

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

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

**December 17, 2019**

On this the 17th day of December 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
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

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:

Ron Smith	Larry Duyck	Mike Lopez	Wayne Chapman
Robert Ramirez	Deedra Cope	Miles Richard	Dionicio Garza Jr.
Edwin Tatum	Bob Foreman		

**INVOCATION:**

**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 November 19, 2019.
- b) **BILLS FOR JULY 2019:** Approval of the bills paid by the City of Lamesa for the month of November, 2019.
- c) **RE-APPOINTMENTS TO BOARDS:**

**RE-APPOINTMENT – LAMESA ECONOMIC DEVELOPMENT CORPORATION MEMBER:** Consider re-appointing Bob Henderson to the Lamesa Economic Development Corporation, for a two (2) year term ending on December 2021.

**RE-APPOINTMENT – LAMESA ECONOMIC DEVELOPMENT CORPORATION MEMBER:** Consider re-appointing Scott Leonard to the Lamesa Economic Development Corporation, for a two (2) year term ending on December 2021.

**APPOINTMENT – LAMESA ECONOMIC DEVELOPMENT CORPORATION MEMBER:** Consider appointing Bobby Gonzales to the Lamesa Economic Development Corporation, for a two (2) year term ending on December 2021.

**RE-APPOINTMENT – LAMESA ECONOMIC ALLIANCE PROJECT MEMBER:** Consider re-appointing Bob Henderson to the Lamesa Economic Alliance Project for a two (2) year term ending on December 2021.

**RE-APPOINTMENT – LAMESA ECONOMIC ALLIANCE PROJECT MEMBER:** Consider re-appointing Scott Leonard to the Lamesa Economic Alliance Project, for a two (2) year term ending on December 2021.

**RE-APPOINTMENT – LAMESA ECONOMIC ALLIANCE PROJECT MEMBER:** Consider re-appointing Bobby Gonzales to the Lamesa Economic Alliance Project, for a two (2) year term ending on December 2021.

**RE-APPOINTMENT. - LAMESA MUNICIPAL GOLF ADVISORY BOARD:** Consider re-appointing John Weatherman to the Municipal Golf Advisory Board for a 4-year term ending on December 31, 2023.

**RE-APPOINTMENT. - LAMESA MUNICIPAL GOLF ADVISORY BOARD:** Consider re-appointing Mr. Solis to the Municipal Golf Advisory Board for a 4-year term ending on December 31, 2021. *(Mr. Solis has agreed to serve.)*

**RE-APPOINTMENT – LAMESA-DAWSON COUNTY MUSEUM ASSOCIATION MEMBER:** Consider re-appointing Judy Beam to the Lamesa-Dawson County Museum Association Board, for a three (3) year term ending on December 2022. *(Ms. Beam's term expires December 2019. Ms. Beam has agreed to serve.)*

**RE-APPOINTMENT – DAWSON COUNTY CENTRAL APPRAISAL DISTRICT MEMBER:** Consider re-appointing Jerry Don Adams to the Dawson County Central Appraisal District Board, for a two (2) year term ending on December 2021. *(Mr. Adams term expires December 2019... Mr. Adams has agreed to serve)*

**RE-APPOINTMENT - SOUTH PLAINS PUBLIC HEALTH DISTRICT:** Consider re-appointing Shawna Burkhart to the South Plains Public Health District, for a (2) year term ending on December 2021.

d) **LIVESTOCK PERMIT RENEWALS:** Consider renewal of livestock permits for calendar year 2020.

**Landfill Tract:** (Landfill property) for keeping 7 cows upon application of Sam Leal

**1006 South East 8<sup>th</sup> Street:** for keeping 5 horses upon application of Steve Alexander

**1708 South 8<sup>th</sup>:** for keeping 2 goats or sheep and 2 cows upon application of Keith Carter

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

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

**LEDC / LEAP RECOMMENDATION FOR APPOINTMENT:** City Council to consider recommendation(s) of a new member to serve in both the LEDC and LEAP board for a two (2) year term ending on December 2021.

