

THE STATE OF TEXAS }  
COUNTY OF DAWSON }  
CITY OF LAMESA }

**MINUTES OF THE CITY COUNCIL REGULARLY CALLED MEETING:  
August 28, 2018**

On this the 28<sup>th</sup> day of August, 2018 at 5:30 P.M., there came on and was held a regularly called meeting of the City Council of the City of Lamesa, Dawson County, Texas. Notice of such meeting having been posted at the City Hall at 601 South First Street in the City of Lamesa, Texas in accordance with the provisions of the Texas Open Meetings Act (Texas Govt. Code, Chapter 551). The following items were listed on the notice and the following proceedings were had, viz.:

CALL TO ORDER: Mayor Stevens announced that the meeting was being held in accordance with the provisions of the Texas Open Meetings Act (Texas Govt. Code, Chapter 551), and that discussion and actions are limited to the agenda items as posted. A quorum being present as evidenced by the presence 6 City Council Members were present:

- |                            |                             |
|----------------------------|-----------------------------|
| JOSH STEVENS               | MAYOR                       |
| BRANT STEWART              | COUNCIL MEMBER-DISTRICT 1   |
| PROTEM                     | MAYOR                       |
| MARIE BRISENO              | COUNCIL MEMBER – DISTRICT 2 |
| (LATE 6:46 PM) RICK MORENO | COUNCIL MEMBER – DISTRICT 3 |
| JASON MORENO               | COUNCIL MEMBER – DISTRICT 4 |
| BOBBY G. GONZALES          | COUNCIL MEMBER – DISTRICT 5 |
| DOUG MORRIS                | COUNCIL DISTRICT 6          |

City staff members present at the meeting:

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

Members of the press present at the meeting:

Russel Skiles

Members of the public present at the meeting:

- |                 |               |               |
|-----------------|---------------|---------------|
| Oressa Moreno   | Gary Perez    | Scott Leonard |
| Sean Overeynder | Bob Henderson | Mike Lopez    |
| Irma Ramirez    | Terri Stahl   | Larry Duyck   |

**INVOCATION:** Josh Stevens.

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

- a) **APPROVAL OF THE MINUTES:** Approval of the minutes of the council meetings held on August 7, 2018, August 9, 2018 and August 16, 2018.

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

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

**OPEN BIDS FOR BOND COUNSEL (USDA):** City Council to open bids for Qualifications of Bond Counsel for the USDA Grant and submit to city staff for review and recommendation.

**USDA GRANT LOAN RESOLUTION.** City Council to consider authorizing and providing for the incurrence of indebtedness for the purpose of providing a portion of the cost of acquiring, constructing, enlarging, improving, and/or extending its water service facility to serve an area lawfully within its jurisdiction to serve whereas, it is necessary for the City of Lamesa.

Motion by Council Member Morris authorizing and providing for the incurrence of indebtedness for the purpose of providing a portion of the cost of acquiring, constructing, enlarging, improving, and/or extending its water service facility to serve an area lawfully within its jurisdiction to serve whereas, it is necessary for the City of Lamesa. Motion seconded by Council Member Stewart and upon being put to a vote the motion passed.

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

**REQUEST FOR ZONE CHANGE;** City Council to consider approving an Ordinance on Second and final reading approving a zone change for the following property:

BLOCK1 1-8, BLOCK 2 LOTS 1-18, IN THE MEEKS SUBDIVISION ALSO BLOCK 3 LOTS 1-8 IN THE DAVIS SUBDIVISION the City of Lamesa, Dawson County, Texas

The hearing is to consider recommendation of the Planning and Zoning Commission in CASE **NO. PZ 18-9**, that the CITY OF LAMESA 601 S. 1<sup>ST</sup> requested that the zoning district of the property described above, located at MEEKS AND DAVIS SUBDIVISION, be changed from R-1 to M-1 for use as MOBILE HOME DISTRICT.

Motion by Council Member Stewart to pass an Ordinance on second reading to change the zoning designation of the following described property from R-1 to M-1 for use as MOBILE HOME DISTRICT located at MEEKS AND DAVIS SUBDIVISION, Lamesa, Texas upon recommendation of the Planning and Zoning Commission to-wit:

BLOCK1 1-8, BLOCK 2 LOTS 1-18, IN THE MEEKS SUBDIVISION ALSO BLOCK 3 LOTS 1-8 IN THE DAVIS SUBDIVISION the City of Lamesa, Dawson County, Texas

Motion seconded by Council Member Jason Moreno and upon being put to a vote the motion passed.

**VOTING:** "AYE" 6 "NAY" "ABSTAIN"

**BUDGET AMENDMENT #7:** City Council to consider amending Ordinance O-20-17 on Second reading with respect to October 1, 2017 fiscal year budget.

Motion by Council Member Morris to consider amending Ordinance No.O-20-17 on Second reading with respect to October 1, 2017 fiscal year budget. Motion seconded by Council Member Gonzales and upon being put to a vote the motion passed.

**VOTING:** "AYE" 6 "NAY" "ABSTAIN"

**APPROVAL OF FY 2018/2019 LEDC/LEAP BUDGET:** City Council to consider approving FY 2018/2019 LEDC and LEAP annual budgets.

Motion by Council Member Stewart to approve FY 2018/2019 LEDC and LEAP annual budgets. Motion seconded by Council Member Gonzales and upon being put to a vote the motion passed.

