar at its corporate trust office, a new Certificate or Certificates of like Stated Maturity and interest rate in any authorized denominations provided in the Ordinance for the then unredeemed balance of the principal sum hereof.

PROVIDED, HOWEVER, that Certificates registered in the name of the initial purchaser shall be subject to early redemption on any date, in whole or in part, in inverse order of Stated Maturity, at the redemption price of par and accrued interest to the date of redemption.

If this Certificate (or any portion of the principal sum hereof) shall have been duly called for redemption and notice of such redemption has been duly given, then upon such redemption date this Certificate (or the portion of the principal sum hereof to be redeemed) shall become due and payable, and, if the money for the payment of the redemption price, and the interest accrued on the principal amount to be redeemed to the date of redemption is held for the purpose of such

payment by the Paying Agent/Registrar, interest shall cease to accrue and be payable hereon from and after the redemption date on the principal amount hereof to be redeemed. If this Certificate is called for redemption, in whole or in part, the City or the Paying Agent/Registrar shall not be required to issue, transfer, or exchange this Certificate within forty-five (45) days of the date fixed for redemption; provided, however, such limitation of transfer shall not be applicable to an exchange by the Holder of the unredeemed balance hereof in the event of its redemption in part.

The Certificates of this series are payable from the proceeds of an ad valorem tax levied upon all taxable property within the City, within the limitations prescribed by law, and are further payable from and secured, by a first and prior lien on and pledge of the Net Revenues (identified and defined in the Ordinance), derived from the operation of the City's combined utility system (the *System*). In the Ordinance, the City reserves and retains the right to issue Additional Prior Lien Obligations, Junior Lien Obligations, Subordinate Lien Obligations, and Limited Pledge Obligations (all as identified and defined in the Ordinance), while the Certificates are Outstanding, without limitation as to principal amount but subject to any terms, conditions or restrictions as may be applicable thereto under law or otherwise.

Reference is hereby made to the Ordinance, a copy of which is on file in the corporate trust office of the Paying Agent/Registrar, and to all of the provisions of which the Holder by his acceptance hereof hereby assents, for definitions of terms; the description of and the nature and extent of the tax levied and the revenues pledged for the payment of the Certificates; the terms and conditions under which the City may issue Additional Prior Lien Obligations, Junior Lien Obligations, Subordinate Lien Obligations, and Limited Pledge Obligations; the terms and conditions relating to the transfer or exchange of the Certificates; the conditions upon which the Ordinance may be amended or supplemented with or without the consent of the Holder; the rights, duties, and obligations of the City and the Paying Agent/Registrar; the terms and provisions upon which this Certificate may be redeemed or discharged at or prior to the Stated Maturity thereof, and deemed to be no longer Outstanding thereunder; and for the other terms and provisions specified in the Ordinance. Capitalized terms used herein have the same meanings assigned in the Ordinance.

This Certificate, subject to certain limitations contained in the Ordinance, may be transferred on the Security Register upon presentation and surrender at the corporate trust office of the Paying Agent/Registrar, duly endorsed by, or accompanied by a written instrument of transfer in form satisfactory to the Paying Agent/Registrar duly executed by the Holder hereof, or his duly authorized agent, and thereupon one or more new fully registered Certificates of the same Stated Maturity, of authorized denominations, bearing the same rate of interest, and of the same aggregate principal amount will be issued to the designated transferee or transferees.

The City and the Paying Agent/Registrar, and any agent of either, shall treat the Holder hereof whose name appears on the Security Register (i) on the Record Date as the owner hereof for purposes of receiving payment of interest hereon, (ii) on the date of surrender of this Certificate as the owner hereof for purposes of receiving payment of principal hereof at its Stated Maturity or its redemption, in whole or in part, and (iii) on any other date as the owner hereof for all other purposes, and neither the City nor the Paying Agent/Registrar, or any such agent of either, shall be affected by notice to the contrary. In the event of a non-payment of interest on a scheduled payment date, and for thirty (30) days thereafter, a new record date for such interest payment (a Special

Record Date) will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the City. Notice of the Special Record Date and of the scheduled payment date of the past due interest (the *Special Payment Date* - which shall be fifteen (15) days after the Special Record Date) shall be sent at least five (5) business days prior to the Special Record Date by United States mail, first-class postage prepaid, to the address of each Holder appearing on the Security Register at the close of business on the last business day next preceding the date of mailing of such notice.

It is hereby certified, covenanted, and represented that all acts, conditions, and things required to be performed, exist, and be done precedent to the issuance of this Certificate in order to render the same a legal, valid, and binding obligation of the City have been performed, exist, and have been done, in regular and due time, form, and manner, as required by the laws of the State of Texas and the Ordinance, and that issuance of the Certificates does not exceed any constitutional or statutory limitation; and that due provision has been made for the payment of the principal of, premium if any, and interest on the Certificates by the levy of a tax and collection of Net Revenues as aforestated. In case any provision in this Certificate or any application thereof shall be deemed invalid, illegal, or unenforceable, the validity, legality, and enforceability of the remaining provisions and applications shall not in any way be affected or impaired thereby. The terms and provisions of this Certificate and the Ordinance shall be construed in accordance with and shall be governed by the laws of the State of Texas.

[The remainder of this page intentionally left blank.]

IN WITNESS WHEREOF, the City has caused this Certificate to be duly executed under its official seal.

CITY OF LAMESA, TEXAS

By _____
Mayor

ATTEST:

_____
City Secretary

(CITY SEAL)

[The remainder of this page intentionally left blank.]

C. *Form of Registration Certificate of the Comptroller of Public Accounts to Appear on Initial Certificate Only.

REGISTRATION CERTIFICATE OF
COMPTROLLER OF PUBLIC ACCOUNTS

OFFICE OF THE COMPTROLLER OF PUBLIC ACCOUNTS	§	
	§	REGISTER NO. _____
THE STATE OF TEXAS	§	

I HEREBY CERTIFY that this Certificate has been examined, certified as to validity and approved by the Attorney General of the State of Texas, and duly registered by the Comptroller of Public Accounts of the State of Texas.

WITNESS my signature and seal of office this _____

_____
Comptroller of Public Accounts
of the State of Texas

(SEAL)

*NOTE TO PRINTER: Not to appear on printed Certificates.

D. Form of Registration Certificate of the Paying Agent/Registrar to Appear on Definitive Certificates Only.

REGISTRATION CERTIFICATE OF PAYING AGENT/REGISTRAR

This Certificate has been duly issued under the provisions of the within-mentioned Ordinance; the Certificate or Certificates of the above-entitled and designated series originally delivered having been approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts, as shown by the records of the Paying Agent/Registrar.

Registered this date:

LAMESA NATIONAL BANK, Lamesa, Texas, as Paying Agent/Registrar

_____

By: _____
Authorized Signature

*NOTE TO PRINTER: Print on Definitive Certificates.

E. Form of Assignment.

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns, and transfers unto (Print or typewrite name, address, and zip code of transferee): _____

_____

(Social Security or other identifying number): _____

the within Certificate and all rights thereunder, and hereby irrevocably constitutes and appoints _____attorney to transfer the within Certificate on the books kept for registration thereof, with full power of substitution in the premises.

DATED: _____

_____

NOTICE: The signature on this assignment must correspond with the name of the registered owner as it appears on the face of the within Certificate in every particular.

Signature guaranteed:

_____

F. The Initial Certificate shall be in the form set forth in paragraph B of this Section, except that the form of a single fully registered Initial Certificate shall be modified as follows:

(i) immediately under the name of the Certificate the headings "Interest Rate and "Stated Maturity shall both be completed "as shown below";

(ii) the first two paragraphs shall read as follows:

Registered Owner: _____

Principal Amount: _____

The City of Lamesa, Texas (the *City*), a body corporate and municipal corporation in the County of Dawson, State of Texas, for value received, acknowledges itself indebted to and hereby promises to pay to the order of the Registered Owner named above, or the registered assigns thereof, the Principal Amount specified above stated to mature on the first day of February in each of the years and in principal amounts and bearing interest at per annum rates in accordance with the following schedule:

Years of Stated Maturity	Principal Amounts ($)	Interest Rates (%)
(Information to be inserted from schedule in Section 2 hereof)		

(or so much thereof as shall not have been paid upon prior redemption) and to pay interest on the unpaid Principal Amounts hereof from the Closing Date (anticipated to occur on or about _____, 2021), or from the most recent Interest Payment Date (defined below) to which interest has been paid or duly provided for, to the earlier of redemption or Stated Maturity, at the per annum interest rate specified above (computed on the basis of a 365-day year) from the Registration Date noted on the Registration Certificate of the Paying Agent/Registrar while this Certificate is held by the initial purchaser, otherwise, from the Interest Payment Date next preceding the Registration Date noted on the Registration Certificate of the Paying Agent/Registrar [unless this Certificate bears a Registration Date as of an interest payment date, in which case it shall bear interest from such date and except for the initial interest payment when this Certificate shall bear interest from its date of delivery (or the date of delivery of its Predecessor Certificate)], at the per annum rate specified above; such interest being payable semiannually on February 1 and August 1 of each year (each, an *Interest Payment Date*), commencing February 1, 2022.

Subject to the provisions of Section 46 of the Ordinance, principal of this Certificate shall be payable to the Registered Owner hereof (the *Holder*), upon its presentation and surrender to Stated Maturity or prior redemption, while Outstanding, at the corporate trust office of Lamesa National Bank, Lamesa, Bank (the *Paying Agent/Registrar*). Interest shall be payable to the Holder of this Certificate whose name appears on the Security Register maintained by the Paying Agent/Registrar at the close of business on the Record Date, which is the fifteenth day of the month next preceding each Interest Payment Date. All payments of principal of and interest on this Certificate shall be in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts. Interest shall be paid by the Paying Agent/Registrar by check sent on or prior to the appropriate date of payment by United States mail, first-class postage prepaid, to the Holder hereof at the address appearing in the Security Register or by such other method, acceptable to the Paying Agent/Registrar, requested by, and at the risk and expense of, the Holder hereof.

G. Insurance Legend. If bond insurance is obtained by the City or the Purchasers for the Certificates, the Definitive Certificates and the Initial Certificate shall bear an appropriate legend as provided by the bond insurer.

SECTION 9. Definitions. For all purposes of this Ordinance (as defined below), except as otherwise expressly provided or unless the context otherwise requires: (i) the terms defined in this Section have the meanings assigned to them in this Section, and certain terms used in Sections 28, 45, and 46 of this Ordinance have the meanings assigned to them in Sections 28, 45, and 46 of this Ordinance, and all such terms, include the plural as well as the singular; (ii) all references in this Ordinance to designated "Sections" and other subdivisions are to the designated Sections and other subdivisions of this Ordinance as originally adopted; and (iii) the words "herein", "hereof", and "hereunder" and other words of similar import refer to this Ordinance as a whole and not to any particular Section or other subdivision.

A. The term *Additional Prior Lien Obligations* shall mean (i) any bonds, notes, warrants, certificates of obligation, or other evidences of indebtedness which the City reserves the right to issue or enter into, as the case may be, in the future under the terms and conditions provided in Section 21 of this Ordinance and which are equally and ratably secured solely by a first and prior lien on and pledge of the Net Revenues of the System and (ii) any obligations hereafter issued

to refund any of the foregoing if issued in a manner so as to be payable from and equally and ratably secured by a first and prior lien on and pledge of the Net Revenues as determined by the City Council in accordance with applicable law.

B. The term *Authorized Officials* shall mean the Mayor, the Mayor Pro Tem, City Manager, and/or the City Secretary.

C. The term *Certificates* shall mean the $7,035,000 "CITY OF LAMESA, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2021" authorized by this Ordinance.

D. The term *Certificate Fund* shall mean the special Fund created and established by the provisions of Section 10 of this Ordinance.

E. The term *City* shall mean the City of Lamesa, located in Dawson County, Texas and, where appropriate, the City Council of the City.

F. The term *Closing Date* shall mean the date of physical delivery of the Initial Certificate in exchange for the payment of the agreed purchase price for the Certificates.

G. The term *Collection Date* shall mean, when reference is being made to the levy and collection of annual ad valorem taxes, the date the annual ad valorem taxes levied each year by the City become delinquent.

H. The term *Debt Service Requirements* shall mean, as of any particular date of computation, with respect to any obligations and with respect to any period, the aggregate of the amounts to be paid or set aside by the City as of such date or in such period for the payment of the principal of, premium, if any, and interest (to the extent not capitalized) on such obligations; assuming, in the case of obligations without a fixed numerical rate, that such obligations bear interest at the maximum rate permitted by the terms thereof and further assuming in the case of obligations required to be redeemed or prepaid as to principal prior to Stated Maturity, the principal amounts thereof will be redeemed prior to Stated Maturity in accordance with the mandatory redemption provisions applicable thereto.

I. The term *Depository* shall mean an official depository bank of the City.

J. The term *Fiscal Year* shall mean the annual financial accounting period for the System now ending on September 30th of each year; provided, however, the City Council may change such annual financial accounting period to end on another date if such change is found and determined to be necessary for accounting purposes or is required by applicable law.

K. The term *Government Securities,* as used herein, shall mean (i) direct noncallable obligations of the United States, including obligations that are unconditionally guaranteed by, the United States of America; (ii) noncallable obligations of an agency or instrumentality of the United States, including obligations that are unconditionally guaranteed or insured by the agency or instrumentality and that, on the date the governing body of the issuer adopts or approves the proceedings authorizing the issuance of refunding bonds, are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent; (iii) noncallable

obligations of a state or an agency or a county, municipality, or other political subdivision of a state that have been refunded and that, on the date the governing body of the issuer adopts or approves the proceedings authorizing the issuance of refunding bonds, are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent; or (iv) any additional securities and obligations hereafter authorized by the laws of the State of Texas as eligible for use to accomplish the discharge of obligations such as the Certificates.

L. The term *Gross Revenues* for any period shall mean all revenue during such period in respect or on account of the operation or ownership of the System, excluding refundable meter deposits, restricted gifts, and grants in aid of construction, but including earnings and income derived from the investment or deposit of money in any special fund or account (except the Certificate Fund) created and established for the payment or security of the Certificates.

M. The term *Holder* or *Holders* shall mean the registered owner, whose name appears in the Security Register, for any Certificate.

N. The term *Interest Payment Date* shall mean the date semiannual interest is payable on the Certificates, being February 1 and August 1 of each year, commencing February 1, 2022, while any of the Certificates remain Outstanding.

O. The term *Junior Lien Obligations* shall mean (i) any bonds, notes, warrants, certificates of obligation or any similar obligations hereafter issued by the City that are payable wholly or in part from and equally and ratably secured by a lien on and pledge of the Net Revenues of the System, such pledge being junior and inferior to the lien on and pledge of the Net Revenues of the System that are or may be pledged to the payment of the Certificates, and any Additional Prior Lien Obligations hereafter issued by the City, but prior and superior to the lien on and pledge of the Net Revenues of the System that will be pledged to the payment of any Subordinate Lien Obligations or any Limited Pledge Obligations hereafter issued by the City all as further provided in Section 21 of this Ordinance and (ii) any obligations hereafter issued to refund any of the foregoing that are payable from and equally and ratably secured by a junior and inferior lien on and pledge of the Net Revenues of the System as determined by the City Council in accordance with any applicable law.

P. The term *Limited Pledge Obligations* shall mean (i) any bonds, notes, warrants, certificates of obligation or other evidences of indebtedness hereafter issued by the City payable, in part, from a limited pledge of and lien on Net Revenues of the System, being a lien on and pledge of Net Revenues that is subordinate and inferior to the lien thereon and pledge thereof securing the payment of the Certificates and any Additional Prior Lien Obligations, Junior Lien Obligations, or Subordinate Lien Obligations hereafter issued by the City, which pledge of revenues is limited pursuant to Section 1502.052, as amended, Texas Government Code all as further provided in Section 21 of this Ordinance, and (ii) any obligations issued to refund the foregoing as determined by the City Council in accordance with any applicable law.

Q. The term *Maintenance and Operating Expenses* shall mean all current expenses of operating and maintaining the System not paid from the proceeds of the Certificates, including (1) the cost of all salaries, labor, materials, repairs, and extensions necessary to render efficient service, but only if, in the case of repairs and extensions, they are, in the judgment of the City

Council (reasonably and fairly exercised), necessary to maintain operation of the System and render adequate service to the City and the inhabitants thereof, or are necessary to meet some physical accident or condition which would otherwise impair obligations payable from Net Revenues, (2) payments to pension, retirement, health, hospitalization, and other employee benefit funds for employees of the City engaged in the operation or maintenance of the System, (3) payments under contracts for the purchase of water supply, treatment of sewage, or other materials, goods, or services for the System to the extent authorized by law and the provisions of such contract, (4) payments to auditors, attorneys, and other consultants incurred in complying with the obligations of the City hereunder, and (5) any legal liability of the City arising out of the operation, maintenance, or condition of the System, but excluding any allowance for depreciation, property retirement, depletion, obsolescence, and other items not requiring an outlay of cash and any interest on the Certificates or other bonds, notes, warrants, or similar obligations of the City payable from Net Revenues.

R. The term *Net Revenues* for any period shall mean the Gross Revenues of the System less the Maintenance and Operating Expenses of the System.

S. The term *Ordinance* shall mean this ordinance as finally passed and adopted by the City Council of the City.

T. The term *Outstanding* when used in this Ordinance with respect to Certificates shall mean, as of the date of determination, all Certificates issued and delivered under this Ordinance, except:

(1) those Certificates canceled by the Paying Agent/Registrar or delivered to the Paying Agent/Registrar for cancellation; and

(2) those Certificates that have been mutilated, destroyed, lost, or stolen and replacement Certificates have been registered and delivered in lieu thereof as provided in Section 26 of this Ordinance.

U. The term *Purchasers* shall mean the initial purchaser or purchasers of the Certificates named in Section 27 of this Ordinance.

V. The term *State* shall mean the State of Texas.

W. The term *Stated Maturity* shall mean the annual principal payments of the Certificates payable on February 1 of each year the Certificates are Outstanding as set forth in Section 2 of this Ordinance.

X. The term *Subordinate Lien Obligations* shall mean (i) any bonds, notes, warrants, certificates of obligation, or any similar obligations hereafter issued by the City that are payable, in whole or in part, from and equally and ratably secured by a lien on and pledge of the Net Revenues of the System, such pledge being subordinate and inferior to the lien on and pledge of the Net Revenues of the System that are or will be pledged to the payment of the Certificates and any Additional Prior Lien Obligations or Junior Lien Obligations hereafter issued by the City, but prior and superior to the lien on and pledge of the limited amount of the Net Revenues securing the payment of any Limited Pledge Obligations hereafter issued by the City, all as further provided

in Section 21 of the Ordinance, and (ii) any obligations hereafter issued to refund any of the foregoing that are payable from and equally and ratably secured by a subordinate and inferior lien on and pledge of the Net Revenues of the System as determined by the City Council in accordance with any applicable law.

Y. The term *System* shall mean all properties, facilities and plants currently owned, operated, and maintained by the City for the supply, treatment, and transmission of treated potable water, for the collection and treatment of wastewater, together with all future extensions, improvements, replacements and additions thereto, whether situated within or without the limits of the City and the City expressly reserves the right at its sole discretion to include additional utility, telecommunications, technology, or similar enterprise services as components of the System; provided, however, that notwithstanding the foregoing, and to the extent now or hereafter authorized or permitted by law, the term System shall not mean to include facilities of any kind which are declared not to be a part of the System and which are acquired or constructed by or on behalf of the City with the proceeds from the issuance of *Special Facilities Bonds,* which are hereby defined as being special revenue obligations of the City which are not payable from Net Revenues but which are payable from and equally and ratably secured by other liens on and pledges of any revenues, sources or payments, not pledged to the payment of the Certificates including, but not limited to, special contract revenues or payments received from any other legal entity in connection with such facilities.

SECTION 10. Certificate Fund – Investments. For the purpose of paying the interest on and to provide a sinking fund for the payment, redemption, and retirement of the Certificates, there shall be and is hereby created a special fund to be designated "COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2021 INTEREST AND SINKING FUND" (the *Certificate Fund*), which fund shall be kept and maintained at the Depository, and money deposited in such fund shall be used for no other purpose and shall be maintained as provided in Section 28. Authorized Officials of the City are hereby authorized and directed to make withdrawals from said fund sufficient to pay the purchase price or the amount of principal of, premium, if any, and interest on the Certificates as the same become due and payable and shall cause to be transferred to the Paying Agent/Registrar from money on deposit in the Certificate Fund an amount sufficient to pay the amount of principal and/or interest stated to mature on the Certificates, such transfer of funds to the Paying Agent/Registrar to be made in such manner as will cause immediately available funds to be deposited with the Paying Agent/Registrar on or before the last business day next preceding each interest and principal payment date for the Certificates.

Pending the transfer of funds to the Paying Agent/Registrar, money in any fund established by this Ordinance may, at the option of the City, be placed in time deposits, certificates of deposit, guaranteed investment contracts, or similar contractual agreements, as permitted by the provisions of the Public Funds Investment Act, as amended, Chapter 2256, Texas Government Code, secured (to the extent not insured by the Federal Deposit Insurance Corporation) by obligations of the type hereinafter described, or be invested, as authorized by any law, including investments held in book-entry form, in securities, including, but not limited to, direct obligations of the United States of America, obligations guaranteed or insured by the United States of America, which, in the opinion of the Attorney General of the United States, are backed by its full faith and credit or represent its general obligations, or invested in indirect obligations of the United States of America, including,

but not limited to, evidences of indebtedness issued, insured or guaranteed by such governmental agencies as the Federal Land Banks, Federal Intermediate Credit Banks, Banks for Cooperatives, Federal Home Loan Banks, Government National Mortgage Association, Farmers Home Administration, Federal Home Loan Mortgage Association, or Federal Housing Association; provided that all such deposits and investments shall be made in such a manner that the money required to be expended from such fund will be available at the proper time or times. All interest and income derived from deposits and investments in any fund established pursuant to the provisions of this Ordinance shall be credited to, and any losses debited to, such fund. All such investments shall be sold promptly when necessary to prevent any default in connection with the Certificates.

Notwithstanding the foregoing and to the extent permitted by law, while the Certificates are held by the United States of America any funds invested pursuant to the provisions of this Ordinance shall only be invested in Government Securities.

SECTION 11. Tax Levy. To provide for the payment of the Debt Service Requirements on the Certificates being (i) the interest on the Certificates and (ii) a sinking fund for their redemption at Stated Maturity or a sinking fund of 2% (whichever amount shall be the greater), there shall be and there is hereby levied for the current year and each succeeding year thereafter while the Certificates or any interest thereon shall remain Outstanding, a sufficient tax, within the limitations prescribed by law, on each one hundred dollars valuation of taxable property in the City, adequate to pay such Debt Service Requirements, full allowance being made for delinquencies and costs of collection; said tax shall be assessed and collected each year and applied to the payment of the Debt Service Requirements, and the same shall not be diverted to any other purpose. The taxes so levied and collected shall be paid into the Certificate Fund and are thereafter pledged to the payment of the Certificates. The City Council hereby declares its purpose and intent to provide and levy a tax legally and fully sufficient to pay such Debt Service Requirements, it having been determined that the existing and available taxing authority of the City for such purpose is adequate to permit a legally sufficient tax in consideration of all other outstanding indebtedness and other obligations of the City.

The amount of taxes to be provided annually for the payment of the principal of and interest on the Certificates shall be determined and accomplished in the following manner:

A. Prior to the date the City Council establishes the annual tax rate and passes an ordinance levying ad valorem taxes each year, the City Council shall determine:

(1) the amount of Debt Service Requirements to become due and payable on the Certificates between the Collection Date for the taxes then to be levied and the Collection Date for the taxes to be levied during the next succeeding calendar year;

(2) the amount on deposit in the Certificate Fund after (a) deducting therefrom the total amount of Debt Service Requirements to become due on the Certificates prior to the Collection Date for the ad valorem taxes to be levied and (b) adding thereto the amount of the Net Revenues, if any, to be appropriated and allocated during such year to pay such Debt Service Requirements prior to the Collection Date for the ad valorem taxes to be levied; and

(3) the amount of Net Revenues to be appropriated and to be set aside for the payment of the Debt Service Requirements on the Certificates between the Collection Date for the taxes then to be levied and the Collection Date for the taxes to be levied during the next succeeding Fiscal Year.

B. The amount of taxes to be levied annually each year to pay the Debt Service Requirements on the Certificates shall be the amount established in paragraph (1) above less the sum total of the amounts established in paragraphs (2) and (3), after taking into consideration delinquencies and costs of collecting such annual taxes.

SECTION 12. Pledge of Revenues.

A. The City hereby covenants and agrees that, subject to (i) any prior lien on and pledge of the Net Revenues of the System to the payment and security of the Certificates and any Additional Prior Lien Obligations hereafter issued by the City and (ii) the lien on and pledge of the Net Revenues to the payment and security of any Junior Lien Obligations, Subordinate Lien Obligations, or Limited Pledge Obligations hereafter issued by the City, the Net Revenues are hereby irrevocably pledged to the payment of the principal of and interest on the Certificates and the pledge of Net Revenues herein made for the payment of the Certificates shall constitute a lien on the Net Revenues in accordance with the terms and provisions hereof and be valid and binding without any physical delivery thereof or further act by the City.

B. Chapter 1208, Texas Government Code, applies to the issuance of the Certificates and the pledge of Net Revenues granted by the City under subsection (A) of this Section, and such pledge is therefore valid, effective, and perfected. If Texas law is amended at any time while the Certificates are outstanding and unpaid such that the pledge of the Net Revenues granted by the City is to be subject to the filing requirements of Chapter 9, Texas Business & Commerce Code, then in order to preserve to the registered owners of the Certificates the perfection of the security interest in this pledge, the City agrees to take such measures as it determines are reasonable and necessary under Texas law to comply with the applicable provisions of Chapter 9, Texas Business & Commerce Code and enable a filing to perfect the security interest in this pledge to occur.

SECTION 13. System Fund. The City hereby covenants and agrees that all Gross Revenues derived from the operation of the System shall be kept separate and apart from all other funds, accounts and money of the City and shall be deposited as collected into the "CITY OF LAMESA, TEXAS UTILITY SYSTEM FUND" (the *System Fund*). All money deposited in the System Fund shall be pledged and appropriated to the extent required for the following purposes and in the order of priority shown:

- First: To the payment of the reasonable and proper Maintenance and Operating Expenses of the System required by statute or ordinances authorizing the issuance of any indebtedness of the City to be a first charge on and claim against the Gross Revenues of the System;

- Second: To the payment of the amounts that must be deposited in the special funds and accounts created and established for the payment, security, and benefit of the Certificates and any Additional Prior Lien Obligations hereafter issued by the City

in accordance with the terms and provisions of any ordinance authorizing their issuance;

- Third: To the payment of the amounts that must be deposited in the special funds and accounts created and established for the payment, security, and benefit of any Junior Lien Obligations hereafter issued by the City in accordance with the terms and provisions of any ordinance authorizing their issuance;

- Fourth: To the payment of the amounts that must be deposited in the special funds and accounts created and established for the payment, security, and benefit of any Subordinate Lien Obligations hereafter issued by the City; and

- Fifth: To the payment of the amounts that may be deposited in the special funds and accounts established for the payment of any Limited Pledge Obligations hereafter issued by the City.

- Sixth: To the payment of the amounts that must be deposited in the Repair and Replacement Account (hereinafter defined) as provided in Section 18 of this Ordinance.

Any Net Revenues remaining in the System Fund after satisfying the foregoing payments, or making adequate and sufficient provision for the payment, security and benefit thereof, may be appropriated and used for any other City purpose now or hereafter permitted by law and in accordance with the provisions of a Loan Resolution (Public Bodies) previously adopted by the City for the benefit of the United States of America.

SECTION 14. Deposits to Certificate Fund – Surplus Certificate Proceeds. The City hereby covenants and agrees to cause to be deposited in the Certificate Fund prior to a principal and interest payment date for the Certificates, from the Net Revenues in the System Fund, after the deduction of all payments required to be made to the special funds or accounts created for the payment, security, and benefit of the Certificates and any Additional Prior Lien Obligations, Junior Lien Obligations, Subordinate Lien Obligations, or Limited Pledge Obligations hereafter issued by the City, any amounts budgeted to be paid therefrom in such Fiscal Year.

Accrued interest, if any, received from the Purchasers of the Certificates shall be deposited to the Certificate Fund and ad valorem taxes levied and collected for the benefit of the Certificates shall be deposited to the Certificate Fund. Subject to the provisions of 7 C.F.R. §1780.45(f), any surplus proceeds, including investment income thereon, from the sale of the Certificates not expended for authorized purposes shall be deposited in the Certificate Fund, and such amounts so deposited shall reduce the sums otherwise required to be deposited in said fund from ad valorem taxes.

SECTION 15. Security of Funds. All money on deposit in the funds for which this Ordinance makes provision (except any portion thereof as may be at any time properly invested as provided herein) shall be secured in the manner and to the fullest extent required by the laws of Texas for the security of public funds and the Loan Resolution and the Letter of Conditions

executed between the United States of America and the City relating to the Certificates, and money on deposit in such funds shall be used only for the purposes permitted by this Ordinance.

SECTION 16. Maintenance of System - Insurance. The City covenants and agrees that while the Certificates remain Outstanding it will maintain and operate the System with all possible efficiency and maintain casualty and other insurance (including a system of self-insurance) on the properties of the System and its operations of a kind and in such amounts customarily carried by municipal corporations in the State of Texas engaged in a similar type of business (which may include an adequate program of self-insurance) all in accordance with the commitment letter between the City and the United States of America; and that it will faithfully and punctually perform all duties with reference to the System required by the laws of the State of Texas. All money received from losses under such insurance policies, other than public liability policies, are held for the benefit of the holders of the Certificates until and unless the proceeds are paid out in making good the loss or damage in respect of which such proceeds are received, either by replacing the property destroyed or repairing the property damaged, and adequate provision for making good such loss or damage must be made within ninety (90) days after the date of loss. The payment of premiums for all insurance policies required under the provisions hereof shall be considered Maintenance and Operating Expenses. Nothing in this Ordinance shall be construed as requiring the City to expend any funds which are derived from sources other than the operation of the System but nothing herein shall be construed as preventing the City from doing so.

SECTION 17. Rates and Charges. The City hereby covenants and agrees with the Holders of the Certificates that rates and charges for utility services afforded by the System will be established and maintained to provide Gross Revenues sufficient at all times:

A. to pay, together with any other lawfully available funds, all operating, maintenance, depreciation, replacement, betterment, and other costs incurred in the maintenance and operation of the System, including, but not limited to, Maintenance and Operating Expenses; provided, however, that the City expressly reserves the right to utilize other lawfully available funds to pay the Maintenance and Operating Expenses;

B. to produce Net Revenues sufficient, together with any other lawfully available funds, to pay (i) the interest on and principal of the Certificates and any Additional Prior Lien Obligations hereafter issued by the City as the same becomes due and payable and the amounts required to be deposited in any special fund created and established for the payment, security, and benefit thereof; (ii) the interest on and principal of any Junior Lien Obligations hereafter issued by the City as the same becomes due and payable and the amounts required to be deposited in any special fund created and established for the payment, security, and benefit thereof; (iii) the interest on and principal of any Subordinate Lien Obligations hereafter issued by the City as the same becomes due and payable and the amounts required to be deposited in any special fund created and established for the payment, security, and benefit thereof; and (iv) the amounts that may be deposited in the special funds established for the payment of any Limited Pledge Obligations hereafter issued by the City; and

C. to pay other legally incurred indebtedness payable from the Net Revenues of the System and/or secured by a lien on the System or the Net Revenues thereof.

SECTION 18. Repair and Replacement Account. The City hereby creates and establishes and covenants to maintain a special fund or account to be known as the "City of Lamesa, Texas Utility System Repair and Replacement Account" (the *Repair and Replacement Account*) and the Repair and Replacement Account shall be maintained at the Depository. Money on deposit in the Repair and Replacement Account shall be used for meeting contingencies of any nature in connection with the operations, maintenance, improvement, replacement, or relocation of properties constituting the System, including, but not limited to, the replacement of any equipment relating to the System, as may be determined from time to time by the City Council.

The City covenants that the Net Revenues of the System, after making the payments as required by the provisions of Section 13 of this Ordinance, should be paid into the Repair and Replacement Account in an annual sum equal to $28,042 (the *Required Amount*); provided, however, that the City, with the written consent of the Purchaser, may suspend these annual payments when the Required Amount contains a sufficient amount of funds to address the City's short-lived asset needs.

When and so long as the cash and investments in the Repair and Replacement Account equal the Required Amount, no deposits need be made to the credit of the Repair and Replacement Account; but, if and when the Repair and Replacement Account at any time contains less than the Required Amount, the City covenants and agrees to cure the deficiency in the Required Amount by resuming monthly deposits to said Fund from the Net Revenues of the System, or any other lawfully available funds, such monthly deposits to be in amounts equal to not less than 1/120th of the Required Amount covenanted by the City to be maintained in the Repair and Replacement Account with any such deficiency payments being made on or before the tenth day of each month until the Required Amount has been fully restored. The City further covenants and agrees that, subject only to the prior payments to be made to the Certificate Fund relating to the Certificates and as set forth in Section 11 of this Ordinance, the Net Revenues shall be applied and appropriated and used to establish and maintain the Required Amount and to cure any deficiency in such amounts as required by the terms of this Ordinance and any other ordinance pertaining to the issuance of any Additional Prior Lien Obligations.

During such time as the Repair and Replacement Account contains the Required Amount, the City may, at its option, withdraw all surplus funds in the Repair and Replacement Account in excess of the Required Amount and deposit such surplus in the Certificate Fund.

SECTION 19. Records and Accounts - Annual Audit. The City further covenants and agrees that so long as any of the Certificates remain Outstanding it will keep and maintain separate and complete records and accounts pertaining to the operations of the System in which complete and correct entries shall be made of all transactions relating thereto, as provided by Chapter 1502, as amended, Texas Government Code, or other applicable law, including the requirements contained in the commitment letter between the City and the United States of America relating to the issuance of the Certificates.

The Holders of the Certificates or any duly authorized agent or agents of the Holders shall have the right to inspect the System and all properties comprising the same. The City further agrees that, following the close of each Fiscal Year, it will cause an audit of such books and accounts to be made by an independent firm of certified public accountants. Copies of each annual

audit shall be furnished, within 180 days of the close of each Fiscal Year, to the Executive Director of the Municipal Advisory Council of Texas at her office in Austin, Texas, to the Purchasers of the Certificates, and, upon written request, any subsequent holder thereof. Expenses incurred in making the annual audit of the operations of the System are to be regarded as Maintenance and Operating Expenses.

SECTION 20. Remedies in Event of Default. In addition to all the rights and remedies provided by the laws of the State of Texas, the City covenants and agrees particularly that in the event the City (a) defaults in the payments to be made to the Certificate Fund, or (b) defaults in the observance or performance of any other of the covenants, conditions, or obligations set forth in this Ordinance, the Holders of any of the Certificates shall be entitled to seek a writ of mandamus issued by a court of proper jurisdiction compelling and requiring the governing body of the City and other officers of the City to observe and perform any covenant, condition, or obligation prescribed in this Ordinance.

No delay or omission to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver of any such default or acquiescence therein, and every such right and power may be exercised from time to time and as often as may be deemed expedient. The specific remedies herein provided shall be cumulative of all other existing remedies and the specification of such remedies shall not be deemed to be exclusive.

SECTION 21. Issuance of Additional Prior Lien Obligations, Junior Lien Obligations, Subordinate Lien Obligations, and Limited Pledge Obligations. The City hereby expressly reserves the right to hereafter issue bonds, notes, warrants, certificates of obligation, or similar obligations, payable, wholly or in part, as appropriate, from and secured by a pledge of and lien on the Net Revenues of the System with the following priorities, without limitation as to principal amount, but subject to any terms, conditions, or restrictions applicable thereto under existing ordinances, laws, or otherwise; provided however, to the extent permitted by law, and while the United States of America is the Holder of the Certificates, the City shall not issue any Additional Prior Lien Obligations without the prior written consent of the United States of America:

A. Additional Prior Lien Obligations payable from and equally and ratably secured by a first and prior lien on and pledge of the Net Revenues of the System;

B. Junior Lien Obligations payable from and equally and ratably secured, in whole or in part, by a junior and inferior lien on and pledge of the Net Revenues of the System that is junior and inferior to the lien on and pledge of the Net Revenues of the System securing the payment of the Certificates and any Additional Prior Lien Obligations hereafter issued by the City, but prior and superior to the lien on and pledge thereof securing the payment of any Subordinate Lien Obligations or Limited Pledge Obligations hereafter issued by the City;

C. Subordinate Lien Obligations that are payable from and equally and ratably secured, in whole or in part, by a lien on and pledge of the Net Revenues of the System that is subordinate and inferior to the lien on and pledge thereof securing the payment of the Certificates and any Additional Prior Lien Obligations or Junior Lien Obligations hereafter issued by the City, but prior and superior to the lien on and pledge thereof securing the payment of any Limited Pledge Obligations hereafter issued by the City; and

D. Limited Pledge Obligations secured by a lien on and pledge of a limited amount of the Net Revenues in accordance with the provisions of the following paragraph.

Additional Prior Lien Obligations, Junior Lien Obligations, or Subordinate Lien Obligations, if issued, may be payable, in whole or in part, from Net Revenues (without impairment of the obligation of contract with the holders of any Limited Pledge Obligations) upon such terms and conditions as the City Council may determine. Limited Pledge Obligations, if issued and payable, in whole or in part, from Pledged Revenues (defined in the same or similar terms as provided in Section 9 in the ordinance authorizing the issuance of any Limited Pledge Obligations), shall not in any event be construed to be payable from the Pledged Revenues authorized in the ordinance authorizing the issuance of any Limited Pledge Obligations to be budgeted and appropriated for the payment of any Limited Pledge Obligations. However, the lien on and pledge of the limited amount of Net Revenues securing, in part, the payment of any Limited Pledge Obligations shall be subordinate and inferior to the pledge of and lien on the Net Revenues securing the payment of the Certificates and any Additional Prior Lien Obligations, Junior Lien Obligations, or any Subordinate Lien Obligations hereafter issued by the City.

SECTION 22. Special Covenants. The City hereby further covenants that:

A. it has the lawful power to pledge the Net Revenues supporting the Certificates and has lawfully exercised said powers under the laws of the State of Texas, including power existing under Chapter 1502, as amended, Texas Government Code, and the Certificate of Obligation Act of 1971, as amended, Texas Local Government Code, Section 271.041 through Section 271.064;

B. other than for the payment of the Certificates, the Net Revenues of the System have not in any manner been pledged to the payment of any debt or obligation of the City or of the System;

C. as long as any Certificates or any interest thereon remain Outstanding, the City will not sell, lease or encumber (except in the manner provided in Section 21 of this Ordinance) the System or any substantial part thereof, provided that this covenant shall not be construed to prohibit the sale of such machinery, or other properties or equipment which has become obsolete or otherwise unsuited to the efficient operation of the System;

D. no free service of the System shall be allowed, and should the City or any of its agents or instrumentalities make use of the services and facilities of the System, payment of the reasonable value thereof shall be made by the City out of funds from sources other than the revenues and income of the System;

E. to the extent that it legally may, the City further covenants and agrees that, so long as any of the Certificates, or any interest thereon, are Outstanding, no franchise shall be granted for the installation or operation of any competing utility systems other than those owned by the City, and the operation of any such systems by anyone other than the City is hereby prohibited; and

F. it will require mandatory use of the System by the residents of the City and that it shall enforce this obligation pursuant to all available remedies pursuant to the then applicable laws of the State of Texas.

SECTION 23. Application of the Covenants and Agreements of any Additional Prior Lien Obligations. It is the intention of the City Council and accordingly hereby recognized and stipulated that the provisions, agreements, and covenants contained herein bearing upon the management and operations of the System, and the administration and application of Gross Revenues derived from the operation thereof, shall to the extent possible be harmonized with like provisions, agreements, and covenants contained in the ordinances authorizing the issuance of the Certificates or any Additional Prior Lien Obligations hereafter issued by the City, and to the extent of any irreconcilable conflict between the provisions contained herein and in the ordinances authorizing the Certificates or any Additional Prior Lien Obligations (to the extent they are not in conflict with the Loan Resolution and Letter of Conditions relating to the Certificates) the provisions contained therein shall prevail to the extent of such conflict and be applicable to this Ordinance, especially the priority of rights and benefits conferred thereby to the Holders of the Certificates and any Additional Prior Lien Obligations hereafter issued by the City. Prior to the issuance of any Additional Prior Lien Obligations, Junior Lien Obligations, Subordinate Lien Obligations, or Limited Pledge Obligations the City must satisfy any conditions precedent established by law and each of the conditions precedent contained in the ordinance authorizing the issuance of the Certificates.

SECTION 24. Notices to Holders – Waiver. Wherever this Ordinance provides for notice to Holders of any event, such notice shall be sufficiently given (unless otherwise herein expressly provided) if in writing and sent by United States mail, first-class postage prepaid, to the address of each Holder as it appears in the Security Register.

In any case where notice to Holders is given by mail, neither the failure to mail such notice to any particular Holders, nor any defect in any notice so mailed, shall affect, except that such provision shall not apply to the United States of America, the sufficiency of such notice with respect to all other Holders. Where this Ordinance provides for notice in any manner, such notice may be waived in writing by the Holder entitled to receive such notice, either before or after the event with respect to which such notice is given, and such waiver shall be the equivalent of such notice. Waivers of notice by Holders shall be filed with the Paying Agent/Registrar, but such filing shall not be a condition precedent to the validity of any action taken in reliance upon such waiver.

SECTION 25. Cancellation. All Certificates surrendered for payment, redemption, transfer, exchange, or replacement, if surrendered to the Paying Agent/Registrar, shall be promptly canceled by it and, if surrendered to the City, shall be delivered to the Paying Agent/Registrar and, if not already canceled, shall be promptly canceled by the Paying Agent/Registrar. The City may at any time deliver to the Paying Agent/Registrar for cancellation any Certificates previously certified or registered and delivered which the City may have acquired in accordance with the provisions of this Ordinance, and all Certificates so delivered shall be promptly canceled by the Paying Agent/Registrar. All canceled Certificates held by the Paying Agent/Registrar shall be destroyed as directed by the City.

SECTION 26. Mutilated, Destroyed, Lost, and Stolen Certificates. If (1) any mutilated Certificate is surrendered to the Paying Agent/Registrar, or the City and the Paying Agent/Registrar receive evidence to their satisfaction of the destruction, loss, or theft of any Certificate, and (2) there is delivered to the City and the Paying Agent/Registrar such security or indemnity as may be required (except that the United States of America, to the extent permitted

by law, shall not be required to provide any security or indemnity) to save each of them harmless, then, in the absence of notice to the City or the Paying Agent/Registrar that such Certificate has been acquired by a bona fide purchaser, the City shall execute and, upon its request, the Paying Agent/Registrar shall register and deliver, in exchange for or in lieu of any such mutilated, destroyed, lost, or stolen Certificate, a new Certificate of the same Stated Maturity and interest rate and of like tenor and principal amount, bearing a number not contemporaneously outstanding.

In case any such mutilated, destroyed, lost, or stolen Certificate has become or is about to become due and payable, the City in its discretion may, instead of issuing a new Certificate, pay such Certificate.

Upon the issuance of any new Certificate or payment in lieu thereof, under this Section, the City may require payment by the Holder of a sum sufficient to cover any tax or other governmental charge imposed in relation thereto and any other expenses (including attorney's fees and the fees and expenses of the Paying Agent/Registrar) connected therewith.

Every new Certificate issued pursuant to this Section in lieu of any mutilated, destroyed, lost, or stolen Certificate shall constitute a replacement of the prior obligation of the City, whether or not the mutilated, destroyed, lost, or stolen Certificate shall be at any time enforceable by anyone, and shall be entitled to all the benefits of this Ordinance equally and ratably with all other Outstanding Certificates.

The provisions of this Section are exclusive and shall preclude (to the extent lawful) all other rights and remedies with respect to the replacement and payment of mutilated, destroyed, lost, or stolen Certificates.

SECTION 27. Sale of the Certificates - Use of Proceeds. The sale of the Certificates to the United States of America, acting through the United States Department of Agriculture (the *Purchasers* and having all the rights, benefits, and obligations of a Holder) at the price of par is hereby confirmed. Delivery of the Certificates shall be made to the Purchasers as soon as practicable after the adoption of this Ordinance, upon payment therefor in accordance with the terms of sale.

Proceeds from the sale of the Certificates shall be applied as follows:

A. Accrued interest, if any, received from the Purchasers shall be deposited into the Certificate Fund.

B. The balance of the proceeds derived from the sale of the Certificates (after paying costs of issuance) shall be deposited into the special construction account or accounts created for the projects to be constructed with the proceeds of the Certificates. This special construction account shall be established and maintained at the Depository and shall be invested in accordance with the provisions of Section 10 of this Ordinance. Interest earned on the proceeds of the Certificates pending completion of construction of the projects financed with such proceeds shall be accounted for, maintained, deposited, and expended as permitted by the provisions of Chapter 1201, as amended, Texas Government Code, or as required by any other applicable law. Thereafter, such amounts shall be expended in accordance with Section 14 of this Ordinance.

SECTION 28. Covenants to Maintain Tax-Exempt Status.

A. Definitions. When used in this Section, the following terms have the following meanings:

"Closing Date" means the date of physical delivery of the Initial Certificates in exchange for the payment in full by the Purchasers.

"Code" means the Internal Revenue Code of 1986, as amended by all legislation, if any, effective on or before the Closing Date.

"Computation Date" has the meaning set forth in Section 1.148-1(b) of the Regulations.

"Gross Proceeds" means any proceeds as defined in Section 1.148-1(b) of the Regulations, and any replacement proceeds as defined in Section 1.148-1(c) of the Regulations, of the Certificates.

"Investment" has the meaning set forth in Section 1.148-1(b) of the Regulations.

"Nonpurpose Investment" means any investment property, as defined in section 148(b) of the Code, in which Gross Proceeds of the Certificates are invested and which is not acquired to carry out the governmental purposes of the Certificates.

"Rebate Amount" has the meaning set forth in Section 1.148-1(b) of the Regulations.

"Regulations" means any proposed, temporary, or final Income Tax Regulations issued pursuant to sections 103 and 141 through 150 of the Code, and 103 of the Internal Revenue Code of 1954, which are applicable to the Certificates. Any reference to any specific Regulation shall also mean, as appropriate, any proposed, temporary or final Income Tax Regulation designed to supplement, amend or replace the specific Regulation referenced.

"Yield" of

(1) any Investment has the meaning set forth in Section 1.148-5 of the Regulations; and

(2) the Certificates means the yield as calculated pursuant to Section 1.148-4 of the Regulations.

B. Not to Cause Interest to Become Taxable. The City shall not use, permit the use of, or omit to use Gross Proceeds or any other amounts (or any property the acquisition, construction or improvement of which is to be financed or refinanced directly or indirectly with Gross Proceeds) in a manner which if made or omitted, respectively, would cause the interest on any Certificate to become includable in the gross income, as defined in section 61 of the Code, of the owner thereof for federal income tax purposes. Without limiting the generality of the

foregoing, unless and until the City receives a written opinion of counsel nationally recognized in the field of municipal bond law to the effect that failure to comply with such covenant will not adversely affect the exemption from federal income tax of the interest on any Certificate, the City shall comply with each of the specific covenants in this Section.

C. No Private Use or Private Payments. Except to the extent it will not cause the Certificates to become "private activity bonds" within the meaning of section 141 of the Code and the Regulations and rulings thereunder, the City shall at all times prior to the last Stated Maturity of Certificates:

(1) exclusively own, operate and possess all property the acquisition, construction or improvement of which is to be financed or refinanced directly or indirectly with Gross Proceeds of the Certificates, and not use or permit the use of such Gross Proceeds (including all contractual arrangements with terms different than those applicable to the general public) or any property acquired, constructed or improved with such Gross Proceeds in any activity carried on by any person or entity (including the United States or any agency, department and instrumentality thereof) other than a state or local government, unless such use is solely as a member of the general public; and

(2) not directly or indirectly impose or accept any charge or other payment by any person or entity who is treated as using Gross Proceeds of the Certificates or any property the acquisition, construction or improvement of which is to be financed or refinanced directly or indirectly with such Gross Proceeds, other than taxes of general application within the City or interest earned on investments acquired with such Gross Proceeds pending application for their intended purposes.

D. No Private Loan. Except to the extent it will not cause the Certificates to become "private activity bonds" within the meaning of section 141 of the Code and the Regulations and rulings thereunder, the City shall not use Gross Proceeds of the Certificates to make or finance loans to any person or entity other than a state or local government. For purposes of the foregoing covenant, such Gross Proceeds are considered to be "loaned" to a person or entity if- (1) property acquired, constructed or improved with such Gross Proceeds is sold or leased to such person or entity in a transaction which creates a debt for federal income tax purposes; (2) capacity in or service from such property is committed to such person or entity under a take-or-pay, output or similar contract or arrangement; or (3) indirect benefits, or burdens and benefits of ownership, of such Gross Proceeds or any property acquired, constructed or improved with such Gross Proceeds are otherwise transferred in a transaction which is the economic equivalent of a loan.

E. Not to Invest at Higher Yield. Except to the extent it will not cause the Certificates to become "arbitrage bonds" within the meaning of section 148 of the Code and the Regulations and rulings thereunder, the City shall not at any time prior to the final Stated Maturity of the Certificates directly or indirectly invest Gross Proceeds in any Investment, if as a result of such investment the Yield of any Investment acquired with Gross Proceeds, whether then held or previously disposed of, materially exceeds the Yield of the Certificates.

F. Not Federally Guaranteed. Except to the extent permitted by section 149(b) of the Code and the Regulations and rulings thereunder, the City shall not take or omit to take any action

which would cause the Certificates to be federally guaranteed within the meaning of section 149(b) of the Code and the Regulations and rulings thereunder.

G. Information Report. The City shall timely file the information required by section 149(e) of the Code with the Secretary of the Treasury on Form 8038-G or such other form and in such place as the Secretary may prescribe.

H. Rebate of Arbitrage Profits. Except to the extent otherwise provided in section 148(f) of the Code and the Regulations and rulings thereunder, or except to the extent the City complies with Subsection J of this Section:

(1) The City shall account for all Gross Proceeds (including all receipts, expenditures and investments thereof) on its books of account separately and apart from all other funds (and receipts, expenditures and investments thereof) and shall retain all records of accounting for at least six years after the day on which the last Outstanding Certificate is discharged. However, to the extent permitted by law, the City may commingle Gross Proceeds of the Certificates with other money of the City, provided that the City separately accounts for each receipt and expenditure of Gross Proceeds and the obligations acquired therewith.

(2) Not less frequently than each Computation Date, the City shall calculate the Rebate Amount in accordance with rules set forth in section 148(f) of the Code and the Regulations and rulings thereunder. The City shall maintain such calculations with its official transcript of proceedings relating to the issuance of the Certificates until six years after the final Computation Date.

