

**Cumby City Council
Regular Meeting Agenda
Tuesday, January 12, 2020
City Hall – 100 East Main Street, Cumby, Texas
6:30 p.m.**

This notice is posted pursuant to the Texas Open Meetings Act. Notice hereby given that the City Council of the city of Cumby, Texas will conduct a Regular Meeting on Tuesday, January 12, 2021 6:30 p.m., at 100 East Main Street, Cumby, Texas, City Council Chambers.

SUPPLEMENTAL NOTICE OF MEETING BY LIVESTREAM/TELEPHONE CONFERENCE:

THIS MEETING WILL BE LIMITED TO APPROXIMATELY 10 IN-PERSON ATTENDEES IN ORDER TO MAINTAIN SOCIAL DISTANCING. ALL ATTENDEES MUST HAVE THEIR TEMPERATURE TAKEN, WEAR APPROVED FACIAL COVERINGS PROPERLY (OVER THEIR NOSE AND MOUTH) AT ALL TIMES. IF AN ATTENDEE DOES NOT FOLLOW THESE GUIDELINES THE MAYOR OR HIS/HER DESIGNEE WILL ASK THEM TO EXCUSE THEMSELVES FROM THE MEETING.

In accordance with Order of the Office of the Governor issued March 16th, 2020, the governor has suspended various provisions of the Open Meetings Act pursuant to his state disaster authority, which now authorize the participation of a meeting by live-video stream or telephone. The City of Cumby will conduct the Regular Meeting on Tuesday, January 12, 2021 at 6:30 p.m. at 100 East Main Street, Cumby, Texas, City Council Chambers in part by Livestream in order to advance the public health goal of limiting face-to-face meetings (also called "social distancing") and slow down the spread of the Coronavirus (COVID-19).

Public Link: <https://us02web.zoom.us/j/87273988175>

Meeting ID: 872 7398 8175

The public will be permitted to offer comments telephonically as provided by the agenda during Presentation by Citizens. Citizens who want to speak during this period, should sign up to speak prior to the beginning of the meeting by stating their intent and provide Name, Address, and Topic to be addressed. Follow the guidelines under agenda item VI. If unable to participate in the meeting, you may submit public comments by email to secretary@cityofcumby.com.

The meeting agenda and agenda packet are posted online at <https://www.cityofcumby.com/index.shtml>.

- I. Call to Order**
- II. Establish quorum**
- III. Invocation**
- IV. Pledge of Allegiance**
- V. Announcements**

Announcements are provided on each agenda so that City Staff, Mayor, Council Members and members of the public may make announcements concerning matters of public recognition or upcoming events of local and regional significance; to advise the public of opportunities for service, recognition or recreation within our community; and to provide community charitable, civic, and philanthropic organizations the chance to broaden their appeal by the timely publication of details of their programs and activities. To utilize this opportunity, members of the public may contact the Mayor, City Secretary or City Council Members with details of their events or may appear at City Council Meetings and make their own announcements. "Announcements" shall be limited to the recitation of facts about the subject events, congratulatory or approbative statements concerning service to the City or the community, and invitations to participation at various events. No deliberations concerning the details of upcoming events shall be conducted

- A. Update on Kologik seizure expenditure**
- B. Update on Depot Street sewer repair**

VI. Presentation by Citizens (Please Limit To 3 Minutes)

(At this time, we would like to listen to any member of the audience on any subject matter, whether that item is on the agenda. All comments are limited to a maximum of three (3) minutes for each speaker. Speakers making personal, unfounded, profane or slanderous remarks may be removed from the room. In accordance with the Open Meetings Act, the Mayor and Aldermen are restricted from discussing or acting on any items not listed on the agenda. Action can only be taken at a future meeting. When your name is called, please come to the front and state your name and address clearly before making your comments. Thank you for your cooperation).

VII. Reports

All matters listed under this item are considered routine by the City Council and will only be considered at the request of one or more Aldermen. Coincident with each listed item, discussion will generally occur.

- A. Police Department**
- B. Fire Department**
- C. Maintenance Report**
- D. Court Report**

VIII. Consent items

All matters listed under this item are considered routine by the city Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired by any Alderman on any item, that item will be removed from the consent agenda and will be considered separately.

- A. Discuss and approve minutes from December 8, 2020 Regular Session.**
- B. Discuss and approve minutes from December 15, 2020 Special Session.**
- C. Discuss and approve December Financials.**

IX. Old Business

- A. Discuss and consider possible action on City of Cumby Book Exchange.**
- B. Discuss and consider possible action on repair of Cumby Park bathrooms.**
- C. Discuss and consider possible action of property located at 204 Mill Street.**

X. New Business

- A. Discuss and consider possible action approving Underground Utility Supply quote for replacing existing RG3 Meters with Master Meters.**
- B. Discuss and consider possible action consenting to inclusion of the City of Cumby's territorial limits and extraterritorial jurisdiction within the proposed Hunt County Emergency Services District No. 1 as located in Hunt County, Texas.**
- C. Discuss and consider possible action on adopting a new City of Cumby Personnel Policy and Employee Handbook to include necessary policies, procedures, and positions.**
- D. Discuss and consider possible action to pursue a 21/22 TxCDBG grant application.**
- E. Discuss and consider possible action regarding City of Cumby Investment Policy and Public Funds Investment Act and training.**
- F. Discuss and consider possible action Authorizing City Attorney to create employment contract and/or approve employment contract for Police Department employees.**
- G. Discuss and consider possible action to begin looking into grants for upgrading safety equipment and/or PPE for our Public Works Department.**

XI. Executive Session

Discussion and Convene in executive session under Texas Government Code 551.074 – Discussion and/or action involving the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; 551.071 – Consultation with attorney

- A. Discuss Maintenance processes-water meters.**
- B. Discuss and consider action regarding Chief of Police position and other police department personnel issues.**

Attorney consultation on any regular session agenda item requiring confidential, attorney/client advice necessitated by the deliberation or discussion of said item where counsel's duty to the City conflicts with the Open Meetings Act

XII. Reconvene in regular session

Announcement of Executive Session and Consideration of Motions authorizing any necessary action as a result of the Executive Session.

XIII. Adjournment

Executive Sessions Authorized: This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of TEX. GOV'T CODE CHAPTER 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy TEX. GOV'T CODE 551.144(c) and the meeting is conducted by all participants in reliance on this opinion. The Council may vote and/or act upon each of the items set out in this agenda. In addition, the city Council for the City of Cumby has the right to adjourn into executive session at any time during the course of this meeting to discuss any matter authorized by Texas Government Code Sections 551.071 (Consultation with Attorney); 551.072 (Deliberations related to Real Property); 551.073 (Deliberations related to prospective gifts or donations); Section 551.074 (Personnel Matter); 551.076 (Deliberations regarding the deployment of security devices or the implementation of security policy); and 551.087 (Deliberations regarding Economic Development negotiations).

CERTIFICATION

I, Codi Reynolds, City Secretary for City of Cumby, hereby certify that the above notice of meeting and agenda was posted on the Public Notice Board at Cumby City Hall, 100 East Main Street, Cumby, Texas on January 8, 2021 at 4:00 p.m.


Codi Reynolds, City Secretary





Kologik LLC
 P.O. 591
 Belle Chasse, LA 70037
 225-291-5440
 billing@kologik.com

Invoice 7019857

BILL TO	SHIP TO
Cumby Police Department	Cumby Police Department
100 E. Main St	100 E. Main St
Cumby, TX 75433	Cumby, TX 75433

DATE 12/11/2020	PLEASE PAY \$3,500.00	DUE DATE 12/11/2020
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DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
12/11/2020	NIBRS	Cost Name: NIBRS Reporting Module Cost Description: NIBRS Reporting Module for COPsync Mobile (Legacy Customer Discount)	1	3,500.00	3,500.00

TOTAL DUE \$3,500.00

THANK YOU.

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KOLOGIK
DYNAMIC DATA

Services Agreement

Date	December 11, 2020
Valid Until	January 11, 2021
Quote #	Cumby NSA-001

Customer	
Chief Paul D. Robertson	
Cumby Police Department	
100 East Main	
Cumby, Texas	76351-0000
(940) 631-4234 cumbychief@cityofcumby.com	

Quote/Project Description	
NIBRS Module - Legacy Customer Program Discount	

Quantity	Item Description	Unit Price	Line Total
1.00	NIBRS Reporting Module	\$ 3,500.00	\$ 3,500.00
			\$ 0.00
			\$ 0.00
			\$ 0.00
			\$ 0.00
			\$ 0.00
			\$ 0.00
			\$ 0.00
			\$ 0.00
			\$ 0.00
			\$ 0.00
			\$ 0.00
			\$ 0.00
			\$ 0.00
			\$ 0.00
			\$ 0.00
			\$ 0.00

Special Notes and Instructions	
Pricing is Legacy Customer Program Discount.	
Customer agrees to pay \$1,500 upon installation, and two payments of \$1,000 annually to be invoiced commensurate with regularly scheduled COPsync renewals.	

Subtotal **\$ 3,500.00**

Payment Schedule	
Grand Total	\$ 3,500.00
Down Payment	\$ 1,500.00 Due upon installation
Two Payments	\$ 1,000.00 Commensurate with COPsync renewal

Finance Rate	0.00%
Down Payment	
Finance Amount	\$ 3,500.00
Finance Charge	0

Grand Total \$ 3,500.00

Above Information is a Purchase Agreement for services/goods described above.
Finance Approval and Signed Agreement is required prior to provision of services/goods described in this Purchase Agreement.

Thank you for your business!

Should you have any inquiries concerning this quote, please contact:
Jan Roe
3837 Plaza Tower Dr. Suite C. Baton Rouge, LA 70816
Tel: (830) 624-5388 Email: jroe@kologik.com

Quote # Cumby NSA-001

INVOICING AND PAYMENT: Kologik ("Kologik") may issue invoices upon the execution of this Services Agreement, and customer agrees to pay all invoices in U.S. dollars within 30 days of the date of invoice unless otherwise provided in the invoice. By signing below Customer is agreeing to subscribe to the Kologik services and to purchase the hardware and other items stated on the face of this Services Agreement. Annual subscription and maintenance fees are to be paid at the beginning of each service year, unless otherwise stated on the Services Agreement, with the initial subscription period beginning on the 60th day following the date of this Services Agreement or, if earlier, on the date the installation and training are completed and/or the services are initiated and made available to Customer. For electronic payment remittance, contact Michael Morales at mmorales@kologik.com.

Make all checks payable to: Kologik, Attn: Accounts Receivable, P.O. Box 591, Belle Chasse, LA 70037.

TERM: This Services Agreement shall be for the period stated on the face of the Services Agreement. This Services Agreement cannot be cancelled or terminated before the expiration of the contract term indicated on the face of this Services Agreement, except as provided in the attached Terms & Conditions.

INSTALLATION: Kologik shall provide, directly or through designated third-party service providers, installation services for the hardware being purchased by Customer and set-up and training (if stated on the face of the Services Agreement) in the use of the Kologik services. The Customer agrees to execute Kologik's acceptance forms upon completion of hardware installation and training, as applicable.

TITLE: Title to the Service and Software is reserved to Kologik. Title to, and risk of loss, for Hardware provided under this Services Agreement passes to customer upon delivery.

INTERFACE: The parties shall enter into a separate integration agreement if the Kologik database is to be integrated with Customer's existing record, court, jail management or computer aided dispatch (CAD) software systems to permit the exchange of data between these systems and the Kologik database.

SALES & USE TAX: The products and services provided under this Services Agreement are tax-exempt from Sales and Use Tax per Title 34, Part 1, Chapter 3, Rule 3.322, Exempt Organizations.

LETS APPLICATION: If applicable, Customer is solely responsible for making application and securing approval of its application to connect to the state law enforcement telecommunications system ("LETS"). Customer agrees to comply with the payment terms outlined in this Services Agreement regardless of whether or not the LETS application has been approved.

NUMBER OF USERS: Kologik agrees to provide the total number of user licenses for the Kologik Network service, at the specified monthly pricing per user, for use of the Service and related Software as indicated on the face of this Services Agreement. Additionally, Kologik agrees to provide a maximum of five (5) user licenses for the Kologik Network Service at no charge to Customer for administrators and support staff.

TERMS AND CONDITIONS: These Terms and Conditions describe the terms and conditions under which Kologik ("Kologik" or "we") provides a subscription to you ("Subscriber" or "you") and your authorized users of the service ("Service") to which you are subscribing as noted in the Services Agreement and related computer software ("Software").

Subscription: We grant you and your authorized users a nonexclusive subscription to use the executable form of the Software and related documentation files in connection with your subscription to and use of the Service. The fees for your use of the Software and the Service are specified in the Services Agreement to which these Terms and Conditions are attached.

Term: The initial term (the "Initial Term") of the Services Agreement shall be as stated in the Services Agreement, unless terminated sooner as provided herein. At the end of the Initial Term, the Services Agreement shall automatically renew for successive one year periods (the "Renewal Term") at our then-current prices, unless either party notifies the other in writing thirty days prior to the end of the Initial Term or Renewal Term, as applicable.

Permitted Use Only: The Kologik Service and related Software may be used only by law enforcement officers, administrators and authorized support staff, in each case that are registered with us and for emergency service personnel. The COPsync 911 Service, COURTSync Service and the related Software may be used solely to communicate with the law enforcement officers that use the Kologik Service.

Restrictions: You may not (1) copy or duplicate the Service or Software or any of its features or functions; (2) allow any unauthorized person or third party to use the Service or Software or any of the data or confidential information accessible through use of the Service or Software or transfer, publish, distribute, sell or sub-license the Service or Software or any portion thereof; or (3) allow more than one individual to share a unique identification/registration number to access the Service or Software, except in the case of the VidTac system where multiple users of the evidence dashboards are permitted; (4) use the Service or Software in any fashion that infringes any of our copyrights, intellectual property rights, or proprietary or property rights.

Additionally you may not use or access the Service or Software to (5) develop a competitive product or service (either electronic, print, or a combination, now existing or developed in the future); (6) make or have made a product using similar ideas, features, functions or graphics of the Service or Software, make derivative works based upon the Service or Software, or "frame" or "mirror" the Service or Software; (7) (except as expressly permitted by this Agreement) sell, rent, license, distribute, transfer, exploit or disclose the Software or Service or its contents, (8) copy, reproduce, manufacture, alter, reverse engineer, disassemble, or reverse compile any features or functions of the software comprising the Service or Software, or disclose or distribute the design, structure, or operation of the Service or Software or any part thereof to any person, corporation or other entity; (9) use any robot, bot, automated user, spider, site search/retrieval application, or other program or device to retrieve or index any portion of the Service or Software source code or content or collect information, or for any purpose; or (10) remove or obscure any of our copyright, patent, or other intellectual property notices. Due to the nature of this Service, any misuse or unauthorized modification of the Service or Software may result in civil or criminal liability.

Title; Confidentiality: Title, ownership rights, and intellectual property rights in and to the Software and Service shall remain with us. The Software and Service are protected by the copyright laws of the United States and international copyright treaties. To our knowledge, your use of the Software and Service will not infringe any third party patent.

Grant-Back License: You grant us a fully-paid up, non-revocable, worldwide, non-exclusive, and transferable (as permitted in Section 8) license to (a) allow users of the Service to access and view "background data" and "foreground" data in connection with their use of the Service; and (b) consistent with applicable law, including privacy laws, use publicly-available data, whether background or foreground, and "de-identified" data (meaning that the data is not identified as having originated with Subscriber), whether background or foreground, for research and academic purposes and for any other lawful purpose, including licensing or other transfers for value to unaffiliated third parties. "Background data" is any of your data, including publicly-available data, that is uploaded to our data bases. "Foreground data" is any data, including publicly-available data, arising in connection with the use of the Software and Service by you and your users and that is captured in our databases. We claim no ownership rights in the background data or the foreground data. "De-identified" data is data that does not contain any information that could reasonably serve to identify any natural person or entity. The provisions of this Section shall survive the expiration or termination of the Services Agreement.

