

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

MINUTES OF THE CITY COUNCIL SPECIAL CALLED MEETING:

October 15, 2019

On this the 15th day of October 2019, 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 7 City Council Members were present:

JOSH STEVENS	Mayor
BRANT STEWART	Council Member – District 1
MARIE. BRISENO	Council Member – District 2 LEFT@7:10
RICK MORENO	Council Member – District 3
DORE EVAN RODRIGUEZ	COUNCIL MEMBER District 4
BOBBY G. GONZALES	Council Member – District 5
DOUG MORRIS	Council Member – District 6 LEFT@5:55

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:

Krystal Avila	Holly Holder	Kristi Laverty	David Boyd
Latrista Boyd	Larry Mitchell	Betty Mitchell	Dale Alwan
Stephanie Brown	Pauline	Sean Overeyender	Irma Ramirez
Robert Ramirez	Mike Lopez	Sandy Trevino	Sherry Alexander
Wayne Chapman	Pearl Butler		

INVOCATION: Doug Morris

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 September 17, 2019.
- b) **BILLS FOR SEPTEMBER 2019:** Approval of the bills paid by the City of Lamesa for the month of September, 2019.

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

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

LAMESA ECONOMIC DEVELOPMENT CORPORATION QUARTERLY REPORT: City Council to hear from LEDC/LEAP Executive Director Sean Overeynder regarding LEDC/LEAP Quarterly Report/Year in Review.

ADOPT FINANCIAL POLICY: City Council to consider passing a resolution approving the City's Financial Policy for Fiscal Year 2019-2020.

Motion by Council Member Stewart to pass a resolution approving the City's Financial Policy for Fiscal Year 2019-2020. Motion seconded by Council Member Rodriguez and upon being put to a vote the motion passed.

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

Res. No. R-31-19

Ord. Book 13

Page 81

APPROVAL OF TMLIEBP HEALTH INSURANCE RE-RATE: City Council to consider approving the Calendar Year 2019 TMLIEBP health insurance re-rate (approximately .77% increase over prior year).

Motion by Council Member Stewart to approve the Calendar Year 2019 2020 TMLIEBP health insurance re-rate (approximately .77% increase over prior year). Motion seconded by Council Member Morris and upon being put to a vote the motion passed.

VOTING: "AYE" 7 "NAY" "ABSTAIN"
RESOLUTION OF THE CITY OF LAMESA APPROVING COOPERATION WITH CITIES SERVED BY ATMOS WEST TEXAS TO REVIEW ATMOS ENERGY CORP., WEST TEXAS DIVISION'S ("ATMOS WEST TEXAS") REQUESTED RATE CHANGE: City Council to consider approving a resolution of cooperation with cities served by Atmos West Texas to review Atmos Energy Corp., West Texas Division's ("Atmos West Texas") to intervene in the requested rate change. *(City Manager)*

Motion by Council Member Morris to approve cooperation with cities served by Atmos West Texas to review Atmos Energy Corp., West Texas Division's ("Atmos West Texas") requested rate change. Motion seconded by Council Member Gonzales and upon being put to a vote the motion passed.

VOTING: "AYE" 7 "NAY" "ABSTAIN"
Res. No. R-32-19 Ord. Book 13 Page 83

FINANCIAL ADVISORY AGREEMENT BY AND BETWEEN THE CITY OF LAMESA AND GOVERNMENT CAPITAL SECURITIES CORPORATION: City Council to consider approving a Financial Advisory Agreement to which Government Capital Securities Corporation will advise the issuer on the issuance of Securities, as well as provide advice pertaining to the structuring and sale of the Securities and other matters. *(City Manager)*

Motion by Council Member Gonzales to approve a Financial Advisory Agreement to which Government Capital Securities Corporation will advise the issuer on the issuance of Securities, as well as provide advice pertaining to the structuring and sale of the Securities and other matters. Motion seconded by Council Member Morris and upon being put to a vote the motion passed.

VOTING: "AYE" 7 "NAY" "ABSTAIN"
Doug Morris left @ 5:55p.m. after agenda item #8.

ORDINANCE AUTHORIZING AND ORDERING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS SERIES 2019: City Council to consider an Ordinance of the City of Lamesa, Texas authorizing and ordering the issuance of General Obligation Refunding Bonds, Series 2019; authorizing a pricing officer to approve the amount, the interest rates, price, redemption provisions and terms thereof and certain other procedures and provisions related thereto; and containing other matters related thereto. *(Finance Director)*

Motion by Council Member Stewart to approve an Ordinance of the City of Lamesa, Texas authorizing and ordering the issuance of General Obligation Refunding Bonds, Series 2019; authorizing a pricing officer to approve the amount, the interest rates, price, redemption provisions and terms thereof and certain other procedures and provisions related thereto; and containing other matters related thereto. Motion seconded by Council Member Rodriguez and upon being put to a vote the motion passed.

