



**CITY OF HUTTO, TEXAS
REGULAR CITY COUNCIL MEETING
Thursday, November 7, 2019 AT 7:00 PM
CITY HALL - CITY COUNCIL CHAMBERS
500 WEST LIVE OAK**

CITY COUNCIL

Doug Gaul, Mayor
Tom Hines, Place 2, Mayor Pro-tem
Scott Rose, Place 1
Mike Snyder, Place 3
Peter Gordon, Place 4
Patti Martinez, Place 5
Tanner Rose, Place 6

AMENDED AGENDA

1. CALL SESSION TO ORDER

2. ROLL CALL

3. INVOCATION

4. PLEDGE OF ALLEGIANCE

5. CITY COUNCIL COMMENTS

Pursuant to Texas Government Code Sec. 551.0415, a member of the governance body may make an announcement about items of community interest during a meeting of the governing body without given notice of the subject of the announcement. Items of Community Interests include: (1) expressions of thanks, congratulations, or condolence; (2) information regarding holiday schedule; (3) an honorary or salutary recognition of public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition of the subdivision; (4) a reminder regarding social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the political subdivision; and (5) announcements involving imminent threat to the public health and safety of people in the political subdivision that has arisen after the posting of the agenda.

6. PROCLAMATIONS

6.A. Proclamation declaring November 30, 2019 as Shop Small Saturday

7. **PUBLIC COMMENT**

Any citizen wishing to speak during public comment may do so after completing the required registration form. In accordance with the Texas Attorney General's Opinion, any public comment that is made on an item that is not on the published final agenda will only be heard by the City Council. No formal action, discussion, deliberation, or comment will be made by the City Council. Comments must be courteous and respectful. Accordingly, concerns, complaints, and assertions of character regarding specific individuals, including any citizens, staff member, City Board or Commission member or City Council member shall not be raised in a public forum; but should be addressed separately and privately with the City Manager or individual member of the City Council. Any person who violates these rules will have their speaking time ended immediately. Any person, including persons in the audience, who acts in an inappropriate or disruptive manner may be asked to leave the City Council Chambers. Each person providing public comment will be limited to 3 minutes.

8. **EXECUTIVE SESSION**

The City Council for the City of Hutto reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above as authorized by the Texas Government Code Sections 551.071 [Litigation/Consultation with Attorney], 551.072 [Deliberations regarding real property], 551.073 [Deliberations regarding gifts and donations], 551.074 [Deliberations regarding personnel matters] or 551.076 [Deliberations regarding deployment/implementation of security personnel or devices] and 551.087 [Deliberations regarding Economic Development negotiations].

8.A. Executive Session, as authorized by Texas Government Code, Section 551.087, Deliberations regarding Economic Development, and Texas Government Code, Section 551.071, Consultation with Attorney, to discuss Project Expansion update.

9. **ACTION RELATIVE TO EXECUTIVE SESSION**

9.A. Action item related to Project Expansion update.

10. **CITY MANAGER COMMENTS**

10.A. Presentation of Monthly Financials and Travel Expenses (Michel Sorrell)

10.B. Presentation and video regarding the City of Hutto's Development Process. (Ashley Lumpkin)

11. **CONSENT AGENDA ITEMS**

11.A. Consideration and possible action on the final reading of an ordinance regarding the proposed annexation of the Pfeiffer Tracts, 27.97 acres, more or less, of land, and to establish base zoning as B-1 (Local Business), located on FM 685. (Ashley Lumpkin)

11.B. Consideration and possible action on a resolution authorizing the City manager to prepare a Municipal Service Plan for the proposed annexation of 10700 FM 1660 South, 156.136 acres, more or less, of land, the current site of both the City of Hutto existing South Wastewater Treatment Plant and the Saul House. (Ashley Lumpkin)

- 11.C. Consideration and possible action for the acceptance of infrastructure improvements for Hutto Crossing 4-9 (Tony Host).
- 11.D. Consideration and possible action on resolution authorizing the City Manager to approve funds for Fritz Park not to exceed \$4,927,029 (Jeff White).
- 11.E. Consideration and possible action on the conditional acceptance of the street, sidewalk, sidewalk ramps, water, wastewater and drainage improvements of Cross Creek Phase 1
- 11.F. Consideration and possible action approving the minutes of the October 17, 2019 Regular City Council Meeting and October 24, 2019 Special City Council Meeting
- 11.G. Consideration and possible action on a resolution to approve a contract renewal between the City of Hutto and Texas Materials in regard to the purchasing of aggregate for City street bond projects, and general maintenance projects.

12. RESOLUTIONS

- 12.A. Consideration and possible action on a resolution expressing official intent to reimburse expenses related to constructing, acquiring, improving, renovating, developing and equipping, land, buildings and supporting infrastructure for public safety and communication facilities and constructing, improving, extending, upgrading and/or developing streets, roads and intersections at U.S. FM 1660 North and Limmer Loop, FM 1660 at U.S. 79, FM 1660 South at U.S. 79 and other City Roads (Michel Sorrell)

13. ORDINANCES

- 13.A. Public hearing, discussion, and possible consideration and approval of the first reading of an ordinance to create Reinvestment Zone No. Two, City of Hutto, Texas, for the purpose of promoting redevelopment within the corporate limits of the City of Hutto.(Jessica Geray)
- 13.B. Consideration of a public hearing and possible action on the second and final reading of an ordinance regarding the proposed annexation of Cottonwood Creek, 46.68 acres, more or less, of land, and to establish base zoning as SF-1 (Single Family Residential), located on CR 199. (Ashley Lumpkin)
- 13.C. Consideration and possible action on reading of an ordinance authorizing the issuance and sale of one or more series of City of Hutto, Texas General Obligation Bonds, Series 2019C; authorizing the levy of an advalorem tax in support of said bonds; approving an official statement, the form of a paying agent/registrar agreement and related agreements; establishing procedures for selling and delivering of one or more series of bonds; and other matters related to the issuance of the bonds. (Michel Sorrell)

14. OTHER BUSINESS

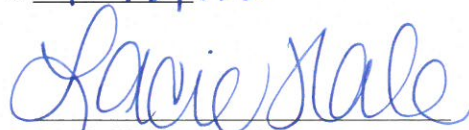
- 14.A. Consideration and possible action on EDC Investigation.
- 14.B. Consideration and possible action regarding audio recording in Executive Session.

- 14.C. Discussion and possible action on Financial Disclosure. (Alecia Mayberry Mosadomi, Assistant City Attorney)
- 14.D. Consideration of and possible appointments to City Boards and Commissions. (Lacie Hale)
- 14.E. Report back from Planning and Zoning Commission regarding zoning notifications.
- 14.F. Consideration and possible action on Alarm Permit Ordinance.
- 14.G. Discussion and possible action on Council Protocols.
- 14.H. Discussion and possible action on Police Metrics Update.
- 14.I. Discussion regarding sidewalks in Lakeside Estates.
- 14.J. Review of upcoming agenda items.
- 14.K. Consideration and possible action related to City Staff, Council travel and other financial matters.
- 14.L. Consideration and possible action on report regarding investigation for Place 3 Office of City Councilmember Mike Snyder.

15. **ADJOURNMENT**

CERTIFICATION

I certify that this notice of the November 7, 2019 Hutto City Council meeting was posted on the City Hall bulletin board of the City of Hutto on November 4, 2019 at 4:45pm


Lacie Hale, City Secretary

The City of Hutto is committed to comply with the American with Disabilities Act. The Hutto City Council Chamber is wheelchair accessible. Request for reasonable special communications or accommodations must be made 48 hours prior to the meeting. Please contact the City Secretary at (512) 759-4033 or lacie.hale@huttotx.gov for assistance.



OFFICIAL PROCLAMATION

WHEREAS, America's progress has been driven by pioneers who think big, take risks and work hard; and

WHEREAS, from the storefront shops that anchor Old Town to the high-tech startups that keep America on the cutting edge, small businesses are the backbone of our economy and the cornerstones of our nation's promise; and

WHEREAS, small business owners have energy and a passion for what they do; and

WHEREAS, when we support small business, jobs are created and local communities preserve their unique culture; and

WHEREAS, because this country's 28 million small businesses create nearly two out of three jobs in our economy, we cannot resolve ourselves to create jobs and spur economic growth in America without discussing ways to support our entrepreneurs; and

WHEREAS, the City of Hutto supports and joins in this national effort to help America's small businesses do what they do best, create jobs, and ensure that our communities remain as vibrant tomorrow as they are today.

NOW THEREFORE, I, DOUG GAUL, Mayor of the City of Hutto along with the Hutto City Council do hereby proclaim November 30th as National "Shop Small Saturday" in Hutto.

PROCLAIMED this 7th day of November, 2019

CITY OF HUTTO, TEXAS

Doug Gaul, Mayor

Regular City Council
**AGENDA ITEM
11.A.**



To: City Council
Subject: Consideration and possible action on the final reading of an ordinance regarding the proposed annexation of the Pfeiffer Tracts, 27.97 acres, more or less, of land, and to establish base zoning as B-1 (Local Business), located on FM 685. (Ashley Lumpkin)
Meeting: Regular City Council - 07 Nov 2019
Department: Development Services
Staff Contact: Ashley Lumpkin

BACKGROUND INFORMATION:

A Municipal Service Plan (MSP) has been drafted per the Council's directive from their regularly scheduled meeting on August 15, 2019.

Upon completion of the second and final reading of the annexation ordinance the annexation process is complete. An annexation ordinance requires a second reading prior to final approval.

All properties, upon annexation, and zoned in conformance with the Future Land Use Map. This tract will be zoned B-1 - Local/Neighborhood Commercial in conformance with the Commercial land use designation. If the property was not annexed and remained in the ETJ, the property could develop without development review from the City of Hutto, thus annexing and zoning property allows the City of Hutto to guide development and execute its adopted long-range plans.

Specifically, the B-1 District is defined as:

a setting for low-intensity retail uses, offices and personal services intended to serve residents of the adjacent neighborhood. B-1 zoned land should only be grouped together at the intersections of busier non-local streets. Incremental creation of strip commercial districts is discouraged. Site and building design standards are intended to encourage high quality development, promote internal and external pedestrian connectivity, and prevent potential harm to residential districts.

RECOMMENDATION:

Staff recommends that the Council approve the second and final reading of the ordinance.

ATTACHMENTS:

[\(Ord\)PfeifferTractAnnex-27.97ac\(Ord\)Complete](#)
[Pfeiffer Tracts Future Land Use Map](#)

ORDINANCE NO.

AN ORDINANCE ANNEXING CERTAIN HEREINAFTER DESCRIBED ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY OF HUTTO, TEXAS, TO WIT: 27.97 ACRES, MORE OR LESS, OF LAND, DESCRIBED IN EXHIBIT “A”, ALL OF SAID PROPERTY BEING SITUATED IN WILLIAMSON COUNTY, TEXAS, AND ALL ADJACENT ROADWAYS BEING FOR ANNEXATION; EXTENDING THE BOUNDARY LIMITS OF HUTTO SO AS TO INCLUDE SAID PROPERTY WITHIN HUTTO’S CITY LIMITS; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING THAT SUCH PROPERTY SHALL BECOME A PART OF THE CITY OF HUTTO AND THAT THE OWNERS AND INHABITANTS THEREOF SHALL BE ENTITLED TO THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BE BOUND BY THE ACTS, ORDINANCES, RESOLUTIONS AND REGULATIONS OF THE CITY NOW IN EFFECT AND THOSE WHICH ARE HEREINAFTER ADOPTED; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

WHEREAS, the City of Hutto, Texas (the “City”) is a duly constituted home-rule municipality and, as such, is authorized to annex territory subject to the laws of the State of Texas and subject to its Charter, and;

WHEREAS, pursuant to Section 43.028 of the Texas Local Government Code, the owners of a tract of land containing 27.97 acres, more or less, of land, being out of the N.D. Walling, Abstract No. 675 in Williamson County, Texas, and being more particularly described in **Exhibit “A”** attached hereto and made part hereof by reference for all purposes, have petitioned the City Council in writing to annex the Property, and;

WHEREAS, the procedures prescribed by the Charter of the City of Hutto and the applicable laws of the State of Texas have been duly followed with respect to the Property, and;

WHEREAS, the City Council of the City of Hutto by resolution directed the City’s Development Services Director to prepare a service plan that provided for the extension of full municipal services to the Property, and such service plan was duly prepared and described in **Exhibit “B”** attached hereto and made part hereof by reference for all purposes, and;

WHEREAS, such Property is (a) one-half mile or less in width; (b) contiguous to the City; and (c) vacant and without residents or on which fewer than three (3) qualified voters reside, and;

WHEREAS, after considering the public testimony received at each hearing, the City Council of the City of Hutto determines that annexation of the Property is proper in all respects and that such action is in the best interests of the community and its citizens, and;

WHEREAS, and every requirement set forth in Chapter 211, Sub-Chapter A., Texas Local Government Code, concerning public notices, hearings, and other procedural matters has been fully complied with, and;

WHEREAS, the City Council of the City of Hutto determines that the Property for annexation which is more fully described in **Exhibit “A”** should become annexed.

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

SECTION I.

That all of the above recitations are found to be true and correct and are incorporated into the body of this ordinance.

SECTION II.

That the Property described in the attached **Exhibit “A”**, together with adjacent roadways, be and is hereby annexed and brought within the corporate city limits of the City of Hutto, Texas, and same is hereby made an integral part hereof; and that the boundary limits of the City of Hutto be the same are hereby extended to include the above described territory within the city limits of the City of Hutto, and the same shall hereinafter be included within the territorial limits of the City of Hutto, Texas and designated as B-1 (Local Business) Zoning District.

SECTION III.

That the owners and present and future inhabitants of the area herein annexed be entitled to all rights and privileges of other citizens and property owners of the City of Hutto, and hereby bound by all acts, ordinances, resolutions and regulations of the City, and all other legal actions now in full force and effect and all those which may be hereafter adopted.

SECTION IV.

That the appropriate city official of the City of Hutto is hereby directed and authorized to perform or cause to be performed all acts necessary to correct the official maps and boundaries of the City of Hutto, heretofore adopted and amended, so as to include the aforementioned territory hereby annexed, be and are hereby amended as part of the City of Hutto, Texas, as required by law.

SECTION V.

That the Service Plan providing for extension of municipal services to the areas proposed to be annexed, attached hereto and incorporated herein as **Exhibit “B”**, is hereby approved.

SECTION VI.

That the City Secretary is hereby directed and authorized to file a certified copy of this ordinance in the Office of the County Clerk of Williamson County, Texas.

SECTION VII.

If any section, subsection, sentence, phrase, or word of this ordinance be found to be illegal, invalid or unconstitutional or if any portion of said Property is incapable of being annexed by the City, for any reason whatsoever, the adjudication shall not affect any other section, sentence, phrase, word, paragraph or provision of this ordinance or the application of any other section, sentence, phrase or provision of any other ordinance of the City. The City Council declares that it would have adopted the valid portions and applications of this ordinance and would have annexed the valid Property without the invalid part, and to this end the provisions of this ordinance are declared to be severable.

SECTION VIII.

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are hereby expressly repealed.

B. The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.

C. That City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this ordinance and the subject matter thereof were discussed, considered, and formerly acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

SECTION IX.

This ordinance shall take effect and be in force from and after its passage.

READ and APPROVED on first reading on this the **19th** day of **September, 2019** at a meeting of the Hutto, Texas City Council; there being a quorum present.

READ, PASSED and ADOPTED on second reading of ordinance this **7th** day of **November, 2019** at a meeting of the Hutto, Texas City Council; there being a quorum present.

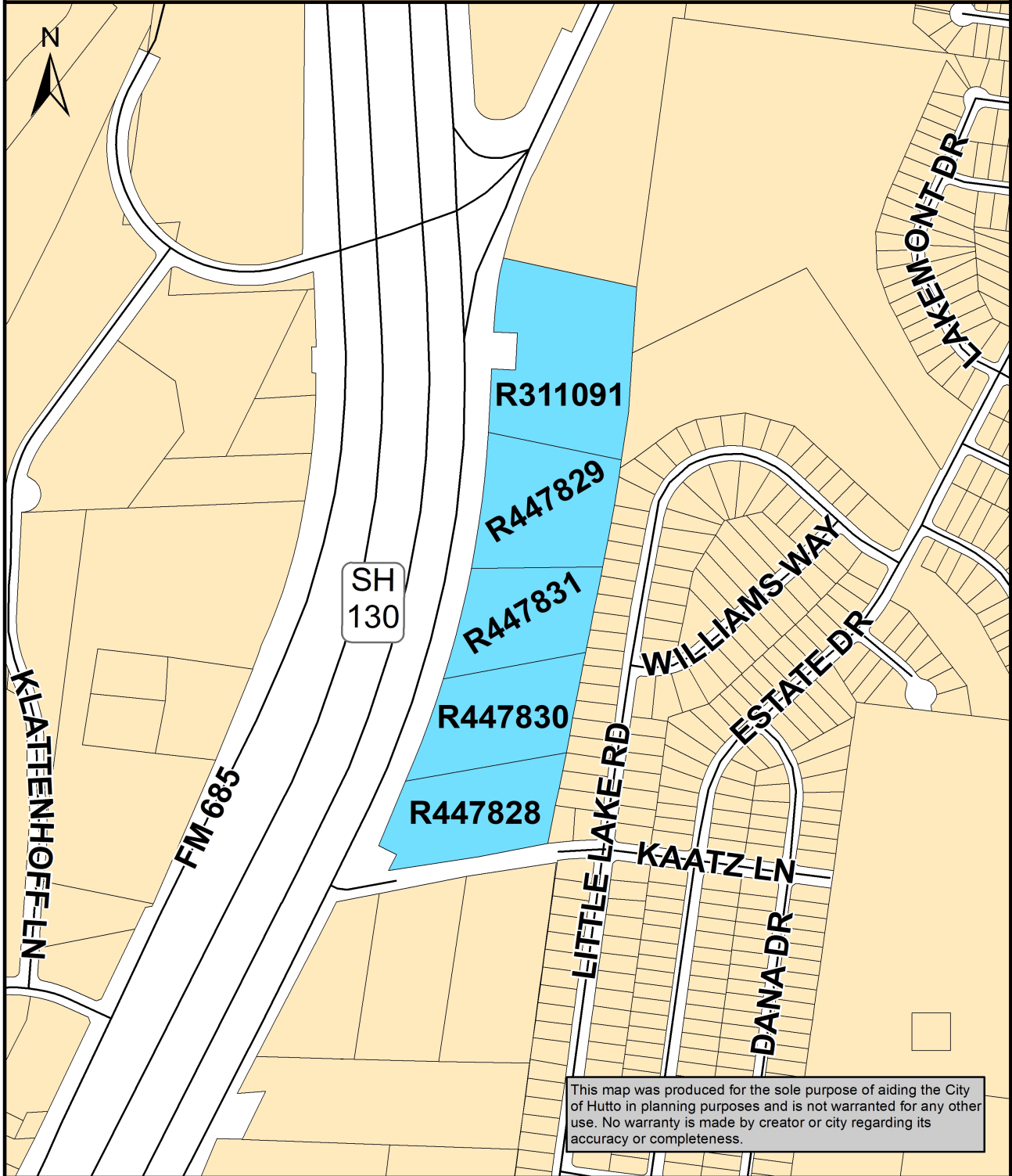
CITY OF HUTTO, TEXAS

Doug Gaul, Mayor

ATTEST:

Lacie Hale, City Secretary

Pfeiffer Tracts (27.97 acres)



This map was produced for the sole purpose of aiding the City of Hutto in planning purposes and is not warranted for any other use. No warranty is made by creator or city regarding its accuracy or completeness.

Map Document: (K:\SITE LOCATION MAPS\2019

Site Location Maps\FM_685\Pfeiffer_Tracts.mxd)

8/9/2019 -- 9:12:19 AM

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Feet

DESCRIPTION OF A 27.970 ACRE TRACT OF LAND
WILLIAMSON COUNTY, TEXAS

ALL THAT CERTAIN PARCEL OR TRACT OF LAND OUT OF THE N.D. WALLING SURVEY NO. 19, ABSTRACT NO. 675, SITUATED IN WILLIAMSON COUNTY, TEXAS; BEING THE REMAINDER OF THAT CALLED 51.06 ACRE TRACT AS CONVEYED TO CAROLYN PFEIFFER BY GENERAL WARRANTY DEED RECORDED IN VOLUME 1571, PAGE 383 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, AND ALL OF THAT CALLED 4.9935 ACRE TRACT AS CONVEYED TO CAROLYN R. PFEIFFER BY QUITCLAIM DEED RECORDED IN DOCUMENT NUMBER 2010027733, ALL OF THAT CALLED 4.9619 ACRE TRACT AS CONVEYED TO CAROLYN R. PFEIFFER BY QUITCLAIM DEED RECORDED IN DOCUMENT NUMBER 2010027734, ALL OF THAT CALLED 4.5314 ACRE TRACT AS CONVEYED TO CAROLYN R. PFEIFFER BY QUITCLAIM DEED RECORDED IN DOCUMENT NUMBER 2010027735, AND ALL OF THAT CALLED 5.6279 ACRE TRACT AS CONVEYED TO CAROLYN R. PFEIFFER BY QUITCLAIM DEED RECORDED IN DOCUMENT NUMBER 2010027736 ALL OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, WHICH INCLUDES A PORTION OF AN OLD COUNTY ROAD RIGHT-OF-WAY AS ABANDONED BY THE COMMISSIONERS COURT OF WILLIAMSON COUNTY, TEXAS, ON DECEMBER 2, 1997, AS RECORDED IN VOLUME 97, PAGE 193 OF THE MINUTES OF SAID COMMISSIONERS COURT OF WILLIAMSON COUNTY, TEXAS, AS AGENDA ITEM NUMBER 16; AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron rod found on the north right-of-way line of Kaatz Lane (right-of way width varies), at the southwest corner of Lot 1, Block K, Lakeside Estates, Phase 1-A, a subdivision as recorded in Cabinet R, Slides 394-397 of the Plat Records of Williamson County, Texas, being the southeast corner of the above described Pfeiffer 4.9935-acre tract, for the southeast corner and **POINT OF BEGINNING** of the herein described tract;

THENCE, with the north right-of-way line of said Kaatz Lane, S 78°47'57" W a distance of 634.46 feet to a 1/2-inch iron rod with aluminum cap stamped "TXDOT" found at the intersecting north right-of-way line of said Kaatz Lane with the east right-of-way line of Texas State Highway 130-Toll Road (right-of-way width varies), being the most southerly southwest corner of said Pfeiffer 4.9935-acre tract, for the most southerly southwest corner of the herein described tract, from which a 1/2-inch iron rod found bears, S 32°02'53" W a distance of 10.78 feet;

THENCE, with the east right-of-way line of said SH 130, N 26°21'26" E a distance of 88.06 feet to a 1/2-inch iron rod with cap stamped "BGE INC" set at an interior corner of said Pfeiffer 4.9935-acre tract, for an interior corner of the herein described tract;

THENCE, continuing with the east right-of-way line of said SH 130, N 63°38'35" W a distance of 77.17 feet to a 1/2-inch iron rod with cap stamped "BGE INC" at the most westerly southwest corner of said Pfeiffer 4.9935-acre tract, for the most westerly southwest corner of the herein described tract;

THENCE, continuing with the east right-of-way line of said SH 130, along a curve to the left an arc distance of 1,683.74 feet, having a radius of 4,142.56 feet, a central angle of 23°17'16" and a chord which bears N 14°34'56" E a distance of 1,672.17 feet to a 1/2-inch iron rod with cap stamped "BGE INC" set at the common west corner of the above described Pfeiffer 5.6279-acre tract and Pfeiffer remainder tract;

THENCE, continuing with the east right-of-way line of said SH 130, N 02°50'49" E a distance of 248.62 feet to a 1/2-inch iron rod found at an exterior corner of said Pfeiffer remainder tract, for an exterior corner of the herein described tract;

THENCE, continuing with the east right-of-way line of said SH 130, S 87°09'16" E a distance of 91.66 feet to a 1/2-inch iron rod with aluminum cap stamped "TXDOT" found at an interior corner of said Pfeiffer remainder tract, for an interior corner of the herein described tract;

THENCE, continuing with the east right-of-way line of said SH 130, N 02°50'43" E a distance of 144.38 feet to a 1/2-inch iron rod found at an interior corner of said Pfeiffer remainder tract, for an interior corner of the herein described tract;

THENCE, continuing with the east right-of-way line of said SH 130, N 87°09'16" W a distance of 91.66 feet to a 1/2-inch iron rod found at an exterior corner of said Pfeiffer remainder tract, for an exterior corner of the herein described tract;

THENCE, continuing with the east right-of-way line of said SH 130, N 02°50'44" E a distance of 49.13 feet to a cotton gin spindle found on the west line of said Pfeiffer remainder tract, at a point of curvature of a curve to the right;

THENCE, continuing with the east right-of-way line of said SH 130, along said curve to the right an arc distance of 248.56 feet, having a radius of 1,500.00 feet, a central angle of 09°29'40" and a chord which bears N 07°35'34" E a distance of 248.28 feet to a 1/2-inch iron rod with cap stamped "BGE INC" set at the southwest corner of a called 11.24 acre tract as conveyed to Dreamgirl, LP by special warranty deed recorded in Document Number 20098093521 of the Official Public Records of Williamson County, Texas, being the northwest corner of said Pfeiffer remainder tract, for the northwest corner of the herein described tract, from which a disturbed 1/2-inch iron rod with aluminum cap stamped "TXDOT" bears, along a curve to the right an arc distance of 332.99 feet, having a radius of 1,500.00 feet, a central angle of 12°43'09" and a chord which bears N 18°41'59" E, a distance of 332.30 feet;

THENCE, leaving the east right-of-way line of said SH 130, with the south line of said Dreamgirls 11.24-acre tract, S 77°48'35" E a distance of 523.11 feet to a 1/2-inch iron rod with cap stamped "CHAPARRAL 4995" found at the southeast corner of said Dreamgirls 11.24-acre tract, on the west line of Lot 74, Block K, Lakeside Estates Section Four, a subdivision as recorded in Cabinet X, Sides 201-204 of the Plat Records of Williamson County, Texas, for the northeast corner of the herein described tract;

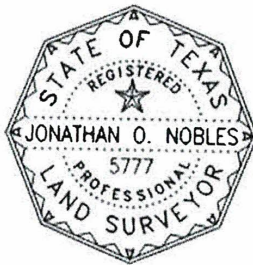
THENCE, with the west line of Lot 74, Block K, of said Lakeside Estates Section Four and the west line of Lot 24-AA, Block K, of the Amended Plat of Lot 24, Block K, Lakeside Estates, Phase 1-A and Lot 34, Block K, Lakeside Estates, Phase 1-B a subdivision as recorded in Cabinet V, Side 292 of the Plat Records of Williamson County, Texas, S 03°48'24" W a distance of 498.96 feet to a 1/2-inch iron rod with cap stamped "CHAPARRAL 4995" found on the west line of said Lot 24-AA, Block K;

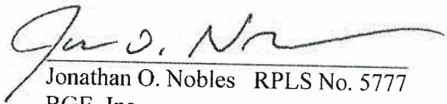
THENCE, continuing with the west line of said Lot 24-AA, Block K and the west line of Lakeside Estates, Phase 1-A a subdivision as recorded in Cabinet R, Slides 194-197 of the Plat Records of Williamson County, Texas, S 08°01'21" W, pass a 1/2-inch iron rod found at the northeast corner of said Pfeiffer 5.6279-acre tract at a distance of 190.59 feet and continuing on for a total distance of 394.87 feet to a 1/2-inch iron rod with cap stamped "CHAPARRAL 4995" found on the west line of Lot 20, Block K, of said Lakeside Estates, Phase 1-A;

THENCE, continuing with the west line of said Lakeside Estates, Phase 1-A, S 10°31'25" W, pass a 1/2-inch iron rod found at the common east corner of said Pfeiffer 5.6279-acre tract and the above described Pfeiffer 4.5314-acre tract at a distance of 223.64 feet and continuing on for a total distance of 588.70 feet to a 1/2-inch iron rod with cap stamped "BGE INC" set on the east line of the above described Pfeiffer 4.9619-acre tract, being on the west line of Lot 12, Block K of said Lakeside Estates, Phase 1-A;

THENCE, continuing with the west line of said Lakeside Estates, Phase 1-A, S 10°57'05" W pass a 1/2-inch iron rod found on the west line of Lot 5, Block K of said Lakeside Estates, Phase 1-A, at the common east corner of said Pfeiffer 4.9619-acre tract and said Pfeiffer 4.9935-acre tract at a distance of 377.32 feet and continuing on for a total distance of 731.12 feet to the **POINT OF BEGINNING** and containing 27.970 acres of land, more or less.

I hereby certify that these notes were prepared by BGE from a survey made on the ground on May 09, 2019 under my supervision and are true and correct to the best of my knowledge. Bearing orientation is based on the Texas State Plane Coordinate System, Central Zone, NAD 83.




Jonathan O. Nobles RPLS No. 5777
BGE, Inc.

5/13/2019
Date

7000 North Mopac, Suite 330
Austin, Texas 78731
Telephone: (512) 879-0400
TBPLS Licensed Surveying Firm No. 10106502

Date: May 13, 2019
Project No.: 6712-01-0040

**CITY OF HUTTO
MUNICIPAL SERVICE PLAN
FOR PROPOSED ANNEXATION OF**

EXHIBIT “B”

**77.92 acres, more or less, of land, out of the
John Kelsey Survey, Abstract No. 377, and the N.D. Walling Survey, Abstract No. 675, in
Williamson County, Texas.**

The City of Hutto, Texas will provide for the extension of full municipal services into the area proposed to be annexed in accordance with Texas Local Government Code §43.056.

FIRE

Existing Services: Williamson County Emergency Service District #3

Services to be Provided:

Provides fire suppression and emergency services to the area. Primary fire response will be provided by Williamson County Emergency Service District #3, located at the following address: 501 Exchange Boulevard. Fire code inspections and enforcement will be handled by Williamson County Emergency Services District #3 on behalf of the City of Hutto.

POLICE

Existing Services: Williamson County Sheriff's Department

Services to be Provided:

Upon annexation, the City of Hutto Police Department will extend regular and routine patrols to the area. It is anticipated that the implementation of police patrol activities can be effectively accommodated within the current budget and staff appropriations.

BUILDING INSPECTION

Existing Services: None

Services to be Provided:

The Development Services Department will provide Building Inspection Services and the Hutto Police Department will provide Code Enforcement Services upon annexation. The Development Services Department's role will include issuing building, electrical and plumbing permits for any new construction and remodeling, and enforcing all other applicable codes that regulate building construction within the City of Hutto. Fire code inspections and enforcement will be handled by Williamson County Emergency Services District #3 on behalf of the City of Hutto.

PLANNING AND ZONING

Existing Services: Review of subdivision development plans under City's Subdivision Ordinance. No municipal zoning or land use controls except for those imposed by State Law.

Services to be Provided:

The Hutto Development Services Department has responsibility for regulating development and land use through the administration of the City of Hutto's Zoning Ordinance, and this will extend to the area on the effective date of the annexation. The property will also continue to be regulated under the requirements of the City of Hutto's Subdivision Ordinance. These services can be provided within the departments' current budgets.

LIBRARY

Existing Services: None

Services to be Provided:

City Library privileges will be available to future residents in this area.

HEALTH DEPARTMENT - HEALTH CODE ENFORCEMENT SERVICE

Existing Services: Williamson Cities and County Health District

Services to be Provided:

Williamson Cities and County Health District will continue to implement enforcement of the health districts regulations on the effective date of annexation. Animal control services will also be provided to the area as needed by Hutto Animal Control Division of the Police Department.

STREET MAINTENANCE

Existing Services: Williamson County

Services to be Provided:

Maintenance and access to adjacent existing street facilities will be provided/overseen by appropriate City of Hutto departments.

STORM WATER MANAGEMENT

Existing Services: Williamson County Flood Plain Administrator

Services to be Provided

Developers will provide storm water drainage facilities as required of their development at their own expense and such will be inspected by the City's engineers at time of completion. The City of Hutto will then maintain the drainage in public rights of way upon approval of the construction. Property owners and/or Home Owner's Associations or similar entities will maintain drainage facilities located on private property. All construction within the flood plain will be through the appropriate Hutto department(s) and will meet FEMA Flood Plain regulations.

STREET LIGHTING

Existing Services: Oncor Electric Delivery

Services to be Provided:

There are no existing street lights in this area. The Developer will be responsible for initial installation and maintenance of street lighting, if required, within the development until such time as any internal streets have been accepted by the City Council.

TRAFFIC ENGINEERING

Existing Services: None

Services to be Provided:

The City of Hutto, through its appropriate departments, will be able to provide any necessary additional traffic control devices after the effective date of annexation.

WATER SERVICE

Existing Services: None

Services to be Provided:

Water service to the properties will be provided by Manville W.S.C.

SANITARY SEWER SERVICE

Existing Services: None

Services to be Provided:

Sanitary sewer service to the properties will be provided by City of Hutto.

SOLID WASTE SERVICES

Existing Services: None

Services to be Provided:

Solid waste collection shall be provided to the area of annexation in accordance with current ordinances. Service shall comply with existing City of Hutto policies, beginning with occupancy of structures.

PARKS AND TRAILS

Existing Service: None

Services to be Provided:

All City operated parks and trail systems will be available to the residents of this area upon annexation.

MISCELLANEOUS

Existing Services: None

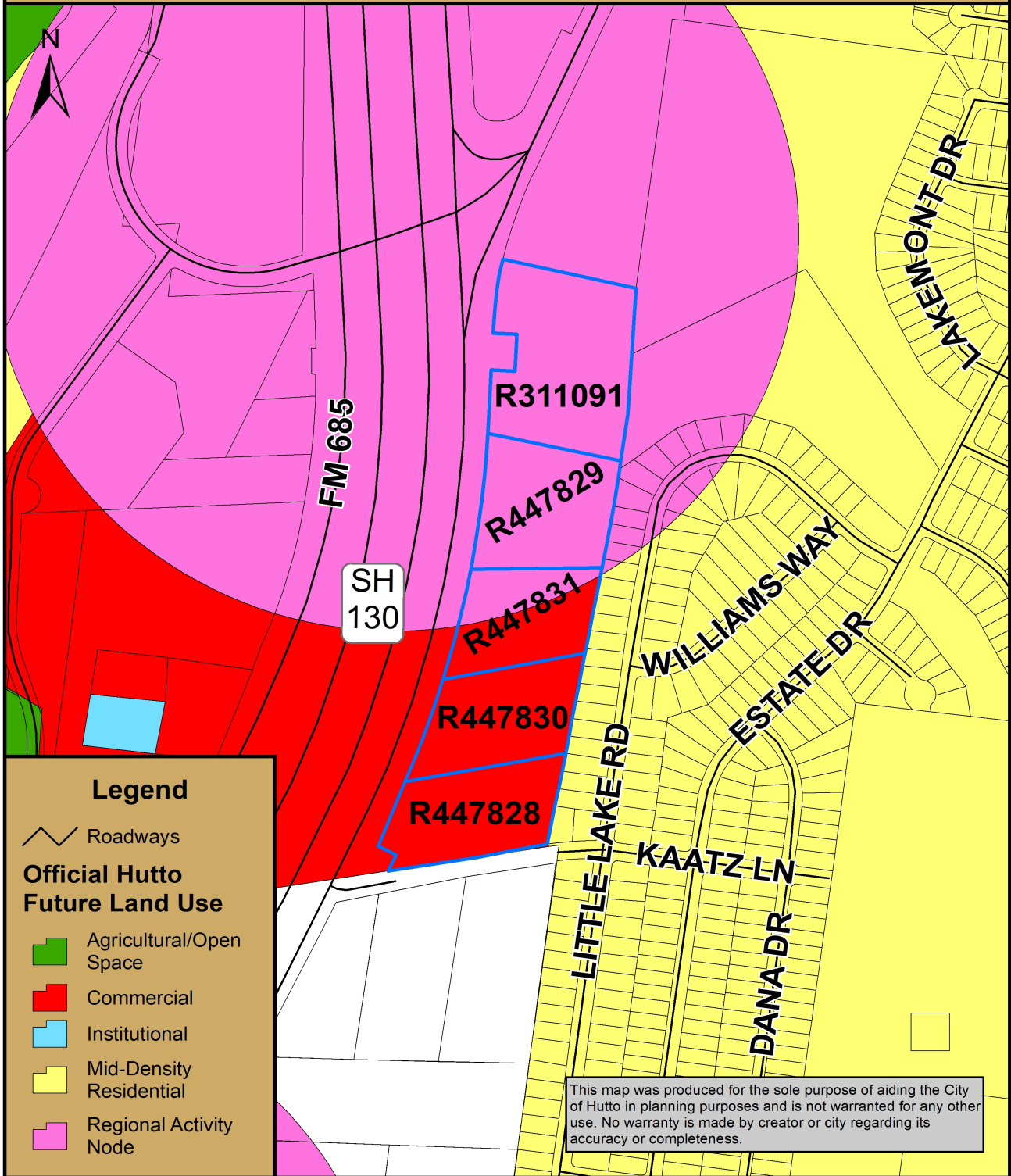
Services to be Provided:

All other applicable municipal services will be provided to the area in accordance with the City of Hutto's established policies governing extension of municipal services to newly-annexed areas.

NOTE:

Capital improvements sufficient for providing municipal services for the annexed area are in place such that the costs associated with the extension of service lines to proposed building sites within the area will be borne by owners and/or developers.

Pfeiffer Tracts (27.97 acres)

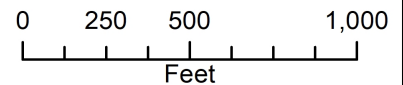


Map Document: (K:\SITE LOCATION MAPS\2019 Site Location

Maps\FM_685\Pfeiffer_Tracts_Future_Land_Use_Map.mxd)

10/31/2019 -- 11:16:37 AM

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Regular City Council
**AGENDA ITEM
11.B.**



To: City Council
Subject: Consideration and possible action on a resolution authorizing the City manager to prepare a Municipal Service Plan for the proposed annexation of 10700 FM 1660 South, 156.136 acres, more or less, of land, the current site of both the City of Hutto existing South Wastewater Treatment Plant and the Saul House. (Ashley Lumpkin)
Meeting: Regular City Council - 07 Nov 2019
Department: Development Services
Staff Contact: Ashley Lumpkin

BACKGROUND INFORMATION:

Per the Texas Local Government Code, a Municipal Service Plan (MSP) is required to be prepared for proposed annexation areas. This MSP essentially states that the annexed land will receive services from the City, including but not limited to Police and patrol services, utility service, planning and building inspection services, code enforcement, library privileges, and street maintenance. Only annexed land into the city limits is entitled to full services by the City. This MSP has gone through the applicable departments for review.

RECOMMENDATION:

Staff recommends that the Council approve the resolution.

ATTACHMENTS:

[\(Res\)10700FM1660S\(SWWTP-Saul\)Annex\(156.136ac\)-MSP\(Res\)](#)
[10700 FM 1660 South Future Land Use Map](#)

RESOLUTION NO.

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO PREPARE
A MUNICIPAL SERVICE PLAN FOR THE ANNEXATION OF THE
PROPERTY KNOWN AS “10700 FM 1660 SOUTH” (156.136 ACRES),
MORE OR LESS, OF LAND, MORE PARTICULARLY DESCRIBED IN
EXHIBIT “A”, AND ATTACHED HERETO.**

WHEREAS, Section 43.065(a) of the Texas Local Government Code requires that, within certain specified statutory timeframes, the Hutto City Council must authorize the City Manager to prepare a service plan that provides for the extension of full municipal services to the areas which are proposed for annexation, and;

WHEREAS, the service plan has been prepared and described in **Exhibit “B”**, and attached hereto.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS, hereby authorizes the City Manager to immediately prepare a service plan that provides for the extension of full municipal services, and described in **Exhibit “B”**, a copy of same being attached hereto and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this **7th** day of **November, 2019**.

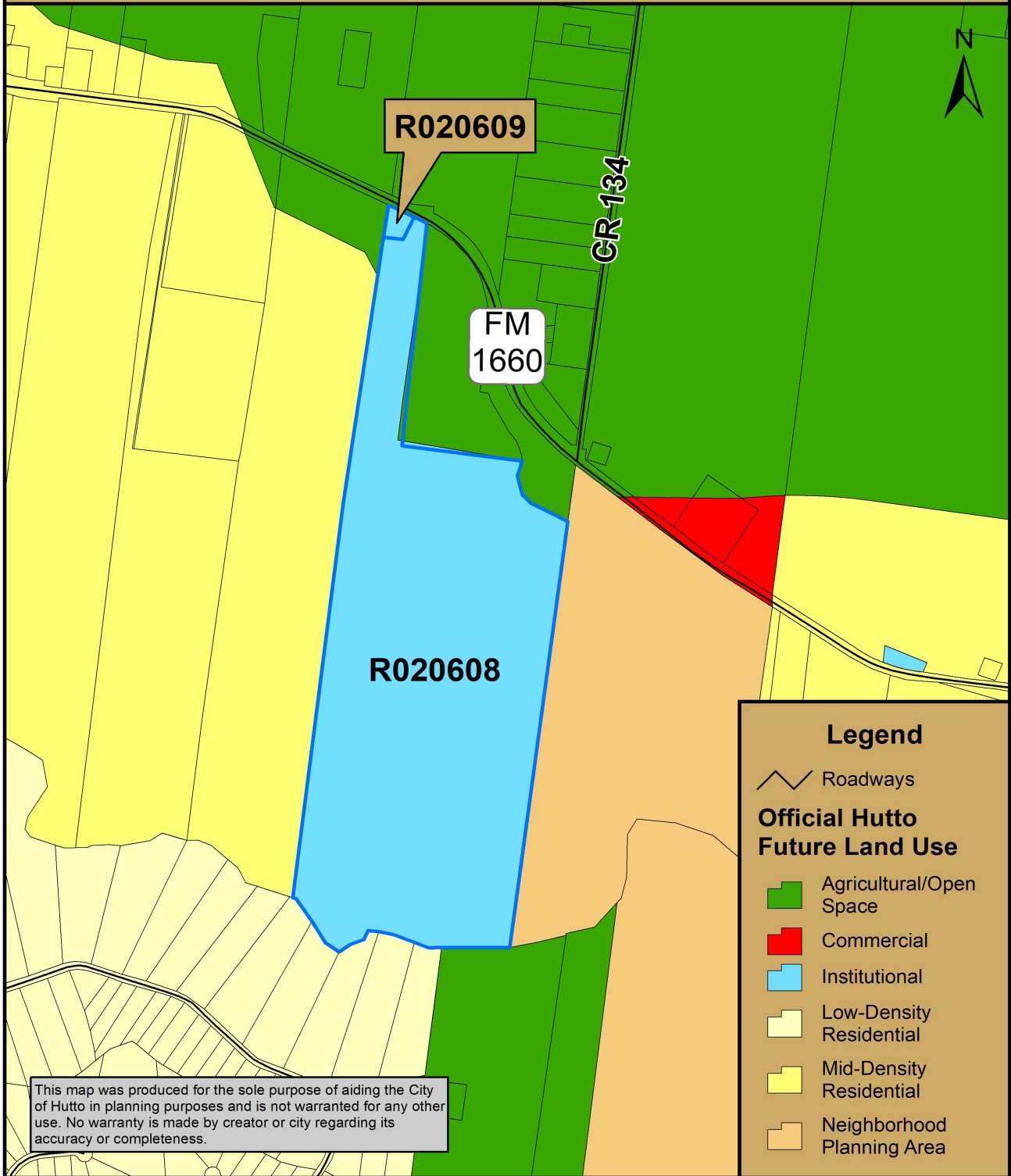
CITY OF HUTTO, TEXAS

Doug Gaul, Mayor

ATTEST:

Lacie Hale, City Secretary

10700 FM 1660 South (156.136 ac)



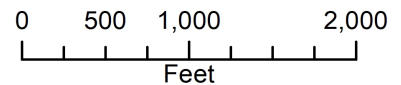
This map was produced for the sole purpose of aiding the City of Hutto in planning purposes and is not warranted for any other use. No warranty is made by creator or city regarding its accuracy or completeness.

Map Document: (K:\SITE LOCATION MAPS\2019 Site Location Maps\

FM_1660\10700_FM_1660_South_Future_Land_Use_Map.mxd)

10/31/2019 -- 8:23:55 AM

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Regular City Council
AGENDA ITEM
11.C.



To:

Subject: Consideration and possible action for the acceptance of infrastructure improvements for Hutto Crossing 4-9.

Meeting: Regular City Council - 07 Nov 2019

Department: Community Services

Staff Contact: Tony Host

ATTACHMENTS:

RESOLUTION NO. R-

A RESOLUTION ACCEPTING THE INFRASTRUCTURE IMPROVEMENTS FOR THE SUBDIVISION KNOWN AS “HUTTO CROSSING PHASE 4-9A”; IN THE CITY OF HUTTO, WILLIAMSON COUNTY, TEXAS.

WHEREAS, the infrastructure improvements for the Hutto Crossing Phase 4-9a Residential subdivision have been constructed and are ready for acceptance, and;

WHEREAS, a final inspection was conducted by the City’s Construction and Public Works staff of all roads, drainage, sidewalks, ADA ramps, water and wastewater improvements, and;

WHEREAS, all items have been constructed according to engineering plans and City codes and standards, and;

WHEREAS, Patin Construction, LLC submitted a warranty bond to cover the material and workmanship for two years,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS, hereby accepts the infrastructure improvements for Hutto Crossing Phase 4-9a

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

CONSIDERED and RESOLVED by the City Council of the City of Hutto on this the 7th day of **November, 2019.**

THE CITY OF HUTTO, TEXAS

Doug Gaul, Mayor

ATTEST:

Lacie Hale, City Secretary

Hutto Crossing Phase 4 Section 9A



SH
130

EXIT 423 NB

SHROPSHIRE LN

RAMBOUILLET LN

MERINO DR

SKYARK LN

HEREFORD LOOP

SIMMENTAL LOOP

SIMMENTAL LOOP

CYRIL DR

DUROC DR

KNOWLES DR

Legend

-  Hutto Crossing Phase 4 Section 9A
-  Hutto Parcels
-  Roadways



Hutto Crossing Phase 4 Section 9A



SH
130

EXIT 423 NB

SKYARK LN
HEREFORD LOOP
SHROPSHIRE LN
RAMBOUILLET LN
SIMMENTAL LOOP
MERINO DR
CYRIL DR
DUROC DR
KNOWLES DR

Legend

- Hutto Crossing Phase 4 Section 9A
- Hutto Parcels
- Roadways

0 150 300 450 600
Feet

Argonaut Insurance Company

Fidelity and Surety Department

Bond No.: SUR0046069

Maintenance Bond

KNOW ALL MEN BY THESE PRESENTS, THAT,

Patin Construction, LLC

Hereinafter called Principal, as Principal, and the Argonaut Insurance Company, A corporation organized and existing under the laws of the State of Illinois, with its principal office in the City of Chicago, hereinafter called the Surety, as Surety, are held and firmly bound unto

City of Hutto Public Works

Hereinafter called the Oblige, as Oblige, in the just and full sum of Two Hundred Eighty Nine Thousand Five Hundred Thirteen Dollars and Ninety-three Cents (\$289,513.93) of which sum, well and truly to be made we bind ourselves, and our heirs, administrators, executors, successors and assigns, jointly and severally, firmly by these presents.

Whereas, the Principal and the Oblige entered in to a written contract for the:
Hutto Crossing PH 4 Section 9A Paving, Drainage, Wastewater and water Improvements

And

Whereas, said contract provides that the Principal will furnish a Maintenance Bond in the penalty Of Ten Percent (10%) of the contract price conditioned to guarantee, for the period of Two Years from the date of final acceptance by City of Hutto Public Works against all defects in workmanship and materials which may become apparent during said period, and, Whereas, the said contract has been substantially completed,

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH that, if the Principal shall indemnify the Oblige for all loss that the Oblige may sustain by reason of any defective materials or workmanship which became apparent during the period of Two Years from the date of Final Acceptance by:

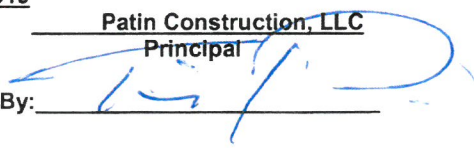
City of Hutto Public Works

from and after this date, then this obligation shall be null and void, otherwise to remain in full force and effect.

SIGNED, SEALED AND DATED THIS: 22nd October, 2019

Patin Construction, LLC

Principal

By: 

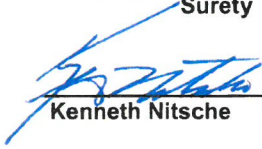
Argonaut Insurance Company

Surety



Canellia Doss

Witness


Kenneth Nitsche

Attorney-In-Fact

Argonaut Insurance Company
Deliveries Only: 225 W. Washington, 24th Floor
Chicago, IL 60606

United States Postal Service: P.O. Box 469011, San Antonio, TX 78246

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the Argonaut Insurance Company, a Corporation duly organized and existing under the laws of the State of Illinois and having its principal office in the County of Cook, Illinois does hereby nominate, constitute and appoint:

Robert James Nitsche

Their true and lawful agent(s) and attorney(s)-in-fact, each in their separate capacity if more than one is named above, to make, execute, seal and deliver for and on its behalf as surety, and as its act and deed any and all bonds, contracts, agreements of indemnity and other undertakings in suretyship provided, however, that the penal sum of any one such instrument executed hereunder shall not exceed the sum of:

\$50,000,000.00

This Power of Attorney is granted and is signed and sealed under and by the authority of the following Resolution adopted by the Board of Directors of Argonaut Insurance Company:

"RESOLVED, That the President, Senior Vice President, Vice President, Assistant Vice President, Secretary, Treasurer and each of them hereby is authorized to execute powers of attorney, and such authority can be executed by use of facsimile signature, which may be attested or acknowledged by any officer or attorney, of the Company, qualifying the attorney or attorneys named in the given power of attorney, to execute in behalf of, and acknowledge as the act and deed of the Argonaut Insurance Company, all bond undertakings and contracts of suretyship, and to affix the corporate seal thereto."

IN WITNESS WHEREOF, Argonaut Insurance Company has caused its official seal to be hereunto affixed and these presents to be signed by its duly authorized officer on the 8th day of May, 2017.

Argonaut Insurance Company



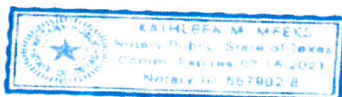
by: _____

Joshua C. Betz, Senior Vice President

STATE OF TEXAS
COUNTY OF HARRIS SS:

On this 8th day of May, 2017 A.D., before me, a Notary Public of the State of Texas, in and for the County of Harris, duly commissioned and qualified, came THE ABOVE OFFICER OF THE COMPANY, to me personally known to be the individual and officer described in, and who executed the preceding instrument, and he acknowledged the execution of same, and being by me duly sworn, deposed and said that he is the officer of the said Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and the said Corporate Seal and his signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said corporation, and that Resolution adopted by the Board of Directors of said Company, referred to in the preceding instrument is now in force.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed my Official Seal at the County of Harris, the day and year first above written.



Kathleen M. Maek
(Notary Public)

I, the undersigned Officer of the Argonaut Insurance Company, Illinois Corporation, do hereby certify that the original POWER OF ATTORNEY of which the foregoing is a full, true and correct copy is still in full force and effect and has not been revoked.

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed the Seal of said Company, on the 22nd day of October, 2019



James Bluzard
James Bluzard, Vice President-Surety

IMPORTANT NOTICE

To obtain information or make a complaint:

You may call Argonaut Insurance Company and its affiliates by telephone for information or to make a complaint:

ARGONAUT INSURANCE COMPANY

Please send all notices of claim on this bond to:

**Argo Surety Claims
(413) 773-6359**

**Deliveries Only: 225 W. Washington, 24th Floor, Chicago, IL 60606
United States Postal Service: P.O. Box 469011, San Antonio, TX 78246**

You may contact the Texas Department of Insurance to obtain information on companies, coverages, rights or complaints at:

1-800-252-3439

You may write the Texas Department of Insurance:

**P. O. Box 149104
Austin, TX 78714-9104
Fax: (512) 475-1771**

Web: <http://www.tdi.state.tx.us>

E-mail: ConsumerProtection@tdi.state.tx.us

PREMIUM OR CLAIM DISPUTES:

Should you have a dispute concerning your premium or about a claim you should contact your agent or Argo Surety first. If the dispute is not resolved, you may contact the Texas Department of Insurance.

ATTACH THIS NOTICE TO YOUR BOND:

This notice is for information only and does not become a part or condition of the attached document and is given to comply with Texas legal and regulatory requirements.



PROJECT CONSTRUCTION SUMMARY

PROJECT NAME: HUTTO CROSSING PHASE 4 SECTION 9A

FINAL ACCEPTANCE DATE: _____

INSPECTOR: TODD MEACKER/SLADE HARRIS

CONTRACTOR: PATIN CONSTRUCTION LLC.

Maintained By:	
COH	Other
Boxes checked by COH	

CONSTRUCTION COSTS

STREET IMPROVEMENT COST: \$ 591,058.05

SIDEWALK IMPROVEMENT COST: \$ 20,250.00

SIDEWALK RAMP IMPROVEMENT COST: \$ 38,400.00

BRIDGE IMPROVEMENT COST: N/A

POND(S) COST: N/A

DRAINAGE IMPROVEMENT COST: \$ 1,126,873.00

WATER IMPROVEMENT COST: \$ 507,882.50

WASTEWATER IMPROVEMENT COST: \$ 542,200.75

RESTORATION COST: \$ 68,475.00

TOTAL IMPROVEMENT COST: \$ 2,895,139.30

*minus temporary E/S controls and dry utilities

PREPARED BY (DESIGN ENGINEER): Ken Martin, P.E., Murfee Engineering

CHECKED BY (CITY INSPECTOR): _____

CONSTRUCTION SUMMARY FOR STREETS & SIDEWALKS

STREET PAVING							
STREET NAME	Address from	Address to	Pavement Design (Thickness) Asphalt / Base	Pavement Width (FT) (foc-foc)	L (FT)	PRIVATE	ETJ
KNOWLES DRIVE	900	1000	2/14	36	132		
SIMMENTAL LOOP			2/12	30	1,446		
MARIGOLD DRIVE			2/12	30	1,396		
NETTLE SWAP DRIVE			2/12	30	790		
STONE FORK LANE			2/12	30	690		
DOCKING IRON DRIVE			2/12	30	558		

SIDEWALKS / SIDEWALK RAMPS						
STREET NAME	Address from	Address to	W (FT)	L (FT)	SIDES ₁	CURB RAMP ₂
KNOWLES DRIVE	900	1000	5	155	N/S	4
SIMMENTAL LOOP			5	705	E/W	10
MARIGOLD DRIVE			5			6
NETTLE SWAP DRIVE			5			4
STONE FORK LANE			5			4
DOCKING IRON DRIVE			5			4

1 – Designates location of existing sidewalk (E, W, S, N, SE, SW, NE, NW of designated street)

2 – Number of Ramps

CONSTRUCTION SUMMARY FOR BRIDGES

BRIDGES / BRIDGE CLASS CULVERTS / DRAINAGE CULVERTS ACROSS ROW								
STREET NAME AND ADDRESS OR LOCATION	FEATURE CROSSED ₁	TYPE ₂	DESCRIPTION ₃	DECK		COST	PRIVATE	ETJ
				W (FT) ₄	L (FT) ₅			
	NONE							

1 – Feature Crossed: Creek name if major creek or branch, or roadway name if overpass.

2 – Type: B – Bridge, C – Culvert, P – Pipe. All crossings 20' and wider including multiple box culverts totaling 20' or wider shall be classified as a B – Bridge. Culverts are precast of cast-in-place box culverts. Pipes are smaller drainage pipe crossings with or without headwalls.

3 – Description: i.e. 2 spans (Bridge), 2 – 5 X 7' (Culverts), 2 – 24" RCP (Pipes).

4 – Deck Width: Use "footprint" of culvert/pipes for width on buried culvert/pipes; include full "out to out" dimension including sidewalks/railings for width of standard bridges.

