



# CITY COUNCIL AGENDA

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NOTICE IS GIVEN THAT THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS, WILL MEET IN A REGULARLY SCHEDULED MEETING AT 5:30 P.M. ON TUESDAY, NOVEMBER 17, 2020, 601 SOUTH FIRST STREET, FOR THE PURPOSE OF CONSIDERING AND TAKING OFFICIAL ACTION ON THE FOLLOWING ITEMS:

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1. **CALL TO ORDER:**
2. **INVOCATION:**
3. **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 20, 2020.
  - b. **BILLS FOR OCTOBER 2020:** Approval of the bills paid by the City of Lamesa for the month of October 2020.
  - c. **RE-APPOINTMENT- AIRPORT BOARD MEMBER:** Consider re-appointing Mike Huges to the Airport Board, for a three (3) year term ending on December 2023.
4. **EXPRESSION OF APPRECIATION:** Consider passing a resolution of appreciation to Marie Briseno for 24 1/2 years of service on City Council. *(City Council)*
5. **EXPRESSION OF APPRECIATION:** Consider passing a resolution of appreciation to Luciano Reyes of service on City Council. *(City Council)*
6. **CERTIFICATE OF ELECTION AND OATH OF OFFICE - NEWLY ELECTED COUNCIL MEMBER:** Deliver Certificate of Election and administer Oath of Office to the newly-elected Council Member from the November 3, 2020 City General Election. *(City Attorney)*
7. **2021 -SPECIAL ELECTION:** City Council to consider passing a resolution ordering and establishing procedures for the City of Lamesa 2021 Special Election for District 3 to be held on Saturday, February 27, 2021 at Forrest Park Community Center, 814 S. Houston Street, Lamesa, Texas. *(City Secretary)*
8. **CONSIDERATION AND APPROPRIATE ACTION TO AUTHORIZE SOLICITATION OF CONSTRUCTION BIDS FOR WATER SYSTEM IMPROVEMENTS AND AUTHORIZING PARKHILL, SMITH & COOPER, CITY ENGINEERS, TO IMPLEMENT SUCH CONSTRUCTION BID PROCESS, AND AUTHORIZING THE CITY MANAGER TO ACT ON ALL MATTERS AND EXECUTE ANY REQUIRED DOCUMENTS PERTAINING TO SUCH CONSTRUCTION BID PROCESS:** City Council to consider and take action authorizing of construction bids for water system improvements and authorizing Parkhill, Smith & Cooper, City Engineers, to implement such construction bid process and authorizing the City Manager to act on all matters and execute any requires documents pertaining to such construction bid process.*(City Manager & Finance Director)*

- 9. CONSIDERATION AND APPROVAL OF A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS AUTHORIZING AND APPROVING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION; COMPLYING WITH THE REQUIREMENTS CONTAINED IN SECURITIES AND EXCHANGE COMMISSION RULE 15c2-12; AND PROVIDING AN EFFECTIVE DATE:** *City Council to consider approving a resolution by the City Council of the City of Lamesa, Texas authorizing and approving publication of notice of intention to issue Certificates of Obligation, complying with the requirements contained in securities and exchange Commission Rule 15c2-12, and providing an effective date. (City Manager & Finance Director)*
- 10.A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS, APPROVING AN ECONOMIC INCENTIVE AND PERFORMANCE AGREEMENT BETWEEN LAMESA ECONOMIC ALLIANCE PROJECT AND TRACTOR SUPPLY OF TEXAS, LP:** *City Council to consider passing a resolution approving an economic incentive and performance agreement between Lamesa Economic Alliance Project and Tractor Supply of Texas, LP. (EDC Director)*
- 11.A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS, APPROVING AN ECONOMIC INCENTIVE AND PERFORMANCE AGREEMENT BETWEEN LAMESA ECONOMIC ALLIANCE PROJECT AND PREMIER FORD OF TEXAS, LLC:** *City Council to consider passing a resolution approving an economic incentive and performance agreement between Lamesa Economic Alliance Project and Premier Ford of Texas, LLC. (EDC Director)*
- 12.BUDGET AMENDMENT XII:** *City Council to consider amending Ordinance O-20-20 on second reading with respect to the budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021. This Budget Amendment reflects the proceeds from the sale of trust properties through the Texas Community Group. (City Manager & Finance Director)*
- 13.BUDGET AMENDMENT XIII:** *City Council to consider amending Ordinance O-20-20 on second reading with respect to the budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021. (City Manager & Finance Director)*
- 14.BUDGET AMENDMENT XIV:** *City Council to consider amending Ordinance O-20-20 on first reading with respect to the budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021. (City Manager & Finance Director)*
- 15.REQUEST FOR SPECIFIC USE PERMIT:** *City Council to consider approving an Ordinance on second reading approving a specific use permit:*

**CASE NO. P&Z 20-10:** To consider the petition of Rebecca Tice, 502 N.E. 5<sup>TH</sup> Street, Lamesa, Texas 79331

All of Lots Nine (9), Ten (10) and Eleven (11), in Block Two (2) of the Lindsey Addition to the Town of Lamesa, Dawson County, Texas;

located at 304 N.E. 6<sup>TH</sup> Street. Applicant is requesting a specific use permit to place a 2020 Fort Olympian 6360 Double-Wide Manufactured Home as her primary residence  
*(Building Official)*

- 16.REQUEST FOR SPECIFIC USE PERMIT:** *City Council to consider approving an Ordinance on second reading approving a specific use permit:*

**CASE NO. P&Z 20-12:** To consider the petition of Ossie M. McCurley, 1209 S. Boston Ave., Lamesa, Texas 79331

Lot 6 Block 3 of the Hollis Addition to the Town of Lamesa, Dawson County, Texas;

located at 111 S. Boston Ave., Lamesa, Texas 79331. Applicant is requesting a specific use permit to place a 32X48 Cavco Alamo Lite Double-Wide Manufactured Home as her primary residence *(Building Official)*

**17. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS, AUTHORIZING THE CONVEYANCE OF VARIOUS PARCELS OF REAL PROPERTY HELD IN TRUST BY THE CITY OF LAMESA AND AUTHORIZING THE MAYOR OF THE CITY TO EXECUTE TAX DEEDS AND TO TAKE SUCH ACTIONS REQUIRED TO EFFECT THE CONVEYANCE OF SUCH REAL PROPERTY:** City Council to consider passing a Resolution authorizing the conveyance of various parcels of real property held in trust by the City of Lamesa and authorizing the Mayor of the City to execute tax deeds and to take such actions required to effect the conveyance of such real property. *(City Manager)*

**18. BUDGET AMENDMENT XIV:** City Council to consider amending Ordinance O-20-20 on first reading with respect to the budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021. *(City Manager & Finance Director)*

**19. LYNTEGAR ELECTRIC COOPERATIVE, INC. FRANCHISE AGREEMENT:** Consider passing and Ordinance on first reading approving a five-year franchise agreement with Lyntegar Electric Cooperative, Inc. *(City Manager)*

**20. WEST TEXAS OPPORTUNITIES - RENEWAL LEASE AGREEMENT:** Consider passing a resolution approving and authorizing the Mayor to enter into a lease agreement with West Texas Opportunities, Inc. for the Head Start Facility at South East 14th Street and Detroit Ave. *(City Manager)*

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

LEGAL DESCRIPTION: Lot One (1) Block Five (5), of the Compton Addition to the City of Lamesa, Dawson County, Texas

SITUS: 607 NE 3<sup>rd</sup> Street, Lamesa, TX 79331

PARCEL ID: R1898

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. *(City Manager & City Inspector)*



**22.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: Lot One (1) Block Five (5), of the Compton Addition to the City of Lamesa, Dawson County, Texas

SITUS: 607 NE 3<sup>rd</sup> Street, Lamesa, TX 79331  
PARCEL ID: R1898

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

LEGAL DESCRIPTION: West Half (W/2) of Lot One (1), in Block Eight (8), of the Tidwell Addition, to the City of Lamesa, Dawson County, Texas

SITUS: 211 N Detroit Lamesa, TX 79331  
PARCEL ID: R5530

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. *(City Manager & City Inspector)*

**24.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: West Half (W/2) of Lot One (1), in Block Eight (8), of the Tidwell Addition, to the City of Lamesa, Dawson County, Texas

SITUS: 211 N Detroit Lamesa, TX 79331  
PARCEL ID: R5530

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

LEGAL DESCRIPTION: Lot Five (5), in Block Twenty-five (25), of the Lee Addition, to the City of Lamesa, Dawson County, Texas

SITUS: 509 South 7<sup>th</sup> Street., Lamesa, TX 79331



PARCEL ID: R3349

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. *(City Manager & City Inspector)*

- 26. 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: Lot Five (5), in Block Twenty-five (25), of the Lee Addition, to the City of Lamesa, Dawson County, Texas

SITUS: 509 South 7<sup>th</sup> Street., Lamesa, TX 79331  
PARCEL ID: R3349

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

LEGAL DESCRIPTION: Lot Ten (10), in Block Four (4), of the Oakland PI Addition to the City of Lamesa, Dawson County, Texas

SITUS: 311 North 13<sup>th</sup> Street, Lamesa, TX 79331  
PARCEL ID: R4214

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. *(City Manager & City Inspector)*

- 28. 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: Lot Ten (10), in Block Four (4), of the Oakland PI Addition to the City of Lamesa, Dawson County, Texas

SITUS: 311 North 13<sup>th</sup> Street, Lamesa, TX 79331  
PARCEL ID: R4214

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

LEGAL DESCRIPTION: Lot Seven (7), in Block Two (2), of the Compton Addition, to the City of Lamesa, Dawson County, Texas

SITUS: 401 N Gary, LAMESA, TX 79331  
PARCEL ID: R1872

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. *(City Manager & City Inspector)*

- 30. 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: Lot Seven (7), in Block Two (2), of the Compton Addition, to the City of Lamesa, Dawson County, Texas

SITUS: 401 N Gary, LAMESA, TX 79331  
PARCEL ID: R1872

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

LEGAL DESCRIPTION: Lots Five (5) & Six (6), in Block Two (2), of the Compton Addition, to the City of Lamesa, Dawson County, Texas

SITUS: 402 N Hartford, Lamesa, TX 79331  
PARCEL ID: R1871

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. *(City Manager & City Inspector)*

- 32. 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: Lots Five (5) & Six (6), in Block Two (2), of the Compton Addition, to the City of Lamesa, Dawson County, Texas

SITUS: 402 N Hartford, Lamesa, TX 79331  
PARCEL ID: R1871

**33. 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*)

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

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

- a. City Hall Closed for Thanksgiving – November 26 & 27, 2020
- b. City Hall Closed for Christmas – December 24 & 25, 2020
- c. City Hall Closed for New Year's Day – December 31, and January 1, 2020

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

**37. ADJOURNMENT:** *The next regularly scheduled meetings of the City Council of the City of Lamesa will be December 15, 2020 at 5:30 P.M.*






## Open Meetings Information



### CLOSED MEETINGS

The City Council reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development).

### PUBLIC PARTICIPATION

 The meeting will be held pursuant to the provisions of the Texas Open Meetings Act (Govt. Code, Chapter 551). Discussion and actions are limited to the agenda items listed above. Persons desiring to address the City Council or express their opinion about a particular item on this agenda should notify the City Secretary before the meeting. Persons desiring to present other business or discuss matters not on this agenda should submit a request in writing to the City Secretary by the end of business hours on the Wednesday before the next meeting in order to be considered for inclusion on that agenda.

### MEETING ACCESSIBILITY

Upon request, auxiliary aids and services will be provided to an individual with a disability in order to allow them to effectively participate in the city council meeting. Those requesting auxiliary aids or services should notify the contact person listed below at least twenty-four hours prior to the meeting by mail, telephone or RELAY Texas (1-800-735-2989)

**Contact: Betty Conde at 806-872-4322**

✉ 601 South First Street, Lamesa, Texas 79331

☎ **Telephone - (806) 872-4322**

📠 **Fax - (806) 872-4338**

### CERTIFICATION OF NOTICE



I certify this agenda was posted at the City Hall, 601 South First Street, Lamesa, Texas at **4:45 p.m., November 13, 2020** in accordance with Chapter 551.041 of the Government Code.

Betty Conde, City Secretary

# **City Council Agenda**

## **City of Lamesa, Texas**

**DATE OF MEETING: NOVEMBER 17, 2020**

**AGENDA ITEMS: 1 & 2**

1. **CALL TO ORDER:** *Announcement by the Mayor.* "This meeting is being held in accordance with the provisions of the Texas Open Meetings Act (Govt. Code, Chapter 551). Discussion and actions are limited to the agenda items as posted. Persons desiring to address the City Council or express their opinion about a particular item on this agenda should complete a request at this time. Persons desiring to present other business or discuss matters not on this agenda should submit a request in writing to the City Secretary in order to be considered for inclusion on the agenda of the next meeting. A quorum being present as evidenced by the presence of \_\_\_\_ members of the City Council, this meeting is hereby called to order."

The following members are present:

JOSH STEVENS	Mayor
BRANT STEWART	Council Member – District 1
MARIE A. BRISENO	Council Member – District 2
LUCIANO REYES	Council Member – District 3
DORE EVAN RODRIGUEZ	Mayor Pro-tem - District 4/Mayor Pro-tem
BOBBY G. GONZALES	Council Member – District 5
DOUG MORRIS	Council Member – District 6

City Staff members present at the meeting:

SEAN OVEREYNDER	City Manager
BETTY CONDE	City Secretary
RUSSELL CASSELBERRY	City Attorney

Members of the press present at the meeting:

Members of the public present at the meeting:

2. **INVOCATION:**  
**AND PLEDGE OF ALLEGIANCE.**



# **City Council Agenda**

## **City of Lamesa, Texas**

**DATE OF MEETING: NOVEMBER 17, 2020**

**AGENDA ITEM: 3**

SUBJECT: **CONSENT AGENDA ITEMS**  
PROCEEDING: Action  
SUBMITTED BY: City Staff

### **SUMMARY STATEMENT**

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 20, 2020.
- b. **BILLS FOR OCTOBER 2020:** Approval of the bills paid by the City of Lamesa for the month of October 2020.
- c. **RE-APPOINTMENT- Airport Board Member:** Consider re-appointing Mike Huges to the Airport Board, for a three (3) year term ending on December 2023.

### **COUNCIL ACTION**

**DISCUSSION** \_\_\_\_\_

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

**VOTING:** "AYE" \_\_\_\_\_ "NAY" \_\_\_\_\_ "ABSTAIN" \_\_\_\_\_

### **CITY MANAGER'S MEMORANDUM**

These items are considered non-controversial but do require formal council approval. If a council member objects to a consent item, it is removed from the list and separate action is taken on the item(s). If a council member questions a consent item, but not so strongly as to require that it be removed from the list, his/her "no" vote or abstention can be entered in the minutes when the consent vote is taken. **Recommend approval.**



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

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

**October 20, 2020**

On this the 20th day of October 2020, 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 of \_7 City Council Members were present:

JOSH STEVENS	Mayor
BRANT STEWART	Council Member – District 1
MARIE. BRISENO	Council Member – District 2
LUCIANO REYES	Council Member – District 3 gotomeeting
DORE EVAN RODRIQUEZ	Council Member -- District 4Mayor/Pro-tem
BOBBY G. GONZALES	Council Member – District 5
DOUG MORRIS	Council Member – District 6Left @6:05

City staff members present at the meeting:

SEAN OVEREYNDER	CITY MANAGER
BETTY CONDE	CITY SECRETARY
RUSSELL CASSELBERRY	CITY ATTORNEY

Members of the press present at the meeting:

Mary Elizabeth

Members of the Public present at the meeting

Sandy Trevinio.....	Joshua Peterson	Wayne Chapman	Robert Ramirez
Irma Ramirez	Larry Duyck	Robert Hassel	Jack Bohannon
Paul Hernandez	Cris Norris	Sylvia Alvarado	Mona Ferguson
Maribel Hernandez	Mike Lopez	Carlos Medina	
Annlu Ortiz	Rebecca Tice		

**INVOCATION:** Josh Stevens

**POLICE DEPARTMENT- COMMENDATION ON LIFE SAVING EFFORTS:** Presentation of Commendation on life saving efforts to Officer P.J. Horton and Sargeant Ashley Martinez. *(Police Chief)*

Police Chief spoke regarding the Presentation of Commendation.

**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 September 8<sup>th</sup>, 2020.

b. **BILLS FOR AUGUST AND SEPTEMBER 2020:** Approval of the bills paid by the City of Lamesa for the month of August and September 2020.

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

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

**REQUEST FOR ZONE CHANGE:** City Council to consider approving an Ordinance on second reading approving Zone change for the following property:

**CASE NO. P&Z 20-4:** To consider the petition of Paul Hernandez, 712 N. 2<sup>ND</sup> Lamesa, Texas 79331 to change the zone of the following property:

Tract One: A tract of land being the South One-half (S/2) of Lots 10, 11 and 12, Block 1, of the Original Town of Lamesa, Dawson County, Texas, as per Plat recorded in Volume 3, Page 254, of the Deed Records, in Dawson County, Texas, and that portion of North 3<sup>rd</sup> Street lying between Lots 10, 11 and 12, Block 1, and Lots 1, 2 and 3, Block 14, of the Original Town of Lamesa, Dawson County, Texas; and

Tract Two: A tract of land being all of Lots 1, 2, 3, 10, 11 and 12, Block 14, of the Original Town of Lamesa, Dawson County, Texas, as per Plat recorded in Volume 3, Page 254, of the Deed Records of Dawson County, Texas, and that portion of the alley between Lots 1, 2 and 3, Block 14, and Lots 10, 11 and 12, Block 14, of the Original Town of Lamesa, Dawson County, Texas;

located at N. 4<sup>TH</sup> & AKRON, Lamesa, Texas 79331 District R-1 to zoning District I-2 for A Mechanic/Truck Shop for His Business. *(Building Official)*

Motion by Council Member Stewart to consider approving an Ordinance on second reading approving zone change for the following property located at 4<sup>th</sup> & Akron. Motion seconded by Council Member Morris and upon being put to a vote the motion failed.

**VOTING:**                      "AYE" 3                      "NAY" 4                      "ABSTAIN"

This agenda item was moved to item #4, Councilman Reyes attended by gotomeeting and Doug Morris was still present.

**BUDGET AMENDMENT X:** Consider amending Ordinance O-17-19 on second reading with respect to the budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021. This Budget Amendment reflects the proceeds from the sale of trust properties through the Texas Community Group. *(City Manager & Finance Director)*

Motion by Council Member Rodriquez to consider amending Ordinance No.O-17-19 on second reading with respect to the budget for the fiscal year beginning October 1, 2019 and ending September 30, 2020. This Budget Amendment reflects the proceeds from the sale of trust properties through the Texas Community Group. Motion seconded by Council Member Gonzales and upon being put to a vote the motion passed.

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

**BUDGET AMENDMENT XI:** City Council to consider amending Ordinance O-20-20 on second reading with respect to the budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021. This Budget Amendment reflects the addition of two-full time officers for Criminal Street Division to the Police Dept and one-full time for the Administrative Assistant. *(City Manager & Finance Director)*

Motion by Council Member Stewart to consider amending Ordinance No.O-20-20 on second reading with respect to October 1, 2020. This Budget Amendment reflects the addition of two-full time officers for Criminal Street Division to the Police Dept and one-full time for the Administrative Assistant. Motion seconded by Council Member Rodriquez and upon being put to a vote the motion passed.

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

**REQUEST FOR A PART-TIME RECORDS CLERK POSITION FOR THE POLICE DEPARTMENT AND DISSOLVE PART-TIME DISPATCH POSITION:** City Council to approve the creation of a part-time records clerk for the police department and dissolve part-time dispatch position. *(City Manager)*



Motion by Council Member Gonzales to approve the creation of a part-time records clerk for the police department and dissolve part-time dispatch position. Motion seconded by Council Member Rodriguez and upon being put to a vote the motion passed.

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

**REQUEST FOR SPECIAL DUTY INCENTIVE PAY FOR FIRE MARSHALL:** City Council to approve special duty incentive pay for Fire Marshall. *(City Manager)*

Motion by Council Member Gonzales to approve for special duty incentive pay for Fire Marshall. Motion seconded by Council Member Stewart and upon being put to a vote the motion passed.

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

**PROPOSALS FOR I.T. SERVICE FROM MANDRY TECHNOLOGIES AND CTSI:** City Council to consider approving a proposal for I.T. services. (City Manager)

Motion by Council Member Gonzales to approve a proposal for I.T. services to Mandry Technologies . Motion seconded by Council Member Rodriquez and upon being put to a vote the motion passed.

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

**APPROVAL OF TMLIEBP HEALTH INSURANCE:** City Council to consider approving the Calendar Year 2020 TMLIEBP health insurance. *(Cris Norris and City Manager)*

Motion by Council Member Stewart to approve the Calendar Year 2020 2021 TMLIEBP health insurance. Motion seconded by Council Member Rodriguez and upon being put to a vote the motion passed.

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

**OPEN AND AWARD BID- PARKS DEPARTMENT:** City Council to open and award bid for the Parks Department for mowing maintenance of City parks. *(City Manager & Parks & Streets Director)*

## Open and award bids for the Parks Department (Mowing and grass & weed maintenance)

Motion by Council Member Gonzales to award bid(s) to Pathfinder Industries. Motion seconded by Council Member Rodriguez and upon being put to a vote the motion passed.

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS, APPROVING AN ECONOMIC INCENTIVE AND PERFORMANCE AGREEMENT BETWEEN LAMESA ECONOMIC ALLIANCE PROJECT AND TRACTOR SUPPLY OF TEXAS, LP:** City Council to consider passing a resolution approving an economic incentive and performance agreement between Lamesa Economic Alliance Project and Tractor Supply of Texas, LP. *(EDC Director)*

Motion by Council Member Gonzales to pass a resolution approving an economic incentive and performance agreement between Lamesa Economic Alliance Project and Tractor Supply of Texas, LP. Motion seconded by Council Member Stewart and upon being put to a vote the motion passed.

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS, AUTHORIZING THE CONVEYANCE OF REAL PROPERTY BY THE CITY OF LAMESA TO DAWSON COUNTY, TEXAS FOR LIBRARY PURPOSES AND AUTHORIZING THE MAYOR OF THE CITY TO EXECUTE ANY AND ALL DOCUMENTS AND TAKE SUCH ACTIONS REQUIRED TO EFFECT THE CONVEYANCE OF SUCH REAL PROPERTY:** City Council to consider passing a Resolution authorizing the conveyance of real property by the City of Lamesa to Dawson County, Texas for Library purposes and authorizing the mayor of the city to execute any and all documents and take such actions required to effect the conveyance of such real property. *(City Manager)*

Motion by Council Member Stewart to authorize the conveyance of real property by the City of Lamesa to Dawson County, Texas for Library purposes and authorizing the mayor of the city to execute any and all documents and take such actions required to effect the conveyance of such real property. Motion seconded by Council Member Rodriguez and upon being put to a vote the motion passed.

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

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAMESA TEXAS SUPPORTING THE PASSAGE OF LEGISLATION DURING THE 87<sup>TH</sup> REGULAR SESSION OF THE TEXAS LEGISLATURE (2021) TO ALLOW FOR THE EXPENDITURE OF MUNICIPAL HOTEL OCCUPANCY TAX REVENUE BY THE CITY FOR CONSTRUCTION OF IMPROVEMENTS IN MUNICIPALITIES:** City Council to consider approving a resolution allowing for the expenditure of Municipal Hotel Occupancy Tax Revenue by the City for construction of improvements in municipalities. *(City Manager)*

Motion by Council Member Rodriguez to approve a resolution allowing for the expenditure of Municipal Hotel Occupancy Tax Revenue by the City for Construction of improvements

in municipalities. Motion seconded by Council Member Gonzales and upon being put to a vote the motion passed.

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

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS, AUTHORIZING THE CONVEYANCE OF VARIOUS PARCELS OF REAL PROPERTY HELD IN TRUST BY THE CITY OF LAMESA AND AUTHORIZING THE MAYOR OF THE CITY TO EXECUTE TAX DEEDS AND TO TAKE SUCH ACTIONS REQUIRED TO EFFECT THE CONVEYANCE OF SUCH REAL PROPERTY:** City Council to consider passing a Resolution authorizing the conveyance of various parcels of real property held in trust by the City of Lamesa and authorizing the Mayor of the City to execute tax deeds and to take such actions required to effect the conveyance of such real property. *(City Manager)*

Motion by Council Member Gonzales to authorize the conveyance of various parcels of real property held in trust by the City of Lamesa and authorizing the Mayor of the City to execute tax deeds and to take such actions required to effect the conveyance of such real property. Motion seconded by Council Member Stewart and upon being put to a vote the motion passed.

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

**BUDGET AMENDMENT XII:** City Council to consider amending Ordinance O-20-20 on first reading with respect to the budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021. This Budget Amendment reflects the proceeds from the sale of trust properties through the Texas Community Group. *(City Manager & Finance Director)*

Motion by Council Member Stewart to consider amending Ordinance No.O-20-20 on first reading with respect to the budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021. This Budget Amendment reflects the proceeds from the sale of trust properties through the Texas Community Group. Motion seconded by Council Member Rodriguez and upon being put to a vote the motion passed.

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

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

**CASE NO. P&Z 20-10:** To consider the petition of Rebecca Tice, 502 N.E. 5<sup>TH</sup> Street, Lamesa, Texas 79331



All of Lots Nine (9), Ten (10) and Eleven (11), in Block Two (2) of the Lindsey Addition to the Town of Lamesa, Dawson County, Texas;

located at 304 N.E. 6<sup>TH</sup> Street. Applicant is requesting a specific use permit to place a 2020 Fort Olympian 6360 double-wide manufactured home as her primary residence *(Building Official)*

City Inspector spoke regarding the following property  
Open @7:03 and closed

**REQUEST FOR ZONE CHANGE:** City Council to consider approving an Ordinance on first reading approving a specific use permit:

**CASE NO. P&Z 20-10:** To consider the petition of Rebecca Tice, 502 N.E. 5<sup>TH</sup> Street, Lamesa, Texas 79331

All of Lots Nine (9), Ten (10) and Eleven (11), in Block Two (2) of the Lindsey Addition to the Town of Lamesa, Dawson County, Texas;

located at 304 N.E. 6<sup>TH</sup> Street. Applicant is requesting a specific use permit to place a 2020 Fort Olympian 6360 Double-Wide Manufactured Home as her primary residence *(Building Official)*

Motion by Council Member Stewart to consider approving an Ordinance on First reading approving zone change for the following property located at 304 N.E. 6<sup>th</sup> Street. Motion seconded by Council Member Rodriquez and upon being put to a vote the motion passed.

<b>VOTING:</b>	"AYE" 4	"NAY"	"ABSTAIN"
Marie Briseno stepped out			

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

**CASE NO. P&Z 20-12:** To consider the petition of Ossie M. McCurley, 1209 S. Boston Ave., Lamesa, Texas 79331

Lot 6 Block 3 of the Hollis Addition to the Town of Lamesa, Dawson County, Texas;

located at 111 S. Boston Ave., Lamesa, Texas 79331. Applicant is requesting a specific use permit to place a 32X48 Cavco Alamo Lite Double-Wide Manufactured Home as her primary residence. *(Building Official)*

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

The following persons spoke:

Following the public comments, the Mayor will close the public hearing.

City Inspector spoke regarding the following property  
Open @7:03 and closed

**REQUEST FOR ZONE CHANGE:** City Council to consider approving an Ordinance on first reading approving a specific use permit:

**CASE NO. P&Z 20-12:** To consider the petition of Ossie M. McCurley, 1209 S. Boston Ave., Lamesa, Texas 79331

Lot 6 Block 3 of the Hollis Addition to the Town of Lamesa,  
Dawson County, Texas;

located at 111 S. Boston Ave., Lamesa, Texas 79331. Applicant is requesting a specific use permit to place a 32X48 Cavco Alamo Lite Double-Wide Manufactured Home as her primary residence (*Building Official*)

Motion by Council Member Gonzales to consider approving an Ordinance on First reading approving zone change for the following property located at 111 S. Boston Avenue. Motion seconded by Council Member Stewart and upon being put to a vote the motion passed.

**VOTING:**

"AYE" 4

"NAY"

"ABSTAIN"

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

LEGAL DESCRIPTION: North Seventy Feet (N/70') OF Lot (4) and North Seventy Feet (N/70') OF West Half (W/2) of Lot Three (3), in Block B, of the M C Lindsey Addition to the City of Lamesa, Dawson County, Texas

SITUS: 1017 S 1<sup>st</sup> Lamesa, TX 79331  
PARCEL ID: R3424

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. (*City Manager & City Inspector*)

The following persons spoke:

City Inspector spoke regarding the following property  
Open @7:04 and closed @7:06

Following the public comments the Mayor will close the public hearing.

**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: North Seventy Feet (N/70') OF Lot (4) and North Seventy Feet (N/70') OF West Half (W/2) of Lot Three (3), in Block B, of the M C Lindsey Addition to the City of Lamesa, Dawson County, Texas

SITUS: 1017 S 1<sup>st</sup>, Lamesa, TX 79331  
PARCEL ID: R3424

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 Gonzales and upon being put to a vote the motion passed

**VOTING:**                      "AYE"5                      "NAY"                      "ABSTAIN"  
Marie returned

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

LEGAL DESCRIPTION: Lot Fifteen (15) in Block Two (2) of the John H Jost Addition, to the City of Lamesa, Dawson County, Texas

SITUS: 1204 N 3<sup>rd</sup> Lamesa, TX 79331  
PARCEL ID: R3074

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. *(City Manager & City Inspector)*

The following persons spoke:

City Inspector spoke regarding the following property

Susanne and Anthony Sullivan spoke

Open @7:08 and closed @7:11

Following the public comments the Mayor will close the public hearing.

**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: Lot Fifteen (15) in Block Two (2) of the John H Jost Addition, to the City of Lamesa, Dawson County, Texas

SITUS: 1204 N 3<sup>rd</sup> Lamesa, TX 79331

PARCEL ID: R3074

**No motion /Passed**

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

LEGAL DESCRIPTION: One Hundred Fifty Feet (150') by Three Hundred Feet (300') Tract out of the Northwest (NW) Corner of Lot Three (3) in Block Fifteen (15) of the Penix Addition, to the City of Lamesa, Dawson County, Texas

SITUS: 1002 SE 8<sup>th</sup> St., Lamesa, TX 79331

PARCEL ID: R4980

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. *(City Manager & City Inspector)*

The following persons spoke:

City Inspector spoke regarding the following property

Open @7:11 and closed @7:12

Following the public comments the Mayor will close the public hearing.

**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: One Hundred Fifty Feet (150') by Three Hundred Feet (300') Tract out of the Northwest (NW) Corner of Lot Three (3) in Block Fifteen (15) of the Penix Addition, to the City of Lamesa, Dawson County, Texas

SITUS: 1002 SE 8<sup>th</sup> St., Lamesa, TX 79331  
PARCEL ID: R4980

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

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

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

LEGAL DESCRIPTION: Lot One (1) and East Half of Lot Two (2) in Block Two (2) of the Depot Addition to the City of Lamesa, Dawson County, Texas

SITUS: 902 S 1<sup>st</sup>, Lamesa, TX 79331  
PARCEL ID: R2039

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. *(City Manager & City Inspector)*

The following persons spoke:

City Inspector spoke regarding the following property

Open @7:13 and closed @7:14

**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: Lot One (1) and East Half of Lot Two (2) in Block Two (2) of the Depot Addition to the City of Lamesa, Dawson County, Texas

SITUS: 902 S 1<sup>st</sup>, Lamesa, TX 79331  
PARCEL ID: R2039

Motion by Council Member Gonzales 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"5                      "NAY"                      "ABSTAIN"

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

LEGAL DESCRIPTION: The West Twenty-Five Feet (W25') of Lot Two (2) and the East Thirty-Five Feet (E35') of Lot Three (3), Block Two (2), Depot Addition, to the City of Lamesa, Dawson County, Texas

SITUS: 906 S 1<sup>st</sup> Lamesa, TX 79331  
PARCEL ID: R2040

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. *(City Manager & City Inspector)*

The following persons spoke:  
City Inspector spoke regarding the following property  
Open @7:15 and closed @7:16

Following the public comments the Mayor will close the public hearing.