(3) As additional consideration for the purchase of the Certificates by the Purchasers and the loan of the money represented thereby and in order to induce such purchase by measures designed to insure the excludability of the interest thereon from the gross income of the owners thereof for federal income tax purposes, the City shall pay to the United States out of the Certificate Fund or its general fund, as permitted by applicable Texas statute, regulation or opinion of the Attorney General of the State of Texas, the amount that when added to the future value of previous rebate payments made for the Certificates equals (i) in the case of a Final Computation Date as defined in Section 1.148-3(e)(2) of the Regulations, one hundred percent (100%) of the Rebate Amount on such date; and (ii) in the case of any other Computation Date, ninety percent (90%) of the Rebate Amount on such date. In all cases, the rebate payments shall be made at the times, in the installments, to the place and in the manner as is or may be required by section 148(f) of the Code and the Regulations and rulings thereunder, and shall be accompanied by Form 8038-T or such other forms and information as is or may be required by section 148(f) of the Code and the Regulations and rulings thereunder.

(4) The City shall exercise reasonable diligence to assure that no errors are made in the calculations and payments required by paragraphs (2) and (3), and if an error is made, to discover and promptly correct such error within a reasonable amount of time thereafter (and in all events within one hundred eighty (180) days after discovery of the

error), including payment to the United States of any additional Rebate Amount owed to it, interest thereon, and any penalty imposed under Section 1.148-3(h) of the Regulations.

I. Not to Divert Arbitrage Profits. Except to the extent permitted by section 148 of the Code and the Regulations and rulings thereunder, the City shall not, at any time prior to the earlier of the Stated Maturity or final payment of the Certificates, enter into any transaction that reduces the amount required to be paid to the United States pursuant to Subsection H of this Section because such transaction results in a smaller profit or a larger loss than would have resulted if the transaction had been at arm's length and had the Yield of the Certificates not been relevant to either party.

J. No Rebate Required. The City need not comply with the covenants and duties imposed by the provisions of Subsection H. of this Section if:

(1) the City is a governmental unit with general taxing powers;

(2) 95% of the Net Proceeds of the Certificates and all income from the investment thereof will be used for the governmental activities of the City;

(3) the aggregate face amount, within the meaning of Section 1.148 8(c)(1) of the Regulations, of all debt obligations (other than private activity bonds) issued or expected to be issued by the City or any subordinate entity in the calendar year in which the Certificates are issued is not reasonably expected to exceed $5,000,000; and

(4) the City otherwise satisfies the requirements of paragraph (4)(c) of section 148(f) of the Code and Section 1.148 8 of the Regulations and rulings thereunder.

K. Certificates Not Hedge Bonds.

(1) The City reasonably expects to spend at least 85% of the spendable proceeds of the Certificates within three years after such Certificates are issued.

(2) Not more than 50% of the proceeds of the Certificates will be invested in Nonpurpose Investments having a substantially guaranteed Yield for a period of 4 years or more.

L. Elections. The City hereby directs and authorizes any Authorized Official, either individually or any combination of them, to make elections permitted or required pursuant to the provisions of the Code or the Regulations, as they deem necessary or appropriate in connection with the Certificates, in the Certificate as to Tax Exemption or similar or other appropriate certificate, form or document. Such elections shall be deemed to be made on the Closing Date.

M. Qualified Tax-Exempt Obligations. The City hereby designates the Certificates as qualified tax-exempt obligations for purposes of section 265(b) of the Code. In furtherance of such designation, the City represents, covenants and warrants the following: (a) during the calendar year in which the Certificates are issued, the City (including any subordinate entities) has not designated nor will designate obligations, which when aggregated with the Certificates, will result in more than $10,000,000 of "qualified tax-exempt obligations" being issued; (b) the City

reasonably anticipates that the amount of tax-exempt obligations issued during the calendar year 2021 by the City (including any subordinate entities) will not exceed $10,000,000; and the City will take such action or refrain from such action as is necessary in order that the Certificates will not be considered "private activity bonds" within the meaning of section 141 of the Code.

SECTION 29. Control and Custody of Certificates. The Mayor of the City shall be and is hereby authorized to take and have charge of all necessary orders and records pending investigation by the Attorney General of the State of Texas and shall take and have charge and control of the Certificates pending their approval by the Attorney General, the registration thereof by the Comptroller of Public Accounts and the delivery of the Certificates to the Purchasers.

Furthermore, each Authorized Official, or any combination thereof, are hereby authorized and directed to furnish and execute such documents relating to the City and its financial affairs as may be necessary for the issuance of the Certificates, the approval of the Attorney General of the State of Texas and their registration by the Comptroller of Public Accounts of the State of Texas and, together with the City's financial advisor, bond counsel, and the Paying Agent/Registrar, make the necessary arrangements for the delivery of the Initial Certificate to the Purchasers and, when requested in writing by the Purchasers, the initial exchange thereof for definitive Certificates.

SECTION 30. Printed Opinion. The Purchasers' obligation to accept delivery of the Certificates is subject to their being furnished a final opinion of Norton Rose Fulbright US LLP, San Antonio, Texas, as Bond Counsel, approving certain legal matters as to the Certificates, said opinion to be dated and delivered as of the date of initial delivery and payment for such Certificates. Printing of a true and correct copy of said opinion on the reverse side of each of said Certificates, with appropriate certificate pertaining thereto executed by facsimile signature of the City Secretary of the City is hereby approved and authorized.

SECTION 31. CUSIP Numbers. CUSIP numbers may be printed or typed on the definitive Certificates. It is expressly provided, however, that the presence or absence of CUSIP numbers on the definitive Certificates shall be of no significance or effect as regards the legality thereof, and neither the City nor Bond Counsel are to be held responsible for CUSIP numbers incorrectly printed or typed on the definitive Certificates.

SECTION 32. Effect of Headings. The Section headings herein are for convenience only and shall not affect the construction hereof.

SECTION 33. Ordinance a Contract; Amendments - Outstanding Certificates. The City acknowledges that the covenants and obligations of the City herein contained are a material inducement to the purchase of the Certificates. This Ordinance shall constitute a contract with the Holders from time to time, binding on the City and its successors and assigns, and it shall not be amended or repealed by the City so long as any Certificate remains Outstanding except as permitted in this Section. While the United States of America is the Holder of the Certificates, the City may not make any amendments without the consent of the authorized representative of the Rural Utilities Service. The City may, without the consent of or notice to any Holders, from time to time and at any time, amend this Ordinance in any manner not detrimental to the interests of the Holders, including the curing of any ambiguity, inconsistency, or formal defect or omission herein. In addition, the City may, with the written consent of Holders holding a majority in aggregate

principal amount of the Certificates then Outstanding affected thereby, amend, add to, or rescind any of the provisions of this Ordinance; provided, however, that, without the consent of all Holders of Outstanding Certificates, no such amendment, addition, or rescission shall (1) extend the time or times of payment of the principal of and interest on the Certificates, reduce the principal amount thereof or the rate of interest thereon, or in any other way modify the terms of payment of the principal of, the redemption price therefor, or interest on the Certificates, (2) give any preference to any Certificate over any other Certificate, or (3) reduce the aggregate principal amount of Certificates required for consent to any such amendment, addition, or rescission.

SECTION 34. Benefits of Ordinance. Nothing in this Ordinance, expressed or implied, is intended or shall be construed to confer upon any person other than the City, Bond Counsel, Paying Agent/Registrar, and the Holders, any right, remedy, or claim, legal or equitable, under or by reason of this Ordinance or any provision hereof, this Ordinance and all its provisions being intended to be and being for the sole and exclusive benefit of the City, Bond Counsel, Paying Agent/Registrar, and the Holders.

SECTION 35. Inconsistent Provisions. All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters ordained herein.

SECTION 36. Governing Law. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 37. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Ordinance would have been enacted without such invalid provision.

SECTION 38. Construction of Terms. If appropriate in the context of this Ordinance, words of the singular number shall be considered to include the plural, words of the plural number shall be considered to include the singular, and words of the masculine, feminine or neuter gender shall be considered to include the other genders.

SECTION 39. Incorporation of Preamble Recitals. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the City Council of the City.

SECTION 40. Authorization of Paying Agent/Registrar Agreement. The City Council of the City hereby finds and determines that it is in the best interest of the City to authorize the execution of a Paying Agent/Registrar Agreement concerning the payment, exchange, and transferability of the Certificates. A copy of the Paying Agent/Registrar Agreement is attached hereto, in substantially final form, as Exhibit A and is incorporated by reference to the provisions of this Ordinance.

SECTION 41. Authorization of Escrow Agreement. The City Council of the City hereby finds and determines that it is in the best interest of the City to authorize the execution of an Escrow

Agreement to comply with the Purchasers' rules and regulations. A copy of the Escrow Agreement is attached hereto, in substantially final form, as Exhibit B and is incorporated by reference to the provisions of this Ordinance. The Mayor and/or the City Secretary or their designee, is authorized to execute the Escrow Agreement as the act and deed of the City.

SECTION 42. Public Meeting. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 43. Unavailability of Authorized Publication. If, because of the temporary or permanent suspension of any newspaper, journal, or other publication, or, for any reason, publication of notice cannot be made meeting any requirements herein established, any notice required to be published by the provisions of this Ordinance shall be given in such other manner and at such time or times as in the judgment of the City or of the Paying Agent/Registrar shall most effectively approximate such required publication and the giving of such notice in such manner shall for all purposes of this Ordinance be deemed to be in compliance with the requirements for publication thereof.

SECTION 44. No Recourse Against City Officials. No recourse shall be had for the payment of principal of, premium, if any, or interest on any Certificate or for any claim based thereon or on this Ordinance against any official of the City or any person executing any Certificate.

SECTION 45. Continuing Disclosure Undertaking.

Definitions. As used in this Section, the following terms have the meanings ascribed to such terms below:

Rule means SEC Rule 15c2-12, as amended from time to time.

SEC means the United States Securities and Exchange Commission.

The Certificates are being sold pursuant to a private placement with the Purchasers, generally in denominations of $100,000 or any integral multiple of $1,000 in excess thereof, to less than thirty-five sophisticated investors, and therefore SEC Rule 15c2-12 is not applicable to the offering of the Certificates. Accordingly, no contract to provide continuing disclosure information after the issuance of the Certificates has been made by the City with investors.

SECTION 46. Loan Program Requirements and Documents to Control.

Section 46.1. Definitions.

For the purposes of this Section, the following acronyms and terms shall be defined as follows:

(a) *RUS*: The Rural Utilities Service, an agency of the United States of America within the United States Department of Agriculture, and any successor agency thereof.

(b) *Loan*: A loan in the amount of $7,035,000 from the Purchasers to the City which has been authorized under 7 U.S.C. §1926 and which is represented by the Purchasers' purchase of the Certificates.

(c) *Agency rules*: The statutes, rules, regulations and policies of the RUS, in effect on the date hereof, which pertain to or which are applicable to the loan and such future statutes, rules, regulations and policies which are not inconsistent with the express provisions hereof.

(d) *Loan document provisions*: The terms, conditions, requirements and provisions of the loan instruments and loan documents, including but not limited to, loan resolutions, security agreements, assurance agreements, certifications, and equal opportunity agreements, which were signed by the City for the benefit of the United States of America and/or of the RUS, and for the purpose of obtaining the loan.

Section 46.2. Compliance with Agency Rules.

(a) To the extent permitted by State law and if such law is not otherwise preempted by federal statute, regulation or rule, the City shall comply with all Agency rules and Loan document provisions.

(b) Notwithstanding any other term, condition, requirement or provision contained in this Ordinance, the Agency rules and Loan document provisions shall, to the extent permitted by State law and if such law is not otherwise preempted by federal statute, regulation or rule, control to the extent of any conflict between the Ordinance and such Agency rules or such Loan document provisions.

Section 46.3. Interest Accrual.

Notwithstanding any other term, condition, requirement or provision contained in this Ordinance, interest on a Certificate shall continue to accrue and be payable to the United States of America so long as the Certificate remains unpaid and outstanding. Interest will not cease to accrue for any reason (including the establishment of a redemption date or prepayment date) until the date when payment in full has been received at the agency office designated to receive payments. For the purpose of determining "the date when payment in full has been received at the agency office designated to receive payments", such date shall be:

1. when payment is made by hand delivery, the date when such payment has been physically delivered into the possession of such agency at the address given to the City;

2. when payment is made by first class mail, the third day following City's mailing of the payment, postage prepaid, using the U.S. Postal Service and City's receipt of written proof of the mailing from the U.S. Postal Service identifying the date of mailing;

3. when payment is made by overnight delivery, the first day following City's sending of the payment, using the U.S. Postal Service or another delivery service, such as Federal Express, and the City's receipt of written proof of sending from the delivery service identifying the date of sending;

4. when payment is made by electronic transfer of funds, the date that the electronic transfer of funds for the payment is completed; or

5. when payment is made by preauthorized electronic debit or draft, the date that the electronic debit or draft for the payment is paid.

Section 46.4. Redemption or Prepayment.

Notwithstanding any other term, condition, requirement or provision contained in this Ordinance, redemption or prepayment of a Certificate may occur without presentation or presentment of the Certificate.

Section 46.5. Direct Payment.

Notwithstanding any other term, condition, requirement or provision contained in the Ordinance or in the Certificate to the contrary, all payments shall be made by the City directly to the agency office designated to receive payments.

Section 46.6. No Presentment or Surrender.

Notwithstanding any other term, condition, requirement or provision contained in this Ordinance to the contrary, all payments (including payments at maturity or at redemption or prepayment of a Certificate) may occur without surrender, presentation or presentment of the Certificate.

Section 46.7. Replacement Certificate.

Notwithstanding any other term, condition, requirement or provision contained in this Ordinance to the contrary, and in the event that a Certificate is lost stolen, damaged, mutilated, or destroyed, the United States of America will not be required to obtain a replacement Certificate in order to continue to receive timely payments under such Certificate and will not be required to provide security or indemnity as a condition to receiving timely payments under such Certificate.

Section 46.8. Limitation on Application of this Section.

(a) The provisions of this section shall be operative only for so long as any of the Certificates issued under this Ordinance are owned or held by: (1) the United States of America; or (2) any agency thereof.

(b) The provisions of this section shall not be used to or shall not be construed so as to allow the Ordinance to violate any applicable provision of State law to the extent that such law is not otherwise preempted by applicable federal statute, regulation or rule.

Section 46.9. Provisions for Debt. To provide for the payment of the Debt Service Requirements on the Certificates being (i) the interest on the Certificates and (ii) a sinking fund for their redemption at Stated Maturity or a sinking fund of 2% (whichever amount shall be the greater), there shall be and there is hereby levied for the current year and each succeeding year thereafter while the Certificates or any interest thereon shall remain Outstanding, a sufficient tax,

within the limitations prescribed by law, on each one hundred dollars valuation of taxable property in the City, adequate to pay such Debt Service Requirements, full allowance being made for delinquencies and costs of collection; said tax shall be assessed and collected each year and applied to the payment of the Debt Service Requirements, and the same shall not be diverted to any other purpose. The taxes so levied and collected shall be paid into the Certificate Fund. The City Council hereby declares its purpose and intent to provide and levy a tax legally and fully sufficient to pay the said Debt Service Requirements, it having been determined that the existing and available taxing authority of the City for such purpose is adequate to permit a legally sufficient tax in consideration of all other outstanding indebtedness.

SECTION 47. Installment Deliveries. The City acknowledges that the Purchasers of the Certificates retains the option to purchase the Certificates on an installment basis and the proceeds of each installment delivery of the Certificates will be deposited into the Construction Fund created by this Ordinance. Funds delivered in installments will be based upon incurred costs as documented by invoices submitted by the City to the Purchasers.

SECTION 48. City's Consent to Provide Information and Documentation to the Texas MAC. The Municipal Advisory Council of Texas (the *Texas MAC*), a non-profit membership corporation organized exclusively for non-profit purposes described in section 501(c)(6) of the Internal Revenue Code and which serves as a comprehensive financial information repository regarding municipal debt issuers in Texas, requires provision of written documentation regarding the issuance of municipal debt by the issuers thereof. In support of the purpose of the Texas MAC and in compliance with applicable law, the City hereby consents to and authorizes any Authorized Representative, Bond Counsel to the City, and/or Financial Advisor to the City to provide to the Texas MAC information and documentation requested by the Texas MAC relating to the Certificates; provided, however, that no such information and documentation shall be provided prior to the Closing Date. This consent and authorization relates only to information and documentation that is a part of the public record concerning the issuance of the Certificates.

SECTION 49. Delegation Authorization Pursuant to HB 1295. Though such parties may be identified, and the entry into a particular form of contract may be authorized herein, the City, pursuant to applicable Texas law, hereby delegates to the City Secretary the authority to independently select the counterparty to any agreement with any paying agent/registrar, rating agency, securities depository, escrow agent, verification agent. or any other contract that is determined by the City Secretary, the City's financial advisor, or the City's bond counsel to be necessary or incidental to the issuance of the Certificates as long as each of such contracts has a value of less than the amount referenced in Section 2252.908 of the Texas Government Code (collectively, the *Ancillary Bond Contracts*) and, as necessary, to execute the Ancillary Bond Contracts on behalf and as the act and deed of the City. The City has not participated in the selection of any of the business entities which are counterparties to the Ancillary Bond Contracts.

SECTION 50. Further Procedures. The officers and employees of the City are hereby authorized, empowered and directed from time to time and at any time to do and perform all such acts and things and to execute, acknowledge and deliver in the name and under the corporate seal and on behalf of the City all such instruments, whether or not herein mentioned, as may be necessary or desirable in order to carry out the terms and provisions of this Ordinance, the initial sale and delivery of the Certificates, the Escrow Agreement, and the Paying Agent/Registrar

Agreement. In addition, prior to the initial delivery of the Certificates, the Mayor, City Manager, or the City Secretary are hereby authorized and directed to approve any technical changes or corrections to this Ordinance or to any of the instruments authorized and approved by this Ordinance necessary in order to (i) correct any ambiguity or mistake or properly or more completely document the transactions contemplated and approved by this Ordinance, (ii) obtain a rating from any of the national bond rating agencies, or (iii) obtain the approval of the Certificates by the Texas Attorney General's office. In case any officer of the City whose signature shall appear on any certificate shall cease to be such officer before the delivery of such certificate, such signature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

SECTION 51. Effective Date. Pursuant to the provisions of Section 1201.028, as amended, Texas Government Code, this Ordinance shall be effective immediately upon adoption, notwithstanding any provision in the City's Home Rule Charter to the contrary concerning a multiple reading requirement for the adoption of ordinances.

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PASSED AND ADOPTED on the 16th day of March, 2021.

CITY OF LAMESA, TEXAS

_____

Mayor

ATTEST:

_____

City Secretary

(CITY SEAL)

INDEX OF EXHIBITS

EXHIBIT A – Form of Paying Agent/Registrar Agreement
EXHIBIT B – Form of Escrow Agreement

EXHIBIT A

Paying Agent/Registrar Agreement

See Tab No. ___

EXHIBIT B

Escrow Agreement

See Tab No. ___

City Council Agenda
City of Lamesa, Texas

DATE OF MEETING: MARCH 16, 2021 **AGENDA ITEM: 9**

SUBJECT: **CONSIDER/DISCUSS/APPROVE A RESOLUTION ADOPTING NECESSARY CIVIL RIGHTS AND FAIR HOUSING POLICIES FOR THE TEXAS DEPARTMENT OF AGRICULTURE TxCDBG GRANT #7220259 AND DOWNTOWN REVITALIZATION PROGRAM GRANT #7220182**

PROCEEDING: Resolution

SUBMITTED BY: City staff

AUTHORITY:

SUMMARY STATEMENT

City Council to consider approving a resolution adopting necessary Civil Rights and Fair Housing policies for the Texas Department of Agriculture TxCDBG Grant #7220259 and Downtown Revitalization Program Grant #7220182.

COUNCIL ACTION

DISCUSSION _____

Motion by Council Member _____ to pass a resolution to approve a resolution adopting necessary Civil Rights and Fair Housing policies for the Texas Department of Agriculture TxCDBG Grant #7220259 and Downtown Revitalization Program Grant #7220182. Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

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

CITY MANAGER'S MEMORANDUM

Recommend approval.

RESOLUTION No. _____

A RESOLUTION ADOPTING THE ATTACHED POLICIES IN CONNECTION WITH THE CITY OF LAMESA, TEXAS PARTICIPATION IN FEDERALLY FUNDED COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECTS AND ADHERENCE TO THE REGULATIONS DESCRIBED THEREIN.

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

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

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

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

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

Whereas, the City, in accordance with Executive Order 13166, must take reasonable steps to ensure meaningful access to services in federally assisted programs and activities by persons with limited English proficiency (LEP) and must have an LEP plan in place specific to the locality and beneficiaries for each TxCDBG project;

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

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

Whereas, the City, agrees to maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS, THAT THE CITY OF LAMESA ADOPTS/REAFFIRMS THE FOLLOWING:

1. Citizen Participation Plan and Grievance Procedures;
2. Section 3 Policy;
3. Excessive Force Policy;
4. Section 504 Policy and Grievance Procedures;
5. Limited English Proficiency Plan;
6. Fair Housing Policy; and
7. Code of Conduct Policy

Passed and approved this _th day of _____, 2021.

_____
Josh Stevens,
Mayor

Attest:

_____
Betty Conde
City Secretary

Resolución No. ___

UNA RESOLUCIÓN ADOPTANDO LAS POLÍTICAS ADJUNTAS EN RELACIÓN CON CITY OF LAMESA, LA PARTICIPACIÓN DE TEXAS EN LOS PROYECTOS DE LA SUBVENCIÓN DE BLOQUES DE DESARROLLO COMUNITARIO FEDERALMENTE FINANCIADOS (CDBG) Y LA ADHESIÓN A LOS REGLAMENTOS DESCRITOS EN ESTE DOCUMENTO.

Mientras que, City of Lamesa, Texas, (en lo sucesivo "Ciudad") ha sido galardonado con CDBG financiación a través de una subvención de CDBG;

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

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

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

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

Considerando que la Ciudad, de acuerdo con la Orden Ejecutiva 13166, debe tomar medidas razonables para garantizar el acceso significativo a los servicios en programas y actividades con asistencia federal por personas con dominio limitado del inglés (LEP) y debe tener un plan LEP específico de la localidad y beneficiarios para cada proyecto CDBG;

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

Considerando que, la Ciudad, según la sección 808(e)(5) de la ley de vivienda justa (42 3608(e)(5)) USC que requiere programas de HUD y actividades administrar en forma afirmativamente a más de las políticas de la ley de vivienda equitativa, se compromete a realizar al menos una actividad durante el período del contrato del contrato CDBG, afirmativamente para equidad de vivienda;

Mientras que la Ciudad, se compromete a mantener escritas normas de conducta que cubre conflictos de interés y que rigen las acciones de sus empleados participan en la selección, concesión y administración de contratos.

AHORA, POR LO TANTO, SER RESUELTO POR EL AYUNTAMIENTO DE LA CITY OF LAMESA, TEXAS, QUE LA CITY OF LAMESA ADOPTA/REAFIRMA LO SIGUIENTE:

1. Plan de Participación Ciudadana y Procedimientos de Quejas;
2. Política de la Sección 3;
3. Política de fuerza excesiva;
4. Política de la Sección 504 y Procedimientos de Quejas;
5. Plan de dominio limitado del inglés;
6. Política de Vivienda Justa; y
7. Política del Código de Conducta

Pasado y aprobado el día __th de _____, 2020.

_____
Josh Stevens
Alcalde

Atestiguar:

_____
Betty Conde,
Secretario de la ciudad

CITIZEN PARTICIPATION PLAN

TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

COMPLAINT PROCEDURES

These complaint procedures comply with the requirements of the Texas Department of Agriculture's Texas Community Development Block Grant (TxCDBG) Program and Local Government Requirements found in 24 CFR §570.486 (Code of Federal Regulations). Citizens can obtain a copy of these procedures at the City of Lamesa, 601 S. 1st St. Lamesa, TX 79331, 806-872-2124 during regular business hours.

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

1. A person who has a complaint or grievance about any services or activities with respect to the TxCDBG project, whether it is a proposed, ongoing, or completed TxCDBG should contact City of Lamesa, at 601 S. 1st St. Lamesa, TX 79331 or may call, 806-872-2124
2. A copy of the complaint or grievance shall be transmitted by the City Secretary to the entity that is the subject of the complaint or grievance and to the City Attorney within five (5) working days after the date of the complaint or grievance was received.
3. The City shall complete an investigation of the complaint or grievance, if practicable, and provide a timely written answer to the person who made the complaint or grievance within ten (10) days.
4. If the investigation cannot be completed within ten (10) working days per 3 above, the person who made the grievance or complaint shall be notified, in writing, within fifteen (15) days where practicable after receipt of the original complaint or grievance and shall detail when the investigation should be completed.
5. If necessary, the grievance and a written copy of the subsequent investigation shall be forwarded to the TxCDBG for their further review and comment.

6. If appropriate, provide copies of grievance procedures and responses to grievances in both English and Spanish, or other appropriate language.

TECHNICAL ASSISTANCE

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

PUBLIC HEARING PROVISIONS

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

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

4. A public hearing held prior to the submission of a TxCDBG application must be held after 5:00 PM on a weekday or at a convenient time on a Saturday or Sunday.

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

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

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

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

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

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

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

_____ _____

Josh Stevens, Mayor Date

PLAN DE PARTICIPACIÓN CIUDADANA

PROGRAMA DE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

PROCEDIMIENTOS DE QUEJA

Estos procedimientos de queja cumplen con los requisitos del Departamento de Programa de Agricultura de Texas Community Development Block Grant (TxCDBG) y los requisitos del gobierno local de Texas se encuentran en 24 CFR §570.486 (Código de Regulaciones Federales). Los ciudadanos pueden obtener una copia de estos procedimientos en la City of Lamesa, , 601 S. 1st St. Lamesa, TX 79331, 806-872-en horario de oficina.

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

1. Una persona que tiene una queja o reclamación sobre cualquiera de los servicios o actividades en relación con el proyecto TxCDBG, o si se trata de una propuesta, en curso o determinado proyecto TxCDBG, pueden durante las horas regulares presentar dicha queja o reclamo, por escrito a City of Lamesa, a, 601 S. 1st St. Lamesa, TX 79331, puede llamar a 806-872-2124
2. Una copia de la queja o reclamación se transmitirá por el Secretario de la ciudad a la entidad que es encargada de la queja o reclamación y al Abogado de la Ciudad dentro de los cinco (5) días hábiles siguientes a la fecha de la queja o dia que la reclamación fue recibida.
3. La Ciudad deberá complir una investigación de la queja o reclamación, si es posible, y dara una respuesta oportuna por escrito a la persona que hizo la denuncia o queja dentro de los diez (10) días.
4. Si la investigación no puede ser completada dentro de los diez (10) días hábiles anteriormente, la persona que hizo la queja o denuncia sera notificada, por escrito, dentro de los quince (15) días cuando sea posible después de la entrega de la queja original o quejas y detallará cuando se debera completar la investigación.
5. Si es necesario, la queja y una copia escrita de la investigación posterior se remitirán a la TxCDBG para su posterior revisión y comentarios.

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

ASISTENCIA TÉCNICA

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

DISPOSICIONES Audiencia Pública

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

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

deben poder asistir a las audiencias y la Ciudad debe hacer los arreglos para las personas que requieren ayudas o servicios auxiliares en caso de necesitarlo por lo menos dos días antes de la audencia será publica.

4. Una audiencia pública celebrada antes de la presentación de una solicitud TxCDBG debe hacerse después de las 5:00 pm en un día de semana o en un momento conveniente en sábado o domingo.

5. Cuando un número significativo de residentes que no hablan inglés se registra para participar en una audiencia pública, un intérprete debe estar presente para dar cabida a las necesidades de los residentes que no hablan inglés.

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

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

4. Cuando un número significativo de residentes que no hablan inglés se registra para participar en una audiencia pública, un intérprete debe estar presente para dar cabida a las necesidades de los residentes que no hablan inglés.

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

1. La Ciudad celebrará una audiencia pública sobre cualquier cambio sustancial, según lo determinado por TxCDBG, se propuso que se hará con el uso de fondos TxCDBG de una actividad elegible a otro utilizando de nuevo los requisitos de notificación
2. Una vez finalizado el proyecto TxCDBG, la Ciudad celebrará una audiencia pública y revisara el desempeño del programa incluyendo el uso real de los fondos TxCDBG.
3. Cuando un número significativo de residentes que no hablan inglés se puede registra para participar en una audiencia pública, ya sea para una audiencia pública sobre el cambio sustancial del proyecto TxCDBG o para la liquidación del proyecto TxCDBG, publicará un aviso en Inglés y Español u otro idioma apropiado y se proporcionara un intérprete en la audiencia para dar cabida a las necesidades de los residentes.

4. La Ciudad conservará la documentación del proyecto TxCDBG, incluyendo aviso de audiencia(s), un listado de las personas que asistieron a la audiencia(s), acta de la vista(s), y cualquier otro registro concerniente al uso real de los fondos por un período de a tres (3) años a partir de la liquidación del proyecto al estado.

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

_____ _____

Josh Stevens, Alcalde Date

Section 3 Policy

In accordance with 12 U.S.C. 1701u the City of Lamesa agrees to implement the following steps, which, to *the greatest extent feasible*, will provide job training, employment and contracting opportunities for Section 3 residents and Section 3 businesses of the areas in which the program/project is being carried out.

A. Introduce and pass a resolution adopting this plan as a policy to strive to attain goals for compliance to Section 3 regulations by increasing opportunities for employment and contracting for Section 3 residents and businesses.

B. Assign duties related to implementation of this plan to the designated Civil Rights Officer.

C. Notify Section 3 residents and business concerns of potential new employment and contracting opportunities as they are triggered by TxCDBG grant awards through the use of: Public Hearings and related advertisements; public notices; bidding advertisements and bid documents; notification to local business organizations such as the Chamber(s) of Commerce or the Urban League; local advertising media including public signage; project area committees and citizen advisory boards; local HUD offices; regional planning agencies; and all other appropriate referral sources. Include Section 3 clauses in all covered solicitations and contracts.

D. Maintain a list of those businesses that have identified themselves as Section 3 businesses for utilization in TxCDBG funded procurements, notify those businesses of pending contractual opportunities, and make this list available for general Grant Recipient procurement needs.

E. Maintain a list of those persons who have identified themselves as Section 3 residents and contact those persons when hiring/training opportunities are available through either the Grant Recipient or contractors.

F. Require that all Prime contractors and subcontractors with contracts over $100,000 commit to this plan as part of their contract work. Monitor the contractors' performance with respect to meeting Section 3 requirements and require that they submit reports as may be required by HUD or TDA to the Grant Recipient.

G. Submit reports as required by HUD or TDA regarding contracting with Section 3 businesses and/or employment as they occur; and submit reports within 20 days of the federal fiscal year end (by October 20) which identify and quantify Section 3 businesses and employees.

H. Maintain records, including copies of correspondence, memoranda, etc., which document all actions taken to comply with Section 3 regulations.

As officers and representatives of the City of Lamesa, we the undersigned have read and fully agree to this plan, and become a party to the full implementation of this program.

_____ _____

Josh Stevens, Mayor Date

Política de la Sección 3

Según 12 U.S.C. 1701u City of Lamesa se compromete a implementar los siguientes pasos, que, en *la mayor medida posible*, proporcionará capacitación, empleo y oportunidades de contratación para los residentes de la sección 3 y sección 3 empresas de las zonas en que el proyecto lleva a cabo.

A. Introducción y pase una resolución adoptando este plan como una política de esforzarse por alcanzar metas para el cumplimiento de las normas de la sección 3 por aumentar las oportunidades de empleo y contratación para empresas y residentes de la sección 3.

B. Asignación de tareas relacionadas con la implementación de este plan al oficial designado de los derechos civiles.

C. Notificar a sección 3 residentes y preocupaciones de negocio de potenciales nuevos empleos y oportunidades de contratación ya que se desencadenan por TxCDBG conceden premios mediante el uso de: audiencias públicas relacionadas con los anuncios, avisos públicos, anuncios de licitación y oferta documentos; notificación a organizaciones locales como las cámaras de comercio o la Liga Urbana; medios de publicidad local incluyendo señalización pública; proyecto área comités y consejos ciudadanos, las oficinas locales de HUD; organismos de planificación regionales; y todas las demás fuentes de referencia apropiadas. Incluir cláusulas de la sección 3 en todo cubierto las solicitudes y contratos.

D. Mantener una lista de las empresas que se han identificado como sección 3 empresas para la utilización en las compras de TxCDBG financiado, notificar a las empresas de espera oportunidades contractuales y hacer esta lista disponible para las necesidades de adquisición de receptor de la beca general.

E. Mantener una lista de aquellas personas que se identificaron como residentes de la sección 3 y en contacto con las personas cuando oportunidades de contratación y capacitación están disponibles a través del receptor de la beca o contratistas.

F. el. Requiere que todos los primeros contratistas y subcontratistas con contratos sobre $100.000 comprometen este plan como parte de su contrato de trabajo. Monitorear el desempeño de los contratistas con respecto a los requerimientos de la sección 3 y requieren que presenten informes que se requieran por HUD o TDA al destinatario de la subvención.

G. Presentar informes según los requisitos de HUD o TDA con respecto a la contratación con empresas de la sección 3 o empleo que se producen; y presentar informes dentro de 20 días del final del año fiscal federal (por el 20 de octubre) que identificar y cuantificar sección 3 empresas y empleados.

H. Mantener los registros, incluyendo copias de correspondencia, memorandos, etc., que documentan todas las acciones adoptadas para cumplir con las normas de la sección 3.

Como funcionarios y representantes de la City of Lamesa, los abajo firmantes han leído completamente de acuerdo a este plan y ser parte de la plena aplicación de este programa.

_____ _____

Josh Stevens, Alcalde Date

Excessive Force Policy

In accordance with 24 CFR 91.325(b)(6), City of Lamesa hereby adopts and will enforce the following policy with respect to the use of excessive force:

1. It is the policy of City of Lamesa to prohibit the use of excessive force by the law enforcement agencies within its jurisdiction against any individual engaged in non-violent civil rights demonstrations;
2. It is also the policy of City of Lamesa to enforce applicable State and local laws against physically barring entrance to or exit from a facility or location that is the subject of such non-violent civil rights demonstrations within its jurisdiction.
3. City of Lamesa will introduce and pass a resolution adopting this policy.

As officers and representatives of City of Lamesa, we the undersigned have read and fully agree to this plan, and become a party to the full implementation of this program.

_____ _____

Josh Stevens, Mayor Date

Excesivo de la fuerza política

Según 24 CFR 91.325(b)(6), la City of Lamesa presente adopta y aplicará la siguiente política con respecto al uso de fuerza excesiva:

1. Es la política de La City of Lamesa para prohibir el uso de fuerza excesiva por las agencias del orden público dentro de su jurisdicción contra cualquier individuo en manifestaciones de los derechos civiles no violentas;

2. También es la política de la City of Lamesa para hacer cumplir leyes estatales y locales aplicables contra físicamente restricción de entrada o salida de un centro o un lugar que es objeto de estas manifestaciones de los derechos civiles no violentas dentro de su jurisdicción.

3. La City of Lamesa a presentar y aprobar una resolución la adopción de esta política.

Como funcionarios y representantes de City of Lamesa, los abajo firmantes han leído completamente de acuerdo a este plan y ser parte de la plena aplicación de este programa.

_____ _____

Josh Stevens, Alcalde Date

Section 504 Policy Against Discrimination
based on Handicap and Grievance Procedures

In accordance with 24 CFR Section 8, Nondiscrimination based on Handicap in federally assisted programs and activities of the Department of Housing and Urban Development, Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and Section 109 of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5309), City of Lamesa hereby adopts the following policy and grievance procedures:

1. Discrimination prohibited. No otherwise qualified individual with handicaps in the United States shall, solely by reason of his or her handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance from the Department of Housing and Urban Development (HUD).

2. The City of Lamesa does not discriminate on the basis of handicap in admission or access to, or treatment or employment in, its federally assisted programs and activities.

3. The City of Lamesa recruitment materials or publications shall include a statement of this policy in 1. above.

4. The City of Lamesa shall take continuing steps to notify participants, beneficiaries, applicants and employees, including those with impaired vision or hearing, and unions or professional organizations holding collective bargaining or professional agreements with the recipients that it does not discriminate on the basis of handicap in violation of 24 CFR Part 8.

5. For hearing and visually impaired individuals eligible to be served or likely to be affected by the TxCDBG program, City of Lamesa shall ensure that they are provided with the information necessary to understand and participate in the TxCDBG program.

6. Grievances and Complaints

A. Any person who believes she or he has been subjected to discrimination on the basis of disability may file a grievance under this procedure. It is against the law for City of Lamesa to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.
B. Complaints should be addressed to: City Secretary, 601 S. 1st St. Lamesa, TX 79331, 806-872-2124 who has been designated to coordinate Section 504 compliance efforts
C. A complaint should be filed in writing or verbally, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.
D. A complaint should be filed within thirty (30) working days after the complainant becomes aware of the alleged violation.
E. An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation will be conducted by City Secretary. Informal but thorough investigations will afford all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
F. A written determination as to the validity of the complaint and description of resolution, if any, shall be issued by City Secretary, and a copy forwarded to the complainant with fifteen (15) working days after the filing of the complaint where practicable.
G. The Section 504 coordinator shall maintain the files and records of the City of Lamesa relating to the complaints files.
H. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the determination/resolution as described in f. above. The request for reconsideration should be made to the City of Lamesa within ten working days after the receipt of the written determination/resolution.

I. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of a Section 504 complaint with the U.S. Department of Housing and Urban Development. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.

J. These procedures shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards and assure that the City of Lamesa complies with Section 504 and HUD regulations.

_____ _____

Josh Stevens, Mayor Date

Sección 504 política contra la discriminación
basada en discapacidad y procedimiento de querellas

Apartado 24 CFR 8, no discriminación basada en discapacidad en federalmente asistidos programas y actividades del Departamento de vivienda y desarrollo urbano, sección 504 de la Rehabilitation Act de 1973, enmendada (29 U.S.C. 794) y 109 de la sección de la vivienda y el acto de desarrollo comunitario de 1974, según enmendada (42 U.S.C. 5309), la City of Lamesa se adopta los procedimientos de política y quejas:

1. Discriminación prohibida. De lo contrario no individuo calificado con discapacidad en los Estados Unidos, únicamente por razón de su discapacidad, se excluirá de la participación en, ser negado los beneficios de o ser sujeto a discriminación bajo cualquier programa o actividad recibir Asistencia financiera federal del Departamento de vivienda y desarrollo urbano (HUD).

2. La City of Lamesa no discrimina por discapacidad en la admisión o acceso a, o tratamiento o empleo en, sus programas federalmente asistidos y actividades.

3. La City of Lamesa publicaciones o materiales de reclutamiento *(Destinatario de la subvención)* incluirá una declaración de esta política en 1. encima de.

4. La City of Lamesa tendrá seguir pasos para notificar a los participantes, beneficiarios, solicitantes y empleados, incluyendo aquellos con deterioro de la visión o audición y sindicatos u organizaciones profesionales tenencia colectiva acuerdos de negociación o profesionales con los destinatarios que no discrimina sobre la base de discapacidad en violación de 24 CFR parte 8.

5. Para personas con discapacidad visual y auditivos individuos elegibles que sirve o que puedan verse afectadas por el programa TxCDBG, La City of Lamesa se asegurará de que cuentan con la información necesaria para entender y participar en el programa TxCDBG.

6. Quejas y denuncias

A. Cualquier persona que cree que él o ella ha sido víctima de discriminación por discapacidad puede presentar una queja bajo este procedimiento. Es contra la ley de La City of Lamesa para tomar represalias contra cualquier persona que presenta una queja o coopera en la investigación de una queja.

B. Las quejas deben ser dirigidas a: Secretario de la ciudad, 601 S. 1st St. Lamesa, TX 79331, 940-664-2125, que ha sido designado para coordinar los esfuerzos de cumplimiento de la sección 504.

C. Una queja debe ser presentado por escrito o verbalmente, contener el nombre y dirección de la persona que lo presenta y describir brevemente la supuesta violación de las normas.

D. Una queja debe presentarse dentro de treinta 30 dias hábiles después de que el denunciante tenga conocimiento de la presunta violación.

E. Una investigación, como puede ser apropiado, deberá seguir una presentación de una queja. La investigación será conducida por Secretario de la ciudad. Investigaciones informales pero minuciosa brindará todas las personas interesadas y sus representantes, si los hubiere, una oportunidad de presentar pruebas pertinentes a una queja.

F. Una determinación escrita en cuanto a la validez de la denuncia y la descripción de la resolución, si los hubiere, se expedirá por Secretario de la ciudad y una copia enviada al demandante con quince 15 días de trabajo después de la presentación de la queja siempre que sea posible.

G. Coordinador de la sección 504 deberá mantener los archivos y registros de la La City of Lamesa relativas a los archivos de quejas.

H. El demandante puede solicitar una reconsideración del caso en instancias donde él o ella está insatisfecha con la resolución determinación como se describe en f. anterior. La solicitud de reconsideración debe hacerse a las La City of Lamesa dentro de diez dias hábiles después de la recepción de la determinación y resolución escrito.

I. El derecho de una persona a una resolución rápida y equitativa de la denuncia presentada a continuación no deberá ser deteriorada por la búsqueda de la persona de otros remedios como la presentación de una queja con el Departamento de vivienda y desarrollo urbano de los Estados Unidos de la sección 504. Utilización de este procedimiento de quejas no es un requisito previo para la búsqueda de otros remedios.

J. Estos procedimientos se interpretará para proteger los derechos sustantivos de las personas interesadas, para cumplir con normas de proceso debido apropiado y asegurar que La City of Lamesa cumple con las regulaciones de la sección 504 y HUD.

_____ _____

Josh Stevens, Alcalde Date

Fair Housing Policy

In accordance with Fair Housing Act, the City of Lamesa hereby adopts the following policy with respect to the Affirmatively Furthering Fair Housing:

1. City of Lamesa agrees to affirmatively further fair housing choice for all seven protected classes (race, color, religion, sex, disability, familial status, and national origin).
2. City of Lamesa agrees to plan at least one activity during the contract term to affirmatively further fair housing.
3. City of Lamesa will introduce and pass a resolution adopting this policy.
4.

As officers and representatives of the City of Lamesa, we the undersigned have read and fully agree to this plan, and become a party to the full implementation of this program.

_____ _____

Josh Stevens, Mayor Date

Política de Equidad de Vivienda

Conformidad con la ley de vivienda equitativa, City of Lamesa presente adopta la siguiente política con respecto al afirmativo promover Feria de vivienda:

1. City of Lamesa se compromete a afirmativamente más opción de vivienda para todas las clases protegidas siete (raza, color, religión, sexo, discapacidad, estatus familiar y origen nacional).

2. City of Lamesa se compromete a plan de al menos una actividad durante la vigencia del contrato a afirmativamente más vivienda.

3. City of Lamesa a presentar y aprobar una resolución la adopción de esta política.

Como funcionarios y representantes de City of Lamesa,los abajo firmantes han leído completamente de acuerdo a este plan y ser parte de la plena aplicación de este programa.

_____ _____

Josh Stevens, Alcalde Date

CODE OF CONDUCT
CONFLICT OF INTEREST POLICY PERTAINING TO PROCUREMENT PROCEDURES

As a Grant Recipient of a federal or state grant contract (including TxCDBG), the City of Lamesa shall avoid, neutralize or mitigate actual or potential conflicts of interest so as to prevent an unfair competitive advantage or the existence of conflicting roles that might impair the performance of the federal or state grant contract or impact the integrity of the procurement process.

For procurement of goods and services, no employee, officer, or agent of the City of Lamesa shall participate in the selection, award, or administration of a contract supported by federal or state grant funds (including TxCDBG) if he or she has a real or apparent conflict of interest. Such a conflict could arise if the employee, officer or agent; any member of his/her immediate family; his/her partner; or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

No officer, employee, or agent of the City of Lamesa shall solicit or accept gratuities, favors or anything of monetary value from contractors or firms, potential contractors or firms, or parties to sub-agreements, except where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value.

Contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements.

For all other cases, no employee, agent, consultant, officer, or elected or appointed official of the state, or of a unit of general local government, or of any designated public agencies, or subrecipients which are receiving federal or state grant funds (including TxCDBG), that has any grant-related function/responsibility, or is in a position to participate in a decision-making process or gain inside information, may obtain a financial interest or benefit from the federal or state grant activity.

The conflict of interest restrictions and procurement requirements identified herein shall apply to a benefitting business, utility provider, or other third party entity that is receiving assistance, directly or indirectly, under a federal or state grant contract or award, or that is required to complete some or all work under the federal or state grant contract in order to meet any National Program Objectives.

Any person or entity including any benefitting business, utility provider, or other third party entity that is receiving assistance, directly or indirectly, under a federal or state grant contract or award (including TxCDBG), or that is required to complete some or all work under the federal or state grant contract in order to meet a National Program Objective, that might potentially receive benefits from the federal or state grant award may not participate in the selection, award, or administration of a contract supported by federal or state grant funding.

Any alleged violations of these standards of conduct shall be referred to the City of Lamesa's Attorney. Where violations appear to have occurred, the offending employee, officer or agent shall be subject to disciplinary action, including but not limited to dismissal or transfer; where violations or infractions appear to be substantial in nature, the matter may be referred to the appropriate officials for criminal investigation and possible prosecution.

_____ _____

Josh Stevens, Mayor Date

CÓDIGO DE CONDUCTA
CONFLICTO DE INTERÉS POLÍTICA PERTAINING A LOS PROCEDIMIENTOS DE CONTRATACIÓN

Como beneficiario de una subvención de un contrato de subvención federal o estatal (incluido TxCDBG), la City of Lamesa evitará, neutralizará o mitigará los conflictos de interés reales o potenciales a fin de evitar una ventaja competitiva desleal o la existencia de roles contradictorios que puedan perjudicar la el rendimiento del contrato de subvención federal o estatal o afecta la integridad del proceso de adquisición.

Para la adquisición de bienes y servicios, ningún empleado, funcionario o agente de la City of Lamesa participará en la selección, adjudicación o administración de un contrato respaldado por fondos de subvención federales o estatales (incluido TxCDBG) si él o ella tiene un real o aparente conflicto de intereses. Tal conflicto podría surgir si el empleado, oficial o agente; cualquier miembro de su familia inmediata; su compañero; o una organización que emplea o está a punto de emplear a cualquiera de las partes indicadas en este documento, tiene un interés financiero o de otra índole o un beneficio personal tangible de una empresa considerada para un contrato.

Ningún funcionario, empleado o agente de la City of Lamesa solicitará o aceptará propinas, favores o cualquier cosa de valor monetario de contratistas o empresas, posibles contratistas o empresas, o partes de sub-acuerdos, excepto cuando el interés financiero no sea sustancial o el regalo es un artículo no solicitado de valor intrínseco nominal.

Los contratistas que desarrollan o redactan especificaciones, requisitos, declaraciones de trabajo o invitaciones para presentar ofertas o solicitudes de propuestas deben ser excluidos de la competencia para tales adquisiciones.

Para todos los demás casos, ningún empleado, agente, consultor, funcionario o funcionario elegido o designado del estado, o de una unidad del gobierno local general, o de cualquier agencia pública designada, o subbeneficiarios que reciben fondos de subvención federales o estatales (incluyendo TxCDBG), que tiene cualquier función / responsabilidad relacionada con las subvenciones, o que está en condiciones de participar en un proceso de toma de decisiones o de obtener información interna, puede obtener un interés o beneficio financiero de la actividad de subvención federal o estatal.

Las restricciones de conflicto de intereses y los requisitos de adquisición identificados en este documento se aplicarán a un negocio beneficiario, proveedor de servicios u otra entidad externa que esté recibiendo asistencia, directa o indirectamente, bajo un contrato o adjudicación de subvención federal o estatal, o que se requiera para completar algunos o todos trabajan bajo el contrato de subvención federal o estatal para cumplir con los Objetivos del Programa Nacional.

Cualquier persona o entidad incluyendo cualquier empresa beneficiaria, proveedor de servicios públicos u otra entidad externa que esté recibiendo asistencia, directa o indirectamente, bajo un contrato o adjudicación de subvención federal o estatal (incluido TxCDBG), o que se requiera para completar una parte o todo el trabajo en virtud del contrato de subvención federal o estatal para cumplir un objetivo del programa nacional, que podría recibir beneficios de la subvención federal o estatal no puede participar en la selección, adjudicación o administración de un contrato respaldado por fondos federales o estatales.

Cualquier presunta violación de estas normas de conducta se remitirá a la Fiscalía de la City of Lamesa. Cuando aparezcan violaciones, el empleado, agente o agente infractor estará sujeto a medidas disciplinarias, que incluyen, entre otros, el despido o la transferencia; cuando las infracciones o infracciones parecen ser de naturaleza sustancial, el asunto puede remitirse a los funcionarios apropiados para su investigación penal y posible enjuiciamiento.

_____ _____

Josh Stevens, Alcalde Date

Limited English Proficiency Plan

Grantee:	City of Lamesa
Community Population:	659
LEP Population:	52
Languages Spoken:	
1. By more than 5% of the eligible population or beneficiaries and has more than 50 in number; or	Spanish
2. By more than 5% of the eligible population or beneficiaries but has less than 50 or less in number; or	
3. By more than 1,000 individuals in the eligible population in the market area or among current beneficiaries.	

Program activities to be accessible to LEP persons:

X Public notices and hearings regarding applications for grant funding, amendments to project activities, and completion of grant-funded projects.

X Publications regarding TxCDBG applications, grievance procedure, complaint procedures, answers to complaints, notices, notices of rights and disciplinary action, and other vital hearings, documents, and program requirements.

X Other program documents:

Resources available to Grant Recipient:

X Translation services: City will retain translation services upon request.

X Interpreter services: City will retain translation services upon request.

X Other resources:

Language assistance to be provided:

X Translation (oral and/or written) of advertised notices and vital documents for: City will provide translated documents upon request and retain services to accommodate populations with limited English proficiency.

X Referrals to community liaisons proficient in the language of LEP person: City will identify community liaisons that will assist to provide accommodations to LEP person and provide these services upon request.

X Public meetings conducted in multiple languages: City will conduct public meetings in multiple languages upon request.

X Notices to recipients of the availability of LEP services: City will reference the availability of accommodations in public notices and post documents to accommodate LEP persons in public buildings.

X Other Services:

_____ _____

Signature - Chief Elected Official or Civil Rights Officer Date

See also: http://www.lep.gov/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf

Plan de dominio limitado del inglés

Nombre Grante:	City of Lamesa
Población de la Comunidad:	659
LEP Población:	52
Idiomas Hablados:	
En más del 5% de la población elegible o beneficiarios y tiene más de 50 en número; o Por más del 5% de la población o beneficiarios elegibles, Pero tiene menos de 50 o menos en número; o Por más de 1,000 individuos en la población elegible en El área del mercado o entre los beneficiarios actuales.	Spanish

Las actividades del programa deben ser accesibles para las personas LEP:

X Avisos públicos y audiencias con respecto a las solicitudes de fondos de la subvención, enmiendas a las actividades del proyecto y finalización del proyecto financiado mediante donaciones.

X Publicaciones sobre la solicitud de TxCDBG procedimientos de quejas procedimientos de quejas, procedimientos de quejas, respuestas a reclamos, avisos de derechos y medidas disciplinarias, y otras audiencias vitales documento y requisitos del programa.

X Otros Documentos del Programa:

Recursos disponibles para el beneficiario de subvención:

X Servicios de traducción: Ciudad retendrá servicios de traducción a pedido.

