

**Cumby City Council
Regular Meeting Agenda
April 14, 2020
City Hall – 100 East Main Street, Cumby, Texas
6:30 p.m.**

Public Link

https://www.youtube.com/channel/UCxFBdBNWhmcV3qZGn1JI4iw?guided_help_flow=3

- I. Call to Order**
- II. Establish quorum**
- III. Invocation**
- IV. Pledge of Allegiance**
- V. Reports**
 - A. Police Department**
 - B. Maintenance Department**
 - C. Fire Department**
- VI. Consent Agenda**
 - A. Approve minutes of February 11, 2020 regular Meeting.**
 - B. Approve minutes of February 25, 2020 special meeting.**
 - C. Approve February financials.**
 - D. Approve March financials.**

VII. Announcements

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

VIII. Presentation by Citizens (Please Limit To 2 Minutes)

(At this time, we would like to listen to any member of the audience on any subject matter, whether that item is on the agenda. All comments are limited to a maximum of two (2) minutes

for each speaker. Speakers making personal, unfounded, profane or slanderous remarks may be removed from the room. In accordance with the Open Meetings Act, the Mayor and Aldermen are restricted from discussing or acting on any items not listed on the agenda. Action can only be taken at a future meeting. When your name is called, please come to the front and state your name and address clearly before making your comments. Thank you for your cooperation).

X. Old Business

- A. Discuss and consider possible action on City of Cumby employee manual.**

XI. New Business

- A. Sharon Hart – discuss M & R lift station and streetlights being out since November.**
- B. Discuss and consider possible action on establishment of a Court Security Committee.**
- C. Discuss and consider possible action on City Wide Clean-up.**
- D. Discuss and consider possible action on appointment of Local Rabies Control Authority as required by Chapter 826 of the Texas Health and Safety Code.**
- E. Discuss and consider possible action consenting to inclusion of the City of Cumby's territorial limits and extraterritorial jurisdiction within the proposed Hunt County Emergency Services District No. 1 as located in Hunt County, Texas.**
- F. Discuss and consider possible action on adopting Resolution 01-04-2020 cancelling the special election to be held on May 2, 2020 for Alderman Place 1 and Alderman Place 2 due to the COVID-19 pandemic.**
- G. Discuss and consider possible action on setting an amount that can be spent by city officials without council approval.**
- H. Discuss and consider possible action on the adoption of Ordinance 2020-04-01 authorizing law enforcement officers to perform traffic stops for any violation of executive order(s) issued by the Governor of the State of Texas declaring a state of disaster.**
- I. Discuss and consider possible action on approving the cost estimate from Hayter Engineering for the repair of the main sewer line on Depot Street.**
- J. Discuss and consider possible action adopting Resolution 02-04-2020 to correct the name of the appointed auditor.**

XII. Adjournment

If during the course of the meeting, any discussion of any item on the agenda should be held in closed session, the Council will convene in such executive or closed session in accordance with the following: 1) VTCA Government Code 551.071 - Consultations with legal counsel concerning pending or threatened litigation or matters where counsel's duty to the City conflicts with the Open Meetings Act; 2) VTCA Government Code 551.072 - Deliberations regarding the purchase, sale, lease or exchange of real property; 3) VTCA Government Code 551.073 - Deliberations regarding prospective gifts or donations; 4) VTCA Government Code 551.074 - Deliberations regarding personnel of the City; 5)VTCA Government Code 551.076 - Deliberations regarding the deployment of security devices or the implementation of security policy; and VTCA Government Code 551.087 – Deliberations regarding Economic Development negotiations.

CERTIFICATION

I, Codi Reynolds, City Secretary for City of Cumby, hereby certify that the above notice of meeting and agenda was posted on the Public Notice Board at Cumby City Hall, 100 East Main Street, Cumby, Texas on April 9, 2020 at 4:30 p.m.


Codi Reynolds, City Secretary



MAINTENANCE REPORT

FOR THE MONTH OF FEBRUARY THE MAINTENANCE DEPARTMENT:

Completed 62 work orders

Blew out 15 sewer mains

Filled 7 potholes

Replaced 6 manual meters with radio meters

Fixed 2 water leaks

and pumped out 1 lift station

MAINTENANCE REPORT

FOR THE MONTH OF MARCH THE MAINTENANCE DEPARTMENT:

Completed 50 work orders

Filled 12 potholes

Blew out 9 sewer mains

Repaired 2 street signs

Pumped out 1 lift station

Installed 1 new shutoff and replaced the bad tap

Feb 2020

MONTH	CITY	COUNTY	ACREAGE	GRASS FIRE	CAR FIRE	STRUCTURE FIRE	MEDICAL	MVA
JAN	6	12	5	2	0	1	7	6
FEB	5	10	20	3	0	0	5	4
MAR	0	0	0	0	0	0	0	0
APR	0	0	0	0	0	0	0	0
MAY	0	0	0	0	0	0	0	0
JUN	0	0	0	0	0	0	0	0
JULY	0	0	0	0	0	0	0	0
AUG	0	0	0	0	0	0	0	0
SEPT	0	0	0	0	0	0	0	0
OCT	0	0	0	0	0	0	0	0
NOV	0	0	0	0	0	0	0	0
DEC	0	0	0	0	0	0	0	0
YTD	11	22	25	5	0	1	12	10

INVESTIGATION / STAND BY	WATER USAGE	MAN/HOURS
2	0	70.47
3	0	29.35
0	0	0.00
0	0	0.00
0	0	0.00
0	0	0.00
0	0	0.00
0	0	0.00
0	0	0.00
0	0	0.00
0	0	0.00
0	0	0.00
0	0	0.00
5	0	99.82

mar 2020

	CITY	COUNTY	ACREAGE	GRASS FIRE	CAR FIRE	STRUCTURE FIRE	MEDICAL	MVA
JAN	6	12	5	2	0	1	7	6
FEB	5	10	20	3	0	0	5	4
MAR	1	10	0	2	0	0	4	4
APR	0	0	0	0	0	0	0	0
MAY	0	0	0	0	0	0	0	0
JUN	0	0	0	0	0	0	0	0
JULY	0	0	0	0	0	0	0	0
AUG	0	0	0	0	0	0	0	0
SEPT	0	0	0	0	0	0	0	0
OCT	0	0	0	0	0	0	0	0
NOV	0	0	0	0	0	0	0	0
DEC	0	0	0	0	0	0	0	0
YTD	12	32	25	7	0	1	16	14

INVESTIGATION / STAND BY	WATER USAGE	MAN/HOURS
2	0	70.47
3	0	29.35
5	0	36.18
0	0	0.00
0	0	0.00
0	0	0.00
0	0	0.00
0	0	0.00
0	0	0.00
0	0	0.00
0	0	0.00
0	0	0.00
0	0	0.00
10	0	136.00

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

Tuesday, February 11, 2020

Cumby City Hall

PRESENT:

Doug Simmerman Guy Butler

Betty McCarter Julie Morris

I. Mayor Pro Tem Doug Simmerman called the meeting to order at 6:30p.m.

II. Invocation and Pledge of Allegiance

Invocation was led by Deidra Maples and the pledge was recited by the mayor, Council, and Citizens in attendance.

III. Announcements

Mayor Doug Simmerman announced that he met with Public Management in regards to the grant for the lift station and we are getting closer to the start of the project. The Mayor also announced that he met with a representative from TRWA and they will be assisting the City in locating grants and things. The Cumby FFA will be hosting there annual dinner and auction on April 25, 2020 in the Cumby ISD cafeteria. Dinner starts at 5:00 p.m. and auction starts at 6:00 p.m.

IV. Citizens addressed the council.

Kyle Pettit asked if the severe risk of breach had been fixed. Paul Robertson, Chief of Police read the report from the CJIS audit and The Cumby Police Dept. is in compliance and was commended for its audit compliance. Doug Simmerman stated that the admin side is in the process of being completed.

Juan Chinchilla addressed the council about his customers concerns for getting water.

Ryan Horne addressed the council as to what is being done in response to the articles published by the News Telegram. He asked if the city will be moving forward and how does the city plan to right those wrongs.

V. Reports

- A. Paul Roberts submitted the Police Department report.
- B. Mayor Doug Simmerman submitted the Maintenance report.
- C. David Weatherbee submitted the Fire Department report.

VI. Consent Agenda

A. Approve minutes of the January 14, 2020 regular meeting

Julie Morris motioned to approve the minutes and Betty McCarter seconded the motion. The motion passed 3-0.

B. Approve January financials

Betty McCarter motioned to approve the December financials and Guy Butler seconded the motion. The motion passed 3-0.

VII. Old Business

A. The Council discussed the employee handbook. Betty McCarter had several questions such as Do we keep copies of driver licenses in the employee file? Does the employee need their birthday as a holiday? If a verbal warning is given can we keep documentation in the employee file? Drug testing in the event of an accident? As well as paying for the employee to take classes and obtain licenses. The council tabled until next month's meeting. There was no action taken at this time.

B. Julie Morris motioned to approve Ordinance 2020-02-02 amending ordinance 2010-4 for Mobile Homes and HUD-code Manufactured Homes in the City limits. Guy Butler seconded the motion. The motion passed 3-0.

VIII. New Business

A. Julie Morris motioned to approve Resolution 2020-2-2 adopting necessary civil rights and fair housing policies. Betty McCarter seconded the motion. The motion passed 3-0.

B. Guy Butler motioned to approve Resolution 2020-2-3 designating authorized signatories for the CBDG grant. Julie Morris seconded the motion. The motion passed 3-0.

C.

D. Betty McCarter motioned to approve Resolution 2020-2-4 amending its previous resolution calling for a special election to fill a city council vacancy for Alderman, Place 1, to be held on May 2, 2020, making provisions to for the conduct of the special election, authorizing a contract with Hopkins County to furnish election services and equipment. Guy Butler seconded the motion. The motion passed 3-0.

E. Betty McCarter motioned to approve Resolution 2020-2-5 amending its previous resolution calling for a special election to fill a city council vacancy for Alderman, Place 2, to be held on May 2, 2020, making provisions to for the conduct of the special election, authorizing a contract with Hopkins County to furnish election services and equipment. Guy Butler seconded the motion. The motion passed 3-0.

F. The council discussed partnering with the school district for the May 2, 2020 election. Superintendent Shelly Slaughter stated that Hopkins County has agreed to rent to us the equipment and services to hold our own election. We will know more once the school board decides on the bond at the meeting being held on Thursday, February 13, 2020 at 7:00 in the High School library. The council will readdress at the next meeting.

- G. Betty McCarter motioned to approve a book exchange box to be built and located at City Hall. Doug Simmerman stated that he can donate lumber. Aaron Reynolds has volunteered to build it. Shelly Slaughter will talk with the Ag teacher about possibly having the ag class build and donated. Julie Morris seconded the motion. The motion passed 3-0.
- H. Betty McCarter motioned to designate a city activities committee. This committee will help plan events for the city of Cumby. The first event would be an Easter egg hunt on April 11, 2020. Julie Morris seconded the motion. The motion passed 3-0.