5 – Deck Length: Measured along the centerline of the roadway

CONSTRUCTION SUMMARY FOR PONDS

PONDS						
POND TYPE ₁	LOCATION (ADDRESS OR LOT / BLOCK #)	SIZE (SY) ₂	DRAINAGE AREA (ACRES)	PRIVATE ₃	ETJ	COST
	NONE					

- 1 – BD = Bio–Detention
 D = Detention Only
 DSF = Detention / Sedimentation / Filtration
 F = Filtration Only
 S = Sedimentation Only
 SF = Sedimentation / Filtration
 SFI = Sedimentation / Filtration / Infiltration
 SI = Sedimentation / Irrigation
 WP = Wet Pond

2 – Approximate boundary area

3 – Provide copy of recorded agreement for privately maintained ponds

CONSTRUCTION SUMMARY FOR DRAINAGE

STORM DRAIN			MANHOLES			INLETS		
SIZE (IN)	MATERIAL TYPE	L (FT)	QTY	SIZE (Dia - FT)	MATERIAL TYPE	QTY	SIZE (L - FT)	TYPE ₁
18	RCP	1,747	2	4	CONC.	37	10	CURB
24	RCP	884	9	6	CONC.			
30	RCP	1,707	2	6	HDPE			
36	RCP	588						
42	RCP	196						
48	RCP	82						
54	RCP	258						
42	HDPE	745						
60 x 60	RCB	440						
72 x 60	RCB	282						

JUNCTION BOXES			OUTFALL STRUCTURES		
QTY	SIZE (FT x FT x FT)	MATERIAL TYPE ₂	QTY	SIZE ₃	DESCRIPTION ₄
6	7 x 7	CONC.	1	54" RCP	CONC. HEADWALL
1	8 x 7	CONC.	1	72" x 60" RBC	HEADWALL AND WINGWALLS
1	6 x 6	CONC			

CHANNEL			
LENGTH (FT)	BOTTOM WIDTH (FT)	SIDE SLOPE (FT/FT)	LINING MATERIAL TYPE
NONE			

- 1) Grate, Area, Curb, Recessed Curb, Combination, Slotted Drain
- 2) Cast-in-Place, Precast
- 3) Pipe size / Culvert Size
- 4) Headwall, Wing Walls, Gabions

CONSTRUCTION SUMMARY FOR WATER

VALVES INSTALLED			PIPE			FIRE HYDRANTS		
SIZE	DESCRIPTION	NO.	SIZE	TYPE	LENGTH	SIZE	TYPE	NO.
8"	GATE	12	8"	PVC	3,355	5 1/4"		7
12"	GATE	10	12"	PVC	1,155			
4"	GATE	1	4"	PVC	636			
AIR RELEASE								
SIZE	TYPE	NO.						
1"	ARV	8						
			SERVICES INSTALLED					
			NO.	TYPE				
			22	SINGLE				
			37	DOUBLE				
			2	1" IRRIGATION				

REMARKS:

CONSTRUCTION SUMMARY FOR WASTEWATER

PIPE			MANHOLES					
SIZE	TYPE	LENGTH	DEPTH	MAKE	STA. NO.	B.C.	EYE	STREET
8"	SDR-26	4,454	15.5	CONC.	1+00			SIMMENTAL LOOP
			13.5	CONC.	4+56			SIMMENTAL LOOP
			15	CONC.	5+46			SIMMENTAL LOOP
			15	CONC.	6+41			SIMMENTAL LOOP
			15	CONC.	7+33			SIMMENTAL LOOP
			15	CONC.	8+46			SIMMENTAL LOOP
			15.4	CONC.	9+63			SIMMENTAL LOOP
			15.4	CONC.	10+05			SIMMENTAL LOOP
			15.9	CONC.	11+38			SIMMENTAL LOOP
			15.3	CONC.	12+24			SIMMENTAL LOOP
			11.4	CONC.	13+04			SIMMENTAL LOOP
			8.7	CONC.	13+36			SIMMENTAL LOOP
			12.3	CONC.	1+41			NETTLE SWAP DRIVE
			10.6	CONC.	5+77			NETTLE SWAP DRIVE
			10.3	CONC.	4+18			NETTLE SWAP DRIVE
			9.8	CONC.	5+36			NETTLE SWAP DRIVE
			6.5	CONC.	8+74			NETTLE SWAP DRIVE
			6.5	CONC.	8+90			NETTLE SWAP DRIVE
			5.6	CONC.	-0+93			MARIGOLD DRIVE
			6.5	CONC.	2+20			MARIGOLD DRIVE
			6.6	CONC.	2+85			MARIGOLD DRIVE
			6.8	CONC.	3+30			MARIGOLD DRIVE
			7.5	CONC.	4+91			MARIGOLD DRIVE
			9.1	CONC.	8+52			MARIGOLD DRIVE
			7.6	CONC.	9+47			MARIGOLD DRIVE

			6.5	CONC.	10+11			MARIGOLD DRIVE
			5.2	CONC.	10+77			MARIGOLD DRIVE
			4.9	CONC.	10+98			MARIGOLD DRIVE
			14.0	CONC.	1+34			STONE FORK LANE
			13.7	CONC.	1+54			STONE FORK LANE
			12.8	CONC.	2+28			STONE FORK LANE
			11.3	CONC.	3+36			STONE FORK LANE
			8.3	CONC.	7+28			STONE FORK LANE
			11.5	CONC.	3+49			DOCKING IRON DRIVE
			9.5	CONC.	5+38			DOCKING IRON DRIVE
SERVICES INSTALLED			11.2	CONC.	0+85			KMOWLES DRIVE
NO.	TYPE – S / D		T8YPE OF MANHOLE COATING:					
38	S							
32	D							

REMARKS:

PROJECT NAME _____ WORK ORDER # _____
WWW JOB I.D. _____ SUBDIVISION FILE # _____

[illegible]

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ENGINEER'S CONCURRENCE FOR PROJECT ACCEPTANCE

PROJECT: Hutto Crossing Phase 4, Section 9A Street, Drainage, Wastewater and Water Improvements

Owner/Developer's Name and Address

Hutto Option Mezz Holdings, LLC
c/o PCCP, LLC
555 California St., suite 3450
San Francisco, CA 94104

Consultant Engineer's Name and Address

Kenneth W. Martin, P.E.
Murfee Engineering Company, Inc.
1101 Capital of Texas Highway South
Building D
Austin, Texas 78746

This is to certify that I, the undersigned professional engineer, visually reviewed the progress of the aforementioned project on October 11, 2019 and during construction prior to that and the construction appears to be complete in accordance with the approved plans with the exception of Oncor's energizing of the street lights. No other discrepancy or deviation from the approved construction plans exists which may materially affect the usefulness of the work for the purpose and life intended for the project by design. I, therefore, recommend acceptance of the improvements by the City of Hutto.



Kenneth W. Martin
Signature

10/16/2019
Date

65971
Texas Registration Number

Regular City Council
**AGENDA ITEM
11.D.**



To:

Subject: Consideration and possible action on Fritz Park Bond items not to exceed \$4,927,029.

Meeting: Regular City Council - 07 Nov 2019

Department: Parks and Recreation

Staff Contact: Jeffrey White

BACKGROUND INFORMATION:

In 2018, Hutto residents approved Prop C on the ballot related to Parks and Recreation Facilities. This request is to allow the City Manager to execute various vendor agreements to include a all accessible playground, splash pad, pre-fabricated restroom, shade structures, site amenities, party pavilion, retention pond, and other general construction improvements such as pavilion update, basketball court renovation, walking trail/path, etc...

FINANCIAL IMPACT:

Funds have been allocated in line item 60-060-175-6621.

POLICY IMPLICATIONS:

Not applicable.

ATTACHMENTS:

[Playground](#)

[image003](#)

[image001](#)

[Fritz Park B1039STCE2 Prelim 10-9-2019](#)

[LS100-OVERALL](#)

[Resolution](#)

RESOLUTION NO.

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO
EXECUTE CONTRACTS FOR PARK IMPROVEMENTS AT
FRITZ PARK.**

WHEREAS, the City of Hutto desires to improve quality of life for its citizens by having park facilities that can be used for children, youth, teens, and adults; and

WHEREAS, the City will be adding a new splash pad, restroom, party pavilion, shade, all accessible playground. Park updates, and more to Fritz Park; and

WHEREAS, the project will set an amount not to exceed \$4,927,029.

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

CONSIDERED and RESOLVED by the City Council of the City of Hutto on this the _____ day of _____, **2019**

THE CITY OF HUTTO, TEXAS

Doug Gaul, Mayor

ATTEST:

Lacie Hale, City Secretary



Fritz Park Color Option 5

Hutto, TX
61_43760600209





Page 3 of 15

Fritz Park Color Option 5

Hutto, TX
61_43760600209





Fritz Park Color Option 5

Hutto, TX
61_43760600209





Fritz Park Color Option 5

Hutto, TX
61_43760600209





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Fritz Park Color Option 5

Hutto, TX
61_43760600209





Fritz Park Color Option 5

Hutto, TX
61_43760600209



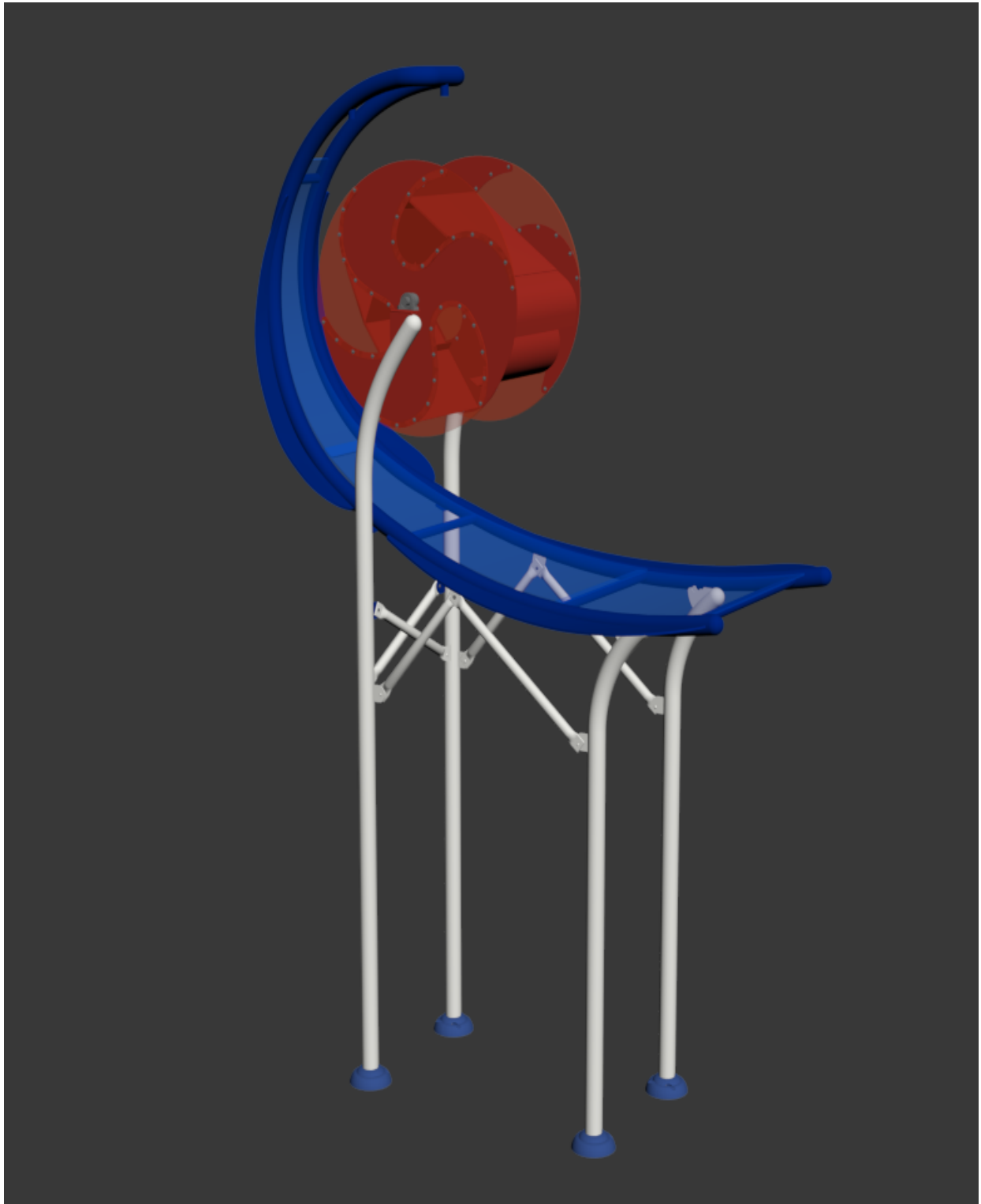


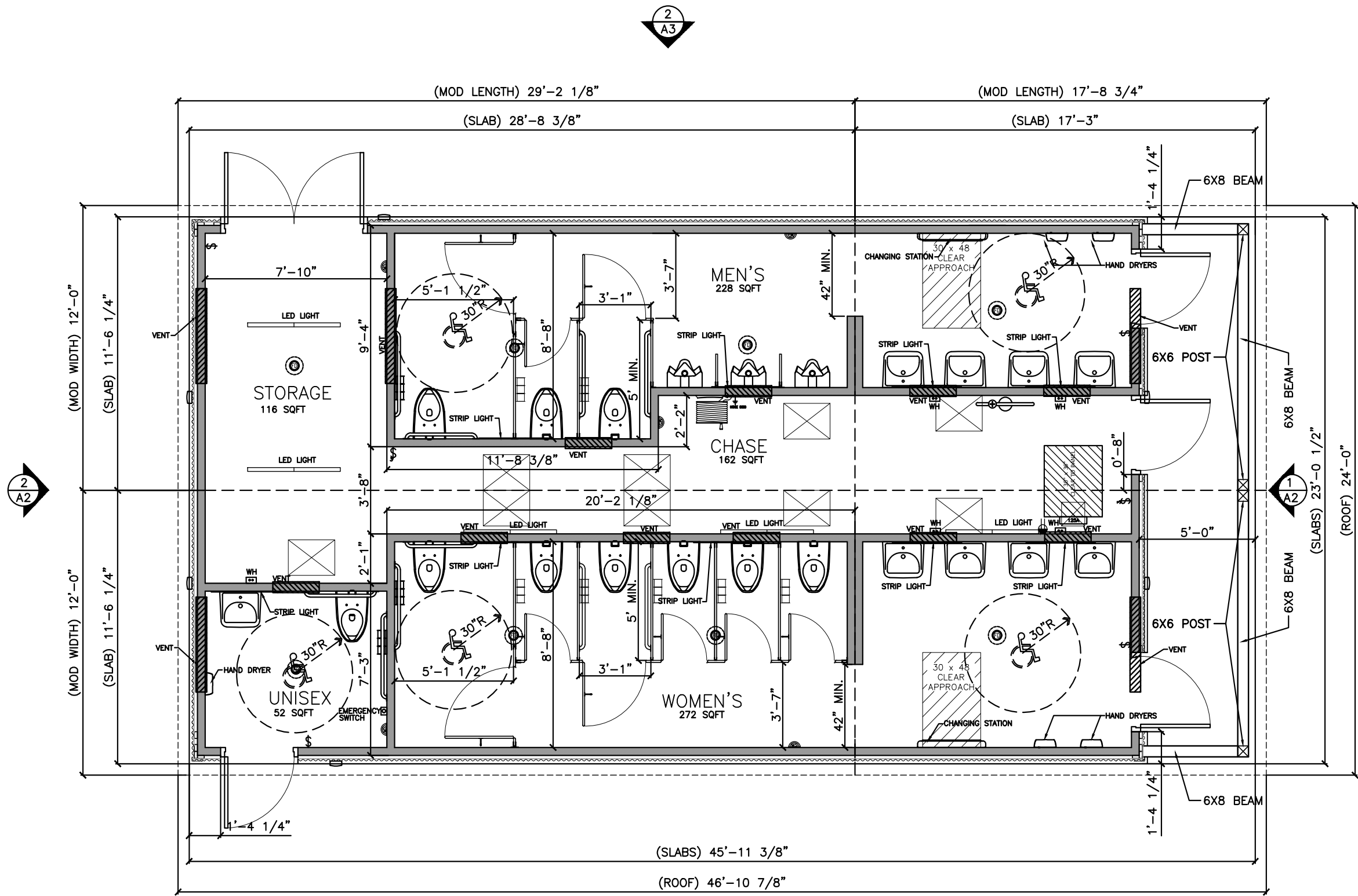
Fritz Park Color Option 5

Hutto, TX
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FLOOR PLAN
907 SQFT

RFL Restroom
Facilities
Limited

1707 COLT CIRCLE
MARBLE FALLS, TX 78654
512-222-5454

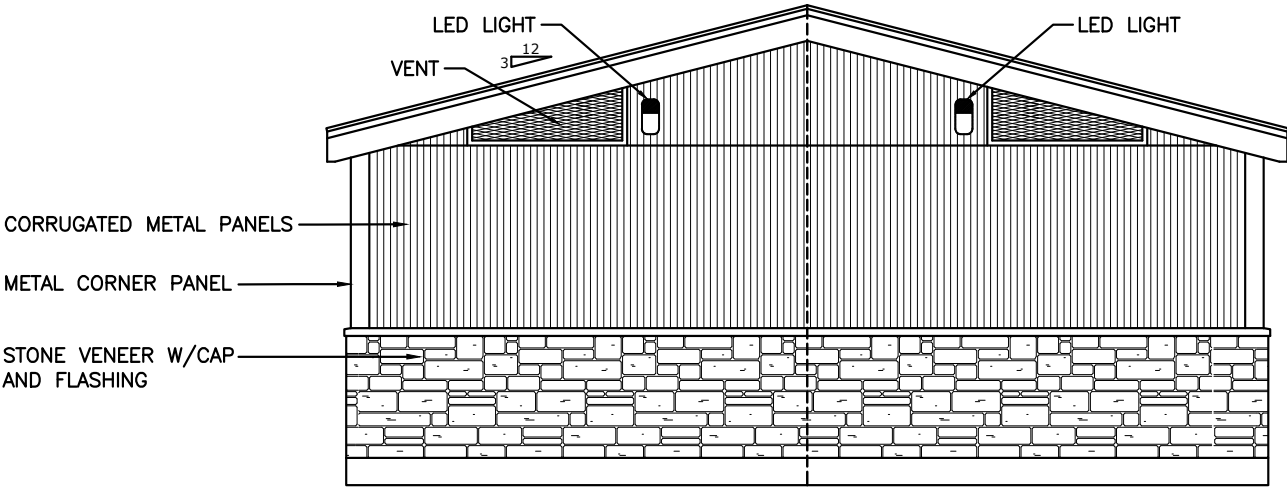
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RFL MODEL #: W1039STCE
PROJECT: FRITZ PARK

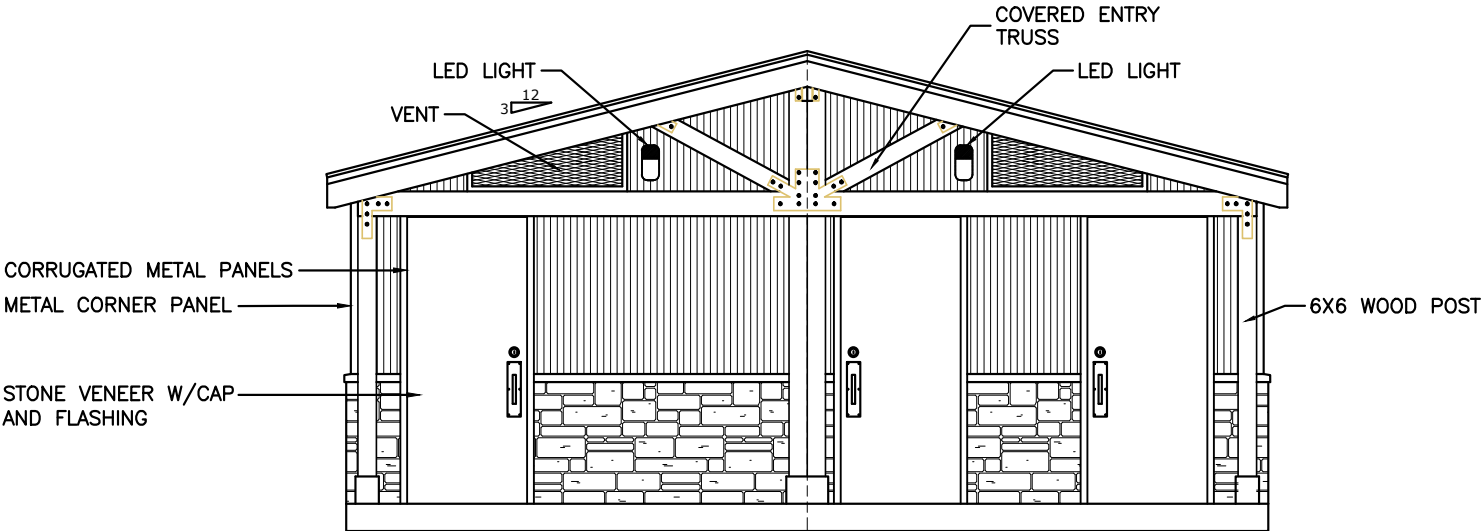
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REVISION:	

SHEET DESCRIPTION:
FLOOR PLAN

SHEET
A1



2 REAR ELEVATION



1 FRONT ELEVATION



Restroom
Facilities
Limited

1707 COLT CIRCLE
MARBLE FALLS, TX 78654
512-222-5454

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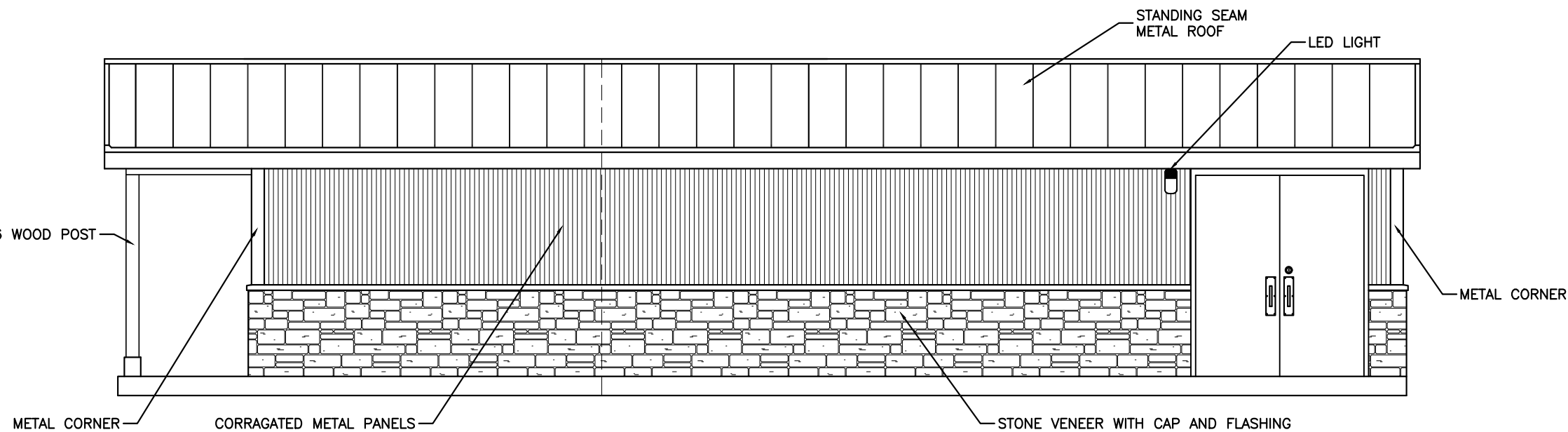
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RFL MODEL #: W1039STCE
PROJECT: FRITZ PARK

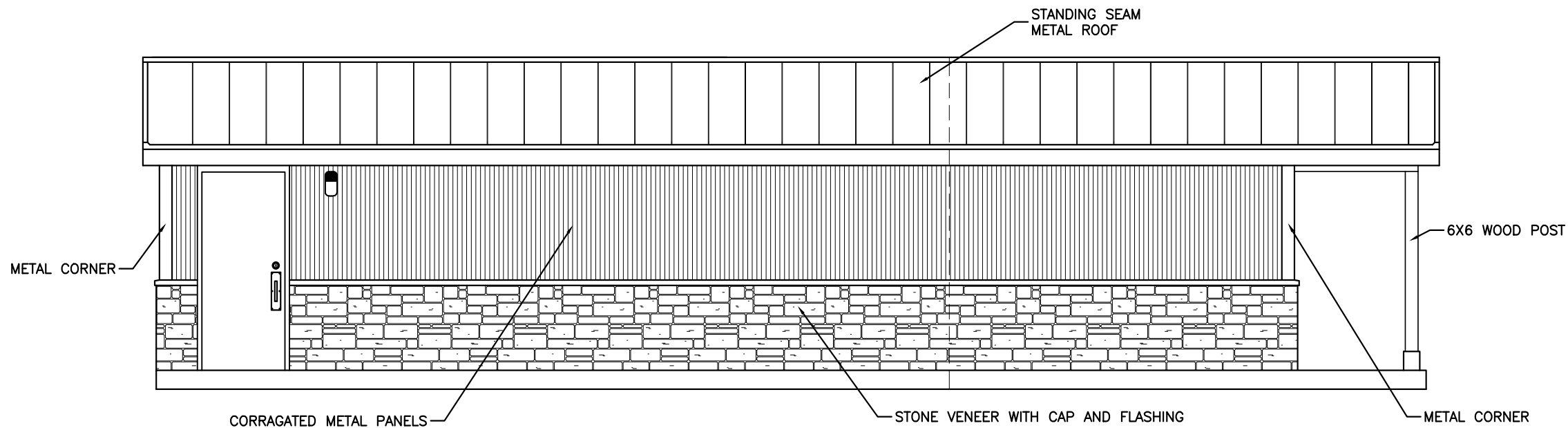
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REVISION:	
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REVISION:	
DATE:	
REVISION:	
DATE:	
REVISION:	

SHEET DESCRIPTION:
ELEVATIONS

SHEET
A2



2 RIGHT SIDE ELEVATION



1 LEFT SIDE ELEVATION

RFL

Restroom
Facilities
Limited

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MARBLE FALLS, TX 78654
512-222-5454

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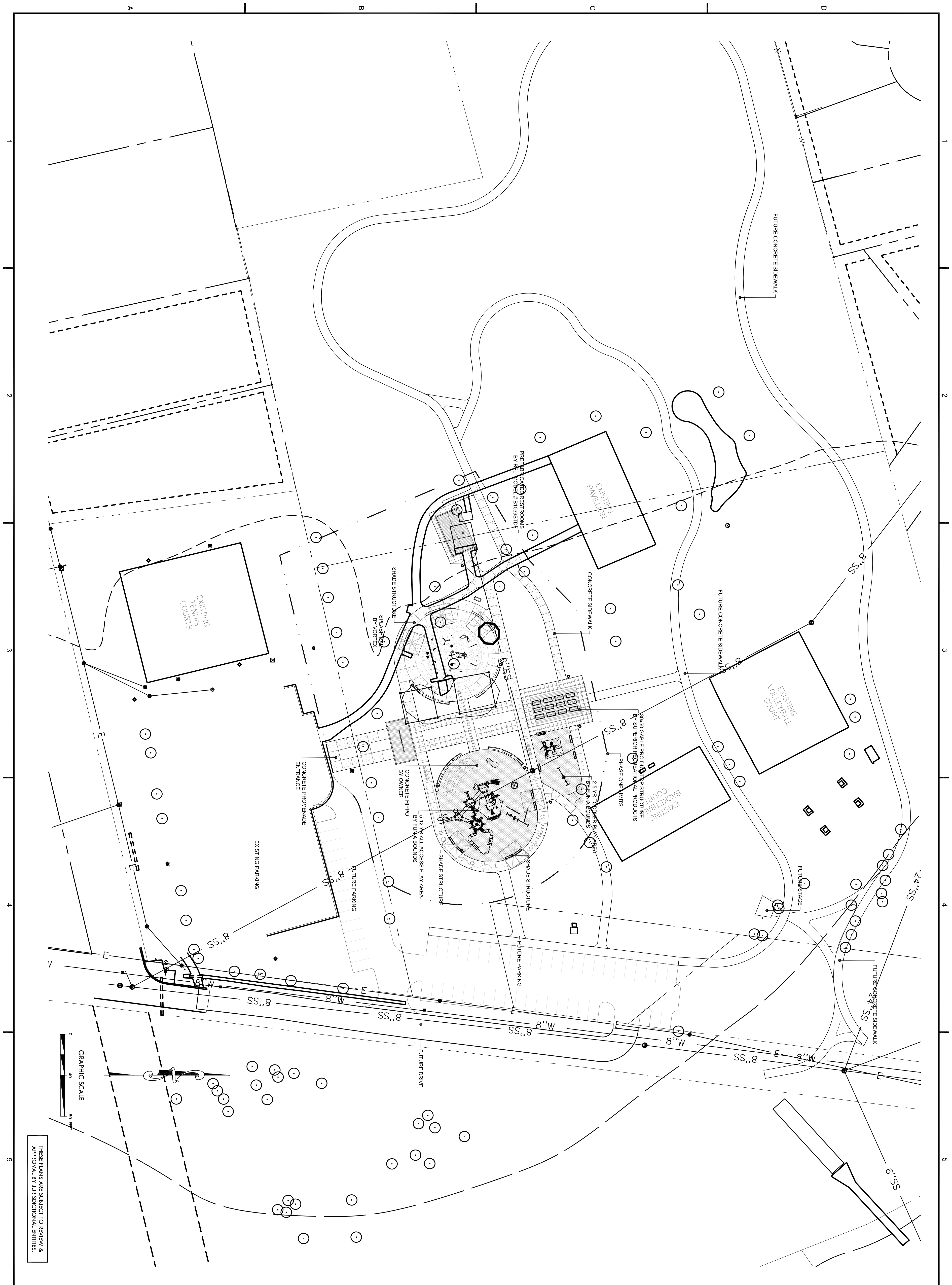
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RFL MODEL #: W1039STCE
PROJECT: FRITZ PARK

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DATE:	10/9/19
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REVISION:	
DATE:	
REVISION:	
DATE:	
REVISION:	
DATE:	
REVISION:	

SHEET DESCRIPTION:
ELEVATIONS

SHEET
A3



BURDITT
LAND | PLACE

310 Longmire, Conroe, TX 77304
P: (936) 756-3041 | F: (936) 559-3240
www.burditt.com

THIS PROJECT & THE IDEAS HEREIN, AS AN INSTRUMENT OF PROFESSIONAL SERVICE, IS THE PROPERTY OF THE ARCHITECT & IS NOT TO BE USED IN WHOLE OR IN PART, WITHOUT THE AUTHORIZATION OF BURDITT CONSULTANTS, LLC.

SEAL:

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW, AGENCY APPROVAL, AND COMMENT UNDER THE AUTHORITY OF CLAUDIA T. WALKER, RLA LANDSCAPE ARCHITECT NO. 2887, ON 10/14/19
THIS DOCUMENT IS NOT TO BE USED FOR CONSTRUCTION PURPOSES

**INTERNAL
REVIEW**

**FRITZ PARK PHASE 1
400 PARK AVE.
HUTTO TEXAS
78634**

IF THIS LINE DOES NOT MEASURE ONE
INCH THIS DRAWING IS NOT TO SCALE
AND SHOULD NOT BE SCALED FOR
DIMENSIONAL INFORMATION.

PROJECT NUMBER:

ISSUE DATES:

09.19.2019

1

DRAWN BY: _____

1

CHECKED BY _____

1

SHEET NO.:

OVER

THE

2

1

COPYR

Regular City Council
**AGENDA ITEM
11.E.**



To: City Council
Subject: Consideration and possible action on the conditional acceptance of the street, sidewalk, sidewalk ramps, water, wastewater and drainage improvements of Cross Creek Phase 1
Meeting: Regular City Council - 07 Nov 2019
Department: Engineering
Staff Contact: Samuel Ray

BACKGROUND INFORMATION:

Cross Creek Phase 1 is a residential subdivision constructed by Meritage Homes. Cross Creek Phase 1 is 109.45 acres, contains 213 single family homes, 1 park and 14,060.59' of new streets including the extension of Carl Stern bridging over Cottonwood Creek. The subdivision improvements also include upgrades to the existing Glenwood lift station. All of the public improvements have been completed and inspected by the city including street, drainage, water and wastewater improvements with the exception of changing out pumps at the Glenwood Lift Station which is scheduled to be completed in November.

FINANCIAL IMPACT:

None

POLICY IMPLICATIONS:

Infrastructure and Growth

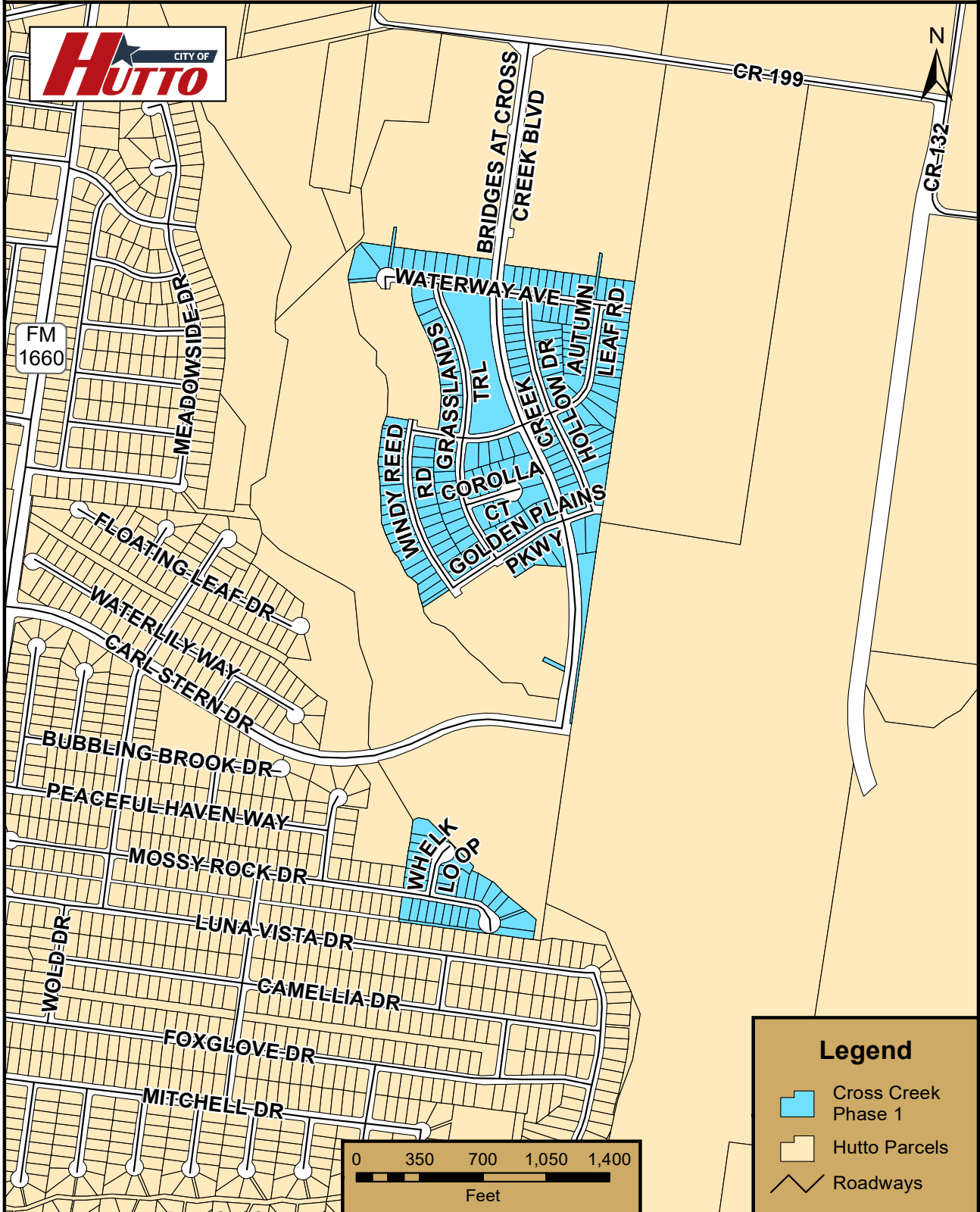
ATTACHMENTS:

[Cross Creek Phase 1 Site Map](#)

[Cross Creek Phase 1-Concurrence Ltr 20191018-signed](#)

[Cross Creek Phase 1-Final Cost & Quantities 20191018-signed](#)

Cross Creek Phase 1





October 18, 2019

City of Hutto
Attn: Samuel T. Ray, P.E.
500 W. Live Oak Street
Hutto, TX 78634

Re: Engineer's Final Concurrence for Cross Creek Phase 1

Dear Mr. Ray,

This letter is to inform you that I performed a final site walk-through for Cross Creek Phase 1 on October 1, 2019. Please accept this letter as my certification that the civil portion of this project is substantially complete pending the following: (1) the city inspector's final walk through and approval of punch list items dated October 1, 2019, and (2) the Registered Accessibility Specialist (RAS) reviewer approval of any elements found to be out of compliance in the Texas Accessibility Standards (TAS) Inspection report. The project has been built to HALFF's plans and specifications with minor deviations only. Please note that this final concurrence letter does not include the following: (1) the construction of the bridge as this was inspected by MLA Labs and the City of Hutto, and (2) the retrofitting of the lift station as this was inspected by the City of Hutto Utility Department prior to starting the pumps. I have submitted record drawings to the Public Works and Engineering Office, and I certify that the improvements described in those documents comply with City requirements including the Utility Criteria Manual, Unified Development Code, and the stormwater drainage policy adopted by the City of Round Rock, Texas.

Sincerely,

A handwritten signature in blue ink, appearing to read "N. P. Leschke", is written over a faint, larger blue signature.

Nicholas P. Leschke, P.E.
Land/Site Development Engineer



HALFF ASSOCIATES, INC.

9500 AMBERGLEN BLVD., BUILDING F, SUITE 125
AUSTIN, TX 78729

TEL (512) 777-4600
FAX (512) 252-8141

WWW.HALFF.COM



Cross Creek Phase 1
As-Built Cost and Quantities
Provided by Contractor

Prepared By: Nicholas Leschke
Checked By: Mark Sabella
Date: 10/18/2019

Item No.	Description of Item	Quantity	Unit	Unit Price	Scheduled Value
BASE BID ITEMS					
ONSITE SANITARY SEWER					
1	8" ASTM D3034, SDR 26 PVC (All Depths)	6215	LF	\$29.22	\$181,602.30
2	12" ASTM D3034, SDR 26 PVC (All Depths)	7209	LF	\$43.20	\$311,428.80
3	15" ASTM D3034, SDR 26 PVC (All Depths)	1	LF	\$41.92	\$41.92
4	18" ASTM D3034, SDR 26 PVC (All Depths)	612	LF	\$61.89	\$37,876.68
5	Jack & Bore under Enterprise Gas line (full length of easement)	100	LF	\$456.74	\$45,674.00
6	24" Steel Encasement Pipe	45	LF	\$119.34	\$5,370.30
7	Double Wastewater Service	101	EA	\$1,438.83	\$145,321.83
8	Single Wastewater Service	29	EA	\$1,118.73	\$32,443.17
9	4' Manhole w/ Standard or Bolted Cover - Raised to Grade (All depths)	76	EA	\$4,346.65	\$330,345.40
10	18" Steel Encasement Pipe	15	LF	\$104.08	\$1,561.20
				Subtotal	\$1,091,665.60
OFFSITE SANITARY SEWER					
1	Lift Station Improvements	1.03	LS	\$151,508.70	\$156,053.96
2	14" C900 DR-14 PVC Force Main and associated appurtenances	3323	LF	\$66.40	\$220,647.20
3	Connection to existing 20" Force Main (cut in tee)	1	LS	\$14,784.84	\$14,784.84
4	Jack & Bore under FM 1660 Spur (Approx. 50 L.F.)	50	LF	\$497.82	\$24,891.00
5	14" GATE VALVE	2	EA	\$6,175.31	\$12,350.62
6	14" FM AIR RELEASE VALVE	4	EA	\$4,803.95	\$19,215.80
7	Manhole modification at Lift Station	1	EA	\$4,100.00	\$4,100.00
8	Additional Wetwell Pump Brackets	3	EA	\$1,143.00	\$3,429.00
				Subtotal	\$455,472.42
WATER ITEMS					
1	8" C900 PVC Waterline (DR-14) (all depths)	12891	LF	28.81	\$371,389.71
2	12" C900 PVC Waterline (DR-14) (all depths)	1554	LF	43.07	\$66,930.78
3	12" Ductile Iron Waterline (Class-350) (bridge crossing)	492	LF	50.72	\$24,954.24
4	Ductile Iron Fittings	1.076	LS	44476.44	\$47,856.65
5	8" Gate Valve & Box - Raised to Grade	72	EA	1705.3	\$122,781.60
6	12" Gate Valves & Box - Raised to Grade	5	EA	2680.62	\$13,403.10
7	12" Wet Connect (end of line)	1	EA	1325.67	\$1,325.67
8	8" Wet Connect (end of line)	2	EA	1180.86	\$2,361.72
9	Fire Hydrant Assembly w/6" GV (Raised to Grade)	25	EA	4602.06	\$115,051.50
10	Double Water Service	100	EA	1503.75	\$150,375.00
11	Single Water Service	21	EA	1262.36	\$26,509.56
12	2" Irrigation Service	7	EA	1283.16	\$8,982.12
13	18" Steel Encasement for 18" WL	60	LF	104.08	\$6,244.80
				Subtotal	\$958,166.45
STORM DRAINAGE ITEMS					
1	18" RCP (CL III) (includes trenching and backfill)	3643	LF	41.11068	\$149,766.21
2	24" RCP (CL III) (includes trenching and backfill)	1673	LF	56.316	\$94,216.67
3	30" RCP (CL III) (includes trenching and backfill)	1891	LF	77.7062	\$146,942.42
4	36" RCP (CL III) (includes trenching and backfill)	616	LF	119.33064	\$73,507.67
5	42" RCP (CL III) (includes trenching and backfill)	978	LF	131.66088	\$128,764.34
6	48" RCP (CL III) (includes trenching and backfill)	637	LF	163.32628	\$104,038.84
7	54" RCP (CL III) (includes trenching and backfill)	695	LF	210.0982	\$146,018.25
8	60" RCP (CL III) (includes trenching and backfill)	790	LF	269.53628	\$212,933.66
9	10' Curb Inlet	59	EA	4075.81616	\$240,473.15
10	3'x3' Grate Inlet	1	EA	2482.9922	\$2,482.99
11	48" Diameter Storm Sewer Manhole - Raised to Grade	5	EA	2352.76392	\$11,763.82



Cross Creek Phase 1
As-Built Cost and Quantities
Provided by Contractor

Prepared By: Nicholas Leschke
Checked By: Mark Sabella
Date: 10/18/2019

Item No.	Description of Item	Quantity	Unit	Unit Price	Scheduled Value
12	60" Diameter Storm Sewer Manhole - Raised to Grade	2	EA	3742.5934	\$7,485.19
13	72" Diameter Storm Sewer Manhole - Raised to Grade	2	EA	3743.12692	\$7,486.25
14	60"x60" Junction Box - Raised to Grade	1	EA	3454.02824	\$3,454.03
15	72"x72" Junction Box - Raised to Grade	7	EA	4463.15168	\$31,242.06
16	18" Headwall w/ Dissipaters	1	EA	3969.12204	\$3,969.12
17	24" Headwall w/ Dissipaters	1	EA	4742.92364	\$4,742.92
18	48" Headwall w/ Dissipaters	1	EA	10783.61492	\$10,783.61
19	54" Headwall w/ Dissipaters	1	EA	12448.66168	\$12,448.66
20	60" Headwall w/ Dissipaters	1	EA	14138.78388	\$14,138.78
21	Trickle Channel (6" Thick)	720	SY	104.94536	\$75,560.66
22	Rock Rip Rap	83	SY	84.56292	\$7,018.72
23	24" SET	1	EA	2214.69092	\$2,214.69
24	Sidewalk Flume	2	EA	3665.3318	\$7,330.66
Subtotal					\$1,498,783.40
PAVING ITEMS					
1	8" Chemical Stabilization (EMC2)	59003	SY	4.21	\$248,402.63
2	Geogrid (Bi-axial)(If Needed)(Excluding Carl Stern Dr)	52260	SY	1.47	\$76,822.20
3	9" Crushed Limestone Base (to 3' behind curb) (Local)	36597	SY	8.94	\$327,177.18
4	14" Crushed Limestone Base (to 3' behind curb) (Residential)	15663	SY	13.25	\$207,534.75
5	17" Crushed Limestone Base (to 3' behind curb) (Neighborhood)	6743	SY	15.83	\$106,741.69
6	2.0" HMA TY D (Residential Local)	27179	SY	9.76	\$265,267.04
7	2.0" HMA TY D (Residential Collector)	10946	SY	9.76	\$106,832.96
8	2.5" HMA TY D (Neighborhood Collector)	4899	SY	12	\$58,788.00
Subtotal					\$1,397,566.45
CARL STERN BRIDGE ITEMS					
1	Drill Shaft (36" Diameter)	1300	LF	191.53	\$248,989.00
2	Drill Shaft (18" Diameter)	150	LF	120.45	\$18,067.50
3	Concrete Abutment (Class "C")	63	CY	906.32	\$57,098.16
4	Concrete Bent (Class "C")	16.4	CY	893.49	\$14,653.24
5	Concrete Cap (Class "C")	80.8	CY	782.91	\$63,259.13
6	Concrete Approach Slab (Class "S")	109.3	CY	475.87	\$52,012.59
7	Reinforced Concrete Slab (Class "C")	16822.5	SF	20.24	\$340,487.40
8	Prestressed Concrete Girder (TX40)	2090	LF	150.07	\$313,646.30
9	Rail (PR11) - Powder Coated	438.9	LF	101.69	\$44,631.74
10	Rail (C402) - Powder Coated	948.6	LF	172.77	\$163,889.62
11	STR STL (MISC BS-EJCP)	376	LBS	9.87	\$3,711.12
12	Sealed Expansion Joint (4" SEJ-A)	100.5	LF	115.51	\$11,608.76
13	Concrete Rirap per TXDOT Detail CRR	92.52	CY	370.23	\$34,253.68
14	Waterline Support (F&I)	492	LF	31.83	\$15,660.36
Subtotal					\$1,381,968.59
SIDEWALKS					
1	Concrete Sidewalks (all widths)	7661	SY	50.7	\$388,412.70
2	Curb Ramp	88	EA	1082.04	\$95,219.52
Subtotal					\$483,632.22
CURB AND GUTTER ITEMS					
1	6" Concrete Curb and Gutter	10812	LF	14.97	\$161,855.64
2	4" Rolled Curb & Gutter	16735	LF	13.93	\$233,118.55
3	Ribbon Curb (Carl Stern - Match Existing)	1325	LF	10.84	\$14,363.00
4	Concrete Valley Gutter	13	EA	4688.84	\$60,954.92
Subtotal					\$470,292.11



Cross Creek Phase 1
As-Built Cost and Quantities
Provided by Contractor

Prepared By: Nicholas Leschke
Checked By: Mark Sabella
Date: 10/18/2019

Item No.	Description of Item	Quantity	Unit	Unit Price	Scheduled Value
SIGNGE AND STRIPING ITEMS					
1	Misc Street Signs (Firelane, Speed Limit, Etc.)	69	EA	218.25	\$15,059.25
2	Stop Sign Assembly w/Street Names	32	EA	287.46	\$9,198.72
3	Pavement Markings (all types)	1	LS	11907.59	\$11,907.59
4	Street End Barricades	10	EA	949.16	\$9,491.60
5	Guardrail	250	LF	119.65	\$29,912.50
6	Additional Signs	3	EA	260	\$780.00
Subtotal					\$76,349.66
RETAINING WALL ITEMS					
1	Gravity Rock Retaining Wall at Northwest Bridge Connection	710	SF	26.84	\$19,056.40
Subtotal					\$19,056.40
Total Base Bid Items					\$7,832,953.31

Notes:

(1) This final cost and quantities is released under the authority of Nicholas P. Leschke, P.E. #130255 on October 18, 2019. This engineer neither makes representation nor accepts responsibility as to the accuracy of these costs and quantities above. The engineer has no control over the cost of labor, materials, equipment, contractor's methods of determining prices, competitive bidding, or market conditions.

(2) The final cost and quantities is based off of information provided by the contractor, Liberty Civil Construction, on 10/18/2019.

Nicholas P. Leschke, P.E.

10/18/2019

Date



F-312

Regular City Council
AGENDA ITEM
11.G.



To:
Subject: Consideration and possible action on a resolution to approve a contract renewal between the City of Hutto and Texas Materials in regard to the purchasing of aggregate for City street bond projects, and general maintenance projects.
Meeting: Regular City Council - 07 Nov 2019
Department:
Staff Contact: Mark Nunez Director of Public Works

BACKGROUND INFORMATION:

Texas Materials was the winning bid in 2018 for the aggregate material. This will be used for street projects, bond projects, and general maintenance.

FINANCIAL IMPACT:

No price change in material, with renewed contract.

PURCHASE AGREEMENT

STATE OF TEXAS §

COUNTY OF WILLIAMSON §

THIS PURCHASE AGREEMENT (the “Agreement”) dated this [REDACTED] day of [REDACTED], 2019.

BETWEEN:

CLIENT

City of Hutto
500 West Live Oak Street
Hutto, TX 78634

(The “Client”)

VENDOR

Texas Materials Group
1320 Arrow Point Drive, Ste. 600
Cedar Park, TX 78613

(The “Vendor”)

1. PURPOSE:

The City of Hutto, a Texas municipality, desires to enter into a purchase agreement with Texas Materials for asphalt materials and other necessary services in accordance with this Agreement. All goods and services in this Agreement will be utilized for the City of Hutto.

IN CONSIDERATION OF the matters described above and of the mutual benefits and obligations set forth in this Agreement, the receipt and sufficiency of which consideration is hereby acknowledged, the Client and the Vendor (individually the “Party” and collectively the “Parties” to this Agreement) agree as follows:

2. GOODS PROVIDED/SCOPE OF SERVICES:

- a. The Client hereby agrees to engage the Vendor to provide the Client with the following materials (hereinafter “Goods”) (*estimated annual totals*):
 - Hot Mix Type D Asphalt - \$58.00/per Ton (*estimated annual need 15,000 Tons*)
 - Hot Mix Type C Asphalt - \$59.00/per Ton (*estimated annual need 10,000 Tons*)
 - Cold-Laid Asphalt - \$65.00/per Ton (*estimated annual need 2,000 Tons*)
- b. Vendor delivery will not be included. Client will be responsible for material pick up at a designated location.

3. TIME OF PERFORMANCE:

- a. The Vendor understands and agrees that time is of the essence and that any failure of Vendor to fulfill obligations for each portion of this Agreement within the agreed timeframes will constitute a material breach of this Agreement. Vendor shall be fully responsible for its delays or for failures to use best efforts in accordance with the terms of this Agreement. Where damage is caused to City due to Vendor’s

failure to perform in these circumstances, City may pursue any remedy available without waiver of any of City's additional legal rights or remedies.

4. STANDARD OF CARE:

- a. Vendor represents that it employs trained, experienced and competent persons to perform all of the services, responsibilities and duties specified herein and that such services, responsibilities and duties shall be performed in a manner according to generally accepted industry practices.

5. TERM OF AGREEMENT:

- a. The term of this Agreement (the "Term") will begin on the date it has been signed by both Parties hereto, and shall remain in full force and effect unless and until it expires by operation of the term stated herein, or until terminated or extended with written consent of the Parties.
- b. This Agreement represents the City's first renewal for the second contract year. As outlined in its original award letter (Exhibit A), contract terms are for annual 12-month periods with four (4) annual renewal options, not to exceed a total of five (5) years.
- c. Prices shall be firm for the duration of this Agreement and for any renewal periods. No separate line item charges shall be permitted for invoicing purposes, including but not limited to equipment rental, demurrage, costs associated with obtaining permits, or any other extraneous charges.

6. CONTRACT DOCUMENTS AND EXHIBITS:

- a. City selected Vendor as the vendor of choice to supply the goods as outlined in Invitation for Bid issued August 28, 2018, and response submitted by Vendor, all as specified in Exhibit "A" attached hereto and made a part hereof for all purposes. The intent of these documents is to formulate an Agreement listing the responsibilities of both Parties as outlined in the Invitation for Bid and as offered by Vendor in its response.

The Goods/services which are the subject matter of this Agreement are described in Exhibit "A" and, together with this Agreement, comprise the total Agreement and they are fully a part of this Agreement as if repeated herein in full.

7. PERFORMANCE/ETHICS:

- a. The Parties agree to do everything necessary, and within reason, to ensure that the terms of this Agreement take effect.
- b. Contractor shall discharge its duties fairly, impartially, and maintain a standard of conduct that competently serves the Client and the interests of the Client. Contractor shall at all times exercise unbiased judgment when performing its duties under this Agreement.
- c. Vendor, its agents, employees and subcontractors shall use best efforts to comply with all applicable federal and state laws, the Charter and Ordinances of the City of Hutto, as amended, and with all applicable rules and regulations promulgated by local, state and national boards, bureaus and agencies.

8. CURRENCY:

- a. Except as otherwise provided in this Agreement, all monetary amounts referred to in this Agreement are in USD (US Dollars).

9. INVOICING:

- a. The Client will be invoiced when the Goods are delivered. Invoices shall include, at a minimum, the following information:
 - Name and address of Vendor;
 - Purchase Order Number
 - Description and quantity of items received; and
 - Delivery Dates
- b. City is exempt from Federal Excise and State Sales Tax; therefore, tax shall not be included in Vendor's charges.
- c. Invoices submitted by the Vendor are due within thirty (30) days of receipt. In accordance with Chapter 2251, V.T.C.A., Texas Government Code, any payment to be made by City to Vendor will be made within thirty (30) days of the date City receives goods. In accordance with Chapter 2251, V.T.C.A., Texas Government Code, any payment to be made by City to Vendor will be made within thirty (30) days of the date City receives goods under this Agreement, the date the performance of the services under this Agreement are completed, or the date City receives a correct invoice for the goods or services, whichever is later. Vendor may charge interest on an overdue payment at the "rate in effect" on September 1 of the fiscal year in which the payment becomes overdue, in accordance with V.T.C.A., Texas Government Code, Section 2251.025(b). This Prompt Payment Policy does not apply to payments made by City in the event:
 1. There is a bona fide dispute between City and Vendor, a contractor, subcontractor, or supplier about the goods delivered or the service performed that causes the payment to be late; or
 2. There is a bona fide dispute between Vendor and a subcontractor or between a subcontractor and its supplier about the goods delivered or the service performed that causes the payment to be late; or
 3. The terms of a federal contract, grant, regulation, or statute prevent City from making a timely payment with federal funds; or
 4. The invoice is not mailed to City in strict accordance with any instruction on the purchase order relating to the payment.
- d. In the event that this Agreement is terminated prior to delivery of the Goods or after partially delivered, the Vendor will be entitled to pro rata payment of the Compensation to the date of termination provided that there has been no breach of contract on the part of the Vendor.

10. NOTICE:

- a. All notices, requests, demands, or other communications required or permitted by the terms of this Agreement will be given in writing and delivered to the Parties at the following addresses:

- City of Hutto
Procurement Manager
500 West Live Oak Street
Hutto, TX 78634
- Texas Materials
Bailey Lewis
1320 Arrow Point Drive, Ste. 600
Cedar Park, Texas 78613

or to such other address as either Party may notify the other in writing, and will be deemed properly delivered (a) immediately upon being served personally, (b) three (3) days after being deposited with the postal service if served by registered mail, or (c) the following day after being deposited with an overnight courier. Nothing contained herein shall be construed to restrict the transmission of routine communications between representatives of City and Vendor.

11. RECORDS:

- a. During performance and after termination of this Agreement, each party shall make available to the other Party for inspection and copying, all records, whether external or internal, having any relevance to this Agreement.

12. ENTIRE AGREEMENT:

- a. All Parties mutually agreed to the terms of this Agreement. The Agreement should not be construed in favor of or against one Party. It is agreed that there is no representation, warranty, collateral agreement or condition affecting this Agreement except as expressly provided in this Agreement. This Agreement contains the entire agreement between the Parties; there are no other terms, promises, conditions, or obligations other than those contained herein. This Agreement shall supersede all previous communications, representations or agreements, either oral or written, between the Parties.

13. CHOICE OF LAW/JURISDICTION:

- a. This Agreement will be governed by and construed in accordance with the laws of the State of Texas. For any claims or disputes regarding this Agreement, venue is proper in Williamson County, Texas.

14. MODIFICATION OF AGREEMENT:

- a. Any amendment or modification of this Agreement, including any increase or decrease in the amount of Contractor's compensation, or additional obligation(s) assumed by either Party in connection with this Agreement will only be binding if evidenced in writing and agreed to and signed by each Party or an authorized representative of each Party.