X Servicios de intérprete: Ciudad retendrá servicios de intérprete a pedido.

X Otros recursos:

Language assistance to be provided:

X Traducción (oral y/o escrita) de anuncios publicados y documentos vitales para: Ciudad proporciona documentos traducidos previa solicitud y retendrá los servicios para acomodar a las poblaciones con dominio limitado del inglés.

X Referencias a enlaces comunitarios competentes en el lenguaje de personas con LEP: Ciudad identificara enlaces comunitarios que ayudarán a proporcionar acomodaciones a personas LEP y proporcionan estos servicios a pedido.

X Reuniones públicas realizadas en múltiples idiomas: Ciudad conducirá reuniones públicas en múltiples idiomas a pedido.

X Avisos a los destinatarios de la disponibilidad de los servicios LEP: Ciudad hará referencia a la disponibilidad a acomodaciones en avisos públicos y documentos postales para acomodar a personas con LEP en edificios públicos.

X Otros servicios:

_____ _____

Firma - Funcionario principal electo o funcionario de derechos civiles Fecha

Ver tambien: http://www.lep.gov/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf

City Council Agenda
City of Lamesa, Texas

DATE OF MEETING: MARCH 16, 2021 **AGENDA ITEM:10**

SUBJECT: **"CONSIDER AND TAKE NECESSARY ACTION TO ADOPT A RESOLUTION DESIGNATING AUTHORIZED SIGNATORIES FOR THE TEXAS DEPARTMENT OF AGRICULTURE TxCDBG GRANT #7220259 DOWNTOWN REVITALIZATION PROGRAM GRANT #7220182**

PROCEEDING: Resolution

SUBMITTED BY: City Staff

SUMMARY STATEMENT

City Council to consider adopting a resolution designating authorized signatories for the Texas Department of Agriculture TxCDBG Grant #7220259 Downtown Revitalization Program Grant #7220182.

COUNCIL ACTION

DISCUSSION _____

Motion by Council Member _____ to adopt a Resolution authorizing signatories for the Texas Department of Agriculture TxCDBG Grant #7220259 Downtown Revitalization Program Grant #7220182. Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

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

CITY MANAGER'S MEMORANDUM

Recommend approval.

RESOLUTION No. _____

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS DESIGNATING AUTHORIZED SIGNATORIES FOR CONTRACTUAL DOCUMENTS AND DOCUMENTS FOR REQUESTING FUNDS PERTAINING TO THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (TxCDBG) CONTRACT NUMBER 7220259 AND DOWNTOWN REVITALIZATON PROGECT GRANT NUMBER 7220182.

WHEREAS, the City of Lamesa, Texas has received a 2020 Texas Community Development Block Grant award to provide water line improvements, and;

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

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

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

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

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

The **Mayor, City Manager** be authorized to execute contractual and environmental review documents between the Texas Department of Agriculture and the City for the 2020 Texas Community Development Block Grant Program.

The **City Manager, City Secretary, Director of Finance** be authorized to execute the *State of Texas Purchase Voucher* and *Request for Payment Form* documents required for requesting funds approved in the 2020 Texas Community Development Block Grant Program.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS on _____ ___, 2021.

_____
JOSH STEVENS, MAYOR

Attest:

_____
BETTY CONDE, CITY SECRETARY

A202

Depository/Authorized Signatories Designation Form

Grant Recipient City of Lamesa TxCDBG Contract No. 7220259 and 7220182

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

Josh Stevens	Sean Overeynder
(Name)	(Name)
Mayor	City Manager
(Title)	(Title)
(Signature)	(Signature)

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

Sean Overeynder	Betty Conde
(Name)	(Name)
City Manager	City Secretary
(Title)	(Title)
(Signature)	(Signature)
Wayne Chapman	
(Name)	(Name)
Director of Finance	
(Title)	(Title)
(Signature)	(Signature)

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

City Council Agenda
City of Lamesa, Texas

DATE OF MEETING: MARCH 16, 2021 **AGENDA ITEM: 11**

SUBJECT: **CREATION OF BANK ACCOUNT FOR LAMESA DOWNTOWN REVITALIZATION PROGRAM**

PROCEEDING:

SUBMITTED BY: City Staff

EXHIBITS: Resolution

AUTHORITY:

SUMMARY STATEMENT

City Council to approve a resolution to open a bank account for the Lamesa Downtown Revitalization Program Grant # 7220182 and designating the authorized signatories. The approved signatories on each account will include Sean Overeynder, City Manager, Josh Stevens, Mayor, Josh Peterson, Police Chief and Betty Conde, City Secretary *(City Manager and Finance Director)*

COUNCIL ACTION

DISCUSSION _____

Motion by Council Member _____ to pass a resolution approving authorized signatories for contractual documents and financial documents pertaining to the Downtown Revitalization Program Contract #7220182. Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

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

CITY MANAGER'S MEMORANDUM

Recommend approval.

RESOLUTION NO.

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS, DESIGNATING AUTHORIZED SIGNATORIES FOR CONTRACTUAL AND FINANCIAL DOCUMENTS

WHEREAS, City Council to approve a resolution designating authorized signatories.

WHEREAS, it is necessary to appoint signatories to execute contractual document and financial documents, and;

WHEREAS, an original signed copy of the resolution authorizing named individuals as *Depository/Authorized Signatories* is to be submitted to Lamesa National Bank

WHEREAS, the City of Lamesa, Texas acknowledges that in the event that an authorized signatory of the City changes (elections, illness, resignations, etc.),

- a resolution stating who the new authorized signatory is (not required if this original resolution names only the title and not the name of the signatory); and

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

The listed designees be authorized to execute documents include: Sean Overeynder, City Manager, Josh Stevens, Mayor, Dore Rodriquez, Mayor Pro-tern, Josh Peterson, Chief of Police, Wayne Chapman, Finance Director, and Betty Conde, City Secretary

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS on March 16, 2021

_____
Josh Stevens, Mayor

Attest:

_____
Betty Conde, City Secretary

Depository/Authorized Signatories Designation Form

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

Josh Stevens	Dore Rodriquez
(Name)	(Name)
Mayor	Mayor-Pro-tem
(Title)	(Title)
(Signature)	(Signature)

In addition to the individuals listed above, the individuals listed below are designated by resolution as authorized signatories. At least two (2) signatories required).

Sean Overeynder	Betty Conde
(Name)	(Name)
City Manager	City Secretary
(Title)	(Title)
(Signature)	(Signature)
Wayne Chapman	Josh Peterson
(Name)	(Name)
Finance Director	Chief of Police
(Title)	(Title)
(Signature)	(Signature)

City Council Agenda
City of Lamesa, Texas

DATE OF MEETING: MARCH 16, 2021 **AGENDA ITEM: 12**

SUBJECT: **DISCUSSION AND ACTION REGARDING A PRESENTATION FOR A TPWD LOCAL PARKS GRANT APPLICATION AND PROJECT:**

PROCEEDING:

SUBMITTED BY: City Staff

EXHIBITS:

AUTHORITY:

SUMMARY STATEMENT

City Council to consider taking action regarding a TPWD Local Parks Grant application.

COUNCIL ACTION

DISCUSSION _____

Motion by Council Member _____ to approve a TPWD Local Parks Grant application. Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

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

CITY MANAGER'S MEMORANDUM

Recommend approval.

City Council Agenda
City of Lamesa, Texas

DATE OF MEETING: MARCH 16, 2021 **AGENDA ITEM:13**

SUBJECT: **DISCUSS/CONSIDER/APPROVE: KEEP LAMESA BEAUTIFUL - KEEP TEXAS BEAUTIFUL AFFILIATE**

PROCEEDING: City Staff

SUBMITTED BY:

SUMMARY STATEMENT

City Council to hear presentation from Permian Basin Regional Planning Commission in partnership with Keep Texas Beautiful Affiliate. *(Todd Mist rot and Hridoy Haq, Regional Services)*

COUNCIL ACTION

DISCUSSION _____

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

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

CITY MANAGER'S MEMORANDUM

Recommend approval.

City Council Agenda
City of Lamesa, Texas

DATE OF MEETING: MARCH 16, 2021 **AGENDA ITEM: 14**

SUBJECT: **AN ORDINANCE DECLARING AN UNOPPOSED CANDIDATE IN THE FEBRUARY 27, 2021, SPECIAL ELECTION TO OFFICE; CANCELING THE ELECTION IN DISTRICT THREE (3); PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

PROCEEDING:

SUBMITTED BY: City Staff.

EXHIBITS: Ordinance Second Reading

AUTHORITY: *State Law; Texas Election Code; Section 2.052*

SUMMARY STATEMENT

City Council to consider passing an ordinance on Second reading declaring the unopposed candidate in the February 27, 2021 Special Election to office, canceling the election in District three (3).

- District 3, Gloria Villalobos, elected to office.

COUNCIL ACTION

DISCUSSION:

Motion by Council Member _____ to pass an ordinance on Second reading declaring the unopposed candidate in the February 27, 2021 Special Election to office, canceling the election in 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.

ORDINANCE NO.

AN ORDINANCE DECLARING AN UNOPPOSED CANDIDATE IN THE FEBRUARY 27, 2021, SPECIAL ELECTION, ELECTED TO OFFICE; CANCELING THE ELECTION IN DISTRICT THREE (3); PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a special City election was called for February 27, 2021, for the purpose of electing a member to the City Council District 3; and

WHEREAS, the City Secretary has certified in writing that there is no proposition on the ballot, that no person has made a declaration of write-in candidacy, and that the candidate on the ballot is unopposed for election to office; and

WHEREAS, under these circumstances, Subchapter C, Chapter 2, Texas Election Code, authorizes the City Council to declare the candidate elected to office and canceling the election in District 3.

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

Section 1. The following candidate, who is unopposed in the February 27, 2021 special City election, is declared elected to office, and shall be issued a certificate of election following the time the election would have been canvassed:

City Council Member District 3: Gloria Villalobos Rodriguez

to fill, unexpired term ending in 2023.

Section 2. The February 27, 2021, District 3 Council Member election is canceled, and the City Secretary is directed to cause a copy of this ordinance to be posted on election day at each polling place that would have been used in the election.

Section 3. It is declared that the intent of the City Council is that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence paragraph, or section of this ordinance is declared invalid by the judgment or decree of a court of competent jurisdiction, the invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance since the City Council would have enacted them without the invalid portion.

Section 4. This ordinance shall take effect upon its final passage, and it is so ordained.

Upon being put to a vote the foregoing ordinance was Passed on First Reading on the 19th day of January, 2021, by a majority vote; and then on the 16th day of March, 2021, there came on and was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas, held pursuant to the provisions of the Texas Open Meetings Act; there being a quorum present and acting throughout the meeting the foregoing ordinance was formally submitted by motion and duly seconded for the consideration and action of the meeting, and upon being put to a vote, the foregoing ordinance was Passed on Second and Final Reading and Adopted this 16th

day of March, 2021, 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

City Council Agenda
City of Lamesa, Texas

DATE OF MEETING: NOVEMBER 17, 2020 **AGENDA ITEM: 15**

SUBJECT: **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 February 27, 2021 City Special Election. *(City Attorney)*

OATH OF OFFICE

I, GLORIA V. RODRIGUEZ 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 Member for District 3 will be sworn in.

Form #2204 Rev 9/2017 **Submit to:** **SECRETARY OF STATE** **Government Filings Section** **PO Box 12887** **Austin, TX 78711-2887** **512-463-6334** **FAX 512-463-5569** **Filio Fee: None**	**This space reserved for office use** **OATH OF OFFICE**

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS,
I, Gloria V. Rodriguez, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Council Member for District 3 of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

Signature of Officer

Certification of Person Authorized to Administer Oath

State of Texas

County of Dawson

Sworn to and subscribed before me on this 16th day of March 2021

(Affix Notary Seal, only if oath administered by a notary.)

Signature of Notary Public or
Signature of Other Person Authorized to Administer An Oath

Printed or Typed Name

City Council Agenda
City of Lamesa, Texas

DATE OF MEETING: MARCH 16, 2021 **AGENDA ITEM: 16**

SUBJECT: **AN ORDINANCE DECLARING UNOPPOSED CANDIDATES IN THE MAY 1, 2021, GENERAL ELECTION TO OFFICE; CANCELING THE ELECTION IN DISTRICT FOUR (4); AND DISTRICT FIVE (5) PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

PROCEEDING:

SUBMITTED BY: City Staff.

EXHIBITS: Ordinance First Reading

AUTHORITY: *State Law; Texas Election Code; Section 2.052*

SUMMARY STATEMENT

Consider passing an ordinance on First reading declaring the unopposed candidates for the 2021, General Election, to be held on May 1, 2021. Council Member District 4, Dore Evan Rodriguez, Council Member District 5, Bobby Gonzales elected to office)

COUNCIL ACTION

DISCUSSION:

Motion by Council Member _____ to pass an ordinance on First reading declaring the unopposed candidates in the May 1, 2021 General Election to office, canceling the election in District 4; and District 5. 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 DECLARING AN UNOPPOSED CANDIDATES IN THE MAY 1, 2021 GENERAL CITY ELECTION, ELECTED TO OFFICE; CANCELING THE ELECTION IN DISTRICT FOUR (4), AND DISTIRCT FIVE (5); PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, general city election was called for May 1, 2021, for the purpose of electing members to the city council; and

WHEREAS, the City Secretary has certified in writing that there is no proposition on the ballot, that no person has made a declaration of write-in candidacy, and that the candidate on the ballot is unopposed for election to office; and

WHEREAS, under these circumstances, Subchapter C, Chapter 2, Election Code, authorizes the city council to declare the candidates elected to office and canceling the election in District 4 and District 5.

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

Section 1. The following candidate, who is unopposed in the May 1 2021 general city election, is declared elected to office, and shall be issued certificates of election following the time the election would have been canvassed:

City Council Members	
District 4:	**Dore Evan Rodriguez**
City Council Members	
District 5:	**Bobby Gonzales**

Section 2. The May 1, 2021 District 4 Council Member, and District 5 Council Member election is canceled, the city secretary is directed to cause a copy of this ordinance to be posted on election day at each polling place that would have been used in the election.

Section 3. It is declared to be the intent of the city council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence paragraph, or section of this ordinance is declared invalid by the judgment or decree of a court of competent jurisdiction, the invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance since the city council would have enacted them without the invalid portion.

Section 4. This ordinance shall take effect upon its final passage, and it is so ordained.

Upon being put to a vote the foregoing ordinance was Passed on First Reading on the 16th day of March, 2021 by a majority vote; and then on the 20th day of April, 2021, there came on and was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas held pursuant to the provisions of the Texas Open Meetings Act; there being a quorum present and acting throughout the meeting the foregoing ordinance was formally submitted by motion and duly seconded for the consideration and action of the meeting, and upon being put to a vote, the foregoing ordinance was Passed on Second and Final Reading and Adopted this 20th day of April, 2021 by a majority vote and ordered to be spread upon the minutes of the City Council of the City of Lamesa, Texas and recorded in the ordinance book thereafter.

ATTEST:

_____

APPROVED:

_____

2021 CERTIFICATE OF UNOPPOSED CANDIDATES
2021 CERTIF/CAC/ON DE CANDIDATOS UN/COS

To: Lamesa City Council
Al: Concilio de la Ciudad de Lamesa

As the authority responsible for having the official ballot prepared, I hereby certify that the following candidates are unopposed for election to office for the election scheduled to be held on May 1, 2021.

Como *autoridad* a *cargo de la preparaci6n de le boleta de votaci6n oficial, por la presente certifico que los siguientes candidatos imicos para elecci6n para un cargo en la elecci6n que se 1/evara* a *cabo el sabado, 1 dia de Mayo 2021.*

List officers and names of candidates:
Lista de cargos y nombres de las candidatos:

Office *(Cargo)*	**Candidates *(Candidatos)***
Council Member District 4: ***(Miembro de/ Consejo District 4)***	**Dore Evan Rodriguez**
Council Member District 5: ***(Miembro de/ Consejo District 5)***	**Bobby Gonzales**

_____
Signature *(Firma)*

BETTY CONDE
Printed name *(Nombre en /etra de mo/de)*

CITY SECRETARY
Title *(Puesto)*

MARCH 16 2021
Date of signing *(Fechadefirma)*

City Council Agenda
City of Lamesa, Texas

DATE OF MEETING: MARCH 16, 2021 **AGENDA ITEM: 17**

SUBJECT:	**RESOLUTION APPOINTING ELECTION OFFICIALS FOR THE CITY OF LAMESA GENERAL ELECTION TO BE HELD ON MAY 1 ,2021"**
PROCEEDING:	Appointment
SUBMITTED BY:	City Secretary
EXHIBITS:	Resolution
AUTHORITY:	*State Law; Texas Election Code, Section 32.005*

SUMMARY STATEMENT

Consider passing resolution appointing a presiding judge and alternate judge for the 2021 City General Election and a presiding judge for the Early Voting Ballot Board; clerks for early balloting; and to provide for compensation of services for the 2021 City Elections to be held on May 1, 2021. *(City Secretary)*

COUNCIL ACTION

DISCUSSION _____

Motion by Council Member _____to pass a resolution appointing a presiding judge and alternate judge for the May 1, 2021 City General Election. Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

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

CITY MANAGER'S MEMORANDUM

Renee Barrera has agreed to serve as Presiding Judge with Norma Ortega as Alternate Judge; Norma Ortega has agreed to serve as Judge of the Early Voting Ballot Board. They have worked in previous elections and I recommend passing a resolution making these appointments. The rate of pay for all election day workers to be $11.00 per hour.

Recommend approval.

RESOLUTION NO. R-

A RESOLUTION APPOINTING ELECTION OFFICIALS FOR THE 2021 CITY OF LAMESA GENERAL ELECTIONS.

On this the 16th day of March, 2021, there came on and was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas held pursuant to the provisions of the Texas Open Meetings Act; there being a quorum present and acting throughout the meeting, the following resolution was formally submitted by motion and duly seconded for the consideration and action of the meeting, to wit:

WHEREAS, the terms of the Federal Court Order resolving Civil Action Number CA 5-91-0153, the laws of the State of Texas and the Charter of the City of Lamesa, Texas provide that on May 1, 2021, there shall be elected the following officials for this City.

One (1) "Council Member" in District 1

for three (3) year terms expiring in 2024; and

WHEREAS, the terms of the Federal Court Order resolving Civil Action Number CA 5-91-0153, the laws of the State of Texas and the Charter of the City of Lamesa, Texas further provide that the Election code of the State of Texas is applicable to said election, and that Section 32.005 of said Code provides that the judges of said election may be appointed for a single election; and

WHEREAS, it is in the public interest and welfare that said resolution be passed.

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

I. That the City of Lamesa, Texas having six election districts, said election shall be held at the following place in said City.

Forrest Park Community Center

814 South Houston Avenue

II. That the following named persons are hereby appointed officers for said election:

(A). For the 2021 City of Lamesa General Election, Renee Barrera shall serve as Presiding Judge and Norma Ortega shall serve as Alternate Presiding Judge, and the Clerks for said election shall be appointed by the Presiding Judge in a number not to exceed six (6) clerks.

(B). Norma Ortega shall serve as Presiding Judge of the Early Voting Ballot Board and the Clerks for said election shall be appointed by the Presiding Judge in a number not to exceed two (2) clerks. Renee Barrera shall serve as Alternate Presiding Judge for the Early Voting Ballot Board.

(C). Betty Conde is hereby appointed Clerk for Early Balloting and Sandy Trevino and Irma Ramirez are appointed as Deputy Clerks for early balloting. One

additional deputy clerk may be employed and appointed on a temporary basis for said election.

(D). The term of office for said appointments shall be for the period of the 2021 City Officer's Election including any runoff Election.

(E). Compensation for said election officials and clerks shall be Eleven Dollars ($11.00) per hour, as provided for in Section 32.091 of the Election Code; and the Election judge or clerk who delivers the Election records, keys, and ballot boxes to the Mayor, City Secretary, and County Voter Registrar is entitled to compensation for that service in the amount of Twenty-Five Dollars ($25.00), as provided for in Section 32.093 of said Code.

(F). Notice of said appointment shall be given to the presiding election judges in accordance with the provisions of Section 4.007 of the Election Code.

Upon being put to a vote, the resolution was Passed, Approved, and Adopted this 16th day of March, 2021, by a majority vote and ordered to be spread upon the minutes of the City Council of the City of Lamesa, Texas and recorded in the resolution book thereafter.

ATTEST:

Betty Conde
City Secretary

APPROVED:

Josh Stevens
Mayor

City Council Agenda
City of Lamesa, Texas

DATE OF MEETING: MARCH 16, 2021 **AGENDA ITEM: 18**

SUBJECT:	**AN ORDINANCE DESIGNATING A GEOGRAPHIC AREA WITHIN THE CITY OF LAMESA; DAWSON COUNTY, TEXAS, AS A REINVESTMENT ZONE PURSUANT TO CHAPTER 312 OF THE TEXAS TAX CODE, ADOPTING PROVISIOANS RELATED THERTO, AND PROVIDING FOR SEVERABILITY**
PROCEEDING:	Action Item
SUBMITTED BY:	City Staff
EXHIBITS:	Ordinance Second Reading

SUMMARY STATEMENT

City Council to consider passing an Ordinance on second reading. designating a geographic area within the City of Lamesa as a reinvestment zone.

COUNCIL ACTION

DISCUSSION _____

Motion by Council Member _____ to consider passing an ordinance on second reading designating a geographic area within the City of Lamesa as a reinvestment zone. 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 DESIGNATING A GEOGRAPHIC AREA WITHIN THE CITY OF LAMESA, DAWSON COUNTY, TEXAS, AS A REINVESTMENT ZONE PURSUANT TO CHAPTER 312 OF THE TEXAS TAX CODE; ADOPTING PROVISIONS RELATED THERETO; AND PROVIDING FOR SEVERABILITY

On the 15th day of December, 2020, there came on and was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas, held pursuant to the provisions of the Texas Open Meetings Act, and there being a quorum present and acting throughout the meeting, the following ordinance was formally submitted by motion and duly seconded for consideration and action of the meeting, to-wit:

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

Whereas, the City of Lamesa wishes to designate that property located in the City of Lamesa, Dawson County, Texas, which is located within that 9.74 acre tract described on Exhibit A and as particularly shown on Exhibit B, both of said Exhibits attached to this Ordinance, as a Reinvestment Zone under the City of Lamesa Economic Development Policy & Guidelines For Tax Abatement and Texas Local Government Code Chapter 380 Agreements, having determined that the designation will contribute to the retention or expansion of primary employment and will attract major investment in the zone that will benefit the zone and will contribute to the economic development of the City of Lamesa;

Whereas, the City finds that designating this area as a reinvestment zone would contribute to the retention or expansion of primary employment or would attract major investment in the zone that would benefit the property included in the zone and would contribute to the economic development of the city;

Whereas, the City finds that the improvements sought are feasible and practical and would benefit the land included in the zone and the municipality after a tax agreement expires; and

Whereas, the City of Lamesa declares eligible for property tax abatement all eligible property for retail/commercial/office uses located in the Reinvestment Zone as authorized by the City of Lamesa Economic Development Policy & Guidelines For Tax Abatement and Texas Local Government Code Chapter 380 Agreements.

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

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

Section 2. That the City of Lamesa hereby designates that property located in the City of Lamesa, Dawson County, Texas, which is located within that 9.74 acre tract described on Exhibit A and as particularly shown on Exhibit B, both of said Exhibits attached to this Ordinance, as a Reinvestment Zone under the City of Lamesa Economic Development Policy & Guidelines For Tax Abatement and Texas Local Government Code Chapter 380 Agreements.

Section 3. That the City of Lamesa hereby declares eligible for property tax abatement all eligible property for retail/commercial/office uses, now or thereafter located in the Reinvestment Zone as authorized by the City of Lamesa Economic Development Policy & Guidelines For Tax Abatement and Texas Local Government Code Chapter 380 Agreements.

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

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

Upon being put to a vote, the foregoing ordinance was Passed, on First Reading on the 15th day of December, 2020, by a majority vote; and then on the ____ day of March, 2021, there came on and was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas, held pursuant to the provisions of the Texas Open Meetings Act, and there being a quorum present and acting throughout the meeting, the foregoing ordinance was formally submitted by motion and duly seconded for the consideration and action of the meeting, and upon being put to a vote, the foregoing ordinance was Passed on Second and Final Reading and Adopted this ____ day of March, 2021, 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

EXHIBIT "A"
LEGAL DESCRIPTION

Beginning at (N:6975076.76\E:908077.76') a 1/2" iron rod with cap marked "ASB 5689" set in the north right of way line of North 22nd Street (F.M. 2592) and the east right of way line of Woody Road (Ranch Road 179) at the southwest corner of said Block 1, First Northridge Addition for the southwest corner of this tract;

Thence North 07°32'16" West with the east right of way line of said Woody Road, a distance of 500.44 feet to a 1/2" iron rod found for a point of deflection in the west line of this tract;

Thence North 12044'56" West with the east right of way line of said Woody Road, a distance of 271.27 feet to a 1/2" iron rod with cap marked "ASB 5689" set in the south right of way line of a 20 Foot Alley at the northeast corner of said Block 1 for the northeast corner of this tract;

Thence North 78°05'39" East with the south line of said 20 Foot Alley, a distance of 9.94 feet to a spindle set for a point of curvature in the north line of this tract;

Thence with a curve to the right in a northeasterly direction along the south right of way line of said 20 Foot Alley, said curve having a radius length of 889.57 feet, an arc length of 124.24 feet, a delta angle of 08°00'08", and a chord length of 124.14 feet bearing North 81°14'52" East to a 1/2" iron rod with cap marked "ASB 5689" set for a point of tangency in the north line of this tract;

Thence North 85014'29" East with the south right of way line of said 20 Foot Alley, a distance of 484.97 feet to a 1/2" iron rod with cap marked "ASB 5689" set at the end of the east right of way line of North Hartford Avenue and the northwest corner of a 1.39 acre tract in said Block 1 recorded in Volume 309 Page 143, Deed Records, being the northeast corner of this tract;

Thence South 04°33f02" East with the west line of said 1.39 acre tract, a distance of 11.14 feet to a 1/2" iron rod with cap marked "ASB 5689" set for a point of deflection in the east line of this tract;

Thence South 01°05'29" West with the west line of said 1.39 acre tract, a distance of 242.89 feet to a point for the southwest corner of said 1.39 acre tract, being a point of deflection in the east line of this tract;

Thence South 63°09'30" East with the south line of said 1.39 acre tract, a distance of 149.86 feet to a point in the west right of way line of Lubbock Highway (US Highway 87) at the southeast corner of said 1.39 acre tract for a point of deflection in the east line of this tract;

Thence South 26048'57" West with the west right of way line of said Lubbock Highway, a distance of 454.81 feet to a point in the north right of way line of said North 22nd Street for the southeast corner of said Block 1 and being the southeast corner of this tract;

Thence South 77°11'30" West with the north right of way line of said North 22nd Street, a distance of 425.60 feet to the Point of Beginning. Containing 9.74 acres of land

Tax Parcel No. 4083

EXHIBIT 'B'

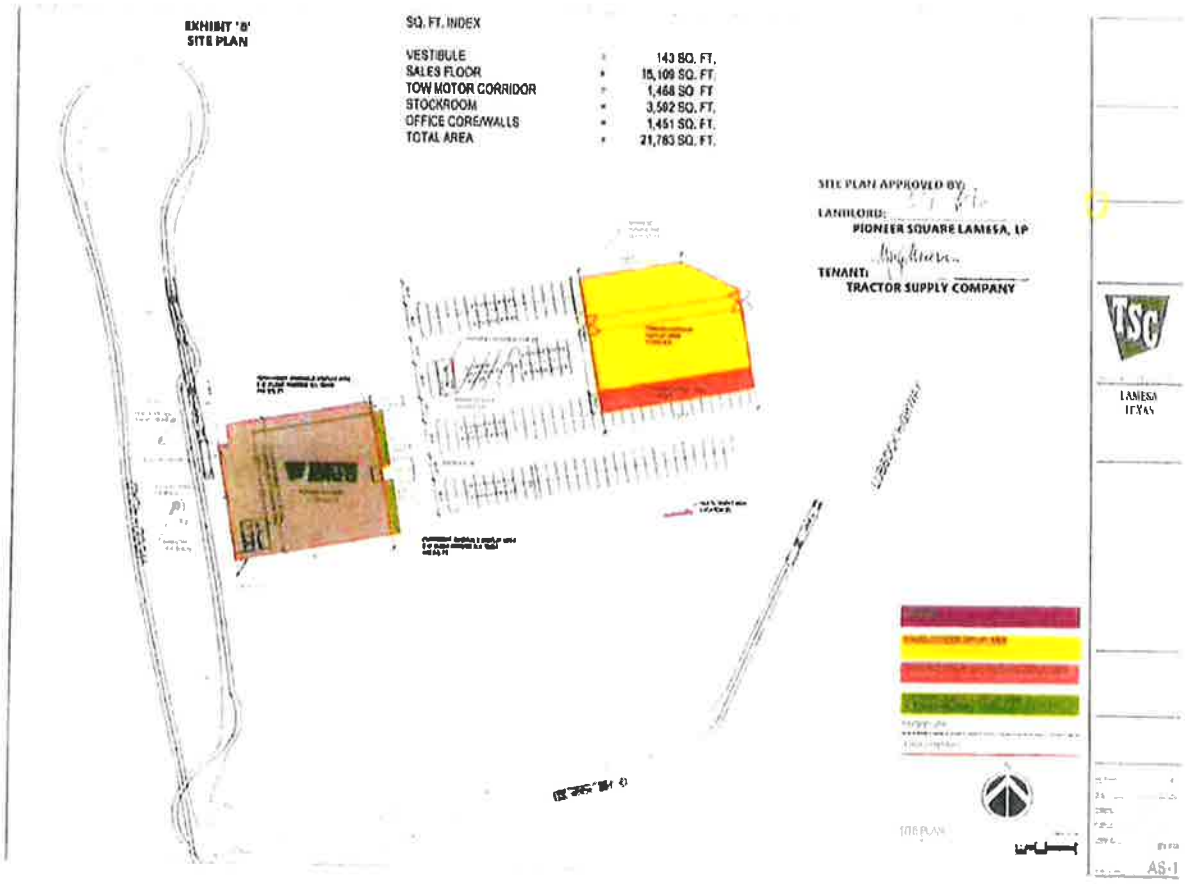
EXHIBIT 'B'
SITE PLAN
SQ. FT. INDEX
VESTIBULE = 143 SQ. FT.
SALES FLOOR = 15,109 SQ. FT.
TOW MOTOR CORRIDOR = 1,468 SQ. FT.
STOCKROOM = 3,592 SQ. FT.
OFFICE CORE/WALLS = 1,451 SQ. FT.
TOTAL AREA = 21,763 SQ. FT.
SITE PLAN APPROVED BY:
LANDLORD:
PIONEER SQUARE LAMESA, LP
TENANT:
TRACTOR SUPPLY COMPANY
LAMESA
TEXAS
AS-1

City Council Agenda
City of Lamesa, Texas

DATE OF MEETING: MARCH 16, 2021 **AGENDA ITEM: 19**

SUBJECT:	**AN ORDINANCE AMENDING CHAPTER 4 ENTITLED "BUSINESS REGULATIONS" OF THE CODE OF ORDINANCES OF THE CITY OF LAMESA, TEXAS, TO AMEND ARTICLE 4.02 FROM "AMUSEMENT CENTERS" TO "GAME ROOMS":**
PROCEEDING:	Ordinance, Second reading
SUBMITTED BY:	City staff
EXHIBITS:	
AUTHORITY:	Code of Ordinances

SUMMARY STATEMENT

City Council to consider approving an Ordinance on second reading amending Chapter 4 entitled "Business Regulations", of the Code of Ordinances of the City of Lamesa to amend Article 4.02 from "Amusement Centers" to "Game Rooms". (*City Manager*)

COUNCIL ACTION

DISCUSSION _____

Motion by Council Member _____ to pass an Ordinance to approve on second reading amending Chapter 4 entitled "Business Regulations", of the Code of Ordinances of the City of Lamesa, Texas, to amend Article 4.02 from "Amusement Centers" to "Game Rooms". 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 AMENDING CHAPTER 4 ENTITLED "BUSINESS REGULATIONS" OF THE CODE OF ORDINANCES OF THE CITY OF LAMESA, TEXAS, TO AMEND ARTICLE 4.02 FROM "AMUSEMENT CENTERS" TO "GAME ROOMS".

On the 19th day of January, 2021, 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, the City Council desires to make certain revisions to Article 4.02 of Chapter 4 entitled "BUSINESS REGULATIONS" of the Code of Ordinances of the City of Lamesa which revisions are in the best interest of the City of Lamesa.

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

SECTION 1. That Article 4.02 of the Code of Ordinances of the City of Lamesa, Texas, be, and is hereby, amended to read as follows:

Article 4.02 GAME ROOMS

Sec. 4.02.001. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Amusement redemption machine means any electronic, electromechanical, or mechanical contrivance, including sweepstake machines, designed, made, and adapted solely for bona fide amusement purposes, and that by operation of chance or a combination of skill affords the user, in additional to any right of replay, an opportunity to receive exclusively non-cash merchandise prizes, toys, or novelties, or a representation of a value redeemable for those items and is in compliance with section 47.01(4)(b) of the Texas Penal Code. Amusement redemption machine does not include:

(a) A machine that awards the user non- cash merchandise prizes, toys, or novelties solely and directly from the machine, including claw, crane, or similar machines; or

(b) A machine from which the opportunity to receive non-cash merchandise prizes, toys, or novelties, or a representation of value redeemable for those items, varies depending upon the user's ability to throw, roll, flip, toss, hit,

or drop a ball or other physical objects into the machine or a part thereof, including basketball, golf, bowling, or similar machines where the theme of the machine is not one traditionally recognized or associated as a casino-type gambling activity or game such as eight-liners, games played with cards, dice or other playing boards or mediums, such as Poker, blackjack, keno, bingo, slots, Craps, Roulette, Baccarat or similar games. A representation of value means cash paid under authority of Chapter 622 of the Texas Business and Commerce Code; or

(c) A machine or any device defined in Texas Penal Code Section 47.01as a gambling device.

Arcade game means any electronic, electromechanical, or mechanical contrivance designed, made, and adapted solely for bona fide amusement purposes that does not afford the user any opportunity of a free replay or a chance to receive any additional consideration other than amusement through playing.

Chief building official means the Building Inspector or Code Enforcement Officer of the City of Lamesa or the Building Inspector's authorized representative.

Chief of police means the Chief of Police of the City of Lamesa authorized to enforce and administer this article or the chief's authorized representative.

City means the City of Lamesa.

City manager means the City Manager of the City of Lamesa authorized to enforce and administer this article or the City manager's authorized representative.

City secretary means the City Secretary of the City of Lamesa authorized or the City secretary's authorized representative.

Compensation means any and all forms of payment as remuneration for the provision of playing an amusement redemption machine.

Fire marshal means the Fire Marshal of the City of Lamesa or the fire marshal's authorized representative.

Game room means a building, facility, or other place, including private club or commercial business location that derives any revenue directly or indirectly from the operation of one or more amusement redemption machines, or from patrons playing non-electronic games of any type, including without limitation, cards, dice, dominos, board games, but specifically excluding bingo establishments operated under other law; or possesses one or more amusement redemption machines, whether operating or not on the premises.

Game room owner or owner means a person who has an ownership interest in a game room.

Licensee means any person, individual, firm, company, association, or corporation operating an amusement redemption machine game room in the City.

Manager, operator or owner means an individual who supervises, manages, or participates in the performance of activities that contribute to the functioning of a game room, including but not limited to, operating cash register/drawer, credit card transaction or some other depository on the premises of a game room, displays, delivers, or provides to a customer of a game room merchandise, goods, entertainment or other services, takes orders from a customer of a game room for merchandise, goods, entertainment or other services or acts as a door attendant to regulate entry of customers.

Sec. 4.02.002 License required.

No person shall operate a game room in the City without first obtaining a license from the City as required by this article. No license shall be issued until:

(a) The applicable game room license fee has been paid.

(b) The background check fee has been paid; and

(c) The occupation tax has been paid for each amusement redemption machine within the premises;

Sec. 4.02.003 Payment of annual inspection and license fee; issuance of license.

An owner, operator, or lessee of a game room shall be required to secure a license annually. A game room shall be required to secure a license by paying to the City an annual inspection and game room license fee in the amount of Seven thousand five hundred dollars ($7,500.00). Upon payment of the license fee and a $300.00 background check fee to the City, the license shall be issued by the City.

Sec. 4.02.004 Occupation tax assessed; display of tax certificates

(a) An occupation tax permit issued by the state and all seals required by the state shall be securely affixed to each amusement redemption machine. Such permits and seals shall be affixed on the front of each machine in a clearly visible location.

(b) The City hereby assesses, and the City secretary shall collect an annual occupation tax in the amount of Two Hundred Fifty ($250.00) per machine, which shall be paid before a tax certificate may be issued ("tag").

(c) A tag issued by the City shall be securely affixed to each amusement redemption machine. This tag shall bear the name of the machine, and the serial number of the machine to which it is issued to and affixed. The tag shall be affixed on the front of the machine in a clearly visible location. The tag shall, for its valid period, remain legible and undamaged.

(d) All tags shall be issued on the basis of a calendar year. Occupation taxes shall not be

prorated. Tags issued at any time during a calendar year shall automatically expire on December 31st of each year.

(e) Replacement tags issued by the City must meet all requirements listed in Sec. 4.02.004 (d). Replacement tags shall not be prorated and shall bear the word "REPLACEMENT". Replacement tags will be issued for damaged original tags. The original tag must be surrendered to the City before a replacement tag is issued. Replacement tags for lost original tags will be issued only when an affidavit is completed explaining the loss. The affidavit will also include serial number and name of the amusement redemption machine to which the replacement tag shall be issued.

Sec. 4.02.005 Term of license; jurisdiction; scope.

A license issued for a game room under this article:

(a) Is an annual license which expires December 31st of each year unless it is suspended or cancelled earlier;

(b) Is effective for a single place of business only;

(c) Vests no property right in the licensee except to maintain, display for public patronage, and permit the use or skill or pleasure of amusement redemption machines in accordance with the terms and conditions of this article;

(d) Shall automatically expire if the licensee thereof sells the property or the business, transfers equity to accomplish same, or otherwise disposes of amusement redemption machines; and

(e) Is not assignable or transferable.

(f) In addition, the City shall not refund any portion of a license fee after the license is issued, nor shall it prorate or reduce in amount any fee due to the City.

Sec. 4.02.006 Restrictions, regulations, controls, and limitations.

(a) Game rooms shall have windows on at least two (2) sides of the building which afford a clear and unobstructed view of each amusement redemption machine. Additionally:

(1) Windows shall, at a minimum, be four (4) feet wide and five (5) feet tall.

(2) Windows shall not be tinted.

(3) Windows shall not be obstructed in any way. Obstructions include, but are not limited to, blinds, drapes, writing, signage, banners, or graphics on or covering the windows during hours of operation.

(4) Security devices for windows, if installed, shall be retractable or

otherwise removable during hours of operation.

(b) No amusement redemption machines or related business activities shall be allowed to be situated or performed outdoors.

(c) The hours of operation for a game room shall be limited to the following hours:

(1) Monday through Thursday, open at 9:00 a.m. and close at 10:00 p.m.; and

(2) Friday through Sunday, open at 9:00 a.m. and close at 1 1:00 p.m.

(d) The owner, operator, or manager of the licensed premises must be present to supervise the operation of the game room. The game room shall not be left unattended during hours of operation.

(e) Amusement redemption machines must be situated within the licensed premises in full and open public view and visible to all patrons of the establishment.

(f) No person under the age of eighteen (18) years shall be permitted inside the building, structure, facility, or space, housing the game room.

(g) A sign in one and one-half inch (1-1/2") or larger typed block letters and which is legible from a distance of at least twenty-five feet (25') stating that no one under the age of eighteen (18) is allowed inside the game room shall be posted in plain sight immediately inside the entrance stating that:

(h) "No person under the age of eighteen (18) years shall be permitted inside the building, structure, facility or space housing the game room."

(i) A game room owner or operator must be a person who is at least eighteen (18) years of age.

(j) The total number of operational amusement redemption machines allowed in one (1) game room establishment shall be limited to the maximum number of thirty (30) amusement redemption machine games. Any back-up, nonoperational or replacement amusement redemption machines shall be secured in a locked storage area or closet to which the public is not allowed to enter and such machines shall not be connected to electricity or be otherwise operational. The occupation tax on such back-ups or replacement amusement redemption machine games shall be paid annually regardless of whether such machines are used by the game room's patrons.

(k) The owner, operator, or manager of the licensed premises shall mark each entrance to a game room with a typed sign which bears the words "GAME ROOM" in one and one-half inch (1-1/2") or larger block letters and which is legible from a distance of at least twenty-five feet (25').

(l) Game rooms are deemed to be public places to which the public has access.

(m) All entrances and exits to game rooms are to remain unlocked during hours of operation. Entrances and exits may not make use of a "buzzer" system or any other system or device that prevents individuals from freely opening a door during hours of operation. This does not apply to emergency exits, which must meet all applicable fire codes and regulations:

(1) The exterior of all entrances and exits must be clearly illuminated during hours of darkness.

(2) The exterior of all emergency exits must be clearly illuminated during hours of darkness.

(n) Nothing contained herein shall be construed or have the effect to license, permit, authorize or legalize any machine, device, table, or gaming machine, the keeping, exhibition, operation, display or maintenance of which is illegal or in violation of any ordinance of the City, any regulation of the county, any section of the penal code of this state, or the constitution of this state

Sec. 4.02.007 Compensation.

Compensation for the playing of an amusement redemption machine is limited to tangible, physical merchandise awarded from the game room, or replays on the amusement redemption machine. Prohibited compensation includes, but is not limited to, money, vouchers for utilities, vouchers for other businesses or services, food, beverages, services, gift certificates, or prepaid credit/debit cards.

Sec. 4.02.008 Application for game room license.

(a) It shall be unlawful for any person to operate any game room within the City without first obtaining a license from the City secretary's office. The license shall at all times be displayed in a conspicuous place within the licensed premises. Any license issued to operate a game room shall expire on the 31st day of December in the year of issuance. Licenses shall be issued to the owner or documented lessee of the premises only and shall not be transferable.

(b) An applicant for a license required under this section shall be required to provide materials deemed necessary by the City manager as evidenced by the City's standard application form as necessary to determine whether the applicant is eligible for a license. Applicants operating as a legal entity, other than a sole proprietor or unregistered partnership, shall be required to provide proof of good standing with the Texas Secretary of State. Applicants that have been convicted of violations of Texas Penal Code, Chapter 47 (Gambling) shall be ineligible for licensure.

(c) As part of the licensure process Applicant shall make the premises to be

licensed available for City inspection, which shall include without limitation, inspection by the chief of police, chief building official and City fire marshal, or their respective authorized representatives. No license shall be issued until such premises conforms to the requirements of this article and the Code of Ordinances.

(d) The City secretary shall collect a license fee as set forth in this article as established by the City council for each game room license issued.

Sec. 4.02.009 Renewal of amusement redemption machine game room license.

(a) A license may be renewed for the following calendar year beginning October 1 of each year by filing a completed application for each license and paying the applicable fee set forth in this article. A renewal application shall be subject to the same requirements in this section as for a license application.

(b) Upon the expiration of a license, the licensee shall be required to obtain a renewal license if the licensee wishes to continue operating an amusement redemption machine game room. Failure to obtain the renewal license within thirty (30) days after expiration may require such person to pay an additional late fee in an a equal to fifty (50) percent of the fee as currently established or as hereafter adopted by City council from time to time. Nothing herein authorizes the licensee to operate after the expiration of a license and before a renewal license is effective.

Sec. 4.02.010 Grounds for denial of license; suspension or revocation of license.

The City shall not issue or renew a license under this article and shall suspend or cancel a license if it be determined that the applicant or licensee is indebted to the City for any fee or costs related to this article until such time as the amount due is paid.

Sec. 4.02.011 Suspension or revocation of license for violation of article.

(a) Power and authority. If any individual, company, corporation or association who owns, operates, exhibits, or displays any amusement redemption machine(s) in a game room in this City shall violate any provision of this article, the City shall have the power and authority to suspend or revoke the license(s) issued hereunder to any of the foregoing by giving written notice, stating the reason justifying such suspension or revocation, and the same shall be suspended or revoked ten (10) days from the date of such notice.

(b) Suspension. The City manager shall immediately suspend a license for a period not to exceed thirty (30) days if he determines that a licensee or an employee of a licensee has:

(1) Violated or is not in compliance with any of the provisions of this article;

(2) Refused to allow or interfered with an inspection of the game room premises; or

(3) Demonstrated an inability to operate or manage a game room in a peaceful and law-abiding manner thus necessitating action by law enforcement officers.

(a) Revocation for continuing violations. The City manager shall revoke a license if a cause of suspension occurs and the license has been previously suspended within the preceding twelve (12) months.

(b) Automatic revocation. The City manager or the City manager's authorized representative shall revoke a license if:

(1) A licensee gave false or misleading information in the material submitted to the City during the application process;

(2) A licensee or an employee of a licensee knowingly allowed the possession, use, or sale of a controlled substance on the premises; or

(3) A licensee or an employee of a licensee operated the amusement redemption machine game room during a period of time when the licensee's permit was suspended.

(c) Effect of revocation. No license shall be issued within a period of one (1) year to anyone whose license has been revoked. If the license of an individual, company, corporation, or association owning, operating, or displaying amusement redemption machines in this City is cancelled, such individual, company, corporation or association shall not operate, display or permit to be operated or displayed such amusement redemption machines in any game room until a new license is granted.

Sec. 4.02.012 Appeal from denial, suspension or revocation of license.

If the City manager refuses to approve the issuance of a license or the renewal of a license to an applicant, or suspends or revokes a license issued under this article, this action is final unless the applicant or licensee, within ten days after the receipt of written notice of the action, files a written appeal with the City secretary, who shall, within ten (10) days after the appeal is filed forward same to the City Council for its consideration at a public meeting following a hearing. The City Council shall, within thirty (30) days, grant such hearing to consider the action. The City Council has authority to sustain, reverse, or modify the action appealed. The decision of the City Council is final.

Sec. 4.02.013 Display of license.

A valid license issued under this article for a game room shall be displayed at or near the entrance of thebusiness premises, and such display shall be permanent and conspicuous.

Sec.4.02.014 Inspections.

(a) The premises in which such amusement redemption machines are located shall conform to all building codes and fire prevention codes of the City and the fire marshal of the City and his assistants, the City inspector/code enforcement officer, and the chief building official may enter into the premises where such amusement redemption machines are located at any time during normal business hours for the purposes of inspecting said premises for fire hazards.
(b) All law enforcement personnel and the inspector/code enforcement officer of the City shall have the right to enter into said premises at any time during normal business hours for the purpose of inspection and enforcement of the terms of this article. The Chief of police or the Chief's authorized representative from the police department shall conduct regular, recurring inspections of the premises.
(c) The City shall have the authority to seal any amusement redemption machine located in any game room for which the license fee, occupation tax, or City tag fee has not been paid. A fee in the amount of fifty dollars ($50.00) will be charged for the release of any machine sealed for nonpayment of said tax or fee.
(d) The manager, operator, owner shall maintain accurate and legible records of the daily intake of cash/credit paid to play amusement redemption machines and maintain records of compensation including rights of replay and merchandise compensation received by customers for play and approximate cost of such. The records and keys to the motherboard shall be presented to City officials upon request. A refusal to comply with such requests is a violation of this article and shall be grounds for revocation of a license.

Sec. 4.02.015 Responsibility of licensee.

A licensee hereunder shall not permit any of the following activities within the licensed premises:

(a) The operation of any amusement redemption machine by a person younger than eighteen (18) years of age;

(b) Gambling by any person;

(c) The possession of gambling materials; and

(d) Unlawful or criminal activity of any kind, including violations of this code.

Sec. 4.02.016 Violations of existing laws not authorized.

Nothing herein shall be construed or have the effect to license, permit, authorize or legalize any machine, device, table, or gaming machine, the keeping, exhibition,

operation, display or maintenance of which is illegal or in violation of any ordinance of the City, any regulation of the county, any section of the penal code of this state, or the constitution of this state.

Sec. 4.02.017 Offense; penalties.

A person who fails to comply with any requirement of this code commits a class C misdemeanor punishable by a fine not less than two hundred and fifty dollars ($250.00) and not more than five hundred dollars ($500.00); except that:

(a) Proof of a culpable mental state is expressly not required for a conviction of an offense under this article, unless specifically required in this article or state law.

(b) Each violation is considered a separate offense.

(c) Each day that a violation occurs is a separate offense.

(d) In addition to the penaltics described in above, the City may pursue other remedies that the City may have under state or federal law.

SECTION 2. Effective date: That this Ordinance shall become effective February ____, 2021.

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 applicable state law and the City Charter.

Upon being put to a vote, the foregoing Ordinance was Passed, on First Reading on the 19th day of January, 2021, by a majority vote.

ATTEST:

Betty Conde
City Secretary

APPROVED:

Josh Stevens
Mayor

City Council Agenda
City of Lamesa, Texas

DATE OF MEETING: MARCH 16, 2021 **AGENDA ITEM: 20**

SUBJECT: **BUDGET AMENDMENT I**

PROCEEDING: Approval
SUBMITTED BY: City Staff
EXHIBITS: Ordinance, Second Reading

SUMMARY STATEMENT

Consider amending Ordinance O-20-20 on second reading with respect to the budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021. *(City Manager & Finance Director)*

COUNCIL ACTION

DISCUSSION _____

Motion by Council Member _____ to consider amending Ordinance O-20-20 on second reading with respect to the budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021. Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

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

CITY MANAGER'S MEMORANDUM

Recommend approval.

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LAMESA, TEXAS, AMENDING ORDINANCE NO. 0-20-20 TO APPROPRIATE FUNDS IN THE CITY OF LAMESA BUDGET FOR FISCAL YEAR 2020-2021.

On the 19th day of January, 2021, there came on and was held at the City Hall of the City of Lamesa, Texas, an open meeting of the City Council of the City of Lamesa, Texas, held pursuant to the provisions of the Texas Open Meetings Act (Government Code, Chapter 551). There being a quorum present and acting throughout the meeting, the following ordinance was formally submitted by motion and duly seconded for the consideration and action of the meeting, to-wit:

WHEREAS, the City Council desires to amend Ordinance No. 0-20-20 to make certain revisions to the 2020-2021 Budget of the City of Lamesa to authorize and appropriate funds as listed below; and

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

SECTION 1. That the City of Lamesa 2020-2021 Budget contained in Ordinance No. 0-20-20 be, and same is hereby, amended to change the amount appropriated by the following:

	Revenues	**Expenditures**
General Fund (1)	$ 800.00	$ 800.00

SECTION 2. Effective date: That this Ordinance shall become effective as of this February 21, 2021.