IX. Entered into Executive Session

The City Council of the City of Cumby entered into Executive Session (Closed Meeting) at 7:23 p.m. pursuant to the provisions of Chapter 551, Subchapter D, and Texas Government Code, to discuss the following:

- A. Discuss and Consider possible action on the appointment of city judge.
- B. Discuss personnel

X. Exited Executive Session

The City Council of the City of Cumby reconvened into Regular Session (Open Meeting) at 7:53 p.m. pursuant to the provisions of Chapter 551, Subchapter D, and Texas Government Code, to discuss the following:

- A. Guy Butler motioned to appoint Lana Adams as city judge. Julie Morris seconded the motion. The motion passed 3-0.
- B. No action was taken

XI. Mayor Doug Simmerman adjourned the meeting at 7:54 p.m.

Approve:

Doug Simmerman, Mayor Pro Tem

Attest:

Codi Reynolds, City Secretary



CUMBY POLICE DEPARTMENT

100 E. Main St. Cumby, TX 75433

Activity Report for January 2020

Calls for Service-----	378
Citations Issued-----	255
Warning Issued-----	146
Crash Reports-----	3
Incident Reports-----	3
Offense Reports-----	3
Arrest made-----	7

4 Warrant Arrest

1 Evading Arrest

1 Reckless Driving

1 Poss. CS Drug in a Free Zone

MAINTENANCE REPORT

FOR THE MONTH OF JANUARY THE MAINTENANCE DEPARTMENT:

COMPLETED 31 WORK ORDERS

REPAIRED 2 LEAKS

BLEW OUT 2 SEWERS

FILLED 1 POTHOLE

INSTALLED 2 NEW METERS

REPAIRED 2 STREET SIGN

JAN	MONTH
6	CITY
12	COUNTY
5	ACREAGE
2	GRASS FIRE
0	CAR FIRE
1	STRUCTURE FIRE
7	MEDICAL
6	MVA
2	INVESTIGATION / STAND BY
0	WATER USAGE
70.47	MAN/HOURS

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

Tuesday, February 25, 2020

Cumby City Hall

PRESENT:

Doug Simmerman Guy Butler

Betty McCarter Julie Morris

I. Mayor Pro Tem Doug Simmerman called the meeting to order at 6:03p.m.

II. Invocation and Pledge of Allegiance

Invocation was led by Deidra Maples and the pledge was recited by the mayor, Council, and Citizens in attendance

III. New Business

A. Mayor Doug Simmerman stated that we had 3 options with Cash Special Utility District. The first option would be having Cash totally supply water. Mayor Simmerman said that this is an option he is not looking to explore. The second option would be to have Cash help supplement the city's volume. The third option is having Cash there for emergency situations only. Lisa Hart stated to the council that we are at our capacity. By law when a city reaches 85% of their capacity they are required to do something to correct it. We are at 89%. Lisa Hart stated we cannot add anymore new meters at this time. The wells are about due to be calibrated which will give us more accurate numbers. She also said we can apply for a reduction with TCEQ but by doing so the city would not be able to annex or expand. Mayor Simmerman stated that he is just trying to find the best option for Cumby and make sure the city doesn't go without water. Cumby is going to see growth coming and we need to be on top of it. Betty McCarter wants to know what the cost is going to be. Mayor Simmerman said that engineering costs will incur to determine where we are. Betty McCarter motioned to approve pursuing a connection with Cash Special Utility District for emergency situations and providing possible additional water supply. Julie Morris seconded the motion. The motion passed 3-0.

IV. Mayor Doug Simmerman adjourned the meeting at 6:43 p.m.

Approve:

Doug Simmerman, Mayor Pro Tem

Attest:

Codi Reynolds, City Secretary

9:11 AM
04/07/20
Accrual Basis

City of Cumby
Balance Sheet
As of February 29, 2020

	Feb 29, 20
ASSETS	
Current Assets	
Checking/Savings	
Pending Seizure Account	2,500.00
General Bank Accounts	
Arson	403.41
General Operating	3,288.56
Municipal Court Security	2,993.62
Municipal Court State Fees	55,675.35
Municipal Court Technology	839.42
Parks & Recreation	959.87
Police Training	1,034.26
Seizure	3,512.41
General Bank Accounts - Other	-454.39
Total General Bank Accounts	68,252.51
Utility Bank Accounts	
Water & Sewer	304.18
Street Maintenance	426.65
Water Deposit Account	4,104.48
Obligation	11,175.59
Total Utility Bank Accounts	16,010.90
Total Checking/Savings	86,763.41

City of Cumby
Profit & Loss
 February 2020

	Feb 20
Ordinary Income/Expense	
Income	
Subdivision Fees - PD	300.00
Fines	
Service Fee Collected	18.01
Fines - Other	60,912.53
Total Fines	60,930.54
Interest Earned	1.68
Permits/Registrations	500.00
Public Safety Department	
Accident Report	6.00
Training	907.41
Total Public Safety Department	913.41
Tax & Franchise Fees	
Property Reduction Sales Tax	1,728.83
Property Tax	15,804.86
Sales Tax	6,915.64
Street Sales Tax	1,728.83
Total Tax & Franchise Fees	26,178.16
Water - Sewer	
Water - Sewer Adjustments	-0.91
Garbage Revenue	4,452.59
Late Fee	971.86
Sales Tax Collected	342.62
Service Fee Collected	473.67
Sewer Revenue	6,053.12
Water Revenue	15,725.52
Total Water - Sewer	28,018.47
Water Deposit	650.00
Total Income	117,492.26
Expense	
Chargeback	185.28
Administration	
Reimbursement for Travel/Gas	131.98
Office Expense	42.00
Mayor/Council Monthly Fee	225.00
Professional Fees	2,295.16
Public Notice	896.45
Technology	837.00
Telephone	345.33
Utilities	3,266.52
Total Administration	8,039.44
Mayor & Council	
Mayor & Council Expense	150.00
Total Mayor & Council	150.00
Municipal Court	
Collection Service Fee	468.71
Judge	300.00
Office Expense	129.20
Security	209.95
Telephone	124.99
Total Municipal Court	1,232.85

City of Cumby
Profit & Loss
February 2020

	Feb 20
Payroll Expenses	39,253.04
Public Safety	
Police Department	
Auto Repair & Maintenance	647.43
Fuel	2,328.24
Uniforms	750.23
Total Police Department	3,725.90
Total Public Safety	3,725.90
Public Works	
Street Lights	555.41
Street Repair	421.60
Total Public Works	977.01
Water/Sewer	
Mowing	2,000.00
Vehicle Purchase	516.62
Garbage Collection Fee	4,291.64
Maintenance	7,880.02
Office Supplies	125.53
Operating Supplies	1,093.47
Postage	150.85
Software	5,400.00
Testing	110.00
Utilities	26.03
Total Water/Sewer	21,594.16
Total Expense	75,157.68
Net Ordinary Income	42,334.58
Net Income	42,334.58

City of Cumby
Profit & Loss Budget vs. Actual
 February 2020

	Feb 20	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
Subdivision Fees - PD	300.00			
Fines	18.01			
Service Fee Collected	60,912.53			
Fines - Other				
Total Fines	60,930.54			
Interest Earned	1.68			
Permits/Registrations	500.00			
Public Safety Department				
Accident Report	6.00			
Training	907.41			
Total Public Safety Department	913.41			
Tax & Franchise Fees				
Property Reduction Sales Tax	1,728.83			
Property Tax	15,804.86			
Sales Tax	6,915.64			
Street Sales Tax	1,728.83			
Total Tax & Franchise Fees	26,178.16			
Water - Sewer				
Water - Sewer Adjustments	-0.91			
Garbage Revenue	4,452.59			
Late Fee	971.86			
Sales Tax Collected	342.62			
Service Fee Collected	473.67			
Sewer Revenue	6,053.12			
Water Revenue	15,725.52			
Total Water - Sewer	28,018.47			
Water Deposit	650.00			
Total Income	117,492.26			
Expense				
Chargeback	185.28			
Administration				
Reimbursement for Travel/Gas	131.98			
Office Expense	42.00			
Mayor/Council Monthly Fee	225.00			
Professional Fees	2,295.16			
Public Notice	896.45			
Technology	837.00			

City of Cumby
Profit & Loss Budget vs. Actual
 February 2020

	Feb 20	Budget	\$ Over Budget	% of Budget
Telephone	345.33			
Utilities	3,266.52			
Total Administration	8,039.44			
Mayor & Council	150.00			
Mayor & Council Expense		150.00		
Total Mayor & Council	150.00	150.00		
Municipal Court				
Collection Service Fee	468.71			
Judge	300.00			
Office Expense	129.20			
Security	209.95			
Telephone	124.99			
Total Municipal Court	1,232.85			
Payroll Expenses	39,253.04			
Public Safety				
Police Department				
Auto Repair & Maintenance	647.43			
Fuel	2,328.24			
Uniforms	750.23			
Total Police Department	3,725.90			
Total Public Safety	3,725.90			
Public Works				
Street Lights	555.41			
Street Repair	421.60			
Total Public Works	977.01			
Water/Sewer				
Mowing	2,000.00			
Vehicle Purchase	516.62			
Garbage Collection Fee	4,291.64			
Maintenance	7,880.02			
Office Supplies	125.53			
Operating Supplies	1,093.47			
Postage	150.85			
Software	5,400.00			
Testing	110.00			
Utilities	26.03			
Total Water/Sewer	21,594.16			

City of Cumby
Profit & Loss Budget vs. Actual
 February 2020

	Feb 20	Budget	\$ Over Budget	% of Budget
Total Expense	75,157.68			
Net Ordinary Income	42,334.58			
Net Income	42,334.58			

City of Cumby
Balance Sheet
As of March 31, 2020

	<u>Mar 31, 20</u>
ASSETS	
Current Assets	
Checking/Savings	
Pending Seizure Account	2,500.00
General Bank Accounts	
Arson	403.46
General Operating	3,938.48
Municipal Court Security	4,184.44
Municipal Court State Fees	122,356.46
Municipal Court Technology	1,689.96
Parks & Recreation	959.87
Police Training	1,034.26
Seizure	1,862.46
General Bank Accounts - Other	-454.39
Total General Bank Accounts	<u>135,975.00</u>
Utility Bank Accounts	
Water & Sewer	304.18
Street Maintenance	426.65
Water Deposit Account	4,074.65
Obligation	15,576.80
Total Utility Bank Accounts	<u>20,382.28</u>
Total Checking/Savings	<u>158,857.28</u>

City of Cumby
Profit & Loss
 March 2020

	Mar 20
Ordinary Income/Expense	
Income	
Subdivision Fees - PD	360.00
Fines	142,123.45
Insurance	3,406.94
Interest Earned	2.39
Permits/Registrations	
service fee collected	2.58
Permits/Registrations - Other	200.00
Total Permits/Registrations	202.58
Tax & Franchise Fees	
Property Reduction Sales Tax	1,400.53
Property Tax	6,644.56
Street Sales Tax	1,400.53
Total Tax & Franchise Fees	9,445.62
Water - Sewer	
Water - Sewer Adjustments	-1.84
Garbage Revenue	4,665.41
Late Fee	660.01
Sales Tax Collected	368.10
Service Fee Collected	397.20
Sewer Revenue	6,674.22
Water Revenue	13,399.47
Water - Sewer - Other	964.36
Total Water - Sewer	27,126.93
Total Income	182,667.91
Expense	
Administration	
Reimbursement for Travel/Gas	89.56
Legal Fees	1,400.50
Mayor/Council Monthly Fee	225.00
Office Supplies	521.43
Professional Fees	5,000.00
Property Tax Fees	350.82
Telephone	1,653.48
Utilities	413.42
Total Administration	9,654.21
Mayor & Council	
Mayor & Council Expense	150.00
Total Mayor & Council	150.00
Municipal Court	
Collection Service Fee	8,140.83
Convience Fee	404.74
Security	160.00
Telephone	486.76
Total Municipal Court	9,192.33
Payroll Expenses	39,758.36
Public Safety	
Police Department	
Auto Repair & Maintenance	4,177.72
Equipment	480.00
Fuel	2,567.75
Maintenance	1,189.00

City of Cumby
Profit & Loss
March 2020

	Mar 20
Uniforms	347.69
Total Police Department	8,762.16
Total Public Safety	8,762.16
Public Works	
Street Lights	171.07
Street Signs	46.56
Street Repair	172.50
Total Public Works	390.13
Water/Sewer	
Mowing	2,000.00
Vehicle Purchase	516.62
Chemicals	1,023.59
Deposit Refund	29.97
Equipment Repairs	86.49
Garbage Collection Fee	8,981.40
Maintenance	2,988.64
Office Supplies	581.60
Operating Supplies	446.78
Postage	150.85
Seminars/Training	220.00
Software	800.00
Uniforms	748.80
Utilities	3,333.34
Total Water/Sewer	21,908.08
Total Expense	89,815.27
Net Ordinary Income	92,852.64
Net Income	92,852.64

**City of Cumby
Profit & Loss Budget vs. Actual
March 2020**

	Mar 20	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
Subdivision Fees - PD	360.00			
Fines	142,123.45			
Insurance	3,406.94			
Interest Earned	2.39			
Permits/Registrations				
service fee collected	2.58			
Permits/Registrations - Other	200.00			
Total Permits/Registrations	202.58			
Tax & Franchise Fees				
Property Reduction Sales Tax	1,400.53			
Property Tax	6,644.56			
Street Sales Tax	1,400.53			
Total Tax & Franchise Fees	9,445.62			
Water - Sewer				
Water - Sewer Adjustments	-1.84			
Garbage Revenue	4,665.41			
Late Fee	660.01			
Sales Tax Collected	368.10			
Service Fee Collected	397.20			
Sewer Revenue	6,674.22			
Water Revenue	13,399.47			
Water - Sewer - Other	964.36			
Total Water - Sewer	27,126.93			
Total Income	182,667.91			
Expense				
Administration				
Reimbursement for Travel/Gas	89.56			
Legal Fees	1,400.50			
Mayor/Council Monthly Fee	225.00			
Office Supplies	521.43			
Professional Fees	5,000.00			
Property Tax Fees	350.82			
Telephone	1,653.48			
Utilities	413.42			
Total Administration	9,654.21			
Mayor & Council				