**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: The West Twenty-Five Feet (W25') of Lot Two (2) and the East Thirty-Five Feet (E35') of Lot Three (3), Block Two (2), Depot Addition, to the City of Lamesa, Dawson County, Texas

SITUS: 906 S 1<sup>st</sup> Lamesa, TX 79331  
PARCEL ID: R2040

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

VOTING:                      "AYE" 5                      "NAY"                      "ABSTAIN"

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

LEGAL DESCRIPTION: Lots Two and Three (2 & 3), Block Twelve (12), Lindsey Addition, to the City of Lamesa, Dawson County, Texas

SITUS: 311 N. Canyon Lamesa, TX 79331  
PARCEL ID: R3525

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. *(City Manager & City Inspector)*

The following persons spoke:  
City Inspector spoke regarding the following property  
Open @7:17 and closed @7:17

Following the public comments the Mayor will close the public hearing.

**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: Lots Two and Three (2 & 3), Block Twelve (12), Lindsey Addition, to the City of Lamesa, Dawson County, Texas

SITUS: 311 N. Canyon Lamesa, TX 79331  
PARCEL ID: R3525

Motion by Council Member Gonzales 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 Briseno and upon being put to a vote the motion passed.

**VOTING:** "AYE" 5 "NAY" "ABSTAIN"  
**PUBLIC HEARING - NUISANCE PROPERTY REMOVAL OR DEMOLITION:** Public hearing to determine whether buildings located at the following location:

LEGAL DESCRIPTION: Lot Twelve (12), Block Six (6), Morning Addition, to the City of Lamesa, Dawson County, Texas

SITUS: 701 NE 5<sup>th</sup> LAMESA, TX 79331  
PARCEL ID: R3909

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. *(City Manager & City Inspector)*

The following persons spoke:  
City Inspector spoke regarding the following property  
Open @7:18 and closed @7:19  
Sent gotomeeting to Albert Esparza did not attend

Following the public comments the Mayor will close the public hearing.

**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: Lot Twelve (12), Block Six (6), Morning Addition, to the City of Lamesa, Dawson County, Texas

SITUS: 701 NE 5<sup>th</sup>, LAMESA, TX 79331  
PARCEL ID: R3909

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" 5 "NAY" "ABSTAIN"

**ADOPT FINANCIAL POLICY:** City Council to consider passing a Resolution approving the City's Financial Policy for Fiscal Year 2020-2021. (*Finance Director*)

Motion by Council Member Gonzales to pass a resolution approving the City's Financial Policy for Fiscal Year 2020-2021. Motion seconded by Council Member Stewart and upon being put to a vote the motion passed.

**VOTING:**                      "AYE" 5                      "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 4<sup>th</sup> quarter of FY 2019/2020.

**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 17, 2020 at 5:30 P.M.*

• ATTEST:

•  
•

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

APPROVED:

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

# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: NOVEMBER 17, 2020**

**AGENDA ITEM: 4**

**SUBJECT:** **EXPRESSION OF APPRECIATION**  
**PROCEEDING:** Resolution & Plaque Presentation  
**SUBMITTED BY:** City Staff

### **SUMMARY STATEMENT**

Consider passing a resolution of appreciation to Marie Briseno for 24 1/2 years of service on City Council. (*City Council*)

### **COUNCIL ACTION**

**DISCUSSION** \_\_\_\_\_

Motion by Council Member \_\_\_\_\_ to approve a resolution of appreciation to Marie Briseno for 24

1/2 years of service on City Council. Motion seconded by Council Member \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

**VOTING:** "AYE" \_\_\_\_\_ "NAY" \_\_\_\_\_ "ABSTAIN" \_\_\_\_\_

### **CITY MANAGER'S MEMORANDUM**

**Recommend approval.**



## **RESOLUTION NO**

**A RESOLUTION of the City of Lamesa, Texas extending appreciation and thanks to Marie Briseno for her 24 ½ years of service as City Council Member District 2 for the City of Lamesa.**

**WHEREAS, the City wishes to acknowledge the selflessness and generosity of such service of Marie Briseno;**

**NOW, THEREFORE, BE IT RESOLVED, that this Certificate be presented as a token of our appreciation.**

**DULY PASSED, APPROVED, AND ADOPTED by the City Council of the City of Lamesa, Texas on this the 17<sup>th</sup> day of November, 2020.**

**ATTEST:**

**APPROVED:**

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**Betty Conde  
City Secretary**

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**Josh Stevens  
Mayor**

# ***City Council Agenda***

***City of Lamesa, Texas***

**DATE OF MEETING: NOVEMBER 17, 2020**

**AGENDA ITEM: 5**

**SUBJECT:                   EXPRESSION OF APPRECIATION**  
**PROCEEDING:           Resolution & Plaque Presentation**  
**SUBMITTED BY:         City Staff**

## **SUMMARY STATEMENT**

Consider passing a resolution of appreciation to Luciano Reyes for his service on City Council. (*City Council*)

## **COUNCIL ACTION**

**DISCUSSION** \_\_\_\_\_

Motion by Council Member \_\_\_\_\_ to approve a resolution of appreciation to Luciano Reyes for his service on City Council. Motion seconded by Council Member \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

**VOTING:**               "AYE" \_\_\_\_\_       "NAY" \_\_\_\_\_       "ABSTAIN" \_\_\_\_\_

## **CITY MANAGER'S MEMORANDUM**

**Recommend approval.**

**RESOLUTION NO**

**A RESOLUTION of the City of Lamesa, Texas extending appreciation and thanks to Luciano Reyes for his service as City Council Member District 3 for the City of Lamesa.**

**WHEREAS, the City wishes to acknowledge the selflessness and generosity of such service of Luciano Reyes;**

**NOW, THEREFORE, BE IT RESOLVED, that this Certificate be presented as a token of our appreciation.**

**DULY PASSED, APPROVED, AND ADOPTED by the City Council of the City of Lamesa, Texas on this the 17<sup>th</sup> day of November, 2020.**

**ATTEST:**

**APPROVED:**

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**Betty Conde  
City Secretary**

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**Josh Stevens  
Mayor**

# ***City Council Agenda***

***City of Lamesa, Texas***

**DATE OF MEETING: NOVEMBER 17, 2020**

**AGENDA ITEM: 6**

**SUBJECT: CERTIFICATE OF ELECTION AND OATH OF OFFICE -  
NEWLY ELECTED COUNCIL MEMBER**

**PROCEEDING: State Law; Election Code Ch. 67.016, 67.016(f) and 145.003, City  
Charter; Article IV, Section 8**

**SUBMITTED BY: City Staff**

## **SUMMARY STATEMENT**

Deliver Certificate of Election and administer Oath of Office to the newly-elected Council Member from the November 3, 2020 City General Election. *(City Attorney)*

## **OATH OF OFFICE**

**I, FRED VERA DO SOLEMNLY SWEAR THAT I WILL FAITHFULLY EXECUTE  
THE DUTIES OF THE OFFICE OF COUNCIL MEMBER OF THE CITY OF LAMESA  
OF THE STATE OF TEXAS, AND WILL TO THE BEST OF MY ABILITY PRESERVE,  
PROTECT AND DEFEND THE CONSTITUTION AND LAWS OF THE UNITED  
STATES AND THIS STATE. SO HELP ME GOD.**

## **CITY MANAGER'S MEMORANDUM**

**The Council Member for District 2 will be sworn in.**

Rev. 04/2017

This space reserved for office  
use

Submit to:  
Custodian of election records  
Filing Fee: None



## STATEMENT OF OFFICER

### Statement

I Fred Vera, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

Title of Position to Which Elected/Appointed: Council Member District 2

### Execution

Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated therein are true.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Officer



Submit to:  
**SECRETARY OF STATE**  
**Government Filings Section**  
**PO Box 12887**  
**Austin, TX 78711-2887**  
**512-463-6334**  
**FAX 512-463-5569**  
**Filio Fee: None**

**OATH OF OFFICE**

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS,  
I, Fred Vera, do solemnly swear (or affirm), that I will faithfully  
execute the duties of the office of Council Member District 2  
the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws  
of the United States and of this State, so help me God.

---

Signature of Officer

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Certification of Person Authorized to Administer OathState of TexasCounty of DawsonSworn to and subscribed before me on this 17<sup>th</sup> day of November 20

(Affix Notary Seal,  
only if oath  
administered by a  
notary.)

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Signature of Notary Public or  
Signature of Other Person Authorized to Administer An  
Oath

---

Printed or Typed Name

# ***City Council Agenda***

***City of Lamesa, Texas***

**DATE OF MEETING: NOVEMBER 17, 2020**

**AGENDA ITEM: 7**

**SUBJECT:** 2021 SPECIAL ELECTION  
**PROCEEDING:** Resolution  
**SUBMITTED BY:** City Staff  
**EXHIBITS:** Resolution  
**AUTHORITY:** State Law; Chapter 32, Election Code

## **SUMMARY STATEMENT**

City Council to consider passing a resolution ordering and establishing procedures for the City of Lamesa 2017 Special Election for District 3 to be held on Saturday, February 27, 2021 at Forrest Park Community Center, 814 S. Houston Street, Lamesa, Texas.

## **COUNCIL ACTION**

**DISCUSSION** \_\_\_\_\_

Motion by Council Member \_\_\_\_\_ to consider passing a resolution ordering and establishing procedures for the City of Lamesa 2021 Special Election for District 3 to be held on Saturday, February 27, 2021 at Forrest Park Community Center, 814 S. Houston Street, Lamesa, Texas.  
Motion seconded by Council Member \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

**VOTING:** "AYE" \_\_\_\_\_ "NAY" \_\_\_\_\_ "ABSTAIN" \_\_\_\_\_

## **CITY MANAGER'S MEMORANDUM**

**Recommend approval.**

# **City Council Agenda**

**City of Lamesa, Texas**

**DATE OF MEETING: NOVEMBER 17, 2020**

**AGENDA ITEM: 8**

**SUBJECT: CONSIDERATION AND APPROPRIATE ACTION TO AUTHORIZE SOLICITATION OF CONSTRUCTION BIDS FOR WATER SYSTEM IMPROVEMENTS AND AUTHORIZING PARKHILL, SMITH & COOPER, CITY ENGINEERS, TO IMPLEMENT SUCH CONSTRUCTION BID PROCESS, AND AUTHORIZING THE CITY MANAGER TO ACT ON ALL MATTERS AND EXECUTE ANY REQUIRED DOCUMENTS PERTAINING TO SUCH CONSTRUCTION BID PROCESS**

**PROCEEDING:**

**SUBMITTED BY:** City Staff

**EXHIBITS:**

**AUTHORITY:**

## **SUMMARY STATEMENT**

City Council to consider and take action authorizing of construction bids for water system improvements and authorizing Parkhill, Smith & Cooper, City Engineers, to implement such construction bid process and authorizing the City Manager to act on all matters and execute any requires documents pertaining to such construction bid process. *(City Manager & Finance Director)*

## **COUNCIL ACTION**

Motion by Council Member \_\_\_\_\_ move to authorize the solicitation of construction bids for water system improvements. Motion seconded by Council Member \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

**VOTING:** "AYE" \_\_\_\_\_ "NAY" \_\_\_\_\_ "ABSTAIN" \_\_\_\_\_

## **CITY MANAGER'S MEMORANDUM**

**Recommend approval**

# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: NOVEMBER 17, 2020**

**AGENDA ITEM: 9**

**SUBJECT: CONSIDERATION AND APPROVAL OF A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS AUTHORIZING AND APPROVING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION; COMPLYING WITH THE REQUIREMENTS CONTAINED IN SECURITIES AND EXCHANGE COMMISSION RULE 15c2-12; AND PROVIDING AN EFFECTIVE DATE:**

**PROCEEDING:**

**SUBMITTED BY:** City Staff

**EXHIBITS:** Resolution

**AUTHORITY:**

### **SUMMARY STATEMENT**

City Council to consider approving a resolution by the City Council of the City of Lamesa, Texas authorizing and approving publication of notice of intention to issue Certificates of Obligation, complying with the requirements contained in securities and exchange Commission Rule 15c2-12, and providing an effective date. (City Manager & Finance Director)

### **COUNCIL ACTION**

Motion by Council Member \_\_\_\_\_ move to adopt a notice of intention resolution. Motion seconded by Council Member \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

**VOTING:** "AYE" \_\_\_\_\_ "NAY" \_\_\_\_\_ "ABSTAIN" \_\_\_\_\_

### **CITY MANAGER'S MEMORANDUM**

**Recommend approval**

## RESOLUTION

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAMESA,  
TEXAS AUTHORIZING AND APPROVING PUBLICATION OF NOTICE  
OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION;  
COMPLYING WITH THE REQUIREMENTS CONTAINED IN  
SECURITIES AND EXCHANGE COMMISSION RULE 15c2-12; AND  
PROVIDING AN EFFECTIVE DATE**

WHEREAS, the City Council (the *City Council*) of the City of Lamesa, Texas (the *City*) has determined that it is advisable and necessary to issue and sell one or more series of certificates of obligation (the *Certificates*) in an amount not to exceed \$7,035,000, as provided pursuant to the provisions of the Certificate of Obligation Act of 1971, as amended, Texas Local Government Code, Section 271.041 through Section 271.064, for the purpose of paying contractual obligations of the City to be incurred for making permanent public improvements and for other public purposes, to-wit: (1) constructing, acquiring, purchasing, renovating, enlarging, and improving the City's utility system; (2) the purchase of materials, supplies, equipment, machinery, landscaping, land, and rights-of-way for authorized needs and purposes relating to the aforementioned capital improvements; and (3) payment for professional services relating to the design, construction, project management, and financing of the aforementioned projects. The Certificates will be payable from the levy of an annual ad valorem tax, within the limitations prescribed by law, upon all taxable property within the City and from a lien on and pledge of certain of the net revenues derived from the operation of the City's utility system. The Certificates are to be issued, and this notice is given, under and pursuant to the provisions of the Certificate of Obligation Act of 1971, as amended, Texas Local Government Code Section 271.041 through Section 271.064, and Chapter 1502, as amended, Texas Government Code; and

WHEREAS, prior to the offering, sale, and issuance of the Certificates, the appropriate officials of the City must review and approve the distribution of a "deemed final" preliminary official statement (the *Official Statement*) in order to comply with the requirements contained in 17 C.F.R. §240.15c2-12 (the *Securities and Exchange Commission Rule*); and

WHEREAS, based upon their review of the Official Statement, the appropriate officials of the City must find to the best of their knowledge and belief, after reasonable investigation, that the representations of facts pertaining to the City contained in the Official Statement are true and correct and that, except as disclosed in the Official Statement, there are no facts pertaining to the City that would adversely affect the issuance of the Certificates or the City's ability to pay the debt service requirements on the Certificates when due; and

WHEREAS, the City Council will comply with the requirements contained in the Securities and Exchange Commission Rule concerning the creation of a contractual obligation between the City and the proposed purchaser(s) of the Certificates (the *Purchasers*) to provide the Purchasers with an Official Statement in a time and manner that will enable the Purchasers to comply with the distribution requirements and continuing disclosure requirements contained in the Securities and Exchange Commission Rule; and



WHEREAS, the City Council authorizes the Mayor, City Manager, Director of Finance, City Secretary, and the City Attorney, as appropriate, or their designees, to review, approve, and execute any document or certificate in order to allow the City to comply with the requirements contained in the Securities and Exchange Commission Rule; and

WHEREAS, prior to the issuance of the Certificates, the City Council is required to publish notice of its intention to issue the Certificates in a newspaper of general circulation in the City, and if the City maintains an internet website, publish such notice of intent on the City's internet website, such notice stating (i) the time and place the City Council tentatively proposes to pass the ordinance authorizing the issuance of the Certificates, (ii) the purposes for which the Certificates are to be issued, (iii) the manner in which the City Council proposes to pay the Certificates; (iv) the then-current principal amount of all outstanding ad valorem debt obligations of the City; (v) the then-current combined principal and interest required to pay all outstanding ad valorem debt obligations of the City on time and in full, which may be based on the City's expectations relative to the interest due on any variable rate ad valorem debt obligations; (vi) the maximum principal amount of the Certificates to be authorized; (vii) the estimated interest rate for the Certificates to be authorized or that the maximum interest rate for the Certificates may not exceed the maximum legal interest rate; and (viii) the maximum maturity date of the Certificates to be authorized; and

WHEREAS, the City Council hereby finds and determines that such documents pertaining to the sale of the Certificates should be approved, and the City should proceed with the giving of notice of intention to issue the Certificates in the time, form, and manner provided by law; and

WHEREAS, the City Council hereby finds and determines that the adoption of this Resolution is in the best interests of the residents of the City; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS THAT:

SECTION 1. The City Secretary is hereby authorized and directed to cause notice to be published of the City Council's intention to issue the Certificates in an amount not to exceed \$7,035,000 for the purpose of paying contractual obligations of the City to be incurred for making permanent public improvements and for other public purposes, to-wit: (1) constructing, acquiring, purchasing, renovating, enlarging, and improving the City's utility system; (2) the purchase of materials, supplies, equipment, machinery, landscaping, land, and rights-of-way for authorized needs and purposes relating to the aforementioned capital improvements; and (3) payment for professional services relating to the design, construction, project management, and financing of the aforementioned capital improvements. The Certificates will be payable from the levy of an annual ad valorem tax, within the limitations prescribed by law, upon all taxable property within the City and additionally from a pledge of and lien on certain revenues derived from the operation of the City's utility system. The notice hereby approved and authorized to be published shall read substantially in the form and content of Exhibit A attached hereto, which notice is incorporated herein by reference as a part of this Resolution for all purposes.

SECTION 2. The City Secretary shall cause the notice described in Section 1 to be published in a newspaper of general circulation in the City, once a week for two consecutive weeks, the date of the first publication shall be at least forty-six (46) days prior to the date stated therein

for passage of the ordinance authorizing the issuance of the Certificates. Additionally, the City Secretary shall cause the notice described in Section 1 to be posted continuously on the City's website for at least forty-five (45) days prior to the date stated therein for passage of the ordinance authorizing the issuance of the Certificates.

SECTION 3. The Mayor, City Manager, Director of Finance, City Secretary, and the City Attorney, as appropriate, or their designees, are authorized to review and approve the Official Statement pertaining to the offering, sale, and issuance of the Certificates and to execute any document or certificate in order to comply with the requirements contained in the Securities and Exchange Commission Rule.

SECTION 4. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

SECTION 5. All ordinances 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 resolved herein.

SECTION 6. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 7. 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 City Council hereby declares that this Resolution would have been enacted without such invalid provision.

SECTION 8. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 9. This Resolution shall be in force and effect from and after the date of its adoption, and it is so resolved.

*[The remainder of this page intentionally left blank.]*

PASSED AND APPROVED, this the 17<sup>th</sup> day of November, 2020.

CITY OF LAMESA, TEXAS

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Mayor

ATTEST:

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City Secretary

(CITY SEAL)

# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: NOVEMBER 17, 2020**

**AGENDA ITEM: 10**

**SUBJECT:** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS, APPROVING AN ECONOMIC INCENTIVE AND PERFORMANCE AGREEMENT BETWEEN LAMESA ECONOMIC ALLIANCE PROJECT AND TRACTOR SUPPLY OF TEXAS, LP

**PROCEEDING:** Action Item

**SUBMITTED BY:** City Staff

**EXHIBITS:** Resolution Second Reading

### **SUMMARY STATEMENT**

City Council to consider passing a resolution approving an economic incentive and performance agreement between Lamesa Economic Alliance Project and Tractor Supply of Texas, LP. (EDC Director)

### **COUNCIL ACTION**

**DISCUSSION** \_\_\_\_\_

Motion by Council Member \_\_\_\_\_ to pass a resolution approving an economic incentive and performance agreement between Lamesa Economic Alliance Project and Tractor Supply of Texas, LP. Motion seconded by Council Member \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

**VOTING:** "AYE" \_\_\_\_\_ "NAY" \_\_\_\_\_ "ABSTAIN" \_\_\_\_\_

### **CITY MANAGER'S MEMORANDUM**

**Recommend approval**

**RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS, APPROVING AN ECONOMIC INCENTIVE AND PERFORMANCE AGREEMENT BETWEEN LAMESA ECONOMIC ALLIANCE PROJECT AND TRACTOR SUPPLY OF TEXAS, LP.**

On the 20<sup>th</sup> day of October, 2020, there came on and was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas, held pursuant to the provisions of the Texas Open Meetings Act, and there being a quorum present and acting throughout the meeting, the following resolution was formally submitted by motion and duly seconded for the consideration and action of the meeting, to-wit:

**WHEREAS**, Lamesa Economic Alliance Project has deemed it in the best interest of the Lamesa Economic Alliance Project to enter into an Economic Incentive and Performance Agreement with Tractor Supply Co. of Texas, LP, to assist with the opening of a Tractor Supply business in Lamesa, Texas; and

**WHEREAS**, the City Council of the City of Lamesa deems it in the best interest of the City to approve such Economic Incentive and Performance Agreement.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS:**

That the City Council of the City of Lamesa, Texas, hereby approves the Economic Incentive and Performance Agreement between Lamesa Economic Alliance Project and Tractor Supply Co. of Texas, LP, on the terms and conditions set out in the Economic Incentive and Performance Agreement attached hereto as Exhibit A.

Upon being put to a vote, the foregoing Resolution was Passed, on First Reading on the 20<sup>th</sup> day of October, 2020, by a majority vote; and then on the 17 day of November, 2020, there came on an was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas, held pursuant to the provisions of the Texas Open Meetings Act, and there being a quorum present and acting throughout the meeting, the foregoing Resolution was formally submitted by motion and duly seconded for the consideration and action of the meeting, and upon being put to a vote, the foregoing Resolution was Passed on Second Reading and Adopted the 17<sup>th</sup> day of November, 2020, by a majority vote and ordered to be spread upon the minutes of the City Council of the City of Lamesa, Texas, and recorded in the resolution book thereafter.

ATTEST:

APPROVED:

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Betty Conde  
City Secretary

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Josh Stevens  
Mayor

## **ECONOMIC INCENTIVE AND PERFORMANCE AGREEMENT**

THIS Economic Incentive and Performance Agreement (“Agreement”) is made and entered into by and between the Lamesa Economic Alliance Project, a Texas non-profit corporation (“LEAP”), and Tractor Supply Co. of Texas, LP, a Texas limited partnership, (“Tractor Supply”), effective as of the date the authorized representative for the LEAP signs this Agreement (“Effective Date”).

### **RECITALS**

**WHEREAS**, LEAP is a Type B economic development corporation, and a Texas non-profit corporation operating pursuant to Chapter 505 of the Texas Local Government Code, as amended (also referred to as the “Act”); as amended, and the Texas Non-Profit Corporation Act, as codified in the Texas Business Organizations Code, as amended; and

**WHEREAS**, Section 505.155 of the Texas Local Government Code, in pertinent part, defines the term “project” to mean any “project that the board of directors in the board’s discretion determines promotes or develops new or expanded business enterprises that create or retain primary jobs”; and

**WHEREAS**, the LEAP board of directors has determined and found that the Project will create “primary jobs” as defined by Section 501.002 of the Act, and that the expenditures of the LEAP set forth in this Agreement are suitable or required for the development of a new business enterprise that will create or retain primary jobs, and fall within the definition of a “project” as defined in Section 505.155 of the Act; and

**WHEREAS**, Section 501.158 of the Texas Local Government Code prohibits the provision of a direct incentive unless LEAP enters into an Agreement with Tractor Supply providing at a minimum a schedule of additional payroll or jobs to be created or retained by LEAP’s investment; a schedule of capital investments to be made as consideration for any direct incentives provided by LEAP to Tractor Supply and a provision specifying the terms and conditions upon which repayment must be made should Tractor Supply fail to meet the agreed performance requirements specified in this Agreement; and

**WHEREAS**, Tractor Supply has applied to LEAP for financial assistance necessary for the opening of a Tractor Supply business within the approximate 22,389 square foot building located at 2306 North Lubbock Highway, Lamesa, Texas (hereinafter referred to as the “Property”), situated within the Pioneer Square Shopping Center, which shopping center is further described on Exhibit A, which Exhibit A is attached hereto and incorporated herein for all purposes; and

**WHEREAS**, the LEAP approved the provision of financial assistance to Tractor Supply consistent with this Agreement at its meeting held on September 14, 2020, which will provide to Tractor Supply, subject to Tractor Supply’s satisfaction of certain conditions set forth herein, the necessary financial assistance for Tractor Supply to make the improvements to the Property that is necessary for the opening of the Tractor Supply business which is projected by Tractor Supply to create a minimum of five (5) full-time employment positions and eight (8) part-time employment positions; and

**WHEREAS**, Tractor Supply understands and agrees that: (a) in granting the financial assistance provided pursuant to this Agreement, LEAP is relying upon Tractor Supply's representations, warranties, and agreements, as set forth and provided for in this Agreement, and in the application presented to the LEAP; and

**WHEREAS**, the LEAP's Board of Directors has determined the financial assistance provided to Tractor Supply pursuant to this Agreement is consistent, and meets the definition of "project" as that term is defined in Section 505.155 of the Texas Local Government Code, as amended, and meets the definition of "cost" as that term is defined in Section 501.152 of the Texas Local Government Code, as amended; and

**WHEREAS**, Tractor Supply agrees and understands that Section 505.158 (b) of the Texas Local Government Code requires the City Council of the City of Lamesa, Texas, to approve all programs and expenditures of the LEAP which exceed \$10,000.00 ("City Council Approval"), and accordingly this Agreement is not effective until the City Council has approved this project and expenditure by resolution after giving the resolution at least two separate readings.

**NOW, THEREFORE**, for and in consideration of the agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the LEAP and Tractor Supply hereby agree as follows:

1. **Findings Incorporated.** The foregoing recitals are hereby incorporated into the body of this Agreement and shall be considered part of the mutual covenants, consideration and promises that bind the parties.

2. **Definitions.** The following words shall have the following meanings when used in this Agreement.

(a) **Act.** The word "Act" means Chapters 501 to 505 of the Texas Local Government Code, as amended.

(b) **Agreement.** The word "Agreement" means this Economic Incentive and Performance Agreement, together with all exhibits attached hereto.

(c) **City.** The word "City" means the City of Lamesa, Texas. For purposes of this Agreement, the City's address is 601 S. 1<sup>st</sup> Street, Lamesa, Texas 79331.

(d) **Event of Default.** The phrase "Event of Default" means and includes any of the Events of Default set forth below.

(e) **Full-Time Employment Positions.** The words "Full-Time Employment Position" or "Full-Time Employment Positions" mean and include a job requiring a minimum of Two Thousand eighty (2,080) hours of work averaged over a twelve (12) month period, with such hours also to include any vacation and sick leave, with full benefits.

(f) **LEAP.** "LEAP" shall mean the Lamesa Economic Alliance Project, a Type B economic development corporation, and a Texas non-profit corporation, its successors and assigns,



whose corporate address for the purposes of this Agreement is 123 Main Avenue, Lamesa, Texas 79331.

(g) Project. The word "Project" means the opening of a Tractor Supply store and business upon the Property that employs a minimum of 5 full-time and 8 part-time employees.

(h) Property. The word "Property" means the approximate 22,389 square foot building space located at 2306 North Lubbock Highway, Lamesa, Texas, as part of the Pioneer Square Shopping Center, which shopping center is described on Exhibit A attached hereto and incorporated herein for all purposes.

(i) Tractor Supply. The word "Tractor Supply" means Tractor Supply Co. of Texas, LP, a Texas limited partnership, the mailing address of which is 5401 Virginia Way, Brentwood, TN 37027-7536.

3. Term. This Agreement shall be effective as of the Effective Date, as is provided herein, and shall continue thereafter for a period of five (5) years from and after the date Tractor Supply opens its Lamesa, Texas, store for business, unless terminated sooner under the provisions hereof.

4. Tractor Supply's Representations and Obligations.

- (a) Tractor Supply has, or shall, acquire a lease of the Property.
- (b) Tractor Supply shall cause remodeling improvements to be made to the Property at an approximate cost of \$900,000.00 to Tractor Supply and its landlord.
- (c) Tractor Supply shall complete the improvements to the Property and obtain from the City of Lamesa a Certificate of Occupancy for such improvements by June 1, 2021.
- (d) Tractor Supply shall employ and maintain a minimum of five (5) full-time employees and eight (8) part-time employees within the first year of operation and continue maintenance of such minimum positions through the term of this Agreement.
- (e) Tractor Supply shall deliver to LEAP a written verification certifying the number of full-time and part-time employees working for Tractor Supply at its store in Lamesa, Texas, by December 31<sup>st</sup> of each year, (the "Compliance Verification"). The Compliance Verification may include quarterly IRS 941 returns or Texas Workforce Commission Employer Quarterly Reports.

5. LEAP's Representations and Obligations.

- (a) Financial Assistance. Conditioned upon Tractor Supply's performance of Tractor Supply's obligations set out in Paragraph 4 above, LEAP shall pay to Tractor Supply a maximum amount of One Hundred Twenty Thousand Dollars (\$120,000.00) to assist Tractor Supply with its costs directly related the making of

the improvements to the Property, hiring and training of employees, and other costs directly related to the Project.

(b) LEAP agrees to pay the \$120,000.00 as follows:

\$40,000.00 upon Tractor Supply's obtaining a Certificate of Occupancy from the City of Lamesa;

\$40,000.00 upon Tractor Supply's obtaining 5 full-time and 8 part-time employees; and

\$40,000.00 upon the six-month anniversary of Tractor Supply's obtaining the Certificate of Occupancy.

(c) In the event Tractor Supply complies with all of the terms and provisions of this Economic Incentive and Performance Agreement, LEAP shall forgive the sum of \$24,000.00 on December 31<sup>st</sup> of each year during the term of this agreement (each, a "Forgiveness Event"), first commencing December 31, 2020, and continuing for so long as to forgive the entirety of financial assistance provided by LEAP to Tractor Supply.

**6. Events of Default.** The following shall constitute an Event of Default under this Agreement:

(a) Certificate of Occupancy. Failure of Tractor Supply to obtain or cause to be obtained a Certificate of Occupancy from the City in accordance with Paragraph 4(c) of this Agreement.

(b) Job Creation and Retention. Failure of Tractor Supply to employ and maintain a minimum of five (5) full-time employees and eight (8) part-time employees through the term of this Economic Incentive and Performance Agreement in accordance with Paragraph 5(b).

(c) Reimbursement for Qualified Expenditures Made to Property. Failure of the LEAP to pay the sums set forth in Paragraph 5(b) of this Agreement to Tractor Supply in the amounts and times consistent with this Agreement.

(d) False Statements. Any warranty, representation, or statement made or furnished to one party by or on behalf of the other party under this Agreement that is false or misleading in any material respect, either now or at the time made or furnished.

(e) Insolvency. Tractor Supply's or LEAP's insolvency, appointment of receiver for any part of Tractor Supply's property, any assignment for the benefit of creditors of Tractor Supply or LEAP, any type of creditor workout for Tractor Supply or LEAP, or the commencement of any proceeding under any bankruptcy or insolvency laws by or against Tractor Supply or LEAP.

(f) Other Defaults. Failure of Tractor Supply or LEAP to comply with or to perform any other term, obligation, covenant or condition contained in this Agreement, or failure of Tractor Supply or LEAP to comply with or to perform any other term, obligation, covenant or condition contained in any other agreement between LEAP and Tractor Supply.

(g) Tractor Supply's failure to remain in good standing with the Comptroller of Public Accounts of the State of Texas or Tractor Supply's failure to maintain its charter, certificate or registration with the Secretary of State of Texas as an active entity.

6. **Termination of Agreement by LEAP Without Default.** LEAP may terminate this Agreement without an Event of Default by Tractor Supply and effective immediately if any state or federal statute or regulation, or final, non-appealable and binding case law, renders this Agreement illegal.

Termination of this Agreement by LEAP under this Paragraph 8 shall render this Agreement null and void from that point forward with each party having no further rights against each other under this Agreement or at law; provided, however, that (i) Tractor Supply shall be entitled to receive from LEAP any financial assistance due Tractor Supply through the date of termination; and (ii) LEAP and Tractor Supply agree to negotiate in good faith a remedy that preserves the intent of the parties hereunder as much as reasonably possible under applicable state law.