15. ASSIGNMENT:

- a. The Vendor will not voluntarily, or by operation of law, assign or otherwise transfer its obligations under this Agreement without the prior written consent of the Client.

16. TERMINATION OF AGREEMENT FOR CAUSE/FUND AVAILABILITY:

- a. If, through any cause, except causes beyond the control of the Vendor, the Vendor shall fail to fulfill in a timely and proper manner its obligations under this Agreement, or if the Vendor shall violate any of the covenants, agreements, or stipulations of this Agreement or those agreed to through the Client's bidding process and documents, the Client shall have the right to terminate this Agreement by giving written notice to the Vendor of such termination and specifying the effective date thereof, at least thirty (30) days before the effective date of such termination. Upon receipt of a notice of termination, the Vendor shall promptly cease all further work pursuant to this Agreement, with such exceptions, if any, specified in the notice of termination.
- b. This Agreement is a commitment of City's current revenues only. It is understood and agreed that City shall have the right to terminate this Agreement at the end of any City fiscal year if the governing body of City does not appropriate funds sufficient to purchase the goods as determined by City's budget for the fiscal year in question. City may effect such termination by giving Vendor a written notice of termination at the end of its then current fiscal year.

17. FORCE MAJEURE:

- a. No Party will be liable for any default or delay in the performance of its obligations under this Agreement if and to the extent such default or delay is caused, directly or indirectly, by fire, flood, earthquake, elements of nature or acts of God, riots, civil disorders, acts of terrorism or any similar cause beyond the reasonable control of such Party, provided that the non-performing Party is without fault in causing such default or delay. However, notice of such impediment or delay in performance must be timely given, and all reasonable efforts undertaken to mitigate its effects.

18. SEVERABILITY:

- a. In the event that any of the provisions of this Agreement are held to be invalid or unenforceable in whole or in part, all other provisions will nevertheless continue to be valid and enforceable with the invalid or unenforceable parts severed from the remainder of this Agreement. Any void provision shall be deemed severed from this Agreement, and the balance of this Agreement shall be construed and enforced as if this Agreement did not contain the particular portion or provision held to be void. The parties further agree to amend this Agreement to replace any stricken provisions with a valid provision that comes as close as possible to the intent of the stricken provision. The provisions of this Section shall not prevent this entire Agreement from being void should a provision which is of the essence of this Agreement be determined void.

19. WAIVER:

- a. The waiver by either Party of a breach, default, delay or omission of any of the provisions of this Agreement by the other Party will not be construed as a waiver of any subsequent breach of the same or other provisions.

20. INDEMNITY:

- a. Vendor shall defend (at the option of City), indemnify, and hold City, its successors, assigns, officers, employees and elected officials harmless from and against all suits, actions, legal proceedings, claims, demands, damages, costs, expenses, attorney's fees, and any and all other costs or fees arising out of, or incident to, concerning or resulting from the fault of Vendor, or Vendor's agents, employees or subcontractors, in the performance of Vendor's obligations under this Agreement, no matter how, or to whom, such loss may occur. Nothing herein shall be deemed to limit the rights of City or Vendor (including, but not limited to the right to seek contribution) against any third party who may be liable for an indemnified claim.

21. REMEDIES:

- a. In addition to any other remedy available under law or in equity, the City shall be entitled to recover all actual damages, costs, losses and expenses, incurred by the City as a result of the Vendor's default, including, without limitation, cost of cover, reasonable attorneys' fees, court costs, and prejudgment and post-judgment interest at the maximum lawful rate. Additionally, in the event of a default by the Vendor, the City may remove the Vendor from the City vendor list for three (3) years and any Offer submitted by the Vendor may be disqualified for up to three (3) years. All rights and remedies under the Contract are cumulative and are not exclusive of any other right or remedy provided by law.

22. PROHIBITION ON BOYCOTTING ISRAEL

- a. This Section shall only apply in accordance with House Bill 793 of the 86th Legislature if the Vendor has ten (10) or more full-time employees and this Agreement provides \$100,000 or more in compensation to Vendor to be paid wholly or partly from Client's funds. If applicable, pursuant to Section 2270.002, Texas Government Code, Client may not enter into a contract for goods or services unless the contract contains a written verification that the Vendor: (1) does not boycott Israel; and (2) will not boycott Israel during the term of this Agreement. By executing this Agreement, Vendor verifies that Vendor does not boycott Israel or will not boycott Israel during the term of this Agreement.

23. ENGAGING IN BUSINESS WITH SUDAN, IRAN, OR FOREIGN TERRORIST ORGANIZATIONS PROHIBITED

- a. Pursuant to Section 2252.152, Texas Government Code, Vendor warrants, represents, and agrees that Vendor is not identified on a list prepared and maintained by the Texas Comptroller of Public Accounts as a company that engages in business with Sudan, Iran, or a foreign terrorist organization.

24. PUBLIC INFORMATION

- a. Vendor acknowledges that Client is obligated to strictly comply with the Public Information Act, Chapter 552 of the Texas Government Code in responding to any request for public information pertaining to this Agreement, as well as any other disclosure of information required by applicable Texas law.
- b. Upon Client's written request, Vendor will provide specified public information exchanged or created under this Agreement that is not otherwise excepted from disclosure under Chapter 552

of the Texas Government Code, to Client in a non-proprietary format acceptable to Client. As used in this provision, “Public Information” shall have the meaning assigned to it in Section 552.002 of the Texas Government Code, but only includes information to which Client has a right of access.

- c. Vendor understands and agrees that should any proprietary information of Vendor be requested through a public information request that is not otherwise protected from exceptions asserted by the Client, Vendor has the sole responsibility for contacting the Attorney General to have such proprietary information excepted from public disclosure.

25. ANTI-DISCRIMINATION AGREEMENT

- a. The Vendor states that all qualified applicants will receive consideration for employment without regard to sex, race, color, ethnicity, national origin, age, familial status, marital status, military status, religion, disability, sexual orientation, genetic information, gender identity, pregnancy, or any other legally protected characteristic.

[REST OF PAGE INTENTIONALLY LEFT BLANK]

[SIGNATURES ON NEXT PAGE]

IN WITNESS WHEREOF, the Parties have executed this Agreement on the dates indicated.

City of Hutto

Texas Materials Group

Per: _____

Per: _____

Print: _____

Print: _____

Title: _____

Title: _____

Date: _____

Date: _____

Regular City Council
AGENDA ITEM
12.A.



To: Regular City Council

Subject: Consideration and possible action on a resolution expressing official intent to reimburse expenses related to constructing, acquiring, improving, renovating, developing and equipping, land, buildings and supporting infrastructure for public safety and communication facilities and constructing, improving, extending, upgrading and/or developing streets, roads and intersections at U.S. FM 1660 North and Limmer Loop, FM 1660 at U.S. 79, FM 1660 South at U.S. 79 and other City Roads (Michel Sorrell)

Meeting: Regular City Council - 07 Nov 2019

Department: Finance

Staff Contact: Michel Sorrell

BACKGROUND INFORMATION:

The FY 2019-2020 Capital Improvements Plan (CIP) includes funding for the purpose of constructing, improving and equipment for public safety and communications. The CIP also provides funding for constructing, improving, extending, upgrading and/or developing streets, roads and intersections. Constructing, improving and equipment of Parks is also included in the CIP.

In November 2018 a G.O. Bond Election was successful in establishing funding for these projects.

This reimbursement resolution allows the City to use existing cash on hand to pay for project expenses, and then reimburse funds once debt is issued. The City's financial advisor along with bond counsel are completing the work to issue debt for the various projects mentioned.

FINANCIAL IMPACT:

These projects are included in the FY 2019-2020 Capital Improvement Plan and are being funded by the G.O. 2019C Bond Issue.

RECOMMENDATION:

Staff recommends the Council approve the resolution enabling the City to reimburse itself for expenses incurred related to public safety, streets and drainage, parks projects and related professional fees.

ATTACHMENTS:

[ReimbursResolution & Certificate- Prop A-C 2019](#)

CERTIFICATE FOR RESOLUTION

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

1. The City Council of the City convened in REGULAR MEETING ON THE 7TH DAY OF NOVEMBER, 2019, at Council Chambers, 500 West Live Oak Street, Hutto, Texas (the "Meeting"), and the roll was called of the duly constituted officers and members of the City, to wit:

Doug Gaul, Mayor
Scott Rose, Place 1
Tom Hines, Place 2
Nate Killough, Place 3
Vacant, Place 4
Patti Turner, Place 5
Terri Grimm, Place 6

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

RESOLUTION EXPRESSING OFFICIAL INTENT TO REIMBURSE CERTAIN EXPENDITURES OF THE CITY OF HUTTO, TEXAS

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

AYES: _____ NOES: _____ ABSTENTIONS: _____

2. A true, full and correct copy of the aforesaid Resolution passed at the meeting described in the above and foregoing paragraph is attached to and follows this Certificate; said Resolution has been duly recorded in the official minutes of said City Council; the above and foregoing paragraph is a true, full and correct excerpt from said minutes of said meeting pertaining to the passage of said Resolution; the persons named in the above and foregoing paragraph, at the time of said meeting and the passage of said Resolution, were the duly chosen, qualified and acting officers and members of said City Council as indicated therein; each of said officers and members was duly and sufficiently notified officially and personally in advance, of the time, place and purpose of the aforesaid meeting and that said Resolution would be introduced and considered for passage at said meeting, and each of said officers and members consented in advance to the holding of said meeting for such purpose; and said meeting was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Tex. Gov't Code Ann., ch. 551.

SIGNED AND SEALED this 7th day of November, 2019.

City Secretary, City of Hutto, Texas

[CITY SEAL]

RESOLUTION NO. – R-19-__ - __ -

**RESOLUTION EXPRESSING OFFICIAL INTENT TO REIMBURSE
CERTAIN EXPENDITURES OF THE CITY OF HUTTO, TEXAS**

WHEREAS, the City Council of the City of Hutto, Texas (the "Issuer") expects to pay expenditures in connection with the project described on Exhibit "A" attached hereto (the "Project") prior to the issuance of obligations to finance the Project; and

WHEREAS, the Issuer finds, considers and declares that the reimbursement of the Issuer for the payment of such expenditures will be appropriate and consistent with the lawful objectives of the Issuer and, as such, chooses to declare its intention, in accordance with the provisions of Section 1.150-2 of the Treasury Regulations, to reimburse itself for such payments at such time as it issues obligations to finance the Project.

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

Section 1. The Issuer reasonably expects to incur debt, as one or more separate series of various types of obligations, with an aggregate maximum principal amount not to exceed \$30,000,000 for the purpose of paying the costs of the Project.

Section 2. All costs to be reimbursed pursuant hereto will be capital expenditures. No tax-exempt obligations will be issued by the Issuer in furtherance of this Resolution after a date which is later than 18 months after the later of (1) the date the expenditures are paid or (2) the date on which the property, with respect to which such expenditures were made, is placed in service.

Section 3. The foregoing notwithstanding, no tax-exempt obligation will be issued pursuant to this Resolution more than three years after the date any expenditure which is to be reimbursed is paid.

PASSED AND APPROVED THIS 7TH DAY OF NOVEMBER, 2019.

Mayor

EXHIBIT A

All costs related to (A) the construction, improvement, extension, expansion, upgrading and/or developing streets roads and intersections in the City; (B) the planning, design, construction, renovation, replacement, improvement, expansion and equipping of public safety and communication facilities for the City police department; (C) construction, acquisition, improvement, renovation, development and equipping of land, buildings and supporting infrastructure for parks and recreational facilities and (D) the payment of any professional services in connection therewith including engineering, legal and other related costs.

Regular City Council
AGENDA ITEM
13.A.



To: Regular City Council
Subject: Public hearing, discussion, and possible consideration and approval of the first reading of an ordinance to create Reinvestment Zone No. Two, City of Hutto, Texas, for the purpose of promoting redevelopment within the corporate limits of the City of Hutto.(Jessica Geray)
Meeting: Regular City Council - 07 Nov 2019
Department: Economic Development
Staff Contact: Jessica Bullock

FINANCIAL IMPACT:

Please see attached Financing Plan for Proposed Tax Increment Reinvestment Zone No. Two (TIRZ #2), TIRZ Public Notice, and Ordinance to create Reinvestment Zone Number Two.

RECOMMENDATION:

Staff recommends that the City Council approve the first reading of an ordinance approving the creation of Reinvestment Zone Number Two.

ATTACHMENTS:

[10_15_19 DRAFT TIRZ Project and Financing Plan V2 \(JB SP IRR Comments3\)_\(002\)](#)
[First Publication TIRZ PH 10.30.2019](#)
[TIRZ Publication](#)
[Ordinance-Creating-Reinvestment-Zone Two \(MS\)](#)



Sports & Health District Tax Increment Reinvestment Zone

Preliminary Project & Financing Plan

**City of Hutto, TX
Legacy Hutto, LLC**

October 24, 2019

Sports & Health District Tax Increment Reinvestment Zone

Mayor Doug Gaul

Mayor Pro Tem Tom Hines, Place 2

Council Member Scott Rose, Place 1

Council Member Mike Snyder, Place 3

Council Member Peter Gordon, Place 4

Council Member Patti Martinez, Place 5

Council Member Tanner Rose, Place 6

Odis Jones, City Manager

City Staff

Michel Sorrell, Assistant City Manager

Jim Wehmeier, Chief Development Officer

Jessica Geray, Director of Economic Development

William Bingham, City Attorney

Legacy Hutto LLC

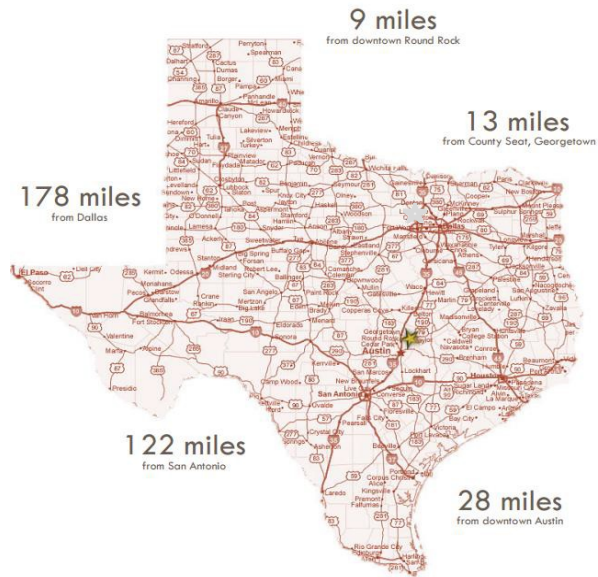
Dan Lowe, Managing Partner

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III.	Growth Corridors & Infrastructure	6
IV.	The Need For Redevelopment	9
V.	Preliminary Project Plan	15
VI.	Preliminary Financing Plan	17

I. INTRODUCTION

Located northeast of Austin in Williamson County, the fourth-fastest growing county in the State of Texas, the City of Hutto ("the City") has experienced rapid growth since 2000. Once a rural Texas town with a population of 1,250 in 2000; Hutto is now home to over 32,000 people, positioning the City to become a lively and integral part of the Austin Metropolitan region. With recent recognitions including the "Top Place in Texas to Raise a Family", the "#1 Local City (in the Austin area) For Young Couples", "One of the Top 5 Safest Cities in Texas", and "One of the Top 100 Places in Major Markets to Locate a Business", Hutto is consistently ranked as one of the fastest growing and safest cities in the country.



Just 25 minutes from the heart of the Texas State Capitol and 30 minutes from the Austin Bergstrom International Airport via the new SH-130 tollway, the City is well positioned for economic growth. With quick access to State Highway 130, Interstate 35, US Highway 79, and the Union Pacific Red Line, Hutto provides convenient transportation routes to the greater Texas region.

Those who call Hutto home are attracted to its strong sense of community, rich history, affordable housing and attractive neighborhoods, low crime, high performing school district, access to higher education institutions, and plentiful open space; all of which come together to provide a high quality of life just outside of Austin. As the city continues to grow, it aims to be a family-friendly community that provides superior public safety, outstanding fiscal responsibility, a diversified economy, and an exceptional quality of life. Here, the importance of a diverse community is recognized, as it will directly affect the quality of life of the community and its residents.

Given that, the City Council's goal is to take a comprehensive approach towards economic development by focusing their efforts on redevelopment, including the rehabilitation of infill properties such as the Co-Op District, located just west of Hutto's Historic District.

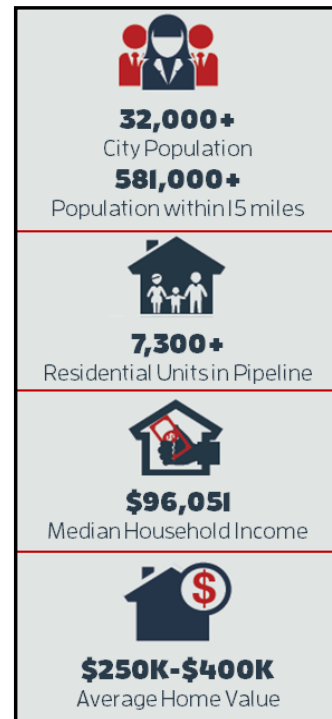
II. HUTTO – AT A GLANCE

Hutto has experienced an eight-six percent (86.0%) change in total population since 2010.

With a median age of 33, Hutto has attracted many young families. Just over half of the population consists of families with children under the age of 18 and adults age 25 to 54. In addition to a growing population within city limits, the City is surrounded by 230,000 people within an 8-mile radius, expanding to over 581,000 people within a 15-mile radius.

An educated workforce is a key to having a dedicated and diverse workforce. With an Independent School District experiencing a 97% graduation rate and access to multiple nationally recognized higher education institutions, the Hutto community is diverse, skilled, and able to adapt to changing needs within the workforce.

The residents of Hutto have high levels of educational attainment with 22 percent of Hutto residents 25 years or older hold a bachelor's degree or higher. Together with a median household income of \$73,855, an average household income of \$80,603 within city limits, and an average household income in the primary trade area of \$93,371, there is a clear demonstration of the desirability and quality of life that the community offers to people who are educated and high-income earners.



ECONOMIC OUTLOOK

As of 2015, approximately 88 percent (88.0%) of the working population commutes an average 27 minutes to work outside the city limits. With .66 jobs per household, it is important for economic stability to achieve a citywide job-housing balance with a goal of at least 1 job for every household. As residential development within the city and its Extraterritorial Jurisdiction (ETJ) increase, it is vital for Hutto to focus on productive growth that creates local jobs and diversifies its tax base. The people of Hutto provide a strong foundation for a workforce and consumer market that will help the city become more regionally and nationally competitive. Hutto is in the early stages of its development cycle and needs to develop the economic diversity and depth of business support infrastructure (capital and non-capital) to be competitive in the larger Central Texas regional and national market.

Given this, the redevelopment of the City's Central Business District, as well as the construction of the additional infrastructure improvements needed to support the desired economic growth, are the key to the creation of a place to live, work and play which will result in a more balanced economy.

III. GROWTH CORRIDORS & INFRASTRUCTURE

ECONOMIC DEVELOPMENT GROWTH CORRIDORS

At present, the City of Hutto lacks significant shovel-ready, or building ready, sites. Water, wastewater and other critical infrastructure key to significant economic development is lacking in certain areas of the City. The City is therefore constrained in terms of being able to accommodate concentrations of quality, career- oriented employment opportunities that are consistent with the City Council's Strategic Plan.

Through the Future Land Use Map (FLUM) planning process, seven (7) key areas were identified as vital employment and growth corridors – areas that can and should become priority focus areas for public and private sector investment and planning for high quality non-residential development over the next 5, 10, and 20 years. The City, during its planning process, considered the following points when considering these corridors along major highways:

- Promoting development compatible with safe, efficient traffic circulation through sound standards for access management, limited installation of curb cuts, and parking facility connectivity;
- Selectively determining appropriate locations and applied design standards for large commercial developments and other high traffic generating uses;
- Setting quality design standards for all commercial development;
- Encouraging mixed-use, clustered and "village center" development types as alternatives to conventional strip center and stand-alone "pad" sites; and,
- Adding regional and community nodes to key intersections.

These employment and growth areas are those that can eventually accommodate significant concentrations of firms in the economic sectors identified previously. Each of these primary employment corridors offers its own distinct locational advantages and attributes, as well as challenges that will be addressed in order to realize their individual and collective potential for Hutto's continued economic growth. One of the seven employment and growth corridor areas identified includes the Downtown area.

HUTTO'S ECONOMIC DEVELOPMENT POLICY

The City of Hutto adopted an Economic Development Policy on July 20, 2017. This policy document identified the use of tax increment financing as a way of redeveloping open or undeveloped land currently experiencing challenges such as obsolete platting, deteriorating structures or other factors, that substantially impair the growth of the city. Downtown Hutto is one of the areas identified as a site that is in need of infrastructure in order to be developed to allow growth to occur. It is currently an undeveloped site, that when developed, will alleviate the immediate and surrounding areas drainage problems and improve traffic circulation east and west, and north and south with proposed improvements to US Highway 79 and a new overpass.

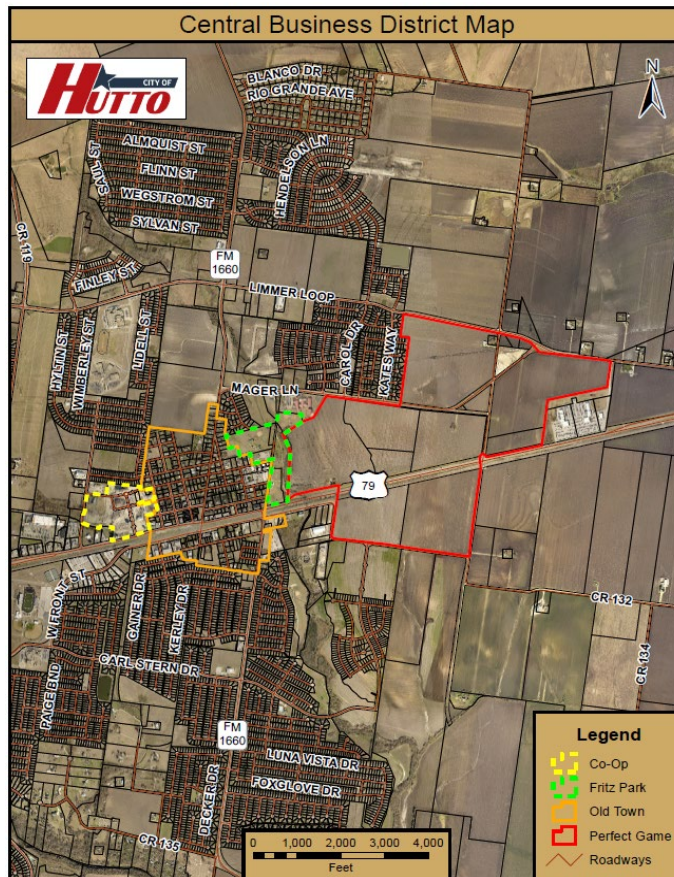
HUTTO CENTRAL BUSINESS DISTRICT

Downtown is a vital intersection of commerce, business, and tourism, and serves as a fundamental cornerstone of our identity and economy. A healthy and vibrant downtown benefits all citizens and businesses of the City. Downtown Hutto is a designated historic district, with a variety of active commercial and retail buildings surrounded by residential and open spaces. With the recently approved City bonds, improvements to drainage and road infrastructure are underway to alleviate drainage and traffic issues and to create a more pedestrian friendly area.

In 2018, the City Council approved the creation of a Tax Increment Reinvestment Zone and Public Improvement District for the Co-Op District, a master-planned, mixed-use development planned for high-density residential, retail, entertainment, hotel, restaurant, civic and office uses. This District anchors the Historic Downtown area to the west and is currently under construction. City Hall is currently open and tenants currently under construction include Flix Brewhouse, Top Notch, and Southside Market & BBQ. Infrastructure for the Co-Op District will tie into the existing and planned improvements for Downtown, extending the Central Business District to the east.

The City has executed a development agreement with Legacy Development and Perfect game to develop a mixed-use site to the west of Downtown anchored around sports entertainment. With Perfect Game as an anchor, the proposed development is expected to generate over one million annual visitors. The proposed mixed-use development plans to include retail, entertainment, restaurant, office, hotel, mixed use, high-density residential, and convention uses. The proposed TIRZ will specifically address public infrastructure needs to include roads, drainage, baseball fields, parking and associated utility needs.

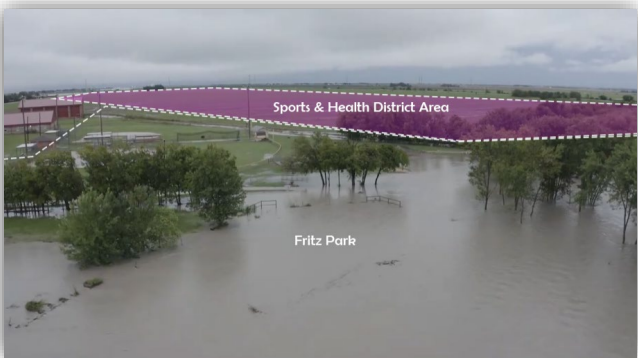
With the addition of the Sports & Health District, Hutto's expanded Central Business District creates two anchors to the Historic Downtown, creating a sense of place for residents and visitors to live, work, and play in Hutto.



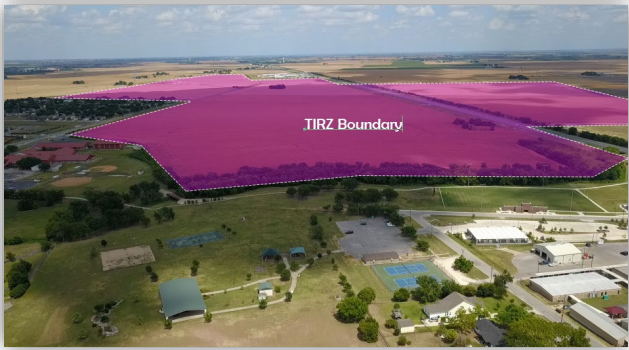
IV. THE NEED FOR REDEVELOPMENT

Within and surrounding the City's Historic Old Town, Hutto has experienced flooding and traffic congestion. The City needs infrastructure related to detention, storm sewer and improved road circulation that will not only alleviate local congestion, but regional traffic flow on US Highway 79. These infrastructure improvements will reduce impediments to growth west of Old Town.

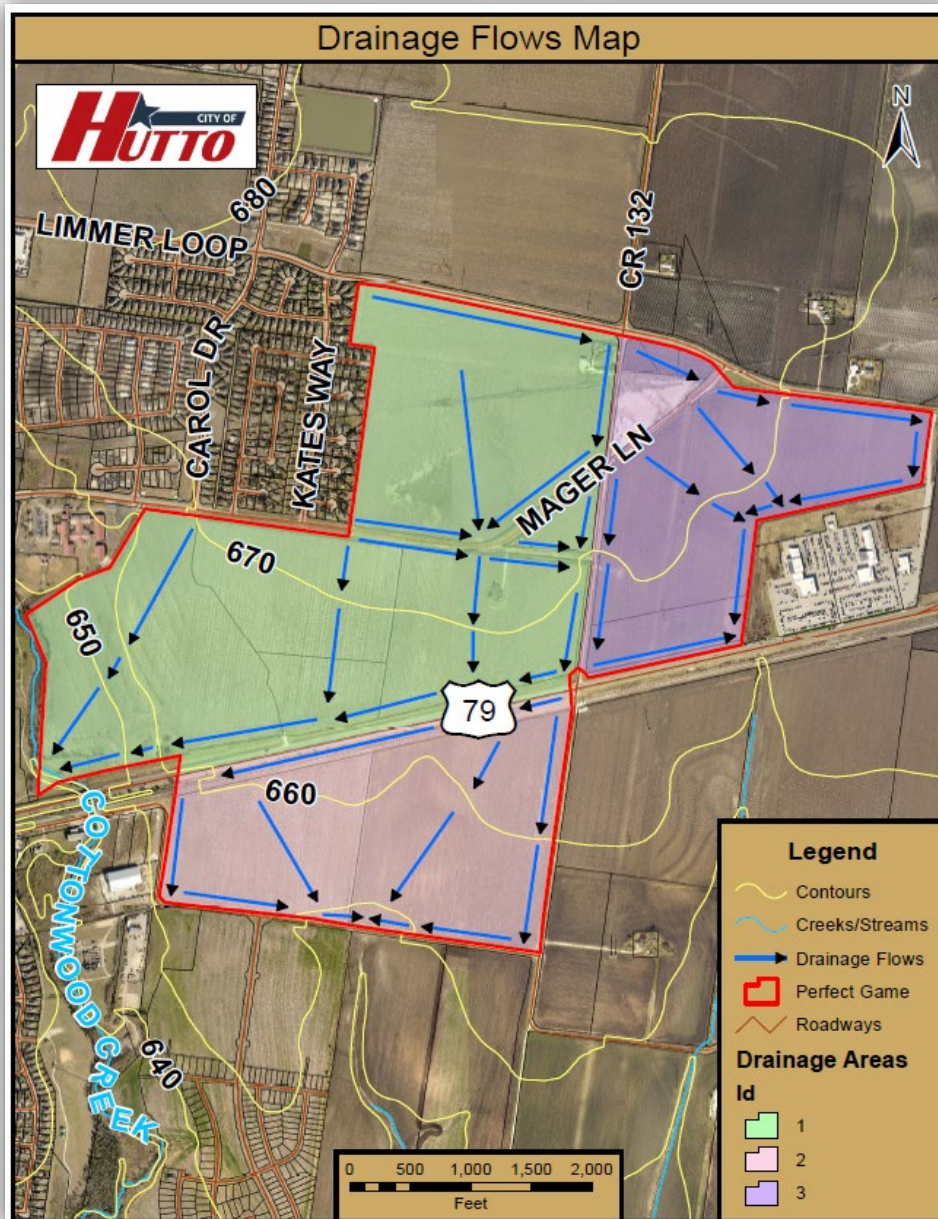
The project area is directly adjacent to Cottonwood Creek and Fritz Park which experiences drainage issues and flooding as shown in the image below. It is primarily vacant land that is used for farming and drains towards the Creek. There is also a major powerline that encumbers a large portion of the project area that impacting the ability of the property to develop. Through development of the site, drainage issues will be studied to implement measures to mitigate the impact to the Creek.



Original photo by Adam Grumbo



The following map shows the drainage flow through the project site:



The following is a floodplain map that shows the areas prone to flooding:



PROPOSED TIRZ BOUNDARY

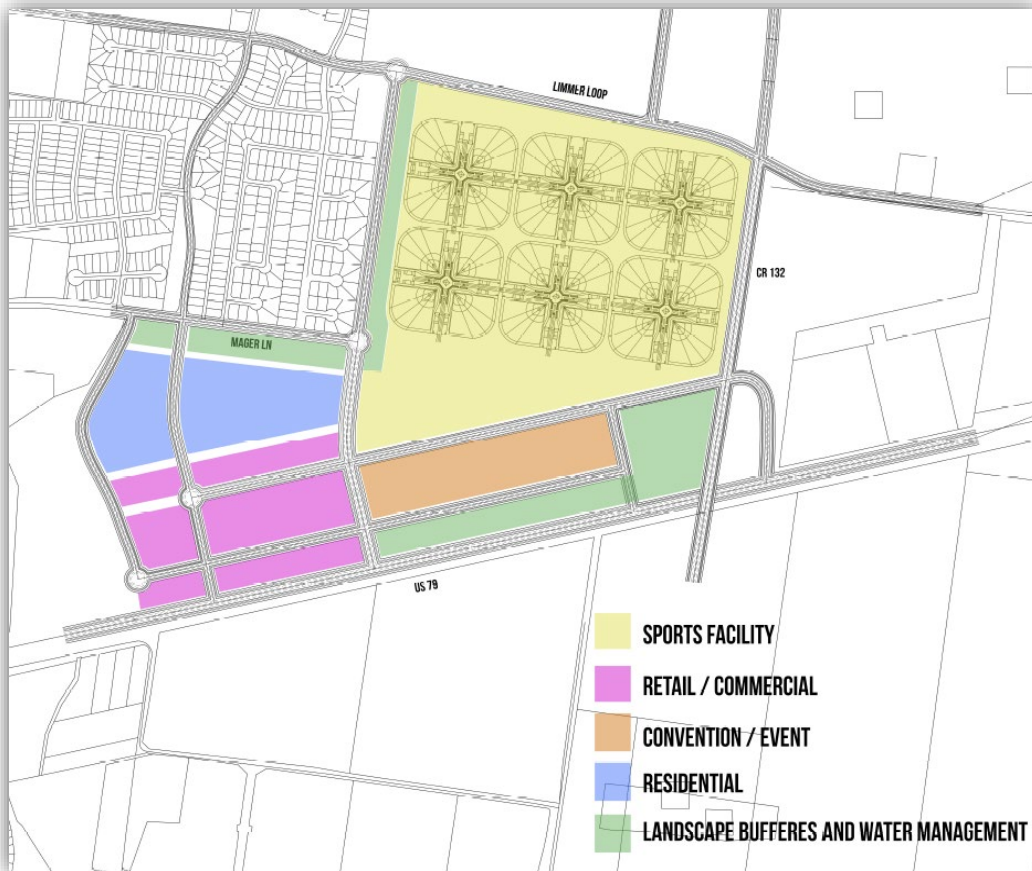
The following map depicts the proposed TIRZ boundary that includes City-owned property of approximately 76 acres, Cottonwood Development Corporation-owned property of approximately 50 acres, and privately-owned property of approximately 334 acres for a total of approximately 460 acres of land.

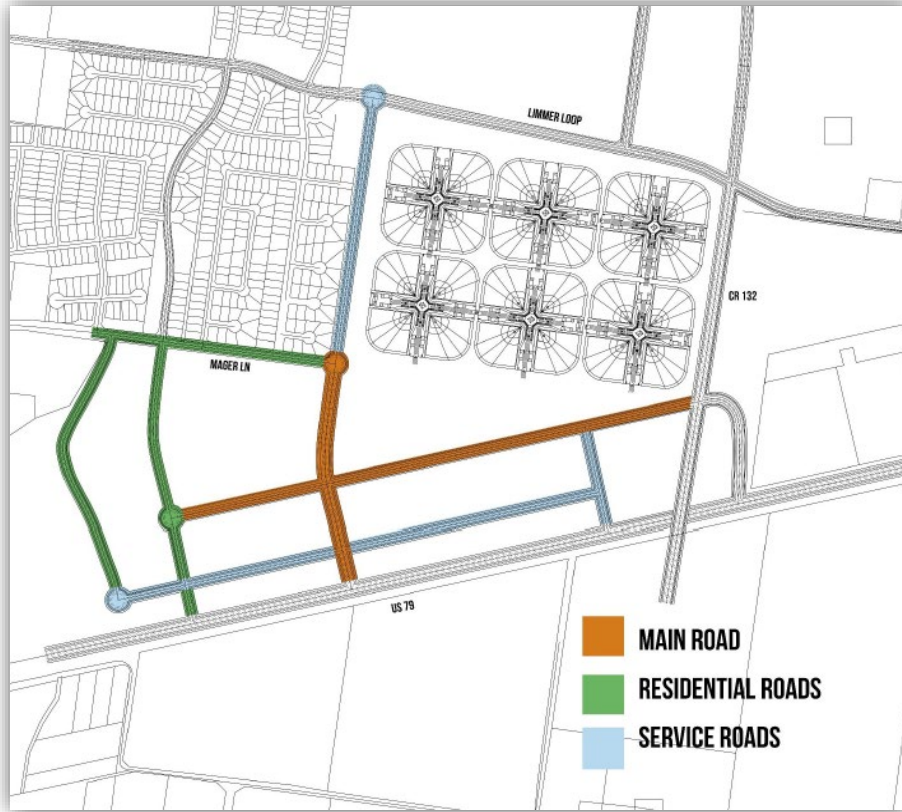


The creation of the TIRZ is necessary as the owners alone cannot fund the public improvements needed to remove the current constraints to the redevelopment and growth of the City.

SPORTS & HEALTH DISTRICT PLANNED UNIT DEVELOPMENT (PUD)

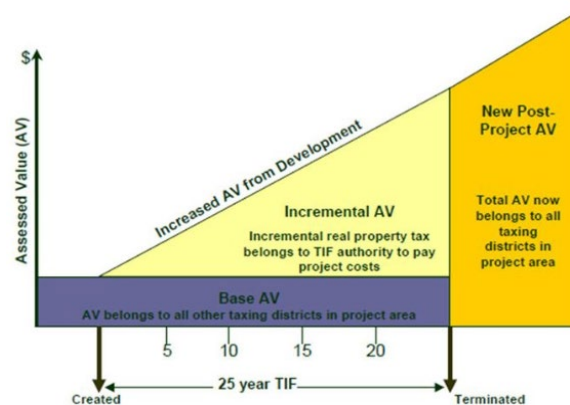
Legacy is preparing and will submit to the City a Planned Unit Development (PUD) that will allow for mixed use and will include Design Guidelines so as to ensure that high quality development is built that matches the development objectives of the City. The following are conceptual development and infrastructure plans for the Project:





V. PRELIMINARY PROJECT PLAN

TIRZ districts permit a jurisdiction, or a group of jurisdictions working together, to permit the incremental fiscal benefits generated by a project to fund the cost of qualified public improvements. Typically, the tax year in which a jurisdiction establishes the TIRZ sets the real property assessed value base (base year). For each year in the life of the TIRZ, a special fund captures the tax revenue generated from the difference between the base-year assessed value and that year's assessed value. Other taxing jurisdictions can choose to direct all or a portion of their tax revenues into the TIRZ, though currently, no other taxing jurisdiction beyond the City is expected to do so. An appointed board of directors ("TIRZ Board") chooses how to spend the money captured in the TIRZ fund based on agreements negotiated between the TIRZ, the effected jurisdictions and an Owner of a project. This value generating process is outlined below:



The exhibit illustrates how rising tax revenue from greater appraised value in a TIRZ zone flows with time to a taxing jurisdiction's general fund and to a TIRZ fund. The sloped lines depict tax revenue rising with time. When the TIRZ expires or terminates, the amount of real property tax revenue to the City will increase sharply since a portion of the real property tax revenue is no longer part of the TIRZ fund. Inclusion of property in a TIRZ zone does not change the tax rate for any property. Tax rates in a TIRZ zone are the same as tax rates outside the zone and within the same set of taxing jurisdictions.

The Sports & Health District TIRZ will be comprised of approximately 360 acres. The City is also currently considering the creation of a Sports & Health District Public Improvement District (the "PID") with potentially the same or similar boundaries.

The TIRZ will terminate on the earlier of (1) the date the TIRZ Board ("the Board") certifies to the City that all project costs have been paid and any monies remaining in the tax increment fund has been paid to the City and other taxing units levying taxes on property within the TIRZ or (2) the date that there is a unanimous determination by all members of the Board that all project costs or other obligations have been paid in full.

PROPOSED DEVELOPMENT PLAN

The Project's proposed development plan, per the Concept Plan presented in Section IV, is generally and preliminarily summarized below:

Use	Square Feet / Units
Restaurant / Retail / Entertainment (square feet)	539,500
Office (square feet)	60,000
TOTAL ESTIMATED SQUARE FEET	599,500
Multi-Family (units)	800
Convention Center / Hotel (units)	500
TOTAL ESTIMATED UNITS	1,300

VI. PRELIMINARY FINANCE PLAN

DESCRIPTION OF PROJECTS WITHIN THE TIRZ

The following table presents the estimated costs of the Authorized Improvements:

Cost Category	Total
Land and Carry Costs	\$25,000,000
Baseball Fields	\$66,000,000
Sitework and Parking	\$29,000,000
Power Line Relocation	\$5,000,000
Convention Center	\$40,000,000
Aquatic Attraction	\$30,000,000
Building Construction	\$10,000,000
Contingency	\$18,100,000
Project Management	\$9,050,000
Total	\$ 232,150,000

PROPOSED TIRZ PROJECTS

Section 311.002 of the Tax Increment Financing Act defines project costs as "the expenditures made or estimated to be made and monetary obligations incurred or estimated to be incurred or estimated to be incurred by the municipality or county designating a reinvestment zone that are listed in the project plan as costs of public works, public Improvements, programs, or other projects benefiting the zone, plus other costs incidental to those expenditures and obligations."

PROJECT COSTS

- Capital costs, including the actual costs of the acquisition and construction of public works, public improvements, new buildings, structures, and fixtures; the actual costs of the acquisition, demolition, alteration, remodeling, repair, or reconstruction of existing buildings, structures, and fixtures; the actual costs of the remediation of conditions that contaminate public or private land or buildings; the actual costs of the preservation of the facade of a public or private building; the actual costs of the demolition of public or private buildings; and the actual costs of the acquisition of land and equipment and the clearing and grading of land;
- Financing costs, including all interest paid to holders of evidences of indebtedness or other obligations issued to pay for project costs and any premium paid over the principal amount of the obligations because of the redemption of the obligations before maturity;
- Real property assembly costs;
- Professional service costs, including those incurred for architectural, planning, engineering, and legal advice and services;
- Imputed administrative costs, including reasonable charges for the time spent by employees of

the municipality or county in connection with the implementation of a project plan ;

- Municipality or county in connection with the implementation of a project plan;
- Relocation costs;
- Organizational costs, including the costs of conducting environmental impact studies or other studies, the cost of publicizing the creation of the zone, and the cost of implementing the project plan for the zone;
- Interest before and during construction and for one year after completion of construction, whether or not capitalized;
- The cost of operating the reinvestment zone and project facilities;
- The amount of any contributions made by the municipality or county from general revenue for the implementation of the project plan;
- The costs of school buildings, other educational buildings, other educational facilities, or other buildings owned by or on behalf of a school district, community college district, or other political subdivision of this state; and,
- Payments made at the discretion of the governing body of the municipality or county that the governing body finds necessary or convenient to the creation of the zone or to the implementation of the project plans for the zone.

METHOD OF FINANCING

The real property that makes up the TIRZ is expected to be developed in one or more phases with the TIRZ financing Authorized Improvements as approved by the City.

The City plans to issue TIRZ Bonds to finance the costs that make up the TIRZ Projects. It is agreed that the base taxable value for calculation of the TIRZ Revenues is \$0.

A summary of the funding sources for the TIRZ is presented below:

Jurisdiction	Tax Source	TIRZ Contribution Rate	Term
City of Hutto	Ad Valorem Taxes	75.0%	30 years

Projected TIRZ Revenues presented in the table below utilize the Concept Plan and estimated future incremental assessed values as provided by the Developer:

TIRZ Year Ended	Projected Incremental Assessed Value	City Ad Valorem Rate	Total City Ad Valorem TIRZ Revenues (75%)
12/31/2021	\$290,731,949	0.631351	\$1,376,654
12/31/2022	\$293,695,699	0.631351	\$1,390,688
12/31/2023	\$296,689,087	0.631351	\$1,404,862
12/31/2024	\$299,712,408	0.631351	\$1,419,178
12/31/2025	\$302,765,962	0.631351	\$1,433,637

12/31/2026	\$305,850,053	0.631351	\$1,448,241
12/31/2027	\$308,964,984	0.631351	\$1,462,990
12/31/2028	\$312,111,064	0.631351	\$1,477,887
12/31/2029	\$315,288,605	0.631351	\$1,492,933
12/31/2030	\$318,497,922	0.631351	\$1,508,130
12/31/2031	\$321,739,331	0.631351	\$1,523,478
12/31/2032	\$325,013,155	0.631351	\$1,538,980
12/31/2033	\$328,319,717	0.631351	\$1,554,637
12/31/2034	\$331,659,345	0.631351	\$1,570,451
12/31/2035	\$335,032,369	0.631351	\$1,586,423
12/31/2036	\$338,439,123	0.631351	\$1,602,554
12/31/2037	\$341,879,945	0.631351	\$1,618,847
12/31/2038	\$345,355,175	0.631351	\$1,635,303
12/31/2039	\$348,865,157	0.631351	\$1,651,923
12/31/2040	\$352,410,239	0.631351	\$1,668,709
12/31/2041	\$355,990,772	0.631351	\$1,685,663
12/31/2042	\$359,607,110	0.631351	\$1,702,787
12/31/2043	\$363,259,612	0.631351	\$1,720,082
12/31/2044	\$366,948,639	0.631351	\$1,737,550
12/31/2045	\$370,674,555	0.631351	\$1,755,193
12/31/2046	\$374,437,732	0.631351	\$1,773,012
12/31/2047	\$378,238,539	0.631351	\$1,791,010
12/31/2048	\$382,077,355	0.631351	\$1,809,187
12/31/2049	\$385,954,559	0.631351	\$1,827,546
12/31/2050	\$389,870,535	0.631351	\$1,846,089
TOTAL			\$48,014,626

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10

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Vintage Estate Sales presents the finer things in life, This Friday & Sat 9-2, Sun 11-2 @ 2015 Sarah Cove Taylor. Like new furniture, garage full, RC planes, Rolex watch, garden items, tools, household/decor plus more! Cash & CC accepted

HUGE SALE! 2800 Smith Ave. DON'T MISS IT. LOTS OF CHRISTMAS, QUILTS AND BEDDING, POTS AND PANS, MISC HOUSEHOLD ITEMS, CLOTHING, LAWN-MOWER. SATURDAY NOV 2, 8am - ?

2602 DAVIS St. Friday 8-5, Saturday 8-1. Antique half dresser w/closet, luggage, vacuum cleaner, decorative pillows, dart game, ironing board, men's, ladies clothing, shoes. Lots of miscellaneous.

MISCELLANEOUS FOR SALE

FOR SALE: 55 gallon ink drums \$10, wood pallets \$2, and end rolls \$5. Call Granite Printing, 512-352-3687, or come by 2675 CR 374, Circleville, TX.

Portable Storage Buildings, wood 10'x16' - \$1,850 and 12'x24' \$2,600. Set up included. (512) 748-4003

AUTOMOBILES

2001 CHEVROLET Z71. 4 WHEEL DRIVE-MILEAGE 60,600. Leave message. 512-365-7036.

1996 Ford F150 1 owner with 57k miles, \$2144 sale price, 5.0L garage kept since new. Contact: jomoss212@gmail.com.

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Available for Adoption or Foster! To find out the availability of adoptions, please contact the: Taylor Animal Shelter 701 E. Fourth St., Taylor. Call 512-352-5483 for an appointment.

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10 CHINESE GEESE FOR SALE. \$30 EACH. PLEASE CALL 512-898-2430.

Got something to sell? Do in the classifieds.

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LOTS AND ACREAGE FOR SALE

Land for sale in Boerne, Texas. Two acres \$195,000, one acre \$103,500. Located at 3 Hillview Lane. Just outside the Boerne city limits in Kendall County. Can be used for residential or commercial uses. For information, call JEFF at 830-249-2441.

HOUSES TO BE MOVED

Cash paid for houses or buildings to be moved. 2-Story OK. 512-619-7561

COMMERCIAL/ INDUSTRIAL

OFFICE/RETAIL SPACE FOR RENT. DOWNTOWN TAYLOR HISTORIC BUILDING. APPROX 1600 SQ FT - \$1550 RENT. Call 512-846-2535, jrwoods-man123@gmail.com.

HELP WANTED

Manual Machinist – Mechanic.
Needed for job shop/machine shop. MUST have 5 yrs. experience on manual lathes & manual mills. MUST be able to read calipers, blue prints/drawings and be able to utilize a variety of jigs & fixtures. Work hours are 8am to 4:30pm M-F. Uniforms, medical & dental insurance offered after a 90 day probationary period. MUST APPLY IN PERSON @ Astro Mechanics 1411 Sam Bass Road in Round Rock.

PUBLIC/LEGAL NOTICE

NOTICE TO CREDITORS. Notice is hereby given that original Letters Testamentary for the Estate of Howard E. Teichelman, Jr., Deceased, were issued on October 24, 2019, in Cause No. 19-0950-CP4, pending in the County Court at Law No. 4, Williamson County, Texas, to: Margaret J. Teichelman. All persons having claims against this Estate which is currently being administered are required to present them to the undersigned within the time and in the manner prescribed by law c/o: Leland R. Enochs, Attorney at Law, 700 N. Main St., P.O. Box 751, Taylor, TX 76574. DATED the 24th day of October, 2019.

All real estate advertised herein is subject to the Federal Fair Housing Act, which makes it illegal to advertise any preference, limitation, or discrimination because of race, color, religion, sex, handicap, familial status, or national origin, or intention to make any such preference, limitation, or discrimination.

We will not knowingly accept any advertising for real estate which is in violation of the law. All persons are hereby informed that all dwellings advertised are available on an equal opportunity basis.



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Rebecca Rocha 512-352-8510 x 203

Marcia Hagler 512-848-4884- text only

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PUBLIC NOTICE

Notice is hereby given of a Public Hearing to be held by the Taylor Housing Authority (the "THA"), on Thursday, December 12, 2019 at 2:00 p.m. The Public Hearing will be held at the THA's offices located at 311 E. 7th St. Taylor, Texas 76574, with respect to the THA's plans to seek Section 18 Disposition of 46 Units at Mary Olson Apartments ("MOA") located at 311 E. 7th St. Taylor, Texas 76574. The THA plans to convert 46 units at MOA to tenant protection vouchers, which will be project based back into the Property (the "Conversion").

All interested persons are invited to attend such public hearing to express their views with respect to the Conversion. Questions or requests for additional information may be directed to Ebby Green, Taylor Housing Authority, at 311 E. 7th St. Taylor, Texas 76574 or (512) 352-3231.

Persons who intend to appear at the hearing and express their views are invited to contact Ms. Green in writing or by telephone in advance of the hearing. Any interested persons unable to attend the hearing may submit their views in writing to Ms. Green prior to the date scheduled for the hearing.

In accordance with Article VIII, Section 1 of the City Charter, Ordinance No. 2019-30 was introduced before the Taylor City Council on the 17th of October, 2019. Passed, approved, and adopted on the 24th day of October, 2019.

ORDINANCE NO. 2019-30

AN ORDINANCE OF THE CITY OF TAYLOR, TEXAS ADOPTING BUILDING REGULATIONS AND PROCEDURES AND REQUIRING A PERMIT FOR DEVELOPMENT OF PIPELINES WITHIN OR INVOLVING CITY RIGHTS OF WAY OR UTILITY INFRASTRUCTURE; MAKING FINDINGS OF FACT; PROVIDING DEFINITIONS; PROVIDING A PENALTY; PROVIDING SEVERABILITY; AND PROVIDING FOR RELATED MATTERS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAYLOR:

Section 2. Building Regulations Amended. The City Council hereby adopts the regulations and procedures as set forth in Exhibit "A" entitled "Building Regulations and Permitting Involving Pipelines and the City of Taylor, Texas Right of Way, Roadway and Utility Infrastructure," attached to and incorporated in this Ordinance as though fully transcribed herein for all purposes.

Section 5. Penalty. Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be guilty of a misdemeanor and upon conviction shall be subjected to a fine not to exceed the sum of Five Hundred and No/100 Dollars (\$500.00) for each offense, except where a different penalty has been established by State law for such offense in which event the penalty shall be fixed by state law and if deemed a violation of any provision which governs fire safety, zoning or public health or sanitation shall be punished by a penalty of fine not to exceed the sum of Two Thousand and No/100 Dollars (\$2,000.00) for each offense; and each and every day such violation is continued shall be deemed to constitute a separate offense.

For a full version of this ordinance and Exhibit A, please visit the City of Taylor's website at www.ci.taylor.tx.us/ordinances Or contact the City Clerk's office at Dianna.barker@taylor.tx.gov.



TexSCAN Week of Oct. 27, 2019

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AUCTIONS

City of Tulsa Auction – Sat., Nov. 9 • starts at 9:32 a.m., 108 N. Trenton, Tulsa, OK. Tractors, loader, backhoe, vehicles, Harleys, transit busses, trailers, trucks w/ sewer cleaning system, skid loader, sweeper, dump trucks, concrete saws, dbl drum sheepsfoot roller, manhole trench braces, brass water meters, and much more. For full terms, photos and updates visit www.chuppsauction.com. Chupps Auction Co., 918-630-0495.

Texas Land Auctions Nov. 7 & 8 – many sell without reserve – 29 parcels located in Cameron, Carrizo Springs, Houston, Kenedy, Pecos & Yorktown. Ranging in size from 1.8+/- to 101+/- acres. Commercial land, some with structures and RV hookups. Bid on location or live online at auctionnetwork.com. 800-801-8003, williamsauction.com/TXLand.

Guadalupe County/Sheriff's Annual Surplus Auction – Sat., Nov. 9, 2019, 10 a.m., 10%-12% B.P. 2605 N. Guadalupe St., Seguin, Tx. View: Fri., Nov. 8. (10) Chev. Tahoes, Cat953Crawler.Ldr, Cat931Crawler.Ldr, Cat-Cb-224C Steelwhl.Roller, (3) 12Yd Dumps, 12 Jetskis, Jetski Trlr, Pickups Cars, TVs, Gaming Machines & Gaming Computers, Bikes, Chairs, Copiers, Toolboxes, Fans, Generators, Fueltanks, True-Commercial-Refrig, and more. Bid Live On-Line or On-Site: www.siskauction.com/TXS#7425. John Sisk Auctioneers, Inc., 361-456-7771.

Bank-Directed Sale – bids due Nov. 14 – 42,716± SF, 3-story medical office facility, 14602 Presidio Square Blvd., Houston, TX. Includes classrooms, training spaces, offices, 128-person capacity auditorium, 160± parking spaces. 855-755-2300, HilcoRealEstate.com.

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LEGAL ASSISTANCE

Mesothelioma may occur 30 to 60 years after exposure to asbestos. Many workers were exposed from the 1940s through the 1970s. Industrial and construction workers, along with their families (second hand exposure) are among those at risk for mesothelioma, lung cancer or gastro cancer (throat, stomach, colon). Call 800-460-0606 for professional legal insight or visit www.AsbestosLaw.com.

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NOTICE OF PUBLIC HEARING

At 7:00 p.m. on November 7, 2019 and November 21, 2019, in the City Council Chamber for the City of Hutto, located at 500 W. Live Oak Street, Hutto, Texas, the City Council for the City of Hutto will hold a public hearing on the creation of a tax increment financing zone and the benefits from the zone to the City and the property to be included within the proposed zone. The property being considered for inclusion consists of certain property shown on the attached map of the proposed zone. The City has prepared a preliminary reinvestment zone financing plan and plan of work. At the public hearing, any interested person may speak for or against creation of the zone, the proposed boundaries or the concept of tax increment financing. Additional information including the preliminary plan is available by contacting the City of Hutto at either (512) 759-4012, (512) 759-4907, or at the time of the hearing.



Mesothelioma

may occur 30 to 60 years after exposure to asbestos. Many workers were exposed from the 1940s through the 1970s. Industrial and construction workers, along with their families (second hand exposure) are among those at risk for mesothelioma, lung cancer or gastro cancer (throat, stomach, colon). Even if you or your loved one settled an asbestosis case in the past, this may be a new claim, so call now.

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ORDINANCE NO. O-_____

**AN ORDINANCE CREATING REINVESTMENT ZONE NUMBER TWO,
CITY OF HUTTO, TEXAS FOR THE PURPOSE OF PROMOTING
REDEVELOPMENT WITHIN THE CORPORATE LIMITS OF THE CITY
OF HUTTO**

WHEREAS, the City Council (the “Council”) of the City of Hutto (the “City”) located in Williamson County, Texas (the “County”) has determined, pursuant to Chapter 311 of the Texas Tax Code (the “Code”) that the area described herein substantially arrests or impairs the sound growth of the City, requiring creation of a Reinvestment Zone to promote redevelopment within the corporate limits of the City;

WHEREAS, Chapter 311 of the Code provides for the creation of reinvestment zones to promote development or redevelopment of a contiguous or noncontiguous geographic area that is in the corporate limits of a municipality, in the extra-territorial jurisdiction of a municipality, or in both, if the governing body of the city determines that development or development would not occur solely through private investment in the reasonably foreseeable future;

WHEREAS, Chapter 311 of the Code permits the Council to establish a tax increment fund to be used to pay project costs for a Reinvestment Zone with no financial risk to the City;

WHEREAS, it is the general policy of the City to encourage new development and redevelopment that might benefit its residents without obligating City funds to development infrastructure;

WHEREAS, the Council has determined that it is in the best interest of the City and its residents to create a Reinvestment Zone.

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

1. Findings:

The City finds and determines that:

- a. Improvements in the Reinvestment Zone will significantly enhance the value of all the taxable real property in the zone and will be of general benefit to the City.
- b. The area contained within the Reinvestment Zone meets the requirements of Section 311.005(a)(2) of the Tax Increment Financing Act.
- c. Prior to the adoption of this Ordinance, the City has complied with the requirements of Section 311.003 of the Tax Increment Financing Act, including preparing a preliminary reinvestment zone financing plan,

holding a public hearing, and publishing notice of the public hearing not later than the seventh day before the date of the hearing in a newspaper having general circulation in the City.