Warranty Provisions: We warrant that the Service and the Software will perform substantially as set forth in our published documentation. As our sole liability and your sole remedy for any breach of the foregoing warranty, we shall use commercially reasonable efforts to cause the Service and the Software to perform substantially in accordance with the published documentation and you shall give us a reasonable opportunity to do so. If we are unable to do so, you may terminate the Services Agreement upon 5 days written notice to us and we shall refund any pre-paid fees paid by you that relate to the period following the effective date of the termination. To the maximum extent permitted by applicable law, we expressly disclaim all warranties with respect to your use of the Software and Service. Other than the warranty of title and the warranty provided in the first sentence of this section, the Software and the Services are provided "as is," "as available" without warranties of any kind, either express or implied including, but not limited to, implied warranties of merchantability, fitness for a particular purpose or non-infringement (subject to section 5) or non-interference. This limited warranty gives you specific legal rights. You may have others, which vary from state and jurisdiction. Some states and jurisdictions do not allow limitations with respect to implied warranties, so the above limitation may not apply.

Limitation of Liability: To the maximum extent permitted by applicable law, neither you, on the one hand, nor we nor any of our contractors, suppliers, and other parties who may be associated with providing the Software or Service (a "Disclaiming Party"), on the other hand, will be liable to the other or any third party for any indirect, incidental, special, punitive, exemplary, or consequential damages of any kind arising under this Agreement or otherwise in connection with your use, or a Disclaiming Party's provision, of the Software or Service. Our aggregate liability to you arising under this Agreement or otherwise in connection with your use, or a Disclaiming Party's provision, of the Service or Software shall not exceed, for all causes of action that arise in a calendar year, the amounts you actually paid to us under this Agreement for such calendar year, unless otherwise specifically agreed in writing between the parties. Our limits of liability apply regardless of the type of claim brought, including those for negligence. Some states and jurisdictions do not allow the exclusion or limitation of liability, so the above limitation may not apply to you.

Termination: We may terminate this Agreement upon written notice to you if you breach any of the terms hereof or other agreement between you and us. Upon termination, you agree to (i) discontinue use of Software and Service; (ii) remove the Software and Service from any servers upon which they have been installed; and (iii) destroy or return to us the Software and Service and any archived copies of the Software and Service, except as may be necessary for you to transfer data to yourself or a new software/service provider. You shall also have "read only" access to the data stored in our data bases relating to the Service for a period of 30 days after termination. Upon written request, we shall provide you a copy of your foreground data stored in our data bases in CSV format.

General: This Agreement represents the complete agreement between the parties concerning this subscription and service arrangement and supersedes all prior agreements and representations between us. The Services Agreement may only be amended by mutual written agreement. If any provision of these Terms and Conditions is held to be void and unenforceable, it will not affect the validity of the balance of these Terms and Conditions, which shall remain valid and enforceable according to its terms. We shall have the right to assign our rights and obligations hereunder to (a) any controlled subsidiary of ours, (b) any joint venture in which we are a participant, (c) any entity which is the survivor in a merger of Kologik with or into such other entity, or (d) any acquirer of all or substantially all of our assets. The Services Agreement shall be governed by the laws of the State of Texas (without regard to the conflicts of law provisions thereof) and applicable U.S. federal law.

City of Cumby
P.O. Box 349
Cumby TX 75433
Seizure Fund

2001

DATE 12/11/2020

88-197/1119

PAY TO THE ORDER OF Kologik

\$ 1500.⁰⁰/₁₀₀

Fifteen Hundred & No/100

DOLLARS  Security Features Imaged. Details on Back.



FOR Cumby NSA-001

[Signature]
Codi Reynolds

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MONTH	CITY	COUNTY	ACREAGE	GRASS FIRE	CAR FIRE	STRUCTURE FIRE	MEDICAL	MVA	INVESTIGATION / STAND BY	WATER USAGE	MAN/HOURS
JAN	6	12	5	2	0	1	7	6	2	0	70.47
FEB	5	10	20	3	0	0	5	4	3	0	29.35
MAR	1	11	0	0	0	0	4	4	4	0	36.18
APR	1	5	0	0	0	0	2	3	1	0	19.38
MAY	5	16	0	4	1	1	10	4	1	150	35.72
JUN	4	15	1	3	0	1	7	6	2	200	41.98
JULY	3	16	0.1	6	1	1	2	5	4	1140	46.83
AUG	1	27	16.75	14	1	2	5	5	1	6355	95.77
SEPT	5	15	1.5	3	1	1	10	5	0	200	40.12
OCT	5	20	14	4	0	2	10	8	1	500	56.32
NOV	10	11	2.25	4	1	1	11	3	1	750	76.27
DEC	6	35	45.5	14	1	1	16	6	3	2249	78.98
YTD	52	193	106.1	57	6	11	89	59	23	11544	627.37

MAINTENANCE REPORT

FOR THE MONTH OF DECEMBER, THE MAINTENANCE DEPARTMENT:

- COMPLETED 5 WORK ORDERS
- BLEW OUT 4 SEWER MAINS
- REPAIRED 1 WATER MAIN LEAK

MAINTENANCE HAS ALSO BEEN PUMPING THE LIFT STATION ON M&R DRIVE ANYWHERE FROM 4 TO 6 TIMES PER DAY TO MAINTAIN OVERFLOW AND STOPPAGES

Cumby Municipal Court Collections Report for December 2020

For the month of December the court collected \$45,581.34 total.

City: \$ 27,090.97

State & Omni: \$ 15,151.03

GHS: \$ 3,339.34

Regular Meeting Minutes of the City Council of the City of Cumby

Tuesday, December 8, 2020

Cumby City Hall

PRESENT:

Doug Simmerman Sheryl Lackey Amber Hardy

Betty McCarter Julie Morris

- I. Mayor Doug Simmerman called the meeting to order at 6:30 p.m.
- II. Invocation was led by Mayor Doug Simmerman
- III. Pledge was recited by Mayor, Council, and all Citizens in attendance.
- IV. Announcements
 - A. Mayor Simmerman announced that the M & R lift station received a low bid of 283,000.00 and the grant allocated 233,000. He spoke with the grant managers and there are 2 options. Option 1 is to have the line item for the generator removed at 60,000.00 by all bidders and submit a change order. Option 2 would be to accept the lowest bid as is and the City would be responsible for the difference in cost out of pocket. Mayor Simmerman stated that he feels that Option 1 is the best route for the City to follow. The council agreed.
- V. There were no citizens that addressed the council.
- VI. Reports
 - A. Chief Paul Robertson submitted the Police Report.
 - B. Monty Lackey submitted the Fire Dept Report.
 - C. Mayor Doug Simmerman submitted the Maintenance Report.
 - D. Judge Lana Adams submitted the Municipal Court Report
- VII. Consent Agenda
 - A. Sheryl Lackey motioned to accept the November 10, 2020 Regular Meeting minutes. Julie Morris seconded the motion. The motion passed 4-0.

- B. Betty McCarter motioned to accept the November 17, 2020 Canvass Meeting minutes. Amber Hardy seconded the motion. The motion passed 4-0.
- C. Sheryl Lackey motioned to accept the November financials. Betty McCarter seconded the motion. The motion passed 4-0.

VIII. Old Business

- A. The Council discussed adopting a policy for the storage of all personnel files. Judge Adams stated that the only records for officers that would be in the personnel file is an application. Sheryl Lackey asked if we could change Section V. Item D. to say council instead of mayor. Amber Hardy agrees. Mayor Simmerman stated that it does not say change but monitor. Amber Hardy stated that under delegation it does. City Attorney Jay Garrett stated the reason for only the application being stored is to avoid an open record request for a terrorist attack or criminal attack. Judge Adams stated that the state does monitor all police officers' records. Betty McCarter motioned to accept the policy. Sheryl Lackey seconded the motion. Amber Hardy Motioned to make amendment to section V. item D and Section VI. with correction of mayor to say council. Sheryl Lackey seconded the motion. The motion passed 4-0.
- B. Betty McCarter motioned to approve Ordinance 2020-11-01 Establishing Rates for Domestic and Commercial Water and Sewer Service. Julie Morris seconded the motion. The motion passed 4-0.
- C. Sheryl Lackey motioned to table discussion of creating a park ordinance until February 2021. Betty McCarter seconded the motion. The motion passed 4-0.
- D. Betty McCarter motioned to approve adoption of House Bill 2840 City Policy No. 2020-12 with the correction of Section 4 Item b. reflecting the agenda wording Presentation by Citizens. Amber Hardy seconded the motion. The motion passed 4-0.
- E. Julie Morris asked Doug if he had asked his school class to build a book exchange box. Doug Simmerman stated he had not due to the fact he had been on leave. He asked her to remind him the following day. Betty McCarter stated to postpone until January to give Doug time to get with the class. No action was taken at this time.
- F. The council discussed the activities committee that was approved at the February Council Meeting. Betty McCarter thinks it should be a couple council members and a few citizens. Mayor Doug Simmerman asked Betty to put a committee together and present it to the council for approval and get with the churches to include them. Sheryl Lackey stated she would like to see

activities for the community as a whole and not just focus on the kids. No action was taken at this time.

- G. Sheryl Lackey asked Mayor Simmerman where we were at on the Depot Street sewer repairs. The minutes stated that it had been approved. Mayor Simmerman asked Sheryl Lackey to send him an email reminder to follow up with Hayter. Mayor Simmerman will give update in January. No action was taken at this time.
- H. Mayor Doug Simmerman stated that SmpISgnl was going to provide free Wi-Fi with their bid. Griffin is hard to get to call back. He stated that he would like to get some more bids. Mayor Simmerman stated that we need cameras at the well house and inside the council room. Mayor Simmerman stated that we should open it back up bids and make it more competitive. The council will discuss in January. No action was taken at this time.
- I. The council asked if any repairs had been done to the city park bathrooms. David stated that they had not but had taken down some broken swings. Mayor Simmerman asked if we could handle the repairs and David feels we can. BJG Daughters were going to help with cost. Sheryl Lackey will contact Kendra to discuss. The council will discuss in January. No action was taken.
- J. Sheryl Lackey asked where we were at on the purchase of a lawn mower. Mayor Doug Simmerman stated that he will go over and talk with Bryan Fox over his Christmas break. Julie Morris will text reminder. No action was taken.
- K. Julie Morris asked where we are at on the fire hydrant list. David stated that the whole city has not been done yet. She asked how many are left to be repaired. David stated about 7 and out of the 7 they all probably need to be replaced. To replace the cost is about 1500.00\$ each. Some of them are very old and parts are not available. Julie Morris asked how often are they being checked? She would like monthly checks. David stated with 2 guys that is difficult. Citizen and Volunteer Fire Fighter, Monty Lackey stated that a quarterly check would be enough, and he can get the fire department to assist. Mayor Simmerman thinks quarterly would work. Julie Morris would like to receive a quarterly report and have Kelsie create a list for council packet. No action was taken.
- L. Sheryl Lackey stated that the correct address is 204 and was posted to the public as 214. We will need to move to January agenda as 204 Mill St. No action was taken.

IX. New Business

- A. The council discussed a holiday social for council and staff. Due to the Pandemic the council felt it best to cancel this year's event.
- B. Betty McCarter motioned to adopt Ordinance 2020-12-01 with the correction of adding Guy Butler, amending ordinance 2019-08-01 establishing signature authorities and the release of account information and revoking all previous authorities in and for the City of Cumby, Texas bank accounts and setting an effective date. Sheryl Lackey seconded the motion. The motion passed 4-0.
- C. Mayor Doug Simmerman stated that Hot Rods by JSK is going to be adding another building and the existing water line runs across property with no easement. Maintenance is moving the line to where it should have been place in to begin within the City's easement down the road ditch on the service road. Citizen Wayne Mobley stated that it should have been done months ago. The City is waiting on a permit from the State. The State approved it and then came back and said to halt work until we provide the coordinates. Mr. Mobley also stated they are wasting money as they have already ordered the building and can't place it. Mayor Simmerman stated that the coordinates can be provided by Hopkins County CAD. JSK will call and get coordinates to provide to the State. No action was taken at this time.
- D. Sheryl Lackey stated that she would like to see a message board implemented by the council especially after what was going on with JSK. It is difficult for the council to discuss issues that arise in between meetings without having a walking quorum. The message board would provide a platform for discussion. No action could be taken on the message board and only council would be able to engage, but the public would be able to see what was being discussed. There would need to be a link on the website that takes citizens directly to the message board. City Attorney Jay Garrett stated this could be problematic as you are putting city business out for all to see. Sheryl Lackey stated according to Local Government Code 551.006 it is 100 % legal. Sheryl Lackey motioned to approve a City of Cumby Message Board. Betty McCarter seconded the motion. The motion passed 4-0.
- E. Mayor Doug Simmerman asked City Attorney Jay Garrett if the Governor's orders for not disconnecting past due water accounts applied to businesses. Mr. Garrett stated it did not. City Secretary Reynolds stated that at this time there are no past due business accounts. No action was taken.
- F. Brynn Smith, Local Health Authority Nurse for Hopkins County stated that literature has been sent out with guidelines for Covid-19 exposure. There are 229 active cases in Hopkins County. Going by the 15% rule Hopkins County fell under the new restrictions set by the Governor. Amber Hardy asked how the

molecular test are different than the PCR test and Brynn stated they are the same. Sheryl Lackey will verify email addresses with Brynn and to make sure the city is receiving updates.

X. Entered Executive Session

The City of Cumby Council entered Executive Session (Closed Meeting) at 8:02 p.m. pursuant to the provisions of Section 551.071 and 551.074 of the Texas Government Code, to discuss the following:

- A. Discuss and Consider possible action regarding City Attorney.
- B. Discuss and Consider possible action regarding Water Clerk.
- C. Discuss and Consider possible action regarding City Secretary.

XI. Exited Executive Session

The City of Cumby Council reconvened into Regular Session (Open Meeting) at 8:29 p.m. pursuant to the provisions of Section 551.071 and 551.074 of the Texas Government Code, to discuss the following:

- A. Sheryl Lackey motioned to terminate City Attorney Jay Garrett effective immediately. Julie Morris seconded the motion. The motion passed 4-0.
- B. Sheryl Lackey motioned to cross train court clerks Alexis Pryor and Rita Graham for utility clerks upcoming maternity leave. Julie Morris seconded the motion. The motion passed 4-0.
- C. Sheryl Lackey motioned to give City Secretary Codi Reynolds a 1.00\$ raise effective on the new pay period. Julie Morris seconded the motion. The motion passed 4-0.

XII. Mayor Doug Simmerman adjourned the meeting at 8:31 p.m.

Approve:

Attest:

Doug Simmerman, Mayor

Codi Reynolds, City Secretary

Special Meeting Minutes of the City Council of the City of Cumby

Tuesday, December 15, 2020

Cumby City Hall

- I. Mayor Doug Simmerman called the meeting to order at 6:00 p.m.
- II. Established Quorum
Present: Doug Simmerman Sheryl Lackey Amber Hardy
 Guy Butler Betty McCarter Julie Morris
- III. Invocation was led by Mayor Doug Simmerman
- IV. Pledge was recited by Mayor, Council, and all Citizens in attendance.
- V. New Business
 - A. Mayor Doug Simmerman stated that they are working on taking the generator off the paperwork which will put us under the limit for the grant. Amber Hardy asked if we had been awarded the grant already? Mayor Simmerman told her we had. Citizen Sharon Hart asked what all was going to be done with the grant. Mayor Simmerman told her that it would cover new pumps, plumbing, electrical, and a new force main. He also stated part of the problem with the current lift station is it was plumbed with so many hard 90's that it causes stoppages. Sheryl Lackey motioned to award a construction contract for the TXCDBG sewer improvements project to 7-H Construction Co, Inc. Betty McCarter seconded the motion. The motion passed 5-0.
 - B. Leigh Thompson stated she had worked with Jay Garrett's office before and handled the prosecutorial aspects. She did some research and according to the criminal code the person who prosecutes must be city attorney or deputy city attorney. Ms. Thompson proposed that she be appointed temporary city attorney in order to keep court proceedings rolling. She has worked with Judge Adams and they work well together. Ms. Thompson knows that Cumby is not large and has some issues so she would charge the rate of 100.00\$ per hour. Betty McCarter asked if this could be done on a probationary period. Ms. Thompson said it could be done contract and the contract could be terminated at any time. Sheryl Lackey asked if she was familiar with land laws, and she replied she was and that she is good at researching. Julie Morris stated she thinks it should be temporary prosecutor. Leigh stated that she would have to be

appointed as city attorney and once finding someone she could be released or released to deputy city attorney specializing in prosecution.

- C. Sheryl Lackey motioned to roll into executive session. Betty McCarter seconded the motion. The motion passed 5-0.