7. **Indemnification.** Tractor Supply shall indemnify, save, and hold harmless LEAP, its directors, officers, agents, attorneys, and employees (collectively, the "LEAP Indemnitees") from and against: (i) claims, demands, actions or causes of action that are asserted against any LEAP Indemnitee to the extent the claim, demand, action or cause of action directly or indirectly relates to tortious interference with contract or business interference, or wrongful or negligent use of LEAP's financial assistance by Tractor Supply or its agents and employees; (ii) an administrative or investigative proceeding by any governmental authority to the extent directly or indirectly related, to a claim, demand, action or cause of action in which LEAP is a disinterested party; (iii) a claim, demand, action or cause of action which contests or challenges the legal authority Tractor Supply to enter into this Agreement; and (iv) liabilities, losses, costs, or expenses (including reasonable attorneys' fees and disbursements) that any LEAP Indemnitee suffers or incurs as a result of any of the foregoing; provided, however, that Tractor Supply shall have no obligation under this Paragraph to any LEAP Indemnites with respect to any of the foregoing arising out or resulting from of the negligence or misconduct of LEAP Indemnites or the breach by LEAP of this Agreement. If any claim, demand, action or cause of action is asserted against any LEAP Indemnitee, such LEAP Indemnitee shall promptly notify Tractor Supply in writing, but the failure to so promptly notify Tractor Supply in writing shall not affect Tractor Supply's obligations under this Paragraph unless such failure materially prejudices Tractor Supply's right to participate in the contest of such claim, demand, action or cause of action, as hereinafter provided. If requested by Tractor Supply in writing, as long as no Default or Event of Default shall have occurred and be continuing, such LEAP Indemnitee shall in good faith contest the validity, applicability and amount of such claim, demand, action or cause of action and shall permit Tractor Supply to participate in such contest. Any LEAP Indemnitee that proposes to settle or compromise any claim, demand, action, cause of action or proceeding for which Tractor Supply may be liable for payment of indemnity hereunder shall promptly give Tractor Supply written notice of the terms of such proposed settlement or compromise and shall not settle or compromise such claim or proceeding without Tractor Supply's advance written agreement as to the terms of settlement or compromise. Any failure

to secure the advance written agreement as to the terms of any such settlement or compromise shall automatically extinguish Tractor Supply's obligations under this Paragraph as to such settled or compromised claim, demand, action or cause of action.

8. City Council Approval. LEAP agrees to diligently pursue City Council Approval and shall provide Tractor Supply with prompt notice of receipt of City Council Approval.

9. Miscellaneous Provisions. The following miscellaneous provisions are a part of this Agreement:

(a) Amendments. This Agreement constitutes the entire understanding and agreement of the parties as to the matters set forth in this Agreement. No alteration of or amendment to this Agreement shall be effective unless given in writing and signed by the party or parties sought to be charged or bound by the alteration or amendment.

(b) Applicable Law and Venue. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Dawson County, Texas. Exclusive venue for any action arising under this Agreement shall lie in the state district courts of Dawson County, Texas.

(c) Assignment. The rights and obligations of Tractor Supply under this Agreement may not be assigned by Tractor Supply without the express written consent of LEAP, which consent shall not be unreasonably withheld, conditioned or delayed. Notwithstanding the foregoing, Tractor Supply may assign the rights and obligations under this Agreement with notice to LEAP if such assignment is to an entity which is a subsidiary or parent company to or affiliated with Tractor Supply.

(d) Binding Obligation. This Agreement shall become a binding obligation on the signatories upon execution by all signatories hereto. Tractor Supply warrants and represents that the individual or individuals executing this Agreement on behalf of Tractor Supply has full authority to execute this Agreement and bind Tractor Supply to the same. LEAP warrants and represents that the individual executing this Agreement on its behalf has full authority to execute this Agreement and bind LEAP to the same.

(e) Caption Headings. Caption headings in this Agreement are for convenience purposes only and are not to be used to interpret or define the provisions of the Agreement.

(f) Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original and all of which shall constitute one and the same document. Notarization and/or witnessing of the signature of Tractor Supply Company, or any subsidiary thereof, of this document, if any, were executed in compliance with Executive Order No. 64 by Tennessee Governor Bill Lee, dated September 29, 2020, which Executive Order allows for remote notarization and witnessing of documents in response to COVID-19.

(g) Notices. Any notice or other communication required or permitted by this Agreement (hereinafter referred to as the "Notice") is effective when in writing and (i) personally delivered either by facsimile (with electronic information and a mailed copy to follow) or by hand or (ii) three (3) days after notice is deposited with the U.S. Postal Service, postage prepaid, certified

with return receipt requested, and addressed to the addresses for the parties as provided for in this Agreement.

(h) Severability. If a court of competent jurisdiction finds any provision of this Agreement to be invalid or unenforceable as to any person or circumstance, such finding shall not render that provision invalid or unenforceable as to any other persons or circumstances. If feasible, any such offending provision shall be deemed to be modified to be within the limits of enforceability or validity; however, if the offending provision cannot be so modified, it shall be stricken and all other provisions of this Agreement in all other respects shall remain valid and enforceable.

(i) Survival. All warranties, representations, and covenants made by Tractor Supply and LEAP in this Agreement or in any certificate or other instrument delivered by one party to the other party under this Agreement shall be considered to have been relied upon by the parties hereto and will survive the making of this Agreement, regardless of any investigation made by either party or on either party's behalf.

(j) Time is of the Essence. Time is of the essence in the performance of this Agreement.

(k) In accordance with Section 501.157 of the Local Government Code of the State of Texas, you are hereby notified that if a default occurs in the performance of this Agreement, the payment or performance may be enforced by:

(1) mandamus; or

(2) the appointment of a receiver in equity with the power to:

(a) charge or collect rents, purchase price payments and loan payments; and

(b) apply the revenue from the project in accordance with the note, mortgage or performance agreement.

*[Signature Page to Follow]*

SIGNATURE PAGE  
ECONOMIC INCENTIVE AND PERFORMANCE AGREEMENT

EXECUTED to be effective as of this \_\_\_ day of October, 2020.

**Tractor Supply Co. of Texas, LP,**  
a Texas limited partnership

By: Tractor Supply Company,  
a Delaware corporation, its General Partner

By: \_\_\_\_\_  
Mary L. Mitchell,  
Vice President, Legal – Real Estate

STATE OF TENNESSEE

COUNTY OF WILLIAMSON

Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally, or via audio-video communication, appeared Mary L. Mitchell, with whom I am personally acquainted, and who, upon oath, acknowledged herself to be the Vice President, Legal – Real Estate, of Tractor Supply Company, a Delaware corporation, and that she executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation, as general partner of Tractor Supply Co. of Texas, LP, by herself as Vice President, Legal – Real Estate of Tractor Supply Company.

In Witness Whereof, I hereunto set my hand and official seal this \_\_\_\_\_ day of October, 2020.

\_\_\_\_\_  
Notary Public, State of Tennessee

SIGNATURE PAGE  
ECONOMIC INCENTIVE AND PERFORMANCE AGREEMENT

**Lamesa Economic Alliance Project,**  
a Texas non-profit corporation

By: \_\_\_\_\_  
Scott Leonard, President

STATE OF TEXAS

COUNTY OF DAWSON

This instrument was acknowledged before me on the \_\_\_\_ day of October, 2020, by Scott Leonard, as President of the Board of Directors of Lamesa Economic Alliance Project, a Texas non-profit corporation, on its behalf.

\_\_\_\_\_  
Notary Public, State of Texas



EXHIBIT A  
LEGAL DESCRIPTION

Beginning at (N:6975076.76\E:908077.76') a 1/2" iron rod with cap marked "ASB 5689" set in the north right of way line of North 22nd Street (F.M. 2592) and the east right of way line of Woody Road (Ranch Road 179) at the southwest corner of said Block 1, First Northridge Addition for the southwest corner of this tract;

Thence North 07°32'16" West with the east right of way line of said Woody Road, a distance of 500.44 feet to a 1/2" iron rod found for a point of deflection in the west line of this tract;

Thence North 120°44'56" West with the east right of way line of said Woody Road, a distance of 271.27 feet to a 1/2" iron rod with cap marked "ASB 5689" set in the south right of way line of a 20 Foot Alley at the northeast corner of said Block 1 for the northeast corner of this tract;

Thence North 78°05'39" East with the south line of said 20 Foot Alley, a distance of 9.94 feet to a spindle set for a point of curvature in the north line of this tract;

Thence with a curve to the right in a northeasterly direction along the south right of way line of said 20 Foot Alley, said curve having a radius length of 889.57 feet, an arc length of 124.24 feet, a delta angle of 08°00'08", and a chord length of 124.14 feet bearing North 81°14'52" East to a 1/2" iron rod with cap marked "ASB 5689" set for a point of tangency in the north line of this tract;

Thence North 85°14'29" East with the south right of way line of said 20 Foot Alley, a distance of 484.97 feet to a 1/2" iron rod with cap marked "ASB 5689" set at the end of the east right of way line of North Hartford Avenue and the northwest corner of a 1.39 acre tract in said Block 1 recorded in Volume 309 Page 143, Deed Records, being the northeast corner of this tract;

Thence South 04°33'02" East with the west line of said 1.39 acre tract, a distance of 11.14 feet to a 1/2" iron rod with cap marked "ASB 5689" set for a point of deflection in the east line of this tract;

Thence South 01°05'29" West with the west line of said 1.39 acre tract, a distance of 242.89 feet to a point for the southwest corner of said 1.39 acre tract, being a point of deflection in the east line of this tract;

Thence South 63°09'30" East with the south line of said 1.39 acre tract, a distance of 149.86 feet to a point in the west right of way line of Lubbock Highway (US Highway 87) at the southeast corner of said 1.39 acre tract for a point of deflection in the east line of this tract;

Thence South 26°48'57" West with the west right of way line of said Lubbock Highway, a distance of 454.81 feet to a point in the north right of way line of said North 22nd Street for the southeast corner of said Block 1 and being the southeast corner of this tract;

Thence South 77°11'30" West with the north right of way line of said North 22nd Street, a distance of 425.60 feet to the Point of Beginning. Containing 9.74 acres of land

# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: NOVEMBER 17, 2020**

**AGENDA ITEM: 11**

**SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS, APPROVING AN ECONOMIC INCENTIVE AND PERFORMANCE AGREEMENT BETWEEN LAMESA ECONOMIC ALLIANCE PROJECT AND PREMIER FORD OF TEXAS, LLC:**

**PROCEEDING: Action Item**

**SUBMITTED BY: City Staff**

**EXHIBITS: Resolution First Reading**

City Council to consider passing a resolution approving an economic incentive and performance agreement between Lamesa Economic Alliance Project and Premier Ford of Texas, LLC. (EDC Director)

### **COUNCIL ACTION**

**DISCUSSION** \_\_\_\_\_

Motion by Council Member \_\_\_\_\_ to pass a resolution approving an economic incentive and performance agreement between Lamesa Economic Alliance Project and Premier Ford of Texas, LLC. Motion seconded by Council Member \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

**VOTING:** "AYE" \_\_\_\_\_ "NAY" \_\_\_\_\_ "ABSTAIN" \_\_\_\_\_

### **CITY MANAGER'S MEMORANDUM**

**Recommend approval**

**RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS, APPROVING AN ECONOMIC INCENTIVE AND PERFORMANCE AGREEMENT BETWEEN LAMESA ECONOMIC ALLIANCE PROJECT AND PREMIER FORD OF TEXAS, LLC.**

On the 17<sup>th</sup> day of November, 2020, there came on and was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas, held pursuant to the provisions of the Texas Open Meetings Act, and there being a quorum present and acting throughout the meeting, the following resolution was formally submitted by motion and duly seconded for the consideration and action of the meeting, to-wit:

**WHEREAS**, Lamesa Economic Alliance Project has deemed it in the best interest of the Lamesa Economic Alliance Project to enter into an Economic Incentive and Performance Agreement with Premier Ford. of Texas, LLC, to assist with the opening of a Premier Ford business in Lamesa, Texas; and

**WHEREAS**, the City Council of the City of Lamesa deems it in the best interest of the City to approve such Economic Incentive and Performance Agreement.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS:**

That the City Council of the City of Lamesa, Texas, hereby approves the Economic Incentive and Performance Agreement between Lamesa Economic Alliance Project and Premier Ford of Texas, LLC, on the terms and conditions set out in the Economic Incentive and Performance Agreement attached hereto as Exhibit A.

Upon being put to a vote, the foregoing Resolution was Passed, on First Reading on the 17<sup>th</sup> day of November, 2020, by a majority vote; and then on the 15<sup>th</sup> day of December, 2020, there came on an was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas, held pursuant to the provisions of the Texas Open Meetings Act, and there being a quorum present and acting throughout the meeting, the foregoing Resolution was formally submitted by motion and duly seconded for the consideration and action of the meeting, and upon being put to a vote, the foregoing Resolution was Passed on Second Reading and Adopted the 15<sup>th</sup> day of December, 2020, by a majority vote and ordered to be spread upon the minutes of the City Council of the City of Lamesa, Texas, and recorded in the resolution book thereafter.

ATTEST:

APPROVED:

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Betty Conde  
City Secretary

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Josh Stevens  
Mayor

## Executive Summary for Premier Ford of Lamesa

Darin Epley, Troy Duhon and Randon Blacklock have been working on creating a New Ford Dealership, Premier Ford of Lamesa. They currently have a contract to purchase the former Ford Dealerships Buildings. This new operation will create new employment positions as well as increase both Real, Personal property tax and an increase in sales tax.

### Investment for Premier Ford of Lamesa:

1. Purchase Buildings \$ 1,850,000
2. Improvements to buildings \$ 100,000 to \$ 150,000
3. New personal property \$ 100,000 to \$ 150,000
4. Inventory of \$ 10,000,000

### Job Creation in Lamesa, Texas:

1. 30 full time positions will be created estimated opening November 16th, 2020, with in one year.
2. Salary will average \$ 25.00 per hour plus benefits 10% of earnings
3. Estimated Payroll per year \$ 1,900,000

### Proposed Incentive:

1. LEAP grant for \$ 25,000 for new job creation and training. Assist with costs of new equipment and remodel of the current facility. Premier Ford of Lamesa will invest \$ 1,850,000 just in purchase of the current facility, -plus \$ 10,000,000 in inventory and \$ 100,000 to \$ 150,000 for equipment and remodel.

### Proposed payment of grants by LEAP:

1. LEAP grant of \$ 25,000 will be paid as follows:
  - a. \$ 25,000 paid when the 60-day requirement for notice is past and Premier Ford of Lamesa has a certificate of Occupancy.

### Company Ownership is as follows

1. Troy Duhon owns 51%
2. Darin Epley owns 10%
3. Randon Blacklock 30%
4. The remaining 9% will be offered to employees as they come to work. Mr. Duhon will carry the 9% until it is purchased by employees that could be Darin Epley or Randon Blacklock.

# Troy Duhon Resume

## Troy J. Duhon

812 Lakeshore Boulevard Slidell, Louisiana 70461  
985.726.6055

### SUMMARY OF QUALIFICATIONS

Oversee day to day operations of all departments in profitable dealerships of multiple volumes, in an aggressive fashion with a commitment to success and customer satisfaction.

### EMPLOYMENT

10/19 – present	<u>Premier Autos of Lubbock, Owner</u>
11/18 – present	<u>Premier Autos of Dallas, Owner</u>
10/19 – present	<u>Premier CDJR of Ottawa, Kansas, Owner</u>
03/14 – 2018	<u>Premier Nissan of Stevens Creek, Santa Clara, CA</u>
03/14 – present	<u>Premier Automotive of West Covina, West Covina, CA</u>
03/14 – present	<u>Premier Automotive of Kansas City, KS, Owner</u>
05/14 – present	<u>Premier Automotive of Placentia, Placentia, CA, Owner</u>
06/14 – present	<u>Premier Automotive of Bonner Springs, Kansas City, Kansas, Owner</u>
04/14 – present	<u>Victory Chrysler Jeep Dodge RAM, Kansas City, Kansas, Owner</u>
03/14 – 2017	<u>Premier Chrysler Jeep Dodge RAM of West Covina, West Covina, California, Owner</u>
03/14 – 2017	<u>Premier Nissan of Richmond, Richmond, Indiana, Owner</u>
03/14 – 2017	<u>Toyota of Richmond, Richmond, Indiana, Owner</u>
11/13 – 2017	<u>Premier Hyundai of Oakland, Oakland, California, Owner</u>
07/13 – 2017	<u>Nashville Chrysler Dodge Jeep Ram, Antioch, Tennessee, Owner</u>
05/13 – 2016	<u>Premier Fiat of Fremont, Fremont, California, Owner</u>
12/12 – present	<u>Premier Chrysler, Jeep Dodge Ram of Tracy, Tracy, California, Owner</u>
12/12 – present	<u>Premier Hyundai of Tracy, Tracy, California, Owner</u>
09/12 – present	<u>Premier Chevrolet of Buena Park, Buena Park, California, Owner</u>
08/11 – present	<u>Premier Chrysler Jeep Dodge Ram, New Orleans, Louisiana, Owner</u>
08/10 – present	<u>Premier Kia of Fremont, Fremont, California, Owner</u>
12/09 – present	<u>Premier Nissan of Fremont, Fremont, California, Owner</u>
08/09 – present	<u>Premier Nissan of San Jose, San Jose, California, Owner</u>
10/08 – present	<u>Toyota of Poway, Poway, California, Owner</u>
01/04 – present	<u>Premier Kia of Kenner, Kenner, Louisiana, Owner</u>
12/03 – present	<u>Premier Honda, New Orleans, Louisiana, Owner</u>
02/03 – present	<u>Premier Nissan, Metairie, Louisiana, Owner</u>
12/00 – 02/05	<u>Premier Dodge/Chrysler/Jeep, New Orleans, Louisiana, Owner/Operator</u>
	<u>Sold franchise</u>
02/98 – 08/01	<u>Premier Buick/GMC, New Orleans, Louisiana, Owner/Operator</u>
	<u>Sold franchise</u>
08/97 – 08/99	<u>Regency Ford, New Orleans, Louisiana, Partner/Operator</u>
	<u>Sold partnership</u>
12/95 – present	<u>Toyota of New Orleans, New Orleans, Louisiana Owner</u>
	Purchased a bankrupt dealership and within first year exceeded 40 million in sales and 1 million in profit as well as a return on investment in excess of 100%; sales efficiency exceeding 200% for 10 years and Presidents award winner 5 times

**EDUCATION**

Louisiana State University 1982 – 1986

B.A. Marketing

Dean's List – 1985, 1986

**ACTIVITIES/HONORS**

Toyota Best in Town Award, 2016

Toyota Presidents Award 2011, 2009, 2008, 2004, 2002, 2001

Toyota Sales Excellence 2011, 2008, 2006, 2005, 2004, 2003, 2002, 2001

Toyota Customer Relations Excellence 2011, 2008, 2005, 2004, 2003, 2002, 2001

Toyota Service/Parts Excellence 2008, 2007, 2004, 2003, 2002, 2001, 2000, 1999

Toyota Top Market Share Dealer 2004, 2003, 2002, 2001, 2000, 1998

Gulf States Toyota Dealer of the Year 1998

Gulf States Toyota Dealer Council 2003, 2002, 2001

Nissan Circle of Excellence 2011, 2009, 2007, 2003

Louisiana #1 Nissan Dealer 2011, 2010, 2009, 2008, 2006, 1998

Honda Excell Dealer 2008, 2007, 2004

Honda Presidents Award - 2008

Louisiana Top Dodge Dealer 1995, 1991

Dodge Charger Dealer 1991

Dodge Dealer Council 1995, 1994

New Orleans East Businessman of the Year 2004

Multiple Sclerosis Eagle Award 1995

Louisiana Motor Vehicle Commission, Commissioner 2008 - Present

Former Board Member of New Orleans Interagency Council to End Homelessness

Former President & Board Member of JTRA/The Food Bank of New Orleans 2004 - 2013

President & Board Member of HOPE the Premier Way dba Giving HOPE and The Food Pantry of New Orleans  
2013 - Present

**PERSONAL**

Married; four children; enjoy golf & reading; excellent health

# PREMIER AUTOMOTIVE



**Go Further**

**Lamesa, TX**



# The Premier Way

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*Our mission at Premier Automotive is to help all consumers have an enjoyable experience acquiring and maintaining transportation so they will have an opportunity to experience what God has called them to do.*

## **Our Core Values**

**Character:** We will be honest and trustworthy and treat our customers and our fellow employees the way we would like to be treated.

**Dedication:** We will do whatever it takes, for however long it takes, to get the job done right the first time.

**Integrity:** We will do the right thing for all employees and customers because it is the right thing to do.

**Respect:** We will treat everyone with dignity and respect, regardless of the situation.

**Service:** We are dedicated to helping others be their very best at work, at home, and in their community.

# The Premier Difference

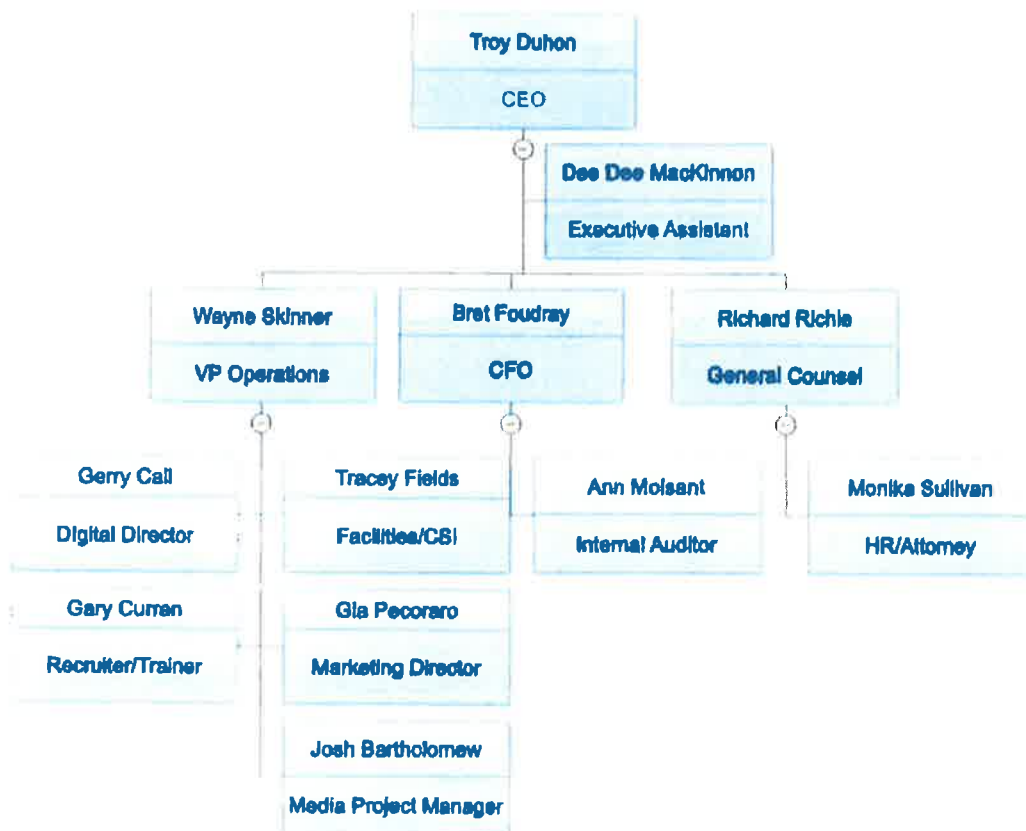
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Troy Duhon founded Premier Automotive Group in 1995. Troy transformed an old, abandoned lot into our first dealership, Toyota of New Orleans. Since the launch of our first site, we established new dealerships representing several different manufacturers. As we continue to grow, creating new jobs and increasing our sales, our commitment to our customers and the community remains the same. We are proud of the great relationship we have with our customers and our strong commitment to the community.

We believe that Ford, teamed with Premier can "Go Further!" With marrying the commitments of Ford and Premier, we can maximize The Premier Difference. The Premier Difference is a way of doing business, not just a tagline. We credit much of our success to our staff, from the CEO to our sales teams, and our Premier method. All of which help create The Premier Difference.

## Corporate Team

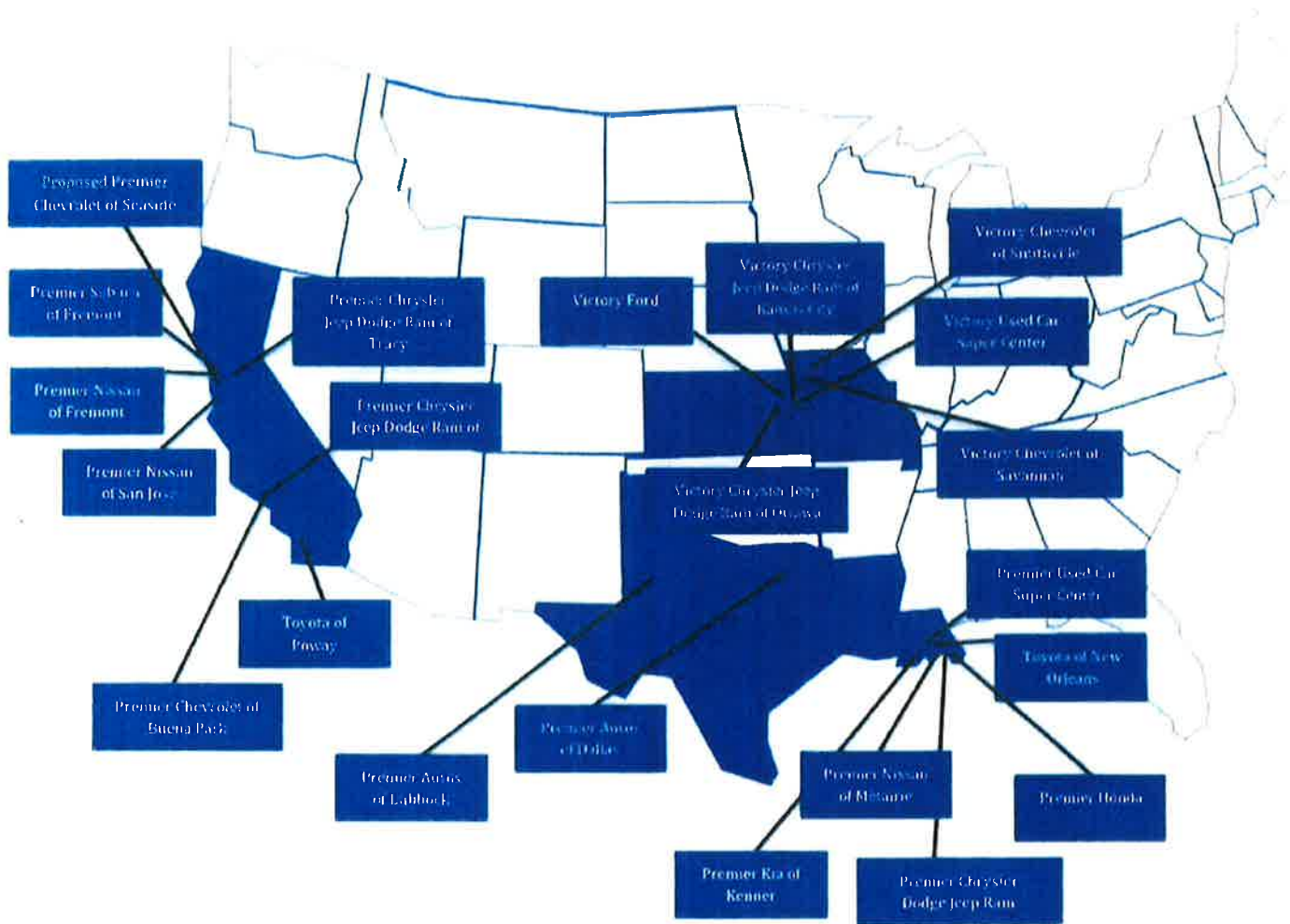
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# Premier Locations

Our dealerships excel in every market we represent. Premier Ford of Lamesa would shine as a member of the Premier Automotive Group. Our family of dealerships includes:

Dealership	Date Acquired	Location
Toyota of New Orleans	December 1995	New Orleans, LA
Premier Honda	December 2003	New Orleans, LA
Premier Nissan	February 2003	New Orleans, LA
Premier Kia	January 2004	Metairie, LA
Toyota of Poway	October 2008	Poway, CA
Premier Nissan of San Jose	August 2009	San Jose, CA
Premier Nissan Fremont	December 2009	Fremont, CA
Premier Chrysler Jeep Dodge Ram	August 2011	New Orleans, LA
Premier Chevrolet of Buena Park	August 2012	Buena Park, CA
Premier Chrysler Jeep Dodge Ram of Tracy	December 2012	Tracy, CA
Victory Dodge Chrysler Jeep Ram of Kansas City	April 2014	Kansas City, KS
Premier Chrysler Jeep Dodge Ram of Buena Park	April 2014	Buena Park, CA
Victory Ford	May 2014	Bonner Springs, KS
Premier Subaru of Fremont	2015	Fremont, CA
Victory Chevrolet	April 2016	Savannah, MO
Victory Used Car Super Center	April 2016	Kansas City, KS
Premier Used Car Super Center	May 2018	Harvey, LA
Victory Chrysler Jeep Dodge Ram of Ottawa	October 2018	Ottawa, KS
Premier Autos of Dallas	November 2018	Dallas, TX
Premier Autos of Lubbock	August 2019	Lubbock, TX
Victory Chevrolet of Smithville	July 2019	Smithville, MO
Premier Chevrolet of Seaside	January 2020	Seaside, CA



# Employee Retention

Premier Automotive has made a commitment to create a retention culture that emphasizes how much we value our employees. This year we have rolled out our mandatory mentoring program that partners every new hire (regardless of department) with an existing employee who is familiar with our culture. The mentor helps welcome the new employee into the Premier Automotive family as well as makes himself or herself available to answer any questions the new hire may have that a person may feel uncomfortable asking a supervisor or direct coworker. We really want to ensure that the new hire feels welcomed and understands that they are an important and valued asset.

This retention culture begins during the onboarding process. In addition to the mentor assignment, we provide every employee with harassment training, welcome video and an anonymous hotline to report any issues or concerns to our management company. Our commitment to retention also continues through the various training/education programs we offer to our employees

We also believe that promotion from within our organization should be pursued whenever possible. In addition, we have made a strong commitment to encouraging our employees to join us in our efforts to support our local communities. We give each employee one paid day, every year, to volunteer with a nonprofit organization of their choice.

All of these initiatives are designed to show our employees that we are more than just a job, we are a place where they will have room to grow and get the support they need to achieve the career they desire and give back to the communities they love.

# Facility

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Our plan is to update the facility to the image below



# Hours

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Sales:

Monday-Saturday

9:00AM – 7:00PM

Service:

Monday-Saturday

7:30AM – 6:00PM

# Giving Hope

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Giving Hope is a non-profit organization that was started at the end of 2013 to serve vulnerable groups of people. From a very personal beginning, Troy and Tracy Duhon decided to feed and house as many people as possible. From this desire, Giving Hope was born as the charity of choice of Premier Automotive, chaired by Troy and Tracy. To fund this charitable organization, \$25 from each car sold by a Premier dealership goes to provide community support through Giving Hope, directly or through a Hope Committee in the dealership. These committees are learning how to better support their communities through training that Hope provides.



Giving Hope's mission statement: To give glory to God and to promote human dignity. Giving Hope serves the most vulnerable among us, especially widows and orphans. We feed the hungry and give drink to the thirsty, clothe the naked, shelter the homeless, visit the sick and imprisoned and ransom the captive.

Giving Hope provides care for the most vulnerable in five different areas: food, clothing, shelter, fellowship and freedom. Hope provides over 1,000 hot meals a day to hungry senior citizens, and people in post-Katrina New Orleans East. With a strategic partnership, this number is expected to grow to over 1,500 meals. Regarding clothing, Giving Hope is planning a Dress 4 Dignity clothing drive with each of our corporate partners, to provide good quality clothing for previously homeless people to attend job interviews, or to go to church.