**City of Cumby
Profit & Loss Budget vs. Actual
March 2020**

	Mar 20	Budget	\$ Over Budget	% of Budget
Mayor & Council Expense	150.00			
Total Mayor & Council	150.00			
Municipal Court				
Collection Service Fee	8,140.83			
Convience Fee	404.74			
Security	160.00			
Telephone	486.76			
Total Municipal Court	9,192.33			
Payroll Expenses				
Public Safety				
Police Department				
Auto Repair & Maintenance	4,177.72			
Equipment	480.00			
Fuel	2,567.75			
Maintenance	1,189.00			
Uniforms	347.69			
Total Police Department	8,762.16			
Total Public Safety	8,762.16			
Public Works				
Street Lights	171.07			
Street Signs	46.56			
Street Repair	172.50			
Total Public Works	390.13			
Water/Sewer				
Mowing	2,000.00			
Vehicle Purchase	516.62			
Chemicals	1,023.59			
Deposit Refund	29.97			
Equipment Repairs	86.49			
Garbage Collection Fee	8,981.40			
Maintenance	2,988.64			
Office Supplies	581.60			
Operating Supplies	446.78			
Postage	150.85			
Seminars/Training	220.00			
Software	800.00			
Uniforms	748.80			
Utilities	3,333.34			

9:28 AM

04/07/20

Accrual Basis

City of Cumby Profit & Loss Budget vs. Actual

March 2020

	Mar 20	Budget	\$ Over Budget	% of Budget
Total Water/Sewer	21,908.08			
Total Expense	89,815.27			
Net Ordinary Income	92,852.64			
Net Income	92,852.64			

COURT SECURITY

Court Security is mandated by law S.B. 42, Effective September 2017. The law required a Security Committee, chaired by the Presiding Judge, and is meant to establish policies necessary to provide adequate court security. Court Security Officers are required to hold a court security certification that must be completed by September 01, 2019.

The current Court Security Committee includes:

Judge: Lana Adams

City Attorney: Jay Garrett

Mayor: Doug Simmerman

Police Chief: Paul Robertson

Court Clerk : Quannah Wright

City Secretary: Cody Reynolds

Baliff: Jeff Hundley and Paul Robertson

Court Clerk: Vacant

I. COURT SECURITY PROCEDURE:

When entering the courtroom door, you will be cleared by the Bailiff: No objects that could be deemed to be a weapon are allowed in the courtroom. Proper court attire is required.

II. POLICY

Proper security decorum in the Municipal Court are necessary for the administration of justice and the protection of Court personnel and the public. Regardless of the level of offense, Court hearings can be emotionally charged and decorum must be maintained.

III. PURPOSE

The purpose of this policy is to establish guidelines and procedures for the decorum and security of the Municipal Court.

IV. ORGANIZATION AND STAFFING

When Court is in session, the Police Department will furnish security. An officer will be assigned as Bailiff when court is in session. Only an officer that has been trained in Bailiff Operations should serve as the Bailiff for court.

V. OPERATIONS

- A) The assigned Bailiff, who must attend all sessions of the Court unless dismissed by the Judge, has the following duties:
 - 1. To see that all defendants, witnesses, and observers are quiet and respectful during Court proceedings.
 - 2. To explain Court procedures to defendants and witnesses, and to answer questions before each session of Court.
 - 3. To enforce the rules of the Court (posted at the entrance of each Courtroom) and preserve order and decorum while the Court is in session.
 - 4. To maintain proper procedures during jury trials, maintain the security of the Jury Room, and see to the needs of jurors and witnesses.
- B) During judiciary proceedings, the assigned Bailiff may be directed by the Presiding Judge to place an individual under arrest. Whether or not to use physical restraints for such arrests is at the discretion and direction of the Presiding Judge.
- C) High Risk persons brought to the Courtroom may be restrained as directed by the Judge. The Bailiff carries handcuffs during Court sessions.
- D) The Bailiff also ensures the security of the Court operations by the following:
 - 1. Conducting inspections of the duress alarms prior to the time Court convenes.
 - 2. Conducting inspections of the fire equipment
 - 3. Conducting a physical inspection of the Courtroom prior to each session and after the last session of each day.
 - 4. Being familiar with the daily schedules of the Judge in case special securities are warranted.

VI. COURT SECURITY PLAN

- A) Facilities and equipment
 - 1. The Municipal Court Judge and Court Clerk have access to a telephone located in the Courtroom.
 - 2. The Bailiff is equipped with a portable police radio.
 - 3. A duress alarm is installed at the Judge's bench.
 - 4. A fire extinguisher is maintained in the Courtroom.
- B) Pre-Session inspection. The Bailiff arrives 30 minutes before the Court convenes and determines that:
 - 1. The Courtroom is free of weapons and contraband;
 - 2. The duress alarms and telephones are in working order;
 - 3. Lighting is adequate and emergency lights can be activated in the event of a power failure;
 - 4. All public entrances are open and free of obstructions; and
 - 5. All communication equipment is in working order.
- C) Courtroom Operations
 - 1. Prisoners are brought into or taken out of the Courtroom only after all persons present are seated, or when the Courtroom is empty.
 - 2. The Bailiff remains in the hallway at all times unless otherwise directed by the Judge.

3. Bailiffs and Peace Officers are the only persons authorized to carry weapons in the Courtroom. If the Bailiff believes a person may be carrying a weapon, a hand-held metal detector may be used to conduct a search. A person who refuses a search in this manner must leave the Courtroom.
 4. Contraband taken into the Courtroom for evidence purposes remains in the possession of the testifying officer unless otherwise directed by the Judge.
 5. At the discretion of the Presiding Judge, or at the discretion of the Bailiff, briefcases and purses may be searched.
- D) Unusual Occurrences
1. In the event of an unusual occurrence, the Bailiff or ranking police officer assumes control and requests additional police, fire, or medical assistance as the circumstances require.
 2. Medical emergencies in the Courtroom
 - a) A First-aid kit is kept in the booking area.
 - b) All requests for medical assistance or additional security are called in to 9-1-1 or to the dispatch center.
 - c) In the event of a medical emergency, the Judge orders all proceedings stopped.
 - d) If the medical emergency involves a person who is in custody, the Bailiff maintains security, and requests medical assistance and additional police officers.
 - e) If the medical emergency involves a Court participant or spectator, the Bailiff maintains security of any prisoners that are present and provides any assistance possible. The Bailiff contacts the dispatch center via radio (or most appropriate available means) and requests the proper assistance.
 - f) If other Police Officers are present, the ranking officer assumes control and directs the actions of the Bailiff, responding officers, and other personnel.
 - g) The City's Fire Department ambulance service or first responders provide emergency medical service.
 - h) The Bailiff is responsible for all police reports necessitated by a medical emergency.
 3. Fire Evacuation Plan
 - a) Before the Court convenes, the Bailiff conducts a physical inspection to ensure that all doors are functioning and free of obstructions.
 - b) In the event of a fire in the Courtroom or Police Department complex, the Bailiff assumes control of the Courtroom evacuation.
 - c) Those persons present in the Courtroom are instructed to exit through the nearest exit door and out the building through the nearest public entrance or exit.
 - d) All calls for fire emergencies are made directly to the dispatch center.
 - e) A fire evacuation chart is posted at the rear of the Courtroom near the exit.
 4. Bomb Threats
 - a) In the event of a bomb threat, the Bailiff notifies Police Dispatch immediately. No portable radios or phones are to be used.
 - b) The Bailiff evacuates the Court.
 - c) The Bailiff ensures that the Court Administrator is notified of the situation.
 5. Hostage Situations
 - a) The Judge sounds the duress alarm.
 - b) The Bailiff notifies Police Dispatch, attempts to isolate the actor(s), and if possible, evacuates and secures the area.
 - c) Field personnel are dispatched to establish and secure a perimeter until arrival of tactical personnel.
 6. High Risk Trials

- a) Persons in custody are not normally brought to the Court Building, and trial defendants are not in police custody; however, if a trial or arraignment should pose a possible threat to the Judge, Jury or participants in a proceeding, the Judge or prosecutor notifies the Bailiff to take additional precautions.
 - b) If the Judge deems a trial to be high risk, the Bailiff consults with the Chief of Police and assesses the need for further staffing.
7. Prisoner Handling
- a) A prisoner being moved from the holding facility to the Courtroom is taken through the Courtroom entrance. Normal foot traffic is halted until the prisoner is in the Courtroom.
 - b) All adult prisoners are restrained during the movement to and from the Courtroom. For short distances, detainees are handcuffed with hands behind the back until seated in the Courtroom. Juveniles are not normally handcuffed unless they present a high risk of injury or extreme aggression.
 - c) Handicapped persons may be restrained as appropriate to the circumstances.
 - d) Once the person is in the Courtroom, the Bailiff removes the restraints before the Jury enters.
 - e) The Bailiff replaces the restraints after the Jury departs.
 - f) The Bailiff maintains a set of handcuffs on his/her person.
 - g) The Bailiff returns prisoners to the holding facility if their removal is for an extended time.
 - h) All prisoners are searched prior to their Court appearance and upon their return to the holding facility.

VII. ANNUAL REVIEW OF COURT OPERATIONS

- A) An assigned Bailiff and the Court Administrator conduct an annual security inspection of the Municipal Court facilities. If a structural change in the building occurs, an additional inspection is required. The inspection includes, but is not limited to, the existence, adequacy, and working condition of alarms, communications equipment, fire extinguishers, medical emergency items, emergency light sources, exterior lighting, emergency exits, and emergency evacuation plan.
- B) The assigned Bailiff and Court Administrator also review the fire evacuation and other emergency operations plans with all Court employees.
- C) A copy of the inspection report and description of the training is forwarded to the Municipal Court Judge and the Chief of Police.



March 1, 2020

County or Municipality Representative:

Chapter 826 of the Texas Health and Safety Code requires each county and municipality to appoint a Local Rabies Control Authority (LRCA) for the purposes of administering the state laws and rules, and any local ordinances and rules pertaining to rabies control. I have included a copy of the Texas Health and Safety Code's 826 – Rabies and the Rules of the Board of Health for Rabies Control and Eradication (Sections 169.21-169.34) which explain the requirement and appointment of a Local Rabies Control Authority. I have also enclosed a one-page description summarizing the duties and responsibilities of a Local Rabies Control Authority.

The LRCA is very important for rabies control in a community, and this individual is the primary contact person when dealing with animal bites and rabies control matters. It is essential for an effective rabies control program that the LRCA be knowledgeable about his/her responsibilities and the laws pertaining to rabies control. We encourage LRCAs to attend training courses and seminars relating to animal control and rabies. I have enclosed a registration form for the **LRCA Training Course** that will be held on Thursday, **May 7, 2020** in Tyler, Texas.

Please notify me in writing of the person selected to serve as LRCA for your jurisdiction. In addition, please fax the completed registration form to the Zoonosis Control program at (903) 533-9502. If you have further questions, please feel free to telephone me at (903) 533-5212.

Sincerely,

Brent Moore, DVM, DACVPM
Zoonosis Control Veterinarian
Public Health Region 4/5 North
2521 W. Front Street • Tyler, Texas 75702

Enclosure:

1. Local Rabies Control Authority Designation Form
2. Duties of a Local Rabies Control Authority
3. LRCA Training Course Registration Form
4. Texas Health & Safety Code's Chapter 826 (Sections 169.21-169.34)

LOCAL RABIES CONTROL AUTHORITY

The _____ of _____
(governing body) (city or county)

designates _____ as the Local Rabies Control
(job title or name)

Authority (LRCA) for the purposes of the RABIES CONTROL ACT OF 1981.