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

Motion by Council Member Morris to recommend Bobby Gonzales to serve in the LEDC boards for a two (2) year term ending on December 2021. Motion seconded by Council Member Stewart and upon being put to a vote the motion passed.

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

LEDC Type A 1 candidate can live within 10 miles of the city limits. (LEAP within the city limits Type b). The position remains open for LEAP Type B within city limits.

**LEDC/LEAP QUARTERLY REPORT:** City Council to hear from LEDC/LEAP Executive Director Sean Overeynder regarding LEDC/LEAP Quarterly Report/Year in Review. (LEDC/LEAP Director)

**HEAR UPDATE FROM MILES RICHARD WITH RICHARDS CONSTRUCTION REGARDING RON SMITH PROJECT:** Hear update from Miles Richard with Richards Construction regarding Ron Smith Project. (LEDC/LEAP Director)

**EXTENSION TO LEASE AGREEMENT WITH GOVERNMENT CAPITAL FOR A NEW FIRE TRUCK:** City Council to consider entering into an extended lease agreement with Government Corporation for New Fire Truck. (City Manager)

Motion by Council Member Stewart to approve an extended lease agreement with Government Capital Corporation for New Fire Truck. Motion seconded by Council Member Rodriguez and upon being put to a vote the motion passed.

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

**PRIORITY POWER MANAGEMENT:** Consider current market pricing analysis for renewal extension terms from January 1, 2025 to January 1, 2030 for the City of Lamesa and award contract (Load Zone pricing). *(Bob Forman, Priority Power Management)*

Motion by Council Member Rodriguez to award contract for renewal extension terms from January 1, 2025 to January 1, 2030 for the City of Lamesa and award contract. Motion seconded by Council Member Gonzales and upon being put to a vote the motion passed.

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

**ORDINANCE AMENDING CHAPTER 12, DIVISION 3 STOP INTERSECTIONS, SECTION 12.03.082(2) OF THE CODE OF ORDINANCES TO PROVIDE FOR ADDITIONAL STOP SIGNS:** City Council to consider amending Chapter 12, Division 3 Stop Intersections, Section 12.03.082(2) of the Code of Ordinances to provide for additional stop signs through N.13<sup>th</sup> Street and Avenue P. *(City Manager)*

Motion by Council Member Morris to approve an Ordinance on first reading amending Chapter 12, Division 3 Stop Intersections, Section 12.03.082(2) of the Code of Ordinances to provide for additional stop signs through N.13<sup>th</sup> Street and Avenue P. Motion seconded by Council Member Stewart and upon being put to a vote the motion passed.

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

**AN ORDINANCE AMENDING CHAPTER 14 ENTITLED "ZONING" OF THE CODE OF ORDINANCE OF THE CITY OF LAMESA, TEXAS, MOVE MODULAR HOMES FROM "M-1" TO "R-3" DISTRICT:** City Council to consider approving an Ordinance of the City of Lamesa, Texas, to move Modular Homes from M-1 to R-3 Zoning District. *(City Manager & City Inspector)*

Motion by Council Member Gonzales to consider an Ordinance on second reading, amending Chapter 14 Entitled "Zoning" of The Code of Ordinances of the City of Lamesa, Texas, move modular homes and manufactured buildings from "M-1" TO "R-3" district. Motion seconded by Council Member Morris and upon being put to a vote the motion passed.

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

**Ord. No. O-27-19                    Ord. Book 13                    Page 193**

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

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

**PUBLIC HEARING ON REQUEST FOR SPECIFIC USE PERMIT:** Public hearing regarding a specific use permit for the following property:

**CASE NO. P&Z 20-1:** To consider the petition of 5 BERG HOLDINGS LLC., 2310 FORDHAM ST., LUBBOCK, TEXAS 79415 of the following property:

LOTS 3-12 BLK 7 AND 3-6 BLK 12 OF THE JN WASTON ADDITION to the City of Lamesa, Dawson County, Texas

located at 715 S. LYNN, LAMESA, TEXAS 79331, from zoning district I-1 to I-1 for use as APPLICANT IS REQUESTING A SPECIFIC USE PERMIT TO INSTALL ANOTHER MANUFACTURED HOME AS LIVING QUARTER FOR THEIR NIGHTWATCHMAN.