Regarding shelter, Troy and Tracy have made good on their promise to house vulnerable people. Giving Hope is committed to building an orphanage per year on each habitable continent. In 2014, Giving Hope built an orphanage in India, which houses "untouchables", who were previously living in a garbage dump. In 2015, Hope built an annex for boys at an orphanage, which gave each boy his first individual bed. In 2016, Hope built an orphanage in Gambia, Africa and in 2018, built an orphanage in Moscow, Russia. In 2019, Giving Hope opened their 5<sup>th</sup> orphanage in Lapão, Brazil. A 6<sup>th</sup> orphanage in the Dominican Republic will be built in August of 2020.

Additionally, a grant from Giving Hope allowed the opening of Giving Hope Retreat Center in Lacombe, LA. This facility turned around 300 beds in the Greater New Orleans area into almost 1,000, in a rural environment, responding to a homeless crisis. Regarding fellowship, Hope is planning a Corporate Hope Day at Angola State Prison, where business leaders will learn about Angola's Reentry program, which provides moral, spiritual and vocational training for pre-screened non-violent offenders who really want to leave prison as better husbands, fathers and men. Regarding freedom, Giving Hope is poised to announce at its annual gala its support for one of the most urgent needs regarding combatting trafficking in human persons, with its support of a safe house for at-risk women and children.

Premier Automotive and Giving Hope show what can happen when successful entrepreneurial minds turn their attention to profound human needs, and in the process, both benefit.



# Giving Hope Outreach

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# Loyalty

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## **Floor Plan**

We will be going through Ford Motor Credit for floorplan and are currently in the application process.

## **Bulk Oil**

Premier Ford of Lamesa will utilize Motocraft as our bulk oil provider.

## **Ford Protect Sales**

Finance income is a vital part of the financial success of any dealership, but if not obtained properly it can hurt CSI and future sales. All F & I managers will be trained to sell the products first, not the rate. Our goal will be to maximize our warranty sales. If we can maintain a sixty percent closing percentage, then this will promote our service department and dealer loyalty. When a customer knows that the repairs are covered, he will return to the selling dealer. We will sell Ford Protect warranties.

# Administrative Office

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## **Secretary-Treasurer/Business Manager**

At all of our dealerships we have Controllers that manage 1 to 5 dealerships. That would be the plan for this dealership as well. The initial plan is to hire an experienced Controller that is very knowledgeable in overall dealership operations, specifically accounting, to be located in Lamesa. Typically, our Controllers earn a salary and earn a commission based on the net income of the dealership on a monthly basis.

## **Office Personnel**

The Controller is responsible for hiring, training and managing the office personnel. We would support these efforts by helping recruit the best talent available in the market. We help train and provide feedback to assure the success of the staff.

## **Office System**

Premier Automotive dealership use Dealertrack DMS to manage the dealerships operations. Additionally, we use DealerOps software to supplement the DMS and provide easy to understand reporting to the Department Managers.

## **Daily Operating Control**

Every morning a daily operating control report will be on all managers computer screens that shows each manager, the sales, grosses and expenses up to that current date. It will be extensive and usable.

## **Expense/Cash Controls**

When Premier Automotive purchases a new dealership our plan is minimize overhead expenses and help drive revenue. This is accomplished by taking advantage of our group-wide national pricing and oversight of daily operation by the Management Company team. These items are what set our Group apart from the competition.

## **Financial Statements**

Premier Automotive has a companywide standard of having financial statement completed and reviewed by the 5th business day of the month. The Lamesa dealership will also follow this mandate.

# Our Commitment to Training

Premier Automotive has a 30-year history of training and developing employees ranging from preparing General Managers to assume responsibility of running a dealership, to entry level salespeople for the showroom floor in addition to service personnel to take care of our customers after the sale.

Premier Automotive has a comprehensive training initiative reaching all locations and employees. Outside of OEM training employees receive training through Premier (premieru.com) which is our online training platform. Employees can link to a number of training vendors through PremierU.

Live training conducted on site is recorded, edited and made available to all employees. Employees can also find content that is self-produced like *"How to Create Your Digital Business Card"* to making a MENU presentation on the service lane.

Training does not end with PremierU. Live training is available to all Premier locations ranging from:

- **Premier Automotive Dealer Academy:** A twelve-month curriculum to prepare individuals from the sales and service ranks for the position of General Manager.
- **Premier Managers in Training Program (MIT):** Individuals from the dealership staff is nominated to participate in acquiring management skills in advance of their promotion into management. Our bench is ready when the need arrives. It is also the goal of Premier Automotive to promote from within whenever possible. A salesperson might participate in F&I training in Chicago to return to the dealership to function in a backup roll until time when needed to be promoted into and F&I position.
- **Used Vehicle Summit:** Used Car Managers come to the corporate annually to update their Used Car knowledge and are exposed to some of the best Used Car training available.
- **NCM Training:** Managers can attend NCM training if they and their GMs feel a need to upgrade their skills.
- **Entry Level Training:** Conducted monthly for new inexperienced salespeople. Entry Level Training can be accessed through training partners on PremierU.

"Anyone who stops learning is old, whether at twenty or eighty. Anyone who keeps learning stays young."  
– Henry Ford

"In a world of change, the learners shall inherit the earth, while the learned shall find themselves perfectly suited for a world that no longer exists." – Eric Hoffer

In addition, the Dealer Principals and/or General Managers plan to attend Ford's Dealer Executive Conference within six months. Premier is committed to enroll and attend these courses to equip ourselves with additional expertise and knowledge to operate the dealership.

# Customer Satisfaction

Every Premier Automotive dealership operates under the same philosophy: making the Customer Experience priority. We offer a complete customer experience from start to finish and beyond. No longer do we chase an Index score on surveys as the only measurement. Survey results are a terrific dealership measurement to see how they are perceived by consumers and what areas need attention, but our customers don't see those results. However, they do see the dealership's online reputation which is key to a customer selecting who they will give their business to.

Reputation management is paying just as much attention to how your customers judge their experience. This is where you can really get a benchmark on how you are perceived and make immediate changes when needed as well as resolve issues promptly. Factoring in the customer's selection process starts the customer experience prior to doing business – caring about obtaining business based on how we treat people is imperative.

All employees play a role in the customer experience. We promote a customer centric culture where guest treatment is important inclusive of facility amenities, professional appearance, customer interaction and more. We utilize sales meetings, scheduled meetings and online training to ensure everyone is on the same page as far as customer expectations. Pay plans are tied to CSI scores as well as online ratings and reviews.

Our Management Company includes Tracey Fields, who has over 25 years' experience in Customer Experience. Tracey works with dealership management to monitor customer relationships and implement consistent processes conducive to total customer satisfaction. We designate a CSI Coordinator to be the point person to work with Tracey on the store's CSI status and any customer training. The Coordinator in addition to the GM are the point persons for customer issues within the store that need resolution.

We have been the recipient of several factory awards for customer satisfaction and are aware that CX leads long term customer loyalty.

Our customer retention percentages are driven by the success of our customer handling. Since we are attentive to our customer's needs and wishes, we enjoy success in customer loyalty and retention. We also credit our proactive communication plan, one that keeps us in communication with our customers, via Email, social media and phone/text contact. However, we are very cognizant of too many notifications to our customer base, thus, we closely monitor the communication, the reason for the contact, and how often. Ensuring notifications are not a nuisance and simply made for convenience helps us receive customer engagement.

We communicate with our customers thanking them for the purchase as well as an entire array of customer-oriented programs and perks we offer. Service and Parts introductions are performed in an effort to assist establishing the relationship between the consumers and our fixed operations. Our hope is to kick-start a service relationship with the customer that continues through future maintenance, purchases and referrals for a lifetime. The 'wash and water' program we installed provides each service customer's vehicle with a car wash and a bottle of water placed in the front cup holder as a token of our appreciation. We believe attention to personal things and consideration to the consumer is the secret to success

# Advertising & Marketing

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Our branding campaign will start on day one. Our goal is to create a strong brand name and presence for Premier and Ford. Introduction with a consistent branding message will lead to better recall and ultimately conversion of customers. Adding the Ford nameplate to our collection of dealerships will increase our footprint, enhance our market presence, and allow us to brand quicker and deeper since the Premier name is already a household, respected, and trusted name.

We plan to utilize a consistent multimedia marketing campaign directed at capturing the greater segment of a market that is currently underrepresented by the Ford nameplate. We will aggressively market our core products through local newspaper, cable television, direct mail, radio, and digital marketing. Our strategy will be to become a major player in the Lamesa, TX metro area marketplace.

A fully staffed Internet/Business Development Center will tap our well-rooted relationships with the major lead providers and will utilize our PPC campaigns to generate exclusive leads. We also use Google Analytics to measure all marketing campaigns and adjust our spend accordingly. Premier Automotive has a group contract with Elead as our CRM, which includes unlimited free prospect calls (refer to next 2 pages for Elead follow-up process).

As we do in all our Premier stores, we will utilize social media as a consistent voice of the dealership and have an aggressive reputation management program in place to maintain a positive on-line presence for our dealership. We use Podium in all of our dealerships to monitor our reputation management at every step of the way. Our plan calls for a significant online presence. We will work to build a strong organic position and augment a paid search component as well.

Premier will market our Ford Certified Pre-Owned Vehicles on the lot and on the internet. We understand the value of the Certified Pre-Owned program and plan to fully embrace it. We will also look to promote the Ford sponsored products in our finance department.

We will claim all Business Listings for Premier Ford of Lamesa and ensure all information is accurate, consistent and up to date.

We will also utilize and participate in the planned promotions outlined in the Ford Dealer Advertising Fund. All advertisements will abide by FDAF rules and all co-op materials will be submitted to Ford on a monthly basis.

# New Vehicle Lead Follow-Up Process

Day	Process	Template
Day 1:	Call and 2 emails	First Response + Quote Email - (3 new options 1 used option)
Day 2:	Call and email or text	Did you get my info?
Day 3:	Call and email or text	About Me (Personal Email – No Sales Pitch)
Day 4:	Call and email or text	Questions for the customer
Day 6:	Call	Sales Manager
Day 9:	Call and email	I am here to help
Day 14:	Email	Alligator email
Day 15:	Call	Phone call from Gen. manager
Day 21:	Call and email or text	3 things about the model
Day 28:	Call and email or text	Should I buy new or used?
Day 30:	Call	Phone call from Gen. manager
Day 35:	Call and email or text	Quote Email - (2 new options 2 used option)
Day 49:	Call and email or text	What makes Premier Different
Day 63:	Call and email or text	Why service at Premier include oil change coupon
Day 70:	Call and email or text	Quote Email - (1 new options 3 used option)
Day 85:	Call and email or text	About the department
Day 90:	Call and email or text	Jump email
Day 97:	Call	
Day 105:	Call and email or text	Quote Email- (1 new option 3 used options)
Day 112:	Call	
Day 120:	Call and email or text	Nicely removing from list
Day 125:	CALL	REMOVE CUSTOMER

# Used Vehicle Lead Follow-Up Process

Day	Process	Template/Talk Track
Day 1:	Call and email or text	First Response + Quote Email - (3 used options 1 new option)
Day 2:	Call and email or text	Style or Price
Day 3:	Call and email or text	About Me (Personal Email – No Sales Pitch)
Day 4:	Call and email or text	Car, Price, Payment or Financability
Day 6:	Call	Sales manager
Day 9:	Call and email or text	I am here to help
Day 14	Email	Alligator email
Day 15:	Call	Phone call from Gen. manager
Day 21	Call	Phone call from Sales manager
Day 28:	Call and email or text	Jump Email
Day 30:		
Day 35:	Call and email	Nicely removing from list
Day 45:	CALL	REMOVE CUSTOMER



# New Vehicle Department

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## Sales Process

The Sales Process that is central to customer satisfaction is pleasant, transparent, quick and non-pressured purchase experience. Meeting this process requires a concerted effort between the sales and F&I staff. Their commission percentage will be adjusted by the rank of the sales department on the prior month's CSI report. We will have a full-time trainer on staff to help present a professional sales staff to our customers. The podium will face the lot so sales managers can direct a salesperson to customers as soon as they walk onto the lot. There will be a manager assigned to monitor the lot at all times so that no customer will wander unassisted. The salesperson will log the customer's information along with the vehicle that was previously driven as a test. Upon completion of the sale, the deal will not be processed without a delivery checklist signed by the customer. A recap sheet on every new vehicle sale will be routed to the salesperson. It will be returned by the salesperson to the CSI coordinator with written comments made by the customer during the follow-up call. This will provide us with an internal measurement of sales follow-up supplement and compare to the information that we get from Ford in the various CSI reports. The CSI Coordinator will implement written follow-up as well as the scheduled first service visit reminder.

The showroom will have the open floor policy. All customers will be logged so that proper follow-up and accountability can be established. All customers who do or do not buy will be introduced to a sales manager.

## Retail Leasing

Leasing is a fast-growing segment of automobile retailing, a segment in which we plan to aggressively promote. Our goal will be to lease 30% of all of our retail customers. In order to attain this goal, we will work closely with our lenders and bring in professional leasing trainers to ensure that everyone is properly trained. Our goal is to have 40 - 50 lease returns a month within two years.

## Delivery

We will have a designated, very visible, delivery area. All salespersons will be trained and regularly drilled on the proper delivery. Once a customer is delivered, the salesperson will be required to turn in a three-day follow-up sheet to the CSI Coordinator. During delivery, every customer will be introduced to a member of the service department and given a business card. Finally, the sales deals will not be processed, and commissions not paid, without a completed delivery checklist that is signed by the customer. The correlation between a perfect delivery and overall sales satisfaction is uncanny and cannot be understated.

# Finance and Insurance Department

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## F & I Director

The F & I Director is currently being interviewed. He will have an extensive leasing background and will have worked with leasing lenders in the past. This will be important as we strive to maintain 40% leasing penetration.

# Used Vehicle Department

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## **Used Vehicle Manager**

Our used car manager will be determined. He will have a proven track record as an aggressive, trustworthy manager. We will maintain a professional looking lot with an emphasis on certified used cars and factory sales.

## **Used Vehicle Sales**

Our goal for monthly used vehicle sales will be 100 total units.

## **Used Vehicle Inventory**

The majority of our used vehicle inventory will be obtained from new car customers. We plan to trade 60-80 cars per month; however only newer models with low miles will be kept for retail. The service department will inspect and certify every used car that is retailed. Every car will go through a 27-point inspection before it is available for resale. We will attend Ford auctions to obtain late model leases and rental returns. We also pay our salespeople to buy cars off the street (Car MAX MODEL) Our goal is to maintain a \$1,000,000 inventory with a 45-day supply. No used cars will be left in stock over 60 days.

## **Advertising**

Our budget will be approximately \$25,000 per month, emphasizing quality certified cars with a money back guarantee and a free warranty.

## **Customer Satisfaction**

The same commitment to satisfaction of our new vehicle customers will be visible to our used vehicle customers. While there is not always the same amount of information available to assess the satisfaction of our used car customers, Customer satisfaction, new or used, is important to the long-term success of the dealership and brand image.

# Rental Department

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We plan on utilizing Ford's Rental program.

# Parts Department

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## Parts Manager

The Parts Manager will be paid a percentage of the departmental net and a percentage of combined parts and service net to foster cooperation between departments. The commission percentage will be adjusted up or down based on the prior month's rank of the service department within our CSI group.

## Parts Sales

Initially, we expect monthly parts sales of \$150,000 in line with investment Sales and Profit Forecast. Total monthly parts sales of \$200,000 is a sustainable average going forward, as we expect substantial shop sales growth as our customer base grows.

## Parts Employees

Initially, we will staff the parts department as follows:

1 Manager

2 Retail Counter sales

1 Driver / Stocker

4 Total Employees

## Parts Inventory

I will maintain a 45-day supply of parts, which will give us an inventory of \$150,000, initially. We may make adjustments as future conditions require but will target a 45-day supply of parts, as dictated by the cost of our average monthly sales. Bulk fluids and other suppliers will be purchased from the most sensible source. All repairs to Ford vehicles, warranty or customer pay will be made using Ford parts.

## Inventory Control

We will use Dealer Track DMS to manage the parts inventory. Parts will be sourced by sales and arranged physically so that the fast-moving parts are the most accessible. We will monitor the generation of frozen capital monthly. In addition, the accounting office will count ten bins per week and compare on hand quantities to the Dealer Track GL quantities. If the error rate exceeds five percent, a complete physical inventory of parts will be conducted on the time and at the expense of parts personnel. We have done this in the past, and it has eliminated a multitude of problems that normally arise when the annual physical is taken.

## Customer Satisfaction

Customer satisfaction will be ensured in the parts department by properly staffing the retail and back counters. In addition, the Manager and Counterpeople's compensation will be affected by the monthly CSI performance of our service department, which is relying on the parts department to provide the correct parts in an efficient manner. The Parts Manager and key parts personnel will have an active role in the implementation of Service Standards. Individual and department performances will also be monitored by the CSI Coordinator. Written and phone follow-up will be implemented as well.

# Service Department

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## **Service Manager**

The Service Manager will be paid a percentage of the departmental net and a percentage of combined parts and service net to foster cooperation between departments. The commission percentage will be adjusted up or down based on the prior month's rank of the service department within our CSI group.

## **Service Writers**

I will staff the service drive with three Service Advisors. I will spend time assessing the current Service Writers to see how they fit into the future of this department. If it is necessary to make changes, I will employ several very solid, professional Service Writers. The Service Writers will be paid a percentage of gross. That percentage will be adjusted up or down based on the prior month's rank of the service department within our CSI group. The Service Writers will be affected by the rank of the department rather than their individual indices because they are the first and last impression a customer has of their service experience. Our Service Writers will be empowered to do whatever is necessary to satisfy a customer, in addition to being courteous, prompt and attentive.

## **Technician Pay Plan**

Initially, we will be on a traditional simple group system, where a writer dispatches to a group of technicians with a common work area. MPIs will be required on all vehicles. Monthly bonuses will be paid to technicians if the "work quality" score on the prior month's CSI report is greater than average. Any technician showing promise will take advantage of the full line of training that Ford offers, at the expense of the dealership. This commitment to the betterment of our staff will improve customer service and is necessary to retain good employees.

## **Ford SMART Technology**

We are currently using xTime in our other stores. We will evaluate and assess the use of the Ford product as we move forward.

## **New Vehicle Pre-Delivery**

There will be one entry level Technician assigned to predelivery. This Technician alone will be accountable for the quality and thoroughness of predelivery and will have monthly bonuses tied to CSI. The pre-delivery checklist will be signed and placed in the glove compartment, and the service manager will randomly check stock units to ensure that the PDI was performed properly.

## Service Department, cont.

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### **Follow-Up**

The Service Standard that is central to customer satisfaction is fixing it right the first time. Meeting this standard requires a concerted effort between all parts and service employees. Our staff will be carefully selected. They will all have the monetary incentive to work together to meet the customers' needs. Appointments will be available but not required, and we will keep enough technicians on hand to handle the workload in a timely manner. We will open with three Service Writers so that the write up will begin as soon as the customer arrives. We will monitor the RO's handled daily by each writer and add service advisors as the traffic dictates. We will have tech terminals in the repair shop so that technicians can update the status of tickets as the work progresses. The service writers will have this status on their screen so that the Writer who fields the inquiry can provide the status. Finally, when the customer picks up the vehicle, the Service Advisor will escort the customer to the cashier's window and be available to explain all work and charges at the time of payment. Individual and department performances will also be monitored by the CSI Coordinator. In addition, written and phone follow-ups will be implemented for service customers.

### **Capacity, Equipment Purchases, Quick Lane**

Our plan to remodel the facility will accommodate all additional capacity, lane space, equipment, etc.

# Troy Duhon

Troy Duhon is the President/CEO of Premier Automotive Group which consists of twenty dealerships across the United States. Troy serves on the Board of the New Orleans Mission, Giving HOPE NOLA and GND Festivals. He is the CEO of God's Not Dead Media Group which produced God's Not Dead I, II, and III, Do You Believe?, Caged No More and other films.



In October of 2013, he and his wife, Tracy founded Giving HOPE, opening The Food Pantry of New Orleans. The Food Pantry supplies 200,000 hot meals and gives away almost 3,000,000 pounds of groceries each year to seniors and food insecure families of the New Orleans and Kansas City areas. They also partnered with the New Orleans Mission on the Giving Hope Retreat Center; this is a sixty (60) acre rehab facility that helps people with addictions that have been emotionally, physically, and sexually abused.

Through the adoption of their daughter, Annahstasia, Troy and Tracy saw the need for better living conditions in overseas orphanages. With the vision to build orphanages, as of 2018, Hope House Orphanages have been built in India, Honduras, Gambia, Russia and Brazil. New projects for 2020 are in the Dominican Republic. Please visit [www.GivingHOPEnola.org](http://www.GivingHOPEnola.org) to learn more about the vision of Giving HOPE.

Troy has been dedicated and married to the love of his life for twenty-three (23) years, Tracy. They are blessed to have four (4) beautiful children, Joshua, Abigail, Avah Hope and Annah Grace. Their family believes in the redemptive power of Jesus Christ and has established their life and family through God's word.

Throughout his career Mr. Duhon has received numerous awards and honors that include:

- Honda Presidents Award (2008)
- Honda Excellence Award (2004, 2007, 2008)
- Toyota Presidents Award (2001, 2002, 2004, 2008 - 2015)
- Toyota Customer Relationships Excellence (2001 - 2005, 2008, 2011)
- Toyota Top Market Share Dealer (1998, 2001 - 2004)
- Louisiana #1 Nissan Dealer (1998, 2008 - 2019)
- Louisiana Motor Vehicle Commission, Commissioner (2008 - 2016)
- Plus, many other awards



To process your request for assistance and make an initial decision, LEAP will need the following from your organization:

☒ Completed Application Packet ( Including Authorization for obtaining credit information and criminal background check) and copy of photo ID.

☒ Resume(s) or information for all principal owners, majority stockholder, partners, and officers  
Please provide a list all majority owner.

☒ Tax returns for all principal applicants for the past 2 years.

☒ Tax returns for the business for the past 2 years.

☒ Personal income and financial statements for all owners and partner applicants.

☒ Income statements for the business

☒ Organizational structure of business

☐ Sole Proprietorship

☒ LLC

☐ Corporation

☐ Partnership

☒ Current Business Plan

\* This plan needs to reflect the short- and long-term goals of the business, the estimated number of persons to be employed by the business and the plans for any monetary assistance provided by the LEAP

Once we have processed your initial request for assistance, it may be necessary for you and/or your organization to provide further, more detailed information so that we may locate any and all programs you and/or your organization qualify for.

If you have any questions, please contact us:

Lamesa Economic Alliance Project (LEAP)  
123 Main street  
Lamesa, TX 79331  
Phone: (806)872-2207  
Fax: (806)872-5700  
Cell: (254)721-8822  
Email: [LPeterson@lamesadevelopment.org](mailto:LPeterson@lamesadevelopment.org)



**LAMESA ECONOMIC ALLIANCE PROJECT (LEAP)  
ECONOMIC DEVELOPMENT ASSISTANCE APPLICATION**

Date of Application: November 5 2020  
Name of Applicant: Premier Ford of Lamesa  
Physical Address: 1207 S Lynn  
Mailing Address (if different): \_\_\_\_\_  
Phone Number: (800) 872.2188 Fax Number: (800) 705.8926  
Date of Birth: 8 30 67 Social Security Number: 453336120  
Contact Person: Darin Epley Title: Manager

Organizational Form:

\_\_\_\_ Sole Proprietorship \_\_\_\_ Partnership X LLC \_\_\_\_ Corporation

Proposed Project in this city: Premier Ford of Lamesa

Requested Assistance from LEAP (use the box for comments)

Assistance locating property: ☐

Market Research or Marketing:

Loan or Grant:

Small Business Development Services:  
(SBDC services are free of charge)

Premier Ford of Lamesa  
is requesting 25,000  
to create a new Ford  
dealership in Lamesa

Other:

1. Have you been declared bankrupt in the 10 years? NO If yes, where and has the bankruptcy been dismissed? \_\_\_\_\_
2. Have any of the following events ever been listed on your credit reports: foreclosure, repossession of property, tax lien or collection agency referral. If yes, please list: NO
3. Are there any unsatisfied judgements against you? NO If yes what is the amount of the judgement and date of judgement \$ \_\_\_\_\_ Date: \_\_\_\_\_
4. Are you the co-worker, endorser, or guarantor on any loan or contact? \_\_\_\_\_ If you answered yes, please show amount: \_\_\_\_\_ and terms of loan: \_\_\_\_\_
5. Have you ever been convicted of a felony? NO



**Economic Development Assistance Application (LEAP)**  
**CURRENT INFORMATION AND FUTURE PLANS:**

**Do you own or lease the subject property?** Own

Total Number of Full-time Employees to be employed in this city: 30

Full-time is at least 1,820 hours per year (35 hours per week for 52 weeks)

Number of Full-time Employees currently employed: 10

Number of Full-time Positions to be relocated to this city: 15 / When:

November

Relocated from: Majority of Employees are coming from Lubbock West Texas

Number of New Full-time Positions to be created in the city: 30 / When: November 16 2021

Average Hourly wage of Employees: \$ 25.00

Estimated Annual Gross Payroll: \$ 1,900,000

Employee Benefits (percentage of Salary): 10%

**Current Taxable Value before improvements of Real Property**

(of all operations \* in this city) \$ 1,850,000

Approx. Value of Real Property improvements to be made in this city: \$ 100,000

Description of Real Property Improvements: (buildings, remodeling, etc.)

Revamp all aspects of the property

Current Taxable Value of Personal Property (of all operations\* in this city):

\$                     

**Are you delinquent on any property taxes (Real Property or Personal Property)?**

NO

Approx. Value of Personal Property Improvements: \$ 100,000

Description of Personal Property Improvements:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## NORMAL PROVISIONS OF ECONOMIC DEVELOPMENT ASSISTANCE

The company can agree to maintaining its existing employment of 30 and can agree to relocating and/or creating new jobs over a period of 1 years (new jobs per year) at the average hourly rate of \$ 25.00. The company can further agree to the construction of real property improvement in the amount of at least \$ 100,000, and the placing of personal property improvements (machinery and equipment) in the amount of at least \$ 100,000.

LEDC will require that the company provide proof of all real and personal improvements that will be agreed to in the Economic Development Performance Agreement. LEDC will also require that the company provide proof of jobs created and/or maintained in the city for each year of the Economic Development Performance Agreement.

Applicants and/or company is required to obtain all applicable City and other permits and approvals related to the improvement and/or construction projects. All improvements and/or construction must comply with all state and local building codes and zoning requirements. Additionally, LEDC will require a Personal Guaranty by the applicant's majority member (51% or greater), stockholders, partners, and officers.

LEDC requires, at the anniversary of the Economic Development Performance Agreement, as well as any other agreements with the LEDC in place, the following documents for jobs created, retained, and maintained:

- 1) Texas Employment Commission's Employer's Quarterly Reports and IRS Form 941
- 2) A roster of its own employees (with total hours worked, position(s) held, and hourly wages)
- 3) Copies of paid tax receipts.

On Location audits can be arranged in special circumstances at the sole discretion of the LEDC Board of Directors.

Full- Time employees must work a minimum of 1,820 hours per Economic Development Performance Agreement year (minimum 35 hours/ week x 52 weeks).

2016 Update: Any person or business receiving assistance from Lamesa's Economic Development organizations will now be required to obtain online presence in the form of a website, Google Business claiming (free), and/or a business Facebook Page (not a Facebook profile) (Free).

The company's authorized that is approved to enter into a legally binding agreement with the LEDC is:

Darin Epley  
Printed Name  
[Signature]  
Signature

Managing Member  
Title

## CONSENT AND AUTHORIZATION

The undersigned, a corporation, organized under the State of Texas, an applicant for a loan from the Lamesa Economic Alliance Project, hereby authorizes the Lamesa Economic Alliance Project, its agents and employees and anyone acting on its behalf, to institute, conduct and complete, any and all investigations it deems appropriate of any and all records, histories, and data bases kept or maintained by the State of Texas, the United States of America, any political subdivision, or any other authority, related to any possible criminal conduct or history, or any allegation of fraud, wrongdoing or malfeasance of any kind on the part of Applicant and/or any of Applicant's agents employees, officers, owners, shareholders, directors and managers, and to obtain such information, record and copies as it deems proper in connection with such investigation or investigations. A photocopy of facsimile of this Consent and Authorization shall be deemed, for all proposes, an original of this Consent and Authorization, and shall constitute both consent and direction to all persons and entities to furnish the Lamesa Economic Alliance project, upon its request and without further authorization from the undersigned, such information, records and copies it requests in connection with its investigation.

DATE: Nov 5 2020

STATE OF: Texas

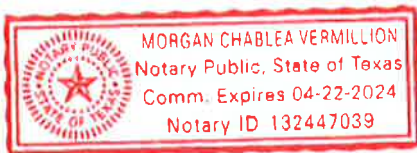
COUNTY OF: Dawson

APPLICANT: Darin Epley  
DE

THIS INSTRUMENT WAS ACKNOWLEDGE BEFORE ME

on this the 5 day of November, 20 20 by Darin Epley

(SEAL)



NOTARY PUBLIC STATE OF

M. Chablea Vermillion


## PERFORMANCE AGREEMENT

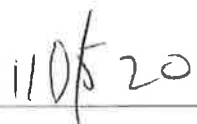
Texas legislation requires both Type A and Type B Economic Development Corporation to enter into a written performance agreement with a business enterprise when the corporation provides funding or makes expenditures on behalf of the business enterprise in furtherance of a permissible Type A or Type B project.

This Performance agreement between the corporation and the business enterprise at a minimum must contain the following:

- (1) A schedule of additional payroll or jobs to be created or retained.
- (2) The Capital investment to be made by the business enterprise
- (3) The terms under which repayment must be made by the business enterprise to the Type A or B corporation should the business fail to meet the performance requirements specified in the agreement.

The language contained within the Performance Agreement must specify that the business does not and will not knowingly employ an undocumented worker (which statement must also be any application for the subsidy). The language also must require repayment of the subsidy with specified rate and terms of interest if the business is convicted of federal immigration violations as defined in Chapter 2264 of Subtitle F, Title 10 of the Government Code (80(R) HB 1196), not later than the 120<sup>th</sup> day after receiving notice of the violation from the public entity of economic development corporation.

  
\_\_\_\_\_  
Signature

  
\_\_\_\_\_  
Date

CONSENT AND AUTHORIZATION

The undersigned, whose date of birth is 8 3067, driver's license number is 1231610, and social security number is 45336120, and who is an officer, director, shareholder, agent, employee, owner or manager of Pemer Ber, an Applicant for a loan from the Lamesa Economic Alliance Project, hereby authorizes the Lamesa Economic Alliance Project, its agents, employees and anyone acting on its behalf, to institute, conduct and complete, any and all credit checks and investigations it deems appropriate of any and all records, histories and data bases kept or maintained by any credit reporting agency or bureau, and to obtain such information, records and copies as it deems proper in connection with such investigation or investigations. A photocopy or facsimile of this Consent and Authorization shall be deemed, for purposes, as an original of the Consent and Authorization and shall constitute both consent and direction to all persons and entities, to furnish to Lamesa Economic Alliance Project, upon its request and without further authority from the undersigned, such information, records and copies it request in connection with its investigation.

DATE: November 5 2020

APPLICATION: QZ

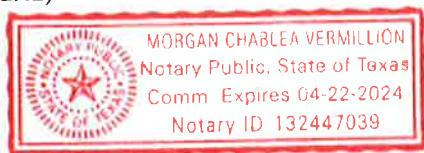
STATE OF: Texas

COUNTY OF: Dawson

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME

on this 5 day of November, 2020 by Darin Epley

(SEAL)



NOTARY PUBLIC STATE OF

M Vermillion

**Contact person for annual documentation:**

Darin Epley  
Printed Name

g manager  
Title

**Mail annual reminders to:**

Darin Epley  
Printed Name

g manager  
Title

1207 S. Lynn      Lamesa      TX      79331  
Street number and Name      City      State      Zip Code

If more than one operation exists within the City of Lamesa, please list separately below.  
Use additional pages, as necessary.