2. Creation of the Reinvestment Zone: Pursuant to Section 311.005(a)(2) of the Tax Increment Financing Act, the City designates as “Reinvestment Zone Number Two, City of Hutto, Texas,” (the “Zone”) a contiguous area lying within the corporate limits of the City, as described below:

more particularly described on Exhibit A attached hereto.

3. Effective Date and Termination of the Zone: The Zone shall take effect immediately upon the passage of this Ordinance **[or on November 21, 2019]**. The Zone shall terminate on the earlier of:

- a. The date the Board (described hereinafter) certifies to the City that all project costs and all tax-increment bonds or notes issued for the Zone have been paid and any money remaining in the tax-increment fund has been paid to the City and other taxing units levying taxes on property in the Zone; or
- b. The date that there is a unanimous determination by all members of the Board that all project costs, tax increment bonds and interest on those bonds, and other obligations have been paid in full.

4. Board of Directors: Pursuant to Sections 311.004(a)(2) and 311.009 of the Tax Increment Financing Act, the Zone shall be governed by a board of directors (the “Board”) as described below.

- a. Number, Term, and Appointment: The Board of the Zone shall consist of five (5) members appointed by the City. The directors shall serve two (2) year terms. Each taxing unit other than the City and the County that levies taxes on real property in the Zone may appoint one member of the Board if the taxing unit has approved payment of all or part of the tax increment produced by the unit into the tax increment fund for the Zone. Such a taxing unit may waive its right to appoint a member of the Board. Appointment of the Board shall be by separate action of the City Council. The five (5) Board member positions shall be designated as positions 1 through 5.
- b. Qualifications: To be eligible for appointment to the Board, an individual must be at least 18 years of age and be a resident of Williamson County or a county adjacent to Williamson County.
- c. Vacancies: A vacancy on the Board occurring for any reason shall be filled for the unexpired term by appointment of the City Council.

- d. Chairperson of the Board; Officers: Each year, the Council shall appoint one member of the Board to serve as chairperson for a term of one (1) year that begins on January 1 of the following year. The Board may elect other officers as it considers appropriate.
- e. Powers:
 - i. The Board shall make recommendations to the Council concerning the administration of Chapter 311 of the Tax Increment Financing Act in the Zone. The Council, by ordinance or resolution, may authorize the Board to exercise any of the City's powers with respect to the administration, management, or operation of the Zone or the implementation of the project plan for the Zone, except that the Council may not authorize the Board to:
 - 1. issue bonds;
 - 2. impose taxes or fees;
 - 3. exercise the power of eminent domain; or
 - 4. give final approval to the project plan.
 - ii. The Board and the Council may each enter into agreements as the Board or the Council considers necessary or convenient to implement the project plan and reinvestment zone financing plan and achieve their purposes. An agreement may provide for the regulation or restriction of the use of land by imposing conditions, restrictions, or covenants that run with the land. An agreement may, during the term of the agreement, dedicate, pledge, or otherwise provide for the use of revenue in the tax increment fund to pay any project costs that benefit the Zone, including project costs relating to the cost of buildings, schools, or other educational facilities owned by or on behalf of a school district, community college district, or other political subdivision of this state, railroad or transit facilities, affordable housing, remediation of conditions that contaminate public or private land or buildings, the preservation of the façade of a private or public building, the demolition of public or private buildings, or the construction of a road, sidewalk, or other public infrastructure. An agreement may dedicate revenue from the tax increment fund to pay the costs of providing affordable housing or areas of public assembly in or out of the Zone.
 - iii. The Board may exercise any power granted to the Council by Section 311.008 of the Tax Increment Financing Act, except that:
 - 1. the City, by ordinance, resolution, or order, may restrict any power granted to the Board by this chapter; and
 - 2. the Board may exercise a power granted to the City under Section 311.008(b)(2) only with the consent of the Council.

- iv. The Board may exercise any power granted to a board under Chapter 311 of the Tax Increment Financing Act.
- v. The Board and the Council may enter into a contract with a local government corporation or a political subdivision to manage the Zone or implement the project plan and reinvestment zone financing plan for the term of the agreement.
- vi. Subject to the approval of the Council, the Board, as necessary or convenient to implement the project plan and reinvestment zone financing plan and achieve their purposes, may establish and provide for the administration of one or more programs for the public purposes of developing and diversifying the economy of the Zone, eliminating unemployment and underemployment in the Zone, and developing or expanding transportation, business, and commercial activity in the Zone, including programs to make grants and loans from the tax increment fund of the Zone in an aggregate amount not to exceed the amount of the tax increment produced by the City and paid into the tax increment fund for the Zone for activities that benefit the Zone and stimulate business and commercial activity in the Zone. For these purposes, on approval of the City, the Board has all the powers of a municipality under Chapter 380, Local Government Code.
- vii. The Board or a local government corporation administering a reinvestment zone may contract with the City to allocate from the tax increment fund for the Zone an amount equal to the tax increment produced by the City and paid into the tax increment fund for the Zone to pay the incremental costs of providing municipal services incurred as a result of the creation of the Zone or the development or redevelopment of the land in the Zone, regardless of whether the costs of those services are identified in the project plan or reinvestment zone financing plan for the Zone.
- viii. The Board shall keep the City informed of its actions and financial matters concerning the Zone.
- f. Meetings: Meetings of the Board may be called at any time by the chairperson of the Board. Notice of any meeting may be given in writing or orally by such means as may be most convenient, but not later than three (3) days before the day of the meeting.
- g. Quorum: A majority of the number of directors duly appointed and serving will constitute a quorum at a Board meeting.

5. Tax Increment Fund: Pursuant to Section 311.014 of the Tax Increment Financing Act, a tax increment fund for the Zone shall be created and managed by the City as follows:
- a. In addition to the deposits required by Section 311.013 of the Tax Increment Financing Act, all revenues from the sale of tax increment bonds or notes, revenues from the sale of any property acquired as part of the tax increment financing plan, and other revenues to be used in the Zone shall be deposited in the tax increment fund for the Zone.
 - b. Money may be disbursed from the fund only to satisfy claims of holders of tax increment bonds or notes issued for the Zone, to pay project costs for the Zone, to make payments pursuant to an agreement made under Section 311.010(b) of the Tax Increment Financing Act dedicating revenue from the tax increment fund, or to repay other obligations incurred for the Zone.
 - c. Subject to an agreement with the holders of tax increment bonds or notes, money in a tax increment fund may be temporarily invested in the same manner as other funds of the City.
 - d. After all project costs, all tax increment bonds or notes issued for the Zone, and any other obligations incurred for the Zone have been paid, and subject to any agreement with bondholders, any money remaining in the tax increment fund shall be paid to the City and other taxing units levying taxes on property in the Zone in proportion to the City's and each other unit's respective share of the total amount of tax increments derived from taxable real property in the Zone that were deposited in the fund during the fund's existence.
 - e. A taxing unit that levies taxes on real property in the Zone may make a loan to the Board for deposit in the tax increment fund for the Zone if the governing body for the taxing unit determines that the loan is beneficial to, and serves a public purpose of, the taxing unit. The loan is payable on the terms agreed to by the taxing unit, or an instrumentality of the taxing unit if applicable, and the Board. Such a loan:
 - i. is not considered to be a tax increment bond or note under Section 311,015 of the Tax Increment Financing Act; and
 - ii. is considered to be:
 - 1. an authorized investment under Chapter 2256, Government Code; and
 - 2. an obligation incurred for the Zone.

6. Repeal: All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of the conflict.
8. Effective: This Ordinance shall be published and become effective in accordance with the laws of the State of Texas.

READ, CONSIDERED, PASSED, AND APPROVED ON FIRST READING by the City Council of the City of Hutto at a regular meeting on the 7th day of November, 2019, at which a quorum was present and for which due notice was given pursuant to Section 551.001 et seq. of the Texas Government Code.

READ, CONSIDERED, PASSED, AND APPROVED ON SECOND READING by the City Council of the City of Hutto at a regular meeting on the 21st day of November, 2019, at which a quorum was present and for which due notice was given pursuant to Section 551.001 et seq. of the Texas Government Code.

Doug Gaul, Mayor

ATTEST:

Lacie Hale, City Secretary

EXHIBIT A



Regular City Council
**AGENDA ITEM
13.B.**



To: City Council
Subject: Consideration of a public hearing and possible action on the second and final reading of an ordinance regarding the proposed annexation of Cottonwood Creek, 46.68 acres, more or less, of land, and to establish base zoning as SF-1 (Single Family Residential), located on CR 199. (Ashley Lumpkin)
Meeting: Regular City Council - 07 Nov 2019
Department: Development Services
Staff Contact: Ashley Lumpkin

BACKGROUND INFORMATION:

A Municipal Service Plan (MSP) has been drafted per the Council's directive from their regularly scheduled meeting on October 17, 2019.

Upon completion of the second and final reading of the annexation ordinance the annexation process is complete. An annexation ordinance requires a second reading prior to final approval.

All properties, upon annexation, and zoned in conformance with the Future Land Use Map. This tract will be zoned SF-1 - Single Household Medium Density in conformance with the Residential land use designation. If the property was not annexed and remained in the ETJ, the property could develop without development review from the City of Hutto, thus annexing and zoning property allows the City of Hutto to guide development and execute its adopted long-range plans.

Specifically, SF-1 District is defined as:

single household residential development of a medium density suburban or village character, with support facilities and services that are compatible with single household residences. Density must range from four to eight dwelling units per acre net density, depending on the context of the development.

RECOMMENDATION:

Staff recommends that the Council approve the second and final reading of the ordinance.

ATTACHMENTS:

[CottonwoodCreek\(46.68ac\)Annex-PHNotice\(News\)2nd
\(Ord\)CottonwoodCreekAnnex-46.68ac\(Ord\)2ndRead\(Complete\)
Cottonwood Creek Future Land Use Map](#)

PUBLIC NOTICE NOTICE OF A PUBLIC HEARING

NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS THAT THE HUTTO CITY COUNCIL WILL HOLD A PUBLIC HEARING REGARDING:

The proposal to institute annexation proceedings to enlarge and extend the city limits boundary of said City to include the following described property consisting of approximately 46.68 acres and to establish base zoning as SF-1 (Single Family Residential) heretofore referred to as Cottonwood Creek, to-wit:

The Cottonwood Creek property (46.68 acres) described as being out of the William Gatlin Survey, Abstract No. 271, in Williamson County, Texas.

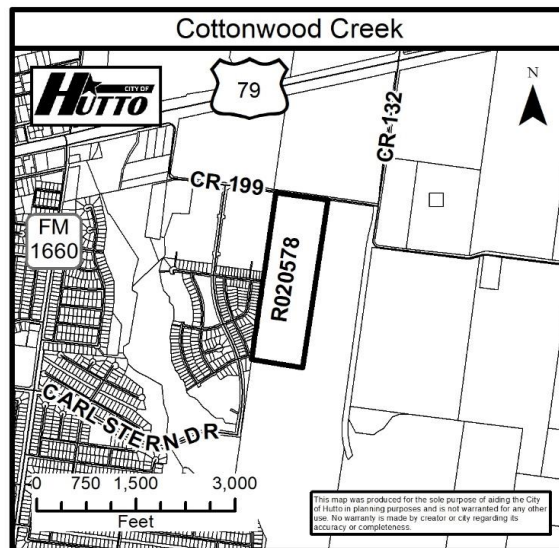
At said time and place all such persons interested shall have the right to appear and be heard. Of all said matters and things, all persons interested in the subject matter herein mentioned shall take notice.

A public hearing will be held on November 7, 2019 at 7:00 p.m.

Hutto City Hall
500 W. Live Oak St., Hutto, Texas

For additional information the public may contact Development Services at 512-759-3479 or planning@huttotx.gov

Publication Date: October 20, 2019



ORDINANCE NO.

AN ORDINANCE ANNEXING CERTAIN HEREINAFTER DESCRIBED ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY OF HUTTO, TEXAS, TO WIT: 46.68 ACRES, MORE OR LESS, OF LAND, DESCRIBED IN EXHIBIT "A", ALL OF SAID PROPERTY BEING SITUATED IN WILLIAMSON COUNTY, TEXAS, AND ALL ADJACENT ROADWAYS BEING FOR ANNEXATION; EXTENDING THE BOUNDARY LIMITS OF HUTTO SO AS TO INCLUDE SAID PROPERTY WITHIN HUTTO'S CITY LIMITS; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING THAT SUCH PROPERTY SHALL BECOME A PART OF THE CITY OF HUTTO AND THAT THE OWNERS AND INHABITANTS THEREOF SHALL BE ENTITLED TO THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BE BOUND BY THE ACTS, ORDINANCES, RESOLUTIONS AND REGULATIONS OF THE CITY NOW IN EFFECT AND THOSE WHICH ARE HEREINAFTER ADOPTED; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

WHEREAS, the City of Hutto, Texas (the "City") is a duly constituted home-rule municipality and, as such, is authorized to annex territory subject to the laws of the State of Texas and subject to its Charter, and;

WHEREAS, pursuant to Section 43.028 of the Texas Local Government Code, the owners of a tract of land containing 46.68 acres, more or less, of land, being out of the William Gatlin Survey, Abstract No. 271 in Williamson County, Texas, and being more particularly described in **Exhibit "A"** attached hereto and made part hereof by reference for all purposes, have petitioned the City Council in writing to annex the Property, and;

WHEREAS, the procedures prescribed by the Charter of the City of Hutto and the applicable laws of the State of Texas have been duly followed with respect to the Property, and;

WHEREAS, the City Council of the City of Hutto by resolution directed the City's Development Services Director to prepare a service plan that provided for the extension of full municipal services to the Property, and such service plan was duly prepared and described in **Exhibit "B"** attached hereto and made part hereof by reference for all purposes, and;

WHEREAS, such Property is (a) one-half mile or less in width; (b) contiguous to the City; and (c) vacant and without residents or on which fewer than three (3) qualified voters reside, and;

WHEREAS, after considering the public testimony received at each hearing, the City Council of the City of Hutto determines that annexation of the Property is proper in all respects and that such action is in the best interests of the community and its citizens, and;

WHEREAS, and every requirement set forth in Chapter 211, Sub-Chapter A., Texas Local Government Code, concerning public notices, hearings, and other procedural matters has been fully complied with, and;

WHEREAS, the City Council of the City of Hutto determines that the Property for annexation which is more fully described in **Exhibit "A"** should become annexed.

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

SECTION I.

That all of the above recitations are found to be true and correct and are incorporated into the body of this ordinance.

SECTION II.

That the Property described in the attached **Exhibit “A”**, together with adjacent roadways, be and is hereby annexed and brought within the corporate city limits of the City of Hutto, Texas, and same is hereby made an integral part hereof; and that the boundary limits of the City of Hutto be the same are hereby extended to include the above described territory within the city limits of the City of Hutto, and the same shall hereinafter be included within the territorial limits of the City of Hutto, Texas and designated as SF-1 (Single Family Residential) Zoning District.

SECTION III.

That the owners and present and future inhabitants of the area herein annexed be entitled to all rights and privileges of other citizens and property owners of the City of Hutto, and hereby bound by all acts, ordinances, resolutions and regulations of the City, and all other legal actions now in full force and effect and all those which may be hereafter adopted.

SECTION IV.

That the appropriate city official of the City of Hutto is hereby directed and authorized to perform or cause to be performed all acts necessary to correct the official maps and boundaries of the City of Hutto, heretofore adopted and amended, so as to include the aforementioned territory hereby annexed, be and are hereby amended as part of the City of Hutto, Texas, as required by law.

SECTION V.

That the Service Plan providing for extension of municipal services to the areas proposed to be annexed, attached hereto and incorporated herein as **Exhibit “B”**, is hereby approved.

SECTION VI.

That the City Secretary is hereby directed and authorized to file a certified copy of this ordinance in the Office of the County Clerk of Williamson County, Texas.

SECTION VII.

If any section, subsection, sentence, phrase, or word of this ordinance be found to be illegal, invalid or unconstitutional or if any portion of said Property is incapable of being annexed by the City, for any reason whatsoever, the adjudication shall not affect any other section, sentence, phrase, word, paragraph or provision of this ordinance or the application of any other section, sentence, phrase or provision of any other ordinance of the City. The City Council declares that it would have adopted the valid portions and applications of this ordinance and would have annexed the valid Property without the invalid part, and to this end the provisions of this ordinance are declared to be severable.

SECTION VIII.

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are hereby expressly repealed.

B. The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.

C. That City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this ordinance and the subject matter thereof were discussed, considered, and formerly acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

SECTION IX.

This ordinance shall take effect and be in force from and after its passage.

READ and **APPROVED** on first reading on this the **17th** day of **October, 2019** at a meeting of the Hutto, Texas City Council; there being a quorum present.

READ, PASSED and **ADOPTED** on second reading of ordinance this **7th** day of **November, 2019** at a meeting of the Hutto, Texas City Council; there being a quorum present.

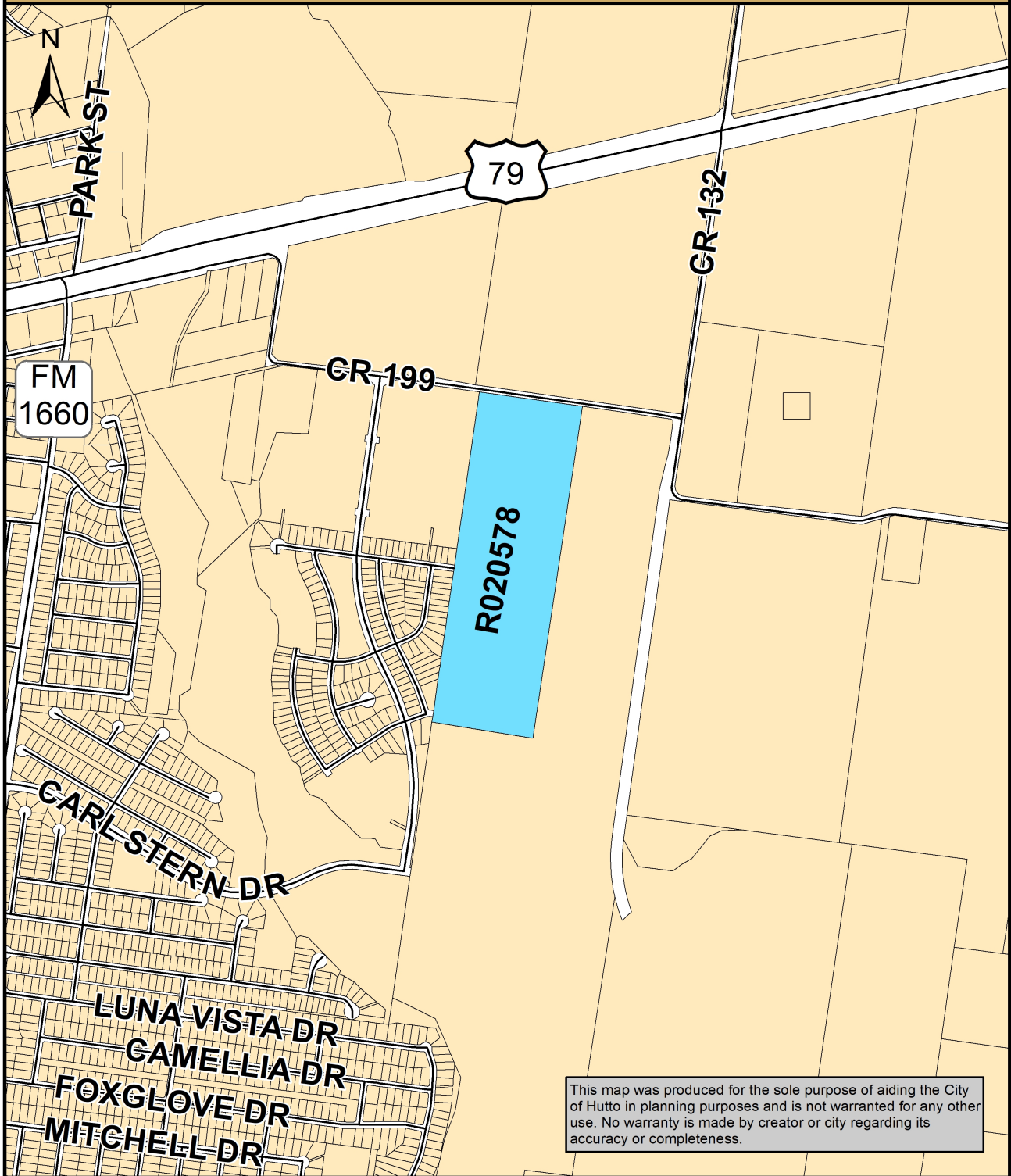
CITY OF HUTTO, TEXAS

Doug Gaul, Mayor

ATTEST:

Lacie Hale, City Secretary

Cottonwood Creek

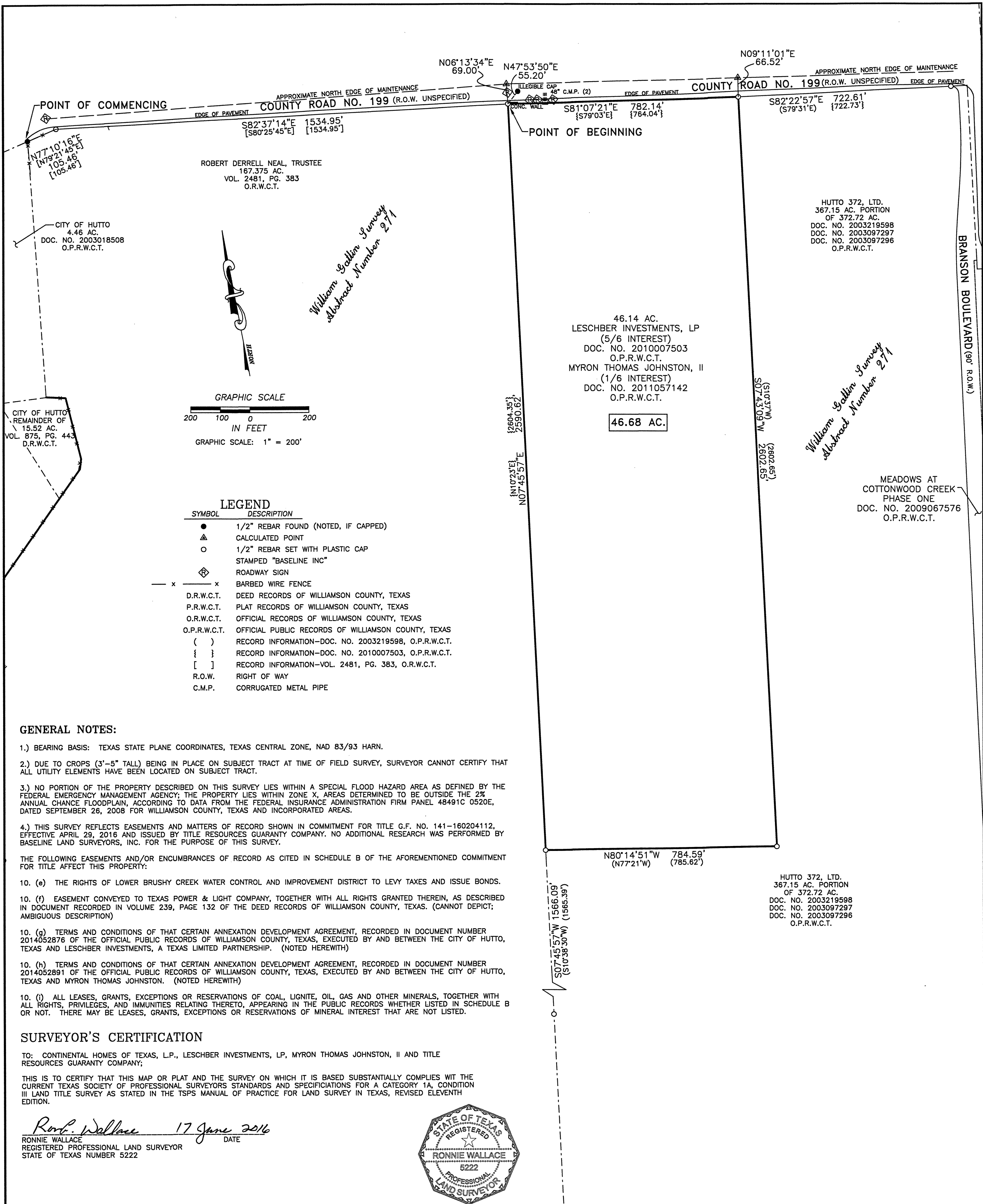


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Location Maps\Annexation_Maps\Cottonwood_Creek.mxd)
9/13/2019 -- 8:47:01 AM

Page 6 of 11



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01 of 01 SHEET	File: S:\Prof\Hutto East\Title Survey-LESCHEBER JOHNSTON.dwg	LAND TITLE SURVEY OF 46.68 ACRES OF LAND OUT OF THE WILLIAM GATLIN SURVEY, ABSTRACT NUMBER 271 IN WILLIAMSON COUNTY, TEXAS AND BEING THAT SAME TRACT OF LAND CALLED 46.14 ACRES AS CONVEYED IN PERCENTAGE TO LESCHEBER INVESTMENTS, LP BY INSTRUMENT OF RECORD IN DOCUMENT NUMBER 2010007503 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS AND CONVEYED IN PERCENTAGE TO MYRON THOMAS JOHNSTON, II BY INSTRUMENT OF RECORD IN DOCUMENT NUMBER 2011057142 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS	BASELINE LAND SURVEYORS, INC. PROFESSIONAL LAND SURVEYING SERVICES 8333 CROSS PARK DRIVE AUSTIN TEXAS 78754 TELE: 512.374.9722 FIRM REGISTRATION CERTIFICATE #10015100 ron-baseline@austin.rr.com
	Scale (Hor.): 1"=200'		
	Date: 06/17/16		
	Drawn By: RLW		
	Checked By: BWB		
	Revision 1:		
	Revision 2:		
	Revision 3:		

**CITY OF HUTTO
MUNICIPAL SERVICE PLAN
FOR PROPOSED ANNEXATION OF**

EXHIBIT “B”

**46.68 acres, more or less, of land, out of the
William Gatlin Survey, Abstract No. 271, in Williamson County, Texas.**

The City of Hutto, Texas will provide for the extension of full municipal services into the area proposed to be annexed in accordance with Texas Local Government Code §43.056.

FIRE

Existing Services: Williamson County Emergency Service District #3

Services to be Provided:

Provides fire suppression and emergency services to the area. Primary fire response will be provided by Williamson County Emergency Service District #3, located at the following address: 501 Exchange Boulevard. Fire code inspections and enforcement will be handled by Williamson County Emergency Services District #3 on behalf of the City of Hutto.

POLICE

Existing Services: Williamson County Sheriff's Department

Services to be Provided:

Upon annexation, the City of Hutto Police Department will extend regular and routine patrols to the area. It is anticipated that the implementation of police patrol activities can be effectively accommodated within the current budget and staff appropriations.

BUILDING INSPECTION

Existing Services: None

Services to be Provided:

The Development Services Department will provide Building Inspection Services and the Hutto Police Department will provide Code Enforcement Services upon annexation. The Development Services Department's role will include issuing building, electrical and plumbing permits for any new construction and remodeling, and enforcing all other applicable codes that regulate building construction within the City of Hutto. Fire code inspections and enforcement will be handled by Williamson County Emergency Services District #3 on behalf of the City of Hutto.

PLANNING AND ZONING

Existing Services: Review of subdivision development plans under City's Subdivision Ordinance. No municipal zoning or land use controls except for those imposed by State Law.

Services to be Provided:

The Hutto Development Services Department has responsibility for regulating development and land use through the administration of the City of Hutto's Zoning Ordinance, and this will extend to the area on the effective date of the annexation. The property will also continue to be regulated under the requirements of the City of Hutto's Subdivision Ordinance. These services can be provided within the departments' current budgets.

LIBRARY

Existing Services: None

Services to be Provided:

City Library privileges will be available to future residents in this area.

HEALTH DEPARTMENT - HEALTH CODE ENFORCEMENT SERVICE

Existing Services: Williamson Cities and County Health District

Services to be Provided:

Williamson Cities and County Health District will continue to implement enforcement of the health districts regulations on the effective date of annexation. Animal control services will also be provided to the area as needed by Hutto Animal Control Division of the Police Department.

STREET MAINTENANCE

Existing Services: Williamson County

Services to be Provided:

Maintenance and access to adjacent existing street facilities will be provided/overseen by appropriate City of Hutto departments.

STORM WATER MANAGEMENT

Existing Services: Williamson County Flood Plain Administrator

Services to be Provided

Developers will provide storm water drainage facilities as required of their development at their own expense and such will be inspected by the City's engineers at time of completion. The City of Hutto will then maintain the drainage in public rights of way upon approval of the construction. Property owners and/or Home Owner's Associations or similar entities will maintain drainage facilities located on private property. All construction within the flood plain will be through the appropriate Hutto department(s) and will meet FEMA Flood Plain regulations.

STREET LIGHTING

Existing Services: Oncor Electric Delivery

Services to be Provided:

There are no existing street lights in this area. The Developer will be responsible for initial installation and maintenance of street lighting, if required, within the development until such time as any internal streets have been accepted by the City Council.

TRAFFIC ENGINEERING

Existing Services: None

Services to be Provided:

The City of Hutto, through its appropriate departments, will be able to provide any necessary additional traffic control devices after the effective date of annexation.

WATER SERVICE

Existing Services: None

Services to be Provided:

Water service to the properties will be provided by Manville W.S.C.

SANITARY SEWER SERVICE

Existing Services: None

Services to be Provided:

Sanitary sewer service to the properties will be provided by City of Hutto.

SOLID WASTE SERVICES

Existing Services: None

Services to be Provided:

Solid waste collection shall be provided to the area of annexation in accordance with current ordinances. Service shall comply with existing City of Hutto policies, beginning with occupancy of structures.

PARKS AND TRAILS

Existing Service: None

Services to be Provided:

All City operated parks and trail systems will be available to the residents of this area upon annexation.

MISCELLANEOUS

Existing Services: None

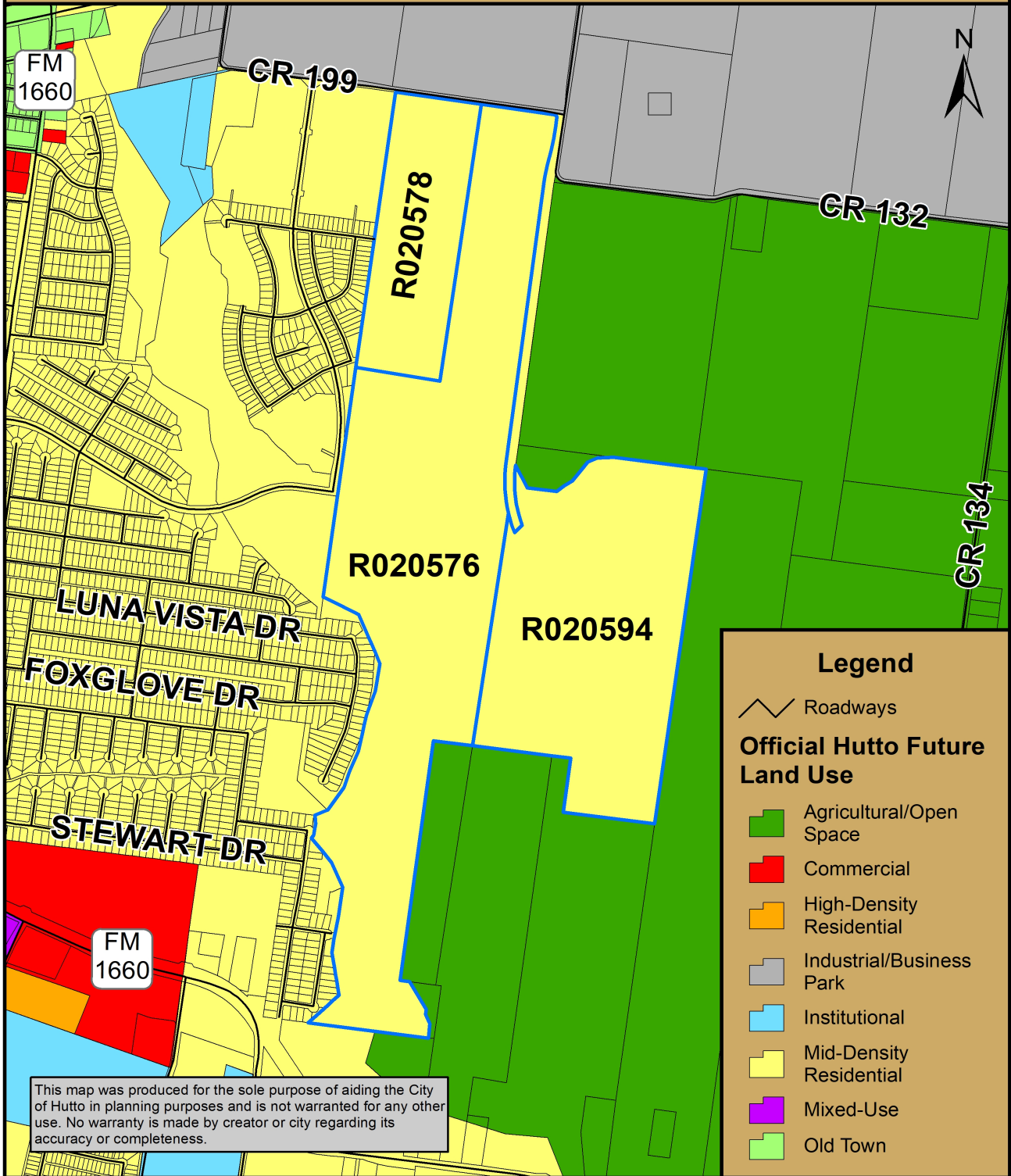
Services to be Provided:

All other applicable municipal services will be provided to the area in accordance with the City of Hutto's established policies governing extension of municipal services to newly-annexed areas.

NOTE:

Capital improvements sufficient for providing municipal services for the annexed area are in place such that the costs associated with the extension of service lines to proposed building sites within the area will be borne by owners and/or developers.

Cottonwood Creek



Regular City Council
AGENDA ITEM
13.C.



To: Regular City Council

Subject: Consideration and possible action on reading of an ordinance authorizing the issuance and sale of one or more series of City of Hutto, Texas General Obligation Bonds, Series 2019C; authorizing the levy of an advalorem tax in support of said bonds; approving an official statement, the form of a paying agent/registrar agreement and related agreements; establishing procedures for selling and delivering of one or more series of bonds; and other matters related to the issuance of the bonds. (Michel Sorrell)

Meeting: Regular City Council - 07 Nov 2019

Department: Finance

Staff Contact: Michel Sorrell

BACKGROUND INFORMATION:

The General Obligation bond ordinance will be backed by the City's property tax levy and is the second of bond issuances for projects approved by voters in the 2018 Bond Election as follows:

- Proposition A - Street and Drainage Improvements: \$70,000,000.00
- Proposition B - Public Safety and Communication Facility Improvements: \$5,000,000.00
- Proposition C - Park and Recreation Improvements: \$50,000,000.00

The Series 2019C bonds will be issued in the amount of approximately \$25,000,000.00 in accordance with the recommendations from consulting architects, engineers and staff.

FINANCIAL IMPACT:

The debt service for these bonds will be supported by the City's ad valorem tax levy.

POLICY IMPLICATIONS:

The City's Bond Counsel, McCall Parkhurst, and Horton LLP, prepared the bond ordinance.

RECOMMENDATION:

Staff recommends approval of the ordinance authorizing the issuance of City of Hutto, Texas General Obligation Bonds, Series 2019C. Only one reading of the ordinance is required per Section 1201.028 of the Texas Government Code and Article 10.01E of the City Charter.

ATTACHMENTS:

[Ordinance Cert 10-31-19](#)

[Hutto GO 2019C Ordinance 10-31-19](#)

THE STATE OF TEXAS
COUNTY OF WILLIAMSON
CITY OF HUTTO

Doug Gaul, Mayor
Scott Rose, Place 1
Tom Hines, Place 2
Nate Killough, Place 3
Vacant, Place 4
Patti Turner, Place 5
Terri Grimm, Place 6

pertaining to the passage of the Ordinance; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of the City Council as indicated therein; that each of the officers and members of the City Council was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the aforesaid Meeting, and that the Ordinance would be introduced and considered for passage at the Meeting, and each of the officers and members consented, in advance, to the holding of the Meeting for such purpose; that the Meeting was open to the public and public notice of the time, place and purpose of the Meeting was given, all as required by Chapter 551, Texas Government Code, as amended.

SIGNED AND SEALED this _____, 2019.

City Secretary

Mayor

(CITY SEAL)

ORDINANCE NO. – O-19-____-____-____

**ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF ONE OR MORE
SERIES OF CITY OF HUTTO, TEXAS GENERAL OBLIGATION BONDS;
AUTHORIZING THE LEVY OF AN AD VALOREM TAX IN SUPPORT OF SAID
BONDS, SERIES 2019C; APPROVING AN OFFICIAL STATEMENT, THE FORM OF A
PAYING AGENT/REGISTRAR AGREEMENT AND OTHER RELATED
AGREEMENTS; ESTABLISHING PROCEDURES FOR SELLING AND DELIVERING
ONE OR MORE SERIES OF THE BONDS; AND OTHER MATTERS RELATING TO
THE ISSUANCE OF THE BONDS**

**ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF ONE OR MORE
SERIES OF CITY OF HUTTO, TEXAS GENERAL OBLIGATION BONDS;
AUTHORIZING THE LEVY OF AN AD VALOREM TAX IN SUPPORT OF SAID
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ONE OR MORE SERIES OF THE BONDS; AND OTHER MATTERS RELATING TO
THE ISSUANCE OF THE BONDS**

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Exhibit A – Definitions

Exhibit B – Description of Annual Financial Information

ORDINANCE NO. – O-19-__ - __ - __

**ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF ONE OR MORE
SERIES OF CITY OF HUTTO, TEXAS GENERAL OBLIGATION BONDS;
AUTHORIZING THE LEVY OF AN AD VALOREM TAX IN SUPPORT OF SAID
BONDS, SERIES 2019C; APPROVING AN OFFICIAL STATEMENT, THE FORM OF A
PAYING AGENT/REGISTRAR AGREEMENT AND OTHER RELATED
AGREEMENTS; ESTABLISHING PROCEDURES FOR SELLING AND DELIVERING
ONE OR MORE SERIES OF THE BONDS; AND OTHER MATTERS RELATING TO
THE ISSUANCE OF THE BONDS**

**THE STATE OF TEXAS
COUNTY OF WILLIAMSON
CITY OF HUTTO**

**'
'
'**

WHEREAS, at an election held within the City of Hutto, Texas (the "City") on November 6, 2018, the voters of the City authorized the City Council of the City (the "City Council") to issue in one or more series of the bonds set forth in the Propositions set forth below:

PROPOSITION A

"Shall the City Council of the City of Hutto, Texas, be authorized to issue the bonds of the City, in one or more series or issues, in the aggregate principal amount of \$70,000,000 for the purpose of constructing, improving, extending, expanding, upgrading and/or developing streets, roads and intersections at FM 1660 North and Limmer Loop, FM 1660 at U.S. 79, FM 1660 South and Front Street and other roads in the City if unissued bonds or unspent proceeds of bonds sold remain after completing the improvements at FM 1660 North and Limmer Loop, FM 1660 at U.S. 79, FM 1660 South and Front Street, including utility relocation, drainage improvements, sidewalks, traffic safety and operational improvements, the purchase of any necessary rights-of-way and other related costs therefor with said bonds to mature not more than 40 years from their date of issuance, bear interest, and be issued and sold in accordance with law at the time of issuance; and shall said City Council be authorized to levy and cause to be assessed and collected annual ad valorem taxes on all taxable property in the City in an amount sufficient to pay the annual interest on said bonds and provide a sinking fund to pay the bonds at maturity?"

PROPOSITION B

"Shall the City Council of the City of Hutto, Texas, be authorized to issue the bonds of the City, in one or more series or issues, in the aggregate principal amount of \$5,000,000 for the purpose of planning, designing, constructing, purchasing, renovating, repairing, replacing, improving, expanding and equipping public safety and communication facilities for the City police department, including audio and

Hutto\GO\19C\Del: Ordinance

visual technology and related software or hardware in connection with such facilities and other related costs therefor with said bonds to mature not more than 40 years from their date of issuance, bear interest, and be issued and sold in accordance with law at the time of issuance; and shall said City Council be authorized to levy and cause to be assessed and collected annual ad valorem taxes on all taxable property in the City in an amount sufficient to pay the annual interest on said bonds and provide a sinking fund to pay the bonds at maturity?"

PROPOSITION C

"Shall the City Council of the City of Hutto, Texas, be authorized to issue the bonds of the City, in one or more series or issues, in the aggregate principal amount of \$50,000,000 for the purpose of constructing, acquiring, improving, renovating, developing and equipping, land, buildings and supporting infrastructure for parks and recreational purposes, including renovation of existing parks and recreational facilities, extensions of roadways, trails, parking, and/or drainage improvements at or integrated into parks, the purchase of any necessary rights-of-way and related infrastructure and other costs therefor with said bonds to mature not more than 40 years from their date of issuance, bear interest, and be issued and sold in accordance with law at the time of issuance; and shall said City Council be authorized to levy and cause to be assessed and collected annual ad valorem taxes on all taxable property in the City in an amount sufficient to pay the annual interest on said bonds and provide a sinking fund to pay the bonds at maturity?"

WHEREAS, the City Council has previously utilized general obligation bond authorizations from the November 6, 2018 (the "Election") in the following amounts and reserves the right to issue the remaining authorization as follows:

REMAINING VOTED AUTHORIZATION FROM THE ELECTION

<u>Election Date</u>	<u>Propositions</u>	<u>Purpose</u>	<u>Amount Authorized</u>	<u>Authorization Utilized</u>	<u>Authorization Remaining</u>
11-06-18	Proposition A	Street Improvements	\$70,000,000	\$16,500,000	\$53,500,000
11-06-18	Proposition B	Public Safety & Communicatio n Facilities	\$5,000,000	\$0	\$5,000,000
11-06-18	Proposition C	Parks and Recreational Facilities	\$50,000,000	\$8,500,000	\$41,500,000

WHEREAS, the City Council deems it to be in the best interest of the City to issue bonds from the authorization approved at the Election, as more further described in the Pricing Certificate (as defined herein); and

WHEREAS, the City Council hereby reserves and retains the right to issue the balance of unissued authorization approved at said Election in one or more installments when, in the judgment of the City Council, funds are needed to accomplish the purposes for which such bonds were voted; and

AND WHEREAS, it is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and public notice of the time, place and purpose of the meeting was given, all as required by Chapter 551, Texas Government Code.

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

Section 1. RECITALS. The recitals set forth in the preamble hereof are incorporated herein and shall have the same force and effect as if set forth in this Section.

Section 2. DEFINITIONS. For all purposes of this Ordinance, except as otherwise expressly provided or unless the context otherwise requires, the terms defined in Exhibit "A" to this Ordinance have the meanings assigned to them in Exhibit "A".

Section 3. AMOUNT AND PURPOSE OF THE BONDS. The Bond or Bonds of the City are hereby authorized to be issued pursuant to the Election and Chapter 1331, Texas Government Code, as amended and delivered in the maximum aggregate principal amount not to exceed \$30,000,000 (the "Bonds"), for the purposes set forth in the Proposition A, Proposition B and Proposition C authorizations set forth above including related costs of issuance, all as further set out in the Pricing Certificate.

Section 4. DATE, DENOMINATIONS, NUMBERS, MATURITIES AND TERMS OF BONDS. (a) Terms of Bonds. There shall be issued, sold and delivered under this Ordinance fully registered bonds, without interest coupons, in one or more series, numbered consecutively from R-1 upward (except the Initial Bond delivered to the Attorney General of the State of Texas which shall be numbered T-1) payable to the initial registered owner(s), or to the registered assignee or assignees of said Bonds or any portion or portions thereof (in each case, the "Registered Owner" or the "Owner"), in the denomination of \$5,000 or any integral multiple thereof (each an "Authorized Denomination"), maturing not later than forty years from their date, serially or otherwise on the dates, in the years and in the principal amounts, respectively, and dated, all as set forth in the Pricing Certificate to be executed and delivered by the Pricing Officer pursuant to Subsection (b) of this Section. The Pricing Certificate is hereby incorporated in and made a part of this Ordinance. The Bonds shall be designated by the year in which they are awarded. The authority of the Pricing Officer to execute a Pricing Certificate shall expire at 5:00 p.m. C.T. on May 7, 2020. Bonds priced on or before May 7, 2020 may be delivered to the initial purchaser after such date.

(b) Selling and Delivering the Bonds. As authorized by Chapter 1371, Texas Government Code, as amended, the Pricing Officer is hereby authorized to act on behalf of the City in selling and delivering one or more series of the Bonds and carrying out the other procedures specified in this Ordinance, including determining the date of the Bonds, any additional or different designation or title by which a series of the Bonds shall be known, the price at which each series of the Bonds will be sold, the years in which the Bonds will mature, the principal amount to mature in each of such years, the aggregate principal amount of the Bonds, the rate or rates of interest to be borne by each such maturity, the interest payment periods, the dates, price, and terms upon and at which the Bonds shall be subject to redemption prior to maturity at the option of the City, as well as any mandatory sinking fund redemption provisions, obtaining a rating on the Bonds, procuring municipal bond insurance, if any, and all other matters relating to the issuance, sale, and delivery of the Bonds, all of which shall be specified in the Pricing Certificate; provided that (i) the price to be paid for each series of the Bonds shall not be less than 90% of the aggregate original principal amount thereof plus accrued interest thereon from its date to its delivery and (ii) none of the Bonds of a series shall bear interest at a rate greater than the maximum authorized by law. In establishing the aggregate principal amount of the Bonds, the Pricing Officer shall establish an amount not to exceed the amount authorized in Section 3 thereof, which shall be sufficient to provide for the purposes for which the Bonds are authorized and to pay the costs of issuing the Bonds.

(c) Determinations of Pricing Officer. To achieve advantageous borrowing costs for the City, the Bonds shall be sold on a negotiated, placement or competitive basis as determined by the Pricing Officer in the Pricing Certificate. In determining whether to sell the Bonds by negotiated, placement or competitive sale, the Pricing Officer shall take into account any material disclosure issues which might exist at the time, the market conditions expected at the time of the sale and any other matters which, in the judgment of the Pricing Officer, might affect the net borrowing costs on the Bonds.

If the Pricing Officer determines that a series of the Bonds should be sold at a competitive sale, the Pricing Officer shall cause to be prepared a notice of sale and official statement in such manner as the Pricing Officer deems appropriate, to make the notice of sale and official statement available to those institutions and firms wishing to submit a bid for the Bonds, to receive such bids, and to award the sale of the Bonds to the bidder submitting the best bid in accordance with the provisions of the notice of sale.

If the Pricing Officer determines that a series of the Bonds should be sold by a negotiated sale or placement, the Pricing Officer shall designate the placement purchaser or the senior managing underwriter for the Bonds and such additional investment banking firms as the Pricing Officer deems appropriate to assure that the Bonds are sold on the most advantageous terms to the City. The Pricing Officer, acting for and on behalf of the City, is authorized to enter into and carry out a Purchase Agreement or other agreement for the Bonds to be sold by negotiated sale or placement, with the underwriters or placement purchasers at such price, with and subject to such terms as determined by the Pricing Officer pursuant to subsection (b) above. Each Purchase Agreement or other agreement shall be substantially in the form and substance previously approved by the City in connection with the authorization of debt with such changes as are acceptable to the Pricing Officer.

The Pricing Officer is expressly authorized, empowered, and directed from time to time and at any time to do and perform all such acts and things and to execute, acknowledge, and deliver in the name and under the corporate seal and on behalf of the City all such instruments, whether or not herein mentioned, as may be necessary or desirable in order to carry out the terms and provisions of this Ordinance, the Bonds, the sale and delivery of each series of Bonds and fixing all details in connection therewith, including to approve an official statement, or supplements thereto, in connection with each series of Bonds.

In satisfaction of Section 1201.022(a)(3), Texas Government Code, the City hereby determines that the delegation of the authority to the Pricing Officer to approve the method of sale and final terms and conditions of each series of the Bonds as set forth in this Ordinance and the decisions made by the Pricing Officer pursuant to such delegated authority and incorporated in each Pricing Certificate will be, in the best interests and shall have the same force and effect as if such determination were made by the City and the Pricing Officer is hereby authorized to make and include in each Pricing Certificate an appropriate finding to that effect.

Section 5. INTEREST. The Bonds shall bear interest calculated on the basis of a 360-day year composed of twelve 30-day months from the dates specified in the FORM OF BOND set forth in this Ordinance to their respective dates of maturity or redemption at the rates per annum as set forth in the Pricing Certificate. Interest shall be payable in the manner provided and on the dates stated in the FORM OF BOND set forth in this Ordinance and the Pricing Certificate.

Section 6. CHARACTERISTICS OF THE BONDS. (a) Registration, Transfer and Exchange; Authentication. The Pricing Officer shall designate the Paying Agent/Registrar ("Paying Agent/Registrar") for each series of the Bonds in the Pricing Certificate. The Paying Agent/ Registrar shall keep the books or records for the registration of the transfer and exchange of the Bonds (the "Registration Books"), and the Paying Agent/Registrar shall serve as the City's registrar and transfer agent to keep such books or records and make such registrations of transfers and exchanges under such reasonable regulations as the City and Paying Agent/Registrar may prescribe; and the Paying Agent/Registrar shall make such registrations, transfers and exchanges as herein provided. The Paying Agent/Registrar shall obtain and record in the Registration Books the address of the Registered Owner of each Bond to which payments with respect to the Bonds shall be mailed, as herein provided; but it shall be the duty of each Registered Owner to notify the Paying Agent/Registrar in writing of the address to which payments shall be mailed, and such interest payments shall not be mailed unless such notice has been given. The City shall have the right to inspect the Registration Books during regular business hours of the Paying Agent/Registrar, but otherwise the Paying Agent/Registrar shall keep the Registration Books confidential and, unless otherwise required by law, shall not permit their inspection by any other entity. The Paying Agent/Registrar shall make the Registration Books available within the State of Texas. The City shall pay the Paying Agent/Registrar's standard or customary fees and charges for making such registration, transfer, exchange and delivery of a substitute Bond or Bonds. Registration of assignments, transfers and exchanges of Bonds shall be made in the manner provided and with the effect stated in the FORM OF BONDS set forth in this Ordinance. Each substitute Bond shall bear a letter and/or number to distinguish it from each other Bond.

Except as provided in Section 4(c) of this Ordinance, an authorized representative of the Paying Agent/Registrar shall, before the delivery of any such Bond, date and manually sign said Bond, and no such Bond shall be deemed to be issued or Outstanding unless such Bond is so executed. The Paying Agent/Registrar promptly shall cancel all paid Bonds and Bonds surrendered for exchange. No additional ordinances, orders, or resolutions need be passed or adopted by the governing body of the City or any other body or person so as to accomplish the foregoing exchange of any Bond or portion thereof, and the Paying Agent/Registrar shall provide for the printing, execution, and delivery of the substitute Bonds in the manner prescribed herein, and said Bonds shall be printed or typed on paper of customary weight and strength. Pursuant to Chapter 1201, Texas Government Code, as amended, and particularly Subchapter D thereof, the duty of exchange of Bonds as aforesaid is hereby imposed upon the Paying Agent/Registrar, and, upon the execution of said Bond, the converted and exchanged Bond shall be valid, incontestable, and enforceable in the same manner and with the same effect as the Bonds which initially were issued and delivered pursuant to this Ordinance, approved by the Attorney General and registered by the Comptroller of Public Accounts of the State of Texas.

(b) Payment of Bonds and Interest. The Paying Agent/Registrar shall further act as the paying agent for paying the principal of and interest on the Bonds, all as provided in this Ordinance. The Paying Agent/Registrar shall keep proper records of all payments made by the City and the Paying Agent/Registrar with respect to the Bonds, and of all exchanges of Bonds, and all replacements of Bonds, as provided in this Ordinance. However, in the event of a nonpayment of interest on a scheduled payment date, and for thirty (30) days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the City. Notice of the past due interest shall be sent at least five (5) business days prior to the Special Record Date by United States mail, first-class postage prepaid, to the address of each Registered Owner appearing on the Registration Books at the close of business on the last business day next preceding the date of mailing of such notice.

(c) In General. The Bonds (i) shall be issued in fully registered form, without interest coupons, with the principal of and interest on such Bonds to be payable only to the Registered Owners thereof, (ii) may be redeemed prior to their scheduled maturities (notice of which shall be given to the Paying Agent/Registrar by the City at least 45 days prior to any such redemption date), (iii) may be converted and exchanged for other Bonds, (iv) may be transferred and assigned, (v) shall have the characteristics, (vi) shall be signed, sealed, executed and authenticated, (vii) the principal of and interest on the Bonds shall be payable, and (viii) shall be administered and the Paying Agent/Registrar and the City shall have certain duties and responsibilities with respect to the Bonds, all as provided, and in the manner and to the effect as required or indicated, in the FORM OF BOND set forth in this Ordinance and with such changes and additions as required to be consistent with the provisions contained in the Pricing Certificate relating to the Bonds. The Bonds initially issued and delivered pursuant to this Ordinance are not required to be, and shall not be, authenticated by the Paying Agent/Registrar, but on each substitute Bond issued in exchange for any Bond or Bonds issued under this Ordinance the Paying Agent/Registrar shall execute the PAYING

AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE, in the form set forth in the FORM OF BOND.

(d) Substitute Paying Agent/Registrar. The City covenants with the Registered Owners of the Bonds that at all times while the Bonds are Outstanding the City will provide a competent and legally qualified bank, trust company, financial institution, or other agency to act as and perform the services of Paying Agent/Registrar for the Bonds under this Ordinance, and that the Paying Agent/Registrar will be one entity. The City reserves the right to, and may, at its option, change the Paying Agent/Registrar upon not less than 30 days written notice to the Paying Agent/Registrar, to be effective at such time which will not disrupt or delay payment on the next principal or Interest Payment Date after such notice. In the event that the entity at any time acting as Paying Agent/Registrar (or its successor by merger, acquisition, or other method) should resign or otherwise cease to act as such, the City covenants that promptly it will appoint a competent and legally qualified bank, trust company, financial institution, or other agency to act as Paying Agent/Registrar under this Ordinance. Upon any change in the Paying Agent/Registrar, the previous Paying Agent/Registrar promptly shall transfer and deliver the Registration Books (or a copy thereof), along with all other pertinent books and records relating to the Bonds, to the new Paying Agent/Registrar designated and appointed by the City. Upon any change in the Paying Agent/Registrar, the City promptly will cause a written notice thereof to be sent by the new Paying Agent/Registrar to each Registered Owner of the Bonds, by United States mail, first-class postage prepaid, which notice also shall give the address of the new Paying Agent/Registrar. By accepting the position and performing as such, each Paying Agent/Registrar shall be deemed to have agreed to the provisions of this Ordinance, and a certified copy of this Ordinance shall be delivered to each Paying Agent/Registrar.

(e) Book-Entry-Only System. The Bonds issued in exchange for the Bonds initially issued as provided in Section 6(a) shall be issued in the form of a separate single fully registered Bond for each of the maturities thereof registered in the name of Cede & Co. as nominee of DTC and except as provided in subsection (f) hereof, all of the Outstanding Bonds shall be registered in the name of Cede & Co., as nominee of DTC.