VI. Entered Executive Session

The City of Cumby Council entered Executive Session (Closed Meeting) at 6:22 p.m. pursuant to the provisions of Section 551.074 of the Texas Government Code, to discuss the following:

- A. Discuss and Consider possible action regarding the selection of a City Attorney.

VII. Exited Executive Session

The City of Cumby Council reconvened into Regular Session (Open Meeting) at 6:38 p.m. pursuant to the provisions of Section 551.074 of the Texas Government Code, to discuss the following:

- A. Sheryl Lackey Motioned to appoint Leigh Thompson as City Attorney on a 90-day probationary period while continuing to look for outside counsel. Betty McCarter seconded the motion. The motion passed 5-0.

VIII. Mayor Doug Simmerman adjourned the meeting at 6:42 p.m.

Approve:

Attest:

Doug Simmerman, Mayor

Codi Reynolds, City Secretary

8:49 AM
01/08/21
Accrual Basis

City of Cumby
Balance Sheet
As of December 31, 2020

	Dec 31, 20
ASSETS:	
Current Assets	
Checking/Savings	
Seizure ***4821	2,276.25
Pending Seizure Account	60,557.94
General Bank Accounts	
CDBG Grant	1.74
Arson	403.97
Demolition Fund	725.00
General Operating	2,799.92
Municipal Court Security	2,505.78
Municipal Court State Fees	46,606.97
Municipal Court Technology	3,761.94
Parks & Recreation	960.27
Police Training	1,034.26
General Bank Accounts - Other	-454.39
Total General Bank Accounts	58,345.46
Utility Bank Accounts	
Water & Sewer	379.42
Street Maintenance	426.82
Water Deposit Account	5,456.33
Obligation	657.94
Total Utility Bank Accounts	6,920.51
Total Checking/Savings	128,100.16

City of Cumby
Profit & Loss
December 2020

	Dec 20
Ordinary Income/Expense	
Income	
Subdivision Fees - PD	90.00
Copies & Faxes	14.50
Fines	41,977.35
Interest Earned	3.61
Permits/Registrations	
service fee collected	2.58
Permits/Registrations - Other	50.00
Total Permits/Registrations	52.58
Public Safety Department	
Accident Report	8.00
Public Safety Department - Other	7.82
Total Public Safety Department	15.82
Tax & Franchise Fees	
Property Tax	6,134.62
Sales Tax	10,480.25
Total Tax & Franchise Fees	16,614.87
Water - Sewer	
Garbage Revenue	4,932.44
Late Fee	932.38
Sales Tax Collected	402.47
Service Fee Collected	9.00
Sewer Revenue	6,942.00
Water Revenue	
Water Deposits Applied	550.00
Water Revenue - Other	13,897.29
Total Water Revenue	14,447.29
Total Water - Sewer	27,665.58
Total Income	86,434.31
Expense	
Administration	
Office Expense	35.00
Legal Fees	1,282.50
Mayor/Council Monthly Fee	375.00
Membership	567.00
Office Supplies	198.54
Professional Fees	1,912.50
Property Tax Fees	337.14
Telephone	551.36
Total Administration	5,259.04
Debt Service	
TWDB Bond	40,443.50
Total Debt Service	40,443.50
Mayor & Council	
Mayor & Council Expense	150.00
Total Mayor & Council	150.00
Municipal Court	
Collection Service Fee	3,992.45
Judge	300.00
Security	320.00
Telephone	177.79

City of Cumby
Profit & Loss
December 2020

	Dec 20
Utilities	3,631.52
Total Municipal Court	8,421.76
Payroll Expenses	
Child Support	459.68
Payroll Expenses - Other	47,319.60
Total Payroll Expenses	47,779.28
Public Safety	
Police Department	
Auto Repair & Maintenance	603.96
Fuel	816.75
Telephone	191.75
Police Department - Other	-0.27
Total Police Department	1,612.19
Total Public Safety	1,612.19
Seizure Expenditure	
Software	3,500.00
Total Seizure Expenditure	3,500.00
Water/Sewer	
Vehicle Purchase	516.62
Chemicals	351.25
Covenience Fee W/S	9.00
Deposit Refund	175.00
Fuel	1,547.75
Garbage Collection Fee	4,442.54
Maintenance	4,706.24
Office Supplies	156.74
Operating Supplies	220.17
Permit	312.50
Postage	217.25
Testing	90.00
Utilities	20.00
Total Water/Sewer	12,765.06
Total Expense	119,930.83
Net Ordinary Income	-33,496.52
Net Income	-33,496.52

City of Cumby
Profit & Loss Budget vs. Actual
 October through December 2020

	Oct 20	Budget	\$ Over Budget
Ordinary Income/Expense			
Income			
Subdivision Fees - PD	60.00	1,500.00	-1,440.00
Accumulated Funds	0.00	23,849.57	-23,849.57
Copies & Faxes	0.00		
Fines	50,572.49	425,000.00	-374,427.51
Interest Earned	3.06	25.00	-21.94
License & Permits	0.00	1,000.00	-1,000.00
Misc Revenues - Utility	1,349.37		
Permits/Registrations			
service fee collected	0.00		
Permits/Registrations - Other	500.00	1,000.00	-500.00
Total Permits/Registrations	500.00	1,000.00	-500.00
Property Sale	3,000.00		
Public Safety Department			
Accident Report	22.00	500.00	-478.00
Training	0.00	1,000.00	-1,000.00
Public Safety Department - Other	8.30		
Total Public Safety Department	30.30	1,500.00	-1,469.70
Seizure Funds	0.00	1,218.19	-1,218.19
Tax & Franchise Fees			
Franchise	4,852.66	30,000.00	-25,147.34
Property Reduction Sales Tax	1,701.59		
Property Tax	21,346.50	94,289.00	-72,942.50
Sales Tax	6,806.37	120,000.00	-113,193.63
Street Sales Tax	1,701.59		
Total Tax & Franchise Fees	36,408.71	244,289.00	-207,880.29
Water - Sewer			
Garbage Revenue	4,449.55		
Late Fee	728.50		
Sales Tax Collected	368.19		
Service Fee Collected	7.00		
Sewer Revenue	6,155.68		
Water Revenue			
Water Deposits Applied	0.00		
Water Revenue - Other	13,003.31		
Total Water Revenue	13,003.31		
Water - Sewer - Other	0.00	456,000.00	-456,000.00

City of Cumby
Profit & Loss Budget vs. Actual
 October through December 2020

	Oct 20	Budget	\$ Over Budget
Total Water - Sewer	24,712.23	456,000.00	-431,287.77
Water Deposit	1,295.00		
Total Income	117,931.16	1,155,381.76	-1,037,450.60
Expense			
Administration			
Office Expense	0.00	2,000.00	-2,000.00
Bonus	0.00	3,000.00	-3,000.00
Election	0.00	9,000.00	-9,000.00
Insurance	6,955.50	29,000.00	-22,044.50
Legal Fees	4,901.16	2,000.00	2,901.16
Maintenance	0.00	1,000.00	-1,000.00
Mayor/Council Monthly Fee	225.00	6,300.00	-6,075.00
Membership	0.00	1,300.00	-1,300.00
Office Supplies	430.02	2,000.00	-1,569.98
Postage	83.97	500.00	-416.03
Professional Fees	250.00	10,000.00	-9,750.00
Property Tax Fees	0.00		
Public Notice	648.70	2,000.00	-1,351.30
Software	0.00	1,000.00	-1,000.00
Technology	983.25	2,000.00	-1,016.75
Telephone	546.36	1,800.00	-1,253.64
Training	0.00	2,500.00	-2,500.00
Testing and Background	0.00	500.00	-500.00
Utilities	3,936.64	7,250.00	-3,313.36
Total Administration	18,960.60	83,150.00	-64,189.40
Arson Expenditure			
Debt Service	0.00	403.72	-403.72
Payment Processing Center	0.00	6,500.00	-6,500.00
TWDB Bond	0.00	30,000.00	-30,000.00
Total Debt Service	0.00	36,500.00	-36,500.00
Interes Expenses - TWBD			
Mayor & Council	0.00	20,019.00	-20,019.00
Mayor & Council Expense	150.00		
Total Mayor & Council	150.00		
Municipal Court			
Alarm	0.00	1,500.00	-1,500.00
Collection Service Fee	5,534.42		
Judge	300.00	3,600.00	-3,300.00
Legal Fees	0.00	7,500.00	-7,500.00

City of Cumby
Profit & Loss Budget vs. Actual
 October through December 2020

	Oct 20	Budget	\$ Over Budget
Office Expense			
Postage	0.00	2,000.00	-2,000.00
Report Fee	0.00	2,000.00	-2,000.00
Seat Belt Fee	677.44	1,000.00	-322.56
Security	1,154.84	2,500.00	-1,345.16
State Fees	320.00	12,000.00	-11,680.00
Technology	48,385.44	150,000.00	-101,614.56
Telephone	1,189.00	5,500.00	-4,311.00
Travel & Training	171.93	1,200.00	-1,028.07
Utilities	0.00	1,000.00	-1,000.00
	0.00	7,750.00	-7,750.00
Total Municipal Court	57,733.07	197,550.00	-139,816.93
Park Improvements	0.00	3,960.27	-3,960.27
Payroll Expenses			
Insurance Assistance	0.00	57,200.00	-57,200.00
Child Support	574.60	5,975.84	-5,401.24
Payroll Expenses - Other	56,504.28		
Total Payroll Expenses	57,078.88	63,175.84	-6,096.96
Public Safety			
Police Department			
K-9	0.00	1,000.00	-1,000.00
Legal Fees	0.00	3,000.00	-3,000.00
Auto Repair & Maintenance	3,714.33	15,000.00	-11,285.67
Equipment	0.00	8,000.00	-8,000.00
Equipment Repairs	0.00	3,000.00	-3,000.00
Fuel	864.41	28,000.00	-27,135.59
Investigation	0.00	1,000.00	-1,000.00
License & Support	1,200.00	1,500.00	-300.00
Office Supplies	0.00	3,000.00	-3,000.00
Telephone	189.95	4,000.00	-3,810.05
Testing Supplies	0.00	1,200.00	-1,200.00
Training	0.00	1,000.00	-1,000.00
Uniforms	0.00	1,500.00	-1,500.00
Utilities	0.00	8,500.00	-8,500.00
Police Department - Other	-0.16		
Total Police Department	5,968.53	79,700.00	-73,731.47
Total Public Safety	5,968.53	79,700.00	-73,731.47
Public Works			
Street Lights	312.95	5,000.00	-4,687.05
Street Signs	0.00	500.00	-500.00
Debris Cleanup	0.00	1,000.00	-1,000.00

City of Cumby
Profit & Loss Budget vs. Actual
 October through December 2020

	Oct 20	Budget	\$ Over Budget
Mosquito Control	0.00	1,000.00	-1,000.00
Street Repair	0.00	11,500.00	-11,500.00
Total Public Works	312.95	19,000.00	-18,687.05
Seizure Expenditure			
Software	0.00		
Total Seizure Expenditure	0.00		
Water Deposit Refund			
Water/Sewer	138.70		
Vehicle Purchase	516.62		
Automobile Repairs	27.92		
Chemicals	1,239.08	4,000.00	-3,972.08
Convenience Fee W/S	7.00	8,000.00	-6,760.92
Deposit Refund	0.00		
Equipment Repairs	0.00	12,000.00	-12,000.00
Fuel	798.75	7,500.00	-6,701.25
Garbage Collection Fee	4,825.92	60,000.00	-55,174.08
Legal Fees	0.00	3,500.00	-3,500.00
Maintenance	3,231.47	75,000.00	-71,768.53
Office Supplies	0.00	2,000.00	-2,000.00
Operating Supplies	55.84	3,000.00	-2,944.16
Permit	0.00	3,000.00	-3,000.00
Postage	218.90	3,000.00	-1,781.10
Sales Tax Paid	0.00	3,000.00	-3,000.00
Seminars/Training	0.00	500.00	-500.00
Software	0.00	1,000.00	-1,000.00
Telephone	0.00	3,000.00	-3,000.00
Testing	415.71	2,500.00	-2,084.29
Tools & Equipment	0.00	5,000.00	-5,000.00
Utilities	11.78	15,000.00	-14,988.22
Total Water/Sewer	11,348.99	210,000.00	-198,651.01
Total Expense	151,691.72	713,458.83	-561,767.11
Net Ordinary Income	-33,760.56	441,922.93	-475,683.49
Net Income	-33,760.56	441,922.93	-475,683.49

City of Cumby
Profit & Loss Budget vs. Actual
 October through December 2020

	% of Budget	Nov 20	Budget
Ordinary Income/Expense			
Income			
Subdivision Fees - PD	4.0%	60.00	0.00
Accumulated Funds	0.0%	0.00	0.00
Copies & Faxes		0.00	
Fines	11.9%	43,755.24	0.00
Interest Earned			
License & Permits	12.2%	5.15	0.00
Misc Revenues - Utility	0.0%	0.00	0.00
Permits/Registrations		0.00	
service fee collected		2.58	
Permits/Registrations - Other	50.0%	50.00	0.00
Total Permits/Registrations	50.0%	52.58	0.00
Property Sale		0.00	
Public Safety Department			
Accident Report	4.4%	0.00	0.00
Training	0.0%	0.00	0.00
Public Safety Department - Other		7.52	
Total Public Safety Department	2.0%	7.52	0.00
Seizure Funds			
Tax & Franchise Fees			
Franchise	16.2%	0.00	0.00
Property Reduction Sales Tax		2,104.13	
Property Tax	22.6%	33,618.05	0.00
Sales Tax	5.7%	8,416.54	0.00
Street Sales Tax		2,104.13	
Total Tax & Franchise Fees	14.9%	46,242.85	0.00
Water - Sewer			
Garbage Revenue		4,554.63	
Late Fee		1,017.19	
Sales Tax Collected		378.28	
Service Fee Collected		8.00	
Sewer Revenue		6,194.24	
Water Revenue			
Water Deposits Applied		0.00	
Water Revenue - Other		12,484.11	
Total Water Revenue		12,484.11	
Water - Sewer - Other	0.0%	-972.65	0.00

City of Cumby
Profit & Loss Budget vs. Actual
 October through December 2020

	% of Budget	Nov 20	Budget
Total Water - Sewer	5.4%	23,663.80	0.00
Water Deposit		0.00	
Total Income	10.2%	113,787.14	0.00
Expense			
Administration			
Office Expense	0.0%	312.56	0.00
Bonus	0.0%	0.00	0.00
Election	0.0%	0.00	0.00
Insurance	24.0%	0.00	0.00
Legal Fees	245.1%	1,291.65	0.00
Maintenance	0.0%	250.00	0.00
Mayor/Council Monthly Fee	3.6%	225.00	0.00
Membership	0.0%	0.00	0.00
Office Supplies	21.5%	0.00	0.00
Postage	16.8%	0.00	0.00
Professional Fees	2.5%	2,375.00	0.00
Property Tax Fees		0.00	
Public Notice		718.50	0.00
Software	0.0%	0.00	0.00
Technology	49.2%	1,015.75	0.00
Telephone	30.4%	548.57	0.00
Training	0.0%	0.00	0.00
Testing and Background	0.0%	0.00	0.00
Utilities	54.3%	3,345.45	0.00
Total Administration	22.8%	10,082.48	0.00
Arson Expenditure	0.0%	0.00	0.00
Debt Service			
Payment Processing Center	0.0%	0.00	0.00
TWDB Bond	0.0%	0.00	0.00
Total Debt Service	0.0%	0.00	0.00
Interes Expenses - TWBD	0.0%	0.00	0.00
Mayor & Council			
Mayor & Council Expense		150.00	
Total Mayor & Council		150.00	
Municipal Court			
Alarm	0.0%	0.00	0.00
Collection Service Fee	8.3%	4,189.74	0.00
Judge	0.0%	300.00	0.00
Legal Fees	0.0%	0.00	0.00