### CONSENT AND AUTHORIZATION

The undersigned, a corporation, organized under the State of Texas, an applicant for a loan from the Lamesa Economic Alliance Project, hereby authorizes the Lamesa Economic Alliance Project, its agents and employees and anyone acting on its behalf, to institute, conduct and complete, any and all investigations it deems appropriate of any and all records, histories and data bases kept or maintained by the State of Texas, the United States of America, any political subdivision, or any other authority, related to any possible criminal conduct or history, or any allegations of fraud, wrongdoing or malfeasance of any kind on the part of Applicant and/or any of Applicant's agents, employees, officers, owners, shareholders, directors and managers, and to obtain such information, records and copies as it deems proper in connection with such investigation or investigations. A photocopy or facsimile of this Consent and Authorization shall be deemed, for all purposes, an original of this Consent and Authorization, and shall constitute both consent and direction to all persons and entities to furnish the Lamesa Economic Alliance Project, upon its request and without further authorization from the undersigned, such information, records and copies it requests in connection with its investigation.

DATE: July 30, 2020

APPLICANT: [Signature]

STATE OF: \_\_\_\_\_

COUNTY OF: \_\_\_\_\_

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME on this the 03 day of

August, 20 20 by TROY DUTTON



NOTARY PUBLIC STATE OF LOUISIANA


### PERFORMANCE AGREEMENT

Texas legislation requires both Type A and Type B Economic Development Corporations to enter into a written performance agreement with a business enterprise when the corporation provides funding or makes expenditures on behalf of the business enterprise in furtherance of a permissible Type A or B project.

This performance agreement between the corporation and the business enterprise at a minimum must contain the following:

- (1) a schedule of additional payroll or jobs to be created or retained;
- (2) the capital investment to be made by the business enterprise; and
- (3) the terms under which repayment must be made by the business enterprise to the Type A or B corporation should the business fail to meet the performance requirements specified in the agreement.

The language contained within the Performance Agreement must specify that the business does not and will not knowingly employ an undocumented worker (which statement must also be any application for the subsidy). The language also must require repayment of the subsidy with specified rate and terms of interest if the business is convicted of federal immigration violations as defined in Chapter 2264 of Subtitle F, Title 10 of the Government Code (80(R) HB 1196), not later than the 120th day after receiving notice of the violation from the public entity or economic development corporation.

  
Signature

July 30, 2020  
Date



## CONSENT AND AUTHORIZATION

The undersigned, whose date of birth is October 2, 1964 , driver's license number is 004749790 , and social security number is 435-37-5847 , and who is an officer, director, shareholder, agent, employee, owner or manager of Premier Automobile of Lamesa LLC , an Applicant for a loan from the Lamesa Economic Alliance Project, hereby authorizes the Lamesa Economic Alliance Project, its agents and employees and anyone acting on its behalf, to institute, conduct and complete, any and all credit checks and investigations it deems appropriate of any and all records, histories and data bases kept or maintained by any credit reporting agency or bureau, and to obtain such information, records and copies as it deems proper in connection with such investigation or investigations. A photocopy or facsimile of this Consent and Authorization shall be deemed, for purposes, as an original of this Consent and Authorization and shall constitute both consent and direction to all persons and entities, to furnish to Lamesa Economic Alliance Project, upon its request and without further authority from the undersigned, such information, records and copies it requests in connection with its investigation.

DATE: July 31, 2020

APPLICANT: [Signature]

STATE OF: Louisiana

COUNTY OF: Jefferson

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME on this the 03 day of

August, 20 20 by TROY DUJON



NOTARY PUBLIC STATE OF Louis

**Contact person for annual documentation:**

Richard Ritchie

General Counsel

Printed Name

Will own- currently under contract

Title

**Mail annual reminders to:**

Richard Ritchie

General Counsel

Printed Name

Title

13040 I-10 Service Road

New Orleans

LA

70128

Street Number and Name

City

State

Zip Code

Within the City of Lamesa, please list separately below. Use additional

**PUBLIC NOTICE/**

**NOTICE OF PUBLIC HEARING**

In accordance with the Texas Local Government Code Section 505.159, a public hearing will be held by the Lamesa Economic Alliance Project, a Type B corporation, on November 9th, 2020, at 5:30 p.m. in the President's Room of the Lamesa Area Chamber of Commerce at 123 N Main Avenue, Lamesa, Texas 79331 for the following project:

Financial assistance in the form of a grant for \$25,000 to Premier Ford of Lamesa for the purpose of establishing a retail operation in Lamesa, Texas, Job Training and Remodel of facility.

This notice is published as the sixty (60) day public notice required in the Development Corporation Act of 1979, Section 505.160, of the Texas Local Government Code.

# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: OCTOBER 20, 2020**

**AGENDA ITEM: 12**

**SUBJECT:** BUDGET AMENDMENT XII  
**EXHIBITS:** Ordinance Second Reading  
**PROCEEDING:** Action  
**SUBMITTED BY:** City Staff

### **SUMMARY STATEMENT**

Consider amending Ordinance O-20-20 on second reading with respect to the budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021. This Budget Amendment reflects the proceeds from the sale of trust properties through the Texas Community Group.

### **COUNCIL ACTION**

**DISCUSSION** \_\_\_\_\_

Motion by Council Member \_\_\_\_\_ to consider amending Ordinance No.O-20-20 on second reading with respect to the budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021. Motion seconded by Council Member \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

**VOTING:** "AYE" \_\_\_\_\_ "NAY" \_\_\_\_\_ "ABSTAIN" \_\_\_\_\_

### **CITY MANAGER'S MEMORANDUM**

**Recommend approval.**

## **ORDINANCE NO.**

### **AN ORDINANCE OF THE CITY OF LAMESA, TEXAS, AMENDING ORDINANCE NO. 0-20-20 TO APPROPRIATE FUNDS IN THE CITY OF LAMESA BUDGET FOR FISCAL YEAR 2020-2021.**

On the 20th day of October, 2020, there came on and was held at the City Hall of the City of Lamesa, Texas, an open meeting of the City Council of the City of Lamesa, Texas, held pursuant to the provisions of the Texas Open Meetings Act (Government Code, Chapter 551). There being a quorum present and acting throughout the meeting, the following ordinance was formally submitted by motion and duly seconded for the consideration and action of the meeting, to-wit:

**WHEREAS**, the City Council desires to amend Ordinance No. 0-20-20 to make certain revisions to the 2020-2021 Budget of the City of Lamesa to authorize and appropriate funds as listed below; and

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

**SECTION 1.** That the City of Lamesa 2020-2021 Budget contained in Ordinance No. 0-20-20 be, and same is hereby, amended to change the amount appropriated by the following:

	<u>Revenues</u>	<u>Expenditures</u>
General Fund (1)	\$ 18,841.83	\$ 18,841.83

**SECTION 2.** Effective date: That this Ordinance shall become effective as of this November 27, 2020.

**SECTION 3.** The City Secretary is hereby authorized and directed to cause publication of this Ordinance as provided by law.

Upon being put to a vote, the foregoing ordinance was Passed, on First Reading on October 20<sup>th</sup>, 2020 by a majority vote with amendment; and on November 17, 2020, there was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas held pursuant to the provisions of the Texas Open Meetings Act (Government Code, Chapter 551); there being a quorum present and acting throughout the meeting, the foregoing ordinance was formally submitted by motion and duly seconded for the consideration and action of the meeting, and upon being put to a vote, the foregoing ordinance was Passed on Second Reading by a majority vote and ordered to be spread upon the minutes of the City Council of the City of Lamesa, Texas and recorded in the ordinance book thereafter.

ATTEST

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Betty Conde  
City Secretary

APPROVED:

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Josh Stevens  
Mayor

**CITY OF LAMESA BUDGET AMENDMENT 12 FOR  
2020/2021**

**GENERAL FUND (1)**

This budget amendment reflects the proceeds from the sale of trust properties through the Texas Community Group. This budget amendment totals \$ 18,841.83

Increase Revenues (01- 40904) Misc. Revenue	\$18,841.83
Increase Expenditures (01-5081-603) Special Services	\$18,841.83

# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: OCTOBER 20, 2020**

**AGENDA ITEM: 13**

**SUBJECT: BUDGET AMENDMENT XIII**  
**EXHIBITS: Ordinance First Reading**  
**PROCEEDING: Action**  
**SUBMITTED BY: City Staff**

### **SUMMARY STATEMENT**

Consider amending Ordinance O-20-20 on first reading with respect to the budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021.

### **COUNCIL ACTION**

**DISCUSSION** \_\_\_\_\_

Motion by Council Member \_\_\_\_\_ to consider amending Ordinance No.O-20-20 on first reading with respect to the budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021.  
Motion seconded by Council Member \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

**VOTING:** "AYE" \_\_\_\_\_ "NAY" \_\_\_\_\_ "ABSTAIN" \_\_\_\_\_

### **CITY MANAGER'S MEMORANDUM**

**Recommend approval.**



## **ORDINANCE NO.**

### **AN ORDINANCE OF THE CITY OF LAMESA, TEXAS, AMENDING ORDINANCE NO. 0-20-20 TO APPROPRIATE FUNDS IN THE CITY OF LAMESA BUDGET FOR FISCAL YEAR 2020-2021.**

On the 17th day of November, 2020, there came on and was held at the City Hall of the City of Lamesa, Texas, an open meeting of the City Council of the City of Lamesa, Texas, held pursuant to the provisions of the Texas Open Meetings Act (Government Code, Chapter 551). There being a quorum present and acting throughout the meeting, the following ordinance was formally submitted by motion and duly seconded for the consideration and action of the meeting, to-wit:

**WHEREAS**, the City Council desires to amend Ordinance No. 0-20-20 to make certain revisions to the 2020-2021 Budget of the City of Lamesa to authorize and appropriate funds as listed below; and

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

**SECTION 1.** That the City of Lamesa 2020-2021 Budget contained in Ordinance No. 0-20-20 be, and same is hereby, amended to change the amount appropriated by the following:

	<u><b>Revenues</b></u>	<u><b>Expenditures</b></u>
General Fund (1)	\$ 100,000.00	\$ 100,000.00

**SECTION 2.** Effective date: That this Ordinance shall become effective as of this December 20, 2020.

**SECTION 3.** The City Secretary is hereby authorized and directed to cause publication of this Ordinance as provided by law.

Upon being put to a vote, the foregoing ordinance was Passed, on First Reading on November 17<sup>th</sup>, 2020 by a majority vote with amendment; and on December 15, 2020, there was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas held pursuant to the provisions of the Texas Open Meetings Act (Government Code, Chapter 551); there being a quorum present and acting throughout the meeting, the foregoing ordinance was formally submitted by motion and duly seconded for the consideration and action of the meeting, and upon being put to a vote, the foregoing ordinance was Passed on Second Reading by a majority vote and ordered to be spread upon the minutes of the City Council of the City of Lamesa, Texas and recorded in the ordinance book thereafter.

ATTEST

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Betty Conde  
City Secretary

APPROVED:

---

Josh Stevens  
Mayor

**CITY OF LAMESA BUDGET AMENDMENT 13 FOR  
2020/2021**

**GENERAL FUND (1)**

This budget amendment reflects the proceeds from LEDC Infrastructure Grant. This budget amendment totals\$100,000.00

Increase Revenues (01- 40904) Misc. Revenue	\$100,000.00
Increase Expenditures (01-5072-403) Construction & Seal Coat	\$100,000.00
Services	

# ***City Council Agenda***

***City of Lamesa, Texas***

**DATE OF MEETING: OCTOBER 20, 2020**

**AGENDA ITEM: 14**

**SUBJECT: BUDGET AMENDMENT XVI**  
**EXHIBITS: Ordinance First Reading**  
**PROCEEDING: Action**  
**SUBMITTED BY: City Staff**

## **SUMMARY STATEMENT**

Consider amending Ordinance O-20-20 on first reading with respect to the budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021.

## **COUNCIL ACTION**

**DISCUSSION** \_\_\_\_\_

Motion by Council Member \_\_\_\_\_ to consider amending Ordinance No.O-20-20 on first reading with respect to the budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021.  
Motion seconded by Council Member \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

**VOTING:** "AYE" \_\_\_\_\_ "NAY" \_\_\_\_\_ "ABSTAIN" \_\_\_\_\_

## **CITY MANAGER'S MEMORANDUM**

**Recommend approval.**

## **ORDINANCE NO.**

### **AN ORDINANCE OF THE CITY OF LAMESA, TEXAS, AMENDING ORDINANCE NO. 0-20-20 TO APPROPRIATE FUNDS IN THE CITY OF LAMESA BUDGET FOR FISCAL YEAR 2020-2021.**

On the 17th day of November, 2020, there came on and was held at the City Hall of the City of Lamesa, Texas, an open meeting of the City Council of the City of Lamesa, Texas, held pursuant to the provisions of the Texas Open Meetings Act (Government Code, Chapter 551). There being a quorum present and acting throughout the meeting, the following ordinance was formally submitted by motion and duly seconded for the consideration and action of the meeting, to-wit:

**WHEREAS**, the City Council desires to amend Ordinance No. 0-20-20 to make certain revisions to the 2020-2021 Budget of the City of Lamesa to authorize and appropriate funds as listed below; and

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

**SECTION 1.** That the City of Lamesa 2020-2021 Budget contained in Ordinance No. 0-20-20 be, and same is hereby, amended to change the amount appropriated by the following:

	<u><b>Revenues</b></u>	<u><b>Expenditures</b></u>
General Fund (1)	\$ 1200.00	\$ 1200.00

**SECTION 2.** Effective date: That this Ordinance shall become effective as of this December 20, 2020.

**SECTION 3.** The City Secretary is hereby authorized and directed to cause publication of this Ordinance as provided by law.

Upon being put to a vote, the foregoing ordinance was Passed, on First Reading on November 17<sup>th</sup>, 2020 by a majority vote with amendment; and on December 15, 2020, there was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas held pursuant to the provisions of the Texas Open Meetings Act (Government Code, Chapter 551); there being a quorum present and acting throughout the meeting, the foregoing ordinance was formally submitted by motion and duly seconded for the consideration and action of the meeting, and upon being put to a vote, the foregoing ordinance was Passed on Second Reading by a majority vote and ordered to be spread upon the minutes of the City Council of the City of Lamesa, Texas and recorded in the ordinance book thereafter.

ATTEST

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Betty Conde  
City Secretary

APPROVED:

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Josh Stevens  
Mayor

**CITY OF LAMESA BUDGET AMENDMENT 14 FOR  
2020/2021**

**GENERAL FUND (1)**

This budget amendment reflects special duty incentive pay for Fire Marshall. This budget amendment totals\$1,200.00

Increase Revenues (01- 5051/01) Misc. Revenue	\$1,200.00
Increase Expenditures (01-3001) (Fund Balance)	\$1,200.00

# **City Council Agenda**

*City of Lamesa, Texas*

**DATE OF MEETING: NOVEMBER 17, 2020**

**AGENDA ITEM: 15**

SUBJECT: **REQUEST FOR SPECIFIC USE PERMIT**  
PROCEEDING: Approval  
SUBMITTED BY: City Staff  
EXHIBITS: Ordinance, Second Reading  
AUTHORITY: City Charter, City Code, Texas Government Code

## **SUMMARY STATEMENT**

City Council to consider approving an Ordinance on second reading approving zone change for the following property:

**CASE NO. P&Z 20-10:** To consider the petition of Rebecca Tice, 502 N E 5<sup>th</sup> Street, Lamesa, Texas 79331 to change the zone of the following property:

All of Lots Nine (9), Ten (10) and Eleven (11), in Block Two (2) of the Linsey Addition to the Town of Lamesa, Dawson County, Texas, and

located at 304 N.E. 6<sup>TH</sup> Street. Applicant is requesting a specific use permit to place a 2020 Fort Olympian 6360 Double-Wide Manufactured Home as her primary residence. (*Building Official*)

## **COUNCIL ACTION**

**DISCUSSION** \_\_\_\_\_

Motion by Council Member \_\_\_\_\_ to consider approving an Ordinance on second reading approving zone change for the following property located at 304 N.E. 6<sup>th</sup> Street. Motion seconded by Council Member \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

**VOTING:** "AYE" \_\_\_\_\_ "NAY" \_\_\_\_\_ "ABSTAIN" \_\_\_\_\_

## **CITY MANAGER'S MEMORANDUM**

**Recommend approval.**



## **ORDINANCE NO.**

**AN ORDINANCE GRANTING A SPECIFIC USE PERMIT TO ALLOW PLACEMENT OF A MANUFACTURED HOME ON ALL OF LOTS 9, 10 AND 11 IN BLOCK 2 OF THE LINDSEY ADDITION THE TOWN OF LAMESA, DAWSON COUNTY, TEXAS, LOCATED AT 304 NORTHEAST 6<sup>TH</sup> STREET, LAMESA, TEXAS, UPON RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION.**

On the this 20<sup>th</sup> day of October, 2020, there came on and was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas, held pursuant to the provisions of the Texas Open Meetings Act, and there being a quorum present and acting throughout the meeting, the following ordinance was formally submitted by motion and duly seconded for consideration and action at the meeting, to wit:

**WHEREAS**, the Code of Ordinances of the City of Lamesa provides that specific use permits may be granted for the use of property not otherwise allowed in certain zoning districts of the City upon application of the property owner and upon recommendation of the Planning and Zoning Commission of the City; and

**WHEREAS**, an application has been made for a specific use permit to allow placement of a manufactured home on the following described property, to-wit:

All of Lots Nine (9), Ten (10) and Eleven (11), in Block Two  
(2) of the Lindsey Addition to the Town of Lamesa, Dawson  
County, Texas; and

**WHEREAS**, said property is located within the city limits of the City of Lamesa, Texas, located at 304 Northeast 6<sup>th</sup> Street and is located within a R-1 District (Single-family residential); and

**WHEREAS**, the Planning and Zoning Commission of the City of Lamesa, Texas, after hearing such application and the arguments for and against the same, has voted to recommend to the City Council of the City of Lamesa, Texas, that such request for a specific use permit for the placement of a 2020 Fort Worth Olympian 6360 Double wide manufactured home on such property be granted; and

**WHEREAS**, a public hearing where all interested persons were provided with an opportunity to be heard on the request for a specific use permit was held at City Hall, 601 South First Street, in the City of Lamesa, Texas, on October 20, 2020, which date is not less than fifteen days prior to the publication of a notice of such hearing in the Lamesa Press-Reporter, a newspaper of general circulation in the City of Lamesa, Texas; and

**WHEREAS**, after such hearing, the City Council of the City of Lamesa, Texas, finds that the use for which such specific use permit is sought will not be injurious to the neighborhood or otherwise detrimental to the public interest and welfare and will be in harmony with the general purpose of the Zoning Ordinances of the City of Lamesa, Texas, and that the recommendation of the Planning and Zoning Commission of the City of Lamesa, Texas, should be accepted.

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

**SECTION ONE:** The request for a specific use permit to allow the placement of a 2020 Fort Worth Olympian 6360 Double wide manufactured home on the following described property located at 304 Northeast 6<sup>th</sup> Street, Lamesa, Texas, to-wit:

All of Lots Nine (9), Ten (10) and Eleven (11), in Block Two (2) of the Lindsey Addition to the Town of Lamesa, Dawson County, Texas; and

be, and is hereby, **GRANTED.**

**SECTION TWO:** The provisions of this ordinance are to be cumulative and shall constitute an amendment to the zoning ordinances of the City of Lamesa, Texas, only as it applies to the hereinabove described property.

**SECTION THREE:** If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Lamesa, Texas, hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

**SECTION FOUR:** The City Secretary is hereby authorized and directed to publish the descriptive caption of this ordinance in the manner and for the length of time prescribed by Article IV, Section 24 of the City Charter and state law.

Upon being put to a vote, the foregoing ordinance was Passed, on First Reading on the 20<sup>th</sup> day of October, 2020; and

Upon being put to a vote, the foregoing ordinance was Passed, on Second Reading on the 17<sup>th</sup> day of November, 2020.

**ATTEST:**

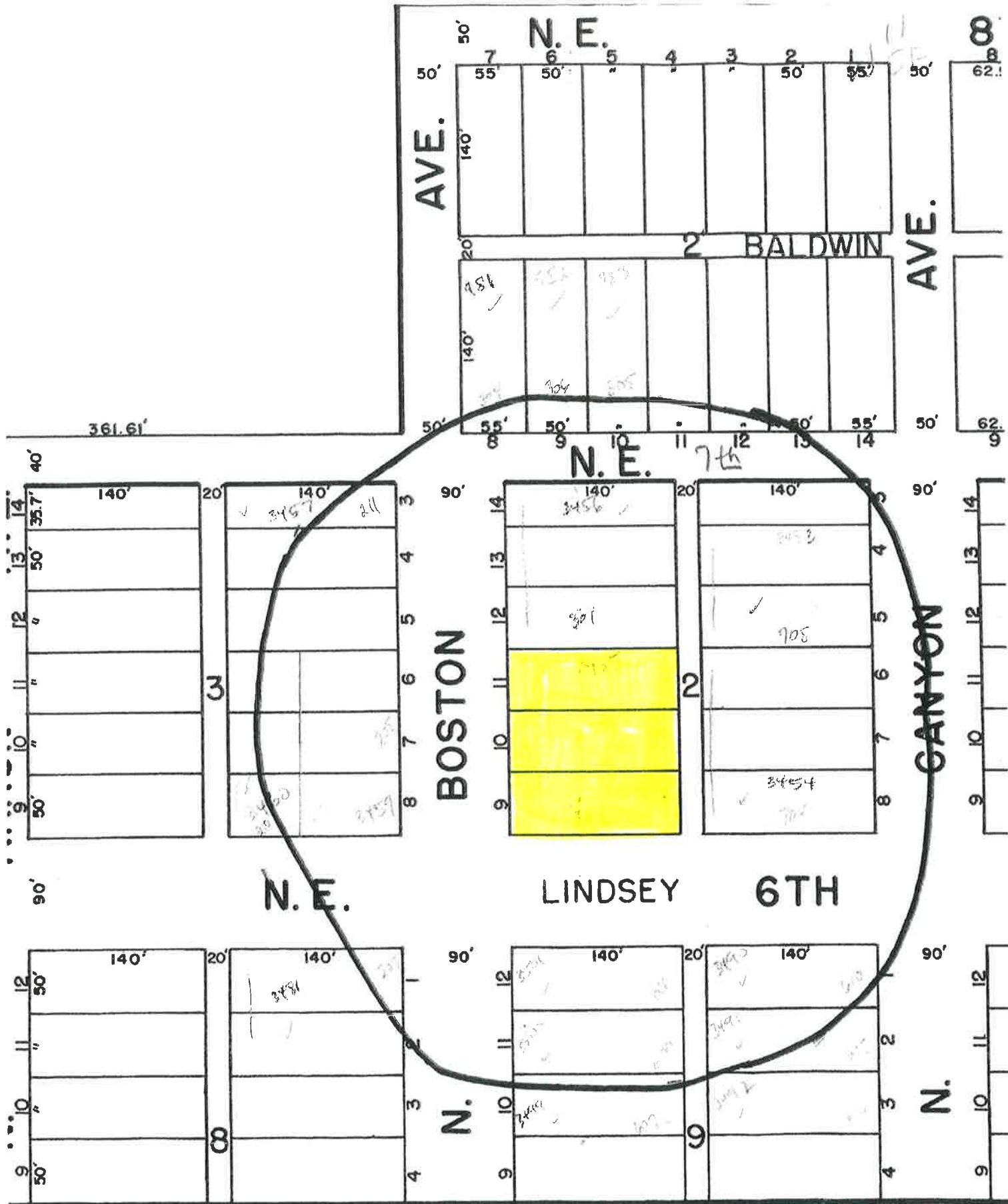
**APPROVED:**

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Betty Conde  
City Secretary

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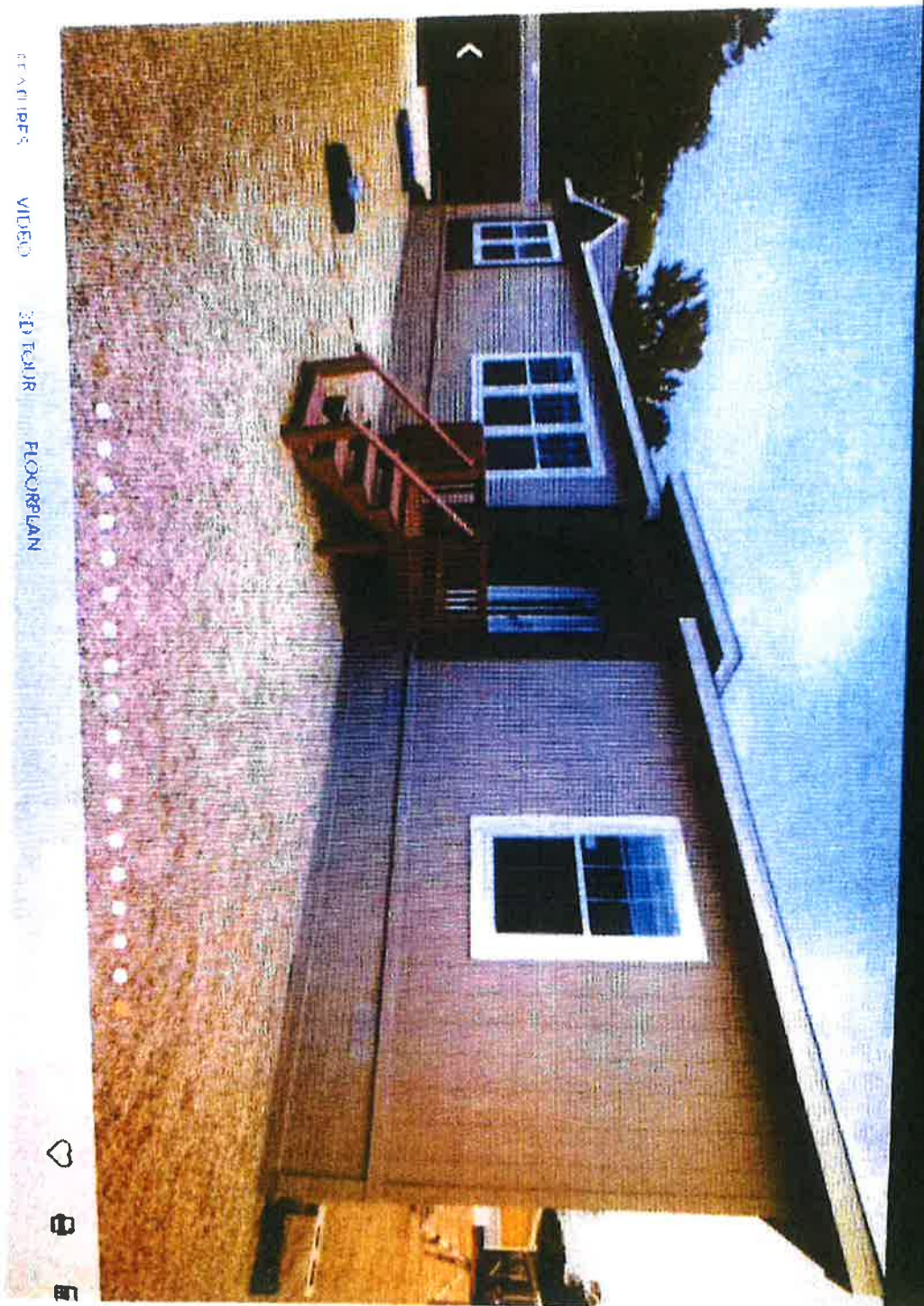
Josh Stevens  
Mayor







We are all #InThisTogether Read our COVID-19 statement.



DETAILS

VIDEO

3D TOUR

FLOORPLAN



Make Oak Creek  
Model - 0 foot  
year - 2020  
Worth olympian 6360

Price

# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: NOVEMBER 17, 2020**

**AGENDA ITEM: 16**

**SUBJECT:** REQUEST FOR SPECIFIC USE PERMIT  
**PROCEEDING:** Approval  
**SUBMITTED BY:** City Staff  
**EXHIBITS:** Ordinance, Second Reading  
**AUTHORITY:** City Charter, City Code, Texas Government Code

### **SUMMARY STATEMENT**

City Council to consider approving an Ordinance on Second reading approving zone change for the following property:

**CASE NO. P&Z 20-12:** To consider the petition of Ossie M. McCurley, 1209 South Boston Avenue, Lamesa, Texas 79331 to change the zone of the following property:

All of Lots Five (5) Block Three (3) of the Hollis Addition to the Town of Lamesa, Dawson County, Texas, and

located at 111 S. Boston Ave., Lamesa, Texas 79331, from zoning district R-1 to zoning district R-1 for use as Applicant is requesting a Specific Use Permit to place a 32X48 Cavco Alamo Lite Double-Wide Manufactured Home. *(Building Official)*

### **COUNCIL ACTION**

**DISCUSSION** \_\_\_\_\_

Motion by Council Member \_\_\_\_\_ to consider approving an Ordinance on second reading approving zone change for the following property located at 111 S. Boston Avenue. Motion seconded by Council Member \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

**VOTING:** "AYE" \_\_\_\_\_ "NAY" \_\_\_\_\_ "ABSTAIN" \_\_\_\_\_

### **CITY MANAGER'S MEMORANDUM**

**Recommend approval.**

## **ORDINANCE NO.**

**AN ORDINANCE GRANTING A SPECIFIC USE PERMIT TO ALLOW PLACEMENT OF A MANUFACTURED HOME ON ALL OF LOT 5, IN BLOCK 3 OF THE HOLLIS ADDITION THE TOWN OF LAMESA, DAWSON COUNTY, TEXAS, LOCATED AT 111 SOUTH BOSTON AVENUE, LAMESA, TEXAS, UPON RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION.**

On the this 20<sup>th</sup> day of October, 2020, there came on and was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas, held pursuant to the provisions of the Texas Open Meetings Act, and there being a quorum present and acting throughout the meeting, the following ordinance was formally submitted by motion and duly seconded for consideration and action at the meeting, to wit:

**WHEREAS**, the Code of Ordinances of the City of Lamesa provides that specific use permits may be granted for the use of property not otherwise allowed in certain zoning districts of the City upon application of the property owner and upon recommendation of the Planning and Zoning Commission of the City; and

**WHEREAS**, an application has been made for a specific use permit to allow placement of a manufactured home on the following described property, to-wit:

All of Lots Five (5), in Block Three (3) of the Holis Addition to the Town of Lamesa, Dawson County, Texas; and

**WHEREAS**, said property is located within the city limits of the City of Lamesa, Texas, located at 111 South Boston Avenue and is located within a R-1 District (Single-family residential); and

**WHEREAS**, the Planning and Zoning Commission of the City of Lamesa, Texas, after hearing such application and the arguments for and against the same, has voted to recommend to the City Council of the City of Lamesa, Texas, that such request for a specific use permit for the placement of a 32X48 Cavco Alamo Lite Double Wide Manufactured Home on such property be granted; and

**WHEREAS**, a public hearing where all interested persons were provided with an opportunity to be heard on the request for a specific use permit was held at City Hall, 601 South First Street, in the City of Lamesa, Texas, on October 20, 2020, which date is not less than fifteen days prior to the publication of a notice of such hearing in the Lamesa Press-Reporter, a newspaper of general circulation in the City of Lamesa, Texas; and

**WHEREAS**, after such hearing, the City Council of the City of Lamesa, Texas, finds that the use for which such specific use permit is sought will not be injurious to the neighborhood or otherwise detrimental to the public interest and welfare and will be in harmony with the general purpose of the Zoning Ordinances of the City of Lamesa, Texas, and that the recommendation of the Planning and Zoning Commission of the City of Lamesa, Texas, should be accepted.

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

**SECTION ONE:** The request for a specific use permit to allow the placement of a 32X48 Cavco Alamo Lite Double wide Manufactured Home on the following described property located at 304 Northeast 6<sup>th</sup> Street, Lamesa, Texas, to-wit:

All of Lot Five (5), in Block Three (3) of the Hollis Addition to the Town of Lamesa, Dawson County, Texas; and

be, and is hereby, **GRANTED.**

**SECTION TWO:** The provisions of this ordinance are to be cumulative and shall constitute an amendment to the zoning ordinances of the City of Lamesa, Texas, only as it applies to the hereinabove described property.

**SECTION THREE:** If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Lamesa, Texas, hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

**SECTION FOUR:** The City Secretary is hereby authorized and directed to publish the descriptive caption of this ordinance in the manner and for the length of time prescribed by Article IV, Section 24 of the City Charter and state law.