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

Upon being put to a vote, the foregoing ordinance was Passed, on First Reading on January 19th , 2021 by a majority vote with amendment; and on March 16, 2021, there was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas held pursuant to the provisions of the Texas Open Meetings Act (Government. Code, Chapter 551); there being a quorum present and acting throughout the meeting, the foregoing ordinance was formally submitted by motion and duly seconded for the consideration and action of the meeting, and upon being put to a vote, the foregoing ordinance was Passed on Second 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

CITY OF LAMESA BUDGET AMENDMENT 1 FOR 2020/2021

GENERAL FUND (1)

This budget amendment reflects the proceeds from the sale of trust properties through the Texas Community Group. This budget amendment totals$

Increase Revenues (01- 40904) Misc. Revenue	$800.00
Increase Expenditures (01-5081-603) SpecialServices	$800.00

City Council Agenda
City of Lamesa, Texas

DATE OF MEETING: MARCH 16, 2021 **AGENDA ITEM: 21**

SUBJECT: **BUDGET AMENDMENT II**

PROCEEDING: Approval
SUBMITTED BY: City Staff
EXHIBITS: Ordinance, Second Reading

SUMMARY STATEMENT

Consider amending Ordinance O-20-20 on second reading with respect to the budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021. *(City Manager & Finance Director)*

COUNCIL ACTION

DISCUSSION _____

Motion by Council Member _____ to consider amending Ordinance O-20-20 on second reading with respect to the budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021. Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

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

CITY MANAGER'S MEMORANDUM

Recommend approval.

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LAMESA, TEXAS, AMENDING ORDINANCE NO. 0-20-20 TO APPROPRIATE FUNDS IN THE CITY OF LAMESA BUDGET FOR FISCAL YEAR 2020-2021.

On the 19th day of January, 2021, there came on and was held at the City Hall of the City of Lamesa, Texas, an open meeting of the City Council of the City of Lamesa, Texas, held pursuant to the provisions of the Texas Open Meetings Act (Government Code, Chapter 551). There being a quorum present and acting throughout the meeting, the following ordinance was formally submitted by motion and duly seconded for the consideration and action of the meeting, to-wit:

WHEREAS, the City Council desires to amend Ordinance No. 0-20-20 to make certain revisions to the 2020-2021 Budget of the City of Lamesa to authorize and appropriate funds as listed below; and

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

SECTION 1. That the City of Lamesa 2020-2021 Budget contained in Ordinance No. 0-20-20 be, and same is hereby, amended to change the amount appropriated by the following:

	Revenues	**Expenditures**
General Fund (1)	$ 30,000.00	$ 30,000.00

SECTION 2. Effective date: That this Ordinance shall become effective as of this February 21st 2021.

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

Upon being put to a vote, the foregoing ordinance was Passed, on First Reading on January 19th 2021 by a majority vote with amendment; and on March 16th, 2021, there was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas held pursuant to the provisions of the Texas Open Meetings Act (Government. Code, Chapter 551); there being a quorum present and acting throughout the meeting, the foregoing ordinance was formally submitted by motion and duly seconded for the consideration and action of the meeting, and upon being put to a vote, the foregoing ordinance was Passed on Second 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

CITY OF LAMESA
BUDGET AMENDMENT II FOR 2020/2021

GENERAL FUND (1)

This budget amendment reflects the proceeds from LEDC to assist with hiring a part-time code enforcement. This budget amendment totals $30,000.00

Increase Revenues (01- 5081101) Salary	$30,000.00
Increase Expenditures (01-40904) Misc Revenues	$30,000.00

City Council Agenda
City of Lamesa, Texas

DATE OF MEETING: MARCH 16, 2021 **AGENDA ITEM: 22**

SUBJECT: **BUDGET AMENDMENT III**

PROCEEDING: Approval
SUBMITTED BY: City Staff
EXHIBITS: Ordinance, Second Reading

SUMMARY STATEMENT

Consider amending Ordinance O-20-20 on second reading with respect to the budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021. *(City Manager & Finance Director)*

COUNCIL ACTION

DISCUSSION _____

Motion by Council Member _____ to consider amending Ordinance O-20-20 on second reading with respect to the budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021. Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

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

CITY MANAGER'S MEMORANDUM

Recommend approval.

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LAMESA, TEXAS, AMENDING ORDINANCE NO. 0-20-20 TO APPROPRIATE FUNDS IN THE CITY OF LAMESA BUDGET FOR FISCAL YEAR 2020-2021.

On the 19th day of January, 2021, there came on and was held at the City Hall of the City of Lamesa, Texas, an open meeting of the City Council of the City of Lamesa, Texas, held pursuant to the provisions of the Texas Open Meetings Act (Government Code, Chapter 551). There being a quorum present and acting throughout the meeting, the following ordinance was formally submitted by motion and duly seconded for the consideration and action of the meeting, to-wit:

WHEREAS, the City Council desires to amend Ordinance No. 0-20-20 to make certain revisions to the 2020-2021 Budget of the City of Lamesa to authorize and appropriate funds as listed below; and

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

SECTION 1. That the City of Lamesa 2020-2021 Budget contained in Ordinance No. 0-20-20 be, and same is hereby, amended to change the amount appropriated by the following:

	Revenues	**Expenditures**
General Fund (1)	$ 40,000.00	$ 40,000.00

SECTION 2. Effective date: That this Ordinance shall become effective as of this February 21st 2021.

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

Upon being put to a vote, the foregoing ordinance was Passed, on First Reading on January 19th 2021 by a majority vote with amendment; and on March 16th, 2021, there was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas held pursuant to the provisions of the Texas Open Meetings Act (Government. Code, Chapter 551); there being a quorum present and acting throughout the meeting, the foregoing ordinance was formally submitted by motion and duly seconded for the consideration and action of the meeting, and upon being put to a vote, the foregoing ordinance was Passed on Second 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

CITY OF LAMESA
BUDGET AMENDMENT III FOR 2020/2021

GENERAL FUND (1)

This budget amendment reflects the proceeds from LEDC to assist with the cost of demolition of commercial structures. This budget amendment totals $40,000.00

Increase Revenues (01-5081-603) Special Services	$40,000.00
Increase Expenditures (01-40904) Misc Revenue	$40,000.00

City Council Agenda
City of Lamesa, Texas

DATE OF MEETING: MARCH 16, 2021 **AGENDA ITEM: 23**

SUBJECT: **BUDGET AMENDMENT IV**

PROCEEDING: Approval
SUBMITTED BY: City Staff
EXHIBITS: Ordinance, Second Reading

SUMMARY STATEMENT

Consider amending Ordinance O-20-20 on second reading with respect to the budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021. *(City Manager & Finance Director)*

COUNCIL ACTION

DISCUSSION _____

Motion by Council Member _____ to consider amending Ordinance O-20-20 on second reading with respect to the budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021. Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

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

CITY MANAGER'S MEMORANDUM

Recommend approval.

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LAMESA, TEXAS, AMENDING ORDINANCE NO. 0-20-20 TO APPROPRIATE FUNDS IN THE CITY OF LAMESA BUDGET FOR FISCAL YEAR 2020-2021.

On the 19th day of January, 2021, there came on and was held at the City Hall of the City of Lamesa, Texas, an open meeting of the City Council of the City of Lamesa, Texas, held pursuant to the provisions of the Texas Open Meetings Act (Government Code, Chapter 551). There being a quorum present and acting throughout the meeting, the following ordinance was formally submitted by motion and duly seconded for the consideration and action of the meeting, to-wit:

WHEREAS, the City Council desires to amend Ordinance No. 0-20-20 to make certain revisions to the 2020-2021 Budget of the City of Lamesa to authorize and appropriate funds as listed below; and

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

SECTION 1. That the City of Lamesa 2020-2021 Budget contained in Ordinance No. 0-20-20 be, and same is hereby, amended to change the amount appropriated by the following:

	Revenues	Expenditures
Wastewater/ Collection Enterprise Fund (02)	$54,500.00	$54,500.00

SECTION 2. Effective date: That this Ordinance shall become effective as of this February 21st 2021.

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

Upon being put to a vote, the foregoing ordinance was Passed, on First Reading on January 19th 2021 by a majority vote with amendment; and on March 16th, 2021, there was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas held pursuant to the provisions of the Texas Open Meetings Act (Government. Code, Chapter 551); there being a quorum present and acting throughout the meeting, the foregoing ordinance was formally submitted by motion and duly seconded for the consideration and action of the meeting, and upon being put to a vote, the foregoing ordinance was Passed on Second 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

CITY OF LAMESA
BUDGET AMENDMENT IV FOR 2020/2021

WASTWATER / COLLECTION ENTERPRISE FUND (2)

This budget amendment reflects the proceeds from LEDC to assist with an agreement with Kimley Horn for engineering services for the extension of the wastewater system to a point in Southeast Lamesa. This budget amendment totals $54,500.00

Increase Revenues (20-7711935) Sewer Line	$54,500.00
Increase Expenditures (20-44904) Misc Revenue	$54,500.00

City Council Agenda
City of Lamesa, Texas

DATE OF MEETING: MARCH 16, 2021 **AGENDA ITEM: 24**

SUBJECT: **BUDGET AMENDMENT V**

PROCEEDING: Approval
SUBMITTED BY: City Staff
EXHIBITS: Ordinance, First Reading

SUMMARY STATEMENT

Consider amending Ordinance O-20-20 on first reading with respect to the budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021.

COUNCIL ACTION

DISCUSSION _____

Motion by Council Member _____ to consider amending Ordinance O-20-20 on first reading with respect to the budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021. Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

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

CITY MANAGER'S MEMORANDUM

Recommend approval.

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LAMESA, TEXAS, AMENDING ORDINANCE NO. 0-20-20 TO APPROPRIATE FUNDS IN THE CITY OF LAMESA BUDGET FOR FISCAL YEAR 2020-2021.

On the 16th day of March, 2021, there came on and was held at the City Hall of the City of Lamesa, Texas, an open meeting of the City Council of the City of Lamesa, Texas, held pursuant to the provisions of the Texas Open Meetings Act (Government Code, Chapter 551). There being a quorum present and acting throughout the meeting, the following ordinance was formally submitted by motion and duly seconded for the consideration and action of the meeting, to-wit:

WHEREAS, the City Council desires to amend Ordinance No. 0-20-20 to make certain revisions to the 2020-2021 Budget of the City of Lamesa to authorize and appropriate funds as listed below; and

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

SECTION 1. That the City of Lamesa 2020-2021 Budget contained in Ordinance No. 0-20-20 be, and same is hereby, amended to change the amount appropriated by the following:

	Revenues	**Expenditures**
General Fund (1)	$54.30	$54.30

SECTION 2. Effective date: That this Ordinance shall become effective as of this April 30th 2021.

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

Upon being put to a vote, the foregoing ordinance was Passed, on First Reading on March 16th 2021 by a majority vote with amendment; and on April 20th, 2021, there was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas held pursuant to the provisions of the Texas Open Meetings Act (Government. Code, Chapter 551); there being a quorum present and acting throughout the meeting, the foregoing ordinance was formally submitted by motion and duly seconded for the consideration and action of the meeting, and upon being put to a vote, the foregoing ordinance was Passed on Second 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

CITY OF LAMESA
BUDGET AMENDMENT V FOR 2020/2021

General Fund (1)

This budget amendment reflects the proceeds from the sale of trust properties through the Texas Community Group. This budget amendment totals $54.30

Increase Revenues (01-40904) Misc. Revenue	$54.30
Increase Expenditures (01-5081-603) Special Services	$54.30

City Council Agenda
City of Lamesa, Texas

DATE OF MEETING: MARCH 16, 2021 **AGENDA ITEM: 25**

SUBJECT: **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS, AUTHORIZING THE CONVEYANCE OF VARIOUS PARCELS OF REAL PROPERTY HELD IN TRUST BY THE CITY OF LAMESA AND AUTHORIZING THE MAYOR OF THE CITY TO EXECUTE TAX DEEDS AND TO TAKE SUCH ACTIONS REQUIRED TO EFFECT THE CONVEYANCE OF SUCH REAL PROPERTY**

PROCEEDING: Resolution

SUBMITTED BY: City Staff

EXHIBITS:

SUMMARY STATEMENT

City Council to consider passing a Resolution authorizing the conveyance of various parcels of real property held in trust by the City of Lamesa and authorizing the Mayor of the City to execute tax deeds and to take such actions required to effect the conveyance of such real property.

COUNCIL ACTION

DISCUSSION _____

Motion by Council Member _____ to authorize the conveyance of various parcels of real property held in trust by the City of Lamesa and authorizing the Mayor of the City to execute tax deeds and to take such actions required to effect the conveyance of such real property. Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

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

CITY MANAGER'S MEMORANDUM

Recommend approval

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS, AUTHORIZING THE CONVEYANCE OF VARIOUS PARCELS OF REAL PROPERTY HELD IN TRUST BY THE CITY OF LAMESA AND AUTHORIZING THE MAYOR OF THE CITY TO EXECUTE TAX DEEDS AND TO TAKE SUCH ACTIONS REQUIRED TO EFFECT THE CONVEYANCE OF SUCH REAL PROPERTY.

On the 16th day of March, 2021, there came on and was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas, held pursuant to the provisions of the Texas Open Meetings Act, and there being a quorum present and acting throughout the meeting, the following resolution was formally submitted by motion and duly seconded for the consideration and action of the meeting, to-wit:

WHEREAS, the City of Lamesa is the owner of the following described parcels of land situated within the limits of the City of Lamesa (the "Property") which Property the City of Lamesa is holding in Trust for the use and benefit of each taxing entity in Dawson County, Texas, to-wit:

Tract One: North 1/3 (N/3) of Lots Ten (10), Eleven (11) and Twelve (12) in Block Sixteen (16), Lee Addition, City of Lamesa, Dawson County, Texas.; and

Tract Two: Lot Twelve (12) in Block Fourteen (14) of the Lee Addition to the, City of Lamesa, Dawson County, Texas

Tract Three Lot Ten (10), in Block Seven (7), of the Hollis Addition, to the City of Lamesa, Dawson County, Texas

WHEREAS, offers have been received by the taxing entities for the purchase of the Property and the City of Lamesa wishes to accept such offers.

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

SECTION 1: The City of Lamesa, Texas, accept the following offers to purchase the above-described tracts of land:

A.) Offer from Raul Marquez to purchase all of North 1/3 (N/3) of Lots Ten (10), Eleven (11) and Twelve (12) in Block Sixteen (16), Lee Addition, City of Lamesa, Dawson County, Texas; for the price and sum $150.00.

B.) Offer from Carlos Lamont King Douglas to purchase all of Lot Twelve (12) in Block Fourteen (14) of the Lee Addition to the City of Lamesa, Dawson County, Texas; for the price and sum $475.00.

C.) Offer from Carlos Lamont King Douglas to purchase all of Lot Ten (10), in Block Seven (7), of the Hollis Addition, to the City of Lamesa, Dawson County, Texas; for the price and sum $750.00.

SECTION 2: The above-described tracts of land be sold to the above individuals for the amounts specified above.

SECTION 3: The Mayor of the City of Lamesa, Texas, be, and is hereby, authorized to make, execute and deliver Tax Deeds and to take such actions as may be required to effect the conveyance of the above-described tracts of land.

Upon being put to a vote, the resolution was Passed, Approved, and Adopted this 16th day of March, 2021, by majority vote and ordered to be spread upon the minutes of the City Council of the City of Lamesa, Texas, and recorded in the resolution book thereafter.

ATTEST:

Betty Conde
City Secretary

APPROVED:

Josh Stevens
Mayor

"NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER."

TAX DEED

STATE OF TEXAS §
§

COUNTY OF DAWSON §

WHEREAS, by an Order of Sale issued out of the 106th Judicial District Court of Dawson County, Texas; in Cause No. 12-12-18922 styled Dawson County Central Appraisal District, et al, vs. James, Ruby Lee, Deceased, and delivered to the Sheriff directing him to seize, levy upon and sell the hereinafter described property to satisfy the amount of all delinquent taxes, penalties, interest and costs which were secured by a judgment rendered in said cause on the 18th day of June, 2014, in favor of the Plaintiffs.

WHEREAS, in obedience to said Order of Sale, the Sheriff did seize and levy on the hereinafter described property and all the estate, right, title and interest or claims which said Defendants so had, in and to, on the 18th day of June, 2014 and since that time had of, in and to, the hereinafter described real property; and as prescribed by law for Sheriff's sales, did offer to sell such real property at public auction.

WHEREAS, at said sale no bid being received which was equal to the adjudged value of said real property as fixed by said court or the aggregate amount of said judgment established therein, the title to said real property pursuant to said judgment and Section 34.01 of the Texas Property Tax Code was struck off in trust for the use and benefit of each taxing district having been by said judgment adjudged to have valid tax liens against such real property, and

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS that the taxing entities set forth in the judgment in said cause, pursuant to the provisions of Section 34.05 of the Texas Property Tax Code, for and in consideration of the sum of **ONE HUNDRED FIFTY DOLLARS AND 00/100 ($150.00)**, said amount being the highest and best offer received from **Raul Marquez, 403 South Bell, Big Spring, Texas 79720,** receipt of which is hereby acknowledged, and by these presents do convey, expressly subject to the right of redemption by the Defendants in said tax suit as provided by Section 34.21 of the Texas Property Tax Code, and further subject to all presently recorded and validly existing restrictions, reservations, covenants, conditions, easements, oil and gas leases, mineral interests, and water interests outstanding in persons other than Grantor, and other instruments, other than conveyances of the surface fee estate, that affect the Property, all the right, title and interest as was acquired by the taxing entities through foreclosure the certain tract of land described as follows:

North 1/3 (N/3) of Lots Ten (10), Eleven (11) and Twelve (12) in Block Sixteen (16), Lee Addition, City of Lamesa, Dawson County, Texas. (R3292)

TO HAVE AND TO HOLD the above described property unto the named purchaser Raul Marquez, his/her heirs, successors and assigns forever, free and clear of all liens for ad valorem taxes against such property delinquent at the time of judgment in the above referred tax suit to all taxing units which were a party of said suit and as fully and absolutely as the entities named below can convey the above described real property by virtue of said judgment and Order of Sale and said Section 34.05 of the Texas Property Tax Code.

GRANTEE IS TAKING THE PROPERTY IN AN ARM'S-LENGTH AGREEMENT BETWEEN THE PARTIES. THE CONSIDERATION WAS BARGAINED ON THE BASIS OF AN "AS IS, WHERE IS" TRANSACTION AND REFLECTS THE AGREEMENT OF THE PARTIES THAT THERE ARE NO REPRESENTATIONS OR EXPRESS OR IMPLIED WARRANTIES. GRANTEE HAS NOT RELIED ON ANY INFORMATION OTHER THAN GRANTEE'S INSPECTION.

GRANTEE RELEASES GRANTOR FROM LIABILITY FOR ENVIRONMENTAL PROBLEMS AFFECTING THE PROPERTY, INCLUDING LIABILITY (1) UNDER THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT (CERCLA), THE RESOURCE CONSERVATION AND RECOVERY ACT (RCRA), THE TEXAS SOLID WASTE DISPOSAL ACT, AND THE TEXAS WATER CODE; OR (2) ARISING AS THE RESULT OF THEORIES OF PRODUCT LIABILITY AND STRICT LIABILITY, OR UNDER NEW LAWS OR CHANGES TO EXISTING LAWS ENACTED AFTER THE EFFECTIVE DATE OF THE PURCHASE CONTRACT THAT WOULD OTHERWISE IMPOSE ON GRANTORS IN THIS TYPE OF TRANSACTION NEW LIABILITIES FOR ENVIRONMENTAL PROBLEMS AFFECTING THE PROPERTY. THIS RELEASE APPLIES EVEN WHEN THE ENVIRONMENTAL PROBLEMS AFFECTING THE PROPERTY RESULT FROM GRANTOR'S OWN NEGLIGENCE OR THE NEGLIGENCE OF GRANTOR'S REPRESENTATIVE.

This tax deed may be executed in one or more counterparts, each one of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

EXECUTED this ___ day of _____, 2021.

CITY OF LAMESA

By:_____
Josh Stevens, Mayor

ATTEST:

_____
City Secretary

This instrument was acknowledged before me on the _____ day of _____, ____, by Josh Stevens, Mayor, on behalf of CITY OF LAMESA in its capacity therein stated.

_____
Notary Public, State of Texas

Approved in form by R. Douglas Jordan, PLLC

Tax Deed: Raul Marquez, 403 South Bell, Big Spring, Texas 79720 (R3292)



Management Info:

Status:	Trust		
Best Process:	Sign	Best Process Type:	
Progress:	N/3 of Lots 10-12		

Property Info:

City:	Lamesa				
Cad Property Id:	3292	CAD Value:	1200		
Site Description:	S Avenue F, Lamesa, TX 79331, USA N/3 of Lots on the NW intersection of S Ave F and S 7th				
Owner Info:	Dawson CAD in trust				
Legal Description:	North 1/3 (N/3) of Lots Ten (10), Eleven (11) and Twelve (12) in Block Sixteen (16), Lee Addition, City of Lamesa, Dawson County, Texas.				
Homestead:	No	Site Structure:	No	Non Affixed Material:	No

Litigation Info:

Case Number:	12-12-18922		
Judgement Date:	06/18/2014	Sale Date:	09/01/2015
Sheriff's Deed Date:	09/08/2015	Redemption Date:	03/16/2016
Court:	106th		
Style Plaintiff:	Dawson County Central Appraisal District, et al		
Style Defendant:	James, Ruby Lee, Deceased		
Sheriff's Deed Volume:	Vol 775 Pg 40		
Tax Due:	No		
Delinquent:	Yes	Litigation:	No

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TAX DEED

STATE OF TEXAS §
§

COUNTY OF DAWSON §

WHEREAS, by an Order of Sale issued out of the 106th Judicial District Court of Dawson County, Texas; in Cause No. 04-04-16983-CV styled Dawson County Appraisal District, vs. Fuentes, Cruz et ux Fuentes, Amparo, and delivered to the Sheriff directing him to seize, levy upon and sell the hereinafter described property to satisfy the amount of all delinquent taxes, penalties, interest and costs which were secured by a judgment rendered in said cause on the 18th day of June, 2014, in favor of the Plaintiffs.

WHEREAS, in obedience to said Order of Sale, the Sheriff did seize and levy on the hereinafter described property and all the estate, right, title and interest or claims which said Defendants so had, in and to, on the 18th day of June, 2014 and since that time had of, in and to, the hereinafter described real property; and as prescribed by law for Sheriff's sales, did offer to sell such real property at public auction.

WHEREAS, at said sale no bid being received which was equal to the adjudged value of said real property as fixed by said court or the aggregate amount of said judgment established therein, the title to said real property pursuant to said judgment and Section 34.01 of the Texas Property Tax Code was struck off in trust for the use and benefit of each taxing district having been by said judgment adjudged to have valid tax liens against such real property, and

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS that the taxing entities set forth in the judgment in said cause, pursuant to the provisions of Section 34.05 of the Texas Property Tax Code, for and in consideration of the sum of **FOUR HUNDRED SEVENTY-FIVE DOLLARS AND 00/100 ($475.00)**, said amount being the highest and best offer received from **Carlos Lamont King Douglas, 1723 Cimarron Trail Apt 9D, Wichita Falls, Texas, 76306**, receipt of which is hereby acknowledged, and by these presents do convey, expressly subject to the right of redemption by the Defendants in said tax suit as provided by Section 34.21 of the Texas Property Tax Code, and further subject to all presently recorded and validly existing restrictions, reservations, covenants, conditions, easements, oil and gas leases, mineral interests, and water interests outstanding in persons other than Grantor, and other instruments, other than conveyances of the surface fee estate, that affect the Property, all the right, title and interest as was acquired by the taxing entities through foreclosure the certain tract of land described as follows:

Lot Twelve (12) in Block Fourteen (14) of the Lee Addition to the City of Lamesa, Dawson County, Texas, (R3276)

TO HAVE AND TO HOLD the above described property unto the named purchaser Carlos Lamont King Douglas, his/her heirs, successors and assigns forever, free and clear of all liens for ad valorem taxes against such property delinquent at the time of judgment in the above referred tax suit to all taxing units which were a party of said suit and as fully and absolutely as the entities named below can convey the above described real property by virtue of said judgment and Order of Sale and said Section 34.05 of the Texas Property Tax Code.

GRANTEE IS TAKING THE PROPERTY IN AN ARM'S-LENGTH AGREEMENT BETWEEN THE PARTIES. THE CONSIDERATION WAS BARGAINED ON THE BASIS OF AN "AS IS, WHERE IS" TRANSACTION AND REFLECTS THE AGREEMENT OF THE PARTIES THAT THERE ARE NO REPRESENTATIONS OR EXPRESS OR IMPLIED WARRANTIES. GRANTEE HAS NOT RELIED ON ANY INFORMATION OTHER THAN GRANTEE'S INSPECTION.

GRANTEE RELEASES GRANTOR FROM LIABILITY FOR ENVIRONMENTAL PROBLEMS AFFECTING THE PROPERTY, INCLUDING LIABILITY (1) UNDER THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT (CERCLA), THE RESOURCE CONSERVATION AND RECOVERY ACT (RCRA), THE TEXAS SOLID WASTE DISPOSAL ACT, AND THE TEXAS WATER CODE; OR (2) ARISING AS THE RESULT OF THEORIES OF PRODUCT LIABILITY AND STRICT LIABILITY, OR UNDER NEW LAWS OR CHANGES TO EXISTING LAWS ENACTED AFTER THE EFFECTIVE DATE OF THE PURCHASE CONTRACT THAT WOULD OTHERWISE IMPOSE ON GRANTORS IN THIS TYPE OF TRANSACTION NEW LIABILITIES FOR ENVIRONMENTAL PROBLEMS AFFECTING THE PROPERTY. THIS RELEASE APPLIES EVEN WHEN THE ENVIRONMENTAL PROBLEMS AFFECTING THE PROPERTY RESULT FROM GRANTOR'S OWN NEGLIGENCE OR THE NEGLIGENCE OF GRANTOR'S REPRESENTATIVE.

This tax deed may be executed in one or more counterparts, each one of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

EXECUTED this ___ day of _____, 2021.

CITY OF LAMESA

By:_____
Josh Stevens, Mayor

ATTEST:

_____
City Secretary

This instrument was acknowledged before me on the _____ day of _____, ____, by Josh Stevens, Mayor, on behalf of CITY OF LAMESA in its capacity therein stated.

_____
Notary Public, State of Texas

Approved in form by R. Douglas Jordan, PLLC



Management Info:

Status:	Trust		
Best Process:	Sign	Best Process Type:	
Progress:	per city needs to be demolished. Has been demolished.		

Property Info:

City:	Lamesa				
Cad Property Id:	3276	CAD Value:	1,250		
Site Description:	502 S 7th St, Lamesa, TX 79331, USA NW intersection of S Austin Ave and S 7th				
Owner Info:	Dawson CAD in Trust				
Legal Description:	STRUCTURE PREVIOUSLY DEMOLISHED Lot Twelve (12) in Block Fourteen (14) of the Lee Addition to the City of Lamesa, Dawson County, Texas				
Homestead:	No	Site Structure:	No	Non Affixed Material:	No

Litigation Info:

Case Number:	04-04-16983-CV		
Judgement Date:	06/18/2014	Sale Date:	11/04/2014
Sheriff's Deed Date:	11/20/2014	Redemption Date:	05/29/2015
Court:	106th		
Style Plaintiff:	Dawson County Appraisal District		
Style Defendant:	Fuentes, Cruz et ux Fuentes, Amparo		
Sheriff's Deed Volume:	Vol 764 Pg 124		
Tax Due:	No		
Delinquent:	Yes	Litigation:	No

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TAX DEED

STATE OF TEXAS §
§

COUNTY OF DAWSON §

WHEREAS, by a Warrant issued out of the 106th Judicial District Court of Dawson County, Texas; in Cause No. 19-07-20451 styled City of Lamesa, et al., vs. Owners of Various Properties located within the City Limits of Lamesa, Dawson County, Texas, and delivered to the Sheriff directing him to seize, levy upon and sell the hereinafter described property to satisfy the amount of all delinquent taxes, penalties, interest and costs which were secured by a warrant rendered in said cause on the 7th day of July, 2019, in favor of the Plaintiffs.

WHEREAS, in obedience to said Warrant, the Sheriff did seize and levy on the hereinafter described property and all the estate, right, title and interest or claims which said Defendants so had, in and to, on the 7th day of July, 2019 and since that time had of, in and to, the hereinafter described real property; and as prescribed by law for Sheriff's sales, did offer to sell such real property at public auction.

WHEREAS, at said sale no bid being received which was equal to the adjudged value of said real property as fixed by said court or the aggregate amount of said warrant established therein, the title to said real property pursuant to said warrant and Section 34.01 of the Texas Property Tax Code was struck off in trust for the use and benefit of each taxing district having been by said warrant adjudged to have valid tax liens against such real property, and

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS that the taxing entities set forth in the warrant in said cause, pursuant to the provisions of Section 34.05 of the Texas Property Tax Code, for and in consideration of the sum of **SEVEN HUNDRED FIFTY DOLLARS AND 00/100 ($750.00)**, said amount being the highest and best offer received from **Tiberian Inc., 107 N 23rd, Lamesa, TX 79331,** receipt of which is hereby acknowledged, and by these presents do convey, expressly subject to the right of redemption by the Defendants in said tax suit as provided by Section 34.21 of the Texas Property Tax Code, and further subject to all presently recorded and validly existing restrictions, reservations, covenants, conditions, easements, oil and gas leases, mineral interests, and water interests outstanding in persons other than Grantor, and other instruments, other than conveyances of the surface fee estate, that affect the Property, all the right, title and interest as was acquired by the taxing entities through foreclosure the certain tract of land described as follows:

Lot Ten (10), in Block Seven (7), of the Hollis Addition, to the City of Lamesa, Dawson County, Texas (R2946)

TO HAVE AND TO HOLD the above described property unto the named purchaser Tiberian Inc, his/her heirs, successors and assigns forever, free and clear of all liens for ad valorem taxes against such property delinquent at the time of warrant to all taxing units which were a party of said Warrant and as fully and absolutely as the entities named below can convey the above described real property by virtue of said warrant and Order of Sale and said Section 34.05 of the Texas Property Tax Code.

GRANTEE IS TAKING THE PROPERTY IN AN ARM'S-LENGTH AGREEMENT BETWEEN THE PARTIES. THE CONSIDERATION WAS BARGAINED ON THE BASIS OF AN "AS IS, WHERE IS" TRANSACTION AND REFLECTS THE AGREEMENT OF THE PARTIES THAT THERE ARE NO REPRESENTATIONS OR EXPRESS OR IMPLIED WARRANTIES. GRANTEE HAS NOT RELIED ON ANY INFORMATION OTHER THAN GRANTEE'S INSPECTION.

GRANTEE RELEASES GRANTOR FROM LIABILITY FOR ENVIRONMENTAL PROBLEMS AFFECTING THE PROPERTY, INCLUDING LIABILITY (1) UNDER THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT (CERCLA), THE RESOURCE CONSERVATION AND RECOVERY ACT (RCRA), THE TEXAS SOLID WASTE DISPOSAL ACT, AND THE TEXAS WATER CODE; OR (2) ARISING AS THE RESULT OF THEORIES OF PRODUCT LIABILITY AND STRICT LIABILITY, OR UNDER NEW LAWS OR CHANGES TO EXISTING LAWS ENACTED AFTER THE EFFECTIVE DATE OF THE PURCHASE CONTRACT THAT WOULD OTHERWISE IMPOSE ON GRANTORS IN THIS TYPE OF TRANSACTION NEW LIABILITIES FOR ENVIRONMENTAL PROBLEMS AFFECTING THE PROPERTY. THIS RELEASE APPLIES EVEN WHEN THE ENVIRONMENTAL PROBLEMS AFFECTING THE PROPERTY RESULT FROM GRANTOR'S OWN NEGLIGENCE OR THE NEGLIGENCE OF GRANTOR'S REPRESENTATIVE.

This tax deed may be executed in one or more counterparts, each one of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

EXECUTED this ___ day of _____, 2021.

CITY OF LAMESA

By:_____
Josh Stevens, Mayor

ATTEST:

_____
City Secretary

This instrument was acknowledged before me on the _____ day of _____, ____, by Josh Stevens, Mayor, on behalf of CITY OF LAMESA in its capacity therein stated.

_____
Notary Public, State of Texas

Approved in form by R. Douglas Jordan, PLLC

Tax Deed: Tiberian Inc., 107 N 23rd, Lamesa, TX 79331 (R2946)



Management Info:

Status:	Trust		
Best Process:	Sign	Best Process Type:	
Progress:			

Property Info:

City:	Lamesa		
Cad Property Id:	2946	CAD Value:	420.00
Site Description:	SE 12th St, Lamesa, TX 79331, USA 2nd lot from the West side of S Elgin, North of SE 12th 514 SE 12th st.		
Owner Info:	Southwest Acceptance Corporation 1 Overhill Rd. Monsey, NY 10952 City of Lamesa, Lien holder 601 S. 1st St. Lamesa, TX 79331		
Legal Description:	Lot Ten (10), in Block Seven (7), of the Hollis Addition, to the City of Lamesa, Dawson County, Texas (R2946)		

Homestead:	No	Site Structure:	No	Non Affixed Material:	No

Litigation Info:

Case Number:	19-07-20451		
Judgement Date:	07/17/2019	Sale Date:	09/03/2019
Sheriff's Deed Date:	10/08/2019	Redemption Date:	04/15/2020
Court:	106TH		
Style Plaintiff:	City of Lamesa, et al		
Style Defendant:	Owners of Various Properties located within the City Limits of Lamesa, Dawson County, Texas		
Sheriff's Deed Volume:	2019-4342		
Tax Due:	No		
Delinquent:	Yes	Litigation:	No

City Council Agenda
City of Lamesa, Texas

DATE OF MEETING: MARCH 16, 2021 **AGENDA ITEM: 26**

SUBJECT: **BUDGET AMENDMENT VI**

PROCEEDING: Approval
SUBMITTED BY: City Staff
EXHIBITS: Ordinance, First Reading

SUMMARY STATEMENT

Consider amending Ordinance O-20-20 on first reading with respect to the budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021.

COUNCIL ACTION

DISCUSSION _____

Motion by Council Member _____ to consider amending Ordinance O-20-20 on first reading with respect to the budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021. Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

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

CITY MANAGER'S MEMORANDUM

Recommend approval.

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LAMESA, TEXAS, AMENDING ORDINANCE NO. 0-20-20 TO APPROPRIATE FUNDS IN THE CITY OF LAMESA BUDGET FOR FISCAL YEAR 2020-2021.

On the 16th day of March, 2021, there came on and was held at the City Hall of the City of Lamesa, Texas, an open meeting of the City Council of the City of Lamesa, Texas, held pursuant to the provisions of the Texas Open Meetings Act (Government Code, Chapter 551). There being a quorum present and acting throughout the meeting, the following ordinance was formally submitted by motion and duly seconded for the consideration and action of the meeting, to-wit:

WHEREAS, the City Council desires to amend Ordinance No. 0-20-20 to make certain revisions to the 2020-2021 Budget of the City of Lamesa to authorize and appropriate funds as listed below; and

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

SECTION 1. That the City of Lamesa 2020-2021 Budget contained in Ordinance No. 0-20-20 be, and same is hereby, amended to change the amount appropriated by the following:

	Revenues	Expenditures
General Fund (1)	$1375.00	$1375.00

SECTION 2. Effective date: That this Ordinance shall become effective as of this April 30th 2021.

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

Upon being put to a vote, the foregoing ordinance was Passed, on First Reading on March 16th 2021 by a majority vote with amendment; and on April 20th, 2021, there was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas held pursuant to the provisions of the Texas Open Meetings Act (Government. Code, Chapter 551); there being a quorum present and acting throughout the meeting, the foregoing ordinance was formally submitted by motion and duly seconded for the consideration and action of the meeting, and upon being put to a vote, the foregoing ordinance was Passed on Second 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

CITY OF LAMESA
BUDGET AMENDMENT VI FOR 2020/2021

General Fund (1)

This budget amendment reflects the proceeds from the sale of trust properties through the Texas Community Group. This budget amendment totals $1375.00

Increase Revenues (01-40904) Misc. Revenue	$1375.00
Increase Expenditures (01-5081-603) Special Services	$1375.00

City Council Agenda
City of Lamesa, Texas

DATE OF MEETING: MARCH 16, 2021 **AGENDA ITEM: 27**

SUBJECT: **A RESOLUTION OF THE CITY COUNCIL OF CITY OF LAMESA, TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE COMMUNITY DEVELOPMENT FUND; AND AUTHORIZING THE MAYOR TO ACT AS THE CITY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM:**

PROCEEDING: Resolution

SUBMITTED BY: City staff

AUTHORITY:

SUMMARY STATEMENT

City Council to consider a Resolution authorizing submission of a TxCDBG program application to the Texas Department of Agriculture for the Community Development Fund; and authorizing the mayor to act as the City's executive officer and authorized representative in all matters pertaining to the City's participationin the Community Development Block Grant Program. *(City Manager)*

COUNCIL ACTION

DISCUSSION _____

Motion by Council Member _____ to authorize a Resolution authorizing the submission of a TxCDBG program application to the Texas Department of Agriculture for the Community Development Fund; and authorizing the mayor to act as the City's executive officer and authorized representative in all matters pertaining to the City's participationin the Community Development Block Grant Program. Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

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

CITY MANAGER'S MEMORANDUM

Recommend approval.

RESOLUTION

NO. _____

A RESOLUTION OF THE CITY COUNCIL OF CITY OF LAMESA, TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE COMMUNITY DEVELOPMENT FUND; AND AUTHORIZING THE MAYOR TO ACT AS THE CITY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

WHEREAS, the City Council of the City of Lamesa desires to develop a viable rural community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low/moderate income; and

WHEREAS, certain conditions exist which represent a threat to the public health and safety; and

WHEREAS, it is necessary and in the best interests of the City of Lamesa to apply for funding under the 2021/2022 Texas Community Development Block Grant Program;

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

1. That a Texas Community Development Block Grant Program application for the Community Development Fund is hereby authorized to be submitted on the behalf of the City with the Texas Department of Agriculture.

2. That the City's application be placed in competition for funding under the Community Development Fund.

3. That the application be for $350,000.00 of grant funds to carry out Water System Expansion.

4. That the City Council directs and designates the Mayor as the City's Chief Executive Officer and Authorized Representative to act in all matters in connection with its application and the City's participation in the Texas Community Development Block Grant Program.

5. If awarded A TxCDBG Contract, the City Council directs and designates the Mayor as Chief Executive Official and Authorized Representative to designate as needed; any City Council Member, City personnel, or City representative to act in all Texas Community Development Program matters pertaining to the City's implementation, administration, or participation in fulfilling the requirements of the Texas Community Development Block Grant Program contractual documents.

6. If awarded the TxCDBG Contract, the City Council designates the persons holding the following positions as authorized signatories on any account in which funds from the Texas Community Development Block Grant Program are deposited: Mayor, City Manager and/or City Secretary, and City Police Chief. Any two signatures of the forenamed persons are required to withdraw monies from such account.

7. That it further be stated that the City of Lamesa is committing up to $450,000.00 in in-kind donation and from its General Fund as a cash contribution toward the construction, engineering and administration activities of the Water System Enhancement Project.

PASSED AND APPROVED THIS 16th DAY OF MARCH, 2021

_____
Josh Stevens, Mayor

ATTEST:

_____
Betty Conde, City Secretary

RESOLUTION

NO. _____

A RESOLUTION OF THE CITY COUNCIL OF CITY OF LAMESA, TEXAS, AUTHORIZING THE SUBMISSION OF AN ECONOMIC DEVELOPMENT ADMINISTRATION APPLICATION TO THE ECONOMIC DEVELOPMENT ADMINISTRATION; AND AUTHORIZING THE MAYOR TO ACT AS THE CITY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE ECONOMIC DEVELOPMENT ADMINISTRATION GRANT PROGRAM.

WHEREAS, the City Council of the City of Lamesa desires to develop a viable rural community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low/moderate income; and

WHEREAS, certain conditions exist which represent a threat to the public health and safety; and

WHEREAS, it is necessary and in the best interests of the City of Lamesa to apply for funding under the 2021/2022 Economic Development Administration Grant Program;

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

1. That an Economic Development Administration Grant Program application is hereby authorized to be submitted on the behalf of the City with the Economic Development Administration

2. That the City's application be placed in competition for funding under the Economic Development Administration Grant Program.

3. That the application be for $1,500,000.00 of grant funds to carry out Water System Expansion.

4. That the City Council directs and designates the Mayor as the City's Chief Executive Officer and Authorized Representative to act in all matters in connection with its application and the City's participation in the Economic Development Administration Grant Program.

5. If awarded an EDA Contract, the City Council directs and designates the Mayor as Chief Executive Official and Authorized Representative to designate as needed; any City Council Member, City personnel, or City representative to act in all Texas Community Development Program matters pertaining to the City's implementation, administration, or participation in fulfilling the requirements of the Economic Development Administration Grant Program contractual documents.

6. If awarded the EDA Contract, the City Council designates the persons

holding the following positions as authorized signatories on any account in which funds from the Economic Development Administration Grant Program are deposited: Mayor, City Manager and/or City Secretary, and City Police Chief. Any two signatures of the forenamed persons are required to withdraw monies from such account.

7. That it further be stated that the City of Lamesa is committing up to $450,000.00 in in-kind donation and from its General Fund as a cash contribution toward the construction, engineering and administration activities of the Water System Enhancement Project.

PASSED AND APPROVED THIS 16th DAY OF MARCH, 2021

_____
Josh Stevens, Mayor

ATTEST:

_____
Betty Conde, City Secretary

City Council Agenda
City of Lamesa, Texas

DATE OF MEETING: MARCH 16, 2021 **AGENDA ITEM: 28**

SUBJECT: **A RESOLUTION OF THE CITY COUNCIL OF CITY OF LAMESA, TEXAS, AUTHORIZING THE SUBMISSION OF AN ECONOMIC DEVELOPMENT ADMINISTRATION APPLICATION TO THE ECONOMIC DEVELOPMENT ADMINISTRATION; AND AUTHORIZING THE MAYOR TO ACT AS THE CITY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE ECONOMIC DEVELOPMENT ADMINISTRATION GRANT PROGRAM**

PROCEEDING: Resolution

SUBMITTED BY: City staff

AUTHORITY:

SUMMARY STATEMENT

City Council to consider authorizing the submission of an Economic Development Administration application to the Economic Development Administration; and authorizing the mayor to act as the City's executive officer and authorized representative in all matters pertaining to the City's participation in the Economic Development Administration Grant Program.*(. (City Manager)*

COUNCIL ACTION

DISCUSSION _____

Motion by Council Member _____ to authorize the submission of an Economic Development Administration Grant Program application to the Economic Development Administration; and authorizing the mayor to act as the City's executive officer and authorized representative in all matters pertaining to the City's participation in the Economic Development Administration Grant Program. Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

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

CITY MANAGER'S MEMORANDUM

Recommend approval.

RESOLUTION

NO. _____

A RESOLUTION OF THE CITY COUNCIL OF CITY OF LAMESA, TEXAS, AUTHORIZING THE SUBMISSION OF AN ECONOMIC DEVELOPMENT ADMINISTRATION APPLICATION TO THE ECONOMIC DEVELOPMENT ADMINISTRATION; AND AUTHORIZING THE MAYOR TO ACT AS THE CITY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE ECONOMIC DEVELOPMENT ADMINISTRATION GRANT PROGRAM.

WHEREAS, the City Council of the City of Lamesa desires to develop a viable rural community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low/moderate income; and

WHEREAS, certain conditions exist which represent a threat to the public health and safety; and

WHEREAS, it is necessary and in the best interests of the City of Lamesa to apply for funding under the 2021/2022 Economic Development Administration Grant Program;

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

1. That an Economic Development Administration Grant Program application is hereby authorized to be submitted on the behalf of the City with the Economic Development Administration

2. That the City's application be placed in competition for funding under the Economic Development Administration Grant Program.

3. That the application be for $1,500,000.00 of grant funds to carry out Water System Expansion.

4. That the City Council directs and designates the Mayor as the City's Chief Executive Officer and Authorized Representative to act in all matters in connection with its application and the City's participation in the Economic Development Administration Grant Program.

5. If awarded an EDA Contract, the City Council directs and designates the Mayor as Chief Executive Official and Authorized Representative to designate as needed; any City Council Member, City personnel, or City representative to act in all Texas Community Development Program matters pertaining to the City's implementation, administration, or participation in fulfilling the requirements of the Economic Development Administration Grant Program contractual documents.

6. If awarded the EDA Contract, the City Council designates the persons

holding the following positions as authorized signatories on any account in which funds from the Economic Development Administration Grant Program are deposited: Mayor, City Manager and/or City Secretary, and City Police Chief. Any two signatures of the forenamed persons are required to withdraw monies from such account.

7. That it further be stated that the City of Lamesa is committing up to $450,000.00 in in-kind donation and from its General Fund as a cash contribution toward the construction, engineering and administration activities of the Water System Enhancement Project.

PASSED AND APPROVED THIS 16th DAY OF MARCH, 2021

_____
Josh Stevens, Mayor

ATTEST:

_____
Betty Conde, City Secretary

RESOLUTION

NO. _____

A RESOLUTION OF THE CITY COUNCIL OF CITY OF LAMESA, TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE COMMUNITY DEVELOPMENT FUND; AND AUTHORIZING THE MAYOR TO ACT AS THE CITY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

WHEREAS, the City Council of the City of Lamesa desires to develop a viable rural community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low/moderate income; and

WHEREAS, certain conditions exist which represent a threat to the public health and safety; and

WHEREAS, it is necessary and in the best interests of the City of Lamesa to apply for funding under the 2021/2022 Texas Community Development Block Grant Program;

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

1. That a Texas Community Development Block Grant Program application for the Community Development Fund is hereby authorized to be submitted on the behalf of the City with the Texas Department of Agriculture.

2. That the City's application be placed in competition for funding under the Community Development Fund.

3. That the application be for $350,000.00 of grant funds to carry out Water System Expansion.

4. That the City Council directs and designates the Mayor as the City's Chief Executive Officer and Authorized Representative to act in all matters in connection with its application and the City's participation in the Texas Community Development Block Grant Program.

5. If awarded A TxCDBG Contract, the City Council directs and designates the Mayor as Chief Executive Official and Authorized Representative to designate as needed; any City Council Member, City personnel, or City representative to act in all Texas Community Development Program matters pertaining to the City's implementation, administration, or participation in fulfilling the requirements of the Texas Community Development Block Grant Program contractual documents.

6. If awarded the TxCDBG Contract, the City Council designates the persons holding the following positions as authorized signatories on any account in which funds from the Texas Community Development Block Grant Program are deposited: Mayor, City Manager and/or City Secretary, and City Police Chief. Any two signatures of the forenamed persons are required to withdraw monies from such account.

7. That it further be stated that the City of Lamesa is committing up to $450,000.00 in in-kind donation and from its General Fund as a cash contribution toward the construction, engineering and administration activities of the Water System Enhancement Project.

PASSED AND APPROVED THIS 16th DAY OF MARCH, 2021

_____
Josh Stevens, Mayor

ATTEST:

_____
Betty Conde, City Secretary

City Council Agenda
City of Lamesa, Texas

DATE OF MEETING: MARCH 16, 2021 **AGENDA ITEM: 29**

SUBJECT: **APPROVAL OF AGREEMENT FOR MONITORING WELLS TO BE PLACED CITY RIGHT OF WAY**

PROCEEDING Approval

SUBMITTED BY: City Staff

SUMMARY STATEMENT

City Council to approve a resolution authorizing Ranger Environmental working on behalf of TCEQ to place two monitoring wells in the City between N. 10th St and N. 12th Street (Johnson' s 66 Station, 1102 North Dallas Ave) "Island in between North Lynn and North Dallas" and Southeast corner of property at 1100 Seminole Road (Swift Shop Store) *(City Inspector)*

COUNCIL ACTION

DISCUSSION _____

Motion by Council Member _____ to approve a resolution authorizing Ranger Environmental working on behalf of TCEQ to place two monitoring wells in the City between N. 10th St and N. 12th Street (Johnson' s 66 Station, 1102 North Dallas Ave) "Island in between North Lynn and North Dallas" and Southeast corner of property at 1100 Seminole Road. Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

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

CITY MANAGER'S MEMORANDUM

Recommend approval.

Consent for Access Relating to LPST # 093850

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

CONSENT FOR ACCESS TO PROPERTY

Please Print

City of Lamesa

(Owner of Real Property to be Accessed) **(Telephone Number of Real Property Owner)**

City of Lamesa ROW at 1102 N. Dallas Avenue

(Street Number and Street Name of Property to be Accessed)

Lamesa (Dawson County) , Texas

(City and County in Which Property to be Accessed Is Located)

(Name of Occupant or Tenant, if different from Owner) **(Telephone Number of Occupant or Tenant)**

(Name of Property, if applicable, e.g. a business name, if different from Owner or Occupant/Tenant Name)

I voluntarily consent to agents, contractors, subcontractors, officers, designees, and employees of the Texas Commission on Environmental Quality (TCEQ) entering and having continued access to my property for the following purposes:

(1) taking such soil, water, and air samples as may be necessary;

(2) taking other actions related to the investigation of surface or subsurface conditions; and

(3) taking corrective action ("remediation") necessary to mitigate any threat to human health or the environment.

I acknowledge that these actions by the TCEQ are undertaken pursuant to its authority under the Texas Health and Safety Code and the Texas Water Code, including Section 361.032 of the Texas Health and Safety Code and Section 26.014 of the Texas Water Code.

As applicable, TCEQ and/or its contractors will reasonably restore property, as nearly as practicable, to the conditions that existed before the activities; will exhibit proper credentials when on-site; will notify property owner (or appropriate person) prior to entering the property (with the exception that in emergency situations TCEQ may enter at any time). This form relates solely to access and does not operate as a waiver of any TCEQ rights or causes of action which may exist.

This document provides notice, in accordance with 30 Texas Administrative Code 334.82, that you may be affected by a release and planned corrective action.

(Signature of Property Owner, or Tenant / Occupant) **(Date)**

TCEQ, Office of Waste, Remediation Division, Petroleum Storage Tank State Lead Program
MC 137, PO Box 13087, Austin TX 78711-3087 Phone: (512) 239-2200
http://www.tceq.texas.gov/remediation/pst_rp/pst.html

FORM AMENDED DECEMBER, 2013 - OLS

Consent for Access Relating to LPST # 094305

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

CONSENT FOR ACCESS TO PROPERTY

Please Print

City of Lamesa

(Owner of Real Property to be Accessed) **(Telephone Number of Real Property Owner)**

Southeast corner of property at 1100 Seminole Road (City of Lamesa ROW)

(Street Number and Street Name of Property to be Accessed)

Lamesa (Dawson County) , Texas

(City and County in Which Property to be Accessed Is Located)

(Name of Occupant or Tenant, if different from Owner) **(Telephone Number of Occupant or Tenant)**

(Name of Property, if applicable, e.g. a business name, if different from Owner or Occupant/Tenant Name)

I voluntarily consent to agents, contractors, subcontractors, officers, designees, and employees of the Texas Commission on Environmental Quality (TCEQ) entering and having continued access to my property for the following purposes:

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(Signature of Property Owner, or Tenant / Occupant) **(Date)**

TCEQ, Office of Waste, Remediation Division, Petroleum Storage Tank State Lead Program
MC 137, PO Box 13087, Austin TX 78711-3087 Phone: (512) 239-2200
http://www.tceq.texas.gov/remediation/pst_rp/pst.html

Request for Access to City of Lamesa Right of Way for State Lead Investigation and/or Remediation

(Rev. 02/21)

A SITE PLAN MUST BE ATTACHED TO THIS REQUEST.

Name: Ranger Environmental Services, Inc.