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

Ord. No. O-23-19 Ord. Book 13 Page 115

ORDINANCE AUTHORIZING AND ORDERING THE ISSUANCE OF CITY OF LAMESA, TEXAS LIMITED TAX NOTE, SERIES 2019: City Council to consider an Ordinance authorizing and ordering the issuance of City of Lamesa, Texas Limited Tax Note, Series 2019; specifying the terms and features of such note; levying a continuing direct annual ad valorem tax for the payment of said note; and resolving other matters incident and related to the issuance, sale, payment and delivery of a paying agent/registrar agreement; and providing and effective date. *(Finance Director)*

Motion by Council Member Rodriquez to approve an Ordinance authorizing and ordering the issuance of City of Lamesa, Texas Limited Tax Note, Series 2019; specifying the terms and features of such note; levying a continuing direct annual ad valorem tax for the payment of said note; and resolving other matters incident and related to the issuance, sale, payment and delivery of a paying agent/registrar agreement; and providing and effective date. Motion seconded by Council Member Stewart and upon being put to a vote the motion passed.

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

Ord. No. O-24-19 Ord. Book 13 Page 153

OPEN BIDS FOR TDA CDBG 2018 WATER LINE PROJECT – N. E. 4TH STREET, and HARTFORD AND ALTERNATES: City Council to open bids and authorize Mayor to sign contract with lowest responsive bidder contingent upon review of contractors work history and experience by engineer and SAM review and approval of the grant administrator for the 2018 TDA CDBG Water Line Project on N. E. 4th Street, and Hartford and alternates for S. 2ND Street. *(City Manager)*

Name	Bid Amount
Tejas Partners Construction	\$216,360(Bid awarded)
Rinks Lease Service	\$227,510
TEC Excavation	\$395,807
Utility Contractors of America	\$337,785

Motion by Council Member Gonzales awarded bid to Tejas Partners Construction for the amount not to exceed \$216,360.00 and authorize Mayor to sign contract with lowest

responsive bidder contingent upon review of contractors work history and experience by engineer and SAM review and approval of the grant administrator for the 2018 TDA CDBG Water Line Project on N. E. 4th Street, and Hartford and alternates for S. 2ND Street. Motion seconded by Council Member Stewart and upon being put to a vote the motion passed.

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

PURCHASE OF 2019 CATERPILLAR 930M FRONT-END LOADER FOR STREETS DEPARTMENT WITH TRADE-IN: City Council to consider authorizing the purchase of a 2019 Caterpillar 930M Front-end Loader for the Streets Department with a trade-in of the 2011 Caterpillar Front-end Loader. This is TIPS pricing (similar to Buyboard).

Motion by Council Member Rick Moreno to. authorize the purchase of a 2019 Caterpillar 930M Front-end Loader for the Streets Department with a trade-in of the 2011 Caterpillar Front-end Loader Motion seconded by Council Member Stewart and upon being put to a vote the motion passed.

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

PURCHASE OF 2015 USED CATERPILLAR WHEEL TRACTOR-SCRAPER FOR LANDFILL DEPARTMENT WITH TRADE-IN: City Council to consider authorizing the purchase of a 2015 used Caterpillar Wheel Tractor-Scraper for the Landfill Department with a trade-in of the 2000 Caterpillar scraper. This is TIPS pricing (similar to Buyboard).

Motion by Council Member Gonzales to. authorize the purchase of a 2015 used Caterpillar Wheel Tractor-Scraper for the Landfill Department with a trade-in of the 2000 Caterpillar scraper Motion seconded by Council Member Briseno and upon being put to a vote the motion passed.

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

RESOLUTION DESIGNATING AUTHORIZED SIGNATORIES FOR THE USDA RURAL DEVELOPMENT FOR FIRE EQUIPMENT GRANT: City Council to adopt a Resolution by the City Council of The City of Lamesa, Texas, designating authorized signatories for contractual documents and documents for requesting funds pertaining to the USDA Rural Development for Fire Equipment Grant. (*City Manager*)

Motion by Council Member Rodriquez to. authorize a Resolution by the City Council of The City of Lamesa, Texas, designating authorized signatories for contractual documents and documents for requesting funds pertaining to the USDA Rural Development for Fire Equipment Grant. Motion seconded by Council Member Rick Moreno and upon being put to a vote the motion passed.

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

AN ORDINANCE AMENDING CHAPTER 12 ENTITLED "TRAFFIC AND VEHICLES" OF THE CODE OF ORDINANCES OF THE CITY OF LAMESA, TEXAS, TO ADD §12.03.054 ENTITLED "TEMPORARY REROUTING OF TRAFFIC DURING SCHOOL YEAR." City Council to consider amending Chapter 12 entitled "Traffic and vehicles" of the Code of Ordinances of the City of Lamesa, Texas, to add §12.03.054 entitled "Temporary Rerouting of Traffic During School Year." *(City Manager)*

Motion by Council Member Stewart to consider an Ordinance on first reading, amending Chapter 12 "Traffic and Vehicles", of the Code of Ordinances of the City of Lamesa, Texas to add 12.03.054 entitled 054 "Temporary Rerouting of Traffic During School Year.". Motion seconded by Council Member Gonzales and upon being put to a vote the motion passed.