This appointment became effective _____.
(date)

AUTHORIZING PERSON'S NAME (print): _____

AUTHORIZING PERSON'S TITLE (Mayor/County Judge): _____

AUTHORIZING PERSON'S SIGNATURE: _____

Please print the name and contact information of the appointed individual:

NAME: _____

AGENCY: _____

STREET ADDRESS: _____

MAILING ADDRESS: _____

CITY/STATE/ZIP: _____

JOB TITLE: _____

TELEPHONE: _____

FAX: _____

E-MAIL ADDRESS: _____

A copy of this form can be sent to:
Texas DSHS - Region 4/5N Zoonosis Control
2521 W. Front Street
Tyler, TX 75702
Fax: (903) 533-9502

Duties of a Local Rabies Control Authority

Purpose:	To define the duties and responsibilities of the designated Local Rabies Control Authority under the Rabies Control Act.
References:	Health and Safety Code, Chapter 826, Rabies. Texas Administrative Code, Rabies Control and Eradication §169.21-169.34.
Designation:	Local Rabies Control Authorities (LRCA) must be designated by the commissioner's court of each county or the governing body of a municipality. The LRCA may be the local health authority, animal control officer, peace officer or some other appropriate entity.
Responsibilities:	To enforce the state law and rules and local ordinances or rules of the county or municipality pertaining to rabies control.
Duties:	<ol style="list-style-type: none">a. Investigate every animal bite and other potential rabies exposure to a human. In the investigation ascertain who, what, when, where, why and how. Also check the status of the animal's rabies vaccination.b. Ensure domestic dogs, cats and ferrets that bite someone are observed for ten (10) days or are humanely destroyed without damage to the brain and submitted for rabies testing.c. Contract or establish where the animals under jurisdiction will be quarantined:<ol style="list-style-type: none">1. Department of State Health Services-approved facility2. Veterinary clinic3. Home confinement per Texas Administrative Coded. Upon quarantine or destruction of an animal for rabies testing, notify the bite victim, the victim's doctor, and the owner of the animal.e. Ensure the bite victim, the victim's doctor, and the animal's owner are notified upon release from quarantine or a negative result from rabies testing.f. Upon receiving a positive rabies result, notify the bite victim, the victim's doctor, the animal's owner, the person removing the head, the animal control officer who quarantined the animal and anyone else who handled the animal.g. Observe animals in quarantine for signs of sickness or rabies (required for home confinement or delegated to quarantine facility and/or veterinarian).h. Ensure that dogs and cats are current on their rabies vaccination before releasing from quarantine.i. Ensure high-risk animals (coyotes, skunks, bats, foxes and raccoons) are humanely destroyed and the heads submitted for rabies testing.j. Have low-risk animals (opossums, shrews, moles, squirrels, gophers, mice, rabbits, rats, and armadillos) humanely destroyed and submitted for rabies testing <u>only if you have cause to believe that the animal was rabid.</u>k. Suitably confine for thirty (30) days any animal not classified as a domestic dog, cat or domestic ferret; high-risk; or low-risk OR humanely destroy the animal and submit its brain for testing.l. Ensure that the head of any animal which is destroyed for rabies testing is properly removed by a qualified person, packed, and shipped in accordance with DSHS guidelines (except bats, which can be submitted whole).

Local Rabies Control Authority (LRCA) Training
Continuing Education provided by the Department of State Health
Services Region 4/5N Zoonosis Control

What: Local Rabies Control Authority (LRCA) Training

Who: The appointed **Local Rabies Control Authority** and/or **LRCA representative** who are outlined in the Texas Health and Safety Code and Texas Administrative Code for protecting the public from rabies.

When: **Thursday, May 7, 2020 from 8:00 a.m. - 5:00 p.m.**

Where: The University of Texas Health Science Center at Tyler
11937 US Hwy 271 - Ornelas Ampitheater - 3rd floor
Tyler, Texas 75708

Animal Control Officers and Professional Sanitarians can earn up to 6 Continuing Education hours. There is no registration fee.

Local Rabies Control Authority (LRCA) Training
Please Print when completing Registration form

Name: _____

Date of Birth: _____

Agency Name: _____

Mailing Address: _____

City: _____ **Zip:** _____

Phone: _____ **Fax:** _____

Email: _____

Fax Completed form to: (903) 533-9502

OR Email to: alexandro.chavira@dshs.texas.gov

OR Mail to: Texas Department of State Health Services - Region 4/5N Zoonosis Control

2521 W. Front Street, Tyler, Texas 75702

Registration deadline is May 1, 2020. For more information call: (903) 533-5212

TEXAS ADMINISTRATIVE CODE
TITLE 25. HEALTH SERVICES
PART I. DEPARTMENT OF STATE HEALTH SERVICES
CHAPTER 169. ZONOSIS CONTROL
RABIES CONTROL AND ERADICATION

§169.21. Purpose.

The purpose of this subchapter is to protect public health by establishing standardized rules for the control and eradication of rabies in the State of Texas, in accordance with the Texas Health and Safety Code, Chapter 826.

The provisions of this §169.21 adopted to be effective April 1, 1980, 5 TexReg 812; amended to be effective July 12, 1998, 23 TexReg 7224; amended to be effective December 20, 2007, 32 TexReg 9341; amended to be effective March 31, 2013, 38 TexReg 1994

§169.22. Definitions.

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise. Unless defined in this section, all words have definitions as provided in the Texas Health and Safety Code, §826.002.

(1) Animal--Any mammal, domesticated or wild.

(2) Assistance animal--An animal that is specially trained or equipped to help a person with a disability and that:

(A) is used by a person with a disability who has satisfactorily completed a specific course of training in the use of the animal; and

(B) has been trained by an organization generally recognized by agencies involved in the rehabilitation of persons with disabilities as reputable and competent to provide animals with training of this type.

(3) Cat--Any domestic cat, excluding hybrids.

(4) Confinement--The restriction of an animal to an area, in isolation from other animals and people, except for contact necessary for its care.

(5) Currently vaccinated--Vaccinated and satisfying all the following criteria.

(A) The animal must have been vaccinated against rabies with a vaccine licensed by the United States Department of Agriculture (USDA) for that species at or after the minimum age requirement and using the recommended route of administration for the vaccine.

(B) At least 30 days have elapsed since the initial vaccination.

(C) The time elapsed since the most recent vaccination has not exceeded the recommended interval for booster vaccination as established by the manufacturer.

(6) Custodian--A person or agency which feeds, shelters, harbors, owns, has possession or control of, or has the responsibility to control an animal.

(7) Department--The Department of State Health Services.

(8) Dog--Any domestic dog, excluding hybrids.

(9) Domestic animal--Any animal normally adapted to live in intimate association with humans or for the advantage of humans.

(10) Domestic ferret--Any *Mustela putorius furo*.

(11) Euthanize--To cause the death of an animal implementing a technique that is in accordance with the methods, recommendations, and procedures prepared by the American Veterinary Medical Association (AVMA) and set forth in the latest edition of the *AVMA Guidelines on Euthanasia* and:

(A) rapidly produces unconsciousness and death with minimal pain or distress; or

(B) utilizes anesthesia produced by an agent that causes painless loss of consciousness and death following such loss of consciousness.

(12) Health service region--A contiguous group of Texas counties, so designated by the Executive Commissioner of the Health and Human Services Commission.

(13) High-risk animals--Those animals which have a high probability of transmitting rabies; they include skunks, bats, foxes, coyotes, and raccoons.

(14) Housing facility--Any room, building, or area used to contain a primary enclosure or enclosures.

(15) Hybrid--Any offspring of two animals of different species.

(16) Impoundment--The collecting and confining of an animal by a government entity or government contractor pursuant to a state or local ordinance.

(17) Impoundment facility--An enclosure or a structure in which an animal is collected or confined by a government entity or government contractor pursuant to a state or local ordinance.

(18) Local rabies control authority--The officer designated by the municipal or county governing body under the Texas Health and Safety Code, §826.017.

(19) Low-risk animals--Those animals which have a low probability of transmitting rabies; they include all animals of the orders Didelphimorphia, Insectivora, Rodentia, Lagomorpha, and Xenarthra.

(20) Observation period – The time following a potential rabies exposure during which the health status of the animal responsible for the potential exposure must be monitored. The observation period for dogs, cats, and domestic ferrets (only) is 10 days (240 hours); the observation period for other animals, not including those defined as high risk, unless otherwise specified in §169.27 of this title (relating to Quarantine Method and Testing), or low risk, is 30 days. All observation periods are calculated from the time of the potential exposure.

(21) Police service animal--An animal as defined in the Texas Penal Code, §38.151.

(22) Potential exposure--An incident in which an animal has bitten a human or in which there is probable cause to believe that an animal has otherwise exposed a human to rabies; also referred to as a potential rabies exposure.

(23) Primary enclosure--Any structure used to immediately restrict an animal or animals to a limited amount of space, such as a room, pen, run, cage, compartment, or hutch.

(24) Quarantine facility--A structure where animals are held for rabies observation.

(25) Quarantine period--That portion of the observation period during which an animal that has potentially exposed a human to rabies is under physical confinement for observation as provided for in §169.27 of this title.

(26) Sanitize--To make visibly clean followed by the use of a disinfectant to destroy disease-producing agents.

(27) Suitable Specimen--For rabies testing, a whole bat or small rodent, a head with brain and brain stem intact, or a complete transverse cross section of the brain stem and tissue from at least one of the following: cerebellum and/or hippocampus.

(28) Unowned animal--Any animal for which a custodian has not been identified.

(29) Vaccinated--Properly administered by or under the direct supervision of a veterinarian with a rabies vaccine licensed for use in that species by the USDA.

(30) Veterinarian--A person licensed to practice veterinary medicine in the United States.

(31) Zoonosis Control Branch--The branch within the department to which the responsibility for administering these rules is assigned.

The provisions of this §169.22 adopted to be effective April 1, 1980, 5 TexReg 812; amended to be effective March 29, 1988, 13 TexReg 1337; amended to be effective February 22, 1993, 18 TexReg 845; amended to be effective February 21, 1996, 21 TexReg 963; amended to be effective August 21, 1996, 21 TexReg 7660; amended to be effective July 12, 1998, 23 TexReg 7224; amended to be effective February 18, 2003, 28 TexReg 1389; amended to be effective March 19, 2003, 28 TexReg 2341; amended to be effective December 20, 2007, 32 TexReg 9341; amended to be effective March 31, 2013, 38 TexReg 1994

§169.23. Information Relating to the Control of Rabies.

The department's Zoonosis Control Branch will assume the responsibility of collecting, analyzing, and preparing monthly and annual summaries of rabies activity in the state. These reports will be forwarded to national, state, and municipal agencies as requested, and selected statistics will be sent to veterinary medical and animal control organizations throughout the state.

The provisions of this §169.23 adopted to be effective April 1, 1980, 5 TexReg 812; amended to be effective March 5, 1982, 7 TexReg 744; amended to be effective March 29, 1988, 13 TexReg 1337; amended to be effective February 22, 1993, 18 TexReg 845; amended to be effective February 21, 1996, 21 TexReg 963; amended to be effective July 12, 1998, 23 TexReg 7224; amended to be effective December 20, 2007, 32 TexReg 9341; amended to be effective March 31, 2013, 38 TexReg 1994

§169.24. Preexposure Rabies Vaccination.

Preexposure rabies vaccinations should be administered to individuals whose activities place them at a significant risk of exposure to rabies, in accordance with the recommendations of the Centers for Disease Control and Prevention (CDC) Advisory Committee on Immunization Practices (ACIP).

The provisions of this §169.24 adopted to be effective April 1, 1980, 5 TexReg 812; amended to be effective March 29, 1988, 13 TexReg 1337; amended to be effective February 22, 1993, 18 TexReg 845; amended to be effective July 12, 1998, 23 TexReg 7224; amended to be effective December 20, 2007, 32 TexReg 9341; amended to be effective March 31, 2013, 38 TexReg 1994

§169.25. Reports of Human Exposure to Rabies.

(a) Any person having knowledge of a potential rabies exposure to a human will report the incident to the local rabies control authority as soon as possible after the incident. This requirement does not apply to contacts with low-risk animals as defined in §169.22 of this title (relating to Definitions).

(b) The custodian of an animal that has potentially exposed a person to rabies will place that animal in quarantine or submit it for testing as prescribed in §169.27 of this title (relating to Quarantine Method and Testing).

(c) The local rabies control authority will investigate each potential rabies exposure and assure appropriate resolution, in accordance with §169.27 of this title.

The provisions of this §169.25 adopted to be effective April 1, 1980, 5 TexReg 812; amended to be effective March 5, 1982, 7 TexReg 744; amended to be effective March 29, 1988, 13 TexReg 1337; amended to be effective February 21, 1996, 21 TexReg 963; amended to be effective December 20, 2007, 32 TexReg 9341; amended to be effective March 31, 2013, 38 TexReg 1994

§169.26. Facilities for the Quarantining or Impounding of Animals.

(a) Generally.

(1) Structural strength. Housing facilities shall be structurally sound and shall be maintained in good repair in order to protect the animals from injury, to contain them, and to prevent transmission of diseases.

(2) Water and electric power. Reliable and adequate electric power, if required to comply with other provisions of these sections, and adequate fresh, clean water shall be available.

(3) Storage. Supplies of food and bedding shall be stored in facilities which adequately protect such supplies against infestation or contamination by vermin. Refrigeration shall be provided for supplies of perishable food. Non-perishable foods, such as dry food, do not require refrigeration. Open bags of non-perishable dry food should be sealed or stored in sealed cans, and unopened bags should be stacked on pallets or shelves with at least 12 inches of clearance between the floor and the first level to enable effective inspection and cleaning practices.

