

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

**MINUTES OF THE CITY COUNCIL SPECIAL CALLED MEETING:**

**November 19, 2019**

On this the 19th day of November 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 4 City Council Members were present:

JOSH STEVENS	Mayor
BRANT STEWART	Council Member – District 1
MARIE. BRISENO	Council Member – District 2
RICK MORENO	Council Member – District 3(Absent)
DORE EVAN RODRIGUEZ	COUNCIL MEMBER District 4
BOBBY G. GONZALES	Council Member – District 5
DOUG MORRIS	Council Member – 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:**

Elijah Jimenez	Dale Alwan	Steven D. Bennett
Liberty Carey	Cris Norris	Gloria Rodriguez
Mark Lee Dickenson	Mike Lopez	Sean Overeynder
Fred Vera	Larry Duyck	Sandy Trevino

**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 meeting held on October 15, 2019.
- b. **BILLS FOR OCTOBER 2019:** Approval of the bills paid by the City of Lamesa for the month of October 2019.
- c. **PROCLAMATION:** Observing November 11<sup>th</sup>, 2019 as "Veteran's Day".

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

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

**DISCUSSION OF PARKING OF SEMI TRUCKS IN RESIDENTIAL NEIGHBORHOODS:** City Council to discuss the parking of semi-trucks in residential neighborhoods. *(Requested by Fred Vera and Gloria Rodriguez)*

**Council will review Ordinance.**

**DISCUSSION OF TMLIEBP HEALTH INSURANCE RE-RATE:** City Council to discuss the Calendar Year 2019 TMLIEBP health insurance re-rate (approximately .77% increase over prior year). *(Cris Norris)*

**DISCUSSION TO APPROVE ADDITION OF ONE DISPATCHER IN POLICE COMMUNICATIONS:** City Council to consider approving the addition of one full-time dispatcher to the Police Communications Division. *(Requested by Dawson County for Power Shift on nights and weekends.*

Motion by Council Member Morris to approve the addition of one full-time dispatcher to the Police Communications Division. Motion seconded by Council Member Stewart and upon being put to a vote the motion passed.

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

**RESOLUTION TO CONSIDER APPROVAL OF A CITY ECONOMIC DEVELOPMENT POLICY & GUIDELINES FOR TAX ABATEMENTS AND CHAPTER 380 AGREEMENTS:** City Council to discuss and consider approval of A City Economic Development Policy and Guidelines for Tax Abatements and Chapter 380 Agreements. *(EDC Director & City Manager)*

Motion by Council Member Gonzales to approve a resolution of A City Economic Development Policy and Guidelines for Tax Abatements and Chapter 380 Agreements. Motion seconded by Council Member Rodriquez and upon being put to a vote the motion passed.

<b>VOTING:</b>	<b>"AYE" 6</b>	<b>"NAY"</b>	<b>"ABSTAIN"</b>
<b>Res. No. R-34-19</b>		<b>Book 13</b>	<b>Page 179</b>

**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. *(City Manager)*

Motion by Council Member Morris 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 Stewart and upon being put to a vote the motion passed.

<b>VOTING:</b>	<b>"AYE" 6</b>	<b>"NAY"</b>	<b>"ABSTAIN"</b>
<b>Ord No. O-23-19</b>		<b>Book 13</b>	<b>Page 115</b>

**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. *(City Manager)*

Motion by Council Member Morris 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 Rodriquez and upon being put to a vote the motion passed.

<b>VOTING:</b>	<b>"AYE" 6</b>	<b>"NAY"</b>	<b>"ABSTAIN"</b>
<b>Ord No. O-24-19</b>		<b>Book 13</b>	<b>Page 153</b>

**PUBLIC HEARING - NUISANCE PROPERTY REMOVAL OR DEMOLITION:** Public hearing to determine whether buildings located at the following location:

Public hearing to determine whether buildings located at the following location:

LEGAL DESCRIPTION: ARBITRARY LOT FORTY-FIVE (45) X FOURTY (40) OUT OF NE/CORNER OF LOT TWO (2) CECIL KEY ADDITION TO THE CITY IN LAMESA, DAWSON COUNTY, TEXAS

310 N AVENUE H, LAMESA TX 79331  
PARCEL ID: 3092

are vacant and dangerous and constitute a public nuisance within the terms of the Substandard Building Ordinance of the City of Lamesa; and if such buildings are found to be so dilapidated, damaged or decayed as to be beyond repair, to consider passing resolution ordering the demolition of said buildings.