Upon being put to a vote, the foregoing ordinance was Passed, on First Reading on the 20<sup>th</sup> day of October, 2020; and

Upon being put to a vote, the foregoing ordinance was Passed, on Second Reading on the 17<sup>th</sup> day of November, 2020.

**ATTEST:**

**APPROVED:**

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Betty Conde  
City Secretary

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Josh Stevens  
Mayor



S. E.

HOLLIS

11TH

BOSTON AVE.

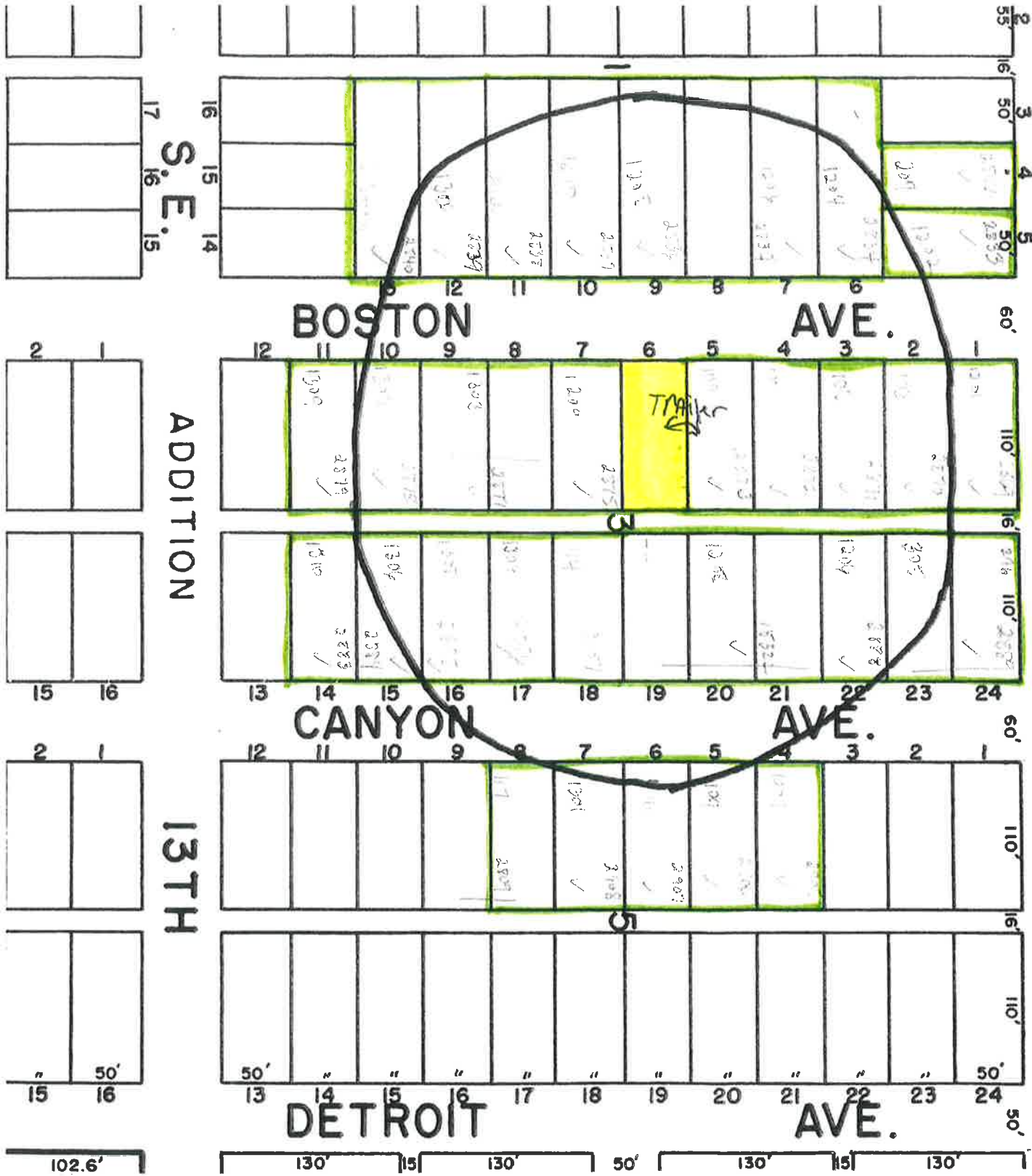
CANYON AVE.

DETROIT AVE.

S. E.

ADDITION

13TH

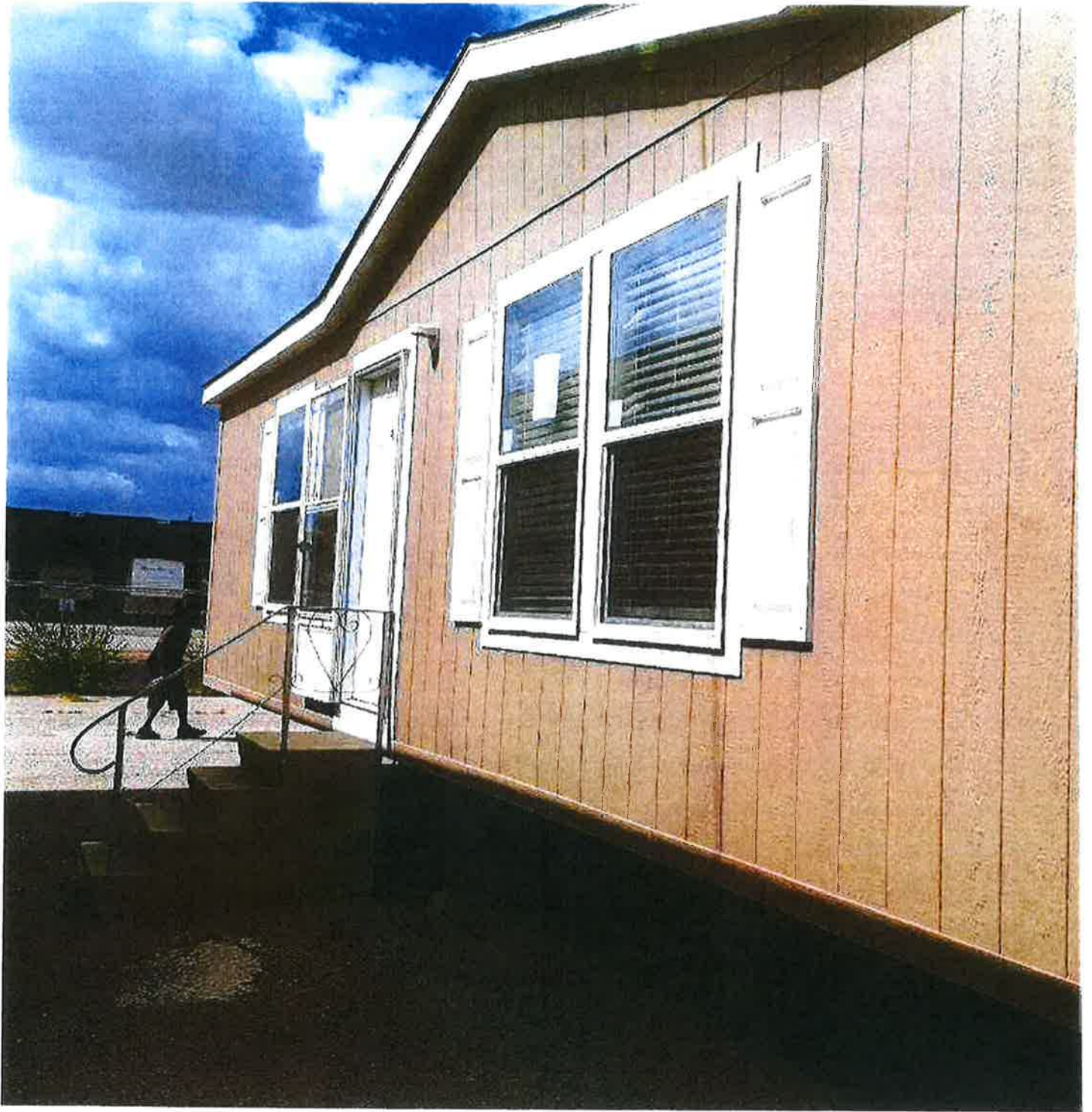


# 111 S Boston



22°43'27.85" N 101°56'35.85" W elev: 2981 ft





T-Mobile

The only carrier that lets you "My way or no way."





# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: NOVEMBER 17, 2020**

**AGENDA ITEM: 17**

**SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS, AUTHORIZING THE CONVEYANCE OF REAL PROPERTY BY THE CITY OF LAMESA TO DAWSON COUNTY, TEXAS FOR LIBRARY PURPOSES AND AUTHORIZING THE MAYOR OF THE CITY TO EXECUTE ANY AND ALL DOCUMENTS AND TAKE SUCH ACTIONS REQUIRED TO EFFECT THE CONVEYANCE OF SUCH REAL PROPERTY.**

**PROCEEDING: Action Item**

**SUBMITTED BY: City Staff**

**EXHIBITS: Resolution**

### **SUMMARY STATEMENT**

City Council to consider passing a Resolution authorizing the conveyance of real property by the City of Lamesa to Dawson County, Texas for Library purposes and authorizing the mayor of the city to execute any and all documents and take such actions required to effect the conveyance of such real property.

Motion by Council Member \_\_\_\_\_ to authorize the conveyance of real property by the City of Lamesa to Dawson County, Texas for Library purposes and authorizing the mayor of the city to execute any and all documents and take such actions required to effect the conveyance of such real property. Motion seconded by Council Member \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

**VOTING: "AYE" \_\_\_\_\_ "NAY" \_\_\_\_\_ "ABSTAIN" \_\_\_\_\_**

### **CITY MANAGER'S MEMORANDUM**

**Recommend approval**

## RESOLUTION NO

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS, AUTHORIZING THE CONVEYANCE OF VARIOUS PARCELS OF REAL PROPERTY HELD IN TRUST BY THE CITY OF LAMESA AND AUTHORIZING THE MAYOR OF THE CITY TO EXECUTE TAX DEEDS AND TO TAKE SUCH ACTIONS REQUIRED TO EFFECT THE CONVEYANCE OF SUCH REAL PROPERTY.**

On the 8th day of September, 2020, there came on and was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas, held pursuant to the provisions of the Texas Open Meetings Act, and there being a quorum present and acting throughout the meeting, the following resolution was formally submitted by motion and duly seconded for the consideration and action of the meeting, to-wit:

**WHEREAS**, the City of Lamesa is the owner of the following described parcels of land situated within the limits of the City of Lamesa (the "Property") which Property the City of Lamesa is holding in Trust for the use and benefit of each taxing entity in Dawson County, Texas, to-wit:

Tract One: Lot Nine (9), and Ten (10) in Block Two (2) to the Evening Side Addition, to the Town of Lamesa, Dawson County, Texas; and

**WHEREAS**, offers have been received by the taxing entities for the purchase of the Property and the City of Lamesa wishes to accept such offers.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Lamesa, Texas, that:

**SECTION 1:** The City of Lamesa, Texas, accept the following offers to purchase the above described tracts of land:

- A.) Offer from Leslie Hernandez to purchase all of Lot Nine (9) and Ten (10) in Block Two (2) of the Evening Side Addition, to the Town of Lamesa, Dawson County, Texas; for the price and sum \$1,200.00

**SECTION 2:** The above described tracts of land be sold to the above individuals for the amounts specified above.

**SECTION 3:** The Mayor of the City of Lamesa, Texas, be, and is hereby, authorized to make, execute and deliver Tax Deeds and to take such actions as may be required to effect the conveyance of the above described tracts of land.

Upon being put to a vote, the resolution was Passed, Approved, and Adopted this 8th day of September, 2020, by majority vote and ordered to be spread upon the minutes of the City Council of the City of Lamesa, Texas, and recorded in the resolution book thereafter.

ATTEST:

APPROVED:

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Betty Conde  
City Secretary

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Josh Stevens  
Mayor

“NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER’S LICENSE NUMBER.”

**TAX DEED**

STATE OF TEXAS                   §

§

COUNTY OF DAWSON           §

WHEREAS, by a Warrant issued out of the 106th Judicial District Court of Dawson County, Texas; in Cause No. 20-05-20592 styled City of Lamesa, et al, vs. Owners of Various Properties Located Within the City Limits of Lamesa, Texas, and delivered to the Sheriff directing him to seize, levy upon and sell the hereinafter described property to satisfy the amount of all delinquent taxes, penalties, interest and costs which were secured by a warrant rendered in said cause on the 18th day of May, 2020, in favor of the Plaintiffs.

WHEREAS, in obedience to said Warrant, the Sheriff did seize and levy on the hereinafter described property and all the estate, right, title and interest or claims which said Defendants so had, in and to, on the 18th day of May, 2020 and since that time had of, in and to, the hereinafter described real property; and as prescribed by law for Sheriff’s sales, did offer to sell such real property at public auction.

WHEREAS, at said sale no bid being received which was equal to the adjudged value of said real property as fixed by said court or the aggregate amount of said warrant established therein, the title to said real property pursuant to said warrant and Section 34.01 of the Texas Property Tax Code was struck off in trust for the use and benefit of each taxing district having been by said warrant adjudged to have valid tax liens against such real property, and

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS that the taxing entities set forth in the warrant in said cause, pursuant to the provisions of Section 34.05 of the Texas Property Tax Code, for and in consideration of the sum of **ONE THOUSAND TWO HUNDRED DOLLARS AND 00/100 (\$1,200.00)**, said amount being the highest and best offer received from **Lezlee Hernandez, 1212 N 7th Street, Lamesa, Texas 79331**, receipt of which is hereby acknowledged, and by these presents do convey, expressly subject to the right of redemption by the Defendants in said tax suit as provided by Section 34.21 of the Texas Property Tax Code, and further subject to all presently recorded and validly existing restrictions, reservations, covenants, conditions, easements, oil and gas leases, mineral interests, and water interests outstanding in persons other than Grantor, and other instruments, other than conveyances of the surface fee estate, that affect the Property, all the right, title and interest as was acquired by the taxing entities through foreclosure the certain tract of land described as follows:

**Lots Nine (9) and Ten (10), in Block Two (2), to the Evening Side Addition, to the Town of Lamesa, Dawson County, Texas (R2135)**



WHEREAS this conveyance is also subject to the following Fee Simple Determinable Condition:

Grantee will do everything necessary to bring the Property into compliance with all state and local codes within six months of the execution date of this deed. An affidavit stating that the condition has been fulfilled, filed within six months of said date, if not contradicted by a recorded statement filed within the same six months, is conclusive evidence that the condition has been satisfied, and Grantee and third parties may rely on it.

TO HAVE AND TO HOLD the above described property unto the named purchaser Lezlee Hernandez, his/her heirs, successors and assigns forever, free and clear of all liens for ad valorem taxes against such property delinquent at the time of warrant to all taxing units which were a party of said Warrant and as fully and absolutely as the entities named below can convey the above described real property by virtue of said warrant and Order of Sale and said Section 34.05 of the Texas Property Tax Code.

GRANTEE IS TAKING THE PROPERTY IN AN ARM'S-LENGTH AGREEMENT BETWEEN THE PARTIES. THE CONSIDERATION WAS BARGAINED ON THE BASIS OF AN "AS IS, WHERE IS" TRANSACTION AND REFLECTS THE AGREEMENT OF THE PARTIES THAT THERE ARE NO REPRESENTATIONS OR EXPRESS OR IMPLIED WARRANTIES. GRANTEE HAS NOT RELIED ON ANY INFORMATION OTHER THAN GRANTEE'S INSPECTION.

GRANTEE RELEASES GRANTOR FROM LIABILITY FOR ENVIRONMENTAL PROBLEMS AFFECTING THE PROPERTY, INCLUDING LIABILITY (1) UNDER THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT (CERCLA), THE RESOURCE CONSERVATION AND RECOVERY ACT (RCRA), THE TEXAS SOLID WASTE DISPOSAL ACT, AND THE TEXAS WATER CODE; OR (2) ARISING AS THE RESULT OF THEORIES OF PRODUCT LIABILITY AND STRICT LIABILITY, OR UNDER NEW LAWS OR CHANGES TO EXISTING LAWS ENACTED AFTER THE EFFECTIVE DATE OF THE PURCHASE CONTRACT THAT WOULD OTHERWISE IMPOSE ON GRANTORS IN THIS TYPE OF TRANSACTION NEW LIABILITIES FOR ENVIRONMENTAL PROBLEMS AFFECTING THE PROPERTY. THIS RELEASE APPLIES EVEN WHEN THE ENVIRONMENTAL PROBLEMS AFFECTING THE PROPERTY RESULT FROM GRANTOR'S OWN NEGLIGENCE OR THE NEGLIGENCE OF GRANTOR'S REPRESENTATIVE.

This tax deed may be executed in one or more counterparts, each one of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

EXECUTED this \_\_\_\_ day of \_\_\_\_\_, 2020.

**CITY OF LAMESA**

By: \_\_\_\_\_  
Josh Stevens, Mayor

ATTEST:

\_\_\_\_\_  
City Secretary

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by Josh Stevens, Mayor, on behalf of CITY OF LAMESA in its capacity therein stated.

\_\_\_\_\_  
Notary Public, State of Texas



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### Management Info:

Status: Trust

Best Process: Sign

Best Process Type:

Progress:

### Property Info:

City: Lamesa

Cad Property Id: 2135

CAD Value: 4,160

Site Description: 614 S Avenue K, Lamesa, TX 79331, USA

Owner Info: MARTIN AND GLORIA ARREDONDO

Legal Description: Lots Nine (9) and Ten (10), in Block Two (2), to the Evening Side Addition, to the Town of Lamesa, Dawson County, Texas (2135)

Homestead: No

Site Structure: Yes

Non Affixed Material: Yes

### Litigation Info:

Case Number: 20-05-20592

Judgement Date: 05/18/2020

Sale Date: 07/07/2020

Sheriff's Deed Date: 01/01/2000

Redemption Date: 07/09/2000

Court: 106th

Style Plaintiff: City of Lamesa, et al

Style Defendant: Owners of Various Properties Located Within the City Limits of Lamesa, Texas

Sheriff's Deed Volume:

Tax Due: No

Delinquent: Yes

Litigation: No

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# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: NOVEMBER 20, 2020**

**AGENDA ITEM: 18**

**SUBJECT: BUDGET AMENDMENT XV**

**EXHIBITS: Ordinance First Reading**

**PROCEEDING: Action**

**SUBMITTED BY: City Staff**

### **SUMMARY STATEMENT**

Consider amending Ordinance O-20-20 on first reading with respect to the budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021. This Budget Amendment reflects the proceeds from the sale of trust properties through the Texas Community Group

### **COUNCIL ACTION**

**DISCUSSION** \_\_\_\_\_

Motion by Council Member \_\_\_\_\_ to consider amending Ordinance No.O-20-20 on first reading with respect to the budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021.

Motion seconded by Council Member \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

**VOTING:** "AYE" \_\_\_\_\_ "NAY" \_\_\_\_\_ "ABSTAIN" \_\_\_\_\_

### **CITY MANAGER'S MEMORANDUM**

**Recommend approval.**

## ORDINANCE NO.

### AN ORDINANCE OF THE CITY OF LAMESA, TEXAS, AMENDING ORDINANCE NO. 0-20-20 TO APPROPRIATE FUNDS IN THE CITY OF LAMESA BUDGET FOR FISCAL YEAR 2020-2021.

On the 17th day of November, 2020, there came on and was held at the City Hall of the City of Lamesa, Texas, an open meeting of the City Council of the City of Lamesa, Texas, held pursuant to the provisions of the Texas Open Meetings Act (Government Code, Chapter 551). There being a quorum present and acting throughout the meeting, the following ordinance was formally submitted by motion and duly seconded for the consideration and action of the meeting, to-wit:

**WHEREAS**, the City Council desires to amend Ordinance No. 0-20-20 to make certain revisions to the 2020-2021 Budget of the City of Lamesa to authorize and appropriate funds as listed below; and

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

**SECTION 1.** That the City of Lamesa 2020-2021 Budget contained in Ordinance No. 0-20-20 be, and same is hereby, amended to change the amount appropriated by the following:

	<u>Revenues</u>	<u>Expenditures</u>
General Fund (1)	\$ 1,200.00	\$ 1,200.00

**SECTION 2.** Effective date: That this Ordinance shall become effective as of this December 20, 2020.

**SECTION 3.** The City Secretary is hereby authorized and directed to cause publication of this Ordinance as provided by law.

Upon being put to a vote, the foregoing ordinance was Passed, on First Reading on November 17<sup>th</sup>, 2020 by a majority vote with amendment; and on December 15, 2020, there was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas held pursuant to the provisions of the Texas Open Meetings Act (Government. Code, Chapter 551); there being a quorum present and acting throughout the meeting, the foregoing ordinance was formally submitted by motion and duly seconded for the consideration and action of the meeting, and upon being put to a vote, the foregoing ordinance was Passed on Second Reading by a majority vote and ordered to be spread upon the minutes of the City Council of the City of Lamesa, Texas and recorded in the ordinance book thereafter.

ATTEST

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Betty Conde  
City Secretary

APPROVED:

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Josh Stevens  
Mayor

**CITY OF LAMESA BUDGET AMENDMENT 15 FOR  
2020/2021**

**GENERAL FUND (1)**

This budget amendment reflects the proceeds from the sale of trust properties through the Texas Community Group. This budget amendment totals\$

Increase Revenues (01- 40904) Misc. Revenue	\$1,200.00
Increase Expenditures (01-5081-603) Special Services	\$1,200.00

# ***City Council Agenda***

***City of Lamesa, Texas***

**DATE OF MEETING: NOVEMBER 17, 2020**

**AGENDA ITEM: 19**

**SUBJECT: LYNTEGAR ELECTRIC COOPERATIVE, INC. FRANCHISE AGREEMENT**

**PROCEEDING: Ordinance**

**SUBMITTED BY: City Manager**

**EXHIBITS: Ordinance/Agreement**

**AUTHORITY: City Charter**

## **SUMMARY STATEMENT**

Consider passing and Ordinance on first reading approving a five-year franchise agreement with Lyntegar Electric Cooperative, Inc.

## **COUNCIL ACTION**

**DISCUSSION** \_\_\_\_\_

Motion by Council Member \_\_\_\_\_ to approve an Ordinance on first reading approving a five-year franchise agreement with Lyntegar Electric Cooperative, Inc. Motion seconded by Council Member \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

**VOTING:** "AYE" \_\_\_\_\_ "NAY" \_\_\_\_\_ "ABSTAIN" \_\_\_\_\_

## **CITY MANAGER'S MEMORANDUM**

**Recommend approval.**



## ORDINANCE NO.

**AN ORDINANCE GRANTING TO LYNTEGAR ELECTRIC COOPERATIVE, INC., ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO ERECT AND MAINTAIN ITS ELECTRIC LIGHT AND POWER LINES WITH ALL NECESSARY OR DESIRABLE APPURTENANCES (INCLUDING UNDERGROUND CONDUITS, POLES, TOWERS, WIRES, AND TRANSMISSION LINES) AND WHEREBY THE CITY OF LAMESA, TEXAS, GRANTS ITS CONSENT FOR THE USE OF ITS PRESENT AND FUTURE STREETS, ALLEYS, HIGHWAYS, AND PUBLIC GROUNDS IN SAID CITY UNDER REGULATIONS AND RESTRICTIONS AS STATED THEREIN AND PROVIDING THAT THE SAID CITY SHALL RECEIVE AN ANNUAL PAYMENT FOR SAME, ALL AS THEREIN PROVIDED.**

On this the 17<sup>th</sup> day of November, 20, there came on and was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas, held pursuant to the provisions of the Texas Open Meetings Act; there being a quorum present and acting throughout the meeting, the following ordinance was formally submitted by motion and duly seconded for the consideration and action of the meeting, to wit:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS:

Section 1. That the City of Lamesa, herein called "City", hereby grants its consent to the use of its present and future streets, alleys, highways, and public grounds by Lyntegar Electric Cooperative, Inc., its successors and assigns, hereby called "Cooperative", for the purposes of constructing, maintaining and operating in, along, under and across the present and future streets, alleys, and public places of the City of Lamesa, Texas, and its successors, electric light and power lines, with all necessary or desirable appurtenances (including underground conduits, poles, towers, wires and transmission lines, and telegraph and telephone lines for its own use) for the purpose of supplying electricity within its certificated area, to the City, the inhabitants thereof, and other legal entities, for light, heat, power, and other purposes; said consent being granted for a term of five (5) years commencing January 1, 2021, and terminating without further notice on December 31, 2025.

Section 2. Poles or towers shall be so erected as not to unreasonably interfere with traffic over streets and alleys.

Section 3. The Cooperative's property and operations in the City shall be subject to such regulations by the City as may be reasonably necessary for the protection of the general public.

Section 4. The Cooperative shall hold the City harmless from all expense or liability for any act or neglect of the Cooperative hereunder.

Section 5. In consideration of the grant of this privilege and franchise by the City and as full payment for the privilege of using and occupying the streets, alleys, highways, easements, parks and other public places within the city, and in lieu of any and all occupation taxes, easements and franchise taxes (whether levied as an ad valorem, special, or other character of tax), and in lieu of license and inspection fees or charges, street taxes, street or alley rentals of whatsoever kind and character which the City may impose or hereafter be authorized or empowered by law to levy and collect (excepting only the usual or special ad valorem taxes which the City is authorized to levy and impose upon real and personal property), the Cooperative, Lyntegar Electric Cooperative, Inc., its successors or assigns, shall pay to the City of Lamesa, Texas, annually and on or before March 1 following each year of the term hereof, beginning March 1, 2021, an amount equivalent to four (4) percent of the gross revenues received by the Cooperative, its successors or assigns, during the preceding year from sales of electricity within the corporate limits of the City. On or before the 15<sup>th</sup> day of March of each year hereafter, a report shall be filed with the City by the Cooperative, its successors or assigns, showing its gross revenues, as aforesaid, for the preceding calendar year, and the payment made hereunder shall be based upon such report.

Section 6. Nothing herein contained shall ever be held or construed to confer upon the Cooperative, its successors or assigns, exclusive rights or privileges of any nature whatsoever.

Section 7. Should the Cooperative, its successors or assigns, fail to substantially comply with the conditions of this franchise, the City shall have the right, by Ordinance duly passed therefore, to forfeit all the rights and franchises herein granted to the Cooperative; provided, however, the City shall give the cooperative, its successors or assigns, thirty (30) days notice in writing, specifying the conditions claimed to have been violated, and giving full and fair opportunity to be heard there on, before declaring such forfeiture, which notice shall fairly and fully set out all of the conditions claimed and complained of, and shall be given by the said City and shall be signed by the City Secretary under the seal of the City, after having been properly authorized by the Mayor and governing body of the City; and further, provided, however, the Cooperative, its successors or assigns, shall have thirty (30) days after receiving such notice in which to rectify and correct such violations and to substantially comply with the terms and conditions of this Ordinance. Should any violation of this Ordinance so complained of not have been rectified and corrected and the terms and conditions of this Ordinance substantially completed with at the end of said thirty (30) days, then, and in that event, the City shall have the power to forfeit this franchise on account of the violations specified in such notice. In case of forfeiture, as herein provided, the City reserves the right to purchase the distributing plant of the Cooperative then located within the City at its fair, appraised value, or to allow the Cooperative, its successors or assigns, to remove the same within one year from the date of such forfeiture; provided that before any of said property may be removed, the Cooperative, its successors or assigns, shall be required

to give to the City good and sufficient bond, conditioned that the streets and alleys will be placed and left in as good condition as they were found before such removal.

Section 8. This Ordinance shall be cumulative and in addition to the other permits and franchises granted and ordinances owned, held or claimed by the Cooperative; provided, however, that all ordinances or parts of ordinances that conflict herewith are hereby repealed.

Section 9. This Ordinance shall not become effective until the Cooperative has accepted it in writing. Such acceptance shall be given to the City by Cooperative within 30 days after final passage hereof.

Section 10. Notwithstanding anything herein contained to the contrary, this Franchise is limited to those areas where the Cooperative is certified to serve, as are delineated on the Public Utility Commission of Texas General Highway Map, Dawson County, Texas, Certified Electric Service Area Boundary approved by R. S. Sweatman of the Public Utility commission staff on June 15, 1977, and a part of Docket 53.

Upon being put to a vote, the foregoing ordinance was Passed, on First Reading on the 17th day of November, 2020 by a majority vote; and then on the 15<sup>th</sup> day of December, 2020, there came on and was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas held pursuant to the provisions of the Texas Open Meetings Act; there being a quorum present and acting throughout the meeting, the foregoing ordinance was formally submitted by motion and duly seconded for the consideration and action of the meeting, and upon being put to a vote, the foregoing ordinance was Passed on Second Reading this 15th day of December, 2020 by a majority vote and ordered to be spread upon the minutes of the City Council of the City of Lamesa, Texas and recorded in the ordinance book thereafter.

ATTEST:

APPROVED:

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Betty Conde  
City Secretary

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Josh Stevens  
Mayor

# ***City Council Agenda***

***City of Lamesa, Texas***

**DATE OF MEETING: NOVEMBER 17, 2020**

**AGENDA ITEM: 20**

**SUBJECT: WEST TEXAS OPPORTUNITIES – RENEWAL OF LEASE AGREEMENT**

**PROCEEDING: Resolution**

**SUBMITTED BY: City Staff**

**EXHIBITS: Resolution; Lease Agreement**

**AUTHORITY:**

## **SUMMARY STATEMENT**

Consider passing a resolution approving and authorizing the Mayor to enter into a lease agreement with West Texas Opportunities, Inc. for the Head Start Facility at South East 14<sup>th</sup> Street and Detroit Ave.

## **COUNCIL ACTION**

**DISCUSSION** \_\_\_\_\_

Motion by Council Member \_\_\_\_\_ to approve a resolution authorizing the Mayor to enter into a lease agreement with West Texas Opportunities, Inc. for the Heads Start Facility at South East 14<sup>th</sup> Street and Detroit Ave. Motion seconded by Council Member \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

**VOTING:** "AYE" \_\_\_\_\_ "NAY" \_\_\_\_\_ "ABSTAIN" \_\_\_\_\_

## **CITY MANAGER'S MEMORANDUM**

**. Recommend approval.**

**RESOLUTION NO. R**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS, APPROVING A LEASE AGREEMENT WITH WEST TEXAS OPPORTUNITIES, INC., AND AUTHORIZING THE MAYOR OF THE CITY OF LAMESA TO EXECUTE SUCH LEASE AGREEMENT.**

On this the 17th day of November, 2020, there came on and was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas, held pursuant to the provisions of the Texas Open Meetings Act, and there being a quorum present and acting throughout the meeting, the following resolution was formally submitted by motion and duly seconded for the consideration and action of the meeting, to wit:

**WHEREAS**, the City of Lamesa, Texas, and West Texas Opportunities, Inc., have a lease agreement whereby said West Texas Opportunities, Inc. leases the following described property from the City of Lamesa, to-wit:

That Building commonly known as the Hollis-Carver Community Center located in the Hollis Carver Park, and located upon that 7.52 acre tract owned by the City of Lamesa 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; and

**WHEREAS**, the City of Lamesa and West Texas Opportunities, Inc. wish to extend said lease agreement for an additional five year period on the same terms as the current lease agreement, to provide for the continuation of the Day Care and Head Start Center Services operated on said property; and

**WHEREAS**, it is the desire of the City Council of the City of Lamesa, Texas, to authorize Josh Stevens, Mayor of the City of Lamesa, to execute all instruments required to extend said lease agreement; and

**WHEREAS**, it is in the public interest and welfare that this resolution be passed;

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS, THAT:**

The Lease Agreement between the City of Lamesa and West Texas Opportunities, Inc., be extended for an additional five year term upon the same terms and conditions as the existing Lease Agreement; and

Josh Stevens, as Mayor of the City of Lamesa, Texas, be, and he is hereby, authorized to execute such Lease Agreement with West Texas Opportunities, Inc.

Upon being put to a vote, the resolution was Passed, Approved, and Adopted this 17th day of November, 2020, by a majority vote and ordered to be spread upon the minutes of the City Council of the City of Lamesa, Texas, and recorded in the resolution book thereafter.