City of Cumby
Profit & Loss Budget vs. Actual
 October through December 2020

	% of Budget	Nov 20	Budget
Office Expense	0.0%	0.00	0.00
Postage	0.0%	0.00	0.00
Report Fee	67.7%	0.00	0.00
Seat Belt Fee	46.2%	0.00	0.00
Security	2.7%	49.95	0.00
State Fees	32.3%	0.00	0.00
Technology	21.6%	1,189.00	0.00
Telephone	14.3%	178.54	0.00
Travel & Training	0.0%	0.00	0.00
Utilities	0.0%	0.00	0.00
Total Municipal Court	29.2%	5,907.23	0.00
Park Improvements	0.0%	0.00	0.00
Payroll Expenses			
Insurance Assistance	0.0%	0.00	0.00
Child Support	9.6%	459.68	0.00
Payroll Expenses - Other		36,613.16	
Total Payroll Expenses	90.3%	37,072.84	0.00
Public Safety			
Police Department			
K-9	0.0%	0.00	0.00
Legal Fees	0.0%	0.00	0.00
Auto Repair & Maintenance	24.8%	356.01	0.00
Equipment	0.0%	0.00	0.00
Equipment Repairs	0.0%	0.00	0.00
Fuel	3.1%	1,606.00	0.00
Investigation	0.0%	0.00	0.00
License & Support	80.0%	0.00	0.00
Office Supplies	0.0%	0.00	0.00
Telephone	4.7%	191.75	0.00
Testing Supplies	0.0%	0.00	0.00
Training	0.0%	0.00	0.00
Uniforms	0.0%	0.00	0.00
Utilities	0.0%	0.00	0.00
Police Department - Other		-0.13	
Total Police Department	7.5%	2,153.63	0.00
Total Public Safety	7.5%	2,153.63	0.00
Public Works			
Street Lights	6.3%	289.98	0.00
Street Signs	0.0%	0.00	0.00
Debris Cleanup	0.0%	0.00	0.00

City of Cumby
Profit & Loss Budget vs. Actual
 October through December 2020

	% of Budget	Nov 20	Budget
Mosquito Control	0.0%	0.00	0.00
Street Repair	0.0%	0.00	0.00
Total Public Works	1.6%	289.98	0.00
Seizure Expenditure			
Software		0.00	
Total Seizure Expenditure		0.00	
Water Deposit Refund			
Water/Sewer		0.00	
Vehicle Purchase		516.62	
Automobile Repairs	0.7%	191.23	0.00
Chemicals	15.5%	2,493.19	0.00
Convenience Fee W/S		8.00	
Deposit Refund		175.00	
Equipment Repairs	0.0%	0.00	0.00
Fuel	10.7%	0.00	0.00
Garbage Collection Fee	8.0%	4,825.66	0.00
Legal Fees	0.0%	0.00	0.00
Maintenance	4.3%	4,112.67	0.00
Office Supplies	0.0%	0.00	0.00
Operating Supplies	1.9%	2,845.99	0.00
Permit	0.0%	1,250.00	0.00
Postage	10.9%	229.35	0.00
Sales Tax Paid	0.0%	1,661.48	0.00
Seminars/Training	0.0%	0.00	0.00
Software	0.0%	0.00	0.00
Telephone	0.0%	0.00	0.00
Testing	16.6%	90.00	0.00
Tools & Equipment	0.0%	0.00	0.00
Utilities	0.1%	20.29	0.00
Total Water/Sewer	5.4%	18,419.48	0.00
Total Expense	21.3%	74,075.64	0.00
Net Ordinary Income	-7.6%	39,711.50	0.00
Net Income	-7.6%	39,711.50	0.00

City of Cumby
Profit & Loss Budget vs. Actual
 October through December 2020

	\$ Over Budget	% of Budget	Dec 20
Ordinary Income/Expense			
Income			
Subdivision Fees - PD	60.00	100.0%	90.00
Accumulated Funds	0.00	0.0%	0.00
Copies & Faxes			14.50
Fines	43,755.24	100.0%	41,977.35
Interest Earned			
License & Permits	5.15	100.0%	3.61
Misc Revenues - Utility	0.00	0.0%	0.00
Permits/Registrations			0.00
service fee collected			2.58
Permits/Registrations - Other	50.00	100.0%	50.00
Total Permits/Registrations	52.58	100.0%	52.58
Property Sale			0.00
Public Safety Department			
Accident Report	0.00	0.0%	8.00
Training	0.00	0.0%	0.00
Public Safety Department - Other			7.82
Total Public Safety Department	7.52	100.0%	15.82
Seizure Funds			0.00
Tax & Franchise Fees			
Franchise	0.00	0.0%	0.00
Property Reduction Sales Tax			0.00
Property Tax	33,618.05	100.0%	6,134.62
Sales Tax	8,416.54	100.0%	10,480.25
Street Sales Tax			0.00
Total Tax & Franchise Fees	46,242.85	100.0%	16,614.87
Water - Sewer			
Garbage Revenue			4,932.44
Late Fee			932.38
Sales Tax Collected			402.47
Service Fee Collected			9.00
Sewer Revenue			6,942.00
Water Revenue			
Water Deposits Applied			550.00
Water Revenue - Other			13,897.29
Total Water Revenue			14,447.29
Water - Sewer - Other	-972.65	100.0%	0.00

City of Cumby
Profit & Loss Budget vs. Actual
October through December 2020

	\$ Over Budget	% of Budget	Dec 20
Total Water - Sewer	23,663.80	100.0%	27,665.58
Water Deposit			0.00
Total Income	113,787.14	100.0%	86,434.31
Expense			
Administration			
Office Expense	312.56	100.0%	35.00
Bonus	0.00	0.0%	0.00
Election	0.00	0.0%	0.00
Insurance	0.00	0.0%	0.00
Legal Fees	1,291.65	100.0%	1,282.50
Maintenance	250.00	100.0%	0.00
Mayor/Council Monthly Fee	225.00	100.0%	375.00
Memberships	0.00	0.0%	567.00
Office Supplies	0.00	0.0%	198.54
Postage	0.00	0.0%	0.00
Professional Fees	2,375.00	100.0%	1,912.50
Property Tax Fees			337.14
Public Notice			0.00
Software	718.50	100.0%	0.00
Technology	0.00	0.0%	0.00
Telephone	1,015.75	100.0%	0.00
Training	548.57	100.0%	551.36
Testing and Background	0.00	0.0%	0.00
Utilities	3,345.45	100.0%	0.00
Total Administration	10,082.48	100.0%	5,259.04
Arson Expenditure			
Debt Service	0.00	0.0%	0.00
Payment Processing Center	0.00	0.0%	0.00
TWDB Bond	0.00	0.0%	40,443.50
Total Debt Service	0.00	0.0%	40,443.50
Interes Expenses - TWBD			
Mayor & Council	0.00	0.0%	0.00
Mayor & Council Expense			150.00
Total Mayor & Council			150.00
Municipal Court			
Alarm	0.00	0.0%	0.00
Collection Service Fee			3,992.45
Judge	300.00	100.0%	300.00
Legal Fees	0.00	0.0%	0.00

City of Cumby
Profit & Loss Budget vs. Actual
 October through December 2020

	\$ Over Budget	% of Budget	Dec 20
Office Expense	0.00	0.0%	0.00
Postage	0.00	0.0%	0.00
Report Fee	0.00	0.0%	0.00
Seat Belt Fee	0.00	0.0%	0.00
Security	49.95	100.0%	320.00
State Fees	0.00	0.0%	0.00
Technology	1,189.00	100.0%	0.00
Telephone	178.54	100.0%	177.79
Travel & Training	0.00	0.0%	0.00
Utilities	0.00	0.0%	3,631.52
Total Municipal Court	5,907.23	100.0%	8,421.76
Park Improvements	0.00	0.0%	0.00
Payroll Expenses			
Insurance Assistance	0.00	0.0%	0.00
Child Support	459.68	100.0%	459.68
Payroll Expenses - Other			47,319.60
Total Payroll Expenses	37,072.84	100.0%	47,779.28
Public Safety			
Police Department			
K-9	0.00	0.0%	0.00
Legal Fees	0.00	0.0%	0.00
Auto Repair & Maintenance	356.01	100.0%	603.96
Equipment	0.00	0.0%	0.00
Equipment Repairs	0.00	0.0%	0.00
Fuel	1,606.00	100.0%	816.75
Investigation	0.00	0.0%	0.00
License & Support	0.00	0.0%	0.00
Office Supplies	0.00	0.0%	0.00
Telephone	191.75	100.0%	191.75
Testing Supplies	0.00	0.0%	0.00
Training	0.00	0.0%	0.00
Uniforms	0.00	0.0%	0.00
Utilities	0.00	0.0%	0.00
Police Department - Other			-0.27
Total Police Department	2,153.63	100.0%	1,612.19
Total Public Safety	2,153.63	100.0%	1,612.19
Public Works			
Street Lights	289.98	100.0%	0.00
Street Signs	0.00	0.0%	0.00
Debris Cleanup	0.00	0.0%	0.00

City of Cumby
Profit & Loss Budget vs. Actual
 October through December 2020

	\$ Over Budget	% of Budget	Dec 20
Mosquito Control	0.00	0.0%	0.00
Street Repair	0.00	0.0%	0.00
Total Public Works	289.98	100.0%	0.00
Seizure Expenditure			
Software			3,500.00
Total Seizure Expenditure			3,500.00
Water Deposit Refund			0.00
Water/Sewer			
Vehicle Purchase			516.62
Automobile Repairs	191.23	100.0%	0.00
Chemicals	2,493.19	100.0%	351.25
Covenience Fee W/S			9.00
Deposit Refund			175.00
Equipment Repairs	0.00	0.0%	0.00
Fuel	0.00	0.0%	1,547.75
Garbage Collection Fee	4,825.66	100.0%	4,442.54
Legal Fees	0.00	0.0%	0.00
Maintenance	4,112.67	100.0%	4,706.24
Office Supplies	0.00	0.0%	156.74
Operating Supplies	2,845.99	100.0%	220.17
Permit	1,250.00	100.0%	312.50
Postage	229.35	100.0%	217.25
Sales Tax Paid	1,661.48	100.0%	0.00
Seminars/Training	0.00	0.0%	0.00
Software	0.00	0.0%	0.00
Telephone	0.00	0.0%	0.00
Testing	90.00	100.0%	90.00
Tools & Equipment	0.00	0.0%	0.00
Utilities	20.29	100.0%	20.00
Total Water/Sewer	18,419.48	100.0%	12,765.06
Total Expense	74,075.64	100.0%	119,930.83
Net Ordinary Income	39,711.50	100.0%	-33,496.52
Net Income	39,711.50	100.0%	-33,496.52

City of Cumby
Profit & Loss Budget vs. Actual
 October through December 2020

	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense			
Income			
Subdivision Fees - PD	0.00		100.0%
Accumulated Funds	0.00	90.00	0.0%
Copies & Faxes			
Fines	0.00	41,977.35	100.0%
Interest Earned	0.00		
License & Permits	0.00	3.61	100.0%
Misc Revenues - Utility	0.00	0.00	0.0%
Permits/Registrations			
service fee collected			
Permits/Registrations - Other	0.00	50.00	100.0%
Total Permits/Registrations	0.00	52.58	100.0%
Property Sale			
Public Safety Department			
Accident Report	0.00	8.00	100.0%
Training	0.00	0.00	0.0%
Public Safety Department - Other			
Total Public Safety Department	0.00	15.82	100.0%
Seizure Funds			
Tax & Franchise Fees	0.00	0.00	0.0%
Franchise	0.00	0.00	0.0%
Property Reduction Sales Tax	0.00	6,134.62	100.0%
Sales Tax	0.00	10,480.25	100.0%
Street Sales Tax			
Total Tax & Franchise Fees	0.00	16,614.87	100.0%
Water - Sewer			
Garbage Revenue			
Late Fee			
Sales Tax Collected			
Service Fee Collected			
Sewer Revenue			
Water Revenue			
Water Deposits Applied			
Water Revenue - Other			
Total Water Revenue			
Water - Sewer - Other	0.00	0.00	0.0%

City of Cumby
Profit & Loss Budget vs. Actual
 October through December 2020

	Budget	\$ Over Budget	% of Budget
Total Water - Sewer	0.00	27,665.58	100.0%
Water Deposit			
Total Income	0.00	86,434.31	100.0%
Expense			
Administration			
Office Expense	0.00	35.00	100.0%
Bonus	0.00	0.00	0.0%
Election	0.00	0.00	0.0%
Insurance	0.00	0.00	0.0%
Legal Fees	0.00	1,282.50	100.0%
Maintenance	0.00	0.00	0.0%
Mayor/Council Monthly Fee	0.00	375.00	100.0%
Membership	0.00	567.00	100.0%
Office Supplies	0.00	198.54	100.0%
Postage	0.00	0.00	0.0%
Professional Fees	0.00	1,912.50	100.0%
Property Tax Fees			
Public Notice	0.00	0.00	0.0%
Software	0.00	0.00	0.0%
Technology	0.00	0.00	0.0%
Telephone	0.00	551.36	100.0%
Training	0.00	0.00	0.0%
Testing and Background	0.00	0.00	0.0%
Utilities	0.00	0.00	0.0%
Total Administration	0.00	5,259.04	100.0%
Arson Expenditure	0.00	0.00	0.0%
Debt Service			
Payment Processing Center	0.00	0.00	0.0%
TWDB Bond	0.00	40,443.50	100.0%
Total Debt Service	0.00	40,443.50	100.0%
Interes Expenses - TWBD	0.00	0.00	0.0%
Mayor & Council			
Mayor & Council Expense			
Total Mayor & Council			
Municipal Court			
Alarm	0.00	0.00	0.0%
Collection Service Fee			
Judge	0.00	300.00	100.0%
Legal Fees	0.00	0.00	0.0%

City of Cumby
Profit & Loss Budget vs. Actual
 October through December 2020

	Budget	\$ Over Budget	% of Budget
Office Expense	0.00	0.00	0.0%
Postage	0.00	0.00	0.0%
Report Fee	0.00	0.00	0.0%
Seat Belt Fee	0.00	0.00	0.0%
Security	0.00	320.00	100.0%
State Fees	0.00	0.00	0.0%
Technology	0.00	0.00	0.0%
Telephone	0.00	177.79	100.0%
Travel & Training	0.00	0.00	0.0%
Utilities	0.00	3,631.52	100.0%
Total Municipal Court	0.00	8,421.76	100.0%
Park Improvements	0.00	0.00	0.0%
Payroll Expenses	0.00	0.00	0.0%
Insurance Assistance	0.00	0.00	0.0%
Child Support	0.00	459.68	100.0%
Payroll Expenses - Other	0.00	0.00	0.0%
Total Payroll Expenses	0.00	47,779.28	100.0%
Public Safety	0.00	0.00	0.0%
Police Department	0.00	0.00	0.0%
K-9	0.00	0.00	0.0%
Legal Fees	0.00	0.00	0.0%
Auto Repair & Maintenance	0.00	603.96	100.0%
Equipment	0.00	0.00	0.0%
Equipment Repairs	0.00	0.00	0.0%
Fuel	0.00	816.75	100.0%
Investigation	0.00	0.00	0.0%
License & Support	0.00	0.00	0.0%
Office Supplies	0.00	0.00	0.0%
Telephone	0.00	191.75	100.0%
Testing Supplies	0.00	0.00	0.0%
Training	0.00	0.00	0.0%
Uniforms	0.00	0.00	0.0%
Utilities	0.00	0.00	0.0%
Police Department - Other	0.00	0.00	0.0%
Total Police Department	0.00	1,612.19	100.0%
Total Public Safety	0.00	1,612.19	100.0%
Public Works	0.00	0.00	0.0%
Street Lights	0.00	0.00	0.0%
Street Signs	0.00	0.00	0.0%
Debris Cleanup	0.00	0.00	0.0%

City of Cumby
Profit & Loss Budget vs. Actual
 October through December 2020

	Budget	\$ Over Budget	% of Budget
Mosquito Control	0.00	0.00	0.0%
Street Repair	0.00	0.00	0.0%
Total Public Works	0.00	0.00	0.0%
Seizure Expenditure Software			
Total Seizure Expenditure			
Water Deposit Refund			
Water/Sewer			
Vehicle Purchase	0.00	0.00	0.0%
Automobile Repairs	0.00	351.25	100.0%
Chemicals			
Covenience Fee W/S			
Deposit Refund	0.00	0.00	0.0%
Equipment Repairs	0.00	1,547.75	100.0%
Fuel	0.00	4,442.54	100.0%
Garbage Collection Fee	0.00	0.00	0.0%
Legal Fees	0.00	4,706.24	100.0%
Maintenance	0.00	156.74	100.0%
Office Supplies	0.00	220.17	100.0%
Operating Supplies	0.00	312.50	100.0%
Permit	0.00	217.25	100.0%
Postage	0.00	0.00	0.0%
Sales Tax Paid	0.00	0.00	0.0%
Seminars/Training	0.00	0.00	0.0%
Software	0.00	0.00	0.0%
Telephone	0.00	0.00	0.0%
Testing	0.00	90.00	100.0%
Tools & Equipment	0.00	0.00	0.0%
Utilities	0.00	20.00	100.0%
Total Water/Sewer	0.00	12,765.06	100.0%
Total Expense	0.00	119,930.83	100.0%
Net Ordinary Income	0.00	-33,496.52	100.0%
Net Income	0.00	-33,496.52	100.0%