7215 McNeil Drive	Austin	TX	78729
Address	City,	State	Zip

Roadway: N. Dallas Ave Direction of Travel: West

Location Description: Southeast corner of property at 1100 Seminole Road (Swift Shop Store) in Lamesa. A recovery well currently exists here and a newer and deeper well will be installed to replace the adjacent well. The new well will be placed in the gravel area near the stop light post and convenience store sign. The work will take 1-2 business days to complete.

March 8, 2021	March 8, 2023
Estimated Start Date of Agreement	**Estimated Termination Date of Agreement**

Ranger Environmental Services Inc.	7215 McNeil Drive, Austin, TX 78729
Name of Contractor	Address
Todd Standlee	Contractor Registered with City of Lamesa YES [X] NO [ ]
Name of Contractor Representative	
Project Manager	Austin / TX / 78729
Title	City, / State / Zip
Todd Standlee 2/26/2021	(512) 335 - 1785 ext. 129
Signature of Contractor Representative	Area Code / Telephone Number

*Ranger has completed previous work in the City of Lamesa right of way on two other TCEQ State Lead Sites.

Anticipated Investigation and/or Remediation Activities (indicate all that apply)

- [X] Taking surface and/or subsurface soil, surface water, or ground water
- [X] Drilling of subsurface borings
- [X] Installing monitoring wells
- [X] Pavement will be accessed
- [ ] Equipment will be installed and maintained for _____ days
- [ ] Other (please describe) _____

Attach a traffic control plan in the event that traffic lanes must be closed, traffic rerouted or detoured, or contractor personnel must enter the pavement. Traffic control must comply with the *Texas Manual on Uniform Traffic Control Devices*.

FOR CITY OF LAMESA USE ONLY

Any maintenance scheduled? If so, describe: _____

Comments: _____

Special Conditions Noted: _____

Recommend Right of Entry [ ] Yes [ ] No Reviewed By: _____

Date	Date
Sean Overeynder - City Manager	Josh Stevens - Mayor

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RANGER
ENVIRONMENTAL SERVICES, INC.

February 10, 2021

Mr. Steven P. Warren, P.E.
District Engineer, Lubbock
Texas Department of Transportation
135 Slaton Rd.
Lubbock, Texas 79404

RE: **AGREEMENT FOR ACCESS TO TXDOT PROPERTY**
Johnsons 66 Station
1102 N. Dallas Avenue
Lamesa, Texas 79331
TCEQ PST Facility ID No. 23846
TCEQ LPST ID No. 93850
Ranger Project # 51-110

Dear Mr. Warren:

Ranger Environmental Services, Inc. (Ranger) is pleased to provide the attached proposed "*Agreement for Access to TxDOT Property Concerning Petroleum or Hazardous Substances in Soils or Groundwater*" for the above-referenced leaking petroleum storage tank (LPST) site in Lamesa, Texas. Ranger is currently under contract with the Texas Commission on Environmental Quality (TCEQ) to address the corrective action requirements related to the historic petroleum product release at this location. Due to declining water table conditions, two existing monitor/recovery wells at this location have become dry and require replacement with deeper wells.

Should you have any questions or need additional information, please contact me by phone at (512) 335-1785, ext. 129 or by email at todd@rangerenv.com.

Sincerely,
RANGER ENVIRONMENTAL SERVICES, INC.

Todd Standlee, CAPM, PWS
Project Manager

Cc:
Mr. Jake Halfhill, P.G. – Project Manager of Texas Commission Environmental Quality
Mr. Daniel Meistrell, City of Lamesa, 601 S. 1st St., Lamesa, TX 79331 (Owner of 1112 N. Dallas Ave.)
Mr. Gaylon McGee, 609 N. 21 St., Lamesa, TX 79331 (Owner of 1108 N. Dallas Ave.)
Mr. & Mrs. Mike Steward, 301 N. 21st Pl., Lamesa, TX 79331 (Owner of 1106 N. Dallas Ave.)

DocuSign Envelope ID: FFAAA4A9-A99F-4B13-BBAE-1F5985FEF848

Agreement for Access to TxDOT Property Concerning Petroleum or Hazardous Substances in Soils or Groundwater

Highway Name: **Business U.S. Highway 87**

Location: **In R-O-W between N. 10th St and N. 12th St.**

City: **Lamesa**

County: **Dawson**

This agreement is between the Texas Department of Transportation, a Texas state agency ("TxDOT"), and **Ranger Environmental Services, Inc.**, hereinafter referred to as "Grantee."

Recitals

WHEREAS, Chapter 203 of the Texas Transportation Code authorizes TxDOT to lay out, construct, maintain, and operate the state highway system;

WHEREAS, Grantee desires to establish the presence, extent, or absence of petroleum or hazardous substances in soils or groundwater in connection with the Grantee's real property in order to remediate the substances, if found;

WHEREAS, Grantee has requested permission to access the right-of-way of **Business U.S. Highway 87** at approximately **32.743134; -101.952378 & 32.743373; -101.952498** in the City of **Lamesa**, County of **Dawson**, (hereinafter referred to as the "TxDOT Property") in order to carry out the Grantee's investigation and remediation activities;

NOW, THEREFORE, the parties agree as follows:

Agreement

Article 1. Regulatory Authority

A. ☐ This box shall be marked if Grantee will carry out the investigation and remediation work according to the instructions of the Texas Railroad Commission concerning the investigation or remediation of petroleum substances. The agency's project-specific identifier for the work is _____.

B. ☒ This box shall be marked if Grantee will carry out the investigation and remediation work according to the instructions of the Texas Commission on Environmental Quality concerning the investigation or remediation of hazardous substances. The agency's project-specific identifier for the work is **LPST 93850**.

One of the boxes above must be marked. The relevant agency is referred to in this agreement as the "Regulatory Authority."

Article 2. Grant of Access

A. Grantee proposes to investigate and remediate any petroleum or hazardous substances identified on the TxDOT Property by conducting the activities described in the Site Layout and Proposed Activity, attached as **Exhibit A** and made a part of this agreement (the "Corrective Action Work").

B. TxDOT authorizes Grantee to access the TxDOT Property to conduct the Corrective Action Work under the terms of this agreement.

Article 3. Coordination with Regulatory Authority

A. The Corrective Action Work shall conform to a plan of action approved by the Regulatory Authority at least 30 days prior to commencement.

B. Grantee must obtain written concurrence from the Regulatory Authority that the Grantee requires access to the TxDOT Property in order to carry out the plan of action. The written concurrence is attached as **Exhibit B** and made a part of this agreement.

Article 4. Coordination with TxDOT

A. The Grantee shall carry out the Corrective Action Work in compliance with all governing laws and State regulations and policies.

B. The Grantee shall carry out the Corrective Action Work in such a manner as to avoid safety hazards and inconveniences to, or interference with, highway traffic. The Grantee must submit a traffic control plan and obtain TxDOT's pre-approval. The approved plan is attached as **Exhibit C** and made a part of this agreement. The Grantee must install the prescribed traffic control devices in accordance with the Texas Manual on Uniform Traffic Control Devices for Streets and Highways.

C. Pursuant to §203.031 of the Texas Transportation Code, entry onto the right of way of any controlled access highway shall be allowed only from the outer edge of the right of way by way of frontage roads, nearby or adjacent public roads or streets, or trails along or near the highway right of way that connect to an intersecting road.

Article 5. Concluding the Investigation and/or Remediation

A. Owner shall notify TxDOT when the Corrective Action Work has been completed.

B. Prior to termination of this agreement, the Grantee will remove the Correction Action Work and all of its facilities, equipment, and material from the TxDOT Property and restore it to its original condition, free of any damage, including ruts or any other injury to the environment.

C. Grantee shall be liable for and obligated to clean up and remediate any contamination of petroleum or hazardous substances on TxDOT Property found to originate from the Grantee's property. All liability and obligation shall be borne by the Grantee until such time when a letter from the Regulatory Authority is received by TxDOT stating that the said site investigation and/or remediation is complete, and is agreed to by TxDOT.

D. Grantee will reimburse TxDOT for any costs incurred by TxDOT for repairs of the highway facilities, for removal of the Corrective Action Work, or for any other necessary restoration or remediation work performed by TxDOT.

Article 6. General Terms and Conditions

A. Grantee has provided TxDOT with a Certificate of Insurance on TxDOT Standard Form 1560. The limits of the policy shall remain in effect for the duration of the Corrective Action Work. TxDOT shall be named as an Additional Insured with a Waiver of Subrogation in favor of TxDOT. Such Certificate of Insurance is attached as **Exhibit D** and is made a part of this agreement. The Grantee shall not enter the TxDOT Property unless the insurance is in effect.

B. TxDOT's authorization to allow entry onto the TxDOT Property does not in any way impair or relinquish TxDOT's right to use such land for its purposes, nor shall use of the land for other than highway purposes under this agreement ever be construed as abandonment of the land by TxDOT.

C. The Grantee understands that utility installations owned by third parties are present on the TxDOT Property. The Grantee shall provide adequate notice of the Corrective Action Work to all utility companies potentially impacted by the work. Between TxDOT and Grantee, Grantee is solely liable for any damage caused to utility installations caused by the work.

Article 7. Indemnification

A. Grantee agrees to indemnify and hold harmless TxDOT, its agents, and employees, from all suits, actions, or claims, and from all liability and damages for any and all injuries sustained by a person or property as a consequence of any neglect in the performance of the Corrective Action Work and any related action by the Grantee and from any claims of losses arising or recovered under the Workers Compensation laws of Texas, The Texas Tort Claims Act, or any other laws.

B. The Grantee shall further indemnify TxDOT and accept responsibility for all damages or injury to property of any character, including utilities, occurring during the prosecution of the Corrective Action Work resulting from any act, omission, neglect, or misconduct on the part of the Grantee in the manner or method of executing the work.

Article 8. Term of Agreement

A. This agreement shall terminate one (1) year from the date of the final execution of this agreement.

B. Notwithstanding Paragraph A, TxDOT reserves the right to terminate this agreement by notifying Grantee and establishing the conditions of termination in writing at least thirty (30) days in advance of the intended termination.

C. TxDOT may, at its discretion, extend the period of this agreement upon receipt of a written request from Grantee, provided that such request is received at least thirty (30) days prior to the scheduled termination of the agreement. Amendments may be in the form of a letter and shall be attached hereto and made a part of this agreement.

IN WITNESS WHEREOF, TxDOT and Grantee have executed this agreement.

THE TEXAS DEPARTMENT OF TRANSPORTATION

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

Michael P. Stroope, P.E.
Typed, Printed or Stamped Name of District Engineer

Lubbock District Director of Maintenance
District

for: DocuSigned by: [signature]
Signature of District Engineer

2/11/2021
Date

135 Slaton Road
Address

Lubbock TX 79404
City, State, Zip

806-748-4432
Telephone Number

GRANTEE

Ranger Environmental Services, Inc.
Typed, Printed or Stamped Name of Grantee

Todd Standlee, CAPM
By

Project Manager
Title

[signature]
Signature

February 10, 2021
Date

P.O. Box 201179
Address

Austin, TX 78720
City, State, Zip

(512) 335-1785 ext 129
Telephone Number

List of Exhibits:
A. Site Layout and Proposed Activity
B. Concurrence by Regulatory Authority
C. Traffic Control Plan
D. Certificate of Insurance

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EXHIBIT A - SITE LAYOUT AND PROPOSED ACTIVITY

DocuSign Envelope ID: FFAAA4A9-A99F-4B13-BBAE-1F5985FEF848

Texas Commission on Environmental Quality

Remediation Division Correspondence Identification Form

SITE & PROGRAM AREA IDENTIFICATION

SITE LOCATION

Site Name: **Johnson's 66 Station**

Address 1: **1102 North Dallas Avenue**

Address 2:

City: **Lamesa** State: **Texas**

Zip Code: **79331** County: **Dawson**

TCEQ Region: **Region 7 - Midland**

REMEDIATION DIVISION PROGRAM AND FACILITY IDENTIFICATION

Is This Site Being Managed Under A State Lead Contract?

☑ Yes ☐ No

Program Area: **LEAKING PETROLEUM STORAGE TANK**

Mail Code: **MC-137**

Is This A New Site To This Program Area?

☐ Yes ☑ No

LPST No.: **093850**

FACILITY ID No.: **23846**

DOCUMENT(S) IDENTIFICATION

	PHASE OF REMEDIATION	DOCUMENT NAME
1.	ASSESSMENT	STATE LEAD WORK ORDER PROPOSAL
2.		
3.		
4.		
5.		

CONTACT INFORMATION

I attest that all work has been conducted in accordance with accepted industry standards/practices and adhered to TCEQ guidance and rules. I certify that I am aware that misrepresentation of any of the above claims is a violation of 30 TAC 334.453(b)(1)(E) and that this violation may result in the disciplinary actions set forth in 30 TAC 334.453 and or 334.463 and 334.465.

ENVIRONMENTAL CONSULTANT/REPORT PREPARER/AGENT

CAPM: **Todd Standlee** CAPM Reg No.: **PM0000441**

Company: **Ranger Environmental Services, Inc.** Phone Number: **512-335-1785** Fax Number: **512-335-0527**

Address 1: **P.O. Box 201179** City: **Austin** State: **TX** Zip Code: **78720**

Address 2: Email Address:

RCAS: **Todd Standlee** RCAS Reg No.: **115**

Company: **Ranger Environmental Services, Inc.** Phone Number: **512-335-1785** Fax Number: **512-335-0527**

Email Address:

SIGNATURES

Responsible Party	Date	Project Manager	Date	RCAS	Date
		Todd Standlee	11/4/2020	Todd Standlee	11/4/2020

TCEQ INTERNAL USE ONLY

Document No.	TCEQ Database Term	Document No.	TCEQ Database Term
1.	**SLWOP**	4.	
2.		5.	
3.			

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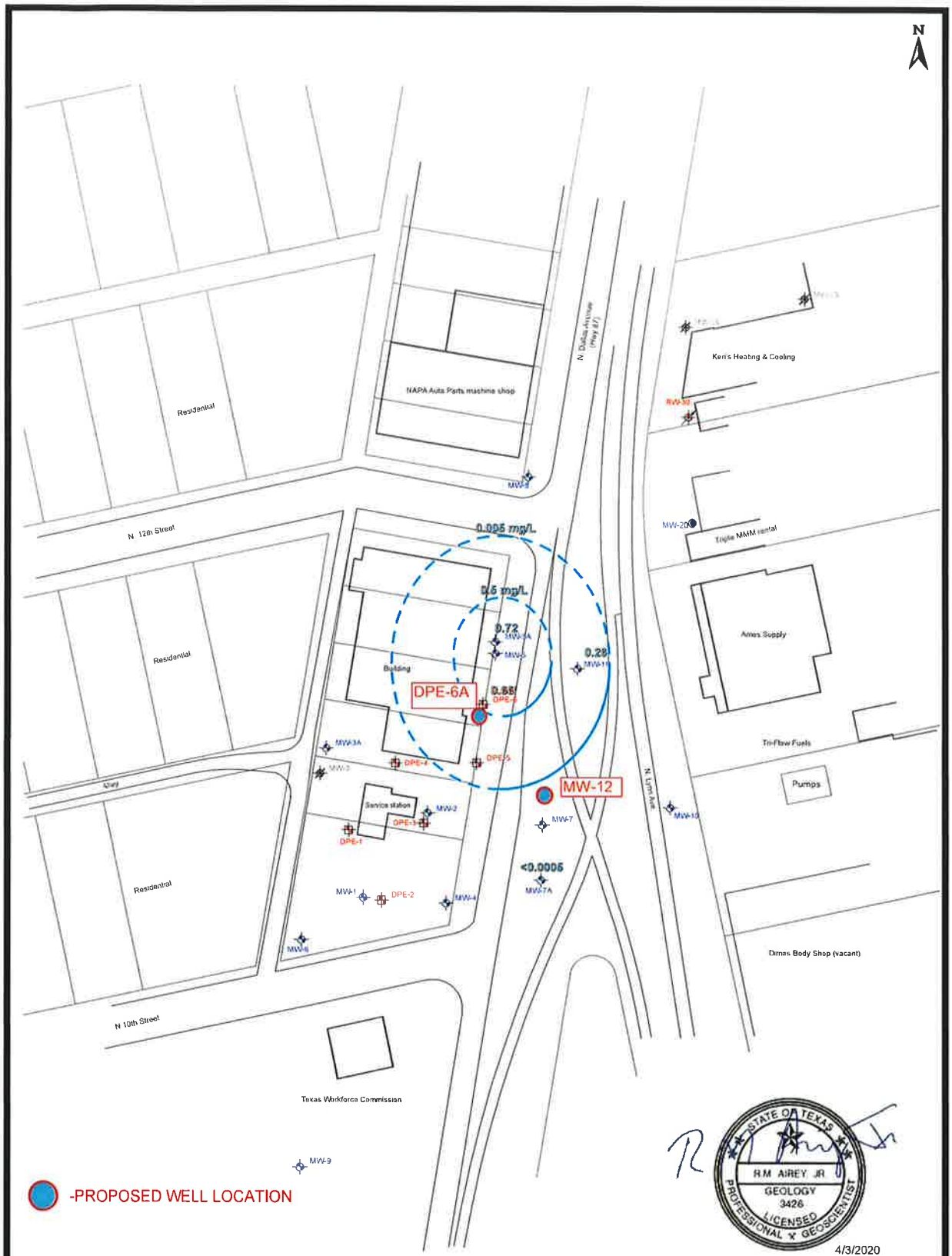

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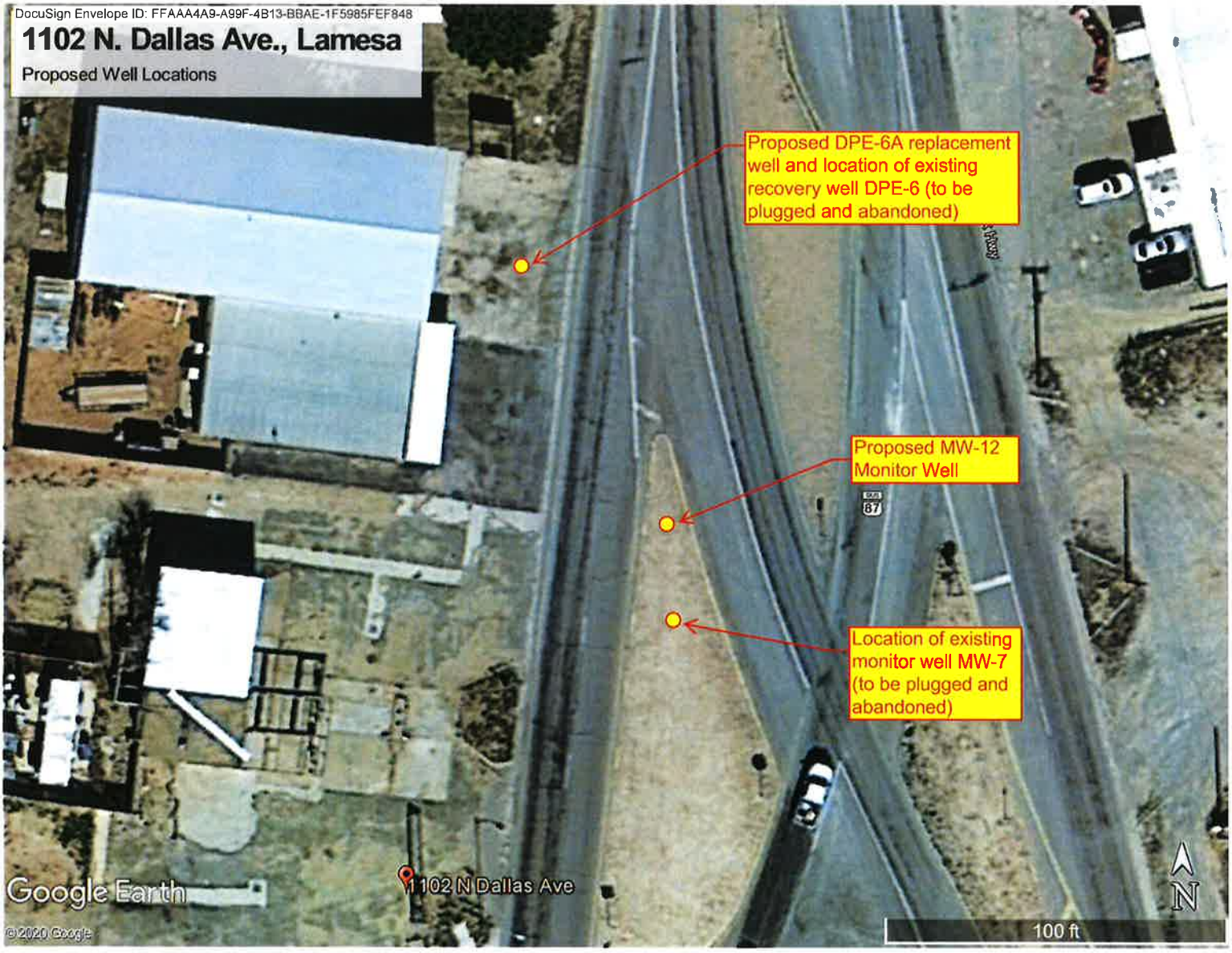

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TYPICAL MONITOR WELL CONSTRUCTION DIAGRAM

DocuSign Envelope ID: FFAAA4A9-A99F-4B13-BBAE-1F5985FEF848

RANGER ENVIRONMENTAL SERVICES, INC.
Ranger Envrionmental Services, Inc.
P.O. Box 201179
Austin, Texas 78720
Telephone: 512-335-1785
Fax: 512-335-0527

BORING NUMBER MW-22A

CLIENT TCEQ
PROJECT NAME Chapa Gulf Service
PROJECT NUMBER 51-111
PROJECT LOCATION 411 N. Bryan Avenue, Lamesa, Texas
DATE STARTED 7/22/19 **COMPLETED** 7/22/19
GROUND WATER LEVELS:
DRILLING CONTRACTOR Peterson Drilling and Testing
AT TIME OF DRILLING 75.00 ft
DRILLING METHOD Hand Auger/Air Rotary/Split Spoon
AFTER DRILLING 80.56 ft on 7/29/2019
LOGGED BY Nolen Brown **CHECKED BY** Rusty Woodburn
BTOC = Below Top Of Casing
GB = Grab Sample
GPS COORDINATES 32.7346184°, -101.9626499°
GEO = Geotech Sample

DEPTH (ft)	SOIL SAMPLE ANALYSIS	GROUNDWATER LEVELS (BTOC)	PID (In ppm)	GRAPHIC LOG	MATERIAL DESCRIPTION
0					~6" of All dirt, sand, medium grained, gray, some gravel
0.5					(SM) SAND, fine to medium grained, silty, well compacted, reddish-brown
15.0	GB		0		(CL) CLAY, sandy, tan, soft
20.0			0		(SM-SW) SAND, fine to medium grained, silty, light brown, <1/4" diameter gravel inclusions, compacted, moderately sorted
50.0	GB		0		SANDSTONE, fine to medium grained, tan, brittle, poorly lithified
70.0		▽ 75	0		(SW) SAND, very fine to fine grained, poorly sorted, light brown, gravel/caliche inclusions - Water at ~75'
92.5		▼ 80	0		

WELL DIAGRAM

Casing Type: 2" Dia. PVC Pipe

CONCRETE
BENTONITE
2" DIA. PVC RISER
SAND
0.01" SLOTTED WELL SCREEN
END CAP

EXAMPLE MONITOR/RECOVERY WELL CONSTRUCTION DIAGRAM

(NOTE: PROPOSED WELL IS 4"-DIAMETER/100'-DEEP WELL)

DRAFT

ENVIRONMENTAL BH - GINT STD US.GDT - 8/16/19 09:19 - R:\DRAFTING FILES\GINT LOGS\51-111 - BORING LOGS.GPJ

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Contract No.: 582-18-80618 **W.O. No.:** 414-0128
Contract PCR No.: 80618 **W.O. PCR No.:** 22364
Site No.: 093850 **W.O. Amendment No.:** 0
Site Name: Johnsons 66 Station

Texas Commission on Environmental Quality

Remediation Division

Work Order Initiation Form
Payable

I. WORK ORDER INITIATION

A. Phase: Site Activities

B. Period of Performance: From: 9/1/20 To: 8/31/21

C. Contractor: RANGER ENVIRONMENTAL SERVICES INC
Contract Type: PST Site Activities

D. Contract Funding: Year: 2021
Fund No.: 6555/LUST
PCA: 87759
Previous W.O. Budget: $0.00
Amount of Amendment or W.O.: $38,049.00
Current Total for THIS W.O.: $38,049.00

New Total for ALL WORK ORDERS Obligated in this Contract : (as of Date 12/15/20) $3,069,893.99

Total BUDGET for This Contract: $5,000,000.00

E. Index No.: 07451 - PST/DCRP-FY21

F. Date of Commission/ED Approval of Contract: 9/1/17

G. TCEQ Project Manager: Jake Halfhill

II. APPROVAL OF WORK ORDER

A. Section Manager Prasanthi Bollineni Digitally signed by Prasanthi Bollineni Date: 2020.12.17 09:56:21 -06'00' Date ___/___/___

Contract No. 582-18-80618
Contract PCR No. 80618
W.O. No. 414-0128
W.O. PCR No. 22364
Amendment No. 0

WORK ORDER

Phase:	Site Activities	FY:	2021
Site:	Johnsons 66 Station / Lamesa	Fund:	6555/LUST
Site No.:	093850	PCA Code:	87759

Period of Performance: From: 9/1/20 To: 8/31/21

GENERAL

This Work Order, which is a Fixed Unit Price Work Order, is entered into as of the date of the last signature on the Work Order Initiation Form by and between the independent contractor RANGER ENVIRONMENTAL SERVICES INC (herein termed the "CONTRACTOR") and the Texas Commission on Environmental Quality (herein termed "TCEQ"). This Work Order is subject to the CONTRACT for Work (herein termed the "CONTRACT") entered into by the CONTRACTOR and the TCEQ as of the effective date of the CONTRACT, and is a part of that CONTRACT and incorporated therein by reference for all purposes. This Work Order is subject to any amendments, modifications, or supplements to the CONTRACT, whether issued before or after this Work Order, and are incorporated as part of this Work Order for all purposes. Exhibits "A" & "B" of the Work Order are attached to this Work Order and incorporated as part of this Work Order for all purposes. Any amendments, modifications or supplements issued to this Work Order shall be made a part of this Work Order as provided therein.

SCOPE OF SERVICES

The Scope of Services for this Work Order and the associated unit costs and extensions are listed in Exhibit A of this Work Order. The CONTRACTOR shall provide all services and the necessary personnel, materials, equipment, and facilities required to complete the tasks indicated in the Scope of Services according to the Specifications for those tasks which are listed in the CONTRACT.

CONFLICT OF INTEREST

If this is the first Work Order initiated at this site under this contract during the State fiscal year in which this Work Order is issued, then the completed CONFLICT OF INTEREST CERTIFICATION BY PERFORMING PARTY form shall be attached as Exhibit B of this Work Order.

SUBCONTRACTOR UTILIZATION

Each Work Plan for a Work Order or Work Order Amendment shall include a listing of all subcontractor(s) proposed to be utilized for Work. The Contractor shall notify the TCEQ Project Manager of any subcontractor(s) proposed to be utilized which are not on the HUB Subcontracting Plan approved by TCEQ for this CONTRACT.

UNUSED FUNDS

Upon becoming aware that funding for pay items approved in this Work Order will not be used, the Contractor shall immediately notify the TCEQ Project Manager.

WORK ORDER CREATION

Jake Halfhill created the work order on 9/30/20 for facility Johnsons 66 Station with site number 093850 located at 1102 N. Dallas Ave., Lamesa.

PURPOSE

This Work Order (WO) provides authorization and funding for the contractor to pursue offsite access agreements and to conduct site assessment and groundwater monitoring activities. These activities serve to access subsurface product offsite and to monitor the groundwater contaminant plume.

In addition, the contractor shall inspect the site during the first scheduled site activity/site visit and document the presence of any missing monitor wells, damage to monitor well completions, missing monitor well lids or lid bolts, drums that are not scheduled for prompt removal and any other site conditions that need immediate attention by the TCEQ. Upon returning from the field any noted issues shall be reported to the TCEQ Project Manager and shall include photo documentation and a recommendation for needed actions.

1 - Offsite Access

SCOPE: The contractor shall attempt to obtain offsite property access agreements to replace recovery well DPE-6 and monitor well MW-7 with deeper wells in order to recover product and to delineate the dissolved-phase groundwater contaminant plume offsite. Up to eight hours of Project Manager time is provided to secure offsite access agreements from associated landowners.

SCHEDULE: Work shall be scheduled upon activation of this WO. Once obtained, a copy of each signed access agreement shall be submitted to the TCEQ Project Manager.

PAYMENT: Payment for work may be requested once the TCEQ Project Manager has received and accepted signed access agreements. If a signed access agreement cannot be obtained, a request for payment for work must be accompanied by sufficient documentation of efforts/resources used in an attempt to secure the access agreement. Signed copies of timesheets, complete with description of services performed, are required when invoicing labor hours.

Item	Unit	Unit Price	----Additional---- Quantity	Price
24-2	PER HOUR	$110.00	8	$880.00
Project Manager (CAPM) - 8 hours to secure access agreements				
		Sub-total:	**$880.00**	

2 - Site Assessment

SCOPE: The contractor shall advance two soil borings per the contract specifications (see the attached map locations of DPE-6A and MW-12). While using direct push drilling techniques, a split spoon (or similar) sampling device shall be used to collect three samples representative of the native soil from each boring prior to using air rotary drilling techniques. The soil samples shall be collected from 15 feet below ground surface (bgs), from the zone that exhibits the highest contamination based upon field screening results, and from the soil boring total depth, which is estimated to be 100 feet bgs. Soil samples collected from each boring shall be analyzed for BTEX, MTBE, and TPH. The sample with the highest concentration of TPH in the > C12 carbon range shall also be analyzed for PAHs. One soil boring (DPE-6A) shall then be converted into a 4-inch diameter product recovery well and the other soil boring (MW-12) shall be converted into a 2-inch diameter monitoring well. Both wells shall be screened from 60 feet to 100 feet bgs. Following installation, each new well shall be surveyed for top of casing elevation. Because site assessment activities are in the right-of-way, an estimated cost for traffic control equipment is included in this Task.

Waste generated during this event shall be properly stored in 55-gallon drums onsite and disposed offsite at the conclusion of the event. Note that it is the contractor's responsibility to properly classify and dispose of waste at an appropriate, properly registered facility. Disposal/recycling should be accomplished as soon as laboratory analyses indicate which disposal/recycling facility is appropriate.

SCHEDULE: Site assessment activities shall be scheduled upon completion of Task 1 in this WO and no later than April 1, 2021. A Field Activity Report (FAR) documenting the field activities and analytical results from this event shall be submitted to the TCEQ within 45 days upon completion of the scope of work. Note that if the new wells cannot be installed before the end of April 2021, the contractor shall immediately submit a reconciliation work order proposal to return the funding appropriated for this Task to the TCEQ.

PAYMENT: Payment for the authorized activity may be requested following acceptance of the FAR documenting the successful completion of the associated scope of work. The report must be accurate and complete to be considered acceptable and waste disposal should be documented as part of the required reporting. Signed copies of timesheets, complete with description of services performed, shall be required for invoicing labor hours.

Item	Unit	Unit Price	---Additional--- Quantity	Price
1-15	PER FOOT	$53.00	100	$5,300.00
AIR Boring for 2 inch Well Installation; 0 to greater than 50 feet total depth - Soil boring 100 feet				

1-17	PER FOOT	$60.00	100	$6,000.00
AIR Boring for 4 inch Well Installation; 0 to greater than 50 feet total depth - Soil boring 100 feet				
1-21	PER FOOT	$27.00	30	$810.00
Direct Push Boring - Estimated 15 feet x 2 soil borings				
2-1	PER FOOT	$30.00	100	$3,000.00
Well Installation-2 inch diameter - 100 feet x 1 well				
2-2	PER FOOT	$36.00	100	$3,600.00
Well Installation-4 inch diameter - 100 feet x 1 well				
2-6	PER FOOT	$12.00	40	$480.00
Adder-Well screen greater than 20 feet - 20 additional feet x 2 wells				
6-1	PER SAMPLE	$34.00	7	$238.00
Soil/Sediment Sample Collection - (3 samples per well x 2 wells) + 1 waste profile sample				
8-2	PER SAMPLE	$50.00	7	$350.00
Soil, TPH (TCEQ-1005) - (3 samples per well x 2 wells) + 1 waste profile sample				
8-5	PER SAMPLE	$46.00	7	$322.00
Soil, BTEX + MTBE (EPA 8260/5035) - (3 samples per well x 2 wells) + 1 waste profile sample				
8-6	PER SAMPLE	$130.00	1	$130.00
Soil, PAH (Low-Level Analysis/ EPA 8270) - 1 analysis from the highest > C12 TPH sample				
22-4	PER DRUM	$101.00	20	$2,020.00
Disposal of Petroleum Substance Waste (Soil) TPH < or equal to 1500 ppm; Benzene (TCLP) < 0.5 mg/L; Lead (TCLP) <1.5 mg/L - Estimated for soil waste				
23-2	PER REPORT	$749.00	1	$749.00
Field Activity Report (FAR)				
24-4	PER HOUR	$90.00	2.5	$225.00
Geoscientist - 2.5 hours round trip (RT) from Lubbock to Lamesa				
29-1	PER MILE	$0.58	125	$72.50
Light Vehicle Mileage - 125 miles RT from Lubbock to Lamesa				
29-2	PER MILE	$3.15	372	$1,171.80
Heavy Vehicle Mileage - 372 miles RT (water truck) from Peterson to Lamesa				
29-3	PER MILE	$2.25	500	$1,125.00
Stake Bed, Dually, or Equivalent Truck Mileage - 372 miles RT from Peterson to Lamesa + 128 miles for waste disposal				
29-3	PER MILE	$2.25	372	$837.00
Stake Bed, Dually, or Equivalent Truck Mileage - 372 miles RT for the support vehicle				
29-4	PER MILE	$3.25	372	$1,209.00
Drill Rig/Direct Push Rig Mileage - 372 miles RT				
29-6	PER MILE	$0.95	372	$353.40
Double-Axle Trailer Mileage - 372 miles RT for the supply trailer				

30-1	PER DIEM	$149.00	10	$1,490.00
	Meals and Lodging, Eastern Region - (Geoscientist + 4 personnel) x 2 overnight stays			
31-3	REIMBURSABLE	N/A	N/A	$100.00
	Sample Shipping Cost - Estimated			
31-10	REIMBURSABLE	N/A	N/A	$3,300.00
	Miscellaneous Reimbursable - Estimated cost of traffic control equipment			
		Sub-total:	**$32,882.70**	

3 - Groundwater Monitoring

SCOPE: The contractor shall conduct one groundwater monitoring event and collect representative groundwater samples from monitoring and recovery wells not impacted with > 0.1 feet of product. Groundwater samples shall be analyzed for BTEX, MTBE, and TPH. The sample with the highest concentration of TPH in the > C12 carbon range shall also be analyzed for PAHs. Additionally, one field duplicate, one trip blank and one field blank shall be collected and analyzed for QA/QC purposes.

Waste generated during this event shall be properly stored in 55-gallon drums onsite and disposed offsite at the conclusion of the event. Note that it is the contractor's responsibility to properly classify and dispose of waste at an appropriate, properly registered facility. Disposal/recycling should be accomplished as soon as laboratory analyses indicate which disposal/recycling facility is appropriate.

SCHEDULE: Groundwater monitoring activities shall commence after completion of Task 2 in this WO and no later than August 1, 2021. The results from the event shall be documented in a Monitoring Event Report (MER) and submitted to the TCEQ within 45 days upon completion of the scope of work.

PAYMENT: Payment for the authorized activity may be requested following acceptance of the MER documenting the successful completion of the associated scope of work. The report must be accurate and complete to be considered acceptable and waste disposal should be documented as part of the required reporting. Signed copies of timesheets, complete with description of services performed, shall be required for invoicing labor hours.

Item	Unit	Unit Price	—Additional— Quantity	Price
5-1	PER WELL	$35.00	8	$280.00
	Well Gauging - Up to 8 MWs			
6-5	PER WELL	$120.00	8	$960.00
	Purge and Sample Collection from Monitoring Well-Up to 100 feet total depth - Up to 8 MWs			
8-14	PER SAMPLE	$46.00	11	$506.00
	Water, BTEX + MTBE (EPA 8260) - Up to 8 MWs + 3 QA/QC samples			
22-9	PER GALLON	$0.90	200	$180.00
	Recycle/Dispose of Contaminated Liquids using a Vacuum Truck - Estimated			

23-5	PER REPORT	$750.00	1	$750.00
	Monitoring Event Report (MER)			
24-6	PER HOUR	$64.00	5	$320.00
	Field Technician - 2.5 hours RT from Lubbock to Lamesa x 2 Field Technicians			
29-1	PER MILE	$0.58	125	$72.50
	Light Vehicle Mileage - 125 miles RT from Lubbock to Lamesa			
29-2	PER MILE	$3.15	292	$919.80
	Heavy Vehicle Mileage - 292 miles RT (vac truck) from Abilene to the site			
30-1	PER DIEM	$149.00	2	$298.00
	Meals and Lodging, Eastern Region - 2 Field Technicians x 1 overnight stay			
		Sub-total:	**$4,286.30**	

23-2 Field Activity Report (FAR)	$749.00	0	$0.00	1	$749.00	1	$749.00
23-5 Monitoring Event Report (MER)	$750.00	0	$0.00	1	$750.00	1	$750.00
24-2 Project Manager (CAPM)	$110.00	0	$0.00	8	$880.00	8	$880.00
24-4 Geoscientist	$90.00	0	$0.00	2.5	$225.00	2.5	$225.00
24-6 Field Technician	$64.00	0	$0.00	5	$320.00	5	$320.00
29-1 Light Vehicle Mileage	$0.58	0	$0.00	250	$145.00	250	$145.00
29-2 Heavy Vehicle Mileage	$3.15	0	$0.00	664	$2,091.60	664	$2,091.60
29-3 Stake Bed, Dually, or Equivalent Truck Mileage	$2.25	0	$0.00	872	$1,962.00	872	$1,962.00
29-4 Drill Rig/Direct Push Rig Mileage	$3.25	0	$0.00	372	$1,209.00	372	$1,209.00
29-6 Double-Axle Trailer Mileage	$0.95	0	$0.00	372	$353.40	372	$353.40
30-1 Meals and Lodging, Eastern Region	$149.00	0	$0.00	12	$1,788.00	12	$1,788.00
31-3 Sample Shipping Cost	N/A	N/A	$0.00	N/A	$100.00	N/A	$100.00
31-10 Miscellaneous Reimbursable	N/A	N/A	$0.00	N/A	$3,300.00	N/A	$3,300.00
Current W.O. Total:			$0.00		$38,049.00		$38,049.00

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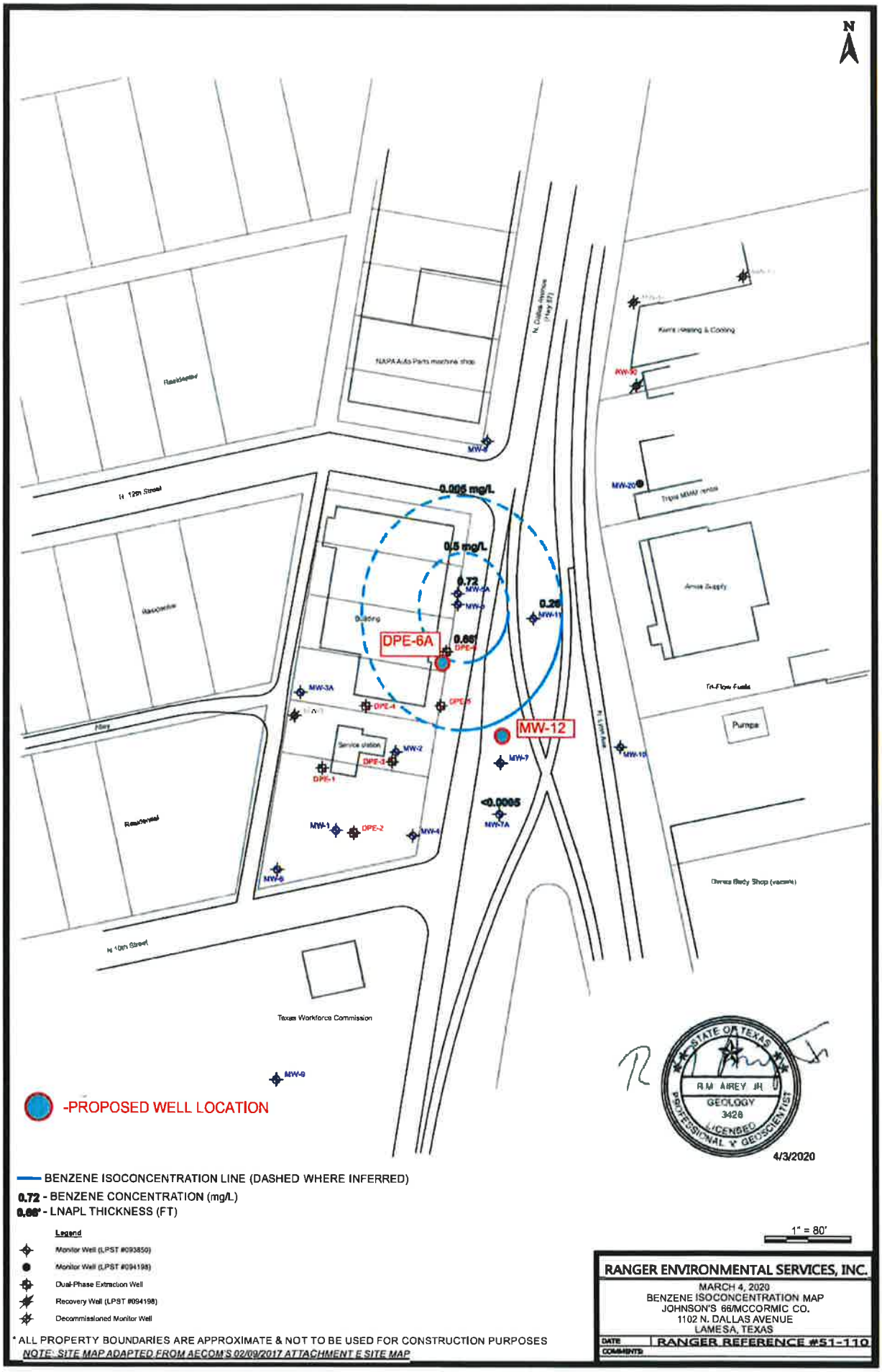

Approval Routing List Details

Return

Current ENCUMBRANCE FORM

ID: 2335521
PCR #: 22364
FY: 2021
Contract #: 582-18-80618
Vendor: RANGER ENVIRONMENTAL SERVICES INC
EF Type: Work Order
Purpose/Justification: 414-0128-0 NEED/PURPOSE: This Work Order (WO) provides authorization and funding for the contractor to pursue offsite access agreements and to conduct site assessment and groundwater monitoring activities. These activities serve to access subsurface product offsite and to monitor the groundwater contaminant plume. In addition, the contractor shall inspect the site during the first scheduled site activity/site visit and document the presence of any missing monitor wells, damage to monitor well completions, missing monitor well lids or lid bolts, drums that are not scheduled for prompt removal and any other site conditions that need immediate attention by the TCEQ. Upon returning from the field any noted issues shall be reported to the TCEQ Project Manager and shall include photo documentation and a recommendation for needed actions.

Routing List

List #	Date Created	Date Sent	Sent By	Purpose	List Status	PDF
2	12/18/2020 1:00:16 PM	12/18/2020 1:00:42 PM	Gerri Martinez		SENT	View

List Details

Routing Order	Individual	Role	Authority	Notice Type	Approver Status	Actual Approver	Arrival Date/Time	Response Date	Response	Comments
1	ADDISON, SHARON	TEAM LEADER	APPROVE	Daily	RESPONDED	ADDISON, SHARON	12/18/2020 1:00:42 PM	12/18/2020 1:55:42 PM	APPROVE	
2	BOLLINENI, PRASANTHI	SECTION MANAGER	APPROVE	Daily	RESPONDED	BOLLINENI, PRASANTHI	12/18/2020 1:55:42 PM	12/21/2020 11:54:44 AM	APPROVE	
3	Accounts Payable (Encumbrance), OAS/FAD/AP	FINANCIAL ADMIN AUDITOR	APPROVE	Daily	RESPONDED	MOORE, CATINA	12/21/2020 11:54:44 AM	12/21/2020 12:34:42 PM	Approved/Sent to P&C	Comments
4	Procurement & Contracts, OAS/FAD/PC	P&C APPROVER	APPROVE	Once	WAITING		12/21/2020 12:34:42 PM		N/A	

Retract | Edit Routing Order | Add Approver

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EXHIBIT C - TRAFFIC CONTROL PLAN

DocuSign Envelope ID: FFAAA4A9-A99F-4B13-BBAE-1F5985FEF848

RANGER
ENVIRONMENTAL SERVICES, INC.

TRAFFIC CONTROL PLAN
FOR MONITOR/RECOVERY WELL INSTALLATION
JOHNSONS 66 STATION
1102 NORTH DALLAS AVENUE
LAMESA, TEXAS 79331
LPST ID NO.: 93850

Ranger Environmental Services, Inc. (Ranger) is submitting the following proposed Traffic Control Plan for the plugging and replacement of two existing groundwater monitoring/recovery wells. Existing monitor/recovery wells DPE-6 and MW-7 (which have gone dry) are proposed to be plugged and replaced with deeper monitor/recovery wells (DPE-6A and MW-12). Existing monitor/recovery well DPE-6 is located in the Business U.S. Highway 87 right-of-way between N. 10th Street and N. 12th Street. Replacement monitor/recovery well DPE-6A is proposed to be located immediately offset to this existing monitor/recovery well.

Existing monitor/recovery well MW-7 is located in a median area of Business U.S. Highway 87 to the east of the referenced LPST site. Replacement monitor/recovery well MW-12 is proposed to be located within this median area just to the north of the existing MW-7 location.

Ranger proposes to retain Area Wide Protective (AWP) to implement the site traffic control activities. Based upon discussions with AWP, Ranger proposes to implement a TCP (1-1a)-18 "C*onventional Road Shoulder Work*" traffic control plan for the plugging of existing recovery well DPE-6 and its' replacement with proposed recovery well DPE-6A. A copy of TCP (1-1a)-18 is attached. Additional barrels and road work ahead signs have been recommended by AWP for median awareness related to the plugging of MW-7 and its' replacement with MW-12 in the median area.

AWP will provide all necessary traffic control equipment. As an additional precautionary measure, AWP will also provide two flaggers to help traffic run smoothly throughout the project duration.

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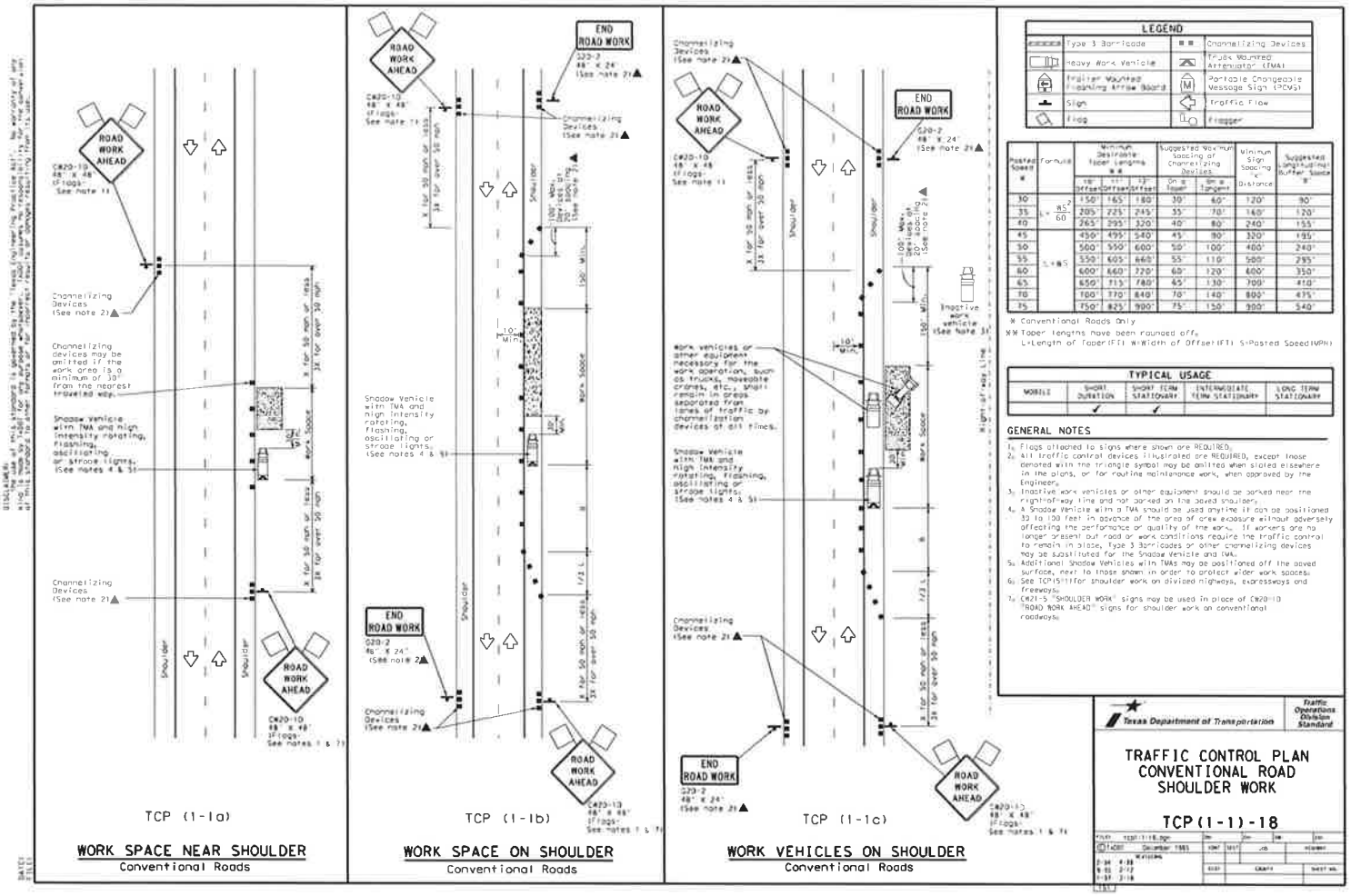

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EXHIBIT D - CERTIFICATE OF INSURANCE

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Texas Department of Transportation (TxDOT)
CERTIFICATE OF INSURANCE

This certificate of insurance is provided for informational purposes only. This certificate does not confer any rights or obligations other than the rights and obligations conveyed by the policies referenced on this certificate. The terms of the referenced policies control over the terms of this certificate.

Prior to the beginning of work, the Contractor shall obtain the minimum insurance and endorsements specified. Only the TxDOT certificate of insurance form is acceptable as proof of insurance for department contracts. Agents should complete the form providing all requested information then either fax or mail this form directly to the address listed on **page one** of this form. Copies of endorsements listed below are not required as attachments to this certificate.

Insured: Ranger Environmental Services, INC.