*The Public hearing opened @6:40p.m. and closed @ 6:41p.m.  
No one spoke*

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

**CASE NO. P&Z 20-1:** To consider the petition of 5 BERG HOLDINGS LLC., 2310 FORDHAM ST., LUBBOCK, TEXAS 79415 of the following property:

LOTS 3-12 BLK 7 AND 3-6 BLK 12 OF THE JN WASTON ADDITION to the City of Lamesa, Dawson County, Texas

located at 715 S. LYNN, LAMESA, TEXAS 79331, from zoning district I-1 to I-1 for use as APPLICANT IS REQUESTING A SPECIFIC USE PERMIT TO INSTALL ANOTHER MANUFACTURED HOME AS LIVING QUARTER FOR THEIR NIGHTWATCHMAN. *(Building Official)*

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

**VOTING:**

"AYE" 7

"NAY"

"ABSTAIN"

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

LEGAL DESCRIPTION: ALL OF LOT NO. TWO (2), IN BLOCK ONE (1), OF THE D.W. ADAMS FIRST ADDITION, TO THE TOWN LAMESA, DAWSON COUNTY, TEXAS

1303 N 1<sup>ST</sup>  
PARCEL ID: R825

are vacant and dangerous and constitute a public nuisance within the terms of the 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.

*The Public hearing opened @6:42p.m. and closed @ 6:42p.m.  
No one spoke*

**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 Inspector)*

LEGAL DESCRIPTION: ALL OF LOT NO. TWO (2), IN BLOCK ONE (1), OF THE D.W. ADAMS FIRST ADDITION, TO THE TOWN LAMESA, DAWSON COUNTY, TEXAS

1303 N 1<sup>ST</sup>  
PARCEL ID: R825

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 Moreno and upon being put to a vote the motion passed.

<b>VOTING:</b>	<b>"AYE" 7</b>	<b>"NAY"</b>	<b>"ABSTAIN"</b>
<b>Res. No. R-39-19</b>	<b>Ord. Book -13</b>		<b>Page-199</b>

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

LEGAL DESCRIPTION: LOT THREE (3), BLOCK SIX (6), D.W. ADAMS TO THE TOWN LAMESA, DAWSON COUNTY, TEXAS

1505 N 2nd  
PARCEL ID: R859

are vacant and dangerous and constitute a public nuisance within the terms of the 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.

*The Public hearing opened @6:44p.m. and closed @ 6:44p.m.  
No one spoke*

**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.

LEGAL DESCRIPTION: LOT THREE (3), BLOCK SIX (6), D.W. ADAMS TO THE TOWN LAMESA, DAWSON COUNTY, TEXAS

1505 N 2nd  
PARCEL ID: R859

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

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

**Res. No. R-40-19**

**Ord. Book -13**

**Page-203**

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

LEGAL DESCRIPTION: ALL OF LOTS ONE (1), AND TWO (2), OF THE S.C. ALBERTSON SUBDIVISION OF A FIVE ACRE TRACT OUT OF THE NORTH ONE-HALF (N-2) OF SECTION ONE (1), BLOCK THIRTY-SIX (36), T-5-N, TO THE TOWN LAMESA, DAWSON COUNTY, TEXAS

212 N Bryan  
PARCEL ID: R903

are vacant and dangerous and constitute a public nuisance within the terms of the 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.

*The Public hearing opened @6:45p.m. and closed @ 6:46p.m.  
Pete Carranza owner of the property spoke.*

**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 Inspector)*

LEGAL DESCRIPTION: ALL OF LOTS ONE (1), AND TWO (2), OF THE S.C. ALBERTSON SUBDIVISION OF A FIVE ACRE TRACT OUT OF THE NORTH ONE-HALF (N-2) OF SECTION ONE (1), BLOCK THIRTY-SIX (36), T-5-N, TO THE TOWN LAMESA, DAWSON COUNTY, TEXAS

212 N Bryan  
PARCEL ID: R903

Passed on item #19

**DISCUSSION / REGARDING CITY OF LAMESA MSW LANDFILL-TYPE I & IV AREA CALCULATIONS:** Discussion of City of Lamesa MSW Landfill - Type I & IV Area Fiscal Calculations.