**VOTING:** "AYE" 6 "NAY" "ABSTAIN"

**FISCAL YEAR OCTOBER 2018-2019 BUDGET - ADOPTION:** Consider passing an ordinance on Second reading with record vote in accordance with State Law (Local Government Code, Chapter 102, Section 102.007) providing funds for the Fiscal Year beginning October 1, 2018, and ending September 30, 2019, by approving the budget for said period and appropriating and setting aside the necessary funds out of the General Fund, Water/Wastewater, Solid Waste funds for the maintenance and operation of the various departments and for various activities and improvements to the City.

***THIS BUDGET WILL RAISE MORE REVENUE FROM PROPERTY TAXES THAN LAST YEAR'S BUDGET BY AN AMOUNT OF \$162,469, WHICH IS A 7.34% PERCENT INCREASE FROM LAST YEAR'S BUDGET. THE PROPERTY TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR IS \$0.***

Motion by Council Member Stewart to adopt on Second reading the Proposed 2018-2019 Annual Budget, including the following statement (to be read aloud):

***THIS BUDGET WILL RAISE MORE REVENUE FROM PROPERTY TAXES THAN LAST YEAR'S BUDGET BY AN AMOUNT OF \$162,469, WHICH IS A 7.34% PERCENT INCREASE FROM LAST YEAR'S BUDGET. THE PROPERTY TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR IS \$0.***

Motion seconded by Council Member Jason Moreno and upon being put to a vote the motion passed.

**RECORD VOTE REQUIRED: VOTE BY SHOW OF HANDS**

VOTING	"AYE"	"NAY"	"ABSTAIN"
Josh Stevens	<u>√</u>	_____	_____
Brant Stewart	<u>√</u>	_____	_____
Marie A. Briseno	<u>√</u>	_____	_____
RICK MORENO	<u>√</u>	_____	_____
JASON MORENO	<u>√</u>	_____	_____
BOBBY G. GONZALES	<u>√</u>	_____	_____

Doug Morris  
2<sup>nd</sup> PUBLIC HEARING - AD VALOREM TAX RATE – FY 2018/2019: 2nd Public Hearing on a proposed property tax rate of \$.830000 for 2018. This tax rate will raise \$2,377,134 which is \$118,708 more than taxes imposed last year.

***THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 7.47% PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$11.36 {Section 26.05(b)1(A&B) OF THE PROPERTY TAX CODE}.***

#### 2<sup>nd</sup> PUBLIC HEARING

Following the report from the City Manager, the Mayor will ask if anyone wishes to speak regarding the Proposed Property Tax Rate for 2018.

Public Hearing started @ 6:04 p.m. and Mayor closed the public hearing @ 6:12 p.m.

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

**MAYORS REPORT:** Mayor to report on future plans and goals.

**EXECUTIVE SESSION:** City Council to consider convening into executive session under:

**Sec. 551.072. DELIBERATION REGARDING REAL PROPERTY; CLOSED MEETING.** A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

**Sec. 551.074. PERSONNEL MATTERS; CLOSED MEETING.** (a) This chapter does not require a governmental body to conduct an open meeting:

(1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

1. Fire Chief
2. City Manager
3. City Attorney

**RECONVENE IN OPEN SESSION:**

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

**VOTING:**                    "AYE" 7                    "NAY"                    "ABSTAIN"

**AUTHORIZE CITY ATTORNEY TO NEGOTIATE EASEMENTS FOR USDA WATER GRANT:** City Council to authorize the City Attorney to negotiate easements for the USDA Water Grant for the ground storage tank and the new City wellfield line requiring City Council approval.

Motion by Council Member Gonzales to consider authorizing the City Attorney to negotiate easements for the USDA Water Grant for the ground storage tank and the new City wellfield line requiring City Council approval. Motion seconded by Council Member Morris and upon being put to a vote the motion passed.

**VOTING:**                    "AYE" 7                    "NAY"                    "ABSTAIN"

**AUTHORIZE COST OF LIVING ADJUSTMENT FOR DESIGNATED PERSONNEL:** City Council to consider authorizing a cost of living adjustment for designated personnel.

Motion by Council Member Morris to consider authorizing a cost of living adjustment for designated personnel. Motion seconded by Council Member Gonzales and upon being put to a vote the motion passed.

**VOTING:**                    "AYE" 7                    "NAY"                    "ABSTAIN"

**ADJOURNMENT:** *The next regularly scheduled meetings of the City Council of the City of Lamesa will be September 4, 2018 at 5:30 P.M.*

- **Sept. 4, 2018 City Council Meeting -**
  - Ratify Proposed Tax Increase Reflected In the FY 2017/2018 Adopted Budget with record vote.
  - 1<sup>st</sup> Reading to Adopt Tax Ordinances (M&O, I&S, Combined Tax Rate) with record vote.
- **Sept. 11, 2018 City Council Meeting -**
  - 2<sup>nd</sup> Reading to Adopt Tax Ordinances (M&O, I&S, Combined Tax Rate) with record vote.
  - Authorize Warrants for FY 2018/2019

- **Sept. 18, 2018 City Council Meeting -**

Pursuant to the provisions of the Texas Open Meetings Act, the City Council certifies that the items above are a full record of the subject matter of each deliberation and indicates each vote, order, decision or other action taken by the City Council of the City of Lamesa, Texas at the meeting held on the date indicated above. Ratified and approved at the regularly called meeting of the City Council of the City of Lamesa, Texas held on August 28, 2018.

ATTEST:

APPROVED:

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Betty Conde  
City Secretary

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Josh Stevens  
Mayor