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

PUBLIC HEARING ON APARTMENT DEVELOPMENT: Public hearing regarding a zone change request for the following property:

CASE NO. P & Z 19-11: To consider the petition of DON NICOLINI FOR THE LAMESA REAL ESTATE PARTNERS, LLC, 1311 PALM CANYON DRIVE, DALLAS, TX 75204 to change the zone of the following property

All of that portion of that 7.52 acre tract of land out of the Northeast One-fourth (NE/4) of Section 7, Block 35, T -5-N, T. & P. Ry. Co. Survey, in Dawson County, Texas, described in that Warranty Deed dated June 21, 1957, recorded in Volume 164, Page 133, of the Deed Records of Dawson County, Texas, which lies North of Southeast 14th Street, South of Southeast 13th Street, East of Southeast Detroit Avenue and West of Southeast Elgin Avenue.

Located at (OLD BASEBALL FIELD) 500 BLOCK BETWEEN SE 13TH TO SE 14TH AND S. ELGIN AVE TO S. DETROIT from zoning district R-1 to zoning district R-3 for use as MULTI FAMILY APARTMENTS.

The Mayor will ask if anyone wishes to speak regarding the following property.

The following persons spoke

Betty Mitchell Larry Mitchell David Boyd
Latrista Boyd Steve Alexander Pauline

The public hearing opened at 6:30P.M. and closed at 6:59P.M.

REQUEST FOR REZONING – APARTMENT DEVELOPMENT: City Council to consider approving an Ordinance on First reading approving zone change for the following property

CASE NUMBER P & Z 19-11: To consider the petition of DON NICOLINI FOR THE LAMESA REAL ESTATE PARTNERS, LLC, 1311 PALM CANYON DRIVE, DALLAS, TX 75204 to change the zone of the following property

All of that portion of that 7.52 acre tract of land out of the Northeast One-fourth (NE/4) of Section 7, Block 35, T -5-N, T. & P. Ry. Co. Survey, in Dawson County, Texas, described in that Warranty Deed dated June 21, 1957, recorded in Volume 164, Page 133, of the Deed Records of Dawson County, Texas, which lies North of Southeast 14th Street, South of Southeast 13th Street, East of Southeast Detroit Avenue and West of Southeast Elgin Avenue.

Located at (OLD BASEBALL FIELD) 500 BLOCK BETWEEN SE 13TH TO SE 14TH AND S. ELGIN AVE TO S. DETROIT from zoning district R-1 to zoning district R-3 for use as MULTI FAMILY APARTMENTS.

Motion by Council Member Stewart to consider approving an Ordinance on First reading approving zone change for the following property. Motion seconded by Council Member Rodriguez and upon being put to a vote the motion passed.

VOTING: "AYE" 4 "NAY" 1 "ABSTAIN" 1

REQUEST FOR SPECIFIC USE PERMIT: City Council to consider approving an Ordinance on Second reading approving specific use permit for the following property:

CASE NO. P&Z 19-10: To consider the petition of HUMBERTO G. AVILA, 1001 N.1ST LAMESA, TEXAS 79331 of the following property

LOTS 7 8 AND 9, BLOCK 6 OF THE SECOND MORNING ADDITION, to the City of Lamesa, Dawson County, Texas

located at 509 N. GARY AVENUE, LAMESA, TEXAS 79331. APPLICANTIS REQUESTING A SPECIFIC USE PERMIT TO PLACE A 2020 RIFFLEMAN 3240 (32X76) MANUFACTURED HOME AS HIS PRIMARY RESIDENCE. (*Building Official*)

Motion by Council Member Gonzales to consider approving an Ordinance on First reading approving specific use permit. Motion seconded by Council Member Briseno and upon being put to a vote the motion passed.

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

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

INVESTMENT REPORT: Finance Director to report on City's investments through the 4th quarter of FY 2017/2018.

CITY STAFF REPORTS:

- a. **POLICE CHIEF REPORT:** Police Chief to report on the city's recent events:
- b. **FIRE CHIEF REPORT:** Fire Chief to report on the city's recent events:
- c. **UTILITIES DIRECTOR REPORT:** Utilities Director to report on the city's recent events:

CITY MANAGER REPORT: City Manager to report on current activities.

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

ADJOURNMENT: *The next regularly scheduled meetings of the City Council of the City of Lamesa will be November 19, 2019 at 5:30 P.M.*

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 October 15, 2019.

ATTEST:


Betty Conde
City Secretary

APPROVED:


Josh Stevens
Mayor