With respect to Bonds registered in the name of Cede & Co., as nominee of DTC, the City and the Paying Agent/Registrar shall have no responsibility or obligation to any securities brokers and dealers, banks, trust companies, clearing corporations and certain other organizations on whose behalf DTC was created to hold securities to facilitate the clearance and settlement of securities transactions among DTC participants (the "DTC Participant") or to any person on behalf of whom such a DTC Participant holds an interest in the Bonds. Without limiting the immediately preceding sentence, the City and the Paying Agent/Registrar shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any DTC Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any DTC participant or any other person, other than a Registered Owner, as shown on the Registration Books, of any notice with respect to the Bonds, including any notice of redemption, or (iii) the payment to any DTC Participant or any person, other than a Registered Owner, as shown on the Registration Books of any amount with respect to principal of, premium, if any, or interest on the Bonds. Notwithstanding any other provision of this Ordinance to the contrary, but to the extent permitted by law, the City and the

Paying Agent/Registrar shall be entitled to treat and consider the person in whose name each Bond is registered in the Registration Books as the absolute owner of such Bond for the purpose of payment of principal, premium, if any, and interest, with respect to such Bond, for the purposes of registering transfers with respect to such Bonds, and for all other purposes of registering transfers with respect to such Bonds, and for all other purposes whatsoever. The Paying Agent/Registrar shall pay all principal of, premium, if any, and interest on the Bonds only to or upon the order of the respective Registered Owners, as shown in the Registration Books as provided in the Ordinance, or their respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the City's obligations with respect to payment of principal of, premium, if any, and interest on the Bonds to the extent of the sum or sums so paid. No person other than a Registered Owner, as shown in the Registration Books, shall receive a Bond evidencing the obligation of the City to make payments of principal, premium, if any, and interest pursuant to the Ordinance. Upon delivery by DTC to the Paying Agent/Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions in this Ordinance with respect to interest checks being mailed to the registered owner at the close of business on the Record Date the word "Cede & Co." in this Ordinance shall refer to such new nominee of DTC.

(f) Successor Securities Depository; Transfer Outside Book-Entry-Only System. In the event that the City determines to discontinue the book-entry system through DTC or a successor or DTC determines to discontinue providing its services with respect to the Bonds, the City shall either (i) appoint a successor securities depository, qualified to act as such under Section 17(a) of the Securities and Exchange Act of 1934, as amended, notify DTC and DTC Participants of the appointment of such successor securities depository and transfer one or more separate Bonds to such successor securities depository or (ii) notify DTC and DTC Participants of the availability through DTC of Bonds and transfer one or more separate Bonds to DTC Participants having Bonds credited to their DTC accounts. In such event, the Bonds shall no longer be restricted to being registered in the Registration Books in the name of Cede & Co., as nominee of DTC, but may be registered in the name of the successor securities depository, or its nominee, or in whatever name or names Registered Owner transferring or exchanging Bonds shall designate, in accordance with the provisions of this Ordinance.

(g) Payments to Cede & Co. Notwithstanding any other provision of this Ordinance to the contrary, so long as any Bond is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to principal of, premium, if any, and interest on such Bond and all notices with respect to such Bond shall be made and given, respectively, in the manner provided in the Blanket Representation of the City to DTC.

(h) Initial Bonds. The Bonds herein authorized shall be initially issued as fully registered Bonds, being one Bond for each maturity in the denomination of the applicable principal amount and the Initial Bond shall be registered in the name of the senior manager as set forth in the Pricing Certificate. The Initial Bond shall be the Bond submitted to the Office of the Attorney General of the State of Texas for approval, certified and registered by the Office of the Comptroller of Public Accounts of the State of Texas and delivered to the underwriters. Immediately after the delivery of

Section 7. FORM OF BOND. The form of the Bond, including the FORM OF PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE, the form of Assignment and the form of Registration Certificate of the Comptroller of Public Accounts of the State of Texas to be attached to the Bonds initially issued and delivered pursuant to this Ordinance, shall be, respectively, substantially as follows, with such appropriate variations, omissions or insertions as are permitted or required by this Ordinance and the Pricing Certificate.

R-	UNITED STATES OF AMERICA STATE OF TEXAS CITY OF HUTTO, TEXAS GENERAL OBLIGATION BOND, SERIES 20 *	PRINCIPAL AMOUNT \$ _____
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REGISTERED OWNER:

PRINCIPAL AMOUNT: _____ **DOLLARS**

ON THE MATURITY DATE specified above, the City of Hutto, Texas (the "City"), being a political subdivision of the State of Texas, hereby promises to pay to the Registered Owner set forth above, or registered assigns (hereinafter called the "Registered Owner") the principal amount set forth above, and to pay interest thereon from _____*, the initial date of delivery of the Bonds, on _____*, and semiannually on each _____* and _____* thereafter to the maturity date specified above, or the date of redemption prior to maturity, at the interest rate per annum specified above; except that if this Bond is required to be authenticated and the date of its authentication is later than the first Record Date (hereinafter defined), such principal amount shall bear interest from the interest payment date next preceding the date of authentication, unless such date of authentication is after any Record Date but on or before the next following interest payment date, in which case such principal amount shall bear interest from such next following interest payment date; provided, however, that if on the date of

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authentication hereof the interest on the Bond or Bonds, if any, for which this Bond is being exchanged from is due but has not been paid, then this Bond shall bear interest from the date to which such interest has been paid in full. Notwithstanding the foregoing, during any period in which ownership of the Bonds is determined only by a book entry at a securities depository for the Bonds, any payment to the securities depository, or its nominee or registered assigns, shall be made in accordance with existing arrangements between the City and the securities depository.

THE PRINCIPAL OF AND INTEREST ON this Bond are payable in lawful money of the United States of America, without exchange or collection charges. The principal of this Bond shall be paid to the Registered Owner hereof upon presentation and surrender of this Bond at maturity, or upon the date fixed for its redemption prior to maturity, at _____*, which is the "Paying Agent/Registrar" for this Bond at their office in _____* (the "Designated Payment/Transfer Office"). The payment of interest on this Bond shall be made by the Paying Agent/Registrar to the Registered Owner hereof on each interest payment date by check or draft, dated as of such interest payment date, drawn by the Paying Agent/Registrar on, and payable solely from, funds of the City required by the ordinance authorizing the issuance of this Bond (the "Bond Ordinance") to be on deposit with the Paying Agent/Registrar for such purpose as hereinafter provided; and such check or draft shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, on each such interest payment date, to the Registered Owner hereof, at its address as it appeared at the close of business on the _____* day of the month preceding such interest payment date (the "Record Date") on the registration books kept by the Paying Agent/Registrar (the "Registration Books"). In addition, interest may be paid by such other method, acceptable to the Paying Agent/Registrar, requested by, and at the risk and expense of, the Registered Owner. In the event of a non-payment of interest on a scheduled payment date, and for 30 days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the City. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be 15 days after the Special Record Date) shall be sent at least five business days prior to the Special Record Date by United States mail, first-class postage prepaid, to the address of each owner of a Bond appearing on the Registration Books at the close of business on the last business day next preceding the date of mailing of such notice. Notwithstanding the foregoing, during any period in which ownership of the Bonds is determined only by a book entry at a securities depository for the Bonds, payments made to the securities depository, or its nominee, shall be made in accordance with arrangements between the City and the securities depository.

DURING ANY PERIOD in which ownership of the Bonds is determined only by a book entry at a securities depository for the Bonds, if fewer than all of the Bonds of the same maturity and bearing the same interest rate are to be redeemed, the particular Bonds of such maturity and bearing such interest rate shall be selected in accordance with the arrangements between the City and the securities depository.

ANY ACCRUED INTEREST due at maturity or upon the redemption of this Bond prior to maturity as provided herein shall be paid to the Registered Owner upon presentation and surrender of this Bond for redemption and payment at the Designated Payment/Transfer Office of the Paying

Agent/Registrar. The City covenants with the Registered Owner of this Bond that on or before each principal payment date, interest payment date, and accrued interest payment date for this Bond it will make available to the Paying Agent/Registrar, from the "Interest and Sinking Fund" created by the Bond Ordinance, the amounts required to provide for the payment, in immediately available funds, of all principal of and interest on the Bonds, when due.

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

THIS BOND is one of a Series of Bonds dated _____*, authorized in accordance with the Constitution and laws of the State of Texas in the aggregate principal amount of \$ _____* (the "Bonds"), **COMPRISED OF [(I) \$ _____* FOR THE PURPOSES SET FORTH IN THE PROPOSITION A AUTHORIZATION INCLUDING RELATED COSTS OF ISSUANCE;] [(II) \$ _____* FOR THE PURPOSES SET FORTH IN THE PROPOSITION B AUTHORIZATION INCLUDING THE RELATED COSTS OF ISSUANCE] AND [(III) \$ _____* FOR THE PURPOSES SET FORTH IN THE PROPOSITION C AUTHORIZATION INCLUDING THE RELATED COSTS OF ISSUANCE.]***

[Redemption provisions as provided in the Pricing Certificate.*]

NO LESS THAN 30 days prior to the date fixed for any such redemption, the City shall cause the Paying Agent/Registrar to send notice by United States mail, first-class postage prepaid to the Registered Owner of each Bond to be redeemed at its address as it appeared on the Registration Books of the Paying Agent/Registrar at the close of business on the 45th day prior to the redemption date provided, however, that the failure to send, mail or receive such notice, or any defect therein or in the sending or mailing thereof, shall not affect the validity or effectiveness of the proceedings for the redemption of any Bonds. By the date fixed for any such redemption due provision shall be made with the Paying Agent/Registrar for the payment of the required redemption price for the Bonds or portions thereof which are to be so redeemed. If due provision for such payment is made, all as provided above, the Bonds or portions thereof which are to be so redeemed thereby automatically shall be treated as redeemed prior to their scheduled maturities, and they shall not bear interest after the date fixed for redemption, and they shall not be regarded as being outstanding except for the right of the Registered Owner to receive the redemption price from the Paying Agent/Registrar out of the funds provided for such payment. If a portion of any Bond shall be redeemed a substitute Bond or Bonds having the same maturity date, bearing interest at the same

*As determined in the Pricing Certificate.

rate, in any denomination or denominations in any integral multiple of \$5,000, at the written request of the Registered Owner, and in aggregate principal amount equal to the unredeemed portion thereof, will be issued to the Registered Owner upon the surrender thereof for cancellation, at the expense of the City, all as provided in the Bond Ordinance.

DURING ANY PERIOD in which ownership of the Bonds is determined only by a book entry at a securities depository for the Bonds, if fewer than all of the Bonds of the same maturity and bearing the same interest rate are to be redeemed, the particular Bonds of such maturity and bearing such interest rate shall be selected in accordance with the arrangements between the City and the securities depository.

WITH RESPECT TO any optional redemption of the Bonds, unless certain prerequisites to such redemption required by the Bond Ordinance have been met and moneys sufficient to pay the principal of and premium, if any, and interest on the Bonds to be redeemed shall have been received by the Paying Agent/Registrar prior to the giving of such notice of redemption, such notice shall state that said redemption may, at the option of the City, be conditional upon the satisfaction of such prerequisites and receipt of such moneys by the Paying Agent/Registrar on or prior to the date fixed for such redemption, or upon any prerequisite set forth in such notice of redemption. If a conditional notice of redemption is given and such prerequisites to the redemption and sufficient moneys are not received, such notice shall be of no force and effect, the City shall not redeem such Bonds and the Paying Agent/Registrar shall give notice, in the manner in which the notice of redemption was given, to the effect that the Bonds have not been redeemed.

ALL BONDS OF THIS SERIES are issuable solely as fully registered Bonds, without interest coupons, in the denomination of any integral multiple of \$5,000. As provided in the Bond Ordinance, this Bond may, at the request of the Registered Owner or the assignee or assignees hereof, be assigned, transferred, converted into and exchanged for a like aggregate principal amount of fully registered bonds, without interest coupons, payable to the appropriate Registered Owner, assignee or assignees, as the case may be, having the same denomination or denominations in any integral multiple of \$5,000 as requested in writing by the appropriate Registered Owner, assignee or assignees, as the case may be, upon surrender of this Bond to the Paying Agent/Registrar for cancellation, all in accordance with the form and procedures set forth in the Bond Ordinance. Among other requirements for such assignment and transfer, this Bond must be presented and surrendered to the Paying Agent/Registrar, together with proper instruments of assignment, in form and with guarantee of signatures satisfactory to the Paying Agent/Registrar, evidencing assignment of this Bond or any portion or portions hereof in any integral multiple of \$5,000 to the assignee or assignees in whose name or names this Bond or any such portion or portions hereof is or are to be registered. The Form of Assignment printed or endorsed on this Bond may be executed by the Registered Owner to evidence the assignment hereof, but such method is not exclusive, and other instruments of assignment satisfactory to the Paying Agent/Registrar may be used to evidence the assignment of this Bond or any portion or portions hereof from time to time by the Registered Owner. The Paying Agent/Registrar's reasonable standard or customary fees and charges for assigning, transferring and exchanging any Bond or portion thereof will be paid by the City. In any circumstance, any taxes or governmental charges required to be paid with respect thereto shall be paid by the one requesting such assignment, transfer or exchange, as a condition precedent to the

exercise of such privilege. The Paying Agent/Registrar shall not be required to make any such transfer or exchange (i) during the period commencing with the close of business on any Record Date and ending with the opening of business on the next following principal or interest payment date, or (ii) with respect to any Bond or any portion thereof called for redemption prior to maturity, within 45 days prior to its redemption date; provided, however, such limitation of transfer shall not be applicable to an exchange by the Registered Owner of the unredeemed balance of the Bond.

WHENEVER the beneficial ownership of this Bond is determined by a book entry at a securities depository for the Bonds, the foregoing requirements of holding, delivering or transferring this Bond shall be modified to require the appropriate person or entity to meet the requirements of the securities depository as to registering or transferring the book entry to produce the same effect.

IN THE EVENT any Paying Agent/Registrar for the Bonds is changed by the City, resigns, or otherwise ceases to act as such, the City has covenanted in the Bond Ordinance that it promptly will appoint a competent and legally qualified substitute therefor, and cause written notice thereof to be mailed to the Registered Owners of the Bonds.

IT IS HEREBY CERTIFIED, recited and covenanted that this Bond has been duly and validly authorized, issued and delivered; that all acts, conditions and things required or proper to be performed, exist and be done precedent to or in the authorization, issuance and delivery of this Bond have been performed, existed and been done in accordance with law; and that annual ad valorem taxes sufficient to provide for the payment of the interest on and principal of this Bond, as such interest comes due and such principal matures, have been levied and ordered to be levied against all taxable property in said City, and have been pledged for such payment, within the limit prescribed by law.

BY BECOMING the Registered Owner of this Bond, the Registered Owner thereby acknowledges all of the terms and provisions of the Bond Ordinance, agrees to be bound by such terms and provisions, acknowledges that the Bond Ordinance is duly recorded and available for inspection in the official minutes and records of the governing body of the City, and agrees that the terms and provisions of this Bond and the Bond Ordinance constitute a contract between each Registered Owner hereof and the City.

IN WITNESS WHEREOF, the City has caused this Bond to be signed with the manual or facsimile signature of the Mayor of the City and countersigned with the manual or facsimile signature of the City Secretary of said City, and has caused the official seal of the City to be duly impressed, or placed in facsimile, on this Bond.

City Secretary, City of Hutto, Texas

Mayor, City of Hutto, Texas

(SEAL)

FORM OF PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE

PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE

(To be executed if this Bond is not accompanied by an
executed Registration Certificate of the Comptroller
of Public Accounts of the State of Texas)

It is hereby certified that this Bond has been issued under the provisions of the Bond Ordinance described in the text of this Bond; and that this Bond has been issued in replacement of, or in exchange for, a bond, bonds, or a portion of a bond or bonds of a Series which originally was approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts of the State of Texas.

Dated: _____

BOKF, N.A.

Paying Agent/Registrar

By: _____
Authorized Representative

FORM OF ASSIGNMENT
ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto

Please insert Social Security or Taxpayer
Identification Number of Transferee

(Please print or typewrite name and address,
including zip code, of Transferee)

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

Dated: _____

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by a member firm of the New York Stock Exchange or a commercial bank or trust company.

NOTICE: The signature above must correspond with the name of the Registered Owner as it appears upon the front of this Bond in every particular, without alteration or enlargement or any change whatsoever.

**FORM OF REGISTRATION CERTIFICATE OF
THE COMPTROLLER OF PUBLIC ACCOUNTS**

COMPTROLLER'S REGISTRATION CERTIFICATE: REGISTER NO.

I hereby certify that this Bond has been approved by the Attorney General of the State of Texas, and that this Bond has been registered by the Comptroller of Public Accounts of the State of Texas.

Witness my signature and seal this _____

Comptroller of Public Accounts
of the State of Texas

(COMPTROLLER'S SEAL)

INSERTIONS FOR THE INITIAL BOND

The Initial Bond shall be in the form set forth in this Section, except that:

A. immediately under the name of the Bond, the headings "INTEREST RATE" and "MATURITY DATE" shall both be completed with the words "As shown below" and "CUSIP NO." shall be deleted.

B. the first paragraph shall be deleted and the following will be inserted with all blanks to be completed with information contained in the Pricing Certificate.

"ON THE MATURITY DATE SPECIFIED ABOVE, the City of Hutto, Texas (the "City"), being a political subdivision, hereby promises to pay to the Registered Owner specified above, or registered assigns (hereinafter called the "Registered Owner"), on _____* in each of the years, in the principal installments and bearing interest at the per annum rates set forth in the following schedule:

*As determined in the Pricing Certificate.

<u>Year</u>	<u>Amount</u>	<u>Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Rate</u>
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(Information from the Pricing Certificate to be inserted)

The City promises to pay interest on the unpaid principal amount hereof (calculated on the basis of a 360-day year of twelve 30-day months) from _____*, the initial date of delivery of the Bonds, at the respective Interest Rate per annum specified above. Interest is payable on _____* and semiannually on each _____* and _____* thereafter to the date of payment of the principal installment specified above; except, that if this Bond is required to be authenticated and the date of its authentication is later than the first Record Date (hereinafter defined), such principal amount shall bear interest from the interest payment date next preceding the date of authentication, unless such date of authentication is after any Record Date but on or before the next following interest payment date, in which case such principal amount shall bear interest from such next following interest payment date; provided, however, that if on the date of authentication hereof the interest on the Bond or Bonds, if any, for which this Bond is being exchanged is due but has not been paid, then this Bond shall bear interest from the date to which such interest has been paid in full."

C. The Initial Bond shall be numbered "T-1."

Section 8. TAX LEVY. A special Interest and Sinking Fund (the "Interest and Sinking Fund") is hereby created solely for the benefit of the Bonds, and the Interest and Sinking Fund shall be established and maintained by the City at an official depository bank of the City. The Interest and Sinking Fund shall be kept separate and apart from all other funds and accounts of the City, and shall be used only for paying the interest on and principal of the Bonds. All ad valorem taxes levied and collected for and on account of the Bonds shall be deposited, as collected, to the credit of the Interest and Sinking Fund. During each year while any of the Bonds or interest thereon are outstanding and unpaid, the governing body of the City shall compute and ascertain a rate and amount of ad valorem tax which will be sufficient to raise and produce the money required to pay the interest on the Bonds as such interest comes due, and to provide and maintain a sinking fund adequate to pay the principal of the Bonds as such principal matures (but never less than 2% of the original principal amount of the Bonds as a sinking fund each year); and the tax shall be based on the latest approved tax rolls of the City, with full allowance being made for tax delinquencies and the cost of tax collection. The rate and amount of ad valorem tax is hereby levied, and is hereby ordered to be levied, against all taxable property in the City for each year while any of the Bonds or interest thereon are outstanding and unpaid; and the tax shall be assessed and collected each such year and deposited to the credit of the Interest and Sinking Fund. The ad valorem taxes sufficient to provide for the payment of the interest on and principal of the Bonds, as such interest comes due and such principal matures, are hereby pledged for such payment, within the limit prescribed by law.

Section 9. ESTABLISHMENT OF PROJECT FUND. (a) Interest Earnings. Interest earnings derived from the investment of proceeds from the sale of the Bonds shall be used along with the Bond proceeds for the purpose for which the Bonds are issued as set forth in Section 3 hereof or to pay principal or interest payments on the Bonds; provided that after completion of such purpose, if any of such interest earnings remain on hand, such interest earnings shall be deposited in the Interest

and Sinking Fund. It is further provided, however, that any interest earnings on bond proceeds which are required to be rebated to the United States of America pursuant to Section 13 hereof in order to prevent the Tax-Exempt Bonds from being arbitrage bonds shall be so rebated and not considered as interest earnings for the purposes of this Section.

(b) Project Fund. The Project Fund, and any subaccount necessary within such Project Fund to complete the purpose for which the Bonds are issued as set forth in Section 3 hereof, is hereby created and shall be established and maintained by the City at an official depository bank of the City. Proceeds from the sale of the Bonds remaining after the deposit of accrued interest, if any, in the Interest and Sinking Fund shall be deposited in the Project Fund and shall be used to accomplish the purpose of such proposition.

(c) Investment of Funds. The City hereby covenants that the proceeds of the sale of the Bonds will be used as soon as practicable for the purposes for which the Bonds are issued. Obligations purchased as an investment of money in any fund shall be deemed to be a part of such fund. Any money in any fund created by this Ordinance may be invested as permitted by the Public Funds Investment Act, as amended ("Permitted Investments"), and the City's investment policy.

(d) Security for Funds. All funds created by this Ordinance shall be secured in the manner and to the fullest extent required by law for the security of funds of the City.

(e) Maintenance of Funds. Any funds created pursuant to this Ordinance may be created as separate funds or accounts or as subaccounts of the City's General Fund held by the City's depository, and, as such, not held in separate bank accounts, such treatment shall not constitute a commingling of the monies in such funds or of such funds and the City shall keep full and complete records indicating the monies and investments credited to each such fund.

Section 10. DEFEASANCE OF BONDS. (a) Any Bond and the interest thereon shall be deemed to be paid, retired and no longer Outstanding (a "Defeased Bond") within the meaning of this Ordinance, except to the extent provided in subsections (c) and (e) of this Section, when payment of the principal of such Bond, plus interest thereon to the due date or dates (whether such due date or dates be by reason of maturity, upon redemption, or otherwise) either (i) shall have been made or caused to be made in accordance with the terms thereof (including the giving of any required notice of redemption) or (ii) shall have been provided for on or before such due date by irrevocably depositing with or making available to the Paying Agent/Registrar or a commercial bank or trust company for such payment (1) lawful money of the United States of America sufficient to make such payment, (2) Defeasance Securities, certified by an independent public accounting firm of national reputation to mature as to principal and interest in such amounts and at such times as will ensure the availability, without reinvestment, of sufficient money to provide for such payment and when proper arrangements have been made by the City with the Paying Agent/Registrar or a commercial bank or trust company for the payment of its services until all Defeased Bonds shall have become due and payable or (3) any combination of (1) and (2). At such time as a Bond shall be deemed to be a Defeased Bond hereunder, as aforesaid, such Bond and the interest thereon shall no longer be secured by, payable from, or entitled to the benefits of, the ad valorem taxes herein levied as provided in this Ordinance, and such principal and interest shall be payable solely from such money

or Defeasance Securities and thereafter the City will have no further responsibility with respect to amounts available to such Paying Agent/Registrar (or other financial institution permitted by applicable law) for the payment of such Defeased Bonds, including any insufficiency therein caused by the failure of the Paying Agent/Registrar (or other financial institution permitted by law) to receive payment when due on the Defeasance Securities.

(b) The deposit under clause (ii) of subsection (a) shall be deemed a payment of a Bond as aforesaid when proper notice of redemption of such Bonds shall have been given, in accordance with this Ordinance. Any money so deposited with the Paying Agent/Registrar or a commercial bank or trust company as provided in this Section may at the discretion of the City Council also be invested in Defeasance Securities, maturing in the amounts and at the times as hereinbefore set forth, and all income from all Defeasance Securities in possession of the Paying Agent/Registrar or a commercial bank or trust company pursuant to this Section which is not required for the payment of such Bond and premium, if any, and interest thereon with respect to which such money has been so deposited, shall be remitted to the City Council.

(c) Notwithstanding any provision of any other Section of this Ordinance which may be contrary to the provisions of this Section, all money or Defeasance Securities set aside and held in trust pursuant to the provisions of this Section for the payment of principal of the Bonds and premium, if any, and interest thereon, shall be applied to and used solely for the payment of the particular Bonds and premium, if any, and interest thereon, with respect to which such money or Defeasance Securities have been so set aside in trust. Until all Defeased Bonds shall have become due and payable, the Paying Agent/Registrar shall perform the services of Paying Agent/Registrar for such Defeased Bonds the same as if they had not been defeased, and the City shall make proper arrangements to provide and pay for such services as required by this Ordinance.

(d) Notwithstanding anything elsewhere in this Ordinance, if money or Defeasance Securities have been deposited or set aside with the Paying Agent/Registrar or a commercial bank or trust company pursuant to this Section for the payment of Bonds and such Bonds shall not have in fact been actually paid in full, no amendment of the provisions of this Section shall be made without the consent of the Registered Owner of each Bond affected thereby.

(e) Notwithstanding the provisions of subsection (a) immediately above, to the extent that, upon the defeasance of any Defeased Bond to be paid at its maturity, the City retains the right under Texas law to later call that Defeased Bond for redemption in accordance with the provisions of the Ordinance authorizing its issuance, the City may call such Defeased Bond for redemption upon complying with the provisions of Texas law and upon the satisfaction of the provisions of subsection (a) immediately above with respect to such Defeased Bond as though it was being defeased at the time of the exercise of the option to redeem the Defeased Bond and the effect of the redemption is taken into account in determining the sufficiency of the provisions made for the payment of the Defeased Bond.

Section 11. DAMAGED, MUTILATED, LOST, STOLEN, OR DESTROYED BONDS. (a) Replacement Bonds. In the event any Outstanding Bond is damaged, mutilated, lost, stolen or destroyed, the Paying Agent/Registrar shall cause to be printed, executed and delivered, a

new bond of the same principal amount, maturity and interest rate, as the damaged, mutilated, lost, stolen or destroyed Bond, in replacement for such Bond in the manner hereinafter provided.

(b) Application for Replacement Bond. Application for replacement of damaged, mutilated, lost, stolen or destroyed Bonds shall be made by the Registered Owner thereof to the Paying Agent/Registrar. In every case of loss, theft or destruction of a Bond, the Registered Owner applying for a Replacement Bond shall furnish to the City and to the Paying Agent/Registrar such security or indemnity as may be required by them to save each of them harmless from any loss or damage with respect thereto. Also, in every case of loss, theft or destruction of a Bond, the Registered Owner shall furnish to the City and to the Paying Agent/Registrar evidence to their satisfaction of the loss, theft or destruction of such Bond, as the case may be. In every case of damage or mutilation of a Bond, the Registered Owner shall surrender to the Paying Agent/Registrar for cancellation the Bond so damaged or mutilated.

(c) No Default Occurred. Notwithstanding the foregoing provisions of this Section, in the event any such Bond shall have matured, and no default has occurred which is then continuing in the payment of the principal of, redemption premium, if any, or interest on the Bond, the City may authorize the payment of the same (without surrender thereof except in the case of a damaged or mutilated Bond) instead of issuing a replacement Bond, provided security or indemnity is furnished as above provided in this Section.

(d) Charge for Issuing Replacement Bonds. Prior to the issuance of any Replacement Bond, the Paying Agent/Registrar shall charge the Registered Owner of such Bond with all legal, printing, and other expenses in connection therewith. Every Replacement Bond issued pursuant to the provisions of this Section by virtue of the fact that any Bond is lost, stolen or destroyed shall constitute a contractual obligation of the City whether or not the lost, stolen or destroyed Bond shall be found at any time, or be enforceable by anyone, and shall be entitled to all the benefits of this Ordinance equally and proportionately with any and all other Bonds duly issued under this Ordinance.

(e) Authority for Issuing Replacement Bonds. In accordance with Subchapter D of Chapter 1201, Texas Government Code, this Section 12 of this Ordinance shall constitute authority for the issuance of any such Replacement Bond without necessity of further action by the governing body of the City or any other body or person, and the duty of the replacement of such bonds is hereby authorized and imposed upon the Paying Agent/Registrar, and the Paying Agent/Registrar shall authenticate and deliver such Bonds in the form and manner and with the effect, as provided in Section 6(a) of this Ordinance for Bonds issued in exchange for other Bonds.

Section 12. CUSTODY, APPROVAL, AND REGISTRATION OF BONDS; BOND COUNSEL'S OPINIONS; CUSIP NUMBERS AND CONTINGENT INSURANCE PROVISION, IF OBTAINED. The Mayor of the City is hereby authorized to have control of the Bonds initially issued and delivered hereunder and all necessary records and proceedings pertaining to the Bonds pending their delivery and their investigation, examination, and approval by the Attorney General of the State of Texas, and their registration by the Comptroller of Public Accounts of the State of Texas. Upon registration of the Bonds said Comptroller of Public Accounts (or a deputy designated in writing to act for said Comptroller) shall manually sign the Comptroller's

Registration Certificate attached to such Bonds, and the seal of said Comptroller shall be impressed, or placed in facsimile, on such Bond. The approving legal opinions of the City's Bond Counsel and the assigned CUSIP numbers may, at the option of the City, be printed on the Bonds issued and delivered under this Ordinance, but neither shall have any legal effect, and shall be solely for the convenience and information of the Registered Owners of the Bonds. In addition, if bond insurance is obtained, the Bonds may bear an appropriate legend as provided by the insurer.

Section 13. COVENANTS REGARDING TAX EXEMPTION OF INTEREST ON THE TAX-EXEMPT BONDS. (a) Covenants. The City covenants to take any action necessary to assure, or refrain from any action which would adversely affect, the treatment of the Tax-Exempt Bonds as obligations described in section 103 of the Internal Revenue Code of 1986, as amended (the "Code"), the interest on which is not includable in the "gross income" of the holder for purposes of federal income taxation. In furtherance thereof, the City covenants as follows:

(1) to take any action to assure that no more than 10 percent of the proceeds of the Tax-Exempt Bonds or the projects financed therewith (less amounts deposited to a reserve fund, if any) are used for any "private business use," as defined in section 141(b)(6) of the Code or, if more than 10 percent of the proceeds or the projects financed therewith are so used, such amounts, whether or not received by the City, with respect to such private business use, do not, under the terms of this Ordinance or any underlying arrangement, directly or indirectly, secure or provide for the payment of more than 10 percent of the debt service on the Tax-Exempt Bonds, in contravention of section 141(b)(2) of the Code;

(2) to take any action to assure that in the event that the "private business use" described in subsection (1) hereof exceeds 5 percent of the proceeds of the Tax-Exempt Bonds or the projects financed therewith (less amounts deposited into a reserve fund, if any) then the amount in excess of 5 percent is used for a "private business use" which is "related" and not "disproportionate," within the meaning of section 141(b)(3) of the Code, to the governmental use;

(3) to take any action to assure that no amount which is greater than the lesser of \$5,000,000, or 5 percent of the proceeds of the Tax-Exempt Bonds (less amounts deposited into a reserve fund, if any) is directly or indirectly used to finance loans to persons, other than state or local governmental units, in contravention of section 141(c) of the Code;

(4) to refrain from taking any action which would otherwise result in the Tax-Exempt Bonds being treated as "private activity bonds" within the meaning of section 141(b) of the Code;

(5) to refrain from taking any action that would result in the Tax-Exempt Bonds being "federally guaranteed" within the meaning of section 149(b) of the Code;

(6) to refrain from using any portion of the proceeds of the Tax-Exempt Bonds, directly or indirectly, to acquire or to replace funds which were used, directly or indirectly, to acquire investment property (as defined in section 148(b)(2) of the Code) which produces a

materially higher yield over the term of the Tax-Exempt Bonds, other than investment property acquired with --

(A) proceeds of the Tax-Exempt Bonds invested for a reasonable temporary period of 3 years or less or, in the case of a refunding bond, for a period of 90 days or less until such proceeds are needed for the purpose for which the Tax-Exempt Bonds are issued,

(B) amounts invested in a bona fide debt service fund, within the meaning of section 1.148-1(b) of the Treasury Regulations, and

(C) amounts deposited in any reasonably required reserve or replacement fund to the extent such amounts do not exceed 10 percent of the proceeds of the Tax-Exempt Bonds;

(7) to otherwise restrict the use of the proceeds of the Tax-Exempt Bonds or amounts treated as proceeds of the Tax-Exempt Bonds, as may be necessary, so that the Tax-Exempt Bonds do not otherwise contravene the requirements of section 148 of the Code (relating to arbitrage) and, to the extent applicable, section 149(d) of the Code (relating to advance refundings); and

(8) to pay to the United States of America at least once during each five-year period (beginning on the date of delivery of the Tax-Exempt Bonds) an amount that is at least equal to 90 percent of the "Excess Earnings," within the meaning of section 148(f) of the Code and to pay to the United States of America, not later than 60 days after the Tax-Exempt Bonds have been paid in full, 100 percent of the amount then required to be paid as a result of Excess Earnings under section 148(f) of the Code.

(b) Rebate Fund. In order to facilitate compliance with the above covenant (8), a "Rebate Fund" is hereby established by the City for the sole benefit of the United States of America, and such fund shall not be subject to the claim of any other person, including without limitation the bondholders. The Rebate Fund is established for the additional purpose of compliance with section 148 of the Code.

(c) Proceeds. The City understands that the term "proceeds" includes "disposition proceeds" as defined in the Treasury Regulations and, in the case of refunding bonds, transferred proceeds (if any) and proceeds of the refunded bonds expended prior to the date of issuance of the Tax-Exempt Bonds. It is the understanding of the City that the covenants contained herein are intended to assure compliance with the Code and any regulations or rulings promulgated by the U.S. Department of the Treasury pursuant thereto. In the event that regulations or rulings are hereafter promulgated which modify or expand provisions of the Code, as applicable to the Bonds, the City will not be required to comply with any covenant contained herein to the extent that such failure to comply, in the opinion of nationally recognized bond counsel, will not adversely affect the exemption from federal income taxation of interest on the Tax-Exempt Bonds under section 103 of the Code. In the event that regulations or rulings are hereafter promulgated which impose additional requirements which are applicable to the Tax-Exempt Bonds, the City agrees to comply with the

additional requirements to the extent necessary, in the opinion of nationally recognized bond counsel, to preserve the exemption from federal income taxation of interest on the Tax-Exempt Bonds under section 103 of the Code. In furtherance of such intention, the City hereby authorizes and directs the City Manager or Assistant City Manager to execute any documents, certificates or reports required by the Code and to make such elections, on behalf of the City, which may be permitted by the Code as are consistent with the purpose for the issuance of the Tax-Exempt Bonds. This Ordinance is intended to satisfy the official intent requirements set forth in Section 1.150-2 of the Treasury Regulations.

(d) Allocation Of, and Limitation On, Expenditures for the Project. The City covenants to account for the expenditure of sale proceeds and investment earnings of Tax-Exempt Bonds to be used for the purposes described in Section 3 of this Ordinance (the "Project") on its books and records in accordance with the requirements of the Code. The City recognizes that in order for the proceeds to be considered used for the reimbursement of costs, the proceeds must be allocated to expenditures within 18 months of the later of the date that (1) the expenditure is made, or (2) the Project is completed; but in no event later than three years after the date on which the original expenditure is paid. The foregoing notwithstanding, the City recognizes that in order for proceeds to be expended under the Code, the sale proceeds or investment earnings must be expended no more than 60 days after the earlier of (1) the fifth anniversary of the delivery of the Tax-Exempt Bonds, or (2) the date the Tax-Exempt Bonds are retired. The City agrees to obtain the advice of nationally-recognized bond counsel if such expenditure fails to comply with the foregoing to assure that such expenditure will not adversely affect the tax-exempt status of the Tax-Exempt Bonds. For purposes of this subsection, the City shall not be obligated to comply with this covenant if it obtains an opinion of nationally-recognized bond counsel to the effect that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest.

(e) Disposition of Project. The City covenants that the property constituting the Project will not be sold or otherwise disposed in a transaction resulting in the receipt by the City of cash or other compensation, unless the City obtains an opinion of nationally-recognized bond counsel that such sale or other disposition will not adversely affect the tax-exempt status of the Tax-Exempt Bonds. For purposes of this subsection, the portion of the property comprising personal property and disposed in the ordinary course shall not be treated as a transaction resulting in the receipt of cash or other compensation. For purposes of this subsection, the City shall not be obligated to comply with this covenant if it obtains an opinion of nationally-recognized bond counsel to the effect that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest.

Section 14. BOND PROCEEDS ALLOCATION. The proceeds of the Bonds, including the par amount of the Bonds and any net premium derived from the sale of the Bonds, shall be allocated as set forth in the Pricing Certificate.

Section 15. DEFAULT AND REMEDIES. (a) Events of Default. Each of the following occurrences or events for the purpose of this Ordinance is hereby declared to be an Event of Default:

(i) the failure to make payment of the principal of or interest on any of the Bonds when the same becomes due and payable; or

(ii) default in the performance or observance of any other covenant, agreement or obligation of the City, the failure to perform which materially, adversely affects the rights of the Registered Owners of the Bonds, including, but not limited to, their prospect or ability to be repaid in accordance with this Ordinance, and the continuation thereof for a period of 60 days after notice of such default is given by any Registered Owner to the City.

(b) Remedies for Default.

(i) Upon the happening of any Event of Default, then and in every case, any Registered Owner or an authorized representative thereof, including, but not limited to, a trustee or trustees therefor, may proceed against the City, or any official, officer or employee of the City in their official capacity, for the purpose of protecting and enforcing the rights of the Registered Owners under this Ordinance, by mandamus or other suit, action or special proceeding in equity or at law, in any court of competent jurisdiction, for any relief permitted by law, including the specific performance of any covenant or agreement contained herein, or thereby to enjoin any act or thing that may be unlawful or in violation of any right of the Registered Owners hereunder or any combination of such remedies.

(ii) It is provided that all such proceedings shall be instituted and maintained for the equal benefit of all Registered Owners of Bonds then Outstanding.

(c) Remedies not Exclusive.

(i) No remedy herein conferred or reserved is intended to be exclusive of any other available remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or under the Bonds or now or hereafter existing at law or in equity; provided, however, that notwithstanding any other provision of this Ordinance, the right to accelerate the debt evidenced by the Bonds shall not be available as a remedy under this Ordinance.

(ii) The exercise of any remedy herein conferred or reserved shall not be deemed a waiver of any other available remedy.

(iii) By accepting the delivery of a Bond authorized under this Ordinance, such Registered Owner agrees that the certifications required to effectuate any covenants or representations contained in this Ordinance do not and shall never constitute or give rise to a personal or pecuniary liability or charge against the officers, employees or trustees of the City or the City Council.

(iv) None of the members of the City Council, nor any other official or officer, agent, or employee of the City, shall be charged personally by the Registered Owners with any liability, or be held personally liable to the Registered Owners under any term or

provision of this Ordinance, or because of any Event of Default or alleged Event of Default under this Ordinance.

Section 16. INTEREST EARNINGS ON BOND PROCEEDS. Interest earnings derived from the investment of proceeds from the sale of the Bonds shall be used along with other bond proceeds for the purpose for which the Bonds are issued set forth in Section 1 and 3 hereof; provided that after completion of such purpose, if any of such interest earnings remain on hand, such interest earnings shall be deposited in the Interest and Sinking Fund. It is further provided, however, that any interest earnings on bond proceeds which are required to be rebated to the United States of America pursuant to Section 13 hereof in order to prevent the Tax-Exempt Bonds from being arbitrage bonds shall be so rebated and not considered as interest earnings for the purposes of this Section.

Section 17. APPROVAL OF THE FORM OF PAYING AGENT/REGISTRAR AGREEMENT, LETTER OF REPRESENTATIONS AND OFFICIAL STATEMENT. The Paying Agent/Registrar Agreement is hereby approved in substantially the form previously used by the City on other financings. The Pricing Officer is hereby authorized to amend, complete or modify the Paying Agent/Registrar Agreement as necessary and is further authorized to execute such agreement.

The City confirms execution of a Blanket Issuer Letter of Representations with DTC establishing the Book-Entry-Only System which will be utilized with respect to the Bonds.

The City hereby approves the form and content of the Official Statement relating to the Bonds and any addenda, supplement or amendment thereto, and approves the distribution of such Official Statement in the reoffering of the Bonds by the underwriters in final form, with such changes therein or additions thereto as the officer executing the same may deem advisable, such determination to be conclusively evidenced by his execution thereof. The distribution and use of the Preliminary Official Statement, prior to the date hereof is ratified and confirmed. The City Council of the City hereby finds and determines that the Preliminary Official Statement and the Official Statement were and are "deemed final" (as that term is defined in 17 C.F.R. Section 240.15c-12) as of their respective dates.

Section 18. AMENDMENT OF ORDINANCE. The City hereby reserves the right to amend this Ordinance subject to the following terms and conditions, to-wit:

(a) The City may from time to time, without the consent of any holder, except as otherwise required by paragraph (b) below, amend or supplement this Ordinance in order to (i) cure any ambiguity, defect or omission in this Ordinance that does not materially adversely affect the interests of the holders, (ii) grant additional rights or security for the benefit of the holders, (iii) add events of default as shall not be inconsistent with the provisions of this Ordinance and that shall not materially adversely affect the interests of the holders, (iv) qualify this Ordinance under the Trust Indenture Act of 1939, as amended, or corresponding provisions of federal laws from time to time in effect, (v) obtain insurance or ratings on the Bonds by a Rating Agency, (vi) obtain the approval of the Attorney General of the State Texas, or (vii) make such other provisions in regard to matters or

questions arising under this Ordinance as shall not be inconsistent with the provisions of this Ordinance and that shall not in the opinion of the City's Bond Counsel materially adversely affect the interests of the holders.

(b) Except as provided in paragraph (a) above, the holders of Bonds aggregating in principal amount 51% of the aggregate principal amount of then Outstanding Bonds that are the subject of a proposed amendment shall have the right from time to time to approve any amendment hereto that may be deemed necessary or desirable by the City; provided, however, that without the consent of 100% of the holders in aggregate principal amount of the then Outstanding Bonds, nothing herein contained shall permit or be construed to permit amendment of the terms and conditions of this Ordinance or in any of the Bonds so as to:

- (1) Make any change in the maturity of any of the Outstanding Bonds;
- (2) Reduce the rate of interest borne by any of the Outstanding Bonds;
- (3) Reduce the amount of the principal of, or redemption premium, if any, payable on any Outstanding Bonds;
- (4) Modify the terms of payment of principal or of interest or redemption premium on Outstanding Bonds or any of them or impose any condition with respect to such payment; or
- (5) Change the minimum percentage of the principal amount of any series of Bonds necessary for consent to such amendment.

(c) If at any time the City shall desire to amend this Ordinance under this Section, the City shall send by U.S. mail to each Registered Owner of the affected Bonds a copy of the proposed amendment and cause notice of the proposed amendment to be published at least once in a financial publication published in The City of New York, New York or in the State of Texas. Such published notice shall briefly set forth the nature of the proposed amendment and shall state that a copy thereof is on file at the office of the City for inspection by all holders of such Bonds.

(d) Whenever at any time within one year from the date of publication of such notice the City shall receive an instrument or instruments executed by the holders of at least 51% in aggregate principal amount of all of the Bonds then Outstanding that are required for the amendment, which instrument or instruments shall refer to the proposed amendment and that shall specifically consent to and approve such amendment, the City may adopt the amendment in substantially the same form.

(e) Upon the adoption of any amendatory Ordinance pursuant to the provisions of this Section, this Ordinance shall be deemed to be modified and amended in accordance with such amendatory Ordinance, and the respective rights, duties, and obligations of the City and all holders of such affected Bonds shall thereafter be determined, exercised, and enforced, subject in all respects to such amendment.

(f) Any consent given by the holder of a Bond pursuant to the provisions of this Section shall be irrevocable for a period of six months from the date of the publication of the notice provided for in this Section, and shall be conclusive and binding upon all future holders of the same Bond during such period. Such consent may be revoked at any time after six months from the date of the publication of said notice by the holder who gave such consent, or by a successor in title, by filing notice with the City, but such revocation shall not be effective if the holders of 51% in aggregate principal amount of the affected Bonds then Outstanding, have, prior to the attempted revocation, consented to and approved the amendment.

Section 19. CONTINUING DISCLOSURE UNDERTAKING. (a) Annual Reports. The City shall provide annually to the MSRB, (1) within six months after the end of each Fiscal Year of the City ending in or after 2019, financial information and operating data with respect to the City of the general type included in the final Official Statement authorized by Section 19 of this Ordinance as set forth in the Pricing Certificate by the Pricing Officer, including financial statements of the City if audited financial statements of the City are then available, and (2) if not provided as part of such financial information and operating data, audited financial statements of the City, when and if available. Any financial statements to be provided shall be (i) prepared in accordance with the accounting principles described in Exhibit "B" hereto, or such other accounting principles as the City may be required to employ from time to time pursuant to state law or regulation, and in substantially the form included in the official statement, and (ii) audited, if the City commissions an audit of such financial statements and the audit is completed within the period during which they must be provided. If the audit of such financial statements is not complete within 12 months after any such Fiscal Year end, then the City shall file unaudited financial statements within such 12-month period and audited financial statements for the applicable Fiscal Year, when and if the audit report on such statements becomes available.

If the City changes its Fiscal Year, it will notify the MSRB of the change (and of the date of the new fiscal year end) prior to the next date by which the City otherwise would be required to provide financial information and operating data pursuant to this Section.

The financial information and operating data to be provided pursuant to this Section may be set forth in full in one or more documents or may be included by specific reference to any document that is available to the public on the MSRB's internet web site or filed with the SEC. All documents provided to the MSRB pursuant to this Section shall be accompanied by identifying information as prescribed by the MSRB.

(b) Certain Event Notices. The City shall notify the MSRB, in an electronic format as prescribed by the MSRB, in a timely manner not in excess of ten business days after the occurrence of the event, of any of the following events with respect to the Bonds:

- A. Principal and interest payment delinquencies;
- B. Non-payment related defaults, if material within the meaning of the federal securities laws;

- C. Unscheduled draws on debt service reserves reflecting financial difficulties;
- D. Unscheduled draws on credit enhancements reflecting financial difficulties;
- E. Substitution of credit or liquidity providers, or their failure to perform;
- F. Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701–TEB) or other material notices or determinations with respect to the tax status of the Tax-Exempt Bonds, or other material events affecting the tax status of the Tax-Exempt Bonds;
- G. Modifications to rights of holders of the Bonds, if material within the meaning of the federal securities laws, and tender offers;
- H. Bond calls, if material within the meaning of the federal securities laws;
- I. Defeasances;
- J. Release, substitution, or sale of property securing repayment of the Bonds, if material within the meaning of the federal securities laws;
- K. Rating changes;
- L. Bankruptcy, insolvency, receivership or similar event of the City; (which is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent, or similar officer for the City in a proceeding under the United States Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the City, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement, or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the City);
- M. The consummation of a merger, consolidation, or acquisition involving the City or the sale of all or substantially all of the assets of the City, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material within the meaning of the federal securities laws;
- N. Appointment of a successor or additional trustee or the change of name of a trustee, if material within the meaning of the federal securities laws;
- O. Incurrence of a Financial Obligation of the City, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a Financial Obligation of the City, any of which affect security holders, if material; and

P. Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a Financial Obligation of the City, any of which reflect financial difficulties.

The City shall notify the MSRB, in an electronic format as prescribed by the MSRB, in a timely manner, of any failure by the City to provide financial information or operating data in accordance with subsection (a) of this Section by the time required by such subsection. All documents provided to the MSRB pursuant to this Section shall be accompanied by identifying information as prescribed by the MSRB.

(c) Limitations, Disclaimers, and Amendments. The City shall be obligated to observe and perform the covenants specified in this Section for so long as, but only for so long as, the City remains an "obligated person" with respect to the Bonds within the meaning of the Rule, except that the City in any event will give notice of any deposit made in accordance with Section 10 that causes the Bonds no longer to be Outstanding.

The provisions of this Section are for the sole benefit of the holders and beneficial owners of the Bonds, and nothing in this Section, express or implied, shall give any benefit or any legal or equitable right, remedy, or claim hereunder to any other person. The City undertakes to provide only the financial information, operating data, financial statements, and notices which it has expressly agreed to provide pursuant to this Section and does not hereby undertake to provide any other information that may be relevant or material to a complete presentation of the City's financial results, condition, or prospects or hereby undertake to update any information provided in accordance with this Section or otherwise, except as expressly provided herein. The City does not make any representation or warranty concerning such information or its usefulness to a decision to invest in or sell Bonds at any future date.

UNDER NO CIRCUMSTANCES SHALL THE CITY BE LIABLE TO THE HOLDER OR BENEFICIAL OWNER OF ANY BOND OR ANY OTHER PERSON, IN CONTRACT OR TORT, FOR DAMAGES RESULTING IN WHOLE OR IN PART FROM ANY BREACH BY THE CITY, WHETHER NEGLIGENT OR WITHOUT FAULT ON ITS PART, OF ANY COVENANT SPECIFIED IN THIS SECTION, BUT EVERY RIGHT AND REMEDY OF ANY SUCH PERSON, IN CONTRACT OR TORT, FOR OR ON ACCOUNT OF ANY SUCH BREACH SHALL BE LIMITED TO AN ACTION FOR *MANDAMUS* OR SPECIFIC PERFORMANCE.

No default by the City in observing or performing its obligations under this Section shall comprise a breach of or default under the Ordinance for purposes of any other provision of this Ordinance.

Should the Rule be amended to obligate the City to make filings with or provide notices to entities other than the MSRB, the City hereby agrees to undertake such obligation with respect to the Bonds in accordance with the Rule as amended.

Nothing in this Section is intended or shall act to disclaim, waive, or otherwise limit the duties of the City under federal and state securities laws.

The provisions of this Section may be amended by the City from time to time to adapt to changed circumstances that arise from a change in legal requirements, a change in law, or a change in the identity, nature, status, or type of operations of the City, but only if (1) the provisions of this Section, as so amended, would have permitted an underwriter to purchase or sell Bonds in the primary offering of the Bonds in compliance with the Rule, taking into account any amendments or interpretations of the Rule since such offering as well as such changed circumstances and (2) either (a) the holders of a majority in aggregate principal amount (or any greater amount required by any other provision of this Ordinance that authorizes such an amendment) of the outstanding Bonds consents to such amendment or (b) a person that is unaffiliated with the City (such as nationally recognized bond counsel) determines that such amendment will not materially impair the interest of the holders and beneficial owners of the Bonds. If the City so amends the provisions of this Section, it shall include with any amended financial information or operating data next provided in accordance with paragraph (a) of this Section an explanation, in narrative form, of the reason for the amendment and of the impact of any change in the type of financial information or operating data so provided. The City may also amend or repeal the provisions of this continuing disclosure agreement if the SEC amends or repeals the applicable provision of the Rule or a court of final jurisdiction enters judgment that such provisions of the Rule are invalid, but only if and to the extent that the provisions of this sentence would not prevent an underwriter from lawfully purchasing or selling Bonds in the primary offering of the Bonds.

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

“Financial Obligation” means a (a) debt obligation; (b) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or (c) guarantee of a debt obligation or any such derivative instrument; provided that “financial obligation” shall not include municipal securities as to which a final official statement (as defined in the Rule) has been provided to the MSRB consistent with the Rule.

“MSRB” means the Municipal Securities Rulemaking Board.

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

“SEC” means the United States Securities and Exchange Commission.

Section 20. BOND INSURANCE PROVISIONS. In connection with the sale of any series of Bonds, the City may obtain municipal bond insurance policies from one or more recognized municipal bond insurance organizations (the “Bond Insurer” or “Bond Insurers”) to guarantee the full and complete payment required to be made by or on behalf of the City on the Bonds as determined by the Pricing Officer. The Pricing Officer is hereby authorized to designate the Bond Insurer and to sign a commitment letter or insurance agreement with the Bond Insurer or Bond Insurers and to pay the premium for the bond insurance policies at the time of the delivery of the Bonds to the initial purchaser out of the proceeds of sale of the Bonds or from other available funds and to execute such other documents and certificates as necessary in connection with the bond insurance policies as the Pricing Officer may deem appropriate. Printing on the Bonds covered by the bond insurance policies a statement describing such insurance, in form and substance satisfactory to the Bond Insurer and the

Pricing Officer, is hereby approved and authorized. The Pricing Certificate may contain provisions related to the bond insurance policies, including payment provisions thereunder, and the rights of the Bond Insurer or Insurers, and any such provisions shall be read and interpreted as an integral part of this Ordinance.

Section 21. NO PERSONAL LIABILITY. No covenant or agreement contained in the Bonds, this Ordinance or any corollary instrument shall be deemed to be the covenant or agreement of any member of the City Council or any officer, agent, employee or representative of the City Council in his individual capacity, and neither the directors, officers, agents, employees or representatives of the City Council nor any person executing the Bonds shall be personally liable thereon or be subject to any personal liability for damages or otherwise or accountability by reason of the issuance thereof, or any actions taken or duties performed, whether by virtue of any constitution, statute or rule of law, or by the enforcement of any assessment or penalty, or otherwise, all such liability being expressly released and waived as a condition of and in consideration for the issuance of the Bonds.

Section 22. FURTHER ACTIONS. The officers and employees of the City are hereby authorized, empowered and directed from time to time and at any time to do and perform all such acts and things and to execute, acknowledge and deliver in the name and under the corporate seal and on behalf of the City all such instruments, whether or not herein mentioned, as may be necessary or desirable in order to carry out the terms and provisions of this Ordinance, the Bonds, the initial sale and delivery of the Bonds, the Paying Agent/Registrar Agreement, any insurance commitment letter or Insurance Policy and the Official Statement. In addition, prior to the initial delivery of the Bonds, the Mayor, the City Manager or Assistant City Manager, the City Attorney and Bond Counsel are hereby authorized and directed to approve any technical changes or corrections to this Ordinance or to any of the instruments authorized and approved by this Ordinance necessary in order to (i) correct any ambiguity or mistake or properly or more completely document the transactions contemplated and approved by this Ordinance and as described in the Official Statement, (ii) obtain a rating from any of the national bond rating agencies or satisfy requirements of the Bond Insurer, or (iii) obtain the approval of the Bonds by the Texas Attorney General's office.

In case any officer of the City whose signature shall appear on any Bond shall cease to be such officer before the delivery of such Bond, such signature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

Section 23. INTERPRETATIONS. All terms defined herein and all pronouns used in this Ordinance shall be deemed to apply equally to singular and plural and to all genders. The titles and headings of the articles and sections of this Ordinance and the Table of Contents of this Ordinance have been inserted for convenience of reference only and are not to be considered a part hereof and shall not in any way modify or restrict any of the terms or provisions hereof. This Ordinance and all the terms and provisions hereof shall be liberally construed to effectuate the purposes set forth herein and to sustain the validity of the Bonds and the validity of the lien on and pledge of the pledged revenues to secure the payment of the Bonds.

Section 24. INCONSISTENT PROVISIONS. All ordinances, orders or resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby

repealed to the extent of such conflict and the provisions of this Ordinance shall be and remain controlling as to the matters contained herein.

Section 25. INTERESTED PARTIES. Nothing in this Ordinance expressed or implied is intended or shall be construed to confer upon, or to give to, any person or entity, other than the City and the Registered Owners of the Bonds, any right, remedy or claim under or by reason of this Ordinance or any covenant, condition or stipulation hereof, and all covenants, stipulations, promises and agreements in this Ordinance contained by and on behalf of the City shall be for the sole and exclusive benefit of the City and the Registered Owners of the Bonds.

Section 26. INCORPORATION OF RECITALS. The City hereby finds that the statements set forth in the recitals of this Ordinance are true and correct, and the City hereby incorporates such recitals as a part of this Ordinance.

Section 27. SEVERABILITY. If any provision of this Ordinance or the application thereof to any circumstance shall be held to be invalid, the remainder of this Ordinance and the application thereof to other circumstances shall nevertheless be valid, and this governing body hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 28. REPEALER. All orders, resolutions and ordinances, or parts thereof, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 29. EFFECTIVE DATE. This Ordinance shall become effective immediately from and after its passage on first and final reading in accordance with Section 1201.028, Texas Government Code, as amended.

Section 30. PERFECTION. Chapter 1208, Government Code, applies to the issuance of the Bonds and the pledge of ad valorem taxes granted by the City under this Ordinance, and such pledge is therefore valid, effective and perfected. If Texas law is amended at any time while the Bonds are Outstanding and unpaid such that the pledge of ad valorem taxes granted by the City under this Ordinance is to be subject to the filing requirements of Chapter 9, Texas Business & Commerce Code, then in order to preserve to the Registered Owners of the Bonds the perfection of the security interest in said pledge, the City agrees to take such measures as it determines are reasonable and necessary under Texas law to comply with the applicable provisions of Chapter 9, Texas Business & Commerce Code and enable a filing to perfect the security interest in said pledge to occur.

Section 31. PAYMENT OF ATTORNEY GENERAL FEE. The City hereby authorizes the disbursement of a fee equal to the lesser of (i) one-tenth of one percent of the principal amount of the Bonds or (ii) \$9,500, provided that such fee shall not be less than \$750, to the Attorney General of Texas Public Finance Division for payment of the examination fee charged by the State of Texas for the Attorney General's review and approval of public securities and credit agreements, as required by Section 1202.004 of the Texas Government Code. The Pricing Officer is hereby instructed to take the necessary measures to make this payment. The City is also authorized to reimburse the appropriate City funds for such payment from proceeds of the Bonds.