Street/Mailing Address: PO Box 201179

City: Austin State: TX Zip Code: 78720

Phone Number: 5123351785 Vendor ID Number (11 digits):

Contractor/Client (if applicable):

Street/Mailing Address:

City: State: Zip Code:

Phone Number: Vendor ID Number (11 digits):

Workers' Compensation Insurance Coverage:
Endorsed with a Waiver of Subrogation in favor of TxDOT.

Carrier Name: Service Lloyds		Carrier Phone Number: 512-637-6374		
Address: PO Box 26850		City: Austin	State: TX	Zip: 78755
Type of Insurance	Policy Number	Effective Date	Expiration Date	Limits of Liability
Workers' Compensation	WC0015030-2019A	05/01/20	05/01/21	Not Less Than: Statutory - Texas

Commercial General Liability Insurance:

Carrier Name: Nationwide Mutual		Carrier Phone Number: 614-249-7111		
Address: One W. National Blvd. 1-04-701		City: Columbus	State: OH	Zip: 43215-2220
Type of Insurance	Policy Number	Effective Date	Expiration Date	Limits of Liability
Commercial General Liability Insurance Bodily Injury Property Damage ***OR*** Commercial General Liability Insurance	ACP3009679093	05/01/20	05/01/21	Not Less Than: $500,000 each occurrence $100,000 each occurrence $100,000 for aggregate ***OR*** $600,000 combined single limit

Automobile Liability Insurance:

Carrier Name: ACP3009679093		Carrier Phone Number: 614-249-7111		
Address: One W. National Blvd. 1-04-701		City: Columbus	State: OH	Zip: 43215-2220
Type of Insurance	Policy Number	Effective Date	Expiration Date	Limits of Liability
Business Automobile Policy Bodily Injury Property Damage	ACP3009679093	05/01/20	05/01/21	Not Less Than: $250,000 each person $500,000 each occurrence $100,000 each occurrence

Authorized Agent name, address and zip code:
Whorton Insurance Service, 11200 Jollyville Rd., 78759

THIS IS TO CERTIFY to the Texas Department of Transportation acting on behalf of the State of Texas that the insurance policies named are in full force and effect. *If this form is sent by facsimile machine (fax), the sender adopts the document received by TxDOT as a duplicate original and adopts the signature produced by the receiving fax machine as the sender's original signature.*

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 555.021 and 553.023 of the Texas Government Code, you also are entitled to receive and review the information. Under section 559.004 of the Government Code, you are also entitled to have us correct information about you that is incorrect.

Area Code (512) 338-1191 — **Authorized Agent's Phone Number**

Jim Whorton — **Original Signature of Authorized Agent**

01/28/21 — **Date**

City Council Agenda
City of Lamesa, Texas

DATE OF MEETING: MARCH 16, 2021 **AGENDA ITEM: 30**

SUBJECT: **APPROVAL OF AGREEMENT FOR MONITORING WELL TO BE PLACED CITY RIGHT OF WAY**

PROCEEDING Approval

SUBMITTED BY: City Staff

SUMMARY STATEMENT

City Council to approve a resolution authorizing Nutrien Ag Solutions, Inc working on behalf of TCEQ to place a monitoring well in the City on the north side of Chicago Drive between 20th and 21st street just north of the alley.*(City Manager)*

COUNCIL ACTION

DISCUSSION _____

Motion by Council Member _____ to approve a resolution authorizing Nutrien Ag Solutions, Inc working on behalf of TCEQ to place a monitoring well in the City on the north side of Chicago Drive between 20th and 21st street just north of the alley. 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 PERMIT APPLICATION

ENCROACHMENT PERMIT APPLICATION

Nutrien Ag Solutions, Inc. Property
Lamesa, Texas

February 2021

Request for Access to City of Lamesa Right of Way for State Lead Investigation and/or Remediation

(Rev. 02/21)

A SITE PLAN MUST BE ATTACHED TO THIS REQUEST.

Name: Nutrien Ag Solutions, Inc., Contact - Kevin Bertrand

5296 Harvest Lake Drive	Loveland	Colorado	80538
Address	City,	State	Zip

Roadway: Chicago Drive Direction of Travel: southeast

Location Description: The proposed soil boring and monitoring well will be located in the shoulder (outside the travel lane) on the south side of Chicago Drive between 20th and 21st streets just north of the alley.

March 1, 2021	December 31, 2021
Estimated Start Date of Agreement	**Estimated Termination Date of Agreement**

Rubik Environmental, Inc.	320 Flint Street		
Name of Contractor	Address	YES	NO
Sarah Salcedo	Contractor Registered with City of Lamesa	☑	☐
Name of Contractor Representative			
Senior Geologist	Reno	NV	89501
Title	City,	State	Zip
Signature of Contractor Representative	(775) Area Code	343 - 2295 Telephone Number	

Anticipated Investigation and/or Remediation Activities (indicate all that apply)

- ☑ Taking surface and/or subsurface soil, surface water, or groundwater
- ☑ Drilling of subsurface borings
- ☑ Installing monitoring wells
- ☑ Pavement will be accessed
- ☐ Equipment will be installed and maintained for _____ days
- ☐ Other (please describe) _____

Attach a traffic control plan in the event that traffic lanes must be closed, traffic rerouted or detoured, or contractor personnel must enter the pavement. Traffic control must comply with the *Texas Manual on Uniform Traffic Control Devices*.

FOR CITY OF LAMESA USE ONLY

Any maintenance scheduled? If so, describe: _____

Comments: _____

Special Conditions Noted: _____

Recommend Right of Entry ☐ Yes ☐ No Reviewed By: _____

Date	Date
Sean Overeynder - City Manager	Josh Stevens - Mayor

FIGURES

SOIL AND GROUNDWATER DELINEATION WORK PLAN

Nutrien Ag Solutions, Inc. Property (Former CPS/Agriliance Facility)
Lamesa, Texas

March 2020



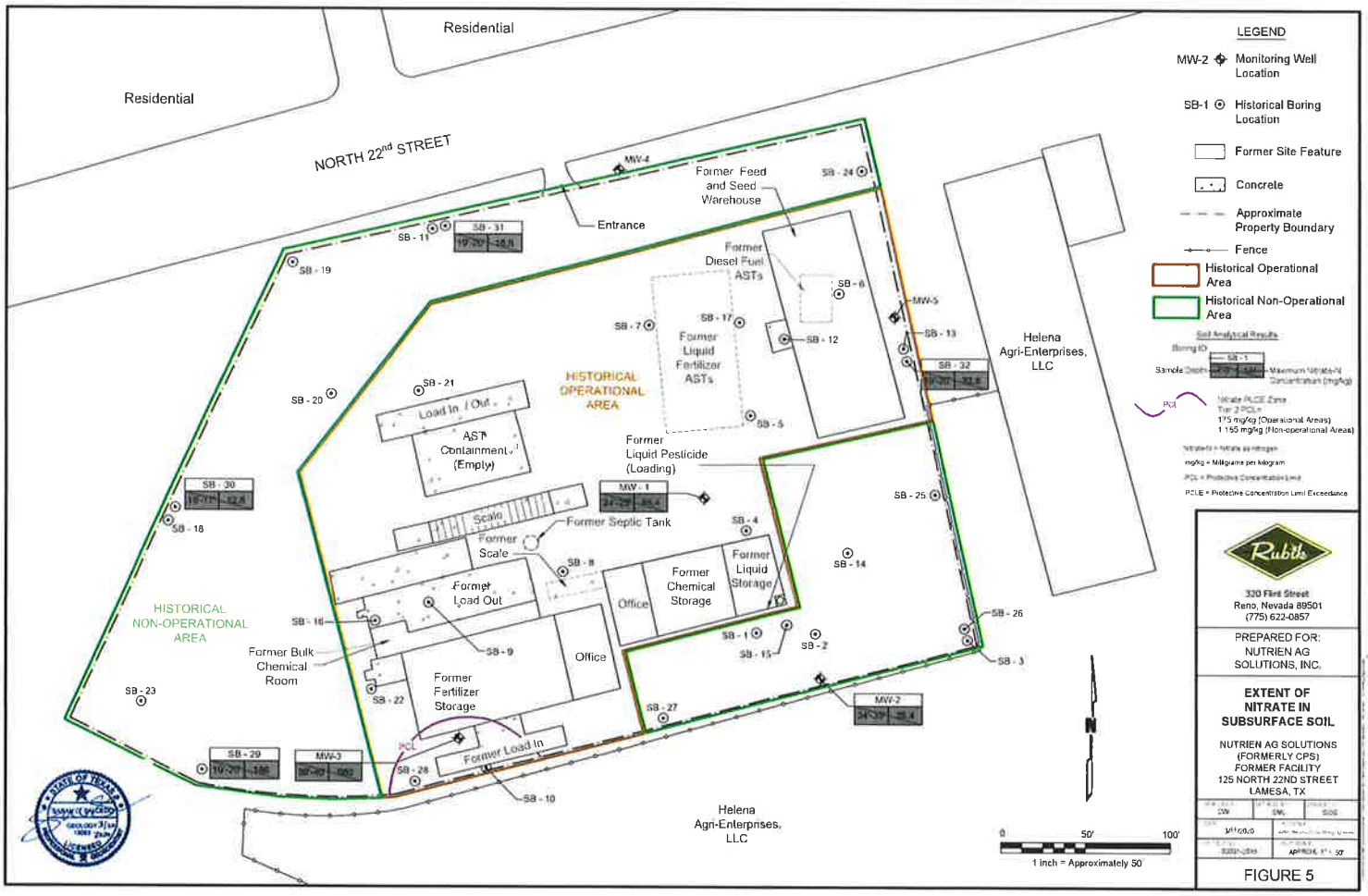
Rubik
320 Flint Street
Reno, Nevada 89501
(775) 622-0857

SITE LOCATION MAP

NUTRIEN AG SOLUTIONS, INC
(FORMERLY CPS)
125 NORTH 22ND STREET
LAMESA, TEXAS

DESIGNED BY:	DETAILED BY:	CHECKED BY:
SPF	SML	SOS
DATE: 3/11/2020	ACAD FILE: J:\2020\11 RBK Lamesa TX Fig 1 Site Location Map.dwg	
PROJECT NO.: 03051-2017	PLOT SCALE: APPROX. 1" = 600'	

FIGURE 1


Residential
Residential
NORTH 22nd STREET
Entrance
Former Feed and Seed Warehouse
Former Diesel Fuel ASTs
Former Liquid Fertilizer ASTs
HISTORICAL OPERATIONAL AREA
Load In / Out
AST Containment (Empty)
Former Liquid Pesticide (Loading)
Scale
Former Scale
Former Septic Tank
Former Load Out
Former Chemical Storage
Former Liquid Storage
Office
Former Bulk Chemical Room
Former Fertilizer Storage
Former Load In
HISTORICAL NON-OPERATIONAL AREA
Helena Agri-Enterprises, LLC
Helena Agri-Enterprises, LLC
MW-1
MW-2
MW-3
MW-4
MW-5
SB-1
SB-2
SB-3
SB-4
SB-5
SB-6
SB-7
SB-8
SB-9
SB-10
SB-11
SB-12
SB-13
SB-14
SB-15
SB-16
SB-17
SB-18
SB-19
SB-20
SB-21
SB-22
SB-23
SB-24
SB-25
SB-26
SB-27
SB-28
SB-29
SB-30
SB-31
SB-32
PCL
LEGEND
MW-2 Monitoring Well Location
SB-1 Historical Boring Location
Former Site Feature
Concrete
Approximate Property Boundary
Fence
Historical Operational Area
Historical Non-Operational Area
Soil Analytical Results
Boring ID
Sample Depth
Maximum Nitrate-N Concentration (mg/kg)
Nitrate PLCE Zone
Tier 2 PCL=
175 mg/kg (Operational Areas)
1,185 mg/kg (Non-operational Areas)
Nitrate/N = Nitrate as nitrogen
mg/kg = Milligrams per kilogram
PCL = Protective Concentration Limit
PCLE = Protective Concentration Limit Exceedance
0
50'
100'
1 inch = Approximately 50
N
Rubicon
320 First Street
Reno, Nevada 89501
(775) 622-0857
PREPARED FOR:
NUTRIEN AG SOLUTIONS, INC.
EXTENT OF NITRATE IN SUBSURFACE SOIL
NUTRIEN AG SOLUTIONS (FORMERLY CPS) FORMER FACILITY
125 NORTH 22ND STREET
LAMESA, TX
APPROX. 1" = 50'
FIGURE 5

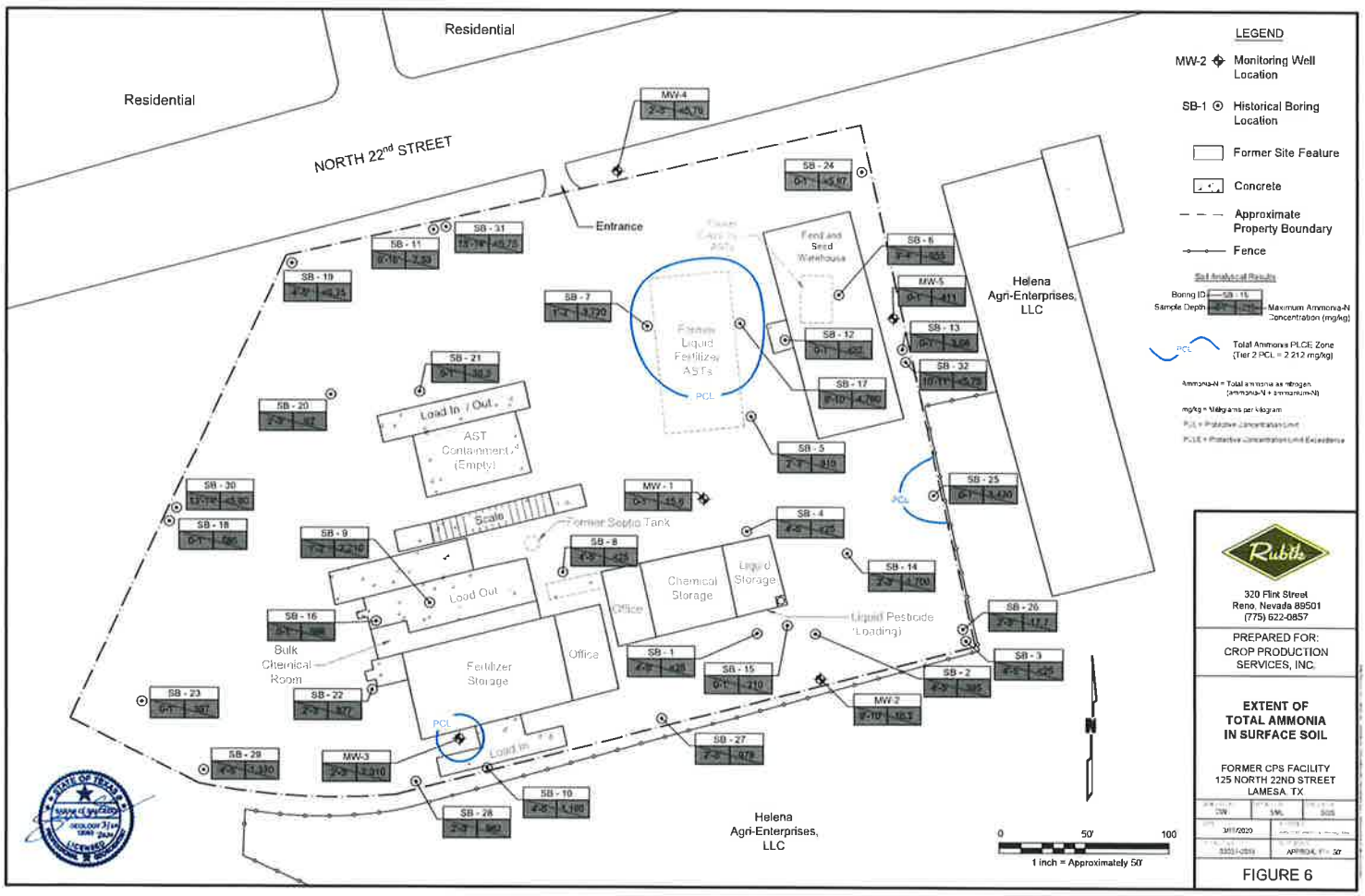
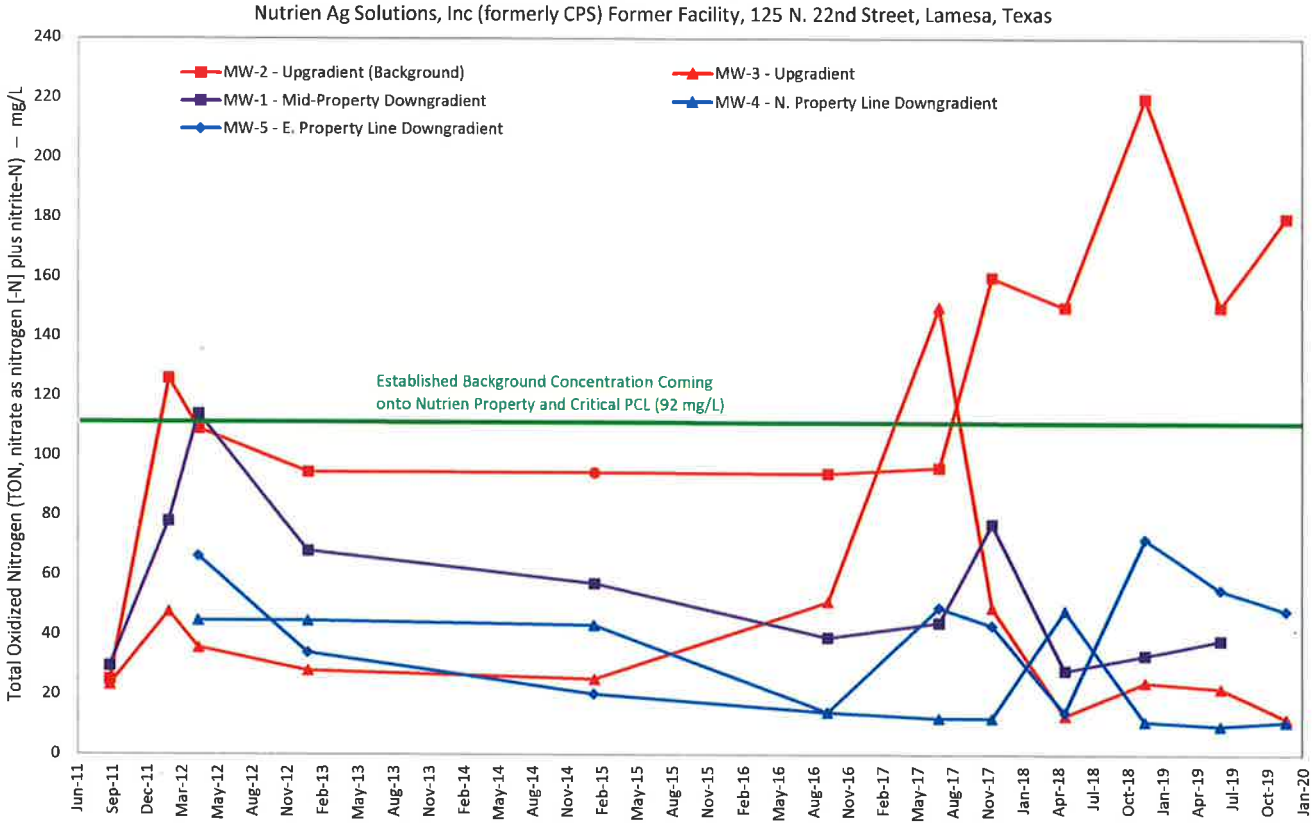

Residential
Residential
Residential
NORTH 22nd STREET
Entrance
MW-4
SB - 24
SB - 31
SB - 11
SB - 19
SB - 7
SB - 6
MW-5
SB - 12
SB - 13
SB - 32
SB - 17
SB - 5
SB - 25
SB - 21
SB - 20
Load In / Out
AST Containment (Empty)
Former Liquid Fertilizer ASTs
Feed and Seed Warehouse
Helena Agri-Enterprises, LLC
SB - 30
SB - 18
SB - 9
MW - 1
Scale
Former Septic Tank
SB - 4
SB - 8
SB - 14
SB - 26
Load Out
Chemical Storage
Liquid Storage
Office
Liquid Pesticide Loading
SB - 16
Bulk Chemical Room
Fertilizer Storage
Office
SB - 1
SB - 15
SB - 2
SB - 3
MW-2
SB - 23
SB - 22
PCL
Load In
SB - 27
SB - 29
MW-3
SB - 10
SB - 28
Helena Agri-Enterprises, LLC
N
0
50'
100
1 inch = Approximately 50'
LEGEND
MW-2 Monitoring Well Location
SB-1 Historical Boring Location
Former Site Feature
Concrete
Approximate Property Boundary
Fence
Soil Analytical Results
Boring ID
Sample Depth
Maximum Ammonia-N Concentration (mg/kg)
PCL
Total Ammonia PLCE Zone (Tier 2 PCL = 2,212 mg/kg)
Ammonia-N = Total ammonia as nitrogen (ammonia-N + ammonium-N)
mg/kg = Milligrams per kilogram
PCL = Protective Concentration Limit
PLCE = Protective Concentration Limit Exceedance
Rubicon
320 Flint Street
Reno, Nevada 89501
(775) 622-0857
PREPARED FOR:
CROP PRODUCTION SERVICES, INC.
EXTENT OF TOTAL AMMONIA IN SURFACE SOIL
FORMER CPS FACILITY
125 NORTH 22ND STREET
LAMESA, TX
3/11/2020
APPROX. 1" = 50'
FIGURE 6

FIGURE 8
Nitrate Concentrations in Groundwater v. Time
Nutrien Ag Solutions, Inc (formerly CPS) Former Facility, 125 N. 22nd Street, Lamesa, Texas





Rubik
320 Flint Street
Reno, Nevada 89501
(775) 622-0857

PROPOSED MONITORING WELL LOCATION

NUTRIEN AG SOLUTIONS
(FORMERLY CPS)
FORMER FACILITY
125 NORTH 22ND STREET
LAMESA, TEXAS

DESIGNED BY:	DETAILED BY:	CHECKED BY:
SPF	SML	SOS
DATE: 3/11/2020	ACAD FILE:	
PROJECT NO.: 03051-2016-Rpts	PLOT SCALE: APPROX. 1" = 600'	

FIGURE 10

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 8, 2020

Mr. Kevin Bertrand
Senior Manager, Environmental Remediation
Nutrien for: Crop Production Services, Inc.
5296 Harvest Lake Drive
Loveland, California 80538

Via Email

Re: Agriliance Dry Fertilizer Terminal Lamesa Site, located at 125 North 22nd Street, Lamesa, Dawson County, TX; Voluntary Cleanup Program (VCP) No. 2415; Customer No. CN603581893; Regulated Entity No. RN104210117

Dear Mr. Bertrand:

The Texas Commission on Environmental Quality (TCEQ) has reviewed the March 20, 2020 report entitled "Soil and Groundwater Delineation Work Plan" and the technical correspondence in the email dated April 24, 2020, both prepared by Rubik Environmental, Inc.

Based on the email, total ammonia analysis will be added to the samples at SBs-33 and 34, and nitrate-N analysis will be added to SBs-39 and 40. After careful review, the TCEQ concurs with the locations of proposed Soil Borings (SBs)-33 through 40 and Monitoring Well (MW)-6, and with the soil sampling and analysis plan (Table 4). The TCEQ understands that the location of MW-6 is proposed to be installed due to lack of access to offsite properties. While the TCEQ does not object to the well's location, the information gained from sampling at that point may be limited to establishing more broadly if any contaminants are coming onto the VCP site and would not appear to provide useful information as to potential contributions by Helena Agri-Enterprises, LLC (Helena), if any.

Please attempt to gain access to the offsite upgradient/cross-gradient property for delineation purposes, as this will assist in ascertaining if any site chemicals of concern increase. If access is being denied, the Remediation Division may assist with access negotiations after a determination on whether the access agreement is reasonable. The access section of the VCP agreement states that the best efforts to obtain access agreements from offsite owners include at a minimum a certified letter from the applicant to the current offsite owner. Please update the TCEQ on the progress of securing offsite access in the quarterly status updates.

Future submittals should be mailed to the TCEQ, Voluntary Cleanup Program, mail code MC-221, at the letterhead address. Please provide one paper copy and one

electronic copy (on USB or disc) of all submittals. Note that the electronic and hard copies should be identical, complete copies. A Correspondence ID Form (TCEQ Form 20428) must accompany each document submitted to the Remediation Division and should be affixed to the front of your submittal. The Correspondence ID Form helps ensure that your documents are identified correctly and are routed to the applicable program for a timely response. You may contact me with any questions at (512) 239-2603.

Sincerely,

Heather Podlipny, Project Manager
VCP-CA Section
Remediation Division
Texas Commission on Environmental Quality

HP

cc: Mr. Reagyn Slocum, Waste Section Manager, TCEQ Midland Region Office, R-7 (via email)

Ms. Sarah O. Salcedo, P.G., Principal Geologist, Rubik Environmental, Inc. (via email)

TRAFFIC CONTROL PLAN

ENCROACHMENT PERMIT APPLICATION

Nutrien Ag Solutions, Inc. Property
Lamesa, Texas

February 2021

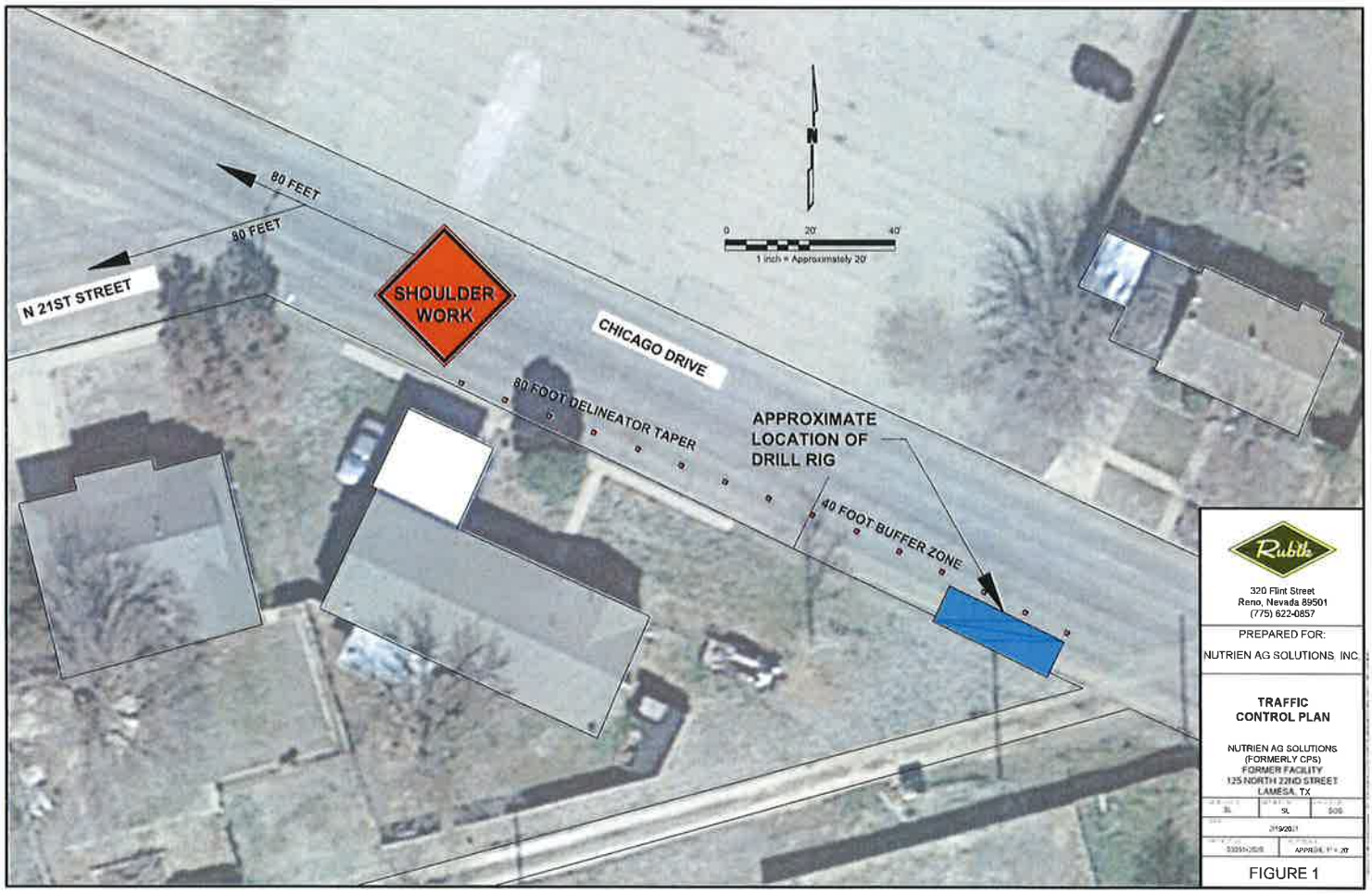

80 FEET
80 FEET
N 21ST STREET
SHOULDER WORK
CHICAGO DRIVE
80 FOOT DELINEATOR TAPER
APPROXIMATE LOCATION OF DRILL RIG
40 FOOT BUFFER ZONE
N
0
20'
40'
1 inch = Approximately 20'
Rubth
320 Flint Street
Reno, Nevada 89501
(775) 622-0857
PREPARED FOR:
NUTRIEN AG SOLUTIONS, INC.
TRAFFIC CONTROL PLAN
NUTRIEN AG SOLUTIONS
(FORMERLY CPS)
FORMER FACILITY
125 NORTH 22ND STREET
LAMESA, TX
SL
SOS
2/19/2021
APPROX. 1" = 20'

FIGURE 1

RUBIK CERTIFICATE OF INSURANCE

ENCROACHMENT PERMIT APPLICATION

Nutrien Ag Solutions, Inc. Property
Lamesa, Texas

February 2021

RUBIENV-01 KBARISON

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 2/16/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Alpine Insurance Associates 3352 Goni Road Suite 164 Carson City, NV 89706	CONTACT NAME: PHONE (A/C, No, Ext): (775) 829-2345 FAX (A/C, No): (775) 827-7090 E-MAIL ADDRESS:
INSURED Rubik Environmental Inc 320 Flint St Reno, NV 89501	INSURER(S) AFFORDING COVERAGE — NAIC # INSURER A : Admiral Insurance Company — 24856 INSURER B : Travelers Casualty Ins Co of America — 19046 INSURER C : Sequoia Indemnity Company — 12338 INSURER D : Technology Insurance Company, Inc. — 42376 INSURER E : INSURER F :

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR X Professional $1M X Pollution $1M GEN'L AGGREGATE LIMIT APPLIES PER: X POLICY PRO-JECT LOC OTHER:	X		FEI-ECC-10195-08	9/24/2020	9/24/2021	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG Prop. Dam. Ded.	$ 1,000,000 $ 50,000 $ 5,000 $ 1,000,000 $ 2,000,000 $ 2,000,000 $ 2,500
B	AUTOMOBILE LIABILITY X ANY AUTO OWNED AUTOS ONLY SCHEDULED AUTOS HIRED AUTOS ONLY NON-OWNED AUTOS ONLY			BA-8L526783-20-42-G	3/3/2020	3/3/2021	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ 1,000,000 $ $ $
A	UMBRELLA LIAB X OCCUR X EXCESS LIAB CLAIMS-MADE DED X RETENTION $ 0			FEI-EXS-10196-08	9/24/2020	9/24/2021	EACH OCCURRENCE AGGREGATE	$ 10,000,000 $ 10,000,000
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y / N If yes, describe under DESCRIPTION OF OPERATIONS below	N / A		QWC1104495	3/9/2020	3/9/2021	X PER STATUTE OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	$ 1,000,000 $ 1,000,000 $ 1,000,000
D	CA Workers Comp.			TWC3856649	3/9/2020	3/9/2021	Limit $1M/$1M/$1M	1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Certificate holder is additional insured per General Liability.

CERTIFICATE HOLDER

City of Lamesa
601 S 1st Street
Lamesa, TX 79331

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Marie Hughes

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The ACORD name and logo are registered marks of ACORD

Additional Insured – Owners, Lessees or Contractors – Scheduled Person or Organization

This endorsement, effective 9/24/2020 attaches to and forms a part of Policy Number FEI-ECC-10195-08. This endorsement changes the Policy. Please read it carefully.

In consideration of an additional premium of $Applied, this endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s):	Location(s) Of Covered Operations
Any person(s) or organization(s) whom the Named Insured agrees, in a written contract, to name as an additional insured. However, this status exists only for the project specified in that contract.	Those project locations where this endorsement is required by contract.
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.	

A. Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by:
   1. Your acts or omissions; or
   2. The acts or omissions of those acting on your behalf;
   in the performance of your ongoing operations for the additional insured(s) at the location(s) designated above.

B. With respect to the insurance afforded to these additional insureds, the following additional exclusions apply:
   This insurance does not apply to "bodily injury" or "property damage" occurring after:
   1. All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional insured(s) at the location of the covered operations has been completed; or
   2. That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.

© ISO Properties, Inc., 2004

City Council Agenda
City of Lamesa, Texas

DATE OF MEETING: MARCH 16, 2021 **AGENDA ITEM: 31**

SUBJECT:	**REQUEST FOR SPECIFIC USE PERMIT**
PROCEEDING:	Approval
SUBMITTED BY:	City Staff
EXHIBITS	Ordinance, Second Reading
AUTHORITY:	City Charter, City Code, Texas Government Code

SUMMARY STATEMENT

City Council to consider approving an Ordinance on second reading for a specific use permit at 1001 N. Ave Q for placement of a 2020 Teladega Double wide Manufactured Home as her primary residence for the following property: All of Lots One (1), of the Don Shoemaker Addition to the Town of Lamesa, Dawson County, Texas;

COUNCIL ACTION

DISCUSSION _____

Motion by Council Member _____ to approve an Ordinance on second reading for a specific use permit at 1001 N. Ave Q. for placement of a 2020 Teladega Double wide Manufactured Home as her primary residence. 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 GRANTING A SPECIFIC USE PERMIT TO ALLOW PLACEMENT OF A MANUFACTURED HOME ON ALL OF LOT 1, OF THE DON SHOEMAKER ADDITION THE TOWN OF LAMESA, DAWSON COUNTY, TEXAS, LOCATED AT 1001 NORTH AVENUE Q, LAMESA, TEXAS, UPON RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION.

On this 19th day of January, 2021, there came on and was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas, held pursuant to the provisions of the Texas Open Meetings Act, and there being a quorum present and acting throughout the meeting, the following ordinance was formally submitted by motion and duly seconded for consideration and action at the meeting, to wit:

WHEREAS, the Code of Ordinances of the City of Lamesa provides that specific use permits may be granted for the use of property not otherwise allowed in certain zoning districts of the City upon application of the property owner and upon recommendation of the Planning and Zoning Commission of the City; and

WHEREAS, an application has been made for a specific use permit to allow placement of a manufactured home on the following described property, to-wit:

> All of Lots One (1), of the Don Shoemaker Addition to the Town of Lamesa, Dawson County, Texas; and

WHEREAS, said property is located within the city limits of the City of Lamesa, Texas, located at 1001 North Avenue Q and is located within a R-1 District (Single-family residential); and

WHEREAS, the Planning and Zoning Commission of the City of Lamesa, Texas, after hearing such application and the arguments for and against the same, has voted to recommend to the City Council of the City of Lamesa, Texas, that such request for a specific use permit for the placement of a 2020 Taladega Double Wide Manufactured Home as her primary residence on such property be granted; and

WHEREAS, a public hearing where all interested persons were provided with an opportunity to be heard on the request for a specific use permit was held at City Hall, 601 South First Street, in the City of Lamesa, Texas, on January 19, 2021, which date is not less than fifteen days prior to the publication of a notice of such hearing in the Lamesa Press-Reporter, a newspaper of general circulation in the City of Lamesa, Texas; and

WHEREAS, after such hearing, the City Council of the City of Lamesa, Texas, finds that the use for which such specific use permit is sought will not be injurious to the neighborhood or otherwise detrimental to the public interest and welfare and will be in harmony with the general purpose of the Zoning Ordinances of the City of Lamesa, Texas, and that the recommendation of the Planning and Zoning Commission of the City of Lamesa, Texas, should be accepted.

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

SECTION ONE: The request for a specific use permit to allow the placement of a 2020 Taladega Double Wide Manufactured Home on the following described property located at 1001 North Avenue Q, Lamesa, Texas, to-wit:

> All of Lots One (1), of the Don Shoemaker Addition to the Town of Lamesa, Dawson County, Texas; and

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

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

SECTION THREE: If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Lamesa, Texas, hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

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

Upon being put to a vote, the foregoing ordinance was Passed, on First Reading on the 19th day of January, 2021; and

Upon being put to a vote, the foregoing ordinance was Passed, on Second Reading on the 16th day of March, 2021.

ATTEST:

_____
Betty Conde
City Secretary

APPROVED:

_____
Josh Stevens
Mayor

APPLICATION FOR ZONE CHANGE

Date: 10/30/2020 CASE NO. 21-2

City Planning & Zoning Commission
Michael Lopez, City of Lamesa Building Official
601 South First Street
Lamesa, Texas 79331

Council Members:

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

Lot 1, Block —, Addition Don Shoemaker
Address 1001 N Ave Q.
From R-1 District to R-1 District

Present use of property: Vacant lot

Desired use to be made of property: to place mobil home for primary residency 2020 Talladega double wide

Are there deed restrictions pertaining to intended use of property?

____ Yes No ✓

Delilah Mendez
Signature

805 N 9th St
Address

Lamesa, TX 79331
City, State Zip

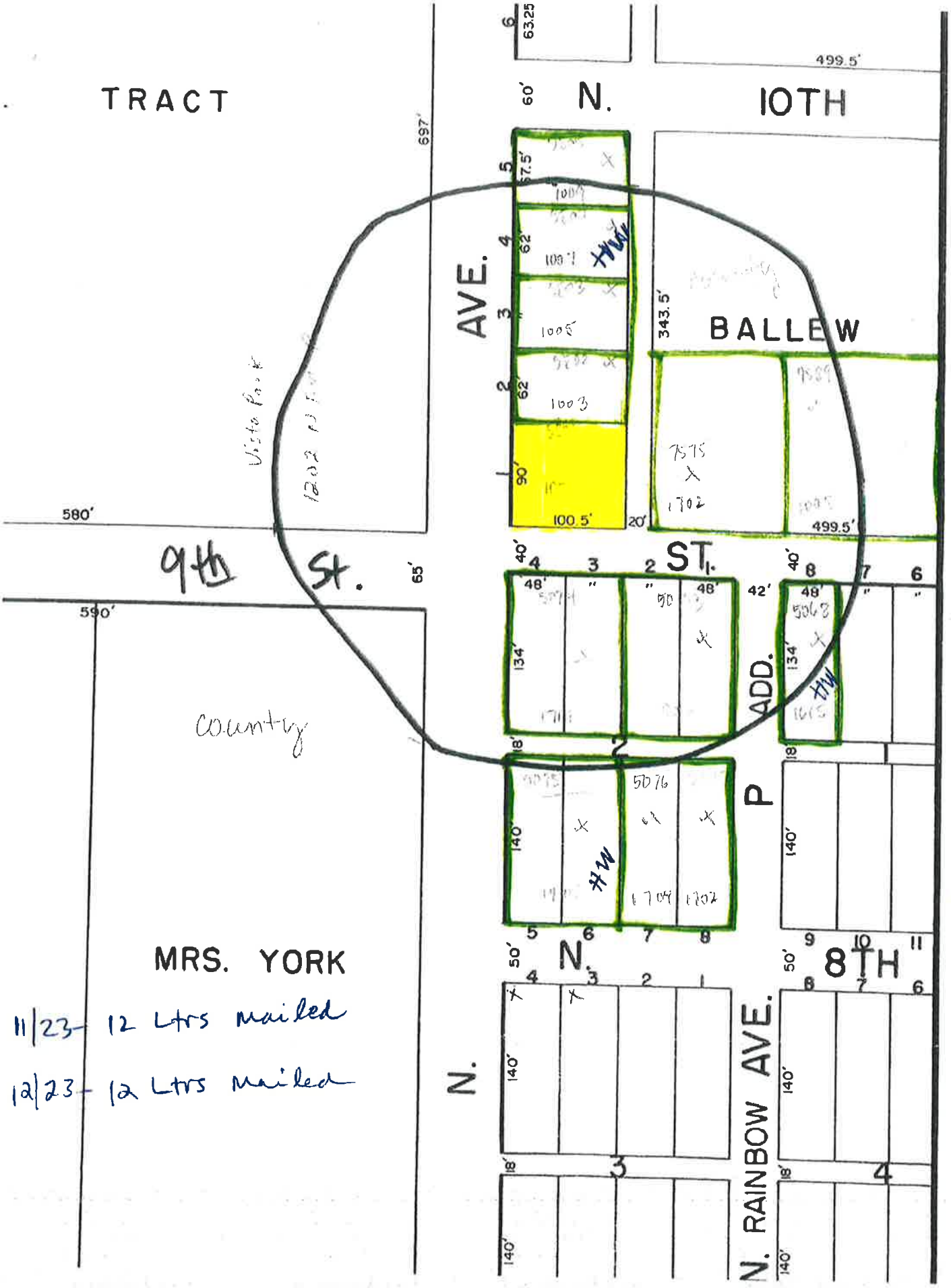
469-343-7124
Telephone Number

Date received: October 30, 2020 By Ada Rodriguez

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

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

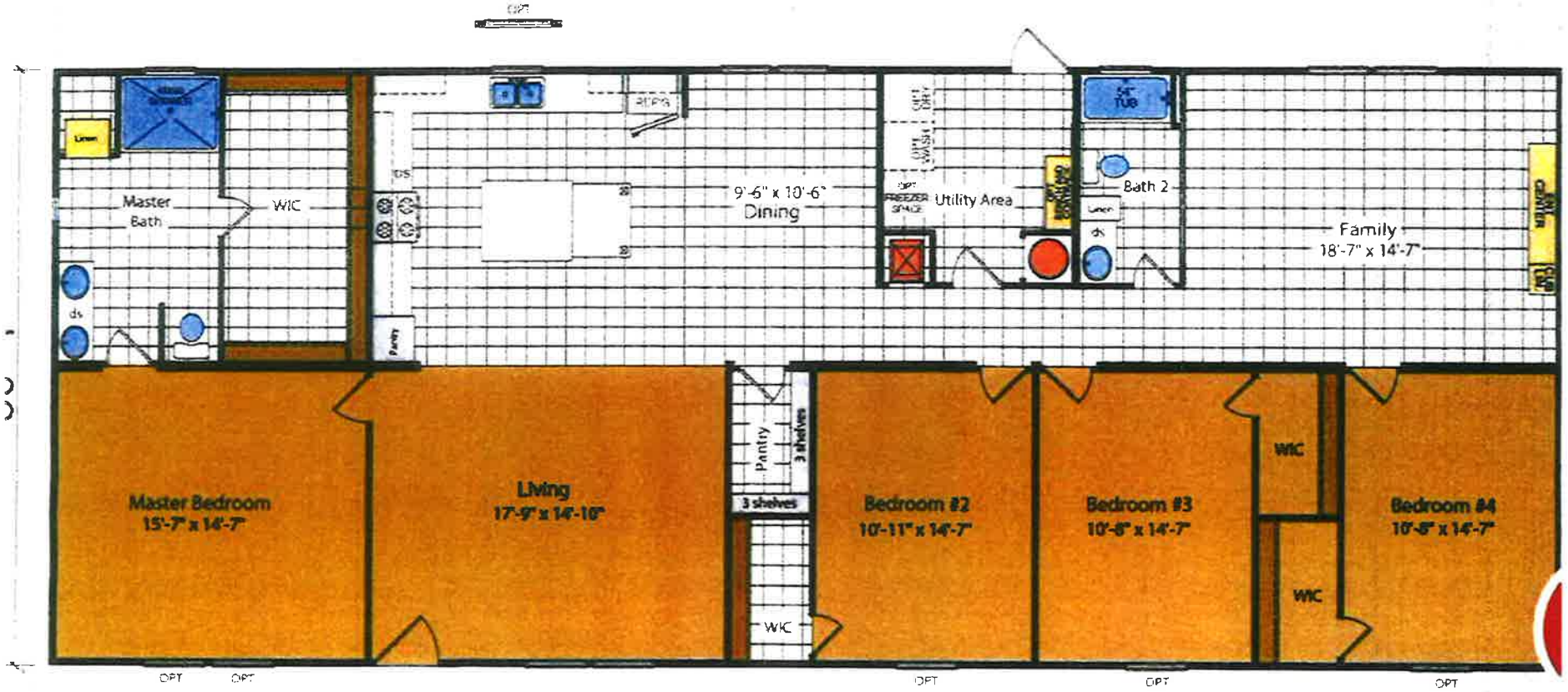
Dec. 15th @ 4pm


TRACT
N.
10TH
AVE.
BALLEW
ST.
ADD.
P
9th St.
MRS. YORK
N.
8TH
N. RAINBOW AVE.
Visto Park
1202 N.
County
HW
1005
1003
1702
5076
1704
1702
5068
1615
7575
1009
580'
590'
697'
65'
60'
343.5'
499.5'
100.5'
20'
40'
42'
48'
134'
140'
18'
50'
63.25
11/23 - 12 Ltrs mailed
12/23 - 12 Ltrs mailed

cricket

LTE 100%

76'



LAMESA TEXAS

CITY OF LAMESA

601 South 1st Street Lamesa, Texas 79331 Tel 806.872-2124 Fax 806.872-4338

CITY OF LAMESA
ZONE CHANGE
STAFF REVIEW AND ACKNOWLEDGEMENT

TO: ALL DEPARTMENTTS

Please complete this form and return it to the IDA RODRIGUEZ, INSPECTIONS DEPARTMENT.

The following zone change has been requested:

LEGAL DESCRIPTION: LOT 1 OF THE DON SHOEMAKER ADDITION TO the City of Lamesa, Dawson County, Texas

ADDRESS OF PROPERTY: 1001 N. AVE Q., LAMESA, TX 79331

NAME OF OWNER: DELILAH MENDEZ, 805 N. 9TH STREET, LAMESA, TX 79331

PRESENT ZONE: R-1

PRESENT LAND USE: VACANT LOT

PROPOSED ZONE: R-1

PROPOSED LAND USE: APPLICANT IS REQUESTING A SPECIFIC USE PERMIT TO PLACE A 2020 TALADEGA DOUBLE WIDE MANUFACTURED HOME AS HER PRIMARY RESIDENCE

DATE OF PLANNING AND ZONING COMMISSION HEARING: DECEMBER 17, 2020

I have reviewed the requested change and pursuant usage with respect to the comprehensive plan, availability of parking, and compatibility with the surrounding neighborhood and have the following comments:

DATE RETURNED 11/23/20

SIGNED: _____

TITLE: City Secretary

City Council Agenda
City of Lamesa, Texas

DATE OF MEETING: MARCH 16, 2021 **AGENDA ITEM: 32**

SUBJECT:	**PUBLIC HEARING - NUISANCE PROPERTY REMOVAL OR DEMOLITION**
PROCEEDING:	Public Hearing; Resolution
SUBMITTED BY:	City Staff
EXHIBITS:	Citation letters & pictures

SUMMARY STATEMENT

Public hearing to determine whether buildings located at the following location:

LEGAL DESCRIPTION: The East Half (E/2) of Lots One and Two (1 & 2), Block One (1), Braswell Replat to the City of Lamesa, Texas 79331

Situs: 804 S. 8th Street, Lamesa, Texas 79331
PARCEL ID: R1476

are vacant and dangerous and constitute a public nuisance within the terms of the Substandard Building Ordinance of the City of Lamesa; and if such buildings are found to be so dilapidated, damaged or decayed as to be beyond repair, to consider passing resolution ordering the demolition of said buildings.

The following persons spoke:

_____ _____

_____ _____

_____ _____

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

CITY MANAGER'S MEMORANDUM

This property was found to have a dilapidated structure which constitutes a public nuisance within the terms of the Substandard Building Ordinance of the City of Lamesa and ordering the removal or demolition of such Substandard Structure.

R1476 **804 S 8th St, Lamesa Tx 79331**

Owner: Juan Manuel Duran c/o Gloria Cerna





CITY OF LAMESA
601 S. 1st Street
Lamesa, TX 79331
806.872.2124

Texas Communities Group, LLC ©
samantha@texascg.com
806.839.2633

February 19, 2021

Juan M Duran
804 SE 8th Street
Lamesa Tx 79331

RE: Notice of Hearing Date Changed to March 16, 2021

This notice is to inform you that the following property was found to be in violation of the city's substandard structure ordinance outlined in the Local Government Code, Title 7, Subtitle A, Chapter 214, for dangerous structures.

LEGAL DESCRIPTION: The East Half (E/2) of Lots One and Two (1 & 2), Block One (1), Braswell Replat to the City of Lamesa, Dawson County, Texas

SITUS: 804 S 8th Street, Lamesa, Texas 79331

PARCEL ID: R1476

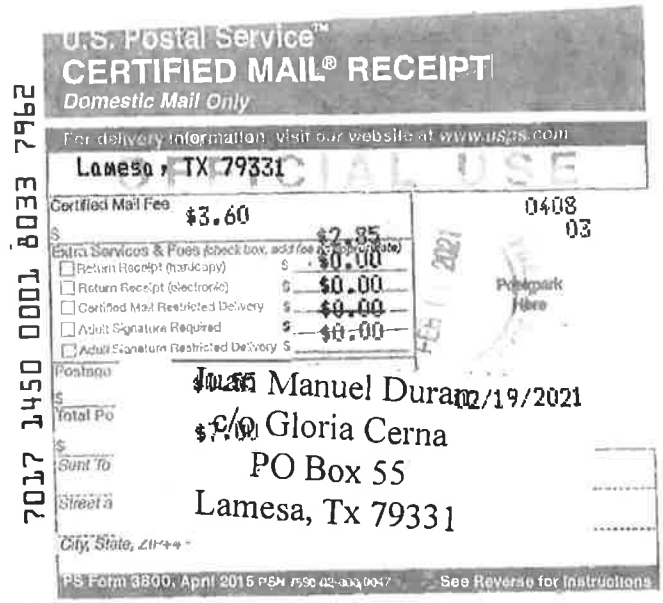
VIOLATION: Ordinance O-5-18 Substandard Structures.

DESCRIPTION: White single-family structure with tan and brown trim

A hearing has been set before the city council for the determination to abate a building or structure that has been identified and inspected as substandard and/or hazardous according to the provisions of Substandard Structures Ordinance O-5-18. The hearing will take place at **Lamesa City Hall, 601 S 1st Street, Lamesa, Texas 79331** on the **16th day of March, 2021 at 5:30 p.m.** You may present your case as to why this building should not be declared a public nuisance and why you should not be ordered to repair, renovate, or demolish and clear such building or structure from the premises or proof of scope of any work that may be required to comply with the ordinance and the time it will take to reasonably perform the work. If the city council finds that this building is a substandard building or structure, the city council may order the abatement of said condition or conditions by repair, renovation, removal or demolition by you within a reasonable time to be set by the city council and that the city may demolish or remove said building if the owner does not comply with such order. Please give this matter your immediate attention. There are currently no fines nor tickets. The purpose of this notice is to notify you of the issue and hearing.