City of Cumby
Profit & Loss Budget vs. Actual
 October through December 2020

	TOTAL		\$ Over Budget
	Oct - Dec 20	Budget	
Ordinary Income/Expense			
Income			
Subdivision Fees - PD	210.00	1,500.00	-1,290.00
Accumulated Funds	0.00	23,849.57	-23,849.57
Copies & Faxes	14.50		
Fines	136,305.08	425,000.00	-288,694.92
Interest Earned	11.82		
License & Permits	0.00	25.00	-13.18
Misc Revenues - Utility	0.00	1,000.00	-1,000.00
Permits/Registrations	1,349.37		
service fee collected	5.16		
Permits/Registrations - Other	600.00	1,000.00	-400.00
Total Permits/Registrations	605.16	1,000.00	-394.84
Property Sale			
Public Safety Department	3,000.00		
Accident Report	30.00	500.00	-470.00
Training	0.00	1,000.00	-1,000.00
Public Safety Department - Other	23.64		
Total Public Safety Department	53.64	1,500.00	-1,446.36
Seizure Funds			
Tax & Franchise Fees	0.00	1,218.19	-1,218.19
Franchise	4,852.66	30,000.00	-25,147.34
Property Reduction Sales Tax	3,805.72		
Property Tax	61,099.17	94,289.00	-33,189.83
Sales Tax	25,703.16	120,000.00	-94,296.84
Street Sales Tax	3,805.72		
Total Tax & Franchise Fees	99,266.43	244,289.00	-145,022.57
Water - Sewer			
Garbage Revenue	13,936.62		
Late Fee	2,678.07		
Sales Tax Collected	1,148.94		
Service Fee Collected	24.00		
Sewer Revenue	19,291.92		
Water Revenue			
Water Deposits Applied	550.00		
Water Revenue - Other	39,384.71		
Total Water Revenue	39,934.71	456,000.00	-456,972.65
Water - Sewer - Other	-972.65		

City of Cumby
Profit & Loss Budget vs. Actual
October through December 2020

	Oct - Dec 20	TOTAL Budget	\$ Over Budget
Total Water - Sewer	76,041.61	456,000.00	-379,958.39
Water Deposit	1,295.00		
Total Income	318,152.61	1,155,381.76	-837,229.15
Expense			
Administration			
Office Expense	347.56	2,000.00	-1,652.44
Bonus	0.00	3,000.00	-3,000.00
Election	0.00	9,000.00	-9,000.00
Insurance	6,955.50	29,000.00	-22,044.50
Legal Fees	7,475.31	2,000.00	5,475.31
Maintenance	250.00	1,000.00	-750.00
Mayor/Council Monthly Fee	825.00	6,300.00	-5,475.00
Membership	567.00	1,300.00	-733.00
Office Supplies	628.56	2,000.00	-1,371.44
Postage	83.97	500.00	-416.03
Professional Fees	4,537.50	10,000.00	-5,462.50
Property Tax Fees	337.14		
Public Notice	1,367.20	2,000.00	-632.80
Software	0.00	1,000.00	-1,000.00
Technology	1,999.00	2,000.00	-1.00
Telephone	1,646.29	1,800.00	-153.71
Training	0.00	2,500.00	-2,500.00
Testing and Background	0.00	500.00	-500.00
Utilities	7,282.09	7,250.00	32.09
Total Administration	34,302.12	83,150.00	-48,847.88
Arson Expenditure	0.00	403.72	-403.72
Debt Service			
Payment Processing Center	0.00	6,500.00	-6,500.00
TWDB Bond	40,443.50	30,000.00	10,443.50
Total Debt Service	40,443.50	36,500.00	3,943.50
Interes Expenses - TWBD			
Mayor & Council	0.00	20,019.00	-20,019.00
Mayor & Council Expense	450.00		
Total Mayor & Council	450.00		
Municipal Court			
Alarm	0.00	1,500.00	-1,500.00
Collection Service Fee	13,716.61		
Judge	900.00	3,600.00	-2,700.00
Legal Fees	0.00	7,500.00	-7,500.00

City of Cumby
Profit & Loss Budget vs. Actual
 October through December 2020

	TOTAL		
	Oct - Dec 20	Budget	\$ Over Budget
Office Expense	0.00	2,000.00	-2,000.00
Postage	0.00	2,000.00	-2,000.00
Report Fee	677.44	1,000.00	-322.56
Seat Belt Fee	1,154.84	2,500.00	-1,345.16
Security	689.95	12,000.00	-11,310.05
State Fees	48,385.44	150,000.00	-101,614.56
Technology	2,378.00	5,500.00	-3,122.00
Telephone	528.26	1,200.00	-671.74
Travel & Training	0.00	1,000.00	-1,000.00
Utilities	3,631.52	7,750.00	-4,118.48
Total Municipal Court	72,062.06	197,550.00	-125,487.94
Park Improvements	0.00	3,960.27	-3,960.27
Payroll Expenses	0.00	57,200.00	-57,200.00
Insurance Assistance	1,493.96	5,975.84	-4,481.88
Child Support	140,437.04		
Payroll Expenses - Other			
Total Payroll Expenses	141,931.00	63,175.84	78,755.16
Public Safety			
Police Department			
K-9	0.00	1,000.00	-1,000.00
Legal Fees	0.00	3,000.00	-3,000.00
Auto Repair & Maintenance	4,674.30	15,000.00	-10,325.70
Equipment	0.00	8,000.00	-8,000.00
Equipment Repairs	0.00	3,000.00	-3,000.00
Fuel	3,287.16	28,000.00	-24,712.84
Investigation	0.00	1,000.00	-1,000.00
License & Support	1,200.00	1,500.00	-300.00
Office Supplies	0.00	3,000.00	-3,000.00
Telephone	573.45	4,000.00	-3,426.55
Testing Supplies	0.00	1,200.00	-1,200.00
Training	0.00	1,000.00	-1,000.00
Uniforms	0.00	1,500.00	-1,500.00
Utilities	0.00	8,500.00	-8,500.00
Police Department - Other	-0.56		
Total Police Department	9,734.35	79,700.00	-69,965.65
Total Public Safety	9,734.35	79,700.00	-69,965.65
Public Works			
Street Lights	602.93	5,000.00	-4,397.07
Street Signs	0.00	500.00	-500.00
Debris Cleanup	0.00	1,000.00	-1,000.00

City of Cumby Profit & Loss Budget vs. Actual October through December 2020

	TOTAL		\$ Over Budget
	Oct - Dec 20	Budget	
Mosquito Control	0.00	1,000.00	-1,000.00
Street Repair	0.00	11,500.00	-11,500.00
Total Public Works	602.93	19,000.00	-18,397.07
Seizure Expenditure			
Software	3,500.00		
Total Seizure Expenditure	3,500.00		
Water Deposit Refund			
Water/Sewer	138.70		
Vehicle Purchase	1,549.86		
Automobile Repairs	219.15	4,000.00	-3,780.85
Chemicals	4,083.52	8,000.00	-3,916.48
Covenience Fee W/S	24.00		
Deposit Refund	350.00		
Equipment Repairs	0.00		
Fuel	2,346.50	12,000.00	-12,000.00
Garbage Collection Fee	14,094.12	7,500.00	-5,153.50
Legal Fees	0.00	60,000.00	-45,905.88
Maintenance	12,050.38	3,500.00	-3,500.00
Office Supplies	156.74	75,000.00	-62,949.62
Operating Supplies	3,122.00	2,000.00	-1,843.26
Permit	1,562.50	3,000.00	122.00
Postage	665.50	3,000.00	-1,437.50
Sales Tax Paid	1,661.48	2,000.00	-1,334.50
Seminars/Training	0.00	3,000.00	-1,338.52
Software	0.00	500.00	-500.00
Telephone	0.00	1,000.00	-1,000.00
Testing	595.71	3,000.00	-3,000.00
Tools & Equipment	0.00	2,500.00	-1,904.29
Utilities	52.07	5,000.00	-5,000.00
Total Water/Sewer	42,533.53	210,000.00	-167,466.47
Total Expense	345,698.19	713,458.83	-367,760.64
Net Ordinary Income	-27,545.58	441,922.93	-469,468.51
Net Income	-27,545.58	441,922.93	-469,468.51

City of Cumby
Profit & Loss Budget vs. Actual
 October through December 2020

	TOTAL
	% of Budget
Ordinary Income/Expense	
Income	
Subdivision Fees - PD	14.0%
Accumulated Funds	0.0%
Copies & Faxes	
Fines	32.1%
Interest Earned	
License & Permits	47.3%
Misc Revenues - Utility	0.0%
Permits/Registrations	
service fee collected	
Permits/Registrations - Other	60.0%
Total Permits/Registrations	60.5%
Property Sale	
Public Safety Department	
Accident Report	6.0%
Training	0.0%
Public Safety Department - Other	
Total Public Safety Department	3.6%
Seizure Funds	
Tax & Franchise Fees	
Franchise	16.2%
Property Reduction Sales Tax	
Property Tax	64.8%
Sales Tax	21.4%
Street Sales Tax	
Total Tax & Franchise Fees	40.6%
Water - Sewer	
Garbage Revenue	
Late Fee	
Sales Tax Collected	
Service Fee Collected	
Sewer Revenue	
Water Revenue	
Water Deposits Applied	
Water Revenue - Other	
Total Water Revenue	
Water - Sewer - Other	-0.2%

City of Cumby
Profit & Loss Budget vs. Actual
 October through December 2020

	TOTAL
	% of Budget
Total Water - Sewer	16.7%
Water Deposit	
Total Income	27.5%
Expense	
Administration	
Office Expense	17.4%
Bonus	0.0%
Election	0.0%
Insurance	24.0%
Legal Fees	373.8%
Maintenance	25.0%
Mayor/Council Monthly Fee	13.1%
Membership	43.6%
Office Supplies	31.4%
Postage	16.8%
Professional Fees	45.4%
Property Tax Fees	
Public Notice	
Software	68.4%
Technology	0.0%
Telephone	100.0%
Training	91.5%
Testing and Background	0.0%
Utilities	0.0%
Utilities	100.4%
Total Administration	41.3%
Arson Expenditure	
Debt Service	0.0%
Payment Processing Center	0.0%
TWDB Bond	134.8%
Total Debt Service	110.8%
Interes Expenses - TWBD	
Mayor & Council	0.0%
Mayor & Council Expense	
Total Mayor & Council	
Municipal Court	
Alarm	0.0%
Collection Service Fee	
Judge	25.0%
Legal Fees	0.0%

City of Cumby
Profit & Loss Budget vs. Actual
 October through December 2020

	TOTAL
	% of Budget
Office Expense	0.0%
Postage	0.0%
Report Fee	67.7%
Seat Belt Fee	46.2%
Security	5.7%
State Fees	32.3%
Technology	43.2%
Telephone	44.0%
Travel & Training	0.0%
Utilities	46.9%
Total Municipal Court	36.5%
Park Improvements	0.0%
Payroll Expenses	
Insurance Assistance	0.0%
Child Support	25.0%
Payroll Expenses - Other	
Total Payroll Expenses	224.7%
Public Safety	
Police Department	
K-9	0.0%
Legal Fees	0.0%
Auto Repair & Maintenance	31.2%
Equipment	0.0%
Equipment Repairs	0.0%
Fuel	11.7%
Investigation	0.0%
License & Support	80.0%
Office Supplies	0.0%
Telephone	14.3%
Testing Supplies	0.0%
Training	0.0%
Uniforms	0.0%
Utilities	0.0%
Police Department - Other	
Total Police Department	12.2%
Total Public Safety	12.2%
Public Works	
Street Lights	12.1%
Street Signs	0.0%
Debris Cleanup	0.0%

City of Cumby
Profit & Loss Budget vs. Actual
 October through December 2020

	TOTAL
	% of Budget
Mosquito Control	0.0%
Street Repair	0.0%
Total Public Works	3.2%
Seizure Expenditure	
Software	
Total Seizure Expenditure	
Water Deposit Refund	
Water/Sewer	
Vehicle Purchase	5.5%
Automobile Repairs	51.0%
Chemicals	
Covenience Fee W/S	
Deposit Refund	
Equipment Repairs	
Fuel	0.0%
Garbage Collection Fee	31.3%
Legal Fees	23.5%
Maintenance	0.0%
Office Supplies	16.1%
Operating Supplies	7.8%
Permit	104.1%
Postage	52.1%
Sales Tax Paid	33.3%
Seminars/Training	55.4%
Software	0.0%
Telephone	0.0%
Testing	23.8%
Tools & Equipment	0.0%
Utilities	0.3%
Total Water/Sewer	20.3%
Total Expense	48.5%
Net Ordinary Income	-6.2%
Net Income	-6.2%

STATEMENT OF ALL TAXES DUE

ACCT # 20-0017-000-005-00
 DATE 12/28/2020
 SP



HOPKINS COUNTY TAX OFFICE
 PO BOX 481
 SULPHUR SPRINGS, TX 75483
 (903) 438-4063

Property Description		PROP TYPE-A
LOT: 5 6, BLK: 17, TOWN: CUMBY		PCT OWNER-100.000
TOWN -	LOCATION-	204 W MILL ST
ACRES - .601		

Values			
LAND MKT VALUE	5,000	IMPR/PERS MKT VAL	10,890
LAND AGR VALUE		MKT. BEFORE EXEMP	15,890
EXEMPTIONS GRANTED:	NONE	LIMITED TXBL. VAL	15,890

PICKENS FREIDA
 309 STONEYBROOK

WYLIE TX 75098

	LEVY	P&I	ATTY FEES	AMT DUE
TAXES 2015	93.34	66.27	28.94	188.55
TAXES 2016	361.83	213.48	105.36	680.67
TAXES 2017	350.44	164.72	94.08	609.24
TAXES 2018	364.37	127.53	90.15	582.05
TAXES 2019	350.22	80.55	78.66	509.43
TAXES 2020	386.83	2.48-	.00	384.35
	-----	-----	-----	-----
	1,907.03	650.07	397.19	2,954.29
				=====
		TOTAL DUE 12/2020		2,954.29
		TOTAL DUE 01/2021		2,974.76
		TOTAL DUE 02/2021		3,019.81
		TOTAL DUE 03/2021		3,045.52

ACCT # 20-0017-000-005-00

BREAKDOWN OF TAX DUE BY JURISDICTION

JURISDICTION	LEVY	P&I	ATT FEES	TOTAL
COUNTY	447.85	142.99	73.74	664.58
HOSPITAL	213.88	81.85	38.40	334.13
CITY OF CUMBY	366.38	139.88	88.35	594.61
CUMBY ISD	878.92	285.35	196.70	1,360.97

TAX LEVY FOR THE CURRENT ROLL YEAR: COUN	99.30
TAX LEVY FOR THE CURRENT ROLL YEAR: HOSP	39.73
TAX LEVY FOR THE CURRENT ROLL YEAR: 0030	65.16
TAX LEVY FOR THE CURRENT ROLL YEAR: 0031	182.64
TOTAL TAX LEVY FOR THE CURRENT ROLL YEAR	386.83

UNDERGROUND UTILITY SUPPLY

3815 S. EASTMAN RD
 LONGVIEW, TX 75602
 903-757-2121 FAX 903-757-5252

QUOTATION

Date	ESTIMATE #
3/30/2020	10881

Name / Address
CITY OF CUMBY P. O. BOX 349 CUMBY, TX 75433

Disclaimer:
 SUBJECT TO OUR USUAL TERMS AND
 CONDITIONS OF SALE. ANY WARRANTY
 PROVIDED IS THAT OF THE
 MANUFACTURER.