READ and APPROVED on first reading this the 7th day of November, 2019.

THE CITY OF HUTTO, TEXAS

By: _____
Mayor
City of Hutto, Texas

ATTEST:

City Secretary
City of Hutto, Texas

APPROVED AS TO FORM:

City Attorney
City of Hutto, Texas

Signature Page

Hutto\GO\19C\Del: Ordinance

EXHIBIT "A"

DEFINITIONS

As used in this Ordinance, the following terms and expressions shall have the meanings set forth below, unless the text hereof specifically indicates otherwise:

"*Assistant City Manager(s)*" means the assistant city manager(s) of the City or any individual appointed to serve in such capacity for the City.

"*Authorized Denomination*" means the denomination of \$5,000 or any integral multiple thereof with respect to the Bonds.

"*Bond Insurer*" or "*Insurer*" means the provider of a municipal bond insurance policy for the Bonds as determined by the Pricing Officer in the Pricing Certificate or any other entity that insures or guarantees the payment of principal and interest on any Bonds.

"*Book-Entry-Only System*" means the book-entry system of bond registration provided in Section 6, or any successor system of book-entry registration.

"*Cede & Co.*" means the designated nominee and its successors and assigns of The Depository Trust Company, New York.

"*City*" means the City of Hutto, Texas, and where appropriate, the City Council.

"*City Council*" means the governing body of the City.

"*City Manager*" means the city manager of the City or any individual appointed to serve in such capacity for the City.

"*Defeasance Securities*" means (i) Federal Securities, (ii) noncallable obligations of an agency or instrumentality of the United States of America, including obligations that are unconditionally guaranteed or insured by the agency or instrumentality and that, on the date the City Council adopts or approves proceedings authorizing the issuance of refunding bonds or otherwise provide for the funding of an escrow to effect the defeasance of the Bonds are rated as to investment quality by a nationally recognized investment rating firm not less than "AAA" or its equivalent, (iii) noncallable obligations of a state or an agency or a county, municipality, or other political subdivision of a state that have been refunded and that, on the date the City Council adopts or approves proceedings authorizing the issuance of refunding bonds or otherwise provide for the funding of an escrow to effect the defeasance of the Bonds, are rated as to investment quality by a nationally recognized investment rating firm no less than "AAA" or its equivalent and (iv) any other then authorized securities or obligations under applicable State law that may be used to defease obligations such as the Bonds.

"DTC" means The Depository Trust Company, New York, New York and its successors and assigns.

"Federal Securities" as used herein means direct, noncallable obligations of the United States of America, including obligations that are unconditionally guaranteed by the United States of America.

"Fiscal Year" means the twelve-month accounting period used by the City in connection with the operation of the System, currently ending on September 30 of each year, which may be any twelve consecutive month period established by the City, but in no event may the Fiscal Year be changed more than one time in any three calendar year period.

"Initial Bond(s)" means the Bond(s) authorized, issued, and initially delivered as provided in Section 4 of this Ordinance.

"Insurance Policy" means an insurance policy issued by any Insurer guaranteeing the scheduled principal of and interest on the Bonds when due.

"Interest and Sinking Fund" means the special fund maintained by the provisions of Section 8 of this Ordinance.

"Interest Payment Date" means a date on which interest on the Bonds is due and payable.

"MSRB" means the Municipal Securities Rulemaking Board.

"Ordinance" means this ordinance finally adopted by the City Council on the date of the City Council's second reading of this Ordinance.

"Outstanding", when used with respect to Bonds, means, as of the date of determination, all Bonds theretofore delivered under this Ordinance, except:

- (1) Bonds theretofore cancelled and delivered to the City or delivered to the Paying Agent/Registrar for cancellation;
- (2) Bonds deemed paid pursuant to the provisions of Section 10 of this Ordinance;
- (3) Bonds upon transfer of or in exchange for and in lieu of which other Bonds have been authenticated and delivered pursuant to this Ordinance; or
- (4) Bonds under which the obligations of the City have been released, discharged or extinguished in accordance with the terms thereof.

"*Permitted Investments*" means any security or obligation or combination thereof permitted under the Public Funds Investments Act, Chapter 2256, Texas Government Code, as amended or other applicable law.

"*Pricing Certificate*" means the Pricing Certificate of the City's Pricing Officer to be executed and delivered pursuant to Section 4 hereof in connection with the issuance of one or more series of Bonds.

"*Pricing Officer*" means the City Manager of the City, acting as the designated pricing officer of the City to execute the Pricing Certificate but in his absence, the Assistant City Manager may act as the designated pricing officer of the City to execute the Pricing Certificate.

"*Purchase Agreement*" means the Purchase Agreement between the City and Citigroup Global Markets Inc., as representative, acting on behalf of itself and the other underwriters named therein.

"*Rating Agency*" means any nationally recognized securities rating agency which has assigned, at the request of the City, a rating to the Bonds.

"*Record Date*" means Record Date as defined in the Pricing Certificate.

"*Register*" or "*Registration Books*" means the registry system maintained on behalf of the City by the Registrar in which are listed the names and addresses of the Registered Owners and the principal amount of Bonds registered in the name of each Registered Owner.

"*Registered Owners*" means any person or entity in whose name a Bond is registered in the Security Register, for any Bond.

"*Replacement Bonds*" means the Bonds authorized by the City to be issued in substitution for lost, apparently destroyed, or wrongfully taken Bond as provided in Section 11 of this Ordinance.

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

"*SEC*" means the United States Securities and Exchange Commission.

"*Series*" means a separate series of Bonds as specified by or pursuant to the terms of this Ordinance.

"*Taxable Bonds*" means any Bonds designated by the Pricing Officer in the Pricing Certificate as a Taxable Bond, the interest on which is not excludable from the gross income of the owner thereof for federal income tax purposes.

"*Tax-Exempt Bonds*" means any Bonds designated by the Pricing Officer in the Pricing Certificate as a Tax-Exempt Bond, the interest on which is excludable from the gross income of the owner thereof for federal income tax purposes.

EXHIBIT "B"

DESCRIPTION OF ANNUAL FINANCIAL INFORMATION

The following information is referred to in Section 19 of this Ordinance.

Accounting Principles

The accounting principles referred to in such Section are the accounting principles described in the current notes to the financial statements used in the Official Statement.

Regular City Council
AGENDA ITEM
14.C.



To:

Subject: Discussion and possible action on Financial Disclosure.

Meeting: Regular City Council - 24 Oct 2019

Department: City Manager

Staff Contact: Alecia Mayberry Mosadomi Assistant City Attorney

BACKGROUND INFORMATION:

On October 24, 2019, the City Council approved amendments to the ordinance related to financial disclosure to require that in addition to the Mayor and members of City Council, the City Manager, City Attorney, members of the Hutto Economic Development Corporation (HEDC) board of directors, and HEDC coordinator must also file financial disclosures.

The attached ordinance amends the Code of Ordinances (2014 Edition) Chapter 2 to replace the financial disclosure requirements with provisions from the Local Government Code Chapter 145 (Financial Disclosure by and Standards of Conduct for Local Government Officers). (Exhibit A is the red-lined version and Exhibit B is the clean version).

The City Manager's personal financial statement affidavit is attached and the executed financial disclosure statement is on file with the City Secretary's office. Copies of the form to be completed and instructions have been provided to each person that is required to file. These statements need to be returned to the City Secretary as soon as possible.

FINANCIAL IMPACT:

No financial impacts related to this item.

ORDINANCE NO. O-19-10-24-8C

AN ORDINANCE OF THE CITY OF HUTTO AMENDING CHAPTER 2 (ADMINISTRATION AND PERSONNEL) OF THE CITY CODE OF ORDINANCES RELATING TO FINANCIAL DISCLOSURES AND STANDARDS OF CONDUCT; PROVIDING FOR AN OFFENSE AND PENALTY; AND PROVIDING FOR A PUBLICATION CLAUSE, SEVERABILITY CLAUSE, REPEALING CLAUSE, OPEN MEETINGS CLAUSE, PENALTY CLAUSE AND EFFECTIVE DATE.

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

SECTION I.

That the Code of Ordinances (2014 Edition) Chapter 2 (Administration and Personnel), Article 2.05 (Standards of Conduct) is amended to include the changes described in the attached Exhibit A and incorporated herein:

SECTION II. PUBLICATION CLAUSE

The City Secretary of the City of Hutto is hereby authorized and directed to publish the caption of this ordinance in the manner and for the length of time prescribed by law.

SECTION III. SEVERABILITY CLAUSE

The provisions of this ordinance are severable, and if any sentence, section, or other parts of this ordinance should be found to be invalid, such invalidity shall not affect the remaining provisions, and the remaining provisions shall continue in full force and effect.

SECTION IV. REPEALING CLAUSE

All ordinances and resolutions and parts thereof in conflict herewith are hereby expressly repealed insofar as they conflict.

SECTION V. OPEN MEETING CLAUSE

The City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this ordinance and the subject hereof were discussed, considered, and formerly acted upon, all as required by the Texas Open Meetings Act, Chapter 551, Government Code, as amended.

SECTION VI. EFFECTIVE DATE

This ordinance shall take effect and be in force from and after its passage.

READ AND APPROVED the first reading on the 17th day of October 2019.

READ, APPROVED, AND ADOPTED the ordinance on the second reading this 24th day of October 2019.

CITY OF HUTTO, TEXAS

Doug Gaul, Mayor

ATTEST:

Lacie Hale, City Secretary

EXHIBIT A

Article 2.05 Standards of Conduct

Division 1. Generally

Sec. 2.05.004 Disclosure of interest

- (a) If any city official or appointee has a substantial interest in any real property or business entity involved in any decision pending before the body of which the city official or appointee is a member, the city official or appointee shall not vote or otherwise participate in the consideration of the matter.
- (b) In the case of a city official or appointee, the city official or appointee shall publicly disclose, verbally or in writing, the nature and extent of such interest to the body on which the city official or appointee serves prior to any discussion or determination of the matter to be considered or immediately upon discovery of the conflict of interest. The statement of disclosure shall be included in the official minutes of the body.
- (c) Within thirty (30) days of being appointed to the planning and zoning commission or board of adjustment and on each anniversary of that date, each member of such commission shall file with the city secretary a sworn statement identifying by street address and legal description all real property located within the city or its extraterritorial jurisdiction in which the member has a substantial interest.
- (d) Any person who appears before the city council or commission who has had business dealings in the immediately preceding twelve-month period involving one or more transactions of five hundred dollars (\$500.00) or more each, for a total of twenty-five hundred dollars (\$2,500.00) or more, with a councilmember, commissioner, or business entity in which a councilmember or commissioner has a substantial interest, shall disclose such business dealings at the time of the appearance. Any person who shall intentionally or knowingly fail to make the aforesaid disclosure shall be guilty of a misdemeanor and shall be fined in accordance with section 1.01.009 of this code.

Sec. 2.05.005 Financial Disclosure

- ~~(a) No later than April 30th of each year, each city official shall file a sworn financial disclosure statement with the city secretary reflecting the financial situation of the city official as of December 31st of the previous year. Notwithstanding any other term or provision of this article, as used in this section:~~

~~(1) The term “family member” shall include only the city official and the spouse and the minor children of the city official.~~

~~(2) The term “substantial interest” shall include only the interests of the city official and the spouse and minor children of the city official.~~

~~(b) A newly appointed city official shall file a sworn financial disclosure statement with the city secretary within thirty (30) days from the date the position with the city is assumed. Said statement shall reflect the financial situation as of date of employment or appointment and for the previous twelve (12) months; provided, however, such city official shall not be required to include in such statement the requirements of subsections (4)(f), (g), and (h) [sic] of this section.~~

~~(c) Each person required to file a financial disclosure statement shall do so on a form supplied by the city, which shall include the following information:~~

~~(1) The person's name, residence address, business address and telephone number, and all names under which the person or family member does business.~~

~~(2) Identification by street address, and legal description of all real property located within the city or its extraterritorial jurisdiction in which the person has a substantial interest.~~

~~(3) Identification of each business entity owning property or doing business within the city or its extraterritorial jurisdiction in which the person has a substantial interest.~~

~~(4) Identification of each source of income amounting to ten (10) percent or more of the person's or family member's gross annual income as defined by the United States Internal Revenue Code.~~

~~(5) Identification of the donor of each gift of more than five hundred dollars (\$500.00) in value received by the person or family member, including the value of the gift, where such donor has appeared before and requested action of the city council during the reporting period.~~

~~(6) Identification of the donor of two or more gifts of an accumulated value of one thousand dollars (\$1,000.00) or more received by the person or family member, where such donor has appeared before and requested action of the city council during the reporting period.~~

- ~~(d) The city secretary shall maintain all financial disclosure statements required to be filed herein as public records and retain them for a period of three (3) years, after which statements shall be destroyed.~~
- ~~(e) Within thirty (30) days of being appointed to the planning and zoning commission or board of adjustment and on each anniversary of that date, each member of such commission shall file with the city secretary a sworn statement identifying by street address and legal description all real property located within the city or its extraterritorial jurisdiction in which the member has a substantial interest.~~
- ~~(f) Any person who appears before the city council or commission who has had business dealings in the immediately preceding twelve-month period involving one or more transactions of five hundred dollars (\$500.00) or more each, for a total of twenty-five hundred dollars (\$2,500.00) or more, with a councilmember, commissioner, or business entity in which a councilmember or commissioner has a substantial interest, shall disclose such business dealings at the time of the appearance. Any person who shall intentionally or knowingly fail to make the aforesaid disclosure shall be guilty of a misdemeanor and shall be fined in accordance with section 1.01.009 of this code.~~

Division 2. Financial Disclosure and Standards of Conduct

Sec. 2.05.007 Definitions

Notwithstanding any other term or provision in this article, as used in this division:

- (1) The term “city official” shall include the mayor, members of city council, city manager, city attorney, members of the Hutto Economic Development Corporation (HEDC) board of directors, and HEDC coordinator.
- (2) The term “candidate for municipal office” shall include, unless otherwise provided in this division, any person who files for election or appointment to a position as the mayor, member of city council, city manager, city attorney, member of the HEDC board of directors, and HEDC coordinator.
- (3) The term “deliver” shall include transmitting by mail, personal delivery, or e-mail or any other means of electronic transfer.

Sec. 2.05.008 Financial statement required

- (a) A city official or candidate for municipal office shall file a financial statement as required by this division.
- (b) The statement must:
 - (1) be filed with the city secretary; and
 - (2) comply with Sections 572.022 and 572.023, Government Code.

Sec. 2.05.009 Filing dates; timeliness of filing

- (a) A city official shall file the financial statement as required by this division by not later than April 30th of each year reflecting the city official's financial situation as of December 31st of the previous year and financial activity between January 1st and December 31st of the previous year.
- (b) A candidate for municipal office filled by appointment shall file the financial statement required by this division by not later than the 45th day after the date on which the person assumes the duties of the position.
- (c) A candidate for municipal office filled by election shall file the financial statement required by this division not later than the earlier of:
 - (1) the 20th day after the deadline for filing an application for a place on the ballot in the election; or
 - (2) the fifth day before the date of the election.
- (d) A person is considered to have timely filed a financial statement under this division if:
 - (1) the statement is personally delivered not later than 5:00 p.m. of the last day designated for filing the statement;
 - (2) the city secretary has adopted rules and procedures to provide for the electronic filing of the statement and the statement is electronically filed in accordance with those rules and procedures not later than midnight of the last day for filing the statement; or

(3) the financial statement is timely filed if it is properly addressed and placed in the United States Post Office or in the hands of a common or contract carrier not later than the last day for filing the financial statement. The post office cancellation mark or the receipt mark of a common or contract carrier is prima facie evidence of the date the statement was deposited with the post office or carrier. The individual filing the statement may show by competent evidence that the actual date of posting was different from that shown by the marks.

- (e) If the deadline for filing the financial statement is a Saturday, Sunday, or a legal City, state, or national holiday, then the statement is timely if filed on the next regular business day.
- (f) A city official or candidate for municipal office filled by appointment may request the city secretary grant an extension of not more than 60 days for filing the statement. The city secretary shall grant the request if it is received before the filing deadline or if the official's physical or mental incapacity prevents the official from filing the statement or requesting an extension before the filing deadline. The city secretary may not grant more than one extension to a person in one year except for good cause shown.
- (g) The city secretary may not grant an extension to a candidate for municipal office filled by election.

Sec. 2.05.010 Form of statement

- (a) The PFS-LOCAL form designed by the Texas Ethics Commission under Chapter 572, Government Code, shall be used for filing the financial statement required under this division.
- (b) The city secretary shall deliver at least one copy of the form to each city official or candidate for municipal office filled by appointment who is required to file under this division not later than the 31st day before the deadline for filing the financial statement under section 2.05.009 (a) or (c).
- (c) The city secretary shall deliver a copy of the form to each candidate for municipal office filled by election who is required to file under this division not later than the 10th day before the deadline for filing the statement under Section 2.05.009 (c).
- (d) The city secretary may choose one or more methods to deliver the form.

Sec. 2.05.011 Duplicate or supplemental statements

If a person has filed a financial statement under one provision of this division covering the preceding calendar year, the person is not required to file a financial statement required under another provision of this division covering that same year if, before the deadline for filing the statement under the other provision, the person notifies the city secretary in writing that the person has already filed a financial statement under this division covering that year.

Sec. 2.05.012 Public access to statements; retention

- (a) Financial statements filed under this division are public records. The city secretary shall maintain the statements in separate alphabetical files and in a manner that is accessible to the public during regular office hours.
- (b) Until the first anniversary of the date a financial statement is filed, each time a person, other than the city secretary or an employee of the city secretary who is acting on official business, requests to see the financial statement, the city secretary shall place in the file a statement of the person's name and address, whom the person represents, and the date of the request. The city secretary shall retain that statement in the file until the first anniversary of the date the requested financial statement is filed.
- (c) The city secretary may, and on notification from a former city official or candidate shall, destroy any financial statements filed by the official or candidate after the second anniversary of the date the person ceases to be an official or candidate, as applicable.

Sec. 2.05.013 Notification to prosecuting attorney

The city secretary shall maintain a list of the city officials and candidates for municipal office required to file a financial statement under this division. Not later than the 10th day after each applicable filing deadline, the city secretary shall provide to the municipal attorney a copy of the list showing for each city official and candidate for municipal office:

- (1) whether the official or candidate timely filed a financial statement as required by this division;
- (2) whether the official or candidate timely requested and was granted an extension of time to file as provided for by Section 2.05.009 and the new due date for each such official or candidate; or

(3) whether the official or candidate did not timely file a financial statement or receive an extension of time.

Sec. 2.05.009 Criminal Penalty

(a) A city official or a candidate for a municipal office filled by election commits an offense if the official or candidate knowingly fails to file a financial statement as required by this division.

(b) An official or candidate that violates the provisions of this division shall be guilty of a class C misdemeanor and shall be subject to a fine in an amount not to exceed five hundred dollars (\$500.00).

(c) It is a defense to prosecution under this division that the official or candidate did not receive copies of the financial statement form required to be delivered to the official or candidate by this division.

EXHIBIT A

Article 2.05 Standards of Conduct

Division 1. Generally

Sec. 2.05.004 Disclosure of interest

- (a) If any city official or appointee has a substantial interest in any real property or business entity involved in any decision pending before the body of which the city official or appointee is a member, the city official or appointee shall not vote or otherwise participate in the consideration of the matter.
- (b) In the case of a city official or appointee, the city official or appointee shall publicly disclose, verbally or in writing, the nature and extent of such interest to the body on which the city official or appointee serves prior to any discussion or determination of the matter to be considered or immediately upon discovery of the conflict of interest. The statement of disclosure shall be included in the official minutes of the body.
- (c) Within thirty (30) days of being appointed to the planning and zoning commission or board of adjustment and on each anniversary of that date, each member of such commission shall file with the city secretary a sworn statement identifying by street address and legal description all real property located within the city or its extraterritorial jurisdiction in which the member has a substantial interest.
- (d) Any person who appears before the city council or commission who has had business dealings in the immediately preceding twelve-month period involving one or more transactions of five hundred dollars (\$500.00) or more each, for a total of twenty-five hundred dollars (\$2,500.00) or more, with a councilmember, commissioner, or business entity in which a councilmember or commissioner has a substantial interest, shall disclose such business dealings at the time of the appearance. Any person who shall intentionally or knowingly fail to make the aforesaid disclosure shall be guilty of a misdemeanor and shall be fined in accordance with section 1.01.009 of this code.

Division 2. Financial Disclosure and Standards of Conduct

Sec. 2.05.007 Definitions

Notwithstanding any other term or provision in this article, as used in this division:

- (1) The term “city official” shall include the mayor, members of city council, city manager, city attorney, members of the Hutto Economic Development Corporation (HEDC) board of directors, and HEDC coordinator.
- (2) The term “candidate for municipal office” shall include, unless otherwise provided in this division, any person who files for election or appointment to a position as the mayor, member of city council, city manager, city attorney, member of the HEDC board of directors, and HEDC coordinator.
- (3) The term “deliver” shall include transmitting by mail, personal delivery, or e-mail or any other means of electronic transfer.

Sec. 2.05.008 Financial statement required

- (a) A city official or candidate for municipal office shall file a financial statement as required by this division.
- (b) The statement must:
 - (1) be filed with the city secretary; and
 - (2) comply with Sections 572.022 and 572.023, Government Code.

Sec. 2.05.009 Filing dates; timeliness of filing

- (a) A city official shall file the financial statement as required by this division by not later than April 30th of each year reflecting the city official’s financial situation as of December 31st of the previous year and financial activity between January 1st and December 31st of the previous year.
- (b) A candidate for municipal office filled by appointment shall file the financial statement required by this division by not later than the 45th day after the date on which the person assumes the duties of the position.

- (c) A candidate for municipal office filled by election shall file the financial statement required by this division not later than the earlier of:
 - (1) the 20th day after the deadline for filing an application for a place on the ballot in the election; or
 - (2) the fifth day before the date of the election.
- (d) A person is considered to have timely filed a financial statement under this division if:
 - (1) the statement is personally delivered not later than 5:00 p.m. of the last day designated for filing the statement;
 - (2) the city secretary has adopted rules and procedures to provide for the electronic filing of the statement and the statement is electronically filed in accordance with those rules and procedures not later than midnight of the last day for filing the statement; or
 - (3) the financial statement is timely filed if it is properly addressed and placed in the United States Post Office or in the hands of a common or contract carrier not later than the last day for filing the financial statement. The post office cancellation mark or the receipt mark of a common or contract carrier is prima facie evidence of the date the statement was deposited with the post office or carrier. The individual filing the statement may show by competent evidence that the actual date of posting was different from that shown by the marks.
- (e) If the deadline for filing the financial statement is a Saturday, Sunday, or a legal City, state, or national holiday, then the statement is timely if filed on the next regular business day.
- (f) A city official or candidate for municipal office filled by appointment may request the city secretary grant an extension of not more than 60 days for filing the statement. The city secretary shall grant the request if it is received before the filing deadline or if the official's physical or mental incapacity prevents the official from filing the statement or requesting an extension before the filing deadline. The city secretary may not grant more than one extension to a person in one year except for good cause shown.
- (g) The city secretary may not grant an extension to a candidate for municipal office filled by election.

Sec. 2.05.010 Form of statement

- (a) The PFS-LOCAL form designed by the Texas Ethics Commission under Chapter 572, Government Code, shall be used for filing the financial statement required under this division.
- (b) The city secretary shall deliver at least one copy of the form to each city official or candidate for municipal office filled by appointment who is required to file under this division not later than the 31st day before the deadline for filing the financial statement under section 2.05.009 (a) or (c).
- (c) The city secretary shall deliver a copy of the form to each candidate for municipal office filled by election who is required to file under this division not later than the 10th day before the deadline for filing the statement under Section 2.05.009 (c).
- (d) The city secretary may choose one or more methods to deliver the form.

Sec. 2.05.011 Duplicate or supplemental statements

If a person has filed a financial statement under one provision of this division covering the preceding calendar year, the person is not required to file a financial statement required under another provision of this division covering that same year if, before the deadline for filing the statement under the other provision, the person notifies the city secretary in writing that the person has already filed a financial statement under this division covering that year.

Sec. 2.05.012 Public access to statements; retention

- (a) Financial statements filed under this division are public records. The city secretary shall maintain the statements in separate alphabetical files and in a manner that is accessible to the public during regular office hours.
- (b) Until the first anniversary of the date a financial statement is filed, each time a person, other than the city secretary or an employee of the city secretary who is acting on official business, requests to see the financial statement, the city secretary shall place in the file a statement of the person's name and address, whom the person represents, and the date of the request. The city secretary shall retain that statement in the file until the first anniversary of the date the requested financial statement is filed.

- (c) The city secretary may, and on notification from a former city official or candidate shall, destroy any financial statements filed by the official or candidate after the second anniversary of the date the person ceases to be an official or candidate, as applicable.

Sec. 2.05.013 Notification to prosecuting attorney

The city secretary shall maintain a list of the city officials and candidates for municipal office required to file a financial statement under this division. Not later than the 10th day after each applicable filing deadline, the city secretary shall provide to the municipal attorney a copy of the list showing for each city official and candidate for municipal office:

- (1) whether the official or candidate timely filed a financial statement as required by this division;
- (2) whether the official or candidate timely requested and was granted an extension of time to file as provided for by Section 2.05.009 and the new due date for each such official or candidate; or
- (3) whether the official or candidate did not timely file a financial statement or receive an extension of time.

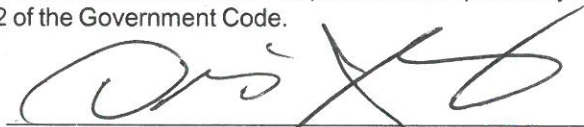
Sec. 2.05.009 Criminal Penalty

- (a) A city official or a candidate for a municipal office filled by election commits an offense if the official or candidate knowingly fails to file a financial statement as required by this division.
- (b) An official or candidate that violates the provisions of this division shall be guilty of a class C misdemeanor and shall be subject to a fine in an amount not to exceed five hundred dollars (\$500.00).
- (c) It is a defense to prosecution under this division that the official or candidate did not receive copies of the financial statement form required to be delivered to the official or candidate by this division.

PERSONAL FINANCIAL STATEMENT AFFIDAVIT

The law requires the personal financial statement to be verified. The verification page must have the signature of the individual required to file the personal financial statement, as well as the signature and stamp or seal of office of a notary public or other person authorized by law to administer oaths and affirmations. Without proper verification, the statement is not considered filed.

I swear, or affirm, under penalty of perjury, that this financial statement covers calendar year ending December 31, 2018, and is true and correct and includes all information required to be reported by me under chapter 572 of the Government Code.



Signature of Filer



AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said Odin Jones, this the 31st day of October, 20 19, to certify which, witness my hand and seal of office.

Lacie Gene Hale Lacie Gene Hale Notary
Signature of officer administering oath Printed name of officer administering oath Title of officer administering oath

PERSONAL FINANCIAL STATEMENT

FORM PFS - LOCAL**COVER SHEET****PAGE 1**

Filed in accordance with chapter 572 of the Government Code.
For filings required in 2019, covering calendar year ending December 31, 2018.
Use FORM PFS--INSTRUCTION GUIDE when completing this form.

TOTAL NUMBER OF PAGES FILED:

Filer ID

1 NAME

TITLE; FIRST; MI

NICKNAME; LAST; SUFFIX

2 ADDRESS

ADDRESS / PO BOX; APT / SUITE #; CITY; STATE; ZIP CODE

**3 TELEPHONE
NUMBER**

AREA CODE

PHONE NUMBER; EXTENSION

()

OFFICE USE ONLY

Date Received

Date Hand-delivered or Date Postmarked

Receipt #

Amount \$

Date Processed

Date Imaged

**4 REASON
FOR FILING
STATEMENT**☐ CANDIDATE _____ (INDICATE OFFICE)☐ ELECTED OFFICER _____ (INDICATE OFFICE)☐ OTHER _____ (INDICATE POSITION)**5** Family members whose financial activity you are reporting (see instructions).

SPOUSE _____

DEPENDENT CHILD 1. _____

2. _____

3. _____

In Parts 1 through 18, you will disclose your financial activity during the preceding calendar year. In Parts 1 through 14, you are required to disclose not only your own financial activity, but also that of your spouse or a dependent child (see instructions).

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

On this page, indicate any Parts of Form PFS that are not applicable to you. If you do not place a check in a box, then pages for that Part must be included in the report. ***If you place a check in a box, do NOT include pages for that Part in the report.***

6 PARTS NOT APPLICABLE TO FILER

- ☐ N/A Part 1A - Sources of Occupational Income
- ☐ N/A Part 1B - Retainers
- ☐ N/A Part 2 - Stock
- ☐ N/A Part 3 - Bonds, Notes & Other Commercial Paper
- ☐ N/A Part 4 - Mutual Funds
- ☐ N/A Part 5 - Income from Interest, Dividends, Royalties & Rents
- ☐ N/A Part 6 - Personal Notes and Lease Agreements
- ☐ N/A Part 7A - Interests in Real Property
- ☐ N/A Part 7B - Interests in Business Entities
- ☐ N/A Part 8 - Gifts
- ☐ N/A Part 9 - Trust Income
- ☐ N/A Part 10A - Blind Trusts
- ☐ N/A Part 10B - Trustee Statement
- ☐ N/A Part 11A - Ownership of Business Associations
- ☐ N/A Part 11B - Assets of Business Associations
- ☐ N/A Part 11C - Liabilities of Business Associations
- ☐ N/A Part 12 - Boards and Executive Positions
- ☐ N/A Part 13 - Expenses Accepted Under Honorarium Exception
- ☐ N/A Part 14 - Interest in Business in Common with Lobbyist
- ☐ N/A Part 15 - Fees Received for Services Rendered to a Lobbyist or Lobbyist's Employer
- ☐ N/A Part 16 - Representation by Legislator Before State Agency
- ☐ N/A Part 17 - Benefits Derived from Functions Honoring Public Servant
- ☐ N/A Part 18 - Legislative Continuances
- ☐ N/A Part 19 - Contracts with Governmental Entity
- ☐ N/A Part 20 - Bond Counsel Services Provided by a Legislator

SOURCES OF OCCUPATIONAL INCOME

PART 1A

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

1 INFORMATION RELATES TO	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
2 EMPLOYMENT ☐ EMPLOYED BY ANOTHER ☐ SELF-EMPLOYED	NAME AND ADDRESS OF EMPLOYER / POSITION HELD NATURE OF OCCUPATION
INFORMATION RELATES TO	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
EMPLOYMENT ☐ EMPLOYED BY ANOTHER ☐ SELF-EMPLOYED	NAME AND ADDRESS OF EMPLOYER / POSITION HELD NATURE OF OCCUPATION
INFORMATION RELATES TO	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
EMPLOYMENT ☐ EMPLOYED BY ANOTHER ☐ SELF-EMPLOYED	NAME AND ADDRESS OF EMPLOYER / POSITION HELD NATURE OF OCCUPATION

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

RETAINERS

PART 1B

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

This section concerns fees received as a retainer by you, your spouse, or a dependent child (or by a business in which you, your spouse, or a dependent child have a "substantial interest") for a claim on future services in case of need, rather than for services on a matter specified at the time of contracting for or receiving the fee. Report information here only if the value of the work actually performed during the calendar year did not equal or exceed the value of the retainer. For more information, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

1 FEE RECEIVED FROM	NAME AND ADDRESS
2 FEE RECEIVED BY	NAME OF BUSINESS ☐ FILER OR FILER'S BUSINESS _____ ☐ SPOUSE OR SPOUSE'S BUSINESS _____ ☐ DEPENDENT CHILD _____ OR CHILD'S BUSINESS _____
3 FEE AMOUNT	☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE
FEE RECEIVED FROM	NAME AND ADDRESS
FEE RECEIVED BY	NAME OF BUSINESS ☐ FILER OR FILER'S BUSINESS _____ ☐ SPOUSE OR SPOUSE'S BUSINESS _____ ☐ DEPENDENT CHILD _____ OR CHILD'S BUSINESS _____
FEE AMOUNT	☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

STOCK

PART 2

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

List each business entity in which you, your spouse, or a dependent child held or acquired stock during the calendar year and indicate the category of the number of shares held or acquired. If some or all of the stock was sold, also indicate the category of the amount of the net gain or loss realized from the sale. For more information, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

1 BUSINESS ENTITY	NAME			
2 STOCK HELD OR ACQUIRED BY	☐ FILER	☐ SPOUSE	☐ DEPENDENT CHILD _____	
3 NUMBER OF SHARES	☐ LESS THAN 100 ☐ 5,000 TO 9,999	☐ 100 TO 499 ☐ 10,000 OR MORE	☐ 500 TO 999	☐ 1,000 TO 4,999
4 IF SOLD ☐ NET GAIN ☐ NET LOSS	☐ LESS THAN \$5,000	☐ \$5,000--\$9,999	☐ \$10,000--\$24,999	☐ \$25,000--OR MORE
BUSINESS ENTITY	NAME			
STOCK HELD OR ACQUIRED BY	☐ FILER	☐ SPOUSE	☐ DEPENDENT CHILD _____	
NUMBER OF SHARES	☐ LESS THAN 100 ☐ 5,000 TO 9,999	☐ 100 TO 499 ☐ 10,000 OR MORE	☐ 500 TO 999	☐ 1,000 TO 4,999
IF SOLD ☐ NET GAIN ☐ NET LOSS	☐ LESS THAN \$5,000	☐ \$5,000--\$9,999	☐ \$10,000--\$24,999	☐ \$25,000--OR MORE
BUSINESS ENTITY	NAME			
STOCK HELD OR ACQUIRED BY	☐ FILER	☐ SPOUSE	☐ DEPENDENT CHILD _____	
NUMBER OF SHARES	☐ LESS THAN 100 ☐ 5,000 TO 9,999	☐ 100 TO 499 ☐ 10,000 OR MORE	☐ 500 TO 999	☐ 1,000 TO 4,999
IF SOLD ☐ NET GAIN ☐ NET LOSS	☐ LESS THAN \$5,000	☐ \$5,000--\$9,999	☐ \$10,000--\$24,999	☐ \$25,000--OR MORE
BUSINESS ENTITY	NAME			
STOCK HELD OR ACQUIRED BY	☐ FILER	☐ SPOUSE	☐ DEPENDENT CHILD _____	
NUMBER OF SHARES	☐ LESS THAN 100 ☐ 5,000 TO 9,999	☐ 100 TO 499 ☐ 10,000 OR MORE	☐ 500 TO 999	☐ 1,000 TO 4,999
IF SOLD ☐ NET GAIN ☐ NET LOSS	☐ LESS THAN \$5,000	☐ \$5,000--\$9,999	☐ \$10,000--\$24,999	☐ \$25,000--OR MORE
BUSINESS ENTITY	NAME			
STOCK HELD OR ACQUIRED BY	☐ FILER	☐ SPOUSE	☐ DEPENDENT CHILD _____	
NUMBER OF SHARES	☐ LESS THAN 100 ☐ 5,000 TO 9,999	☐ 100 TO 499 ☐ 10,000 OR MORE	☐ 500 TO 999	☐ 1,000 TO 4,999
IF SOLD ☐ NET GAIN ☐ NET LOSS	☐ LESS THAN \$5,000	☐ \$5,000--\$9,999	☐ \$10,000--\$24,999	☐ \$25,000--OR MORE

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

BONDS, NOTES & OTHER COMMERCIAL PAPER

PART 3

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

List all bonds, notes, and other commercial paper held or acquired by you, your spouse, or a dependent child during the calendar year. If sold, indicate the category of the amount of the net gain or loss realized from the sale. For more information, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

1 DESCRIPTION OF INSTRUMENT	
2 HELD OR ACQUIRED BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
3 IF SOLD ☐ NET GAIN ☐ NET LOSS	☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE
DESCRIPTION OF INSTRUMENT	
HELD OR ACQUIRED BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
IF SOLD ☐ NET GAIN ☐ NET LOSS	☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE
DESCRIPTION OF INSTRUMENT	
HELD OR ACQUIRED BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
IF SOLD ☐ NET GAIN ☐ NET LOSS	☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

MUTUAL FUNDS

PART 4

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

List each mutual fund and the number of shares in that mutual fund that you, your spouse, or a dependent child held or acquired during the calendar year and indicate the category of the number of shares of mutual funds held or acquired. If some or all of the shares of a mutual fund were sold, also indicate the category of the amount of the net gain or loss realized from the sale. For more information, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

1 MUTUAL FUND	NAME
2 SHARES OF MUTUAL FUND HELD OR ACQUIRED BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
3 NUMBER OF SHARES OF MUTUAL FUND	☐ LESS THAN 100 ☐ 100 TO 499 ☐ 500 TO 999 ☐ 1,000 TO 4,999 ☐ 5,000 TO 9,999 ☐ 10,000 OR MORE
4 IF SOLD ☐ NET GAIN ☐ NET LOSS	☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE
MUTUAL FUND	NAME
SHARES OF MUTUAL FUND HELD OR ACQUIRED BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
NUMBER OF SHARES OF MUTUAL FUND	☐ LESS THAN 100 ☐ 100 TO 499 ☐ 500 TO 999 ☐ 1,000 TO 4,999 ☐ 5,000 TO 9,999 ☐ 10,000 OR MORE
IF SOLD ☐ NET GAIN ☐ NET LOSS	☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE
MUTUAL FUND	NAME
SHARES OF MUTUAL FUND HELD OR ACQUIRED BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
NUMBER OF SHARES OF MUTUAL FUND	☐ LESS THAN 100 ☐ 100 TO 499 ☐ 500 TO 999 ☐ 1,000 TO 4,999 ☐ 5,000 TO 9,999 ☐ 10,000 OR MORE
IF SOLD ☐ NET GAIN ☐ NET LOSS	☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

INCOME FROM INTEREST, DIVIDENDS, ROYALTIES & RENTS

PART 5

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

List each source of income you, your spouse, or a dependent child received *in excess of \$500* that was derived from interest, dividends, royalties, and rents during the calendar year and indicate the category of the amount of the income. For more information, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

1 SOURCE OF INCOME ☐ Publicly held corporation	NAME AND ADDRESS
2 RECEIVED BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
3 AMOUNT	☐ \$500--\$4,999 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE
SOURCE OF INCOME ☐ Publicly held corporation	NAME AND ADDRESS
RECEIVED BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
AMOUNT	☐ \$500--\$4,999 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE
SOURCE OF INCOME ☐ Publicly held corporation	NAME AND ADDRESS
RECEIVED BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
AMOUNT	☐ \$500--\$4,999 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

PERSONAL NOTES AND LEASE AGREEMENTS

PART 6

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

Identify each guarantor of a loan and each person or financial institution to whom you, your spouse, or a dependent child had a total financial liability *of more than \$1,000* in the form of a personal note or notes or lease agreement at any time during the calendar year and indicate the category of the amount of the liability. For more information, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

1
PERSON OR INSTITUTION
HOLDING NOTE OR
LEASE AGREEMENT

2
LIABILITY OF

☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____

3
GUARANTOR

4
AMOUNT

☐ \$1,000--\$4,999 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE

PERSON OR INSTITUTION
HOLDING NOTE OR
LEASE AGREEMENT

LIABILITY OF

☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____

GUARANTOR

AMOUNT

☐ \$1,000--\$4,999 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE

PERSON OR INSTITUTION
HOLDING NOTE OR
LEASE AGREEMENT

LIABILITY OF

☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____

GUARANTOR

AMOUNT

☐ \$1,000--\$4,999 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

INTERESTS IN REAL PROPERTY

PART 7A

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

Describe all beneficial interests in real property held or acquired by you, your spouse, or a dependent child during the calendar year. If the interest was sold, also indicate the category of the amount of the net gain or loss realized from the sale. For an explanation of "beneficial interest" and other specific directions for completing this section, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

1 HELD OR ACQUIRED BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
2 STREET ADDRESS ☐ NOT AVAILABLE	STREET ADDRESS, INCLUDING CITY, COUNTY, AND STATE
3 DESCRIPTION ☐ LOTS ☐ ACRES	NUMBER OF LOTS OR ACRES AND NAME OF COUNTY WHERE LOCATED
4 NAMES OF PERSONS RETAINING AN INTEREST ☐ NOT APPLICABLE (SEVERED MINERAL INTEREST)	
5 IF SOLD ☐ NET GAIN ☐ NET LOSS	☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE
HELD OR ACQUIRED BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
STREET ADDRESS ☐ NOT AVAILABLE	STREET ADDRESS, INCLUDING CITY, COUNTY, AND STATE
DESCRIPTION ☐ LOTS ☐ ACRES	NUMBER OF LOTS OR ACRES AND NAME OF COUNTY WHERE LOCATED
NAMES OF PERSONS RETAINING AN INTEREST ☐ NOT APPLICABLE (SEVERED MINERAL INTEREST)	
IF SOLD ☐ NET GAIN ☐ NET LOSS	☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

INTERESTS IN BUSINESS ENTITIES

PART 7B

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

Describe all beneficial interests in business entities held or acquired by you, your spouse, or a dependent child during the calendar year. If the interest was sold, also indicate the category of the amount of the net gain or loss realized from the sale. For an explanation of "beneficial interest" and other specific directions for completing this section, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

1 HELD OR ACQUIRED BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
2 DESCRIPTION	NAME AND ADDRESS
3 IF SOLD ☐ NET GAIN ☐ NET LOSS	☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE
HELD OR ACQUIRED BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
DESCRIPTION	NAME AND ADDRESS
IF SOLD ☐ NET GAIN ☐ NET LOSS	☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE
HELD OR ACQUIRED BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
DESCRIPTION	NAME AND ADDRESS
IF SOLD ☐ NET GAIN ☐ NET LOSS	☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

GIFTS

PART 8

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

Identify any person or organization that has given a gift *worth more than \$250* to you, your spouse, or a dependent child, and describe the gift. The description of a gift of cash or a cash equivalent, such as a negotiable instrument or gift certificate, must include a statement of the value of the gift. Do not include: 1) expenditures required to be reported by a person required to be registered as a lobbyist under chapter 305 of the Government Code; 2) political contributions reported as required by law; or 3) gifts given by a person related to the recipient within the second degree by consanguinity or affinity. For more information, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

1 DONOR	NAME AND ADDRESS
2 RECIPIENT	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
3 DESCRIPTION OF GIFT	
DONOR	NAME AND ADDRESS
RECIPIENT	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
DESCRIPTION OF GIFT	
DONOR	NAME AND ADDRESS
RECIPIENT	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
DESCRIPTION OF GIFT	

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

TRUST INCOME

PART 9

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

Identify each source of income received by you, your spouse, or a dependent child as beneficiary of a trust and indicate the category of the amount of income received. Also identify each asset of the trust from which the beneficiary received *more than \$500* in income, if the identity of the asset is known. For more information, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

1 SOURCE	NAME OF TRUST
2 BENEFICIARY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
3 INCOME	☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE
4 ASSETS FROM WHICH OVER \$500 WAS RECEIVED ☐ UNKNOWN	

SOURCE	NAME OF TRUST
BENEFICIARY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
INCOME	☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE
ASSETS FROM WHICH OVER \$500 WAS RECEIVED ☐ UNKNOWN	

SOURCE	NAME OF TRUST
BENEFICIARY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
INCOME	☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE
ASSETS FROM WHICH OVER \$500 WAS RECEIVED ☐ UNKNOWN	

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

BLIND TRUSTS

PART 10A

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

Identify each blind trust that complies with section 572.023(c) of the Government Code. See FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

1	NAME OF TRUST	
2	TRUSTEE	NAME AND ADDRESS
3	BENEFICIARY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
4	FAIR MARKET VALUE	☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE
5	DATE CREATED	

	NAME OF TRUST	
	TRUSTEE	NAME AND ADDRESS
	BENEFICIARY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
	FAIR MARKET VALUE	☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE
	DATE CREATED	

	NAME OF TRUST	
	TRUSTEE	NAME AND ADDRESS
	BENEFICIARY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
	FAIR MARKET VALUE	☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE
	DATE CREATED	

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

TRUSTEE STATEMENT

PART 10B

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

An individual who is required to identify a blind trust on Part 10A of the Personal Financial Statement must submit a statement signed by the trustee of each blind trust listed on Part 10A. The portions of section 572.023 of the Government Code that relate to blind trusts are listed below.

1 NAME OF TRUST	
2 TRUSTEE NAME	
3 FILER ON WHOSE BEHALF STATEMENT IS BEING FILED	NAME
4 TRUSTEE STATEMENT	I affirm, under penalty of perjury, that I have not revealed any information to the beneficiary of this trust except information that may be disclosed under section 572.023 (b)(8) of the Government Code and that to the best of my knowledge, the trust complies with section 572.023 of the Government Code. _____ Trustee Signature

§ 572.023. Contents of Financial Statement in General

(b) The account of financial activity consists of:

(8) identification of the source and the category of the amount of all income received as beneficiary of a trust, other than a blind trust that complies with Subsection (c), and identification of each trust asset, if known to the beneficiary, from which income was received by the beneficiary in excess of \$500;

(14) identification of each blind trust that complies with Subsection (c), including:

(A) the category of the fair market value of the trust;

(B) the date the trust was created;

(C) the name and address of the trustee; and

(D) a statement signed by the trustee, under penalty of perjury, stating that:

(i) the trustee has not revealed any information to the individual, except information that may be disclosed under Subdivision (8); and

(ii) to the best of the trustee's knowledge, the trust complies with this section.

(c) For purposes of Subsections (b)(8) and (14), a blind trust is a trust as to which:

(1) the trustee:

(A) is a disinterested party;

(B) is not the individual;

(C) is not required to register as a lobbyist under Chapter 305;

(D) is not a public officer or public employee; and

(E) was not appointed to public office by the individual or by a public officer or public employee the individual supervises; and

(2) the trustee has complete discretion to manage the trust, including the power to dispose of and acquire trust assets without consulting or notifying the individual.

(d) If a blind trust under Subsection (c) is revoked while the individual is subject to this subchapter, the individual must file an amendment to the individual's most recent financial statement, disclosing the date of revocation and the previously unreported value by category of each asset and the income derived from each asset.

OWNERSHIP OF BUSINESS ASSOCIATIONS

PART 11A

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet and ***DO NOT include this page in the report.***

Describe each corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association in which you, your spouse, or a dependent child held, acquired, or sold 5 percent or more of the outstanding ownership. For more information, see FORM PFS - INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

1 BUSINESS ASSOCIATION	NAME AND ADDRESS		
2 BUSINESS TYPE	☐ Corporation ☐ Firm ☐ Partnership	☐ Limited Partnership ☐ Limited Liability Partnership ☐ Professional Corporation	☐ Professional Association ☐ Joint Venture ☐ Other _____
3 HELD, ACQUIRED, OR SOLD BY	☐ FILER	☐ SPOUSE	☐ DEPENDENT CHILD _____
BUSINESS ASSOCIATION	NAME AND ADDRESS		
BUSINESS TYPE	☐ Corporation ☐ Firm ☐ Partnership	☐ Limited Partnership ☐ Limited Liability Partnership ☐ Professional Corporation	☐ Professional Association ☐ Joint Venture ☐ Other _____
HELD, ACQUIRED, OR SOLD BY	☐ FILER	☐ SPOUSE	☐ DEPENDENT CHILD _____
BUSINESS ASSOCIATION	NAME AND ADDRESS		
BUSINESS TYPE	☐ Corporation ☐ Firm ☐ Partnership	☐ Limited Partnership ☐ Limited Liability Partnership ☐ Professional Corporation	☐ Professional Association ☐ Joint Venture ☐ Other _____
HELD, ACQUIRED, OR SOLD BY	☐ FILER	☐ SPOUSE	☐ DEPENDENT CHILD _____
BUSINESS ASSOCIATION	NAME AND ADDRESS ☐ (check if Filer's Home Address)		
BUSINESS TYPE	☐ Corporation ☐ Firm ☐ Partnership	☐ Limited Partnership ☐ Limited Liability Partnership ☐ Professional Corporation	☐ Professional Association ☐ Joint Venture ☐ Other _____
HELD, ACQUIRED, OR SOLD BY	☐ FILER	☐ SPOUSE	☐ DEPENDENT CHILD _____

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

ASSETS OF BUSINESS ASSOCIATIONS

PART 11B

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

Describe all assets of each corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association in which you, your spouse, or a dependent child held, acquired, or sold 50 percent or more of the outstanding ownership and indicate the category of the amount of the assets. For more information, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

1 BUSINESS ASSOCIATION	NAME AND ADDRESS	
2 BUSINESS TYPE		
3 HELD, ACQUIRED, OR SOLD BY	☐ FILER	☐ SPOUSE ☐ DEPENDENT CHILD _____
4 ASSETS	DESCRIPTION	CATEGORY
		☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999
		☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE
		☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999
		☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE
		☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999
		☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE
		☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999
		☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE
		☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999
		☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE
		☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999
		☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE
		☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999
		☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE
		☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999
		☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

LIABILITIES OF BUSINESS ASSOCIATIONS

PART 11C

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

Describe all liabilities of each corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association in which you, your spouse, or a dependent child held, acquired, or sold 50 percent or more of the outstanding ownership and indicate the category of the amount of the liabilities. For more information, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

1 BUSINESS ASSOCIATION	NAME AND ADDRESS	
2 BUSINESS TYPE		
3 HELD, ACQUIRED, OR SOLD BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____	
4 LIABILITIES	DESCRIPTION	CATEGORY
		☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE
		☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE
		☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE
		☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE
		☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE
		☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE
		☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE
		☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE
		☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

BOARDS AND EXECUTIVE POSITIONS

PART 12

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

List all boards of directors of which you, your spouse, or a dependent child are a member and all executive positions you, your spouse, or a dependent child hold in corporations, firms, partnerships, limited partnerships, limited liability partnerships, professional corporations, professional associations, joint ventures, other business associations, or proprietorships, stating the name of the organization and the position held. For more information, see FORM PFS--INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

¹ ORGANIZATION	
² POSITION HELD	
³ POSITION HELD BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
ORGANIZATION	
POSITION HELD	
POSITION HELD BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
ORGANIZATION	
POSITION HELD	
POSITION HELD BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
ORGANIZATION	
POSITION HELD	
POSITION HELD BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
ORGANIZATION	
POSITION HELD	
POSITION HELD BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

EXPENSES ACCEPTED UNDER HONORARIUM EXCEPTION

PART 13

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, ***and do NOT include this page in the report.***

Identify any person who provided you with necessary transportation, meals, or lodging, as permitted under section 36.07(b) of the Penal Code, in connection with a conference or similar event in which you rendered services, such as addressing an audience or participating in a seminar, that were more than perfunctory. Also provide the amount of the expenditures on transportation, meals, or lodging. You are not required to include items you have already reported as political contributions on a campaign finance report, or expenditures required to be reported by a lobbyist under the lobby law (chapter 305 of the Government Code). For more information, see FORM PFS--INSTRUCTION GUIDE.

¹ PROVIDER

NAME AND ADDRESS

² AMOUNT

PROVIDER

NAME AND ADDRESS

AMOUNT

PROVIDER

NAME AND ADDRESS

AMOUNT

PROVIDER

NAME AND ADDRESS

AMOUNT

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

INTEREST IN BUSINESS IN COMMON WITH LOBBYIST

PART 14

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

Identify each corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association, other than a publicly-held corporation, in which you, your spouse, or a dependent child, and a person registered as a lobbyist under chapter 305 of the Government Code both have an interest. For more information, see FORM PFS--INSTRUCTION GUIDE.

¹ BUSINESS ENTITY

NAME AND ADDRESS

² INTEREST HELD BY

☐ FILER

☐ SPOUSE

☐ DEPENDENT CHILD _____

BUSINESS ENTITY

NAME AND ADDRESS

INTEREST HELD BY

☐ FILER

☐ SPOUSE

☐ DEPENDENT CHILD _____

BUSINESS ENTITY

NAME AND ADDRESS

INTEREST HELD BY

☐ FILER

☐ SPOUSE

☐ DEPENDENT CHILD _____

BUSINESS ENTITY

NAME AND ADDRESS

INTEREST HELD BY

☐ FILER

☐ SPOUSE

☐ DEPENDENT CHILD _____

BUSINESS ENTITY

NAME AND ADDRESS

INTEREST HELD BY

☐ FILER

☐ SPOUSE

☐ DEPENDENT CHILD _____

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

FEES RECEIVED FOR SERVICES RENDERED TO A LOBBYIST OR LOBBYIST'S EMPLOYER

PART 15

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

Report any fee you received for providing services to or on behalf of a person required to be registered as a lobbyist under chapter 305 of the Government Code, or for providing services to or on behalf of a person you actually know directly compensates or reimburses a person required to be registered as a lobbyist. Report the name of each person or entity for which the services were provided, and indicate the category of the amount of each fee. For more information, see FORM PFS--INSTRUCTION GUIDE.

1 PERSON OR ENTITY FOR WHOM SERVICES WERE PROVIDED	
2 FEE CATEGORY	☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE
PERSON OR ENTITY FOR WHOM SERVICES WERE PROVIDED	
FEE CATEGORY	☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE
PERSON OR ENTITY FOR WHOM SERVICES WERE PROVIDED	
FEE CATEGORY	☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE
PERSON OR ENTITY FOR WHOM SERVICES WERE PROVIDED	
FEE CATEGORY	☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE
PERSON OR ENTITY FOR WHOM SERVICES WERE PROVIDED	
FEE CATEGORY	☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE
PERSON OR ENTITY FOR WHOM SERVICES WERE PROVIDED	
FEE CATEGORY	☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE
PERSON OR ENTITY FOR WHOM SERVICES WERE PROVIDED	
FEE CATEGORY	☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

REPRESENTATION BY LEGISLATOR BEFORE STATE AGENCY

PART 16

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

This section applies only to members of the Texas Legislature. A member of the Texas Legislature who represents a person for compensation before a state agency in the executive branch must provide the name of the agency, the name of the person represented, and the category of the amount of the fee received for the representation. For more information, see FORM PFS--INSTRUCTION GUIDE.

Note: Beginning September 1, 2003, legislators may not, for compensation, represent another person before a state agency in the executive branch. The prohibition does not apply if: (1) the representation is pursuant to an attorney/client relationship in a criminal law matter; (2) the representation involves the filing of documents that involve only ministerial acts on the part of the agency; or (3) the representation is in regard to a matter for which the legislator was hired before September 1, 2003.

1
STATE AGENCY

2
PERSON REPRESENTED

3
FEE CATEGORY

☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE

STATE AGENCY

PERSON REPRESENTED

FEE CATEGORY

☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE

STATE AGENCY

PERSON REPRESENTED

FEE CATEGORY

☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE

STATE AGENCY

PERSON REPRESENTED

FEE CATEGORY

☐ LESS THAN \$5,000 ☐ \$5,000--\$9,999 ☐ \$10,000--\$24,999 ☐ \$25,000--OR MORE

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

BENEFITS DERIVED FROM FUNCTIONS HONORING PUBLIC SERVANT

PART 17

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

Section 36.10 of the Penal Code provides that the gift prohibitions set out in section 36.08 of the Penal Code do not apply to a benefit derived from a function in honor or appreciation of a public servant required to file a statement under chapter 572 of the Government Code or title 15 of the Election Code if the benefit and the source of any benefit over \$50 in value are: 1) reported in the statement and 2) the benefit is used solely to defray expenses that accrue in the performance of duties or activities in connection with the office which are nonreimbursable by the state or a political subdivision. If such a benefit is received and is not reported by the public servant under title 15 of the Election Code, the benefit is reportable here. For more information, see FORM PFS--INSTRUCTION GUIDE.

1 SOURCE OF BENEFIT	NAME AND ADDRESS
2 BENEFIT	
SOURCE OF BENEFIT	NAME AND ADDRESS
BENEFIT	
SOURCE OF BENEFIT	NAME AND ADDRESS
BENEFIT	
SOURCE OF BENEFIT	NAME AND ADDRESS
BENEFIT	

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

LEGISLATIVE CONTINUANCES

PART 18

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet, **and do NOT include this page in the report.**

This section applies only to members of the Texas Legislature. Identify any legislative continuance that you have applied for or obtained under section 30.003 of the Civil Practice and Remedies Code, or under another law or rule that requires or permits a court to grant continuances on the grounds that an attorney for a party is a member or member-elect of the legislature.