**ATTEST:**

**APPROVED:**

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Betty Conde  
City Secretary

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Josh Stevens  
Mayor

**LEASE AGREEMENT**

**THE STATE OF TEXAS    X**

**KNOW ALL MEN BY THESE PRESENT:**

**COUNTY OF DAWSON    X**

**THAT THIS IS EVIDENCE IN WRITING** of a Lease Agreement entered into this day by and between the **CITY OF LAMESA**, hereafter called Lessor, **and WEST TEXAS OPPORTUNITIES, INC.**, hereafter called Lessee.

**W I T N E S S E T H**

Lessor is the owner of the following described property, to wit:

That Building commonly known as the Hollis Carver Community Center located in Hollis Carver Park and situated upon the following described premises, to-wit:

Being 7.52 acres of land out of the Northeast One-fourth (NE/4) of Section Seven (7), Block No. Thirty-five (35), Township-5-North, T. & P. Railway Company Survey in Dawson County, Texas, and being described by metes and bounds as follows:

**BEGINNING** at an I. P. set for the S. E. corner of the N. E./4 of Section 7, and the N. E. corner of the S. E./4 of said Section 7, from wh. an I. P. set for the N. E. corner of Section 6, Block 35, T-5-N, brs. N. 15 degrees of 02' W. 2851.2 yrs.;

**THENCE** N. 15 degrees 02' W. 626.1' to an I. P. set in the East line of Section 7, and the West line of Section 8, Block 35, T-5-N, for the N. E. corner of this tract and the N. S. E. corner of Hollis Addition to the City of Lamesa

**THENCE** S. 74 degrees 58' W. along the S. line of S. 13th Street 294.61 to an I. P. set for the N. N. W. corner of this tract;

**THENCE** S. 15 degrees 02' E. 102.6' to an I. P. set for an interior corner of this tract;

**THENCE** S. 74 degrees 58' W. 150' to an I. P. set in the East line of Detroit Avenue for a corner of this tract;

**THENCE** S. 15 degrees 02' E. 297.4' to an I. P. set for the S. S. E. corner of Hollis Addition and a corner of this tract;

**THENCE** S. 74 degrees 58' W. 286' W. to an I. P. set for the S. N. W. corner of this tract and being the S. W. corner of Block 6, Hollis Addition;

**THENCE** S. 15 degrees 02' E. 226.1 feet to an I. P. set in the S. line of the N. E. 1/4 Sec. 7, for the S. W. corner of this tract;

**THENCE** N. 74 degrees 58' E. 730.6' to the Place of Beginning and containing 7.52 acres of land, more or less;

which Lessor hereby leases and lets unto the Lessee and Lessee hereby leases from Lessor, on the following terms and conditions:

1.

The term of this Lease shall be five (5) years, commencing on December 1, 2020 and terminating on December 31, 2025, unless sooner terminated as provided in this Lease, provided however, either party to this Lease Agreement shall have the right to cancel this Lease upon thirty (30) days written notice to the other party hereto.

2.

As rental for the above described premises, Lessee shall pay the Lessor the sum of \$1.00 per year for each year of the term of this Lease, with such amount being payable annually, in advance, on or before the 1<sup>st</sup> day of each year of this Lease at the office of the City Secretary of the City of Lamesa, Texas

3.

The above described premises shall be occupied by Lessee for the purpose of operating, on a non-profit basis, a Day Care and Head Start Center and not otherwise. Lessee, its agents, employees, successors and assigns, shall not permit waste or injury to the leased premises during the time hereof, nor use the premises for any illegal purpose.

4.

The use of the above described property is subject to all ordinances and restrictions which may have been, or may be, imposed by the City Council of the City of Lamesa.

5.

Lessee shall have no right to assign or sub-let the above described property without the prior written consent of the Lessor.

6.

During the term of this Lease, Lessee shall pay or cause to be paid all charges for water, heat, gas, electricity, sewage, and all other utilities used on the leased premises.

7.

In connection with Lessee's operations of a Day Care and Head Start Center on the above described property, it shall be Lessee's responsibility to furnish said premises

in a manner necessary to achieve such objective, and Lessee shall be responsible for adequately staffing same, providing janitorial services, and shall maintain same in a clean and health manner and in compliance with all Governmental regulations incident to the operation of a Day Care and Head Start Center.

8.

Lessor and Lessee agree that the Lessee has made certain improvements upon the leased premises in the past and Lessee shall have the right from time to time to make improvements upon said building provided that such improvements shall first be approved by Lessor and the costs of such improvements shall be paid by Lessee. All improvements made upon the leased premises shall, upon termination of this Lease Agreement, become the property of Lessor except as herein provided.

Lessor and Lessee agree that during the term of this Lease, Lessee shall have the right to locate one or more portable buildings upon the above described real property and all of such portable buildings shall remain the personal property of Lessee, shall not become part of the real estate described above, and may be removed by Lessee upon termination or expiration of this Lease, provided Lessee is not in default of any term or provision hereof.

Lessee shall have a period of 60 days from and after the termination or expiration of this Lease to remove all of such portable buildings from the leased premises, and in the event Lessee fails to remove such personal property within such period of time, ownership of such property shall, at Lessor's option, vest in Lessor, its successors and assigns, upon the expiration of such time. Lessor, at its option, may decline to not take ownership of such property and require Lessee to remove such property even after the expiration of such 120 day period. It is further agreed that such Lessee shall be the sole owner of such portable buildings, shall be totally responsible for their repair, maintenance, upkeep and condition and shall hold such Lessor harmless from any and all loss, cost, expense or liability of any kind and character caused by the location of such portable buildings upon such premises or caused by their use by such Lessee for its intended purposes.

9.

At all times during the term of this Lease, lessee shall keep and maintain, or cause to be kept and maintained, the leased premises in a good state of appearance and repair, reasonable wear and tear excepted, at Lessee's own expense. Lessee will, at Lessee's own cost and expense, maintain the outside walls, roof and structural members of the building in as good a condition as they are in at the time of the execution of this Lease and Lessee agrees to repair all structural damages as soon as reasonably possible after such damage occurs.

Lessee shall be responsible for making all necessary repairs to the leased premises during the term of this Lease.

Lessor shall have no obligation and shall not be responsible for making any repairs to the above described premises and its appurtenances during the term of this Lease Agreement or any extension thereof.

10.



In the event that during the term of this Lease, the above described premises should be destroyed or be so badly damaged as to render the above described premises unusable by the Lessee for its intended purposes, then this Lease Agreement shall become null and void and neither party hereto shall have any further obligations hereunder; but in the event the premises should be damaged and such damage can be repaired within thirty (30) days from the date such damage occurred and Lessee desires to correct or repair the damage, then Lessee shall have the right to correct or repair the damage at Lessee's own cost and expense. Any such corrections or repairs shall be made by Lessee without any right to reimbursement from Lessor. All such corrections or repairs shall be made with the prior consent of Lessor and within specifications prescribed by Lessor. All such corrections or repairs shall become the property of Lessor and shall remain with the premises upon the expiration of the term of this Lease. However, if the leased premises should be destroyed or badly damaged and Lessee decides not to correct or repair such damages, Lessee shall not be obligated to correct or repair such damages as long as such damage or loss occurs through no fault of the Lessee.

11.

Lessor shall not be liable for any loss, damage or injury of any kind or character to any person or property arising from any use of the leased premises, or any part of the leased premises, or caused by any defect in any building, structure, improvement, equipment, or facility on the leased premises or caused by or arising from any act or omission of Lessee, or of any of its agents, employees, licensees, or invitees, or by or from any accident, fire, or other casualty on the land, or occasioned by the failure of Lessee to maintain the premises in a safe condition. Lessee waives all claims and demands on its behalf against Lessor for any such loss, damage, or injury, and agrees to indemnify and hold Lessor entirely free and harmless from all liability for any such loss, damage, or injury of other persons,, and from all costs and -expenses arising from any claims or demands of other persons concerning any such loss, damage, or injury, including reasonable attorney's fees for the defense of such claims and demands. In case of any action or proceeding brought against Lessor by reason of any such claim, Lessee, upon notice from Lessor, agrees to defend the action or proceeding by counsel acceptable to Lessor.

At all times during the term of this Lease, Lessee shall provide and maintain in force during the term of this Lease, liability insurance covering Lessor and Lessee for liability for property damage and personal injury. This insurance shall be carried by one or more insurance companies duly authorized to transact business in Texas, selected by Lessee and approved by Lessor, and shall be paid by Lessee. The insurance provided pursuant to this section shall be in the amount of not less than \$100,000.00 for property damage and not less than \$300,000.00 for personal injury. This insurance shall protect Lessor and Lessee against liability to any employees or servants of Lessee and to any other person or persons whose property damage or personal injury arises out of or in connection with the occupation, use, or condition of the leased premises.

12.

Lessor reserves the use of the swimming pool area of the leased premises so long as such use does not interfere with Lessee's use of the premises.

13.

Lessor shall have the right from time to time to enter upon the leased premises for the purpose of making inspections of the leased premises in order to make certain that Lessee is complying with its obligations hereunder.

14.

Lessee agrees that it will, at the expiration of this Lease, or upon termination pursuant to the provisions hereof, peaceably vacate the leased premises and leave the premises in as good a condition as the premises are in at the time of the execution of this Lease, reasonably wear and tear and damages by accidental fire or unavoidable accident is accepted.

15.

In the event of any default by Lessee of any of the covenants or provisions of this Lease, and Lessee remains in default for a period of ten (10) days after receiving written notice from Lessor demanding Lessee cure such default, then Lessor may declare this Lease Agreement terminated and shall have the right, without notice or demand, to re-enter the above described premises and remove the Lessee from the above described premises and Lessor shall have no further obligations hereunder.

16.

For any and all notices required to be given under the terms of this Lease Agreement, the mailing address of Lessor is:

601 South First St., Lamesa, Texas, 79331;

and the mailing address of Lessee is:

603 North 4th St.

17.

If, as a result of the breach of this Agreement by either party, the other party employs an attorney or attorneys to enforce such party's rights under this Lease Agreement, then the breaching party agrees to pay the other party the reasonable attorney's fees and costs incurred to enforce this Lease.

**EXECUTED** this 17<sup>th</sup> day of November, 2020 at Lamesa, Dawson County, Texas.

**ATTEST:**

**CITY OF LAMESA**

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

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

**LESSOR**

**ATTEST:**

**WEST TEXAS OPPORTUNITIES, INC.**

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
President

**LESSEE**

# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: NOVEMBER 17, 2020**

**AGENDA ITEM: 21**

**SUBJECT: PUBLIC HEARING - NUISANCE PROPERTY REMOVAL OR DEMOLITION**

**PROCEEDING: Public Hearing; Resolution**

**SUBMITTED BY: City Staff**

**EXHIBITS: Citation letters & pictures**

### **SUMMARY STATEMENT**

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

**LEGAL DESCRIPTION:** Lot One (1) Block Five (5), of the Compton Addition to the City of Lamesa, Dawson County, Texas

**SITUS:** 607 NE 3<sup>rd</sup> Street, Lamesa, TX 79331  
**PARCEL ID:** R1898

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.

The following persons spoke:

_____	_____
_____	_____
_____	_____

Following the public comments the Mayor will close the public hearing.

### **CITY MANAGER'S MEMORANDUM**

This property was found to have a dilapidated 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 OF LAMESA

601 S. 1st Street  
Lamesa, TX 79331  
806.872.2124



[samantha@texascg.com](mailto:samantha@texascg.com)

806.839.2633

November 6, 2020

Ralph Garza Jr.  
607 NE 3rd Street  
Lamesa, Texas 79331

RE: Notice of Hearing

This notice is to inform you that the following property was found to be in violation of the city's substandard structure ordinance outlined in the Local Government Code, Title 7, Subtitle A, Chapter 214, for dangerous structures.

LEGAL DESCRIPTION: Lot One (1), Block Five (5), Compton Addition to the City of Lamesa, Dawson County, Texas

SITUS: 607 NE 3rd Street, Lamesa, Texas, 79331

PARCEL ID: R1898

VIOLATION: Ordinance O-5-18 Substandard Structures.

DESCRIPTION: Single family residence with white faded paint and graffiti and metal a roof.

A hearing has been set before the city council for the determination to abate a building or structure that has been identified and inspected as substandard and/or hazardous according to the provisions of Substandard Structures Ordinance O-5-18. The hearing will take place at **Lamesa City Hall, 601 S 1st Street, Lamesa, Texas 79331** on the **17<sup>th</sup> day of November, 2020 at 5:30 p.m.** You may present your case as to why this building should not be declared a public nuisance and why you should not be ordered to repair, renovate, or demolish and clear such building or structure from the premises or proof of scope of any work that may be required to comply with the ordinance and the time it will take to reasonably perform the work. If the city council finds that this building is a substandard building or structure, the city council may order the abatement of said condition or conditions by repair, renovation, removal or demolition by you within a reasonable time to be set by the city council and that the city may demolish or remove said building if the owner does not comply with such order. Please give this matter your immediate attention. There are currently no fines nor tickets. The purpose of this notice is to notify you of the issue and hearing.

*Samantha Hyatt*

Samantha Hyatt  
Code Administrator

[samantha@texascg.com](mailto:samantha@texascg.com)

806.TEXTCODE

# CITY OF LAMESA

601 S. 1st Street  
Lamesa, TX 79331  
806.872.2124



[samantha@texascg.com](mailto:samantha@texascg.com)

806.839.2633

November 6, 2020

Ralph Garza Jr. % Natalia Caudillo  
402 N Flint  
Lamesa, TX 79331

RE: Notice of Hearing

This notice is to inform you that the following property was found to be in violation of the city's substandard structure ordinance outlined in the Local Government Code, Title 7, Subtitle A, Chapter 214, for dangerous structures.

LEGAL DESCRIPTION: Lot One (1), Block Five (5), Compton Addition to the City of Lamesa, Dawson County, Texas

SITUS: 607 NE 3rd Street, Lamesa, Texas, 79331

PARCEL ID: R1898

VIOLATION: Ordinance O-5-18 Substandard Structures.

DESCRIPTION: Single family residence with white faded paint and graffiti and metal a roof.

A hearing has been set before the city council for the determination to abate a building or structure that has been identified and inspected as substandard and/or hazardous according to the provisions of Substandard Structures Ordinance O-5-18. The hearing will take place at **Lamesa City Hall, 601 S 1st Street, Lamesa, Texas 79331** on the **17<sup>th</sup> day of November, 2020 at 5:30 p.m.** You may present your case as to why this building should not be declared a public nuisance and why you should not be ordered to repair, renovate, or demolish and clear such building or structure from the premises or proof of scope of any work that may be required to comply with the ordinance and the time it will take to reasonably perform the work. If the city council finds that this building is a substandard building or structure, the city council may order the abatement of said condition or conditions by repair, renovation, removal or demolition by you within a reasonable time to be set by the city council and that the city may demolish or remove said building if the owner does not comply with such order. Please give this matter your immediate attention. There are currently no fines nor tickets. The purpose of this notice is to notify you of the issue and hearing.

Samantha Hyatt  
Code Administrator  
[samantha@texascg.com](mailto:samantha@texascg.com)  
806.TEXTCODE



PARCEL ID: R1898 Garza 607 NE 3<sup>rd</sup> Street, Lamesa TX 79311



# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: NOVEMBER 17, 2020**

**AGENDA ITEM: 22**

**SUBJECT: NUISANCE PROPERTY REMOVAL OR DEMOLITION**  
**PROCEEDING: Resolution**  
**SUBMITTED BY: City Staff**  
**EXHIBITS:**  
**AUTHORITY: City Code of Ordinance, Sec. 3.05.006**

### **SUMMARY STATEMENT**

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 One (1) Block Five (5), of the Compton Addition to the City of Lamesa, Dawson County, Texas

**SITUS:** 607 NE 3<sup>rd</sup> Street, Lamesa, TX 79331  
**PARCEL ID:** R1898

### **COUNCIL ACTION**

**DISCUSSION** \_\_\_\_\_

Motion by Council Member \_\_\_\_\_ 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 \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

**VOTING:** "AYE" \_\_\_\_\_ "NAY" \_\_\_\_\_ "ABSTAIN" \_\_\_\_\_

### **CITY MANAGER'S MEMORANDUM**

**Recommend approval.**



## **RESOLUTION NO.R**

### **A RESOLUTION ORDERING THE REMOVAL OR DEMOLITION OF A SUBSTANDARD STRUCTURE LOCATED AT 607 NE 3RD STREET, IN THE CITY OF LAMESA.**

On this the 17<sup>th</sup> day of November, 2020, there came on and was held at the regular meeting place, The City Hall in the City of Lamesa, Texas, an open meeting of the City Council of the City of Lamesa, Texas held pursuant to the provisions of the Texas Open Meetings Act (Govt. Code, Chapter 551) and there being a quorum present and acting throughout the meeting, the following resolution was formally submitted by motion and duly seconded for the consideration and action of the meeting, to wit:

**WHEREAS**, the City Council of the City of Lamesa, Texas, has adopted a Substandard Structure Ordinance establishing procedures and policies requiring the repair, demolition or removal of certain structures, which have been deemed to be a public nuisance; and

**WHEREAS**, the Building Inspector of the City of Lamesa, has found that the structure(s) located on the premises hereinafter described constitutes a substandard building or structure and is a public nuisance within the terms of said ordinance;

**WHEREAS**, the property owners have been duly notified of the Building Inspector's findings, and given the opportunity to remedy such conditions; and

**WHEREAS**, the Building Inspector has been unable to secure voluntary compliance with the ordinance; and

**WHEREAS**, a hearing has been held on this date pursuant to such ordinance, at which the City Council has determined that all notices and citations have been served on the owner of the following described property and that the building or structures located on the following described property is a substandard building or structure under the terms of the Substandard Structures Ordinance and constitutes a public nuisance as defined in said ordinance; and

**WHEREAS**, after hearing, the City Council has determined that said building or structures should be removed or demolished by the owner within a reasonable specified time.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY  
COUNCIL OF THE CITY OF LAMESA, TEXAS:**

#### **I.**

That the structure located on the following described property located at 607 NE 3<sup>rd</sup> Street, hereby declared a Substandard Structure as defined in the Substandard

Structure Ordinance of the City of Lamesa, Texas and as such is declared to be a public nuisance and unlawful, to-wit:

LEGAL DESCRIPTION: Lot One (1) Block Five (5), of the Compton Addition to the City of Lamesa, Dawson County, Texas

SITUS: 607 NE 3<sup>rd</sup> Street, Lamesa, TX 79331  
PARCEL ID: R1898

and such nuisance shall be abated by removal or demolition as provided herein or by any other procedure provided by law, for the following reasons:

- (1) The structure located upon the premises has windows or doors open to outdoor space and not protected against the entry of vermin, disease vectors or vandals;
- (2) The structure is uninhabitable, untenable and unsightly due to deterioration caused by neglect or the elements; and
- (3) The structure and property has an accumulation or rubbish, trash and weeds, which is likely to become a fire hazard and endanger the public or property of others.

**II.**

That the abatement by removal or demolition as provided herein shall be caused by the owners of such property not later than thirty (30) days from the date of this resolution.

**III.**

That failure to comply with this order will authorize all proceedings specified in the Substandard Buildings Ordinance necessary for the City to cause the removal or demolition of said structure with such expense to be assessed against such property and secured by a lien against such premises for all expenses incurred by the City in connection with the removal or demolition of such buildings or structures.

**IV.**

That a copy of resolution be served on the owners of such property in the manner and form provided in the Substandard Structure Ordinance.

**V.**

That this resolution shall take effect immediately.

Upon being put to a vote, the resolution was Passed, Approved, and Adopted this 17<sup>th</sup> day of November, 2020, by a majority vote and ordered to be spread upon the minutes of the City Council of the City of Lamesa, Texas and recorded in the resolution book thereafter.

Attest:

---

Betty Conde  
City Secretary

Approved:

---

Josh Stevens  
Mayor

# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: NOVEMBER 17, 2020**

**AGENDA ITEM: 23**

**SUBJECT: PUBLIC HEARING - NUISANCE PROPERTY REMOVAL OR DEMOLITION**

**PROCEEDING:** Public Hearing; Resolution

**SUBMITTED BY:** City Staff

**EXHIBITS:** Citation letters & pictures

### **SUMMARY STATEMENT**

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

**LEGAL DESCRIPTION:** West Half (W/2) of Lot One (1), in Block Eight (8), of the Tidwell Addition, to the City of Lamesa, Dawson County, Texas

**SITUS:** 211 N Detroit Lamesa, TX 79331  
**PARCEL ID:** R5530

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.

The following persons spoke:

_____	_____
_____	_____
_____	_____

Following the public comments the Mayor will close the public hearing.

### **CITY MANAGER'S MEMORANDUM**

This property was found to have a dilapidated 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 OF LAMESA

601 S. 1st Street  
Lamesa, TX 79331  
806.872.2124



[samantha@texascg.com](mailto:samantha@texascg.com)

806.839.2633

November 6, 2020

Richard Nunez Salazar JR  
Po Box 33  
Lamesa TX 79331

RE: Notice of Hearing

This notice is to inform you that the following property was found to be in violation of the city's substandard structure ordinance outlined in the Local Government Code, Title 7, Subtitle A, Chapter 214, for dangerous structures.

LEGAL DESCRIPTION: West Half (W/2) of Lot One (1), in Block Eight (8), of the Tidwell Addition, to the Town of Lamesa, Dawson County, Texas.

SITUS: 211 N Detroit St, Lamesa Tx 79331

PARCEL ID: R5530

VIOLATION: Ordinance O-5-18 Substandard Structures.

DESCRIPTION: Single family home majority wood with some brick and siding.

A hearing has been set before the city council for the determination to abate a building or structure that has been identified and inspected as substandard and/or hazardous according to the provisions of Substandard Structures Ordinance O-5-18. The hearing will take place at **Lamesa City Hall, 601 S 1<sup>st</sup> Street, Lamesa, Texas 79331** on the **17<sup>th</sup> day of November, 2020 at 5:30 p.m.** You may present your case as to why this building should not be declared a public nuisance and why you should not be ordered to repair, renovate, or demolish and clear such building or structure from the premises or proof of scope of any work that may be required to comply with the ordinance and the time it will take to reasonably perform the work. If the city council finds that this building is a substandard building or structure, the city council may order the abatement of said condition or conditions by repair, renovation, removal or demolition by you within a reasonable time to be set by the city council and that the city may demolish or remove said building if the owner does not comply with such order. Please give this matter your immediate attention. There are currently no fines nor tickets. The purpose of this notice is to notify you of the issue and hearing.

*Samantha Hyatt*  
Samantha Hyatt

Code Administrator  
[samantha@texascg.com](mailto:samantha@texascg.com)  
806.TEXCODE



PARCEL: R5530 Salazar SR 211 N Detroit St, Lamesa, Texas 79331





# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: NOVEMBER 17, 2020**

**AGENDA ITEM: 24**

**SUBJECT: NUISANCE PROPERTY REMOVAL OR DEMOLITION**  
**PROCEEDING: Resolution**  
**SUBMITTED BY: City Staff**  
**EXHIBITS:**  
**AUTHORITY: City Code of Ordinance, Sec. 3.05.006**

### **SUMMARY STATEMENT**

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:** West Half (W/2) of Lot One (1), in Block Eight (8), of the Tidwell Addition, to the City of Lamesa, Dawson County, Texas

**SITUS:** 211 N Detroit Lamesa, TX 79331  
**PARCEL ID:** R5530

### **COUNCIL ACTION**

**DISCUSSION** \_\_\_\_\_

Motion by Council Member \_\_\_\_\_ 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 \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

**VOTING:** "AYE" \_\_\_\_\_ "NAY" \_\_\_\_\_ "ABSTAIN" \_\_\_\_\_

### **CITY MANAGER'S MEMORANDUM**

**Recommend approval.**

## **RESOLUTION NO. R**

### **A RESOLUTION ORDERING THE REMOVAL OR DEMOLITION OF A SUBSTANDARD STRUCTURE LOCATED AT 211 N DETROIT, IN THE CITY OF LAMESA.**

On this the 17<sup>th</sup> day of November, 2020, there came on and was held at the regular meeting place, The City Hall in the City of Lamesa, Texas, an open meeting of the City Council of the City of Lamesa, Texas held pursuant to the provisions of the Texas Open Meetings Act (Govt. Code, Chapter 551) and there being a quorum present and acting throughout the meeting, the following resolution was formally submitted by motion and duly seconded for the consideration and action of the meeting, to wit:

**WHEREAS**, the City Council of the City of Lamesa, Texas, has adopted a Substandard Structure Ordinance establishing procedures and policies requiring the repair, demolition or removal of certain structures, which have been deemed to be a public nuisance; and

**WHEREAS**, the Building Inspector of the City of Lamesa, has found that the structure(s) located on the premises hereinafter described constitutes a substandard building or structure and is a public nuisance within the terms of said ordinance;

**WHEREAS**, the property owners have been duly notified of the Building Inspector's findings, and given the opportunity to remedy such conditions; and

**WHEREAS**, the Building Inspector has been unable to secure voluntary compliance with the ordinance; and

**WHEREAS**, a hearing has been held on this date pursuant to such ordinance, at which the City Council has determined that all notices and citations have been served on the owner of the following described property and that the building or structures located on the following described property is a substandard building or structure under the terms of the Substandard Structures Ordinance and constitutes a public nuisance as defined in said ordinance; and

**WHEREAS**, after hearing, the City Council has determined that said building or structures should be removed or demolished by the owner within a reasonable specified time.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS:**

#### **I.**

That the structure located on the following described property located at 211 N Detroit Street, hereby declared a Substandard Structure as defined in the Substandard



Structure Ordinance of the City of Lamesa, Texas and as such is declared to be a public nuisance and unlawful, to-wit:

LEGAL DESCRIPTION: West Half (W/2) of Lot One (1), in Block Eight (8), of the Tidwell Addition, to the City of Lamesa, Dawson County, Texas

SITUS: 211 N Detroit Lamesa, TX 79331  
PARCEL ID: R5530

and such nuisance shall be abated by removal or demolition as provided herein or by any other procedure provided by law, for the following reasons:

- (1) The structure located upon the premises has windows or doors open to outdoor space and not protected against the entry of vermin, disease vectors or vandals;
- (2) The structure is uninhabitable, untenable and unsightly due to deterioration caused by neglect or the elements; and
- (3) The structure and property has an accumulation of rubbish, trash and weeds, which is likely to become a fire hazard and endanger the public or property of others.

**II.**

That the abatement by removal or demolition as provided herein shall be caused by the owners of such property not later than thirty (30) days from the date of this resolution.

**III.**

That failure to comply with this order will authorize all proceedings specified in the Substandard Buildings Ordinance necessary for the City to cause the removal or demolition of said structure with such expense to be assessed against such property and secured by a lien against such premises for all expenses incurred by the City in connection with the removal or demolition of such buildings or structures.

**IV.**

That a copy of resolution be served on the owners of such property in the manner and form provided in the Substandard Structure Ordinance.

**V.**

That this resolution shall take effect immediately.

Upon being put to a vote, the resolution was Passed, Approved, and Adopted this 17<sup>th</sup> day of November, 2020, by a majority vote and ordered to be spread upon the minutes of the City Council of the City of Lamesa, Texas and recorded in the resolution book thereafter.

Attest:

---

Betty Conde  
City Secretary

Approved:

---

Josh Stevens  
Mayor

# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: NOVEMBER 17, 2020**

**AGENDA ITEM: 25**

**SUBJECT: PUBLIC HEARING - NUISANCE PROPERTY REMOVAL OR DEMOLITION**

**PROCEEDING:** Public Hearing; Resolution

**SUBMITTED BY:** City Staff

**EXHIBITS:** Citation letters & pictures

### **SUMMARY STATEMENT**

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

**LEGAL DESCRIPTION:** Lot Five (5), in Block Twenty-five (25), of the Lee Addition, to the City of Lamesa, Dawson County, Texas

**SITUS:** 509 South 7<sup>th</sup> Street., Lamesa, TX 79331  
**PARCEL ID:** R3349

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.

The following persons spoke:

_____	_____
_____	_____
_____	_____

Following the public comments the Mayor will close the public hearing.

### **CITY MANAGER'S MEMORANDUM**

This property was found to have a dilapidated 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 OF LAMESA

601 S. 1st Street  
Lamesa, TX 79331  
806.872.2124



[samantha@texascg.com](mailto:samantha@texascg.com)

806.839.2633

November 6, 2020

Victor Hugo Murillo Acosta  
507 S 7th St  
Lamesa TX 79331

RE: Notice of Hearing

This notice is to inform you that the following property was found to be in violation of the city's substandard structure ordinance outlined in the Local Government Code, Title 7, Subtitle A, Chapter 214, for dangerous structures.

LEGAL DESCRIPTION: Lot Five (5), in Block Twenty-five (25), of the Lee Addition, to the Town of Lamesa, Dawson County, Texas

SITUS: 509 S 7<sup>th</sup> Street, Lamesa TX 79331

PARCEL ID: R3349

VIOLATION: Ordinance O-5-18 Substandard Structures.

DESCRIPTION: White multi-dwelling structure severe roof damage.

A hearing has been set before the city council for the determination to abate a building or structure that has been identified and inspected as substandard and/or hazardous according to the provisions of Substandard Structures Ordinance O-5-18. The hearing will take place at **Lamesa City Hall, 601 S 1<sup>st</sup> Street, Lamesa, Texas 79331** on the **17<sup>th</sup> day of November, 2020 at 5:30 p.m.** You may present your case as to why this building should not be declared a public nuisance and why you should not be ordered to repair, renovate, or demolish and clear such building or structure from the premises or proof of scope of any work that may be required to comply with the ordinance and the time it will take to reasonably perform the work. If the city council finds that this building is a substandard building or structure, the city council may order the abatement of said condition or conditions by repair, renovation, removal or demolition by you within a reasonable time to be set by the city council and that the city may demolish or remove said building if the owner does not comply with such order. Please give this matter your immediate attention. There are currently no fines nor tickets. The purpose of this notice is to notify you of the issue and hearing.

*Samantha Hyatt*  
**Samantha Hyatt**

Code Administrator

[samantha@texascg.com](mailto:samantha@texascg.com)

806.TEXCODE



PARCEL: R3349 Acosta-Murillo 509 S 7th St., Lamesa, Texas 79331





# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: NOVEMBER 17, 2020**

**AGENDA ITEM: 26**

**SUBJECT: NUISANCE PROPERTY REMOVAL OR DEMOLITION**  
**PROCEEDING: Resolution**  
**SUBMITTED BY: City Staff**  
**EXHIBITS:**  
**AUTHORITY: City Code of Ordinance, Sec. 3.05.006**

### **SUMMARY STATEMENT**

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 Five (5), in Block Twenty-five (25), of the Lee Addition, to the City of Lamesa, Dawson County, Texas

**SITUS:** 509 South 7<sup>th</sup> Street., Lamesa, TX 79331  
**PARCEL ID:** R3349

### **COUNCIL ACTION**

**DISCUSSION** \_\_\_\_\_

Motion by Council Member \_\_\_\_\_ 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 \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

**VOTING:** "AYE" \_\_\_\_\_ "NAY" \_\_\_\_\_ "ABSTAIN" \_\_\_\_\_

### **CITY MANAGER'S MEMORANDUM**

**Recommend approval.**

## **RESOLUTION NO. R**

### **A RESOLUTION ORDERING THE REMOVAL OR DEMOLITION OF A SUBSTANDARD STRUCTURE LOCATED AT 509 SOUTH 7TH STREET., IN THE CITY OF LAMESA.**

On this the 17<sup>th</sup> day of November, 2020, there came on and was held at the regular meeting place, The City Hall in the City of Lamesa, Texas, an open meeting of the City Council of the City of Lamesa, Texas held pursuant to the provisions of the Texas Open Meetings Act (Govt. Code, Chapter 551) and there being a quorum present and acting throughout the meeting, the following resolution was formally submitted by motion and duly seconded for the consideration and action of the meeting, to wit:

**WHEREAS**, the City Council of the City of Lamesa, Texas, has adopted a Substandard Structure Ordinance establishing procedures and policies requiring the repair, demolition or removal of certain structures, which have been deemed to be a public nuisance; and

**WHEREAS**, the Building Inspector of the City of Lamesa, has found that the structure(s) located on the premises hereinafter described constitutes a substandard building or structure and is a public nuisance within the terms of said ordinance;

**WHEREAS**, the property owners have been duly notified of the Building Inspector's findings, and given the opportunity to remedy such conditions; and

**WHEREAS**, the Building Inspector has been unable to secure voluntary compliance with the ordinance; and

**WHEREAS**, a hearing has been held on this date pursuant to such ordinance, at which the City Council has determined that all notices and citations have been served on the owner of the following described property and that the building or structures located on the following described property is a substandard building or structure under the terms of the Substandard Structures Ordinance and constitutes a public nuisance as defined in said ordinance; and

**WHEREAS**, after hearing, the City Council has determined that said building or structures should be removed or demolished by the owner within a reasonable specified time.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY  
COUNCIL OF THE CITY OF LAMESA, TEXAS:**

#### **I.**

That the structure located on the following described property located at 509 South 7<sup>th</sup> Street., hereby declared a Substandard Structure as defined in the Substandard



Structure Ordinance of the City of Lamesa, Texas and as such is declared to be a public nuisance and unlawful, to-wit:

LEGAL DESCRIPTION: Lot Five (5), in Block Twenty-five (25), of the Lee Addition, to the City of Lamesa, Dawson County, Texas

SITUS: 509 South 7<sup>th</sup> Street., Lamesa, TX 79331  
PARCEL ID: R3349

and such nuisance shall be abated by removal or demolition as provided herein or by any other procedure provided by law, for the following reasons:

- (1) The structure located upon the premises has windows or doors open to outdoor space and not protected against the entry of vermin, disease vectors or vandals;
- (2) The structure is uninhabitable, untenable and unsightly due to deterioration caused by neglect or the elements; and
- (3) The structure and property has an accumulation or rubbish, trash and weeds, which is likely to become a fire hazard and endanger the public or property of others.