ITEM #	Qty	PER	ITEM	DESCRIPTION	PRICE	TOTAL
(1)	1	EA	1500	*MASTER METER STARTER PACKAGE* (00-080-125-HMY) 3G Mobile Laptop Reading System, Hard Shell Case To include: Model 5x Semi-Rugged Laptop w/ AC/DC power supply, Hard Shell Carrying Case Kit (Hard Shell Case, laptop power supply, power cord) , 3G DMMR Receiver & Charger Includes 3G Tech.net Software with Mag Mount & Permanent Mount Antenna, Proper Communication Cable included with system, GPS Receiver. (RSS-HAR-A-TR2) Harmony Software System Training (Up to 2-days) (RSS-HAR-M-12) 1- Year- Harmony Mobile Annual Hosting & Support Based on a total of 1- 1500 services.* THIS PACKAGE ALSO INCLUDES: (48)- 5/8" x 3/4" 3G-DS Master Meters with reinforced plastic bottom- #B12-A11-A01-0101A-1	24,846.00	24,846.00
(2)	362	EA	5834MM3...	B12-A11-A01-0101A-1; 5/8" X 3/4" BLMJ 3G-DS RADIO READ MASTER METER WITH REINFORCED PLASTIC BOTTOM, USG- LEAD FREE	195.00	70,590.00
Subtotal			Sales Tax (0.00)		Total	

UNDERGROUND UTILITY SUPPLY

3815 S. EASTMAN RD
 LONGVIEW, TX 75602
 903-757-2121 FAX 903-757-5252

QUOTATION

Date	ESTIMATE #
3/30/2020	10881

Name / Address
CITY OF CUMBY P. O. BOX 349 CUMBY, TX 75433

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 MANUFACTURER.

ITEM #	Qty	PER	ITEM	DESCRIPTION	PRICE	TOTAL	
(3)	2	EA	1MM3GD...	1" 3G-DS RADIO READ BLMJ MASTER METER- LEAD FREE BODY WITH PLASTIC BOTTOM; USG; B16-A11-A01-0101A-1	285.00	570.00	
				UTILITY CURRENT BILLING SOFTWARE MUST BE ABLE TO IMPORT/EXPORT ROUTE DATA FILES. ALL COST, IF ANY, ASSOCIATED WITH A BILLING SOFTWARE UPGRADE TO ACHIEVE THIS CAPABILITY IS NOT INCLUDED IN THIS QUOTATION.			
				*AFTER FIRST YEAR: (RSS-HAR-M-12) Harmony mobile annual hosting & customer support for up to 1,500 services is \$1,200.00. THIS IS TO BE BILLED DIRECTLY FROM MASTER METER TO THE END USER.			
Subtotal		\$96,006.00	Sales Tax (0.00)		\$0.00	Total	\$96,006.00

UNDERGROUND UTILITY SUPPLY

3815 S. EASTMAN RD

LONGVIEW, TX 75602

903-757-2121 FAX 903-757-5252

QUOTATION

Date	ESTIMATE #
3/30/2020	10882

Name / Address
CITY OF CUMBY P. O. BOX 349 CUMBY, TX 75433

Disclaimer:
SUBJECT TO OUR USUAL TERMS AND
CONDITIONS OF SALE. ANY WARRANTY
PROVIDED IS THAT OF THE
MANUFACTURER.

ITEM #	Qty	PER	ITEM	DESCRIPTION	PRICE	TOTAL
(1)	410	EA	34MMB...	B12-A11-A03-0101A-1; 5/8" X 3/4" BLMJ MASTER METER WITH REINFORCED PLASTIC BOTTOM, USG- LEAD FREE	57.00	23,370.00
(2)	2	EA	1MMBMLF	B16-A11-A03-0101A-1; 1" BLMJ MASTER METER WITH REINFORCED PLASTIC BOTTOM, USG- LEAD FREE	129.00	258.00
Subtotal					\$23,628.00	
			Sales Tax (0.00)		\$0.00	
Total						\$23,628.00

BURNS ANDERSON JURY & BRENNER, L.L.P.

Attorneys and Counselors of Law
A Limited Liability Partnership which includes Professional Corporations

Telephone: 512/338-5322
Facsimile: 512/338-5363

From the Desk of:
KEN CAMPBELL
kcampbell@bajb.com

December 21, 2020

VIA CMRRR 7020 1810 0000 5304 0885
AND VIA EMAIL: cityofcumby@cumbytel.com

The Honorable Doug Simmerman

Mayor

City of Cumby

P. O. Box 349

Cumby, Texas 75433-0349

RE: Proposed Hunt County Emergency Services District No. 1
Our File No.: 019.23450

Dear Mayor:

As you know, I represent the Hunt County Fire Association in relation to the above matter. The citizens of the area served by the various Hunt County fire departments previously filed a petition with the County Judge of Hunt County, Texas for the formation of an emergency services district, a political subdivision of the State of Texas, pursuant to Chapter 775, Texas Health & Safety Code. The entire proposed district would be located wholly within Hunt County and contain the territorial limits and extraterritorial jurisdictions of all incorporated cities in Hunt County, with the exception of the territorial limits of the City of Commerce, the City of Greenville, the City of Josephine, and the City of Royse City.

Due to the COVID-19 Pandemic and its effects on all of our operations and the originally scheduled hearing on this matter on March 16, 2020 that was cancelled, it is now anticipated that the issue of the creation of this district will be presented to the voters at the May 2021 uniform election date. It is now anticipated the County will set a hearing and possible action on the petition at either its regular meetings of January 26, 2021 or February 9, 2021. While we have previously requested your city's consent, due to the change in the election date and the lack of the previously scheduled hearing, we are again requesting that you either consent or deny consent for your territorial and/or extraterritorial jurisdiction as discussed below.

I am again enclosing a copy of a map of the proposed district and a copy of the petition cover filed with the Hunt County Judge for your reference. According to our records,

portions of the proposed district contain territory within your municipality's territorial limits and/or extraterritorial jurisdiction. If you need a copy of the actual, signed petition filed with the County, please let me know.

Pursuant to § 775.014, before a district may be created that contains territory in a municipality's territorial limits or extraterritorial jurisdiction, a written request for that territory to be included in the district must be presented to the municipality's governing body after the petition has is filed under Section 775.015, Health & Safety Code.

This correspondence is to advise you of the filing of this petition with Hunt County and to request the written consent to include the territorial limits and/or extraterritorial jurisdiction of your municipality within the proposed district (only in Hunt County) as outlined on the enclosed map.

Your municipality's consent for the inclusion or exclusion of your territorial limits or extraterritorial jurisdiction is required on or before the 60th day after the date of your receipt of this letter. I would appreciate if you would place this matter on the council's docket for consideration as soon as possible and respond with your city's consent or denial of consent prior to this deadline so the election may proceed in a timely manner.

If you have any questions, or require additional information, please do not hesitate to contact Ryan Biggers, president of the Hunt County Fire Association and Fire Chief of Cash Volunteer Fire Department, 972/467-1173, or me at 512/338-5322.

Sincerely,

BURNS ANDERSON JURY & BRENNER, L.L.P.



Ken Campbell
KPC/

cc: **VIA EMAIL: bstovall@huntcounty.net**
The Honorable Bobby W. Stovall
County Judge
Hunt County
2507 Lee Street, Second Floor
Greenville, Texas 75401

VIA EMAIL: heather@scottraylaw.com
Daniel W Ray
Heather McNew Carter
Scott, Ray & Sullivan
2608 Stonewall Street
Greenville, Texas 75401

[ON CITY LETTERHEAD]

[DATE]

The Honorable Bobby W. Stovall
County Judge
Hunt County
2507 Lee Street, Second Floor
Cumby, Texas 75401

RE: Consent of the City of Cumby, Hunt County, Texas for the Inclusion of the Territorial Limits and Extraterritorial Jurisdiction of the City in the Proposed Hunt County Emergency Services District No. 1, Pursuant to Chapter 775, Texas Health & Safety Code.

Dear Judge Stovall:

This correspondence is to certify that at a meeting of the City Council of the City of Cumby, Texas, called and conducted in accordance with all applicable law, the Council approved the following motion by a vote of ____ “ayes” and ____ “nays:”

Pursuant to Section 775.014 of the Texas Health & Safety Code, the City of Cumby, Texas hereby consents to the inclusion of its territorial limits and extraterritorial jurisdiction within the proposed Hunt County Emergency Services District No. 1 as located in Hunt County, Texas.

Sincerely,

[NAME]
Mayor

ATTEST:

[NAME]

City Secretary

cc: Ken Campbell
BURNS ANDERSON JURY & BRENNER, L.L.P.
P. O. Box 26300
Austin, Texas 78755-6300

Daniel W Ray
Heather McNew Carter
Scott, Ray & Sullivan
2608 Stonewall Street
Greenville, Texas 75403-1353

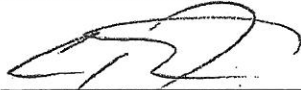
PETITION FOR THE CREATION OF HUNT COUNTY EMERGENCY SERVICES DISTRICT NO. 1

Pursuant to Texas Health and Safety Code, Chapter 775, the undersigned petitioners hereby petition for the creation of an emergency services district whose territorial boundaries would be those as further described in the attached Exhibit A, attached hereto and incorporated herein for all purposes. The proposed Hunt County Emergency Services District No. 1 is to be created and is to operate under Article III, Section 48-e, Texas Constitution, and Chapter 775, Texas Health & Safety Code, and will provide the emergency services set forth in Article III, Section 48-e, Texas Constitution, except for and specifically excluding emergency ambulance services. The creation of the proposed Hunt County Emergency Services District No. 1 complies with Sections 775.020 and 775.0205, Health and Safety Code.

The following are municipalities from which consent must be obtained under Section 775.014: Wolfe City, Commerce, Campbell, Neylandville, Lone Oak, West Tawakoni, Hawk Cove, Quinlan, Union Valley, Royse City, Caddo Mills, Celeste, Leonard, Cumby, Josephine, Ladonia, Farmersville, and Greenville.

The undersigned two petitioners obligate themselves to pay not more than \$150 of the costs incident to the formation of the proposed district, including the costs of publishing notices, election costs, and other necessary and incidental expenses.

OBLIGOR NO. 1



Signature

Chris Demite

Printed Name

2922 First ST

Mailing Address

CADDO MILLS TX 75135

City, State, Zip Code

Residence Address

12/04/1979

Date of Birth

12/04/2019

Date of Signing

1012774962

Voter Registration No.

OBLIGOR NO. 2



Signature

James Whitehead

Printed Name

5721 CR 3214

Mailing Address

Lone Oak TX 75453

City, State, Zip Code

5721 CR 3214

Residence Address

10/09/1974

Date of Birth

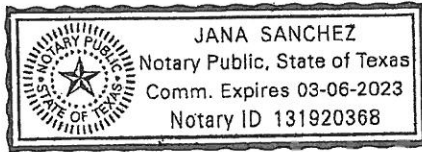
12/09/2019

Date of Signing

1012696522

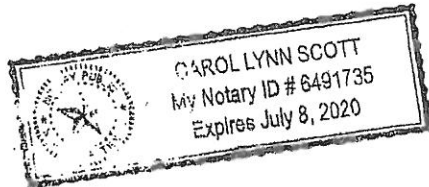
Voter Registration No.

SWORN TO AND SUBSCRIBED before me, the undersigned authority, by
Chris Summe, as Obligor No. 1, on this the 7 day of
December, 2019.



Jana Sanchez
NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS

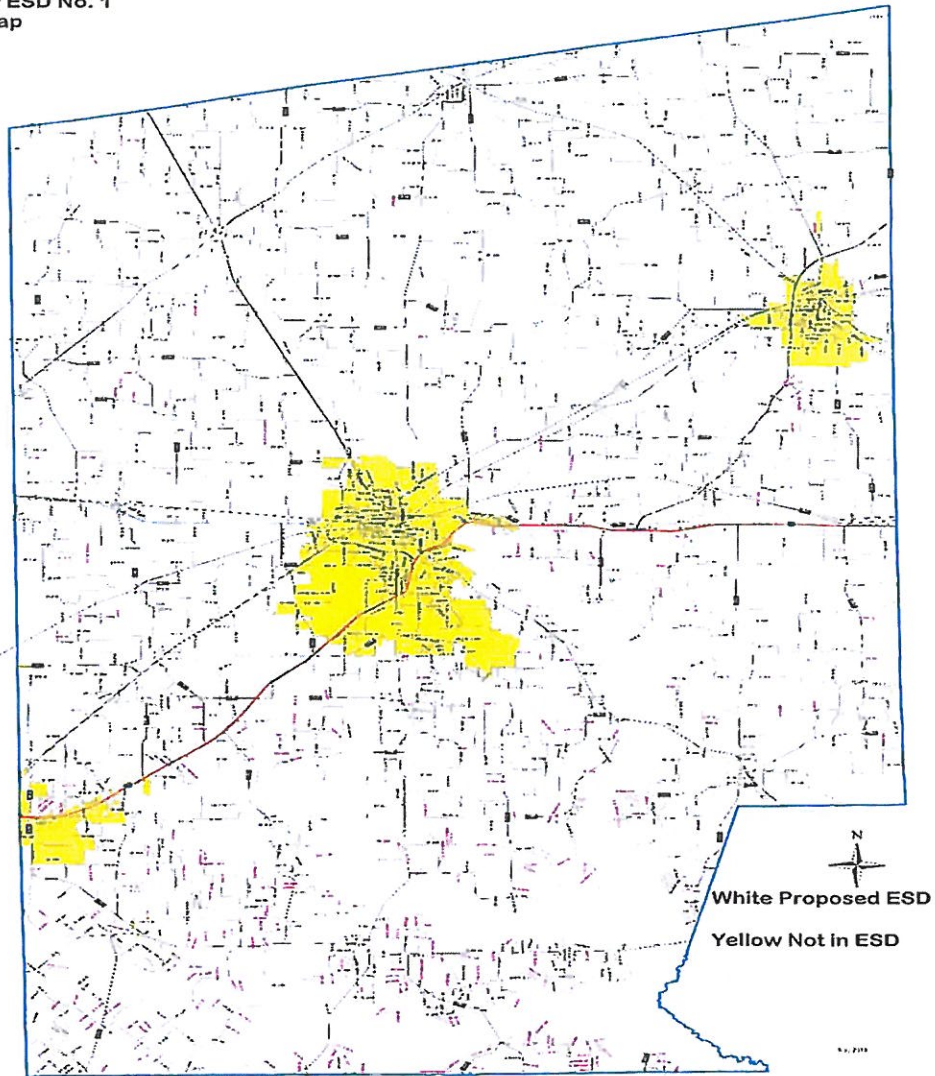
SWORN TO AND SUBSCRIBED before me, the undersigned authority, by
James Whitehead, as Obligor No. 1, on this the 9th day of
Dec., 2019.



Carol Scott
NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS

EXHIBIT A

Proposed
Hunt County ESD No. 1
Boundary Map



Description of the boundaries of the proposed Hunt County Emergency Services District No. 1: The entire territorial limits Hunt County, Texas, save and except for the territorial limits of the City of Commerce, the City of Greenville, the City of Josephine, and the City of Roysse City, Texas as such existed as of July 1, 2019.

MEMO

TxCDBG Grant Application - 2021/2022 CD Fund

The Texas Department of Agriculture will accept applications for a 2021/2022 CD Fund grant on May 3, 2021. Application scoring and match requirements have substantially changed since previous years, but it appears Cumby *may* have a somewhat competitive application for an infrastructure grant. If funded, Cumby may receive a grant award in the Fall of 2022. To be clear, the scoring and program changes have made it difficult to determine how competitive of an application Cumby may have and there is no certainty the City will receive a grant award if an application is submitted.

Cumby can apply for a \$350,000 grant and it will require a 5% match commitment. The City can apply for water, sewer, street, or drainage improvements in town to either benefit the entire City or a neighborhood that will meet the income requirements for the grant. The applications will require the FY 2019 audit be submitted with the. The cost to submit an application is expected to be nominal: the cost of three publications in the City's newspaper of record.

If the City decides to proceed with an application, the first official step in the process is to begin the professional procurement process and conduct a public hearing. Professional consultants are not anticipated to charge a fee to submit the application and their fees should be contingent upon the grant contract award and will be included in the grant project budget. Beginning the procurement process does not obligate the City to submit a grant application and the decision to formally submit an application will be presented at Council prior to submission.

Council should determine whether or not to pursue a new grant application for the 2021/2022 CDBG-CD cycle.

COMMUNITY DEVELOPMENT FUND - TDA



PLANNING

ABOUT THE PROGRAM

The Community Development Fund is the largest fund category in the TxCDBG Program. This fund is available on a biennial basis for funding through a competition in each of the 24 state planning regions.