1 NAME OF PARTY REPRESENTED	
2 DATE RETAINED	
3 STYLE, CAUSE NUMBER, COURT & JURISDICTION	
4 DATE OF CONTINUANCE APPLICATION	
5 WAS CONTINUANCE GRANTED?	☐ YES ☐ NO
NAME OF PARTY REPRESENTED	
DATE RETAINED	
STYLE, CAUSE NUMBER, COURT, & JURISDICTION	
DATE OF CONTINUANCE APPLICATION	
WAS CONTINUANCE GRANTED?	☐ YES ☐ NO

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

CONTRACTS TO SELL GOODS OR SERVICES TO A GOVERNMENTAL ENTITY OR GOVERNMENTAL ENTITY CONTRACTOR

PART 19

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet and ***DO NOT include this page in the report.***

List the parties to all contracts in the amount of \$2500 or more if the aggregate of good or services sold under all written contracts exceeds \$10,000 in which you, your spouse, or a dependent child, or any business entity of which you, your spouse, or a dependent child, independently or in conjunction with, has at least 50% ownership. For more information, see FORM PFS - INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet.

1 FILER PARTIES

☐ FILER

☐ SPOUSE

☐ DEPENDENT CHILD _____

2 GOVERNMENTAL PARTIES

NAME AND ADDRESS

☐ GOVERNMENTAL ENTITY

☐ CONTRACTOR FOR
GOVERNMENTAL ENTITY _____

NAME AND ADDRESS

☐ GOVERNMENTAL ENTITY

☐ CONTRACTOR FOR
GOVERNMENTAL ENTITY _____

NAME AND ADDRESS

☐ GOVERNMENTAL ENTITY

☐ CONTRACTOR FOR
GOVERNMENTAL ENTITY _____

3 BUSINESS PARTIES

NAME AND ADDRESS

NAME AND ADDRESS

NAME AND ADDRESS

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

BOND COUNSEL SERVICES PROVIDED BY A LEGISLATOR

PART 20

If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet and **DO NOT include this page in the report.**

Identify each issuance for which you served as bond counsel. For more information, see FORM PFS - INSTRUCTION GUIDE.

1 ISSUER NAME	
2 ISSUANCE DATE	
3 ISSUANCE AMOUNT	
4 FEES PAID TO FILER ☐ YES ☐ NO	☐ LESS THAN \$5,000 ☐ \$5,000 - \$9,999 ☐ \$10,000 - \$24,999 ☐ \$25,000 -- OR MORE
5 FEES PAID TO FILER'S FIRM ☐ YES ☐ NO	NAME AND ADDRESS OF FIRM ☐ LESS THAN \$5,000 ☐ \$5,000 - \$9,999 ☐ \$10,000 - \$24,999 ☐ \$25,000 -- OR MORE
ISSUER NAME	
ISSUANCE DATE	
ISSUANCE AMOUNT	
FEES PAID TO FILER ☐ YES ☐ NO	☐ LESS THAN \$5,000 ☐ \$5,000 - \$9,999 ☐ \$10,000 - \$24,999 ☐ \$25,000 -- OR MORE
FEES PAID TO FILER'S FIRM ☐ YES ☐ NO	NAME AND ADDRESS OF FIRM ☐ LESS THAN \$5,000 ☐ \$5,000 - \$9,999 ☐ \$10,000 - \$24,999 ☐ \$25,000 -- OR MORE
ISSUER NAME	
ISSUANCE DATE	
ISSUANCE AMOUNT	
FEES PAID TO FILER ☐ YES ☐ NO	☐ LESS THAN \$5,000 ☐ \$5,000 - \$9,999 ☐ \$10,000 - \$24,999 ☐ \$25,000 -- OR MORE
FEES PAID TO FILER'S FIRM ☐ YES ☐ NO	NAME AND ADDRESS OF FIRM ☐ LESS THAN \$5,000 ☐ \$5,000 - \$9,999 ☐ \$10,000 - \$24,999 ☐ \$25,000 -- OR MORE

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

PERSONAL FINANCIAL STATEMENT AFFIDAVIT

The law requires the personal financial statement to be verified. The verification page must have the signature of the individual required to file the personal financial statement, as well as the signature and stamp or seal of office of a notary public or other person authorized by law to administer oaths and affirmations. Without proper verification, the statement is not considered filed.

I swear, or affirm, under penalty of perjury, that this financial statement covers calendar year ending December 31, 2018, and is true and correct and includes all information required to be reported by me under chapter 572 of the Government Code.

Signature of Filer

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said _____, this the _____ day of _____, 20 _____, to certify which, witness my hand and seal of office.

Signature of officer administering oath

Printed name of officer administering oath

Title of officer administering oath

TEXAS ETHICS COMMISSION

PERSONAL FINANCIAL STATEMENT

FORM PFS - INSTRUCTION GUIDE



Revised April 30, 2019

Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711

www.ethics.state.tx.us

(512) 463-5800 • TDD (800) 735-2989

Promoting Public Confidence in Government

PERSONAL FINANCIAL STATEMENT

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GENERAL INSTRUCTIONS

Every "state officer," as defined by [chapter 572](#) of the Government Code, and the state chair of each political party, must file an annual personal financial statement with the Texas Ethics Commission ("Commission"). The requirement extends to each person who served as a state officer for any part of the period beginning January 1 of the year the statement is due and ending April 30.

Please note that an appointed or elected officer continues to serve as a state officer ***until his or her successor has qualified for office***. For example, a person who resigned or whose term ended in November of one year will need to file a personal financial statement covering that year if the person was not replaced until January of the following year or later. However, if you are an appointed officer, as defined by [section 572.002](#) of the Government Code, you are not required to file a personal financial statement if the following criteria are met before January 1 of the year the statement is due: (1) your term expired, you resigned, your agency was abolished, or your agency functions were transferred to another agency; and (2) you ceased to participate in the state agency's functions. If your term expired or if you resigned, you are required to provide written notice of your intent to not participate in the agency's functions to the Office of the Governor and to the Commission.

Every candidate for one of the elective public offices listed in [chapter 572](#) must also file a personal financial statement with the Commission prior to the primary election date. Please see FILING DEADLINES in this guide or the filing schedule on the Ethics Commission website for the filing deadline. In addition, certain local candidates and officeholders may be required to file a personal financial statement, using this form, with a local filing authority under [chapter 159](#) of the Local Government Code.

If you have questions about whether you are required to file this form, please visit our website at www.ethics.state.tx.us. The website also provides access to [chapter 572](#) of the Government Code, commission rules, filing schedules, and personal financial statement brochures.

The Commission also provides information about whether a public servant is permitted to accept gifts or other benefits under the Penal Code or lobby law. Disclosing an impermissible benefit does not legalize its acceptance.

WHO IS REQUIRED TO FILE?

Chapter 572, Government Code. The following individuals are required to file a personal financial statement with the Commission under [chapter 572](#) of the Government Code:

- Appointed officers of executive branch state agencies;
- Executive heads of state agencies;
- Board members and executive heads of river authorities;
- Officeholders in and candidates for the following offices:
 1. Member of the Texas Legislature;
 2. Statewide elected officer;
 3. Justice of a court of appeals;
 4. District judge;
 5. District or criminal district attorney; and
 6. Member of the State Board of Education;

- Former or retired judges sitting by assignment;¹ and
- State chair of any political party receiving more than two percent of the vote for governor in the most recent general election.

Chapter 159, Local Government Code (Statutory County Court/Probate Court Judges). [Chapter 159](#), Local Government Code, requires statutory county court and statutory probate court judges and judicial candidates for those offices to file a personal financial statement with either the county clerk or the Commission. A filer who chooses to file with the Commission must notify the county clerk of the decision to file with the Commission on or before the deadline for filing the personal financial statement. [Local Gov't Code § 159.052\(b\)](#). *A filer who chooses to file with the Commission may be subject to a \$500 late filing penalty if the report is filed after the deadline.*

Other Local Filers. Other local officers, candidates, or even employees may also be required to file a personal financial statement with a local filing authority. Some of those filing authorities may choose to use the Commission Form PFS-LOCAL (for individuals who file with a local filing authority). Consult [chapter 159](#) of the Local Government Code for additional information.

Section 11.064, Education Code (School Board Trustees). The board of trustees in ANY independent school district may adopt a resolution requiring members of the board of trustees to file personal financial statements. The commissioner of education may also require members of the board of trustees of an independent school district to file personal financial statements in specified circumstances. A personal financial statement required to be filed under this section must be filed with the board of trustees AND with the Commission.

Municipalities with Populations of 100,000 or More. The mayor, members of the governing body, the municipal attorney, and the city manager of municipalities with a population of 100,000 or more are required to file personal financial statements with the clerk or secretary of the municipality. The Texas Ethics Commission does not have jurisdiction over this filing requirement. See chapter 145 of the Local Government Code for additional information.

Sport and Community Venue Districts. Directors of sports and community venue districts may be required to file personal financial statements with the board of directors of the district and with the Texas Ethics Commission. Consult Sections 335.102 and 335.1085 of the Local Government Code for additional information. Note that the requirement to file a personal financial statement applies only to directors of districts located in a county with a population of 2.4 million or more.

¹ A former or retired judge who sits by assignment at the district court level or above must complete a personal financial statement. Attorney General Opinion H-526 (1975).

COMPLETING THE FORM

Elected Officeholders and Candidates for Elected Office: Under state law, a personal financial statement (PFS) filed with the Commission by an elected officeholder, a candidate for an elected office, or a state party chair must be filed electronically. A Filer ID is needed to file a PFS electronically. You can contact the Commission to obtain a Filer ID to access the electronic filing application. Go to www.ethics.state.tx.us/whatsnew/elf_info_pfs.htm to file the report electronically.

Individuals Appointed to Office: Under new state law effective May 29, 2017, a PFS filed with the Commission by an appointed officer may be filed electronically using the online filing application or on paper. The Commission strongly recommends that you file the PFS electronically. Go to www.ethics.state.tx.us/filinginfo/pfsforms_benefit.html to see some of the benefits to electronic filing. Appointed officers who have the option to file on paper include:

- the secretary of state;
- an individual appointed with the advice and consent of the senate to the governing board of a state-supported institution of higher education;
- an officer of a state agency who is appointed for a term of office specified by the Texas Constitution or a statute of this state;
- a director, executive director, commissioner, administrator, chief clerk, or other individual who is appointed by the governing body or highest officer of the state agency;
- the chancellor or highest executive officer of a university system and the president of a public senior college or university as defined by Section 61.003, Educ. Code;
- a former or retired judge who sits by assignment at the district court level; and
- an individual appointed to fill a vacancy in an elected office.

Note: A person who is required to file a PFS with the Commission as a *candidate* for office or as an *elected* official does not have the option to file a PFS on paper.

Local Filers: If you are filing a PFS with a local filing authority, you must ensure that the PFS is in the proper format required by the local filing authority.

All forms filed on paper must be either typewritten or legibly hand-printed in ink. If requested information is not applicable to your activities, indicate that on page 2 of the Cover Sheet. A complete statement consists of the Cover Sheet and parts of the form on which you have information to report. Every part of the form should either be completed or marked “not applicable” on page 2 of the Cover Sheet.

Complete Form PFS by using one of the following methods:

1. PFS Online Electronic Filing Application: Go to www.ethics.state.tx.us/whatsnew/elf_info_pfs.htm to file the PFS electronically with the Commission; or
2. Blank Fillable Form PFS: Complete either Form PFS-TEC (for individuals who file with the Commission) or Form PFS-LOCAL (for individuals who file with a local filling authority) on your computer by going to www.ethics.state.tx.us/filinginfo/e_pfsfrm.htm to access a fillable Form PFS without

using the PFS filing application. Once you complete the applicable form, you must print it out, sign it, have it notarized, and deliver it to the proper filing authority; or

3. Paper Form PFS and Instructions: Go to www.ethics.state.tx.us/filinginfo/pfsforms_Paper.html to obtain the PFS Instruction Guide and the applicable paper form. You must print out either Form PFS-TEC (for individuals who file with the Commission) or Form PFS-LOCAL (for individuals who file with a local filing authority), complete it, sign it, have it notarized, and deliver it to the proper filing authority.

WHAT NOT TO INCLUDE

Please note that personal financial statements are public records. Do not include unrequired information that is confidential or proprietary, such as your social security number, driver's license number, financial account numbers, or copies of your tax returns.

PERIOD COVERED

In most cases, the personal financial statement covers activity for the entire calendar year ***preceding*** the year the statement is due. For example, a personal financial statement due in 2017 covers activity occurring between and including January 1 and December 31, 2016.

New Appointees. An appointed salaried officer, appointee filling a vacancy in elective office, appointee of a major state agency, or the executive head of a state agency must file a personal financial statement during the first year of his or her appointment. For these newly appointed officers, the period covered by the first required personal financial statement is determined by the date the officer is appointed to the office. A new appointee's first personal financial statement covers the entire calendar year ***preceding the year of appointment*** rather than preceding the year the statement is due. For example, a person appointed to serve on the board of a major state agency effective December 15, 2016, is required to file a personal financial statement due January 14, 2017. This personal financial statement covers activity occurring between and including January 1 and December 31, 2015. Other new appointees, such as appointees to non-major state agencies, will file a personal financial statement on the April 30 deadline. The personal financial statement will cover activity for the entire calendar year preceding the year the statement is due.

Please contact the Commission for further information if you have questions about the period covered by a personal financial statement.

SUBSTITUTION OF FORMS

If you are filing with the Commission, and you are eligible to claim an exemption to electronic filing, ***you may use your own computer-generated form*** if it provides for disclosure of all the information required on the Commission's form and it is *substantially identical* in paper size, color, layout, and format. A substitute form that is substantially identical to the Commission's prescribed form must be submitted for ***pre-approval*** by the Commission's executive director.

FILING DEADLINES

Annual Statement. The regular filing deadline for the annual personal financial statement is **April 30** for non-candidates.

Candidate Statement. A partisan or independent candidate for elective office who is required to file a personal financial statement must file it no later than the 40th day after the date of the regular filing deadline for filing an application to be on the ballot in the general primary election. *The deadline applies whether or not the candidate runs in a primary election.*

Others. All other individuals required to file the personal financial statement (such as appointed officers and executive directors filing for the first time) should contact the Commission for further information about the applicable filing deadline.

TIMELY FILINGS

Electronic reports must be filed by midnight, Central Time Zone, on the night of the filing deadline.

A personal financial statement filed on paper with the proper filing authority by first-class United States mail or by common or contract carrier is timely filed if:

- (1) it is properly addressed with postage or handling charges prepaid; and
- (2) it bears a post office cancellation mark or a receipt mark from a common or contract carrier indicating it was sent on or before the deadline, or if the filer furnishes satisfactory proof that it was deposited in the mail or with a common or contract carrier on or before the deadline.

A hand-delivered statement is timely filed if it is delivered to the proper filing authority by 5:00 p.m. on the deadline date.

Note: A person who is required to file a personal financial statement (PFS) with the Commission as a *candidate* for office or as an *elected* official does not have the option to file a PFS on paper.

EXTENSION OF THE APRIL 30TH DEADLINE

A state officer filing the annual personal financial statement due April 30 may request a 60-day extension of the filing deadline. The executive director of the Commission shall grant such a request if the request is made on or before the regular deadline. A statutory county court or probate court judge is also eligible for a 60-day extension of the April 30 deadline if the judge requests the extension on or before the regular filing deadline. ***Extensions may not be granted for any other personal financial statement filing deadline***, such as the deadline for candidates or newly-appointed board members.

LATE FILING PENALTY

An individual who files the personal financial statement with the Commission may be assessed a \$500 late filing penalty if the personal financial statement is not filed by the deadline. If the statement is more than 30 days late, the commission may increase the penalty to an amount not to exceed \$10,000.

CHANGES IN INFORMATION

If you discover after the filing deadline that the personal financial statement you filed was incorrect or incomplete, you must file a corrected financial statement. Please contact the Commission for additional information.

RECORDS RETENTION

The Commission recommends that you retain a copy of a filed financial disclosure statement and the supporting documentation for at least two years after the deadline for filing the statement. *See [Ethics Advisory Opinion No. 236](#).*

COMPLETING FORM PFS

Use **Form PFS-TEC** if you are filing this personal financial statement with the Commission.

Use **Form PFS-LOCAL** if you are filing this personal financial statement with a filing authority other than the Commission.

COVER SHEET PAGE 1

1. Name: List your name.

2. Address: List the address at which you would like to receive communications from this office, such as notices of your filing requirements.

Form PFS-TEC Only: If you are listing your home address here, please indicate this by placing a check in the box provided.

3. Telephone Number: List a telephone number at which you can be reached during regular business hours.

4. Reason for Filing Statement: Check the appropriate box to indicate the capacity in which you are filing this personal financial statement. Generally, if you file in more than one capacity, you will check all applicable boxes. You are only required to file one personal financial statement for the same calendar year, even if you fit within more than one category.

Form PFS-LOCAL:

Candidate: If you are a candidate for an elected office, check this box and indicate which office you seek. Identify the office completely, including the district or place name, if applicable. See [Who Is Required to File?](#) under the GENERAL INSTRUCTIONS of this guide for a list of the applicable offices.

Elected Officer: If you are an elected officeholder, check this box and indicate which office you hold. Identify the office completely, including the district or place name, if applicable. See [Who Is Required to File?](#) under the GENERAL INSTRUCTIONS of this guide for a list of the applicable offices.

***Example:** Frank is running for mayor. He should check the "Candidate" box and write "Mayor" to indicate the office he seeks. Jane is the Smallville city council member for District 1. She should check the "Elected Officer" box and write "Smallville City Council District 1."*

Other: If you are filing because you hold a position other than one of the positions listed above, check other and describe the position.

See the [GENERAL INSTRUCTIONS](#) for detailed information about who is required to file a personal financial statement.

Form PFS-TEC:

Candidate: If you are a candidate for an elected office, check this box and indicate which office you seek. Identify the office completely, including the district or place name, if applicable. See [Who Is Required to File?](#) under the GENERAL INSTRUCTIONS of this guide for a list of the applicable offices.

Elected Officer: If you are an elected officeholder, check this box and indicate which office you hold. Identify the office completely, including the district or place name, if applicable. See [Who Is Required to File?](#) under the GENERAL INSTRUCTIONS of this guide for a list of the applicable offices.

***Example:** Frank is running for judge in the 560th Judicial District. He should check the "Candidate" box and write "Judge, 560th District" to indicate the office he seeks. Jane is the judge for Mars County Court at Law Number 2. She should check the "Elected Officer" box and write "Mars County Court at Law No. 2."*

Appointed Officer: If you are an appointed officeholder of a state agency, check this box and indicate the agency.

Executive Head: If you are the executive head of a state agency, check this box and indicate the agency.

Note: "State agency" is defined as:

- (A) a department, commission, board, office, or other agency that:
 - (i) is in the executive branch of state government;
 - (ii) has authority that is not limited to a geographical portion of the state; and
 - (iii) was created by the Texas Constitution or a statute of this state;
- (B) a university system or an institution of higher education as defined by Section 61.003, Education Code, other than a public junior college; or
- (C) a river authority created under the Texas Constitution or a statute of this state.

[Gov't Code § 572.002\(10\).](#)

Former or Retired Judge Sitting by Assignment: If you are a former or retired judge who sits by assignment at the district court level or above, check this box.

State Party Chair: If you are a state party chair, check this box and indicate the party.

Other: If you are filing because you hold a position other than one of the positions listed above, check other and describe the position.

See the [GENERAL INSTRUCTIONS](#) for detailed information about who is required to file a personal financial statement.

5. Names of Family Members Whose Financial Activity You Are Reporting: In Parts 1 through 14, you are required to disclose financial activity in which you have an ownership

interest (e.g., community property). You are also required to disclose the separate financial activity (e.g., separate property) of your spouse or a dependent child if you had actual control over that financial activity, notwithstanding a partition agreement. See [Texas Ethics Commission Rule § 40.2](#).

Spouse. If you are reporting any financial activity for your spouse on this financial statement, enter your spouse's full name here.

Dependent Child. If you are reporting any financial activity for a dependent child on this financial statement, enter the child's full name here. If you are reporting information about more than one dependent child, please list the children separately on the appropriate lines. If you are not reporting financial activity for a dependent child, do not enter that child's name on this form. A child (including an adopted child or a step-child) is considered a dependent if you provided more than 50 percent of the child's support during a calendar year. **Note:** *Statutory county court or probate court judges may request in writing that the names of dependent children listed on Form PFS be deleted before the form is made available to the public.*

COVER SHEET PAGE 2

6. Parts Not Applicable: Check the appropriate boxes to indicate which parts of the form are not applicable to you. If the box for a part is checked, then no pages for that part must be included in the filed report. If the box is not checked, then pages for that part must be included in the report.

FINANCIAL ACTIVITY

In Parts 1 through 18, you will disclose information about your financial activity during the preceding calendar year. In Parts 1 through 14, you are required to disclose financial activity in which you have an ownership interest (e.g., community property). You are also required to disclose the separate financial activity (e.g., separate property) of your spouse or a dependent child if you had actual control over that financial activity, notwithstanding a partition agreement. See [Texas Ethics Commission Rule § 40.2](#). When reporting information about a dependent child's activity in Parts 1 through 14, indicate the child about whom you are reporting by providing the number under which the child is listed on the Cover Sheet under item 5.

PART 1. SOURCES OF OCCUPATIONAL INCOME AND RETAINERS

PART 1A. SOURCES OF OCCUPATIONAL INCOME

Complete a block for each source of occupational income. Occupational income refers to income derived from current occupational activity rather than income received as a pension or from a retirement plan associated with past occupational activity. Information about retirement funds or income may be reportable under some other category. See [Ethics Advisory Opinion No. 392](#). If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Each numbered item in these instructions corresponds to the same numbered item on the form.

1. Information Relates to: Check the appropriate box indicating whether the source relates to you, your spouse, or a dependent child.

2. Employment: Check the appropriate box indicating whether the individual the information relates to is employed by another or self-employed.

Employed by Another. If the individual is employed by another, provide the name and address of the employer and the position held.

Form PFS-TEC Only: If you are listing your home address here, please indicate this by placing a check in the box provided.

Self-Employed. If the individual is self-employed, report the nature of the occupation, e.g., attorney, carpenter, etc.

PART 1B. RETAINERS

This section asks for information about fees received by you, your spouse, or a dependent child, or received by a business in which you, your spouse, or a dependent child have a "substantial interest," as a retainer for a claim on future services in case of need, rather than fees for services on a matter specified at the time of contracting for or receiving the fee. Report such retainers only in cases in which the value of the amount of work actually performed during the calendar year did not equal or exceed the value of the retainer. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Example: Last year you received a retainer for \$15,000 for consulting services in case of need. You ended up providing \$5,000 worth of services during the calendar year. You should report the entire \$15,000 retainer on this year's financial statement, which covers last year's activity.

Substantial Interest. An individual has a substantial interest in a business entity if the individual:

- (1) has a controlling interest in the business entity;
- (2) owns more than 10 percent of the voting interest in the business entity;
- (3) owns more than \$25,000 of the fair market value of the business entity;
- (4) has a direct or indirect participating interest by shares, stocks, or otherwise, regardless of whether voting rights are included, in more than 10 percent of the profits, proceeds, or capital gains of the business entity;
- (5) is a member of the board of trustees or other governing board of the business entity;
- (6) serves as an elected officer of the business entity; or
- (7) is an employee of the business entity.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. Fee Received from:** Provide the name and address of the individual or entity from whom the fee was received.
 - 2. Fee Received by:** Check the appropriate box indicating whether the fee was received by you, your spouse, or a dependent child. If the fee was received by a business, provide the name of the business.
 - 3. Fee Amount:** Check the appropriate fee category for the amount received.
-

PART 2. STOCK

This section is for information about business entities in which you, your spouse, or a dependent child held or acquired stock. Complete a separate block for each entity in which stock was held or acquired. If stocks are held in a managed investment account for which the filer does not make investment decisions but where the filer retains ownership of the individual stocks in the account, the filer is still required to disclose the individual stocks held in the account. See [Ethics Advisory Opinion No. 326](#). However, if the stocks are held in a fund, of which the filer owns shares of the fund, the filer is required to report only the ownership of the fund (see Part 4, Mutual Funds). *Id.* If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. Business Entity:** Enter the name of the business entity in which the stock was held or acquired.
 - 2. Stock Held or Acquired by:** Check the appropriate box indicating whether the stock was held or acquired by you, your spouse, or a dependent child.
 - 3. Number of Shares:** If the number of shares held or acquired fluctuated during the year, indicate the category for the greatest number of shares held or acquired during the year.
 - 4. If Sold:** Complete this section if you sold any of the indicated stock during the year. Check whether the sale resulted in a net gain or a net loss and indicate the amount of the net gain or net loss by checking the appropriate monetary category. If you had several transactions involving stock of a particular entity, indicate the net gain or net loss resulting from those transactions for the year. You do not have to show the net gain or net loss from each sale of stock in the same business entity.
-

PART 3. BONDS, NOTES, AND OTHER COMMERCIAL PAPER

This section is for information about bonds, notes, and other commercial paper held or acquired by you, your spouse, or a dependent child. Complete a separate block for each bond, note, or other commercial instrument held or acquired. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Each numbered item in these instructions corresponds to the same numbered item on the form.

1. Description of Instrument: Briefly describe the instrument.

Commercial Paper. Commercial paper includes any type of negotiable instrument, such as certificates of deposit (CDs), money market certificates, treasury bills, or bills of exchange.

2. Held or Acquired by: Check the appropriate box indicating whether the instrument was held or acquired by you, your spouse, or a dependent child.

3. If Sold: Complete this section if you sold any of the instruments during the year. Check whether the sale resulted in a net gain or a net loss and indicate the amount of the net gain or net loss by checking the appropriate monetary category.

PART 4. MUTUAL FUNDS

This section is for information about shares of mutual funds held or acquired by you, your spouse, or a dependent child. Complete a separate block for each mutual fund in which shares were held or acquired. If you are disclosing ownership of a mutual fund, you are not also required to disclose ownership of the stocks contained in the fund on Part 3, Stocks. See [Ethics Advisory Opinion No. 326](#). If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Each numbered item in these instructions corresponds to the same numbered item on the form.

1. Mutual Fund: Enter the name of the mutual fund in which shares were held or acquired.

2. Shares of Mutual Funds Held or Acquired by: Check the appropriate box indicating whether the shares in the mutual fund were held or acquired by you, your spouse, or a dependent child.

3. Number of Shares of Mutual Fund: If the number of shares held or acquired fluctuated during the year, indicate the category for the greatest number of shares held or acquired during the year.

4. If Sold: Complete this section if you sold any of the indicated shares of the mutual fund during the year. Check whether the sale resulted in a net gain or a net loss and indicate the amount of the net gain or net loss by checking the appropriate monetary category. If you had several transactions involving shares of the mutual fund, indicate the net gain or net loss resulting from those transactions. You do not have to show the net gain or net loss from each sale of shares of the mutual fund.

PART 5. INCOME FROM INTEREST, DIVIDENDS, ROYALTIES, AND RENTS

If you, your spouse, or a dependent child received **more than \$500 from any source** in interest, dividend, royalty, or rent income, identify the source of the income and the category of the amount received. Complete a separate block for each source of interest, dividend, royalty, or rent income. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Each numbered item in these instructions corresponds to the same numbered item on the form.

1. Source of Income: Provide the name and address of the source of income. If the source of income is a publicly traded corporation, an address is not required (for Part 5 only). If the source of income is a publicly traded corporation, check the "Publicly held corporation" box, and do not include the address. If the source of income is not a publicly traded corporation, you must include the address.

2. Received by: Check the appropriate box indicating whether the income was received by you, your spouse, or a dependent child.

3. Amount: Check the appropriate monetary category for the amount received.

PART 6. PERSONAL NOTES AND LEASE AGREEMENTS

Complete this section if at any time during the year you, your spouse, or a dependent child owed a financial obligation **in excess of \$1,000** to a person or financial institution on a personal note or notes or a lease agreement. Complete a separate block for each person or institution holding a personal note or lease agreement covered by this section. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Each numbered item in these instructions corresponds to the same numbered item on the form.

1. Person or Institution Holding Note or Lease Agreement: Identify the person or institution (for example, "Zebu National Bank", "Echidna Mortgage Company") holding the personal note or lease agreement on which you, your spouse, or a dependent child owed the obligation.

2. Liability of: Check the appropriate box indicating whether the personal note or lease agreement is the liability of you, your spouse, or a dependent child.

3. Guarantor: If the obligation was a loan, identify the guarantor of the loan, if any.

4. Amount: Check the appropriate monetary category for the amount of the liability. If the amount of the liability fluctuated throughout the year, select the category that represents the highest balance at any point throughout the year.

PART 7. INTERESTS IN REAL PROPERTY AND BUSINESS ENTITIES

This section is for reporting beneficial interests held or acquired in real property and business entities. Part 7A pertains to interest in real property and Part 7B pertains to interest in business entities. Refer to the following definitions when completing both Parts 7A and 7B. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Beneficial Interest. A beneficial interest may be either legal or equitable title (such as when a creditor takes the legal title as security for the repayment of a debt). Report items held by a trust of which you are a beneficiary under Part 9 rather than under this section.

Business Entity. "Business entity" means a sole proprietorship, partnership, firm, corporation, holding company, joint stock company, receivership, trust, or any other entity recognized by law through which business for profit is conducted.

PART 7A. INTERESTS IN REAL PROPERTY

Each numbered item in these instructions corresponds to the same numbered item on the form.

1. Held or Acquired by: Check the appropriate box indicating whether the interest is held or acquired by you, your spouse, or a dependent child.

2. Street Address: Enter the street address of the real property, if applicable, and include the city, county, and state where the real property is located.

Form PFS-TEC Only: If you are listing your home address here, please indicate this by placing a check in the box provided.

3. Description: Check whether the real property consists of lots or acres. Provide the number of lots or acres, as applicable, and the name of each county in which the lots or acres are located.

If the real property is identifiable by a street address, you may provide that information in Item 3 of this part in lieu of filling out this item.

4. Names of Persons Retaining an Interest: List the names of any persons retaining an interest in the real property other than you, your spouse, or a dependent child. The requirement to list the names of persons retaining an interest in real property does not apply to a severed mineral interest.

Example: *If you own a house and make mortgage payments, you would list the house in this section and list the mortgage holder as another person retaining an interest in the property.*

5. If Sold: Complete this item only if you sold the interest during the year. Check whether the sale resulted in a net gain or a net loss and indicate the amount of the net gain or net loss by checking the appropriate monetary category.

PART 7B. INTERESTS IN BUSINESS ENTITIES

Each numbered item in these instructions corresponds to the same numbered item on the form.

1. Held or Acquired by: Check the appropriate box indicating whether the interest is held or acquired by you, your spouse, or a dependent child.

2. Description: Provide the name and address of the business entity.

Form PFS-TEC Only: If you are listing your home address here, please indicate this by placing a check in the box provided.

3. If Sold: Complete this item only if you sold the interest during the year. Check whether the sale resulted in a net gain or a net loss and indicate the amount of the net gain or net loss by checking the appropriate monetary category.

PART 8. GIFTS

This section is for reporting gifts worth more than \$250 received by you, your spouse, or a dependent child, other than 1) a gift required to be reported by a lobbyist as a lobby expenditure, 2) a political contribution, or 3) a gift from a person related to you within the second degree by consanguinity or affinity. The term “gift” in Government Code section 572.023(b)(7) is broader than the term “gift” in Penal Code chapter 36 (bribery and gift laws) or in Government Code chapter 305 (lobby law). See [Ethics Advisory Opinion No. 71](#). Some examples of gifts that may require disclosure include a reception to honor a state officer (see [Ethics Advisory Opinion No. 415](#)), items of value provided to an officer at a charitable fundraiser (see [Ethics Advisory Opinion No. 71](#)), gifts to a state officer’s child for a birthday, bar or bat mitzvah, quinceañera, or christening (see [Ethics Advisory Opinion No. 421](#)), and waiver of a symposium fee (see [Ethics Advisory Opinion No. 29](#)), *but not* provision of facilities for use by a state officer’s child for an event that is a required part of a school-sponsored activity (see [Ethics Advisory Opinion No. 428](#)). If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Gifts from Relatives. A parent, child, brother, sister, grandparent, or grandchild is related to you within the second degree by **consanguinity**. Individuals related to you within the second degree by **affinity** include the spouse of anyone related to you within the second degree by consanguinity, and anyone related to your spouse within the second degree by consanguinity. You are not required to report gifts from these individuals.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. Donor:** Provide the name and address of the person or organization giving the gift.
- 2. Recipient:** Check the appropriate box indicating whether the gift was given to you, your spouse, or a dependent child. *If the gift was given to more than one person, check as many boxes as apply.*
- 3. Description:** Describe the gift. The description of a gift of cash or a cash equivalent, such as a negotiable instrument or gift certificate, must include a statement of the value of the gift.

PART 9. TRUST INCOME

Complete this section if *any* income was received as a beneficiary of a trust, other than a blind trust, the definition of which is included in the PART 10A of these instructions. Identify the trust by name and indicate the category of the amount received. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. Source:** Provide the name of the trust.
- 2. Beneficiary:** Check the appropriate box indicating whether you, your spouse, or a dependent child is the beneficiary of the trust.

3. Income: Check the appropriate monetary category to indicate the amount of income received by the beneficiary.

4. Assets: Identify each asset of the trust from which more than \$500 in income was received, *if you know the identity of the asset*. Accordingly, you are not required to identify the assets of a blind trust.

PART 10. BLIND TRUSTS

This section is for reporting each blind trust, as defined by [section 572.023\(c\)](#) of the Government Code, in which you, your spouse, or a dependent child is a beneficiary. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet for Part 10A and Part 10B.

PART 10A. BLIND TRUSTS

Section 572.023(c), Government Code. A blind trust is a trust as to which:

(1) the trustee:

(A) is a disinterested party;

(B) is not the individual;

(C) is not required to register as a lobbyist under [chapter 305](#) [of the Government Code];

(D) is not a public officer or public employee; and

(E) was not appointed to public office by the individual or by a public officer or public employee the individual supervises; and

(2) the trustee has complete discretion to manage the trust, including the power to dispose of and acquire trust assets without consulting or notifying the individual.

You must submit a statement signed by the trustee of each trust listed on this section. See Part 10B for additional information.

Each numbered item in these instructions corresponds to the same numbered item on the form.

1. Name of Trust: Provide the name of the trust.

2. Trustee: Provide the name and address of the trustee.

Form PFS-TEC Only: If you are listing your home address here, please indicate this by placing a check in the box provided.

3. Beneficiary: Check the appropriate box indicating whether you, your spouse, or a dependent child is the beneficiary of the trust.

4. Fair Market Value: Check the appropriate monetary category to indicate the fair market value of the trust.

5. Date Created: Report the date the trust was created.

PART 10B. TRUSTEE STATEMENT

You must submit with your personal financial statement a statement signed by the trustee of each blind trust listed on Part 10A.

Each numbered item in these instructions corresponds to the same numbered item on the form.

1. Name of Trust: Provide the name of the trust.

2. Trustee Name: Provide the name of the trustee.

3. Filer on Whose Behalf Statement is Being Filed: Provide the name of the person on whose behalf the trustee statement is being filed.

4. Trustee Statement: Signature of the trustee.

PART 11A. OWNERSHIP OF BUSINESS ASSOCIATIONS

Part 11A is required for a PFS due on or after January 8, 2019.

Complete this section if you, your spouse, or a dependent child held, acquired, or sold 5 percent or more of the outstanding ownership of a corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association. Part 11A is separate from Part 11B and Part 11C of the PFS. If the requested information is not applicable, indicate that on Page 2 of the Cover Sheet.

Each numbered item in these instructions corresponds to the same numbered item on the form.

1. Business Association: Provide the name and address of the business association.

Form PFS-TEC Only: If you are listing your home address here, please indicate this by placing a check in the box provided.

2. Business Type: State whether the business is a corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association.

3. Held, Acquired, or Sold by: Check the appropriate box indicating whether the ownership was held, acquired, or sold by you, your spouse, or a dependent child.

PART 11B. ASSETS OF BUSINESS ASSOCIATIONS

Complete this section if you, your spouse, or a dependent child held, acquired, or sold 50 percent or more of the outstanding ownership of a corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association. Part 11B pertains to assets of the corporation or partnership, and Part 11C pertains to liabilities of the corporation or partnership. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Each numbered item in these instructions corresponds to the same numbered item on the form.

1. Business Association: Provide the name and address of the business association.

Form PFS-TEC Only: If you are listing your home address here, please indicate this by placing a check in the box provided.

2. Business Type: State whether the business is a corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association.

3. Held, Acquired, or Sold by: Check the appropriate box indicating whether the ownership was held, acquired, or sold by you, your spouse, or a dependent child.

4. Assets: Describe each asset of each business association and check the appropriate monetary category.

PART 11C. LIABILITIES OF BUSINESS ASSOCIATIONS

Complete this section if you, your spouse, or a dependent child held, acquired, or sold 50 percent or more of the outstanding ownership of a corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association. Part 11C pertains to liabilities of the corporation or partnership, and Part 11B pertains to assets of the corporation or partnership. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Each numbered item in these instructions corresponds to the same numbered item on the form.

1. Business Association: Provide the name and address of the business association.

Form PFS-TEC Only: If you are listing your home address here, please indicate this by placing a check in the box provided.

2. Business Type: State whether the business is a corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association.

3. Held, Acquired, or Sold by: Check the appropriate box indicating whether the ownership was held, acquired, or sold by you, your spouse, or a dependent child.

4. Liabilities: Describe each liability of the business association and check the appropriate monetary category.

PART 12. BOARDS AND EXECUTIVE POSITIONS

This section is for information about all boards of directors of which you, your spouse, or a dependent child are a member and all executive positions held in corporations, firms, partnerships, limited partnerships, limited liability partnerships, professional corporations, professional associations, joint ventures, or other business associations or proprietorships. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Non-Profits. This section applies to boards of directors and executive positions with non-profit as well as for-profit entities.

Compensated Service. If you, your spouse, or a dependent child received payment for positions listed in this section, you may also be required to list the entity under PART 1A. SOURCES OF OCCUPATIONAL INCOME.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. Organization:** Provide the name of the organization.
 - 2. Position Held:** Provide the position held in the organization.
 - 3. Position Held by:** Check the appropriate box to indicate whether the position is held by you, your spouse, or a dependent child.
-

PART 13. EXPENSES ACCEPTED UNDER HONORARIUM EXCEPTION

Generally, [section 36.07](#) of the Penal Code prohibits a public servant from accepting an honorarium in consideration for providing services he or she would not have been asked to provide but for his or her official position. The provision does not, however, prohibit the acceptance of necessary transportation, lodging, or meals in connection with a conference or similar event at which the public servant renders services, such as addressing an audience or participating in a seminar, that are more than merely perfunctory. If someone provided you with transportation, meals, or lodging under this provision, identify the donor and provide the amount of expenditures made. You may have to contact the donor to obtain the amount. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Political Contributions and Lobby Expenditures. You are not required to list items you or another candidate have already reported on a campaign finance report or items required to be reported by a lobbyist as lobby expenditures. See [Ethics Advisory Opinion No. 401](#).

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. Provider:** Provide the name and address of the person making the expenditures.

2. Amount: Provide the amount of the expenditures.

PART 14. INTEREST IN BUSINESS IN COMMON WITH A LOBBYIST

Complete this section by identifying any corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association, other than a publicly held corporation, in which both you, your spouse, or a dependent child, and a person registered as a lobbyist under [chapter 305](#) of the Government Code, have an interest. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Interest. Please note that the statute applies if you, your spouse, or a dependent child, and a lobbyist both have “an interest” in the business. The interest does not have to be a “substantial interest” as in Part 1B in order to trigger the reporting requirement. Please note that for purposes of this section, a person who is an employee of a business entity is considered to have an interest in that business entity.

Each numbered item in these instructions corresponds to the same numbered item on the form.

1. Business Entity: Provide the name and address of the partnership, joint venture, or other business association in which you, your spouse, or a dependent child, and a person registered as a lobbyist have an interest.

Form PFS-TEC Only: If you are listing your home address here, please indicate this by placing a check in the box provided.

2. Interest Held by: Check the appropriate box to indicate whether you, your spouse, or a dependent child have an interest with a person registered as a lobbyist.

PART 15. FEES RECEIVED FOR SERVICES RENDERED TO A LOBBYIST OR LOBBYIST’S EMPLOYER

If you received a fee for providing services to or on behalf of a person required to be registered as a lobbyist under [chapter 305](#), Government Code, or for providing services to or on behalf of a person you **actually know** directly compensates or reimburses such a person, you must complete this section by providing the name of the person for whom you provided the services and the category of the amount of the fee you received. You are not required to disclose in this section fees received by your spouse for services rendered by your spouse although such fees may be required to be disclosed in Section 1. See [Ethics Advisory Opinion No. 252](#). You are not required to disclose fees received from a business entity by which you are employed unless the business entity is merely an alter ego of the state officer. See [Ethics Advisory Opinion No. 333](#). If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Actual Knowledge. You “actually” know that someone directly compensates or reimburses a person required to be registered as a lobbyist if you personally know that the person does so or

you could readily determine that fact by contacting the person or the Texas Ethics Commission. See [Ethics Advisory Opinion No. 333](#) (1996).

Disclosing Confidential Information. State officers who are physicians are not required to include on their financial disclosure reports a patient's identity because that information is made confidential by the Medical Practices Act. See [Ethics Advisory Opinion No. 21](#). The commission has declined to extend this exception to accountants who would be reporting information regulated by the Public Accountancy Act. See [Ethics Advisory Opinion No. 22](#) (Public Accountancy Act does not make a client's identity confidential and therefore does not conflict with financial disclosure requirements). The commission has also indicated that this exception would not be extended to attorneys in cases where disclosing a client's identity would not reveal a confidential communication. See *id.*

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. Person or Entity for Whom Services Were Provided:** Provide the name of the person or entity.
 - 2. Fee Category:** Check the appropriate fee category for the amount received.
-

PART 16. REPRESENTATION BY LEGISLATOR BEFORE STATE AGENCY

This section applies only to members of the Texas Legislature. If you represented a person *for compensation* before a state agency in the executive branch, you must provide the name of the agency, the name of the person represented, and the category of the amount of the fee received for the representation. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. State Agency:** Provide the name of the state agency.
- 2. Person Represented:** Provide the name of the person you represented.
- 3. Fee Category:** Check the appropriate fee category for the amount received.

NOTE: Legislators may not, for compensation, represent another person before a state agency in the executive branch. The prohibition does not apply if:

1. the representation is pursuant to an attorney/client relationship in a criminal law matter;
 2. the representation involves the filing of documents that involve only ministerial acts on the part of the agency; or
 3. the representation is in regard to a matter for which the legislator was hired before September 1, 2003.
-

PART 17. BENEFITS DERIVED FROM FUNCTIONS HONORING PUBLIC SERVANT

Section 36.10 of the Penal Code provides that the gift prohibitions set out in Section 36.08 of the Penal Code do not apply to a benefit derived from a function in honor or appreciation of a public servant required to file a statement under [chapter 572](#), Government Code, or [title 15](#) of the Election Code, if: 1) the benefit and the source of any benefit over \$50 in value are reported in the statement; and 2) the benefit is used solely to defray expenses that accrue in the performance of duties or activities in connection with the office that are non-reimbursable by the state or a political subdivision. If such a benefit is received and is not reported by the public servant under title 15 of the Election Code, the benefit is reportable here. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. Source of Benefit:** Provide the name and address of the person or entity that is the source of the benefit.
 - 2. Benefit:** Describe the benefit received.
-

PART 18. LEGISLATIVE CONTINUANCES

This section applies only to members of the Texas Legislature. Complete this schedule if you are a member or member-elect of the legislature licensed to practice law and represent a party to a civil or criminal case for compensation and on behalf of that party's behalf you have applied for or obtained a legislative continuance under section 30.003 of the Civil Practice and Remedies Code, or under another law or rule that requires or permits a court to grant a continuance on the grounds that an attorney for a party is a member or member-elect of the legislature. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. Name of Party Represented:** Provide the name of the party on whose behalf you applied for or obtained a continuance.
 - 2. Date Retained:** Provide the date on which you were retained to represent the party.
 - 3. Style, Cause Number, Court, and Jurisdiction:** Provide the style and cause number of the action in which the continuance was sought and the court and jurisdiction in which the action was pending when the continuance was sought.
 - 4. Date of Continuance Application:** Provide the date on which you applied for a continuance.
 - 5. Was Continuance Granted:** Indicate whether the continuance was granted.
-

PART 19. CONTRACTS TO SELL GOODS OR SERVICES TO A GOVERNMENTAL ENTITY OR GOVERNMENTAL ENTITY CONTRACTOR

Part 19 is required for a PFS due on or after January 8, 2019.

You must complete this part if, during the calendar year:

(1) You, your spouse, or your dependent child, or any business entity of which you, your spouse, or your dependent child, independently or in conjunction, had at least 50 percent ownership interest, was a party to one or more written contracts, **AND**

(2) All of the following apply to the contracts:

(A) The contracts were for the sale of goods or services in the amount of \$2,500 or more.

(B) The aggregate cost of the goods or services under the contracts exceeds \$10,000 in the calendar year.

(C) The contracts were with either:

- a governmental entity, or
- a person who contracts with a governmental entity, if the individual or entity described in (1) performed work arising out of the contract, subcontract, or agreement for a fee.

If this part applies, you must provide the following information for each of the contracts.

NOTE: This part does not require the disclosure of an employment contract between a school district or open-enrollment charter school and an employee of the district or school. This part does not apply to an individual who complies with any applicable requirements of Sections 51.954 (relating to disclosure of sponsors of research in public communications) and 51.955 (Prohibited State Agency Actions Related to Disclosure of Publicly Funded Research), Education Code, and Section 2252.908 of the Government Code (Disclosure of Interested Parties), in an individual capacity or as a member or employee or an entity to which those sections apply.

Each numbered item in these instructions corresponds to the same numbered item on the form.

1. Filer Parties: Check the appropriate boxes to indicate whether you, your spouse, or a dependent child were a party to the contract. If a party to the contract is a business entity of which you, your spouse, or your dependent child, independently or in conjunction, had at least 50 percent ownership interest, that entity is identified in Box 3 (see below, at “3. Business Parties”).

2. Governmental Parties: Provide the name and address for each “Governmental Entity” or “Contractor for Governmental Entity” that is a party to the contract.

- **Governmental Entity.** A “Governmental Entity” means the State of Texas, a political subdivision of the state, or an agency or department of the state or a political subdivision of the state.

If a party to the contract is a Governmental Entity, provide the name and address for each. Check the appropriate box to indicate that the party is a Governmental Entity.

- **Contractor for Governmental Entity.** A “Contractor for a Governmental Entity” is a person who contracts with a Governmental Entity. This requirement applies if either you, your spouse, or your dependent child, or any business entity of which you, your spouse, or your dependent child, independently or in conjunction, had at least 50 percent ownership interest, performs work arising out of the contract, subcontract, or agreement between the Contractor for a Governmental Entity and the Governmental Entity for a fee.

If a party to the contract is a Contractor for a Governmental Entity, provide the name and address for each. Check the appropriate box to indicate that the party is a Governmental Entity.

3. Business Parties: If a party to the contract is a business entity of which you, your spouse, or your dependent child, independently or in conjunction, had at least 50 percent ownership interest, provide the name and address of the business entity.

Form PFS-TEC Only: If you are listing your home address here, please indicate this by placing a check in the box provided.

PART 20. BOND COUNSEL SERVICES PROVIDED BY A LEGISLATOR

Part 20 is required for a PFS due on or after January 8, 2019.

This section applies only to a member of the Texas Legislature who provided bond counsel services to an issuer as defined by Section 1201.002(1) of the Texas Government Code.

Please identify each issuance for which you served as bond counsel. If the requested information is not applicable, indicate that on page 2 of the Cover Sheet.

Each numbered item in these instructions corresponds to the same numbered item on the form.

- 1. Issuer Name:** Provide the name of the issuer.
- 2. Issuance Date:** Provide the date of the issuance.
- 3. Issuance Amount:** Provide the amount of the issuance.
- 4. Fees Paid to Filer:** Check the appropriate fee category for the amount of fees paid to the filer.
- 5. Fees Paid to Filer’s Firm:** Check the appropriate fee category for the amount of fees paid to the filer’s firm, if applicable.

PERSONAL FINANCIAL STATEMENT AFFIDAVIT

The law requires that the personal financial statement be verified. The verification page must have the signature of the individual required to file the personal financial statement, as well as the signature and stamp or seal of office of a notary public or other person authorized by law to administer oaths and affirmations.

LOCAL GOVERNMENT CODE

TITLE 5. MATTERS AFFECTING PUBLIC OFFICERS AND EMPLOYEES

SUBTITLE A. MUNICIPAL OFFICERS AND EMPLOYEES

CHAPTER 145. FINANCIAL DISCLOSURE BY AND STANDARDS OF CONDUCT
FOR LOCAL GOVERNMENT OFFICERS

Sec. 145.001. APPLICABILITY OF CHAPTER. This chapter applies only to a municipality with a population of 100,000 or more.

Added by Acts 2003, 78th Leg., ch. 249, Sec. 6.01, eff. Sept. 1, 2003.

Sec. 145.002. DEFINITIONS. In this chapter:

(1) "Deliver" means transmitting by mail, personal delivery, or e-mail or any other means of electronic transfer.

(2) "Municipal officer" means the mayor, a member of the governing body, the municipal attorney, or the city manager of a municipality.

Added by Acts 2003, 78th Leg., ch. 249, Sec. 6.01, eff. Sept. 1, 2003.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 223 (H.B. [1246](#)), Sec. 1, eff. September 1, 2015.

Sec. 145.003. FINANCIAL STATEMENT REQUIRED. (a) A municipal officer or a candidate for a municipal office filled by election shall file a financial statement as required by this chapter.

(b) The statement must:

(1) be filed with the clerk or secretary of the municipality in which the officer or candidate resides; and

(2) comply with Sections [572.022](#) and [572.023](#), Government Code.

Added by Acts 2003, 78th Leg., ch. 249, Sec. 6.01, eff. Sept. 1, 2003.

Sec. 145.004. FILING DATES; TIMELINESS OF FILING. (a) A municipal officer shall file the financial statement required by this chapter within the time prescribed by Section [572.026](#)(a), Government Code.

(b) A person who is appointed to a municipal office shall file the financial statement required by this chapter within the time prescribed by Section [572.026](#)(c), Government Code.

(c) A candidate for a municipal office filled by election shall file the financial statement required by this chapter not later than the earlier of:

(1) the 20th day after the deadline for filing an application for a place on the ballot in the election; or

(2) the fifth day before the date of the election.

(d) Except as provided in Subsection (g), the timeliness of the filing is governed by Section [572.029](#), Government Code.

(e) A municipal officer or a person who is appointed to a municipal office may request the clerk or secretary of the municipality to grant an extension of not more than 60 days for filing the statement. The clerk or secretary shall grant the request if it is received before the filing deadline or if the officer's physical or mental incapacity prevents the officer from filing the statement or requesting an extension before the filing deadline. The clerk or secretary may not grant more than one extension to a person in one year except for good cause shown.

(f) The clerk or secretary may not grant an extension to a candidate for a municipal office filled by election.

(g) A person is considered to have timely filed a financial statement under this chapter if:

(1) the statement is personally delivered not later than 5 p.m. of the last day for filing the statement; or

(2) the clerk or secretary of the municipality with whom the statement is required to be filed has adopted rules and procedures to provide for the electronic filing of the statement and the statement is electronically filed in accordance with those rules and procedures not later than midnight of the last day for filing the statement.

Added by Acts 2003, 78th Leg., ch. 249, Sec. 6.01, eff. Sept. 1, 2003.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 894 (H.B. [1035](#)), Sec. 2, eff. September 1, 2013.

Sec. 145.005. FORM OF STATEMENT. (a) The clerk or secretary of the municipality shall require that the form designed by the Texas Ethics Commission under Chapter [572](#), Government Code, be used for filing the financial statement.

(b) The clerk or secretary shall deliver at least one copy of the form to each municipal officer or person who is appointed to a municipal office who is required to file under this chapter within the time prescribed by Section [572.030](#)(c)(1), Government Code. The clerk or secretary shall deliver a copy of the form to each candidate for a municipal office filled by election who is required to file under this chapter not later than the 10th day before the deadline for filing the statement under Section [145.004](#)(c). The clerk or secretary may choose one or more methods to deliver the form.

Added by Acts 2003, 78th Leg., ch. 249, Sec. 6.01, eff. Sept. 1, 2003.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 223 (H.B. [1246](#)), Sec. 2, eff. September 1, 2015.

Sec. 145.006. DUPLICATE OR SUPPLEMENTAL STATEMENTS. If a person has filed a financial statement under one provision of this chapter covering the preceding calendar year, the person is not required to file a financial statement required under another provision of this chapter covering that same year if, before the deadline for filing the statement under the other provision, the person notifies the clerk or secretary of the municipality in writing that the person has already filed a financial statement under this chapter covering that year.

Added by Acts 2003, 78th Leg., ch. 249, Sec. 6.01, eff. Sept. 1, 2003.

Sec. 145.007. PUBLIC ACCESS TO STATEMENTS. (a) Financial statements filed under this chapter are public records. The clerk or secretary of the municipality shall maintain the statements in separate alphabetical files and in a manner that is accessible to the public during regular office hours.

(b) Until the first anniversary of the date a financial statement is filed, each time a person, other than the clerk or secretary of the municipality or an employee of the clerk or secretary who is acting on official business, requests to see the financial statement, the clerk or secretary shall place in the file a statement of the person's name and address, whom the person represents, and the date of the request. The clerk or secretary shall retain that statement in the file until the first anniversary of the date the requested financial statement is filed.

(c) The clerk or secretary of the municipality may, and on notification from a former officer or candidate shall, destroy any financial statements filed by the officer or candidate after the second anniversary of the date the person ceases to be an officer or candidate, as applicable.

(d) On the written request of a municipal court judge of the municipality or a candidate for municipal court judge, the clerk or secretary of the municipality shall remove or redact

the residence address of the municipal court judge, municipal court judge's spouse, or candidate for the office of municipal court judge, from a financial statement filed under this chapter before the financial statement is made available to a member of the public.

Added by Acts 2003, 78th Leg., ch. 249, Sec. 6.01, eff. Sept. 1, 2003.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 518 (S.B. [489](#)), Sec. 3, eff. September 1, 2019.

Sec. 145.008. NOTIFICATION TO PROSECUTING ATTORNEY. The clerk or secretary of each municipality shall maintain a list of the municipal officers and candidates for municipal office required to file a financial statement under this chapter. Not later than the 10th day after each applicable filing deadline, the municipal clerk shall provide to the municipal attorney a copy of the list showing for each municipal officer and candidate for municipal office:

- (1) whether the officer or candidate timely filed a financial statement as required by this chapter;
- (2) whether the officer or candidate timely requested and was granted an extension of time to file as provided for by Section [145.004](#) and the new due date for each such officer or candidate; or
- (3) whether the officer or candidate did not timely file a financial statement or receive an extension of time.

Added by Acts 2003, 78th Leg., ch. 249, Sec. 6.01, eff. Sept. 1, 2003.

Sec. 145.009. CRIMINAL PENALTY. (a) A municipal officer or a candidate for a municipal office filled by election commits an offense if the officer or candidate knowingly fails to file a financial statement as required by this chapter.

(b) An offense under this section is a Class B misdemeanor.

(c) It is a defense to prosecution under this section that the officer or candidate did not receive copies of the financial statement form required to be delivered to the officer or candidate by this chapter.

Added by Acts 2003, 78th Leg., ch. 249, Sec. 6.01, eff. Sept. 1, 2003.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 223 (H.B. [1246](#)), Sec. 3, eff. September 1, 2015.

Sec. 145.010. CIVIL PENALTY. (a) A person who determines that a person required to file a financial statement under this chapter has failed to do so may notify in writing the municipal attorney of the municipality.

(b) On receipt of a written notice under Subsection (a), the municipal attorney shall determine from any available evidence whether the person to whom the notice relates has failed to file a statement. On making that determination, the municipal attorney shall immediately mail by certified mail a notice of the determination to the person responsible for filing the statement.

(c) If the person responsible for filing the statement fails to file the statement before the 30th day after the date the person receives the notice under Subsection (b), the person is civilly liable to the municipality for an amount not to exceed \$1,000.

(d) A penalty paid under this section shall be deposited to the credit of the general fund of the municipality.

Added by Acts 2003, 78th Leg., ch. 249, Sec. 6.01, eff. Sept. 1, 2003.

GOVERNMENT CODE

TITLE 5. OPEN GOVERNMENT; ETHICS

SUBTITLE B. ETHICS

CHAPTER 572. PERSONAL FINANCIAL DISCLOSURE, STANDARDS OF
CONDUCT, AND CONFLICT OF INTEREST

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 572.001. POLICY; LEGISLATIVE INTENT. (a) It is the policy of this state that a state officer or state employee may not have a direct or indirect interest, including financial and other interests, or engage in a business transaction or professional activity, or incur any obligation of any nature that is in substantial conflict with the proper discharge of the officer's or employee's duties in the public interest.