Samantha Hyatt
Code Administrator
samantha@texascg.com
806.TEXCODE

7017 1450 0001 8033 7962



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Lamesa, TX 79331

OFFICIAL USE

Certified Mail Fee $3.60
$ $2.85

0408
03

Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $ $0.00
- ☐ Return Receipt (electronic) $ $0.00
- ☐ Certified Mail Restricted Delivery $ $0.00
- ☐ Adult Signature Required $ $0.00
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Po
$

Sent To

Street a

City, State, ZIP+4

Juan Manuel Duran 02/19/2021
c/o Gloria Cerna
PO Box 55
Lamesa, Tx 79331

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Juan Manuel Duran
c/o Gloria Cerna
PO Box 55
Lamesa, Tx 79331

9590 9402 5377 9189 3066 60

2. Article Number *(Transfer from service label)*

7017 1450 0001 8033 7962

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Marcos Perez
☐ Agent
☐ Addressee

B. Received by *(Printed Name)* Marcos Perez

C. Date of Delivery 2/23/21

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Return Receipt for Merchandise
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt

CITY OF LAMESA

601 S. 1st Street
Lamesa, TX 79331
806.872.2124



samantha@texascg.com
806.839.2633

February 19, 2021

Juan M Duran
806 S Houston Ave
Lamesa Tx 79331

RE: Notice of Hearing Date Changed to March 16, 2021

This notice is to inform you that the following property was found to be in violation of the city's substandard structure ordinance outlined in the Local Government Code, Title 7, Subtitle A, Chapter 214, for dangerous structures.

LEGAL DESCRIPTION: The East Half (E/2) of Lots One and Two (1 & 2), Block One (1), Braswell Replat to the City of Lamesa, Dawson County, Texas

SITUS: 804 S 8th Street, Lamesa, Texas 79331

PARCEL ID: R1476

VIOLATION: Ordinance O-5-18 Substandard Structures.

DESCRIPTION: White single-family structure with tan and brown trim

A hearing has been set before the city council for the determination to abate a building or structure that has been identified and inspected as substandard and/or hazardous according to the provisions of Substandard Structures Ordinance O-5-18. The hearing will take place at **Lamesa City Hall, 601 S 1st Street, Lamesa, Texas 79331** on the **16th day of March, 2021 at 5:30 p.m.** You may present your case as to why this building should not be declared a public nuisance and why you should not be ordered to repair, renovate, or demolish and clear such building or structure from the premises or proof of scope of any work that may be required to comply with the ordinance and the time it will take to reasonably perform the work. If the city council finds that this building is a substandard building or structure, the city council may order the abatement of said condition or conditions by repair, renovation, removal or demolition by you within a reasonable time to be set by the city council and that the city may demolish or remove said building if the owner does not comply with such order. Please give this matter your immediate attention. There are currently no fines nor tickets. The purpose of this notice is to notify you of the issue and hearing.

Samantha Hyatt

Samantha Hyatt
Code Administrator
samantha@texascg.com
806.TEXCODE



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Lamesa, TX 79331

OFFICIAL USE

Certified Mail Fee $3.60
Extra Services & Fees (check box, add fee as appropriate)
- Return Receipt (hardcopy) $0.00
- Return Receipt (electronic) $0.00
- Certified Mail Restricted Delivery $0.00
- Adult Signature Required $0.00
- Adult Signature Restricted Delivery $

Postage $0.55

Total Postage and Fees $7.00

0408
03

Postmark Here

02/19/2021

Sent To: Juan M Duran
Street and Apt. No., or PO Box No.: 806 S Houston
City, State, ZIP+4®: Lamesa

PS Form 3800, April 2015 PSN 7530-02-000-0047 See Reverse for Instructions

7017 1450 0001 8033 7979

WBM

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Juan M Duran
806 S Houston Ave
Lamesa Tx 79331

9590 9402 5377 9189 3066 84

2. Article Number (Transfer from service label)
7017 1450 0001 8033 7979

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name) JREICIG

C. Date of Delivery 2/24

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ [illegible]ail Restricted Delivery (over $500)
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Return Receipt for Merchandise
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt

CITY OF LAMESA

601 S. 1st Street
Lamesa, TX 79331
806.872.2124



samantha@texascg.com
806.839.2633

January 14, 2021

Juan Manuel Duran c/o Gloria Cerna
PO Box 55
Lamesa Tx 79331

RE: Notice of Hearing

This notice is to inform you that the following property was found to be in violation of the city's substandard structure ordinance outlined in the Local Government Code, Title 7, Subtitle A, Chapter 214, for dangerous structures.

LEGAL DESCRIPTION: The East Half (E/2) of Lots One and Two (1 & 2), Block One (1), Braswell Replat to the City of Lamesa, Dawson County, Texas

SITUS: 804 S 8th Street, Lamesa, Texas 79331

PARCEL ID: R1476

VIOLATION: Ordinance O-5-18 Substandard Structures.

DESCRIPTION: White single-family structure with tan and brown trim

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Samantha Hyatt

Samantha Hyatt
Code Administrator
samantha@texascg.com
806.TEXCODE

7020 2450 0001 4957 2435

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Lamesa, TX 79331

OFFICIAL USE

Certified Mail Fee	$3.55
$	$2.85
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	$0.00
☐ Return Receipt (electronic)	$0.00
☐ Certified Mail Restricted Delivery	$0.00
☐ Adult Signature Required	$0.00
☐ Adult Signature Restricted Delivery	$
Postage	$0.70
$	
Total Postage and Fees	$7.10
$	
Sent To	Juan Manuel Duran
Street and Apt. No.	c/o Gloria Cerna
City, State, ZIP+4	PO Box 55
	Lamesa Tx 79331

0408
05

Postmark Here

01/14/2021

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Juan Manuel Duran
c/o Gloria Cerna
PO Box 55
Lamesa Tx 79331

9590 9402 5377 9189 3154 64

2. Article Number (Transfer from service label)

7020 2450 0001 4957 2435

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent
☐ Addressee

B. Received by (Printed Name) Gloria Cerna

C. Date of Delivery 1/20/21

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ red Mail
☐ red Mail Restricted Delivery
r $500)

☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Return Receipt for Merchandise
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt

CITY OF LAMESA

601 S. 1st Street
Lamesa, TX 79331
806.872.2124



samantha@texascg.com
806.839.2633

January 14, 2021

Juan Manuel Duran c/o Gloria Cerna
806 S Houston Avenue
Lamesa Tx 79331

RE: Notice of Hearing

This notice is to inform you that the following property was found to be in violation of the city's substandard structure ordinance outlined in the Local Government Code, Title 7, Subtitle A, Chapter 214, for dangerous structures.

LEGAL DESCRIPTION: The East Half (E/2) of Lots One and Two (1 & 2), Block One (1), Braswell Replat to the City of Lamesa, Dawson County, Texas

SITUS: 804 S 8th Street, Lamesa, Texas 79331

PARCEL ID: R1476

VIOLATION: Ordinance O-5-18 Substandard Structures.

DESCRIPTION: White single-family structure with tan and brown trim

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Samantha Hyatt

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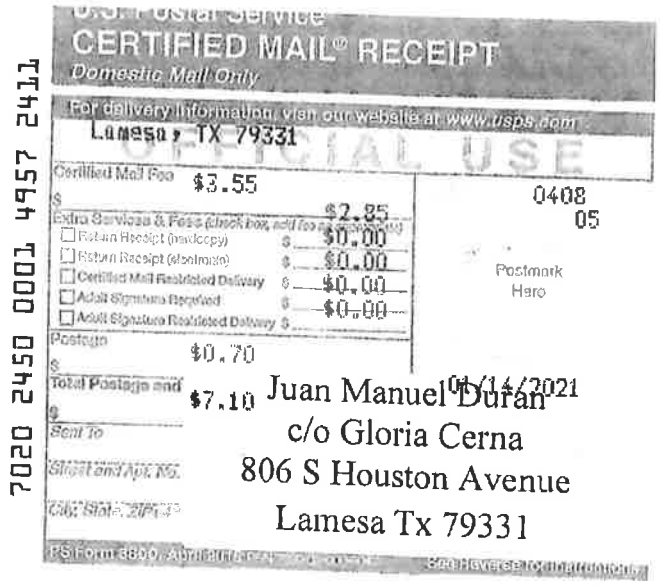
Code Administrator
samantha@texascg.com
806.TEXCODE



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Lamesa, TX 79331

OFFICIAL USE

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Extra Services & Fees (check box, add fee as appropriate)
- Return Receipt (hardcopy) $2.85
- Return Receipt (electronic) $0.00
- Certified Mail Restricted Delivery $0.00
- Adult Signature Required $0.00
- Adult Signature Restricted Delivery $

Postage $0.70
Total Postage and Fees $7.10
Sent To
Street and Apt. No.
City, State, ZIP+4®

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05

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04/14/2021

Juan Manuel Duran
c/o Gloria Cerna
806 S Houston Avenue
Lamesa Tx 79331

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7020 2450 0001 4957 2411

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Juan Manuel Duran
c/o Gloria Cerna
806 S Houston Avenue
Lamesa Tx 79331

9590 9402 5377 9189 3154 88

2. Article Number *(Transfer from service label)*
7020 2450 0001 4957 2411

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- d Mail Restricted Delivery $500)
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Return Receipt for Merchandise
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt

CITY OF LAMESA

601 S. 1st Street
Lamesa, TX 79331
806.872.2124



samantha@texascg.com
806.839.2633

January 14, 2021

Juan M Duran
804 SE 8th Street
Lamesa Tx 79331

RE: Notice of Hearing

This notice is to inform you that the following property was found to be in violation of the city's substandard structure ordinance outlined in the Local Government Code, Title 7, Subtitle A, Chapter 214, for dangerous structures.

LEGAL DESCRIPTION: The East Half (E/2) of Lots One and Two (1 & 2), Block One (1), Braswell Replat to the City of Lamesa, Dawson County, Texas

SITUS: 804 S 8th Street, Lamesa, Texas 79331

PARCEL ID: R1476

VIOLATION: Ordinance O-5-18 Substandard Structures.

DESCRIPTION: White single-family structure with tan and brown trim

A hearing has been set before the city council for the determination to abate a building or structure that has been identified and inspected as substandard and/or hazardous according to the provisions of Substandard Structures Ordinance O-5-18. The hearing will take place at **Lamesa City Hall, 601 S 1st Street, Lamesa, Texas 79331** on the **16th day of February, 2021 at 5:30 p.m.** You may present your case as to why this building should not be declared a public nuisance and why you should not be ordered to repair, renovate, or demolish and clear such building or structure from the premises or proof of scope of any work that may be required to comply with the ordinance and the time it will take to reasonably perform the work. If the city council finds that this building is a substandard building or structure, the city council may order the abatement of said condition or conditions by repair, renovation, removal or demolition by you within a reasonable time to be set by the city council and that the city may demolish or remove said building if the owner does not comply with such order. Please give this matter your immediate attention. There are currently no fines nor tickets. The purpose of this notice is to notify you of the issue and hearing.

Samantha Hyatt

Samantha Hyatt
Code Administrator
samantha@texascg.com
806.TEXCODE

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Lamesa, TX 79331

OFFICIAL USE

Certified Mail Fee	$3.55	0408 05
$	$2.35	
Extra Services & Fees (check box, add fee as appropriate)	$0.00	
☐ Return Receipt (hardcopy)	$0.00	
☐ Return Receipt (electronic)	$0.00	Postmark Here
☐ Certified Mail Restricted Delivery	$0.00	
☐ Adult Signature Required	$	
☐ Adult Signature Restricted Delivery	$	
Postage $0.70		01/14/2021
Total Postage and $7.10		Juan M Duran
Sent To		804 SE 8th Street
Street and Apt. No.		Lamesa Tx 79331
City, State, ZIP+4®		

PS Form 3800, April 20

7020 2450 0001 4957 2428

Texas Communities Group, LLC
PO Box 792
Lubbock, TX 79408

CERTIFIED MAIL

7020 2450 0001 4957 2428

1000 79331

Juan M Duran
804 SE 8th Street
Lamesa Tx 79331

Lamesa

NIXIE 750 DE 1 0001/1

RETURN TO SENDER
NO SUCH NUMBER
UNABLE TO FORWARD

NSN BC: 794080792 *1882-00146-

79408>0792
79331$7512 H007

STRUCTURAL STANDARDS REPORT

SITUS: 804 S 8th Street, Lamesa, Texas 79331
LEGAL: The East Half (E/2) of Lots One and Two (1 & 2), Block One (1), Braswell Replat to the City of Lamesa, Dawson County, Texas
INSPECTOR: Ida
DATE INSPECTED: 12/30/2020
VIOLATION: Ordinance O-5-18 Dangerous Structure

VACANT STRUCTURES AND LAND: All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health and safety.

Comments: MAIN HOUSE STRUCTURE IS NOT VACANT, SEVERE SIGNS OF DETERIORATION AND LACK OF UPKEEP TO BOTH STRUCTURES. OVERALL CONDITIONS ARE CAUSING AN ADVERSE EFFECT TO THE PUBLIC HEALTH AND SAFETY. SECONDARY STRUCTURE IN BACK IS COLLAPSING.

OVERHANG EXTENSIONS: All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes, and exhaust ducts shall be maintained in good repair and be properly anchored so as to be kept in sound condition. When required, all exposed surfaces of metal or wood shall be protected for the elements and against decay or rust by periodic application of weather-coating materials, such as paint of similar surface treatment.

Comments: PORCH, OVERHANGS AND EAVES ARE SEVERELY DAMAGED DUE TO THE LACK OF PAINT AND MAINTENANCE. BEAMS ARE RUSTING.

ROOFS AND DRAINAGE: The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstruction. Roof water shall not be discharged in a matter that creates a public nuisance.

Comments: SECONDARY STRUCTURE ROOF VERY UNSTABLE, MAIN HOUSE STRUCTURE CAN'T DETERMINE ROOF DAMAGE.

WINDOWS, SKYLIGHT & DOORS FRAMES: Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

Comments: MAIN HOUSE, MULTIPLE WINDOWS ARE BROKEN AND BOARDED OR COVERED WITH PLASTIC AND NOT SECURED. FRONT DOOR IS NOT SECURED. SECONDARY STRUCTURE IS MISSING WALLS AND FRAMES VERY UNSTABLE.

GENERAL: The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure which they occupy or control in a clean and sanitary condition. Every owner of a structure containing a rooming house, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.

Comments: THE OVERALL CONDITIONS OF THE STRUCTURES ON THE PROPERTY ARE SEVERE. INTERIOR OF MAIN STRUCTURE IS FULL OF TRASH EXITS ARE BLOCKED CAUSING FIRE HAZARDS. NO UTILITIES ON AT LOCATION, USING EXTENSION CORDS TO SUPPLY ONE ROOM OF THE HOME ELECTRICITY. SECONDARY STRUCTURE IS LITTERED WITH DEBRIS AND MISSING MOST OF THE SIDE WALLS.

INTERIOR/EXTERIOR SURFACES: All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking, or abraded paint shall be repaired, removed, or covered. Cracked or loose plaster, decayed wood, and other defective surface conditions shall be corrected.

Comments: THE PROPERTY IS OPEN AND ACCESSIBLE TO THE PUBLIC WHICH LEAVES OPPORTUNITY FOR VANDALISM. MAIN STRUCTURE INTERIOR WALLS APPEAR TO HAVE WATER DAMAGE AND NEED PAINT. EXTERIOR PAINT IS SEVERELY WEATHERED/ABRAIDED. SEVERE WOOD ROT AND SHATTERED WOOD. AREAS OF EXTERIOR HAVE BEEN COVERED WITH PLYWOOD THAT IS HELD IN PLACE BY ONE SMALL PIECE OF WOOD AND BRICKS. EXPOSED WIRES ALONG GROUND AND SIDE OF STRUCTURE. SECONDARY STRUCTURE IS NOT STRUCTURALLY SOUND.

ACCUMULATION OF RUBBISH AND GARBAGE: All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.

Comments: RUBBISH AND DEBRIS ACCUMULATION THROUGHOUT THE PROPERTY.

RODENT HARBORAGE: All Structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and re-infestation.

Comments: POSSIBLE RODENT HARBORAGE.

FAILURE TO OBEY NOTICE. NO PERSON SHALL OCCUPY ANY BUILDING WHICH HAS BEEN POSTED AS SPECIFIED IN THIS CHAPTER. NO PERSON SHALL REMOVE OR DEFACE ANY SUCH NOTICE SO POSTED UNTIL THE STRUCTURE MEETS REQUIRED STANDARDS OF THE ORDINANCE.

NOTES: THE OVERALL CONDITIONS OF THE STRUCTURE ON THE SAID PROPERTY ARE SEVERE. THE STRUCTURE ITSELF IS IN NEED OF EXTENSIVE REPAIRS, BOTH ON THE INTERIOR AND EXTERIOR AREAS. WITH THE STRUCTURE BEING OPEN AND ACCESSIBLE TO PUBLIC, THIS INVITES VANDALISM AND DAMAGE TO THE OVERALL STRUCTURE. THESE CONDITIONS ARE CONSIDERED TO BE LIFE AND SAFETY HAZARDS TO THE SURROUNDING NEIGHBORHOOD. YOUR RESPONSE TO THE NOTIFICATION AND TO THE CONDITIONS THAT EXIST ON THE PROPERTY UNDER YOUR CONTROL WOULD BE GREATLY APPRECIATED BY BOTH.

STRUCTURAL STANDARDS INFORMATION REPORT

PARCEL:	R1476	DATE:	1/14/2020
LEGAL:	The East Half (E/2) of Lots One and Two (1 & 2), Block One (1), Braswell Replat to the City of Lamesa, Dawson County, Texas		
SITUS:	804 S 8th Street, Lamesa, Texas 79331		

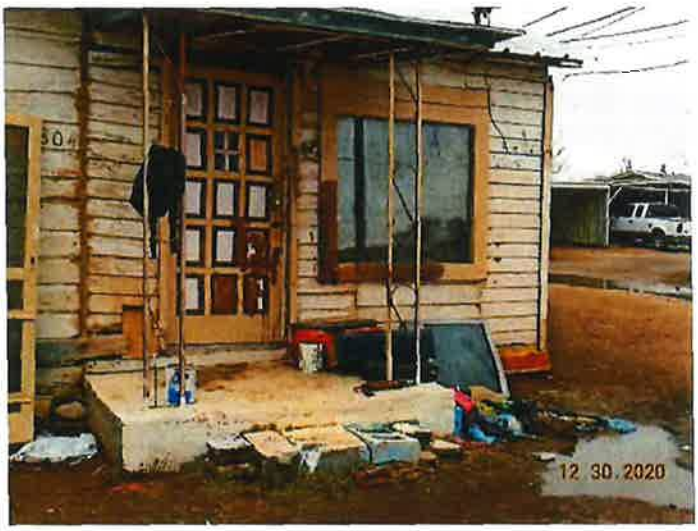
TAXES DUE:	TITLEWORK DATE: 1/6/2020	ATTACHED Y/N: YES
OWNER/LIENHOLDER	OWNER/LIENHOLDER	OWNER/LIENHOLDER
Juan Manuel Duran c/o Gloria Cerna Owner	Juan M Duran Owner	Juan Manuel Duran c/o Gloria Cerna Owner
PO Box 55	804 SE 8th Street	806 S Houston Avenue
Lamesa, Texas 79331	Lamesa, Texas 79331	Lamesa, Texas 79331
OWNER/LIENHOLDER	OWNER/LIENHOLDER	OWNER/LIENHOLDER
OWNER/LIENHOLDER	OWNER/LIENHOLDER	OWNER/LIENHOLDER
ORDINANCE REFERENCE	VIOLATION	NOTES
Ordinance O-5-18 Substandard Structures	Substandared Structure	Damaged Structure See Attached Pictures

Parcel: R1476 Duran 804 S 8th St, Lamesa Tx 79331













Parcel: R1476 Duran 804 S 8th St, Lamesa Tx 79331













Parcel: R1476 Duran 804 S 8th St, Lamesa Tx 79331













Parcel: R1476 Duran 804 S 8th St, Lamesa Tx 79331







PERDUE BRANDON FIELDER COLLINS & MOTT LLP
ATTORNEYS AT LAW

County: Dawson

TITLE RUN SHEET

Atty. No. _____ Acct. Name Juan Manuel Duran

Lot: _____ Block: 1 Addition: Braswell

Acres: _____ Survey: _____ Section: _____ Abstract: _____

Geo Code: R1476 E/2 Lts 1-2 Date Completed: 1/6/21 MDS

Grantor	Grantee	Instrument	Volume	Page	Date
Epifania Carbajal Perez	Juan Manuel Duran et ux	WD E/2 of 1-2	337	141	8-10-79 / 8-13-79
Remarks:					
Magdalena Duran	Juan Manuel Duran	WD E/2 of 1-2	362	79	7-11-83 / 7-11-83
Remarks:					
DCAD		DC #17778			10-24-07
Remarks: Same					
Remarks: NO Probate					
Remarks:					
Remarks:					
Remarks:					

Liens Checked:

Dawson County Central Appraisal District

Chief Appraiser - Norma J. Brock, RTC,RTA,RPA,CTA, CCA

Official Website
Hosted By Pritchard & Abbott, Inc.



General Real Estate Property Information

New Property Search

Go To Previous Page

Property ID:	1476

Property Legal Description:
E/2 OF LOTS 1-2 BLK 1
BRASWELL REPLAT

Property Location:
804 S 8TH

Owner Information:
DURAN JUAN MANUEL
% GLORIA CERNA
PO BOX 55
LAMESA TX 79331 0055

Previous Owner:

View Previous Owner Information

Account / Geo Number:
10022-01010-00000-000000

Survey / Sub Division Abstract:

Block:
1

Section / Lot:
1-2

View Building Detail Information

View Land Detail Information

Deed Information:	
Volume:	
Page:	
File Number:	
Deed Date:	

Property Detail:

Agent:	None
Property Exempt:	
Category/SPTB Code:	A1
Total Acres:	0.152
Total Living Sqft:	See Detail
Owner Interest:	1.000000
Homestead Exemption:	
Homestead Cap Value:	0
Land Ag/Timber Value:	0
Land Market Value:	690
Improvement Value:	9,460

View GIS Map

The map link above is not affiliated with this website. It is a 3rd party GIS link to provide additional information only.

Printer Friendly Version

Click the button above for a printable version of this record with all available details.

* View Property Tax Information

* View 5 Year Value History

idiCORE

idiBASIC Person Search

Last Name: cerna **First Name:** gloria **Exact First Name:** No **City:** lamesa **State:** tx **Reference ID:** lamesa

[ ] = Deceased [ ] = Bankruptcy [ ] = Possible Place of Employment [ ] = Property [ ] = Motor Vehicle [ ] = Aircraft
[ ] = Possible Criminal/Infractions [ ] = Liens [ ] = Judgments [ ] = Foreclosures [ ] = Business Affiliations

Indicators	SSN	Name	DOB (age) MM/DD/YYYY	Address	Phone (Last Seen)
[ ] [ ]	463-06-XXXX ®	GLORIA CERNA Other Name(s) / Alias(es) GLORIA P CERNA GLORIA PEREZ SERNA GLORIA SERNA GLORIA PEREZ CERNA	07/10/1944 (76)	806 S HOUSTON AVE, LAMESA, TX, 79331 (08/01/1986-Current) 1511 S AVENUE L, LAMESA, TX, 79331 (12/11/2014) 3705 CRESTVIEW DR, ODESSA, TX, 79762 (10/09/2008-05/30/2009) 1701 N CHURCH ST, MCKINNEY, TX, 75069 (07/21/2007) 804 SE 8TH ST, LAMESA, TX, 79331 (08/03/2006-09/01/2006) 611 N 3RD ST, LAMESA, TX, 79331 (07/26/2005-07/13/2020) 403 S AVENUE F, LAMESA, TX, 79331 (08/29/2003-03/01/2005) 808 HARTFORD S, LAMESA, TX, 79331 (1989-1996) PO BOX 55, LAMESA, TX, 79331 (11/01/1985-09/21/2020) BOX 3 RT 2, LAMESA, TX,	C:806-200-1326 (07/13/2020) VERIZON WIRELESS-TX C:806-200-2853 (04/02/2020) VERIZON WIRELESS-TX R:806-872-4539 (11/13/2020) WINDSTREAM COMM SW R:806-872-6439 (02/04/2020) WINDSTREAM COMM SW C:469-275-8008 (12/10/2014) VERIZON WIRELESS-TX

IDI is not a "consumer reporting agency" and its services do not constitute "consumer reports," as these terms are defined by the Fair Credit Reporting Act, 15 U.S.C. § 1681 et seq. ("FCRA"). IDI services may not be used in whole or in part as a factor in establishing an individual's eligibility for credit, insurance, employment nor for any other purpose under the FCRA.

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Indicators	SSN	Name	DOB (age) MM/DD/YYYY	Address	Phone (Last Seen)
	460-17-XXXX	JOHNNY M DURAN	06/09/1954 (66)	804 SE 8TH ST, LAMESA, TX, 79331 (10/08/2019-Current)	C:785-819-2486 (09/18/2017) UNITED STATES CEL KS
	Other Possible SSN(s)	Other Name(s) / Alias(es)	06/09/1953 (67)	PO BOX 55, LAMESA, TX, 79331 (01/26/2015-10/08/2019)	C:785-822-8038 (10/19/2009) UNITED STATES CEL KS
	028-84-XXXX	JUAN M DURAN	09/06/???? (??)	MR 1601 MILLER FERRY RD, WILMER, TX, 75172 (04/05/2009-05/30/2009)	C:785-577-7711 (04/22/2020) VERIZON WIRELESS-KS
	460-17-XXXX	JUAN MANUEL DURAN	09/??/1954 (66)	821 MERRILL ST, SALINA, KS, 67401 (02/27/2009-11/28/2020)	R:785-502-5196 (12/15/2020) AT&T CORP.
		JOHNNY A DURAN	07/07/???? (??)	1409 SPRINGFIELD ST, SALINA, KS, 67401 (04/01/2007-12/31/2009)	
		JOHNNY DURAN	06/29/???? (??)	605 E CRAWFORD ST, SALINA, KS, 67401 (03/14/2006-06/01/2006)	
		JOHNNY M DURANT	06/06/1954 (66)	1309 AUGUSTA ST, SALINA, KS, 67401 (07/01/2004-12/31/2014)	
		JOHNNIE M DURAN		610 N EWING AVE APT 1204, DALLAS, TX, 75203 (10/22/2003)	
		JONNY M DURAN		603 W PRESCOTT AVE, SALINA, KS, 67401 (11/01/2000-09/01/2011)	
		JOHBNY DURAN		312 N CEDAR ST, ABILENE, KS, 67410 (12/07/1998-10/25/2008)	
		JOHNNY CLAUDIA DURAN		846 3600 AVE, ABILENE, KS, 67410 (12/31/1995-12/31/2001)	
		JOHNNY MAUEL DURAN		814 NW 3RD ST, ABILENE, KS, 67410 (1993-01/01/1996)	
		JUAN DURAN		PO BOX 272, ABILENE, KS, 67410 (1993-12/31/1994)	
		JOHNNY DURANT		29 PATTERSON RD, HANSCOM AFB, MA, 01731 (1993)	
				921 WINDWOOD DR APT 2, JUNCTION CITY, KS, 66441 (1992-07/01/2001)	
				1501 TRAMWAY BLVD NE APT 112, ALBUQUERQUE, NM, 87112 (1989-06/01/1990)	
				636 MOUNTAIN VIEW AVE NE, ALBUQUERQUE, NM, 87123 (12/01/1988-12/31/1993)	
				712 OMAHA ST NE, ALBUQUERQUE, NM, 87123 (06/01/1988-05/01/1989)	
				2156 SE RANGER LOOP # B, ALBUQUERQUE, NM, 87118 (11/01/1987-12/31/1996)	
				220 WESTERN SKIES, ALBUQUERQUE, NM, (11/01/1987-12/31/1988)	
				12910 SIMSVIEW DR, HOUSTON, TX, 77045 (1986-12/31/1998)	
				5303 LITTLE YORK RD TRLR 47, HOUSTON, TX, 77016 (07/01/1985-12/31/1989)	

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samantha@texascg.com

From:	samantha@texascg.com
Sent:	Monday, February 1, 2021 6:41 PM
To:	classifieds@pressreporter.com
Subject:	Public Notice
Attachments:	Publishing Hearing Notice R1476 Duran 804 S 8th St.docx

Hello,

I have 1 public notice that I will need to be posted **TWO** consecutive times in your next following publication. I have included the attachments. I will need an affidavit of posting once done you may send a copy via email here, and mail original to address listed below. Our billing information is Listed Below. Please Confirm the Publishing dates as a reply.

IF MAKING CHANGES TO SIZE OR FONT TO REDUCE COST (classified style) PLEASE DO OR YOU CAN LET ME KNOW IF THERE ARE ANY CORRECTIONS I CAN MAKE TO REDUCE THE COST.

Please let me know if you have any questions.

Billing Info
Texas Communities Group LLC
PO Box 792
Lubbock TX 79408

Samantha Hyatt
Texas Communities Group, LLC
806.TEXASCG
(839.2724)

City Council Agenda
City of Lamesa, Texas

DATE OF MEETING: MARCH 16, 2021 **AGENDA ITEM: 33**

SUBJECT: **NUISANCE PROPERTY REMOVAL OR DEMOLITION**
PROCEEDING: Resolution
SUBMITTED BY: City Staff
EXHIBITS:
AUTHORITY: City Code of Ordinance, Sec. 3.05.006

SUMMARY STATEMENT

Consider passing a resolution finding the structure located on the above property to be uninhabitable, deteriorated, dangerous, and a substandard structure which constitutes a public nuisance within the terms of the Substandard Building Ordinance of the City of Lamesa and ordering the removal or demolition of such substandard structure.

LEGAL DESCRIPTION: The East Half (E/2) of Lots One and Two (1 & 2), Block One (1), Braswell Replat to the City of Lamesa, Texas 79331

Situs: 804 S. 8th Street, Lamesa, Texas 79331
PARCEL ID: R1476

COUNCIL ACTION

DISCUSSION _____

Motion by Council Member _____ to consider passing a resolution finding the structure located on the above property to be uninhabitable, deteriorated, dangerous, and a substandard structure which constitutes a public nuisance within the terms of the Substandard Building Ordinance of the City of Lamesa and ordering the removal or demolition of such substandard structure. Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

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

CITY MANAGER'S MEMORANDUM

Recommend approval.

RESOLUTION NO.

A RESOLUTION ORDERING THE REMOVAL OR DEMOLITION OF A SUBSTANDARD STRUCTURE LOCATED AT 804 SOUTH 8TH STREET, IN THE CITY OF LAMESA.

On this the 16th day of March, 2021, there came on and was held at the regular meeting place, The City Hall in 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 (Govt. Code, Chapter 551) and there being a quorum present and acting throughout the meeting, the following resolution was formally submitted by motion and duly seconded for the consideration and action of the meeting, to wit:

WHEREAS, the City Council of the City of Lamesa, Texas, has adopted a Substandard Structure Ordinance establishing procedures and policies requiring the repair, demolition or removal of certain structures, which have been deemed to be a public nuisance; and

WHEREAS, the Building Inspector of the City of Lamesa, has found that the structure(s) located on the premises hereinafter described constitutes a substandard building or structure and is a public nuisance within the terms of said ordinance;

WHEREAS, the property owners have been duly notified of the Building Inspector's findings, and given the opportunity to remedy such conditions; and

WHEREAS, the Building Inspector has been unable to secure voluntary compliance with the ordinance; and

WHEREAS, a hearing has been held on this date pursuant to such ordinance, at which the City Council has determined that all notices and citations have been served on the owner of the following described property and that the building or structures located on the following described property is a substandard building or structure under the terms of the Substandard Structures Ordinance and constitutes a public nuisance as defined in said ordinance; and

WHEREAS, after hearing, the City Council has determined that said building or structures should be removed or demolished by the owner within a reasonable specified time.

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

I.

That the structure located on the following described property located at 804 South 8th Street, hereby declared a Substandard Structure as defined in the Substandard

Structure Ordinance of the City of Lamesa, Texas and as such is declared to be a public nuisance and unlawful, to-wit:

LEGAL DESCRIPTION: The East Half (E/2) of Lots One and Two (1 & 2), Block One (1), Braswell Replat to the City of Lamesa, Texas 79331

Situs: 804 S. 8th Street, Lamesa, Texas 79331
PARCEL ID: R1476

and such nuisance shall be abated by removal or demolition as provided herein or by any other procedure provided by law, for the following reasons:

(1) The structure located upon the premises has windows or doors open to outdoor space and not protected against the entry of vermin, disease vectors or vandals;

(2) The structure is uninhabitable, untenable and unsightly due to deterioration caused by neglect or the elements; and

(3) The structure and property has an accumulation or rubbish, trash and weeds, which is likely to become a fire hazard and endanger the public or property of others.

II.

That the abatement by removal or demolition as provided herein shall be caused by the owners of such property not later than one hundred and thirty (30) days from the date of this resolution.

III.

That failure to comply with this order will authorize all proceedings specified in the Substandard Buildings Ordinance necessary for the City to cause the removal or demolition of said structure with such expense to be assessed against such property and secured by a lien against such premises for all expenses incurred by the City in connection with the removal or demolition of such buildings or structures.

IV.

That a copy or resolution be served on the owners of such property in the manner and form provided in the Substandard Structure Ordinance.

V.

That this resolution shall take effect immediately.

Upon being put to a vote, the resolution was Passed, Approved, and Adopted this 16th day of March, 2021, by a majority vote and ordered to be spread upon the minutes of the City Council of the City of Lamesa, Texas and recorded in the resolution book thereafter.

Attest:

Betty Conde
City Secretary

Approved:

Josh Stevens
Mayor

City Council Agenda
City of Lamesa, Texas

DATE OF MEETING: MARCH 16, 2021 **AGENDA ITEM: 34**

SUBJECT: **APPROVAL FOR DEMOLITION**
PROCEEDING:
SUBMITTED BY: City Staff
EXHIBITS:
AUTHORITY: City Code of Ordinance, Sec. 3.05.006

SUMMARY STATEMENT

City Council to approve the following trust properties within the City Limits of Lamesa, Texas ready for demolition. *(City Inspector)*

- Legal Description: Lot Five (5), in Block (2), of the W.W. Boatwright Addition to the town of Lamesa, Dawson County, Texas 79331

Site: 404 N. Ave Q, Lamesa, TX 79331

- Legal Description: East Half (E/2) OF Lot Eleven (11) and the East Half (E/2) of the South Half (S/2) OF Lot Twelve (12), in Block Two (2), of the Compton Addition, to the City of Lamesa, Dawson County, Texas

Site:805 NE 4th St, Lamesa, TX 79331

- Legal Description: The North Fifty Feet (N/50') only, the parcel being 50' X 110', out of a certain lot, tract or parcel of land lying and situated in Dawson County, Texas, more particularly described as follows:
- Beginning at the Southwest corner of Lot Eight (8) in Block Four (4), of the Hollis Addition for the place of beginning;
- Thence, East along the South line of Block Four (4) of the Hollis Addition for One Hundred and Ten Feet (110') to the Northeast corner of this tract;
- Thence, South Two Hundred feet (200') to the Southeast corner of this tract; Thence, West One Hundred and Ten feet (110') to the Southwest corner of this tract;
- ThenceNorth Two Hundred Feet (200') to the place of beginning.

Site: South Boston Avenue

Legal Description: The South Fifty-five Feet (S/55') of Lot Six (6), in Block Thirteen (13), of the College Addition,
to the City of Lamesa, Dawson County, Texas (R1750)

Site: 303 South Avenue N, Lamesa, TX 79331

Legal Description: Lots Nine (9) and Ten (10), in Block Five (5), of the College Addition, to the City of Lamesa,
Dawson County, Texas (R1677)

Site:1506 S 2nd St, Lamesa, TX 79331

Legal Description: Lot 5 Block18 College Addition, to the City of Lamesa, Texas (1795)

Site:1107 S. 3rd , Lamesa, TX 79331

Legal Description:300 X 300 x 424.26 of SW Pt of Lot J-K-L Block 4 E C Adams, to the City of Lamesa, Texas 79331) (899)

Site: N Ave S (Adjacent to Golf Course)

Motion by Council Member _____ to approve the following trust properties within the City limits of Lamesa, Texas ready for demolition. Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

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

CITY MANAGER'S MEMORANDUM

Recommend approval.



Management Info:

Status:	Trust		
Best Process:	Demolish	Best Process Type:	
Progress:	Demo - has another structure in the back, half of the house is caved in.		

Property Info:

City:	Lamesa				
Cad Property Id:	1420	CAD Value:	4,610		
Site Description:	404 N Avenue Q, Lamesa, TX 79331, USA				
Owner Info:	GUERRERO SYLVIA MORENO 1303 N 11TH ST LAMESA, TX 79331				
Legal Description:	Lot Five (5), in Block Two (2), of the W.W. Boatwright Addition to the Town of Lamesa, Dawson County, Texas (1420)				
Homestead:	No	Site Structure:	Yes	Non Affixed Material:	Yes

Litigation Info:

Case Number:	20-05-20592		
Judgement Date:	05/18/2020	Sale Date:	07/07/2020
Sheriff's Deed Date:	07/07/2020	Redemption Date:	01/13/2021
Court:	106th		
Style Plaintiff:	City of Lamesa, et al		
Style Defendant:	Owners of Various Properties Located Within the City Limits of Lamesa, Texas		
Sheriff's Deed Volume:			
Tax Due:	No		
Delinquent:	Yes	Litigation:	No


404 N Ave Q
03 10 2021


404 N Ave Q
03 10 2021


404 N Ave Q
03 10 2021


404 N Ave Q
03 10 2021


404 N Ave Q
03 10 2021



Management Info:

Status:	Trust		
Best Process:	Demolish	Best Process Type:	
Progress:	Lamesa will demo.		

Property Info:

City:	Lamesa		
Cad Property Id:	1876	CAD Value:	5340.00
Site Description:	805 NE 4th St, Lamesa, TX 79331, USA		
Owner Info:	Hector and Maria Hernandez UNKNOWN ADDRESS City of Lamesa, Lien holder 601 S. 1st St. Lamesa, TX 79331		
Legal Description:	East Half (E/2) of Lot Eleven (11) and the East Half (E/2) of the South Half (S/2) of Lot Twelve (12), in Block Two (2), of the Compton Addition, to the City of Lamesa, Dawson County, Texas (R1876)		
Homestead:	No	Site Structure:	Yes

Non Affixed Material: Yes

Litigation Info:

Case Number:	19-07-20451		
Judgement Date:	07/17/2019	Sale Date:	09/03/2019
Sheriff's Deed Date:	10/08/2019	Redemption Date:	04/15/2020
Court:	106TH		
Style Plaintiff:	City of Lamesa, et al		
Style Defendant:	Owners of Various Properties located within the City Limits of Lamesa, Dawson County, Texas		
Sheriff's Deed Volume:	2019-4342		
Tax Due:	No		
Delinquent:	Yes	Litigation:	No


805 NE 4th
03 10 2021


805 NE 4th
03 10 2021


805 NE 4th
03 10 2021


805 NE 4th
03 10 2021



Management Info:

Status:	Trust		
Best Process:	Demolish	Best Process Type:	
Progress:	2003-2017 taxes due. Need to seize.		

Property Info:

City:	Lamesa		
Cad Property Id:	6778	CAD Value:	2370.00
Site Description:	South Boston Avenue Lamesa 79331 United States		
Owner Info:	Unknown Heirs of Odell Johnson and Ola Mae Johnson, both deceased ADDRESS UNKNOWN Warranty Deed recorded in Volume 207 Page 145 of the Deed Records of Dawson County, Texas on the 13th day of August, 1963. Jonathon Johnson, Individually and as an heir of Odell Johnson and Ola Mae Johnson, both deceased; 1814 Corriander Trail Arlington, TX 76010-3253		
Legal Description:	6 months to tear down or bring up to code The North Fifty Feet (N/50') only, the parcel being 50' X 110', out of a certain lot, tract or parcel of land lying and situated in Dawson County, Texas, more particularly described as follows: BEGINNING at the Southwest corner of Lot Eight (8) in Block Four (4), of the Hollis Addition for the place of beginning; THENCE, East along the South line of Block Four (4) of the Hollis Addition for One Hundred and Ten Feet (110') to the Northeast corner of this tract; THENCE, South Two Hundred feet (200') to the Southeast corner of this tract; THENCE, West One Hundred and Ten feet (110') to the Southwest corner of this tract; THENCE North Two Hundred Feet (200') to the place of beginning.		
Homestead:	No	Site Structure:	Yes

Non Affixed Material: Yes

Litigation Info:

Case Number:	19-07-20451		
Judgement Date:	07/17/2019	Sale Date:	09/03/2019
Sheriff's Deed Date:	10/08/2019	Redemption Date:	04/15/2020
Court:	106TH		
Style Plaintiff:	City of Lamesa, et al		
Style Defendant:	Owners of Various Properties located within the City Limits of Lamesa, Dawson County, Texas		
Sheriff's Deed Volume:	2019-4342		
Tax Due:	Yes		


1505 S Boston
03 10 2021


1505 S Boston
03 10 2021


1505 S Boston
03 10 2021


1505 S Boston
03 10 2021



Management Info:

Status:	Trust		
Best Process:	Demolish	Best Process Type:	
Progress:	$5992.45 owed in taxes 2013-2017.		
	pulling from sale on 9/3/19 and adding it to next sale. Legal has been wrong and should be Block 13 and not block 33.		
	Demo		

Property Info:

City:	Lamesa		
Cad Property Id:	1750	CAD Value:	6,250.00
Site Description:	303 South Avenue N Lamesa, Texas 79331		
Owner Info:	Rebecca Verasistue Sneed and Jessica Moreno 508 S 6th St. Lamesa, TX 79331		
	City of Lamesa, Lien holder 601 S. 1st St. Lamesa, TX 79331		
Legal Description:	The South Fifty-five Feet (S/55') of Lot Six (6), in Block Thirteen (13), of the College Addition, to the City of Lamesa, Dawson County, Texas (R1750)		
Homestead:	No	Site Structure:	Yes

Non Affixed Material: Yes

Litigation Info:

Case Number:	20-05-20592		
Judgement Date:	05/18/2020	Sale Date:	07/07/2020
Sheriff's Deed Date:	07/07/2020	Redemption Date:	01/13/2021
Court:	106th		
Style Plaintiff:	City of Lamesa, et al		
Style Defendant:	Owners of Various Properties Located Within the City Limits of Lamesa, Texas		
Sheriff's Deed Volume:	Vol 564 Pg 532		
Tax Due:	Yes		
Delinquent:	Yes	Litigation:	No


303 S Ave N
03.10.2021


303 S Ave N
03.10.2021


303 S Ave N
03.10.2021


303 S Ave N
03.10.2021



Management Info:

Status:	Trust		
Best Process:	Demolish	Best Process Type:	
Progress:			

Property Info:

City:	Lamesa		
Cad Property Id:	1677	CAD Value:	22250.00
Site Description:	1506 S 2nd St, Lamesa, TX 79331, USA		
Owner Info:	City of Lamesa in trust Leroy and Dolores Vasquez 1312 CR 18 1 Lamesa, TX 79331		
Legal Description:	Lots Nine (9) and Ten (10), in Block Five (5), of the College Addition, to the City of Lamesa, Dawson County, Texas (R1677)		
Homestead:	No	Site Structure:	Yes

Non Affixed Material: No

Litigation Info:

Case Number:	19-07-20451		
Judgement Date:	07/17/2019	Sale Date:	09/03/2019
Sheriff's Deed Date:	10/08/2019	Redemption Date:	04/15/2020
Court:	106TH		
Style Plaintiff:	City of Lamesa, et al		
Style Defendant:	Owners of Various Properties located within the City Limits of Lamesa, Dawson County, Texas		
Sheriff's Deed Volume:	2019-4342		
Tax Due:	No		
Delinquent:	Yes	Litigation:	No


1506 S 2nd
03 10 2021


1506 S 2nd
03 10 2021


1506 S 2nd
03.08.2021


1506 S 2nd
03.08.2021

Dawson County Central Appraisal District

Chief Appraiser - Norma J. Brock, RTC,RTA,RPA,CTA, CCA

Official Website
Hosted By Pritchard & Abbott, Inc.



General Real Estate Property Information

New Property Search

Go To Previous Page

Property ID:	1795

Property Legal Description:
LOT 5 BLK 18 COLLEGE
(1107 S 3RD)

CITY LIENS

Property Location:
1107 S 3RD

Owner Information:
DAWSON CO APPRAISAL DIST
IN TRUST
DO NOT MAIL

LAMESA TX 79331 0797

Previous Owner:
GONZALEZ CHRISTELLA

View Previous Owner Information

Account / Geo Number:
10025-18051-00000-000000

Survey / Sub Division Abstract:

Block:
18

Section / Lot:
5

View Building Detail Information

View Land Detail Information

Deed Information:

Volume:	866
Page:	88
File Number:	1069
Deed Date:	3/28/2019

Property Detail:

Agent:	None
Property Exempt:	X
Category/SPTB Code:	XA1
Total Acres:	0.161
Total Living Sqft:	See Detail
Owner Interest:	1.000000
Homestead Exemption:	
Homestead Cap Value:	0
Land Ag/Timber Value:	0
Land Market Value:	1,250
Improvement Value:	9,760

View GIS Map

The map link above is not affiliated with this website. It is a 3rd party GIS link to provide additional information only.

Printer Friendly Version

Click the button above for a printable version of this record with all available details.

* View Property Tax Information

* View 5 Year Value History

Property Market Value:	11,010

Jur Code	Description	Market Value	Homestead	Total Exemption	Taxable
01	DAWSON COUNTY	11,010		0	0
10	LAMESA I.S.D.	11,010		0	0
10IS	LAMESA I.S.D. I&S	11,010		0	0
20	CITY OF LAMESA	11,010		0	0
44	MESA UNDERGROUND WATER	11,010		0	0
55	DAWSON CO HOSPITAL DISTRICT	11,010		0	0

* Where supporting website data is available.

New Property Search

Go To Previous Page

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Real Estate Appraisal Information is the 2020 CERTIFIED Appraisal Values. © Dawson County Appraisal District | Last Real Estate Update: 02/04/2021

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VALUATION CONSULTANTS

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Version 3.2.2


1107 S 3rd
03 10 2021


1107 S 3rd
03 10 2021


1107 S 3rd
03 10 2021

Dawson County Central Appraisal District

Chief Appraiser - Norma J. Brock, RTC,RTA,RPA,CTA, CCA

Official Website
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General Real Estate Property Information

New Property Search

Go To Previous Page

Property ID:	899

Property Legal Description:
300 X 300 X 424.26 OF SW PT OF
LOTS J-K-L BLK 4 E C ADAMS

Property Location:
ADJ TO GOLF COURSE

Owner Information:
LAMESA MUNICIPAL GOLF COURSE
ATTN: WAYNE CHAMPMAN
601 SOUTH 1ST

LAMESA TX 79331

Previous Owner:
PLAINS FAIRWAYS INC

View Previous Owner Information

Account / Geo Number:
10003-04102-00000-000000

Survey / Sub Division Abstract:

Block:
4

Section / Lot:

View Building Detail Information

View Land Detail Information

Deed Information:

Volume:	0
Page:	0
File Number:	
Deed Date:	5/16/2007

Property Detail:

Agent:	None
Property Exempt:	X
Category/SPTB Code:	XC1
Total Acres:	1.037
Total Living Sqft:	See Detail
Owner Interest:	1.000000
Homestead Exemption:	
Homestead Cap Value:	0
Land Ag/Timber Value:	0
Land Market Value:	530
Improvement Value:	0

View GIS Map

The map link above is not affiliated with this website. It is a 3rd party GIS link to provide additional information only.

Printer Friendly Version

Click the button above for a printable version of this record with all available details.

* View Property Tax Information

* View 5 Year Value History

Property Market Value:	530

Jur Code	Description	Market Value	Homestead	Total Exemption	Taxable
01	DAWSON COUNTY	530		0	0
10	LAMESA I.S.D.	530		0	0
10IS	LAMESA I.S.D. I&S	530		0	0
44	MESA UNDERGROUND WATER	530		0	0
55	DAWSON CO HOSPITAL DISTRICT	530		0	0

* Where supporting website data is available.