PROGRAM OBJECTIVES

The goal of the Texas Community Development Block Grant Program is to develop viable communities by:

1. Improving public facilities to meet basic human needs.
2. Improve housing conditions.
3. Expanding economic opportunities by creating or retaining jobs.
4. Providing assistance for public facilities to eliminate conditions hazardous to the public health.

WHO CAN APPLY

Non-entitlement general purpose units of local government:

1. Non-entitlement cities in rural areas with a population less than 50,000.
2. Non-entitlement counties in rural areas with a population less than 200,000.

PROJECTS

Eligible projects may include:

1. Water and Sewer Improvements
2. Drainage Improvements
3. Gas System Improvements
4. Road/Street Improvements
5. Solid Waste Disposal/Landfills



FINANCING

AWARD AMOUNTS

Minimum = \$75,000.00

Maximum = \$350,000.00

THINGS TO KNOW

TDA established a Uniform Scoring Committee (USC) to develop statewide scoring objectives. On July 9, 2020 the Committee established the following scoring criteria:

1. Previous Funding (last 3 funding cycles) - 80 points
2. Match (based on population) - 50 points

Applications are scheduled to be submitted in the Spring of 2020, however an actual date has not yet be established.

POTENTIAL ACTIONS

Due to the time-consuming nature of the application process the following actions are recommended:

1. Initiate procurement for Administration and Engineering services for application preparation and program implementation.
2. Identify community needs and list of 3-4 projects with impact areas,
3. Evaluate necessity of property acquisition.



MANAGEMENT

OTHER INFORMATION

Our Team is ready to assist with this effort and will be available to answer your questions. In addition to securing funds to help meet your goals, you can count on us to plan, research, navigate and manage the entire process.

POINTS OF CONTACT

Jake McAdams
682-205-1058 x31
jmcadams@publicmgt.com

Kenneth Coignet
210-342-3621
kcoignet@publicmgt.com

Kay Howard
806-797-4299
kay@publicmgt.com

Nicholas Houston
281-592-0439 x24
nhouston@publicmgt.com

Patrick K. Wiltshire
281.592.0439 x28
pwiltshire@publicmgt.com

Improving the quality of life for your residents.

publicmgt.com

HOUSTON

15355 Vantage Pkwy W
Houston, TX 77032
T 281-592-0439
F 844-738-4802

GRANBURY

312 S Morgan St
Granbury, TX 76048
T 682-205-1058
F 844-738-4802

LUBBOCK

8207 Hudson St, Ste C
Lubbock, TX 79423
T 806-797-4299
F 806-797-6041

ABILENE

P.O. BOX 4161
Abilene, TX 79608
T 806-797-4299
F 806-797-6041

MCKINNEY

5100 Eldorado Pkwy
Ste 102 #323
McKinney, TX 75070
T 214-223-2848
F 281-674-8340

SAN ANTONIO

P.O. Box 762648
San Antonio, TX 78245
T 210-342-3621
F 844-738-4802

Ark-Tex Council of Governments - 5 Contracts Expected To Be Awarded Per Year						
Community	LMI Pop	LMI %	Prev. Fund. Years	Pre. Fund. Score	AMHI	B01003 Pop
Douglasville	150	56.67%		80	29,938	
Pecan Gap	230	43.48%		80	43,864	
Reno (Lamar County)	3,245	24.65%		80	65,924	
Domino	100	20.00%		80	51,250 (2015)	
Avery	435	62.07%	16	60	23,125	
Miller's Cove	190	63.16%	17	60	29,167	
Talco	560	72.32%	17	60	29,375	
Linden	2,095	56.32%	16	60	31,094	
Cooper	2,025	63.21%	20	60	31,529	
Bogata	1,190	40.34%	17	60	32,386	
De Kalb	1,585	45.74%	15	60	32,625	
Bloomburg	390	52.56%	20	60	33,243	
Paris	24,240	51.88%	16	60	33,824	
Como	770	55.84%	18	60	33,864	
Clarksville	2,995	71.62%	15	60	33,892	
Detroit	765	49.02%	15	60	35,000	
Omaha	895	37.99%	16	60	35,625	
Naples	1,445	52.60%	19	60	36,645	
Deport	495	41.41%	16	60	36,696	
Lone Star	1,555	58.52%	19	60	37,917	
Red River County	12,355	53.17%	20	60	37,955	
Atlanta	5,480	46.08%	17	60	39,000	
Daingerfield	2,705	40.48%	19	60	39,150	
Nash	3,085	47.33%	20	60	40,046	
Mount Vernon	2,645	47.64%	18	60	41,653	
Morris County	12,555	39.51%	19	60	42,961	
Hughes Springs	1,800	57.50%	15	60	42,981	
Cumby	810	30.86%	19	60	43,125	712
Sulphur Springs	15,375	48.46%	17	60	43,156	
Queen City	1,860	53.49%	19	60	43,516	
Lamar County	48,715	41.31%	18	60	43,562	
Blossom	1,255	37.45%	18	60	44,398	
Cass County	29,915	44.53%	19	60	45,345	
Delta County	5,155	44.91%	16	60	46,138	
Avinger	395	37.97%	20	60	46,719	
New Boston	4,670	49.14%	20	60	47,000	
Hooks	2,755	52.27%	15	60	47,434	
Bowie County	87,815	40.99%	20	60	47,505	
Redwater	1,125	42.22%	18	60	49,306	
Wake Village	5,480	45.16%	18	60	50,000	
Hopkins County	35,185	42.30%	18	60	51,877	
Franklin County	10,490	44.33%	20	60	52,944	
Maud	1,025	45.37%	17	60	56,458	
Winfield	485	48.45%	15,20	40	45,938	

2021-2022 Community Development Fund Regional Project Priority Scoring

State Planning Region	Ark-Tex Council of Governments
Date of Public Meeting	05/28/2020
List Names of Persons Responsible for Establishing Priorities (if a standing committee, identify name of committee or group rather than list individuals)	Ark-Tex COG Executive Committee

For each category of Project Priority, list the activities that qualify for the category, and the number of points assigned.

- Up to three categories may be identified, which may include “all other eligible activities”.
- All activities within a category will receive the same number of points.

Category	Activities	Number of Points (maximum 50 points)
First Priority	Water /Sewer; Yard lines; Streets/roads and bridges; Drainage; Septic tanks	50
Second Priority	Housing	25
Third Priority	all other eligible activities	10

As Presiding Officer of the [State Planning Region], I certify that the above Regional Project Priorities were established in accordance with 4 TAC 4 TAC §30.50(e)(1) for the 2021-2022 TxCDBG Community Development Fund.

L. D. Williamson
L. D. Williamson (Jun 2, 2020 08:25 CDT)

Red River County Judge,
ATCOG Board President

Jun 2, 2020

[Name, Title]

Date

2021-2022 CD Unified Scoring Criteria

What is the applicant's match amount? (50 points)

Methodology: If the project is for beneficiaries for the entire county, the total population of the county is used. For county applications in unincorporated areas, the population category is based on the actual number of beneficiaries to be served by the project activities. If the project serves beneficiaries for applications submitted by cities, the total city population is used. Data Source: Most recently available ACS 5-year Estimate, Table B01003

Applicant(s) population equal to or less than 1,500 according to most recent ACS data:

Match equal to or greater than 5% of grant request = 50 points

Match at least 4% but less than 5% of grant request = 40 points

Match at least 3% but less than 4% of grant request = 30 points

Match at least 2% but less than 3% of grant request = 20 points

Match less than 2% of grant request = 10 points

Applicant(s) population equal to or less than 3,000 but over 1,500 according to most recent ACS data:

Match equal to or greater than 10% of grant request = 50 points

Match at least 7.5% but less than 10% of grant request = 40 points

Match at least 5% but less than 7.5% of grant request = 30 points

Match at least 2.5% but less than 5% of grant request = 20 points

Match less than 2.5% of grant request = 10 points

Applicant(s) population equal to or less than 10,000 but over 3,000 according to most recent ACS data:

Match equal to or greater than 15% of grant request = 50 points

Match at least 11.5% but less than 15% of grant request = 40 points

Match at least 7.5% but less than 11.5% of grant request = 30 points

Match at least 3.5% but less than 7.5% of grant request = 20 points

Match less than 3.5% of grant request = 10 points

Applicant(s) population over 10,000 according to most recent ACS data:

Match equal to or greater than 20% of grant request = 50 points

Match at least 15% but less than 20% of grant request = 40 points

Match at least 10% but less than 15% of grant request = 30 points

Match at least 5% but less than 10% of grant request = 20 points

Match less than 5% of grant request = 10 points

Has the applicant been funded in the previous three (3) CD application cycles? (80 Points)

Methodology: Data source documentation will be reviewed and points will be assigned.

The applicant has not received funding during the previous three funding cycles (0x) = 80 points

The applicant has been funded once (1x during previous three funding cycles = 60 points

The applicant has been funded twice (2x) during the previous three funding cycles = 40 points

The applicant has been funded three times (3x) during the previous three funding cycles = 0 points

Tie Breaker:

In the event of a tie, applicants shall be ranked starting with the lowest median household income.

Data Source: Most recently available ACS 5-Year Estimates, Table DP03

ABOUT US

Public Management is more than a consultant. We do more than grant management and offer much more than typical planning services. We help communities, big and small, in the pursuit of prosperity.

CHAMPIONS FOR TEXAS TOWNS

Public Management was founded to help Texas communities navigate the challenges faced when pursuing prosperity for their cities and towns. We empower our clients to grow and improve the quality of life for their residents through sound planning, financing and management initiatives. We believe in the potential of every Texas city and town and **exist to build vibrant and sustainable communities.**

" Our mission is real and our passion is sincere. It's about impact, outcomes, and making a difference. "

PATRICK K. WILTSHIRE

DECADES OF EXPERIENCE

Public Management has been committed to aiding Texans since 1982. Our team collectively has decades of experience managing over 1,000 projects for more than 220 cities and towns across the State. With client funding ranging from \$10,000 to \$59 million, our people are equipped with the right tools and knowledge to ensure the successful follow through of a community's goals.



PATRICK K. WILTSHIRE

President and CEO

Fueled by the desire to make a positive impact on communities, Patrick has led more than \$200 million in projects for cities and towns throughout Texas.



KENNETH J. COIGNET

Vice President and Business Development Director

As an expert in planning and a master of customer service, Kenneth develops new business relationships and oversees the firms planning efforts.



JAKE MCADAMS

Regional Project Manager
North Texas

Overseeing all client relations and project management initiatives, Jake has the keen ability to evaluate client needs and develop a direct course of action.

OUR SERVICES

Discover the possibilities in your community. We're here to help plan, finance and manage every opportunity.



PLANNING

Let's start at the beginning—when your project is little more than a "What if?" Working together, we'll help define what's important and look ahead to what's next.

- Economic Development
- Subdivision & Zoning Ordinance
- Land Use
- Streets & Thoroughfares
- Capital Improvements
- Flood & Drainage
- Water & Waste Water
- Housing & Population
- Mapping
- Parks & Recreation
- Resilience & Mitigation



FINANCING

In addition to securing funds to help meet their goals, our clients count on Public Management to plan, research, navigate and manage the entire process.

- Community Development
- Disaster Recovery
- Comprehensive Planning
- Economic Development



MANAGEMENT

A little help and guidance can go a long way toward building your community. Whether it's for three months or thirty years, we'll show up, step up and go to work as an extension of your team.

- Project Management
- Construction & Labor Compliance
- Aquisition Services
- Municipal Administration
- Environmental Services

BY THE NUMBERS

OVERVIEW

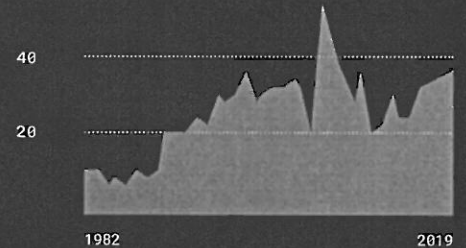
1982 - Present

\$514M
Total
Funding

223
Communities
Impacted

COMMUNITIES IMPACTED

1982 - Present



CLIENT FUNDING

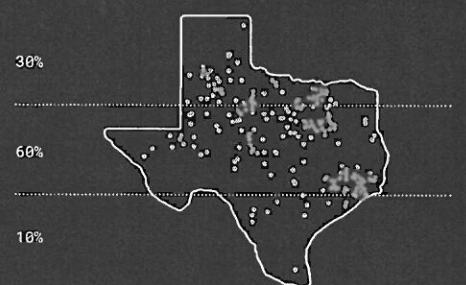
1982 - Present

\$2.3M
Average Client
Funding

\$13.8M
Average Annual
Client Funding

PROJECTS BY REGION

1982 - Present



RESOLUTION NO. 001-2014

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CUMBY, TEXAS REPEALING ANY PREVIOUS RESOLUTION OR INVESTMENT POLIC AND PROVIDING FOR INVESTMENT POLICY SCOPE, STANDARD OF CARE, INVESTMENT OBJECTIVES, DELEGATION OF AUTHORITY AND APPOINTMENT OF INVESTMENT OFFICER, ETHICS AND CONFLICTS OF INTEREST, AUTHORIZED INVESTMENTS, STRATEGIES, SAFEKEEPING AND CUSTODY, DIVERSIFICATION, INTERNAL CONTROLS, MARKET YIELD, REPORTING, ADOPTING AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Cumby acknowledges the high priority of providing necessary guardianship of public funds in the municipal sector; and,

WHEREAS, the City Council expressly intends to set high fiscal standards, delegate treasury and investment duties to appropriated officials, and to review the actual performance at regular intervals; and

WHEREAS, the City Council hereby intends to implement investment requirements set forth in the Texas Government Code, 2256.005, Public Funds Investment, Subchapter A – Public Funds Investment Act and Subchapter B – Investment of Public Funds;

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

SECTION 1. That the City of Cumby Investment Policy attached hereto as Exhibit “A” is the official policy of the City of Cumby, Texas.


SECTION 2. That the City Secretary shall serve as Investment Officer and this Resolution shall take effect immediately from its passage.

SECTION 3. All provisions of the resolutions of the City of Cumby in conflict with the provision of this Resolution are hereby repealed, and all other provisions of the Resolutions not in conflict with the provisions of this Resolution, shall remain in full force and effect.

PASSED AND APPROVED at a Regular Meeting of the City Council of the City of Cumby, Texas on this the 9th day of December, 2014.



Mayor



City Secretary

CITY OF CUMBY INVESTMENT POLICY

All investments made by the City of Cumby shall comply with the Public Funds Investment Act (Texas Government Code Chapter 2256, Subchapters A and B) and all federal, state and local statutes, rules or regulations.

INVESTMENT POLICY ADOPTION AND REVIEW

This policy shall be adopted by Resolution by the City Council and shall be reviewed not less than annually by the City Council. The Council shall adopt a written instrument stating that it has reviewed the investment policy and investment strategies and that the written instrument so adopted shall record any changes made to either the investment policy or investment strategies.

The Council shall perform a compliance audit of management controls on investments and adherence to the Council's established investment policies. The compliance audit shall be performed in conjunction with the annual financial audit.

SCOPE

This investment policy applies to the investment activities of the City of Cumby. All financial assets including all governmental funds, enterprise funds and other funds that may be created from time to time shall be administered in accordance with the provisions of these guidelines.

INVESTMENT AUTHORITY

The City Council shall designate one or more employees as investment officer(s) to be responsible for the investment of its funds pursuant to this policy. Authority granted to a person to invest City funds is effective until rescinded by the Council or until termination of the person's employment by the City.

Within 12 months after assuming duties, the investment officer(s) of the City shall attend at least one training session and receive not less than ten hours of training relating to their respective responsibilities under the Public Funds Investment Act. The investment officer(s) must also subsequently attend investment training not less than once in a two-year period and receive not less than ten hours of instructions relating to investment policies under the Public Funds Investment Act.

STANDARD OF CARE/INVESTMENT OBJECTIVES

Investments shall be made with the judgment and care, under prevailing circumstances that a person of prudence, discretion and intelligence would exercise in the management of his or her own affairs, not for speculation, but for investment, considering the probable safety of capital and the probable income to be derived. Investment strategies shall have as their primary objective safety, investment liquidity

and maturity sufficient to meet anticipated cash flow requirements. Investments shall be governed by the following objectives in order of priority:

1. Preservation and safety of principal;
2. Liquidity; and
3. Yield

In determining whether an investment officer has exercised prudence with respect to an investment decision, the following shall be taken into consideration:

1. The investment of all funds, rather than the prudence of a single investment, over which the officer had responsibility.
2. Whether the investment decision was consistent with the Council's written investment policy.