**II.**

That the abatement by removal or demolition as provided herein shall be caused by the owners of such property not later than thirty (30) days from the date of this resolution.

**III.**

That failure to comply with this order will authorize all proceedings specified in the Substandard Buildings Ordinance necessary for the City to cause the removal or demolition of said structure with such expense to be assessed against such property and secured by a lien against such premises for all expenses incurred by the City in connection with the removal or demolition of such buildings or structures.

**IV.**

That a copy of resolution be served on the owners of such property in the manner and form provided in the Substandard Structure Ordinance.

**V.**

That this resolution shall take effect immediately.

Upon being put to a vote, the resolution was Passed, Approved, and Adopted this 17<sup>th</sup> day of November, 2020, by a majority vote and ordered to be spread upon the minutes of the City Council of the City of Lamesa, Texas and recorded in the resolution book thereafter.

Attest:

---

Betty Conde  
City Secretary

Approved:

---

Josh Stevens  
Mayor

# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: NOVEMBER 17, 2020**

**AGENDA ITEM: 27**

**SUBJECT: PUBLIC HEARING - NUISANCE PROPERTY REMOVAL OR DEMOLITION**

**PROCEEDING:** Public Hearing; Resolution

**SUBMITTED BY:** City Staff

**EXHIBITS:** Citation letters & pictures

### **SUMMARY STATEMENT**

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

**LEGAL DESCRIPTION:** Lot Ten (10), in Block Four (4), of the Oakland Pl Addition to the City of Lamesa, Dawson County, Texas

**SITUS:** 311 North 13<sup>th</sup> Street, Lamesa, TX 79331  
**PARCEL ID:** R4214

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.

The following persons spoke:

_____	_____
_____	_____
_____	_____

Following the public comments the Mayor will close the public hearing.

### **CITY MANAGER'S MEMORANDUM**

This property was found to have a dilapidated 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 OF LAMESA

601 S. 1st Street  
Lamesa, TX 79331  
806.872.2124



[samantha@texascg.com](mailto:samantha@texascg.com)

806.839.2633

November 6, 2020

Johnny & Candy Garza  
308 Chicago Dr  
Lamesa TX 79331

RE: Notice of Hearing

This notice is to inform you that the following property was found to be in violation of the city's substandard structure ordinance outlined in the Local Government Code, Title 7, Subtitle A, Chapter 214, for dangerous structures.

LEGAL DESCRIPTION: Lot Ten (10), in Block Four (4), of the Oakland Pl Addition, to the Town of Lamesa, Dawson County, Texas

SITUS: 311 N 13th St, Lamesa TX 79331

PARCEL ID: R4214

VIOLATION: Ordinance O-5-18 Substandard Structures.

DESCRIPTION: Property has several structures including:

- A. White single-family main home Orange Cream/Brown Single-family home
- B. Storage
- C. White L shaped single-family home behind main house
- D. White dilapidated structure nearest to alley

A hearing has been set before the city council for the determination to abate a building or structure that has been identified and inspected as substandard and/or hazardous according to the provisions of Substandard Structures Ordinance O-5-18. The hearing will take place at **Lamesa City Hall, 601 S 1st Street, Lamesa, Texas 79331** on the **17th day of November, 2020 at 5:30 p.m.** You may present your case as to why this building should not be declared a public nuisance and why you should not be ordered to repair, renovate, or demolish and clear such building or structure from the premises or proof of scope of any work that may be required to comply with the ordinance and the time it will take to reasonably perform the work. If the city council finds that this building is a substandard building or structure, the city council may order the abatement of said condition or conditions by repair, renovation, removal or demolition by you within a reasonable time to be set by the city council and that the city may demolish or remove said building if the owner does not comply with such order. Please give this matter your immediate attention. There are currently no fines nor tickets. The purpose of this notice is to notify you of the issue and hearing.

*Samantha Hyatt*

Samantha Hyatt  
Code Administrator  
[samantha@texascg.com](mailto:samantha@texascg.com)  
806.TEXCODE

# CITY OF LAMESA

601 S. 1st Street  
Lamesa, TX 79331  
806.872.2124



[samantha@texascg.com](mailto:samantha@texascg.com)  
806.839.2633

November 6, 2020

Leather Wood Plbg & Heating & AC  
Po Box 260  
Lamesa TX 79331

RE: Notice of Hearing

This notice is to inform you that the following property was found to be in violation of the city's substandard structure ordinance outlined in the Local Government Code, Title 7, Subtitle A, Chapter 214, for dangerous structures.

LEGAL DESCRIPTION: Lot Ten (10), in Block Four (4), of the Oakland Pl Addition, to the Town of Lamesa, Dawson County, Texas

SITUS: 311 N 13th St, Lamesa TX 79331

PARCEL ID: R4214

VIOLATION: Ordinance O-5-18 Substandard Structures.

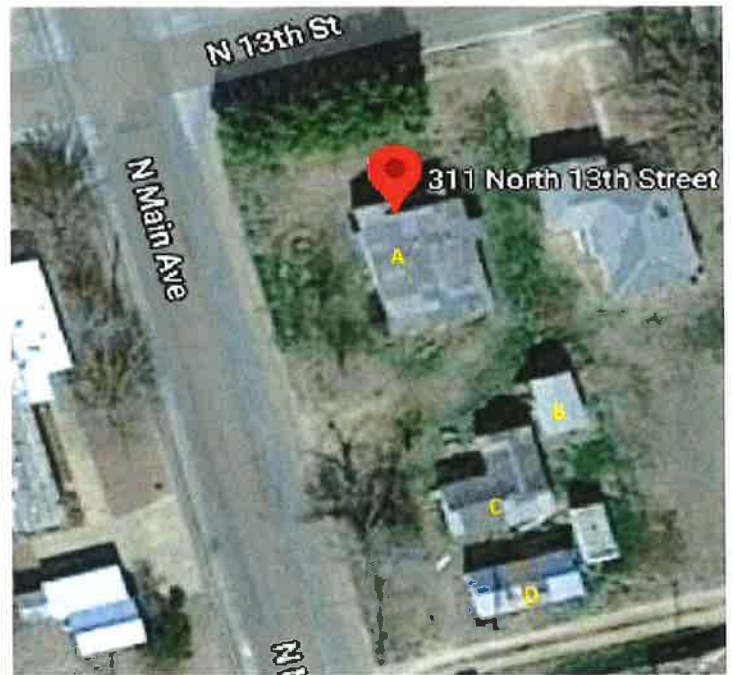
DESCRIPTION: Property has several structures including:

- A. White single-family main home Orange Cream/Brown Single-family home
- B. Storage
- C. White L shaped single-family home behind main house
- D. White dilapidated structure nearest to alley

A hearing has been set before the city council for the determination to abate a building or structure that has been identified and inspected as substandard and/or hazardous according to the provisions of Substandard Structures Ordinance O-5-18. The hearing will take place at **Lamesa City Hall, 601 S 1st Street, Lamesa, Texas 79331** on the **17th day of November, 2020 at 5:30 p.m.** You may present your case as to why this building should not be declared a public nuisance and why you should not be ordered to repair, renovate, or demolish and clear such building or structure from the premises or proof of scope of any work that may be required to comply with the ordinance and the time it will take to reasonably perform the work. If the city council finds that this building is a substandard building or structure, the city council may order the abatement of said condition or conditions by repair, renovation, removal or demolition by you within a reasonable time to be set by the city council and that the city may demolish or remove said building if the owner does not comply with such order. Please give this matter your immediate attention. There are currently no fines nor tickets. The purpose of this notice is to notify you of the issue and hearing.

Samantha Hyatt  
Code Administrator  
[samantha@texascg.com](mailto:samantha@texascg.com)  
806.TEXCODE





Structure A Main House Facing 13<sup>th</sup> St





Structure A Main House Facing 13<sup>th</sup> St Back of house seen from Main St



Structure B & C





PARCEL: R4214 Garza 311 N 13<sup>th</sup> St, Lamesa

SEVERAL STRUCTURES INCLUDED

**Structure D**



# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: NOVEMBER 17, 2020**

**AGENDA ITEM: 28**

**SUBJECT: NUISANCE PROPERTY REMOVAL OR DEMOLITION**  
**PROCEEDING: Resolution**  
**SUBMITTED BY: City Staff**  
**EXHIBITS:**  
**AUTHORITY: City Code of Ordinance, Sec. 3.05.006**

### **SUMMARY STATEMENT**

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 Ten (10), in Block Four (4), of the Oakland PI Addition to the City of Lamesa, Dawson County, Texas

**SITUS:** 311 North 13<sup>th</sup> Street, Lamesa, TX 79331  
**PARCEL ID:** R4214

### **COUNCIL ACTION**

**DISCUSSION** \_\_\_\_\_

Motion by Council Member \_\_\_\_\_ 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 \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

**VOTING:** "AYE" \_\_\_\_\_ "NAY" \_\_\_\_\_ "ABSTAIN" \_\_\_\_\_

### **CITY MANAGER'S MEMORANDUM**

**Recommend approval.**

## **RESOLUTION NO. R**

### **A RESOLUTION ORDERING THE REMOVAL OR DEMOLITION OF A SUBSTANDARD STRUCTURE LOCATED AT 311 NORTH 13TH STREET., IN THE CITY OF LAMESA.**

On this the 17<sup>th</sup> day of November, 2020, there came on and was held at the regular meeting place, The City Hall in the City of Lamesa, Texas, an open meeting of the City Council of the City of Lamesa, Texas held pursuant to the provisions of the Texas Open Meetings Act (Govt. Code, Chapter 551) and there being a quorum present and acting throughout the meeting, the following resolution was formally submitted by motion and duly seconded for the consideration and action of the meeting, to wit:

**WHEREAS**, the City Council of the City of Lamesa, Texas, has adopted a Substandard Structure Ordinance establishing procedures and policies requiring the repair, demolition or removal of certain structures, which have been deemed to be a public nuisance; and

**WHEREAS**, the Building Inspector of the City of Lamesa, has found that the structure(s) located on the premises hereinafter described constitutes a substandard building or structure and is a public nuisance within the terms of said ordinance;

**WHEREAS**, the property owners have been duly notified of the Building Inspector's findings, and given the opportunity to remedy such conditions; and

**WHEREAS**, the Building Inspector has been unable to secure voluntary compliance with the ordinance; and

**WHEREAS**, a hearing has been held on this date pursuant to such ordinance, at which the City Council has determined that all notices and citations have been served on the owner of the following described property and that the building or structures located on the following described property is a substandard building or structure under the terms of the Substandard Structures Ordinance and constitutes a public nuisance as defined in said ordinance; and

**WHEREAS**, after hearing, the City Council has determined that said building or structures should be removed or demolished by the owner within a reasonable specified time.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS:**

#### **I.**

That the structure located on the following described property located at 311 North 13<sup>th</sup> Street., hereby declared a Substandard Structure as defined in the Substandard

Structure Ordinance of the City of Lamesa, Texas and as such is declared to be a public nuisance and unlawful, to-wit:

LEGAL DESCRIPTION: Lot Ten (10), in Block Four (4), of the Oakland PI Addition to the City of Lamesa, Dawson County, Texas

SITUS: 311 North 13<sup>th</sup> Street, Lamesa, TX 79331  
PARCEL ID: R4214

and such nuisance shall be abated by removal or demolition as provided herein or by any other procedure provided by law, for the following reasons:

- (1) The structure located upon the premises has windows or doors open to outdoor space and not protected against the entry of vermin, disease vectors or vandals;
- (2) The structure is uninhabitable, untenable and unsightly due to deterioration caused by neglect or the elements; and
- (3) The structure and property has an accumulation or rubbish, trash and weeds, which is likely to become a fire hazard and endanger the public or property of others.

**II.**

That the abatement by removal or demolition as provided herein shall be caused by the owners of such property not later than thirty (30) days from the date of this resolution.

**III.**

That failure to comply with this order will authorize all proceedings specified in the Substandard Buildings Ordinance necessary for the City to cause the removal or demolition of said structure with such expense to be assessed against such property and secured by a lien against such premises for all expenses incurred by the City in connection with the removal or demolition of such buildings or structures.

**IV.**

That a copy or resolution be served on the owners of such property in the manner and form provided in the Substandard Structure Ordinance.

**V.**

That this resolution shall take effect immediately.

Upon being put to a vote, the resolution was Passed, Approved, and Adopted this 17<sup>th</sup> day of November, 2020, by a majority vote and ordered to be spread upon the minutes of the City Council of the City of Lamesa, Texas and recorded in the resolution book thereafter.

Attest:

---

Betty Conde  
City Secretary

Approved:

---

Josh Stevens  
Mayor



# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: NOVEMBER 17, 2020**

**AGENDA ITEM: 29**

**SUBJECT: PUBLIC HEARING - NUISANCE PROPERTY REMOVAL OR DEMOLITION**

**PROCEEDING:** Public Hearing; Resolution

**SUBMITTED BY:** City Staff

**EXHIBITS:** Citation letters & pictures

### **SUMMARY STATEMENT**

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

**LEGAL DESCRIPTION:** Lot Seven (7), in Block Two (2), of the Compton Addition, to the City of Lamesa, Dawson County, Texas

**SITUS:** 401 N Gary, LAMESA, TX 79331  
**PARCEL ID:** R1872

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.

The following persons spoke:

_____	_____
_____	_____
_____	_____

Following the public comments the Mayor will close the public hearing.

### **CITY MANAGER'S MEMORANDUM**

This property was found to have a dilapidated 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 OF LAMESA

601 S. 1st Street  
Lamesa, TX 79331  
806.872.2124



[samantha@texascg.com](mailto:samantha@texascg.com)

806.839.2633

November 6, 2020

Rosa Linda Gomez Medina  
1305 S 10th St Unit B  
Lamesa Tx 79331

RE: Notice of Hearing

This notice is to inform you that the following property was found to be in violation of the city's substandard structure ordinance outlined in the Local Government Code, Title 7, Subtitle A, Chapter 214, for dangerous structures.

LEGAL DESCRIPTION: Lot Seven (7), in Block Two (2), of the Compton Addition, to the Town of Lamesa, Dawson County, Texas

SITUS: 401 N Gary Ave, Lamesa TX, 79331

PARCEL ID: R1872

VIOLATION: Ordinance O-5-18 Substandard Structures.

DESCRIPTION: White single-family home with attached carport.

A hearing has been set before the city council for the determination to abate a building or structure that has been identified and inspected as substandard and/or hazardous according to the provisions of Substandard Structures Ordinance O-5-18. The hearing will take place at **Lamesa City Hall, 601 S 1<sup>st</sup> Street, Lamesa, Texas 79331** on the **17<sup>th</sup> day of November, 2020 at 5:30 p.m.** You may present your case as to why this building should not be declared a public nuisance and why you should not be ordered to repair, renovate, or demolish and clear such building or structure from the premises or proof of scope of any work that may be required to comply with the ordinance and the time it will take to reasonably perform the work. If the city council finds that this building is a substandard building or structure, the city council may order the abatement of said condition or conditions by repair, renovation, removal or demolition by you within a reasonable time to be set by the city council and that the city may demolish or remove said building if the owner does not comply with such order. Please give this matter your immediate attention. There are currently no fines nor tickets. The purpose of this notice is to notify you of the issue and hearing.

Samantha Hyatt  
Code Administrator

[samantha@texascg.com](mailto:samantha@texascg.com)

806.TEXTCODE



PARCEL: R1872 Gomez 401 N Gary Ave, Lamesa



# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: NOVEMBER 17, 2020**

**AGENDA ITEM: 30**

**SUBJECT: NUISANCE PROPERTY REMOVAL OR DEMOLITION**  
**PROCEEDING: Resolution**  
**SUBMITTED BY: City Staff**  
**EXHIBITS:**  
**AUTHORITY: City Code of Ordinance, Sec. 3.05.006**

### **SUMMARY STATEMENT**

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 Seven (7), in Block Two (2), of the Compton Addition, to the City of Lamesa, Dawson County, Texas

**SITUS:** 401 N Gary, LAMESA, TX 79331  
**PARCEL ID:** R1872

### **COUNCIL ACTION**

**DISCUSSION** \_\_\_\_\_

Motion by Council Member \_\_\_\_\_ 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 \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

**VOTING:** "AYE" \_\_\_\_\_ "NAY" \_\_\_\_\_ "ABSTAIN" \_\_\_\_\_

### **CITY MANAGER'S MEMORANDUM**

**Recommend approval.**

## **RESOLUTION NO. R**

### **A RESOLUTION ORDERING THE REMOVAL OR DEMOLITION OF A SUBSTANDARD STRUCTURE LOCATED AT 401 N GARY, IN THE CITY OF LAMESA.**

On this the 17<sup>th</sup> day of November, 2020, there came on and was held at the regular meeting place, The City Hall in the City of Lamesa, Texas, an open meeting of the City Council of the City of Lamesa, Texas held pursuant to the provisions of the Texas Open Meetings Act (Govt. Code, Chapter 551) and there being a quorum present and acting throughout the meeting, the following resolution was formally submitted by motion and duly seconded for the consideration and action of the meeting, to wit:

**WHEREAS**, the City Council of the City of Lamesa, Texas, has adopted a Substandard Structure Ordinance establishing procedures and policies requiring the repair, demolition or removal of certain structures, which have been deemed to be a public nuisance; and

**WHEREAS**, the Building Inspector of the City of Lamesa, has found that the structure(s) located on the premises hereinafter described constitutes a substandard building or structure and is a public nuisance within the terms of said ordinance;

**WHEREAS**, the property owners have been duly notified of the Building Inspector's findings, and given the opportunity to remedy such conditions; and

**WHEREAS**, the Building Inspector has been unable to secure voluntary compliance with the ordinance; and

**WHEREAS**, a hearing has been held on this date pursuant to such ordinance, at which the City Council has determined that all notices and citations have been served on the owner of the following described property and that the building or structures located on the following described property is a substandard building or structure under the terms of the Substandard Structures Ordinance and constitutes a public nuisance as defined in said ordinance; and

**WHEREAS**, after hearing, the City Council has determined that said building or structures should be removed or demolished by the owner within a reasonable specified time.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS:**

#### **I.**

That the structure located on the following described property located at 401 N Gary, hereby declared a Substandard Structure as defined in the Substandard Structure

Ordinance of the City of Lamesa, Texas and as such is declared to be a public nuisance and unlawful, to-wit:

LEGAL DESCRIPTION: Lot Seven (7), in Block Two (2), of the Compton Addition, to the City of Lamesa, Dawson County, Texas

SITUS: 401 N Gary, LAMESA, TX 79331  
PARCEL ID: R1872

and such nuisance shall be abated by removal or demolition as provided herein or by any other procedure provided by law, for the following reasons:

- (1) The structure located upon the premises has windows or doors open to outdoor space and not protected against the entry of vermin, disease vectors or vandals;
- (2) The structure is uninhabitable, untenable and unsightly due to deterioration caused by neglect or the elements; and
- (3) The structure and property has an accumulation or rubbish, trash and weeds, which is likely to become a fire hazard and endanger the public or property of others.

**II.**

That the abatement by removal or demolition as provided herein shall be caused by the owners of such property not later than thirty (30) days from the date of this resolution.

**III.**

That failure to comply with this order will authorize all proceedings specified in the Substandard Buildings Ordinance necessary for the City to cause the removal or demolition of said structure with such expense to be assessed against such property and secured by a lien against such premises for all expenses incurred by the City in connection with the removal or demolition of such buildings or structures.

**IV.**

That a copy or resolution be served on the owners of such property in the manner and form provided in the Substandard Structure Ordinance.

**V.**

That this resolution shall take effect immediately.

Upon being put to a vote, the resolution was Passed, Approved, and Adopted this 17<sup>th</sup> day of November, 2020, by a majority vote and ordered to be spread upon the minutes of the City Council of the City of Lamesa, Texas and recorded in the resolution book thereafter.

Attest:

---

Betty Conde  
City Secretary

Approved:

---

Josh Stevens  
Mayor



# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: NOVEMBER 17, 2020**

**AGENDA ITEM: 31**

**SUBJECT: PUBLIC HEARING - NUISANCE PROPERTY REMOVAL OR DEMOLITION**

**PROCEEDING:** Public Hearing; Resolution

**SUBMITTED BY:** City Staff

**EXHIBITS:** Citation letters & pictures

### **SUMMARY STATEMENT**

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

**LEGAL DESCRIPTION:** Lots Five (5) & Six (6), in Block Two (2), of the Compton Addition, to the City of Lamesa, Dawson County, Texas

**SITUS:** 402 N Hartford, Lamesa, TX 79331  
**PARCEL ID:** R1871

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.

The following persons spoke:

_____	_____
_____	_____
_____	_____

Following the public comments the Mayor will close the public hearing.

### **CITY MANAGER'S MEMORANDUM**

This property was found to have a dilapidated 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 OF LAMESA

601 S. 1st Street  
Lamesa, TX 79331  
806.872.2124



[samantha@texascg.com](mailto:samantha@texascg.com)  
806.839.2633

November 6, 2020

Rosa Linda Gomez Medina  
1305 S 10th St Unit B  
Lamesa Tx 79331

RE: Notice of Hearing

This notice is to inform you that the following property was found to be in violation of the city's substandard structure ordinance outlined in the Local Government Code, Title 7, Subtitle A, Chapter 214, for dangerous structures.

LEGAL DESCRIPTION: Lots Five (5) & Six (6), in Block Two (2), of the Compton addition, to the Town of Lamesa, Dawson County, Texas

SITUS: 402 N Hartford Ave, Lamesa TX, 79331

PARCEL ID: R1871

VIOLATION: Ordinance O-5-18 Substandard Structures.

DESCRIPTION: Multiple single-family structures with attachments.

A hearing has been set before the city council for the determination to abate a building or structure that has been identified and inspected as substandard and/or hazardous according to the provisions of Substandard Structures Ordinance O-5-18. The hearing will take place at **Lamesa City Hall, 601 S 1st Street, Lamesa, Texas 79331** on the **17<sup>th</sup> day of November, 2020 at 5:30 p.m.** You may present your case as to why this building should not be declared a public nuisance and why you should not be ordered to repair, renovate, or demolish and clear such building or structure from the premises or proof of scope of any work that may be required to comply with the ordinance and the time it will take to reasonably perform the work. If the city council finds that this building is a substandard building or structure, the city council may order the abatement of said condition or conditions by repair, renovation, removal or demolition by you within a reasonable time to be set by the city council and that the city may demolish or remove said building if the owner does not comply with such order. Please give this matter your immediate attention. There are currently no fines nor tickets. The purpose of this notice is to notify you of the issue and hearing.

*Samantha Hyatt*

Samantha Hyatt  
Code Administrator

[samantha@texascg.com](mailto:samantha@texascg.com)  
806.TEXTCODE



PARCEL: R1871 Gomez 402 N Hartford Ave, Lamesa

**INCLUDES MANY STRUCTURES THROUGHOUT THE PROPERTY**

- Structure A is Main house facing Hartford St  
A1 is to the N of Main house  
A2 is to the N of Main House is a 2 story with possible basement  
A3 is to the N of Main House right next to A2
- Structure B is Main structure facing NE 3<sup>rd</sup> St  
B1 includes several attachments



**PARCEL: R1871 Gomez 402 N Hartford Ave, Lamesa**

**BUILDING A= Main House facing Hartford**





**PARCEL: R1871 Gomez 402 N Hartford Ave, Lamesa**

**STRUCTURE A1 is NW from Structure B and faces the side of Structure A Main house**





**PARCEL: R1871 Gomez 402 N Hartford Ave, Lamesa**

**STRUCTURE A2 is next to A3 but not attached directly. Entrance faces the side of Structure A THIS STRUCTURE IS 2 STORIES & MAY BE PARTIALLY UNDERGROUND, AS BASEMENT TYPE**





**PARCEL: R1871 Gomez 402 N Hartford Ave, Lamesa**

**STRUCTURE A3 is next to A2, but not attached directly.**





PARCEL: R1871 Gomez 402 N Hartford Ave, Lamesa

**STRUCTURE B**



**STRUCTURE B ATTACHMENTS MORE BEHIND AND IN BACK**





# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: NOVEMBER 17, 2020**

**AGENDA ITEM: 32**

**SUBJECT: NUISANCE PROPERTY REMOVAL OR DEMOLITION**  
**PROCEEDING: Resolution**  
**SUBMITTED BY: City Staff**  
**EXHIBITS:**  
**AUTHORITY: City Code of Ordinance, Sec. 3.05.006**

### **SUMMARY STATEMENT**

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:** Lots Five (5) & Six (6), in Block Two (2), of the Compton Addition, to the City of Lamesa, Dawson County, Texas

**SITUS:** 402 N Hartford, Lamesa, TX 79331  
**PARCEL ID:** R1871

### **COUNCIL ACTION**

**DISCUSSION** \_\_\_\_\_

Motion by Council Member \_\_\_\_\_ 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 \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

**VOTING:** "AYE" \_\_\_\_\_ "NAY" \_\_\_\_\_ "ABSTAIN" \_\_\_\_\_

### **CITY MANAGER'S MEMORANDUM**

**Recommend approval.**

## **RESOLUTION NO. R**

### **A RESOLUTION ORDERING THE REMOVAL OR DEMOLITION OF A SUBSTANDARD STRUCTURE LOCATED AT 402 N HARTFORD, IN THE CITY OF LAMESA.**

On this the 17<sup>th</sup> day of November, 2020, there came on and was held at the regular meeting place, The City Hall in the City of Lamesa, Texas, an open meeting of the City Council of the City of Lamesa, Texas held pursuant to the provisions of the Texas Open Meetings Act (Govt. Code, Chapter 551) and there being a quorum present and acting throughout the meeting, the following resolution was formally submitted by motion and duly seconded for the consideration and action of the meeting, to wit:

**WHEREAS**, the City Council of the City of Lamesa, Texas, has adopted a Substandard Structure Ordinance establishing procedures and policies requiring the repair, demolition or removal of certain structures, which have been deemed to be a public nuisance; and

**WHEREAS**, the Building Inspector of the City of Lamesa, has found that the structure(s) located on the premises hereinafter described constitutes a substandard building or structure and is a public nuisance within the terms of said ordinance;

**WHEREAS**, the property owners have been duly notified of the Building Inspector's findings, and given the opportunity to remedy such conditions; and

**WHEREAS**, the Building Inspector has been unable to secure voluntary compliance with the ordinance; and

**WHEREAS**, a hearing has been held on this date pursuant to such ordinance, at which the City Council has determined that all notices and citations have been served on the owner of the following described property and that the building or structures located on the following described property is a substandard building or structure under the terms of the Substandard Structures Ordinance and constitutes a public nuisance as defined in said ordinance; and

**WHEREAS**, after hearing, the City Council has determined that said building or structures should be removed or demolished by the owner within a reasonable specified time.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS:**

#### **I.**

That the structure located on the following described property located at 402 N Hartford, hereby declared a Substandard Structure as defined in the Substandard Structure

Ordinance of the City of Lamesa, Texas and as such is declared to be a public nuisance and unlawful, to-wit:

LEGAL DESCRIPTION: Lots Five (5) & Six (6), in Block Two (2), of the Compton Addition, to the City of Lamesa, Dawson County, Texas

SITUS: 402 N Hartford, Lamesa, TX 79331  
PARCEL ID: R1871

and such nuisance shall be abated by removal or demolition as provided herein or by any other procedure provided by law, for the following reasons:

- (1) The structure located upon the premises has windows or doors open to outdoor space and not protected against the entry of vermin, disease vectors or vandals;
- (2) The structure is uninhabitable, untenable and unsightly due to deterioration caused by neglect or the elements; and
- (3) The structure and property has an accumulation or rubbish, trash and weeds, which is likely to become a fire hazard and endanger the public or property of others.

**II.**

That the abatement by removal or demolition as provided herein shall be caused by the owners of such property not later than thirty (30) days from the date of this resolution.

**III.**

That failure to comply with this order will authorize all proceedings specified in the Substandard Buildings Ordinance necessary for the City to cause the removal or demolition of said structure with such expense to be assessed against such property and secured by a lien against such premises for all expenses incurred by the City in connection with the removal or demolition of such buildings or structures.

**IV.**

That a copy of resolution be served on the owners of such property in the manner and form provided in the Substandard Structure Ordinance.

**V.**

That this resolution shall take effect immediately.

Upon being put to a vote, the resolution was Passed, Approved, and Adopted this 17<sup>th</sup> day of November, 2020, by a majority vote and ordered to be spread upon the minutes of the City Council of the City of Lamesa, Texas and recorded in the resolution book thereafter.

Attest:

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Betty Conde  
City Secretary

Approved:

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Josh Stevens  
Mayor

# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: NOVEMBER 17, 2020**

**AGENDA ITEM: 33**

**SUBJECT: CITY STAFF REPORTS**

**SUBMITTED BY: City Staff**

### **SUMMARY STATEMENT**

- 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)*
- c. **LEDC/LEAP QUARTERLY REPORT:** Lee Peterson, EDC Director to present LEDC/LEAP Quarterly Report to City Council. *(EDC Director)*

### **COUNCIL ACTION**

No City Council action required.

**City Staff to report on recent events**

# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: NOVEMBER 17, 2020**

**AGENDA ITEM: 34**

**SUBJECT: FINANCIAL REPORT**  
**SUBMITTED BY: Finance Director**  
**EXHIBITS: Financial Report**

### **SUMMARY STATEMENT**

Finance Director to report on the city's finances.

### **COUNCIL ACTION**

No City Council action required.

### **CITY MANAGER'S MEMORANDUM**

Finance Director will provide report at City Council meeting.



# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: NOVEMBER 17, 2020**

**AGENDA ITEM: 35**

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**SUBJECT: CITY MANAGER REPORT**

**SUBMITTED BY: City Manager**

### **SUMMARY STATEMENT**

- a. City Hall Closed for Thanksgiving – November 26 & 27, 2020
- b. City Hall Closed for Christmas – December 24 & 25, 2020
- c. City Hall Closed for New Year's Day – January 1 & 2, 2020

### **COUNCIL ACTION**

No City Council action required.

# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: NOVEMBER 17, 2020**

**AGENDA ITEM: 36**

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**SUBJECT: MAYOR'S REPORT**

**SUBMITTED BY: Mayor**

### **SUMMARY STATEMENT**

Mayor to report on future goals and goals.

### **COUNCIL ACTION**

No City Council action required.

# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: NOVEMBER 17, 2020**

**AGENDA ITEM: 37**

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**ADJOURNMENT:** *The next regularly scheduled meeting of the City Council of the City of Lamesa, Texas will be December 15, 2020 at 5:30 P.M.*