No one spoke accept City Inspector, Public hearing opened at 6:12pm and closed at 6:13pm

**NUISANCE PROPERTY REMOVAL OR DEMOLITION:** Consider passing a resolution finding the structure located on the above property to be uninhabitable, deteriorated, dangerous, and a substandard structure, which constitutes a public nuisance within the terms of the Substandard Building Ordinance of the City of Lamesa and ordering the removal or demolition of such substandard structure. *(City Manager & City Inspector)*

LEGAL DESCRIPTION: ARBITRARY LOT FORTY-FIVE (45) X FOURTY (40) OUT OF NE/CORNER OF LOT TWO (2) CECIL KEY ADDITION TO THE CITY IN LAMESA, DAWSON COUNTY, TEXAS

310 N AVENUE H, LAMESA TX 79331  
PARCEL ID: 3092

Motion by Council Member Stewart to consider passing a resolution finding the structure located on the above property to be uninhabitable, deteriorated, dangerous, and a substandard structure which constitutes a public nuisance within the terms of the Substandard Building Ordinance of the City of Lamesa and ordering the removal or demolition of such substandard structure. Motion seconded by Council Member Gonzales and upon being put to a vote the motion passed.

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

**CONSIDER/DISCUSS/APPROVE THE RECOMMENDED AWARD OF TXCDBG #7218280 CONSTRUCTION CONTRACT TO LOW BIDDER, TEJAS PARTNERS CONSTRUCTION:** City Council to consider/discuss/approve the recommended Award of TxCDBG #7218280 Construction Contract to low bidder, Tejas Partners Construction, for the base bid and add alternates 1 and 2 in amount of \$214,276.50. The amount of \$208,940.00 will be paid with TDA Grant Funds. The remaining \$5,336.50 will be contributed with funds by the City of Lamesa. *(City Manager)*

Motion by Council Member Rodriguez to pass a Resolution awarding of Professional Service Contract Management Firm for Application Preparation and General Administration of a 2019/2020 TxCDBG Grant. Motion seconded by Council Member Morris and upon being put to a vote the motion passed.

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

**RESOLUTION APPROVING THE EXECUTION OF A FIRE SERVICE AGREEMENT WITH DAWSON COUNTY, TEXAS FOR THE FIRE PROTECTION SERVICES TO RESIDENTS OF THE UNINCORPORATED AREAS OF DAWSON COUNTY:** City Council to approve the execution of a Fire Service Agreement with Dawson County, Texas, for the Fire Protection Services to residents of the unincorporated areas of Dawson County for a period specified and authorizing the Mayor of the City of Lamesa to execute such Fire Service Agreement on behalf of the city. *(City Manager)*

Motion by Council Member Morris to. approve a Resolution for the execution of a Fire Service Agreement with Dawson County, Texas, for the Fire Protection Services to residents of the unincorporated areas of Dawson County for a period specified and authorizing the Mayor of the City of Lamesa to execute such Fire Service Agreement on behalf of the city. Motion seconded by Council Member Gonzales and upon being put to a vote the motion passed.

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

**Res. No. R-36-19**

**Book 13**

**Page 91**

**RESOLUTION APPROVING THE EXECUTION OF A SOLID WASTE LANDFILL ACCESS AGREEMENT WITH DAWSON COUNTY:** City Council to approve the execution of a Solid Waste Landfill Agreement with Dawson County, Texas, and authorizing the mayor of the City of Lamesa to execute such solid waste landfill access agreement on behalf of the city. *(City Manager)*

Motion by Council Member Morris to. approve a Resolution for the execution of a Solid Waste Landfill Agreement with Dawson County, Texas, and authorizing the mayor of the City of Lamesa to execute such solid waste landfill access agreement on behalf of the city. Motion seconded by Council Member Gonzales and upon being put to a vote the motion pass.

**VOTING:**  
**Res. No. R-37-19**

"AYE" 6

"NAY"  
**Book 13**

"ABSTAIN"  
**Page 97**

**RESOLUTION APPROVING THE EXECUTION OF A COMMUNICATIONS AND JAIL SERVICE AGREEMENT WITH DAWSON COUNTY:** City Council to approve the execution of a Communications and Jail Service Agreement with Dawson County, Texas, and authorizing the mayor of the City of Lamesa to execute such communications and jail service agreement on behalf of the city. *(City Manager)*

Motion by Council Member Morris to approve a Resolution for the execution of a Communications and Jail Service Agreement with Dawson County, Texas, and authorizing the mayor of the City of Lamesa to execute such communications and jail service agreement on behalf of the city. Motion seconded by Council Member Gonzales and upon being put to a vote the motion passed.