(4) Waste disposal. Provision shall be made for the removal and disposal of animal and food wastes, bedding, dead animals, and debris. Disposal facilities shall be so provided and operated as to minimize vermin infestations, odors, and disease hazards. A suitable method shall be provided to rapidly and safely remove water and other liquid waste from housing facilities. Housing facilities should be designed to have animal excreta removed through sanitary sewers, septic systems, or garbage. All closed drainage systems should be equipped with traps, vents, and acceptable drain covers to exclude rodents and prevent any backup of sewer gas and odors into the facility.

(5) Washrooms and sinks. Facilities for personal hygiene, such as washrooms, basins, or sinks, shall be provided for employees.

(6) Management. The manager of a facility should be either an individual who has satisfactorily completed an appropriate training course or a veterinarian.

(7) Records. Records shall be kept on each animal processed through the housing facility. At a minimum, the records shall document the animal's description, impoundment date, disposition date, and method of disposition. Records shall be available for inspection by the department.

(8) Heating. Adequate shelter shall be provided to protect animals from any form of cold or inclement weather and direct effects of wind, rain, or snow. Auxiliary heat or clean, dry bedding material shall be provided any time the ambient temperature falls below 50 degrees Fahrenheit (10 degrees Celsius) when animals are present. If supplemental bedding material is used during cold weather, quantities should be adequate to prevent hypothermia as temperatures drop.

(9) Cooling and Ventilation. Adequate shelter shall be provided to protect animals from any form of overheating and direct rays of the sun. Facilities shall be provided with fresh air either by means of windows, doors, vents, fans, or air conditioning and shall be ventilated so as to minimize drafts, odors, and moisture condensation. Auxiliary ventilation, such as fans or air conditioning, shall be provided in indoor facilities when the ambient temperature is 85 degrees Fahrenheit (29.5 degrees Celsius) or higher when animals are present.

(10) Lighting. Housing facilities shall have ample light of sufficient intensity to permit routine inspection and cleaning. Primary enclosures shall be situated to protect the animals from excessive illumination.

(11) Construction. Housing facilities must be constructed in such a manner that they will protect the animal and not create a health risk or public nuisance. The building surfaces shall be constructed and maintained so that they are impervious to moisture and may be readily sanitized. Floors shall be made of durable, nonabsorbent material.

(12) Primary enclosures. Primary enclosures should be designed based upon enclosure guidelines prepared by The Association of Shelter Veterinarians and set forth in the latest edition of the *Guidelines for Standards of Care in Animal Shelters*. Primary enclosures shall:

(A) be structurally sound and maintained in good repair;

(B) provide convenient access to clean food and water;

(C) enable the animal to remain dry and clean;

(D) be constructed and maintained so that the surfaces are impervious to moisture and may be readily sanitized;

(E) be constructed so as to protect the animal's feet and legs from injury;
and

(F) provide sufficient space to allow each animal to make normal postural adjustments without touching the top of the enclosure, including turning freely, standing easily, sitting, stretching, moving its head, lying in a comfortable position with limbs extended, and moving and assuming a comfortable posture for feeding, drinking, urinating, and defecating.

(b) Feeding.

(1) All food shall be free from contamination, wholesome, palatable, and of sufficient quality and nutritive value to meet the normal daily requirements for the condition, size, and age of the animal.

(2) Dogs and cats shall be fed at least once a day or more often as appropriate for the age and condition of the animal, except as directed by a veterinarian.

(3) Domestic ferrets shall have continuous access to food.

(4) All other animals shall be fed appropriately as described on the packaging of a commercial, species-specific food, except as directed by a veterinarian.

(5) Food receptacles shall be accessible to all animals and shall be located so as to minimize contamination by excreta. Food receptacles shall be durable and kept clean and sanitary. Disposable food receptacles may be used but must be discarded after each feeding or,

for domestic ferrets, after 24 hours of use. Self feeders may be used for feeding dry foods to animals acclimated to their use.

(c) Watering. If fresh, clean water is not accessible to all animals at all times, it shall be offered to them at least twice daily for periods of not less than one hour, except as directed by a veterinarian. Drinking bottles may be used for animals acclimated to their use. Domestic ferrets shall have fresh, clean water accessible at all times, provided in drinking bottles of appropriate size to maintain a fresh supply. Water receptacles shall be kept clean and sanitary.

(d) Sanitation.

(1) Cleaning of primary enclosures. Excreta shall be removed from primary enclosures as often as necessary to prevent contamination of the inhabitants, but not less than daily.

(2) Sanitation of primary enclosures. Cages, rooms, and pens shall be maintained in a sanitary condition.

(3) Building and premises. Building and premises shall be kept clean.

(e) Pest Control. A regular program for the control of insects, ectoparasites, and other pests shall be established and maintained. The facility shall be free of visible signs of rodents and keep other vermin infestations to a minimum at all times. Each pesticide must be used in accordance with its manufacturer's label instructions.

(f) Outdoor facilities are acceptable under this section provided those facilities meet all the requirements of this section.

(g) This section applies to all animal shelters located in counties with a population of 75,000 or greater as required by the Texas Health and Safety Code, Chapter 823, and to all quarantine or impoundment facilities regardless of county population.

The provisions of this §169.26 adopted to be effective April 1, 1980, 5 TexReg 812; amended to be effective February 22, 1993, 18 TexReg 845; amended to be effective February 21, 1996, 21 TexReg 963; amended to be effective August 21, 1996, 21 TexReg 7660; amended to be effective July 12, 1998, 23 TexReg 7224; amended to be effective February 18, 2003, 28 TexReg 1389; amended to be effective July 21, 2004, 29 TexReg 6936; amended to be effective December 20, 2007, 32 TexReg 9341; amended to be effective March 31, 2013, 38 TexReg 1994

§169.27. Quarantine Method and Testing.

(a) When a dog, cat, or domestic ferret that has bitten a human has been identified, the custodian will place the animal (regardless of its vaccination status) in quarantine as defined in the Texas Health and Safety Code, §826.002, until the end of the 10-day observation period. The animal must also be quarantined if there is probable cause to believe that it has otherwise exposed a human to rabies. The observation period will begin at the time of the exposure. The animal must be placed in a department-licensed quarantine facility specified by the local rabies control authority and observed at least twice daily. However, the local rabies control authority may allow the animal to be quarantined in a veterinary clinic. As an alternative to quarantine at a

department-licensed facility or a veterinary clinic, the local rabies control authority may allow home confinement. To allow home confinement, the following criteria must be met.

(1) A secure enclosure approved by the local rabies control authority must be used to prevent escape.

(2) The animal has been vaccinated against rabies and the time elapsed since the most recent vaccination has not exceeded the manufacturer recommendations for the vaccine. If an unvaccinated animal is not over 16 weeks of age at the time of the potential exposure, it may be allowed home confinement.

(3) During the confinement period, the animal's custodian must monitor the animal's behavior and health status and immediately notify the local rabies control authority if any change is noted.

(4) The local rabies control authority or a veterinarian must observe the animal at least on the first and last days of the home confinement.

(5) The animal was not a stray as defined in the Texas Health and Safety Code, §826.002, at the time of the potential exposure.

(b) If the potential rabies exposure described in subsection (a) of this section occurs in a city or county other than where the animal's custodian resides, the animal may be transferred to a department-licensed quarantine facility or a veterinary clinic in the city or county of the custodian's residence or allowed home confinement, if applicable, if there is mutual agreement to do so between the local rabies control authorities for the city or county where the exposure occurred and where the custodian resides.

(c) The alternative to quarantining (to include home confining) a dog, cat, or domestic ferret that has bitten or otherwise potentially exposed a person to rabies as described in subsection (a) of this section is to have the animal euthanatized in such a manner that the brain is not damaged and a suitable specimen submitted to a department-designated laboratory for rabies testing. A list of department-designated laboratories may be found on the department's website or may be obtained from any of the department's regional Zoonosis Control offices.

(d) A domestic animal that has potentially exposed a human to rabies and has been designated by the local rabies control authority as unowned may be euthanatized. If the animal is euthanatized, a suitable specimen shall be submitted for rabies testing.

(e) "Free-roaming animals" as used in this section includes animals that have been in captivity less than 200 days immediately prior to the potential exposure and those that are not in captivity. If the animal implicated in the potential exposure is a free-roaming high-risk animal, it shall be euthanatized and a suitable specimen submitted for rabies testing. If the animal implicated in the potential exposure is a high-risk animal that has been in captivity without contact with free-roaming animals for 200 days or more immediately prior to the potential exposure or is less than 200 days old, has always been in captivity without contact with free-roaming animals, and is the progeny of a dam that has been in captivity without contact with free-roaming animals for 200 days or more immediately prior to the potential exposure, the local

rabies control authority shall conduct a risk assessment to gauge the probability that the animal could have been exposed to rabies and, therefore, poses a public health risk. If the probability that the animal implicated in the potential exposure could have had animal contact conducive to rabies transmission is low and the potential exposure poses a negligible public health risk, the local rabies control authority may require that the animal involved in the potential exposure be quarantined at a department-licensed quarantine facility or a veterinary clinic or confined elsewhere as deemed appropriate by the local rabies control authority for a 30-day observation period as an alternative to euthanatizing and testing. The local rabies control authority or a veterinarian must observe the animal at least on the first and last days of the quarantine or confinement that was deemed appropriate by the local rabies control authority.

(f) If the animal implicated in the potential exposure is a low-risk animal, neither quarantine nor rabies testing will be required unless the local rabies control authority has cause to believe the animal is rabid, in which case it shall be euthanatized and a suitable specimen submitted for rabies testing.

(g) The local rabies control authority may require an animal that has inflicted multiple bite wounds, punctures, or lacerations to a person to be euthanatized. If the animal is euthanatized, a suitable specimen shall be submitted for rabies testing.

(h) If the animal implicated in the potential exposure is not included in subsections (a), (b), (c), (d), (f), or (g) of this section or the portion of subsection (e) of this section pertaining to a free-roaming high-risk animal, the animal either will be euthanatized and a suitable specimen submitted for rabies testing or the local rabies control authority may require the animal to be quarantined at a department-licensed quarantine facility or a veterinary clinic or confined elsewhere as deemed appropriate by the local rabies control authority for the 30-day observation period as an alternative to euthanatizing and testing. The local rabies control authority's decision on whether to quarantine or euthanize and test those other animals described in subsection (e) of this section will be determined by risk-assessment parameters as described in subsection (e) of this section. If the potential rabies exposure occurs in a city or county other than where the animal's custodian resides, the animal may be transferred to a department-licensed quarantine facility or a veterinary clinic in the city or county of the custodian's residence or allowed confinement deemed appropriate if there is mutual agreement to do so between the local rabies control authorities for the city or county where the exposure occurred and where the custodian resides. During the observation period, the animal's custodian must monitor the animal's behavior and health status and immediately notify the local rabies control authority if any change is noted. The local rabies control authority or a veterinarian must observe the animal at least on the first and last days of the quarantine or confinement that was deemed appropriate by the local rabies control authority.

(i) Any animal required to be quarantined under this section that cannot be maintained in secure quarantine shall be euthanatized and a suitable specimen submitted for rabies testing.

(j) All laboratory specimens referred to in subsections (c) - (i) of this section shall be submitted in accordance with §169.33 of this title (relating to Submission of Specimens for Laboratory Examination).

(k) At the discretion of the local rabies control authority, assistance animals may not be required to be placed in quarantine (to include confinement) during the observation period. During the applicable observation period, the animal's custodian must monitor the animal's behavior and health status and immediately notify the local rabies control authority if any change is noted. The local rabies control authority or a veterinarian must observe the animal at least at the beginning and on the last day of the applicable observation period.

(l) Police service animals are exempted from quarantine per the Texas Health and Safety Code, §826.048, including confinement. During the applicable observation period, the animal's custodian must monitor the animal's behavior and health status and immediately notify the local rabies control authority if any change is noted.

(m) Animals should not be vaccinated against rabies or receive other vaccinations or non-essential medications that may complicate assessment of behavioral change or health status during the observation period; however, animals may be treated for medical problems that are diagnosed by a veterinarian and are not related to rabies. If the animal becomes ill during the observation period, the local rabies control authority must be notified by the person having possession of the animal.