PERSONAL INTEREST

A City investment officer who has a personal business relationship with a business organization offering to engage in an investment transaction with the City shall file a statement disclosing the personal business interest. An investment officer who is related within the second degree by affinity or consanguinity, as determined by Government Code Chapter 573, to an individual seeking to sell and investment to the City shall file a statement disclosing that relationship with the City and with the Texas Ethics Commission. For purposes of this policy, an investment officer has a personal business interest with a business organization if:

1. The investment officer owns ten percent or more of the voting stock or shares of the business organization or owns \$5,000 or more of the fair market value of the business organization'
2. Funds received by the investment officer from the business organization exceed ten percent of the investment officer's gross income for the previous year; or
3. The investment officer has acquired from the business organization during the previous year investments with a book value of \$2,500 or more for the personal account of the investment officer.

QUARTERLY REPORTS

Not less than quarterly, the investment officer shall prepare and submit to the Council a written report of investment transactions for all funds covered by the Public Funds Investment Act. This report shall be presented to the Council not less than quarterly, within a reasonable time after the end of the period. The report must:

1. Contain a detailed description of the investment position of the City on the date of the report;
2. Be prepared jointly and signed by all City investment officers.

3. Contain a summary statement for each pooled fund group. The report must be prepared in compliance with generally accepted accounting principles and must state:
 - a. Beginning market value during the period;
 - b. Additions and changes to the market value during the period;
 - c. Ending market value for the period; and
 - d. Fully accrued interest for the reporting period.
4. State the book value and market value of each separately invested asset at the beginning and end of the reporting period by the type of asset and fund type invested.
5. State the maturity date of each separately invested asset that has a maturity date.
6. State the account or fund or pooled group fund in the City for which each individual investment was acquired.
7. State the compliance of the investment portfolio of the City as it relates to the City's investment strategy expressed in the City's investment policy and relevant provisions of law.

If the City invests in other than money market mutual funds, investment pools or accounts offered by its depository bank in the form of certificates of deposit, or money market accounts or similar accounts, the reports shall be formally reviewed at least annually by an independent auditor, and the result of the review shall be reported to the Council by that auditor.

AUTHORIZED INVESTMENTS

The City may purchase, sell and invest its funds under its control in investments described below, in compliance with its adopted investment policies and according to the standard of care set out in this policy. The Council shall permit investment of City funds in only the following investment types, consistent with the strategies defined in this policy:

1. Obligations of or guaranteed by, governmental entities as permitted by Government Code 2256.009.
2. Certificates of deposit and share certificates as permitted by Government Code 2256.010.
3. Fully collateralized repurchase agreements permitted by Government Code 2256.011.
4. Banker's acceptances as permitted by Government Code 2256.012.
5. Commercial paper as permitted by Government Code 2256.013.
6. Two types of mutual funds as permitted by Government Code 2256.014: money market mutual funds and no-load mutual funds.

7. A guaranteed investment contract as an investment vehicle for bond proceeds provided it meets the criteria and eligibility requirements established by Government Code 2256.015.
8. Public funds investment pools as permitted by Government Code 2256.016.

ELECTRONIC FUNDS TRANSFER

The City may use electronic means to transfer or invest all funds collected or controlled by the City.

SAFETY AND INVESTMENT MANAGEMENT

The main goal of the investment program is to ensure its safety and maximize financial returns within current market conditions in accordance with this policy. Investments shall be made in a manner that ensures the preservation of capital in the overall portfolio, and offsets during a 12-month period any market price losses resulting from the interest-rate fluctuations by income received from the balance of the portfolio. No individual investment transaction shall be undertaken that jeopardizes the total capital position of the overall portfolio.

LIQUIDITY AND MATURITY

The City's investment portfolio shall have sufficient liquidity to meet anticipated cash flow requirements.

DIVERSITY

The investment portfolio shall be diversified in terms of investment instruments, maturity scheduling, and financial institutions to reduce risk of loss resulting from over concentration of assets in a specific class of investments, specific maturity or specific issuer.

MONITORING MARKET PRICES

Monitoring shall be done monthly or more often as economic conditions warrant by using appropriate reports, indices, or benchmarks for the type of investment. The investment officer shall keep the Council informed of significant declines in the market value of the City's investment portfolio. Information sources may include financial/investment publications and electronic media, available software for tracking investments, depository banks, commercial or investment banks, financial advisors, and representatives/advisors of investment pools or money market funds.

SAFEKEEPING AND CUSTODY

The City shall retain clearly marked receipts providing proof of the City's ownership, or the City may delegate to an investment pool the authority to hold legal title as custodian of investments purchased with City funds. All investment transactions except

investment pool funds and mutual funds shall be executed on a delivery versus payment basis.

SELLERS OF INVESTMENTS

A written copy of the investment policy shall be presented to any person offering to engage in an investment transaction with an investing entity or to an investment management firm under contract with an investing entity to invest or manage the entity's investment portfolio. For purposes of this policy, a business organization includes investment pools and an investment management firm under contract with an investing entity to invest or manage the entity's investment portfolio. The qualified representative of the business organization offering to engage in an investment transaction with the City shall execute a written instrument in a form acceptable to the City and the business organization substantially to the effect that the business organization has:

1. Received and thoroughly reviewed the City investment policy; and
2. Has acknowledged that the business organization has implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the City and the organization that are not authorized by the City's policy.

The investment officer may acquire or otherwise obtain any authorized investment described in the City's investment policy from a person who has not delivered to the City the instrument described above.

BROKERS/DEALERS

Prior to handling investments on behalf of the City, brokers/dealers must submit required written documents in accordance with law. Representatives of broker/dealers shall be registered with the Texas State Securities Board and must have membership in the Securities Investor Protection Corporation (SIPC), and be in good standing with the National Association of Securities Dealers.

SOLICITING BIDS

In order to get the best return on its investments, the City may solicit bids in writing, by telephone or electronically.

INTERNAL CONTROLS

A system of internal controls shall be established and documented in writing and must include specific procedures designating who has authority to withdraw funds. Also, they shall be designed to protect against losses of public funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by employees and officers of the City. Controls deemed most important shall include:

1. Separation of transaction authority from accounting and record keeping and electronic transfer of funds.
2. Avoidance of collusion.
3. Custodial safekeeping.
4. Clear delegation of authority.
5. Written confirmation of telephone transactions.
6. Documentation of dealer questionnaires, quotations and bids, evaluations, transactions and rationale.
7. Avoidance of bearer-form securities.

These controls shall be reviewed by the City's independent auditing firm.

PUBLIC FUNDS INVESTMENT ACT ONLINE TRAINING

VIRTUAL LEARNING CONCEPTS ☒- PFIA ONLINE TRAINING

Virtual Learning Concepts (VLC) offers Public Funds Investment Act (PFIA) training online for Texas Municipal League (TML) members. This online course is the equivalent of the full ten hours of required training, but allows a participant to certify from the comfort of home or office. All material needed to complete the PFIA-Online course is included within the course. No additional books or other materials are required.

Members who choose the online option may enroll at any time and will have a full 90 days from the date of enrollment to complete the course. Testing will take place as sections of the material are completed. A certificate can be generated after all materials are completed.

FEES

TML is offering a \$25 discount coupon to all TML members who take PFIA-Online. TML members can receive a unique \$25 discount code and then register for the Virtual Learning Concepts PFIA course for \$250. To obtain a discount certificate, visit [Discount Certificate](#). If you already have your coupon and wish to register for PFIA-Online, [visit the VLC website](#).

CONSIDERATIONS

- When you arrive at the Virtual Learning Concepts page, scroll to the bottom of the page and select the “Add to Shopping Cart” icon to go to a page where you will be allowed to enter the TML coupon code and receive your discount. When you have purchased your course, you will then need to enter your personal information on that website so you can save your progress in the course over the ninety day period.
- VLC has developed a block unit option for cities that require training for three or more staff members. The block unit is designed to give you a significant savings over purchasing numerous courses individually. You may now purchase block units of training at a discount and have up to 365 days to complete the training. Visit [the VLC website](#) or call Virtual Learning Concepts at 877-337-0673 for additional information about this economical option.

PFIA VLC Discount Certificate codes for 2020	
Code	Months Code is Valid
TML20Q4	Oct-Dec 31

PFIA VLC Discount Certificate codes for 2021	
Code	Months Code is Valid
TML21Q1	Jan 1-March 31
TML21Q2	April 1-June 30
TML21Q3	July 1-Sept 30
TML21Q4	Oct-Dec 31

Legal Q&A

By Bennett Sandlin, TML General Counsel

October 2009

May a city invest its public funds?

Yes, a city may invest its public funds, but only if the city complies with Chapter 2256 of the Texas Government Code, the Public Funds Investment Act (Act).

What does the Act require of a city before a city may invest its public funds?

Before a city may invest its public funds, the Act generally requires the following:

1. A city must adopt a written investment policy.
2. A city may only invest its funds in investments authorized under its written investment policy.
3. Authorized investments must come from the list of proper investments under the Act.
4. An official from the city must complete training regarding the requirements of the Act.

What is the investment policy requirement?

A city must adopt a written investment policy by ordinance or resolution. TEX. GOV'T CODE §2256.005(a). Therefore, regardless of a city's population, it must have a written investment policy if it has any cash or bank investments. A formal policy protects not only the cash assets of the city, but also the elected and finance management officials.

An investment policy must contain a statement emphasizing safety and liquidity. TEX. GOV'T CODE §2256.005(b)(2). The policy must also include a list of authorized investments and the permitted maximum maturity of any individual investment, as well as the maximum weighted average maturity (WAM) of funds. TEX. GOV'T CODE §2256.005(b)(4)(a). The policy must also include the method used by the investing entity to monitor the market price of investments acquired.

Although the actual investment strategy for smaller cities is vastly different from that of larger cities, the primary objectives, which should direct any investment strategy, are safety and liquidity. Safety is the most important objective because public officials have a fiduciary responsibility to manage and maintain taxpayer funds. The Act requires city councils to invest public funds under their control with the same prudence and discretion as such entities would manage their own affairs.

Liquidity, the ability to sell or dispose of an investment, is equally important. Invested funds must be readily available if the need for cash arises and requires the city to liquidate the investment before maturity.

Yield refers to the rate of return received on a particular investment. Yield or income derived from an investment is important, particularly to a city grappling with declining or stagnant

revenues or tax base. However, 1995 amendments to the Act significantly revised the ranking of investment objectives and put yield in last place. The first priority for consideration is the suitability of the investment to the overall cash flow and financial requirements of the entity.

The Act requires that the governing body of an investing entity review its investment policy at least once a year. TEX. GOV'T CODE §2256.005(e). Moreover, the governing body must take formal action stating that the policy and strategy have been reviewed. Any changes to either the policy or strategy must be recorded in the resolution and the investment policy. Changed policies should be sent to all brokers, pools, and advisors. The investing entity must also designate by ordinance or resolution the employee or investment officer(s) who will be responsible for the investment of its funds. TEX. GOV'T CODE §2256.005(f). The policy also should refer to training seminars conducted by independent sources, such as the Texas Municipal League.

What is the training requirement under the Public Funds Investment Act?

The treasurer, the chief financial officer (if the treasurer is not the chief financial officer), and the investment officer of a local government must attend at least one training session in investment laws within 12 months after taking office. TEX. GOV'T CODE §2256.008. The Act is written in a way that requires all cities to appoint someone to one of these positions in order to receive the training. On a continuing basis, the investment training sessions must be attended at least once every two-year period for at least ten hours of instruction.

The entity that provides training must report to the state comptroller a list of the governmental entities that received training. Further, auditors and credit-rating agencies are increasingly paying attention to whether a city is up-to-date on its required training. The Texas Municipal League offers training, as do other entities. City officials may check for upcoming Public Funds Investment workshops under the "Training" tab on the TML Web site at www.tml.org.

If a city invests its funds in certificates of deposit only, does a city official still need to attend training in the Public Funds Investment Act?

Yes. The Public Funds Investment Act training requirement makes no exception or allowance for cities that don't invest, invest very little, or invest only in time deposits. TEX. GOV'T CODE §2256.008.

Certificates of deposit are considered investments under the Act, meaning that their purchase is not proper unless the city has adopted a written investment policy authorizing their use. TEX. GOV'T CODE §2256.010.

According to the Act, what are the legal investment tools that a city may include in its investment policy?

The Act limits the types of investments that a city may authorize under its investment policy. Essentially, an investment must be legal under the Act, *and* included in the city's investment policy, before a city may use that investment.

Following are the common legal investments under the Act (there are some additional legal investments that apply only to certain cities or entities):

1. **Governmental Obligations.** United States and State of Texas obligations, such as bonds, are legal investments. So are obligations of local governments, provided the obligations are “A” rated. Mortgage-backed obligations are not legal, however. TEX. GOV’T CODE §2256.009.
2. **Certificates of Deposit (CDs).** CDs are a legal investment provided they are issued by a bank with its main office or a branch office in Texas. TEX. GOV’T CODE §2256.010. CDs must be collateralized (secured) for amounts greater than FDIC insurance (\$250,000).
3. **Repurchase Agreements.** Certain fully-collateralized repurchase agreements are legal investments. TEX. GOV’T CODE §2256.011.
4. **Securities Lending Programs.** TEX. GOV’T CODE §2256.0115.
5. **Banker’s Acceptances.** TEX. GOV’T CODE §2256.012.
6. **Commercial Paper.** Commercial paper is a legal investment provided it has a maturity date of 270 days or less and is rated at least “A-1” or “P-1” by at least two credit rating agencies. TEX. GOV’T CODE §2256.013.
7. **Certain Mutual Funds.** TEX. GOV’T CODE §2256.014. (See below for details about legal mutual funds.)
8. **Guaranteed Investment Contracts.** Guaranteed investment contracts are legal investments if they have a defined termination date, are fully secured, and are pledged to the city. TEX. GOV’T CODE §2256.015.
9. **Investment Pools.** Investment pools are legal investment vehicles if: (a) the city council passes an ordinance or resolution authorizing investment pools; (b) the investment officer of the city receives a detailed prospectus from the pool; (c) the pool makes detailed periodic reports to the city; and (d) the pool is continuously rated “AAA” or “AAA-m.” TEX. GOV’T CODE §2256.016.

May a city invest in corporate stocks?

No. Stocks, also known as equities, are not listed among the legal investments under the Act.

Which mutual funds may a city invest in?

It depends. Whether a city can invest in a mutual fund and how much depends on the type of mutual fund in question. An outline of the law for each type of permissible mutual fund follows, but it is recommended that the investment officer read the statute in question before making the investment:

- 1) A city may invest in no-load money market mutual funds only if all the following are true:
 - a) the fund is registered and regulated by the Securities and Exchange Commission (SEC);
 - b) the fund provides a certain type of prospectus;
 - c) the fund has a dollar-weighted average stated maturity of 90 days or fewer;and

- d) the fund includes in its investment objectives the maintenance of a stable net asset value of one dollar per share.
- 2) A city may invest in no-load mutual funds (that is, non-money market) only if all the following are true:
- a) the fund is registered with the SEC;
 - b) the fund has an average weighted maturity of less than two years;
 - c) the fund invests exclusively in obligations already approved elsewhere in the Public Funds Investment Act (thus excluding most stock funds);
 - d) the fund is continuously rated as to investment quality by at least one nationally recognized investment rating firm of not less than AAA or its equivalent;
 - e) the city invests no more than 15 percent of its eligible funds in the mutual fund (that is, excluding city's bond and debt funds);
 - f) the city does not invest its bond or debt service funds in this type of fund; and
 - g) city investments do not exceed ten percent of the value of the fund. TEX. GOV'T CODE § 2256.014.

Of course, the Public Funds Investment Act does not permit investment of any city funds until the city adopts a written investment policy that authorizes each type of investment in question. A written investment policy that does not authorize mutual funds would thus exclude their use, despite state law.

What is the consequence of failure to comply with the Public Funds Investment Act training requirements?

Though the Act contains no penalty provision, auditors and credit-rating agencies are increasingly knowledgeable about the Act's requirements. Failure to obtain the necessary training could result in negative marks on the city's audit or a downgrade in a city's credit rating, which could affect municipal borrowing.