**VOTING:**  
**Res. No. R-38-19**

"AYE" 6

"NAY"  
**Book 13**

"ABSTAIN"  
**Page 109**

**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 second 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 Briseno and upon being put to a vote the motion passed.

**VOTING:**  
**Ord No. O-25-19**

"AYE" 5

"NAY" \_\_\_\_\_  
**Book 13**

"ABSTAIN" 1  
**Page 185**

**BUDGET AMENDMENT I:** Consider amending Ordinance O-17-19 on first reading with respect to October 1, 2019. *(City Manager & Finance Director)*

Motion by Council Member Gonzales to consider amending Ordinance O-17-19 on First reading with respect to October 1, 2019. Motion seconded by Council Member Stewart and upon being put to a vote the motion passed.

**VOTING:**

"AYE" 6

"NAY"

"ABSTAIN"

**AN ORDINANCE AMENDING CHAPTER 14 ENTITLED "ZONING" OF THE CODE OF ORDINANCE OF THE CITY OF LAMESA, TEXAS, AMENDING SECTION 14.03.054 AND SECTION 14.03.055 TO ALLOW MODULAR HOMES AND MANUFACTURED BUILDINGS TO BE LOCATED IN R-3 DISTRICTS IN THE CITY OF LAMESA:** City Council to consider approving an Ordinance on first reading amending chapter 14 entitled "Zoning" of the Code of Ordinance of the City of Lamesa Texas, amending section 14.03.054 and section 14.03.055 to allow modular homes and manufactured buildings to be located in R-3 districts in the City of Lamesa. *(City Manager & City Inspector)*

Motion by Council Member Morris to approve an Ordinance on first reading, amending chapter 14 entitled "Zoning" of the Code of Ordinance of the City of Lamesa, Texas, amending section 14.03.054 and section 14.03.055 to allow homes and manufactured buildings to be located in R-3 districts in the City of Lamesa. Motion seconded by Council Member Rodriguez and upon being put to a vote the motion passed.

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

**PURCHASE TWO TRUCKS FOR THE METER READER AND WATER DEPARTMENT FROM MITCH HALL CHEVROLET:** City Council to consider the purchase of two trucks for the meter reader and water department from Mitch Hall Chevrolet. *(City Manager)*

Motion by Council Member Stewart to approve the purchase of two trucks for the meter-reader and water department from Mitch Hall Chevrolet. Motion seconded by Council Member Morris and upon being put to a vote the motion passed.

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

**CALL FOR BIDS FOR SALE OF SURPLUS VEHICLES:** Call for bids for the sale of surplus vehicles. *(City Manager)*

Motion by Council Member Gonzales to call for bids for the sale of surplus vehicles. Motion seconded by Council Member Stewart and upon being put to a vote the motion passed.

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

**REQUEST FOR REZONING – APARTMENT DEVELOPMENT:** City Council to consider approving an Ordinance on Second 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 14<sup>th</sup> Street, South of Southeast 13<sup>th</sup> Street, East of Southeast Detroit Avenue and West of Southeast Elgin Avenue.

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

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

**VOTING:**                      "AYE" 5                      "NAY" 1                      "ABSTAIN"

**Ord No. O-26-19**

**Book 13**

**Page 187**

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

**CITY STAFF REPORTS:**

- a. **PARKS, STREETS, SANITATION/LANDFILL REPORT:** Director to report on the city's recent events. (*Parks and Street/Director*)
- b. **UTILITIES DIRECTOR REPORT:** Utilities Director to report on the city's recent events. (*Utilities Director*)

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

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

- c. City Hall Closed for Thanksgiving – November 28 & 29, 2019
- d. City Hall Christmas Open House – December 6, 2019 from 11 a.m. to 4 p.m.
- e. City Hall Closed for Christmas – December 24 & 25, 2019
- f. City Hall Closed for New Year's Day – January 1, 2020

**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 December 17, 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 November 19, 2019.

ATTEST

  
\_\_\_\_\_  
Betty Conde  
City Secretary

APPROVED:

  
\_\_\_\_\_  
Josh Stevens  
Mayor