The provisions of this §169.27 adopted to be effective April 1, 1980, 5 TexReg 812; amended to be effective March 29, 1988, 13 TexReg 1337; amended to be effective February 22, 1993, 18 TexReg 845; amended to be effective February 21, 1996, 21 TexReg 963; amended to be effective August 21, 1996, 21 TexReg 7660; amended to be effective July 12, 1998, 23 TexReg 7224; amended to be effective March 19, 2003, 28 TexReg 2341; amended to be effective December 20, 2007, 32 TexReg 9341; amended to be effective March 31, 2013, 38 TexReg 1994

§169.28. Requirements of a Quarantine Facility.

(a) Quarantine procedures.

(1) A quarantine facility shall have and use written standard operating procedures (SOP) specific for that facility to ensure effective and safe quarantine procedures. The SOP shall be posted in the quarantine facility, or otherwise be readily available to all employees in the quarantine facility, and adhered to by each employee.

(2) An animal that is quarantined because it may have exposed a human to rabies must be maintained in a primary enclosure, separated from all other animals by a solid partition so that there is no possibility of physical contact between animals. An empty chamber between animals is not an acceptable alternative. To prevent rabies transmission, handling of quarantined animals shall be minimized and carried out in a manner that avoids physical contact of other animals and people with the saliva of quarantined animals. Individuals handling quarantined animals should utilize appropriate personal protective equipment. To prevent escape, the primary enclosure must be enclosed on all sides, including the top. Quarantine cages, runs, or rooms must have "Rabies Quarantine" signs posted.

(b) Facilities planning. Any entity desiring to construct a quarantine facility shall submit plans to the department for review prior to beginning construction of a new facility or significant renovation to an existing facility.

(c) Inspection requirements of quarantine facilities.

(1) It will be the responsibility of the department to inspect all quarantine facilities, including those operated by government contractors. The inspection of the premises will be accomplished during ordinary business hours. All deficiencies will be documented in writing. Those that are of sufficient significance to affect the humane care or security of any animal housed within the facility must be corrected within a reasonable period of time.

(2) The inspections will be accomplished annually and more frequently when significant discrepancies have been identified. Any facility that does not achieve acceptable standards will not be licensed for rabies quarantine operations.

(3) The quarantine facility manager has the right to appeal the results of the inspection. If the opinion of management of the quarantine facility is in conflict with the inspection, he or she may request a review of the inspection by the manager of the department's Zoonosis Control Branch, who will then notify the regional director's office of the health service region in which the quarantine facility is located that an appeal has been submitted. The appeal listed in this paragraph will be made in writing and submitted within 30 days of the inspection. After receipt of the appeal, the department will have 60 days to respond.

The provisions of this §169.28 adopted to be effective April 1, 1980, 5 TexReg 812; amended to be effective February 22, 1993, 18 TexReg 845; amended to be effective February 21, 1996, 21 TexReg 963; amended to be effective July 12, 1998, 23 TexReg 7224; amended to be effective December 20, 2007, 32 TexReg 9341; amended to be effective March 31, 2013, 38 TexReg 1994

§169.29. Vaccination Requirement.

(a) The custodian (excluding animal shelters as defined in the Texas Health and Safety Code, §823.001) of each dog or cat shall have the animal vaccinated against rabies by 16 weeks of age. The animal must be vaccinated by or under the direct supervision of a veterinarian with rabies vaccine licensed by the United States Department of Agriculture for that species at or after the minimum age requirement and using the recommended route of administration for the vaccine. If a previously vaccinated animal is overdue for a booster, once revaccinated, the animal will be considered currently vaccinated; the animal should be placed on a vaccination schedule according to the maximum labeled duration of immunity for the most recently administered vaccine. The attending veterinarian has discretion as to when the subsequent vaccination will be scheduled as long as the revaccination due date does not exceed the recommended interval for booster vaccination as established by the manufacturer or vaccination requirements instituted by local ordinance. Livestock, domestic ferrets, and wolf-dog hybrids should be vaccinated against rabies. Among livestock species, vaccination of equines and others that have frequent contact with humans is strongly advised. The administration of a rabies vaccine in a species for which no licensed vaccine is available is at the discretion of the veterinarian; however, an animal receiving a rabies vaccine under these conditions will not be considered to be vaccinated against rabies virus in potential rabies exposure situations.

(b) An official rabies vaccination certificate shall be issued for each animal by the veterinarian responsible for administration of the vaccine and contain the following information:

- (1) custodian's name, address, and telephone number;

(2) animal identification-species, sex (including neutered if applicable), approximate age, size (pounds), predominant breed, and colors;

(3) vaccine used-product name, manufacturer, and serial number;

(4) date vaccinated;

(5) revaccination due date;

(6) rabies tag number if a tag is issued;

(7) veterinarian's signature, signature stamp, or computerized signature, plus address and license number.

(c) Each veterinarian who issues a rabies vaccination certificate, or the veterinary practice where the certificate was issued, shall retain a readily retrievable copy of the certificate for a period of not less than five years.

(d) If a veterinarian ceases the practice of veterinary medicine, the duplicate rabies vaccination certificates retained by that practice shall be turned over to the local rabies control authority. This does not apply to the sale or lease of a practice, when the records of the practice are transferred to a new owner.

(e) The custodian shall retain each rabies vaccination certificate until the animal receives a subsequent booster and shall produce the certificate upon request by any local rabies control authority, public health official, or animal control, law enforcement, or peace officer when the request is part of the requester's official duty.

The provisions of this §169.29 adopted to be effective April 1, 1980, 5 TexReg 812; amended to be effective March 29, 1988, 13 TexReg 1337; amended to be effective February 22, 1993, 18 TexReg 845; amended to be effective February 21, 1996, 21 TexReg 963; amended to be effective August 21, 1996, 21 TexReg 7660; amended to be effective July 12, 1998, 23 TexReg 7224; amended to be effective March 19, 2003, 28 TexReg 2341; amended to be effective December 20, 2007, 32 TexReg 9341; amended to be effective March 31, 2013, 38 TexReg 1994

§169.30. Disposition of Domestic Animals Exposed to Rabies.

(a) Not currently vaccinated animals that have been bitten by, directly exposed by physical contact with, or directly exposed to the fresh tissues of a rabid animal shall be:

(1) euthanatized; or

(2) immediately vaccinated against rabies, placed in confinement for 90 days, and given booster vaccinations during the third and eighth weeks of confinement. For young animals, additional vaccinations may be necessary to ensure that the animal receives at least two vaccinations at or after the age prescribed by the United States Department of Agriculture (USDA) for the vaccine administered.

(b) Currently vaccinated animals that have been bitten by, directly exposed by physical contact with, or directly exposed to the fresh tissues of a rabid animal shall be:

(1) euthanized; or

(2) immediately given a booster rabies vaccination and placed in confinement for 45 days.

(c) These provisions apply only to domestic animals for which a USDA-licensed rabies vaccine is available.

(d) In situations where none of the requirements of this section are applicable, the recommendations contained in the latest edition of the publication titled Compendium of Animal Rabies Prevention and Control, published by the National Association of State Public Health Veterinarians, should be followed. The administration of a rabies vaccine in a species for which no licensed vaccine is available is at the discretion of the veterinarian; however, an animal receiving a rabies vaccine under these conditions will not be considered to be vaccinated against rabies virus in potential rabies exposure situations.

The provisions of this §169.30 adopted to be effective March 5, 1982, 7 TexReg 745; amended to be effective March 29, 1988, 13 TexReg 1337; amended to be effective February 22, 1993, 18 TexReg 845; amended to be effective July 12, 1998, 23 TexReg 7224; amended to be effective December 20, 2007, 32 TexReg 9341; amended to be effective March 31, 2013, 38 TexReg 1994

§169.31. Interstate Movement of Dogs and Cats into Texas.

Each dog and cat 12 weeks of age or older to be transported into Texas for any purpose shall be admitted only when vaccinated against rabies and the time elapsed since the most recent vaccination has not exceeded the manufacturer recommendations for the vaccine. If an initial vaccination was administered less than 30 days prior to arrival, the custodian should confine the dog or cat for the balance of the 30 days. Additionally, documentation must be provided by a vaccination certificate showing the date of vaccination, vaccine used, revaccination due date, identification information for the vaccinated animal, contact information of the animal's custodian, and signature, signature stamp, or computerized signature and contact information of the veterinarian responsible for administration of the vaccine. If the dog or cat is less than 12 weeks of age, the custodian should confine the animal until 30 days subsequent to its initial vaccination.

The provisions of this §169.31 adopted to be effective April 1, 1980, 5 TexReg 812; amended to be effective March 5, 1982, 7 TexReg 744; amended to be effective March 29, 1988, 13 TexReg 1337; amended to be effective February 22, 1993, 18 TexReg 845; amended to be effective February 21, 1996, 21 TexReg 963; amended to be effective July 12, 1998, 23 TexReg 7224; amended to be effective March 19, 2003, 28 TexReg 2341; amended to be effective December 20, 2007, 32 TexReg 9341; amended to be effective March 31, 2013, 38 TexReg 1994

§169.32. International Movement of Dogs and Cats into Texas.

The federal government regulates the entry of pets into the United States; requirements set forth in this section are in addition to meeting federal requirements. If the department receives a federal importation notice, the department may request the local rabies control authority in the area where the animal will be located to monitor the notice for compliance. Contingent upon the department receiving notification of an importation-compliance failure, the department may report the failure to the appropriate authority. Each dog and cat 12 weeks of age or older to be

transported into Texas for any purpose shall be admitted only when vaccinated against rabies and the time elapsed since the most recent vaccination has not exceeded the manufacturer recommendations for the vaccine. If an initial vaccination was administered less than 30 days prior to arrival in the United States, the custodian must confine the dog or cat for the balance of the 30 days. Additionally, documentation must be provided by a vaccination certificate or passport showing the date of vaccination, vaccine used, revaccination due date, identification information for the vaccinated animal, contact information of the animal's custodian, and signature, signature stamp, or computerized signature and contact information of the veterinarian responsible for administration of the vaccine. If the dog or cat is less than 12 weeks of age, the custodian shall confine the animal until 30 days subsequent to its initial vaccination.

The provisions of this §169.32 adopted to be effective April 1, 1980, 5 TexReg 812; amended to be effective March 19, 2003, 28 TexReg 2341; amended to be effective December 20, 2007, 32 TexReg 9341; amended to be effective March 31, 2013, 38 TexReg 1994

§169.33. Submission of Specimens for Laboratory Examination.

Preparation of specimens either for shipment or for personal delivery for rabies diagnosis shall include the following.

- (1) Damage to the brain caused by shooting or other traumatizing procedures shall be avoided.
- (2) The head of the suspect animal shall be separated from the body by a qualified person wearing appropriate personal protective equipment as soon as possible after the death of the animal. Only the head shall be submitted with the exception that whole bats and small rodents may be submitted. If only the brain is submitted rather than the entire head, the minimum tissue requirements for rabies testing are a complete transverse cross section of the brain stem and tissue from at least one of the following: cerebellum and/or hippocampus. Submissions that do not meet these tissue requirements will be considered unsatisfactory due to a lack of sufficient material.
- (3) The specimen shall be immediately chilled to between 32 degrees Fahrenheit and 45 degrees Fahrenheit either in a refrigerator or by packing for shipping with sufficient amounts of refrigerants in the container; the specimen should not be frozen. When shipping, sufficient refrigerant shall be added so the specimen will remain chilled for a minimum of 48 hours. Do not use dry ice. Gel packs or similar refrigerants are recommended. Ice is not recommended.
- (4) If specimens are shipped, containment in compliance with requirements in the Code of Federal Regulations (CFR), Title 49, shall be used for packing. Packing methods shall prevent leakage and provide for proper identification (such as an identification number) of the specimen.
- (5) A completed department Form G-9, Rabies Submission Form, which is available at the department's Laboratory Services Section, Department of State Health Services, 1100 West 49th Street, Austin, Texas 78756, is required for each specimen submitted to the department's Laboratory Services Section. Each form must contain the same identification information provided with the specimen as stated in paragraph (4) of this section. Submission form(s) shall be contained in a water-proof bag.

(6) Labeling on the outside of the shipping container shall be legible and include:

(A) name, address, and telephone number of the laboratory;

(B) name, return address, and telephone number of the shipper;

(C) language in compliance with requirements in the CFR, Title 49, pertaining to the shipment of infectious substances for diagnostic purposes; and

(D) the following information: "RABIES IDENTIFICATION TEAM, LABORATORY SERVICES SECTION - REFRIGERATE ON ARRIVAL."

(7) The following procedures are required for shipment:

(A) shipment shall be by bus or other reliable carrier; the department does not recommend the United States Postal Service. If an overnight carrier (other than bus) is used, ship the specimen such that it will arrive by Friday or delay shipment until Monday. Do not ship via overnight carrier on Friday or the day before a holiday. These services do not deliver to the department on the weekend or on holidays;

(B) a shipping receipt will be obtained and retained by the shipper;

(C) at the time of the shipment, the shipper shall notify laboratory personnel of the shipment via telephone or laboratory-approved electronic format; and

(D) the shipper shall provide the return postage (in the form of stamps, not money) if return of the shipping container is desired.