New Property Search

Go To Previous Page

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PRITCHARD & ABBOTT, INC.
VALUATION CONSULTANTS

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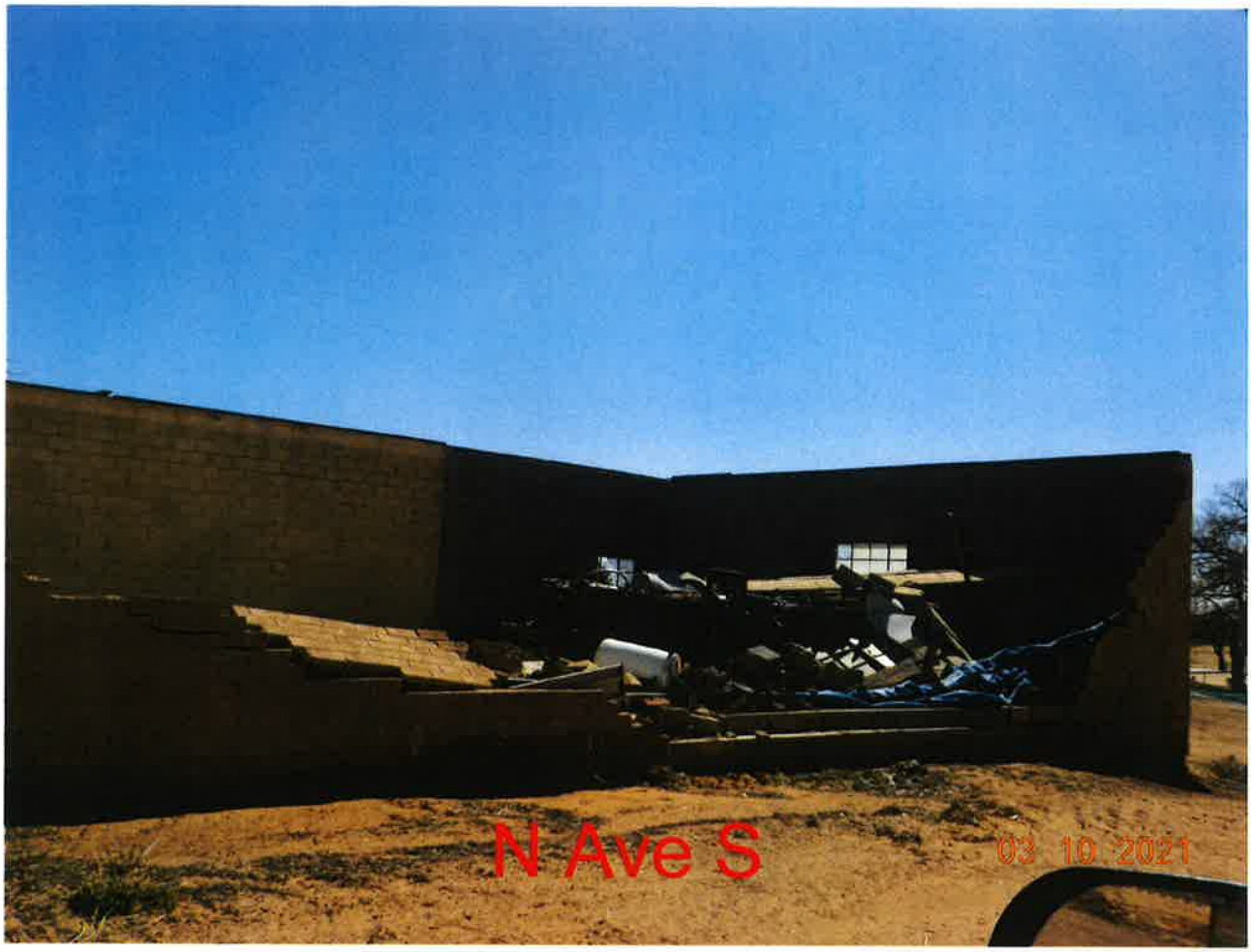
Version 3.2.2


N Ave S
03.10.2021


N Ave S
03.10.2021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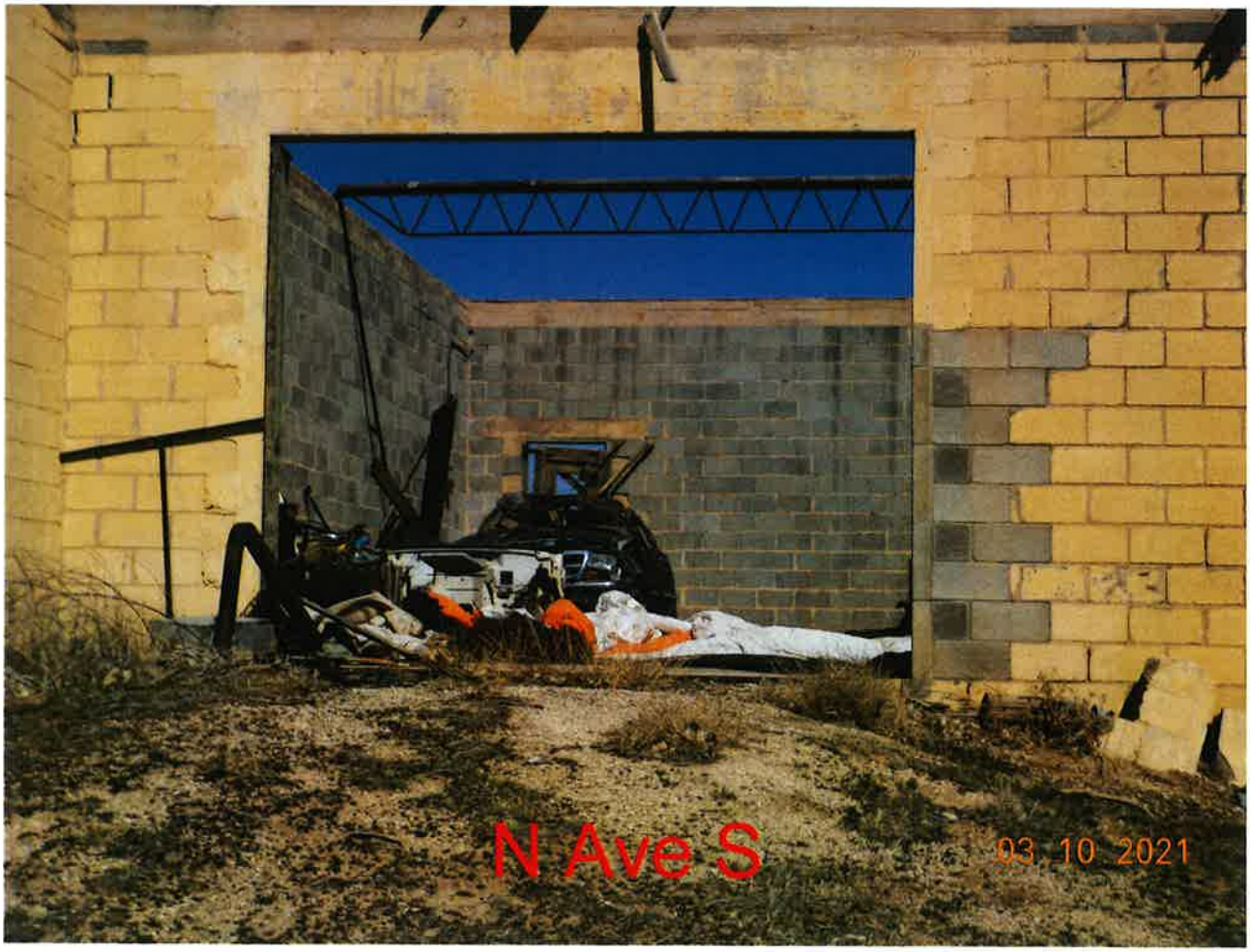
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03.10.2021

City Council Agenda
City of Lamesa, Texas

DATE OF MEETING: MARCH 16, 2021 **AGENDA ITEM-35**

SUBJECT: **FINANCIAL REPORT**
PROCEEDING:
SUBMITTED BY: Finance Director
EXHIBITS:
AUTHORITY:

SUMMARY STATEMENT

Wayne Chapman, to report on the city's finances.

COUNCIL ACTION

No action required.

CITY MANAGER'S MEMORANDUM

Wayne Chapman, will present an overview of the city's financial report

LAMESATEXAS
TRADE CORRIDOR CROSSING

City of Lamesa
Financial Statement Summary
As of: February 28th, 2021

	Current Month-to-Date	Year-to-Date
General Fund (1)		
Revenues	$ 481,091.05	$ 2,917,219.10
Expenditures	$ 411,379.09	$ 1,913,753.19
Revenues Over/(Under) Expenditures	**$ 69,711.96**	**$ 1,003,465.91**
Water Fund (2)		
Revenues	$ 295,188.65	$ 1,821,947.94
Expenditures	$ 251,831.53	$ 1,345,425.78
Revenues Over/(Under) Expenditures	**$ 43,357.12**	**$ 476,522.16**
Solid Waste Fund (3)		
Revenues	$ 143,276.86	$ 773,143.50
Expenditures	$ 131,227.08	$ 572,899.44
Revenues Over/(Under) Expenditures	**$ 12,049.78**	**$ 200,244.06**
Golf Course Fund (18)		
Revenues	$ 15,350.25	$ 103,220.21
Expenditures	$ 19,095.44	$ 103,190.89
Revenues Over/(Under) Expenditures	**$ (3,745.19)**	**$ 29.32**
Wastewater & Collection (20)		
Revenues	$ 123,976.65	$ 634,498.46
Expenditures	$ 44,754.48	$ 365,181.92
Revenues Over/(Under) Expenditures	$ 79,222.17	$ 269,316.54
All Funds		
Revenues	$ 1,058,883.46	$ 6,250,029.21
Expenditures	$ 858,287.62	$ 4,300,451.22
Revenues Over/(Under) Expenditures	**$ 200,595.84**	**$ 1,949,577.99**

FINANCIAL STATEMENT
AS OF: FEBRUARY 28TH, 2021

01 -GENERAL FUND
FINANCIAL SUMMARY

41.67% OF YEAR COMP.

ACCT# ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
REVENUE SUMMARY					
01-TAXES	3,482,595.00	423,330.46	2,425,143.27	69.64	1,057,451.73
02-FRANCHISES AND STREET	498,500.00	21,137.89	194,677.52	39.05	303,822.48
03-PERMITS, LICENSES AND	31,300.00	1,641.52	23,343.53	74.58	7,956.47
04-FINES	50,900.00	3,532.45	10,865.96	21.35	40,034.04
05-RECREATIONAL AND RENTA	(3,001.01)	550.52	30,107.50	3.25-	(33,108.51)
06-OTHER GOVERNMENTAL AGE	264,116.00	910.00	3,615.00	1.37	260,501.00
07-TRANSFERS	0.00	0.00	0.00	0.00	0.00
08-CHARGES FOR CURRENT SE	18,200.00	66.00	353.04	1.94	17,846.96
09-MISCELLANEOUS REVENUES	334,685.76	29,922.21	229,113.28	68.46	105,572.48
19-SOURCE (CHG TO 49XXX)	0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES	4,677,295.75	481,091.05	2,917,219.10	62.37	1,760,076.65
EXPENDITURE SUMMARY					
GENERAL ADMIN SERVICES	219,227.00	15,619.85	68,747.18	31.36	150,479.82
FINANCIAL SERVICES	106,245.00	778.40	30,352.95	28.57	75,892.05
PERSONNEL/RISK MGT SERV	69,009.00	4,929.59	30,351.25	43.98	38,657.75
COMMUNITY DEVELOPMENT SER	1,050.00	73.18	365.90	34.85	684.10
HOUSING ASSISTANCE SERV	24,583.00	5,785.67	14,677.07	59.70	9,905.93
CITY COUNCIL	50,473.00	4,339.02	13,645.22	27.03	36,827.78
CITY HALL	97,435.00	7,732.53	28,719.20	29.48	68,715.80
INTERGOVERNMENTAL	46,690.00	6,701.01	24,003.00	51.41	22,687.00
MUNICIPAL COURT	156,668.00	10,963.04	49,640.97	31.69	107,027.03
VEHICLE REPAIR SERVICES	34,735.00	976.69	4,695.50	13.52	30,039.50
VEHICLE PREVENTIVE MNT	0.00	233.61	683.17	0.00	(683.17)
FIRE SERVICES	706,879.00	73,436.40	275,334.36	38.95	431,544.64
VOLUNTEER FIRE SERVICES	131,533.00	3,106.58	16,622.41	12.64	114,910.59
PD - GEN'L ADMIN SERV	209,320.00	16,816.47	80,922.30	38.66	128,397.70
COMMUNICATIONS SERVICES	298,329.00	19,546.80	103,702.58	34.76	194,626.42
GEN'L LAW ENFORCEMENT SER	1,276,360.00	86,855.37	592,036.52	46.38	684,323.48
CRIMINAL INVESTIGATIONS	177,902.00	11,785.47	63,742.68	35.83	114,159.32
JUVENILE SERVICES	0.00	0.00	0.00	0.00	0.00
ANIMAL CONTROL SERVICE	43,703.00	293.40	8,019.45	18.35	35,683.55
EMERGENCY MANAGEMENT SERV	18,754.00	11,751.07	72,702.38	387.66	(53,948.38)
NARCOTICS INTERDICTION	0.00	0.00	0.00	0.00	0.00
STREET MAINTENANCE SERV	374,242.00	43,271.50	126,495.68	33.80	247,746.32
STREET CONST/SEAL COAT	13,840.00	80.00	721.08	5.21	13,118.92
STREET CLEANING SERVICES	745.00	(193.69)	(3,271.35)	439.11-	4,016.35
TRAFFIC SERVICES	150,111.00	20,344.89	56,034.69	37.33	94,076.31
INSPECTION SERVICES	249,283.25	13,505.18	66,092.37	26.51	183,190.88
PARK MAINTENANCE SERVICES	329,028.00	31,944.74	143,720.40	43.68	185,307.60
PARK IRRIGATION SERVICES	(5,324.00)	(558.52)	(9,263.07)	173.99	3,939.07
COMMUNITY BUILDING SERV	37,670.00	3,570.44	12,199.26	32.38	25,470.74
RECREATIONAL FACILITIES	260,114.00	16,944.21	37,891.59	14.57	222,222.41

FINANCIAL STATEMENT
AS OF: FEBRUARY 28TH, 2021

01 -GENERAL FUND
FINANCIAL SUMMARY

41.67% OF YEAR COMP.

ACCT# ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
SWIMMING POOL SERVICES	78,891.00	746.19	4,168.45	5.28	74,722.55
TOTAL EXPENDITURES	5,157,495.25	411,379.09	1,913,753.19	37.11	3,243,742.06
REVENUES OVER/(UNDER) EXPENDITURES	(480,199.50)	69,711.96	1,003,465.91	208.97-	(1,483,665.41)
OTHER SOURCES (USES)	0.00	0.00	0.00	0.00	0.00
REVENUES & OTHER SOURCES OVER (UNDER) EXPENDITURES & OTHER (USES)	(480,199.50)	69,711.96	1,003,465.91	208.97-	(1,483,665.41)

FINANCIAL STATEMENT
AS OF: FEBRUARY 28TH, 2021

02 -WATER & WASTEWATER ENTER.
FINANCIAL SUMMARY

41.67% OF YEAR COMP.

ACCT# ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
REVENUE SUMMARY					
11-OPERATING REVENUES	4,108,050.00	294,768.35	1,635,812.11	39.82	2,472,237.89
12-NON-OPERATING REVENUES	50,923.00	420.30	186,135.83	365.52	(135,212.83)
TOTAL REVENUES	4,158,973.00	295,188.65	1,821,947.94	43.81	2,337,025.06
EXPENDITURE SUMMARY					
WATER PRODUCTION SERVICES	1,675,147.00	90,440.58	449,167.61	26.81	1,225,979.39
WATER DIST/WASTEWATER SER	1,785,991.00	109,338.93	658,250.40	36.86	1,127,740.60
WASTEWATER TREATMENT SERV	0.00	11,845.33	33,342.31	0.00	(33,342.31)
ENGINEERING SERVICES	92,380.00	5,234.80	22,539.07	24.40	69,840.93
TECHNICAL SERVICES	78,992.00	5,576.85	25,449.38	32.22	53,542.62
UTILITY BILLING/COLLECT	371,280.00	29,395.04	156,677.01	42.20	214,602.99
INSPECTION SERVICES	0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES	4,003,790.00	251,831.53	1,345,425.78	33.60	2,658,364.22
REVENUES OVER/(UNDER) EXPENDITURES	155,183.00	43,357.12	476,522.16	307.07	(321,339.16)
OTHER SOURCES (USES)	0.00	0.00	0.00	0.00	0.00
REVENUES & OTHER SOURCES OVER (UNDER) EXPENDITURES & OTHER (USES)	155,183.00	43,357.12	476,522.16	307.07	(321,339.16)

FINANCIAL STATEMENT
AS OF: FEBRUARY 28TH, 2021

03 -SOLID WASTE ENTERPRISE
FINANCIAL SUMMARY

41.67% OF YEAR COMP.

ACCT# ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
REVENUE SUMMARY					
05-RECREATIONAL AND RENTA	0.00	0.00	0.00	0.00	0.00
21-OPERATING REVENUES	1,866,135.00	143,276.86	748,371.30	40.10	1,117,763.70
22-NON-OPERATING REVENUES	87,500.00	0.00	24,772.20	28.31	62,727.80
TOTAL REVENUES	1,953,635.00	143,276.86	773,143.50	39.57	1,180,491.50
EXPENDITURE SUMMARY					
SOLID WASTE COLLECTION SV	1,050,200.00	82,387.20	333,123.77	31.72	717,076.23
SANITARY LANDFILL SERVICE	859,088.00	32,993.83	172,688.43	20.10	686,399.57
SPECIALIZED COLLECTION SV	115,884.00	8,767.58	37,652.14	32.49	78,231.86
ENVIRONMENTAL HEALTH SERV	98,469.00	7,078.47	29,435.10	29.89	69,033.90
TOTAL EXPENDITURES	2,123,641.00	131,227.08	572,899.44	26.98	1,550,741.56
REVENUES OVER/(UNDER) EXPENDITURES	(170,006.00)	12,049.78	200,244.06	117.79-	(370,250.06)
OTHER SOURCES (USES)	0.00	0.00	0.00	0.00	0.00
REVENUES & OTHER SOURCES OVER (UNDER) EXPENDITURES & OTHER (USES)	(170,006.00)	12,049.78	200,244.06	117.79-	(370,250.06)

FINANCIAL STATEMENT
AS OF: FEBRUARY 28TH, 2021

18 -MUNICIPAL GOLF COURSE
FINANCIAL SUMMARY

41.67% OF YEAR COMP.

ACCT# ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
REVENUE SUMMARY					
09-MISCELLANEOUS REVENUES	0.00	0.00	0.00	0.00	0.00
31-FEES AND DUES	201,000.00	15,350.25	103,220.21	51.35	97,779.79
TOTAL REVENUES	201,000.00	15,350.25	103,220.21	51.35	97,779.79
EXPENDITURE SUMMARY					
MUNICIPAL GOLF COURSE	200,999.00	19,095.44	103,190.89	51.34	97,808.11
TOTAL EXPENDITURES	200,999.00	19,095.44	103,190.89	51.34	97,808.11
REVENUES OVER/(UNDER) EXPENDITURES	1.00	(3,745.19)	29.32	932.00	(28.32)
REVENUES & OTHER SOURCES OVER (UNDER) EXPENDITURES & OTHER (USES)	1.00	(3,745.19)	29.32	932.00	(28.32)

CITY OF LAMESA
FINANCIAL STATEMENT
AS OF: FEBRUARY 28TH, 2021

20 -WASTEWATER FUND
FINANCIAL SUMMARY

41.67% OF YEAR COMP.

ACCT# ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	BUDGET BALANCE
REVENUE SUMMARY					
41-OTHER FINANCING	1,476,107.00	123,976.65	634,498.46	42.98	841,608.54
TOTAL REVENUES	1,476,107.00	123,976.65	634,498.46	42.98	841,608.54
EXPENDITURE SUMMARY					
WASTEWATER	981,468.00	44,754.48	365,181.92	37.21	616,286.08
TOTAL EXPENDITURES	981,468.00	44,754.48	365,181.92	37.21	616,286.08
REVENUES OVER/(UNDER) EXPENDITURES	494,639.00	79,222.17	269,316.54	54.45	225,322.46
OTHER SOURCES (USES)	0.00	367.65	(3,980.45)	0.00	3,980.45
REVENUES & OTHER SOURCES OVER (UNDER) EXPENDITURES & OTHER (USES)	494,639.00	79,589.82	265,336.09	53.64	229,302.91

City of Lamesa
Balance Sheet Summary
As of : February 28th, 2021

General Fund (1)

Assets	$	5,249,647.71
Liabilities	$	658,591.63

Water Fund (2)

Assets	$	16,397,572.46
Liabilities	$	11,112,478.87

Solid Waste Fund (3)

Assets	$	4,438,778.45
Liabilities	$	1,892,795.04

Golf Course Fund (18)

Assets	$	212,403.00
Liabilities	$	203,011.19

Wastewater & Collection (20)

Assets	$	1,618,115.91
Liabilities	$	750,071.23

BALANCE SHEET
AS OF: FEBRUARY 28TH, 2021

01 -GENERAL FUND

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE
ASSETS		
01-1001	CASH IN BANK	1,338,279.62
01-1002	PETTY CASH	0.00
01-1003	RETURNED CHECKS	4,664.05
01-1004	TAXES RECEIVABLE-DELIQUENT	269,546.10
01-1005	TAXES RECEIVABLE CURRENT	74,644.74
01-1006	PROV. FOR UNCOLLECT TAXES	(202,592.55)
01-1007	MISC ACCT. RECEIVABLE	2,294.35
01-1008	PROV. UNCOLLEC. ACCT/REC	(184.11)
01-1009	PAVING LEIN RECEIVABLE	629,900.15
01-1010	UNCOLLECTABLE PAVING LEIN	(502,291.25)
01-1011	A/R LUBBOCK TASK FORCE	(1,886.02)
01-1012	A/R TNRCC	0.00
01-1013	OFFICE SUPPLIES INVENTORY	12,198.84
01-1014	DUE FROM DAWSON COUNTY	8,656.88
01-1015	CASH IN BANK - PAYROLL	0.00
01-1016	DUE FROM DEBT SERVICE	0.00
01-1017	FUEL TAX C.D.	0.00
01-1018	DUE TO/FROM 1997 TAN	0.00
01-1019	DUE TO/FROM SOLID WASTE FUND	0.00
01-1020	DUE FROM INVESTMENT FUND	3,014,215.88
01-1021	CAPITAL EQUIPMENT RESERVE	0.00
01-1022	BUILDING & COMPUTER RESERVE	0.00
01-1023	DUE FROM FIRE DEPT. GRANTS	0.00
01-1024	DUE FROM JUSTICE GRANT	0.00
01-1025	DUE TO/ FROM STATE AGENCY	0.00
01-1026	DUE FROM OTHER GOVERNMENTS	0.00
01-1027	DUE TO/FROM CAPITAL PROJECT	0.00
01-1028	SALES TAX RECEIVABLE	8,241.94
01-1029	DUE TO/FROM DEBT SERVICE	0.00
01-1030	DUE FROM MOTEL TAX FUND	0.00
01-1031	DUE TO/FROM SPECIAL REV. FUND	0.00
01-1032	DUE FROM INVESTMENT-CIVIC CTR.	0.00
01-1033	ACCOUNTS RECEIVABLE	0.00
01-1034	SALES TAX REC./TX COMPTROLLER	323,635.34
01-1035	DUE FROM IMS FLEX ACCT.	0.00
01-1036	FRANCHISE TAX RECEIVABLE	80,806.95
01-1037	DUE FROM WASTEWATER	0.00
01-1040	TAN I&S RESERVE	0.00
01-1044	CIP - F PARK LIGHT PROJECT	0.25
01-1045	CITY OF LAMESA - CFS FESTIVAL	4,869.11
01-1046	CRIME LINE	2,689.08
01-1047	PD SEIZURE FUND	11,662.36
01-1050	DUE TO/FROM RISK MGMT & SAFE	0.00
01-1055	DUE FROM INVESTMENT FUND	0.00
01-1056	DUE FROM TEXstar POOL	100,688.36
01-1060	DUE FROM ECONOMIC DEVELO	82,614.65
01-1061	DUE FROM BUILDING SECURITY	0.00
01-1062	DUE FROM PEG FUND	0.00
01-1063	DUE FROM POLICE DONATION FUND	0.00

BALANCE SHEET
AS OF: FEBRUARY 28TH, 2021

01 -GENERAL FUND

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE		
01-1064	DUE FROM TECHNOLOGY FUND	0.00		
01-1065	DUE FROM ECONOMIC DEV./AUDITOR	(13,792.01)		
01-1066	DUE FROM S.W.A.T FUND	0.00		
01-1067	DUE FOR TRUANCY FUND	0.00		
01-1068	DUE FROM MUNICIPAL JURY FUND	0.00		
01-1070	DUE FROM FORFEITED TRUST	0.00		
01-1071	DUE FROM WWF-LAND PURCHASE	0.00		
01-1072	DUE TO/FROM GOLF COURSE	0.00		
01-1080	D.A.R.E.	0.00		
01-1085	DUE FROM HOUSING AUTHORITY	0.00		
01-1090	XFER FOR RETIREMENT/C.O.'	0.00		
01-1095	DUE FROM LEAP	785.00		
			5,249,647.71	
	TOTAL ASSETS			5,249,647.71

LIABILITIES

01-2013	PAVING LIEN REFUND PAYABLE	0.00	
01-2014	SALES TAX PAYABLE	10,629.81	
01-2015	VOUCHERS PAYABLE	240,562.89	
01-2016	COMMUNITY BLDG.DEPOSITS	18,735.50	
01-2017	REFUND OF CASH DEPOSITS	591.00	
01-2018	WAGES PAYABLE	0.00	
01-2019	GROUP INSURANCE PAYABLE	0.00	
01-2020	WITHHOLDING TAX PAYABLE	0.00	
01-2021	SOCIAL SECURITY PAYABLE	0.00	
01-2022	T.M.R.S. PAYABLE	0.00	
01-2023	AUTO ALLOWANCE PAYABLE	0.00	
01-2024	BONDS	0.00	
01-2025	DEDUCTIONS PAYABLE	0.00	
01-2026	WORKERS COMPENSATION	(25.00)	
01-2027	AIRPORT	0.00	
01-2028	OPTIONAL LIFE PAYABLE	0.00	
01-2029	DUE TO SWMF	0.00	
01-2030	GOVERNOR'S TAX PAYABLE	0.00	
01-2031	TRANS.FOR RET.BONDS	0.00	
01-2032	DUE TO STATE AGENCY	0.00	
01-2033	C.D.B.G.	0.00	
01-2034	DUE TO LAMESA HOUSING	(644.00)	
01-2035	TRANS. FROM DEVELOP. FUND	0.00	
01-2036	TEEN COURT ADMIN FEE	420.00	
01-2037	DUE TO RISK MGT & SAFETY	0.00	
01-2038	DUE TO/FROM WATER FUND	0.00	
01-2039	WARRANTS PAYABLE	0.00	
01-2040	UNITED FUND	144.00	
01-2041	SALES TX DUE TO LEDC -TX COMPT	53,939.22	
01-2042	DUE TO LEAP -SALES TAX	53,939.22	
01-2043	TMRS EMPLOYEE BACK PAY	886.49	
01-2044	FLEX SPENDING ACCT. (FSA)	217.83	
01-2045	PROV. FOR COMP.ABSENCES	(0.13)	

BALANCE SHEET
AS OF: FEBRUARY 28TH, 2021

01 -GENERAL FUND

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE	
01-2048	1992 C O DEBT-PRINCIPAL	0.00	
01-2049	1992 C.O. DEBT	0.00	
01-2050	ICMA-RC PAYABLE	0.00	
01-2051	COURT BONDS PAYABLE	0.00	
01-2052	COURT BUILDING SECURITY FUND	0.00	
01-2053	COURT TECHNOLOGY FEE	0.00	
01-2054	MVBA COLLECTIONS	14.00	
01-2055	TAN I&S PRINCIPAL	0.00	
01-2056	TAN I&S INTEREST	0.00	
01-2057	NORTHLAND PEG FEES	0.00	
01-2058	NTS PEG FEES	0.00	
01-2070	GROUP INS. PRE-TAX	284.53	
01-2075	EMPLOYEE REIMB. SICK LEAVE	0.00	
01-2080	DEFERRED REVENUE-PAVING	0.00	
01-2081	DEFERRED REVENUE-TAXES	141,598.31	
01-2082	DEFERRED REVENUE-MISC. POLICE	(0.14)	
01-2083	DEFERRED REVENUE REVITAL GRANT	0.00	
01-2084	DEFERRED REVENUE- CIVIC CENTER	0.00	
01-2085	AFLAC PRE-TAX	1,436.97	
01-2086	DEFERRED REV.-POLICE DONATIONS	0.00	
01-2087	DEFERRED REV.-COURTHOUSE PROJ.	0.00	
01-2088	DEFERRED REVENUE-SWAT DONATION	0.00	
01-2089	DEFERRED REVENUE/FIRE PROTECTI	0.00	
01-2090	AFLAC POST TAX	636.94	
01-2091	DEFERRED REV.-L.I.S.D. BUYMONE	1,286.50	
01-2092	AIR MED CARE	185.00	
01-2094	NEW YORK LIFE INS. PAYABLE	0.00	
01-2095	VISION INS. PAYABLE	325.68	
01-2096	EMPLOYEE LEGAL SERV. PAYABLE	181.30	
01-2097	WORK BOOTS PAYABLE	(1,545.66)	
01-2098	DEFERRED REV. - SPORTS COMPLEX	127,608.90	
01-2099	JAE FITNESS PAYABLE	(745.03)	
01-2150	ACCRUED PAYABLES	0.00	
01-2160	ACCRUED PAYROLL LIABILITY	7,927.50	
01-2999	PROFIT & LOSS	0.00	
	TOTAL LIABILITIES		658,591.63
EQUITY			
01-3001	FUND BALANCE	3,587,590.17	
01-3002	RESERVE-CAPITAL EQUIPMENT	0.00	
01-3003	RESERVE-BUILDING & COMPUTER	0.00	
01-3010	C.O. INTEREST	0.00	
01-3011	C.O. PRINCIPAL	0.00	
01-3012	TAN INTEREST	0.00	
01-3013	TAN PRINCIPAL	0.00	
01-3014	OTHER PRINCIPAL	0.00	
01-3015	OTHER INTEREST	0.00	
	TOTAL BEGINNING EQUITY	3,587,590.17	

BALANCE SHEET
AS OF: FEBRUARY 28TH, 2021

01 -GENERAL FUND

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE		
	TOTAL REVENUE	2,917,219.10		
	TOTAL EXPENSES	1,913,753.19		
	TOTAL REVENUE OVER/(UNDER) EXPENSES	1,003,465.91		
	TOTAL EQUITY & REV. OVER/(UNDER) EXP.		4,591,056.08	
	TOTAL LIABILITIES, EQUITY & REV.OVER/(UNDER) EXP.			5,249,647.71

BALANCE SHEET
AS OF: FEBRUARY 28TH, 2021

02 -WATER & WASTEWATER ENTER.

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE
ASSETS		
02-1001	CASH IN BANK	1,471,097.95
02-1002	CASH IN DRAWER	0.00
02-1003	DUE FROM INVESTMENTS/WATER DEP	31,389.41
02-1004	CAPITAL EQUIPMENT RESERVE	838,438.02
02-1005	W.S.G. CHGS. RECEIVABLE	201,239.40
02-10051	REFUNDS PAYABLE	1,836.22
02-10052	UTILITY A/R SUSPENSE	0.00
02-10053	UNAPPLIED US REVENUE	(21,222.76)
02-10054	US GL RECON REPORT	0.00
02-10059	UNBILLED REVENU RECEIVABLE	0.00
02-1006	PROV.FOR UNCOLLECT. ACCTS	(52,544.24)
02-1007	INVENTORY SUPPLIES	270,776.79
02-1008	WW. TRMT PLNT .RES.INVESTMENTS	97,596.11
02-1009	UTILITY SYSTEM IMPROV RESERVE	0.00
02-1010	UNAMORTIZED TAN ISSUE COSTS	0.00
02-1011	AMORT.OF DISC. & PREMIUMS	0.00
02-1012	WATER SYSTEM LAND	50,378.47
02-1013	WATER RIGHTS PURCHASED	6,680,247.00
02-1014	WALKS, DRIVES & FENCES	10,292,588.09
02-1015	BUILDINGS	160,263.00
02-1016	WELLS & WELL HOUSES	0.00
02-1017	BOOSTER STAT. AND STORAGE	0.00
02-1018	WATER LINES,VALVES & FITT	0.00
02-1019	WATER TAPS AND METERS	6,816,494.00
02-1020	AUTOMOTIVE & MISC.EQUIP.	2,404,449.71
02-1021	FIRE HYDRANTS	0.00
02-1022	WATER SYST. DEPRECIATION	(13,573,888.57)
02-1023	SEWER SYSTEM-LAND & LAGOO	95,540.50
02-1024	SEWAGE LIFT STATIONS	0.00
02-1025	DISPOSAL PLANT	0.00
02-1026	SEWER LINES	0.00
02-1027	SEWER SYS. DEPRECIATION	0.00
02-1028	DUE TO/FROM SOLID WASTE	0.00
02-1029	ELECTRICAL INVENTORY	0.00
02-1030	WW LIFTSTATION/LUBBOCK HWY.	60,726.27
02-1031	ACCOUNTS REC. - TRRA	0.00
02-1032	06 TAN ISSUANCE COSTS	0.00
02-1033	06 TAN AMORTIZATION	34,157.00
02-1034	DUE TO FROM WATER FUND	0.00
02-1035	DUE FROM TCDP GRANT	0.00
02-1036	DUE FROM INV. FUND-TX NOTE 06	19,318.51
02-1037	DUE TO INV. - WELLS &TOWER	416,706.96
02-1039	WATER TREATMENT PLANT	0.00
02-1040	WW TRMT PLANT RES.	0.00
02-1041	USDA WATER IMPROVEMENT GRNT.	0.00
02-1050	CASH IN BANK-TRMT PLANT	0.00
02-1060	CIP - NEW WATER WELL PROJECT	(0.71)
02-1065	CIP - LUBBOCK HWY LIFTSTATION	0.16
02-1070	CIP - ELEVATED STORAGE TANK	0.24

BALANCE SHEET
AS OF: FEBRUARY 28TH, 2021

02 -WATER & WASTEWATER ENTER.

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE	
02-1075	CIP - WATER MAIN IMP, HWY 87	(0.48)	
02-1076	CIP - USDA WATER IMP. PROJECT	12,837.41	
02-1080	NET PENSION ASSET (LIABILITY)	(120,888.00)	
02-1081	DEFERRED OUTFLOW-PENSION CONTR	25,332.00	
02-1082	DEFERRED OUTFLOW-PENSION INV E	184,704.00	
02-1083	L.E.D.C. PRISON TOWER REC.	0.00	
			16,397,572.46
	TOTAL ASSETS		16,397,572.46
LIABILITIES			
02-2010	DUE TO LAMESA EDC	0.00	
02-2013	-	0.00	
02-2025	REVENUE RECOVERY LIABILITY	(236.77)	
02-2026	REVENUE RECOVERY FEES	3,504.45	
02-2027	UNDEPOSITED METER DEPOSIT	0.00	
02-2028	WATER DEPOSITS	284,254.98	
02-2029	T.M.R.S. PAYABLE	0.00	
02-2030	F.I.C.A. PAYABLE	0.00	
02-2031	VOUCHERS PAYABLE	0.00	
02-2032	BONDS PAYABLE-PRISON	0.00	
02-2033	CONTRIBUTED BY DEVELOPERS	255,845.00	
02-2034	CONTRIBUTED BY U.S. GOV'T	236,875.39	
02-2035	RES.RETIRE.OF BONDS & INT	0.00	
02-2036	EARNED SURPLUS INVESTED	0.00	
02-2037	EARNED SURPLUS UNAPPROPR.	0.00	
02-2038	INT. ON B.F. INVESTMENT	0.00	
02-2039	TRANS. FOR RET. OF BONDS	0.00	
02-2040	OPERATING TRANSFER	0.00	
02-2041	BOND INTEREST EXPENSE	0.00	
02-2042	HANDLING FEES	0.00	
02-2043	CAPITAL PROJECT FUNDS	440,420.21	
02-2045	PROV.COMPENSATED ABSENCES	43,285.02	
02-2046	DUE TO/FROM GENERAL FUND	0.00	
02-2047	DUE TO SOLID WASTE	0.00	
02-2048	DUE TO RISK MGT & SAFETY	0.00	
02-2049	1992 C.O. DEBT NON CURRENT	0.00	
02-2050	NOTE PAYABLE- 2006 TAX NOTES	0.00	
02-2051	NOTE PAYABLE-CAT FINANCE	0.00	
02-2052	LEASE PAYABLE-AAIG(NON-CURRENT	1,377,885.07	
02-2053	NOTES PAYABLE-WSB (NONCURREN).	(0.40)	
02-2054	BONDS PAYABLE - USDA	4,161,000.00	
02-2055	CONTRIBUTED CAPITAL-TCDP	864,400.00	
02-2056	CONTRIBUTED CAPITAL-TDCJ	133,567.10	
02-2057	DUE TO G/F - LAND PURCHASE	0.00	
02-2058	DUE TO SWMF - LAND PURCHASE	75,000.00	
02-2059	DUE TO CAP. PROJ.-LAND PURCHAS	0.00	
02-2060	AFLAC PRE-TAX	0.00	
02-2061	DUE TO/FROM GOLF COURSE FUND	0.00	
02-2070	GROUP INS. PRE-TAX	0.00	

BALANCE SHEET
AS OF: FEBRUARY 28TH, 2021

02 -WATER & WASTEWATER ENTER.

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE	
02-2085	AFLAC PRE-TAX	0.00	
02-2090	AFLAC POST TAX	0.00	
02-2095	VISION INS. PAYABLE	0.42	
02-2160	ACCRUED PAYROLL LIABILITY	2,910.93	
02-2900	CURRENT PORTION 91 C.O.'S	0.00	
02-2901	CURRENT PORTION - USDA	87,000.00	
02-2902	CURRENT PORTION-2006 TAN	0.00	
02-2903	CURRENT PORTION-CAT FINANCE	0.00	
02-2904	LEASE PAYABLE-AAIG (CURRENT)	133,283.00	
02-2905	NOTES PAYABLE-WSB (CURRENT)	(0.33)	
02-2906	NOTES PAYABLE-SOUTH PLAINS COM	0.00	
02-2909	TAX NOTE 2013 - ST	0.00	
02-2910	TAX NOTE 2013 L-T	0.00	
02-2911	CURRENT PORTION COMP ABSE	2,950.80	
02-2912	TAX NOTE 2013-A L-T	0.00	
02-2913	TAX NOTE 2013A - S-T	0.00	
02-2914	TAX NOTE 2014 L-T	0.00	
02-2915	TAX NOTE 2014 S-T	0.00	
02-2916	TAX NOTE 2019 - LT	0.00	
02-2920	DEFERRED REV-LIFTSTATION PROJ.	0.00	
02-2925	CONJ. USE SERIES 2011-NONCURRE	1,170,434.00	
02-2926	CONJ USE SERIES 2011-CURRENT	85,809.00	
02-2927	REFUNDING 2010 - NON CURRENT	0.00	
02-2928	REFUNDING SERIES 2010-CURRENT	14,336.00	
02-2929	RECLAMATION 2010 - NON CURRENT	0.00	
02-2930	RECLAMATION 2010 - CURRENT	0.00	
02-2931	GROUNDWATER 2009-NON CURRENT	203,383.00	
02-2932	GROUNDWATER 2009 - CURRENT	21,463.00	
02-2933	GROUNDWATER 2008 - NONCURRENT	0.00	
02-2934	GROUNDWATER 2009 - CURRENT	0.00	
02-2935	GROUNDWATER 2005-NONCURRENT	0.00	
02-2936	GROUNDWATER 2005 - CURRENT	0.00	
02-2937	GROUNDWATER 2012-NONCURRENT	740,749.00	
02-2938	GROUNDWATER 2012-CURRENT	99,285.00	
02-2939	2014 BOND (2005) ST	36,516.00	
02-2940	2014 BOND (2005) LT	7,715.00	
02-2941	2014 PREMIUM (2005)	0.00	
02-2942	2014 BOND (2006) ST	54,584.00	
02-2943	2014 BOND (2006) LT	420,655.00	
02-2944	2014 PREMIUM (2006)	63,952.00	
02-2945	2017 BACKHOE LOADER LT	36,659.00	
02-2946	2017 BACKHOE LOADER ST	17,480.00	
02-2947	CHEVROLET SILVERADO CL	31,124.00	
02-2950	DEFERRED OUTFLOW-PENSION	6,390.00	
02-2999	PROFIT & LOSS	0.00	
	TOTAL LIABILITIES		11,112,478.87

BALANCE SHEET
AS OF: FEBRUARY 28TH, 2021

02 -WATER & WASTEWATER ENTER.

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE		
EQUITY				
02-3001	FUND BALANCE	4,808,571.43		
02-3002	RESERVE-UTILITY SYSTEM IMPROV	0.00		
02-3010	C.O. INTEREST	0.00		
02-3012	TAN INTEREST	0.00		
	TOTAL BEGINNING EQUITY	4,808,571.43		
	TOTAL REVENUE	1,821,947.94		
	TOTAL EXPENSES	1,345,425.78		
	TOTAL REVENUE OVER/(UNDER) EXPENSES	476,522.16		
	TOTAL EQUITY & REV. OVER/(UNDER) EXP.		5,285,093.59	
	TOTAL LIABILITIES, EQUITY & REV.OVER/(UNDER) EXP.			16,397,572.46

BALANCE SHEET
AS OF: FEBRUARY 28TH, 2021

03 -SOLID WASTE ENTERPRISE

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE	
ASSETS			
03-1001	CASH IN BANK	1,226,827.74	
03-1002	CASH IN BANK - DEBT SERVICE	0.00	
03-1003	CASH IN BANK - CAPITAL RESERVE	0.00	
03-1004	DUE FROM GENERAL FUND	0.00	
03-1005	DUE FROM WASTEWATER	0.00	
03-10059	UNBILLED REVENUE RECEIVABLE	107,210.78	
03-1006	DUE FROM WWF- LAND PURCHASE	75,000.00	
03-1007	DUE FROM INVESTMENTS-DEBT SERV	0.00	
03-1008	DUE FROM INV.-CAPITAL RESERVE	126,439.21	
03-1010	UNAMORTIZED TAN ISSUE COSTS	0.00	
03-1011	GARBAGE CHG. RECEIVABLE	114,406.63	
03-1012	UNCOLLECTIBLE GARB.CHGS.	(41,351.03)	
03-1013	GRANT PROCEEDS RECEIVABLE	0.00	
03-1014	LAND	143,957.00	
03-1015	BUILDINGS	2,386,652.61	
03-1019	AUTOMOTIVE & MISC.EQUIP.	6,042,953.35	
03-1020	DUE FROM INVESTMENT FUND	0.00	
03-1021	CAPITAL EQUIPMENT RESERVE	48,578.75	
03-1022	POST CLOSURE RESERVE	661,641.67	
03-1023	ENVIROMENTAL OPER CENTER RES	0.00	
03-1024	RESERVE FOR TAN I&S	0.00	
03-1027	05 TAN ISSUANCE COSTS	0.00	
03-1028	ACCUM. AMORT-ISSUANCE COSTS	(0.27)	
03-1030	CIP - NEW LANDFILL CELL #4	(0.45)	
03-1050	ACCUMULATED DEPRECIATION	(6,507,819.54)	
03-1080	NET PENSION ASSET (LIABILITY)	(73,607.00)	
03-1081	DEFERRED OUTFLOW-PENSION CONTR	15,425.00	
03-1082	DEFERRED OUTFLOW-PENSION INV	112,464.00	
			4,438,778.45
	TOTAL ASSETS		4,438,778.45
LIABILITIES			
03-2010	DUE TO/FROM GENERAL FUND	0.00	
03-2013		0.00	
03-2020	DUE TO/FROM WASTE WATER	0.00	
03-2021	POSTCLOSURE RESERVE	0.00	
03-2022	DUE TO RISK MGT & SAFETY	0.00	
03-2030	CONTRIBUTED CAPITAL - SCALE	41,191.00	
03-2040	TAN INTEREST EXPENSE	0.00	
03-2041	BOND INTEREST EXPENSE	0.00	
03-2042	LOSS ON EQUIPMENT	0.00	
03-2044	CUR.PROV FOR COMP.ABSENCE	2,861.80	
03-2045	PROV-COMPENSATED ABSENCE	20,177.19	
03-2049	1992 C.O. DEBT NON-CURRENT	0.00	
03-2050	N/P - CATEPILLAR (DOZER)	(0.25)	
03-2051	EST.LIAB.LANDFILL CLOSURE	581,816.66	
03-2052	OUTSOURCE LEASE-MAD VAC S-T	0.00	

BALANCE SHEET
AS OF: FEBRUARY 28TH, 2021

03 -SOLID WASTE ENTERPRISE

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE	
03-2053	CATEPILLAR LEASE - S-T	0.15	
03-2054	2005 TAX NOTE -CURRENT PORTION	0.00	
03-2055	N/P CATERPILLAR (BULLDOZER)	(0.31)	
03-2056	TAN I&S INTEREST	0.00	
03-2060	AFLAC PRE-TAX	0.00	
03-2065	N/P KSB - GARBAGE TRUCK	0.00	
03-2070	GROUP INS. PRE-TAX	0.00	
03-2085	AFLAC PRE-TAX	0.00	
03-2090	AFLAC POST TAX	0.00	
03-2095	VISION INS. PAYABLE	0.00	
03-2096	N/P-CATERPILLAR 930H - LT	0.00	
03-2097	N/P - CATERPILLAR 930H - ST	0.00	
03-2098	N/P CATERPILLAR (BACKHOE) ST	0.00	
03-2160	ACCRUED PAYROLL LIABILITY	1,746.03	
03-2165	N/P MACK TRUCK W/ SIDELOAD -LT	127,675.00	
03-2166	N/P MACK TRUCK W/ SIDELOAD -ST	4,272.00	
03-2901	CURRENT PORTION 92 C.O.'S	0.00	
03-2902	CURRENT PORTION-1997 TAN	0.00	
03-2903	OUTSOURCE LEASE- MAD VAC L-T	0.00	
03-2904	CATEPILLAR LEASE - L-T	0.00	
03-2905	2005 TAX NOTE (LT)	0.00	
03-2906	ST-CATERPILLAR LOADER 2015	11,742.00	
03-2907	LT - CATERPILLAR LOADER 2015	89,371.00	
03-2908	ST-CATERPILLAR BULL DOZER 2015	41,634.00	
03-2909	LT-CATERPILLAR BULL DOZER 2015	0.00	
03-2910	TAX NOTE 2012 - LT	0.00	
03-2911	TAX NOTE 2012 - ST	0.00	
03-2912	2016 MACK DUMP TRUCK - LT	0.00	
03-2913	2016 MACK DUMP TRUCK - ST	45,513.00	
03-2914	TAX NOTE 2019 - LT	677,598.77	
03-2915	CHEVROLET SILVERADO CL	23,442.00	
03-2916	CHEVY SILVERADO LEASE -ST	5,913.00	
03-2917	SKID STEER CL	28,268.00	
03-2918	SKID STEER LEASE - ST	8,830.00	
03-2919	MOTOR GRADER CL	160,307.00	
03-2920	MOTOR GRADER LEASE - ST	16,546.00	
03-2950	DEFERRED INFLOW-PENSION	3,891.00	
	TOTAL LIABILITIES		1,892,795.04
EQUITY			
03-3001	FUND BALANCE	2,238,511.17	
03-3002	INVESTMENT IN PROPERTY	0.00	
03-3003	UNRESERVED FUND BALANCE	0.00	
03-3004	POSTCLOSURE RESERVE	107,228.18	
03-3005	RESERVE ENVIROMENTAL OPER CNTR	0.00	
03-3010	C.O. INTEREST	0.00	
03-3012	TAN INTEREST	0.00	
	TOTAL BEGINNING EQUITY	2,345,739.35	

BALANCE SHEET
AS OF: FEBRUARY 28TH, 2021

03 -SOLID WASTE ENTERPRISE

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE		
	TOTAL REVENUE	773,143.50		
	TOTAL EXPENSES	572,899.44		
	TOTAL REVENUE OVER/(UNDER) EXPENSES	200,244.06		
	TOTAL EQUITY & REV. OVER/(UNDER) EXP.		2,545,983.41	
	TOTAL LIABILITIES, EQUITY & REV.OVER/(UNDER) EXP.			4,438,778.45

BALANCE SHEET
AS OF: FEBRUARY 28TH, 2021

18 -MUNICIPAL GOLF COURSE

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE		
ASSETS				
18-1001	CASH	(9,632.18)		
18-1002	MEMORIAL FUND	938.36		
18-1005	GOLF FEES RECEIVABLE	50,232.45		
18-1006	ALLOWANCE FOR BAD DEBTS	(38,472.45)		
18-1020	LAND IMPROVEMENTS	79,362.32		
18-1021	EQUIPMENT	326,363.08		
18-1022	DEPRECIATION	(234,322.85)		
18-1023	BUILDINGS & IMPROVEMENTS	25,634.27		
18-1028	SALES TAX RECEIVABLE	0.00		
18-1030	DUE TO/FROM WATER FUND	0.00		
18-1080	NET PENSION ASSET (LIABILITY)	(16,679.00)		
18-1081	DEFERRED OUTFLOW-PENSION CONTR	3,495.00		
18-1082	DEFERRED OUTFLOW-PENSION INV.	25,484.00		
			212,403.00	
	TOTAL ASSETS			212,403.00
LIABILITIES				
18-2010	DUE TO/FROM GENERAL FUND	0.00		
18-2013	NOTES PAYABLE-OUTSORCE/CURR.	0.00		
18-2014	SALES TAX PAYABLE	0.00		
18-2015	NOTE PAYABLE-WELL FARGO-CURREN	0.00		
18-2016	DUE TO RISK MGMT.	96,624.00		
18-2017	NOTES PAYABLE	0.00		
18-2018	NOTES PAYABLE - OUTSOURCE	0.00		
18-2044	COMP. ABSENCES - CURRENT	2,332.72		
18-2045	COMP. ABSENCES - LONG TERM	10,346.28		
18-2160	ACCRUED PAYROLL LIABILITY	406.19		
18-2902	RANGE BALL SERVER -ST PORTION	0.00		
18-2903	PNC GOLF CAR LEASE - LT	61,029.00		
18-2904	PNC GOLF CAR LEASE - ST	(1,185.00)		
18-2906	RANGE BALL SERVER- LT PORTION	0.00		
18-2907	TORO MOWER LT	32,576.00		
18-2950	DEFERRED INFLOW-PENSION	882.00		
	TOTAL LIABILITIES		203,011.19	
EQUITY				
18-3001	FUND BALANCE	9,362.49		
	TOTAL BEGINNING EQUITY	9,362.49		
	TOTAL REVENUE	103,220.21		
	TOTAL EXPENSES	103,190.89		
	TOTAL REVENUE OVER/(UNDER) EXPENSES	29.32		
	TOTAL EQUITY & REV. OVER/(UNDER) EXP.		9,391.81	
	TOTAL LIABILITIES, EQUITY & REV.OVER/(UNDER) EXP.			212,403.00

BALANCE SHEET
AS OF: FEBRUARY 28TH, 2021

20 -WASTEWATER FUND

ACCOUNT #	ACCOUNT DESCRIPTION	BALANCE		
ASSETS				
20-1001	CASH	802,507.94		
20-1010	SEWER CHARGES RECEIVABLE	85,154.76		
20-1020	DUE FROM INVESTMENT FUND	292,926.21		
20-1025	SEWER PLANT/LIFT STATIONS	102,084.40		
20-1035	CIP - LIFTSTATION	335,442.60		
			1,618,115.91	
	TOTAL ASSETS			1,618,115.91
LIABILITIES				
20-2010	DUE TO GENERAL FUND	0.00		
20-2020	DUE FROM WASTEWATER FUND	0.00		
20-2054	BOND PAYABLE - USDA	0.00		
20-2901	CURRENT PORTION - USDA	0.00		
20-2916	TAX NOTE 2019 - L-T	750,071.23		
	TOTAL LIABILITIES		750,071.23	
EQUITY				
20-3001	FUND BALANCE	600,642.95		
	TOTAL BEGINNING EQUITY	600,642.95		
	TOTAL REVENUE	636,564.10		
	TOTAL EXPENSES	369,162.37		
	TOTAL REVENUE OVER/(UNDER) EXPENSES	267,401.73		
	TOTAL EQUITY & REV. OVER/(UNDER) EXP.		868,044.68	
	TOTAL LIABILITIES, EQUITY & REV.OVER/(UNDER) EXP.			1,618,115.91

City Council Agenda
City of Lamesa, Texas

DATE OF MEETING: MARCH 16, 2021 **AGENDA ITEM: 36**

SUBJECT: **CITY MANAGER REPORT**
PROCEEDING:
SUBMITTED BY: City Manager
EXHIBITS:
AUTHORITY:

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: MARCH 16, 2021 **AGENDA ITEM:37**

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

SUMMARY STATEMENT

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

COUNCIL ACTION

No City Council action required.

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: MARCH 16, 2021 **AGENDA ITEM 38**

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

SUMMARY STATEMENT

Consider convening into closed Executive Session with the City Council of the City of Lamesa, Texas for the following:

SEC. 551.087. DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS; CLOSED MEETING. To discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or

No action will be taken in closed session. The Council will reconvene into open session after the completion of the executive session.

Motion by Council Member _____ to enter into executive session. Motion seconded by Council Member _____ and upon being put to a vote the motion passed.

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

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: MARCH 16, 2021 **AGENDA ITEM: 39**

ADJOURNMENT: *Announcement* – "The next regular meeting of the City Council of the City of Lamesa, Texas will be held at 5:30 p.m., on **Tuesday, April 20, 2021** at City Hall, 601 South First Street. Persons desiring to present business to the city council at that meeting are directed to submit a request in writing to the city secretary by **Wednesday, April 07, 2021** in order to be included on the agenda. There being no other business, the meeting is hereby adjourned."