(b) To implement this policy and to strengthen the faith and confidence of the people of this state in state government, this chapter provides standards of conduct and disclosure requirements to be observed by persons owing a responsibility to the people and government of this state in the performance of their official duties.

(c) It is the intent of the legislature that this chapter serve not only as a guide for official conduct of those persons but also as a basis for discipline of those who refuse to abide by its terms.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 572.002. GENERAL DEFINITIONS. In this chapter:

- (1) "Appointed officer" means:
 - (A) the secretary of state;

(B) an individual appointed with the advice and consent of the senate to the governing board of a state-supported institution of higher education;

(C) an officer of a state agency who is appointed for a term of office specified by the Texas Constitution or a statute of this state, excluding an appointee to a vacated elective office; or

(D) an individual who is a member of the governing board or commission of a state agency, who is not appointed, and who is not otherwise:

(i) an elected officer;

(ii) an officer described by Paragraphs (A) through (C); or

(iii) an executive head of a state agency.

(2) "Business entity" means any entity recognized by law through which business for profit is conducted, including a sole proprietorship, partnership, firm, corporation, holding company, joint stock company, receivership, or trust.

(3) "Commission" means the Texas Ethics Commission.

(4) "Elected officer" means:

(A) a member of the legislature;

(B) an executive or judicial officer elected in a statewide election;

(C) a judge of a court of appeals or of a district court;

(D) a member of the State Board of Education;

(E) a district attorney or criminal district attorney; or

(F) an individual appointed to fill a vacancy in an office or appointed to a newly created office who, if elected to the office instead of appointed, would be an elected officer under this subdivision.

(5) "Executive head of a state agency" means the director, executive director, commissioner, administrator, chief clerk, or other individual who is appointed by the governing body or highest officer of the state agency to act as the chief

executive or administrative officer of the agency and who is not an appointed officer. The term includes the chancellor or highest executive officer of a university system and the president of a public senior college or university as defined by Section 61.003, Education Code.

(6) "State party chair" means the state chair of any political party receiving more than two percent of the vote for governor in the most recent general election.

(7) "Person" means an individual or a business entity.

(8) "Regulatory agency" means any department, commission, board, or other agency, except the secretary of state and the comptroller, that:

(A) is in the executive branch of state government;

(B) has authority that is not limited to a geographical portion of the state;

(C) was created by the Texas Constitution or a statute of this state; and

(D) has constitutional or statutory authority to engage in regulation.

(9) "Salaried appointed officer" means an appointed officer who receives or is authorized to receive a salary for state service but not a per diem or other form of compensation.

(10) "State agency" means:

(A) a department, commission, board, office, or other agency that:

(i) is in the executive branch of state government;

(ii) has authority that is not limited to a geographical portion of the state; and

(iii) was created by the Texas Constitution or a statute of this state;

(B) a university system or an institution of higher education as defined by Section 61.003, Education Code, other than a public junior college; or

(C) a river authority created under the Texas Constitution or a statute of this state.

(11) "State employee" means an individual, other than a state officer, who is employed by:

(A) a state agency;

(B) the Supreme Court of Texas, the Court of Criminal Appeals of Texas, a court of appeals, or the Texas Judicial Council; or

(C) either house of the legislature or a legislative agency, council, or committee, including the Legislative Budget Board, the Texas Legislative Council, the State Auditor's Office, and the Legislative Reference Library.

(11-a) "State judge" means:

(A) a judge, former judge, or retired judge of an appellate court, a district court, a constitutional county court, a county court at law, or a statutory probate court of this state;

(B) an associate judge appointed under Chapter 201, Family Code, or a retired associate judge or former associate judge appointed under that chapter;

(C) a magistrate or associate judge appointed under Chapter 54 or 54A;

(D) a justice of the peace; or

(E) a municipal court judge.

(12) "State officer" means an elected officer, an appointed officer, a salaried appointed officer, an appointed officer of a major state agency, or the executive head of a state agency.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993. Amended by Acts 1997, 75th Leg., ch. 1134, Sec. 12, Sept. 1, 1997.

Amended by:

Acts 2005, 79th Leg., Ch. 1253 (H.B. 1945), Sec. 1, eff. June 18, 2005.

Acts 2017, 85th Leg., R.S., Ch. 190 (S.B. 42), Sec. 18, eff. September 1, 2017.

Sec. 572.003. DEFINITION: APPOINTED OFFICER OF MAJOR STATE AGENCY. (a) In this chapter, "appointed officer of a major state agency" means an individual listed in Subsection (b) or (c).

(b) The term means:

- (1) the Banking Commissioner of The Banking Department of Texas;
- (2) the administrative director of the Office of Court Administration of the Texas Judicial System;
- (3) the chief executive of the Office of Public Utility Counsel;
- (4) the executive director of the State Bar of Texas;
- (5) the director of the lottery division of the Texas Lottery Commission;
- (6) the deputy in charge of the department of security in the lottery division of the Texas Lottery Commission;
- (7) the director of the bingo division of the Texas Lottery Commission; or
- (8) the secretary of state.

(c) The term means a member of:

- (1) the Public Utility Commission of Texas;
- (2) the Texas Commission on Environmental Quality;
- (3) the Texas Alcoholic Beverage Commission;
- (4) the Finance Commission of Texas;
- (5) the Texas Facilities Commission;
- (6) the Texas Board of Criminal Justice;
- (7) the board of trustees of the Employees Retirement System of Texas;
- (8) the Texas Transportation Commission;
- (9) the Texas Department of Insurance;
- (10) the Parks and Wildlife Commission;

(11) the Public Safety Commission;

(12) the Texas Ethics Commission;

(13) the State Securities Board;

(14) the Texas Water Development Board;

(15) the governing board of a public senior college or university as defined by Section 61.003, Education Code, or of The University of Texas Southwestern Medical Center, The University of Texas Medical Branch at Galveston, The University of Texas Health Science Center at Houston, The University of Texas Health Science Center at San Antonio, The University of Texas M. D. Anderson Cancer Center, The University of Texas Health Science Center at Tyler, University of North Texas Health Science Center at Fort Worth, Texas Tech University Health Sciences Center, Texas State Technical College--Harlingen, Texas State Technical College--Marshall, Texas State Technical College--Sweetwater, or Texas State Technical College--Waco;

(16) the Texas Higher Education Coordinating Board;

(17) the Texas Workforce Commission;

(18) the board of trustees of the Teacher Retirement System of Texas;

(19) the Credit Union Commission;

(20) the School Land Board;

(21) the board of the Texas Department of Housing and Community Affairs;

(22) the Texas Racing Commission;

(23) the State Board of Dental Examiners;

(24) the Texas Medical Board;

(25) the Board of Pardons and Paroles;

(26) the Texas State Board of Pharmacy;

(27) the Department of Information Resources governing board;

(28) the Motor Vehicle Board;

(29) the Texas Real Estate Commission;

(30) the board of directors of the State Bar of Texas;

(31) the Bond Review Board;

(32) the Health and Human Services Commission;
(33) the Texas Funeral Service Commission;
(34) the board of directors of a river authority
created under the Texas Constitution or a statute of this state;
(35) the Texas Lottery Commission; or
(36) the Cancer Prevention and Research Institute of
Texas.

(d) The term includes the successor in function as
provided by law to an office listed in Subsection (b) or (c) if
that office is abolished.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1,
1993. Amended by Acts 1995, 74th Leg., ch. 76, Sec. 5.06(a),
eff. Sept. 1, 1995; Acts 2001, 77th Leg., ch. 238, Sec. 3, eff.
May 22, 2001; Acts 2003, 78th Leg., ch. 817, Sec. 10.04, eff.
Sept. 1, 2003.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 937 (H.B. [3560](#)), Sec. 3.09,
eff. September 1, 2007.

Acts 2009, 81st Leg., R.S., Ch. 87 (S.B. [1969](#)), Sec.
11.012, eff. September 1, 2009.

Acts 2013, 83rd Leg., R.S., Ch. 179 (H.B. [1844](#)), Sec. 13,
eff. September 1, 2013.

Acts 2013, 83rd Leg., R.S., Ch. 1316 (S.B. [220](#)), Sec. 3.02,
eff. June 14, 2013.

Acts 2017, 85th Leg., R.S., Ch. 521 (S.B. [81](#)), Sec. 1, eff.
September 1, 2017.

Sec. 572.004. DEFINITION: REGULATION. In this chapter,
"regulation" means rulemaking, adjudication, or licensing. In
this definition:

(1) "Adjudication" means the process of an agency for
formulating an order.

(2) "License" includes all or part of an agency
permit, certificate, approval, registration, charter,
membership, statutory exemption, or other form of permission.

(3) "Licensing" includes the process of an agency concerning the grant, renewal, denial, revocation, suspension, annulment, withdrawal, limitation, amendment, modification, or conditioning of a license.

(4) "Order" means all or part of a final disposition, whether affirmative, negative, injunctive, or declaratory in form, of an agency in a matter other than rulemaking but including licensing.

(5) "Rule" means all or part of an agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy or to describe the organization, procedure, or practice requirements of an agency.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 572.005. DETERMINATION OF SUBSTANTIAL INTEREST. An individual has a substantial interest in a business entity if the individual:

(1) has a controlling interest in the business entity;

(2) owns more than 10 percent of the voting interest in the business entity;

(3) owns more than \$25,000 of the fair market value of the business entity;

(4) has a direct or indirect participating interest by shares, stock, or otherwise, regardless of whether voting rights are included, in more than 10 percent of the profits, proceeds, or capital gains of the business entity;

(5) is a member of the board of directors or other governing board of the business entity;

(6) serves as an elected officer of the business entity; or

(7) is an employee of the business entity.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 572.006. DETERMINATION OF DEPENDENT CHILD. An individual's child, including an adopted child or stepchild, is the individual's dependent during a calendar year in which the individual provides more than 50 percent of the child's support.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 572.007. PENALTIES IMPOSED BY COMMISSION. This chapter does not prohibit the imposition of civil penalties by the commission in addition to criminal penalties or other sanctions imposed by law.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 572.008. VENUE. An offense under this chapter, including perjury, may be prosecuted in Travis County or in any other county in which it may be prosecuted under the Code of Criminal Procedure.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

SUBCHAPTER B. PERSONAL FINANCIAL STATEMENT

Sec. 572.021. FINANCIAL STATEMENT REQUIRED. Except as provided by Section [572.0211](#), a state officer, a partisan or independent candidate for an office as an elected officer, and a state party chair shall file with the commission a verified financial statement complying with Sections [572.022](#) through [572.0252](#).

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993. Amended by Acts 2003, 78th Leg., ch. 249, Sec. 5.01, eff. Sept. 1, 2003.

Amended by:

Acts 2005, 79th Leg., Ch. 630 (H.B. 2511), Sec. 2, eff. June 17, 2005.

Acts 2005, 79th Leg., Ch. 1253 (H.B. 1945), Sec. 2, eff. June 18, 2005.

Sec. 572.0211. FILING BY HOLDOVER OFFICER NOT REQUIRED.

(a) An appointed officer who resigns from office and who ceases to participate in the state agency's functions is not required to file a financial statement that is due because of service in that office after the effective date of the resignation.

(b) An appointed officer whose term of office expires and who ceases to participate in the functions of the state agency is not required to file a financial statement that is due because of service in that office after the date the term of office expires.

(c) An appointed officer of a state agency that is abolished or whose functions are transferred to another state agency is not required to file a financial statement that is due because of service after the date that the agency is abolished or the functions of the agency are transferred.

(d) An appointed officer who resigns or whose term of office expires who does not intend to participate in the functions of the state agency shall deliver written notice of the officer's intention to the governor and the commission.

Added by Acts 2005, 79th Leg., Ch. 630 (H.B. 2511), Sec. 1, eff. June 17, 2005.

Sec. 572.022. REPORTING CATEGORIES; REQUIRED DESCRIPTIONS.

(a) If an amount in a financial statement is required to be

reported by category, the individual filing the statement shall report whether the amount is:

- (1) less than \$5,000;
- (2) at least \$5,000 but less than \$10,000;
- (3) at least \$10,000 but less than \$25,000; or
- (4) \$25,000 or more.

(b) The individual filing the statement shall report an amount of stock by category of number of shares instead of by category of dollar value and shall report whether the amount is:

- (1) less than 100 shares;
- (2) at least 100 but less than 500 shares;
- (3) at least 500 but less than 1,000 shares;
- (4) at least 1,000 but less than 5,000 shares;
- (5) at least 5,000 but less than 10,000 shares; or
- (6) 10,000 shares or more.

(c) The individual filing the statement shall report a description of real property by reporting:

(1) the street address, if available, or the number of lots or number of acres, as applicable, in each county, and the name of the county, if the street address is not available; and

(2) the names of all persons retaining an interest in the property, excluding an interest that is a severed mineral interest.

(d) For a gift of cash or a cash equivalent such as a negotiable instrument or gift certificate that is reported in accordance with Section [572.023](#)(b)(7), the individual filing the statement shall include in the description of the gift a statement of the value of the gift.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993. Amended by Acts 2003, 78th Leg., ch. 249, Sec. 5.02, eff. Sept. 1, 2003.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 342 (S.B. [129](#)), Sec. 1, eff. September 1, 2007.

Acts 2007, 80th Leg., R.S., Ch. 342 (S.B. 129), Sec. 2, eff. September 1, 2007.

Sec. 572.023. CONTENTS OF FINANCIAL STATEMENT IN GENERAL.

(a) A financial statement must include an account of the financial activity of the individual required by this subchapter to file a financial statement and an account of the financial activity of the individual's spouse and dependent children if the individual had actual control over that activity for the preceding calendar year.

(b) The account of financial activity consists of:

(1) a list of all sources of occupational income, identified by employer, or if self-employed, by the nature of the occupation, including identification of a person or other organization from which the individual or a business in which the individual has a substantial interest received a fee as a retainer for a claim on future services in case of need, as distinguished from a fee for services on a matter specified at the time of contracting for or receiving the fee, if professional or occupational services are not actually performed during the reporting period equal to or in excess of the amount of the retainer, and the category of the amount of the fee;

(2) identification by name and the category of the number of shares of stock of any business entity held or acquired, and if sold, the category of the amount of net gain or loss realized from the sale;

(3) a list of all bonds, notes, and other commercial paper held or acquired, and if sold, the category of the amount of net gain or loss realized from the sale;

(4) identification of each source and the category of the amount of income in excess of \$500 derived from each source from interest, dividends, royalties, and rents;

(5) identification of each guarantor of a loan and identification of each person or financial institution to whom a personal note or notes or lease agreement for a total financial

liability in excess of \$1,000 existed at any time during the year and the category of the amount of the liability;

(6) identification by description of all beneficial interests in real property and business entities held or acquired, and if sold, the category of the amount of the net gain or loss realized from the sale;

(7) identification of a person or other organization from which the individual or the individual's spouse or dependent children received a gift of anything of value in excess of \$250 and a description of each gift, except:

(A) a gift received from an individual related to the individual at any time within the second degree by consanguinity or affinity, as determined under Subchapter B, Chapter 573;

(B) a political contribution that was reported as required by Chapter 254, Election Code; and

(C) an expenditure required to be reported by a person required to be registered under Chapter 305;

(8) identification of the source and the category of the amount of all income received as beneficiary of a trust, other than a blind trust that complies with Subsection (c), and identification of each trust asset, if known to the beneficiary, from which income was received by the beneficiary in excess of \$500;

(9) identification:

(A) by description of a corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association in which five percent or more of the outstanding ownership was held, acquired, or sold; and

(B) by description and the category of the amount of all assets and liabilities of a corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint

venture, or other business association in which 50 percent or more of the outstanding ownership was held, acquired, or sold;

(10) a list of all boards of directors of which the individual is a member and executive positions that the individual holds in corporations, firms, partnerships, limited partnerships, limited liability partnerships, professional corporations, professional associations, joint ventures, or other business associations or proprietorships, stating the name of each corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association or proprietorship and the position held;

(11) identification of any person providing transportation, meals, or lodging expenses permitted under Section 36.07(b), Penal Code, and the amount of those expenses, other than expenditures required to be reported under Chapter 305;

(12) any corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association, excluding a publicly held corporation, in which both the individual and a person registered under Chapter 305 have an interest;

(13) identification by name and the category of the number of shares of any mutual fund held or acquired, and if sold, the category of the amount of net gain or loss realized from the sale;

(14) identification of each blind trust that complies with Subsection (c), including:

(A) the category of the fair market value of the trust;

(B) the date the trust was created;

(C) the name and address of the trustee; and

(D) a statement signed by the trustee, under penalty of perjury, stating that:

(i) the trustee has not revealed any information to the individual, except information that may be disclosed under Subdivision (8); and

(ii) to the best of the trustee's knowledge, the trust complies with this section;

(15) if the aggregate cost of goods or services sold under one or more written contracts described by this subdivision exceeds \$10,000 in the year covered by the report, identification of each written contract, including the name of each party to the contract:

(A) for the sale of goods or services in the amount of \$2,500 or more;

(B) to which the individual, the individual's spouse, the individual's dependent child, or any business entity of which the individual, the individual's spouse, or the individual's dependent child, independently or in conjunction with one or more persons described by this subsection, has at least a 50 percent ownership interest is a party; and

(C) with:

(i) a governmental entity; or

(ii) a person who contracts with a governmental entity, if the individual or entity described by Paragraph (B) performs work arising out of the contract, subcontract, or agreement between the person and the governmental entity for a fee; and

(16) if the individual is a member of the legislature and provides bond counsel services to an issuer, as defined by Section 1201.002(1), identification of the following for each issuance for which the individual served as bond counsel:

(A) the amount of the issuance;

(B) the name of the issuer;

(C) the date of the issuance;

(D) the amount of fees paid to the individual, and whether the amount is:

(i) less than \$5,000;

(ii) at least \$5,000 but less than \$10,000;

(iii) at least \$10,000 but less than \$25,000; or

(iv) \$25,000 or more; and

(E) the amount of fees paid to the individual's firm, if applicable, and whether the amount is:

(i) less than \$5,000;

(ii) at least \$5,000 but less than \$10,000;

(iii) at least \$10,000 but less than \$25,000; or

(iv) \$25,000 or more.

(c) For purposes of Subsections (b)(8) and (14), a blind trust is a trust as to which:

(1) the trustee:

(A) is a disinterested party;

(B) is not the individual;

(C) is not required to register as a lobbyist under Chapter 305;

(D) is not a public officer or public employee; and

(E) was not appointed to public office by the individual or by a public officer or public employee the individual supervises; and

(2) the trustee has complete discretion to manage the trust, including the power to dispose of and acquire trust assets without consulting or notifying the individual.

(d) If a blind trust under Subsection (c) is revoked while the individual is subject to this subchapter, the individual must file an amendment to the individual's most recent financial statement, disclosing the date of revocation and the previously unreported value by category of each asset and the income derived from each asset.

(e) In this section, "governmental entity" means this state, a political subdivision of the state, or an agency or department of the state or a political subdivision of the state.

(f) Subsection (b)(15) does not require the disclosure of an employment contract between a school district or open-

enrollment charter school and an employee of the district or school.

(g) An individual who complies with any applicable requirements of Sections 51.954 and 51.955, Education Code, and Section 2252.908 of this code, in an individual capacity or as a member or employee of an entity to which those sections apply, is not required to include in the account of financial activity the information described by Subsection (b)(15) unless specifically requested by the commission to include the information.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993. Amended by Acts 2003, 78th Leg., ch. 249, Sec. 5.03, eff. Sept. 1, 2003.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 439 (H.B. 501), Sec. 1, eff. January 8, 2019.

Sec. 572.024. INFORMATION ABOUT SERVICES FOR LOBBYISTS OR LOBBYIST EMPLOYERS. A state officer who receives a fee for services rendered by the officer to or on behalf of a person required to be registered under Chapter 305, or to or on behalf of a person or entity that the officer actually knows directly compensates or reimburses a person required to be registered under Chapter 305, shall report on the financial statement the name of each person or entity for which the services were rendered and the category of the amount of each fee.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 572.025. INFORMATION ABOUT LEGISLATORS' REPRESENTATION BEFORE EXECUTIVE STATE AGENCIES. A member of the legislature who represents another person for compensation before an executive state agency shall report on the financial statement:

- (1) the name of the agency;
- (2) the person represented by the member; and
- (3) the category of the amount of compensation received by the member for that representation.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 572.0251. INFORMATION ABOUT LEGISLATIVE CONTINUANCES. A member or member-elect of the legislature licensed to practice law in this state who represents a party to a civil or criminal case for compensation and on that party's behalf applies for or obtains a legislative continuance under Section 30.003, Civil Practice and Remedies Code, or under another law or rule that requires or permits a court to grant a continuance on the grounds that an attorney for a party is a member or member-elect of the legislature shall report on the financial statement:

- (1) the name of the party represented;
- (2) the date on which the member or member-elect was retained to represent the party;
- (3) the style and cause number of the action in which the continuance was sought and the court and jurisdiction in which the action was pending when the continuance was sought;
- (4) the date on which the member or member-elect applied for a continuance; and
- (5) whether the continuance was granted.

Added by Acts 2003, 78th Leg., ch. 249, Sec. 5.04, eff. Sept. 1, 2003.

Sec. 572.0252. INFORMATION ABOUT REFERRALS. A state officer who is an attorney shall report on the financial statement:

- (1) making or receiving any referral for compensation for legal services; and

(2) the category of the amount of any fee accepted for making a referral for legal services.

Added by Acts 2003, 78th Leg., ch. 249, Sec. 5.04, eff. Sept. 1, 2003.

Sec. 572.026. FILING DATES FOR STATE OFFICERS AND STATE PARTY CHAIRS. (a) Not later than April 30 each year, a state officer or a state party chair shall file the financial statement as required by this subchapter.

(b) An individual who is appointed to serve as a salaried appointed officer or an appointed officer of a major state agency or who is appointed to fill a vacancy in an elective office shall file a financial statement not later than the 30th day after the date of appointment or the date of qualification for the office, or if confirmation by the senate is required, before the first committee hearing on the confirmation, whichever date is earlier.

(c) An individual who is appointed or employed as the executive head of a state agency shall file a financial statement not later than the 45th day after the date on which the individual assumes the duties of the position. A state agency shall immediately notify the commission of the appointment or employment of an executive head of the agency.

(d) An individual required to file a financial statement under Subsection (a) may request the commission to grant an extension of not more than 60 days for filing the statement. The commission shall grant the request if it is received before the filing deadline or if a timely filing or request for extension is prevented because of physical or mental incapacity. The commission may not grant more than one extension to an individual in one year except for good cause shown.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993. Amended by Acts 2003, 78th Leg., ch. 249, Sec. 5.05, eff. Sept. 1, 2003.

Amended by:

Acts 2005, 79th Leg., Ch. 1253 (H.B. 1945), Sec. 3, eff. June 18, 2005.

Acts 2005, 79th Leg., Ch. 1253 (H.B. 1945), Sec. 4, eff. June 18, 2005.

Acts 2007, 80th Leg., R.S., Ch. 248 (H.B. 2839), Sec. 1, eff. May 25, 2007.

Sec. 572.027. FILING DATES FOR CANDIDATES. (a) An individual who is a partisan or independent candidate for an office as an elected officer shall file the financial statement required by this subchapter not later than the later of:

(1) the 60th day after the date of the regular filing deadline for an application for a place on the ballot in the general primary election; or

(2) February 12.

(b) If the deadline under which a candidate files an application for a place on the ballot, other than the regular filing deadline for an independent candidate, or files a declaration of write-in candidacy falls after the date of the regular filing deadline for candidates in the general primary election, the candidate shall file the financial statement not later than the 30th day after that later deadline. However, if that deadline falls after the 35th day before the date of the election in which the candidate is running, the candidate shall file the statement not later than the fifth day before the date of that election.

(c) An individual who is a candidate in a special election for an office as an elected officer shall file the financial statement not later than the fifth day before the date of that election.

(d) An individual nominated to fill a vacancy in a nomination as a candidate for a position as an elected officer under Chapter 145, Election Code, shall file the financial statement not later than the 15th day after the date the

certificate of nomination required by Section [145.037](#) or [145.038](#), Election Code, is filed.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993. Amended by Acts 1997, 75th Leg., ch. 1134, Sec. 13, eff. Sept. 1, 1997.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 239 (S.B. [431](#)), Sec. 1, eff. September 1, 2015.

Sec. 572.028. DUPLICATE STATEMENTS. If an individual has filed a financial statement under one provision of this subchapter covering the preceding calendar year, the individual is not required to file a financial statement required under another provision of this subchapter to cover that same year if, before the deadline for filing the statement under the other provision, the individual notifies the commission in writing that the individual has already filed a financial statement under the provision specified.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 572.029. TIMELINESS OF FILING. (a) The deadline for filing a financial statement required by this subchapter is 5 p.m. of the last day designated in the applicable provision for filing the statement.

(b) If the last day for filing the financial statement is a Saturday, Sunday, or holiday included under Subchapter B, Chapter [662](#), the statement is timely if filed on the next day that is not a Saturday, Sunday, or listed holiday.

(c) A financial statement is timely filed if it is properly addressed and placed in the United States Post Office or in the hands of a common or contract carrier not later than the last day for filing the financial statement. The post office cancellation mark or the receipt mark of a common or

contract carrier is prima facie evidence of the date the statement was deposited with the post office or carrier. The individual filing the statement may show by competent evidence that the actual date of posting was different from that shown by the marks.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 572.0291. ELECTRONIC FILING REQUIRED. (a) Except as provided by Subsection (b), a financial statement filed with the commission must be filed by computer diskette, modem, or other means of electronic transfer, using computer software provided by the commission or computer software that meets commission specifications for a standard file format.

(b) An individual who was appointed to office and who is required to file a financial statement with the commission under this subchapter may file the financial statement by certified mail. The filing by mail must be in compliance with Section [572.029](#).

Added by Acts 2015, 84th Leg., R.S., Ch. 818 (H.B. [3683](#)), Sec. 1, eff. September 1, 2015.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 243 (H.B. [791](#)), Sec. 1, eff. May 29, 2017.

Sec. 572.0295. AMENDMENT OF FINANCIAL STATEMENT. (a) A person who files a financial statement under this chapter may amend the person's statement.

(b) A financial statement that is amended is considered to have been filed on the date on which the original statement was filed if:

(1) the amendment is made on or before the 14th day after the date the person filing the statement learns of an error or omission in the original statement;

(2) the original financial statement was made in good faith and without an intent to mislead or to misrepresent the information contained in the statement; and

(3) the person filing the amendment accompanies the amendment with a declaration that:

(A) the person became aware of the error or omission in the original statement during the preceding 14 days; and

(B) the original statement was made in good faith and without intent to mislead or to misrepresent the information contained in the statement.

Added by Acts 2017, 85th Leg., R.S., Ch. 439 (H.B. 501), Sec. 2, eff. January 8, 2019.

Sec. 572.030. PREPARATION AND MAILING OF FORMS. (a) The commission shall design forms that may be used for filing the financial statement under this subchapter.

(b) The commission shall mail to each individual required to file under this subchapter a notice that:

(1) states that the individual is required to file a financial statement under this subchapter;

(2) identifies the filing dates for the financial statement as provided by Sections 572.026 and 572.027;

(3) describes the manner in which the individual may obtain the financial statement forms and instructions from the commission's Internet website;

(4) states that on request of the individual, the commission will mail to the individual a copy of the financial statement forms and instructions; and

(5) states, if applicable, the fee for mailing the forms and instructions and the manner in which the individual may pay the fee.

(c) The notice required by Subsection (b) must be mailed:

(1) before the 30th day before the deadline for filing the financial statement under Section 572.026(a) or (c), except as otherwise provided by this subsection;

(2) not later than the 15th day after the applicable deadline for filing an application for a place on the ballot or a declaration of write-in candidacy for candidates required to file under Section 572.027(a), (b), or (c);

(3) not later than the seventh day after the date of appointment for individuals required to file under Section 572.026(b), or if the legislature is in session, sooner if possible; and

(4) not later than the fifth day after the date the certificate of nomination is filed for candidates required to file under Section 574.027(d).

(d) The commission shall mail a copy of the financial statement forms and instructions to an individual not later than the third business day after the date the commission receives the individual's request for the forms and instructions.

(e) The commission may charge a fee for mailing the financial statement forms and instructions to an individual. The amount of the fee may not exceed the reasonable cost of producing and mailing the forms and instructions.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993. Amended by Acts 1997, 75th Leg., ch. 1134, Sec. 14, eff. Sept. 1, 1997.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 299 (H.B. 1652), Sec. 1, eff. June 15, 2007.

Sec. 572.031. DETERMINATION OF COMPLIANCE WITH SUBCHAPTER.

(a) The commission shall conduct a continuing survey to determine whether all individuals required to file financial statements under this subchapter have filed statements in compliance with this subchapter.

(b) If the commission determines that an individual has failed to file the statement in compliance with this subchapter, the commission shall send a written statement of the determination to the appropriate prosecuting attorneys of the state.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 572.032. PUBLIC ACCESS TO STATEMENTS. (a) Financial statements filed under this subchapter are public records. The commission shall maintain the statements in separate alphabetical files and in a manner that is accessible to the public during regular office hours.

Text of subsection as amended by Acts 2017, 85th Leg., R.S., Ch. 983 (H.B. 776), Sec. 1

(a-1) The commission shall remove the home address, the telephone number, and the names of the dependent children of an individual from a financial statement filed by the individual under this subchapter before:

- (1) permitting a member of the public to view the statement;
- (2) providing a copy of the statement to a member of the public; or
- (3) making the statement available to the public on the commission's Internet website, if the commission makes statements filed under this subchapter available on its website.

Text of subsection as amended by Acts 2017, 85th Leg., R.S., Ch. 34 (S.B. 1576), Sec. 15

(a-1) Before permitting a member of the public to view a financial statement filed under this subchapter or providing a copy of the statement to a member of the public, the commission shall remove from the statement, if applicable, the home address of:

(1) a judge or justice; or

(2) a member of the governing board or executive head of the Texas Civil Commitment Office.

(b) During the one-year period following the filing of a financial statement, each time a person requests to see the financial statement, excluding the commission or a commission employee acting on official business, the commission shall place in the file a statement of the person's name and address, whom the person represents, and the date of the request. The commission shall retain that statement in the file for one year after the date the requested financial statement is filed.

(c) After the second anniversary of the date the individual ceases to be a state officer, the commission may and on notification from the former state officer shall destroy each financial statement filed by the state officer.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 638 (H.B. 842), Sec. 1, eff. June 15, 2007.

Acts 2017, 85th Leg., R.S., Ch. 34 (S.B. 1576), Sec. 15, eff. September 1, 2017.

Acts 2017, 85th Leg., R.S., Ch. 983 (H.B. 776), Sec. 1, eff. June 15, 2017.

Sec. 572.033. CIVIL PENALTY. (a) The commission shall determine from any available evidence whether a statement required to be filed under this subchapter is late. On making a determination that the statement is late, the commission shall immediately mail a notice of the determination to the individual

responsible for filing the statement and to the appropriate attorney for the state.

(b) If a statement is determined to be late, the individual responsible for filing the statement is liable to the state for a civil penalty of \$500. If a statement is more than 30 days late, the commission shall issue a warning of liability by registered mail to the individual responsible for the filing. If the penalty is not paid before the 10th day after the date on which the warning is received, the individual is liable for a civil penalty in an amount determined by commission rule, but not to exceed \$10,000.

(c) This section is cumulative of any other available sanction for a late filing of a sworn statement.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993. Amended by Acts 2003, 78th Leg., ch. 249, Sec. 5.06, eff. Sept. 1, 2003.

Sec. 572.034. CRIMINAL PENALTY. (a) An individual commits an offense if the individual is a state officer or candidate or state party chair and knowingly and wilfully fails to file a financial statement as required by this subchapter.

(b) An offense under this section is a Class B misdemeanor.

(c) In a prosecution for failure to file a financial statement under this section, it is a defense that the individual did not receive copies of the financial statement form required by this subchapter to be mailed to the individual.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Amended by:

Acts 2005, 79th Leg., Ch. 1253 (H.B. [1945](#)), Sec. 5, eff. June 18, 2005.

Sec. 572.035. REMOVAL OF PERSONAL INFORMATION FOR FEDERAL JUDGES, STATE JUDGES, AND SPOUSES. On receiving notice from the Office of Court Administration of the Texas Judicial System of the judge's qualification for the judge's office, the commission shall remove or redact from any financial statement, or information derived from a financial statement, that is available to the public the residence address of a federal judge, a state judge, or the spouse of a federal or state judge.

Added by Acts 2017, 85th Leg., R.S., Ch. 190 (S.B. 42), Sec. 19, eff. September 1, 2017.

SUBCHAPTER C. STANDARDS OF CONDUCT AND CONFLICT OF INTEREST PROVISIONS

Sec. 572.051. STANDARDS OF CONDUCT; STATE AGENCY ETHICS POLICY. (a) A state officer or employee should not:

(1) accept or solicit any gift, favor, or service that might reasonably tend to influence the officer or employee in the discharge of official duties or that the officer or employee knows or should know is being offered with the intent to influence the officer's or employee's official conduct;

(2) accept other employment or engage in a business or professional activity that the officer or employee might reasonably expect would require or induce the officer or employee to disclose confidential information acquired by reason of the official position;

(3) accept other employment or compensation that could reasonably be expected to impair the officer's or employee's independence of judgment in the performance of the officer's or employee's official duties;

(4) make personal investments that could reasonably be expected to create a substantial conflict between the officer's or employee's private interest and the public interest; or

(5) intentionally or knowingly solicit, accept, or agree to accept any benefit for having exercised the officer's or employee's official powers or performed the officer's or employee's official duties in favor of another.

(b) A state employee who violates Subsection (a) or an ethics policy adopted under Subsection (c) is subject to termination of the employee's state employment or another employment-related sanction. Notwithstanding this subsection, a state officer or employee who violates Subsection (a) is subject to any applicable civil or criminal penalty if the violation also constitutes a violation of another statute or rule.

(c) Each state agency shall:

(1) adopt a written ethics policy for the agency's employees consistent with the standards prescribed by Subsection (a) and other provisions of this subchapter; and

(2) distribute a copy of the ethics policy and this subchapter to:

(A) each new employee not later than the third business day after the date the person begins employment with the agency; and

(B) each new officer not later than the third business day after the date the person qualifies for office.

(d) The office of the attorney general shall develop, in coordination with the commission, and distribute a model policy that state agencies may use in adopting an agency ethics policy under Subsection (c). A state agency is not required to adopt the model policy developed under this subsection.

(e) Subchapters E and F, Chapter 571, do not apply to a violation of this section.

(f) Notwithstanding Subsection (e), if a person with knowledge of a violation of an agency ethics policy adopted under Subsection (c) that also constitutes a criminal offense under another law of this state reports the violation to an appropriate prosecuting attorney, then, not later than the 60th day after the date a person notifies the prosecuting attorney under this subsection, the prosecuting attorney shall notify the

commission of the status of the prosecuting attorney's investigation of the alleged violation. The commission shall, on the request of the prosecuting attorney, assist the prosecuting attorney in investigating the alleged violation. This subsection does not apply to an alleged violation by a member or employee of the commission.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 629 (H.B. 590), Sec. 1, eff. September 1, 2007.

Sec. 572.052. REPRESENTATION BY LEGISLATORS BEFORE STATE AGENCIES; CRIMINAL OFFENSE. (a) A member of the legislature may not, for compensation, represent another person before a state agency in the executive branch of state government unless the representation:

(1) is pursuant to an attorney-client relationship in a criminal law matter; or

(2) involves the filing of documents that involve only ministerial acts on the part of the commission, agency, board, department, or officer.

(b) A member of the legislature commits an offense if the member violates this section. An offense under this subsection is a Class A misdemeanor.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993. Amended by Acts 1997, 75th Leg., ch. 1134, Sec. 15, eff. Sept. 1, 1997; Acts 2003, 78th Leg., ch. 249, Sec. 5.07, eff. Sept. 1, 2003.

Sec. 572.053. VOTING BY LEGISLATORS ON CERTAIN MEASURES OR BILLS; CRIMINAL OFFENSE. (a) A member of the legislature may not vote on a measure or a bill, other than a measure that will affect an entire class of business entities, that will directly

benefit a specific business transaction of a business entity in which the member has a controlling interest.

(b) In this section, "controlling interest" includes:

(1) an ownership interest or participating interest by virtue of shares, stock, or otherwise that exceeds 10 percent;

(2) membership on the board of directors or other governing body of the business entity; or

(3) service as an officer of the business entity.

(c) A member of the legislature commits an offense if the member violates this section. An offense under this subsection is a Class A misdemeanor.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 572.0531. NOTICE REQUIRED FOR INTRODUCTION OR SPONSORSHIP OF OR VOTING ON CERTAIN MEASURES OR BILLS BY LEGISLATORS. (a) A member shall file a notice as required by Subsection (b) before introducing, sponsoring, or voting on a measure or bill if the member's spouse or a person related to the member within the first degree by consanguinity, as determined under Subchapter B, Chapter 573, is registered as a lobbyist under Chapter 305 with respect to the subject matter of the measure or bill.

(b) A member of the house of representatives to whom Subsection (a) applies shall file a written notice of that fact with the chief clerk of the house of representatives. A senator to whom Subsection (a) applies shall file a written notice of that fact with the secretary of the senate. The member shall also file a notice with the commission. A notice filed under this subsection must:

(1) identify:

(A) the member;

(B) the measure, bill, or class of measures or bills with respect to which the notice is required under this section; and

(C) the person registered as a lobbyist; and
(2) be included in the journal of the house to which the member belongs.

(c) A person related to the member to whom Subsection (a) applies shall file a notice with the commission identifying:

(1) the person;
(2) the member; and
(3) the class of measures or bills with respect to which notice is required under this section.

(d) A person related to the member to whom Subsection (a) applies shall file the notice required by Subsection (c) not later than:

(1) the beginning of a regular or special legislative session as to which the person is registered as a lobbyist under Chapter 305 and will communicate directly with a member of the legislative branch with respect to the measure, bill, or class of measures or bills; or

(2) the seventh business day after the day the person agrees to accept reimbursement or compensation to communicate directly with a member of the legislative branch with respect to the measure, bill, or class of measures or bills, if the person agrees to accept the reimbursement or compensation after the beginning of a legislative session.

(e) A member of the legislature who violates this section is subject to discipline by the house to which the member belongs, as provided by Section 11, Article III, Texas Constitution.

(f) In this section, "communicates directly with" and "member of the legislative branch" have the meanings assigned by Section 305.002.

Added by Acts 2003, 78th Leg., ch. 249, Sec. 5.08, eff. Sept. 1, 2003.

Sec. 572.054. REPRESENTATION BY FORMER OFFICER OR EMPLOYEE OF REGULATORY AGENCY RESTRICTED; CRIMINAL OFFENSE. (a) A former member of the governing body or a former executive head of a regulatory agency may not make any communication to or appearance before an officer or employee of the agency in which the member or executive head served before the second anniversary of the date the member or executive head ceased to be a member of the governing body or the executive head of the agency if the communication or appearance is made:

- (1) with the intent to influence; and
- (2) on behalf of any person in connection with any matter on which the person seeks official action.

(b) A former state officer or employee of a regulatory agency who ceases service or employment with that agency on or after January 1, 1992, may not represent any person or receive compensation for services rendered on behalf of any person regarding a particular matter in which the former officer or employee participated during the period of state service or employment, either through personal involvement or because the case or proceeding was a matter within the officer's or employee's official responsibility.

(c) Subsection (b) applies only to:

- (1) a state officer of a regulatory agency; or
- (2) a state employee of a regulatory agency who is compensated, as of the last date of state employment, at or above the amount prescribed by the General Appropriations Act for step 1, salary group 17, of the position classification salary schedule, including an employee who is exempt from the state's position classification plan.

(d) Subsection (b) does not apply to a rulemaking proceeding that was concluded before the officer's or employee's service or employment ceased.

(e) Other law that restricts the representation of a person before a particular state agency by a former state officer or employee of that agency prevails over this section.

(f) An individual commits an offense if the individual violates this section. An offense under this subsection is a Class A misdemeanor.

(g) In this section, the comptroller and the secretary of state are not excluded from the definition of "regulatory agency."

(g-1) For purposes of this section, the Department of Information Resources is a regulatory agency.

(h) In this section:

(1) "Participated" means to have taken action as an officer or employee through decision, approval, disapproval, recommendation, giving advice, investigation, or similar action.

(2) "Particular matter" means a specific investigation, application, request for a ruling or determination, rulemaking proceeding, contract, claim, charge, accusation, arrest, or judicial or other proceeding.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Amended by:

Acts 2011, 82nd Leg., 1st C.S., Ch. 4 (S.B. 1), Sec. 23.01, eff. September 28, 2011.

Sec. 572.055. CERTAIN SOLICITATIONS OF REGULATED BUSINESS ENTITIES PROHIBITED; CRIMINAL OFFENSE. (a) An association or organization of employees of a regulatory agency may not solicit, accept, or agree to accept anything of value from a business entity regulated by that agency and from which the business entity must obtain a permit to operate that business in this state or from an individual directly or indirectly connected with that business entity.

(b) A business entity regulated by a regulatory agency and from which the business entity must obtain a permit to operate

that business in this state or an individual directly or indirectly connected with that business entity may not offer, confer, or agree to confer on an association or organization of employees of that agency anything of value.

(c) This section does not apply to an agency regulating the operation or inspection of motor vehicles or an agency charged with enforcing the parks and wildlife laws of this state.

(d) A person commits an offense if the person intentionally or knowingly violates this section. An offense under this subsection is a Class A misdemeanor.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 572.056. CONTRACTS BY STATE OFFICERS WITH GOVERNMENTAL ENTITIES; CRIMINAL OFFENSE. (a) A state officer may not solicit or accept from a governmental entity a commission, fee, bonus, retainer, or rebate that is compensation for the officer's personal solicitation for the award of a contract for services or sale of goods to a governmental entity.

(b) This section does not apply to:

- (1) a contract that is awarded by competitive bid as provided by law and that is not otherwise prohibited by law; or
- (2) a court appointment.

(c) In this section, "governmental entity" means the state, a political subdivision of the state, or a governmental entity created under the Texas Constitution or a statute of this state.

(d) A state officer who violates this section commits an offense. An offense under this subsection is a Class A misdemeanor.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 572.057. CERTAIN LEASES PROHIBITED. (a) Except as provided by Subsection (d), a member of the legislature, an executive or judicial officer elected in a statewide election, or a business entity in which the legislator or officer has a substantial interest may not lease any office space or other real property to the state, a state agency, the legislature or a legislative agency, the Supreme Court of Texas, the Court of Criminal Appeals, or a state judicial agency.

(b) A lease made in violation of Subsection (a) is void.

(c) This section does not apply to an individual who is an elected officer on June 16, 1989, for as long as the officer holds that office.

(d) A member of the legislature or a business entity in which the legislator has a substantial interest may donate the use of office space that the member or entity owns and that is located in the member's district to the house of the legislature in which the member serves to be used for the member's official business. Office space donated under this subsection is not a contribution for purposes of Title 15, Election Code. Acceptance of a donation of office space under this subsection is not subject to Section [301.032](#).

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 293 (H.B. [1256](#)), Sec. 1, eff. September 1, 2013.

Sec. 572.058. PRIVATE INTEREST IN MEASURE OR DECISION; DISCLOSURE; REMOVAL FROM OFFICE FOR VIOLATION. (a) An elected or appointed officer, other than an officer subject to impeachment under Article XV, Section [2](#), of the Texas Constitution, who is a member of a board or commission having policy direction over a state agency and who has a personal or private interest in a measure, proposal, or decision pending before the board or commission shall publicly disclose the fact

to the board or commission in a meeting called and held in compliance with Chapter 551. The officer may not vote or otherwise participate in the decision. The disclosure shall be entered in the minutes of the meeting.

(b) An individual who violates this section is subject to removal from office on the petition of the attorney general on the attorney general's own initiative or on the relation of a resident or of any other member of the board or commission. The suit must be brought in a district court of Travis County or of the county where the violation is alleged to have been committed.

(c) If the court or jury finds from a preponderance of the evidence that the defendant violated this section and that an ordinary prudent person would have known the individual's conduct to be a violation of this section, the court shall enter judgment removing the defendant from office.

(d) A suit under this section must be brought before the second anniversary of the date the violation is alleged to have been committed, or the suit is barred.

(e) The remedy provided by this section is cumulative of other methods of removal from office provided by the Texas Constitution or a statute of this state.

(f) In this section, "personal or private interest" has the same meaning as is given to it under Article III, Section 22, of the Texas Constitution, governing the conduct of members of the legislature. For purposes of this section, an individual does not have a "personal or private interest" in a measure, proposal, or decision if the individual is engaged in a profession, trade, or occupation and the individual's interest is the same as all others similarly engaged in the profession, trade, or occupation.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 572.059. INDEPENDENCE OF STATE AND LOCAL OFFICERS ACTING IN LEGISLATIVE CAPACITY. (a) In this section, "legislative measure" includes:

(1) a bill, resolution, order, or other proposal to adopt, enact, amend, or repeal a statute, ordinance, rule, or policy of general application;

(2) a proposal to adopt, enact, amend, or repeal, or to grant a variance or other exception to, a zoning ordinance; or

(3) a proposed constitutional amendment or charter amendment subject to a vote of the electorate.

(b) For purposes of Subsection (a), a measure that is applicable to a class or subset of persons or matters that is defined in general terms without naming the particular persons or matters is a measure of general application.

(c) To protect the independence of state and local officers acting in a legislative capacity, a state or local officer, whether elected or appointed, including a member of the governing body of a school district or other political subdivision of this state, may not be subject to disciplinary action or a sanction, penalty, disability, or liability for:

(1) an action permitted by law that the officer takes in the officer's official capacity regarding a legislative measure;

(2) proposing, endorsing, or expressing support for or opposition to a legislative measure or taking any action permitted by law to support or oppose a legislative measure;

(3) the effect of a legislative measure or of a change in law proposed by a legislative measure on any person; or

(4) a breach of duty, in connection with the member's practice of or employment in a licensed or regulated profession or occupation, to disclose to any person information, or to obtain a waiver or consent from any person, regarding:

(A) the officer's actions relating to a legislative measure; or

(B) the substance, effects, or potential effects of a legislative measure.

Added by Acts 2003, 78th Leg., ch. 1206, Sec. 1, eff. June 20, 2003.

Sec. 572.060. SOLICITATION OF OR RECOMMENDATIONS REGARDING CONTRIBUTIONS TO CHARITABLE ORGANIZATIONS AND GOVERNMENTAL ENTITIES. (a) Unless otherwise prohibited by the Code of Judicial Conduct, a state officer or state employee may:

(1) solicit from any person a contribution to:

(A) an organization that:

(i) is exempt from income taxation under Section 501(a), Internal Revenue Code of 1986, by being listed under Section 501(c)(3) of that code;

(ii) does not attempt to influence legislation as a substantial part of the organization's activities; and

(iii) has not elected under Section 501(h), Internal Revenue Code of 1986, to have that subsection apply to the organization; or

(B) a governmental entity; or

(2) recommend to any person that the person make a contribution to an organization or entity described by Subdivision (1).

(b) A monetary contribution solicited or recommended as provided by Subsection (a) must:

(1) be paid or made directly to the charitable organization or governmental entity by the person making the contribution;

(2) be in the form of a check, money order, or similar instrument payable to the charitable organization or governmental entity; or

(3) be in the form of a deduction from a state employee's salary or wage payment under the state employee charitable campaign under Subchapter I, Chapter [659](#).

(c) A contribution solicited or recommended as provided by Subsection (a) that is not a monetary contribution must be delivered directly to the charitable organization or governmental entity by the person making the contribution.

(d) A contribution paid as provided by Subsection (b) or delivered as provided by Subsection (c) is not:

(1) a political contribution to, or political expenditure on behalf of, the state officer or state employee for purposes of Title 15, Election Code;

(2) an expenditure for purposes of Chapter 305; or

(3) a benefit to the state officer or state employee for purposes of Sections 36.08 and 36.09, Penal Code.

Added by Acts 2005, 79th Leg., Ch. 53 (H.B. 762), Sec. 1, eff. September 1, 2005.

Sec. 572.061. CERTAIN GRATUITIES AUTHORIZED. This subchapter does not prohibit the acceptance of a gratuity that is accepted and reported in accordance with Section 11.0262, Parks and Wildlife Code.

Added by Acts 2005, 79th Leg., Ch. 639 (H.B. 2685), Sec. 3, eff. September 1, 2005.

Sec. 572.069. CERTAIN EMPLOYMENT FOR FORMER STATE OFFICER OR EMPLOYEE RESTRICTED. A former state officer or employee of a state agency who during the period of state service or employment participated on behalf of a state agency in a procurement or contract negotiation involving a person may not accept employment from that person before the second anniversary of the date the contract is signed or the procurement is terminated or withdrawn.

Added by Acts 2015, 84th Leg., R.S., Ch. 326 (S.B. 20), Sec. 4, eff. September 1, 2015.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 556 (S.B. [533](#)), Sec. 1,
eff. September 1, 2017.

Regular City Council
AGENDA ITEM
14.D.



To:
Subject: Consideration and possible appointments to City Boards and Commissions. (Lacie Hale, City Secretary)
Meeting:
Department: City Secretary
Staff Contact: Lacie Hale, City Secretary

BACKGROUND INFORMATION:

On July 7, 2018, the City Council approved Ordinance O-18-07-05-8B that changed the terms of service of the boards, commissions and corporation members to be realigned to match those of the council places and terms. Beginning July 1, 2019, new terms will expire on June 30, of the corresponding Council Member term. All current board and commission members have been assigned Place numbers to coincide with existing council members.

FINANCIAL IMPACT:

Not applicable.

POLICY IMPLICATIONS:

Not applicable.

RECOMMENDATION:

Not applicable.

ATTACHMENTS:

**Boards and Commissions Master
Transition**

Council Member Place 1	Scott Rose	May-20
Council Member Place 2	Tom Hines	May-21
Council Member Place 3	Mike Snyder	May-22
Council Member Place 4	Peter Gordon	May-20
Council Member Place 5	Patti Turner	May-21
Council Member Place 6	Tanner Rose	May-22
Mayor (Place 7)	Doug Gaul	May-22

*All Boards and Commissions terms Realigned for appointment in June
Terms Run 7/1 to 6/30 unless otherwise indicated*

Last update: 9/24/2019

Planning & Zoning Commission								
Meets: 1st Tuesday @ 7:00pm of each month in the City Council Chamber								
2 yr Terms Per Charter								
Liaison - Ashley Lumpkin								
					Appointed	Term Ends	Phone	Email Address
	Place 1	Davey	Robinson	Commissioner	September 20, 2018	June 20, 2020		
	Place 2	Randal	Clark	Commissioner	December 6, 2018	June 20, 2020		
	Place 3	Jessica	Romigh	Chair	July 3, 2019	June 30, 2021		
	Place 4	Tony	Wertz	Vice-Chair	July 3, 2019	June 30, 2021		
	Place 5	Richard	Hudson	Commissioner	August 2, 2018	June 20, 2020		
	Place 6	Kyle	Lovinggood	Commissioner	August 1, 2019	June 30, 2021		
	Place 7	Susanna	Boyer	Commissioner	August 1, 2019	June 30, 2021		
Parks Advisory Board								
Meets: 2nd Wednesday @ 7:00pm of each month in the City Council Chamber								
Liaison - Jeffrey White								
					Appointed	Term Ends		
	Place 1	Katie	Weiss	Member	September 20, 2018	June 30, 2020		
	Place 2	Michael	Orman	Member	September 20, 2018	June 30, 2021		
	Place 3	Patrick	Donathan	Member	July 3, 2019	June 30, 2022		
	Place 4	Liaga	Gasu	Member	June 20, 2019	June 30, 2020		
	Place 5	Vacant		Member		June 30, 2021		
	Place 6	Rose	McMillin	Member	June 20, 2019	June 30, 2022		
	Place 7	Perry	Savard	Acting Chair	June 20, 2019	June 30, 2022		
Library Advisory Board								
Meets: Quarterly @ 6:00pm of each month in the City Council Chamber								
Liaison - Lisa Riggs								
					Appointed	Term Ends		
	Place 1	Christina	Garza	Member	May 16, 2019	June 30, 2020		
	Place 2	Dwight	Baker	Chair	September 20, 2018	June 30, 2021		
	Place 3	Tara	Chappell	Vice Chair	July 3, 2019	June 30, 2022		
	Place 4	Kathi	Shilling	Member	September 20, 2018	June 30, 2020		
	Place 5	Havala	Merit	Member	May 16, 2019	June 30, 2021		
	Place 6	Vacant		Member		June 30, 2022		
	Place 7	Vacant		Member		June 30, 2022		
Zoning Board of Adjustments								
Meets: 4th Wednesday @ 7:00pm of each month in the City Council Chamber								
Liaison - Ashby Grundman								
					Appointed	Term Ends		
	Place 1	Bryan	Dempsey	Member	January 17, 2019	June 30, 2020		
	Place 2	Thomas	McGowan	Member	September 20, 2018	June 30, 2021		
	Place 3	David	Meyer	Member	July 3, 2019	June 30, 2022		
	Place 4	Wendell	Teltow	Member	June 20, 2019	June 30, 2020		
	Place 5	Vacant		Member		June 30, 2021		
	Place 6	Maureen	Rooker	Member	June 20, 2019	June 30, 2022		
	Place 7	Randal	Clark	Member	September 19, 2019	June 19, 2019		

Historic Preservation Commission							
Meets: 4th Tuesday @ 6:00pm of each month in the City Council Chamber							
Liaison - John Byrum							
					Appointed	Term Ends	
	Place 1	DeAnne	Worley	Commissioner	July 3, 2019	June 30, 2020	
	Place 2	Mary	Belton	Commissioner	August 2, 2018	June 30, 2021	
	Place 3	Curtis	Orton	Commissioner	September 20, 2018	June 30, 2022	
	Place 4	Robert	Lykins	Commissioner	September 20, 2018	June 30, 2020	
	Place 5	Vacant		Commissioner		June 30, 2021	
	Place 6	Travis	Allen	Commissioner	June 20, 2019	June 30, 2022	
	Place 7	Vacant		Commissioner		June 30, 2022	
Building and Standards Commission							
Meets: As Needed in the City Council Chamber							
Liaison - Tamera Baird							
					Appointed	Term Ends	
	Place 1	Troy	Manella	Commissioner	January 3, 2019	June 30, 2020	
	Place 2	Olinda	Ramirez	Commissioner	September 20, 2018	June 30, 2021	
	Place 3	Kendrick	Whittington	Commissioner	August 2, 2018	June 30, 2022	
	Place 4	Bryan	Dempsey	Commissioner	June 20, 2019	June 30, 2020	
	Place 5	Tom	Brown	Commissioner	September 20, 2018	June 30, 2021	
	Place 6	Maureen	Rooker	Commissioner	June 20, 2019	June 30, 2022	
	Place 7	Richard	Hudson	Commissioner	June 20, 2019	June 30, 2022	
Ethics Review Commission							
Meets: As Needed in the City Council Chamber (at least once a year)							
Liaison - Lacie Hale							
					Appointed	Term Ends	
	Place 1	Craig	Cargill	Member	September 20, 2018	June 30, 2020	
	Place 2	Lori	Brown-Duncan	Vice-Chair	September 20, 2018	June 30, 2021	
	Place 3	Bill	Kohl	Member	July 11, 2019	June 30, 2022	
	Place 4	Vacant		Chair		June 30, 2020	
	Place 5	Abel	Landin	Member	September 19, 2019	June 30, 2021	
	Place 6	April	Willis	Member	August 15, 2019	June 30, 2022	
	Place 7	Vacant		Member		June 30, 2022	
Economic Development Corporation							
Meets: 1st Monday @ 6:30pm of each month in the City Council Chamber							
Liaison - Tim Jordan							
					Appointed	Term Ends	
	Place 1	Nelson	Nagle	Treasurer	July 3, 2019	June 30, 2021	
	Place 2	James	Guzman	Member	June 20, 2019	June 30, 2021	
	Place 3	Dan	Thornton	Secretary	July 3, 2019	June 30, 2021	
	Place 4	Don	Carlson	Member	July 3, 2019	June 30, 2021	
	Place 5	Kevin	LaFrance	Member	July 3, 2019	June 30, 2021	
	Place 6	Henry	Gideon	Vice-Chair	June 20, 2019	June 30, 2021	
	Place 7	Steve	Harris	Chair	June 20, 2019	June 30, 2021	