(8) Paragraphs (5) and (6) of this section apply to specimens submitted to the department's Laboratory Services Section. The appropriate form, labeling instructions, and shipping requirements for another department-designated laboratory can be obtained by contacting that laboratory; a list of these laboratories with their contact information will be maintained on the department's website.

The provisions of this §169.33 adopted to be effective August 24, 1982, 7 TexReg 2993; amended to be effective March 29, 1988, 13 TexReg 1337; amended to be effective February 22, 1993, 18 TexReg 845; amended to be effective February 21, 1996, 21 TexReg 963; amended to be effective July 12, 1998, 23 TexReg 7224; amended to be effective March 19, 2003, 28 TexReg 2341; amended to be effective December 20, 2007, 32 TexReg 9341; amended to be effective March 31, 2013, 38 TexReg 1994

§169.34. Statewide Quarantine.

(a) Declaration. The Executive Commissioner of the Health and Human Services Commission (HHSC) declares a statewide rabies quarantine.

(1) Statewide quarantine. The area is defined by the borders of the State of Texas.

(2) It is illegal to transport animals subject to the statewide rabies quarantine from, to, or within the State of Texas.

(3) Animals subject to the statewide rabies quarantine include any live species of fox, skunk, coyote, or raccoon indigenous or naturalized to North America.

(4) Transport exceptions. Animals subject to the statewide rabies quarantine may be transported by peace officers and individuals hired or contracted by local, state, or federal government agencies to deal with stray animals when such transport is a part of their official duty. These animals may also be transported by employees of zoos or other institutions accredited by the Association of Zoos and Aquariums when such transport is part of their official duty; educators permitted by the Texas Parks and Wildlife Department for educational display; rehabilitators permitted by the Texas Parks and Wildlife Department; an entity issued authorization for nuisance fur-bearing animal relocation from the Texas Parks and Wildlife Department; and pest management professionals licensed by the Texas Department of Agriculture. If an exempt individual transports such animals for release, the animals must be released within a ten-mile radius or within ten miles of the city limits of where they were originally captured and the release must be within the county in which they were originally captured.

(b) Executive Commissioner of the HHSC's designee. The Executive Commissioner of the HHSC's designee is the commissioner of the Department of State Health Services, whom the Executive Commissioner of the HHSC appoints to act as his or her designee as described in the Texas Health and Safety Code, §826.045.

The provisions of this §169.34 adopted to be effective May 17, 1995, 20 TexReg 3332; amended to be effective February 21, 1996, 21 TexReg 963; amended to be effective July 12, 1998, 23 TexReg 7224; amended to be effective December 20, 2007, 32 TexReg 9341; amended to be effective March 31, 2013, 38 TexReg 1994

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

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

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

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

March 3, 2020

VIA CMRRR 7019 0700 0000 0649 9754
AND VIA EMAIL: cityofcumby@cumbytel.com

The Honorable Doug Simmerman
Mayor
City of Cumby
P. O. Box 349
Cumby, Texas 75433-0349

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

Dear Mayor:

I represent the Hunt County Fire Association in relation to the above matter. The citizens of the area served by the various Hunt County fire departments have filed a petition with the County Judge of Hunt County, Texas for the formation of an emergency services district, a political subdivision of the State of Texas, pursuant to Chapter 775, Texas Health & Safety Code. The entire proposed district would be located wholly within Hunt County and contain the territorial limits and extraterritorial jurisdictions of all incorporated cities in Hunt County, with the exception of the territorial limits of the City of Commerce, the City of Greenville, the City of Josephine, and the City of Royse City. It is anticipated that the issue of the creation of this district will be presented to the voters at the November 2020 uniform election date.

I am enclosing a copy of a map of the proposed district and a copy of the petition form filed with the Hunt County Judge for your reference. According to our records, portions of the proposed district contain territory within your municipality's territorial limits and/or extraterritorial jurisdiction. If you need a copy of the actual, signed petition filed with the County, please let me know.

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

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

While I believe you are aware of this situation, a public hearing on this matter will be held by the Hunt County Commissioners Court on March 16, 2020 at 6:00 p.m. at the Fletcher Warren Civic Center, 5501 Business Highway 69 South, Greenville, Texas, if you desire to attend and obtain more information.

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

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

Sincerely,

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



Ken Campbell
KPC/

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

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

City of Cumby

P.O. Box 349,
100 E. Main St.
Cumby, Texas 75433
(903) 994-2272

April 14, 2020

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

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

Dear Judge Stovall,

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

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

Sincerely,

Doug Simmerman
Mayor

ATTEST:

Codi Reynolds
City Secretary

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

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

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

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

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

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

OBLIGOR NO. 1

OBLIGOR NO. 2

Signature

Signature

Printed Name

Printed Name

Mailing Address

Mailing Address

City, State, Zip Code

City, State, Zip Code

Residence Address

Residence Address

Date of Birth

Date of Birth

Date of Signing

Date of Signing

Voter Registration No.

Voter Registration No.

SWORN TO AND SUBSCRIBED before me, the undersigned authority, by
_____, as Obligor No. 1, on this the ____ day of
_____, 2019.

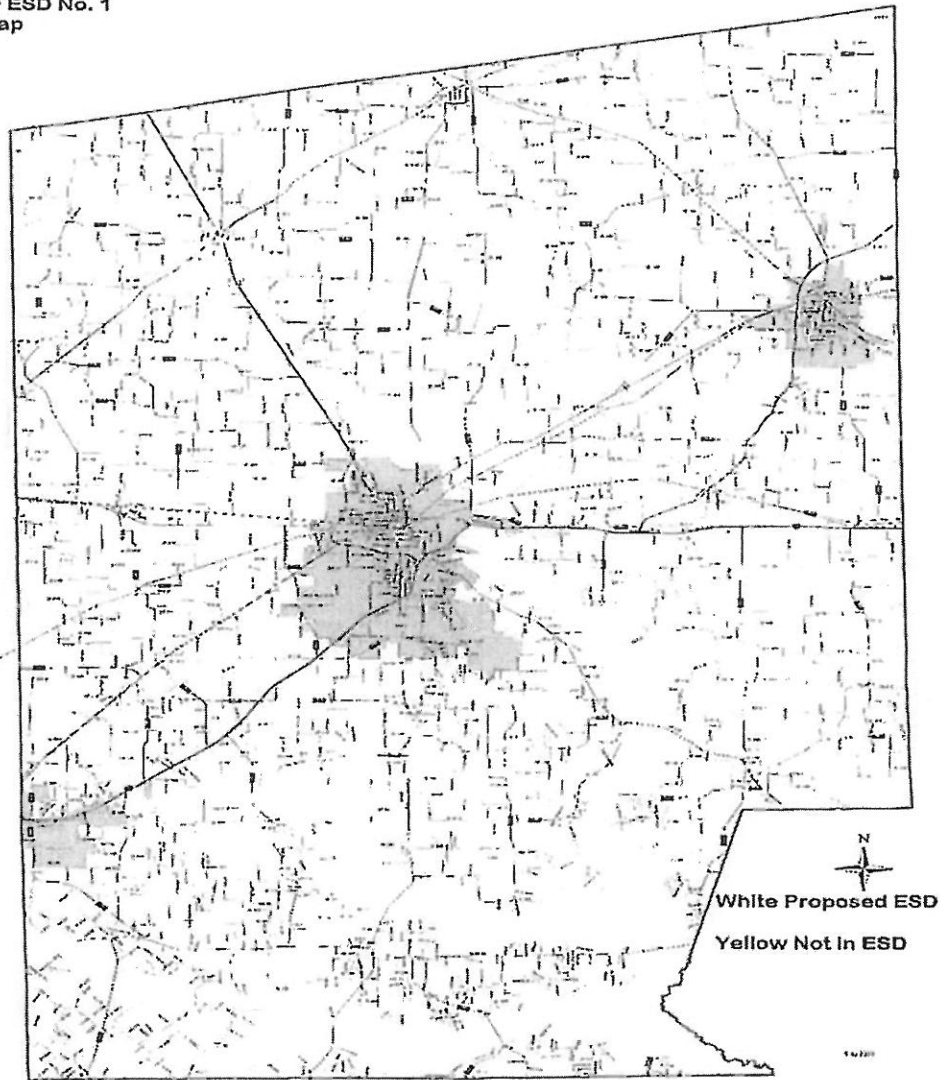
NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS

SWORN TO AND SUBSCRIBED before me, the undersigned authority, by
_____, as Obligor No. 1, on this the ____ day of
_____, 2019.

NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS

EXHIBIT A

Proposed
Hunt County ESD No. 1
Boundary Map



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

RESOLUTION NO. 01-04-2020

A RESOLUTION OF THE CITY OF CUMBY, TEXAS, CANCELLING THE SPECIAL ELECTION TO BE HELD ON MAY 2, 2020; CANCELING TERMS UNDER THE HOLDOVER PROVISION OF THE TEXAS CONSTITUTION; AND ORDERING OTHER MATTERS INCIDENT AND RELATED TO THE CANCELLATION OF SUCH ELECTION.

WHEREAS, on October 8, 2019, the City Council (the "Council"), of the city of Cumby, Texas (the "City"), ordered the special election to fill a city council vacancy for Alderman, Place 2, to be held on May 2, 2020; and

WHEREAS, on December 10, 2019, the City Council (the "Council"), of the city of Cumby, Texas (the "City"), ordered the special election to fill a city council vacancy for Alderman, Place 1, to be held on May 2, 2020; and

WHEREAS, on March 31, 2020, the Governor of Texas certified that the novel coronavirus (COVID-19) poses an imminent threat of disaster and, under the authority vested in the Governor by Section 418.014 of the Texas Government Code, declared a state of disaster for all counties in Texas; and

WHEREAS, Section 41.0052 of the Texas Election Code prescribes a procedure for a political subdivision to change a general election date, but the time for making such change has expired; and

WHEREAS, the Governor of the State of Texas issued proclamation on March 18, 2020, suspending Section 41.0052(a) and (b) of the Texas Election Code to extend the necessary to allow political subdivisions that would otherwise hold elections on May 2, 2020, to move their general and special elections for 2020 only to the next uniform election date, occurring on November 3, 2020, without otherwise adjusting the term of the office, and suspending Sections 31.093 and 42.0621(c) of the Texas Election Code to the extend necessary to require all county election officers, if requested by an affected political subdivision, to enter unto a contract to furnish election services with any political subdivision that postponed its election to November 3, 2020; and

WHEREAS, Tex. Const. art. XVI § 17 requires officers within the State of Texas to hold over and continue the performance of their duties until their successors shall be duly qualified; and

WHEREAS, the terms of the offices for which the special election was to be held will expire in November, making the special election unnecessary.

NOW THEREFOR, BE IT RESOLVED BY THE CITY OF CUMBY, TEXAS, THAT:

Section No. 1: Cancelling Special Elections. The Council is exercising authority granted by the Governors' proclamation and is hereby cancelling the special elections that would have been held on Saturday, May 2, 2020.

Section No. 2: Preamble Incorporation. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the Council.

Section No. 3: Inconsistent Provisions. All orders and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters ordered herein.

Section No. 4: Governing Laws. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and in the United States of America.

Section No. 5: Severability. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the Council hereby declares that, had the invalidity been known at the times, this Resolution would have been enacted without such invalid provision.

Section No. 6: Notice of Meeting. The Council officially finds, determines, recites and declares that written notice of the date, hour, place, and subject of the meeting at which this Resolution is adopted was posted on a bulletin board located at a place convenient to the public at City Hall for at least seventy-two (72) hours preceding the scheduled time of the meeting that a telephonic or telegraphic notice of such meeting was given to all news media who have consented to pay any and all expenses incurred by the City in connection with providing such notice, both as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended; and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter thereof was discussed, considered and formally acted upon. The Governor has suspended and modified certain open meeting requirements pursuant to this disaster declaration. These changes include allowing the City to establish procedures for telephonic or video conferenced meetings that are accessible to the public.

Section No. 7: Authorization to Execute. The Mayor is authorized to execute, and the City Secretary is authorized to attest his Resolution on behalf of the Council; and the Mayor is authorized to do all other things legal and necessary on connection with the holding and consummation of the election.

Section No. 8: Effective Date. This Resolution is effective immediately upon its passage and approval.

PASSED AND APPROVED this ___ day of April 2020.