**AUTHORIZE ENTERING INTO WATER TANK MAINTENANCE CONTRACT WITH UTILITY SERVICE CO. INC. (SUEZ) TO PROVIDE THE PROFESSIONAL SERVICE NEEDED TO MAINTAIN ITS 200,000 GALLON WATER STORAGE TANK LOCATED AT NE 14<sup>TH</sup> & INDUSTRIAL, LAMESA, TX 79331:** City Council to consider authorizing entering into a contract with Utility Service Co., Inc (Suez).to provide the professional service needed to maintain its 200,000 gallon water storage tank located at NE 14<sup>th</sup> Industrial, Lamesa, TX 79331.(*City Manager*)

Motion by Council Member Stewart to authorize entering into a contract with SUEZ Utility Service Co., Inc.to provide the professional services needed to maintain its 200,000-gallon water storage tank located at NE 14<sup>th</sup> Industrial, Lamesa, TX 79331. Motion seconded by Council Member Rodriguez and upon being put to a vote the motion passed.

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

**AUTHORIZE ADDENDUM C TO MASTER CONTRACT WITH MANDRY TECHNOLOGY SOLUTIONS TO PROVIDE ANNUAL SECURITY ASSESSMENT WITH REMEDIATION PLAN AND IT SECURITY TRAINING PROGRAM FOR CITY EMPLOYEES AS MANDATED BY HOUSE BILL 3834.** City Council to consider authorizing Addendum C to Master Contract with Mandry Technology Solutions to provide annual security assessment with remediation plan and IT Security Training Program to city employees.

Motion by Council Member Gonzales to authorize entering into a contract with Mandry Technology Solutions provide annual security assessment with remediation plan and IT Security Training Program to city employees as mandated by House Bill 3834. Motion seconded by Council Member Morris and upon being put to a vote the motion passed.

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

**OPEN AND AWARD BIDS – SURPLUS VEHICLES:** Open and award bids for the sale of surplus vehicles. (*City Manager*)

Motion by Council Member Gonzales to award bid(s) to Don Carney except 2000Chevy Silverado 1500. Motion seconded by Council Member Stewart and upon being put to a vote the motion passed.

*The 2000 Chevy Silverado will be posted on the January agenda due to the year model posted incorrect.*

**PURCHASE MACK TRUCK WITH ROLL-OFF HOIST FOR SANITATION DIVISION:**  
City Council to consider the purchase of a Mack truck with roll-off hoist from Summit Truck Group. This is a Sourcewell purchase. *(Similar to Buyboard) (City Manager)*

Motion by Council Member Stewart to consider the purchase of a Mack truck with roll-off hoist from National Auto Fleet Group. Motion seconded by Council Member Moreno and upon being put to a vote the motion passed.

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

**DISCUSSION AND POSSIBLE ACTION ON PURCHASE OF NEW LANDFILL COMPACTOR:** City Council to consider options to purchase a new landfill compactor and take possible action. *(City Manager)*

*No action was taken this agenda item will be brought back on the January agenda*

**UTILITIES DIRECTOR REPORT:** Utilities Director to report on the city's recent events.

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


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

- a. City Hall will be closed from 3-5 for the employee safety party
- b. City Hall Closed for Christmas – December 25 & 26, 2019 (Closed on Wednesday and Thursday)
- c. City Hall Closed for New Year's Day – January 1 & 2, 2020 (Closed on Tuesday and Wednesday)


**MAYORS REPORT:** Mayor to report on current activities.

**ADJOURNMENT:** *The next regularly scheduled meetings of the City Council of the City of Lamesa will be JANUARY 21, 2020 at 5:30 P.M.*

ATTEST:

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

APPROVED:

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