Doug Simmerman, Mayor, City of Cumby

ATTEST:

Codi Reynolds, City Secretary, City of Cumby

ORDINANCE NO. 2020-04-01

AN ORDINANCE THE CITY OF CUMBY, TEXAS, AUTHORIZING LAW ENFORCEMENT OFFICERS TO PERFORM TRAFFIC STOPS FOR ANY VIOLATION OF EXECUTIVE ORDER(S) ISSUED BY THE GOVERNOR OF THE STATE OF TEXAS DECLARING A STATE OF DISASTER; PROVIDING A PENALTY FOR VIOLATION OF SUCH EXECUTIVE ORDER(S); PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, as deemed necessary, the Governor of the State of Texas may issue executive orders declaring a state of disaster for all counties in Texas; and

WHEREAS, such executive orders issued by the Governor of the State of Texas may contain certain rules and regulations during such states of disaster, including but not limited to, shelter in place or social distancing requirements; and

WHEREAS, there will exist in such executive order(s) certain exceptions or exemptions to such order as determined by the Governor of the State of Texas as specifically listed in such executive order or an amendment, addenda, or appendix thereto; and

WHEREAS, the City of Cumby, Texas, aims to enforce any and all such rules and regulations as set forth by executive orders issued by the Governor of the State of Texas which may be in effect at any given time.

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

SECTION 1. That during states of disaster as determined by executive order(s) of the Governor of the State of Texas, the police department of the City of Cumby shall have the authority to enforce the rules and regulations as set forth by such executive order(s), which shall include the authority to perform traffic stops and issuing of tickets to individuals violating the rules and regulations of such executive order(s). Persons who are performing tasks which fall under an exception or exemption thereto shall provide to the officer proof of such exception or exemption at the time of the traffic stop. Failure to provide sufficient proof of such exception or exemption shall constitute a waiver thereof.

SECTION 2. That a person who knowingly or intentionally violates an executive order issued by the Governor of the State of Texas which declares a state of disaster commits an offense, punishable by a fine up to \$200.00.

SECTION 3. All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety, and welfare of the general public. Any member of the City Council or any City official or employee charged with enforcement of the ordinance, acting for the City of Cumby in the discharge of his/her duties, shall not thereby render himself/herself personally liable; and he/she is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his/her said duties.

SECTION 4. That if any section, provision, subsection, paragraph, sentence, clause, phrase or word in this ordinance or application thereof to any person or circumstance is held invalid by any court of competent jurisdiction, such holdings shall not affect the validity of the remaining portions of this ordinance, and the City Council of the City of Cumby, Texas hereby declares it would have enacted such remaining portions, despite such invalidity.

SECTION 5. This Ordinance shall be in full force and effect immediately upon its passage in accordance with the provisions of the Tex. Loc. Gov't. Code.

SECTION 6. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this _____ day of _____, 2020.

Douglas Simmerman, Mayor

ATTEST:

Codi Reynolds, City Secretary

APPROVED AS TO FORM:

Edgar J. Garrett, Jr., City Attorney



March 26, 2020

Mr. Aaron Reynolds, Public Works
 City of Cumby
 100 East Main Street
 Cumby, Texas 75433

Re: Exhibit C –Scope of Services
 Depot Street Sewer Line Replacement

Mr. Reynolds:

This letter is a follow-up on our meeting yesterday concerning the above-referenced project.

Thank you for selecting Hayter Engineering, based on our ability and experience, to provide you with a quote for engineering services. We appreciate your vote of confidence.

Before I finished the proposal, I put together an opinion of probable construction cost (OPCC). This OPCC was based on prices that we received for a very similar sewer line job at the City of Wills Point. A bid tabulation from that project is attached for your convenience.

Of course, the design has not even been started, so the OPCC will be based on assumed quantities. Once the number of connections, depth of trenching, size of line, number of manholes, etc. have been determined at the completion of the design, a more thorough OPCC can be prepared. However, at this point the OPCC is as follows:

BID ITEM	QUANTITY	UNIT PRICE	SUB-TOTAL
Mobilization (5%)	1 LS	\$4,065	\$4,065
Traffic control plan	1 LS	\$1,500	\$1,500
6" PVC sewer line	950 LF	\$8	\$7,600
5-8' trenching	950 LF	\$12	\$11,400
Trench safety	950 LF	\$2	\$1,900
Replacement manhole	1 EA	\$3,400	\$3,400
Standard manhole	1 EA	\$2,500	\$2,500
Additional depth of manhole	6 VF	\$275	\$1,650
Connect existing sewer line to new manhole	1 LS	\$1,275	\$1,275
End-of-line cleanout	1 LS	\$450	\$450
Near side customer sewer service transfer	10 EA	\$750	\$7,500

Practical Infrastructure Solutions

Far side customer sewer service transfer	10 EA	\$1,450	\$14,500
Gravel pavement repair	950 LF	\$25	\$23,750
5% inflation to go from Feb 2019 to August 2020	1 LS	\$3,871	\$3,872
10% contingency	1 LS	\$8,536	\$8,536
		TOTAL	\$93,897

Note: The pavement repair was gravel only since the condition of the existing asphalt paving is poor. If asphalt repair is required, the cost for pavement repair may easily double.

If we could get an easement, or if there is enough room to build the new sewer line outside of the pavement, then the pavement repair portion of the OPCC could be lowered significantly.

Of course, nobody knows how the coronavirus issue will affect construction prices. However, I simply wanted you and the City to have a rough idea of the cost of the project that has been proposed.

Please review this cost projection; and let me know if you have any questions.

Sincerely,

HAYTER ENGINEERING

Michael N. Tibbets  *TBPE # F-315*

Michael N. Tibbets, P.E.
Vice President

3-26-2020

attachment: Wills Point Wynne Road Sewer Line bid tabulation from February 5, 2019

MNT: mnt

Bid Tabulation

City of Willis Point
 Wynne Road Sewer Line Improvements
 HEI #058008
 February 5, 2019
 2:00 p.m.

Item	Description	Estimated Quantity	Capps-Capco Construction, Inc.			J2 Construction Services, LLC			J and Jr Construction, LLC			Canary Construction, Inc.			Atkins Brothers Equipment Co., Inc.		
			Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price			
1	Mobilization	1 LS	8,000.00	8,000.00	4,500.00	4,500.00	6,000.00	6,000.00	8,000.00	8,000.00	8,000.00	8,000.00	2,000.00	2,000.00			
2	Traffic control plan	1 LS	1,500.00	1,500.00	550.00	550.00	2,000.00	2,000.00	1,500.00	1,500.00	1,500.00	1,500.00	1,000.00	1,000.00			
3	8" SDR 28 CL 160 PVC sanitary sewer line	726 LF	8.00	5,808.00	35.00	25,410.00	25.00	18,150.00	25.00	18,150.00	45.00	32,670.00	60.00	43,560.00			
4	5'-8" Trenching	503 LF	12.00	6,036.00	2.70	1,358.10	5.00	2,515.00	5.00	2,515.00	25.00	12,575.00	75.00	37,725.00			
5	8'-10" Trenching	223 LF	16.00	3,568.00	4.00	892.00	10.00	2,230.00	10.00	2,230.00	45.00	10,035.00	95.00	21,185.00			
6	Trench safety	726 LF	2.00	1,452.00	3.00	2,178.00	2.00	1,452.00	2.00	1,452.00	2.00	1,452.00	1.00	726.00			
7	Replacement 4' diameter manhole, 6' deep, w/inflow insert	2 EA	3,400.00	6,800.00	4,222.00	8,444.00	5,500.00	11,000.00	5,500.00	11,000.00	7,000.00	14,000.00	7,000.00	14,000.00			
8	New 4' diameter manhole, 6' deep, w/inflow insert	2 EA	2,500.00	5,000.00	3,422.00	6,844.00	4,500.00	9,000.00	4,500.00	9,000.00	7,000.00	14,000.00	6,000.00	12,000.00			
9	Extra depth of manhole	9 VF	275.00	2,475.00	173.00	1,557.00	50.00	450.00	50.00	450.00	250.00	2,250.00	200.00	1,800.00			
10	Adder for drop structure inside manhole	4 EA	1,200.00	4,800.00	673.00	2,692.00	1,000.00	4,000.00	1,000.00	4,000.00	1,700.00	6,800.00	1,500.00	6,000.00			
11	Core-drill wall of new manhole for field installation of existing sewer line	1 LS	1,100.00	1,100.00	200.00	200.00	1,000.00	1,000.00	1,000.00	1,000.00	950.00	950.00	500.00	500.00			
12	Connect existing sewer line to new/replacement manhole, including pipe and trenching	2 EA	1,275.00	2,550.00	735.00	1,470.00	300.00	600.00	300.00	600.00	875.00	1,750.00	1,000.00	2,000.00			
13	Near side 4" customer service transfer with pavement repair	2 EA	750.00	1,500.00	941.00	1,882.00	1,100.00	2,200.00	1,100.00	2,200.00	2,800.00	5,600.00	600.00	1,200.00			
14	Far side 4" customer service transfer with pavement repair	7 EA	1,450.00	10,150.00	1,517.00	10,619.00	1,800.00	12,600.00	1,800.00	12,600.00	3,500.00	24,500.00	1,700.00	11,900.00			
15	4" Yard line installation, including fittings	140 LF	18.00	2,520.00	37.50	5,250.00	10.00	1,400.00	10.00	1,400.00	55.00	7,700.00	60.00	8,400.00			
16	Remove and replace chain link fence	50 LF	21.00	1,050.00	9.00	450.00	10.00	500.00	10.00	500.00	50.00	2,500.00	30.00	1,500.00			
17	Reseed disturbed areas	471 LF	3.00	1,413.00	0.45	211.95	4.00	1,884.00	4.00	1,884.00	25.00	11,775.00	3.00	1,413.00			
18	Silt fence	50 LF	4.00	200.00	4.00	200.00	5.00	250.00	5.00	250.00	2.50	125.00	1.00	50.00			
19	Rock drive repair	17 LF	25.00	425.00	14.00	238.00	20.00	340.00	20.00	340.00	45.00	765.00	17.00	289.00			
20	Asphalt street and drive repair	235 LF	49.00	11,515.00	19.00	4,465.00	30.00	7,050.00	30.00	7,050.00	80.00	18,800.00	49.00	11,515.00			
21	Abandon existing sewer line	1 EA	500.00	500.00	578.00	578.00	500.00	500.00	500.00	500.00	450.00	450.00	3,000.00	3,000.00			
22	Density testing	1 LS	2,500.00	2,500.00	4,000.00	4,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	3,000.00	3,000.00			
23	Connect new sewer line to existing manhole including core drilling	2 EA	1,750.00	3,500.00	930.00	1,860.00	750.00	1,500.00	1,500.00	1,500.00	1,250.00	2,500.00	3,900.00	7,800.00			
	TOTAL BASE BID			\$84,362.00		\$65,849.05		\$88,621.00		\$182,897.00		\$192,563.00		\$192,563.00			
DA1	inflow inserts for manholes	4 EA	75.00	300.00	84.00	336.00	80.00	240.00	80.00	240.00	650.00	2,600.00	110.00	440.00			
DA2	Reseed disturbed areas	471 LF	3.00	1,413.00	0.45	211.95	4.00	1,884.00	4.00	1,884.00	25.00	11,775.00	3.00	1,413.00			
DA3	Silt fence	50 LF	4.00	200.00	4.00	200.00	5.00	250.00	5.00	250.00	2.50	125.00	1.00	50.00			

RESOLUTION NO. 02-04-2020

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CUMBY,
TEXAS, TO CORRECT THE NAME OF THE APPOINTED AUDITOR.**

WHEREAS, on January 14, 2020, by Motion appointed Evans & Knauth for the financial audit for the City; and

WHEREAS, Evans & Knauth has changed its name to K. Evans & Associates, CPA's; and

WHEREAS, the City Council has determined that said appointment should be corrected to reflect the true name of the auditor as being K. Evans & Associates, CPA's;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CUMBY THAT:

SECTION 1 – APPOINTMENT CORRECTED

The City Council of the City of Cumby, Texas, does hereby correct the appointment of the City Auditor to reflect the true and correct name of K. Evans & Associates, CPA's.

SECTION 2 – COMPLIANCE WITH APPLICABLE LAWS

The Mayor and the City Secretary, in consultation with the City Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of federal and state law in carrying out the terms of this Resolution, whether or not expressly authorized herein.

APPROVED this ____ day of _____, 2020.

Douglas Simmerman, Mayor

ATTEST:

Codi Reynolds, City Secretary

APPROVED AS TO FORM:

Edgar J. Garrett, Jr., City Attorney